UNITED STATES OF AMERICA

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS
SECOND SESSION

VOLUME 114—PART 15

JUNE 27, 1968, TO JULY 9, 1968
(PAGES 19061 TO 20422)

UNITED STATES GOVERNMENT PRINTING OFFICE, WASHINGTON, 1968

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 90th CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES—*Thursday, June 27, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Restore unto me the joy of Thy salvation; and uphold me with Thy free spirit.—Psalm 51: 12.

Almighty and most merciful Father, ever moving among Thy children and forever seeking entrance into the hearts of men, we pray for the world in which we live, a world in which we do not get along together in the spirit of brotherhood. Too often persons resort to procedures which produce pettiness in people, multiply the miseries of men, and add to the bitterness which blights the bright hopes of Thy children. Forgive, O Lord, forgive and restore unto us the joy of Thy salvation.

We pray for ourselves in this world that with a new spirit in our hearts, a new song on our lips, and a new strength in our hands we may work together to lift the fallen, hearten the disheartened, and give faith and hope to those whose spirits are low.

Lift up our heads, O Lord. Better still, lift up our hearts that we the Representatives of our Nation may lead our people to a better life for all, a higher hope for all, and a fuller faith for all.

In the name of Him who lived His faith to the very end we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 3931. An act to amend the act of April 3, 1952;

H.R. 8581. An act to amend section 11-341(b) of the District of Columbia Code which relates to the sales price for the reports of the opinions of the U.S. Court of Appeals for the District of Columbia Circuit; and

H.R. 13373. An act for the relief of Richard C. Mockler.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 17268. An act to amend the Defense Production Act of 1950, and for other purposes;

H.R. 17354. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes; and

H.R. 17734. An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17354) entitled "An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. BIBLE, Mr. BYRD of West Virginia, Mr. MUNDT, and Mr. YOUNG of North Dakota to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17734) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MUNDT, Mr. PASTORE, Mr. HOLLAND, Mr. ELLENDER, Mr. HILL, Mr. MAGNUSON, Mr. YOUNG of North Dakota, and Mrs. SMITH to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1514. An act relating to the rehabilitation of narcotic addicts in the District of Columbia; and

S. 1628. An act to authorize suits in the courts of the District of Columbia for collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when the reciprocal right is accorded to the District of Columbia, and for other purposes.

THE LATE HONORABLE GORDON L. McDONOUGH, OF CALIFORNIA

Mr. LIPSCOMB. Mr. Speaker, I ask unanimous consent to address the House.

Mr. SPEAKER. Is there objection to the request of the gentlemen from California?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, it is my sad duty to inform the House of Representatives of the death of our former esteemed colleague, the Honorable Gordon L. McDonough, of California, who passed away Tuesday evening, June 25, 1968.

Funeral services will be held Friday, June 28, at 11 a.m., at St. Ann's Catholic Church, Tenley Circle, Wisconsin and Nebraska Avenues NW., Washington, D.C. Interment will be in California.

Gordon served the 15th District of California with distinction in the House of Representatives for nine terms, serving in the 79th through the 87th Congress from 1945 through 1962. He was an active and prominent member of the House Banking and Currency Committee and was the ranking Republican on the House Subcommittee. He also served on the House Science and Astronautics Committee, the Merchant Marine and Fisheries Committee and on the Joint Committee on Defense Production.

Prior to his service in the House of Representatives he was a member of the Los Angeles County Board of Supervisors from 1933 through 1944, and served as chairman. He was active in many civic organizations and will be remembered in Los Angeles for the many public service duties he performed for all the people.

Gordon was a devoted public servant and a fine legislator. I feel honored to have been his friend and to have had the opportunity of serving with him in the House of Representatives.

He is survived by his loyal and devoted wife, Catherine Ann, two daughters, Mrs. Richard H. Miller and Mrs. John Mannelly, of Los Angeles, and five sons, Gordon, Vincent, and Thomas, of Los Angeles, and Paul and James, of Washington, and 31 grandchildren. They have the deep and heartfelt sympathy of Gordon's friends everywhere.

Mr. Speaker, I yield to the distinguished gentleman from California [Mr. ROYBAL].

Mr. ROYBAL. I thank the gentleman for yielding.

Mr. Speaker, I join with the gentleman from California in expressing my deepest sympathy to the surviving family of Gordon McDonough. I remember Gordon very well as he served with distinction for 12 years on the board of supervisors of the county of Los Angeles starting in 1933. His dedication to his work and the excellent job that he did were so very much appreciated by his constituents, that they sent him to Washington, to represent them in the House of Representatives where he again represented them with distinction for 18 years.

Mr. Speaker, Gordon McDonough was indeed one of the most outstanding legislators that the State of California has ever produced. His death is a great loss not only to his family and friends, but to the city of Los Angeles, to the State of California and to the Nation.

Mr. LIPSCOMB. Mr. Speaker, I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I join the distinguished gentleman from California and others in extending to the family of Gordon McDonough my deepest sympathy at his passing.

Gordon was a Member of the House when I came here. I quickly developed a close friendship with Gordon and our families became well acquainted. I quickly learned to respect his character and to have great admiration for his point of view on legislative matters. He was an outstanding Member of this body in every respect. He was a devoted family man and a friend of all of us. When he left this body, he left a fine mark for others to match.

I say again that the Nation has lost a fine citizen and we have lost a good friend. I extend to his family and to his loved ones our very deepest sympathy.

Mr. LIPSCOMB. Mr. Speaker, I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Speaker, I join with the gentleman from California and his colleagues from his State and the distinguished minority leader in their expression of sorrow over the death of a man I learned to love and admire in the House of Representatives. He was a fine Congressman and an outstanding American.

I extend my deepest sympathy to those he has left behind.

Mr. LIPSCOMB. Mr. Speaker, I yield to the distinguished Speaker of the House of Representatives.

Mr. McCORMACK. Mr. Speaker, I am very sorry to learn of the passing of my dear friend and our former colleague, Gordon McDonough. He and I not only served together but, more so, there developed between us throughout the years a very close feeling of respect and friendship.

Gordon McDonough was an ideal legislator, dedicated to his work in committee and on the floor of the House. He was a man who was serious in the performance of his duties, a man who studied legislation and knew the legislation coming out of committee and under consideration by the House. He made his mark in outstanding contributions during his 18 years of honorable and trustworthy public service.

He and Mrs. McDonough lived a beautiful life as husband and wife, an example for all others to follow.

We all grieve at the passing of Gordon McDonough. I join with my colleague from California and others in extending to Mrs. McDonough and her loved ones my deep sympathy in her great loss and sorrow.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the distinguished majority whip.

Mr. BOGGS. I should like to join in the remarks made, and particularly the remarks just made by the distinguished Speaker of the House of Representatives.

Gordon McDonough was a dedicated Member of this body. He was on the floor constantly when he served here. He represented his constituency with ability and, as the Speaker said, he was a man devoted to his duties.

I might say also that he was a man who made friends easily. He had a great many friends. During his retirement he would come back occassionally. As all Members know, he would come by to visit with us. I enjoyed those visits immensely.

I am indeed sorry to learn of his passing, and I join the distinguished gentleman from California in extending sympathy to his family.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. LIPSCOMB. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Speaker, it was with genuine regret and a deep sense of loss, so far as I am personally concerned, that I read in the paper this morning of the passing of Gordon McDonough.

One of the privileges I have had here in the House of Representatives has been the opportunity to serve with great people. I say that advisedly, because in my time just about every Member of this House has been a great person. They have been great people not only because they have been statesmen dedicated to the welfare of their country; they have been great people because they have been good people, decent people, honest people, God-fearing people, family-loving people. Gordon McDonough was that sort of person.

I am proud and happy to call him friend, and I am sorry indeed at his passing.

Mr. MAILLIARD. Mr. Speaker, it is with sadness that I rise today to pay homage to a late colleague and former fellow member of the California delegation, the Honorable Gordon L. McDonough.

Gordon McDonough was a man whose career exemplified devotion to duty and love of country. It was my privilege to serve with him for 10 years, and I can testify that his selfless efforts in behalf of his constituency and our State of California will long be remembered.

Gordon McDonough pledged his life to public service. Before entering the House in 1944, he rendered distinguished service to Los Angeles County as a member of its board of supervisors and in several other capacities. Here in the House, he became senior Republican on the housing subcommittee.

To his wife, Catherine Ann, and other members of his family, my wife joins me in extending our most heartfelt sympathy.

Mr. SMITH of California. Mr. Speaker, I would like to join my colleagues in the House of Representatives in paying tribute to my dear friend and former colleague, the Honorable Gordon L. McDonough, who served as a most distinguished Member of the House of Representatives from California from 1945 until 1962—the 79th through 86th Congresses.

He served on many committees in the House with great distinction and has always been a valued member of the Republican Party. He was a dedicated statesman, who through actions and words proved that he believed wholeheartedly in the great principles upon which our Nation was founded. He demonstrated, in everything he did, his ideals for liberty, respect for truth and love of justice. He was a great help to me when I first came to Congress.

Gordon was a devoted family man and a wonderful husband and father. I am privileged to have his son, Gordon L. McDonough, Jr., and his fine family residing in my congressional district.

Mrs. Smith joins me in expressing our deepest sympathies to his dear wife and family. We feel a deep sense of personal loss. We hope that his family will find comfort in their great sorrow in knowing that Gordon left behind him many, many devoted friends and a true example of American statesmanship at its best.

Mr. O'HARA of Illinois. Mr. Speaker, it was with a sorrowful sense of personal loss that I learned of the passing of the Honorable Gordon L. McDonough, and to his widow and other loved ones I extend my deepest sympathy. When I came to the 81st Congress and was assigned to the Banking and Currency Committee Gordon was in his third term in the House and on that committee. He was kind, gracious and helpful to me in every way and I came to number him among my dearest friends. When I last saw him not many months ago he seemed in happy spirits and robust health, and the announcement that he had passed on came as a shock. Hanging on the wall of my office in the Rayburn Building is a photograph of members of the Housing Subcommittee taken in Los Angeles some 15 years ago. That photograph will continue to hang on the wall of my office as long as I am here, and often I will look at it and seeing therein the picture of Gordon McDonough as he looked then in all the majesty of his presence will relive the days of one of the precious friendships of my years in the Congress. He was a brilliant legislator, a dedicated American and a priceless friend.

Mr. CHARLES H. WILSON. Mr. Speaker, I am sure that all my California colleagues, as well as those other Members of Congress who were privileged to know former Representative Gordon L. McDonough, were saddened to learn of his death this past week.

Although Congressman McDonough's remarkable service in the House ended just as mine began, I nonetheless enjoyed the pleasure of his friendship. He resided in my 31st Congressional District, and I was honored to know him, his wife Catherine Ann, his son Gordon, Jr., and his six other wonderful children. My wife, Betty, joins me in expressing our deep sorrow to his family on their great loss.

Los Angeles' 18th Congressional District was indeed fortunate to be represented by Congressman McDonough for 18 years, from 1944 to 1962. Previous to his service in the House, he was active in Los Angeles' civic life, serving three 4-year terms as a member of the Los Angeles County Board of Supervisors and as chairman of both the county flood control district and the county sanitation district.

A member of the original House Space Committee, Representative McDonough, on his retirement, was the senior Republican on the Housing Subcommittee of the Committee on Banking and Currency. His entire career was marked by energy, courage, and dedication. And, although in our two-party system one might have differed with his philosophic views, one could never doubt the integrity with which he held them.

GENERAL LEAVE TO EXTEND

Mr. LIPSCOMB. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the RECORD on the life, character, and service of the late Honorable Gordon L. McDonough.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONTINUING APPROPRIATIONS

Mr. MAHON. Mr. Speaker, pursuant to the unanimous-consent agreement on Monday, July 24, I call up the joint resolution (H.J. Res. 1368) making continuing appropriations for the fiscal year 1969, and for other purposes, and ask unanimous consent that the joint resolution be considered in the House as in the Committee of the Whole House on the State of the Union.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The joint resolution is as follows:

H.J. RES. 1368

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of the Government for the fiscal year 1969, namely:

SEC. 101. (a)(1) Such amounts as may be necessary for continuing projects or activities (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1968 and for which appropriations, funds, or other authority would be available in the following appropriation Acts for the fiscal year 1969:

Department of Agriculture and Related Agencies Appropriation Act;

Independent Offices and Department of Housing and Urban Development Appropriation Act;

Department of the Interior and Related Agencies Appropriation Act;

Public Works for Water and Power Resources Development and Atomic Energy Commission Appropriation Act;

Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act;

Department of Labor, and Health, Education, and Welfare Appropriation Act; and

Legislative Branch Appropriation Act.

(1) Appropriations made by this subsection shall be available to the extent and in the manner which would be provided by the pertinent appropriation Act.

(3) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this subsection as passed by the House is different from that which would be available or granted under such Act as passed by the Senate, the pertinent project or activity shall be continued under the lesser amount or the more restrictive authority.

(4) Whenever an Act listed in this subsection has been passed by only one House or where an item is included in only one version of an Act as passed by both Houses, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower: *Provided*, That no provision which is included in an appropriation Act enumerated in this subsection but which was not included in the applicable appropriation Act for 1968, and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution unless such provision shall have been included in identical form in such bill as passed by both the House and Senate.

(b) Such amounts as may be necessary for continuing projects or activities which were conducted in the fiscal year 1968 and are listed in this subsection at a rate for operations not in excess of the current rate or the rate provided for in the budget estimate, whichever is lower, and under the more restrictive authority:

Activities for which provision was made in the Department of Defense Appropriation Act, 1968;

Activities for which provision was made in the District of Columbia Appropriation Act, 1968;

Activities for which provision was made in the Foreign Assistance and Related Agencies Appropriation Act, 1968;

Activities for which provision was made in the Military Construction Appropriation Act, 1968;

Activities for which provision was made in the Department of Transportation Appropriation Act, 1968;

Activities under the Higher Education Act of 1965;

Activities under the National Defense Education Act of 1958, as amended;

Activities of the Department of Health, Education, and Welfare under the Mutual Educational and Cultural Exchange Act of 1961;

Activities (grants for college work-study program) under part C, title I of the Economic Opportunity Act of 1964, as amended;

Activities (grants for land-grant colleges) under section 22 of the Act of June 29, 1935, as amended (7 U.S.C. 329);

Activities under the Higher Education Facilities Act of 1963, as amended;

Activities, other than grants, of the domestic agricultural migratory workers health program of the Public Health Service, Department of Health, Education, and Welfare;

Activities, other than grants, related to regional medical programs of the Public Health Service, Department of Health, Education, and Welfare;

Activities under sections 3, 4, 7, 12, and 13 of the Vocational Rehabilitation Act, as amended;

Activities under the National Foundation on the Arts and the Humanities Act of 1965; and

Activities under the appropriations for "Ship construction" and "Research and development", Maritime Administration, Department of Commerce.

(c) Such amounts as may be necessary for continuing projects or activities for which disbursements are made by the Secretary of the Senate, and the Senate items under the Architect of the Capitol, to the extent and in the manner which would be provided for in the budget estimates for the fiscal year 1969.

(d) Such amounts as may be necessary for continuing activities under sections 104 and 105 of the Manpower Development and Training Act, but at a rate for operations not in excess of the current rate.

SEC. 102. Appropriations and funds made available and authority granted pursuant to this joint resolution shall remain available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) enactment of the applicable appropriation Act by both Houses without any provision for such project or activity, or (c) July 31, 1968, whichever first occurs.

SEC. 103. Appropriations and funds made available or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in subsection (d)(2) of section 3679 of the Revised Statutes, as amended, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds or to permit the use, including the expenditure, of appropriations, funds or authority in any manner which would contravene the provisions of title II of the Revenue and Expenditure Control Act of 1968.

SEC. 104. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 105. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 106. No appropriation or fund made available or authority granted pursuant to this joint resolution shall be used to initiate or resume any project or activity which was not being conducted during fiscal year 1968.

The SPEAKER. Without objection, the joint resolution is engrossed, read a third time, and passed, and a motion to reconsider is laid on the table.

There was no objection.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members may revise and extend their remarks at this point in the RECORD in connection with the joint resolution continuing appropriations, and insert pertinent tables and figures.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JONAS. Mr. Speaker, I do not object to the unanimous-consent request that Members may revise and extend their remarks, but I was not aware of the fact that the joint resolution continuing appropriations would be adopted without debate.

I have no objection to considering the joint resolution in the House. Was that the request?

The SPEAKER. The Chair cannot read the minds of Members. The Chair is sitting here, observing, and will protect the rights of Members.

Seeing no Member rise, the Chair acted in the next parliamentary procedure.

The Chair will always lean over backward to protect the rights of all Members.

Mr. JONAS. Mr. Speaker, it was my

understanding that the joint resolution was to be considered under the 5-minute rule. Some Members, I know, desire to discuss it.

The SPEAKER. Without objection, the action by which the joint resolution was engrossed, read the third time, and passed, and a motion to reconsider laid on the table, is vacated.

There was no objection.

Mr. MAHON. Mr. Speaker, I move to strike the last word.

Mr. Speaker, we are approaching the end of the fiscal year on June 30. Thirteen regular, annual appropriation bills for fiscal year 1969 are scheduled for passage prior to the end of the session.

Eight of those bills have been passed by the House.

Three of those bills have been passed by the other body.

With the transportation bill which was reported today by the Committee on Appropriations, the committee will have considered nine bills for 1969. The four remaining bills not yet reported require authorization. One of the four—the District of Columbia bill—could be considered, but additional revenue should be provided before the bill is actually considered.

Only one of the regular bills, the Treasury and Post Office Department bill, has been enacted into law. The other body has sent us two other regular bills which are now ready for conference—the bills for Agriculture and Interior. We are moving toward the conclusion of the appropriations work for the session insofar as the House is concerned.

This continuing resolution provides that the Government may operate through July 31—for 1 month. It provides that nothing shall contravene the Revenue and Expenditure Control Act of 1968 which was passed last week. Further, whatever expenditures take place in July under the resolution will have to be charged to the appropriations eventually made by the Congress, so they may be reduced pursuant to the expenditure reduction legislation. Also, no new starts are permitted in this legislation.

Insofar as I am able to say, there is no objection from any source to the consideration and passage of this legislation.

EXPENDITURE ACT REDUCTIONS IN APPROPRIATION BILLS, BASED ON HOUSE ACTIONS

Mr. Speaker, specifically as to House actions in the eight appropriation bills—certain actions in other bills may also have some effect:

First, $6,178 million of the $10 billion new budget authority reduction figure has been achieved. The transportation bill reported from committee this morning proposes another $267 million reduction.

Second, based on tentative approximations, some $1,732 million of the $6 billion outlay—expenditure—reduction figure has been achieved. The transportation bill reported from committee this morning proposes cuts that are estimated to reduce 1969 expenditures by approximately $304 million. In addition, reductions in expenditures that would have been made in 1969 from obligating authority requested in, but cut by the House from the second supplemental bill, 1968, may roughly approximate another $186 million.

It may be that the gentleman from North Carolina [Mr. JONAS] will wish to say something at this point. I shall extend my remarks and include selected excerpts from the committee report and a table summarizing the bill totals.

Excerpts from the committee report:

This is the customary type of resolution brought before the House on the eve of the new fiscal year to avoid interruption of continuing governmental functions. The authority conveyed by this resolution is necessary to provide for the interim between June 30 and final approval of the applicable annual appropriation acts for the fiscal year 1969, which begins on July 1, next. The resolution follows the basic form and concept of similar resolutions of past years. Last year's initial continuing resolution became Public Law 90–38, approved June 30, 1967.

The time period covered by the accompanying resolution is limited to the month of July, 1968. There would be no need for an extension beyond July 31 if all the appropriation bills are sent to the President before the national political conventions.

SCOPE OF THE RESOLUTION

Comporting with continuing resolutions over a period of many years, including last year, the emphasis in the resolution is on the *continuation of existing projects and activities* at the lowest of one of three rates, namely, the current (fiscal year 1968) rate; the budget request, where no action has been taken by either House; or the more restrictive amount adopted by either of the two Houses. The whole thrust of the resolution is to keep the Government function on a minimum basis until funds for the full year are otherwise determined upon.

In those instances where the applicable 1969 appropriation bill has passed both Houses but not cleared conference, and the particular amount or authority therein differs, the pertinent project or activity continues under the lesser of the two amounts and under the more restrictive authority.

In those instances where a bill has passed only one House, or where an appropriation for a project or activity is included in only one version of a bill as passed by both Houses, the pertinent project or activity continues under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current fiscal year 1968 rate or the rate permitted by the one House, whichever is the lower.

In those instances where neither House has passed the applicable appropriation bill for the fiscal year 1969, appropriations are provided for *continuing* projects or activities conducted during fiscal year 1968 at the current rate or the rate provided for in the budget estimate for 1969, whichever is lower, and under the more restrictive authority.

The resolution does not in any way augment the appropriation for a given project or activity in the regular bills for the fiscal year 1969. In the words of section 105 of the resolution itself:

"SEC. 105. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law."

In other words, while this resolution—as in the case of similar resolutions of previous years—does not enumerate *specific* amounts that may be obligated and expended for the countless activities of government during the month of July (or such shorter period as the resolution may operate as to particular departments or agencies), the controlling factor, known to all who have any responsibility for the management of the programs or the obligation of the funds, is that whatever is used during this interim must be taken out of, or charged against, whatever amount is finally appropriated, or otherwise made available, for the whole years, as may be reduced pursuant to the expenditure reduction legislation.

Section 101(b) of the resolution is drawn along the conventional lines of similar past resolutions, and, generaly, encompasses those activities to be considered in connection with appropriation bills not yet reported from the Committee. This includes a number of items that had to be laid aside for lack of legislative authorization at the time the appropriation bills in which they normally would have been considered were reported earlier in the session.

Only one appropriation bill—the *Treasury-Post Office bill*—for fiscal year 1969 has cleared Congress. Thus prompt enactment of this resolution is the proper course of action under the circumstances. *Section 102 provides that the resolution ceases to apply* to an agency or activity concurrent with approval by the President of the applicable appropriation bill in which provision for such agency or activity is made. Thus *the scope of the continuing resolution constricts as each bill is enacted; the resolution will be wholly inoperative after the last bill for 1969 is approved, or July 31, whichever first occurs.*

Section 104 is standard in continuing resolutions, and is self-explanatory.

Section 106 is also standard in continuing resolutions, *forbidding* the use of funds provided in the joint resolution to *initiate any new project or activity or to resume any which was not being conducted in fiscal 1968.*

Common, of course, to all appropriations and funds that are used in 1969 for payment of salaries of civilian and military personnel will be the extra compensation, commencing in July, that must be paid as a result of the comparability pay increases granted pursuant to Public Laws 90–206 and 90–207. There is no administrative discretion in the matter of the extra payments to personnel. The line-item budget estimates for 1969 did not make specific allowance for these added costs (shown only as a 1-line item of $1.6 billion within the January budget totals), causing the committee to include, as section 303(a) in the pending Second Supplemental Appropriation Bill for 1968, a provision authorizing deficiency apportionments for 1969 to the extent any such pay increases cannot be absorbed within funds otherwise available.

EXPENDITURE CONTROL ACT REDUCTION PROVISIONS

The provisions of title II of the Revenue and Expenditure Control Act of 1968 concern reductions in civilian employment, require a reduction of not less than $10 billion in new budget (obligational) authority for 1969, a reduction of not less than $6 billion in budgeted 1969 outlays (expenditures and net lending), and specific recommendations for recisions of $8 billion of previously granted obligational authority. These provisions introduce a new dimension to budgets of the departments and agencies of government in the fiscal year 1969 beginning on July 1, next. They cast something of a shadow over not only the unexpended carryover balances in innumerable accounts across the government but also over many of the specific appropriation and fund amounts now pending consideration at various stages in the legislative process. This underscores and emphasizes the fact that, whereas in previous years departments and agencies operating under a continuing resolution were required to hold obligations and expenditures to *not in excess of* the lowest of one of two or three rates, those minimums, with the aforementioned title II in the picture, take on something of the nature of "maximum minimums."

In this general connection, section 103 of the joint resolution follows the stereotyped form of provious continuing resolutions in waiving the time periods set forth in 31 U.S.C. 665(d)(2) for the submission and approval of papers on the apportionments of funds. This in nowise waives the basic requirement in the law for the apportionment of funds over the year by the Director of the Bureau of the Budget, but merely dispenses with considerable paper work that as a practical matter cannot be usefully applied to 31-day temporary appropriation provisions. But in view of the title II reduction provisions applicable to fiscal 1969, the committee has attached to section 103 a proviso that: "nothing herein shall be construed to waive any other provision of law governing the apportionment of funds or to permit the use, including the expenditure, of appropriations, funds or authority in any manner which would contravene the provisions of title II of the Revenue and Expenditure Control Act of 1968."

SUMMARY OF APPROPRIATION BILL TOTALS OF NEW BUDGET (OBLIGATIONAL) AUTHORITY, 90TH CONG., 2D SESS., AS OF JUNE 27, 1968

[Does not of course include any "back-door" type budget authority; or any permanent (Federal or trust) authority under earlier or "permanent" law [1] without further or annual action by the Congress]

	New budget (obligational) authority (all figures are slightly rounded)		
	Bills for fiscal 1968	Bills for fiscal 1969	Bills for the session
A. House actions:			
1. Budget requests considered	$6,796,295,000	$54,060,171,000	$60,856,466,000
2. Amounts approved by House	6,426,465,000	[2] 47,372,815,000	53,799,280,000
3. Change from corresponding budget requests	−369,830,000	[2] −6,687,356,000	−7,057,186,000
B. Senate actions:			
1. Budget requests considered	6,818,092,000	10,316,207,000	17,134,299,000
2. Amounts approved by Senate	6,453,116,000	8,593,779,000	15,046,895,000
3. Change from corresponding budget requests	−364,976,000	−1,722,428,000	−2,087,404,000
4. Compared with House amounts in same bills	+26,652,000	+11,463,000	+38,115,000
C. Enacted:			
1. Budget requests considered	79,781,000	1,959,885,000	2,039,666,000
2. Amounts enacted	79,381,000	1,780,653,000	1,860,034,000
3. Comparison with corresponding budget requests	−400,000	−179,232,000	−179,632,000

[1] For fiscal 1969, according to the January budget, total new budget (obligational) authority is tentatively estimated at $214,600,000,000 ($201,700,000,000, net of certain budget presentation adjustments), of which $141,500,000,000 is for current action by Congress and $73,100,000,000 would become available under permanent law.

[2] Includes committee reported amounts for Transportation bill (subject to floor action). $6,445,069,000 of this figure would count against the "not less than" $10,000,000,000 cut pending in the tax bill; the $6,445,069,000 figure includes $2,685,000,000 of participation sales authorization reduction and $126,500,000 (committee bill, $256,000,000) stricken on floor point of order on State-Justice bill.

Mr. JONAS. Mr. Speaker, I move to strike the last two words.

The SPEAKER. The gentleman is recognized for 5 minutes.

Mr. JONAS. Mr. Speaker, as the distinguished chairman of the Committee on Appropriations has just reported, this is the usual continuing resolution made necessary because we have not completed action in the Congress, and there have not been signed into law yet all of the appropriation bills that will be required to provide the funds for the continued operation of the Government in the 30 days of the new fiscal year which will begin July 1 next.

Mr. Speaker, I think the chairman of the full Committee on Appropriations might not wish to say this himself, because he is the chairman of the committee, but I can say on his behalf and on behalf of the committee that we do not feel the Appropriations Committee is responsible for this problem.

This House has already completed action on eight regular appropriation bills coming out of our committee so far this calendar year. The House has completed action on two supplemental bills reported by our committee—an urgent supplemental which has been in conference for many weeks now and the second supplemental bill which cleared this House several weeks ago and only cleared the other body yesterday. The Committee on Appropriations has been diligent and on target all year. And with respect to the four remaining regular bills we are ready to mark those up and report them to the House, but they are being delayed because of circumstances beyond the control of the Committee on Appropriations. The four remaining bills, excluding the DOT bill which cleared the committee today and which will be on the floor next Tuesday, are: District of Columbia, Department of Defense, foreign aid, military construction, and, of course, there will be a final supplemental.

But the record will show that eight of the regular appropriation bills and two supplemental bills have already cleared the House and by next Tuesday the score will be nine out of the 13 regular bills have cleared this House, leaving only four to go.

Mr. Speaker, I would like to say that I support this continuing resolution. It runs only until July 31. It does not affect or make any change in the bills that have already cleared this House, because the spending limitations fixed in those bills are not changed by the resolution. The continuing resolution merely permits the expenditure of the funds in accordance with the provisions of the bills that have already cleared the House and, as I said before, that is eight.

Mr. Speaker, the House Committee on Appropriations cleared the ninth bill this morning, which is a bill providing the appropriations for the Department of Transportation. That bill will be on the floor next Tuesday. When it is cleared, we will then have only four regular bills to be approved.

I would like to say a few things about the general situation which confronts the House. Members should be made aware of exactly where we stand with respect to appropriations and spending cuts so as to estimate our chances of meeting the goals the Congress assumed in adopting the tax bill and spending limitation which was enacted by the Revenue and Expenditure Control Act of 1968.

As I see it, there are two goals Congress set for itself under that legislation: First, to reduce new obligational authority by $10 billion; and second, to reduce spending by $6 billion. Before the action of the House yesterday on the Labor-HEW appropriation bill, new obligational authority had been reduced $6.3 billion below the budget, leaving only about $3.7 billion to go in order to reach that $10 billion goal. But the action of the House yesterday forced a retreat. That action restored $195 million of the NOA that had previously been cut on the 8 regular bills. So, we go down from $6.3 billion in aggregate cuts to $6.1 billion.

Today's action of the full committee on the Department of Transportation bill will, however, put us back up even with where we were before the action of yesterday, and slightly in advance of that position, because that bill recommends cuts of $267 million and when we take that into consideration you will see that NOA cuts are back up to $6.4 billion, including those in the DOT bill and assuming the House follows the recommendations of its Committee on Appropriations next Tuesday.

The SPEAKER. The time of the gentleman from North Carolina has expired.

(By unanimous consent Mr. JONAS was allowed to proceed for 5 additional minutes.)

Mr. JONAS. Mr. Speaker, the four regular bills left involve $84,271 million of budget requests and that includes $1.5 billion on the wrapup supplemental: the District of Columbia bill in the amount of $177 million, the Department of Defense bill in the amount of $77 billion, foreign aid in the amount of $3.4 billion, and military construction in the amount of $2,051 million.

Mr. Speaker, in order to reach the $10 billion cut in NOA we, therefore, have to cut out of the remaining $84,271 million to be considered another $3,556 million.

Now, Mr. Speaker, I think we can do that if we make up our minds to do it, because we have attained a reduction in NOA, assuming the action of the committee of today will be approved next week on the Department of Transportation bill, of $6.4 billion out of $57 billion.

We will have to cut an additional $3.5 billion out of the $84 billion yet to be considered, but of course $77 billion of this is for the Department of Defense.

Turning to spending, let us see what we have done so far toward hitting the goal of $6 billion in spending cuts.

Out of the nine regular bills that have passed the House, or will have passed if the House approves the Department of Transportation bill next week, spending cuts aggregating $2.2 billion will have been made in this House, leaving $3.8 billion to be cut in spending out of the remaining $84 billion yet to be considered, if we are to reach that $6 billion spending reduction goal.

As the distinguished chairman of the Committee on Ways and Means said, when he had the conference report on the floor recently, the House and the Congress ought to make these cuts. We ought to make these reductions. We should not leave it to the President to make them.

But we have our work cut out ahead of us, and it will be a tough job to cut $3.8 billion in spending out of the remaining four bills, and the wrap-up supplemental. We can do it. I believe the Committee on Appropriations will make the recommendations, but we cannot force the House to accept them.

By restoring $194.7 of the NOA cuts the committee had made, the House took a backward step yesterday. It is going to take cooperation on the part of the House, and of all Members who feel that Congress should accept the responsibility it assumed last week. If we will all just cooperate with the Committee on Appropriations, we can attain this goal and make the necessary reductions right here in Congress where they ought to be made.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, I have asked the gentleman from North Carolina to yield to ask him, as well as the chairman of the committee, to answer a question if I may propound a question.

Mr. JONAS. I will be happy to have the distinguished chairman propound his question.

Mr. MILLS. The Director of the Bureau of the Budget informed me that he understood the intent of Congress as to the limitation in title II of the Revenue and Expenditure Control Act of 1968, and the apportionment requirements of the Antideficiency Act, that he would enforce the provisions in this manner. Is the purpose of the provision in the bill relating to the Revenue and Expenditure Control Act intended to require the Director of the Bureau of the Budget to take into account the limitation in title II of the act in the period the continuing resolution is effective in the same manner as he said he would after the appropriations are passed?

Mr. JONAS. Answering for myself—and then I will yield to the gentleman from Texas [Mr. Mahon]—it is my intention that he do that, and it is my understanding that it is the intention of the Committee on Appropriations that he do exactly that. We tried to make that clear in section 103 and in the report of the committee on this resolution.

Now I will be glad to yield to the distinguished gentleman from Texas [Mr. Mahon].

Mr. MAHON. I would say to the gentleman from Arkansas that in my opinion the very definite answer to his question is "yes."

Mr. MILLS. Mr. Speaker, I thank both gentlemen.

Mr. JONAS. May I say in addition to that that we have a very good hold on the Director, and on the administration, in that this continuing resolution will expire July 31. I am going to suggest to the distinguished chairman of the Committee on Appropriations that if a renewal of this continuing resolution becomes necessary, before we bring another resolution to the floor we have the Director of the Bureau of the Budget before the committee, and have him inform us of the actions he has taken under the apportionment requirements of the statute.

The SPEAKER. The time of the gentleman from North Carolina has again expired.

Mr. MAHON. Mr. Speaker, I move the previous question on the joint resolution.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MAHON. Mr. Speaker, I renew my request that Members may have permission to revise and extend their remarks and include pertinent extracts and tables at this point in the Record in connection with the House joint resolution just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DEPARTMENT OF INTERIOR AND RELATED AGENCIES APPROPRIATIONS, 1969

Mrs. HANSEN of Washington. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17354) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington? The Chair hears none, and appoints the following conferees: Mrs. Hansen of Washington, Messrs. Kirwan, Marsh, Flynt, Joelson, Mahon, Reifel, McDade, Harrison, and Jonas.

PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may sit during general debate today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISPOSAL FROM NATIONAL AND SUPPLEMENTAL STOCKPILES OF BERYL ORE

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 14367), to authorize the disposal of beryl ore from the national stockpile and the supplemental stockpile, with a Senate amendment thereto, and disagree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Page 1, line 4, strike out "by negotiation or otherwise," and insert "by public advertising for bids and sale to the highest responsible bidder,".

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, on December 14, 1967, the House passed H.R. 14367, a bill to authorize the disposal of approximately 9,888 short tons of beryl ore now held in the national and supplemental stockpiles.

The bill that passed the House contained the usual provisions permitting flexibility to the Administrator of the General Services Administration to dispose of this metal. Permitting this flexibility has allowed an orderly disposal of the stockpile surpluses and has made possible the sale and disposition with due regard to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets in accordance with the basic provisions of the Stockpile Act.

When the bill reached the Senate floor on April 26, 1968, it was amended to require the sale to be made by sealed-bid basis only to responsible bidders.

In their disposal sales of approximately $3 billion, the General Services Administration has normally viewed competitive selling methods, including sealed-bid sales, as the most efficient means of carrying out the intent of the Stockpile Act. There are circumstances, however, when such a procedure would run contrary to its legal mandate to avoid a disruption of the market.

When these situations present themselves, General Services Administration adjusts its selling methods accordingly. This was true in the disposal of aluminum. The procedure was worked out with the aluminum industry to absorb into the normal market channels over a period of years some million tons of aluminum. The alternative to this would have been for GSA to dispose of this commodity in relatively small amounts as the consumer market permitted. This would have involved, of course, a tremendous administrative expense over a much longer period of years.

So, gentlemen, you can see that sales of the various commodities in the stockpile require individual consideration and we should not be bound by any precedent as to the method of sale. To require an inflexible method of sale would, in itself, thwart the very nature of the basic laws which require sales to be made without market disruption.

As I have said earlier, the GSA has normally viewed the competitive selling method as the most efficient means of carrying out their responsibilities, and they expect to do so in the case of beryl ore. And at this point, I must say that beryl ore is needed badly by those holding contracts for some of our more important missiles and the release of this material is absolutely essential for our national defense purposes.

Our committee feels that we should be very careful not to establish a precedent which might impair needed flexibility in the disposal program and possibly be disruptive in its effects on the markets. Therefore, I strongly recommend that we send this back to the Senate in the hope that the bill can be passed.

GENERAL LEAVE TO EXTEND

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks on the subject of H.R. 14367.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDMENT OF THE DEFENSE PRODUCTION ACT OF 1950

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 17268) to amend the Defense Production Act of 1950, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, strike out all after line 5 over to and including line 10 on page 2 and insert:

"Sec. 2. Section 712(e) of the Defense Production Act of 1950 is amended by striking out '$85,000' and inserting in lieu thereof '$100,000'."

Page 2, after line 10, insert:

"Sec. 3. Title VII of the Defense Production Act of 1950 is amended by adding at the end thereof the following new section:

"'Sec. 718. The Comptroller General, in cooperation with the Secretary of Defense and the Director of the Bureau of the Budget, shall undertake a study to determine the feasibility of applying uniform cost accounting standards to be used in all negotiated prime contract and subcontract defense procurements of $100,000 or more. In carrying out such study the Comptroller General shall consult with representatives of the accounting profession and with representatives of that segment of American industry which is actively engaged in defense contracting. The results of such study shall be reported to the Committee on Banking and Currency and the Committees on Armed Services of the Senate and House of Representatives at the earliest practicable date, but in no event later than eighteen months after the date of enactment of this section.'"

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, will the gentleman explain the Senate amendments in a little more detail than the Clerk simply reading them by title?

Mr. PATMAN. Yes, I shall be very glad to.

Mr. HALL. I yield to the gentleman for that purpose.

Mr. PATMAN. Mr. Speaker, the other body amended the House-passed Defense Production Act in two respects: first, to provide an increase in the authorization of funds for the Joint Committee on Defense Production from $85,000 to $100,000. This increase was necessitated by the recent pay raise. This amendment passed the other body without dissent. Second, Members will recall that the House-passed Defense Production Act called for the Comptroller General to develop uniform accounting standards to be applied to all negotiated prime contract and subcontract defense procurements in excess of $100,000. Under the House-passed language they are supposed to develop uniform accounting standards and make recommendations on the promulgation of such standards within 1 year. The Senate amendment on this subject called for the Comptroller General, in cooperation with other agencies of Government, industry, and representatives of the accounting profession, to undertake a study to determine the feasibility of developing standards for negotiated defense contracts, and within 18 months the GAO is required to report to the Committee on Banking and Currency and the Armed Services Committee of both bodies.

Mr. HALL. Mr. Speaker, if I understand the distinguished gentleman from Texas correctly, this simply lengthens the time by 18 months, but in addition to that the study will determine the feasibility rather than mandatorily develop the guidelines in the GAO, is that correct?

Mr. PATMAN. That is correct. Also it provides that industry will be conferred with, and representatives of the accounting profession, in addition to the Government.

Mr. HALL. Mr. Speaker, I think the last comment is very salutary and appropriate.

I really find no objection to the extension of time and the slight increase of funds.

Mr. Speaker, was the action of the Senate germane to the House-passed resolution?

Mr. PATMAN. It was germane and unanimous.

Mr. HALL. I am not interested in whether the other body was unanimous or not, Mr. Speaker, but were there not some legislative restrictions as this bill left the House, based on points of order and matters that were germane to the House bill?

Mr. PATMAN. None, I will say to the gentleman.

Mr. HALL. Mr. Speaker, in view of the explanation, I believe this bill should pass. I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

Mr. WIDNALL. Mr. Speaker, reserving the right to object, the minority believes the recommendations made by the Senate are acceptable and urges passage.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TO AMEND THE NATIONAL SCIENCE FOUNDATION ACT OF 1950

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 5404) to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 12, insert:

"'(4) to foster and support the development and use of computer and other scientific methods and technologies, primarily for research and education in the sciences;".

Page 2, line 13, strike out "'(4)" and insert "'(5)".

Page 2, line 25, strike out "'(5)" and insert "'(6)".

Page 3, line 8, strike out "'(6)" and insert "'(7)".

Page 3, line 12, strike out "institution," and insert "institution and appropriate".

Page 3, line 13, strike out "and private contractor".

Page 3, strike out lines 17 to 23, inclusive, and insert:

"'(b) The Foundation is authorized to initiate and support specific scientific activities in connection with matters relating to international cooperation or national security by making contracts or other arrangements (including grants, loans, and other forms of assistance) for the conduct of such scientific activities. Such activities when initiated or supported pursuant to requests made by the Secretary of State or the Secretary of Defense shall be financed solely from funds transferred to the Foundation by the requesting Secretary as provided in section 15(g), and any such activities shall be unclassified and shall be identified by the Foundation as being undertaken at the request of the appropriate Secretary."

Page 4, line 12, after "Board" insert "and the Director".

Page 5, lines 10 and 11, strike out "and be responsible for".

Page 5, line 19, after "education," insert "research management,".

Page 6, line 4, after "Colleges," insert "the Association of State Colleges and Universities,".

Page 8, line 9, strike out "14" and insert "15".

Page 9, strike out all after line 23 over to and including line 8 on page 10 and insert:

"'(e) The Director shall not make any contract, grant, or other arrangement pursuant to section 11(c) without the prior approval of the Board, except that a grant, contract, or other arrangement involving a total commitment of less than $2,000,000, or less than $500,000 in any one year, or a commitment of such lesser amount or amounts and subject to such other conditions as the Board in its discretion may from time to time determine to be appropriate and publish in the Federal Register, may be made if such action is taken pursuant to the terms and conditions set forth by the Board, and if each such action is reported to the Board at the Board meeting next following such action.'"

Page 13, strike out lines 21 and 22.

Page 13, line 23, strike out "(2)" and insert "(1)".

Page 14, line 1, strike out "(3)" and insert "(2)".

Page 15, after line 19, insert:

"(d) Section 11 of such Act is further demanded by striking out the word 'and' at the end of clause (h), by striking out the period at the end of clause (i) and inserting in lieu thereof a semicolon and the word 'and', and by inserting at the end thereof a new clause as follows:

"'(j) to arrange with and reimburse the heads of other Federal agencies for the performance of any activity which the Foundation is authorized to conduct.'"

Page 15, strike out lines 1 and 2, and insert:

"Sec. 11. Effective September 1, 1968—

"(1) section 14 of the National Science Foundation Act of 1950 is repealed, and notwithstanding the provisions of the first section of this Act, until such date the provisions of section 3(a)(9) of such Act of 1950 shall remain in effect for the purposes of such section 14; and

"(2) sections 15, 16, and 17 of such Act, and all references thereto in such Act, are redesignated as sections 14, 15, and 16, respectively."

Page 15, line 4, strike out "redesignated as section 14 and is".

Page 15, line 7, strike out "14" and insert "15".

Page 17, line 25, strike out "Sections 16 and 17" and insert "Section 16".

Page 18, line 1, strike out all after "1950" down to and including "15" in line 3.

Page 18, line 5, strike out "the section redesignated as section 15" and insert *"such section."*

Page 18, line 7, strike out "14" and insert "15".

Page 18, after line 7, insert:

"Sec. 14. Subsection (a) of section 17 of the National Science Foundation Act of 1950 is amended to read as follows:

"(a) To enable the Foundation to carry out its powers and duties, there is hereby authorized to be appropriated to the Foundation for the fiscal year ending June 30, 1969, the sum of $525,000,000; but for the fiscal year ending June 30, 1970, and each subsequent fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law. Sums authorized by this subsection shall be in addition to sums authorized by section 201(b)(1) of the Marine Resources and Engineering Development Act of 1966."

Page 18, line 8, strike out "14." and insert "15".

Page 19, line 4, strike out "15." and insert "16".

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, it is my understanding that the minority on the Committee on Science and Astronautics do agree with the Senate amendments and have no objection to this procedure.

Mr. MILLER of California. That is correct.

Mr. GERALD R. FORD. Is it the intent of the chairman of the committee to insert in the Record a detailed explanation of the Senate amendments?

Mr. MILLER of California. Yes, I will insert that at this point:

H.R. 5404 amending the National Science Foundation Act passed the House on April 12, 1967, on a rollcall vote of 391 to 22. The bill makes a number of improvements in the organization and operation of the Foundation, and culminates an extensive study of the Foundation which the committee began in the fall of 1964.

For the most part, the Senate adopted the House bill. However, it did make a number of changes, most of which merely clarify the role and responsibilities of the National Science Board and the Director of the Foundation.

The most significant of the Senate amendments occurs in section 17—page 20 of the bill—whereby the Senate provides for annual authorization of funds for the Foundation.

In view of the new applied research responsibilities of the Foundation and the other changes made by this bill, I believe annual authorization is necessary in order to provide an indepth review of the Foundation's programs.

I would also emphasize that although this bill authorizes certain new functions, it is not an appropriation bill and it does not appropriate any additional money.

Mr. GERALD R. FORD. Mr. Speaker, would the chairman of the committee at this point in brief terms explain what the Senate amendments do?

Mr. MILLER of California. The Senate amendments are procedural. The only amendment that is important is, this will set up authorization for the National Science Foundation and will give to the Committee on Science and Astronautics the right to review annual requests for authorization legislation, something which the committee has long felt should be done.

Mr. GERALD R. FORD. In other words, on an annual basis, the Committee on Science and Astronautics will consider the program of the agency?

Mr. MILLER of California. That is correct.

Mr. GERALD R. FORD. And it will report a bill on an annual authorization basis each session of Congress?

Mr. MILLER of California. That is correct.

Mr. GERALD R. FORD. Will this be by line item or total dollar amount?

Mr. MILLER of California. I presume it will be by line item.

Mr. GERALD R. FORD. May I ask one other question. The annual authorization requirement does, I think, give to the legislative committee new responsibility, but with that new responsibility comes the need and necessity for prompt action on the annual program of the agency.

Can we have the assurance of the committee that the annual authorization legislation will be handled promptly at the beginning of each session?

Mr. MILLER of California. I can give that assurance. It will be handled with the greatest of facility we can give it. We do have the authorization bill for the National Aeronautics and Space Administration. I have not decided yet just what procedure we will follow, but I am under the impression we will appoint a subcommittee to handle this new authorization legislation, so that they can be handled within the same time frame and brought to the floor as quickly as possible.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

COLLECTION, COMPILATION, CRITICAL EVALUATION, PUBLICATION, AND SALE OF STANDARD REFERENCE DATA

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 6279) to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, line 7, strike out "1968." and insert "1969."

Page 4, line 9, strike out "1968" and insert "1969".

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object—and I do not intend to object—it is my understanding that the minority members of the committee do agree to the Senate amendments and have no objection to the procedure the chairman is taking.

Mr. MILLER of California. Mr. Speaker, if the gentleman will yield, that is correct. We have consulted with them.

Mr. GERALD R. FORD. Will the chairman insert in the Record an explanation of the Senate amendment?

Mr. MILLER of California. I shall be happy to.

The standard reference data bill was passed by the House on August 14, 1967, on a rollcall vote of 319 to 2, and the bill authorized a $1.86 million program in fiscal year 1968.

A year has passed since the House action and the fiscal year is now almost at an end. Therefore, the Senate amended the House bill by substituting fiscal year 1969 for fiscal year 1968, and it authorizes the same $1.86 million in fiscal year 1969.

I might add that the President's budget request for the standard data program in fiscal year 1969 was $2.7 million. Consequently, by adopting this bill today we are reducing the program almost a million dollars from the amount requested.

DIFFERENCES BETWEEN H.R. 5404 AS PASSED BY THE HOUSE AND AS REPORTED BY THE SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE

The Senate version differs from the bill as passed by the House in the following respects:

First. The Senate adds a new section 3(a)(4) authorizing NSF to foster and support the development and use of computers and other scientific methods and technologies, primarily for research and education in the sciences.

Second. In section 3(a)(6)—3(a)(7) of the Senate bill—the NSF is required to maintain a program to determine the total amount of money for research received by each educational institution, nonprofit organization, and private contractor in the United States. The Senate version differs in that only amounts received by educational institutions and appropriate nonprofit organizations need be determined.

Third. In section 3(b) the Senate bill differs from H.R. 5404—passed by the House—by requiring that when the NSF supports scientific activities relating to international cooperation or national security at the request of the Secretary of State or Defense, such activities shall be unclassified, funded solely by the requesting Secretary, and shall be identified as to the requesting Secretary. The Senate bill also authorizes the NSF to undertake at its own initiative, support of activities relating to international cooperation or national security. H.R. 5404 as passed by the House merely authorizes NSF to support such activities at the request of either Secretary.

Fourth. In section 3(d), H.R. 5404—as passed by the House—provides that the Board shall recommend and encourage the pursuit of national policies for the promotion of basic research and education in the sciences. The Senate version states that the Board and the Director shall perform this function.

Fifth. In section 4(c), the Senate adds "research management" as a field from which Board members may be drawn and adds the Association of State Colleges and Universities as an organization which may recommend to the President nominees for Board membership.

Sixth. In section 5(e), H.R. 5404 as passed by the House provides that the Director shall not make any grant, contract, or other arrangement without the prior approval of the Board if such award involves a new type of program, or a total commitment of over $2,000,000, or over $500,000 in any 1 year, or a commitment of such other amount or amounts and subject to such other conditions as the Board shall determine and publish in the Federal Register.

The Senate bill provides that the Director shall not make any award without prior Board approval, except that an award involving less than $2,000,000 or less than $500,000 in a year may be made pursuant to terms and conditions set forth by the Board, provided that each such award is reported to the Board at the next meeting. The Board may lower—but not raise—these dollar limitations by publishing such lower limitations in the Federal Register.

Seventh. The Senate adds a new section 11(j) of the act which authorizes the Foundation to arrange with and reimburse the heads of other Federal agencies for the performance of any activity which NSF is authorized to conduct.

Eighth. Both versions of H.R. 5404 abolish the NSF's weather modification authorization in present section 14, and also delete section 3(a)(9) on the same subject. However, the Senate provides that these deletions shall not occur until September 1, 1968, while the House action makes them effective upon passage of the bill.

Ninth. The House bill continues the permanent appropriation authorization in present section 17. The Senate would substitute in section 17 a requirement for appropriation authorizations, and authorizes for fiscal year 1969 the sum of $525,000,000.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PROVIDING FOR FURTHER EXPENSES OF CONDUCTING STUDIES AND INVESTIGATIONS AUTHORIZED BY HOUSE RESOLUTION 179, COMMITTEE ON FOREIGN AFFAIRS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1591) on the resolution (H. Res. 1196) providing for further expenses of conducting studies and investigations authorized by House Resolution 179, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 1196

Resolved, That for the further expenses of conducting the studies and investigations authorized by H. Res. 179, Ninetieth Congress, incurred by the Committee on Foreign Affairs, acting as a whole or by subcommittee, not to exceed $75,000, including expenditures for the employment of experts, clerical, stenographic, and other assistance, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or subcommittee, signed by the chairman of the committee, and approved by the Committee on House Administration.

Sec. 2. No part of the funds authorized by this resolution shall be available for expenditures in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Foreign Affairs shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

With the following committee amendments:

On page 1, line 5, delete "$75,000" and insert in lieu thereof "$60,000".

On page 2, line 7, add the following:

"Sec. 3. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law."

The committee amendments were agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO PROVIDE FUNDS FOR THE COMMITTEE ON AGRICULTURE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged report (Rept. No. 1592) on the resolution (H. Res. 1198) to provide funds for the Committee on Agriculture, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

H. Res. 1198

Resolved, That, effective June 1, 1968, the further expenses of conducting the studies and investigations authorized by H. Res. 83, Ninetieth Congress, incurred by the Committee on Agriculture, acting as a whole or by subcommittee, not to exceed an additional $50,000, including expenditures for the employment of accountants, experts, investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House, on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

Sec. 2. The official committee reporters may be used at all hearings, if not otherwise officially engaged.

Sec. 3. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on Agriculture shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

Sec. 4. Funds authorized by this resolution shall be expended pursuant to regulations established by the Committee on House Administration under existing law.

With the following committee amendment:

On page 1, line 5, delete "$50,000" and insert in lieu thereof "$40,000".

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I am very happy to yield to the gentleman from Missouri.

Mr. HALL. I have a question, Mr. Speaker. Both of these resolutions, House Resolution 1196 and House Resolution 1198, refer to funds being paid by the committees—and I find no objection thereto—"out of the contingent fund of the House." Are these not the same funds that we had to pass a special resolution for on yesterday, allowing them to borrow about $2.5 million in order to pay for the clerk hire of the House?

Mr. FRIEDEL. What we did last night was out of the contingent funds, and this money will come out of the contingent funds. This is the usual procedure.

Mr. HALL. I know it is the usual procedure, but that is not the answer to my question, and maybe one should not expect it, but if the gentleman's statement is correct that it is the same fund, it is in pretty bad shape. So how can we vote this additional money, even though the committee did a good job of paring down the committee requests, if the fund is "busted," without borrowing more?

Mr. FRIEDEL. Then, it will be put in in a supplemental appropriation bill.

Mr. HALL. But the supplemental appropriation bill is not yet law.

Mr. FRIEDEL. That is correct.

Mr. HALL. And there is no indication that it may be law before the using committees will need to begin to use these funds in part, according to the statement in the bills. Is that correct?

Mr. FRIEDEL. That is correct. They have been using the money and this money is to sustain them for the rest of the year.

Mr. LIPSCOMB. Mr. Speaker, will the gentleman yield?

Mr. HALL. I will be glad to yield to gentleman from California if he can clear up whether the contingent fund of the House is the same as that which the Clerk of the House uses to pay the employees of the House.

Mr. LIPSCOMB. The contingency fund had a balance in it and, because the payroll had to be paid, they borrowed from the contingency fund to pay the payroll until the second supplemental was passed, but this is the same fund. However, it has a balance in it.

Mr. HALL. This is not the one that was defunct and for which we had to borrow in order to pay the bills of the Clerk of the House that were expected to come due on July 1, as of last evening. Is that a good statement?

Mr. LIPSCOMB. The fund depleted was the payroll fund for clerk hire and other expenses and not the contingent fund.

Mr. HALL. Mr. Speaker, I thank the gentleman for that explanation.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO SIT DURING GENERAL DEBATE ON MONDAY NEXT

Mr. RIVERS. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services be permitted to sit on Monday, July 1, during general debate.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

AUTHORIZING THE PRESIDENT TO PROCLAIM AUGUST 11, 1968, AS "FAMILY REUNION DAY"

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (S.J. Res. 165), authorizing the President to proclaim August 11, 1968, as "Family Reunion Day."

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. Res. 165

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is hereby authorized and requested to issue a proclamation designating August 11, 1968, as "Family Reunion Day", and calling upon the people of the United States to observe such day with appropriate ceremonies and activities.

The Senate joint resolution was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON S. 2986, TO EXTEND PUBLIC LAW 480, 83D CONGRESS

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2986) to extend Public Law 480, 83d Congress, for 3 years, and for other purposes, with House amendments thereto, insist upon the House amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. **Poage, Gathings, Jones** of Missouri, **Purcell, Belcher, Teague** of California, and Mrs. **May.**

AMERICANS FOR CONSTITUTIONAL ACTION

Mr. HALEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, on this date 10 years ago a small group of concerned Americans gathered. Their concern was the future of our Republic with its system of checks and balances—and the continued freedom of those who would inhabit it.

From that meeting a new political force appeared, Americans for Constitutional Action—ACA. Its announced goals—active support of our Constitution and to further its aims by helping those who believed in it seek or retain congressional seats.

Working with persons of both national parties—ACA has steadily increased its assistance to constitutional conservatives through a variety of programs geared to individual use.

Many of us in both Houses have received their biannual Distinguished Service Awards throughout the years offered and value them as a reminder that we have retained our faith in the wisdom of the Constitution.

I am sure that many of my colleagues join me in saluting ACA today for what it has accomplished thus far—for the real help given to so many and the future assistance to all those who will follow.

TENTH ANNIVERSARY OF AMERICANS FOR CONSTITUTIONAL ACTION

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. ABERNETHY. Mr. Speaker, today we are observing an important milestone in our country's political history. A major positive force in American politics is observing its 10th anniversary. Americans for Constitutional Action—ACA—under the inspired leadership of Adm. Ben Moreell, has served and continues to serve its purpose admirably.

Dedicated to promoting responsible, constitutional government, ACA has supported candidates of both parties, awarded recognition to Members of the Congress who have upheld the precepts of constitutional government, and provided a rallying point for responsible opposition to the dangerous trend toward arbitrary, centralized Federal power.

Because of the restrained and reasonable approach of ACA, and the fact that it concentrates its time and energy in supporting candidates and officeholders dedicated to sound, conservative principles rather than in promoting publicity for itself, it is possible that some Americans are unaware of the indispensable work this fine organization is doing.

For this reason, I am taking advantage of this 10th anniversary to publicly salute Americans for Constitutional Action and commend them for the high ideals they stand for and the remarkable achievements they have to their credit.

To the distinguished Americans who serve on the board of trustees, to the competent and courteous members of the Washington staff, and to the thousands of concerned citizens whose contributions have kept ACA alive and growing, I extend my sincerest congratulations and thanks. Ten years of impressive achievement now lie behind you. In the crucial years of national decision which lie ahead, your role promises to be even more important and even more impressive.

SUPPORT FOR LYNDON JOHNSON'S PROPOSAL TO LOWER THE VOTING AGE

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, President Johnson has focused the Nation's attention on one of the greatest inequities in our national life—the barriers we have erected between the voting booths and the 18-year-olds who wish to vote.

The President has performed a great service to the Nation by asking Congress to vote a constitutional amendment that will permit tens of thousands of young Americans to have the opportunity of voicing their political convictions by voting for the candidate of their choice.

Our voting laws desperately need revision. For too many years we have allowed outmoded regulations to block the way to young people who have proven their maturity and sound judgment as citizens of this country.

The President has reminded us of the fact that many of these same young people whom we have denied the right to vote are now serving their country on the battlefield in Vietnam. He has reminded us further that many of these same young people are taxpayers, who deserve a voice in how the Government spends their hard-earned money. If our courts and our schools regard the 18- to 21-year-old group as responsible adults, then I think we in Congress should join this cause.

I also think we must realize that this Nation enjoys the benefits of having developed a remarkable mature and knowledgeable youth generation that deserves a more meaningful voice in the Nation's affairs.

I believe we will be a better nation for passing this constitutional amendment. And I join with President Johnson and urge my colleagues to enact it promptly.

TRIBUTE TO MEMORY OF LAMINE GUEYE OF SENEGAL

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I should like to pause a moment to pay tribute to the memory of Lamine Gueye, President of the National Assembly of Senegal, who passed away on June 10. Lamine Gueye was born 76 years ago in the French Sudan and lived to become President of the legislative body of an independent Senegal. After receiving a doctorate in law from Paris, President Gueye engaged in the practice of law but soon entered political life. He served as mayor of the important Senegalese town of St. Louis and also as mayor of Dakar for 16 years. Immediately following the Second World War he was a member of the French National Assembly. In 1960 Mr. Gueye contended with Leopold Sedar Senghor for the Presidency of the Mali Confederation. He lost the election but in a pragmatic, patriotic way that was so typical of him he immediately forgot the rancors of the campaign and loyally served his Chief of State and his country as President of the National Assembly.

We had the pleasure of welcoming him as a leader grantee to the United States in 1965. Madam Gueye also came to our country as a leader grantee in her capacity as a prominent figure in the Senegalese National Red Cross.

It is therefore fitting that we stop to pay tribute today to the memory of this great African statesman and friend of America.

PELLY COMMENDS ICC REQUEST FOR TRAIN STUDY

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, 99 years ago a golden spike was driven into the ground near Ogden, Utah, marking the connection of East-West railroad service. Today, in less than a century, train passenger service is far from golden. In fact, Ogden, Utah, has become known by travelers on the Union Pacific's train No. 6, between Los Angeles and Omaha, Nebr., as the site of a 35-minute dinner break.

This is only one example of hundreds which could be cited of the deterioration of rail passenger service. It is well known to the Nation's train travelers that the Southern Pacific, in its desire to discontinue its New Orleans to Los Angeles train, the Sunset, even eliminated sleeping and eating facilities. Meanwhile, Mr. Speaker, under ICC regulations, even cattle are to be fed and watered every 24 hours; the same provisions do not appear necessary for humans by some passenger train carriers.

So, today I commend that part of the Interstate Commerce Commission's recommendation which calls for a study to be made either by Congress or by the Department of Transportation on the need for a national railroad passenger system.

Mr. Speaker, modern rail transportation is vitally needed in the United States. There is no doubt that faster and sometimes less expensive transportation is available. But, there is a segment of our population that wants and deserves train transportation, and it should not be the prerogative of the management of some carriers to cause discouraging discomforts in their quest to discourage passenger service. And, there is the national need in time of emergencies which must be remembered.

I have discussed this problem with the distinguished chairman of the House Committee on Interstate and Foreign Commerce, the gentleman from West Virginia [Mr. STAGGERS], and urged him to investigate this problem. His committee has a grave responsibility to seek a solution for the plight of the train traveler.

LACK OF DEBATE ON CONTINUING RESOLUTION

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS. Mr. Speaker, I was surprised, and regret to say no longer shocked to find that the House proceeded in a disorderly fashion by taking up the continuing appropriation before the 1-minute rule. I had waited around last night believing this was scheduled at that time, and was anxious to participate in the debate. The Republican leadership was not informed of this procedure nor was the ranking Republican on the Appropriations Committee, the committee handling the bill.

This is a serious matter, and it should never have been passed in such a fashion.

I want to read the following from the UPI wires of June 25:

> The White House indicated Tuesday that it might be months before President Johnson reaches any decision on where to cut $6 billion from his budget for fiscal 1969. White House Press Secretary George Christian said he did not see how the President could make any cuts until all appropriation bills for the budget have been approved by Congress.

Now fiscal year 1969 begins on July 1, and if there is any real cutting of expenditures, it is already planned and in being.

The answer is that the President is not about to abide by this restriction of the Congress and now apparently he openly states it.

This needed to have been discussed during the debate on this continuing resolution because Congress has the right to do something about it and get hold of this situation.

I might say I am writing to the President to find out the correctness of this press release. This matter is approaching a point where possibly impeachment proceedings may be the only way to get the President to abide by the laws.

CONGRESSMAN SMITH INTRODUCES KIOWA, COMANCHE, AND APACHE TRIBE JUDGMENT FUND LEGISLATION

Mr. SMITH of Oklahoma. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SMITH of Oklahoma. Mr. Speaker, I am today introducing legislation which authorizes payment by the Government of $6 million in judgment funds to the Kiowa, Comanche, and Apache Tribes of Oklahoma.

The Indian Claims Commission has found that these tribes are entitled to a judgment award of the above moneys, and the judgment has been entered on dockets 258 and 259. The Congress appropriated the funds necessary to pay these funds this year, and the President signed the payment bill into effect on June 19, 1968.

The bill authorizes payment to the members of the Kiowa, Comanche, and Apache Tribes of Oklahoma on a per capita basis based on the enrollees of the tribes appearing on a roll prepared in accordance with the act of September 21, 1959, and approved by the tribes on May 20, 1960. The roll is authorized to be updated to include the addition of newborns and the deletion of decedents as of the date of enactment of the legislation.

In keeping with our American principles of government and fair play, I am pleased to introduce this important legislation which will meet the requirement of equity and responsibility. I am grateful for the privilege of serving these tribal members of our American Indians, most of whom live within the congressional district that I represent. The Indian people of Oklahoma have a long and distinguished heritage, but the history of the Kiowa, Comanche, and Apache tribes stands out as a credit to my State and our Nation. I urge speedy action on this measure by my colleagues.

AMERICANS FOR CONSTITUTIONAL ACTION

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, I should like to bring to the attention of my colleagues an important date and to salute the Americans for Constitutional Action. On June 27, the ACA will observe its 10th anniversary. I join with its many friends throughout the Nation in congratulating the organization upon its first decade of public service. Also to extend my personal good wishes for its continued success.

The ACA performs an important function. It is a nonpartisan organization dedicated to promoting a better understanding of the Constitution and our Republic. The ACA has achieved a splendid record for integrity, as well as the clear and concise reporting of the programs it conducts to perpetuate constitutional government.

We are proud of the work the ACA is doing. Its high ideals and purposes are essential to the understanding of freedom and responsible government. I certainly commend those in charge of the organization for their devotion to the public weal and for the efforts they make in explaining the broad ramifications of traditional Americanism.

I also wish these leaders and the ACA well in their future endeavors. Theirs is a vital task. In seeing to it that the Nation is informed, it is necessary to know the forces at work that keep the Republic functioning as it was conceived and formed when the Founding Fathers drafted the first government of its kind in the history of the world.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER. The Chair lays before the House a message from the President of the United States.

CALL OF THE HOUSE

Mr. DERWINSKI. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. HOLIFIELD. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 213]

Ashley
Baring
Bolling
Bow
Burton, Utah
Corman
Downing
Edwards, La.
Evins, Tenn.
Hansen, Idaho
Hawkins
Holland
Howard
Jones, Mo.
Karsten
Kornegay
Laird
Long, La.
May
Mayne
O'Hara, Mich.
Passman
Resnick
Scheuer
Steiger, Ariz.
Sullivan
Taft
Thompson, N.J.
Vanik
Watkins
Willis

The SPEAKER. On this rollcall 402 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION TO FILE CONFERENCE REPORT ON S. 1401 UNTIL MIDNIGHT, JUNE 29

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight, Saturday night, June 29, to file a conference report on Senate bill 1401, to amend title I of the Land and Water Conservation Fund Act of 1965.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERIOR AND INSULAR AFFAIRS TO SIT DURING GENERAL DEBATE TODAY

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs may be permitted to sit during general debate today on the legislative appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

VIVA HEMISFAIR! VIVA HENRY!

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, it was my real privilege to be able to visit HemisFair '68 in San Antonio, Tex., last weekend, and there on Sunday, the 23d, participate in Henry B. Gonzales Day. To say he is held in high esteem by his fellow citizens is an understatement. He is a real hero to his people. Again and again we heard shouts of "Viva Henry!"

My reason for taking this time today is to say to the House that those who supported the funding for HemisFair need never apologize to anyone at any time. Without detracting from our neighbors to the north, HemisFair has everything you could find at Expo '67 without having to walk several miles to see it. HemisFair is compact and yet contains a wide variety of attractions. With the theme, "Confluence of the Americas," HemisFair is a brilliant meeting ground for all countries and all peoples to display and compare history, religion, cultures, and, not to forget, the people's pleasures.

Some of you may be wondering why a Missourian is so lavish in his praise of a Texas fair. My reply is this fair earns the praise of anyone who visits it. Every exhibit I visited was excellent. Most refreshing of all is that you can walk the grounds, and the business district of San Antonio, and never find a hippie or a beatnik.

We know our Members will have no free time from now until after October 6, when HemisFair closes, yet I hope you will not neglect to urge your constituents to this year re-visit America, including HemisFair, to see the most interesting, exciting, brilliant, and impressive series of exhibits which make up HemisFair '68.

CONGRESSMEN SHOULD BE PUT ON RECORD

Mr. DEVINE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. DEVINE. Mr. Speaker, in my opinion, the performance of our House of Representatives yesterday was disgraceful.

We spent over $17 billion of the taxpayers' money, but could not get enough Members to stand up and have a record vote.

Amendments were adopted increasing the bill by millions of dollars, and this after all of the hot air in the debate supporting a tax increase which was supposed to include budget cuts.

I think the House rules should be changed in two major respects. First, all legislation appropriating money should require a record vote of the Members. Second, because of the "sweetener" technique where much of the bad is included in good, for purposes of passage, it seems to me this lumping together business should be discontinued and prohibit more than one executive department in single appropriation bill.

Mr. Speaker, in 1965 I introduced House resolutions in an effort to accomplish amending the House rules along these lines, and I am today again introducing identical resolutions to meet this problem.

Obviously the merits of appropriations for the FBI should not be saddled with questionable funds for some State Department program. And whenever taxpayer funds are voted, the American people are entitled to know who voted for the spending and against the spending, as a matter of record.

HENRY B. GONZALEZ DAY AT THE HEMISFAIR

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Speaker, I gladly join the distinguished gentleman from Missouri [Mr. RANDALL] in his comments upon our visit to the Hemisfair on the weekend just passed. Particularly were those of us from the House delegation thrilled with the reception that was given to our colleague, HENRY B. GONZALEZ, on the day designated as "Henry B. Gonzalez Day" last Sunday at the Hemisfair.

This fair is truly an exciting exhibition. Indeed, it surpasses all of the other international fairs that I have been privileged to attend. I believe all of us who might see it would appreciate and applaud the U.S. exhibit at the Hemisfair, dedicated as it is to this great melting pot of ours consonant with the Hemisfair theme, The Confluence of Civilizations.

The entire exhibit stresses the strength of the United States derived from this melding cauldron into which have been poured so many diverse metals which create the American alloy, stronger and more durable than any one of its ingredients.

The U.S. exhibit demonstrates the great progress that has been made in blending and weaving into the mainstream of American life these divergent strands of thread that have become together the great and colorful fabric of American life.

The exhibit does not ignore our problems, but its theme is both honest and hopeful.

I think it is a great exhibit and one that all of us in the Congress should see, and I believe that once seeing it, everyone of us would agree that our Government's money was well spent.

The HemisFair itself is fully worth the visit.

TEXAS HEMISFAIR

Mr. BURLESON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BURLESON. Mr. Speaker, I, too, was privileged to visit HemisFair in San Antonio, Tex., last weekend with several of our colleagues including the gentleman from Michigan [Mr. William D. Ford] who is absent today by necessity and who told me last evening that he had to be away; our colleague, the gentleman from Missouri [Mr. Karsten]; the gentleman from Florida [Mr. Pepper]; and the gentleman from Missouri [Mr. Randall] who has just spoken with eloquence, and with my distinguished colleague, the gentleman from Texas [Mr. Wright]. Together with our wives we visited HemisFair.

It was indeed an amazing thing—even for those of us from Texas who, of course, may be afflicted with bias. HemisFair offers more than we are able to recite to you here but I give you assurance that it will afford you a most wonderful experience.

I am quite a long way from that area, but the reception there—the tribute paid to our colleague, Henry B. Gonzalez, was an experience. It was inspiring to see the wonderful response to a Member who represents them here in the House of Representatives. It was an outpouring of appreciation—yes, affection for a dedicated public servant.

I hope all our colleagues will have the opportunity to go to Texas to the HemisFair this fall. I know you will be highly pleased and I can assure you the "red carpet" will be laid out for you.

LES ARENDS—25 YEARS AS WHIP FOR REPUBLICANS

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, for 25 years, a quarter of a century, our colleague, the gentleman from Illinois, has served the Republicans in the House of Representatives as our whip.

He has served not only me, but my predecessors, with loyalty, wisdom, skill, and with dignity.

Mr. Speaker, I, for one, wish to express my appreciation to Les Arends on this occasion. I speak as well for those who for one reason or another cannot be here just now.

Mr. Speaker, Les Arends has been and is a good friend of mine and, as I said a moment ago, no one could ask for more in the way of loyalty or service or assistance.

I congratulate and commend Les for this long and able service which I think is a record in the House of Representatives for the job of whip—I know on our side of the aisle—and I suspect the same is true for the Democrat side of the aisle.

I praise Les Arends for his great accomplishments of the past and wish him the very best in the future.

Mr. BATES. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. BATES. Mr. Speaker, it is a real pleasure to take the floor and pay a tribute to a man who is to continue in our midst. Generally, our remarks are directed to those who are retiring or have passed away.

I am pleased to say a word about my friend, the gentleman from Illinois, who has for a quarter of a century been our whip on the Republican side of the aisle.

As the regional eastern whip of the organization, I know something about the way in which he has conducted the duties of his office. His lashes as whip have never been biting—he has always attempted to steer the Members on this side of the aisle through friendly persuasion. I believe he has done a truly effective job. I knew the name of Les Arends long before I came to this House. I knew much about him. He has certainly measured up to the wonderful things that I had heard about him. I consider him among my closest friends in this House, and I look forward to having him serve here for many years to come.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Ohio.

Mr. DEVINE. Mr. Speaker, I, too, would like to join my colleagues in paying tribute to and expressing commendation for our great friend Leslie Arends, of Illinois. As one of the members of the whip organization, I have been in touch with this gentleman for nearly 10 years. I have found him a delightful person with whom to work, a man who is dedicated, not only to his party, but also to his country. He has rendered great service to his Nation in his capacity not only as a Member of Congress, but as part of the leadership on our side of the aisle.

I would like to join my colleagues, in congratulating Les Arends for having served in this capacity for a quarter of a century, and also in expressing our desire that he commence and continue to serve for another quarter of a century.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Illinois.

Mr. FINDLEY. Mr. Speaker, it has been my privilege to serve under Les Arends' leadership now for 8 years. Prior to that time I had the benefit of his counsel during the days when I was contemplating and undertaking a campaign. It has been a great rewarding experience for me, and I know that I speak for my colleagues from Illinois in expressing appreciation for the great leadership to his country that Les Arends has provided.

I share the feelings just expressed by the gentleman from Ohio. In respect of Les Arends, 25 years is just a good beginning.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, I am privileged to have the opportunity of saying a few words with regard to the minority whip on this occasion. The 25 years of service as minority whip is a new record.

I would like to say that I have had the privilege of working with this distinguished and dedicated American for some 8 years as assistant whip, and since that time as part of the leadership. He is a member of the Coordinating Committee on which I have the privilege of serving with the leadership, as well.

I would like to say to my good friend Les that I wish, as I know all Members of this House wish also, that he shall have the opportunity of serving the Congress many, many more years in the dedicated fashion that he has served it in the past.

I congratulate him for the manner in which he conducts that office.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Pennsylvania.

Mr. FULTON of Pennsylvania. Mr. Speaker, we Members of the House all like Les Arends, of Illinois. It is a pleasure to have Les Arends continue his duties as Republican whip.

We of the progressive wing of the Republican Party like Congressman Les Arends just as much as the conservative wing of the Republican Party.

I hope Les Arends will continue for many years as Republican whip even though the pay is zero, the hours long, the chase hard, and in the end usually the thanks are also zero, and the leadership gets the credit for successes. Congressman Les Arends is the "but if" section of the Republican Party. If there is a close vote loss, Les Arends gets the "but if" routine from everybody. "But if," so many were not absent—"but if," Les Arends had used more pressure instead of understanding the Member's problems in the district back home, "but if" Les Arends was not such an agreeable, friendly guy, and so forth. In fact, it is a whip with a pleasant ring of cheerfulness that Congressman Les Arends wields. It is not a whip that stings at all. We Republican Members like Les Arends and hope that he will continue his friendly, zig-zag course, which always keeps his actions within the bounds of the possible and keeps a wry smile in the face of defeat, and a surprised happy look on manna from the skies on occasional unexpected victories.

Mr. MATSUNAGA. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Hawaii.

Mr. MATSUNAGA. Mr. Speaker, we on this side of the aisle wish to join the minority Members in congratulating Les Arends on attaining 25 years of service as whip with the minority party. We join in wishing him well for another 25 years as a leader for that Grand Old Party which fortunately for us will likely remain the minority party.

Seriously, we of the majority party, have often wished that Les Arends were on our team instead of on the opposing team. So we salute a worthy adversary, but a great American, nevertheless.

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Speaker, I wish to join our colleagues in congratulating Les Arends. I think we have been very fortunate to have a man of his disposition and his caliber in the Congress of the United States. I just want to add my voice from the Minnesota delegation in congratulating Les Arends and thank him very much. I thank the gentleman for yielding.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Texas, one of Les Arends' best friends.

Mr. MAHON. Mr. Speaker, I am sure that Les Arends does not have a better friend in the House than George Mahon. We came here together. We have enjoyed a close association and friendship for nearly 34 years. We have often discussed the problems which confront our country in the legislative area and otherwise. I continue to take great pride in the accomplishments and sterling qualities of this very outstanding American citizen, friend, and legislator.

Congratulations, Les.

Mr. PRICE of Illinois. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Illinois.

Mr. PRICE of Illinois. Mr. Speaker, I would like to join my colleagues in paying tribute to Les Arends. I knew Les even before I came to the House as a Member. We became acquainted shortly after he entered Congress in 1935, when I was serving as secretary to former Congressman Edwin M. Schaefer.

After I entered the House as a Member in January 1945, my first committee assignment was on the old Military Affairs Committee. I served on that committee with Les, and for the past 22 years I have served with him on the Armed Services Committee. He is also a member of another committee on which I have the privilege of serving, the Committee on Standards of Official Conduct.

If I have any criticism at all of Les, it would be that he has been too efficient and too effective as minority whip, and sometimes we on the Democratic side of the aisle have felt the results of his efficiency.

I join my colleagues in paying tribute to and offering sincere congratulations to a great legislator, and to a really true friend.

Mr. HALLECK. Mr. Speaker, anyone who can survive for 25 years as Republican whip in the House of Representatives has got to be good. In many ways, the job of whip is a thankless assignment that involves a lot more than just taking polls, calling Members to the floor, and putting out notices of the program for the following week. And I must say, the title "whip" is really a misnomer. You just do not line up Members—especially if you are in the minority—by applying the lash.

Believe me, it will not work, as Les Arends can attest.

What success in the office of whip—or any other position of leadership—requires is a personal facility for conciliation, for bringing together divergent views through reason and, may I say, through an ability to persuade. As one of Les Arends' earliest supporters for the position he has held for 25 years—longer than anyone else in the history of the Congress—I think I can qualify as an expert on the outstanding job he has done.

In the many legislative battles, during the time I served as majority leader and minority leader, he was my strong right arm on the floor of the House.

And I know, first hand, how much new Members have benefited from the generously given counsel by my colleague; sound counsel born of knowledge gained through experience.

Beyond that, I know of the contributions he has made as a member of the Republican leadership which met regularly with President Dwight D. Eisenhower during his 8 years in the White House, contributions which he continues to make as a member of the joint Senate-House Republican leadership in its meetings since General Eisenhower's tenure.

Beyond my respect for Les Arends as a distinguished legislator is my affection for him as a close, personal friend. Ours is a friendship that dates back to the days when we met as freshmen of the 74th Congress.

The district he has represented through the years—the 17th of Illinois, and the one I represent—the second of Indiana, are adjacent.

As a result, it has been my pleasure to meet and know many of his constituents, and I can assure you that many of mine know and admire Les Arends as a result of the many times he has visited with us.

All you need to do to know Les Arends is take him on in a game of golf. You will find him a fierce competitor who plays by the rules of the game, for fun or for keeps.

This is the Les Arends I know, and I am proud to have him as a friend.

Mr. CEDERBERG. Mr. Speaker, it is with great pleasure that I rise to bring to the attention of the Members of the House the occasion of the 25th anniversary of my good friend and colleague from the State of Illinois, Les Arends, as the Republican whip. Since his election as whip in 1943, he has distinguished himself in the service of the Republican Party in particular and the Congress in general.

Few Members of this great body can boast of the dedication to service and country which accounted for his rise, in less than 10 years in these Chambers, from freshman Congressman to minority whip, one of the most responsible positions in the Congress.

Les Arends developed his talents and abilities well as he grew up in his home district, the 17th Congressional District in Illinois. He received his college education at Oberlin College in Ohio, and pursued graduate studies leading to a LL.D. degree at Illinois Wesleyan University.

In 1934, Les Arends came to Congress to serve the people of his area and to assist in the great task of charting a course for our Nation, then barely regaining its footing after a devastating depression. Since that time we have fought a world war and have experienced a wealth of other national and international crises. In each new Congress since that one in 1934, Les Arends was there to provide dynamism and strength to the efforts of the Congress in meeting our problems, national and international. He has, further, been a man of integrity and action in the cause of the Republican Party, and deserved well the recognition bestowed on him in his 1943 election as minority whip.

In 1952, I came to this House, and as a freshman Congressman was grateful for the leadership and interest shown by this veteran in newly elected Members. Nearly 16 years later, as we finish the second session of the 90th Congress, I find that his interest in his colleagues and in the work of the House has grown even deeper and more devoted.

His dedication to the work of Congress and to the principles of the Republican Party continues to be filled with the same zeal that we find in ourselves in those first few years here—a zeal which sometimes fades with the passing of time. Les Arends has grown with the times; he has become, in the years that he has spent in this Chamber, more determined than ever in his drive to move America forward. He has, in his 25 years as the Republican whip, furthered the cause of republicanism, and therefore, the great political system which is unique to our country.

For some years now I have served under Les Arends as the regional whip for the States of Michigan and Wisconsin and I have always been impressed by the enthusiasm and interest he has shown in his work. It has been one of my greatest pleasures to have served with the gentleman from Illinois, and I look forward to many more pleasant and productive years as this Nation and its people move forward.

Mr. BETTS. Mr. Speaker, the opportunity I have had to serve as a regional whip under Les Arends has been a source of real pride. It has been an experience which has been made pleasant and rewarding because of his leadership. His long tenure of service is due primarily to his devotion to the duties of whip which he has performed faithfully and conscientiously. Probably no leader has dedicated himself more to his job than has Les Arends. During the years I have served him as a regional whip, I have yet to find one instance where there was an error in judgment or a lack of attention to every single detail. In addition to being a perfectionist, he has a personality which is ideally suited to the demands of the office. I am pleased to add to the tributes which are being directed to him at this time in recognition of his great contribution to the legislative process over these many years. And I certainly extend to him my congratulations and best wishes.

Mr. PHILBIN. Mr. Speaker, I am very happy to join in this richly deserved, spontaneous tribute to my dear, valued friend, committee colleague, and colleague in the House for many years, LES ARENDS.

The bonds of warm, loyal friendship hold us closely together in this great legislative body, and it is an honor and high privilege for me to add my sincere expressions to the remarks made so aptly and so eloquently by our able, esteemed, distinguished friend, the minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

LES ARENDS is one of the finest gentlemen that I have ever known. He is warm, friendly, and courteous by instinct, and he is a great human being, considerate and generous of impulse.

He is an engaging companion and a loyal friend, possessed of a keen, alert mind, outstanding ability, a great American, totally dedicated to his district, State, and country.

Throughout the years of his distinguished service, he has made many splendid, enduring contributions to the procedures and efficiency of the House and to the defense, progress, and advancement of the Nation.

In the field of defense and security alone, these contributions have been truly magnificent, and they have been commendably motivated solely to keeping our great country strong and enduring, not only militarily but materially, and spiritually as well, so that no enemy, or combination of enemies, can ever successfully challenge or endanger the safety of our shores and homes, the national interest and security, and the freedoms we so dearly prize.

I could not speak too enthusiastically or stress too much the loyalty, the patriotic spirit, the fine personal qualities, the many outstanding achievements of this very dear friend and admired and beloved colleague.

Heartiest congratulations to him, his lovely wife and family, and all his dear ones, and his constituents on this occasion, when he is so proudly and joyfully hailed and saluted by his colleagues, regardless of partisan labels.

Today, we pay tribute and honor to a cherished friend and great American, LES ARENDS.

I wish for him and his family continued good health, success in his endeavors, and real peace, contentment, achievement, and happiness for many years to come.

Mr. KLEPPE. Mr. Speaker, LES ARENDS has completed 25 years as Republican whip in the House. To be recognized for a position of leadership by his peers is a remarkable achievement in itself, but when it extends for 25 years it is all the more outstanding.

I have only been in the House for $1\frac{1}{2}$ years, but I have become well acquainted with LES ARENDS as our whip. In times of trouble—needing advice—or frivolity, LES has been there.

I commend LES for these 25 years of service, but moreso I commend the Republicans in the House who have seen fit to keep him in this position of leadership.

Mr. BROTZMAN. Mr. Speaker, I want to join my colleagues on both sides of the aisle in paying tribute to the gentleman from Illinois [Mr. ARENDS]. His 25 years of service as Republican whip is only one of many records set by him in service to the people of this Nation. It is a great honor to serve with this dedicated American and to have him as a friend.

Mr. ROUDEBUSH. Mr. Speaker, I want to join with my colleagues from both sides of the aisle in paying tribute to my good friend, LES ARENDS. Since I came to Congress, now nearly 8 years ago, I have served on the Republican whip organization. LES has been a real friend and adviser to me. I know of no Member of this House that has been more generous with his time and help than has LES. I recall as a freshman in this House, now many years ago, LES would always take time to explain the complex procedures of this body, and give me advice and assistance in the problems that faced me. I shall always be grateful to LES ARENDS, and wish him every success and many more years in his position of leadership. I have enjoyed knowing him, and my service under him on the whip organization has been most enjoyable.

Mr. TALCOTT. Mr. Speaker, I want to join my colleagues in paying tribute to the gentleman from Illinois [Mr. ARENDS] for his long service as Republican whip.

Having served longer than any other whip is a tremendous record, one which will probably never be excelled in length of time.

Length of time is of small moment, however, when the quality and dedication of his service is evaluated. The excellence of his performance is also unexcelled. He has served several floor leaders all with consistent competence and dedication.

I am grateful for the special opportunity to serve with and for the gentleman from Illinois [Mr. ARENDS]. He has added stature and respect to the important function of party whip.

I wish for him many more years of service in the House and as Republican whip.

Mr. KING of New York. Mr. Speaker, I am pleased to join with my colleagues in extending my heartiest congratulations to our distinguished colleague, the Honorable LESLIE ARENDS on the occasion of his 25th anniversary as Republican whip of the House. I have been privileged to serve with him on the House Armed Services Committee and have enjoyed working under him in the 89th Congress as assistant whip of the New York delegation.

LES ARENDS' personal attributes are well known to us all. The genuine affection and respect which he commands on both sides of the aisle is the mark of distinction which should be an inspiration to all of us here and indeed to all Americans who follow in his footsteps.

It is my hope that the district he so capably represents in Illinois will continue his service in the Congress for many, many more years.

Mr. GUBSER. Mr. Speaker, in my 16 years as a Member of this body, I have participated in dozens of oral tributes paid by the membership to distinguished colleagues. In adding to the justly deserved accolades paid to my good friend, LES ARENDS, I do so with an unusual degree of pleasure.

Just yesterday I happened to make the statement in the Republican Cloakroom that if I were asked to name the man I thought was "the nicest guy in Congress" I would name the smiling and kindly gentleman from Illinois, LES ARENDS. Today I am motivated to make that statement publicly as a part of the RECORD, because, Mr. Speaker, there could be no nicer man alive or one I respect more than our Republican Party whip, the Honorable LESLIE C. ARENDS.

Party responsibility is one of the principal pillars upon which free government is built. Without a division of responsibility between those who propose and those who conscientiously oppose when the national need requires it, we would have no democracy. The result would be either the sterility of a government dominated by narrow ideas and ideals, or it would be the chaos of too many ideas channeled everywhere, but getting nowhere. LES ARENDS has been the type of man who has understood partisanship and has served it well, but at the same time he has been a great respecter of the individual Member's sincerely held views or opinions.

In my experience in this body, I know of no person who has contributed more to free and honest government, or who has more justly earned the deep respect and love of his colleagues.

I am proud to consider myself a friend of the man who has ably served the Republican Party for 25 years as its whip—the nicest guy in Congress—the Honorable LESLIE C. ARENDS.

Mr. ADAIR. Mr. Speaker, it is a pleasure to join in this tribute to one of our most outstanding colleagues, LES ARENDS. His efficiency and effectiveness as Republican whip are well known.

This effectiveness would not have been possible were it not for his pleasant manner and agreeable personality.

LES has certatinly contributed greatly not only to our party, but to our Nation, in the years that he has served in the Congress. I hope that we may have many more years of service together in the House, and wish him very well in the future.

Mr. LANGEN. Mr. Speaker, I find great pleasure in this opportunity to offer a few words of commendation and praise to our highly respected colleague and Republican whip, the Honorable LES ARENDS, of Illinois. I think back to when I first came to this Congress, now almost 10 years ago. I guess I shall always remember the gracious welcome and most thoughtful offer of assistance that he conveyed to me on the opening day of that session. I am sure that I speak for a good many Members of this House when I say that new Members have always found sound and reliable counsel from the gentleman from Illinois [Mr. ARENDS] during their first session, when such counsel is of great help and importance.

It has already been mentioned that the assignment of whip is a difficult one. It takes great diplomacy and finesse to accomplish the objective of the whip assignment and still keep everybody happy. The many testimonials offered here today attest to the fact that he has performed with great proficiency and finesse.

One could go on at great length in talking about the outstanding qualities and character of this man. May it suffice for me to say that my days here in this House have surely been made more productive and more pleasant by the fact that I have been able to number him as one of my friends. It has been my experience that his concerns always gave consideration to my wishes and welfare. While my life as a Member of Congress has been greatly enriched, probably it is more important that this country, his district and State, and, in fact, the entire world have been enriched because of his dedication to the best interests of all of our people.

I want to extend to him and his family my fondest hope that the future will hold for him many more years of service to his country, and that they may be as rewarding and satisfying to them as his services have provided satisfaction and comforts to all who have known and worked with him.

Mr. SKUBITZ. Mr. Speaker, I want to join my colleagues and pay tribute to my friend and colleague, LES ARENDS. A man of sterling qualities. LES ARENDS has served his country, State, and party long and well. The fact that the Republican membership of this body has elected and reelected him as its whip for the past 25 years is evidence of the confidence and high regard in which they hold him. He has that rare ability to counsel, not demand; to reason, not to dictate.

LES ARENDS has not only served the Republican Party ably, his sage advice has saved many new Members from political embarrassment.

I salute you LES. May you serve the Republican Members in this body for many years to come.

Mr. ALBERT. Mr. Speaker, I appreciate the opportunity to join the distinguished minority leader in saluting our dear friend and colleague, LES ARENDS, for his 25 years of service as Republican whip. As one who has had the opportunity to work closely with the distinguished gentleman from Illinois in our day-to-day efforts to move forward with the business of the House of Representatives and the business of the country, I can say without hesitation or equivocation that he has always put the business of the country above party or self.

He has served is party and this House well and ably during his 25 years as whip. He is a stanch Republican, but more than that a great and patriotic American.

We look forward to many more years of distinguished service from our good friend. I appreciate the fact that the gentleman from Michigan has taken the time to allow us to express these sentiments today. I am very proud to be able to join in congratulating our friend, LES ARENDS, on this occasion.

Mr. BURLESON. Mr. Speaker, I join with my colleagues in paying tribute to our esteemed friend and long associate, LES ARENDS.

We have a saying in my part of the country that "a man's word is his bond." I have found this true in my contacts with the able and distinguished gentleman from Illinois who is respected by everyone.

I congratulate him, the Republican Party, and our country by reason of his leadership and his service in this body on the occasion of his 25th anniversary as the Republican whip in the Congress.

Mr. REIFEL. Mr. Speaker, I am grateful for this opportunity to join in the accolades that are being bestowed upon the distinguished minority whip, the Honorable LES ARENDS, upon this 25th milestone of his service.

The best testimonial to LES ARENDS' effectiveness is the number of times he has been reelected to this responsible position.

From a more personal standpoint, few Members of the House have been more helpful to me than has the distinguished gentleman from Illinois. He, in large part, is responsible for the cohesiveness and the esprit de corps that has been developed on this side of the aisle under the able leadership of the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

When I came here as a fledgling Member, LES ARENDS was never too busy to give me words of advice and counsel which quite possibly saved me some embarrassing votes later on. His parliamentary genius and ability to foresee complicating circumstances and to put first things first are recognized by all who have been privileged to serve under his guidance.

So I count it a privilege to join today in honoring the distinguished minority whip, a Congressman's Congressman and an outstanding and helpful gentleman who does credit to his State, to this body, and to the party in which he serves.

My only hope is that his status can be elevated from the minority to the majority in the new 91st Congress opening in January.

Mr. BURTON of Utah. Mr. Speaker, the distinguished gentleman from Illinois [Mr. ARENDS] is presently in his 25th year as Republican whip in the House of Representatives. I am pleased to join with my colleagues today in honoring the gentleman for his remarkable record. No other Member of this body, past or present, has served as party whip for such a long period of time. As a relative newcomer to the House, I look with considerable awe upon my colleagues, such as the gentleman from Illinois, who have managed to survive politically for 25 years and more. To be returned to the House election after election is in itself a great tribute. But, it seems to me, it is an even greater tribute to a Member of this body to be elected, Congress after Congress, to an important position of party leadership. In every Congress since 1943 the gentleman from Illinois has been selected by vote of the Republicans in this body to the position of party whip. This speaks more highly of LES ARENDS and more effectively dramatizes the confidence, esteem, and respect in which he is held than any words of mine can do. I salute the gentleman for having served for such a long period of time, and I salute him for having served so well. Obviously, had he not carried out the functions of the important office he holds with great skill and dedication, he would not have been returned to it with such regularity. It is my privilege to serve as an assistant regional whip and work under the gentleman's direction. I can personally testify to his effectiveness. I can further testify that, in terms of genuine concern for the House of Representatives and its Members, the gentleman from Illinois has no superiors. We as a party are fortunate indeed to have him here, but in a larger sense, the House of Representatives as an institution is fortunate that he serves here. May LES ARENDS be with us for a long time yet, and may his kind increase.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, it has been my great pleasure and honor to serve as one of the assistant Republican whips under the able leadership and direction of the Honorable LESLIE C. ARENDS, of Illinois. I considered it a great honor to have been appointed to this job and I have enjoyed my position immensely.

On thing that I have observed is the very fine and excellent way in which the gentleman from Illinois [Mr. ARENDS] conducts the office of whip on the Republican side. He is a person dedicated to the minority party, always is faithful to the principles and policies as enunciated by the leadership and uses all of his efforts in getting as many Republicans as possible to support the Republican cause.

I had previously served as whip for 4 years in the Pennsylvania State Legislature and I know what a trying position the office of whip is. The whip is the good right arm of the floor leader, and I have often said that a floor leader is as strong as his whip.

I would say that the reason for the strong Republican position in this session of Congress has been because of the able direction of the whip organization as led by the gentleman from Illinois. The Congress has certainly been well rewarded by his presence here and he has been a devoted servant to his party, to his State, and to the Nation.

It is my great pleasure to join with others in celebrating his 25th anniversary as whip.

Mr. BERRY. Mr. Speaker, there are a few jobs more important, and more thankless, than that of party whip. For 25 years LES ARENDS has quietly and conscientiously held the reins on Republican House Members, applying the whip when needed. The thanks we owe him is long overdue and entirely inadequate, but certainly most sincere.

As a personal note, may I add that I have had frequent occasion to visit in Illinois' 17th District, since my daughter and family reside there. I know of the high regard with which he is held by the "folks back home," and indeed they are fortunate to have had Les working for them in Washington since 1935.

We House Republicans are fortunate, also, to have had Les as our whip this past quarter century. We salute you, Les, for a job well done.

Mr. MICHEL. Mr. Speaker, it is a wonderful thing just to serve in this House of Representatives and particularly so when we can be a party to history in the making. I recall the day in this House when the late distinguished Speaker, Sam Rayburn, exceeded the record of Henry Clay for serving longer than any other man as Speaker.

Today is another memorable one, for my neighboring colleague, who has represented the 17th District of Illinois so ably for 34 years, has now served as whip of our party in this body for longer than any man in the history of our country. Twenty-five years is a mighty long time, but how much more dramatic when we consider his 25 years in a leadership role as whip of his party.

We all have a great affection for Les Arends. I can recall his taking me under his wing when I came to this body as a freshman Member. I have always appreciated his willingness to spend time with the junior Members and give of his best advice and experience, acquired over the many years he has been here. Now, it is my good fortune under his tutoring to serve in his whip organization, and I hope the association will continue for many years to come. I want to extend my heartiest congratulations to my leader and great friend, Les Arends, on his most notable achievement.

Mr. DORN. Mr. Speaker, it is fitting and proper, to paraphrase another great statesman from Illinois, for this House to honor today Les Arends. It is further fitting and proper that this honor come from both sides of the aisle. I do not believe that another American in the history of our Nation has served his party as whip longer than Les Arends. This Congress and this Nation can be proud of the courtly and gentlemanly manner in which the gentleman has served as whip. He has always added luster, and reflected great credit on the House of Representatives as an institution—the people's institution.

We admire Les Arends, because without question, he has always placed the welfare of our country and the House of Representatives above any other consideration. He has upheld and protected the prerogatives and honor of the House of Representatives. Les Arends has been a warm personal friend to all of those who served with him. This House is a greater body because Les Arends has served for 25 years as whip of his party—as majority whip and as minority whip.

When I first came to this House in January 1947, one of the men who stood out was Les Arends. I did not hesitate to seek his wise counsel and advice. He was particularly kind, courteous, and encouraging to the young and new Members of the House.

On this day, Les, when you have reached 25 years of continuous service as whip, may I congratulate you. Mrs. Dorn and my people whom I represent, and who have permitted me to remain here and vote very much as you have voted, join with me in wishing for you every continued success, much admiration, and highest esteem always.

Mr. SCHADEBERG. Mr. Speaker, I would like to add my voice to the many others who have spoken out in tribute to our esteemed colleague, Les Arends, who has served the Congress and his party with a devotion and dedication envied by most of his fellow Members, and certainly admired by all.

It is my understanding that a thorough study of the evolvement of the duties of a party whip has shown that our colleague has held this vital position longer than any man on either side of the aisle. I would add that I would believe that he has been as effective as any other man who has ever held the position, and far and away more effective than most. I salute Les Arends, and hope that he will continue to serve the Nation of his party for many more productive years. I have many fond recollections of Les giving assistance to a new and naive Wisconsinite who came to Congress in January 1961, and I shall never forget the trouble he took to make me feel at home. I salute his 25 years as Republican whip, but I also salute Les Arends the man.

Mr. WYMAN. Mr. Speaker, as one of the junior Members of this great body, I want to join with his many friends and admirers in this tribute to the distinguished minority whip, Les Arends.

Les has been as thoughtful, kind and considerate to all of the Members, both freshmen and senior, as is humanly possible. His patience, his advice, his helpfulness have been constant. He has earned the gratitude, respect and warm friendship of every Member on this side of the aisle, although as the distinguished Speaker has so aptly said, his duties as whip sometimes require that he crack the whip.

I believe it fair to say that this tribute to the distinguished Member from Illinois is unreservedly joined in by every Member of the House on both sides of the aisle.

Mr. GROSS. Mr. Speaker, I join with other Members of the House today in heartiest congratulations to Les Arends on the 25th anniversary of his service as a Republican leader in the House of Representatives.

Les Arends has served well and faithfully both as a Republican leader and as the Representative of his district in Illinois. His friends in Congress and throughout the country are legion and I am sure they would want to be included with all of us in congratulations and good wishes on this occasion.

Mr. O'HARA of Illinois. Mr. Speaker, Les Arends is a native of Ford County in Illinois and in his warm personality, his friendliness, his open and honest approach to people and to problems, he truly represents the spirit of the five men and women of the county where he was born. I am happy to join my colleagues in a salute of appreciation and of affection to him on the completion of 25 years of service as the Republican whip of the House of Representatives of the Congress of the United States.

Joseph Cannon, of Illinois, was Speaker of the House in four Congresses. Henry Rainey, of Illinois, was Speaker of the House in the 73d Congress. James Mann, of Illinois, was minority floor leader of the House from the 62d to the 65th Congress. Adolph Sabath, of Illinois, was elected a Member of the House in 24 Congresses, a record. Thomas O'Brien, of Illinois, was a Member of tremendous influence in many Congresses, was a determining factor in the election of Sam Rayburn as majority leader, leading to his eventual election as Speaker of the House.

In this select group of sons of Illinois, among the "immortals" of the House must be included Les Arends. A quarter of a century as the whip of one of the two great parties, a quarter of a century of uninterrupted leadership in the Congress of the United States, is a record that stands out as the sun in the skies.

Mr. BROCK. Mr. Speaker, I am pleased to be able to join my colleagues in paying tribute to Les Arends of Illinois for his remarkable record of 25 years as Republican whip in the House of Representatives.

The fact that Republicans in every Congress since 1943 have seen fit to place their trust in Les Arends' leadership is a compliment which I cannot match with words. Personally, I owe a great deal to the gentleman. The quality of his guidance; the skill and dedication which he brings to the job has been a source of inspiration to many of us during this last quarter century. Regardless of whether one is a veteran of 2 or 20 years, he can appreciate the value of such a friend and colleague.

Les Arends has served this House and our country long and well. May he continue to do so for another 25 years.

Mr. HALL. Mr. Speaker, I join my colleagues today in paying tribute to the Honorable Les Arends, the gentleman from Illinois, who has earnestly served the Republicans in the House of Representatives as our party whip for the past 25-years. I have found Les Arends to be a delightful person to work with, a man who is dedicated not only to his party, but also to his country. He has rendered a great service to his Nation in his capacity, not only as a Member of Congress, but as the party whip. His efficiency and effectiveness as Republican whip are well known to his colleagues; this could have only been made possible by a man whose sincerity and pleasant personality are of the highest degree. This distinguished gentleman is one of the most dedicated Members of the House.

During my service in the Congress I know of no person who has contributed more to free and honest government, or who has more justly earned the deep respect and admiration of his colleagues.

While my years as a Member of Congress have been greatly enriched through my association with Les Arends, it is more important that this country, and the entire world, has been enriched because of his dedication to the best interests of all our people.

I take great pleasure in congratulating and commending Les Arends for his long and able service. I also want to extend to him and his family my fondest appreciation for his continuing efforts. I hope that he may be privileged to serve many more years in the House, and wish him and his family well, in the future.

Mr. McCLORY. Mr. Speaker, this is indeed a proud day for our Republican whip, my colleague from Illinois, Les Arends. Indeed, it is a proud day for the Congress of the United States that we can honor Les Arends on the 25th anniversary of his service as Republican whip of the House.

As a fellow Representative from the State of Illinois, I feel that we have a special asset in Congressman Les Arends. He is part of the leadership which is consulted and which helps to formulate policy in the Congress and in the Nation. In addition, he is a courageous and independent thinking citizen. Les Arends helps to guide the legislative branch of our Government along the path of sound lawmaking and in its policy decisions.

Mr. Speaker, I have never found Congressman Les Arends at a loss for words to express himself clearly and emphatically in behalf of those principles to which he has adhered throughout his public career. He has brought dignity, honor, and respect to these legislative halls and he has exhibited a warm friendship for me and many others in the Congress.

Congressman Les Arends is thoughtful, considerate and, when occasion requires it, he is deeply compassionate and understanding. I have personally appreciated these qualities in my friend, Les Arends, and I am happy to publicly attest to this appreciation.

The youth which he exhibits in his lively stride and in his pleasant sense of humor as well as with his youthful and attractive wife, Betty, give assurance that he will continue serving as one of America's great political and legislative leaders for many years to come.

Mr. Speaker, I congratulate Les Arends on the 25th anniversary of his Republican leadership in the U.S. House of Representatives.

Mr. WYDLER. Mr. Speaker, as one of the members of the Republican whip organization, I am proud of my commander in chief, Leslie C. Arends. He is the epitome of what a whip should be. My service as a member of his organization has been an enjoyable one and I have learned much about the workings of Congress and our democratic system of government. He truly should be called Mr. Whip.

Mrs. REID of Illinois. Mr. Speaker, it is a pleasure to join with everyone on both sides of the aisle in once again extending congratulations to my colleague from Illinois, Les Arends, as he completes 34 years in Congress and 25 years as Republican whip in the House.

Les Arends is almost legendary in the Land of Lincoln, and only four Members of the House have served longer than he has here in Washington, an inviable record which attests to his faithful service and leadership ability. It is, of course, impossible to measure his endless contributions to the welfare of the people of his district and State and the Nation in general throughout the years. It has been said, however, that friendships are the true reward of public service, and if this be true, then Les Arends is rich, indeed, for no one commands greater respect and affection both at home and here in Washington.

Les has served as whip longer than any person of either party in the history of the Congress, and I predict that he will serve for many years to come. I consider it an honor and a privilege to be included among his host of friends.

GENERAL LEAVE TO EXTEND REMARKS

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks and express their views on this occasion.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I yield to the distinguished Speaker, the gentleman from Massachusetts.

Mr. McCORMACK. Mr. Speaker, Members have heard me say on a number of occasions that the middle aisle means nothing where friendship is involved. This is one of those occasions where on both sides of the aisle and in both bodies we rise and express—and those who do not speak it, in their minds express it—the deep friendship and sentiment and respect that we all have for the gentleman from Illinois [Mr. Arends].

I know something of the responsibility of leadership, having been majority leader for over 16 years and then, during the 80th and 83d Congresses, when our Republican friends led the House, when I served on that occasion as minority whip. It is a very responsible position. Les Arends performs his duty with dignity and with strength.

I admire him not only as a legislator and a great man, but also I deeply value the friendship that exists between us.

Twenty-five years of occupying the position of whip has carried with it many great responsibilities. I agree with the statement made by the distinguished minority leader, that our good friend Les Arends has occupied the position of whip, either majority or minority, longer than any other man in the history of the House. The statement is correct. I know, I occupied the position of majority leader for the longest period in the history of our country.

So our dear friend has been honored by his party, and he has also served this House and this country with diligence, and has occupied that position longer than any other man, as I see it now in looking back through history, longer than any other man in the entire history of the country, either whip of the Republican Party or whip of the Democratic Party.

It is a pleasure to me to express, speaking for the Democrats, if I may—and I know I do—to convey to Les Arends our deep feeling of respect and friendship, and to congratulate him on the outstanding service he has rendered as whip to his party and as a Member of this great body. We are all honored in having a friend like Les Arends.

Mr. GERALD R. FORD. Mr. Speaker, I am sure that the observations of our Speaker and the complimentary comments of our Speaker reflect the views of all of Les Arends' friends in the House on both sides of the aisle.

The tribute from the Speaker, as he has so well expressed it, I am sure, means a great deal to Les Arends, perhaps more than words of anybody else in the House of Representatives.

Inasmuch as I have already asked for and received unanimous consent for all Members to extend their remarks on this matter, I think it appropriate to conclude at this point with the wonderful tribute paid by the Speaker of the House to a most deserving gentleman, our dear friend, the gentleman from Illinois, Les Arends.

PERMISSION FOR COMMITTEE ON RULES TO FILE REPORTS

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

ENLARGING THE AMERICAN FRANCHISE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 334)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

The ballot box is the great anvil of democracy, where government is shaped by the will of the people. It is through the ballot that democracy draws its strength, renews its processes, and assures its survival.

Throughout the life of our Republic, no single, enduring question has so engaged generation after generation of Americans as this: Who among our citizens shall be eligible to participate as voters in determining the course of our public affairs?

On four occasions we have amended our Constitution to enlarge or to protect that participation. In recent years, Congress itself has been attentive to sheltering and assuring the free exercise of the right to vote.

Such a concern is altogether fitting. Under a government of, by, and for the people, the right to vote is the most basic right of all. It is the right on which all others finally stand.

Such a right is not to be idly conferred or blindly withheld. But the stability of our Republic from the beginning has been served—well and faithfully—by the willingness of Americans to lay aside the constraints of custom and tradition and heed the appeals of reason and reality to welcome into the American electorate those of our citizens fitted by the precepts of our society's values to participate in the exercise of the ultimate right of citizenship.

At the inception of the Republic, the promise of the new Nation was strengthened because our forefathers cast aside tests of religion and property.

At midpassage, America's moral strength was fortified when the test of color was removed by the Fifteenth Amendment. The Voting Rights Act of 1965 has reinforced this principle for all time.

At the beginning of the modern era in this twentieth century, reason and reality wisely prevailed when the women in America—through the Nineteenth Amendment to the Constitution—were granted the equality of citizenship so long denied them.

In 1961, the Twenty-Third Amendment to the Constitution gave citizens of the Nation's capital the right to vote for President and Vice President.

Four years ago, the Twenty-Fourth Amendment struck down the tests of the poll tax which had for almost a century disenfranchised thousands of Americans.

ENLARGING THE AMERICAN FRANCHISE

In all these instances time has affirmed the wisdom and the right of these decisions to enlarge participation in the Nation's affairs. Time, too, has already affirmed the wisdom and justice of our continuing efforts in the last decade to perfect, protect and shelter the right of all citizens to vote and to put an end to the unconscionable techniques of studied discrimination.

Today, I believe it is time once more for Americans to measure the constraints of custom and tradition against the compelling force of reason and reality in regard to the test of age. The hour has come to take the next great step in the march of democracy. We should now extend the right to vote to more than ten million citizens unjustly denied that right. They are the young men and women of America between the ages of 18 and 21.

The practice of admitting young Americans to the electorate at the age of twenty-one has its roots in the dim and distant mists of medieval England—but it is a practice and limitation without roots in the American experience.

Throughout our history as a young Nation, young people have been called upon by the age of eighteen to shoulder family responsibilities and civic duties identical with their elders.

At the age of eighteen, young Americans are called upon to bear arms.

At the age of eighteen, young Americans are treated as adults before many courts of law and are held responsible for their acts.

The age of eighteen, far more than the age of twenty-one, has been and is the age of maturity in America—and never more than now.

Reason does not permit us to ignore any longer the reality that eighteen year old young Americans are prepared—by education, by experience, by exposure to public affairs of their own land and all the world—to assume and exercise the privilege of voting.

The essential stability of our system is not served, the moral integrity of our cause is not strengthened, the value we place on the worth of the individual is not honored by denying to more than ten million citizens—solely because of their age—the right to full participation in determining our country's course.

This denial of the right to vote limits our democracy. It diminishes every modern concept of citizenship.

The young people of America in this decade are far more ready, far better qualified, far more able to discharge the highest duty of citizenship than any generations of the past.

We know—and the young men and women know also—that this is so.

They are better educated than their counterparts of a generation ago. They graduate from high school and enter college in greater proportions. Already this group—although many have not yet completed their schooling—have a higher education level than the general electorate.

Mass communication and greater opportunities for travel expose them earlier and more frequently to the issues of the day than the young men and women of the 1940's, or even the 1950's.

The young men of today serve their Nation in uniform with the same devotion as their fathers and brothers of earlier days showed. But duties unknown a decade ago have summoned the devotion of young men and women alike, by the tens of thousands. Their participation in the Peace Corps, in VISTA, and in other community ventures has elevated our national life and brought new meaning to the concept of service.

For myself, I deeply believe that America can only prosper from the infusion of youthful energy, initiative, vigor and intelligence into our political processes.

We live in a world that is young and growing younger each year. Of all nations, none has more generously invested in preparing its young people for constructive citizenship and none has been more faithfully served by its young than has America.

Today, the young people of America are asking the opportunity to give of their talents and abilities, their energies and enthusiasms, to the greater tasks of their times. I believe their proper request can and must be properly answered by a national affirmation of our faith in them. For a nation without faith in its sons and daughters is a nation without faith in itself.

WHAT I PROPOSE

I accordingly propose that the Congress of the United States approve and submit for ratification of the legislatures of three-fourths of the States an amendment to the Constitution of the United States to provide, as follows:

> The right of any citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of age if a citizen is eighteen years of age or older.

In proposing submission of such an amendment I am mindful that:

- —The State of Georgia since 1943, and the State of Kentucky, since 1955, have permitted eighteen year old residents to vote.
- —The two new States of Alaska and Hawaii have permitted nineteen and twenty year old residents, respectively, to vote.
- —The first proposal for such an amendment was advanced in 1942 by Senator Arthur Vandenberg.
- —President Dwight D. Eisenhower, in his 1954 State of the Union Address, urged an Amendment to lower the voting age to eighteen.
- —In the 90th Congress, more than fifty proposed Constitutional Amendments to extend voting rights to eighteen year old citizens have been introduced, and many of these measures have broad bi-partisan support.

The concept has been tried and tested. Its merit has been established. Its rightness is now beyond dispute.

FULL PARTICIPATION IN OUR AMERICAN DEMOCRACY

The time has come to grant our youth what we ask of them but still deny to them—full and responsible participation in our American democracy.

In this year of national decision, as Americans in every State prepare to choose their leadership for the decisive and fateful years before us, the Congress has a rare opportunity through the submission of this amendment to signify to our young people that they are respected, that they are trusted, that their commitment to America is honored and that the day is soon to come when they are to be participants, not spectators, in the adventure of self-government.

Every time before, when America has extended the vote to citizens whose hour has come, new vitality has been infused into the lifestream of the Nation, and America has emerged the richer.

Now the hour has come again to take another step in Democracy's great journey.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 27, 1968*.

L. B. J.: A PRESIDENT WHO UNDERSTANDS YOUNG PEOPLE

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, in this Nation the age of adult responsibility is 18. In almost every significant area of life, the 18-year-old must bear the legal and social obligations of adulthood. That he generally shoulders these obligations with competence, intelligence, and patriotism few among us would doubt.

Yet, in only two States of the Union, Georgia and Kentucky, can the 18-year-old exercise the most fundamental right of citizenship—the right to vote, to have a voice in the many governmental policies and programs which so intimately affect his own life and welfare. Through most of our country, a young man or woman is graduated from high school infused with an interest in the affairs of government, then must face the frustration of inability to effectuate his enthusiasm through participation in the political process.

A constitutional amendment such as that proposed by the President in his message will preserve that youthful enthusiasm and channel it to the benefit of the entire electorate. I strongly support the President's recommendation that we take action now to guarantee the right to vote to our citizens between the ages of 18 and 21.

Mr. EDMONDSON. Mr. Speaker, I support the President's recommendation to permit 18-year-olds to vote and concur in his view that this should be done by a constitutional amendment.

We have never had a better informed generation of young Americans than we have today in this country. They have been prepared well for participation in the Nation's decisionmaking procedures.

The interest of 18-year-olds in the political process is evident in their active participation in political campaigns. Their interest in public affairs and their potential for contribution at home and abroad are manifested by the dedication of thousands to programs like the Peace Corps and congressional and Government internships. And, of course, their capacity for commitment to the high aims and goals of our society is nowhere more forcefully demonstrated than in their splendid service in the Armed Forces of the United States.

Our young people of 18, 19, and 20 are bound like the rest of us by the decisions which are reached by Government, and those decisions often affect their futures drastically. Surely they should also be allowed to participate in the choice of political representatives who make those decisions, including the President and Vice President of the United States.

I hope we will soon see favorable action on the proposed constitutional amendment.

Mr. NIX. Mr. Speaker, President Johnson has taken a major step forward to strengthen democratic life by asking Congress to consider a constitutional amendment that will lower the voting age to 18. The President is absolutely right in making this request—a request long overdue.

More than 10 million young Americans between 18 and 21 are now unable to participate fully in the political life of this country. Yet, many of these same young people are being called upon to defend America's freedom around the world.

I think we would all agree that there is no outstanding virtue that endows a 21-year-old with superior wisdom and intelligence as he goes into the voting booth.

America can take pride in producing the best informed youth generation in its history. These young people have proven their dedication, time and again, to the cause of progress and justice in America's society. They have earned the right to vote.

I feel certain that an overwhelming majority of my colleagues agree that these young people should be given the opportunity to vote in our elections. And I believe that their parents, as well as an overwhelming number of Americans share this belief.

I commend President Johnson for his leadership in proposing this vital legislation. I hope and expect the Congress will not delay its passage.

Mr. TUNNEY. Mr. Speaker, President Johnson has submitted to Congress one of the most important and vital matters dealing with our democratic life.

The full participation of the American people in the right to vote is fundamental to the political processes in the United States.

In his proposal today to amend the Constitution so that 18-year-olds may be allowed to vote, President Johnson has demonstrated his vision and leadership in strengthening the fabric of our democratic society.

I fully support him in this urgent matter.

Earlier in the 90th Congress I introduced a joint resolution to lower the voting age to 18 years.

This Congress has the unique opportunity to extend the voting franchise and to eliminate the last vestiges of discrimination against many of our citizens in the important matter of the right to vote. I think we must face the fact that some 10 million of our young citizens are being discriminated against.

In effect, we have told these young men and women that while they are old enough to go to Vietnam and risk their lives in democracy's cause, they are nevertheless too young to exercise the wisdom and judgment necessary to vote for public officials. This is, indeed, discrimination. And the 90th Congress must help bring it to an end.

I commend the President for his forthright leadership in this matter. I am hopeful that the 90th Congress will act quickly and overwhelmingly to pass this important legislation.

Mr. FULTON of Tennessee. Mr. Speaker, as one who has long favored and cosponsored legislation to permit 18-year-olds to vote I would like to take this opportunity to speak in support of President Johnson's call for a constitutional amendment to carry out this proposal.

Throughout our history, we have continuously broadened participation in democracy by extending the right to vote to an ever increasing number of our citizens.

In colonial times, religious and property qualifications were eliminated as prerequisites for voting. In the last century, we did away with the color of a man's skin as a barrier to voting. In this century, women were granted the right to vote. Most recently, barriers such as the poll tax were outlawed by the 24th amendment.

Now, I firmly believe, the time has come to extend voting rights to our young people between the ages of 18 and 21. Democracy will surely gain from this action, for it will rejuvenate the democratic process with an infusion of fresh blood, new thinking and moral energy.

It is my hope that the House will give this legislation the earliest possible consideration and that it will be forwarded to the States for ratification at the earliest possible date.

Mr. HUNGATE. Mr. Speaker, young people are becoming more interested and more involved in the political process. They have studied the issues and they are familiar with the candidates.

While they actively participate in political campaigns—often without compensation—they cannot support their candidates at the ballot box.

Because I think it is essential that we retain the interest and enthusiasm of these college-age citizens I am today introducing a resolution proposing an amendment to the Constitution making citizens who have attained 18 years of age eligible to vote in Federal elections.

I urge prompt action on this measure.

Mr. TENZER. Mr. Speaker, I commend the President for his message to the Congress calling for legislation to lower the voting age to 18. With the President's leadership and under his sponsorship the legislation will be given the consideration it deserves.

On February 21, 1967, I sponsored House Joint Resolution 342 to lower the voting age to 18. Over 50 other proposed constitutional amendments to change the voting age have been sponsored by Members of the House on both sides of the aisle.

The President in his message to Congress today stated:

> Today, the young people of America are asking the opportunity to give of their talents and abilities, their energies and enthusiasms, to the greater tasks of their times. I believe their proper request can and must be properly answered by a national affirmation of our faith in them. For a nation without faith in its sons and daughters is a nation without faith in itself.

The arguments for and against lowering the voting age have been stated and restated many times, by past Presidents, by Members of Congress, by the youth of our Nation, and by organizations throughout the United States.

The President has today gone further by expressing his personal faith in our youth and asking the Congress to declare its faith in our young people. I believe that the 10 million citizens between the ages of 18 and 21 deserve the right to vote and will respond by exercizing that right with responsibility, thereby bringing new life and energies to our democratic system.

In these troubled times, proposed legislation will give us the opportunity to bridge the "generation gap" by reaching out to the youth of the Nation and not merely allowing them—but asking them to join hands in the process of self-government and share in the establishment of the goals necessary for the improvement of our society.

I urge my colleagues to support the President's proposal to amend the Constitution and to broaden the base of our democratic system.

Mr. FASCELL. Mr. Speaker, I hope that we can rely on strong bipartisan backing for the President's proposal to extend the franchise to 18-year-olds.

Millions of adult citizens—most of whom are as well-informed and as concerned about political affairs as their parents—are now barred from full participation in our Nation's political processes because of their age. Young people of 18, are as mature today as those of 21 were a generation or two ago.

The continuing concern expressed by our youth on numerous national issues reflects their deep and abiding interest in the political process. We can expect no more of any voter than that he be informed and sensitive. Our young people score high on both counts.

There is little apathy to be found in

this group, and there would be even less if 18- to 21-year-olds were given a political voice. Our idealistic young people could be expected to take to heart the responsibility given them, and to cast their votes with exceptional care.

It is essential that our young people be given political responsibility at a time when they are ready and willing to exercise it. The constitutional amendment proposed in the President's message would accomplish this purpose. I fully support such an amendment and sponsored House Joint Resolution 842 proposing its adoption.

Mr. OLSEN. Mr. Speaker, the President's message to Congress urging action to lower the voting age to 18 deserves our prompt consideration and attention.

We are faced today with a politically active and politically responsible group of 18- to 21-year-olds that is being denied the right to influence events about which they have concern and interest at least equal to our own.

This group of more than 10 million young adults is comprised largely of high school graduates and college students who have reached a higher level of education than has ever before been attained by Americans of their age bracket. The education in history, political science, and civics to which these young people have been exposed has encouraged their unprecedented involvement in political affairs and in other activities of national significance.

Thus, we find young people volunteering for military duty, participating in the Peace Corps, serving in VISTA, and working in Headstart centers.

These young adults are active because they feel a sense of responsibility to their country. They are interested because they have recently learned about the dynamics of their Government.

Indeed, it is an anomaly that they cannot vote and thereby fully participate in the political process. Voting has often been called a privilege, rather than a right. But if any group has ever shown that they are worthy of this privilege, it is today's young adults.

Some may say that 18-year-olds are not wise enough to vote intelligently. I must agree with President Franklin Roosevelt, who once said:

> We know that wisdom does not come necessarily with years, that old men may be foolish and young men wise.

We should act now to provide our young people the opportunity to participate in the affairs of their Nation at a time when their interest in politics and social affairs is at its peak.

Mr. HOWARD. Mr. Speaker, President Johnson has proposed a constitutional amendment that will serve to strengthen our society's most fundamental machinery for a democratic life—the right to vote.

I strongly support this proposal because on January 10, 1967, the first day of the 90th Congress, I introduced House Joint Resolution 18, to accomplish this very thing.

The President has proposed lowering the voting age to 18.

This proposal is urgently needed to correct long years of injustice against young Americans who have been excluded from the most important aspect of our political process.

The fact is that our courts treat 18-year-olds as adults. And our schools treat 18-year-olds as adults. We accept their tax money and their participation in our Armed Forces. If we accept from them this evidence of their maturity and involvement in our Nation's life, can we continue to deny them their right to vote?

I think the answer is obvious. And as the President noted in his message to Congress on this matter, the time has come to act with wisdom and compassion in broadening the base of our political life by including 10 million young Americans who are now excluded.

I think the American people strongly endorse President Johnson's proposal. And I think the President deserves the highest commendation for submitting this legislation at this time. There can be no excuse for delay or retreat on this matter. We have waited far too long to do what is right.

I believe the 90th Congress has a unique opportunity to be remembered as the Congress which brought new vigor and participation into the Nation's political bloodstream. I am proud to support this constitutional amendment. And I urge my colleagues to join in promptly enacting it into law.

Mr. HATHAWAY. Mr. Speaker, I am for the proposed amendment to the Constitution which would extend the right to vote to citizens between the ages of 18 and 21 in all elections. The amendment is patterned after the 15th amendment, which secured the right to vote for our black American citizens, and the 19th amendment, which secured the right to vote for our women citizens.

Some people believe that the question of voting age should be left up to the States to decide. I do not agree. When we deal with an issue involving such a fundamental human right as the right of citizens to vote, a Federal constitutional amendment is an appropriate vehicle to secure this right.

It is important that our young people be able to participate in the decision-making processes of our society, the most basic of which is the voting process. Our young people are prepared by education, a greater sense of maturity, and by their large stake in laws which affect them—military service, the payment of taxes, and other matters—to exercise this responsibility. If we deny them the right to vote, they must seek other channels for expressing their views and influencing decisions of Government, including various forms of protest. Some of these forms of protest, we have seen, are destructive to our social order. Guaranteeing the right to vote for citizens between 18 and 21 may well help to direct the energies and ideals of our young people into more constructive channels.

Mr. DE LA GARZA. Mr. Speaker, I would like to add my support to the proposed constitutional amendment which would give the 18-year-olds the right to vote. The lowering of the voting age is in line with modern trends. Although only two of our States, Georgia and Kentucky, at the present time permit voting at age 18, our two newest States, Alaska and Hawaii, permit voting at age 19 and 20, respectively. Recently, a special parliamentary committee in Great Britain made a study of the legal age of majority for various purposes and recommended that the age for voting be lowered to 20, and for certain other purposes to age 18. The committee gave as reasons the "better education of the young, their greater affluence and sophistication, and earlier physical maturity." Eighteen-year-olds can vote in the Soviet Union and in several of the South American countries. On April 26, 1968, the Citizens' Advisory Council on the Status of Women, which was created by an Executive order in 1963, approved the following recommendations based on a special task force study:

> In view of the downward trend in the age boys and girls mature, * * * all disabilities of minority [should] be removed at least by age 18.

The study included consideration of age for purposes of voting.

A Gallup poll last year showed that 64 percent of the people favor lowering the voting age. It is apparent that a large majority of our people will want Congress to approve this proposed amendment for submission to the States. It is my hope that it will be ratified at least in time to permit 18- to 21-year-olds to vote in the next presidential election in 1972. These younger Americans are prepared for this responsibility today. We must provide the means by which they can fulfill this responsibility of citizenship.

Mr. MOORHEAD. Mr. Speaker, President Johnson has submitted an historical proposal to the 90th Congress. His request for a constitutional amendment to lower the voting age to 18 must be considered landmark legislation that will long be remembered by the American people.

The President deserves the warm support not only of all Americans, but of all Members of this Congress for his awareness of the strong desire on the part of our young people to participate in our democratic processes through voting.

Today's youth have proven themselves to be responsible and dedicated citizens. Many of them are being called upon to defend freedom in Vietnam and do so with unprecedented bravery and valor. Others are serving their country in the ghettos of our cities as members of the VISTA program, and in the remote areas of the world in the Peace Corps. We can be proud of this generation of young Americans. And it seems to me we have an obligation to them to insure that they participate fully in the democratic process.

American youth are deeply involved in our country. They are concerned about what is happening in our cities and across the Nation and they want to express their point of view and be part of finding solutions to the problems. And they want to vote.

Last year when I introduced House Joint Resolution 348, to lower the voting age to 18, I said that American youth is "well-informed, well-versed in the American political process, and eminently qualified to participate in that process through voting." In my congressional district, they have even formed "Make It 18" clubs.

Mr. Speaker, I strongly urge my colleagues to enact promptly President Johnson's proposal for a constitutional amendment. By so doing, we will strengthen our democratic system and provide a real voice to millions of young Americans who want their convictions to be heard by their votes.

Mr. KYROS. Mr. Speaker, many years ago, during World War II, the State of Georgia set the minimum voting age at 18. The slogan which was popularly used to support this legislative action at the time was "Old Enough to Fight, Old Enough to Vote."

Since that time not a few logicians among us have pointed out that a person old enough to fight is not, in fact, necessarily old enough to vote. After all, we can all readily agree that the qualifications for good soldiers and good voters are hardly identical.

Nevertheless, this catchy, perhaps oversimplified slogan has a certain real validity.

Of course, persons lacking the qualifications to be voters should not be granted this important responsibility—but if, in fact, Americans 18 to 21 are informed and responsible enough to vote intelligently, then the fact that they are fighting and dying for their country certainly is relevant to the issue of whether they should be permitted to vote.

I believe, Mr. Speaker, that the maturity and responsibility of our young people is beyond serious question. Thus, the real question becomes: "Should those who fight and die for their Nation share in the making of decisions which affect their lives and property?"

I think the answer to that question requires that we all support the President's proposal to amend the Constitution to lower the voting age.

POINT OF ORDER WITHDRAWN

Mr. DAVIS of Wisconsin. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count.

Mr. DAVIS of Wisconsin. Mr. Speaker, I withdraw my point of order.

The SPEAKER. The gentleman withdraws his point of order.

LEGISLATIVE BRANCH APPROPRIATION BILL, 1969

Mr. ANDREWS of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 2 hours, the time to be equally divided and controlled by the gentleman from Minnesota [Mr. LANGEN] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Alabama.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 18038, with Mr. MURPHY of New York in the Chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous consent agreement, the gentleman from Alabama [Mr. ANDREWS] will be recognized for 1 hour and the gentleman from Minnesota [Mr. LANGEN] will be recognized for 1 hour.

The Chair now recognizes the gentleman from Alabama.

Mr. ANDREWS of Alabama. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, this bill is the usual annual bill for the legislative branch for the fiscal year 1969, which begins July 1. It thus provides for one of the three branches of Government.

Conforming to the long practice, it provides for all activities except the appropriations for the other body; it is the custom to leave those for the decision of the Senate. It includes the House of Representatives, the Library of Congress, the Botanic Garden, the Architect of the Capitol, the Government Printing Office, the General Accounting Office, and a number of items of a joint character between the two Houses such as joint committees, and so forth.

HIGHLIGHTS OF THE BILL

The bill as reported for 1969—again, excluding items for the Senate—totals $247,497,349 in new budget—obligational—authority.

The bill as reported for 1969—again, above comparable budget—obligational—authority for the current fiscal year 1968 to date of $228,260,330, which does not count some $4,874,875 pending in the House version of the second supplemental bill for fiscal 1968 for these same items.

The bill as reported is $9,665,182 below the budget estimates of new budget—obligational—authority for fiscal 1969—$257,162,531—considered by the committee. It is $16,113,182 below the requests including the House Office building remodeling item which is classified as liquidation cash rather than new budget authority. Amounts relating solely to the Senate are, of course, not encompassed in the comparisons.

In other words, Mr. Chairman, the committee has made a grand total cut of $16.1 million from the requests.

Mr. Chairman, I shall not take much time of the Committee but there are a few highlight items that I might touch on. The printed committee hearings are available and the committee report elaborates in detail. I might just say that the explanation for a good many of the line-item increases above last year's appropriation, or portions of them as the case may be, represent the effects of mandatory-type costs such as wage board and within-grade salary increases; annualization of the civilian pay increase effective last October; and specific resolutions of the House, or laws, authorizing additional allowances of one kind or another. Perhaps the largest single increases over last year relate to the general pay bill and congressional printing and binding costs.

Let me say, Mr. Chairman, that the committee has tried to adopt an austere approach to the items in which we had some discretion, but at the same time tried to make reasonable provision for the operating needs. In view of the general pay raise legislation; the rising costs and volume of printing; the specific enactments of the House granting additional allowances for official expenses of one kind or another; in view of these and similar facts, the committee was not able to avoid some increases over last year.

But, Mr. Chairman, we have nonetheless made a lot of reductions.

Mr. Chairman, there are no major remodeling or construction projects in the bill. The committee has deferred funds requested for projects that involve costs in the range of $132 million.

There are no funds in the bill for the Madison Memorial Library Building; nothing for a new Government printing plant; nothing for general remodeling of the Longworth House Office Building into three-room Member suites, and certain related items. Nor were funds sought or allowed to extend the west-central front of the Capitol.

Mr. Chairman, the committee is also recommending continuation of the restriction against any special allowance for congressional summer interns in Members' offices. But this, of course, does not preclude a Member from employing one or more summer interns on the regular office clerk-hire roll within the statutory limits otherwise applicable.

Another item that came in for considerable attention in the committee was the matter of the skyrocketing deficit in the operation of the restaurant and other dining facilities on the House side. The latest estimate is that the deficit for fiscal 1969 could reach $536,000. In the current year, 1968, it will approximate $375,000.

The loss in fiscal 1967 was $243,597; in 1966, $219,257; in 1965, before the Rayburn facilities were opened, $144,091; in 1964, $111,372; in 1963, $140,190; in 1962, $43,034; and so on.

There has been some loss in every year, but, as the figures show, it is now skyrocketing. A number of factors have always combined to bring about a loss, one major reason being the fact that most of the business is concentrated on the noonday meal. In the last few years, the payroll cost has more than doubled—more employees, partly because of more facilities, and general pay increases for both overhead and management-type personnel as well as for foodworkers.

The committee felt that something had to be done to sharply reduce and contain the deficit. The committee felt that a loss of over half a million dollars is wholly unacceptable. So, what we have done is to allow $175,000 as an interim amount; asked the Architect to take whatever reasonable steps he can now take to effect economies in the cost of operations; and we have called on the General Accounting Office to launch a full-scale study of all phases of the operation. The study and recommendations will encompass any and all matters pertinent to a possible private concession arrangement, if such is found feasible without a direct subsidy, and recommendations for any improvements if the operation is continued under direct management.

I might say right here, Mr. Chairman, that the committee made some preliminary exploration of the possibilities of putting all dining facilities out on private concession so as to avoid, if possible, any direct subsidy. Several proposals were received. Two or three tentative proposals in particular were interesting enough to lead the committee to conclude that an in-depth study should be made.

We have not lost sight of the fact that basic to the proposition—is the need for satisfactory service to Members, Hill employees, and others who use the facilities, and the welfare of the employees in the various dining facilities.

GROWTH OF THE LEGISLATIVE BUDGET

Mr. Chairman, as with the national budget generally, the budget for the legislative branch has also grown over the years. The committee report, on pages 4 and 5, illuminates some of the general reasons for this growth.

Mr. Chairman, as you know, much of the work of Congress is done in its committees. Their staffs and their expenses have grown. Not counting substantial items such as printing funded separately in a lump sum, House committees are spending about $9,500,000 a year and employing approximately 525 people. This does not include joint committees.

But the work of Members is everywhere—in their offices; in their districts; in their committee rooms; and on the floor of the House. The average House Member now serves in excess of 450,000 people; there are currently 96 congressional districts with more than 500,000 constituents.

When the second House Office building for Members was completed in 1933, our national population was about 125 million. The average congressional district had about 287,000 constituents. Today the national population is just over 200 million, or an average of over 450,000 per district. The country is much bigger and growing. Thirty-five years ago, Members of the House had one room for themselves and their office help. Even today, not all Members have a three-room office suite.

When the second office building was completed in 1933, the Federal budget was about $4.6 billion. Today, on the new budget basis, the appropriations requested for 1969 exceed $200,000,000,000. As the National Government has enlarged, national legislative responsibilities have increased many times over.

When the second office building was completed in 1933, each Member of the House was limited by law to two office clerks. Today, because of constantly increasing burdens, much longer sessions of Congress, and the vastly changed situation otherwise, the law allows Members from the larger districts up to six times as many clerks, subject however to an overriding salary ceiling that as a practical matter precludes hiring that many by all but a few Members.

Committees and Members wrestle with an ever-increasing volume of complex problems encompassing all manner of legislation with impact of one or another kind on the people.

If Members will turn to pages 5, 6, and 7 of the committee report, they can see just on those three pages, a simple capsule listing of the principal increases and decreases from the current year appropriations, and the cuts from the budget requests, and what they are for. I will not repeat all of them here; they are readily listed in the report.

But taking the bill by its major subdivisions as we show on page 2 of the report of the committee, there is a total of $85,039,420 for the House of Representatives; $12,311,229 for various items of a joint character involving both Houses; $12,442,900 for the Architect of the Capitol; $565,000 for the Botanic Garden; $40,638,800 under the Library of Congress; $39,000,000 under the Government Printing Office; and $57,500,000 for the General Accounting Office.

HOUSE ITEMS

As to items under the "House of Representatives" heading, there is nothing in the way of services that have not previously been authorized. There has been a gradual growth in the recurring charges, however—including some in the 90th Congress, as shown on page 438 of the hearings—which accounts for much of the substantial increase allowed over fiscal 1968.

JOINT ITEMS

As to the various items falling under the joint section of the bill, beginning on page 9, there is nothing much to be added to what the report says.

Certain expenses of the Capitol Police are in the joint section of the bill. There are now 292 authorized police positions on the House side. There are 201 currently authorized on the Senate side, making a currently authorized strength for the Hill of 493 police. To this would be added 45 or so men generally on detail from the Metropolitan Police during the sessions.

The Capitol Police are moving toward a professional-type, trained force, under a career police officer. In view of the rioters and demonstrators who keep making trouble here on the Hill, I think this a decided step in the right direction.

THE ARCHITECT

As to the section of the bill beginning on page 15, for the Architect of the Capitol, as I noted earlier, there is nothing in the bill in the way of major remodeling or construction. There are, however, as there have been for some years, a number of minor repair and improvement items necessary to keep the physical plant on Capitol Hill in reasonably good order.

I might say that we have allowed funds for certain police and disbursing office facilities; for improved lighting and electric clocks and legislative call systems in the Longworth Building; and a couple of other items, all shown in the list on page 11 of the report.

We have not allowed any funds to remodel the Congressional Hotel, or for a tunnel from the hotel to the Cannon Building. That was a part of the general Longworth remodeling proposal, which we have deferred—without prejudice, I might add.

A very unsatisfactory situation of many years standing has been, and continues to be the lack of adequate restrooms for the visting public in the Capitol Building. We have asked the Architect to explore for any nooks and crannies in which more restrooms could be installed, and to make a complete sketch of present facilities that might be opened for general use.

THE LIBRARY

Mr. Chairman, in the Library of Congress, a great national institution, which begins on page 19 of the bill, the work situation is fairly characteristic and not entirely unpredictable. Established in 1800, the Library is the Nation's largest research library. In the nature of the case, a library has only one way to go—to get bigger all the time.

Some budgetary increase is necessary just to maintain current levels. About $1.5 million of the increase over 1968 is for mandatory-type increases that are not subject to administrative discretion.

It has been said that the Library needs roughly 44,000 additional square feet of space each year. Money is in the bill for more rental space as a stopgap solution. But the housing, the servicing, and the managing of an ever-growing collection of the magnitude of what this one is apt to be, say, 25 years from now compels the need of finding ways to automate. Otherwise, there is cause to wonder whether it would be practical to supply space enough to house the collections and employees enough to service them.

So we have enlarged the funds for the automation study program. It is a complex undertaking and it will be expensive. But it is expected to provide information on techniques and procedures that will be of value to other libraries as well.

Some of the increases allowed for the Library relate to growing workloads in the Copyright Office and in the catalog card sales work. Both of these activities turn a profit for the Government.

We have tried to make reasonable provision for the valuable services rendered by the Legislative Reference Service, which says it continues to be swamped with congressional requests.

We provided the full budget request for the wonderful program of books for the blind, which, as Members will recall, was enlarged 2 years ago to extend to others so physically handicapped that they cannot enjoy normal reading.

GOVERNMENT PRINTING OFFICE

Mr. Chairman, for the section of the bill covering the Government Printing Office, which is on pages 24 and 25 of the bill, there is little to add to what the report says. It includes printing and binding for Congress. There is an increase recommended. Congress is talking more; holding more hearings; printing more bills, and so on. And wages are up. Much of congressional work is overnight printing—or short deadline in any event—and that costs money. But it is a vital item of expense. And quick service is important.

This section of the bill includes the Superintendent of Documents activity, which turns a profit. In other words, they recover more to the Treasury through sales of publications. Recently, their costs have been creeping up on income; they have a survey underway on repricing of publications.

The Public Printer has been saying for several years that his present physical plant is inefficient, and that he could save millions of dollars if he had a new, modern plant. We have not, however, allowed the funds for plans and specifications. For one thing, the Joint Committee on Printing has not approved selection of the proposed new site which the law requires as a condition precedent to appropriations for the project.

GENERAL ACCOUNTING OFFICE

Mr. Chairman, the final section of the bill, on page 26, provides for the General Accounting Office, a highly essential instrumentality of legislative oversight in checking the efficiency of Government operations and procedures and the propriety of Goverment expenditures and in assistance to Congress and its committees otherwise.

Some increase was allowed. The expenditures of Government are growing, and as they grow, and more new and enlarged programs are adopted, a greater load is put on the General Accounting Office.

There is considerable discussion in the hearings about the nature and scope of the very extensive—and expensive—review and evaluation study ordered in the basic antipoverty legislation last year. There is also something in the report of the committee, in which we raise the question, as a general proposition, whether the Congress ought to follow the precedent established in the OEO amendments of placing, by statute, specific responsibilities on the Comptroller General for evaluating the efficiency and effectiveness of entire major programs with statutory reporting deadlines. Of course, we are not against—we are for—adequate audits of the expenditures, but such statutory directives might tend to diminish the flexibility of the Office in examining all the programs and expenditures of the Government. And if carried too far, it would in substance considerably duplicate the expense of oversight staffs and special "investigative" committee expenditures.

CONCLUSION

Mr. Chairman, there are many details to this bill even though it is a relatively small bill. I will be glad to try to answer any questions. I might say in closing that so far as I am aware, the committee is either unanimous, or perhaps I should say, about as unanimous as it is reasonable to expect in a bill dealing with a multiplicity of items.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from Iowa.

Mr. GROSS. I thank my friend, the gentleman from Alabama, for yielding, to ask how we stand financially with respect to the Rayburn Building. Have all the claims or suits that have been filed in connection with the construction of the Rayburn Building been settled?

Mr. ANDREWS of Alabama. Are you referring to the garages?

Mr. GROSS. No, I am referring to the building itself.

Mr. ANDREWS of Alabama. My information is that all the money that is needed has been appropriated. There may be a few items still in dispute between the architect and the contractor. I do not think the one big claim has been finally disposed of.

Mr. GROSS. I would hope there is a dispute with respect to the new tunnel between the Rayburn Building and the Capitol. Apparently the rain of last night, as usual, flooded the tunnel for one of the cars was not operating this morning.

Mr. ANDREWS of Alabama. I do not have any details on that.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from Illinois.

Mr. YATES. The information we have is that there is a claim pending, and has been pending for some time, with the contractor for the Rayburn Building. It has not yet been finally settled. It was settled in favor of the Government but has since been appealed to the U.S. Court of Claims where it is still pending.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, has this happened several times—water coming into the new tunnel between the two buildings.

Mr. YATES. That was not called to the attention of the committee. But in view of the interest of the gentleman from Iowa, we will look into it and try to ascertain the facts for the gentleman.

Mr. GROSS. Did McCloskey, the general contractor, build that tunnel, does the gentleman know?

Mr. YATES. I do not believe so; it was as I recall a separate contract and a different contractor.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, I should like to ask about the telephone appropriation on page 7 of the bill. Does that include new telephones such as I hear are being installed across the way with blue buttons on them?

Mr. ANDREWS of Alabama. I do not know anything about blue buttons on telephones across the way. There is money in this bill to take care of the telephones needed on the House side. We do not go beyond the center of the Capitol in our examination of the expenditures.

Mr. GROSS. I understand that the other body will add to the bill whatever they want to put in it. I do not like that procedure, but that is the way it is done. What I am trying to get at is, whether this bill provides for the installation in the House office buildings of the so-called panic buttons that are reportedly being installed in the Senate offices.

Mr. ANDREWS of Alabama. I have said to the gentleman that I know nothing about a blue button or a panic button on the Senate side. We do not have hearings on the Senate housekeeping projects.

Mr. GROSS. Then this does not provide, as far as the gentleman knows, for a panic button for each Member of the House?

Mr. ANDREWS of Alabama. A panic or blue button was not mentioned to our committee. Like the gentleman, I would like to know what they are.

Mr. Chairman, the Architect supplied me with a copy of a letter which he sent to the Speaker, outlining the steps he proposes, effective next Monday, in relation to House dining facilities as a result of the action of the committee on the budget for dining facility operations.

Under leave granted, I am including it in the RECORD for the information of Members and others.

The letter follows:

ARCHITECT OF THE CAPITOL,
Washington, D.C., June 25, 1968.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: You will recall that the Committee on Appropriations, Legislative Subcommittee, has recently conducted some study into the possibilities of reducing the annual operating deficits of the House Restaurant facilities.

Our estimate of the deficit for the coming fiscal year is $536,000. This figure was increased from $400,000 to give effect to increased wage rates ordered by the District Government for their wage board foodworkers effective in July, 1968 (which rates, as you know, are used in establishing rates for our restaurant employees) and a further increase in rates in October, 1968 when restaurant employees are scheduled to come under the Coordinated Federal Wage System developed by the Civil Service Commission at the request of the President.

In their report on the Legislative Branch Appropriation Bill, 1969, the Committee outlined the following primary conclusions and actions:

1. The Committee felt that something must be done to sharply reduce and contain the deficit, stating that a "loss of over half a million dollars is wholly unacceptable".

2. Made preliminary explorations into the possibility of the restaurants being run by outside concessionaire.

3. Requested the General Accounting Office to launch a full scale study of all phases of the operation as soon as the House passes the Legislative Branch Appropriation Bill, expressing the desire that the study move along expeditiously so that if a concession arrangement is eventually decided upon, it would be available well in advance of consideration of the necessary legislation early in next session.

4. Allowed $175,000 which, in the meantime, in combination with whatever reasonable steps the Architect can now take to effect economies, "should be adequate for the necessities."

5. Directed the Architect to effect such economies.

In order to attempt operation within the $175,000 allowance during the next 6 or 7 months, we propose taking the following actions, *effective July 1, 1968,* to effect economies in operations (all these measures, except closing the third line in the Longworth cafeteria, were presented to the Appropriations Committee during their consideration of this matter):

Estimated savings on annual basis

Menu price increases:	
20-percent average on table service; 10-percent average on cafeteria and carryout service	$165,000
Closing all units on Saturdays, except main dining room in Capitol, the Longworth cafeteria, and the Longworth carryout	26,000
Closing Longworth and Rayburn cafeterias one-half hour earlier:	
2:30 p.m. instead of 3 p.m. weekdays, 1:30 p.m. instead of 2 p.m. Saturdays	25,000
Closing the Main dining rooms in the Capitol at 3:30 p.m. instead of 4 p.m. each day, Monday through Thursday	9,000
Closing all carryouts at 4 p.m. instead of 5 p.m. weekdays	6,800
Closing Members' private dining room in Capitol on Fridays (it is now closed on Saturdays and there is little demand for its use on Fridays)	2,500
Discontinue Members' private dining room in Rayburn Building and use that room for special functions (it is now used sparingly by Members)	20,000
Closing third line in Longworth cafeteria (short order line)—It is now closed September 1 to January 3 each year	$15,700
Total estimated annual savings	270,000

By using the $536,000 estimated deficiency figure for the next fiscal year and applying the loss ratios which prevailed in the current fiscal year, it is estimated that $325,000 of the $536,000 would be required for the period July 1, 1968 to February 8, 1969. The $325,000 required for this period, less the $175,000 allowed by the Appropriations Committee, leaves a balance of $150,000 which must be saved by effecting economies in operation.

The measures outlined are estimated to save $270,000 as indicated on an *annual* basis. On the part-year basis, July–February, savings are estimated to amount to about $160,000. This amount compares favorably with the $150,000 required to be saved.

We also intend making other savings where possible and the Manager has been so instructed.

Unless you have objections to these changes or some counter suggestions, I will order the Manager of the Restaurants to proceed promptly with them effective July 1st.

With best wishes, I am,

Sincerely yours,

J. George Stewart,
Architect of the Capitol.

Mr. LANGEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, the chairman of our subcommittee, the gentleman from Alabama [Mr. Andrews], has already very eloquently and explicitly expressed to you the contents of the bill before us. In view of the detailed and impressive manner that he has gone over the subject, there seems little purpose in my taking a lot of time to further elaborate on the moneys provided in this bill.

Possibly it might be said that there is no bill that will come before the House this year that relates as directly to the functional necessities of the Congress to operate effectively and efficiently.

Your chairman has very diligently directed the subcommittee hearings, followed by preparation of the report and the bill, in compliance with the objective of adequately providing for the needs and functional operations of the House and the Congress. Every Member of this House should be grateful to him, and to the other members of the subcommittee, who have all kept your best interest, as well as that of the Nation, in mind at all times.

I can heartily endorse the contents of the bill to you. It does provide adequate funding of the essential activities and, at the same time, is in compliance with the budgetary problems which require that this Congress must do its best to curtail expenditures to the very minimum in order that inflation may be stopped, and economic security established. Therefore the committee has very carefully reviewed all expenditures, making reductions wherever possible and providing increases where necessary. All of these actions are specifically identified on pages 5, 6, and 7 of the committee report.

May I suggest that you review carefully each of the selected items listed. The net results of these actions are expenditure reductions amounting to approximately $9,833,000, with a grand total reduction in the new budget obligational authority of $16,113,182.

It should be emphasized that the appropriations in this bill provide for a substantial amount of public and Government services that are not confined entirely to the operation of the House or the Congress.

The Library of Congress, as an example, provides innumerable supplies of library material to depository libraries throughout the country, with sales of library catalogs, cards, and Government publications. The Library also provides copyright services, aid and assistance to the blind. It is significant to note that there accrues to the Treasury of the United States, through the various sales of material, about $17,800,000 in profits over and above the administrative expenditures.

The General Accounting Office performs highly essential services in checking the efficiency of Government operations and procedures. They are most productive in saving taxpayer dollars, as well as accomplishing more proficient operation of the varied departments and agencies. It has been estimated that the General Accounting Office, by virtue of its work and recommendations, has accomplished expenditure savings that approached $200 million during the past year. These services are truly in the best interest of the general public in providing proficiency to the administration of the vast field of Government services and activities.

I would recommend to my colleagues that they direct some attention to the item beginning on page 4 of the committee report entitled "Growth of the Legislative Budget." It identifies the extent to which Government has grown—as exemplified by a total Federal budget of $4.6 billion in 1933 which now, on the new budget basis, has a total request for 1969 in excess of $200 billion.

This growth, of course, requires additional work on the part of each Member, and their staffs, as well as the staff requirements of the respective committees. The budget increases contained in this bill reflect very realistically the effects of numerous House actions and the inflation that has been prevalent throughout the country in recent months and years. It becomes very clearly evident what the effects of salary increases, together with any new positions, are on the total budget requirements.

This House could do well by carefully reviewing these effects on the cost of our own operations, for they are identical with the problems that confront every individual, business enterprise, and Government agency throughout the country as they are called upon to meet these continuing increases in costs of their livelihood and operating expenses.

In compliance with the nationally recognized budget problem and the resolution passed by the Congress last week, your committee has not included any moneys for major remodeling or construction projects. It is most unfortunate that our country should find itself in such fiscal distress these days that it becomes necessary to not consider funding worthy and needed projects such as the Madison Memorial Library Building, general remodeling of the Longworth House Office Building, reconstruction of the west front of the Capitol, and the intern program. The need for these construction projects is obvious, but it did seem to the committee that this is not the appropriate time to consider such expenditures.

This further serves to identify the need for establishing a fiscal policy that will accommodate the pertinent needs of the day in compliance with the growth and progress of the country. Moneys have been provided for the most essential repair projects that will serve the present needs and will not need to be redone in the event of a major remodeling project in the Longworth Building at a later date. They are listed in the chart at the bottom of page 11 of the report.

In this connection let me briefly refer to the recent experience with regard to claims filed by the Baltimore Contractors, Inc., in connection with the construction of the underground garages. These claims, at the time of the hearings, totaled $5,021,000 in addition to the amount of the original contract as amended, which anyone will recognize as being an excessive amount in connection with a contract which totaled only a little over $12 million in the first instance.

Therefore, the committee has included language in the report which reads that it "expects the Architect to spare no reasonable engineering, architectural, or legal effort to make sure that the Government's interest is fully protected, and will request progress reports from the Architect as significant decisions are taken."

One of the main concerns of the subcommittee, as your chairman has properly stated, was that of the continuing growth in the deficits as applied to the operation of the House dining facilities. I should express my agreement with the action taken, and will expect that the recommended study should provide a solution which would substantially diminish and, hopefully, eliminate entirely this deficit problem. The subcommittee consisting of the gentleman from Illinois, Congressman YATES, and the gentleman from North Dakota, Congressman ANDREWS, did an excellent job in exploring the problem.

The operations of the Library of Congress have been adequately funded with an increase of over a half-million dollars to provide services, in the form of talking books and other reading material, for the blind and physically handicapped.

The Government Printing Office and all of its activities, including the Superintendent of Documents, has been funded adequately to meet the needs and the requirements of the Congress and the other agencies which depend on the Government Printing Office for printing. There is no money provided for plans or specifications for a new Government printing plant.

It might be said that we have been generous with the General Accounting Office in our response to their request for moneys. It appeared to the committee, however, that with the many additional assignments that are directed to the General Accounting Office in connection with new programs and new Government activities, as well as the war in Vietnam, that it was most essential that the General Accounting Office be adequately funded. I have previously mentioned that their investigations result in substantial savings in expenditures and so serve the taxpayer well.

Many of the new programs have required substantial auditing and investigation in order that the intent of Congress be carried out and the expenditure of moneys be properly accounted for. A recent additional workload directed to them has given cause to the committee to question whether the Congress in the future should direct to this agency assignments which require an evaluation of the efficiency and the effectiveness of entire major programs. This is the case with the recent assignment given to them by legislation in connection with the Office of Economic Opportunity programs and, if carried further, could diminish their effectiveness in examining the program and expenditures of the many other Government agencies. It would seem to me, in view of the substantial savings they have accomplished in their respective activities, that their regular workload not be diminished in order to accomplish these assignments—which might better be done by oversight staffs and investigative committees.

I also found occasion to make note of and state, during the hearings, that where these new major programs require extensive auditing to effect efficiency operation, that such expenditures should be charged to the moneys appropriated to the program itself. To not do so, leaves a deficient accounting of the total administrative expenses for the program, which can only serve to mislead both the public and the Congress.

It should be noted that the war in Vietnam, with the many reports that there is a great volume of corruption and black market activities, has placed a substantial additional burden on the General Accounting Office. This is another field which surely should not be neglected, in view of the criticisms that have indicated substantial volumes of U.S. supplies reaching enemy hands. Your committee spent considerable time exploring this subject with the General Accounting Office, and it is my opinion that there is yet much to be done by way of correcting these most undesirable practices.

Mr. Chairman, I think that this briefly covers the essentials of the Government expenditures contained in this bill, and I heartily recommend its approval by the House.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I am glad to yield to my colleague from Iowa.

Mr. GROSS. I want to commend the gentleman and the committee for the interest they apparently are taking in the deficits in the House eating establishments. This situation has reached the point it must be cured. I simply want to commend the gentleman and the committee for the interest they are presently taking, as evidenced by the remarks made by the gentleman from Alabama and by the gentleman from Minnesota.

Mr. LANGEN. I thank the gentleman for those comments. I am glad to know he finds the committee efforts to be worthwhile. I believe we have set up a process whereby we are going to be able to get a very accurate evaluation of the operation of the restaurant, together with recommendations for the future which, as I stated earlier, I hope will completely eliminate the deficit and still provide the service needed for the membership.

Mr. GROSS. If the gentleman will yield further, I am curious to know whether the provision on page 9 of the bill, the administrative provision, means there is any change in the procedure for paying salaries, or whether this is language necessary to the bill for the continuation of what is already being done?

Mr. LANGEN. I do not have a copy of the bill before me, but as I recall there is no change in the method of paying salaries.

Mr. YATES. Mr. Chairman, if the gentleman will yield, this is the traditional language that the committee used year in and year out for the purpose of providing for this payment.

Mr. GROSS. Somehow I have missed it in years gone by. On page 7 of the bill there is $560 for postage for the Postmaster. I am curious to know why a Postmaster needs $560 for postage.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. LANGEN. Mr. Chairman, I yield myself 3 additional minutes.

Mr. GROSS. Perhaps that is a question to which the gentleman can supply the answer at another time.

Mr. LANGEN. I am just locating it now that I have a copy of the bill.

Mr. GROSS. The item is on page 7 of the bill at the bottom of the page.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I yield to the gentleman from Illinois.

Mr. YATES. This is usual, also, just as the language I previously spoke to the gentleman about and about which he raised a question. This is the type of appropriation for postage stamp allowance which is made annually. It is nothing unique and is not higher or in an unusual degree than in other years.

Mr. LANGEN. May I say in more specific response to the gentleman from Iowa that this amount of money is equivalent to the postage or stamp allowance made to each Member. This is so that in the event an airmail or special delivery stamp is needed or that kind of letter is necessary they will have the money for that purpose.

Mr. GROSS. I can understand postage for other officials of the House, but I still find it difficult to see why the Postmaster needs $560 worth of stamps.

Mr. LANGEN. Mr. Chairman, I want to make another little comment with regard to the point the gentleman from Iowa properly has raised. Generally folks wonder why there are any postal allowances at all in a bill of this kind, because they assume that we send all of our mail out under a frank and consequently it does not cost us anything to mail these letters. The fact is that the House has to reimburse the Post Office Department for every last letter that is sent out. Of course, the allowance or the use of the frank covers only regular mail. In view of that, that is why these other little figures are in there. It is in order to take care of airmail and special delivery when that is needed.

Mr. ANDERSON of Alabama. Mr. Chairman, I yield 5 minutes to the chairman of the committee, the gentleman from Texas [Mr. MAHON].

AIDS TO THE POOR—NEED FOR A BETTER PERSPECTIVE

Mr. MAHON. Mr. Chairman, men and institutions owe a duty to the public commensurate with the power which they possess. The press of the country has tremendous power and has a great responsibility. In the realm of public opinion it is preeminent.

The newspapers of Washington and the press of this city, in view of the great power which they have, owe a great responsibility to the people of this city, to the rich and to the poor alike. I have no doubt but that they are undertaking to fulfill that responsibility. I am not a newspaperman and if I were I doubt that I could tell the press how to run its business. People in the publication business, like the rest of us, no doubt have their problems.

So the remarks which I make are made in great humility.

It does concern me that the press of Washington may not to the fullest extent be exercising its great power to influence this city for good.

Mr. Chairman, I was looking over three Washington papers today. One of them has on its front page a series of pictures of destruction and chaos.

Mr. Chairman, anyone from afar seeing these pictures—and I am sure they reflect the correct situation at a given point in the city—would probably be dissuaded from coming to Washington with a school group or with one's family. The pictures are correct but somehow it would be good if we could put the whole situation in good focus so that the beauty and virtue and grandeur could show through along with the evidences of chaos.

It seems to me, Mr. Chairman, that all of us have the responsibility for trying to put things into proper focus, so that people outside the city of Washington would not be unaware of the true situation. Somehow all should be reminded that there is some good along with the bad.

The poor people who run business establishments and those not so poor have been badly hurt by a situation which has been possibly a bit overplayed—by a situation which has frightened the local residents and a situation which has frightened people into changing their plans about coming to Washington.

Mr. Chairman, the tourist trade here, I believe, formerly ran into the sum of about $400 million a year. I do not know what it will run this year. But I know that the loss of the tourist trade hurts and will hurt the small people of Washington, including the poor.

Now, I have before me another Washington paper and one of the headlines—which is not so big—is "House Cuts School Education for the Poor." The headline is not in error but the impact of the headline will tend to be misleading to the reader, especially the poor.

Mr. Chairman, this kind of thing is what we hear repeatedly. And it is not necessarily incorrect even though it can be very misleading at times.

Then, here is another headline on the front page of another Washington paper saying, "The Poor People Sue Freeman To Buy Food." I assume they did and this is news and must be printed. The headline inevitably suggests that this cruel Government is being sued by the poor. Yes, this is news. But somehow it would be good if an image could be reflected of the Secretary of Agriculture in his true role as one who has helped and is helping in providing hundreds of millions of dollars in milk and food and assistance to great numbers of poor people at home and abroad.

I am not being critical of the press. I do not know how to run the press; in fact, I often wonder if we know how to run such an organization as the Congress. We have many deficiencies. I am speaking in all humility. We must keep the press free and unfettered. What we need is a way to put the whole picture in better perspective.

Then, another headline of another paper says, "School Aid for Educating the Poor Is Slashed." This tends, in my opinion, to make the casual reader think, and especially the poor, that Congress is heartless, that Congress is thoughtless, unconcerned and unaware of the needs of the poor of our country.

Mr. Chairman, it would seem to me that the press would want to do all it could to engender, not a spirit of degradation in the city, but a spirit of hope. I doubt that the poor are able to find on frequent occasions explanations of what is being done in their behalf, reasons for hope and respect for their government and their institutions.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. ANDREWS of Alabama. Mr. Chairman, I yield 5 additional minutes to the gentleman from Texas.

Mr. MAHON. The taxpayers of this country are digging down into their pockets every year and paying increasingly large sums in taxes with which to help the poor.

People who pay the taxes to help the poor ought to be given some recognition. Those who receive the benefits from the taxpayers and from the Government and from the Congress and from the executive and legislative branches, those who receive these benefits should not unwittingly be led to believe, that they should despise their Government.

One great literary man had one of his characters say:

> I hate ingratitude more in a man than lying, vainness, babbling drunkenness, or any taint of vice whose strong corruption inhabits our frail blood.

Let us do what we can to engender in our country a spirit of gratitude for what the Government—the most generous Government in the world—is doing for the poor and all citizens generally. No doubt many efforts are misguided but the generous spirit is bona fide.

If Congress cuts the budget some on requests made for the poor, it is not because the Congress despises the poor, it is because the Congress wants to try to help the poor by maintaining the stability of the Government upon whom the rich and poor alike must rely.

It would be well, of course, to point out when we talk about some cut that is made that usually the cut is made in the budget for the current year, and usually the figure—not always—is above the figure for the prior year. Huge increases which are slightly pruned often may appear to those who are unfamiliar with the situation as irresponsible slashes.

One would believe, if he were not somewhat aware of the facts, that yesterday Congress took out the dagger from its sheath and stabbed the poor in the back. How bad, how dangerous to have that sort of sentiment prevail, especially when we had nearly $3 billion more in the bill yesterday than we had last year. This figure to be strictly accurate needs some adjustment downward but I am speaking in broad terms.

The bill provided the sum of about $17 billion. Great portions of that total are for benefits to the poor to one degree or another. There were some reductions in certain areas but in the overall there was a sizable increase.

I have often wished that there were some way to dramatize the amounts that remain after the cuts are made. This may be impossible but it would be worth a try.

Perhaps there should be some way for the poor people in Washington and elsewhere to get a better grasp of what is being done in their behalf so that they could better evaluate what is not being done.

I have said repeatedly on the floor, but I do not know that I have seen a headline to the effect, that the President's budget proposes aid and benefits in a general way to the poor for the fiscal year which begins on July 1 in the estimated total sum of $27 billion. I believe that our citizens need to be aware of this. Some of the efforts are ill-advised but they are being sincerely made. We are dealing in large figures and they are increasing rapidly—too rapidly.

Now, of course, just doles to the poor are not what we seek because the greatest thing that we can do for the poor is to help them help themselves, and that is the thrust of much of what is now being undertaken by our Government.

So I would just hope that we could find a way to inform the poor of the country that they have a compassionate Congress, that the businessmen are compassionate, that the professional men are compassionate, that the poor people are compassionate, that the rich people are compassionate, and that we have a great people, and that we ought to take pride in our institutions, and try to build them up, not tear them down.

But if we do not nourish the things that are good and if we think only of the things that are bad we make a grave mistake. If we throw the spotlight on the bad without helping the people understand the true picture, we do them a great disservice.

So I rise, not to be critical of the press—I commend the press for the great job it is undertaking—but I would just hope that the press can find a way to put our problems and our actions in better perspective.

It seems that a better atmosphere could be generated—and among the people who have the power to generate that better atmosphere are the people who publish newspapers.

I remember a high school oration in which the words were spoken—"The press is mightier than the sword."

Yes, the press is mightier than the sword. It is mightier than a gun.

It is mightier than the demonstrators.

It is mightier than the Poor People's March.

It is mightier than the Congress.

I would hope that the Congress and the press would do their best to create a better image of what we are trying to do for all our people and let everybody know of the sincere and generous efforts which are being made at all levels to improve the stability and quality of American life.

That will be a glad day, a day when we can hold our chin a little higher and say, "Thank God I am an American."

Mr. LANGEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman I want to associate myself with the remarks of our great chairman of the Committee on Appropriations, the gentleman from Texas [Mr. MAHON]. Certainly, he has performed a great service to the House of Representatives and a great service to the country by the very eloquent manner in which he has expressed the attitude of the Congress toward the public needs and the extent to which this is a generous country to all of its citizenry.

I do not think it could have been done better with any other choice of words, which serves to indicate the effectiveness of his services as chairman of the

Committee on Appropriations of the House of Representatives with regard for the poor, the problems of the Nation, and the problems of all its citizens.

Mr. ANDREWS of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. Yates].

Mr. YATES. Mr. Chairman, I have the greatest respect and the highest regard for the good chairman of the Committee on Appropriations, the gentleman from Texas. I know the heavy burdens he carries as chairman of the committee, I appreciate his worries, his concerns and his heavy responsibilities. I would not want to add to them, but I feel I must speak in reply to some of the things he said. The gentleman stated he is not critical of the press. He said he is not critical of the rich. He said he is not critical of the poor. I can only assume that it was I of whom he was critical because it was I who criticized the committee yesterday for not providing the funds for the poor children of this Nation.

While I have not read the stories in the newspapers to which the gentleman refers, I did read a couple of stories in the paper this morning, and I, too, am critical of the press, but for a different reason. I do not think the press told the story of what happened on the floor of this House yesterday as fully as it should have.

No, Mr. Chairman, I do not believe we can expect the people of this country to be pleased with everything this Congress does, and to be grateful for whatever appropriation is made, no matter how meager. Public education is the foundation of this democracy. I repeat what I said on the floor yesterday, that in cutting $135 million—I think ultimately it was $127 million after the amendment of the gentleman from Wisconsin [Mr. Laird]—but in cutting $127 million from the appropriation of title I of ESEA, that a body blow was struck by this House against the children who live in the underprivilege areas of the cities and of the rural areas. I would have preferred to see a much stronger story than appeared in the press in this city yesterday, because education is so essential to carrying on the responsibilities of our citizenry, for carrying on the traditions of this country, for continuing to make this country the greatest Nation in the world. All children should share equally in the opportunity this Nation offers to a good education, and that is one of the aims of title I of ESEA.

I am as proud and as pleased of the United States and of its traditions, its rights, and its freedoms as is the distinguished gentleman from Texas. I believe that if the United States is to continue to progress, to move forward, it must be made up of citizens who can assume the responsibilities of this Nation. And that goal can be reached only with a well-educated citizenry.

Yesterday I pointed out in my speech that this House must choose priorities. It had under consideration two education bills. One was title I, ESEA, from which this committee, the Appropriations Committee, had slashed $135 million. The other was Public Law 874, which this committee had granted, I think it was, something like 87 percent of entitlement, and which later this House raised to 100 percent of entitlement.

Compare the two types of education bills: In one case you have education funds made available to the underprivileged kids of this country. The other bill makes funds available for areas which are well to do, generally, areas which have Federal stations, bases, or some other Federal installation. In the areas where money is directed under title I of ESEA unemployment is as high as 50 or 75 percent. In the 874 areas employment is full.

Where should the education money go? What are our priorities? Of course, it should go to underpriviliged areas in the same proportion, at least, as the other bill, and I think that a press that is critical of the action this House took yesterday is justified.

I have had my experiences with the press, too. Like the gentleman from Texas, I have run for office many times. I, too, bear scars from press reports I considered unfair and I bear many of the blows that the press has given to me from time to time. And, of course, which of us would not want a favorable story occasionally. But I still insist that a free press, telling the truth as it is, relating the true facts and not intermixing its reporting with editorial policy is essential in a free democracy and is one of the glories of this country. Yes, we ought to point out the areas in which the press is wrong if we can do so. As the chairman stated, the press being free, has responsibilities. But if it tells the truth, the press has a right to be critical. It is our privilege to criticize the press when we believe it to be wrong. I say the press should continue to tell the truth as it sees it about what goes on in this Congress.

And I think it deserves to be critical of what happened here in the House yesterday.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANDREWS of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. Casey].

Mr. CASEY. Mr. Chairman, the remarks of my good friend from Illinois I think very graphically illustrate the very point which the distinguished Chairman of the full committee [Mr. Mahon] of Texas, was making.

The gentleman stands up here and complains about something that was not put in the bill, but he never said one word about what was added over last year to continue this progress in education. Two billion dollars was added to education alone. The gentleman knows that. He knows the bill is not through. The gentleman knows the other body is going to work on this bill, and I have never seen them send one back with less than what we sent over.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. CASEY. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman knows of the great affection I have for him. We have worked together on several subcommittees for several years and have always enjoyed each other's fellowship even though we have not always shared each other's views. Apparently this is one of the issues on which we differ. I was not aware that the cut had been purposefully made in the expectation that the Senate would restore the full amount of the budget, but even if that be true, we in the House have our own responsibility and we must address ourselves to the question of whether this vital educational program has been adequately funded. It is obvious that a recommendation by the administration of 53 percent of entitlement is woefully inadequate. Rather than cutting this bare-bones budget recommendation, the committee should have increased it. This is not the usual educational program but one that requires particular attention. But what did the committee do?

I recommended that title I of ESEA be brought to the House with $127 million less than was in the program for fiscal year 1968, a drastic reduction.

Mr. CASEY. I know that. I do not deny that.

Mr. YATES. I think that ought to be made clear.

Mr. CASEY. I know that, but the gentleman never said a word about the other $2 billion that was added to education this year in this bill. The same newspapers—perhaps not the same people, but the same newspapers, and they have columnists who have these philosophies and different philosophies—will next fall, when I am running and when the gentleman is running, will be screaming about how much money we spent over the amount last year. That was illustrated yesterday or the day before when we were debating this bill on health, education, and labor.

People do not realize how much a billion dollars is.

A stack of one-thousand-dollar bills of not quite 8 inches is $1 million. A billion-dollar stack of those one-thousand-dollar bills would be as high as the Washington Monument. We had a bill before us yesterday with 17 of those stacks, and three of those stacks were new ones over last year. That is coming out of the pocket of every man, woman and child in this country. We have to be reasonable. I am with the gentleman. I want to see this country have the best education in the world. But we have to do it within our resources.

I cannot send my kids to some of the best colleges. I have too many of them to send there, as the gentleman well knows. I resent it when some of our bachelor colleagues here try to tell us, who have a little more experience in that line, about the children's welfare and how much more interested they are in the welfare of our children than many of us. I assure the gentleman when we get back to a point where we have plenty of money and do not have this type fiscal difficulty, the gentleman will see me, as he is, urging all the programs that our school system and schoolchildren can absorb.

But let us take credit for what we have done under these conditions. That bill had in it aid for the halt, for the lame, for the blind, the stricken, the old, the poor, the illiterate, and even some for the highly brilliant to keep this country growing and to keep it going. That bill has jumped, as the gentleman knows, and it should, and it should be one of our prime responsibilities. It has grown tremendously. As the chairman recited during general debate, it has leaped, and probably before long it will amount to $40 billion. That is fine. That is what makes this country great. That is developing our human resources. But, by the same token, let us not just throw only bricks. We should give ourselves a little credit for what we did.

Mr. YATES. Mr. Chairman, if the gentleman will yield. I give the gentleman a little credit for what he did.

Mr. CASEY. As little as possible; yes.

Mr. YATES. I am willing to give credit when it is due. But as the gentleman well knows, the Congress must weigh priorities. In the civil rights debates in the past and particularly from our good friends——

Mr. CASEY. It has nothing to do with civil rights. Every child in this country, regardless of color, deserves the best education he can absorb.

Mr. YATES. Of course. The gentleman is making my argument for me.

Mr. CASEY. That is correct.

Mr. YATES. And that is why I say we should have put the money in the bill yesterday for title I, and that is why I say the press is justified in criticizing our failure to do so.

Mr. CASEY. They may be justified in criticizing that point, but the point the chairman was making is they should give use credit for what we have done.

Mr. Chairman, no criticism of the gentleman from Illinois is intended. On the contrary he is to be commended on the vigor with which he advocates greater effort in the field of education and welfare for the people of this country

It is true that the bill of yesterday does not please all, but I restate that it does mark further progress for our Nation in the field of health, education, and welfare.

Mr. YATES. I think that we can agree on that proposition, that Congress should be commended when it acts wisely and should be criticized when it acts unwisely. But is it not the right of the press to make that decision?

Mr. ANDREWS of Alabama. Mr. Chairman, I yield 3 minutes to the gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Chairman, all I know is what I read in the newspapers. I have appreciated this discussion. I think the critical comments of our press certainly serve a useful function. We all realize the great value it has. The Members recall that I had a survey made at the time we were considering the congressional ethics, a survey of possible ethical questions that might involve the press, and civil rights have been brought into this discussion, too.

I would hope that the Supreme Court, which tends to consider more problems today than it did previously, and now finds it can reach discrimination whether it is being done by a public body, a Government, or done by private bodies, private individuals, in housing, may someday want to consider the whole question of the very valuable free press we need and the problems of censorship, which can be just as onerous, whether done by the Government, a public body, or by a private individual.

Mr. McCLORY. Mr. Chairman, I am sorry that funds were not included in the legislative branch appropriations bill for the congressional summer intern program.

I realize that it is possible to compensate congressional interns from existing appropriations for clerk-hire.

However, in a busy office, handling the volume of legislative business, correspondence, casework and other activities, there is no possible way to fulfill the objectives of the congressional intern program as authorized by House Resolution 416, of the 89th Congress from existing funds. My experiences with the congressional intern program have demonstrated to me conclusively that this is one of the most worthwhile activities available to the young people of America. The congressional intern program provided an excellent training ground and gave to these young people a fuller understanding of our representative republican form of government.

In addition to the benefits which redounded to the young people, who had the privilege of serving in our congressional offices, I also was able to gain the benefit of important research and other assistance which my own college interns provided.

In my opinion, the value of the summer intern program is both immediate and far reaching. It benefits those who are here today, as well as the citizens of tomorrow who are to follow in our places. It seems to me quite shortsighted and poor economy on our part to withhold funds which the congressional summer intern program requires.

Mr. ANDREWS of Alabama. Mr. Chairman, we have no further requests for time.

Mr. LANGEN. Mr. Chairman, I have no further request for time.

The CHAIRMAN. There being no further requests for time, the Clerk will read.

The Clerk read as follows:

> No part of the contingent fund herein appropriated shall be available for the purposes of House Resolution 416 of the Eighty-ninth Congress relating to the hire of student congressional interns.

AMENDMENT OFFERED BY MR. REES

Mr. REES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. REES: On page 6, strike lines 17 through 20.

(Mr. REES asked and was given permission to revise and extend his remarks.)

Mr. REES. Mr. Chairman, what this amendment would do is to strike the restrictive language under miscellaneous items which states that no part of the contingent fund can be spent for the legislative internship program for this coming fiscal year.

What this amendment would do is to strike that restrictive language so that those Members of Congress who believe the congressional internship program is a good program can utilize the $750 and can have congressional interns work in their offices.

As Members know, this program was created by House Resolution 416 in the year 1965.

As a result of the program, I think that some of the most brilliant college students in this country have had an opportunity to come to Washington and work in the offices of the Members of this Congress. I found as a Member of Congress that my interns were very capable. I found that after just a few weeks they were able adequately to draft legislation. I found after their 10 weeks of internship that they certainly had a far better concept of what we are doing or trying to do here and what the legislative process was in the United States. I know that looking at their careers since then this experience has been good for them because these youngsters that we bring here tend to be leaders. They are leaders in their universities, and when they graduate that they will tend to be leaders in their communities.

Mr. Chairman, I think that this is also a good program for us here because we become very insular as Members of Congress sitting here on this Hill. It is good for us to have some bright young minds coming in from our universities and working with us. It gives an opportunity for an exchange of dialog about what we think and about what they think and what might be happening in our universities. Under the student internship program, if you do not want an intern, you do not have to take one. A lot of us who believe in this program and believe it serves a good purpose would like to have the ability to have that $750 and have that one slot filled. We are not saying that with this amendment anyone here has to have an intern; what we are saying is those of us who want and believe in an internship program should be able to have a college intern.

Mr. Chairman, I do not think this item ties in with the budget crisis. I do not think that $750 spent in my office for an intern is going to make or break the U.S. Government. I do think that today when we talk about the alienation of youth and the older people of this country and we talk about the problems of our country and the problems of our universities, the best thing that could ever happen to this Congress would be to have the availability of a viable internship program. For that reason I have introduced an amendment which would strike out the restrictive language so that we can continue the internship program, which is a part of the law of this House, restored for this summer.

Mr. Chairman, I would like to include in my remarks my newsletter "Congressman REES Reports," of April 1, 1968:

Where Have All the Interns Gone?

The soft patter of young feet will be muffled around the halls of Congress this year—the men who run the establishment just don't like college summer interns.

For the past several years, in a rare burst of enlightenment, Congress has allowed $750 to be spent by each member to add a student intern to his Washington office staff for ten weeks of the summer college recess. There will be no $750 this year. Those of us who liked the enthusiastic, probing, fresh and invigorating presence of one or two college students around our offices doing routine chores, opening mail, researching issues, chasing down bills, asking questions, and learning about our political processes, will be sadder. Life will be duller. A lot of us wonder how intellectually-aware and curious college students threatened and freaked out the old establishment to such an extent that the funds for the program were cut off.

The establishment is not known for being particularly frugal on its physical monuments—witness the $100 million-plus new monstrosity, the Rayburn House Office Building; the spending of close to $6 million to remodel the Cannon House Office Building; or the proposal to remodel my own office building, Longworth, to the tune of $6.9 million. But when it came to spending $750 per Congressman for a student intern, the stern facts of fiscal life, the grim necessity to cut the Federal budget to help our massive $30 billion effort in Vietnam, were evoked.

But why the intern program? I felt the intern program was one of the finest programs we had. In these days when alienation between youth and their elders is so widely discussed, isn't it an absolute necessity to have bright students, leaders in their universities, and in a few years, leaders in this nation, spend ten weeks of a summer absorbing the kaleidescope of American government in Washington? What is more important to us, a few massive marble blocks stuck onto the Capitol and the House office buildings, or the possibility of motivating an inquiring, alert young mind? I believe that the future of this country lies in brains and not bricks.

Young, inquisitive minds, perhaps more attuned to the brutally-realistic problems of 1968 than we, are not tranquil minds. They do not take for gospel all that is fed to them by their elders. Their orientation is today, not ten, twenty, thirty or forty years ago. And this is the real reason the internship program was terminated. Some interns had the audacity to make waves.

Last summer a group of interns concerned by our government's policy in the Vietnam war decided to circulate a petition in opposition to the policy. They planned to present this petition to the President when he met with the students participating in intern programs throughout the legislative and executive branches, as he did annually. Another group of interns who supported this Nation's Vietnam policy started their own petition. The White House, disturbed, canceled the meeting with the President. The congressional establishment were furious, probably thinking the place for the interns was silently listening to briefing sessions and addressing letters in their congressmen's offices—to be seen and not heard.

The final supplemental appropriation bill passed last December 22, the final week of the session, struck out funds available for the congressional student intern program. An irritant had been erased. Washington summers on the Hill would be peaceful and the disturbing element of the student interns would be a phenomena of the past.

There is still a ray of hope, though. Some universities have made funds available to sustain their own interns in congressional offices for the summer. If any members still have salary not already committed to their regular staff operations, they may use this to pay an intern. So, hopefully, there will still be some youthful exuberance wafting through the Halls of Congress, asking embarrassing questions, constantly probing and perhaps, quietly protesting what they feel may be wrong with our country, by signing petitions.

Mr. ANDREWS of Alabama. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment raises a question that has been discussed for several years. The committee does not think that this is the proper time to spend up to $327,000 a year for a summer intern program. We are trying to economize in every way possible.

Now, Mr. Chairman, there is nothing to prohibit a Member from putting a young man or a young lady on his payroll at any salary he sees fit, within the limits of the law, and calling him an intern, or a clerk, or whatever he wants to call him. Congress, I think, has been very generous with the Members. Each Member is entitled to 11 employees in his office or, if his district has more than 500,000 population, he can have 12 employees.

Here is a good place to save $327,000. Our committee is almost unanimous in opposition to this program.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from North Carolina.

Mr. WHITENER. I want to say to the gentleman from Alabama that I congratulate the Committee on Appropriations for including in this legislation a prohibition against the use of funds for the so-called college intern program. In my 12 years in this body I believe that if I were asked to cast a vote on the biggest waste of money ever engaged in by this body, it would be the expenditure of money in this so-called college intern program. And, we are talking about the financial condition of our country. I, for one, would express the hope that some day we should attain more reasonableness in the appropriation of funds for use by Members of this body. I cannot conceive the necessity for having all of the clerk hire which we now have to use and to expend these funds on college students who are here for a period of only 2 weeks and who, some of them, during the period of 10 weeks may have learned their way around the Capitol at the expense of $300,000 or $400,000. I think this is unconscionable and I commend the gentleman from Alabama and the committee for taking the action which they have taken and I hope the amendment is voted down.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from North Carolina.

Mr. JONAS. Is it not true that the effect of this amendment if it is adopted is merely to increase the clerk hire of the Members of Congress because the chairman of this subcommittee has already indicated that every Member of Congress can put a person on his payroll and call him an intern or any other appropriate title if he so desires?

Mr. ANDREWS of Alabama. The Member could give him any title he wants to.

Mr. RIVERS. Mr. Chairman, will the gentleman yield?

Mr. ANDREWS of Alabama. I yield to the gentleman from South Carolina.

Mr. RIVERS. Mr. Chairman, I think it is a good thing to eliminate this program, because these boys are so smart and know so much that if we had not terminated this program the Speaker's job would have been in jeopardy.

Mr. ANDREWS of Alabama. So I say, Mr. Chairman, I think we can save $327,000 here, without jeopardizing the activities on Capitol Hill at all.

Mr. LANGEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I support my chairman in opposition to the amendment which has been offered by the gentleman from California [Mr. REES]. Actually, this does not rule out the intern program. There are, in fact, a great many of them here already. They are working in offices on the regular congressional payroll, as my colleague has previously pointed out. To continue this program merely adds to the office expense of each congressional Member.

Mr. Chairman, in view of the time element involved, in my opinion, it is too late to reinstitute the full intent of the intern program. We are requesting all other departments and agencies of the Government to reduce their expenditures and have, in fact, cut back on their personnel. Certainly, in view of those circumstances, it behooves this House of Representatives and Members of Congress to also apply the same criteria which we are imposing upon the various agencies and departments of the Government. This would indeed be undercutting the $6 billion expenditure reduction which we just recently voted. Certainly we should abide by the same criteria that we are demanding of the rest of the Federal Government to follow.

Mr. WYMAN. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I yield to the gentleman from New Hampshire.

Mr. WYMAN. Mr. Chairman, I would like to make this observation to the gentleman from California, that the addition of another person to the payroll without an increase in the amount allowed to each Member cannot be a function of this committee in the handling of this bill. It is beyond our capability and beyond the jurisdiction of our particular subcommittee to authorize an additional position. Such an authorization is the function of the legislative committee and requires separate legislation.

I hope the gentleman from California understands this.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Chairman, I share the views of the subcommittee chairman, the gentleman from Alabama [Mr. ANDREWS], and the ranking member of the subcommittee, the gentleman from Minnesota [Mr. LANGEN], but I would like to contribute one addition. As a Member in the Congress representing more than one-half million people I do receive clerk hire for the employment of 12 people. However, I have only one room in which to put them. Therefore, even if the amendment of the gentleman from California should be adopted I would have no space to put the extra person. In my opinion space is a crucial problem for the Members of this body and especially for those of us without a three-room suite provided those with additional seniority.

Mr. LANGEN. Mr. Chairman, I thank my colleague for his pertinent remarks and I think there are a great many more Members who have had this same experience.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. LANGEN. I yield to the gentleman from Texas, chairman of the full committee.

Mr. MAHON. I want to concur, Mr. Chairman, with the sentiments of the distinguished gentleman from Minnesota on the matter of the special congressional intern allowance. Congress is undertaking to impose some degree of budgetary restraint on the various departments and agencies of the Government, and we certainly ought to defeat this amendment in order to demonstrate that we are willing to sacrifice something ourselves in the effort to bring some stability to our fiscal affairs.

Mr. LANGEN. Mr. Chairman, I thank the chairman of the full committee for those very significant remarks. The bill is only in compliance with the demands that the committee has been making on other departments.

Mr. REES. Mr. Chairman, if the gentleman will yield, is it not true that under this program only Members of Congress who wish to have an intern for the summer months would take an intern, and if they did not like the internship program and if they did not have room for them in their offices because their offices are too crowded, that they do not have to do so?

But there are some of us who believe in the fact that there is a gap between, say, the Members of the Congress and the college and university students, that this is a way to bridge that gap, and because of that we ought to be able to have college interns in our offices during the summer months.

Mr. LANGEN. I would say in reply to the gentleman from California [Mr. REES], it is already possible to do that. If you budget the money for your staff correctly, you can add an intern. I might add that I have one on my staff right now, mostly because I have managed my allowance so that I have money allowance to pay him.

Mr. ANDREWS of Alabama. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. MOSS. Mr. Chairman, I object.

Mr. ANDREWS of Alabama. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. MACHEN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. ANDREWS of Alabama. Mr. Chairman, I will make it 15 minutes.

Mr. MOSS. If the gentleman will yield, will he give us 20 minutes, so that we have enough time to speak? The gentleman has spoken twice on the subject.

Mr. MACHEN. Mr. Chairman, I withdraw my point of order that a quorum is not present.

Mr. ANDREWS of Alabama. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama that all debate on this amendment and all amendments thereto close in 20 minutes?

Mr. MOSS. Mr. Chairman, I do object, in view of the increased number of people who are on their feet now. I do object indeed.

The CHAIRMAN. Objection is heard.

Mr. MOSS. Mr. Chairman, I further make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred and one Members are present, a quorum.

Mr. ANDREWS of Alabama. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 20 minutes.

The motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. WHITENER].

(By unanimous consent, Mr. WHITENER yielded his time to Mr. Moss.)

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MOSS].

Mr. MOSS. Mr. Chairman, I rise to support the amendment without the slightest illusion that it will be adopted.

But I point out that this type of action is a demonstration of cynicism by this House.

If there were any interns here in the last year who in any way brought discredit upon the House that was the responsibility of the Member who selected them.

But the need for a better dialog between our young men and women in the universities with our generation who represent them has never been greater.

I happen to have an intern in my office and I carefully programed to provide for it because I feel it is a valuable addition. I have interns on both of my subcommittees and I intend to continue to seek to accommodate fellowships and interns whenever and wherever possible.

The plea here that we are doing this cutting to save money is specious. It is being done to punish a group of people because their conduct did not accord with the views of some Members of this body who just are not in touch with reality, as they regard the generation which tomorrow will start taking over this Government of ours.

I think it is time that you face the facts that that is what you are really doing.

The $375,000 can be wasted away in a thousand different avenues here in Washington, so that was not the prime effort against which the language in the appropriation was directed. It was a vote of no confidence in the young men and young women of America. I think we ought to recognize that it was also a vote of no confidence in the judgment of the Members of this House who selected those who served as their interns.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Chairman, I appreciate the very difficult job that faces the Committee on Appropriations in making cuts where necessary. However, I cannot go along with any criticism of this program.

The young man who is the administrative assistant in my office now originally came as an intern. This program has been most helpful to me and helps to bridge the generation gap that has been referred to before.

I think it is a very worthwhile program and I regret that the need to economize forces us to cut it down.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. CONTE].

Mr. CONTE. Mr. Chairman, I hope the amendment will not prevail, even though I want to take this opportunity to join with the gentleman from California in commending the work that the interns have done.

I believe I have as large an intern program as there is on the Hill. I had 10 interns last year and I have seven this year. I would have a lot more if I could get the additional space for them; space which time and time again I have pleaded with the Speaker for.

The only reason I am opposing the amendment is because of the economic crisis and the tight financial condition that we find ourselves in. Although I realize this is a small amount of money, I think we have to set an example here in the Congress. I hope that not only will this amendment be defeated, but that other amendments will be offered here and passed to cut down and pare down on this legislative appropriation. Everyone seems to be for economy until it comes up in their own backyard. We should be putting our own house in order first.

As I have said, but for the economic crisis, I would be strongly backing the intern program. I agree with the gentleman from California that, in general, the interns on Capitol Hill have done an outstanding job. I have had an intern program ever since I first came to Congress. It has proved exceptionally beneficial to me, and I feel it has been of great value to these young boys and girls. I have never, in my 10 years in Congress, experienced any trouble with my interns, and, on the contrary, have found them industrious, hardworking, and responsible. I have been able to give them meaningful tasks which they have consistently carried out in a manner demonstrating both their abilities and their interest in having an opportunity to play a role in the governmental process. I believe that this program is as valuable an educational experience as any young student can obtain today, and look forward to the time when our financial conditions allow for a resumption of this important program.

I understand that there is an item in here for 78 additional policemen. It has become a hazard to come to work here at the Capitol every day because there are so many policemen around that you trip all over them.

My statement is not made as a criticism of the abilities of our Capitol Police force. Rather it is directed to the fact that we already have too many Capitol Hill policemen and we do not need 78 more.

Furthermore, these policemen, I believe, should be taken out of the patronage system and put on a civil service system, like any other police force in the United States.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. Patten].

Mr. PATTEN. Mr. Chairman, I dislike to oppose the able leadership of the gentleman from Alabama [Mr. Andrews]. We have been over this ground many times. I would like to say that we have had a wonderful experience with our interns. We have had our industries support us with private money for groups of high school teachers that we have had down here for the summer as interns. I believe it was very worthwhile, and I would urge a similar program to be continued.

At the present time, I have four college people in my office this minute for the summer. One was editor of the school magazine at Smith. One was the editor of the school paper at Rutgers. One goes to Columbia Law School. You have to be able to become involved with this young generation. They are wonderful. They are invigorating. I think it is good for the whole country to continue the intern program.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. Jonas].

Mr. JONAS. Mr. Chairman, I am opposed to this amendment, not because I am opposed to interns—I have had them in my office and they were very satisfactory—but I am opposed to it because this is not the time to increase Members' clerk hire. If the gentlemen from California, either one of them, want interns they have a perfect right to put the interns on their payroll and pay them out of the regular allowance that all Members have.

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I have only a minute and a half.

Mr. MOSS. If you had listened, you would have heard me say that——

Mr. JONAS. I do not yield any further to the gentleman. I heard what he said. I am saying to the Members of the Committee and the gentleman from California that he can have as many interns as he desires to pay out of his clerk hire.

If this amendment is approved it means, in effect, that the House is adding or increasing the Members' clerk hire. This is not the time to do that.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Chairman, I agree with the gentleman from California [Mr. Moss] that this is not really a question of economy. If it is, it is false economy. Rather, it is really a question of attitude. The student congressional intern program is an investment in the youth of this country. Used constructively, the talent of young men and young women from our colleges and universities can make a valuable contribution to the work of the Congress. At the same time the program will give to those young students an insight into the workings of government.

We face a serious alienation of young people today from our Government. It is essential that this bridge exist.

Let us look at the background against which the summer intern program was cut out last December. If I recall correctly—and I am sorry we do not have before us the report on that supplemental appropriation—the words were blocked out in the committee print, but beneath the ink, the language certainly indicated dissatisfaction with the fact that some interns had expressed views which some Members regarded as unpopular or as perhaps not consistent with their own ideas about Vietnam. Last summer interns organized forums and roundrobin letters which disturbed some Members. That was the crux of the matter and the real reason why the intern program was eliminated in a fit of petulance on the part of the House in reaction to the fact that so many interns, like young people all over the country, and like 80 percent of the voters in the recent Democratic primaries, expressed doubts about the Vietnam policy.

I urge that we restore the funds for this program. The amount of money, $327,000, is a worthwhile investment in the future leadership of America.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. Rumsfeld].

Mr. RUMSFELD. Mr. Chairman, I yield briefly to the gentleman from California [Mr. Teague].

Mr. TEAGUE of California. Mr. Chairman, I believe I have the largest congressional district in this country as far as population—about 700,000 people. I have two interns in my office this summer. They are doing a good job. I put them on the regular payroll. I see no reason to add the additional internship program.

Mr. RUMSFELD. Mr. Chairman, I would make this additional point. This on-again off-again situation with respect to the intern program because of the shortage of funds may have had one salutary effect. As the gentleman from New Jersey suggested, it has been my experience also that various private groups and the universities have been attempting to find funds to continue this program because they feel is very important. I share this feeling. I have had interns in my office since my election in 1963. I have an intern this year under the general clerk hire allowance.

I believe it is a useful program and good for the country, but it has been my experience that the universities and the private groups have been making an additional effort this year to raise the funds to bring college students to Washington, because they were aware there would not be sufficient funds through the Congress for this program.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. Machen].

Mr. MACHEN. Mr. Chairman, I rise in support of this amendment. As one of the originators of the intern program that was adopted, I hae been very much in favor of it. As has been said here earlier, I think it is a shame for the House of Representatives to go on record as gagging, and using this as a gag, the sum of $327,000—gagging our young people because of the actions of a few interns last year.

I have an intern program I use within my own allowance. We tried to get a change in the rules so we could have an extra intern within our own allowance. I never use all my own allowance. We could not get that done. So, regardless of the committee action, it is because of the actions of a few that we are serving notice to the young people of the country that we cannot afford dissent and we want complete control over the people we bring in to see the Government in operation.

We have set up an intern program in every branch of the Government. They have to take a competitive examination. They come from all over the country. Now we say we, the House, cannot have this type program. I just wish there were a way we could get every Member to have to stand up and be recorded on this indictment of youth coming to Washington, all for the sum of $327,000.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. Langen].

Mr. LANGEN. Mr. Chairman, let me call to the attention of this House that the action taken by the committee is certainly not one in opposition to the intern program. It is merely in compliance with the rest of the actions the committee has taken. There were a great many items requested of the committee that we could not accommodate because it was the decision of the committee that the budget at this moment would not accommodate those expenditures.

I can refer to the addition to the Library of Congress, which is certainly one that serves the entire Nation, but it was the best judgment of the committee that here was an expenditure that would not be appropriate at this time.

The same thing applies to the remodeling of the Longworth Building. Some say they do not have space enough for interns. They might have had that additional space if the expenditure had been made, but again it was the judgment of the committee that this was not the time to make that expenditure.

So this decision on the part of the committee is only in compliance with the general attitude of the committee in trying to respond to the needs of the country, in attempting to curb inflation, be responsive to the resolution that we ourselves adopted just the other day. It would be a shame and a disgrace if, after the action of this House recommending a $6 billion limitation in expenditures, we, were not to make any contribution to that expenditure reduction.

I would suggest it is in our own best interests that this amendment should not be adopted.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. ANDREWS] to close debate.

Mr. ANDREWS of Alabama. Mr. Chairman, I believe the issues are clear. We have discussed this question of interns for several months and years.

I ask that the amendment be defeated.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. REES].

The question was taken; and on a division (demanded by Mr. REES) there were—ayes 14, noes 66.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 6, line 20, strike out the period, insert a colon, and add the following: "*Provided*, That each Member's clerk-hire roll may be increased by one employee for the purposes and to the extent authorized in House Resolution 416, 89th Congress."

Mr. ANDREWS of Alabama. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from Alabama will state his point of order.

Mr. ANDREWS of Alabama. Mr. Chairman, it is legislation on an appropriation bill.

Mr. Chairman, I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Alabama reserves a point of order.

Mr. RYAN. Mr. Chairman, I appreciate the gentleman stating that he would reserve a point of order.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. RYAN. Mr. Chairman, the purpose of my amendment is to make it possible for Members to place on their staffs during the summer one intern in addition to the regular office clerk-hire roll limitation.

In other words, there are many of us who, because our staff is completely filled, are not able to adjust our clerk-hire allowance in order to compensate a summer intern. This would make it possible for one additional staff member to be added to the staff of a House Member during the period for which the original resolution (H. Res. 416) of the 89th Congress, applied. It would give us an opportunity to adjust our payrolls in order to accommodate an intern during the months of June, July, and August.

It would cost absolutely nothing. Therefore, it is not subject to the objections, which were raised during consideration of the previous amendment, to the effect that a matter of economy is involved. If the last amendment was defeated because of the economy argument, and if that was a sincere argument, there really ought to be no objection to this amendment as a means of solving this problem.

A vote on my amendment will give Members who opposed the last amendment an opportunity to demonstrate whether or not they are willing to encourage young people to learn about government by working in the legislative branch.

In view of the many statements on the floor this afternoon from many Members that they have no objection to the intern program but are only interested in saving money, I hope the chairman will not press a point of order but will accept this amendment as a solution to the problem about which many of us feel very keenly. At the same time this amendment maintains the position of the committee on not spending additional funds.

Mr. Chairman, I urge that the amendment be accepted.

Mr. ANDREWS of Alabama. Mr. Chairman, I renew my point of order against the amendment.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. RYAN. Yes, Mr. Chairman.

I would argue that the amendment is in order because the amendment relates to the purposes of House Resolution 416, which is referred to in the bill, and clearly, if lines 17 to 20 were in order and were included in the bill, then the proviso which my amendment adds to those lines is equally in order.

The CHAIRMAN. The Chair is prepared to rule. The Chair has had the opportunity to study the amendment of the gentleman from New York and the Chair finds the question of one additional employee is, under the subject of clerk hire, within the jurisdiction of the Committee on House Administration. The amendment of the gentleman from New York would add legislation to an appropriation measure and therefore in violation of clause 2, rule XXI, of the House of Representatives. The Chair therefore sustains the point of order.

The Clerk will read.

Mr. ANDREWS of Alabama (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

AMENDMENT OFFERED BY MR. ANDREWS OF ALABAMA

Mr. ANDREWS of Alabama. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by by Mr. ANDREWS of Alabama: On page 27, strike out all of the proviso in lines 3 through 7, and insert in lieu thereof the following: "*Provided further*, That the provisions relating to a position and salary thereof carried in House Resolution 905 of the Ninetieth Congress shall be the permanent law with respect thereto."

Mr. ANDREWS of Alabama. Mr. Chairman, I offer this as a committee amendment to remove a conflict that would otherwise exist with respect to the rates of compensation of the positions listed in House Resolution 1015.

The amendment simply restates the proviso on page 27 to omit all reference to House Resolution 1015. In accord with long practice, the proviso would have made permanent law of the provisions in House Resolution 1015 which the House agreed to on January 15 of this year. That is the usual procedure in such matters.

But on June 11, under authority of the so-called comparability pay provisions of Public Law 90–206, the Speaker issued a determination with respect to salaries of employees of the House, and in section 8 of that determination, made certain determinations with respect to the rate of compensation of the positions covered by House Resolution 1015. And I am advised that those determinations have the force and effect of law, and thus supersede the pertinent provisions of House Resolution 1015.

Thus, it is no longer necessary, or appropriate, to make the provisions of House Resolution 1015 permanent law. This amendment would remove the conflict.

Mr. LANGEN. Mr. Chairman, I am in complete agreement with the statement which has just been made by the chairman of the subcommittee and recommend the adoption of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. ANDREWS].

The amendment was agreed to.

Mr. ANDREWS of Alabama. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. MURPHY of New York, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1968, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

Mr. ANDREWS of Alabama. Mr. Speaker, I move the previous question on the bill and the amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. CONTE

Mr. CONTE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CONTE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CONTE moves to recommit the bill H.R. 18038 to the Committee on Appropriations.

Mr. ANDREWS of Alabama. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. PICKLE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 361, nays 22, not voting 49, as follows:

[Roll No. 214]

YEAS—361

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Tenn.
Andrews, Ala.
Andrews, N. Dak.
Annunzio
Ashbrook
Ashley
Ashmore
Aspinall
Ayres
Barrett
Bates
Battin
Belcher
Bell
Bennett
Berry
Betts
Biester
Bingham
Blackburn
Blanton
Blatnik
Boggs
Boland
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burke, Fla.
Burke, Mass.
Burleson
Burton, Calif.
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Cohelan
Colmer
Conable
Conyers
Corbett
Cowger
Culver
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dickinson
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Farbstein
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gubser
Gude
Gurney
Hagan
Haley
Halleck
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Ichord
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, Calif.
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kupferman
Kuykendall
Kyros
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lloyd
Long, La.
Long, Md.
Lukens
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Mathias, Calif.
Matsunaga
May
Meeds
Meskill
Michel
Miller, Calif.
Mills
Minish
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morton
Mosher
Moss
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nelsen
Nichols
Nix
O'Hara, Ill.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Price, Ill.
Price, Tex.
Pryor
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rosenthal
Rostenkowski
Roth
Roudebush
Roush
Roybal
Ruppe
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Schneebeli
Schwengel
Scott
Selden
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stratton
Stubblefield
Stuckey
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Vigorito
Waggonner
Waldie
Walker
Wampler
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wolff
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—22

Buchanan
Cahill
Collier
Conte
Cunningham
Curtis
Derwinski
Devine
Dole
Goodling
Gross
Grover
Hall
Hutchinson
Kyl
McEwen
Miller, Ohio
Pollock
Pool
Rumsfeld
Scherle
Springer

NOT VOTING—49

Anderson, Ill.
Arends
Baring
Bevill
Bolling
Bolton
Bow
Burton, Utah
Carey
Celler
Corman
Cramer
Dent
Dow
Edwards, La.
Evins, Tenn.
Fino
Ford, William D.
Gardner
Hansen, Idaho
Hays
Hébert
Herlong
Holland
Irwin
Jones, Mo.
Karsten
Kornegay
Laird
McCarthy
Mathias, Md.
Mayne
Morse, Mass.
Nedzi
O'Hara, Mich.
Reinecke
Resnick
Rhodes, Ariz.
Rhodes, Pa.
Rooney, N.Y.
Rooney, Pa.
Scheuer
Schweiker
Sullivan
Taft
Talcott
Thompson, N.J.
Vanik
Watkins

So the bill was passed.

The Clerk announced the following pairs:

Mr. Dent with Mr. Arends.

Mr. Carey with Mr. Bow.

Mr. Celler with Mr. Rhodes of Arizona.

Mrs. Sullivan with Mrs. Bolton.

Mr. Thompson of New Jersey with Mr. Laird.

Mr. O'Hara of Michigan with Mr. Cramer.

Mr. Nedzi with Mr. Fino.

Mr. Rooney of New York with Mr. Burton of Utah.

Mr. Hébert with Mr. Morse of Massachusetts.

Mr. Hays with Mr. Schweiker.

Mr. Evins of Tennessee with Mr. Gardner.

Mr. Herlong with Mr. Holland.

Mr. Rhodes of Pennsylvania with Mr. Hansen of Idaho.

Mr. Rooney of Pennsylvania with Mr. Watkins.

Mr. Edwards of Louisiana with Mr. Mathias of Maryland.

Mr. William D. Ford with Mr. Mayne.

Mr. Resnick with Mr. Taft.

Mr. Kornegay with Mr. Reinecke.

Mr. Vanik with Mr. Talcott.

Mr. Baring with Mr. Karsten.

Mr. Bevill with Mr. Irwin.

Mr. Dow with Mr. Corman.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STEED. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 17734, SUPPLEMENTAL APPROPRIATIONS, 1968

Mr. MAHON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. MAHON, WHITTEN, SIKES, NATCHER, FLOOD, Mrs. HANSEN of Washington, JONAS, LAIRD, LIPSCOMB, and MICHEL.

REQUEST FOR PERMISSION TO FILE CONFERENCE REPORT ON H.R. 17734, SUPPLEMENTAL APPROPRIATIONS, 1968

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tomorrow, June 28, 1968, to file a conference report on the bill H.R. 17734 making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, can the distinguished gentleman from Texas tell us whether or not the conferees have, in fact, met with the Members of the other body? Is the report prepared and ready for filing?

Mr. MAHON. Mr. Speaker, if the gentleman from Missouri will yield, the conferees have not met. They have just been appointed. We plan to meet tomorrow morning. However, it was thought that if agreement could be achieved tomorrow, that the report and statement of the managers on the part of the House could be made more readily available to the Members of the House by being filed tomorrow night.

Mr. HALL. Mr. Speaker, further reserving the right to object, when will the papers and the statement of the managers on the part of the House be available to Members with relation to the time that the conference report might be called up under this unanimous-consent request?

Mr. MAHON. If the conferees are able to agree, it would be printed in the next issue of the RECORD.

Mr. HALL. It would also be eligible to call it up on Monday, would it not?

Mr. MAHON. It could not be called up until after printing except by unanimous consent.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield to me at this point?

Mr. HALL. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. If the other body is in session tomorrow, it could be printed in their version of the RECORD tomorrow, so that there would be that possibility. But with the House not meeting on tomorrow it would not be in our RECORD. However, it would be in the RECORD for Monday. However, I do not know at this moment whether the other body is meeting.

Mr. HALL. The other body is not in session today and we will not be in session tomorrow.

Therefore, Mr. Speaker, according to the statements heard, and our rights as individually elected Representatives, but full well knowing fiscal year 1968 ends next week, I object.

The SPEAKER. Objection is heard.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE REPORT ON H.R. 163

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries have until midnight tonight to file a report on the bill (H.R. 163) to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

TO AMEND THE ACT OF AUGUST 1, 1958—INJURY TO FISH AND WILDLIFE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15979) to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

"That section 2 of the Act of August 1, 1958 (72 Stat. 479), as amended (16 U.S.C. 742d–1 note), is amended to read as follows:

" 'SEC. 2. In order to carry out the provisions of this Act, there is authorized to be appropriated the sum of $3,500,000 for the fiscal year ending June 30, 1969, and for each of the two fiscal years immediately following such year. Such sums shall remain available until expended.' "

Amend the title so as to read: "An Act to amend section 2 of the Act of August 1, 1958, as amended, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and other pesticides."

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. GROSS. Mr. Speaker, reserving the right to object, I would ask the gentleman from Michigan whether the Senate amendments are germane to the bill?

Mr. DINGELL. If the gentleman will yield, I would say that all amendments are germane.

Mr. GROSS. How did the House come out financially?

Mr. DINGELL. If the gentleman will yield further, I will be most pleased to answer the gentleman from Iowa.

The House bill provided $5 million over a period of 3 fiscal years. The Senate bill provided $3.5 million over the same 3 fiscal years, which was a cut of $1.5 million per fiscal year.

The Senate struck out the labeling requirements that had been inserted in the House. So that all that remains is the authorization to spend $3.5 million a year for each of three fiscal years in extension of an existing program which passed this House in years past unanimously, without the labeling requirements which had been in the bill.

Mr. GROSS. Mr. Speaker, I thank the gentleman from Michigan for his explanation, and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS UNTIL MIDNIGHT TOMORROW

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tomorrow, June 28, to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PROVIDING FOR CONSIDERATION OF S. 1166, NATURAL GAS PIPELINE SAFETY ACT OF 1968

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1215 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1215

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill, and such substitute shall be considered under the five-minute rule as an original bill for the purpose of amendment. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER. The gentleman from California [Mr. SISK] is recognized for 1 hour.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska [Mr. MARTIN] and, pending that, I yield myself such time as I may consume.

GENERAL LEAVE

Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks on the rule for the consideration of the bill, S. 1166, the National Gas Pipeline Safety Act of 1968.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, House Resolution 1215 provides an open rule with 3 hours of general debate for consideration of S. 1166. The resolution also provides that it shall be in order to consider the committee substitute as an original bill for the purpose of amendment.

Authority to improve the public safety now exists in the Department of Transportation. The Department now exercises safety regulation over flammable and other hazardous gases moving other than by pipeline, and safety regulation over pipeline movements of many other commodities including petroleum, but not of natural gas.

There are now over 800,000 miles of gas pipeline in the United States including approximately 63,000 miles of gathering lines, 224,000 miles of transmission lines, and 536,000 miles of distribution lines. These lines range in diameter from less than 1 inch to 42 inches with 48-inch lines under consideration. They vary in condition from old, unprotected lines to new, well-protected lines. They differ in function from low-pressure transmission lines operated at 1,300 pounds per square inch, which is equivalent to a force of over 93 tons pushing against the pipeline wall over every square foot.

In 1945 natural gas supplied something like one-eighth of the Nation's total consumption of the energy fuels and energy; today it supplies one-third. This tremendous increase in the use of natural gas and the concurrent increase in the number of miles of gaslines makes consideration of the industry's safety record and standards most important.

The purpose of S. 1166 is to provide for the prescription and enforcement of minimum Federal safety standards for the transportation of natural and other gas by pipeline and for pipeline facilities.

Mr. Speaker, I urge the adoption of House Resolution 1215 in order that S. 1166 may be considered.

Mr. ROSENTHAL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROSENTHAL. Mr. Speaker, I have always been impressed by the corporate concern for safety which the gas companies display for the consumer.

Let there be but one unexplained whiff of gas in a home, and a company crew is dispatched. Obviously, they would not want a neighborhood gas explosion and its predictable effects on future gas hookups.

But when it comes to gas pipeline safety, the gas companies and the transmission companies, which own the long interstate gas lines, are very shortsighted. They have succeeded in diluting the gas pipeline safety bill, which we consider today. Yet these companies will suffer greatly if this crippled bill passes and allows more gas explosions.

The issue before the House is quite simple. It is whether effective legislation for the safety of 800,000 miles of gas pipelines and distribution mains is to prevail or whether a facade legislation, riddled with loopholes, exemptions and obstructionist provisos, is to secure acceptance.

The House Committee on Interstate and Foreign Commerce has conducted hearings which revealed grave dangers in our pipeline system and virtually no meaningful safety regulation by the States. The bill reported out by the committee does not reflect this evidence. It needs strengthening. It needs stronger sanctions.

Violators should not, as they do under the present bill, have an endless opportunity to violate the law with the only discomfort being the requirement to meet a compliance deadline after being notified by a Government official.

What conceivable reason could there be for requiring the Government to notify in advance, and give time for compliance before any penalty is imposed, a pipeline company that is violating the law for the first or the hundredth time? This proviso has been described by my distinguished colleague from Michigan, Congressman JOHN DINGELL, as the "Mad Dog Provision." It is worse than that. The "dog" is not just given one bite, but can bite again and again and he has to be warned, and given time for compliance before he is penalized. This is so whether the violator is an executive, an official of the company or a foreman.

Further, I believe that the democratic process is enhanced within an administrative agency if consumers, or in this case, landowners, propertyowners or tenants, have just as much legal standing before the agency as do pipeline companies. Only in this manner will an administrator be given reason to respect the submission in the docket for proposed safety standards that is sent by people to be protected. Their comments deserve the same standing, with right of judicial appeal, as those of industry.

I do not believe that there can be any moral justification for exempting gathering lines from this safety legislation merely because these lines in most, but not all, cases go through rural areas.

Whether 1,000 people or five people are to be protected, the standards for pipe should be the same. Also, what is a rural area today may be a suburban area tomorrow.

There is no use in giving the Secretary of Transportation a mandate for safe pipelines and then hamstring him with onerous burdens vis-a-vis State action and authority. The burden of proof should be on the States to show they can have equal or better safety standards, enforced, before the Federal Government relinquishes its responsibility.

The massive reduction in authorized funds, almost 95 percent in fiscal year 1969 alone, from the bill passed by the other body is a severe undermining. One can observe economies without going to this extreme.

People in this country are more aware of the discrepancy between what is in the law's preamble and what its provisions and administration reveal. We do not need laws that are form instead of substance. To so weaken this pipeline bill, to strip it of meaningful sanctions, without which law has no meaning, and to starve it from a funding viewpoint, is to perpetrate a deception upon the public.

The danger from gas pipeline explosions can be catastrophic, dwarfing most other manmade disasters by comparison. In Queens, New York, in January 1967, a gas leak led to a rampaging fire that destroyed many homes and could have taken hundreds of lives were it not for alert police and firemen action to evacuate the residents.

On March 28 of this year, a ruptured gas main spewed a heavy concentration of gas into the air on the upper East Side of New York City forcing the police to seal off a nine-block area to avoid a disastrous inferno. First Avenue from 92d Street to 100th Street.

Peoples lives are at stake here. We need a strong, just law; one that is workable and allows the job to be done. There must be adequate authority, adequate sanctions and adequate funds. Pipelines are a massive transport system, going into every State of the Union, under residential and business areas, into the hearts of our towns and cities. Not only must they be as safe as possible, inspected, repaired and, where necessary replaced with newer pipe, but they must not be exposed to become secondary disasters to land shifts—of concern in the West—surface construction and pounding, and so forth.

I was extremely gratified by the gas safety bill, S. 1166, passed by the Senate last September. Not only was that bill a strong one, but it was passed on a rollcall vote of 78–0. For once it seemed that the long-neglected interests of the consumer had been served.

The House Committee on Interstate and Foreign Commerce succeeded in emasculating the bill beyond recognition. So feeble was the committee's amended version of S. 1166 that Secretary of Transportation Alan S. Boyd called it "worse than an empty gesture."

Clearly, we have witnessed what the New York Times called "capitulation to the industry" and "deference to gas company profits." The major, indeed the only, strong opponents of this bill are the gas companies, with offices and facilities in the West.

Yet it is the people in the East, where the underground pipes are oldest, in poorest condition, and most used, who pay dearly, in both property and lives, for our inaction. Gas explosions in recent years have rocked such cities as Reading, Dayton, New York City, St. Paul, Allentown, Evansville, Pensacola, Passaic, Yonkers, and my own borough of Queens.

This bill, if passed in its present weakened form, will be regretted by every responsible gas company official in this country.

Although I am disinclined to take the role of the defender of the utilities, I think we should save the gas companies from their own folly today by rejecting the committee's bill and passing S. 1166.

Mr. MARTIN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the pending resolution, House Resolution 1215, provides an open rule with 3 hours of debate on the bill, S. 1166.

The purpose of the bill is to provide for the establishment and enforcement of minimum Federal safety standards for natural gas pipeline facilities and for the transportation and storage of such gases.

The Department of Transportation and other agencies currently have authority to regulate all other modes of transportation. Pipeline facilities are the only transportation facilities not regulated. There are over 800,000 miles of gas pipelines in the United States, some 224,000 miles of transmission lines, and 536,000 miles of distribution lines. They vary from old, poorly protected lines to new, well protected ones. Natural gas now supplies about one-third of the Nation's energy. While the safety record has been good—in the last 17 years only 67 people have been killed by explosions—it is also true that operational failures occur regularly. In almost all cases the leak is repaired before any explosion takes place, but the potential for serious injury and destruction is clearly present.

The bill authorizes the Secretary of Transportation to establish minimum safety standards by the gathering, transmission, and distribution of natural gas by pipelines used in interstate commerce. Some standards will be retroactive in nature; the Secretary is empowered to inspect pipeline facilities and order the removal or repair of all hazards. These standards are to be promulgated within two years. During this interim temporary standards will be promulgated by the Secretary.

All owners and operators of any pipeline facilities have a number of obligations placed upon them by the bill. They are required to—

First, comply with the safety standards promulgated;

Second, file with the inspection authority, and comply with a plan of inspection and maintenance; and

Third, make available to inspection their records and permit entry for inspection.

Promulgated standards and duties created by the bill will be enforced as follows:

First, the Secretary of Transportation will have jurisdiction over all pipeline facilities subject to the Federal Power Commission; and

Second, for all other pipelines facilities enforcement will be either by the Secretary or by a State agency under either a written agreement between the State and the Secretary, or under a certification of competence to inspect and enforce executed by the State and agreed to by the Secretary.

A number of States have moved to regulate gas pipeline facilities in recent years. Most use as their standard a revised industry-prepared code—but uniformity does not exist. The bill seeks uniformity of standards and enforcement on all pipelines which cross State lines. States will retain the primary role of enforcement of local pipeline safety standards. Within a State, Federal standards may be superseded by State standards and enforcement of them in either of two ways: either by the submission to the Secretary of a annual certification by the State detailing its enforcement activity of its standard, which must at least equal Federal standards, or where a State cannot submit such a certification, through a written agreement with the Secretary for the State to carry out for the Secretary the administration of the Federal standards.

Civil penalties are provided. Injunctive relief may be obtained if a pipeline owner or operator, after notice of a defect in his facilities, has not removed the dangerous condition within a reasonable time. The Secretary may also impose a civil penalty if the condition has not been remedied after notice of its existence. A fine of $500 per day may be levied; the maximum penalty for a related series of violations may not exceed $100,000.

The bill creates the Technical Pipeline Safety Standards Committee. Its purpose is to advise the Secretary on technical matters concerning pipeline operations. The Secretary is required to obtain its views before formally proposing any safety standard. Membership is 15, composed of those from the State inspection agencies, members of the industry, and the general public. All must be experts in the field.

Any persons affected by an order issued by the Secretary may, within 60 days, file a petition for judicial review with the circuit court.

The Secretary is required to report annually on the operation of the program, the safety record, and any recommendations he may have to improve the operation of the program.

Funds authorized for fiscal 1969 are $500,000; for 1970, $2,000,000; for 1971, $3,000,000. The funds will be used for the most part in grants to States, paying up to 50 percent of their increased inspection activities.

Mr. SISK. Mr. Speaker, I yield 2 minutes to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I would like to use this time to inquire of the chairman of our committee if it is his intention to finish general debate on this particular bill at this late hour or is it his intention to reserve some of the time for general debate at such time as the bill might be called up the first of the coming week or whenever it is to be reconsidered.

Mr. STAGGERS. In reply to the gentleman, I would say, the intention is to go on to about 5:30 or 6 o'clock and stop for the evening. That certainly would leave some time for next Tuesday.

Mr. PICKLE. I certainly thank the chairman for that statement.

I know that some of the Members are out of town, members of the subcommittee that has considered this bill. The schedule which the gentleman mentioned would reserve time for Members to enter comments during the general debate, and that is certainly satisfactory. I thank the chairman for this consideration.

Mr. DANIELS. Mr. Speaker, I am appalled at what has been done to S. 1166 by the House Committee on Interstate and Foreign Commerce.

In the words of Secretary of Transportation Alan S. Boyd, they have made a regulatory bill into a measure which is "worse than no bill at all."

Mr. Speaker, the most serious defect in the bill which we are considering today is that it would exempt the State from Federal regulation. The committee amendments give the States the power to certify their compliance with Federal standards which is a sharp departure from the version adopted in the other body. The version which they approved gave the Secretary of Transportation the power to decide whether a State's regulation was adequate.

I also have serious reservations about the provisions which exempts gathering lines in rural sections. Thus, if this section remains unchanged, an important segment of the Nation's pipelines will be unregulated.

In addition, Mr. Speaker, I am alarmed at the fact that the committee has cut the amount of money authorized by the other body from $38 million to an inadequate figure of $5.5 million.

Mr. Speaker, each of us is aware of the threat of pipeline explosions and many of our constituents share our sense of concern. I do not think it is good policy to reassure these people by saying that we have passed a bill regulating this industry when in fact we have given our approval to a bill which does not go to the heart of the problem.

Every Member of this House has heard at one time the old slogan "If you are going to do a job, do it right." Unfortunately, this bill is a good example of exactly the opposite philosophy. I cannot too strongly suggest that this bill be sent back to committee with instructions that a bill along the line of the one passed by the other body be approved.

Mr. BINGHAM. Mr. Speaker, I rise in support of the efforts to strengthen the House committee version of the Natural Gas Pipeline Safety Act. I speak as one whose district has suffered directly from a gas pipeline explosion.

Last December, a residential dwelling in the Riverdale section of the Bronx was wracked by an explosion. A young mother, her 20-month-old son and six others were injured by the blast, the ensuing collapse of the house, and a fire which broke out and which spread to two adjoining houses. What happened in this case could too easily occur elsewhere in my district—or in any Member's district.

This Congress has done much to advance the safety and welfare of consumers. To weaken the Senate bill designed to protect the public from the lurking catastrophe beneath their streets, houses, and businesses would be to reverse a salutary trend. The meat inspection bill was strengthened, not weakened, as it went through the legislative mill. The same was true of truth in lending.

I urge my colleagues to resist the pressures to weaken the pipeline safety bill and to support the amendments being offered to strengthen it.

Mr. REUSS. Mr. Speaker, the Natural Gas Pipeline Safety Act, as reported with amendments by the Committee on Interstate and Foreign Commerce, in my opinion falls far short of providing what is so badly needed in this field—strong Federal regulation.

The potential danger from natural gas pipeline explosions is huge, since there are now over 800,000 miles of such pipelines in the Nation, ranging in size from less than 1 inch to 42 inches in diameter. Strong Federal regulation is needed to control this simmering danger beneath our feet.

In South Milwaukee last year, two gas explosions, which came within minutes of each other, wrecked a new $450,000 addition to St. Adalbert's Catholic School and injured 13 persons, including several children. Only the fact that more than 300 persons had been evacuated from the building a half-hour before the blasts saved the community from a terrible tragedy.

The gas company blamed the explosion on gas escaping from a break in an 8-inch pipe that apparently had been weakened by heavy frost.

Basically, both the bill passed by the other body, S. 1166, and the amended measure reported by the Committee on Interstate and Foreign Commerce, would direct the Secretary of Transportation to establish minimum safety standards for gas pipelines, to set up procedures for enforcing these standards, and to provide for penalties for violations. But it is in the application of these provisions that the two measures differ—and the committee's version is much weaker than S. 1166.

To cite one example, S. 1166 provides that the Secretary of Transportation may exempt pipeline already in the ground from Federal safety standards unless he finds that a "potentially hazardous situation exists, in which case he may require compliance." In other words, if a Transportation Department study were to show that 8-inch pipe of a certain age was susceptible to deterioration under heavy frost conditions, then the Secretary would be empowered to order a complete inspection of all such pipe. If such a law were in force last year, it might have prevented the explosion at St. Adalbert's.

Under the committee's version of the bill, however, the Secretary must find "a particular facility to be hazardous to life or property" before he can order action on it; that is, he must pinpoint the trouble before he can direct that it be eliminated. This would seem to require, in effect, that the Secretary monitor the 800,000 miles of existing pipeline in order to find specific hazards—and generally, when he finds these specific hazards, it will probably already be too late.

In addition, S. 1166 provides for fines of $1,000 per day for each violation of pipeline safety standards up to a total of $400,000 for any series of violations. The Committee on Interstate and Foreign Commerce reduced these civil penalties by half, however, and provided that no penalty could be imposed until the violator was given notice and an opportunity to correct his violation.

Certainly the penalties in the committee's bill are not only inadequate but ineffective. They would permit a company to violate the law with impunity, since once caught it would have a chance to correct the violation before any penalty was imposed.

For these reasons, I urge that the House reject the weak language of the committee's bill and, instead, support the amendments offered to restore the strong provisions of S. 1166.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO CONSIDER THE DISTRICT OF COLUMBIA REVENUE BILL ON JULY 2 OR JULY 3

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that it may be in order for the House to consider the District of Columbia revenue bill next Tuesday or Wednesday.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, and I do not intend to object, I would like to ask the distinguished chairman of the House Committee on the District of Columbia if it is anticipated that committee action will be forthcoming either Friday of this week or Monday of next.

Mr. McMILLAN. The gentleman is correct.

Mr. GERALD R. FORD. And the bill will be programed for next week, either Tuesday or Wednesday?

Mr. McMILLAN. Yes; at the convenience of the leadership.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Iowa.

Mr. GROSS. Will the report and hearings on the bill be available?

Mr. McMILLAN. We hope to have the report filed at the latest next Monday.

Mr. GROSS. And the bill would be called up on Tuesday?

Mr. McMILLAN. I hope it will not be called until Wednesday. We will take it up when it is convenient.

Mr. GROSS. When will the hearings be available?

Mr. McMILLAN. We will try our best to have them available by that time.

Mr. GERALD R. FORD. It is my understanding that the hearings have already been held.

Mr. McMILLAN. Yes, the hearings have been held.

Mr. GROSS. The hearings may have been held, but will they be printed and available, and will the reports be printed and available so that we may have a little time to look at them?

Mr. GERALD R. FORD. I should think we could get the hearings printed. As I look at the schedule, it is at least tentatively agreed upon for next week. It seems to me that it is most unlikely the bill will be reached before Wednesday.

Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PERMISSION FOR COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO FILE REPORTS ON H.R. 16024 AND H.R. 16824 UNTIL MIDNIGHT TOMORROW

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce have until midnight tomorrow night to file reports on H.R. 16024, the high speed ground transportation bill, and H.R. 16824, the extension of the State Technical Services Act.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

NATURAL GAS PIPELINE SAFETY ACT OF 1968

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes.

The **SPEAKER.** The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 1166, with Mr. GALLAGHER in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The **CHAIRMAN.** Under the rule, the gentleman from West Virginia [Mr. STAGGERS] will be recognized for 1½ hours, and the gentleman from Illinois [Mr. SPRINGER] will be recognized for 1½ hours.

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, the purpose of this bill as reported is to provide the Secretary of Transportation with the authority to prescribe and enforce minimum Federal safety standards for the transportation of natural and other gas by pipeline and for pipeline facilities.

At the present time the Secretary of Transportation has authority to improve public safety as it is affected by transportation by private auto, bus, truck, airplane, ship, oil pipelines, and to some degree by railroad. The only significant mode of transportation over which he has no authority whatever is the transportation of gases by pipeline.

There are now over 800,000 miles of gas pipeline in the United States including approximately 63,000 miles of gathering lines, 224,000 miles of transmission lines, and 536,000 miles of distribution lines. These lines range in diameter from less than 1 inch to 42 inches with 48-inch lines under consideration. They vary in condition from old, unprotected lines to new, well-protected lines. They differ in function from low-pressure distribution lines operated at one-fourth pound per square inch to high-pressure transmission lines operated at 1,300 pounds per square inch, which is equivalent to a force of over 93 tons pushing against the pipeline wall over every square foot. Most of this pipeline system is of recent development.

The testimony of the Secretary of Transportation and the Chairman of the Federal Power Commission is that the safety record of the transmission industry has been a relatively good one.

While the number of deaths has been low in relation to other industries, the recital of this fact alone, however, does not indicate adequately the seriousness of transmission systems failures. Over this period there has been an operational failure about every 5 days and a large number of failures during testing. In most cases the gas which escaped as a result of those failures did not ignite. In addition, the danger of injury and death has not been as great in the case of transmission lines which have been located away from areas of population density. When a transmission line failure occurs in a populated locale and ignition follows, the resulting explosion can be highly destructive. For example, the rupture and explosion at Natchitoches, La., in March 1965, gutted a 13-acre area, killed 17 people, burned five houses, and melted cars and rocks in the vicinity.

The safety record of distribution systems is far from as good. Secretary Boyd testified that most of the systems have been in existence for many years and much of the original pipe is still in use even though it is now 30 or 40 years old and, in some instances, twice that. He said there is no readily available information concerning accidents and distribution systems as there is in those in transmission pipelines. He pointed out, however, a number of major accidents which have occurred since the first of the year and stated the need for safety jurisdiction over the distribution lines was most necessary.

This bill accordingly proposes to close this gap in legislative jurisdiction and to provide for minimum Federal safety standards. The bill as reported:

First. Directs—section 3—the Secretary of Transportation within 24 months to establish minimum safety standards for the gathering, transmission, and distribution of gas by pipeline or its storage, and for pipeline facilities used in the transportaton or treatment of gas. Provision is made for interim standards. Certain standards apply retroactively and the Secretary otherwise is empowered to order removal of hazards to life or property.

Second. Places a duty—section 8—upon each person engaging in the transportation of gas or who owns or operates pipeline facilities to: First, comply with these safety standards; second, file and comply with a plan of inspection and maintenance required by section 11; and third, permit access to records, make report and permit entry or inspection as required by section 12.

Third. Provides—section 5—for the enforcement of these standards: First, as to pipeline facilities and the transportation of gas, subject to the jurisdiction of the Federal Power Commission, by the Secretary; and second, as to all other pipeline facilities and transportation of gas either by the Secretary or by delegation to a State agency through either: First, an effective certification by the State agency to the Secretary; or, second, an effective written agreement between the State agency and the Secretary. As here used a State agency may mean a municipality.

Fourth. In addition, the bill provides—section 4—for the establishment of a technical pipeline safety standards committee: section 6—for the judicial review of orders; section 7—for cooperation with the Federal Power Commission; section 9—for civil penalties; section 10—for injunctions and jurisdiction; section 13—for research; section 14—for reports to the Congress; and section 15—for the authorization of the sums of $500,000, $2 million, and $3 million for the next 3 fiscal years.

Just how the standards are to be set up and how they are to be enforced is clearly set out in the committee report and I commend it to the Members for a complete understanding of what is here involved.

The committee made some changes in the bill as it passed the Senate. Those are fully discussed in the committee report and I shall not go into that here inasmuch as I understand that some members of the committee intend to offer amendments bringing the bill as reported more in line with the bill as it passed the Senate.

At the appropriate time I shall offer one committee amendment to the bill which is solely for the purpose of clarifying a cross-reference which is now contained in section 5.

The bill has had quite a hearing in the newspapers in the country. I am sure it is not as bad a bill as has been portrayed in many ways, but in many respects many things could be done to better the bill.

With these words before the committee in the debate, it is hoped it will not run too long today, because I know many Members do want to get home. With that, I yield such time as he may consume to the gentleman from Massachusetts [Mr. MACDONALD], the able chairman of the subcommittee who held the hearings and conducted the markup on the bill in the subcommittee.

Mr. ADDABBO. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from New York.

Mr. ADDABBO. Mr. Chairman, I take this opportunity to commend the gentleman and his committee for bringing forth this legislation.

Mr. Chairman, I rise in support of S. 1166, but ask my colleagues to also support the amendments to be offered to the pending bill to make it similar to the Senate bill, the stronger and truer safety bill.

I commend the chairman and his committee for bringing this much-needed legislation to the floor. In November 1967 I introduced legislation, H.R. 13936, which incorporated features of the administration's request and which would provide for needed safety in the transmission lines of natural gas. The greatest danger exists from existing lines—lines which run under nearly every major metropolitan center—these for all effective purposes are excluded from the pending bill.

Mr. Chairman, I ask my colleagues to support the amendments to be offered, amendments that will give to the country effective gasline safety and protection. In the bill, as reported, the Secretary of Transportation must find an "actual" hazard before he may act—I believe that he must be given authority to remove a potential hazard. If he is required to find that a particular facility is actually hazardous, then it is probably too late.

The people of my district have very vivid memories of the explosion which occurred in my congressional district in Queens County, N.Y., on January 13, 1967, and they want assurances that we are doing everything possible to insure that there will not be a recurrence of that tragedy. I know that this is true throughout the country.

It is said that a picture is worth a thousand words—here, my colleagues, are actual photographs of the inferno caused by the gasline explosion in my district. Also, we have all received a release by the Oil, Chemical, and Atomic Workers International Union setting forth news clips of similar disasters throughout the country. This can and may happen at any time in any one of our districts. If these were pictures of riots there would be great reaction. For too often the Congress is accused of "reacting" to situations rather than taking the initiative to protect the people before the crisis has occurred. My first bill having to do with gas pipeline safety was introduced early in 1967, after the explosion in Jamaica, and this may be considered a form of "reacting," but there have been numerous explosions since the one in my district, and we are still debating.

This legislation before us today with the correcting amendments must be passed into law now.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I thank the chairman of the full committee for his kind remarks.

Mr. Chairman, as has been said by the chairman of the full committee, this bill as reported by the House has received some criticism from certain sources of the news media, which I do not think it deserves. As a matter of fact, there is considerable reference to the fact that the other body passed a stronger and better bill. Actually, this is not the case. I support the bill on the floor here, just as I did in the subcommittee and in the full committee, on the basis that I would have an amendment or try to attach an amendment to the bill, which is found, if Members have the bill before them on page 30, line 11.

This deals with the nub, in my judgment, of the entire bill—the entire idea and thrust of the bill. The idea of the bill was that because the various States of our 50 United States had not taken sufficient care of the dangers that are inherent in the carrying of this high-pressure and lethal gas, which can be exploded at any moment and can destroy property and destroy lives, set up by lack of action by the various State regulatory bodies, it is time that the Federal Government enter the void and set up Federal regulations which the 50 States could agree to.

I must say that in the Senate bill, I believe the language they had in section 5 is superior to the language which was adopted both by our subcommittee and by our full committee. I am now talking about the fact that under the bill before you the authorization is given to any State which has a clerk who can type merely to set forth the fact, whether it is a fact or not a fact, that the State, whatever State it is, is in compliance with this bill. Obviously this changed the thrust of the bill.

There is a need in our country to have safe transportation of this natural gas. And by transportation of natural gas I am not just talking about the pipelines. I do not believe that the pipelines have perhaps had as many accidents, and certainly they do not have the opportunity to injure as many people as the distribution lines, which also, within the terms of this bill, transport natural gas, from the so-called long lines to the homes of the users of natural gas.

I have no quarrel with the pipelines or the distribution companies. I merely point out to the Members of the Committee that if we are to have Federal regulation we must have some way of enticing the States to enter into agreements with the Federal Government. We must give them some incentive to join together in coming under the blanket of Federal supervision.

In the Senate language the enticement or the encouragement for the States to come under the blanket of Federal enforcement and Federal standards as set up by the Secretary of the Department of Transportation is that if they live up to and comply with the Federal standards the Federal Government will provide matching funds up to 50 percent of the funds needed by any one of the various 50 States to come up to the Federal standards that will be promulgated.

Unfortunately, in my judgment, our subcommittee and our committee did not see fit to follow this pattern. Instead, the members of the committee who voted for this section, section 5, stated that any commission or group within a State could merely make out a statement that the State had complied, and the burden of proof that they had not complied would then shift automatically to the Secretary of Transportation.

The language which the Senate sent over, and which I will offer at the proper time as a substitute for section 5, states that the State agency would qualify if they adopted the Federal safety standards. That is No. 1.

No. 2, if they undertook a program satisfactory to the Secretary which was designed to achieve compliance with these standards and with the plans of inspection and maintenance requirements of the company.

No. 3, that the agency agreed to cooperate in a system of Federal compliance with the program.

However, there is one section, Mr. Chairman, which has not had enough emphasis and which I hope to develop, as I say, at the proper time, which has not been emphasized. This is that there was a condition precedent; namely, that before the Secretary of Transportation could enter into an agreement with any State agency he had to be satisfied that they did comply with the Federal standards and that they would thereby be eligible to participate in the Federal grants, that is, the matching 50 percent grants, which would thereby follow in order to induce the States to comply.

If section 5 is not changed, there is no longer any inducement for a State to improve its law in this regard, because it does not have to in order to get certification and to get its share of Federal money. It will get its share of Federal money whether it complies or not.

Therefore, Mr. Chairman, I urge our colleagues who are not as familiar with the bill as the members of the subcommittee or the committee to take a close look at this section, because I think in the vernacular of the Down Easter, we either have to fish or cut bait, and unless we are going to have regulation which is meaningful, we might as well have no Federal regulation at all.

Therefore, Mr. Chairman, I urge my colleagues who are here on the floor to take a look at this section and, as I repeat, at the proper time I will introduce an amendment to try to correct this situation.

Mr. Chairman, in closing, I would like to say I feel the House version of this gas pipeline safety bill is superior in many ways to that of the other body and has been subjected to some unfair criticism. There are amendments, I am sure, that will be offered, because they were offered in the full committee, but I think the full thrust of the bill will be lost unless we do amend section 5.

Mr. SPINGER. Mr. Chairman, I yield myself such time as I may consume.

The industry which brings natural gas from the fields to the homes and industrial users of this Nation has been the subject of phenomenal growth since the end of World War II. Gathering lines which carry the gas from the producing field to the larger, higher pressure lines have doubled and now approximate 63,000 miles. Transmission lines which carry the gas across the country to the local distributors have tripled to reach a present total of 224,000 miles, and lines which distribute the gas to the final customers have increased five times and there are now 536,000 miles of such lines.

In the course of all this expansion the safety record of the natural gas interstate pipelines has been outstanding. It varies somewhat according to the type of line we are talking about, but even the worst critics of the industry are forced to admit that this industry has been diligent in its safety practices and has in fact compiled an impressive record for safety.

Gathering lines have had so little trouble in the past because of their nature and their remote locations that the committee has seen fit to exclude from regulation under this bill all such lines which are found to be in rural areas. The Secretary of the Department of Transportation can make this determination and thus include any gathering line which comes near concentrations of people, or in urban areas.

The last category, distribution lines, is much harder to analyze. There is no doubt that the bulk of the danger lies at this point, where the flow of natural gas must be fanned out widely and piped into the individual home or factory. Determining what causes accidents when so many people and possible causes are involved becomes most difficult. It is also clear enough that here is the place where the most attention to safety must be paid. Certainly we should try in any legislation we pass to help eliminate those situations which endanger citizens because of either weak standards of construction, faulty maintenance, and hazardous situations which develop.

Uniformity of practice in an industry so widespread is desirable. The code which the industry itself devised as early as 1935 and upgraded many times through the years has been adopted for enforcement purposes by 26 States. That is good but obviously not complete. The code itself does not cover everything which should be included in a comprehensive code. So this bill does try to provide for uniformity of standards and uniformity of enforcement. Here is how it goes about it:

First. The Secretary of Transportation will establish minimum standards for the various kinds of pipelines, for storage facilities and some treatment facilities. In addition, the Secretary may move preemptorily to remove specific hazards;

Second. Those engaged in the business must meet these standards, must show a plan for inspection and maintenance, and keep records which are open to inspection;

Third. Enforcement will be by the Secretary for interstate lines. Those within a State can be handled by the State if it certifies to the satisfaction of the Secretary that it has all necessary authority to do what he wants and will actually so enforce. If this does not work, an agreement for part of the job can be made with the State. If the Secretary is not satisfied that the State can or will really do the job, he may step in and take over.

Fourth. There will be a Technical Pipeline Standards Committee, judicial review, civil penalties, injunctions and reports to Congress.

These are the principal features of the bill. I trust you will read this bill carefully. It is an important piece of legislation.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. As a matter of fact, does not the report present the statement that there have been no accidents for 6 years in the gathering lines segment of the industry?

Mr. SPRINGER. And that is true. I would say that before 6 years the accidents were very few, if any, before that time.

Mr. EDMONDSON. I thank the gentleman for yielding.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. MACDONALD of Massachusetts. Does not the gentleman feel it is necessary to change section 5 to give a Federal tinge to this bill? Do you think it is correct just to have a State clerk making out a certificate that says the State is an accomplice when, indeed it may not be?

Mr. SPRINGER. I think if that wording can be improved; yes. I would want to see the wording of that first.

Mr. MACDONALD of Massachusetts. I thank the gentleman.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. PICKLE. I would like to inquire about this same point. Because, if, in truth and in fact, what the gentleman has said, that all that would be required would be for some clerk in a State office to fill out a report that the State has met by way of certification the standards required, then I think the committee as a whole would not be for the measure and would want to see it strengthened. Surely, that should not be the case. I do not understand it that way. I am not a member of the subcommittee, but I understand from reading the report on pages 25, 26, and 27, it talks in terms of sections 5(a) and 5 (b).

Page 26 states that a "State agency which submits annually to the Secretary of Transportation a certification that such State agency—" and it lists the provisions. They are as follows:

> (1) has regulatory jurisdiction over safety standards and practices of such facilities and transportation;
>
> (2) has adopted each Federal safety standard applicable to such facilities and transportation as of the date of the certification;
>
> (3) is enforcing each such standard; and
>
> (4) has authority to require record maintenance, reporting, and inspection substantially the same as provided under section 12 and filing for approval of plans of inspection and maintenance described in section 11.

It seems to me that this is a rather detailed certification that a State must make to show that they are actually meeting these standards.

A great deal has been said about whether there ought to be an agreement as opposed to a certification. I do not know that it makes a great deal of difference, really. If there is, I would like for this record to show it, or for someone to point it out to me. I assume that when Members later offer amendments, they will lay that information before the House.

As I understand it, whether it is by way of certification or by way of an agreement, if the Secretary of Transportation signed the agreement, he would then be satisfied about the operations of the standards. If he was not, he would then reject the agreement or the certification and he could call for hearings. It would automatically go to a determination as to whether they were meeting these standards or not. There is a great deal of difference.

A great deal has been said which would leave the impression that this is a very weak approach. If indeed the point was so made that all that would be required would be a clerk to fill out a piece of paper, it would impute to each State that it did not have the good, legitimate, bona fide, safe interest of its citizens at heart. I do not think the gentleman intends to leave that impression, that a State would treat it that cavalierly.

Mr. MACDONALD of Massachusetts. If the gentleman will yield, I would say that any State is not going to try to fool the Federal Government by saying that they are in compliance with the Federal standards when they are not. But the gentleman is a lawyer. He understands very well the burden of proof. When they enter into an agreement under the Senate language with the Secretary of Transportation, they sit down and go over the matter, and then the Secretary says, "Well, yes, this State is in compliance." But under the language of our bill, the House bill, there is no need for that approach.

The State merely certifies that they are in compliance, and then the burden of proof shifts to the Secretary to show that they are not in compliance.

Mr. PICKLE. Mr. Chairman, will the gentleman yield further?

Mr. SPRINGER. I yield to the gentleman from Texas.

Mr. PICKLE. I hasten to say to the gentleman from Massachusetts that I am not an attorney. But I have checked with members of our legal staff, and they have indicated to me that it would not make a great deal of difference whether it was by way of agreement or certification. For that reason I have been for the language of the report and the bill. It would not make that big a difference.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Washington.

Mr. ADAMS. In answer to the gentleman from Texas, I agree completely with the subcommittee chairman that this tilts the bill 180 degrees. We can have one of two types of regulations: either Federal regulations with the States coming in and complying with the Federal regulations and carrying them out by inspection, by maintenance, and by the other things that are required in this bill, which is what is required under an agreement system; the States must comply, and the States must show that they are complying, and anything that goes wrong at that point is then the responsibility of the person operating and the State.

When you tilt this bill 180 degrees, what happens is this: You are saying that the Federal Secretary, with almost no money, as shown in this bill, and with a penalty provision that applies only after an explosion has occurred, must go out and look at yay thousand miles of pipeline and say to the State, "You are not carrying out your duty at that point," and to shape up. To us, that is one of the key points of this bill.

I agree with the subcommittee chairman when he says section 5 is the key section that we must deal with and that our other amendments work up to and are part of.

What we are pointing out to the gentleman is that under this bill as written—and I agree completely with the ranking minority Member when he stated one of the great problems is in the distribution lines in these cities—if in the city of Baltimore or Boston or any other major city, there is a dangerous situation, either valves, or as happened in Georgia, the line is not deep enough under the ground, or, as in California, where they did not have cutoffs in the right places, and if the States have had this in existence and the States say, all right, we have adopted the standards and we say everything is all right, unless the Secretary goes out and catches them, and gets a specific order against a specific company, we just wait until something happens.

That is entirely different from a Federal regulatory system that says, here are the standards, here are the penalties, and if you do not comply and have not met the standards and brought yourselves up, then when there is an explosion or complaint from somebody, we will apply the penalty against you.

I thank the gentleman for yielding.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. Mr. Chairman, I will yield for a brief question from my distinguished colleague, but I do not think I can take too much time for that.

Mr. OTTINGER. Mr. Chairman, in reply to the statement of the gentleman from Texas, the major problems are in the cities where the pipelines were laid many years ago and where explosions have been occurring with quite some frequency, where conditions have been allowed to obtain and where we have really seriously dangerous pipeline conditions largely because the State public service commissions or public utilities commissions for one reason or another have not demanded the kind of standards, have not demanded the kind of maintenance, have not demanded the kind of inspection required to overcome this dangerous situation.

If we have State certification where the State already is delinquent in doing the job the public expects should be done, this is somewhat ludicrous. The idea here is to have the States come in to the Secretary, according to language in the Senate bill, and have them demonstrate they have adequate systems of maintenance and adequate systems of standards and adequate systems of inspection.

The Secretary can demand they do this or that or the other thing. He would not have that kind of opportunity under the certification provision. The State would not have to come to him and justify that their procedures are adequate. That is a major difference why we prefer this kind of language.

Mr. Chairman, I thank the gentleman for yielding.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. BROYHILL].

Mr. BROYHILL of North Carolina. Mr. Chairman, I rise in support of S. 1166, the Natural Gas Pipeline Safety Act of 1968.

This is a strong bill. This legislation gives new and greatly expanded authority to the Secretary of Transportation in the field of natural gas pipeline safety.

What does the bill do?

First. Directs the Secretary of Transportation to prescribe, within the next 24 months, minimum safety standards for the gathering, transportation, and distribution of gas. Until that time, the Secretary is directed to provide for "interim" safety standards. Both the "interim" standards and the "permanent" standards will apply throughout the Nation. The entire industry in every State will be bound by law to follow these safety standards. Everyone must comply under penalty of fines spelled out in the bill.

Second. Each person—who engages in the transportation of gas, or operates gas facilities, must file certain reports, plans, or records. The industry must permit inspection—not only of plant, equipment, and lines, but also of all files, records, and reports.

Third. Provides for enforcement of these standards and Federal requirements by a joint Federal-State effort. The individual States—those who can show that an effective enforcement program is being carried out, can by certification or agreement maintain that enforcement program. If the States do not choose to cooperate in this joint enforcement program, then the Secretary of Transportation asserts complete Federal jurisdiction. In either case, the full weight, power, and authority of the Department is behind—not only the safety regulations—but the enforcement program.

Fourth. In addition, the bill provides for the establishment of a Technical Pipeline Safety Standards Committee, judical review of orders, civil penalties, research, and authorization of funds to operate the program.

Others today, have cited the growth of the overall gas industry. The safety record of the industry is also well documented in the hearings as well as the committee report. The entire record shows that this industry has a safety record which is low in relation to other industries.

While we must agree that this safety record is good, this does not indicate to me that we should do nothing. We can take some positive steps because we all recognize the serious potential of danger.

The basic tool in this bill, is the authority given the Secretary of Transportation to set minimum safety standards. This authority is clearly spelled out in the legislation. Every one engaged in the transportation and distribution of gas, must abide by these regulations.

In the enforcement area, this bill recognizes a Federal-State relationship. The hearing record shows that the Department of Transportation has no enforcement agency, expertise or staff. A number of the States have longstanding enforcement programs in effect.

Thus, under this bill, the States are given a role in the enforcement of the safety standards. I find it difficult to understand why there would be those opposed to section 5(a) of the bill. This section provides an arrangement where the safety standards—of the Secretary—will be enforced by a State agency—if that agency certifies among other things, that:

First. It has regulatory jurisdiction by law;

Second. Has adopted each Federal Safety standard;

Third. Is enforcing each such standard;

Fourth. Has legal authority to require the record maintenance, reporting, and inspection provided for in the bill; and

Fifth. Submission of various reports including "such other information as the Secretary may require."

This certificate is not the weak instrument that so many imply. The Secretary may reject it, take such other action as he deems appropriate, including the "assertion of Federal jurisdiction."

I feel that the States should properly be given a role in this safety program. Why should we write a bill that establishes a Federal program with no State participation. We have been moving in that direction too frequently and too far in recent years. It is time that the principle of a Federal-State partnership be restored. Section 5(a) as reported by the large majority of our committee recognizes this principle.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of North Carolina. I yield to the gentleman from Washington.

Mr. ADAMS. Mr. Chairman, I would like to ask the gentleman if it is not true, after the States certify, the States also under this bill have the right then to waive compliance with any Federal statutes?

Mr. BROYHILL of North Carolina. The Secretary does not have to accept that certificate.

Mr. ADAMS. We come back to the original point again, which is that the Secretary then must go out and catch them, if he feels it is happening and he can find out about it. We have not given him money here to do it. When the States have waived compliance in these areas, he would find that waiver is really in the public interest. Under the agreement procedure the burden is upon the State to come in and show, and to continue to show, it is carrying out these standards, and is not waiving them.

Mr. BROYHILL of North Carolina. Mr. Chairman, in the first place, it is clearly stated in this legislation that the Secretary does not have to accept these certificates.

So far as the waiver is concerned, the individual States will have to apply to the Secretary for the waiver. If he does not want to grant it, he can stay the order. There is plenty of protection for the public interest.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of North Carolina. I am delighted to yield.

Mr. BROWN of Ohio. I should like to ask the gentleman from Washington the meaning of some of the language in the proposed legislation, in view of his comments. I refer to page 30, lines 24 and 25, item (3). Can the gentleman interpret that for me, with reference to the State enforcement of compliance with Federal standards?

Mr. ADAMS. Certainly. It simply says that the State has to certify it is enforcing such standards. Who is going to find out?

Mr. BROWN of Ohio. Is the gentleman suggesting that the States would certify they are enforcing such standards when in fact they are not enforcing such standards?

Mr. ADAMS. I would say to the gentleman, that is the whole point. If they were enforcing the standards now and were maintaining the standards which they say are excellent in these States, we would not be having the accidents. The whole purpose is to set up standards and to require the States to come up to that level.

I do not say that these are bad men. I do not say that to the gentleman at all. I say they operate under an antiquated system, and this system is what we are trying to correct.

Mr. BROWN of Ohio. Mr. Chairman, if the gentleman will yield further, the point is that we do not now have Federal standards, so each State can enforce such standards as it has or does not have on its own.

Under the language of this proposed legislation I believe it is perfectly clear that the Federal standards will be set by the Secretary of Transportation and the State must certify that it is enforcing those Federal standards. If the State certifies this, then the gentleman's comment does not seem to be appropriate.

Mr. ADAMS. I would say to the gentleman, we remain exactly where the status quo is now, other than having the Secretary say, "You ought to be doing these things."

If the States maintain the same sorts of systems they have now, in inspection and all these other areas, we will not get compliance.

This is coupled with section 9, of which the gentleman is aware, the penalty provision, which says one cannot require any person to do anything until he has been given an opportunity to comply first. So we would not put any pressure on the industry to come up to State standards, and in effect, do not allow the States to enforce them.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. BROWN of Ohio. I should like to pursue this further.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. It seems to me that item 2 on page 30 states clearly the individual States must adopt Federal standards; otherwise they will not be certified by the Secretary of Transportation.

Then item 3 says that they must certify that they are enforcing such standards.

The gentleman is either suggesting that either the States will certify they are enforcing the standards when they are not doing so or that the Secretary of Transportation will certify the States when he knows they are not enforcing his standards. Either the State public utilities commissions are assumed to be irresponsible or the Secretary of Transportation is a man of bad character or both. I am not sure I understand who the guilty party is assumed to be in this case.

Mr. MACDONALD of Massachusetts. Mr. Chairman, would the gentleman yield for an observation about that?

Mr. BROWN of Ohio. My comments were directed to the gentleman from Washington, but I am happy to yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. The gentleman from Washington did not hear all of the testimony, since he is not a member of the subcommittee, but I know the gentleman did a thorough research of the problem.

I know the gentleman who is speaking, a very distinguished and able member of our subcommittee, heard the testimony in which the gas companies of the various States told the story. The one which comes to mind most readily is the one from St. Louis, Mo., which stated they lost x number of CC's of gas and could not account for that gas.

If their reports were to be given to the State, the State could easily take their report in good faith and still be in error. So nobody is saying anyone is out to trick anybody else. It is just a fact of life that these explosions have occurred, and unless there was some reason for these explosions the Federal Government has no business trying to regulate them.

Mr. BROWN of Ohio. May I ask the gentleman if it would not be appropriate for the Secretary of Transportation to set in his standards a standard which would prohibit any loss of gas of the nature he describes so that such a loss would be reported and the Secretary's standard would require the State to require the utility company to correct the reason for gas loss so as to meet the Secretary's standard.

Mr. MACDONALD of Massachusetts. Right. If the gentleman will yield further, however, the State can certify itself out by a waiver of certification. It merely certifies itself it is doing a good job when indeed they might think they are doing a good job but in actuality they might be not complying with the full standards.

Mr. BROWN of Ohio. Then, under this legislation the Secretary of Transportation can accept that State's certification or not, and if he does not accept it, then he is saying that the State is not meeting his requirements and the utilities are not meeting the requirements.

Mr. MACDONALD of Massachusetts. If the gentleman will yield further, I will point out that the burden of proof, as I said, shifts, and I will say again that the burden of proof shifts from the State, when the State says yes, they are complying and shows how they are under the Senate language, to the burden being on the Secretary of Transportation under our language, showing that the State is not in compliance. That is why I think this is a very important section of the bill.

Mr. BROWN of Ohio. I would say in response to the gentleman, before I yield to the gentleman from North Carolina who was kind enough to yield to me, that there seems to be a basic question here as to whether you trust more the Secretary of Transportation, who has no expertise in this field, admittedly, from his testimony, or some State officials who do have some expertise, because they have been involved in this industry regulation for some time.

Now I am happy to yield to the gentleman from North Carolina.

Mr. BROYHILL of North Carolina. Is it not true on page 32 of the bill the language says that the Secretary may reject the certification?

Mr. BROWN of Ohio. That is right. He can reject it.

Mr. BROYHILL of North Carolina. Does it not also say in the language that the Secretary of Transportation may take "such other action as he deems appropriate to achieve adequate enforcement, including the assertion of Federal jurisdiction"?

Mr. BROWN of Ohio. That is right. And he can, as I understand it, under these provisions, go on and close down the distribution system of an entire community.

Mr. ADAMS. Mr. Chairman, as the gentleman asked me originally to reply—and I appreciate the comment of the chairman of the subcommittee—I would like to reply further.

As a simple and practical matter, if you say that the State can certify and then after they certify that the Secretary of Transportation must overturn that, then you have also written in with regard to the existing lines you cannot put in the standards on inspection and on installation and all the key points with regard to existing lines that are in the ground and with regard to the design.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. Harvey].

Mr. HARVEY. Mr. Chairman, guns killed 6,000 last year, cars killed 50,000, aviation killed 1,300 last year, tornadoes killed 72 in less hours in May this year, industrial accidents kill 55 a day.

High pressure pipelines have killed 67 people in 18 years, and all but 17 were the result of such occurrences as trucks slamming into pumping stations and other such events having no relationship to standards or enforcement. That entire figure is equivalent to half a commercial planeload.

Statistics on casualties from failures of distribution lines are not available and causes would be difficult to determine in any event. Even proponents label the record very good. All this adds up to some but certainly not unreasonable hazard to life from the system that recovers and delivers natural gas to the consumers of the United States. It makes the odds of being blasted by gas from transmission lines even less than being hit by lightning, and in the city your chances are greater to be hit by a truck.

The fact that the industry has had an exceptional safety record does not argue against concentrating the responsibility for pipeline standards in one place. The Department of Transportation is that place because of its now comprehensive safety function. A scheme to keep standards up to date is worth having. A system of enforcement is desirable. But to make noises as though anyone against any particular arrangement to accomplish this is against motherhood and out to kill off the American public is nonsense, and I denounce it as such whether from Members of Congress or the Cabinet.

The plan devised by the referred Senate bill was workable, and I have no great quarrel with it. But it certainly was not perfect. The bill devised by the subcommittee and accepted by the overwhelming majority of the full Commerce Committee is in my judgment more workable and more adequate to the problem. I am not greatly impressed with the overall performance of State commissioners in this field. Experience gives me less reason, however, to think that I would be overly impressed with the way the Department of Transportation would perform. But I am basically in favor of leaving enforcement responsibility and such other functions of this kind with the States where possible. This is a place it appears to be possible. To suggest that doing so is selling out is unworthy of Members of this House.

It has been forgotten in the splurge of press releases, speeches, and letters to the editor that under both the system provided by S. 1166 and that in the committee bill the ultimate job of enforcement would be done by the States. The only difference is that under S. 1166 the Secretary would make agreements and pay for performance, and under our bill the States would first satisfy the Secretary that they would do everything as he wanted it, and then go ahead. If they will not or do not, he takes over either way.

All of the implications of the high-powered public relations program which has emanated from my colleagues and downtown are that certification by a State that it will do all the things found necessary and desirable by the Federal Government in this field is a capitulation of authority. It is interesting to note that the witness for the Department of Transportation did not view it that way when testifying before our committee. In fact, he went much further than the committee approach and indicated that the Federal Government might be willing to accept a certificate from a pipeline company itself that it had complied with the standards. Here is my exchange with witness Caldwell who accompanied Secretary Boyd at that hearing, as reported on page 25 of the record:

> Mr. Harvey. How many inspectors are you talking about?
>
> Mr. Caldwell. We did not figure it by the number of inspectors.
>
> Mr. Harvey. Well, did you just pull the $23 million out of the air?
>
> Mr. Caldwell. No, we didn't.
>
> Mr. Harvey. Where did it come from? This is what I want to know. In the letter from Secretary Boyd to Senator Magnuson he set forth all of this information you have given me so far. What I want to know is a breakdown. What sort of inspection are you going to plan? What do you intend to spend the $23 million for?
>
> Mr. Caldwell. Well now, you put the handle of inspecting on this $23 million.
>
> Mr. Harvey. I said inspection and enforcement, that is how you labeled it in the letter.
>
> Mr. Caldwell. Yes, sir. Actually there would be varying degrees of inspection and enforcement by various people and I cannot tell you the exact number of people that we will have inspecting. This was based——
>
> Mr. Harvey. All right. How many enforcers, if you can't tell me the number of inspectors, how many enforcers, do you plan hiring for $23 million?
>
> Mr. Caldwell. It was not figured on the basis of the number of people. It was figured on the miles of pipe and based on a ratio of new construction compared to pipe that is already in the ground.
>
> Mr. Harvey. Just one more——
>
> Secretary Boyd. Mr. Harvey, if you would let him go on through——
>
> Mr. Harvey. Just one final question because my time is up here. But did you consider, at all, any sort of a certificate approach to the problem of having these companies who have been uninspected for years signing some sort of a certificate under oath they have complied with the standards and so forth and then making spot inspections instead of hiring all these inspectors?
>
> Mr. Caldwell. Yes, sir; this has been taken into consideration and this is one of the strong possibilities.

Mr. Chairman, it is clear that whether a certificate of compliance is used, as provided in the House version of this bill, or the agreement method in the Senate version, the ultimate job of enforcement will be done by the States. Section 5(a) should be left as it is in the House version of the bill.

Mr. SPRINGER. Mr. Chairman, I yield

5 minutes to the gentleman from Tennessee [Mr. Kuykendall].

Mr. KUYKENDALL. Mr. Chairman, it seems we have arrived at another one of our cases here where a great deal of extra intelligence dwells and in some cases omnipotence seems to flow over the line into the District of Columbia when someone becomes a secretary.

Mr. Chairman, I do not happen to agree with this premise, that all the expertise in this great land lies here in the District of Columbia. In fact during the time that I listened to the testimony from downtown the less I think the expertise and intelligence lies here.

Mr. Chairman, I would like to point out first one of the dangers we face when we come to the consideration of this type of legislation.

After having listened to one Betty Furness and lectures from certain columnists and listening to attempts to create hysteria, I wonder if we have not become victims of legislation by hysteria.

Mr. Chairman, one of the things that this committee is being charged with is abandonment of our duty because we have chosen to say that 63,000 miles of gathering lines outside populated areas may be released from regulation by the Secretary, if he so desires.

Mr. Chairman, there has been no lost-time accidents in gathering lines in this Nation in the last 6 years—no lost-time accidents. I do not know of many activities of this Nation that has that good safety record, including walking down the front steps of the Nation's Capitol. I doubt if they have that good a safety record.

Let me point to this matter of gathering lines—and this is one of the areas that the committee bill has come under attack—the Secretary may designate any area that he wishes as a populated area, without recourse. It states very clearly that any populated area that the Secretary so designates and so defines comes under his regulation.

Now, let us go a step further about the gathering lines in the rural areas of our Nation. Mr. Chairman, the word "lines" means just what it says. Let us remember one thing. We are not talking about highways; we are not talking about canals, we are talking about privately owned pipelines on privately owned lands. Therefore, there is no law of eminent or public domain. In other words, there has to be a contract signed with the farmer or rancher before these gathering lines can be put on his land. The general rule is, among existing companies in this country, that a 2-inch pipeline may not be placed any closer than 200 feet from a farmhouse where they are located in rural areas.

It is true that in a great many instances the farmers do reach agreement with the pipeline companies to locate closer because they get free gas as a result thereof; that is from the gathering line that goes through his property. I do not know of any instance in the rural areas of this country where you would find a pipeline coming closer to a rural dwelling than this distance, particularly with reference to the gas transmission lines.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. KUYKENDALL. I yield to the gentleman from New York.

Mr. OTTINGER. In most cases with respect to the gathering lines, the subject matter to which I intend to offer an amendment to bring them back into the bill, the gentleman does not feel that a person in a rural area deserves any less protection than a person living in a populated area.

Mr. KUYKENDALL. The question which the gentleman from New York has propounded to me is similar to the question which is often asked, when did you quit beating your wife?

At this point I will repeat to the gentleman a little story about the fellow who had over his doorway a prayer which read as follows:

> God protect my home from tigers.

Someone said to him, is not that a rather strange prayer?

He said:

> Well, I have not been bothered with tigers at all; it works.

There have been no accidents, I will say to the gentleman from New York, no accidents.

Mr. OTTINGER. If the gentleman will yield further, I appreciate that, but supposing the Secretary finds there is a dangerous situation? Should we really have to wait until somebody is blown up before he takes action?

I particularly believe this becomes pertinent since so many of our rural areas are becoming urbanized at a very fast rate, and the provisions of this bill will require——

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SPRINGER. Mr. Chairman, I yield 2 additional minutes to the gentleman from Tennessee [Mr. Kuykendall].

Mr. KUYKENDALL. Let me point out here that I believe the overall philosophy that this particular incident best represents—and you can find a great many potential injury situations in this Nation, so that if you wanted to waste the taxpayers' money or the consumers' money you could cover them—but I believe we have learned something here in this Congress in the last couple of years; that when you waste the taxpayers' money indiscriminately you get into a fiscal problem and therefore get into the problem of maybe having to raise taxes as we are doing.

And when you start adding regulation after regulation after regulation, that is entirely unnecessary on the private sector, you are going to end up making the consumer pay the bill for nothing.

There have been no accidents. Certainly there are cases where you can build up subdivisions and immediately—immediately—present a request to the Secretary.

I would say to the gentleman from New York that it is a funny thing that this all-omnipotent Secretary of Transportation is all-wise when it comes to dealing with the States, but now the gentleman from New York has lost faith with him entirely when it comes to designating populated areas.

Mr. OTTINGER. If the gentleman will yield further, I would say no, I want the States to have to come to him, because I believe that will make for more efficient regulation. I believe in those States it is unreasonable to expect the Secretary to know about developing rural areas all over this country, and to include them within the coverage of this act.

Mr. KUYKENDALL. I would believe a person buying a home in a new subdivision might well be concerned about this, or a group of persons would be concerned about it, and I believe the State would be concerned about it in its approach to any populated community, and that the Secretary of Transportation is sensible enough to designate what areas are populated, and I happen to think that they would be.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

Mr. STAGGERS. Mr. Chairman, I yield whatever time he may consume to the gentleman from Washington [Mr. Adams].

Mr. ADAMS. Mr. Chairman, I understand that we are going to go over until Tuesday, and that therefore we will be addressing ourselves in regard to this matter at that time.

But I do not want there to be any confusion among the opponents or proponents, majority or minority, as to the amendments to be offered. Therefore when we go back into the House, Mr. Chairman, I will ask unanimous consent that I may insert into the Record at this point the five specific amendments that will be offered to this bill on Tuesday.

The first will be by the gentleman from New York [Mr. Ottinger], the second by the gentleman from California [Mr. Moss], the third by the gentleman from Michigan [Mr. Dingell], the fourth by the gentleman from Massachusetts [Mr. Macdonald], and the fifth by the gentleman from Washington [Mr. Adams]—although they may not be offered in that particular order on Tuesday.

The amendments referred to follows:

Amendment to S. 1166, as Reported, Offered by Mr. Ottinger

On page 23, line 14 to line 21, strike "except that it shall not include the gathering of gas in those rural locations which lie outside the limits of any incorporated or unincorporated city, town, village, or any other designated residential or commercial area such as a subdivision, a business or shopping center, a community development, or any similar populated area which the Secretary may define as a nonrural area;".

Amendment to S. 1166, as Reported, Offered by Mr. Moss

On page 25, line 24, strike out "adopted. Whenever the Secretary shall find a particular facility to be hazardous to life or property, he shall be empowered to require the person operating such facility to take such steps necessary to remove such hazards." and insert in lieu thereof the following: "adopted, unless the Secretary finds that a potentially hazardous situation exists, in which case he may by order require compliance with any such standards."

Amendment to S. 1166, as Reported, Offered by Mr. Dingell

On page 28, line 16 to line 22, strike: "each of whom shall be experienced in the safety regulation of the transportation of gas and of pipeline facilities or technically qualified by training and experience in one or more fields of engineering applied in the transportation of gas or the operation of pipeline facilities to evaluate gas pipeline safety standards,".

AMENDMENTS TO S. 1166, AS REPORTED OFFERED BY MR. MACDONALD

On page 30, strike out line 11 and all that follows down through page 32, line 15, and insert in lieu thereof the following:

"AGREEMENTS WITH STATE AGENCIES

"SEC. 5. (a) Subject to the provisions of this section, the Secretary is authorized by written agreement with an appropriate State agency to exempt from the Federal safety standards pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act, under which agreement such State agency—

"(1) adopts each Federal safety standard applicable to such transportation of gas and pipeline facilities and any amendment to each such standard, established under this Act;

"(2) undertakes a program satisfactory to the Secretary, designed to achieve adequate compliance with such standards and with the plans of inspection and maintenance required by section 11; and

"(3) agrees to cooperate fully in a system of Federal monitoring of such compliance program and reporting under regulations prescribed by the Secretary.

No such agreement may be concluded with any State agency which does not have the authority (i) to impose sanctions substantially the same as are provided under sections 9 and 10, (ii) to require record maintenance, reporting, and inspection responsibilities substantially the same as are provided under section 12, and (iii) to require the filing for approval of plans of inspection and maintenance described in section 11.

"(b) With respect to any State agency with which the Secretary determines that he cannot enter into an agreement under subsection (a) of this section, the Secretary is authorized by agreement to authorize such agency to assume responsibility for, and carry out on behalf of the Secretary as it relates to pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act the necessary actions to—".

On page 33, beginning in line 12, strike out "safety program under a certification under subsection (a) or an agreement under subsection (b) of this section" and insert in lieu thereof the following: "such agreement".

On page 33, line 18, strike out "safety program" and insert in lieu thereof the following: "an agreement".

On page 34, strike out lines 7 through 17, inclusive, and insert in lieu thereof the following:

"(d) Where an exemption from Federal standards for pipeline facilities or the transportation of gas is in effect under subsection (a) of this section the provisions of sections 8(a)(1), 8(a)(2), 9, and 10 of this Act, shall not apply. Any such exemption shall remain in effect until a new or amended Federal safety standard for pipeline facilities or the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act is established pursuant to this Act, and such exemption shall not apply to any such new standard or amendment until the State agency has adopted such new standard or amendment pursuant to the provisions of subsection (a) of this section. The provisions of this Act shall apply to such standard until such adoption has become effective."

AMENDMENT BY MR. ADAMS TO S. 1166

On page 37 strike out line 15 and all that follows down through and including line 2 on page 38, and insert in lieu thereof the following:

"SEC. 9. (a) Any person who violates any provision of section 8(a), or any regulation issued under this Act, shall be subject to a civil penalty of not to exceed $1,000 for each such violation for each day that such violation persist, except that the maximum civil penalty shall not exceed $400,000 for any related series of violations."

Mr. STAGGERS. Mr. Chairman, I am going to make a motion in just a moment to rise, but I would like to state before I do that there has been an understanding between the ranking Member on the minority side, the gentleman from Illinois [Mr. SPRINGER], and myself that when we resume the debate on this bill next Tuesday that there will be 30 minutes of debate left to be consumed at that time.

I would like to put that in the RECORD.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Illinois.

Mr. SPRINGER. I thank the gentleman for yielding, and I concede that we have entered into that argreement voluntarily with the understanding that 15 minutes of the 30 minutes will be reserved for the minority.

Mr. STAGGERS. The gentleman is correct.

Mr. JARMAN. Mr. Chairman, I rise in support of S. 1166, the Natural Gas Pipeline Safety Act of 1968.

The tremendous growth of the natural gas industry over recent years has created a need for uniform safety standards regulating the transportation of natural gases. Today there are over 800,000 miles of gas pipeline in the United States, varying in sizes, functions, and condition.

Many of our States have prescribed their own pipeline safety regulations in recent years, but all too often a marked difference is shown from State to State in effectiveness and enforcement of the particular standards. S. 1166 would provide the authority for the Federal Government to insure the public safety by establishing minimum uniform standards. At the same time, however, the bill gives the States an important role in enforcement and in amplifying distribution standards.

The gas transmission industry has maintained a relatively good safety record over the years. However, with the tremendous increase in the use of natural gas, especially in our cities, we cannot afford to subject the public to even the slightest risk of danger that can be prevented.

Mr. Chairman, S. 1166 embodies a very reasonable and practical approach to the problem of safety standards for gas pipelines. Of course, standards by themselves cannot provide absolute protection—there must be a working partnership and atmosphere of cooperation between the Federal Government, the States, and industry in order to attain our goal of insuring the public's safety. S. 1166 would provide the framework for such a program. I strongly urge its passage as recommended by the Interstate and Foreign Commerce Committee.

Mr. STAGGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GALLAGHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill, S. 1166.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TIME FOR GENERAL DEBATE ON S. 1166

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that when the Committee of the Whole continues the consideration of the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes, that the time for general debate be limited to 30 minutes with 15 minutes for the minority and 15 minutes for the majority site.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have asked for this time for the purpose of asking the majority leader what the legislative program is for the remainder of this week and what is scheduled for next week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ALBERT. Mr. Speaker, in response to the inquiry of the minority leader and in accordance with our announcement of yesterday, the House will not meet tomorrow and, therefore, we will not take up the remaining bills that were listed on the program for this week.

The program for next week is as follows:

On Monday, the Consent Calendar, with five suspensions:

H.R. 17872, to amend the National School Lunch Act;

H.R. 17873, to amend the National School Lunch Act;

S. 2837, to establish the Cradle of Forestry in America, Pisgah National Forest, North Carolina;

H.R. 15714, to extend operating life of certain inland vessels; and

H.R. 13844, Federal employees leave for funerals of certain relatives and for National Guard duty.

Also H.R. 17134, Federal-Aid Highway Act of 1968—open rule, 3 hours of debate; waiving points of order.

For Tuesday and the balance of the week:

The Private Calendar;

Department of Transportation appropriation bill, fiscal year 1969;

S. 1166, Natural Gas Pipeline Safety Act of 1968—continue consideration;

H.R. 16361, District of Columbia Revenue Act of 1968—under general rules of the House;

H.R. 14096, penalties for unlawful acts involving LSD and other drugs—open rule, 1 hour of debate; and

H.R. 10564, marketing orders on pears for canning or freezing—open rule, 1 hour of debate.

This announcement is made subject to the usual reservation that conference reports may be brought up at any time and that any further program will be announced later.

Of course, pursuant to the previous announcement, there will be no legislative business from the close of business on Wednesday, July 3, until noon Monday, July 8.

I would like to advise Members that we may have to request permission to come in early and work late if, after a long day on Monday, we are not able to finish or see that we shall not be able to finish all the business by Wednesday evening. I realize the distinguished gentleman from Missouri has some comments on that matter. I would like to advise that we will only make such request in the event it is obvious we need to do so in order to finish the program by Wednesday evening.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Missouri.

Mr. HALL. I am glad to comment further. There will be no unanimous consent granted for that purpose if we adjourn in the early hours on Monday.

Mr. ALBERT. That was the reason for my comment. The gentleman had advised me of that and I think we can expect a long day on Monday and, as I said, there is the possibility that we may request permission to come in early on Tuesday or Wednesday.

Mr. GERALD R. FORD. Mr. Speaker, I believe it is important that all Members fully realize that we are to have a fairly full schedule on Wednesday, and should anticipate such a schedule in their planning for next week.

Mr. ALBERT. The gentleman is correct.

PRIVATE CALENDAR BILL H.R. 16187 TO BE PASSED OVER

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the bill H.R. 16187 be passed over and not considered when the Private Calendar is called on July 2, 1968.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

ADJOURNMENT OVER TO MONDAY, JULY 1, 1968

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. GROSS. Mr. Speaker, reserving the right to object, can the majority leader shed any light whatever on the situation that will obtain about the first of August when a very vital Republican Convention is due to get started? Do you have anything to offer so the Members can make plans?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, at the most recent meeting of the leadership of this side with the corresponding leaders of the other body, everyone was in agreement that we should try to adjourn the Congress by that time. But the gentleman knows, of course, that we will adjourn in due time for the Republican Convention to convene and to hold its sessions in Miami, where the delegates might engage in other pleasant activities to their taste.

Mr. GROSS. But we have no way of knowing at this time whether there would be a convening of the House between the Republican Convention and the Democrat Convention.

Mr. ALBERT. We hope that will be a moot question.

Mr. GROSS. With all my heart I hope the gentleman is correct, that it is a moot question.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

AUTHORIZATION FOR CLERK TO RECEIVE MESSAGES AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

HON. ABE FORTAS AND HOMER THORNBERRY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the appointment of Abe Fortas as Chief Justice elevates to this highest judicial position in America one of our most brilliant men.

I congratulate Justice Fortas. This was an outstanding appointment. I am sure Mr. Justice Fortas will perform his new duties in the finest and highest traditions of the office.

Mr. Speaker, I have taken this time primarily to congratulate my dear friend, our former colleague in the House of Representatives, Homer Thornberry, on his appointment to the Supreme Court and to commend the President for selecting him for this most important position.

Mr. Speaker, the appointment of Homer Thornberry will give to the Supreme Court the character and service of one of the finest men I have ever known.

As a colleague, Homer Thornberry was, in my judgment, an ideal legislator. He approached his work with rare dedication and insight. He demonstrated here in this Chamber those qualities which will make him an outstanding member of the Nation's highest court. Homer is one of the most judicious persons I have ever known. He is cast in the mold of that other great Texan, the late Sam Rayburn. His commonsense, his judicial temperment, and his good judgment were qualities that our great Speaker recognized in him when he first came to the House of Representatives.

After Mr. Rayburn's death, our late President John F. Kennedy, our great and distinguished Speaker, John McCormack, and I and others in the leadership of the House of Representatives never had a more devoted and able friend and assistant in the House of Representatives and on the Committee on Rules.

Homer was always there when needed, always stanch, steadfast, and courageous.

During the first private conversation I had with President Kennedy after his inauguration, a Federal judgeship for Homer Thornberry was one of the topics of our discussion. President Kennedy later told me he had decided to offer Homer Thornberry a judgeship at the earliest opportunity here in the District of Columbia if a vacancy did not develop in his own State of Texas.

It was indeed fortunate that shortly thereafter an opening did become available on the Federal district bench in the State of Texas. President Kennedy appointed him to that position. Of course, he had strong backing both from then Vice President Johnson and Senator Yarborough.

President Johnson long ago recognized Homer Thornberry's qualities. He was the President's Congressman and one of the President's most intimate friends. While the President was still in the Senate, he and I often talked about Homer

Thornberry and how ideally suited he was for a Federal judgeship.

Later on President Johnson elevated him to the U.S. Court of Appeals for the Fifth Circuit and he has now been able to appoint him to the position on the Supreme Court.

I know Homer Thornberry. I know his fiber. I know his character. I have never had a finer friend. I have never known a better man. In my opinion, no more outstanding appointment to the Supreme Court could possibly have been made.

Mrs. Albert and I join in congratulating both President Johnson and Judge Thornberry. We share in the joy that Homer Thornberry's family, his lovely wife, Eloise and his three children, are experiencing on this day. They are among God's chosen people. May He bless them in the years ahead.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Missouri.

Mr. HALL. I thank the gentleman. I shall ask permission to file opposing and slightly diverse views on the same subject, including with my remarks pertinent material.

CRONIES ON THE COURT

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding. Yesterday the President announced his appointment of Associate Justice "Abe" Fortas as the Chief Justice of the Supreme Court. This appointment is an outrage to all reasonable thinking citizens.

Among others, I had hoped that since the President had taken himself out of the arena of partisan politics, he would forego the appointment and let the new and upcoming administration make the selection. This new administration would represent the new thinking of the country. However, the President chose to revert to his old ways and methods, and showed callous disregard for changing public opinion, the theory of judicial restraint, and perhaps more important qualifications for the bench. By reverting to his old croneyism, Lyndon Baines Johnson may bequeath a legacy of Supreme Court decisions unworthy of any nation's highest tribunal for the next 20 years. This legacy will consist of total disregard of judicial restraint, further eroding of the checks and balances of three co-equal branches of Government, greater destruction of the rights of society against the criminal element, and more indifference to the rights of property.

Yes, Mr. Speaker, the appointment of Abe Fortas as Chief Justice will do just that. The appointment of old croney Homer Thronberry will merely aggravate the situation. One need but refer to the Martindale-Hubbell Law Directory for qualifications—or lack thereof—in this instance.

The blemishes on Abe Fortas' record still remain. They are no different today than they were in 1965 when he was first appointed to the Court. He is still the same old Abe Fortas that was associated with Alger Hiss, Harry Dexter White, Owen Lattimore, Bobby Baker, and Walter Jenkins.

I certainly hope that the other body long deliberates on these two fantastic appointments. I hope that they will refuse confirmation and this blatant croneyism, so that the interests of the American people are protected. We cannot afford "Court by Croney".

Articles from the Chicago Tribune and Esquire magazine follow:

[From the Chicago (Ill.) Tribune, July 29, 1965]

FIXER ON THE BENCH

Abe Fortas, the man President Johnson has appointed to the seat vacated by Arthur J. Goldberg on the Supreme court, has been a political fixer around Washington since the earliest days of the New Deal more than 30 years ago. He has run some important errands for Mr. Johnson and has had a somewhat dizzying record defending loyalty and security risks.

When, last October, at the height of the Presidential campaign, Lyndon Johnson found himself deeply embarrassed, he turned instinctively to Fortas. The embarrassment was occasioned by the disclosure that Walter Jenkins, Mr. Johnson's most trusted White House assistant, had been arrested for a second time by Washington police on a morals charge.

Jenkins, aware of Fortas' close relationship with Johnson, anticipated the President by telephoning Fortas with the word, "I'm in terrible trouble." Fortas arranged for Jenkins to meet him at the Fortas home in Georgetown, where he poured out his story. The newspapers had got hold of the facts.

Fortas immediately called Clark Clifford, another lawyer with clout, an intimate of Presidents Truman and Johnson, and together they made the rounds of the Washington newspapers, seeking to get the story suppressed. But Mr. Johnson, in New York, learned that the story would shortly move on the wire services. He called Fortas at once and assigned him to go to the hospital where Jenkins had been put in storage and get his resignation. Fortas was able shortly to report that the mission has been accomplished, and Mr. Johnson was able to wash his hands of a scandal.

In previous time Fortas helped Alger Hiss and Harry Dexter White, soviet agents, to draft the United Nations charter. He appeared as counsel for Owen Lattimore when that "expert" on the orient had to rush home from Afghanistan to face charges by the late Sen. Joseph R. McCarthy that he had been promoting communist objectives in Asia.

Lattimore termed Fortas a "solid rock" in helping him thru his "ordeal." Fortas' services did not, however, save Lattimore from being indicted on seven charges of perjury arising from his testimony before the Senate internal security subcommittee, nor did it prevent the committee from pronouncing that from around 1930 Lattimore had been "a conscious, articulate instrument of the soviet conspiracy."

"Liberals," however, know their way around Washington, and a federal judge of that persuasion was easily induced to get Lattimore off the hook by finding that the indictment lacked "clarity." The department of justice had suggested that the judge disqualify himself for reasons of manifest bias, but the suggestion was spurned and the case never went to a jury to be heard on its merits. Fortas and his associates represented Lattimore.

The appointment of Fortas has two advantages in the eyes of the administration. It provides the White House with an astute and trusted agent with a sharp instinct for the political angles on the highest court in the land, and it perpetuates the "liberal" majority which holds forth under Chief Justice Earl Warren. If it also pays off a few political debts, who, among friends, is to cavil about that?

[From Esquire, June, 1965]

ABE, HELP!—L. B. J.

(By Charles B. Seib and Alan L. Otten)

Politically, the law firm of Arnold, Fortas and Porter is the most powerful in Washington, D.C. The number-one partner, Thurman Arnold, was a famous New Deal trustbuster and is now recognized as one of the wiliest old lawyers in the Capital. The third partner, Paul Porter, was in charge of price controls during most of World War II and is on a first-name basis with everybody who matters. And the man in the middle, Abe Fortas, an Undersecretary of the Interior in the Roosevelt era, is confidant, adviser, good friend and behind-the-scenes handyman to the President of the United States.

Arnold is a presence. Porter is a hail fellow. Fortas is a dry, quiet, violin-playing legal craftsman. And today, in Johnsonian Washington, the greatest of these is Fortas. Any White House insider, when asked to name the men on whom President Johnson most relies for unofficial help and advice, will almost certainly put Fortas on the list, very likely at the top. But ask just what he does for the President and you'll get a mystifying variety of answers: he's a fixer, the man who takes on jobs too delicate to be done by anyone with official status; he's always close at hand, either actually or at the other end of the phone line, suggesting, reacting, developing; his contacts with the President are only occasional but consequential—a discussion of an important speech or message, a hashing over of candidates for a top appointment, the dissection of a proposed Great Society project.

The President and Fortas are on the telephone together at least once a day and often as many as three or four times. One top White House aide says, "He's as close to Johnson as Bobby Kennedy was to Jack" (an analogy Fortas rejects out of hand). According to another White House staff member, "There is very little of importance that affects Lyndon Johnson that he won't at some point talk over with Abe Fortas." Fortas himself maintains that the relationship has been greatly exaggerated, but members of his own firm report that he is constantly being called out of conferences to take White House calls. Neighbors say the President is a frequent evening guest at the Fortas home.

The "mystery" surrounding Johnson vis-à-vis Fortas is unreal, for there must always be a good deal that is secret or at least never revealed concerning the President and the men who do his personal bidding.

Assigning all the unreliable rumors and obfuscations to their proper place, the following emerges as a fair picture of the Johnson-Fortas relationship:

Fortas is respected by Johnson as an extremely intelligent man who is as knowledgeable as anyone in Washington in the technicalities of government and the law. He has the advantage both of a thirty-year friendship with the President and the independence that his refusal to accept an official position gives him; he owes the President nothing and the President knows it. In this context, his advice is sought on important appointments; on administration policies, particularly in the domestic field; on the content and phrasing of speeches and messages. He is sought out in times of stress, as in the days immediately after the Kennedy assassination and when there is a ticklish job to be done (as when the President needed a trust agreement that would disconnect the family television holdings from high office).

This dependency extends beyond the President. It is clear that when an emergency arises in the Johnson official family, it's Fortas who is called first.

Nothing is more illustrative of this than the Walter Jenkins case. The sequence of events on the day it all came out is revealing.

That morning—Wednesday, October 14, 1964—The Washington *Star*, acting on a tip, sent a reporter to the records of the Metropolitan Police morals squad. There he found that a Walter Jenkins, on the basis of identifying data clearly the one in the White House, had been arrested once in 1959 and again just the week before in the men's room of the Washington YMCA, a notorious hangout for homosexuals. In both cases he had posted collateral, later forfeited, and been released. A *Star* editor called Mrs. Elizabeth Carpenter, Mrs. Johnson's press secretary (George Reedy, the President's press secretary, was out of the city with Mr. Johnson), told her the facts and asked if the White House knew about the arrests and had any comment. Choking down her shock, Mrs. Carpenter said the whole thing was ridiculous but she would look into it. A few minutes later she called back and said that she had talked to Jenkins and that he would be calling The *Star* to deny the story as a case of mistaken identity.

Jenkins never called. But within fifteen minutes Abe Fortas was on the telephone to say that he was coming down to The *Star* at once.

The first edition was about to go to press, but The *Star* decided to hold out the story of the arrest until Fortas could have his say. And within minutes he appeared with Clark Clifford, another Washington lawyer and friend of the President. Jenkins, it developed, had rushed to Fortas' Georgetown home as soon as he had learned from Mrs. Carpenter that The *Star* knew of the arrests. He was distraught, Fortas said, in a state of emotional collapse, and asking for help.

Fortas himself was deeply shocked. He examined The *Star*'s information and conceded that it appeared to be true. In a low, exhausted voice he urged compassion—saying that this was a sick man, a man who had been working day and night ever since Johnson assumed the presidency, a man so devoted to his boss and his job that his wife had to bring his dinner to his desk because he wouldn't take time out for meals. The night of the most recent arrest, Fortas said, Jenkins had gone to a cocktail party after a day of hard work and had a few drinks; he couldn't remember what had happened to him after that. (According to the police records, he went to the YMCA, a few blocks from where the party was held, and was there arrested by morals-squad officers in the men's room in the company of another man.)

Fortas urged The *Star's* editors to think carefully and humanely before they printed the story. He reminded them of Jenkins' wife and six children. He assured them Walter Jenkins would be hospitalized and stated flatly that his days as a White House aide were over.

The *Star* decided not to print the story—a decision consistent with the paper's policy in such morals cases—and Fortas and Clifford went on to present their case before Washington's other papers. As it turned out, United Press International finally broke the story of the arrests that evening, but by then Jenkins was a patient in a Washington hospital and the President, in New York, was about to "accept" his resignation.

The incident illustrates several things about Fortas. First, his role in the official family: when beset by the blackest trouble man can imagine, Jenkins literally ran to him. Second, his high status; although he had not been in touch with the President, he was able to say confidently in the conference with The *Star* editors that Jenkins was finished at the White House—and they knew his word had the stamp of authority.

A top-level White House staff member, thinking back over the Jenkins case recently, said it was easy to understand why the distraught man turned to Fortas when he found himself in deep trouble. "Walter had been with Lyndon Johnson for many, many years," he explained. "And he naturally thought of Fortas just the way the President thinks of him—as the ablest, wisest counselor around." Johnson had this in mind when he offered Fortas—even urged upon him—the job of Attorney General of the United States when Robert Kennedy resigned in the Summer of 1964. Fortas turned it down.

While he won't comment specifically on the offer of the attorney generalship, Fortas was willing in a recent interview to hold forth on the question of going back into the government as a general proposition.

"I have made it clear to the President," he said, "that I'm simply not interested in returning to government. I've been through all that. Now I'm fifty-four years old. I want to be able to give time to my music. I have a law firm with large interests. We've got a lot of fine young lawyers who marry fine young wives and have fine young babies I have my responsibilities here."

As he spoke his eyes swept contentedly over the modern art and comfortable furniture that adorn his office in the high-ceilinged old mansion his firms occupies in the fashionable DuPont Circle area. It was clear that he likes his life's present rewarding course and that it will take something very special—perhaps the Supreme Court appointment for which he is frequently mentioned—to tempt him to change it.

There may be another contributing reason for his decision to stay out of government. President Johnson is a notoriously difficult man to work for—insistent, demanding, hard-riding, sometimes brutal. By remaining with his law firm Fortas can avoid the rigors of a formal working relationship with Johnson and possibly, because of his independence, play an even more important role in national affairs than he could if he took a high administration position.

Although the Fortas-Johnson friendship began back in the Roosevelt days, it became considerably closer after President Kennedy's assassination. Johnson turned to Fortas for help almost immediately after his return from Dallas. On the plane to Washington, the President had considered the need for a blue-ribbon investigation of the assassination that would put to rest forever all questions and speculations. The next night at Les Ormes, his Washington home which he continued to use during the early days of his presidency, he asked Fortas to go to work on what was to become the Warren Commission. That was just one of the assignments Johnson gave his old friend during the period of transition. "You must remember," Fortas said recently, "that there was no functioning White House during that time directly after the assassination. President Kennedy's staff was in a state of shock. Ted Sorensen, who had been the key man on the Kennedy staff, was completely out of action. At the Justice Department, of course, it was somewhat the same thing."

Exactly what Fortas did for the President in that period is not known. But it is interesting to note that less than two weeks after Johnson took office the lawyer notified a Washington court that he was withdrawing as attorney for the President's one-time Senate aide, Bobby Baker, then under Senate investigation. The reason given: "In the crisis of transition, I have undertaken certain assignments" for the President. He expounded no further, but some of his later assignments are indeed known. For example, he took part in strategy conferences when the Democratic Convention in Atlantic City was thrown into a turmoil by the challenge of the Mississippi delegation by civil-rights groups. Also, he and Clark Clifford and White House assistants Bill Moyers and Douglass Cater had weekly strategy luncheons throughout the presidential campaign. In fact, he was in and out of the White House all through the fall, checking on the flood of new scandal rumors released by the Republicans. "We were running a damn vice squad over there the last few weeks of the campaign," an associate recalls. "And Abe was squad leader."

After the election, he and Clifford were asked to suggest ways of streamlining the White House staff and to keep their eyes open for talent to fill a huge backlog of vacancies in key government posts. One important job was filled, by the way, by a bright young lawyer from Arnold, Fortas and Porter—Sheldon Cohen, who became legal counsel and later Commissioner of the Internal Revenue Service.

Through it all Fortas continued to function as the President's personal attorney. Soon after Johnson became President, Fortas presided at a meeting at Les Ormes at which an agreement was drafted to put the Johnson television properties into a trust, at least theoretically sealing them off from presidential influence.

The meeting took place in the elegant second-floor sitting room. Two trustees-to-be, A. W. Moursund and J. W. Bullion, Texas lawyers long involved in Johnson affairs, were present. So were Leonard Marks, the Johnson lawyer on television and radio matters, and tax specialists from the Fortas firm. Mrs. Johnson, active head of the television interests, was there throughout, and the President drifted in and out of the sitting room.

The choices facing the conference were clear: the President and his family could keep the stations and operate them, which, in view of the close Federal control of broadcasting, would mean a highly embarrassing conflict of interests; they could sell the properties outright, paying a tremendous capital-gains tax on the great increase in value since acquisition; or they could put them in a trust that would remove them from the family's control for as long as Mr. Johnson held public office. Practically all present favored the trust, and Fortas supervised its creation.

Today Fortas echoes the President's annoyance with criticism of the trust. He defends it as "the tightest, toughest trust arrangement ever drawn for a public official." To those who question the wisdom of appointing a close friend and associate of Johnson to head the trust he says snappishly, "Anyone who says anything like that just doesn't know Judge Moursund."

Despite this spirited defense, some influential voices have been raised against the agreement Fortas devised. The New York *Times*, for one, recently criticized the President because his assets are "in the hands of a trustee who is an old friend and business associate with whom he continues to maintain a close personal relationship," and because much of the fortune consists of television and radio stations, which depend on franchises issued by the Federal Communications Commission, whose members are appointed by the President.

Fortas is considered an expert on the Johnson financial position generally, although he is not inclined to talk about it. When The Washington *Star* was about to publish an exhaustive study of the family wealth, Press Secretary Reedy referred the newspaper to Fortas, who went over the proposed story, line by line, disclosing a tremendously detailed knowledge of Johnson's financial position. During the 1964 campaign, when news stories and Republican campaign speeches about his wealth began to get under Johnson's skin, the White House made public a formal accounting by the firm of Haskins and Sells. It was Fortas who made the arrangements with the accountants and gave them their instructions.

In January, 1964, Fortas stepped into another delicate situation. The Washington *Star* uncovered details of the gift of a stereo record player in 1959 to Johnson, then Senate Majority Leader, by Don Reynolds, who had written several large insurance policies on Johnson's life. It was a touchy matter because the Bobby Baker story had just broken, and Baker was alleged to have solicited the stereo for Johnson. A copy of The *Star's* proposed story on the gift was taken to the White House and Andrew Hatcher, the assistant press secretary on duty, was asked if the President would care to comment. Hatcher glanced at the story, left the room with it for ten or fifteen minutes, and then returned to say that there was no comment.

But by the time The *Star* executive handling the story got back to his office, Fortas was on the phone to the paper's editor, urging that publication be withheld. When the full facts came out, he said, they would give a different picture of the whole incident. In this case, after a few minor changes, the story was published and proved correct in every essential detail.

On the face of it, Johnson and Fortas are an oddly matched pair, a big, driving Texan and a slight, restrained Memphis Jew. Fortas says that originally it was admiration for Franklin D. Roosevelt that brought them together. They met some thirty years ago, when Johnson was an assistant to Congressman Richard Kleburg, the King Ranch cattle baron from Texas, and Fortas was a Yale assistant professor of law getting his feet wet in the Washington bureaucracy on weekends and vacations. As Fortas recalls it, they were introduced by Arthur Goldschmidt, a Texan and a mutual friend. They soon developed a warm friendship cemented by their commitment to F.D.R. and the New Deal. As each man moved ahead—Fortas through a number of government assignments and then into private law practice and Johnson up the political ladder—the relationship flourished.

One has to go below the surface to find the reasons for their similarities. Both are compulsive workers; Fortas puts in long days at the office, then works beside his phone evenings and weekends almost as feverishly as Johnson. And as with Johnson, his magnolia-tinted charm does not completely hide the tension and drive.

It would be foolish to deny that self-interest, too, has kept them together. Johnson, as an ambitious politician, needed—and needs—trustworthy counsel. Fortas, first as a rising bureaucrat and later as a practicing lawyer, has not suffered from this important friendship. Finally, just as the New Deal drew them together, they still see eye to eye in their political philosophy.

Fortas subscribes completely to Johnson's Great Society approach and sees it as an extension of the pattern set by Roosevelt. "It is New Deal to the extent that it manifests itself in concern for people and in a readiness to put the government to work where necessary to accomplish things for them," he says. "But there is a fundamental difference from the old New Deal philosophy, and it's most dramatically illustrated by the President's insistence on unity and consensus. This, I think, accurately reflects the fact that the country's posture today is such that it can and should move as a whole to do the things that need to be done. Back in the New Deal days some segments of society had lagged so far behind that it was necessary to take measures for them alone."

The first professional service Fortas remembers performing for Johnson was crucial to the Texan's political career. In 1948 Lyndon Johnson, then a member of the House of Representatives, was trying to move to the Senate and was engaged in a bitter primary fight with Coke Stevenson, a former Texas governor. The vote was close and was followed by charges and counter-charges of fraud and vote-stealing. The State Democratic Executive Committee finally decided—29 to 28—that Johnson had won the Democratic nomination, which was then tantamount to election, by eighty-seven votes out of almost one million cast. But the Stevenson forces went to court with charges of fraud in Jim Wells County and threatened to keep Johnson from being certified as the Democratic nominee. A Federal district judge enjoined the state from printing ballots so designating Johnson, pending an investigation.

As he was later to do repeatedly, Johnson turned to Fortas for help. "I was in Dallas taking depositions in an antitrust case," Fortas recalls, "and suddenly I got a call from Alvin Wirtz [a close mutual friend]. 'Lyndon's here in Fort Worth and he's in trouble,' Wirtz told me. 'Come over right away.' "

Fortas managed to extricate himself from his antitrust case and went to Fort Worth where he found a desperate situation. Johnson, at the end of his money and credit, was faced with the danger of having to go through another campaign. A strategy was devised by Fortas and the other lawyers that very night. An appeal from the district judge's ruling was filed in the Fifth Circuit Court of Appeals and then Fortas brought the case to Washington, going before Justice Hugo Black, the Supreme Court Justice charged with hearing emergency appeals from that circuit. After Fortas presented Johnson's case, Black ruled that the district judge had overstepped himself, and stayed the injunction.

Although the eighty-seven-vote margin won him the nickname "Landslide Lyndon," which he hates, Johnson easily won the election and his rise to power and the presidency was advanced an important step.

Fortas continued to do chores for Johnson all through his career as Senate Majority Leader and Vice-President, but his role only rarely came to public notice. Senate aides say he was an influential adviser on the two civil-rights bills Johnson pushed through the Senate in 1957 and 1960—measures Johnson was to cite repeatedly as evidence that he had outgrown his Southern background. Fortas proudly states that he backed Johnson's attempt to win the Presidential nomination in 1960. "My liberal friends were startled," he says, "but I told them that I knew the man—that if he were to do only one-tenth of what he actually did but spend more time telling people about what he'd done and what he believed in, people would be falling all over themselves to get behind him. I had the advantage of knowing him and what he stood for."

When Johnson, as Vice-President was head of the government's Equal Employment Opportunity Committee, seeking to reduce discrimination in hiring, Fortas unofficially supervised the early work on policies and regulations. "Any problems we had we were told to 'check it with Abe.' " a staffer recalls.

Fortas refuses to discuss his present work for Johnson. He considers the President as his client, and no good lawyer discusses his cilent's business. The silence that he—and the White House—observe gives rise to all sorts of conjecture. Early this year, for example, one Washington writer noted that the President's health message had failed to support any campaign to discourage cigarette smoking and suggested darkly: "It may be merely a coincidence that the President's personal attorney and close confidant is Abe Fortas, whose law firm represents Philip Morris cigarettes."

This is recognition in the Washington manner, and it is a sort of backhanded realization of the American dream for the Memphis cabinet-maker's son who began making his living at the age of thirteen by playing the violin at dances and parties.

Fortas' family came to this country from England and went directly to Memphis, where his father's older brother lived. Abe was the last of five children, the second to be born in the United States. His childhood, he recalls, was "as poor as you could imagine," but with the help of his violin he put himself through Southwestern College in Memphis and Yale Law School.

Immediately on graduation from law school in 1933 he joined the Yale faculty, serving as an assistant professor under William O. Douglas, the present Supreme Court Justice. Before long, however, Douglas and other Yale colleagues were in Washington working for the New Deal. And soon they were calling on Fortas for special assignments on weekends and vacations at the Agricultural Adjustment Agency, Securities and Exchange Commission and other alphabet agencies. By 1938 he was ready for full-time Washington work, and Douglas, then chairman of the S.E.C., installed him as assistant director of the Public Utilities Division.

Fortas' sharp legal mind and Southern charm moved him steadily up the bureaucratic ladder. He became general counsel of the Public Works Administration, head of the Interior Department's Coal and Power Division, and eventually Under Secretary of Interior under Harold Ickes.

Soon after the war ended he left the government to form a law partnership with Thurman Arnold and two other former government lawyers (Porter joined the firm a few years later). Today it is a high-powered operation of about forty lawyers, most of them former government officials or teachers, practically all chosen because of their intellectual capacity. Arnold, Fortas and Porter lawyers tend to throw themselves into cases with distinctive fervor. "We're the Avis of the law field," says one partner. "We try harder. We're the firm people come to when they are looking for a miracle."

The business is almost entirely oriented to the Federal Government—cases involving taxes, antitrust suits, savings-and-loan regulation cases, proceedings before the Securities and Exchange Commission, and the like.

The reporter's attempt to link the absence of an anti-cigarette statement in the President's health message with Fortas' representation of Philip Morris illustrates the delicate position he occupies as a man with the President's ear and a lawyer doing business with the government.

There are some who feel that Fortas could be a bit more like Caesar's wife when he gets into such activities as, for example, his work for the cigarette makers, who are wrestling with the government over warnings against smoking on labels and in advertising.

Fortas has described himself as a "meticulous legal craftsman." An associate calls him "one of the most able legal machines I have ever seen." He is rated an outstanding appellate arguer, and one of the best brief writers in the business.

But he is considered a difficult man to work for—demanding, exacting, always after perfection. "Take it back and put some poetry into it," he once told a junior lawyer who had worked up an important brief. He meant the legal work was fine, but the thing needed polish and style.

He is almost unfailingly serious and businesslike. He has no small-talk topic other than his longtime love, music. "I wish he'd laugh more," a long-standing associate says. And another comments, "I can't imagine any better professional opportunity than to practice law with him, but he's the last guy I'd want to spend a weekend with."

Fortas also was the hero in the 1963 Gideon case before the Supreme Court, recently described by The New York *Times* reporter Anthony Lewis in his book *Gideon's Trumpet*. Clarence Earl Gideon, who had been convicted of burgling a Florida poolroom, claimed in a handwritten petition to the Supreme Court that he had been convicted illegally. He couldn't afford a lawyer, he said, and the Florida court had refused to appoint one for him. This denied his constitutional right to "due process of law."

In a proud exercise of American justice, the

Supreme Court accepted Gideon's case and appointed Fortas to argue it. Characteristically, he threw himself into the assignment. "I want this to be a little jewel," he told the assistant working with him on the brief. The result was an historic decision that the "due-process" clause in the Fourteenth Amendment requires that each accused person be represented in state criminal trials by a lawyer whether he can afford one or not. For Gideon, it meant a new trial, with a lawyer, and acquittal.

Fortas has also been involved in a number of the early civil-liberties cases of the McCarthy era, defending government employees and others accused of disloyalty. One of these early cases involved Owen Lattimore, the State Department adviser, a prime McCarthy target. His experience with this case established for him the fact that association with a "cause" case does not necessarily scare away bread-and-butter clients.

The general counsel for Unilever, one of his firm's big accounts, arrived from Holland for a conference with Fortas just as Lattimore was called to testify on Capitol Hill. Fortas told the Unilever man that he wouldn't be able to meet with him since he had to go to the hearing. For lack of anything else to do with his time, the Dutch lawyer went along. There he became so enraged with the McCarthy technique and so impressed with the Fortas performance that he left more enthusiastic about the Fortas firm than ever. Some years later, when Fortas and Porter were on a European trip, they visited the Unilever man at his estate outside Amsterdam and while there noticed a trio of geese parading across the lawn. Their host and his wife informed them that the geese were named Arnold, Fortas and Porter. They hastened to explain, however, that this was a compliment, since geese traditionally have warned of barbaric invasion, and the law firm was doing the same thing in handling civil-liberties cases.

Perhaps the firm's victories in "cause" cases have convinced businessmen that Arnold, Fortas and Porter was an aggressive, sharp group of lawyers. Or perhaps the firm's deep roots in government service and impeccable political ties are its main selling points. Whatever the reasons, Arnold, Fortas and Porter has clearly prospered. The firm represents a number of giant companies, and Fortas himself sits on the board of Federated Department Stores, Greatamerica Corp. and several banks and insurance companies.

Fortas and his wife, a small, dynamic woman who smokes cigars and is recognized as one of Washington's leading tax lawyers, lead a quiet life in Georgetown. They met when he was alternating between Yale's law faculty and the Department of Agriculture's legal staff. She was an economist at the department. After they married in 1935, he encouraged her to go to law school—so, of course, she went to Yale and graduated number two in a class of a hundred twenty-five. For many years she resisted joining her husband's firm, working instead in the Washington office of Adlai Stevenson's firm But when that office closed in 1960 after President Kennedy siphoned off Stevenson and several of his partners for government assignments, most of the staff moved over to Arnold, Fortas and Porter and she went along. Today she heads the firm's tax division.

The Fortases have broad cultural interests. He is a director of the Casals Festival in Puerto Rico and a trustee in the Carnegie Hall Corporation, the Washington Gallery of Modern Art and the John F. Kennedy Center for the Performing Arts, the latter still in the planning stages. They generally shun the social circuit, however. Fortas explains that he developed a profound distaste for the standard Washington function back in his Interior Department days when he had to attend many as a stand-in for Secretary Ickes.

His greatest pleasure is his music. He plays the violin with near professional skill, and every week, without fail, he and three other musicians (two professionals and another amateur) devote an evening to playing string quartets. His cultural interests permit him to serve President Johnson as an occasional pipeline to the arts. Typically, he was chairman of the concert last inauguration eve which, with the help of his friend Isaac Stern, Van Cliburn and others, brought a touch of class to the somewhat garish inaugural festivities.

For a week or two each summer Fortas takes the other members of his string quartet to his summer home in Westport, Connecticut, where, he says, "I spend the mornings hauling manure for my wife's garden and the rest of the time playing chamber music." He and Mrs. Fortas usually manage at least one trip to Canada every winter for skiing and skating.

Fortas has a long-standing friendship with Pablo Casals, growing out of ties to Puerto Rico which began when he managed the island's affairs as part of his Interior Department job. He helped arrange the Casals Festivals and also engineered the cellist's White House appearance during the Kennedy administration.

As the first Casals Festival was about to open in San Juan in 1958, Fortas found himself entrusted with a mission as delicate as any he has performed for the President. A seam split in Casal's precious cello, and the maestro would not let anyone repair it but an expert in New York. Fortas was called in. He booked two first-class tickets on a plane for New York, took the window seat for himself and propped the cello in the other, holding it in place by the seat belt. A very moderate drinker, he recalls that he ordered two Martinis on that flight—one for himself and one for the cello—and drank both. "I was nervous," he explained. "Carrying a man's cello is like carrying his wife."

Mr. PICKLE. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Texas.

Mr. PICKLE. I commend the able leader for his remarks about Judge Thornberry. As the Representative in Congress of the district that he formerly represented, I am personally acquainted with this outstanding jurist. We do not have a finer man in America.

Judge Homer Thornberry has been a close personal friend for more than 30 years. I have known him as a young attorney, as a city council member in Austin, Tex., as a U.S. Representative, as a Federal judge, and as a steadfast friend.

During these years our families have been closely associated in many political, civic, and personal endeavors and I have always looked to Judge Thornberry with respect and admiration for the principles and actions he exemplifies.

With a spirit of self-confidence and diplomacy, Homer Thornberry served the people of the 10th Congressional District of Texas as their U.S. Representative for some 15 years. As a member of this body he gave bold and courageous leadership just as he has done in the Federal court system. He was an extraordinarily able lawmaker and during my freshman days as a Congressman I was often referred to as the man who took Homer Thornberry's place—a tribute to the dedication and devotion of former Representative Thornberry.

Judge Thornberry has been noted as a jurist who is able and impartial, and his decisions have been marked with commonsense and good judgment.

There is no man in America today more interested in principles of our democratic way of life than Homer Thornberry, who, I predict, will be a kindly knight for the public interest and a stern taskmaster of the law.

So far as I know, Judge Thornberry is the only person who served in this congressional body to be appointed to the Supreme Court since the appointment of Justice Hugo Black. And I believe he is the only Texan, except the distinguished and lovable Justice Tom Clark, to be appointed to this august body. Naturally, all Texans are extremely proud to have this public servant recognized by this appointment. The Federal judiciary will be in strong hands with the presence of this good and reasonable man on the Supreme Court. He and his beautiful, lovely wife, Eloise, and their children, Molly, David, and Kate, will be welcomed again in this city where they already have a large number of friends. Judge Thornberry has a world of friends here—and elsewhere—because he knows how to be a friend.

I am proud of the President's recommendation of Judge Thornberry and I commend him for his nomination.

Mr. ALBERT. I thank the gentleman.

Mr. MILLER of California. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from California.

Mr. MILLER of California. I wish to associate myself with what the gentleman from Oklahoma said about Homer Thornberry. When he first came to Congress, we served on committees together and I know of his sterling work.

Mr. ALBERT. I thank the gentleman.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I yield to the gentleman from Texas.

Mr. POAGE. Mr. Speaker, I have not been one who has always seen eye to eye with the Supreme Court decisions or been entirely satisfied with some of the appointments to the Supreme Court, but I think that with the appointment of Homer Thornberry to the Supreme Court we have established a splendid trend. It was a good appointment. I congratulate the President.

There is no better man than Homer Thornberry, and I am certain that he will make a great and outstanding judge. I wish him well and commend the gentleman from Oklahoma for bringing this appointment to the attention of the House.

Mr. ALBERT. I thank the gentleman from Texas.

Mr. CORMAN. Mr. Speaker, I wish to join the gentlemen in the well in their commendation of the recently announced nominations for the Supreme Court, but I must say that I do not share the views of the gentleman from Texas when he suggests that with the appointment of Homer Thornberry a splendid trend has been established in the Court. I hope that I am not misunderstanding the gentleman from Texas, but I do not believe that the appointment of Judge Thornberry to the Court will bring forth decisions that will turn back the clock. I am sure that the Court will continue down its present road of protecting individual rights and will give full meaning to the Constitution.

Mr. Speaker, I wish to go on record in support of President Johnson's excellent nominations to the Court in the persons of Justice Abe Fortas to be Chief Justice, and Judge Homer Thornberry to be Associate Justice.

Justice Fortas has served the court with distinction. He is a brilliant and dedicated jurist—fair, compassionate, careful and committed to a rule of law in our democratic society.

Judge Thornberry is an experienced and wise jurist, who exemplifies the kind of wise, commonsense approach to law that is fundamental to our American tradition.

The Court has been ably served by these two nominations. I believe that all Americans who value strong courts and wise laws will applaud the President's nominations. The Court will be in good hands.

Mr. RARICK. Mr. Speaker, the nomination of Abe Fortas to fill the No. 1 spot of the Judicial oligarchy comes as a great disappointment.

For years now, the only satisfaction of a respectable Democrat was to remind the Republicans that Earl Warren was of their party.

L. B. J., in leaving, wanted to give us something to remember him by. And certainly Abe is qualified for that—he's been the illumination since the infamous box 13 "burn-out" which launched the Great Society into orbit. For sure, L. B. J. is obligated to Abe, but why take it out on the people?

Abe Fortas may be just the man for restoration of law and order. The only problem is we'll have to follow Abe's rules—militancy and in the streets. See my remarks, CONGRESSIONAL RECORD for May 1, 1968, page 11380, "Abe Fortas Goes Militant."

Certainly, our brethren on the Senate side will not confirm a lame duck's political debt.

Mr. Speaker, an interesting fact sheet on Mr. Fortas appeared in Mr. Frank Capell's August 13, 1965, issue of Herald of Freedom, Box 3, Zarephath, N.J. I include the Herald of Freedom and account from the Evening Star for June 26, along with other pertinent articles, as follows:

[From the Herald of Freedom, Aug. 13, 1965]

ABE FORTAS

Selection of Abe Fortas as Supreme Court Justice caused a debate in Congress as to his fitness. Mr. Fortas's background follows.

Abe Fortas was born in Memphis, Tennessee, June 19, 1910, the son of William Fortas and the former Ray Berson. He graduated from Southwestern College, Memphis, receiving his A. B. in 1930; he received his L. L. B. from Yale in 1933. He married Carolyn Eugenia Agger on July 9, 1935 and they have no children. William Fortas, his father, came to the United States from England in the early 1900's. He was a cabinetmaker by trade. He and his wife had five children of whom Abe was the youngest.

Abe persuaded his wife to go to law school. She went to Yale and graduated with honors. For a number of years, up to 1960, Mrs. Fortas worked in the Washington, D.C. law firm of Adlai Stevenson. She now heads the Tax Division of her husband's law firm, Arnold, Fortas and Porter of Washington, D.C. The present Commissioner of Internal Revenue Sheldon Cohen, came from this same division of this same law firm.

Mrs. Fortas formerly worked for the National Labor Relations Board and the Department of Justice under the New Deal. She was described by the New York "Times" (7/29/65) as being a "tiny dynamic woman who has smoked cigars for years." The Social List of Washington, D.C. shows that Mr. and Mrs. Fortas reside at 3025 N. Street, Washington, D.C. and at Minuteman Hill, Westport, Conn. However, newspaper reports indicate that they have recently purchased a new home on R Street, Washington, D.C. for approximately $250,000.00.

In 1933–4 Abe Fortas was Assistant Chief of the Legal Division of the Agricultural Adjustment Administration (A.A.A.). Concerning this period we read in "The Coming of the New Deal," the second volume of Arthur M. Schlesinger, Jr.'s trilogy on the New Deal, "'What we need,' he (Jerome Frank) told Peek, 'are brilliant young men with keen legal minds and imagination.' In a short time he brought together a remarkable group—among them, Thurman Arnold" (later to become Fortas's law partner) "and Abe Fortas from the Yale Law School; Adlai Stevenson of Chicago; and, from the Harvard Law School, Alger Hiss, Lee Pressman, John Abt, and Nathan Witt." The last four have been identified in sworn testimony before Congressional Committees as communists.

In the U.S. Government, in addition to the A.A.A., Mr. Fortas held the following posts: Assistant Director and consultant, Corporate Reorganization Study, Securities and Exchange Commission, 1934–38; General Counsel, Public Works Administration, 1939–40; Bituminous Coal Division, 1939–41; Director, Division of Power, Dept. of the Interior, 1941–42; Under Secretary of the Interior, 1942–46. He has also been Acting General Counsel of the National Power Policy Committee, a member of the Board of Legal Examiners of the U.S. Civil Service Commission, and a member of the President's Committee to Study Changes in Laws in Puerto Rico. In 1945 Abe Fortas was appointed as Adviser to the United States Delegation to the United Nations at San Francisco and in 1946 at London.

Frank L. Kluckhohn, a foreign, Washington and White House correspondent for the N.Y. "Times" for over twenty years, states on page 96 of his book, "Lyndon's Legacy," (Abe Fortas) "is a Washington attorney with a dizzying record of defending in court and at Congressional investigations, men who have been under attack as Communists. One of Abe Fortas' famous clients was Owen Lattimore, who was indicted by a Washington grand jury on six specific counts of perjury for lying about his espionage acts, while testifying under oath to the Senate Internal Security Sub-committee. Lattimore's attorney during these Senate hearings was none other than Abe Fortas. Other luminaries whom Abe Fortas has assisted are Soviet agents Alger Hiss and Harry Dexter White, to name only two. Abe Fortas helped Hiss and White to draft the U.N. Charter."

The Chicago "Tribune" stated on July 30, 1965, "Abe Fortas Nominated to High Court. New Dealer Was Friend of Hiss." In an editorial they pointed out that Mr. Fortas had "helped Alger Hiss and Harry Dexter White, Soviet agents, to draft the United Nations Charter."

In the academic field, Abe Fortas has been an Assistant Professor of Law at Yale Law School, 1933–34, and Visiting Lecturer on Law (with professor status) at Yale University, 1946–47. He has been an Associate Editor of the Journal of Psychiatry and a trustee in the William A. White Psychiatric Foundation, both of these asosciations resulting from his deep interest in mental health.

In the "Guide to Subversive Organizations and Publications" (Revised December 1, 1961), Page 88, is listed the International Juridical Association. Concerning it we read there, "1. Cited as 'a Communist front and an offshoot of the International Labor Defense.' " . . . "2. Cited as an organization which 'actively defended Communists and consistently followed the Communist Party line.' "

In the report of the Special Committee on Un-American Activities (Appendix IX) 1944, P. 795, we find Abe Fortas listed among the officers and national committeemen of the International Juridical Association along with Walter Gellhorn, Robert W. Kenny, Carol King, Thurgood Marshall, Carey McWilliams, David K. Niles, Lee Pressman, Ray Wilkins, A. L. Wirin, Nathan Witt and others. On Page 801 of this same report is stated, "it is appropriate at this point to call attention to an unparalleled phenomenon in the International Juridical Association. That phenomenon consists of the fact that the national committee of the International Juridical Association numbers among its members a larger percentage of high-ranking Federal Government officials than is or ever has been the case with any other Communist-front organization in this country." Among these officials it lists "Abe Fortas, Assistant Secretary of the Interior, at a salary of $9,000."

On Page 1093 of this same report, in a section devoted to "miscellaneous Communist and Communist-Front Organizations" we find the American Law Student's Association. On its "Faculty Advisory Board" are listed Prof. Abe Fortas from Yale Law School, Prof. Walter Gellhorn and Prof. Philip Jessup from Columbia University among others.

In "Human Events," August 7, 1965 edition, we read, "In the early 1940's Fortas joined the Washington Committee for Democratic Action, later listed as subversive by Atty. Gen. Tom Clark. In the 1930's Fortas was affiliated with the National Lawyers Guild, subsequently found subversive by Congress.

"He was also a supporter of the Southern Conference for Human Welfare in 1947, three years after it was listed as a Red front by the House Committee on Un-American Activities; a Senate subcommittee found it a Marxist operation 'serving the Soviet Union and its subservient Communist party in the United States.' "

The Senate Internal Security Sub-Committee, after an exhaustive investigation and hearings entitled "Strategy and Tactics of World Communism," found that a book called "False Witness" is a "confection of falsehoods which was prepared under the direction of Nathan Witt and Albert E. Kahn, each of whom invoked the fifth amendment in refusing to testify regarding his Communist Party membership." (Page 88) "Its immediate goal was to secure new trials in the cases of Communist leaders who had been convicted. Its broader and long-range goals were to discredit Government witnesses, the Department of Justice, the courts, the FBI, and congressional investigating committees, and thus to immobilize the prosecution and investigation of the Communist conspiracy." (Pages 88–89) Albert E. Kahn, testifying on March 8, 1955, stated that he sent copies of this book, "False Witness," supposedly written by Harvey Matusow, to Abe Fortas's law firm, the York (Pa.) Gazette, Drew Pearson, "The Nation," and others.

Abe Fortas was one of the seven men selected in 1962 for the President's Committee on Equal Opportunities in the Armed Forces. This is the committee which wrote the Civil Rights "Gesell Report."

This report recommended that more Negroes should be recruited into the U.S. Armed Forces, more Negroes should be placed on Promotion Boards, Negro soldiers should be prohibited from gravitating to one military base service club and white soldiers to another; more Negro hostesses should be hired for service clubs, more Negro girls should be secured for dances, unintegrated business establishments should be placed off limits to all military personnel, homes should be leased in the name of the Federal Government and Negroes moved into them. Segregated busses should be boycotted, ROTC Units in segregated schools should be cancelled, local civic clubs should not be joined if they do not admit Negroes, special officers with bi-racial staffs should be appointed on every military base to handle all complaints of Negro servicemen, base commanders should appoint joint Negro-white committees to break down local segregation practices. The base commander should be encouraged to lead the way to racial homogenization. The Gesell Report recommended political adviser liaisons directly between Negro servicemen and the Defense Department. Negro servicemen who believe they have been discriminated against should report their complaints directly to the visiting personnel from the Defense Department. The Gesell Report stipulates that the identity of the accuser remain anonymous and that the accused not be allowed to confront his accuser. (Gesell Report data taken from "Lyndon's Legacy," Pages 93–94.)

According to the New York "Times," (7/29/65) Abe Fortas is a friend of Pablo Casals and helped bring him to the White House during the Kennedy Administration. From "Un-American Activities In California" (Senate Fact Finding Committee of California) Year 1948, Page 311, we read, "Among other Communist fronts organized for musicians was the Musicians' Committee to Aid Spanish Democracy. . . . Pablo Casals was honorary chairman."

Abe Fortas is a partner in the law firm of Arnold, Fortas and Porter, 1229 Nineteenth St., N.W., Washington, D.C. This is a very substantial law firm with a total of about thirty lawyers, including partners and associates. Fortas's personal income, according to the N.Y. "Times," is in excess of $150,000.00 per year. Thurman Arnold, one of the partners, was formerly Assistant U.S. Attorney General in the Anti-Trust Division of the Department of Justice, as was John Abt. Paul A. Porter, the other partner in the law firm, was Counsel to the Administrator of the A.A.A., was U.S. Representative to the United Nations Conciliation Commission for Palestine and held many important posts in the New Deal.

In the book, "For the Skeptic," edited by Lyle H. Munson, former U.S. Intelligence official, beginning on page 109, we read, "For some undisclosed reason White's (Harry Dexter White) office arranged gatherings of a number of selected, high-ranking, policy-making officials from various departments of the Government. . . . With White as the initiator and activist, such a gathering could result in far-reaching changes in our Government. The gatherings included: . . . Benjamin Cohen, General Counsel, Office of War Mobilization . . . Lauchlin B. Currie, Administrative Assistant to the President . . . Abe Fortas, Under Secretary of the Interior . . . David Niles, Administrative Assistant to the President . . . Paul Porter, Associate Director, Office of Economic Stabilization . . Aubrey Williams, Executive Director, National Youth Administration and director of organization, National Farmers Union."

"A detailed study and analysis by the subcommittee staff of the documents obtained at Concord through Attorney General Wyman have revealed striking new phases in the life and career of Harry Dexter White. They also emphasize the importance of White's part in the conspiracy of strategically placed individuals in government to subordinate the interests of the United States to the imperialistic designs of the Soviet Union. (quoted from 'Interlocking Subversion in Government Departments,' August 30, 1955)"

Poor's Register shows Abe Fortas as a Director of the American Molasses Co., 120 Wall Street, New York, N.Y., doing 50 to 75 million dollars in sales per year. The Chairman of the Board is shown as Adolf A. Berle, Jr. (In 1939 Whittaker Chambers had supplied Mr. Berle with information naming twenty-seven members of the American Communist underground.) Mr. Berle is also listed as being a member of the 20th Century Fund of Boston and New York which has financed much of the Fabian Socialist activities in the United States.

Other directorships held by Abe Fortas are Su-Crest Corporation (1946), Federated Department Stores (1960), Carnegie Hall Corporation (1961), Greatamerica Corporation (1963) and Madison National Bank (1963).

The scandal regarding Robert G. (Bobby) Baker originated to some extent through a law suit instituted against Baker by the Capitol Vending Machine Company. Representing Mr. Baker was Abe Fortas. The N.Y. "Times" stated (7/29/65) that Fortas withdrew later as counsel "because of his advisory role in the Administration." The N.Y. "Times" also revealed that the night following the assassination of the late President Kennedy, Lyndon Johnson summoned Abe Fortas to the White House and Fortas went to work to plan what was later to become the Warren Commission.

"U.S. News and World Report" stated on October 26, 1964, "The so-called 'Bobby Baker case' is said to involve not only widespread 'influence peddling' but 'wild' parties for high officials in a cozy 'town house' near the U.S. Capitol, in which pretty girls reportedly figured.

"The Senate Rules Committee developed evidence that Bobby Baker, by using his position as secretary to the Democratic majority, was able to build a personal fortune while receiving a salary of $19,600 a year."

In 1948 in the fight for the U.S. Senate seat with Coke Stevenson in the Texas Primary Election, Candidate Lyndon Johnson had been declared the loser by a Federal Court judge. Abe Fortas, acting as attorney for Candidate Lyndon Johnson, took the case to U.S. Supreme Court Justice Hugo Black who set aside the lower court order. Fortas has been a close associate of Johnson for the past thirty years. It was Fortas who arranged the trust set-up for the TV holdings of the Johnson family. (From N.Y. "Times" articles)

On January 15, 1959, when Walter Wilson Jenkins was arrested at 10:20 p.m. (Case No. 168287) by the Morals Division of the District of Columbia Metropolitan Police at the YMCA, 1636 "G" St., N.W., Washington, D.C. on a charge of disorderly conduct (pervert), he elected to forfeit the bail. On October 7, 1964, he was arrested again by members of the same police unit (Case No. 2208) at 8:35 p.m. at the same YMCA on a charge of disorderly (indecent gestures). Jenkins had just been at a cocktail party at "Newsweek," 1750 Pennsylvania Ave. Hostess of the party was Mrs. Katherine Graham, president of the Washington "Post." Present were many high U.S. Government officials, including Dean Rusk, Nicholas deB. Katzenbach, William Wirtz, Robert McNamara, C. Douglas Dillon, and also diplomats from the Embassy of the Soviet Union.

Several days later when the story broke in the newspapers, it was learned that Clark Clifford and Abe Fortas had contacted the three Washington newspapers in an effort to either "kill" or soft-pedal the story. Arthur Krock, writing in the N.Y. "Times," October 17, 1964, stated "Although these advisers, Abe Fortas and Clark M. Clifford, are not members of the Administration, Mr. Johnson has deputized them for so many important personal and political missions that in Texas they would be described as wearing the brand of LBJ."

While there is no question of doubt that Abe Fortas is a very competent and successful lawyer and as far back as 1945 was selected as one of America's "outstanding young men," information from a number of sources raises questions as to the advisability of his confirmation as Supreme Court Justice.

Sen. John J. Williams of Delaware stated, "It is with regret that I must announce that I am not able to support the President in this instance." He said, "In my opinion the President could have made a far wiser choice" and that "contrary to the President's claim that he had looked all over America to find the best qualified man for the job, it is quite obvious that he did not look far beyond his inner circle of friends." Rep. Durward G. Hall of Missouri told the House of Representatives, "There is a serious question whether Mr. Fortas will be able to exercise independence because of his intimate ties with the President and because he has been a participant in some of the more dubious transactions involving the Johnson Administration."

The N.Y. "Times" (7/29/65) stated, "Mr. Fortas' appointment, in the view of students of the Court, means that there probably will be no appreciable change in the liberal course charted by the Court since 1962, when Mr. Goldberg replaced Justice Felix Frankfurter.

"It also keeps alive the tradition of a Jewish seat on the Court."

Many authorities believe that no one should be appointed a Supreme Court Justice without ever having been a judge. A pending bill, S–980, would require five years judicial experience as a qualification. Abe Fortas has had none.

[From the New York Daily News, June 27, 1968]

Fortas Named Chief Justice—L. B. J. Nominates a Texas Crony To Fill Abe's Supreme Court Seat

Washington, June 26.—President Johnson has nominated Supreme Court Justice Abe Fortas, a long-time friend, to succeed retiring Chief Justice Earl Warren, and chosen Federal Judge Homer Thornberry, a Texas protege, to fill the vacancy created by Fortas' elevation.

If confirmed by the Senate, Fortas, 58, would become the first Jew to serve as chief justice and the third member of the Supreme Court to be promoted to its chief.

Thornberry, 59, is the third Supreme Court nomination made by Johnson in his four and a half years in the White House. His previous appointments were Fortas and Thurgood Marshall.

Johnson called a press conference today to read Warren's letter of retirement and announce the Fortas and Thornberry appointments.

The President said he had discussed the nominations with the Senate Democratic and Republican leaders, "several members of the Senate," and the leadership of the Senate Judiciary Committee. He said he believed the Senate would approve them.

DIRKSEN DOUBTS FIGHT

Senate GOP Leader Everett Dirksen told newsmen he foresaw little Republican opposition to the nominations. Dirksen called Fortas a "very able lawyer" whose philosophy is "quite sound." He termed Thornberry, a former Congressman, a "very solid citizen.

Three Republican senators, however, have already gone on record against the appointment of a chief justice by a "lame duck" President, one who is leaving office. They were Robert P. Griffin (Mich.), Strom Thurmond (S.C.) and John Tower (Tex.).

NIXON CALLS FOR DELAY

Griffin said today he would fight the nomination because he felt "very strongly that such appointments should be made by the next President." He said he would be joined by at least four or five other GOP senators, including Dirksen's son-in-law, Howard H. Baker (Tenn.), and Hiram Fong (Hawaii), a member of the Judiciary Committee.

Shortly before Johnson's press conference, Richard Nixon, the front-runner for the Republican presidential nomination, told newsmen he believed the President should ask Warren to stay on until after the election in November. Otherwise, Nixon said, there would be Democratic as well as GOP opposition to the appointment and the new chief justice would "go in under a cloud and his prestige would be impaired."

Senate Democratic Leader Mike Mansfield (Mont.), praising Fortas and Thornberry, said he hoped the nomination would be acted on this year. Senate Judiciary Committee Chairman James O. Eastland (D-Miss.) said no hearing on the nominations has been scheduled and that the normal procedure was to give a week's notice.

BOTH ARE DEMOCRATS

Fortas and Thornberry are Democrats. The retirement of Warren thus reduces the Republican members of the high court to three—Justices John M. Harlan, William J. Brennan Jr. and Potter Stewart.

At his press conference, Johnson read to reporters the letter from Warren disclosing his retirement, which was reported last week. The nation's 14th chief justice said he wanted to leave, not for reasons of health or because of any "associational problems," but "solely because of age." He is 77.

The former California governor said the problem of age "is one that no man can combat and, therefore, eventually must bow to it." He noted that he has been continuously in public sevice for 50 years.

"I therefore conceive it my duty to give way to someone who will have more years ahead of him to cope with the problems which come to the court," Warren said. He added that he had enjoyed every day of his 15 years on the bench and was grateful for his opportunity for public service.

In his reply to Warren, Johnson said he would accept his retirement "effective at such time as a successor is qualified."

"You have won for yourself the esteem of your fellow citizens," the President told the chief justice. "You have served your nation with exceptional distinction and deserves the nation's gratitude . . . Your wisdom and strength will inspire generations of Americans for many decades to come."

[From the Washington (D.C.) Evening Star, June 26, 1968]

FORTAS PICKED FOR CHIEF JUSTICE, THORNBERRY IS NAMED TO COURT

President Johnson today nominated Associate Justice Abe Fortas to succeed Earl Warren as chief justice.

Judge Homer Thornberry of Texas was nominated as an associate justice to fill the vacancy caused by Warren's retirement—which the White House hadn't acknowledged until today.

At an impromtu news conference in his White House office, Johnson confirmed his receipt of Warren's resignation and disclosed the nomination of two of his oldest friends.

Fortas, a long-time Washington lawyer and very close adviser to Johnson, was named to the highest court of the land in 1965.

Thornberry, a former Texas lawyer and for 14 years a congressman from Texas, was named by Johnson in 1963 as a U.S. district court judge from the western district of Texas and from July 1, 1965, has been serving on the 5th Circuit Court of Appeals.

Fortas' nomination was widely speculated on ever since Warren's resignation became known on Friday.

FIGHT IS POSSIBLE

There is a possibility that some senators will oppose the nomination of Fortas on the ground that Johnson as a "lame duck president" should not name a chief justice.

Warren is 77. Fortas is 58.

Johnson read to newsmen Warren's letter to him of June 13, saying he had decided to retire "solely because of age."

Warren said: "I want you to know that it is not because of reasons of health or on account of any personal or associational problems, but solely because of age.

"I have been advised that I am in as good physical condition as a person of my age has any right to expect. My associations on the court have been cordial and satisfying in every respect and I have enjoyed each day of the 15 years I have been here.

"MUST BOW"

"The problem of age, however, is one that no man can combat and that, therefore, must eventually bow to it," Warren said.

Johnson wrote back today, saying:

"You have won for yourself the esteem of your fellow citizens. You have served your nation with exceptional distinction and deserve the nation's gratitude.

"Under your leadership, the Supreme Court of the United States has once again demonstrated the vitality of this nation's institutions and their capacity to meet with vigor and strength the challenge of changing times. The court has acted to achieve justice, fairness and equality before the law for all people."

Johnson told reporters he had discussed the nominations with the leadership of both the Republican and Democratic parties in the Senate, including James O. Eastland, D-Miss., chairman of the Judiciary Committee to which the nomination will go.

A number of senators, mostly Republicans, were moving today to build up support for challenging any court nominations by Johnson.

It now appears that the GOP leader, Sen. Everett M. Dirksen of Illinois, will not support the demand that Johnson leave to his successor any choice of new justices.

But an apparently growing number of his colleagues, believing—as one of them said—that Dirksen "is dragging his feet on this," are making their own move.

They may begin circulating, perhaps later today, a paper—something like a petition—to get signatures of other GOP members who will side with them in a demand that the seat left vacant by Warren's retirement, be kept open until January.

Another move the challengers are considering is a request, presumably directed to Dirksen, for a meeting of GOP senators to go over the issue in full.

FIVE FAVOR FIGHT

At a closed luncheon meeting yesterday, at least five senators spoke up in favor of a fight against Senate confirmation of any Johnson appointee to the tribunal, according to several senators who attended.

Among senators reportedly in this group were three moderates—Howard Baker of Tennessee, Hiram Fong of Hawaii and Robert Griffin of Michigan—and two conservatives—George Murphy of California and Paul Fannin of Arizona.

Baker is Dirksen's son-in-law, but he and the minority leader have differed on other issues.

Among senators who said they do not want to make a flat challenge on the appointment issue were two liberals, Edward Brooke of Massachusetts and Charles Percy of Illinois.

Some of the challengers were disturbed that yesterday's meeting was interrupted several times by roll-call votes on the Senate floor.

"That is not usually done, if Dirksen has something important he wants to discuss," said one man who had been at the meeting.

Dirksen himself would tell newsmen only that his GOP ranks were "divided" and that at this point the issue was not being treated as a "matter of minority policy."

HINT HE'S AGAINST FEUD

While refusing to say outright what his own view is, the GOP chief made a series of roundabout comments which—in sum—seemed to hint strongly that he is against a feud with Johnson on the matter.

He said he had talked about Warren's retirement with Johnson.

The minority leader told reporters that GOP senators "may have to just discuss it further."

But those who want to make a fight were worried that next Tuesday—the next regular day for a Senate GOP meeting—might be too late.

Sen. Griffin put it this way: "If we're not going to take a stand right away, the issue can be lost. As soon as the President makes an appointment, then we will be talking about a person rather than a principle."

Griffin and some of those on his side insist that they are not making just a partisan political fight. They do not dispute that the President has the power, under the Constitution, to replace Warren when his retirement becomes official.

But they are talking about the "desirability" of this.

FAVORS DELAY

As Baker put his position yesterday: "As sensitive as the Supreme Court has become in American life, a change in the government offers a unique opportunity. The appointment of the chief justice really ought to be a prerogative of the new administration."

Baker contended that he and others were not trying to hold up the appointment just because they believe Richard M. Nixon will be the next president, and the appointment should be his to make.

The Tennessean said some polls show now that Vice President Hubert Humphrey will win over Nixon in November. "That is not the issue," Baker said.

Others said they had no doubt the President has the power to make the appointment. But one GOP senator added: "But the Senate also has the power to confirm. The question is whether it is wise policy for the Senate to confirm a new chief justice when the people are in the midst of choosing a new government."

DIRKSEN'S VIEWS

The power argument and the role of historic precedent were cited by Sen. Dirksen in his discussion of the issue with newsmen. The minority leader made these points:

He referred to a Senate vote in 1960 which touched on presidential power to fill the court in the final months of an administration. That vote might be embarrassing to GOP senators this year, since all 33 Republicans in the Senate at that time favored letting the president fill court vacancies late in his term.

Dirksen cited what he considered something of a "precedent" in which Sen. Robert Taft of Ohio, when Republican leader, defended GOP support for the controversial Dean Acheson for Democratic secretary of state.

Illinoisan turned aside, as not a precedent, the Senate refusal—under Democratic control—to confirm Lewis Strauss as Republican secretary of commerce. Dirksen's comment on this suggested that mere "personal feuds" did not count on the question of Senate "intrusions" on presidential appointment power.

The GOP leader also discussed recent Senate investigations into the general question of whether one branch of government was "intruding" on another's prerogatives. In the context of the court discussion, this implied that out-and-out Senate resistance to a Johnson appointee might be just such an intrusion.

NO POLITICAL REQUIREMENT

[He told] reporters that there is no requirement in the law that Supreme Court justices be of any particular political affiliation. He contrasted this with the partisan division required on federal regulatory agencies.

And, finally, the minority chief said there was no question of the President's power to make the appointment.

He summed up his views by asking this question, which he did not directly answer:

"If it is admitted that the President has a clear constitutional power, wouldn't it be regarded as a bit of an intrusion—in the absence of anything derogatory about an appointee—to take a political viewpoint and say it shouldn't be done?"

[From the New York Daily News, June 27, 1968]

COURT KEPT IN LINE FOR GREAT SOCIETY

(By Jerry Greene)

WASHINGTON, June 26.—President Johnson defiantly ignored protests against lame duck action today to name Justice Abe Fortas chief justice of the United States and guarantee that the Great Society will be free of judicial curtailment for the next decade, or more.

Fortas, a pragmatic liberal and an activist, is a man not only friendly to the Great Society concepts. He, as a Johnson consultant and adviser, is one of the principal architects.

The choice of Judge Homer Thornberry to fill the Fortas vacancy will be an assist. Thornberry, for years a very ordinary Texas politician and an old pal of LBJ, has yet to make his mark in judicial circles but he has been a lifelong liberal.

Both appointments, undoubtedly, will be approved by the Senate despite vigorous objections from some Republicans. The promotion of Fortas was not unexpected.

LONG A BEHIND-THE-SCENES FORCE

The twin nominations will give the Supreme Court a lopsided liberal appearance. Only Justices Potter Stewart and John Harlan are generally regarded as conservative. They got more than an occasional touch of support from Justice Byron White and Justice Hugo Black, but the new lineup couldn't ordinarily be counted as less than 6–3 for the liberal views.

Where Chief Justice Warren has appeared blunt and forceful, Fortas will seem suave and mild of manner. But he is a very tough-minded lawyer. He is a perfectionist and a legal craftsman. He is persuasive and can be expected to swing heavy weight in influencing decisions.

The Fortas appointment is full notice that the Supreme Court will not deviate from the course pursued under Warren as an instrument for making law and policy, not merely for the interpretation of actions taken by Congress. Fortas has behind him a lifetime as an activist. His labors in government have been largely advisory. But behind scenes they have been forceful and effective. He won't stop now.

SYMPATHY WITH BIG BUSINESS AS WELL

Fortas was a young lawyer at the Interior Department when he met the then Rep. Lyndon Johnson to begin a personal and political friendship and alliance closer than is commonly understood. Fortas, the quiet one, complemented Johnson's brassy, talkative personality, soon the two found total agreement in the aims and objectives of FDR's New Deal.

It was Fortas who won a Supreme Court ruling for Johnson in 1948 to have him designated as the Democratic nominee for senator from Texas with that victory by 87 votes out of 988,295 cast in the primary.

It was Fortas, going great as a high-priced lawyer in private practice during the 1950s, who with James Rowe and Clark Clifford formed a team of advisers to help Johnson's rise to prominence in the Senate. Rowe is now helping Vice President Hubert Humphrey run his White House campaign. Clifford is defense secretary.

Fortas, Clifford and Rowe were always close at hand, watching and helping the wheels turn. There are few who know the operations of government and politics better. And none have had more influence with the President since 1963.

Yet with their liberal leanings, the three lawyers developed an understanding for and a sympathy with big business. Their clients were the nation's leading corporations. A year after he had been appointed to the court, Fortas broke with the Warren majority to register a strong dissent in an antitrust case.

Fortas has taken the position consistently that bigness in business is not necessarily bad. In his brief period on the court he has been increasingly involved in antitrust cases.

But apart from the feeling for business, as expressed in one opinion that "some mergers are distinctly beneficial to the achievement of a competitive economy," Fortas has remained firm in his Great Society liberalism.

Fortas has taken particular interest in civil rights litigation. He recently wrote the majority opinion in two New York cases which held that a policeman and 15 sanitation employes were illegally fired because they took refuge in the Fifth Amendment while under investigation.

DISSENTED FROM INTOXICATION RULING

A week later, Fortas wrote a long dissent where the majority ruled that a person can be jailed for public intoxication. The court left the way open for future consideration of this issue, but Fortas was emphatic in protesting that there is ample medical evidence that chronic alcoholism is an illness and should be treated as such.

The chief justice-designate went along with the majority in favoring punishment for draft card burners, and approving public aid for parochial school students. He voted for revival of the 1866 law for open housing.

Underlying all of the Fortas thinking is a lifetime of dedication to the FDR New Deal, the Harry Truman Fair Deal, the JFK New Frontier—through Johnson as vice president—and to the Great Society.

He is known to be very high on the protection of individual liberties, a factor which could be of substantial importance when the court considers, as it inevitably will, tests of the new crime control law, and whatever gun control laws that may be passed.

Johnson objected to the provisions of the crime bill authorizing wiretapping, and to sections which would override Supreme Court rulings on the use of confessions of criminals. Word was passed from the White House that these were believed to be unconstitutional.

A Fortas-led court judgment could be predicted.

[From the New York Times, June 27, 1968]

LIBERAL NOMINEES FOR SUPREME COURT POSTS: ABE FORTAS

WASHINGTON, June 26.—Abe Fortas, who was nominated today to succeed Chief Justice Earl Warren as the nation's highest judicial officer, is very much like Mr. Warren in outlook and almost totally unlike him in personality. During Mr. Fortas's three years on the Court the two men have usually been on the same liberal side of the issues, and a "Fortas Court" would be expected to be much like the "Warren Court"—liberal, venturesome and creative.

But while Mr. Warren is an amiable, grandfatherly type whose idealism seems almost naive, Mr. Fortas is a tough, sophisticated advocate who has built a solid reputation as a good Justice by hard work and intelligence. In the process he has rubbed a few Justices the wrong way.

"Abe Fortas has all the qualities of a good Associate Justice—scholarship, commitment and a feeling for the times," a Washington lawyer said. "But the great Chief Justices have also been healers."

PERSUASIVE DISSENT

An example of Justice Fortas's judicial prowess came a week ago Monday, the last day of the current Supreme Court term.

He wrote a persuasive dissent in a 5-to-4 decision saying that to punish chronic alcoholics for being drunk in public was "cruel and unusual" punishment and therefore unconstitutional under the Eighth Amendment. Many informed lawyers predicted that this minority view would eventually become the law.

Justice Byron R. White, while agreeing with the conclusion of the majority, wrote a concurring opinion sympathetic to the Fortas view, thus preserving the prospect of changes another day.

If the challenge to Mr. Fortas is to moderate the stern qualities that brought him success as a lawyer and Associate Justice, and to develop a Chief Justice's vital trait, the ability to "marshal the Court," his past history would suggest that this will be smoothly and efficiently done.

Mr. Fortas was born on June 19, 1910, the last of five children of a Jewish cabinetmaker who had immigrated to Memphis early in this century. By the time he was 13 years old he had begun earning money by playing the violin at social events.

NEW DEAL POSTS

After being graduated from Southwestern College in Memphis and the Yale Law School, he taught briefly at Yale and then entered the hurly-burly of the early New Deal. He served in about a dozen administrative positions, relished the bureaucratic infighting between the new agencies, and at the age of 32 became Under Secretary of the Interior to Harold L. Ickes.

In the late nineteen-thirties Mr. Fortas met Representative Lyndon B. Johnson of Texas and impressed him as a valuable counselor. Mr. Fortas has since tended to be at Mr. Johnson's side when important events required a trusted friend and confidant.

One of these occasions in 1948, proved to be a turning point in Mr. Johnson's career. Mr. Johnson had come out 87 votes ahead in the Democratic Senatorial primary, but his opponent had won a court order to keep Mr. Johnson's name off the ballot for the general election.

Mr. Fortas took the matter to Justice Hugo L. Black and obtained a reversal of the order. Mr. Johnson won the election, and Mr. Fortas, the lifelong appreciation of a future President.

Mr. Johnson has continued to call upon Mr. Fortas, for advice, legal and otherwise.

On the bench, Mr. Fortas invariably seems well-prepared, and he has a knack for asking the questions that reveal the pivotal issues in a case. He is said to be persuasive in presenting his views when the justices discuss cases in private before voting.

His most important opinions have been in the area of juvenile law, where he has insisted that youngsters be given many of the constitutional protections that adults must be granted in court.

Mrs. Fortas is a leading tax lawyer and remains a member of his former Washington law firm, Arnold & Porter. She practices under her maiden name, Carolyn Agger. There are no children.

An amusing after-dinner speaker who often pokes gentle fun at himself as well as at jurists and the legal profession in general, Mr. Fortas acknowledges occasional verbosity.

"My problem," he says, describing some of his lengthy opinions, "is that I like to begin each opinion with the invention of money."

WILLIAM HOMER THORNBERRY

Not long ago, Federal Judge William Homer Thornberry, looking back on his experience in the House of Representatives, said that his most agonizing moments were in voting against bills that his friends had asked him to support and backing measures that his friends had opposed. "Finally," he said, "you make up your mind and do what you think is right as well as what is right for your constituents."

The 59-year-old member of the United States Court of Appeals for the Fifth Circuit, who was nominated yesterday by President Johnson to the Supreme Court, has long indicated his independence and his beliefs.

His decisions as a district judge, to which he was named in 1963 by President Kennedy, and as a member of the Appeals Court, a Johnson appointment in 1965, have stressed his liberalism on civil rights, desegregation and freedom of speech.

Blunt-spoken advocate

A friend in Austin, Tex., where Judge Thornberry lives, who has known this stocky, gray-haired legislator and jurist for years, describes him as follows:

"He is blunt-spoken. He does not make a big fuss about what he believes, but he makes pretty clear what he means."

For example, more than 20 years ago, a community bordering on Austin wanted to become part of the city. Quietly, Mr. Thornberry, then a member of the City Council, learned that the area did not allow Jews. He said nothing until the community applied for inclusion in the city.

Then, without mincing words, he began a fight against the community unless it changed its charter to allow the sale of lots to Jews. His aggressive campaign blocked admission of the community, which refused to change its charter and is still not part of the city.

In recent years Judge Thornberry has argued off and on the bench for equal rights for Negroes.

During much of the Kennedy Administration as a member of the House Rules Committee, he was the only Southerner who voted on the liberal side, often giving the President a one-vote margin until the committee was expanded.

Childhood influences

Part of Judge Thornberry's ability to make up his mind quietly and then adhere to a decision despite pressure stems from his childhood experiences. He was born Jan. 9, 1909, and both his parents were deaf mutes. He communicated with them through sign language. His father died when he was a boy. He worked his way through the University of Texas and its law school.

Many years later, a publication at the University of Texas said of its eminent alumnus:

"He grew up in a silent household with little money."

Though like many Texans in public life, Judge Thornberry is a competent spinner of tales, he has the capacity for understatement. Once, when recalling how he ran for the Texas Legislature in 1936—he has never lost an election—with a campaign fund of $100, he added:

"Politics didn't cost as much then."

Part of the judge's success is undoubtedly due to his friendship with President Johnson, who used to refer to him as "my Congressman." Mr. Thronberry represented the 10th Congressional District in Texas, where he succeeded Mr. Johnson in 1948 and from which the President votes.

When Mr. Johnson was hospitalized with a heart attack, Mr. Thornberry visited him and played dominoes with him, a favorite pastime of Mr. Thornberry's. He was sworn in as circuit judge on the lawn of the L.B.J. Ranch.

Mr. Thornberry met his wife, the former Eloise Engle, during World War II, while he was stationed at Corpus Christi, where she was a civilian employee. They have three children—Molly, David Homer and Kate.

As excitement swept through Austin yesterday, Mrs. Thornberry, remarked to an acquaintance, who phoned congratulations:

"Homer's on his way home. I'm busy fixing him a steak dinner now."

[From the Washington (D.C.) Daily News, June 27, 1968]

Block This Rush Act

President Lyndon B. Johnson dropped the other shoe yesterday, with a thud heard 'round the world.

He announced that he had accepted Earl Warren's resignation as Supreme Court chief justice and nominated Associate Justice Abe Fortas to succeed Warren and U.S. Circuit Judge Homer Thornberry of LBJ's home state of Texas to succeed Fortas.

It is a political rush act, in the end months of the L. B. Johnson presidency—an effort to prolong "liberal" control of the high court. Fortas is to the left even of Warren, which makes him a long way leftward and then some.

There is a swing toward conservatism in the United States, especially as regards official tenderness toward crooks, criminals and Communists.

Apparently the President has fallen victim to the professional-liberal conviction that professional liberals always are in the right and everybody else is wrong, and any means to gain professional-liberal ends are justified.

We think it is the U.S. Senate's patriotic duty to turn down the Fortas nomination and hold the chief justiceship open until the nation has a new President. We hope the Senate will on no account shirk that duty.

[From the Washington (D.C.) Daily News June 27, 1968]

It All Began With the New Deal

(By Alton Slagle)

Abe Fortas descended on Washington in 1932, in the earliest days of Franklin Roosevent's New Deal, and quickly made friends with another young man named Lyndon Baines Johnson, then youth administrator for Texas. They met at the home of Arthur Goldschmidt, who later became deputy director of technical assistance for the United Nations.

Some years later—in 1948—Johnson made use of Fortas' legal abilities. His Senate victory in Texas was challenged by rightwing Democrat Coke Stevenson, who had lost to LBJ in the all-determining primary by 87 votes, and had filed suit to invalidate the election. Fortas filed countersuit and won. From that day until his appointment by President Johnson to the 1965 Supreme Court vacancy left by Arthur Goldberg, he remained Johnson's personal attorney.

NATIVE OF MEMPHIS

Fortas was born in Memphis, Tenn., in 1910, the fifth child of a Jewish cabinetmaker.

Fortas worked his way through high school and college—Southwestern College and the Yale Law School—by playing violin in a dance band. Music still is one of his passions. He has listed among his friends cellist Pablo Casals, violinist Isaac Stern and pianist Van Cliburn.

Fortas taught at Yale Law School from 1933 to 1937 commuting to Washington to work for various New Deal agencies. He was named undersecretary of the interior in 1942 when he was 32, serving until 1946, then formed a Washington law firm, Arnold, Fortas and Porter. He became one of the nation's most brilliant appeals lawyers.

In his firm was a cigar-smoking woman lawyer, an authority on tax law, who shared another tie with him: marriage. Fortas and the former Carolyn Eugenia Agger were married on July 1, 1935. They rode to work together in a Rolls Royce. They have no children.

While serving as attorney for Johnson before his Supreme Court appointment, Fortas also had dealings with Johnson aides.

THE JENKINS CASE

At one time, Fortas' firm was retained by former Senate Democratic Secretary Robert G. (Bobby) Baker, who was involved in a $300,000 vending machine contract suit that touched off a scandal. Fortas withdrew when it appeared his services to Baker might embarrass Johnson. He called it "a conflict of interest due to certain assignments I have undertaken for the new administration."

Trouble involving another Johnson aide, Walter Jenkins, propelled Fortas into one of his most embarrassing moments. Hours before Johnson heard of Jenkins' arrest on a morals charge in 1964, Fortas had been summoned by Jenkins, who told him: "Abe, I've got to see you. I'm in terrible trouble."

Fortas tried to get the story squelched in Washington newspapers. He was successful with two of them, then a wire service broke the news. Fortas obtained Jenkins' resignation.

The lawyer was always frank about the roles he played for the President. He made no boasts, but neither did he pretend that he and Johnson were just casual acquaintances.

APPROVAL WAS QUICK

When Goldberg resigned from the Supreme Court to succeed the late Adlai Stevenson at the United Nations, Johnson quickly nominated Fortas to replace him, and the Senate was quick to agree.

On the high bench Fortas established himself as a liberal and a champion of civil and individual liberties, a believer in psychiatry and the law, a believer in aid for oppressed nations and a believer in opening doors for the underdog.

He voted most like Chief Justice Earl Warren and other liberals—Justices William J. Brennan, Jr., William O. Douglas, Hugo Black.

In one recent decision, however, he disagreed with Warren, dissenting vigorously in a 6–3 decision upholding the constitutionality of New York's 1965 law requiring school systems to lend textbooks to pupils of parochial schools.

Fortas was the winning, and liberal, side when the court upheld the 1965 federal voting rights law, killed off payment of a poll tax as a condition to voting in state and local elections, and held unconstitutional a requirement that members of the Communist Party register with the federal government.

On several occasions, Fortas' vote has been decisive in producing liberal decisions.

FOR SUSPECT'S RIGHTS

He was with the majority when the court voted 5–4 to rule out all incriminating statements made in court by a suspect whose constitutional rights in regard to possible self-incrimination were not safeguarded by police.

Before his court appointment, Fortas set up the design of the Warren Commission, which investigated the assassination of John F. Kennedy, and before that, he had served as liaison between Johnson and the Kennedy family at the time of the President's funeral.

While not the first Jew to serve on the high court, he is the first to be appointed chief justice.

[From Americans for Constitutional Action]

WASHINGTON, D.C., June 26.—Americans for Constitutional Action (ACA) announced today, in response to inquiries from the Press, that the new nominee for Associate Justice of the United States Supreme Court, Homer Thornberry, received a 5 percent rating for his final two years in Congress, 1961–1962, as a Representative from Texas.

ACA, national non-partisan, political action organization, headquartered in Washington, added that Mr. Thornberry received a 16 percent cumulative ACA rating for the years 1957–62. The ratings are based on the voting records of the Members of Congress on major national and international issues.

The 5 percent 1961–62 rating and the 16 percent cumulating 1957–62 rating classify Mr. Thornberry, according to ACA, as an "extreme Left-wing Liberal."

[From the Washington (D.C.) Evening Star, June 27, 1968]

High Court Cynically Manipulated

(By David Lawrence)

Once again the membership of the Supreme Court of the United States has been cynically made an instrument of personal and political manipulation. The audacity of presidents in giving judicial appointments to political cronies was pointed out by this correspondent in what he wrote at the time when the two men now being named to fill vacancies on the nation's highest court—Abe Fortas and Homer Thornberry—were first nominated to serve on the federal bench.

Back in July 1963, President Kennedy announced that he was naming to the federal district court Rep. Thornberry, a Texas Democrat and for many years a political ally of Lyndon Johnson, then vice president. On July 11, 1963, this correspondent wrote:

"It is reported on Capitol Hill that the administration plans to defer action in the Senate on the Thornberry nomination until some time toward the end of the present session in order to assure his vote for administration policies in the closely divided Rules Committee of the House while important legislation is being considered by the committee in the next few months. . . .

"But why should Rep. Thornberry be rewarded with a federal judgeship? He has never served on the bench in any court. Why should the president of the United States give anyone a lifetime post in the judicial system on the basis of favors done of a political nature? How can there be confidence in the federal judiciary if judgeships become a matter of political patronage? Were there no lawyers or state judges in West Texas better qualified for the judgeship in question? . . .

"Does the system of using judgeships as a reward for past political favors mean that judges already on the bench can expect promotions to the United States Court of Appeals only if they 'play ball' with the administration in power?"

President Johnson in 1965 advanced Thornberry to the Court of Appeals and now has named him an associate justice of the Supreme Court of the United States.

Also, when Arthur Goldberg was persuaded to leave the high court to become U.S. ambassador to the United Nations, President Johnson promptly appointed his long-time personal adviser, Abe Fortas, as associate justice. This correspondent wrote then, on July 25, 1965:

"Small wonder that the Supreme Court of the United States has steadily fallen into disrepute in recent years as it has developed into an oligarchy of politically rather than judicially minded individuals. Now President Johnson has selected Abe Fortas—his personal friend of long standing who has never had a day's experience on the bench—to be one of the nine justices of the Supreme Court of the United States. This is in line with the unfortunate trend of the past several years.

"Other presidents besides Johnson, Republican as well as Democratic, have appointed to the Supreme Court political associates or partisan supporters with a controversial background. . . .

"It is surprising that spokesmen for the bar associations, who often stress the need for a 'rule of law,' are willing to sit by without protest as political rather than judicial training becomes the major qualification for appointment to the highest court of the land."

What redress do the American people have when there is such blatant politics in appointments to the nation's highest court? The voters cannot express themselves on this issue directly at the polls, but they can hold responsible the members of the Senate who may soon vote to confirm the appointments. One third of the senators will be seeking reelection in November, and the people will have a chance to reject those candidates who go along with the "packing" of the Supreme Court with lifetime appointments of political cronies by a "lame-duck" president.

Other senators of both parties who will be voting on whether or not to confirm and who happen not to be up for re-election this year will hardly be indifferent, moreover, to the way public opinion reacts to this strange episode. For when a president with just a few months left in office undertakes to deprive the next president of an opportunity to appoint a chief justice of the United States—a position vitally affecting the operation of the American Constitutional system—it is hardly likely that the American people will approve what appears to them to be a case of political manipulation. There may even be a filibuster in the Senate to prevent action until the convening of the newly elected Congress in January.

[From the New York Times, June 27, 1968]

Warren-Johnson Letters

WASHINGTON, June 26.—Following are the texts of a letter of retirement and a letter of explanation sent June 13 by Chief Justice Earl Warren to President Johnson and the text of the President's.

CHIEF JUSTICE'S LETTERS

MY DEAR MR. PRESIDENT: Pursuant to the provisions of 28 U.S.C., Section 371(B), I hereby advise you of my intention to retire as Chief Justice of the United States effective at your pleasure.

Respectfully yours,

EARL WARREN.

MY DEAR MR. PRESIDENT: In connection with my retirement letter of today, I desire to state my reason for doing so at this time.

I want you to know that it is not because of reasons of health or on account of any personal or associational problems, but solely because of age. I have been advised that I am in as good physical condition as a person of my age has any right to expect. My associations on the court have been cordial and satisfying in every respect, and I have enjoyed each day of the fifteen years I have been here.

The problem of age, however, is one that no man can combat and, therefore, eventually must bow to it. I have been continuously in the public service for more than 50 years. When I entered the public service, 150 million of our 200 million people were not yet born. I, therefore, conceive it to be my duty to give way to someone who will have more years ahead of him to cope with the problems which will come to the Court.

I believe there are few people who have enjoyed serving the public or who are more grateful for the opportunity to have done so than I. I take leave of the Court with the warmest of feelings for every member on it and for the institution which we have jointly served in the years I have been privileged to be part of it.

With my very best wishes for your continued good health and happiness, I am

Sincerely,

EARL WARREN.

THE PRESIDENT'S LETTER

MY DEAR MR. CHIEF JUSTICE: It is with the deepest regret that I learn of your desire to retire, knowing how much the nation has benefited from your service as Chief Justice. However, in deference to your wishes, I will seek a replacement to fill the vacancy in the office of Chief Justice that will be occasioned when you depart. With your agreement, I will accept your decision to retire effective at such time as a successor is qualified.

You have won for yourself the esteem of your fellow citizens. You have served your nation with exceptional distinction and deserve the nation's gratitude.

Under your leadership, the Supreme Court of the United States has once again demonstrated the vitality of this nation's institutions and their capacity to meet with vigor and strength the challenge of changing times. The Court has acted to achieve justice, fairness, and equality before the law for all people.

Your wisdom and strength will inspire generations of Americans for many decades to come.

Fortunately, retirement does not mean that you will withdraw from service to your nation and to the institutions of the law. I am sure that you will continue, although retired from active service as Chief Justice, to respond to the calls which will be made upon you to furnish continued inspiration and guidance to the development of the rule of law both internationally and in our own nation. Nothing is more important than this work which you undertook so willingly and have so well advanced.

Sincerely,

LYNDON B. JOHNSON.

Mr. **ROGERS** of Colorado. Mr. Speaker, President Johnson is to be commended for his nomination of Associate Justice Abe Fortas to be Chief Justice of the United States and Judge Homer Thornberry to a member of the Supreme Court.

These two appointments by the President continue his record of nominating the best people for the most important public offices in the land.

Justice Fortas has already demonstrated his high competence during the 3 years in which he has served on the Supreme Court.

Judge Thornberry has had wide judicial experience in Federal courts as well as experience in the private practice of law and as a county attorney in Texas.

I had the pleasure of serving with Homer Thornberry in the House of Representatives where I came to know and admire his total dedication to the public interest.

The Supreme Court is one of the foundation stones of the American Government as set forth in the Constitution. The two nominations by President Johnson will help assure the strength and stability of that foundation.

Mr. **EDWARDS** of Alabama. Mr. Speaker, the President's appointments of a new Chief Justice and a new Associate Justice of the Supreme Court offer dramatic justification for the approval of my proposal, House Joint Resolution 1279, for the election of all Federal judges.

The President, in making these lame-duck appointments, has brought two questions to the surface regarding the highest court of justice in our land. First, what general political motivations lie at the bottom of this action? And second, to what extent should any President go to his closest personal friends for making lifetime appointments of this kind?

By all rightful considerations of the public interest the President should have left these appointments to his successor. The new President to take office in January will carry with him a mandate of the people which, by any reasonable standard, should be reflected in the lifetime appointments of men whose Supreme Court service will virtually be beginning at the same time the new President enters the White House.

House Joint Resolution 1279, providing for the election of Federal judges, is designed to avert exactly this kind of situation. Many Americans will wish that President Johnson, instead of making these lameduck appointments yesterday, would have expressed his support for the election of Federal judges as a means of making our Government more responsive to the people of the country.

Some would say that this would put the court in politics. But I ask you—what, other than politics, could have been the President's motive in making these appointments?

What we need on the Supreme Court today is not a group of personal friends of the President or of anyone else. Rather, we need a court made up of judges trained in the law and trained in writing decisions. We need a court made of men sensitive to the constitutional safeguards which have too often been laid by the wayside in recent years.

Mr. Speaker, we have heard much recently about "the establishment" and about how young people and others of fresh imagination and energy bitterly resent their difficulty in making an imprint on the course of public events. We see today in America a forceful challenge to the established ways of government of the past years. The President's appointments are a crude effort to defy that challenge and to perpetuate a system that has already been discredited. I urge our colleagues in the other body to consider these appointments carefully for the good of our Nation.

Mr. BLACKBURN. Mr. Speaker, is there now anyone so bold in this land who would step forward and say that the appointment of Supreme Court Justices for life to the bench removes that branch of government from politics? If so, then yesterday's appointment of Mr. Justice Fortas as Chief Justice and of yet another who shares Great Society beliefs, supposedly in its waning hours, should once and for all put that illusion to rest.

And should there still be those who in their naivety point to any proposal that the Congress review these Justices periodically and call it "radical and dangerous," then, this too, serves only to confound and perplex those who have seen the protection of the "separation of powers" principle become nonexistent.

I feel the urgent necessity to introduce this resolution because the Supreme Court has established itself as "a second legislative branch" completely frustrating the will of the people as it is supposed to be expressed through the Congress of the United States.

Never in the history of our democracy has the citizenry of this land confronted a crisis as grave as that which now exists. I am speaking not of the riots in our streets; not of the continuation of what is already the longest war in which our Nation has been involved; not of the great debt incurred by our Government which has placed heavy tax burdens upon every citizen; not of the regrettable and incomprehensible failure of our law-enforcement bodies to protect lives and property; and not of the myriad of other tragedies spread across the headlines of daily newspapers and uttered from the lips of radio and television newscasters. I am most fervently speaking of the undeniable and sweeping change in the form of government which we have learned to hold so dear and for which Americans have lived and died. I earnestly believe there can be no lasting solution to any of the problems we are frantically attempting to resolve until a more fundamental issue is decided, that of whether the system of government we have known is to be permitted survival.

The resolution which I am introducing is an essential first step toward maintaining that government which was conceived by those who drafted our Constitution. Citizens of this country are now living in a national welfare state, the evolution of which is largely attributable to decisions of the U.S. Supreme Court. Had these decisions been limited to an interpretation of the law, as was intended by the Founding Fathers, we would not now be experiencing the trauma of crushed ideals and shattered freedoms. It is imperative for us to understand what the Supreme Court is doing. Stated simply, it is legislating under the guise of interpreting the Constitution. It has assumed powers never intended for its use and has plunged this Nation into bold and frightening sociological experiments.

Our Founding Fathers carefully and purposefully included in the Constitution of 1787 an intricate system of checks and balances. It was their purpose to establish an effective government without bestowing absolute power upon any segment thereof. The House of Representatives was established and given the power to make laws; but the Senate was given the power to reject those laws. Likewise, the Senate was created and given power to enact laws; but the House of Representatives can reject those laws. Even when the Senate and House of Representatives concur in the passage of a law, the Chief Executive has the power to approve or reject the same; but if the law is rejected by the President, his rejection can be overruled by two-thirds of the Senate and House. Through this "balance of powers" the will of the American people could be expressed, legislation suggested, hearings held at which expert testimony could be obtained, and a thorough analysis of the need for new laws could be arrived at.

A judiciary was established and given the power to interpret laws; but the power to make law was expressly reserved for the people through their representatives in Congress. Today, we are witnessing a usurpation of power by the judiciary. That which was most feared by the framers of the Constitution has come to pass; namely, resignation of the policy of our Government into the hands of a few. Decisions are being handed down by the Supreme Court which are tantamount to laws; and the judiciary has become an effective legislative branch of the Government. The tragedy of this occurrence is the total and complete removal of the people from an eminent part of the lawmaking process.

Although I am not in accord with many of the laws of this land which have achieved that status through Supreme Court decisions, it is not my intention to discuss the merits of those laws. It is very definitely my intention to depict their impact upon this Nation and the fact that the Founding Fathers never, not in their wildest dreams, conceived of the Judiciary having the ability to make such laws.

The impact upon this country of laws enacted by the Supreme Court is ofttimes greater than laws enacted by the Congress.

It is equally true that many of the decisions of the Court have been rendered with noble purposes and without question there has been instances where many individuals have benefited, however, the broad question of the impact of far-ranging and novel experiments by the Court upon our total society has been ignored. The members of the Court, being shielded by life tenure from the will of the people and, apparently insulated by their station in life from the realities of the world in which we live, have, on occasion, thrown prudence to the wind. Can anyone make a pretence of loyalty to this country and justify a decision which protects the employment of an admitted Communist in a factory devoted to the production of armaments for national defense? Their release of admittedly guilty persons who have returned to society to wreak havoc upon it, is a black mark in the history of the Court.

Only yesterday, I read that Danny Escobedo was arrested once again on a narcotics charge. You will remember, the Escobedo case established by the Supreme Court the principle that his interrogation by police without a lawyer present was grounds for reversing a conviction, where by his own admission, Escobedo had confessed to the crime. And who can forget the case of Andrew Mallory whose conviction for rape in Washington, D.C., was reversed by the Supreme Court on the grounds that Mallory was held too long between his arrest and arraignment. In this case, there were three suspects arrested together, each agreed to a lie detector test, and following these tests interrogation by police brought a confession from Andrew Mallory that he was the one who perpetrated the crime. After his release, Mallory committed another personal assault in Philadelphia for which he was convicted and sentenced from 11½ to 23 years imprisonment. This second victim—and probably others we do not know about—would have been spared the ravages of this criminal if justice had not miscarried—if the courts had not seized upon a dubious technicality to set him free. Probably, the most notorious of these decisions in the area of criminal law is the Miranda case, whereby the Court threw out a written confession by Ernesto Miranda convicted by a lower court of kidnaping and rape. Because Mr. Miranda was not fore-warned, his signed confession was held invalid and his conviction overturned.

The far-reaching scope of Supreme Court decisions in criminal cases has usurped the prerogatives of the legislatures of the various States and one would do well to observe with fear the restraints which these decisions have placed upon local law-enforcement institutions.

In the name of protecting individual rights, the Supreme Court has made law which, if not checked, will ultimately cause the destruction of society. On its face, the results of these actions don't seem too bad, however, in their application, there is not a hardened criminal in the United States who does not take full advantage of the benefits bestowed upon him by the Supreme Court. Most respectable citizens do not even know of the intricate web which the policeman must weave if he is to comply with the "laws of the Supreme Court." He may, however, ask any criminal and receive a complete explanation.

Let us look more closely at the Court's decision in Miranda. The case turns upon the question of when counsel was appointed for an accused indigent. The Court held that counsel must be appointed, not only for the trial, but as soon as the accused is charged with a crime. This rule was derived by virtue of the Supreme Court's interpretation of the meaning of the sixth amendment of the Constitution. I want to read that amendment in its entirety.

It says:

> In all criminal prosecutions, the accused shall enjoy the right of a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense. [sic]

The language of the amendment is plain and lends no support whatsoever to the Court's "interpretation." Even if one feels the rules which have evolved from these decisions of the Supreme Court which are under discussion are good rules, he must admit there is no authority in the judiciary to make the same. If he then asks where the authority rests, he need only read the 10th amendment of the Constitution which states:

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the States respectively, or to the people.

The Supreme Court has so busily created laws which diminish the protections States have established for their citizens that soon one's only refuge will be to turn to the Almighty. Yet, even prayer has not escaped the dominating hand of the Court. "Interpreting" the first amendment to the Constitution, the Supreme Court declared it unconstitutional for children in the New York public school system to participate in a recitation of these words:

> Almighty God, we acknowledge our dependence upon Thee, and we beg Thy blessings upon us, our parents, our teachers, and our country.

This decision of the Court may be found in the case of *Engel* v. *Vitale* (370 U.S. 421 (1962)); and it should be noted that the portion of the first amendment to the Constitution involved in the case says no more than:

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.

I do not dispute the applicability of the first amendment to States by virtue of the due process clause of the 14th amendment. That is another subject. I do dispute and shall continue to dispute the holding that the simple prayer I have quoted is an "establishment of religion". Writing a dissenting opinion, Mr. Justice Stewart said the Court had "misapplied a great constitutional principle." He said the issue involved was whether "those pupils who wish to do so may join in a brief prayer at the beginning of each school day"; and he said, further, he was unable to see how an official religion could be established thereby.

There are many cases which have been concluded in the lower Federal Courts, holding in accord with Engel against Vitale; and it may be safely said that the Supreme Court has successfully banned prayer and Bible readings from public schools. To give only one example among many, the case of *Stein* v. *Oshinsky* (224 F. Supp. 757 (1963); 348 F. 2d 999 (1964); Cert. denied, 382 U.S. 957) holds that children cannot even voluntarily say, before having milk and cookies:

> God is great, God is Good
> And we thank Him for our food.
> Amen

Or

> Thank you for the World so Sweet,
> Thank you for the food we eat,
> Thank you for the birds that sing,
> Thank you God for everything.

That same Supreme Court which decided Engle against Vitale and which begins each session following the Court Crier's supplication, "God save the United States and this Honorable Court", refused to hear the case of Stein against Oshinsky. The Supreme Court has itself violated the first amendment, but not quite so vaguely. It has clearly created law which prohibits the free exercise of religion. Is there no sanction against the judiciary?

No one can deny that many persons have benefited from some of the decisions of the Supreme Court. I would be the last to state that the "one-man, one-vote" rule, arrived at by the Court in *Baker* v. *Carr* (369 U.S. 186 (1962)) did not greatly benefit the people of the Fourth Congressional District of Georgia. But, I cannot use the desirability of this action to defend the obvious extension of the Court's jurisdiction into legislative areas in arriving at that decision.

I am not alone in questioning the scope of this decision. Mr. Justice Harlan, joined by Mr. Justice Frankfurter wrote:

> I can find nothing in the Equal Protection Clause or elsewhere in the Federal Constitution which expressly or impliedly supports the view that state legislatures must be so structured as to reflect with approximate equality the voice to every voter. Not only is that proposition refuted by history * * * but it strikes deep into the heart of our federal system. Its acceptance would require us to turn our backs on the regard which this Court has always shown for the judgment of state legislatures and courts on matters of basically local concern.

And, Mr. Justice Frankfurter, joined by Mr. Justice Harlan said:

> To find such a political conception legally enforceable in the broad and unspecific guarantee of equal protection is to rewrite the Constitution.

The case of *Wesberry* v. *Sanders* (376 U.S. 1 (1964)) is the Georgia sequel to Baker against Carr; and the Supreme Court held that congressional districts must be composed of substantially equal numbers of people. Again, I do not argue here today that the law of the land imposed by this decision is necessarily bad law; but I heartily agree with that portion of Mr. Justice Harlan's vigorous dissent which reads:

> Today's decision has portents for our society and the Court itself which should be recognized. This is not a case in which the Court vindicates the kind of individual rights that are assured by the Due Process Clause of the Fourteenth Amendment * * * The Claim for judicial relief in this case strikes at one of the fundamental doctrines of our system of government, the separation of power. In upholding that claim the Court attempts to effect reforms in a field which the Constitution, as plainly as can be, has committed exclusively to the political process * * * this Court, no less than all other branches of the Government, is bound by the Constitution. The Constitution does not confer upon the Court blanket authority to step into every situation where the political branch may be thought to have fallen short. The stability of this institution ultimately depends not only upon its being alert to keep the other branches of government within constitutional bounds, but equally upon recognition of the limitations on the Court's own functions in the constitutional systems.

Certainly, in the field of civil rights, beginning with *Brown* v. *Board of Education* (347 U.S. 483 (1954)), the Supreme Court has led and continues to lead the Congress. This school segregation decision was much more than simply a move to end segregation in schools, it was the beginning of a trend—marking the entry of the Supreme Court into areas heavily weighted with political overtones.

The importance of Brown against Board of Education is not whether segregation is right or wrong. Rather, its importance rests in whether the Court had the power to render such an unprecedented decision. Until this case, the Court had, through many decisions, recognized its limitations. In numerous decisions, the Court had stated there was no constitutional prohibition against legislation providing for separation of the races; and in the case of *Plessy* v. *Ferguson* (163 U.S. 537 (1896)), the Court said that such legislation was "no more than an official recognition of prevailing social custom."

When the Court decided Brown against Board of Education it rejected all legal precedent and donned the robes of society's social conscience.

In the years since the Brown case, the Court has moved from its position of creator of civil rights to a position of taskmaster for the advancement of social and economic goals. Tragically, but understandably, society has been unable to meet the demand of this second legislative branch of the Government; and the result has been the violence which is so prevalent in the streets of these United States.

Today we are looking back upon a nation which once stood for individual freedom. We are looking ahead to an egalitarian society, the type of society which, history has proven, will destroy itself. Much of the responsibility for this change in the structure of the American Government rests upon the U.S. Supreme Court.

Until 1900, the War Between the States constituted the major, if not the only real national emergency in this country; and, therefore, the Government did not find it necessary to assert broad powers. Every such attempt was squelched by the Supreme Court. And later in the cases of *Hammer* v. *Dagenhart* (247 U.S. 251 (1918)), *Carter* v. *Carter Coal Co.* (298 U.S. 238 (1936)), and *Bailey* v. *Drexel Furniture Co.* (259 U.S. 20 (1922)), the Supreme Court correctly held that Congress was attempting to assert control over local matters which control was reserved to the States. But, following President Franklin Roosevelt's appeal that the national emergency warranted different constitutional decisions, the Court began to take a complete about face; and now that it has turned completely around, it is moving posthaste in the other direction. It is incumbent upon the citizens of this Nation to do something in the interest of self-preservation; and I am suggesting that which must be done.

Judicial life tenure was granted to Supreme Court Justices in order to shield the Court from political pressures. The shield has been used, however, to respond to political pressures through legislating without fear of reprisal. Thus, the balance of power, so carefully created by the framers of our Constitution, is in a state of imbalance; and it must be restored.

The resolution which I am introducing proposes a constitutional amendment providing for confirmation of the appointment of Supreme Court Justices by two-thirds of the House and Senate. It provides, further, that the House and Senate shall reconfirm a number of the Justices during each third year. This does not destroy the intent of the Constitution. On the contrary, it is a means by which the meaning of the Constitution can be restored and the powers of this Government rebalanced. It is not required by reason that a Justice of the Supreme Court, who holds in his hands the power to destroy our system of government, be answerable to someone?

Finally, Mr. Justice Hugo L. Black, the senior member of the Supreme Court and long considered one of its most effective liberal voices, was quoted in the April 1, 1968, issue of U.S. News & World Report. In the Carpentier Lectures at Columbia University Law School, delivered March 20, 21, and 23 of this year, he said:

> The courts are given power to interpret the Constitution and laws, which means to explain and expound, not to alter, amend or remake. Judges take an oath to support the Constitution as it is, not as they think it should be. I cannot subscribe to the doctrine that, consistent with that oath, a judge can arrogate to himself a power to "adapt the Constitution to new times."
>
> But adherence to the Constitution as written does not mean we are controlled by the dead. It means we are controlled by the Constitution, truly a living document. For it contains within itself a lasting recognition that it should be changed to meet new demands, new conditions, new times.
>
> It provides the means to achieve these changes through the amendment process in Article V.

Mr. Justice Black has eloquently stated the problem which exists and the method of solving it. I urge my colleagues to take this first step which I am proposing.

Mr. O'HARA of Illinois. Mr. Speaker, it was my privilege and my honor to have as a classmate, as a fellow freshman in the 81st Congress, the Honorable William Homer Thornberry, whom President Johnson has nominated to the Supreme Court of the United States.

During his service in the House there was not a Member on either side of the aisle who did not hold him in the highest respect. Of such as Homer Thornberry are great judges made, and to that appraisal there will not be a single dissenting voice among the hundreds of his colleagues in his years of service in the House.

GENERAL LEAVE TO EXTEND

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may have 5 legislative days in which to extend their remarks on the subject of the appointments of Mr. Justice Fortas and Homer Thornberry.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SUPERSONIC TRANSPORT DESIGN MUST MEET ACCEPTABLE STANDARDS OF NOISE AND SONIC BOOMS

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PUCINSKI. Mr. Speaker, the House Committee on Appropriations today struck out a $223 million item for the development of supersonic transport until such time as industry comes up with an acceptable design.

The committee has also recommended that the $30 million heretofore advanced for this project be returned to the Treasury.

I want to congratulate the committee for its wisdom and good judgment. The committee has instructed the appropriate agencies to first come up with an acceptable design that will meet the standards of noise and supersonic booms in this country before any money is spent on this project.

Mr. Speaker, I am not at all disturbed with the fact that the British and the French are now developing a supersonic transport known as the Concord. That aircraft will produce a supersonic boom of such gravity that I am sure it will be barred from operating over the United States at supersonic speeds. I am certain that Congress sooner or later will approve legislation which I have introduced which would require that no supersonic flight can be made over the continental United States which produces supersonic booms of more than 1.5 pounds of pressure per square foot at ground level.

This is a serious problem. It is one confronting this Nation and the world, and I believe the Committee on Appropriations today showed extremely good judgment in not funding any more money until the designers of these aircraft are prepared to come before Congress and to come before the people and say that they have designed an airfoil and a powerplant that will give us the thrust and the lift, and the speed that we need to fly at supersonic speeds which will not produce devastating supersonic booms in their wake.

We know the damage that supersonic booms can do. We had the example just recently at the Air Force Academy in Colorado Springs where a supersonic flight broke some 300 windows and seriously injured a number of soldiers, including one colonel who had a piece of glass shattered through his neck. I do not know how he is doing at this moment, but that example just gives us a preview of things to come in this country if we do not insist upon research to counteract this problem of sonic booms before billions of dollars are spent on the development of a supersonic transport. I do not believe we should spend any more on supersonic planes until we have one designed that will not produce sonic booms in excess of tolerable limits. If the engineers say they have not reached that state of science where they can guarantee against sonic booms, then I say, Mr. Speaker, society just is not ready for supersonic flights. I do not believe that we have to jeopardize millions of people in the name of so-called progress. The aircraft industry has a responsibility to our people and until they break through the sonic boom problem, there just will not be any supersonic flights over the United States.

Mr. Speaker, I repeat, I congratulate the House Committee on Appropriations for its good judgment.

THE SERIOUSNESS OF THE CRIME PROBLEM IN AMERICA TODAY

Mr. ABBITT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ABBITT. Mr. Speaker, All of us are keenly aware of the seriousness of the crime problem in America today. We are confronted with it on every hand, and the news media constantly report evidence that crime is on the increase in all parts of the country.

The recent statistics released by the Federal Bureau of Investigation are further evidence of the fact that we need to take some tangible and forceful action in order to deter those who are bent on breaking the law. It is abundantly obvious that much of the increase in crime in recent years has been brought about by the attitude of the top echelon of our law-enforcement authorities as well as the decisions of the Supreme Court of the United States. These decisions have given the criminal encouragement, protection and almost a license to commit crime at will. In addition, many of our courts have a growing tendency to release vicious criminals, to probation and turn them loose to prey further upon the innocent.

Something must be done by the Congress to change the present procedure and atmosphere if lawlessness and violence are to be wiped out in our Nation. If some of our national leaders who are now crying out against the crime wave would help the Congress enact the necessary laws to put a curb on the Supreme Court in its all-out effort to protect the criminal elements and to strengthen the hands of law-enforcement officials, we would then be in a much better position to combat crime throughout the Nation. In an endeavor to stop the coddling of prisoners and to in a small way increase the protection to society as a whole, several necessary changes in the law must be made. Action should be taken immediately and forthrightly.

The omnibus crime control bill, which the Congress recently approved, and which has now been signed into law, will, I believe, provide some remedial steps in restoring the proper perspective in dealing with crime in America. This law actually is only a first step toward that which is badly needed in order to overcome court decisions of recent years. The omnibus crime control bill reported by the Senate Judiciary Committee contained several sections which were later deleted by the Senate when it passed the bill. I have, therefore, introduced a bill which incorporates these important sections. It is my hope that immediate consideration can be given to enactment of these provisions. The purpose of my bill is to limit the appellate jurisdiction of the Federal courts to review certain rulings in State criminal cases, and it provides that section 3502 of title 18, United States Code, is amended to deny jurisdiction to Federal courts to reverse convictions in State courts involving admissions and confessions admitted as voluntarily given where the highest court of the State has affirmed such convictions. The bill also contains section 3503, which would provide that eye-witness testimony is admissible in evidence and limits the appellate jurisdiction of the Federal courts in both Federal and State cases admitting this testimony into evidence. The language of the bill is clear and simple, and its purpose is to further insure that society as a whole will be adequately protected.

The bill also sets forth procedures in obtaining writs of habeas corpus, as follows:

> The judgment of a court of a state upon a plea or verdict of guilty in a criminal action shall be conclusive with respect to all questions of law or fact which were determined, or which could have been determined, in that action until such judgment is reversed, vacated, or modified by a court having jurisdiction to review by appeal or certiorari such judgment; and neither the Supreme Court nor any inferior court ordained and established by Congress under Article III of the Constitution of the United States shall have jurisdiction to reverse, vacate, or modify any such judgment of a state court except upon appeal from, or writ of certiorari granted to review, a determination made with respect to such judgment upon review thereof by the highest court of that state having jurisdiction to review such judgment.

I firmly believe that legislation of this type is necessary if we are to adequately protect the public interest against the rise in crime which is gaining momentum all over America.

Those who continually assert that we need to go all out to protect the rights and privileges of the accused regardless of the effect on society as a whole were strongly opposed to the provisions added to the omnibus crime control bill relating to Federal courts. They apparently have no interest in protecting society but only in the coddling and pampering of the criminal element. These same people in the judiciary and out have nearly wrecked crime enforcement in America. They have so shackled our police and handcuffed enforcement officials that justice has been a mockery of in numerous trials of self-confessed vicious criminals. They will likewise be opposed to the provisions of this bill. I believe, however, that the time has come when we need to keep in mind that society as a whole needs to be protected against those who willfully and deliberately violate our laws. Nor can we sit back and let those who have little concern for our national well-being trample down the great constitutional principles which we have so long and painstakingly established.

The dogooders, leftwingers, and others who are constantly bending over backward to extend rights to the accused at the expense of society as a whole are never around to assume any responsibility for the results of their endeavors.

The No. 1 step facing us today is the curbing of the majority of the members of a Supreme Court which majority has done so much to wreck law enforcement in America and to bring about violence and lawlessness on every hand. We need the help of every law-abiding citizen in this effort to restore peace and tranquility in America. This is merely one step but it is an important one.

PRESENTATION OF AIR FORCE COMMENDATION MEDAL TO COL. CLOYCE TIPPETT, U.S. AIR FORCE, RETIRED

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, on June 19 it was my great pleasure to attend the presentation of the Air Force Commendation Medal to Col. Cloyce Tippett, U.S. Air Force, retired. Colonel Tippett is an outstanding American who has rendered great service to his country and was most deserving of the tribute accorded him in this presentation. Remarks detailing Colonel Tippett's contribution to the Air Force were made by Brig. Gen. Jammie M. Philpott, U.S. Air Force. I include these remarks in the RECORD for the recognition of all Members of Congress:

REMARKS BY BRIG. GEN. JAMMIE M. PHILPOTT, DEPUTY ASSISTANT CHIEF OF STAFF, INTELLIGENCE, AT THE PRESENTATION OF THE AIR FORCE COMMENDATION MEDAL TO COL. CLOYCE TIPPETT, U.S. AIR FORCE, RETIRED, WEDNESDAY, JUNE 19, 1968

Ladies and gentlemen, I wish to express to you General Wheless' regrets for not being able to be here for this occasion and especially to Colonel Tippett whom he has known for a number of years. General Wheless anticipated being here this afternoon to preside at this ceremony; however, he has not been returned to duty and he has asked me to represent him.

On this occasion I believe it appropriate to briefly review some of the highlights of Colonel Tippett's career which started at Randolph and Kelly Fields, Texas in 1936.

Following the war, he was accredited to all Central and South American countries as a representative of the International Civil Aviation Organization. Because of his extensive knowledge of Latin American affairs Colonel Tippett has served his active duty periods with the United States Air Force Foreign Liaison Division from 1960 to the present.

Colonel Tippett's retirement from the Air Force Reserves culminates a long and active association with the United States Air Force which he has carried out with both loyalty and distinction.

Because of this it is fitting that Colonel Tippett's service be recognized with the awarding of the Air Force Commendation Medal.

Colonel Shertzer will you please read the citation.

CITATION TO ACCOMPANY THE AWARD OF THE AIR FORCE COMMENDATION MEDAL TO CLOYCE J. TIPPETT

Colonel Cloyce J. Tippett distinguished himself by meritorious service while assigned to the Foreign Liaison Division, Office of the Assistant Chief of Staff, Intelligence, Headquarters United States Air Force, from 25 July 1961 to 17 April 1968. During his active duty periods, Colonel Tippett's highly professional skill, knowledge of Latin American affairs, and dedication to the United States Air Force, assisted to a marked degree in the development and maintenance of cordial and mutually beneficial relationships with the accredited Air Attaches, representatives of foreign missions, and other representatives of foreign Air Forces in the Washington area. The distinctive accomplishments of Colonel Tippett culminate a distinguished career in the service of his country, and reflect credit upon himself and the United States Air Force.

ANNIVERSARY OF FOUNDING OF AMERICANS FOR CONSTITUTIONAL ACTION

Mr. BLACKBURN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BLACKBURN. Mr. Speaker, today is the 10th anniversary of the founding of the Americans for Constitutional Action. This group has for the past 10 years been providing the American people with a comprehensive analysis of the voting records of the Members of Congress.

The ACA is a nonpartisan, nonprofit, nationwide political action organization which is dedicated to preserving our constitutional government as envisioned by our Founding Fathers. The main purpose of this organization is to protect American's social and economic freedoms and to combat trends toward socialism and a regimented society. In the true American tradition, the ACA has supported candidates for Congress who will protect these basic constitutional freedoms.

The board of directors and trustees of the Americans for Constitutional Action are a group of distinguished Americans. Among the trustees are patriotic Americans from the fields of business, government, law, and medicine. One of these trustees, Mr. John Wayne, celebrated Hollywood actor, has actively supported and campaigned for the cause of constitutional government. Over July Fourth, John Wayne will act as grand marshal of Atlanta's annual Fourth of July parade, and I have the honor of participating in that event. Mr. Wayne has always supported the goals of the ACA, and I consider him one of the outstanding members of this organization.

For the information of my colleagues, there are eight basic principles which the ACA adheres to. They are the following:

First. Man has the right to life, liberty, and possessing, utilizing, and disposing of his honestly acquired property.

Second. When any individual, group, or government deprives a person of his God-given rights, it is done in violation of natural law.

Third. No man can deprive posterity of their God-given rights or he cannot vote away or give away their economic and political freedom.

Fourth. All powers of government should be obtained by delegation of the individual. The government does not have the right to forcibly seize power or obtain power by voluntary delegation by individual citizens.

Fifth. Safeguards must be erected against an expanding government to insure that the instruments forged to protect the rights of the people will not be used to destroy those rights.

Sixth. To insure economic freedom, we must strive to preserve the free market system into which government can only intrude to protect individual rights and to prevent predatory action.

Seventh. The prevention of onerous or punitive taxation, including inflation, which tends to destroy economic freedom must be ameliorated. A slave is a person to whom economic freedom is denied.

Eighth. For every right there is a collateral responsibility. Unless there is a general prevailing individual self-discipline, which stems from devotion to the moral code, it is impossible to achieve that balance between public order and individual freedom which is essential for spiritual growth and material prosperity.

As we approach the Fourth of July, I hope each of you will join in rededicating yourselves to strengthening the principles of constitutional government and extend your best wishes to members of ACA as they celebrate their 10th anniversary.

AMERICANS FOR CONSTITUTIONAL ACTION

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SNYDER. Mr. Speaker, today Americans for Constitutional Action completes a decade of service to the American electorate and also to numerous Members of Congress. For 10 years their efforts have played a vital and often decisive part in congressional elections; their winning percentages have been consistently high during their years of participation. This fact was dramatically pointed out by the nonpartisan, authoritative Congressional Quarterly when they reviewed the 1964 elections and found that out of 121 House contests where ACA and the AFL–CIO's COPE endorsed competing candidates, ACA endorsees won 68 races while 52 were won by COPE candidates.

ACA's published ratings—ACA Index—on the voting records of all legislators at the close of each session, provide an invaluable measure for the voting public to see for themselves how they are truly being represented. The news media also use the Index widely as a reliable gage of voting trends and varying individual patterns.

Conservative candidates who receive ACA's support are provided with a variety of services ranging from the counseling of new candidates to professional campaign assistance in areas where needed. Along with additional services such as in-depth research, speech material, art layouts, news releases, and use of ACA publications. However, regardless of ACA's involvement, a firm policy of never making endorsements without a prior request from the candidate, is maintained.

When manpower is needed in a given area, it is recruited if possible from the candidate's own district or State and takes direction directly from the candidate in an assigned capacity. This may include organizing the campaign, speechwriting, statistical research, fundraising, organizing committees, and election-day workers, or whatever needed.

ACA has organized citizens groups in some areas on a statewide or district level. They were organized to support conservative incumbents or to seek out new candidates where necessary. By their nonpartisan stature they have often been a tremendous asset to officeseekers on not only the congressional level but to State and local candidates.

After observing the many facets of ACA through the past 7 years I have developed a deep respect for their capacities and the leadership that makes them possible. And I want to say, "Thank you, ACA," for what you have done for so many of us in this Congress and in the past—I hope that you will continue and ever expand your efforts for good government through your voter education programs, campaign assistance, and in future ways that may not yet be on your planning boards.

PATRIOTISM TODAY

Mr. EVERETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EVERETT. Mr. Speaker, there appeared recently in the June 21 issue of the Lauderdale County Enterprise of Ripley, Tenn., one of the outstanding weekly newspapers in the Nation, an article that was so outstanding from PFC Danny Ray Falkner, who is presently in the armed services in Korea, that I felt it should be brought to the attention of the Congress.

I know that many of us are getting letters from time to time from these hippies and draft-card burners not wanting to go to the service, but this young man is a true American in every respect. The letter speaks for itself:

EDITOR:

I am PFC Danny Ray Falkner. I have been a life-long resident of Lauderdale County. I graduated from Ripley High School in May of 1967. I'm presently a member of the United States Army Security Agency, which is stationed in Korea along the demilitarized zone.

Recently, I have been deeply touched over the matter of patriotism in our young people of today.

I hope you will publish this statement in order that it may help our young people, not only of Lauderdale County, but of the whole United States, in the way of patriotism.

Recently, there have been many riots and numerous people burning their draft cards, in protest against the Viet Nam war, and against the draft. From seeing all of this, a very serious question has arisen: "Patriotism, is it dead?"

As a member of the United States Army, I have been deeply touched by the fact that our American young people of today are doing such foolish stuff. These young people don't seem to realize what they are doing.

Ever since 1775, we Americans have been fighting for our freedom. We were fighting for the right to do as we wish, fighting to have the privilege of free vote, and the right to free speech. Our fore-fathers fought for such freedom, in order that generations to come might enjoy this privilege. Our men in Viet Nam today are fighting in order to help a country to rid itself of Communist aggression.

The young people also don't seem to realize that unless we continue to resist Communism, we will soon be under Communist rule, where we wouldn't have the right to do as we wish, nor have the right to express ourselves freely.

As for myself, I don't like war any more than anyone else does, but I realize the fact that we must fight in order to keep our freedom. Such stuff as burning draft cards and rioting in protest goes to prove that patriotism in our young people of today is at an all-time low, and something must be done about it, and quickly.

I agree a person has the right to express himself, but when it comes down to where he burns his draft card and causes riots that endanger the lives of innocent people, it's absolutely foolish.

A person should want to serve his country. A person should have so much pride and respect that he would be willing to lay down his life in its defense.

We should remember the words of one of the famous patriots of the American Revolutionary War, Nathan Hale.

Nathan Hale was a school teacher before the war. He quit his job when the war broke out and joined the army. As you and I know, Nathan Hale was caught and hung as a spy. But his last words were not of protest and hate; they were of love and devotion to his country, and these words were, of course, "I have but one life to give to my country." Nathan Hale thought so much of his country that he was willing to lay down his life in its defense. Our young people of today should remember his words.

I enlisted in the army for one reason, and one reason only. The reason was because I was proud of my country and I was proud of those who fought and died before me for my country in order that I might enjoy the freedom that I now enjoy.

I was willing at least to give up a few years of my life for my country. And now if needed, I will give my life in its defense, because, as I've said, I'm proud of my country.

A person should be proud and be willing to serve if he is called to do so. He shouldn't go with hate or go rebelliously in his heart. There are many people all over the world who would love to have this freedom that we enjoy.

If a person goes with pride and honor in his heart, there will be no need to burn draft cards or cause riots, and above all there will be no need for people to wonder, "Patriotism, is it dead?"

DANNY R. FALKNER,
Co. B, 508th ASA Gp, Korea,
APO San Francisco, Calif. 96207.

POST OFFICE DEPARTMENT REQUIRES EXEMPTION FROM PERSONNEL CUTBACK TO AVOID MAIL SERVICE CHAOS

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I am introducing today legislation to exempt the Post Office Department from the personnel cutback requirements provided in the Revenue and Expenditure Control Act of 1968, now awaiting President Johnson's signature.

I have been studying carefully the potential effect of the order on the Department, which already is grappling with a massive increase in mail volume. Clearly, the need will be for added manpower, not less.

The mail volume has increased sharply and postal employment practices have been changed in the Department during the past 2 years, so that the proposed cutback can result in chaos in our mail service.

I have discussed this matter already with our colleague, the gentleman from Arkansas [Mr. MILLS], chairman of the Committee on Ways and Means, to which committee my bill is being referred. He has assured me that his committee will give early consideration to my bill.

The mail volume in fiscal year 1969 will be 11 percent greater than it was in fiscal year 1966, which is the base year to be used by departments in establishing new employment ceilings.

What is more, there was an important change in the work schedule of postal employees in 1967, requiring more employees because of an expansion of the 5-day workweek, a change in overtime practices, and virtual elimination of split shifts.

The Post Office Department, unlike any other business, has no control over its workload. It has to handle whatever mail is dropped in the mail chutes or piled on the post office platforms.

Here are some of the key factors which are changing between fiscal year 1966, the base year, and fiscal year 1969:

There is a population increase of 7 million, an increase of 4 million in the number of homes in the United States receiving city delivery of mail, an additional 666,377 rural homes, a total of over 358,000 new businesses, and a per capita increase in volume of mail of 8.8 percent.

Even with that big increase in demand for postal service, and the changes in employment practices in the Department, the increase in personnel has been held in check.

In June 1966, the Department employed 489,898 permanent and 188,000 nonpermanent workers. By June 1969, it is now estimated that the Department—with the ordered cutback—will be employing 566,437 permanent and about 195,000 nonpermanent workers.

Unless we give consideration to the special demands of the postal service, I do not see how the Department will be able to handle the mail load while undergoing a big reduction in personnel.

Of course, the effect of the manpower reduction ordered in the tax bill will not be overnight. It will be gradual—by attrition—over a period of months.

During that time, however, the prospect is for the mail volume to keep increasing.

The only alternative is to cut back on postal service. If my mail is any indication, the American public is in no mood to accept anything less than the mail service which it is now receiving.

My bill simply exempts the Post Office Department from the employment limitations in the tax measure. It does not change sections in the bill dealing with reduction in expenditures in fiscal 1969.

THE SILENT DEATH

Mr. WOLFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WOLFF. Mr. Speaker, to demonstrate the ease with which one can purchase murder weapons, I recently purchased, in the Times Square area of New York City, a switchblade, a 5-inch gravity knife and other gruesome weapons. These so-called hunting knives are, in reality, only used to hunt people.

Now, while the public is rightly demanding and I am supporting strong gun control legislation, I call for a parallel effort to control these vicious knives. I call upon the Department of Justice, as well as State and local law-enforcement agencies, to crack down by enforcing existing laws. And to tighten existing law, I shall introduce legislation to effectively prohibit the manufacture of these weapons and to prevent the distribution of knives already produced.

Mr. Speaker, in all parts of the country, especially in those areas with effective gun control laws, the number of knife murders is steadily climbing. During 1965 and 1966 there were approximately 20,000 homicides in the United States. Of those 4,700 were committed with knives—that is just under 25 percent. And a national magazine recently reported that in some communities knife murders exceed gun murders by as much as 5 to 1.

As I said, there are existing Federal, State, and local laws controlling the distribution of switchblades and similar weapons. However these laws are too weak and are rarely enforced. Under a 10-year-old Federal law designed to stop the spread of these knives there have been only 17 convictions—that is in 10 years, Mr. Speaker.

Because these knives are a dreadful extension of violence in our society; because they are readily available, even to minors; because existing laws are ineffectual; and because these knives have no constructive purpose whatsoever—for all these reasons I shall introduce legislation to block the manufacture, distribution, and availability of switchblades, gravity knives and similar weapons.

The following points will be included in this legislation:

First. Clearly and specifically prohibit any individual, transporter or common carrier from carrying such knives in interstate travel;

Second. Prohibit the sale of surplus military switchblades;

Third. Prohibit the sale of such knives to an individual who is not a resident of the State in which the knife is sold;

Fourth. Prohibit the ordering of such knives by telephone;

Fifth. Prohibit any distributor or shipper dealing in interstate commerce from selling, transporting, or distributing such knives in any instance; and

Sixth. Prohibit any manufacturer dealing in interstate commerce from manufacturing such knives.

Finally, Mr. Speaker, I wish to commend to the Members' attention an excellent article on the problem of switchblade knives This article, written by Jack Harrison Pollack, appeared in the May 26 issue of Parade magazine and, under leave to extend my remarks, I wish to include it in the RECORD at this point:

WE MUST STOP THE SALE OF SWITCHBLADE KNIVES

(By Jack Harrison Pollack)

It could happen to you or any member of your family, any time, anywhere—on a crowded subway or a lonely suburban street. The motive could be robbery, rape or senseless slaughter. Tempers flare. Suddenly a hand streaks toward a pocket. There is a swift click. A hidden, daggger-tipped blade darts out like a snake's tongue. Clutched in a fist is a murderous "switchblade" or "gravity" type knife which in close quarters, police say, is as lethal as a loaded revolver.

Millions of words have been written and spoken in and out of Congress about the menace of guns; civic organizations press for legislation to curtail their sale. Too little has been said about concealed knives. Yet crime statistics show that knives cause far more trouble than guns. They accounted for 23 percent of U.S. murders in 1966, and the rate is probably higher today. In many communities, the ratio of knife crimes to gun crimes is as high as five to one. When newspapers report these crimes, they usually say "knife stabbings." But police records often reveal that switchblade or gravity knives were the weapons used.

Isn't it against the law to possess these dangerous knives? Most states have a law against carrying concealed weapons. And in at least 12 states these knives are specifically prohibited—and federal law prohibits their interstate shipment. But the laws are often so vaguely written that they are rarely enforced, and as a result are cynically flouted.

KNIVES AND SCHOOL

Parade learned in a nationwide survey that these switchblade and gravity knives (also called "springblade," "swingback" and "snap" knives)—*which are designed exclusively for violence*—are frequently as easy to buy in many parts of the U.S. as a package of gum or cigarettes. In many fair-sized cities, they are prominently displayed in store windows, and are sold openly, even to teenagers—no questions asked. Some cautious storekeepers, though, sell them from under the counter or cache them in the rear of the shop.

In New York City, the knives are advertised in seedy Times Square store windows with the come-on price—"from 88 cents up." On Chicago's South Side, they are for sale not far from a public school, and they have indeed been bought by thrill-seeking juveniles, who take them up as a fad, and take them to classes and school dances. In some California cities, where a state law prohibits the carrying of any knife with a blade of over two inches, knives and daggers with blades up to nine inches are illegally acquired by hoodlums and others.

In these and other communities, I recently purchased some of these knives. I saw them being sold to scores of minors and grownups, in flagrant violation of local and state laws, often with policemen passively patrolling outside the stores or in the vicinity. You can even charge these illegal purchases to your credit card service!

The knives are mainly manufactured in Japan, Germany and Italy and are smuggled into the U.S. Many have gaudy handles and are labeled "007." Others, also to attract the unhealthy fascination of teenagers and sophomoric adults, are emblazoned with such words as "Lion," "Tiger" and "Eagle." These knives cost from $3.98 to $25 for the more elegant Italian models.

What is the difference between these and conventional knives? First, they have a daggerpoint tip. Second, unlike ordinary pocketknives, they can be operated with one hand. To open a switchblade, you merely press a button, and the blade flies out instantly and locks into position. A gravity knife opens when held firmly by the fingers and quickly snapped with the arm and wrist. The blade leaps forward, automatically locked into place. In states where there is a specific prohibition against switchblades, gravity knives are now coming into greater circulation. These one-handed weapons may not be as multi-purpose as a Boy Scout's jackknife but they are infinitely swifter to open, and thus are favorites with street fighters, muggers and strongarm robbers. "I never even saw the knife," said one victim of a switchblade attack, "I only *felt* it."

I asked merchants why they sold these deadly knives. Here are some of their cynical, if whimsical replies: "People want them for protection." "You don't break your fingernail opening them." "They're easy to peel potatoes with." "You couldn't get a kid a nicer present." "Girls like to use them instead of hatpins."

Salesmen and manufacturers also have an ever-ready alibi: "If people can't get these knives, they'll find other weapons to commit crimes with—guns, icepicks, baseball bats and what-have-you." But countless crimes would never have been committed if switchblade and gravity knives were not so readily available. Police, judges, teachers, social workers and other responsible citizens are increasingly disturbed by the growing use of these weapons. A Midwestern police officer admits: "Nearly three out of four of our stabbing cases this year involved these knives. We sure need a tough law against them."

In 1958, Congress did pass a law to ban the interstate shipment of switchblade knives. Penalties for violation are up to five years in prison and a $2,000 fine. The bill was introduced by Sen. Warren G. Magnuson (D., Wash.) in response to urging the police chiefs across the nation, who were trying to cut down street warfare by youthful gangs. But the Justice Department admits there have been only eight convictions in the past five years. People who were vitally interested in the legislation at the time of its passage seem almost to have forgotten its existence. Senator Magnuson said he hasn't followed the progress of the law, but he has the impression it has "gone a long way toward correcting the situation." However, when asked whether the law had been effective, Attorney General Ramsey Clark declined to comment.

Knives are also on the list of forbidden imports. Customs men say they have seized 2,500 knives from persons returning from Europe in the past 12 months, but only one commercial shipment was confiscated, a consignment of Japanese knives seized in Los Angeles.

MORE THAN A MILLION

A decade ago, switchblade production in the U.S. was reported at 1 million knives a year. This was supplemented by the importation of another 200,000 knives. The federal law exempts from its provisions members of the armed forces when engaged in the pursuit of their duties, and one-armed persons, who may carry switchblades of less than three inches in interstate travel. When I told a storekeeper that I wanted a switchblade for a one-armed friend, he said: "Here's a gravity knife that's just as good. I'll show you how to open it." Another merchant hesitated to sell me a switchblade, but he produced a knife with the usual pushbutton removed, and then told me that I could replace the mechanism in a hardware store!

Most state and local laws are weasel-worded on the subject of the knives, and are often contradictory. Some do not make clear that it is a crime to buy and sell them, but only to "possess" or "carry" them.

Laws have also been handicapped by poor enforcement. Last month in New York City a detective saw a man pull a switchblade on the doorman of my apartment house. The detective seized the knife and told the man to move on. "Why didn't you lock him up?" asked the doorman. "Maybe I should have," said the detective, "but I'd have to go to court to testify against him—and so would you."

A few localities have taken effective action against knives. Philadelphia has passed an ordinance which carries penalties of up to 90 days in prison and a $300 fine for any seller or carrier of switchblade and gravity knives. When storekeepers display the weapons, police crack down. "This law has virtually dried up knives at the source," Ephraim R. Gomberg, executive vice-president of the Philadelphia Crime Commission, says.

How can you protect yourself and your family from this threat? Here are three things you can do immediately:

1. Find out if any of your local storekeepers display or sell switchblade or gravity knives. If they do—and are violating local or state law—notify the police and help prosecute them. Preferably, this can be done through your civic, religious, fraternal or PTA organizations.

2. If your local or state law needs clarifying, or if your state and town has no law against these knives, you can work for the passage of new laws. And add your voice to others demanding strict enforcement.

3. Make certain that your children and their friends do not buy or carry the knives.

Not long ago, a decorated young war hero—who had survived several overseas battle wounds—was getting off a bus with his girl friend. Suddenly, without warning or provocation, a drunken stranger pulled a four-inch switchblade from his pocket and plunged it into the veteran's heart, killing him almost instantly. Who was the murderer? A mentally ill man with a long police record of assault. He couldn't carry a gun without a permit. If needed laws were enacted and enforced, he wouldn't have found it so easy to roam the streets and ride the buses with an equally murderous weapon.

Mr. PASSMAN. Mr. Speaker, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Could you not also do the same thing with reference to a kitchen knife or a common steak knife that you use for cutting meat?

Mr. WOLFF. The kitchen knife is made for the purpose of cutting meat for human consumption, but these knives are made for the purpose of inflicting injury upon individual persons.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. WOLFF. I yield to the gentleman from Illinois.

Mr. YATES. Mr. Speaker, approximately 10 years ago it was my pleasure to participate in the sponsoring of legislation, legislation which Congress passed, prohibiting the interstate shipment and sale of switchblade knives as well as the gravity knife.

Mr. Speaker, I trust the matter to which the gentleman from New York [Mr. WOLFF] has referred will receive the attention of the producers of such weapons and that the appropriate committees of the Congress will take action thereon.

Mr. PASSMAN. This will mean that I will have to head for the use of chopsticks.

PRESIDENT JOHNSON—AGE SHOULD BE NO BARRIER TO THE VOTE

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, I want to express my support of President Johnson's proposal for a constitutional amendment to permit 18-year-olds to vote.

Today young people are among the best informed in all history. We need their fresh ideas to help meet the needs of today's changing world. I do not mean to imply by this that this is an issue that will divide liberals from conservatives. It is a proposal worthy of their accord regardless of party.

The requirement of 21 as the voting age in 46 of our States derives from medieval England. It is illogical to suppose that the age of 21 is a relevant test of majority today. The quality and scope of our education have made such a test obsolete.

The President's proposal has already met with popular support.

In both the 89th and 90th Congresses I introduced a resolution proposing an amendment to the Constitution of the United States providing that citizens 18 years old or members of the Armed Forces of the United States should not be prevented from voting in certain elections on grounds of their age.

It is my opinion that 18-year-olds, fresh from the study of politics and American Government in our high schools, are better versed in public affairs than were the 21-year-olds of 50 or even 25 years ago, and that this segment of our society would make a notable contribution to our political progress. It is time to give them the opportunity for direct participation in the political life of the country.

PROTEST OF PRESIDENT'S NOMINATIONS TO THE SUPREME COURT

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I rise to protest with all the vigor at my command the installation of justice by crony as exemplified by "lameduck" President Lyndon Johnson's nominations to the Supreme Court of the United States.

Abe Fortas, Johnson's nominee as Chief Justice of the Supreme Court, is a glorified fixer. He demonstrated this beyond doubt in the infamous case of Walter Jenkins, a Johnson White House intimate, who was arrested in the basement of a Washington, D.C., YMCA and forfeited bond on a morals charge.

The nomination of Homer Thornberry, another close friend of the lameduck President, as an Associate Justice, brings into sharp focus the immediate need for Congress to establish qualifications for members of the Supreme Court. There are literally hundreds of members of the bar in this country with far more legal and judicial experience than Thornberry.

Mr. Speaker, this Government as ordained by the Founding Fathers cannot survive if its High Court is to continue to be used as a tool of politics and a dumping ground for cronies.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, does the gentleman realize that Homer Thornberry goes to the Supreme Court with more Federal judicial experience than any other Member now sitting on the court, with the exception of one Member?

Mr. GROSS. That is no testimonial to the court now sitting, I would say.

Mr. ALBERT. But it is a testimonial to Homer Thornberry.

Of course, the gentleman has made charges about the distinguished nominee for the position of Chief Justice, whose credentials will be gone into by the other body and will be subject to open debate. I think it is admitted the gentleman nominated is one of the most brilliant men in America. I doubt that my friend can substantiate the very serious charges he has made about one of the brightest minds in our country today. I do not think the gentleman wants to be unfair.

Mr. GROSS. I have only 1 minute this evening, but I will be glad at some later date to take more time and to read into the record what happened on the occasion of the Walter Jenkins episode to prove my point. I will be glad at any time, with the gentleman on the floor, to ask questions or to comment, to take some time to do that, if the gentleman insists upon it.

TRIBUTE TO ROBERT E. BAUMAN

The SPEAKER pro tempore (Mr. GALLAGHER). Under a previous order of the House, the gentleman from Ohio [Mr. ASHBROOK] is recognized for 60 minutes.

Mr. ASHBROOK. Mr. Speaker, I take the floor today to pay tribute to a young man with whom most of us have been well acquainted. His service to the Congress began in 1953, as a Page in the House, and has continued to the present day where he serves as manager of the Republican telephones in the House cloakroom. I pay tribute to this young man, Robert Bauman, because at the end of this week he will retire from his position in the House, to begin his career in the practice of law.

Like many young men of ability and determination, Bob completed his education by working his way through school. He has asked for no handouts from the Government, be it State or Federal. He had no stipends or other financial help. Putting himself through undergraduate and law school has only been accomplished by the hard, long efforts of working by day and going to class by night. This very morning in Annapolis, he, along with other young men entering the legal profession, was sworn into the bar of the State of Maryland.

I congratulate Bob on this achievement. He has worked long and hard and the reward is well deserved. As he leaves his tenure as a Republican assistant in the House of Representatives, I and all of my colleagues wish him well. Bob will leave a lot of friends when he leaves the employ of the House. His absence will be noted, I am sure, by many of those who have depended upon him for legislative information, and much more by those who have enjoyed knowing him personally. His reputation as a wit—sometimes it can be a particularly cutting wit—is well known around the cloakroom. He possesses a sense of humor that sometimes is woefully lacking in some men in politics. That sense of humor has often relieved the tension of long and arduous sessions of the Congress. It, coupled with his dedication to the Republican Party, will cause him to be sorely missed by all of us.

I would like to say a few words now about my own personal association with Bob Bauman, which began as long ago as 1957, when I was serving as national chairman of the Young Republicans. At that time, Bob was still in college, and was active in the College Young Republicans. I knew him then as a particularly competent, bright, and aggressive politician, with a distinct leaning to the political right in the GOP. As the years went by, I became associated with him in Young Republican conventions, in national Republican conventions, and in other conservative activities. At the same time, he continued to be active in the Republican Party in his own State of Maryland, while pursuing his law studies at Georgetown University at night.

I once attended a testimonial dinner in his honor. It may seem strange for one so young to have had a testimonial dinner—but Bob, at that time only 27—was retiring as national chairman of Young Americans for Freedom. Some of his friends thought he should be so honored, and I was proud to attend and add my tribute to the many others that were given that night. During his tenure as national chairman of Young Americans for Freedom, which was more than 3 years, YAF became a nationally known name, one which commands more respect from Members of Congress than almost any other youth group. When he retired from that post, he of course did not retire from politics, but went on to become a founding member of the board of directors of the American Conservative Union. I have had the honor of being chairman of the ACU since 1966, and Bob has served well as secretary to the board. I have also worked with him during that time when he, as a member of the national executive board of the Young Republicans, continued to be active in that group.

My greatest admiration for Bob is because of his profound dedication to the same great principles of constitutional government and just administration of the law which I hold so important. Were it not for my belief that these principles are threatened today by sinister forces both from without and within this Nation, I would not undertake the time-consuming and arduous political responsibilities that I now have. Those of us who have worked for these conservative principles of government sometimes become discouraged at the slow pace of our progress—and I do think we have made progress in recent years—but our greatest comfort is in knowing that young men like Bob are moving up to take their places in the struggle.

His concept of the law, and of the place of this Nation in the world, have been well manifested by his many speeches, writings, and efforts on behalf of conservative candidates for office. He has been a delegate to three Maryland State Republican conventions, and was a delegate to the Republican National Convention in 1964. In all of these endeavors, he has sought to advance the conservative principles in which he believes.

It may seem strange that a young man, just past 30, could have amassed 15 years of service in the Congress. But Bob was truly a fortunate young man to have been appointed a page in the House at the age of 15. Even at that age, Bob was a dedicated Republican, and he found in serving Members of Congress a thrill which most boys of that age have never known. His awe of the Capitol, the Congress, and the legislative processes, has never diminished since that time. I once heard the story of how Bob came to be named as a page. I think other Members will find it amusing and instructive.

While a freshman in Easton High School, Easton, Md., Bob was an avid reader of the New York Times, oddly enough. He laboriously clipped newspaper items about the Republican campaign of 1952, and in so doing, came across an item about the number of Republican page jobs that would be opening up after the beginning of the Eisenhower administration and the convening of the Republican 83d Congress. Although Bob's parents were not active politically—I believe at that time they were not even registered Republicans—Bob had been doing his part in local campaigns in Maryland's First District in the 1952 campaign. He had marched in parades, passed Republican literature, worked at headquarters, and done everything that a novice politician is advised to do. So, when he learned about the opportunity for Republican pages, he simply presented himself to the Congressman from his district, the late Edward T. (Ted) Miller. Ted Miller remembered the boy, and although he said he did not have much influence on patronage appointments at that time, he would see what he could do. Bob's request might have seemed presumptuous to some who are familiar with the manner in which most page appointments are made, but to those who know Bob, it seemed the most natural way for him to approach the subject.

Mr. Miller did succeed in getting the page appointment, and Bob never forgot that favor. He worked for Mr. Miller in every election in which he ran including his Senate campaign in 1962. In his last campaign, Bob managed Mr. Miller's winning campaign for delegate to the State constitutional convention last year in Maryland. When Mr. Miller died in January of this year, Bob was one of the pallbearers. Those who remember Ted Miller's service in Congress will realize what a fine, honest, and dedicated political mentor he was to Bob Bauman.

In his time in the House of Representatives, Bob has seen hundreds of Congressmen come and go. At present, he has had longer service in the Congress than 366 of those in office.

May I say in closing that I am proud of Bob and his achievements. I will miss seeing him daily on the House floor. But the Republican Party and the State of Maryland will surely benefit from the years he will now dedicate to further service. At this point, under unanimous consent, I insert in the RECORD a biography of Bob Bauman which appears in the 1967–68 edition of "Who's Who in American Politics":

[From "Who's Who in American Politics" 1967–68 edition]

ROBERT EDMUND BAUMAN

Born, April 4, 1937, son of John Carl and Florence House Bauman.

Married, November 19, 1960 to Carol Gene Dawson of Indianapolis, Indiana.

Children: Edward Carroll (Teddy) (b. 1962), Eugenie Marie (b. 1965) and Victoria Ann (b. 1967).

Education: Capitol Page School, Library of Congress, 1955; Georgetown University School of Foreign Service, B.S. in International Affairs, 1959; Georgetown University Law Center, Juris Doctor, 1964.

Political Positions: Secretary and Member of the Board of Directors, American Conservative Union, 1964 to present; Member, Board of Directors and past National Chairman, Young Americans for Freedom, Inc., 1960–1966; Member, National Advisory Board, Young Americans for Freedom, 1966 to present; Program Committee Chairman and Member of the National Executive Committee of the Young Republican National Federation, 1965–1967.

Delegate from the First Congressional District of Maryland to the Republican National Convention in 1964; Delegate to three State Republican Conventions in Maryland representing Talbot County; Asst. Doorkeeper and Assist. Sgt. at Arms, Maryland Delegation, 1956 and 1960 Republican National Conventions. Delegate, Young Republican National Convention, 1959.

National Chairman, Youth for Nixon, 1960; President, Georgetown University Young Republican Club, 1959–1960.

Government Positions: Manager, House Republican Cloakroom, 1965–1968, by appointment of Hon. Gerald R. Ford, Minority Leader; Asst. Manager, House Republican Cloakroom, 1959–1965, by appointment of Hon. Charles A. Halleck, Minority Leader; Minority Staff, House Judiciary Committee, 1955–1959; Page, United States Senate, Special Session, 1954, by appointment by Senator John Marshall Butler of Maryland; Page, U.S. House of Representatives, January 22, 1953–1955, by appointment of late Hon. Edward T. Miller, Representative from the First District of Maryland.

Publications: Articles and reviews; *National Review*, The *New Guard*, *Republican Battle Line*, *Easton Star-Democrat* and other Maryland newspapers.

Legal Residence: 10 Sycamore Avenue, Easton, Md. 21601.

Mailing Address: 328 Pennsylvania Avenue, S.E., Washington, D.C. 20003; Phone: 546–6555.

Mr. ASHBROOK. Mr. Speaker, I yield to the distinguished minority leader at this point.

Mr. GERALD R. FORD. Mr. Speaker, I am grateful to the gentleman from Ohio for yielding. I want to join him in congratulating Bob Bauman for his long, faithful, constructive, helpful service to those of us on our side of the aisle. It has been a privilege to know him personally, and I believe it is a great tribute to his ability and conscientiousness that he has held this job, or other jobs, and at the same time has continued his education.

I certainly wish him well in his new career, which I am certain will be successful. We will miss him badly on our side of the aisle, every one of us.

I am confident that he will do extremely well as an attorney in the State of Maryland. We welcome him back when he does have the time to come and see us in the future. Bob Bauman has been a good friend, a most helpful employee on the Republican side, and will be missed badly. We hope and trust that he will have the best of good fortune in the future.

Mr. ASHBROOK. Mr. Speaker, I thank our distinguished minority leader for those kind words. I am certain, with the work of Bob and others this fall, we might just have a few more openings for pages on our side.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ASHBROOK. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I want to join the gentleman from Ohio and our distinguished minority leader in commending Robert Bauman, our Bob. One of the finest customs of the House is occasionally, like this one this evening, when Members take the floor and say what is in their hearts concerning those who have labored for and with us for so long. I commend the gentleman from Ohio, JOHN ASHBROOK, for being so thoughtful as to do this and give us a résumé and a letter concerning Bob Bauman, because he truly represents a Horatio Alger story in American history. He has done for himself what others in this day and age fail to try, by lifting on their own bootstraps. His work as a night student has resulted in his being sworn into the Maryland bar in his chosen profession as an attorney at law today. We are very proud of him.

Mr. Speaker, I just want to take 1 minute also to commend his lovely wife Carol Jean and the three children who must have been good backing for this young man who has studied at night so that he could help the leadership of tomorrow see daylight around the corner. This corner, which many of us have been trying to turn for so long, will be further assisted by young men like Bob Bauman and by the fine family that stood with and behind him all this time. I am very impressed by the gentleman's statement that Bob has served here longer than 366 Members have served in the Congress; in numbers of Members, 434 of us, more than there are days in the year. With the history that the gentleman is inserting in the RECORD I am sure many people will be impressed. We have a number of employees around here who have started as pages and who have served as counsels to committees and become attorneys at law in their own rights and are making their mark in the history of our Republic. He is known to all of us as an outstanding young Republican and now as a Republican in his own right and an attorney at law and, as the gentleman has said so well, the founder and instigator and expander, if I may use that term, which is a good medical term, wherein we expand plasma, if need be, at times of deficit through the YAF.

I congratulate Bob and congratulate the gentleman for taking this time. He must be just as proud today of being sworn into the bar as other people are when they hang up a shingle or maybe when they are first elected. Congratulations. I hope he has fair winds and following seas in his practice.

Mr. ASHBROOK. Mr. Speaker, I thank the gentleman from Missouri.

I would certainly add, as a member of the bar myself, that the law profession can certainly use some honest and direct people like Bob Bauman. Quite often we are inclined to think that lawyers are not as proper and honest as they should be. I know we are getting a good, honest member of the bar in Bob Bauman.

I am reminded of the story of the woman who was walking through the cemetery looking at the tombstones and one of them said, "Here lies a lawyer, an honest man." She said to her husband, "When did they start burying two people in the same grave?"

Well, I am afraid that many people just think that way about members of the bar. I know Bob will work hard to elevate the reputation of the bar just as he had to alleviate the problems of the Republican Party and to make it as viable an instrument in our political processes with a conservative philosophy within the Republican Party as he possibly could.

Now, Mr. Speaker, I would like to yield for insertion in the Record to his own Congressman, Rogers C. B. Morton, and to Charley Halleck, who appointed Bob some 15 years ago.

Mr. Speaker, I ask unanimous consent that various statements may be inserted at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MORTON. Mr. Speaker, one of the most dedicated employees of the House of Representatives has decided to leave Capitol Hill. Bob Bauman, whom I am pleased to claim as a resident of my district, plans to enter law practice in Easton, Md.

Bob came to the Hill as a page in the House of Representatives in January of 1953, while Dwight Eisenhower was in the White House and Edward T. Miller represented Maryland's First Congressional District. He is a familiar figure in the Capitol, where he has been of great service to the minority Members of this body for so many years.

I know I speak for all of us in saying, "We hate to see you leave." But, at the same time, we can be proud of the accomplishments he has made here, and in no way do we want to hold him back. Our best wishes go with Bob, and our heartfelt thanks for a job well done.

Mr. Speaker, it would be remiss of me not to add a very personal note concerning Bob Bauman. He has been a very loyal supporter of mine; he has spent a great deal of his vacation time working in my behalf throughout the First District of Maryland. In addition to the services he has rendered to me as a Member of Congress, I must express my gratitude and the gratitude of Republicans throughout our State for the services he has performed in behalf of my candidacy and for the Republican Party in Maryland.

Mr. HALLECK. Mr. Speaker, as one who had a little something to do with Bob Bauman's progress from page boy to manager of the House Republican telephones, I want to express my satisfaction with the fine job he has done for all of us through the years. He has certainly justified the confidence we placed in him with succeeding promotions to positions of greater responsibility.

As far as I am concerned, he has been a minority staff member who has brought credit to that operation. He has been most accommodating to our membership and very efficient in the discharge of his duties. And certainly Bob deserves a lot of credit for the diligence with which he pursued his education. He got it the hard way, but he got it, and more power to him for that.

You know, if I could not find anything else good to say about Bob, I would have to admire his judgment in one respect: he married an Indiana girl.

While we shall all miss him around here, in my opinion he is moving in the right direction, and I wish him every success in his new career as a member of the bar.

Mr. COLLIER. Mr. Speaker, I am pleased to join my colleagues today in paying tribute to Bob Bauman, a capable and congenial young man who has demonstrated exceptional ability to serve and cooperate with House and Senate Members and employees since he first worked on Capitol Hill as a Capitol page more than 15 years ago.

Since serving as both a House and Senate page, Bob has served as a minority staff member on the House Judiciary Committee, assistant manager of the House Republican cloakroom and most recently and competently as manager of the Republican cloakroom. During those same 15 years, Bob has been associated with such organizations as the American Conservative Union, the Young Americans for Freedom, the Young Republican National Federation, and the Georgetown University Young Republican Club, serving each in various leadership capacities. In 1960 he was national chairman of Youth for Nixon. He has also represented the State of Maryland as a delegate to the Young Republican National Convention, three State Republican conventions and in 1964 as a delegate to the Republican National Convention.

His enthusiasm and ability as a leader have been recognized consistently by his coworkers. I am certain that he will be as successful and as well respected as a practicing lawyer in Maryland as he has been in all his other endeavors.

Bob will be missed by his many friends on Capitol Hill. However, I have no doubt that his interest, concern and participation in government operations and political affairs will continue and perhaps one day bring him back to the Hill and the many friends he has here.

I and my colleagues thank Bob for his years of service in government and I extend my sincere best wishes for success in his career as an attorney.

Mr. LUKENS. Mr. Speaker, I wish to add my voice to the many, many others today in praise of an outstanding young man. Seven years ago, before I was active in politics or was even a member of the Republican Party, a young man raised in integrity and American heritage, dedicated to hard work and intellectual exercise found himself a political philosophy and a code of life which reflected honor and praised enterprise. This attitude reflected on everyone and everything with which Bob Bauman came in contact, including me. Bob Bauman helped develop a sense of purpose and direction for me and for many other young people in our blessed country through his participation in the Young Republicans and the Young Americans for Freedom. His service to this House and our country has been notable and important and his career of success is just starting. To the Baumans, one and all, but especially to Bob, may I say "Congratulations, and God bless you, yours, and your future."

Mr. KUPFERMAN. Mr. Speaker, I am pleased to join my colleagues in acknowledging the fine service performed by Robert E. Bauman for members of the minority. His courtesy, helpfulness, and consistent good humor under stress have been much appreciated.

His very conservative views on legislation have been forthright and presented with intelligence with no attempt to impose.

I wish Bob Bauman well in his future career in law and in Government.

Mr. AYRES. Mr. Speaker, I know I express the sentiment of all Republican Members of the House of Representatives when I say we are sorry that Bob Bauman is leaving his position as manager of the House Republican cloakroom.

We are, however, grateful that he has seen fit to train Ronnie Lasch to succeed him.

Bob Bauman came from a humble background but his parents were great Americans. They were not ashamed to work.

Bob's record is well known to all. A page school graduate, and now a full-fledged barrister.

Although Bob Bauman is a Republican through and through he has always placed his country ahead of his party, even as a member of the National Advisory Board of the Young Americans for Freedom.

I wish Bob and his lovely wife, Carol, and little Teddy, Eugenie and Victoria, the best of everything in the years ahead.

Mr. McCLORY. Mr. Speaker, I am pleased to join in this salute today to Bob Bauman, Manager of the Republican telephone, who is leaving our scene to engage in the practice of law in the State of Maryland.

Bob Bauman's recognition of the significance of congressional business—and the fact that much of it must be handled by telephone during periods of active House debate—has contributed immensely to our own reputation as lawmakers and as Representatives of the people of America.

Bob Bauman's fine example has served to influence many younger men who have come to the House of Representatives as pages and in other capacities of service.

It is not my intention to review Bob Bauman's career or experience. I do wish, however, to voice this expression of respect and affection and to extend to Bob Bauman this wish for success as a lawyer and as a distinguished and active citizen of the Nation.

Mr. BUCHANAN. Mr. Speaker, I am delighted that Bob Bauman is leaving as manager of the House Republican cloakroom. I am exceedingly happy that he will no longer be among us, handling his various duties with good humor and dispatch. I am filled with joy at the prospect that come next Monday Bob will not be waiting in the cloakroom with the latest news about the American Conservative Union, Young Americans for Freedom, the intricacies of Maryland politics or perhaps the inside story on what Ronald Reagan really told Nelson Rockefeller in New Orleans.

I am a happy man, Mr. Speaker, because Bob's departure means that a brilliant, perceptive, dedicated young American has begun his career as a lawyer and that he has begun walking down a road, which may be long and hard and filled with twists and turns—but one which I am confident will lead him back to the House of Representatives as one of its Members. On that day, Mr. Speaker, I will be an even happier man than I am today.

Mr. STEIGER of Wisconsin. Mr. Speaker, I wish to join in the truly deserved tribute being paid today to Robert E. Bauman, the diligent manager of the House Republican cloakroom.

While I am a newcomer to the House, Bob Bauman and I enjoy a long-time friendship dating back to undergraduate days, when Bob and his talented, attractive wife—then Miss Carol Gene Dawson—were leaders of the college youth for Nixon. Bob was managing an important role in youth politics, while simultaneously carrying a full course of study and energetically serving Members of the House. In early 1959, at age 21, Bob was already in his sixth year with the House of Representatives. Those of us who were his fellow undergraduates felt, appropriately, I think, that it was a unique privilege to know a peer who was already an institution within an institution.

It is a double loss that we feel now that Bob Bauman is leaving his 15-year service in the House. It is very secure that I am in the conviction, nevertheless, that it will be only a matter of months before Congress hears from him again.

To an unusually able couple, the Bob Baumans, go my warmest and best wishes.

Mr. BUSH. Mr. Speaker, we sure will miss Bob Bauman. I have great respect for Bob; for his knowledge of the operations of the House of Representatives; for the impartiality and fair play he has consistently demonstrated in dealing with all the Members.

I wish Bob Bauman well in his practice, and I thank the gentleman from Ohio for taking this special order to honor this deserving individual who has been so helpful to all of us.

Mr. PIRNIE. Mr. Speaker, I am pleased to join my colleagues in paying tribute to Robert E. Bauman as he concludes his tour of duty as manager of the Republican telephones, to begin the practice of law in his native Maryland. We regret his departure, but we are very proud of his accomplishments and appreciate greatly his splendid efforts.

Although he is a young man, he has already compiled an enviable record of service to his country and his party. In addition to his duties here in the House, he has been active in State and National Republican affairs, while, at the same time, continuing his education. Ambition and hard work have paid great dividends and I know he will bring to the practice of law the same high qualities he has displayed in his position here.

During my years in the House, I have relied greatly upon Bob and have found him always helpful and courteous. His future clients will profit from the same dedicated effort.

Bob Bauman represents the type of young, dynamic leadership we covet for our party and I am sure we will find him in places of increased responsibility. He has our deep appreciation and we wish for him, and his good wife Carol, every happiness in the years ahead.

Mr. RUMSFELD. Mr. Speaker, Robert Bauman's "retirement" as manager of the House Republican telephones is indeed a loss to those of us who have worked with him and who have come to rely on his effective and dedicated service.

Bob Bauman is in many ways representative of the many thousands of young men and women who today are contributing enormously to the political and governmental life of our Nation. Beginning with his appointment by the late Edward T. Miller, Representative in Congress from the First District of Maryland, as a page in the U.S. House of Representatives, Bob Bauman has achieved a most impressive record of service in a short period of time. In addition, he has found the time to continue his education in both international affairs and law. Today he will be sworn in as an attorney before the Maryland Court of Appeals.

As Bob Bauman launches his new career, I wish him well and express the hope that his many talents will not be lost to his party and to his country. Our Nation needs young men of ability, ideals, and dedication to make our democracy a continuing success; men like Bob Bauman.

Mr. BYRNES of Wisconsin. Mr. Speaker, I was sorry to hear that Bob Bauman is leaving us after 15 years of service to the Congress.

Bob has been a fine and efficient manager of House Republican telephones, following a number of years of faithful and friendly service in managing the Republican cloakroom. We will miss him on the Republican side.

I want to join in wishing Bob the best of everything in his new career.

Mr. CONTE. Mr. Speaker, I am delighted to join with my distinguished colleagues in marking the end of Robert E. Bauman's 15 years on the Hill. Mr. Bauman is ending one distinguished career for another in the law in which I am sure he will contain and maintain his success. Mr. Bauman came to the Hill as a page at the age of 16, and leaves it at the age of 31 as manager of the House Republican telephones. Yet, in spite of the hard work of his official duties, he has found time and energy for an active extracurricular life in politics. An assistant doorkeeper and an assistant sergeant at arms of the Maryland delegation to the Republican National Convention in 1956 and 1960, he graduated to full membership of the delegation at the famous convention of 1964. His career has culminated in selection to the national executive committee of the Young Republican National Federation, and to directing positions in several other political organizations.

I am sure we will miss him in the House Republican cloakroom, but our loss will be the gain of others. I join my distinguished brethren in wishing Mr. Bauman a career to equal the one he has left.

Mr. FINDLEY. Mr. Speaker, it is a genuine pleasure to join with my colleagues today in honoring the work of Robert E. Bauman, manager of the House Republican telephones. Bob has discharged his responsibilities in a diligent manner. I want to congratulate him upon admission to the Maryland bar. We shall miss him in the House—where his services have been so helpful—but wish him every success in his new endeavors.

Mr. SCHADEBERG. Mr. Speaker, I would like to join my good friend and colleague, JOHN ASHBROOK, of Ohio, in paying tribute to a very fine and dedicated young man who is leaving his responsibilities here in the House in order to enter the private practice of law. Bob Bauman is an outstanding citizen. He has been a loyal employee whose efforts have been concentrated on doing the best job he is capable of doing for not only House Members, but for these United States. He has measured up to all that has been expected of him, and it has been a sincere pleasure to have worked with him.

As manager of the Republican cloakroom, Bob's absence will be regretted. I know that his successor will carry on in Bob's tradition, but I shall miss his presence. I know that I speak for all of us when I wish him godspeed in his new endeavors.

Mr. GROSS. Mr. Speaker, I regret to learn that Bob Bauman is leaving his work in the House of Representatives.

Bob has been most courteous, efficient, and faithful in his work on the Republican side of the aisle, and he will be missed by all of us.

It is my understanding that he will soon start the practice of law, having been admitted to the bar only recently. I wish him every success and attend this with every good wish to Mrs. Bauman and their children.

Mr. RHODES of Arizona. Mr. Speaker, I join with my fellow Republican colleagues in a special tribute to Mr. Robert E. Bauman on the occasion of his retirement from more than 15 years of dedicated service on Capitol Hill. During his tenure as manager of the Republican Cloakroom, he has earned admiration, friendship, and appreciation of the Members he has served with outstanding efficiency and dedication. Bob kept the wheels running smoothly in a most intricate and exacting position. His special skills, know-how, and his astute judgment helped our Members to legislate with ease and coordination of efforts. Losing Bob is like losing a good right arm. He was a great public servant, and we will be ever grateful for the excellence of his services to us.

Let me take this opportunity to wish Bob Bauman every measure of success in the future, and to extend an invitation to revisit his old haunts on Capitol Hill—he will be always welcome.

Mr. ARENDS. Mr. Speaker, every one of us regrets to see Bob Bauman leave his post as manager of the telephones in the cloakroom on our side of the aisle. All of us, however, rejoice that the opportunity has come for him to apply his many talents in a more challenging and more rewarding field of endeavor.

There is great significance in Bob's leaving here to enter into the practice of law in Maryland. He is a self-made man. This opportunity to enter upon a professional career for himself is of his own making. Bob is an example of what a young man can do if he has the determination and willingness to make the sacrifices to realize an ambition. We are proud of him.

Bob began his career on Capitol Hill as a page. He graduated from Page School and then went to Georgetown University School of Foreign Service and received a bachelor of science degree in international affairs and subsequently graduated from Georgetown University Law Center in 1964.

While doing all this he served in various capacities with the Congress. From 1955 to 1959 he was on the minority staff of the Judiciary Committee and served there until appointed by Minority Leader CHARLIE HALLECK to be assistant manager of the House Republican cloakroom. Our present minority leader, JERRY FORD, promoted him to manager of the cloakroom in 1965.

Bob Bauman is an example of a young man determined to get his education and a law degree. It required a tremendous amount of sacrifice. It is not easy to devote one's days working and one's nights attending school. This in itself bespeaks of the caliber of man and it also portends a great future for him in the legal profession.

As it would say in the vernacular, "he has what it takes." He has not only a winning personality and ability. He has a capacity for sacrifice and hard work. I predict for him a great future and wish for him the very best.

Mrs. DWYER. Mr. Speaker, it is a special pleasure to join with many of our colleagues in expressing appreciation for the long and valuable service rendered to minority Members—and I am sure those majority Members who wandered to our side of the aisle received the same courtesies—by our young and able manager of the House Republican Cloakroom, Robert E. Bauman.

Since Bob Bauman is resigning, effective the end of this month, to enter the private practice of law, it is especially fitting that we pay him this tribute. For he has been of immense help to all of us—available when needed, informed, loyal, alert, and on his toes at every moment. In the midst of the confusion that often reigns on the House floor, his has been a cool head and a ready hand. We could not ask for better service.

But I have an additional reason, Mr. Speaker, for expressing gratitude to Bob Bauman. In an arena where partisan politics and political philosophies come in all shades of the rainbow, he has never allowed his personal preferences to interfere with the effective carrying out of his responsibilities. Bob Bauman is a convinced and forthright conservative in a party which has its liberals and moderates as well as conservatives. To my knowledge, however, he has always submerged his own feelings in the greater interest of serving all our colleagues—with equal attention, courtesy, and respect.

I consider this fact, in the kind of job Bob Bauman has been called on to fill, an attribute of the highest significance. Combined with his obvious abilities and the warmth of his personality, it foreshadows a long and successful career in the law and in whatever area of public service he may enter. Together with our colleagues, I wish him the great success he deserves.

CZECHOSLOVAKIA AND THE HUNGARIAN MINORITY IN SLOVAKIA

The SPEAKER pro tempore (Mr. GALLAGHER). Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 60 minutes.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, since January, all of us have followed with great interest the changes taking place and the new measures promised by the new government in Czechoslovakia. Following the fall of the Stalinist-type Novotny regime, it seemed that liberalizing efforts would be made both with regard to personal and group freedom and with regard to the problem of relationships between Czechs and Slovaks living in the state.

The limited restoration of certain democratic rights, such as press and religious freedom, are favorable signs. However, a Czechoslovak delegation returning from Moscow recently has reported Russian doubts about this liberalism, and we still do not know for certain whether Moscow will continue to allow even this limited restoration of personal freedom.

Beyond the personal freedom issues, the problems of nationalities living in Czechoslovakia are now in the center of discussion and debate. Throughout its 50-year history Czechoslovakia was plagued by nationality problems. The German nationality problem led to Nazi occupation following the Munich Pact. The Allied victory in World War II resulted in the expulsion of the German minority. At this juncture the Slovaks were, on paper at least, admitted to a position of equality, but the assymetric solution failed to achieve equality.

Therefore, it is of great significance that at the present moment both the Czechs and the Slovaks are now willing to settle the problem by creating a Federal state based on national equality. It is my hope that this willingness will find its expression in constitutional settlement, and that liberalization will proceed in spite of anticipated Soviet and East German reaction.

Simultaneously, the fate of the Hungarian minority in Slovakia has emerged. The approximately 1 million people of Hungarian origin in southern Slovakia have been the stepchildren of first the Republic and then the Communist Czechoslovak state.

After the Munich Pact, the first Vienna award attached the southern Slovak region, with its overwhelming Hungarian population, to Hungary, a nation regarded by the exile Czechoslovak government as its arch enemy. A Hungarian population, to Hungary, a writing in the Bratislava paper Uj Szo—New Word—Joseph Gyonyor, recounts the events as follows:

> The decree No. 12 issued June 21, 1945, belongs to the most important ones. Under this decree, persons of Hungarian nationality were deprived without any compensation and effective immediately of their land holdings and real estate, regardless of their financial status.
>
> A series of atrocities was carried out against these unfortunate people . . . where it was not possible to remove them immediately from the country, hundreds of Hungarians were dragged to the (Hungarian) frontier and left without food or drink.
>
> The Government declared in June, 1946, the so-called re-Slovakization. The purpose was clear. The Hungarian minority could not remain in this country. In promoting this purpose, the "Magyarized" part of the population was permitted to return to their original nationality. The fact was, however, that these people . . . could have safely declared themselves Slovak during the time of the First Republic. It is no secret that this measure was coupled with the matter of citizenship. I ask you, who would have been willing to leave the place of his birth under insecure conditions? It was thus that 410,820 Hungarians were forced to deny their nationality in writing.

So much about the immediate postwar period. The thaw in Czechoslovakia now permits a partial description of the situation at the height of the Communist terror, 1949–54. Coming on the decision of the Presidum of the Czechoslovak Communist Party that persons tried unjustly in the years 1949–54 should be rehabilitated, Gyonyor continues:

> It is likewise natural that not only those persons must be rehabiliitated who were sentenced in a political trial. Who knows the number of workers who were victims of illegal administrative measures? Neither is the number of these people known who spent months and years in forced-labor camps . . . Neither can we collect the names of all those who were dismissed without reason and who remained together with their families without a job.

As to the equality of treatment of Hungarian nationality citizens, another writer, Charles Patho, writes in the same paper:

> Equality of status is still a paper equality. For 20 years not a single politician of Hungarian nationality has been considered worthy to become a member of parliament. We find them only rarely in the lower echelons of civil service, and only now and then can we find Hungarian experts in leading positions in any enterprise or plant in the country. The diplomatic service does not even know we exist.

The critical articles appear with regularity in the sole Hungarian-language daily, Uj Szo, as the air of press freedom infiltrates over the barriers of censorship in Czechoslovakia.

However, the Hungarian minority is now hopeful of obtaining some of its rights. The concept involved is that there must be complete equality between the nations and nationalities in Czechoslovakia if peace and stability are to prevail and nationality persecution cease. This equality must be constitutionally defined, and supported both by adequate school and cultural institutions run by members of the minority, and by sufficient budgetary resources from the state, regional, and local authorities. The economic discrimination against the Hungarian-inhabited area has been patently documented by many of the writers in Uj Szo. A new concept is represented by them: self-administration. This is less than the self-determination which ended the existence of the First Czechoslovak Republic, but more than the autonomy which means very limited self-government. They call for the creation of smaller counties, which are more or less ethnically homogenous, and where local government would guarantee equal rights of both the Czech and Slovak minorities. It also calls for equalizing the economic burdens and for state aid to equalize educational and economic opportunities.

Party Secretary Dubcek's recent visit to Budapest showed, through remarks he made there, that no decision has yet been made about accepting the minority demands, but we know that strong opposition to the Hungarian minority demands has come from the Slovaks and Czech Stalinists. David Binder, writing in the New York Times on June 23, 1968, describes the situation as follows:

> In May and early June, Hungarians returning from visits to Bratislava . . . and other Slovak communities, reported that the minority had come under intensive pressure from Slovak Chauvinists.
>
> A recent visitor to Slovakia said that "in some villages the Hungarians feel it is better not to go out at night" and then went on to speak of beating and scuffles. . . .
>
> A Slovak cultural official, Ondrej Kulik, told the Hungarian minority newspaper in Bratislava, Uj Szo, "If the Hungarians want to destroy our state then nothing remains for us but to drive them out with weapons.

Despite these sorry occurrences hope is still high that the federalization of Czechoslovakia will increase the rights of the Hungarian minority, and that Czechs, Slovaks, and Hungarians will find a peaceful coexistence.

It is important, in conclusion, that we all recognize the twofold struggle going on in Czechoslovakia today. The first is the struggle for personal and ethnic freedom. The second is the struggle for independence from Russia so that the peoples of the state may solve their own problems in a democratic, evolutionary process.

I include the following pertinent material:

Text of the Resolution of the Central Committee of the Cultural Federation of Hungarian Workers in Czechoslovakia—Csemadok—Printed in Uj Szo, Bratislava, March 15, 1968

Nations and nationalities are living together in our country. A solution of the nationality question cannot be restricted to a settlement of the relationship of the (two) nations but must include the question of the nationalities on the basis of full equality of rights.

Unfortunately, deficiencies existing in this regard could not be solved even by positive resolutions of the Central Committee of the Slovak Communist Party in the last few years. Implementation of these resolutions was made near impossible as they were not within the jurisdiction of the Slovak National Council, and the central authorities of the state simply failed to act on them. Thus the odd situation arose that on the one hand, the Slovak National Council was charged with their implementation but on the other it was not granted sufficient jurisdiction to do so. Therefore, it is the opinion of the Central Committee of the CSEMADOK that the only truly equitable solution would be a reform along federal lines including a settlement of the constitutional position of the Hungarian and other nationalities on the basis of the principle of self-administration.

By presenting proposals for solving these problems, the Central Committee of CSEMADOK wants not only to demonstrate its enthusiasm and full consensus toward the resolutions of the Central Committee of the Communist Party of the Czechoslovak Socialist Republic (CSR) and Slovakia and the changes occurring therefrom since January but also its fullest support of these resolutions.

In regard to the question of nationalities we have accomplished much but have also committed grave errors. The errors have originated basically as follows:

The nationalities are not recognized in the Constitution and other basic statutes in addition to the two nations as equal societal factors;

The legal position of the nationalities is not regulated by statute;

The nationalities have no constitutionally elected nationality organs or constitutionally guaranteed nationality institutions;

As a result the nationalities do not enjoy complete equality of rights.

The full and complete equality of nations and nationalities must be constitutionally guaranteed.

Statutes of constitutional character must define the legal position of the nationalities.

It must be stated clearly that the nationalities form an organic, undetachable part of the CSR. Not only as individuals but also as social groups the nationalities are citizens of equal status in our land. The CSR consists of nations and nationalities and nations and nationalities must possess equal rights.

The constitutional position of the nationalities must be clearly and concretely determined by a constitutional statute.

1. Nationality organs and institutions must be created participating in the work of the political, administrative, economic and state security authorities as part of the national organs and expressing their will on the basis of self-administration principles in order to solve problems of the nationalities.

In order to do so at the earliest possible date:

(a) We propose the creation of the following organs and institutions as integral parts in the structure of legislative and executive organs:

A Nationality Committee in the Slovak Council to be composed of the deputies of the nationalities and experts as members; and in the Representative Assembly an office of representatives (poverenictvo) of the Slovak National Council.

Likewise nationality committees should be created in the national committee of every district to be composed of nationality deputies and experts in order to form a nationalities office in the committees.

In order to satisfy special economic and financial needs of the nationalities the National Assembly and the Slovak National Council shall act within the framework of the debate and approval of the State, territorial and regional budgets. Similar jurisdiction should be granted to the Nationalities Secretariat of the Government of the CSR and the Representatives' Secretariat of the Slovak National Council and the various ministries and offices in order to equalize national living standards.

(b) We propose the territorial organization of areas inhabited by different nationalities—

The new counties created in the 1960 Territorial Reorganization hinder the good neighborly relations and friendly coexistence of the various nationalities. They retard the practical realization of nationality policies defined by Party and Government resolutions. Practice has shown that districts inhabited overwhelmingly by one nationality progress both economically and politically faster and more efficiently.

The need both for a further improvement of the economy and the solution of the nationality question securing full equality of rights necessitates the creation of territorial units integrated from the standpoint of nationality. This can be accomplished by a territorial reorganization of the districts, a measure also favored by geographic considerations.

Simultaneously full equality of rights for the members of the nations and nationalities forming the minority in any given district must also be constitutionally guaranteed.

(c) We propose that members of the nationalities (experts) should be called in as members in addition to the deputies of the committee of the Slovak National Council:

In order to facilitate a more active participation of the nationalities in public affairs;

That everywhere members of the nationalities be granted proportional representation in selecting the deputies to be elected to the governing bodies and that the representation of the nationalities consist of experts and activists who can adequately represent their interests at each level of government;

Great care shall be exercised in the Slovak Trade Union Council and the Slovak Central Committee of the Czechoslovak Youth Federation by the creation of a Hungarian nationality section and also by establishing Hungarian advisory sections in the Slovak committees of the mass organizations.

In order to facilitate these measures and in order to contribute to the preparations of the 14th Congress of the Czechoslovak Communist Party and to the planned changes of the Constitution, we propose the following:

To anchor constitutionally those principles which guarantee the national existence, position and free cultural development and reenforced self-reliance of the nationalities.

To elaborate these principles with political and professional expertise defining the legal position of the nationalities and helping to create institutions in order to realize the rights and guaranteeing a most efficient solution of societal and national equality on the basis of self-administration.

To review all laws and decrees which were passed in regard to citizens of Hungarian nationality and the deletion of discriminatory legislation.

2. Substantial differences exist in the school and educational level between the nations and nationalities. In order to fulfill with efficiency the tasks resulting out of the scientific-technological revolution, an expansion of the democratization process demands the approximate, but clear, levelling of the differences in the political, economic and cultural living standards between nations and nationalities. The present school structure secures "the availability of equal learning opportunities of each child" in their mother tongue only on a grade school level. Youth participation in mother-tongue instruction on secondary school level fails to respond to the requirements of our age and

hinders the necessary process of economic and political equality. Lack of the necessary network of secondary schools further increases existing unhealthy differences in educational level between secondary school and college graduates.

One of the basic requirements of progress in the Hungarian-inhabited areas of our country lies in the further development of nationality schools. Only educational-informational instruction in the mother tongue can promote the harmonious, open-minded development of the individual toward a deeper understanding of Socialist patriotism and proletarian internationalism. Prevailing practices in nationality school administration ignoring national considerations have only created an atmosphere of mistrust and educational obsolescence. Therefore, it must be made possible that Hungarian schools should be led and guided by Hungarian educational institutions. This alone offers a guarantee that they will keep peace efficiently with the achievement needed to fulfill educational-informational purposes common to the entire country.

In order to solve existing problems of the Hungarian school question and promote its further development, we propose:

Creation of conditions facilitating equal opportunities for the nationality in regard to employment and higher education and adequate admission ratios at college levels by a proportionate admission of Hungarians to the universities and professional schools;

Creation of legal requirements enabling an independent solution of the problems unique to the administration and leadership of nationality schools and the establishment of the needed scientific and research institutions.

An increase in the number of Hungarian university and college students especially in the sciences and regulation of their possible study in Hungary at university level.

3. The most unique expression of the existence of nationalities is their culture Its independent development lies in the most basic interest of each nationality. Nationality cultures occupy an important niche in the Czechoslovak cultural context, but they also relate organically and inseparably to the culture and tradition of their own nation—in our case to the general Hungarian culture and tradition. Great care must be exercised in guaranteeing further cultural development, for men are most sensitive in this regard. Cultural development of the societal life of nationalities requires, however, the presence of scientific institutions and laboratories.

Therefore, we propose:

To apply successfully the same principles toward nationality culture which are used toward a democratization of Czech and Slovak cultural life. Nationality culture must be regarded as a culture *sui generis* and not as a translation of Czech and Slovak culture into Hungarian language. While nationality culture forms a part of Czechoslovak culture, it is also a part of the general national (Hungarian) culture to which it is tied by unseparable bonds. Its development must be secured both financially and personnelwise;

Establishment of scientific cultural institutions and laboratories which form the requirement for the maintenance of their national existence;

Intense participation by pertinent national institutions and national committees in regard to the care and financial security of the culture of the nationalities. They alone can solve these problems in cooperation with the cultural associations of the nationalities.

II

We are convinced that without the measures outlined in Chapter I the solution of the nationalities' problem will stagnate in a state of half-solution and will continue to be dependent on individual goodwill and subjective decisions, a state intolerable in a democracy.

We are also convinced that the implementation of these measures and the realization of these principles will result in a most efficient strengthening of the national consensus and would substantially reenforce patriotism. These measures will immediately and considerably promote the building of socialism, strengthen confidence in the Czechoslovak Communist Party, enhance the rapprochement of nations and nationalities and forge a more perfect unity among the peoples of our country.

The Central Committee of the CSEMADOK suggests to the political representatives of the CSR that they should clearly explain the constitutional position of the Hungarian nationality in Czechoslovakia in the action program of the Central Committee of the Czech and Slovak Communist Parties and that the Czechoslovak CP should appoint a working group composed of Hungarian and Ukrainian nationality members of the Party and delegate to them the task of working out the part of the action program dealing with the nationalities.

III

The National Front and the social organizations united in the National Front are important organs of our national life. The democratization process that has begun with the January meeting of the Central Committee of the Czechoslovak Communist Party provides ample space for an active work by social organizations enabling them to harmonize their work with real life and the views and interests of their membership thereby fulfilling the purposes, needs and claims of society and social life. Thus they can become the mobilizers of the broadest strata of society.

We know that overcoming the mistakes of the past will require hard work, cool analysis, patience and unity. We will work honestly for the good of socialism united in close cooperation with the nations of Czechoslovakia.

[From Uj Szo (Bratislava), March 20, 1968, Radio Free Europe translation]

SOCIALIST DEMOCRACY AND THE NATIONALITY QUESTION

(By Karoly Patho)

The conservative forces which slow down the development of our socialist society are being pushed into the background. The period of unlimited personal power is over. Our society is proceeding toward a real democracy which will guarantee maximum opportunity for all citizens of our country to fight, to take a stand—in line with the interests of the working people—against the harmful factors and symptoms which stand in the way of our political, economic, and cultural development.

* * * * *

The democratization of our social life is linked with a complete and just solution of the nationality question. This was indicated in the resolution of the plenary meeting of the Central Committee of our Party and the Slovak National Council, which considers a confederation, based on the brotherhood of the two nations and the nationalities, as the solution of the nationality question. Certainly the legal and political conditions for complete equality of status, for the economic and cultural development of workers of Hungarian and Ukrainian nationality, will also be established within this confederation.

The Central Committee of Csemadok has published proposals for a reasonable solution of the Hungarian question, and has presented this as a suggestion to the CC of our Party. Thus, we can confidently state that never before have we been so close to a just solution of the nationality question. But we must state, for the sake of the truth, that good and reasonable proposals can become a practical reality only if they are accepted by the broad masses of the workers, who must not only demand the implementation of the ideas expressed in the proposals, but also take part in the effort to strengthen socialist democracy and work out a just solution of the nationality question.

Not even in cities and villages with Hungarian populations, can development of democracy and the solution of the nationality question be merely an internal affair of Party organizations and national committees. It is their moral duty to lead the struggle to strengthen democracy, to develop the activities of the broad masses of workers, to ask the opinion of the population concerning the solution of the above-mentioned social questions, and to present them to the highest organs of Party and state power.

I would like to point out that if in the past we felt it necessary to ask the opinion of the workers concerning the solution of social questions, then today, when we are trying to create a new atmosphere in which to establish the fraternal coexistence—based on complete equality of status—of the nations and nationalities of our country, this necessity becomes increasingly pressing.

Those leading personalities who are unable to shed their conservative ideas and harmful methods of operation—in other words, who are unable to cooperate in the revival of democracy and the just solution of the nationality question—would do well to stand aside, and to yield their positions to qualified persons who—not for personal advantages but because they may have a sense of responsibility for our socialist society, for our people and nation—will lead the public movement for real socialists democracy and a just solution of the nationality question.

In the course of development of socialist democracy we shall certainly reach the point where the regulation of the affairs of Hungarian workers in Czechoslovakia will no longer depend only on the views of one or two "established" persons, but when the competent agencies will take into consideration the opinions of the broad masses of Hungarian workers (participatory democracy).

To achieve practical implementation of complete equality of status for Hungarian workers in Czechoslovakia—in other words, to enable them to solve their specific nationality problems themselves—it will be necessary in addition to other important factors that workers of Hungarian nationality establish Hungarian districts. Therefore, I consider the establishment of Hungarian national districts a key issue in the solution of the nationality question. But, if we want such radical changes, then the question arises, have the May 19 national committee elections lost their timeliness?

In my opinion, the right thing for the competent agencies to do is to establish the confederation as soon as possible and, within it, district and central state organs of workers of Hungarian origin in Czechoslovakia; then these organs—through competent management and in close cooperation with the elected organs of the population of Hungarian nationality—could establish Hungarian districts and then, together with the new district organs and institutions, schedule the national committee elections at a later date.

The establishment of districts with Hungarian majorities will require that the continuous chain of Hungarian villages—even though it is interrupted by one or two Slovak villages—be organized into districts that are Hungarian in character. The best solution, in my opinion, would be the reestablishment of small districts, like those that existed prior to the regional arrangement. This would mean that there would be about 15 districts with a Hungarian majority.

But it is quite possible that the competent agencies will stick to the idea of larger districts, because they consider an increase in the number of offices inexpedient. Certainly, in this case, the Hungarian districts will be larger as well.

And while considering the possibility of establishment of larger districts, we should also consider which south Slovakian towns should be the capitals of the Hungarian districts.

Practical experience reminds us that the national composition of the population of district capitals influences the development of the nationality character of the district as a whole. Thus, if we were to choose a town with a Slovak majority as the district capital, this would inevitably have an effect on the character of the district. Because of this, it is my opinion that the capitals of the Hungarian districts should be south Slovakian cities that are Hungarian in character. These are: Dunaszerdahely, Komarom, Galanta, Parkany, Ipolysag, Zseliz, Tornalja, Szepsi, and Kiralyhelmec.

If we consider these cities as the capitals of the Hungarian districts then we must see to it that the villages near the mixed-population district capitals but belonging to the chain of Hungarian villages are included in the new districts. This solution would make it possible for the great majority of Hungarian workers in Czechoslovakia to belong to Hungarian districts and enjoy the advantages of administrative autonomy.

Unfortunately, it is impossible to arrive at a solution that would enable all workers of Hungarian nationality to belong to Hungarian districts. One reason for this is that a number of Hungarian villages are located in areas where the majority of the villages are populated by Slovak workers. The other reason is that in a number of south Slovak cities—as, for example, Ersekujvar, Leva, Losonc, Rimaszombat, Rozsnyo, and Kassa—which are at present district capitals, a large number and, in some cases the majority, of the population are Slovak workers. Thus, even with the best will, besides the nine or ten Hungarian districts there will be another eight districts with a minority of workers of Hungarian nationality. (The list could be completed with the Bratislava and Nyitra districts.)

In the districts with Hungarian minorities the principles of equality of status and bilingualism for Hungarian workers should be implemented just as it is for minorities of Slovak nationality living in Hungarian districts.

It is also quite logical that the interests and equal status of Hungarian workers be protected by nationality offices and institutions to be established on the district and central level, regardless of whether the citizens in question are of Hungarian nationality living in Hungarian districts or minorities in districts of mixed population.

In my opinion, it would be a grave mistake to establish the national composition of the south Slovak cities and villages on the basis of the results of the latest census. A number of actual instances have proved that the results of this census—from the point of view of national composition—do not agree with the facts. I know, for example, not only of individual families but of a number of villages where, according to the census, the majority of the population is of Slovak nationality, but at the same time no one—except the teachers and one or two officials—speaks the Slovak language. These distortions call attention to the fact that the national composition of the population can be correctly established only on the basis of the language spoken in families and in everyday life.

Finally, I would like to point out again that we cannot remain indifferent to the complicated problems involved in the transformation of our society. Because indifference and submissiveness will retard the development of socialist democracy and the solution of the nationality question, and thus will slow down the development of our socialist society.

[From Uj Szo (Bratislava), March 24, 1968, Radio Free Europe translation]

STANDPOINT OF THE LEADERSHIP OF THE HUNGARIAN SECTION OF THE SLOVAK UNION OF WRITERS

The great majority of the Czechoslovak people, and among them the members of the Hungarian minority, are tensely watching the rebirth developing in the wake of the resolutions passed at the December and January conferences of the Czechoslovak CC. This involves complete liquidation of the social, political, and economic distortions that are paralyzing our socialist development and hindering the development of the specific requisites for socialist construction and the consistent reorganization of state functions in a spirit of equal national rights. The resolutions passed at the CP district conferences, the attitude of social organizations, and the spontaneous demonstrations of the broad masses of the populace prove that the people have identified themselves with these revolutionary targets, and fully support the progressive forces grouping themselves around Comrade Dubcek.

In this historic hour, we Hungarian writers in Czechoslovakia side with the Party and the people, and wish to participiate actively in the process of renewal which our socialist society is undergoing. With regard to the solution of the nationality question, we agree with the proposal worked out by the Central Csemadok (Cultural Association of Hungarian Writers in Czechoslovakia) and submitted to the highest state and Party bodies. We think it essential that this proposal become an integral part of the programs under debate.

In recent years the Hungarian writers in Czechoslovakia have repeatedly stated their opinions on the vital problems of the Hungarians living here. We have stood up for our rights in the name of humanism and in the interest of socialism, we have asked that our human dignity be respected. We did this at a time when it meant taking a risk, when it meant taking a stand which could result in the sacrifice of one's private and public existence. Our initiatives were known only to a small group of people, and in most cases it was utterly impossible to state our targets to a wider public. Socio-political conditions were unfavorable, and we were also handicapped by the demagogic or opportunistic attitude adopted by the majority of Hungarian functionaries. We do not wish to give the impression that we were the only ones who know the truth. We have no more right to claim this than other people have. On the other hand, the responsibility inherent in our mission obliges us to lay before the public the problems of the Hungarian nationalities that we consider important.

We shall now stress those elements of the nationality question which relate to cultural problems, the foundation of our national cultural life, which should be reorganized in a spirit of autonomy. In addition, we shall also mention those elements which were not emphasized by the Csemadok proposal.

1. We suggest the development and promulgation of a cultural policy in accordance with the principle of self-administration. We consider the following points necessary.

a. The establishment of a central independent managerial body for Hungarian school affairs.

b. Under the guarantee of instruction in our mother tongue, the setting up of a network of Hungarian-language kindergartens, apprentice schools, elementary, and specialized secondary schools; the reorganization into an independent high school of the Hungarian section of the pedagogic faculty of Nyitra; the opening of a Hungarian section in the Nyitra agricultural high school or at the Pozsony and Kassa medical faculties; that training of secondary school teachers in our mother tongue be considered.

c. Rescinding of the measures concerning joint administration of Hungarian and Slovak schools.

d. Supervision of the teaching of history in the secondary schools, and introduction of the teaching of the history of the Hungarian people in line with the new situation.

e. In specific cases and in a suitable ratio permission for and financial support of study in Hungary.

2. In the interest of developing our intellectual life and our national culture, we consider the establishment of the following institutions necessary in addition to a guarantee of their financial maintenance.

a. A National Hungarian Scientific Institute—with departments of philology, literary science, history, and ethnology.

b. A National Hungarian Library.

c. A permanent Hungarian Theater in Pozsony.

d. A professional Hungarian Folklore Ensemble.

e. An independent Hungarian book and newspaper publishing house.

f. A new Hungarian daily in addition to *Uj Szo.*

g. A cultural-political weekly.

h. The transformation of *Termeszet es Tarsaladom;* which is now a transmutation of *Priroda a Spolocnost,* into an independent review.

i. Introduction of Hungarian television programs.

3. Federation of the nation will make necessary the reorganization and enlargement of social organizations. We suggest, in the interest of greater activity on the part of the Hungarian minority in Czechoslovakia:

a. The foundation of a independent Hungarian pioneer and youth association functioning along the lines of the Slovak Youth Association.

b. The establishment of a Union of Hungarian Teachers in Czechoslovakia.

c. The reassessment of the status of the Hungarian sections of the Union of Journalists and the Union of Writers, and consideration of their being transformed into independent associations.

4. At the time of the first republic, the elite among the Hungarians in Czechoslovakia—Communists, non-Party members, workers, peasants, and intellectuals alike—played an active and progressive role in the life of the country. In spite of this—and as a reaction to the events of 1938—the Hungarians in this country were summarily and collectively held responsible for the dismemberment of the republic, and this collective charge was made in such basic documents as the Kassa government program. We demand revision of this indictment, considered official to this very day and never properly and publicly corrected; and we demand the rehabilitation of innocent people persecuted under the collective charge; and we further demand a review of the trials of those who protested against the deprivation of their rights between 1945 and 1948, and reimbursement of financial losses suffered because of the illegal decrees enacted between 1945 and 1949. We demand an official and public annulment of re-Slovakization, and the renaming of villages in Hungarian-language territory whose names were changed. And now a word about the unjustified charge that Hungarians are bourgeois nationalists. In the course of socialist construction Hungarians have given repeated evidence of their political maturity, and have fulfilled their civic duties in an exemplary manner. On these grounds, they request rights equal to those due to the peoples of the republic.

5. The forthcoming elections are an extremely important event in the lives of Czechoslovak Hungarians too. We consider it necessary, from the viewpoint of the democratization of our society, to play an active

role in the preparations for the election. In view of the fact that the process of renascence has begun comparatively late, postponement of the elections is especially important for us.

We must put an end to the political practice, so far as Hungarians are concerned, of disregarding the necessary rotation of functions and favoring those who hold conservative views. It is not true that, aside from those who presently hold office or positions of authority, the Hungarians have no personalities capable of playing a political and public role. Because of this false attitude, it frequently occurs that people of other nationalities, whose only qualification is that they speak Hungarian, are appointed to public office.

We deem it necessary, from the viewpoint of the democratic renewal of our public life, that all public figures who, either out of passivity or opportunism, are politically and morally unfit for their posts, be excluded from public life.

We request that a sufficient number of Hungarians be included at every level on the committees set up to prepare for and manage the elections.

The Slovak nation has, in the course of its history, repeatedly experienced what it is to be oppressed, subordinate, and cheated. Now, when it has arrived at a stage of fully developed-independent national existence, we trust that it will know its job, and that it will deal with the state-political position of the nationalities under its jurisdicton on a basis of full equality of rights and self-administration. The principle expressed by Budovit Stur more than a hundred years ago is still valid ". . . It does not make for happiness if we raise our standard at the expense of other people, and by oppressing them; happiness is achieved when we live with people who are as cultured, as happy, and as satisfied as we are."

[From Uj Szo (Bratislava), Apr. 12, 1968, Radio Free Europe translation]

In the Defense of Innocents

(By Jozsef Gyonyor)

"We suggest the reconsideration of all those articles of law which were passed after 1945 which concern the citizens of Hungarian nationality and we also suggest the annulment of discriminatory laws." (From the resolution of the Csemadok Central Committee.)

One shivers when one reads about the arrest of innocent people and the tortures of the condemned. The question arises: were these monsters born by mothers? Who can tell the number of those people who in the last quarter of a century were illegally arrested, how many people lost their health or life on the grounds of unjust court sentences?

I was reading recently that the presidium of the Supreme Court urges the rehabilitation of persons tried injustly in the years between 1949–1954. However, before we start to deal with this subject, we must know the meaning of this Latin word, now a topic of priority all the country over. According to the dictionary "rehabilitation" means the restoration of one's honor and good reputation, a compensation, an exoneration of the detrimental legal consequences due to arrest. People who are rehabilitated will be reinstated in their rights. Putting it plainly, the illegal sentence must be quashed, and the rehabilitated compensated for the damage done by illegal detention and the execution of the punishment. All this, however, is not enough. A complete rehabilitation demands that the innocently condemned be reinstated—if possible—in their original position. And naturally, that at least as much publicity should be given to this as to the reflections cast on their good reputation at the time.

It is likewise natural that not only those persons must be rehabilitated who were sentenced in a political trial. Who knows the number of workers who were victims of illegal administrative measures? Neither is the number of those people known who spent months and long years in forced-labor camps or had to do forced labor. Neither can we collect the names of all those who were dismissed without reason and who remained with their families without a job. The infringement of the law, however, did not begin in 1949, but earlier. There is no sufficient explanation for the fact that the Supreme Court counts the illegalities from 1949, because the series of illegal actions began with the decrees discriminating against the Hungarian citizens. For the sake of historical authenticity, however, we shall give an account at least of the most flagrant ones.

They were opened by the decree No. Four issued by the Slovak National Council on 27 February 1945. This was followed by the decree issued April 7 (No. 26.) and by the one issued May 15. (No. 33.)

After this, came the era of President Benes. Perhaps there has never been in the course of history a king by the grace of God who ruled his subjects with such inhuman decrees. The decree No. 12 issued 21 June 1945 belongs to the most important ones. Under this decree persons of Hungarian nationality were deprived without any compensation, and effective immediately, of their agricultural real estate, rich and poor alike. Assets which were not confiscated on the grounds of this decree were taken away on the grounds of decree No. 108 of October 5, which the executive bodies were ordered to carry out, and which did not even exempt the movable property of the Hungarians.

We shall look now into the events themselves and find out who were those people who carried out every presidential decree? They were first of all those persons who were afraid to have to account for having been fascists during the war, who moved speedily away from the northern districts and became rulers over life and death in Hungarian towns and villages. The teachers and employees of the former Hlinka party were transferred—mostly as a punishment—to South Slovakia. These politically corrupt elements, former Guardists, left-overs from the estate owners, and other "experts" flooded the Hungarian villages and towns. It was rumored that they were forgiven all their sins because they were good enough to beat the Hungarians. Unfortunately, they really beat up and hit the Hungarians in the true sense of the word. Notices were on display in offices with the text "Na Slovensku po slovensky" (Speak Slovak in Slovakia). And how many mothers were hit because they talked Hungarian with their sons on the streets.

A series of atrocities were carried out on these unfortunate people, from whom they wanted to take away their houses, land, shops, or their honor. Where it was not immediately possible to put them out of the country, hundreds of Hungarians were dragged to the frontier and left there without food or drink.

The "peoples tribunal" began its activities and Hungarians were convicted chiefly on account of their nationality. They were resettled without compensation, and even those persons were taken to court who only had "earth" in their flower pots.

In the resettlement office work was started on a "scientific" basis. Lists were drawn up containing the names of those Hungarians whom they wanted to resettle in Hungary. They were divided into two categories on the grounds of articles No. 5 and 8 of the Agreement. What was the difference? Persons belonging to the first category could take with them all their movable assets, while those included in the second category could only hope for the chance to take 50 kilograms of luggage per person with them.

Of the 105,047 persons qualified for resettlement, only 68,407 left the country, and an additional 60,000, afraid of the hopeless future, left of their own free will. On the other hand, those persons whom they wanted to get rid of—the "criminals"—on the grounds of paragraph No. 8 stayed on in the country on account of the new circumstances.

The exchange scheme did not and could not attain its goal. It was a great mistake of the time that the number of Slovaks in Hungary was wrongly estimated and the Hungarians in Czechoslovakia, whose number amounted to three-quarters of a million, were left out of consideration.

The Czechoslovak Resettlement Commission, working in Hungary, distributed in vain between the fourth of March 1946 and 25 June 1946, 790,000 newspaper copies, 490,000 propaganda booklets and 540,000 leaflets, but results did not come up to expectations. Neither were the 266 lectures on the Budapest radio of much help. The magic of the spoken word also had no effect. Neither did the 277 meetings, organized in 133 villages and towns in Hungary, attain the results anticipated. It was in vain to flood the villages with thousands of books, to organize 60 concerts; there were only 59,774 who registered for resettlement within the framework of the exchange action, while 13,499 persons were taken to Czechoslovakia arbitrarily outside the scheme. After the unsuccessful action, the question arises: what sort of data were the point of departure of the Prague Foreign Ministry and the Slovak offices in charge, how did the "experts" work? As far as I know, the number of Slovaks in Hungary was estimated at 540,000, but most of the Hungarians living in Slovakia were considered Hungarianized Slovaks.

It was on the grounds of this false theory that the government decreed in June 1946 the so-called re-Slovakization. The purpose was clear. The Hungarian minority could not remain in this country. In the interest of this purpose the "magyarized" part of the population was permitted to return to their original nationality. The fact, however, that those people who on account of the one-time class oppression had actually become magyarized, and who at the time of the first republic could have safely declared themselves Slovak, were not taken into consideration. The scheme was carried through in the same year, in the period between 17 June—and July first. It is no secret that this action was coupled with the matter of citizenship. I ask you, who would have been willing to leave his place of birth under insecure conditions? It was thus that 410,820 Hungarians were forced to deny their nationality in writing.

As regards those people with whom they could not reckon in the course of the resettlement of their Slovakization, their fate was settled by "providence" so that they were scattered in Bohemia. Decisions were reached on the grounds of further registers of the resettlement office and in accordance with the decree No. 88 issued 19 November 1945, and forwarded to 9,610 heads of families, with the signature of the chiefs of the district labor offices. Only 2,154 Hungarian families changed their residence of their own free will and moved to some farms in Bohemia, where they were hired as farm hands. The remaining 41,640 persons were put on cattle-trucks on a cold winter day and moved with military assistance to the historical parts of the country. But with this, their tragedy has not yet ended. The part of their property which was not confiscated by official bodies was looted by unknown culprits. Many of them could return to their abandoned homes only after long years. They were treated as war criminals, though most of them were the sons of workers and of poor peasants. However, their guilt was never established by any court or administrative body. They were merely taken to the market and carried off as slaves. Was that recruitment? No, there is another expression for it: forced expulsion.

People who were not broken by so much suffering and slander, were granted, after the coming to power of the working class, citizenship under decree 245/1948. But according to sub-section three of section one of this law, around 300 persons were not happy about it. The list of names of these persons was forwarded accompanied by a circular letter of the Ministry of the Interior dated 16 December 1948 (No. 190/1948) to the districts. There is no need for us to say that many innocent Hungarians were also included on the list, who could live and work in the country even ten years later only with a residence permit.

In order to make the series of illegalities complete every Hungarian language school was closed down, although under the decree issued by the Slovak National Council on the Sixth September 1944, the elementary schools set up prior to the Sixth November 1938 could have continued to function. After this, the teachers were sacked and the children were not even permitted to learn the alphabet in their own language for almost half a decade.

There are only brief facts and only a small fragment of what really took place.

How often did we put the question to ourselves in the course of the past two decades; what did we do, that for the sins of a few bourgeois politicians hundreds of thousands of ordinary men were totally outlawed? Perhaps it was our generation which had to answer for those historical offenses the Hungarian great landowners inflicted on the Slovak people? Whatever the reason, we must establish for the sake of historical objectivity, that South Slovakia and its people have changed hands several times during the last quarter of a century. After World War I, it was annexed to Czechoslovakia. On the grounds of the Vienna treaty, part of the territory and inhabitants were returned to Hungary, while in 1945, the exile government liberated it as a Czechoslovak area. Our fathers were not asked in 1918, where they wished to belong. The representatives or our national minority did not give their signature to the documents of the Vienna treaty. From the class point of view, the totalitarian measures, also affecting the working people, even if they were Communists, are inconceivable.

Thus far, it was rumored in Hungarian nationality groups, that the atrocities were started by "Husak, Novomesky and Okali." It was even stated in the resolution passed on the 16 January 1959 by the Central Committee of the Slovak National Council, that it was only after the denunciation of the bourgeois nationalist activities of "Husak and his associates," that the Leninist nationality policy could be implemented by the Czech CP among the Hungarian language population. The first chapter of the report was also written in a similar spirit.

In the meantime, the "bourgeois nationalists" mentioned earlier were rehabilitated. I suggest therefore, that Dr. Gustav Husak, Ladislav Novomesky and Danial Okali should take a stand in Uj Szo in the matter of the charges raised against them.

It is well known that people of Hungarian nationality had a share in the construction of socialism in our country, though they had few political rights. For all this however, they were not appreciated. Thus far, neither the Supreme Court nor the state agencies, took steps for the calling to account of the people guilty of the cruelties committed against the inhabitants of Hungarian nationality. It is strange, but it seems, that statesmen and the press alike, have forgotten the events of 20 years ago. Nothing was mentioned even when the radio and television spoke about the necessity that Hungarians illegally arrested and persecuted, must also be rehabilitated. Neither did the papers, that some parliamentary commission has dealt with the rehabilitation of the whole Hungarian national minority. And yet, there is no question that everybody suffering under the collective charge, the whole of the Hungarian minority, must be rehabilitated.

This year has been declared by the UN, as the international year of human rights. I am certain that before long, the parliament and government of the Czechoslovak socialist republic will take count of the inhumanities committed against the Hungarian minority. On the grounds of this, the government resolution stipulating re-Slovakization must be revoked and invalidated fully, because we still have villages whose inhabitants are afraid to declare themselves Hungarian. Further, the list issued by the interior minister on the grounds of the provision of law No. 245/1943, must be revised, and every discriminatory law and decree invalidated, as a disgrace to the Czechoslovak statute books.

Mr. FINO. Mr. Speaker, today we are discussing another minority issue that of the almost 1 million Hungarians living in Czechoslovakia close to the Czechoslovak-Hungarian border.

Reading the material appearing in the only daily paper of the minority—Uj Szo—which exposes courageously the abuses of the Communist regime in the past, we have both praise for the valiant struggle these people lead for a restoration of their human rights both as individuals and as an ethnic group in a multi-national state and compassion for their past sufferings on the hand of Communist dictatorship.

We feel that their demands submitted to the Government for self-administration of the Hungarian-inhabited areas, expansion of Hungarian-language secondary schools, scientific establishments and cultural events and institutions are fair and that their support of the reforms demonstrate their ardent wish that totalitarianism should disappear from their state. Their demands on a personal and group level freedom is consonant with the Universal Declaration of Human Rights of the United Nations and the best principles of our Nation and all freedom-loving nations.

We are listening carefully to their voices and to the policies which by federalization and expansion of individual freedoms are trying to make life more humane and bearable in totalitarian Czechoslovakia and hope that the voices of freedom, humanism, and democracy will win out over the forces of Russian imperialism, totalitarian communism and oppression. The events in Czechoslovakia again demonstrate that freedom cannot be erased off the minds of people even by Communist indoctrination and police terror and that peace and stability require both a restoration of individual freedom and just treatment of minorities as well.

In this regard we are wishing success to those efforts which would bring peace between the nations and nationalities of Czechoslovakia rather than exacerbate existing differences and which would help unite them in the quest for peace and human dignity and freedom for the individual instead of living in a totalitarian Communist dictatorship.

Mr. HELSTOSKI. Mr. Speaker, I wish to join today the distinguished gentleman from New York and my other colleagues in discussing the fate of the almost 1 million Hungarians in Czechoslovakia.

The events of the last 6 months in Czechoslovakia restore our hope that the indomitable human desire for freedom and a democratic form of government cannot be destroyed by oppression, terror, and indoctrination, but will pervade even the circles of those who for a time were ardent adherents of a totalitarian ideology. Of course, the potentials open to the Czechoslovak people are still limited to a degree. The Soviet Union continues to exercise an imperialist protectorate over the region and attempts through economic and political means to stop the force of change that the people of Czechoslovakia desire to implement in order to regain their national identity and their reputation for democracy.

This is the first time in the last 22 years that the Hungarian minority in Slovakia can express its hopes and desires within the framework of the present political structure of the country. A veritable flood of articles have appeared in the only Hungarian-language daily Uj Szo—New World—in Bratislava, denouncing the grievous deeds against the minority after World War II and during the Novotny era, and demanding new solutions based on the principle of equality that has been promised. We ought to follow their struggle with great attention since either a solution or stagnation of the question of Slovaks and Hungarians in Czechoslovakia will constitute the supreme test regarding the sincerity of the reform, and its capability to bring peace and stability. Their demands for self-administration, near proportional representation in state and public agencies and institutions, and a more equitable educational institutional framework in their mother tongue, are certainly justified. They contribute to the implementation of those human and minority rights which were so eloquently and resolutely expressed in the Universal Declaration of Human Rights by the U.N. in 1948, and which also form a historical tradition for the spirit of both Masaryk and Kossuth.

Presently there are some surface tensions between Slovaks and Hungarians in the area. But these are due, to a large extent, to misinformation and unfounded rumors, and encouraged to a degree by the Soviet Union which hopes to use the divide et impera approach to Czechoslovak events. It is our earnest hope and desire that Slovaks and Hungarians will find a way of accommodating each other and solve the nationality issues, since both were, until very recently, the victims of the same political, ideological and ethnic discrimination.

Mr. ADDABBO. Mr. Speaker, I am joining today with my distinguished colleague from New York in discussing the developments in Czechoslovakia relating to the almost 1 million citizens of Hungarian nationality in that country.

We are witnessing interesting and very important events in that country. The popular resentment against Communist totalitarianism finally found its expression even among the more sensible elements within the party and is resulting now in concessions to the people in the field of personal rights and press freedoms. As the dam of oppression has been

broken, the flood of the desire for democracy and human and group rights is now emerging in world and script all over that country despite the rear-guard actions of the Novotny wing and their mentors, Moscow and East Berlin.

The liberalization process also embraced the members and leaders of the Hungarian minority. They support fully the liberalization measures and hope that they will result in improving their legal and economic situation and do away with the conscious discrimination that has been practiced against them for decades.

The difficulties are now centering on making the Slovaks, themselves victims of discrimination until now to understand that if they are able to secure equality for themselves, they must grant equality to the minority in the midst, the Hungarians.

Hungarian demands include an agglomeration of the Hungarian-inhabited areas into counties with local autonomy, more educational institutions, recognition of their group rights in the constitution, certainly demands which are compatible with democracy and the unity of the state. These rights are identical with the ones given to individuals and minorities in the U.N. Charter and the Universal Declaration of Human Rights and would form the basis of a peace between nations and nationalities in the area which is the prerequisite for stability in the Danubian area. We hope that Soviet obstructionism and Communist diehards will not succeed in reversing the trend for more freedom and equality in Czechoslovakia.

Mr. BROYHILL of Virginia. Mr. Speaker, today I am joining with pleasure my distinguished colleague from New York in discussing the fate of the Hungarians in Czechoslovakia.

Today the overwhelming desire for human rights and a nontotalitarian existence has pervaded Czechoslovak society so much that even the Communist Party leadership must take these desires into consideration and try to head off a revolt by offering concession in the sphere of personal and group freedoms.

As a result the grievances of the unjustly oppressed and sentenced and the nationalities who were gravely discriminated against are raising their voices and ask for a recognition of their rights and a partial remedying for the wrongs of the past. Whether they will succeed is not clear yet as Moscow and its East German minion, Ulbricht, is trying to sabotage the liberalization attempts both economically, politically, and to a limited degree even militarily through the phony maneuvers at the time when major decisions on reform are taken in Czechoslovakia.

The Hungarian minority was probably the most oppressed minority in the last few decades. While the Slovaks had also their share of discrimination, Hungarians were in 1945 deprived of their citizenship, many of them were expelled or forced to declare themselves Slovaks in order to remain in their homes, and 76,000 of them were deported to the Sudeten region to do forced work in 1946–47. They also suffered after the Communist takeover and lost many of their elite to forced labor camps and prisons during the Novotny era.

Today their leadership must react to the ever-increasing demands for human and minority rights evinced by the masses of the Hungarians and some of them are spearheading a movement for reform that would not only include a restoration of the general human and civil rights of the citizen but also a proportional representation of the nationalities in public bodies and professions and self-administration of the Hungarian-inhabited areas which should be constituted as counties.

Finally, they point out the inadequacy of Hungarian-language institutions on the secondary and college level in Czechoslovakia and the absence of any research institutions, TV programs, radio programs, and adequate press products for almost 1 million people. Last but not least they want official recognition of their group rights in the Constitution and the annulment of all the discriminatory legislation against them even though they are no longer enforced.

We hope that the intrigue of Moscow and Pankow will not succeed in stopping the reforms in Czechoslovakia and that the Hungarians and Slovaks will both achieve their aims and will find a modus vivendi among themselves and with the Czechs in the state of Czechoslovakia.

For a description of the tensions present I insert an article by David Binder, from the New York Times, June 23, 1968, which elaborates on the fears of the Hungarian minority because of the lack of understanding on the part of the Slovaks:

HUNGARIAN MINORITY TENSIONS WITH SLOVAKS WORRY BUDAPEST

(By David Binder)

BUDAPEST, June 21.—Tension between the Hungarian minority in Slovakia and the Slovaks has caused worry here this month.

Hungarians also complain about discrimination against the Hungarian minority in Rumania.

It is understood that both Alexander Dubcek, the new Czechoslovak Communist party chief, and Janos Kadar, the Hungarian leader, have intervened personally to calm tensions between Hungarians and Slovaks.

They conferred on the matter at a meeting in Budapest last week and agreed to continue working closely together to resolve the nationalist conflicts.

In May and early June, Hungarians returning from visits to Bratislava, the Slovak capital, and other Slovak communities reported that the minority had come under intense pressure from Slovak chauvinists.

A recent visitor to Slovakia said that "in some villages the Hungarians feel it is better not to go out at night," and then went on to speak of beatings and scuffles.

REUNION AVOIDED

A woman who went to Bratislava to attend an alumni reunion of her Hungarian school there, said many of her former classmates stayed away from the festivities because they feared trouble with their Slovak neighbors.

There are believed to be almost one million of Hungarian origin in Slovakia, although fewer than 700,000 openly declare themselves to be members of the minority. Under the Austro-Hungarian Empire, which was dissolved in 1918, all Slovakia belonged to the Hungarian crown.

Between the wars, Bratislava was officially a trinational and trilingual city—with Austrians, Hungarians and Slovaks enjoying equal rights.

Czechs, though a tiny minority in Bratislava, soon took over most of the leading political and economic posts, acting as agents of the Prague Government. From the Slovak viewpoint, this exchange of Hungarian-Austrian masters for Czech masters served to their nationalism all the more during the period between the wars.

Meanwhile, some of the Hungarians of Slovakia, remembering the days when Bratislava was Pozsonyl—and the capital of a truncated Hungary—still hold it to be "theirs" and they have occasionally provoked the Slovak majority. After World War II about 120,000 Hungarians were resettled from Slovakia to Hungary.

Since 1945, Bratislava has become an almost exclusively Slovak city and has lost virtually all its cosmopolitan aura.

According to reliable information available here, groups of Slovak nationalists marched in May through villages where the Hungarian minority predominates, shouting: "Hungarians to the Danube." The Danube forms part of the border between Hungary and Slovakia.

Gyula Lörincz, a Stalinist who was appointed chief of the minority in 1946 by the Hungarian premier, Matyas Rakosi, inflamed Slovak resentment further last month by declaring that Hungarians "had not asked" to be included in Czechoslovakia in 1918.

Retorting to this sally, a Slovak cultural official, Ondrej Kulik, told the Hungarian minority newspaper in Bratislava, Uj Szo: "If the Hungarians want to destroy our state then nothing remains for us but to drive them out with weapons."

The hope in political and intellectual circles here is that the Czechoslovak democratization process will eventually slake Slovak nationalist demands for federal rights and then will permit the Hungarian minority to gain greater group liberties.

The Hungarians in Slovakia are hoping to obtain more schools and higher educational institutions as well as a theater.

SITUATION IN RUMANIA

The situation of the Magyar minority of 1,500,000 people in Rumania remains a sharper thorn in the Hungarian side. While Budapest intellectuals acknowledge that there is slightly greater travel freedom and that there have been economic improvements for the Hungarians in Rumania, they complain of other forms of discrimination.

They note that Hungarian textbooks are often printed in editions of under 5,000 copies, which a writer said, "is far too small for a minority that size." Imports of most Hungarian writings are barred by the Bucharest authorities. The intellectuals also excoriate the resettlement measures that have driven thousands of Hungarians out of their traditional homes in the Transylvania region of Rumania.

Earlier this year, the Rumanian regime abolished the Transylvanian territory known as the Magyar Autonomous Region, redrawing the administrative lines along the prewar county system. The reaction here was a shrug of the shoulders. "That region soon became neither Magyar nor autonomous." said an intellectual "so what is the difference?" What counts are personal liberties and equality.

GENERAL LEAVE

Mr. HALPERN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on this subject matter at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

VOTING AT 18

The SPEAKER pro tempore. Under previous order of the House the gentleman from West Virginia [Mr. HECHLER] is recognized for 10 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, this is a red letter day in the Congress. In a special message, the President earlier today urged adoption of a constitutional amendment to lower the voting age to 18.

Every year since I have served in the House of Representatives—commencing in 1959—I have introduced a joint resolution calling for a constitutional amendment to enable all citizens to vote at the age of 18. As long ago as 1937, when I was a young instructor at Columbia University, I began agitating for the lowering of the voting age. In the ensuing 31 years, the reasons for the 18-year-old vote have changed as the nature of youth has changed, and the President has set forth eloquently and persuasively the compelling arguments to support adoption of what will be the 26th amendment to the Constitution.

IMPORTANCE IN AN ELECTION YEAR

I am hopeful that the President's message will furnish the impetus that will see this proposal through to final approval and ratification. I believe it is fitting that we consider such a proposal now, during an election year, at a time when we can witness the active participation of young people in the political campaigns of all the candidates.

Our political system can benefit greatly from the genuine idealism of young people. Many young people are more highly motivated toward political action than their elders. It is interesting that a great deal of this zeal for activity has occurred very recently, as many young people are beginning to appreciate the fact that in a democracy their interest and activity really counts and does make a difference.

YOUNG PEOPLE TODAY AS CONTRASTED WITH 1950

I am impressed by the fact that this generation of young people is on the whole more serious minded, thoughtful, and activist in spirit than their counterparts among the students of the 1950's. They are searching for the meaning of life, and their role in society. Their participation in belligerent demonstrations of a destructive nature, such as what occurred at Columbia University, is an inexcusable breach of discipline which cannot be condoned. Yet I sometimes wonder whether the senseless violence, animal energy, and nihilistic attacks on the "Establishment" would not be tempered and directed into useful channels if opportunities for expression were afforded at the ballot box.

It is argued by some that the modern generation of young people lacks the maturity to vote at the age of 18, and to lower the voting age will simply corrupt elections with those who lack a sense of balance. It is also argued that our Nation should not reward those prone to riot with a share of choosing our governing officials. It is further argued that the hippies and the yippies will lower the level of intelligence in the electorate, resulting in big votes for weird candidates, and votes being cast for superficial personal characteristics rather than meaningful policies.

YOUNG PEOPLE CAN ENRICH DEMOCRACY

Mr. Speaker, I do not see any overnight transformation in intelligence which occurs on the very day a young adult reaches the magic age of 21. And I would concur with the assessment of the President who expressed it this way in his message earlier today:

> The young people of America in this decade are far more ready, far better qualified, far more able to discharge the highest duty of citizenship than any generations of the past.

It is self-evident that confidence placed in young people will awaken them to a new sense of responsibility toward our Nation, and direct their energies and interests toward the constructive task of making democracy work.

I therefore trust that early action will be taken by the Congress and the States in the passage and ratification of this important constitutional amendment.

GRANTING PERMITS TO USE PUBLIC PROPERTY—NO MORE RESURRECTION CITIES

The SPEAKER pro tempore. Under previous order of the House the gentleman from Missouri [Mr. RANDALL] is recognized for 15 minutes.

Mr. RANDALL. Mr. Speaker, I have today introduced two bills of similar content which will require hereafter that no permit shall be issued for any demonstrations, encampment, or assemblage without first obtaining approval for such permit from the two Interior Committees of the Congress, as to one bill, and the two District of Columbia Committees of the Congress, as to the other bill.

As you are all aware, H.R. 16981, has been reported and may be acted upon by the Congress in the near future. This measure prohibits any officer or employee of the U.S. Government or the District of Columbia from issuing a permit for the use of land owned or under the control of the United States or the District of Columbia for camping, sleeping, or other overnight occupancy or for contructing or erecting any temporary buildings.

While we hope that there may be control over the use of Government lands in the future, an outright prohibition would prevent any overnight occupancy of public lands. Such a bill would even prevent a Boy Scout jamboree or any other proven organization overnight use of public lands. We might find ourselves in an awkward position if we had to deny completely and entirely worthwhile uses.

It is my opinion that the type of bill which I have introduced will serve for the Congress as the stewards of the people's property, the responsibility and say over who may or may not be given the right to obtain occupancy of public lands and for how long and under what terms. It is true there is a section of H.R. 16981 that orders the posting of bonds before using public lands for purposes other than overnight occupancy. But under the type of bills which I have introduced, the Congress could consider as a condition for the granting of a permit the amount and the terms of such a bond, rather than delegate to an appointed individual in the executive branch of the Government or in the District of Columbia government, the authority to require a bond or the amount of bond.

There could be a simple committee resolution which could be acted upon by a simple quorum of the committees involved and action by the full House or Senate would not be required. A committee could disapprove an application simply by taking no action.

I submit that under my bill the Congress, being directly responsible to the people, would have control over the use of land belonging to all the people. In addition there would be no risk of the challenge that some appointed official would inhibit the constitutional rights to lawfully assemble and petition the Congress. The very application to the Congress for a permit would constitute part of the petition.

If I may respectfully point out, any other type of bill might be challenged summarily particularly those which call for a complex prohibition against the granting of a permit as denial of the right to petition. In any event there should be some latitude allowed rather than an outright prohibition.

I am sure that the great majority of the Members of this House want to see no more Resurrection Cities. The bills which I have introduced today will give us all assurances there will be no more permits granted by the Interior Department or by the District of Columbia government. The method which I have proposed in my bills is a much more logical treatment of the procedure to require the committees of the Congress to consider such permits than to delegate this authority to appointed officials. Certainly the Members of the Congress, elected Representatives of the people, and their decisions should better express the will of the people.

WHY THE ATOMIC ENERGY PROGRAM MUST BE INVESTIGATED

The SPEAKER pro tempore (Mr. GALLAGHER). Under previous order of the House the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 10 minutes.

Mr. SAYLOR. Mr. Speaker, on June 5, Dr. H. Beecher Charmbury, secretary of the Pennsylvania Department of Mines and Mineral Industries, delivered an address in which he recommended a study involving all implications of the nuclear power industry.

Dr. Charmbury charged that environmental problems coming from the mining and burning of coal are infinitesimal compared with dangers that could arise from atomic reactors. He also asserted that the Federal Government has not disclosed actual costs of atomic power. His analysis reviews in depth the awful damage that could come from an accident in a reactor or in the transportation of nuclear materials.

I ask that the entire statement appear in the RECORD at the conclusion of my remarks, along with an editorial on the Charmbury remarks from the Johnstown Tribune-Democrat of June 17.

The material supports my resolution for a top-to-bottom study of the civilian reactor program. I have warned that air and water pollution from atomic reactors could be catastrophic, that a shortage of uranium could bring unnecessarily high prices for electricity, and that a full disclosure of the Atomic Energy Commission's civilian reactor program is essential both to the public safety and to the public purse.

Another factor involved in the projected study of the AEC program is the plan to detonate a nuclear device underground in Pennsylvania for the purpose of creating a natural gas storage reservoir. This week, opponents of the project presented a petition containing 9,500 signatures to a State official in Harrisburg. In all, almost 15,000 citizens of the Commonwealth have signed petitions asking that the idea be rejected.

AEC is already making the decisions on whether reactors may be built on sites selected by utilities, regardless of the desires of residents who may reject the idea of living next door to the atom. If this Federal agency can also decide to blast in an area despite opposition of local citizens, Heaven help the Nation.

The Charmbury address and the Johnstown Tribune-Democrat editorial follow:

A Plea for Thought and Action by H. B. Charmbury, Secretary, Pennsylvania Department of Mines and Mineral Industries

During the past five years, we have been living in a very air-land-and-water conservation-minded society. Hundreds, yes even thousands, of articles have been prepared for the public by the news media of Pennsylvania and the rest of the country severely criticizing the coal industry for the scars left as a result of more than 100 years of uncontrolled and unregulated coal mining to protect the general public.

Today, we have these controls, and the coal mining industry in Pennsylvania is to be commended for the job it is doing in working with government, conservationists, and others to protect, for future generations, our air, land, and water. The change in the coal industry's entire philosophy and attitude is almost simply unbelievable. From a slow start, we have built up to a point where there has never been greater cooperation between all groups concerned to have a healthy bituminous coal-producing industry in Pennsylvania with mining operations being conducted to protect the people now living in Pennsylvania, and those who live in and enjoy Pennsylvania in many, many years to come.

Now, however, government must turn its attention to other problems that might make our current problems from previous coal mining seem infinitesimal. These problems would be concerned with the life and death of our population as well as the preservation of our natural resources. I am referring to the radiation problems from the utilization of nuclear power plants.

In 1966, twenty-one new plants were licensed by the Atomic Energy Commission. In 1967, thirty additional plants were also licensed and in 1968 to date, an additional eleven plants have been announced by the Atomic Energy Commission. The total number of operating, licensed, under construction and in final phases of startup are ninety-nine plants. These plants are scheduled to be in operation by the end of 1975. The current forecast of the Atomic Energy Commission is the installation of 150 million kilowatts of nuclear power generating plants by the year 1980 representing approximately 30 per cent of the installed capacity in this country.

During the past decade, the general public has been fed a constant stream of information, principally from United States government agencies, on the desirable features of the application of nuclear energy. Science fiction has pointed out the theoretical tremendous levels of energy available from the splitting of the uranium atom. Frequent stories have been released to the public that one pound of uranium–235 is equivalent in heat energy to 3 million pounds of coal and, therefore, the coal mining industry was doomed.

In contrast, the undesirable, and in fact, dangerous features with respect to pollution from such plants and the production of deadly radiation to all living things created by the operation of these nuclear power plants have not been widely discussed with the public. What are the true facts.

1. The fundamental principal of the splitting of the nucleus of the uranium-235 atom by a "slow" neutron results in two fragments of the nucleus that are new and different chemical elements. Each of these two fragments without exception, is radioactive and in turn begins to disintegrate to a stable and different chemical element. Additional neutrons are released to maintain the "chain" reaction. Heat is released. Dangerous gamma rays are given off of this "chain" reaction. The truth is, for every pound of uranium-235 atoms "burned" in a nuclear reaction, there is created approximately an equal pound of radioactive fission fragments.

2. The public is not informed of, first, the volume and, second, the basic time required to control these radioactive materials.

3. The point is the radiation from these fission fragments cannot be seen or detected in any manner by the other senses of humans. Everyone is familiar with the effects of x-rays on human tissue. The same danger is present from the radiation constantly produced by the radioactive fission fragments.

Strontium-90 for example, a product of a nuclear power plant, is one of the most deadly radioactive fission fragments to all living things. This radioactive material is a solid and gives off beta rays and if present within the human body is a bone seeking material directly causing bone cancer. Worst of all, this material slowly disintegrates to a new and stable chemical element. It has a half life of 28 years. This term half life means that if you started with one pound of strontium-90, in 28 years the radioactive decay would reduce the weight to ½ pound and in another 28 years you would have ¼ pound and so on.

In fact, it would require 600 years to reduce the radiation danger of strontium-90 created in one year of operation of a single 1,000,000 kilowatt nuclear plant to a level acceptable to the public.

Other examples of very dangerous radioactive fission fragments such as cesium-137, iodine-131, cerium-144, and krypton-85, could be cited. The radioactive fission products accordingly exist in gaseous, liquid and solid forms and without exception, all give off deadly radiation to human beings and in fact all living things in our environment.

Mr. W. R. Harper in his book, "Basic Principles of Fission Reactors" states: "It may be calculated that a worker who stood ten yards from one gram of fresh unshielded fission products would receive a deadly dose of radiation in one or two minutes."

The commercial nuclear plants by 1980 will create a volume of radioactive elements that is almost beyond comprehension. There will be approximately a ton per day.

Recently actual operating data has been released concerning the practical facts of several of the operating commercial nuclear power plants in the United States. Here again two basic conclusions are evident.

First, not over 2 per cent of the uranium-235 actually present in the nuclear core can be fissioned without poisoning the core. The result is approximately ⅓ of the fuel assemblies per year must be removed, stored in the utility plant under water for 90 days, loaded in special casks, and transported by rail or truck to commercial processing plants to remove the valuable uranium materials. Subsequently, the recovered uranium is refabricated into new fuel assemblies and shipped back to the private utility plant.

Second, the regulations issued by the Atomic Energy Commission in the code of Federal regulations with reference to the licensing and design of a shipping cask for the shipment of the extremely dangerous spent fuel elements have been constantly undergoing modifications to assure the safety of the general public.

The magnitude of this rapidly developing public problem has been thoroughly discussed in the past five years by both academic and government sources. In general it is agreed that by 1980 there will be approximately 4,600 tons per year of spent fuel elements representing thousands of shipments across the United States to and from the estimated 150 nuclear power plants to be in operation by that date.

The importance of the special shipping casks is well stated by the publication of the Oak Ridge National Laboratory of Atomic Energy Commission in April, 1965, by Mr. L. B. Shaford of the Basic Problems of Heat Transfer, Shielding, Contamination, Pressure Build-up and Accident Analysis.

The Southern State Nuclear Board, a compact of seventeen southern states, published in 1966 a study "The International Traffic of Radioactive Materials". This document again points out the serious problems of safety, insurance and indemnity costs, legal factors and the numerous problems of the design and licensing by the Atomic Energy Commission of the large shipping casks required in the near future.

The staff at Johns Hopkins has thoroughly studied the density population of various cities in the United States to estimate the number of persons and the cost thereof to evacuate the public from the deadly gamma ray exposures in the event of a transportation accident by a truck or rail carrier. This report points out the very significant facts of what would happen to persons from a single spent fuel element exposure of the deadly radiation.

In view of this authentic information from Johns Hopkins University, it is necessary for each state to carefully control the use of its highways, railroads and airways for the transportation of highly dangerous radioactive materials required for the fuel cycle for commercial nuclear power plants.

Gentlemen, do we know all of the facts? What other key information has not been revealed to the public by government or by the press? What will be the total cost of this nuclear energy? What are the potential dangers?

Earlier this year I had a proposal submitted to the Department of Mineral Industries at my request to get some of the answers. In trying to get the proposal approved, I received the most fantastic government red tape treatment that I've had in six years in Harrisburg. I was told there was nothing for me to be concerned about. These things are all taken care of. Well, I am concerned. If people can be concerned with sulfur dioxide and fly ash from coal burning power plants, and if people can be concerned with mine drainage pollution coming from the mines which produce the coal, somebody better be concerned with the potential pollution from nuclear power plants.

Since I am not permitted to undertake this study, I am asking this Association to consider the possibility of making the study. I will be most happy to make the details available regarding what can and should be done so that the facts can be made known.

Eastern Europe doesn't have a monopoly

on "iron curtains", when it comes to the free flow of information.

Your association can help to lift the unseen iron curtain on information relating to the deleterious effects of uninhibited development of nuclear power plants. Not only are our natural resources, but humanity itself is directly involved.

The study I am asking this association to undertake would certainly help to lift that curtain, while, at the same time, prove invaluable to the States themselves when it comes to establishing regulatory legislation that could post guidelines on the orderly progression—not retrogression of mankind—in its headlong exploitation of such awesome power.

I am worried. I have seen results as to the cost of pollution from energy in the past. . . . I don't want to see the same mistakes with even greater costs take place in the future.

Nuclear Energy Unknowns

Many are the uncertainties associated with peaceful uses of nuclear power.

Even when someone sets out to explain the beneficial aspects of the awesome power potential, what is heard often is only barely understood. And many questions, therefore, remain.

So it is understandable that there is much concern about the possible harmful aspects of widespread use of nuclear energy. And Pennsylvania's secretary of mines and mineral industries has put some of that concern into words as he issued a challenge to a soft-coal association to study the problems of producing electric power through atomic energy.

Dr. H. Beecher Charmbury told a group of coal producers that "the problems created by coal mining in the past are infinitesimal to what we could face through the massive use of nuclear power plants in the future."

That statement prefaced Dr. Charmbury's challenge. He said:

"For this reason I am asking your association (Keystone Coal Association) to undertake a full-fledged study of the problems connected with production of electric power through atomic energy. Such a study would not come under the scope of activities of the Department of Mines and Mineral Industries.

"I know that problems do exist, and the people of our nation must be made aware of the vast, deadly dangers constituted in the methods as well as by-products created in making electric power with atomic energy."

Dr. Charmbury noted that there has been an abundance of information about the positive aspects of nuclear power production but said that "an unseen iron curtain exists when it comes to information on the deleterious effects."

He went on in his talk to the coal producers as follows:

"I genuinely hope you will undertake this study because we are not just talking about the effects on our lands and waters but on humanity itself. Such a study could prove invaluable, too, in the ultimate creation of regulations—at the state level—if we are to progress, not retrogress, in exploitation of such an awesome power."

Dr. Charmbury noted the proliferation of nuclear power plants and said:

"The current forecast of the Atomic Energy Commission is the installation of 150 million kilowatts of nuclear power generating plants by the year 1980 and representing approximately 30 per cent of this nation's . . . capacity."

Without doubt, the American public must be fully—and in understandable language—informed about the still-young nuclear age. The people must be made aware of all the dangers that may arise as nuclear energy production facilities continue to sprout across the nation.

OUR YOUNG PEOPLE DESERVE TO VOTE

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, I am delighted with the President's message today recommending the reduction of the voting age to 18. This has been a long time objective of mine and I have introduced legislation toward this end ever since I came to this House in 1959. I have felt that one of the blatant inequities in our American society has been the denial of this franchise to our younger citizens.

The history of these United States describes a long but unbroken progress from the rule of a tiny minority in its earliest day to what is now an almost universal suffrage. In this same decade, in which voting discrimination based on poll taxes, on race or color, or on voting districts have all been outlawed, the discrimination which deprives over 10 million of our younger citizens of their rightful vote must be our next objective.

No time could be more appropriate. These young people are today being asked to acquire more education and assume more and heavier responsibilities, and at an earlier age, than ever before. There is no group with a larger stake in the long term consequences of our Government's policies than these people. At a time when the "generation gap" has become an issue, and when increasing numbers of responsible, serious young people are asking for a broader role and participation in society—what more appropriate measure can be taken than the extension to these people of our society's most fundamental means of participation—the right to vote?

THE 50TH ANNIVERSARY OF THE U.S. ARMY CHEMICAL CORPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 10 minutes.

Mr. SIKES. Mr. Speaker, June 28, 1968, the 50th anniversary of the creation of the U.S. Army Chemical Corps, is a fit and proper occasion on which to honor the record, services, sacrifices, and accomplishments of this vitally important branch of the national military establishment. Equally—and perhaps more—importantly, the anniversary to which I refer affords a fit and proper opportunity to survey one of the major problems now confronting the American people and their national security policy—the deterrence and if necessary the waging of chemical and biological warfare.

It was a long time ago that the Spartans burned wet straw in smudge pots in order to conceal the movements of their troops against Hannibal's forces during the Carthaginian wars. And it was a considerable time ago—some of our younger citizens probably think shortly after the discovery of fire—that the German army released a cloud of chlorine gas over Allied lines near Ypres, Belgium, and caused confusion, gasping death, and thousands of maimed casualties. The launching of the gas attack on April 22, 1915, also launched what we have come to recognize as the modern era of chemical—more properly—chemical and biological warfare.

The first American troops that landed in France in 1917 had to depend on British and French equipment for protection against gas attacks. Within a short period of time the American Expeditionary Force not only had its own gas warfare equipment but its own gas and flame regiment. This regiment developed into the Chemical Warfare Service, which was organized as such on June 28, 1918. After the war—in 1920—the Chemical Warfare Service became a permanent branch of the Regular Army, a decision reflecting practical experiences gained in World War I—experiences including the simple, awesome fact that the some 6,000 German troops assigned to chemical warfare duties inflicted about 30 percent of the American casualties suffered during the entire war.

According to one historical summary:

> Although chemical agents such as gas were not used in World War II, the contributions of Chemical Warfare Service units to combat operations were extensive. Chemical mortar battalions firing 4.2 inch high-explosives were famous in all theaters of war for their accurate fire in close support of Infantry. Flame throwers of the Chemical Warfare Service were one of the few weapons capable of driving fanatical Japanese defenders from their bunkers and caves in the Pacific, and were also a favorite weapon against the German pillboxes in Europe.

In 1946, the Chemical Warfare Service was reorganized as the Chemical Corps. During the Korean fighting the Corp's 4.2 inch chemical mortars firing high-explosive rounds in the same manner as in World War II once again demonstrated and proved the extent to which the vitality of the U.S. defenses and U.S. national security policy depended on the Army Chemical Corps.

To continue with the historical summary from which I quoted earlier:

> In the Vietnam war, the Chemical Corps does not play the same role that it did in World War II or Korea. Smoke screens on a large scale are not needed because fighting there does not involve large units or troop movements, and the function of the 4.2 inch mortar battalions is being handled effectively by conventional artillery and mortars organic to infantry units. Nevertheless, the Chemical Corps has not let down its guard. Research and testing continue to prepare American forces for any eventuality and to provide a strong deterrent to any enemy contemplating the use of chemical agents on the battlefield.

Insofar as Vietnam is concerned, this report completely misses the boat. There has been considerable emphasis on the use of chemicals in Southeast Asia limited to tear gas and defoliants, and their value in the present conflict is increasingly obvious. In the case of defoliants, jungle areas with dense foliage provide perfect cover for enemy operations and defy efforts at detection. The use of defoliants has denied enemy units the use of important areas and rendered allied operations correspondingly more effective. However, it is in the use of an improved tear gas that greatest benefits to allied forces have been realized. It has been impossible in many instances to route out stubborn enemy resistance in underground fortified bunkers with the use of conventional weapons. In these cases tear gas has been highly effective. There have been instances where tear gas could be used in lieu of more destructive devices where enemy forces were holding civilians captive. In each instance, a savings of lives has resulted. There is increasing use and growing demand for additional chemical weapons of the type described for the battlefields in Vietnam and this is coupled with an obvious need for improvement in weapons and delivery systems.

Research and testing, plus the Southeast Asia participation, is costing in the neighborhood of $300 million a year and absorbing the energies and capacities of some 7,000 scientists and technicians, constitute one of the contemporary hallmarks of the Army Chemical Corps. But such research and testing, which over the last quarter century or so have brought forth chemical and biological warfare—or "CBW"—agents including nerve gas and incapacitants, have also brought forth damning criticisms from usually well-intentioned but unfortunately misguided citizens of the United States and of other countries. For example, it was reported in the press on May 10, 1968, that the Federation of American Scientists had attacked U.S. development and production of CBW weapons and urged discontinuation of CBW programs. I understand that the Federation believes not only that the development, testing, and production of CBW weapons of mass destruction are pointless, dangerous, and provocative, but that all CBW weapons should be foresworn by the United States.

On the other hand, I believe it is instructive and imperative to mark well an editorial published by the New York Times in 1964, which stated, in part:

> Chemical and biological agents—repulsive though they may be—are, like nuclear weapons, here to stay and an understanding of them and of the defenses that can be erected against them are essential to the nation's security. 'Humane warfare' is far off, but the attempt to achieve it is worthwhile.

Using this New York Times editorial position as a background, I would like to submit for your consideration a few rules of thumb that I believe can guide the United States well as it reflects on and evaluates CBW military capabilities in relation to national security. The first rule of thumb is that the United States must develop and retain as many military options as are available to it in order to deter and if necessary mount military action against any conceivable aggressor or aggression. A second rule is that the fruits or payoffs of military research and development, and the resulting military capabilities, are hard to predict and can never be realized short of dedicated, sustained, and long-term efforts. A very recent issue of Newsweek reports:

> A chemical called BZ is the only dividend of the Army's oversold effort to develop psychochemicals and other incapacitants, beyond the riot-control arsenal, for a 'war without death."

Yet my reading—as a nonscientist—has led me to an almost equally recent issue of Ordnance, which presents a considerably more optimistic view of the possible effectiveness of incapacitating agents that might be used in close-combat situations in Vietnam. A third rule is that the fruits or payoffs of military research and development often have ramifications extending far beyond military capabilities. For example, several years ago the Army Chemical Corps found it possible to list no less than 11 areas, ranging from medicine, to health, to safety, to animal and crop research, in which the Chemical Corps had made valuable contributions to the welfare and better living of the American people.

I have not commented on the Russian capability for chemical and biological warfare. This is important enough to justify a paper devoted entirely to that subject. Suffice it to say at this time that the Russian effort is very much larger than ours. The Russians have developed a chemical and biological capability far greater than our own. The training program for Russian soldiers in this field is much more thorough and detailed than ours. It is an accepted fact that the Russians have developed production facilities and stocks of chemical and biological weapons far beyond the very limited capacity which exists in the United States. The Soviets take a highly realistic view of the importance of chemical and biological warfare, and they are much better prepared to wage war in these fields if it should ever serve their purpose to do so. This should be a cause for very considerable apprehension to the United States, where the emphasis has been in downgrading the significance of chemical and biological warfare and where constant attacks are being launched within our own country by those who seek to have our limited capability downgraded to an even greater extent.

In a word, then, on the basis of its past and present record of services rendered not only to the safety but to the general welfare of the Nation, and on the basis of truly well-founded expectations of invaluable services yet to be rendered, I am honored to play some small part in commemorating the 50th anniversary of the establishment of the U.S. Army Chemical Corps.

TEACHER CORPS

Mr. **DULSKI**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **DULSKI**. Mr. Speaker, the Committee on Appropriations has recommended a cutback in the Teacher Corps program.

In this period when the educational crisis continues to grow, I believe that the Teacher Corps should be expanded rather than reduced.

Educational surveys show that only 17 percent of the regular teachers want to teach in the innercity schools. Seventy-six percent prefer to teach in the suburbs.

Yet, we all know that the most serious problems in education today are in the poverty area schools in the cities and in the rural areas.

The Teacher Corps is directed at this very problem: Getting at the hardcore, poorly educated child.

The Corps recently graduated 657 teacher interns who have spent the past 2 years in some of the poorest sections of our big cities and rural areas.

A survey this month by the Teacher Corps showed that 72 percent of the graduates plan to teach on a regular basis in poverty area schools.

I know personally about the Teacher Corps program because it has been operating in my home city of Buffalo, N.Y., for 2 years. It has done an excellent job of getting to children who really need help; reaching children who might otherwise be school dropouts of the future.

There have been 16 Teacher Corps interns teaching in three Buffalo schools. Their work is supervised competently by three team leaders who are veteran, experienced teachers.

The program is under the direction of the State University College at Buffalo in cooperation with the city school system.

Besides supplementing the Buffalo school system, the Teacher Corps interns have engaged in community activities.

They started a Boy Scout troop and are tutoring adults in an evening center. They also are making home visits to the parents of the pupils they teach.

Recently, the Buffalo Teacher Corps was responsible for bringing together about 150 representatives of 48 Buffalo civic organizations in an effort to get concerted action on a variety of community problems.

The corps in Buffalo recently helped to form an advisory council on education composed of school administrators in the Ellicott School District. This council seeks solutions to common educational problems.

As can be seen from the Buffalo work which I have cited, the Teacher Corps is serving a definite need in our major cities.

I hope sincerely that the House not only will reject the proposed reduction in the Teacher Corps budget, but also will make additional funds available for its work in fiscal 1969.

THE COMMEMORATION OF JAMES CHANEY, ANDREW GOODMAN, AND MICHAEL SCHWERNER, WHO SACRIFICED THEIR LIVES FOR LIBERTY

Mr. **RYAN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, 4 years ago I rose in the well of the House to inform the Members that three young Americans were missing in the State of Mississippi in the vicinity of Philadelphia, Neshoba County.

Today I rise to pay tribute to those three civil rights workers—James Chaney, Andrew Goodman, and Michael Schwerner—who sacrificed their lives for liberty.

It requires a little historical memory to understand the circumstances within which these young men undertook the work of promoting civil rights and equal opportunity. They were murdered on June 21, 1964. On June 21, 1964, Congress had not yet passed the Civil Rights Act of 1964—Negroes in Mississippi and in other Southern States were denied service in places of public accommodation; they were discriminated against in employment; they lacked the whole array of Federal rights created by that act, the enforcement of which has begun to change the thinking and racial perspectives of the South.

These three courageous young men faced the most bitter opposition and hostility. They knew this, and they proceeded to the task of promoting liberty and racial equality.

On the date of their deaths, there was no Federal law providing adequate penalties for violent interference with civil rights—it was only this year that Congress passed legislation providing punishment up to life imprisonment for violence and murder committed to prevent the victims and others from exercising civil rights. Hence, these three young men faced not only the most bitter opposition and hostility, but they faced the possibility of violence unrestrained by fear of Federal prosecution and of life imprisonment. They faced this danger with a courage to match their calling.

Andrew Goodman and Michael Schwerner went to Mississippi to conduct voter registration drives and to open freedom schools under the auspices of the Council of Federal Organizations, an alliance of several civil rights groups—the Congress of Racial Equality, the Southern Christian Leadership Conference, the National Association for the Advancement of Colored People, and the Student Nonviolent Coordinating Committee.

They, together with other volunteers, were preparing to offer courses of study designed to make possible greater freedom for Negroes in Mississippi—courses in the humanities, in the liberal arts, in the mechanical arts, and in the rights and the duties of citizenship.

Michael Schwerner and his wife, Rita, had opened one of the first two freedom schools in Mississippi. They opened their school in a five-room space in the town of Meridian. They established a library with a collection of some 10,000 books which were available for everyone in that community.

These three—Michael Schwerner and Andrew Goodman, both white civil rights workers from the North, and James Chaney, a young Negro from Mississippi—dedicated themselves to advancing equal opportunity.

What did these young men do which brought about their brutal murder in Neshoba County?

They were assisting American citizens to become citizens in the real sense of the word.

They were assisting men and women to develop productive abilities of mind and hand so that they could make the world in which they live more their own.

They were assisting men and women to take responsibility for government and for a public order of things in which they would have more of a stake. They were assisting men and women to take an active part in the democratic process in order to make those in public office responsive to their rights and needs.

To those who were determined to prevent the Negro from becoming fully a citizen, these goals to which the three young civil rights workers dedicated themselves were reason enough to kill them.

The deaths of James Chaney, Andrew Goodman, and Michael Schwerner demonstrated to Congress and to the country the need for Federal intervention in Mississippi and elsewhere in the South on behalf of the disadvantaged and disfranchised. By their deaths they hastened passage of the Voting Rights Act of 1965. Where they and other civil rights workers led the way—into hostile country—Federal voter registrars have followed. Assumption by the Federal Government of direct responsibility for enforcement of the guarantee of the 15th amendment is bringing about profound change in the political life of the South.

On the date of enactment of the Voting Rights Act of 1965, only a little more than one-fourth of adult Negroes were registered to vote in Alabama, Georgia, Louisiana, Missisispi, and South Carolina. By June 30, 1967, more than half of the adult Negroes in these same States were registered to vote. There are today in these States more than 1¼ million Negro voters—and the percentage of Negroes in the South who register and who vote can be expected to keep on rising.

It is a tribute to the three men whom we remember and honor today that Negroes are being elected to public office in Mississippi and in other Southern States for the first time in this century. Robert Clark is a member of the Mississippi State Legislature representing Holmes County. Wesley Liddell is mayor of Mound Bayou. Constables in six Mississippi counties are Negroes, as are the supervisors in four counties. There is a Negro chancery clerk in Claiborne County, a Negro school board member in Jefferson County, a Negro coroner in Marshall County, Negro justices of the peace in seven counties. And in other Southern States also Negroes are entering elective offices—Alabama has two Negro mayors, for example; Georgia has two Negro State senators and nine Negro State representatives. These gains are few thus far, but they constitute a beginning.

And election of Negroes to public office by a growing black electorate should not be the only consequence of enfranchisement. White candidates for elective office and white persons in positions of authority should be compelled increasingly to recognize the rights and the needs of disadvantaged black people and of disadvantaged white people in their States, and should be compelled to devote more effort to safeguarding these rights and answering these needs.

Thanks to the heroism of the three young civil rights workers whom we commemorate today, thanks to the numbers of other civil rights workers who also faced the possibility of violence and death in order to conduct voter education campaigns, thanks to the Voting Rights Act and to the Federal officials registering voters in the South—Negroes can gain and exercise political power.

James Chaney, Andrew Goodman, and Michael Schwerner were killed by racial prejudice and racial hostility. Nevertheless, we are beginning to move toward realization of certain of the goals for the sake of which they died—democratic political rights, equal opportunity in education, equal opportunity in employment.

Much remains to be done before every Negro can shape a part of the world into something that he can call his own. Much remains to be done before he can cast off economic dependence on those who have for generations used that economic dependence to deprive him of an effective participation in political affairs.

How much remains to be done has been accurately gaged by the President's National Advisory Commission on Civil Disorders.

The Negro seeks to gain the self-respect which comes from achievement which is a genuine expression of self.

The Negro seeks to gain the self-respect which comes from recognition on the part of others of one's value as a person.

The Negro seeks to gain the sense of belonging to the American community.

These great ends of public policy are deeply personal values. They are values for which James Chaney, Andrew Goodman, and Michael Schwerner traded their lives.

In this current crisis of racial relations and of public order we must be well aware that the same prejudice and hostility which killed these three young men threaten to preclude the Negro's gaining such self-respect and sense of belonging.

The Commission's basic finding, which is that white racism is the primary cause of the violence which today disrupts our national life, has incurred the wrath of many white Americans. The Commission demonstrated depth and objectivity when they presented their findings. The Commission stated:

> The record before this Commission reveals that the causes of recent racial disorders are imbedded in a massive tangle of issues and circumstances—social, economic, political, and psychological—which arise out of the historical pattern of Negro-white relations in America.
>
> These factors are both complex and interacting; they vary significantly in their effect from city to city and from year to year; and the consequencies of one disorder, generating new grievances and new demands, become the causes of the next. It is this which creates the thicket of tension, conflicting evidence, and extreme opinions cited by the President.

> Despite these complexities, certain fundamental matters are clear. Of these, the most fundamental is the racial attitude and behavior of white Americans toward black Americans. Race prejudice has shaped our history decisively in the past; it now threatens to do so again. White racism is essentially responsible for the explosive mixture which has been accumulating in our cities since the end of World War II.

If white Americans refuse to recognize the truth of this finding, we will never become the kind of people we ought to be. And if we never become the kind of people we ought to be, the Negro will continue to be rent by the despair and anger which have generated the violence in our cities.

Despair and anger in the black ghettos are facts of life which must be faced. For we shall either come to understand, or else we shall continue to move—in the words of the Commission—"toward two socities: one black, one white—separate and unequal."

John Oliver Killens, the well-known author, recently published a book called "Black Man's Burden." In a chapter of this book called "The Black Psyche," Mr. Killens spoke thus to white Americans:

> But white Americans are great pretenders. Millions of you wish we were invisible, and so you make believe we are. You'd like to wish us out of existence so that the whole world would not see us, because our very life in this country, as black people, gives the lie before the world to your protestations of freedom and human brotherhood. The white man's juju is powerful stuff, but it cannot wish the Negro into invisibility. So you try the next best thing, pretending you can't tell one of us from another.

White Americans, Mr. Killens says, try to wish Negroes out of existence by not seeing them. But being recognized as a person is essential to everyone's psychological welfare. The experience of being wished out of existence by not being seen, or of being regarded as merely anonymous is bound to leave scars.

Bayard Rustin, a respected civil rights spokesman, talked to young people in Watts shortly after the 1965 riot. He reported what he found in an article entitled "The Watts Manifesto." Mr. Rustin said:

> If we can't read their "manifesto" in the burnt buildings and the smashed store windows in Watts, if things don't change, these young people were saying they would do it again. They wanted more than anything to be heard, to be recognized, to be listened to.

Dr. Kenneth B. Clark, the renowned psychologist, had the following to say about the motivation behind the riots:

> Beneath the random and clearly destructive and irrational behavior, there remains the pathetic logic of asserting self-esteem and searching for a positive identity by exposing oneself to danger and even inviting death.
>
> This is the quest for self-esteem of the truly desperate human being. This is the way those who have absolutely nothing to lose seek a pathetic affirmation of self even if it is obtained moments before death. (New York Times, July 30, 1967, p. 49.)

Will white Americans understand the despair and anger of black Americans and will the racial attitudes of white Americans be changed by such understanding? Or will the racism which murdered James Chaney, Andrew Goodman, and Michael Schwerner plunge us further into division and disorder?

In commemorating the anniversary of the sacrifice of these three courageous civil rights workers, let us hope that their example will lead our Nation to a new understanding and to the achievement of full equality for all Americans.

THE ROAD LESS TRAVELED

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, I want to call to the attention of the House the outstanding remarks made by Michael F. Stafford upon the occasion of his graduation from West Springfield High School. This young man compiled an outstanding high school career and was valedictorian of his class. In addition to being a fine student, he is a well-rounded individual. He is deeply motivated by love of his country and has chosen a career in the military service. His outstanding ability and his desire to serve his country have been recognized. Appropriately, he has received an appointment to the U.S. Military Academy at West Point.

The challenge that Michael Stafford makes in his speech is a challenge to which each of us should respond in an affirmative manner.

Mr. Speaker, I urge all Members to read this challenging and inspiring address.

THE ROAD LESS TRAVELED

We are at the crossroads of life. Looking back, we see a past of hard work. The devoted efforts of our administration and faculty have ended in a finished product. For us, their job is done; our job has just begun. We are now ready to face a new challenge, a new decision, a new life. In doing so, we must look back to learn, and look forward to act. Be it pleasant or disagreeable, the past is finished. We cannot live in the past, and we must not exist on memories of it. It is our duty to advance on the road of life, prepared to meet and overcome any obstacle in our path.

As we turn to look forward, we encounter a new fork in the road. This is a truly important work, possibly the most important we will ever face. We must choose wisely, for it is here that the road splits into the two paths of life, paths which will probably never cross again. The first path is the one of passivity. It is well traveled, for it is an enticing trail. It is easy to be passive, to sit back and watch the world go by. It is easy to be satisfied with life and be resigned to its shortcomings. It is also easy to settle down in a daily routine, taking no chances and making no bold moves to avoid risk or agitation. Many students choose to be passive. They sit quietly through their daily classes, contributing nothing and getting very little in return. They do not get involved. Their philosophy is a simple one, shared by numerous Americans: "Don't get involved in the lives and problems of other people. Take no chances and you will keep out of trouble. Just live your own life and step on no one else's toes. So people have been publicly stabbed and beaten with their pleas for help unanswered because those around them didn't want to get involved.

The Bible says, "All that is necessary for evil to prevail, is for good men to do nothing." This is the folly of passivity. The hippie movement is an international cult which has ended up on the road of passivity. The hippie philosophy is beautiful, if not practical, for if the world could be rid of hatred, if brotherly love could abound, then this would be a truly wonderful place in which to live. The hippie goal of finding oneself is also fine, but there are few true hippies. Instead, the movement is riddled with parasites, using it as an excuse for their ways. Those ways are simply withdrawal, withdrawal from life as a protest against it. They make no attempt to change it, but simply depend on others to exist in their own individual world. This is the essence of passivity. Protest and criticism are invaluable to the improvement of a system when balanced with a suggested means for that improvement. But protest for the sake of protest, protest without a counter-solution, this is absurdity.

The second is the road less traveled, the one of activity. It may not be as inviting as the road of passivity, for it requires greater effort and resolution, but its rewards are much more gratifying. The person who chooses this path sets a goal for himself and works diligently for the achievement of this goal. The goal must be high, or it is useless. "Aim at the sun," says Joel Hawes, "and you may not reach it; but your arrow will fly far higher than if aimed at an object on a level with yourself."

In the last few months, a group of college students have shot their arrows at the sun, and they have made an impression that will not soon be forgotten. In New Hampshire, Wisconsin, and elsewhere, they dressed up, cut their hair, and otherwise conformed to the standards of the generation with which they were to deal. They then went out and ran one of the most inspired and exciting presidential primary campaigns in history. In so doing, they salvaged respect for the younger generation, a generation which had been labelled as hopelessly drifting, one of America's major crises. Their aim was to help carry to the Presidency a man who had captured their imagination and in the process they did much more than win a few votes. The Negro race, in particular the disciples of non-violence, established for themselves years ago a goal which seemed unattainable. Their dream was to generate a legal, non-violent revolution in the United States, to create racial equality in a country tainted with prejudice and malevolence. Starting with their first victory in 1954 with school desegregation, they slowly and painfully integrated restaurants, public centers, and other bastions of bias. Met with force, they perservered in their non-violent methods, to such an extent that Dr. King was awarded a Nobel Prize for Peace. But racial unrest has intensified. The solution to this, America's greatest domestic problem, has not yet been found; it lies within our generation. With his increased educational and job opportunities, the Negro will, in the near future, be working and studying at the side of the white American more than ever before. By accepting him and his challenge, by judging him on his talents rather than his color, by setting an example of friendship and justice, we can do much to ease racial tension and eliminate bigotry. The Negro goal still seems far away, but it no longer seems unattainable. The possibility is ours to make great advances for the cause of human rights and give the moral equality of all men a large boost toward universal acceptance.

In setting his goal, one must look to the future, but in working toward achievement of this goal, he must act in the present. Existing on dreams of the future is no less erroneous than existing on memories of the past. One who sets a high goal for the future and works simply for the future will not succeed. He must work in the present to improve the present and then the future will take care of itself. For when one works diligently, using every moral and legal means in his power, there is little that he cannot accomplish.

Now it is time for us to make the decision which we alone must make, to decide the course of our lives. Will we take the road of passivity or the road of activity? Will we be an indifferent or driving element in this changing world? Will we discuss the achievements of others, or will we make our own mark on society? To answer is imperative: act we must, drive we must, mark we must. I dare you to set a high goal and work for its accomplishment. I dare you to make a place for yourself in the advancing ranks of this country. I dare you to learn from the past, plan for the future, and act in the present. I dare you to take the road less traveled, and someday when you look back on your life, it won't be with regret. And so proceed, heeding the words of Henry Wadsworth Longfellow: "Look not mournfully to the past—it comes not back again; wisely improve the present—it is thine; go forth to meet the shadowy future without fear and with a manly heart."

A PRESCRIPTION FOR ENDING LAWLESSNESS AND VIOLENCE

Mr. **PELLY**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. **PELLY**. Mr. Speaker, lawlessness and violence on the streets of America's cities and towns have increased in recent years to the point that today responsible citizens in many areas of the country hesitate to walk where they once took their safety for granted.

A look at the statistics on crime clearly shows that our people have reason for their fears. While it is said that statistics do not always tell the true story, Congress itself need look no farther than outside this Capitol Building to see large congregations of police; gathered because of the threat of what is loosely called "civil disobedience." Mr. Speaker, I remind my colleagues that the beginning of the tragic April rioting here in the Nation's Capital was labeled as a "civil disobedience," but it was crime and lawlessness by any man's standards or statistics.

Just consider the fact that busdrivers in Washington, D.C., refuse to carry money to make change at night because of the high incidence of crime; crime which cost the busdrivers the life of one of their coworkers and led to a scrip system after sunset so they would not invite holdups.

Taxicabs are scarce on the streets after dark because of the threat of crime. Fires, called "mysterious," continue to plague Washington, D.C., night after night. And, heavy amounts of tear gas were used just this week to disperse growing mobs police had reason to believe were intending to rekindle the April rioting.

And, around the Nation the lawlessness continues to increase. New names are added to the growing roster: Richmond, Calif., Durham, N.C.

But, here in the city which the President has continued to label as a "model" for American cities, felonies and misdemeanors more than doubled between 1960 and 1967. Felonies alone almost tripled in the same period of time.

Mr. Speaker, there is a solution to this lawlessness gripping our Nation. It was demonstrated here in Washington, D.C., when police force was ordered to firmly halt criminal force following the closing of Resurrection City. But, this was only a first step. It must be repeated and repeated until those with criminal design are made to understand that our society is based on order, not lawlessness. They must understand that their minority will not be tolerated by the majority.

But, equally important, the courts also must be made aware that the decent, law-abiding American has "had it." It was shocking to learn following the recent murders of five Washington, D.C., businessmen and the busdriver that 11 of the 13 suspects charged with the murders had been arrested previously, and that five were free on probation or personal bond from previous convictions or arrests. One of them was free on personal bond awaiting a robbery trial that had been delayed 15 months in the U.S. district court.

Only a broad front attack on crime from every branch of government, coupled with strong citizen support will return our Nation to law and order. The age of leniency must end. Permissiveness must halt.

Members of Congress are being swamped by letters and telegrams concerning gun legislation at the present time. We also heard in great numbers regarding similar legislation following the murder of Dr. Martin Luther King, Jr. But the passage of more laws on guns, no matter how much they may or may not be needed, will do little or nothing to halt the criminal. This is an attack that can come mainly from the law-abiding citizen himself; an attack by his voice saying emphatically that he will no longer stand for court coddling of criminals, that he is impatient with a President, a Congress, and a Supreme Court that permit permissiveness toward criminals at a time when anarchy is threatening the welfare and existence of our people.

Mr. Speaker, 130 years ago, in 1838, such a case was cited in these words:

> There is no grievance that is a fit object of redress by mob law. . . . Passion has helped us, but can do so no more. It will in future be our enemy. Reason, cold, calculating, unimpassioned reason must furnish all the materials for our future support and defense.

Abraham Lincoln, speaking in Springfield, Ill., undoubtedly would be moved to the same words again in 1968.

THE PRESIDENT'S TAX INCREASE

Mr. **SMITH** of Oklahoma. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. **SMITH** of Oklahoma. Mr. Speaker, there has been a lot of discussion by some in the Congress concerning whether or not a Member voted correctly on the President's tax increase. I voted against the tax increase not because of my political future, but because I felt it best for the country. Many in my congressional district have written to express their agreement with my judgment since the House made its decision.

Others, including the Wall Street Journal in a recent article have commented on the President's tax-spending package by stating:

> Perhaps the greatest peculiarity about the newly enacted tax-spending law is the way it has been successfully oversold as an economic curative—by the Administration, by some in the Congress, and by many businessmen. It's not just a matter of academic interest; in the near future there could be bitter disappointment at the measures unfulfilled promises.

Some events which have occurred in the last few days cause these comments to be almost prophetic. Since passage of the legislation the White House has made two announcements. The first was that the President had just discovered that there would be an increase in the deficit of another $5 billion. This theoretically means that the $6 billion spending cutback which the President reluctantly agreed to has already been decimated to only $1 billion.

The second announcement, and the most fantastic, is that the White House was reported Tuesday as starting that it may be "months" before President Johnson reaches any "decision" as to what cuts he intends to make in fiscal year 1969 appropriations. This kind of irresponsibility on the part of an administration which already has its fiscal credibility in question is the main reason that I voted against the tax bill. The Congress passed the President's tax increase with the assurance from him that spending cuts would be made. However, it appears that it is business as usual in the White House.

Looking ahead, therefore, it appears that the action taken by the Congress will not be an effective counter to inflation. Instead, it raises the families cost of living by reducing the amount of money it can keep, in a period when purchasing power is already eroded by inflation and taxes of all sorts which are going up at a staggering rate locally. It raises a company's cost of doing business in a period when costs are already skyrocketing. Thus still higher prices are in the future for buyers of the company's products. For example, the major utilities announced that they plan a rate increase to offset declines as a result of the 10-percent tax surcharge.

The spending reduction side of the bill offered more hope for stopping inflation. Part of the trouble here is that $6 billion is a small cut out of a $186 billion budget. It is also going to be difficult to see it realized in light of the President's recent announcements.

In view of all this, it is difficult to understand the near naivete with which so many discuss the supposed wonders of the tax-spending scheme. I suspect it stems partly from a feeling of desperation, and a sense that the whole government's financial structure is in fact so dangerously out of control that something, practically anything should be done.

I still believe that serious cuts must be made in the largest budget in the Nation's history before the dollar will be sound again. Unfortunately, from the President's statements, it appears that those who voted for the tax bill have just given the administration another $8 billion to spend. I am sure that some of my colleagues who supported this bill in the hope of reducing expenditures feel just as frustrated as do the people who must pay the new taxes in light of the President's recent announcements.

ROBERT BAUMAN RESIGNING

Mr. ADAIR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ADAIR. Mr. Speaker, having learned that Mr. Robert Bauman is resigning from his position as manager of the House Republican cloakroom, I wish to express my sentiments concerning this fine young man.

Bob, as he is affectionately known by those of us on this side of the aisle, has not only been a faithful and competent employee, but also a good friend during the 15 years he has been employed in the U.S. House of Representatives.

He also has an Indiana background which is another reason that we Hoosiers in the House hold him is such high regard.

Married to the daughter of the late Gene Dawson, Bob and his wife Carol now have a fine family consisting of a son and two charming daughters. Incidentally, Gene Dawson was a prominent Indiana newspaperman and had served on the staff of Senator Homer Capehart before his tragic death in an automobile accident.

Bob will be missed after he leaves his position in the Republican cloakroom. I certainly wish him well as he ventures into the legal profession. As a lawyer he will be practicing in his home State of Maryland.

I know I speak for his many friends and my Republican colleagues when I say we have been delighted with his energetic devotion to his duties and the service and cooperation he has extended at all times. He has an excellent record of personal attention and in promptly assisting whenever called upon.

Finally, as a dedicated Republican with a sound conservative attitude, I am confident that we will hear from Bob in the future. He has my warm good wishes for his success in the years ahead.

ACA MARKS 10TH ANNIVERSARY

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, since its founding on June 27, 1958, the Americans for Constitutional Action has performed an important and vital role in promoting sound principles of constitutional government.

These are times when it is often difficult to tell the players without a scorecard, but thanks to ACA, it is possible for the American voter to tell where his or her Representative and Senator stands on legislative issues. If he believes in preserving the Constitution, in restraining the heavy hand of big government, and if he believes in maximum freedom of the individual, commensurate with an orderly society, he will surely rate high on the score card which ACA keeps for every session of Congress. I have often said, the genius of our Constitution is the three ways of change from within.

If on the other hand, he votes to concentrate more and more power in the hands of fewer and fewer Government leaders; if he votes to spend tax dollars as though they were pennies from heaven; if he votes to make the separate States little more than administrative extension of the Central Government; and, if his vote on key issues is more closely attuned to pacifying special interest groups than to strengthening America, he is not likely to rate very high on the ACA scoresheet. I commend ACA, its board of directors, and staff, for an outstanding performance, and for their dedication to the cause of sound principled government. I hope the Americans who share the conservative philosophy and who wish to regain for America the greatness that has been dissipated through modern-day "liberalism" will support ACA and help make it a more effective voice in the mainstream of good government in the United States.

ACA

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, for 10 years I have followed the progress of the Americans for Constitutional Action in working for responsible, economical government. Its record of progress is impressive.

In my opinion, ACA performs a valuable service in clearly and sensibly reporting the voting records of Members of the Congress and evaluating the merits of their records on a nonpartisan, constitutional basis.

The ACA has faced and overcome several crucial trials since its founding 10 years ago. I recall in particular that in 1963 it was subjected to a barrage of attacks labeling the organization a rabid, rightwing extremist group. An unimpeachable record and intelligent leadership overcame these vicious attacks and ACA emerged stronger and more united than ever.

I have been proud to accept the organization's Distinguished Service Awards, for I consider ACA to be a model of responsible and effective constitutional conservatism.

All Americans owe the ACA a debt of gratitude for its untiring efforts to uphold constitutional government.

BILINGUAL EDUCATION

Mr. TUNNEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TUNNEY. Mr. Speaker, I cannot help but express my keen disappointment at the rejection of an amendment to provide $5 million for the bilingual education program. I would like to urge my colleagues to reconsider and restore the modest appropriations request. The appropriation of at least $5 million for this new and imaginative program is not asking too much.

Mr. Speaker, if we cannot increase the funds for bilingual education let us at least not eliminate the program.

The new program would provide financial assistance to local educational agencies to develop and carry out new and imaginative elementary and secondary programs designed to meet these special educational needs.

These programs would be designed to impart to students a knowledge of the history and culture associated with their languages and will hopefully establish closer cooperation between the school and the home. Efforts would be made to improve the potential for profitable learning activities by children and also to provide adult education programs for their parents.

My congressional district consists of Riverside and Imperial Counties and a portion of San Bernardino County. A large number of residents of my district are Mexican American. The State of California has close historical and cultural ties with Mexico. There are over 1,500,000 Mexican Americans in California. Many lag seriously behind in education, jobs, and income. They have been displaced from their farming and laboring occupations of the past and are among the hard core unemployed in many areas. They are not adequately prepared, through no fault of their own, to move into new employment occupations. Automation and technological change is having a particularly severe effect on our Mexican-American population. Statistics show that over 50 percent have not gone beyond the eighth grade.

The bilingual education program will help to reduce the number of Mexican-American children who are actual or potential dropouts. The program will hopefully give children who speak a foreign language an equal opportunity for advancement.

The most promising method of insuring the economic and social progress of the Mexican-American community or any other group is adequate education. With education comes the hope of new and better opportunities for self-improvement. The bilingual education program would hasten the day when all Americans have an equal opportunity to help themselves.

Let us not eliminate the hope for a better future for Mexican American and other bilingual children.

CONSERVATIVES HAVE POINTED OUT THE INADEQUACY OF OUR PRESENT WELFARE SYSTEM

Mr. MICHEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MICHEL. Mr. Speaker, it was not too many years ago that any person, especially any public official, who might be classified as a conservative was considered to be some kind of "oddball"—a person still living in the 19th century and completely unable to comprehend the problems and difficulties confronting a modern 20th century society.

Fortunately, that image has been proven to be totally erroneous and misguided, and thus we see the adoption of conservative methods and approaches to problem solving being adopted by many in public life who have heretofore been strongly identified in the past with a so-called liberal philosophy. I am speaking of a growing trend, for example, toward the view that the Federal Government does not have all the answers and that we must return responsibility for problem solving to the local and State level. Conservatives for some time have pointed out the inadequacy of our present welfare system and how it only serves to trap families from one generation to another into the welfare pit, and now this same view is heard from the liberal platform by individuals who formerly ridiculed such proposals as not being responsive to the needs and wishes of our people.

There are many reasons for this improvement in the image of conservatives and not the least has been the tremendously effective contribution by the Americans for Constitutional Action, which today is celebrating its 10th anniversary. Through its literature and other educational materials it has consistently presented the conservative viewpoint in a responsible and effective fashion and the organization has come to be regarded as an important tool in promoting constitutional government by helping the American people to become more concerned and more aware of their duties and obligations to their country.

An outstanding group of Americans serves as the officers and trustees of the Americans for Constitutional Action and I would just like to take this opportunity to extend my congratulations and felicitations to the ACA on their 10th anniversary and also express my hope that they will continue to have success in their future efforts.

TEN YEARS OF VITAL SERVICE

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, today marks the 10th anniversary of an organization which has contributed greatly toward maintaining that form of government which our forefathers had bequeathed to us many years ago. That organization is Americans for Constitutional Action, a nonpartisan, nonprofit, nationwide, political action group whose first goal is to reelect Members of both the U.S. Senate and House of Representatives whose voting records reflect the original spirit and principles of the Constitution. To further the principles of constitutional government, ACA also assists in recruiting and electing other candidates who will strengthen the ranks of constitutional conservatives in Congress.

The founders of ACA fully realized that Congress is where the action is. They were aware that the legislative body is the keeper of the Federal purse strings, oversees the administration of the executive branch and has the powers to restrict the operation of the Supreme Court. To provide a guideline on which to judge the efforts of Members of Congress, ACA devised a system of analysis and statistical evaluation of the voting records of Members which is now known as the ACA index. The seven criteria of constitutional conservatism upon which the index evaluations are made are:

First. The ACA consistency index: For safeguarding the God-given rights of the individual and promoting sound economic growth by strengthening constitutional government; against group morality, a socialized economy, and centralization of Government power.

Second. For sound money and fiscal integrity; against inflation.

Third. For a private, competitive market and individual freedom of choice; against Government interference by price fixing and controls.

Fourth. For local self-government and the citizen's right to be let alone; against Central Government interferences in local government and private affairs.

Fifth. For private ownership and control of the means of production and distribution; against Government ownership and competition with private competitive enterprise.

Sixth. For individual liberty, rights and responsibilities; against coercion of individuals through Government regulation.

Seventh. For strengthening our national sovereignty; against surrendering control of our foreign or domestic affairs or our national security to any other nation or to any international organization.

In addition to the ACA index, ACA provides conservative candidates with statistical research, speech material, art layouts, personalized news releases, counseling of new candidates, news releases designed to refute "smears" and ACA published materials. Other assistance during the actual campaign includes professional manpower recruited, when possible, from within the candidate's own State or district and working directly under the supervision of the candidate.

At the grassroots level, ACA chapters, chartered by national headquarters for action in local, State and National elections, function in direct support of approved candidates while adhering strictly to the basic principles, policies, and code of conduct governing ACA.

On the ideological level ACA emphasizes the divinely motivated tenets of the Declaration of Independence. In the mundane world of politics, this reassertion of our moral and religious heritage returns the complex business of government to the foundation demanded by our forefathers in the conduct of governmental affairs. For instance, in this age of defiance of law, more emphasis must be placed on the balance between civil rights and civil responsibilities as enunciated in ACA's "A Credo for Concerned Americans":

> For every right there is a collateral responsibility. The rights with which an individual is endowed by the Creator impose on him a duty to use those rights in conformity with the moral law as derived from such statements as the Ten Commandments, the Sermon on the Mount and the golden rule.

Thus it can be seen that ACA's contribution to the science of good government includes both the ideological and practical approaches. The members and officers of this organization can justly be proud of their efforts in the civic arena. May the next 10 years greet Americans for Constitutional Action with increased success in preserving, reemphasizing and expanding those principles and virtues first propounded by the founders of our Nation.

GUN CONTROL LEGISLATION

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, Washington Irving, one of our outstanding American authors, wrote:

> With every exertion the best of men can do but a moderate amount of good; but it seems in the power of the most contemptible individuals to do incalculable mischief.

In no area is this more obviously true than in the current controversy over gun legislation. Very few people violate the laws and commit violent acts with firearms but yet all that the "best of men can do," as Irving puts it, seems to hang in jeopardy.

My position on this matter is very clear and has been stated many times over the years. There are legitimate uses and legitimate users of firearms and I strongly resist efforts to unduly hinder these legitimate uses in attempting to get at the abuses. I oppose registration of firearms.

The best example of the emotionalism which is currently being generated can be seen in a statement of Attorney General Ramsey Clark. After the slaying of Reverend King, a headline in the Associated Press wire stories proclaimed: "Clark Ties King Slaying to Gun Law." The article said:

> Attorney General Ramsey Clark, urging strong laws to spike gun sales, said yesterday the sniper slayer of Rev. Dr. Martin Luther King, might not have been able to buy the death weapon if Congress had acted in the past.
>
> The Senate Judiciary Committee recently approved a measure to outlaw shipping hand guns across state lines after spurning a broader ban the day Dr. King was shot to death in Memphis, Tenn.
>
> Clark told newsmen Dr. King's slayer "may not have been able to have bought that rifle at that time with impunity" if there had been strong Federal laws on the books controlling the interstate shipment of both rifles and pistols.

How ridiculous can you get? This kind of observation tends to cloud the issues in the gun-control debate and is nothing more than deceitful. Among the 20,000-odd laws on the books relating to criminal use of firearms and firearm control is title 15 of the United States Code, section 902(f). It states:

> It shall be unlawful for any person who has been convicted of a crime punishable by imprisonment for a term exceeding one year or is a fugitive from justice to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce, and the possession of a firearm or ammunition by any such person shall be presumptive evidence that such firearm or ammunition was shipped or transported or received, as the case may be, by such person in violation of this chapter.

Now to tell the American people that Dr. King's slayer "may not have been able to have bought that rifle at that time with impunity" if there had been strong Federal laws on the books is either the height of naivete or grossly deceitful. It is currently thought that James Earl Ray is the slayer. This man is not only a fugitive from justice but has been convicted more than once of crimes punishable by imprisonment for terms exceeding more than 1 year. He violated the law, he should be prosecuted and I am certain that he had no feeling of "impunity," as Attorney General Clark put it when he acquired his firearm.

This is a typical example of the effort to create mass hysteria. A better reason for our difficulties comes in the climate of our society which currently condones criminal activities. Criminal statutes denied their proper enforcement give more impetus to crime, in my judgment, than any availability of guns.

An "expert" on guns and their acquisition recently wrote about the gun laws and how they would affect his circle of friends. Charles Lee Howard, No. 122-595 at Ohio State Penitentiary, comes up for parole hearing in May 1975. He does not plan to return to a life of crime and recently wrote that disarming the honest citizen will make it easier for criminals. He stated:

> It's baffling that the people who want to prevent criminals like me from getting hold of guns expect to accomplish this by passing new laws. Do they forget that the criminal makes a business of breaking laws? No criminal would obey a gun law while committing a crime of equal or greater seriousness.

To illustrate the lack of law enforcement—note that well, law enforcement, for those statutes already on the books—it is startling to note that only recently did an U.S. attorney obtain a Federal grand jury indictment for violating the Federal Firearms Act of 1938. This would not be newsworthy except for that fact that this marked the first time that an indictment had ever been achieved in 30 years. Where has the Justice Department been all of these years?

RIOTING AND LOOTING

Mr. Speaker, the same Attorney General Clark looked the other way when mobs were ransacking stores in Washington earlier this year. Condoning looting, roiting, sniping, and blackmail has been commonplace in our big cities during these past few years. The liberal-oriented politician just cannot cope with this type of permissiveness in the permissive society he has worked so hard to build. He looks for excuses in society's deficencies rather than enforce the laws already on the statute books.

The continual socialistic assault on private property has run counter to our historic trend of respecting person and property. The main solution to our dilemma lies within the institutions, public and private, that can promote or tear down this respect for person and property. Attorney General Clark and other liberals simply scoff when rioting and looting occurs. "It is only property," they say. This attitude has produced many results.

The criminal is led to believe he can riot and pillage. The honest citizen, on the other hand, has sought the security he formerly knew by acquiring his own weapons to protect himself. A government that chooses not to govern, a government that looks the other way when rioting and looting occur, a government which does not protect the innocent has been the hallmark of the past few years. Our President now wants to blame all of this on guns. I, for one, will not fall for this phony emotionalism.

LAW BREAKING IS CONDONED

I have served on a committee investigating riots in our major cities. Aside from the conspiratorial element which has fanned these rebellions and the "hate the police" campaign which has been promoted for years, you have the very real problem of inadequate law enforcement. From the report of the National Advisory Commission on Civil Disorders, New York Times edition, you can see what I mean on page 339. It is stated:

> In Detroit, 26 persons were charged with assault with intent to commit murder (those alleged to be snipers). Twenty-three of those charges were subsequently dismissed. As of September 30, 1967, one out of seven homicide arrests had resulted in a conviction; two were still pending. Of 253 assault arrests only 11 convictions were produced; 58 were still pending. Twenty-one out of 34 arson arrests, and 22 out of 28 inciting to riot arrests, had been dropped by the prosecution.[2]

DEMAGOGS WORSE THAN GUNS

Attorney General Clark's attitude on the incendiary statements of Stokely Carmichael and Rap Brown is indicative of his double standard. How can a law-abiding person with a firearm be the threat that these demagogs are? They go throughout the country exhorting to violence, threatening to burn this Nation down and urging young men to refuse to serve in the Armed Forces. This is illegal conduct and should be prosecuted. Instead, the Attorney General turns his attention in the opposite direction and wants to infringe on the rights of the peaceable American who is in no way a threat to his fellow citizen.

The whole sordid affair shows one elementary fact: Laws are not self-executing. They must be enforced and prosecutions must be advanced by the constituted legal authorities. Failures in this area probably pose more of a threat to domestic tranquility which is insured in the Constitution than the possession of any firearm, even possession by a criminal. General amnesty granted as a matter of political expediency after rioting and looting can only serve to license arson, looting, and rioting. In these areas our leaders should offer some leadership, not in emotional pleas to legislate against firearms.

It is vitally important that the distinction between the gun and the user be observed in all gun proposals. The gun enthusiast, the sportsman, or the person who wants a gun for his self-defense should not be placed in the same class as the criminal. Much of the legislation we see before the Congress makes the gun the target instead of the unlawful use of the weapon.

MANDATORY PRISON SENTENCE

In 1965, I introduced H.R. 9574 which provided for 25-year sentences for use of a firearm in the commission of any robbery, assault, murder, rape, burglary, kidnaping, or homicide. I now have introduced a more stringent measure which should be an even more formidable deterrent to crime. My H.R. 18159 calls for a mandatory 1-year sentence for any conviction of a felony in which the accused was armed with a firearm or destructive device. I added the words "destructive device" because our hearings have made it crystal clear that many extremists in our country are advocating the use of Molotov cocktails and dynamite in their terrorist activities. Certainly these destructive devices are more dangerous than any ordinary gun.

In Ohio, it cannot be argued that the mandatory 3-day jail sentence for conviction for drunken driving has not served as a deterrent. To use the mandatory prison sentence for felonious use of firearms or destructive devices will serve as a strong deterrent if enforced.

---

[2] In the 1965 Watts riot, of seven persons arrested on homicide charges, five were subsequently released. None has yet been convicted. A total of 120 adult arrests for assault produced only 60 convictions; 27 adult arson arrests; seven convictions. In Newark, one homicide indictment and 22 assault indictments (none for sniping) have been returned.

My legislation provides additional prison sentences for up to life for use of a firearm or destructive device in the commission of a felony. This is the type of legislation we need, not registration of firearms. The word must go out to every hood and punk as well as every hardened criminal that using a firearm in the commission of a crime means a mandatory 1 year sentence with no possibility of probation or suspension. More than that, the possibility of life imprisonment is also there.

I believe in and have voted for firearm controls. I will not, however, support oppressive or vindictive legislation such as the President is now suggesting. Increasing the penalties for misuse of firearms seems to be the preferable action.

NO REGISTRATION OF FIREARMS

I categorically oppose registration of firearms. Proposals which provide for orderly regulation of sale of firearms and prohibitions against acquisition by criminals or mental deficients will receive my support. I read into the current legislative drive the effort to reject self-defense as a legitimate use of firearms. This is totally improper, particularly in light of the tendency of Attorney General Clark and other high administration officials to condone rioting, looting, and lawlessness when perpetrated by minority or so-called disadvantaged groups.

It is said that Switzerland, England, and other countries do not have the problem with firearms which supposedly exists in this Nation. Maybe the general public apathy, the liberal trend toward a permissive society, the condoning of Reverend King's lawlessness guised as civil disobedience from thousands of pulpits in America, the Supreme Court's tendency to coddle criminals and the "anything goes" nature of our society have something to do with it. I am inclined to think that these reasons are closer to the mark than the absence of restrictive gun laws.

No one knows all there is to know about the phenomenon of crime. I would venture to say, however, that any community that will support its police and law-enforcement officers, insist on punishment that fits the crime, become indignant at corruption and practice brotherly love in its everyday activities will have a minimum of crime. The Federal Government is not going to abate the crime wave by passing a strict gun law. In fact, exactly the opposite might happen.

Before responding to the demands to impose unnecessary restrictions on the sale of firearms, America needs to return to the type of justice that dissuades lawbreaking through adequate prosecution and proper punishment. Lawlessness has abounded in the Great Society because it has been pampered.

Ben Franklin once said:

> Those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety.

In this case, we need to preserve both liberty and safety and it can be done by generating public opinion against lawlessness not against an inanimate object, the firearm, which is the wrong target, against the lawbreaker not the law-abiding citizen and against the misuse not the proper use of firearms.

Mr. Speaker, at this point I insert the text of my bill, H.R. 18159 and urge its support by the Members of this body:

H.R. 18159

A bill to provide additional penalties for the use of firearms or destructive devices in the commission of certain crimes of violence

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) part I of title 18, United States Code, is amended by adding immediately after chapter 115 the following new chapter:

"Chapter 116.—Use of Firearms and Destructive Devices in the Commission of Certain Crimes of Violence

"Sec.

"2401. Use of firearms in the commission of certain crimes of violence.

"2402. Definitions.

"§ 2401. Use of firearms and destructive devices in the commission of certain crimes of violence

"Whoever, while engaged in the commission of any offense which is a crime of violence punishable under this title, is armed with any firearm or destructive device, may in addition to the punishment provided for the crime be punished by imprisonment for an indeterminate number of years up to life, as determined by the court. Upon a conviction under this section, notwithstanding any other provision of law, the court shall not suspend the first year of the sentence of such person or give him a probationary sentence but shall impose, as a minimum, a mandatory one-year sentence.

"§ 2402. Definitions

"As used in this chapter—

"'Crime of violence' means any of the following crimes or an attempt to commit any of the following crimes: murder; voluntary manslaughter; Presidential assassination, kidnaping, and assault; killing certain officers and employees of the United States; rape; kidnaping; assault with intent to kill, rob, rape, or poison; assault with a dangerous weapon; robbery; burglary; theft or looting; racketeering; extortion; and arson.

"'Firearm' means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device.

"'Destructive device' means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, 'molotov cocktail' or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter."

(b) The analysis of part I of title 18, United States Code, is amended by inserting immediately before the last item the following:

"116. Use of firearms and destructive devices in the commission of certain crimes of violence .... 2401".

GENERAL LEAVE

Mr. HUNGATE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of the President's message with reference to 18-year-old voters.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LEAVE OF ABSENCE

Mr. PASSMAN. Mr. Speaker, I ask unanimous consent that I may be granted 5 days' leave of absence in order to attend to certain problems which exist in my congressional district, for the period of July 1 to July 5, inclusive.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

By unanimous consent, leave of absence was granted to Mr. Minish (at the request of Mr. Dent), for Monday, July 1, through Tuesday, July 9.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Saylor, for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. Hechler of West Virginia, for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Adams) to revise and extend their remarks and include extraneous material:)

Mr. Reuss, for 20 minutes, today.

Mr. Sikes, for 10 minutes, today.

Mr. Randall, for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Hall and to include extraneous material.

Mr. Yates during general debate on H.R. 18038 and to include extraneous matter.

Mr. Andrews of Alabama (at the request of Mr. Steed) to revise and extend his remarks on H.R. 18038 and include extraneous matter and tables.

Mr. Hungate following the President's message on the 18-year-old voter and to include extraneous matter.

Mr. Gathings and to include an editorial.

(The following Members (at the request of Mr. Scott) and to include extraneous matter:)

Mr. Rhodes of Arizona.

Mr. Gurney.

Mr. Roudebush.

Mr. Duncan in three instances.

Mr. Talcott.

Mr. Buchanan in three instances.

Mr. Edwards of Alabama.

Mr. Berry.

Mr. Gardner.

Mr. Don H. Clausen.

Mr. Zwach in two instances.
Mr. Hunt.
Mr. Ashbrook in two instances.
Mr. Utt.
Mr. Brock.
Mr. Lukens in two instances.
Mr. Scherle in two instances.
Mr. Smith of California.
Mr. Hosmer in two instances.
Mr. Price of Texas.
Mr. Dole.
Mr. Wyman in three instances.
Mr. Cleveland in three instances.
Mr. Michel in two instances.
Mr. Bob Wilson in two instances.
Mr. Del Clawson.
Mr. Schadeberg.
Mr. Morse of Massachusetts.
Mr. McDade in three instances.
Mr. Bray in two instances.
Mr. Kupferman in five instances.
Mr. Bush.
Mr. Derwinski.
Mr. Gerald R. Ford.
Mr. Steiger of Arizona.

(The following Members (at the request of Mr. Adams) and to include extraneous matter:)

Mr. Ottinger in two instances.
Mr. Edwards of California in five instances.
Mr. Resnick.
Mr. Brinkley.
Mr. Podell in two instances.
Mr. Fulton of Tennessee in two instances.
Mr. Rarick in six instances.
Mr. Corman.
Mr. Gonzalez in three instances.
Mr. Pickle in two instances.
Mr. Moorhead in two instances.
Mr. Teague of Texas in two instances.
Mr. Jones of North Carolina in two instances.
Mr. Abbitt.
Mr. de la Garza.
Mr. Gallagher.
Mr. Pepper in three instances.
Mr. Stephens.
Mr. Patten.
Mr. Hathaway.
Mr. Gathings.
Mr. Tenzer in five instances.
Mr. Ashmore.
Mr. Dingell in two instances.
Mr. Hanna in five instances.
Mr. Cabell.
Mr. Green of Pennsylvania.
Mr. Pucinski in 12 instances.
Mr. Daniels in two instances.
Mr. Patman.
Mr. McCarthy in 10 instances.
Mr. Ichord in two instances.
Mr. Kyros.
Mr. Rosenthal in three instances.
Mr. Feighan in five instances.
Mr. Waggonner in two instances.
Mr. Hamilton.
Mr. Charles H. Wilson.
Mr. Helstoski in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1514. An act relating to the rehabilitation of narcotic addicts in the District of Columbia; to the Committee on the District of Columbia.

S. 1628. An act to authorize suits in the courts of the District of Columbia for collection of taxes owed to States, territories, or possessions, or political subdivisions thereof, when the reciprocal right is accorded to the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3931. An act to amend the act of April 3, 1952;

H.R. 8581. An act to amend section 11–341 (b) of the District of Columbia Code which relates to the sales price for the reports of the opinions of the U.S. Court of Appeals for the District of Columbia Circuit; and

H.R. 13373. An act for the relief of Richard C. Mockler.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H.R. 5783. An act to amend titles 10, 14, and 37, United States Code, to provide for confinement and treatment of offenders against the Uniform Code of Military Justice;

H.R. 10480 to prohibit desecration of the flag, and for other purposes;

H.R. 13050 to amend title 10, United States Code, to authorize an increase in the numbers of officers of the Navy designated for engineering duty, aeronautical engineering duty, and special duty;

H.R. 13593 to amend title 10, United States Code, to increase the number of congressional alternates authorized to be nominated for each vacancy at the Military, Naval, and Air Force Academies;

H.R. 15789 to amend section 2306 of title 10, United States Code, to authorize certain contracts for services and related supplies to extend beyond 1 year;

H.R. 16819 to amend the Vocational Rehabilitation Act to extend the authorization of grants to States for rehabilitation services, to broaden the scope of goods and services available under that act for the handicapped, and for other purposes;

H.R. 17024 to repeal section 1727 of title 18, United States Code, so as to permit prosecution of postal employees for failure to remit postage due to collections under the postal embezzlement statute, section 1711 of title 18, United States Code; and

H.R. 17320 to authorize the Secretary of Agriculture to grant an easement over certain lands to the St. Louis-San Francisco Railway Co.

ADJOURNMENT

Mr. ADAMS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 17 minutes p.m.), under its previous order, the House adjourned until Monday, July 1, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1979. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 30, 1967, submitting a report, together with accompanying papers and illustrations, on a cooperative beach erosion control study and an interim hurricane survey of Dade County, Fla., authorized by the River and Harbor Act approved July 3, 1930, as amended and supplemented, and authorized by Public Law 71, 84th Congress, approved June 15, 1955 (H. Doc. No. 335); to the Committee on Public Works and ordered to be printed with illustrations.

1980. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 7, 1968, submitting a report, together with accompanying papers and illustrations, on Alhambra Creek, Calif., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 1, 1958 (H. Doc. No. 336); to the Committee on Public Works and ordered to be printed with illustrations.

1981. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated December 4, 1967, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Licking River and tributaries, Ohio, requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 3, 1959 (H. Doc. No. 337); to the Committee on Public Works and ordered to be printed with illustrations.

1982. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and an illustration, on a review of the report on Detroit River, Trenton Channel, Mich., requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 29, 1955 (H. Doc. No. 338); to the Committee on Public Works and ordered to be printed with an illustration.

1983. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 11, 1968, submitting a report, together with accompanying papers and illustrations, on a review of the report on St. Francis River, Mo., and Ark., with reference to flood control on Belle Fountain ditch and tributaries, Missouri, and within drainage district No. 17 of Mississippi County, Ark., requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 7, 1961 (H. Doc. No. 339); to the Committee on Public Works and ordered to be printed with illustrations.

1984. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated October 26, 1967, submitting a report, together with accompanying papers and illustrations, on a review of the report on southwestern Jefferson County, Ky., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted May 18, 1964, and June 23, 1964 (H. Doc. No. 340); to the Committee on Public Works and ordered to be printed with illustrations.

1985. A letter from the Attorney General, transmitting a draft of proposed legislation proposing an amendment to the Constitution of the United States relating to the elective franchise of citizens 18 years of age or older; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FRIEDEL: Committee on House Administration. House Resolution 1196. Resolution providing for further expenses of conducting studies and investigations authorized by House Resolution 179; with amendment (Rept. No. 1591). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 1198. Resolution to provide funds for the Committee on Agriculture; with amendment (Rept. No. 1592). Ordered to be printed.

Mr. ASHMORE: Committee on House Administration. H.R. 11233. A bill to revise the Federal election laws, and for other purposes; with amendment (Rept. No. 1593). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. House Resolution 970. Resolution to extend the greetings of the U.S. House of Representatives to the Congress of the Philippines in commemoration of the arrival of the Thomasite teachers (Rept. No. 1594). Referred to the House Calendar.

Mr. PERKINS: Committee on Education and Labor. H.R. 15045. A bill to extend certain expiring provisions under the Manpower Development and Training Act of 1962, as amended; with amendment (Rept. No. 1595). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLAND: Committee on Appropriations. H.R. 18188. A bill making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1596). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 163. A bill to prevent vessels built or rebuilt outside the United States or documented under foreign registry from carrying cargoes restricted to vessels of the United States; with amendment (Rept. No. 1597). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOLAND:

H.R. 18188. A bill making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes.

By Mr. BRINKLEY:

H.R. 18189. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to volunteer firefighting organizations and volunteer rescue squads, and for other purposes; to the Committee on Government Operations.

By Mr. DEL CLAWSON:

H.R. 18190. A bill to amend the Federal Food, Drug, and Cosmetic Act to include a definition of food supplements, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DULSKI:

H.R. 18191. A bill to amend section 201 of the Revenue and Expenditure Control Act of 1968; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 18192. A bill to authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HUNT:

H.R. 18193. A bill to clarify the application of section 1073 of title 18, United States Code; to the Committee on the Judiciary.

By Mr. LONG of Maryland:

H.R. 18194. A bill to provide for U.S. participation in a free trade association and for other purposes; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 18195. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 18196. A bill to amend the Public Health Service Act to make aliens admitted for permanent residence eligible for appointment as commissioned officers in the service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ST. ONGE:

H.R. 18197. A bill to amend title 18, United States Code, to protect the people of the United States against the lawless and irresponsible use of firearms, and to assist in the prevention and solution of crime by requiring a national registration of firearms, establishing minimum licensing standards for the possession of firearms, and encouraging the enactment of effective State and local firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHERLE:

H.R. 18198. A bill to amend title 28, United States Code, to establish certain qualifications for persons appointed as judges or justices of the United States; to the Committee on the Judiciary.

By Mr. SMITH of Oklahoma:

H.R. 18199. A bill to authorize the use of funds from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma; to the Committee on Interior and Insular Affairs.

By Mr. STEED:

H.R. 18200. A bill to authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. STEPHENS:

H.R. 18201. A bill to authorize a study for a waterway connecting the Savannah and Tennessee Rivers, and for other purposes; to the Committee on Public Works.

By Mr. ULLMAN:

H.R. 18202. A bill to authorize the Administrator of the Federal Aviation Administration to release restrictions on the use of certain real property conveyed to the city of Redmond, Oreg., for airport purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREY (for himself, Mr. Daniels, and Mr. Scherle):

H.R. 18203. A bill to increase the size of the board of directors of Gallaudet College, and for other purposes; to the Committee on Education and Labor.

By Mr. FOLEY:

H.R. 18204. A bill to permit the administrative adjustment of certain wheat acreage allotment reductions resulting from action taken by farmers prior to 1965 in good faith reliance upon representations or advice of authorized representatives of the Secretary of Agriculture; to the Committee on Agriculture.

H.R. 18205. A bill to amend the act of June 30, 1954, as amended, providing for the continuance of civil government for the Trust Territory of the Pacific Islands and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 18206. A bill to promote the economic development of the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

By Mr. GETTYS:

H.R. 18207. A bill to direct the Secretary of Agriculture to release, on behalf of the United States, a condition in a deed conveying certain lands to the South Carolina State Commission of Forestry so as to permit such commission, subject to a certain condition, to exchange such lands; to the Committee on Agriculture.

By Mr. MARSH (for himself and Mr. Abbitt):

H.R. 18208. A bill to provide specific and additional penalties for the use or carrying of firearms in the commission of crimes; to the Committee on the Judiciary.

By Mr. POAGE:

H.R. 18209. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to supplement farm income and to provide for additional recreation loans, extend the period for water and sewer grants prior to completion of a comprehensive plan, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, remove the annual ceiling on insured loans, and for other purposes; to the Committee on Agriculture.

By Mr. RANDALL:

H.R. 18210. A bill to regulate the granting of permits for private use of publicly owned lands within the District of Columbia; to the Committee on the District of Columbia.

H.R. 18211. A bill to regulate the granting of permits for private use of public lands; to the Committee on Interior and Insular Affairs.

By Mr. STAGGERS:

H.R. 18212. A bill to amend section 13a of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEED (for himself, Mr. Fountain, Mr. Burleson, Mr. Wampler, Mr. McMillan, Mr. Abbitt, Mr. Jones of North Carolina, and Mr. Henderson):

H.R. 18213. A bill to provide continuing authority for maintaining farm income, stabilization of prices and assuring adequate supplies of peanuts; to the Committee on Agriculture.

By Mr. TIERNAN:

H.R. 18214. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. BLACKBURN (for himself, Mr. Kuykendall, and Mr. Cowger):

H.J. Res. 1370. A joint resolution proposing an amendment to the Constitution of the United States relating to the confirmation and reconfirmation of Justices of the Supreme Court; to the Committee on the Judiciary.

By Mr. DANIELS (for himself, Mr. Perkins, Mrs. Green of Oregon, Mr. Thompson of New Jersey, Mr. Holland, Mr. Dent, Mr. Pucinski, Mr. Brademas, Mr. Carey, Mr. Hawkins, Mr. Gibbons. Mr. William D. Ford, Mr. Hathaway, Mrs. Mink, Mr. Scheuer, Mr. Meeds, Mr. Burton of California, Mr. Ayres, Mr. Quie, Mr. Reid of New York, Mr. Bell, Mr. Erlenborn, Mr. Scherle, Mr. Steiger of Wisconsin, and Mr. Ashbrook):

H.J. Res. 1371. A Joint resolution to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in 1971, to be planned and conducted by the Secretary of Health, Education, and Welfare, and for related purposes; to the Committee on Education and Labor.

By Mr. DORN:

H.J. Res. 1372. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. GARDNER:

H.J. Res. 1373. Joint resolution proposing an amendment to the Constitution relating to terms of Judges of the Supreme Court of the United States; to the Committee on the Judiciary.

By Mr. GURNEY:

H.J. Res. 1374. Joint resolution proposing an amendment to the Constitution requiring that Justices of the Supreme Court be reconfirmed by the Senate every 6 years; to the Committee on the Judiciary.

By Mr. HUNGATE (for himself and Mr. FINDLEY):

H.J. Res. 1375. Joint resolution proposing an amendment to the Constitution of the United States making citizens who have attained 18 years of age eligible to vote in Federal elections; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.J. Res. 1376. Joint resolution to provide for the issuance of a commemorative postage stamp in honor of Robert Francis Kennedy; to the Committee on Post Office and Civil Service.

By Mr. BROOMFIELD:

H. Res. 1230. Resolution that it is the sense of the House of Representatives that the United States enter into an agreement with the Government of Israel for the sale of military planes, commonly known as Phantom jet fighters, necessary for Israel's defense to an amount which shall be adequate to provide Israel with a deterrent force capable of preventing future Arab aggression by offsetting sophisticated weapons received by the Arab States, and on order for future delivery, and to replace losses suffered by Israel in the 1967 conflict; to the Committee on Foreign Affairs.

By Mr. DEVINE:

H. Res. 1231. Resolution to amend rule XXI of the Rules of the House of Representatives to require the yeas and nays in the case of final action by the House of Representatives on general appropriation bills; to the Committee on Rules.

H. Res. 1232. Resolution amending the rules of the House to prohibit a single appropriation bill from carrying appropriations for more than one executive department; to the Committee on Rules.

By Mr. OTTINGER:

H Res. 1233. Resolution that it is the sense of the House of Representatives that the United States enter into an agreement with the Government of Israel for the sale of military planes, commonly known as Phantom jet fighters, necessary for Israel's defense to an amount which shall be adequate to provide Israel with a deterrent force capable of preventing future Arab aggression by offsetting sophisticated weapons received by the Arab States, and on order for future deliver, and to replace losses suffered by Israel in the 1967 conflict; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 18215. A bill for the relief of Dominico Fodera; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 18216. A bill for the relief of Elie Louis Charalabopoulos; to the Committee on the Judiciary.

H.R. 18217. A bill for the relief of Bartolome A. Federico; to the Committee on the Judiciary.

H.R. 18218. A bill for the relief of Caterina Grimaldi; to the Committee on the Judiciary.

By Mr. CASEY:

H.R. 18219. A bill for the relief of Dr. Ena Mocega; to the Committee on the Judiciary.

H.R. 18220. A bill for the relief of Miss Esther Mocega; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 18221. A bill for the relief of Ludovic But and his wife, Leontina But; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 18222. A bill for the relief of Naim Nissem Ben-Zur, Elana Ben-Zur, Liora Ben-Zur, Orna Ben-Zur, and Mayer Ben-Zur; to the Committee on the Judiciary.

H.R. 18223. A bill for the relief of Odilia Kwang Wook Han; to the Committee on the Judiciary.

H.R. 18224. A bill for the relief of Hagop Dikran Krakozian; to the Committee on the Judiciary.

By Mr. GARDNER:

H.R. 18225. A bill for the relief of Dr. Arturo de Jesus de Leon and Dr. Rose Mary de Leon; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 18226. A bill for the relief of Yock Shan Chan; to the Committee on the Judiciary.

H.R. 18227. A bill for the relief of Pasqua Porzia; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 18228. A bill for the relief of Juliet G. Mudzinski; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 18229. A bill for the relief of Domenico Mammana; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 18230. A bill for the relief of Gennaro Lita; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 18231. A bill for the relief of Mr. and Mrs. Nelson C. Mah; to the Committee on the Judiciary.

H.R. 18232. A bill for the relief of Norma M. Sasi; to the Committee on the Judiciary.

By Mr. PODELL:

H.R. 18233. A bill for the relief of Anna Di Lauro and her minor daughters, Maria and Vincenza Di Lauro; to the Committee on the Judiciary.

By Mr. PURCELL:

H.R. 18234. A bill for the relief of Rubenstein D. Landreth; to the Committee on the Judiciary.

H.R. 18235. A bill for the relief of Eric Richard Scotte; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 18236. A bill for the relief of Baij Nath Verma; to the Committee on the Judiciary.

H.R. 18237. A bill for the relief of Chu Ying Yeh; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas:

H.R. 18238. A bill for the relief of Olivera Milivojevich; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 18239. A bill for the relief of Dr. Sing San Yang; to the Committee on the Judiciary.

By Mr. KLUCZYNSKI:

H.R. 18240. A bill for the relief of Fotios George and Evangelia Metaxas; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

357. By Mr. BROYHILL of Virginia: Petition of Mrs. R. H. Ligon, Mechanicsville, Va., and others, concerning aid to Communist countries; to the Committee on Foreign Affairs.

358. By Mr. FISHER: Petition of B. L. Bradford, Houston, Tex., and others, to have this administration stop, promptly and completely, giving aid in any form, directly or indirectly, to our Communist enemies; to the Committee on Foreign Affairs.

359. By Mr. LONG of Louisiana: Petition of Delia B. Harris, Martinville, La., and others, relative to trading with the enemy; to the Committee on Foreign Affairs.

360. By the SPEAKER: Petition of Mrs. Josephine Scarminaci, Brooklyn, N.Y., relative to redress of grievances; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

CORREGIDOR MEMORIAL SHRINE

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. TEAGUE of Texas. Mr. Speaker, I have just returned from an approximately 20,000-mile round trip to the Philippine Islands, where, with other distinguished Americans, I was privileged, indeed honored, to witness the turnover ceremony whereby the Corregidor Memorial Shrine is now the official function of the Philippine Government.

This shrine commemorates, for all time, the memory of those who gave their lives in the South Pacific during World War II; and particularly those Americans who gave their lives during the gallant fight on Bataan and Corregidor 26 years ago.

It would be fitting, then, that we examine only one portion of that now infamous death march of Bataan with a firsthand report from one of its survivors, Dr. David Brown, of Bellaire, Ohio.

The report follows:

SUNSET AT CAMP O'DONNELL

Ours was the first group to arrive at Camp O'Donnell. We had been picked up by a convoy near Cabcaben in the late afternoon of April 10, 1942. The narrow road was jammed with heavy traffic. The Japanese were taking advantage of the silence of Corregidor's guns (to allow the removal of the Filipino—American prisoners from Bataan) to move in their own men and equipment for the final assault against the island fortress. Tanks, artillery, grim-faced veterans of the Singapore campaign, truckloads of American food "requisitioned" in Manila moved into Bataan, while in the opposite direction, lines of haggard Filipinos and Americans stumbled heavily toward their destiny.

The road out of Bataan led through towns and villages that had been devastated early in the war. Abucay, Hermosa—leveled by repeated bombing and shelling—were now a mass, a rubble. The sweet sickening smell of burnt flesh still emanated from the charred ruins. Groups of Japanese soldiers, naked save for their G-strings, stared at the passing columns.

In the succeeding days and weeks the survivors of Bataan, 55,000 Filipinos and 8,000 Americans, arrived at Camp O'Donnell, many having walked from 80 to 100 miles without food or water. To the men who had undergone disease and hunger during January, February, and March, the added ordeal of the march out of Bataan in April was more than flesh and blood could bear.

The greatness of a nation, or of an individual, is not measured in terms of material wealth or achievement, but in terms of morality. Here was a chance for Japan to prove to a doubting world her claims to equality among the civilized nations. The withholding of food and water, the deliberate marching during the extreme heat of the day, the cramping of men in small enclosures at night so that they could not sleep, above all the senseless bayonetting of those who, crazed with thirst or bent over with the agonizing pangs of dysentery, sought refuge in a ditch at the side of the road—all this could have been avoided without undue effort on the part of the captors, and would have enhanced their prestige in the eyes of the world and in the hearts of the captured. But Japan chose to apply the lash. Her attitude was tersely expressed to one by a Japanese interpreter, educated in the United States, when they refused transportation for a sick man. "You have made us suffer—now we will make you suffer."

Unwashed, unshaven, all suffering from hunger and thirst, and many from heat exhaustion and dysentery, the remnants of a once-great fighting force crept into Camp O'Donnell. It was heart-rending to see those pitiful shadows seek out a building designated as a hospital. They would stumble to the door or fall on the ground outside. Here at last they hoped to find a haven of mercy, and rest for their weary bodies. Alas, all there was to give them were small sips of water and the hard floors of the barracks called a "hospital." Of medicines there were only the meager amounts some of the medical officers had managed to bring out of Bataan.

The first meal and every meal thereafter for a month consisted of one-half mess kit of rice. The month's "rice treatment" was accorded all prisoners of war by the Japanese, and was designed to get the prisoners down to a level of weakness where they could be easily disciplined and would not have the strength for organized resistance. Water, too, was insufficient. Long queues would form for filling canteens from the few faucets which were turned on at specified hours. No water was available for bathing or washing of clothing.

O'Donnell had been built before the war for the 71st Philippine Division (about 12,000 men). In an area less than a mile square were now concentrated 55,000 Filipino and 8,000 American prisoners of war.

By the end of April 1942, dysentery had reached epidemic proportions. Many men had contracted the disease on the march to O'Donnell by drinking polluted water out of ditches. The overcrowding, lack of soap and water, flies, the open filthy latrines made the camp a perfect breeding ground for dysentery. Bodies already weakened by privation did not have the resistance to withstand the new enemy. The terrific knife-like pains in the abdomen, the uncontrollable diarrhea, and the loss of sleep sapped the strength quickly; a boy in fairly good shape could become an emaciated skeleton within a few days. The effort of going to and from the latrines was too much, and many of the sufferers would remain on the ground near the latrines continuously.

The "hospital" was soon filled with dysentery patients. No change of clothing was available, nor was there sufficient water to bathe the patients or wash the floors. The terrific stench from the hospital pervaded the entire camp. Of all the afflictions that "flesh is heir to," dysentery in a Japanese prison camp was the most wretched. The emaciated sufferers lay on hard boards or on the ground, covered with vermin and excreta, their bodies seized by uncontrollable spasms of retching and diarrhea. They stared vacantly at the misery around them until death mercifully supervened.

The tropics exact heavy penalties upon the trespassing white race. Diseases which affect the native mildly assume a virulent character when attacking the foreigner. Bataan is one of the world's worst malaria-infested areas. During the war, the disease had been held in check with prophylactic doses of quinine, but when the drug became exhausted, more than one-half of the men were stricken. At O'Donnell, the disease recurred in malignant form. The febrile peroxysem would be followed by delirium, coma, and death within 24 to 36 hours.

The cachectic prisoners were plagued by tropical ulcers. Abrasions of the skin would become ugly festering sores, often progressing to amputation or death. The foul odor of rotting flesh vied with the stench of dysentery for supremacy.

The first dietary-deficiency disease to make its appearance was beriberi. To the macabre nightmare were now added new specters. The wasting away of extremities, the unsteady gait, the swollen bodies, reduce the victims to a state neither dead nor alive. These pitiful specimens of humanity, for whom there was no room in the hospital now overflowing with dead and dying would attempt to carry on. Unable to control the movements of their legs due to loss of coordination, they would stumble and fall, and crawl on their hands and knees, but there was no hand to raise them. The mental torpor that comes with starvation had deadened the sense to everything but the most primitive of instincts—hunger. Long-continued association with suffering breeds calloused indifference.

The most terrifying actor in this drama of death was the fulminating type of beriberi. An apparently normal individual would suddenly swell up from head to foot, and as suddenly die of heart failure. Their bloated bodies contrasted weirdly with the gaunt forms of the men who had dysentery.

The greatest sufferers under the starvation regime were those below the age of 21. Still in the growing age, their basic food requirement were greater than those who had already matured. I remember one pink-cheeked boy of 18 who had run to help whenever he was needed when those around him were falling from weakness. We found him one day while extracting the men pinned underneath a fallen barracks during a storm. These barracks, built of bamboo, nipa, and straw would sway in a high wind and often collapse like a house of cards. The driving rain was beating down upon his upturned face. He was already in that coma which precedes death and had lain there, unnoticed and uncared for, for several days.

We ordinarily think of a tropical rain as a relief from the enervating heat, but the sudden drop in temperature can be fatal to a weakened body. Persons with terminal dysentery or beriberi, who would ordinarily linger on for a week or ten days, would die within a few hours after a rain.

As more and more men become incapacitated, the problem of getting enough men for burial details became serious. Bodies would lie unburied for days as the grave diggers could not keep up with the mounting death rate.

Whether the Japanese authorities were perturbed by the conditions at O'Donnell is doubtful, as the same conditions were repeated at Cabanatuan and the prison camps in Japan. Appeals for medicine, food, and soap were met with bland explanations that all transportation was occupied in supplying their troops in Bataan, but that soon more food and medicine would be available. "Soon," we came to know, to the Japanese might mean tomorrow, next month, or next year. After the fall of Corregidor, the rice diet was supplemented with insignificant amounts of salt, sugar, oil, and vegetables, with rarely one carabao to season the soup for 5,000 men after the Japanese had taken the best portions of the meat.

A Japanese medical group visited the hospital and observed that it was dirty but did not say how we were to get soap and water to clean it up. However, they sent us some quinine and sulfa drugs out of which the Japanese took a cut, leaving us without enough medicine to meet the daily increasing sick rate.

The Japanese effort, there as elsewhere, was to be too little and too late. It was too late to save the lives that could have been saved a few weeks earlier with a minimum of effort. Daily the funeral processions became longer, the bamboo catafalques more numerous. The seeds sown in Bataan had borne fruit. The Bataan death march was the prelude to the grand march of death at O'Donnell. By the end of May 1942, the deaths averaged 300 to 400 Filipinos and 40 to 50 Americans daily. In all, 23,000 Filipinos and 1,500 Americans died here.

The burial at first was inside the camp, and each body was consigned to a separate grave, but lack of space necessitated using the ground outside the camp, where the bodies were dumped en masse into common, shallow graves. During a rain, the cadavers would wash out of their position and gaunt limbs would protrude from the mud to greet the new arrivals.

In every clime the elements produce some distinctive form of beauty. In the Philippines the sun and air combine at the end of the day to create a panorama of color unequalled in the world. We have seen the famed Philippine sunsets before in San Bernardino straits, at Baguio, and Manila Bay. But it was at O'Donnell that we first beheld them in their full splendor. The peculiarly undulating soil of Tarlac province covered over with coarse brown grass, and the sharp contours of the distant mountain peaks silhouetted in the clear air blend together to form a natural setting for the ethereal display. Here, amid the solitude of death, nature sought to compensate for the material craving by nourishing the spiritual. And the pangs of hunger were temporarily dulled as the sense fed on the grandeur of the celestial spectacle.

As the sun sinks below the horizon, the western sky is ablaze in a fiery red. Every color of the spectrum, in seemingly endless combination, plays upon the central theme of red. The gleaming shades of gold and crimson fade into infinitely brilliant green and blue, and finally, a curtain of purple merges with the darkness of night, creating an aura of another world.

The unreality of the scene in the skies was matched by that on the earth. Above, a silent symphony of light; below, the staggering gait and the bloated bodies of the beriberis, the gaunt skeletons and the fixed, staring eyes of the dysenteries, and over all the stench from the hospital and latrines intermingled with penetrating odor of the unburied dead.

Good and evil rarely travel the same paths, but here they had met. There was the ultimate in beauty together with the ultimate in ugliness—a union of heaven and hell, a scene that might have been conjured up by Satan.

O'Donnell is no more. The buildings were burned by the retreating Japanese. The coarse cogon now covers the common graves of 23,000 Filipino and 1,500 American men. But O'Donnell still lives in the memories of those who survived, and they beg the American people to heed the lessons that were learned so bitterly.

NO TIME FOR APATHY

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. DERWINSKI. Mr. Speaker, the Hickory Hills News, a publication serving a number of communities in southwest Cook County, in its June 19 edition featured an editorial commentary by Ken Maurin which I feel is extremely penetrating and obviously of very timely nature.

This column carries commentary on a number of vital issues and is, I believe, solid expression of grassroot American thinking.

Therefore, in view of its interesting and thought provoking nature, I insert it into the RECORD:

NO TIME FOR APATHY

(By Ken Maurin)

During the past decade it has been my unpleasant lot to witness this country decaying from the increasing disruption of orderly processes within our society. The onus of blame for this disasterous progression is difficult to access, however, it does appear clear that the fault does not lie entirely with the dissident factions, but the burden of guilt must be apportioned in significant measure to those who have sought to assume positions of responsibility and leadership. From the local politician who overlooks certain vices, rackets, etc. in his sphere of influence in order to ease his quest of an elected position, to the personages of national prominence who can prostitute their consciences to the point where they make the appropriate statement to a given audience provided it will yield their support. Several such cases in point can be made, from the assurances by Vice President Humphrey informing the appropriate audience that if he lived under such conditions he too would lead a "mighty good revolt". This, . . . in the face of the crucial situation of today with regard to racial tensions. Another equally detrimental statement by another figure of national prominence assuring a sympathetic audience that the sending of blood and medical aid to the Viet Cong was among the highest principles of the American people.

Compounding the problems we face is a tendency on the part of the news media, i.e., radio, press, and T.V. to permeate their large impressionable audiences with every bit of social poison that can be derived by the machinations of every disturbed mind capble of disrupting the social tranquillity. This, and we wonder out loud why the cycle increases its intensity.

We believe it to be in order also to examine the permissiveness of the Supreme Court in its decisions regarding human rights, the Constitution of the United States, and last, but not least, human dignity. It is also inexcusable that the Supreme Court in its quest for the unattainable theoretical perfection in the application of the law to make legal such infectious organizations as the Communist Party.

Today it is vogue to ignore the logical approaches to a problem in preference for the convenient, superficial, and popularly acceptable explanations. For instance, according to some in responsible positions the panacea for the prevention of crime and violence is the "simple" elimination of any and all kinds of firearms. The rather fundamental fact completely ignored is that it takes someone criminally motivated to commit the deed, the tool being relatively unimportant. It isn't the society which is sick, but rather it is the society which absorbs the blame for the unreasoned action of a few deranged individuals. Senator Dodd who is the most vociferous of the current proponents of this type of misdirected legislation is being heard and supported by many persons. This comes from a man whose personal conduct and integrity is sufficiently in question for his fellow Senators to recently reprimand him by official censure.

Prohibition, which was enacted into law by similar misguided legislation, led to a festering ulcer in the vitals of our society—i.e., the crime syndicate. Removal of firearms from honest, God fearing citizens is giving open license to such organizations, as well as weakening the inherent strength of our Nation.

This is our country that is being so grievously damaged by current policies. This is the only country in which there are still some vestiges of personal freedom, the only country in which minority groups even have a chance to improve their lot. We should not stand idly by and let this be destroyed.

SOLIDARITY DAY

HON. FRED SCHWENGEL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. SCHWENGEL. Mr. Speaker, all of us have been quite aware of the Poor People's Campaign and Resurrection City.

A highlight of the Poor People's Campaign was to be Solidarity Day. But many of us realized there was something missing that day. The editorial in the Evening Star on June 20, poignantly told us what it was.

The editorial follows:

SOLIDARITY DAY

From time to time the cameras focused on the massive, brooding figure in the background. And one felt that he would have understood it—all of it.

Poverty? Very few among the many thousands massed around the Memorial have known poverty as Abraham Lincoln knew it.

Housing? The only home he knew in his formative years was a log cabin in the wilderness.

Hunger? There were many days when young Abe felt its pangs.

War? It may be doubted that any man has known greater anguish than that which was Lincoln's constant companion from 1861 to 1865.

So Abraham Lincoln would have understood the demonstration—all of it.

He would have abided the demagogues, for he knew an abundance of them in his day. He would have understood and applauded the statesman-like remarks from such men as Roy Wilkins and Senator Brooke, for Lincoln also bore the stamp of statesmanship.

He would have listened with compassion as Mrs. Martin Luther King, a remarkable woman, cried out for an end to the war in Vietnam. Abraham Lincoln paced the floor on many a sleepless night searching in heart and mind for a way to end the agony of our Civil War. He would have been deeply moved as he listened to Mrs. Mary Gurley, of Atlanta, sing "My Heavenly Father Watches Over Me."

He would even have understood the threatful, even belligerent tone of the speech by the Rev. Ralph David Abernathy, and he would have hoped, as all must hope, that reflection and wiser counsel will overrule the announced intent to stay indefinitely in Resurrection City, permit or no permit.

Yes, this man who spoke of government of the people, by the people, for the people would have fully understood and appreciated the peaceful demonstration put together in Washington yesterday under the direction of Sterling Tucker. The right of the people to petition their government was close to the heart of Abraham Lincoln, who also died of an assassin's bullet—although, strangely, there was little or no mention of the fact by the speakers who addressed the throng from the steps of his Memorial.

HILL SECTION'S 4–H CLUB

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. GIAIMO. Mr. Speaker, I would like to bring to the attention of the House an article by columnist John Chamberlain which appeared in the New Haven Register, describing the activities of the 4–H Club in the largest city in my district. This organization, operating on a minimal budget, is conducting a wide variety of programs designed to improve the occupational abilities of ghetto children and to provide them with better recreational opportunities. I think that we are all pleased to see that meaningful progress can take place in underprivileged areas without large expenditures of funds. In addition, I would like to assure Mr. Chamberlain that I did not have the Hill Section's 4–H Club in mind when I had occasion to criticize some of the operations of New Haven's Community Action Agency.

The article follows:

HILL SECTION'S 4–H CLUB

(By John Chamberlain)

Maybe country America has something to teach the city. For years the boys and girls of the farmlands have been 4–H Club ("Head, Heart, Hands, Health") members between the ages of nine and 19. The 4–H Clubs have had the blessing and the aid of the Department of Agriculture extension services, and have done wonders to spread the gospel of better land care, better stock breeding, better community living, and a more responsible attitude about individual behavior. While no surveys have been made, it is doubtful that 4–H kids ever become hippies or yippies.

With virtually no publicity, and with little money, the 4–H Clubs have recently started to move into a few American cities. There is a big 4–H movement of 40,000 enrolled youngsters in Nassau County, the big semi-urban bedroom adjunct to New York City. And there are 4–H Clubs in Rochester, Syracuse, Providence, Milwaukee, Chicago, Cleveland and Hartford.

The one I happened to hit upon through a concerned friend was started in the slums of the so-called Hill District of New Haven in 1964. When Cong. Robert Giaimo recently denounced the waste and the bureaucratic inefficiencies of the lavishly funded Community Progress, Inc. projects which, supposedly, were making New Haven the "model city" in race relations, he couldn't have had the local inner city 4–H Youth Program in mind. The program runs on a tiny budget of $2,500 a year, half of which goes for rent, the rest for supplies and tools. This is in addition to the $70-a-week salary that goes to a dedicated 4–H agent supervisor, and whatever it takes to maintain liaison with the Co-operative Extension Service of the University of Connecticut's College of Agriculture, which started it all.

The "rus in urbe," or country in city, flavor of the New Haven 4–H Club slum project is preserved in a Green Thumb Club, which, when I visited the area, was nurturing its tomato plants and eggplants in pots and waiting hopefully for somebody with a rototiller to dig up the space behind the local public library so it could transplant them. (The city of New Haven, incidentally, does nothing to pick up around this library, which stands in a sea of easily preventable squalor that hardly accords with Model City pretensions.) If the Green Thumb Club demonstrably works under difficulties imposed by its surroundings, the Hill 4–H Bike Club program does better. This is a revelation of how much can be done both for and by slum kids with a little imagination and ingenuity.

Using old discarded bikes that have cadged from all over the place with the help of the police department, the bike program is an elaborate experiment in cannibalization of parts to make new, and even glistening, wholes. The 4-H agent provides the tools, which must be kept in good order, and the boy must make his bike from old parts and put it in good running order before he can take title to it. Bike rodeos and weekly trips are part of the program. And there is "business experience" for a limited number of boys: who are allowed to repair and and sell bikes, borrowing money from the 4–H Fund for the parts, and keeping the profits after their creditors have been satisfied. One look at the bike club repair shop in operation is enough to convince even the most skeptical visitor that here is something that slum kids will take to with enthusiasm; mobility in a slum means that it is not a ghetto any more within the technical meaning of the term.

The 4-H program for the New Haven Hill district includes woodworking and sewing clubs, cooking clubs, sports, swimming and camping activities, and gas engines. It's all done on a shoestring, with dues and token payments from parents adding to the funds wherever lean." The 4-H-ers seemed to be doing a lot better than the supposed beneficiaries of far more expensive projects. You can go elsewhere in slum areas and see things that cost four times as much and produce nothing of permanent value for anybody.

The 4-H Clubs have had 50 years of experience with youth in rural America. Since many of the Negro and Puerto Rican migrants to the inner city come from the country, the 4–H Club that moves into town may be just following its own.

WARREN: A LAME DUCK MOVE

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. MICHEL. Mr. Speaker, there has been a good deal of comment and discussion in recent days regarding the resignation of Chief Justice Warren. An editorial appearing in the June 24 edition of the Peoria Journal Star says it all as far as I am concerned, and I place the editorial in the RECORD at this point:

> WARREN: A LAME DUCK MOVE
>
> The resignation of Chief Justice Earl Warren finally settles the long argument that has raged in this country about him—and demonstrates that, after all, he does not come up to the standard on honor, integrity, and "above politics" attitude expected in the U.S. Supreme Court.
>
> We have disagreed violently with Justice Warren's notions of usurping the lawmaking powers and inflicting his own social philosophies on this nation through manipulating "Constitutional decisions" instead of by the processes at law provided in the Constitution, itself, which he was sworn to uphold and defend.
>
> But we always regarded him as sincere, honorable, and a man of great integrity, and disagreed just as violently with those who regarded him as malevolent in purpose.
>
> His resignation at this time, however, while it does not make him malevolent vastly cheapens his position and his life career, and caps it with an act befitting a ward-heeling city hall hack in one of our seedier cities.
>
> After all these years, at aged 77, after waiting to see the lay of the land in the primary elections and the shape of politics in 1968—he now chooses his timing so as to jump in and permit a Lame Duck President to name the next member of the court, and deny to the "new President" to be elected by the people of the United States his proper right to make that appointment.
>
> Others may follow suit on the Supreme Court, and make this cheap, rankly political, anti-public political manipulation—and thereby certify to the political nature of the trick, and the level of dignity, integrity and honor they have actually represented on the court all these years.

ABE FORTAS

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. O'NEILL of Massachusetts. Mr. Speaker, wisdom is a rare quality; it is found only in men who are secure within themselves and honest with themselves. Justice Abe Fortas is a wise and gentle man. It is to the entire country's benefit that he has been named by President Johnson to succeed Chief Justice Earl Warren.

Justice Fortas is a man of many achievements and distinctions. He was recognized nationally as one of our foremost corporate lawyers; he is admired as a near-professional violinist; and he is a highly respected academician.

Abe Fortas will bring increased vitality to the Supreme Court, for he is a man who keeps himself constantly young by associating with the questioning minds of the young and their ideas. Justice Fortas, as Chief Justice, will perpetuate the very best of the Supreme Court's purposes and ideals.

The versatile Justice is also a philosopher, one whose contacts with every level of society are kept continually fresh.

In the year before he was appointed to the Supreme Court, Mr. Fortas wrote:

> For a Justice of this ultimate tribunal, the opportunities for self-discovery and the occasion for self-revelation are usually great. Judging is a lonely job in which a man is, as near as may be, an island entire. The moment is likely to come when he realizes that he is, in essential fact, answerable only to himself.

The job of Chief Justice is difficult and lonely; the challenge is ceaseless and ever-growing. It is to the good of our Nation that the talents and devotion of a wise and gentle man will continue to serve the public interest.

HOUSING FOR THE POOR

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1968

Mr. CULVER. Mr. Speaker, shortly after the July 4 recess, we will consider the Housing and Urban Development Act of 1968. This proposed legislation will go far toward achieving the goal set by Congress in 1949 of "a decent home and a suitable living environment for every American." It will take us 3 years down the road toward President Johnson's goal, stated in his message on the cities last February, of abolishing substandard housing in the United States within the next 10 years.

Realizing the pressures on us to pursue a responsible fiscal policy, the Des Moines Register recently endorsed this legislation stating:

> Congress should recognize the urgency of the housing need and decline to cut back in this area.

I join the Register in support of this legislation and with permission I place the editorial at this point in the RECORD:

> HOUSING FOR THE POOR
>
> The National Housing Act of 1949 promised "a decent home and suitable environment for every American family." Twenty years later, more than 20 million Americans still occupy nearly 6 million substandard housing units. The number of non-whites living in substandard housing has actually increased. In many cities, more low-cost housing has been eliminated by freeway and urban renewal development than has been built.
>
> The housing bill approved by the Senate last week represents an effort to fulfill the 1949 promise. The measure authorizes $5.2 billion for federal housing programs over the next three years. The bill provides for 300,000 low and moderate income housing units in the next fiscal year as part of the Administration's plan to produce six million such units in the next 10 years. The 300,000 target is triple the production rate this year and is more than half the number of low and moderate income housing units built over the last decade.
>
> Most of this housing is to be furnished through stepped-up support for the now-familiar public housing and rent supplement programs and housing constructed by non-profit and limited-dividend groups with market and below-market rate loans. The Senate bill adds to this mix a promising new program of government mortgage subsidies to enable low-income families to become home owners.
>
> The Senate bill, however, is merely an authorization. It represents a ceiling, or goal, rather than a go-ahead to reach the goal. The bill is subject to authorization cuts in the House and appropriation cuts in both houses. The determination to cut federal spending by $6 billion next year could make the goal of 300,000 low and moderate income housing units nothing but a fond hope.
>
> Congress should recognize the urgency of the housing need and decline to cut back in this area. The National Advisory Commission on Civil Disorders found poor housing to be a major source of tension and dissatis-

faction in the nation's cities. The commission recommended a program to produce 600,000 low and moderate income units next year and six million units over the next five years. The Administration's program, reflected in the Senate bill, calls for a much slower rate of housing production.

The country has been unconscionably slow in responding to the housing needs of the poor. Only about 800,000 low-income units have been produced in the 31-year history of federal housing programs compared to more than 10 million middle and upper-income units produced with federal insurance guarantees in roughly the same period. The country cannot afford much longer to fail to deliver on its 1949 promise.

THE MAJOR OF ST. LO

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. MARSH. Mr. Speaker, this July marks the 24th anniversary of the American campaign to take St. Lo during World War II. Leading the attack on St. Lo was Maj. Thomas D. Howie, who commanded the 2d Battalion, 116th Infantry, 29th Division, which, prior to Federal activation, had been a National Guard unit. Major Howie was killed just prior to the final attack on St. Lo.

The armory in Staunton, Va., is named the Thomas D. Howie Memorial Armory in tribute to him. In the foyer of that armory hangs the portrait of this heroic major who earned the sobriquet, "The Major of St. Lo." Beneath that portrait is a framed legend telling the story of his death, which reads as follows:

> The German stronghold of St. Lo, France was the key objective of the Allied Forces breaking out of the Normandy beachhead in July 1944, and lay in the zone of advance of the 29th Division and its Virginia Regiment, the 116th Infantry. Major Howie led his battalion to the relief of the 2nd Battalion which had been cut off by Germans outside of St. Lo for three days. In one of the few bayonet attacks in the European Theatre in World War II, he routed in a night attack the Germans who had hemmed in the 2nd Battalion.
>
> After a briefing on orders for the final attack on the important communications center of St. Lo, Major Howie was killed by a shell fragment as he completed issuing his battalion attack order, remaining exposed to a mortar barrage to make sure his command group had taken cover. "I'll see you in St. Lo," he had told his company commanders.
>
> His body was draped with the national color, carried into St. Lo in an ambulance, and placed on the rubble of the town church, where the victorious American troops marched past for pursuit of the Germans.
>
> Tom Howie was one of the finest of the young men that Virginia and the Nation lost in the war. He was an able, courageous officer who always looked out for his men. He was greatly admired and loved by them and by his fellow officers. He, like so many of them, and like the young men of ancient Athens, "gave their bodies to the Commonwealth, each for his own memory, praise that will never die, and with it the greatest of all sepulchers . . . a home in the minds of men."
>
> This armory has been dedicated to the memory of the gallant Tom Howie as Staunton's expression of admiration and appreciation.

GALLANT POSTAL WORKERS

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. DULSKI. Mr. Speaker, every day postal workers labor to keep abreast of the ever-increasing flow of mail.

Last December, at the height of the Christmas mail rush, fire swept through one of the key mail stations in the Nation's largest city, the Morgan Station in New York City.

The postal employees did a yeoman job of trying to save the mail and then changing operations so as to avoid the fire-gutted area and keep the tremendous flood of mail moving to its destination.

The Post Office Department paid due honor this week to a large number of Morgan Station employees and others who performed heroically in connection with the fire.

Postmaster General W. Marvin Watson personally made the awards, according special recognition to Acting New York Postal Regional Director A. C. Hahn and New York Postmaster John R. Strachan for "their resourcefulness, their leadership, their untiring efforts at a time of major emergency."

Besides Mr. Hahn and Mr. Strachan, 111 other employees of the New York Post Office, and 26 other employees of the New York Postal Regional Office were cited for "distinguished performance in safeguarding the U.S. mails and restoring vital services during a time of great crisis."

Nine awards recognized the work of city services, utility companies, and other Federal agencies contributing to the post office's swift recovery in the wake of the most disastrous fire in postal history.

Ten New York Central Railroad employees were honored for moving three boxcars of mail from within the burning building.

Seven postal inspectors were cited, among other things, for heading salvage operations which saved more than 10.8 million pieces of mail.

In his remarks Postmaster General Watson said:

> Today we honor those who proved that the human spirit is not crushed by disaster. These individuals have shown that the postal service is resilient enough to provide uninterrupted service even though a major facility is stricken and inoperative. This can only emphasize our debt to the devoted employees and others who helped us make such a swift—almost miraculous—recovery.

Following is the list of award recipients:

LIST OF AWARD RECIPIENTS

EMPLOYEES OF THE NEW YORK POST OFFICE

Gerard J. Frunzi, Edward Wetzel, Dominick Riccardi, Michael Pesce, John T. O'Neill. Milton Kirschner, Ironclad E. Oliver, Samuel J. Verello, Luther Joyner, Fred Williams, Edward L. Keepler, James R. Williams, Louis L. Friscella, George Hernandez, David H. Anthony, Luke B. Bassett, Traver J. Brown, Edmund M. Connelly.

Rafael Espina, Joseph D. Gattie, John R. Hedlund, Edward J. Malenczak, Rudolph J. Maikis, James J. McCarthy, John J. O'Hara, Allen J. O'Neill, Robert Kussick, Benjamin Goodman, George E. Hirsch, Herbert L. Johnston, Joseph H. Pascal, William J. Long, Samuel Pollack, John J. Lever, Stephen Panzara, Peter J. Pinto, Charles Goldstein.

Andrew Alongi, Martin Driller, Alphonso Eppolito, James Siclari, Joseph Evak, Thomas Hicks, Peter R. Byrne, Jose Diaz, Joseph Powell, Mike Andrews, Jr., Kevin P. Fegan, Robert Gardner, Ira Greinsky, Eldridge W. Fowler, John R. Blanchard, Marshall Humphries, Everett H. Anderson, Willie L. Robinson.

Talton E. Arrington, William S. Nelson, Alexander Mazur, John Kelly, James J. Dwyer, William O'Malley, Carlton L. Bain, Hyman Gershonson, Charles S. James, James Clark, Alfred M. Storch, Theresa McCarney, William H. Shostak, Samuel L. Popper, Harold Payne, Joseph V. Celentano, Joseph Wilkowski, Matthew Leonard, Thomas P. McCormick.

Max Klapholz, Anthony Buonamano, John Casali, Fabio Necco, Oscar Mingeram, Charles D'Errico, Thomas J. McCullough, Santo Viola, Morris Portnoy, Albert Rawley, Frank D'Alessio, Harold J. Bruno, Louis M. Charles, Carlos Cuadrado, Alton A. Duconge, Mario Diaz, Santo Emma, Charles C. Giglia.

Miguel A. Hernandez, Albert N. Hicks, Owen J. McCabe, Robert Orellano, Ernest Perine, Konrad Rantanen, Carlos Teyidore, Jose Torres, Gwilym T. Richards, Francisco Aponte-Viera, Cristostomo Torres, Walter Bell, Santo A. Bracco, Harry Pappas, Human Blank, Irving Bicofsky, Thomas V. Flanagan, John F. Ward, George Hass.

EMPLOYEES IN NEW YORK REGIONAL OFFICE

William A. Carroll, William H. Mills, Peter P. Nash, Emory L. Russell, Joseph Romanelli, Joseph Napoli, John D. Mills, Frank A. Cirillo, Chester C. Suske.

John F. Kirk, Albert Razzetti, John J. Doyle, Joseph Bierbauer, Henry Platt, Benjamin Budd, Henry Pauly, John Dribnack, G. William Delamar.

Frank Alaburda, Henry Knetter, Frank G. Lawther, Frank Daido, Henry Levitt, George Archer, Ralph R. Franzese, David Zuckerman.

POSTAL INSPECTORS

Lester B. Battles, James G. Brogan, John T. Herrmann, James J. McFadden, Frederick R. Mollo, George C. Ross, Jr., James R. Stephens.

NONPOSTAL UNITS

New York City Fire Department.

Second Division, New York City Police Department.

Ventilation and Drainage Section, New York City Transit Authority.

ORTUPS (O) 03-82207, U.S. Third Coast Guard District.

Public Building Service, General Services Administration.

Eastern Area, Military Traffic Management and Terminal Service, Brooklyn Army Terminal.

New York Board of Fire Underwriters.

Consolidated Edison Company.

Midtown Division, New York Telephone Company.

EMPLOYEES OF NEW YORK CENTRAL RAILROAD

John A. Farrell, Joseph J. Ford, Frank B. Huggins, John J. Madden, Philip J. Pignatelli, Buck D. Walker, Charles A. Wilson, Francis J. Lamb, Edward J. Keegan, John Kuyck.

DOMESTIC AID CAUGHT IN SPRAWLING CHAOS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. ASHBROOK. Mr. Speaker, the monumental effort of our colleague, the gentleman from Delaware, should be commended by all who are interested in streamlining Federal aid programs.

Many of us over the years have pointed out the duplication, waste and overlapping but never, I think, as successfully as was done in this package.

This research not only points up the critical need for a cataloging of Federal programs but the need for thorough investigation of what they do, what they are supposed to do, their relation to other projects and methods and steps which should be taken to decentralize what has become the inverted pyramid of the Federal Government.

As fine an effort as this was, there must be a continuing review of Federal programs, not only into the cataloging and explaining of programs but into the effects of them. And this should be directed at the programs themselves.

One of the essential points which the gentleman demonstrates is stated in a column from the Philadelphia Enquirer by Roscoe Drummond. He states:

> The need is to decentralize, not just a little bit, but radically, functions, funds and authority so that state and local Government—near to the people—can begin to do the job on a scale which is manageable.

The Roth study is an excellent beginning. Congress and the Executive must now carry on.

For further interest, I include the Drummond column:

DOMESTIC AID CAUGHT IN SPRAWLING CHAOS

(By Roscoe Drummond)

WASHINGON.—Federal Administration of billion of dollars in aid to millions of Americans is so tangled today nobody knows how bad things are.

The need is urgent to rescue from itself the sprawling, chaotic, inefficient, overburdened, overcostly maze of Federal assistance programs.

Democratic liberals like the late Robert Kennedy, J. F. K. aides Daniel Moynihan and Richard Goodwin and Republican conservatives like Congressman Melvin Laird, Gerald Ford and Charles Goodell have for some time been suggesting that the Federal complex has become so big, so cumbersome, so overlapping that it simply can't any longer do its job.

The need is to decentralize, not just a little bit but radically, functions, funds and authority so that State and local Government—near to the people—can begin to do the job on a scale which is manageable.

New facts which reveal how bad the situation is come from a heroic effort of a lone first-term Congressman, William V. Roth, Jr. (R., Del.), who set out four months ago to survey the entire Federal establishment to find out just how many programs of Federal assistance there are, what they do, how and where they are administered.

His findings justify virtually everything that has been said about the labyrinth of overgrown national Government. He found:

That nobody knows how many Federal programs there are and that there is no place to go in the whole Federal system to find out.

That Congress simply does not have the information to judge which programs should be kept and which should be stopped.

That the executive branch does not have the information to find overlapping and duplication and thereby to unify and streamline the operation.

That at the very least the Federal Government is attempting to administer 1050 assistance programs designed to dispense more than $20 billion a year.

That as many as 10 Cabinet-level departments and 15 or more agencies operate programs devoted essentially to the same purpose.

No wonder Democrats and Republicans alike, conservatives and liberals alike and many who used to think let-Washington-do-it was the answer to every social ill are beginning to see and to say that functions, funds and initiative need to be turned back to state and local government.

This is why Moynihan, Assistant Secretary of Labor under President Kennedy and now head of the Harvard-M.I.T. Urban Affairs Center, bluntly asserts that while the Federal Government has proved itself massively efficient at collecting taxes, it has shown itself massively inefficient at dispensing Federal services.

Representative Roth's titanic study of administrative dishevelment ought to stir Congress and the White House to action. His immediate proposal is modest—that the Government be directed to put into a single catalogue a lucid report on all Federal assistance programs and what the citizen needs to know to use them.

It would be a beginning to get at the facts. But far more needs to be done—and soon. A special Congressional-Presidential commission, like the Hoover Commission, ought to be put to work at once to study how best to decentralize Federal assistance programs and to report to the new Congress early enough so that action could be forthcoming next year.

There is little doubt that decentralization of the unwieldy Federal sprawl is coming. It ought to be brought about in an orderly, well planned manner. This is why Congress ought to put it in motion now.

TRIPLE TRAILERS THWART TRAVEL

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. McCARTHY. Mr. Speaker, the House Public Works Committee, of which I am a member, has been holding hearings on legislation which would permit longer and heavier trucks to travel the Nation's highways. It appears that some trucking interests would like to turn our interstate highways into freightways by making trucks longer, heavier, and adding caravans of trucks to the existent hazards faced by motorists on interstate highways. I note with interest that a trailer combine dispatched from Buffalo to New York City by the Red Star Express Lines was halted in Auburn, N.Y. due to "some concern that it might have trouble" if it had completed its journey. The Buffalo Courier Express on June 6 published an excellent editorial on this question of trailer combines on the highways and I completely agree with the position taken by the editorial. The editorial follows:

TRIPLE TRAILER'S THWART TRAVEL

In approving the use of three-trailer combines on the New York State Thruway, the Thruway Authority appears to be more interested in moving freight over the billion dollar highway than in protecting the safety and convenience of the millions of motorists who use it. So far, only one company has equipment that meets the authority's specifications but there can be little doubt that before the year is out, other companies will meet the requirements. When that happens, three-trailer combines will become a common sight.

The news release states that approval was granted after eight years of research and testing carried out jointly by the company concerned and the Thruway Authority. We do not question the accuracy or the truthfulness of the statement but we cannot help observe that the testing must have been conducted with about the same degree of public knowledge and observance as is the country's nuclear-testing program.

Just how much public information about the new regulation has been released might be judged from the Buffalo Automobile Club's monthly publication which features a front-page story opposing the testing of the vehicles. Based on the information it has received, the auto club states that the overall length of the three-trailer combine is 108 feet, bumper to bumper. The club estimates that it would require one half mile of clear road to pass the vehicle without violating legal speed limits.

It is difficult to determine just how this factor alone will contribute to keeping the New York State Thruway the safest highway in the country. Add to this the fact that heavy vehicles create their own storms as they whip up surface slush in winter and water during rainfalls, thereby reducing visibility for other motorists. This greatly increases the normal hazards of driving.

Aside from the questionable safety factors, it appears that the Thruway Authority is more interested in converting an excellent highway--paid for and maintained through the tolls paid by all motorists—into a subsidized freight route. "Certainly if the operation meets the specifications of the authority, there is no reason to believe that four section or five-section rigs will not be permitted eventually. It was relatively only a short time ago that tandem hauling was approved. To date, that operation has met anything but public acclaim.

Could it be that the Thruway Authority plans to convert the Thruway into a rapid-transit, freight-hauling highway and relegate automobile traffic to other roads? Approval of the triple-trailer "freight train" seems to indicate that such a move may not fall into the realm of fantastic speculation. The Thruway Authority's slogan appears to be: "Billboards, no, freight trains, yes."

A GREAT ASSOCIATE JUSTICE WILL BE A GREAT CHIEF JUSTICE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. EILBERG. Mr. Speaker, as a member of the Judiciary Committee, I have had a special opportunity and responsibility to observe and study the workings of our constitutional form of government, and particularly, the operations of the Federal judiciary.

From that vantage point, President Johnson's latest appointments to the Supreme Court, in my view, only can be described as excellent.

Both Judge Homer Thornberry and Justice Abe Fortas have compiled outstanding records in the past, and their intelligence and character offer the promise of even greater service to the Nation in the future.

I am gratified personally at the nomination of Justice Fortas. As a member of the Jewish faith myself, I cannot help but take pride from the thought of another American Jew, Abe Fortas, becoming Chief Justice of the United States.

The notion of a so-called Jewish seat on the Supreme Court is, fortunately, completely outdated in modern America. Justice Fortas came to his present position of eminence through intelligence, hard work, human compassion, and a deep commitment to public service.

And these are the characteristics which will assure his confirmation for the highest judicial post in the Nation.

I salute the President on his choice and I congratulate these two fine men.

HEMISFAIR

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. PICKLE. Mr. Speaker, last week a group of our colleagues visited the attractive and colorful HemisFair in San Antonio, Tex. There they were hosted by the city of San Antonio and were extended many courtesies by that city, as well as by our inimitable colleague, HENRY B. GONZALEZ.

During their stay, they visited the exhibits of some 30 nations and enjoyed the friendly hospitality that exists at this confluence of civilizations.

In a relaxed moment they witnessed the "highest milking contest in the world"—an actual milking contest between Darrell Royal, the University of Texas head football coach and athletic director, Congressman HENRY B. GONZALEZ, and the Honorable Edward Clark, Commissioner of the U.S. Pavilion and former U.S. Ambassador to Australia.

During this time, HemisFair's Ambassador Edward Clark made some timely remarks on the occasion in which he not only saluted HemisFair and the city of San Antonio but also reminded us of the accomplishments of HENRY B. GONZALEZ and the affection in which he is held.

I submit for the RECORD the remarks of Ambassador Clark:

HEMISFAIR

Governor Connally, Distinguished Congressmen, who have traveled so far to honor our local Member of Congress; Members of the Executive Committee of HemisFair, Commissioners of the International Pavilions at HemisFair, Roy Barrera, Mayor McAllister:

My friends, you know my old friend and our distinguished Congressman, Henry B. Gonzalez's record for his action and concern for air safety, legislation to protect the interests of the consumer, the several million dollars in Federal grants and loans he has obtained for San Antonio for housing, hospitals, urban renewal, channel improvements for the San Antonio River, the economic opportunity programs of the President's War on Poverty which has meant so many new jobs for the poor, and a new Veterans' Administration Hospital complex.

You also know his role and participation in HemisFair. He was a leader in getting a $30 million bond election passed in San Antonio for the Fair and in 1965 he successfully got through a resolution calling for Federal sanction and participation.

You know and love the man we honor today, the man who received the unbelieveable total on ninety per cent of the votes cast in November, 1966, Congressional election. This man has served as a teacher, a politician, as a progressive, a writer, an engineer, a probation officer and as a debater.

When I say debater, I should say I understand one of the ways to commemorate this day and perhaps to keep you all here through out the speechmaking, is to have a drawing at 11:30 a.m. for some lucky fairgoers who will receive a free lunch with the Congressman and his lovely wife. Now, I would just like to let that lucky couple know that Congressman Gonzalez spoke, in Austin, for 36 hours and 2 minutes in 1956 along with another State Senator, alone in 1957 for twenty consecutive hours for causes he devoutly believed in and fought for; and all his running for Congress since then has not hurt his vocal talents and endurance. And so, whoever that couple is that wins the drawing may be, I would just like you to know that when the Congressman and my good friend, Henry B. Gonzalez, asks you, "How are you?", you had better have ready all the facts and questions because you may not have another chance to speak! Henry B. Gonzalez is a man of a few million words!

I did not come to talk about his speaking qualities. What I wanted to tell you about are his cow-milking talents, not his public ones. You see, yesterday in the high Tower of the Americas over there, we had a milking contest. Not just a milking contest. *but the highest milking contest in the world*, at least as far as anyone knows. There was one cow and three contestants. Darrell Royal, the University of Texas Head Football Coach and Athletic Director, Congressman Henry B. Gonzalez and myself. Now I won't say that Congressman Gonzalez lost, but the wonderful and distinguished Mayor McAllister, the judge, had to take three good long looks at the milk in the measuring cups before he ruled there was enough milk to cover the bottom. Henry B. Gonzalez is a good city boy—born under an arc light—who knows more abount urban renewal than cows.

Now, to make a long story short, the cow kicked over the bucket of Coach Royal, who didn't have a chance anyway, which left me the winner of the blue ribbon and undisputed world-wide, high milking champion. And so, as the world's tallest champion milker, from Texas, I would like to congratulate Congressman Gonzalez on his first milking performance and recommend that he not do any more milking until after the November elections!

Welcome home Henry B. Gonzalez, you are a great Congressman and a friend of all the people—God bless you and your dear family. Viva Henry B. Gonzalez, Viva San Antonio, Viva U.S.A.

SUPREME COURT

HON. EDWARD P. BOLAND

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. BOLAND. Mr. Speaker, it was with a great deal of pleasure that I learned that the President nominated Associate Justice Abe Fortas to succeed the Honorable Earl Warren as Chief Justice of the Supreme Court of the United States.

Mr. Justice Fortas has had 35 years of experience in all phases of the legal profession and in every instance has proved to be devoted to law, justice, and the high ethics of the legal profession.

In 1965 he brought to the Supreme Court wide experience in private practice, the academic field, and public service. In the course of his career he has defended the rights of many people and organizations, from large corporations to the poorest, most ignored of all, our Nation's citizens.

He was chosen by the Supreme Court itself to argue Gideon against Wainwright, involving right to counsel, in what became a landmark decision that has influenced the entire sphere of rights in criminal proceedings.

His decisions on the Court have been praised for their logic and clarity. Mr. Justice Fortas always goes to the heart of the matter and rules on the question involved. He has shown concern for the discrepancies between the letter and the spirit of the law, the purpose and effects of statutes. He has brought to the Court great intellectual capacity, broad legal experience, and deep devotion to the cause of liberty and justice.

I hope the Senate will soon confirm the nomination of this able and dedicated public servant. I know that no finer gentleman could be found for this awesome responsibility and I laud the President's nomination.

THE NEW CHIEF JUSTICE

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. TENZER. Mr. Speaker, as a member of the House Judiciary Committee, I would like to express my personal satisfaction with the President's nomination of the Honorable Abe Fortas to be Chief Justice of the U.S. Supreme Court.

Justice Fortas' background and experience make him well qualified to assume this most important position and I hope that the Members of the other body will act quickly to confirm his nomination.

I had the pleasure of meeting Justice Fortas for the first time in the early 1930's when I came to Washington as general counsel to the Code Authority for the Wholesale Confectionery Industry under the NRA. At that time Justice Fortas was on the staff of the Securities and Exchange Commission and later with the Interior Department.

Since his appointment to the Supreme Court in August 1965, Justice Fortas has amply proved his high qualifications as a Justice and his ability to work with his colleagues.

The recent attacks on the Supreme Court have been emotional but irrational, loud but from a minority, and above all dangerous to our system of an independent judiciary free from political threats. Much of the progress we have made in the past 15 years in the area of human rights and social progress can be attributed to the Supreme Court and its willingness to lead us on the path of social change and to protect the individual rights of every American citizen. Chief Justice Earl Warren has made his mark in history for his leadership during these years and I am confident that Justice Fortas will carry on the tradition of the great Chief Justices of the Court and prove his ability as a spokesman for all Americans.

HAMPTON COUNTY'S 26TH ANNUAL WATERMELON FESTIVAL

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. RIVERS. Mr. Speaker, under leave to extend my remarks in the Record, I include therewith an address by the distinguished Governor of Tennessee, the Honorable Buford Ellington. The speech by this great American was preceded by a prayer by the dean of the entire clergy representing the Hampton area, the Reverend Dr. W. J. Swindell. Reverend Swindell has preached, taught, and healed with his ministry in the Hampton area for over 50 years. No one is more beloved than the Reverend Swindell. Recently he celebrated his 50th anniversary in Hampton County. Reverend Swindell has preached love of God and love of country. It was appropriate, therefore, that his invocation preceded the magnificent speech by the distinguished Governor of Tennessee. I want every American to read the entire proceedings of this memorable occasion as well as the incomparable address by that great and peerless Governor Ellington.

Governor Ellington's address extolled, as few men can, respect for law, love of country, and the sacrifice our men are making in Vietnam and everywhere else in the world. He called to the attention of all Americans the need of service above self both at home and on the field of battle. His eloquent speech excelled all others which had gone before him at this historic event. His address will motivate Americans yet unborn and those after them to dedicate their efforts for the preservation of the greatest nation on earth.

I had the privilege of attending this event and sharing the rare opportunity of listening to this great American impart his philosophy to similarly dedicated Americans.

The material follows:

Prayer by W. J. Swindell for 1968 Watermelon Festival

Great Jehovah God, our Creator, we are Happy that Thou hast Revealed Thyself unto us as our Loving Father who Art in Heaven. We are glad that we have Learned of Thy Love for us and Thine Interest in our Welfare through Thy Beloved Son Jesus Christ, His Loyal Followers and through the Sacred Scriptures, Thy Holy Word.

We Thank Thee for Blessing us to be Citizens of our Beloved Country, the United States of America, the Child of Providence, the Queen of Nations, the Land of Liberty, Freedom and Opportunity.

We Thank Thee for our most Wonderful, enlightened, Progressive Country with Its Broad Plains, Fertile Valleys, Majestic Mountains, Happy Homes, Sacred Places of Worship, Modern Institutions of Learning and Facilities for Ministering unto the Afflicted, the Sick and the Underprivileged.

We Thank Thee, our Father, for the Faith, the Dreams, the Visions and the Courage of Thy Worthy Servants who Founded, Built and Made Great our Nation and Made It Like unto Ancient Canaan of the Holy Land that Flowed with Milk and Honey.

We Thank Thee for our Present Unselfish Statesmen, our Capable and Worthy Leaders in Government, Business, Labor and Religion.

We Especially Thank Thee, our God, for our Community Leaders and their Cooperative Supporters that Made Possible this Happy Occasion, this Assembly and this Inspiring Fellowship in this Splendid Town this Glad Day.

We Humbly Pray, Dear Father, for Thy Presence, Guidance and Wisdom that our Lives may be So Enriched, Gladdened and Sweetened that we may Become More Appreciative of our Country and be Challenged to Give More of our Time, Talents and Material Possessions to Make More Room for Christ and His Reign of Righteousness, Justice and Peace for all People Everywhere.

May that which we may Hear, See and Experience Here Today Help us to Love Mercy, Do Justly, to Walk Humbly with our God and to be Challenged to Let Flow through our Lives the Milk of Human Kindness for the Saving, the Gladdening and the Sweetening of Life of our More Unfortunate Fellowmen. In our Master's Name, we Thank Thee and Pray. Amen.

Remarks of Gov. Buford Ellington at the Watermelon Festival, Hampton, S.C., June 22, 1968

I would like to express my personal thanks to the Jaycees and to my friend and colleague Governor Bob McNair for giving me this opportunity to visit your festival for the first time and to share a most pleasant day with you.

I can assure you that Governor McNair is recognized by his fellow Governors as a man who gets things done . . . both on the State and national level.

Governor McNair and I share a dream for our respective States and for this region and our citizens share a common bond of understanding.

Our people understand the need for fulfilling the development of physical and human resources through education, agriculture, and industry . . . and they have come to recognize this winning combination of resources as a key to our future.

This magnificent festival is certainly tangible evidence of the hard work you folks have been doing in this area.

It is evidence also of the fact that the people of South Carolina . . . as the people of Tennessee . . . prefer dealing with problems and meeting challenges with "action" rather than just "words".

This Nation faces many perils today as it has in the past . . . and as in the past . . . they must and will be solved by those who are willing to *do something* rather than those who merely talk . . . and scream . . . and protest . . .

I think it is most appropriate that this festival has been dedicated to our Armed Forces in Vietnam . . . to those men who have served there in the past . . . to those men who are serving now . . . and especially to those men who have paid the supreme sacrifice.

The people of Tennessee join you in paying tribute to those gallant men.

As a matter of record a young Tennessee boy by the name of Tom Davis was the first American serviceman to give his life in Vietnam.

And when I think of this, I must constantly remind myself that one of the things that Tom Davis and thousands of other boys like him died for in Vietnam, was a freedom that included the right to dissent.

But I must also admit that it is totally repelling to me when that dissent erupts into acts of degrading the very flag that waves as a symbol for this freedom.

And I must also admit that when a person burns a flag or burns a draft card or sends aid to the enemy, then I think that person has moved beyond the limits of dissent and is committing acts that border on treason . . . and if it isn't treason, it is at least gross cowardice.

We have another conflict here at home that disturbs our boys in Vietnam just as it disturbs you and me and that is, the crises in our cities across the nation.

We must face these crises in a sound and sensible manner.

We must provide equal and ever increasing educational opportunities . . . job opportunities . . . housing . . . and many other services for all your citizens . . . and I truly mean all of our citizens.

But this must be done within the framework of law and order.

Without law and order there can be no democratic society.

In the final analysis without law and order there can be no free America.

This is the stand we have taken in Tennessee and we have received overwhelming support from Tennesseans of all races and all walks of life.

We are too near the twenty-first century . . . just 33 years away . . . with all its brilliant promise and hope to have it blighted in its beginning by a breakdown in the twentieth century of the moral fiber that has made America great.

I sincerely believe we are at a point in our Nation's history when we must get a strong grip on basic principles . . . the same principles which have always been the cornerstones of our democracy.

We must cast aside the idea, far too prevalent in present day thinking, that we can get something for nothing . . . that society owes us a living . . . that responsibility always rests with the "other fellow" or with Government but never with us.

We must realize that the freedoms and the prosperity that we enjoy are the results of dedicated thinking and years and years of work and toil.

We must realize that our present day freedoms and prosperity did not come quickly and easily . . . but could be quickly and easily diminished or lost entirely.

I don't intend to be pessimistic . . . but I do intend to be *realistic*.

And I think any realistic appraisal of America today dictates the realization that the current massive assaults on our basic principles of government must be challenged . . . and must be dealt with . . . in a frank and honest manner.

Leaders at every level of government must exercise their responsibility . . . and Americans from all walks of life must accept their responsibilities of citizenship.

Development and responsibility go hand-in-hand in a partnership that has been a key to America's past.

This same partnership of development and responsibility holds the key to America's future . . . a future that shines bright with promise and hope if we will but follow those basic principles of government that continue to light the way.

I guess you might say I am doing a little flag waving today.

If this is true, then let it wave.

I couldn't think of a better flag to wave, a better place to wave it, a better time or a better group to be waving it with.

And if being patriotic is square, then let them bring out the chisel to sharpen up the four corners . . . because I am very proud and very thankful that I have the privilege of being an *American*.

Thank you.

LONG ISLAND COMPANY FIGHTS POVERTY

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. WOLFF. Mr. Speaker, it has long been my feeling that we need original and increased initiative from the private sector to solve our pressing problems of poverty and joblessness.

Thus, it is that I am proud that Kollsman Instrument Corp., located in my congressional district, has launched an effort to train hard-core unemployed persons for skilled jobs.

Since this effort could well serve as a model for similar projects throughout the country I wish to call it to the attention of the House and place in the RECORD an article describing the program. This article, which follows, appeared in the Long Island Press on Thursday, June 20:

Long Island Firm Fights Poverty—Kollsman To Train Negro Youths

In the first program of its kind, a Long Island instrument company will start training hard-core unemployed Negroes for skilled jobs Monday in Syosset.

The new project was announced jointly yesterday by spokesmen for the Kollsman Instrument Corp. and Long Island Congress of Racial Equality in the offices of Nassau Labor Commissioner Robert W. MacGregor.

"This is the first time that a Long Island company has set up a training program of this type," said Lamar Cox, CORE chairman.

"We feel a responsibility to the Long Island community," said Kollsman president David B. Nichinson, "to find a positive way to help the hard-core unemployed and perhaps point the way for other interested companies."

Yesterday's announcement came after about eight months of talking, planning and negotiating between Kollsman and CORE. The civil rights organization approached the company last year after the handful of Negroes employed by the firm reported to CORE that there was discrimination in the plant.

"I feel that industry has an obligation to hire hard-core unemployed," said Cox, "to break the vicious cycle that black people find themselves in. Kollsman has taken this first step. CORE hopes it is not just a response to our recommendations, but is a realization of a very real need."

Cox said he assumes that discrimination is widespread in Long Island plants and said CORE will press for other training programs.

Nichinson said that 10 to 12 youths enrolled at the outset will be paid $2.03 an hour and upon graduation will start as machinists at Kollsman at $2.35 an hour.

He said the training center at the company's Syosset warehouse was a permanent fixture and that other Negroes would follow the first group.

Cox said CORE is seeking to obtain bus transportation for the workers from another firm in the area which buses employes from Hempstead and Westbury to Syosset.

Since November, CORE and Kollsman have been discussing with each other and MacGregor such subjects as guidelines for fair employment as well as plans for expanded opportunities for members of minority groups, they told newsmen yesterday.

CORE and Kollsman officials have been recruiting youths for the program, which will produce machinists for Kollsman's two plants—one in Syosset and one in Elmhurst. The course will take three to six months, depending upon individual capabilities.

Instruction, combining classroom and shop work, will take eight hours a day on a five-day week. The youths will learn blueprint reading, basic mathematics and the operation of bench, watch and polishing lathes, drill presses and milling machines.

Kollsman deals in complex instrumentation and optical systems, Nichinson pointed out, and therefore needs virtually no unskilled workers for the poverty areas.

CREATIVE CONGRESSMAN PRAISED BY DISTINGUISHED COLUMNIST

HON. FLORENCE P. DWYER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mrs. DWYER. Mr. Speaker, the House yesterday was presented with an achievement of great significance: the results of a mammoth study of Federal assistance programs and legislation which will help us take a major step forward in understanding, controlling, and improving the administration of programs in which we now invest more than $20 billion annually.

This achievement belongs to one of our ablest first-term Members, the distinguished gentleman from Delaware [Mr. ROTH], who has devoted many months of tireless and imaginative effort to this back-breaking task.

It was a source of great pleasure to me and to all our colleagues, I am sure—at least 60 of whom from both political parties joined with Congressman ROTH in sponsoring his "Program Information Act" yesterday—that one of the country's outstanding newspaper columnists, Mr. Roscoe Drummond, devoted his column in this morning's Washington Post to a discussion of the gentleman's work and the critical problems it is designed to help solve.

Whether our individual objective be the greater economy and efficiency of Federal operations or the more effective delivery of help to areas and people who need it most, Congressman ROTH's study and proposal merit our gratitude and wholehearted support.

Unless we make a determined beginning now, as Mr. Drummond notes, "to rescue from itself the sprawling, chaotic, inefficient, overburdened, overcostly maze of Federal assistance programs," then we shall be wasting even more of our limited resources and denying help to those who look to us for justice and the opportunity to live more fruitful and productive lives.

Mr. Drummond's column follows:

Federal Assistance Programs Need Decentralization Badly

Federal administration of billions of dollars in aid to millions of Americans is so tangled today nobody knows how bad things are.

The need is urgent to rescue from itself the sprawling, chaotic, inefficient, overburdened, overcostly maze of Federal assistance programs.

Democratic liberals like the late Robert Kennedy, JFK aides Daniel Moynihan and Richard Goodwin, and Republican conservatives like Congressmen Melvin Laird, Gerald Ford and Charles Goodell have for some time been suggesting that the Federal complex has become so big, so cumbersome, so overlapping that it simply can't any longer do its job.

The need is to decentralize not just a little bit, but radically, functions, funds, and authority so that state and local government—near to the people—can begin to do the job on a scale which is manageable.

New facts which reveal how bad the situation is come from a heroic effort of a lone first-term Congressman, William V. Roth Jr. (R-Del.) who set out four months ago to survey the entire Federal establishment to find out just how many programs of Federal assistance there are, what they do, how and where they are administered.

His findings justify virtually everything that has been said about the labyrinth of overgrown national Government. He found:

That nobody knows how many Federal programs there are and that there is no place to go in the whole Federal system to find out.

That Congress simply does not have the information to judge which programs should be kept and which should be stopped.

That the Executive Branch does not have the information to find overlapping and duplication and thereby to unify and streamline the operation.

That at the very least the Federal Government is attempting to administer 1050 assistance programs designed to dispense more than 20 billion dollars a year.

That as many as ten Cabinet-level departments and 15 or more agencies operate programs devoted essentially to the same purpose.

No wonder Democrats and Republicans alike, conservatives and liberals alike, and many who used to think let-Washington-do-it was the answer to every social ill are beginning to see and to say that functions, funds, and initiative needs to be turned back to state and local government.

This is why Moynihan, Assistant Secretary of Labor under President Kennedy and now head of the Harvard-MIT Urban Affairs Center, bluntly asserts that, while the Federal Government has proved itself massively efficient at collecting taxes, it has shown itself massively inefficient at dispensing Federal services.

Rep. Roth's titanic study of Administrative dishevelment ought to stir Congress and the White House to action. His immediate proposal is modest—that the Government be directed to put into a single catalogue a lucid report on all Federal assistance programs and what the citizen needs to know to use them.

It would be a beginning just to get at the facts. But far more needs to be done—and soon. A special congressional presidential Commission, like the Hoover Commission, ought to be put to work at once to study how best to decentralize Federal assistance programs and to report to the new Congress early enough so that action could be forthcoming next year.

There is little doubt that decentralization of the unwieldy Federal sprawl is coming. It ought to be brought about in an orderly well-planned manner. This is why Congress ought to put it in motion now.

H.R. 15414: REVENUE-EXPENDITURE CONTROL ACT

HON. JAMES C. GARDNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. GARDNER. Mr. Speaker, my vote against H.R. 15414, the bill providing for a 10-percent surtax and a $6 billion reduction in Federal expenditures, was based on the conviction that the American taxpayer should not be saddled with the responsibility of improving our current economic crisis, which was brought about by mismanagement and overspending by the Johnson administration. A combination of events has brought us today to a dangerously critical financial position. However, the blame for this rests squarely upon the administration and not the individual taxpayer.

It is clear what has basically thrown our financial picture out of order—the costs of the Vietnam war combined with the failure of the Johnson administration to take significant steps to adjust our economic conditions to meet this demand. For the period from July 1, 1965, to July 1, 1968, we will have spent well over $50 billion on the costs of this war alone. An additional $26 billion is budgeted for fiscal 1969—without meaningful fiscal adjustments to meet this increased burden.

We are presently facing budget deficits of close to $25 billion for both fiscal years 1968 and 1969. After eight successive budget deficits since 1961, the national debt has increased from $289.2 billion in 1960 to $335.4 billion, an increase of $46.2 billion.

Since 1960, budgeted expenditures of the Federal Government have risen 102 percent, while the population of the country grew only 10 percent. Contrary to common belief, most of this increase has occurred in domestic expenditures, not in defense spending.

We are in an extremely difficult balance-of-payments situation which threatens to get worse as increased prices reduce our trade surplus. The U.S. balance-of-payments deficit from 1961 to 1967 totals $16.4 billion.

We are experiencing significant inflation today with prices rising at a rate of some 4 percent a year. The cost of credit is also sky high, with interest rates in some cases reaching the highest in a century.

The strength of the dollar is being questioned all over the world. The diminishing confidence in the dollar has been most obviously expressed in the rapid purchasing of gold in foreign markets by foreigners. Our supply of gold has diminished to just over $10 billion.

It is evident that the policies of the Johnson administration have not adapted to these circumstances and situations and, in fact, are responsible for our current economic crisis.

The administration has been slow to face the fact that we cannot maintain a policy of guns and butter without suffering serious consequences. Our financial house should have been put in order several years ago, at the first signs of crisis. Instead, the Johnson administration insisted on conducting business at home as usual and completely disregarding the tens of billions of dollars that we are spending in Vietnam.

Not only do I believe the surtax places the expense and burden for our economic crisis on the wrong shoulders, but I also feel that it is entirely the incorrect way to attack and solve our problems. The only adequate solution is a reduction in Federal expenditures of at least $10 billion. However, this should be done through setting spending priorities and not through across-the-board cuts in all programs. As I have stated numerous times, sizable cuts could be made in foreign aid, the space program, public works, development of the supersonic transport plane, Government research and development, and highway beautification—all of which would have a selective impact on our economy. These cuts would involve, for the most part, postponement rather than cancellation of these programs. What is most important, they would have a less depressing effect on the economy than the across-the-board tax increase.

The sad fact is that the 10-percent tax increase will, in effect, cause inflation. Many businesses have already said they will have to raise prices to compensate for the additional tax. So again the American taxpayer is asked to pay not only a 10-percent surtax but more for the goods he is buying.

FLAG DAY

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. O'NEILL of Massachusetts. Mr. Speaker, on June 14, I had the honor and privilege to speak at the Flag Day celebration at Fort Washington in Cambridge, Mass.

Fort Washington goes back to the earliest period of history in the United States. In November 1775, Gen. George Washington ordered that this fort be built on the bank of the Charles River to protect the city of Cambridge where Revolutionary troops were stationed.

The fort lay abandoned for many years, but has recently been completely restored and returned to its original condition.

For many years Mr. and Mrs. Bernard Rudolph would come out to the fort where there was a makeshift flagpole. Daily they would raise and lower the flag. Neighbors and businesses in the area made a collection for a new flagpole to be erected at the fort. I had the honor of presenting them with the flag which was flown above the U.S. Capitol in their honor.

On Friday, the 14th of June, we dedicated the flagpole at Fort Washington.

Two young students who attend school in the area read essays that they had written on the American flag. Both writings illustrate hearty idealism and enormous patriotism. I would like to submit them now for the benefit of my colleagues and for all citizens.

Marcel Dubois of the Morse School wrote on "What My Flag Means to Me":

WHAT MY FLAG MEANS TO ME

> When I look at the flag and think of the pledge that I am making, I feel the thrill of being an American. The flag means more to me than the red, white and blue cloth of which it is made. It is the symbol of the United States of America.
>
> To me, our flag stands as the past, the present and the future of our country, for our way of life, our land and the freedom of all our people. I love our flag and when I look at it, and salute it, I think of how proud I will be when I am old enough to serve under it.
>
> Our flag today has 13 stripes and 50 white stars on a field of blue. The stripes remind me of the 13 original colonies, whose citizens fought for our freedom, that we could have our flag. I am proud to be an American, and to love the flag of my country. When I think of our flag, what has gone into the making of it and preserving it for our people and their freedom, I find it difficult to express how I feel. I can only say that I truly love our flag and I am proud to be an American.

Leslie Whitney of the Blessed Sacrament School presented her essay: "Stars for Hope":

STARS FOR HOPE

> If the people of America were asked what they thought of when they looked at the flag, most of them would go off with a starry-eyed impression of patriotism, parades, fire crackers, and a few choruses of "Yankee Doodle". When I look at the flag of the United States, I see, simply enough, the hope of millions of people to find democracy in its full glory. This is the hope which is given to them by the fact that they can believe what they think is right for the world and that they are allowed to set their principles to work.
>
> The hope which is represented by the flag is reinforced by the fact that it is held together, not only by the ideals of one man, but by those of many, many men. These are men who are really trying to help the world. These are the men who go to war to preserve our flags true meaning.
>
> Our flag represents the struggle of a certain society to obtain the perfect environment in order that man may live in the manner which God intended for humanity. Although this goal is not likely to be obtained, a great deal will be accomplished by the American attempt to reach for the stars.

HIDING FROM THE VOTERS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. ASHBROOK. Mr. Speaker, in the various primary elections which have taken place recently, one Republican presidential candidate, who chose not to actively participate, was Gov. Nelson Rockefeller. Golden opportunities were passed up by the Governor to convey to hundreds of thousands of Republicans his positions on various national issues. Now the Rockefeller blitz is on and we are being regaled with a public relations campaign to get his message across to the Nation. National Review, in its July 2 issue, summed up the strategy thus:

> The Governor's strategy is to stamp his image so forcibly in the consciousness of the masses that the opinion polls will report, as feedback, a rising grassroots feeling for Rockefeller. Going into the convention hall with Gallup & Harris reporting that he's the only Man Who, Rockefeller may then expect to force the convention to see the light of reason and give him the Presidential nomination.

Although Richard Nixon faced the voters in the various primaries, the New York Times, of June 19, labels the former Vice President as a "negative campaigner." It seems that the Times is distressed because Nixon adheres to a "no confrontation" policy regarding Rockefeller. If he persists in this policy, this will, in the words of the Times editorial, be a "no confrontation with the American people—who will have the final say in November." Suddenly, the Times has remembered the American people, some of whom Rockefeller conveniently forgot during the primaries.

The Times editorial was adequately

answered by D. David Eisenhower II, the son of a President who never hid from the people, in a letter appearing in the Times today, June 26.

To put the issue in proper perspective, I include the Times editorial and Mr. Eisenhower's rebuttal in the RECORD at this point:

[From the New York Times, June 19, 1968]

THE NEGATIVE CAMPAIGNERS

The front-runner for the Republican Presidential nomination, Richard M. Nixon, appears to be standing four-square on silence. Confident that he has a majority of the convention delegates under seal, Mr. Nixon has let it be known that his political strategy is to speak only in generalities and ignore Governor Rockefeller.

But if the former Vice President sticks to this policy of "no confrontation" with his chief rival from June into August's convention, the real meaning will be "no confrontation" with the American people—who will have the final say in November.

A candidate who goes into dead storage nearly two months before the delegates convene is downrating both the interest and intelligence of the electorate. He is relying on the "weighted opinions" of a few thousand polled persons and the stampeding effect that these secret surveys will have upon the professional politicians.

"The politician who sways with the polls is not worth his pay. . . . One of the reasons the Republican party is in trouble today is because we have allowed people to criticize our policies and we have not stood up and answered effectively. . . . I believe in vigorous sharp debate during a political campaign."

We agree unreservedly with these sentiments expressed by Mr. Nixon, in and out of office, in 1958 and 1962. That is precisely why we believe that the silence promised by the Nixon camp is not golden. His national campaign manager, John Mitchell, said the other day that Mr. Nixon would not "engage in an exchange of charge and countercharge with Rockefeller or in any of the other tactics of the old politics of divisiveness."

But keeping quiet before a party's platform and selection is really "old politics," for it assumes that the delegates will act as rubber stamps instead of representing the varying views and sections within the Republican party. Furthermore, it is callous "divisiveness" to ignore the issues that divide the country. Peace in Asia, the crisis of millions of Americans living in poverty and the nature of a Presidential administration itself call for statements and programs.

Up to this point the front-runner on the Democratic side, Vice President Humphrey, has shown little more disposition than Mr. Nixon to risk his theoretical mastery of the convention by setting forth any comprehensive independent program of his own. A good many people have been saying that Mr. Humphrey's long silence on this score—a silence not of words but of fresh ideas—is about to end. It is past time for forthrightness.

Governor Rockefeller and, even more, Senator McCarthy have been speaking out in writing and on the stump. They are visible and so are their ideas. Mr. Nixon and the Vice President must also recognize that issues and opponents cannot be swept under a national campaign rug. With primaries finished, outspokenness is the only means the electorate has of knowing what the candidates stand for.

"The general interest of a party frequently demands that members belonging to it should not speak on great questions which they understand imperfectly," de Tocqueville said of politicians in America over a century ago. "To keep silence is the most useful service that an indifferent spokesman can render."

Today's great questions before the conventions of 1968 demand the service of great spokesmen—now.

[From the New York Times, June 26, 1968]

MR. NIXON'S CAMPAIGN STATEMENTS

To the EDITOR.

I feel that in your June 19 editorial "The Negative Campaigners" you are guilty of either grave oversight or willful neglect in regard to Richard Nixon. The entire thrust of the editorial is that a Presidential candidate is obligated to present his views to the voting public. I agree. Likewise, the editorial infers that Mr. Nixon is failing to live up to his obligation, as candidate, by following the policy of "nonconfrontation," in view of Governor Rockefeller's belated and desperate effort to secure the Republican nomination.

Your contention is false. With the possible exception of Senator McCarthy, no candidate has gone to greater pains to present himself as an alternate to voters than has Richard Nixon. Beginning late last January, Mr. Nixon has stumped up and down every primary state, made numerous policy statements via nationwide broadcasts, and has circulated position papers on at least a dozen issues of import. Mr. Nixon's policy statements have not escaped your attention in the least, as I can cite numerous editorials written in this paper addressed to them.

On the other hand, Governor Rockefeller has carefully avoided the heat of the primary races, to diminish the possibility that his vulnerabilities be exposed. His absence from primary competition was conspicuous, and people can rightly assume there must have been good reasons for it.

It is ironic that both your editorial and James Reston's column of the same day implied that Mr. Nixon has resorted to the tactic of locking up delegate strength in a behind-the-scenes manner. The irony consists of the fact that the only conceivable method by which Governor Rockefeller can obtain the nomination is by performing a backstage miracle. By withholding his candidacy from the people of the primary states, Governor Rockefeller has left himself no alternative but to appeal directly to delegates, which excludes the voice of the people.

STATE'S MESSAGE

The voice of the people, incidentally, has come through loud and clear over the past few months. I recall Governor Chafee's remarks last March over an A.B.C. broadcast in which he firmly stated "I don't see how anyone could emerge from Oregon a loser, and hope to win the nomination." He spoke with William Lawrence with regard to a special tactical session held that day at the Rockefeller home.

Though Chafee would perhaps prefer to forget those words forever. I have not forgotten. The Oregon message was clear, as were the New Hampshire, the Wisconsin, the Nebraska, the Indiana, the South Dakota, the Pennsylvania and the New Jersey messages. Republican voters have chosen Mr. Nixon. In the event the convention does not, I feel Republicans, the primary election process and the people will have been cheated.

D. DAVID EISENHOWER II.

NEW YORK, *June 14, 1968.*

GEORGE A. LAMONDE, PHILADELPHIA PUBLISHER, CITED FOR SERVICE

HON. RICHARD S. SCHWEIKER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. SCHWEIKER. Mr. Speaker, I need hardly tell my colleagues of the vitally important role played by community newspapers. Their contributions to a better life for the citizens of our Nation are well known but all too often not paid the recognition they deserve.

It is a distinct pleasure, therefore, for me to note that George A. Lamonde, general manager of the Times Newspapers in Philadelphia, was presented the "Man of the Year" award by the Half-Century Square Club for his outstanding service to the Northeast Community on May 26, 1968. I add to the many which Mr. Lamonde has already received, my personal congratulations for this recognition of his outstanding service.

LONG ISLAND DIOCESE ENDORSES KERNER COMMISSION REPORT

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. WOLFF. Mr. Speaker, as one who has endorsed the recommendations of the President's Commission on Civil Disorders, I, of course, welcome public support for the Commission's report.

The Long Island diocese at its annual convention last week urged that implementation of the Commission's recommendations be undertaken at all levels of government. I welcome this resolution of the Long Island diocese and commend the diocese for exercising sound social judgment and demonstrating responsible concern.

Because this resolution so well sets forth the need for immediate action to help all Americans I wish to include it in the RECORD at this point:

RESOLUTION CONCERNING THE REPORT OF THE NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

Whereas, The President's National Advisory Commission on Civil Disorders stated in its report that "only a commitment to national action on an unprecedented scale can shape a future compatible with the historic ideals of American society," which future will alleviate the conditions of poverty, deprivation and disadvantage among large segments of our people; and

Whereas, The Commission has made recommendations to carry out this commitment, including the following:

(a) creation of two million new jobs over the next three years—550,000 within the first year, half in the public and half in the private sector;

(b) on-the-job training by both public and private employers "with reimbursement to private employers for the extra costs of training the hard-core employed";

(c) sharply increased efforts to eliminate the de facto segregation in our schools through substantial Federal aid;

(d) efforts to improve schools serving disadvantaged children through substantial Federal funding for year-round compensatory education programs;

(e) establishment of uniform national standards "at least as high as the annual poverty level" (now $3,335.00 for an urban family of four), with the government assuming "at least 90% of total payments";

(f) a national system of income supplements, in order to provide a minimum standard of decent living;

(g) steps to give low and moderate income families "within the next five years, six million new and existing units of decent housing, beginning with 600,000 units in the next year"; and

Whereas, Federal, State and local revenue systems must be brought up to date in order to provide the resources to pay for these massive and vital needs; now, therefore,

Be it resolved, That this One Hundred and First Convention of The Diocese of Long Island, meeting in Garden City on the twenty-first day of May, nineteen hundred and sixty-eight, urges that:

(1) Federal, State and Local governments push ahead with existing programs and start new programs and implement the recommendations The President's National Advisory Commission on Civil Disorders, in the fields of jobs, education, health, welfare, housing and community response to the needs, and that such governmental actions be considered urgent;

(2) Concurrent with such actions, a complete review and coordinated reform of Federal, State and Local taxing systems should be undertaken in order to eliminate loopholes and inequities and otherwise create the modern machinery to pay for the nation's growing needs; and

Be it further resolved, That the Commission on Political and Social Issues of The Diocese of Long Island, urges every member of this Convention, Clergy and Lay people, to involve themselves in the promotion of action to bring all people within our Diocese, Church and non-Church, to a realization of the urgent need for personal involvement in the effort to overcome the deplorable conditions set forth in The President's report, and such involvement presupposes the utilization of the existing structure within and without the Diocesan community, and the creation of new structures, many of which will be ecumenical in nature, to implement the action of The President's report; and

Be it further resolved, That The Diocesan Council of The Diocese of Long Island follow up this Resolution of the Convention by keeping itself informed through its appropriate Departments or Committees, on the status of specific measures and programs to carry out the recommendations of The President's National Advisory Commission on Civil Disorders, and by endorsing such measures and programs and requesting the governmental officials or bodies concerned, to approve and act upon such measures; and

Be it further resolved, That copies of this Resolution be sent to The President of the United States, The Governor of the State of New York, The Mayor of New York City, the County Executives and Chairmen of the Board of Supervisors of Nassau and Suffolk Counties, and to Members of Congress and of the New York State Legislature from districts within The Diocese of Long Island.

A THANK YOU TO THE CONGRESS

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, Thomas Lintner, of Chilton, Wis., has been awarded an educational opportunity grant. Tom has asked me to pass on his thanks to the Members of this great body and for the information of my colleagues I include as part of my remarks his letter to me. I am proud of Tom Lintner's record of achievement and know he will use wisely this grant in his pursuit of knowledge.

CHILTON, WIS.

Congressman WILLIAM STEIGER,
Wisconsin Sixth Congressional District, House Office Building, Washington, D.C.

DEAR CONGRESSMAN STEIGER: I wish to thank the Federal Government for awarding me an Educational Opportunity Grant. This grant will allow me to go to the University of Wisconsin, Madison, this fall.

I hope you will convey my feeling of gratitude to your colleagues in the House and that the government will continue the policy of granting money to students in quest of higher education.

Thank you.

Sincerely,

THOMAS LINTNER.

JOHN SCOTT'S 25TH ANNIVERSARY AS A NEWSCASTER

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. KUPFERMAN. Mr. Speaker, my constituent, John Scott, the outstanding newscaster in the New York metropolitan area, tomorrow celebrates his 25th anniversary with WOR radio and WOR-TV.

As a relatively young man, Mr. Scott started in broadcasting with WOR in my district and soon developed the top-rated news and talk program, which is the "talk" of New York in more ways than one.

A recent issue of the Browning School newspaper, the Grytte, in my district, has a concise biography of John Scott in connection with his speech at their 79th senior class commencement, which gives some of his background.

One aspect which ought to be emphasized is the large amount of community work in which he takes part, not the least being his appearance at the Browning School.

I am pleased to have the opportunity of joining many people in broadcasting and the listening public, of which I am one, acknowledging this important anniversary and a great record of public service.

The article from the Browning School newspaper follows:

SEVENTY-NINTH SENIOR CLASS TO GRADUATE TODAY; MR. JOHN SCOTT SPEAKER

John Scott, journalist, lecturer, and author, has for 25 years been a news caster for WOR Radio and WOR-TV. Scott, a native of Trenton, New Jersey, is a graduate in Journalism of Kent State University. For a time he was Professor of Reportage and Speech at the famous "School of Radio and Television Technique", Radio City, New York.

For many years, Scott followed his career wherever the news led him. He has covered the New York City beat from police stations and the morgue, to civil rights demonstrations, peace marches, graveyard and garbage strikes, to air crashes and ship sinkings. Scott has narrated, produced and directed network television and radio documentaries on crime, medicine, space, politics, and international affairs. Still active with his on-the-spot reports, Scott's lucid comments explained the complicated student demonstrations and police actions at the campus of Columbia University.

His work has even taken him overseas. Scott has reported on Berlin—the Divided City, international conferences at Geneva and Lausanne. His international datelines range from Paris and Rome to Rejkavik and Mexico City.

John Scott is the anchor-man of WOR's top-rated afternoon all-talk news program, "Radio New York," which is heard from 4:15 to 6 P.M., Monday thru Friday. He is also heard daily on the 2 P.M. "News of the World." Fascinated by politics, Scott moderates Channel 9's "New Jersey Report" program, seen each Sunday morning at 9:30.

He is the holder of the coveted "All America Award" for Journalism in the year 1960 and is the author of the best-selling anthology of poetry, "Treasured Volume."

Scott is highly regarded in philatelic circles and his nature studies have won him recognition in the photographic world. A member of the Overseas Press Club of New York, he is also a member of the Board of Trustees of Brotherhood-in-Action.

John Scott is active in religious and civic affairs in New York and lives as he works, in the heart of Manhattan. He is married to the former Edythe Gersten of New York and Simsbury, Connecticut and has two children: 18 year old Lawrence and 12 year old Amelia. He has one brother, who is Deputy Attorney-General of the State of New Jersey.

CHRYSLER AIDS GHETTO JOBLESS

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. NEDZI. Mr. Speaker, the Chrysler Corp., of Detroit, Mich., has undertaken a program of training hard-core unemployed. It has discovered that training these people is more difficult than anticipated, but there have been successes.

In a recent talk in Detroit, Chrysler president, Virgil E. Boyd, said:

> We found that many of these people had no social security number and had never been counted in a census, had never registered to vote or belonged to an organization of any kind. In most of the accepted senses, they really didn't even exist.

He added:

> Yet, the first group was ready for work after eight weeks of training and, out of 44 placed on jobs, only one quit.

The corporation trained as "hard core" not those who were without steady jobs but those who were unemployable, that is, not equipped for any job.

The program has had some hits as well as errors. Results are difficult to achieve but the thing that is commendable and essential is that the effort is being made.

An interesting article on one small success appeared in the Sunday, June 16 issue of the Washington Post. Under leave to extend my remarks, the article follows:

CHRYSLER AIDS GHETTO JOBLESS

(By Robert C. Maynard)

DETROIT, June 15.—On the streets where they rioted here last summer, Alan Jackson is called a "tough dude." At the age of 37, he had spent nine years behind bars, mostly for armed robbery. One entire year was in isolation cells.

And Alan Jackson was not much for book learning. Raised in northwest Michigan's poverty-stricken Baldwin area, Jackson's reading and mathematics levels never reached second grade.

All indications were that Alan Jackson,

which is not his real name, was born a loser, would remain a loser and die a loser. It looked that way last summer and this winter.

COMPANIES OFFER JOBS

After the convulsive rioting here last July, the big auto companies went into the inner city and opened employment offices, offering a job to anyone who walked in and asked. Many came and some were employed.

But it soon became obvious to firms like Ford, General Motors and Chrysler that there was a man they could not reach, a man with too little intelligence to sign his name, to find his way to the factory gate, and even to know that it was time to go to work.

Chrysler President Virgil E. Boyd, in a talk here to a group of executives, put it this way:

". . . We found that many of them had no Social Security number or had never been counted in a census, or registered to vote or belonged to any organization of any kind. In most of the accepted senses, they really didn't even exist."

PROGRAM IS BEGUN

Chrysler, with $1.7 million from the Department of Labor, embarked on a program three months ago "to find out what was really wrong," as Boyd put it, with the so-called hard-core unemployed. They began with a group of 125.

What the company found, Boyd said, was that:

"These people had been pushed into the backwaters of our society and can't read simple words such as 'in' and 'out' signs on a door."

Once Chrysler became involved, Boyd said, "Our people began to re-examine the facts and they became as much learners as teachers."

Chuck Spieser, the former heavyweight boxer and a graduate of Michigan State University who is employed as a counselor in the Chrysler program, is one of those who became a learner and a teacher. He counseled Alan Jackson.

"It took a hell of a lot of time to break through," Spieser said. But he began to learn of some of the abuse with which Jackson had lived all of his life. Spieser pitched in to fight off the oppressive terms of a salary judgment against Jackson and in other ways began helping Jackson to make his way through the maze of the Chrysler plant.

Today, Alan Jackson earns $3.25 an hour in the Dodge Truck Division of Chrysler. He has responsibility for a small materials handling area and he is the pride of his bosses.

There are other stories here that parallel those of Alan Jackson, stories that are beginning to suggest to Chrysler and to other industries that the so-called hard core are not only trainable, but make able employes.

A point was reached, says Boyd, where "some of our established competent people began to revise those things they knew to be true. They changed their thinking because once those hard-core people knew how and why to come to work, their attendance and tardiness record was 500 per cent better than the average of all our our employees." In all, 750 persons will go through special training programs at Chrysler this year and the firm is about to embark on a new program that will bring in a pool of 2000 more.

ESTIMATE OF JOBLESS

Detroit Mayor Jerome P. Cavanagh, who estimated last July's level of unemployment among inner-city youths at 30 per cent, said he believes that programs such as the Chrysler one have reduced unemployment, but he said he had no figures.

Wayne E. Grimm, the director of Chrysler Institute, has moved 50 people from the starting group of 125 into jobs at Chrysler's in a little more than three months. So far, he has lost 14 people. Seven washed out for being unresponsive to training or discipline. Seven left Chrysler's training program and found other jobs.

The other big auto firms here are also moving into the hard-core program, under the National Alliance of Businessmen initiated by Henry Ford II.

There are indications in Detroit that big business in general is getting a message from the experience of the Chrysler program.

LOT OF HAND HOLDING

One executive of a competing auto firm, chatting off the record, said the Chrysler program demands "a lot of hand holding" of the poor.

He looked down into his drink for a long minute and then added, "But, maybe considering what we did in the past it's about time to hold hands."

The way in which Chrysler's program has "held hands" has included such basic classroom work with computers and a class ratio of 12 students to one teacher; counseling on everything from legal problems to where to find eye glasses and dentures and—most of all—what Boyd called a "commitment" on the part of Chrysler to make the program work.

Chrysler people are candid in admitting that all of the activity, all of this change of attitude at the management level, is a consequence of last July's costly and bloody Negro uprising. "If we can help it," one executive said, "the past is not going to prologue in Detroit."

HAMPTON COUNTY DEDICATES WATERMELON FESTIVAL TO U.S. FORCES IN VIETNAM

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. RIVERS. Mr. Speaker, on last Saturday, June 22, the annual watermelon festival in Hampton, S.C., was dedicated to our forces in Vietnam. Mr. Speaker, this was an inspiring event. Gov. Buford Ellington of Tennessee delivered the main address. The largest crowd ever to attend the watermelon festival was present. The Jaycees of Hampton County, the sponsor of this event, by resolution dedicated this festival to our military forces in Southeast Asia.

As chairman of the Armed Services Committee, I was presented the resolution attesting to this dedication. I promised the assembled throng that I would not only call it to the attention of the Congress of the United States, but to the world, and assured them that it would be called to the attention of the highest echelons of our Government.

Mr. Speaker, I am inserting this in the CONGRESSIONAL RECORD and also sending a copy to the commanding general of our forces in Vietnam, Gen. Creighton Abrams.

RESOLUTION, STATE OF SOUTH CAROLINA, COUNTY OF HAMPTON

Whereas, The United States Armed Forces in Vietnam at the present time total over 500,000 persons; and are presently engaged in open conflict to arrest communist aggression and to promote and protect the rights of free people; and

Whereas, There are located in Vietnam numerous South Carolinians and Hampton Countians fighting on behalf of the United States and the Free World; and

Whereas, Thousands of Americans, hundreds of South Carolinians, and many citizens of Hampton County have died or were seriously wounded in Vietnam; and

Whereas, It is the wish and desire of the Hampton-Varnville Jaycees to express concern, support, and pay tribute to our fallen heroes and those who are still engaged in conflict in Vietnam,

Be it resolved, That the Hampton-Varnville Jaycees, as one means of expressing our admiration and gratitude to those who still fight, and to consecrate the memory of those who have given their lives and limbs on behalf of their country in Vietnam, do dedicate to the United States Armed Forces in Vietnam the 26th Annual Watermelon Festival, to be held June 22, 1968, at Hampton, South Carolina.

HOMER THORNBERRY, A DISTINGUISHED MEMBER OF THE FEDERAL JUDICIARY

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. BROOKS. Mr. Speaker, the President has made an outstanding appointment in naming Judge Homer Thornberry to serve on the U.S. Supreme Court. I had the pleasure of serving with Judge Thornberry in the House of Representatives and know him to be a man of high integrity and exceptional ability.

His background as a lawyer, Congressman, and Federal judge all combine to make him an excellent choice for this position. Am hopeful that the Senate will confirm his appointment without undue delay.

Judge Thornberry is a lifelong Texan who was born in Austin, January 9, 1909. After attending public schools and the University of Texas, he was graduated from the University of Texas School of Law at the age of 27. Later that year he was admitted to the Texas State bar and commenced the private practice of law with his office in Austin.

His very first venture into politics came when he successfully ran for the Texas House of Representatives in the year following his graduation from law school. He served in this capacity for the next 4 years. He was district attorney of the 53d Judiciary Circuit of Texas from 1941 to his resignation in 1942, to enlist in the U.S. Navy.

While serving with the Navy, on February 24, 1945, he married the lovely Eloise Engle. The following year he was discharged from the Navy as a lieutenant commander. He then returned to his home city of Austin where he was elected to the city council. In that office he served as mayor pro tem in 1947 and 1948.

In 1948, he was elected to the U.S. House of Representatives. He was sworn in as a Member of the 81st Congress on January 3, 1949. Judge Thornberry was subsequently elected to the six succeeding Congresses. During his time in the House of Representatives, he served most ably as a member of the Interstate and Foreign Commerce Committee and later of the Rules Committee. As a Member of Congress, he established a reputation of dedication and outstanding service and enjoyed the highest respect of all his colleagues.

He was appointed by President John F. Kennedy as a U.S. district judge for the western district of Texas in 1963. President Lyndon Johnson, in 1965, chose him to serve as associate judge of the Fifth Circuit Court of Appeals. He is a distinguished member of the Federal judiciary and has taken part in several landmark decisions during his tenure of office.

While a Member of Congress, he also served as director of the Gallaudet College in Washington, D.C., a national institution for the deaf. This renowned institution of higher learning presented him with an honorary degree of doctor of law. This was given in recognition of his and his family's years of service in the field of education for handicapped individuals.

Judge and Mrs. Thornberry presently reside in Austin and have three children, Molly, David, and Kate.

REDWOODS, OR WHEN IS A PARK NOT A PARK

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. COHELAN. Mr. Speaker, the mini may be in for skirt styles, but it certainly is not in for national park styles. And, rightfully, we may expect a large public outcry if the "mini" Redwood Park recommended by the House Interior Subcommittee is approved by the House of Representatives.

The people of this Nation, who ultimately are the protectors of our natural resources, have demanded the protection of virgin timber in a Redwood National Park worthy of its name.

They will not be fooled by the proposal of the House Interior Subcommittee, because calling that proposal a Redwood National Park is like calling a tricycle a motorcycle. It just does not meet the qualifications.

The House Interior Subcommittee recommended a park of only 25,300 acres. The Senate passed a bill last fall authorizing a park of 64,000 acres.

Even this does not tell the full story. Of the 25,300 acres in the House proposal, approximately 18,000 acres are currently in State parks, which must be donated by the State to complete the national park. Thus, only 7,000 additional acres would be protected.

Furthermore, it will be difficult to persuade the State to contribute its fine State parks to such a pathetic Federal effort. That would leave us with only a 7,000-acre national park.

The Senate bill, by way of comparison, authorized the acquisition of 33,000 additional acres, or over four times that recommended by the House subcommittee.

I hope the full Interior Committee will critically review this proposal and restore the Redwood National Park to at least the size authorized by the Senate. Lost Man Creek, Little Lost Man Creek, and Skunk Cabbage Creek drainages, included by the Senate but excluded by the House subcommittee rightfully belong in our Nation's heritage, not to the chain saw.

Already, two leading newspapers have urged the creation of a Redwood National Park larger than that recommended by the Interior Subcommittee. I wish to insert these in the RECORD at this time, and I hope that we will heed the recommendations made in them.

The articles follow:

[From the Washington Post, June 25, 1968]

REDWOODS DECISION

The acquisition of a great national park in California's coastal redwoods may depend upon the voting in a House Interior subcommittee today. Meeting behind closed doors, the subcommittee is trying to agree on a bill that will be sent to the floor, it is hoped for action at this session. If it should approve an inadequate bill, or if its bill should vary too much from the measure passed by the Senate last November, the chance of completing legislative action before adjournment would be jeopardized.

Some rather alarming reports have come out of the subcommittee suggesting that the Senate bill is being stripped to disappointing proportions. This would be a critical error. The magnificent coastal redwoods provide some of the grandest scenery in the United States. The national park designed to save the finest of these trees should rank near the top in our outdoor recreational units. Nothing short of the Senate bill would satisfy the widespread demand for a major conservation effort in the redwoods.

The Senate bill itself was a rather painful compromise. It trimmed out about 17,000 acres of land from the park originally proposed by the Administration in the Mill Creek watershed, but it substantially enlarged the park area to be taken on the slope rising from Redwood and Lost Man Creeks. The combined segments, which would include the tallest known trees and three state parks, would be joined by an attractive strip along the Pacific Coast.

To minimize the impact of this measure on the timber industry, the Senate also voted to trade 14,567 acres of Forest Service land for park quality redwoods. This newspaper is loath to see any Federal forest land pass into private hands, but if this is necessary to secure a first-class Redwood National Park the price is not too high. The frightening thing about reports emerging from the House subcommittee is that they seem to indicate a disposition to abandon this proposed exchange and to trim the size of the proposed park accordingly.

Under the best of circumstances it would be difficult to maintain a small enclave of great trees in the large Redwood Creek area if the remainder of the watershed were stripped of its forest cover. If this segment of the park should be reduced to a mere token, moreover, the basis of the Senate compromise would be destroyed. The row among conservationists over the location of the park would break out again, and the whole project might be lost.

The House subcommittee may have reasons for not following the boundaries precisely as they were approved by the Senate. But it cannot retreat from the concept of a redwood park of truly national scope without grave risk of short-changing future generations.

[From the New York Times, June 26, 1968]

TRUNCATED REDWOODS

This year Congress has an opportunty to establish a minimum-sized Redwoods National Park in California or a mini-minimum park. The second course would be a national tragedy.

Last year the Senate passed a bill to create a 64,000-acre park in Humboldt and Del Norte Counties. It afforded protection to the magnificent redwoods in Mill Creek and Redwood Creek. Although it involved a compromise with the timber companies, the result was a park that would have provided at least a respectable measure of safety for a national treasure.

However, instead of insuring that even this small area would be protected, the Parks and Recreation subcommittee of the House Interior Committee has now chopped down the size of the proposed park to less than half of what the Senate approved. Its bill would authorize a park of only 25,300 acres. And even that is not a valid figure because 18,000 acres represents lands taken from two existing state parks. As against the Senate bill's acquisition of 33,000 acres of private land, the House subcommittee would provide for taking in just 7,300 private acres.

The Sierra Club has rightly branded this truncated park plan "shocking in its disregard for park values" and has warned that it "protects even less acreage than the lumber companies have offered to sell." There is no reason why the state should donate its two parks to complement such a sub-minimal Federal effort. The plain duty of the full House Interior Committee is to undo the damage by reporting out a Redwoods National Park as big, or bigger, than the Senate bill insures. Anything less is sabotage of the entire project, a craven capitulation to the lumber interests.

COMMUNITY LEADER SPEAKS ON URBAN CRISIS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to call to the attention of my colleagues and the American people the fine address, "The Urban Crisis—A Challenge to the Establishment," delivered at the 10th anniversary luncheon of the Health and Welfare Association of Allegheny County on June 7, 1968, in Pittsburgh, Pa., by Mr. Joseph G. Smith.

Mr. Smith is vice president for international purchases and traffic of the Pittsburgh Steel Co. He has long been active in community affairs, as well as many business organizations.

At present he serves as chairman of the board of directors of the Health and Welfare Association of Allegheny County and as chairman of the board of trustees of Mount Mercy College in Pittsburgh. He is a member of the board of directors of the Allegheny Conference on Community Development and also a member of the board of the Pittsburgh Hospital.

We in Allegheny County are certainly proud of his continued and active interest in social and civic affairs, and I am glad to insert his address in the CONGRESSIONAL RECORD at this time:

THE URBAN CRISIS—A CHALLENGE TO THE ESTABLISHMENT

(By Joseph G. Smith, vice president, international purchases and traffic, Pittsburgh Steel Co., and chairman, board of directors, Health and Welfare Association of Allegheny County, at the 10th anniversary luncheon of the Health and Welfare Association, June 7, 1968)

There is a general malaise among peoples everywhere today. A crisis has erupted in widely divergent social systems. It's present here and in the Soviet Union. It's in Britain and Poland, Czechoslovakia and Spain, Italy and Germany. It's in full bloom in France. It's in free and wealthy countries of the West and totalitarian and poor countries of the East.

Truly we are in the midst of an urban crisis, perhaps the most divisive internal problem that we have faced since the Civil War. It is a crisis which is being played out on the streets of our cities, and in many communities throughout the country. The consensus is that it will become worse before it gets better.

There are two facts which help pin-point the crisis as primarily urban. "The new medium of communication—television—is carrying the excesses of life, the violence and the disasters right into our living rooms. Visual presentation of events lives on motion and emotion much more than a written report which conveys both horror and reason. Vision highlights action—the printed word induces reflection. To catch the eye is something else than to catch the mind."

Secondly, life in a big city contributes to this malaise. Our cities are over-crowded—people live closer together than in times past, but in reality farther apart. The daily diet of tranquilizers testifies to strained nerves caused by noise, poor air, dense traffic, long commuting, and monotony of production. Even the campus is overcrowded and the relation between teacher and student has become anonymous.

These are general symptoms of the problems of the day. But when we reflect that the crisis is more deeply rooted in human welfare problems—poverty and economic insecurity, inadequate education and training, unemployment and underemployment, poor housing, poor health and discrimination against minorities—then you begin to get a feel of the reason for the rebellion in our cities. These problems all relate to one another and have more than casual relationships to his great crisis of our time. The impersonal character of the city adds to the crisis. For many people the Vietnam War is thousands of miles away; the riots and disorders are on the other side of the town. We know that both exist, but don't feel them.

"A demcralized people", Walter Lippmann wrote in 1932 at the height of the economic depression, "is one in which the individual has become isolated. He trusts in nobody and nothing, not even himself. He believes nothing, except the worst of everybody and everything. He sees only confusion in himself and conspiracies in other men. That is panic. That is disintegration. That is what comes when in some sudden emergency of their lives men find themselves unsupported by clear convictions that transcend their immediate and personal desires." Of the greatest importance today is the feeling that the political system for dealing with these problems has broken down. Some people are now asking themselves whether our system of government can or will survive. Their comments stem from a sense of forlornness in the face of overwhelming power of the established modes and institutions of society—in the mass society of the cities particularly. No one who really is honestly objective in an analysis of the situation dare deny the fact of an urban crisis.

For a moment now let's ask ourselves a question or two about the establishment and the challenge it faces. What is the establishment? In the general sense it can be society—that enduring moral union of two or more persons for a common good attainable through cooperative activity. Society may take many forms—the family is a society. The State is a society formed by man's consent because man has the natural qualities which fit him to live in bonds of union with other men and which morally necessitate him to cooperate with others for the attainment of some common good. Civil society has two essential purposes: the security of its members in the possession of their personal and family rights and liberties, and the affording in justice of opportunities socially necessary for the temporal prosperity of its members. Civil society must operate within the framework of certain minimal rules and regulations. Civil society must always have before it the goal of justice. The major burden of such a society must always be the preservation of an exact balance between power and liberty; an excess of power means tyranny and an excess of liberty means anarchy. To secure such conditions which make for man's best development we have government which in a broad sense can be called an "establishment." Without it society cannot operate.

These facts, however, are in jeopardy today. The rebels of society strongly motivated by nihilist and anarchistic tendencies, by ideas of absolute freedom, would seek his end by the destruction of the existing order. His constant cry is that the authority must be overthrown.

Ultimately the rebels must understand that what they seek to achieve cannot be gained by those methods and we at the same time cannot ignore the fact of the rebels and the reasons which motivate them. If their bizarre trappings are stripped off and their basic yearning is expressed in simple words it is the desire for more justice, more individual liberty and less central authority. This is the age-old cry of man in his struggle to achieve his own place in the sun; his own degree of freedom in the framework of orderly society. The big question of the day is whether these wishes can be filled in a modern industrial society that is loaded with heavy burdens of social and national security. Can diffusion of authority and freedom from obligations go along with the discipline and contribution required by mass society? When you add the very real question for many—is there really freedom of opportunity?—you have the dilemma which constitutes the challenge to the establishment if by that term we speak of the ruling organization in civil society chosen and preserved by its members.

Civil society does face a challenge. What are we to do about it? Part of the answer lies in remembering the philosophy which made this country and has sustained it. We ought to focus not only on the individual good nor on the collective good, but on a third good which we here in this country know as the *common* good. It's wider than that of the individual; warmer than that of the collectivity; it has richly personal elements but at the same time it's public in nature; it's more humane than the good of the State and more generous than the good of the mere individual. It's both personal and public, yet not merely individual or political. It is imperative that society in general relearn this philosophical principle and again apply its precepts to the solution of today's problems.

There is another "Establishment" which is challenged today. It's something much more local to a specific situation or problem. It's the people who execute things in a given locality such as Pittsburgh or Allegheny County. It's easier to define it by stating what it is not. It's not a monolithic structure controlled by a handful of people, nor is it some ill-defined "power structure" that is supposed to exist but actually doesn't. I believe that to talk of this kind of an "Establishment" is an intellectual temptation—as if there were a system—a single coherent, rigidly structured, deliberately contrived and rigorously directed system. This talk is a form of intellectual laziness which makes for infinite talk, but since it underestimates the complexities of the problem and the incoherence of the so-called system, cannot result in effective action.

We—you and I—all of us are the system—the establishment. It's people just as surely as society in general is people. It's all the people in a community, but at the same time it's specific people. It's those people who think in terms of the common good. It's the heritage of the past and the hope of the future. Like the common good itself, it's common to many and is therefore public; it's perfective of the individual and therefore personal. It's the individual who moves out of himself to share things with the general community and it's the general community itself putting it's resources at the service of the things closest to the personality of the individual. Even more specifically it is those persons in decision-making positions in the community; in business; industry; government; education; social services and in health and welfare. If there really is an "establishment" it is all the citizens of this society working toegther for the common good.

This "Establishment" faces the Urban crisis and its challenge because it is urban itself. Put another way the "Establishment" is labor *plus* management; tradesman *plus* intellectuals; government *plus* the citizen; black *plus* white rather than the opposition of each of these groups to each other. The "Establishment" then is the distillation at any given moment of man's judgments of the institutions he wants and the philosophy behind them and the structure and the rules by and through which they operate. The establishment gives to our society here today and for the future the stability which it needs to operate. Essentially the establishment is you and me individually but at the same time collectively exercising our own peculiar talent and personality on the needs of the community in the interest of the *common good.*

The establishment that will be the most viable is the one which can provide adaptability with stability. Can we avoid or oversimplify the violence in the streets or in the hearts of men? Can we ignore any longer the challenge to conscience which exists? Can we put off that confrontation with social and moral evil that calls for systematic and persevering action programs? From our own selfish point of view we can't. It's a history tested principle that those who obstruct peaceful revolution provoke violent revolution.

More particularly at this Tenth Anniversary Meeting of the Health and Welfare Association of Allegheny County, we concern ourselves with one aspect of the establishment, namely, its health and social welfare system. This is a large and complex system. In Allegheny County the annual expenditures amount to approximately $275,000,000 and nationally it is a multi-billion dollar enterprise. Despite these efforts, our country—our community—is troubled by massive and all but overwhelming social problems: Poverty, economic insecurity, poor housing, poor health, inadequate education and training, unemployment and underemployment, racial discrimination.

So, questions are raised about the role, relevancy, the effectiveness of the established institutions.

Why, has slum housing continued as a major problem in spite of housing codes, public housing and urban renewal programs?

Why, does public assistance appear to perpetuate and institutionalize poverty rather than relieve it?

Why are youth-serving agencies not meeting the needs of many of our young people?

Are we listening to the new voices being raised to the new demands being made? Are we aware that there are sharp differences of opinion on the effectiveness and validity of various types of welfare services?

This criticism and restiveness of the established institutions comes not only from the consumer but from friends and research scholars as well.

The National Assembly for Social Policy and Development observed that "Clearly our social inventiveness has failed to come to grips with the root causes of our problems."

The challenge then for the established health and social welfare institutions is how to stay relevant to changing needs, how to improve their impact and effectiveness, how to speed the pace of change.

What can the health and social welfare establishment do about it? I submit these few guidelines for charting a future course:

Increase the awareness—understanding—commitment toward welfare problems and goals.

Is the core of our urban crisis the attitude and behavior of all of us in relation to other human beings?

After all aren't attitudes and behavior based upon a true awareness and understanding of human welfare problems.

For some reason, past studies and reports, past publicity, past warning signals about human welfare needs and problems did not get through, did not have a sufficient impact. For example, previous riot reports alerted us to the problems. Studies by our own Health and Welfare Association have indicated our deficiencies.

William Graham, President of Baxter Laboratories, Inc., and President of the Chicago Community Fund, said: "Many business men were surprised and shocked to learn that despite the fact millions of dollars were spent annually, our communities still had such massive social problems."

William Day, President of Michigan Bell Telephone, after visiting the riot areas of Detroit, said, "Absolutely terrifying—no wonder people riot."

This is the opinion of an astute businessman who has been a civic leader for years and yet expresses surprise at the condition of urban life that has existed for years.

Therefore, the first business at hand is to become truly *aware* of the problem:

Aware of the discrimination and racism that exists.

Aware of the poverty and hostility that exists in the ghetto communities.

Aware of the inadequacy of income, housing, education, social services, unemployment and underemployment.

Aware of the indignities that every black man and especially the poor suffer in our community.

By awareness let me make it clear that I mean understanding—real understanding—not the knowledge we have slammed home by the fact of a riot.

Every individual in the community must listen not only to voices, but man's heart. Listening to a man's heart means understand much that is not contained in words. Listening to a man's heart means that we sense what he cannot voice—to be open to his ideas, his dreams and his aspirations.

With such an awareness and understanding, a commitment of resources—its leadership, energies and money—should follow, along with a deeper commitment by individuals who are concerned.

INVOLVE THE CONSUMER

Health and social welfare agencies have always placed emphasis on citizens participation and involvement. The story of welfare work has been the story of a group of citizens who saw some need that should be met or some injustice that should be corrected. They organized to do something about it. And it grew, developed, and exerted influence in proportion to the strength and vitality of its citizen leaders and participants.

This is still true. But today there is emphasis on a new dimension in citizen participation, namely, the involvement of the consumer in planning, policy-making and the administration of programs involving or affecting them.

This dimension needs attention and development. We need new styles for working with and involving consumers and neighborhood groups. We should develop greater trust in each other than currently exists; we must develop programs and services more relevant to the needs of people. These new styles must move away from social agency paternalism; must respond to the needs of the consumer rather than encouraging the consumer to respond to the agencies' programs.

INCREASE CONCERN FOR SOCIAL VALUES AND COMMUNITY SOCIAL POLICY

There must be more concern with the social values which ultimately determine the size and nature of our health and welfare programs.

The established institutions must not just be agencies through which therapy is provided. They should be the social conscience of the community. They should be concerned with our programs of public welfare. Juvenile Courts, County Child Welfare, Mental Health and Mental Retardation, Public Health, Discrimination, Housing, Public Recreation.

The agencies are working in this human welfare laboratory where they can observe what different social changes do to people and what services are needed. The Citizens on the Boards and Committees of the agencies are in a different position from many other citizens and, therefore, must be a vital force in the improvement of human welfare programs. They should be the informed and constructive critics bearing witness to needed changes in community social programs—setting social goals toward which the community should move; designing measures to cope with our social problems, mobilizing citizen involvement and support to reach those goals.

TRY NEW APPROACHES

The answer to meeting the challenges of the urban crisis is not just to provide more of the same services. Such an approach is based upon the assumption that all that is necessary is to extend more current services to more people in more places and it will solve our problems. Not all problems come under this heading for there are many good programs but others are justifiably under criticism because they have failed to demonstrate that what they are doing is adequately coping with our problems.

We need new approaches in providing public assistance to people with no income or inadequate income, in providing adequate housing, in meeting the needs of youth, in reaching those people who have not come to the established institutions for services, or whom the established institutions have been unsuccessful in holding.

Those fragmented, piece-meal, and uncoordinated approaches of the past must be replaced with programs that have cohesiveness, and are both comprehensive and have continuity. We need to think in terms of systems of service rather than in terms of individual agencies.

We need to work more with the new indigenous groups that are emerging in our neighborhoods.

We need new approaches in the use of our very short supply of professional manpower.

We need new approaches in our funding patterns to provide greater freedom in the use of voluntary dollars, more venture money to experiment and demonstrate with new ideas.

We must re-examine the use of the more limited voluntary funds in relation to the vast public funds and their use from the point of view of the common good as well as public acceptance.

Our voluntary funding philosophy must be approached more from the point of view of meeting community needs than just federating campaigns.

REASSESS PRIORITIES

All of us must reassess our priorities—all priorities in the health and welfare field.

We must give a higher priority to the difficult, pressing human welfare problems of concern to the urban community.

The chronic, complicated problems found in the deteriorated areas.

The problems of relocation and readjustment created or brought to light when the bulldozer knocks down the slum housing or makes way for a highway program.

The problems of furthering equal opportunity for people to obtain an adequate education, a job commensurate with their ability, a decent home. These are the problems that concern the city planners, the educators, the urban redevelopers, government officials, the business community (e.g. National Alliance of Businessmen) and most important, the neighborhoods and the people affected—the establishment.

More money alone will not do the job since available funds (and sometimes available manpower) will perhaps always fall short of our desires. It's basically a matter of allocating scarce resources. So, it becomes a matter of priorities, a matter of decision of what problems will receive our attention.

This is never an easy task. It might be facilitated, however, if the Board of every health and welfare organization undertook a continual reassessment of its own organization and the field of which it is a part.

Board members cannot look on their job as gentlemanly avocations which they can pursue quietly. The job is performed in a real world—a highly contentious world; a world where people take sides. It's a world not free of name-calling, but it's a world where tough problems can be solved when attacked cooperatively by intelligent and courageous men and women of integrity and good will who want to do more than just score points.

We need to look at the changes in our community and the problems they are creating or uncovering, and listen to the requests for help in coping with them and then decide what shifts in program emphasis, program priorities should be made.

Everyone in the community must examine his priorities. How much more time, effort and intelligent talent can we give if we are convinced that the health and welfare field is one which has top priority in relation to the urban crisis.

IMPROVED MANAGEMENT

The problem of allocation of scarce resources brings into focus the need to improve the management of the health and welfare system. The role of management has been underemphasized in community social planning. We accept much of what we are doing on faith; we do not have the profit control to help gauge and guide our program efforts. However, the rapid expansion of the health and welfare enterprise, the growth in the number of agencies, the questions being raised about the relevancy and effectiveness of the traditional agencies in relation to the urban crises—have all highlighted the need to improve the management aspect of the welfare system.

Roy R. Epperts, Chairman of the Board of Burroughs Corporation until 1968 and long active in health and welfare activities, stated: "The not-for-profit health system is going to be called to account and it must be able to respond promptly and adequately—so don't stand by idly and wait for developments, but take the initiative to determine what can be done better than we are doing now."

There must be increased concern with the developments of instruments and methods to improve operation, to measure our effectiveness, and to guide the allocation of our resources.

This is why it is essential for agencies to convert to a functional budgeting system, to develop more precise service accounting, to develop instruments and a system for the periodic review of their activities, and to evaluate their accomplishments, efficiency, and effectiveness, to develop an information system or planning program and budgeting system which will help the health and welfare system better allocate its resources and set its priorities.

ENCOURAGE CHANGE

Perhaps all of the previous suggestions to become more responsive, more relevant to the urban crises, have as their basis a willingness to change. Change is difficult for the establishment because essentially the purpose of an established organization—be it business or welfare—is to maintain a degree of order and conformity in order to get a particular job done. An establishment creates a certain amount of inflexibility necessary to get a job done. Creativity, innovation, and change disturb the routine.

Yet an organization must change. The measure of its vitality today will be determined largely by its ability to change and how it handles change. Change is the order of the day and the pace of change is much more rapid and radical and revolutionary than ever before.

The timely and difficult question we must ask ourselves is how much have our established programs changed—and if they haven't—how much should they change?

A phrase one frequently hears which raises a question about our intention to change is: "If we only had more money and staff." This implies that we don't intend to carve the new out of the old.

The times require that the establishment be *future-oriented*; that it makes a conscious effort to anticipate and guide change.

Don't think in terms of the community of the past, but of the community of tomorrow and make certain that we are relevant to it.

CONCLUSION

The sobering developments of the past few months in this community clearly challenge all of us—the establishment and those who are critical of the establishment—all who live and work in the community—all of us—black, white, rich, poor, big, little, effective, ineffective are caught up in this urban crisis. If we be the establishment then let's face the challenge and solve it. We had better do so for I believe that riots and violence per se are not nearly the problem that the backlash to violence may become. The goal of containing riots must not take precedence over the goal of continuing progress.

We are challenged to build a sound economic and social structure which provides respect for differences and freedom of opportunity for all.

We are challenged to develop goals accepted by all and for which we can all work together to achieve.

We are challenged to bring reason again to a world where feeling and the "gut reaction" are more prized and more persuasive than analysis. If this challenge seems hard to handle, still it can be met and solved by the reflective, rational man, burning with passion and anger but applying his mind and rational soul to the problems of the community in which we live.

If this challenge seems too impractical, too idealistic—if it seems unachievable—let us remember that only 25 years ago Pittsburgh had a very bleak future. Some believed it was on the verge of collapse. Our industrial base had eroded away, skilled workmen were not available, each year the rivers took their million dollars in toll, the city was coated with grime and filth. The future seemed nonexistent.

But a few men of vision by working together, by laying aside their deep-rooted suspicion and distrust of one another, performed a miracle. We call it the Pittsburgh Renaissance. It was a *Physical Renaissance.*

Now we need a Social Renaissance. It must be equally well planned, equally extensive, equally tough, and equally followed through.

This is not the time for isolated unrelated competitive efforts. This is not the time for small factions of people to try to deal with the task.

Pittsburgh and Allegheny County need a total commitment, an unswerving priority, a *coalition* of all its forces if it is to succeed.

WHAT'S RIGHT WITH AMERICA

HON. JACK BROOKS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. BROOKS. Mr. Speaker, it is apparently quite popular in some circles to criticize and, in some instances, even disparage our country's accomplishments. Because of this heavy accent on the negative, foreign observers and, in fact, some of our own citizens—if they do not take the time to put these matters in the proper perspective—could well develop a harmful opinion on what the United States stands for, what it has done, and what it is attempting to do.

This Sunday, June 23, 1968, Roscoe Drummond, in his article entitled, "It's Time to Concentrate on the Good That Is Being Done in America," sets forth the case for what is right with our society. In this, he proves a most able advocate.

As he points out, "the record is impressive." He cites our many accomplishments in the field of education, racial justice, health, unemployment, domestic progress, and assistance to our less fortunate neighbors throughout the world.

I feel that his column would be worthwhile reading for all of my colleagues, both Democratic and Republican. While as a Democrat I take particular pride in the accomplishments of the Johnson and Kennedy administrations, the progress we have made in our country cannot be attributed solely to any one party or group of individuals. It is rather a credit to America and all Americans.

The text of the article follows:

IT'S TIME TO CONCENTRATE ON THE GOOD THAT'S BEING DONE IN AMERICA

(By Roscoe Drummond)

Hasn't the time come to speak up for what's right with America and not center so much on what's wrong?

We think so, and our purpose is not to stop reform but to accelerate it. Our purpose is to give those who are understandably frustrated the evidence of things to come and a will to utilize our democracy, not to destroy it in despair.

The record is impressive. It shows that our society and our way of governing is sufficiently animate, vital, and productive to warrant the conclusion: don't wreck it, use it.

Take the record on racial justice:

More wrongs have been righted and more things that are just have been achieved in the past decade and a half than were accomplished over the 90 years from the end of the Civil War to 1954. That was the year of the milestone Supreme Court decision which began to lay the legal basis in America for complete racial justice and equality of opportunity.

Since then every aim of the Federal government—the courts, the Congress, and three Presidents—have acted to see that the Constitutional writ of equality under the law runs to the boundaries of the nation.

Except for hard pockets of delay, public places are open on an equal basis, the vote is assured, and Negroes, with white help and white assent, are electing Negroes to posts of high governing authority.

In the last four years the Federal government has invested twice as much in education as it invested in the previous century.

The Federal government is devoting three times more resources to health programs this year than it did in 1964.

Job-training programs are being greatly expanded. The war on poverty is just beginning to pay significant dividends. Together business and government are committed to reducing hard-core unemployed by 500,000 by 1971.

The best tribute to the late Rev. Martin Luther King Jr., took only four words. "The ayes have it," said the Speaker of the House of Representatives, and the Civil Rights Act of 1968, striking down racial barriers in about 80 percent of the nation's housing and providing other protections, became law.

There is a Justice on the Supreme Court who is black. There is a member of the President's Cabinet who is black. Negroes are moving steadily into the middle classes and in rising numbers are going to college.

Howard K. Smith, the TV commentator, does not overstate it when he says: "The era of Martin Luther King has made ultimate triumph inevitable. Negro impatience may obscure it, but in fact tremendous forces are at work and cannot be stopped."

Not enough, many will cry. And they are right. But it provides the evidence of things to come. It proves that American democratic institutions have been productively at work to begin to remove the blight of racial discrimination.

We submit that it is dangerous to overlook what is going right because the first ingredient of success in dissolving the mood of violence in the nation and in accelerating racial justice is faith that it can be done.

If too many Americans do not believe that our society can serve its goal, if they don't see that American democratic institutions are productively at work removing the blight of social and racial ills, if they don't understand that revolution-by-ballot is the best and workable way to do what needs to be done, then we risk leaving the field to revolution-by-violence. The end of that road is calamity and the beginning of authoritarian government.

STUDENT POWER

The truth is that the American system is animate, vital, and responsive and one of the best ways of making it more so is to realize What's Right with America, not just what's wrong.

There are some doubters who suggest that the nation's youth has lost its way. There are signs that some have. Students are resorting to violence, trying to escape the draft and to elevate obscenity to a moral cult.

These things are happening, but the truth is that the students who are more interested in smelling flowers and smoking marijuana are a minute minority of American youth.

Are the young alienated over politics? Far from it. They are using the political process to give dedicated assistance to Senator McCarthy and Vice President Humphrey.

Alienated over the war? Far from it. The desertion rate of American GIs in South Vietnam is less than it was in Korea and 50 percent less than in World War II.

I believe we have today a most committed and compassionate younger generation. At one time in college the big deal was swallowing goldfish; today it is questioning moral values. That's good.

How good? One answer is that more than 300,000 college students are today voluntarily helping the disadvantaged throughout the United States

And what about the way the U.S. has managed its economy in recent years? Obviously all is not well with the dollar, with the imbalance of payments and inflation.

But on any comparative basis we have managed our economic affairs with skill and wisdom for the most part. None of the bleak predictions that large-scale unemployment would follow the end of World War II and that depression would be on us in the '40s, or the '50s, or '60s, have come true; all have proved wrong.

Today the American free-enterprise economy is the most productive in the world with the highest gross national product, the largest per capita income. We have the highest employment and the lowest percentage of unemployment in the nation's history. And the longest period of sustained economic growth.

One of the reasons is that under the advocacy of President Kennedy, the leadership of President Johnson, and the support of most business leaders, Congress had the wisdom to cut taxes despite an unbalanced budget in order to give impetus to the economy when it was needed.

And now, when it is vital to restrain an over-booming economy, Congress is finally enacting, however tardily, a 10 percent tax increase and trimming the Federal budget.

The way this democracy of our has dealt with the perilous issues of war and peace, there can be only one report: the record is one of outstanding and creative success.

WAR OR PEACE

In measuring What's Right with America in the role the U.S. has played from 1941 to 1968, we submit that so much has been right that there is no reason for defeatism or apology.

Too many people accept the idea these days that the U.S. bungles just about everything it attempts in foreign policy. It does not.

We are not suggesting that everything is well in this world. It isn't. But everything has not gone wrong by any means and we ought not to forget how much has gone right during all the years we have been acting to protect our own freedom by helping others to protect theirs.

Here are the facts:

1—More than anything else, the American Lend-Lease Act of 1941 wisely put needed weapons into the hands of Britain and enabled her to hold off Hitler until Russia and the U.S. entered the war.

2—Through military and economic aid the U.S. acted to save Greece and Turkey from being dragged behind the iron curtain. It succeeded.

3—Through the Marshall Plan the U.S. acted to save the entire continent of Western Europe from the threat of Communist takeover. It succeeded.

4—The American-British airlift moved in to rescue West Berlin from the Soviet attempt to starve its people into submission. It succeeded.

5—The U.S. and the U.N. acted to turn back the armed Communist aggression against South Korea. It succeeded.

6—President Eisenhower acted to defend the independence of Lebanon and Taiwan. He succeeded.

7—After the fiasco of the Bay of Pigs, which temporarily persuaded Nikita Khrushchev that we might not defend our vital interest, President Kennedy acted to force the Soviets to withdraw their nuclear missiles from Cuba and thus struck from Moscow's hands the instrument of nuclear blackmail. He succeeded.

8—Presidents Eisenhower and Kennedy laid the foundation in policy and in action for the defense of South Vietnam against Communist expansion-by-force. President Johnson further implemented this policy. If divided opinion at home does not paralyze the United States, we believe the U.S. will succeed.

9—President Johnson and later the Organization of American States intervened to preserve democracy in the Dominican Republic. They succeeded.

Every harassed country cited above whose safety from oppression we have helped secure—because our own safety was at stake—is a free and independent nation today.

When we look at the role of the U.S. in today's world and its successful actions in the cause of human freedom, there is good reason to shed the myth of helplessness and frustration.

We have been discussing how well our society and our system of government have been functioning in recent years in the whole range of racial justice, economic reform, and foreign policy.

We have been telling the too-often untold story of What's Right with America, not because we should be either smug or satisfied but because the best way to turn the aggrieved and the impatient from resort to revolution-by-violence to revolution-by-ballot is to demonstrate that government by the peaceable consent of the governed is working and that any other course holds little prospect of doing anybody any good and every prospect of doing everybody terrible harm.

Today this precious democracy is awake as never before—sensitive, concerned, active.

The United States can do whatever it needs to do in order to be whatever it wants to be.

NIXON WARNS ON BUDGET CUTS

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks, I call to the attention of my colleagues a recent warning by Dick Nixon. Nixon believes that in the proposed budget cuts expenditures for national security should not face any cutback.

Under unanimous consent I submit this article which appeared Monday, June 24, 1968, in the Pittsburgh Post-Gazette for inclusion in the CONGRESSIONAL RECORD, as follows:

NIXON WARNS ON CUT IN SECURITY BUDGET—SAYS ACTION WOULD BE "RECKLESS"

NEW YORK, June 23.—Richard M. Nixon said today that it would be "irresponsible and potentially dangerous" for the Johnson Administration to try to cut spending by trimming the national security budget.

The Republican presidential aspirant praised Congress for passage last week of a $6-billion spending cut and the 10 per cent surcharge but said these items were needed only because of past budgetary recklessness by the Johnson-Humphrey Administration.

The former vice president said in a statement issued here that the administration's policies "have brought the nation to the point where there are no longer good choices of where to cut spending. There are only various degrees of bad choices, some of which meet the immediate emergency only by risking the nation's future security."

Nixon said he found particularly disturbing indications that "the administration plans to follow the path of least political resistance and swing its economy ax heavily against the national security budget."

Nixon said that cutting the national security budget "at a time when America's strategic superiority is in increasing doubt, would be blind and reckless economy. It would be an irresponsible and potentially dangerous decision."

He said the Soviet Union is ahead of the United States in spending for research and development of advanced weapons systems and that "the programs now threatened with delay and reduction were included in next year's budget in a belated attempt to recover lost ground" and should not be cut.

Cuts should be made, he said, in both foreign and domestic spending "not directly related to present and future American security."

THE AMERICAN CITY: PROBLEMS AND PROMISES

HON. FRED B. ROONEY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. ROONEY of Pennsylvania. Mr. Speaker, in a recent address before the U.S. Conference of Mayors, Secretary of Housing and Urban Development Robert C. Weaver called upon the leaders of America's cities to give their support to the pending Housing and Urban Development Act of 1968.

This bill involves—

He declared—

> a single, specific and absolutely essential nation goal: the building and rebuilding in the next ten years of enough good, decent housing to replace substantially all of the substandard housing in America. This is a necessary foundation upon which we can build renewed hope for the American city and for the poor and alienated among our people.

Mr. Speaker, this very important legislation will soon come before the House. I believe Secretary Weaver's explanation of its provisions and his recounting of the needs they will serve, present strong arguments for our approval of this bill. I urge all Members to read this speech and include it for reprinting at this point in the RECORD:

THE AMERICAN CITY: PROBLEMS AND PROMISES

(Address by Robert C. Weaver, Secretary, Department of Housing and Urban Development, annual conference, U.S. Conference of Mayors, Chicago, Ill., June 15, 1968)

SUMMARY

The coordinated national urban effort is only three decades old, while the problems of urban areas have been growing for generations. So, while we have not as yet through Federal programs reached equilibrium with the twin forces of growth and decay in our metropolitan areas, we have a good record. Large tasks lie ahead of us. But no nation as rich in natural and human resources as America can fail in those tasks, given the will and the courage and the essential optimism of a great people.

For a good many years now I have met with you during these annual conferences to carry on a dialogue about the problems and the promise of American cities, with emphasis on new Federal legislation. And I must say after going back over some of the speeches, they read like the Perils of Pauline. Every recent year has been a cliff hanger.

Two years ago I reported to you that we had made great gains in 1965 with the omnibus housing and urban development act. We had gained sewer and water grants and grants for acquisition of land, new programs for urban beautification and new aids for code enforcement. And we had won the rent supplement program after a hard battle.

But we were fighting for the Model Cities Program, then called the Demonstration Cities Act of 1966. And I told you we must move on, we must fight against those who would shortchange our cities by defeating that program.

Last year, we had once more made substantial gains—in applying the rent supplement program, in reorganizing the Department and in changing the emphasis in many of our traditional programs—such as urban renewal and public housing. But again we faced the old problems—the Model Cities Program was under sharp attack; the Rent Supplement Program had suffered a severe setback in Congress. I said then, "Today, instead of celebrating victories, we are back in the same old battles."

This year I had hoped to come before you with our legislative battles behind us. Then I could devote this speech to reminiscing about past campaigns and philosophizing about the city and its future. It was an alluring prospect.

But it was not to be. Again I come before you and I say: Let us get on with the battle.

We have a very good bill this year—a very large and important omnibus bill for housing and for urban development. It has been well received in the Senate and we have that behind us. But it is still being fought in the House and we cannot afford to rest until it clears that final hurdle and becomes law. And, of course, after that we will have to get it funded through the appropriations route.

You have worked hard for this bill. You have testified in its favor, as an organization, and individually. Let us not lose any of that bill at this late date because we are overconfident.

The full weight of the Presidency is behind this bill, and it goes without saying that I will fight for it and for every penny of appropriations we have requested.

I realize that not every person in this audience is satisfied with what we are doing this year. Neither am I. But as always, in politics, we are dealing with reality. It seemed doubtful earlier this year that we would be able to get what we felt were minimum requirements, but it now seems eminently possible.

I know that I needn't say more on that point. You are the people on the firing line. You bear the burden in solving problems of such magnitude and complexity that I often wonder why any man today should want to be the mayor of an American city. Others have wondered why I wanted to be the Secretary of HUD. That we do so may not be much of a tribute to good sense. But your involvement is certainly a tribute to your courage. And those of us who know you well can only say, Thank God for that.

I realize full well that there is no one here today who doesn't know this year's Federal legislative program for the cities as well as I do. But you will have to bear with me for a moment. When I attend this conference and step before the podium, I have a knee-jerk reaction. I just have to talk about the programs.

The key word this year is volume. And the major refinement is volume of housing for low-income families.

Th task for the next decade is this:

To provide housing for a Nation in which new household formations alone will require 14.5 million new units.

To replace several million units that will be lost from the housing supply because of population changes, migration and market changes.

To replace or rebuild 5.8 million units now substandard and now occupied, and 2 million more that will become substandard out of the 30 million units already more than 30 years old.

These goals cannot be met without a full commitment by both the private market and the national government.

And so the President has given us these goals:

The construction of 26.2 million new housing units in the next decade. That is a big order when compared to 14.4 million units built in the past 10 years.

Public assistance for 4 million of these units. That is a big order when compared to the half-million of the last decade.

Public assistance to rebuild 2 million existing units. That is a very large order when compared to the 25,000 units of the last decade.

These goals cannot be met unless we bring in additional programs and a higher level of appropriations, which we have requested:

A new program to give families of low and moderate income opportunities to become home owners and a larger supply of decent rental housing. And so we have the subsidized mortgage interest rate program for home ownership and a deeper subsidy for rental housing.

A far larger public housing program, using the Turnkey concept for greater speed and economy.

A large acceleration in the rent supplement program.

National Housing Partnerships between private enterprise and the Federal Government, with tax incentives to help make the low and moderate income market more attractive to private investors.

Expanded assistance for other community facilities and services to help match the increased housing supply.

Expanding the rehabilitation of basically sound housing into an effective industry.

Emphasizing the need to divert more urban renewal efforts into projects which will provide more new and rehabilitated lower-income housing.

The President's goal was to provide the means during the first five years of starting construction and rehabilitation of 2.35 million units. That is still our goal.

What we are engaged in here is a single, specific and absolutely essential national goal: the building and rebuilding in the next ten years of enough good, decent housing to replace substantially all of the substandard housing in America. This is a necessary foundation upon which we can build renewed hope for the American city and for the poor and alienated among our people.

But if that is the foundation, it is by no means the only requirement for the years immediately before us.

As you know, there are many plans and many theories as to how our national resources can be directed to end hunger and poverty among our people, and to meet the overwhelming needs of our cities.

Plans for people run the gamut from increased food allocations to programs for the hard-core unemployed to a guaranteed annual wage. For the cities, they range from tax incentive plans to bring private enterprise into the picture to block grants for States and cities.

The process of studying the validity of these programs and considering means for their implementation is now going on at an unprecedented rate. Two years ago I could say that we had finally reached the point where we no longer dumped important urban problems into the attic of the Nation's conscience.

Today it is difficult to imagine that we ever did so.

Hardly a day passes that a mayor or a governor or an urbanologist—and that is a word so new we hardly know what it means—doesn't come out with a new proposal to help our cities and their people. In the past few months alone, half a dozen national publications have devoted whole issues or given major play to the city and its condition.

HUD is up to its ears in this kind of long-range planning and evaluation. Just to mention a few things relating to this one Department:

There is a Presidential commission under Edgar Kaiser studying housing and the construction industry. We have another national commission under former Senator Paul Douglas studying zoning, building codes and taxing policies. Both of these commissions, incidentally, have already proved their mettle. Proposals originating in these bodies are major elements in the Housing and Urban Development Act of 1968.

We have given out large contracts to major industrial firms to work out a variety of low-cost housing experiments.

We have established an Office of Urban Technology and Research within the Department and this cannot help but become a major factor in shaping the future of our experimental efforts.

The President has established an Urban Institute, a private, non-profit corporation with close ties to HUD and with a broad mandate to study the city with both public and private grants.

Outside HUD, we have John Gardner and the Urban Coalition and Urban America, and a vastly expanded effort by the large foundations, as well as many effective long-established agencies.

American universities and colleges, particularly those within the great urban complexes, have, after years of neglect, begun to build centers and institutions for the study of the whole range of urban problems.

And, again in HUD, I have the feeling that we are on the brink of making major breakthroughs with the Model Cities Program. As you know, 75 cities are already in the planning phase of this program, and we can expect to bring this number up to about 130 in the near future.

I realize, of course, that this is a complex and sophisticated program. Many of you are now in the most difficult phase of that program—how to fulfill the requirement for citizen participation. This is not a simple process, and I fully recognize its problems and complexities. I think you also know you should be fully involved in all our programs if your Model Cities efforts are to be fully realized.

And I would like to make an additional point here. It applies to not only the Model Cities Program, but to the matter of bringing a higher order of coordination to the process of governing the entire urban complex.

On the one hand, we are faced with the desire of urban people to feel a stronger sense of involvement in their own urban destiny. This applies to the poor, to the man in the ghetto. He not only feels alienated because he is left out in the general prosperity, but because he feels left out in helping make the decisions that directly affect his life. This is one reason we make such a strong point about citizen involvement in Model Cities planning. But is also applies to people at all income levels in the central city and the suburb as well.

At the same time we have an urgent necessity to bring about a more logical and practical method of planning and implementing those programs, such as mass transit and freeways, which affect the whole metropolitan area.

Regional Councils and Councils of Government are springing up across the country. They, too, put stresses upon our traditional institutions and upon our accepted political alignments.

So on the one hand you are being asked to share more responsibility and power with your own citizens. On the other hand, you are asked to plan and coordinate with governmental entities beyond your own boundaries. I can only urge you to enter these difficult areas with good will and open minds.

You are the men who govern the cities, and I would not presume to advise you as to how to go about meeting these new situations. But I would be the first to say you cannot turn your back on them. We have always maintained in this country that our Federal system is flexible enough to adjust to changing conditions, and that is its strength. I believe we are at a period in our urban history when that proposition will be given a severe test. We must not fail to meet that test. We cannot afford to. And I know that you will meet the requirements of the time.

There is another area in which flexibility and an open mind will be essential in coming months and years.

We now have the Civil Rights Act of 1968, with its historic provisions that make fair housing the law of the land in the United States.

There are two fundamental factors in this fair housing legislation:

It constitutes an affirmative statement of national policy that is clear and unmistakable. It says this: "It is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States." But there is more than an affirmation of principle.

It specifies what housing is covered, and when, and it spells out whose rights are protected, who is charged with enforcement, and how policy is to become practice.

It will, in our estimation, directly cover 77 percent of the some 69 million housing units in the United States by January 1, 1970. and in some ways—advertising and real estate services, for example—it will affect all housing.

We are now involved at HUD in seeking voluntary compliance with the law. We have already had the splendid cooperation of such major organizations as the National Association of Home Builders and the Council of Housing, as well as a number of major builders and management firms.

But we know full well we are going to meet opposition as we begin to put the law into effect. Compliance will be brought about by persuasion and by legal action where necessary. We will be working through state and local fair housing agencies where possible, as the law prescribes. And there you will be directly involved, if you have local laws in which the rights and remedies are as strong as in Federal law.

But beyond that, you can be immensely helpful by taking an active leadership role in making the open housing legislation work. And this means becoming involved in the delicate and often irrational area of human relations by supporting the moral rightness of open housing.

This is the last time after a good many years—more that I like to think about—that I will be meeting with you in my present capacity.

I would like to make a few closing comments on the vast changes that have taken place during that period.

They are, as so many things seem in our society today, more than a little paradoxical.

When I arrived in Washington as Administrator of HHFA in 1961, that organization was a conglomerate of five relatively autonomous agencies. I was a referee and an arbitrator rather than an administrator. We were a ramshackle vehicle, a mechanism seriously deficient to its Federal responsibility for urban areas and their people.

We had good programs, but not enough of them. We had far too little money. We had many good people, intelligent and dedicated, but the will and the incentive to move ahead were often lacking.

And the cities were already in deep trouble, although recognition of that fact was generally lacking. The cost of meeting city services had risen sharply at the same time sources of revenue were declining.

Almost every city, large and small, had its share of the common problems—blighted commercial and industrial districts, slums, a hidden but pervasive poverty among many of its citizens, choked streets and deteriorated transit systems, dirt and foul air. I could go on, but you know the litany of urban problems as well as I do.

Since then the Federal effort has not only doubled, but tripled and quadrupled. We have pioneered in new programs—the first urban mass transportation grants and experiments, moderate-income housing, rent supplement housing, leasing and rehabilitation programs for public housing and the Turnkey process, code enforcement grants, new and expanded rehabilitation programs, Model Cities and metropolitan development legislation, open space and urban beautification grants, sewer and water grants and expanded planning programs, grants for neighborhood centers. These are not all, but they are emblematic of our growth.

We have a Department of Housing and Urban Development in fact as well as in name, and I firmly believe we have for the first time in our history, a basic Federal urban institution capable of administering to the problems of today, and of growing and changing to meet the problems of tomorrow.

The paradox lies in the fact that while our Federal programs and institutions have grown and changed, we have not as yet reached equilibrium with the twin forces of growth and decay in our metropolitan areas.

But let me make this point. Millions of Americans live in decent housing, who would not have if it weren't for FHA and public housing and the many other Federal housing efforts. Hundreds of American cities have begun to clear and rebuild and rehabilitate commercial and residential districts. That would not have been true had there been no urban renewal program. Thousands of American communities have better community services, sewer and water systems, transportation aids, and help in planning than they would have if there had been no HHFA or HUD.

We must keep in mind that the coordinated national urban effort is only three decades old, while the problems of urban areas have been growing for generations.

I think we have a good record. And I believe we now have the programs and the potential to make of our cities what we all want—places of decency and justice, of beauty and pride, of safety and urbanity.

No one of you will fail to recognize that during the past six years the mayors have established a new and higher status in Washington. President Johnson has frequently conferred with you, and he has set up effective liaison between you and the White House. In the person of Vice President Hubert Humphrey, there is an ex-mayor, a sophisticated champion of urban America, and an inspired spokesman for our cities.

Large tasks lie ahead of us. But no nation as rich in natural and human resources as America can fail in those tasks, given the will and the courage and the essential optimism of a great people.

All of us here love cities. We wouldn't be in this room if we didn't. The task of leadership is yours, but so are the rewards. I do not envy you your problems, but I do envy you the stewardship of our great cities.

I would like to thank you for the help, encouragement, and the sympathetic support you have given me during the years that I have had stewardship of the Federal urban effort. We have had our good times and we have had our bad times. That is inevitable in the conduct of public affairs. But we have come a long way together, always in decency, honesty, and respect and with high regard for the motives of one another.

It is inevitable that as I move on to New York and the challenge of establishing a new urban college, I will be less involved in administering urban programs on the national level. But I assure you I am not an old soldier and I have no intention of fading away. I will be around. I have no intention of giving up my love affair with the city; I simply want to concentrate the effort.

Henry Adams said that "He too serves a certain purpose who only stands and cheers." I assure you that I will be there, and I will be standing, and I will be cheering for the mayors of this country.

WISCONSIN ELECTRIC COOPERATIVE ADOPTS SOUND RESOLUTIONS OF PRINCIPLES AND PURPOSES

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. O'KONSKI. Mr. Speaker, the Wisconsin Electric Cooperative, at their annual meeting at Green Bay, Wis., on March 25–27 adopted a sound program of principles and purposes. Implementation of the 14 points recommended by WEC will result in continued growth for the rural electric cooperatives and their contribution to the national economy and welfare of our country.

So that other Members of Congress may know of the fine programs advocated by the Wisconsin Electric Cooperative, I am herewith submitting for the CONGRESSIONAL RECORD the resolutions adopted at the 1968 annual meeting of WEC. The resolutions follow:

PRINCIPLES AND PURPOSES

A statement of intent, beliefs, goals, adopted by delegates to the 1968 annual meeting of Wisconsin Electric Cooperative at Green Bay, Wis., March 25–27.

1. FUTURE FINANCING

We believe that rural electric cooperatives, in order to continue effectively in the service of rural people, must have access to growth capital in substantially larger amounts than at present, and in a form that will assure dependable continuity from year to year, therefore,

We urge this organization and its member systems to support efforts of the NRECA Long-Range Study Committee to develop a plan for such supplemental financing, after having first determined as best it can the future objectives of this member-owned, member-serving program.

2. BANK FOR TELEPHONE COOPERATIVES

We believe that dependable and fully adequate communications ranks with electric service as a factor in making possible the vital contributions of rural America to the economy of this country, and to the general health and welfare of its people, therefore,

We request the Congress to acknowledge the need to insure this continuing contribution in the future by authorizing establishment of a Rural Telephone Cooperative Bank in order to provide a source of growth capital for these organizations in adequate amounts.

3. RURAL/URBAN BALANCE

We believe that present problems of the nation's cities, caused or aggravated by overcrowded residential areas and abnormal competition for available jobs, and by undue pressures on educational and municipal facilities and services, are added to in serious measure by the continuing migration of about 100,000 rural people to the cities each year, therefore,

We propose that Wisconsin Electric Cooperative and all its member systems exert every effort and influence in support of sound development programs designed to improve job opportunity in rural areas and reverse the population drain that serves neither the city nor the rural area.

4. THE FARM PROBLEM

We believe that no amount of effort to improve rural employment potential will go far to cure rural economic ills unless it is coupled with positive moves to assure realistic financial rewards to our farmer producers of food and fiber, therefore,

We request Congress to develop means of assuring this necessary realistic level of farm income to help re-establish rural America as a satisfying place to live and to help preserve the traditional backbone of our rural economy, the family farm.

5. LAKE STATES FORESTRY COOPERATIVE

We believe rural income potential in a considerable amount of electric cooperative-served territory in Wisconsin, Minnesota and Michigan will be enhanced by the development of the best dollar return that can be provided at the local level by the substantial timber resource of these areas, therefore,

We recommend that electric and other cooperatives located in these areas support, through membership, at least, the new Lake States Forestry Cooperative, which seeks to promote locally-owned wood industry in these areas of timber production.

6. CAPITAL BUDGET

We believe public understanding of federal budgeting is more nearly correct when figures showing government lending and investment are not merged into one with government spending, therefore,

We endorse this year's separation of the budget into two accounts, the expenditure account and the loan account, and we suggest further clarification in the development of a long-range program of accounting for assets, and separate financing of capital outlays.

7. PARTNERS OF THE ALLIANCE

We believe that a civilized world, capable of tolerance and mutual contributions to the welfare of all mankind, demands that less fortunate areas be helped toward self-sufficiency and enlightenment and a satisfying existence by those more happily endowed, therefore,

We commend, as we have in the past, the mutually helpful relationship established between Wisconsin and the Republic of Nicaragua, and all similar relationships resulting from the Partners of the Alliance program, and recommend that beneficial ties like these be created where they do not now exist.

8. VOTING RECORDS

We believe that the boards, employees and members of electric cooperatives must be informed regularly of attitudes demonstrated toward their programs by state and national legislators, to help determine their measure as public servants, therefore,

We request Wisconsin Electric Cooperative and our national association to compile and distribute such records of voting as will contribute to this understanding.

9. HIGHWAY LIGHTING

We believe that the tragic toll of lives in auto accidents each year is a costly and unnecessary waste of our human resource, and we further believe that the persistent increase in such fatalities can and must be reversed, therefore,

We commend the Governor's Highway Safety Program as a sound step toward this reduction in accident slaughter, and strongly recommend that this effort be supplemented by providing for adequate illumination at intersections, railroad crossings, bridges and other hazardous areas along our rural roads.

10. NATIONAL POWER GRID

We believe that impressive reductions in the cost of electric power can be realized through use of giant generation units, extra-high voltage transmission facilities and nationwide interconnections of all types and sizes of systems, therefore,

We urge enactment of federal legislation, embodying principles contained in H.R. 12322, the Moss Bill, that will guarantee the benefits of this new and efficient technology to all by enabling all segments of the power industry—investor-owned, public-owned and consumer-owned—to participate in a National Power Supply System.

11. POLITICAL ACTION

We believe the future of cooperative rural electrification depends in large measure on sustained, nonpartisan political action, and that it is important to assure that legislators understand our needs and purposes, even in years when we are not actively involved in sponsoring legislation, therefore,

We request that Wisconsin Electric Cooperative develop and maintain a coordinated program of non-partisan political action to help provide this necessary understanding year after year.

12. COMMENDING FPC ROLE

We believe that the best advantages of consumer-owned power systems can not be realized without some assurance against excessive wholesale power costs, therefore,

We commend the Federal Power Commission for helping provide this important assurance in recent years, by means of informal proceedings which resulted in substantial reductions in wholesale costs to municipal utilities, small commercial utilities and electric cooperatives.

13. FORGING ALLIANCES

We believe that the continuing decline in rural population, and the consequent reduction in rural representation in the state legislature and the House of Representatives will prevent electric cooperatives from securing adequate annual loan funds, and destroy their ability to provide legal protection for their service areas, unless they can add the strength and influence of others to their own, therefore,

We emphasize our conviction that our cooperatives and associations must move promptly and effectively to establish understanding and mutually supporting relationships with individuals and organizations that share our major beliefs and aim toward common goals.

14. CO-OP HOUSING

We believe the President's recent Farm Message to Congress emphasized the desperate need for a new and imaginative effort to replace the more than three million substandard dwellings in rural America; we also believe that rural residents are entitled to the same access to decent housing at a reasonable cost as are urban residents, therefore,

We endorse once again the plan formulated by Wisconsin Electric Cooperative to transplant these familiar urban benefits into the rural areas of this country by adapting the successful housing cooperative device to this purpose; beyond this, we urge the Office of Economic Opportunity, the Farmers Home Administration and other appropriate agencies to assist in every possible way in order to prove this plan and make it available across the country.

CONTRIBUTION BY FRANK SCOTT BUNNELL HIGH SCHOOL

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. GIAIMO. Mr. Speaker, it is with great pleasure that I inform the House of a contribution by the Frank Scott Bunnell High School of Stratford, Conn., of $1,000 for the construction of a school in India under the school partnership program, sponsored by the Peace Corps.

Education is a prerequisite for world peace. It allows people to improve their standard of living, and it enables them to better understand the people of other nations. This contribution by the Frank Scott Bunnell High School will move us closer to the day when all of the people of the world shall have an opportunity to work together for the creation of peace, freedom and progress.

HUMAN RESPONSE TO THE SONIC BOOM

HON. LESTER L. WOLFF

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. WOLFF. Mr. Speaker, there is a great deal of talk and too little definitive action about the problem created by sonic boom. I am seriously concerned that we are following a path that will expose millions of Americans to unhealthy and totally unacceptable noise created by supersonic aircraft.

In this regard I commend to my colleagues' attention an article appearing in today's New York Times concerning a report on human response to the sonic boom by the National Academy of Sciences. Under leave to extend my remarks I include that article in the RECORD at this point:

SUPERSONIC JETS FACE REDESIGNING—SCIENTISTS SAY NOISE DATA MAY RESHAPE TRANSPORTS

(By Harold M. Schmeck, Jr.)

WASHINGTON, June 25.—People seem to dislike the sonic boom enough to make the outlook dim for designs of the supersonic transport as they are now, a panel of scientists said today.

Research in this country and abroad suggests there would be many complaints in the wake of the high speed airliner's every flight over populated areas, a panel member said.

The panel reported to the National Academy of Sciences on "human response to the sonic boom."

Studies of biological effects, to date, show little cause for concern, the report said. It is the psychological effects that emerge as the big problem.

SEVERAL STUDIES ON BOOM

Because versions of supersonic transports are planned in the United States and in Europe there have been several studies of sonic boom effects on individuals and communities.

"As a result of such research the concern of the committee on SST-sonic boom in mid-1968 is considerably different from what it was over three years ago," said the report.

The studies show that no damage to hearing and no direct physiological damage is to be expected even when the sonic boom is far more powerful than any supersonic transport would be likely to generate. The studies also show that people do not like the boom.

"What seems called for at this juncture is an intensive long-range analysis based on varied measures of individual group and community responses to different levels of sonic boom," said the report.

The panel said it was unlikely that the first generation of supersonic transports would fly at top speed over land areas. Plans indicate they will be primarily transoceanic carriers.

But the committee said research was urgently needed on the psychological aspects of the boom-producing shock waves of supersonic jets whether the first ones fly overland or not.

ON COMMUNITY REACTIONS

When a plane exceeds the speed of sound—660 miles an hour at flight altitude—the sound waves it produces build up into a conical wave front of great intensity. If the wave fronts formed by the nose and tail of the plane reach the ground before being dissipated they produce sonic booms that may be destructive.

"Community reactions cannot yet be predicted with certainty," said the report.

"We can only speak in terms of the probability of effective organized reaction. This will increase as the annoyance of the individuals increases; the effective expression may depend on some dramatic trigger incident or the emergence of a vocal leader of public opinion."

Individual as well as community responses to the sonic boom must be studied, the report said. It advocated special studies of the effects of sonic booms on sleep—the noise levels below which waking is unlikely, the effect of repeated booms on the level of sleep and the probability that individuals will awaken and the question of what levels of noise may aggravate a person's preexisting sleep disorders.

The committee said it was important to find out more about sonic boom effects, if any, on sleep during the day as well as at night, on conversation, skilled performances of various kinds and on daily routines.

Studies also should be done on the psychological effects of sonic boom on persons on ships, the panel said.

The report expressed cautious optimism that an acceptable supersonic transport for overland flights could be developed when the engineers are given more solid data showing what noise levels will be acceptable to the public.

Money will be saved in the long run if the studies are undertaken now, the report said.

The report on human response to the sonic boom reviewed research on the subject here and abroad during the last ten years. Chairman of the National Academy of Sciences panel that prepared the report is Prof. Raymond A. Bauer of the Graduate School of Business Administration, Harvard University.

Other members are Prof. William D. Neff, Department of Psychology, Indiana University; Dr. Henry David, Division of Behavioral Sciences, National Academy of Sciences; Dr. Irwin Pollack, Mental Health Research Institute, University of Michigan; Dr. Howard Raiffa, Graduate School of Business Administration, Harvard; and Dr. Peter Rossi, Department of Social Relations, the Johns Hopkins University.

BOMBING RESTRICTIONS AND OUR OFFERS FOR PEACE

HON. WILLIAM O. COWGER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. COWGER. Mr. Speaker, Russia and her Communist satellite, North Vietnam, have taken every advantage of our offer to peacefully settle the dispute in the Far East. Since the President has further restricted our bombing of military targets in enemy territory, friendly cities in the South have been devastated During recent weeks the enemy has intensified their indiscriminate attacks on Saigon. Rocket and mortar fire has killed and wounded thousands of innocent and friendly allies. The "stop the bombing" advocates have been successful in saving the enemy capital of Hanoi, but their voices have been silent when our side sustains the casualties. Actually our soldiers have received a higher percentage of casualties since peace negotiations than before. President Johnson should tell the peace negotiators in Paris that either the devastation of the friendly cities stops, or we will immediately renew and intensify our bombing in the North. It is quite apparent that the enemy has taken advantage of our bombing restrictions and our offers for peace.

GAS GAMES INVOLVE COERCION, HIGH PRICES

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. CONTE. Mr. Speaker, the Supreme Court's dictum that advertising should be judged by its "probable effect on trusting minds" is only one of the principles of business ethics which has been violated in the maze of service-station games thrust upon the American motorist in the past 2 years. Oil companies have financed the familiar games and their advertising through coercion of individual dealers, and, ultimately, through a rise in the cost of gasoline to the consumer.

If misleading advertising were the only issue at hand, the hearings of the Subcommittee on Regulatory Agencies would already have accomplished their purpose; the newspaper articles which I am submitting to the RECORD reflect a growing awareness on the part of the American public that "giveaway games" seldom giveaway something for nothing. It is sad that advertising in this country must create in many honest consumers a constant attitude of skepticism and cynicism in the marketplace—an attitude easily carried over into other areas.

But equally serious is a problem which we have yet to solve and correct through our hearings: that of the manner in which the games and their advertising have been financed. Threats to dealers who refuse to participate in the games have been accompanied by a forced additional rise in the price of gas to the customers of dealers who have accepted them. A sense of fear over cancellation of station franchises and other forms of coercion has replaced the healthy profit incentive in the minds of hundreds of individual dealers as they make their decisions on participation in the games; only at this great price has it been possible for oil companies to force their gigantic game enterprises upon the dealer and the public.

It is to the credit of the Greenfield Recorder, whose editorials I submit here, and the many other papers and radio and TV stations in my district and across the country that these misdemeanors are being brought before the people. Only as the public is made aware of these practices can it successfully combat them, for, in the final analysis, the good that may come of our hearings rests upon popular consensus of what is right and fair in the conduct of business.

Two articles follow:

[From the Greenfield Recorder, June 20, 1968]

GIVEAWAY GAMES CHECKED

(By John A. Senior)

The merry game of give-away prizes, used for years as a gimmick to attract new business, appears doomed to a stormy road of critical inquest by no less an august body than a Congressional subcommittee.

Congressmen, when they are examining someone else's alleged misdemeanors, can be a fearsome lot. When their backs are up they leave no stones unturned to get the dirty truth.

Much like the dirt that can't hide from intensified you-know-what, the perpetrators and propagators of those foul give-away tricks will have no place to go but to Washington to fess up.

All except the most gullible of citizens take promotional advertising with a grain of salt, though the public is supposed to be protected against misleading advertising. Core of the give-away boil this time is the widely promoted offer of endless and fabulous prizes which gives the impression that everybody wins.

GASOLINE GIMMICKS

Congressman Silvio O. Conte, who is cosponsoring the subcommittee hearings on the so-called "gasoline games", says he has found evidence that the gimmicks are hurting not only the consumer, but the small businessman as well.

He quotes communications from a constituent who claims a sweepstakes type of game promoted by Gulf Oil Co. turned out to be part of a marketing scheme to sell transistor radios. Top prizes offered included a Rolls-Royce and five Mercedes-Benz autos and 100 color TV sets, but when the contest was over, no one had won any of the autos, and only five TV sets were won.

Another complaint came from an inquisitive customer of American Oil Co. who had the temerity to ask Amoco for a list of winners after the contest had ended. Besides stating all the prizes were "made available", Amoco told the customer in effect that the list of winners and the amount actually given away was none of his business.

JUST PITCHES?

Conte has promised Amoco officials will be called in to tell the whole story, as will those of other companies. He states: "The people have a right to know if these fancy promises are being kept or if they're just pitch-men type gimmickery."

Equally disturbing to the investigators is the information that refineries spent no less than $44-million on advertising their give-away games. In itself that is a private matter for the refineries, but there's a hook—a few weeks ago, Conte notes, the price of fuel oil was raised five cents a gallon, and at a time of year when the consumer price usually goes down.

This would suggest that the companies are boosting their business at consumer expense while holding out faint promises of something for nothing. Conte figures the oil companies will have a tough time justifying the necessity of the increase while they are expending vast sums on the give-aways.

HURTING BUSINESS

Conte believes such activity hurts the small businessmen as well as the consumers. The consumers' problem comes from the increased costs of the product, while the small operator, unaffiliated with one of the major oil companies, can offer no such attraction to his customers.

While the current investigation is generally aimed at the major oil companies, there could very well be repercussions in other directions. Most every large individual or chain operator today has some kind of special lure to tease more customers into his place of business.

END OF GIFTS?

If some serious skulduggery is uncovered by the subcommittee, the whole scheme of free gifts, contests and prizes could be shaken to the roots. This includes trading stamps, which have been a household word for generations.

It would be a sad thing to dump the idea entirely, but there should be some provision to equalize give-aways so that the small businessman can compete on equal footing with with the big one. There's something about the promise, however dim, of maybe being lucky enough to win the top prize without any more risk than a possible heart attack over the joy of winning.

On the other hand, a little extra courtesy and service from the service station operators will do as much to keep the customers coming back as does the juicy carrot dangling from a long stick and always just ahead and out of reach.

[From the Greenfield Recorder, June 15, 1968]

GAS GAMES

If you haven't yet won that $5, $10 or $5,000 from your favorite gasoline station, you'd better hurry. Chances are something soon may be done to shatter for all time your bid to make a quick buck.

Then again, perhaps you already have rolled up to the pumps and asked for your boodle of easy money. There are some who have made a profit from being steady customers. But the list is mighty small and the take is generally in the $1 and $2 range.

Beginning next week gasoline station give-away games which some legislators contend "could constitute a fraud" will be investigated in four Washington hearings. Rep. Silvio O. Conte of this state and Rep. John D. Dingell of Michigan are chairman and senior minority members, respectively, of the subcommittee on regulatory and enforcement agencies relating to small business.

Rep. Conte has noted: "A few weeks ago the price of fuel oil was raised .05 cents per gallon at a time of year when traditionally the price of distillate is decreased. It seems to me extremely difficult for the oil companies to justify their increase in a cost of a necessity at a time when they are spending such vast sums on this type of highly questionable activity. Rep. Dingell has charged "The consumer is being forced to pay for too much propaganda for too little prize money."

It has been said, furthermore, that many dealers do not want to participate in these schemes, but are compelled by competition to offer money prizes and other gifts or be driven out of business.

It is difficult to foresee how the probe will turn out inasmuch as gasoline offers are only one step removed from the ancient game of stamps—pink, yellow, green, plaid and otherwise. And stamps have been around several generations with only an occasional threat. Some states, however, have ruled these out as unethical or highly questionable.

Oil company contests presumably would run out of steam without Congressional probes, if permitted enough rope. There is evidence now that customers are becoming aware of the unlikelihood of ever reaping a bonanza. When offered a choice of a game or a glass water tumbler the driver usually takes the latter. Most even prefer the old favorite, stamps.

The game probe, nevertheless, could pave the way for a long list of federal regulations which in turn could bring down the role of gimmicks in merchandising like a house of cards. And with these, of course, would go a lot of fun. After all, the public likes to be fooled.

WHY CURB GUNS?

HON. JOHN DOWDY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. DOWDY. Mr. Speaker, a number of the newspapers in the district I represent have carried editorials on the antigun proposals. One which has recently come to me is from the Conroe, Tex., Courier, which I include in the RECORD as a part of my remarks, as follows:

WHY CURB GUNS?

We grant that frontier days are history now, yet they gave to us the knowledge that our strength lies in our ability to protect ourselves as individuals and families when the need arises.

Certain elements in Congress, along with President Johnson are now trying to take away from us one of the most important of these rights.

They hope to put sharp curbs on the ownership of firearms, and history has taught us that once curbs begin they grow and grow and grow.

Our lawmakers are shocked by the recent assassination of Sen. Robert Kennedy, and this has caused some of them to abandon their resistance to curbs on guns.

But by the same token, Conroe residents still are shocked over last week's death of a local businessman in a traffic wreck and the recent death of a youngster on a motorcycle. Yet we aren't crying for cars and motorcycles to be practically outlawed.

These incidents are hazards of life. Smoking cigarettes and strenuous exercise for persons over 40 also are hazards of life, but we have no thoughts of outlawing them.

We agree that curbs should be put on the sale of firearms to youngsters under 18, and restrictions established on mail order sales . . .

But no regulations should force owners to register their guns, and there are many valid reasons, such as:

(1) Lawmakers constantly look for sources of new tax revenue. Soon they could start charging an annual tax on individual guns which could grow and grow to the point where the average man could not afford to keep one.

(2) Think of the value such a registration list would be to underworld organizations who have proven in the past that they can find access to almost any government secret. They would know where to go to steal a certain type of gun, and they would know neighborhoods "safe" to exploit because there were no guns.

(3) A sudden insurrection in the land would show the rebels where they would have to pick up private weapons to strengthen their control.

(4) A Communist take-over would give them possession of the gun list. They would start collecting weapons immediately, or disposing of persons who resisted.

A butcher knife, tire tool, hammer and a multitude of other items are just as deadly at close range as a gun. Should they be registered too? Ridiculous? Absolutely, but not out of the realm of possibilities.

We feel that ownership of guns is a historic American right . . . that it is one of the major basic strengths of this nation. And we feel that Congress is showing very little faith in the good judgment of the average American if it requires registration of all guns.

As an alternative, they could open avenues for more strict enforcement of present laws. They are good laws . . . at least they were until court rulings began pulling their teeth.

Let your Congressmen know how you feel on this issue. Write them.

DEGRADING TV PROGRAMS

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. GATHINGS. Mr. Speaker, the television networks' programs and newscasting are off the beam. Drew Pearson calls attention to this most abominable degradation practised upon an unsuspecting public.

Only in recent months have I been a TV viewer to any degree. I did not realize previously what tripe is being dished out on television.

Youngsters are the victims of this sordid programing. It cannot be said that the TV portrayals are aiding in the curtailment of violence and the explosive crime rate. Violence and brutality are the keystones of many of the "top rated" programs enjoying what is called prime time on the networks.

Drew Pearson, in a recent column, listed many of these shows along with the sponsors of such degrading TV programs, and a valid suggestion is made that the public can correct this situation by writing their views to those who put up the money so that these TV programs can be broadcast.

The general run of the news reporting by the networks is repugnant to a sizable number of TV audiences. A letter writing campaign for wholesome news commentaries is badly needed.

The Drew Pearson column follows:

MERRY-GO-ROUND

(By Drew Pearson)

WASHINGTON.—During the national anguish over Sen. Robert Kennedy's assassination, the TV networks suddenly got nervous about video violence and tried to clean some of the bloodshed off the home screen.

ABC's spy series, "It Takes a Thief," dropped two assassination plots. A sniper story was discreetly edited out of the FBI series. ABC also hastily juggled episodes of "The Avengers," "Guns of Will Sonnett" and "Man In A Suitcase" in favor of something less homicidal. NBC and CBS made similar shifts in episodes of "Bonanza" and "Mannix," respectively.

Yet the networks, after a decent period of mourning, have now resumed their full schedule of violence. And they have already lined up two dozen shows for next season featuring gunplay, brutality, sadism, and terror.

The National Association for Better Broadcasting estimates that the average child between ages 5 and 15 watches the violent destruction of more than 13,400 persons on TV.

"Most are gunned down," reports Frank Orme, the association's executive vice president, "but fire, rape, poison, acid, spiders, snakes, crocodiles, pitchforks, knives, time bombs, live steam, poison gas, hypodermic needles and an assortment of heavy blunt instruments are all used to add spice and variety and thrills to the spectacle of death."

CHILDREN ARE VICTIMS

He fears this mass mayhem is destroying children's natural capacity for sympathy and impressing them with the need for a powerful, totalitarian figure to protect them.

"Today's television," Orme says, "teaches children that violence is fun, evil is powerful, and the world around and beyond us is full of unknown terrors. Our cherished institutions and concepts are weak and subject to imminent destruction by callous brutes. To survive we must delegate the job of protection to powerful, single-dimension individuals who disregard the non-violent, democratic processes."

For all their remorse over the slaying of another Kennedy, the networks have made clear that they will continue to glamorize gunplay as long as it wins mass-audience ratings and sponsors' dollars.

Apparently the only way concerned parents can keep their home screens fit for children is to retaliate against the sponsors who pay for TV violence. As a start, we have asked the Better Broadcasting group, which has kept a critical eye on TV for 17 years, to list the ten shows most harmful to children. We have looked up the sponsors who keep these shows on the air.

1. The Avengers, ABC, Wednesdays. This show, which the NABB calls "horrific" and "disgraceful," has been sponsored by American Home Products, American Tobacco, Armour, Beechem, California Prune, Carnation, Champion Spark Plug, Colgate-Palmolive, DuPont, General Electric, Goodyear Tire, S. C. Johnson, L&M Tobacco, Mennen, Pittsburgh Plate Glass, Polaroid, Procter & Gamble, Seven-Up, Sterling Drug, Studebaker, Sunbeam, WM. Underwood, Warner-Lambert, and Yardley of London.

2. Felony Squad, ABC, Mondays. The NABB calls this "a vicious excessively violent, and morbid show." It has been sponsored by AC Spark Plug, Armour, DuPont, L&M Tobacco, Noxell, Schlitz Brewing, Shell Oil, and State Farm Insurance.

3. Guns of Will Sonnett, ABC, Fridays. This is described by NABB as "a shoddy western" that is "highly objectionable for children." Its sponsors have included AC Spark Plug, Bell Telephone, Brown and Williamson, Carter-Wallace, Colgate-Palmolive, Cool-Ray, R. T. French, International Playtex, Levi Strauss, Plymouth, and State Farm Insurance.

4. Cimarron Strip, CBS, Thursdays. "An hour of savagery, everything from near-rape to brutal revenge, a very bad show for youngsters," says the NABB. The sponsors have been Alberto-Culver, American Motors, American Oil, American Tobacco, Anheuser-Busch, Beecham Products, Block Drug, Buick, Colgate-Palmolive, Formula 409, Gallo Winery, General Foods, International Playtex, S. C. Johnson, Norwich Pharmacal, Charles Pfizer, Polaroid, Procter & Gamble, R. J. Reynolds, Shell Oil, Speidel, Sterling Drugs, Union Carbide, United Airlines, Volkswagen, and Warner-Lambert.

COMPLACENT FCC

The list of TV horror shows is lengthy; too long to be carried in full here. More will be listed in a future column.

Meanwhile, it should be noted that only rarely has the Federal Communications Commission taken exception to TV programming. Ordinarily the FCC automatically renews a TV license when it expires at the end of the three-year period. Two FCC commissioners, Kenneth Cox and Nick Johnson, recently issued a scathing indictment of their fellow commissioners for this automatic renewal policy.

President Johnson has a vacancy to fill on the FCC right now and can greatly improve TV programming by picking a commissioner who will side with the present Johnson-Cox minority.

In most countries TV channels are owned by the government, not private individuals. Thus most crime programs are kept off the air. Significantly, in no other country in the world is either the juvenile delinquency rate or the crime rate as high as in the United States.

One way to change this, without resorting to government ownership, is for the public to exert its influence on the companies which sponsor crime and horror, by both writing them and refusing to buy their products.

NEW CUSTOMS

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. McDADE. Mr. Speaker, it is regrettable, but nevertheless true, that mostly the people hear about the activities of their public servants when things go wrong. Thus, it has become a tradition to think of those engaged in public service as bureaucrats with little to do other than to harass the law-abiding citizens.

Sometimes this is, in fact, true. But in the large majority of cases, the people in public service are trying to do a conscientious, devoted, and intelligent job.

In that connection, the Washington Star on June 17, in an editorial entitled "New Customs," noted the debarkation at Kennedy Airport of a group of tourists from Europe in 13 minutes. That included going through passport control, health control, and customs inspection.

I say hats off to the new customs and a group of dedicated public servants.

Mr. Speaker, I now include the article from the Evening Star:

NEW CUSTOMS

A funny thing happened at Kennedy International Airport the other day. A flight came in from Europe and most of the passengers got through the debarkation procedures in 13 minutes.

That's passport control, health control and customs inspection, which has always meant dragging your bags about, opening them, having the contents thoroughly pawed and disarranged and then trying to get the bags back together and find a porter. In 13 minutes?

This astonishing new record was achieved very simply. First, the three checkpoints of health, passport, and customs were combined and performed by a single official at a single place. Second, that official assumed that most of the travelers were honest and did not do the traditional search-and-destroy act with the luggage. Unless there was some definite reason for search, bags were not opened at all.

This, of course, has been the system in Europe for years. All American travelers could have told the customs bureau about it but apparently nobody bothered to ask until recently. The new idea is just an experiment, but let us all hope it convinces the officials that it isn't necessarily un-American to presume that people are more interested in getting home than in cheating their government.

The new procedure is a much more practical way to assist foreign travel in America than any advertising campaign yet unleashed. One reason foreigners have stayed away in droves is surely the travelers' tales about the backward procedures of American entranceways.

For that matter, once word of the new method gets out, we may even lure back the expatriate Americans, some of whom are bound to have stayed abroad simply because they are unable to face the awful process of re-entering the country.

UNIVERSITY OF TENNESSEE RESOLUTION

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DUNCAN. Mr. Speaker, the University of Tennessee board of trustees last week passed a resolution that could very well serve as an example for other institutions of higher learning in preparing for the possibility of campus disorder. This action has received much attention in the Tennessee press with headline treatment, for example, in the Nashville Banner of June 22.

I would like to include in the RECORD a news item from the Knoxville News-Sentinel of June 21, and an editorial from the Knoxville Journal of June 22, which present the University of Tennessee resolution, as follows:

[From the Knoxville (Tenn.) News-Sentinel, June 21, 1968]

PRAISES BEHAVIOR OF STUDENTS: UNIVERSITY OF TENNESSEE BOARD PLEDGES LAW AND ORDER

U-T's Board yesterday adopted a policy resolution that conduct or activities disruptive to U-T's educational process will not be tolerated. This is the full statement approved in an executive session of the Board:

"U-T's Board of Trustees has been highly pleased with the commendable and responsible behavior of the institution's fine students. The attitudes and actions of U-T students are particularly praiseworthy in view of the irresponsible activities promoted by small groups of students and nonstudents which resulted in serious disruptions at several major institutions in recent months.

"SEES NEED FOR FREEDOM

"U-T's exists primarily to offer higher education programs to young people and adults of the state. This Board recognizes that an essential requisite of higher education is the freedom of intellectual inquiry and expression.

"The Board further recognizes that this freedom is dependent upon the acceptance, by all members of the University community, of the responsibilities and restraints which make such freedom a reality for everyone concerned.

"TAKE ANY ACTION

"Pursuant to its commitment to both freedom and responsibility, it is the policy of this Board of Trustees that conduct or activities which are disruptive of the educational process will not be tolerated on any campus of U-T.

"While it is the Board's belief and hope that such disruptions will never occur at U-T, the Board wishes to make this policy a matter of public knowledge and does hereby authorize and direct the President and administration of the University to take any action which is necessary to maintain law and order and the integrity of the institution."

[From the Knoxville (Tenn.) Journal, June 22, 1968]

WISE MOVE BY UNIVERSITY OF TENNESSEE TRUSTEES

The Board of Trustees of the University of Tennessee, meeting here this week, took so many important steps with reference to the future of the university that it is not practical to comment upon them all at one time.

For a starter, however, we would compliment the board highly upon its passage of a resolution which takes time by the forelock and gives the institution's administration the power at any time in the future to deal with any such crises as those which in recent months have erupted on the campuses of many colleges and universities.

Drafted by Federal District Judge William E. Miller, a board member, the text of the resolution passed by the board reads as follows:

"The University of Tennessee's Board of Trustees has been highly pleased with the commendable and responsible behavior of the institution's fine students. The attitudes and actions of UT students are particularly praiseworthy in view of the irresponsible activities promoted by small groups of students and non-students which resulted in serious disruptions at several major institutions in recent months.

"The University of Tennessee exists primarily to offer higher education programs to young people and adults of the state. This board recognizes that an essential requisite of higher education is the freedom of intellectual inquiry and expression. The board further recognizes that this freedom is dependent upon the acceptance, by all members of the university community, of the responsibilities and restraints which make such freedom a reality for everyone concerned.

"Pursuant to its commitment to both freedom and responsibility, it is the policy of this Board of Trustees that conduct or activities which are disruptive of the educational process will not be tolerated on any campus of the University of Tennessee. While it is the board's belief and hope that such disruptions will never occur at the University of Tennessee, the board wishes to make this policy a matter of public knowledge and does hereby authorize and direct the president and administration of the university to take any action which is necessary to maintain law and order and the integrity of the institution."

The Knoxville Journal would add its own praise, as set out in the first paragraph of the resolution quoted above, of the responsible posture maintained by the student body of the University of Tennessee on all its campuses in the past. The attitude of the UT student body reflects great credit upon its membership, and we foresee no likelihood that the empowerment by the trustees of the university administration will be called into use. Nonetheless, we believe it is a good thing for all concerned that the board went on record in a positive and unequivocal fashion.

THE 10TH ANNIVERSARY OF THE ACA

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. STEIGER of Arizona. Mr. Speaker, today marks the 10th anniversary of the Americans for Constitutional Action. I take this opportunity to commend this responsibly conservative organization for its efforts to promote constitutional government.

In an era characterized by violent dissent, when objectors feel free to destroy as they disagree it is refreshing to see this organization advocate its principles with dignity and reason.

I cannot help but believe that the message which the ACA carries to the American people, of the role and duty of the people to the Government, and the Government to the people, is a strong, clear chord which will help guide us through our troubled times.

TAX INCREASE IS LESSER EVIL

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. ZWACH. Mr. Speaker, the Federal Government has been spending money recklessly for some time, and this has been especially evident since 1960. Federal receipts established new records each year, but, even these record receipts could not keep up with the outflow of Federal tax funds from Washington.

Since fiscal year 1961, we have had consecutive deficits—overdrafts are what our bankers are forced to call them—of $3.5, $7.3, $4.7, $6.0, $1.1, $3.6, $8.8, and $19.8 billion, making a total of $54.8 billion. On top of that, we faced an almost certain deficit of $25 billion this year without the cutback and tax revenue bill. Surely, this decade will be most properly labeled in the future history chronicles as that of the "Spending Sixties."

This $54.8 billion is sufficient to have paid for 2 full years of university education for every boy and girl in the United States between the ages of 18 and 21. Or, if this money had been applied to improving the diets of the 30 million undernourished people in America that we have recently heard so much about, we could have increased the weekly food budget for each of these 8 million families by $15 for the past 9 years.

Drowned out by the tumult of the clamor for more by the spenders, and overridden in the voting, were the admonishments of the more responsible legislators, of the fallacy of continuing to mortgage the future of our Nation and its citizens. Now, their words of warning have come true and are demanding retribution. Our national debt is over $356 billion, and the interest on that debt alone is over $15 billion for this year.

Foreign countries have lost much of their confidence in our monetary system, and gold has fled from our shores, and is no longer in the position of being a reserve for our currency.

There are over 12 million youths in the United States today of college age. Now, the inflation that develops in any economy where expenditures are made on borrowed funds has helped push college costs too high for many of the parents of these young people to be able to afford a college education. The Federal income taxes that are, and will be, paid this year to cover the costs of our interest on the public debt would have provided a scholarship of over $1,200 per youth.

Worse still, while there are other ways available to check this spending orgy, and to return to sane fiscal management of our budget, the administration has not aggressively sought to get foreign nations to pay for the cost of maintaining our Armed Forces in their countries. In Western Europe alone, our cash outlay has been $2.8 billion to secure the local governments from the world-conquering dreams of Soviet Russia. This amount of money would have almost covered our dollar drain and been a tremendous factor in righting our balance of payments.

There were other avenues open. Congress could have cut back, rather than expanded, some questionable programs; we should have delayed launching those ventures which lacked any priority, and we could have voted for much more efficient government. In my votes in the first session of the 90th Congress alone, I supported cuts in spending of many billions.

Thus, fortified with this knowledge and being strengthened in my convictions by the words of the chairman of the Ways and Means Committee, the honorable gentleman from Arkansas, who stated:

> If we don't correct this situation, we're heading into a depression.

I have reluctantly voted for this bill which sets up a temporary surtax, and reduces Federal expenditures by $6 billion. While there is very little that can be said about the virtues of any tax-increase bill, there is one outstanding feature with the surtax, in that this measure will not add another burden on the low-income citizens. Generally, a family of four living on an income of up to $5,000 will not have any tax increase, nor will a single individual who has earnings of up to $1,900.

I am including a table as printed in the Washington Evening Star showing the effect of the surtax by tax brackets. The first column is taxable income, the second is 1967 tax, the third is the tax for 1968, and the last is the tax due in 1969:

SINGLE PERSON

$1,900	$147	$147	$147
$2,000	163	166	165
$3,000	333	358	350
$5,000	671	721	705
$7,500	1,168	1,256	1,226
$10,000	1,742	1,873	1,829
$12,500	2,398	2,578	2,518
$15,000	3,154	3,391	3,312
$20,000	4,918	5,287	5,164
$25,000	6,982	7,506	7,331
$35,000	11,627	12,499	12,208

MARRIED COUPLE, NO DEPENDENTS

$3,000	$204	$204	$204
$3,600	294	295	294
$5,000	501	533	522
$7,500	914	983	960
$10,000	1,342	1,443	1,409
$12,500	1,831	1,968	1,923
$15,000	2,335	2,510	2,452
$20,000	3,484	3,745	3,658
$25,000	4,796	5,156	5,036
$35,000	7,997	8,597	8,397

MARRIED COUPLE, 2 DEPENDENTS

$5,000	$290	$290	$290
$7,500	686	737	720
$10,000	1,114	1,198	1,170
$12,500	1,567	1,685	1,645
$15,000	2,062	2,217	2,165
$20,000	3,160	3,397	3,318
$25,000	4,412	4,743	4,633
$35,000	7,529	8,094	7,905

This seemed to be the only route left open in this Congress to get the reduction in Federal spending, to halt the loss of confidence in our money, and to provide some stability to our dollar as well

as to protect the innocent from further and wilder inflationary problems. Yet, in my mind, other more responsible avenues were available to this administration.

While I accept the responsibility of voting for this unwanted tax on the fruits of our citizens' labor, it still is most galling to know that many of the great liberal spenders still lacked the courage to "bail out the boat that they have helped to capsize."

DOCUMENTARIES ON HUNGER

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. **GATHINGS**. Mr. Speaker, the Chicago Tribune, in its June 25 edition, comments editorially on recent television programs purporting to be "documentaries" on hunger in the United States. The editorial is welcome in that it endeavors to place the situation into true perspective.

The editorial is recommended for its soundness:

DOCUMENTARIES ON HUNGER

One of the television networks produced a program purporting to document hunger in America, and apparently was so pleased with its efforts that the show was broadcast twice.

Secretary of Agriculture Freeman, however, was not pleased. He provided some documentation of his own to support his charge that the show was a "distorted, oversimplified, and misleading picture of domestic hunger and what is being done to combat it." One example will suffice to illustrate the secretary's complaint.

The network presented a man and wife with 10 children living on the husband's part-time employment—"earning $3 to $4 a day when he worked." Despite this low income, according to the TV presentation, the family was required to pay $70 a month for food stamps, and "with this unrealistic purchase requirement, the family could not take advantage of the stamps."

The facts, according to Freeman, are that when certified for the food stamp program the family consisted of husband, wife, grandmother, and 10 children. The family's income was $180 a month from farming, part-time work, and a combined welfare grant and pension of $82 a month for the grandmother. Based on this income, the purchase requirement was $70 worth of stamps a month, which bought $128 worth of food. Later when the husband was not working and the family income was reduced, the stamp purchase requirement was lowered to $18, which bought $108 worth of food. Instead of being unable to utilize the stamp program, the family has in fact purchased stamps regularly since last September, receiving $783 worth of food for an investment of $246, or three times as much food as it would have been able to buy without the program.

Regardless of how well intentioned, this is another example of some of the hokum the public is getting about the hunger problem. A few weeks ago a private citizens' group issued a report claiming concrete evidence of widespread hunger and malnutrition and implying that millions of Americans were at the point of starvation. The other day the House agriculture committee refuted it with a report indicating that while there is widespread malnutrition because of ignorance and local custom, there is very little hunger resulting from inability to buy food or get it under public assistance.

There is, of course, no need for widespread malnutrition in a country which produces more than enough food for everyone. The problem is more likely to be remedied by careful consideration of facts, rather than thru careless appeals to emotions.

RESPONSIBLE GUN CONTROL

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. **WYMAN**. Mr. Speaker, I am glad to see a distinguished newspaper like the Washington Evening Star, reaffirm editorially yesterday what I have repeatedly urged with reference to new gun control legislation at the Federal level, namely that Federal registration and licensing is not the answer. It will not work. It cannot adequately be implemented without a national police force—which nobody wants—and it will not reach the unlawful gunman in any event. He will remain just as unlawful and just as secretive, with or without a Federal registration requirement.

What is needed, is a law under which it becomes just too risky to carry or use a gun in crime, that is, in the commission or attempted commission of crime, to be a separate Federal offense with a mandatory minimum sentence upon conviction. This will make those criminals who think at all, think twice before using or carrying a gun.

Also, a law that imposes upon the seller of a gun, a requirement that the buyer shall produce for the seller's public retention on file, a certificate from his home community that he has no criminal or mental record and is over 21 years of age.

I commend the Star editorial to the consideration of all who are concerned with the problem of what type of legislation will most responsively meet the problem of responsible gun control for this Nation.

The editorial follows:

[From the Washington (D.C.) Evening Star, June 26, 1968]

THE REAL GUN MENACE

The President's latest message to Congress on gun controls is noteworthy in at least two respects.

It goes well beyond his former proposals and also beyond proposals offered by such ardent gun control people as Maryland's Senator Tydings. It is also more noteworthy for its emotional content than for any deterrent effect it could be expected to have on the use of guns by criminals—the real source of the gun menace.

When Mr. Johnson signed the omnibus crime bill on June 6 he said that its ban on mail order sales of hand guns, though it is stringent, was inadequate. He was right about that. He urged that there be a ban on mail order sales of shotguns and rifles. Again, he was right, and he pressed for legislation to forbid such sales.

While that proposal was pending, however, and before Congress could act, he sent up another message this week. In it, he called for the registration and licensing of all firearms—applying to new purchases as well as to guns already possessed by individuals. He called for monetary punishment of any state which did not fall into line.

Is there anything wrong with this? Let's take a look. Mr. Johnson said of the registration and licensing proposals: "Surely the slight inconvenience for the few is minimal when measured against protection for all." The "few" are the owners of the estimated 50 to 100 million guns in this country today. How would registration and licensing provide "protection for all"? This would be true only if it is assumed—an unwarranted assumption—that criminals as well as law-abiding citizens would come in and register their guns and apply for licenses to possess them.

The President gave some examples. Last Tuesday, he said, a filling station attendant was shot to death in the course of a $75 armed robbery. The robber was violating the law by using the gun in the commission of a felony. Is Mr. Johnson seriously suggesting that this robber, and the thousands of others like him, would have registered the gun and applied for a license? He also said that in 1967 there were 71,000 robberies with guns. How many of those victims would have been protected by a registration and licensing law? One other thing. Mr. Johnson said that with registration under modern computer systems "the owner of a gun anywhere in the country can be identified in a matter of seconds." True, if the gun owner had obeyed the law and registered his gun. Untrue if he had not registered.

Another interesting point: The President urges that any person who fails to register any kind of gun be subject to a fine of $2,000 and a two-year jail term. Under existing law in Washington, however, the maximum first-offense penalty for carrying a concealed hand gun on the street is only one year in jail and a $1,000 fine. Yet the person who carries a concealed gun is the potential murderer or robber.

It may be that registration and licensing would be of some help in discouraging improper sales or transfers of guns. But they are not going to stop the armed criminals or provide any appreciable "protection for all." As we suggested several days ago, the best way to achieve this protection is to provide really tough and if necessary mandatory jail sentences for anyone caught carrying an unlicensed gun or using a gun while committing a felony.

Why doesn't the President, as a companion piece to his appeal, get behind something of this nature?

ACA 10TH ANNIVERSARY

HON. GERALD R. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. GERALD R. FORD. Mr. Speaker, today, June 27, 1968, marks the 10th anniversary of the Americans for Constitutional Action. During these past 10 years, the ACA has done much to alert more people to significant issues.

All too often, people are urged to follow the prevailing dogma without analyzing its underlying rationale or its practicality. Far too many people are led to believe in the infallibility of the Federal Government. The ACA, on the other hand, has stood up to those who proclaim what are the fashionable liberal beliefs. By presenting contrary arguments, the ACA often sheds light on controversial issues and thereby enables our democracy to function more effectively. Unless all arguments are considered be-

fore making a decision, particularly a decision which can affect millions of Americans, our democracy falters. We ought not to accept ideas on faith. We ought only to act from understanding based on a careful study of all arguments.

The ACA has done much to contribute to the understanding of many issues. They have much to be proud of. I, for one, welcome their contribution.

LINES ON LIVING

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. PATTEN. Mr. Speaker, I think my colleagues will be interested in a most eloquent and thoughtful column, in the New Brunswick Daily Home News, written by Rabbi Haim Kemelman, of the East Brunswick Jewish Center. Rabbi Kemelman's words—on the recent tragedies and on American culture—should be read carefully by all.

The column follows:

LINES ON LIVING

(By Rabbi Haim Kemelman)

We are no longer cowboy country, neither are we a frontier nation. Yet, we are condoning the free traffic of firearms, the romanticizing of gun powder and the glamorizing of ballistic power, as if we were still Billy the Kid country.

But for this freedom "to keep and bear arms," which was originally meant as a constitutional states' right, and not an individual's privilege, we are paying an extremely heavy toll.

The gun cult in America's private war by possessors of firearms has exacted from the nation more than three quarters of a million casualties since the turn of the century—more than the total of all American war losses combined. What a startling figure for a causeless, heartless and undeclared civil war of unknown privates!

The national tradition of the gun is no less than a national tragedy. But the National Rifle Association, with its gun mystique philosophy, still believes that shooting freely is an American birthright and uncontrolled gunplay a patriotic heritage. "Happiness is a warm gun," exclaims the blunt caption under a blood-drenched photo showing a happy youngster blissfully rejoicing in the virile beauty of killing and in his possession of a shotgun and a rack of dead pheasants.

NRA happiness is the freedom to shoot or to kill, (animals, of course) without leaving any imprints, fingerprints, or records, (an eyesight examination is required for driving a car, not for shooting. Anything moving is a target.)

We are a record-conscious nation. We keep records of almost anything and everything. The driver, the pharmacist, the doctor, the dentist, the barber, the marrying couple—all are duly registered and licensed. Bicycles, cars, businesses, shops, planes, prescriptions and dogs are all punctually registered and recorded. Only firearms, the instruments of death that serve no purpose other than maiming or killing, remain unlicensed and unregistered (in most states) and totally free of any control. And that, again, is NRA's happiness, but the nation's tragedy and agony.

Ban the gun, we are repeatedly told. But that's hardly enough. Ban the gun-culture as well. Explode the myths, the legends of the romanticized gangsters. Undo the works of the modern mythmakers who have glorified the gun and the larger-than-life heroes who have wielded the gun power. Take Superman, Batman and oversize fiction out of drama and plot and put real people—not just hero and villain and shouting and shooting—with heart, soul and character, in television, entertainment, novels, books and comic books. Take the elements of tragedy, the blood-letting and the death dealingness out of everyday life, out of sight and out of the mind of children and they will be more cheerful, more moral and less war-like.

Ban also the gun-culture in the toyland, beginning with the tot. This week, I walked into the toy section of a department store and found much of it, resembling a torture chamber of misfigured characters and an astonishing array of doomsday machines—engine-powered, fuel and battery-charged. Their authenticity as to detail, size, structure and realism is so perfect that a Russian spy would hardly need to steal secrets from the Pentagon, knowing that he could easily buy them in a 5 & 10 cent store.

GUN NO EQUALIZER

Cannot we, the nation of missile power, with an ascent toward the stars, unshackle ourselves from the muscle power which still pulls us to our gravitational descent. Cannot we the people of brain-culture, with a knowledge of the inner space of the atom and the outer space of stars, unhinge ourselves from a brawn-culture of primitive force and raw impulse. The gun is no equalizer except for the grave. Any burden and irksome cost that gun-control measures will entail are indeed a small charge for saving whatever lives may be saved in America's totally unnecessary, undeclared and costliest war—the private war of the anonymous army of arms bearers.

The gun must be put out of the hands of the mentally deranged and morally demented. But the gun-culture must equally be taken out of the world of entertainment, amusement, books, toys, comic books, and any form of child's education and emulation. And if the home will be free of violent acts (verbal and visual) and the street will be liberated from gunsmoke and strife, vanquishing the yearning for brute savagery and the undisciplined tools of death and the unpredictable grip of death itself—then, the future Kings and Kennedys and parents and kids will not have to face the menacing strikes of bolting fire. Ban gun, will travel . . . unarmed and unharmed and unafraid.

ACA

HON. WATKINS M. ABBITT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. ABBITT. Mr. Speaker, 10 years ago Americans for Constitutional Action was formed as a counterbalance to certain liberal organizations such as Americans for Democratic Action in order to give more emphasis to the conservative viewpoint in our national affairs.

The organization included on its board of trustees some of the most outstanding men in America who have dedicated themselves to the proposition that we need to return to those constitutional principles which have so often been deviated from and abandoned in recent years. ACA during the past decade has attempted to promote constitutional government and has given much-needed emphasis to the conservative position on national issues.

Its periodic rating of Members of Congress on the basis of their voting record has been a helpful contribution to the collection of data on Congress and has been instrumental in shaping the course of our congressional actions. Although the organization is nonpartisan, it has lent its endorsement to candidates in an effort to promote the conservative and fiscally sound government policies which it espouses. ACA never endorses anyone without a specific request from the candidate but the weight of its backing has been helpful in many instances.

I am pleased to take note of the fact that this is the 10th anniversary of the organization and I believe that this decade of service has been of value to our national life. In these times when the so-called liberal position on many issues seems to get favored treatment from the news media, it is helpful to have an organization such as ACA which attempts in a small way to counterbalance that which is so freely available from the other side.

VOCATIONAL AGRICULTURE

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. JONES of North Carolina. Mr. Speaker, a recent report by the President's National Advisory Commission on Rural Poverty, entitled, "The People Left Behind," contains some very misleading disturbing, and in my opinion, false information regarding the programs of vocational agriculture in our public schools. I am referring to the summary statement of the report which says:

> Vocational Agriculture Programs are relics from an earlier era. They were developed in a period during which the welfare of the farm families was equated with the well being of rural communities and all rural people. This is no longer so. They were developed without anticipating the vast changes in technology to rural people. Instead of combating low incomes of rural people these programs have helped to create wealthy land owners while largely bypassing the rural poor.

This summary statement also mentioned that other farm programs fit into this category but only spelled out by name the program of vocational agriculture.

Mr. Speaker, when a detrimental statement such as this one is made about any program, it seems to me that documentary evidence should be supplied to back it up. As I said, this question was included in the summary of the report. Yet, I was unable to find any documentation appearing in the context of the publication to support such a statement. In the absence of such documentary evidence I assume that what the report is saying is, that vocational agriculture is a program designed to teach youngsters how to farm who never farmed. Indeed, this program is designed to teach both present and prospective farmers for proficiency in farming. But it is also designed to do much more and it does much more.

I know of no program that has adjusted more or better to meet the changes brought on by modern technology than has vocational agriculture. But by the very nature of its name—vocational agriculture—there are those who insist upon relating it to training only in production farming without going to the trouble to learn what it is doing in other areas. Apparently the members of the President's National Advisory Commission on Rural Poverty are among this group. Agriculture is more than farming. It encompasses the broad range of agricultural occupations which, among others, includes servicing, sales, and processing of agricultural products. Production agriculture and related agricultural occupations comprise approximately 35 percent of or present total gainfully employed population and vocational agriculture provides training in all of these occupations which require skills and knowledge in agricultural subjects. Congress recognized the need for such training when it passed the National Vocational Act of 1963. This act provided for extended instruction in vocational agriculture to include training in agricultural related occupations, as well as production farming.

Mr. Speaker, I know for a fact in North Carolina that agricultural related industries recognize the need and importance for the program of vocational agriculture. A number of cooperative arrangements have been developed between vocational agriculture programs and agriculture-related industries whereby the vocational agriculture curriculum will include training in areas of interest to the industries. For example, all pulpmills in North Carolina are cooperating with one or more high schools in the training of students for employment in the timber harvesting industry. Each pulpmill is represented on a State advisory committee organized by the agricultural education section within the department of public instruction. This committee has assisted with the development of a course currently being taught to train students in timber harvesting. Not only are the pulpmills providing resource help but they are cooperating in the placement of students for supervised work experiences and for employment upon completion of the course.

Approximately 67.8 percent of the students currently enrolled in vocational agriculture at the 11th- and 12th-grade levels in North Carolina are enrolled in courses preparing them for off-farm agricultural employment. As with the course to train students in timber harvesting these courses are developed according to needs indicated by agriculture related industries and businesses. Many students are currently involved in supervised work experiences in farm equipment sales and repair businesses, feed mills, farm and garden supply stores, nurseries and florists, fertilizer and other agricultural chemical businesses, golf course maintenance, sawmills, livestock and poultry businesses, and many others too numerous to mention. The work experiences of these students are a continuation of their instructional program conducted in vocational agriculture in the high school and is under the cooperative supervision of the local teacher of agriculture and the employer.

I submit that such a program does not represent a "relic of an earlier era," as stated in the report of the President's Commission on Rural Poverty, nor does it bypass the rural poor. It is available to all—and it seems to me that if we have 14 million people living in rural poverty as the report states, it may be that one good way to alleviate the problem would be to encourage more rural people to enroll in a good sound course of vocational agriculture which is offered in our public schools. Possibly much more good may be realized from this than some of the fancy frills and experiments that we have been conducting during the past decade which, according to the report itself, must have accomplished little in rural America since it says that we have 14 million rural poor living there who have been left behind.

HOUSE REPUBLICAN POLICY COMMITTEE STATEMENT ON THE ELECTION REFORM ACT OF 1968—H.R. 11233

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. RHODES of Arizona. Mr. Speaker, the House Republican policy committee supports the recently reported Election Reform Act of 1968, H.R. 11233. We urge that it be scheduled for immediate floor consideration.

For 2 years the House Republican leadership, the policy committee, and the Republican members of the House Administration Committee have worked for the enactment of clean-elections legislation. Specific and detailed election-reform legislation was drafted and introduced. The laws dealing with election campaigns must be revised and updated. The Federal Corrupt Practices Act was enacted in 1925. The Hatch Act was passed 28 years ago. Studies such as the 1962 Report of President Kennedy's Commission on Campaign Costs reveal that present laws invite evasion and are filled with loopholes. Absent basic reform, public confidence in the election process may be eroded.

On June 27, 1967, H.R. 11233 was reported by a subcommittee of the House Administration Committee. It is similar in content to the legislation that died in committee after it was favorably reported by the subcommittee in the closing weeks of the 89th Congress. It contains the basic reforms advocated and supported by the Republican congressional leadership. Unfortunately, despite repeated Republican efforts to get this vital legislation out of committee, progress has been painfully slow.

Now, 1 year later, after much prodding by, and with the unanimous support of, the Republican members of the House Administration Committee, H.R. 11233 has finally been ordered reported and is ready for floor action.

The weak proposal recommended by the Johnson-Humphrey administration has been shelved in favor of the strong measure that was developed by the Republican members. Through the incorporation of the following Republican provisions, honest reporting of campaign contributions and expenditures and streamlined enforcement procedures would be insured:

First. A five-member bipartisan Federal Elections Commission is established to receive reports and statements regarding campaign contributions and expenditures.

Second. The Commission is given full and complete authority to enforce the provisions of the act. It shall be the duty of the Commission to make reports and statements available for public inspection and to prepare and publish summaries and reports.

Third. Candidates for Federal office and political committees supporting such candidates that accept contributions or make expenditures exceeding $1,000 in any calendar year, are required to report contributions and expenditures.

Fourth. Donations by an individual of more than $5,000 to any candidate for Federal office or any committee supporting such candidate in any calendar year are prohibited.

Fifth. Conventions, primaries, and party caucuses are placed under the reporting and disclosure provisions of the bill.

Sixth. The disclosure of gifts or honorariums of more than $100 is required of candidates for the House and Senate as well as incumbents.

Seventh. Members of the House and Senate are prohibited from using contributions derived from a fund-raising event or activity for personal or family purposes.

Unfortunately, a provision that would assist in regulating the campaign contributions by political action committees supported by a corporation, trade association, or labor organization has been deleted from the bill. Political expenditures by these groups are substantial and require additional regulation. This is reflected by the following excerpt from the report, entitled "Financing the 1964 Election," by the Citizens' Research Foundation of Princeton, N.J.:

> Labor groups and other miscellaneous nonparty committees contribute to campaign chests, or wage parallel campaigns on behalf of selected candidates and causes. The Democratic financial picture, in particular, is not complete without data on labor financing.
>
> In 1964, 31 national-level labor committees made gross disbursements of $3.7 million, compared with 21 committees disbursing $2.3 million in 1960. Labor transfers out, consisting mostly of allocations to other committees and candidates, were $2.9 million, or more than twice as much as in 1960; allocations to candidates for Congress were about twice their 1960 level. In 1964 and 1960, numerous labor committees spent more than they raised, indicating accruals from collections in non-election years.

We believe that to have effective election reform legislation, the provision regulating the campaign contributions by political action committees must be reinstated. This can be done through the adoption of an appropriate amendment during the House consideration of the bill.

Due to the 2-year delay in enacting this legislation, the reporting and disclosure provisions cannot be implemented during the 1968 campaign. As a result, the millions of dollars in contributions and expenditures in the primary and preconvention campaign remain largely unreported and subject to no official scrutiny. Moreover the reporting and disclosure provisions with respect to the general election remain weak and subject to little or no enforcement.

The passage of H.R. 11233 during this session of Congress will insure that the Federal Elections Commission is established and ready to receive contribution and expenditure reports and statements prior to the 1970 election. This is high priority legislation. It must receive immediate consideration.

LET'S GET TO WORK ON OUR AIRPORTS AND AIR SAFETY

HON. J. J. PICKLE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. PICKLE. Mr. Speaker, Congress now has before it at least two major proposals designed to promote the effectiveness of our Nation's airports and aviation system. In light of the serious demands being made on our air facilities, and in light of the tremendous expansion planned for the near future, I feel we should give these proposals our immediate attention.

I would hope that some action could be taken on an airport aid program this session, particularly since the lead time required to effectuate such broad activities is at least 2 or 3 years.

Mr. Speaker, without going into exhaustive detail as to the specifics of the bills before Congress, I would note that the administration bill envisions the creation of a trust fund, very similar to the highway trust fund, to be used to finance expansion of municipal, public airports. Generally this fund would be created through the usual appropriation processes.

The leading alternate plan calls for an air-travel tax of about 2 percent, with the proceeds of this tax to go to a trust fund. This proposal, which apparently has the support of the airline industry, would make specific distinctions in the amount and scope of aid extended to those airports which serve commercial carriers on the one hand, and those serving general aviation, on the other.

I feel it is important that Congress, through appropriate committees, take an immediate look at these proposals. I would hope that a good hearing record could be compiled this year.

If for no other reason, we should do this in order to promote air safety, which is at the heart of this whole problem. The problems of air congestion at our major air centers is one which will not improve by itself. Along this line, I think it is important that we look at our own house to assure that the Government is doing all that is possible. It is one thing to provide financial assistance to help localities improve and expand their airports, but it is quite another to make sure that the FAA traffic control equipment is the most modern and up to date available. I am also informed that there is a now-present shortage of approximately 3,000 air traffic controllers. This is a frightening realization.

Mr. Speaker, this is one area where we simply cannot let events slide. The issue must be considered from every angle. We certainly should not wait for a major air collision over a large metropolitan area to stir us to action. I hope prompt consideration will be seen this year. Some of us may be living on borrowed time.

ACA

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. LUKENS. Mr. Speaker, a full 10 years have passed since a small band of eminent citizens met together for the first time to discuss the founding of a national organization dedicated to protecting and forwarding constitutional government. Since that day a decade ago when Senator KARL MUNDT, the late Senator Harry F. Byrd, Sr., the late Senator Styles Bridges, and others met, the concept which they pioneered has taken root and flourished.

Under the chairmanship of Adm. Ben Moreell, Americans for Constitutional Action has played an instrumental role in American politics. By instilling sound principles and supporting sound candidates, ACA has blazed a trail for individual rights and better government which few organizations can equal.

Ten years is a long time, and it would be impossible for me to even begin to list the many significant achievements of ACA. They are legion, and have helped to provide better representation for Americans from every corner of our land. They have crossed party lines and enlisted Democrats and Republicans of good will in the unending quest for balanced, constitutional government.

And today, in retrospect, it is evident that the long years of hard, unsung effort have payed off in terms of results. Today, on the eve of a great national election, the forces favoring responsible conservatism seem stronger now than they have been for many a long year.

I place much of the credit for this where it belongs—with that splendid bipartisan organization whose 10th anniversary we are observing today, Americans for Constitutional Action.

Despite the constant challenges and doubts which continue to confront our constitutional form of government, I have every confidence that it will continue to survive intact as long as it has defenders like ACA working tirelessly on its behalf.

BEATRICE, ALA., INDUSTRIAL DRIVE MOVES BRISKLY

HON. JACK EDWARDS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. EDWARDS of Alabama. Mr. Speaker, Beatrice, in Monroe County, Ala., is a town with a population of 575. It is blessed with aggressive leadership, excellent highway and rail connections, an abundance of good industrial land, and a willing and eager labor force of about 6,000 persons within a 25-mile radius.

The thing that sets Beatrice apart is that its people are aware of the fact that the town must grow and provide jobs for its young people or it will die on the vine. An active effort is being made to clean up the town, provide good schools and recreation, and bring in new industry.

Yes, Mr. Speaker, Beatrice is a good town in a growing county, and all new-industry folks looking for a place to locate should come down and have a look. They will like what they see.

An interesting article about Beatrice appeared in the Mobile Register on June 20, 1968, and I include it in the RECORD at this point:

BEATRICE INDUSTRIAL DRIVE MOVES BRISKLY

(By Buddy Smith)

BEATRICE, ALA.—An intensified drive to attract new industries and business to Beatrice, started last year, is moving along briskly.

The latest addition to this northeast Monroe County town is a wood yard built by St. Regis Paper Co. and is now ready for operation. It will be used to stockpile pulpwood hauled from the woods by truck before it is shipped to the mills by rail.

Container Corp. of America has operated a wood yard at Beatrice for several years.

Beatrice is located in an excellent timber-producing area and the economy of the town long has been closely associated with forest products. Conrad Wall, secretary-treasurer of the Beatrice Industrial Board, said a medical economic survey of the community has just been completed by the Sears Roebuck Foundation. The survey shows that there is a need for a doctor in Beatrice and that the community can support a doctor economically. "We are going all out to acquire a doctor here," Wall said.

There will be month-long cleanup campaign in the community during July, Wall said. The fight against dirt and litter will be a joint program sponsored by the town of Beatrice, Monroe County, Beatrice Industrial and Kiwanis Club.

A new town marshal has been appointed for Beatrice. He is Ralph K. Wall and is the first marshal the town has had in 12 years.

There are numerous signs of growth throughout the town which has a population of 575 within the city limits and many more in the vicinity.

A new nine-acre subdivision is under construction. A street to provide access is being paved by the town. The town has erected two street lights in the subdivision and will provide water service there. Construction on two houses will begin as soon as the street is paved, Wall said. Electric power already has been installed.

Development of the subdivision is a cooperative venture between the town of Beatrice and the county. Comm. Jerry Steele and Mayor Thomas A. Black coordinated the county and town efforts.

The State Employment Service recently completed a labor survey in this vicinity. The survey showed that there are about 6,000 persons available for work within a 25-mile radius of Beatrice, excluding Monroeville, which is 18 miles away, and Camden which is 21 miles away, in Wilcox County. The town's water system has been extended one-fourth mile already this year and a new proposal for another extension is under study by the Town Council. The proposed expansion would extend the system an additional four miles. It would be financed under a federal loan-grant program.

The People's Exchange Bank of Beatrice is preparing to build a new building across the street from the present bank.

Transportation being necessary to acquiring industrial plants, Beatrice is well located for both rail and highway traffic. The highway between Monroeville and Beatrice is being straightened and widened. The first link between Monroeville and Peterman is nearing completion.

Recreation is another big factor in a town's growth and Beatrice's facilities are increasing. A big 95-acre state lake near Beatrice will be opened for public fishing, July 25.

With the establishment of Patrick Henry Junior College at Monroeville, Beatrice is located within easy commuter distance of higher educational facilities.

MR. CECIL SIMS ENHANCED CITY

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. FULTON of Tennessee. Mr. Speaker, the city of Nashville, Tenn., was saddened this past week by the loss of Mr. Cecil Sims, a most prominent attorney, civic leader, and community builder.

Over his life much of his time and many talents was spent in the service of others and his contributions will stand as a lasting memorial to that service.

I had the personal privilege of working with Mr. Sims in one of his many humanitarian activities, United Cerebral Palsy of Middle Tennessee in which he worked with effective dedication.

Mr. Speaker, many of the contributions to our community made by Mr. Sims have been noted in editorials from our two Nashville newspapers, the Nashville Tennesseean and the Nashville Banner and I would like to have them printed in the RECORD at this point, commending them to my colleagues for their consideration. In the passing of Mr. Sims our community has lost a leader and many of us have lost a true friend.

The editorials follow:

MR. CECIL SIMS ENHANCED CITY

Mr. Cecil Sims, one of Nashville's most prominent attorneys and civic leaders, is dead at the age of 75.

During a long and active legal practice here, Mr. Sims left many landmarks in Tennessee law. A senior member of the firm of Bass, Berry and Sims, he defended in court the state's first limited constitutional convention. And in 1953 he served as an able delegate to the convention from Davidson County.

Although his profession was law, Mr. Sims was involved deeply in seeking a better educational system. He drew up the compact which established the Southern Regional Education Board. He served for 15 years as a member of the old Davidson County School Board, taught at the Vanderbilt law school and served as president of the Vanderbilt Alumni Association.

Mr. Sims was a board member of United Cerebral Palsy of Middle Tennessee and chairman of the Cerebral Palsy Telethon here. A new treatment facility being built in Nashville will be named the "Cecil Sims Center."

Once active in politics, Mr. Sims served as a state senator and was a friend and advisor of Sens. Cordell Hull, Kenneth McKellar and Estes Kefauver. When southerners threatened to walk out in the 1948 Democratic convention, he took the floor to urge moderation and restraint.

Mr. Sims will be missed not only as an outstanding attorney, but as a man of warmth and gentleness who left a community enhanced by his presence and service.

CECIL SIMS

Dignity marked the personality of Cecil Sims, and dedication his address to every responsibility assumed in the public interest. For he was that kind of man; conscientious in leadership or support of causes espoused by deep conviction. To enumerate them would be to inventory the total product of a long life usefully employed in the service of his community, state and nation.

Distinguished in law, his career centered in that profession; his scholarship a benefit to Tennessee in occasions of constitutional test and revision. A true friend and benefactor of education, he served his alma mater as a member of the Vanderbilt University Board of Trust, the quality of his work in that institution reflected as professor in its law school, and as chairman of its committee for a new Law School Building.

In humanitarian endeavor his devotion showed in work of the United Cerebral Palsy organization, the local treatment facility of which will wear his name. In political and civic affairs, he lent the initiative and assistance of tireless colleague.

Such was the scope of his interests, identifying him with the daily life of the city he loved and whose respect he enjoyed in an earned place on its honor roll. A great family man, that devotion was reciprocated. A man of deep convictions, backed with courage, he was esteemed no less for the guiding qualities of a Christian gentleman. His was an influential life in that regard, for human betterment.

His death brings wide regret to the city that knew him well—by long and close association—which was his chosen home community and direct beneficiary of gifted labors; and which, like the state and the nation, is a better place for his having lived in it.

EX-SERVICEMEN NOT RIOTERS

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. GATHINGS. Mr. Speaker, the Stars and Stripes for June 27 contains an editorial that comments on a matter which deserves further statement and widespread appreciation. Entitled "Ex-Servicemen Not Rioters" the editorial points out that the young men who have served in our armed services do not lend themselves to the senseless riots and civil disorders that have beset our Nation. The editorial follows:

EX-SERVICEMEN NOT RIOTERS

If one may judge by arrests in the Nation's capital of agitators, looters, arsonists and kindred performers few of them are veterans of service in Viet Nam, Korea or elsewhere. This speaks well for the indoctrination in citizenship duties and ambition that the various services instill in their people.

A vast number of Viet Nam veterans, for example, are taking advantage of the government's education aid program and its job preparation help. The young man out of the service, be it on land, sea or in the air, has worked in the closest type of team collaboration with his comrades. He has seen the results of co-ordinated effort and purpose. Nine times out of ten he comes out of the service a better man than when he entered. The idea of being recompensed for doing nothing is not nurtured in his military surroundings or by his companions. He has other matters on his mind than the destruction of constituted authority.

The low apparent record of trouble with the law on the part of veterans speaks particularly well for the Negro. Undoubtedly a great many of them have been pressured to join in on demonstrations against their government, demonstrations that seem inevitably to lead to conflict with the law enforcement people of the land. If any of them have been arrested in Washington, they have not been identified as veterans.

Another sign that the veteran is not a ready customer for organizers and pressure group operators is the fact that no substantial ex-servicemen groups have been formed to protest the war in Viet Nam. With politicians and others in high places deriding the Administration's efforts in Viet Nam, it is rather significant that substantial protest groups have not been formed among veterans.

Perhaps the viewpoint of a farmer boy in Virginia who only recently completed his term of service and returned to the plows and dairy cows of his father's place, in a measure, explains why he has not been a ready customer for the organizer.

"No," he said in answer to a question whether the soldier out there would like to fold up operations and come home, "we've got a job to finish. We could not let down the decent people out there. We know the job has to be finished."

The young man happened to be white, but we suspect that his darker-skinned comrades in arms have a similar viewpoint.

It speaks well for the job top commanders and their subordinates down the line have done in handling the youth of the Nation sent to them.

TENTH ANNIVERSARY OF ACA

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. WAGGONNER. Mr. Speaker, I am happy to note that today marks the 10th anniversary of the Americans for Constitutional Action and this event is worthy of note.

I commend the ACA for the job it has tried to do over these years, that of indicating who stands where in the conservative-liberal spectrum and of assisting those responsible Members who consistently put country above self. I am sure that the officers and trustees of ACA would acknowledge that their measurements are not always as perfect and as precise as they would like but it cannot be realistically denied that their efforts have not been well-intentioned and extremely helpful.

There is a vital need in American politics for an organization such as ACA. Its function of encouraging and promoting constitutional government should be lauded by everyone who shares their concern and mine that too many Americans, in and out of Government, have lost touch with the fundamentals that have served this country so well so many times in our past. For what ACA has been able to do to recall those fundamentals to us, I am grateful and I wish them every success in future years and hope for an even stronger organization and a stronger voice in these discouraging times.

ANSWER OR BE JAILED

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. McDADE. Mr. Speaker, on June 8 of this year, the Scranton Tribune printed a perceptive editorial. It is one which I wish to call to the attention of all my colleagues.

The editorial addresses itself to an issue of the census of 1970, and the other censuses which will be taken in the future. Will we, in taking this census, require that Americans answer the most personal questions possible under threat of fine and imprisonment.

I have entered legislation which would not permit this to be done. The editorial position of the Scranton Tribune supports that bill. I hope that many more of my colleagues might consider the sponsorship of such legislation. I believe it to be a significant and just cause. The editorial follows:

ANSWER OR BE JAILED

How would you like to be fined $100 or sent to jail for 60 days because you refused to answer an impudent, impertinent, nosy questionnaire sent to you through the mails?

Well, that's what's going to happen to you when the 1970 census gets under way unless the present plans of the Bureau of the Census are changed by congressional action. For the Census Bureau has prepared such a questionnaire containing more than 100 intrusive questions which pry into your privacy and intend to make it mandatory for you to answer them or suffer the penalty of fine or imprisonment.

For years the American people believed the census was conducted for the sole purpose of counting the number of people residing in the United States and that's the way it has been. But the Washington bureaucrats now intend to make something else out of it.

Their questionnaire is going to ask for such things as your income from each and every source, including alimony, public assistance, unemployment compensation, disability insurance, pensions and investments.

They're going to ask you to place a value on your property or state the amount of rent you pay, how far you went in school, what's your marital standing, your employment and your military history. They'll also ask you who shares your bathroom and kitchen facilities and to give them an inventory of your household appliances. They want to know if you have a dishwasher, television set or sets, radios, automobiles or a second home.

And all of this information will be compiled and made available to any who desire it.

Already a group of more than 20 members of Congress are sponsoring legislation to stop this inquisition. These men, quite rightly, want the mandatory questions confined to seven simple ones including your name and address, relationship to the head of the household, sex, date of birth, race or color, marital status and names of people in your home.

But the Congressmen won't be able to effect this change unless you, yourself, lend a hand. So why not take the time right now to write your Representative and your Senators and tell them you want your privacy protected? It could save you from going to jail.

THE AMERICAN DREAM

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DUNCAN. Mr. Speaker, in honor of the great day we will celebrate next Thursday, July 4, I would like to place in the RECORD a sermon for the occasion by Rev. Charles R. Ausmus, pastor of the Lincoln Park Baptist Church in Knoxville, Tenn., and a leader in the Tennessee Baptist Convention. His words speak for themselves, as follows:

THE AMERICAN DREAM

(An Independence Day sermon by Charles R. Ausmus)

I. THE DREAM

It was the dream of the Pilgrims at Plymouth Rock. It was the dream of the settlers at Jamestown. It was the dream of those who fought and won the War of Independence. It was the dream of Washington at Valley Forge, the dream of the First Congress. It was the dream of every school established on our shores. It was the dream of every forlorn alien who sought a new life in the New World.

What was that dream? It was the dream prophesied by Joel that, "Your sons and daughters shall prophesy, your old men shall dream dreams and your young men shall see visions." It was the Judeo-Christian dream of the time when the lion would lie down with the lamb, when all the earth would be at peace, and that men everywhere would beat their swords into plowshares, and that every man with his family could dwell safely under his own vine and fig tree. The dream of ancient Israel was that the Lord's house should be built on the tops of the mountains and the people would flow into it to glorify God!

So far this dream has been kept alive at great cost and sacrifice. It cost us a war of 1812. It cost us a war with Spain and Mexico. It cost us a family blood bath in the war between the States. It cost us our finest men who were buried at Flanders Field, and those who hit the Normandy Beaches and fought the Battle of the Bulge. It cost us the ships and precious lives of our men out across the wide Pacific. Our men paid dearly in Korea, and now suffer and die in Vietnam.

It cost the labor, toil and sweat to build America from the Atlantic to the Pacific. Our forefathers lived, toiled, and died that that dream might become a reality. The dream of peace, justice, equality and opportunity for the pursuit of a full and happy life.

II. THE PRESENT NIGHTMARE

In these perilous days we have come nigh to losing the American dream. We do not sing and shout the dream as we did before. Today our power is unparalleled and still growing. Our affluent society is awesome and still increases. Our scientific technology and ingenuity is amazing. Our barns and our banks are full. Our machines and computers are marching like a mountain to the sea.

Yet, like Diogenes of old, we walk the streets with a lantern in daylight looking for an honest man. Jesus likened our generation to children playing in the marketplace. Paul describes the nightmare of our day when he wrote, "Men love themselves, covet, boast, blaspheme, disobey God and man, unholy in life, loving pleasure more than they love God, having a form of religion but denying the only Lord God."

This is a nightmare of material progress and moral poverty; lying has become propaganda, selfishness is just self interest, greed is profit, liberty has become license and lust masquerades as love.

Ours is a nightmare of punks, hoodlums, red-necked racists, kids at the beaches, pregnant high school girls, the dope addicts, the vandals, the TV addicts, sick viewers of sick movies and sick readers of sick books. Our generation lost its sense of color, of black and white in sin; they see only convenient gray. Ours is a nightmare of Beatles, beatniks, barbarians, brewers, bottles, blubber, ballyhoo, brass, bureaucrats, boycott, borrowing, bankruptcy, barbiturates, boredom and breakdown. No wonder we have sired a generation of spiritual dwarfs and moral invalids.

III. HOW TO REALIZE FULFILLMENT

There are some basic, homespun ideas that must be practiced if we are to realize fulfillment of the American dream.

1. We must recognize, respect, and worship the Almighty. Our coins proclaim, "In God we trust"; our pledge to the flag contains the words, "under God". This must be real and from the heart.

2. We must get back to the church. Let the life of the community be centralized in the church or the local synagogue. Religion must be central.

3. We must build Godly, Christian homes. A place where the family dwells together in love, peace, and the worship of the God of the family.

4. We must magnify the school. Not as a place for riots, lootings, and burnings; but as a sacred place of study, concern for truth, and the search for knowledge and wisdom.

5. We must have respect for the dignity of the individual, regardless of race, color or station in life. We will treat every man as a fellow citizen, as a brother in Christ, and have confidence in and trust him as a man. Jesus taught us to "Love thy neighbor as thyself" and "Love one another as I have loved you".

6. We must live under law. We must obey the law. This nation was founded on a dream of "men living by law". The law is for the protection of a man's person and his property. We either turn to law or burn with anarchy!

7. We must have respect for those in positions of authority. Be it the parent, the teacher, the policeman, the judge, the governor, or the president. The position and the man in that position merits our respect and cooperation.

8. We must magnify and dignify labor. Our calling, our profession, or our job of work must have meaning. It is reported that one large oil company interviewed 11,000 people and found only 300 who were willing to work in the business world. A man is a man only when he produces more than he consumes. Only a mouse would dream of doing less.

9. We must magnify *service*. The lowly Nazarene came "not to be ministered unto, but to minister and give his life a ransom for many". He taught us "He that would be greatest among you, let him be servant of all." It is the *service* we render to our nation, our fellowman, in the name of Christ that brings the blessing of God to our lives.

10. In the last analysis we must recover

a sense of the sacred. A draft card is sacred; it points to my identity in relationship to the defense of my country. The judge's bench is sacred; the flag is sacred; the policeman's badge is sacred; the government building is sacred; the Bible is sacred; the church is sacred; property and human life is sacred. May God help us to realize the American dream.

What is the final ending?
The issue can we know?
Will America outlive radicalism?
Will worldly altars go?
This is our faith and dream
Our wild hope, and who shall scorn?
That by the power of God
This nation shall be reborn!

GUN CONTROL LEGISLATION

HON. DURWARD G. HALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. HALL. Mr. Speaker, in all the furor over the question of gun control legislation there is a tendency to overlook voluntary efforts that are being made by the business community to establish greater control over the sale of weapons. In that respect I commend Sears, Roebuck, and Co., and others for policing itself, and for taking steps to see that juveniles are not permitted to purchase firearms. Under unanimous consent I submit a copy of a letter I received from Mr. John Wheeler, vice president of government relations, Sears, and a copy of the company bulletin implementing the new policy for inclusion in the CONGRESSIONAL RECORD, as follows:

SEARS, ROEBUCK & CO.,
Washington, D.C., June 20, 1968.

Hon. DURWARD G. HALL,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HALL: In light of pending proposals for stricter controls over the sale of firearms, you may be interested to know the policies established by Sears, Roebuck and Co.

A number of years ago Sears elected to impose a total, company-wide prohibition against the sale of hand guns. This prohibition has remained in effect and will continue.

On April 26, 1968, Sears placed into force a policy which prohibits the mail order sale of rifles, shotguns, and other types of sporting guns as well as ammunition. Furthermore, Sears will not sell firearms or ammunition to any person under twenty-one years of age. These company rules restricting the sale of guns and ammunition prevail throughout the country, even though such sales would accord with State laws.

Enclosed for your information is a copy of a company bulletin which implements the described policies. Please call on me if you would like to have any additional information.

Sincerely,

JOHN L. WHEELER,
Vice President, Government Relations.

RECORD OF FIREARMS SOLD AND RESTRICTIONS ON THE SALE OF AMMUNITION, FIREARMS, AIR RIFLES, AND AIR RIFLE SHOT

(Section I—Retail stores)
(Section II—Control stores)

Effective immediately, it is Sears policy not to sell any guns or ammuntion to anyone under 21 years of age and to not accept orders for shipment direct to customer's home address. This includes rifles, shot guns, hand guns, air rifles, pellet guns, as well as ammuniton for these guns. At time of sale and again at time of customer pickup, customer must show proof of age 21 years or over, such as a driver's license, draft card, birth certificate, etc.

The provisions of Bulletin S–380 Rev., dated May 27, 1958, (Secs. I & II for Retail and Control Stores) regarding local or state restrictions on sales of guns, air rifles and ammunition, also apply, including the keeping of records or receipts and disbursements of firearms.

RETAIL STORES—DIVISIONS 6 AND 200

Require proof of age 21 or over as described above when customer buys and picks up gun or ammunition. Do not accept any orders for guns or ammunition for shipment or deliveries direct to a customer address. Require proof of age 21 or over on any guns or ammunition put on "Lay-Away".

RETAIL STORE CUSTOMER SERVICE DEPARTMENT

Require proof of age for guns or ammunition placed on "Lay-Away", before giving to customer, a time of final payment.

CATALOG ORDER PLANTS

Advise all selling units, Catalog Sales Offices, Catalog Sales Merchants of Sears policy, that telephone orders and orders for shipment direct to customer's home address cannot be accepted. Accept orders only in person for shipment to store for customer pickup. At time of sale and again at time of customer pickup, customer must show proof of age 21 years or over.

To be assured that package is not given to a customer without proof of age over 21 years, selling units should write on the sales check "Proof of Age 21 Required", and control stores should apply stickers on package near shipper labels, "Proof of Age 21 Required."

On Direct Mail and Metropolitan telephone orders, advise customer Sears policy is not to accept any orders by mail or by phone for any guns or ammunition. Such orders must be placed with Sears Catalog Selling Units for shipment to stores for customer pickup. At time of sale and again at time of pickup, customer must show proof of age 21 years or over.

Approved:

G. M. Metcalf.
H. A. Benthin.
J. W. Button.
T. F. Wands.

TENTH ANNIVERSARY OF AMERICANS FOR CONSTITUTIONAL ACTION

HON. H. ALLEN SMITH

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. SMITH of California. Mr. Speaker, at a time when so much of politics is succumbing to a growing emotionalism and the "cult of the personality," it is a genuine pleasure to observe the 10th anniversary of a bipartisan citizen group which has successfully dedicated itself to levelheaded, consistent striving for better constitutional government. Americans for Constitutional Action stands as a striking example of the right way of working for good government.

As a nationwide, nonprofit organization dedicated to political action, ACA has helped countless conservative candidates take their case to the people, and in granting its coveted distinguished service awards, has recognized the accomplishments of hundreds of Members of the Congress. Last year alone, 149 Members of the 90th Congress accepted the distinguished service award, and it is encouraging to note that 41 freshmen Members, although not eligible for the award, were among those in attendance—a heartening indication of the resurgence of responsible conservatism which is sweeping the country.

ACA has earned the outspoken admiration and respect of many of the Nation's lawmakers. Ten years have passed since Adm. Ben Moreell, former Gov. Charles Edison, Dr. Walter Martin, Loyd Wright, and the late Henning W. Prentis, Jr., conceived and organized ACA. Today the cherished dream which they transformed into a reality, is stronger than ever. In the years ahead, I trust that ACA will continue to be one of the great bastions of constitutional government, and a great force for good in American politics.

I hope that many happy, well-deserved anniversary tributes are in store for Americans for Constitutional Action in the years ahead.

THE REAL CRIME MENACE

HON. JOHN E. HUNT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. HUNT. Mr. Speaker, I have been very much concerned over the developing tide of emotionalism surrounding gun control legislation, and particularly the piecemeal manner in which the President has chosen to make his views known to Congress. On June 19, the Omnibus Crime Control and Safe Streets Act of 1963 was signed into law which includes provisions to substantially control certain traffic and sales of handguns. At the same time, the President avowed he would press for the extension of these provisions to cover long guns, a plea that was promptly taken up by the respective committees in both the House and Senate. Within days, another message was submitted to Congress calling for national registration and licensing, to include a photograph and fingerprints, of all guns and gun possessors.

It is time for a moratorium on mass demonstrations. It is time for courts to stop catering to criminals. It is time for living by the law. It is time for praying preachers and fewer political parsons. It is time to stop exploiting the fears and prejudices of minorities. It is time for politicians to stop overpromising. It is time for civil rights leaders to be civil. It is time for students to study, and it is time for workers to work. It is time to reflect upon our past and to think about those principles that have made us the greatest of nations—those embodied in the Constitution.

And yet, Mr. Speaker, throughout the consideration of gun control legislation over the years, the real gun menace—the criminal—is made reference to in a barrage of statistics, presumably to demonstrate that it is the gun which is the culprit and with the inference that stringent gun laws will deprive "the vicious, the irresponsible, and the insane" of a tool with which to commit a criminal act. Not a word is implicit in all of this legislation that would provide for strong deterrents to the criminal user or carrier of a firearm in the commission of a felony by the imposition of severe penalties. It is this person that society must be protected from rather than being lured into believing that the deranged individual will be less a potential criminal or his acts less damaging by a complacency that he can be prevented from coming into the possession of a firearm. Taken to its logical conclusion, the only gun control legislation that might approach effectiveness in accomplishing this would be to outlaw all guns, except for duly constituted law enforcement authorities, so that it can then be presumed that anyone possessing a gun is a potential criminal. Surely, this is not the weight or intent of public opinion.

It is for these reasons, Mr. Speaker, that on June 26, I and my knowledgeable friend and colleague, Congressman ROBERT G. WATKINS, introduced H.R. 18142, to prohibit the use in the commission of certain crimes of firearms transported in interstate commerce. First-time offenders would be faced with mandatory imprisonment of not less than 10 years, while a second offense would be punishable by imprisonment for not less than 25 years.

I have been very much interested in the many news stories on this subject which have appeared in newspapers throughout the country, particularly in recent weeks. A good many, riding the emotional waves for more and more gun controls, are accelerating a popular attack against guns while the deterrents to the criminal are notable by their absence. However, in the June 26, 1968, issue of the Washington Evening Star, there appeared an editorial, "The Real Gun Menace," and an article under the byline of Mr. Frank Getlein, "Gun Control Laws for Criminals, Too," which are eye-catching because they see through the morass of illogic to the real villain—the criminal. I include them at this point in the RECORD as part of my remarks:

[From the Washington (D.C.) Evening Star, June 26, 1968]

THE REAL GUN MENACE

The President's latest message to Congress on gun controls is noteworthy in at least two respects.

It goes well beyond his former proposals and also beyond proposals offered by such ardent gun control people as Maryland's Senator Tydings. It is also more noteworthy for its emotional content than for any deterrent effect it could be expected to have on the use of guns by criminals—the real source of the gun menace.

When Mr. Johnson signed the omnibus crime bill on June 19 he said that its ban on mail order sales of hand guns, though it is stringent, was inadequate. He was right about that. He urged that there be a ban on mail order sales of shotguns and rifles. Again, he was right, and he pressed for legislation to forbid such sales.

While that proposal was pending, however, and before Congress could act, he sent up another message this week. In it, he called for the registration and licensing of all firearms—applying to new purchases as well as to guns already possessed by individuals. He called for monetary punishment of any state which did not fall into line.

Is there anything wrong with this? Let's take a look. Mr. Johnson said of the registration and licensing proposals: "Surely the slight inconvenience for the few is minimal when measured against protection for all." The "few" are the owners of the estimated 50 to 100 million guns in this country today. How would registration and licensing provide "protection for all?" This would be true only if it is assumed—an unwarranted assumption—that criminals as well as law-abiding citizens would come in and register their guns and apply for licenses to possess them.

The President gave some examples. Last Tuesday, he said, a filling station attendant was shot to death in the course of a $75 armed robbery. The robber was violating the law by using the gun in the commission of a felony. Is Mr. Johnson seriously suggesting that this robber, and the thousands of others like him, would have registered the gun and applied for a license? He also said that in 1967 there were 71,000 robberies with guns. How many of those victims would have been protected by a registration and licensing law? One other thing, Mr. Johnson said that with registration under modern computer systems "the owner of a gun anywhere in the country can be identified in a matter of seconds." True, if the gun owner had obeyed the law and registered his gun. Untrue if he had not registered.

Another interesting point: The President urges that any person who fails to register any kind of gun be subject to a fine of $2,000 and a two-year jail term. Under existing law in Washington, however, the maximum first-offense penalty for carrying a concealed hand gun on the street is only one year in jail and a $1,000 fine. Yet the person who carries a concealed gun is the potential murderer or robber.

It may be that registration and licensing would be of some help in discouraging improper sales or transfers of guns. But they are not going to stop the armed criminals or provide any appreciable "protection for all." As we suggested several days ago, the best way to achieve this protection is to provide really tough and if necessary mandatory jail sentences for anyone caught carrying an unlicensed gun or using a gun while committing a felony.

Why doesn't the President, as a companion piece to his appeal, get behind something of this nature?

[From the Washington (D.C.) Evening Star, June 26, 1968]

GUN CONTROL LAWS FOR CRIMINAL, TOO

(By Frank Getlein)

It was not surprising that some kind of gun legislation finally made some kind of headway in Congress. That body doesn't need much to catch on. Three assassinations did the trick, especially the second and third coming so close and the third victim's relationship to the first.

What did surprise many observers was the reluctance to move in Congress even after all three killings.

Why the reluctance? Hard as it is to face, for the passionate advocate of gun laws, the reluctance in Congress probably has reflected accurately a similar reluctance in the people at large, a reluctance only dissipated by the horror of recent events.

Part of the problem stems from the general association of ideas the people have acquired about the passionate advocates themselves.

In the popular view, for example, these passionate advocates of gun laws for everyone are equally passionate advocates for the rights of accused persons, including persons accused because they were caught in the act. Oddly enough, no one has attacked the quarter of a million dollar bail set for Sirhan Sirhan as outrageously high, but if the victim had been the ordinary liquor store operator or dry cleaner who is the usual target of criminal guns, it is not at all unreasonable to suppose that such a bail would have brought howls of protest from the very voices now urging gun controls.

That's the trouble with the current gun control laws. It isn't the laws themselves so much as their advocacy by what lots of people consider the pro-criminal crowd. Looked at from that point of view, the proposals, even the most far-reaching of them, are seen as steps to disarm the citizenry completely so that criminals can enjoy even more protection than they now do and feel even freer to prey upon the householder and storekeeper.

Like all laws, gun laws will in theory apply equally to rich and poor, to law-abiding and criminal. But, from the point of view here under discussion, in practice laws are not applied equally at all. The ordinary, honest citizen is governed chiefly by regulation, even by computer, rather than by policemen. Whereas the police can be accused of brutality and courts can be persuaded to make police stop being hateful to muggers and stick-up men, it is absurd to accuse a computer of brutality. No court in the land has ever laid a glove on a government-operated memory-bank, however faulty its memory.

When a criminal knocks over a liquor store and shoots the proprietor, he is immediately informed that he need say nothing at all, that he is entitled to counsel and that the community will undertake to provide him with a lawyer if he so wishes.

In sharp contrast, consider the honest citizen set upon by a malfunctioning computer in the Internal Revenue Service. He is brutally assaulted by a bill for past-due taxes plus interest that accumulated while the computer was getting around to developing its peculiar disability.

If he writes in protest, he gets another collection of numbers, an even higher bill and is informed that IRS will shortly move to seize his bank account and other property if he does not get up the dough fast. Not a word is said about his rights. Nobody offers him free legal services or even admits that he is entitled to paid legal services. There is no due process, only due taxes. The machine is always assumed to be right, the citizen wrong, despite universal experience with feeble-minded computers in banks, department stores, the Army, Navy and Marines.

Translating this impression of how laws are applied equally, the reluctant citizen easily envisions people from the Internal Firearms Service grabbing his bank account until he hands over his weapons, perhaps even having to go out and buy weapons in order to have some to hand in.

But the actual criminal, in this view, would be protected here as elsewhere. If his gun were confiscated, it would be discovered that the police lacked a search warrant or that their information was obtained by eavesdropping or that he had confessed without a lawyer; in any event, some flaw would put the gun back in his hands and him back on the street.

The easiest way to get universal support for the gun laws would be for the advocates of such laws to pledge their support by applying the laws to everyone, even criminals.

PESSIMISM ON THE FARM

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. ZWACH. Mr. Speaker, one of the great midwestern daily papers, the Minneapolis Sunday Star, carried an editorial of some concern about the lack of "growth" in the agricultural sector from the Upper Midwest Economic Report.

The editorial reports that farm incomes in the month of March 1968, in the entire Ninth Federal Reserve District, dropped 20 percent from March 1967. One of the first signs of this depressed income was shown in the 33 percent fewer tractor sales than the previous year. Not only is the farmer's purchasing power down because of poorer prices, and less farm receipts, but also because of the shortage of low-rate farm loans.

The editorial follows:

> The bright economic picture in the Upper Midwest, which shows continuing growth in employment, wages and housing construction, is marred by a decline in the farm sector.
>
> The Federal Reserve Bank of Minneapolis, in its monthly statistical report, notes a sharp drop in spending by farmers, and blames it on pessimism and uncertainty over 1968 prices and income. The decline shows up most clearly in purchases of farm tractors, which were off 33 per cent in Minnesota during the first three months this year, compared with the same quarter in 1967. A 20 per cent drop in March alone was recorded for the entire Ninth Federal Reserve District.
>
> The farmers' pessimism has some solid basis in fact. Estimates made last year had indicated improved farm incomes for 1968, but Department of Agriculture statistics now show district crop receipts in March declined 32 per cent from the same month a year ago. This more than offset an 8 per cent increase in livestock receipts. Total cash farm receipts for the first quarter were off 1.1 per cent from the same three months in 1967.
>
> The rosy statistics coming from other segments of the district's economy tend to obscure this dismal agricultural scene. But unless the decline in farm income and spending is reversed, its effects are certain to snowball, beginning at the cash register of the small town merchant and eventually showing up in lower tax receipts for the state governments.

SPECIAL PROBLEMS OF INDIAN RESERVATIONS

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. BERRY. Mr. Speaker, in recommending against passage of a bill for the inducement of industry to move onto Indian reservations, H.R. 10218, the Department says:

> There is now pending before the Congress H.R. 10560—the Administration's Indian Resources Development legislation. That bill was carefully developed to meet a number of the special problems of Indian reservations in creating and attracting industries. It includes an authorization of $500,000,000 for an Indian loan guaranty and insurance fund and for a direct loan revolving fund. It also authorizes corporate charters to Indian groups to give them a structure through which they could compete with other communities to attract industry. We believe it will do a more effective job than H.R. 10218.

It is true the administration has had a bill introduced which would do these things, but the bill still languishes in the Indian Affairs Subcommittee and I am sure will not be passed because, while the provisions sound real good, they are not practical.

For example, this $500 million Indian loan guaranty and insurance fund and a revolving loan fund only puts an Indian reservation in the same category as the cities of the various States who have some such similar program.

How can anyone expect an industry to move out into a remote area such as an Indian reservation, where transportation costs are very high, in preference to a town or city on a highway and on a railway where the city can offer almost the same incentives?

The way their bill authorizes corporate charters to Indian groups is to give them a structure through which they could compete with other communities to attract industry. They failed to say, however, how they propose to give the reservation an opportunity to compete with "other communities" where transportation costs are materially less than they will be to the industry on that reservation.

I think it is time, Mr. Speaker, to move forward with an antipoverty program that will work instead of just giving lip-service to the problem.

CHATTANOOGA WINS NEW FRIENDS

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. BROCK. Mr. Speaker, we in Chattanooga were delighted to host the recent convention of the National Baptist Sunday School and Baptist Training Union Congress. And it was with a special pride that I subsequently read some of the nice things which this fine group of visiting men and women had to say about the city and people of Chattanooga.

At a time when so many of our great urban areas are plagued with tensions and violence, I think that the atmosphere of cordial hospitality and goodwill which typifies Chattanooga holds the key to at least part of a solution. In two informative articles appearing in the June 21 and 23 issues of the Chattanooga News-Free Press, the comments and reactions of some of these recent visitors were extensively covered. Because of their interest, I submit the articles for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Chattanooga (Tenn.) News-Free Press, June 21, 1968]

VISITING BAPTISTS HEAP PAEANS OF PRAISE ON CITY

(By Jere Sellars)

Chattanooga has been "a delightful surprise," "the most wonderful reception anywhere," "the friendliest city we've been in," and "the most integrated."

The people of Chattanooga are "friendlier than at home," "so hospitable," "more Godlike than anywhere we've been," . . . and on and on with almost embarrassing intensity words of praise and appreciation have welled from the delegates to the National Baptist Sunday School and BTU Congress about the city, its people and the beauty of the countryside.

The Rev. Donis Myers of Philadelphia called Chattanooga "the most integrated city I've ever seen. The integration that there is in the minds and hearts of the people, not just in the laws. I've been going to these conventions for 20 years and I've never seen anything like it."

Mrs. Sally Huffman of Cleveland, Ohio, said, "It's just wonderful, everybody is so friendly. This is my fifth convention and the people are just friendlier here. And there are so many nice churches and schools."

The Rev. J. D. Williams of Pensacola, Fla., was delighted that "even the service station attendants are as friendly and helpful as they can be, really sincerely friendly.

"All types of places, all sorts of business, it's been a delightful surprise and not at all what I expected.

"Everybody really made me feel that they were glad I'd come and wanted me to come back. And I want to come back now that I've been here. There is just such a wonderful spirit of friendship," he said.

"The weather and the people are warm—very warm—warmer than I'm used to at home," said Ronald Smith, a youth delegate from St. Paul, Minn.

"Before we left home we were given a list of 'don'ts' to go by since we were coming to a Southern city, but we haven't had to use it because we've been accepted as people.

"This will be as good or better than last year's convention in Milwaukee. The facilities were more conveniently located there, though."

Fritzi Mitchell of Chicago, another youth delegate, found that she had been treated, just as friendly as if "I'd lived here all my life. And the mountains are so beautiful, we drove in and enjoyed the scenery so much."

A Los Angeles lad remarked that the cab drivers in Chattanooga are "a lot friendlier than the ones at home." A gray-haired matron from Detroit replied that Chattanooga has been "just wonderful, God bless you."

All week, remarks have been overheard from delegates who marvel in awed tones at the hospitality and warm reception they have encountered all over the city—there has been one complaint—"It is a little warm," remarked a delegate when he was pressed about any reservations he might have aside from his enthusiastic endorsement of Chattanooga.

[From the Chattanooga (Tenn.) News-Free Press, June 23, 1968]

BAPTISTS LEAVE, FEEL CITY REALLY SOMETHING SPECIAL

(By Jere Sellars)

More than 8,000 Negro Baptists are returning to their homes in all parts of the nation this weekend with the firm conviction that Chattanooga, its people, its press and its surroundings are "really something special."

Dr. J. B. Cayce, outgoing director-general and new vice president, said that 5,287 Baptists would be credited with registration and completion of the training courses. He estimated that 3,000 family members and guests accompanied the delegates.

Voicing the apparent consensus, Dr. Pauline Campbell, director of youth activities for the National Baptist Sunday School and Baptist Training Union Congress, said Friday night at the Youth Rally, "I just don't know what to say about Chattanooga. I may move here myself. It looks like you have to come down South to be up North."

Her sentiment was greeted with applause and "amens."

There will be convocational services this morning in the Community Theater, but the business of the 63rd annual convention closed Saturday afternoon with the executive board meeting.

Class periods and special projects, including the William Jernigan lecture series, went right up to the wire Saturday morning before the start of the last general session just before noon.

Resolutions to brand the Vietnam war "immoral" and urging an anti-war letter-writing campaign and asking the parent National Baptist Convention U.S.A. Inc. were not put to a vote before the general assembly as previously reported.

MAXWELL HONORED

The body did vote to award president-emeritus Dr. O. Clay Maxwell an honorarium for life and to furnish his and Mrs. Maxwell's travel expense to all future conventions he can attend.

The executive board accepted the invitation of the Florida delegation to hold the 1969 congress in Miami.

The Rev. Louis Brooks, pastor of Chattanooga's New Zion Baptist Church and general chairman of the convention, accepted the high praise offered by Dr. Edward A. Freeman of Kansas City, Kans., newly elected congress president.

"I don't think we have ever had a better organized convention, or one where the host committee did a better job of getting things ready for us," said Dr. Freeman.

The Rev. Brooks responded that Chattanooga was "grateful to the congress. You have benefited us spiritually, morally and financially. It has been a blessing to have you here."

Coverage praised

Dr. Freeman credited the Chattanooga Times and the Chattanooga News-Free Press "with the best and fairest coverage given to us by any newspapers anywhere. Your coverage exceeds anything we have seen before," he told attending press representatives.

Executive board members began to rise and interject their own commentary of their experience here, all good, concluding with Dr. Freeman's report that a policeman and a cab driver, both with a quarter century or more on the job, had told them that theirs was the most cordial group ever to come to the city. He responded that Chattanooga had certainly been the most cordial city.

"I was raised right down here in Atlanta and I can remember when I came to Chattanooga as a boy and the only place we could go was the ball park. Now we are graciously received everywhere, in the stores, the restaurants and the hotels.

"I now think of Chattanooga as just an American city—not just a Southern city with what that used to mean. You surprised us, and it was a wonderful surprise," he said.

A highlight of the congress was the first banquet to be given in honor of the Sunday School superintendents and teachers and BTU directors in the 63-year history of the congress. The fete was held at the First Baptist Church in the Golden Gateway and the visitors were served by members of the church.

OPEN SOCIETY TAKES RISKS

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

[From the El Cajon (Calif.) Daily Californian]

OPEN SOCIETY TAKES RISKS

Outrage over the assassination of Sen. Robert Kennedy has taken the form of harsh indictments of our whole society. The most common pejorative used to describe American civilization these days is "sick." The doctrine of collective guilt is widely accepted.

There is a sense in which this indictment is deserved. We as a people bear the responsibility for the condition of our nation's soul; it is not a matter which can be assigned to individual leaders or "forces beyond our control."

Perhaps our outrage over a senseless and brutal act like the murder of Senator Kennedy is mere sham until we become equally indignant about a permissive attitude toward other manifestations of violence or its enthronement as a part of our culture.

It is foolish to think that violence can ever be controlled if American citizens have in their homes around 50 million guns, with no very serious efforts made until now to restrict possession and the sources of supply.

And a steady diet of violence on television screens and in movie theaters builds up a tolerance for such behavior which is bound to have an unhealthy effect on attitudes.

Even people to whom we look for guidance in selecting entertainment have on occasion become entranced with the tawdry offerings of Hollywood. Many critics were gushing with praise for that blood-spattered flick, "Bonnie and Clyde," and were distressed because it did not win an Academy Award as the best picture of the year.

These criticisms are justified, but they should be balanced with observations about other aspects of our society which at least in part help explain why violence occurs with greater frequency here than in some other places.

No other country has opened its doors to such diverse populations and attempted to amalgamate so many different races and creeds. Countries with fairly homogeneous populations can gloat about their aversion to violence and discord, but that is really empty boasting. It isn't much of a challenge to create a tranquil society where everybody has essentially the same temperament, the same color of skin and the same cultural heritage—and where immigration policies are terribly restrictive.

But to attempt on a massive scale to assimilate into one nation the multitude of nationalities, religious sects and races that make up America's population is the ultimate test. That is a tremendous task and to expect such a project to succeed without some turbulence is asking the impossible. On the other hand, if the upheavals become too frequent or go unchecked the result is chaos and irreparable damage to the basic structure of society itself. The task is always to minimize the trouble.

America has had much success in reconciling diverse people from all over the globe—certainly more success than any other nation. We are experiencing great difficulty at the moment, but it is not too much to hope that in the years ahead even these troubles will dissipate. After all, in the decades from 1830 to 1870 it was the Irish who were raising cain in our cities. There were probably pessimists then who thought it was hopeless to try to assimilate these fiery sons of Erin into the body politic. But it happened, and we all benefit because it did.

Those who come to this country from other lands often bring with them their old-world frustrations and grievances. Such is apparently the case with the accused assassin of Senator Kennedy. He is a Jordanian reported to have a fanatical hatred of the Jews, which points up the fact that ours isn't the only nation where passions run deep.

The open society takes more risks than those which are closed. Russian or Chinese leaders don't have to mingle with the people—and risk getting shot—because they aren't popularly elected. That's playing it safe. They build walls and fences to keep people out, or in, and let nobody take up residence who might undermine the state.

So before making sweeping condemnations of our own country, and donning the hairshirt, it might be well to take a look at history. That will help to keep such tragic events as Kennedy's assassination in perspective.

REBUILD WOODSHED

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. UTT. Mr. Speaker, under unanimous consent I include in the Extensions of Remarks an editorial printed on June 23, 1968, in the Blade-Tribune of Oceanside, Calif., entitled "Rebuild Woodshed." I believe that it deserves wide circulation, as follows:

REBUILD WOODSHED

The United States of America, strongest and richest and most materialistically capable power in the world today, has gone into its periodic flagellant orgy of masochism, crawling about on its collective knees and begging forgiveness for its genius, its ambition, its drive, its health and its virulence because of a public tragedy.

It is not new, this self abasement. It happens almost daily in varying degrees of intensity.

It happens when the baby cries and daddy walks the floor all night instead of plugging mommy's ears.

It happens when there's a mugging in a "decent" neighborhood and we blame the successful guy down the street who amassed so much affluence he tempted a "good" boy to go bad.

It happens monthly when we look at the FBI crime rate statistics. "Look," we say, "at the crime in the streets. We've abolished capital punishment, eased up on jail terms, increased probation and paroles, turned penitentiaries into country clubs. What have we done wrong?"

It should be obvious what we have done wrong.

We have gotten rid of the woodshed and turned the disciplining—even the serious punishment—of our young over to tender-hearted Mom. Mom was first to abolish capital punishment. She did it at home. And the consequences of that symbolic petticoat folly—with its attendant "don't you hit him, you brute" admonitions—cometh home to roost like cockroaches.

The Supreme Court merely formalized the job.

It is becoming increasingly obvious to the majority of people across an aroused America that what we have done, in reality, is abdicate the running of the nation to a bunch of toggy-brained, under-nourished, over-haired, ivy tower theoreticians who tossed away common sense and the tried-and-true in favor of a permissive, progressive, preposterous parade of ridiculous theorems that have ruined a number of successive American generations and nearly ruined the nation.

A senator is shot.

President Johnson, like the predictable doll when its button is pushed, appoints a commission.

We haven't taken time to digest the book published by the Kerner commission—the last commission.

Eugene McCarthy, spaniel-eyed and professional, intones the opening liturgy of the national masochistic chant: "We must all share the guilt."

Must we all share the guilt, too, of Benedict Arnold, Jefferson Davis, Warren Harding and Judy Garland?

Pompous, play-acting, over-paid and under-talented psychiatrists take to the airwaves with lip-smacking relish and invent new scientific platitudes to explain the bad that is baked into apple pie.

All the politicians in the world ride down upon us on the wornout hobby horse that the assassination of John F. Kennedy made: that the assassination of Martin Luther King nourished.

"This horrible thing," all the parade intones, "is a product of our guilt, of our environment, of our civilization, of our affluence. Sell all your worldly goods and wear sack cloth now, henceforth and forever."

In any instance, the diet is as appetizing as a bushel of wetnoodles dipped in dried buffalo dung.

In this particular instance, the wooden heads who ride the hobby horses, the psychiatrists, McCarthy and the President are patently, individually and collectively off the track.

The assassination of Robert F. Kennedy had no relationship to those that were prior—nor to our national environment.

The accused assassin was no American. He was a native of Jordan, a militant Arab who hated Kennedy because of his stated leanings toward the state of Israel.

He allegedly shot Kennedy on the anniversary of the start of the brief Arab-Israeli war of 1967.

He is said to have written his intent to do so.

The act was as much connected with the environment of the United States today—or yesterday—as were the Mau Mau uprising in Kenya, the discovery of Australopithecus in Africa or the evolution of the hunting habits of the Bengal tiger.

We are guilty, all right.

We are guilty of erasing the definitive borders between good and bad, the true and false in our civilization.

We are guilty of turning over the administration of our affairs and the expression of our likes and our dislikes to a vociferous few who display a giant vocabulary and a pigmy mentality.

If you haven't lost your faculties entirely through disuse, you could start resuming the mastership of your own governmental fate by letting your congressman—and your newspaper—know how you feel about rioting students who need their fannies kicked; about looters and arsonists who should be stopped by any necessary force; about murderers who should die for their crimes; about self-serving legal folderol that makes it possible for the guilty to go unpunished for years; about politicians who give you words rather than facts; melon-headed charm rather than hard-headed logic.

Letters to congressmen and to editors should not come from the cranks in our society. They should come from every man; they should represent the opinion of the majority.

When they do, as they once did, we can hope to regain control of our nation and our fate.

TENTH YEAR OF THE ACA

HON. HENRY C. SCHADEBERG

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. SCHADEBERG. Mr. Speaker, today marks a milestone in the checking on the conscience of the Congress. The Americans for Constitutional Action have for 10 years today been advising the folks back home just exactly what individual Members have done in the way of voting.

I personally feel that the ratings of the ACA are extremely important in a man's standing for reelection, and I am proud to say that my record mirrors the fiscal responsibility and integrity the organization has stood for this past decade.

There is no doubt but that the Americans for Constitutional Action will be a factor in our political scene for many years to come, and I sincerely hope that their objectives will stay parallel with mine during the years that the voters in my district choose to elect me as their representative in the Congress.

WGAU EDITORIAL: "IS AMERICA SICK?"

HON. ROBERT G. STEPHENS, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. STEPHENS. Mr. Speaker, on June 10, 1968, WGAU radio station in Athens, Ga., presented an editorial on the question "Is America Sick?" Since this is a question that many Americans are asking today, I believe that it would be beneficial to all of the Members of Congress to read this interesting editorial. I submit it, therefore, for insertion in the RECORD:

IS AMERICA SICK?

Is America sick?

WGAU says, "No!"

Did the average American feel a deep revulsion and sorrow when prominent American citizens were felled by assassin's bullets?

WGAU says, "Yes!"

Do more people than ever before in the history of the United States have a chance for a better life?

WGAU says, "Certainly!"

Were the assassins of President John F. Kennedy; Civil Rights Leader, Dr. Martin Luther King, Jr.; and Senator Robert Kennedy, average Americans?

WGAU says, "Of course *not*!"

Take Lee Harvey Oswald, the assassin of President John Kennedy. Oswald had renounced his citizenship and had lived in Communist Russia for years. When he returned to this country, he involved himself in Cuban Communist publicity work. Oswald killed the President . . . not the American public. Check on James Earl Ray, accused of murdering Dr. Martin Luther King, Jr. Is Ray an average American citizen? Not on your life! He has a criminal record dating back to 1949. Ray was a deviate who had ostracized himself from society by a *long* series of his unlawful actions.

Consider the last murderer who killed Senator Kennedy. Was he an average American? Sirhan Sirhan was from Jordan. True he had lived in America for the past ten years, but he had never made a move to become an American citizen. Sirhan was certainly not an average American.

So, who's sick?

Can it be that in the desire of America to continue to be the freest nation in the world that the average citizen has been left open to the violence and depredations of the less moral? Have we gone so far in the protection of individual rights, that the rights of the majority are being encroached upon? Have we made our laws so permissive to a prospective criminal, and so protective to him, that law enforcement officers can scarcely make an arrest much less a conviction?

These are all serious questions which will have to be answered in the very near future.

But to the question right now . . .

Is *America* sick?

WGAU says . . . The answer is "No!"

HEW SEEKS TAKEOVER OF VA MEDICAL SYSTEM

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. TEAGUE of Texas. Mr. Speaker, I suppose I should not be surprised after over 20 years in Washington, but even after this lapse of time I am amazed at the voracious appetite of large Government agencies which continually seek to gobble up others under the guise of increasing the efficiency of a particular program or bringing better coordination within the framework of an existing structure. I refer in this instance to the latest effort of the Department of Health, Education, and Welfare and Secretary Wilbur J. Cohen to take over all of the independent health programs of the Federal Government and consolidate them into one general administration with primary responsibility to that Department.

Gluttony, centuries ago, was listed as one of the seven deadly sins, but this fact has never percolated down to the thinking of some of the bureaucrats here; their desire for new functions and power is insatiable. The present Secretary apparently has a long memory, and recalls that what he is proposing today dates back at least back to the first Hoover Commission report which proposed a unified medical administration for all health, medical and hospital programs in one agency.

That uncalled for and unwise proposal was rejected just as I am hopeful the present effort by Secretary Cohen will be.

The net result of Secretary Cohen's brainchild, insofar as the Department of Medicine and Surgery of the Veterans' Administration is concerned, could be:

First, transfer, consolidation, or closing of existing VA hospitals at the discretion of the Secretary.

Second, opening of VA facilities to all members of the community regardless of their service in period of war.

Third, elimination of non-service-connected care for lack of available beds.

It requires no great imagination to see that one of these steps would effectively end the concept of VA medical care as we know it today.

I have read, from time to time, statements quoting anonymous high officials in HEW that the Department was "unwieldy," "difficult to administer," "should be broken up into at least three separate agencies or departments," but Secretary Cohen in his letter of June 14 to the President has apparently never heard of these proposals or if he has, has chosen to ignore them, for he proposes to make HEW an even greater octopus. The letter which he sent the Chief Executive on June 14, aside from dealing with internal organization of HEW and the Public Health Service, seeks to acquire additional jurisdiction under the guise of "coordinating all Federal health programs" and establishing responsibility for such agencies as the Veterans' Administration to report to the President through a Federal Interdepartmental Health Policy Council.

This proposal if it should be adopted would in effect destroy the independence of the Veterans' Administration medical program by removing the Administrator of Veterans' Affairs and the VA Chief Medical Director from any final decision on health programs affecting the veterans of this Nation. Today the Administrator of Veterans' Affairs has direct access to the President on all matters affecting the Veterans' Administration, including the largest medical care program operated by the Federal Government—that operated by the Veterans' Administration. Under the proposal of Secretary Cohen the Administrator would have to report to the Federal Health Policy Council, who, in turn presumably would funnel its recommendations through an HEW Under Secretary for Health to the Secretary of HEW, and in turn to the President. It does not take an individual who is familiar with the workings of the Washington bureaucracy to understand that any recommendation made by the VA would be fragmented, broken down and diluted in such a fashion that by the time it reached the President it would be completely unrecognizable.

The veterans of this country have come to look upon the Veterans' Administration as a one-stop agency where and when they need assistance they can obtain it whether it relates to compensation, pension, education, insurance, housing, medical care, or any other of the salient features of the veterans program. The proposal that Secretary Cohen made to the President on June 14 would completely destroy this concept insofar as the medical program is concerned. Secretary Cohen is seeking to interpose himself between the veterans of this country and their Commander in Chief.

Under date of January 30, 1967, I was advised by the then Secretary of HEW, John W. Gardner, that no transfer of VA to HEW was contemplated. This information was received after I had remarked on the floor of the House on January 16, 1967:

> In view of the unfortunate recommendations of the administration in the last Congress concerning the closing of Veterans' Administration hospitals, I am shocked that any further tampering with the operations of the Department of Medicine and Surgery of the Veterans' Administration would be considered by any other Federal agency. I am also constrained to make the observation that in view of the magnitude of the operations of the Veterans' Administration, if there is to be any transfer of medical functions, logic would dictate that the health functions of the Department of Health, Education, and Welfare would go to the Veterans' Administration.

As far as I know, the Administrator of Veterans' Affairs is not asking to take over the activities of any function of the Department of Health, Education, and Welfare, but the method of such consolidation and my remarks in January 1967 are still pertinent. Consider, if you will, information contained in this remarkable 35-page document which Secretary Cohen presented to the President to the effect that in 1969 fiscal year the Department of Health, Education, and Welfare will expend $116 million in direct hospital and medical services, while at the same time the Veterans' Administration will expend $1,291,000,000 on medical care for veterans. Of course, I can understand Secretary Cohen's appetite for this broad medical program. The Public Health Service has not been remarkably successful in recent years in direct medical care. It has been fraught with all kinds of problems and perhaps if another agency which has been running well and treats approximately 100,000 patients a day and has an active working relationship with 80 medical schools, it would bring to HEW a relationship and vitality which it now lacks and which it apparently cannot achieve on its own.

For those who may think that I am an alarmist for overstating the case, I would like to quote from this lengthy document of Secretary Cohen's so that there will be no doubt as to where the Secretary is tending. On the first page of this report, which has been forwarded to the President, it is stated that a number of recommendations are presented to achieve a more balanced and effective operating of all health and health-related programs of the Federal Government. Immediately following that, the point is made that the Secretary of HEW should become the President's chief adviser on Federal health and he would be responsible for coordinating all Federal health programs. Further, Secretary Cohen points out that his Department "does not exercise policy guidance over the broad Federal health establishment" and that he does not have an adequate mechanism for such a coordination. He then raises the question which in effect asks why the Veterans' Administration should have the largest hemodialysis program in the country by raising some question about "the decision that the Federal Government will provide, through the Veterans' Administration treatment of VA beneficiaries suffering kidney diseases, without making this expensive and lifesaving care—kidney dialysis—available to other members of the population in need of it." This one quote points up the bias existing in the Department of Health, Education, and Welfare toward the Veterans' Administration, and perhaps jealousy or envy are terms which should be better used, to describe the situation. The VA can be proud of its activities in this field, and I am sure that it would be most happy if the Department of Health, Education, and Welfare had provided as many of these kidney units, or more, than the Veterans' Administration now operates. Certainly no one interested in the care and treatment of ill individuals would be opposed to the extension of such lifesaving devices as the need requires and on as broad a basis as possible. Keep in mind, too, that the Congress has lavished appropriations on HEW in recent years for all kinds of broad medical programs with few restrictions.

Perhaps another one or more quotes will underscore the seriousness of the situation I am describing. On page 28 of this unusual document it is stated that the Department of Health, Education, and Welfare "does not have the means to guide or influence actions of other Departments of the Federal Government which draw heavily on the Nation's health resources and involve large expenditures. The Department of Defense and the Veterans' Administration, for example, administer programs—without adequate coordination—which may yet fail to make the contribution which they are capable toward maximum use of the Nation's health resources."

Further, Secretary Cohen urges that he "should be designated as the President's chief adviser" and "agent in the oversight of all Federal health activities."

In describing the activities of the Interdepartmental Health Policy Council, Secretary Cohen emphasizes that any recommendations on the activities of the Department in the health field "would report through the Secretary directly to the President." Such procedure would effectively eliminate the VA from any policy role.

I submit, Mr. Speaker, that if this grandiose scheme of Secretary Cohen's is adopted, and I regret to say that it is being seriously considered in the executive branch, it will completely rob the Veterans' Administration of its independent status insofar as health and medical programs are involved. It inevitably means that the 165 Veterans' Administration hospitals and domiciliaries would be consolidated, closed, eliminated, and disposed of in a fashion which appeals to the Interdepartmental Health Policy Council and it very likely would not reflect to any substantial degree the wishes or views of the Veterans' Administration and would certainly provide for no representation of the needs of the veterans of this country.

Appetites for power are indeed hard to satisfy, and this vast bureaucracy of the Department of Health, Education, and Welfare apparently has an insatiable appetite for gobbling up other activities. Not content to administer medicare, social security, welfare, and vast educational programs, it now must seek out to cover up its deficiencies in the above-named programs to take over other programs which are working well but are administered by, thank goodness, smaller agencies which are more responsive to the people's wishes and to the will of the Congress.

I do hope that before we face a new series of closings or consolidations of Veterans' Administration hospitals that the Members of this House will make known their opposition to this uncalled for and unwise proposal of Secretary Cohen.

AMERICANS FOR CONSTITUTIONAL ACTION

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. ROUDEBUSH. Mr. Speaker, today marks the 10th anniversary of the Americans for Constitutional Action which supports the election of conservatives to Congress.

During the 10-year span since its organization, the ACA has supported conservatives of both parties in an effort to counter the extreme liberal imbalance that our Government has suffered in recent years.

ACA annually compiles the voting records of all Members of Congress on key rollcall votes, grading these voting records in adherence to constitutional principles.

This has been an invaluable service to the American people who have been alerted to the voting records of their Congressmen and Senators.

The ACA is deeply concerned about the tremendous problems besetting our Nation today. The ACA's nonpartisan leadership sees these crises as falling into four general categories: First, loss of national sovereignty and deterioration of our national defense; second, disregard for law and order; third, ruinous inflation and monetary policies; and, fourth, loss of faith in the American dream.

ACA has backed 807 conservative candidates for Congress in the elections of 1960, 1962, 1964, and 1966. A total of 569 were elected for a remarkable 70.5 percent of success for ACA-supported candidates.

The conservative resurgence in Congress and throughout the Nation has been assisted immeasurably by ACA's activity.

On this 10th anniversary occasion, I certainly offer my warmest congratulations to this patriotic organization, and wish them continued success in their efforts for America.

A RETURN TO FISCAL RESPONSIBILITY IN GOVERNMENT

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. PRICE of Texas. Mr. Speaker, we have recently gone through the great debate on fiscal responsibility and approved the Revenue and Expenditure Control Act of 1968. This act was intended to slow down the dangerous and headlong plunge the Federal Government has made in recent years toward national bankruptcy.

A minority of Members of this body, both Republicans and Democrats, have, during the past 8 years of the New Frontier and the Great Society, consistently opposed many of the wasteful programs that have been ramrodded through Congress by the liberal majority.

These too-few Members have cried out against continued deficit spending, the mounting public debt and interest payment on that debt, and more than a dozen increases in the debt ceiling. These Members, and I was proud to join them during my first term, have warned, time and again, that there must be a day of reckoning and that day obviously is here according to the debate on the Revenue and Expenditure Control Act of 1968.

The purpose of my remarks here today, Mr. Speaker, is to commend an organization that was founded 10 years ago today for the sole purpose of promoting constitutional government and encouraging a return to fiscal responsibility in government without which no government can long survive as truly representative of the people.

That organization, Americans for Constitutional Action, has publicized the issues and debates as they arose and kept the people informed of the votes on these issues. ACA publishes an analysis and statistical evaluation of the voting records of Members of Congress. Included in the tabulation are the recorded votes on those legislative measures which, in the opinion of Americans for Constitutional Action, have a significant bearing on the preservation of the spirit and principles of the Constitution, as they were defined by the Founding Fathers of our Republic.

Never in the history of this great Nation have we needed to be reminded of these principles as we do today as these principles are attacked not only from without but also from within our country by its own citizens.

Former President Dwight D. Eisenhower recently said that he had never encountered a situation more depressing than the present spectacle of an American deeply divided over Vietnam and urged that we close ranks on the homefront.

And there are those on the homefront who, under the cloak of civil rights, or freedom of speech, encourage civil disorder and outright violation of constitutional law and claim immunity under the very Constitution they violate.

Mr. Speaker, I commend an organization such as Americans for Constitutional Action for its 10-year record in defense of the principles of our Constitution, the greatest document of human freedom and liberty ever written and adopted by a government of free people.

May we all join in preserving these principles.

TENTH ANNIVERSARY OF THE ACA

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DOLE. Mr. Speaker, today marks the 10th anniversary of the Americans for Constitutional Action, a political action group whose chairman and trustees serve without compensation to promote Constitutional government in the United States.

POSITIVE PROGRAMS FOR AMERICA'S FUTURE

I congratulate the ACA for 10 years of constructive, positive, fundamentally sound thinking and work. The nonpartisan policies of ACA are based upon principles which have long served to make Americans self-reliant, and America strong as a nation. Those principles include:

First. Fiscal responsibility: a sound currency and a balanced Federal budget.

Second. Protection of the rights of States and the people.

Third. Private ownership of industry with minimum Federal interference and competition.

Fourth. A maximum of individual freedom consistent with preservation of public order.

Fifth. A competitive private enterprise economy.

Sixth. Maintenance and enforcement of law and order.

Seventh. Strong national defense and preservation of national sovereignty.

Eighth. Cooperation with allies to develop a strong free world.

Mr. Speaker, many Americans share the concern of the Americans for Constitutional Action and support candidates committed to sound, constitutional government. In the 1966 elections, ACA supported 225 congressional candidates, and 180 were elected to the 90th Congress. Americans for Constitutional Action, during the 10 years of its existence, has provided support to a total of 807 candidates for the Senate and House. Of this number, a total of 569 have been elected. This is a remarkable overall average of 70.5 percent. Such a record shows clearly the basic support of the American people for the principles which those candidates, and ACA, have advanced.

Adm. Ben Moreell, the chairman, and other officers and trustees of Americans for Constitutional Action are to be congratulated on their 10th anniversary. The long list of distinguished trustees includes such patriotic Americans as Edgar N. Eisenhower, John Wayne, Gen. Thomas A. Lane, Hon. Katherine St. George, and many others. The late former President Herbert Hoover was a most distinguished trustee of the organization. The principles for which these patriotic Americans stand are as old as this Republic. But these principles and the rights which they protect cannot be taken for granted.

VIGILANCE FOR FREEDOM

American freedom can be diminished if constant vigilance is not maintained. The ACA, in supporting candidates true to constitutional government, provides such vigilance, and for that service Americans should all be grateful.

WASHINGTON NEWS NOTES

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. HOSMER. Mr. Speaker, there follows the July edition of my Washington News Notes:

> Huntington Beach's nuclear-powered desalting plant gets the go-ahead from the Metropolitan Water District board of Directors . . . "I'm delighted," Hosmer says. "It's important to Orange County and the rest of Southern California, the U.S. and much of the world" . . . Nuclear desalting can solve mankind's water problems for all time . . . Craig is a senior member of the Congressional committees dealing with both water and nu-

clear power . . . He's an acknowledged national leader in both fields.

Hosmer predicts a bill creating a Redwood National Park in Northern California will pass the House soon . . . Boundaries of the park will finally be written during a House-Senate conference on their different versions on the bill . . . This is the thorny part . . . Conservationists insist on very large boundaries while lumber companies want to stay in business.

Pravda, the Soviet Communist Party newspaper, and the Russian ambassador to the U.N. both have assailed Congressman Hosmer recently for his habit of pointing out defects in the proposed Treaty on Non-Proliferation of Nuclear Weapons . . . They call him a "thick-headed American Congressman" . . . Craig doesn't mind . . . "I am pleased to be in the opposite camp from the Kremlin," he says . . . Hosmer thinks the proposed treaty is full of loopholes and calls it a "hoax" . . . The Congressman's 17-year-old son was listening to his short-wave radio one night and heard Radio Moscow also attacking his Dad!

The new 32nd District's Congressman Craig Hosmer will ride in the Huntington Beach Fourth of July Parade . . . Then he flies to San Francisco to address the prestigious Commonwealth Club of California on the peaceful uses of nuclear explosives . . . He'll tell them how billions of dollars of new gold might be mined cheaply with nuclear explosives.

Representative Craig Hosmer is his proper title, but custom makes it Congressman Craig Hosmer . . . The USC Law Center recently made him a "doctor" . . . It decided to change the Bachelor of Laws degree he received in 1940 to a Doctor of Jurisprudence . . . He's also Captain Hosmer, USNR. He's an "Admiral" in Nebraska's "Navy" and a "General" in Guam's "Militia" . . . Does that make him Capt. Congressman Dr. Hosmer? . . . "Call me Craig," he says.

In a poll of 32nd District residents last January, 65% said they were not in favor of the President's 10% income tax surcharge . . . But on June 20, Hosmer voted for the measure as it passed the House . . . A $6 billion mandatory cut in Federal spending was a key part of the bill . . . He says things have changed since January, particularly the recent international run on U.S. gold and some serious increases in the cost of living . . . He says he chose the "lesser of two evils. The spending cut and tax boost are strong medicine. But the possible alternatives are uncontrolled inflation and a violent depression which would turn the country into a poorhouse."

Capitol Hill is guessing that Congress will adjourn about August 1 for the two political conventions, but will have to reconvene after Labor Day for a "rump" session . . . Craig doubts that Congress, particularly the Senate, can complete all its business by August, particularly if the Non-Proliferation Treaty comes up for ratification.

Mail on the gun control issue has run hot and heavy . . . Hosmer has received hundreds of letters, pro and con . . . He's valiantly trying to answer them . . . "I've been in Congress for 16 years and have rarely seen such a flood of mail," he says . . . Craig is cautious about rushing into legislation in the heat of emotion, but feels that guns should be kept out of the hands of lunatics . . . Congress already has acted to ban the mail-order sale of handguns, and other legislation pertaining to long guns is in the mill . . . Hosmer "realistically" forecasts it is almost certain to pass . . . His concern is that a bad law could result in more rather than less lawlessness . . . Criminals will get guns, law or no law . . . He favors reasonable controls on the sale of guns, but doubts that registration would be significant in terms of overall national goals . . . The real answer, he says, is stricter enforcement of existing laws.

In that regard, the President's signature on the Omnibus Crime Bill is a major step forward . . . Hosmer was afraid the bill might be vetoed, but it was signed at the 11th hour. As a long-time critic of Supreme Court Decisions which make conviction of criminals difficult, Hosmer hailed the Bill's provisions which ease up on Court-decreed limitations on the use of confessions, and which permit the use of wiretapping under strict court control . . . As part of his fight against the deterioration of law and order, Craig is sponsoring a Constitutional Amendment giving citizens a "paramount right" to protection of their persons and property over the rights of criminals to avoid conviction.

The Congressman still has a few speaking dates open during the periods August 5 through 9 and August 26 through 30. These are the weeks of the national political conventions so he is able to leave Washington. Program chairmen and others interested should write him about a commitment.

Young men interested in attending West Point or the Naval, Air Force or Merchant Marine academies should write to Congressman Hosmer immediately . . . He's accepting applications from young men living in his District (Seal Beach, Rossmoor, Huntington Harbor or any part of Huntington Beach west of Beach Blvd. and seaward from Edinger Ave., Long Beach and part of Lakewood) . . . His academy appointments are made on the basis of merit . . . Appointees for classes commencing in July 1969 will be made before the end of 1968 . . . Time is running short . . . Candidates must write at once to Congressman Craig Hosmer, House of Representatives, Rayburn Building, Washington, D.C. 20515.

Passage of the historic Colorado River Basin Project bill recently is a great victory for California and the other Southwestern states, Hosmer says . . . It guarantees Southern California's right to a minimum of 4.4 million acre feet of water annually from the Colorado River . . . Previously, local water supplies from the river could have been raided by other states . . . The law now prohibits this and gives arid Southern California an invaluable "water bank account" . . . Hosmer was particularly pleased with the passage . . . He's a ranking member of the Irrigation and Reclamation subcommittee which originated the bill, and was one of the key members in its strategic move through the House.

In the photo, Craig presents miniature U.S. flags to Navy Secretary Ignatius (right) and Chief of Naval Operations Adm. Moorer in support of a "Pride in America" campaign to encourage display of the flag on patriotic holidays.

And all this goes to prove that the news from Washington isn't necessarily bad all the time.

THE 10TH ANNIVERSARY OF THE ACA

HON. ROBERT T. ASHMORE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. ASHMORE. Mr. Speaker, next week, we will celebrate, with appropriate ceremony, the 192d anniversary of the Declaration of Independence.

Last week, we let pass unnoticed an equally important milestone in our history, the 180th anniversary of the ratification of the Constitution of the United States.

This week, today, marks the 10th anniversary of the organization dedicated to the preservation and promotion of the original spirit and principles of those inspired documents upon which our Nation is founded. In these troubled times, we would be remiss not to pause and pay tribute to that organization—Americans for Constitutional Action.

Through the dissemination of factual information through high schools, colleges, libraries, and the general public, Americans for Constitutional Action have made the people of America more aware of their roles and obligations as private citizens. Through other programs Americans for Constitutional Action have made officials more aware of our Nation's needs and their responsibilities, as trustees of our Nation's welfare, in attempting to meet these needs. Among public officials—local, State, and national—Members of Congress have benefited most from the activities, support and encouragement of Americans for Constitutional Action.

Americans for Constitutional Action stand firm for the propositions that their power of Government rests in the people and that the will of the people must be expressed through the elected representatives in Congress.

Americans for Constitutional Action stand firm for the propositions that lawlessness must not be tolerated, that better living conditions depend upon bettered abilities, thrift, hard work, personal pride, and ambitions.

Americans for Constitutional Action stand firm for the proposition that rights and responsibilities must be coupled together.

Tragically, there are too few who share the concerns and join the efforts of Americans for Constitutional Action.

For myself, for my fellow countrymen, and for generations to come, on this anniversary of their patriotic endeavors, I extend my everlasting gratitude to Americans for Constitutional Action. May their good works multiply as they begin their second decade of unselfish service to sustain, strengthen, and defend the spirit and principles of the Constitution of the United States as defined by the Founding Fathers of our Republic.

THE 78TH DIVISION AT KILMER U.S. ARMY RESERVE CENTER WINS PUBLIC RELATIONS HONOR

HON. DOMINICK V. DANIELS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DANIELS. Mr. Speaker, at the 24th annual Silver Anvil Award banquet, held on May 16 at the Plaza Hotel in New York City, Maj. Gen. John G. Cassidy, commanding general of New Jersey's crack 78th Division of the U.S. Army Reserve, received the Silver Anvil from the Public Relations Society of America for the most outstanding "Promotional Publicity—Government" during 1967.

Mr. Speaker, I insert following my remarks a press release issued by the Public Relations Society of America describing this great honor.

Mr. Speaker, I am happy to extend my personal congratulations to General Cassidy and the officers and men of the "Lightning Division" who have once again earned the respect of the people of the State of New Jersey.

The release follows:

THE 78TH DIVISION AT KILMER USAR CENTER WINS NATIONAL PUBLIC RELATIONS HONOR

NEW YORK, N.Y., May 17.—The 78th Division (Training) U.S. Army Reserve, Kilmer USAR Center in Edison, N.J., received the Silver Anvil Award from the Public Relations Society of America for the most outstanding "Promotional Publicity—Government" program during 1967, here at the Plaza Hotel last night.

Major General John G. Cassidy, Commanding General 78th Division, accepted the award from PRSA President Edward P. VonderHaar during the Society's 24th Annual Silver Anvil Award Banquet.

The 78th Division undertook a saturation publicity program to make the public aware of the importance of the Army Reserve, to instill "esprit de corps" among the Division members, and to interest young men in joining the 78th Division. At the end of the year the total enlisted ranks rose from 2,451 to 3,036, a gain of almost 25%.

One other New Jersey organization also won a Silver Anvil Award during last night's ceremonies. The Boy Scouts of America in New Brunswick won the Award in "International Relations—Non-Profit."

It marked the first time an Army Reserve unit had won the coveted world-wide honor.

A total of 25 organizations within the United States, Canada, Europe and Southeast Asia were presented Silver Anvils, the highest award of merit in the public relations field, during last night's ceremonies. This year's competition saw a total of 280 entries.

The Silver Anvil Awards are presented annually by the Society to stimulate and encourage improved public relations performance. The awards are given to programs which incorporate sound public relations objectives and philosophy and meet the highest standards of performance, production, presentation and execution.

The eight categories in which entries are judged include: Community Relations; Institutional Programs; Special Events and Observances; Public Service or Affairs; Promotional Publicity; International Public Relations; Emergency Programs; and Special Audience Programs. Each category is further sub-divided into sections of Business (Included Industry Groups); Government or Military; and Non-Profit Organizations. The competition is open to member and nonmembers alike.

The Public Relations Society of America is a professional association of public relations executives with more than 6,000 members in the United States, Canada and several other foreign countries.

CONCERN OVER ALLEGED INCREASE IN BRIBERY OF BANK OFFICIALS

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. PATMAN. Mr. Speaker, last Saturday's Washington Post carried a story concerning the sentencing of one of seven defendants convicted in a scheme to defraud a federally insured bank. Judge Edmound L. Palmieri termed the classification of the crime as a misdemeanor "appalling" and "fantastic." He urged the Justice Department to restudy the inadequate penalties with a view toward recommending stronger penalties to the Congress. Judge Palmieri's actions are to be commended and I assure all concerned of my wholehearted support for legislation designed to make the bribery or attempted bribery of a bank employee a serious offense carrying with it the stiffest possible penalties.

But one should be more concerned about Assistant U.S. Attorney Givens presentencing report observation that "bribery of bank officials has been uncovered in an increasing number of investigations" and that the situation poses "a serious problem to the community" and has "the most harmful impact on the integrity of the banking system."

If in the judgment of a U.S. attorney our banking system is in the slightest jeopardy because of increased briberies, then the immediate attention of the Congress is required. As chairman of the Banking and Currency Committee I am worried about the particular threat that this type of criminality poses to the whole concept of federally insured banks.

The grave reports in this story will be carefully looked into by my committee. I do not intend to make any rash decisions but will wait until all of the facts have been explored. I have written this day to the Attorney General, asking for a full explanation of the statements contained in U.S. Attorney Givens' presentencing reports and all of the background material and evidence supporting the allegation.

More important, I have asked the Attorney General to supply my committee with any evidence of any increase in the bribery or attempted bribery of bank employees throughout the country.

Mr. Speaker, I assure the Congress that if there is the slightest indication that the reports are substantial, then the House Banking and Currency Committee will proceed to hearings and promptly thereafter offer the strongest possible legislation to the House permitted by its jurisdiction. I will keep the Members informed.

Mr. Speaker, I insert at this point in the RECORD the article entitled "Felony Charge Urged in Bank Briberies" appearing in the June 22, 1968, edition of the Washington Post:

FELONY CHARGE URGED IN BANK BRIBERIES

(By Morton Mintz)

A Federal judge has termed it "appalling" and "fantastic" that under a 55-year-old Federal law bribery of a bank official is punishable only as a misdemeanor and not as a felony.

The judge, Edmound L. Palmieri, urged that the "utterly inadequate" maximum prison sentence of one year be restudied by the Justice Department, with the thought that a recommendation for longer sentences be made to Congress.

The request was relayed to Justice by the prosecutor, Assistant U.S. Attorney Richard A. Givens, after the issue came up recently in District Court in New York City.

The occasion was the sentencing of Rocco Sedito, 55, one of seven defendants in a case involving a scheme to defraud the Federally insured Meadowbrook National Bank.

Sedito pleaded guilty to causing a bank official to take bribes.

In an affidavit prepared for the sentencing proceeding, the prosecutor said he and his codefendants "engaged in a large-scale effort to undermine the integrity of the banking system through payments to bank personnel on a wholesale basis."

Givens also said in the affidavit that "bribery of bank officials has been uncovered in an increasing number of investigations" in the New York City area.

The situation "poses a serious problem to the community" and has "the most harmful impact on the integrity of the banking system," the affidavit added.

The Judge agreed with Givens that harsher penalties were needed as a deterrent. Palmieri said, "Bribery of a responsible bank official and the siphoning out of funds improperly, in violation of all the rules that the Government takes pains to apply to banks, can result in innocent people who have faith in their bank being destroyed."

In the affidavit, Givens said that in 1966 Sedito and Rocco Santarsiero, a co-defendant, arranged 16 known loans, totaling $80,000, for persons, most of whom could then not be found. The reason was that phony identifications were used by the applicants.

The applications were filed mainly at Meadowbrook's Rockefeller Center Branch. There, the affidavit continued, Sedito and Santarsiero paid Francis Colletta, a bank employe, to aid in processing the applications.

Colletta, who was not named a defendant, was said in the affidavit to have shared these payments with John Benigno, a vice president of the bank. Benigno has pleaded innocent and awaits trial.

"The Government's investigation indicated that the applicants were required to pay part or all of the proceeds of the loan to Santarsiero and Sedito," the affidavit said.

Sedito was indicted last Jan. 31. He told the FBI he would turn himself in. But, the affidavit said, he was a fugitive for seven weeks, until arrested on another charge.

Saying that he never imposes the maximum sentence on a person who pleads guilty, Judge Palmieri, on May 31, sentenced Sedito to nine months.

SNOWMAN REVISITED

HON. EARLE CABELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. CABELL. Mr. Speaker, on Wednesday, June 26, the Dallas Morning News, one of the outstanding statewide newspapers of Texas, printed a lead editorial concerning law enforcement. I insert this editorial in the RECORD:

SNOWMAN REVISITED

The nation is faced with a very real crime crisis and President Johnson has risen to the occasion—or at least as near to it as he usually does—with another questionable solution.

The Johnsonian play in the crime-busting game was predictably devised with the liberal section of the grandstand in mind. It will no doubt gain some grudging cheers from that sliver of the population, for the President's is the standard liberal approach to every problem: Pass a new law and set up a new program.

In this case, the administration's attempt to snow the population is particularly ironic. It intends to pass a law to discourage people who break laws for a living. This law, which calls for federal licensing and registration of guns, among other things, will hardly be heeded by those citizens who use weapons in working at the trade of law violation. Thanks to the liberal establishment, the criminally inclined have discovered that they can today get by with murder, literally and figuratively—why should they bother about the latest sham?

The new law that the President has advertised with such dramatic hokum as "protection for all" will therefore apply primarily, if not entirely, to the law-abiding rather than the lawless. This, too, is vintage liberal. It's the wrong solution to the wrong problem, applied to the wrong people.

The law is described as "tough", a description that under current conditions seems rather strange. How can a law be tough without tough law enforcement?

In that regard, suffice it to say that the "tough" law against guns was initially requested by none other than our top federal lawman, Ramsey "Let-em-Loot" Clark. The nation got a close-up look at the attorney general's law enforcement strategy during the April riots when the policy was demonstrated before television cameras.

Many Americans have bitterly fought on principle every type of antigun law, even those relatively mild forms of gun control that the majority of the population favors. Their argument has been that the mild restrictions are but the first step in a series aimed at disarming the private citizen, in defiance of his Second Amendment right.

The President now adds considerable credence to their case. This latest is his third proposed curb on citizens' firearms and each has been more restrictive than the one before it.

The current grand design will deny the right to use guns not only to criminals—it says here—lunatics and dope addicts, but to "any others whose possession of guns would be harmful to the public health, safety or welfare."

Now there's a little time bomb that could have nuclear results. Given the regulation attitudes of the liberal establishment that has run the county so splendidly the past few years, that description could be made to fit everyone who stands to the right of Arthur Schlesinger Jr., south of the Potomac or higher than the official poverty ceiling.

Our creative Supreme Court has shown itself capable of spinning revolution out of a comma in the Constitution. If the President's latest brainstorm becomes a law for the high court's progressives to work with, that innocent-looking phrase could mean anything. And, given time, it will.

THE PLIGHT OF THE HUNGARIANS: SOVIET ECONOMIC EXPLOITATION

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. LUKENS. Mr. Speaker, I am sure every Member of this House remembers the stirring events in Poland and Hungary during October of 1956 when freedom loving fighters in those countries strove mightly but unsuccessfully to throw off the yoke of Soviet communism.

The many instances of Communist persecution of the minorities, especially of the Jews and other religious sects, are most disturbing—just as disturbing as the consistent Communist oppression of minority rights in the various countries which they militarily and politically occupy.

We are especially indebted to an article by Dr. Z. Michael Szaz, associate professor of history and political science at Seton Hall University, for a current review of the situation as it exists today in Hungary.

Dr. Szaz has long been active in publicizing the plight of minorities under Communist rule and promoting relief for these minorities.

Mr. Speaker, under unanimous consent I submit this outstanding article by an outstanding Hungarian-American, Dr. Szaz, entitled "The Plight of the Hungarians: Soviet Economic Exploitation" published in the American Security Council's regular publication, Washington Report for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Washington Report, June 10, 1968]

THE PLIGHT OF THE HUNGARIANS: SOVIET ECONOMIC EXPLOITATION

(By Dr. Zoltan Michael Szaz, associate professor of history and political science at Seton Hall University)

The memory of the exhilarating days of October 1956 in Poland and Hungary remains with us. It was in these countries that the Communist monolith was for the first time shaken by the angry revolt of the suppressed nations. The result had been a temporary liberalization all too soon revoked in Poland and a bloody repression of the Hungarian government and the heroic freedom-fighters by Soviet armies.

In 1968, Hungary on the surface fails to display its characteristics of 1956. The 35,000 dead freedom-fighters and the Nagy group of the 1956 government are still labeled counter-revolutionaries and described as lackeys of capitalism and fascism and anti-Party diversionists. Fifty to seventy thousand Soviet troops still occupy the country and opposition to the regime takes the form of inefficient work, spiritual emigration and pressure for more economic benefits rather than open defiance.

A sadness rests upon the land despite the neon lights of the Gellert Hotel and the nightclubs visited by Western tourists in Budapest. The birth rate is one of the lowest in Europe and the rate of abortions, legalized and performed in hospitals for minimum fees, has exceeded for years that of live birth. The government, realizing that the necessary construction of housing would interfere with the expansion of capital goods industries, socialist planning and economic commitments to the Soviet Union, consequently disregards the warning voices among the medical profession demanding a change in the abortion law. The generation of 1968, though opposed to the tyrannical features of the regime and to its ideological conformity with Russian Communism, remembers too vividly the 1956 experience, the inaction of the West and the resolute Soviet counter-measures, and knows that it has been left to its own devices to press even for a minimal easing of communist dictatorship.

Despite the lack of militancy, the regime does not feel it can dispense with the presence of Soviet troops. They, too, remember the October days of 1956 and fail to demand from Moscow the same elbow-freedom which Czechoslovak and Rumanian leaders have gained for themselves. Besides East Germany, Hungary alone qualifies as the ideal Soviet satellite in Europe since both Party Secretary Kadar and Premier Fock realize the narrowness of their popular base and cannot afford even a limited relaxation of Party dictatorship for fear of the reform getting out of hand.

At the present, the Soviet Union, in turn, has various levers of pressure against Hungary. The presence of Soviet troops could be used both in case of internal unrest and if the Government were to pursue policies inimical to Soviet interests. Their presence restricts the options available to Hungarian Communist politicians as there is a great difference between using troops already on the soil of the country to be invested and an open invasion of state frontiers which would have to be the case in Rumania and Czechoslovakia.

HUNGARY AS THE ECONOMIC SATELLITE OF THE SOVIET UNION

With the limited decline of the official Cold War in Europe, military intervention remains only the ultimate weapon of the superpowers to be used only *in extremis*. Today the most important bond between Hungary and the Soviet Union consists of the economic dependence of Hungary on the Soviet Union while the political weakness of the Hungarian Communist leadership prevents even a Czechoslovak type of liberalization and renders any discussion of Hungary's defection from the Soviet bloc wishful thinking. The economic bonds, however, also represent a sizeable contribution to the efficiency and capacity of Soviet industry and to political and economic infiltration by the international Communist movement into neutral, third world countries.

Hungarian foreign trade provides a perfect example. Over the past twenty years, Hungarian-Soviet foreign trade increased more than fifty-fold and reached the amount of $1.1 billion. The Soviet Union was, in 1966, the most important trade partner of Hungary and was responsible for over one-third of annual Hungarian foreign trade. According to the 1968 Hungarian-Soviet Trade Agreement the share of Soviet trade will expand to 40 percent by 1970.

Of the trade items, 68 percent of Hungarian imports from the Soviet Union in 1966 consisted of basic raw materials. A total of 85.1 percent of the crude oil, 92.3 percent of crude oil products, 97.5 percent of the pig iron and 95.1 percent of iron ore imports to Hungary came from the Soviet Union in 1966 as did 100 percent of nickel and unalloyed ingots, 88 percent of aluminum and 89 percent of aluminum semi-finished products. The major iron and steel combine in Hungary, the Danubian Iron Plant, uses Soviet ore from Krivoi Rog (800 miles away) exclusively. Crude oil flows to Hungary through the "Friendship" pipeline and the Thermal Plant at Szazhalombatta transmits high-voltage Soviet current representing a sizeable portion of energy consumed in Hungary.

In short, Hungarian dependence on Russian iron ore, aluminum and energy resources is well-nigh complete and could not be reduced without serious bottlenecks and a restructuring of the economy. Dependency was expanded by the February 26, 1968 agreement reached by the Soviet-Hungarian Committee on Economic and Technical Cooperation calling for the establishment of "industrial branch labor committees" of mixed character enabling the Soviet managers to gain a major voice in production plans and import quotas.

The breakdown of Hungarian exports to the Soviet Union is even more telling. Twenty-five percent of Hungarian machinery and engineering production, (50 percent of all Hungarian exports to the Soviet Union) are reaching their destination in the U.S.S.R. For the period 1965–70 Soviet foreign trade agencies ordered 41 chemical and synthetic material plants and 130 ships of various types. The entire Hungarian ship and dock industry works for the Soviet Union, one of the reasons for the fast growth of Soviet merchant marine and light navy units. Telecommunication equipment plays an important role, too. The Soviet Union monopolizes Hungarian exports of wide-band microwave and microwave PM equipment, telephone switchboards and technical transmission installations. Telecommunication items form the largest single monetary value item with $39.2 million and compose 29.1 percent of Soviet imports of these articles from all over the world. Control and measuring equipment produced in Hungary finds its way mostly to the U.S.S.R. The railway stock industry also exports to the Soviet Union.

Technological assistance extended to the Soviet Union, though a two-way street, provides important premiums to the U.S.S.R. In the last three years, 1,100 complete sets of Hungarian technical documents were given to the Soviets and 1,500 Russian technical experts visited Hungary to study Hungarian production methods. The Consolidated Lamp (*Egyesült Izzó*) factory equipped seven large-capacity light tube plants in Baku, Yerevan, Smolensk, Poltava and three other Soviet cities.

The Soviet Union has full control of the only raw material in Hungary which is a surplus ore, namely bauxite. The November 15, 1962 agreement with Hungary, a steady source of irritation for the Hungarian public, represents a perfect example of neo-colonialist exploitation. In 1967 Hungary started the production of increasing quantities of alumina. From this year, until 1970, an annual 60,000 tons of alumina will be delivered to the U.S.S.R. which will ship back one ton of raw aluminum for every two tons of alumina. After 1970 production is to be increased to 120,000 tons annually. Originally Hungary was promised world market prices for her alumina, now the Soviets charge 5,000 forint (1,700 old rubles) for one ton of aluminum for the electric power used in producing it and additional transportation charges from the Volga region to Hungary are also added to the Soviet aluminum price. The official communist argument that the use of Soviet electric power is more economical is a specious one and an excuse for separating one of the stages of continuous processing of the only plentiful raw material from the economic structure of Hungary. The completion of the planned Danube Hydroelectric Plant and another oil-based power station could have provided the needed energy resources for aluminum smelting in Hungary.

Economic exploitation takes various forms. Intra-bloc trade pricing by the Soviet Union toward Hungary includes the "monopoly corrective" coefficient in regard to raw materials. This became necessary when in the 1960's raw material prices fell on the world market and, therefore, Hungary would have improved her trade balance with the Soviet Union as 50 percent of Hungarian exports to the U.S.S.R. consist of finished products. Maintaining that the decline of raw material prices on the world market was a result of neo-colonialist exploitation of the newly independent countries, the Soviet Union successfully insisted upon higher raw material prices in her trade with Hungary. In order that the final burden of the Russian profit may revolve on the Hungarian consumer, Soviet pressure led to a domestic Hungarian price increase of primary and extractive materials as well. In some cases bloc nations like Rumania resisted the "monopoly corrective" and they were offered the alternative of providing credits to the U.S.S.R. in order to develop new sources of raw material and fuel.

Finally, Hungary's trade balance with the Soviet Union is strictly negative. While almost all satellite nations struggle with this problem, the magnitude of Hungarian indebtedness is unique and is a result of the major credits extended by the Soviet Union to overcome the dislocation of Hungarian industry in the wake of the 1956 Revolution and the ensuing work stoppages and slowdown strikes. The total trade deficit between 1957 and 1964 reached 3.678 billion forints (or 1.27 billion old Soviet rubles). Repayment of these loans, to be completed by 1970, means both a mortgaging of the parts of the Hungarian industry of special interest to the Soviet Union for years and also the transfer of Hungarian hard-currency earnings to the Soviet Union, indirectly helping the Soviets to import high-quality Western goods.

ECONOMIC REFORM IN HUNGARY

Beginning January 1, 1968, the Budapest Government introduced sweeping changes into the planning and management of its economy. The serious problems in the agricultural and light industrial sectors, the inadequate rise in productivity and the low quality of many industrial products were factors which could not be avoided or cured by ideological shibboleths.

The reform represents, however, no return to market economy. Most capital goods and armament prices remain strictly state-controlled and these industries continue to work regardless of the cost calculations. This disparity will in the future, too, distort the effect of some efforts to move closer to the law of supply and demand. Even in the category of industrial and consumer goods, only a limited price fluctuation is permitted within fixed limits set by the state. This precaution was taken in order to avoid skyrocketing the prices of consumer goods which are still in relatively short supply and to avoid the necessity to expand investments to these industries. With a few products, prices were completely freed and the law of supply and demand may be permitted to function.

Even the present concession to the profit motive will cause difficulties to a system where state control and centralized planning were developed to a perfection in the past. In order to bring about the introduction of the reform, commonly called New Economic Model (NEM), the state had to organize summer courses in 1967 for plant managers with the curriculum based on textbooks of American business graduate schools and some courses even for Communist Party functionaries. Several Communist economic writers also admit that the managerial gap between Hungary and the West exceeds that of the technological imbalance.

The reform's immediate effects were varied. The free choice to change jobs, the increased importance placed on the factory labor contract instead of the old state-dictated industry-wide contract, and the greater flexibility conceded to management are undoubtedly improvements, but simultaneously prices rose for many commodities and unemployment is an immediate consequence of rationalization measures.

The reason for unemployment was the previous practice of overemployment in commerce and industry alike. The surplus work force, used for featherbedding purposes in order to eliminate an evil attributed exclusively to capitalist economy, will now have to find new positions which cannot be created overnight and dislocation of the labor market will continue at least for two to three years. Despite the cushioning by the exception of capital goods and armament industries from rationalization, unemployment became a serious enough problem to cause the Budapest Government to sign a treaty with East Germany even before instituting the New Economic Model for the transportation of over 25,000 Hungarian youth, mostly high school graduates to work in East Germany for a period of three years. Thereby, the regime hopes to reduce unemployment rolls and remove, for the long period of adjustment, potentially troublesome political elements.

Similar factors are at work regarding consumer goods prices. With the consumer deciding what products to buy, even if only to a limited degree, the problem of unsalable goods and large factory inventories becomes important to the managers who may be fined 25 percent of their salary if their enterprises continue to lose money. The production of better quality goods results in higher prices since the losses occurring as a result of sales made at prices below production costs can no longer be charged against the state as was the case before. The alternative would be either a sudden firing of all surplus employees or the introduction of Western technology which is not available.

NEW ECONOMIC MODEL AND FOREIGN TRADE

The basic problems in foreign trade persist despite the New Economic Model. These include Hungarian dependence upon Russian raw materials which is matched by fixed Soviet priorities to the production of many of the potentially hard-currency producing and competitive branches of Hungarian industry such as electronics and shipbuilding. Thus, Western trade, unless indefinitely financed by Western loans, could not result in a reorientation of Hungarian trade structure, or an opening to the West.

There is no sign, however, that the Budapest regime would be interested in such an economic opening to the West. The American trade mission of 1966, visiting Budapest at the worst psycho-political date (the tenth anniversary of the Hungarian fight for freedom), reported very limited opportunities and common enterprises proposed in the field of housing and light industries were usually rejected by the Budapest government as far as Western countries were concerned.

The Kadar-Fock Government is not interested in promoting the political and economic interests of Hungary which are directed toward a Western reorientation—a rejoining of Europe. Its representatives, in contrast to the desires of the Hungarian people, have become the ideal satellites of the Soviet Union. The question is: when will the winds of liberalization from Prague overcome the trauma of the defeated revolution of 1956 and start a political disintegration of the economically semi-bankrupt communist regime in Budapest.

OUR FINANCIAL PICTURE

HON. JAMES C. GARDNER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. GARDNER. Mr. Speaker, my vote against H.R. 15414, the bill providing for a 10-percent surtax and a $6 billion reduction in Federal expenditures, was based on the conviction that the American taxpayer should not be saddled with the responsibility of improving our current economic crisis, which was brought about by mismanagement and overspending by the Johnson administration. A combination of events has brought us today to a dangerously critical financial position. However, the blame for this rests squarely upon the administration and not the individual taxpayer.

It is clear what has basically thrown our financial picture out of order—the costs of the Vietnam war, combined with the failure of the Johnson administration to take significant steps to adjust our economic conditions to meet this demand. For the period from July 1, 1965, to July 1, 1968, we will have spent well over $50 billion on the costs of this war alone. An additional $26 billion is budgeted for fiscal 1969—without meaningful fiscal adjustments to meet this increased burden.

We are presently facing budget deficits of close to $25 billion for both fiscal years 1968 and 1969. After eight successive budget deficits since 1961, the national debt has increased from $289.2 billion in 1960 to $335.4 billion, an increase of $46.2 billion.

Since 1960, budgeted expenditures of the Federal Government have risen 102 percent, while the population of the country grew only 10 percent. Contrary to common belief, most of this increase has occurred in domestic expenditures, not in defense spending.

We are in an extremely difficult balance-of-payments situation which threatens to get worse as increased prices reduce our trade surplus. The U.S. balance-of-payments deficit from 1961 to 1967 totals $16.4 billion.

We are experiencing significant inflation today, with prices rising at a rate of some 4 percent a year. The cost of credit is also sky high, with interest rates in some cases reaching the highest in a century.

The strength of the dollar is being questioned all over the world. The diminishing confidence in the dollar has been most obviously expressed in the rapid purchasing of gold in foreign markets by foreigners. Our supply of gold has diminished to just over $10 billion.

It is evident that the policies of the Johnson administration have not adapted to these circumstances and situations and, in fact, are responsible for our current economic crisis.

The administration has been slow to face the fact that we cannot maintain a policy of guns and butter without suffering serious consequences. Our financial house should have been put in order several years ago, at the first signs of crisis. Instead, the Johnson administration insisted on conducting business at home as usual, completely disregarding the tens of billions of dollars that we are spending in Vietnam.

Not only do I believe the surtax places the expense and burden for our economic crisis on the wrong shoulders, but I also feel that it is entirely the incorrect way to attack and solve our problems. The only adequate solution is a reduction in Federal expenditures of at least $10 billion. However, this should be done through setting spending priorities, and not through across-the-board cuts in all programs. As I have stated numerous times, sizable cuts could be made in foreign aid, the space program, public works, development of the supersonic transport plane, Government research and development, and highway beautification—all of which would have a selective impact on our economy. These cuts would involve, for the most part, postponement rather than cancellation of these programs. What is most important, they would have a less-depressing effect on the economy than the across-the-board tax increase.

The sad fact is that the 10-percent tax increase will, in effect, cause inflation. Many businesses have already said they will have to raise prices to compensate for the additional tax. So again, the American taxpayer is asked to pay not only a 10-percent surtax but more for the goods he is buying.

COMMUNIST COLONIALISM IN AFRICA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. RARICK. Mr. Speaker, while the U.N. operation by the Red-Black power bloc has all but declared war against Rhodesia—in fact, by article 13 of its recent declaration urges "moral and material assistance" to overthrow the Smith government, nothing is said of the sinister African buildup by the Red Chinese as the real threat to international peace.

Or can it be that the U.N. is promoting the Red Chinese invasion to instigate armed war and insurrection against Rhodesia and South Africa?

What is "colonialism"—a word used so recklessly by some members of the U.N.?

Mr. Speaker, I submit the Lawrence Fellows' report from the New York Times for May 25 and two other reports of the same paper for May 30 for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the New York Times, May 25, 1968]

CHINESE COMMUNIST PRESENCE IN EAST AFRICAN NATIONS GROWS

DAR ES SALAAM, TANZANIA, May 24.—Although the Chinese are rarely seen on the streets here, Chinese communist projects seem everywhere.

The technical help and the loans and gifts the Chinese have bestowed on the Tanzanians exceed by far what the Tanzanians are getting from anyone else.

The Chinese have helped set up a joint shipping line with Tanzania, employing two 10,000-ton freighters. Tanzania paid her share with an interest-free loan from Communist China that the Tanzanians must start repaying only in 10 years and then from the profits they make on the line.

The Chinese have just finished building a textile mill at Ubungo, near Dar es Salaam, which Tanzanians are to pay for with another interest-free Chinese loan.

They also provided the Tanzanians with a 50-kilowatt radio transmitter at Mabibo, also near Dar es Salaam, with the same financing arrangement. A police-training camp at Moshi is staffed by the Chinese. They are also running a $15-million farming project at Ruvu. And they are providing loans and grants that the Tanzanians need to resume agricultural and road-building projects suspended when diplomatic relations were broken off with Britain and that source of money dried up.

LAST ENGINEERS ARRIVE

About 150 engineers and technicians from Communist China arrived in Dar es Salaam yesterday. They are the last of a team surveying for a 1,000-mile railway that the Chinese have undertaken to build from here to the Copper Belt in neighboring Zambia.

There were no Government announcements or fanfare about their arrival, but a crowd of Africans stood on the thin white shore that lines the harbor and watched the glistening blue-and-white liner Yao Hua slip into harbor and drop anchor.

It was a curious spectacle: the Chinese stepping into launches one after another, without smiling or speaking to be carried ashore and driven away in crowded minibuses. The Africans giggled, but seemed not to talk much to one another about this evidence of China's growing presence in black Africa.

For the other foreigners in Dar es Salaam, swilling beers and exchanging alarming tales under paddling overhead fans in crowded bars these sticky nights, there is no more favorite topic of discussion than the Chinese. What do they hope to achieve in Africa? Why have they done so well in Tanzania when they have failed so miserably in so many other places in Africa?

RELATIONS TURN SOUR

After a promising start, China's relations with Ghana and the Central African Republic turned sour. From Burundi the Chinese supported the rebellion in the Congo and eventually got themselves thrown out. Their relations were strained in Kenya and Uganda when they were caught providing funds for the opposition, Dr. H. Kamuzu Banda, President of Malawi, called their hand for having tried to bribe some of his ministers into joining the opposition. In the Congo and Mali the Chinese were well received, but they failed to make any headway in the rest of the continent.

China's big initial success in Africa was in helping to stage a revolution in Zanzibar in 1964. It has never relinquished its hold on the island and has never made a political misjudgment serious enough to jeopardize its influence there.

With the union of Zanzibar and the mainland state of Tanganyika to become the state of Tanzania, even those who thought the islanders had been swallowed up wondered if they would ever be digested. Tanzania's politics have moved erratically but unmistakably to the left ever since.

This enormous, primitive country of more than 360,000 square miles—as big as France and Germany together—has 12 million people, most of whom care little about politics, scratching out no more than a peasant's existence on land that is abundant and that could be as productive as any in Africa. There is remote, scattered mineral wealth in the southern highlands that no one has bothered to exploit.

It is difficult to accept the idea that the Chinese are very interested in anything Tanzania has to offer now, or that the Chinese very badly need Tanzania's reassurance that China is leading a revolutionary force in the world. But Tanzanian Government leaders are easily excited about the continued presence of white governments in southern Africa.

The Tanzanians are receptive to the flow of Chinese weapons, for they can get them nowhere else as easily. A grip in Tanzania, whose vast area touches eight other countries, would give the Chinese a wide periphery in Africa and a base on the western littoral of the Indian Ocean. A project like the railway will give them valid reason to put thousands of people into the mineral-rich heart of the African Copper Belt that runs from Zambia into Katanga Province of the Congo.

MILITARY AID TO REGION

Of enormous potential importance is the military equipment and training that the Chinese provide for the dozen "liberation" movements based in Tanzania.

But not all of the weapons have gone to rebels operating against the white-dominated southern region. The rebellion in the Congo was kept alive by weapons sent by rail from Dar es Salaam to Kigoma. And a convoy of weapons bound for Uganda was stopped by the police in Kenya.

Dr. Banda has accused President Julius K. Nyerere of Tanzania of allowing plots against him to be hatched in Tanzania. Even the Watusis, in their long-bogged down invasion of Rwanda, got their Chinese weapons through Tanzania.

But the railway that the Chinese have undertaken to build is a far more spectacular idea, and they have wasted no time getting the project under way.

The job could be done in 15 months and the construction could begin then. The Chinese have already promised to finance the construction.

The Chinese have also offered to talk about providing diesel locomotives and rolling stock for the railway.

Both President Nyerere and President Kenneth D. Kaunda of Zambia were anxious to get the railway. Mr. Nyerere sees it as a way to open up his southern region to development and to enhance the value of the port of Dar es Salaam. Mr. Kaunda wants the railway so that he need not ship copper out through white-governed Rhodesia and Portuguese Mozambique.

Mr. Kaunda was at first reluctant to accept the Chinese offer to build the railway, but he changed his mind when he failed to arouse any interest in the project in Britain, France, West Germany or the United States.

All of the nations seemed worried by the big initial investment and the time it would take for the railroad to start turning a profit. The United States offered to pay for a comprehensive transportation survey that would establish the economic facts of the matter, but the Africans were not interested.

President Nyerere was less worried than was President Kaunda about the political implications of bringing in the Chinese. He has always argued that big slices of Communist aid would help offset the old preponderant influence of the West in Africa.

Mr. Nyerere approached Soviet leaders and was turned down. The world bank was also approached, but it advised the Africans to ask instead for help to improve the crude road that is now being used to some extent to truck copper to Dar es Salaam.

Eventually Presidents Nyerere and Kaunda accepted the offer the Chinese had made to Mr. Nyerere when he visited China in 1956.

Several diplomats in this city are frankly puzzled about the intentions of the Chinese. The railway could take seven or eight years to build, they say, terming it an unusually long period for any country to commit herself to a project so sensitive and unsettled a part of Africa.

They feel that the Chinese will inevitably run into frictions that have been met by Britain, the United States, West Germany, Israel, Nigeria and every other country that has made any major contributions in Tanzania.

The Chinese are obviously aiming at the rich heart of Africa, but it is considered a long shot.

[From the New York Times, May 30, 1968]

CHINESE TO HELP BUILD MALI-TO-GUINEA RAILROAD—PEKING ANNOUNCES PACT FOR SECOND SUCH PROJECT IN AFRICA—LINE WILL HOOK UP WITH ONE THAT RUNS TO THE ATLANTIC

HONG KONG, May 28.—Peking has agreed to help build a railroad that will give Mali access to the sea through Guinea. The agreement reflects Peking's pragmatic approach toward a number of small African nations and is evidence of its continuing interest in developing a foothold in Africa.

The agreement resulted from a visit to Communist China by a joint Guinean-Malian delegation headed by the Foreign Minister of the two countries.

The delegation met with Mao Tse-Tung, Chairman of the Communist party's Central Committee, Premier Chou En-lai and other top officials.

Peking gave no details of the project, nor did it say how much it would contribute in technical or financial aid. A report by Hsinhua, the Chinese press agency, said only that an "agreement on the construction of the Guinea-Mali railway" had been signed.

The agreement was signed by Li Hsien-nien, China's Finance Minister; Ousmane Ba, Foreign Minister of Mali, and Louis Lansana Béavogui, Foreign Minister of Guinea.

According to informed sources here, the proposed railway will run from Bamako, the capital of Mali, across the border into Guinea, meet an existing line that joins Kouroussa and the sea.

Last year Peking signed an agreement with the Governments of Tanzania and Zambia to build a 1,000-mile railway between the two states. Last week, 150 more Chinese engineers arrived in Dar es Salaam, the last of a team surveying for the railroad there. The survey could be completed in 15 months and the construction seven or eight years.

No details have been officially announced about China's contribution to the Tanzania-Zambia project. One Western estimate put the cost at about $400-million, but an African estimate was $250-million.

In 1964, two-thirds of China's aid commitments overseas were to newly independent countries in Africa. During 1965 and 1966 Chinese aid generally was cut back but Peking has continued to provide technical assistance and some loans to African States. Last year China granted an interest-free loan of $16.8-million to Zambia.

While some African countries have complained that China's well-publicized promises have not always been fully kept, others have benefited from the channeling of Chinese aid into piecemeal but useful projects. In February 1967 a factory built with Chinese aid began processing 400 tons of sugar cane daily in Mali a country that had previously imported sugar.

Peking has had angry exchanges with a number of African countries notably Kenya. Five African states have expelled Chinese diplomats or severed relations with Peking, reversing early Chinese successes. However, its provision of specialized aid has impressed a number of African leaders.

Reports by African students in Peking that they had been victims of racial intolerance, and charges by some African leaders that Chinese representatives had engaged in subversive activities have harmed China's reputation in Africa. The successful completion of the two railway projects might help counter this adverse publicity and open more doors to it on the African continent.

[From the New York Times, May 30, 1968]

U.N. BANS TRADE WITH RHODESIANS—SECURITY COUNCIL BARS ALL COMMERCE AND TRAVEL

UNITED NATIONS, N.Y., May 29.—The Security Council ordered today a complete trade and travel blockade of Rhodesia in a move against the rebel white minority regime of Prime Minister Ian D. Smith.

The effect of the decision, while intended to be mandatory on all United Nations members, was considered more political and psychological than practical with South Africa and Portgual continuing to supply Rhodesia with oil and to market her exports.

Members of the Security Council said the resolution should convince Mr. Smith of the firmness of international opposition to the continuation of a regime in Rhodesia that the United Nations considers illegal and racist.

The resolution, adopted unanimously by all 15 members of the Security Council, tightens supervision of an earlier selective embargo against Rhodesian exports. It also denies arms and aircraft to the Salisbury Government.

But it contains no provision for sanctions against member nations that disregard the Security Council decision. The step was taken under Chapter VII of the United Nations Charter, which provides for economic sanctions to end situations that are a threat to peace.

RESOLUTION IS COMPROMISE

The resolution was a compromise between a British draft and a stronger draft proposed by Algeria, Pakistan, India and Senegal calling for use of force to bring down the Smith Government.

Lord Caradon of Britain, this month's **President of the Security Council**, turned over the presidency for today's vote to Arthur J. Goldberg, the chief United States representative, because of Britain's position in the conflict with Rhodesia.

Lord Caradon said after the vote that Britain was not prepared to enter into an economic confrontation with South Africa over Rhodesia.

While Britain is firmly opposed to use of force against Rhodesia, Lord Caradon said Britain felt that perseverance in economic sanctions "will convince the illegal regime that their rebellion can lead nowhere but to economic stagnation and political isolation."

Agha Shahi, Pakistan's permanent representative, said the sponsors of the harder draft had chosen a compromise in the interests of unanimous support in the Security Council, including Britain, for "international isolation" of the Smith Government.

Mr. Shahi said the world expected Britain to continue to refuse to grant Rhodesia independence until "majority rule is established."

FULL TRADE EMBARGO

The resolution, with 23 operative articles, establishes a full embargo on all trade and financial relations with Rhodesia, except for "humanitarian" matters such as medical supplies and pension payments.

The full embargo extends the ban adopted by the Security Council in December, 1966, on the sale of oil to Rhodesia and the purchase of nine main Rhodesian exports, including tobacco, asbestos, chrome, sugar, meats, and hides and iron ore.

There has been substantial evasion of the earlier resolution. Rhodesia has continued to ship its main exports through neighboring South Africa and the Portuguese African territories of Mozambique and Angola. Rhodesia has also maintained a substantial level of trade with Zambia and the Congo.

The resolution adopted today provides for a Security Council committee to supervise enforcement of the embargo. All member countries are supposed to file regular reports on trade with Rhodesia with Secretary General Thant.

The Security Council also decided that all United Nations members should prevent travel to Rhodesia by their citizens, and refuse to recognize passports issued by the Smith Government. This was designed to block tourism, as well as commercial travel.

Isolation of the Salisbury regime through the United Nations has been pursued by Britain ever since Mr. Smith and his political movement based on white settlers declared Rhodesia independent.

This action, in 1965, was declared illegal by Britain, which at that time was the colonial administrator of Rhodesia. The establishment of the independent regime was carried out by Mr. Smith and his supporters without a vote consulting Rhodesia's four million black residents. The British had insisted that independence be accompanied by a guarantee of majority rule.

The Soviet Union and France, which had abstained on the earlier partial embargo, joined the majority today in the unanimous vote, thereby strengthening the Security Council's stand on Rhodesia.

The resolution included recommendations to member nations to interrupt telecommunications with Rhodesia and suspend consular relations. The United States maintains a consular agent in Salisbury, but no diplomatic representative, since Washington does not recognize the Smith Government.

[From the Washington (D.C.) Evening Star, June 26, 1968]

STRIFE RIDS SOUTH CHINA, ARMY BELIEVED POISED

HONG KONG.—Increasingly deadly factional strife is ripping through southern China and, by most reports reaching Hong Kong, the Red Army is doing little or nothing to stop it.

There is growing belief among some top

official China analysts here that the army is deliberately allowing violence to reach a stage at which the military can take over in the name of restoring peace and order.

These men say the situation is chaotic in Kwangtung, the province of 40 million people bordering Hong Kong. Officially unconfirmed but generally accepted reports say hundreds are being killed nightly in three-way battles among anti-Maoists and rival factions claiming to support Communist Party Chairman Mao Tse-Tung.

REFUGEE CRISIS FEARED

The increasing fear here is that the army may wait too long, all control will break down, and Hong Kong will face a refugee crisis much more severe than in 1962, when a quarter million fleeing Chinese tried to cross into the British colony.

Hong Kong authorities sent back at least 100,000, but they estimated 60,000 to 70,000 lost themselves in Hong Kong's steep rocky hillsides.

More and more reports pour into Hong Kong of bloody violence in Kwangtung.

More and more bodies of apparent victims of that violence float into Hong Kong and Macao. So far 20 Chinese bodies have been picked up and travelers between Hong Kong and Portuguese Macao insist they saw dozens more along the 40-mile ferry route.

EIGHTEEN TIED WITH ROPES

Eighteen bodies, including at least one of a teen-age girl, were tied with ropes around the neck and then down to the hands and feet. They obviously had been executed before being thrown into the water, probably in the Pearl River that comes to the South China Sea from Canton, capitol of Kwangtung.

Presumably they were victims of the vicious factional fighting that is tearing through Canton. If they had been executed by officials or regular army troops, the bodies would not have been thrown in the water for the world to see.

Visitors to Canton report gunfire echoes through the city every night. In rural areas, they say, pitchforks, scythes, and clubs are used to kill and maim.

One traveler said hospitals in Canton, are so crowded with victims of the fighting that scores lie on pallets in corridors and porches.

SOLIDARITY DAY

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. BUCHANAN. Mr. Speaker, since its erection in Washington, D.C., some 6 weeks ago, Resurrection City, the poor people's tent city near the Lincoln Memorial, has been marred by uncertain leadership, a widely fluctuating population and outright hostility toward the Government and the so-called power structure in America.

In previous reports to you, I have described the struggle between the militants and the moderates for the reins of power, the dwindling of Resurrection City from 2,500 to about 400 people, and the rudeness, the hostility, and the point-blank threats aimed at various departments of the executive branch of our Government as well as the Congress.

It has often seemed in the past 6 weeks that the people in Resurrection City have deliberately cut themselves off from society. Burly marshals with clubs have prevented many visitors, including your Congressman, from entering the grounds. On several occasions, well-meaning Washington citizens have stretched out their hand in friendship only to have it slapped away—or ignored.

For example, this last week a supermarket truck drove up to the tent city loaded with food. But no one would help the driver unload the truck so he drove away. Another day, a Negro plumber from Washington worked in the sun all by himself on his day off attempting to improve the sanitation system at Resurrection City. In spite of repeated calls for volunteers to assist him, no help was forthcoming while he dug the ditch and laid the pipe alone. A tall, strapping, obviously healthy man, a resident of Resurrection City, stood by watching as the volunteer began to fill the ditch. The plumber asked if he would help. "I came here to put down my shovel—not pick it up," the muscular resident replied. The volunteer finished his job alone.

The Reverend Jerome McFarland, a Negro minister, pastor of the Evergreen Baptist Church in Washington, was disturbed by the plight of the genuine poor at Resurrection City and the failure of the Southern Christian Leadership Conference to give them adequate assistance. He formed a Christian Committee of Concern to help the poor, but when he attempted to circulate a simple information sheet at Resurrection City to determine the needs of the people, he was blocked. Reverand McFarland was apparently stopped because he was not interested in politics but in people.

This week came the climax—Solidarity Day which attracted approximately 50,000 people to the Lincoln Memorial to hear speeches and diatribes about the poverty in America—and the war in Vietnam.

The main speaker was Mrs. Martin Luther King, Jr., who has long been one of the most vocal opponents of the Vietnam war. Mrs. King described the war as "the most cruel and evil war in the history of mankind."

Those people who fought Hitler and naziism in the Second World War would undoubtedly disagree as would the surviving families of the millions who died in Nazi gas ovens and concentration camps.

Rev. Ralph Abernathy attempted to best Mrs. King in rhetoric, declaring:

> The promise of a great society was burned to ashes by the napalm in Vietnam and we watched the Johnson administration perform as the unwitting midwife at the birth of the sick society.

As you know, I am no supporter or defender of the Great Society or the Johnson administration, but talk about "napalm" and "the sick society" is so wide of the mark as to offer little promise for future cooperation toward a redress of whatever inequities do exist in this country.

And yet in the face of such loaded language, Whitney Young, head of the Urban League, declared:

> The Nation and the Congress must listen to us now before it is too late; before the prophets of violence replace the prophets of peace and justice.

What Mrs. King, Young, and Abernathy, with his talk about staying in Resurrection City until "justice rolls out of the Halls of Congress," must realize is that solutions are achieved by a dialog—not a monolog; by people working together in mutual trust and harmony; by an understanding of the other man's position as well as your own.

Much can be done, much is being done, much will be done to bring prosperity to every American who will work for that prosperity. If the leaders of the Poor People's March will put aside politics, stop asking the Federal Government for $20, $40, $100 billion and work with State and local government as well as the private sector to locate and create jobs, they can help to make the American dream we all share that much more of a reality, rather than be parties to turning it into a nightmare of unrestricted lawlessness in which no one's rights are protected or liberties kept secure.

COMMON ENEMY—UNITED FRONT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DINGELL. Mr. Speaker, the May-June 1968 issue of Michigan Conservation, which is published by the Michigan Department of Conservation, carries a most revealing article outlining the department's efforts to control and end the use of certain persistent insecticides because of the extremely harmful impact they have on fish and wildlife. Ralph A. MacMullan, director of the Michigan Department of Conservation, is the author of the article and he is to be commended for taking action to reduce the insecticide threat. So that my colleagues may have the opportunity to see this article, I include it at this point in the RECORD:

COMMON ENEMY—UNITED FRONT

(By Ralph A. MacMullan)

Recently, in the pages of this magazine, I announced a Conservation Department opposition to the continued use of certain persistent insecticides which have seriously polluted our environment. We in the Department took this stand only after exacting discussions, and in full expectation that there probably would be some misunderstandings and no small amount of public opposition.

I am now pleased to report that many persons in Michigan have apparently been more disturbed about the threat of these chemicals than we in the Conservation Department at first believed possible. This concern appeared last fall when the Environmental Defense Fund, a group of public-spirited private citizens, invited 56 Michigan communities into court to stop them from further use of the persistent chemical DDT for Dutch elm disease control. I can now report that at this writing at least 33 Michigan towns and cities have agreed to stop using DDT in Dutch elm disease control in municipal tree-spraying and park maintenance programs. Much of the "pressure" for this very significant and progressive change came from concern expressed by residents of these communities. We hope that the remainder will soon join the widening public condemnation of such chemicals.

Of most encouragement to me, however, has been the concern expressed by individual citizens and responsible organizations, both in Michigan and throughout the nation. Most who have written to the Department appear to be well aware of the problem. We sense in their letters an awakening awareness of the need to arrest the deterioration of man's environment. "I would like to commmend you on your courageous forward-looking program to prevent further contamination of our environment by the use of hard pesticides," wrote a former agriculture extension worker. A housewife sent a five-page handwritten letter which starts: "I say Hooray for the coho salmon if it means the end of DDT and other hard pesticides . . ." (DDT levels in Lake Michigan salmon have been shown to be dangerously high for reproduction of the coho.) The president of a large construction company wrote: "I am real pleased with the stand you and your Department have taken in regard to hard pesticides. As we both know, they should have no part in the scheme of things, either in our state or nationally, and I'm sending along a letter to both the Governor and my Congressman giving my views on this matter." A biologist at the Brookhaven National Laboratory in New York wrote: "I want to convey my congratulations on your article "The Case Against Hard Pesticides," originally published in Michigan Conservation and republished in the Congressional Record where I saw it. The impact of that article is very great; its conclusions are correct and supportable in detail. I admire your courage and appreciate your leadership." A young woman student wrote: "The effects of pesticides are obvious and if continued, quite deadly. Your article is helping to bring to the attention of the American people that this subject has been all too long suppressed."

I find much encouragement in Governor Romney's appointment of a highly qualified three-man committee to come up with a statewide policy statement on the future use of pesticides. Prior to this we had supported bills in the state legislature which would set up a state Pesticide Control Board. Such a board, would review all major pesticide uses in the state, and would recommend actions and methods which would control the uses of such chemicals in our environment. It may take some time to establish such a law, but it may safely be stated that some system of control along these lines is definitely going to be part of Michigan's future.

No *one* person, or *group* of people, or *industry* is responsible for the growing contamination by persistent pesticides—not the farmer, nor the suburban back yard mosquito fighter, nor the tree sprayers, nor the orchardists, nor the chemical companies, nor the forest products industry, nor any body of citizens. We are *all* involved and we are all guilty of past excesses. We have all been willing to accept the easier and possibly cheaper road offered by the persistent pesticide.

But all of us should be careful and responsible with our thoughts and feelings on this subject, just as we should similarly be careful and responsible in use of insecticides. Experience has taught us that in this pesticide business, misunderstandings easily arise and what often starts out as a simple statement of position or expression of concern takes on a different meaning as it travels from written to spoken words.

Misunderstandings have developed on this point of who or what we oppose, and therefore I want to re-emphasize the position that we in the Conservation Department have taken:

1. First and foremost, we are not opposed to all pesticides, but only to a few which are dangerous because they persist in the air, water and soil for years and even decades after application with harmful effects on living organisms.

2. We believe the use of these few chemicals—DDT, Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, and Lindane—should be strictly regulated and eventually eliminated as research develops effective substitutes for them. To the above list, BHC and Toxaphene should now be added. Also, additional research in months and years to come might indicate the need to control other chemicals not now on the list. However, I am happy to say that the general thrust of research and development in the field of insecticide production is in the direction of non-persistent chemicals, and we are hopeful that chemical companies will rapidly phase out production of these old, persistent, and troublesome insecticides.

3. Most specifically, we think DDT should be eliminated now, because there are good substitutes which meet the needs of agriculture, Dutch elm disease control, mosquito suppression, the home gardener, and the housewife. For example in February, Michigan State University stopped recommending DDT for Dutch elm disease control, and the Michigan Department of Agriculture recently cancelled its use for mosquito control. The finding that DDT is the most probable cause of coho salmon losses in our hatcheries is a clear and obvious signal that we have a serious problem in Lake Michigan. We just can't afford to use any more DDT in Michigan.

4. Where effective substitutes that are safe for general public use aren't yet available, we agree that persistent insecticides may have to be used in isolated situations and where it can be assured they will not escape into the wider environment.

5. When the use of persistent pesticides is proposed, the disadvantages or potentially harmful effects of this use should be carefully weighed against the expected benefits.

6. We realize that the safer substitutes may cost more and may be less effective for the immediate purpose. These increased costs will be borne by the public, meaning all of us, just as the costs of water pollution control and other environmental protection programs must be the responsibility of society as a whole. It will cost a paper company to clean up its waste discharge, but that company will pass along this cost to its customers. No one group should have to foot the bills. A clean environment benefits everybody, and everybody will have to pay his share to achieve it.

Finally, let me add a personal note: we in government work sometimes feel that social advances can only be made through the use of laws, funded programs, directives, and such other legalized procedures of society. We tend, perhaps, to overlook or forget the responsiveness of a public which is very often willing to work with government to solve mutual problems without the need of additional laws. We, in the Department of Conservation, have seen this in recent years in our conservation law enforcement program. We asked the public to help, and the public helped. Again, in this issue of banning hard pesticides, we have asked the public to help, and the public is helping. There are no laws which say that people can't use hard pesticides, yet the use of these chemicals in Michigan will be at a far lower level this year than in years past, simply because people are concerned and are helping. Furthermore, we already know from the public response to date that we may well look forward to the day when these persistent, troublesome pesticides will no longer be manufactured, because people simply will not buy them. And when that day arrives, my fellow conservationists, we may congratulate ourselves that we have made progress.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. SCHERLE. Mr. Speaker, this is the 157th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

WE MUST ACT ON GUN CONTROL

HON. WILLIAM J. GREEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. GREEN of Pennsylvania. Mr. Speaker, the issue of gun control has caused millions of Americans to speak out in a strong voice for legislation that would require the licensing and registration of firearms on a nationwide basis. A poignant report on this matter is being sent to the people of my State of Pennsylvania by our senior Senator, JOSEPH S. CLARK.

Under unanimous consent I include this report in the RECORD:

WE MUST ACT ON GUN CONTROL

Sometimes it takes a while for the people to make their voices heard, but when they do they can work legislative miracles. Back in 1965, when I first joined in introducing a strong Federal gun control bill, the people were silent. The only voices heard were those of the noisy gun lobby. For my efforts on behalf of strong gun control legislation the only reward I got was a deluge of letters, largely inspired by the National Rifle Association, running 10 to 1 against gun control. I also earned the enmity of many well intentioned hunters, some of whom promised to remove me from office at the first opportunity.

But times change, even though it sometimes takes tragic events to change them. Last summer I pleaded with the Congress to act promptly on gun controls. There was a tragic prophecy in my words: "We simply must pass a law to keep guns out of the hands of felons, youths, and irresponsible persons. As a longtime cosponsor of this bill, I say to my colleagues in the Senate, let us pass the gun control bill now, this year, before another summer comes with its menace for our cities."

TWO TRAGIC MURDERS

But the Congress sat on its hands, and the country paid a frightful price. In April Martin Luther King was shot to death allegedly by an escaped convict with a rifle purchased over the counter in a different state—a rifle which could not have been purchased if the gun bill had been law—and our nation's cities erupted in an unprecedented spasm of violence, burning and looting.

Again I went to the Senate floor to urge my colleagues to act. "Let us now," I said, "before we are visited by national tragedy yet again, pass the federal gun control bill." But the National Rifle Association was still in the saddle, and Senator Edward Kennedy's amendment to ban mail order sale of long guns, which I strongly supported, was voted down by the Senate 53 to 29.

No one at that time could have dreamed that the new national tragedy which I had feared would come so swiftly and so terribly. The brutal and heart-rending assassination of Senator Robert F. Kennedy has shaken the nation to its core. And at last the American people are waking up and speaking out.

The result is that a number of Congressmen and Senators who have played footsie with the gun lobby in the past are beginning to have second thoughts, and are now ready to vote for an adequate gun control law. It is long past time to do so.

THE HIGH COST OF INACTION

Last year more than 100,000 Americans were shot—more than 19,000 of the shootings proved fatal.

Every year more than half the 10,000 murders in the United States are committed with guns; more than half the 20,000 suicides are carried out with guns; and over 2,000 accidental deaths are caused by guns.

In the first 5 years of this decade, more than 200 policemen were murdered with firearms. Only nine were killed by other means. More than four law officers continue to be killed every month in this country while attempting to preserve law and order.

We have got to put an end to the spirit of violence which has seized this country. It is not enough just to ban mail order sales of pistols and long guns. What we need is an effective nation-wide system of gun registration and licensing. I have joined in sponsoring bills to create such a system.

There is no other civilized, industrialized nation in the world which is as lax as this country in regulating the acquisition and possession of firearms. Virtually all of them require firearms registration as a minimal measure in protecting the public safety; many have far more severe restrictions.

We must get over the notion that possession and use of a gun is either a testimonial to our manliness or a guarantee of our freedom. As the tragic events of the past several years has shown, guns may well be the agents by which free democratic institutions are destroyed, not preserved.

Society must defend itself against the menace of the gun in the hands of the dope addict, felon or juvenile delinquent. It can do so, I am confident, without abridging the privilege of the law-abiding hunter or sportsman to own and use a gun. None of the measures before the Congress would require law-abiding citizens to surrender guns they now have. None of these measures infringes on the constitutional right to bear arms, which is related to the need to maintain a well regulated militia.

TV AND THE MOVIES—AN EDUCATION IN VIOLENCE

Spend an evening in front of your television set this week, and count the killings. Then go out to your neighborhood theater and see a popular thriller. We have become so used to seeing violence and brutality portrayed that we scarcely notice it any more—on the surface. But isn't it possible that it is doing something to us and our children without our knowing it, as individuals, and as a nation?

I respect as much as anyone the right to free artistic expression of the people who make our movies and television programs. But the public has a higher right to call a halt to the progressive brutalization of our senses—and our children's as well—by the media's obsession with death and violence.

AMERICANS FOR CONSTITUTIONAL ACTION

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. BUSH. Mr. Speaker, today, the Americans for Constitutional Action marks its 10th anniversary. I think it only appropriate that we comment upon their fine work.

The ACA performs a real service to the country. One may not agree with every position ACA takes, but year in and year out their rating system is useful to all citizens and particularly to all students of politics.

I am delighted to take note of this 10th anniversary and to take the opportunity to commend the ACA for the tremendous contribution they make to our system of government.

THE UNFINISHED LETTER

HON. RICHARD (DICK) ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. ICHORD. Mr. Speaker. Some time ago, a young man on guard duty in Vietnam used the light of exploding flares to write a letter to his pastor, the Reverend Payton Smyers of Cabool, Mo., and members of the church. In his letter, Pfc. Jackie Montgomery expressed his appreciation for the support of the people back home, and went on to write a moving, sensitive account of his thoughts and feelings as he fought to safeguard the American dream of peace. He wrote movingly of the effect of Negro-white solidarity in Vietnam, the right of our position there, and the need for belief in God. He asked the townspeople to stand behind his fighting friends and asked especially for the greatest force of all—prayer.

The letter was never finished. Jackie Montgomery, soldier, was killed in action before he could complete his masterpiece of love and hope. In tribute to that fine young man, and to give wider voice to his unique perception, I enter "The Unfinished Letter" in the RECORD, as follows:

REV. PAYTON SMYER,
Pastor, Free Will Baptist Church,
Cabool, Mo.

Rev. and Mrs. PAYTON SMYERS and MEMBERS OF THE CHURCH: It is dark and I am near my foxhole on guard. There are flares exploding steadily, so I can see enough to write a little.

I got a letter from home last week. Mom said the church always remembers us in their prayers. Due to the situation here I can tell you that there are no words I can find to express my appreciation for those prayers.

I have seen many pastors change over in that church. I remember when the roof seemed a hundred feet high and when I had to stand on tiptoes to see over the altar. It has always been my church.

The people there I have seen come and go, old and young and I knew them all. And now I must thank all of you for remembering me.

There is one thing I would like to mention here. When you pray do not only ask God for safety, strength, and courage, but always remember to thank him for that which he has already given us. Every day is Thanksgiving here. Every hour is Thanksgiving here. There are no atheists. I have met one man with agnostic views, but he is new and has not yet seen action. I'm sure he will change, for those back there who believe God is dead, send them here for awhile. You run into God every time you turn around.

Our Easter services were well worth telling about. We were camped in a graveyard. We had no Chaplain, so our Squad got together for a brief service. We read of the Resurrection and then we prayed. It was very short and very simple, but I will never forget it.

The news from home has been of interest to us. The hope of peace talks, the President's decision not to run for re-election, but the deepest feeling came from the news of the assassination of Dr. Martin Luther King. I was under a poncho with three Negroes, when we heard the news. We discussed it not as three Negroes, and one white man, but as four men. One made the remark that if the people back home could only see how we live together, work together, care for one another over here, then there would be no consideration given to color.

Another incident which seemed remarkable to me, occurred shortly after I arrived here. My Fire-team Leader, a large colored man from St. Louis, and I were on observation post near a school for students of Buddha. One student walked over to the Baines and holding their wrists together pointed and laughed at the differences in color. Then he pointed at my wrists without laughing. Baines pointed to his own hand and said "Negro", he then pointed at my hand and said "Caucasian". The Vietnamese student looked a little confused. Then Baines held our wrists together and said, "Both Americans". The student understood this. The simple words were perfect. I even seemed to understand a little better myself.

It is for us all that I hope you will pray, and if there are any among you who refuses to pray for a man because of his color then write and tell me. I will pray for him.

I have listened to the words of you people for twenty years, and in every case, I was able to profit from them. I am not a preacher, but if you will allow me to say a few words about things which I have learned here I would feel better. I know now that I always took the finer things of our life, for granted. There is little freedom here. After dark anyone who moves in rural areas is suspected of being VC, and they are responded to accordingly. It is a cold way of doing it, but it is necessary. There is little electricity. The village huts have no windows or doors. Seldom do you see floor other than dirt. The sanitation problem is tremendous. It seems that all of the things we understand as necessities at home are no more than a distant hope for these people. They are kicked from house to house taking refuge anywhere, as the war goes on around them. The VC move into a village. The people move out. We move in and obliterate the village. That is the common sequence.

Our town of Cabool has been well represented in this war. We have suffered, but we have suffered little in contrast to some places. We ask you to stand behind us. You hold the greatest, most effective weapon in this war. That is prayer. Remember us. There are many who seldom hear from home. I have been lucky, friends and relatives have written regularly. But for these who seldom hear from home I wish there was something you could do just to let them know you are thinking of them, not only the Church but the entire town should join together in support. We think we are doing the right thing. Your encouragement would confirm our beliefs.

And for those who question our right of being here, I ask, did the Doughboy have the right to fight in Europe in 1917? Did we have the right to respond to the bombing of Pearl Harbor in 1941? Did we go wrong in defending Korea in the early 50s? The question is not whether we have the right, the question is, do we have the responsibility. Isolationism is dangerous for a major power. I believe we have the responsibility.

Before long we will all be returning home, God willing. Again you people will be interrupted in your night's sleep by the loud noise of screeching tires on the pavement. You'll again become annoyed and disgusted with this younger generation. It is true we are lively in our youth, but remember we are young. Call us down when we need it. We don't deny we often need it.

But here in Viet Nam you never hear anyone say "Why Me?" We understand why. It is our time to live. We are the ones, who are responsible. Please remember when we come home that it is our time to live and I will guarantee we all will live better for we have seen a life without freedom.

And also in your prayers please remember all the boys in uniform regardless of location. There are many who fail to receive proper credit for their work only because they are not here. Without them our work here could not possibly function. Remember them for they do as much as we do.

JOHNSON ADMINISTRATION CONFIRMS THAT FISCAL 1969 EXPENDITURE CUTS ARE A SHAM

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. CURTIS. Mr. Speaker, I have today written President Johnson for confirmation of a news item which appeared on UPI Tuesday, June 25. The news item indicated that President Johnson was planning to delay making expenditure cuts until after the Congress had acted on all appropriation bills. If this is true it is an admission that the $6 billion expenditure cut is a sham and that President Johnson has not accepted it along with the tax increase.

Following is a copy of the letter to President Johnson and a statement I made on the subject:

JUNE 27, 1968.

The Honorable LYNDON BAINES JOHNSON,
The White House,
Washington, D.C.

DEAR PRESIDENT JOHNSON: The UPI wire service carried the following news item on Tuesday, June 25th:

"The White House indicated Tuesday that it might be months before President Johnson reaches any decision on where to cut the $6 billion from his budget for fiscal 1969. White House Press Secretary George Christian said he did not see how the President could make any cuts until all the appropriation bills for the budget have been approved by Congress.

"So far only two of the more than twenty appropriation measures have been approved and sent to the President.

"Thus the President may put off any final decision on the spending cuts voted by Congress until the lawmakers complete appropriations action—action which may not be completed before the end of the summer."

Would you please confirm the accuracy of this statement.

Sincerely,

THOMAS B. CURTIS.

According to UPI report of Tuesday, June 25, the White House has indicated that it might be months before President Johnson reaches any decision on where to cut the $6 billion of expenditures from his budget for fiscal 1969. White House Press Secretary George Christian said he did not see how the President could make any cuts until all the appropriation bills for the budget have been approved by Congress.

I have written the President for confirmation of this report, but assuming it is true, it is tantamount to an admission that the $6 billion expenditure cut is a sham and that President Johnson has not accepted it as consideration for his $10 billion tax increase.

I took the floor of the House of Representatives to emphasize that we must tie down where line-item cuts in the fiscal 1969 expenditure level would be made, and when they would be made if expenditure cuts were to be realistic. Otherwise, as I stated on May 14, May 29, June 3, June 4, and June 20, we would have no cuts at all and inflationary forces would not be diminished by the tax increase. My fears appear to be confirmed by the press reports of yesterday.

The Expenditure Control Act as passed by the House on June 20 does not prevent the President from continuing to spend at current excessive levels. Already the projected expenditure level for fiscal 1969 has been increased to $189 billion from $186 billion.

Inflation is not cut back by cutting the private sector's power to spend through a tax increase if the Government spends the additional revenues collected. To insure that Government curtails expenditures, meaningful line-item expenditure cuts must be spelled out and scheduled to go into effect beginning July 1, 1968.

Fiscal year 1969 begins in 4 days and only 6 months of it will be under the Johnson administration. If any cuts are to be effective in the Johnson administration's 6 months these cuts should have already been scheduled.

GREEK JUNTA NEEDS TIME TO REACH GOALS, NOT CENSURE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. PUCINSKI. Mr. Speaker, Mr. William F. Buckley, Jr., writing for the Chicago Daily News, has presented a most interesting observation on the present situation in Greece, which I would like to call to the attention of my colleagues.

It has long been my belief that the best way we can restore democratic rule to Greece through parliamentary government is to continue pressing the present regime for a restoration of constitutional rights.

I do not believe that shutting Greece off from the rest of the Western World is going to hasten the day for her return as a constitutional monarchy or republic.

I never cease to be amazed at those who are so quick to watch with impunity the destruction of freedom in many major countries of the world and yet get their zeal all worked up about the current situation in Greece.

Any way you look at it, the present government in Greece has kept that nation from falling into Communist hands and creating havoc throughout the whole of Europe.

I believe Mr. Buckley places this entire subject into proper perspective.

His article follows:

GREEK JUNTA NEEDS TIME TO REACH GOALS, NOT CENSURE

(By William F. Buckley, Jr.)

ATHENS.—The report on the situation in Greece submitted to the Council of Europe is on the whole hostile to the revolutionary government, and recommends that the Council exert pressure on the Greek government to (a) liberalize the current draft of the constitution, (b) grant full freedom to all non-Communist parties to organize themselves prior to the vote on the new constitution, and (c) pledge itself to activate instantly the whole of the constitution the day after it is voted on, always assuming of course that the judgment is favorable. And so on and so on and so on.

The subject becomes tedious, not because the destiny of personal freedom in Greece is a tedious subject, but because everybody and his mother has been instructing Greece on how to proceed to bring about true democracy and the maximization of freedom.

Under such a barrage, it is no wonder that many Greeks, while adamantly holding by the necessity to reintroduce freedom in Greece, are cynical about the concern of Western democrats. Suddenly everyone has become an expert on democracy, and its shortcomings in Greece. "We shall not be surprised," wrote the Athens newspaper Eleftheros Kosmos, "if (the critics) print visiting cards mentioning 'democrat' as their occupation."

The salient points are these:

The government is pledged to put forward a constitution by next September. The present draft of that constitution permits a "constitutional court" to proscribe political parties or organizations, whose goals are "likely to overthrow the established social order." It is maintained in Athens that this isn't really different from the workable West German Constitution which has similar arrangements. In fact, there are differences: the West German code talks not about "the social order" but about "the democratic order."

All the ministers in the Papadopoulos government are pledged to come forward with a constitution that guarantees individual human rights as unequivocally as the human rights provisions of the United Nations and the Council of Europe. These rights are not yet elaborated: but no one is discussing a postponement of the September deadline. And critics who insist on instant application of the paradigm tend to forget that the existing government exists because the antecedent situation proved unworkable; at any rate, that is the rationale of the revolution.

No constitution will ever produce a divine and eternal equilibrium between freedom and order. Papadopoulos is not likely to succeed where Plato and Aristotle failed. The principal Democratic contenders for the Presidency of the United States are under severe pressure to denounce the junta in Greece. Richard Nixon, quite wisely, had declined to do so.

If Greece is headed for a long night of tyranny, there is time to bring pressure. But on the existing record, Greece is engaged in trying one more time, previous attempts having failed, to bring freedom and a national regeneration. We should lower our voices, and give them time.

OUR LAWLESS LAND

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. REINECKE. Mr. Speaker, a most eloquent and moving plea for the return of decency and sanity to our law enforcement system was recently brought to my attention. It is in the form of a poem entitled "Our Lawless Land," by Robert D. Barr, a retired police officer.

I believe this poem expresses very well the feelings of many patriotic and concerned citizens who are disturbed by the recent tendency of our Supreme Court to be meticulously devoted to safeguarding the rights of the accused, and at the same time to be relatively indifferent to the rights of victims—to the protection of their lives and property.

I hope this poem will be read widely in America, for it is a sensitive and im-are carried out with guns; and over 2,000 accidental deaths are caused by guns.

In the first 5 years of this decade, more than 200 policemen were murdered with firearms. Only nine were killed by other means. More than four law officers continue to be killed every month in this country while attempting to preserve law and order.

We have got to put an end to the spirit of violence which has seized this country. It is not enough just to ban mail order sales of pistols and long guns. What we need is an effective nation-wide system of gun registration and licensing. I have joined in sponsoring bills to create such a system.

There is no other civilized, industrialized nation in the world which is as lax as this country in regulating the acquisition and possession of firearms. Virtually all of them require firearms registration as a minimal measure in protecting the public safety; many have far more severe restrictions.

We must get over the notion that possession and use of a gun is either a testimonial to our manliness or a guarantee of our freedom. As the tragic events of the past several years has shown, guns may well be the agents by which free democratic institutions are destroyed, not preserved.

Society must defend itself against the menace of the gun in the hands of the dope addict, felon or juvenile delinquent. It can do so, I am confident, without abridging the privilege of the law-abiding hunter or sportsman to own and use a gun. None of the measures before the Congress would require law-abiding citizens to surrender guns they now have. None of these measures infringes on the constitutional right to bear arms, which is related to the need to maintain a well regulated militia.

TV AND THE MOVIES—AN EDUCATION IN VIOLENCE

Spend an evening in front of your television set this week, and count the killings. Then go out to your neighborhood theater and see a popular thriller. We have become so used to seeing violence and brutality portrayed that we scarcely notice it any more—on the surface. But isn't it possible that it is doing something to us and our children without our knowing it, as individuals, and as a nation?

I respect as much as anyone the right to free artistic expression of the people who make our movies and television programs. But the public has a higher right to call a halt to the progressive brutalization of our senses—and our children's as well—by the media's obsession with death and violence.

AMERICANS FOR CONSTITUTIONAL ACTION

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. BUSH. Mr. Speaker, today, the Americans for Constitutional Action marks its 10th anniversary. I think it only appropriate that we comment upon their fine work.

The ACA performs a real service to the country. One may not agree with every position ACA takes, but year in and year out their rating system is useful to all citizens and particularly to all students of politics.

I am delighted to take note of this 10th anniversary and to take the opportunity to commend the ACA for the tremendous contribution they make to our system of government.

THE UNFINISHED LETTER

HON. RICHARD (DICK) ICHORD

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. ICHORD. Mr. Speaker. Some time ago, a young man on guard duty in Vietnam used the light of exploding flares to write a letter to his pastor, the Reverend Payton Smyers of Cabool, Mo., and members of the church. In his letter, Pfc. Jackie Montgomery expressed his appreciation for the support of the people back home, and went on to write a moving, sensitive account of his thoughts and feelings as he fought to safeguard the American dream of peace. He wrote movingly of the effect of Negro-white solidarity in Vietnam, the right of our position there, and the need for belief in God. He asked the townspeople to stand behind his fighting friends and asked especially for the greatest force of all—prayer.

The letter was never finished. Jackie Montgomery, soldier, was killed in action before he could complete his masterpiece of love and hope. In tribute to that fine young man, and to give wider voice to his unique perception, I enter "The Unfinished Letter" in the RECORD, as follows:

REV. PAYTON SMYER,
Pastor, Free Will Baptist Church,
Cabool, Mo.

Rev. and Mrs. PAYTON SMYERS and MEMBERS OF THE CHURCH: It is dark and I am near my foxhole on guard. There are flares exploding steadily, so I can see enough to write a little.

I got a letter from home last week. Mom said the church always remembers us in their prayers. Due to the situation here I can tell you that there are no words I can find to express my appreciation for those prayers.

I have seen many pastors change over in that church. I remember when the roof seemed a hundred feet high and when I had to stand on tiptoes to see over the altar. It has always been my church.

The people there I have seen come and go, old and young and I knew them all. And now I must thank all of you for remembering me.

There is one thing I would like to mention here. When you pray do not only ask God for safety, strength, and courage, but always remember to thank him for that which he has already given us. Every day is Thanksgiving here. Every hour is Thanksgiving here. There are no atheists. I have met one man with agnostic views, but he is new and has not yet seen action. I'm sure he will change, for those back there who believe God is dead, send them here for awhile. You run into God every time you turn around.

Our Easter services were well worth telling about. We were camped in a graveyard. We had no Chaplain, so our Squad got together for a brief service. We read of the Resurrection and then we prayed. It was very short and very simple, but I will never forget it.

The news from home has been of interest to us. The hope of peace talks, the President's decision not to run for re-election, but the deepest feeling came from the news of the assassination of Dr. Martin Luther King. I was under a poncho with three Negroes, when we heard the news. We discussed it not as three Negroes, and one white man, but as four men. One made the remark that if the people back home could only see how we live together, work together, care for one another over here, then there would be no consideration given to color.

Another incident which seemed remarkable to me, occurred shortly after I arrived here. My Fire-team Leader, a large colored man from St. Louis, and I were on observation post near a school for students of Buddha. One student walked over to the Baines and holding their wrists together pointed and laughed at the differences in color. Then he pointed at my wrists without laughing. Baines pointed to his own hand and said "Negro", he then pointed at my hand and said "Caucasian". The Vietnamese student looked a little confused. Then Baines held our wrists together and said, "Both Americans". The student understood this. The simple words were perfect. I even seemed to understand a little better myself.

It is for us all that I hope you will pray, and if there are any among you who refuses to pray for a man because of his color then write and tell me. I will pray for him.

I have listened to the words of you people for twenty years, and in every case, I was able to profit from them. I am not a preacher, but if you will allow me to say a few words about things which I have learned here I would feel better. I know now that I always took the finer things of our life, for granted. There is little freedom here. After dark anyone who moves in rural areas is suspected of being VC, and they are responded to accordingly. It is a cold way of doing it, but it is necessary. There is little electricity. The village huts have no windows or doors. Seldom do you see floor other than dirt. The sanitation problem is tremendous. It seems that all of the things we understand as necessities at home are no more than a distant hope for these people. They are kicked from house to house taking refuge anywhere, as the war goes on around them. The VC move into a village. The people move out. We move in and obliterate the village. That is the common sequence.

Our town of Cabool has been well represented in this war. We have suffered, but we have suffered little in contrast to some places. We ask you to stand behind us. You hold the greatest, most effective weapon in this war. That is prayer. Remember us. There are many who seldom hear from home. I have been lucky, friends and relatives have written regularly. But for these who seldom hear from home I wish there was something you could do just to let them know you are thinking of them, not only the Church but the entire town should join together in support. We think we are doing the right thing. Your encouragement would confirm our beliefs.

And for those who question our right of being here, I ask, did the Doughboy have the right to fight in Europe in 1917? Did we have the right to respond to the bombing of Pearl Harbor in 1941? Did we go wrong in defending Korea in the early 50s? The question is not whether we have the right, the question is, do we have the responsibility. Isolationism is dangerous for a major power. I believe we have the responsibility.

Before long we will all be returning home, God willing. Again you people will be interrupted in your night's sleep by the loud noise of screeching tires on the pavement. You'll again become annoyed and disgusted with this younger generation. It is true we are lively in our youth, but remember we are young. Call us down when we need it. We don't deny we often need it.

But here in Viet Nam you never hear anyone say "Why Me?" We understand why. It is our time to live. We are the ones, who are responsible. Please remember when we come home that it is our time to live and I will guarantee we all will live better for we have seen a life without freedom.

And also in your prayers please remember all the boys in uniform regardless of location. There are many who fail to receive proper credit for their work only because they are not here. Without them our work here could not possibly function. Remember them for they do as much as we do.

JOHNSON ADMINISTRATION CONFIRMS THAT FISCAL 1969 EXPENDITURE CUTS ARE A SHAM

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. CURTIS. Mr. Speaker, I have today written President Johnson for confirmation of a news item which appeared on UPI Tuesday, June 25. The news item indicated that President Johnson was planning to delay making expenditure cuts until after the Congress had acted on all appropriation bills. If this is true it is an admission that the $6 billion expenditure cut is a sham and that President Johnson has not accepted it along with the tax increase.

Following is a copy of the letter to President Johnson and a statement I made on the subject:

JUNE 27, 1968.

The Honorable LYNDON BAINES JOHNSON,
The White House,
Washington, D.C.

DEAR PRESIDENT JOHNSON: The UPI wire service carried the following news item on Tuesday, June 25th:

"The White House indicated Tuesday that it might be months before President Johnson reaches any decision on where to cut the $6 billion from his budget for fiscal 1969. White House Press Secretary George Christian said he did not see how the President could make any cuts until all the appropriation bills for the budget have been approved by Congress.

"So far only two of the more than twenty appropriation measures have been approved and sent to the President.

"Thus the President may put off any final decision on the spending cuts voted by Congress until the lawmakers complete appropriations action—action which may not be completed before the end of the summer."

Would you please confirm the accuracy of this statement.

Sincerely,

THOMAS B. CURTIS.

According to UPI report of Tuesday, June 25, the White House has indicated that it might be months before President Johnson reaches any decision on where to cut the $6 billion of expenditures from his budget for fiscal 1969. White House Press Secretary George Christian said he did not see how the President could make any cuts until all the appropriation bills for the budget have been approved by Congress.

I have written the President for confirmation of this report, but assuming it is true, it is tantamount to an admission that the $6 billion expenditure cut is a sham and that President Johnson has not accepted it as consideration for his $10 billion tax increase.

I took the floor of the House of Representatives to emphasize that we must tie down where line-item cuts in the fiscal 1969 expenditure level would be made, and when they would be made if expenditure cuts were to be realistic. Otherwise, as I stated on May 14, May 29, June 3, June 4, and June 20, we would have no cuts at all and inflationary forces would not be diminished by the tax increase. My fears appear to be confirmed by the press reports of yesterday.

The Expenditure Control Act as passed by the House on June 20 does not prevent the President from continuing to spend at current excessive levels. Already the projected expenditure level for fiscal 1969 has been increased to $189 billion from $186 billion.

Inflation is not cut back by cutting the private sector's power to spend through a tax increase if the Government spends the additional revenues collected. To insure that Government curtails expenditures, meaningful line-item expenditure cuts must be spelled out and scheduled to go into effect beginning July 1, 1968.

Fiscal year 1969 begins in 4 days and only 6 months of it will be under the Johnson administration. If any cuts are to be effective in the Johnson administration's 6 months these cuts should have already been scheduled.

GREEK JUNTA NEEDS TIME TO REACH GOALS, NOT CENSURE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. PUCINSKI. Mr. Speaker, Mr. William F. Buckley, Jr., writing for the Chicago Daily News, has presented a most interesting observation on the present situation in Greece, which I would like to call to the attention of my colleagues.

It has long been my belief that the best way we can restore democratic rule to Greece through parliamentary government is to continue pressing the present regime for a restoration of constitutional rights.

I do not believe that shutting Greece off from the rest of the Western World is going to hasten the day for her return as a constitutional monarchy or republic.

I never cease to be amazed at those who are so quick to watch with impunity the destruction of freedom in many major countries of the world and yet get their zeal all worked up about the current situation in Greece.

Any way you look at it, the present government in Greece has kept that nation from falling into Communist hands and creating havoc throughout the whole of Europe.

I believe Mr. Buckley places this entire subject into proper perspective.

His article follows:

GREEK JUNTA NEEDS TIME TO REACH GOALS, NOT CENSURE

(By William F. Buckley, Jr.)

ATHENS.—The report on the situation in Greece submitted to the Council of Europe is on the whole hostile to the revolutionary government, and recommends that the Council exert pressure on the Greek government to (a) liberalize the current draft of the constitution, (b) grant full freedom to all non-Communist parties to organize themselves prior to the vote on the new constitution, and (c) pledge itself to activate instantly the whole of the constitution the day after it is voted on, always assuming of course that the judgment is favorable. And so on and so on and so on.

The subject becomes tedious, not because the destiny of personal freedom in Greece is a tedious subject, but because everybody and his mother has been instructing Greece on how to proceed to bring about true democracy and the maximization of freedom.

Under such a barrage, it is no wonder that many Greeks, while adamantly holding by the necessity to reintroduce freedom in Greece, are cynical about the concern of Western democrats. Suddenly everyone has become an expert on democracy, and its shortcomings in Greece. "We shall not be surprised," wrote the Athens newspaper Eleftheros Kosmos, "if (the critics) print visiting cards mentioning 'democrat' as their occupation."

The salient points are these:

The government is pledged to put forward a constitution by next September. The present draft of that constitution permits a "constitutional court" to proscribe political parties or organizations, whose goals are "likely to overthrow the established social order." It is maintained in Athens that this isn't really different from the workable West German Constitution which has similar arrangements. In fact, there are differences: the West German code talks not about "the social order" but about "the democratic order."

All the ministers in the Papadopoulos government are pledged to come forward with a constitution that guarantees individual human rights as unequivocally as the human rights provisions of the United Nations and the Council of Europe. These rights are not yet elaborated: but no one is discussing a postponement of the September deadline. And critics who insist on instant application of the paradigm tend to forget that the existing government exists because the antecedent situation proved unworkable; at any rate, that is the rationale of the revolution.

No constitution will ever produce a divine and eternal equilibrium between freedom and order. Papadopoulos is not likely to succeed where Plato and Aristotle failed. The principal Democratic contenders for the Presidency of the United States are under severe pressure to denounce the junta in Greece. Richard Nixon, quite wisely, had declined to do so.

If Greece is headed for a long night of tyranny, there is time to bring pressure. But on the existing record, Greece is engaged in trying one more time, previous attempts having failed, to bring freedom and a national regeneration. We should lower our voices, and give them time.

OUR LAWLESS LAND

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. REINECKE. Mr. Speaker, a most eloquent and moving plea for the return of decency and sanity to our law enforcement system was recently brought to my attention. It is in the form of a poem entitled "Our Lawless Land," by Robert D. Barr, a retired police officer.

I believe this poem expresses very well the feelings of many patriotic and concerned citizens who are disturbed by the recent tendency of our Supreme Court to be meticulously devoted to safeguarding the rights of the accused, and at the same time to be relatively indifferent to the rights of victims—to the protection of their lives and property.

I hope this poem will be read widely in America, for it is a sensitive and impassioned protest against the chaos and tragedy which are presently afflicting our Nation.

The poem follows:

OUR LAWLESS LAND

(By Robert D. Barr, retired police officer)

The Supreme Court sings the same old song—
It's our opinion we can't be wrong,
Our judgment's right we take this stance
And give the killer another chance.
Now he's got rights believe you me
To kill again when we set him free;
We'll slap his wrist this naughty boy
Then close our eyes and just act coy.
He'll travel on his bloody way
While orphans weep and widows pray.
We have police protect our lands
Then with our laws we tie their hands;
We pause a while to say a prayer
Then travel on with a listless air.
The time has come to make a stand
And take the gun from the killer's hand;
The game he plays he plays for keeps
And we look on while the orphan weeps.
Hear ye! Hear ye! Men brave and strong
It's time to right things that are wrong;
Let's change the law, make our selection
So all good people will have protection.
Untie those hands we tied so tight
They'll stop the wrong and protect the right;
We'll place our trust in God above
Then pray for peace and world wide love.

GREAT CONTRIBUTIONS OF ADMIRAL RICKOVER

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. PHILBIN. Mr. Speaker, I think that we are all very much pleased and reassured to know that our great, distinguished, and very able friend, Admiral Rickover, will continue his invaluable service with the Navy.

All of us in the Congress who have been privileged to witness the tremendous contributions to the Nation, to the Navy, and the defense of the country of this great American well understand the most exceptional achievements of Admiral Rickover.

His foresight, vision, great ability, tenacity of purpose, and willingness to stand up and fight, when necessary, for his objectives, have been principally responsible for the great state of readiness of our naval forces of our times. Admiral Rickover has labored persistently and ably to insure our sizable fleet of attack submarines, our Polaris submarines, and many scientific innovations and advances in the implementation of our modern Navy.

His efforts to utilize nuclear energy in naval craft constitute historic markers in our naval progress that has brought immeasurable benefits to our defense, our national posture in defense matters, and the use of nuclear propellants.

I am very happy to learn of the admiral's new term of service, and express my heartiest congratulations to him and his family, and the personal admiration and gratitude which I so deeply feel for this great man's outstanding contributions to our country.

All Americans, who believe that our country is worth defending and worth fighting for, may be very proud of Admiral Rickover and very grateful for what he has done to strengthen our defense by building up our nuclear Navy.

Through strength and courage, let us devote ourselves as Americans to the cause of peace, security, and freedom. In that way, we can best serve our country and humanity, and it is a great tribute and honor to Admiral Rickover that he is dedicated so totally to this cause.

ANOTHER LOOK AT THE NEWS

HON. DEL CLAWSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DEL CLAWSON. Mr. Speaker, appeals for cool reason and moderation in the national dialog on antifirearms legislation are rare. Further, most comment seems to issue from self-appointed oracles. Accordingly, I think my colleagues will find an editorial which appeared in the June 21 issue of the Daily Signal of Huntington Park, Calif., as rewarding as I did. The editorial by Mr. Tom Hageman follows:

ANOTHER LOOK AT THE NEWS

(By Tom Hageman)

Seldom has an issue become so emotional as the current controversy over gun control or the lack of it.

On the one hand we have those who hold so strongly to a desire to own arms anonymously and without restriction that they are willing to join in some kind of "holy crusade" to do away with the opposition.

And on the other hand there are those who feel so righteous in their cause that they seem to be saying "turn in your guns or we will kill you."

Caught right square in the middle of all this is a very clear majority of citizens who want only what is right.

So, what IS right in this issue as it applies to June 21 in year 1968?

Does each family need a small arsenal to protect itself from the underworld?

Most of us have no way of knowing a truly big underworld character when we see him and few, if any, of us have found it necessary to engage in a gangland shootout in the normal course of going about our daily routine.

But if a riot erupted shouldn't I have the right to protect my family with a gun, if necessary, and without having to wait 5, 10, or 15 days before I could complete a purchase?

I don't happen to own a rifle, but if I wanted to go hunting deep in the mountains why shouldn't I be able to borrow a gun from a friend? Under some recently proposed legislation I would become a criminal for possessing a gun not registered to me and the friend who loaned me the gun also would become a law violator.

The really "big picture" of gun ownership and regulation is confused by extremes of emotion today and for obvious reasons no practical new legislation is possible at the moment.

But it is equally obvious that current gun controls and regulations and the enforcement of existing laws is inadequate.

At the moment what we need the most is guidance from responsible leadership, silence from opportunistic politicians and time to do what is right.

JAMES BALDWIN: IT IS WHITES WHO MUST "COOL IT"

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. ROSENTHAL. Mr. Speaker, Americans of all persuasions are rightfully dismayed at our continuing state of domestic upheaval and turmoil. When this dismay gets converted, however, as it so often does, into expressions of the hope that black America should simply "cool it," we accomplish nothing. The oppression that millions of black Americans feel cannot, and should not, be constrained. The injustices that still abound in this land require not avoidance, but rather our continuous and vocal attention.

An interview in the current—July 1968—issue of Esquire magazine with James Baldwin gives one eloquent Negro's response to the earnest and, I feel, misguided white appeals for further patience in our ghettos. Mr. Baldwin's response, stated most simply, is for whites to "cool" the vicious oppression that the black community must still contend with.

This interview makes provocative and trenchant reading. I hope my colleagues will consider Mr. Baldwin's comments with care.

The article follows:

JAMES BALDWIN: IT IS WHITES WHO MUST "COOL IT"

Question. Can we still cool it?

BALDWIN. That depends on a great many factors. It's a very serious question in my mind whether or not the people of this country, the bulk of the population of this country, have enough sense of what is really happening to their black co-citizens to understand why they're in the streets. I know as of this moment they maybe don't know it, and this is proved by the reaction to the civil-disorders report. It came as no revelation to me or to any other black cat that white racism is at the bottom of the civil disorders. It came as a great shock apparently to a great many other people, including the President of the United States and the Vice-President. And now you ask me if we can cool it. I think the President goofed by not telling the nation what the civil-disorders report was all about. And I accuse him and the entire administration, in fact, of being largely responsible for this tremendous waste and damage. It was up to him and the Vice-President to interpret that report and tell the American people what it meant and what the American people should now begin to think of doing. *Now!* It is already very, very late even to begin to think of it. What causes the eruptions, the riots, the revolts—whatever you want to call them—is the despair of being in a static position, absolutely static, of watching your father, your brother, your uncle, or your cousin—no matter how old the black cat is or how young—who has no future. And when the summer comes, both fathers and sons are in the streets—they can't stay in the houses. I was born in those houses and I know. And it's not their fault.

Question. From a very short-range approach, what should the federal government do, right now, to cool it?

BALDWIN. What do you mean by the federal government? The federal government has come to be, in the eyes of all Negroes anyway, a myth. When you say the federal government, you're referring to Washington and that means you're referring to a great many people. You're referring to Senator

Eastland and many people in Washington who out of apathy, ignorance or fear have no intention of making any move at all. You're talking about the people who have the power, who intend to keep the power. And all that they can think of are things like swimming pools, you know, in the summertime, and sort of made up jobs simply to protect peace and the public property. But they show no sign whatever of understanding what the root of the problem really is, what the dangers really are. They have made no attempt, whatever, any of them, as far as I know, really to explain to the American people that the black cat in the streets wants to protect his house, his wife and his children. And if he is going to be able to do this he has to be given his autonomy, his own schools, a revision of the police force in a very radical way. It means in short that if the American Negro, the American black man, is going to become a free person in this country, the people of this country have to give up something. If they don't give it up it will be taken from them.

Question. You say that existing jobs are just make-work jobs. What kind of job program should be adopted?

Baldwin. It's very difficult to answer that question since the American Republic has created a surplus population. You know it's created not only people who are unemployable but who no longer wish to be employed in this system. A job program involves, first of all, I would think, a real attack on all American industries and on all American labor unions. For example, you're sitting in Hollywood. And there are not any Negroes, as far as I know, in any of the Hollywood craft unions: there is no Negro grip, no Negro crew member, no Negro works in Hollywood on that level or on any higher level either. There are some famous Negroes who work out here for a structure which keeps Negroes out of the unions. Now it's not an Act of God that there aren't any Negroes in the unions. It's not something that is handed down from some mountain; it's a deliberate act on the part of the American people. They don't want the unions broken, because they are afraid of the Negro as a source of competition in the economic market. Of course what they've made him is something much worse than that. You can't talk about job programs unless you're willing to talk about what is really holding the structure together. Eastman Kodak, General Motors, General Electric—all the people who really have the power in this country. It's up to them to open up *their* factories, *their* unions, to let us begin to work.

Question. They would have to begin, say, on-the-job training programs for those. . . .

Baldwin. Yes, and by the way I know a whole lot of Negroes on the streets, baby, who are much brighter than a lot of cats dictating the policies of Pan American. You know what this country really means by on-the-job training programs is not that they're teaching Negroes skills, though there's that too; what they're afraid of is that when the Negro comes into the factory, into the union, when he comes, in fact, into the American institutions he will change these institutions because no Negro in this country really lives by the American middle-class standards. That's what they really mean by on-the-job training. That's why they pick up a half-dozen Negroes here and there, and polish them up, polish them off, and put them in some ——— college someplace, then expect those cats to be able to go back on the streets and cool the other cats. They can't. The price in this country to survive at all still is to become like a white man. More and more people are refusing to become like a white man. That's at the *bottom* of what they mean by on-the-job training. They mean they want to fit you in. And furthermore, let's tell it like it is. The American white man does not really want to have an autonomous Negro male anywhere *near* him.

Question. In on-the-job training programs, the white American structure wants a worker who is trained, who shows up regularly at eight-thirty in the morning and works till five in the afternoon.

Baldwin. Yeah, well I know an awful lot of cats who did that for a long, long time. We haven't got to be trained to do that. We don't even have to be given an incentive to do that.

Question. Would you say, then, that many black people have been able to go nowhere, so they've lost any feeling that it's worth working regularly?

Baldwin. That is part of what we're talking about. Though it goes deeper than that, I think. It's not only that. What is happening in this country among the young, and not only the black young, is an overwhelming suspicion that it's not worth it. You know that if you watched your father's life like I watched my father's life, as a kid much younger than I watches his father's life; his father *does* work from eight to five every day and ends up with nothing. He can't protect anything. He has nothing. As he goes to the grave, having worked his fingers to the bone for years and years and years, he still has nothing and the kid doesn't either. But what's worse than that is that one has begun to conclude from that fact that maybe in this Republic—judging now on the evidence of its own performance—maybe there isn't anything. It's easy to see on the other hand what happens to the white people who make it. And that's not a very attractive spectacle either. I mean I'm questioning the values on which this country thinks of itself as being based.

Question. What you are calling for, then, is a radical change in thinking by government and industry.

Baldwin. Yes.

Question. And given the inertia plus . . .

Baldwin. Fear.

Question. . . . fear and whatever else there may be, any such changes seem . . .

Baldwin. . . . seem improbable.

Question. Certainly, they will come slow. A union will not throw open its doors and bring in several hundred people from the black community right away. Now my question is . . .

Baldwin. You've answered your question.

Question. "Sweeper jobs," then, just won't work?

Baldwin. No. I'll tell you what you will do. You will do what you did last summer and the summer before that. You'll pour some money into the ghetto and it will end up in the hands of various adventurers. In the first place, thirteen dollars and some change is not *meant* to do anything. And a couple of cats will make it, and the rest will be where they were.

Question. But can you buy time with this kind of program; enough time for the longer term changes?

Baldwin. You could if you meant it. What's at issue is whether or not you mean it. Black people in this country conclude that you mean to destroy us.

Question. But if industry and government seriously planned job-training programs, and the unions opened up?

Baldwin. Look, the labor movement in this country has always been based precisely on the division of black and white labor. That is no Act of God either. Labor unions along with the bosses created the Negro as a kind of threat to the white worker. There's never been any real labor movement in this country because there's never been any coalition between black and white. It's been prevented by the government and the industries and the unions.

Question. What would be the first step a union could take to demonstrate that it seriously wants to correct such inequities? What should the leadership do?

Baldwin. Educate their own rank and file. Declare themselves. And penalize any member of the union who is against it.

Question. What can industry do on a short-range basis?

Baldwin. I'm not sure that you should be asking me these questions at all. But I'll do my best to answer them. What can industry do? Well you know, the same as the labor unions. The labor unions won't have Negroes in the unions above a certain level. And they can never rise out of that local, or do what they might be able to do if they weren't trapped in that local at a certain level. Industry is perfectly willing to hire me to dig a ditch or carry a shovel. It isn't going to hire me to build a city or to fly a plane. It is unable to look on me as just another worker. There are exceptions to this rule, obviously, to be found everywhere. But this is the way it works and the exceptions, in fact, prove the rule.

Question. Do you think it would help if industry were to get involved as co-sponsors of low-income housing?

Baldwin. No. I think we've had far more, more than enough of low-income housing which simply becomes high-rise slums.

Question. Well, if they were not high-rise slums?

Baldwin. I don't want any more projects built in Harlem, for example. I want some one to attack the real-estate lobby because that's the only way to destroy the ghetto.

Question. But what about building low-income housing out in the suburbs where factories are beginning to move?

Baldwin. Well, that depends on the will of the American people, doesn't it? That's why they are in the suburbs—to get away from me.

Question. What about certain plans of industry to set up factories or businesses which would be owned by ghetto people? Would you see this as a positive step?

Baldwin. What would be produced in those factories?

Question. Piecework, small items subcontracted by larger manufacturers.

Baldwin. It's a perfectly valid idea except that in order to do that you have to eliminate the ghetto. Look, it is literally true that from a physical point of view those houses are unlivable. No one's going to build a factory in Harlem, not unless you intend, you know *really* to liberate Harlem.

Question. Well, New York State, for example, plans to build a State office building in Harlem.

Baldwin. In Harlem. I know exactly where they're going to build it, too. And at the risk of sounding paranoiac, I think I know why. It's going to be where the Black Nationalist Bookstore is now, and one of the reasons for it, I am convinced, is simply because the Black Nationalist Bookstore is a very dangerous focal ground—125th Street and Seventh Avenue. You know, it's what in Africa would be called a palaver tree. It's where Negroes get together and talk. It's where all the discontent doesn't begin, exactly, but where it always focuses.

Question. Wouldn't you think that would be a very foolish idea, because you can always pick some other place to meet and talk?

Baldwin. Yes, but the American white man has proved, if nothing else, he is absolutely, endlessly foolish when it comes to this problem.

Question. Let's talk about the average citizen, the white man who lives on Eighty-ninth Street and Riverside Drive, what should he be doing?

Baldwin. It depends on what he feels. If he feels he wants to save this country, he should be talking to his neighbors and talking to his children. He shouldn't by the way, be talking to me.

Question. What should he be telling his neighbors?

BALDWIN. That if I go under in this country, I, the black man, he goes too.

Question. Is there any action he can take? Pressure on the local government?

BALDWIN. Pressure on his landlord, pressure on the local government, pressure wherever he can exert pressure. Pressure, above all, on the real-estate lobby. Pressure on the educational system. Make them change textbooks so that his children and my children will be taught something of the truth about our history. It is run now for the profit motive, and nothing else.

Question. What about the white suburbanite who fled the city, while making sure the blacks stayed there? What does he have to do now?

BALDWIN. If he wants to save his city, perhaps he should consider moving back. They're his cities too. Or just ask himself why he left. I know why he left. He's got a certain amount of money and a certain future, a car, two cars, you know, scrubbed children, a scrubbed wife, and he wants to preserve all that. And he doesn't understand that in his attempt to preserve it he's going to destroy it.

Question. What about the poverty program, does that offer any remedy?

BALDWIN. Are you joking? There has not been a war on poverty in this country yet. Not in my lifetime. The war on poverty is a dirty joke.

Question. How would you improve it?

BALDWIN. By beginning it.

Question. In what fashion?

BALDWIN. Look, there's no way in the world to do it without attacking the power of some people. It cannot be done unless you do that.

The power of the steel companies, for example, which can both make and break a town. And they've done it, they're doing it. Everybody knows it. You can't have a war on poverty unless you are willing to attack those people and limit their profits.

Question. Is it a matter of limiting the profits of industries only, or is it also a matter of limiting the power of the politicians?

BALDWIN. But the politicians are not working for the people; they're working for exactly the people I say we have to attack. That is what has happened to politics in this country. That is why the political machinery now is so vast, and so complex no one seems to be able to control it. It's completely unresponsive to the needs of the American community, completely unresponsive. I'm not talking only as a black man, I mean to the whole needs of the American people.

Question. You mean insofar as it responds to industry?

BALDWIN. It responds to what it considers its own survival.

Question. What would you say ought to be done to improve the relationship of the police with the black community?

BALDWIN. You would have to educate them. I really have no quarrel particularly with the policemen. I can even see the trouble they're in. They're hopelessly ignorant and terribly frightened. They believe everything they see on television, as most people in this country do. They are endlessly respectable, which means to say they are Saturday-night sinners. The country has got the police force it deserves and of course if a policeman sees a black cat in what he considers a strange place he's going to stop him; and you know of course the black cat is going to get angry. And then somebody may die. But it's one of the results of the cultivation in this country of ignorance. Those cats in the Harlem street, those white cops; they are scared to death and they *should* be scared to death. But that's how black boys die, because the police are scared. And it's not the policemen's fault; it's the country's fault.

Question. In the latest civil disorder, there seems to have been a more permissive attitude on the part of the police, much less reliance on firearms to stop looters as compared with last summer when there was such an orgy of shooting by the police and the National Guard.

BALDWIN. I'm sorry, the story isn't in yet, and furthermore, I don't believe what I read in the newspapers. I object to the term "looters" because I wonder who is looting whom, baby.

Question. How would you define somebody who smashes in the window of a television store and takes what he wants?

BALDWIN. Before I get to that, how would you define somebody who puts a cat where he is and takes all the money out of the ghetto where he makes it? Who is looting whom? Grabbing off the TV set? He doesn't really want the TV set. He's saying ———. It's a judgment, by the way, on the value of the TV set. Everyone knows that's a ——— ———. He doesn't want the TV set. He doesn't want it. He wants to let you know he's there. The question I'm trying to raise is a very serious question. The mass media—television and all the major news agencies—endlessly use that word "looter." On television you always see black hands reaching in, you know. And so the American public concludes that these savages are trying to steal everything from us. And no one has seriously tried to get to where the trouble is. After all, you're accusing a captive population who has been robbed of *everything* of looting. I think it's obscene.

Question. Would you make a distinction between snipers, fire bombers and looters?

BALDWIN. I've heard a lot about snipers, baby, and then you look at the death toll.

Question. Very few white men, granted. But there have been a few.

BALDWIN. I know who dies in the riots.

Question. Well, several white people have died.

BALDWIN. Several, yeah, baby, but do you know how many Negroes have died?

Question. Many more. But that's why we're talking about cooling it.

BALDWIN. It is not the black people who have to cool it.

Question. But they're the ones. . . .

BALDWIN. It is not the black people who have to cool it, because they won't.

Question. Aren't they the ones who are getting hurt the most, though?

BALDWIN. That would depend on the point of view. You know, I'm not at all sure that we are the ones who are being hurt the most. In fact I'm sure we are not. We are the ones who are *dying* fastest.

Question. The question posed, however, was whether snipers could be classified as true revolutionaries; fire bombers, as those overwhelmed with frustration and seeking to destroy the symbols of their discontent; looters, as victims of the acquisitive itch?

BALDWIN. I have to ask you a very impertinent question. How in the world can you possibly begin to categorize the people of a community whom you do not know at all? I disagree with your classifications altogether. Those people are all in the streets for the same reason.

Question. Does some of our problem come from our flaunting the so-called good life, with its swimming pools, cars, suburban living and so on, before a people whom society denies these things?

BALDWIN. No one has ever considered what happens to a woman or a man who spends his working life downtown and then has to go home uptown. It's too obvious even to go into. We are a nation within a nation, a captive nation within a nation. Yes, and you do flaunt it. You talk about us as though we were not there. The real pain, the real danger is that white people have always treated Negroes this way. You've always treated Sambo this way. We always were Sambo for you, you know, we had no feelings, we had no ears, no eyes. We've lied to you for more than a hundred years and you don't even know it yet. We've lied to you to survive. And we've begun to despise you. We don't hate you. We've begun to despise you. And it is because we can't afford to care what happens to us, and *you* don't care what happens to us. You don't even care what happens to your own children. Because we have to deal with your children too. We don't care what happens to you. It's up to you. To live or to die. Because you made our life that choice all these years.

Question. What about the role of some of the black institutions. Does the church have some meaning still in the black community insofar as the possibility of social progress is concerned?

BALDWIN. You must consider that the fact that we have a black church is, first of all, an indictment of a Christian nation. There shouldn't be a black church. And that's again what you did. We've used it. Martin Luther King used it most brilliantly, you know. That was his forum. It's always been our only forum. But it doesn't exist anywhere in the North anymore, as Martin Luther King himself discovered. It exists in the South, because the black community in the South is a different community. There's still a Negro family in the South, or there was. There is no Negro family essentially in the North, and once you have no family you have no church. And that means you have no forum. It cannot be used in Chicago and Detroit. It can be used in Atlanta and Montgomery and those places. And now since Martin is dead—not before, but certainly since he is dead—that forum is no longer useful because people are repudiating their Christian church in toto.

Question. Are they repudiating Christianity as well?

BALDWIN. No more intensely than you have.

Question. Then the black church is dead in the North?

BALDWIN. Let me rephrase it. It does not attract the young. Once that has happened to any organization, its social usefulness is at least debatable. Now that's one of the great understatements of the century.

Question. In that case, what is the role of Adam Clayton Powell?

BALDWIN. Adam Clayton Powell is not considered a pastor, he is considered a politician. He is considered, in fact, one more victim. People who can't stand Adam would never, *never* attack him now. Crimes which Adam is accused of—first of all, the people in Harlem know a great deal more about that than anybody who has written about it. That's one thing. And for another, as long as you don't impeach Senator Eastland, it's a —— tip and we know it. We're not fighting for him, we're fighting for us.

Question. What about some of the other leaders of the black community?

BALDWIN. The real leaders now in the black community?

BALDWIN. The real leadership now in the black community you've never heard of. Roy's not a leader, Whitney's not a leader.

Question. Floyd McKissick?

BALDWIN. Floyd's not a leader either, but Floyd *is* closer to the tempo, to the pulse. First of all, leaders are rare. A man is not made a leader by the mass media of this country. Martin was a leader in spite of all the oppostion he got, even from black people. Because that's what he was. And because he loved his people. He loved this country.

Question. Stokely Carmichael?

BALDWIN. Stokely in my view is perhaps a little too young. Look, I'm nearly twenty years older than Stokely. I can't answer that question. Stokely is a leader for a great many people. Stokely is even more than that, Stokely is a *symbol* for a great many people. A great many emasculated black boys turn to Stokely because he's fighting against their emasculation. I understand that, and the're right. I may have my own disagreements with

Stokely from time to time but I'm on his side. What Stokely is saying essentially is true and that is why people are so uptight about Stokely. Because they can't deny what he is saying. And what he is trying to do is anathea to the white people of the United States because what he is saying is that we have no hope here. These white people are never going to do anything for us because they cannot. Also, as long as we are on the subject of Stokely, let me point out to you that Stokely has never said he hated white people. And I happen to know him and I know he doesn't. What he is insisting on is black autonomy, and *that* puts everybody uptight. That's all he is saying. What he is suggesting that frightens the American white people is that the black people in this country are tied to all the oppressed and subjugated people everywhere in the world. Furthermore, he is saying very clearly, and it's true, that this country which began as a revolutionary nation has now spent God knows how many billions of dollars and how many thousands of lives fighting revolution everywhere else. And what he's saying is that black people in this country should not any longer turn to President Lyndon Johnson, who is after all at the very best (and this is an understatement; I'm speaking for myself now) a very untrustworthy big daddy. But to other black people, all the other people who are suffering under the same system that we are suffering from, that system is led by the last of the Western nations. It is perfectly conceivable, or would be if there were not so many black people here, that the Americans might decide to "liberate" South Africa. Isn't it? That is to say, to keep the horrors of communism away; all the freedom fighters in South Africa would turn South Africa into another Vietnam. No one is fooled about what you are doing in Vietnam. At least no black cat is fooled by it. You are not fighting for freedom. You don't care about those people. You don't care about my people and I know you don't care about theirs. You're fighting for what the Western world calls material self-interest. And that means my back. My stolen tin, my stolen diamonds, my stolen sugar. That's what it means; it means I should work for you forever.

And I won't.

But the idea is that people who are divided by so many miles of the globe, and by so many other things, should begin to consider themselves as a community, should begin to consider that they have something in common—this is what Stokely says. What they have in common is to get the man off their backs. It's a very dangerous and frightening idea for Americans, because it happens to be true.

Question. Do you feel that there's a conscious understanding of American imperialism by . . .

BALDWIN. The Americans are not imperialists. According to them, they're just nice guys. They're just folks.

Question. But we are talking about a form of imperialism . . .

BALDWIN. We're talking about the very last form of imperialism, you know—Western imperialism anyway—the world is going to see.

Question. But do you feel that the under class of black people, given an insufficient education, understands the specifics of this imperialism you describe?

BALDWIN. We understand very much better than you think we do, and we understand it from the letters we get from Vietnam.

Question. Is there any white man who can . . .

BALDWIN. White by the way is not a color, it's an attitude. You're as white as you think you are. It's your choice.

Question. Then black is a state of mind too?

BALDWIN. No, black is a condition.

Question. Who among the white community can talk to the black community and be accepted?

BALDWIN. Anybody, who doesn't think of himself as white.

Question. Among the Presidential candidates, whom do you feel would be accepted as speaking in good faith? Richard Nixon?

BALDWIN. You must be joking?

Question Nelson Rockefeller?

BALDWIN. Maybe, that would depend very much on what he does now. I don't put him down.

Question. What about Robert Kennedy?

BALDWIN. What about Robert Kennedy indeed! Bobby's a very, very, very bright man. The best thing said about Bobby Kennedy, and I'm not trying to cop out on this, was said by Al Calloway in that rather curious issue about Soul that Esquire just did. Al said that if Soul could be studied and learned, he'd learn it. He'd study and learn, but it can't be studied and learned. I've had one very publicized thing with Bobby so that anything I say is suspect. He's very bright, and all the liberals will be on his bandwagon. He will probably be President. Almost surely he will be. And what can I say? I have to leave it open. I, myself, will not be on that bandwagon. I think he's very shrewd but I think he's absolutely cold. I think he may prove to be, well, very dangerous.

He's very attractive. He says all of the right things, you know, not always at the right time. And I can see the kind of appeal he'd have; after all, he is the brother of J.F.K. But I'm in another position. I have to be as clearheaded as I can be about it and look beyond the particular event or the particular man. I would not myself put my life in his hands.

Question. Do you know anything of Eugene McCarthy?

BALDWIN. Nothing at all. I can't discuss him. But I ought to say that it's been a very long time since I've had any respect for *any* politician. I have to say, too, that I'm looking through the political spectrum from the standpoint of my rather bitter forty-three years in this country. What I'm also saying is that if I endorse anybody, no matter what it means, I don't want to tell black people to vote for so-and-so or him or her because I don't want to be killed by those black people when they discover they've been betrayed.

Question. Hubert Humphrey?

BALDWIN. Forget it.

Question. Do you care to expand on that?

BALDWIN. No, just forget it. I point to his record since he became Vice-President. The flaming liberal.

Question. Do you think the riots can be considered in another light than simply an outburst against the system? Are they possibly also, consciously or unconsciously, a struggle to bring to a culture purification by blood?

BALDWIN. Well, that refers back to Thomas Jefferson, I think, who said, "I tremble for my country when I reflect that God is just."

Question. He also said that the tree of liberty should be watered with blood . . .

BALDWIN. The blood of tryants. We call it riots, because they were black people. We wouldn't call it riots if they were white people.

Question. What does the death of Martin Luther King signify?

BALDWIN. The abyss over which this country hovers now. It's a very complicated question and the answer has to be very complicated too. What it means to the ghetto, what it means to the black people of this country, is that you could kill Martin, who was trying to save you, and you will face tremendous opposition from black people because you choose to consider, you know, the use of violence. If you can shoot Martin, you can shoot all of us. And there's nothing in your record to indicate you won't, or anything that would prevent you from doing it. That will be the beginning of the end, if you do, and that knowledge will be all that will hold your hand. Because one no longer believes, you see—I don't any longer believe, and not many black people in this country can afford to believe—any longer a word you say. I don't believe in the morality of this people at all. I don't believe you do the right thing because you think it's the right thing. I think you may be forced to do it because it will be the expedient thing. Which is good enough.

I don't think that the death of Martin Luther King means very much to any of those people in Washington. I don't think they understand what happened at all. People like Governor Wallace and Mister Maddox certainly don't. I would doubt very much if Ronald Reagan does. And that is of course where the problem lies, with people like that, with people we mentioned earlier, and with the institutions we mentioned earlier. But to the black people in this country it means that you have declared war. You have declared war. That you do intend to slaughter us, that you intend to put us in concentration camps. After all, Martin's assassination—whether it was done by one man or by a State Trooper, which is a possibility; or whether it was a conspiracy, which is also a possibility; after all I'm a fairly famous man too, and one doesn't travel around—Martin certainly didn't without the government being aware of every move he made—for this assassination I accuse the American people and all its representatives.

For me, it's been Medgar. Then Malcolm. Then Martin. And it's the same story. When Medgar was shot they arrested some lunatic in Mississippi, but I was in Mississippi, with Medgar, and you don't need a lunatic in Mississippi to shoot a cat like Medgar Evers, you know, and the cat whoever he was, Byron de la Beckwith, slipped out of the back door of a nursing home and no one's ever heard from him since. I won't even discuss what happened to Malcolm, or all the ramifications of that. And now Martin's dead. And every time, you know, including the time the President was murdered, everyone insisted it was the work of one lone madman; no one can face the fact that this madness has been created deliberately. Now Stokely will be shot presently. And whoever pulls that trigger will not have bought the bullet. It is the people and their representatives who are inciting to riot, not Stokely, not Martin, not Malcolm, not Medgar. And you will go on like this until you will find yourself in a place from which you can't turn back, where indeed you may be already. So, if Martin's death has reached the conscience of a nation, well then it's a great moral triumph in the history of mankind but it's very unlikely that it has.

Question. Some people have said that the instant canonization by white America is the cop-out . . .

BALDWIN. It's the proof of their guilt, and the proof of their relief. What they don't know is that for every Martin they shoot there will be ten others. You already miss Malcolm and wish he were here. Because Malcolm was the only person who could help those kids in the ghetto. The *only* person.

Question: I was just about to say, we white people . . .

BALDWIN. . . . wished that Malcolm were here? But you, the white people, no matter how it was done actually, technically, you created the climate which forced him to die.

Question. We have created a climate which has made political assassination acceptable . . .

BALDWIN. . . . which made inevitable that death, and Medgar's, and Martin's. And may make other deaths inevitable too, including mine. And all this in the name of freedom.

Question. Do you think "cooling it" means accepting a culture within a culture, a black culture as separate?

BALDWIN. You mean, white people cooling it?

Question. Yes.

BALDWIN. White people cooling it means a very simple thing. Black power frightens them. White power doesn't frighten them. Stokely is not, you know, bombing a country out of existence. Nor menacing your children. White power is doing that. White people have to accept their history and their actual circumstances, and they won't. Not without a miracle they won't. Goodwill won't do it. One's got to face the fact that we police the globe—we, the Americans, police the globe for a very good reason. We are protecting what we call the free world. You ought to be black, sitting in Harlem, listening to that phrase. We, like the South African black miners, know exactly what you're protecting when you talk about the free world.

Question. Are there some viable black institutions that . . .

BALDWIN. Why does a white country look to black institutions to save it?

Question. Well, to begin a dialogue, to find out what should be done . . .

BALDWIN. That is up to you.

Question. But doesn't white America need instruction from . . .

BALDWIN. . . . the streets of any ghetto.

Question. But on the streets of any ghetto can you learn . . .

BALDWIN. Ask any black junkie what turned him into a junkie.

Question. But what I'm after are programs that you can work with.

BALDWIN. What you mean by programs is a way of alleviating the distress without having it cost you anything.

Question. Well, even if we're willing to spend the money . . .

BALDWIN. I'm not talking about money.

Question. But if we are willing to change our point of view . . .

BALDWIN. Well, then, the person to talk to is first of all your own heart, your wife, your child. It's your country too. I've read a great deal about the good white people of this country since I came back to it in 1957. But it's the good white people of this country who forced the black people into the streets.

Question. Do you think it counts for anything having a mayor like John Lindsay walking the streets?

BALDWIN. I like John Lindsay. Just because he walks the streets, perhaps. Or for the same reasons I like J.F.K., you know, with enormous reservations. He's somewhere near the twentieth century at least.

Question. What kind of President should we have? Would a black President help?

BALDWIN. You're going to need somebody who is willing, first of all, to break the stranglehold of what they call the two-party system. John Lewis was right on the day of the March on Washington, when he said we can't join the Republican Party because look who that is made up of. We can't join the Democratic Party—look who's in *that* party. Where's *our* party? What we need is somebody who can coalesce the energies in this country, which are not both black *and* white, into another party which can respond to the needs of the people. The Democratic Party cannot do it. Not as long as Senator Eastland is in it. I name him, to name but one. I certainly will never vote for a Republican as long as Nixon is in that party. You need someone who believes in this country, again, to begin to change it. And by the way, while we're on this subject, one of the things we should do is cease protecting all those Texas oil millionaires who are one of the greatest menaces any civilization has ever seen. They have absolutely no brains, and a *fantastic* amount of money, *fantastic* amount of power, *incredible* power. And there's nothing more dangerous than that kind of power in the hands of such ignorant men. And this is done with the consent of the federal government. With the *collusion* of the federal government.

Question. Are there any natural allies for the black people?

BALDWIN. We're all under the same heel. I told you that before. We are all under the same heel. That's why everyone was so shocked when Fidel Castro went to Harlem. They think Negroes are fools, as Langston Hughes put it once. Second-class fools, at that.

Question. You feel that any people who are oppressed outside the United States are natural allies for the black American?

BALDWIN. Yes. From Cuba . . . to Angola. And don't think the American government doesn't know that. This government which is trying to free us is also determined we should never talk to each other.

Question. In *The Fire Next Time* you questioned whether the black people want to be integrated into a burning house. Do you still feel they do not have the same goals of materialism as the white man?

BALDWIN. I think Stokely's right when he says that integration is another word, you know, the latest kind of euphemism for white supremacy. No, I don't want to be integrated into this house or any other house. I don't want to become . . . like you. You, the white people. I'd rather *die* than become what most white people in this country have become. What one is after is something else, which is exactly what Martin was after, and this was community. You know, I just want you to leave me *alone. Just l-e-a-v-e-m-e-a-l-o-n-e!* And then we can take it from there. And above all, leave my child alone.

Question. Do you think that the local community control of schools is necessary?

BALDWIN. Schools and policemen.

Question. Why policemen?

BALDWIN. Look, we live in Harlem, let's say, or we live in Watts. The ——— who comes down there with his cap and his gun in his holster, he doesn't know what my day is like. He doesn't know why I get drunk when I do. He doesn't know anything *about* me at all. He's scared ——— of me. Now, what—the— ——— is he doing there? All he can do is shoot me. He's a hired concentration-camp keeper. I can police my own community far better than you ever will. Because you can't. It's not in you to do it. I know why somebody there is upset when he is upset. The cats were right when they were told by somebody, some cop, some leader, some mayor, to go home. They said *you* go home, we *are home,* baby. We can take care of ourselves. This is the message we're trying to get across; we don't need you to take care of us. Good Lord, we can't afford to have you take care of us any longer! Look what you've done. To us. And to yourselves, in taking care of us. No. I think the black people in this country should run their own schools, and run their own police force. Because you can't do it. All you can do is bring in tanks and tear gas . . . and call the National Guard when it gets too tight. And think you can fight a civil war and a global war at the same time.

Question. There used to be a New York City regulation that a policeman couldn't reside in the precinct to which he was assigned. You are saying that the regulation should require him to live there.

BALDWIN. Yeah, I'm telling you that.

Question. Do you have any hope for the future of this country?

BALDWIN. I have a vast amount of determination. I have a great deal of hope. I think the most hopeful thing to do is to look at the situation. People accuse me of being a doom-monger. I'm not a doom-monger. If you don't look at it, you can't change it. You've got to look at it. And at certain times it cannot be more grim. If we can look at it, we can change it. If we don't look at it, we won't. If we don't change it, we're going to die. We're going to perish, every single one of us. That's a tall order, a hard, hard bill to pay; but you have been accumulating it for a very long time. And now the bill is in. It is in for you and your children, and it is in all over the world. If you can't pay your bill, it's the end of you. And you created in this country a whole population which has nothing to lose. It's part of your bill. There's nothing more that you can do to me, nothing more at all. When you, in the person of your President, assure me that you will not tolerate any more violence, you may *think* that frightens me. People don't get frightened when they hear that, they get *mad.* And whereas you're afraid to die, I'm not.

Question. So the one thing that is fairly certain about cooling it is that the National Guard . . .

BALDWIN. I am not the one to be cooled.

Question. But it can be said that the National Guard, the police, tear gas, these methods are not the answer.

BALDWIN. I suggest that the mayor of every city and the President of this nation go on the air and address the white people for a change. Tell *them* to cool it.

Question. In the most recent disturbances, why have certain black leaders attempted to get other black people off the streets?

BALDWIN. To save their lives. Not as a favor to you. Nobody wants this generation to die. Except the American people.

Question. You would say, then, that we have a lot to answer for?

BALDWIN. I'm not trying to accuse you, you know. That's not the point. But you have an awful lot to face. I don't envy any white man in this century, because I wouldn't like to have to face what you have to face. If you don't face it, though, it's a matter of *your* life or death. Everyone's deluded if they think it's a matter of Sambo's life or death. It isn't a matter of Sambo's life or death, and it can't be, for they have been slaughtering Sambos too long. It's a matter of whether or not *you* want to live. And you may think that my death, or any diminution, or my disappearance will save you, but it won't. It can't save you. All that can save you now is your confrontation with your own history . . . which is not your past, but your present. Nobody cares what happened in the past. One can't afford to care what happened in the past. But your history has led you to this moment, and you can only begin to change yourself and save yourself by looking at what you are doing in the name of your history, in the name of your gods, in the name of your language. And what has happened is as though I, having always been outside it—more outside it than victimized by it, really, in a sense; outside it surely, you know, slaughtered by it, victimized by it, but mainly *outside* it—can see it better than you can see it. Because I cannot afford to let you fool me. If I let you fool me, then I die. But I've fooled *you* for a long time. That's why you keep saying, what does the Negro want? It's a summation of your own delusions, the lies you've told yourself. You know *exactly* what I want!

Question. So that when we come to you with the question, How do we cool it?, all we're asking is that same old question, What does the Negro want?

BALDWIN. Yes. You're asking me to help you save it.

Question. Save ourselves?

BALDWIN. Yes. But *you* have to do that.

Question. Speaking strictly, from your point of view, how would you talk to an angry black man ready to tear up the town?

BALDWIN. I only know angry black men. You mean, how would I talk to someone twenty years younger than I?

Question. That's right.

BALDWIN. That would be very difficult to do. I've tried, and I try it, I try it all the time. All I can tell him, really, is I'm with you, whatever that means. I'll tell you what I *can't* tell him. I can't tell him to submit and let himself be slaughtered. I can't tell him that he should not arm, because the white people are armed. I can't tell him that he should let anybody rape his sister, or his wife, or his mother. Because that's where it's at. And what I try to tell him, too, is if you're ready to blow the cat's head off—because it could come to that—try not to hate him, for the sake of your soul's salvation and for no other reason. But let's try to be better, let's try—no matter what it costs us—to be better than they are. You haven't got to hate them, though we do have to be free. It's a waste of time to hate them.

James Baldwin: Moses as a Black Cat

In 1961 James Baldwin wrote an article for Esquire (about Norman Mailer) in which he said, "Here I was, at thirty-two, finding my notoriety hard to bear . . . I was beginning to realize, most unwillingly, all the things love could not do. It could not make me over, for example. It could not undo the journey which had made of me such a strange man and brought me to such a strange place."

That we are all in a strange place now is undeniable; that James Baldwin knows the terrain of the place and the path that brought us here is on record. He has journeyed from Harlem, where he was one of nine children, to an expatriate's life in Paris, where he lived for nearly ten years, back to the life of a successful writer in Manhattan, which is very different from Harlem. Along the way he has written Go Tell It On the Mountain, Notes of a Native Son, Nobody Knows My Name, The Fire Next Time, Blues for Mister Charlie, other plays, novels, short stories and essays, and a just-published novel, Tell Me How Long the Train's Been Gone.

Above all, his journey has been so near the heart of the civil-rights movement that Baldwin's voice has become the one to tell us most clearly where we are and how we came here.

When the first civil-rights legislation was passed, after World War II, most white Americans believed that inequality between the races could be eliminated through court decisions. But in 1955, only a year after the Supreme Court had ordered schools desegregated, Baldwin wrote (Notes of a Native Son), "To smash something is the ghetto's chronic need. Most of the time it is the members of the ghetto who smash each other, and themselves. But as long as the ghetto walls are standing there will always come a moment when these outlets do not work. . . . If ever, indeed, the violence which fills Harlem's churches, pool halls, and bars erupts outward in a more direct fashion, Harlem and its citizens are likely to vanish in an apocalyptic flood."

In 1962, at a time when most Americans were congratulating themselves on finally having done something right about race relations (". . . in almost every aspect of American life it is possible to point to dramatic improvement in the status of the Negro over the last twenty or ten or even five years," said The New York Times), Baldwin published The Fire Next Time. "A bill is coming in," he warned us, "that I fear America is not prepared to pay . . . a vengeance that does not really depend on, and cannot really be . . . prevented by, any police force or army: historical vengeance, a cosmic vengeance. . . ." The book drew attention because of Baldwin's distinction as a writer; what was not foreseen was how thoroughly—and how soon—its warning would be substantiated. In the Summer of 1964 the violence he had written about did erupt outward, into Watts, Newark, Detroit, Washington, Chicago and a hundred other cities.

It is for this reason that Esquire, at a time of fresh tragedy, returns to him. A new bill has come in to us. Interviewed two days after the funeral of Dr. Martin Luther King, during a nightmare of riots, vengeance and martial law across the country, Baldwin tells us what it is we are paying for, and how much of the accounting is still due.

CHIEF JUSTICE WARREN

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. CORMAN. Mr. Speaker, when the history of this century is written, the name of Chief Justice Warren will take its place among the very great men in America. His 15-year stewardship of the Supreme Court brought forth rulings that began to correct the wrongs inflicted a century ago, and have set America on a course toward the fulfillment of constitutional rights for each of its citizens.

Chief Justice Warren's name will be linked with those other remarkable Chief Justices who led the Court during turbulent times in our country's life. The Chief Justice has been described by one of his former law clerks as "a rare man, because he comes so close to representing the consensus of decent opinion." The Warren Court, as it has come to be known, has demonstrated how profound an effect Chief Justice Warren's quiet exercise of decent opinion can have on the destiny of a great nation. How fortunate we are to have had the era of the Warren Court under the leadership of this very fine, vigorous, and wise person.

The Washington Post this morning editorially paid a most deserving tribute to the Chief Justice on the occasion of his retirement. It expresses the respect and affection that every American who treasures constitutional rights has for him.

Mr. Speaker, I am pleased and proud to repeat the Post editorial for the Record:

Warren Steps Down

The retirement of Chief Justice Earl Warren removes a massive figure from the national scene. For more than a quarter of a century, the Chief Justice has been a man to contend with in national affairs. First as one of the Nation's most successful politicians and later as its most widely known Chief Justice, Earl Warren has won a major place in history. He has presided over the Supreme Court during one of the stormiest and most productive eras in its 179 years. And he has given vigorous and wise leadership to its deliberations while adding immensely to the stature of the office he has held.

Almost no one could have foreseen when Earl Warren was appointed Chief Justice in 1953 the major role the Court was to occupy in American Government in subsequent years. But the group of men which will always be known as the "Warren Court" has set the pace for many major changes in America's daily life. They broke the noose of discrimination and segregation that was dragging the Nation down and, for almost 10 years, constituted the only part of the Federal Government willing to face up to the problems of civil rights. They fractured the old-line politics of the Nation, when that politics seemed to hold a deadly grip on any means of reform, by terminating rural domination of legislative apportionment. They reformed the Nation's criminal law by fulfilling the promise of the Constitution that men, rich or poor, black or white, will have equal rights. They stood fast against the vilest kind of outcries and upheld the First Amendment's guarantee of free speech, broadening its meaning in terms of political debate, public controversy, and artistic achievement.

In all these areas, it is difficult to sort out Chief Justice Warren from the other members of his Court. It is the constitutionalism of Justice Black, more than any other justice, that has dominated the Court in recent years. But the Chief Justice has joined fully in almost all the Court's major decisions and has drawn the lightning of public criticism to himself by electing, quite properly, to be the Court's spokesman on many of its most crucial issues.

The growth of Earl Warren, the Justice, during the 15 years has been immense. Early criticism that his opinions were too sweeping and lacked the craftsmanship of some of his predecessors has faded. Beyond that, however, it has become clear that he saw his role on the Court as that of explaining its work to all the Nation in terms that could be widely understood and of, at times, raising fundamental issues that the Court was not deciding but ought to be opened for public debate.

The Chief Justice of the United States, however, is more than just the presiding member of the Supreme Court. He is also the executive head of the Federal court system and the symbol of the Nation's belief in rule by law. In these roles, Chief Justice Warren probably has been the most successful of the 14 men to fill the office. He has taken great interest in strengthening and modernizing the court system and, with Justice Tom C. Clark, has fostered many long-needed administrative changes. As a symbol of a Nation ruled by law, he has traveled all over the world, always an eloquent spokesman for the idea of equal justice under law, always eager to encourage other nations—and the world—to improve their legal systems so that force is replaced with law. For that reason he is almost as widely known, and perhaps more widely respected, abroad than he is at home.

The 15 years in Washington have not been easy for Earl Warren. He has been subjected to a stream of abuse unequalled in modern day public affairs. His critics have questioned his honor, his integrity and his loyalty; they have demanded his impeachment and even his death. Although the political juices that won him three terms as Governor of California must often have urged him to fire back, he has taken this abuse quietly, as a justice should, and has been a model of decorum and solemnity, mixed with just the right amount of humor and humaneness.

Some of the men who have been Chief Justice of the United States have passed into history with hardly more than a sentence. But Earl Warren will stand in history as one of the great Chief Justices. His name, most likely, will be linked with those of the other three Justices who led the Court through major turning points in its and the Nation's life—John Marshall, Roger B. Taney, and Charles Evans Hughes. For more than that no judge can aspire; for more than that the Nation cannot ask.

TENTH ANNIVERSARY OF AMERICANS FOR CONSTITUTIONAL ACTION

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DERWINSKI. Mr. Speaker, one of the most impressive, effective, and unique organizations with legitimate and profound influence on the Washington scene is the Americans for Constitutional Action. The ACA marks its 10th anniversary today and in the past decade has been a stalwart, progressive and dedicated supporter of constitutional government.

One of the unique contributions of the ACA has been its index in which it very objectively evaluates the voting record of House and Senate Members. The thoroughness of the ACA index is such that it is regarded by liberals and conservatives alike as the soundest analysis of Members' voting patterns.

The ACA has developed very effective research programs in its support of sound principles of government and by its programs it has earned esteem and respect.

Adm. Ben Morell was the driving force behind the ACA and his efforts have been augmented by Maj. Gen. Thomas Lane, retired; Brig. Gen. Bonner Fellers, retired; and the very capable and dedicated executive director, Charles McManus.

Another unique feature of the ACA is that it does not "lobby" legislators. It makes its evaluation of voting records after the vote has been cast and never indicates in advance a position on a particular piece of legislation.

JEROME J. KEATING TO RETIRE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DULSKI. Mr. Speaker, Jerome J. Keating, the able president of the National Association of Letter Carriers, has announced that he will voluntarily retire from his office at the biennial convention of his organization next August.

There are only a few men in the entire field of organized labor who are as deserving of the praise, respect, and commendation of this House as Jerome Keating.

Ever since he became a national officer of the letter carriers, 33 years ago, he has been a giant—a giant of integrity, of ability, of compassion, and of courage.

During the past 6 years, as president of the National Association of Letter Carriers, he has been an outstanding leader of men, a leader possessed of a deep sense of responsibility—not only for the men he represents, but for our beloved country as well.

When I first came to Congress, in 1959, Jerome Keating was vice president of the Letter Carriers and the editor of their magazine, the Postal Record.

He was also the legislative technician for the association, and I was impressed by his knowledge and understanding of this subject.

Like many other Members here today, I learned a great deal from him about the problems of postal employees.

As with so many men who have achieved true success, Jerome Keating is a modest man. He has never sought his full share of the spotlight; he has never demanded his full share of the popular applause. Instead, he has been content to stand by and let others take the bows. Surely it is time now for him to receive the measure of appreciation which he so fully deserves.

Mr. Speaker, Jerome Keating is one of the more gentle and considerate public figures I have ever known. His course has been one of gentle reasoning, of firm argument and persuasive factual presentation.

Whenever he has appeared before a committee of the House, he has been magnificently prepared and, invariably, his testimony was conclusive and decisive. It was a pleasure to hear him testify, and certainly it was instructive to those who heard him.

A man of quiet dignity, Jerome Keating has represented his people with fervor and firmness. And yet, in all the time I have known him, I am not aware that he ever placed any selfish consideration above the best interests of our Nation.

He has had the courage, at times, to take a stand which might have been unpopular with his membership because he felt such a stand was in the best interest of the Nation as a whole. This is the supreme test of leadership, and Jerome J. Keating passed it with flying colors.

There are literally hundreds of Members of the House of Representatives, over the years, who consider Jerome Keating as a personal friend. We shall miss his steady and inspiring presence on the Hill; we shall miss his warm personality and his wisdom.

Certainly all of us can hope sincerely that he and his wonderful wife, Marion, will have many happy, golden years of retirement ahead.

No one deserves it more, and no one could leave the arena of active legislative work with warmer or more heartfelt affection and respect from those who have worked with him.

CARRY ON, ACA

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. RHODES of Arizona. Mr. Speaker, for 10 years, Americans for Constitutional Action—ACA—has been assisting constitutional conservatives of both parties in congressional elections.

For 10 years, this group of genuinely dedicated Americans has persevered without fanfare in the traditional American way—by hard work and unrelenting energies directed toward furthering our constitutional form of government.

For 10 years, they have scrupulously dispensed all moneys available to them to support those persons subscribing to the same beliefs; that is, to uphold the original concepts of the founders of our country. And they have constantly grown and progressed with an almost in-built sense of timing for the time at hand and the job to be done.

Today, ACA embarks upon a second decade of service to the country and Congress. Although their aims remain the same, their methods of achieving them have adjusted to the times. Their defeats have become vehicles to renewed efforts and gains.

Though all of their energies are currently channeled toward the 1968 elections, their eyes are on those that follow. And their motto might well be, "For I would be as a whetstone without the power to cut but to make steel sharp." Carry on, ACA; may you continue to keep Congress sharp.

THE STORM KING MOUNTAIN CASE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. OTTINGER. Mr. Speaker, the May 1968 issue of the Sierra Club Bulletin carries an interesting article by an able and conscientious lawyer and personal friend, Mr. David Sive. Mr. Sive is chairman of the Atlantic Chapter of the Sierra Club. He served as counsel for the Sierra Club in its intervention in the second round of hearings held by the Federal Power Commission concerning the controversial Storm King project, proposed by Con Edison for construction on and below Storm King Mountain in the Hudson Highlands.

Those concerned with the law controlling the use of our natural resources will recall that the FPC originally issued a license for the project in 1965. This ruling was reversed by the Second Circuit Court of Appeals in a landmark decision. The court instructed the FPC not only to develop a complete record and hear all witnesses on the issue of destruction of natural resources and on alternative methods of producing power, but also to carry an affirmative duty to develop the relevant evidence on its own. The role of the FPC, said the court, was not that of an umpire "blandly calling balls and strikes," but was rather that of the guardian of our resources, required to assure itself that the entire story is told, whether by the proponents or by the Commission staff.

The reopened hearings in the Storm King case consumed months of time and volumes of testimony. Briefs were submitted to the examiner in October 1967, and he has not yet made his recommendations to the Commission.

I ask that Mr. Sive's interesting and well-written article be included in the RECORD, since it serves as a fascinating and well-documented description of the nature of testimony that can be brought in to require consideration of the intangible costs and effects of massive construction and public works projects that may look very well on paper, without adequate consideration being given to these factors.

The article follows:

NATURAL BEAUTY AND THE LAW

(By David Sive)

The present proceedings before the Federal Power Commission involving Storm King Mountain, *In the Matter of Consolidated Edison Company of New York, Inc.*, Project No.

2338, quite likely constitute the broadest and deepest consideration of the nature and place of natural beauty in any legal proceedings to date.

The basis of the "beauty issue," as it has been referred to by the Hearing Examiner and attorneys in the proceedings, is contained in large part in one sentence—by now perhaps classical—in the opinion of the Court of Appeals reversing the original grant of a license to Consolidated Edison to construct the Storm King pumped storage reservoir. After pointing out the errors of the Commission in its grant of the license to Consolidated Edison and requiring new proceedings to receive additional evidence, the Court described the ultimate questions to be examined in the renewed proceedings. The renewed proceedings must, it said: ". . . *include as a basic concern the preservation of natural beauty and of national historic shrines, keeping in mind that, in our affluent society, the cost of a project is only one of several factors to be considered.*"

The intervenors opposed to the project, primarily the Scenic Hudson Preservation Conference and the Sierra Club, rely upon this statement of principle as no less than the beginning of the adoption of a philosophy to which Thoreau pointed more than a century ago as part of our developing law of natural resources. Thoreau stated it in this fashion: "Most of the luxuries and many of the so-called comforts of life are not only not indispensable, but positive hindrances to the elevation of mankind."

It may well be that the society of Thoreau was not "affluent." Ours certainly is, in that, by applying to our social and economic organization some small fraction of the intelligence we apply to going to the moon, we certainly can provide every person with not only the necessities but some of the comforts of life. Both Thoreau and the Court of Appeals hold that, beyond those necessities and, shall we say, necessary comforts, we must make a choice and that perhaps the choice should at least sometimes be to elevate rather than fatten mankind.

The mandate of the Court of Appeals was interpreted by the Scenic Hudson and Sierra Club attorneys to require a presentation to the Federal Power Commission Hearing Examiner of a sophisticated analysis of the nature and degrees of scenic beauty. The attorneys' position has been that scenic beauty can be objectively analyzed and degrees of scenic beauty can be stated. This point is made at the beginning of the principal brief submitted to the Hearing Examiner by attorneys for the Sierra Club:

"The Court's direction as to the nature of the renewed proceedings requires an appraisal and analysis of the scenic beauty and of the place in history of Storm King Mountain and the surrounding area, for only by such an appraisal and analysis can the 'basic concern' of 'the preservation of natural beauty and of national historic shrines' be properly considered alongside the 'cost of [the] project.' . . .

"The cost of the project and its overall economic benefit, if any, as compared to the cost of the alternatives, can be measured quantitatively. That measurement of the overall economic benefit, if there be any, is the subject of another section of this Brief. The beauty of the Mountain cannot, of course, be measured with precision. Beauty in a landscape, like that in music or art, is to some extent, subjective. There nevertheless are standards and experts, and natural beauty can be the subject of analysis, with sufficient definiteness to distinguish that which is worthy of preservation.

"The Court of Appeals requires this. It was held that we may not sacrifice a great scenic asset for an insignificant or doubtful economic gain. On the other hand, of course, we cannot, even 'in our affluent society,' sacrifice important goods or services, be they necessities or luxuries, willy-nilly, each time that some individual or group is called upon to sacrifice its favorite view of its favorite landscape.

"A vital question of the renewed hearings, therefore, was 'How beautiful is Storm King?' "

Both Scenic Hudson and the Sierra Club did produce the testimony of several experts on scenic beauty, including Professor Charles W. Eliot, II, of Harvard; Charles Callison, Executive Vice President of the National Audubon Society; Dr. Vincent Scully, Professor of Art History at Yale; and David Brower, Executive Director of the Sierra Club. All of them testified that Storm King and the Hudson River at Storm King were not simply places of scenic beauty, but no less than the supreme river scenery in the eastern United States.

Mr. Callison called the Hudson at Storm King "the most beautiful stretch of river scenery in the United States." Professor Scully's description was perhaps the most lyrical:

"It rises like a brown bear out of the river, a dome of living granite, swelling with animal power. It is not picturesque in the softer sense of the word but awesome, a primitive bodiment of the energies of the earth. It makes the character of wild nature physically visible in monumental form. As such it strongly reminds me of some of the natural formations which mark sacred sites in Greece and signal the presence of the Gods; it recalls Lerna in Argolis, for example, where Herakles fought the Hydra, and various sites of Artemis and Aphrodite where the mother of the beasts rises savagely out of the water. While Breakneck Ridge across the river resembles the winged hill of tilted strata that looms into the Gulf of Corinth near Calydon.

Hence Storm King and Breakneck Ridge form an ideal portal for the grand stretch of the Hudson below them. The dome of one is balanced by the horns of the other; but they are both crude shapes, and appropriately so, since the urbanistic point of the Hudson in that area lies in the fact that it preserves and embodies the most savage and untrammeled characteristics of the wild at the very threshold of New York. It can still make the city dweller emotionally aware of what he most needs to know; that nature still exists, with its own laws, rhythms, and powers, separate from human desires."

The elements of the beauty of the Hudson at Storm King were analyzed also by one of the nation's leading cartographers, Richard Edes Harrison. He produced shaded maps of several rivers of eastern North America where the rivers break through the main chain of the area's most dominant feature, the Appalachian Mountains, demonstrating that of them all the Hudson is the widest and most dramatic. It is an estuary, through which ocean-going vessels may pass to Albany, 80 miles north of the gorge. It is an American fjord.

Each of the several experts classified the Hudson at Storm King as equal in scenic beauty and magnificence to many of our national parks.

The beauty of the mountain and the surrounding area has not been seriously disputed by Consolidated Edison, although it has not accepted the analysis of degrees of scenic beauty. The company's principal point has been that the project would not mar the beauty of the mountain because from most angles at most seasons of the year it would, they say, not be seen, the main project works being placed underground in the revised plans announced just before the resumption of the hearings. Scenic Hudson and the Sierra Club disputed this company claim. The issue of the precise visibility of the project works was the subject of many hundreds of pages of conflicting testimony.

The claims of Scenic Hudson and the Sierra Club that the construction of the project and of the attendant facilities, particularly a visitors' information building and a recreational complex designed to show the project to visitors, would seriously damage the value of the mountain and the surrounding area as objects of natural beauty are not based solely, however, upon the degree of visibility of the project works. The conservation organizations have raised an issue of the effect of the project upon the "integrity of the mountain" itself.

This point on the "integrity of the mountain" itself was made in the testimony of another of the Sierra Club witnesses, Richard Pough. He testified that the ultimate value of the scenic beauty was its impression on and in the minds of the persons who perceive it. If those who perceive the mountain and the surrounding area, although much of the project works may be camouflaged by paint, plantings, artificially roughened rocks, and other devices, understand that the mountain is subordinated to the project, the end result is appreciation and admiration of the company's engineering works and not of the works of the Creator of the mountain.

The point is summarized in the following extract from the Sierra Club's principal brief submitted to the Hearing Examiner:

"It is this character and 'integrity of the Mountain' (Pough, 14,786) and the surrounding areas that must be borne in mind in determining the extent to which the Project, and all that goes with it, will mar the natural beauty of Storm King and its environs. If its meaning is changed, in the eyes of those who behold it, its supreme value as a preserver and embodiment of the spirit of the New World . . . to a whole nation, particularly the vast millions in its greatest metropolitan area, is forever lost. In that event, no combination of orders of this Commission, funds of the Applicant, and skill of its eminent landscape architects, can be any more successful in putting the earth, rocks and trees of Storm King back together again, than were all the king's horses and all the king's men in the case of Humpty Dumpty. Painting concrete green cannot deceive its beholders into believing that it is the handkerchief of the Lord, or, if it can, this Commission should not, in the absence of some overwhelming economic necessity, direct such deception."

The point was alluded to in another aspect of the proceeding. During cross-examination of one of the company's landscape architects, Herbert Conover, counsel for the Club asked, "In your work, sir, that is the work of the recreational site and planning department of your firm, have you ever been commissioned or requested to determine whether a given area of any substantial size should be left alone?" Before Mr. Conover could answer, counsel for the company asked what was meant by the phrase "left alone." The answer by club counsel was, "As God made it."

In their principal brief, the attorneys for the company commented upon these references to God: "Scenic Hudson and the Sierra Club have taken the position that the project area should be 'left alone,' which counsel for the Sierra Club defined to mean 'as God made it' (45/7503). As discussed in connection with proposed finding 152–155 above, the record amply demonstrates that the project area is not now, nor has it been for many generations, 'as God made it.' "

This aspect of the issue of the nature of the mountain, if and when the project goes through, was discussed in these terms in the Club's reply brief.

"The point being made was that proper planning in some areas is that they be left alone, at least as much as they can be. Mr. Conover shortly thereafter said 'yes' to the question of whether he had ever determined in areas in which he worked to leave a substantial area alone (7504).

"The point of counsel was not that all of Storm King Mountain or the Black Rock Forest can or should be left alone. They, as

Times Square, cannot be completely restored to their condition, as 'God made it.' The question is whether the works of man on Storm King should be permitted to change the Mountain from something which—though not heretofore completely 'left alone'—is some measure of His Glory, into the Applicant's Gadget."

Not only must the Hearing Examiner, the full commission, the Court of Appeals for the Second Circuit, and, ultimately, the Supreme Court, if appeals are taken, determine the beauty issue itself, but they must determine the significance of a place of great natural beauty in "a comprehensive plan for improving or developing" the waterway. The basic provision of the Federal Power Act governing the grant or denial of the application requires that the project: "be such as in the judgment of the commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water power development, and for other beneficial public uses, including recreational purposes. . . ."

It is the "law of the case" that "recreational purposes" include the preservation of natural beauty. Scenic Hudson and the Sierra Club claim that the preservation of natural beauty requires the preservation, as close to their natural state as possible, of those areas which, although not wilderness in the western sense, are nevertheless demonstrations of the power and majesty of nature. The Hudson River Highlands, in general, and Storm King Mountain, in particular, can serve that purpose. As stated by Professor Eliot: "The Highlands—today as 100 years ago—represent contact with natural forces in contrast with urban and man-made conditions. Here, in that rugged terrain one can sense mystery and adventure, explore and discover, and experience the majesty of space and the land."

These are some of the principal points involved in the momentous case now before the Federal Power Commission involving the future of Storm King Mountain. The depth and breadth of the issues have made it a national controversy. The effects of the ultimate determination will be far-reaching upon fundamental issues of the use of our national resources.

CAN LAWS MAKE MEN EQUAL?

HON. JACK BRINKLEY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. BRINKLEY. Mr. Speaker, I would like to share with our colleagues the text of a speech given by my friend and brother at the bar, Hon. Walter Owens, which merited a standing ovation by the membership of the Columbus, Ga., Kiwanis Club.

The address is incisive in its clear approach and level headed logic. It is inspirational in its references to the past with its words of leadership for today.

The address follows:

THE SOCIAL ORDER IT IS TODAY: CAN LAWS MAKE MEN EQUAL?

(By Walter Owens)

"Equality" . . . That's the battle cry now, in the U.S. and around the World.

But what does it really mean? Are all men actually equal? Can they be made equal by laws or by other government action?

Does liberty necessarily provide equality? Can democracy guarantee it?

This problem of "equality" may be in many ways the greatest problem of our day.

During the past summer the air was filled with the sounds of conflict in Birmingham, Chicago, New York and Danville. It was also redolent with discord within the United Nations, and within the backward countries demanding recognition. Accompanying these was the endless struggle of labor and capital, and the seemingly endless drain of our resources into the giveaway programs at home and abroad. The air was charged with social electricity as individuals, groups and nations fought for new status under the banner of equality.

Equality has intoxicated the modern world. Men walk starry-eyed through streets and halls dreaming of new days and improved status. The whole world seems in a pep-rally mood, and the bonfires grow larger and burn more fiercely, even as the songs, chants and shouts of the participants become lounder and more fervent. In a thousand tongues men scream their demands for equality, for place, for recognition, for "rights", for privileges.

As one listens, he frequently hears the words, "All men are created equal, and are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness." But the words never end there, but hurry on to declare that it is the responsibility of government to make all men equal and to maintain equality amongst men. Still other words are heard, declaring that democracy has failed to establish equality, and that men, therefore, must now turn to socialism and Communism.

We look around for evidences of equality in nature, and find none. Trees and hills are not the same in breadth and height. Rivers and Lakes are not of uniform size. Not all animals and birds are swift and beautiful. The lion does not recognize the equalness of the antelope, nor the fox the rabbit. Some fields are fertile and others sterile, and clouds and puddles are not the same, though both are water-created. In nature inequality seems to prevail, and yet the inequalities of nature produce the beauty we admire.

As I think of it, the same is true of history. Nations and races do differ in size, wealth, prestige, power, creativity and vision. Some soar like eagles. Some build like beavers. Some grow like vegetables and weeds in the garden called the earth. Between individuals, races, groups and nations there are broad differences, and equality is not a characteristic of either nature or human nature.

Having reached this point, I ask the question, "Can we have both freedom and equality?" Someone has said "Freedom without equality tends to become license. Equality without freedom tends to produce stagnation." How can these great objectives be secured without damage to the highest social system men have yet devised—democracy?

Looking back across history, I realized that the Jews preached concern for the poor, but not equality. The Greeks preached democracy, but not equality. The Romans preached justice under law, but not equality. The Middle Ages in Europe preached Christ, but not equality. In fact, not until the French Revolution did men openly affirm that "Men are born and always continue free and equal in respect to their rights", and not until our Declaration declared that "All men are created equal" did the world come alive to the possibilites of equality. These two events placed a new chemical in the cup of life, and the contents of that cup are changing men.

Here I paused to rethink the words, "All men are created equal". Are they? I could see that all men are created equally helpless, equally ignorant, equally inexperienced, equally sin-touched, but I could not see how they could be said to be created equal in any other sense. Men do not begin life with an even start for all. Their beginnings are marked by differences in pedigrees, health, educational and moral levels, economic strength, social status and personality potentials. There are broad differences in temperament, talents, drives and desires. They do not begin life on a common line.

And what of the so-called unalienable rights, such as life, liberty and the pursuit of happiness? Life is the gift of God, and so are liberty and happiness—in a certain sense. But being born is never enough. Getting here alive is only a beginning. In order to really live, one needs medical science, proper nutrition, adequate care, and a chance to become educated and equipped for adult responsibilities. As to liberty, it is not something that comes with birth. Liberty is man-created, man-achieved and man-maintained. God approves it, but man must win it.

Happiness is a by-product of a way of life rather than something granted us by birth. It, too, is something we achieve by effort. It depends on many things; employment, purpose, personal development and the right use of the opportunites and duties of life. Life God gives, but liberty and happiness we must achieve.

Having reached that state of mind, I wondered why men ever thought that government could make men equal and keep them equal. How can mere laws produce equality amongst men on a heart level? How can coerced fellowship ever become real fellowship? How can Brotherhood by Bayonet become real brotherhood?

That Government has a role to play in the mighty moving drama of man's progress is not to be denied. Our Constitution and our Bill of Rights stand to affirm it. It is the function of Government to state the conditions of liberty, equality and responsibility, but unless it is the will of the people to give life to the law, it will not work. The Prohibition era proved that beyond our contesting.

Then why do we believe and state in our legal documents that "all men are created equal", and have "unalienable rights"?

It is because we must find some means of limiting the powerful and of protecting the rights of the weak. Great power, unpoliced, tends to become destructive power. The rights of the weak tend to be lost in a land where only the strong prevail.

We all understand this, even as we all realize that the clamor for equality is always a push from below rather than a pull from above, although it has often been both in these United States. Slaves have never enjoyed being slaves. The poor have never enjoyed being poor. The exploited have never been happy with exploitation. Those who fail have never been proud of their shortcomings, and the employed have always felt that it would be better if they were the employers.

It is from this level of life that the hunger for equality rises. It is here that Utopia displays its broad green fields and still waters. It is from here that the valley of Shangri-La appears as the answer to all the ills of man. It is the hopelessness of the masses that provides the soil for hope in those who will not surrender to the accidents of birth and environment, and it is well that it is so.

And yet, one must face facts. In any classroom of pupils only a few qualify under the Letter A. Below these leaders of the class are the B students, and then the C's and then the D's, and then the F's. Some, by ability and effort, rise to the top, while others, because of lack of ability or application, take their places on the descending curve of scholarship.

In every nation it is the same. Only a small percentage of people have the ability, the desire, the drive, the willingness to work and sacrifice, to foresee and prepare for success in any realm. The people who struggle to succeed are never interested in equality, but in superiority. Their goal is never the level of the masses, but a level above the masses. They endorse and espouse liberty because it creates for them a favorable climate in which to think, plan, create, work and achieve according to their abilities and desires. They never pace themselves by the speed of the mediocre, but by the speed of the best. They are never satisfied by crumbs; they want half loaves and whole loaves.

It is such people who made America possible, and who have always led men in the upward climb. They are, in truth, the benefactors of the race. It is their ideas and creativeness that establish businesses and industries, thereby providing employment for others, and the taxes that make community and national progress possible. They furnish our best leadership, and give to the nation our best guarantee of security. It is because of them that progress is produced in all areas of life—the intellectual, the artistic, the economic, the governmental and the social. While they did not build America alone, they provided the means whereby our nation came into existence and has continued on its upward way.

Looking critically at such a line of thought, we realize that the success of the few creates the inequalities that loom large in the minds of the many. The haves highlight the have-nots. It is the successful who outline the failures and all others who take their places on the curve of life as it sweeps downward.

So it seems to me, as it must be obvious to us all, that—

It is the nature of some men to succeed, and others to fail.

It is the nature of some men to get by, and others to achieve.

It is the nature of the have-littles to want more.

It is the nature of the successful to seek to dominate.

It is the nature of those who are unsuccessful to resent it.

It is the nature of the poor to envy.

It is the nature of the wealthy to assume unjust privileges.

It is the nature of those who inherit wealth to use it well, to misuse it, or to feel guilty because they have it.

It is the nature of the intellectuals who receive their compensation from taxes or the gifts of the economically successful to advocate a change of system in order to get one wherein the intellectuals will be as generously rewarded as business executives under free enterprise.

It is because men are unequal in ability and drive, in opportunities for recognition and advancement, in rewards for work done and services rendered that people become restless socially. It is the inequalities of humanity that create the crusaders for equality. In the eighteenth century men looked to democracy as the answer to the inequalities amongst men, and now in the twentieth some men look toward socialism and Communism.

Democracy, as we have tried to shape it in America, has been heavily impregnated with the Ten Commandments of Judaism and the spirit of Jesus. Because of this, we are suspicious of any system that advocates the big lie, covetousness, greed, the stealing of property, the destruction of life, and the taking away of liberties. Democracy condemns without reservations the confiscation of private property and capital by the state and the regimenting of human beings like animals on a farm. Our democracy is not perfect. Imperfections exist, but its virtues exceed those of any other system mankind has tried.

These observations cause us then to reach certain opinions concerning American democracy:

1. Democracy was never created to be a leveler of men. It was created to be a lifter, a developer of men.

2. Democracy was created to let the gifted, the energetic and the creative rise to high heights of human achievement, and to let each man find his own level on the stairway of existence.

3. Democracy was created to help men meet responsibilities and shirk no duties. That is why our nation has been concerned about the honest needs of its citizens. We lead the world in justice, even though justice does not always move with prompt alacrity. Our nation has been noted for the size of its heart, and not merely for the size of its pocketbook.

4. Democracy demands that the nation be governed by the capable, the honorable, the far-seeing, the clear-seeing, and not by mediocre men. In the beginning, it was so! May it be so again.

5. Democracy demands more from men than any other system in the realm of self-discipline, dependability, cooperativeness, industry, thrift and honor. Democracy will not work when party politics are not guided by basic ethical principles. For a part to foster class consciousness, class conflict, misrepresentation, covetousness, violence, theft and an open defiance of established law is to breed anarchy.

6. Democracy must give to all its people the following rights:

The right to equal learning.

The right to equal employment.

The right to equal treatment.

The right to equal justice.

The right to adequate housing.

The right to vote.

I am convinced that governments of themselves cannot make men equal or remake men into the being they ought to be. That is *a spiritual venture,* not an economic and political one. A change from democracy to either socialism or Communism, or a change from private capitalism to state capitalism, will not solve the basic problems of mankind; it merely shifts the areas of power and restricts liberty.

I am disturbed, therefore, when church leaders and church groups seem to advocate socialistic means and objectives as the answer to the problems of democracy, and especially the problems of equality. This is especially true when certain leaders voice slogans that appear logical, but are not. Let me name four:

1. *"The world owes every man a living".* No, it doesn't! Ethics have never said so, and I have never known any man worth his salt who has claimed special rights under such a slogan. It is the cry of the lazy, the inept and the failures. Such a slogan is a far cry from our meeting the needs of the needy, which, of course, is our duty.

2. *"Production for use, and not for profit".* That sounds good, but it is as phony as a Russian promise. It is profits that have produced the blessings of our nation and enabled her to be a blessing to the nations of the world. Profits are essential to the general well-being of society. When the state takes over under the slogan of "use, not profits", men lose their liberties and their standard of living.

3. *"Human rights, not property rights".* As I look out over the world, one thing is clear: Where there are not private-property rights, there are no human rights. Private-property rights form the seed bed in which human rights mature. As long as private-property rights are clear, human rights will flourish. In view of the discussion nowadays about "violence" and non-violence and the demonstrations designed to emphasize the "demands of the poor", it might be helpful for the leaders of these movements to read what Abraham Lincoln said more than 100 years ago in a speech delivered on March 21, 1864, to the Workingmens Association:

"Property is the fruit of labor: property is desirable: it is a positive good in the world. That some should be rich shows that others may become rich and hence is just encouragement to industry and enterprise.

"Let not him who is houseless pull down the house of another, but let him work diligently and build one for himself, thus by example assuring that his own shall be safe from violence when built . . ."

The guaranteed annual wage and rent subsides are wrong in principle. Money should be loaned at little or no interest to the poor and underprivileged to use in an appeal to their pride to achieve. If it is never paid back, nothing is lost anyway because it is given away under the other methods. This has nothing to do with race because the white poor out number the negro poor, three to one. It is on the basis of need that the Government should lend money to encourage these people to try the free-enterprise system and taste the fruits of accomplishment. The disabled and the sick must be supported by Government programs, of course, but those who can work should be encouraged to do so. Any such Government program should be closely allied in partnership with private business and industry.

4. *"The end justifies the means".* That statement is not true. It was just such a statement that produced the torture of the martyrs, the burning of witches, and the denial of life and liberty to the inhabitants of current communistic lands.

Organized religion and Churchmen, whether lay or clerical, black or white, Protestant, Catholic or Jew, who seek to solve the problems of our society through socialistic processes, rather than democratic ones within the free-enterprise system, are heading down a road that leads toward darkness. Only by encouraging citizens to envy, to covet, to be class conscious, to foster class conflict, and to approve stealing and even murder, can such objectives be attained. To realize them, would bring about a broad denial of life and order, and the orderly handling of social problems. Whenever we encourage people to misrepresent facts, to use force wrongfully, to flaunt law and order and to stimulate bitterness and hatred, we depart from logic, Americanism and Constitutional Government.

I unhesitantly oppose the use of socialistic and communistic methods in the solving of the problems of our free-enterprise democracy. Our problems are problems of human nature rather than of economics and sociology. The man who has two cars is not preventing another from having one. The man who earns $50,000 a year is not robbing him who receives $300 a month. The man who owns a good house does not thereby force another man to dwell in the slums. And the people who prosper under our system cannot be blamed for the problems that plague the lives of those who compose the lower 25 per cent of the nation. The so-called privileged are not always a credit to either church or state, but they are not, in the main, parasites on the body politic. *We are, therefore, wrong when we damn the successful, the wealthy, the enlightened and the patriotic in order to gain what we call equality.*

Having said that, let me hasten to add that the redistribution of wealth will not solve the human problem that plagues us. Wealth is not fairly distributed in any land under the sun; it never has been and, I presume, never will be. Nor do we solve social predicaments when we blame the top 20 per cent of our people for the inequities that seem to mark the 80 per cent.

Nor is it logical for our Government to be forever emphasizing the neglected duties of the employer, while ignoring almost totally the neglected duties of the rest of us. The wealthy have many sins to confess, but so do we all. And when we come to the advocacy of moving from private capitalism to state capitalism, and the listing of the sins of democracy while ignoring its multiple virtues, and assuming that virtue resides in the have-nots, but not in the haves, I can only shake my head at the presumed wisdom of such positions.

Let no one hearing my voice conclude that I am speaking as a have or a defender of the haves. Let no one believe that I am unconcerned about those in our midst whose rights are often ignored and whose status is questioned. I am not blind to the sins of the privileged any more than I am the sins of the underprivileged. The business leaders do not need my voice to defend their position: they are strong defenders of themselves. But I have walked the roads of life with men of all classes, and have reached one conclusion: "There is none righteous, no, not one!" We are all bearers of the tell-tale gray of selfishness. The 5 o'clock shadow is on all our faces.

What the worlds needs is a change of heart, a change of climate born of faith in God, a reaching up that there may be a reaching out, a confession that produces a new dedication. *This*—governments and laws cannot create, for governments and laws are but the reflection of the standards of a people.

The problem of equality may be in many ways the greatest problem of our day. We cannot solve it by government. Only when we as a religious people take seriously the teachings of the Old Testament and example of Jesus shall equality and liberty exist without detraction or subtraction. Only when we stand before God confessing our needs shall we be empowered to meet the needs of others.

If I must choose between liberty and equality, I must choose liberty and then hope and work for equality, for such seems to me to be the only way.

SHOULD EVERYBODY GO TO COLLEGE?

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. PUCINSKI. Mr. Speaker, the New York Sunday News carried an excellent article which demonstrates the growing awareness in America that every child need not go to college to be successful in life.

The rapidly developing skilled trades are facing the increased demand for better vocational education programs.

Mr. Jack Metcalfe, author of the Sunday News article, has performed a notable public service by bringing his findings to public attention.

Mr. Metcalfe's article follows:

SHOULD EVERYBODY GO TO COLLEGE?

(If you've got kids, you undoubtedly think so—but there are plenty of blue-collar jobs paying wages a Ph.D might envy. And now that industry and government have waked up to the sorry state of vocational training, the skilled trades will become more attractive to high school graduates.)

(By Jack Metcalfe)

Those tantalizing ads—the ones that promise up to $200 a week for auto mechanics or $12,000 a year for computer programmers or $720 a month for running a sewing machine in a ladies' garment factory—they kid you not.

Such jobs do exist, and they often pay that much or better. You don't need a college degree to be an electrician, a bagel bakery truck driver or a drill press operator, and their wages are the envy of many a Ph.D. To say nothing of the $35,000-a-year-plus often paid pilots of jet airlines.

There's just one catch. Although you don't have to go to college to make it as a flier or in nine occupations out of 10, specialized training is a must in the air or on the ground if you expect to make it big.

This June, as in every commencement season, countless young Americans have graduated from high school to face this cruel fact. They are woefully unprepared to get and hold a decent job. They are victims of a system which has downgraded vocational education, making it all too often an inferior program for inferior students.

This sorry situation exists because, as Rep. Roman C. Pucinski (D-Ill.) explains it, "for too long we have been obsessed in this country with the goal of a college education for everyone.

"*There are millions of youngsters in this country who are either not motivated or are not capable of an academic education. These millions are the victims of our nation's misconceived order of education priorities.*"

Some of these young Americans—and their older neighbors—are hopelessly boxed in. Vocational education opportunities simply may not exist for them. Or if they exist, they may be pathetically out of touch with the realities of today's automation-oriented society. They may be in communities where vocational training for girls consists in learning how to sew aprons, and for boys in instruction in making bookends.

In other cases, there may be different barriers, some of them purely psychological.

"Parents," says Hugh C. Murphy, director of the Labor Department's Bureau of Apprenticeship and Training, "tend to be sometimes oddly inflexible about their children's future, and this can lead to rather harsh, unmanageable realities.

"For example, some parents are reluctant to face up to the fact that Johnny may never make it through college, or that he simply may prefer something else."

If Johnny is propelled toward college in these circumstances, Murphy says, real heartbreak may result. He'll probably flunk out or drop out for lack of interest.

In testimony before Congressman Pucinski's House Education subcommittee, which is considering legislation that would drastically upgrade and expand vocational education, a prominent government official, Grant Venn, pressed the delicate nerve of parental pride—of status, if you will—still harder when he said:

"There is no question that all of us hope our child is going to be a great research physicist, writer or whatever. We see the neighbor's child. Vocational education is very necessary for the neighbor's child."

TRAINING FOR ALL

On a more sober note, Venn, who is the U.S. Office of Education's associate commissioner for adult and vocational education, testified that it is not just the neighbor's child but everyone who today must get some sort of occupational training.

In the past, he said, schools had a role in "selecting out" students. He explained that when "a large proportion of our labor force used muscle power and unskilled help," schools helped determine which students would drop out and go straight to work.

"Youngsters could enter the labor force with nothing more than a willingness to work, a healthy body and muscles and learn on the job to become effective citizens and effective workers," said Venn, adding as an afterthought:

"In fact, a lot probably made contributions to graduate schools and universities through the money they earned and the success they had."

Nowadays, however, this school of hard knocks has virtually been closed down. Every year, one million youths—who once could have continued their education on the job—are no longer able to do so.

Unemployable in the highly skilled jobs that are available, they are the most likely to be jobless or to be hired to do thankless and unpleasant work. They are the ones who are on the street. They are the ones who are "social dynamite."

Ohio's superintendent of public instruction, Martin W. Essex, expressed the problem dramatically in his testimony before Pucinski's subcommittee:

"*Suddenly, within a decade, muscle power has become obsolete. For the first time in all the eons of the human race, man cannot market a strong back.*"

For some young Americans, the solution, of course, always will be to go to college. If they have the motivation, the money and the mentality, this course can be ideal. Statistics show that average unemployment among college graduates is half as great as among the rest of the population.

But obviously it is no secret that mere possession of a college degree is no automatic guarantee of a fat salary. Just the reverse. Colleges can serve as high-class "aging vats," keeping post-adolescents away from the real world until they are old enough to be shunted into a ratrace for which they have not been prepared.

To many members of the mortar-board set, this is precisely as it should be, colleges should not, they say, be "trade schools."

For those not afflicted with "white-collarism," whose schooling needs are less exalted and more basic, the answer may be in apprenticeship training in one of the 350 occupations which offer such programs in the U.S.

With this background, a skilled worker's prospects for steady employment are excellent. Blue-collar pay is generally good, often better than a college graduate's. Sometimes, technicians take home pay checks so big that they could be mistaken for the payoff to a lottery winner.

Labor Department official Murphy equates the apprenticeship system with a college education. The time required usually is the same—four years, although some apprenticeships last as long as six years and some can be completed in two.

In a survey of apprenticeship opportunities in occupations ranging from accessories mechanic to zinc etcher, Murphy stresses one big advantage. Unlike a young man beginning college, an apprentice begins earning money as soon as his training starts.

At the outset, his pay is half the journeyman's scale. He will draw from $1.75 to $3 an hour in most areas. This will increase every six months, Murphy writes, until at the end of his apprenticeship he will reach the journeyman's scale—from $3.50 to $6 or more an hour.

Only then, of course, does the college graduate even begin to look for a job. In most cases, it has cost $12,000 for his bare minimum expenses for his four college years, and he probably has little or no work experience to offer a prospective employer.

But an apprenticeship costs the apprentice nothing, and he earns while he learns. When certified as a journeyman, the worker may get from $7,000 to $10,000 yearly base pay in most parts of the country.

To start toward this goal, the applicant must first meet strict eligibility requirements. They vary with the occupation, but they cover such points as age minimums and maximums, health, physical dexterity and learning potential.

One requisite for most apprenticeship programs is a high school diploma.

The applicant also must pass written and oral examinations. These may deal with mechanical aptitude as well as mathematics, science, English and other academic subjects, including drafting.

If accepted, the apprentice follows a course of closely supervised on-the-job practice and off-the-job classroom instruction. Classroom instruction—a minimum of 144 hours a year—usually is given in vocational school, either during working hours or in the evenings.

All aspects of the apprenticeship program are clearly defined and specified in a collection of rules, regulations, definitions and activities called "standards," which are usually drawn up by representatives of employers and unions. In addition, most standards are prepared in cooperation with Murphy's Bureau of Apprenticeship and Training and are registered with the BAT.

BIAS BARRED

All standards which are registered with the Labor Department's BAT contain this pledge:

"Selection of apprentices shall be made from qualified applicants on the basis of qualifications alone, without regard to race, creed, color, national origin or occupationally irrelevant physical requirements . . ."

This commitment to non-discrimination against minority groups is being paralleled in an area that—until you give it some serious thought—appears curious. That is the government's effort to spur women to move into those skilled trades which are particularly suitable for their abilities but which they have traditionally skirted.

Women make up only about 3% of America's total skilled workers, some 260,000 in all. Yet there are 28.7 million women in the civilian labor force, 37% of the nation's entire total 77.6 million.

Some occupations, bookbinding, for one, have long attracted women workers. But tokenism has been the rule as regards women in other crafts—except in wartime when Rosie the Riveter and her sisters were in great demand.

Women were often snubbed because of a mistaken belief that there were major sex differences in aptitudes and interests. These ideas have largely been exploded; aptitudes which are generally required for the skilled trades are, for the most part, as common among individual girls as among individual boys. And of course, the 1964 Civil Rights Act forbids job discrimination because of sex.

Because of this new emancipation, the number of girls in some fields has been increasing at a faster rate than boys since 1962 (although the total number of boys entering, of course, is greater). These crafts include auto mechanic, baker, printer, decorator and window dresser, optician lens grinder and polisher, tailor and upholsterer.

About one third of the women in craft jobs are foremen—twice the comparable proportion for men.

NONTAXING JOBS

The Labor Department has broken down occupations into categories according to the amount of strength they require. Sedentary jobs, such as jeweler and camera repairman, don't overtax a woman's strength; they involve lifting a maximum of 10 pounds. Light strength requirements, which include lifting a maximum of 20 pounds, also are considered open to women. Examples are lens grinder, electronic mechanic, office machine serviceman, electrical appliance repairman and such auto servicemen as the tuneup, carburetor and front-end man.

This representative sample of crafts which are well-suited to women as well as to men has been compiled by the Bureau of Labor Statistics, along with the earnings which can be expected:

Aircraft mechanic, including such specialties as electronic auto pilot mechanic, airborne electronic computer repairer, radar repairer and aircraft sheet metal repairer. Scheduled airlines mechanics average about $155 weekly.

Auto mechanic, which has almost as many subdivisions as the aircraft mechanic—tuneup man, automatic transmission specialist, bonder for auto brakes, electrician repairman for automatic window, seat and top lift equipment, etc. Skilled mechanics working for auto dealers average some $152 weekly.

Business machine serviceman, which ranges from repairmen for statistical machines and dictating-transcribing equipment to sophisticated electronic computers. Experienced servicemen's pay ranges from an average $95 to $150 weekly, with the most highly skilled computer specialists earning $235 weekly or more.

Furniture upholsterer, who may work on household furnishings or seats in autos, airplanes or railroad cars. Helpers average from $50 to $70 weekly, while experienced upholsterers earn up to $180 weekly.

Radio and TV service technician. Beginners can expect from $70 to more than $100 weekly; experienced servicemen get up to twice as much.

Tool-and-die maker, a highly skilled and creative occupation with an average top wage of $166 or more weekly.

Pay scales cited for these crafts are somewhat misleading; they tend toward the conservative side. This is because many are national averages, dragged down by low wages paid in depressed or rural areas.

In major metropolitan centers, notably New York, the cash rewards for such skills and other specialities requiring a high degree of training can be far more impressive.

The building trades in the New York area are a prime example. According to a survey of this field prepared by the Bureau of Labor Statistics' New York regional office, basic journeymen's wages here include:

Boilermakers, $6.37 an hour for a 35-hour week, plus employers' contributions of 5% to insurance-welfare funds, 5% to pension fund and 5% for vacation pay.

Carpenters, $6.15 an hour for a 35-hour week, plus hourly contributions of 37 cents to insurance, 30 cents to pension.

Engineer operators of heavy steel erection cranes, $6.75 an hour for a 40-hour week, plus hourly contributions of 4% to insurance, 6% to pension and 35 cents to vacation pay.

Machinists, $6.40 an hour for a 35-hour week, plus a 6% contribution to insurance.

Non-specialized painters, $4.90 hourly for a 35-hour week, plus hourly contributions of 4½% to insurance and 5% to pensions.

BLS regional chief Herbert Bienstock points out, however, that these statistics are only the basic minimums. Because of incentive pay, generally for overtime and holiday work, building trades employes and craftsmen in similar skilled occupations usually make far more than the minimums.

How much is another matter. No accurate over-all statistics are available. But there have been reports, for instance, of operating engineers, whose cranes have booms over 140 feet long, who have grossed upwards of $20,000 a year, thanks to overtime and fringes.

Best-known of the building trades wage scales is for inside wiremen electricians, who have a basic 25-hour week for which they get $5.47 an hour.

This pay seems relatively low, even with additional employer contributions of 3% hourly to insurance and welfare funds, 3% toward pensions and 4% for vacation pay. But the electricians are obliged by their union agreement to work another hour daily—at overtime—and in practice they usually work still another hour daily or more—also at overtime. It all adds up.

There's another side to the building trades coin, though, and that is uncertain employment. One point meriting serious consideration in selecting a trade is, of course, what the opportunities for craftsmen in a particular specialty is expected to be.

Over-all, the outlook for skilled workers is bright, with demand for them escalating at a heady rate. The government estimates that total jobs will have increased 18% by 1975, with the number of professional and technical workers up a whopping 54% by then.

The trick, obviously, is to track down or be directed to a field in which there will be plenty of jobs. School vocational guidance counselors, state employment service offices, the Labor Department's apprenticeship information centers and field offices of the Bureau of Apprenticeship and Training are all good sources of leads.

The need to expand and improve vocational guidance programs as well as to provide lifelong job placement service was stressed during congressional hearings on the pending vocational education bill.

Legislation proposed by Pucinski and Rep. Lloyd Meeds (D-Wash.) would authorize the federal government to pump a total of $2 billion by 1972 into all sorts of vocational education projects that would, in cooperation with states, break new ground.

NEW COURSES

Much of this money would be used to spur education of the poor, who now are increasingly school dropouts or pushouts. It also would go to expand vocational training in regular high schools.

This would end the current policy, which, according to testimony of Dean Rupert N. Evans of the University of Illinois College of Education, "gives the student a diploma but nothing else, for he is unprepared for any activity in contemporary life."

Hopefully, the new program would erase the current bleak statistics. Today only three million of America's 12 million high school students are getting vocational education. Of them, only 1.7 million are actually enrolled in courses leading to what used to be called "gainful employment."

Today, committed to the "glorification of the elite," the federal government spends almost $3 for higher education for each dollar that it puts into the vocational education kitty. Yet only 20% of all high school graduates go on to college.

But more than money is needed to upgrade the status of vocational training. It must be sold to the teachers and administrators no less than to the students.

POSTAGE STAMP WITH A MESSAGE: "REGISTER AND VOTE"

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DULSKI. Mr. Speaker, today was the first day of issue for a new 6-cent postage stamp which carries an important message for all Americans: "Register and Vote."

During the course of the year, the Post Office Department introduces a number of special issues of postage stamps.

Each issue provides a service in its own way, and I want to commend the Department and the Postmaster General's advisory committee for its wise discretion in approving stamp issues.

To me, none of the special stamps can be any more important in its own way than the stamp which is being issued today.

The theme is "Register and Vote" and we cannot emphasize enough the importance of this right and this responsibility of every adult American citizen.

The franchise to vote is a bulwark of our democracy. A free vote—a free choice—is an opportunity that many other peoples all over the world would love to have. We in America have it.

Unfortunately, there are too many of our citizens who do not exercise their right to vote. This is not peculiar to any one community, to any one area, or, indeed, to any one political party.

The Department is introducing today a beautiful stamp which has a most important message for all of us. Register and Vote. Every single person in our Nation will see this message. My hope is that they will heed it—that they will register and vote.

Mr. Speaker, it was a great honor and privilege for me to take part in the important first-day ceremony. Postmaster General W. Marvin Watson was the principal speaker.

Also present were several of our colleagues: The gentleman from Pennsylvania [Mr. CORBETT], ranking minority member of our Committee on Post Office and Civil Service, who spoke briefly; the gentleman from California [Mr. WILSON], a member of our committee; and the gentleman from New York [Mr. ADDABBO], a former member of our committee and now a member of the Subcommittee on Treasury-Post Office Appropriations.

Mr. Speaker, following is the text of the Postmaster General's remarks:

POSTMASTER GENERAL WATSON SPEAKS AT CEREMONY FOR "REGISTER AND VOTE" STAMP

I participate in this important ceremony today with very mixed feelings.

On the positive side, this postage stamp is both service and symbol.

It is a service because it will work as a silent reminder to millions of Americans exhorting them to exercise a basic right.

It is a symbol, because it reflects the culmination of one of the oldest and most basic struggles in American history—the struggle for universal suffrage.

Looking through the pages of American history, we are sharply made aware that voting rights were won only gradually, after many major battles. These were sometimes fierce struggles, waged with great intensity. Political careers waxed and waned, flourished or were crushed on the outcome of the struggle.

In the beginning of our Republic, and for half a century afterwards, the battle was for suffrage not restricted to those who owned property.

For the prevailing view during the adolescence of our nation was that government is, and ought to be, founded on property, and that only those who have property should be permitted to have a voice in government.

That conviction was deeply held, and fell away only after many years.

But the battle for suffrage was not yet fully won.

For the institution of slavery still lived to mock democratic principles, and the vote was denied women.

Finally, slavery was struck down, though, to our shame, the Negro did ont gain full voting rights until the 89th Congress heeded President Johnson's plea and passed the Voting Rights Act of 1965.

The demand for manhood suffrage as a political right created the climate for the woman suffrage movement. Here, too, the road was not easy. Many brave women quite literally risked their lives, went on hunger strikes and accepted prison terms before the 19th Amendment was adopted in 1920.

All through these great efforts to gain the vote, there were two basic theories of voting. One was aristocratic; the other democratic. The aristocratic theory really never accepted Jefferson's view that all men are created equal and have the same natural rights. Voting, this theory held, was a privilege, not a right. And it was a privilege to be conferred only upon such adult citizens fit to exercise it.

The democratic theory held that citizenship implied the right to participate in the civic life of the community—in short, the right of a man to say how he should be governed.

Recently, with the 24th Amendment striking down the poll tax, and with the "one man, one vote" decision of the United States Supreme Court, this democratic view has reached its final victory.

The fight has now been won.

In fact, the day is not too far off, when, as President Johnson proposed, the vote will be extended to 18-year olds.

After so much effort, so many struggles, such major sacrifices, one would believe, one would expect, that every citizen would rush to exercise this hard-won right, this golden prize.

But the statistics on voting tell a far different story.

Far from universal use of universal suffrage, voting is a minority occupaiton, a kind of political badminton in a nation of baseball players.

While Americans overseas are willing to die, and in fact are dying, to protect the right of others to self-government, at home the right is neglected.

In 1960, there were 108 million Americans eligible to vote.

Of those, but 65 per cent, or 69 million, actually voted.

And since the Presidential vote was almost evenly split, about 32 per cent of the eligible voters actually determined the outcome of the 1960 Presidential election.

The American people feel that minority rule is distasteful and undemocratic. Yet, we are the world's foremost example of minority rule—*with the consent of the people*.

Compare our record with that of the elections in South Vietnam where 80.8 per cent of the registered voters cast their ballots on September 11, 1966. Those votes were cast despite threats of death, despite Communist attacks on polling places, despite bombs placed in voting booths.

Here we have no threats, no attacks, no bombs—and no more than 65 per cent care to vote.

What to do about this wall of apathy between the voters and the exercise of a basic right?

I cannot claim a final answer. But I can accept the responsibility of the Post Office Department to do what it can in this area. And so we have issued this stamp to remind our fellow citizens that since they now have the right to vote, it is their duty to employ that right.

And I am pleased that the Citizens' Stamp Advisory Committee which recommended issuance of this stamp could be with us today. They deserve the congratulations of every citizen concerned with a healthy form of government.

This stamp will appear on millions and millions of letters. It will say silently, "Let your voice be heard. Register and vote!"

ACA ANNIVERSARY

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. BUCHANAN. Mr. Speaker, the English statesman and philosopher Edmund Burke said it first and said it best:

> The only thing necessary for the triumph of evil is for good men to do nothing.

Fortunately for our Nation and the constitutional principles upon which it was founded good men in organizations like Americans for Constitutional Action have been doing a great deal.

Today, ACA marks its 10th birthday. The principles for which it stands today are right principles worthy of support. The action which ACA has taken in support of these principles has been outstanding. Worthy of special commendation has been the effort of this organization to keep the American public informed of the voting records of Members of Congress, that the truth might be made plain, and the people helped toward realistic political decisions based on performance, and not promises alone. I want to pay special tribute to the national chairman of ACA, Adm. Ben Morrell, a partiot in every sense of the word; to Gen. Thomas A. Lane, ACA's president, who has retired from the Army but not from the fight for freedom and for constitutional principles; to Charles MacManus, the indefatigable executive director of ACA, and to Jim Price, the able and energetic Alabama chairman of ACA.

As long as there are dedicated, principled organizations like ACA, Mr. Speaker, we need have no fear for the future of this constitutional Republic.

LINCOLN AND THE LAW

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. QUILLEN. Mr. Speaker, is it rule of law or rule of the mob? It looks as if the answer to this question today indicates that it is the rule of the mob—a complete disrespect for law and order.

But an editorial in the Johnson City Press-Chronicle on Monday, June 24, 1968, quotes Abraham Lincoln in a speech he made in 1838, which touched on the same subject matter at that time.

This editorial, entitled "Lincoln and the Law," points out, in Lincoln's words, a message that should be heeded today:

LINCOLN AND THE LAW

Rule of law or rule of the mob?

This is a big question today.

But it is not a new question.

Ever since man has been on this earth the struggle between law and the mob has gone on.

We have only to read our history books—or our Bible. Christ was crucified because a mob prevailed over the law.

It is interesting to note that Abraham Lincoln was concerned about mob violence as far back as 1838, many years before he became President of the United States.

In an address before the Young Men's Lyceum in Springfield, Ill., on Jan. 27, 1838, Lincoln said this:

I hope I am over wary; but if I am not there is, even now, something of ill-omen amongst us. I mean the increasing disregard for law which pervades the country; the growing disposition to substitute the wild and furious passions in lieu of the sober judgment of courts; and the worse than savage mobs for the executive ministers of justice.

This disposition is awfully fearful in any community; and that it now exists in ours, though grating to our feelings to admit, it would be a violation of truth and an insult to our intelligence to deny accounts of outrages committed by mobs from the everyday news. They have pervaded the country, from New England to Louisiana—they are neither peculiar to the eternal snows of the former, nor the burning suns of the latter—they are not the creature of climate—neither are they confined to the slaveholding, or the nonslaveholding states. Alike, they spring up among the pleasure-hunting masters of Southern slaves, and the order-loving citizens of the land of steady habits. Whatever, then, their cause may be, it is common to the whole country . . .

By instances of the perpetrators of such acts going unpunished, the lawless in spirit are encouraged to become lawless in practice; and having been used to no restraint, but dread of punishment, they thus become absolutely unrestrained. Having ever regarded government as their deadliest bane, they made a jubilee of the suspension of its operation, and pray for nothing so much as its total annihilation . . .

Lincoln continued at length with details of burnings, pillagings, lootings and other outrages against the law. Then he spoke some words that should be recalled and underscored by all Americans today. On the question of what we can do to secure a greater respect for order and decency, he said:

The answer is simple, Let every American, every lover of liberty, every well wisher to his posterity, swear by the blood of the Revolution never to violate in the least particular the laws of the country, and never to tolerate their violations by others. As the patriots of '76 did to support the Declaration of Independence, let every American pledge his life, his property and his sacred honor to the support of the Constitution, and laws—let every man remember that to violate the law is to trample on the blood of his father, and to tear the charter of his own children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles in her lap:

When I so pressingly urge strict observance of all laws, let me not be understood as saying there are no bad laws, nor that grievances may not arise, for the redress of which no legal provision has been made. I mean to say no such thing. But I do mean to say, that although bad laws, if they exist should be repealed as soon as possible, still while they continue in force, for the sake of example they should be religiously observed. If such arise, let proper legal provisions be made for them with the least possible delay . . .

HAPPY BIRTHDAY TO ACA

HON. GEORGE HANSEN

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. HANSEN of Idaho. Mr. Speaker, it is a great privilege to salute Americans for Constitutional Action on this day—their 10th anniversary.

Americans for Constitutional Action—or ACA—has done an outstanding job in acquainting the people of the United States with the significant issues before the Congress.

Particularly at this time, in the face of probably the most severe financial crisis in the United States since World War II, ACA, in pointing up those issues wherein a vote has been cast for or against sound fiscal policies, gives a valuable yardstick by which an incumbent's record can be judged. The same can be said for its support of our Federal Constitution—by promoting adherence to the checks and balances which have made it possible for us to grow from scattered settlements into the greatest Nation the world has ever known.

Mr. Speaker, I wish a very happy birthday to ACA and extend a sincere hope that it will be around for many more in this great service it renders to the people of the United States.

THE CONSTITUTION AS A GOAL

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. HAMILTON. Mr. Speaker, this excellent speech given at the New Albany, Ind., National Cemetery recently by a New Albany resident, Mr. Ron Hutchens.

Mr. Hutchens reviews the provisions of this country's Constitution, then pointed to where we, as Americans, have failed to see that the principles in this great document are being carried out.

It is a lesson in history for all of us from a fine and perceptive young American. The speech reads as follows:

THE CONSTITUTION AS A GOAL

We, the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

This is the Preamble to the Constitution of the United States. It was ratified in September of 1787 and went into effect March of 1789, 179 years ago.

Many feel that the Constitution was the best written American document, providing Americans with a system of fundamental laws and principles of government, state and society. But what many Americans fail to realize is that the Constitution only presents a goal. A destination in which we, the people of the United States, must aim toward and not away from.

To re-examine the Preamble, we see first "establish justice." Each of us, through our own personal experience, would agree that this safeguard has been numerously abused. Crime has become an ever-more pressing problem on American society. Crimes committed increase daily while their convictions continue to decrease.

"To insure domestic tranquillity." Detroit, Cleveland, Baltimore, Newark and now even Louisville is evidence enough to convince us that this is not a reality. These civil disorders should be enough to motivate us to strive toward this goal.

"Promote for the general welfare." Many poor Americans feel that this should be phrased as to promote for the middle class. Poverty and the poor is now brought into the picture of American Problems.

And finally "secure the blessings of liberty to ourselves and our posterity." Posterity is the future generations of Americans including the Negro, Indian, Puerto Rican, Oriental along with the White. This too only becomes a goal for Americans, as long as we have racists preaching the superiority of one race and discriminating against all others.

But let's go further than just the introductory paragraph of the Constitution. Opposition in and out of Congress to the Constitution, in that it was not sufficiently explicit as to individual and state rights, led to an agreement to submit to the people immediately after the adoption of the Constitution a number of safeguarding amendments. These amendments to the Constitution are often referred to as the Bill of Rights. The Bill of Rights goes all the way from the individuals right to trial to the states right to make their own laws. But there are two specific amendments which seem to protrude above all others; Article 14 & 15.

To paraphrase Amendment 14, it states that it is unlawful for any state to make a law which will deprive an American citizen of life, liberty or property without due process of law. Many minorities, whose ancestry is different than our own but whose citizenship is of the United States, question the mere existence of this amendment. State governments have ignored this amendment by over-ruling it with the earlier amendment, Article 10, which sets aside the rights of the state to make laws. But regardless of one's logic, it becomes quite irrational to ignore this Constitutional Amendment.

The 15th Amendment, condensed, says it is unlawful to deny a citizen the right to vote because of race or color. The 15th Amendment seems to be an excellent example of both achieving a goal and representing a goal. It remains a goal as long as one man is discriminated against because of his race or color when trying to vote. But it also shows that we can achieve these goals, for today much of the "refusing to allow one to vote because of race or color" has been eliminated.

The Constitution conveys excellent safeguards, privileges and rights but it is up to us, the people, to see that they are achieved. We, as Americans cannot ignore any longer.

We must strive toward these destinations, these goals "in order to form a more perfect Union."

ACA'S 10TH ANNIVERSARY

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. WYMAN. Mr. Speaker, today a national organization dedicated to the preservation of the Constitution of the United States observes its 10th anniversary. I refer to Americans for Constitutional Action, which has performed valuable public service for a decade in bringing to the attention of the American people the voting of various Members of Congress of both political parties, in order that the popular vote may honestly reflect the preferences of the voters forearmed with knowledge of the true record of the men and women who have represented them in the National Capital.

While I, for one, do not agree with each and every position that ACA has taken, nor, for that matter, with its selection of particular votes as truly representative of a pattern of individual voting, there is no question but that on balance the objective of this fine organization has been to help elect to Congress men and women in both parties who will work to preserve and strengthen our constitutional form of government and not to wreck it.

The ACA goal is to help all Americans to become more aware of their role as voters and as citizens in terms of obligations and responsibilities as well as privileges and rights. Information furnished voters throughout the Nation by ACA is, on the whole, a distinct contribution to increased public understanding of the pros and cons of national and international problems. Contrary to some fund-raising schemes in the form of influence peddling, ACA's position is solid and substantial. It seeks fiscal responsibility and a balanced budget. It wants firm and just law enforcement. It deplores permissiveness while encouraging proper exploration of new ideas and new concepts within the framework of settled constitutional precepts.

All Americans deplore the mess in Vietnam. We are appalled and grieved by the awful casualties, the loss of life, the human suffering and the waste imposed on our military by civilian policies of gradualism largely motivated by political considerations of an administration that has subordinated the lives of Americans and the national solvency to a blatant quest for votes on the homefront. But ACA has not intruded into the arena of those legislative actions unrelated to protection of the U.S. Constitution. Its activism has been in behalf of the restoration in America of a system of government in which the constitutional separation of powers between the executive, legislative, and judicial branches is maintained and strengthened. Such a cause is most worthwhile. Would that more Members of Congress and more good citizens in the executive branch of our Government would join in restoring to America the values and the goals that were those of our forefathers.

It does not strengthen this Nation to deny the Lord's Prayer in our public schools—or to refuse to restore the concurrent enforceability of State sedition laws—or to vote to exempt poverty program workers from limitations by Federal law on political activity—or to recklessly increase the national debt beyond our capability to pay in the foreseeable future. These and similar issues have been ACA's criteria for measuring legislative responsibility in action. It is to be congratulated on this 10th anniversary as an organization of public-spirited men and women that has contributed greatly to strengthening our Nation.

THE PRESIDENT TAKES FIRST STEP IN GUN CONTROL LEGISLATION

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. MOORHEAD. Mr. Speaker, I support the President's signature of the Safe Streets and Crime Control Act of 1968.

To accept this legislation does not say that we are satisfied with all of its provisions. As the President said:

> The measure before me carries out many of the objectives I sought. But it also contains several other provisions which are unwise and which will not aid effective law enforcement.

I agree with the President, and attempted in two procedural votes to return the bill to conference so that some of the objectionable provisions in titles II and III could be revised.

However, given the magnitude of our problems and the lateness of this session, I believe the President was right to act now on the recommendations of his special Crime Commission which will end a decade of inaction on gun legislation, and provide urgently needed educational, research, and training assistance for our local law-enforcement officers who bear the prime responsibility for the prevention and control of crime.

The tragic events that have shocked this country over the last few years have amply demonstrated the absence of meaningful gun controls in this country; this law, while admittedly limited in scope, takes the first and most obvious step—one which I have personally advocated since coming to Congress—of banning interstate sale of handguns, and prohibiting their sale to minors.

The President was right to take this first step, and has since asked Congress to extend this ban to rifles, shotguns, and ammunition, which I endorse, and further, to require the registration and licensing of all firearms, which I believe should have proper hearings before the appropriate committees in both Houses before this Congress is adjourned.

Weighing the good features against the undesirable, and after consulting with the wisest counselors available to him, the President said:

> On the basis of their advice and my own searching examination, I have decided that this measure contains more good than bad, and that I should sign it into law.

I concur with this decision. The Safe Streets and Crime Control Act of 1968 is a vigorous response toward solving today's problems of crime in our local neighborhood and city streets and should have our full support.

HAROLD KOHN HONORED BY OPTOMETRY

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1968

Mr. KUPFERMAN. Mr. Speaker, in New York State we are fortunate in having in our midst a very distinguished gentleman and attorney at law, Harold Kohn, Esq., who is this week being honored for 34 years as general counsel of the American Optometric Association.

In 1923, Harold Kohn, then a young attorney, was retained by the "Optometrical"—as the word was used in those days—Society of the City of New York. That retainer was the beginning of a lifetime of association with the optometric profession and Mr. Kohn's career, as indeed his very life, has ever since been intertwined with the emergence of optometry as a fully fledged health profession. In 1925 the Brooklyn Optometric Society looked at what their colleagues across the East River were doing and also decided to retain the services of the young attorney. Five years later the New York State Optometric Association likewise sought Mr. Kohn's services. Evidently Mr. Kohn must have been doing something right during those years for his prowess reached the ears of the national optometric body and in 1934 he was retained as general counsel to the American Optometric Association. For all of the intervening years he has maintained his close contacts with optometry and today Mr. Harold Kohn is unquestionably the country's leading authority on the legal aspects of optometry in all 50 States.

Now, at the age of 74, Mr. Kohn is relinquishing his postion as general counsel of the American Optometric Association and optometrists from around the Nation, as well as from other countries, will honor him upon the occasion of the 71st Annual Congress of the American Optometric Association in Miami, June 26–29. Indeed the entire congress has been dedicated to Mr. Kohn.

Harold Kohn has been the recipient of innumerable honors and awards. In 1956 the New York State Optometric Asociation presented him with the Frederic A. Woll Memorial Award—the highest honor bestowed by that State association, and this was the first time the award had ever been presented to a nonoptometrist. In 1959 the Massachusetts College of Optometry awarded Mr. Kohn an honorary degree of doctor of optical science, and just 3 weeks ago, on June 8, in Memphis, Tenn., the Southern College of Optometry presented Mr. Kohn with a similar honorary degree of doctor of optical science. Pennsylvania has also paid homage to Harold Kohn, for in 1964 he received from the alumnae association of the Pennsylvania College of Optometry a plaque in grateful recognition of his many contributions to the profession. Numerous State optometric associations have awarded Mr. Kohn honorary membership in their ranks, and this week, during the course of the Congress of the American Optometric Association, Mr. Kohn will be awarded an honorary membership in that professional body.

It was my privilege to enjoy for a number of years a rather close working association with Mr. Kohn and I can vouch that Harold Kohn's outlook, his humanity, his concern for social justice, his genial manner, his never-failing courtesy—whether it be to friend or opponent—all these warm human qualities are in full measure of the necessary degree to have earned him the high esteem, respect, and affection in which he is held not only by the Nation's optometrists, but also by those of us outside the profession of optometry who have been privileged to know him and to cherish his friendship.

CANADA'S TRUDEAU

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. ASHBROOK. Mr. Speaker, the recent elections in Canada have given Pierre Elliott Trudeau and his Liberal Party a clear majority in Parliament. Mr. Trudeau, to be sure, is an attractive personality and has quite a rapport with the younger voters. Unfortunately, he has quite a rapport with the "new left" and the "old left" if his past record is any indication.

Father Daniel Lyons, S.J., in his column of June 16 in Twin Circle, delves into the background of Mr. Trudeau. As a newcomer to politics, Trudeau's past history is comparatively unknown. Father Lyon's account of Trudeau's past would seem to indicate that United States-Canadian relations might have some rough going unless Trudeau puts his leftist leanings in the past.

I include the above-mentioned column from Twin Circle of June 16, 1968, in the RECORD at this point:

FATHER LYONS VIEWS THE NEWS

There is serious concern in Canada over their new Prime Minister, Mr. Pierre-Elliott Trudeau. He has long been an admirer of socialism, and has had strange and persistent tie-ins with Communism. Let's look at his record. He was in Shanghai when the Communists took over in 1950, and was an ardent admirer of Mao Tse-tung. On returning to Montreal, in 1951, he founded *Cite Libre*, a journal with a strongly Leftist slant. Among those who collaborated closely with him were such leading members of the Communist party as Stanley Ryerson, its top theoretician and editor of the *Marxist Review;* Pierre Galinas, director of agitation and propaganda for the Communist Party in Quebec; and Professor Raymond Boyer, who was convicted of Soviet espionage.

In the following year, 1952, Mr. Trudeau lead a delegation of Communists to the Economic Conference in Moscow. In 1953 he was barred entry into the United States as an "inadmissible" person. In 1955 he launched *Le Ressemblement*, a front for the far left. In 1960, he led a Communist delegation to Peking for a Red victory celebration there. In 1961 he was intercepted by the U.S. Coast Guard while he was trying to get to Cuba. In the same year he joined a group of Marxists in writing a book entitled *Social Purpose for Canada*. The chapter written by Mr. Trudeau praises Mao Tse-tung, and urges the socialists not to "water down" their socialism. He said they should make the approach to socialism more "flexible," and welcome federalism "as a valuable tool which permits dynamic parties to plant socialist governments in certain provinces, from which the seed of radicalism can slowly spread."

On page 373 in the same book he refers to "that superb strategist, Mao Tse-tung," and declares that Mao's experience "might lead us to conclude that in a vast and heterogenous country, the possibility of establishing socialist strongholds in certain regions is the very best thing." Mao's methods are not "socialism" in the ordinary sense of the word, but that is what the Communists always call them.

In 1962, despite widespread protest, Mr. Trudeau got appointed as a professor at the University of Montreal. It became a pro-Castro stronghold. In 1963 he called the Liberals "idiots" because they accepted nuclear arms. But by 1965 he decided to use the Liberal Party as an instrument to escalate himself into political power. He and two other well-known Leftists, Jean Marchand and Gerard Pelletier, were elected to Parliament, forming the "New Guard" of the Liberal Party. In 1966 he was appointed Parliamentary Secretary to Prime Minister Pearson. In 1967 he was named Minister of Justice. He was credited in the Communist press with such feats as the reinstatement of a pornographic hippie publication, *Georgia Straight*, which had been banned by Mayor Campbell in Vancouver for obscenity. He also introduced the bill to legalize both abortion and homosexuality, and spearheaded the shift of Canadian justice from a religious to a "humanistic" basis.

Mr. Trudeau has only been a Member of Parliament since 1965. Canadians hardly know his views. He has never been known to criticize Communism, and said he found the Marxist views of Harold Laski "the most stimulating and powerful influence" he has encountered. One of his first official statements as Prime Minister was to call for much closer relations between Canada and Red China. He was elected Prime Minister by a highly organized, emotional campaign of adulation which was heavily financed, and in which the mass media played a powerful role. The mass media, however, neglected to bring out the truth about his background.

These are the facts about the new Prime Minister in Canada, and concerned Canadians are worried and anxious about the situation. Americans, too, have reason to be worried. It has often been said by well-informed persons that the Communist world could take over Mexico almost any time. The three Communist Parties there are intensively active. But the United States depends on Canada more than on any other country. We have invested 21 billion dollars there, more than in all of Europe combined. We sell more to Canada than we do to all of South America, and our balance of trade with our northern neighbors is favorable to the tune of 1.25 billion dollars each year.

I am not trying to argue that Mr. Trudeau is a Communist. But to concerned Americans, as well as Canadians, he certainly bears watching. All the more so since so many people lack any concern.

REVENUE AND EXPENDITURE CONTROL ACT OF 1968—CONFERENCE REPORT

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 1968

Mr. GALLAGHER. Mr. Speaker, the Revenue Expenditure and Control Act marks a signal achievement in our efforts to reinforce the American economy, prevent further hardships from emptying the pockets of the poor, and reassert congressional authority over the budget. The passage of this legislation is crucial to solving the Nation's myriad monetary dilemmas. I know that it was a difficult decision for the Members of this body to ask the American people for more taxes; for myself, the decision came only after a long and exhaustive consideration of the many issues involved. I believe that an examination of these issues clearly points up the great need for this bill.

MONEY MADNESS

Perhaps the greatest need argument for the tax bill is found in the problem of inflation in the United States. We are now faced with a spiraling inflation in this country which threatens to get far worse in the coming year. It appears that the pull of excessive demand for goods is now the primary source of inflationary pressures; the only way to relieve this type of pressure is to manipulate incomes so that they are closer matched to spending, and so that savings are put in equilibrium with investments. Otherwise, the demand for goods and services will push prices higher and higher, beyond the reach of the average citizen. As this process continues, the economy moves closer toward an explosion.

Indeed, inflationary pressures have already forced prices to a near breaking point. In April of this year, the consumer price index rose at an annual rate of 4.1 percent—the highest rate since the Korean war. An annual rate of 5 percent is projected for the month of June.

Now, it is not difficult to see what happens in this sort of situation. When you have an excessive budget deficit and continue to put pressure on the economic system with no fiscal controls—such as higher taxes—the inevitable result is tight money. The fact is that when we fail to exert proper restraints on the economy, the system acts to save itself. It acts as an animal trapped in a corner with no good samaritan to save it; faced with destruction, the animal strikes out angrily regardless of who or what is in its way. The economic "animal" strikes out to preserve itself with tight money; and tight money carries with it the ugly partner of high-interest rates. This process is exactly what has been happening in the United States during the past year.

Between May 1967 and May 1968, the interest rate on corporate triple A bonds was up from 5¼ to 6¼ percent. The interest rate on home mortgages in most parts of the Nation now exceeds 7 percent. What this means in real terms is that, for example, the foundation is knocked out from under the housing industry: Mortgage rates are too high, people cannot contract to build homes. It means that vital school and hospital construction are brought to a virtual standstill. It means that highway construction is slowed if not halted. Of course, the list goes on and on; tight money inevitably brings severe damage to the entire economy. Just as the cornered animal ends up destroying itself with a blind attempt at survival, so the economic animal, left to its own devices, tends to destroy itself, and us.

A failure to exercise proper fiscal control on an inflationary spiral means, if you will excuse the shift in metaphor, an abdication of any responsibility for the economic engine. Rather than driving the engine, we are driven by it almost to the point of distraction. We can easily recall the days of 1966 when the Federal Reserve Board was forced to impose monetary restrictions and alarmingly high interest rates to curb the runaway engine; we certainly did not want that action to be unfortunately necessary again in 1968.

The only proper response to this condition of inflation was for the Government to tighten its own belt and ask the people of this country to do the same. It is a simple fact of the "new economics" that when you have a sluggish economy, you must decrease taxes; and when you have a bulging, rapidly expanding economy, you must have a tax increase. I notice that many people are willing to follow the new economics in times of economic slowdowns by priming the pump and scaling down taxes: these people must be willing to heed the instructions on the other side of the coin in times of economic runaway.

Of course, it is very difficult to increase taxes and still remain popular. We will not be popular heroes for passing this legislation. However, I wonder if we would have been popular favorites if inflation wrecked our economy? If people were unable to build houses or send their children to not-so-crowded schools? Would we have been flooded with congratulatory telegrams if an American dollar were worth less abroad than the paper upon which it is printed? And would we have received accolades if a recession were allowed to strike the Nation?

Certainly, it is not easy to ask the people of this Nation to pay more taxes; however, what is easy is not necessarily right, and what is right most often is very hard. Without this tax bill, we would have taken the easy road to calamity. Someone said, very accurately I think, that if we passed higher taxes we might not be able to return to this Chamber in November, but that if we did not pass higher taxes, this Chamber might not be worth coming back to in the fall. I am sure that the American people will justify actions made not in regard to political expediency, but out of concern for the welfare of our Nation.

INFLATION TAX

Indeed, without this tax bill, we surely would have had a tax anyway: a tax produced by uncontrolled inflation which would have struck with special ferocity at the poor, people with fixed and low incomes in the United States: pensioners, life insurance beneficiaries, social security recipients, welfare cases. As prices continued to soar upward, these people would have borne the burden, almost alone, of paying "inflation taxes." Let us take a typical example. A retired man receiving social security walks into his neighborhood grocery store now and pays about 33 cents for a loaf of white bread; as inflation continues with no fiscal controls, the price of white bread jumps to 35 cents, and then 40 cents; at the same time the prices of milk, meat, vegetables, and other necessary items go up and up. But remember, his income does not rise at all. It remains the same. while his income's purchasing power goes down. Obviously, the social security recipient is paying an extra amount for his food because of inflation—and that additional amount is what I mean by "inflation tax."

The poor people and the pensioners bear the brunt of this heavy tax; while the wealthy feel it little or not at all—until, of course, high interest rates strike at the very heart of American economic progress. The tax bill, then, comes as a definite relief to those Americans whose incomes are low or locked into a fixed salary schedule. Without the bill, these Americans would have been among the first and hardest hit by the inflationary spiral.

DOLLAR DANGER AND DRAIN

Another important reason for the tax bill deals with the stability of the American dollar. Rarely has the dollar been in more trouble than at this point in our history. The gold flow from our national vaults seems to be endless, as the scale measuring the balance of payments tips heavily against us. In January 1960, the American gold supply was listed at $19.4 billion. By January 1964, this figure had dropped to $15.5 billion. And by June 2 of this year, the gold supply had plummeted to a low of $10.3 billion.

Coincidental with this downward movement has been the steadily dipping confidence in the dollar. For a short period in March, Americans traveling abroad were even unable to have their dollars accepted by many commercial concerns. Now, as the stability of the dollar is doubted and threatened, peoples of the world have looked to this Government for a willingness to prevent further fiscal decay. Mr. Speaker, I submit that a failure on our part to pass the tax bill would have been interpreted by the peoples of the world as final proof that the American Government was unwilling or unable to maintain its financial credibility. However, with the approval of the Revenue Expenditure and Control Act, we have taken a meaningful step toward slowing down an otherwise unrestricted, often chaotic flow of gold from our shores; we have demonstrated our intention to hold the line on the value of the American dollar; and we have made it possible for faith in our monetary system to be restored.

DOLLAR DEFICIT

The national budget deficit is closely connected to our fiscal headaches. The Treasury Department report for 1968 shows that up to June 12 of this year, we spent $27.5 billion more than our income. Even more heavy expenditures are now forthcoming at the close of the fiscal year. Moreover, official estimates project a $25 billion budget deficit for next year. Taking this potential deficit—and the actual figure could turn out to be even higher—and coupling it with no decrease in Government spending, there is every reason to believe that we would exceed the $365 billion legal national debt ceiling by December; at that point, unless Congress increased the debt limit even more—which would be patently unwise—the Government of the United States would no longer be able to pay its bills.

The legislation we have just approved includes a provision for speeding up the collection of certain corporate taxes. This provision should produce additional revenue of $15.5 billion by mid-1969. This additional revenue added to the $6 billion spending cut reduces the potential budget deficit by some $20 billion. In other words, from the threat of a $25 billion deficit, this bill takes us to the manageable figure of an estimated $5 billion deficit. Moreover, it guarantees that the Government will be able to pay its electric bills next year.

SPENDING CUT

As I stated before, Mr. Speaker, if the Government asked the American people to tighten their belts, it was necessary for the Government to do likewise. The $6 billion spending cut has been greatly criticized as a stab at domestic social welfare programs. I, myself, have long worried over this matter and therefore supported only a $4 billion cut in the budget.

However, I feel that there is no inevitable reason why the $6 billion cut should or will be aimed at vital domestic projects. For one, I place my trust in President Johnson, who has no interest in mind except the welfare of the United States and who has amply demonstrated his concern for societal progress in this Nation, to carefully avoid any potential injury to social programs through the spending cut. Secondly, there is room in the budget for cuts other than in welfare projects. The congressional conferees exempted only $84 billion of President Johnson's budget from the spending slash. This leaves a total of $102 billion which is legally available for cuts; there are many nonessential areas in this figure which could be handily sliced, without damaging the splendid domestic programs of the Great Society.

TAX REFORM

Of course, Mr. Speaker, the bill we have passed is far from perfect. While it does meet the needs I have outlined in this presentation, there is another need whose surface is only scratched by this legislation. I refer to tax reform.

The bill offers some encouragement in this area by requiring the President to submit to Congress by December 31, 1968, a comprehensive program of tax reforms. But this is not enough; the Congress must begin to take action now.

Mr. Speaker, I submitted a bill—H.R. 13586—in October of 1967 which is aimed at closing many of the loopholes in our system of taxation which allow the wealthy to escape without paying certain tax revenues. My bill would eliminate many of the gross inequities in our estate taxes, would repeal the privilege of groups to elect multiple surtax exemptions, would increase gift tax rates to estate tax level, and would reduce oil, gas, and other mineral depletion allowances by about 12 percent. The oil industry in this country is now given a 27.5-percent allowance for depletion in tax payments. I can find little or no justification for this situation. I can find little or no justification for people raking in a fortune of deductible revenues from the estate of a deceased person. I can find no justification for allowing individuals to sidestep taxes under the guise of receiving a "gift" from an employer or friend.

Mr. Speaker, if we would only pass a tax reform bill, indeed, if we had passed one like mine by now, we would not have had to worry about cutting too much from the budget and thereby endangering vital domestic programs. There are millions of dollars in revenue which slip through our fingers every year because of the inequities in our system of taxation. Were we to collect these revenues, the wealthy would not be pauperized; but perhaps the poor would be able to live a little better.

The Congress has faced up to one responsibility by passing the Revenue Expenditure and Control Act; it must now face up to another, equally important task: closing the tax loopholes. We simply cannot justify further tax hikes if we permit so many millions of dollars to go into hiding between January 1 and April 15 every single year.

I, for one, am going to press this Congress to pass tax reform legislation, such as the type I have introduced, as soon as possible. It is indeed disconcerting that so many people are willing to criticize the spending cuts but unwilling to consider tax reform. You just cannot have it both ways.

Mr. Speaker, coupling the bill we have now passed with a tax reform measure will provide for a truly stable and equitable economic structure in this Nation. Before the cart gets too far in front of the horse, let us act to guarantee that all Americans pay their fair share: no more, and no less.

CONCLUSION

I think it useful to remember, Mr. Speaker, that while this tax bill forces all of us to dig a bit deeper into our pocketbooks and wallets than we did this past year, the new surtax still gives us a level of taxation which is below the level existing at the time we passed the tax decrease bill in early 1964. Moreover, it leaves us with a tax rate that is still the lowest of any nation in the civilized western world. Yet, even this relatively small tax increase will provide the kind of economic stability we so desperately require.

THE REDWOODS: THE BEGINNING OR THE END?

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. OTTINGER. Mr. Speaker, when white men first visited our continent's Pacific shores, redwood forests of some 2 million acres stretched nearly 400 miles along the California coast. Some of these gigantic woodland spires, name Sequoia sempervirens, had survived fire, flood, and storm for 20 centuries. Loggers moved in with ax, saw, and team. The demise began for a primeval forest. The tallest living things were toppled for shingles and siding, coffins, and patio furniture. Mankind was making man's kind of progress.

It is my hope, Mr. Speaker, that the House of Representatives will soon exercise its responsibility to preserve some of the fragments remaining from that once great forest. In my opinion, we should seek to establish a Redwood National Park equal to and representative of the majestic trees for which it will be named.

Many people are troubled by indications that the proposal to come before the House will be less than an ample and significant park area. What we should strive for in a redwood national park is the creation of a meaningful unit which is worthy of designation in the National Park System. A pipestem park along the borders of Redwood Creek would not be in balance with the resources which the world's wealthiest Nation can devote to this purpose.

I ask consent to include with my remarks an article by Edgar and Peggy Wayburn, entitled "Prologue" and "Epilogue," which appeared in the October 1967, annual of the Sierra Club Bulletin. The material follows:

PROLOGUE

They were there long before mankind had known there was a Pacific, those immense, incredible forests. From the Big Sur country they extended northward four hundred miles along the wild, rocky, beautiful coast—crowding the broad river flats, clothing the steep slopes, and crowning the ridges. They were forests such as man had never seen, anywhere, with trees so huge it sometimes took a dozen men to circle one—trees so tall no one could know their height until they fell.

The trees were somber Greek columns in muted colors, branches held high, needles dedicate against the distant sky. Sunlight slanting through sought out the big-leaf maples, the alders, the dogwood, and the oaks. And in spring, even without sunlight, myriad small flowers brightened the forest floor.

The coast redwoods, *Sequoia sempervirens*, are among the survivors of a great genus. Crowded westward by geological and climatic changes, the tallest living things make their last stand along the rim of the Pacific. From the time of the dinosaurs to the time the white man came.

Spaniards found them, the Russians and Englishmen followed, and the tough pioneers came. The early records are scant, and some are difficult to believe: A tree 32 feet in diameter stood on the Oakland hills, one naturalist noted. Others there were so tall that English sailors in 1816 used them to sight a course from beyond the Golden Gate. Around Bolinas, great groves of redwoods stood "as fine as any," and the Bolinas harbor rivaled San Francisco as a timber port until it silted in.

Eureka was forest. Cresecent City was forest. On the Elk River in Humboldt County, a tree yielded 420 feet of logs, and the salmon ran so thick in Bull Creek a wagon couldn't cross it in the spring. It took 15 years of steady logging to cut the great trees of Jolly Giant Creek near Arcata. And everyone thought the redwood forests were without end.

Disappointed goldseekers swelled the ranks of loggers in the 1850's. They turned from the Mother Lode to mine the coastal forests instead. They sailed north from San Francisco, and at almost every creek they discovered a new strike—a grove of trees to stagger a man's imagination. By 1860, they were all the way to Crescent City, and the blue smoke of a sawmill drifted from the mouth of every sizable stream.

In 1879, when the first major proposal was made for a redwood national park (by Secretary of the Interior Carl Schurz), the young industry was becoming Big Business. During the next two decades—while small sporadic attempts were made locally to save trees—busy entrepreneurs succeeded in gathering into private hands virtually all the redwood forests. By 1900 the chance had been lost for the nation to save a redwood park out of the public domain. Parklands would have to be bought back from private owners, and on the owner's terms.

The park idea persisted, and logging went inexorably on. In 1911 a California Congressman introduced a House joint resolution to investigate the "advisability and necessity" of establishing a coast redwood park. His resolution failed. The donkey engine and band saw sped up operations, and by the time passable roads penetrated the redwood region, thousands of devastated acres were suddenly on display. The Save-the-Redwoods League was formed in 1918 to rescue the redwoods, and high on its agenda was the establishment of a national park.

In 1920, Madison Grant, one of the League's founders, wrote in *National Geographic Magazine*, "Four great forests stand out prominently. They are (1st) the groves along the Eel River, culminating in the Bull Creek Flat and the Dyerville Flat; (2nd) the immense Redwood Creek grove; (3rd) the Klamath River groves, and (4th) the Smith River groves at Mill Creek. Each has its peculiar beauty and it is difficult to choose among them." Mr. Grant went on to note that Redwood Creek was "peculiarly adapted for a national park."

A redwood national park bill passed the House in 1923, but died in the Senate. Logging continued vigorously behind some of the roadside strips the League had begun to acquire. By 1942 half the primeval forests had been cut.

The depression brought a chance to buy redwood parklands. Largely through the efforts of the Save-the-Redwood League, the state acquired some of its finest redwood groves—at Bull Creek, Prairie Creek and Mill Creek. The redwood industry was glad to get the money. In 1946 Congresswoman Helen Gahagan Douglas proposed the Roosevelt Memorial Forest, 2.4 million acres to be administered by the Forest Service, and 340,000 acres, including state parklands, to be set aside in four memorial park units. But the economy had improved, and her ideas lost out.

Timber operations continued to accelerate. Chain saws and bulldozers moved into the woods. The great trees fell faster and faster; it now takes less than an hour to fell a giant. The Save-the-Redwoods League fought to make the state parks bigger, and the roadside strips longer. The dream of a redwood national park faded.

But the dream still has one place to be realized—at Redwood Creek. It is some measure of the redwood forests that, after 115 years of steady logging, such a place remains at all. For one last chance.

EPILOGUE

Think, if you can, of the time contained in a million years, of the days and nights in ten thousand centuries, of the mighty forces of the earth working throughout that length of time on the land where the redwoods grow. How many storms swept in from the sea to beat against those shores, how many savage winds and tides and floods? How many wildfires raced unchecked? How many earthquakes shook and shaped that land?

Think of a forest living on through all those adversities as the redwoods did along the foggy rim of the Pacific, trees having within them a mighty will to survive. Some trees stood for more than 2,000 years and when they fell, there were others left to go on living. The continuity of that great forest was not really challenged until man, with his ability to change and destroy, found it. Now, in a little over a century, most of the primeval forest has fallen, and it is still falling.

If there had been no redwoods, man doubtless would have managed. But there were redwoods, and there seemed to be so many reasons to cut them. (Somehow we always contrive to explain, to our own satisfaction, the things we do because we feel we must do them. There were reasons when the hillsides of Lebanon were stripped bare, too.) There were cities to be built and rebuilt, there was the market for shingles and shakes and sidings, for grape stakes and railroad ties, for fence posts, cigar boxes, coffins, panels and patio furniture.

And so, for every 100 acres of redwoods that we found, we have cut about 90. Because some people cared, we have dedicated about 2½ acres out of each 100 for California redwood state parks. Some of these fragments of the primeval forest are small, almost as tall as they are wide. But you can walk among their trees and consider the long, dim corridors of time and sense how the world was a million years ago.

How "saved" these redwoods are we do not know. Hundreds of the greatest park trees have been toppled by floods made lethal with run-off from stripped watersheds. Some of the best park groves have been severed by a freeway, their dignity and quietness lost in the roar and smell of trucks and cars. Other fine parks are threatened with the same fate. Logging defines the boundary of almost every park, leaving trees exposed to wind and storm.

And the forests we have cut? For decades they fell like the great forgotten forests of the east—the pines of Maine and Georgia, the hardwoods of Ohio—without thought or plan or care for the land. But the will to live is deep within the redwoods, and the great stumps try hard to sprout new trees. In some places, new forests have come back in fortuitous second growth. In other places, they have not grown again and no one knows just why. The scientific study of redwoods is recent and still experimental.

The men who are cutting the last primeval redwoods today—and who want to cut on to the end—are very reassuring. Many level the forest and scrape bare the forest floor with bulldozers, and re-seed with fir and pine and spruce where the redwoods grew. They speak of harvesting overmature trees, of tree-farming and sustained yield. Sometimes they talk of growing redwoods like a crop of corn. But the economic crop, and the crop they plan to grow, will be for pulp, and this they say honestly.

What this honestly means, of course, is that where the great trees once grew for centuries, small trees will stand for 40 years or so. The land that bore the giants will bear striplings—as long as it bears anything. There is serious question as to whether the steep, fragile slopes of the redwood region can survive "sustained yield" as it is practiced. In too many places, bedrock has already emerged, the rivers are thick with silt, the streams are ugly gullies.

The hour is very late for a redwood national park. The time of choice is gone. Of the four great forests Madison Grant described, just one survives with a national park potential. The groves of the Eel, the Klamath, and the Smith have been logged too long. At Redwood Creek, the last great contiguous groves are left, with trees to equal any, and a sweep of forest from coast to ridge top with marvelous complexity of the redwood forest flora. This is the last chance to save enough.

But in a democracy, the machinery to make a park grinds slow. We take time to argue, especially where money is concerned, and this park must be bought. While we argue, the chain saws are not idle. Dozens of trees can fall in a day. A bulldozer can tear apart in a morning the soil laid down for a hundred centuries. And men who do not want this last-chance park have the power to destroy it.

If they do destroy it, if we let them, if we find it too costly to stop them, how will we explain to those who come after us? Redwoods are unique among all living things on earth. All men should have a chance to stand among the ancient forests, to touch the trees and reflect on how life can continue on this planet. Timeless until we came, these forests are entitled to survive, let us say, even if there were no men at all. If they are our heritage, we are their stewards. Just how responsible is our stewardship?

WHAT THE FLAG MEANS TO ME

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, in these times when patriotism often does not seem to burn as fiercely in the breasts of American citizens as in former days, it is heartening to see the desire of our young people to stand up for the ideals and principles upon which our country was founded.

Miss Jane McNamara, a fifth grader and a winner in the Flag Day contest at Central Elementary School in Andover, Mass., has written an inspiring essay which I shall share with my colleagues at this point in the RECORD:

WHAT THE FLAG MEANS TO ME

(By Jane McNamara, Central School, Andover, Mass.)

To me the flag means our country. Not my country and not your country, but *our* country. When I look up at our flag I think of what John F. Kennedy said, "Ask what you can do for your country, not what our country can do for you."

The stars on the flag mean all the states in the United States. I think everyone who lives in the United States of America should honor and respect the flag like the men who go to war to fight for our country.

Our flag, means to me, the home of the brave and the land of the free, a place I always want to be!

OUR FLAG: SYMBOL OF FREEDOM

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. REUSS. Mr. Speaker, a few weeks ago, a young constituent of mine, Lloyd Arnold, 14, son of Mr. and Mrs. Herbert E. Arnold, of 3969 North 38th Street, Milwaukee, presented a flag that had flown over the Capitol to the Townsend Street School in Milwaukee. I am including the speech that Lloyd gave on that occasion with the thought that it might be of interest to my colleagues:

FLAG PRESENTATION SPEECH

(By Lloyd Arnold)

Madam President, Mr. Zarem, Faculty and parents of Townsend Street School, the origin of our National Flag parallels the story of the origin of our Country. The first Flag had 13 stars and 13 stripes to represent the original 13 colonies.

Realizing that a flag with a star and stripe for each state as it entered the Union would be out of proportion, Captain Samuel C. Reid, United States Navy, suggested to Congress that the stripes remain 13 in number to represent the 13 colonies, and that a star be added to the blue field for each new State coming into the Union.

A law of April 4, 1818 resulted that a star be added for each new State on the 4th of July after its admission. The 50th star added in 1960 made Hawaii the 50th State in the Union.

General Washington, when the Star-Spangled Banner was first flown by the Continental Army, is said to have described its symbolism as follows:

"We take the stars from Heaven . . . the red from our Mother Country, separating it by white stripes, thus showing that we have separated from her. The white stripes shall go down to posterity representing liberty."

Our Flag is a symbol of freedom today through-out the world.

All Life Scouts working for Eagle must complete a School, Community or Church Project, together with 21 merit badges earned . . . 11 required . . . and 10 badges of the Scouts own choosing to be eligible for the rank of Eagle. I have 17 Merit Badges thus far and will complete the remaining 4 this summer and go before the Board of Review.

As Senior Patrol Leader and Life Scout of Troop 4 and working for my Eagle Rank, I chose a *School* project and earned enough money by collecting old newspapers and selling them to buy this Flag that flew over our Nation's Capitol.

With the Cooperation of Congressman Reuss, I have completed my project.

I wish to say "Thank you" to Townsend P.T.A. for their sponsorship of our Troop, to Mr. Zarem, the Principal for his interest in Troop 4 by permitting us to meet here every week through-out these many years.

Mr. Zarem, Madam President, will you come forward, please?

At this time it is with great pride that I present this American Flag to you and Townsend Street School.

I hope you will place it in an area for all the present and future students, faculty and parents of Townsend Street School to *see* . . . to *cherish* . . . and to *pledge their allegiance.*

Thank you.

AID: NEW AVENUES FOR POPULAR PARTICIPATION IN THE DEVELOPMENT PROCESS

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. HANNA. Mr. Speaker, our experience with the foreign aid program has shown us that those countries which are developing most rapidly are those which have used private resources to full advantage. Private enterprise and institutions—American and foreign—are essential to the task of democratic development. Government assistance, while also essential, will never be sufficient.

In the last decade, we have become increasingly more aware of the need to increase the role of private investment and other non-Federal resources in assisting developing nations. The response of our Government to this growing awareness has been to designate the private sector as a top priority area in the aid program, thereby giving new direction to our efforts to assist in the development of friendly nations.

With the passage of title IX in the 1966 Foreign Assistance Act, AID instituted a whole range of programs designed to encourage private initiative. To facilitate the participation of the private sector in the development process and advance the objectives of title IX, AID engages in activities ranging from underwriting feasibility studies and making loans on terms favorable to American businessmen to consulting with American business specialists in the search for new ways in which private enterprise can be of greatest assistance in foreign development.

To further augment these activities, the 1967 Foreign Assistance Act established the AID Office of Private Resources which engages its total energy in marshalling private investment and expanding the private sector. President Johnson has termed his effort "the best long term route to rapid growth in the less-developed world."

Thus, Mr. Speaker, today we witness a change in the character of our aid program and recognize a new priority being given to the discovery of new avenues for popular participation in the development process. We note firm steps in a new direction—to promote private investment and encourage the growth of private enterprise—an emphasis which will assuredly mark our future programs. AID has changed. We must not ignore this change, nor can we afford to be ignorant of its implications.

As a prelude to a series of remarks on this topic that I will address to you in the coming weeks, I, at this time, call to your attention a speech presented before the National Farmers Union 66th annual convention by W. G. Carter, Executive Director of AID's Private Resources Development Service:

AID's Creative Partnership

(Address by W. G. Carter, Executive Director, Private Resources Development Service, Agency for International Development)

Our country is committed to foreign aid for a very simple reason—it is the right thing to do. Assisting the developing nations of the world is not a sacrifice—it is an opportunity to make a better world for all of us. Your great organization has recognized this for decades. I know of no grass root organization—particularly here in the heartland of the United States—more committed to creative international cooperation than the National Farmers Union. We know we have your support and, even more importantly, your active participation—and are very deeply grateful for it.

However, there is no blinking the fact that foreign aid is in trouble—deep trouble. While the reasons for this are complex, one element seems to loom very large—that is the image of foreign aid as a "government-to-government handout" program. I would like to discuss this with you today.

Congress believes that personal initiative and private organizations in the developing countries must be encouraged and strengthened. So do we—and we are working at it.

Congress believes that private U.S. business and non-profit organizations should be used as much as possible to do the job. So do we—and they are being used.

In spite of this, many people on Capitol Hill and in the country at large still view foreign aid as a purely "government-to-government" program. This image is false.

I want to give you the evidence that today's foreign aid is a creative public-private partnership.

Ten—or even five—years ago a report like this would not have been possible. Foreign aid has changed.

The Foreign Assistance Act of 1961 pointed the way—it tells us what to do.

U.S. private community leaders on our advisory committees tell us how to do it.

We are doing it.

Over the years we have learned that development does not get rolling until the energies of private citizens are fully engaged. This requires:

A sound governmental framework of laws and policies—commercial, fiscal, monetary, export-import, price and wage—which support private initiative.

Diverse, democratic and independent private organizations—labor union, cooperatives, business firms, foundations and voluntary groups. Groups—like yours—you know that their own actions can help make a better future for themselves.

Skilled and motivated managers, workers and technicians.

Means to accumulate private savings and to give private citizens access to medium and long-term credit.

These requirements can be met in a developing country to the extent that four forces of change work together. Three of these forces are permanent—the local government, the local private sector and the foreign private sector. The fourth—official foreign aid—has a more limited role. In the early stages of development A.I.D. brings a missing margin of needed goods and talent to bear on critical bottlenecks and helps build up the relationships between the other three forces to the point where we can—and do—drop out of the picture.

During the time we are on the scene we do have "government-to-government" programs. But let's go behind the label and see what goes into them.

AID TECHNICAL ASSISTANCE BUILDS PRIVATE INSTITUTIONS

We use our technial assistance funds to call on the experience and talents of private U.S. organizations to build up private institutions in the developing countries because American non-government institutions can best do the job.

Private organizations representing the whole spectrum of American society—the professions, business, education, labor and cooperatives—hold about 1,400 technical assistance contracts totaling more than $500 million. Since 1962, the value of these contracts has increased fourfold in Latin America and in Africa. American experts are at work in technology and science, education and agriculture, industry and family planning.

AID DEVELOPMENT LOANS SPUR PRIVATE SECTOR GROWTH

Development loans are essential to A.I.D.'s development assistance efforts. They provide goods and services from American private enterprise and they result in faster private sector growth.

We use the process of negotiations for program and sector loans to help bring about changes in government policies—fiscal, monetary, export-import, price and wage—so that they support rather than inhibit private investment and intrepreneurship. Moreover, program loans directly support private enterprise and initiative by getting U.S. capital equipment, fertilizer, spare parts and raw materials into the hands of private businessmen and farmers.

These goods are paid for in local currency. The local currency received by the government is used for long term investment in fields such as education, agriculture and transportation. The government in turn repays A.I.D. in dollars.

A.I.D.'s project loans also help build the country's infrastructure and increase national productivity. Without power, roads and communications, no sector of a nation's economy can advance.

Here at home A.I.D. financing directly benefits the U.S. economy. Machinery, fertilizer and people leave our ports—not dollars. And these exports open up long term commercial markets for U.S. business.

So far, I have been talking about projects funded 100 percent by A.I.D., using private organizations as contractors to the government. I would like to turn now to a growing part of our program—the use of appropriated funds and guaranty authorities to generate an increased flow of private resources, both capital and technical assistance, to privately managed programs.

AID PROVIDES INCENTIVES FOR PRIVATE TECHNICAL ASSISTANCE AND PRIVATE INVESTMENT

In its landmark report of 1965, the Advisory Committee on Private Enterprise in Foreign Aid said: "Public resources wisely used can attract private resources in even greater quantities."

We fully accept this and have done something about it. Our new Office of Private Resources strengthens our partnership with private U.S. organizations, profit and nonprofit, and is working out new ways to multiply private investment and technical assistance.

Private technical assistance

Private organizations registered by our Advisory Committee on Voluntary Foreign Aid represent millions of Americans: Church World Service is supported by 26 Protestant denominations; Catholic Relief Services by the Catholic Bishops' overseas aid fund; the Jewish organizations by the United Jewish Appeal; Lutheran World Relief by Lutheran constituencies. Other organizations such as CARE are supported by direct appeals and individual contributions.

Altogether there are some 500 nonprofit organizations at work in these fields. A.I.D. supports the Technical Assistance Information Clearing House which serves these groups.

For some time, A.I.D. has used incentives to increase private investment. The same approach makes sense for private technical assistance. We are expanding the use of incentive grants to provide partial funding of private technical assistance programs. The key to our approach is that, within broad policy limits agreed with A.I.D., the private organization raises substantial funds, uses its own people, selects its projects and carries full responsibility for achieving results. We hope—and believe—that we can adapt this approach in certain aspects of working with the cooperatives in the U.S., particularly in giving management assistance on a short term basis to operating co-ops.

Some current examples:

Business management: The International Executive Service Corps was created by a group of American business executives, with A.I.D.'s help, to furnish U.S. business know-how to developing countries. Drawing on a roster of U.S. volunteers now approaching 4,000, it completed 400 projects in 38 countries in its first three years. IESC has shown such promise that the Japanese and Canadians have created their own versions and Germany is planning to follow.

Community-based programs: The potentials of setting up direct links between U.S. communities and the developing countries have been convincingly demonstrated by the Partners of the Alliance which now involves 33 States. *By the end of FY 1967 the $825,000 A.I.D. invested multiplied tenfold in privately contributed supplies.*

Technology: Volunteers for International Technical Assistance (VITA), Inc. draws on the contributed talents of 4,500 specialists from 800 corporations and 200 universities in *technical problem-solving through a person-to-person mail inquiry and counseling service.*

Private investment

American private investment helps speed growth in the less developed countries. Because of this important development role, the President's emergency balance of payments program permits private investment in less developed countries at 110 percent of previous levels.

Although U.S. investment to less developed countries is not increasing as rapidly as we would like, it is becoming more diversified. In fields other than petroleum, annual U.S. direct capital flows to less developed countries increased from about $180 million in 1960 to $380 million in 1966. Over the same period, the amount of these investments assisted by A.I.D. guaranties increased from about $30 million to about $325 million.

Since management of the Cooley loan program was transferred from the Export-Import Bank to A.I.D. on January 1, 1962, we have loaned local currencies with a dollar value of $258 million to private firms.

THE OTHER END OF THE PIPELINE

I have pointed out the ways in which foreign aid today is a partnership between the U.S. Government and private U.S. organizations.

Turning to the other end of the pipeline, we see that development programs are a four-way partnership between the local government, the local private sector, the U.S. private sector and the U.S. Government. A project now being put together in India illustrates the process.

The project is for a 450,000 nutrient tons per year fertilizer plant to be eventually owned and operated by Indian farm cooperatives. Let's look at what had to happen, what each partner had to do.

A series of policy changes by the *Indian Government* created the necessary climate:

Under the 1965–66 economic reforms, absolute priority was given to increasing food grain production.

Producer rather than consumer oriented farm price policies were adopted to provide incentives to farmers to increase productivity.

Fertilizer production and distribution were opened up to the private sector.

These policy changes were strongly urged by A.I.D., the World Bank and other donors, backed up by long term loans to finance fertilizer, capital goods and spare parts needed by Indian farmers and businessmen.

Indian farm cooperatives have not yet expanded their activities into ownership and management of factories producing farm supplies. As you know far better than I, this has been an outstanding feature of U.S. farm cooperatives for many years.

In 1966, a team of U.S. farm co-op experts, organized by the Cooperative League of the USA and the International Cooperative Development Association, suggested to Indian co-op leaders that a joint effort be launched to set up a fertilizer plant for the Indian co-ops. The fine relations built up between the Indian and U.S. cooperatives through an office in New Delhi operated for many years by the Cooperative League, largely at its own expense, provided the necessary foundation of mutual confidence. The Indian co-ops reacted enthusiastically.

With strong encouragement from the Indian Government and A.I.D., the project is taking shape.

Over 20 U.S. farm supply co-ops have together pledged $1 million in cash which will provide executive talent to manage the project during construction and start-up and train Indian management to take over.

Market surveys and technical studies are being carried out by Indian and American consulting firms.

Much of the construction will probably be carried out under a contract with an American engineering construction firm.

The fertilizer produced by the plant will be sold to the farmers through their own co-ops.

The Indian Government will help finance rupee construction costs of the plan.

Long term dollar financing for the U.S. capital goods going into the plant will be provided by private U.S. banks and insurance companies. These private credits would not be possible without A.I.D., Extended Risk Guaranties.

This project is by no means wrapped up. It does look promising. But, the point is this: five years ago this kind of integrated effort would have been impossible. It shows what it takes to get development rolling.

I am not satisfied with the progress we have made—here at home, in India or anywhere else—towards strengthening the public-private partnerships on which successful development depends. Far from it. I doubt that any of us are fully satisfied and we probably never will be. But we have come a long way. If this is recognized and if we—the Congress, the Executive Branch and the American people—stick to it, I am confident that we can go a lot further.

CONGRESSMAN PEPPER'S BILL TO LOWER VOTING AGE STRONGLY ENDORSED BY PRESIDENT JOHNSON'S RECENT MESSAGE TO ALLOW 18-YEAR-OLDS TO VOTE

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. PEPPER. Mr. Speaker, I have for several Congresses urged the adoption of legislation to amend the Constitution to permit 18-year-olds to vote. I am pleased that the President now is lending his strong voice to this legislation.

I feel that this legislation is needed now because of the stimulus it would add to the youth of this country in increasing their interest in this Nation's democratic processes. Recent years have seen a liberalization of both State and Federal laws dealing with the right to vote. I strongly believe that we should take this major step to assure that our young people will be committed to our democratic processes for generations to come.

The several States have almost uniformly acted to make their rules for absentee registration and voting more responsive to the needs of military and civilian voters away from home. Similar progress has been made in reducing lengthy residency requirements which, in the past, have disenfranchised millions of voters.

Federal legislation in the area of voting rights has included the 1965 Voting Rights Act, which had the effect of extending the franchise to thousands of additional Americans.

Action on the President's proposal to amend the Constitution to permit 18-year-olds to vote will be another important step in the effort to assure that every qualified citizen has a hand in molding the Nation's political future.

Young Americans, just beginning to accept the responsibilities of holding a job and raising a family, are eminently qualified to be voters. It is important that they be enrolled as full-fledged citizens at an age when their interest in political affairs has very recently been stimulated by education. There is no valid reason to require a young man or woman who has completed high school education, or who has begun a college career, to wait until the age of 21 before having the opportunity to influence the political affairs of his city or his country. I wholeheartedly support the proposed constitutional amendment.

I include the President's message on this subject at this point in the RECORD:

TO VOTE AT 18: DEMOCRACY FULFILLED AND ENRICHED

To the Congress of the United States:

The ballot box is the great anvil of democracy, where government is shaped by the will of the people. It is through the ballot that democracy draws its strength, renews its processes, and assures its survival.

Throughout the life of our republic, no single, enduring question has so engaged generation after generation of Americans as this: Who among our citizens shall be eligible to participate as voters in determining the course of our public affairs?

On four occasions we have amended our Constitution to enlarge or to protect that participation. In recent years, Congress itself has been attentive to sheltering and assuring the free exercise of the right to vote.

Such a concern is altogether fitting. Under a government of, by and for the people, the right to vote is the most basic right of all. It is the right on which all others finally stand.

Such a right is not to be idly conferred or blindly withheld. But the stability of our Republic from the beginning has been served—well and faithfully—by the willingness of Americans to lay aside the constraints of custom and tradition and heed the appeals of reason and reality to welcome into the American electorate those of our citizens fitted by the precepts of our society's values to participate in the exercise of the ultimate right of citizenship.

At the inception of the Republic, the promise of the new Nation was strengthened because our forefathers cast aside tests of religion and property.

At midpassage, America's moral strength was fortified when the test of color was removed by the Fifteenth Amendment. The Voting Rights Act of 1965 has reinforced this principle for all time.

At the beginning of the modern era in this twentieth century, reason and reality wisely prevailed when the women of America—through the Nineteenth Amendment to the Constitution—were granted the equality of citizenship so long denied them.

In 1961, the Twenty-Third Amendment to the Constitution gave citizens of the Nation's capital the right to vote for President and Vice President.

Four years ago, the Twenty-Fourth Amendment struck down the tests of the poll tax which had for almost a century disenfranchised thousands of Americans.

ENLARGING THE AMERICAN FRANCHISE

In all these instances time has affirmed the wisdom and the right of these decisions to enlarge participation in the Nation's affairs. Time, too, has already affirmed the wisdom and justice of our continuing efforts in the last decade to perfect, protect and shelter the right of all citizens to vote and to put an end to the unconscionable techniques of studied discrimination.

Today, I believe it is time once more for Americans to measure the constraints of custom and tradition against the compelling force of reason and reality in regard to the test of age. The hour has come to take the next great step in the march of democracy. We should now extend the right to vote to more than ten million citizens unjustly denied that right. They are the young men and women of America between the ages of 18 and 21.

The practice of admitting young Americans to the electorate at the age of twenty-one has its roots in the dim and distant mists of medieval England—but it is a practice and limitation without roots in the American experience.

Throughout our history as a young Nation, young people have been called upon by the age of eighteen to shoulder family responsibilities and civic duties identical with their elders.

At the age of eighteen, young Americans are called upon to bear arms.

At the age of eighteen, young Americans are treated as adults before many courts of law and are held responsible for their acts.

The age of eighteen, far more than the age of twenty-one, has been and is the age of maturity in America—and never more than now.

Reason does not permit us to ignore any longer the reality that eighteen year old young Americans are prepared—by education, by experience, by exposure to public affairs of their own land and all the world—to assume and exercise the privilege of voting.

The essential stability of our system is not served, the moral integrity of our cause is not strengthened, the value we place on the worth of the individual is not honored by denying to more than ten million citizens—solely because of their age—the right to full participation in determining our country's course.

This denial of the right to vote limits our democracy. It diminishes every modern concept of citizenship.

The young people of America in this decade are far more ready, far better qualified, far more able to discharge the highest duty of citizenship than any generations of the past.

We know—and the young men and women know also—that this is so.

They are better educated than their counterparts of a generation ago. They graduate from high school and enter college in greater proportions. Already this group—although many have not yet completed their schooling—have a higher education level than the general electorate.

Mass communication and greater opportunities for travel expose them earlier and more frequently to the issues of the day than the young men and women of the 1940's, or even the 1950's.

The young men of today serve their Nation in uniform with the same devotion as their fathers and brothers of earlier days showed. But duties unknown a decade ago have summoned the devotion of young men and women alike, by the tens of thousands. Their participation in the Peace Corps, in VISTA, and in other community ventures has elevated our national life and brought new meaning to the concept of service.

For myself, I deeply believe that America can only prosper from the infusion of youthful energy, initiative, vigor and intelligence into our political processes.

We live in a world that is young and growing younger each year. Of all nations, none has more generously invested in preparing its young people for constructive citizenship and none has been more faithfully served by its young than has America.

Today, the young people of America are asking the opportunity to give of their talents and abilities, their energies and enthusiasms, to the greater tasks of their times. I believe their proper request can and must be properly answered by a national affirmation of our faith in them. For a nation without faith in its sons and daughters is a nation without faith in itself.

WHAT I PROPOSE

I accordingly propose that the Congress of the United States approve and submit for ratification of the legislatures of three-fourths of the States an amendment to the Constitution of the United States to provide, as follows:

"The right of any citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of age if a citizen is eighteen years of of age or older."

In proposing submission of such an amendment I am mindful that:

The State of Georgia since 1943, and the State of Kentucky, since 1955, have permitted eighteen year old residents to vote.

The two new States of Alaska and Hawaii have permitted nineteen and twenty year old residents, respectively, to vote.

The first proposal for such an amendment was advanced in 1942 by Senator Arthur Vandenberg.

President Dwight D. Eisenhower, in his 1954 State of the Union Address, urged an Amendment to lower the voting age to eighteen.

In the 90th Congress, more than fifty proposed Constitutional Amendments to extend voting rights to eighteen year old citizens have been introduced, and many of these measures have broad bi-partisan support.

The concept has been tried and tested. Its merit has been established. Its rightness is now beyond dispute.

FULL PARTICIPATION IN OUR AMERICAN DEMOCRACY

The time has come to grant our youth what we ask of them but still deny to them—full and responsible participation in our American democracy.

In this year of national decision, as Americans in every State prepare to choose their leadership for the decisive and fateful years before us, the Congress has a rare opportunity through the submission of this amendment to signify to our young people that they are respected, that they are trusted, that their commitment to America is honored and that the day is soon to come when they are to be participants, not spectators, in the adventure of self-government.

Every time before, when America has extended the vote to citizens whose hour has come, new vitality has been infused into the lifestream of the Nation, and America has emerged the richer.

Now the hour has come again to take another step in Democracy's great journey.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 27, 1968*.

SUPREME COURT RECONFIRMATION

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. GURNEY. Mr. Speaker, today I am introducing an amendment to the Constitution to require Supreme Court Justices to be subject to reconfirmation by the U.S. Senate every 6 years. In other words, the appointment of a Supreme Court Justice would be for 6 years, unless prior to the end of the 6-year period, the U.S. Senate took specific action to reconfirm the appointment for another 6-year term.

The present law governing the terms of Supreme Court Justices makes their appointment a lifetime appointment, or until they voluntarily resign themselves. This is entirely too long for any man to serve unchecked in any kind of a job. Under this system, a Supreme Court Justice is, indeed, a law unto himself, and there is absolutely no check and balance on his decisions as a member of the Court.

Increasingly, our Supreme Court decisions are changing the entire course of the political, economic, and social life of this Nation. In the eyes of many the decisions of the Court are invading the legislative field, and many of their actions are not interpretations but actual law making, legislating, invasion of the area reserved under our Constitution for the Congress of the United States.

This Government of ours is a representative kind of a government. It was designed by our Founding Fathers to be one of checks and balances, with three coequal branches of Government, the legislative, the executive, and the judicial. However, for three decades, an activist Court has been putting itself above the legislative and executive branches. It is time that this situation be corrected.

No person should be placed in a lifetime office where he is completely beyond the reach of anyone. It seems to me then we defeat the whole purpose of our society, to be a nation of law instead of men. We then become a nation of men, instead of laws.

This bill which requires the Justices to be reconfirmed every 6 years would permit the Senate of the United States, elected by the people, to take a look at a justice whose record was entirely out of step with the pace of the Nation. It would permit something to be done about his situation in a new appointment.

I think the time is long overdue that the Congress take positive steps to make the Court once against a coequal branch rather than an all-powerful branch of Government.

It occurs to me that the recent action taken by the President in the Supreme Court appointments subsequent to the Warren resignation points out the need to take action by the Congress on the Supreme Court.

This revision I propose would tend to remind the Supreme Court that it is indeed a part of this Government of the people, by the people, and for the people; that the Court is not completely a law unto itself.

STUDENT REPORTERS IN VIETNAM—XI

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. ROSENTHAL. Mr. Speaker, precisely because the tragic war in Vietnam has been placed on the back burner by events here at home, we should take special pains to keep abreast of what is now happening in Asia.

We are still engaged in a war whose high casualty rates are unabated, and in which nothing has really changed during the last few months. Our groping, halting efforts to find peace in Vietnam must not distract us from the enormity of the morass that persists throughout that land.

Throughout this year, my own impressions of the war in Vietnam have been influenced by the observant reports of two students from Queens College currently in Vietnam. The field reports of Lee Dembart and Ralph Paladino have been of great help to me in my efforts comprehending what is going on in Vietnam. Mr. Dembart's latest dispatch discusses some aspects of the current political scene in North Vietnam. I feel that his analysis of the North Vietnamese political scene merits careful study by all of us who seek knowledge about this war.

The article follows:

ARTICLES FROM PHOENIX—QUEENS COLLEGE

(By Lee Dembart)

SAIGON.—North Vietnam's announcement last week that it is seeking to loosen the ties that bind it to both Russia and China should come as no surprise to anyone familiar with the history of the Hanoi regime over the past ten years.

It is a history that has been marked, if Western observers are to be believed, more by infighting than by progress, more by a reflection of the Sino-Soviet split than by the creation of a unique element which could be called North Vietnamese Communism.

At a time when the United States is on the verge of embarking on discussions with the North Vietnamese leaders, it is well to consider who they are, where they came from, what they believe, and what their own problems are.

For Ho Chi Minh has been trying for the past ten years to hold together two rival factions within his own government. And though he has achieved moderate success to date, the pressure of negotiations, coupled with Ho's advancing age, may finally have provided the wedge that will split the leadership in two.

In a speech more than eight years ago commemorating the 30th Anniversary of the Indochinese Communist Party, Ho said: "In the great international proletarian family under the Marxist-Leninist banner, our Party has such great elder brothers as the Communist Party of the Soviet Union, the Chinese Communist Party, the French Communist Party, and other brother parties embracing 35 million vanguard fighters of the working class."

Setting aside for a moment the French Communists and the 35 million vanguard fighters of the working class, the real and continuing problem for Ho has been the Soviet Communists and the Chinese Communists and their split. Powerful and important factions within the Hanoi government have established themselves as followers of each of the two Communist giants.

Much of North Vietnamese policy today can be understood as an attempt by Ho to bridge the gap between the two conflicting camps. North Vietnam has never publicly acknowledged its men-and-materiel support of the Vietcong efforts in the South. As such it has publicly endorsed the Soviet attitude towards wars of national liberation: They should receive verbal blessings, but not much more than that.

But at the same time it publicly claims the Vietcong-NLF forces are independent of it, it is a hardly debated fact that North Vietnam heavily supplies the South Vietnamese guerrillas.

As P. J. Honey, noted North Vietnam watcher, observed in 1962, "The Democratic Republic of Vietnam continues to pour guerrilla fighters and military supplies into South Vietnam, but does so secretly. In this way, Ho Chi Minh would appear to be satisfying Russia by his public statements and China by his covert actions."

Honey notes that at the beginning of 1962, strong pressure from the Soviet Union urged Ho to seek "a negotiated settlement of the reunification problem with an interim period of neutralism in South Vietnam, if this should prove necessary."

At the same time, the Chinese pressured Ho to launch a war aimed at overthrowing the government of Ngo Dinh Diem and reunifying the country by force.

It was the latter policy that was eventually adopted, although neither the Chinese nor the North Vietnamese foresaw the massive intervention of American troops which would block the forced reunification under Hanoi's control.

And there the matter stands today, except that at the moment, the pro-Russian faction, still favoring a negotiated settlement to the dispute, has at least for the time being gained the upper hand in Hanoi.

It is interesting that the leader of the pro-Soviet clique is none other than Vo Nguyen Giap, architect of the French defeat at Dien Bien Phu, and currently Minister of National Defense and Commander-in-Chief of the North Vietnamese Army, as well as a deputy premier.

A well-known but often forgotten fact is that Giap was installed as head of the Army because of his pro-Soviet, or rather, anti-Chinese sentiments.

When the Democratic Republic of Vietnam consolidated its position and gained firm control over the area north of the 17th parallel—which happened in 1955—the only military threat to the nation was posed by China. Thailand, Laos, and South Vietnam were all too weak to present any serious problem, but the Hanoi government seriously feared the Chinese, and as it inched into the Soviet sphere, it had even greater reason to fear its neighbors to the north.

Giap, whose anti-Chinese sentiments were no secret, was put in charge of the army, and accompanying his ascendancy, there occurred a purge of pro-Chinese officers in the armed forces.

Among those who lost considerable power in the purge was General Nguyen Chi Thanh, who remains one of the two senior North Vietnamese generals and a member of the National Defense Council, but who is effectively without influence.

Giap, meanwhile, who had been a member of the Indochinese Communist Party since 1933 (after having been arrested for political agitation in 1930), visited Moscow in April 1965, just after the beginning of massive U.S. intervention, and he solidified his ties with the Soviets at that time.

Why Giap sides with Moscow is a mystery, although various explanations have been offered. Official U.S. government documents say Giap was impressed with Russia's advanced military science, and was anxious to follow the Soviet lead in domestic and foreign affairs. This explanation seems as fitting as any other.

Further evidence of the split between Giap and the Chinese came just after the Tet offensive, when Peking was openly hostile to the military action that had been launched over the Lunar New Year.

"The Chinese Communist response to the Tet offensive was formal to the point of coldness," noted Douglas Pike, who also observed, "Only Giap, among all North or South Vietnamese communists, could have supervised the elaborate synchronization not only of the Tet offensive but of the broader Winter-Spring campaign of which it is a part."

Another important official in the pro-Soviet camp in Hanoi is Premier Pham Van Dong, a man who many consider the heir apparent to Ho Chi Minh.

The way the North Vietnamese government works, the Premier is the second most powerful man in the country, as he presides over the Council of Ministers, a group which is directly responsible only to the President (Ho) and the National Assembly, which rarely meets.

Dong is 60, comes from a family of government officials, was educated in Hue and later in Hanoi where, in 1925, he led a student strike. In 1942–43, when Ho was imprisoned by the Chinese, Dong became the effective leader of the newly formed Viet Minh.

He has led the North Vietnamese delegation at two important international conferences, the Fontainebleau Conference of 1946 (which sought unsuccessfully to settle the disputes between France and the Indochinese), and the Geneva Conference of 1954 (which ended French occupation of Indochina).

United States Government documents call him a "fervent Marxist and revolutionary," and add, "he is pro-Soviet rather than pro-Chinese. He is also an active promoter of the reunification of North and South Vietnam—on Communist terms."

Leading the pro-Chinese faction in Hanoi is Truong Chinh, who is chairman of the Standing Committee of the National Assembly. The Standing Committee assumes the executive responsibilities for the National Assembly when the legislative body is not in session.

Chinh's role as chairman of the Committee actually gives him less power than one might think. Though he nominally controls the committee, actual control rests with the Politburo of the Lao Dong (Communist) Party. To be sure, Chinh is a member of the Politburo, but so are Giap and Dong and seven other leading officials including Ho.

But Chinh is not to be discounted or his influence minimized. American officials here say he is the chief party ideologist in Hanoi, and they also point out that his adopted name, Truong Chinh, which means "Long March," should give some idea of his dedication to the dialectical interpretation of history.

Along with Ho, Chinh was a founding member of the Indochinese Communist Party in 1930, and was arrested by the French and convicted of subversion shortly thereafter.

When the Communist Party was banned in 1939, Chinh fled to China, where he spent the Second World War under the tutelage of Mao Tse-tung. Hence his pro-Chinese sentiments.

Current American documents say this of Chinh:

"Essentially a behind-the-scenes planner, austere and an extremist in outlook and temperament, Truong Chinh's is the inflexible mind of the fanatic to whom only the world of party doctrine has any meaning.

"Of all the top-ranking leaders in North Vietnam he is possibly the best-versed in Communist ideology and certainly the most hated. He has gone on record as saying: 'In the work of leadership it is necessary to make firm use of the army and the security forces'."

The second important member of the pro-Chinese bloc is Foreign Minister Nguyen Duy Trinh, who, until being named foreign minister in 1965, spearheaded North Vietnam's plans for rapid industrialization.

After serving 18 months in prison on political charges, Trinh joined the newly formed Indochinese Communists in 1930, but was again arrested in 1932 and was not released until 1945.

By 1955 he was in a position to accompany Ho on trips to both the Soviet Union and China in order to study their economic planning systems. In 1958 Trinh was named head of the State Planning Commission and made a member of the Party's Politburo.

U.S. documents describe him this way: "He tends toward an extreme Left-wing interpretation of Communism and is believed to be pro-Chinese in ideological inclination. His speech at the Albanian Party Congress in February, 1961, where he represented the DRV, was favorably disposed toward the Chinese. His co-operation with Truong Chinh has become closer over the years."

In addition to the pro-Soviet and pro-Chinese cliques in Hanoi, there is at least one important official in the government whose position, observers say, changes depending on the issue. His name is Le Duan, and he is the first secretary of the Lao Dong Party.

Along with Pham Van Dong he is rated the best bet to succeed Ho, but his future rests heavily on the success of the military effort in South Vietnam.

For in the debate between a negotiated and a military settlement of the war, Duan has aligned himself with the militarists, that is, with the Chinese.

Little is known of Le Duan himself, but observers feel certain that it will be a serious blow to his prestige and standing if a negotiated settlement to the war is achieved. It would also be an almost insurmountable setback to his career if there were to be a serious military defeat of the North Vietnamese forces or the Vietcong guerrillas.

Much of Duan's future, therefore, rests on a successful military outcome of the war, and he knows it.

Ho's attitude to date, as best as can be determined, has been to try to reconcile the opposing factions and to adopt policies that take a middle course through the divergent views. Not only political considerations at home, but also the continuing need for both Soviet and Chinese support in the war has dictated the policy.

But if Hanoi's announced intention of moving away from both the Russians and the Chinese is to be taken seriously, the situation may have already gotten out of hand in Hanoi. Observers here believe it is more than a coincidence that the North Vietnamese are starting to chart an independent course at the same time they are talking about negotiating an end to the war.

There is no doubt that North Vietnam has had to travel a careful path between the two major Communist powers. In a speech delivered in December, 1963, Le Duan spoke openly of disunity within the party, and talked of "different, deviationist tendencies, mainly rightist deviations."

And the following year the Party's monthly magazine, *Hoc Tap*, made critical remarks about both "modern revisionism" (the Soviets) and "ultramilitant tactics of violence" (the Chinese).

Other considerations may also be forcing a reassessment of policies in Hanoi.

Observers speculate that pressure from dissident elements within North Vietnam may be reaching a level that can no longer be ignored. Nor can the critics, who have increased in numbers, be suppressed with ease.

Late last month the North Vietnamese daily newspaper *Nhan Dan* published an editorial on new government decrees against "counterrevolutionary activities."

Under the terms of the new regulations, which, according to *Nhan Dan*, were enacted by the National Assembly Standing Committee last October 30 and put into effect November 10, fifteen new crimes were detailed. But the crimes were so vaguely worded, observers say, that they could be applied against almost anyone under almost any circumstances.

And the punishments listed for the new counter-revolutionary crimes range from long prison sentences to death.

Commented P. J. Honey: "Since 1954 . . . security forces always had absolute powers of arrest and punishment. Citizens disappeared from their houses and places of work, and it was dangerous to evince any curiosity over their fate.

"In these circumstances there was no need either for a governmental decree on security or its public disclosure. That such a decree was passed by the National Assembly, signed by the President, and publicized in press and radio was certainly not due to any inadequacies in the authority of the security forces. . . .

"The publication of the vaguely worded decree carrying such dire punishments would serve warning on the regime's opponents and perhaps discourage any form of overt opposition. . . .

"Moreover, even inside North Vietnam's Communist Party doubts have been expressed over the feasibility of continuing the war indefinitely, and the decree will discourage wavering among the less committed party members.

"But the promulgation of the decree and its publication are the visible outward symptoms of a deep-seated unease inside North Vietnam."

Clearly, there is more going on in North Vietnam, both in government circles and in the country at large, than the occasional Western journalist is able to report.

Unfortunately, though, only American or at least anti-Communist sources can be tapped to get a picture of what is going on. And these sources are likely to be as distorting in their own way as are the North Vietnamese themselves.

While Hanoi all but conceals dissension and party infighting from the rest of the world, Western observers tend to pounce on even the most ambiguous evidence as proof of the weakened position of the Communist regime.

There is no reason to believe that the government in Hanoi is about to fall, but there is considerable evidence, scattered though it is, that all is not going well north of the 17th parallel.

And it may be that this domestic trouble is causing the North Vietnamese to re-examine how long and how hard they can continue waging a war in the South.

It just might be that domestic difficulties, and not the losses taken during the Tet offensive, have convinced Ho that now is the time to seek an end to the conflict.

Reports from Hanoi now say the Russian influence is the one that is being felt predominantly in the capital.

And the Russians have long favored a settlement at the bargaining table.

THE GARNISHMENT RACKET

HON. JOSEPH Y. RESNICK

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. RESNICK. Mr. Speaker, testifying before a subcommittee of the House Banking and Currency Committee some months ago, Sidney Margolius, a columnist for the Machinist and an expert on consumer economics, commented:

> Consumer exploitation has replaced labor exploitation as the real problem of our times.

One of the notable exceptions to the disappointing legislative record of the 90th Congress is its enactment of the Consumer Credit Protection Act of 1968. By this action, the Congress has made its stand on behalf of the American consumer.

Among the act's more controversial provisions is one which imposes limitations on the fraction of an employee's salary which a creditor can seize to satisfy the employee's debts. Placing this practice of salary seizure—known as garnishment—in historical perspective, a reporter for the Baltimore Sun remarks:

> In ancient times the man who couldn't or wouldn't pay his debts became a slave. In a later period he went to prison. The modern way is to garnish his pay—to withhold a part for the creditor.

I believe that garnishment is a particularly unfair way to satisfy a consumer's obligation to a merchant. If it were purely a collection device, I would have little objection to its proper use. Garnishment, however, calls into play the consumer's relationship to his employer. Although State law may prohibit an employer from firing an employee subject to garnishment, as it does in New York, the law cannot require the employer to enjoy making the troublesome bookkeeping adjustments that garnishment entails. Nor can it prohibit the employer from reflecting on the financial irresponsibility of his employee when promotion may be in the offing.

Furthermore, garnishment has an unsavory effect on the economy as a whole. At the House hearings, the four referees in bankruptcy asked to testify were of the opinion that the threat of garnishment is one of the leading causes of voluntary bankruptcy. Vern Countryman, a distinguished professor at the Harvard Law School, introduced statistics which showed that: First, those States with the lowest per capita bankruptcy filings are those that either prohibit garnishments or severely restrict their use, and second, the highest filings in relation to population tend to occur in States where garnishment is easily available to the creditor.

For example, Pennsylvania has a 100-percent wage exemption and had only 4 personal bankruptcies per 100,000 population in 1962, while California, which allows for seizure of 50 percent of wages had 145 personal bankruptcies per 100,000 population. In this regard, it should be noted that one out every six persons who files bankruptcy in the country does so in California.

And then there are the human costs. Secretary of Labor, Willard Wirtz, testified before the committee that more people explain their unemployment on the basis of garnishment than on the basis of their police records. Vern Countryman estimates that the typical bankrupt has three or four dependents, so that the human distress is felt not merely by the 176,000 personal bankrupts, but by families whose members may number 880,000. My own investigation has shown that a thoroughly respectable citizen in New York cannot get credit in a leading department store because his wages were garnished—improperly—13 years ago. Small wonder that in the riots sweeping the cities of America, the installment, records in local credit stores were systematically destroyed.

In its deliberations, however, Congress has seen fit to limit, rather than to eliminate, garnishment. When the House was considering its version of the bill, I rose to voice my reservations about legislation which would alleviate, but not remove, one of the most pressing problems of the debtor. In light of the fact, however, that there are several States in which garnishment laws subject debtors to virtual peonage, I supported the bill.

The bill which came out of the conference committee and was subsequently enacted offers the consumer considerably less protection than the House bill. Whereas the House bill would have exempted the first $30 of earnings, and 90 percent of earnings beyond that, the Consumer Credit Protection Act exempts only 75 percent of disposable earnings—with a floor of $48.

In practical terms, if a married man with two children earns $80, the House-passed bill would have exempted $75 from garnishment, while the Consumer Credit Protection Act exempts only about $62.50. It takes little imagination to see the consequences of this legislative back-stepping on those working men who do not have the good fortune to live and work in States with more liberal laws than the one we have passed.

The major problem with garnishment, however, is not weak legislation. In my own State of New York, for example, we have one of the most liberal laws on the subject. The law exempts 90 percent of a man's weekly wage from garnishment. It prohibits an employer from firing an employee whose wages are garnished only once in any 12-month period. In theory, this law is just and equitable for the creditor and debtor.

As I said on the floor of the House on January 31, however, "when not properly enforced, New York's statute can be as harsh, unjust, and unyielding as laws which even in theory give only minimum protection to the debtors."

And the New York law is not properly enforced. How could it be if 27,500 out of 28,000 New York City garnishment cases in 1965 resulted in default judgments? How could it be if one collection attorney who handles one-fourth of all garnishment cases in Brooklyn boasts of 100 percent default judgments? How could it be if this attorney tries better than three out of every five cases in the wrong court? How could it be if professional process servers sign sworn affidavits of personal delivery on 70 persons in the same day? How could it be if a process server swears that he sued one person on East 13th Street in Manhattan at 12 noon and another person on West 180th Street at 12:03 of the same day? And, how could it be if collection lawyers use the threat of garnishment to shake down consumers even before a judgment is rendered?

New York City, in short, has become the haven for unscrupulous merchants, finance companies, collection attorneys, process servers and city marshals, who victimize those people least prepared to defend themselves. It is nothing less than the garnishment capital of the country. Florida finance companies institute legal proceedings in New York, although their debtors reside in Florida and work for Ohio corporations. New Jersey residents working for New Jersey corporations find that their wages have been garnished by order of the New York courts. Clearly, the word is out: If you want to collect quickly, use the well-oiled garnishment machine operating out of New York City.

A constituent of mine recently was one of the victims of this machine. Using the Brooklyn civil court as its unwitting agent, this callous outfit conjured up a fictitious debt, conspired to violate the civil law of New York, committed perjury, obtained a default judgment from a court that had no jurisdiction over the debtor, and improperly garnished his wages.

I think it would be instructive for my colleagues to see the nature of this operation in some detail. By setting forth the facts of this case, I do not propose to convert the Congress into the administrator of the law it has passed, nor the guarantor of due process. These are matters better left to the local authorities and the courts. I merely mean to disabuse those Members who feel that their action in passing the bill—eliminates the garnishment problem. In short, I mean to impress upon my colleagues the need for stern local enforcement of the bill that we have passed.

My constituent, Mr. Floyd Boland, of Shandaken, N.Y., an employee of Consolidated Laundries, bought and paid for a food-freezer plan from Natpac, Inc., in Poughkeepsie, N.Y. In August 1967, Food Financiers, the collection agent for Natpac, began legal proceedings for an alleged debt of $91.46 by hiring Milton Kostroff, the Brooklyn attorney referred to above. Kostroff used William F. Niles to serve the summons and complaint on Boland. Niles, swearing in an affidavit filed in the Brooklyn civil court that personal delivery could not be made, served the papers by mail on August 21.

On October 30, the clerk of the Brooklyn civil court, relying on papers filed by Niles and Kostroff, entered a default judgment against Boland. The following day, Kostroff served an income execution—demand for garnishment—on Max Grabel, a New York City marshal who works in Kostroff's office.

Grabel served the execution on Boland by mail on November 3. On November 22, Grabel served the execution on Boland's employer, Consolidated Laundries. From November 25 until January 6, Boland's wages were garnished.

New York State garnishment law proscribes the action taken by Kostroff and others at every stage of this proceeding. In the interests of brevity, I shall limit my remarks to the highlights of their flaunting of the law.

Before wages can be garnished in New York, a court must enter a valid judgment. Before a court can enter a judgment, it must have jurisdiction over the defendant. In New York State, jurisdiction over the defendant requires proper service of a summons and a complaint. Proper service is by personal delivery, except when the server, after "due diligence" cannot find the defendant. Then the server may resort to delivery by mail but only if he affixes a copy of the summons and complaint to the defendant's home.

In the Boland case, the court that rendered the judgment—the Brooklyn civil court—had no jurisdiction over the defendant. The process server employed by Milton Kostroff, William F. Niles, made no effort to personally deliver the complaint and summons to Mr. Boland at his home or at any other place. That is, without a "diligent" effort to find Boland, Niles resorted to delivery by mail without affixing a copy of the summons and complaint to Boland's house, as the law clearly requires.

In addition to this jurisdictional defect, I should emphasize that the judgment was rendered by the Brooklyn civil court. The New York City Civil Court Act explicitly provides that civil courts have jurisdiction over cases only when the summons and complaint are served within the confines of the five boroughs. Since process server Niles resorted to delivery by mail, and since Boland resides in Ulster County, some 150 miles from the borders of New York City, the Brooklyn civil court had no jurisdiction to render the verdict.

I do not mean to imply, however, that the civil court was a conscious accomplice in this conspiracy. We have seen that the court had no jurisdiction to render the judgment. We are entitled to ask, therefore, If the Brooklyn civil court had no jurisdiction, why did it entertain the case and enter a judgment against Boland?

The answer is that the court was led to believe it had jurisdiction because of two perjured statements—one by Niles and one by Kostroff. New York law requires that if service is made by mail, the process server must file with the clerk of the court an affidavit that he resorted to this mode of service only after making a "diligent" effort to personally deliver the summons and complaint to the defendant. Niles filed such an affidavit, alleging that he had spoken to a "housekeeper" in Shandaken, N.Y., on 3 separate days in August.

By filing such an affidavit, Niles committed perjury. Look at the indisputable evidence. First, the Bolands have never had a housekeeper. On the days Niles alleged that he visited the Boland residence, Mrs. Boland was at home with her four young children and had no visitors.

Second, Niles' business is serving papers. His income is dependent upon the number of papers he alleges that he serves. He has no fixed salary. The going rate for serving a summons and complaint is $2.50. Who among us believes that Niles would drive 150 miles from Kostroff's office to Shandaken, N.Y., a trip which takes some 3 hours, to collect a fee of $2.50?

New York City process servers are viewed by both friends and enemies as ingenious entrepreneurs. Six hours of driving for $2.50 would not make Niles a leading candidate "for process server of the year."

Perhaps it is Kostroff who should be the process server. Although he is only an attorney—and an officer of the court, I might add—the perjured statement he filed with the clerk of the court could hardly be emulated by the professional process servers.

I mentioned above that the Brooklyn civil court has jurisdiction only if the summons and complaint are served in New York City. There is one exception to this limitation on the court's jurisdiction. If the transaction sued upon arose in New York City, the Brooklyn civil court has jurisdiction over the defendant even if the summons is served outside of New York City.

Kostroff took advantage of this exception to lead the clerk of the court to believe that the civil court had jurisdiction. Shortly after Boland had defaulted Kostroff appeared before the clerk and swore by written affidavit that the "transaction arose within the city of New York," even though he knew full well that the food freezer plan was negotiated in Poughkeepsie, N.Y.

With the jurisdictional facts of the case now made out on the face of the pleadings, the clerk of the court entered a default judgment against Boland. It is instructive to note, at this point, that not one judge had ever looked at the papers. Not one judge can be held accountable for this travesty of justice. Our court system which should encourage the confidence of our citizens in the honest, efficient administration of our laws, had become the unwitting agent of this cruel machine.

The New York law provides that a clerk of the court may enter default judgments. In light of this case and many others like it, I believe that this provision must be reviewed. We cannot allow a clerk of the court, no matter how efficient he may be, to be the only court official we can hold responsible for this racket.

With the rendering of a judgment, the racket added a new protagonist, Max Grabel, a city marshal who grossed over $100,000 last year. Operating out of Kostroff's office, Grabel served the income execution—garnishment notice—on Boland and Consolidated. In their actions, both Kostroff and Grabel violated the clear requirements of State law.

New York law provides that after a judgment is rendered, the plaintiff's attorney should serve the income execution on the sheriff in the county where the defendant resides. Despite this perfectly clear statute, Kostroff served the execution on City Marshal Grabel and not on the Ulster County sheriff, even though he was fully aware of the fact that Boland resides in Ulster County. On the face of the execution, Kostroff used the brilliant ruse of identifying Boland as a resident of "R.D. Shandaken, New York, N.Y." By this device, Shandaken becomes a street in New York City and Grabel is given jurisdiction to serve Boland.

After receipt of the execution, the sheriff is required to serve it on the defendant "in the same manner as a summons." That is, by mail only if the execution cannot be personally delivered, and only if a copy of the execution is affixed to defendant's door. Needless to say, Grabel failed to comply with these requirements. One of the most inconceivable of images is poor Max Grabel, a marshal with an income of over $100,000 per year, walking the streets of New York City to find "R.D. Shandaken, New York, N.Y." so he could personally serve Boland and make his $2.50 marshal's fee. After "due diligence" to personally deliver, of course, Grabel resorted to delivery by mail, but just happened to neglect to affix a copy of the execution to the door of Boland's house in upstate New York.

If this act were not enough to mark Grabel's role in the conspiracy, he gives us even more evidence of his doings. New York law requires a sheriff to give the defendant 20 days to pay the debt before serving the execution on the defendant's employer. This entirely salutary provision is one last inducement to an employee to pay his debt and to avoid the embarrassment attendant to garnishment.

Grabel, however, did not see fit to wait the 20 days. The income execution was served on Boland on November 3. Therefore, the law gave Boland until midnight of November 23 to pay his debt before resort was made to Consolidated. In its morning mail of November 22, however, Consolidated found the execution from Grabel. In his eagerness to get his share, Grabel had violated one more provision of State law.

This is how the garnishment racket operates in New York City. Ensnaring innocent victims, distorting the legal process, using the courts as its ally. This group of human vultures subjects thousands of New Yorkers to its tyranny every year.

I am not the first to discover this horrible racket. The New York Legal Aid Society, Mobilization for Youth, and the Congress of Racial Equality—CORE—have done what they could to expose men like Kostroff, Grabel, and Niles. In its hearings several months ago, by colleagues on the Banking and Currency Subcommittee heard testimony of people familiar with "sewer service" in New York City. Attorney General Louis Lefkowitz held 4 hours of hearings on the abuse of New York State garnishment law 2 years ago.

Yet the abuses go on. Despite his investigations and despite his support of legislation designed to protect the consumer, Attorney General Lefkowitz must take his share of the blame, because, as of this date, his office has begun not one criminal prosecution in cases like this one.

Do investigations merely lead to more investigations? Will no one take the trouble to eliminate this racket which preys on law-abiding citizens like Mr. Boland? I have requested Mr. Lefkowitz and other authorities in New York to investigate this racket once again. I will do what I can to persuade these authorities that their investigations must be followed by criminal proceedings. Let us remember that law and order is a two-way street; we cannot expect private citizens to respect the law when they see these flagrant abuses of the law go unchallenged.

As Mary B. Tarcher, assistant attorney in chief of the New York Legal Aid Society wrote to me:

> The problem has been studied to death. It is now time for action.

THE FDA: CHANCE FOR A CHANGE

HON. WENDELL WYATT

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. WYATT. Mr. Speaker, for the past several years the Food and Drug Administration has wielded a heavy hand in its evaluation of new drug applications. In its apparent concern for the welfare of the public it has assumed the combined powers of policeman, judge, and jury over the entire pharmaceutical industry.

In some cases the FDA's new found zeal for the protection of the public was long overdue. But, as in all cases where power is wielded, there is a potential, even a temptation, for overzealousness, for overdoing a good thing.

In this Government, based on a system of checks and balances, moderation is the key to successful exercise of power. When a Government agency such as the FDA relaxes too much the people of this country may be endangered by uncorrected abuses.

On the other hand, however, when an agency wields its power in the extreme, as has the Food and Drug Administration, the public is also endangered. Specifically, FDA overregulation of drugs has kept important remedies from the people.

The Food and Drug Administration has gone beyond all bounds of moderation and good sense in recent years in its handling of new drugs. It has lost sight of the public's welfare in its assumption of power. Where abuses are found, where problems are uncovered in drug control, they should be corrected. But public welfare must remain the prime goal of FDA operations.

Dr. James Goddard, FDA Commissioner, retires from his post at the end of this month. His place will be filled by the present director of the Bureau of Medicine, Dr. Herbert L. Ley, Jr.

Dr. Goddard infused much new life into the FDA. However, his often well-intentioned edicts ultimately lost consideration of the public's welfare. In the field of new drug evaluation and regulation Dr. Goddard and the FDA threw moderation to the winds, and embarked upon a voyage whose destination was simply persecution of the pharmaceutical industry, public welfare be damned.

Under the new leadership of Dr. Ley, the Food and Drug Administration has a chance to retain its new vigor in many areas. But, more important, it has a chance to relinquish its role of persecutor, of master of the inquisition, which it assumed under Dr. Goddard. There will never be a better time for the FDA to regain its sense of moderation, and to rededicate itself to the welfare of this Nation's public.

Bureaucracy lends itself to abuse and profligate self-indulgence in the wielding of power. Dr. Ley has a chance to avoid these shoals, and to set the course of the FDA on the seas of moderation.

It is my firm hope that Dr. Ley retain the vigor developed under Dr. Goddard, but that, strengthened by his new leadership, vigor be channeled not into persecution of the pharmaceutical industry, but back into protection of the public welfare.

At this point, I would like to insert in the RECORD a recent article by columnist James Kilpatrick in which he details recent abuses by the FDA:

DR. GODDARD ENDING HIGH-HANDED FDA REIGN

(By James J. Kilpatrick)

Dr. James L. Goddard will be retiring in a few days as commissioner of the Food and Drug Administration. He will leave behind him, after less than two-and-a-half years in office, a record of high-handed arrogance unmatched since the heady days of Harold Ickes.

The gentleman rushed upon the Washington scene in January of 1966, a basket of chips on each shoulder. A divine providence had endowed him with vast energy, but alas, with small judgment. Dr. Goddard began by denouncing the pharmaceutical manufacturers: They were afflicted with "the disease of irresponsibility." He raced off in 52 directions all at once, bringing suits, making speeches, ousting respected members of the staff, reorganizing his department. He made pronouncements on everything in sight—drug advertising, new drug applications, old drugs, Zen foods, bio-flavonoids, vitamins, marijuana, the corner drug store.

Yet it may be that the performance of the FDA under Dr. Goddard in the matter of dimethyl sulfoxide provides the best single memorial to the commissioner's imperial career. Congressman Wendell Wyatt of Oregon has summed up the record in one word: Persecution. The word is aptly chosen.

Dimethyl sulfoxide, known as DMSO, first appeared as a commercial solvent derived from wood manufacturing processes. Its nearly miraculous properties in the treatment of certain diseases began to be explored five years ago by Dr. Stanley W. Jacob, of the University of Oregon Medical School, and by other respected researchers in the field.

By the summer of 1964, six American pharmaceutical firms had started careful investigations. A European symposium on DMSO was held in Berlin in 1965. Japanese physicians undertook successful experiments with DMSO in the treatment of rheumatoid arthritis. Around the world, evidence began to accumulate of DMSO's amazing value as a therapeutic agent against bursitis, scleroderma, shingles, and other painful conditions.

The evidence was overwhelming. In one case history after another, as Dr. Jacob has observed, physicians were able to see improvement within minutes after the drug had been applied. A typical patient with acute bursitis, unable to move his shoulder in any direction, would achieve "dramatic increase in range of motion at the end of a half hour."

It is important to emphasize that DMSO's value apparently is greatest in treatment of some of the most painful conditions known to the human body—conditions for which no drug nearly so effective ever has been found. Those who have experienced scleroderma, in person or in a family, will understand what relief from this suffering can mean.

This is important, too: The investigations made it clear that DMSO has a remarkably low toxicity. It is as safe, says Dr. Jacob, "as any drug I ever have used or seen in medicine."

But one experiment on laboratory animals, in which massive doses of DMSO were administered—doses far beyond anything that ever would be prescribed for humans—turned up damage to the lenses of the animals' eyes. On Nov. 11, 1965, the FDA suspended clinical testing.

This was the situation when Dr. Goddard took over. At once he knew all about it. The investigations were "half-baked." They were "completely out of hand." They were "illegal." It was immaterial to him that further symposia (in New York in March of 1966 and in Vienna the following November) confirmed the impressive findings. Petitions, evidence, professional papers left Dr. Goddard unmoved.

One year ago this month, DMSO was licensed for prescription use in Germany and Austria. But as Dr. Goddard leaves office, the drug remains virtually unavailable to sufferers in the United States. He has imposed such Draconian restrictions on clinical testing that only a handful of individual patients have benefited. Running through the record is a sense of lese majeste. His supreme authority, and his supreme ego, were not to be challenged.

One thinks back to Dr. Goddard's speech to the drug manufacturers in Florida two years ago. They were "irresponsible," he said. If that particular shoe fits, perhaps Dr. Goddard would like to put it on as he walks out of office next week.

NONVIOLENT THREAT TO UNITED STATES

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. RARICK. Mr. Speaker, the American people are threatened with being nonviolently overcome—without a shot being fired. The threat is from emotional words and masqueraded ideas to disarm the will of our people to defend themselves from the fury of the international criminals.

The use of collective guilt is ageless—it is having been used to justify punishment in many instances by such as Communists, Castro, and Hitler. Surprising is that intelligent, freedom-loving Americans would fall for the "sickness gag" to be hoodwinked from seeing what is really taking place and who is to blame. Or mayhaps some fear a few are now able to see what is taking place in our country and who is to blame—and that is the reason for wanting gun laws.

Mr. Don Maclean, columnist for the Washington Daily News in his June 26 column carries the "disarmament by words" to a possible conclusion.

Strange that we have never heard the disarmament lobbyists such as Sears, Roebuck & Co., and the Lindsay-Brooke-Clark trio call for enforcement of the laws that now exist.

I place Mr. Maclean's column and other interesting articles on the frantic efforts of a few to punish the many at this point in the RECORD:

[From the Washington Daily News, June 26, 1968]

(By Don Maclean)

The public seems somewhat confused on the subject of guns and violence. This is a situation tailor-made for this column, which specializes in lighting the path so that each may find his own way. (A nifty phrase, that; I suggest you clip it and use it as a bookmark.) On a recent Barry Farber show—he of the 50,000 watts, radio WOR, New York—a guest advanced the theory that the best way to end violence is to take guns away from people and close the National Rifle Association forever, if not longer. It was his opinion that violence and guns go hand in hand (or handgun in handgun, as it were).

Another expert pointed out that in England, even the police do not have guns and it has worked out just fine, because the criminals, being good sports, generally do not use guns either. At this point I should like to explore the gun-removal theory and see where it leads us. First of all, we take the guns away from all the good citizens trusting enough to give them up. This will leave the guns in the hands of the police, the military and the hoodlums.

At this point the honest man will have no means of protecting his home or store and will be forced to rely on Governmental agencies to do it for him. (As for street attacks on his person, he will have no chance whatsoever.) The next move will be to take the guns away from the police, who are constantly accused of using them wrongfully anyhow. Hopefully, our criminals suddenly will start co-operating as English criminals do with unarmed bobbies. Unfortunately, at this point, we might not have any policemen, because nobody in his right mind would want to be one.

Since this "de-escalation of violence" is the basic philosophy of international disarmanent, the next step would be to disarm the Armed Services, on the assumption that other countries, friendly and unfriendly, would do likewise. If we are wrong about civilian disarmanent, we will lose our property; if we're wrong about disarming the Army, we will lose our country. But in either or both cases, there will be no violence, since violence seldom occurs when the victim simply surrenders without fighting back. Those of you who have guns can now make up your own minds about surrending them. As for me, I must go now—I'm due at the range for practice.

[From the Washington Daily News, June 25, 1968]

GUN LAW NO PANACEA, COUNCIL TOLD

P. N. Davison Jr., head of a private detective agency, arrived at a public hearing before the District City Council yesterday with a crossbow in his arms.

He passed it up to the Council members as an "exhibit" for his argument that gun control laws won't stop crimes and killing: if guns go, "there are still weapons left," he said.

He mentioned, as an example, the suburban woman who recently drowned her children in a bucket and remarked "You can't legislate against buckets."

He was among three dozen speakers at an emotional, daylong hearing yesterday on a proposed law requiring registration of all guns, including rifles and shotguns, plus a waiting period on gun sales of up to 30 days to allow police checks on purchasers.

OPPONENTS

Speakers were almost evenly divided—for and against.

Opponents argued criminals won't register their guns; that the law would simply be an expensive nuisance for law-abiding citizens; that more judges and prosecutors to speed up trials and stiff penalties for criminals who use guns would do more to solve the city crime problem.

Proponents spoke of domestic quarrels erupting into shootings when guns are handy and quoted statistics about the drop-off in crimes with guns in New York after that city adopted a gun-control law.

Massachusetts State Police Sgt. E. J. Higgins, consulted by the Council as a national expert on firearms control, warned that passing a gun control law isn't as simple as it seems.

He said enough "long" guns (rifles and shotguns) are sold in Massachusetts every year to "equip three brigades" and "it would take a whole building" to file registration data on them.

WISDOM

He questioned the wisdom of a proposal that "long" gun owners in the District bring their weapons into police for a ballistics test with the results to be kept on file. He said this not only would keep a complete police unit "doing nothing else," and added that the rifling marks change with use so that the test results would not serve as permanent identification.

Council President John Hechinger said the ordinance might come up for a vote on Thursday, with some changes based on the advice citizens gave yesterday.

[From the Washington Daily News, June 26, 1968]

TOY GUNS LARGELY A PLAYTHING OF THE PAST

Sears, Roebuck and Co. has announced that its 1968 Christmas catalog will not list toy guns and what the giant mechandiser terms, other "toys of violence."

Meanwhile, a Sears official said yesterday, the company will not promote toys of this type.

And in Chicago, an officer of Montgomery Ward said his company "is about to make a similar decision" and will probably do away with toy guns and war and related toys.

Recently, both firms, leaders in the mail order business as well as in retail stores, restricted their sale of real rifles and ammunition. Neither firm has sold hand guns for several years.

NEGLIGIBLE SALES

However, most toy store owners and managers believe that guns and war toys constitute a small part of sales—a diminishing part—and there isn't much interest in these playthings anymore.

"Sears has made a marvelous gesture but toy guns and war toys are a negligible part of our business," commented an executive of Children's Supermarts, which has five stores in the D.C. area and three more being built.

"Each of our stores," he said, "has 25,000 square feet with only 100 square feet for war toys. Compare this to 1200 to 1500 square feet for dolls, 1000 for housekeeping toys and several thousand for games."

"Our line of our gun toys," he noted, is mostly in cowboy and Indian toys, and our biggest seller in the war line is probably G.I. Joe. I surmise that children, many of whom have fathers or other relatives in the service, identify with them thru G.I. Joe or other military toys."

HOW ABOUT KNIVES?

An owner of a downtown hobby and toy store pointed out that toy knives may be as dangerous or more so than toy guns. "After all," he said, many murders and injuries are caused by knives."

He said that at least one of the large toy makers, Mattel, is giving thought to discontinuing its toy gun line. He added that many toy stores may softpeddle their sale of fighting and war toys.

He conceded that neither he nor other toy store owners know whether toy weapons are dangerous to children's training.

Several other toy store officials said they think the sale of toy guns and similar toys can be stopped with no financial loss to stores, but they remain unsure as to whether there should be a cessation of such sales.

[From the Washington Daily News, June 27, 1968]

LINDSAY, CLARK: STIFF GUN CONTROL IS ESSENTIAL

WASHINGTON, June 26.—Mayor Lindsay joined Attorney-General Ramsey Clark today in calling for strict federal gun controls. He said: "No state or local government can protect its residents adequately" without such regulations.

"The indiscriminate distribution of firearms throughout our society increases the chance of escalation when trouble breaks out in the cities," Lindsay told the Senate Juvenile Delinquency subcommittee.

CALLS FOR UNIFORMITY

"The most stringent regulations in our core cities will be ineffective as long as nearby states have less stringent or nonexistent controls."

The mayor, Clark, and others appeared at a jam-packed hearing conducted by Sen. Thomas Dodd (D-Conn.). Dodd's subcommittee is considering the strongest federal gun-control legislation in the nation's history, including President Johnson's proposal that all guns be registered and licensed.

GLENN, BROOKE TESTIFY

Both Lindsay and the attorney general, as well as former astronaut John Glenn and Sen. Edward Brooke (D-Mass.) strongly backed gun curbs like those proposed by the President.

"How long will we permit guns in the hands of the assassin to threaten our political system?" Clark asked, in obvious reference to the violent deaths of Robert and John Kennedy. "How many summers will we risk sniper fire which can terrorize whole sections of great cities? When will we act?"

Dodd read a letter from Sen. Edward Kennedy (D-Mass.) endorsing the administration bill. Kennedy is a member of the subcommittee, but has not attended any Senate sessions or committee meetings since his brother, Robert, was assassinated.

Today's hearings were held in the huge caucus room of the old Senate Office Building, ironically, the same place where both Robert and John Kennedy announced their presidential candidacies.

CAUTIOUS COLLEAGUES

Although proposals for nationwide gun registration has widespread support in the Dodd subcommittee, as well as the parent Senate Judiciary Committee, Sen. Roman Hruska (R-Neb.) cautioned his colleagues not to rush action "just to do something."

Formerly a staunch foe of stiff gun controls, Hrsuka said: "In the haste of doing something good, the subcommittee should not adopt a policy of 'expediency and speed' while ignoring the value—or lack of value—of the bill."

Sen. Strom Thurmond (R-S.C.), a subcommittee member, came out against a federal registration act, maintaining that "the people in Massachusetts or South Carolina know better what legislation is needed by their states than does Congress."

[From the New York Times, June 27, 1968]

RAMSEY CLARK URGES SENATORS TO SUPPORT THE REGISTRATION OF FIREARMS

(By John W. Finney)

WASHINGTON, June 26.—Attorney General Ramsey Clark told a Senate subcommittee today that Congress would be failing in its responsibility to check crime if it did not include registration and licensing of firearms in a gun control bill.

Testifying before the Senate Juvenile Delinquency Subcommittee, he provided the most emphatic statement yet from the Administration on the need to include these two controls in the gun legislation being considered by Congress.

The National Rifle Association, meanwhile, registered with Congress its emphatic opposition to the new gun controls being proposed by the Administration.

Harold W. Glassen, president of the association, told the subcommittee that a campaign was under way "to foist upon an unsuspecting and aroused public a law that would, through its operation, sound the death knell for the shooting sport and eventually disarm the American public."

The Administration, following the assassination of Senator Robert F. Kennedy, initially proposed legislation banning interstate mail order sales of rifles and shotguns.

On Monday, the White House proposed even more stringent controls, by requesting legislation requiring Federal registration of all firearms and licensing by either the States or the Federal Government of all gun owners.

The White House, however, has left somewhat unclear whether it wants Congress to include the registration and licensing controls in a package gun control bill or whether it would prefer that Congress act first and squarely on the mail order legislation.

But Mr. Clark left no doubt that he personally believed registration and licensing controls should be included in any gun bill.

The Attorney General's basic argument was that while the ban on interstate mail orders would help stem the trafficking in firearms, it would not inhibit the criminal use of firearms or help directly in crime prevention.

A similar argument was presented to the subcommittee by Mayor Lindsay of New York and the former astronaut, John H. Glenn Jr. The latter testified as chairman of the newly formed Emergency Committee for Gun Control.

Testifying before an overflow audience in the Senate's large Caucus Room, Mr. Clark said registration and licensing of firearms were "essential to comprehensive control."

The advantage of a Federal ban on interstate mail order sales, as described by Mr. Clark, is that this would provide a framework for states to adopt their own effective controls over the purchase or possession of firearms.

But registration, he said, would provide "a tremendous aid to law enforcement" in checking on guns in crimes and in "smoking out" criminals who possess guns illegally.

With licensing, he said, it would be easier to keep guns out of the hands of criminals, drug addicts, mental incompetents and alcoholics.

COMMITTEE TO MEET

Under the Administration's proposal, no person would be able to purchase or possess a gun or ammunition without a license, which could be obtained only after a police department and a physician had attested that the person was qualified to possess a gun.

The question of whether to add registration and licensing controls to the Administration's bill will be taken up tomorrow when the full Senate Judiciary Committee meets. At that point, Senator Joseph D. Tydings, Democrat of Maryland, will offer registration and licensing amendments.

So closely divided is the judiciary committee that the outcome may depend upon whether Senator Edward M. Kennedy, Democrat of Massachusetts, ends the mourning over the death of his brother and appears at the meeting to vote.

In his first public statement in the Senate since the death of his brother June 6, Senator Kennedy, in a letter to Senator Thomas J. Dodd, Democrat of Connecticut, the subcommittee chairman, said that passage of a strong and effective Federal gun law is "long overdue."

He made clear that he supported both registration and licensing of firearms.

DELAY IS SOUGHT

As the showdown approached, the opposition resorted to delaying tactics, contending that there had been insufficient hearings on registration and licensing controls for the committee to consider such legislation.

At one point, Senator Strom Thurmond, Republican of South Carolina, cut off the subcommittee hearings, which had been scheduled to run throughout the day, by objecting to a meeting while the Senate was in session.

Under the rules of the Senate, his objection forced a recess in the hearing, with several witnesses unheard.

Senator Roman L. Hruska, Republican of Nebraska, leader of the opposition to stronger controls, complained that the Senate committee was being forced to make "a snap judgment overnight" on legislation submitted only yesterday by the Administration and warned against "sacrificing the merit and propriety of legislation to the expediency of speed."

Sheldon S. Cohen, director of the Internal Revenue Service, estimated that it would require $25-million to establish the registration system, with its planned computers, and about $22-million a year to operate.

In arguing for stronger controls, Colonel Glenn, a friend of Senator Kennedy's, recalled how it had been his "awful duty" to tell six children of the Senator that their father had been killed.

"We simply cannot permit such senseless killing to continue," he said. "We must do all we can to prevent those who should not have guns from getting them."

Colonel Glenn said that the Emergency Committee, composed of prominent citizens, took the position that at the minimum an "effective" bill must contain registration and licensing as well as a ban on interstate sales.

Without these three key provisions, he said, any legislation "would fail to provide the American people with the safeguards so badly needed to control the unchecked flow and the irresponsible use of guns."

He twitted the National Rifle Association for opposing stronger gun controls. Noting that as a teen-ager he had taken one of the association's courses in marksmanship, which stressed responsibility and safety in the use of guns, he said he was "surprised that the N.R.A. would not be as insistent in fostering controls that would make guns less of a menace in this country."

Mayor Lindsay argued that Federal regulations were necessary to make effective state and local gun controls.

"As long as the escaped criminal or mental patient or addict can obtain a firearm by crossing a bridge or mailing an order, no state or local government can protect its residents adequately," he said.

In response to a question by Senator Tydings, the Mayor said that if Congress failed to enact registration and licensing controls, this would make New York City's job of controlling guns "immensely" more difficult."

Boy With Knife at Airport

Lansing, Mich., June 26.—The police briefly detained today a 16-year-old Negro boy who was standing with a knife stuffed up his sleeve a few feet from Mrs. Richard M. Nixon as she watched at the airport to meet her husband. About 300 people were on hand. The airport lobby was decked with masses of helium balloons, which exploded constantly with loud popping noises and caused Secret Service agents to flinch visibly.

[From the Washington Daily News, June 25]

FBI Reports Crime Jump Here, Nationwide

Serious crime in the country rose 17 per cent during the first three months of this year compared to the same period last year, the FBI reported yesterday.

The increase shown in the first quarter of 1967 had been 20 per cent greater than the same period in 1966, which had been 6 per cent greater than in 1965.

All classifications in the national crime index showed substantial increases and FBI director J. Edgar Hoover called particular attention to increases in crimes of violence and to robberies, a traditional index to the general crime level.

The figures showed the District had 41 murders the first quarter of this year compared to 44 during the same period last year; Baltimore had 58 compared to 53; Richmond, 7 compared to 8; Alexandria, 3 compared to 2 and Arlington 2 compared to 1.

The District reported 1777 armed robberies to 1333 for the same period in 1967; Baltimore, 2043 and 1178; Richmond, 136 and 100; Alexandria, 76 and 40 and Arlington, 40 and 24.

Nationally, violent crimes of murder, rape, assault and robbery rose 18 per cent and property crimes, such as burglary, auto theft and larceny showed a 16 per cent increase.

NORTHEAST THE WORST

The report showed crime up 16 per cent in suburban areas and 10 percent in rural areas, with the Northeastern region of the country showing a 21 per cent rise, the North Central and Southern States each registering a 15 per cent increase and the Western states an overall 16 per cent increase.

Armed robbery nationwide rose 26 per cent and aggravated assaults with a firearm increased 23 per cent during the first quarter of this year over the same period last year.

Aggravated assault in the District showed a slight downturn—705 cases compared to 717 in 1967—while burglary jumped sharply from 3636 cases reported in the first quarter of 1967 to 4007 cases in the corresponding period in 1968. Auto theft also showed a dramatic increase: 1948 cases compared to 1688 cases last year.

LET US HAVE AN EFFECTIVE GUN CONTROL LAW

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. PODELL. Mr. Speaker, continued debate in Congress on a national, effective gun control law borders on the obscene and the scatological. There is no way for Congress to avoid an affirmative response to the growing demand for such legislation. Nor is there any way for Congress to evade its responsibility for putting an end to the carnage which has become so pervasive a factor in the American way of life.

The question is no longer whether Congress will pass an effective gun control law. It will certainly do so some day. The only question remains whether we do so now, or whether we wait until we bury more of our dead, until we have more maimed, crippled, and wounded taking up urgently needed hospital beds and other medical resources.

Just this past Thursday the President signed into law a bill dealing ineffectively with gun controls that we had enacted just 10 days earlier. Yet here we are, embroiled once again in needless controversy over action which we should have taken years ago. And should we be misguided once again, and attempt to foist upon the American people a travesty of a gun control bill, the issue will return to us, to haunt us once again, until our action encompasses the totality of the problem before us. There is for us no escape hatch from doing what we should and must do.

The facts justify the insistent demand by the American people for action now. In 1967, 7,700 murders were committed with guns in the United States, an increase of 1,200 over the number in 1966. In 1967, 55,000 aggravated assaults with guns were committed in the United States, an increase of 12,000 over the number in 1966. In 1967, 71,000 armed robberies were committed in the United States, an increase of 11,000 over the number in 1966.

According to the Associated Press, during the few short days between Sunday midnight, June 16, and Wednesday midnight, June 19, 79 American lives were lost through guns: 41 homicides, 28 suicides, and 10 accidental deaths. According to Coroner Andrew J. Toman, of Cook County, Ill., more persons died from gun wounds in Chicago during 1967 than died in automobile accidents. His statistics show that 607 firearms deaths were reported compared to 591 traffic fatalities.

The statistics clearly reflect the gruesome fact that death and destruction from guns in the United States keeps pace with our horrible losses in the war in Vietnam. It is indeed time that Congress respond to the voice of the people instead of the ravings and rantings of Harold W. Glassen, the phalloid spokesman of the National Rifle Association.

As Senator Barry Goldwater might put it: Rigidity in defense of a position is no virtue; if the National Rifle Association will not bend, it will simply have to be broken. In that event, Harold W. Glassen will have to fall back on his sole redeeming feature: a sense of humor. He insists that the untrammeled right of Americans to arm themselves to the teeth is vital to our national security, so that an armed citizenry can repel invading hordes. Unfortunately, so many of Mr. Glassen's armed citizens are so blind that they could not possibly distinguish between a redcoat and a continental.

The simple truth is that gun control legislation can be effective, if firmly grounded on a national level. On the other hand, the States and the municipalities are powerless to act in this area without constructive Federal action. For example, a study in 1965 by the commissioner of the Massachusetts Department of Public Safety revealed that only six guns out of 4,500 recovered from criminals in that State during the previous 8 years had been stolen, and that almost 87 percent of the weapons were obtained not in Massachusetts, which enforces strict gun control laws, but in other New England States, which have lenient laws.

According to the police department in Newark, N.J., 80 percent of the guns confiscated from criminals in recent years were purchased outside the State of New Jersey, which enforces strict gun control legislation.

In 1965, when Nicholas Katzenbach was the Attorney General, he reported that in Dallas, Tex., and in Phoenix, Ariz., where firearms regulations are virtually nonexistent, the percentage of homicides committed by guns was 72 percent in Dallas, and 65.9 percent in Phoenix. In contrast, in cities which have effective gun control laws, the rates were: Chicago, 46.4 percent; Los Angeles, 43.5 percent; Detroit, 40 percent; and in New York City, 25 percent.

The need for effective gun legislation, is persuasively established by the facts. What needs to be done is equally clear and persuasive. I submit that the people will accept nothing less than the following:

First. Establishment of a Federal register, under the supervision of the Federal Bureau of Investigation, which will contain the name and address of every private owner of guns and weapons, including a description of the weapon and its serial number.

Second. The establishment of a Federal licensing procedure and the issuance of Federal permits only to persons of sound physical, moral and mental condition, who pass prescribed eye and marksmanship tests, and a written examination on safety procedures in the handling of weapons.

Third. Prohibition of the interstate sale and shipment of guns and ammunition to any person not holding such a Federal gun permit.

Fourth. The establishment of a Federal ballistics, fingerprint system for all privately owned weapons, under the supervision of the Federal Bureau of Investigation. This would involve a requirement that every licensed manufacturer and importer of guns fire two bullets from each gun before making it available for public distribution. These bullets, properly identified by name and serial number of the weapon from which they were fired would be filed in a national fingerprint of privately owned guns and will make simpler identification of any weapons illegally used.

The message sent to Congress on Monday by President Johnson goes a long way toward meeting these guidelines. In the interest of the people of our Nation, we should move expeditiously to implement the President's proposals.

CALENDAR OF EVENTS AT THE NATIONAL GALLERY OF ART

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following calendar of events at the National Gallery of Art:

NATIONAL GALLERY OF ART—CALENDAR OF EVENTS, JULY 1968

Recent acquisition

A portrait by John Singleton Copley will be placed on view in Lobby D later this month. The three-quarter length portrait of *Mrs. Metcalf Bowler* (c. 1763) was bequeathed to the National Gallery of Art last winter by the late Louise Alida Livingston, a great-great-grandaughter of the sitter.

Mrs. Metcalf Bowler is the tenth painting by this artist to enter the collection and one which adds substantially to the National Gallery's representation of his American period. It was painted in the early 1760's, a significant time for Copley according to Professor Jules David Prown, who states that in portraits such as that of *Mrs. Metcalf Bowler* "Copley achieved a more convincing representation of three-demensional forms than anything previously produced by an American painter."

Mrs. Bowler, born Anne Fairchild in 1732, was the daughter of a successful Rhode Island merchant. Her husband served as Rhode Island's delegate to the New York Convention of 1765 and was a Superior Court Justice of his state. Copley is thought to have painted at least two other Bowler portraits, an earlier version of Mrs. Bowler, about 1758, and a lost portrait of Judge Bowler.

Special exhibition

Paintings from the Albright-Knox Art Gallery, Buffalo, New York continues on view through July 21 in the ground floor galleries. A catalogue of the exhibition is available with 21 color plates and 121 black and white illustrations. $4.00 postpaid.

Sunday film lectures

Art of Today, four auditorium programs combining films with lectures, will be given each Sunday at 4 p.m. this month as background for the contemporary American paintings in the Albright-Knox exhibition. Among the films to be shown are documentaries produced for the National Educational Television network.

Daily films

Two recent films dealing with art in the collections of the National Gallery are shown in the auditorium on a daily schedule.

Recorded tours

The Director's Tour: A 45-minute tour of 20 National Gallery masterpieces selected and described by John Walker, Director. The portable tape units rent for 25¢ for one person, 35¢ for two. Available in English, French, Spanish, and German.

Tour of Selected Galleries: A discussion of works of art in 28 galleries. Talks in each room, which may be taken in any order, last approximately 15 minutes. The small radio receiving sets rent for 25¢.

Albright-Knox Tour: A 42-minute taped discourse highlighting the special exhibition from Buffalo, New York. Portable tape units rent for 25¢ and 35¢ at the exhibition entrance.

New slides

2" x 2" Color Slides: Master of Saint Gilles, *The Conversion of an Arian by Saint Rémy* and *The Baptism of Clovis;* Morisot, *The Mother and Sister of the Artist;* Moroni, *A Gentleman in Adoration before the Madonna* and *Gian Federico Madruzzo;* Nattier, *Madame de Caumartin as Heber;* Rembrandt Peale, *George Washington;* Rembrandt, *Self-Portrait* (dated 1650); Roberti, *Ginevra Bentivoglio* and *The Wife of Hasdrubal and Her Children;* Rubens, *Isabella Brant, Decius Mus Addressing the Legions, Tiberius and Agrippina,* and *Daniel in the Lions' Den;* Jacob van Ruisdael, *Landscape.* 35¢ each postpaid.

Gallery hours

Weekdays and Sundays, 10:00 a.m. to 5:00 p.m. Admission is free to the Gallery and to all programs scheduled.

Cafeteria hours

Weekdays, Luncheon 11:00 a.m. to 2:00 p.m.; Snack Service 2:00 p.m. to 4:00 p.m.; Sundays, Dinner 11:30 a.m. to 4:00 p.m.

MONDAY, JULY 1, THROUGH SUNDAY, JULY 7

Painting of the week:* Constable. *A View of Salisbury Cathedral.* (Andrew Mellon Collection) Gallery 59; Tuesday, Wednesday, Friday, and Saturday, 12:00 and 2:00; Sunday, 1:00 and 3:30.

Tour: *Introduction to the Collection.* Rotunda. Monday through Saturday 11:00, 1:00, and 3:00; Sunday 12:00 and 2:30.

Sunday film lecture: *Art of Today: Pop. Speaker:* John Brooks, Staff Lecturer, National Gallery of Art. Lecture Hall, 4:00.

Sunday film: *The National Gallery of Art,* 1:00.

Weekday films: *The National Gallery of Art,* 2:00; *The American Vision,* 4:00.

MONDAY, JULY 8, THROUGH SUNDAY, JULY 14

Painting of the week:* Raphael. *The Small Cowper Madonna.* (Widener Collection) Gallery 10; Tuesday through Saturday 12:00 and 2:00; Sunday 1:00 and 3:30.

Tour: *Introduction to the Collection.* Rotunda. Monday through Saturday 11:00, 1:00, and 3:00; Sunday 12:00 and 2:30.

Sunday film lecture: *Art of Today: Junk Assemblages. Speaker:* Margaret Bouton, Curator in Charge of Educational Work, National Gallery of Art; Lecture Hall, 4:00.

Sunday film: *The National Gallery of Art,* 1:00.

Weekday films: *The National Gallery of Art,* 2:00; *The American Vision,* 4:00.

Inquiries concerning the Gallery's educational services should be addressed to the Educational Office or telephoned to 737-4215, ext. 272.

MONDAY, JULY 15, THROUGH SUNDAY, JULY 21

Painting of the week: Corot. *The Artist's Studio.* (Widener Collection) Gallery 83; Tuesday through Saturday, 12:00 and 2:00; Sunday, 1:00 and 3:30.

Tour: *Introduction to the Collection.* Rotunda, Monday through Saturday, 11:00 1:00, and 3:00; Sunday, 12:00 and 2:30.

Sunday film lecture: *Art of Today: Op. Speaker: Ann W. Kaiser,* Staff Lecturer, National Gallery of Art; Lecture Hall, 4:00.

Sunday film: *The National Gallery of Art,* 1:00.

Weekday films: *The National Gallery of Art,* 2:00; *The American Vision,* 4:00.

MONDAY, JULY 22, THROUGH SUNDAY, JULY 28

Painting of the week: Saenredam. *Cathedral of Saint John at 's-Hertogenbosch.* (Samuel H. Kress Collection) Gallery 49. Tuesday through Saturday, 12:00 and 2:00; Sunday, 1:00 and 3:30.

Tour: *Introduction to the Collection.* Rotunda. Monday through Saturday, 11:00, 1:00, and 3:00; Sunday, 12:00 and 2:30.

Sunday film lecture: *Art of Today: Abstract Expressionism. Speaker:* John Hand, Staff Lecturer, National Gallery of Art; Lecture Hall, 4:00.

Sunday film: *The National Gallery of Art,* 1:00.

Weekday films: *The National Gallery of Art,* 2:00; *The American Vision,* 4:00.

---

*11" x 14" reproductions with texts for sale this week—15c each. (If mailed, 25c each.)

FINANCING OF THE POOR PEOPLE'S MARCH

HON. RAY ROBERTS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. ROBERTS. Mr. Speaker, the so-called Poor People's March on Washington has been a dismal failure, and I am thankful that it is over. The Public Works Committee, of which I am a member, has passed out a bill which will prevent another one when it is adopted by this Congress.

I am still besieged with letters from my constituents as to where the money came from to pay for this invasion of Washington. I regret that many citizens feel that the Government paid the bill, despite the fact that the news media have had many stories to the contrary.

The Washington Star carried one copyrighted story by Casper Nannes on this matter which has been quoted many times in the RECORD by my colleagues, and which shows where some of the support came from.

The article follows:

[From the Washington (D.C.) Evening Star, May 20, 1968]

PRESBYTERIANS VOTE $50,000 FOR SCLC

(By Casper Nannes)

MINNEAPOLIS, MINN.—The 180th General Assembly of the United Presbyterian Church in the U.S.A. today approved an advance of $50,000 to the Southern Christian Leadership Conference for its development fund.

The check for this amount will be presented to leaders of the SCLC on May 30 in Washington as "the first evidence of the desire of the United Presbyterian Church to participate in its development fund."

In addition, the General Assembly also had a motion authorizing either today or tomorrow a special offering to be sent immediately to the Poor People's Campaign.

The special offering in addition to proposals before the 820 ministerial and elder commissioners (delegates) amounting to $200,000 for the denomination's Fund for Freedom.

Financial and staff support for the Poor People's Campaign already has been given by the United Presbyterian Board of National Missions, which has supplied $6,500 for food and medical expenses.

In an address to the assembly last week, SCLC's head, the Rev. Ralph David Abernathy, called upon the 3.3-million-member church to establish a $10 million Martin Luther King Poor People's Development Fund.

He later explained the major part of the fund "would be used by the SCLC to foster the development of ghetto-owned businesses, low-cost housing, self-help industries, and cooperatives in economically deprived areas of our nation."

The assembly passed a resolution Friday freeing $12.6 million of the church's investment funds for housing and business ventures in low and middle income areas. The move made the money available through boards, agencies and seminaries.

Among moves taken by other churches, the Episcopal Church General Convention last fall passed a measure earmarking $9 million over a three-year period for urban needs. Last month, U.S. Catholic bishops approved a statement calling for "substantial" contributions to the fight against poverty, and the United Methodist Church General Conference passed a motion urging the denomination to invest $20 million in this cause. Other denominations have set varying sums in the fight against poverty.

Among the other actions to come before the General Assembly before its week-long meeting ends Wednesday is a statement on the church's position on the Vietnam war. The closely guarded report of a special committee on Vietnam was scheduled for presentation today.

The church's newly elected moderator, Dr. John Conventry Smith, yesterday warned the General Assembly that riots in America, apartheid in South Africa and the war in Vietnam are "symptoms of the same worldwide disease."

"You cannot be a foreign missionary and ignore Mississippi and Harlem," Dr. Smith declared. "And you cannot concentrate on Puerto Ricans in the ghetto and Mexican Americans in Texas, and ignore Latin America. For the Christian, it is all of a piece."

A Lutheran theologian, Prof. Edmund A. Steimle of Union Theological Seminary in New York, called for a radical change in Christianity and religious bodies.

"Abolish the residential parish or shake the dust of it from our feet and experiment with other forms of ministries. Away with the old forms of worship. Down with the bureaucracy of the church. God is no longer to be found in churches, but in streets and ghettos. God's name is . . . change."

The churches, he contended, have played "the waiting game of business as usual. Churchmen reflect massive indifference to the problems of race and poverty, getting drunk on the peace of a Sunday morning in church where the entirely proper comfort of the Gospel becomes cheap grace in our hands."

As a result, Steimle said, young people have turned aside "disenchanted or in disgust." The present need, he said, is to "grasp the future in your bare hands and bring it into the present tense."

Statements on the church and government relations as well as the church and the ecumenical movement are among those to be presented to the commissioners before the session ends.

Mr. Speaker, my own Methodist Church has vehemently criticized me from the pulpit and in the news media. A special news story was sent to the newspapers covering my district which, as the story said, "Takes the hide off of me."

Mr. Speaker, not one of these critics attempted to get the Evening Star to change the story, they just wanted to hang me for publishing it. I have received a letter of condemnation "from 70 Methodist ministers in convention assembled" with no heading on the letter, no signature, and no return address. I have requested two groups of ministers to write me a letter setting forth wherein the article and newsletter were in error so I could correct any misstatement.

The following denunciation was received from Dr. Thomas Graves, pastor, Key Memorial Methodist Church, Sherman, Tex.

KEY MEMORIAL METHODIST CHURCH,
Sherman, Tex., June 10, 1968.

Congressman RAY ROBERTS,
House of Representatives,
Washington, D.C.

DEAR MR. ROBERTS: In your May-June newsletter, 1968, you answer the query concerning the support of the Poor People's March on Washington by quoting from an article in the Washington Star. This article enumerates several denominational groups which have earmarked amounts during the coming three or four years for urban needs.

The last statement in that paragraph explaining the financing of the Poor People's March is "and the Methodist Church General Conference passed a motion urging that $20 million be devoted to this cause." This statement clearly infers that the Methodist Church is giving $20 million to the Poor People's March on Washington. This is not the case, and as a member of the United Methodist Church, you should know that the public press is a poor source of information about the programs of the church.

From the Daily Christian Advocate of the Uniting General Conference, April 29, 1968, I quote: "Delegates Thursday night approved a wide-ranging $20 million four-year response to the nation's racial and poverty crisis." The Quadrennial emphasis theme is "A New Church for a New World."

The annual conferences of the church will retain half of all they raise for this fund to be used in their local areas to alleviate poverty and racial tension. The other half will be administered by the Council of Bishops in meeting emergency needs on the domestic front, as well as work related to missions overseas, and relief and reconstruction in war ravaged areas.

One program feature will be the formation of the United Methodist Voluntary Service Corps, persons from age 18 to 30 in task forces for specialized assignments of "reconciliation or reconstruction."

The quadrennial program involves all United Methodists in a focus on three basic segments of American society: (1) The Black community, the Spanish-speaking communities and the American Indians; (2) the poor of every ethnic group, both in the rural and urban sectors of society; (3) the teenagers and youth of the church, and of no church, who feel there is no way to bridge the gap between the generations, and between themselves and the church.

It was the opinion of the General Conference that the church should either get involved constructively in solving the problems of our society, or give up its right to speak about them. Perhaps you feel we should not be involved in such problems at all, and many Methodists do, but to infer that we are giving $20 million to the current Poor People's March is simply a confession of ignorance concerning the proposed program of the church.

Respectively,

J. THOMAS GRAVES,
Minister.

Mr. Speaker, I am willing to accept Dr. Graves' explanation for the $20 million future pledge, but I do wish he would explain where the money came from that has already been spent.

I applaud the efforts of all churches to relieve suffering, spiritual, and physical, but I believe the Congress is providing some $26 billion for national welfare programs, which is more than we can afford in my opinion. I hope our churches will attack poverty and suffering at the local level. After all, every area is local to some church.

REVENUE AND EXPENDITURE CONTROL ACT OF 1968—CONFERENCE REPORT

HON. JOSEPH G. MINISH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 20, 1968

Mr. MINISH. Mr. Speaker, now that the conference report on the Revenue and Expenditure Control Act of 1968 has been approved, I hope that the President will facilitate presentation of his proposals for a comprehensive reform of the Internal Revenue Code of 1954 required by section 20 to be submitted not later than December 31, 1968. The Treasury Department has been working on a program of tax revision for some 2 years and the whole problem has been before Congress for over a decade, so there appears no reason why the administration's report cannot be promptly furnished. It has been far too long delayed. It is deplorable that tax reform has not received the priority commensurate with its vital importance. The approval of the 10-percent surtax makes imperative a thorough reform of our tax policy so that it will truly serve the Nation's well-being and will restore the confidence of our citizens in the fairness of the Federal tax system.

Most amendments adopted over the years since enactment of the 1954 Internal Revenue Code have served to open up and enlarge all types of loopholes that benefit the wealthy at the expense of low- and moderate-income families. Now we are adding a 10-percent surtax to the burden of the average taxpayer while the privileged groups continue to enjoy the rewards of grossly unjust tax loopholes.

As you know, Mr. Speaker, I could not support the conference report, since in my considered judgment the tax increase will not only fail to achieve its stated objectives but will compound the injustices and inequities in our tax structure.

The case for specific tax reforms has been thoroughly documented. Measures sponsored by me and other concerned Members of Congress are aimed at closing some of the numerous loopholes, the most glaring of which is the oil depletion allowance of 27¼ percent. It is really beyond comprehension why the worker in the oil fields will be called upon to pay a 10 percent increase in his already burdensome tax—14 percent of his net income in the lowest tax bracket—when his and the 19 other largest oil companies paid an average of 6.3 percent of their net incomes in Federal taxes in 1965. Compare, too, the ludicrously inadequate $600 personal exemption allowed him for a dependent with the appalling fact that various loopholes allow a good number of millionaires to pay no taxes at all or to pay at a ridiculously low rate.

In almost 3 decades the personal exemption rate, which was originally designed to relate to the cost of living and the expense of rearing a family, has been raised only once and then by only $100. The exemption was set at $600 in 1947 which gave a tax-free income of $2,400 to the average family of four. The exemption was too low then, and now, when the cost of living has risen about 50 percent, it is patently absurd. This frozen exemption, which means practically nothing to the wealthy, has a direct impact upon the average family. My measure to increase personal income tax exemption from $600 to $1,000 would provide a tax-free base of $4,000 for a family of four, still a modest exemption for wage earners who cannot benefit from the numerous concessions available to the wealthy. Plugging a few of the loopholes written into the law while the exemption has remained frozen would more than offset any loss in revenue resulting from raising the exemption to a more realistic level.

The increasing costs of local government in my area, caused in part by migration from other sections of the Nation, coupled with heavy Federal taxes, are placing the great majority of taxpayers, even those in better than average circumstances, in a real financial bind. I hear daily from constituents in all walks of life and economic brackets as to the ever-mounting problem of managing on incomes that are chiefly, if not wholly, derived from wages, salaries, or pensions. A couple living on a modest retirement income; a father struggling to pay college costs and maintain a satisfactory standard of living for his family; a single person whose taxes take an exorbitant share of a hard-earned salary; a couple with young children and a big mortgage who are allowed the same $600 exemption for dependents that their parents received a generation ago; a laborer who gets taxed every paycheck he is fortunate enough to earn; and so on. How can we in good conscience impose heavier taxes upon these people and at the same time permit others to escape paying their fair share?

The fact that the act does attack the abuses of industrial development bonds is most gratifying to me since I have sponsored legislation on this subject in the three Congresses in which it has been my privilege to serve. Nonetheless this action would suggest that some other urgently needed reforms could have been similarly included in the measure.

Congress has the responsibility for insuring the fairness and equity of the tax system. The vitality of a democratic society rests upon the people's sense of common justice and morality, and the defects in our tax structure cause deep resentment among those who must thereby shoulder an undue share of the burden. Tightening these loopholes would bring substantial revenue to the Treasury, ease the burden on the average taxpayer, and strengthen the national will and resolve to meet the critical challenges at home and abroad.

I have today written to the President, urging that his proposals be submitted without delay so that they may have the consideration of the Members and candidates for election to the next Congress. The voters must insist that those who seek national office declare themselves on the vital issue of tax policy and offer specifics on how best to distribute the burden of meeting our commitments at home and abroad. The groundwork must be laid without delay so that tax reform can be given the highest priority by the Congress and the administration that will be elected this November. I hope that our colleagues will join in letting the President know of their strong interest in prompt transmission to the Congress of his tax policy recommendations.

My letter to the President follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington D.C., June 27, 1968.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: Now that the Conference Report on the Revenue and Expenditure Control Act of 1968 has been approved by the Congress, may I respectfully urge that your proposals for a comprehensive reform of the Internal Revenue Code of 1954 as required by Section 20 be submitted at the earliest possible date.

Inasmuch as this problem has engaged the attention of the Treasury Department for some two years, I assume that its study must be nearing completion and that your recommendations can be in final form well prior to the deadline date of December 31. Early availability of your findings seems highly desirable so that they may be considered by those seeking election to serve in the next Congress. This vital question of tax reform will undoubtedly engender extensive debate and controversy next year and it is important that the groundwork be laid as early as possible and that the voters have an expression of the specific views of candidates in the November election.

I am sure you will agree the already overburdened general taxpayer who is now called upon to assume a 10% surtax has the right to demand that tax reform and revision be pressed with the utmost vigor and dispatch. The American people have the will and fortitude to assume any sacrifice required of them, but they must insist that their sacrifice be no greater proportionately than that incurred by other individuals and corporations. Unfortunately this is not the case under our existing tax policy which wrings the last cent of tax from salary and wages while privileged groups deprive the Treasury of some $40 billion a year in the credits, deductions and exemptions written into the laws. I would repectfully suggest, Mr. President, that a notable achievement of your Administration would be the sponsorship of a truly comprehensive tax reform program based upon the democratic principle that those who enjoy the most bountiful share of our tremendous national wealth must pay their proportionate share of preserving the society in which they are so blessed.

With best wishes, I am
Sincerely,
JOSEPH G. MINISH,
Member of Congress.

ROCKEFELLERS: ANOTHER TAX-FREE FOUNDATION

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. RARICK. Mr. Speaker, while the sweating working class of the United States will shortly be compelled to pay increased taxes, the Rockefellers continue to use the loopholes in the tax law to evade taxes with another tax-free foundation.

Certainly no one item, besides Federal waste and deficit spending, generated the recent tax increase more than the "gifts" of tax-free foundations to promote raising the taxes of the working productive citizens.

Like wise the international tax dodging giants are more responsible for our balance-of-payments crisis than the the individual spending of tourists.

Foreign aid is foreign aid; but the Rockefellers want a foreign aid program of their own to prevent the U.S. Government's being acknowledged for the aid. These tax-free foreign aid programs are wealth earned by our people leaving our shores—and without paying their fair share in revenue.

I ask that a report from the New York Times for June 27 on the latest of many tax evasion movements follow:

ROCKEFELLERS SET UP A NEW FUND

(By Kathleen Teltsch)

The Rockefellers have set up a new charitable corporation that will give the family's upcoming fourth generation a greater share in its traditional philanthropic activities.

The new Rockefeller Family Fund will begin with modest gift-giving—between $300,000 and $400,000 for the first year—and concentrate on projects of special interest to the younger members of the family.

One grant, for example, will go to a social center in White Plains known as The Cage, is a meeting place for teen-age youths. Another gift will help young Negro teachers study at the University of Ghana.

The new corporation was set up expressly to involve the family's younger members—there are 23 fourth-generation Rockefellers—in the philanthropy begun more than a hundred years ago by John D. Rockefeller Sr.

The tradition was continued by John D. Rockefeller Jr., who died eight years ago, and now it is carried on by his five sons—Nelson, John D. 3d, Laurance, David and Winthrop—and one daughter, Mrs. Abby Rockefeller Mauzé.

They, along with Mrs. Martha B. Rockefeller, the widow of John D. Jr., are trustees of the new fund.

Younger members of the family or their spouses will have five places on the board, but others will serve in rotation; David Rockefeller's son and daughter, David Jr. and Mrs. Neva R. Kaiser; John D. Rockefeller 4th; William J. Strawbridge Jr., son-in-law of Nelson, and John Spencer, son-in-law of John D. Rockefeller 3d.

David Rockefeller, president of the Chase Manhattan Bank, will be president of the new corporation, and Mr. Spencer, a writer, will be vice president. Dana S. Creel, a director of the Rockefeller Brothers Fund, will be director of the new Family Fund.

Mrs. Kaiser, 24 years old, is the youngest of the Rockefeller children on the board. Mr. Strawbridge, who lives in Westchester, dropped in at the teen-age club to talk to its director, Leslie Fernandez.

"But he didn't know at the time that we were applying for any financial help," said Mr. Fernandez.

A RANGE OF CHARITIES

Initially, the new fund will take over much of the family's general program of giving to charities in Westchester County and on Mount Desert Island, off the Maine coast. These contributions made by the Sealantic Fund, set up 30 years ago by the late John D. Rockefeller Jr.

Sealantic is a word coined from Pocantico, where the family maintains its 3,500-acre Westchester estate, and Seal Island, where they maintain summer homes.

The range of charities includes gifts to hospitals and welfare and youth organizations. The Sealantic Fund will continue its work.

The new Family Fund has no endowment, but members of the family will make contributions on a regular basis, and these resources will be distributed annually.

The corporation is not expected to rival in scope either the Rockefeller Foundation—which was set up in 1913 and last year appropriated $39-million, much of it for work in the fields of agriculture, civil rights, university development and cultural affairs—or the Rockefeller Brothers Fund, which last year spent $7,299,855, partly for projects concerned with international relations, conservation and population.

The new corporation will be extended to included race relations and urban problems.

In addition to Mr. Creel, the director, the officers will be Robert W. Scrivner, secretary, and David G. Fernald, treasurer.

A SPEECH BY JUDGE KENNETH E. SHAW

HON. JAMES C. CLEVELAND

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. CLEVELAND. Mr. Speaker, I would like to insert into the RECORD a recent speech of a New Hampshire judge, Kenneth E. Shaw. Judge Shaw made his remarks while speaking to the New Hampshire Conservative Union earlier this month. While I do not agree with all his statements, I believe that they show a deep, underlying dissatisfaction with the way things are going in this country today. This dissatisfaction I do share, and I therefore commend his speech to the attention of my colleagues:

Mr. Chairman and members of this Conservative Union: I wish to extend to each of you my deep appreciation for allowing me to speak here tonight at this hour of great national peril.

Just prior to the last presidential election I was privileged to talk to your group. The issue at that time, as it is now, is whether we shall continue down the road to national disintegration or whether we shall begin to chart a course for national survival.

Regardless of our efforts of four years ago, the people of this nation chose once again to embrace the socialistic policies which have been the hallmark of national leadership during most of the past thirty-six years of our national existence. These years have now brought us to the brink of civil war.

Across the face of America can be seen the gathering storm. The dry rot which has infected the roots of freedom through years of socialistic disease, has now surfaced. Tonight the camera of history can clearly record the carnage wrought by the New Deal, Fair Deal, the New Frontier and the Great Society. Historians may now trace the pathology of the millions of cancerous cells which have been injected into the blood stream of American liberty by these so-called liberalistic guardians of the public welfare.

Flight from responsibility has now become a refuge for our national leadership. The President is fleeing the chaos resulting from his policies and is abandoning the remnants of the Great Society. He has good cause to do so. The mirror of history reflects American leadership at its lowest level and the state of our Nation at its darkest hour.

Uncontrolled riots tear great gaps in our cities. Arson and murder are condoned in the name of civil rights. Students imprison college presidents, demand the right to supervise their own education and demand amnesty for themselves. The streets of our cities are paths of death for honest citizens. Women carry arms or purchase dogs to protect themselves at nightfall. Crime, in every category, is soaring. Smoke shrouds our national capital, while demonstrators roam at will with fire bombs and rifles. Police are ridiculed by press and television, accused of brutality and tried in our courts as common criminals. Soldiers are warned not to interfere with thieves and looters. Fire insurance companies face ruin as entire city blocks go up in flames from coast to coast. Business men are pillaged and robbed without recourse. Thousands of innocent families are homeless and their possessions destroyed.

Honor has gone out of fashion in America. Encouraged by civic and cleric leaders, young men burn their draft cards with open contempt for American laws and their country's safety. Leadership of the Great Society can no longer utter the truth. Each day the credibility gap grows wider and wider. Respect for the American flag and our fallen heroes is almost non-existent.

Decency has been written off as not symbolic of Americans. Morality has fallen casualty to the new philosophy of the Great Society. Hippies, flower girls, acid addicts and beatniks swarm through the streets of our cities. Colleges from one end of the Nation to the other practice immorality under the blessing of their instructors. Text books have been introduced in our schools advocating an end to family life. Billions have been poured into our educational system and standards of student conduct steadily decrease.

Over the world American prestige has withered almost to the point of no return. Our currency and credit are suspect in every Nation on earth. Foreign creditors are demanding that they be paid, not in dollars, but in francs and reichmarks. Our own citizens have no faith in the promises of their government. Series E bonds are cashed as fast as they are sold. Foreign nations have served notice on America that it must start to economize or it will be written off as a nation unworthy and unsafe for world leadership.

The national debt, published and unpublished, rises toward a trillion dollars. Interest rates are the highest in history and the dollar value is the lowest. Hordes of Negroes, goaded on by liberalists, roam the highways of the Nation demanding a free, unearned income, guaranteed for life by the Federal Government. Hundreds of shacks are erected in our Capital city in an attempt to intimidate our leadership. The entire economic system of free enterprise threatens to explode and the fuse is burning shorter every hour.

The relentless waves of inflation, powered by years of national extravagance, are striking our States, cities and towns with relentless fury. All are burdened with debt and the eternal cry is for more and more taxation. Economy as a policy for public institutions and private individuals has been ridiculed by liberalistic dreamers as an outworn and discarded policy of the dark ages. Every reputable financial publication in the Nation is warning of fiscal chaos.

So weak, impotent and unworthy of respect have American leaders so become that warships of this Nation are seized on the high seas and their officers and crew held for ransom by the pirates. No American is safe, even in the military services of the Nation.

Our armies have been crippled in Vietnam by a national policy which dares not advocate victory but is willing to settle for an endless no win blood bath for our Nation's sons.

The people of this country are restless, the Army is restless, the Navy is restless and men of our Armed Services are sending home weapons to protect their loved ones from a hurricane of violence which is bearing down on every citizen.

These conditions in America, unparalled in history since the French revolution, have laid this Nation wide open to communism. Karl Marx, in his wildest dreams, never envisaged such a situation could ever exist for Communists in this once land of the free and home of the brave. We are tonight witnessing the end product of the most insane and unrealistic political philosophy ever adopted by any nation in the history of mankind.

The hour has struck to declare war on the policies of these wastrel national leaders whose whole aim has been, not to promote the public good, but rather their own political fortunes through the institution of socialistic ideas.

I am suspicious of national leaders whose personal fortunes rise to many millions of dollars solely through inheritance or political manipulation of Government franchises while in pubic office. I am suspicous of these demagogues who tearfully declare war on poverty at public expense while possessing the personal means to substantially abolish poverty themselves. Men of full character, possessing uncounted millions and solicitous of the poor, should be the first to lay the bulk of their personal fortune in the lap of poverty, before seeking a position of national leadership at more than $100,000.00 annually.

No, my friends, their enormous wealth is not for the poor but for buying elections. Rose Kennedy, mother of the Democratic beatnik candidate, Robert Kennedy, recently confirmed this fact in an interview with Women's Wear Daily. When asked about the enormous amount of money being spent by Bobby to win an election she said, "Its our money and we're free to spend it any way we please. Its part of this campaign business. If you have money—you spend it to win. And the more you can afford the more you'll spend. The Rockefellers are like us—we both have lots of money to spend on our campaigns."

This statement by Rose Kennedy is the most frank confession of political chicanery in all of recorded history. Let Robert Kennedy explain this statement to the workingman who has no meat for dinner. Let him explain this statement against the background of his own wife starting off the poverty marchers to Washington with nothing but a milk and cracker diet. Let him explain why he chooses to buy elections rather than donate these millions to the relief of the poor. Let Mr. Kennedy add this statement to his March 1968 statement when he said, "The more riots that come on college campuses, the better the world of tomorrow."

A great nation dies slowly, even under corrupt leadership, but it will die. Our Republic has no patent on immortality. We shall not long exist when leaders serve not the public welfare but only seek power and glory for themselves.

The road of the past three decades of American history has been marked, not with freedom for the common man, but rather with the destruction of high principles which are indispensable to freedom.

During the past presidential elections you have heard treacherous liberalistic demagogues, seeking public office, inflame the populace with declarations of absolute intellectual, social and political equality.

My friends, nature itself has stamped every human being on earth with a graduated scale of value. No two people contain exactly the same attributes. Few of us are born with the capacity of a Daniel Webster, an Albert Einstein or an Abraham Lincoln. Few of us can be a Thomas Carlyle, a John Marshall or a Thomas Jefferson. Few of us can shake the world with our artistic achievements. There has been only one Michaelangelo, only one Titian and only one Goya. None of these men were legislated into greatness. All found their fame by hard work and diligent application of the capacity God has given them to be great.

The true glory of any great people is the glory that comes from service. Never the glory from being served by a national paternalism. The master passion in America must be to preserve a burning belief in the divine right of the individual, in his inherent ability to improve himself, his social, his political and his economic lot. America has been a symbol of opportunity for the individual. The only equality worth having to a free people is the equality of opportunity.

Socialism has always resulted in a centralization which will destroy the individualism lying at the basis of all human progress. Take from one man the fruits of his labor and give it to another and you destroy both the donor and donee—for those who labor lose their courage and those who receive lose their initiative.

Every responsible conservative wishes nothing but the best for those, who by cruel misfortune or accident of birth, are condemned to poverty. It is these people who must be helped with all the resources of our society.

But the so-called war on poverty has bypassed the deserving poor. It has been nothing more than a political gimmick for the past three decades. It was inaugurated by Franklin D. Roosevelt for the purpose of buying votes. It is an execuse for the massive expenditure of public funds. The funds have been channeled into the pockets of scores of thousands of broken down politicians who spend most of their time campaigning for the administration who pays them lush salaries for doing nothing. The end result is that we have not abolished but are proliferating poverty.

This war on poverty has been carried on by deficit financing and inflation of the currency. Every time the Government inflates the currency or resorts to deficit financing, and it happens daily, the lights burn lower in a hundred thousand cottages of the poor and the specter of poverty looms larger to millions of others. Under this inflationary impact, savings rapidly disappear and the great middle class of this Nation will shortly be unable to exist as free and independent Americans.

Throughout these dark years conservatives have stood alone against the relentless tide of liberalism which has swept across the Nation washing away the solid foundations of our American democracy.

With ridicule and disdain the liberal commentators of press, radio and television drone their old cry that conservatives give only simple answers to complex questions. One does not grasp the significance of this liberalistic conception to a conservative answer until he realizes that any problem, no matter how simple, is a complex problem to the shrunken intellect of a liberal. In fact, the answer to a simple question, when answered by a liberal is as complex an answer as his twisted intellect can produce.

A classic example of a complex answer to a simple question is contained in an answer given by Gov. George Romney to the press. Alleged to have made a statement that he was brainwashed, Gov. Romney was questioned by the press as to whether he made the statement. Here is his answer: "I didn't say that I didn't say it, I said that I didn't say I said it. I want to make that perfectly clear."

But if this answer of Gov. Romney to a simple question complexes simplicity, it pales into insignificance when compared to the complexity created by the Johnson Administration just after the warship Pueblo was seized by North Korea.

The simple question at that time was whether the ship was in national or international waters. The answer could be yes or no or it cannot be determined.

Two days after the incident and after a thorough briefing by President Johnson, Arthur Goldberg, U.S. Ambassador to the United Nations, mounted the rostrum at the U.N. pounding a mass of documents before him, Ambassador Goldberg stated flatly that the Pueblo was in international waters and he had the proof. This man was an ex-Justice of the Supreme Court and presumably knew proof when he saw it. Yet, three weeks later, Secretary of State Rusk and Secretary of Defense McNamara went before television cameras of the Nation to declare there was no proof as to where the Pueblo was when it was taken. A few days later President Johnson stated that he was studying the problem. No one came forward to Goldberg's defense. His honor was abandoned with the Pueblo. Mr. Goldberg then resigned. Thus a simple answer became complex and its unresolved complexity carried to the grave the honor of the U.S. Ambassador to the United Nations as a man who perverts the truth in this present administration.

It may indeed be true that simple answers are no longer possible in this liberalistic maze of contradictions. Certainly no one, not even a liberal, can tell whether the Federal debt is 400 billion dollars or two trillion dollars. The truth has been hidden by a liberalistic set of books which confound research and allocate Federal debt to countless divisions of Government which do not presume to include their debt items as a Federal deficit.

No one can be sure anymore as to the situation in Vietnam or anywhere else because the Government itself does not know and if it did it would lie about it. Only a short time ago, Vice-President Hubert Humphrey stated in Augusta, Maine that we would consider the Viet Cong in a new government. The same day this was denied by the State Department, where is the truth in this present administration? Economists, in Government employ, dispute each other, divisions of the Government contradict each other, a shroud of secrecy has been thrown over the executive department, Congress knows little of what is going on and the American people are blacked out from knowing anything.

Through a process of liberalistic osmosis, proud Americans have been taught to beg, to shun creative labor, to seek a false security at the expense of their liberties, to obediently wear a number marking the wearer as a possession of national paternalism, to question their priceless heritage, to be contemptuous of civil authority and disrespectful of their country's honor.

Liberalism has drifted far off the course of true democracy. Under liberal leadership we have coddled our enemies and kicked our friends. We have adopted dishonor as a national policy. We have paid ransom and crawled on our knees to our adversaries. We have tolerated disrespect for the American flag and cast out religion in our schools. We permit Communists to teach our children. We have been zealous to protect the criminal and too eager to punish the policeman. We have become too soft and too impotent to uphold our national prestige.

The redemption of America lies in a conservative movement, in a policy of demanding that law and order be restored, in a policy calling for a balanced budget, in a policy which places the future of America foremost among the nations of the world, in a policy which calls for a restoration of national dignity and respect, in a policy which in wartime calls for victory and not national dishonor, in a policy which places two hundred million Americans behind each soldier on the field, each sailor on the seas and each airman in the skies; in a policy which calls for swift punishment for those who desecrate our flag and our country's honor, in a policy which compels leadership to tell the truth, in a policy which recognizes morality and decency as anchor rocks of our republic, in a policy which demands economy to be a virtue, in a policy which demands that the government be the servant and not the master of the people, in a policy which permits every man to order his own destiny free and independent of unwarranted restrictions and servitude. When these policies have been inaugurated America once again will march in the forefront of the nations of the world, symbolic of a people who hold that honesty, honor, justice, morality and equality of opportunity are the finest foundation stones ever quarried for a republic from the mountain of eternal truth.

TAKE IT EASY, MR. PRESIDENT

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DINGELL. Mr. Speaker, the Trenton Times, an excellent weekly newspaper published at Trenton, Mich., in its issue of Wednesday, June 12, 1968, carried a well-reasoned editorial on the subject of firearms legislation. The editorial convincingly makes the point that "no significant parallel can be drawn between restrictive gun laws and homicide," and, therefore, "gun laws are not the answer to curbing homicidal shootings."

In order to provide my colleagues with an opportunity to read the Trenton Times editorial, under unanimous consent, I place it at this point in the RECORD:

TAKE IT EASY, MR. PRESIDENT

President Johnson has taken the occasion of the death of Senator Kennedy to beat the drums for anti-gun legislation he wants the Congress to pass.

The President has been given some information that is in error and does hunters and citizens who wish to possess firearms an injustice.

The President cites as fact, a statement that three quarters of a million Americans have died by firearms since the turn of the Century.

This is not a true statement, it has no foundation in fact, there are no records anywhere that will support this statement. The statement has, in fact, been traced to a New York publicist hired by anti-gun interests.

Here, however, is a factual situation to consider: In New York City, only 18,000 out of eight million people possess firearms. In the State of California, there are no restrictive firearms laws. Guess where the rate of gun deaths per 1,000 population is higher: New York!

In studies across the nation, comparing cities and states, no significant parallel can be drawn between restrictive gun laws and homicide. Gun laws are not the answer to curbing homicidal shootings.

No case, resting in reason, can be made for restrictive gun legislation of the sort sought by President Johnson or Senator Dodd.

It seems, however, to be worthwhile to consider the nature of these crimes. First, they are nothing new. Since President Lincoln's assassination 100 years ago, we've established a record of shooting nearly one third of our presidents while they were in office.

By the nature of their office, American Presidents cannot be successful if they "hole up" and remain aloof from the people, they need public contact in order to be able to understand the temper of the times.

This puts them in a most vulnerable position. Our Secret Service has said, there's simply no way to protect a President from a single-minded, determined killer.

So what's the answer, we admittedly don't know, but we do feel it's wrong for all the pundits to label the American people as a sick race. It's probably in the second case that a lot of the problem lies. Anyone who expects to see the French and German, English and Irish, Arab and Jew, White and Black, to mention a few mixtures, get together without considerable trouble, just isn't being realistic.

It's here where the trouble lies; in such a vast melting pot as this nation represents, we're bound to have trouble.

But, we can hope that someday, we'll all get along better than we do now, herein lies a partial solution.

A CRASH PROGRAM FOR RIGHT TO DRIVE

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. GALLAGHER. Mr. Speaker, in a recent speech before this body I noted that while the Government requires the registration of motor vehicles and the licensing of automobile operators, the same requirement is not true in our handling of lethal firearms; at the time, I asked, "Do we believe that a car is more dangerous than a gun?"

Nevertheless, there are still many people who either fail or refuse to see the obvious absurdity in arguing that the registration of firearms will prevent decent citizens from obtaining these weapons. When was the last time that the required registration of cars prevented a good driver from obtaining and operating an automobile?

Mr. Speaker, Art Buchwald, whose syndicated column appears regularly in the Washington Post, has given us an extremely effective critique on the arguments against gun registration and licensing. In his usual witty, satirical manner, Mr. Buchwald comments on the formation of a mythical "Committee To Abolish the Registration of Automobiles and the Licensing of Drivers." Before we are tempted to drive down the road of irrationality and accept the false arguments of those who oppose meaningful gun control, it would be wise to take cognizance of Mr. Buchwald's editorial. Hopefully, his words will help us to see the necessity of extending equal treatment to cars and carbines.

I insert Art Buchwald's column at this point in the RECORD:

A CRASH PROGRAM FOR RIGHT TO DRIVE

"The Committee to Abolish the Registration of Automobiles and the Licensing of Drivers" has just opened up a lobby in Washington and I was happy to visit with Roger Crash, their spokesman.

Mr. Crash said, "We have formed this organization because the constitutional rights of all automobile drivers are at stake. There is no reason why anybody should not be allowed to own and drive an automobile in this country without his rights being infringed by local, state and Federal authorities."

"Obviously you're against registration of vehicles, then?"

"We certainly are. Most people who drive should not be inconvenienced by some bureaucrat who wants to know what they intend to use a car for. There is a conspiracy in this country to get everyone to register their automobiles, so they eventually can be taken away from them."

"Who is behind the conspiracy?"

"The Communists. They know that America would collapse overnight if their automobiles were confiscated. This country is going through an hysterical period right now. They blame all the automobile deaths and accidents on the drivers. But you're not going to prevent accidents by asking people to register their vehicles. If somebody wants a car to kill somebody, he'll find it, no matter how many laws you have."

"You're also against driver's tests, aren't you?"

"We certainly are. Why should you penalize the law-abiding average driver by making him take a driver's test just to catch a few nuts who are outside the law?

"By asking someone to take a driver's test, you are subjecting him to indignity and guilt by association. You can not punish the car-loving citizen who only uses his automobile for pleasure, in order to prevent accidents caused by lawless elements of our society."

"Mr. Crash, one of the arguments for registering automobiles and making people take driver's tests is that it prevents the vehicles from getting into the hands of children, criminals, and unstable people who might cause accidents."

"The bleeding hearts and do-gooders use this argument all the time. But the automobile is part of our American birthright. Has it ever occurred to you that in every police state the dictators make their people register their automobiles and take driver's tests?"

"Is your society for doing away with traffic laws as well?"

"We are against anything that would inconvenience a driver in any way. People must be free to do what they want with their automobiles. Our economy depends on motor vehicles. Every time you pass a traffic law you discourage someone from buying a car. Traffic laws do not prevent accidents, people prevent accidents."

"How do you propose to repeal the registration and driving test laws that are now on the books?"

"By launching a mammoth letter campaign. We're going to ask everyone who owns a car to write his Congressman and Senator demanding the repeal of all laws having to do with motor vehicles. This is an election year and I assure you, our legislators are paying attention to their mail."

"I must admit you make a strong case against automobile controls. Do you think you have a chance?"

Mr. Crash replied, "there is now a big hue and cry about automobile accidents in this country, but it will die down soon. And then our lobby will really be able to go into action. We're tax-free, you know."

INTERNATIONAL CORRESPONDENCE SCHOOLS ENROLLMENT MILESTONE WILL BE REACHED THIS SUMMER

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. McDADE. Mr. Speaker, if there is any one distinction which America can demonstrate before the world, it is surely our love of education, and our enthusiasm to bring education to all. We have an unbelievably large number of elementary and secondary schools, as well as an astonishing compilation of colleges and universities. But by far, the school which easily counts its former students and present students overwhelmingly above all others is a great institution in my own congressional district, International Correspondence Schools of Scranton, Pa.

In July of this year, ICS expects to register its 8 millionth student.

To put this in a somewhat realistic perspective, if in the year 1 A.D. a university had opened its doors to admit 4,000 freshmen, and if it had admitted 4,000 freshmen a year until the present, it would still not have enrolled as many students by 1968 as I.C.S. has enrolled since 1890.

The men and women who have enrolled at ICS represent all of America—the rich and poor, the lowly and mighty, the humble and the famous. They have learned everything from the very basic mathematics to the most complex engineering. They have learned everything from basic spelling to how to write an essay, a short story, a novel.

Above all, though, they have learned that ICS is an institution which could be a friend for life, where there was always new learning to be had, where old skills could be brought up to date by the simple use of the mails.

I know that many of my colleagues here in the Congress have taken courses from ICS I am certain that they would wish to join me in extending my warmest regards to this fine institution.

With your permission, Mr. Speaker, I will here append a brief history of ICS:

I.C.S. ENROLLMENT MILESTONE WILL BE REACHED THIS SUMMER

International Correspondence Schools, the world's oldest and largest home-study educational institution, will attain a unique milestone in the field of education this summer by enrolling its eight millionth student.

I.C.S. forecasters predict the eight millionth student will be enrolled sometime in July or August.

"The importance of 'Mister 8 Million' is not the student himself," says Dr. John C. Villaume, I.C.S. President, "but what he represents. He will symbolize the 2.3 million adults today who are sacrificing leisure time to improve their career opportunities through home study.

"As the business of making a living becomes more competitive, the best opportunities will be grasped by people who have developed their skills and talents through special training in their fields."

I.C.S. students come from all over the world. I.C.S. World Limited throughout the free world, I.C.S. Canadian Limited, and I.C.S. of Latin America offer home-study courses written in English, Spanish, French and Portuguese and account for about half of I.C.S.'s more than 150,000 annual enrollments. Five percent of the I.C.S. student body in the United States are members of the U.S. Armed Forces.

Or "Mister 8" could be enrolled in a training program his company is conducting. I.C.S. has formal training arrangements with more than 8,000 U.S. companies, including 77 of the 100 largest in revenue.

After its founding in 1890, it took I.C.S. more than 15 years to reach 1,000,000 enrollments. But less than half that time will have elapsed between the enrollment of its seventh and eight millionth students. This accelerated rate of growth can be attributed to more than just a numerical increase in population. Radical advances in technology and management techniques occur with such frequency in business and industry that even college-trained people must occasionally pause to take refresher courses to bring them abreast of new developments.

I.C.S.'s fifth millionth student was Air Force Staff Sgt. Joseph F. Webster of Connersville, Indiana. Somewhere in the Pacific in 1945, Sgt. Webster applied for an I.C.S. course in Practical Electricity. I.C.S. officials planned suitable recognition to mark the event. But before he could receive the news, Sgt. Webster was killed in action.

"Mister Six" is Robert E. Jones of Port Lavaca, Texas. He enrolled for the I.C.S. Mechanical Engineering course in 1953 while employed as a mechanic for the Aluminum Company of America. Currently he is Project Engineer for the Woodlands Division of Continental-Ensco Manufacturing Company, a division of Youngstown Sheet and Tube.

"Mister Seven" was enrolled in 1961. Then a machinist at General Electric Company's Large Lamp Equipment plant in Cleveland, Herbert H. Eggleston studied I.C.S. Drafting and Machine Design. He has since become a Designer with General Electric's Photo Lamp Division in Chesterland, Ohio.

To commemorate the event of the eight millionth student, "Mister 8" will be flown to the home office of I.C.S. in Scranton, for special ceremonies in his honor. He then will be escorted to New York City for a press luncheon, and an expense-paid vacation in that city. In addition, he will receive a lifetime scholarship for unlimited I.C.S. study.

The students that miss by one, "Mister, Miss or Missus 7,999,999" and "Mister, Miss or Missus 8,000,001," will not be neglected. Each will receive a scholarship for the course in which he has registered.

COMMUNIST CONFESSIONS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. RARICK. Mr. Speaker, coming out of Czechoslovakia is firsthand testimony on how the Bolsheviks "persuade" their prisoners to "confess."

Some might call their methods torture, others would classify the operation as "environmental health."

I include a Scripps Howard release, by B. J. Cutler, from the Washington Daily News for June 26, as follows:

[From the Washington (D.C.) Daily News, June 26, 1968]

Czech Tells All: How the Reds Get Those in Disfavor To Confess

Paris, June 26.—One of the most remarkable results of the new Czech Regime's effort to "democratize" communism has been the disclosure of how Reds get high officials to confess to imaginary crimes and testify against themselves at communist show trials.

The man who is exposing the technique learned about it first-hand as a victim of the infamous Slansky trials of 1952 which were ordered by the late Soviet dictator Josef Stalin.

He is Evzen Loebl, who was deputy minister of foreign trade when Rudolph Slansky was purged as general secretary of the Czechoslovak Communist Party. As a result of the trials, Slansky and 10 other top party leaders were hanged. Loebl was lucky to get off with life imprisonment.

WRITING BOOK

In today's liberalized Czechoslovakia, he is writing a book on the trials, and two chapters have been published in the press.

Loebl was arrested without warning in 1949. He was taken to security headquarters, given "old rags" of prison garb to wear and thrown in a cell for four days. On the fifth day, he was taken to the investigating officer, a Capt. Kohoutek.

Loebl was told an official of his rank could only be arrested on orders of the Communist Party's Central Committee. "Altho a traitor, I should have faith" that the Central Committee had proof, and "if I made a sincere confession" and "revealed the names of my associates," the party would see "extenuating circumstances."

"I objected that I was not aware of being guilty of any criminal or anti-party activity . . . I asked them to tell me what I was actually accused of, and give me a chance to prove my innocence.

A TRICK

"They saw in this a typically Jewish trick. They said I only wanted to find out what they already knew about my criminal acts so that I could admit only that, and withhold what they did not know."

Loebl soon learned the investigators had nothing on him, not even a false denunciation. "Their only document was my own biography. All they needed to do was to change the biography into an indictment."

This was quite easy, he found. When Loebl said he had worked under Foreign Trade Minister Ripka, all he had to add was "that I was his agent and betrayed the party on his orders." Similarly, he had signed a trade agreement with Yugoslavia "as Tito's agent" and with Russia "to harm the Soviet Union."

Many people believe false confessions are extracted by drugs, physical torture or political pressure—communist officials being persuaded "that their confession would serve the party."

"In fact, the method is ingeniously simple," accordingly to Loebl. "Altho 'to sit' in Czech often means 'to be in prison,' sitting was the one thing I was not allowed to do. I had to stand during the examinations, and I was not allowed to sit down in the cell.

INTERROGATIONS

"The interrogations lasted on the average 16 hours a day . . . altogether I had to stand or march some 18 hours a day. About six hours were left to sleep . . . If one can talk of sleep at all. Every 10 minutes the warder pounded on the door, and I had to jump to attention and report: 'Detainee No. 1473 reports: Everything in order.'

"Sometimes when the loud bangs on the door did not wake me, the warder came into the cell and kicked me.

"Another instrument was hunger . . . one was always slightly hungry, but it was bearable. However, the interrogation almost always lasted a little longer—one day one missed lunch, another day dinner.

"The combination of lingering hunger, of constantly disturbed sleep, of standing up the whole day and walking in hard leather slippers—all this was unspeakable torture.

"After two or three weeks, my feet were swollen, every inch of my body ached at the slightest touch. Washing became a torture, every step was concentrated pain. The interrogation—three officials alternated—was a never-ending stream of abuse, humiliation, threats."

Loebl's cell was below the interrogation rooms, and he could hear "the crying of their victims" all night. Sometimes he would be taken blindfolded to the basement and told he was about to be executed without trial.

BRUTAL GUARDS

Even worse than brutal guards and the knowledge he was innocent was the fact "that I was the victim of my own party, for which I had lived and to which I gave all I possessed."

It was this that finally made Loebl confess.

"What was the sense in upholding human ideals and principles, since everything was defiled and nonsensical anyway if these Gestapo methods were possible in a social state."

There was a sudden change in Kohoutek, his interrogator. "So long as I denied the charges and insisted I was an upright citizen, he was very unpleasant. However, as soon as I had confessed that I was among the scum of mankind, he became very friendly and talkative."

Kohoutek disclosed he had learned tortures from his "teachers" (the Russian Secret Police who were really in charge) that could crack anyone in two days. But these were not used in preparing public trials because once the pain stopped the confession might be repudiated. That is why Loebl's will had been broken.

TEACHERS

His statements were translated into Russian and submitted to the "teachers." Then they were rewritten to comply with the latters' notes.

"When I learned the testimony by heart, I was given a test, twice a day," Loebl relates.

In preparation for the trial, Loebl was fattened up with good food and taken outside for exercise. Each defendant was accompanied by his own interrogator when he went to court to testify.

"As soon as we left the courtroom and entered the corridor, they treated us like national heroes. We were served black coffee, and . . . sausages, ham and lemonades. We were offered cigarets, and a doctor took care of us—he measured our blood pressure and paid us touching attention.

"After every testimony, there was a big discussion about the quality of the 'performance.' The official whose defendant's performance in the courtroom was good took it as his personal merit."

To prevent suicide attempts, prisoners were not allowed belts or suspenders. This turned out to be a mistake in the case of a defendant named Sling whose "fattening cure" had not restored him to size.

"It so happened that Sling's pants slid down in the midst of the court hearing, and he stood there in his white underpants. The session had to be interrupted, and it was suspected that Sling had done it on purpose to ridicule the court. Naturally, this cast a shadow on the official in charge of him."

REHABILITATION

Sent to jail for life, Loebl was released in 1960 after 11 years behind bars. He worked as a warehouse clerk until 1963, when he was "rehabilitated." He is now head of the Bratislava branch of the state bank, and is an important figure in the new Czech regime.

To this day, however, he cannot forgive himself for having co-operated with the purge trials.

"I feel guilty for not having been strong enough to resist these horrors and the terror," he says. "I had no right to act in a manner contrary to my ideals, and I believe I shall blame myself for this weakness to the end of my life."

After he confessed, he recalls, he was allowed to sit down, to read books—"even books my wife had sent." He was not badly treated in prison after the trial. He even wrote a book of his own, memorizing it and writing it down after his release.

SENATE—*Friday, June 28, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

Rev. Grant R. Sherk, Jr., rector, St. Dunstan's Episcopal Church, McLean, Va., offered the following prayer:

Almighty God, Heavenly Father, Creator of all things, who has made us in Thine own image so that we too may be creators and builders, graft into all our hearts the desire to build and to create so that we may be deeply conscious of our oneness with Thee and of our unity with all men. Help us to build for others out of love and gratitude to Thee for the many blessings which Thou hast bestowed upon us in this great land.

O God, in this time of trouble and discord, we ask Thee to bestow Thy grace and blessing upon all of the Members of this Senate. Give to each one of them wisdom, knowledge, compassion, love, and courage. May they possess the creativeness of mind and spirit to enable them to perform their tasks and to fulfill Thy will.

And, Father, we beseech Thee to help us in the solution of our problems. Though we are at war, help us to find an honorable peace. Though we are rich, show us how to help the poor. And though there is violence and hatred, lead us to compassion and love. Revive in us the love of God and country which prompted our ancestors to achieve their destiny, so that at the last when we depart this life, we too may have served Thee in our generation.

In the name of the Father, and of the Son, and of the Holy Ghost. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, June 26, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations, the Subcommittee on Business and Commerce of the Committee on the District of Columbia, and the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

FUNDS AVAILABLE TO THE SECRETARY OF THE SENATE

Mr. PASTORE. Mr. President, I send to the desk a resolution and ask for its immediate consideration.

The PRESIDENT pro tempore. The resolution will be stated.

The legislative clerk read the resolution, as follows:

S. Res. 310

Resolved, That the Secretary of the Senate may utilize any fiscal year 1968 appropriation available for the purpose of paying the compensation due employees for June 1968 from the appropriation "Expenses of Inquiries and Investigations, fiscal year 1968", any sum so utilized shall be replaced from funds appropriated for said appropriation in the Second Supplemental Appropriation Act, 1968.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. PASTORE. Mr. President, we have an item in the supplemental bill, is now in conference, which has to do with the paying of the salaries of the personnel of certain investigating committees. They have not been paid because the funds have run out. As a matter of fact, it was underfunded.

The purpose of this resolution is to allow the disbursing officer to utilize whatever funds he has available, and then the funds will be replenished once the supplemental bill is signed by the President.

Action similar to this was taken in the House the other day, and I ask that the Senate do the same at this time,

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution (S. Res. 310) was agreed to.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED BILLS SIGNED

Under authority of the order of the Senate of June 26, 1968, the Secretary of the Senate, on June 27, 1968, received the following message from the House of Representatives:

That the Speaker had affixed his signature to the following enrolled bills; and they were subsequently signed by the President pro tempore; on June 27, 1968:

H.R. 5783. An act to amend titles 10, 14, and 37, United States Code, to provide for confinement and treatment of offenders against the Uniform Code of Military Justice;

H.R. 10480. An act to prohibit desecration of the flag, and for other purposes;

H.R. 13050. An act to amend title 10, United States Code, to authorize an increase in the numbers of officers to the Navy designated for engineering duty, aeronautical engineering, and special duty;

H.R. 13593. An act to amend title 10, United States Code, to increase the number of congressional alternates authorized to be nominated for each vacancy at the Military, Naval, and Air Force Academies;

H.R. 15789. An act to amend section 2306 of title 10, United States Code, to authorize certain contracts for services and related supplies to extend beyond 1 year;

H.R. 16819. An act to amend the Vocational Rehabilitation Act to extend the authorization of grants to States for rehabilitation services, to broaden the scope of goods and services available under that act for the handicapped, and for other purposes;

H.R. 17024. An act to repeal section 1727 of title 18, United States Code, so as to permit prosecution of postal employees for failure to remit postage due collections under the postal embezzlement statute, section 1711 of title 18, United States Code; and

H.R. 17320. An act to authorize the Secretary of Agriculture to grant an easement over certain lands to the St. Louis-San Francisco Railway Co.

REPORT OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Under authority of the order of the Senate of June 26, 1968, Mr. Young of North Dakota, from the Committee on Agriculture and Forestry, reported favorably, with amendments, on June 27, 1968, the bill (H.R. 10673) to amend title III of the Packers and Stockyards Act, 1921, as amended, and submitted a report (No. 1331) thereon, which was printed.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Leonard, one of his secretaries, and he announced that on June 27, 1968 the President had approved and signed the following acts:

S. 2276. An act to amend the Watershed Protection and Flood Prevention Act to permit the Secretary of Agriculture to contract for the construction of works of improvement upon request of local organizations; and

S. 2914. An act to authorize the further amendment of the Peace Corps Act.

VOTING AGE—MESSAGE FROM THE PRESIDENT—(H. DOC. NO. 334)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on the Judiciary:

To the Congress of the United States:

The ballot box is the great anvil of democracy, where government is shaped by the will of the people. It is through the ballot that democracy draws its strength, renews its processes, and assures its survival.

Throughout the life of our Republic, no single, enduring question has so engaged generation after generation of Americans as this: Who among our citizens shall be eligible to participate as voters in determining the course of our public affairs?

On four occasions we have amended our Constitution to enlarge or to protect that participation. In recent years, Congress itself has been attentive to sheltering and assuring the free exercise of the right to vote.

Such a concern is altogether fitting. Under a government of, by and for the people, the right to vote is the most basic right of all. It is the right on which all others finally stand.

Such a right is not to be idly conferred or blindly withheld. But the stability of our Republic from the beginning has been served—well and faithfully—by the willingness of Americans to lay aside the constraints of custom and tradition and heed the appeals of reason and reality to welcome into the American electorate those of our citizens fitted by the precepts of our society's values to participate in the exercise of the ultimate right of citizenship.

At the inception of the Republic, the promise of the new Nation was strengthened because our forefathers cast aside tests of religion and property.

At midpassage, America's moral strength was fortified when the test of color was removed by the Fifteenth Amendment. The Voting Rights Act of 1965 has reinforced this principle of all time.

At the beginning of the modern era in this twentieth century, reason and reality wisely prevailed when the women of America—through the Nineteenth Amendment to the Constitution—were granted the equality of citizenship so long denied them.

In 1961, the Twenty-Third Amendment to the Constitution gave citizens of the Nation's capital the right to vote for President and Vice President.

Four years ago, the Twenty-Fourth Amendment struck down the tests of the poll tax which had for almost a century disenfranchised thousands of Americans.

ENLARGING THE AMERICAN FRANCHISE

In all these instances time has affirmed the wisdom and the right of these decisions to enlarge participation in the Nation's affairs. Time, too, has already affirmed the wisdom and justice of our continuing efforts in the last decade to perfect, protect and shelter the right of all citizens to vote and to put an end to the unconscionable techniques of studied discrimination.

Today, I believe it is time once more for Americans to measure the constraints of custom and tradition against the compelling force of reason and reality in regard to the test of age. The hour has come to take the next great step in the march of democracy. We should now extend the right to vote to more than ten million citizens unjustly denied that right. They are the young men and women of America between the ages of 18 and 21.

The practice of admitting young Americans to the electorate at the age of twenty-one has its roots in the dim and distant mists of medieval England—but it is a practice and limitation without roots in the American experience.

Throughout our history as a young Nation, young people have been called upon by the age of eighteen to shoulder family responsibilities and civic duties identical with their elders.

At the age of eighteen, young Americans are called upon to bear arms.

At the age of eighteen, young Americans are treated as adults before many courts of law and are held responsible for their acts.

The age of eighteen, far more than the age of twenty-one, has been and is the age of maturity in America—and never more than now.

Reason does not permit us to ignore any longer the reality that eighteen year old young Americans are prepared—by education, by experience, by exposure to public affairs of their own land and all the world—to assume and exercise the privilege of voting.

The essential stability of our system is not served, the moral integrity of our cause is not strengthened, the value we place on the worth of the individual is not honored by denying to more than ten million citizens—solely because of their age—the right to full participation in determining our country's course.

This denial of the right to vote limits our democracy. It diminishes every modern concept of citizenship.

The young people of America in this decade are far more ready, far better qualified, far more able to discharge the highest duty of citizenship than any generations of the past.

We know—and the young men and women know also—that this is so.

They are better educated than their counterparts of a generation ago. They graduate from high school and enter college in greater proportions. Already this group—although many have not yet completed their schooling—have a higher education level than the general electorate.

Mass communication and greater opportunities for travel expose them earlier and more frequently to the issues of the day than the young men and women of the 1940's, or even the 1950's.

The young men of today serve their Nation in uniform with the same devotion as their fathers and brothers of earlier days showed. But duties unknown a decade ago have summoned the devotion of young men and women alike, by the tens of thousands. Their participation in the Peace Corps, in VISTA, and in other community ventures has elevated our national life and brought new meaning to the concept of service.

For myself, I deeply believe that America can only prosper from the infusion of youthful energy, initiative, vigor, and intelligence into our political processes.

We live in a world that is young and growing younger each year. Of all nations, none has more generously invested in preparing its young people for constructive citizenship and none has been more faithfully served by its young than has America.

Today, the young people of America are asking the opportunity to give of their talents and abilities, their energies and enthusiasms, to the greater tasks of their times. I believe their proper request can and must be properly answered by a national affirmation of our faith in them. For a nation without faith in its sons and daughters is a nation without faith in itself.

WHAT I PROPOSE

I accordingly propose that the Congress of the United States approve and submit for ratification of the legislatures of three-fourths of the States an amendment to the Constitution of the United States to provide, as follows:

> The right of any citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of age if a citizen is eighteen years of age or older.

In proposing submission of such an amendment I am mindful that:

- —The State of Georgia since 1943, and the State of Kentucky, since 1955, have permitted eighteen year old residents to vote.
- —The two new States of Alaska and Hawaii have permitted nineteen and twenty year old residents, respectively, to vote.
- —The first proposal for such an amendment was advanced in 1942 by Senator Arthur Vandenberg.
- —President Dwight D. Eisenhower, in his 1954 State of the Union Address, urged an Amendment to lower the voting age to eighteen.
- —In the 90th Congress, more than fifty proposed Constitutional Amendments to extend voting rights to eighteen year old citizens have been introduced, and many of these measures have broad bi-partisan support.

The concept has been tried and tested. Its merit has been established. Its rightness is now beyond dispute.

FULL PARTICIPATION IN OUR AMERICAN DEMOCRACY

The time has come to grant our youth what we ask of them but still deny to them—full and responsible participation in our American democracy.

In this year of national decision, as Americans in every State prepare to choose their leadership for the decisive and fateful years before us, the Congress has a rare opportunity through the submission of this amendment to signify to our young people that they are respected, that they are trusted, that their commitment to America is honored and that the day is soon to come when they are to be participants, not spectators, in the adventure of self-government.

Every time before, when America has extended the vote to citizens whose hour has come, new vitality has been infused into the lifestream of the Nation, and America has emerged the richer.

Now the hour has come again to take another step in Democracy's great journey.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 27, 1968.*

EXECUTIVE MESSAGES REFERRED

As in executive session.

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the joint resolution **(S.J. Res. 165) authorizing the President to proclaim August 11, 1968, as "Family Reunion Day."**

The message also announced that the House insisted upon its amendments to the bill (S. 2986) to extend Public Law 480, 83d Congress, for 3 years, and for other purposes; disagreed to by the Senate, and agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Poage, Mr. Gathings, Mr. Jones of Missouri, Mr. Purcell, Mr. Belcher, Mr. Teague of California, and Mrs. May were appointed managers on the part of the House at the conference.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H.R. 5404. An act to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes;

H.R. 6279. An act to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data;

H.R. 15979. An act to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, and for other purposes; and

H.R. 17268. An act to amend the Defense Production Act of 1950, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 14367) to authorize the disposal of beryl ore from the national stockpile and the supplemental stockpile.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17354) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mrs. Hansen of Washington, Mr. Kirwan, Mr. Marsh, Mr. Flynt, Mr. Joelson, Mr. Mahon, Mr. Reifel, Mr. McDade, Mr. Harrison, and Mr. Jonas were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Mahon, Mr. Whitten, Mr. Sikes, Mr. Natcher, Mr. Flood, Mrs. Hansen of Washington, Mr. Jonas, Mr. Laird, Mr. Lipscomb, and Mr. Michel were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and they were signed by the President pro tempore:

H.R. 3931. An act to amend the act of April 3, 1952;

H.R. 8581. An act to amend section 11-341 (b) of the District of Columbia Code which relates to the sales price for the reports of the opinions of the U.S. Court of Appeals for the District of Columbia Circuit; and

H.R. 13373. An act for the relief of Richard C. Mockler.

HOUSE BILL REFERRED

The bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes was read twice by its title and referred to the Committee on Appropriations.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

International Expositions

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to provide for Federal Government recognition of and participation in international expositions to be held in the United States, and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need to improve the cost-information system to achieve more economical supply programs, General Services Administration, dated June 26, 1968 (with an accompanying report); to the Committee on Government Operations.

Overtime and Standby Pay, Department of Transportation

A letter from the Acting Secretary of Transportation, transmitting a draft of proposed legislation to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation (with accompanying papers); to the Committee on Post Office and Civil Service.

Proposed Reimbursement for Work by States and Others on Authorized Water Resources Projects

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize reimbursement for work by States and other non-Federal public bodies on authorized water resources projects (with an accompanying paper); to the Committee on Public Works.

Study of Deep-Draft Ports and Harbor Plans

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize a Nationwide Study of Deep-Draft Ports and the Preparation of Harbor Plans; to the Committee on Public Works

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Resolutions of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Finance:

"House Resolution

"Resolution memorializing the Congress of the United States to consider the intent and purposes of the Massachusetts Industrial Finance Authority Act and its relationship to shipbuilding industries

"Whereas, The Congress of the United State is presently considering legislation that would impose certain restrictions upon the use of tax-exempt industrial development bonds within the commonwealth of Massachusetts and within other states; and

"Whereas, Authority has already been conveyed by the General Court of Massachusetts to the cities and towns of the commonwealth to utilize the industrial revenue bond financing procedure under the terms of Chapter 772 of the Acts of 1967 and has through a companion measure, Chapter 815 of said Acts of 1967, provided a special formula for determining the real estate and personal tax assessments for shipyards financed by industrial revenue bonds; and

"Whereas, H. 1514, Section 107, presently under consideration in the Congress of the United States could cause severe economic problems in certain areas of the commonwealth where industrial expansions, based upon local financing, arrangements and agreements, now in progress, might be indefinitely deferred; and

"Whereas, The Congress of the United States is considering and delineating certain exceptions to the proposed regulations which could alleviate certain of these problems: Therefore, be it

"*Resolved,* It is the sense of the Massachusetts House of Representatives that the Congress of the United States consider in its deliberations with respect to the restrictions, and exceptions to those restrictions being imposed upon the use of tax-exempt industrial development bonds, of the intent of the General Court of Massachusetts to avail cities and towns of the commonwealth and the industries located therein with a tax-exempt revenue bond financing procedure which has been made available to competing industries in other regions of the country, thereby precluding otherwise inevitable job losses associated with the inequities of allowing low-cost financing for one company and denying that advantage to a Massachusetts competiitor; and, be it further

"*Resolved,* That the Massachusetts House of Representatives respectfully requests the Congress of the United States to take note of the intent in the passage of Chapter 815, Acts of 1967, the so-called Shipyard Classification Act, in making a special exception to shipyards in its classification for taxation purposes or real and personal properties which did in effect establish this procedure to allow General Dynamics Corporation specifically, and any comparable ship manufacturer, the ability to utilize the revenue bond financing procedure for major expansions which might be undertaken in the future, thus signifying the intent and desire of the General Court of Massachusetts to accommodate the growth of one of the largest industrial employers in the commonwealth; and, be it further

"*Resolved,* This commitment was repeatedly recognized through the course of the year one thousand nine hundred and sixty-seven, during which this bill and its companion measures were introduced, subjected to public hearings, debated, enacted and signed into law; and, be it further

"*Resolved,* That a copy of these resolutions be transmitted by the Secretary of the Commonwealth to the presiding officers of each branch of Congress and to each Senator and Representative from Massachusetts in the Congress of the United States.

"House of Representatives, adopted, June 6, 1968.

"William C. Maiers,
"*Clerk.*

"A true copy. Attest:
"John F. X. Davoren,
"*Secretary of the Commonwealth.*"

Resolutions of the Senate of the Commonwealth of Massachusetts; to the Committee on Finance:

"Senate Resolution

"Resolution memorializing the Congress of the United States to take note of the intent and purposes involved in its passage of the Massachusetts Industrial Finance Authority Act and its relationship to shipbuilding industries

"Whereas, The Congress of the United States is presently considering legislation that would impose certain restrictions upon the use of tax-exempt industrial development bonds within the commonwealth of Massachusetts and within other states; and

"Whereas, Authority has already been conveyed by the Senate to its cities and towns to utilize the industrial revenue bond financing procedure under the terms of Chapter 772, Acts of 1967 and has through a companion measure, Chapter 815, Acts of 1967, provided a special formula for determining the real estate and personal tax assessments for shipyards financed by industrial revenue bonds; and

"Whereas, H. 1514, Section 107, presently under consideration in the Congress of the United States, could cause severe economic problems in certain areas of the commonwealth where industrial expansions, based upon local financing, arrangements and agreements, now in progress, might be indefinitely deferred; and

"Whereas, The Congress of the United States is considering and delineating certain exceptions to the proposed regulations which could alleviate certain of these problems, if properly construed: Therefore, be it

"*Resolved*, That the Massachusetts Senate respectfully requests the Congress of the United States, to take and make note in its deliberations with respect to the restrictions (and exceptions to those restrictions) being imposed upon the use of tax-exempt industrial development bonds, of the intent of the Massachusetts Senate to avail its cities and towns and the industries located therein with a tax-exempt revenue bond financing procedure which has been made available to competing industries in other regions of the country, thereby precluding otherwise inevitable job losses associated with the inequities of allowing low-cost financing for one company and denying that advantage to a Massachusetts competitor; and, be it further

"*Resolved,* That the Massachusetts Senate so convey its intent in passage of Chapter 815, Acts of 1967, the so-called Shipyard Classification Act, in making a special exception to shipyards in its classification for taxation purposes of real and personal properties, did in effect establish this procedure to allow General Dynamics Corporation specifically, and any comparable ship manufacturer, the ability to utilize the revenue bond financing procedure for major expansions which might be undertaken in the future, thus signifying the intent and desire of the Massachusetts Senate to accommodate the growth of one of its largest industrial employers. This commitment was repeatedly recognized through the course of the year one thousand nine hundred and sixty-seven, during which this bill and its companion measures were introduced, subjected to public hearings, debated, enacted and signed into law; and, be it further

"*Resolved*, That the Secretary of the Commonwealth of Massachusetts transmit forthwith this resolve to the Speaker of the House of Representatives, the presiding officer of the Senate of the United States and to the Senators and Congressmen comprising the congressional Delegation from Massachusetts.

"Senate, adopted, June 5, 1968.

"Norman L. Pidgeon,
"*Clerk.*

"A true copy. Attest:
"John F. X. Davoren,
"*Secretary of the Commonwealth.*"

A resolution of the Legislature of the Yap Islands, commending the Honorable Patsy T. Mink, Member of the U.S. Congress; to the Committee on Interior and Insular Affairs.

A letter, in the nature of a petition, signed by Gene Huebener, president, St. Louis Mineral & Gem Society, of Kirkwood, Mo., proposing Plymouth Rock as the National Rock; to the Committee on the Judiciary.

The resolution of William G. Gross, of Fullerton, Calif., praying for the enactment of gun control legislation; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. **HART**, from the Committee on the Judiciary, without amendment:

S. 2214. A bill for the relief of Arthur Rike (Rept. No. 1334).

By Mr. **McCLELLAN**, from the Committee on the Judiciary, without amendment:

S. 3679. A bill to amend the act of June 19, 1968 (Public Law 351, 90th Congress).

By Mr. **HRUSKA** (for Mr. Dirksen), from the Committee on the Judiciary, without amendment:

S.J. Res. 181. Joint resolution to authorize the President to designate the week of August 4 through August 10, 1968, as "Professional Photography Week" (Rept. No. 1335); and

H.J. Res. 1302. Joint resolution to authorize the President to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week" (Rept. No. 1336).

By Mr. **HRUSKA** (for Mr. Dirksen), from the Committee on the Judiciary, with amendments:

S. 2628. A bill to amend the act entitled "An act to incorporate the National Education Association of the United States," approved June 30, 1906 (34 Stat. 804) (Rept. No. 1341).

(The above bill was subsequently considered and passed.)

By Mr. **HART** (for Mr. Long of Missouri), from the Committee on the Judiciary, without amendment:

H.J. Res. 1111. Joint resolution granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri (Rept. No. 1333).

By Mr. **RANDOLPH**, from the Committee on Public Works, with amendments:

S. 3418. A bill to authorize appropriations for the fiscal year 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes (Rept. No. 1340).

By Mr. **MAGNUSON**, from the Committee on Commerce, without amendment:

S. 3514. A bill to authorize the use of the vessel *Mouette* in the coastwise trade (Rept. No. 1339).

By Mr. **YARBOROUGH**, from the Committee on Labor and Public Welfare, with amendments:

H. Con. Res. 705. Concurrent resolution to assist veterans of the Armed Forces of the United States who have served in Vietnam or elsewhere in obtaining suitable employment (Rept. No. 1337).

JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT OF 1968—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 1332)

Mr. **CLARK**. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with an amendment, the bill (H.R. 12120) to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes. I ask unanimous consent that the report be printed, together with supplemental views.

The **PRESIDENT** pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Pennsylvania.

AMENDMENT OF FEDERAL POWER ACT—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 1338)

Mr. **MAGNUSON**. Mr. President, from the Committee on Commerce, I report favorably, with amendments, the bill (S. 2445) to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised. I ask unanimous consent that the report be printed, together with the supplemental views of Senators Hart, Brewster, Moss, and myself.

The **PRESIDENT** pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Washington.

AUTHORIZATION OF FLOOD CONTROL AND MULTIPLE-PURPOSE PROJECTS—REPORT OF A COMMITTEE (S. REPT. NO. 1342)

Mr. **RANDOLPH**. Mr. President, from the Committee on Public Works, I report favorably an original bill (S. 3710) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. I ask that the report be printed.

The **PRESIDENT** pro tempore. The report will be received, and the bill will be placed on the calendar, and the report will be printed.

EXTENSION OF AUTHORITY FOR MORE FLEXIBLE REGULATION OF MAXIMUM RATES OF INTEREST OR DIVIDENDS—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 1343)

Mr. **BYRD** of West Virginia. Mr. President, on behalf of the Senator from Wisconsin [Mr. Proxmire], from the Committee on Banking and Currency, I report favorably, with amendments, the bill (S. 3133) to extend for 2 years the

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the joint resolution (S.J. Res. 165) authorizing the President to proclaim August 11, 1968, as "Family Reunion Day."

The message also announced that the House insisted upon its amendments to the bill (S. 2986) to extend Public Law 480, 83d Congress, for 3 years, and for other purposes; disagreed to by the Senate, and agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Poage, Mr. Gathings, Mr. Jones of Missouri, Mr. Purcell, Mr. Belcher, Mr. Teague of California, and Mrs. May were appointed managers on the part of the House at the conference.

The message further announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H.R. 5404. An act to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes;

H.R. 6279. An act to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data;

H.R. 15979. An act to amend the act of August 1, 1958, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and pesticides, and for other purposes; and

H.R. 17268. An act to amend the Defense Production Act of 1950, and for other purposes.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 14367) to authorize the disposal of beryl ore from the national stockpile and the supplemental stockpile.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17354) making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1969, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mrs. Hansen of Washington, Mr. Kirwan, Mr. Marsh, Mr. Flynt, Mr. Joelson, Mr. Mahon, Mr. Reifel, Mr. McDade, Mr. Harrison, and Mr. Jonas were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Mahon, Mr. Whitten, Mr. Sikes, Mr. Natcher, Mr. Flood, Mrs. Hansen of Washington, Mr. Jonas, Mr. Laird, Mr. Lipscomb, and Mr. Michel were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and they were signed by the President pro tempore:

H.R. 3931. An act to amend the act of April 3, 1952;

H.R. 8581. An act to amend section 11–341 (b) of the District of Columbia Code which relates to the sales price for the reports of the opinions of the U.S. Court of Appeals for the District of Columbia Circuit; and

H.R. 13373. An act for the relief of Richard C. Mockler.

HOUSE BILL REFERRED

The bill (H.R. 18037) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1969, and for other purposes was read twice by its title and referred to the Committee on Appropriations.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

International Expositions

A letter from the Acting Secretary of Commerce, transmitting a draft of proposed legislation to provide for Federal Government recognition of and participation in international expositions to be held in the United States, and for other purposes (with an accompanying paper); to the Committee on Foreign Relations.

Report of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need to improve the cost-information system to achieve more economical supply programs, General Services Administration, dated June 26, 1968 (with an accompanying report); to the Committee on Government Operations.

Overtime and Standby Pay, Department of Transportation

A letter from the Acting Secretary of Transportation, transmitting a draft of proposed legislation to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation (with accompanying papers); to the Committee on Post Office and Civil Service.

Proposed Reimbursement for Work by States and Others on Authorized Water Resources Projects

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize reimbursement for work by States and other non-Federal public bodies on authorized water resources projects (with an accompanying paper); to the Committee on Public Works.

Study of Deep-Draft Ports and Harbor Plans

A letter from the Secretary of the Army, transmitting a draft of proposed legislation to authorize a Nationwide Study of Deep-Draft Ports and the Preparation of Harbor Plans; to the Committee on Public Works

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Resolutions of the House of Representatives of the Commonwealth of Massachusetts; to the Committee on Finance:

"House Resolution

"Resolution memorializing the Congress of the United States to consider the intent and purposes of the Massachusetts Industrial Finance Authority Act and its relationship to shipbuilding industries

"Whereas. The Congress of the United State is presently considering legislation that would impose certain restrictions upon the use of tax-exempt industrial development bonds within the commonwealth of Massachusetts and within other states; and

"Whereas, Authority has already been conveyed by the General Court of Massachusetts to the cities and towns of the commonwealth to utilize the industrial revenue bond financing procedure under the terms of Chapter 772 of the Acts of 1967 and has through a companion measure, Chapter 815 of said Acts of 1967, provided a special formula for determining the real estate and personal tax assessments for shipyards financed by industrial revenue bonds; and

"Whereas, H. 1514, Section 107, presently under consideration in the Congress of the United States could cause severe economic problems in certain areas of the commonwealth where industrial expansions, based upon local financing, arrangements and agreements, now in progress, might be indefinitely deferred; and

"Whereas, The Congress of the United States is considering and delineating certain exceptions to the proposed regulations which could alleviate certain of these problems: Therefore, be it

"*Resolved*, It is the sense of the Massachusetts House of Representatives that the Congress of the United States consider in its deliberations with respect to the restrictions, and exceptions to those restrictions being imposed upon the use of tax-exempt industrial development bonds, of the intent of the General Court of Massachusetts to avail cities and towns of the commonwealth and the industries located therein with a tax-exempt revenue bond financing procedure which has been made available to competing industries in other regions of the country, thereby precluding otherwise inevitable job losses associated with the inequities of allowing low-cost financing for one company and denying that advantage to a Massachusetts competiitor; and, be it further

"*Resolved*, That the Massachusetts House of Representatives respectfully requests the Congress of the United States to take note of the intent in the passage of Chapter 815, Acts of 1967, the so-called Shipyard Classification Act, in making a special exception to shipyards in its classification for taxation purposes or real and personal properties which did in effect establish this procedure to allow General Dynamics Corporation specifically, and any comparable ship manufacturer, the ability to utilize the revenue bond financing procedure for major expansions which might be undertaken in the future, thus signifying the intent and desire of the General Court of Massachusetts to accommodate the growth of one of the largest industrial employers in the commonwealth; and, be it further

"*Resolved*, This commitment was repeatedly recognized through the course of the year one thousand nine hundred and sixty-seven, during which this bill and its companion measures were introduced, subjected to public hearings, debated, enacted and signed into law; and, be it further

"*Resolved,* That a copy of these resolutions be transmitted by the Secretary of the Commonwealth to the presiding officers of each branch of Congress and to each Senator and Representative from Massachusetts in the Congress of the United States.

"House of Representatives, adopted, June 6, 1968.

"William C. Maiers,
"*Clerk.*

"A true copy. Attest:
"John F. X. Davoren,
"*Secretary of the Commonwealth.*"

Resolutions of the Senate of the Commonwealth of Massachusetts; to the Committee on Finance:

"Senate Resolution

"Resolution memorializing the Congress of the United States to take note of the intent and purposes involved in its passage of the Massachusetts Industrial Finance Authority Act and its relationship to shipbuilding industries

"Whereas, The Congress of the United States is presently considering legislation that would impose certain restrictions upon the use of tax-exempt industrial development bonds within the commonwealth of Massachusetts and within other states; and

"Whereas, Authority has already been conveyed by the Senate to its cities and towns to utilize the industrial revenue bond financing procedure under the terms of Chapter 772, Acts of 1967 and has through a companion measure, Chapter 815, Acts of 1967, provided a special formula for determining the real estate and personal tax assessments for shipyards financed by industrial revenue bonds; and

"Whereas, H. 1514, Section 107, presently under consideration in the Congress of the United States, could cause severe economic problems in certain areas of the commonwealth where industrial expansions, based upon local financing, arrangements and agreements, now in progress, might be indefinitely deferred; and

"Whereas, The Congress of the United States is considering and delineating certain exceptions to the proposed regulations which could alleviate certain of these problems, if properly construed: Therefore, be it

"*Resolved,* That the Massachusetts Senate respectfully requests the Congress of the United States, to take and make note in its deliberations with respect to the restrictions (and exceptions to those restrictions) being imposed upon the use of tax-exempt industrial development bonds, of the intent of the Massachusetts Senate to avail its cities and towns and the industries located therein with a tax-exempt revenue bond financing procedure which has been made available to competing industries in other regions of the country, thereby precluding otherwise inevitable job losses associated with the inequities of allowing low-cost financing for one company and denying that advantage to a Massachusetts competitor; and, be it further

"*Resolved,* That the Massachusetts Senate so convey its intent in passage of Chapter 815, Acts of 1967, the so-called Shipyard Classification Act, in making a special exception to shipyards in its classification for taxation purposes of real and personal properties, did in effect establish this procedure to allow General Dynamics Corporation specifically, and any comparable ship manufacturer, the ability to utilize the revenue bond financing procedure for major expansions which might be undertaken in the future, thus signifying the intent and desire of the Massachusetts Senate to accommodate the growth of one of its largest industrial employers. This commitment was repeatedly recognized through the course of the year one thousand nine hundred and sixty-seven, during which this bill and its companion measures were introduced, subjected to public hearings, debated, enacted and signed into law; and, be it further

"*Resolved,* That the Secretary of the Commonwealth of Massachusetts transmit forthwith this resolve to the Speaker of the House of Representatives, the presiding officer of the Senate of the United States and to the Senators and Congressmen comprising the congressional Delegation from Massachusetts.

"Senate, adopted, June 5, 1968.

"Norman L. Pidgeon,
"*Clerk.*

"A true copy. Attest:
"John F. X. Davoren,
"*Secretary of the Commonwealth.*"

A resolution of the Legislature of the Yap Islands, commending the Honorable Patsy T. Mink, Member of the U.S. Congress; to the Committee on Interior and Insular Affairs.

A letter, in the nature of a petition, signed by Gene Huebener, president, St. Louis Mineral & Gem Society, of Kirkwood, Mo., proposing Plymouth Rock as the National Rock; to the Committee on the Judiciary.

The resolution of William G. Gross, of Fullerton, Calif., praying for the enactment of gun control legislation; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By **Mr. HART**, from the Committee on the Judiciary, without amendment:

S. 2214. A bill for the relief of Arthur Rike (Rept. No. 1334).

By **Mr. McCLELLAN**, from the Committee on the Judiciary, without amendment:

S. 3679. A bill to amend the act of June 19, 1968 (Public Law 351, 90th Congress).

By **Mr. HRUSKA** (for Mr. Dirksen), from the Committee on the Judiciary, without amendment:

S.J. Res. 181. Joint resolution to authorize the President to designate the week of August 4 through August 10, 1968, as "Professional Photography Week" (Rept. No. 1335); and

H.J. Res. 1302. Joint resolution to authorize the President to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week" (Rept. No. 1336).

By **Mr. HRUSKA** (for Mr. Dirksen), from the Committee on the Judiciary, with amendments:

S. 2628. A bill to amend the act entitled "An act to incorporate the National Education Association of the United States," approved June 30, 1906 (34 Stat. 804) (Rept. No. 1341).

(The above bill was subsequently considered and passed.)

By **Mr. HART** (for Mr. Long of Missouri), from the Committee on the Judiciary, without amendment:

H.J. Res. 1111. Joint resolution granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri (Rept. No. 1333).

By **Mr. RANDOLPH**, from the Committee on Public Works, with amendments:

S. 3418. A bill to authorize appropriations for the fiscal year 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes (Rept. No. 1340).

By **Mr. MAGNUSON**, from the Committee on Commerce, without amendment:

S. 3514. A bill to authorize the use of the vessel *Mouette* in the coastwise trade (Rept. No. 1339).

By **Mr. YARBOROUGH**, from the Committee on Labor and Public Welfare, with amendments:

H. Con. Res. 705. Concurrent resolution to assist veterans of the Armed Forces of the United States who have served in Vietnam or elsewhere in obtaining suitable employment (Rept. No. 1337).

JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT OF 1968—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 1332)

Mr. CLARK. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, with an amendment, the bill (H.R. 12120) to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes. I ask unanimous consent that the report be printed, together with supplemental views.

The **PRESIDENT** pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Pennsylvania.

AMENDMENT OF FEDERAL POWER ACT—REPORT OF A COMMITTEE—SUPPLEMENTAL VIEWS (S. REPT. NO. 1338)

Mr. MAGNUSON. Mr. President, from the Committee on Commerce, I report favorably, with amendments, the bill (S. 2445) to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised. I ask unanimous consent that the report be printed, together with the supplemental views of Senators Hart, Brewster, Moss, and myself.

The **PRESIDENT** pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Washington.

AUTHORIZATION OF FLOOD CONTROL AND MULTIPLE-PURPOSE PROJECTS—REPORT OF A COMMITTEE (S. REPT. NO. 1342)

Mr. RANDOLPH. Mr. President, from the Committee on Public Works, I report favorably an original bill (S. 3710) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. I ask that the report be printed.

The **PRESIDENT** pro tempore. The report will be received, and the bill will be placed on the calendar, and the report will be printed.

EXTENSION OF AUTHORITY FOR MORE FLEXIBLE REGULATION OF MAXIMUM RATES OF INTEREST OR DIVIDENDS—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 1343)

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Wisconsin [Mr. Proxmire], from the Committee on Banking and Currency, I report favorably, with amendments, the bill (S. 3133) to extend for 2 years the authority for more flexible regulation of maximum rates of interest or dividends, higher reserve requirements, and open market operations in agency issues. I ask unanimous consent that the report be printed, together with minority views.

The PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from West Virginia.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. PASTORE, from the Joint Committee on Atomic Energy:

Glenn T. Seaborg, of California, to be a member of the Atomic Energy Commission; and

James T. Ramey, of Ilinois, to be a member of the Atomic Energy Commission.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SCOTT:

S. 3701. A bill for the relief of 1st Lt. Kenneth A. Myers, U.S. Air Force Reserve; to the Committee on Armed Services.

(See the remarks of Mr. Scott when he introduced the above bill, which appear under a separate heading.)

By Mr. JAVITS (for himself, Mr. Scott, and Mr. Hatfield):

S. 3702. A bill to assist physicians and other professionals in prescribing drugs covered under Federal-State programs, to provide for the preparation and distribution of State drug formularies, and to encourage economy in the prescribing and dispensing of prescription drugs; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Javits when he introduced the above bill, which appear under a separate heading.)

By Mr. HART:

S. 3703. A bill to provide greater opportunity for participation in rulemaking by and on behalf of persons of limited means; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 3704. A bill to amend section 212(B) of the Merchant Marine Act, 1936, as amended, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs; and

S. 3705. A bill to repeal Public Law 88–515; to the Committee on Commerce.

(See the remarks of Mr. Magnuson when he introduced the above bills, which appear under a separate heading.)

By Mr. JORDAN of North Carolina:

S. 3706. A bill to amend the Public Buildings Act of 1959, as amended, to provide for financing the acquisition, construction, alteration, maintenance, operation, and protection of public building, and for other purposes; to the Committee on Public Works.

By Mr. BYRD of West Virginia (for Mr. Williams of New Jersey):

S. 3707. A bill to prohibit federally insured banks from voting their own stock and to provide for cumulative voting in federally insured banks; to the Committee on Banking and Commerce.

(See the remarks of Mr. Byrd of West Virginia when he introduced the above bill, which appear under a separate heading.)

By Mr. HARTKE (for bimself and Mr. Pell):

S. 3708. A bill to provide for the establishment of the International Peace Institute; to the Committee on Foreign Relations.

(See the remarks of Mr. Hartke when he introduced the above bill, which appear under a separate heading.)

By Mr. FONG:

S. 3709. A bill to amend the First Morrill Act to permit sums received thereunder to be invested as the State legislatures may prescribe; to the Committee on Agriculture and Forestry.

By Mr. RANDOLPH:

S. 3710. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; placed on the calendar.

(See reference to the above bill when reported by Mr. Randolph, which appears under the heading "Reports of Committees.")

S. 3701—INTRODUCTION OF BILL FOR THE RELIEF OF 1ST LT. KENNETH A. MYERS

Mr. SCOTT. Mr. President, I ask unanimous consent to introduce a bill for the relief of 1st Lt. Kenneth A. Myers, U.S. Air Force Reserve, and that the bill be referred to the Committee on Armed Services.

The PRESIDENT pro tempore. The bill will be received; and, without objection, the bill will be referred to the Committee on Armed Services.

The bill (S. 3701) for the relief of 1st Lt. Kenneth A Myers, U.S. Air Force Reserve, introduced by Mr. Scott, was received, read twice by its title, and referred to the Committee on Armed Services.

S. 3702—INTRODUCTION OF BILL RELATING TO ESTABLISHMENT AND FILING WITH THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE OF STATE DRUG FORMULARIES

Mr. JAVITS. Mr. President, today I introduce for myself, the Senator from Pennsylvania [Mr. Scott], and the Senator from Oregon [Mr. Hatfield], a proposal which requires each State to establish and file with the Secretary of Health, Education, and Welfare a drug formulary or listing covering the most frequently prescribed drugs paid for under Federal-State matching fund programs. This bill concerns itself with the economic factors of drug usage—specifically with drug prices. It is not to be confused with a drug compendium which would deal with scientific evaluation of drugs.

The three who are introducing this bill are the minority members of the Monopoly Subcommittee of the Small Business Committee, which has for the past year been studying the competitive problems of the drug industry under the chairmanship of the Senator from Wisconsin [Mr. Nelson].

Congress has, through the years, passed many laws authorizing grants of matching funds to the States for the purpose of providing health care, including prescription drugs, for various segments of the population whose members, because of physical, social or economic handicaps, cannot finance their own health care needs. Existing programs have been created at various times, and each program provides for a different breadth of service coverage than others. Two things are common to all of these programs: First, that State funds are involved; and, second, that administration is largely in the hands of the States, acting under broad guidelines from Federal agencies.

This bill provides that each State shall establish a drug formulary committee, a majority of whose members must be practicing members of the professions, authorized to render services under these programs. The drug formulary committee shall recommend, for the approval of the State director of welfare or other appropriate State official, a list of the most frequently prescribed drugs by generic name and by brand name. This listing or formulary will also show the maximum reimbursement allowed to vendors for each listed drug, or an indication of the cost of each drug to the community pharmacist, in a manner that will clearly reveal the comparative cost of all listed drugs which may be used for similar therapeutic purposes. This bill provides that each State must distribute its drug formulary to all practitioners authorized to prescribe drugs under these programs. The drug formulary may be revised as often as the State deems desirable, but the bill requires that each formulary be revised at least once a year. At the State's option, area formularies, covering different geographical portions of a State, or regional formularies serving the needs of several States, may be adopted.

It will be noted, Mr. President, that this bill requires the listing of approved drugs by their generic name and by their brand name. Providing a quick comparison of drug costs will allow the practitioner to have cost as well as efficacy in mind when prescribing drugs for patients covered under these plans. With the facts of cost differences readily available, I am confident that most physicians will prescribe the most economical drugs, consistent with the needs of their patients. This price information will have a salutary effect on the physician's prescribing for all patients whether or not they are covered under these plans. A physician who is made aware of the price differentials through this formulary will likely apply this knowledge throughout his practice.

Mr. President, it is our judgment after hearing a good deal of testimony that the State or regional formulary approach is more desirable than a national drug formulary which has also been suggested. Thus, it appears to us that in an attempt to lower the costs to the consumer, the national formulary approach would instead perpetuate the nationally known products regardless of price at the expense of the smaller manufacturers whose products are in limited distribution.

If the professional experience and judgment of local practitioners is to be insured, procedures must be acceptable to those who, in the long run, must make these programs work. The administration, supervision, and evaluation of these joint programs can more efficiently be performed at the local level while responding to local needs. The fact that the States pay for a substantial portion of the cost of these programs would indicate that they should have a major voice in determining which drugs should be in their drug formulary.

Mr. President, the proposal which I introduce today together with Senators Scott and Hatfield will provide practitioners with a ready reference of the drugs which are approved for inclusion in each State's plans.

The practitioner who writes prescriptions for these drugs may use the generic or brand name as he chooses. This bill in no way restricts the physician in the choice of drugs he will prescribe for his patients, and there is no interference with the normal physician-patient relationship.

It does not interfere with the patient's right to patronize the community pharmacy of his choice. This right is guaranteed by other sections of the Social Security Act which will automatically apply to this bill.

One of the serious problems involved in our present health care system has been the long delays commensurate with reimbursement of retail druggists of drug costs. Pennsylvania found that upon institution of a drug formulary system as contemplated by this proposal, invoice payments to vendors were reduced from an average 180 days to 30 days once the plan was in full operation. Auditing would be greatly simplified. Most importantly, drug costs were reduced by over $1 million in the first 9 months of operations with no pressure placed on physicians except a moderate request to prescribe the lowest cost drug consistent with the patient's needs.

In short, the bill provides only for the listing of drugs in State programs where Federal funds are matched in a manner satisfactory to the State; for the providing of cost comparisons of the listed drugs which will aid the physician in writing prescriptions for his patients. Over 20 States are already operating under these provisions and would have no difficulty in meeting these requirements, even though some may find it necessary to better organize these programs, finding economy and improvement of administration as a result.

Mr. President, our recommendation is in response to the evidence which we have seen and heard relating to the costs of drugs and the differences between those costs when referred to by the generic name and by the trade name.

We think this is the way to do it without regulation or control. We should do it on the basis that the consumer is the best regulator of all—the consumer in this case being the practitioner, his patient, and the State and Federal Government, which contribute to the cost of the drugs.

I send the bill to the desk for appropriate reference and I ask unanimous consent that the bill be printed at this point in the Record.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record as requested by the Senator from New York.

The bill (S. 3702) to assist physicians and other professionals in prescribing drugs covered under Federal-State programs, to provide for the preparation and distribution of State drug formularies, and to encourage economy in the prescribing and dispensing of prescription drugs, introduced by Mr. Javits (for himself and other Senators), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

S. 3702

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any other provision of law, no Federal grant shall be made to defray any expenses incurred after December 31, 1969, by any State in providing prescription drugs to any person, under any Federal-State matching fund program which provides drugs to needy individuals, unless such State shall have prepared, published, and made available to the practitioners authorized to prescribe drugs under such programs in such State, a drug formulary, with respect to which a certification shall have been made by the State officer designated by the Governor, to the Secretary of Health, Education, and Welfare (hereinafter referred to as the Secretary) as provided in section 2(a).

Sec. 2. (a) The certification referred to in the preceding section means a certification by a State officer designated by the Governor certifying that—

(1) such formulary was prepared by, and the contents thereof were approved by, a competent formulary committee, the membership of which included individuals having expertise in the rendering of professional services under, or in the administration of, State-Federal financed health programs, and a majority of the members of which are practicing members of the professions authorized to render professional services under such programs;

(2) such formulary contains a listing by generic and brand names of the drugs which are most frequently prescribed and approved by the formulary committee in the State for needy individuals receiving drugs under State programs in which Federal financial participation is authorized;

(3) such formulary indicates, with respect to each drug listed therein, (i) the maximum reimbursement which will be paid (under State programs in which there is Federal financial participation) to vendors for each listed product or (ii) the usual cost thereof when obtained by community pharmacists in usual quantities from the most frequently used source of supply for such drug, or (iii) a cost index or a ratio of drug costs (to community pharmacists) which clearly indicates the degree of cost variations existing between listed drugs used for comparable therapeutic purposes;

(4) adequate provision has been made by the State for the distribution of copies of such formulary and revisions thereto among physicians and other appropriate individuals in the State;

(5) such formulary will be revised from time to time (but not less than one each 12 months) so as to include therein new drugs approved for inclusion and to reflect current information as to drug costs; and

(6) the State has made adequate provision for appeal from the decision of the formulary committee by any party at interest as to the inclusion or exclusion of any generic or branded product in the formulary.

(b) If the State deems the same to be desirable, it may submit to the Secretary a separate formulary for any particular area of the State, which formulary shall be subject to the same certification requirements as those set forth in subsection (a).

Sec. 3. No certification with respect to a drug formulary of any State shall be effective until a copy of such formulary shall have been filed with the Secretary. Any certification with respect to a drug formulary shall cease to be in effect if, within a reasonable time after any revision or modification of, or addition to, such drug formulary, a copy of such drug formulary which contains such revision, modification, or addition is not filed with such Secretary.

Sec. 4. For purposes of this Act—

(a) the term "generic name", when used in connection with any drug, means the "established name" of such drug as that term is defined in section 502(e) of the Federal Food, Drug, and Cosmetic Act, and

(b) the term "brand name", when used in connection with any drug or drug product, means any name or term or a combination of these (including a trademark or a proprietary name) which serves clearly to identify such drug or drug product as the product of a particular manufacturer, packager, or distributor.

Mr. HATFIELD. Mr. President, as I have studied the evidence presented covering the problems of the prescription drug industry, I have become convinced that one of the major problems is one of communication between the drug manufacturers and the physicians who prescribe the products of these manufacturers. This communication gap has two components: economic communication and scientific communication. The bill to provide for State drug formularies, which I am today jointly sponsoring with Senator Javits and Senator Scott, will help bridge the existing gap in economic communication.

This bill makes available to the physician a ready comparison of the prices to the consumer of drugs that have similar therapeutic activity. The list of drugs or the formulary will not be the result of decisions made in Washington by a board or bureau far removed from the practices of the locality where the drugs are to be prescribed. The proposed formulary will be a State formulary whose products will be selected by State committees representative of professional members of the health team who are treating patients under State-Federal matching funds programs. In other words, the practicing physicians in a State will have a determining voice as to which products will be listed. These listed products will have the maximum reimbursable cost to the consumer listed or the cost to the community pharmacist. With this price information readily available, physicians will prescribe the most economical drugs which, in their professional judgment, meet the needs of their patients. This bill does not compel physicians to prescribe drugs that may in their professional judgment be less desirable for their patients. It merely supplies additional knowledge regarding the cost of drugs prescribed.

Physicians very logically are primarily concerned with the health of their patients. They are anxious to relieve pain, suffering and disease. Their first concern is the physical welfare of their patients and they are to be commended for this attitude. By suppyling usable price comparisons of drugs we would be making it easier for practicing physicians to prescribe drugs with both therapeutic and economic considerations in mind.

The State drug formulary proposed in this bill will apply only to State-Federal programs. This will result in economies to the State and the Federal Government, as the experience of the Commonwealth of Pennsylvania has shown. In addition, the knowledge of prices gained by physicians will lead to economical prescribing by physicians throughout their practices.

My State of Oregon has such a formulary in operation at the present time. The State welfare department and the practicing physicians of our State designate the products to be included. This system of listing the covered drugs has not been found burdensome or an interference with the right of physicians to prescribe the drugs of their choice.

The gap in scientific communication results in major part from the rapid advance made in drug industries in the past two decades. Scientific advances have been made at a more rapid rate than they have been effectively communicated. The solution to this problem will not be found until a thorough study of the needs of the practicing physician regarding drug prescribing has been made and his suggestions received as to how these needs can best be met. At the request of Senators JAVITS, SCOTT, and myself, the American Medical Association, the pharmaceutical manufacturers and the Food and Drug Administration have these problems under current study.

Mr. SCOTT. Mr. President, I am pleased to join my able and distinguished colleagues, the Senator from New York [Mr. JAVITS] and the Senator from Oregon [Mr. HATFIELD] in introducing a bill establishing State drug formularies.

Our bill requires each State to establish and file with the Secretary of Health, Education, and Welfare a drug formulary covering the most frequently prescribed drugs paid for under Federal-State matching fund programs. It provides that each State shall establish a drug formulary committee, a majority of whose members must be practicing members of the professions authorized to render service under these programs. The drug formulary committee shall recommend, for the approval of the State officer designated by the Governor, a list of the most frequently prescribed drugs by brand name and by generic name. This listing or formulary will also show the reimbursement allowed to vendors for each listed drug, or an indication of the cost of each drug to the community pharmacist, in a manner that will clearly reveal the comparative cost of all listed drugs which may be used for similar therapeutic purposes. Our bill provides that each State must distribute its drug formulary to all practitioners authorized to prescribe drugs under these programs. The drug formulary may be revised as often as is deemed desirable, but our bill requires that each formulary be revised at least once annually. At the State's option, area formularies, covering different geographical portions of a State, or regional formularies serving the needs of several States, may be adopted.

Having outlined the essence of our bill, let me now say what it does not do. It does not force physicians to alter their practices in prescribing drugs for patients covered under these programs. It does not require physicians to prescribe by brand name or by generic name. Finally, it does not provide the amount of payment that will be made for prescription drugs, nor the method of pricing to be employed.

I should like to emphasize, Mr. President, that our bill leaves to the States the right to say which drugs will be covered and what prices will be paid for the drugs prescribed under these programs. No Federal intervention is authorized or contemplated. While our bill requires each State to file with the Secretary of Health, Education, and Welfare a formulary of the most frequently prescribed drugs under these programs, it leaves to each State the decision as to the selection of drugs, thereby insuring that the drugs selected will be in conformity with the practices of the States or regions covered by the formulary.

I am glad to report to the Senate that the Commonwealth of Pennsylvania already has the type of drug formulary contemplated in the bill which we are introducing today. It is widely acclaimed as a very helpful instrument by practicing physicians, pharmacists, and the administrators of our State welfare programs. The Pennsylvania drug formulary is not only helpful to those participating in these matching fund programs, but is simple to operate and leads to economy in drug usage.

Practicing physicians and others concerned with federally assisted Pennsylvania welfare programs have made themselves available to serve on the formulary committee. Since practicing physicians compromise a majority of the committee, their practices and desires are given every consideration, thus resulting in a cooperative relationship between the practicing physicians and the Department of Public Welfare. A systematic listing of drugs in the Pennsylvania formulary has substantially reduced the clerical efforts required to audit and prepare invoices for payment. Prior to the establishment of the Pennsylvania drug formulary, 5 to 6 months was required between the rendering of service by the pharmacist and the receipt of payment for these services. This time lag has been reduced so that normal payment can be expected within 30 to 45 days. The Commonwealth of Pennsylvania's drug costs were reduced by nearly $1 million during the first 9 months of the drug formulary's use.

The Department of Public Welfare of the Commonwealth of Pennsylvania has advised me that there is no undue burden in the construction of the formulary or in its maintenance. A single pharmacist, spending about one-fifth of his time on the formulary, can do all that is required for its current maintenance. Moreover, the simplification of work may allow the assignment of a pharmacist already on the staff.

I commend to the attention of Senators and other interested parties this measure which Senators JAVITS, HATFIELD, and I are introducing today. I am confident that with the knowledge derived from the drug formulary required by our bill, the physician will prescribe the most economical drug which, in his professional opinion, meets the need of his patients.

S. 3704—INTRODUCTION OF BILL TO CONTINUE AUTHORITY TO DEVELOP AMERICAN-FLAG CARRIERS

Mr. MAGNUSON. Mr. President, I introduce at the request of the Secretary of Commerce a bill to amend section 212 (B) of the Merchant Marine Act, 1936, as amended, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs.

I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks the letter of transmittal from the Secretary of Commerce together with a statement of purpose and need.

The **PRESIDENT** pro tempore. The bill will be received and appropriately referred; and, without objection, the letter and statement will be printed in the RECORD.

The bill (S. 3704) to amend section 212 (B) of the Merchant Marine Act, 1936, as amended, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter and statement, presented by Mr. MAGNUSON, are as follows:

Hon. HUBERT H. HUMPHREY,
President of the Senate,
U.S. Senate, Washington, D.C.

DEAR MR. PRESIDENT: There are enclosed four copies of a draft bill "To amend section 212(B) of the Merchant Marine Act, 1936, as amended, to provide for the continuation of authority to develop American flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs," together with four copies of a statement of purpose and need in support thereof.

We are advised by the Bureau of the Budget that there would be no objection to the submission of this proposed legislation from the standpoint of the Administration's program.

Sincerely yours,

C. R. SMITH,
Secretary of Commerce.

STATEMENT OF PURPOSE AND NEED

Section 212(B) of the Merchant Marine Act, 1936, directs the Secretary of Commerce to encourage and promote the development and use of mobile trade fairs displaying American products abroad. The section also authorizes the Secretary to provide technical assistance and support to operators of such fairs and reimburse them for certain expenses incurred abroad. The section requires that to be eligible for the benefits of the section, the mobile fair operator must use U.S. flag carriers exclusively for sea and air transportation.

Appropriations for the Mobile Trade Fair program under the Merchant Marine Act were authorized by Public Law 87-839, approved October 18, 1962, for a period of three years in an amount not to exceed $500,000 per fiscal year. Public Law 89-66, approved July 7, 1965, extended the appropriation authorization for an additional three year period, expiring on June 30, 1968.

The draft bill would continue the authority for annual appropriations for an additional three years through fiscal 1971. For fiscal 1969 the bill would authorize appropriations of $175,000 (the budget request for fiscal year 1969 is $166,000). For fiscal years 1970 and 1971 the bill would authorize such amounts as may be necessary. This would provide flexibility and permit expansion of the program as necessary to promote our export markets.

The results achieved in the six years this program has been authorized have demonstrated the effectiveness of the program in promoting the sale abroad of products of U.S. business and agriculture. Because of the growth in the interest of the business and agricultural community in this program, and the continuing need to promote export expansion to aid our balance of payments, we urge the proposed extension of this authority for an additional three years.

S. 3705—INTRODUCTION OF BILL TO REPEAL PUBLIC LAW 88-515

Mr. MAGNUSON. Mr. President, by request of GSA, I introduce a bill to repeal Public Law 88–515. I ask unanimous consent that a letter from Mr. Knott, Administrator of GSA, explaining the reason for the repeal be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3705) to repeal Public Law 88–515, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter, presented by Mr. MAGNUSON, is as follows:

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., June 19, 1968.
Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is forwarded herewith a draft of legislation "To repeal Public Law 88–515."

This proposal is a part of the legislative program of the General Services Administration for the 90th Congress, 2nd Session.

The proposed legislation would repeal Public Law 88–515, approved August 30, 1964, 78 Stat. 696. Public Law 88–515 prohibits the Federal Government, with certain exceptions, from purchasing any motor vehicle not conforming to the requirements of safety standards issued thereunder by the Administrator of General Services. Pursuant to this authority, such standards were issued as Federal Standards No. 515 and published in the Federal Register on June 30, 1965, and revisions and additions thereto were published in the Federal Register on July 15, 1966 (30 F.R. 8319, 31 F.R. 9628; 41 CFR 101-29.3).

The National Traffic and Motor Vehicle Safety Act of 1966, 80 Stat. 718, prohibits the sale in interstate commerce, with certain exceptions, of any motor vehicle not conforming to standards issued by the Secretary of Transportation thereunder. Such standards have now been issued.

We are of the opinion that with the passage of the National Traffic and Motor Vehicle Safety Act of 1966 and the issuance of motor vehicle safety standards thereunder, there is no longer any need for special authority in the Administrator to prescribe safety standards for Federal Government vehicles. The legislative history of Public Law 88–515 indicates that the two major purposes of enacting the legislation were as follows:

"First, to provide maximum safety protection to passengers in federally owned motor vehicles; and second, to set a national example for the public which would encourage greater use of available proven safety devices on automobiles." CONGRESSIONAL RECORD, volume 110, part 12, page 16479.

Both of these functions are now served by the DOT standards. We believe that the DOT standards are adequate to meet the Government's safety requirements and that unnecessary duplication of the function of issuing such standards should be eliminated. In recognition of the issuance of safety standards by DOT, GSA has revoked Federal Standard No. 515.

The enactment of this proposed legislation would not increase the expenditure of Federal funds. On the contrary, the elimination of duplication of functions should tend to reduce such expenditure.

GSA urges prompt and favorable consideration of this draft bill.

The Bureau of the Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,
LAWSON B. KNOTT, Jr.,
Administrator.

S. 3707—INTRODUCTION OF BILL RELATING TO CORPORATE DEMOCRACY FOR BANKS

Mr. BYRD of West Virginia. Mr. President, in the absence of the Senator from New Jersey [Mr. WILLIAMS], I ask unanimous consent that I may be permitted to have printed in the RECORD a statement by the Senator from New Jersey entitled "Corporate Democracy for Banks," and that I may also be permitted to introduce for him a bill to prohibit federally insured banks from voting their own stock and providing for accumulative voting in federally insured banks.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 3707) to prohibit federally insured banks from voting their own stock and to provide for cumulative voting in federally insured banks, introduced by Mr. BYRD of West Virginia (for Mr. WILLIAMS of New Jersey), was received, read twice by its title, and referred to the Committee on Banking and Currency.

The statement, ordered to be printed in the RECORD, is as follows:

STATEMENT OF SENATOR WILLIAMS OF NEW JERSEY

This bill, which I am today introducing, would strengthen the Federal Deposit Insurance Program by providing for cumulative voting of stock in all federally insured banks and by prohibiting such banks from voting their own stock. By cumulating their votes in the election of directors, a group of minority stockholders could vote together and elect a member to the bank's board of directors. Such cumulative voting is now required for national banks. This bill would extend the same protection to all federally insured banks. Cumulative voting for the election of directors is vital to corporate democracy and the rights of minority stockholders.

The bill would also safeguard the high banking standards which are so important to the Federal Deposit Insurance program by prohibiting an insured bank from directly or indirectly exercising control over the voting rights of its capital stock, including that held in its trust department. The practice of banks voting their own stock, coupled with the unavailability of cumulative voting in state banks, practically disenfranchises the outside shareholders.

In many cases, annual meetings of shareholders are nothing more than a meaningless ritual. This is not a healthy climate for the safety of bank deposits. The democratic election of bank directors required under this bill would provide meaningful protection for the safety of deposits.

S. 3708—INTRODUCTION OF BILL TO ESTABLISH AN INTERNATIONAL PEACE INSTITUTE

Mr. HARTKE. Mr. President, I introduce today a bill to establish an International Peace Institute that would train young men and women for leadership in the nonviolent resolution of international conflict and the expansion of socioeconomic cooperation among nations.

It has long been my belief that our Nation should remodel many of our established institutions and build new ones—governmental, civic, and educational institutions—that would be involved in international affairs whether it be in the expansion of food resources, the eradication of disease, or in the sponsorship of interchanges among scholars. Certainly, we have seen in the post-World War II period a proliferation in this country of such institutions and organizations; we have seen a burst of interest and participation in international activities. This interest must be continued; it must be cultivated. We must further build and develop institutions that direct the attention and energies of our people toward the achievement of international harmony.

For the sake of national security, our people have strongly and persistently supported the growth of institutions for defense and war from those related to education and research to those associated with weapons development and troop deployment. While these institutions have been established in the name of national defense and international peace, they embody an essentially negative approach. Thus, we train men and women in the arts of war in the hope that this will make war unnecessary. There are service academies to provide quality personnel to our military; there are training and educational programs from officer candidate schools to the National War College.

I do not speak against these training institutions; we have found them to be necessary and valuable. But I do call for an equal emphasis in the building of institutions that promote international cooperation and peaceful international relations—that is, institutions which approach peace in a positive way.

I submit that the positive path is ill-defined and difficult to follow. But we must search for that path with the same vigor with which we seek technological breakthroughs in weapons development. It is far too easy to let our foreign policies slip into negative military responses to situations of national instability and international crisis because of insufficient inventiveness and persistence in finding other directions for our policies. Our present Vietnam predicament should be ample lesson to us on this very point.

We must teach and train our young people in the arts of peace. In this task, there is no magic curriculum, just as there is no magic path to peace. Much is relevant from the sciences of agriculture, oceanography, and medicine, to the arts of diplomacy. The effort required is great, as is the challenge. The institute I propose today is one more step in meeting that challenge.

It is incumbent on enlightened people everywhere to foster a greater respect for human life and human dignity, to pledge ourselves to the nonviolent resolution of conflict, to renew our efforts to achieve international peace with justice. There are many in this country who have provided leadership for the fulfillment of these goals. It would be appropriate for us to name the proposed International Peace Institute after one of those leaders. As Congress considers the merits of this legislation, I would ask that it consider the late Martin Luther King, Jr., as the man whose name the institute should bear.

CHARACTER OF THE INSTITUTE

The International Peace Institute would provide one year of schooling and would require an additional year commitment by the students to work in appropriate U.S. Government agencies, international organizations, or private foundations.

Students would be selected by competitive examinations and would be required to hold a bachelor's degree or its equivalent. Initially, the number of students would be limited to 150.

The Institute would be established at the direction of the Secretary of Health, Education, and Welfare, who would work in conjunction with a board of trustees. In addition to the Secretary, the Board would include two prominent educators, two Senators, two Representatives, and one member from each of the following governmental bodies: the U.S. Arms Control and Disarmament Agency, the Atomic Energy Commission, the Peace Corps, the Federal Council on the Arts and the Humanities, and the National Academy of Sciences.

The Secretary of Health, Education, and Welfare would prescribe the course of instruction and training which would be geared to graduate-level work acceptable for credit toward a graduate degree at accredited colleges and universities. The Institute, however, would not award degrees.

The Secretary would also appoint the staff, utilizing where valuable the officers of the Federal Government in addition to professional academicians. It is my hope and expectation that the Institute would by no means limit itself to a permanent staff but, rather, would draw upon the best men and women in our universities and in our Government for limited periods of service to the Institute.

Mr. President, I ask unanimous consent that the name of the Senator from Rhode Island [Mr. PELL] be added as a cosponsor of this measure.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. HARTKE. Mr. President, I ask unanimous consent that the bill be printed in the RECORD and that it be appropriately referred.

The **PRESIDENT** pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3708) to provide for the establishment of the International Peace Institute, introduced by Mr. HARTKE (for himself and Mr. PELL), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 3708

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Peace Institute Act".

ESTABLISHMENT OF INSTITUTE

SEC. 2. The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") is authorized and directed to establish and maintain a United States institute to furnish training and instruction to prepare citizens of the United States for service in positions or programs relating to the field of promoting international understanding and peace. Such institute shall be known as the "International Peace Institute" (hereinafter referred to as the "Institute").

OFFICERS, STAFF, AND INSTRUCTORS

SEC. 3. (a) The Secretary may appoint or assign, on a full- or part-time basis, such officers, staff, and instructors as the needs of the Institute require.

(b) The Secretary may assign or detail, on a full- or part-time basis and with the consent of the head of the Government department or agency concerned, any officer or employee of the Government to serve on the faculty or staff of the Institute. During the period of his assignment or detail, such officer or employee shall be considered as remaining in the position from which assigned or detailed.

SUPERVISION OF INSTITUTE

SEC. 4. The supervision and charge of the Institute shall be under such officer or officers as the Secretary may appoint for or assign to that duty, and under such regulations as the Secretary may prescribe.

BOARD OF TRUSTEES

SEC. 5. (a) In the operation of the Institute the Secretary shall work in conjunction with a Board of Trustees, which shall consist of twelve members, as follows—

(1) the Secretary;

(2) two Members of the United States Senate, of different political parties, appointed by the President of the Senate;

(3) two Members of the House of Representatives of different political parties, appointed by the Speaker of the House of Representatives;

(4) one member from the United States Arms Control and Disarmament Agency, who shall be the Director or his designee;

(5) one member from the Atomic Energy Commission, who shall be the Chairman or his designee;

(6) one member from the Peace Corps, who shall be the Director or his designee;

(7) one member from the Federal Council on the Arts and the Humanities, who shall be the Chairman or his designee;

(8) one member from the National Academy of Sciences, to be appointed by the President after consultation with the President of the Academy; and

(9) two educators of prominence appointed by the President.

(b) Members of the Board of Trustees shall be appointed for two-year terms and shall be eligible for reappointment.

(c) The Board shall visit the Institute annually. With the approval of the Secretary, the Board or its members may make other visits to the Institute in connection with the duties of the Board.

(d) The Board shall inquire into the morale and discipline, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Institute that the Board decides to consider.

(e) Within sixty days after its annual visit, the Board shall submit a written report to the President of its action, and of its views and recommendations pertaining to the Institute. Any report of a visit, other than the annual visit, shall, if approved by a majority of the members of the Board, be submitted to the President within sixty days after the approval.

(f) While performing his duties, each member of the Board shall be reimbursed under Government travel regulations for his travel expenses.

ADMISSION OF STUDENTS

SEC. 6. (a) The authorized number of students at the Institute shall be one hundred and fifty.

(b) The Institute shall operate as a coeducational institution and students shall be selected for admission to the Institute on the basis of merit, as determined by a competitive examination to be given annually in each State, the District of Columbia, and the Commonwealth of Puerto Rico, at such time, in such manner, and covering such subject matter as the Secretary may prescribe.

(c) No individual shall be eligible for admission to the Institute unless he is a citizen of the United States who has been awarded a bachelor's degree upon graduation from a college or university located in the United States or a degree which the Secretary determines is generally recognized as the equivalent of a bachelor's degree upon graduation from a college or university located in a foreign country.

STIPENDS AND TRAVEL AND TRANSPORTATION ALLOWANCES

SEC. 7. Each student of the Institute shall be entitled to receive—

(1) a stipend in an amount determined by the Secretary to be within the range of stipends or fellowships payable under other Government programs providing for the education or training of graduate students; and

(2) reasonable travel and transportation allowances, including transportation for his immediate family, household goods, and personal effects, under regulations prescribed by the Secretary, but such allowances shall not exceed the allowances payable under section 5723 of title 5 of the United States Code.

COURSE OF INSTRUCTION AND TRAINING

SEC. 8. (a) The course of instruction and training for students at the Institute shall be prescribed by the Secretary, shall be for a period of one year, and shall, insofar as consistent with the purposes of this Act, be graduate-level work acceptable for credit towards a graduate degree at accredited colleges and universities. In prescribing such course of instruction and training, the Secretary shall provide that special emphasis be placed on such studies as will best prepare students for leadership in the nonviolent resolution of international conflicts and in the promotion of international understanding and peace. Upon satisfactory completion of the prescribed course of instruction and training, students shall be awarded a Federal certificate of participation.

(b) The course of instruction and training at the Institute shall, during each year of its operation, be organized as prescribed by the Secretary, except that one month of each such year shall be devoted to annual leave for all students.

AGREEMENTS BY STUDENTS

SEC. 9. Each student selected for admission to the Institute shall sign an agreement that, unless sooner separated, he will—

(1) complete the course of instruction at the Institute; and

(2) accept, if offered, an appointment and service, as an officer or employee of the United States or, in the discretion of the Secretary, employment with an international organization or private agency or foundation determined by the Secretary to be engaged in activities relating to the promoting or achieving of international understanding and peace, in any position for which such student is qualified by reason of his special training at the Institute, for at least the one-year period immediately following the awarding of his certificate from the Institute or the completion by him of any period of full-time graduate study approved by the Secretary.

AUTHORIZATIONS; ACQUISITION OF PROPERTY

SEC. 10. (a) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

(b) The Institute shall have power to acquire and hold real and personal property and may receive and accept gifts, donations, and trusts.

ADDITIONAL COSPONSOR OF BILLS AND JOINT RESOLUTION

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Maryland [Mr. TYDINGS], I ask unanimous consent that at the next printing of (S. 3634), to enact the Gun Crime Prevention Act of 1968, the name of the Senator from Pennsylvania [Mr. SCOTT] be added as a cosponsor.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I ask unanimous consent that, at their next printing, my name be added as a cosponsor of three bills concerning agriculture:

S. 2972, introduced by Senator TALMADGE, would establish a nationwide marketing order for table eggs to be preceded by a referendum amongst poultrymen.

I urge support for this bill which does much to alleviate the continuing price problems which is causing an alarming number of poultrymen to be driven out of business.

S. 3638, introduced by Senator MONTOYA which would extend for 3 years the authority to make indemnity payments to dairy farmers who have to withhold milk from commercial markets. Chemicals which are used to dust crops often contaminate feed, which in turn passes on into the milk. It is important that we continue to indemnify these dairy farmers who must dispose of their milk due to this contamination.

S. 1567, introduced by Senator NELSON, would make low-interest long-term loans available to young farmers.

I am quite concerned with the need to provide incentives to young farmers to take up farming. As the average age of farmers is now, it becomes more crucial that we make every effort to attract the young to agriculture. In addition, we are quite aware of the effect of rural migration on the urban crisis.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Oklahoma [Mr. HARRIS], the Senator from New Jersey [Mr. WILLIAMS], the Senator from Montana [Mr. METCALF], and the Senator from Indiana [Mr. BAYH] be added as cosponsors of the joint resolution (S.J. Res. 94), creating a Joint Committee to Investigate Crime.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

SENATE JOINT RESOLUTION 179—ORDER FOR STAR PRINT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that a star print be made of Senate Joint Resolution 179, with the modification I submit.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

SENATE RESOLUTION 310—RESOLUTION TO PROVIDE FUNDS TO MEET INVESTIGATION PAYROLL FOR JUNE 1968

Mr. PASTORE submitted a resolution (S. Res. 310) to provide funds to meet investigation payroll for June 1968, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. PASTORE, which appears under a separate heading.)

ANNOUNCEMENT OF HEARING—S. 3062, COURT ADMINISTRATOR

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce that the subcommittee will hold hearings on S. 3062, a bill to provide for the appointment of an administrator of the courts for each judicial circuit, at 9:30 a.m., Tuesday, July 16, 1968, in the District of Columbia Committee hearing room, 6226 New Senate Office Building.

NOTICE OF HEARING ON OLDER AMERICANS ACT AMENDMENTS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that I may be permitted to have printed in the RECORD, on behalf of the Senator from New Jersey [Mr. WILLIAMS], a statement which he was to make at the request of the Senator from Massachusetts [Mr. KENNEDY] concerning hearings scheduled on the Older Americans Act amendments.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR WILLIAMS OF NEW JERSEY

At the request of Senator EDWARD KENNEDY—in his capacity as chairman of the Special Subcommittee on Aging, Committee on Labor and Public Welfare—I am calling a hearing by that Subcommittee on Senate bill S. 3677 on Monday, July 1, at 11 a.m. in room 4221, New Senate Office Building. The bill, which I introduced at the request of the administration, includes several amendments to the Older Americans Act of 1965. Testimony will also be taken at that time on an amendment requiring the Commissioner of the Administration on Aging to report directly to the Secretary of Health, Education, and Welfare. I introduced this amendment, on my own initiative, with Senator KENNEDY as a cosponsor, as a result of criticism of the reorganization plan announced by HEW last year. Under terms of that plan, the AOA became a unit in the new Social and Rehabilitation Service.

EXTENSION OF TIME FOR COMMITTEE ON PUBLIC WORKS TO FILE REPORTS AND MINORITY VIEWS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on Public Works have until midnight Saturday, June 29, 1968, to file reports on a bill on rivers and harbors and flood control and on S. 3418, together with minority views, if any.

The **PRESIDING OFFICER** (Mr. LAUSCHE in the chair). Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR JACKSON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Washington [Mr. JACKSON] may speak for 10 minutes during the period for the transaction of routine morning business.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

SUPREME COURT NOMINATIONS

Mr. PASTORE. Mr. President, I have always thought it a salutary provision of the Constitution that judges of the Federal Supreme Court are appointed for life—and removable only by impeachment.

This means that in the continuity of history it is not likely that the composition of the Court will reflect the prevailing political majority at any given moment—or be abjectly responsive to that majority.

The power of appointment of judges to the Supreme Court is vested in the President of the United States as long as he is President—with the power of advice and consent reserved to the Senate.

When a vacancy occurs in the Supreme Court, it must be filled. A President cannot and should not divest himself of that responsibility—and no one can deprive him of his authority.

By the same token, all of us in the present Senate have a constitutional right and responsibility to act on appointments and legislation that will cover the future—even though some of our colleagues have expressed an intention of not serving beyond the current session.

No one can deprive or should seek to deprive this Senate, as presently constituted, of its privilege and its duty in the present circumstances—exercising its authority in the dignified and decent manner that makes for law and order in a democracy—and the procedure should certainly not be subjected to filibuster.

Yet, word is abroad that a filibuster is in the air to deprive the President of his right and obstruct him in his duty.

The opposition is not directed against

the fitness of the nominees but only against the constitutional prerogative of a President who holds office until January 20, 1969.

President Johnson—the 13th to have opportunity to appoint a Chief Justice of the Supreme Court—has made known that he does not desire or intend to be President beyond that date.

Therefore the composition of the Court is of no immediate import to his Presidency.

A dozen years ago—in an election year like this—a high Republican officeholder spoke of Chief Justice Warren as a Republican Chief Justice.

To inquiring newsmen at his press conference, President Eisenhower delivered a dignified rebuke we should remember today. He said:

> Once a man becomes a Justice of the Supreme Court, he is an American citizen and nothing else.

To illustrate the reasoned rejection of this filibuster move, I will borrow the language of my hometown newspaper, which is independent in its outlook. This is the thinking of the Providence Journal editorial of Wednesday, June 26:

> Some key Republican Senators have begun an effort to block a new appointment by President Johnson in the hope that a Republican victory this November would permit the strengthening of the Court's more conservative wing.
>
> Only the desire for political gain motivates those so inclined. Mr. Johnson has every right to exercise his appointive power before leaving office and, in fact, would be subject to criticism from all Americans if a vacancy were left for months in the court until the inauguration of a new president next January.

And I say that we of the Senate will be subject to greater criticism if we play so loosely with the orderly process, especially when it involves our courts.

Mr. **MANSFIELD**. Mr. President, I have listened with great interest and respect to the statement just made by the distinguished senior Senator from Rhode Island. I agree with him completely.

The President is not a lameduck President; because if one were to carry that sort of shallow reasoning to its conclusion, any time a President was elected to a second term he would become a lameduck on the first day of the beginning of his second term. The President is acting within his constitutional rights and responsibilities. If he did not make these nominations available to the Senate, as he has, I think he would be shirking that responsibility.

I hope that the Senate will look upon this selection not as a "Democratic Chief Justice to be," as a certain nominee of a certain other party today said. Some years ago in regard to Chief Justice Warren, it was said that he was a "Republican Chief Justice." President Eisenhower put the case as clearly, succinctly, and patriotically as he could when he said that Earl Warren was an American Chief Justice.

In his letter of resignation—and I would put the word "resignation" in quotes—the Chief Justice of the United States made the following statement:

> I hereby advise you of my intention—

I repeat—"my intention"—

> to retire as Chief Justice of the United States effective at your pleasure.

I repeat—"effective at your pleasure."

The President, in his reply to the Chief Justice, said:

> With your agreement, I will accept your decision to retire effective at such time as a successor is qualified.

I repeat—"effective, at such time as a successor is qualified."

As I see it, the Senate will be faced with the choice of accepting Justice Abe Fortas or the very strong possibility, and in my opinion, very strong hope, that the present Chief Justice will continue and will be on the Court next October when it reconvenes, because the vacancy should not be allowed to go unfilled.

I would hope that the Senate would not make a partisan political issue out of this matter. It is too important. I would hope that Senators understand the prerogatives of a President. I would hope that they respect that office, and that Senators would act in a dignified and responsible manner.

Mr. **PASTORE**. Mr. President, if I may add a rejoinder, I go beyond the word "shallow." The Senator is being kind and generous. I think the term is "idiotic."

We have in the Senate five Senators who have said they are not returning in January. Does that mean they must remain mute and not cast a vote? Of course not. What would the people back home say? As long as a person is a Senator, it is his responsibility to stand up and conduct himself as a Senator. As long as a person is the President, he has an obligation to the people of this country to act as the President.

Does anyone mean to tell me that if the Russians or the Red Chinese shot a missile over here Mr. Johnson should sit idly by and say, "We will wait for the new President to make a decision as to what we are going to do about it"? How stupid can we become?

CONFIRMATION OF JUSTICE FORTAS

Mr. **SYMINGTON**. Mr. President, some Senators have suggested that they will endeavor to defeat the nomination of Mr. Justice Fortas to be Chief Justice of the United States; and they are, of course, entitled to do so if they honestly believe the nominee to be unqualified. In my opinion, however, there can be no argument about his unusually fine qualifications for this highest judicial office.

Not even the objectors have argued seriously that Justice Fortas is not suited for this position. They argue instead that this is the act of a "lameduck" President and that it is somehow improper for President Johnson to select at this time a Chief Justice of the United States. This contention is, I believe, contrary to language, logic, and the sound administration of our system of divided executive and legislative powers.

Insofar as language is concerned, it is clear that this is in no sense a "lameduck" appointment. That term has meaning only as applied to a President defeated at the polls, whose successor has already been selected by the people and who awaits only the formality of inauguration. President Johnson, by his own act of self-denial, has determined the date on which his term of office will cease. His successor, however, has not as yet been determined by the people and, in fact, has not yet even been nominated.

As used by the opponents of the nomination, therefore, every President of the United States becomes a "lameduck" as soon as he takes office. Under the 22d amendment, it is certain that at the end of two terms he will leave that office.

Nor does the description make any more sense if it is confined to the years of a President's final term. The fact that he cannot run again doesn't make him a "lameduck" President—for 4 years, or for any part of the 4 years.

The logic used by those who challenge President Johnson's right to name a Chief Justice during his final year as President would label as "lameduck" appointees many great Justices of the past and some now sitting. President Eisenhower did not await the verdict of the voters in his campaign for reelection in October of 1956, when he appointed Justice William Brennan. He named Justice Potter Stewart to the Court in October of 1958, when it was certain that he would no longer be President after the completion of that second term of his Presidency. And the fact that President Johnson's final term of office has 7 rather than 27 months to run does not lessen his right, and indeed his duty, to continue to exercise the authority of his office.

Certainly nothing in the Constitution of the United States can justify calling into question the propriety of the continued exercise of the executive power of the President throughout all the months in which he holds office. Article II, section 1, vests in him the executive power and provides that he shall hold his office "during the term of 4 years." Article II, section 2, specifies:

> He shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . . . Judges of the Supreme Court.

The language of the Constitution is clear and mandatory. For a President to fail to fill vacancies in the Supreme Court of the United States as they arise would, indeed, be an abdication of his responsibilities under that Constitution.

Accordingly, it is the duty of the Senate to consider the nomination of Justice Fortas, as well as the nomination of Judge Thornberry, on the merits of the man. Considered in this light, I am confident that they will receive the overwhelming support of the Senate.

Insofar as the nominee for Chief Justice is concerned, I am entirely confident that Mr. Fortas will be a distinguished Chief Justice of the United States. He has been a member of the bar for 35 years. During his legal career, he has been a law teacher, and served the U.S. Government in a series of responsible positions, including 4 years as Undersecretary of the Department of the Interior. He was, thereafter, a successful and respected private practitioner. He has for the past 3 years been an Associate Justice of the Supreme Court and already has demonstrated a high level of judicial ability.

Conspicuous during these past 3 years has been his moderating influence in such areas as the controversial field of criminal law.

I urge my colleagues to abandon this mistaken effort to cast doubt on the clear right and responsibility of President Johnson to make appointments to the Supreme Court and otherwise to perform the duties of the President of the United States through the final months of the term of his office. I urge them also to consider the appointments which he makes on the merits of these appointments.

On this basis, I have no doubt that Mr. Justice Fortas will be confirmed as Chief Justice of the United States and I wish to record my full support for his confirmation.

Mr. YOUNG of Ohio. Mr. President, will the Senator from Missouri yield?

The PRESIDING OFFICER. The time of the Senator from Missouri has expired.

Mr. SYMINGTON. Mr. President, I ask unanimous consent to proceed for 3 additional minutes, in order that I may yield to the Senator from Ohio.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. YOUNG of Ohio. I thank the Senator from Missouri.

Mr. President, I would just like to say that President Eisenhower might have understood the importance of continuity on the Court, but his own Vice President obviously did not. He still does not understand it.

Mr. Nixon wants to wait for a new President to replace Chief Justice Warren. I do not suggest there is a selfish and partisan motive here, but Mr. Nixon does have a personal interest; or thinks he does, at any rate.

But why should we wait for a new President? Is the Supreme Court one of the spoils of political victory? It was never intended to be. Mr. Nixon obviously thinks the Supreme Court is an inferior branch of Government—not a coequal one.

What right has Mr. Nixon to tell President Johnson how to run his office? President Johnson was elected to that office for a 4-year term that does not expire until January 20, 1969.

Richard Nixon has not been elected to anything for 12 years. He has no constitutional authority to meddle in the affairs of the Presidency, nor meddle in the affairs of the Supreme Court of the United States, nor has he any right to interfere, in any degree whatever, with the processes of the Senate; yet Richard Nixon is trying to do all three.

I, for one, intend to ignore him.

DYNAPEN: FDA'S FIGHT TO RESTRICT USE OF STAPH DRUGS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from New Mexico [Mr. MONTOYA], who is necessarily absent from the Chamber while recuperating from an illness. I ask unanimous consent to have printed in the RECORD a statement by Mr. MONTOYA together with an article published in the Washington Post in connection with his statement.

There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MONTOYA

Mr. President, the Washington Post of Thursday, June 20, 1968, included an article by Morton Mintz entitled "Dynapen: FDA's Fight To Restrict Use of Staph Drugs." The piece depicts the most recent in a series of confrontations between the FDA and a number of the major drug manufacturers which the agency regulates.

Bristol, a division of the Bristol-Myers Co., was seeking to market, under its trade name, Dynapen, the antibiotic, dicloxacillin—one in a new family of semisynthetic penicillins designed to fight serious staphylococci infections.

For over a year now a struggle has been going on between the firm and the Food and Drug Administration about the extent of the claims for the drug which FDA would authorize Bristol to make. Bristol wanted a labeling that would permit it to promote the drug as an "all purpose" penicillin and thus create a large market for Dynapen, with consequent larger sales. The FDA, whose function is to protect the public, insisted that the drug be promoted for only limited use since the body of scientific evidence indicated that widespread use of the new penicillins would result in the proliferation of strains of staph resistant to the whole class of new penicillins.

The year-long struggle finally culminated on May 6 with Bristol reluctantly acceding to FDA demands for restricted labeling. FDA then approved the drug for sale.

But on May 17, less than 2 weeks after the agreement was reached, Bristol launched a promotional campaign making the "all purpose" claims for Dynapen in violation of the firm's agreement with the FDA.

The FDA acted promptly and decisively in the face of Bristol's violation of the agreement with an unprecedented embargo on shipments and sales of the drug. In addition, the FDA insisted that a corrective letter be sent to all physicians informing them that the earlier promotional pieces were misleading, and that the letter be sent air mail since Bristol's promotional letter to physicians had been sent via air mail. And, finally, in another unprecedented action, the FDA demanded the publication of remedial ads in those journals which had run Bristol's original ad.

I want to congratulate the FDA for its strong stand in response to Bristol's open defiance for the FDA's demands and demonstration of bad faith in ignoring the agreement the firm had made with the agency. The FDA demonstrated clearly that it would not tolerate such utter disregard for the health and safety of the public through the dissemination of misinformation to the nation's physicians. I hope that this opens up a new era of strong regulation on behalf of the public.

DYNAPEN: FDA'S FIGHT TO RESTRICT USE OF STAPH DRUGS

(By Morton Mintz)

One day last month, Wilbur J. Cohen, Secretary of Health, Education, and Welfare, took a phone call from Thomas G. (Tommy the Cork) Corcoran, a Washington lawyer whose old friends include President Johnson and whose clients include pharmaceutical manufacturers.

"I am coming to talk to your people about a drug," Corcoran said. Recalling the conversation to a reporter, Cohen said that Corcoran "just wanted to let me know."

The Secretary's response was, "Thanks for telling me, Tommy."

This was the beginning and the end of Cohen's active involvement in the case of Dynapen, one in a new family of semisynthetic penicillins developed to fight dangerous staphylococci infections.

Staph infections are severe and sometimes fatal. They strike in the form of pneumonia or soft-tissue infections, such as boils. And they can spread through the victim's bloodstream.

The phone call from Corcoran came near the end of a year-long struggle between Bristol Laboratories, manufacturer of Dynapen, and the Food and Drug Administration.

From FDA's standpoint the overriding concern was the fear in the agency's Bureau of Medicine that the over-use of Dynapen would lead to a proliferation of strains of staph resistant to the whole class of new penicillins. Such a proliferation of resistant strains had occurred after the early, natural penicillins were overused.

FDA, therefore, wanted to approve prescribing instructions limiting Dynapen to cases for which other drugs were not effective and safe.

From the standpoint of Bristol, a division of the Bristol-Myers Co., and Corcoran's law client, the big question was obviously the millions of dollars a year in sales possibly riding on the FDA's intervention. Bristol was fighting for a labeling that would permit it to promote Dynapen as an "all-purpose" penicillin, creating a vastly wider market than the FDA's restrictions would make possible.

Two other drug concerns, Ayerst Laboratories and Wyeth Laboratories, accepted the FDA labeling restrictions.

Reports circulated within FDA and appeared in the drug trade press that Corcoran had carried Bristol's case to the White House. But one member of the politically active Corcoran law firm, Edward H. Foley, unequivocally denied this.

"Never, at any time, directly or indirectly," Foley told a reporter, "did anyone in our law firm go to or contact in any way any person in the White House about the Dynapen matter."

FDA physicians buttressed their position with recent reports, first circulated abroad and then in the United States, describing a threatened proliferation of staph germs resistant to the new class of penicillins.

Within the last few years medical publications had carried reports that in hospitals in Switzerland and other countries in Europe, between 10 and 18.5 percent of the staph infections encountered were resistant to the semi-synthetic penicillins. The significance of these reports was disputed by the FDA and Bristol.

But while the battle over labeling was being fought, reports were made of similar hospital episodes in the United States. Last September, the New England Journal of Medicine warned in an editorial about the threat of resistant staph strains in this country. And, Government personnel learned, in the year ending last February a single hospital in New England reported 18 cases of patients harboring strains of staph germs which were resistant to the new penicillins.

Widespread use of the new penicillins was believed in the FDA to be a major factor related to the increased frequency with which resistant staph strains were being found.

All of this hardened the determination of the FDA not to permit a replay of the mid-1950s, when staph infections started to break out in alarming, even epidemic proportions in hospitals throughout the Nation.

That crisis was dramatically relieved, thanks in large part to the isolation—by Bristol—of the first of the semi-synthetics, methicillin. By 1961, a British study showed, only 3 out of 5400 staph strains were resistant to the new class of penicillins.

With all of this in the background, the FDA refused to back away from its position that the semi-synthetics must be "reserve" anti-staph drugs and, finally, appeared to have won the labeling fight. Last May 6, with the labeling restricted as it demanded, it approved Dynapen for sale.

FDA authorized two uses. The primary one was to treat staph infections resistant to the older penicillins and "shown to be sensitive" to Dynapen. The second was the initial treatment of infections which did not respond to the older drugs, especially penicillin-G. But Dynapen therapy was to be halted if tests showed the patient had staph strains not resistant to penicillin-G. The physician then was advised to switch to a drug other than Dynapen.

On May 16 Corcoran, accompanied by Foley and two other lawyers, met with Dr. Philip R. Lee, Assistant Secretary of HEW for Health and Scientific Affairs. In an interview, Dr. Lee recalled that their complaint essentially was that the FDA was being unfair to Bristol, especially as to the labeling restrictions.

Dr. Lee checked with then FDA Commissioner James L. Goddard and was satisfied that the agency had handled the case properly.

"Anybody that the FDA deals with in a tough way—but I think in a fair way—thinks he's being discriminated against," Dr. Lee remarked.

In letters dated the next day, May 17, and in advertising copy that would soon appear, Bristol launched a promotional campaign making "all-purpose" claims for Dynapen.

But the claims were legally undermined the same day when in the Federal Register, the official Government journal, the FDA limited the uses to the two it had approved.

The final confrontation in the Dynapen affair was staged by Dr. Goddard, who summoned Bristol president Morris Weeden to his office on the morning of May 27.

In a telegram, Dr. Goddard also told Weeden that the FDA was withdrawing the certification of safety and efficacy it had given to the millions of doses of Dynapen already shipped to retail outlets.

The result was an unprecedented EDA embargo on shipments and sales of Dynapen.

On hand for the confrontation in Goddard's office were the top officers of Bristol and four attorneys from the Corcoran firm, including Corcoran and Foley. Also present were FDA's top medical administrators.

The result of the meeting was to ratify Bristol's surrender. FDA's terms, to which the firm assented, were that it mail a "corrective letter" individually to 306,000 physicians and hospital pharmacists.

The letter said that the FDA "has expressed concern" that Bristol had "created misleading impressions concerning the proper use of Dynapen in its limited appropriate indications."

The letter went on to say, "We have discontinued the advertising in question. Future advertising will be appropriately modified. The drug is not available for prescription at this time. We will notify you when it becomes available."

New regulatory ground was broken when Bristol consented to send the "corrective letter" air mail. The FDA insisted on this because air mail had been used by Bristol for its promotional letter to the medical profession announcing the imminent availability of Dynapen.

Another precedent was set by Bristol's agreement to the publication of "corrective" ads. One appeared in Medical Tribune last Monday. The second is scheduled for the June 21 Medical World News. After the second ad has appeared the FDA will rule whether the corrections are adequate and whether to lift the embargo.

COST OF RESURRECTION CITY

Mr. BYRD of West Virginia. Mr. President, the total cost of Resurrection City to the District of Columbia may never be known when one thinks in terms of the real and intangible losses that the Federal City has suffered as a result.

The estimates of the out-of-pocket loss to the District government, however, are being supplied to me and they continue to mount. I have kept close watch in this area because of my responsibilities as chairman of the Appropriations Subcommittee on the District of Columbia.

Through June 22, the total cost to the District was $497,695, not including an additional $92,163 in Federal funds that have been spent.

The largest single item of cost is that for the additional police protection that was necessary during the 6 weeks that Resurrection City existed as a potential and actual trouble spot in the Nation's Capital.

The costs for the additional policing that became necessary with the arrival of the participants in the campaign runs well over $300,000.

The final figures are not yet available, but they will run the overall cost of the campaign to the District government well over half a million dollars, an amount that must come directly out of District revenues.

When these direct costs are added to the losses suffered by merchants, motels and hotels, restaurants, the transportation services, sightseeing businesses, and so on, all of which have suffered because of this year's greatly reduced tourist activity, then one begins to get some idea of just how serious an economic setback this campaign really was for the District of Columbia.

Had the campaign produced substantive good results for the poor, the losses suffered might be somewhat less painful. But in view of the very dubious end results of the campaign, the cost to the city of Washington becomes even worse.

I have had prepared for me a breakdown of the direct expenses incurred by the District government as a result of the campaign, and I ask unanimous consent that the summary of these costs through June 22 be printed in the RECORD.

There being no objection, the cost summary was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
Washington, D.C., June 27, 1968.

Hon. ROBERT C. BYRD,
Chairman, Subcommittee on Appropriations for the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR BYRD: The estimated cost to the District of Columbia for the Poor People's Campaign through June 22, 1968 is as follows:

Agency or department	Total cost week ending June 22	Prior reported costs	Total cost through June 22, 1968
General Administration		$100	$100
Death Investigations	$104		104
Council of Governments	216	1,476	1,692
Buildings and Grounds	270		270
Corporation Counsel	750	4,626	5,376
Metropolitan Police	201,466	137,404	338,870
Fire Department	2,898	12,912	15,810
Juvenile Court	9		9
Court of General Sessions	1,214		1,214
Bail Agency	53	221	274
Department of Corrections	2,185	1,376	3,561
Licenses and Inspections		523	523
National Park Service, National Capital Region	18,220	27,862	[1]46,082
Public Health	11,119	52,670	63,789
Public Welfare	331	1,902	2,233
Highways and Traffic	2,473	4,050	6,523
Motor Vehicles	86	48	134
Sanitary Engineering	3,524	6,621	10,145
Washington Aqueduct	48	938	986
Grand total	244,966	252,729	497,695

[1] In addition it is estimated that $92,163 in Federal funds have been spent to date.

No attempt has been made to pro-rate the cost of the Executive Office or the City Council for the Poor People's Campaign.

This is the fifth report. We are now in the process of reviewing the cost to the District of Columbia of the Poor People's Campaign. The current schedule calls for an interim-final report to be submitted to you by Friday, July 5, 1968.

Sincerely yours,

D. P. HERMAN,
Budget Officer, D.C.

Poor people's campaign cost for June 19

Death Investigations	$104
Metropolitan Washington Council of Governments	104
Buildings and Grounds	152
Corporation Counsel	
Metropolitan Police	130,809
Fire Department	2,640
Court of General Sessions	165
Juvenile Court	
Bail Agency	
Department of Corrections	125
Licenses and Inspections	
National Park Service, National Capital Region	4,869
Public Health	3,797
Public Welfare	83
Highways and Traffic	827
Motor Vehicles	80
Sanitary Engineering	2,659
Washington Aqueduct	26
Total	146,440

THE REAL GUN MENACE

Mr. WILLIAMS of Delaware. Mr. President, in the Evening Star of June 26 there appeared an excellent editorial entitled "The Real Gun Menace."

This editorial very properly points out the danger of going too far in requiring the licensing of all guns in the hands of law-abiding citizens while at the same time the courts continue to hand out minimum sentences to criminals using guns in the commitment of the crimes.

I quote from one paragraph of this editorial:

> The President urges that any person who fails to register any kind of gun be subject to a fine of $2,000 and a two-year jail term. Under existing law in Washington, however, the maximum first-offense penalty for carrying a concealed hand gun on the street is only one year in jail and a $1,000 fine. Yet the person who carries a concealed gun is the potential murderer or robber.

This editorial very graphically points out that the real gun menace in America today is a lack of rigid enforcement of existing laws and that what we need in America is a mandatory jail sentence for anyone who has in his possession or uses a gun while committing a felony.

I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE REAL GUN MENACE

The President's latest message to Congress on gun controls is noteworthy in at least two respects.

It goes well beyond his former proposals and also beyond proposals offered by such ardent gun control people as Maryland's Senator Tydings. It is also more noteworthy for its emotional content than for any deterrent effect it could be expected to have on the use of guns by criminals—the real source of the gun menace.

When Mr. Johnson signed the omnibus

crime bill on June 6 he said that its ban on mail order sales of hand guns, though it is stringent, was inadequate. He was right about that. He urged that there be a ban on mail order sales of shotguns and rifles. Again, he was right, and he pressed for legislation to forbid such sales.

While that proposal was pending, however, and before Congress could act, he sent up another message this week. In it, he called for the registration and licensing of all firearms—applying to new purchases as well as to guns already possessed by individuals. He called for monetary punishment of any state which did not fall into line.

Is there anything wrong with this? Let's take a look. Mr. Johnson said of the registration and licensing proposals: "Surely the slight inconvenience for the few is minimal when measured against protection for all." The "few" are the owners of the estimated 50 to 100 million guns in this country today. How would registration and licensing provide "protection for all?" This would be true only if it is assumed—an unwarranted assumption—that criminals as well as law-abiding citizens would come in and register their guns and apply for licenses to possess them.

The President gave some examples. Last Tuesday, he said, a filling station attendant was shot to death in the course of a $75 armed robbery. The robber was violating the law by using the gun in the commission of a felony. Is Mr. Johnson seriously suggesting that this robber, and the thousands of others like him, would have registered the gun and applied for a license? He also said that in 1967 there were 71,000 robberies with guns. How many of those victims would have been protected by a registration and licensing law? One other thing. Mr. Johnson said that with registration under modern computer systems "the owner of a gun anywhere in the country can be identified in a matter of seconds." True, if the gun owner had obeyed the law and registered his gun. Untrue if he had not registered.

Another interesting point: The President urges than any person who fails to register any kind of gun be subject to a fine of $2,000 and a two-year jail term. Under existing law in Washington, however, the maximum first-offense penalty for carrying a concealed hand gun on the street is only one year in jail and a $1,000 fine. Yet the person who carries a concealed gun is the potential murderer or robber.

It may be that registration and licensing would be of some help in discouraging improper sales or transfers of guns. But they are not going to stop the armed criminals or provide any appreciable "protection for all." As we suggested several days ago, the best way to achieve this protection is to provide really tough and if necessary mandatory jail sentences for anyone caught carrying an unlicensed gun or using a gun while committing a felony.

Why doesn't the President, as a companion piece to his appeal, get behind something of this nature?

SUPREME COURT NOMINATIONS

Mr. WILLIAMS of Delaware. Mr. President, in yesterday's Wall Street Journal and in last night's Evening Star there appeared excellent articles calling attention to the danger of turning the Supreme Court into a political arm of the Government in power.

The Wall Street editorial very properly points out that politics and cronyism should not be the basis of the selection of its members while the article by David Lawrence in the Washington Evening Star points out how the Supreme Court is being cynically manipulated.

I ask unanimous consent that this editorial, entitled "The Political Court," and the article by David Lawrence entitled "High Court Cynically Manipulated" both be printed in the Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Wall Street Journal, June 7, 1968]

THE POLITICAL COURT

The appointment of Abe Fortas as Chief Justice may turn out to be a good one, even an outstanding one. Certainly in his brief time on the Supreme Court he has exhibited level-headedness and a commendable concern for law and order.

Yet the manner of the appointment carries an especially heavy aura of politics. And this we think most unfortunate.

The resignation of Chief Justice Warren at a time when President Johnson has only half a year or so left in office was bound to create the suspicion that the idea was to permit the President—and not, say, a President Nixon—to pick his own man.

Mr. Johnson was criticized for naming Mr. Fortas to the Court in the first place, not on the issue of the latter's merits but because he is a long-standing crony of the President. Such criticism is bound to be intensified now, especially with the simultaneous appointment of a relatively unknown fellow-Texan, and we believe with justification.

Politics, cronyism are nothing new in the history of the Court; indeed, in the nature of things the Court cannot be wholly immune from politics. So it comes down to a matter of degree. The circumstances of this particular shift must impress many as a fairly flagrant example of making the highest tribunal a political football.

Unhappily it is not an isolated instance. One of the more thoughtful objections to the Johnson Administration's general conduct of Government is that its excessive politicking has tended to undermine the institutions of Government—Congress, the Court, the Presidency and lesser entities.

We wish Mr. Fortas well, but we are constrained to say we consider it little service to the Supreme Court, at a time when it is under attack anyway, to have this impression generated. And while the Court cannot be entirely divorced from politics, it is little service to the nation to have politics so forcefully injected into what should be impartial institutions.

HIGH COURT CYNICALLY MANIPULATED

Once again the membership of the Supreme Court of the United States has been cynically made an instrument of personal and political manipulation. The audacity of presidents in giving judicial appointments to political cronies was pointed out by this correspondent in what he wrote at the time when the two men now being named to fill vacancies on the nation's highest court—Abe Fortas and Homer Thornberry—were first nominated to serve on the federal bench.

Back in July 1963, President Kennedy announced that he was naming to the federal district court Rep. Thornberry, a Texas Democrat and for many years a political ally of Lyndon Johnson, then vice president. On July 11, 1963, this correspondent wrote:

"It is reported on Capitol Hill that the administration plans to defer action in the Senate on the Thornberry nomination until some time toward the end of the present session in order to assure his vote for administration policies in the closing divided Rules Committee of the House while important legislation is being considered by the committee in the next few months. . . .

"But why should Rep. Thornberry be rewarded with a federal judgeship? He has never served on the bench in any court. Why should the president of the United States give anyone a lifetime post in the judicial system on the basis of favors done of a political nature? How can there be confidence in the federal judiciary if judgeships become a matter of political patronage? Were there no lawyers or state judges in West Texas better qualified for the judgeship in question? . . .

"Does the system of using judgeships as a reward for past political favors mean that judges already on the bench can expect promotions to the United States Court of Appeals only if they 'play ball' with the administration in power?"

President Johnson in 1965 advanced Thornberry to the Court of Appeals and now has named him an associate justice of the Supreme Court of the United States.

Also, when Arthur Goldberg was persuaded to leave the high court to become U.S. ambassador to the United Nations, President Johnson promptly appointed his long-time personal adviser, Abe Fortas, as associate justice. This correspondent wrote then, on July 25, 1965:

"Small wonder that the Supreme Court of the United States has steadily fallen into disrepute in recent years as it has developed into an oligarchy of politically rather than judicially minded individuals. Now President Johnson has selected Abe Fortas—his personal friend of long standing who has never had a day's experience on the bench—to be one of the nine justices of the Supreme Court of the United States. This is in line with the unfortunate trend of the past several years.

"Other presidents besides Johnson, Republican as well as Democratic, have appointed to the Supreme Court political associates or partisan supporters with a controversial background. . . .

"It is surprising that spokesmen for the bar associations, who often stress the need for a 'rule of law,' are willing to sit by without protest as political rather than juridical training becomes the major qualification for appointment to the highest court of the land."

What redress do the American people have when there is such blatant politics in appointments to the nation's highest court? The voters cannot express themselves on this issue directly at the polls, but they can hold responsible the members of the Senate who may soon vote to confirm the appointments. One third of the senators will be seeking reelection in November, and the people will have a chance to reject those candidates who go along with the "packing" of the Supreme Court with lifetime appointments of political cronies by a "lame-duck" president.

Other senators of both parties who will be voting on whether or not to confirm and who happen not to be up for re-election this year will hardly be indifferent, moreover, to the way public opinion reacts to this strange episode. For when a president with just a few months left in office undertakes to deprive the next president of an opportunity to appoint a chief justice of the United States—a position vitally affecting the operation of the American Constitutional system—it is hardly likely that the American people will approve what appears to them to be a case of political manipulation. There may even be a filibuster in the Senate to prevent action until the convening of the newly elected Congress in January.

ADDRESS BY SENATOR JACKSON AT KEEL LAYING OF NUCLEAR AIRCRAFT CARRIER "NIMITZ"

Mr. PASTORE. Mr. President, on June 22, 1968, my distinguished colleague from the great State of Washington [Mr. Jackson] delivered the major address on if tests showed the patient had staph strains not resistant to penicillin-G. The physician then was advised to switch to a drug other than Dynapen.

On May 16 Corcoran, accompanied by Foley and two other lawyers, met with Dr. Philip R. Lee, Assistant Secretary of HEW for Health and Scientific Affairs. In an interview, Dr. Lee recalled that their complaint essentially was that the FDA was being unfair to Bristol, especially as to the labeling restrictions.

Dr. Lee checked with then FDA Commissioner James L. Goddard and was satisfied that the agency had handled the case properly.

"Anybody that the FDA deals with in a tough way—but I think in a fair way—thinks he's being discriminated against," Dr. Lee remarked.

In letters dated the next day, May 17, and in advertising copy that would soon appear, Bristol launched a promotional campaign making "all-purpose" claims for Dynapen.

But the claims were legally undermined the same day when in the Federal Register, the official Government journal, the FDA limited the uses to the two it had approved.

The final confrontation in the Dynapen affair was staged by Dr. Goddard, who summoned Bristol president Morris Weeden to his office on the morning of May 27.

In a telegram, Dr. Goddard also told Weeden that the FDA was withdrawing the certification of safety and efficacy it had given to the millions of doses of Dynapen already shipped to retail outlets.

The result was an unprecedented EDA embargo on shipments and sales of Dynapen.

On hand for the confrontation in Goddard's office were the top officers of Bristol and four attorneys from the Corcoran firm, including Corcoran and Foley. Also present were FDA's top medical administrators.

The result of the meeting was to ratify Bristol's surrender. FDA's terms, to which the firm assented, were that it mail a "corrective letter" individually to 306,000 physicians and hospital pharmacists.

The letter said that the FDA "has expressed concern" that Bristol had "created misleading impressions concerning the proper use of Dynapen in its limited appropriate indications."

The letter went on to say, "We have discontinued the advertising in question. Future advertising will be appropriately modified. The drug is not available for prescription at this time. We will notify you when it becomes available."

New regulatory ground was broken when Bristol consented to send the "corrective letter" air mail. The FDA insisted on this because air mail had been used by Bristol for its promotional letter to the medical profession announcing the imminent availability of Dynapen.

Another precedent was set by Bristol's agreement to the publication of "corrective" ads. One appeared in Medical Tribune last Monday. The second is scheduled for the June 21 Medical World News. After the second ad has appeared the FDA will rule whether the corrections are adequate and whether to lift the embargo.

COST OF RESURRECTION CITY

Mr. BYRD of West Virginia. Mr. President, the total cost of Resurrection City to the District of Columbia may never be known when one thinks in terms of the real and intangible losses that the Federal City has suffered as a result.

The estimates of the out-of-pocket loss to the District government, however, are being supplied to me and they continue to mount. I have kept close watch in this area because of my responsibilities as chairman of the Appropriations Subcommittee on the District of Columbia.

Through June 22, the total cost to the District was $497,695, not including an additional $92,163 in Federal funds that have been spent.

The largest single item of cost is that for the additional police protection that was necessary during the 6 weeks that Resurrection City existed as a potential and actual trouble spot in the Nation's Capital.

The costs for the additional policing that became necessary with the arrival of the participants in the campaign runs well over $300,000.

The final figures are not yet available, but they will run the overall cost of the campaign to the District government well over half a million dollars, an amount that must come directly out of District revenues.

When these direct costs are added to the losses suffered by merchants, motels and hotels, restaurants, the transportation services, sightseeing businesses, and so on, all of which have suffered because of this year's greatly reduced tourist activity, then one begins to get some idea of just how serious an economic setback this campaign really was for the District of Columbia.

Had the campaign produced substantive good results for the poor, the losses suffered might be somewhat less painful. But in view of the very dubious end results of the campaign, the cost to the city of Washington becomes even worse.

I have had prepared for me a breakdown of the direct expenses incurred by the District government as a result of the campaign, and I ask unanimous consent that the summary of these costs through June 22 be printed in the RECORD.

There being no objection, the cost summary was ordered to be printed in the RECORD, as follows:

GOVERNMENT OF THE
DISTRICT OF COLUMBIA,
Washington, D.C., June 27, 1968.

Hon. ROBERT C. BYRD,
Chairman, Subcommittee on Appropriations for the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR BYRD: The estimated cost to the District of Columbia for the Poor People's Campaign through June 22, 1968 is as follows:

Agency or department	Total cost week ending June 22	Prior reported costs	Total cost through June 22, 1968
General Administration		$100	$100
Death Investigations	$104		104
Council of Governments	216	1,476	1,692
Buildings and Grounds	270		270
Corporation Counsel	750	4,626	5,376
Metropolitan Police	201,466	137,404	338,870
Fire Department	2,898	12,912	15,810
Juvenile Court	9		9
Court of General Sessions	1,214		1,214
Bail Agency	53	221	274
Department of Corrections	2,185	1,376	3,561
Licenses and Inspections		523	523
National Park Service, National Capital Region	18,220	27,862	[1] 46,082
Public Health	11,119	52,670	63,789
Public Welfare	331	1,902	2,233
Highways and Traffic	2,473	4,050	6,523
Motor Vehicles	86	48	134
Sanitary Engineering	3,524	6,621	10,145
Washington Aqueduct	48	938	986
Grand total	244,966	252,729	497,695

[1] In addition it is estimated that $92,163 in Federal funds have been spent to date.

No attempt has been made to pro-rate the cost of the Executive Office or the City Council for the Poor People's Campaign.

This is the fifth report. We are now in the process of reviewing the cost to the District of Columbia of the Poor People's Campaign. The current schedule calls for an interim-final report to be submitted to you by Friday, July 5, 1968.

Sincerely yours,

D. P. HERMAN,
Budget Officer, D.C.

Poor people's campaign cost for June 19

Death Investigations	$104
Metropolitan Washington Council of Governments	104
Buildings and Grounds	152
Corporation Counsel	
Metropolitan Police	130,809
Fire Department	2,640
Court of General Sessions	165
Juvenile Court	
Bail Agency	
Department of Corrections	125
Licenses and Inspections	
National Park Service, National Capital Region	4,869
Public Health	3,797
Public Welfare	83
Highways and Traffic	827
Motor Vehicles	80
Sanitary Engineering	2,659
Washington Aqueduct	26
Total	146,440

THE REAL GUN MENACE

Mr. WILLIAMS of Delaware. Mr. President, in the Evening Star of June 26 there appeared an excellent editorial entitled "The Real Gun Menace."

This editorial very properly points out the danger of going too far in requiring the licensing of all guns in the hands of law-abiding citizens while at the same time the courts continue to hand out minimum sentences to criminals using guns in the commitment of the crimes.

I quote from one paragraph of this editorial:

> The President urges that any person who fails to register any kind of gun be subject to a fine of $2,000 and a two-year jail term. Under existing law in Washington, however, the maximum first-offense penalty for carrying a concealed hand gun on the street is only one year in jail and a $1,000 fine. Yet the person who carries a concealed gun is the potential murderer or robber.

This editorial very graphically points out that the real gun menace in America today is a lack of rigid enforcement of existing laws and that what we need in America is a mandatory jail sentence for anyone who has in his possession or uses a gun while committing a felony.

I ask unanimous consent to have the editorial printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE REAL GUN MENACE

The President's latest message to Congress on gun controls is noteworthy in at least two respects.

It goes well beyond his former proposals and also beyond proposals offered by such ardent gun control people as Maryland's Senator Tydings. It is also more noteworthy for its emotional content than for any deterrent effect it could be expected to have on the use of guns by criminals—the real source of the gun menace.

When Mr. Johnson signed the omnibus

crime bill on June 6 he said that its ban on mail order sales of hand guns, though it is stringent, was inadequate. He was right about that. He urged that there be a ban on mail order sales of shotguns and rifles. Again, he was right, and he pressed for legislation to forbid such sales.

While that proposal was pending, however, and before Congress could act, he sent up another message this week. In it, he called for the registration and licensing of all firearms—applying to new purchases as well as to guns already possessed by individuals. He called for monetary punishment of any state which did not fall into line.

Is there anything wrong with this? Let's take a look. Mr. Johnson said of the registration and licensing proposals: "Surely the slight inconvenience for the few is minimal when measured against protection for all." The "few" are the owners of the estimated 50 to 100 million guns in this country today. How would registration and licensing provide "protection for all?" This would be true only if it is assumed—an unwarranted assumption—that criminals as well as law-abiding citizens would come in and register their guns and apply for licenses to possess them.

The President gave some examples. Last Tuesday, he said, a filling station attendant was shot to death in the course of a $75 armed robbery. The robber was violating the law by using the gun in the commission of a felony. Is Mr. Johnson seriously suggesting that this robber, and the thousands of others like him, would have registered the gun and applied for a license? He also said that in 1967 there were 71,000 robberies with guns. How many of those victims would have been protected by a registration and licensing law? One other thing. Mr. Johnson said that with registration under modern computer systems "the owner of a gun anywhere in the country can be identified in a matter of seconds." True, if the gun owner had obeyed the law and registered his gun. Untrue if he had not registered.

Another interesting point: The President urges than any person who fails to register any kind of gun be subject to a fine of $2,000 and a two-year jail term. Under existing law in Washington, however, the maximum first-offense penalty for carrying a concealed hand gun on the street is only one year in jail and a $1,000 fine. Yet the person who carries a concealed gun is the potential murderer or robber.

It may be that registration and licensing would be of some help in discouraging improper sales or transfers of guns. But they are not going to stop the armed criminals or provide any appreciable "protection for all." As we suggested several days ago, the best way to achieve this protection is to provide really tough and if necessary mandatory jail sentences for anyone caught carrying an unlicensed gun or using a gun while committing a felony.

Why doesn't the President, as a companion piece to his appeal, get behind something of this nature?

SUPREME COURT NOMINATIONS

Mr. WILLIAMS of Delaware. Mr. President, in yesterday's Wall Street Journal and in last night's Evening Star there appeared excellent articles calling attention to the danger of turning the Supreme Court into a political arm of the Government in power.

The Wall Street editorial very properly points out that politics and cronyism should not be the basis of the selection of its members while the article by David Lawrence in the Washington Evening Star points out how the Supreme Court is being cynically manipulated.

I ask unanimous consent that this editorial, entitled "The Political Court," and the article by David Lawrence entitled "High Court Cynically Manipulated" both be printed in the Record.

There being no objection, the editorial and article were ordered to be printed in the Record, as follows:

[From the Wall Street Journal, June 7, 1968]

The Political Court

The appointment of Abe Fortas as Chief Justice may turn out to be a good one, even an outstanding one. Certainly in his brief time on the Supreme Court he has exhibited level-headedness and a commendable concern for law and order.

Yet the manner of the appointment carries an especially heavy aura of politics. And this we think most unfortunate.

The resignation of Chief Justice Warren at a time when President Johnson has only half a year or so left in office was bound to create the suspicion that the idea was to permit the President—and not, say, a President Nixon—to pick his own man.

Mr. Johnson was criticized for naming Mr. Fortas to the Court in the first place, not on the issue of the latter's merits but because he is a long-standing crony of the President. Such criticism is bound to be intensified now, especially with the simultaneous appointment of a relatively unknown fellow-Texan, and we believe with justification.

Politics, cronyism are nothing new in the history of the Court; indeed, in the nature of things the Court cannot be wholly immune from politics. So it comes down to a matter of degree. The circumstances of this particular shift must impress many as a fairly flagrant example of making the highest tribunal a political football.

Unhappily it is not an isolated instance. One of the more thoughtful objections to the Johnson Administration's general conduct of Government is that its excessive politicking has tended to undermine the institutions of Government—Congress, the Court, the Presidency and lesser entities.

We wish Mr. Fortas well, but we are constrained to say we consider it little service to the Supreme Court, at a time when it is under attack anyway, to have this impression generated. And while the Court cannot be entirely divorced from politics, it is little service to the nation to have politics so forcefully injected into what should be impartial institutions.

High Court Cynically Manipulated

Once again the membership of the Supreme Court of the United States has been cynically made an instrument of personal and political manipulation. The audacity of presidents in giving judicial appointments to political cronies was pointed out by this correspondent in what he wrote at the time when the two men now being named to fill vacancies on the nation's highest court—Abe Fortas and Homer Thornberry—were first nominated to serve on the federal bench.

Back in July 1963, President Kennedy announced that he was naming to the federal district court Rep. Thornberry, a Texas Democrat and for many years a political ally of Lyndon Johnson, then vice president. On July 11, 1963, this correspondent wrote:

"It is reported on Capitol Hill that the administration plans to defer action in the Senate on the Thornberry nomination until some time toward the end of the present session in order to assure his vote for administration policies in the closing divided Rules Committee of the House while important legislation is being considered by the committee in the next few months. . . .

"But why should Rep. Thornberry be rewarded with a federal judgeship? He has never served on the bench in any court. Why should the president of the United States give anyone a lifetime post in the judicial system on the basis of favors done of a political nature? How can there be confidence in the federal judiciary if judgeships become a matter of political patronage? Were there no lawyers or state judges in West Texas better qualified for the judgeship in question? . . .

"Does the system of using judgeships as a reward for past political favors mean that judges already on the bench can expect promotions to the United States Court of Appeals only if they 'play ball' with the administration in power?"

President Johnson in 1965 advanced Thornberry to the Court of Appeals and now has named him an associate justice of the Supreme Court of the United States.

Also, when Arthur Goldberg was persuaded to leave the high court to become U.S. ambassador to the United Nations, President Johnson promptly appointed his long-time personal adviser, Abe Fortas, as associate justice. This correspondent wrote then, on July 25, 1965:

"Small wonder that the Supreme Court of the United States has steadily fallen into disrepute in recent years as it has developed into an oligarchy of politically rather than judicially minded individuals. Now President Johnson has selected Abe Fortas—his personal friend of long standing who has never had a day's experience on the bench—to be one of the nine justices of the Supreme Court of the United States. This is in line with the unfortunate trend of the past several years.

"Other presidents besides Johnson, Republican as well as Democratic, have appointed to the Supreme Court political associates or partisan supporters with a controversial background. . . .

"It is surprising that spokesmen for the bar associations, who often stress the need for a 'rule of law,' are willing to sit by without protest as political rather than juridical training becomes the major qualification for appointment to the highest court of the land."

What redress do the American people have when there is such blatant politics in appointments to the nation's highest court? The voters cannot express themselves on this issue directly at the polls, but they can hold responsible the members of the Senate who may soon vote to confirm the appointments. One third of the senators will be seeking reelection in November, and the people will have a chance to reject those candidates who go along with the "packing" of the Supreme Court with lifetime appointments of political cronies by a "lame-duck" president.

Other senators of both parties who will be voting on whether or not to confirm and who happen not to be up for re-election this year will hardly be indifferent, moreover, to the way public opinion reacts to this strange episode. For when a president with just a few months left in office undertakes to deprive the next president of an opportunity to appoint a chief justice of the United States—a position vitally affecting the operation of the American Constitutional system—it is hardly likely that the American people will approve what appears to them to be a case of political manipulation. There may even be a filibuster in the Senate to prevent action until the convening of the newly elected Congress in January.

ADDRESS BY SENATOR JACKSON AT KEEL LAYING OF NUCLEAR AIRCRAFT CARRIER "NIMITZ"

Mr. PASTORE. Mr. President, on June 22, 1968, my distinguished colleague from the great State of Washington [Mr. Jackson] delivered the major address on the occasion of the keel laying of the nuclear aircraft carrier *Nimitz* at Newport News, Va. Senator JACKSON's speech clearly enunciated the importance of modern nuclear-powered warships. He stressed the importance of research and development in a field where this Nation faces one of the greatest challenges of modern time. It is an excellent speech and I commend it to each and every Member of the Senate.

Mr. President, I ask unanimous consent that Senator JACKSON's speech together with an introduction by Vice Adm. H. G. Rickover, be printed in the RECORD.

There being no objection, the introduction and speech were ordered to be printed in the RECORD, as follows:

Introduction of Senator Henry M. Jackson, Washington, by Vice Adm. H. G. Rickover, USN, on the Occasion of the Keel Laying of U.S.S. "Nimitz" (CVAN68) at Newport News Shipbuilding & Dry Dock Co., Newport News, Va., June 22, 1968

It gives me great pleasure to introduce to you a truly great American, the Honorable Henry M. Jackson, Senator from the State of Washington. He is Chairman of the Senate Committee on Interior and Insular Affairs. He is also Chairman of key subcommittees on armed services, government operations, and atomic energy.

He was elected to the House of Representatives in 1940, and to the Senate in 1952. In these three decades of public service, his foresight, wisdom, judgment, common sense, and stamina have allowed him to make major contributions to our national security and to many important areas of government. He is particularly well-known for his work on conservation of our land, our wildlife, and the creation of national parks. He was author of the bills and responsible for passage of laws for the Indiana Dunes Park, the Redwoods National Park, and most recently the 1 million acre Cascades National Park. Future generations will, I am sure, remember him more for these than for anything else he has done.

As a member of the Joint Committee on Atomic Energy and the Senate Armed Services Committee, he oversees the work being done in the atomic energy field, civilian and military.

I speak from personal experience when I say that without the support he and other members of Congress have unfailingly given to the Navy, conversion of our fleet to atomic energy would have been delayed and might have come too late to be of use to the United States.

We now have in operation a nuclear fleet composed of 76 submarines, a nuclear aircraft carrier, a cruiser, and two frigates. In addition, there are authorized 29 submarines, one nuclear aircraft carrier, two frigates, and small submarines capable of exploring the ocean bottom. Much credit for this must be given to Senator Jackson and his colleagues. In fact, he contributed in great measure toward obtaining authorization for construction of the U.S.S. *Nimitz*.

Senator Jackson is one of the great men of the United States Senate. He is dedicated to peace, but aware of the awesome responsibilities our nation bears in defense of our freedom.

I would like to end my remarks about the Senator on a personal note. It has been my privilege to know him for many years; to know how much he has helped the Naval Nuclear Program; how often he has acted in my behalf. It has been a great comfort to me to be able to go to so fine a man for his help and kindly advice. I am grateful that the U.S. Senate has a man like Senator Jackson, who by his patriotism, intelligence, and hard work has done so much for the United States.

Remarks by Senator Henry M. Jackson

Mr. Holden, distinguished guests, my fellow Americans: I take great pleasure in participating with you in this important ceremony.

This keel laying is a significant event in the history of the Republic, as a tribute to a great American, Fleet Admiral Chester W. Nimitz, for whom the mighty ship we start building today is to be named, and as the start of the first new nuclear-powered surface ship since the keel of the nuclear-powered guided missile frigate *Truxtun* was laid down five years ago. Today marks the renaissance of a modern nuclear-powered surface Navy, a Navy Admiral Nimitz would have been proud to command.

As you may recall, Adimral Nimitz took charge of the U.S. Pacific Fleet on December 31, 1941, just 24 days after the attack on Pearl Harbor. Through his brilliant leadership and outstanding skill as a strategist, the forces under his command were able to defeat the Japanese off Midway—26 years ago this very month—and thereby reverse the course of the war in the Pacific. It was indeed, as General Marshall said, "the closest squeak and the greatest victory." The battle of Midway started the long march back across the Pacific that culminated September 1, 1945 on the deck of the battleship *Missouri* in Tokyo Bay when the Japanese surrender terms were signed. Fleet Admiral Nimitz was a signer for the United States.

Following the war, Admiral Nimitz relieved Admiral Ernest J. King as Chief of Naval Operations and served as the CNO until December 15, 1947. During his last few weeks as Chief of Naval Operations, Admiral Nimitz made a fateful decision that started the Navy down the road that has led to this keel-laying ceremony today. On the advice of a then little known captain named Hyman George Rickover, Admiral Nimitz recommended to the Secretary of the Navy on December 5, 1947 that the Navy initiate action to develop and build a nuclear-powered submarine. The Nimitz letter was the first top-level Navy support Captain Rickover had received and it started the nuclear propulsion program in the Navy.

As we lay the keel of the *Nimitz*, it is appropriate to take note of the progress made in the last year toward achieving a nuclear Navy. It is also important to recognize that today's progress is the product of yesterday's enterprising research and technological effort that went way beyond the atomic energy field itself.

We now have four nuclear-powered surface warships in operation. The aircraft carrier *Enterprise* escorted by the frigate *Truxtun* is currently engaged in air strikes over Vietnam. The *Enterprise* also did yeoman service in the crisis over the seizure of the *Pueblo*, when it moved very quickly into Korean waters to show the flag and to fortify our diplomatic hand. The cruiser *Long Beach* is performing a vital function in the Tonkin Gulf. The frigate *Bainbridge* has just completed her first refueling and overhaul after five years of intensive operations and is now ready to rejoin the fleet. These nuclear warships, in over a million miles of operation, have demonstrated their outstanding performance and reliability. In their operations they have illustrated the tremendous military advantages of nuclear propulsion for our naval striking forces. Nuclear warships can operate for years without refueling and are thus freed from the fuel oil logistic pipeline that is so vulnerable in wartime.

For some time Congress and the Navy have been urging the Department of Defense to recognize the need to build more modern nuclear-powered warships to replace our aging surface fleet. A building program has finally been started. The Department of Defense has agreed to build three new nuclear-powered aircraft carriers beginning with the U.S.S. *Nimitz*. Two additional nuclear frigates are authorized and funded and the Department of Defense has agreed to request authorization for four more nuclear escorts—two each in fiscal years 1970 and 1971.

I am sure that Congress will see to it that more nuclear warships are built. I am also confident that Congress will promote a continuing construction program of nuclear submarines that are superior to any others in the world.

In a period when the Soviet Union is rapidly augmenting its strategic forces on land and at sea, and is making obvious progress qualitatively and quantitatively in its already vast submarine force, the proposal has been made to establish a ceiling on the number of our nuclear-powered submarines and to limit future construction to only four more nuclear submarines. This proposal is unrealistic and ill-advised. I am confident it will not be followed by the Secretary of Defense and the President.

Let me emphasize that we can build a nuclear-powered Navy now only because we built a strong research and technology base in the past. We must maintain such a strong base to meet future needs. Contrary to the notion of some people, there is no technological plateau nor is one anywhere in sight. In this era the unexpected in technology can happen overnight; a new scientific discovery can ignite a revolution in weapon systems, and known principles can be put together in new ways to outdate billion dollar systems. The safety of the people of America, and of millions of other people around the world, depends on the up-to-dateness of American research and technology.

Yet, after adjusting for inflation, our defense research and technology effort in fiscal year 1968 was about 70% that of the fiscal 1964 level—a critical 30% decline.

In periods of fiscal stringency, R&D is a likely victim; its funding appears deferrable without causing immediate adverse results. The full impact of cutbacks in research is only felt later—when it may be too late.

In plain words, we will need to exert ourselves during the next few years to rally strong support for this country's research and exploratory development programs to insure enough options against technological challenge.

In our time the one thing certain is rapid change. Since change is the first law of nature, we have to reckon with it, and America needs to manage well in handling it.

Ours must be a steady hand in an unsteady world. And a great nation that would be steady in a tumultuous and dangerous world must be strong.

In relations with expansionist adversaries the United States needs to follow two consonant courses of action: to encourage peaceful change by working with them where interests converge, and at the same time to create and maintain, in cooperation with our allies, a relationship of forces favorable to the deterrence of adventurism and aggression. Nothing would more surely pave the way for a third world war than to permit an unfavorable relationship of forces to arise.

This ship whose keel we lay today, and her sister nuclear ships, will sail the seas as a reminder that a sovereign America is determined to do what she can to preserve the peace and to keep open the possibilities of peaceful and constructive change, that America can be relied upon, that America will stay the course.

NEGOTIATIONS WITH RUSSIA ON OFFENSIVE AND DEFENSIVE NUCLEAR WEAPONS

Mr. PASTORE. Mr. President, I was pleased to read yesterday the announcement that the Russians, at long last, are now inclined to discuss with us negotiations on offensive and defensive nuclear weapons. The President of the United States has been trying, without success, to bring this about for some time.

I hope that the action the Senate took last Monday, when it voted 52 to 34 to support a U.S. ABM system, influenced this decision. As I said in my speech last Monday:

> I live and yearn and pray for that day when we have complete disarmament.

I believe that these negotiations, when they become fruitful, will be another step in the direction of peace and harmony.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed a joint resolution (H.J. Res. 1368) making continuing appropriations for the fiscal year 1969, and for other purposes, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

PRESIDENT JOHNSON'S SUPREME COURT NOMINATIONS

Mr. PROXMIRE. Mr. President, President Johnson will leave office on January 20, 1969. There are some in the Senate who obviously need to be reminded of this fact. They need to be reminded that the office of the Presidency has not been vacated, and that as long as America has a President, he has an obligation to fulfill the functions of his office.

The President has been doing just that. He is perfectly within his rights to nominate jurists to the Supreme Court. Yet, a few Senate colleagues seem to believe otherwise and are threatening to filibuster any attempt at confirmation.

This is a totally unsupportable position. A filibuster would defy the constitutional rights of the President to nominate and appoint Federal officials, and would also impede the right of the Senate to confirm or deny those nominees.

I deeply regret this attitude. I hope some of my colleagues will reconsider their position in the light of reason and rationality. There is simply no excuse for what they propose to do other than crass political expediency—as Governor Rockefeller said so well today. I believe that the Supreme Court should be removed from such a taint of politics.

All of us would like to leave Washington, with Congress adjourning in early August. But I would be willing to stay until Christmas, if necessary, to break a filibuster designed to deprive the President of the United States of his constitutional right and duty.

Mr. President, an editorial in yesterday's Washington Post deals thoughtfully and penetratingly with President Johnson's actions concerning the Supreme Court. Of retiring Chief Justice Earl Warren, the editorial says:

> He has given vigorous and wise leadership to its deliberations while adding immensely to the stature of the office he has held.

With respect to the nomination of Associate Justice Abe Fortas to be Chief Justice of the United States, the Post says:

> Justice Fortas is unquestionably one of the ablest lawyers ever to sit on the Supreme Court.

Then the editorial refers to Federal Judge Homer Thornberry's performance in the Federal judiciary in these words:

> In three years on the Federal bench, he has established a reputation for careful and workmanlike opinions. He has generally been regarded as one of the better new judges on the Federal circuit courts . . .

A very important collateral issue is discussed in the final section of the editorial. The Post states:

> The Senate ought not to seriously consider seriously for a minute the argument of a handful of Republicans that any appointment ought to be rejected so that the next President could fill the vacancy in the office of Chief Justice. The Court and the Nation should not be deprived of a Chief Justice until next spring on such a political maneuver. Nor should a candidate for President be forced to suffer the temptations that would surely arise if he knew he had so prized an appointment to make immediately upon assuming office. Justice Fortas and Judge Thornberry deserve to be judged on their qualifications and no one has raised any substantial objections to the nominations on that ground.

I am in complete agreement with this assessment of the situation, and I am sure my thoughtful colleagues will agree with me. I therefore ask unanimous consent to have the editoral printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FORTAS AND THORNBERRY STEP UP

The nominations of Abe Fortas to be Chief Justice of the United States and Homer Thornberry to replace him as an Associate Justice can hardly be classified as surprising. Both are old friends of President Johnson and it has long been known that the President greatly esteemed their abilities. While the first reaction is to damn the appointments on the grounds that they are cronyism at its worst, the two men deserve to be judged on the qualifications they have for the posts to which they have been appointed. No man should be denied an office merely because he happens to be a friend of the President.

Justice Fortas is unquestionably one of the ablest lawyers ever to sit on the Supreme Court. His opinions in his three years on the Court have been well-reasoned and thoughtful. While his views on the constitutional issues the Court must face are yet to be fully delineated, he appears to walk boldly in the same general philosophy that marked the work of Chief Justice Warren. It remains to be seen how Justice Fortas will fill the tasks that are solely those of a Chief Justice—running the Court's operations, supervising the work of all Federal courts, representing the judicial system. But his earlier career as a Government official and as a private attorney indicate he can fill those roles well.

Justice Fortas was one of the most successful lawyers in the Nation before he went on the bench but he still found the time and had the daring to undertake difficult and controversial cases as a matter of public service. He defended Owen Lattimore and others whose security was suspect during the peak of the witch-hunting days. He argued the case that gave the District of Columbia its famed breakthrough in the area of criminal insanity. And he prepared the brilliant brief and argued the case of Clarence Gideon in which the Supreme Court reversed precedent to declare that all those charged with serious crimes are entitled to have a lawyer represent them.

Much less is known of Judge Thornberry but it must be said that he is not one of the towering figures in American law. In three years on the Federal bench, he has established a reputation for careful and workmanlike opinions. He has generally been regarded as one of the better new judges on the Federal circuit courts although insufficient time has passed for him to have left much behind in terms of major judicial opinions. In his years on Capitol Hill, he was known as a hard-working, friendly Congressman who made no enemies and many friends. Presumably, Senate confirmation of his appointment, as well as that of Justice Fortas, will come quickly and easily.

The Senate ought not to seriously consider seriously for a minute the argument of a handful of Republicans that any appointment ought to be rejected so that the next President could fill the vacancy in the office of Chief Justice. The Court and the Nation should not be deprived of a Chief Justice until next spring on such a political maneuver. Nor should a candidate for President be forced to suffer the temptations that would surely arise if he knew he had so prized an appointment to make immediately upon assuming office. Justice Fortas and Judge Thornberry deserve to be judged on their qualifications and no one has raised any substantial objections to the nominations on that ground.

THE PRESIDENT PROPOSES BROADENING OF THE ELECTORATE

Mr. PROXMIRE, Mr. President, I support the proposed constitutional amendment giving 18-year-olds the right to vote. Voting is a fundamental act of self-government. It is the hallmark of a free society by which the members can express their judgment, and their choice. This great right of our country should be extended to all those who have reached age 18.

Today's young people are achieving physical, emotional, and mental maturity at an earlier age than ever before. They are far better informed and educated. They are able and willing to evaluate the issues which are before this country today. Their maturity and judgment at age 18 have been tested on the battlefield and not been found wanting.

Educational psychologists have stated that the ability to grasp new ideas reaches its peak at the age of 18, and then it proceeds on a plateau. This, of course, does not mean that wisdom does not increase throughout life—it does. But the capacity to grasp new ideas and developments readily in this so rapidly changing world was never more essential. Obviously, it would greatly help the cause of the American electorate if those who were most able to understand this changing world were entitled to vote.

There is also the need to establish the habit of voting. By preventing young people from voting at the most propitious time, we are creating a situation which will stagnate their incentive and interest in voting. By postponing this right at a time when they are beginning to raise families and becoming involved in various activities, they will be far less likely to contribute to the political life of America as they would be if they were entitled to discharge full responsibilities as a voting citizen.

The question is not whether 18-year-olds are mature enough, intelligent enough, or interested enough to participate in the political process. The question is whether these persons are to have the right to choose the Government leaders who tax them, who regulate their lives, and who can send them to war. I think the answer is clear: They should have this right.

Let me also emphasize that the idealism and enthusiasm of youthful voters would have a beneficial influence on the conduct of the Government and lead toward future good citizenship. As the Government needs the steady sureness and stability of our older population, so too it needs the enthusiasm and direction of its youth. As new problems and new challenges arise, new thoughts and ideas are needed. I think all would agree that the traditional student liberalism is a necessary and healthy element in our society—always has been and, I hope, always will be. The situations on many of our college campuses today, alarming as they are, raise this question: Why not allow students the right to make a positive choice as an alternative to a negative protest?

I commend the President for submitting this proposal to Congress—not as a gesture but as a right. I urge my colleagues to support this constitutional amendment.

I ask unanimous consent to have the President's message to Congress on this subject printed in the Record.

There being no objection, the President's message to Congress was ordered to be printed in the Record, as follows:

To Vote at 18—Democracy Fulfilled and Enriched

To the Congress of the United States:

The ballot box is the great anvil of democracy, where government is shaped by the will of the people. It is through the ballot that democracy draws its strength, renews its processes, and assures its survival.

Throughout the life of our republic, no single, enduring question has so engaged generation after generation of Americans as this: Who among our citizens shall be eligible to participate as voters in determining the course of our public affairs?

On four occasions we have amended our Constitution to enlarge or to protect that participation. In recent years, Congress itself has been attentive to sheltering and assuring the free exercise of the right to vote.

Such a concern is altogether fitting. Under a government of, by and for the people, the right to vote is the most basic right of all. It is the right on which all others finally stand.

Such a right is not to be idly conferred or blindly withheld. But the stability of our Republic from the beginning has been served—well and faithfully—by the willingness of Americans to lay aside the constraints of custom and tradition and heed the appeals of reason and reality to welcome into the American electorate those of our citizens fitted by the precepts of our society's values to participate in the exercise of the ultimate right of citizenship.

At the inception of the Republic, the promise of the new Nation was strengthened because our forefathers cast aside tests of religion and property.

At midpassage, America's moral strength was fortified when the test of color was removed by the Fifteenth Amendment. The Voting Right Act of 1965 has reinforced this principle for all time.

At the beginning of the modern era in this twentieth century, reason and reality wisely prevailed when the women of America—through the Nineteenth Amendment to the Constitution—were granted the equality of citizenship so long denied them.

In 1961, the Twenty-Third Amendment to the Constitution gave citizens of the Nation's capital the right to vote for President and Vice President.

Four years ago, the Twenty-Fourth Amendment struck down the tests of the poll tax which had for almost a century disenfranchised thousands of Americans.

ENLARGING THE AMERICAN FRANCHISE

In all these instances time has affirmed the wisdom and the right of these decisions to enlarge participation in the Nation's affairs. Time, too, has already affirmed the wisdom and justice of our contining efforts in the last decade to perfect, protect and shelter the right of all citizens to vote and to put an end to the unconscionable techniques of studied discrimination.

Today, I believe it is time once more for Americans to measure the constraints of custom and tradition against the compelling force of reason and reality in regard to the test of age. The hour has come to take the next great step in the march of democracy. We should now extend the right to vote to more than ten million citizens unjustly denied that right. They are the young men and women of America between the ages of 18 and 21.

The practice of admitting young Americans to the electorate at the age of twenty-one has its roots in the dim and distant mists of medieval England—but it is a practice and limitation without roots in the American experience.

Throughout our history as a young Nation, young people have been called upon by the age of eighteen to shoulder family responsibilities and civic duties identical with their elders.

At the age of eighteen, young Americans are called upon to bear arms.

At the age of eighteen, young Americans are treated as adults before many courts of law and are held responsible for their acts.

The age of eighteen, far more than the age of twenty-one, has been and is the age of maturity in America—and never more than now.

Reason does not permit us to ignore any longer the reality that eighteen year old young Americans are prepared—by education, by experience, by exposure to public affairs of their own land and all the world—to assume and exercise the privilege of voting.

The essential stability of our system is not served, the moral integrity of our cause is not strengthened, the value we place on the worth of the individual is not honored by denying to more than ten million citizens—solely because of their age—the right to full participation in determining our country's course.

This denial of the right to vote limits our democracy. It diminishes every modern concept of citizenship.

The young people of America in this decade are far more ready, far better qualified, far more able to discharge the highest duty of citizenship than any generations of the past.

We know—and the young men and women know also—that this is so.

They are better educated than their counterparts of a generation ago. They graduate from high school and enter college in greater proportions. Already this group—although many have not yet completed their schooling—have a higher educational level than the general electorate.

Mass communication and greater opportunities for travel expose them earlier and more frequently to the issues of the day than the young men and women of the 1940's or even the 1950's.

The young men of today serve their Nation in uniform with the same devotion as their fathers and brothers of earlier days showed. But duties unknown a decade ago have summoned the devotion of young men and women alike, by the tens of thousands. Their participation in the Peace Corps, in VISTA, and in other community ventures has elevated our national life and brought new meaning to the concept of service.

For myself, I deeply believe that America can only prosper from the infusion of youthful energy, initiative, vigor and intelligence into our political processes.

We live in a world that is young and growing younger each year. Of all nations, none has more generously invested in preparing its young people for constructive citizenship and none has been more faithfully served by its young than has America.

Today, the young people of America are asking the opportunity to give of their talents and abilities, their energies and enthusiasms, to the greater tasks of their times. I believe their proper request can and must be properly answered by a national affirmation of our faith in them. For a nation without faith in its sons and daughters is a nation without faith in itself.

WHAT I PROPOSE

I accordingly propose that the Congress of the United States approve and submit for ratification of the legislatures of three-fourths of the States an amendment to the Constitution of the United States to provide, as follows:

"The right of any citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of age if a citizen is eighteen years of age or older."

In proposing submission of such an amendment I am mindful that:

The State of Georgia since 1943, and the State of Kentucky, since 1955, have permitted eighteen year old residents to vote.

The two new States of Alaska and Hawaii have permitted nineteen and twenty year old residents, respectively, to vote.

The first proposal for such an amendment was advanced in 1942 by Senator Arthur Vandenberg.

President Dwight D. Eisenhower, in his 1954 State of the Union Address, urged an Amendment to lower the voting age to eighteen.

In the 90th Congress, more than fifty proposed Constitutional Amendments to extend voting rights to eighteen year old citizens have been introduced, and many of these measures have broad bi-partisan support.

The concept has been tried and tested. Its merit has been established. Its rightness is now beyond dispute.

FULL PARTICIPATION IN OUR AMERICAN DEMOCRACY

The time has come to grant our youth what we ask of them but still deny to them—full and responsible participation in our American democracy.

In this year of national decision, as Americans in every State prepare to choose their leadership for the decisive and fateful years before us, the Congress has a rare opportunity through the submission of this amendment to signify to our young people that they are respected, that they are trusted, that their commitment to America is honored and that the day is soon to come when they are to be participants, not spectators, in the adventure of self-government.

Every time before, when America has extended the vote to citizens whose hour has come, new vitality has been infused into the lifestream of the Nation, and America has emerged the richer.

Now the hour has come again to take another step in Democracy's great journey.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 27, 1968.*

FISCAL CRISIS IN HIGHER EDUCATION

Mr. PROXMIRE. Mr. President, in the next few years, one of the most significant issues which this Nation will face concerns the growing financial crisis in higher education. Currently, annual expenditures for higher education are $15 billion or 2 percent of gross national product. However, both economists and professional educators inform us that the share of the Nation's fiscal output devoted to higher education must increase to at least 3 percent if the equality and diversity of American higher education is to be preserved. Because of the severe constraints on the funding ability of State and private sources of support for higher education, the demands made on the Federal budget will be substantial.

At present, Mr. President, the impact on the economy and on the Federal budget of this reallocation of resources is not clearly understood. Neither do we clearly perceive the issues involved in the many alternative proposals for meeting the Nation's higher education needs. These issues involve the maintenance of autonomy and diversity in higher education, the growing conflict between private and public institutions, the need to expand higher education opportunities to all citizens, irrespective of income level, the need to encourage increased efficiency in the use of higher education facilities and many more.

In keeping with its mandate to make continuing studies of matters relating to the training and utilization of the Nation's manpower, the Joint Economic Committee intends to make a study of the fiscal crisis in higher education and the potential role of the Federal Government in aiding this sector. Clearly, the maintenance of vitality in higher education is essential to the Nation's continued economic growth and progress. In explaining the basis of this growing crisis, the American Association of Universities has prepared a document entitled "The Federal Financing of Higher Education." I ask unanimous consent that the following news article appearing in the New York Times of June 24, 1968, which reports the highlights of this report, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

UNIVERSITY HEADS UNITE IN APPEAL FOR MORE U.S. AID—SEEK BROAD RANGE OF HELP TO ALL TYPES OF INSTITUTIONS TO OFFSET RISING DEFICITS—WARNING TO CANDIDATES—EDUCATORS HOPING TO MAKE INCREASING COSTS AN ISSUE TO THEM AND TO CONGRESS

(By Fred M. Hechinger)

The nation's leading university presidents have united in a call for a dramatic increase in Federal support for higher education. Their appeal also seeks to alert the candidates to the educational task, which, they believe, confronts the next President and Congress.

The appeal, contained in a 30-page paper is endorsed by the heads of the 42 institutions that make up the Association of American Universities.

Although no price tag was put on the demands, estimates for the total annual increase in funds required from all sources run as high as $8-billion by 1975.

For the first time, moreover, spokesmen for public as well as private universities are asking the government for general, across-the-board support for all types of institutions—from junior colleges to graduate schools.

NATIONAL STANDARDS

To attain such general aid, the university spokesmen concede, colleges and universities would have to meet national standards.

Pointing to the widening gap between incomes and expenditures, the university presidents warned:

"The Association of American Universities is convinced that these pressures constitute a threat to the nature and vitality of American higher education and are therefore a cause for national concern."

They added that the "substantial, even staggering" budget deficits in private institutions were matched by "an equally serious and growing quality deficit in public institutions."

FEAR DECLINE IN QUALITY

Moreover, they indicated that the inability of state legislatures to meet the need would result in the increasing exclusion of out-of-state and foreign students, with the growing threat of provincialism and decline in quality.

The presidents said that "few institutions will do anything as dramatic as closing down," but that lack of substantial new sources of funds would lead to serious deterioration of higher education.

The statement said:

"Outlays will be cut back . . . Such retrenchment inevitably would mean fewer faculty to teach more students, reduced library acquisitions and cultural programs, curtailed opportunities for the disadvantaged, slowed movement into new fields, less competent and productive research, loss of faculty, delayed maintenance, and adherence to the status quo instead of vigorous movement into new aspects of education or public service—in short, the slow stifling of higher education as a vital creative, productive force in American life."

The statement also warns that plans to meet the growing needs of higher education cannot wait until "after the resolution of matters in Southeast Asia."

It says the need is heightened by the fact that the universities are expected to meet new national demands—in urban affairs, in improving the conditions of the Negro minority, in dealing with problems of air and water pollution and in the general improvement of the schools.

The appeal was prepared by a committee headed by Robert F. Goheen, president of Princeton University. The other members were William C. Friday, president of the University of North Carolina; Fred H. Harrington, president of the University of Wisconsin; G. Alexander Heard, chancellor of Vanderbilt University, and Nathan M. Pusey, president of Harvard.

When the executive committee of the association met here at the Carnegie Corporation of New York last Friday, the university leaders said that the timing of their statement was intended to alert the next Administration and Congress.

"We would not be unhappy if some of what we have drafted showed up in the party platforms," Mr. Pusey said. His colleagues agreed that it was vital that the campaign concern itself with higher education.

The presidents stressed that their appeal for general aid was being made in addition to, and not to replace, existing specific aid, such as scholarships, research grants and construction subsidy.

Their principal recommendations called for the following:

Expanded undergraduate scholarships and loans. At present the Federal Government provides about $1.1 billion annually to 1.2 million students.

Expanded graduate and professional fellowships beyond the present annual Federal contribution of $441 million, combined with increased "cost-of-education supplements" to make up the difference between each fellowship and the actual cost of the student's education.

Increased subsidies for construction to permit expanded enrollments.

Strong support for research, with the assurance that Federal funds pay for "the full costs of Federally sponsored research."

New funding for instruction, research and programs to deal with the problems of the inner city, air and water pollution, and the improvement of the schools.

The initiation of "broadly based" general aid, with consideration of the special needs of all types and levels of higher education.

The 42 universities that endorsed the position paper together award 52 per cent of the nation's graduate and professional degrees and 75 per cent of all Ph.D.s.

They carry out over three-fourths of all federally sponsored research performed in universities. Thus, they constitute a powerful voice among the country's 2,300 institutions of higher learning.

The members of the executive commitee stressed that, besides the fiscal pressures that confront privately financed universities, graduate education costs pose a special problem for state universities.

State legislatures, they said, tend to support undergraduate education, for which there is a demand by the public. But, the presidents added, graduate education is national in character, purpose and enrollment and therefore gets far less support.

Thus, the common plight of public and private institutions has hastened the creation of a common front.

In explaining the fiscal crisis, the document called "The Federal Financing of Higher Education," which will be widely distributed this week, provides the following statistics:

The total of annual expenditures in higher education increased from $3.4-billion to $15-billion in the last 10 years.

Enrollments, which stood at 2.6 million in 1955, have now reached 7 million and may double by the end of the century.

The most important increases, however, are in the most expensive sector of higher education—graduate studies. Graduate enrollment in 1960 was about 314,000. Today it stands at nearly 700,000. But by 1975, it will increase to one million, only to double or more by the end of the century.

Yet, the cost of educating a graduate student is estimated to be between three and six times that of educating an undergraduate.

This accounts for estimates that the total annual operating expenditures for higher education may have to increase by anywhere up to $6-billion by 1975.

Moreover, the university leaders warn that new areas of study will require extraordinary initial expenditures. They pointed to fields such as African studies and other foreign area programs, new sciences such as molecular biology and oceanography, and new techniques, such as the introduction of quantitative methods into the social sciences.

CONTINUING APPROPRIATIONS FOR FISCAL YEAR 1969

Mr. HAYDEN. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Joint Resolution 1368.

The PRESIDING OFFICER laid before the Senate House Joint Resolution 1368, making continuing appropriations for the fiscal year 1969, and for other purposes, which was read twice by its title.

Mr. HAYDEN. Mr. President, I ask unanimous consent that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. HAYDEN. Mr. President, House Joint Resolution 1368 provides appropriations for the continuation of those programs and activities of the Federal Government for which appropriations for the fiscal year ending June 30, 1969, have not been enacted. In this respect, the resolution is similar to previous resolutions for this purpose. All authority granted in the House version of this resolution terminates on July 31, 1968.

In those instances where a bill has passed only one House of the Congress or where an appropriation for a project or activity is included in only one version of the bill as passed by both Houses, the pertinent project or activity continues under the appropriation, fund, or authority granted by the one House but at a rate for operations not exceeding the current rate or the rate permitted by the one House, whichever is lower.

In those instances where neither House has passed the applicable appropriation bill for the fiscal year 1969, appropriations are provided for the continuing projects or activities conducted during the preceding fiscal year at the current rate or the rate provided for in the budget estimate for fiscal year 1969, whichever is lower or under the more restrictive authority. Any obligations and expenditures incurred pursuant to the authority granted in this resolution will be charged against the applicable appropriations.

In this regard, I was asked by the committee to caution all departments and agencies of the Government to reduce expenditures which are authorized under this continuing resolution to a minimum in view of the $6 billion expenditure reduction which was voted by the Congress in the tax bill. It will be necessary, in order to comply with the overall Government expenditure limitation, for severe reductions to be made in many programs. Other programs for which appropriations eventually will be provided for fiscal year 1969 are not authorized and undoubtedly will be provided for at a much lower level than the preceding fiscal year. This is true in the case of foreign aid. These factors must be taken into consideration by all agencies since expenditures authorized under this continuing resolution will have to be charged against any eventual ceilings agencies or departments may receive.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Arizona yield?

Mr. HAYDEN. I yield.

Mr. WILLIAMS of Delaware. It is my understanding that this continuing resolution takes recognition of the fact that we did pass a tax bill with a mandatory $6 billion spending cut and we are now placing the agencies on notice that with this continuing resolution, they are supposed to make provision for absorbing their proportionate part of that reduction during this 1-month period.

Mr. HAYDEN. It proposes to leave things just as they are, until the House and Senate act.

Mr. WILLIAMS of Delaware. But it alerts the agencies to the fact that the $6 billion spending cut must be taken into consideration in their allocations of spending reductions which, on a pro rata basis, would amount to about $500 million a month.

Mr. HOLLAND. Mr. President, if the distinguished Senator from Arizona wishes me to do so, I shall be glad to discuss this matter, since I have been familiarized with it by the staff of the Senate committee.

Mr. HAYDEN. I yield to the Senator from Florida.

Mr. HOLLAND. The resolution now before us contains special wording which I shall read into the RECORD at this time:

> Nothing herein shall be construed to waive any other provision of law governing the apportionment of funds or to permit the use, including the expenditure, of appropriations, funds or authority in any manner which would contravene the provisions of title II of the Revenue and Expenditure Control Act of 1968.

In my judgment, that makes it very clear that the provision which the Senator from Delaware refers to—and of which he has every reason to be justly proud, since he was one of the two sponsors of that provision—will be protected completely by the passage of this temporary continuing resolution.

In order that that fact may be more clearly shown, I wonder if the Senator would allow me to place in the RECORD at this time the discussion of this bill as it appears in the House Committee report.

Mr. WILLIAMS of Delaware. Mr. President, I appreciate that. I thank the Senator for his assurance. I think that makes it clear.

Mr. HOLLAND. I thank the Senator.

Mr. President, I ask unanimous consent that the portion of the committee report of the other body, beginning at the middle of page 3, and including the rest of that report, be included in the RECORD in full, so that it may be doubly clear in this discussion that the reduction of $6 billion in expenditures for 1969, already voted by both Houses of the Congress in a law which has been approved by the President, shall be completely protected by the adoption of this temporary continuing resolution.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

EXPENDITURE CONTROL ACT REDUCTION PROVISIONS

The provisions of title II of the Revenue and Expenditure Control Act of 1968 concern reductions in civilian employment, require a reduction of not less than $10 billion in new budget (obligational) authority for 1969, a reduction of not less than $6 billion in budgeted 1969 outlays (expenditures and net lending), and specific recommendations for recisions of $8 billion of previously granted obligational authority. These provisions introduce a new dimension to budgets of the departments and agencies of government in the fiscal year 1969 beginning on July 1 next. They cast something of a shadow over not only the unexpended carryover balances in innumerable accounts across the government but also over many of the specific appropriation and fund amounts now pending consideration at various stages in the legislative process. This underscores and emphasizes the fact that, whereas in previous years departments and agencies operating under a continuing resolution were required to hold obligations and expenditures to *not in excess of* the lowest of one of two or three rates, those minimums, with the aforementioned title II in the picture, take on something of the nature of "maximum minimums."

In this general connection, section 103 of the joint resolution follows the stereotyped form of previous continuing resolutions in waiving the time periods set forth in 31 U.S.C. 665(d)(2) for the submission and approval of papers on the apportionments of funds. This in nowise waives the basic requirement in the law for the apportionment of funds over the year by the Director of the Bureau of the Budget, but merely dispenses with considerable paper work that as a practical matter cannot be usefully applied to 31-day temporary appropriation provisions. But in view of the title II reduction provisions applicable to fiscal 1969, the committee has attached to section 103 a proviso that—

"Nothing herein shall be construed to waive any other provision of law governing the apportionment of funds or to permit the use, including the expenditure, of appropriations, funds or authority in any manner which would contravene the provisions of title II of the Revenue and Expenditure Control Act of 1968."

The basic law (31 U.S.C. 665) on apportionment of funds reads, in pertinent parts, as follows:

"(c)(1) * * * all appropriations or funds available for obligation for a definite period of time shall be so apportioned as to prevent obligation or expenditure thereof in a manner which would indicate a necessity for deficiency or supplemental appropriations for such period; and all appropriations or funds not limited to a definite period of time, and all authorizations to create obligations by contract in advance of appropriations, shall be so apportioned as to achieve the most effective and economical use thereof. As used hereafter in this section, the term "appropriation" means appropriations, funds, and authorizations to create obligations by contract in advance of appropriation.

* * * * *

"(3) Any appropriation subject to apportionment shall be distributed by months, calendar quarters, operating seasons, or other time periods, or by activities, functions, projects, or objects, or by a combination thereof, as may be deemed appropriate by the officers designated in subsection (d) of this section to make apportionments and reapportionments. * * *."

Furthermore, in reference to the $6 billion expenditure reduction provision in section 202 of the Revenue and Expenditure Control Act of 1968, subsection (b) of that section provides that—

"The President shall reserve from expenditure and net lending, from appropriations or other obligational authority heretofore or hereafter made available, such amounts as may be necessary to effectuate the provisions of subsection (a)."

The **PRESIDING OFFICER.** If no amendment is to be offered, the question is on the third reading of the joint resolution.

The joint resolution was read the third time.

The **PRESIDING OFFICER.** The joint resolution having been read the third time, the question is, Shall it pass?

The joint resolution (H.J. Res. 1368) was passed.

ORDER OF BUSINESS

Mr. **JACKSON.** Mr. President, without losing my right to the floor or losing any of the time previously allocated to me, I yield to the Senator from Vermont [Mr. AIKEN].

FREEING OF SEVEN AMERICAN PRISONERS IN EAST GERMANY

Mr. **AIKEN.** Mr. President, one of the most interesting human interest stories of the year relates to the release of seven American prisoners by the East German Government.

An article by Henry Raymont, in the New York Times for Sunday, June 16, 1968, contains the story of how a New York lawyer known to most of us, Maxwell Rabb, personally negotiated with the East German Government for the release of these prisoners.

This story demonstrates quite emphatically, I think, how sometimes you can accomplish more by sitting down to informal discussions person to person in shirtsleeve diplomacy, if you want to call it that, than you can with stiff-shirt, striped-pants formalities, with which we are grossly afflicted, I would say, along with some other countries. It seems to me if we had more negotiations similar to that carried on by Maxwell Rabb in securing the freedom of American prisoners from East Germany, our standing with countries and people of the world would rise considerably. At least, I would like to see it tried.

I ask unanimous consent that the article from the New York Times be inserted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LAWYER RELATES EAST GERMAN TIE—A NEW YORKER HELPED FREE SEVEN U.S. PRISONERS

(By Henry Raymont)

At the crossing point between East and West Berlin on Friedrichstrasse, where West Berlin tour buses pull up for a glimpse into the East, an odd scene took place one recent afternoon.

A bearded young man, looking somewhat bewildered, escorted by a stocky Wall Street lawyer and trailed by two East German security officials, was greeted on the Western side by a United States embassy aide.

The young man was Ronald V. Wiedenhoeft, 30 years old, a Columbia University art history instructor who 20 minutes earlier was released from an East German prison where he spent nine months awaiting trial on espionage charges. His rescuer was Maxwell M. Rabb, a lawyer and president of the United States Committee for Refugees, a private organization at 20 West 40th Street, New York.

The quiet crossing at 2:21 P.M. on June 3 ended an unusual three-year campaign to free seven American prisoners in East Germany. Because Washington does not recognize East Germany, the effort was carried out through quiet and informal collaboration between American private citizens and the two governments.

DETAILS ARE RELATED

Mr. Rabb and others involved in the effort related last week the details of the negotiations, indicating the skill, patience and tactful but dogged determination required.

In contrast to past exchanges of spies with the Soviet Union and the ransom payments for Cuban exiles seized by the Havana regime during the Bay of Pigs invasion in 1961, no quid pro quo was involved.

The campaign was set in motion after the State Department had made a series of futile approaches to the East German Government for the lease of a young American, John Van Altena, 22 years old, of Milton Junction, Wis., who had been sentenced to eight years, in January, 1965, for helping East Germans flee to West Berlin.

The East Germans made plain that they would negotiate with Washington only if they obtained diplomatic recognition, a condition unacceptable to the United States, which is still officially committed to the reunification of Germany on the basis of free, democratic elections.

The State Department began to search for other channels to obtain the release of Mr. Van Altena. According to Mr. Rabb, his involvement came almost by accident.

The Boston-born lawyer had been asked by several clients to visit the 1965 Leipzig Trade Fair to determine whether an American boycott of the fair was in the national interest. There he developed close personal relations with a number of East German trade officials who had expressed interest in a normalization of relations.

ENLISTED BY U.S. OFFICIALS

When he subsequently went to Washington to tell the State Department that other Western nations were using the fair to sell machinery and other goods to the detriment of American industry, American officials asked whether he could use his connections in East Germany to intercede on behalf of the young American prisoner. Mr. Rabb agreed to try, and returned to Leipzig accompanied by his wife, Ruth.

The decision to take along his wife reflected Mr. Rabb's conviction that personal relationships counted more in international talks than textbooks on diplomacy might be willing to admit. Two years later he repeated the personal touch by enlisting the help of his son Bruce, 26-year-old lawyer who has joined his father in the Wall Street law firm of Strook & Strook & Lavan, in the negotiations that led to the release of Mr. Wiedenhoeft.

"The fact that I returned with Ruth had a startling effect," he recalled during an interview. "It seemed to suggest to the East Germans that we were vaulting the diplomatic wall and were interested in them as human beings. This immediately created a more relaxed and friendly atmosphere for the talks that were to follow."

Mr. Rabb, an affable man of 57 with the ready smile of a practical politician, is a former Presidential assistant and secretary to the Cabinet under the Eisenhower Administration and has held a number of international appointments.

From the outset, the lawyer made it clear that he was not in a position to offer any commitment and that the negotiations had to be based on mutual good faith. He suggested that East German willingness to release American prisoners would help reduce cold war tensions and perhaps ease the way to improve trade relations with the United States.

"They quickly became aware that the release of Mr. Van Altena and the six other prisoners that were to follow amounted to a demonstration of a desire to normalize relations," Mr. Rabb said.

"I believe that it is significant that since the first prisoner was freed more than two years ago there has been a reduction of incidents with the United States military and a palpable increase in trade relations, entirely to our advantage."

The new East German extension of transit-visa and road-toll requirements to West Germans are not viewed as a threat to the American military presence in West Berlin.

The lawyer said the United States had exported oranges, coal, textiles and some machinery totaling $10-million. He characterized the sales as "clearly helping our balance-of-payments problem."

After the initial meetings in Leipzig, Mr. Rabb made four unpublicized trips to Berlin where he conferred with a Deputy Premier and members of the state police before he obtained the release of Mr. Van Altena. He said he could not disclose the names of the officials.

TWO BERLIN LAWYERS

His command post was a West Berlin hotel. Since there is no direct telephone communication between East and West Berlin, the arrangements were worked out by two lawyers, Jürgen Stange of West Berlin and Wolfgang Vogel of East Berlin. Mr. Vogel had participated in the trade of Francis Gary Powers, the American U–2 pilot, and Col. Rudolf Abel, the Soviet spy.

Mr. Van Altena was released in 1966 without publicity. By that time four other Americans had been arrested in East Berlin and Mr. Rabb agreed to work for their freedom also.

They were: Mary Ellen Battle of Oak Ridge, Tenn.; Moses Reese Herrin of Akron, Ohio; Frederick Matthews of Ellwood City, Pa., and William W. Lovett of San Francisco. The first three were charged with having helped East Germans escape to the West; Mr. Lovett was arrested in connection wtih a traffic accident and on charges of carrying a concealed weapon.

Working with Messrs. Stang and Vogel, the two Berlin lawyers, Mr. Rabb obtained the release of the four in February, 1967. He had arranged coded Telex communications between his Wall Street Office and Mr. Vogel's office in East Berlin to speed the long and complicated negotiations.

The seventh American released through Mr. Rabb's mediation effort was Peter T. Feinauer of Providence, R.I., who was arrested in October, 1966, on charges of espionage for the Central Intelligence Agency and of helping East Germans to flee to the West. He was freed last month.

Mr. Rabb has received a personal note from Secretary of State Dean Rusk extending "warm appreciation and congratulations" for the effort. The lawyer said he paid for all of his travels to Berlin on his own and accepted no fees from the prisoners.

GROMYKO'S DECLARATION THAT RUSSIANS ARE READY FOR MISSILE TALK

Mr. **JACKSON.** Mr. President, in the recent Senate debate on our Sentinel ABM system certain Senators argued that a vote to go forward with the Sentinel system would make more remote the possibility of talks with the Soviets on strategic armaments, and that efforts to secure any agreement on strategic armaments limitations would be seriously prejudiced.

At the same time, a number of newspaper, TV and radio commentators argued that to proceed with the deployment of the Sentinel ABM system was inconsistent with the search for an agreement with Moscow to limit strategic weapons, and that a vote for the Sentinel ABM was a vote to undermine the American diplomatic efforts to persuade Moscow to start talks with us on the mutual limitation of offensive and defensive missile systems.

The Senate, as you know, rejected these suggestions that we must weaken ourselves in order to open talks with Moscow about arms control. On Monday, June 24, by the overwhelming votes of 52 to 34 and 72 to 12 the Senate notified the world that we would continue to maintain a position of strength and that we would proceed with the deployment of the Sentinel ABM system.

This notification to the world was further emphasized a day later in the final 78-to-3 Senate vote on the military construction authorization bill which includes the authorization for starting Sentinel deployment.

The judgment of the Senate on this matter has been proved right. Not only has the Senate's decision to go forward with Sentinel deployment not been a hindrance to the furtherance of discussions: I call your attention to the fact that on Thursday, June 27, 3 days after the Senate ABM votes, Foreign Minister Gromyko announced that "the Soviet Union is ready to enter an exchange of opinions" on "the mutual limitation and later reduction of strategic weapons, both offensive and defensive, including antimissile missiles."

Gromyko's statement came as a welcome surprise to American officials. For more than 18 months the President has been trying to persuade the Soviets to open talks on this critical subject. At last we appear to be seeing some hopeful progress.

This was one of our objectives in the Senate debate which began on Wednesday, June 19. One of the compelling reasons for urging the Senate to vote for the deployment of our ABM system was to strengthen the President's diplomatic hand vis-a-vis the Soviets and to improve the chances that Moscow would start talks with us on the limitation of strategic nuclear offensive and defensive systems.

Here is what I said on the Senate floor on Wednesday, June 19, 1968:

> I am not suggesting, of course, that we suspend the effort to reach agreement with Moscow on reciprocal arrangements for the control and limitation of strategic nuclear offensive and defensive forces. I have long argued for such an effort and I have supported President Johnson in his initiatives to get discussions underway with Moscow on this range of issues. At the same time, it would be the height of irresponsibility for the Congress of the United States to imperil the present or future credibility of our nuclear deterrent.
>
> All of us should have learned by now that the way to encourage a reasonable response from Moscow is not through weakness but through strength. The way to negotiate successfully with Soviet leaders is to have the strong positions to bargain with—and to make negotiated agreements more attractive to them than continued disagreements—as in the case of the limited nuclear test-ban treaty.
>
> I am confident that the Administration's decision to proceed with Sentinel deployment will strengthen our diplomatic hand—not weaken it—and that this program can actually improve the chances for starting meaningful discussions with Moscow on strategic armaments control and limitation.

Here is what Secretary of Defense Clifford said on Thursday, June 20, 1968:

> . . . if the Soviets are developing an ABM system, and we know they are developing it, and we know that they are deploying it, I believe we are in a better posture to reach agreement with them on an ultimate step toward disarming if we also go about the deployment of a system.
>
> I think our negotiations over the past decades would indicate that this is the better position for us to be in if we hope to achieve some type of resolution of this problem with the Soviets. . . .
>
> What I am saying is that from a psychological standpoint, I believe that if we proceed with the deployment because they are—I think it places us in a better posture in negotiating with them and ultimately, hopefully, reaching a broader arms agreement.

Here is what I said on the Senate floor on Monday, June 24, 1968, just prior to the Senate's overwhelming rejection of the amendments that would have delayed or ended our ABM Sentinel system:

> The argument has been made over and over again by the supporters of this amendment that if this country goes ahead with the ABM, we will somehow add fuel and fire to the arms race. If we do not go ahead, the argument goes, there is some hope then of getting the Soviet Union to reach an agreement to dispense with the anti-ballistic missile system. . . .
>
> It does not make any sense to say that if we reduce our strength unilaterally, if we decide not to go ahead with the ABM program, the Soviet Union will drop its ABM program. On what basis would we negotiate? Are we assuming that because we do nothing, Moscow will suddenly drop its ABM program? It does not add up.
>
> Are the Soviets apt to sit down and talk with us about the ABM if we do not do anything about an ABM system? They are doing very well. I do not know why they would ever want to talk with us on this issue if we do not go ahead with our program. There is nothing about which to bargain. They have it, and they have had one kind of a program deployed since 1962. We have been sitting by for 6 long years without any deployment.
>
> Does the Senate want to send a message to the Soviet Union and say, "Look, you go right ahead with your program, because the United States is not going to bargain on this issue, by their decision here today to cut out the program"? With this approach, what do the Senators on the other side of this argument believe they are going to accomplish in the way of negotiations or agreement with Soviet leaders on the control or elimination of strategic weapons?

I am delighted that the Soviets have now flashed a green light to President Johnson's longstanding proposal to discuss limiting strategic nuclear offensive and defensive weapons systems, including the ABM.

Talks on this range of issues, of course, will raise fundamental problems of deterrence, relationship of East-West forces, inspection, and compliance. What we are after is a system of limitation and control of arms that will reduce the risks in the world, without adding to them. All the experience we have had makes it obvious that this aim is not an easy one to achieve. In any event, we can expect some of the old, familiar disarmament ploys from the other side, as well as some new Soviet propaganda escapades.

What is needed on our side is a realization that discussions and negotiations are likely to extend over a long period, and may not bear early fruit. We are going to want to keep talking but, at the same time, positions of strength that fortify our diplomatic hand are necessary. That lesson, I hope, is now clear.

I was very pleased to see that the editors of the Washington Post in their editorial today move in this general direction. I ask unanimous consent that this editorial be included at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, June 28, 1968]

DIALOG OF HOPE

The Soviet announcement of readiness to "exchange opinions" on limiting strategic weapons keeps alive the great-power dialogue on which the security of mankind depends. Whether talks will follow, and succeed, only events will tell. Heavy fears and powerful interests in both countries constantly press them to build ever greater and more menacing arsenals; the Kremlin and White House never lack substantial reasons to seek security in arms. Yet without talks—without their indication of mutual interest in stabilizing the balance of terror—there can be no reasonable prospect of a safer world.

The important consideration should be to prevent the clamor for passing political advantage from drowning out the continuing strategic dialogue.

That the Soviet announcement closely followed the Senate vote for Sentinel deployment will suggest to some that the vote forced the Soviet hand. Perhaps it did. Undeniably, the United States suggested talks only after learning that Moscow was making its first ABM deployment. It may be equally true that the Soviet Union accepted talks only after becoming convinced that Washington would make its first ABM deployment. Three days is not much time for such a big decision but, at least, the symmetry is appealing.

In fact, we do not know what combination of signals from Washington and arguments and alignments in Moscow produced the Soviet nod. The most that can be said with certainty is that in both capitals the struggle over ABM is close, and the side in favor of holding back and of pursuing a dialogue is always in need of reinforcement from the other capital. The tension over ABM in Washington is evident. To see how tight it is in Moscow, one need only look at the ABM deployment around Moscow and the work on an orbital bomb system (FOBS), as well as at the delay in answering the President.

It remains for the diplomats to discover what Moscow has in mind. Mr. Gromyko referred to limiting and reducing strategic weapons—this is of first importance. But he also suggested an international conference to outlaw the use of nuclear arms—this is an old propaganda ploy, exposed as such by, among others, Nikita Khrushchev. It would be uncharacteristic if the Kremlin did not try, at least at the outset, to condition its cooperation on American concessions in Vietnam. But all that is in the future. Today men everywhere can take heart that the dialogue of hope goes on.

Mr. STENNIS. Mr. President, I want to support the views expressed by the Senator from Washington [Mr. JACKSON]. I welcome the indication from the Soviets that they are prepared to talk with us about the limitation of offensive and defensive strategic armaments. This was one of the considerations we had in mind in our effort on the floor of the Senate to assure the authorization for construction of our Sentinel anti-ballistic-missile system. This was among the main reasons some of us sought to persuade this body to give its strong support to the authorization for Sentinel deployment—to strengthen our bargaining position on strategic armaments, offensive and defensive.

On Wednesday, June 19, the opening day of the Senate ABM debate, I said:

> I want to be frank about it. I do not think now that this ABM system is an absolute defense. I doubt if we will ever have an absolute defense against incoming nuclear weapons—that is, the ability to blot them out and totally cancel all of their effect.
>
> But I do know that if we do not have one, and let Red China or the Soviets build one, it could be effective against our power. They would know that we do not have any. It would eliminate the uncertainty in their minds as to what we had. They would know we do not have any, and we would not fare well at the negotiating table, or in any other way.

During our Senate ABM debate on Friday, June 21, I said:

> I think the stronger we are the better we will be at the conference table. I think that is the psychology of the matter. . . . We have to negotiate at this time from a position of strength. I think they (the Soviets) understand that and would not be aroused any more by the construction of this (ABM) system than they would be by our offensive system.

Again, during the debate before the ABM votes on Monday, June 24, I said:

> It has also been widely argued that our deployment of an ABM system of any kind will generate a new arms race and that our purpose should be to reach an accommodation with the Soviets which would slow down rather than increase the arms race. Conceding that this is a desirable goal, the basic fact is that we cannot bring about or negotiate international agreements of this kind on the floor of the Senate. Such agreements have to be negotiated and reached through the process of diplomacy and then presented to us for ratification or rejection. If this course is to be embarked upon, it would certainly be far better for our negotiators to deal from strength than of weakness and, in my judgment, the approval of Sentinel would add force to our bargaining position.

I am proud to have been associated with my colleagues, the Senator from Georgia [Mr. RUSSELL] and the Senator from Washington [Mr. JACKSON] in the effort to assure authorization for Sentinel deployment. The large Senate votes of 53 to 34 and 72 to 12 in favor of the ABM authorization, and the final vote of 78 to 3 for the full military construction authorization bill, were the right signal to give to Moscow.

Mr. President, I hope we will hear more of these indications from the Soviet Union that they mean business and that they are prepared to talk and prepared to talk about the limitations on these armaments. However, it must be a mutual limitation and not a unilateral limitation. It must be that we negotiate from strength rather than weakness or inadequacy at any time.

NO HUNGER IN WIBAUX COUNTY, MONT.

Mr. MANSFIELD. Mr. President, some weeks ago, when the national report on hunger was released, a small county in eastern Montana was listed among those small isolated areas of poverty. Wibaux County has received this unjustified publicity because of statistical information which is used on a national basis and does not necessarily reflect the true picture of a small rural area of small population, especially when it is compared statistically with large urban areas.

Just recently, the Department of Agriculture again has given this county what it considers to be adverse publicity. Because of the 1960 census and per capita income report, the departmental officials have made an effort to implement the program of distributing USDA donated foods to low-income families in the county. According to the information provided by local officials, there are no families who need this food. The departmental determination was based on an old statistical report and, apparently, it did not attempt to make an on-the-spot survey to determine whether there was such a need at this time. While I certainly support the Department's efforts to bring this program to needy families, I also think it should be a little more careful and a little more thorough in checking out the local situations.

My colleague, Senator LEE METCALF, and I have asked that the Department withdraw its personnel until such time as there is a real demonstration of need.

Mr. President, I ask that three news stories appearing in the Montana press and a report from the Department of Agriculture be printed at the conclusion of my remarks.

There being no objection, the news stories and departmental report were ordered to be printed in the RECORD, as follows:

[From the Missoulian, June 18, 1968]

GOVERNMENT SENDING FOOD DESPITE COUNTY'S PROTESTS—WIBAUX MAY BE FORCE-FED

(By J. D. Holmes)

A federal agency indicated Monday it will set up a food distribution program in eastern Montana's Wibaux County despite the protests of local officials that the county has no underfed residents.

Indication that the program may be set up anyway came from Charles M. Ernst, western director of the Consumer and Food Marketing Service of the U.S. Department of Agriculture.

This was after the Wibaux County Board of Commissioners had flatly refused Ernst's offer to establish a commodity distribution program to provide food products to persons who would be certified as needy.

Using county welfare figures for April, Ernst said 34 people would have qualified for the food program because they already were on the welfare roll.

Ernst and Bernice Canata, administrative officer in the West for the USDA's consumer food program, flew from San Francisco to meet in the Wibaux County Courthouse with county officials and others in the community of about 800 population.

Representing Montana's government at the two-hour session were State Controller Ralph C. Kenyon, head of the Department of Administration, and his agency's commodity supervisor, M. E Mocabee, both of Helena.

Others at the meeting included the county extension agent, county superintendent of schools, county assessor, county health and welfare officials, bankers and members of an economic development group.

All insisted no one in the county can be considered hungry or undernourished beyond those currently being taken care of through the regular welfare program.

Kenyon, whose department supervises the distribution of foodstuffs made available by the federal government, said the local people at the meeting agreed they are "strongly interested in receiving assistance that would in turn aid the members of the community to help themselves.

"However, they do not want to make their citizens dependent upon a handout."

He said the USDA officials offered to pay the administrative and transportation costs of the food distribution program. These are costs usually paid by the counties or institutions involved.

The meeting came as the House Agriculture Committee reported there is very little actual hunger in the nation but there is widespread malnutrition caused largely by poor people's ignorance.

The committee study was made after a citizens' group said last April there is evidence of hunger and malnutrition in all parts of the nation.

Wibaux was one of 256 counties listed in that April report. No other Montana county was listed and Wibaux officials promptly denied the report and asked for details of how the survey was made.

At Monday's meeting, local officials continued to insist they would like more facts—this time about a federal survey Ernst said was made of 1,000 counties across the nation. Of this group, he said, Wibaux County was No. 835.

No further explanation was available, other than the statement that the survey was based on the 1960 census.

Those at the meeting were told that Wibaux County now is among 331 counties in the nation in which the USDA plans to set up food programs.

Kenyon said he and Mocabee decided to attend the meeting, apparently set up by Ernst, after being advised the federal officials feel they have a mandate to set up the food program if the county does not.

[From the Billings Gazette June 19, 1968]

GET HUNGRY, WIBAUX

Wibaux County was a happy land until it was discovered by the statisticians, mostly federal.

Earlier this year, the so-called Citizens Board of Inquiry Into Hunger and Malnutrition reported to the House Agriculture Committee that it had uncovered 256 "hunger counties" in the U.S.A.

Wibaux County residents, as they munched their bacon and eggs, spooned oatmeal mush or toyed with crispy crackles or whatever their breakfast tastes of the day were, read with dismay that they were among the "hunger" group. That was earlier this year.

Wibauxites scoffed at the idea of their county being listed in the 256. Some of them even got peeved at this newspaper for printing the news stories. Then they went back to minding their own business.

But not so the "hunger hunters."

Monday of this week the Consumer and Food Marketing Service of the U.S. Department of Agriculture announced it plans to set up a food distribution program in Wibaux.

Two officials from San Francisco came by plane to inform the "uninformed" Wibaux area officials that hunger exists in their midst. And, like it or not, they will be fed surplus foods.

It must all seem like some weird dream to the people of Wibaux. It is especially astonishing to the health officer, who likely knows everyone in the county by his first name.

He has offered a $100 reward to anyone who can produce an honest-to-goodness, unintentional hunger or neglect case in his jurisdiction.

But, then, statistics don't lie. Wibaux County, you've been listed as a hunger case. Now be a good county and sit right up and take your surplus foods dosage so the Citizens Board of Inquiry Into Hunger and Malnutrition can chalk up another victory and march on to new counties to dehunger.

[From the Butte-Anaconda (Mont.) Standard, June 23, 1968]

ARBITRARY ACTION

It appears Wibaux County in eastern Montana is going to get a federal food distribution program despite loud and insistent protests that the county has no underfed residents.

According to the Associated Press, Charles M. Ernst, western director of the Consumer and Food Marketing Service of the Department of Agriculture, indicated the program may be set up in Wibaux County even though the county's Board of Commissioners, and other local officials refused the federal assistance.

Wibaux officials want to know why their county was one of 256 counties listed in the report "Hunger: U.S.A." issued last April by the Citizens Board of Inquiry Into Hunger and Malnutrition in the United States. The only explanation they have received is that the survey was based on the 1960 census. Wibaux is entitled to more information than that.

Unilateral action by the federal agency is an imposition and Wibaux should resent it.

Federal officials feel they have a mandate to set up the food program. Such mandates have been carried out or are planned in the South. But in those instances hunger and malnutrition are very evident.

At a recent meeting of officials and leading citizens in Wibaux, the people were reported as "strongly interested in receiving assistance that would in turn aid the members of the community to help themselves. However, they do not want to make their citizens dependent upon a handout."

It should be noted that Wibaux was the only Montana county listed. We, too, would like to know why that county.

In their protest, Wibaux officials have the support of Rep. W. R. Poage of Texas, chairman of the House Agriculture Committee, who believes the hunger report is at best exaggerating.

Poage wrote to the health officers in the 256 "emergency hunger counties." He wrote "From my limited knowledge of nutrition I would assume that it was true that many Americans suffer from an improper diet, but the problem there is one of education and of personal decisions. It differs greatly from the inability of citizens to obtain the needed nutrients either through gainful employment or public relief."

Many county health officials evidently agreed with Poage. The House committee reported there is very little actual hunger in the nation but there is widespread malnutrition caused largely by poor people's ignorance.

We could fall into a serious error here if we, seeking comfort, were to accept this committee report as the definitive word on the subject—to conclude that "Hunger: U.S.A." and other similar findings are wrong.

Wibaux can well be an exception and the federal arbitrary imposition unjustified. Nevertheless, we can't shift the blame for hunger to the hungry, nor can we shift the blame for malnutrition to those ignorant of its meaning, in other sections of the country, particularly the South.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 25, 1968.
Hon. MICHAEL J. MANSFIELD,
U.S. Senate.

DEAR SENATOR MANSFIELD: For the past year this Department has maintained a concerted effort to assist low-income families by encouraging counties to distribute USDA-donated foods to them. Recognizing that some counties could not store and distribute our foods because of limited or inelastic budgets, we offered to share the cost of starting distribution programs with counties in the lowest 1,000 when ranked by per capita income reported in the 1960 census.

This week our representatives were in Wibaux County to offer local authorities the financial aid necessary for them to start a food program. We learned that local authorities are very concerned that Wibaux County was considered for this aid. They firmly believe that there are no families in need of additional food assistance and protest, sincerely, the establishment of a food assistance program.

Local authorities have suggested that USDA make a survey to establish with certainty whether or not there is now need for food assistance in the county. We believe that the best way to make such a determination is to offer to accept applications in the county from persons who feel they are in need of more food than they can buy and to use the standards for evaluation of need for food assistance commonly used in other counties by the Montana Department of Administration. We propose to start this testing in the next two weeks. If by mid-July there is an established list of families that are eligible for food assistance, we will prepare to distribute foods with USDA personnel if county authorities do not then want to share in this effort.

I know that you share my concern that the food resources of this Department be shared wherever they are needed. I think that this proposal for Wibaux County can remove all doubt about need for food assistance among families in the county and will appreciate your understanding and support.

Sincerely yours,
ORVILLE L. FREEMAN.

SUPREME COURT APPOINTMENTS

Mr. MOSS. Mr. President, I rise to offer some views with respect to appointments to the Supreme Court of the United States. My observations will be restricted to recent suggestions that President Johnson should not fill the vacancy which now exists on the Court because he is a "lame duck" President.

An extension of this position, different only in span of time, would mean that any President would be a "lame duck" President on the first day of his second term in office because the law prohibits the person from serving more than two terms.

But what is described as the "lame duck" position of the President of the United States is not the point at all. The point is that the President is required by the Constitution of the United States to fill vacancies on the Supreme Court.

I quote from article II of the Constitution of the United States:

> He the (President) shall nominate, and by and with the Advice and Consent of the Senate, shall appoint . . . judges of the Supreme Court.

Note that the language in this section of the Constitution says the President "shall nominate" and "shall appoint." It does not say he may nominate or may appoint. In other words, the language is not permissive, it is mandatory.

The reason the language is mandatory is apparent and can be simply illustrated by this hypothesis:

Even though it is unlikely, suppose that all nine Justices were no longer available for service by virtue of death, incapacitation, or resignation. In that event, if a President were not required by the Constitution to fill the vacancies, and if he refused to fill the vacancies, then this Nation would be without a Supreme Court. In my judgment if any President consistently refused to fulfill his responsibility to fill vacancies on the Supreme Court, such refusal would be grounds for impeachment.

The point I am attempting to bring into focus is that it is a constitutional requirement, and the President's duty, to nominate individuals within a reasonable period of time to fill vacancies on the Supreme Court, and to appoint such nominees with the approval of the Senate of the United States. He has no choice, and failure to fill such vacancies within a reasonable period of time would be a dereliction of duty.

These constitutional responsibilities rest with the President as long as he is in office, and they are not affected by any so-called lameduck status. Therefore, it is my opinion that "lameduck" status is not germane to any discussion of Presidential nominations to the Supreme Court of the United States.

The "politics" of the objections stated by those opposed to the nominations are so blatant and transparent that they should be disregarded in toto.

OUR CROWDED NATIONAL PARKS

Mr. MOSS. Mr. President, for almost 10 years now, ever since the Outdoor Recreation Resources Review Commission warned us of the impending crisis in outdoor recreation facilities, we in the Congress have been trying to do something about it. We have established a handful of new national parks and monuments, and recreation areas and lakeshores and seashores, and have made money available to States for the development of State parks and other local recreational facilities. We have also spurred on private enterprise to do all it can. But we have not done nearly enough. And our national parks, the "crown jewels" of our outdoor recreational system, are particularly feeling the pinch.

I ask unanimous consent to have printed in the RECORD an article entitled "Crowding Looms as United States Heeds Call of Wild," written by William J. Stanfield, and published in the Salt Lake Tribune of Sunday, June 23, 1968, which gives us an idea of the dimensions of the problem we are facing—a problem about which I hope to have more to say to the Senate at a later date.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Salt Lake Tribune, June 23, 1968]

CROWDING LOOMS AS UNITED STATES HEEDS CALL OF WILD

(By William J. Stanfield)

For millions of Americans the vacation days now beginning mean just one thing—heading for the great outdoors to spend a few days or weeks fishing, hiking along wilderness trails or just lazing in some cool, secluded forest glen.

There's not a section of the country that doesn't offer camping or tramping grounds, but increasingly in recent years Americans in search of a return to nature have sought the western outdoors.

With its towering mountain peaks, its lush valleys, cool, clear, fishing streams and spectacular vistas, the west has become such a lure for holiday campers that in some cases there is grave concern among recreation and conservation officials for the preservation of the same natural wonders that bring the vacationers in their millions.

BACK HUNDRED YEARS

Camping for pleasure in the United States dates back at least 100 years.

As early as July 24, 1856, some 450 Utah pioneers camped in Big Cottonwood Canyon southeast of Salt Lake City. The occasion was a "pic-nic party" organized by Brigham Young to celebrate the ninth anniversary of the settling of the land of Deseret by the Mormons.

In the latter half of the 19th Century, famed naturalist John Muir and other early-day outdoor enthusiasts were exploring the Sierra Nevada of California, laying out trails and discovering the sheer granite cliffs and spectacular waterfalls that now attract the summer travelers.

It's the size of the throngs of visitors overrunning some of the better known resorts that is beginning to worry some outdoor recreation officials.

SAVE THE PARKS

Yosemite National Park, which attracted more than two million visitors last year, and Yellowstone National Park, the nation's oldest and most popular park are both undergoing changes designed to protect the natural attractions from being ruined by overcrowding.

Other popular areas, such as Grand Canyon National Park and the famed Salmon River in Idaho, also are subjects of concern.

At Yosemite, the spectacular fireball, a nightly attraction from the top of Glacier Point overlooking Yosemite Valley, was discontinued last January at the orders of park service director George B. Hartzog Jr., in an attempt to cut down on the overcrowding which has threatened the natural beauty of the valley.

OTHER RESTRICTIONS

At the same time, the park service redesigned campsites in the valley to keep campers spaced out, instituted a one-way road system and cut the camping limit from 14 to 7 days in the valley.

According to Park Supt. Lawrence C. Hadley, "we may eventually have to eliminate cars from the valley—or convert the valley into an expanse of pavement just to handle cars."

At Yellowstone, some one-way roads were put in around the congested and popular area of Old Faithful and park officials are considering cutting down the length of camping visits.

ON THE SALMON

The Salmon River, Idaho's famed "river of no return," so named because most boat traffic can go only one way—downstream—has also become so popular that forest service officials are considering some restrictions.

Says John Herbert, chief of recreation and lands at the district office in Ogden, Utah:

"We think the day is rapidly coming when we may have to ration float trips down the Salmon. We may have to require people to sign up as much as a year in advance in order to maintain some sense of quality."

Robert Moore, assistant regional director of the National Park Service in San Francisco, also agrees that tighter controls—"in a sense, a rationing of use"—will be required as camping demands increase.

CAMPING PROBLEMS

"Camping is one of our major problems in trying to meet ever-increasing demands" Moore says. "The concern is that overcrowding may destroy the very thing we are trying to preserve."

Use of new facilities, such as Lake Powell on the Arizona-Utah border, is increasing as much as 500 percent a year and there's no sign that there will be any slackening of demand at other spots.

In fact, the Forest Service anticipates a 300 percent increase in camping use by the year 2000 and is now planning to build in the next 10 years 21,000 new campgrounds containing 210,000 family units.

But even though some areas are overcrowded, recreation officials point out there is more than enough public land in the West to handle the nation's camping needs for years to come.

UNTAPPED POTENTIAL

The Bureau of Land Management alone, for example, administers 450 million acres of public land ranging from arid deserts to Arctic tundra. Most of its beauty is relatively unknown and its potential for recreation virtually unlimited.

Nearly every western state has huge blocks of such land offering hiking, fishing, rock hunting, mountain climbing, historic old trails such as the Oregon Trail, and Indian petroglyphs as well as Indian dances, powwows and ceremonies.

The forest service, next to the park service in popularity among many campers, controls 186 million acres including 14 million acres of wilderness and primitive areas which can be entered only on foot or on horseback—a near guarantee against overcrowding in the near future.

FISHING, HIKING

National forests boast more than 100,000 miles of trails, 81,000 miles of fishing streams and rivers and more than three million acres of lakes and impounded waters.

Among the most spectacular of national forest attractions is Hells Canyon, a 7,900-foot-deep chasm cut by the Snake River along the Oregon-Idaho border. At places, the canyon is 10 miles from rim to rim and approaches the Grand Canyon of the Colorado in sheer awesomeness.

National forest lands also hold other tourist attractions, such as Grasshopper Glacier in Montana's Custer National Forest, where thousands of grasshoppers were entombed millions of years ago; gold panning at German Gulch in Deerlodge National Forest in Montana, and the historic trails, still visible in places, of Jim Bridger, Lewis and Clark, Gen. John C. Fremont and Kit Carson as they opened the west.

THE REAL ENTHUSIAST

And for the ambitious and young in heart, there are the thousands of miles of trails and millions of acres open only for the backpacker and horseback rider.

ORDER FOR RECOGNITION OF SENATOR DOMINICK

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, following the vote on the International Coffee Agreement of 1968, the distinguished Senator from Colorado [Mr. DOMINICK] be permitted to proceed for not to exceed 25 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

MAURITZ A. STERNER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1158, H.R. 3865.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3865) for the relief of Mauritz A. Sterner.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 5, after the word "of" strike out "$25,000" and insert "$50,000".

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1179), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation, as amended, is to pay Mauritz A. Sterner $50,000 in full settlement of his claim against the United States to compensate him for the use of his original idea of a paper blanket and for his development of that idea.

STATEMENT

The claim embodied in this legislation was the subject of a hearing held by this committee's Subcommittee on Patents, Trademarks, and Copyrights on August 31, 1967. This hearing was held on S. 530, introduced by Senator Philip A. Hart, for the relief of Mauritz A. Sterner. S. 530 provides for the payment to Mr. Sterner of $50,000 in full settlement of his claim against the United States.

The committee adopts in substance the facts of this claim as set forth in the report filed by the House of Representatives Committee on the Judiciary. The testimony presented at the hearing and the additional information supplied to the committee in the form of departmental reports and other information indicate that Mr. Mauritz A. Sterner evolved the idea of a paper blanket for use by the military services in the early 1940's. In that period, he attempted to interest the various military services in the use of these blankets. Mr. Sterner's idea was to use a crepe kraft paper which would be water and fire resistant. Two layers of this paper would be stitched together so as to form a paper blanket which would be suitable for use in the field by military forces and also serve as a waterproof extra blanket to cover a litter. The military services obtained quantities of the blankets from Mr. Sterner for experimentation and evaluation. The Navy purchased about 50,000 of the blankets in 1945 for the use of the Marine Corps. As a result of the evaluation conducted in this manner, specifications were established and a stock number was assigned to the paper blanket; however, the services did not adopt the blanket as an item of supply. As is noted in the Department of the Army report on a bill introduced in the 88th

Congress, the Quartermaster Corps Climatic Research Laboratory in a report dated January 29, 1947, found that the paper blanket may have about 65 percent of the insulating value of a wool blanket. The laboratory further determined that when a paper blanket and a wool blanket are used together, the insulating properties of the combination were not significantly different from those of two wool blankets.

After the establishment of the Federal Civil Defense Administration in 1950, Mr. Sterner brought his paper blankets to the attention of civil defense officials. That Administration requested that the Armed Services Medical Procurement Agency procure blankets from Mr. Sterner's company. The information submitted to the committee indicates that the Federal Civil Defense Administration was faced with a problem of the storage of blankets where wool blankets would be subjected to moth and other storage hazards and would cost a considerable amount more than would the paper blanket originated by Mr. Sterner. These considerations were the ones that led the Federal Civil Defense Administration to request the Armed Services Medical Procurement Agency to procure the paper blankets. A contract was negotiated for this purpose in January 1952, with Mr Sterner, calling for the delivery of 177,300 paper blankets. The Sterner Co. encountered difficulty in producing the blankets equivalent to the sample originally submitted by Mr Sterner. Mr. Sterner explained that in his negotiations with the paper manufacturer, he found that the chemicals he had originally designated for use as a fireproofing substance were not available in 1952, and the mill substituted another and cheaper chemical.

The result was that the samples furnished would not meet the contract specifications. The situation developed to the point that Mr. Sterner was unable to furnish additional samples which would meet the specifications with the result that the contract was terminated without any deliveries having been made.

In June of 1952, contracts for paper blankets were awarded to two other companies. Since then and at various times, a total of 3,769,304 paper blankets were purchased for the use of the Federal Civil Defense Administration. These purchases were made in the period from 1952 through 1961 at a total cost of $2,492,545.72. In order to compare the cost of wool blankets, the Army report states that the average unit price of blankets sold to the Army during the same period was about $8. The committee notes that the purchase of paper blankets in lieu of a comparable wool product resulted in a very considerable saving to the United States.

The testimony before the Senate subcommittee indicated that Mr. Sterner has received no compensation for the many years of effort he devoted to conducting experiments on his idea, in developing a flame and water resistant paper suitable for blanket use and in fabricating and proving useful his idea. He has spent over $51,000 of his money for such purposes.

The Department of the Army in its report dated August 30, 1967, on S. 530 opposed relief on the ground that the military services received many proposals offering new products and ideas and that many of these unsolicited proposals were made by individuals seeking Government contracts. The Army further stated that if an item is one which is readily available from a number of suppliers, "the individual making the suggestion stands in the same position as any other prospective supplier." The report stated that:

"Mr. Sterner was more fortunate than many who submit unsolicited proposals as he sold some blankets to the Government and was awarded a contract to supply a substantial additional quantity. As he was unable to supply blankets of the specified quality, his contract was terminated. There is no apparent reason for giving Mr. Sterner a monetary reward when others who lose a contract through their inability to comply with its terms receive no such consideration."

After considering this claim, the committee concurs in the statement in the report of the House of Representatives Committee on the Judiciary "that the technical position adopted by the Department of the Army fails to note the essential issue in this case and that is whether Mr. Sterner's contribution was such that it creates a moral obligation on the part of the Congress to compensate him. It appears from the material set forth in the Army report that Mr. Sterner has no legally enforceable right to recover on the basis of his original idea and its subsequent use by the United States. However, the committee feels that this is a case which merits legislative relief. Not only was the idea of a paper blanket originated by Mr. Sterner, but he made continued efforts to bring it to the attention of the Government and those efforts ultimately resulted in substantial purchases by the United States of paper blankets based on his specifications with consequent savings to the United States."

The committee recommends that Mr. Sterner be granted a payment of $50,000. In view of the considerable investment of his funds which he made in the development of his idea, such an award appears warranted.

In view of the unusual circumstances of this case, the committee recommends that the bill, as amended to provide for a payment of $50,000, be favorably considered.

Mr. **MANSFIELD**. Mr. President, I also ask unanimous consent to have printed in the Record a list of measures of a somewhat similar nature which have been passed in the past.

There being no objection, the list was ordered to be printed in the Record, as follows:

The 74th Congress, H.R. 5564, for the relief of Captain Russell Willson. Private Law 79—$15,000.

The 75th Congress, S. 1453, for the relief of Maude P. Gresham and Agnes M. Driscoll. Private Law 267—$14,940.55.

The 84th Congress, H.R. 2068, for the relief of William F. Friedman, Private Law 625—$100,000.

The 85th Congress, S. 1524, for the relief of Lawrence F. Safford. Private Law 494—$100,000.

The 86th Congress, S. 2353, for the relief of Col. John A. Ryan, Jr. Private Law 492—$100,000.

The 87th Congress, S. 149, for the relief of the estate of Gregory J. Kessenich. Private Law 578—$100,000.

The 88th Congress, H.R. 7348, for the relief of Frank B. Rowlet. Private Law 358—$100,000.

THE CALENDAR

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the Senate proceed to the consideration, in numerical order, of measures on the calendar beginning with Calendar No. 1302, S. 2960.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 1968

The Senate proceeded to consider the bill (S. 2960) to provide for the appointment, promotion, separation, and retirement of commissioned officers of the Environmental Science Services Administration, and for other purposes which had been reported from the Committee on Commerce, with amendments, on page 2, line 1, after the word "in" insert "the active service of"; in line 2, after the word "service" where it appears the second time, strike out "of the United States"; "on"; on page 4, line 1, after the word "result" strike out "on" and insert on page 5, line 7, after the word "which" strike out "appointed" and insert "appointment"; on page 6, after line 4, strike out:

(b) Each person receiving an original appointment shall be placed on the lineal list in a position commensurate with his age, education, experience, and other qualifications, and shall be credited for purposes of basic pay with such years of service as are determined appropriate, in accordance with regulations prescribed by the Secretary.

And, in lieu thereof, insert:

(b) Each person receiving an original appointment shall be placed on the lineal list in a position commensurate with his age, education, experience, and other qualifications, in accordance with regulations prescribed by the Secretary, and shall be credited for purposes of basic pay with one and one-half years service if appointed to the grade of lieutenant (junior grade) and three years service if appointed to a higher grade. If such appointee is entitled to a greater amount of service for purposes of basic pay under other provision of law, he shall be credited with that service in lieu of the credit provided herein.

On page 7, line 3, after the word "on" strike out "its effective date, as determined by the Secretary" and insert "the date such appointment is made"; on page 8, at the beginning of line 9, strike out "appoint" and insert "appointed"; on page 11, line 3, after the word "ensign" strike out "or"; in line 4 after the word "grade)," insert "or lieutenant"; after line 7, strike out:

(2) Each officer in the grade of lieutenant shall be honorably discharged unless on the date specified for his discharge under this section he is eligible under any law to be retired, in which case he shall be retired on that date. If on the date specified for his discharge he will have completed at least eighteen years of active service, he shall be retained on active duty and retired upon completion of twenty years of active service, unless earlier removed under another provision of law.

At the beginning of line 17, strike out "(3)" and insert "(2)"; on page 12, line 4, after the word "payment" strike out "computed on the basis of two months' basic pay at the time of separation for each year of active service, but not to exceed two years' basic pay." and insert "computed by multiplying his years of active service (as defined in section 30), but not more than twelve, by two months' basic pay of the grade in which he is serving on the date of his discharge. However, no person is entitled to a severance payment under this section that is more than $15,000."; in line 14, after the word "such" strike out "lump sum" and insert "severance"; at the beginning of line 22, strike out "lump sum" and insert "severance"; on page 13, after line 7, strike out:

Sec. 17. (a) The Secretary may remove any officer from active duty for such cause as will, in the Secretary's discretion, promote the efficiency of the service. Such cause shall include, but not be limited to, deficiencies in performance of duty, conduct, character, or fitness, or a determination that the officer's retention is not clearly consistent with the interest of national security.

(b) An officer removed from active duty under subsection (a), whether or not eligible for retirement from the Commissioned Officer Corps of the Administration under any law on the date of such removal, shall be either—

(1) separated from the service at the convenience of the Government; at the discretion of the Secretary an officer so separated may be paid a lump sum severance payment, equal to one-half the amount of that specified in section 16(b), but not to exceed one year's basic pay. If a person receives any subsequent retirement benefits from the United States that are based on the same years of service, there shall be deducted from each of his retirement payments so much thereof as is based on the service for which he has received payment under this section until the total amount deducted equals the amount of the lump sum payment; or

(2) if eligible for retirement, retired at the discretion of the Secretary in the grade and with the pay authorized by law if retired at his request: *Provided, however*, That if so retired he shall not be paid a lump-sum severance payment.

(c) The provisions of this section shall be implemented only after a fair and impartial hearing held in accordance with such regulations as the Secretary may provide.

And, in lieu thereof, insert:

SEC. 17. (a) The Scretary may at any time convene a board of officers to review the record of any officer to determine whether he shall be required to show cause for his retention on active duty—

(1) because his performance of duty has fallen below the standards prescribed by the Secretary, or

(2) because of moral dereliction, professional dereliction, or because his retention is not clearly consistent with the interests of national security.

(b) Boards of inquiry shall be convened as the Secretary may prescribe to receive evidence and make findings and recommendations whether an officer who is required to show cause for retention under subsection (a) should be retained on active duty.

(1) A fair and impartial hearing before a board of inquiry shall be given to each officer so required to show cause for retention.

(2) If a board of inquiry determines that the officer has failed to establish that he should be retained, it shall send the records of its proceedings to a board of review.

(3) If a board of inquiry determines that the officer has established that he should be retained, his case is closed. However, at any time after one year from the date of the determination in a case arising under clause (1) of subsection (a), and at any time after the date of the determination in a case arising under clause (2) of that subsection, an officer may again be required to show cause for retention.

(c) Boards of review shall be convened as the Secretary may prescribe to review the records of cases of officers recommended by boards of inquiry for removal.

(1) If, after reviewing the record of the case, a board of review determines that the officer has failed to establish that he should be retained, it shall send its recomendation to the Secretary for his action.

(2) If, after reviewing the record of the case, a board of review determines that the officer has established that he should be retained on active duty, his case is closed. However, at any time after one year from the date of the determination in a case arising under clause (1) of subsection (a) and at any time after the date of the determination in a case arising under clause (2) of that subsection, an officer may again be required to show cause for retention.

(d) A board convened under this section shall consist of at least three officers of the grade of commander or above, all of whom are senior to any officer considered by the board. No officer may be a member of more than one board convened under this section to consider the same officer.

(e) Each officer under consideration for removal under this section shall be—

(1) notified in writing at least thirty days before the hearing of the case by a board of inquiry of the reasons for which the officer is being required to show cause for retention;

(2) allowed reasonable time, as determined by the board of inquiry under regulations of the Secretary, to prepare his defense;

(3) allowed to appear in person and by counsel at proceedings before a board of inquiry; and

(4) allowed full access to, and furnished copies of, records relevant to the case at all stages of the proceeding, except that a board shall withhold any records that the Secretary determines should be withheld in the interests of national security. In any case where any records are withheld under this clause, the officer whose case is under consideration shall, to the extent that the national security permits, be furnished a summary of the records so withheld.

(f) The Secretary may remove an officer from active duty if his removal is recommended by a board of review under this section. The Secretary's action in such a case is final and conclusive.

(1) At any time during proceedings under subsections (b) or (c), and before the removal of an officer, the Secretary may grant a request—

(A) for voluntary retirement, if the officer is otherwise qualified therefor; or

(B) for honorable discharge with severance benefits in those cases arising under clause (1) of subsection (a); or

(C) for discharge with severance benefits in those cases arising under clause (2) of subsection (a).

(2) Each officer removed from active duty under this section shall—

(A) if on the date of removal the officer is eligible for voluntary retirement under any law, be retired in the grade and with the pay for which he would be eligible if retired at his request; or

(B) if on that date the officer is ineligible for voluntary retirement under any law, be honorably discharged in the grade then held with severance pay computed by multiplying his years of active service (as defined in section 30), but not more than twelve, by one month's basic pay of that grade, in those cases arising under clause (1) of subsection (a); or

(C) if on that date the officer is ineligible for voluntary retirement under any law, be discharged in the grade then held with severance pay computed by multiplying his years of active service (as defined in section 30), but not more than twelve, by one month's basic pay of that grade, in those cases arising under clause (2) of subsection (a).

No person is entitled to a severance payment under this section that is more than $15,000. A fractional year of six months or more shall be considered a full year in computing the number of years of service upon which to base such retirement or severance pay, and a fractional year of less than six months shall be disregarded. If a person separated with severance pay under this section receives any subsequent retirement benefits from the United States that are based on the same years of service, there shall be deducted from each of his retirement payments so much thereof as is based on the service for which he has received payment under this section until the total amount deducted equals the amount of the severance payment

(g) An individual, or his survivor or beneficiary, may not be paid severance pay, retired pay, or annuity otherwise creditable in connection with separation for cause under this section if such separation is based on an offense or offenses which are punishable by confinement in a penal institution for five years or more, and for which he has been convicted in a State or Federal court.

On page 22, line 22, after the word "Administration;" strike out "or" and insert "and"; on page 26, line 24, after the word "the" where it appears the second time, strike out "rank" and insert "grade"; on page 27, line 10, after the word "a" strike out "uniform" and insert "uniformed"; in line 19, after the word "the" where it appears the second time, strike out "Armed Forces" and insert "armed forces"; on page 28, line 9, after the word "the" strike out "Armed Forces" and insert "armed forces."; in line 13, after the word "the" strike out "Armed Forces" and insert "armed forces"; on page 29, line 8, after the word "the" where it appears the second time, strike out "Armed Forces" and insert "armed forces"; in line 15, after the word "authorized" strike out the comma and "whenever in his judgment a sufficient national emergency exists" insert a comma and "in time of war or national emergency declared by the Congress or the President,"; in line 20, after the word "authorized" strike out the comma and "whenever in his judgment a sufficient national emergency exists" insert a comma and "in time of war or national emergency declared by the Congress or the President"; on page 30, line 21, after the word "after" strike out "consultation" and insert "approval"; on page 31, line 8, after the word "the" strike out "Armed Forces" and insert "armed forces"; on page 32, after line 18, strike out:

TRANSPORTATION OF DECEASED OFFICER'S EFFECTS

SEC. 35. The Administration is authorized to provide for the transportation (including packing, unpacking, crating, and uncrating) of personal and household effects of commissioned officers who die on active duty to the official residence of record for such officers or, upon application by their dependents, to such other location as may be determined by the Secretary or by such person as he may designate.

On page 33, line 2, change the section number from "36" to "35"; in line 9, change the section number from "37" to "36"; in the same line after the word "under" strike out "sections" and insert "section"; in line 10, after "5512" strike out "and 5513"; in line 16, change the section number from "38" to "37"; on page 34, line 1, strike out "in Alaska and places beyond the continental limits of the United States" and insert "outside the contiguous forty-eight States and the District of Columbia"; in line 14, change the section number from "39" to "38"; in line 17, after the word "the" strike out "Armed Forces" and insert "armed forces"; on page 35, in line 5, change the section number from "40" to "39"; in line 13, change the section number from "41" to "40"; in line 19, change the section number from "42" to "41"; on page 36, line 2, change the section number from "43" to "42"; in line 6, change the section number from "44" to "43"; in line 11 after the word "the" strike out Armed Forces and insert "armed forces"; in line 13, change the section number from "45" to "44"; on page 37, line 19, change the section number from "46" to "45"; on page 38, line 4, change the section number from "47" to "46"; after line 5, insert "(1) Section 4101 (2) is amended to read:"; in line 25, change the section number from "48" to "47"; on page 39, line 9, change the section number from "49" to "48"; in line 12, after the word "An" insert "initial"; and in the same line after the word "allowance" strike out "not to exceed" and insert "of not more than"; in line 13, after the word "each" strike out "individual serving on active duty as a"; in line 15, after the word "Administration" strike out the period and "An individual" and insert "who is serving on active duty. An officer"; in line 17, after the word "than" strike out "$200 for such uniforms and equipment" and insert "one allowance" in line 18; after the word "under" strike out "any provision of law" and insert "this subsection."; in line 19, change the section number from "50" to "49"; on page 40, line 16, change the section number from "51" to "50"; on page 41, line 9, after the word "the" where it appears the first time, strike out "Armed Forces" and insert "armed forces"; in line 10, after the word "families" insert "servicemen in the United States Coast Guard and their families"; in line 11, after the word "servicemen" strike out "of" and insert "in"; in line 24, after the word "the" strike out "Armed Forces" and insert "armed forces"; on page 43, at the beginning of line 21, strike out "a" and insert "each"; on page 44, at the beginning of line 17, strike out " 'fund,' " and insert " 'Fund' "; in the same line after the word "or" strike out " 'mutual mortgage insurance fund,' " and insert " 'Mutual Mortgage Insurance Fund' "; in line 18, after the word "the" strike out " 'general insurance fund' " and insert " 'General Insurance Fund' "; and in line 22, change the section number from "52" to "51"; so as to make the bill read:

SHORT TITLE

SECTION 1. That this Act may be cited as the "Environmental Science Services Administration Commissioned Officer Corps Act of 1968."

DEFINITIONS

SEC. 2. Definitions listed in section 101 of title 10, United States Code, apply to this Act except as noted below:

(1) "active duty" means full-time duty in the active service of a uniformed service;

(2) "active list" means the list of officers, other than retired officers serving under permanent appointments;

(3) "Administration" means the Environmental Science Services Administration;

(4) "Department" means the Department of Commerce;

(5) "grade" means a step or degree, in a graduated scale of office or rank, that is established and designated as a grade by law or regulation;

(6) "lineal list" means active list, arranged in order of precedence;

(7) "officer" means a commissioned officer;

(8) "rank" means the order of precedence among members of the uniformed services;

(9) "Secretary" means the Secretary of Commerce;

(10) "Secretary concerned" is defined in section 101 of title 37, United States Code;

(11) "uniformed services" is defined in section 101 of title 37, United States Code.

AUTHORIZATION FOR CORPS

SEC. 3. (a) There shall be in the Administration a commissioned officer corps composed of commissioned officers appointed in the Administration in grades authorized commissioned officers of the Navy.

(b) The Secretary shall establish the authorized number of commissioned officers on the active list.

(c) The authorized number of officers on the active list established under subsection (b) shall be distributed in permanent grades, in relative rank with officers of the Navy, in the proportion of 0.25 per centum in the grade of rear admiral (upper half), to 0.50 per centum in the grade of rear admiral (lower half), to 8 per centum in the grade of captain, to 14 per centum in the grade of commander, to 19 per centum in the grade of lieutenant commander, to 23 per centum in the grade of lieutenant, to 18 per centum in the grade of lieutenant (junior grade), to the remaining per centum in the grade of ensign.

(d) Whenever a final fraction occurs in computing the authorized number of officers in any grade, the nearest whole number shall be taken, and if such fraction be one-half, the next higher whole number shall be taken. However, the authorized number established under subsection (b) shall not be increased as a result of the computations prescribed herein, and if necessary the number of officers in the lowest grade shall be reduced accordingly.

(e) No officer shall be reduced in grade or pay or separated from the active list as the result of any computations made to determine the authorized number of officers in the various grades.

(f) Nothing in this section shall be construed as requiring the filling of any vacancy or as prohibiting additional numbers in any grade to compensate for vacancies existing in higher grades.

(g) The authorized number established under subsection (b) may be temporarily exceeded: *Provided*, That the average number for the fiscal year shall not exceed the authorized number.

OFFICER PERSONNEL BOARD

SEC. 4. At least once a year, and at such other times as may be necessary, the Secretary shall appoint an Officer Personnel Board consisting of not less than five officers not below the permanent grade of captain on the active list, and such other Administration officials as he deems desirable, to recommend such changes in the lineal list as the Board may determine, and to make selections and recommendations for the promotion, separation, and retirement of officers in accordance with this Act. In case any recommendation by the Board is not acceptable to the Secretary or to the President, the Board shall make such further recommendations as shall be acceptable.

APPOINTMENTS

QUALIFICATIONS

SEC. 5. No person shall be appointed to any grade as an officer under this Act unless he is a citizen of the United States and until his mental, moral, physical, and professional fitness to perform the duties of a commissioned officer in the grade to which appointment is considered has been established under such regulations as the Secretary may prescribe.

PERMANENT APPOINTMENTS

SEC. 6. Permanent original appointments and permanent appointments for promotion of officers shall be made by the President, by and with the advice and consent of the Senate.

TEMPORARY APPOINTMENTS

SEC. 7. (a) Temporary original appointments and temporary appointments for promotion of officers shall be made by the President.

(b) Temporary appointments may be vacated by the President at any time.

(c) Temporary appointments do not change the permanent, probationary, or acting status of members so appointed, prejudice them in regard to promotion or appointment, or abridge their rights or benefits.

ORIGINAL APPOINTMENTS

SEC. 8. (a) Original appointments, whether permanent or temporary, may be made in all grades up to and including captain.

(b) Each person receiving an original appointment shall be placed on the lineal list in a position commensurate with his age, education, experience, and other qualifications, in accoradnce with regulations prescribed by the Secretary, and shall be credited for purposes of basic pay with one and one-half years service if appointed to the grade of lieutenant (junior grade) and three years service if appointed to a higher grade. If such appointee is entitled to a greater amount of service for purposes of basic pay under other provision of law, he shall be credited with that service in lieu of the credit provided herein.

DATE OF APPOINTMENT; OATH OF OFFICE

SEC. 9. (a) An original appointment, whether permanent or temporary, otherwise meeting all provisions of law, shall be valid and effective on the date of acceptance thereof.

(b) Any appointment subsequent to an original appointment, whether permanent or temporary, shall be considered to have been accepted on the date such appointment is made unless expressly declined by the officer.

(c) Any officer who has served continuously in the Administration since he subscribed to the oath of office set forth in section 3331 of title 5, United States Code, is not required to take a new oath for any subsequent appointment as an officer unless, in the opinion of the Secretary, it is required in the public interest.

PROMOTION

PERMANENT PROMOTION

SEC. 10. Permanent promotion to any grade up to and including captain shall be made by selection from officers holding permanent appointments in the next lower grade, upon recommendation of the Officer Personnel Board. Permanent promotion to any grade above captain shall be made by selection from officers holding permanent appointments in the next lower grade under such regulations as the Secretary shall prescribe.

SEC. 11. (a) Whenever a vacancy exists in any grade it shall be construed to exist at that or any lower grade, and it may be filled by permanent appointment.

(b) Without regard to vacancies, each officer who is fully qualified, as determined by the Secretary, may be given a permanent promotion upon completion of the following years of active service:

Promotion to:	*Years*
Lieutenant (junior grade)	3
Lieutenant	7
Lieutenant commander	14
Commander	21
Captain	28

Each promotion based on such length of service shall be construed to fill a vacancy at a higher grade if a vacancy exists. In the event no such vacancy exists, the promotion shall constitute an extra number in the grade to which appointed; however, the creation of such extra number shall not constitute an increase in the authorized number established under section 3(b).

TEMPORARY PROMOTION

SEC. 12. (a) Temporary promotion to any grade up to and including captain shall, except as provided in section 34, be made by selection from officers holding permanent appointments in the next lower grade upon recommendation of the Officer Personnel Board. Temporary promotions to any grade above captain shall be made by selection from officers holding permanent appointments in the next lower grade under such regulations as the Secretary shall prescribe.

(b) Any qualified ensign may be given a temporary promotion to the grade of lieutenant (junior grade) whenever a vacancy exists in that or a higher grade.

(c) Any qualified officer may be given a temporary promotion to the next higher grade, but not in excess of rear admiral (lower half), providing such temporary promotion is commensurate with assigned duties. Such temporary promotion shall terminate upon transfer of the officer to a new assignment, or upon permanent promotion to the same grade, whichever occurs first. The number of temporary promotions to the grade of rear admiral (lower half) authorized by this subsection may not exceed 0.25 per centum of the authorized number of officers established by the Secretary under section 3(b). However, when deemed desirable by the Secretary, additional officers may be given temporary promotions to the grade of rear admiral in lieu of permanent promotions to fill vacancies authorized under section 3(c).

LENGTH OF SERVICE FOR PROMOTION AND PRECEDENCE

SEC. 13. (a) For purposes of promotion and precedence each officer shall be assumed to have at least the same length of service as any officer below him on the lineal list, except that an officer whose position on the lineal list has been lowered by administrative action shall be assumed to have no greater service than the officer next above him in his new position on the lineal list.

(b) For purposes of promotion and precedence each officer shall be credited with active service as a deck officer or junior engineer in addition to active commissioned service and service credited under section 8(b).

SEC. 14. (a) Each officer shall be given a date of rank, in accordance with regulations to be prescribed by the Secretary, based on the provisions of section 13.

(b) Officers of the Administration within each grade shall take precedence among each other in accordance with their date of rank. Officers of the Administration serving with military departments shall rank with and after officers of such departments of corresponding grade and date of rank.

REVOCATION, SEPARATION, RETIREMENT

REVOCATION

SEC. 15. The Secretary, under such regulations as he may prescribe, may revoke the commission of any officer during his first three years of service as a commissioned officer in the Administration if he is found not qualified for the service.

SEPARATION FOR FAILURE OF PROMOTION

SEC. 16. (a) Each officer serving under a permanent appointment in any grade below captain who has more than three years of commissioned service in the Administration and who has twice failed of selection for permanent promotion to the next higher grade shall be removed from active duty in the following manner.

(1) Each officer in the grade of ensign, lieutenant (junior grade), or lieutenant shall be honorably discharged unless on the date specified for his discharge under this section he is eligible for retirement under any law, in which case he shall be retired on that date.

(2) Each officer in the grade of lieutenant commander or commander shall be retired if eligible for retirement under any law. If not eligible for retirement such officer shall be retained on active duty and retired upon completion of twenty years of active service, unless earlier removed under another provision of law.

(b) Each officer to be discharged under subsection (a) shall be separated from the service on the first day of the sixth month following the date of approval of such separation, or sooner, if requested by the officer and found to be in the best interest of the administration, and shall be paid a lump-sum severance payment computed by multiplying his years of active service (as defined in section 30), but not more than twelve, by two months' basic pay of the grade in which he is serving on the date of his discharge. However, no person is entitled to a severance payment under this section that is more than $15,000. A fractional year of six months or more shall be considered a full year in computing the number of years of service upon which to base such severance payment, and a fractional year of less than six months shall be disregarded. If a person separated under this section receives any subsequent retirement benefits from the United States that are based on the same years of service, there shall be deducted from each of his retirement payments so much thereof as is based on the service for which he has received payment under this section until the total amount deducted equals the amount of the severance payment.

(c) Each officer to be retired under subsection (a) shall, if eligible, be retired on the first day of the sixth month following the date of approval of such retirement, or sooner if requested by the officer and found to be in the interest of the administration. An officer retained on active duty under subsection (a) may, if he so requests, with the approval of the Secretary, be separated from the service at any time prior to his retirement and be paid the lump-sum severance payment authorized in subsection (b).

SEPARATION FOR CAUSE

SEC. 17. (a) The Secretary may at any time convene a board of officers to review the record of any officer to determine whether he shall be required to show cause for his retention on active duty—

(1) because his performance of duty has fallen below the standards prescribed by the Secretary, or

(2) because of moral dereliction, professional dereliction, or because his retention is not clearly consistent with the interests of national security.

(b) Boards of inquiry shall be convened as the Secretary may prescribe to receive evidence and make findings and recommendations whether an officer who is required to show cause for retention under subsection (a) should be retained on active duty.

(1) A fair and impartial hearing before a board of inquiry shall be given to each officer so required to show cause for retention.

(2) If a board of inquiry determines that the officer has failed to establish that he should be retained, it shall send the records of its proceedings to a board of review.

(3) If a board of inquiry determines that the officer has established that he should be retained, his case is closed. However, at any time after one year from the date of the determination in a case arising under clause (1) of subsection (a), and at any time after the date of the determination in a case arising under clause (2) of that subsection, an officer may again be required to show cause for retention.

(c) Boards of review shall be convened as the Secretary may prescribe to review the records of cases of officers recommended by boards of inquiry for removal.

(1) If, after reviewing the record of the case, a board of review determines that the officer has failed to establish that he should be retained, it shall send its recommendation to the Secretary for his action.

(2) If, after reviewing the record of the case, a board of review determines that the officer has established that he should be retained on active duty, his case is closed. However, at any time after one year from the date of the determination in a case arising under clause (1) of subsection (a) and at any time after the date of the determination in a case arising under clause (2) of that subsection, an officer may again be required to show cause for retention.

(d) A board convened under this section shall consist of at least three officers of the grade of commander or above, all of whom are senior to any officer considered by the board. No officer may be a member of more than one board convened under this section to consider the same officer.

(e) Each officer under consideration for removal under this section shall be—

(1) notified in writing at least thirty days before the hearing of the case by a board of inquiry of the reasons for which the officer is being required to show cause for retention;

(2) allowed reasonable time, as determined by the board of inquiry under regulations of the Secretary, to prepare his defense;

(3) allowed to appear in person and by counsel at proceedings before a board of inquiry; and

(4) allowed full access to, and furnished copies of, records relevant to the case at all stages of the proceeding, except that a board shall withhold any records that the Secretary determines should be withheld in the interests of national security. In any case where any records are withheld under this clause, the officer whose case is under consideration shall, to the extent that the national security permits, be furnished a summary of the records so withheld.

(f) The Secretary may remove an officer from active duty if his removal is recommended by a board of review under this section. The Secretary's action in such a case is final and conclusive.

(1) At any time during proceedings under subsections (b) or (c), and before the removal of an officer, the Secretary may grant a request—

(A) for voluntary retirement, if the officer is otherwise qualified therefor; or

(B) for honorable discharge with severance benefits in those cases arising under clause (1) of subsection (a); or

(C) for discharge with severance benefits in those cases arising under clause (2) of subsection (a).

(2) Each officer removed from active duty under this section shall—

(A) if on the date of removal the officer is eligible for voluntary retirement under any law, be retired in the grade and with the pay for which he would be eligible if retired at his request; or

(B) if on that date the officer is ineligible for voluntary retirement under any law, be honorably discharged in the grade then held with severance pay computed by multiplying his years of active service (as defined in section 30), but not more than twelve, by one month's basic pay of that grade, in those cases arising under clause (1) of subsection (a); or

(C) if on that date the officer is ineligible for voluntary retirement under any law, be discharged in the grade then held with severance pay computed by multiplying his years of active service (as defined in section 30), but not more than twelve, by one month's basic pay of that grade, in those cases arising under clause (2) of subsection (a).

No person is entitled to a severance payment under this section that is more than $15,000. A fractional year of six months or more shall be considered a full year in computing the number of years of service upon which to base such retirement or severance pay, and a fractional year of less than six months shall be disregarded. If a person separated with severance pay under this section receives any subsequent retirement benefits from the United States that are based on the same years of service, there shall be deducted from each of his retirement payments so much thereof as is based on the service for which he has received payment under this section until the total amount deducted equals the amount of the severance payment.

(g) An individual, or his survivor or beneficiary, may not be paid severance pay, retired pay, or annuity otherwise creditable in connection with separation for cause under this section if such separation is based on an offense or offenses which are punishable by confinement in a penal institution for five years or more, and for which he has been convicted in a State or Federal court.

RETIREMENT AT OWN REQUEST

Sec. 18. When an officer has completed twenty years of active service, as defined in section 30(c), of which at least ten years was service as a commissioned officer, he may at any time thereafter, upon his own application, in the discretion of the President, be placed on the retired list.

RETIREMENT FOR AGE

Sec. 19. (a) When any officer holding a permanent appointment in a grade below that of rear admiral has attained the age of sixty years, he shall be placed on the retired list.

(b) When any officer holding a permanent appointment in a grade above that of captain has attained the age of sixty-two years, he shall be placed on the retired list. The President may, in his discretion, defer placing any such officer on the retired list for the length of time he deems advisable but not later than the date upon which the officer attains the age of sixty-four years.

RETIREMENT IN HIGHEST GRADE

Sec. 20. Each officer retired pursuant to any provision of law shall be placed on the retired list with the highest grade held by him while on active duty, including active duty pursuant to recall, under permanent or temporary appointment in any of the uniformed services, and he shall receive retired pay based on such highest grade: *Provided*, That, in the case of temporary appointment, his performance of duty in such highest grade has been satisfactory, as determined by the Secretary of the department or departments under whose jurisdiction the officer served, and, unless retired for disability, his length of service in such highest grade is no less than that required by the Secretary of officers retiring under permanent appointment in that grade.

RECALL TO ACTIVE DUTY

Sec. 21. (a) In time of peace any officer on the retired list who has not yet reached the age of sixty years may, with his consent, be recalled to active duty by the Secretary.

(b) In time of national emergency declared by the President or the Congress, or in time of war, any officer on the retired list may be recalled to active duty by the Secretary.

(c) Officers recalled to active duty under this section shall be counted against the authorized number of officers established under section 3(b) and may be an extra number in grade.

DETAIL OF OFFICERS

Sec. 22. The President may upon application from foreign governments or international organizations concerned, whenever in his discretion the public interest renders such a course advisable, detail officers of the Administration to assist such foreign governments or organizations in matters concerning which the Administration may be of assistance. An officer so detailed to a foreign government may, with the prior approval of the President, accept an office or position with the foreign government where acceptance of such office or position does not involve the taking of an oath of allegiance to another government. The pay, allowances, and travel expenses authorized such officers shall be borne in such manner as agreed upon by the President and the foreign government or international organization concerned, with reimbursement to the Administration authorized.

Sec. 23. The Secretary may, upon application from public or private agencies of the United States, its territories and possessions, including Government agencies of the United States or any of its political subdivisions, whenever in his discretion the public interest renders such a course advisable, detail officers of the Administration to such agencies. The pay, allowances, and travel expenses authorized such officers shall be borne in such manner as agreed upon by the Secretary and the agency concerned, with reimbursement to the Administration authorized.

Sec. 24. While an officer is detailed to another agency, or to a foreign government, or international organization as authorized by sections 22 and 23—

(1) for purposes of pay, allowances, retirement, retirement pay, and all other benefits, his service shall be considered the same as if he were serving with the Administration; and

(2) if by written agreement the detail is to extend the period for one year or longer, a vacancy shall be considered to exist in the grade of the officer detailed, or in a lower grade, during the period of detail, and the Secretary may fill it by temporary original appointment or by temporary promotion. Notwithstanding any other provision of this Act, an officer on such detail or transfer, at the discretion of the Secretary, may be returned to active duty in the Administration without regard to the authorized number of officers established under section 3(b).

TRANSFER OF OFFICERS

Sec. 25. Notwithstanding any other provision of law, the President may, within authorized strengths, transfer any commissioned officer with his consent from the Administration to, and appoint him in, any armed force.

Sec. 26. Notwithstanding any other provision of law, the President may, within authorized strengths, transfer any commissioned officer with his consent from any armed force to, and appoint him in, the Administration.

Sec. 27. An officer transferred under section 25 or 26 shall be transferred at the same grade and shall be credited with the same years of service for purposes of pay, retirement, and promotion that he was authorized prior to his transfer, and he shall be assigned precedence or relative rank in accordance therewith.

SPECIAL INSTRUCTION AND TRAINING

Sec. 28. (a) Officers may be assigned for special instruction at private or public colleges, universities, institutions or other facilities, and their expenses, including tuition fees, books, laboratory equipment and school supplies, may be defrayed by the Administration.

(b) The Secretary of Defense at the request of the Secretary of Commerce may, with or without reimbursement for the cost thereof, as agreed, receive officers of the Administration for instruction in any school or training facility, including any aviation school, maintained by a military department, and such officer shall be subject to the regulations governing such schools.

(c) The Secretary of the department under which the Coast Guard is operating, at the request of the Secretary of Commerce, may, with or without reimbursement for the cost thereof, as agreed, receive officers of the Administration for instruction in any school or training facility maintained by the Coast Guard, and such officers shall be subject to the regulations governing such schools.

(d) Appropriations available for the pay and allowances of commissioned officers of the Administration shall be available for the pay and allowances of any such officer on active duty while attending any Federal or non-Federal educational institution or training program, and, subject to regulations of the President and to the limitation prescribed in such appropriations, for payment of his tuition, fees, and other necessary expenses incident to such attendance.

(e) Any officer whose tuition and fees are paid pursuant to subsection (a), (b), or (c) while attending an educational institution or training program for a period in excess of thirty days shall be obligated to reimburse the Administration for such tuition and fees if thereafter he voluntarily leaves the Administration within whichever of the following periods of active service is the greater: (1) six months, or (2) twice the period of such attendance, but in no event more than four years. Such subsequent period of service shall commence upon the cessation of such attendance and of any further continuous period of training duty for which no tuition and fees are paid by the Administration and which is part of the officer's prescribed formal training program, whether such further training is at an Administration facility or otherwise. The Secretary may waive, in whole or in part, any reimbursement which may be required by this subsection upon a determination that such reimbursement would be inequitable or would not be in the public interest.

ACTIVE DUTY: PAY AND ACTIVE SERVICE CREDIT

Sec. 29. (a) Except as otherwise provided by law, officers of the Administration shall receive the same active-duty pay and allowances as prescribed for officers of the Navy. Such active-duty compensation shall begin to accrue to an officer on the effective date of his original appointment or promotion, or as otherwise provided by law.

(b) For purposes of active-duty pay and allowances, active service shall include active service in a uniformed service, active service as a deck officer or junior engineer in the Administration, prior active service as a deck officer or junior engineer in the Coast and Geodetic Survey, and such service as is credited an officer at the time of his original appointment under section 8 which does not duplicate other creditable service.

RETIREMENT: PAY AND ACTIVE SERVICE CREDIT

Sec. 30. (a) Except as otherwise provided by law, all laws relating to the retirement of officers of the Navy shall apply to officers of the Administration, and officers of the Administration shall receive the same retirement pay and benefits as prescribed for officers of the Navy.

(b) Except as otherwise provide by law, each commissioned officer on the retired list shall receive retired pay at the rate of 2½ per centum of the basic pay of the grade in which retired, multiplied by the number of years of service that may be credited to him under section 1405 to title 10, United States Code, as if his service were service as a member of the armed forces, not to exceed a total of 75 per centum of said basic pay. A fractional year of six months or more shall be considered a full year in computing the number of years of service by which the rate of 2½ per centum is multiplied.

(c) For purposes of retirement, retirement pay, and severance pay, active service shall include active service in a uniformed service, active service as a deck officer or junior engineer in the Coast and Geodetic Survey.

UNIFORM

Sec. 31. (a) The President may prescribe the uniform of the Environmental Science

Service Administration Commission Officer Corps.

(b) The provisions of law relating to the protection of the uniform of the armed forces shall apply to the protection of the uniform of the Commissioned Officer Corps of the Administration.

(c) Any officer who has served honorably during a war shall, when not in active service, whether or not on the retired list, be entitled to bear the official title and upon occasions of ceremony to wear the uniform of the highest grade held by him.

(d) Any officer on the retired list shall be entitled to wear the uniform of his grade in accordance with regulations prescribed by the Secretary.

AWARDS AND DECORATIONS

SEC. 32. The President may prescribe the conditions under which officers may be awarded campaign ribbons and other decorations and medals of the armed forces.

RIGHTS AND BENEFITS

SEC. 33. Active service of officers of the Administration shall be deemed to be active military service in the armed forces of the United States for the purpose of all rights, privileges, immunities, and benefits now or hereafter provided by—

(1) laws administered by the Veterans' Administration;

(2) laws administered by the Interstate Commerce Commission;

(3) the Soldiers' and Sailors' Civil Relief Act of 1940, as amended; and

(4) laws administered by and regulations of the Civil Service Commission.

In the administration of these laws and regulations, with respect to the Environmental Science Services Administration, the authority vested in the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force and their respective departments shall be exercised by the Secretary of Commerce.

COOPERATION WITH ARMED FORCES

SEC. 34. (a) The Secretary is authorized at any time to detail officers of the Administration to any of the armed forces, to serve therewith for such time and under such conditions as are mutually agreeable to the Secretaries concerned. Expenses connected therewith shall be defrayed in such manner as agreed upon by the Secretaries concerned, with reimbursement to the Administration authorized.

(b) The President is authorized, in time of war or national emergency declared by the Congress or the President, to make the Commissioned Officer Corps an armed force.

(c) The President is authorized, in time of war or national emergency declared by the Congress or the President, to transfer to the service and jurisdiction of military departments such vessels, equipment, stations, and officers of the Administration as he may deem to be in the best interests of the country.

(1) Subsequent to such transfer all expenses connected therewith shall be defrayed out of the appropriations for the department to which the transfer is made;

(2) Vessels, equipment, stations, and officers shall be returned to the Administration when such national emergency ceases, in the opinion of the President, and nothing in this section shall be construed as transferring the Administration or any part of its functions from the Department of Commerce except in time of national emergency and to the extent herein provided;

(3) Any of the officers of the Administration who may be transferred as provided in this subsection shall, while under the jurisdiction of a military department, be subject to the laws, regulations, and orders for the government of the department to which transferred; and

(4) No officer of the Administration may be dismissed or separated while serving under the jurisdiction of a military department pursuant to this subsection except after approval by the Secretaries concerned.

(d) The Secretary of Defense and the Secretary of Commerce shall jointly prescribe regulations governing the duties to be performed by the Administration in time of war or national emergency, and for the cooperation of that service with the military departments in time of peace in preparation for its duties in war, which regulations shall not be effective unless approved by each of those Secretaries, and included therein may be rules and regulations for making reports and communications between a military department and the Administration.

(e) While serving with any of the armed forces under the provisions of this section, either by transfer or by detail, or during such time as the Commissioned Officer Corps is designated an armed force, officers shall have proper military status and shall be subject to the Uniform Code of Military Justice under such jurisdictional arrangements as the Secretaries concerned shall mutually prescribe.

(f) In time of national emergency declared by the President or by the Congress—

(1) the President is authorized, in his discretion, to suspend the operation of all or any part or parts of the several provisions of law pertaining to original appointment, promotion, retirement, and separation of officers; and

(2) officers of the Administration shall be subject in like manner and to the same extent as officers of the Navy to all laws authorizing temporary appointment or advancement, subject to the following limitations:

(A) Officers in the service of a military department under the provisions of subsection (c) may, upon the recommendation of the Secretary of the military department concerned, be temporarily promoted to higher ranks or grades.

(B) Officers in the service of the Administration may be temporarily promoted to fill vacancies in ranks and grades caused by the transfer of officers to the service and jurisdiction of a military department under the provisions of subsection (c).

(C) Temporary appointments may be made in all grades to which original appointments in the Administration are authorized. However, the number of officers holding temporary appointments under this section shall not exceed the number of officers transferred to a military department under the provisions of subsection (c).

MISCELLANEOUS PROVISIONS

SETTLEMENT OF CLAIMS

SEC. 35. The Secretary may consider, ascertain, adjust, determine, and dispose of, either by full or partial allowance or disallowance, claims of officers against the United States under the same authority and within the same limits that a Secretary of a military department may settle claims of officers under his jurisdiction.

INDEBTEDNESS TO THE UNITED STATES

SEC. 36. Pay of officers may be withheld under section 5512 of title 5, United States Code, on account of an indebtedness to the United States admitted or shown by the judgment of a court, but not otherwise unless upon a special order issued according to the discretion of the Secretary.

ADMINISTRATION OF OATHS

SEC. 37. (a) Commanding officers of ships and such other officers as the Secretary designates may, pursuant to regulations prescribed by the Secretary, exercise the general powers of a notary public in the administration of oaths for the following purposes:

(1) execution, acknowledgment, and attestation of instruments and papers, oaths in connection with appointments, and all other notarial acts in connection with the proper execution of Administration functions;

(2) execution, acknowledgment, and attestation of instruments and papers and all other notarial acts outside the contiguous forty-eight States and the District of Columbia; and

(3) execution, acknowledgment, and attestation of instruments and papers, and all other notarial acts in time of war or national emergency.

(b) No fee of any kind shall be paid to any officer for the performance of any notarial act authorized by (a). The signature without seal together with indication of grade of any officer performing any notarial act shall be prima facie evidence of his authority.

PURCHASE OF SUPPLIES, STORES, UNIFORMS

SEC. 38. (a) Commissioned officers, ships' officers, and members of crews of vessels of the Administration shall be permitted to purchase commissary and quartermaster supplies as far as available from the armed forces at the prices charged officers and enlisted men of those services.

(b) The Secretary may purchase ration supplies for messes, stores, uniforms, accouterments, and related equipment for sale aboard ship and shore stations of the Administration to members of the uniformed services and to personnel assigned to such ships or shore stations. Sales shall be in accordance with regulations to be prescribed by the Secretary, and proceeds therefrom shall, as far as is practicable, fully reimburse the appropriations charged without regard to fiscal year.

EMERGENCY ASSISTANT TO OTHERS

SEC. 39. The Secretary may furnish clothing, subsistence, and medical supplies for emergency use to distressed persons in remote localities and to shipwrecked persons, and, under regulations prescribed by him, officers who have donated personal belongings for such purposes may be reimbursed. The Secretary may exercise this authority in addition to any other authority provided by law.

COMPENSATORY ABSENCE FROM DUTY

SEC. 40. The Secretary may, in accordance with regulations prescribed by him, grant compensatory absence from duty to officers serving at remote localities when conditions of duty result in confinement because of isolation or in long periods of continuous duty.

HIRING OF QUARTERS FOR OFFICERS

SEC. 41. Where sufficient quarters are not possessed by the United States, the Secretary may hire quarters for officers, and civilian employees, as he deems necessary in the interest of the Administration. Payment received from persons quartered therein shall reimburse the appropriation charge. Such accommodations shall not be available for occupancy by the dependents of such personnel.

PROCUREMENT OF OFFICERS

SEC. 42. The Secretary may make expenditures as necessary, including advertising, in order to obtain officer candidates.

AUTHORITY OF SECRETARY

SEC. 43. The Secretary is authorized to prescribe such regulations as he deems advisable to implement the provisions of this Act and any other provisions of law that govern the administration of the Commissioned Officer Corps. Whenever practicable, such regulations shall be uniform with regulations of the armed forces.

SAVINGS CLAUSE

SEC. 44. (a) All statutes that applied to commissioned officers of the Coast and Geodetic Survey on July 12, 1965, shall apply to officers of the Environmental Science Services Administration on that date and subsequent thereto, unless amended or repealed, and service as a commissioned officer in the Coast and Geodetic Survey shall constitute service as a commissioned officer in the Environmental Science Services Administration.

(b) The enactment of this Act does not increase or decrease the pay or allowances of any person.

(c) A reference to a law replaced by this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provisions enacted by this Act.

(d) An order, rule, or regulation in effect under a law replaced by this Act, continues in effect under the corresponding provisions enacted by this Act until repealed, amended, or suspended.

(e) An action taken or an offense committed under a law replaced by this Act is deemed to have been taken or committed under the corresponding provisions enacted by this Act.

(f) An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of the caption or catchline thereof.

(g) If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of act and the application of such provision to other persons or circumstances shall not be affected thereby.

AMENDMENTS

SEC. 45. Section 4(d) of Reorganization Plan Number 2 of 1965 is amended to read as follows:

"(d) Any principal constituent organizational entity of the Administration may, if the Secretary so elects, be headed by a commissioned officer of the Administration, who shall be designated by the Secretary. Such designation of an officer shall create a vacancy on the active list and while serving under this paragraph the officer shall have grade, pay, and allowances not exceeding those of a rear admiral (upper half)."

SEC. 46. Title 5, United States Code, is amended as follows:

(1) Section 4101(2) is amended to read:

"(2) 'employee', subject to section 4102 of this title, means an individual employed in or under an agency;"

(2) Section 4102(a)(1)(C) is amended to read:

"(C) an individual who is a member of a uniformed service during a period in which he is entitled to pay under section 204 of title 37."

(3) Section 4109(a)(2)(A) is amended to read:

"(A) travel and per diem instead of subsistence under subchapter I of chapter 57 of this title;".

(4) Section 4109(a)(2)(B) is amended to read:

"(B) transportation of immediate family, household goods and personal effects, packing, crating, temporarily storing, draying, and unpacking under section 5724 of this title when the estimated costs of transportation and related services are less than the estimated aggregate per diem payments for the period of training;".

SEC. 47. Title 18, United States Code, is amended as follows:

(1) The catchline of section 702 and the corresponding item in the analysis are each amended by striking out "armed forces and Public Health Service" and inserting in place thereof "uniformed services".

(2) The text of section 702 is amended by striking out "armed forces of the United States, Public Health Service" and inserting in place thereof "uniformed services as defined in section 101(3) of title 37".

SEC. 48. Title 37, United States Code, is amended by adding a new subsection (f), to section 415 to read as follows:

"(f) An initial allowance of not more than $200 for uniforms and equipment may be paid to each commissioned officer of the Environmental Science Services Administration who is serving on active duty. An officer is not entitled to more than one allowance under this subsection."

SEC. 49. (a) Title 38, United States Code, is amended as follows:

(1) Section 101(21)(C) of such title 38 is amended by inserting the words "the Environmental Science Services Administration or its predecessor organization" after "officer of" in the first line.

(2) Section 101(25)(F) of such title 38 is amended by inserting "the Environmental Science Services Administration or its predecessor organization" after "concerning".

(3) Section 3105 of such title 38 is amended by striking "Coast and Geodetic Survey" and substituting "Environmental Science Services Administration".

(b) The effective date of an award by the Veterans' Administration of disability compensation or dependency and indemnity compensation arising from an injury or death occurring prior to enactment of this Act and based on a claim filed by an individual who first became eligible for veteran's benefits by reason of the amendments made by the foregoing subsections shall be the date following the date of his discharge or release, or the first day of the month in which death occurred: *Provided*, That application therefor is filed within six months after the effective date of this Act.

SEC. 50. (a) Section 216 of title II of the National Housing Act, as amended, is amended to read as follows:

"WAIVER OF OCCUPANCY REQUIREMENTS FOR SERVICEMEN

"SEC. 216. The Secretary is hereby authorized to insure any mortgage otherwise eligible for insurance under any of the provisions of this Act without regard to any requirement that the mortgagor be the occupant of the property at the time of insurance, where the Secretary is satisfied that the inability of the mortgagor to occupy the property is by reason of his entry on active duty in a uniformed service subsequent to the filing of an application for insurance and the mortgagor expresses an intent to occupy the property upon his release from active duty."

(b) Section 222 of title II of the National Housing Act, as amended, is amended to read as follows:

"MORTGAGE INSURANCE FOR SERVICEMEN

"SEC. 222. (a) The purpose of this section is to aid in the provision of housing accommodations for servicemen in the armed forces of the United States and their families, servicemen in the United States Coast Guard and their families, and servicemen in the United States Environmental Science Services Administration and their families by supplementing the insurance of mortgages under section 203 of this title with a system of mortgage insurance specially designed to assist the financing required for the construction or purchase of dwellings by those persons. As used in this section, a 'serviceman' means a person to whom the Secretary of Defense (or any officer or employee designated by him), the Secretary of Transportation (or any officer or employee designated by him) or the Secretary of Commerce (or any officer or employee designated by him), as the case may be, has issued a certificate hereunder indicating that such person requires housing, is serving on active duty in the armed forces of the United States, in the United States Coast Guard or in the United States Environmental Science Services Administration and has served on active duty for more than two years, but a certificate shall not be issued hereunder to any person ordered to active duty for training purposes only. The Secretary of Defense, the Secretary of Transportation, and the Secretary of Commerce, respectively, are authorized to prescribe rules and regulations governing the issuance of such certificates and may withhold issuance of more than one such certificate to a serviceman whenever in his discretion issuance is not justified due to circumstances resulting from military assignment, or, in the case of the United States Coast Guard or the United States Environmental Science Services Administration, other assignment.

"(b) To be eligible for insurance under this section a mortgage shall—

"(1) meet the requirements of section 203(b), 203(i), or 221(d)(2), except as such requirements are modified by this section;

"(2) involve a principal obligation (including such initial service charges, appraisal, inspection, and other fees as the Secretary shall approve) in an amount not to exceed $30,000, except that in the case of a mortgage meeting the requirements of section 203(i) or section 221(d)(2) such principal obligation shall not exceed the maximum limits prescribed for such section;

"(3) have a principal obligation not in excess of the sum of (i) 97 per centum of $15,000 of the appraised value of the property as of the date the mortgage is accepted for insurance, (ii) 90 per centum of such value in excess of $15,000 but not in excess of $20,000, and (iii) 85 per centum of such value in excess of $20,000; and

"(4) be executed by a mortgager who at the time of application for insurance is certified as a 'serviceman' and who at the time of insurance is the owner of the property and either occupies the property or certifies that his failure to do so is the result of his military assignment, or, in the case of the United States Coast Guard or the United States Environmental Science Services Administration, other assignment.

"(c) The Secretary may prescribe the manner in which a mortgage may be accepted for insurance under this section. Premiums fixed by the Secretary under section 203 with respect to, or payable during, the period of ownership by a serviceman of the property involved shall not be payable by the mortgagee but shall be paid not less frequently than once each year, upon request of the Secretary to the Secretary of Defense, the Secretary of Transportation, or the Secretary of Commerce, as the case may be, from the respective appropriations available for pay and allowances of persons eligible for mortgage insurance under this section. As used herein, 'the period of ownership by a serviceman' means the period, for which premiums are fixed, prior to the date that the Secretary of Defense (or any officer or employee or other person designated by him), the Secretary of Transportation (or any officer or employee or other person designated by him), or the Secretary of Commerce (or any officer or employee or other person designated by him), as the case may be, furnishes the Secretary with a certification that such ownership (as defined by the Secretary) has terminated.

"(d) Any mortgagee under a mortgage insured under this section is entitled to the benefits of the insurance as provided in section 204(a) with respect to mortgages insured under section 203.

"(e) The provisions of subsections (b), (c), (d), (e), (f), (g), (h), (j), and (k) of section 204 shall apply to mortgages insured under this section, except that as applied to those mortgages (1) all references to the 'Fund', or 'Mutual Mortgage Insurance Fund', shall refer to the 'General Insurance Fund', and (2) all references to 'section 203' shall refer to this section."

REPEALS

SEC 51. (a) The laws specified in the following schedule are repealed except with respect to rights and duties that matured, penalties that were incurred, and proceedings that were begun before the effective date of this Act.

(b) The repeal of a law by this Act shall not be construed as a legislative inference that the provision was or was not in effect before its repeal.

STATUTES AT LARGE

Date	Chapter	Section	Volume	Page
1917				
May 22	20	16	40	88
1920				
May 18	190	11	41	603
June 4	228	1 (first full paragraph)	41	825
June 5	235	1 (first proviso under "Pay, commissioned officers").	41	929
1929				
Feb. 16	221	5	45	1187
1936				
Mar. 18	147	1	49	1164
1942				
Jan. 19	6	2(b) (the last proviso)	56	6
Do	6	8	56	8
Do	6	10	56	8
Dec. 3	670	1	56	1038
Do	670	3	56	1039
1947				
July 22	286	1	61	400
1948				
June 3	390	1	62	297
Do	390	2	62	297
Do	390	3	62	298
Do	390	4	62	298
Do	390	5	62	298
Do	390	6	62	298
Do	390	7	62	298
Do	390	8	62	298
Do	390	9	62	299
Do	390	10	62	299
Do	390	11	62	299
Do	390	12	62	299
Do	390	13	62	299
Do	390	16(a)	62	299
Do	390	17	62	300
Do	390	18	62	300
Do	390	19	62	300
Do	390	20(a)	62	300
Do	390	20(b)	62	300
1955				
June 21	172	2(a)	69	169
Do	172	2(b)	69	169
Do	172	3(a)	69	169
Do	172	3(b)	69	169
Do	172	4(a)	69	169
Do	172	4(b)	69	170
1956				
Apg. 1	837	V 501(d)(1)	70	883
Aug. 3	932	1	70	988
Do	932	2	70	988
1958				
May 20	Public Law 85-422	11(c)	72	132
1960				
June 30	Public Law 86-554	1 and 2	74	258
July 12	Public Law 86-624	24	74	418
1961				
Sept. 14	Public Law 87-233	1(a)	75	506
Do	do	1(b)	75	506
Do	do	1(c)	75	506
Do	do	1(d)	75	506
Do	do	1(e)	75	506
Do	do	1(f)	75	506
Do	do	1(h)	75	506
1962				
Sept. 7	Public Law 87-649	9(b)(1)	76	495
Do	do	9(b)(2)	76	495
Do	do	9(c)	76	496
1966				
Oct. 14	Public Law 89-657	1(1)	80	907
Do	do	1(2)	80	907
Do	do	2	80	907
Do	do	3	80	907

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1323), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

S. 2960 would provide in one comprehensive act all of the basic statutory authorities that relate uniquely to the Commissioned Officer Corps of the Environmental Science Services Administration (ESSA). Included therein are authority for the existence of the corps, authority covering the appointment, promotion, separation, and retirement of its commissioned officers, and general authority for the management and utilization of the corps.

BACKGROUND OF THE LEGISLATION

The basic statutory authority under which the Commissioned Officer Corps is now operating is the Coast and Geodetic Survey Commissioned Officer's Act of 1948, as amended.

In 1965 the Coast and Geodetic Survey was consolidated with the Weather Bureau and the Central Radio Propagation Laboratory of the National Bureau of Standards by virtue of Reorganization Plan No. 2 and subsequent action by the Secretary of Commerce.

In his message transmitting the plan to Congress, the President stated:

"Commissioned officers of the Coast and Geodetic Survey will become commissioned officers of the Administration (ESSA) and may serve at the discretion of the Secretary of Commerce throughout the Administration."

Pursuant to this expanded role of the Commissioned Officer Corps, the Secretary of Commerce appointed an advisory committee[1] of distinguished and knowledgeable citizens outside the Department of Commerce to conduct a study of the Commissioned Officer Corps and to make recommendations regarding its function within ESSA, its training and educational needs, career planning guidelines, and the development and effective utilization of the Corps' capabilities.

After a comprehensive study the advisory committee concluded that a commissioned officer corps offers the best mechanism for increasing the effectiveness of ESSA in meeting certain of its worldwide responsibilities in the environmental sciences.

The advisory committee also concluded that existing legislation does not clearly define the establishment, responsibilities, duties, procedures, and benefits of the Commissioned Officer Corps, and it made specific recommendations for legislation therefor.

It was determined that legislation to be proposed should be comprehensive and should include the updating of old legislation as well as the initiation of new legislation. Accordingly, a search of the United States Code was conducted by the Air Force utilizing their LITE (legal information through electronics) system to aid in the identification of pertinent statutes for inclusion in the bill.

The Environmental Science Service Administration Commissioned Officer Corps Act of 1968, as proposed by this bill, provides a comprehensive statutory framework for the future operation and management of the corps.

* * * * *

SECTION-BY-SECTION ANALYSIS OF THE BILL

Short title

Section 1 states the name of the act.

Definitions

Section 2 assimilates definitions of title 10, United States Code, to this act. Definitions listed in the section are intended to supplement or be substituted for the definitions in title 10.

Authorization for the corps

Section 3 essentially restates existing law that provides for the number of officers in the corps in each of the various grades. New authority is added providing for 0.75 percent of the corps to be in the grade of rear admiral. In addition, new authority would permit the Secretary of Commerce to establish the size of the corps. Present authority relating to the size of the corps is found only in annual appropriation acts.

The Commissioned Officer Corps dates back to the act of May 22, 1917, "An act to temporarily increase the commissioned and warrant and enlisted strength of the Navy and the Marine Corps, and for other purposes." That act authorized the transfer of personnel and equipment to the service and jurisdiction of military departments during periods of national emergency. It provided that personnel transferred would have "proper military status." It also provided that "field officers of the Coast and Geodetic Survey" would become commissioned officers and would have ranks relative to officers of the military departments. Public Law 402 of the 77th Congress, which was enacted on January 19, 1942, to regulate the distribution and promotion of C. & G.S. commissioned officers referred to such officers without using the term "relative rank." The present act would combine the statutory provisions of the act of 1917, which authorized the President to commission "field officers" of the C. & G.S. and the act of 1942, which acknowledged such commissioned officers to have the same titles as Navy officers. It would specifically authorize within ESSA "a commissioned officer corps composed of commissioned officers appointed in the administration in grades authorized commissioned officers of the Navy."

---

[1] The Advisory Committee consisted of—

Dr. James H. Wakelin, Jr., board chairman of Research Analysis Corp., former Assistant Secretary of the Navy for Research and Development (chairman).

Dr. Lloyd V. Berkner, professor, Southwest Center for Advanced Studies; chairman of the board of trustees, Graduate Research Center of the Southwest; rear admiral, U.S. Navy Reserve.

Lt. General Thomas S. Moorman, Jr., Superintendent of the U.S. Air Force Academy, former Chief of the U.S. Air Force Air Weather Service.

Dr. Richard S. Morse, professor, Sloan School of Management, MIT, former Assistant Secretary of the Army for Research and Development.

Dr. Luther L. Terry, vice president for Medical Affairs, University of Pennsylvania, former Surgeon General of the U.S. Public Health Service.

Officer Personnel Board

Section 4 revises existing law by changing the composition of the Officer Personnel Board to include captains instead of commanders and to provide additional membership to civilian officials as desired by the Secretary.

Appointments

Sections 5, 6, 7, 8, and 9 essentially restate existing law. Specific changes add the requirement that an officer must be a citizen of the United States and authority for the original appointment of officers in any grade, up to and including captain, with starting pay to be determined on the basis of the newly appointed officer's qualifications. Present law restricts original appointment and limits the starting pay of such appointees to the lowest three grades. To attract experienced and qualified officers from scientific and engineering fields related to the functions of ESSA, it is desirable to have increased appointment authority provided by this act, so that it will be possible to appoint new officers to positions commensurate with their educational and professional backgrounds.

Promotions

Sections 10, 11, 12, 13, and 14 cover all aspects of promotions, including permanent promotion and temporary promotion.

Permanent promotion authority remains essentially unchanged; however, the proposed language clarifies the role of the Officer Personnel Board in the promotion of officers up through the grade of captain and specifies that permanent promotions to flag rank shall be in accordance with regulations to be prescribed by the Secretary. Temporary promotion authority is changed by removing the limitation on the number of temporary promotions authorized. Existing law provides that not more than 1½ percent of the entire corps may be given temporary promotions; this act provides that any officer, up through the grade of commander, may be given a one-grade temporary promotion when he is assigned duties of a greater responsibility than would normally be expected. (It should be noted that in Senate hearings on Public Law 87–233, a Member of Congress suggested the 1½-percent limitation represented an unwarranted restriction.) Temporary promotion to flag rank would be restricted by this act so that the total number of officers serving in flag rank, both temporary and permanent, could not exceed 1 percent of the corps' size.

Provisions relating to length of service for promotion and precedence are added for purposes of clarification; they do not represent a departure from past practices although no statutory provisions existed in the past.

Revocation, separation, and retirement

Section 15 authorizes the revocation of an officer's commission within the first 3 years regardless of his grade. Present law restricts revocation to the lowest three grades, the only grades in which original appointments are authorized.

Sections 16 and 17 cover involuntary separation of officers from active service. Section 16 prescribes that any officer who fails twice consecutively to be selected for promotion shall be "selected out." Section 17 authorizes the Secretary to remove an officer from active duty for "cause," including deficiencies in performance of duty, conduct, character, and security.

Existing legislation authorizes separation but treats all separations equally. This legislation recognizes the difference between selection out for failure of promotion and selection out for cause, and treats them in essentially the same way the Armed Forces treat them.

Sections 18, 19, and 20 cover retirement of officers. No change is made with respect to 20-year voluntary (permissive) retirement or mandatory retirement for age except for clarifying language. Retirement in the highest grade satisfactorily held, whether permanent or temporary, is authorized in the new legislation as it is for the Armed Forces.

Recall to active duty

Section 21 authorizes recall to active duty of officers who have retired. In the past, recall has been accomplished by virtue of general authority which assimilates retirement of ESSA officers to laws of the Navy. The proposed legislation is specific and it clarifies authority pertaining to ESSA officers.

Detail of officers

Sections 22, 23, and 24 authorize the detailing of ESSA officers to foreign governments, international organizations, and private and public agencies within the United States. The present detailing of officers to such assignments is not specifically authorized by law and is accomplished by virtue of general authority to engage in cooperative operations. This legislation is specific and clarifies the authority. It also would serve to protect the rights of officers assigned or detailed to other organizations.

Transfer of officers

Sections 25, 26, and 27 permit the permanent voluntary transfer of officers between military departments and ESSA when it is advantageous to the Government.

Special instruction and training

Section 28 provides increased benefits to ESSA by authorizing attendance of ESSA officers in any school, institution, or facility which is deemed best suited to provide the proper instruction. Authority of the proposed legislation exceeds that of title 5 which presently applies. It is similar to the broad authority available to the members of the Armed Forces.

Pay and active service credit

Section 29 assimilates active duty pay and allowances of ESSA officers to Navy pay and allowances. Section 30 assimilates retirement pay and benefits of ESSA officers to retirement pay and benefits of Navy officers.

Uniform

Section 31 provides authority for the President to prescribe the ESSA uniform. ESSA officers presently wear the uniform formerly worn by C. & G.S. officers, which was never specifically authorized by law.

Awards and decorations

Section 32 provides authority for the President to prescribe conditions under which ESSA officers can be given awards and decorations. It is deemed appropriate ESSA officers serving under the same conditions and in the same areas should be entitled to wear the same decorations as the Armed Forces. This legislation would provide that authority.

Rights and benefits

Section 33 would place ESSA officers on a parity with officers of the Armed Forces in regard to certain laws and regulations. Over the years special rights and benefits have been awarded by statute to members of the Armed Forces to compensate them for specific losses or deprivations that result from their service. Such benefits are provided to solve specific problems that arise due to being in and conforming to the requirements of service. Many of those problems apply equally to officers of ESSA, and it is deemed appropriate that relief from such problems be provided to them. This legislation would continue to provide equal treatment under laws of the Veterans' Administration, and, in addition, it would provide equal treatment with respect to the Soldiers' and Sailors' Civil Relief Act, laws administered by the Interstate Commerce Commission, and laws administered by and regulations of the Civil Service Commission.

Cooperation with the Armed Forces

Section 34 is intended to clarify the role of the ESSA Commissioned Officers Corps with respect to the Armed Forces both in peacetime and in periods of national emergency. Many functions of the C. & G.S. and its successor organization, ESSA, are closely related to functions of the Armed Forces. Army and Navy officers served on active duty with the C. & G.S. for many years. A statute enacted in 1832 and still in effect authorizes the President "in executing the provisions of the statutes relating to the coast survey, to * * * employ all persons in the land and naval service of the United States, and such astronomers and other persons as he shall deem proper."

For the same reasons that military officers were useful in the C. & G.S., ESSA officers are useful on a wide variety of military projects. Military operations depend on expertise in geodesy, nautical and aeronautical charting, photogrammetry, geomagnetism, oceanography, and the atmospheric sciences. The act of 1917 established the Commissioned Officer Corps of the C. & G.S. for the primary purpose of making available to the military departments the talent and tools of that organization during periods of national emergency. The need is just as real today.

The proposed legislation restates essentially the 1917 act, as it has been amended over the years, and, in addition, authorizes the President to make the Commissioned Officer Corps an armed force during national emergency as he deems necessary.

The proposed legislation also clarifies the application of the Uniform Code of Military Justice to ESSA officers when they are detailed or transferred to the Armed Forces.

Miscellaneous provisions

Sections 35, 37, and 39 essentially restate existing law.

Section 36 would offer ESSA officers the same protection with respect to indebtedness to the United States that is offered officers of the Armed Forces.

Section 38 restates authority for ESSA personnel to purchase from Armed Forces commissaries and quartermaster supply stores. In addition, it provides new authority for the Secretary to purchase for resale to officers of ESSA and the Armed Forces specified supplies and equipment aboard ships and at remote stations.

Section 40 would authorize the Secretary to grant compensatory absence from duty to officers whose assignments would otherwise deprive them of reasonable opportunities for rest and relaxation over extended periods.

Section 41 would authorize the Secretary to lease and provide quarters where Government quarters are not available, such as military B.O.Q.'s.

Section 42 provides specific authority for the Secretary in connection with recruiting officers.

Section 43 provides general authority for the Secretary to prescribe regulations as necessary to implement the provisions of this act.

Savings clause

Section 44 is intended to protect ESSA and its commissioned officers during the transition from existing statutes to this new legislation.

Amendments

Section 45 would remove the existing restriction of Reorganization Plan No. 2 of

1965 which limits to one the number of officers who can serve as heads of ESSA's principal components.

Section 46 is a conforming amendment to implement section 33(4) so that ESSA officers will receive complete parity with Armed Forces officers with respect to civil service laws and regulations.

Section 47 would provide the same protection against improper, unauthorized wearing of the ESSA uniform as is provided for improper, unauthorized wearing of uniforms of the Armed Forces and the Public Health Service.

Section 48 would authorize the payment of a uniform allowance to ESSA officers. Uniform allowances of $250 are presently paid under authority of title 5. That authority would be removed by virtue of section 33(4) which would provide ESSA officers parity with Armed Forces officers with regard to civil service laws and regulations.

Section 49 is a conforming amendment to assure continued coverage of ESSA officers under the same laws that apply to C. & G.S. officers with respect to benefits provided by the Veterans' Administration.

Section 50 provides the same coverage for ESSA officers that is now provided Armed Forces officers with regard to mortgage insurance under the National Housing Act. The "conditions of employment" of members of the Armed Forces and ESSA officers are identical with regard to their susceptibility to permanent change of station on short notice and on an involuntary basis, and the circumstances under which such officers buy and sell their homes are identical. For this reason it is appropriate that ESSA officers be provided the same housing benefits that are available to the Armed Forces.

Repeals

Section 51 is a tabulation of laws that are repealed pursuant to the enactment of the proposed legislation.

COST OF LEGISLATION

No additional cost is expected as a result of this legislation.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

LEILA F. GERRISH

The resolution (S. Res. 309) to pay a gratuity to Leila F. Gerrish was considered and agreed to, as follows:

S. Res. 309

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Leila F. Gerrish, widow of Richard E. Gerrish, an employee of the Senate at the time of his death, a sum equal to ten and one-half months' compensation at the rate he was receiving by law at the time his death, said sum to be considered inclusive of funeral expenses and all other allowances.

PROGRESS IN THE PREVENTION AND CONTROL OF AIR POLLUTION

The resolution (S. Res. 305) to print as a Senate document "Progress in the Prevention and Control of Air Pollution" was considered and agreed to, as follows:

S. Res. 305

Resolved, That there be printed as a Senate document the first report of the Secretary of Health, Education, and Welfare, entitled "Progress in the Prevention and Control of Air Pollution", in accordance with section 306, Public Law 90–148, the Air Quality Act of 1967, together with illustrations; and that there be printed two thousand five hundred additional copies of such document for the use of the Committee on Public Works.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1324), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 305 would provide that the report of the Secretary of Health, Education, and Welfare entitled "Progress in the Prevention and Control of Air Pollution," submitted to Congress in accordance with section 306, Public Law 90–148, the Air Quality Act of 1967, be printed with illustrations as a Senate document; and that there be printed 2,500 additional copies of such document for the use of the Committee on Public works.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing-cost estimate

To print as a document (1,500 copies)	$1,927.51
2,500 additional copies, at $136.15 per thousand	340.37
Total estimated cost, S. Res. 305	2,267.88

"RIOTS, CIVIL, AND CRIMINAL DISORDERS"

The resolution (S. Res. 303) authorizing the printing for the use of the Committee on Government Operations of additional copies of its hearings entitled "Riots, Civil, and Criminal Disorders" was considered and agreed to, as follows:

S. Res. 303

Resolved, That there be printed for the use of the Committee on Government Operations one thousand additional copies of part 8 of the hearings before its Permanent Subcommittee on Investigations during the Ninetieth Congress, second session, entitled "Riots, Civil and Criminal Disorders."

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1325), explaining the purpose of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Resolution 303 would authorize the printing for the use of the Committee on Government Operations of 1,000 additional copies of part 8 of the hearings before its Permanent Subcommittee on Investigations during the 90th Congress, second session, entitled "Riots, Civil and Criminal Disorders."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

1,000 additional copies	$475.20

"STATUS AND FUTURE OF SMALL BUSINESS"

The concurrent resolution (S. Con. Res. 77) authorizing the printing of additional copies of parts 1 and 2 of Senate hearings on "Status and Future of Small Business" was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed, with illustrations, for the use of the Senate Select Committee on Small Business three thousand additional copies each of parts 1 and 2 of hearings before the committee during the Ninetieth Congress, first session, entitled "Status and Future of Small Business."

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1326), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senate Concurrent Resolution 77 would authorize the printing for the use of the Senate Select Committee on Small Business of 3,000 additional copies each of parts 1 and 2 of the hearings, before the committee during the 90th Congress, first session, entitled "Status and Future of Small Business."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

Part 1:	
Back to press, first 1,000 copies	$2,260.32
2,000 additional copies, at $492.55 per thousand	985.10
Total estimated cost, part 1	3,245.42
Part 2:	
Back to press, first 1,000 copies	2,166.84
2,000 additional copies, at $447.75 per thousand	895.50
Total estimated cost, part 2	3,062.34
Total estimated cost, S. Con. Res. 77	6,307.76

NATIONAL STATUARY HALL COLLECTION

The concurrent resolution (S. Con. Res. 75) authorizing acceptance for the National Statuary Hall collection of statues of Father Damien and King Kamehameha I, presented by the State of Hawaii was considered and agreed to, as follows:

S. Con. Res. 75

Resolved by the Senate (the House of Representatives concurring), That the statues of Father Damien and King Kamehameha I, presented by the State of Hawaii for the National Statuary Hall collection, are accepted in the name of the United States, and that the appreciation of the Congress is expressed to the State for the contribution of the statues of two of its most eminent personages, illustrious for their historic renown and distinguished civic services.

Sec. 2. The State of Hawaii is hereby authorized to place temporarily in the rotunda of the Capitol the statues of Father Damien and King Kamehameha I referred to in the first section of this concurrent resolution, and to hold ceremonies in the rotunda on said occasion. The Architect of the Capitol is hereby authorized to make the necessary arrangements therefor.

Sec. 3. (a) The proceedings authorized by section 2 of this concurrent resolution to be held in the rotunda of the Capitol, together with appropriate illustrations and other pertinent matter, shall be printed as a Senate document. The copy for such document shall be prepared under the direction of the Joint Committee on Printing.

(b) There shall be printed five thousand additional copies of such document, which shall be bound in such style as the Joint Committee on Printing shall direct, of which one hundred and three copies shall be for the use of the Senate and two thousand eight hundred and fifty-eight copies, shall be for the use of the Members of the Senate from the State of Hawaii, and four hundred and thirty-nine copies shall be for the use of the House of Representatives and one thousand six hundred copies shall be for the use of the Members of the House of Representatives from the State of Hawaii.

SEC. 4. A copy of this concurrent resolution, suitably engrossed and duly authenticated, shall be transmitted to the Governor of Hawaii.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1327), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF SENATE CONCURRENT RESOLUTION 75

The first section would provide that the statutes of Father Damien and King Kamehameha I, presented by the State of Hawaii for the National Statuary Hall collection, be accepted in the name of the United States, and that the appreciation of the Congress be expressed to the State for the contribution of the statutes of two of its most eminent personages, illustrious for their historic renown and distinguished civic services.

Section 2 would authorize the State of Hawaii to place temporarily in the rotunda of the Capitol the statues of Father Damien and King Kamehameha I referred to above and to hold ceremonies in the rotunda on said occasion. The Architect of the Capitol would be authorized to make the necessary arrangements therefor.

Section 3 would provide that the proceedings held in the rotunda of the Capitol be printed, together with appropriate illustrations and other pertinent matter, as a Senate document. The copy for such document would be prepared under the direction of the Joint Committee on Printing. There would be printed 5,000 additional copies of such document, which would be bound in such style as the Joint Committee on Printing shall direct, of which 103 copies would be for the use of the Senate (one per Member) and 2,858 copies would be for the use of the Members of the Senate from the State of Hawaii (1,429 each) and 439 copies would be for the use of the House of Representatives (one per Member) and 1,600 copies would be for the use of the Members of the House of Representatives from the State of Hawaii (800 each).

Section 4 would provide that a copy of this concurrent resolution, suitably engrossed and duly authenticated, be transmitted to the Governor of Hawaii.

U.S. CAPITOL POLICE FORCE

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 785) relating to pay of U.S. Capitol Police force for duty performed in emergencies which had been reported from the Committee on Rules and Administration, with amendments, on page 1, line 2, after the word "between" strike out "the date of adoption of this resolution" and insert "May 1, 1968"; in line 5, after the word "determines" insert "(or determined)"; in line 6, after the word "exist" insert "(or existed)"; in the same line after the word "require" insert "or required)"; on page 2, line 9, after the word "compensation." insert "For the purpose of this concurrent resolution only, the"; and after the amendment above stated, strike out "The".

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1328), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 785 as referred, would provide that during the period from the date of its adoption through September 1, 1968, on any occasions that the U.S. Capitol Police Board determines that emergency overtime duty is required of officers and members of the U.S. Capitol Police Force, each such officer and member shall, in lieu of compensatory time off, be paid for such additional duty at a rate equal to what his annual compensation would be if expressed in hourly rates. Such hourly rate would be determined by dividing his annual rate of compensation by 2,080 (40 hours times 52 weeks).

The Committee on Rules and Administration has amended House Concurrent Resolution 785 (1) to make its effective date retroactive to May 1, 1968, and (2) to provide that the hourly rate formula would be effective for the purposes of this concurrent resolution only. The latter amendment was adopted to emphasize that this is an emergency measure and to preclude any possibility of its being construed as a precedent for establishing hourly rates for Senate employment or a work day or week for Senate employees.

TRIBUTE TO SENATOR ROBERT F. KENNEDY

The resolution (S. Res. 304) authorizing the printing of the tribute by Senator EDWARD M. KENNEDY to his brother, the late Senator Robert F. Kennedy, as a Senate document was considered and agreed to, as follows:

S. RES 304

Resolved, That the tribute paid by Senator Edward M. Kennedy to his brother, the late Senator Robert F. Kennedy, at Saint Patrick's Cathedral, New York City, on Saturday, June 8, 1968, be printed as a Senate document.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1329), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 304 would provide that the tribute paid by Senator Edward M. Kennedy to his brother, the late Senator Robert F. Kennedy, at Saint Patrick's Cathedral, New York City, on Saturday, June 8, be printed as a Senate document.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500 copies)	$186.17

ROBERT S. McNAMARA, CITIZEN REGENT, BOARD OF REGENTS, SMITHSONIAN INSTITUTION

The joint resolution (S.J. Res. 171) to provide for the appointment of Robert Strange McNamara as Citizen Regent of the Board of Regents of the Smithsonian Institution was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. RES. 171

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, which occurred by the death of Robert Vedder Fleming, of Washington, District of Columbia, be filled by the appointment of Robert Strange McNamara for the statutory term of six years.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1330), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Joint Resolution 171 would provide that the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, occasioned by the death of Robert Vedder Fleming, of Washington, District of Columbia, be filled by the appointment of Mr. McNamara for the statutory term of 6 years.

The Board of Regents, pursuant to 20 U.S.C. 42, is composed of the Vice President, the Chief Justice of the United States, three Members of the Senate, three Members of the House of Representatives, and six other persons other than Members of Congress. The six citizen regents, two of whom shall be residents of the District of Columbia and four of whom shall be inhabitants of some State (but no two of the same State), are appointed by joint resolution of Congress and serve 6-year terms.

EFFORTS OF THE URBAN COALITION ACTION COUNCIL FOR INCREASED ANTIPOVERTY ASSISTANCE

Mr. JAVITS. Mr. President, I call the attention of the Senate to the fact that the Honorable John W. Gardner, former Secretary of Health, Education, and Welfare and the Chairman of the Urban Coalition Action Council, has written to each Member of Congress urging approval of the $75 million supplemental for summer jobs and the $25 million summer supplemental for Headstart, which the Senate passed the day before yesterday.

It will be remembered that these two items characterize the struggle between the Senate and the House of Representatives. I deeply appreciate that the urgency which I have constantly reiterated in the Senate, and which has induced the Senate to act, is now supported by this very respected national organization on the most authoritative level.

It will be a shock indeed if we do not provide for rearrangements of our priorities at the level of $200 million, of which this represents $100 million and thus invoke all kinds of threats to domestic tranquillity which we are trying so hard to avoid in many areas of the country.

I point out that this amount of money wisely appropriated would go a long way toward answering that most irritating problems existing in the slums and ghettos of America in 1968.

I cannot tell the Senate with what gratification I have received this communication from the urban Coalition Action Council.

Mr. President, I ask unanimous consent that the letter, together with a list of the members of the Urban Coalition Action Council—probably as distinguished a list of Americans as we could find in the country—be printed at this point in the RECORD.

There being no objection, the letter and list were ordered to be printed in the RECORD, as follows:

THE URBAN COALITION
ACTION COUNCIL,
Washington, D.C., June 27, 1968.

Hon. JACOB K. JAVITS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR JAVITS: I am writing to you out of personal conviction and a deep concern for the future of our country. But also I write on the express instruction of 38 prominent Americans who form the Urban Coalition Action Council. A list of their names is attached.

We are united in the certainty that this nation is going through an unprecedented crisis—a crisis that could tear it apart.

No one has a perfect understanding of the crisis. No one knows all the answers. But there are some positive measures that we can take and it is of supreme importance that we take them promptly. We cannot allow this great nation to falter while things that can reasonably be done go undone. We must not bicker and equivocate when the nation's fate hangs in the balance.

We must act. And we must act in a constructive spirit. It is unthinkable that we would turn our backs on this nation's great tradition of positive problem-solving and retreat into fearful inaction.

We must face forward. We must do the things we can do now to solve real problems, correct real injustices, alleviate real suffering.

At this writing no group more surely holds the key to the nation's future than the Congress of the United States. Uniquely, Congress has the power to take immediate and effective action. It must not leave undone the significant things it can do.

The nation watches.

This is not just any year. This is a year of sorrow, of confusion, of explosive anger. Congress must lead, and the only path compatible with our future greatness as a nation is the path of constructive action to combat known evils—crippling poverty, inadequate housing, educational disparities, discrimination and all the conditions that blight individual lives.

There are some measures that seem to us especially critical. The proposed $75 million supplemental appropriation for summer jobs is one. Another is the $25 million supplemental for Head Start.

The Congress should create at this session a public service employment program with the funding to make it effective. It should pass the Administration's housing bill. Budget cuts should not be made in programs aimed at helping the nation's deprived with jobs, housing and education.

The men who make up the Urban Coalition Action Council represent many different segments of American life. They are realists who know the costs of programs they are asking you to support. But they know the far greater costs to the nation of unproductive human beings and decaying cities. They appreciate as you do the vast range of requirements which you must consider as you set the priorities and allocate the resources of this country. But they believe that this is a time for extraordinary measures in behalf of the nation.

Sincerely,

JOHN W. GARDNER,
Chairman.

THE URBAN COALITION ACTION COUNCIL

I. W. Abel, President, United Steelworkers of America.

Honorable Ivan Allen, Jr., Mayor of Atlanta.

Joseph H. Allen, President, McGraw-Hill Publications.

Arnold Aronson, Leadership Conference on Civil Rights, National Community Relations Advisory Council.

Roy Ash, President, Litton Industries.

Jordan Band, Chairman, National Community Relations Advisory Council.

Honorable Joseph M. Barr, Mayor of Pittsburgh.

Honorable Jerome P. Cavanagh, Mayor of Detroit.

Frederick J. Close, Chairman of the Board, ALCOA.

Honorable John F. Collins, Massachusetts Institute of Technology.

Honorable Richard J. Daley, Mayor of Chicago.

Archbishop J. F. Dearden, Archbishop of Detroit.

Dr. Arthur Flemming, President, National Council of Churches; President, University of Oregon.

Henry Ford II, Chairman, Ford Motor Company.

Honorable Milton Graham, Mayor of Phoenix.

Bishop George Guilfoyle, Diocese of Camden.

Dr. Edler G. Hawkins, St. Augustine Presbyterian Church.

Andrew Heiskell, Chairman of the Board, Time, Inc.

John H. Johnson, President, Johnson Publishing Company.

Joseph D. Keenan, Secretary, International Brotherhood of Electrical Workers.

Honorable John V. Lindsay, Mayor of New York.

George Meany, President, AFL–CIO.

J. Irwin Miller, President, Cummins Engine Company.

Honorable Arthur Naftalin, Mayor of Minneapolis.

James F. Oates, Chairman of the Board, Equitable Life Assurance Society.

Gerald L. Phillippe, Chairman of the Board, General Electric Company.

A. Philip Randolph, International Brotherhood of Sleeping Car Porters.

Walter Reuther, United Auto Workers.

David Rockefeller, President, Chase Manhattan Bank.

James Rouse, President, The Rouse Company.

Rabbi Jacob P. Rudin, President, Synagogue Council of America.

Theodore Schlesinger, President, Allied Stores Corporation.

Asa T. Spaulding, President, North Carolina Mutual Insurance Company.

David Sullivan, President, Building Service Employees International Union.

Honorable James H. J. Tate, Mayor of Philadelphia.

John Wheeler, President, Mechanics and Farmers Bank; President, Southern Regional Council.

Roy Wilkins, Executive Director, National Association for the Advancement of Colored People.

Whitney M. Young, Jr., Executive Director, National Urban League.

AUTHORIZATION TO REINSTATE A CERTAIN OIL AND GAS LEASE

Mr. ANDERSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 823.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 823) to authorize the Secretary of the Interior to reinstate oil and gas lease Las Cruces 063610, which was, on page 1, line 11, strike out all after "amended" over through and including "(e)):" in line 1, page 2, and insert "(U.S.C. 188(c)):".

Mr. ANDERSON. Mr. President, S. 823 is a private bill to authorize the Secretary of the Interior to reinstate a certain oil and gas lease in New Mexico. It passed the Senate on May 1, 1967, and the other body made a technical amendment to correct a citation. This amendment is, of course, acceptable to the author of the bill, and I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Mexico.

The motion was agreed to.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Moss in the chair). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION RECRUITS EMINENT LAW PROFESSORS AS SUMMER CONCILIATORS

Mr. JAVITS. Mr. President, I call the attention of the Senate to the fact that S. 3465, the bill to give the Equal Employment Opportunity Commission cease and desist order power remains on the Senate Calendar.

During the discussion in the Chamber the other day with the majority leader about the fact that he would not be acting upon bills which came from committees after July 9 and the fact that our calendar was bare—and we went over one day, yesterday—I called this bill to the attention of the majority leader and asked why he did not call it up since it is on the calendar. He said he would have to wait to see if the other body acts on it.

Mr. President, the fact is that 2 years ago, the other body passed a bill which would do substantially what we propose to do in this bill. This bill was reported by the Committee on Labor and Public Welfare, of which I am a member.

I call that to the attention of the Senate because I deeply believe that this bill deserves action, and there is every likelihood that it will be acted upon in the other body.

Mr. President, I am pleased to note that the Equal Employment Opportunity Commission has just added six eminent law professors from major law schools across the country as case conciliators during this summer. These six may be joined by other legal scholars whose applications are under consideration.

Since the Commission has a serious backlog in cases that remain unresolved, these six professors should be a welcome addition to the permanent staff of conciliators who are working hard to negotiate settlements with employers, unions, or employment agencies who have been charged with employment discrimination. I commend the Commission on its foresight in obtaining the services of such outstanding scholars who will undoubtedly make a significant contribution to the achievement of many more successful conciliations and a more rapid disposition of pending cases.

I would like to point out to my colleagues, however, how serious the existing situation is with regard to Commission caseload. While the law provides for the entire process of dealing with a charge of discrimination to be concluded within 60 days, the Commission has had such an unexpectedly large number of charges that the average time for handling a case has grown, too, from 16 to 18 months. This matter will be further exacerbated when the Commission's jurisdiction expands on July 2, 1968, to cover some 200,000 more employers. I therefore urge my colleagues to give favorable consideration to the administration's request for a $13.1 million budget for the Commission rather than a $6.9 million budget approved by the House. The Senate Subcommittee on Departments of State, Justice, Commerce, the Judiciary, and Related Agencies, on which I serve as a member, should soon be marking up the bill containing the appropriation request for the Commission, and I am hopeful that it will restore the $6.2 million cut made by the House. It is only in this way that we can provide the Commission with sufficient funds to reduce its awesome backlog.

Passage of title VII of the 1964 Civil Rights Act raised the expectations of millions of Americans in minority groups that employment discrimination would be eliminated, and we owe it to them to provide sufficient funds for the agency that has been created to accomplish this objective.

Mr. President, I ask unanimous consent to have printed in the Record a news release issued by the Equal Employment Opportunity Commission on these appointments.

There being no objection, the news release was ordered to be printed in the Record, as follows:

Six eminent law professors from major law schools across the country will serve this summer as case conciliators for the Equal Employment Opportunity Commission, Chairman Clifford L. Alexander, Jr., announced today. The six may be joined by other legal scholars whose applications are under consideration

The professors will supplement the Commission's permanent staff of conciliators in negotiating settlements with employers, unions, or employment agencies who have been charged with employment discrimination. EEOC administers Title VII of the 1964 Civil Rights Act, which forbids discrimination in employment on the basis of race, color, religion, sex or national origin.

One of the appointees is Clyde W. Summers, currently Professor of Law at Yale University. In addition to his chair at Yale, Professor Summers is chairman of the Connecticut Advisory Council on Unemployment Compensation and holds alternate memberships on the State Labor Relations Board and the State Board of Mediation for Connecticut.

The University of Wisconsin Law School is represented by Nathan P. Feinsinger and Eleanor J. Roe who, in addition to their professorships, are also respectively the Director and Associate Director of the Center for Teaching and Research in Disputes Settlement. Professor Feinsinger has previously taught at the Schools of Law of the University of Michigan, University of Chicago, and Stanford University and has served as chairman of the National Wage Stabilization Board.

Others comprising the six initial appointees are:

William Cohen, Professor of Law at the University of California at Los Angeles and formerly with the University of Minnesota School of Law; in 1956–57, Professor Cohen served as Law Clerk to Supreme Court Justice William O. Douglas.

Robert J. Affeldt, Visiting Professor of Law at the University of Kentucky; Professor Affeldt has received law degrees from the University of Notre Dame and Yale University and has practiced labor law for the past ten years before the National Labor Relations Board and State and Federal Courts.

David B. Goshien, Assistant Professor of Law at the University of Oklahoma; Professor Goshien received his Doctor of Law degree from the University of Chicago, where he was a member of Phi Beta Kappa. He will assume the post of Associate Professor of Law at Cleveland-Marshall Law School next fall.

In making the announcement, Chairman Alexander commented, "The assistance of these legal scholars will be invaluable in our efforts to shorten the time minority people and women must wait to secure relief from employment injustice." The Commission continues to labor under an overload of complaints far in excess of Congress' expectations. This backlog is expected to increase after July 2, 1968, when EEOC's jurisdiction expands to cover smaller employers, employment agencies and under union organizations.

Mr. JAVITS. Mr. President, I also ask unanimous consent to have printed in the Record a recent speech given by the Chairman of the Commission, Clifford L. Alexander, Jr., before the National Newspaper Publishers Association.

There being no objection, the speech was ordered to be printed in the Record, as follows:

REMARKS BY CHAIRMAN CLIFFORD L. ALEXANDER, JR., EQUAL EMPLOYMENT OPPORTUNITY COMMISSION AT MEETING OF NATIONAL NEWSPAPER PUBLISHERS ASSOCIATION

(Note: The following remarks were made at the Association meeting in New York on June 20, 1968.)

It is a particular pleasure to be here with so many good friends because our basic responsibilities are so basically interrelated. In a very real sense, how well the Equal Employment Opportunity Commission can do its job depends on how well you serve the black community in this nation. And the well-being of that community depends in no small part on the Commission's work. We at the EEOC must assure opportunity for the fulfillment of black aspirations. And in doing that we must assure that white America recognizes fully the abilities and accomplishments that only you, the black press, have been able to express. You have taken the "trouble" to understand and report in depth the activities of the Negro community while others ignored it or only looked at its surface.

When EEOC prevails on employers to advertise job openings in the minority press we do so because the minority media do strike responsive chords in the communities to which word of job openings must be transmitted. You have established your believability over the years.

Each of your readers who responds to these advertisements can, in so doing, chip away at the myth that qualified minorities are not available to fill these jobs. And any of your readers who finds himself discriminated against in a job situation must be aware that a means of redress exists under the law. Central to that means is EEOC. It is up to you to assure that your audience knows of us, and up to us to assure as best we are able that redress in such circumstances is prompt and equitable.

I say "as best we are able" to be honest; not to be hedging. I am honestly proud of what this Commission has been able to accomplish in the past year and honestly humble at how much more needs to be done. I want to be sure you—and more importantly your readers—know what we have done because it is a sign of what we can do to help them. And we want them and you to be heard in the struggle to secure the funds and the legislation we need to do the massive job still before us.

The EEOC investigates charges of job discrimination based on race, color, religion, sex or national origin by employers, unions, employment agencies and joint labor-management apprenticeship programs. Where investigation turns up facts indicating the charge is a valid one, the Commission undertakes to secure redress for the people who have been discriminated against, and to change the employment practices found discriminatory, through the process of conciliation.

In the eleven months ending May 31, 1968, the Commission has investigated charges against a total of 3,069 respondents. This compares to a total of 1,740 in the preceding twelve months. In these same most recent eleven months we have secured successful conciliations with a total of 272 employers, labor unions and employment agencies. This compares to the 88 such conciliations in the twelve months previous. We have achieved these results with a number of investigators and conciliators only slightly larger than we had in the earlier year and we are proud of them. They represent benefits for about 30,000 persons achieved through conciliation in the past ten months. But when we compare these results to the size of the problem—millions of minority and women workers and job applicants discriminated against annually, at a cost of over $30 billion a year out of black pockets and white pockets alike—the size of the job that remains to be done is obvious.

And when we consider that even with the improvements in productivity we have been able to secure with our staff, the average complainant must now wait about eleven months to have his or her complaint investigated, and another five months or more to have conciliation completed, we also know what a long way we have to go.

Title VII of the 1964 Civil Rights Act created our Commission and directed that the entire case handling process be completed in sixty days. From the beginning we were underfunded and understaffed to handle the volume of complaints that came in. And two things have continually led to increases in that workload. The first is the automatic increase in our coverage: in 1965–66 we covered employers and unions with 100 or more workers; under the law this has continually scaled down until July 1st of this year we cover those with 25 or more. On July 1 we add almost 200,000 new employers to our jurisdiction—an increase of 150%—and some 6,000,000 additional employees.

The second thing that promises a continuing growth in our workload is that each time we successfully conciliate a complaint of job discrimination, word gets around that here is a channel of redress that provides justice. Sometimes the message gets around by word of mouth; sometimes by the coverage which many of you in this room have given to our successful conciliation efforts.

In either case we are glad to see it happen, and glad to see the volume of incoming complaints grow because of it. It means that more and more people perceive a way of eliminating discriminatory practices within the law. And this is something we all must do our best to make happen.

We at the Commission do more than process complaints of job discrimination—although that is our basic assignment—and let me mention just a few of our other programs. I think it's important that you here know about them because they are the kind of thing many of you have expressed interest in.

Some of them have been fairly well known, such as a series of private and public forums with leaders of the textile industries of North and South Carolina; the nation's drug industry; the country's largest white collar employers in New York last January during our New York City Hearings on Discrimination in White Collar employment; and most recently, this month, with about 100 top level executives in the country's largest utility companies. At each of these confrontations we laid bare the hard statistics of minority exclusion and underutilization in the industry concerned—statistics supplied by the employers themselves in their annual reports to us.

Following these meetings and hearings we initiated a variety of actions to change the abysmal picture we saw in these industries. We have referred cases to the Attorney General for suit where a pattern or practice of discrimination appeared at work. We have initiated our own investigations via commissioner charges in other instances. We have undertaken technical assistance visits to companies covered in these meetings and hearings. The purpose of these visits has been to put employers together with the great resource of minority manpower. Sometimes these visits have been independent and sometimes in conjunction with other government agencies whose support we enlisted in helping change the underutilization our data showed to exist in these companies. And change *has* occurred in a number of these instances.

These efforts have been joined by others less publicized. One is our "New Plants Program," in which we identify sites where new manufacturing facilities are being built or old ones expanded, and work with local plant management and the local minority community to assure fair employment practices and affirmative hiring at the early stages of plant development. We thus catch potentially discriminatory practices before they have a chance to take root.

Other programs include work with joint labor-management apprenticeship programs in "Operation Outreach" now underway in some 35 cities. This effort is designed to open apprenticeships to and recruit members from the minority communities in each of the cities involved. EEOC acts as catalyst between the minority community, the unions and the Department of Labor which provides training funds.

All these programs, plus others carried on by state and local FEP's under grants from EEOC have resulted in placement or upgrading during the past year for some 13,000 individuals. Again we are proud of these results, but again they are only a beginning. We all know much remains to be done.

We must do more. And you can help us do it.

You can help by supporting our current effort to restore in the Senate the appropriations cut made by the House of Representatives in our budget for the year beginning July 1. The President's request for EEOC was $13.1 million. The House cut this to $6.5 million; this despite the increase in coverage that occurs July 1 and the consequent greater workload. And this despite the backlog which means individuals now must wait almost a year and a half for redress, and would have to wait even longer in the next year because the volume of incoming charges will continue to grow. Without adequate funding our basic compliance machinery will continue to be overtaxed even with the productivity increases we have instituted and expect to continue. And certainly our ability to undertake the kinds of affirmative action programs I mentioned a moment ago will be jeopardized by an overwhelming complaint backlog. I hope you will want to make your voices and those of your readers heard to avoid such an outcome.

I hope too you would support legislation to grant the Commission cease-and-desist powers when conciliation fails. For we must realize that while our successful conciliations have been increasing in number and significance, there are still over 40% of the cases we attempt to conciliate when our efforts fail. And in such cases the only recourse now available to individual charging parties is to file suit in Federal Court. This is time consuming and expensive. We would like to see greater enforcement power for EEOC rather than see this route.

There is another major way the black press can help us help the communities you serve. I alluded to it earlier but it bears repetition now because, unlike supporting our appropriation and legislation, it is something which can be done in the normal day-to-day running of your publications.

This is to make sure your readers know of and make use of the Equal Employment Opportunity Commission. We at the Commission stand ready to provide you with whatever information you need. We hope your readers would be continuously told how to get in contact with us, how to file charges of job discrimination, how to handle them, and what some of our successes in redressing legitimate grievances have been.

Those of us who acknowledge the importance of law and order in the fullest sense are talking about a legal system that provides for fulfillment, not suppression. If we who pursue law and order in that fullest sense do not speak out, then those who pursue it in the narrow and retrogressive sense of suppression will have too attentive an audience. I submit that each of you has an obligation to let your readers know of every existing peaceful channel for redress of discrimination and to exhort them to use such channels. You should and do, of course, shout loud and clear when those channels are unresponsive.

I can guarantee that the Commission I serve will do the absolute best it can in being responsive and productive, and we hope we will get your help in so doing. And I expect there'll be times when I'll hear shouts instead of support. We will gladly live with the shouts if we get the support. Both are needed if the task we face is to be accomplished as fast as its urgency so clearly demands.

Mr. BYRD of West Virginia. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. BYRD of West Virginia. I was present when the distinguished majority leader discussed this bill, to which the Senator has referred, with the leadership in the other body. The leadership in the other body indicated that there was no prospect for action by the other body on the bill this year. I believe that I have recalled this discussion correctly.

Mr. JAVITS. I thank my colleague. I shall do my best to make some inquiries on that question, too, and perhaps we can match both positions at a later date.

I am very grateful to my colleague from West Virginia for giving me that information, which is very important, of course, in respect to what I have just said.

RECESS SUBJECT TO CALL OF THE CHAIR

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair, with the understanding that the recess will not extend beyond 1:45 p.m. today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon (at 1 o'clock and 21 minutes p.m.), the Senate took a recess subject to the call of the Chair.

(At 1 o'clock and 24 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. BYRD of West Virginia in the chair).)

ORDER OF BUSINESS

Mr. CLARK. Mr. President, I ask unanimous consent that I may be permitted to speak for no more than 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHIEF JUSTICE EARL WARREN

Mr. CLARK. Mr. President, an extraordinary era in the history of American law, in some ways, perhaps, our most wonderful era, has come to an end with the resignation of Chief Justice Earl Warren from the Supreme Court of the United States. I realize that it is an oversimplification to say that John Marshall converted a group of semi-independent States into a Federal Union and that Earl Warren made us a compassionate Nation. But like many such simplifications, there is more than a grain of truth in it.

Earl Warren has brought to the Supreme Court of the United States a greatness of heart and a spirit which have left their mark on the face of America. He, more than any other single human being, was our teacher in the field of human rights. It was he who awakened the conscience of the American people to the evil of racial segregation and started us on the path to "Equal Justice Under Law," the motto which for so long has been engraved on the face of our Supreme Court Building, but which for too long was frequently honored more in its breach than in its observance.

It has long been my view that within the Federal Government it is Congress which has suffered most from cultural and political lag. Some years ago I wrote a book which was received, naturally enough, without much enthusiasm by many Senators. It was entitled "Congress, the Sapless Branch." In that book I said that the Presidency tended to be more attuned to the real needs and desires of the people in America than Congress, and that the Warren court, the Court presided over with such distinction by Chief Justice Earl Warren, was, of the three branches of the Federal Government, the most responsive to the Nation's long-range national interests.

In my judgment, the Court has been, since Chief Justice Warren became its head, the least shackled to what Abraham Lincoln called "the outmoded dogmas of the quiet past."

I believe that when the history of our era comes to be written, the retiring Chief Justice will go down in history with that other great Chief Justice, John Marshall, as the architect of our National Union, from the bench of that arm of our Government, which in the past has been considered the least likely in many ways to contribute to national union, national well-being, and a national sense of compassion. I hope that the historians who write the biography of Chief Justice Warren will have the opportunity to know not only Earl Warren the judge, but Earl Warren the man, as well.

It has been my privilege for the past several years to come to know this massive, impressive, and towering man as a friend. Shortly after I came to Washington, I met him and his charming wife on a number of social occasions. He invited me once to come down and have lunch with him in his chambers. I certainly profited from the opportunity. When I left, he said to me, "Joe, call me up again. I have enjoyed this meeting." I did call him up again every 3 or 4 months during the course of each Senatorial and Supreme Court year or term; and always he would say, "Come back again."

We would talk of the world as it seems to us, sometimes of shoes and ships and sealing wax and cabbages and kings; and the warmth and wisdom which I obtained from him has been a constant source of support and inspiration to me.

I am happy to learn that he will stay in Washington once he leaves the bench. I am sure many others of his friends in this body will be happy at the opportunity to continue to share that companionship.

Mr. President, there was a splendid editorial in the Washington Post yesterday entitled "Warren Steps Down." It does more credit to this great man than I have been able to do in these short words. I ask unanimous consent that it may be printed at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Warren Steps Down

The retirement of Chief Justice Earl Warren removes a massive figure from the national scene. For more than a quarter of a century, the Chief Justice has been a man to contend with in national affairs. First as one of the Nation's most successful politicians and later as its most widely known Chief Justice, Earl Warren has won a major place in history. He has presided over the Supreme Court during one of the stormiest and most productive eras in its 179 years. And he has given vigorous and wise leadership to its deliberations while adding immensely to the stature of the office he has held.

Almost no one could have foreseen when Earl Warren was appointed Chief Justice in 1953 the major role the Court was to occupy in American Government in subsequent years. But the group of men which will always be known as the "Warren Court" has set the pace for many major changes in America's daily life. They broke the noose of discrimination and segregation that was dragging the Nation down and, for almost 10 years, constituted the only part of the Federal Government willing to face up to the problems of civil rights. They fractured the old-line politics of the Nation, when that politics seemed to hold a deadly grip on any means of reform, by terminating rural domination of legislative apportionment. They reformed the Nation's criminal law by fulfilling the promise of the Constitution that men, rich or poor, black or white, will have equal rights. They stood fast against the vilest kind of outcries and upheld the First Amendment's guarantee of free speech, broadening its meaning in terms of political debate, public controversy, and artistic achievement.

In all these areas, it is difficult to sort out Chief Justice Warren from the other members of his Court. It is the constitutionalism of Justice Black, more than any other justice, that has dominated the Court in recent years. But the Chief Justice has joined fully in almost all the Court's major decisions and has drawn the lightning of public criticism to himself by electing, quite properly, to be the Court's spokesman on many of its most crucial issues.

The growth of Earl Warren, the Justice, during the 15 years has been immense. Early criticism that his opinions were too sweeping and lacked the craftsmanship of some of his predecessors has faded. Beyond that, however, it has become clear that he saw his role on the Court as that of explaining its work to all the Nation in terms that could be widely understood and of, at times, raising fundamental issues that the Court was not deciding but ought to be opened for public debate.

The Chief Justice of the United States, however, is more than just the presiding member of the Supreme Court. He is also the executive head of the Federal court system and the symbol of the Nation's belief in rule by law. In these roles, Chief Justice Warren probably has been the most successful of the 14 men to fill the office. He has taken great interest in strengthening and modernizing the court system and, with Justice Tom C. Clark, has fostered many long-needed administrative changes. As a symbol of a Nation ruled by law, he has traveled all over the world, always an eloquent spokesman for the idea of equal justice under law, always eager to encourage other nations—and the world—to improve their legal systems so that force is replaced with law. For that reason, he is almost as widely known, and perhaps more widely respected, abroad than he is at home.

The 15 years in Washington have not been easy for Earl Warren. He has been subjected to a stream of abuse unequalled in modern day public affairs. His critics have questioned his honor, his integrity and his loyalty; they have demanded his impeachment and even his death. Although the political juices that won him three terms as Governor of California must often have urged him to fire back, he has taken this abuse quietly, as a justice should, and has been a model of decorum and solemnity, mixed with just the right amount of humor and humaneness.

Some of the men who have been Chief Justice of the United States have passed into history with hardly more than a sentence. But Earl Warren will stand in history as one of the great Chief Justices. His name, most likely, will be linked with those of the other three Justices who led the Court through major turning points in its and the Nation's life—John Marshall, Roger B. Taney, and Charles Evans Hughes. For more than that no judge can aspire; for more than that the Nation cannot ask.

Mr. CLARK. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 8 minutes remaining.

INDICATIONS BY FOREIGN MINISTER GROMYKO THAT SOVIET UNION IS WILLING TO OPEN NEGOTIATIONS FOR REDUCTION OF NUCLEAR WEAPONS

Mr. CLARK. Mr. President, on another matter, the newspapers this morning contain the good news that Foreign Minister Gromyko of the Soviet Union has indicated to our Government the willingness of his government to open negotiations for the reduction, on both sides, of nuclear weapons and nuclear delivery systems and a possible elimination of the deployment of anti-ballistic-missile systems by both the Soviet Union and ourselves.

I welcome this, and have long urged our Government to take the initiative to a greater extent than we have in persuading the Soviet Union to enter into such negotiations.

I think President Johnson deserves great credit for the initiative he took in this regard at Glassboro, shortly over a year ago, and the efforts which have been made often since, of which I happen to know, privately and behind the scenes, to persuade the men in the Kremlin to start negotiations looking toward a deceleration of the arms race, particularly in the field of nuclear weapons.

I would hope that those negotiations would be pressed forward to a prompt agreement, which could probably be implemented by a treaty either bilaterally between the Soviet Union and ourselves or through the good offices of the 18-nation disarmament convention in Geneva.

I would hope that, as a result, those of us who argued so strongly, but unsuccessfully, for an elimination of the funds necessary to deploy this worthless anti-ballistic-missile system which the Pentagon is so bent on constructing will find in the end that, through the initiative of the Executive, despite the reluctance of the Congress to cut back on this wasteful expenditure of the taxpayers' money, this effort turned out to be successful.

THE PROPOSED CONSTITUTIONAL AMENDMENT TO LOWER VOTING AGE TO 18

Mr. CLARK. Mr. President, on another subject, I wish to congratulate President Johnson on the message he has sent to us calling for a constitutional amendment to cut the voting age from 21 to 18 years. I shall do all I can to support the passage of such an amendment through the Congress and its adoption by the States.

I have long felt—being, myself, in my 67th year—that there was at least as much good sense, if not more, among the youngsters of our country who have graduated from high school or who have reached the age of 18 than there was among the men and women of my own generation. To repeat the traditional argument, I have never understood why we felt it appropriate, proper, and ethical to require young men and women to fight for their country, to be shot at, and often killed, at the age of 18, but did not give them the privilege of the vote.

I shall campaign vigorously, both in this Chamber and in my home State, for the passage of this amendment.

Again I congratulate the President for taking the initiative.

QUESTIONNAIRE TO CORRESPONDENTS IN SAIGON CONCERNING VIETNAM

Mr. **CLARK**. Mr. President, recently the Senate Foreign Relations Committee, of which I have the honor to be a member, circulated to a number of veteran correspondents in Saigon a questionnaire asking their views upon a number of critical questions, such as, "Are we winning the war?" "Can we win it?" "What is your view of the government of South Vietnam?" "Why do the Vietcong appear to have such a hold on the country?" and other pertinent questions.

Three of the more competent and experienced reporters replied in detail to the questionnaire. For reasons which I believe are obvious, I do not desire to reveal their names. They are known only as reporters A, B, and C.

The responses are most revealing, and confirm the view I expressed in a report I wrote for the Foreign Relations Committee on my return from Vietnam last January, entitled "Stalemate in Vietnam."

I ask unanimous consent that a copy of the questions and replies, as received by the Foreign Relations Committee, may be reported at this point in my remarks. I note in passing that this is not a classified document.

There being no objection, the questions and answers were ordered to be printed in the RECORD, as follows:

LIST OF QUESTIONS

1. Is the military war being won? If not, why not?

2. Is the political war being won? If not, why not?

3. Do the South Vietnamese people in general support the war? If not, what is their attitude?

4. Why have the Viet Cong been so successful over the years?

5. In your opinion, would substantial additional United States troops and an increase in the size of the South Vietnamese forces change significantly the present military or political situation in South Vietnam?

6. Do you think the American people are getting a realistic assessment of the situation in Vietnam from our military and civilian officials on the scene? If not, why not?

7. What terms of settlement do you think the United States could accept and obtain under the present circumstances? What steps could be taken to bring this about?

1. *Is the military war being won? If not why not?*

A. "One of the more tragic over-simplifications of the Vietnam situation is the American attempt to separate the political and military wars, mainly to demonstrate that while one phase—the political—is bogged down it has no appreciable effect on our wide-scale military campaigns.

"This argument in turn helps to justify the presence of well over a half million Americans on South Vietnamese soil and their continued reinforcements.

"Unlike Von Clausewitz, the American military in Vietnam seem to believe that war is an instrument of war, with few political overtones.

"The Viet Cong and NVA, on the other hand, have consistently subordinated their military campaigns to their political aims, and this is one of the main reasons they remain an enigma to the American military leadership.

"The Military Assistance Command of Vietnam is far removed from the political workings of this country and the agonizing twists and turns of Vietnamese politics.

"And significantly, it is not interested in this aspect of the struggle. The Military Assistance Command in Vietnam has a single-minded purpose—to find and destroy the enemy—to 'discourage' him from infiltrating, and it pursues this goal independent of the political developments in this country.

"The massive infusions of men and materiel have created a powerful military lobby in Vietnam, one bent on justifying its continued presence and a continued war. As a result the issues have been lost in a distinct separation of powers between the American diplomatic community and its powerful military arm, and they in turn have caused a sharp division in the ranks of South Vietnamese politicians, attempting to please American diplomats, and ARVN commanders, trying to please our generals.

"True, the American military command in Vietnam has stressed the concept of 'mobility' in its most recent sweeps, but to my mind it is still hopelessly 'conventional' in its strategy and approach to the conflict. 'Mobility' means helicopters and gunships and a phantasmagoria of men and material leap-frogging around Vietnam is a dazzling display of versatility, but with precious little results. By the time Operation 'Pegasus' was finally launched in the North the enemy had withdrawn to apply new pressure in the A Shau Valley.

"It was the same story with Operations 'Resolve to Win' and 'Complete Victory'—massive attempts to beat the bush in search of an enemy who had suddenly disappeared.

"The only evidence the military can muster of seriously 'punishing' the enemy is the estimate of losses he suffered from BB 52 raids, and this is hardly conclusive.

"Equally important, it is far from a guerrilla tactic.

"In brief, the military does not think or act in counter-guerrilla terms, and it cannot understand an enemy who lets a military plum, such as Khe Sanh, slip through his fingers in order to proselytize in a hundred population centers throughout Vietnam. This point became painfully clear to me when talking to one of the chief architects of military operations in Vietnam. It was early February, when fog clung to the hillsides in the North and air strikes were limited to blind BB 52 raids.

" 'I cannot understand why they don't hit us at Khe Sanh,' said the general, shaking his head slowly. 'I cannot understand why they haven't done it before this. One mass raid and we've had it.'

"And it was the higher echelons of military, not the journalists, who predicted a second wave, week after tiresome week, in the same way they solemnly predicted the storming of Khe Sanh.

"They swung wildly from underestimating the enemy to exaggeration of his capability, just to be safe.

"All of this indicates that the American military in Vietnam still suffer badly from ignorance of their enemy, his capability and intentions.

"They are still incapable of making him meet them on American terms. He fights when he wants to and just as suddenly disappears. And this in turn makes it painfully difficult to achieve even the narrow goal of the powerful American military machine—to find and destroy him.

"In my opinion, it is impossible to separate the military from the political phase. We cannot truthfully say we are winning militarily because our military thrusts have not significantly lessened enemy pressures on the people and government of Vietnam.

B. "No. I don't believe it is being won, nor do I believe that it is possible to win it. It is not being won because the United States military establishment is incapable of waging the kind of war being prosecuted by the Viet Cong and the North Vietnamese Army. Their forces are of the people, in many cases supported by the people. They are waging an insurrection and we are fighting a war. We depend on overwhelming firepower. They depend on freedom of action. We are obvious. They are invisible. Even our best military minds say that the proper equation to combat an indigenous insurgency is a force equal to ten times the size of the guerrillas. If the VC and NVA combined can field about half a million men—and I have no doubt that they can field that many, although they do not need that many—then we would need to have 5-million troops. The enemy is quicksilverish. We can win any given engagement, but we cannot permanently hold the terrain. Our troops must move on to the next spot, and the VC and NVA can move right back in."

C. "The military war in South Vietnam is being won to the extent that large Viet Cong and North Vietnamese troop concentrations are quickly broken up and repelled from their positions. This was true even during the recent 'Tet Offensive.' The prolonged battle for Hue resulted because of the natural protection the walled city provided, plus the original reluctance to use all available firepower against the city with its historical treasures. Thus, large-scale action by the other side is almost consistently met with overwhelming reaction."

2. *Is the political war being won? If not, why not?*

A. "The political war is in worse shape than ever because the military could not keep the enemy out of the cities. The urban populace for the first time was treated to a mass demonstration of enemy power, and even if such a performance is impossible to repeat on the same scale (as our military insist it is) they require more than just reassurance.

"The government is acting to increase the South Vietnamese commitment to the war, and this is encouraging, but it comes late. It comes at a time of extreme nervousness about negotiations, at a time when the government itself is not unified on a course of action, as Vice President Ky himself admits 'Our government is not extremely popular . . . we can only say we are more popular than the communists . . .' This is hardly a clarion call to rally the people. There is still too much cynicism, too much back-door wrangling, too much deep-rooted corruption at high levels of government (and throughout the society) to expect a widescale response to calls for austerity and unity.

"To be anti-communist is not enough. The government must have a program, it does not have, and that is why it is losing the political war."

B. "No I don't believe so. The problem here is that we are supporting the wrong people, as we so often do. There is no viable political force in Vietnam other than the NLF. The GVN, and all GVN's before it, are not representative. They do nothing about the basic problems of Vietnam—namely, land reform, corruption, refugees. They talk glowingly of fighting for freedom and democracy, but they are despotic. The GVN capitalizes on America's built-in fear of anything communistic. But the people of South Vietnam know little about and care less about communism."

C. "The political war is NOT being won. It fails because small groups of Viet Cong and North Vietnamese can get together to form large enemy concentrations. The best barometer of the political commitment to this war has been and remains the intelligence that flows from the people to the government. The rural people—and, as Tet clearly showed, the urban population as well—either do not trust the government's security or do not find it in their self-interest to report Viet Cong movements or the stockpiling of weapons and ammunition. Until you know where the enemy is, and only the residents of an area can tell you this, your military potential remains just that, potential."

3. Do the South Vietnamese people in general support the war? If not, what is their attitude?

A. Not answered.

E. "The business community, the upper classes, those whose livelihoods, properties, lives and futures are tied in with the society protected by the GVN do support the war, but not in any philosophical or political sense. I think they support the war for very selfish reasons. The larger body of people—the peasants in the countryside, the poor people who live on the edge of starvation, who own virtually nothing, live in hovels, etc.—couldn't care less about the war. They certainly don't care who wins because their lives couldn't be any worse under the VC than they are under the GVN. Just before the Tet offensive, for example, the VC and NVA infiltrated into Saigon in massive numbers, thousands of them. Yet no one informed the police or any other South Vietnamese authority. I don't think they refrained from informing out of fear. I think they did so out of apathy."

C. "It can be said that the South Vietnamese people support the war in the sense that many of the people do not like the Viet Cong and do not want to live under their control. Most of the peasants see the war as between the Viet Cong and the Americans, not the Saigon government. Most South Vietnamese simply want the shooting to stop, are only passively interested in the political terms of a settlement, and spend most of their time just trying to antagonize no one and stay alive. Neutrality would best describe their attitude."

4. Why have the Viet Cong been so successful over the years?

A. "The Viet Cong have been successful in proselytizing over the years partly because they carry the aura of liberation from Japanese and French occupation, but mainly because they offer a program of social change, the first Vietnamese attempt to break out of the rut of a colonial economy.

"Their programs, with an accent on land reform, education, literacy, social benefits, have particular appeal among the have-not elements of Vietnamese society, and this is why the countryside has long been a VC stronghold.

"They have been successful because they were the first unified, militant elements of Vietnamese society to appeal to Vietnamese nationalism while promulgating wide-scale economic and social reform. Granted, it has remained a pie-in-the-sky program, even to a great degree in the North (as most communist programs are. Even after twenty years the Czechs, for example, are still groping for the reality within the theory) but in South Vietnam even the promise is something that opposing political factions have been unable to match."

B. "I think the answer can be extrapolated from the answers to questions 1, 2 and 3. In essence, it boils down to the fact that the VC have freedom of action and freedom of movement; they have a working, disciplined political organization; they are motivated; they have complete knowledge of the people and the countryside; and they can promise the people something other than the status quo."

C. "The Viet Cong have been consistent in their program, well organized, quick and brutal to give object lessons to government collaborators, and quick to exploit the shortcomings of their adversaries. The Viet Cong offer land reform, promotion by merit, honest administration, a degree of popular voice in local matters and a host of welfare programs, education, public health, etc. The Viet Cong organization, both overt and shadow, is especially sound. Villages under their sway can never be sure who the covert cadre are. Agents may be ordered to conceal themselves for months and years before being called upon to render service (note—this occurred many times in the cities during the Tet offensive). When government forces temporarily sweep through an area, people are warned not to cooperate, and when government strength and/or vigilance lags, the Viet Cong return to punish the collaborators. Village and hamlet chiefs are special targets. An execution in a hamlet very often renders the area solidly neutral for weeks. The Saigon government, slow to reform and the Americans, who have in the past been reluctant to press for reform, offer the Viet Cong juicy propaganda targets. Entrenched interests seem to be tolerated by the United States, and generals and politicians who are tainted by collaboration with the French against their own people are favored. American material aid winds up in the black market and enriches public officials at the expense of the common people. South Vietnamese government programs designed to follow up American military actions are often forgotten and usually poorly administered, so that the American image in a number of areas is one of a dispassionate warrior."

5. In your opinion, would substantial additional United States troops and an increase in the size of the South Vietnamese forces change significantly the present military or political situation in South Vietnam.

A. "In my opinion substantial increases in the number of U.S. or SVN troops would not significantly change the politico-military situation in South Vietnam."

B. "Of course the situation would be changed. With more troops we could pursue the enemy further, hold more terrain, etc. But the real question is: could we provide enough troops to do what would be required to effect a victory in military terms."

C. "No. More American troops would further 'Americanize' the Vietnam war. The size of the South Vietnamese Army is not as important right now as quality, political as well as military, administrative as well as tactical."

6. Do you think the American people are getting a realistic assessment of the situation in Vietnam from our military and civilian officials on the scene? If not, why not?

A. "I do not think the American people are getting a realistic assessment of the situation in Vietnam from our military and civilian officials on the scene.

"On the military side, this is partly due to lack of adequate intelligence and partly to the strong desire to believe what one wants to believe There are many military reputations on the line in Vietnam and the vast majority of the leadership is committed to a policy of 'more of the same.' "

"This attitude promotes stubborn optimism, not only publicly, which is understandable, but privately as well. The tendency is never to question optimistic statistics, such as the number of enemy killed in action over Tet, and to ignore reports that reflect pessimism independent of their source.

"This attitude is even more exaggerated now that General Westmoreland is leaving and MAC–V wants to have him return as a winner, the man who shattered the Tet offensive and won at Khe Sanh.

"Although their personal commitment is less passionate than that of the military, the highest level of American civilian officialdom in Vietnam also have their reputations at stake in this war. Many of them were hand picked by the President for their ability to roll with the most difficult situations and still come up sounding like Walt Whitman Rostow. And they do. There is an 'apparatchiki' atmosphere in Saigon that must be unmatched in any American diplomatic mission in the world. These officials have become ideologues in the true sense, no longer examining why we are here and to what purpose, but interested mainly in 'holding on' because of the impact of Vietnam on American life and politics.

"This is not true of a great number of American civilian and military men in Vietnam, but unfortunately it does apply to many of those who speak with the prestige of rank and the voice of authority."

B. "I think they are getting a pretty good assessment of what is happening through the medium of a very skeptical press corps. I do not think that the military or civilian officials are as frank or as honest or as free with information as they should be. I can understand their point of view, but I can also disagree with it. It has been said that this war is the most highly reported war in history. This is true, but it is also true that the establishment has built up one of the most impenetrable and formidable public relations obstacle courses ever conceived. The objectives of these PR men—and they are legion—is to keep the distasteful truth out of the press, to distort the truth so as to paint continually a glowing picture of what is happening."

C. "No. With a large neutral force in the country, any statistical approach comes up nebulous jelly. If the Viet Cong brought in computers with their guns, as the Americans have tried recently, they would get a bunch of figures that could be woven into the same 'cautious optimism' that Washington has been reading for years. In fact, there is some evidence that last year, Hanoi grew weary of glowing reports and no real progress and began assigning more and more North Vietnamese cadres at all levels of Viet Cong structure in order to get more candor. The United States gets candor from advisors and civilian officials at low levels, in many instances, but the pessimistic value judgments evaporate on up the line. From other career conscious advisors and officials, the top echelon gets what it wants to hear—progress."

7. *What terms of settlement do you think the United States could accept and obtain under the present circumstances? What steps could be taken to bring this about?*

A. "What terms of settlement do I think the United States could accept and obtain under the present circumstances? Under the present circumstances, with the present South Vietnamese government I see little hope for a settlement of any sort, only a chance to dampen down the war to proportions more 'manageable' and perhaps 'tolerable' to both sides, such as a cessation of the bombing in the North in return for a slackening of infiltration from the North.

"While these things might pull Vietnam off the front pages they cannot appreciably affect the true issue here, which is a government that either represents Viet Cong interests, or neutralizes these interests through a powerful program of reform.

"The Saigon government refuses the former and seems utterly incapable of the latter.

"Personally I believe a coalition government is the only answer at this point, with or without Thieu and Ky. Agreement to such a government should give the United States a generous quid pro quo as far as the timing of an American withdrawal is concerned, and the nature of the phase-down. It is not attractive, and it would be painful, but in that respect it is so much like the Vietnam involvement itself, and is certainly no more painful than the alternative of more of the same."

B. "I think the best we could hope for is some form of coalition government, which, of course, in the long run would mean control of South Vietnam by the NLF and their partners in Hanoi. However, in itself this may not necessarily be all that bad. There is a very strong strain of nationalism that runs through the goals and ideals of the NLF, and we should never fear nationalism. We should instead, learn to live side by side with such movements, since they are indeed the wave of the future."

C. "There is only one, and that perhaps unsafe, way to de-escalate the Vietnam war and bring peace. The South Vietnamese government must offer to receive the Viet Cong as a legitimate political party, after all members sign a pledge that they will not resort to violence in order to control or alter the government—something similar to the United States law prohibiting membership in any party promoting the violent overthrow of the government. The next step would be to hold legislative and presidential elections on schedule during the year 1971. Let the ex-Viet Cong run their slates along with other nationalist parties. That would give them nearly three years for:

"(A) the Saigon government to make itself popular; (B) the non-communist political organizations to blossom; (C) the Viet Cong to sell their ideas to the people.

"A lingering American military presence to guarantee the peaceable return of the Viet Cong, plus international guarantors and inspectors would be needed. The only way this can come about is if the South Vietnamese government cleans itself up and allows true democratic political activity. Saigon would have to back away from its hard line, and the Viet Cong would have to rid itself of the claim that it is the only true representative of the South Vietnamese people. The only step the United States can do is to tell the Saigon government that this is it . . . or nothing."

WITHDRAWAL OF AMERICAN TROOPS FROM KHESANH

Mr. CLARK. Mr. President, I note also, with mixed feelings, the announcement that our troops have been withdrawn from Khesanh in the jungles of South Vietnam near the Demilitarized Zone. One wonders for what reason we fought so stubbornly to hold this jungle outpost, at the cost of so many American lives in killed and wounded, and in aircraft, equipment, and materiel, and why, after a bitter siege of several months, having successfully defended it, we suddenly withdraw.

To me, it was inexplicable at the time why we wanted to hold this outpost. The reasons given did not make sense to me. We were not preventing infiltration. We were not denying the North Vietnamese any access to areas to which they wished to go.

Now, the reasons given for withdrawing seem to be equally specious. I would hope that in the future, our generals and our Air Force commanders would think twice before, as a matter of what appears to be merely military status, they commit the lives of American boys to jungle posts which, on second thought, they discover are not worth the trouble of defending.

Mr. President, I yield back the remainder of my time.

ORDER OF BUSINESS

The **PRESIDING OFFICER.** Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

INTERNATIONAL COFFEE AGREEMENT, 1968

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that it be in order to request the yeas and nays, even though the coffee agreement is not formally before the Senate.

The **PRESIDING OFFICER.** Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLOTT. Mr. President, I ask unanimous consent that I may proceed for 3 minutes.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

TRANSIT RESEARCH

Mr. ALLOTT. Mr. President, I have just had the opportunity to read a document released by the U.S. Department of Housing and Urban Development's Urban Transit Administration entitled "Tomorrow's Transportation."

This booklet is actually a summation of 17 studies on urban transportation which HUD contracted for with transportation consultant and engineering firms in an effort to give our Government a "sense of direction" in this whole field.

While I will not deny that some valuable points were made by some of the consultants in their reports, the overall picture presented in the HUD booklet left me amazed and stunned.

Here we are at a time when our financial situation is so bad that we have had to cut $6 billion in expenditures for the next fiscal year and we have had to impose a surcharge tax increase on our people to help make up for the irresponsibilities of the past. Then comes HUD with a proposal to spend $980 million—almost $1 billion in research and development in urban transit over a minimum of 5 years.

While our major rail rapid transit systems are being taxed to the limit, while large cities all over the country are finding it difficult to find the money to solve their transit problems, while bus systems in medium and small American cities are going broke or out of business by the dozens, HUD is asking the Congress to spend almost a billion dollars—not to solve these existing problems, mind you—but for research for exotic systems such as personal rapid transit cars and small buses that are furnished to passengers with the aid of computers.

Mr. President, we have not even come close to spending a billion Federal dollars to assist our rapid transit systems which need help in this country since the urban transit program began. How can we justify pouring this kind of money into exotic schemes when we have not settled the problems of the present?

I think Senators will understand my amazement more clearly when they begin to think of what can be done in urban transit within the realm of reality for under a billion dollars.

You could buy 32,667 new 51 passenger buses.

About 50 Cleveland Airport rapid transit extensions could be built.

You would be able to construct and equip nearly 10 Delaware River Port Authority rapid transit lines.

In fact the whole BARTD system in San Francisco could be built for just a little more than $980 million.

I think I speak for many in the Congress when I say that we are becoming weary of endless studies and plans which have little or no bearing on the problems with which we are confronted.

Mr. President, the Friday, June 21, 1968, edition of the Wall Street Journal contained an excellent editorial analysis of this latest research scheme, entitled "Toying With Transportation." It calls on the Congress to take a long, hard look at these proposals before acting. Its call is completely justified and I support it.

I ask unanimous consent that the editorial to which I have referred be printed in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Toying With Transportation

If President Johnson's message to Congress accompanying a study of new systems for urban transportation is noncommital, there seems to be ample reason for it to be so.

The study entitled "Tomorrow's Transportation" and issued after 18 months of research and analysis by 17 contractors hired by the Housing and Urban Development Department, endorses spending almost $1 billion during the next five to 10 years on such experiments as "dial-a-bus" systems and "personal rapid transit" cars. Its proposals are pretty far removed from what the President calls "the problems of Americans who live in or commute to work in cities."

The dial-a-bus scheme, for instance, would serve low-density metropolitan areas; would-be riders at a dial-a-bus station would dial for service while a radio system kept track of vehicles moving through the area. A computer would sort the calls and send a bus to pick up the riders.

Now rapid transit in low-density areas is a problem, all right, especially at night; in Washington, D.C., recently, bus drivers refused to drive at night for fear of being robbed, beaten or both. But neither the dial-a-bus plan nor the personal rapid transit concept, making use of small, recirculating car-like capsules using their own rights-of-way, comes to grips with the problem of mass transit.

When the HUD study considers mass transit at all, it discusses such devices as "dual-mode vehicles" which could be used on both streets and the subway-like guideways, and appears to ignore existing subway and rail facilities, most of which could be improved vastly with better equipment and maintenance. Imposing new and intricate systems atop those now in use is only likely to make the latter worse than they are now.

President Johnson is right in saying the report "provides a good foundation for decisions" on research and development programs needed for new transport systems. The study surely ought to make Congress take a hard look before deciding on the $230 million for fiscal 1970—up from $25 million for 1969—the Administration is asking for urban mass transit projects.

By all means work should proceed on the problems of tomorrow's transportation. At ments or the stockpiling of weapons and ammunition. Until you know where the enemy is, and only the residents of an area can tell you this, your military potential remains just that, potential."

3. Do the South Vietnamese people in general support the war? If not, what is their attitude?

A. Not answered.

B. "The business community, the upper classes, those whose livelihoods, properties, lives and futures are tied in with the society protected by the GVN do support the war, but not in any philosophical or political sense. I think they support the war for very selfish reasons. The larger body of people—the peasants in the countryside, the poor people who live on the edge of starvation, who own virtually nothing, live in hovels, etc.—couldn't care less about the war. They certainly don't care who wins because their lives couldn't be any worse under the VC than they are under the GVN. Just before the Tet offensive, for example, the VC and NVA infiltrated into Saigon in massive numbers, thousands of them. Yet no one informed the police or any other South Vietnamese authority. I don't think they refrained from informing out of fear. I think they did so out of apathy."

C. "It can be said that the South Vietnamese people support the war in the sense that many of the people do not like the Viet Cong and do not want to live under their control. Most of the peasants see the war as between the Viet Cong and the Americans, not the Saigon government. Most South Vietnamese simply want the shooting to stop, are only passively interested in the political terms of a settlement, and spend most of their time just trying to antagonize no one and stay alive. Neutrality would best describe their attitude."

4. Why have the Viet Cong been so successful over the years?

A. "The Viet Cong have been successful in proselytizing over the years partly because they carry the aura of liberation from Japanese and French occupation, but mainly because they offer a program of social change, the first Vietnamese attempt to break out of the rut of a colonial economy.

"Their programs, with an accent on land reform, education, literacy, social benefits, have particular appeal among the have-not elements of Vietnamese society, and this is why the countryside has long been a VC stronghold.

"They have been successful because they were the first unified, militant elements of Vietnamese society to appeal to Vietnamese nationalism while promulgating wide-scale economic and social reform. Granted, it has remained a pie-in-the-sky program, even to a great degree in the North (as most communist programs are. Even after twenty years the Czechs, for example, are still groping for the reality within the theory) but in South Vietnam even the promise is something that opposing political factions have been unable to match."

B. "I think the answer can be extrapolated from the answers to questions 1, 2 and 3. In essence, it boils down to the fact that the VC have freedom of action and freedom of movement; they have a working, disciplined political organization; they are motivated; they have complete knowledge of the people and the countryside; and they can promise the people something other than the status quo."

C. "The Viet Cong have been consistent in their program, well organized, quick and brutal to give object lessons to government collaborators, and quick to exploit the shortcomings of their adversaries. The Viet Cong offer land reform, promotion by merit, honest administration, a degree of popular voice in local matters and a host of welfare programs, education, public health, etc. The Viet Cong organization, both overt and shadow, is especially sound. Villages under their sway can never be sure who the covert cadre are. Agents may be ordered to conceal themselves for months and years before being called upon to render service (note—this occurred many times in the cities during the Tet offensive). When government forces temporarily sweep through an area, people are warned not to cooperate, and when government strength and/or vigilance lags, the Viet Cong return to punish the collaborators. Village and hamlet chiefs are special targets. An execution in a hamlet very often renders the area solidly neutral for weeks. The Saigon government, slow to reform and the Americans, who have in the past been reluctant to press for reform, offer the Viet Cong juicy propaganda targets. Entrenched interests seem to be tolerated by the United States, and generals and politicians who are tainted by collaboration with the French against their own people are favored. American material aid winds up in the black market and enriches public officials at the expense of the common people. South Vietnamese government programs designed to follow up American military actions are often forgotten and usually poorly administered, so that the American image in a number of areas is one of a dispassionate warrior."

5. In your opinion, would substantial additional United States troops and an increase in the size of the South Vietnamese forces change significantly the present military or political situation in South Vietnam.

A. "In my opinion substantial increases in the number of U.S. or SVN troops would not significantly change the politico-military situation in South Vietnam."

B. "Of course the situation would be changed. With more troops we could pursue the enemy further, hold more terrain, etc. But the real question is: could we provide enough troops to do what would be required to effect a victory in military terms."

C. "No. More American troops would further 'Americanize' the Vietnam war. The size of the South Vietnamese Army is not as important right now as quality, political as well as military, administrative as well as tactical."

6. Do you think the American people are getting a realistic assessment of the situation in Vietnam from our military and civilian officials on the scene? If not, why not?

A. "I do not think the American people are getting a realistic assessment of the situation in Vietnam from our military and civilian officials on the scene.

"On the military side, this is partly due to lack of adequate intelligence and partly to the strong desire to believe what one wants to believe There are many military reputations on the line in Vietnam and the vast majority of the leadership is committed to a policy of 'more of the same.' "

"This attitude promotes stubborn optimism, not only publicly, which is understandable, but privately as well. The tendency is never to question optimistic statistics, such as the number of enemy killed in action over Tet, and to ignore reports that reflect pessimism independent of their source.

"This attitude is even more exaggerated now that General Westmoreland is leaving and MAC-V wants to have him return as a winner, the man who shattered the Tet offensive and won at Khe Sanh.

"Although their personal commitment is less passionate than that of the military, the highest level of American civilian officialdom in Vietnam also have their reputations at stake in this war. Many of them were hand picked by the President for their ability to roll with the most difficult situations and still come up sounding like Walt Whitman Rostow. And they do. There is an 'apparatchiki' atmosphere in Saigon that must be unmatched in any American diplomatic mission in the world. These officials have become ideologues in the true sense, no longer examining why we are here and to what purpose, but interested mainly in 'holding on' because of the impact of Vietnam on American life and politics.

"This is not true of a great number of American civilian and military men in Vietnam, but unfortunately it does apply to many of those who speak with the prestige of rank and the voice of authority."

B. "I think they are getting a pretty good assessment of what is happening through the medium of a very skeptical press corps. I do not think that the military or civilian officials are as frank or as honest or as free with information as they should be. I can understand their point of view, but I can also disagree with it. It has been said that this war is the most highly reported war in history. This is true, but it is also true that the establishment has built up one of the most impenetrable and formidable public relations obstacle courses ever conceived. The objectives of these PR men—and they are legion—is to keep the distasteful truth out of the press, to distort the truth so as to paint continually a glowing picture of what is happening."

C. "No. With a large neutral force in the country, any statistical approach comes up nebulous jelly. If the Viet Cong brought in computers with their guns, as the Americans have tried recently, they would get a bunch of figures that could be woven into the same 'cautious optimism' that Washington has been reading for years. In fact, there is some evidence that last year, Hanoi grew weary of glowing reports and no real progress and began assigning more and more North Vietnamese cadres at all levels of Viet Cong structure in order to get more candor. The United States gets candor from advisors and civilian officials at low levels, in many instances, but the pessimistic value judgments evaporate on up the line. From other career conscious advisors and officials, the top echelon gets what it wants to hear—progress."

7. *What terms of settlement do you think the United States could accept and obtain under the present circumstances? What steps could be taken to bring this about?*

A. "What terms of settlement do I think the United States could accept and obtain under the present circumstances? Under the present circumstances, with the present South Vietnamese government I see little hope for a settlement of any sort, only a chance to dampen down the war to proportions more 'manageable' and perhaps 'tolerable' to both sides, such as a cessation of the bombing in the North in return for a slackening of infiltration from the North.

"While these things might pull Vietnam off the front pages they cannot appreciably affect the true issue here, which is a government that either represents Viet Cong interests, or neutralizes these interests through a powerful program of reform.

"The Saigon government refuses the former and seems utterly incapable of the latter.

"Personally I believe a coalition government is the only answer at this point, with or without Thieu and Ky. Agreement to such a government should give the United States a generous quid pro quo as far as the timing of an American withdrawal is concerned, and the nature of the phase-down. It is not attractive, and it would be painful, but in that respect it is so much like the Vietnam involvement itself, and is certainly no more painful than the alternative of more of the same."

B. "I think the best we could hope for is some form of coalition government, which, of course, in the long run would mean control of South Vietnam by the NLF and their partners in Hanoi. However, in itself this may not necessarily be all that bad. There is a very strong strain of nationalism that runs through the goals and ideals of the NLF, and we should never fear nationalism. We should instead, learn to live side by side with such movements since they are indeed the wave of the future."

C. "There is only one, and that perhaps unsafe, way to de-escalate the Vietnam war and bring peace. The South Vietnamese government must offer to receive the Viet Cong as a legitimate political party, after all members sign a pledge that they will not resort to violence in order to control or alter the government—something similar to the United States law prohibiting membership in any party promoting the violent overthrow of the government. The next step would be to hold legislative and presidential elections on schedule during the year 1971. Let the ex-Viet Cong run their slates along with other nationalist parties. That would give them nearly three years for:

"(A) the Saigon government to make itself popular; (B) the non-communist political organizations to blossom; (C) the Viet Cong to sell their ideas to the people.

"A lingering American military presence to guarantee the peaceable return of the Viet Cong, plus international guarantors and inspectors would be needed. The only way this can come about is if the South Vietnamese government cleans itself up and allows true democratic political activity. Saigon would have to back away from its hard line, and the Viet Cong would have to rid itself of the claim that it is the only true representative of the South Vietnamese people. The only step the United States can do is to tell the Saigon government that this is it . . . or nothing."

WITHDRAWAL OF AMERICAN TROOPS FROM KHESANH

Mr. CLARK. Mr. President, I note also, with mixed feelings, the announcement that our troops have been withdrawn from Khesanh in the jungles of South Vietnam near the Demilitarized Zone. One wonders for what reason we fought so stubbornly to hold this jungle outpost, at the cost of so many American lives in killed and wounded, and in aircraft, equipment, and materiel, and why, after a bitter siege of several months, having successfully defended it, we suddenly withdraw.

To me, it was inexplicable at the time why we wanted to hold this outpost. The reasons given did not make sense to me. We were not preventing infiltration. We were not denying the North Vietnamese any access to areas to which they wished to go.

Now, the reasons given for withdrawing seem to be equally specious. I would hope that in the future, our generals and our Air Force commanders would think twice before, as a matter of what appears to be merely military status, they commit the lives of American boys to jungle posts which, on second thought, they discover are not worth the trouble of defending.

Mr. President, I yield back the remainder of my time.

ORDER OF BUSINESS

The PRESIDING OFFICER. Is there further morning business?

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERNATIONAL COFFEE AGREEMENT, 1968

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that it be in order to request the yeas and nays, even though the coffee agreement is not formally before the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

Mr. BYRD of West Virginia. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. ALLOTT. Mr. President, I ask unanimous consent that I may proceed for 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRANSIT RESEARCH

Mr. ALLOTT. Mr. President, I have just had the opportunity to read a document released by the U.S. Department of Housing and Urban Development's Urban Transit Administration entitled "Tomorrow's Transportation."

This booklet is actually a summation of 17 studies on urban transportation which HUD contracted for with transportation consultant and engineering firms in an effort to give our Government a "sense of direction" in this whole field.

While I will not deny that some valuable points were made by some of the consultants in their reports, the overall picture presented in the HUD booklet left me amazed and stunned.

Here we are at a time when our financial situation is so bad that we have had to cut $6 billion in expenditures for the next fiscal year and we have had to impose a surcharge tax increase on our people to help make up for the irresponsibilities of the past. Then comes HUD with a proposal to spend $980 million—almost $1 billion in research and development in urban transit over a minimum of 5 years.

While our major rail rapid transit systems are being taxed to the limit, while large cities all over the country are finding it difficult to find the money to solve their transit problems, while bus systems in medium and small American cities are going broke or out of business by the dozens, HUD is asking the Congress to spend almost a billion dollars—not to solve these existing problems, mind you—but for research for exotic systems such as personal rapid transit cars and small buses that are furnished to passengers with the aid of computers.

Mr. President, we have not even come close to spending a billion Federal dollars to assist our rapid transit systems which need help in this country since the urban transit program began. How can we justify pouring this kind of money into exotic schemes when we have not settled the problems of the present?

I think Senators will understand my amazement more clearly when they begin to think of what can be done in urban transit within the realm of reality for under a billion dollars.

You could buy 32,667 new 51 passenger buses.

About 50 Cleveland Airport rapid transit extensions could be built.

You would be able to construct and equip nearly 10 Delaware River Port Authority rapid transit lines.

In fact the whole BARTD system in San Francisco could be built for just a little more than $980 million.

I think I speak for many in the Congress when I say that we are becoming weary of endless studies and plans which have little or no bearing on the problems with which we are confronted.

Mr. President, the Friday, June 21, 1968, edition of the Wall Street Journal contained an excellent editorial analysis of this latest research scheme, entitled "Toying With Transportation." It calls on the Congress to take a long, hard look at these proposals before acting. Its call is completely justified and I support it.

I ask unanimous consent that the editorial to which I have referred be printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TOYING WITH TRANSPORTATION

If President Johnson's message to Congress accompanying a study of new systems for urban transportation is noncommital, there seems to be ample reason for it to be so.

The study entitled "Tomorrow's Transportation" and issued after 18 months of research and analysis by 17 contractors hired by the Housing and Urban Development Department, endorses spending almost $1 billion during the next five to 10 years on such experiments as "dial-a-bus" systems and "personal rapid transit" cars. Its proposals are pretty far removed from what the President calls "the problems of Americans who live in or commute to work in cities."

The dial-a-bus scheme, for instance, would serve low-density metropolitan areas; would-be riders at a dial-a-bus station would dial for service while a radio system kept track of vehicles moving through the area. A computer would sort the calls and send a bus to pick up the riders.

Now rapid transit in low-density areas is a problem, all right, especially at night; in Washington, D.C., recently, bus drivers refused to drive at night for fear of being robbed, beaten or both. But neither the dial-a-bus plan nor the personal rapid transit concept, making use of small, recirculating car-like capsules using their own rights-of-way, comes to grips with the problem of mass transit.

When the HUD study considers mass transit at all, it discusses such devices as "dual-mode vehicles" which could be used on both streets and the subway-like guideways, and appears to ignore existing subway and rail facilities, most of which could be improved vastly with better equipment and maintenance. Imposing new and intricate systems atop those now in use is only likely to make the latter worse than they are now.

President Johnson is right in saying the report "provides a good foundation for decisions" on research and development programs needed for new transport systems. The study surely ought to make Congress take a hard look before deciding on the $230 million for fiscal 1970—up from $25 million for 1969—the Administration is asking for urban mass transit projects.

By all means work should proceed on the problems of tomorrow's transportation. At the same time, what is needed more urgently are some immediate and practical solutions to the problems which are making a nightmare of mass transit today. Toying with dial-a-bus and similar plans seems to offer little in the way of relief.

A SAILOR'S LAST LETTER

Mr. ALLOTT. Mr. President, the pages of our newspapers and the screens of our television sets are filled daily with the activities of bearded revolutionary malcontents among our youth. Seldom, if ever, do we hear of the efforts of the majority of young people who serve God and country without a second thought.

In this connection, Mr. President, I was touched to read of a letter which a 21-year-old Arvada, Colo., sailor wrote to his parents before his death in Vietnam. He died, by the way, aiding a wounded marine.

The letter was written by Douglas Parsons, who told his mother and father, in anticipation that his writing would be his last:

> I died for a cause in which I fully believe . . .

He also told them:

> When I die, I fully believe that my soul will go to heaven . . . so you know that I am really all right and I will see you both some day . . .

Thank God that men like Douglas Parsons have accepted their country's call to duty. Thank God that our Nation's defense has not been in the hands of those who are willing to fight and die only on university campuses.

Douglas Parsons should be honored and remembered by all of us for he truly gave his life for his country.

Mr. President, I ask unanimous consent that an article published in the June 10, 1968, edition of the Denver Post describing Douglas Parson's last letter be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARVADA SAILOR'S LAST MESSAGE: LETTER IN BIBLE TELLS VICTIM'S DEVOTION

ARVADA.—It was a letter tucked inside a 21-year-old sailor's Bible; a letter written the morning of March 18, 1968—the day he was killed by rifle fire in Vietnam while aiding a wounded Marine.

His parents, Mr. and Mrs. Lloyd Parsons, 8943 W. 53rd Ave., Arvada, received the letter with other personal possessions sent home by the Navy. They also received the Purple Heart which their son, Navy Corpsman Douglas Parsons, was awarded.

The letter, a message which young Parsons wrote to be read in case of his death, contained a message to his parents. It said:

"Dear Mom and Dad,

"This will be my last letter. It will be delivered to you in case of my death.

"Believe me, this is an extremely hard letter to write. But I must face reality. But I want you please to remember two things. I hope they will both help and comfort you.

"First, I died for a cause in which I fully believe—in a fashion that goes with the Parsons name.

"Second, when I die, I fully believe that my soul will go to heaven . . . So you know that I am really all right and I will see you both some day . . .

"I want you to know that I love you all very much. You are the most wonderful family that anyone can ever ask for, and I thank God that I was so fortunate.

"Please don't let this create a bitter feeling in your hearts—for the service or for the war. I guess it is something that will have to be done and men will have to die to do it.

"I know the blow will be terrible, but I am praying that God will give you strength to face the fact and He will console you . . .

"I love you all so much,

"DOUG."

Young Parsons was born in Pasadena, Calif., and was graduated from Arvada High School. In addition to his parents, he is survived by a brother, Lloyd Jr. Burial was in Ft. Logan National Cemetery.

REINSTATEMENT OF AN OIL AND GAS LEASE IN WYOMING

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Washington [Mr. JACKSON] I ask the Chair to lay before the Senate a message from the House of Representatives on S. 443.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 443) to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0280122) which was, on page 1, line 7, after "0280122)" insert "and accompanied by the required rental, including back rental, accruing from the date of termination".

Mr. BYRD of West Virginia. Mr. President, I am authorized by the Senator from Washington to state that S. 443 is a private bill sponsored by the two Senators from Wyoming [Mr. MCGEE and Mr. HANSEN], to authorize the Secretary of the Interior to consider reinstatement of a certain oil and gas lease in Wyoming which was terminated by operation of the law. The measure was considered by the Interior Committee and passed the Senate on May 4, 1967.

The House amended the bill to require that the lessee tender payment of the back rental as a condition precedent to reinstatement. This amendment is acceptable to the authors of the bill and therefore, Mr. President, on behalf of Senator JACKSON, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

REINSTATEMENT OF AN OIL AND GAS LEASE IN WYOMING

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Washington [Mr. JACKSON] I ask the Chair to lay before the Senate a message from the House of Representatives on S. 102.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives the bill (S. 102) to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0310090) which was, on page 1, line 8, after "0310090)" insert "and accompanied by the required rental, including back rental, accruing from the date of termination".

Mr. BYRD of West Virginia. Mr. President, I am authorized by the Senator from Washington to state that S. 102 is a private bill sponsored by the distinguished junior Senator from Utah [Mr. MOSS] to authorize the Secretary of the Interior to consider reinstatement of a certain oil and gas lease in Wyoming which was terminated by operation of the law. The measure was considered by the Interior Committee and passed the Senate on May 4, 1967.

The House amended the bill to require that the lessee tender payment of the back rental as a condition precedent to reinstatement. This amendment is acceptable to the author of the bill and therefore, Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

SIGNIFICANT DEVELOPMENT IN THE SITUATION AFFECTING THE ANTI-BALLISTIC-MISSILE SYSTEM

Mr. BAKER. Mr. President, on Monday I rose to support the deployment of the Sentinel Anti-ballistic-missile system. At that time I declined to engage in an evaluation of the relative effectiveness of Sentinel and rather suggested that the concept itself offered a unique opportunity for offensive arms limitation.

With eloquence and unquestioned conviction opponents of Sentinel argued that our efforts in this field would lead to another spiral in the arms race, and quite remarkably, some countered with the proposition that we increase our offensive weapons arsenal in response to the three existing Russian antiair attack systems, instead of deploying defensive mechanisms.

I cited the speech delivered by the distinguished director of the Oak Ridge National Laboratory, Dr. Alvin M. Weinberg, at Rockefeller University to the seventh annual Atoms for Peace Awards ceremonies, in which Dr. Weinberg makes a convincing case for the proposition that the deployment of an ABM system in the United States might offer the first and only opportunity to initiate meaningful negotiations for the limitation of offensive weapons.

He makes the point that nations are far more likely to agree to limitation of offensive weapons if they are secure in their defenses.

Contrary to the arguments of those who oppose Sentinel, the deployment of an ABM system would prevent a further escalation of offensive weapons for this country and others. Then and now, I was and am greatly troubled with the advice that America continue to escalate the offensive arms race by concentrating on such weapons instead of defense.

Since Monday there has been a significant development in this field. The Soviet Foreign Minister, Mr. Gromyko, announced their general willingness to discuss weapons limitation.

Reinforcing the importance of Mr. Gromyko's statement, it has come to my attention that the Weinberg speech to which I referred on Monday and which identifies the arms limitation potential of the ABM concept, is scheduled for publication by a prominent Soviet scientific journal in the fall. The Soviets, even in their technical journals, are not noted for publishing foreign papers with which they disagree.

I believe that nations secure in their defense are less likely to commit their efforts and treasure to offensive weaponry.

Finally, I believe the authorization of Sentinel contributed to these promising developments. I believe the arms limitation aspects of ABM deployment are demonstrably valid. I believe that the Soviet Union may be signaling its willingness to enter a new era of meaningful weapon limitation.

If this be the case, as I believe, the fiscal authorization for Sentinel may rank as one of the greatest investments ever made by this country.

VICE PRESIDENT BACKS EDUCATION BASED ON ABILITY TO LEARN, NOT ABILITY TO PAY

Mr. YARBOROUGH. Mr. President, last September I introduced in the Senate the university post-secretary educational opportunity bill. Now, with some minor modifications, that bill is pending in the Subcommittee on Education as an amendment to the higher education bill of 1968. It is my understanding that a similar measure is being considered in the House of Representatives.

The purpose of my amendment is to conduct an intensive study of alternative means of financing post-secondary education in America based upon the following statement of congressional intent:

> Congress hereby declares it to be the policy of the United States of America that every citizen is entitled to an education of high quality without financial barriers and limited only by the desire to learn and ability to absorb such education.

As the author of the cold war GI bill which provides both tuition and living expenses to veterans while they pursue a further education, I am familiar with both the need for financial assistance for post-secondary education and the tremendous benefits that accrue from such an educational investment.

Under the World War II and Korean GI bill, for instance, we spent some $14.5 billion on our veterans, but because of the high income received by these GI's as a result of their increased training that $14.5 billion has already been repaid in the form of increased income taxes. It is estimated that it will be repaid two or three times over during the earning lifetime of these veterans.

There have been many proposals put forth suggesting different ways to finance postsecondary education and indeed it seems to be the tenor of the times that we get on with the job of making such a massive educational investment.

The only question of course, is what method of finance is the best. The study I have proposed will provide Congress with the information it needs to act.

In the light of my proposal, I was pleased to note that Vice President Hubert Humphrey, in his speech before the Education Commission of the States last Wednesday, called for "a new education policy for America" which would provide full education for every child through college "on a straight ability to learn—not ability to pay—basis."

In his speech the Vice President said:

> The cost of educating every American must be recognized as an investment that will be fully repaid.

Vice President Humphrey suggested:

> We need to look seriously, for instance, at the proposals which have been made for a liberal student-loan program—with the terms of repayment to be geared to the student's post-education earnings.

I have serious reservations about this particular proposal, but am more than willing on the basis of the study I have proposed to be convinced otherwise. To me, a sounder proposal would be tuition free colleges, much like the California system for junior colleges.

The fact of the matter is that there is nowhere a comprehensive study providing a detailed comparison of alternative methods of financing postsecondary education, and until Congress has such a study as a basis for action it cannot move ahead responsibly.

I applaud the Vice President for his commitment to education and his willingness to make education a campaign issue. I urge every Senator to read the Vice President's speech, and I ask that it be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks of Vice President Hubert H. Humphrey Before the Education Commission of the States, Denver, Colo., June 26, 1968

We have lived and grown and prospered as a nation—and have made democracy work—on the simple good sense, as Jefferson put it, that "man cannot be both free and ignorant."

A greater proportion of young Americans finish grade school, high school, and college than in any other society on earth.

Yet the fact is that our educational system is still falling short of the mark.

There is no paradox in this. To the contrary.

We have set out now to *perfect* the society we have built.

The only nation in the world where the poor, by our standards, are a minority, we are determined now to eliminate poverty.

The freest society in history, we are intent now on making this freedom real in every citizen's life.

Possessed of unparalleled wealth in material things, we are discontent about the quality—and, worse, the inequality—of human life.

We used to measure our achievement in terms of averages, medians, and means.

Now we measure it by how many are left out of what we have . . . by the extent to which *every* American participates both in the responsibilities and in the benefits of membership in this society.

We have a new sense of what Walt Whitman meant when he said, "I give you the sign of democracy: I will accept nothing which all cannot have their counterpart of on the same terms!"

And as we relied on general education to develop democracy's basic idea, we turn now to the *perfection* of our educational policy as the necessary means to make a reality out of democracy's highest ideals.

We know that the flaws that remain in America—poverty . . . the disadvantages of "minority groups" . . . hunger . . . disease . . . crime . . . violence—are all traceable in some measure to our remaining shortcomings in education.

So I come here today to talk with you about a *New Education Policy for America*

That policy must go beyond a guarantee of twelve years of substantially-uniform instruction for every American boy or girl.

It must provide far more:

That every individual has the right to receive the *fullest and best education that individual can put to good use.*

And further: That every individual with the capacity to be self-sufficient has an *obligation* to *use* this educational opportunity toward responsible membership in a free society.

I mean to declare this policy, and carry it out, as clearly as we would declare and carry out the policy of protecting this country against invasion by a foreign power.

For ignorance *is* an alien force in America—the enemy of everything we seek . . . everything we stand for.

We must therefore mobilize America against ignorance, illiteracy and intolerance. We must rally America for education, training, and opportunity.

I know the sensitivities of a federal official talking about education to a commission of state and local officers—and all the hazards that surround the subject.

I know them well enough that they don't frighten me.

My first Senate vote in 1949 was on federal aid to education. We passed it in the Senate. It was killed in the House.

Year after year, federal aid to education was killed in one House or the other on one basis or the other—race or religion.

Or it was defeated on the argument that it was too expensive . . . that we shouldn't "pass on the debts to the next generation."

So we passed on instead the one debt no generation can stand—which is the burden of the ignorance, the lack of education and training, of some of its members.

Finally, a man who had been a teacher, in a little school for Mexican-American children, became President of the United States—and broke through those old, irrelevant barriers.

In 1968 your federal government is investing in all forms of education, almost thirteen billion dollars—more than three times the level four years ago. The dividends are beginning to come, in the form of new jobs, new hope, new dignity.

But we still have a long way to go.

Only half of our sons and daughters go to college—and only half of those who start college finish it.

Over 900,000 drop out of high-school before they get their diplomas.

You know, when people turn away from a store, a good businessman says "there must be something wrong with the merchandise or the service." And when young people turn away from the schools it is time to ask ourselves "why."

Is our education relevant to their needs?

Is it what they have to have to make a living?

Has it some real meaning to their life today or tomorrow?

Or, are we just in the business of selling old wares and hopefully thinking we can do it, because they have to attend school?

Yet the truth of it is that today's lost educational opportunity is not the result of not knowing how to teach children. It is a gap between what we *know* and what we *do*.

It is partly, too, a failure to break away from old patterns of administration in our schools and our school systems—which is the particular subject of concern and responsibility of the members of this Commission.

Let me today offer three essential elements in the development of a New Education Policy.

First, we must be willing to pay the cost of quality education at all levels.

Second, we must provide not just mass education, but *individual* education.

Third, we must overhaul educational administration.

First, paying the price:

The cost of educating every American must be recognized as an investment that will be fully repaid.

We spend billions of dollars for relief and welfare, for institutional care, for crime and violence—as the costs of people *not* being educated and trained.

The question is whether to pay as our children grow—to educate them—or whether to pay later the prices of ignorance, incompetence, frustration, and alienation.

The costs of a policy of full education will be large. They include the cost of training and paying teachers on a basis which recognizes that their work affects the future more directly than the work of any other profession.

They include the cost of a national preschool program available to all children from age 4.

They include the cost of seeing to it that a child who comes to school hungry is fed.

They include the cost of whatever arrangement is necessary to put staying in school, right through college, on a straight ability-to-learn—not ability-to-pay—basis.

We need to look seriously, for instance, at the proposals which have been made for a liberal student-loan program—with the terms of repayment to be geared to the student's post-education earnings."

They include the cost of providing and staffing adequate technical institutes and vocational schools which will give young people the skills they need for the jobs of tomorrow, rather than whatever skills of yesterday the available staff people happen to have.

They include the cost of educational centers, developing and providing creative and innovative teaching tools and methods, in each of our 50 states.

They include the cost of a minimum of 25 federally-subsidized centers of advanced study in high-school and college education.

They include the cost of community colleges which are more than glorified custodial high-schools, and which meet the legitimate needs of young people who may not be suited to a four-year college or who need preparation before entering one.

The members of the Association of American Universities have this week issued a detailed statement calling for a large-scale increase in federal support for higher education—in public and private institutions, from junior colleges to graduate schools.

It is estimated that the implementation of this AAU proposal would mean an increased annual expenditure of as much as 8 billion dollars by 1975. That estimate may not be high.

The Association representatives urge consideration of their proposal in this election-year campaign.

I join in that.

This is the kind of thing we *ought* to consider and decide as a people.

I believe we must be willing to make our decision this year that forthcoming national "dividends" should be put into education—a large part of both the "peace dividend" which will come with the ending of the war in Viet Nam, and of the "growth dividend" which will come in the form of increased revenues from economic expansion.

Second, providing education for the individual:

A new full-education policy must take into account individual differences and circumstances.

Equal educational opportunity ought to mean the *preferential* treatment of those who have gotten off to a slow start—almost always for reasons entirely beyond their control.

Equal opportunity also means putting good schools in the "worst" parts of town, and good teachers with those youngsters who present the most difficult educational problems.

Our worst waste of human resources—and our most direct contribution to poverty and to crime—lies in the fact that we let almost a million boys and girls end their education every year without completing their preparation for what comes next . . . in most cases just because they have reached age 16.

I believe age 16 should *not* be a cut-off date for compulsory education. I believe there should be case-by-case handling of students who for any reason decided to leave school before they have finished the 12th grade.

We need new curricula for those who will go directly from high school to work.

We need institutes of remedial education to provide intelligent but educationally or culturally deprived young people with the essential tools required for college work.

The lack of true educational opportunity is illustrated by the racial composition of our major colleges and universities. The time has come for specific steps to correct this imbalance.

We need combination learning-and-earning programs, and closer relationships between the schools and the employers in the community.

It means insuring that each student should receive the right instruction for *his* level of intellectual capacity, and for *his* aptitude—from the retarded to the most brilliantly-gifted.

I believe we can do this and at the same time continue to give *all* our young *people* education which exposes them to contact and experience with other students who are not carbon copies of themselves.

Years ago we tended to ignore the child who revealed early academic disabilities and shrugged him off as doomed to mediocrity.

We identified the child who seemed socially apathetic or troublesome and shunted him off to some isolated corner.

We tested a youngster and, perhaps unconsciously, carved out his educational niche well in advance of any chance to display his individuality.

We must nourish *individuality*—the individuality of every child, white or black, rich or poor, urban or rural.

We must find and touch that priceless substance within each child which makes him a separate entity—unique and precious—so that he may utilize it to the fullest, on his own behalf and on behalf of his society.

Third: We must declare a deliberate policy of innovation in educational administration.

The current revolution in teaching methods at the primary and secondary level has produced the "new math" and the new methods of language instruction. This must be matched by drastic changes in the administrative aspects of education.

There is the obvious need for the 12-month use of our school facilities.

It does not make sense to use a 45 billion dollar primary and secondary educational facility only eight hours a day, nine months a year.

We would not stand for it in any other public service.

We need long-term planning so that our schools, at all levels, will be placed in areas of future population growth—not according to old jurisdictional lines.

And we need conscious decision on the part of government at all levels, to encourage magnet centers of educational excellence—such as we see now in Boston and California—in those areas where economic and population growth is *desired.* Where there is educational excellence, economic and social dividends follow.

We are now involved in innovation and experimentation in unprecedented magnitude . . . the application of modern technology in the classroom . . . through such aids as programmed teaching machines; video recording; language laboratories—through innovations such as team teaching; variable sized classes ranging from a one-to-one student teacher ratio to a lecturer speaking to hundreds.

Elementary schools are moving toward individual research projects and self-discovery rather than rote learning.

There is increased recruitment of gifted liberal arts graduates as teachers, and of housewives with special skills for part-time teaching.

And, at all levels, we see now the development of new attitudes regarding student sharing of responsibility with faculty and administration.

Our young people have idealism—and capacity beyond what we had at their age.

They insist, and rightly so, in participating in the affairs of democracy.

They ask for channels of self-expression. Self-expression is a cornerstone of the individuality we seek, and we should encourage these young people to state and debate, to learn how to handle ideas *in an orderly and American way.*

Part of the disorderly spectacle we see on some college campuses may trace its origins to inexperience with the democratic handling of dissent and debate.

It seems to me that high school administrators and faculty members must prepare themselves far more than they have today to understand and work in the fields of social and political action, so that their students, in turn, will be prepared to do the same.

A natural extension of this is the need for our colleges and universities to more fully involve themselves in constructive social action in their surrounding communities.

The role for the faculty should not be just "publish or perish," but also "participate and prosper."

As our colleges and universities become more fully committed to the betterment of their own home towns, I have a feeling they will gain far more than they give in the accumulation of practical knowledge about the urgent problems they seek to understand.

As the students of our colleges and universities find themselves actively drawn into the decision-making process of their schools . . . as they find themselves, on a practical and direct level, helping to fight poverty and ignorance in their communities, I think they will gain a deep and lasting ability for citizenship—and respect for the democratic process.

Now is the time—this year—for us to make decisions about policies and priorities of this country in the 1970's and the year 2000.

I believe that the base on which everything else must be built is the educational policy of this nation.

We shall be either as strong, or as weak, as that policy permits.

Those are the stakes.

I believe, therefore, that we should—as a nation—declare here and now that 1968 will be the year when the decision was finally made to make the investments . . . to make the changes . . . to make the personal commitments necessary to provide quality education for every individual American child—from age 4 through college.

That is a big order. But this is a big nation.

And, if we do it, we shall be a great nation.

MILESTONE FOR PRESIDENT JOHNSON'S PEACE EVENTS

Mr. McGEE. Mr. President, the news from the Soviet Union that Russia is prepared to discuss limitations on strategic warfare with United States is an important milestone in President Johnson's continuing efforts to reduce the chance of worldwide nuclear war.

For more than 4 years President Johnson has urged the Soviet Union to join with United States in disarmament talks concerning strategic weapons.

The patience and persistence of the President has finally met with a positive response from the other side. The President refused to follow the voices of those who preached that no agreement could ever be reached with any Communist country.

For his steadfast and untiring efforts the entire Nation can be grateful to President Johnson. Obviously, total disarmament is not "just around the corner," but it is equally obvious that the road to world peace is paved with the solid stones of small events such as the news today out of Moscow.

CHALLENGE AND ACTION IN RURAL AREAS

Mr. MANSFIELD. Mr. President, radio stations in Montana and other North Central States recently carried a brief interview with Mr. Howard Bertsch, Administrator of the Farmers Home Administration of the U.S. Department of Agriculture.

In the interview, Mr. Bertsch summed up with maximum clarity, in minimum words, the family farmer's need for more operating credit to win his struggle for existence, and the need for revitalizing the rural community.

The interview with Mr. Bertsch was recorded with Mr. John Franklin of the Farmers Union Grain Terminal Association in St. Paul, Minn., and broadcast on the "GTA News and Views" program over a number of Montana stations, as well as over stations in Minnesota, North Dakota, and South Dakota.

As a timely and concise summation of some of the problems we are grappling with in rural areas, I ask unanimous consent that the transcribed text of the interview be printed in the Record.

There being no objection, the text was ordered to be printed in the Record, as follows:

John Franklin. With us today is Howard Bertsch, Washington, D.C., administrator of the Farmers Home Administration. The FHA has just completed a 24-state regional meeting in Minneapolis.

Mr. Bertsch, I understand that FHA's biggest job is helping low income farmers get enough credit to plan an economic family unit.

Mr. Bertsch. Today we are lending about $600 million a year to family farmers. Two hundred million of that is real estate credit to enable the owners of inadequate farms to enlarge those farms to the point of being competitively efficient. About $300 million is short and intermediate term credit to not larger than family farmers who can't take advantage of conventional credit sources. About $100 million is used to help finance the production on farms in areas that have been designated by the Secretary of Agriculture as emergency areas because of natural disaster.

Mr. Franklin. Do you have enough money to meet the needs of low income farmers?

Mr. Bertsch. No, we don't.

The real substance of the agricultural revolution we hear about—the technological revolution—has been truly the substitution of capital for labor. This requires more investment. We have to expand our credit resources tremendously just to stand still, to serve adequately the same number of family farmers.

Mr. Franklin. What are some of the services FHA can offer rural communities in addition to credit programs for farmers?

Mr. Bertsch. Primarily, since 1961, we have recognized that four out of five of the people who live in rural America do not farm. We have expanded our mission to include rural communities and the non-farm rural housing sector of rural America. This is where much of our increase in housing is taking place.

The other services we make available to strengthen rural communities are services in the field of community facilities—central water distribution systems, safe and sanitary waste disposal systems, and recreation facilities.

All this means a better rural America, a rural America more competitive, more attractive, which truly should result in creating the kind of environment outside the metropolitan areas that will attract job opportunity creators.

I am talking now not about agricultural opportunities for employment in rural areas, although we must have hard looks at that, too; but it appears that only about ten percent of the young men growing up on farms in this country may reasonably expect to find a future in agriculture.

What about the other 90 percent? Are they going to be deprived of an opportunity to make a good living where they are, where they want to be, in rural communities?

We think not. We think we can make those rural communities so attractive that non-farm employment opportunities will prevail there.

A CRUSADE COLLAPSES

Mr. BYRD of West Virginia. Mr. President, one of the best and most perceptive analyses that I have seen on the so-called Poor People's Campaign was published in the Wall Street Journal of June 26.

Entitled "A Crusade Collapses," the article points out the ineptness of the leadership and the confusion surrounding the objectives of the campaign.

It rightly observes that the American people at this juncture are concerned, first of all, with the reestablishment of law and order in the country.

The chief symbol of the campaign, Resurrection City, became a center for the very type of lawlessness that has plagued so many of the Nation's cities and angered so many Americans.

The article is one that should be read and digested not only by those who opposed the camp-in on Federal properties, as I opposed it, but more particularly by those who supported the campaign, for it presents a good and factual statement as to why the campaign turned as sour as it did.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Crusade Collapses: Bad Judgment Turns Poor People's Campaign Into a Fiasco

(By Monroe W. Karmin)

Washington.—The arrest of the Rev. Ralph David Abernathy and his Resurrection City followers produced the crowning irony of a mammoth misadventure.

In many minds, the villains of the confrontation are not the "racist" Congress, the "unfeeling" Johnson Administration or the "brutal" police—as the Poor People's Campaign tacticians had expected. Instead, even friends admit, the villains in the public's view have turned out to be the demonstrators themselves, who had hoped to evoke widespread sympathy as they were herded off to jail.

What went wrong?

The answer goes much deeper than the flagrant mismanagement of the campaign that resulted in the wrong people saying and doing the wrong things at the wrong time and place. The Poor People's Campaign failed because it misjudged the prevailing national sentiment that now, after three years of urban racial conflict, sees the need to reestablish law and order as the top priority before further social progress can be achieved.

This mood was apparent, even before the campaign came to Washington, to wise old civil rights hands. Roy Wilkins of the National Association for the Advancement of Colored People and Bayard Rustin of the A. Philip Randolph Institute endorsed the crusade only out of respect for the assassinated Martin Luther King Jr., originator of the campaign.

CONTRIBUTING TO FRUSTRATION

Not only was the climate of national opinion unreceptive, they warned, but even those in Government sympathetic to the poor people's cause were blocked by budgetary restraints from offering substantial aid. Money, not promises, was needed, and money was not available. And so the more experienced civil rights strategists could see only impending doom and predicted the Poor People's Campaign would betray its own non-violent intent by contributing to the frustration that breeds violence.

That prediction has been borne out. In the aftermath of the arrest of the Rev. Mr. Abernathy and his marchers, Mayor Walter Washington of the District of Columbia was compelled to order police and National Guardsmen into the slum here to disperse hundreds of milling, missile-throwing Negroes.

On the national level, the Poor People's Campaign has alienated many of its friends. No less a liberal than Vice President Humphrey is finding it increasingly difficult to remain sympathetic. Though he still favors new efforts to provide food for the hungry and jobs for the poor, the Presidential candidate, in a major address to the National Press Club last week, laid primary emphasis on the need to curb civil disorder. "Violence must be stopped," he declared, and if elected President, he vowed, "I will know how to stop it."

But if the elder civil rights leaders sensed the new mood of the American majority, the Rev. Abernathy—propelled to sudden leadership by the death of Dr. King—apparently did not. Or, if he did, he handled the situation badly. "Abernathy is a blunderer," is the frank appraisal of a Johnson Administration friend to the campaign who has labored, and still is laboring, to salvage some success from the fiasco.

In part, the Abernathy failure is oratorical. The charismatic Dr. King possessed the ability to cloak his causes in the highest of ethical standards. He could speak of "freedom" and "justice" and the "promised land" and arouse the idealistic emotions of black and white, rich and poor. Even when he talked tough, he sought a higher level with phrases like "direct action," and "confrontation" and "militant non-violence."

Though the Rev. Abernathy and his lieutenants voice much the same language, coming from them it seems more rote than conviction. The real Abernathy mission seems to emerge in threats like "raising hell," and "turning the town upside down" and "disrupting the processes of government."

Bombast such as this played into the fears of the white community, and tended to accelerate, rather than arrest,the shifting majority sentiment toward the need to establish law and order as the first national priority.

Another contributing factor was the poor people's tactical approach. The leaders decided, early in the campaign, to present their demands in general, not specific, terms. The idea was that the poor people would thus retain the option of claiming victory whenever they saw fit.

This approach, however, left outsiders in a dither. Even Capitol Hill friends of the campaign were confused. And so the impression was created that the poor people themselves didn't know what they wanted, and their real purpose was not achievement but trouble-making.

By the time the campaign managers did get around to specifying their desires, it was too late. The list was too long (it included 99 items at one point) and too impossible, in effect demanding that poverty in America be ended this summer. When Mr. Rustin was called in to organize Solidarity Day, he insisted upon scaling down the demands but his ideas were rejected.

As a result, the impression conveyed to the public by the impoverished demonstrators was not that of the sympathy-deserving downtrodden, but rather that of a bunch of unruly, undeserving riffraff. The Abernathy team enlarged the menacing image by engaging in a series of confrontations that, contrary to expectations, drew public support to the campaign's adversaries.

At the Agriculture Department, a troop of poor people marched into the cafeteria, ate lunch and refused to pay the bill. The leadership told the Department it "owed" the food to the poor. At the Justice Department, a Negro woman, pointing her finger at Attorney General Clark, demanded, in effect, that he give her what she wanted "or else."

The effect of such incidents was to obfuscate the issues further. Were the poor people interested in uplifting themselves or tearing down authority? If they were concerned with uplift, what role did they expect the Government to play? Does the Government "owe" every man a successful life, or merely the opportunity for success?

At no point did the Rev. Abernathy provide clear-cut answers. He merely spoke more belligerently and impaired his own credibility by changing course time after time. He was never able to convince onlookers that he was firmly in control of the campaign. And the newspaper and television reporters, having found cause to question the Abernathy leadership, began to look at Resurrection city itself.

What they saw was low morale and low morals, racial squabbling among minority groups, not-so-nonviolent youths who had to be shipped home, and even the poor stealing from the poor. "In hindsight, it appears to about everybody that Resurrection City was a mistake," confesses one source close to the campaign.

CONFIRMED FEARS

This "mistake" cost the poor people whatever slim chance they had for widespread public support. For as the reports of rape and robbery at Resurrection City began to seep out, not only were the public's fears of violence confirmed but an even stronger emotion came into play.

After all, the campaigners were the people who were condemning American society, in toto or in part, as "racist" and "sick." And what values were they offering as substitutes? Not equality and justice, but robbery and rebellion against all authority by any means.

Thus the poor people found themselves in the position of seeking to win the support of the American majority—the white middle-class—for a campaign that had become abhorrent to basic values cherished by the white middle class. This was an impossible quest.

There was no groundswell of support for poor people's legislation on Capitol Hill. There was no public pressure on the Administration to be generous. There was no great victory for the Rev. Abernathy, but only the defeat that had been predicted months ago by wiser heads.

And so, the Rev. Abernathy had no choice but to bring about arrest—both to rid himself of the headache of managing Resurrection City, and to grasp at the faint possibility that through martyrdom he might be able to achieve what he failed to achieve on stage as the star performer in the abortive attempt to dramatize the plight of the poor.

In doing so, the reverend provoked the very violence that had been feared by so many and is the antithesis of the guiding principles of the non-violent cause. The Negro mayor of the District of Columbia ordered his police to disperse the Negro mob that gathered in the slums after the arrest of Mr. Abernathy. And that may be the most significant consequence of the Poor People's Campaign considering the national concern for law and order.

LOWER THE VOTING AGE

Mr. HANSEN. Mr. President, I wish to express my wholehearted support of the President's proposal to amend the Constitution to extend the right to vote in Federal and State elections to citizens otherwise qualified who are 18 years of age or more.

Citizens in the 18-to-21 age group today are more informed and more concerned with the problems of society than those of earlier generations. However, when the means for effective participation, the right to vote, is denied, youth become alienated from society. By giving these citizens the right to vote upon reaching the age of 18, they will be given an opportunity to voice their opinions at the ballot box, within the existing political framework. This is the best place to channel such opinions. This is the best place to channel the actions of the young American citizen.

I support this proposal for another reason as well. At 18, our young people are subject to many of the responsibilities of citizenship. For example, they are eligible for military service, pay taxes, and are no longer juveniles in the eyes of the civil and criminal laws. With these responsibilities should go the right to have a voice in the political process. That voice in our democracy is most effectively raised through the right to vote.

Our democratic heritage will be strengthened by the adoption of the President's proposed amendment to the Constitution.

THE VOTING AGE SHOULD BE LOWERED TO 18

Mr. TYDINGS. Mr. President, the President has sent to Congress a proposal to amend the Constitution to extend the right to vote to more than 10 million citizens—young men and women between the ages of 18 and 21. This is a most important measure, and I intend to give it my full support.

Many meaningful reasons can be given for allowing these young citizens to participate in the election of those who make determinations which so vitally affect their lives. One we should not overlook is that early participation in the elective process is likely to lead to a lifetime of active citizenship.

Presently, classes in civics and government are introduced into our educational systems years before the student is allowed to put that knowledge into action at the polls. By the time many reach voting age they are either in college or in service away from their voting residence. Consequently, absentee registration procedures either handicap or even prohibit the exercise of the voting right. By extending the right to citizens at an earlier age, the right is more likely to be exercised.

There can be little doubt that one is more likely to examine the issues on the ballot if he is afforded a vote. We need responsible young men and women who can not only protest decisions made, but who can weigh and help to determine responsible alternatives.

Since 1942, leaders in both major political parties have spoken out for action to lower the voting age. Now, in 1968, it is time that bipartisan support be given in answer to this need.

Since my election to the Senate, I have supported a constitutional amendment to lower the voting age. I have strongly advocated that my own State of Maryland lower its voting age. Just last month I testified at a hearing on this issue before the Subcommittee on Constitutional Amendments, of which I am a member, of the Committee on the Judiciary. I ask unanimous consent that the text of my testimony be printed in the Record.

I am pleased that the President has given his strong support for a constitutional amendment lowering the voting age. I urge the Congress to act now on this vital issue.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

Statement of Senator Joseph D. Tydings in Favor of Reducing the Voting Age in Federal Elections to 18, Presented to Subcommittee on Constitutional Amendments, Senate Committee on the Judiciary, May 14, 1968

Mr. Chairman, as a member of this subcommittee, I am particularly pleased to endorse the proposal to amend the Constitution to provide for voting in Federal elections by all citizens over the age of 18. I am a co-sponsor of the Mansfield-Dirksen bill to lower the voting age. I also testified in favor of reducing the voting age before the Maryland State Constitutional Convention. Ratification of the new Constitution that Convention produced is being voted on today in Maryland. I am optimistic that that new charter, containing a provision reducing the voting age to 19, will be overwhelmingly approved.

I believe the minimum voting age should be that age level at which the average person of that age group has attained the maturity required to make an intelligent choice from among the various candidates for the leadership of his government.

Although the twenty-one year minimum is traditional in this country, it is not sacred or immutable. Two states, Georgia and Tennessee, long ago reduced the voting age to eighteen; Alaska allows voting at nineteen; and Hawaii at twenty.

I believe that the age of eighteen—the age of high school graduation—is a reasonable minimum voting age. This Committee may choose a higher age. But I urge reducing the twenty-one year requirement, because no argument can justify it.

Any decision as to voting age must be arbitrary. But some ages are more arbitrary than others. I believe an examination of the primary arguments for retaining twenty-one as the voting age will show that none of them offer valid reasons against lowering the voting age.

TRADITION

Twenty-one is the traditional voting age in forty-six of the states.

Whatever justification existed for imposing twenty-one as the minimum age a century ago, however, the fact is that today's American young people are achieving physical, emotional and mental maturity at an earlier age than ever before. While the traditional twenty-one year old voting age has remained unchanged, the character of our population has changed dramatically, especially with regard to the education, maturity, and responsibilities assumed by our young people.

Indeed, tradition itself is no reason at all for maintaining the voting age. If tradition were a good reason to maintain a constitutional provision, we would not need this Constitutional Amendments subcommittee to review our traditional, but not unchanged or unchangeable national Constitution.

We should deal with the facts as they are today. The fact is that most eighteen year olds are as personally qualified to vote as most of their elders. Indeed, in some instances they are more qualified.

OTHER TWENTY-ONE YEAR REQUIREMENTS

Some argue that since the common age for legal majority is twenty-one, the minimum age for voting should be twenty-one. There is no compelling connection between the age set as the minimum for voting and the age set as the minimum for other state-regulated activities, such as the purchase of alcohol or the administration of an estate. The law in each case should be shaped to the subject matter involved.

In the case of voting, the question is whether eighteen, nineteen, or twenty year olds are mature enough to make an intelligent choice in the voting booth for the government leaders who tax them, regulate their lives, and can send them to war. I think the answer is clearly that these young people are as qualified to make such political judgements as most of their elders.

TOO MUCH IDEALISM

Some people argue that lowering the voting age would add to the voting population many whose idealism has not been tempered by practical experience in adult society.

I do not think that we should fear a little idealism in politics. I think we should welcome it.

Moreover, although precise figures are unavailable, the Census Bureau has given me statistics which indicate in my own state of Maryland at best, that more than one of every five citizens between eighteen and twenty-one is a full-time wage earner. Many others work part-time while putting themselves through college. Thousands of Maryland boys between eighteen and twenty-one are not only getting practical experience in "adult society," they are getting it in a very hard school—in the jungles and on the battlefields of Vietnam.

OUTSIDE INFLUENCES

The argument is made that reducing the voting age would add to the voting population persons highly influenced by their parents, schools, television, and special interests.

I reject the notion that young Americans are any more susceptible than their elders to parental political influence, political pitchmen, or special interests. My experience, as a Senator speaking to high school and college groups and answering their questions in every corner of the nation, has been that these young people—as a group and as individuals—are as acutely aware of the world as anyone in society. They know their history and current events; they are earnest and informed; they are skeptical and searching; they are no more likely to be taken in by demagogues than anyone else. As a matter of fact, they are less likely. As for undue parental influence, if eighteen to twenty-one year olds take the advice of their parents on whom to vote for, it will be, if the testimony of many parents is to be believed, the only aspect of life on which parent's advice is the prevailing factor at that age.

If a perfect test could be devised for determining who should be able to vote, so that arbitrary age limits could be eliminated, surely some eighteen to twenty-one year olds would fail it. But, I submit that a far greater percentage of present voters over twenty-one would fail it. Because no such perfect test can be devised, we will have to continue to have an arbitrary minimum age limit. But that age limit should be based on today's realities, not those of a century ago or legalistic concepts developed during the Middle Ages.

HISTORIC EXTENSIONS OF THE SUFFRAGE

All the arguments made against giving young adults the vote have been made against every expansion of the franchise. All of them were made, for example, against the 19th Amendment, which gave women the right to vote.

The tradition of nearly every state was against it.

Other state laws were against it. Women had been legally deprived of certain rights—such as the right to make contracts—for centuries, and, it was argued, this same legal inferiority should be continued in the case of the vote.

Giving the vote to women, it was said, would add to the voting population many persons whose idealism has not been tempered by practical experience. Women would be highly influenced by their parents, schools, and handsome rogues and demagogues.

Women, it was said, would affect elections even though they had little knowledge of, or interest in, local affairs.

Fifty years have now passed since these prophesies of doom, but the Republic still stands. I believe few would argue against the point that our political system is much richer and wiser because of the participation of women in the electoral process.

I think the fears expressed against extending the vote to persons under twenty-one are just as invalid today as these same arguments were a half century ago when they were used against the universal suffrage.

I hope this Committee will recommend a lowering of the voting age, if not to eighteen, at least to some more realistic level than twenty-one.

THE NEED FOR A STUDY OF WORKMEN'S COMPENSATION LAWS

Mr. JAVITS. Mr. President, this morning Jerome B. Gordon, research associate of the manpower and population program of the Bureau of Applied Research of Columbia University, testified on S. 2864, the occupational health and safety bill.

Mr. Gordon, in the course of his testimony, presented much information bearing on the operation of workmen's compensation laws in the United States and the necessity for the adoption of my amendment, No. 798, which would establish a Federal Commission to make a comprehensive study of such laws

I ask unanimous consent that excerpts from Mr. Gordon's testimony be printed in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

Statement by Jerome B. Gordon, Research Associate, Manpower and Population Program, Bureau of Applied Social Research, Columbia University, Before the Labor Subcommittee, Labor and Public Welfare Committee, U.S. Senate, June 28, 1968

* * * * *

(Note.—Tables not printed in RECORD.)

WORKMAN'S COMPENSATION—WHAT IT IS AND HOW IT OPERATES

In this second section, I shall assess the merits of the current system of insuring against work injury in the United States. I should like to begin by describing the goals of the system as outlined by the Chamber of Commerce of the United States, and to follow with a short discussion of how it operates. In the material that follows these first opening remarks on the subject, I shall dissect the system's problems.

GOALS OF THE WORKMEN'S COMPENSATION INSURANCE SYSTEM

The following is an extract from the introduction to the annual Analysis of Workmen's Compensation Laws, compiled by the Chamber of Commerce of the United States:

"Workmen's Compensation Laws are designed to provide satisfactory means of handling occupational disabilities. As a 20th Century development in the United States, the laws have evolved as the economy became more industrial and less agricultural.

"Before these laws were enacted a well-established common-law principle held that a master or employer was responsible for injury or death of employees resulting from a negligent act by him. Thus disabled workers who sued employers for damages had to prove their injuries were due to employer negligence—a slow, costly, uncertain legal process. As business enterprise and machine production expanded, the number of industrial accidents and personal-injury suits increased. At the close of the 19th Century it was apparent that the accepted common-law defenses—contributory negligence, assumption of risk, negligent acts of fellow servants—operated too harshly on claims of disabled workers. This situation led to demands for new legal provisions.

"As a result, between 1900 and 1910 so-called employer's liability laws were adopted by many States. Although they tended to modify common-law defenses, in effect they did not prove completely satisfactory; employees still had to prove employer responsibility and negligence. Other legal remedies were urged.

"A new answer was forthcoming: In 1911 the first workmen's compensation laws were enacted in the United States on an enduring basis.

"Today, each of the 50 states has a workmen's compensation law. The workmen's compensation laws of Guam and Puerto Rico are also outlined in this "Analysis." Federal workmen's compensation laws have been enacted; for example, the Workmen's Compensation Law of the District of Columbia, the Federal Employees' Compensation Act, and the U.S. Longshoremen's and Harbor Workers' Compensation Act—The latter providing for private or public employees in nationwide maritime work. Each of the Canadian Provinces has a compensation act.

"In essence, workmen's compensation laws hold that industrial employers should assume costs of occupational disabilities—without regard to any fault involved. Resulting economic losses are considered costs of production—chargeable, to the extent possible, as a price factor. The laws serve to relieve employers of liability from common-law suits involving negligence.

"Six basic objectives underlie workmen's compensation laws; they:

1. Provide sure, prompt and reasonable income and medical benefits to work-acci-

dent victims, or income benefits to their dependents, regardless of fault;

2. Provide a single remedy and reduce court delays, costs and work loads—arising out of personal-injury litigation;

3. Relieve public and private charities of financial drains—incident to uncompensated industrial accidents;

4. Eliminate payments of fees to lawyers and witnesses as well as time-consuming trials and appeals;

5. Encourage maximum employer interest in safety and rehabilitation—through appropriate experience-rating mechanism; and

6. Promote frank study of causes of accidents (rather than concealment of fault)—reducing preventable accidents and human suffering.

"To what extent have the laws achieved desired objectives? Answers to this vary from State to State and depend on many factors including the viewpoint of the appraiser."

HOW IT OPERATES

It is fundamentally a decentralized state-run system. Insurance against industrial injury is sold through private insurance carriers, with a small amount of insurance obtainable through several state funds. Large establishments, if they meet certain criteria in most states, can insure themselves. Claims are administered through state industrial accident commissions or workmen's compensation boards. Rates are set by a private rating bureau—the National Council on Compensation Insurance—through a network of state rating bureaus and a manual of industrial and occupation classifications in each state. Rates are adjusted through hearings before state insurance commissions. Benefits are set by legislation in each of the states and jurisdictions.

Rates are levied by amount of payroll. Adjustments in basic rates are made for premium discounts and for safety records. Safety record adjustment or "merit rating experience" operates for only 20 per cent of all insurance risks. Merit rating does not occur until a level of between $500 and $750 in total premiums is reached. Therefore Workmen's Compensation insurance effectively is not tied to establishment safety records. Rates and variations in rates, as will be shown shortly, are fairly uniform across the nation. Rate adjustments are made in the form of applications to state insurance departments. Changes in rate are predicated on the costs of doing business; i.e. "expense loadings."

Benefits are legislated and do not reflect automatic escalators in the form of cost of living increases, as is the case with rate increases—which are tied to a combination of inflationary pressures, payroll costs, and factors bearing on insurance costs. Benefits are basically of three types: scheduled injury, income payments, and survivor payments.

To effect claims, a worker submits a claim through his employer to the state Workmen's Compensation board within a statutory period after the accident or contraction of disease. The board adjudicates the claim and, upon submission of the evidence, determines whether the claim is compensable. The injured worker, if granted his claim, is given medical, monetary and, in some instances, vocational rehabilitation benefits.

WORKMEN'S COMPENSATION COVERAGE PROVISIONS AND BENEFITS

By far the most dismal aspect of Workmen's Compensation is the innumerable faults and gaps in the welter of state and federal systems. Frankly, the variability in coverage, benefits received, and statutory controls is beyond the sanctuary of states' sovereignty. Let's find out what the problem is with the current system of operation.

COVERAGE OF PRESENT WORKMEN'S COMPENSATION SYSTEM

Less than 62 per cent of the current labor force is covered by the various state and federal Workmen's Compensation systems; this is in comparison with over 89 per cent of the labor force covered by the Social Security System. As can be seen in Table 5, over the period from 1958 to 1964 there appeared to be no further extension of coverage to millions of the nation's workers.

Few jurisdictions offer anything near what might be considered complete protection to all employees for work connected injuries and occupational diseases. Table 7 gives the extent of coverage of the labor force in each jurisdiction for both 1956 and 1964. The most interesting and damaging aspect of the data is that the proportion of coverage in both time periods has remained the same for almost all jurisdictions.

The reasons for this intolerable static condition are indicated in Table 6 which contains a summary of all the Workmen's Compensation Laws compiled periodically by the U.S. Bureau of Labor Standards.

Twenty-three jurisdictions have elective provisions—that is, the employer may accept or reject the legislation. Well over 52 per cent of the jurisdictions have exemptions for employers having less than 15 employees. That benchmark accounts for over 67 per cent of all manufacturing establishments, according to the 1963 U.S. Census of Manufacturing. Only a quarter of the jurisdictions cover agricultural employment, domestic workers, and casual labor. I shall wager that most of the members of the committee who employ domestics or day workers in their households do not realize that they are currently underinsured for the work hazards of the home. Because of these and other similar exemptions something between 15 and 20 million employees in our nation's labor force are not protected against work injuries.

Let's move on to the dreary facts about benefit provisions.

BENEFIT PROVISIONS OF WORKMEN'S COMPENSATION SYSTEM

The injured worker in 22 jurisdictions still does not have the simple privilege of choosing his own physician. Obviously, as I pointed out in the material on measurement of injuries, the deck is loaded in favor of the employer. Further, there are still 11 jurisdictions which do not provide full coverage for medical benefits for accidental injury. Benefit coverage for occupational disease is equally as medieval. Over 42 per cent of the jurisdictions have either limited or no coverage for medical benefits for occupational diseases. In addition, well over 58 per cent of the jurisdictions have a set time limit on filing for occupational disease claims of generally two years or less from time of incidence of the disease. This is especially insidious since innumerable diseases require a prolonged period of germination before their deleterious effects are visible.

If the State systems are supposed to recognize their responsibility for rehabilitation of the injured worker and re-insurance against his subsequent injury as a result of an initial injury, it is not apparent from the material in Table 6. Over 33 jurisdictions, or approximately two-thirds of the total number in the United States, do not have a responsible vocational rehabilitation division within their systems. Again 32 jurisdictions do not provide for maintenance benefits during rehabilitation. Fully sixty-five per cent of the jurisdictions have little or no second injury funds.

By far the most damaging aspect of the various state Workmen's Compensation Systems are the provisions covering the magnitude and duration of survivor and indemnity benefits. 75 per cent of the jurisdictions in the U.S. Bureau of Labor Standards survey reported death benefits limited to a specific period and amount. In the case of Permanent Total Disability there are still 21 jurisdictions with the benefit fixed as to both the amount and duration of payment. If one examines the income maintenance levels of Temporary Total Disability the meanness of the benefit levels becomes almost overpowering. Well over 56 per cent of the jurisdictions have a ratio of weekly benefits to average weekly earnings of less than 50 per cent. It is no wonder that in the U.S. Department of Health, Education and Welfare reports, well over 14,000 recipients of long-term disability payments under Social Security and related income maintenance programs were injured in work-related accidents.

There are some graphic examples of the insane differences among the state and federal jurisdictions in both scheduled injury income payments, and survivor benefits.

You get $6,300 for the loss of an arm in Maryland and, by way of comparison, over $33,000 for the limb if you are covered by the Federal Longshoremen's program.

Maximum income benefits for permanent and temporary total disabilities are $35.00 per week in Louisiana, while they are over $150 in Arizona. There is a $14,000 limit in Louisiana; while there is no limit in Arizona.

Maximum income survivor benefits are $35.00 per week in Louisiana and $121 in the Federal employees Compensation Program.

OVERALL NATIONAL AND INTERSTATE VARIATIONS IN WORKMEN'S COMPENSATION BENEFITS

Over the period from 1958 to 1964, Workmen's Compensation benefits have grown at an overall annual rate for the U.S. of 10 per cent. (See Table 9). Well over 63 per cent of the benefits are paid out by private insurance carriers. The proportion of total claims paid for by the several exclusive or monopolistic state funds is currently 23.7 per cent, while the self-insurers comprise 13.3 per cent of the total. Overall, the operations of Workmen's Compensation are exclusively in the hands of the private insurance industry (Table 8).

Only a third of the total benefits are in the form of medical and hospitalization payments. Well over 88 per cent of the remaining two thirds are in the form of total-temporary disability payments. (Table 8).

Inter-state differences in the growth rates of total Workmen's Compensation benefits over the period from 1958 to 1964 are quite marked. Using the national growth rate for the same period as an index of 100 per cent, we can see that relatively few jurisdictions did in fact meet or better the national average. (Table 9).

Perhaps of more significance are the ratios of weekly benefits payable for total-temporary disability to average weekly earnings, and the percentages of lost wages replaced for three weeks disability. In the first instance, Massachusetts has a high of 76.5 per cent, and, as an extreme, Louisiana has a low of 37 per cent. In the second case, Texas and Louisiana are tied for last place with a ratio of 25 per cent, while Massachusetts is in first place with 76 per cent. For all intents and purposes this variability in Workmen's Compensation benefits is a national disgrace.

In the previous section, I elucidated the remarkable shortcomings that exist in the coverage provisions of the state-dominated system of Workmen's Compensation insurance. In this and the following sections I will deal with the pattern of factors accounting for changes in the costs of Workmen's Compensation insurance, national and interstate variability in workmen's compensation costs, and the relative profitability and performance of major workmen's compensation private insurance carriers.

FACTORS INFLUENCING WORKMEN'S COMPENSATION COSTS

In order to properly assess the reasonableness of the Workman's Compensation rate structure, one must have some idea of the fundamental economic and statutory elements entering into the basic rate-making process. If, for example, benefits under Workmen's Compensation laws remained unchanged, if other factors, such as the numbers of employees covered by the system and the prices of medical services, remained relatively stable, and if accident rates, as unreliable as they are, decreased, it would be reasonable to expect some stability or perhaps even decline in insurance rates and in total insurance costs to employers.

To test this hypothesis, a duplication of a comparable statistical procedure used in the *Review of Workmen's Compensation in New York State,* conducted by the Governor's Workmen's Compensation Review Committee in 1962, was adapted to data for the nation as a whole over the period from 1956 to 1965. Factors used in both studies are broken into two groups; first, those factors that tend to produce upward pressures on insurance costs, and second, those factors that tend to influence downward movements in insurance costs. Factors in the first group include: (1) increases in the number of employees covered by Workmen's Compensation laws in the United States; (2) increases in the average indemnity benefit levels for New York State; (3) increases in the cost of medical services in the United States; (4) increases in the prices of services purchased by insurance carriers. Elements in the second group are: (1) decreases in the work injury rates for all industries compiled by the National Safety Council; (2) increases in the efficiency or productivity of the carriers. Both groups of factors are given their proper weights and combined to determine their total effects. Tables 10 through 17 depict the detailed calculations used in deriving the index of expected Workmen's Compensation insurance costs. Table 18 provides a comparison of the actual index of Workmen's Compensation costs based on the growth of earned premiums of Workmen's Compensation insurance with the expected Workmen's Compensation insurance cost index over the period from 1956 to 1965.

The most disturbing aspect of the comparison made between the two indices in Table 18 is the widening divergence over the ten-year period. In the first few years the differences between the two indices is less than 1–2 per cent annually. However, by 1965 the difference between the two indices is over 38 percentage points. If we assume a liberal profit margin of 15–18 per cent in the last year, that still leaves a difference of well over 20 per cent. This means in effect that perhaps something between $150 and $200 million of earned premiums in 1965 are attributable to questionable rate increases. As a reflection on this it is perhaps noteworthy to listen to the rationale of Workmen's Compensation insurance cost increases given by S. E. Senior, Chairman of the New York State Workmen's Compensation Board, in a speech before a testimonial dinner given him this spring by a national underwriters' group: "Rate levels for Workmen's Compensation are fixed in New York State by the Compensation Insurance Rating Board, and these are the rates that are applicable throughout the insurance industry. Over the last ten-year period, there was warranted a rate level increase of 21% based on legislative amendments, and another rate level increase of 28% because of increased medical and hospital expenses. Consequently, the total indicated rate level increase was 49% for the last ten years. However the actual increase during this ten-year period was only 20%." While, New York may have had exemplary record, it is highly unlikely that the insurance industry would tolerate for long the absorption of medical cost increases. It is significant that during the early fifties most state compensation rating bureaus were successful in influencing State Insurance Commissions to include a 1 to 2 per cent profit and contingency item among the "expenses" of doing business. An item in most insurance exhibits labelled as "acquisition" costs—which ranges in some states as high as 17 per cent of total expenses—is, in fact, a buffer for profit margins to brokers and for discounts to certain customers. I'm afraid Mr. Senior's remarks strike me as representing the kind of business logic of that fabulous character in Joseph Heller's book, *Catch–22,* Milo Minderbinder, who bought eggs for five cents a dozen, sold them for 3 cents a dozen and made a profit of seven cents on each dozen sold!

NATIONAL AND INTERSTATE VARIATION IN WORKMEN'S COMPENSATION COSTS

Workmen's Compensation costs are made up of several elements. In addition to benefit costs (commonly termed "pure premium") there are overhead costs (known as "expense leadings") of insuring risks, which are reflected in the premium (manual) rates that employers pay to insure against the risk of industrial injury. These overhead items include the expenses of selling policies, ratemaking, payroll auditing, claims investigation and adjustment, safety inspection, legal and medical services, general support activities and support of state Workmen's Compensation commissions. In the previous section it was noted that profit-margins for brokers in the field, "acquisition costs," and allowances for profit and gains were also included.

In the aggregate, annual costs for employers have risen slightly to the point where they now constitute 1 per cent of the payroll in covered employment, (See Table 20). In comparison, benefits in 1965 were only 0.62 per cent of the covered payroll.

Since manual rates are based on the charge per $100.00 to $300.00 of covered payroll, the actual unit cost of Workmen's Compensation is relatively small. According to Alfred Skolnick, a noted Social Security Administration Social insurance authority, the current national level hovers between $.98 and $1.00 per $300 dollars of payroll.

Interstate employer costs of Workmen's Compensation vary with the composition of the industrial base of the labor force, as well as the differences in benefit levels and rate structures. In a study conducted by John F. Burton for the W. E. Upjohn Institute for Employment Research, estimates of average employer costs for several "manual rating" classifications for a number of states were developed and placed on a basis relative to that for the state of Michigan. These data, along with inter-state loss expense rates, are displayed in Table 21. The most significant aspect of the Burton study is that in no case is the variability in employer costs of Workmen's Compensation insurance, relative to that of Michigan, great enough to warrant its enclosure in the calculus of industrial location decisions. The relative uniformity of the interstate differences suggests that the Workmen's Compensation insurance rating manuals probably insure sufficient flexibility for marketing this line of insurance without too great a distortion in average per unit employer costs.

On the general issue of comparative administrative costs of servicing claims, this observation from an evaluation of a state system still has relevance:

"Another source of savings is in the cost of administering claims. There are few data on the actual costs of administration, although again the expense loadings are high. Such information as we have suggests that this may be a source for considerable savings. The New Jersey Manufacturers Casualty Insurance Company spends approximately 25 cents on administration for every $1 paid out in benefits. The several state insurance funds spend about 13 cents for every $1 benefit. The Unemployment Insurance system spends approximately 12½ cents in administration costs for every $1 benefit. The Federal Workmen's Compensation system's administrative costs are as low as 3½ cents for each $1 in benefits. The legislature, in seeking to effectuate savings, might well ask the insurance carriers in the State to supply information concerning this type of cost in an effort to determine how much savings can be achieved."

In passing, perhaps the best summary of the current state of cost data on Workmen's Compensation was uttered by my associate and Director of the Manpower and Population Program at the Bureau of Applied Social Research, Dr. Abram J. Jaffe, in reference to an examination of the State of New Jersey Workmen's Compensation system conducted in 1962.

"We have indicated that the information that is now available does not show the actual cost of Workmen's Compensation either in terms of the actual expenses incurred by the insurance companies or in terms of the actual amount of money paid by the firms that are insured. No one—including the New Jersey Compensation Rating and Inspection Bureau, the National Council on Compensation Insurance, and the Federal Government—appears to know how much is actually paid by insured firms for Workmen's Compensation. As a result, attempted comparisons of the cost of Workmen's Compensation in New Jersey with other states are without real meaning, as has been suggested by the National Council on Compensation Insurance . . . It follows, therefore, that before arriving at any definite conclusions concerning the cost of Workmen's Compensation, we must have better data than are currently available on what is actually being paid by insured firms for Workmen's Compensation Coverage."

PROFITABILITY AND CARRIER PERFORMANCE

Two of the more critical aspects of evaluating the current system of Workmen's Compensation insurance are the relative profitability and the return to the private carriers of writing this kind of insurance, and the relationship of these to the degree to which the private carriers can deliver claims benefits within specified statutory time limits set by State Commissions to accomplish this. Some calculations were made using data available through the New York State Insurance Department and the New York State Workmen's Compensation Board. The reason for using New York is twofold: first, the state employs well over 10 percent of the nation's labor force and has over ninety per cent of its work force covered by Workmen's Compensation; second, the New York State Insurance Department is about the only public source of data on nationwide insurance carrier operations.

Tables 22 and 24 display the results of the preliminary analysis. The selection of the sample of 25 firms used in Table 22 was based on their relative proportion of the total national Workmen's Compensation premiums earned in 1965. The 16 firms used for the calculations in Table 24 are those members of the top 25 sellers of Workmen's Compensation insurance, shown in Table 22, for whom data is available on carrier performance in meeting New York State Workmen's Compensation statutory claims criteria. The statistics shown in Table 22 are descriptive and attempt to show the average operating and profit levels as well as the degree of spread among the top 25 Workmen's Compensation insurance carriers for a variety of characteristics. Data shown in Table 24 depicts the degree of association between rank based on several operating and profitability measures and carrier claims performance.

PROFITABILITY AND OPERATING CHARACTERISTICS OF TOP 25 WORKMEN'S COMPENSATION CARRIERS, 1965

All of the firms derived an average of 25.1 per cent of their premiums from sales of Workmen's Compensation Insurance. Some firms, as measured by the standard deviation, derived as high as roughly 50 per cent of their premiums from Workmen's Compensation. The coefficient of variation indicates substantial variability in the exact proportion among the 25 firms. The picture is somewhat the same if Workmen's Compensation earned premiums, as a per cent of total income, is used as an alternative measure. (Table 22).

A relative small proportion of the income of firms concentrating in Workmen's Compensation insurance is derived from investments, an average of 7.5 per cent. However, the important contrast to make is that well over 62.4 per cent of investment income is in the form of bond and interest income. Examining the schedule of admitted assets of stock and mutual companies. (shown in Table 23), most of this bond and interest income is derived from the purchases of tax-sheltered state and local government securities, well over 60 per cent in the case of the mutual insurance companies. As we shall see shortly, this means that returns to investment are actually several times higher because of the tax advantages of these classes of securities. In addition, I might add that the insurance industry generally has become an important and significant source of funds for states and localities who are marketing debt. These financial realities of life undoubtedly play some important, and yet largely invisible role in state insurance rate-making hearings.

The nature and significance of the structure of risk assumed in the sale of Workmen's Compensation insurance can be seen in the next series of statistics—the number of years of net loss reserves in relation to incurred losses. For all lines of insurance, the top 25 Workmen's Compensation carriers have an average of 1.3 years reserved against incurred losses. However, the number of years reserved against Workmen's Compensation Losses is double—an average of 2.7 years are reserved as compared with .5 years for fire insurance. The significance of this really takes hold when one examines the average proportion of Workmen's Compensation loss reserves as a per cent of total loss reserves—32.2 per cent. Some firms have as indicated by the standard deviation as much as 53 per cent of their loss reserves in this line of business. This means that the investment managers have a relatively greater period over which to increase the return on their investment portfolios. Unfortunately, this anomaly is quite legal and under current actuarial and I.R.S. insurance reserving procedures. It is all the more unfortunate, in that the insurance industry generally has resisted, so far successfully, the attempts by several state insurance commissions to include investment income proceeds in fundamental rate making procedures. It is all the more disturbing in the case of Workmen's Compensation insurance, because of the relatively larger contribution of investment income in this line of insurance.

Losses and gains from the sale of Workmen's Compensation insurance indicate a relatively strange phenomenon. The spread around both the average loss and expense rates is less than 10 per cent of the spread around the average net gain—the coefficients of variation are, respectfully, .16, .14 and 1.60. Why this should exist is a tantalizing mystery. This will remain so, unless the National Advisory Commission, suggested by Sen. Javits of this Committee, can poke around and find out what are the real costs of handling claims.

As a last note, the estimated average annual rate of return on investment of Workmen's Compensation is 11.9 per cent—a little less than double the average net gain from the sales of Workmen's Compensation insurance. However, because the securities in which the reserves are invested are largely tax sheltered and thus depend upon the tax bracket of the individual carrier, the actual yield is somewhere between 25 and 35 per cent annually. I realize that the Arthur D. Little organization last year in a document prepared for the American Insurance Association talked in terms of net returns of 2.9 to 4 per cent for all casualty companies. However, the analysis was much broader in scope, and also didn't stratify the universe or population of carriers in the manner I have here.

OPERATING AND PROFITABILITY CHARACTERISTICS IN RELATIONSHIP TO CARRIER PERFORMANCE

One doesn't mind any organization making a good buck on their investment as long as the product or service they are peddling has a generally agreed upon modicum of quality and value. In the case of the Workmen's Compensation insurance business there are ways of evaluating the relative quality of performance, in meeting certain statutory claims deadlines. In the case of New York State, the measure of performance is whether the first payment of compensation by carriers in non-controverted cases was received within 18 days after disability, as prescribed by law. In 1967, in New York State over 85% of noncontroverted cases received first payment by carriers within the stated 18 day limit. However, what we are most concerned about it, how well do the individual carriers meet this deadline?

Let's look at the relationship between profitability and performance by comparing the relative ranks between the two. Again, Table 24 shows the results of these calculations for 16 of the top 25 Workmen's Compensation sellers.

The three measures of profitability used in the analysis were: a) rank in terms of Workmen's Compensation premiums as a per cent of total income, b) the rank in terms of the absolute level of Workmen's Compensation earned premiums, c) rank in terms of estimated rate of return of investment of Workmen's Compensation loss reserves. When a rank correlation is calculated for each of the above measures against the relative rank in terms of carrier performance, the results are disturbing.

In the first instance, a, there is a slight positive relationship between rank based on the per cent of total premiums attributable to Workmen's Compensation sales and rank based on carrier performance—+.25. In the second case, b, there is a slightly lower positive rank correlation—+.12. The last case is most distressing, since there appears to be *no* association between relative investment profitability and carrier performance. It would be interesting to duplicate the same analysis for all insurance carriers, let alone these top 16.

AMERICAN SCHOOL FOOD SERVICE VOLUNTEERS HELP ESTABLISH CHILD NUTRITION PROGRAMS IN DEVELOPING COUNTRIES

Mr. McGOVERN. Mr. President, I invite the attention of the Senate to what I believe to be an outstanding example of successful cooperation between the Nation's private sector and the Federal Government in an area of vital importance: feeding the hungry children of the world.

Since the end of World War II the United States, through the war-on-hunger and predecessor programs, has been waging a tenacious battle against malnutrition in the emerging nations of the world. A major thrust of the program has centered on the feeding of infants and school-age children, the hopeful new seed of these countries.

Under the humanitarian food-for-peace program, this country has shipped thousands of tons of its agricultural abundance throughout the world to nourish, each year, more than 80 million children in over 100 nations.

These foods have been used in many ways, depending upon what food was available and the facilities for preparing it. Individual feeding programs have ranged from a simple breakfast of a roll and a cup of milk to a hot lunch of several courses. Even in the case of a simple roll and milk breakfast, this U.S.-donated food has, in many cases, provided the most nutritious meal of the day for many hungry children abroad. In many cases, this food has meant the difference between a healthy, productive life and a slow, agonizing death from starvation.

The program, however, has not been without problems. One of the most troublesome and limiting factors has been a shortage of trained food service personnel who could take to the field and efficiently manage the complex business of volume feeding under vexing conditions.

Consider the monumental problems encountered by those attempting to serve even a simple roll and milk breakfast to 95 hungry children in a crude one-room adobe schoolhouse. In most cases, there is no oven at the school—and certainly no refrigerator. Nor is there running water; it comes from a small, ochre-colored stream flowing sluggishly through a nearby arroyo. The ingredients for the rolls and the milk have to be transported many miles, sometimes by truck, often by mule and, at times, on men's backs. Serving is difficult because of a lack of plates, and often there are not enough cups to go around.

In too many cases, the zeal and dedication of the local people trying to solve such problems were not enough and we often had the pathetic situation of children going hungry in one section of the country while food sat in a warehouse or dock in another section.

Early in 1965, Dr. John N. Perryman, executive director of the American School Food Service Association, in a letter commenting on my book "War Against Want," and my comment on the need for experienced U.S. administrators to assist foreign countries in initiating child feeding programs, suggested that his organization could enlist such experienced people, probably for expenses only, if the Agency for International Development wished it done. I transmitted this suggestion to AID Administrator David Bell in January 1965.

Exploratory talks between Dr. Martin Forman of the Agency for International Development of the U.S. State Department, and Dr. Perryman, were then in progress. The conversation centered around how members of the ASFSA could put their food service skills to work overseas in the food for peace program.

The 45,000-member ASFSA was a natural organization to turn to for help. For 22 years these men and women, guided by the simple premise that "you cannot teach a hungry child," have built the school lunch program until today it is second only to the military in volume feeding. Their goal is to insure that every schoolchild in America receives a well-balanced and nutritious meal every schoolday, and I might say, parenthetically, that recent developments give promise of speeding them along toward their goal in the United States.

But this compassion is not contained by the boundaries of their own Nation. To them hunger—particularly child hunger and its debilitating effect on learning—is universal. To them, hunger is not classified by the color of one's skin, or one's language, or one's creed or one's customs. To them hunger is a scourge of all mankind and must be eradicated wherever it exists.

Under the agreement worked out by Dr. Forman and Dr. Perryman, AID would receive a request from a foreign country for assistance with its school food service program; ASFSA would recruit from among its members a team best suited to handle the particular problems involved; the individual would volunteer to donate his time and talents to the project; and the individual's employer would agree to continue his or her salary during the 4 to 8 weeks he or she was overseas.

This unique system of mutual contribution has done much for the success of the program. Each partner in the four-way agreements contributes, and each benefits; AID gets expert assistance, the individual broadens his food service horizons, and ASFSA and the employer are the richer for having a man or woman who comes back with far more experience than when they left.

One of the first of the nine AID-ASFSA teams which have gone abroad thus far was sent to the Republic of Korea. For one of the team members it was a return to combat. Years before he helped fight the Communist forces which sought to conquer and subjugate South Korea; now he was again helping this gallant people fight another deadly foe—hunger. During their 6-week tour of the Republic of Korea, the team members conferred with Government officials, boards of education, local school officials, health and nutrition agencies, businessmen, and others, on how to improve self-help and community involvement on the local level.

While Korea has made great progress in its school feeding program, the team recommended the establishment of an advisory committee to the Ministry of Education for school food service, the organization of a national committee for nutrition, the development of minimum standards for sanitation and all phases of food service, and expansion of the program to include all children on a payment basis according to the child's ability to pay. With the recommendations came the guidance in establishing these standards.

The success in Korea led to the sending of two-man and two-woman teams to Jordan, Algeria, Ecuador, the Philippines, Guyana, Tunisia, and Brazil.

Guyana was the youngest of nine nations to which an AID-ASFSA team was sent. There the minister of education and race relations wished to expand the country's school feeding program so that all children could receive a nutritional snack of milk and biscuits each school day. While the United States provided the nonfat dry milk and flour, the Government of Guyana was responsible for appropriating adequate funds for baking, transporting and distributing the biscuits and milk in individual schools. Since the young Government was not in a position to adequately finance an expanded program, it was the mission of the AID-ASFSA team to study and find ways to secure local voluntary assistance and finances to provide this service to the children.

After 6 weeks of traveling, talking, studying, and working, the two-woman team presented the Minister of Education with a 23-page report outlining how the utilization of voluntary assistance and efficient buying practices could make it possible to operate an expanded program without increasing the present budget.

This pattern set in Korea and Guyana was followed in the other seven countries visited by the AID-ASFSA teams: find the most efficient way to feed the most children.

It was in Brazil that the American School Food Service Association was paid its highest compliment for its efforts to irradicate child malnutrition. The head of Brazil's child feeding program, Gen. Jose Sombra, was so impressed with the work of the two-woman ASFSA team that he spearheaded a drive to set up the Brazilian counterpart of the ASFSA, the first school food service association set up in a foreign country.

Dr. Perryman was invited by General Sombra to come to Brazil and preside over ceremonies inaugurating the newly formed Brazilian Child Feeding Association. Dr. Perryman did so and, in turn, invited the general to be a featured speaker at the ASFSA convention in August of this year.

We hope and trust that this pattern will be repeated over and over as new ASFSA-AID teams go out to share their knowledge with others throughout the free world. I believe this body should express its deepest gratitude to these dedicated men and women of the American School Food Service Association and pray they continue to contribute their skills to feeding the hungry children of the world.

COMMENDATION OF PHYSICAL FITNESS PROGRAM AT THE UNIVERSITY OF RHODE ISLAND

Mr. PELL. Mr. President, I invite the attention of the Senate to a recent study on physical fitness conducted by the departments of physical education at the U.S. Air Force Academy and at the University of Rhode Island.

The study to which I refer is particularly valuable, I think, because it indicates a continuing interest in physical fitness programs in civilian educational institutions, as well as in military educational institutions. The study was designed to test the comparative physical fitness of students at civilian and military institutions and the feasibility of fitness testing at a civilian school.

As might be expected, the first-year students at the University of Rhode Island were less physically fit than the students at the Air Force Academy. But it is significant that, after a reconditioning program, nearly all of the students at the University of Rhode Island met the minimum requirements and, more important, found their attitudes toward physical conditioning changed from dislike to a positive acceptance.

I commend the departments of physical education at these two schools for this very useful study, which, I might add, was conducted without the aid of a Federal grant. Mr. President, I ask unanimous consent to have printed in the RECORD a report on this study prepared by Mr. Fred Drews, coordinator of physical education at the University of Rhode Island, and Maj. Harold J. Walter and Capt. James C. Thomas, of the Air Force Academy.

There being no objection, the study was ordered to be printed in the RECORD, as follows:

A COMPARATIVE STUDY IN PHYSICAL FITNESS TESTING BETWEEN THE U.S. AIR FORCE ACADEMY AND THE UNIVERSITY OF RHODE ISLAND

(By Harold J. Walter, major, USAF, Chief, Research and Evaluation Division, U.S. Air Force Academy; James C. Thomas, captain, USAF, Research and Evaluation Division, U.S. Air Force Academy; Fred Drews, Pe. D., coordinator of physical education, University of Rhode Island)

For the past two consecutive years the incoming freshman classes at the University of Rhode Island and the United States Air Force Academy were administered the United States Air Force Academy Physical Fitness Test. The University of Rhode Island was chosen because its freshman enrollment was of approximately the same size as that of the United States Air Force Academy. The study was undertaken to determine the answers to the following questions:

1. Can a civilian institution effectively administer and use a test designed for a military academy?

2. By testing each institution's freshmen in the same manner, is there a significant difference in physical fitness between entering classes at the United States Air Force Academy and the University of Rhode Island?

3. More specifically, the two institutions compared the test results of the United States Air Force Academy Class of 1970 with the Class of 1970 at the University of Rhode Island to determine the value of the Physical Fitness Test as an evaluation tool, to increase the body of information already available on the Physical Fitness Test, to seek answers to operational questions involved with the test, and to aid in developing a more adequate theory in regard to the Physical Fitness Test.

To establish procedures for the comparative study, Dr. Fred Drews, Coordinator of Physical Education at the University of Rhode Island met with Major Harold Walter, Chief of Research for Physical Education at the United States Air Force Academy. At this and subsequent meetings, details for testing were established as follows:

1. The University of Rhode Island would follow the same test procedures used by the United States Air Force Academy.

2. Instructors at the University of Rhode Island would receive copies of all test procedures and participate in an in-service training session.

3. All raw data would be collected using similar test forms and would be processed at the United States Air Force Academy.

THE U.S. AIR FORCE ACADEMY PHYSICAL FITNESS TEST

The term "physical fitness" as used in this study means the ability of a person to "handle" his body well and the capacity to sustain physical activity over a long period of time without reduced efficiency or undue strain. More specifically, we feel that physical fitness entails at least three elements: muscular strength, muscular endurance, and cardiorespiratory endurance. The United States Air Force Academy Physical Fitness Test attempts to measure these elements of physical fitness by using a fifteen-minute test which consists of the following five items:

1. Pull-ups (measures upper body strength

and endurance; individual performs as many pull-ups as possible without resting within a three-minute time limit).

2. Standing Broad Jump (measures muscular strength and muscular power of the legs and back; individual performs three legal jumps within a three-minute time limit).

3. Push-ups (measures upper body strength and endurance; individual performs as many push-ups as possible without resting within a three-minute time limit).

4 Sit-ups—bent legs with feet anchored under bar (measures abdominal and hip flexor strength and endurance; individual performs as many sit-ups as possible within a two-minute time limit).

5. 600 Yard Run (measures general body muscular endurance and cardiorespiratory endurance; individual runs the distance as fast as possible).

Each cadet completes the test within a fifteen-minute period by using a station system. The station method of testing allows for economy of time, e.g., 560 çadets can be tested in 120 minutes. Norms, in the forms of standard scores, and class minimums have been statistically developed from over 5,000 cadet scores. The class minimums are as follows:

	Pullups	Standing broad jump	Pushups	Situps	600-yard run
4th class (freshmen) 1st semester	(1)	(1)	(1)	(1)	(1)
4th class (freshmen) 2d semester	3	6 feet 6 inches	24	40	2:07
3d class (sophomores) 1st semester	5	6 feet 9 inches	27	45	2:04
All others (juniors and seniors)	7	7 feet	30	50	2:00

[1] None established.

These minimums were established to insure a progressive increase in the cadet's fitness during his Academy career. Additional incentives for cadet performances were established as follows:

1. Passing the Physical Fitness Test contributes to a portion of the cadet's grade in physical education courses each semester.

2. Squadron and individual competition increases motivation to perform at a higher overall level.

3. Cadets scoring in the top 10% of their class in the fall semester are excused from taking the test in the spring semester.

4. Maximum achievement (500 points) is rewarded by permanent excusal from the test.

In the opinions of the authors, the difference in motivational factors existing between the two schools will be considered in the findings since this may be a significant factor in the test results.

THE U.S. AIR FORCE ACADEMY PHYSICAL FITNESS TEST AT THE UNIVERSITY OF RHODE ISLAND

The elements of physical fitness as previously stated are in accord with the University of Rhode Island's philosophy on the subject.

Upon entrance to the University of Rhode Island, all able-bodied freshmen (men) were administered the United States Air Force Academy Physical Fitness Test. The primary purpose of the test was to identify those men in greatest need of reconditioning. Coordinated with the freshman first semester program is a series of lectures and demonstrations designed to stimulate interest in self-improvement and the acquisition of knowledge directly relating to physical fitness.

Based upon total test score performance, the University of Rhode Island took the lowest one-fourth of the freshman class and required them to participate in reconditioning for the second half of their first semester. These sessions were conducted by the faculty and the students were advised that they must meet the same minimum standards previously mentioned at the end of the semester or repeat the reconditioning program.

The reconditioning program at the University of Rhode Island was successful on three counts:

1. Fewer than forty men failed to meet minimum standards after training. This has been true each year.

2. Interviews with a majority of students in reconditioning indicated a change from dislike, to acceptance, to a sense of accomplishment, through the reconditioning program of approximately nine weeks duration.

3. The faculty approach their reconditioning sections with their own ideas but they do emphasize running and general calisthenics. Evidently the variety of sequences in exercises and types of training methods used have not had highly noticeable differences in group performances.

Somewhat consistent with United States Air Force Academy test time, the Department of Physical Education at the University of Rhode Island completed its Physical Fitness Testing in a three-day period per class of men as follows:

First day—Organization of class.

Second day—Explanation and try-out on a non-competitive basis of each test item in sequence.

Third day—Testing for record.

COMPARISON OF U.S. AIR FORCE ACADEMY AND UNIVERSITY OF RHODE ISLAND

Findings: There were significant differences between the mean scores recorded by the two freshman classes in all areas except the standing broad jump. The results obtained from the standing broad jump are considered invalid since the same scoring system was not used at each school.

	Pullups (t=3.44)	Standing broad jump (t=1.08)	Pushups t=6.23)	Situps (t=37.02)	600 yd. run (t=12.87)	Total score (t=15.46)
USAFA, class of 1970	8.44	7'3.9"	31.8	62.7	1'49.8"	215.49
(n=981)	(σ=22.02)	(σ=14.93)	(σ17.59)	(σ=17.52)	(σ=16.35)	(σ=53.65)
URI, freshman class	7.8	7'4.4"	29.8	42.1	1'57.8"	169.37
(n=875)	(σ=21.80)	(σ=21.76)	(σ=21.91)	(σ=11.62)	(σ=23.58)	(σ=72.21)

The United States Air Force Academy Class of 1970 cadets performance was above the University of Rhode Island freshman male students' by approximately ½ of a pull-up, 2 push-ups, 20 sit-ups, and 8 seconds (less) on the 600 yard run.

We may conclude that the United States Air Force Academy Class of 1970 cadets are generally more physically fit than the University of Rhode Island freshman male students. The United States Air Force Academy Class of 1970 cadets demonstrated a much greater degree of abdominal strength and endurance on the 600 yard run. In summary, it would appear that incoming Academy cadets are generally more physically fit than the incoming freshman male classes at a civilian institution that has a similar physical education program as existing at the University of Rhode Island.

It is further noted that the University of Rhode Island freshmen were tested the first week of classes in September, whereas the first year cadets at the United States Air Force Academy were tested after 21 days of summer training which included vigorous physical activity. Furthermore, the motivational factor existing at the United States Air Force Academy in the form of squadron competition and peer pressure could also have contributed to the higher cadet performance in each test item.

CONCLUSIONS

1. A civilian institution of higher learning can effectively use a test originally designed for a military academy. However, precision in test administration is not as fully exercised among civilian faculty as among military faculty.

2. There were significant differences between the mean scores recorded by the two freshman classes in all areas except the standing broad jump. The United States Air Force Academy Class of 1970 scored above the University of Rhode Island Class of 1970 by ½ of a pull-up, 2 push-ups, 20 sit-ups, and 8 seconds (less) on the 600 yard run. This difference may be possibly attributed to the 21 days of summer training at the Academy prior to the test administration, the element of squadron competition, or the fact that cadets are usually more physically fit than the average young male student in the United States since they are required to pass a rigid Physical Aptitude Examination before they are accepted into the Academy.

3. The Physical Fitness Test devised by the United States Air Force Academy is an effective evaluative tool that is useful for mass testing in a civilian university as well as a military academy.

LACK OF VIGOROUS ENFORCEMENT OF LAWS BY THE ATTORNEY GENERAL

Mr. TOWER. Mr. President, I know that many Senators were shocked yesterday when the Attorney General of the United States, Mr. Ramsey Clark, testified before the Committee on the Judiciary that he would not use all of the crime-control power Congress provided the Justice Department in the recently passed crime-control bill.

While I share the disappointment of Senators, I must admit that I was in no way surprised by Mr. Clark's statement. I have observed for some time that he is not disposed to enforce the laws of the United States vigorously and that he never has opposed organized crime and disorder with all the power at his disposal.

I frankly wonder how an administration expects all Americans to obey the laws whether they like the laws or not while the administration at the same time reserves to itself the right to enforce only the laws it likes.

It is becoming ever more evident that this administration is not sufficiently interested in the safety of its law-abiding citizens, but that it rather continues to coddle criminal activity.

I once again urge the Attorney General to press vigorously the fight against all sorts of crime. We in Congress have given him strong new tools for that purpose. We have a right to insist that he use every method of crime detection and control he can legally employ. We cannot fight the crime of the 1960's with the methods of the 1930's.

THE PRESIDENT IS IN TUNE WITH THE ASPIRATIONS OF YOUNG PEOPLE

Mr. INOUYE. Mr. President, the President's proposal that the voting age be lowered nationally to 18 is in the spirit of our democracy and of the great advances in social justice that have been achieved in recent years. It is neither novel nor untried. Two of our States have already lowered the voting age and have been fully satisfied with the experience.

Many reasons have been urged in support of this measure—the responsibilities that are placed on these young people in legal proceedings in the payment of taxes, and most compelling of all—in the obligation which they have so finely discharged in the military service of their country.

But there is more to it than these considerations of elemental justice. Above all, we strengthen the working processes of our democracy when these younger Americans are granted the right to vote.

The fundamental political act for the average citizen in this country is casting his ballot. By permitting our 18-, 19-, and 20-year-old citizens to vote, we shall infuse the electorate with a group of voters very open to new ideas. At the same time, we extend the precious privilege of voting at an age when it is most apt to insure an enduring commitment among young persons to participate in the political process.

These young voters will bring a fresh breeze of idealism and enthusiasm to the conduct of politics. These are the qualities that have made our form of government an inspiration to the world. We must continue to renew that inspiration.

AGE DISCRIMINATION IN EMPLOYMENT ACT FINALLY BECOMES EFFECTIVE

Mr. JAVITS. Mr. President, on June 12 of this year the Age Discrimination in Employment Act went into effect. I take particular pride in this legislation as I have been fighting for such a law since 1951, when I was a Member of the House of Representatives. Unfortunately, it took many years for my efforts in this direction to bear fruit. The first breakthrough came in the Civil Rights Act of 1964, which directed the Secretary of Labor to make a study of the problem of age discrimination in employment. Based on the Secretary's landmark report I and several other Senators were successful in incorporating into the Senate version of the Fair Labor Standards Act Amendments of 1966 a provision prohibiting age discrimination in employment. When the bill went to conference this provision was changed to require the Secretary of Labor to submit, during the following year, his recommendations for a law.

Early in 1967 the Secretary of Labor submitted his bill, which was introduced by the distinguished chairman of the Subcommittee on Labor, Senator YARBOROUGH, as S. 830. It is that bill, as amended, which became law late last year and has now become fully effective. It is the culmination of 16 years of effort by myself and a few other Senators and Congressmen who saw the problem and the need for this legislation.

The Wage and Hour Division of the Department of Labor has recently published its interpretations of the Age Discrimination in Employment Act; these regulations are of great importance in interpreting the meaning of various provisions of the act. I ask unanimous consent that the text of the interpretations be printed in the RECORD.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

INTERPRETATIONS OF AGE DISCRIMINATION IN EMPLOYMENT ACT ISSUED BY WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

Subchapter C—Age Discrimination in Employment

Part 860—Interpretations

Pursuant to authority in the Age Discrimination in Employment Act of 1967 (29 U.S.C. 620), 5 U.S.C. 301, and in Secretary's Orders No. 10–68 and No. 11–68, there is hereby added to 29 CFR Chapter V, Subchapter C, a new Part numbered 860 entitled "Interpretations", to read as set forth below.

These are interpretative rules, and are thus exempt from section 4 (a) and (c) of the Administrative Procedure Act (5 U.S.C. 533 (a) and (c)). I do not believe such procedure or delay will serve a useful purpose here. Accordingly, these rules will be effective immediately.

The new Part 860 reads as follows:

Part 860—Interpretations

Sec.
860.1 Purpose of this Part.
860.91 Age discrimination within the age bracket of 40–65.
860.92 Help wanted notices of advertisments.
860.102. Bona fide occupational qualifications.
860.103 Differentiations based on reasonable factors other than age.

Authority: The provisions of this Part are issued under 81 Stat. 602; 29 U.S.C. 620, 5 U.S.C. 301, Secretary's Order No. 10–68, and Secretary's Order No. 11–68.

§ 860.1 *Purpose of this part*

This part is intended to provide an interpretative bulletin on the Age Discrimination in Employment Act of 1967 like Subchapter B of this Title relating to the Fair Labor Standards Act of 1938. Such interpretations of this Act are published to provide "a practical guide to employers and employees as to how the office representing the public interest in its enforcement will seek to apply it" (*Skidmore* v. *Swift & Co.*, 323 U.S. 134, 138). These interpretations indicate the construction of the law which the Department of Labor believes to be correct, and which will guide it in the performance of its administrative and enforcement duties under the Act unless and until it is otherwise directed by authoritative decisions of the Courts or concludes, upon reexamination of an interpretation, that it is incorrect.

§ 860.91 *Discrimination within the age bracket of 40–65.*

Although § 4 of the Act broadly makes unlawful various types of age discrimination by employers, employment agencies, and labor organizations, § 12 limits this proctection to individuals who are at least 40 years of age but less than 65 years of age. Thus, for example, it is unlawful in situations where this Act applies, for an employer to discriminate in hiring or in any other way by giving preference because of age to an individual 30 years old over another individual who is within the 40–65 age bracket limitation of § 12. Similarly, an employer will have violated the Act, in situations where it applies, when one individual within the age bracket of 40–65 is given job preference in hiring, assignment, promotion or any other term, condition, or privilege of employment, on the basis of age, over another individual within the same age bracket.

Thus, if two men apply for employment to which the Act applies, and one is 42 and the other 52, the personnel officer or employer may not lawfully turn down either one on the basis of his age; he must make his decision on the basis of other factors, such as the capabilities and experience of the two individuals. The Act, however, does not restrain age discrimination between two individuals 25 and 35 years of age.

§ 860.92 *Help wanted notices or advertisements.*

Section 4(e) of the Act prohibits "an employer, labor organization, or employment agency" from using printed or published notices or advertisements indicating any preference, limitation, specification, or discrimination, based on age.

When help wanted notices or advertisements contain terms and phases such as "age 25 to 36", "young", "boy", "girl", or others of a similar nature which indicate a preference for a particular age, range of ages, or for a young age group, such a term or phrase discriminates against the employment of older persons and is inviolation of the Act, unless it comes within one of the exceptions, such as the one discussed in § 860.102.

However, help wanted notice or advertisements which include a term or phrase such as "college graduate", or other educational requirements, or specify a minimum age less than 40, such as "not under 18", or "not under 21", are not prohibited by the statute.

The use of the phrase "state age" in help wanted notices or advertisements is not, in itself, a violation of the statute. But because the request that an applicant state his age may tend to deter older applicants or otherwise indicate a discrimination based on age, employment notices or advertisements which include the phrase "state age", or any similar term, will be closely scrutinized to assure that the request is for a permissible purpose and not for purposes proscribed by the statute.

There is no provision in the statute which prohibits an individual seeking employment through advertising from specifying his own age.

§ 860.102 *Bona fide occupational qualifications.*

Section 4(f)(1) of the Act provides that "It shall not be unlawful for an employer, employment agency, or labor organization . . . to take any action otherwise prohibited under subsections (a), (b), (c), or (e) of this section where age is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business . . ."

Whether occupational qualifications will be deemed to be "bona fide" and "reasonably necessary to the normal operation of the particular business", will be determined on the basis of all the pertinent facts surrounding each particular situation. It is anticipated that this concept of a bona fide occupational qualification will have limited scope and application. Further, as this is an exception it must be construed narrowly, and the burden of proof in establishing that it applies is the responsibility of the employer, employment agency, or labor organization which relies upon it.

The following are illustrations of possible bona fide occupational qualifications.

Federal statutory and regulatory requirements which provide compulsory age limitations for hiring or compulsory retirement, without reference to the individual's actual physical condition at the terminal age, when such conditions are clearly imposed for the safety and convenience of the public. This exception would apply, for example, to airline pilots within the jurisdiction of the Federal Aviation Agency. Federal Aviation Agency regulations do not permit airline pilots to engage in carrier operations, as pilots, after they reach age 60.

A bona fide occupational qualification will also be recognized in certain special, individual occupational circumstances, e.g., actors required for youthful or elderly characterizations or roles, and persons used to advertise or promote the sale of products designed for, and directed to appeal exclusively to, either youthful or elderly consumers.

§ 860.103 *Differentiations based on reasonable factors other than age*

Section 4(f)(1) of the Act provides that "It shall not be unlawful for an employer, employment agency, or labor organization . . . to take any action otherwise prohibited under subsections (a), (b), (c), or (e) of this section . . . where the differentiation is based on reasonable factors other than age; . . ."

No precise and unequivocal determination can be made as to the scope of the phrase "differentiation based on reasonable factors other than age." Whether such differentiations exist must be decided on the basis of all the particular facts and circumstances surrounding each individual situation.

It should be kept in mind that it was not the purpose or intent of Congress in enacting this Act to require the employment of anyone, regardless of age, who is disqualified on grounds other than age from performing a particular job. The clear purpose is to insure that age, within the limits proscribed by the Act, is not a determining factor in making any decision regarding hiring, dismissal, promotion or any other term, condition or privilege of employment of an individual.

The reasonableness of a differentiation will be determined on an individual, case by case basis, not on the basis of any general or class concept, with unusual working conditions given weight according to their individual merit.

Further, in accord with a long chain of decisions of the Supreme Court of the United States with respect to other remedial labor legislation, all exceptions such as this must be construed narrowly, and the burden of proof in establishing the applicability of the exception will rest upon the employer, employment agency or labor union which seeks to invoke it.

Where the particular facts and circumstances in individual situations warrant such a conclusion, the following factors are among those which may be recognized as supporting a differentiation based on reasonable factors other than age:

(a) Physical fitness requirements based upon preemployment or periodic physical examinations relating to minimum standards are reasonably necessary for the specific work to be performed and are uniformly and equally applied to all applicants for the particular job category, regardless of age.

Thus, a differentiation based on a physical examination, but not one based on age, may be recognized as reasonable in certain job situations which necessitate stringent physical requirements due to inherent occupational factors such as the safety of the individual employees or of other persons in their charge, or those occupations which by nature are particularly hazardous: For example, iron workers, bridge builders, sandhogs, underwater demolition men, and other similar job classifications which require rapid reflexes or a high degree of speed, coordination, dexterity, endurance, or strength.

However, a claim for a differentiation will not be permitted on the basis of an employer's assumption that every employee over a certain age in a particular type of job usually becomes physically unable to perform the duties of that job. There is medical evidence, for example, to support the contention that such is generally not the case. In many instances, an individual at age 60 may be physically capable of performing heavy-lifting on a job, whereas another individual of age 30 may be physically incapable of doing so.

(b) Evaluation factors such as quantity or quality of production, or educational level, would be acceptable bases for differentiation when, in the individual case, such factors are shown to have a valid relationship to job requirements and where the criteria or personnel policy establishing such factors are applied uniformly to all employees, regardless of age.

The foregoing are intended only as examples of differentiations based on reasonable factors other than age, and do not constitute a complete or exhaustive list or limitation. It should always be kept in mind that even in situations where experience has shown that most elderly persons do not have certain qualifications which are essential to those who hold certain jobs, some may have them even though they have attained the age of 60 or 64, and thus discrimination based on age is forbidden.

It should also be made clear that a general assertion that the average cost of employing older workers as a group is higher than the average cost of employing younger workers as a group will not be recognized as a differentiation under the terms and provisions of the Act, unless one of the other statutory exceptions applies. To classify or group employees solely on the basis of age for the purposes of comparing costs, or for any other purpose, necessarily rests on the assumption that the age factor alone may be used to justify a differentiation—an assumption plainly contrary to the terms of the Act and the purpose of Congress in enacting it. Differentials so based would serve only to perpetuate and promote the very discrimination at which the Act is directed.

Signed at Washington, D.C. this 18th day of June, 1968.

BEN P. ROBERTSON,
Acting Administrator.

PEACEFUL USES OF SEABED AND OCEAN FLOOR BEYOND LIMITS OF NATIONAL JURISDICTION

Mr. PELL. Mr. President, I wish to note the latest development in the U.S. position before the United Nations Ad Hoc Committee on Peaceful Uses of the Seabed and Ocean Floor Beyond the Limits of National Jurisdiction. Late Wednesday, Mr. Leonard C. Meeker, U.S. representative to the Committee's legal working group, delivered a far-reaching statement pursuant to prohibiting the placing of weapons of mass destruction on the deep ocean floor. As a first step, the United States proposed that the disarmament issue in relation to the ocean floor be defined by the 18-Nation Disarmament Committee in Geneva.

The proposal and those made last week by the U.S. delegation to the ad hoc Committee and printed in the RECORD represent fundamental and significant steps forward in the establishment of this country's position on the future development of ocean space. Once again I wish to commend the executive branch for the leadership it has exerted in seeking a farsighted position on the ocean space question.

I ask unanimous consent to have printed in the RECORD the most recent statement presented by Mr. Meeker on behalf of the United States to the ad hoc Committee's legal working group.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[A U.S. Mission to the United Nations press release, June 26, 1968]

STATEMENT BY LEONARD C. MEEKER, U.S. REPRESENTATIVE TO THE LEGAL WORKING GROUP OF THE AD HOC COMMITTEE TO STUDY THE PEACEFUL USES OF THE SEA-BED AND OCEAN FLOOR BEYOND THE LIMITS OF NATIONAL JURISDICTION, JUNE 26, 1968

Last week the United States suggested in this Working Group the desirability of considering the adoption of certain legal principles for the sea-bed and ocean floor. Such principles could serve as a guide to States in the conduct of their activities in this environment, and also as general lines of direction to be observed in the working out of more detailed internationally agreed arrangements. We did not then comment on arms control and disarmament aspects of the sea-bed and ocean floor. I should like to indicate today our thinking on this very important subject.

Arms control and disarmament constitute a major concern and pressing task of the world community. For its part, the United States is dedicated to workable arms limitation measures that will enhance the peace and security of all nations and bring the world nearer to general and complete disarmament. Most recently, we have labored over a long period, together with other countries, to bring into being a treaty to prevent the spread of nuclear weapons. Two weeks ago the General Assembly gave its overwhelming endorsement to the treaty text. This instrument will be opened for signature next Monday, July 1st.

At the historic meeting of the General Assembly at which the Non-Proliferation Treaty was approved, the President of the United States had the privilege of addressing the Assembly. On that occasion he said:

"Finally—in keeping with our obligations under the treaty—we shall, as a major nuclear power, promptly and vigorously pursue negotiations on effective measures to halt the nuclear arms race and to reduce existing nuclear arsenals.

"It is right that we should be so obligated. The non-nuclear States—who undertake with this treaty to forgo nuclear weapons—are entitled to the assurance that powers possessing them, particularly the United States and the Soviet Union, will lose no time in finding the way to scale down the nuclear arms race."

In approaching the question of a new environment to which the nuclear arms race has not yet spread, the world community has an opportunity to consider whether intelligent self-restraint can prevent a spread and escalation of that race. We believe this is an issue of importance and complexity calling for urgent and thorough study.

The United States is, therefore, proposing today that the Eighteen-Nation Disarmament Committee be asked to take up the question of arms limitation on the sea-bed and ocean floor with a view to defining those factors vital to a workable, verifiable and effective international agreement which would prevent the use of this new environment for the emplacement of weapons of mass destruction. We believe that our current discussions, in this group and in the Ad Hoc Committee, should lead to a prompt reference of this problem to the ENDC.

It is our hope that the Disarmament Committee in Geneva can undertake fruitful work on this subject. We hope, moreover, that our referral of the subject to the Eighteen-Nation Committee will assist that body in proceeding with its vital work on the problem of mass-destruction weapons—which would be the real threat in the new environment of the sea-bed and ocean floor.

COUNTERPRODUCTIVE

Mr. BYRD of West Virginia. Mr. President, the mistaken course that is being followed by the leaders of the so-called Poor People's Campaign in calling for new demonstrations which lead to civil disorders in the Nation's Capital is pointed out in an editorial in Wednesday's Washington Post.

The tactics being employed by these people are exactly opposite to the kind of activity that might win new support for their cause. The effect can be only to further besmirch the entire effort and to further jeopardize the prospects for giving substantive help to those who really need it.

Certainly I do not believe that the Members of Congress are going to be influenced—except in opposition—by any further lawbreaking, or civil disobedience, as it is euphemistically called by some.

The Southern Christian Leadership Conference will not win friends nor influence people by continued harassment.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

And Now What?

In any campaign, the strategists must carefully select the tactics and the proper time and place for their application. These considerations ought now to be uppermost in the minds of the leaders of the Southern Christian Leadership Conference. They must ask themselves whether continued demonstrations, as Rev. Andrew J. Young has promised, are now the best way of influencing the Federal Government and Congress to help the Nation's poor. That is, after all, why the Poor People's Campaign came to Washington in the first place.

If there is anything good that has come out of the Campaign so far it is Solidarity Day. That ought to have marked the beginning of different tactics to win victories for the poor. But instead the leaders of SCLC persist in calling for demonstrations. They should realize that Federal agencies and Congress will not respond to the same tactics that worked for them in Southern communities. Those tactics worked there largely because of the sympathy and pressure both the tactics and the response generated in other parts of the country. That emotion is not forthcoming now.

A link can be established between the Monday disorder along 14th Street and the closing of Resurrection City. And the closing of the campsite can be attributed to the inability of the Southern Christian Leadership Conference to manage it. This being the case, the SCLC leaders take on a heavy responsibility and invite forceful countermeasures when they incite their followers to further demonstrations and civil disobedience. Demonstrations which have a catalytic effect in promoting violence and disorder in the Nation's Capital cannot hope to promote the interests of the Nations' poor.

NECESSITIES OF LIFE

Mr. YARBOROUGH. Mr. President, on June 17 I had the pleasure of addressing a Brookings Institution conference for voluntary health and welfare executives. For the topic "Selected Congressional Issues on Labor and Public Welfare" I chose to speak on Senate Resolution 281. This resolution was introduced under the leadership of the distinguished Senator from South Dakota [Mr. McGovern]. He has responded eloquently to the fact that 10 million Americans are so malnourished that their lives are in jeopardy.

Senator McGovern's resolution goes beyond hunger and squarely puts before us the question whether we as a nation will guarantee to all our citizens the basic necessities of life. Because of the far-reaching nature of this resolution and the task it sets for us in Congress, I brought it to the attention of that conference and sought their support for it.

I ask unanimous consent that the text of my remarks on June 17, under this title "Necessities of Life" be printed in the Record, as follows:

There being no objection, the address was ordered to be printed in the Record, as follows:

Necessities of Life

Of those topics facing the Labor and Public Welfare Commitee, the most immediate and yet one with the most far reaching concern, is whether we as a nation will guarantee to all our citizens the necessities of life. That question has been squarely put before us in Senate Resolution 281 which I have cosponsored with 38 other Senators.

This topic cuts across the work of several of our subcommittees: health; employment, manpower, and poverty; education; aging; migratory labor; Indian education. It also confronts the entire committee structure of the Senate because it calls on us to study and possibly restructure the way we in Congress will gather information and propose legislation. Because of your interest in the general welfare I think you should be fully aware of the latitude and potential of this resolution.

HUNGRY AMERICANS

This topic confronts the issue that has gained as much publicity lately as any other domestic issue. The issue of crime in the streets which everyone felt would be the major issue at this time has nearly been overshadowed by starvation in the streets. In the past two months we have been told repeatedly, to the point that open-minded citizens cannot fail to believe it, that as many as 10 million people are so severely malnourished that their lives may be in jeopardy.

Surely our society is ready to commit itself to meeting the qualifications for survival for human beings. The most basic necessity is food. In order to assure that everyone has adequate nourishment, the Federal Government has established several programs. They do not work. Food stamps are a cruel hoax in sections of the country with barter economies where workers never see money and the funds for stamps are available at 50% interest. Surplus commodities are available in some areas but, as the CBS program "Hunger in America" described them, they are "foods that farmers cannot sell and nobody else wants." They sustain life at the price of health.

Provision of the necessities of life is so relevant to the poor that just by being poor the right to "life" is qualified by 10%. Poor people get only $\frac{9}{10}$ the right to life of those that have the basic necessities, for their life span will be 64 rather than 71 years.

But the relationship can be seen much earlier, for some poor have almost no life expectancy. In my own city of San Antonio, the infant mortality rate is high. One charity hospital treats over 500 cases of malnutrition each day. It is commonplace to find children one year old that weigh less than their birth weights. But one needs no more statistics to know the shame that starvation has brought our nation.

Localities will not meet this need. In San Antonio, County Commissioner Ploch is quoted daily in the press as saying reports of hunger are lies and that Mexican-Americans are undernourished only because they are too stupid to eat properly. In many counties of my State there is no food stamp program because the county does not want to bear the expense. In Houston, the sixth largest city in the nation, the School District, with an annual budget of $150 million, recently refused to operate a school breakfast program unless it could make a profit on it.

NATIONAL EMERGENCY

If localities are insensitive to the need and refuse to meet it, then the Federal Government has no alternative but to move. The necessary first step is emergency action because this is an emergency. I know from repeated personal experience that this Congress will not vote funds necessary for present levels of funding, let alone for emergency measures. So the best approach, as used in this resolution, is to insist that existing emergency funds and powers be used. In the past two years the Department of Agriculture has turned back over $400 million that was earmarked for food. That type of measure would not be possible under the emergency demands of this resolution.

What makes this resolution so significant and different is that it contemplates action broader than just dealing with hunger, and it envisions activity of a permanent nature rather than just reacting to a single emergency. The resolution deals with all the necessities of life—food, clothing, shelter, and medical care—in a civilized society or any society. And it seeks to establish a single program that will always guarantee the necessities of life to every American.

NECESSITIES OF LIFE

Let me touch briefly on why all these are necessities. Adequate nutrition is needed if the promise of life is to be fulfilled. About 10 million people are being rendered less than full citizens by their diets. They are physically and mentally dulled. Their life span is lessened. Their work is less efficient. Their accident rate is higher and they are more prone to disease, so their productivity level is low.

In brief, they are subjected to what doctors call a "malnutrition syndrome" which leads to lethargy, despair, and exhaustion. How many Americans have we looked down on and patronizingly told to lift themselves up by their bootstraps because of their lethargy, despair, and exhaustion when in fact their problem was malnutrition?

Clothing is needed for more than obvious reasons. For one example, inadequate shoes can cause crippling feet problems during vital growth years; and lack of shoes is a prime reason many children contract parasite-caused diseases which complicate malnutrition.

Shelter must also be considered a necessity, one of the basic birth rights in this nation. Some 20 million persons currently live in substandard housing. That is housing that may lack running water, or indoor toilets. It may be so crowded that there is no chance for privacy or individual development. With the crowding and the lack of adequate sanitation or garbage pickup there is no possibility for minimum hygiene and disease flourishes. Some threats from bad housing are even more savage; last year children were bitten over 14,500 times in rat-infested homes. In Houston, in the only poor ward of town with available statistics, 75% of all housing is rat infested. Every American must be born with the right to access to decent shelter.

The fourth area that I would list as a necessity of life and a basic right is adequate medical care. The cost of medical care is exorbitant. It is so high that even the affluent may put off the type of routine care that would prevent serious disease. To assure that all Americans can receive adequate care we must re-examine the delivery system of health care and plan to take the facilities to the people and they must be available without regard to race. We must act soon; health care is directly related to life. In 1965, 60,000 Negroes died of disease who statistically would have lived had they been white.

They would be alive today if they had access to the basic health care available to the affluent or even middle-class white.

Some people assume poverty is synonymous with Negroes. But even a white supremist determined to assist only his own people would immediately be confronted with the necessity of providing food, clothing, shelter and medical care for the poor.

CONGRESSIONAL REFORM

In order to meet literally life and death responsibilities in these basic areas the Congress must consider reform. An interrelationship between problems of food, clothing, shelter, and medical care does not exist under present structures in Congress. Problems with food are in the Agriculture Committee where the primary concern is with production. No one deals with clothing. Housing is considered by Banking and Currency since for many years the Federal approach has been a banking one dealing with mortgages. And health care is fragmented between the Labor and Public Welfare subcommittee on health, the Finance Committee which deals with Medicare, and the Government Operations Committee which is responsible for government research into medical care.

The problem should be apparent. To get information on needs for legislation various committees and subcommittees must hold hearings. Under existing structures the four basic necessities of life are thus considered in dozens of hearings with no relationship to each other. Legislation is drafted in one area with no means for interrelation with other areas. Then, after passage, the act goes to any of dozens of various executive departments, bureaus, or agencies. The Committee on Labor and Public Welfare has no hearings on agriculture or housing. The Committee will not be in a close relationship with the Department of Agriculture or of Housing and Urban Development and will ordinarily not be able to keep up with how programs are being administered.

If these basic needs are to be met, then we must expect that the Executive will administer a single program with cohesiveness and continuity. The Congress must consider a similar responsibility in evaluating its approach to gathering information and proposing legislation in the area of necessities of life.

Senate Resolution 281 thus touches the most basic of topics before the Labor and Public Welfare Committee, and it may give to our Committee far-reaching and challenging new responsibilities for the welfare of our citizens.

MISUSE OF FIREARMS—PENALTY UP TO LIFE

Mr. DOMINICK. Mr. President, earlier this week I introduced S. 3681, a bill which would make applicable on a national basis, as nearly as feasible, the same penalties for the use of a firearm in a crime of violence as those which Congress approved just 6 months ago, and which are now law in the Nation's Capital.

In a nutshell, my bill provides that any person who uses a firearm in a Federal crime of violence shall first, in addition to the punishment provided for the crime, be punished by imprisonment for an indeterminate number of years up to life, as determined by the court; and, second, if convicted more than once, be precluded from receiving a suspended or probationary sentence.

This, I feel, can serve a meaningful purpose by making it clear to the potential criminal that he risks life imprisonment if he chooses to misuse a firearm.

The bill can serve as a model for State and local legislative bodies to draft legislation applicable to crimes under their jurisdiction.

If the word gets out that Congress is considering a proposal of this type, the forces of justice can be brought to bear on the criminal element in a fashion both enforceable and understandable.

I was pleased to read an editorial entitled "The Real Gun Menace," published in the Washington Evening Star of June 26, 1968, and especially to learn of the conclusion that more effort should be made to stiffen jail sentences in this respect. In my judgment, the editorial adds much to the current debate on gun legislation and should be read by all.

I ask unanimous consent that it be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, June 26, 1968]

The Real Gun Menace

The President's latest message to Congress on gun controls is noteworthy in at least two respects.

It goes well beyond his former proposals and also beyond proposals offered by such ardent gun control people as Maryland's Senator Tydings. It is also more noteworthy for its emotional content than for any deterrent effect is could be expected to have on the use of guns by criminals—the real source of the gun menace.

When Mr. Johnson signed the omnibus crime bill on June 6 he said that its ban on mail order sales of hand guns, though it is stringent, was inadequate. He was right about that. He urged that there be a ban on mail order sales of shotguns and rifles. Again, he was right, and he pressed for legislation to forbid such sales.

While that proposal was pending, however, and before Congress could act, he sent up another message this week. In it, he called for the registration and licensing of all firearms—applying to new purchases as well as to guns already possessed by individuals. He called for monetary punishment of any state which did not fall into line.

Is there anything wrong with this? Let's take a look. Mr. Johnson said of the registration and licensing proposals: "Surely the slight inconvenience for the few is minimal when measured against protection for all." The "few" are the owners of the estimated 50 to 100 million guns in this country today. How would registration and licensing provide "protection for all"? This would be true only if it is assumed—an unwarranted assumption—that criminals as well as law-abiding citizens would come in and register their guns and apply for licenses to possess them.

The President gave some examples. Last Tuesday, he said, a filling station attendant was shot to death in the course of a $75 armed robbery. The robber was violating the law by using the gun in the commission of a felony. Is Mr. Johnson seriously suggesting that this robber, and the thousands of others like him, would have registered the gun and applied for a license? He also said that in 1967 there were 71,000 robberies with guns. How many of those victims would have been protected by a registration and licensing law? One other thing. Mr. Johnson said that with registration under modern computer systems "the owner of a gun anywhere in the country can be identified in a matter of seconds." True, if the gun owner had obeyed the law and registered his gun. Untrue if he had not registered.

Another interesting point: The President urges that any person who fails to register any kind of gun be subject to a fine of $2,000 and a two-year jail term. Under existing law in Washington, however, the maximum first-offense penalty for carrying a concealed hand gun on the street is only one year in jail and a $1,000 fine. Yet the person who carries a concealed gun is the potential murderer or robber.

It may be that registration and licensing would be of some help in discouraging improper sales or transfers of guns. But they are not going to stop the armed criminals or provide any appreciable "protection for all." As we suggested several days ago, the best way to achieve this protection is to provide really tough and if necessary mandatory jail sentences for anyone caught carrying an unlicensed gun or using a gun while committing a felony.

Why doesn't the President, as a companion piece to his appeal, get behind something of this nature?

SENATOR ROBERT C. BYRD ADDRESSES GRADUATES AT PRINCETON, W. VA.

Mr. BYRD of West Virginia. Mr. President, on June 13, 1968, I addressed the graduates of Princeton High School, in Princeton, W. Va., during the commencement exercises. I ask unanimous consent to insert my remarks on that occasion in the Record.

There being no objection the address was ordered to be printed in the Record, as follows:

Commencement Address by the Honorable Robert C. Byrd, of West Virginia, at the Princeton High School, Princeton, W. Va., June 13, 1968

Members of the graduating class of Princeton High School, faculty and student body, parents and friends, ladies and gentlemen:

It is a privilege to participate in your commencement exercises. Nothing pleases me more than the progress that some of America's young people are making in education.

Let me, first, offer to you, the graduates, my congratulations upon the successful completion of this part of your education. You have every right to be proud of the diplomas you will receive as you pass this important milestone. It *is* a happy occasion, and I am happy to share it with you.

Tonight, I want to make a few observations which I hope you may find pertinent and helpful, and which you may take with you as you enter the next phase of your life and your education.

All of you have known of the "3 R's"—readin, riting, & rithmetic since your earliest days in school—and a thorough grasp of the "3 R's" remains just as essential today as it was when someone first thought up the term. But I want to suggest to you that there are three verbs which may be equally as essential in making your lives worthwhile and meaningful. These three verbs—the doers and action words of our language—are *prepare, participate,* and *produce*.

It should be obvious, I think, that all of us must prepare for anything that we hope to do right or well. A star football player must prepare for the games ahead by days and weeks of practice; a good speaker must prepare; a concert artist must prepare—and your high school education has been preparative. If one is not prepared he is out of the contest before it starts.

But, my young friends, a great many people, too many, attempt to participate before they prepare. Some of you may have experienced this or seen it happen. (The class, the examination for which you were not prepared; the opportunity outside of school you were not ready to take advantage of). I need not labor the point, except to say that you will find that preparation, like education itself, is a continuous process that should by no means end here tonight, or after four years of college, or even after graduate school. Every new achievement to which you will aspire will require preparation.

I would urge you, first of all, then, to go on to college, if it is at all possible for you to do so, for, as valuable as your high school diploma is, it will not be enough for you to compete as I believe you will wish to compete in the increasingly-specialized world in which you must make your way. But if you cannot go on to college immediately, your education need not end here.

There are literally scores of ways in which you can extend your learning and improve your training. Many industries and businesses offer on-the-job training; there are night schools and correspondence schools; there are government internship programs; and there are apprenticeships and technical training opportunities in the armed services.

And as for college itself, there are innumerable scholarships and assistance grants which the energetic student can seek. The young person who is determined to get an education has a better chance today than ever. The essential thing, of course, is the determination of the individual to take advantage of whatever opportunity is open to him. You can never be too well prepared for the competitive world that lies ahead of you.

The parable of the ten virgins, to whom Jesus Christ likened the kingdom of heaven, comes to mind. You know the story, I am sure.

Five were wise and five were foolish. They that were foolish took their lamps, when they went forth to meet the bridegroom, and took no oil with them. "But the wise took oil in their vessels with their lamps."

"When the cry was raised that the bridegroom was on his way, the foolish virgins said unto the wise virgins, 'Give us of your oil; for our lamps are gone out.'

"But the wise answered, saying, 'Not so; lest there be not enough for us and you. But go ye rather to them that sell and buy for yourselves.' And while the foolish ones were gone to buy oil, the bridegroom came; and they that were ready went in with him to the marriage; and the door was shut.

"Afterward came also the other virgins, saying, Lord, Lord, open to us.

"But he answered and said, 'Verily I say unto you, I know you not.' "

There is a lesson for our time in that parable, which is, simply, that we must keep oil in our lamps, so to speak, and be prepared for the things that lie ahead. But there is little point in preparation unless you participate, and I make this point because of a disturbing development in American life in the last few years—the attitude toward their country displayed by young men and women, some of whom are academically well educated, who seek to escape responsible participation in the adult world by burning their draft cards or becoming "flower children," "hippies," or just plain beatniks who turn their backs on maturity.

In this group we must include those students who, lacking true knowledge and understanding of their country, become participants in destructive, revolutionary groups like the Student Nonviolent Coordinating Committee (SNCC), or SDS, the so-called Students for a Democratic Society, the group that has been the principal inciting force in the disgraceful campus rebellions in recent months, and which, in my judgment, could much more appropriately be called Students for the Destruction of Society.

These groups, whether or not they have actual ties with the subversive forces that would destroy our country and our way of life, serve the cause and the purpose of America's enemies, and I would urge you who are going to college to weigh carefully, if you should ever consider any association with such groups, the sharp contrast between what your country offers you and what these groups propose—which is nothing less than bringing about the downfall of this republic.

The young men and women who ally themselves with such groups are arrested adolescents who have not yet grown up. For all their brave, big talk about life, they are infants in the world of men and women who shoulder their responsibilities and who thereby, ironically, make it possible for those who are immature to have their parasitic existence apart from the world of reality.

Men have always dreamed of a peaceful world, of a Utopia where there would be no problems. But there can be no peace in the world as we know it unless we, as individuals and as a nation, are strong enough to enforce it. War is abhorrent; but loss of freedom is worse. There has never been an age without war or without conflict, for life itself is conflict. The responsible, mature person meets the problem head-on. He participates in the world and in the time in which he lives. He may light his candle, hopefully; but he does not curse the darkness.

Participation alone, however, is not enough either, for if one is going to do his part in this life and carry his fair share of the load, then he must produce, and produce constructively. The demonstrators, I suppose, can be thought of as participating; the rioters are participating in a way; Stokely Carmichael may be participating; but this is negative and destructive. What America—your land and my land—so desperately needs today is constructive participation in its life—participation that produces worthwhile results.

That is the great challenge to all Amercans, but it is most of all a challenge to the generation—your generation—that will so soon have to face the question of how it will discharge its responsibilities to the Nation that has provided its opportunities.

All of this comes down, really, I think, to the question of each individual's responsibility, for the Nation can be no better and no stronger than the collective quality and strength of the individuals who make it up. Each of us has a part to play.

There are so many things that need doing. There are perhaps more problems for your generation than for any that has gone before; but there are also more opportunities, and of a far more varied sort, for you and your contemporaries all across America than have ever existed before. Never have the need and the demand for qualified, eager, determined young men and women been as great.

You are all aware of the violent climate that has developed in America in which crime has become rampant, and prominent citizens are assassinated. And I would say that this and the other aspects of our national life that are related to it pose for us our greatest problem. How shall we deal with it?

There are no simple, easy answers, no quick solutions.

Your generation will have to deal with it, for, although the Congress has only recently passed what I believe to be strong anticrime legislation, it will not be the whole answer to the problem, for the causes and roots of crime go deep.

There is a strong move now, in the wake of the assassination of Senator Kennedy, for stringent gun control laws. It is desirable, of course, to keep dangerous weapons of all kinds out of the hands of lunatics, criminals and others who would misuse them.

But this is only part of the problem. A criminally-inclined person bent on destruction will probably always be able to get a weapon. What is also needed, in my judgment—and again this will involve your generation, for it necessarily is long-range—is a sweeping change in the philosophy of our Federal courts, beginning with the Supreme Court of the United States.

The whole range of crime is involved in what I am saying here, for criminally-inclined persons in our country have been led to believe that crime *does* pay, that they can get away with just about anything, that the courts will be lenient, and that punishment will be light, if, indeed, there is punishment and states and localities.

Many states, including our own, have abolished the death penalty, thus guaranteeing to a would-be murderer that his own life will not be placed in jeopardy if he willfully and premeditatedly takes the life of another. One could cite the abuses of probation and parole, the abuses of bail bond that allow criminals to go free to commit new crimes while they are still charged with old ones, the interminable delay of trials, the difficulty in getting juries to convict. We have crime and violence in America because our people and our government tolerate crime and violence, and in my judgment the situation is not likely to improve appreciably until a Nation that has grown far too tolerant and far too permissive demands a change in the attitude of our Federal courts and a restoration of the principle that punishment should swiftly and surely follow crime. You will need to help bring this about.

Moreover, your generation will also have to deal with the continuing problem of poverty in America, for here again in our present programs we are treating symptoms and not the cause, and the cure, if indeed it can be found, may be long delayed. Somehow we have got to get at the problem of *motivation*, for no government program can take a person permanently out of poverty unless that person makes some effort on his own. Again it is a question of individual responsibility and desire. Government cannot do everything.

Only this week the news media carried the story of the successful Negro plumber in Washington, who, feeling some compassion for the poor and a desire to be of service to them, went on his own time, taking his own ditch-digging equipment, to Resurrection City, to install a badly-needed drainage line for the shower baths, since there is no sewer system on the grounds.

He went alone, thinking, of course, that the help he would need in digging the ditch and laying the pipe would be readily available from the male residents of the encampment. How little he knew about those demonstrators! All day long, as he toiled in the sun to aid these so-called poor, the loudspeakers on the grounds made appeals for men to help, but not one would lift a finger to assist him. They lolled in their bunks instead listening to their transistor radios or watching their TV sets, while a few came to watch, but not to help him with the job.

The payoff came when he asked one strong-looking but indolent fellow to give him a hand. "Brother," the surprised man was quoted in the press as saying, "I came down here to get away from shovels."

If one's object in life is only to get away from work, then he will never taste the satisfaction that ennobling work and achievement can bring. The greatest happiness that the human being can ever hope for does not lie in idleness or ease or a shirking of responsibilities, but in a job well done. How much more satisfying to wear out than to rust out!

This is a time in our national life for a sober reflection upon where we are, how we got there, what we have accomplished, and what we must set as our goals for future accomplishment. It is a time for taking stock.

If I may give you this one bit of advice—do your very *best* to find out what you can do *best*, and then do the *best* job you can with it. It is pointless to prepare and not participate, it is useless to participate and not to produce, but you cannot produce without preparation and participation. Prepare, and prepare well. Participate, and participate intelligently. Produce, and produce constructively.

Take to heart the admonition from the Book of Ecclesiastes:

"Whatsoever thy hand findeth to do
Do it with thy might."

What a great society we could build in America if every citizen would decide that he would do all that he could—constructively—that he would utilize all of his capabilities to help build a better country. What a powerful force would be let loose in this land if every person would do with all his might whatsoever task his "hand findeth to do."

That is the spirit in which I would urge you to go forward from this point that you have reached in your lives tonight.

Again I congratulate you, the members of this 1968 Princeton High School graduating class. My good wishes will go with all of you into the future.

AMERICANS FOR CONSTITUTIONAL ACTION

Mr. TOWER. Mr. President, yesterday marked the 10th anniversary of the founding of Americans for Constitutional Action, one of our Nation's most active political organizations. ACA is a nonpartisan, nonprofit, nationwide, political action organization dedicated to furthering the cause of conservatism: to conserving the aims and intentions of the Founding Fathers and the Constitution.

ACA is a constructive political action group which concentrates its energies where they will be most advantageous—within the political-electoral process. Instead of mass demonstrations or anarchic actions, ACA devotes itself to direct action within the American system. Their goals are to help reelect to the Senate and House of Representatives those legislators who, in the opinion of the ACA, have shown by their voting records their allegiance to the original spirit and principles of the Constitution.

Second, ACA assists in recruiting and electing men of like mind and strengthening the ranks of constitutional conservatives in the Congress.

In 1960, ACA lauched its program of assistance to responsible and qualified constitutional conservative candidates in their bids for election or reelection to the U.S. Congress. At that time, 180 candidates were assisted in varying degrees; of these, a total of 133 candidates were elected. In 1966, 225 candidates, both Democratic and Republican, received varying degrees of assistance from ACA. Some 180 of these were elected to the 90th Congress.

The work of ACA has also been outstanding in the field of political communication, issue orientation, and vote ratings. The voting record of every Congressman is compiled each session and is formulated into the ACA index measuring the voting tendencies as viewed by ACA of all Members of the Congress. The Americans for Constitutional Action also issues position papers on current political issues and problems facing our Nation.

After a decade of service, the Americans for Constitutional Action is to be congratulated for its service to both parties and to our political system. ACA stands as an outstanding example of what dedicated citizens can accomplish in a democracy through sincere efforts and legitimate processes.

EXTRA-LONG-STAPLE COTTON IMPORTS—S. 1975

Mr. ANDERSON. Mr. President, on June 20, 1967, my colleague from New Mexico [Mr. Montoya] and I introduced Senate bill 1975, to amend section 202 of the Agriculture Act of 1956, to prohibit the importation into this country of extra-long-staple cotton from countries that have broken off diplomatic relations with the United States. The extra-long-staple cotton growers of New Mexico and the Southwest desired to grow more of this type of cotton and additional acreage allotments would considerably improve their economic situation. We believed that the request of these growers for more acreage was reasonable and that there was certainly justification for discontinuing the importation of cotton from countries that were not our friends and had broken off diplomatic relations with us.

Hearings were held on the bill by the Committee on Agriculture and Forestry, and after careful study of the problem the committee reported the bill favorably to the Senate.

Subsequently the chairman of the Committee on Foreign Relations [Mr. Fulbright] requested an opportunity for his committee to study the bill and receive testimony from the Department of State concerning its views and to determine what effects this might have on future dealings with the Arab countries.

The bill was referred to the Committee on Foreign Relations. They have held hearings in executive session, and I am happy to report that the bill has again been returned to the Senate for its further action.

During the consideration of the bill by the Committee on Agriculture and Forestry, testimony revealed that the bill should be amended, since world quota allocations of this type of cotton would be affected and that perhaps some of our friends would be required to adjust their import quotas. Therefore, the Agriculture Committee wisely amended the bill to provide that when cotton quotas from the United Arab Republic and Sudan were cut off, quotas of other nations would not be affected and that the domestic growers of the United States would be allowed to produce an equal amount of extra-long-staple cotton. Provision is also made for restoration of quotas should diplomatic relations be resumed.

Mr. President, I am happy that the bill has been returned to the Senate, and I hope that the leadership will schedule it for consideration at an early date.

ROCKEFELLER STATEMENTS ON GOVERNMENT ORGANIZATIONS

Mr. JAVITS. Mr. President, twice in the last month, Gov. Nelson Rockefeller, of New York, has made penetrating statements on the organization of government and on intergovernmental relations. As an official with great and highly successful experience in both Federal and State Governments, Governor Rockefeller suggests the establishment of an Office of Executive Management in the Executive Office of the President, and a White House liaison staff concerned specifically with relations with the State and local governments.

I ask unanimous consent that the Governor's statements of May 27 and June 25 be printed in the Record.

There being no objection, the statements were ordered to be printed in the Record, as follows:

STATEMENT BY GOV. NELSON A. ROCKEFELLER, MAY 27, 1968

The future life of our Republic—and the working of our whole Federal system of government—critically depend on a Presidential leadership that is dedicated in principle and effective in practice.

I have spoken in recent days of certain and essential qualities of this leadership. It must have the courage to make firm decisions and tough choices. It must act with keen sense of the history of these times of headlong revolutionary change. And it must excite and enlist a sense of unity in the nation, based on trust in its purposes and its word.

Yet there is another dimension to the problem. The Presidency means not only a man: it means an institution—the *Executive Branch* of our government. And this Branch is precisely named: it is meant to *execute*—translating purposes into programs and programs into action.

We all know that the Presidency today must meet a range of challenge on two great fronts: those in the world at large and those at home in the nation. On the foreign front, there exists the National Security Council to serve the President in planning and in execution—although, as I shall outline in a later statement, there is much more to be done here, both in anticipating and confronting foreign crises. On the domestic front, there exists no such office to assure coherent planning and effective execution.

We cannot risk a national leadership that—even with high intention—fails to execute, fails to follow through, and fails to reach the people and to serve the nation.

I know no lesson more deeply impressed on me by more than 20 years of my own experience in government at both the national and state level. For ten of these years, I have served as the Chief Executive of a great State. And all of these years have taught me this law of the democratic process: to conceive great programs is not enough. They must be intelligently and efficiently *executed*.

We are not today respecting this law of democratic action at the national level. We are living from crisis to crisis and from problem to problem—coping as we can. This pattern of passive response—not acting but reacting—only breeds more problems, more crises. And this is no longer rational or tolerable.

Within the national government—and particularly within the Executive Office of the President—there must be profoundly new approaches and new mechanisms. These must do three things:

(1) They must discern and meet national needs before these grow to crisis-size.

(2) They must use all the devices of modern technology and modern administration in the full and fast assembling of all pertinent information for the President, as he shapes answers to these needs.

(3) They must integrate all programs of government action finally set in motion to resolve these problems.

All this is imperative to help close one of the greatest gaps in our national life—the gap between political *promise* and political *performance*.

II

For these reasons, I am proposing today the creation of an *Office of Executive Management* within the Executive Office of the President. The essential mission of this Office would be to serve the President directly in formulating, coordinating, and executing all domestic programs.

This Office would operate on the same level as the Bureau of the Budget and the National Security Council.

So vast and complex are the challenges to modern government today that the *absence* of such an Office of Executive Management is almost incredible. And it is an absence that explains much of the disorder and the disarray of Federal programs, the popular resentment of their cost and confusion, and their often dismal failure to achieve their purposes.

The size of national government and the range of its activities are equally staggering.

The President today directs a complex of 2.8 million employees—a work-force that has grown by almost 20% in only the last six years. And this total *exceeds* by more than 20% the sum of all persons employed in the automobile and steel and telephone industries combined.

By official reckoning, the huge number is dispersed among 12 Departments, 31 Independent Offices and Establishments, and nine offices and bureaus in the Executive Office. And these scattered authorities are responsible for hundreds of major domestic programs. In the area of federal grants alone, there are more than 400 confusing and often conflicting programs.

Without effective leadership and direction, all such Federal activity cannot mount a serious attack on our great national problems. It can only carry on a kind of sporadic guerrilla-warfare against them.

In the biting words of the Riot Commission Report, after surveying all Federal actions to meet the needs of our cities:

"The Federal Government has not yet been able to join talent, funds and programs for concentrated impact in the field. Few agencies are able to put together a comprehensive package of related programs to meet priority needs. There is a *clear and compelling requirement* for better coordination of federally funded programs."

It is to meet this urgent requirement that I stress the importance of a new Office of Executive Management. Its key responsibilities would include:

(a) to anticipate national needs on a broad front and prepare programs to deal with them;

(b) to play a continuing role in domestic policy planning within the White House;

(c) to exercise general oversight to assure the most efficient management of Federal programs;

(d) to focus these programs more sharply by simplifying or combining the essential, eliminating the nonessential; and

(e) to help introduce into government the most qualified personnel, efficient technology, and modern techniques of management.

All this is vital to the supreme political task before us: *making free government work*.

Under our political system, this can happen only if the Executive Branch and the Executive Office of the President themselves work—with full efficiency and full effect.

This kind of execution is the decisive test of the Presidential leadership that our people demand and deserve.

STATEMENT OF JUNE 25, 1968

Governor Nelson A. Rockefeller pledged action today to "close the communications gap between the State House, City Hall and Washington" if he is elected President.

He said he would create a high-level staff unit in the Executive Office of the President to forge stronger relationships between states and localities and the federal government.

This unit would serve as a staff arm to the President on federal-state-local relations, to maintain liaison with states and localities, and to serve as a single-stop service center to provide state and local officials with information on federal aid programs.

The Governor stated that the proposed unit would "strengthen our federalism by providing the President with a broad perspective on relations with states and localities."

"It would keep close contact with the executive committees of the National Governors' Conference, the Conference of Mayors, and the National League of Cities to help the President and the Congress to develop legislative policy and programs which encourage and use in the most effective manner possible the three levels of government—federal, state and local—in serving the people's interest.

"The unit would also be responsible for conducting a continuing review of proposed federal programs to ascertain their effects on state and local governments.

"It should keep abreast of innovative state and local programs, to make certain that constructive efforts on the state and local levels were receiving proper attention and support.

"The unit would also give governors, mayors, and other state and local officials one place to go in Washington to get real guidance in locating needed federal aid programs—instead of being given the 'run around' from office to office as is too often the case with the present maze of government bureaus and grant-in-aid programs.

"At present, there is a serious lack of communication between the federal government and states and localities.

"Federal planners often are totally unfamiliar with state and local efforts to solve social problems. Ambitious federal programs are conceived which ignore or are at cross purposes with constructive state and local programs designed for the same end—as has been notorious, for example, in the field of urban development.

"Likewise, federal policy-makers often have little or no interest in new ideas developed by states or localities, as my own experience testifies.

"There is no central place in Washington, where state or local officials can go to get comprehensive and useful information about federal grants and get help in developing their own programs to make full use of federal assistance.

"The proposed staff unit should have a full-time professional staff. It should build upon the work which has already been done by the Director of the Office of Emergency Planning—who has been assigned liaison duties with governors, but has had no full-time staff for this purpose.

"This should be a place where governors and mayors can bring their ideas for new programs and get a *serious* hearing. It would aid in implementing basic reforms in the federal aid system by working with governors and mayors to develop formulae for per-capita grants and broad-category grants to states and localities and to develop proposals for consolidating and simplifying federal programs. In short, it would help federal policy-makers integrate their plans with valuable work that is being done by states and localities.

"My proposal will be another step in strengthening our federal system and making our government execute its policies more effectively. It will help close the present gap between promise and performance in government."

CONTROVERSY ON INTERNATIONAL RULE OF LAW

Mr. PROXMIRE. Mr. President, a great deal of controversy now sweeps back and forth over this Nation and, indeed, over the entire globe. The center of the storm, so to speak, is whether ideals, idealism and the hopes of civilized men for a real international rule of law protecting all men are anachronisms.

Mr. President, I say most emphatically that I think those individuals who preach this type of defeatism are themselves anachronisms and should retreat to some shady glade where they may enjoy the sixth and seventh stages of man as described by Shakespeare in "As You Like It."

These prophets of an age long past say that we should be realistic and quit stepping on the toes of those individuals and nations that flagrantly and with impunity violate the basic rights belonging to all men—all men. We should leave them to pursue their course of exploitation without any overt interference.

One distinguished American went so far as to say that we should be thankful that when the Colonies began their fight for independence they should have been thankful they had no U.N. Charter to contend with.

Mr. President, only a lawyer could say something like that and I think twisting the principles of freedom and equality that served as the foundation of this country, its Constitution and Bill of Rights is a distinct disservice to the cause of world peace, to the cause of the rights of men and, indeed, to the reputation of anyone who espouses such a defeatist philosophy.

Mr. President, the Senate by its inaction on the human rights conventions seems to have espoused this philosophy by default. This I deplore as I know that the Senate truly espouses the causes of universal human rights and their firm protection. But this continued lassitude on our part makes it appear that the Senate does not care about these rights and how greatly they may right now be violated on a mass scale.

Mr. President, I urge the Senate to put the lie to this defeatist philosophy which seems to be nothing so much as a reversed and inverted interpretation of Hegelian dialectics: the mind of man is growing older; minds that grow older grow wiser; therefore the mind of man grows less wise. In other words proponents of this defeatist philosophy would have us believe that the more sophisticated, and materially advanced, and wiser and more humane mankind becomes, the less we have hope of, and should work for, a rule of law that brings reality more in line with our ideals. Strange reasoning, Mr. President. I trust the Senate will explicitly reject this strange reasoning by speedy ratification of the human rights conventions.

WORK OF THE AMERICANS FOR CONSTITUTIONAL ACTION

Mr. FANNIN. Mr. President, yesterday marked the 10th anniversary of the Americans for Constitutional Action. This organization, Mr. President, has been of inestimable help in combating those forces at work in America that would cause us to forgo our cherished constitutional liberties.

The Americans for Constitutional Action has been of great help in one particular area as they publish the voting records of Senators and Congressmen. I am sure that I do not agree with their interpretation of all the issue votes which they choose, but at the same time it must be said that the ACA index provides a much-needed offset to voting indices of organizations that generally fall to the left of center. They have given those of us whose political and legislative philosophy is described as conservative a point of reference and an excellent guidepost, reminding ourselves of the pledge we have made to uphold and defend the Constitution of the United States.

As we think of those who pledged their lives, their fortunes, and their sacred honor in support of the genesis of our Nation, we today can be satisfied with no less. Mr. President, I congratulate the Americans for Constitutional Action upon their 10th anniversary, and wish them all success as we strive together to preserve our liberties under God.

COMMENCEMENT ADDRESS BY S. DILLON RIPLEY AT HOFSTRA UNIVERSITY

Mr. JAVITS. Mr. President, a distinguished scholar, S. Dillon Ripley, Secretary of the Smithsonian Institution, delivered the commencement address at Hofstra University in Hempstead, N.Y., on June 13.

Mr. Ripley made a number of observations pertinent to the role of the university and the scholar which I think would be of interest to all the Nation's students. I ask unanimous consent that the text of his remarks be printed in the RECORD:

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COMMENCEMENT ADDRESS, HOFSTRA UNIVERSITY, HEMPSTEAD, N.Y., BY S. DILLON RIPLEY, SECRETARY, SMITHSONIAN INSTITUTION, JUNE 13, 1968

(On this occasion the Secretary was awarded an honorary doctorate of laws by Dr. Clifford L. Lord, President of the University.)

In 1847 Joseph Henry, the first Secretary, attended the laying of the cornerstone of the Smithsonian Institution building on the Mall in Washington. Writing to his wife about the Vice President's speech he commented:

"Speeches and celebrations . . . are however the mere flourish of the moment and produce no lasting effect. They are the relics of the ages before the invention of the art of printing when men could only act on men through the medium of the senses when pageantry and oratory were invoked to captivate the eye and ear of those whose intellects were dormant. But in these times exhibitions of this kind are not as necessary and I hope the time may come when oratory and all the arts employed to lead the judgment astray through the impressions of the imagination will be done away with. If all the discussions in Congress were divested of oratory the truth would sooner be settled on."

To which we can only add Amen. Fortunately Professor Henry was not to live to be exposed to television.

In the summer of 1960 my wife and I spent a month in a hidden, cloud-shrouded valley at 9,000 feet above sea level in the central mountains of New Guinea. There some 8000 Dani people live in small clusters of dome-shaped thatch huts and practice primitive agriculture using stone implements, and cowries as a medium of exchange. Festivals are important, a prominent status symbol among the men who have achieved power in the tribal councils. It was fascinating to us to note that at these festivals certain important men talked and orated bombastically and endlessly. We later discovered that these men, also more beautifully bedecked than most others in shell ornaments, their faces more elaborately smeared with pig's grease and ashes, were in fact "talking chiefs" as the phrase is. They were not the most important men at all, but rather men of the second rank. The most important men we finally discovered were those two or three in back, simply dressed with little of ornament to draw attention upon themselves. They kept quiet in public, but when a moment for decision came, to war or not to war, to pay an indemnity or not to pay, a word or two, a simple phrase or a sentence spoken quietly was enough. The result was action not words.

And so you see me here today, summoned to address you in recognition of your achievement in graduating from Hofstra. I am delighted and honored to do so. I hope that I will not sound like a talking chief.

I am supposed to be a middle-aged pedant, an authority on a small area of descriptive biology, a specialist, a man out of a museum. As such I presumably amply live up to Marshal McLuhan's estimate that whatever I say will be in a dialect that you can understand only in a random manner if at all, for as he states people over 21 really can hardly converse with people under 21, so all-pervasive has been the effect on the younger age-class of that strange Cyclopean eye, shuddering out of its box in dull, miasmic corneal splendor. Television is supposed to have made all the difference between you and me because it is supposed that the new mass media have made all of you. I question this and find the statement slick, too all-inclusive.

When I went to the university thirty odd years ago, I went in the ebb tide of the Great Depression, feeling somewhat disconsolate about the possibility of ever getting a job, aware of the presence of poverty everywhere, and cynically persuaded that in the business world, preferment was by influence, accomplished through degrees of clubbableness, mateyness or eventually ties of blood. Although I had come to college to learn how to slap other people on the back, to be matey and clubbable, I did not make a great success of it all and felt at a loss.

What the university meant to me in those days was a one-of-a-kind opportunity to delve into books, to take courses totally unrelated to my career or any specialty that I could think of, to browse in realms that I might never see again, to develop tastes and interests in all sorts of ancillary fields, and to find out how to look for sources of information. I subscribed to Whitehead's notion that a university consisted of a band of imaginative scholars with whom one could undertake discourses, and that this personal experience might never come to me again.

Of course I feel, in spite of McLuhan, those of us then heading into World War II were just as uncertain as you may be today, just as cynical in the aftermath of the Depression as you may be in the continuance of the Cold War, and just as puzzled by the unfairness and the inequities that continue to surround us.

When I graduated from college I left with no firm intention of ever darkening the doors of a university again. Outside was where the action was. I was determined to work at something intellectual, and there was no firm persuasion then, as there is now, that this could only be done in a university. I thought and still think that going to college is a privilege, that it is a one-of-a-kind opportunity for education, and that as such it has nothing to do with training and the transmission of information. If you want that, you go to a technical school or a graduate school of higher instruction, a professional school of some sort, but college is unique. To treat it as the first department of the multiversity is a mistake, a confusing of the principles of education.

But I do not mean to imply that education in college years should lack immediacy. Rather I mean it should be a time for broadening, for expanding horizons for keen questioning of values rather than a mere concentration on meeting immediate needs. In the process of going to college everyone must remember that for many of us it is our one chance to become civilized. If we wish to rebel against inequities for example let us do it on the basis of knowledge and self-examination. There is no use in refusing what is without a vision of what should be. I learned about the comparative values of life, liberty and the pursuit of happiness in two ways really, one all the fun of reading and thinking in college, the other, all the wonder and amaze of watching primitive men in stone age cultures, fashioning tools, carrying on elaborate rituals, developing skilled knowledge of tribal affairs, religion, warfare, trade, agriculture without benefit of books. Man as a tribal unit has survived for thousands of years in a spectrum of varying environments from the arctic to the jungles, each group honed to a fine keenness by their surroundings, living on the very edge of the precipice and avoiding it by the unconscious selective pressures of the life around them. Such men have much to tell us of life today, although they are blowing away even as we watch, like dust devils across a prairie or fading figures on a television screen. The pressures of conformity of our mass cultures, our technocracy are too great, and we may lose the fragile clues to the variety of man's basic cultural and physical adaptability to our changing planet and its spectrum of environments, before we have collated the evidence.

There is great pertinence to all this today. The study of minority cultures is diffused and poorly organized. Everyone wants or thinks they want to know about it; the city planners, the engineers, the sanitation experts, the philosophers of anthropology, the students of stochastic problems, models, the students of proxemics, ecistics, the cyberneticians even.

Woodrow Wilson in 1916 said that we should be involved in thoughts about education:

"So that we ought to be careful to maintain a Government at which the immigrant i.e. member of a minority, can look with the closest scrutiny and to which he should be at liberty to address this question: 'You declare this to be a land of liberty and of equality and of justice; have you made it so by your law?' We ought to be able in our schools, in our night schools and in every other method of instructing these people, to show them that that has been our endeavor. We cannot conceal from them long the fact that we are just as human as any other nation, that we are just as selfish, that there are just as many mean people amongst us as anywhere else, that there are just as many people here who want to take advantage of other people as you can find in other countries, just as many cruel people, just as many people heartless when it comes to maintaining and promoting their own interest; but you can show that our object is to get these people in harness and see to it that they do not do any damage and are not allowed to indulge the passions which would bring injustice and calamity at last upon a nation whose object is spiritual and not material."

It is and it must be. We cannot fail ourselves in trying, each of us.

When the Smithsonian Institution was founded in 1846, Joseph Henry realized that we had a unique opportunity to mobilize scholars, to get them into touch with each other, and to create a mutual atmosphere of inquiry, encourage individual research and to secure publication of results. This the

Institution did in the 18 years before any college in the United States awarded a graduate degree, a PhD. Through the stimulating influence of his work, graduate study was encouraged and given a necessary life. Important group projects were undertaken, research on the mysteries of weather, our ocean resources, exploration of the land, salvage archaeology and ethnology. Handbooks and bibliographies were published, source materials gathered together and published so that they became accessible, the essential preliminaries, the modest and unassuming groundwork of vast realms of scholarship of succeeding generations was laid in those formative years.

Not until Civil War times did the Smithsonian go into serious collecting or what is called the museum business. But by the turn of the Century the Institution's ability to pursue new initiatives was gradually lost because of financial difficulties, and the Institution became one of many academic organizations in the U.S., only one among many.

The Twentieth Century saw the swift rise of the universities towards the peak which they have reached today. In the U.S. we have built a great educational establishment far-flung and active at many levels of education, but it is beginning to become clear to everyone that our universities cannot deal with every level of education and also every problem of society: the multiversity cannot become the megaversity, or the cosmoversity without losing its capacity to sustain its central mission of the education of youth. The university cannot at the same time manage cities, develop Africa, coordinate space missions, develop new cigarette filters, and still address itself to the problems of training new generations of citizens for the twenty-first century.

American culture should not become exclusively a university affair; every major city should have museums and cultural centers to serve as centers of gravity, helping to maintain interest in the city center, helping to introduce all of the city's children to nature, to art, and to our complex modern experience, and serving as points of contact in a lifelong process of renewal of the personality, of curiosity, of public enlightenment. The Smithsonian seeks to become a vital center institution in a network of other museums and cultural centers, to discover new ways of producing and presenting exhibits, new enrichment materials for our schools, new ways of servicing lifetime interests in change wherever it occurs—in the environment, in man's knowledge, or even, somewhat ominously, perhaps, within ourselves. In this it stands as a great auxiliary to the universities, complementing their great accomplishments which, in its early days, the Institution helped to foster.

Now it seems to me that we have come full circle. In 1968 I would hope that the college would reestablish itself a center in which scholars are in touch with students in a common quest, for exposure to a set of experience of the mind which are educational. At the same time there is a need again for study of a keen and piercing nature, after the graduate school, for postdoctoral studies at a higher level especially interdisciplinary to enable scholars to focus on present problems, social biology, the life of people in the urban context, the adaptibility of the environment, the interplay of man and mother earth, *Ceres* of old, a vast traumatized bulk, suppurating with decay, endlessly violated by man with his inexhaustible itch. Who can tell where such studies will lead but if they are not made, our search for the moon will surely prove to be as elusive as if that pale deity were made of cheese.

And so I give you the future and urgency of individual and team study on our common problems, of exposure in college, of keen disciplined thought beyond training. Wilson spoke of this quest when he said at a Sesquicentennial of Princeton in 1896:

"I have had sight of the perfect place of learning in my thought; a free place, and a various, where no man could be and not know with how great a destiny knowledge had come into the world—itself a little world; but not perplexed, living with a singleness of aim not known without; the home of sagacious men, hard-headed and with a will to know, debators of the world's questions every day and used to the rough ways of democracy; and yet a place removed—calm Science seated there, recluse, ascetic, like a nun; not knowing that the world passes, not caring, if the truth come but in answer to her prayer; and Literature, walking within her open doors, in quiet chambers.

"A place where to hear the truth about the past and hold debate about the affairs of the present, with knowledge and without passion; like the world in having all men's life at heart, a place for men and all that concerns them, but unlike the world in its self-possession, its thorough way of talk.

"Who shall show us the way to this place?"

RESPONSIBILITIES OF THE PRESIDENT AND OF CONGRESS

Mr. McGEE. Mr. President, I believe the attempt to block these Court nominations is as senseless as it is dangerous.

Lets stop talking about the phony issues. There is only one real issue: Does a President who has announced his intention to retire 7 months hence strip himself of all his authorities and responsibilities to conduct the business of government? By that logic we might as well close the whole Government down today and go home. By that logic we might as well call the negotiators back from Paris.

We might as well tell the President not to send us any more nominations of any kind, and forget about the ones now pending.

We might as well tell the President not to sign any more bills into law.

If I may say so, Mr. President, all of this has an Alice in Wonderland quality to it. It is just like telling the engineer to jump off a speeding train just because he is going to retire when he reaches the station.

I submit that for the President to permit the Government to drift would be a dereliction of duty.

The Constitution provides that the President is to be the President for 4 years of his 4-year term. He is not commissioned to stop presiding after 3 years and 5 months or any other shorter interval.

Let us hope that the Senate will get on with its own responsibilities of cooperating with a responsible President.

LOWERING THE VOTING AGE TO 18

Mr. BAKER. Mr. President, I desire to voice my support of the President's proposal to amend the Constitution to extend the right to vote to citizens 18 years of age or older in both Federal and State elections.

This proposed constitutional amendment reflects the view not only of the President, but of many Members of Congress, as well, that extending the suffrage to citizens who have reached the age of 18 would broaden the base of democracy. The 18-year-old of today is more than adequately prepared to accept the responsibility of suffrage and undertake full participation in the American political process.

At the present time, four States permit persons under the age of 21 to vote: Georgia, Kentucky, Alaska, and Hawaii. Recent nationwide public opinion polls show that public support for lowering the voting age requirement to 18 has reached an all-time high.

I urge Senators on both sides of the aisle to join with me in supporting this proposal.

AMERICANS FOR CONSTITUTIONAL ACTION—10TH ANNIVERSARY

Mr. JORDAN of Idaho. Mr. President, Thursday of this week marked the 10th anniversary of a national organization dedicated to the preservation of the Constitution of the United States. I refer, of course, to the Americans for Constitutional Action, and I salute the fine service this body has provided for our Nation's voters.

Any effort to call to the attention of the American people the significant issues of our time is commendable, especially when such a campaign is conducted in the rational, well-reasoned manner of the ACA. I wish this organization continued success during the next decade in its efforts on behalf of an informed American electorate.

MAYOR WASHINGTON OFFERS A LONG-RANGE SOLUTION

Mr. HARTKE. Mr. President, the immediate problems facing our Nation today do not always lend themselves to immediate solution. A man with a sense of purpose and perspective will look beyond the headlines in the daily newspaper in his search for a response to our continuing urban, racial, and international crises.

One such man, Mayor Walter E. Washington, of the District of Columbia, has put forward some substantive proposals which are relevant and farsighted at the same time. In his June 9 commencement address at Georgetown University, Mayor Washington suggested that an encompassing revision of our educational system would be an appropriate step to take toward meeting the needs which face us today. Calling for a more flexible, inclusive approach to higher education, Mayor Washington outlined specific proposals which would open our educational system to all Americans and at the same time redirect the purpose of that system in response to the pressing need for personal as well as technical skills.

Mayor Washington's thoughtful proposals reassure those of us who are convinced that our national energy can find a new direction, and the substance of his remarks deserves the attention of every American sharing his concern. Therefore, Mr. President, I ask unanimous consent that Mayor Washington's address of June 9 be included in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COMMENCEMENT ADDRESS BY MAYOR WALTER E. WASHINGTON AT GEORGETOWN UNIVERSITY, JUNE 9, 1968

Your Eminence, Cardinal O'Boyle, Reverend Harbrecht, President Campbell, fellow honorees, distinguished alumni, members of the graduating class, and friends: I am delighted to be able to participate in the One Hundred Sixty-ninth Annual Commencement at Georgetown University.

As I look into the eyes of the members of the graduating class, they appear to raise the question, "What can you say that will guide us now?"

I would like to be able to respond by saying, "My friends, here is the answer," but this would not be fair. There is no easy answer. Perhaps the best answer to the graduates may be found in the challenge that Senator Kennedy made to the students of the University of Kansas, when he said, "Give me your help, give me your hand, and we will build a new America." Our response to that request will tell the nation and the world that Robert F. Kennedy, Martin Luther King, Medgar Evers and John F. Kennedy have not died in vain—that a bullet does not kill a cause—that the goals and dreams of these men can still come true.

We mourn Robert Francis Kennedy. We know that this city and the nation will miss him. Senator Edward Kennedy said in his eulogy yesterday:

"My brother need not be idealized or enlarged in death beyond what he was in life. He should be remembered simply as a good and decent man who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it.

"Those of us who loved him and who take him to his rest today pray that what he was to us, and what he wished for others, will some day come to pass for all the world."

As I sat at the mass in St. Patrick's Cathedral, I reflected with concern upon the words of Archbishop Terence J. Cooke. And now I wish all of you to reflect upon these words with me—

"We have always believed that national unity is indispensable if these blessings are to be achieved and that an America divided in its ideals cannot survive.

"We mourn Robert Kennedy. But let us not miss the meaning of his life. We, too, must live in faith. We must respond to God's call. We must answer our neighbor's call for true freedom and equality.

"Our response will be made in loving God and loving our neighbor, in proving our love by service, in serving by confronting and resolving problems of poverty, race, violence and war."

Senator Kennedy was concerned with the purposes to which the nation has directed its resources, with the lives of those in poverty, and with the responsibilities of the affluent to use their knowledge and power.

My concern is not with purposefully committed wrongs; it is with our failure to realize a hope so nearly achieved, which is to enlarge the boundaries of peace, prosperity and progress.

Do we want to have an abundance of things or do we want to free man from limitations? Do we maintain systems of law and order as ends in themselves or do we maintain law and order as a system for insuring justice and opportunity? Do we acquire an education as if it were a property or do we become more educated as a way of being of greater service? Do we develop power to control others in order to have our way or do we acquire power in order to develop the nation and each single individual in it?

Questions of purpose cannot be answered by computers, by city planners, by contests of power, or by balances of power. They must be answered in philosophical terms by policy makers who take their direction from the people. The universities as institutions of higher education have a clear responsibility to enable their graduates to deal with these questions honestly.

The American democratic tradition bridges the time from the New England town meetings to television. Today's issues are complex and more information is required to make good decisions. Professionals who have been trained in institutions of higher education often feel that it is impossible for anyone who is not trained to have an intelligent opinion. These professionals fail to understand that their skills should enable them to assist people and that their skills can translate the desires and wishes of people into workable plans. The professional in a truly participatory democracy needs to begin to act as a staff member carrying out the wishes of those affected.

Traditionally, professionals have been taught not only skills, but the value of these skills to society. As a result, they are promoted into influential positions, are united into associations and unions which frequently preclude others from practicing their skills, and are constantly reminded that they are uniquely prepared to perform particular kinds of services. But they often have little, if any, direct contact with the people who need their services. A professional trained in this manner is skilled in things, not people; in the delivery of materials, not service; in the performance of tasks, not in cooperative citizen planning.

The second reason why participation is difficult to achieve is related to the first. Those who feel cut out of the decision-making process and who feel they are not getting their fair share have lost confidence in the professional whose acts are based on isolated academic training rather than on actual needs. Often with this approach, no meaningful or effective results occur. Their skills have made no difference in the lives of people they seek to serve. In the case of many minorities, the result has been to worsen, rather than to improve their condition. Members of minority groups are demanding a role in the process *before* the decisions are made. They want to bring to the situation the very information that was not provided to professionals during their training—information about people. Often the poor, in order to make their wishes felt, are required to understand complicated regulations, prepare cases, rewrite plans, review the criticisms of their plans, and then sometimes raise matching funds.

If we are to encourage participation and cooperative action, we must develop procedures that allow those with a minimum of resources to be included in the process. We must, therefore, develop procedures that permit full participation by all.

Our concern about the nation and the fundamental problems that I feel underlie effective action will suggest changes that are possible in institutions of higher education.

The call for innovation in higher education has been made by the Commissioner of Education, Harold Howe II. He said, . . . "Despite our national pride in diversity, a surprising 'sameness' permeates most of American higher education."

He also recognized the lack of a "rational, informed concern for student growth in that somewhat frightening and highly personal matter of feelings and emotions." "I do believe," he further said, "that faculty and administrations must recognize the profound influence their attitudes toward students have on emotional and personal development."

This suggests that we listen to our students; that we must recognize legitimate protest and legitimate involvement. Administration and students must then move forward together to create conditions that will afford dignity and opportunity for all men in our society. To have dignity and opportunity, we must stamp out racism, violence, prejudice and poverty.

In moving in these directions, universities can perform a great service by translating scholarly knowledge into practical action in our society. Institutions of higher education must examine ways to become more relevant, innovative and responsive.

Our society needs all of the skills that colleges help people acquire. At the same time, the various disciplines must learn to work with each other and with those outside the academic community.

The academic community should provide the environment and experience that ultimately permits the community to benefit from scholarly knowledge that has been translated into practical action. One result of this application of knowledge should be changes in the systems and institutions of society. We all recognize the need for making changes that will improve the life of people in the inner city.

One approach to improving their lives is to make it possible for residents to acquire the credentials, training and resources to take part in the mainstream of American life. In line with this approach, universities have made special scholarships available, have accepted so-called "high risk" students, and have established pre-college programs. Even so relatively few have benefitted so far.

We need an approach that brings the massive impact of education and action into the ghettos. The courts of California have declared that attending a university is a benefit, not a privilege. That benefit should carry with it an obligation to serve, to perform and to insure that the boundaries of peace, prosperity and progress include everyone in our society.

A new point of view on the part of universities may lead the way for business, government and society to adopt a policy of inclusion rather than exclusion.

The poor cannot afford long periods of nonproductivity.

One approach to solving the problem of time is the development of the two-year degree, the Associate of Arts. The theory behind such a program is that a person can get started on a professional career, go to work, and get his bachelor's degree while working.

Yet this is only a partial answer to the problem of time and speed of learning, because if the person does not find the time or money to continue, he remains a subprofessional.

Just as college needs to be able to examine all points of view and to use the best rational means to arrive at a theory or plan of action, the city, at large, needs also to be intelligently open to innovative ideas and be prepared to respond to such ideas with positive action.

To be very pointed for a moment, the city you have called home during your college years, Washington, D.C., needs you now. What we need is reason, a belief in the humanity of people, a love for our home, and a commitment to make the city a good place for everyone to live.

Certainly, metropolitan Washington, which contains the second greatest collection of highly educated persons in the nation, can demonstrate the power of reason, wisdom, and cooperation.

If the university and its graduates are seriously concerned with our problems in America now and with the destiny of America, they can:

1. Develop corporate leaders who can serve as staff for the people;
2. Bring about those changes in the system which will pull many into a better life;
3. Speed up the process of learning and make it more relevant to the needs of people; and
4. Seek to re-create the university's better features within the total community.

These actions will translate scholarly knowledge into practical action, will provide solutions to problems of purpose, participation and procedure, and will establish a true, lasting memorial to heroes that rest in peace.

The voices of Robert F. Kennedy, Martin

Luther King, Jr., Medgar Evers, John F. Kennedy and other leaders of our democracy will continue an unending discussion.

As the Mayor of the city you have called home during your college years, I leave you with some extemporaneous remarks made by our late Senator Robert Kennedy, speaking on the death of Dr. Martin Luther King. He was in Indianapolis, Indiana on April 4, 1968, when he said:

"What we need in the United States . . . is love and wisdom and compassion toward one another, and a feeling of justice toward those who still suffer within our own country, whether they be white or they be black.

"Let us dedicate ourselves to what the Greeks wrote so many years ago: To tame the savageness of man and make gentle the life of the world. Let us dedicate ourselves to that, and say a prayer for our country and for our people."

"TOWARD AN EXPANDED DEMOCRACY"—ADDRESS BY RICHARD M. NIXON

Mr. MUNDT. Mr. President, yesterday evening former Vice President Richard M. Nixon spoke to the Nation over one of the major radio networks. The title of his address was "Toward an Expanded Democracy." During a national period characterized by civil strife and disorder, Mr. Nixon's thoughtful appraisal of where we are, how we got there, and the direction in which we as a nation should move should be of deep interest to thoughtful citizens everywhere.

Mr. Nixon recognizes that much of today's violence and disorder is the product of those commonly called the "alienated"—people who either have never had faith in America's institutions or who have lost it. He traces through the history of the last third of a century the factors and events which have caused so many of our people to lose their sense of community. More important, he sets out the framework of how he intends to reestablish for the people that essential sense of community within which all the elements of our society at last can function.

Mr. Nixon's speech is an excellent documentary and a thoughtful, well-reasoned approach to a better America. I recommend it to the attention of Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

TOWARD AN EXPANDED DEMOCRACY

(An address by Richard M. Nixon, CBS radio network, June 27, 1968)

In recent years, and tragically in recent weeks, America has been rocked by disorders, shocked by crime, stunned by assassinations, and left in puzzled fury by a wave of unruly demonstrations and mass obstructionism not only in the streets of our cities, but in the halls of our great universities.

Faced with epidemic disorder, one part of the answer is both to strengthen and to use the forces of law. But this by itself is not enough. If we are to restore domestic peace, we sooner or later must bring those who threaten it back within the system.

At the same time, we need a searching new look at our political and social "system" itself.

THE ALIENATED

Much of today's violence and disorder is the product of those commonly called the "alienated"—those people who either have never had faith in America's institutions, or who have lost it. They can be found in student mobs besieging a university building, or looting in a ghetto riot, or peddling the literature of hate. They challenge our society because they reject what they think are its values; they threaten it, because all too often they also reject its restraints and its procedures for peaceful and orderly change.

Among these alienated there are strident voices, harsh voices, crying out for anarchy for its own sake. These are the extremists who reject all authority except their own, and whose heroes are the Che Guevaras of the world—men for whom the act of revolution is an end in itself, and the particular cause a mere excuse for violent means.

But if we look closely, we see that these extremists are a small minority. When they are isolated from their followers, they can readily be dealt with by the forces of law.

Most of the alienated are not so extreme. But they *are* people with a long catalogue of dissatisfactions with things as they are. It's worth examining this catalogue. When we do, some curious facts emerge.

Let's look at some of the things they're angry about:

A paternalism that robs the individual of his sense of self.

A widening gulf between the individual and his government, as effective power moves further and further away.

A political dialogue littered with broken promises, with false phrases and inflated hopes.

A racial dialogue still studded with the old stereotypes—on both sides—that reinforce old fears and play on old distrusts, in which old arguments about past guilt block new perceptions of right and wrong.

A deep sense of social injustice—of a fundamental conflict between the "power structure" and "human rights."

A welfare system that breaks families apart rather than holding them together, and that robs the person of pride and privacy as the price of filling his stomach.

A disillusionment with wars that seem avoidable, in places that seem remote.

An anxiety about the future, and about the place of the individual—who more and more seems alone and powerless against an overwhelming society.

Through all these complaints, there runs a common thread: that society in the mass is losing touch with the individual in the flesh; that the sense of community—of a place of belonging where leaders listen and respond—has crumbled; that the power to control decisions immediately affecting one's life is vanishing; that that unique, precious, indescribable thing—the *individual* human mind, heart and spirit—is being injured, or neglected, or slighted.

What's significant is that in this, the alienated are not alone.

THE QUIET REVOLUTION

In part, their complaints echo the complaints of millions of other Americans, people who are neither young nor poor, and who are proudly in the mainstream of American life and determined to stay there.

During the past five months I've campaigned in twenty-two states and talked with thousands of people from every walk of life. I've had a chance to sense the mood of America, in the way that only a candidate who goes to the people sense it.

And I've found something.

If we listen, we'll discover that the white man in the Boston suburb shares many of the same frustrations as the black man in the Chicago ghetto. Not all, of course. But he, too, wants to be heard. He, too, wants dignity—the dignity of being a man, not a number, not a category or a census statistic.

Those protesting college students who carry signs reading: "Do not fold, bend, staple or mutilate. This is a human being," speak not only for the student revolt, but for the frustrations of Americans everywhere.

Beyond the disorders, there's another rebellion going on today. This other is a quiet revolution. It's a rebellion by the great, quiet majority—those who pay their taxes, go to their jobs, perform their civic duties, send their children to school or college. I'm sure it includes many of you listening tonight.

In part, this quiet revolution is a protest against the violence and the excesses that have marked a time of tumultuous change, and also against the heavier-and-heavier demands of an age of impatience.

It's a rebellion against taxes, and against the ever-higher piling of Federal tax on state tax on local tax.

It's a demand for moderation—moderation in the tone of public discourse, in the style of public protest, in the posturing and promises of public officials.

But it's also something more.

The people who make up this great quiet majority want a voice in the shaping of their own future. They're not against change; what they want is to participate in the process of change, to help mold the future to their own designs rather than be swept along by impersonal forces.

They too want a voice.

In fact, if there is one thing common to all groups, all races, all ages, in America today, it is this: a deep, gut feeling that they want to be a part of things, to have a say in things, to have a *voice*—and to have that voice *heard*.

THE FIRST STEP

Today's conflicts are part of a pattern of social upheaval and generational upheaval, at a time when the old ordering of forces is being challenged by new.

The task of our generation is to resolve these conflicts, and bring peace among these forces.

Finding that we do have shared grievances is the first step toward breaking down those barriers that have set group against group, generation against generation. It's the first step toward finding answers.

When we look closely, we see that much of what is lacking in our society today is precisely what America was established to provide.

Ours was conceived, in the eloquent simplicity of Lincoln's words, as a government of the people, by the people and for the people.

As we look back over this middle third of the century, we find that we have been getting more and more government *for* the people, but less and less government of the people and by the people.

And in this lies the root of much of today's frustration.

LOSS OF COMMUNITY

Our whole development as a nation has been a great experiment, a continuing process of trial and error.

We have a system today that's an outgrowth of the experiments of the 30's—when the nation, faced with crisis, turned in fear and desperation to Washington. To make its experiments work, Washington took more and more power into its own hands. At the same time, we were becoming a truly continental nation. Air travel was beginning to link the coasts. Radio and the movies were beginning to give us a national culture. East and West, North and South, all were discovering one another. Then came television, which more than ever broke down the sense of local community. All across the nation, people were not only hearing the same words but seeing the same pictures, in their own living rooms, night after night.

There was World War II, which brought the nation together in a shared, sustained intensity of experience not equalled before or since—and which again, and necessarily, centralized power in the Federal government. After World War II we went through a new kind of experience, a wrenching readjustment not only to an uneasy peace, but to a new and unaccustomed role of world leadership and world responsibility.

The nation's horizons were thrust wide. Suddenly, what happened in Rangoon or Rio de Janeiro mattered in America, and what happened in Washington mattered in Rangoon and Rio.

At the same time, of course, this was a period of sweeping social change, of technological revolution, a time when the forces that shaped our lives kept getting bigger and more remote.

It seems obvious, now, that this would have been a time in which the place of the individual, his sense of security, of uniqueness, of belonging, would be gravely threatened.

ROOTS OF DISORDER

No great movement, no trend, takes place in a vacuum. The spread of violence and disorder is obviously no accident; obviously, it has roots in the patterns of current history.

These roots are many and complex. But I am suggesting tonight that one of the central roots is this: the steady erosion of the sense of person, of a place within the system, that we have allowed to accompany the development of our mass society.

As everything around him has gotten bigger, the individual has gotten smaller by comparison. He's been lost in the mass of things, his voice drowned out in the chorus.

The machinery of government seems increasingly remote, increasingly incapable of meeting his needs when action is needed. The community itself begins to appear less relevant, and its standards and restraints become less effective.

He feels that the *system* has left *him*.

One reason people are shouting so loudly today is that it's so far from where they are to where the power is. If we fail to bring power closer—if we persist in treating complex local needs from remote centers—we'll be repeating tomorrow mistakes that already have added dangerously to the frictions of today.

REVOLUTION OF IDEAS

I have pointed out tonight that, in differing degree, the alienated and the rest of us share many of the same frustrations, and I have traced these to the patterns of our recent history.

Can we do anything about it?

We can.

Among many of our leading thinkers, there's been another quiet revolution going on—a revolution of ideas about the way the nation should be organized to deal with its problems.

After a third of a century of concentrating power, an old idea is winning a new acceptance: the idea that what we need is a dispersal of power. What we need is not one leader, but many leaders; not one center of power, but many centers of power.

Richard Goodwin stated this proposition cogently: "Whatever our particular position, the one overriding goal of political life must be to help restore and strengthen that faith of the individual in himself which is the source of national direction and generosity of deed."

This is a concept in which I deeply believe.

It also is the clearest-cut issue of this year's Presidential campaign.

The man who is most likely to be nominated by the Democratic party—Vice President Humphrey—is a man I respect. He is a man of honor and a man of his convictions. And he honestly believes in the old ways.

I believe in a new way.

Power has been flowing to Washington for a third of a century, and now it's time to start it flowing back—to the states, to the communities, and most important, to the people.

Every program I offer in his campaign will be tested against this standard: Does it increase the power of the people, or diminish it? Does it enhance the self-respect, the pride, of the individual human being, or reduce it?

TIME TO MODERNIZE

We now are at a great turning-point. We have to decide which way to go: whether to take the old road that leads to a government getting bigger and bigger, and more and more impersonal—the road that leads to more rebellions more frustration—or whether we take a new road.

Every idea has its time. And the time is now for the idea of an expanded democracy, of moving government closer to the people, of breaking massive problems into manageable pieces. This way the people can participate, they can be involved, their voices can be heard and heeded.

It's time to think anew and act anew.

Our government today is a propeller-age structure in a space-age world. In giving a new pride of place to the individual, the need is not to dismantle government, but to modernize it.

A SEARCHING REAPPRAISAL

One of the first tasks of the next President should be to set in motion a searching, fundamental re-appraisal of our whole structure of government—not only of the Federal departments and agencies, but also of state and local government, and its relation to the Federal structure.

The two Hoover Commissions, which studied the organization of government for Presidents Truman and Eisenhower, performed a major public service. But thirteen years have passed since the second Hoover Commission made its report, and during those years our population has grown by some 35 million; three new Cabinet departments have been created; and the whole pattern of relationships among governments and people on all levels has been profoundly changed.

There are new relationships between city and suburb; new patterns of direct Federal involvement in the cities, and new layers upon layers of authority for the individual citizen to fight his way through.

The Commission on Government Re-Organization I am now proposing would be a commission with a difference. It would have a far broader mandate than those given the Hoover Commissions.

It would thoroughly study ways of increasing the efficiency of government organization. But its focus would be equally on the *responsiveness* of government.

Toward this end, it would be charged with searching out every feasible means of decentralizing government, of getting it closer to the people, of transferring functions to state and local governments, of creating new instrumentalities where appropriate to involve the people at the community level directly in the decisions that affect their own lives.

It would seek new ways to transfer functions from government to private enterprise, and also to the great, vital voluntary sector—to enlist the energies of those millions of Americans who stand ready and eager to serve and to help, in the best American tradition.

Its broadly-based membership would include the best management talent, the best government talent, and also the best academic talent from many disciplines. And one of its charges would be to start from a new premise: to search out what the people *want* from government today, and then to proceed to the question of how those wants can best be satisfied.

VICE PRESIDENT'S ROLE

I have said that if I were President, I would give the Vice President major additional duties in helping administer the domestic functions of government. One of the first of these duties would be to involve himself directly and personally in this entire effort to move government closer to the people, and to make it more responsive. And in making the decision on the Vice Presidential nominee, this is one of the major factors I will consider.

This new, decentralized approach will require a strengthening and modernizing of state and local governments, so they can adequately discharge their new responsibilities. It will require a time of readjustment, perhaps even of difficult transition. It will require trial and error. But trial and error is itself a part of the new concept, for the concept is rooted in a basic belief than no one man, and no one group of men, has all the answers.

This new distribution of authority will mean different things to different people.

To the black man, it will mean not only the opening of doors to the larger community that have previously been barred, but also greater control, greater independence, within his own community.

For the student, it will mean a greater share in the decisions that affect *his* own community—not necessarily in matters of educational curriculum, or basic university administration, but in the personal things—the rules of living—that mean so much.

For all, it will mean a chance to be heard. It will mean responsive government. It will mean a continuing process of give-and-take. It will mean burying the old concept that you can't fight City Hall. It will mean the power of doing represented by thousands of voluntary associations with millions of members.

REESTABLISHING COMMUNITY

It's in this way that we can reestablish the sense of community, and thus the framework within which *all* the elements of our society at last can function.

I don't think we can buy off the alienated with more money.

I don't think we can suppress them with more police.

But I do think that as we make government more responsive, as we re-kindle trust and reestablish a sense of community, we can bring many back within the system. By improving the means of orderly change, we can reduce the temptation to disorderly change.

But we shouldn't take this new path just to bring peace to our cities or just to bring calm to our campuses, or just to bring contentment to the suburbs. We should do it because it's right—because people do matter, and people do have rights, and because the securing of those rights is the first business of government.

What we need is nothing less than a revolutionary new approach. Government hasn't kept up with the times. The times have been rapidly changing, but government has been only growing. As it's structured today, government simply can't keep abreast of the mushrooming complexity of country. Power has to be spread out; otherwise it can't be responsive. We have to make our government structures into a set of precision instruments, tooled for particular function.

That's the government side of the coin.

ENLISTING THE ENERGIES

The other side is that we need a massive effort to ensure that private energies *are* enlisted, that local governments *are* modernized, that the voluntary sector does step up to the call.

This can't be let go by default.

For let me be very clear: in turning away from ever bigger government we are not turning our backs on ever bigger problems. Our aim is not to ignore the problems, but better to solve them. It's not to neglect the poor, but better to serve their needs. It's not to sit idly by while our air and water are polluted, but to establish the most direct and effective means of control. It's not to give up in despair at snarled transportation, but to enlist the energies of those most directly affected in straightening out the snarl.

As we turn away from the old paternalism of the 40's and toward the expanded democracy of the 70's, we'll discover a new dignity, a new unity, a new stability in America. We'll discover anew that this land *is* our land, all of us together, that its destiny is our destiny. We *are* one nation, together and inseparable, and if that proposition has been tested in these past years, tested in the fires of our cities, tested in war and in the bitter debates the war engendered, tested in demonstrations and civil disobedience and in the wondering conflict of the generations, the nation has shown that it can pass that test. Despite our troubles, there's a gathering today of the forces that are going to cement our society back together again—determined that decency and justice *will* prevail, and determined that reason shall rule.

Emerson wrote that "governments have their origin in the moral identity of men." Woodrow Wilson told us: "I believe in democracy because it releases the energy of every human being."

To make its expanded democracy work, America will need the willing hands of millions of individual people—proclaiming by their deeds that moral identity which is the rock our freedom rests on. America will need their involvement. It will need their ideas and their energies.

That is why, in this campaign, in this watershed year, I am asking not just for your votes in 1968, but for your continued help in the next Administration. That is why I ask not just your support, but also your enlistment in this great adventure that stretches before us.

FOREIGN TRADE POLICY IMPERATIVES EXPRESSED BY EMERGENCY COMMITTEE FOR AMERICAN TRADE

Mr. MONDALE. Mr. President, on Friday, June 14, a panel of members of the Emergency Committee for American Trade testified on its behalf before the House Committee on Ways and Means, which is now holding the most comprehensive hearings on foreign trade since 1962. The emergency committee's 53 members represent major segments of American manufacturing, banking, merchandising, and publishing firms with extensive domestic and international commitments. They derive large portions of their income from export sales, and they employ thousands of American workers in export trade.

The emergency committee points out:

> The reciprocal trade agreements program is entirely consistent with the principles of Free Enterprise market economy, and it should commend itself to the economic conservative no less than to the political liberal.

The committee realizes that some American producers may be facing unfair competition from exports, but it believes that such problems "can be resolved within the tested framework of a multilateral trading system and an expanding world economy."

The emergency committee's witnesses were Mr. Arthur K. Watson, chairman of the board of IBM World Trade Corp.; Mr. William Blackie, chairman of the Caterpillar Tractor Co.; Mr. T. A. Wilson, president of Boeing Co.; and Mr. Robert Purcell, chairman of the International Basic Economy Corp. Their statements include their views on trade quotas, agreements restricting imports across-the-board to certain percentages of domestic consumption, and special import taxes. I ask unanimous consent that the statements be printed in the RECORD.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT BY ARTHUR K. WATSON ON BEHALF OF THE EMERGENCY COMMITTEE FOR AMERICAN TRADE

Chairman Mills and members of the Committee, my colleagues and I are pleased to testify here today on behalf of the Emergency Committee for American Trade. With me are Mr. William Blackie, Chairman of the Caterpillar Tractor Company, Mr. T. I. Wilson, President of Boeing Aircraft, and Mr. Robert Purcell, Chairman of the International Basic Economy Corporation. I am Chairman of the Board of IBM World Trade Corporation and am speaking today also as Chairman of the Board of the Emergency Committee, and I am also currently serving as President of the International Chamber of Commerce.

As its name suggests, the Emergency Committee was formed in response to the serious threat which has recently been posed to the 34-year-old reciprocal trade agreements program. Our 53 members represent major segments of the manufacturing, banking, merchandising and publishing sectors of the American economy. We did not have time enough to obtain the approval of every member for this statement. We do believe that the views expressed herein accurately express the consensus of our Committee. They are based on public statements agreed to by members and on continuing communication with them.

We have joined together in the Emergency Committee—and we are here today—because of our conviction, as businessmen, that a substantial and growing volume of two-way trade, based on reciprocity, is essential to the economic health of the United States. We are not free trade theorists. We recognize that some American producers may be facing unfair competition from imports and that some American exporters, including members of the Emergency Committee, are being discriminated against in foreign markets. We recognize also that the Ways and Means Committee is concerned, properly so, about the decline in the U.S. trade balance.

We hope to deal with these and related issues straightforwardly and practically. We believe that they can be resolved within the tested framework of a multilateral trading system and an expanding world economy.

I want to make it clear at the outset that our companies have a tangible economic stake, amounting to many billions of dollars annually, in this system. We believe that for American industry trade means increased sales, profits, and lower unit costs . . . that it means job opportunities for our workers, who are among the best-paid in the United States and therefore in the world . . . that trade is a spur to the technological advancement on which America's economic progress so heavily depends.

While we are here frankly to defend our own economic interests, we believe that the national interest is likewise identified with a liberal trade policy. Parenthetically, I might say that it is regrettable in some respects that the reciprocal trade agreements program has come to be known as a "liberal" trade policy. This is an adjective that may lose as many votes as it wins. The important thing is that the reciprocal trade agreements program is entirely consistent with the principles of the Free Enterprise market economy, and it should commend itself to the economic conservative no less than to the political liberal.

The members of the Emergency Committee are convinced, on the basis of practical experience, that two-way international trade is a powerful engine of economic growth. We have witnessed the effect in our own companies and industries.

For example, among the members of the Emergency Committee are the nation's largest aircraft makers, Boeing, McDonnell Douglas, Lockheed and United Aircraft. One member company, Lockheed Aircraft Corporation, exported $249.3 million worth of products in 1967 and imported only $13 million. It employed an estimated 8,000 to 10,000 employees in export business that year.

Overall, jet aircraft and parts are one of the nation's largest exports, totaling $921 million in 1967, up from the total of $226 million of five years earlier. In his statement to this Committee on June 4, Secretary Wirtz estimated that 60,000 jobs in the aircraft industry result from this export business.

The simple yet essential truth, Mr. Chairmain, is that for many major industries sales in the world market are frequently the difference between high cost production and production sufficient to permit achievement of scale economies, and, therefore, markedly lower costs. The aircraft industry is but one example of an industry that would be unable to achieve economies of scale without access to international markets.

By the same token, however, this dependence on foreign export markets makes their industry very vulnerable to retaliation. Our customers are often governments or government-controlled entities. If we damage our trading partners, they can turn elsewhere for their purchases.

My own corporation has a vital stake in world trade. IBM exported $222.9 million worth of products in 1967, compared to $84.9 million in 1963. IBM's total net contribution to the U.S. balance of payments was $353.6 million in 1967. It is very difficult to estimate the employment resulting from these exports. But we do export parts and equipment from plants in all parts of the country.

THE BALANCE OF PAYMENTS AND TRADE POLICY

As businessmen and responsible citizens, we are greatly concerned with the weakening trade balance and with our recurrent balance-of-payments deficits.

An essential question for public policy is whether in light of a declining trade surplus we should continue the trade policy that seeks liberalization of barriers to trade, or whether we should reverse that policy by imposing import restrictions such as the quota proposals before the Congress, or special import taxes.

The business community firmly believes that the most feasible answer to the balance of trade problem is reduction of the size of the federal deficit, both by cutting expenditures and by raising taxes. These steps are fundamental if we are to control domestic inflation and thus temper the economic forces that on the one hand have made imports more attractive to consumers and more necessary for the economy, and on the other hand have made U.S. exports less competitive in the world market.

We believe that an overwhelming majority of the nation's businessmen want enactment of the expenditure cut/tax increase package fashioned by the House-Senate conference. It is *the* essential step needed to help restore our trade surplus, help restore confidence in the dollar, and improve international monetary stability.

Domestic price stability is clearly important if U.S. industry is to remain competitive world-wide.

SPECIAL IMPORT TAXES

Direct measures have been suggested as necessary to improve the payments balance by improving the balance of trade. Some advocate that the United States impose special restrictions on imports. Others have recommended a special import surcharge—some a border tax on imports with a corresponding rebate on exports.

The proposal most widely discussed as a "corrective" for a payments deficit is a flat percentage surcharge on imports. The surcharge level most frequently discussed is 10 percentage points. Thus, if the duty on commodity X is currently 5%, a 10% tariff surcharge would bring the total duty up to 15%—an increase of major significance.

The overwhelming majority of the Emergency Committee for American Trade is opposed to a tariff surcharge. An important reason is the harmful economic effect of raising costs in an economy that is striving to remain internationally competitive. Exports would fall because of higher component costs. Ironically, there is also the possibility of increased imports of products made with cheaper foreign raw materials. A surcharge would also mean higher prices to U.S. consumers at a time when many American families are already suffering the effects of inflation.

Finally, there is the problem of foreign countermeasures. It is very likely that other countries would follow with their own special import taxes, thereby lowering the level of international trade but with no net advantage to the U.S. trade account.

Many of the same disadvantages would attach to a 2% border tax/export rebate, which has also been suggested as a balance of payments remedy and, more particularly, as a basis from which the United States could begin to negotiate removal of other countries' border taxes.

This is a most complex issue, having to do with theories of taxation and the rules of the GATT. As this Committee knows, GATT rules permit indirect turnover taxes on domestic production to be rebated when goods are exported, and permit an equivalent tax to be levied on imported goods. Under these same GATT rules, the U.S. uses the same border tax and rebate system to reflect our own manufacturers' excise taxes, such as those on tires and tubes at our border.

When the border tax system was conceived in 1947, it was considered an "equalization" tax, based on a theory that indirect taxes are passed on to consumers. The theory of taxation on which the border tax system was based is now widely challenged. It appears obvious that indirect taxes are not all passed to the consumer. In whole or part they may be absorbed by sellers. It appears equally obvious that direct corporate taxes, on which the U.S. heavily relies, are not completely absorbed by corporations, as the theory held, but may to varying degrees be passed on to consumers in higher prices.

U.S. negotiators have recently opened talks in GATT to obtain changes in the border tax. We believe this is the best course of action at this time. It is difficult to expect that a 2% charge on imports and a 2% rebate on exports, such as had reportedly been proposed within the Treasury, would produce any real impact on our balance of trade. Although a program of rebate would mean cash in hand to our members, we understand that many of our major trading partners could legally justify additional border taxes should the U.S. choose this course of action. Such a course, even though to our own immediate advantage, would in the end be self-defeating.

Neither do we think that a border tax or a tariff surcharge are needed for bargaining reasons, even were our trading partners to accept such measures without retaliation. There are existing remedies in U.S. law for inequities against some American firms and industries. The countervailing duty law provides protection against foreign imports that are subsidized. Section 337 of the Tariff Act of 1930 is intended to provide a recourse for those firms that suffer because foreign firms and their U.S. agents or distributors are violating our anti-trust laws. We have treaties of Friendship, Commerce and Navigation with most countries, treaties that provide that unfair trade practices, and discrimination in other matters such as investment, shall be removed. We have an anti-dumping law designed to curb the selling of foreign goods in this market at prices below those in the home market of the exporter. A national security provision in the 1962 trade act provides for an investigative procedure and special import protection when a sound case of national defense essentiality is made. We further have in the 1962 trade act an escape clause and adjustment assistance procedure. Finally, we have the provisions of the General Agreement on Tariffs and Trade, rules that give us rights to take action against foreign trade practices that violate our rights. No doubt these mechanisms can and should be employed more vigorously. But we submit, Mr. Chairman, that they provide a very strong basis for protecting ourselves from injurious foreign practices that are felt by our businessmen both here and abroad.

Mr. Chairman, what concerns us as businessmen about both types of special import charge is not only the likely harmful impact on our trade, but, equally, the impact of an international trade "war" on U.S. business operations overseas. It is vitally important to this country that the climate for U.S. foreign investments be as healthy as possible.

The profits of American owned businesses abroad strengthen American firms and the American economy. These foreign business operations are in a sense the hostages of foreign governments. They operate under host country laws, and they depend on a favorable business climate in those countries. Foreign hostility toward American firms would be one the first results of a trade war started by this country. There are a number of ways in which this hostility could be expressed—none of which would be helpful. I have in mind such devices as government taxes and licensing policies that could be used to discriminate against existing and prospective U.S. investments.

The diminishing strength of the balance of trade is a serious problem. Putting our own domestic economy in order is the overriding corrective measure. Other measures such as vigorous diplomatic representations on behalf of U.S. interests are in order. The offer of sixteen of our major trading partners to accelerate their Kennedy Round tariff cuts has been encouraged by our Committee in direct contacts with overseas business organizations. While the present offer is conditional on certain U.S. actions that may prove unacceptable, it is in the right direction of multilateral solutions to domestic problems.

ORDERLY MARKETING AND EQUITABLE TRADE

The nation's balance of payments problem and the weakness of the trade account have been used by the proponents of trade restriction as a compelling reason for the more usual types of trade restriction. In a time of balance of payments crisis, national economic policy should help create a more competitive domestic economy. Proposals for import "ceilings" and quotas are inherently anti-competitive devices, the opposite of the type of measure that should be taken.

For these general reasons, the Emergency Committee for American Trade objects very strongly to the restrictive trade formulae in what are called "orderly marketing" or "equitable trade" bills. A notable example of these, H.R. 16936, would automatically impost quantitative import limitations on the basis of simple arithmetic formulae. In effect this "omnibus" approach to import restriction employs the quota device, but in a disguised form. Without prior proof of injury to domestic industry, import ceilings would be imposed based on rates of growth of imports, variously calculated, over varying time periods, and in different regional markets.

The application of these formulae would be an administrative nightmare. Experience with the operation of present import quotas, on cotton, textiles, oil and sugar, and the like has proved the difficulty of administering an import quota program and the impossibility of fairly allocating the quota among different domestic consumers and foreign suppliers.

Perhaps the greatest danger of the "omnibus" quota, or "equitable" trade approach is its rhetorical appeal. Its proponents argue that, in contrast to an inflexible quota, the "ceiling" approach would permit imports an assured growth as rapid as that of domestic consumption of particular products. They would hope to put aside the possibility of foreign retaliation by claiming that the ceilings would not actually "cut back" imports, but that they would merely allow "equitable" growth in tune with the rest of the market.

These arguments on their face sound reasonable and fair. But such market control devices have no precedent in the domestic economy, and they should not. As American businessmen, we believe that the so called orderly trade approach to competition and the marketplace is the antithesis of the competitive philosophy and attitudes that have made this economy the richest and most progressive in the world.

QUOTAS

A major concern of the Emergency Committee are the many quota proposals now before Congress. It is not possible to explore here the problems of each commodity for which there is a quota proposed. Invariably each case for protection from foreign competition has different characteristics and causes.

Some firms or even industries may have some major problems which make them vulnerable to import competition. We do not ignore factors that make import competition unfair and disruptive. Our purpose is to find ways to make adjustment to competition easier, and to remove unfair trade practices, either through the application of existing statutes, the creation of new statutes, or by changes in, or creation of, new international rules.

The Emergency Committee's view is that quotas are a negative, self-defeating form of response both to problems of competition and to problems of unfair trade practices. By their nature, quotas reduce incentives to modernize, to cut costs, to increase productivity and output—the essential underpinnings of our high standard of living and wages. These forces would be weakened behind a shield of government restrictions which operate as subsidies. In the long run, our economic growth and high standards of living depend on the ability of efficient industries to compete in our own and in world markets, and we believe that trade legislation and policy should be directed to this objective.

Mr. Chairman, I have visited Europe several times in recent months, as well as Latin America. The leading businessmen I talked to in each country are all concerned with our balance of payments problem and with the prospect of trade restrictions here. To a man, however, they believe that restrictive actions by the United States would initiate a competitive series of restrictions in their own countries, with everyone a loser and no one a winner.

LOW-WAGE IMPORTS

Let me touch on employment. Some sophisticated exponents of import protection, using a computer analysis, have attempted to demonstrate a direct causal relationship between imports and labor displacement between 1958/60 and 1964, particularly in what are called low-wage industries. At this point in our statement I will state only that our own analysis shows that rising productivity was a much more important cause of the loss of jobs in these industries than was the rise in net imports. Furthermore, from 1964 to 1966 six of the nine industries which are claimed to have suffered most from import competition actually showed increases in employment because of a vigorous rise in their sales.

We are prepared to discuss this in more detail.

OBJECTIVES FOR AMERICAN TRADE POLICY

As a general objective, we believe that the continuing thrust of U.S. trade policy must be reciprocally and progressively to reduce trade barriers of all kinds. Though the Kennedy Round succeeded in reducing the average tariff levels of most major industrial countries to quite low levels, many high rates remain to be dismantled.

But tariff reduction should no longer be the principal objective of trade policy. That objective must be a new effort to document and progressively eliminate "other-than-tariff" barriers to trade. These barriers, along with the traditional tariffs and quotas, can both impede trade and greatly distort trade patterns.

FAIR COMPETITION POLICY

Our experience in world markets leads us to the firm recommendation that we begin now to lay the foundations for a "fair competition policy" that would achieve a substantial degree of commonness in the environment in which international business is transacted. The objective of this policy should be to create a code or series of codes that would establish common norms and standards.

The new International Antidumping Code is an example of the type of international agreement that I have in mind. Without attempting to judge the technical question of whether or not the U.S. antidumping law and the International Code are in conflict, we believe that the Code is a positive step forward and indicates the direction towards which policy should aim.

STRENGTHENING THE CONDUCT OF U.S. FOREIGN ECONOMIC POLICY

If the United States is to cope fully with trade problems and is to be able to effectively encourage creation of a world program for fair economic competition, thought should be given to improved administrative mechanisms for the conduct of trade and related foreign economic policies. A minimum requirement is to make permanent the Office of the Special Representative for Trade Negotiations and to strengthen its ability to handle the many complex foreign trade and commercial issues that daily confront it. Beyond this, we suggest that this country begin to plan for eventual creation of a foreign economic policy agency with Cabinet status.

We suggest that the Ways and Means Committee give thought to this proposal in framing new legislation.

ADMINISTRATION TRADE BILL

The proposed 1968 Trade Expansion Act is necessary at this time for a number of reasons. The so-called "housekeeping" authority it contains will simply allow the President to use the tariff cutting authority left over from the 1962 Trade Expansion Act to conduct properly the nation's commercial relations. It would also give the President the bargaining power he might need to conduct negotiations to correct special problems arising between the United States and one or several of its trading partners. It is our understanding that the Administration has no intentions or plans to enter into any broad-scale tariff negotiations should the housekeeping authority be granted.

A major problem of the Kennedy Round was the American Selling Price (ASP) system of customs valuation, a system which permits duties on four kinds of imports to be based on the U.S. price of the competitive product, rather than the actual price of the import itself. Though essentially it is a technical problem of import valuation, ASP is a choice example of a non-tariff barrier to trade. Administration spokesmen have discussed at length the nature of the ASP system, and spokesmen for those who oppose change in the present system will no doubt exhaustively explore the technical aspects of this method of customs valuation in days to come.

We can only make some general observations here. First, in my post as President of the International Chamber of Commerce, I talk regularly with businessmen abroad. I have been deeply impressed by the extent to which foreign businessmen see the American Selling Price system as a major impediment to trade relations, as a symbol of the difficulty of competing in the American market. I am convinced that the American Selling Price, unless modified to conform to the standard methods of valuing imports, will impede further meaningful progress in removing foreign non-tariff barriers, and creating conditions of fair competition in world trade by eliminating restrictive business practices.

It is very difficult for one group of businessmen to suggest remedies for another. We do not wish to be in that position, and would merely rest our comments about ASP on these thoughts: uniformity of commercial practice is a particularly desirable objective in international business; the ASP system itself has outlived the conditions that made it desirable in 1922 as a measure to encourage development of the then "infant" benzenoid chemical industry; ASP stands in the way of really meaningful future liberalization of world trade through removal of the other-than-tariff restrictive trade practices of other countries.

The proposed trade bill would also authorize annual appropriations to finance the U.S. contribution to the budget of the General Agreement on Tariffs and Trade. We support this proposal, because we believe that in any meaningful effort to establish uniform world competition rules the General Agreement on Tariffs and Trade would likely be the principal instrument through which to achieve this objective.

CONCLUSION

We have tried to demonstrate the nature of our economic stake in a freer trade policy. We believe that restrictions such as quotas and orderly marketing ceilings are unwarranted and inconsistent with a free enterprise economic system. We believe that the balance of trade problem must be met by fundamental U.S. economic policy measures, rather than by measures of external control. We are convinced that any advantage the United States attempts to gain through restrictionist schemes will be more than wiped out by retaliation from our trading partners.

For the future, we recommend that a policy of fair competition in world trade be formulated and implemented appropriately, and that primarily in this way problems of unfair foreign trade practices be corrected. The President's trade proposals would be a first step forward.

Statement by Robert W. Purcell, Chairman of the International Basic Economy Corp.

Mr. Chairman, my name is Robert W. Purcell. I am a member of the Emergency Committee for American Trade. For the past several years I have been officially connected with the International Basic Economy Corporation successively as President, Chairman of the Board of Directors, and most recently, Chairman of the Finance Committee. This corporation, generally referred to as IBEC, is engaged in a number of business activities specifically designed in part to contribute to the economic development of less developed countries on a private enterprise basis. To that end, we have business activities in some 18 countries which are classified as less developed and therefore the object of aid and support in line with our Government's official foreign policy.

Through this network of business organizations, we are in close contact with these countries' business leaders, professional men, political leaders, and others engaged in all walks of life. The first point I wish to make here this morning is that the people in these less developed countries view with great alarm any move by the Government of the United States which will tend to decrease world trade and the ability of these countries to participate in it. They frankly fail to comprehend any policy of the United States which, while giving financial aid to them on the one hand, will, on the other, impair their ability to export their products through world trading channels to the United States. They point out that when other industrialized countries retaliate against U.S. protectionism by erecting trade barriers of their own then their export trade would be adversely affected elsewhere in the world. I submit, Mr. Chairman, that the adoption here of protectionist measures would be a sad step backwards in our continuing endeavors to maintain good relations between this country and the developing nations of the world.

The second and final point I wish to make this morning, Mr. Chairman, relates to a question that is frequently used to arouse the emotions—the effect of imports on jobs.

It has been argued, frequently and vigorously, that American industry needs protection against imports so that our people will not lose their jobs. We all understand the seriousness of such a charge. But I must say that this argument sounds a bit strange today, considering that the national unemployment rate is now down to 3.5%, that experienced wage and salary workers have an unemployment rate of 3.2%, and that unemployment among married men is down to the extremely low level of 1.6%. We have, in, fact, a situation that has edged beyond full employment toward one of over-employment, and the resulting labor shortages are a significant force behind our current inflationary problem.

This is not to deny that high unemployment rates continue to exist in certain areas and among certain groups in our economy. Everyone is aware that there is considerable unemployment among the young, among Negroes, in depresseed areas and in the ghettoes. The question at issue, however, is whether or not import quotas or similar devices will actually improve the employment situation for these people. We find no compelling evidence that it will. If we are to solve the unemployment problem that now exists in various pockets in our economy, the tools used are going to have to be the kind that can be applied directly to the problem where it exists. General tools, like import quotas covering entire industries, will not do this job and will give us more inflation. Furthermore, it is erroneous to think that industries or even particular enterprises protected by quotas will provide real solutions to the problems of unemployment and poverty. What they would do is trap people in low-paying jobs and virtually guarantee continuation of their status as low-wage workers.

In 1966, in testimony presented to a subcommittee of the House Education and Labor Committee, this job argument was offered in a slightly different form by the Trade Relations Council. It was based on a computer analysis of data on employment, imports and exports for certain U.S. industries. A key table in that analysis covered 35 industries, all of them at the relatively small four digit Standard Industrial Classification code level. The 35 industries were labor-intensive; all 35 showed a decline in employment from the average for 1958–60 to 1964; and all showed an increase in net imports over those same years. The implication was plain. Imports were presumably causing the decline in employment, and the decline was particularly bad because labor-intensive industries offer many of the beginning jobs for people with low skills.

The 35 industries involved had lost a little over 200,000 jobs over the period involved. About ¾ of this loss was concentrated in 9 of the 35 industries. Our economists examined these nine industries. Our analysis showed that most of the jobs involved were lost because of a rise in productivity in the industries involved. Imports had nothing to do with the loss of most of these jobs. It is true that imports exceeded exports by a greater margin in 1964 than 1958/60 in every one of the nine industries examined, but the rise in net imports accounted for only a small fraction of the actual decline in jobs. In Footwear, where the job decline due to imports was greatest, 3,450 out of 12,764 production worker jobs lost could be traced to imports. However, in Sawmills and Planing Mills only 2,053 out of 42,133 could be traced to imports, and in Bakery Products only 117 production workers jobs out of a total of 18,713 jobs lost could be attributed to imports. The implication that imports caused most of the job losses is erroneous. While the loss of even one job can be a personal tragedy, even this must be offset against the 2.9 million American jobs based on exports which are at hazard when we consider protectionism and the retaliation it would provoke.

One last point is worth making about the nine industries that were analyzed. During 1964–1966, six of them showed employment increases, and the others showed a reduced rate of job loss.

Details of our analysis are available if the Committee would like to pursue this question further.

I want to thank you for this opportunity to present by views.

Statement of William Blackie, Chairman, Caterpillar Tractor Co.

I would like to support the position of the Emergency Committee—by appealing for Protection—for protection of the jobs of millions of Americans who earn their living through all the manufacturing and commercial processes involved in exporting from the U.S.

In total, I am informed that such employees far exceed any number that could possibly be harmed by any increase in imports; and I presume that one of the important objectives of our trade policy should be net advantage to us in terms of employment.

Using my own employer, Caterpillar Tractor Company, only for pragmatic illustrative purposes: we expect our exports this year to exceed $500 million (and hopefully to make a contribution of about that amount to the U.S. balance of payments). That will be about one-third of our total sales and on the basis of a U.S. employment of more than 48,000 we estimate that about 15,000 of our people owe their jobs to these exports.

(As I observe the constitution of this committee's membership, I might perhaps interject here the information that the greater proportion of our work force is engaged in Illinois, and it is no coincidence that Caterpillar is both the largest employer and the largest exporter in that state. Other employment is located at our plants in California, Iowa, Ohio, Pennsylvania, and Wisconsin.)

(In a further digression, it might not be wholly inappropriate to mention that $500 million is roughly one-half of the adverse balance of trade for the entire U.S. steel industry, and when that industry decries the paucity of its exports it generally seems to overlook the fact that Caterpillar and steel-users like it are, in effect, its export department.)

These results have been attained gradually over a number of years and we believe we can carry them forward further provided that, in addition to the hazards at home, we are not handicapped by a reduction of opportunity to sell into other countries by reason of restrictions imposed by their governments.

In every developed country, just as in ours, there are industries that would rather operate under the shelter of some form of protection than face up to the rigors of open competition. And again, just as in our country, those industries are looking for every possible opportunity to justify a claim for protection from their external competitors.

Not unexpectedly, the arguments offered in support of their claims are about the same as those advanced here—fuller employment, defense essentiality, balance of payments betterment, etc. To be sure, none can claim harm from "cheap American labor." Instead they claim to be the suffering victims of the "technological gap" between U.S. industry and theirs. They want, in effect, to be protected from our skills—from those proficients which have made it possible for American industry to pay higher wages and still be competitively effective in world markets.

Among the opportunities which could be created for such claims by foreign industries, and for responsive actions by their governments, would be any action on the part of our government to restrict their imports into this country. After years of multilateral reciprocity in the progressive expansion of international trade, we would be faced with a variety of unilateral retaliatory measures—leading to a regressive restriction of both international trade and internationl competition.

In the beginning, the battle would be fought on the grounds of *price*. But price is only one of the elements in the competitive discipline. In the long run it is likely to be superseded by the more important element of innovation—of invention—of ideas. Could it be entirely accident or coincidence that, in American industry today, those exports which are contributing so gratifyingly to our balances of trade and payments are, for the most part, being made by industries which, on the one hand, have had little or no protection from foreign competition and, on the other hand, have produced a disproportionately large contribution of innovation and enterprise.

Mr. Chairman, gentlemen, in any competitive situation, the way to win is to avoid the creation of conditions under which one will lose. In my judgment we cannot retreat our way out of our present predicaments. We must continue the advances made by our predecessors. We are in good position to continue the move forward, expanding our employment, increasing our tax base, strengthening the value of our dollar, and contributing more than ever to the welfare of that troubled world in which we hold such a responsible, leadership position.

Statement of T. A. Wilson, President, the Boeing Co.

Mr. Chairman, we appreciate having the opportunity to appear before this Committee to express The Boeing Company's belief in the importance of freer world trade—not just its importance to the commercial jet transport industry—but, more importantly, to the trade balances of the United States.

We view the expansion of world trade as being vital to the economic well-being of this nation. Unilateral or more severe import restrictions, in our view, would invite retaliatory trade restrictions which could seriously injure the United States, its consumers, the economy and business and labor generally.

With respect to labor, in his statement to this Committee on June 4, Secretary Wirtz estimated that 60,000 jobs in the aircraft industry result directly from export business. In our company alone, today, we conservatively estimated that our foreign sales account for 15,000 of our employees. Since we subcontract approximately one-half of our work a comparable number of people would be employed by our subcontractors.

Now, Mr. Chairman, despite foreign government monopolies, subsidies, and other competitive advantages, the United States commercial jet transport manufacturing industry has sold and delivered to foreign customers one-third of its total output since the beginning of the jet age in 1958. Since 1958 these exports have averaged more than $300 million annually. For the last three calendar years, the average has been more than $500 million annually. The immediate future looks even better. Market forecasters are estimating a foreign market for commercial jet transports averaging $1 billion a year during the next decade. Conversely, imports by United States airlines of jet aircraft have totaled $200 million since the beginning of the jet age.

A remarkable penetration of the world market has been achieved, with United States manufacturers capturing about 70% of total sales of jets to foreign airlines. However, the imposition of additional United States import barriers could reduce the demand for our products. In the long run, such action might further encourage certain foreign countries to support their airplane manufacturing industries in the development of competitive products that could reduce significantly the United States' share of the world market.

The demand for United States jet transports by the world's airlines is directly affected by the extent and trend of world trade. It is generally accepted that the ease of long range travel created by jet aircraft has stimulated and in turn is stimulated by international trade.

Because of the critical status of the country's balance of payments position, a United States Government position reaffirmed its support of freer world trade is considered to be most important. We believe that the United States should continue its lead in demonstrating to the world that free trade is the cornerstone of the economies of free nations. Certainly, no country has more to lose from pursuing the dangerous policy of restricting trade than the United States of America.

The simple, yet essential, truth, Mr. Chairman, is that companies in the forefront technologically need world markets to remain competitive. Sales in the world market are frequently the difference between high cost production and production sufficient to permit achievement of scale economies, and, therefore, markedly lower costs.

By the same token, however, this dependence on foreign export markets makes our industry extremely vulnerable to retaliation. Our sixty foreign customers include governments and government controlled entities. As an example, three of the largest are British Overseas Airways Corporation, Air France and Lufthansa of West Germany. The first two (BOAC and Air France) are wholly government owned and the third (Lufthansa) is about 75% government owned. In light of such government-airline relationships, it would seem likely that, should the United States institute trade restrictive actions, the governments of the countries affected might be inclined to further support foreign airplane companies whose products presently are not generally competitive with those produced in the United States.

RICHARD NIXON STANDS TALL AND STATESMANLIKE

Mr. HRUSKA. Mr. President, the campaign for the Presidency continues, and as it does, the questions of who can win, who is attacking whose character or ability, and who is making gains or losing ground continue to be asked, both in and out of the press.

Two items that I believe are significant caught my eye recently. They show that Richard Nixon continues to stand tall and statesmanlike despite the unsubstantiated attacks being made upon him.

Both were published in the Washington Evening Star. One is an editorial entitled "Politics of Desperation" and was published June 25. The other is a column written by James J. Kilpatrick, published June 27. I ask unanimous consent to place them in the Record.

There being no objection, the items were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, June 25, 1968]

POLITICS OF DESPERATION

Nelson Rockefeller's bid for the Republican nomination has now evolved to its inevitable final stage: The Rough and Tumble Tactics of Desperation.

The governor's opening gambit was to announce his availability, to sit back and to wait for a draft to develop. No discernible ground swell was forthcoming, so he announced his active candidacy and toured the country delivering a series of high level position papers. Still the populace failed to rise. Next, a saturation television ad campaign. And now the all-out personal attack on the front runner, Richard Nixon.

Having timed his announcement of candidacy to coincide with the expiration of the filing date for the last of the primary elections, Rockefeller's only hope of influencing the convention delegates lies in the public opinion polls. He must show so well on the political handicappers' charts that the delegates simply cannot afford to overlook so obvious a winner. Up to the present time, however, the results have been less than startling.

Now Rockefeller has come out swinging, taunting, name calling and occasionally landing perilously close to the belt line with out-of-context quotations. He has the voters' attention, which is the basic requisite. But he still has, as we see it, a whale of a selling job to do.

Nixon, meanwhile, seems well advised to keep his cool and to decline a direct reply to Rockefeller's verbal clouts. His willingness to enter the primaries and his ability to bring out the vote has already helped the former vice president to shed his image of the loser. If Rockefeller gets too carried away with his present pier six tactics, Nixon's other political albatross—his reputation for ruthless opportunism—could end up around Rockefeller's neck.

NEW FIGURES FOR ROCKEFELLER'S NUMBERS GAME

Nelson A. Rockefeller, who has turned into a tiger on the campaign trail, apparently is picking up a few Brownie points in his belated chase after Richard Nixon. Early in the week, pollsters found gains for the New York Governor in Ohio and Pennsylvania. The Evans-Novak team, working a Cleveland beat, turned up a few sparks for Rocky, but nothing to call an inferno.

The governor's favorite pitch is the old reliable fast ball, hurled in tight: Nixon is a loser, Rockefeller is a winner. No Republican can hope for the White House, says Mr. R., unless he can carry the electoral votes of the big Eastern and Midwestern States, plus California. The big States cannot be carried unless the big cities within them are carried. Here the governor sighs a lugubrious high. Nixon just can't carry these cities.

Thus, we now have been reminded repeatedly that Nixon in 1960 was doing fine in New York State until the returns came in from New York City. He was carrying Pennsylvania until he got to Philadelphia. He was leading in Michigan until he hit Detroit. Rockefeller just happens to have the figures in his pocket. As a matter of fact, he has them in his head. Ask him.

But in recalling these unpleasant incidents, is the governor being divisive? Is he violating his party's eleventh commandment which forbids speaking ill of another Republican? The governor reacts with an injured who-me, boss? No, indeed. He is merely citing the record. He is only mentioning a few figures. He thinks it better for the convention to consider realities. And the realities in the Rockefeller view are that Nixon is a loser and Rocky a winner.

Well, two can play the numbers game. It is doubtful, to begin with that anything very useful can be drawn from the experience of Nixon-Kennedy eight years ago in terms of Nixon-Humphrey or Nixon-McCarthy come November. Even so, it is worth recalling that in the straight Democrat-Republican race in New York, Nixon actually ran ahead of John Kennedy; the loss came with the Liberal Party's vote for JFK. Nixon lost Pennsylvania in 1960 by 116,000 votes in five million cast; he lost Michigan by only 67,000 in 3.3 million cast. He lost Illinois by fewer than 8,000, and the probabilities are that 5,000 of these were crookedly counted. This is not an appalling record as background for a Nixon-Humphrey contest.

Meanwhile, what of the Rock? M. Stanton Evans, editor of the Indianapolis News, recently pulled together a few pertinent figures of his own. If Rockefeller is a "winner," he concluded, you can't prove it by Rockefeller's record.

In 1958, Rockefeller polled 3,127,000 votes, or 53 percent of the total, to win election in New York. Four years later, he dropped to 3,082,000 and 51 percent. In 1966, though he spent a fortune and campaigned frantically, the figures fell to 2,691,000 and 44 percent. This is the pattern of a winner?

There is more. A Republican convention, urged to consider realities, will want to consider the reality of Rockefeller's coattail effect. A real winner ought to be able to carry others of his party into office with him, as Romney did in Michigan.

Evans looked for coattails and saw nothing but the seat of Rocky's pants. In 1956, before Rockefeller gained control of the Republican party in New York, the State had 26 Republicans and 17 Democrats in the House. After three Rockefeller terms, the delegation is composed of 26 Democrats and 15 Republicans. In 1966, New York Republicans, under Rockefeller's leadership, lost control of the State Assembly and barely held the State Senate. A study of 57 legislative districts found that Rockefeller actually ran behind the legislative candidates in 41 of them.

Would Rockefeller pull Republican candidates for Congress into office with him? It seems highly unlikely. It is Nixon, on the contrary, who demonstrated in the 1966 congressional campaigns that he can rally GOP organizations to the GOP cause. The records of Nixon's devoted labors just two years ago also count among the "realities" the convention will want to consider before it embarks upon the long and Rocky road.

THE SUPREME COURT NOMINATIONS

Mr. HARTKE. Mr. President, the Senate has received the names of two distinguished Americans and jurists as nominees of the President for the Supreme Court of the United States. Judge Homer Thornberry, of the Fifth Circuit Court is proposed as a new Associate Justice. The nominee for Chief Justice is not one who is new to the Court, but rather one who in the past 3 years of service as the newest Associate Justice has shown the skills, the temperament, and the brilliance in the law which demonstrates conclusively his fitness to preside over our most august judicial body.

Nor has Abe Fortas been a stranger to the Court on which he serves in the years before taking his seat there. It deserves note that he was the choice of the Supreme Court itself to serve as the court-appointed attorney in the famous and precedent-setting Gideon case. It was the successful presentation of that case by Abe Fortas which established the principle that our judicial system owes to an indigent defendant in a serious criminal case the services of a legal defender, even though the Court had to overrule its own past precedents.

Besides his recent legal eminence as an Associate Justice, Mr. Fortas has a long reputation as a brilliant member of the bar. His service in the Government has included that of General Counsel to the Public Works Administration at the age of 29, to go on only 3 years later to the post of Under Secretary of the Interior. In private practice the firm of which he was a partner gained a deserved reputation as not only one of the best in the Nation's Capital but as one of the best in the Nation. No small part of that reputation derived from the abilities, so often sought by persons at the highest level, of Abe Fortas.

Consequently, Mr. President, I am personally among those who are pleased by the prospect that Associate Justice Fortas may soon become Chief Justice Fortas. I shall certainly vote for his confirmation, and that of Judge Thornberry as the nominee for the seat Justice Fortas will be leaving. As Chief Justice Warren said in a comment on the proposal of Mr. Fortas for the seat he is leaving:

> I know he will be a great Chief Justice.

A MORE EQUITABLE SYSTEM FOR INDUCTION INTO ARMED FORCES

Mr. HART. Mr. President, on April 26, 1968, I introduced, for myself and Senators Brooke, Case, Kennedy, Mondale, and Yarborough, S. 3394, a bill to provide a more equitable system of selecting persons for induction into the Armed Forces.

Specifically my bill (S. 3394) first, reverses the existing order of induction in order to draft 19 year olds first; second, creates a "prime selection" group from which draftees would be selected. This "prime selection" group would consist of three classes of draft registrants: (a) 19 years olds, (b) deferred registrants whose deferments cease, (c) registrants between 20 and 26 who are not now deferred and have not been called; third, states no draft registrant shall remain a member of the "prime selection" group for more than 1 year; and, fourth, removes from current law the provision prohibiting the administration from setting up a draft lottery.

Basically, this bill is an effort to equitably spread the burden of the draft among all groups, provide the Army with younger, stronger, more easily trainable draftees, and return to the language of the Senate-passed 1967 draft bill which contained no provision prohibiting a lottery.

Since introducing S. 3394, I have received a number of wires and letters urging its passage. In short the response to S. 3394, especially from the academic community has been most gratifying.

I ask unanimous consent to have printed at this point in the Record four letters commenting on S. 3394 which I have received from presidents of institutions of higher learning in Michigan.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Delta College,
University Center, Mich., May 29, 1968.

Hon. Philip A. Hart,
U.S. Senate, Washington, D.C.

Dear Senator Hart: Thank you for your letter regarding your bill to amend the selective service act. I have asked our Academic Dean and our Dean of Students to add their judgments to my own, and we are in essential agreement on the following two points:

First, while this would tend to decrease the anticipated enrollment of male students for us, such a decrease probably would not be significant in numbers. In any case, our enrollment has increased so rapidly that we now have difficulty meeting the faculty, staff, space, and equipment needs. So while, on the surface, this might seem to be a detrimental effect of your bill, it is probably a moot point as to whether this effect is detrimental at all, merely neutral in its effect, or perhaps might be considered actually advantageous.

Second, your bill would be of tremendous assistance to us in terms of our faculty needs. Last year, primarily because of our growth, we had to recruit 35 new faculty members. This year, depending on our growth, we will need to recruit between 40 and 55. As the bill presently stands, without your amendments, it can seriously deplete the available supply of graduate students who are finishing their master's degree. These people supply a major source of new faculty members for us. One of the major effects of your bill would be, of course, to make it possible for these students to stay in school for a longer period of time, as they have been able to do in the last few years.

We would like to express all possible support for the enactment of your bill.

Sincerely,

D. J. Carlyon,
President.

Albion College,
Albion, Mich., May 31, 1968.

Hon Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: Thank you for sending me a copy of Senate Bill 3394 which you have introduced to amend the Military Selective Service Act of 1967. This is a step forward, I believe. It does capitalize on the vigor and unattached character of the nineteen-year-old candidate for military service. It avoids the focus on students who would normally be in graduate school. The fact that it does not exclude these students nor, at the same time, make an undue use of them for military service is an important virtue. A modified lottery such as you propose has virtue.

In short, I would feel much more comfortable with your bill than the present arrangements. I hope it will be enacted.

Thank you for giving me a chance to look at this proposal.

Sincerely yours,

Louis W. Norris,
President.

Reformed Bible Institute.
Grand Rapids, Mich., May 29, 1968.

Senator Philip A. Hart,
Washington, D.C.

Dear Senator Hart: In response to your query of 20 May concerning the amendment that you have proposed to the Military Selective Service Act of 1967 (Senate S 3394), our Institute administration expresses its deep interest and favor for your suggestion.

Cordially yours,

Dick L. Van Halsema, Th.D.,
President.

Macomb County
Community College,
Warren, Mich., June 6, 1968.

Hon. Philip A. Hart,
U.S. Senate
Washington, D.C.

Dear Mr. Hart: Thank you for your informative letter on the proposed amendments to the Military Selective Service Act of 1967. I appreciate your continued efforts to remove the aura of uncertainty characteristic of our present system with respect to deferments for education. I feel most sincerely that a great deal of the antagonism and resentment concerning the draft is directly attributable to the real and supposed inequities of the present system.

Those eligible for draft in the "prime selection" group must know that all comparable young men are equally subjected—and that those temporarily deferred are certain of future eligibility.

Any system which promotes fair and equitable selection yet which allows those desirous of furthering their education to their fullest potential to do so without interruption, shall in the long run promote our democratic interests.

I heartedly concur that nineteen-year-olds merit the first attention of Selective Service. Having anxiously waited through their one year in the "prime selection" group or having their military obligation behind them will allow them to plan and lead more personally constructive lives. Those not called may pursue their vocational-educational goals with a sense of permanency, having served their period of eligibility. Those drafted, upon their return, may make excellent use of their G.I. Bill benefits through continuing their education rather than spending years waiting for the draft engaged at interim employment.

A most immediate concern to those responsible for the operations of educational institutions is the loss of deferment of those in graduate school. Staffing any community college with highly skilled educators holding the Master's degree is difficult at present. With selective service raiding the graduate schools of those attempting to meet this minimum requirement available staff will reach a most critical point, necessitating salary bidding at an all time high with its accompanying costs or lessening the requirements to the obvious detriment of post-secondary education.

You have my most sincere thanks for your efforts on behalf of education. I feel assured that the interests of education, so closely a part of our American philosophy, will remain at the forefront of your thoughts.

Sincerely yours,

John R. Dimitry,
President.

Mr. HART. Mr. President, the need for draft reform is urgent. Every hour and every day Congress refuses to consider S. 3394, and S. 3052, the comprehensive draft reform bill introduced by the distinguished junior Senator from Massachusetts, bring us closer to the complete implementation of the highly inequitable 1967 Military Selective Service Act.

Mr. President, while on the subject of selective service reform, I invite the attention of Senators to a recent Northern California U.S. District Court decision, Petersen against Clark.

In passing the 1967 Military Selective Service Act, Congress added a provision which denies judicial review of any draft classification and processing action unless the registrant is a defendant in a criminal action. In other words, under the 1967 Selective Service Act, decisions of the Selective Service System are insulated from Federal court review unless a registrant desiring to challenge a draft classification accepts the stigma of being charged with a criminal violation of the draft law.

Mr. President, I have always felt that the 1967 draft act's section 460(b)(3), which denies judicial review unless the draft registrant is a defendant in a criminal action, raises serious constitutional due process questions. Thus, I was particularly interested to learn of the California district court's decision in Petersen against Clark. In this decision, the court specifically held that section 460 (b)(3) was in fact unconstitutional.

I ask unanimous consent to have printed in the Record the recent—May 28, 1968—California U.S. District Court decision of Petersen against Clark.

There being no objection, the decision was ordered to be printed in the Record, as follows:

[U.S. District Court for the Northern District of California, Civil No. 47888]

NORMAN LLOYD PETERSEN, PLAINTIFF, *v.* RAMSEY CLARK, ET AL., DEFENDANTS

ORDER DENYING DEFENDANTS' MOTION TO DISMISS NATURE OF THE CASE

Plaintiff filed this action seeking to enjoin his then-scheduled induction into the armed forces of the United States. He alleged that he had been illegally classified and ordered to report for induction. Basically, he set forth numerous alleged procedural errors committed by his local board in the classification process which led to the order to report for induction. Said errors, plaintiff contended, denied him due process and hence vitiated the validity of the order to report for induction.

On January 23, 1968, after this court heard oral argument and allowed plaintiff to amend the complaint, it was held that 50 U.S.C. App. § 460(b)(3), properly construed, barred a civil action to enjoin an induction on the grounds pressed by plaintiff. This court continues to be of the view that congressional intent was indeed to eliminate civil review of the validity of such orders. See *Breen* v. *Selective Service Bd.*, 36 U.S.L. Week 2597 (U.S. Dist. Ct., D. Conn., March 13, 1968).

The order of January 23, 1968, as amended by this court's order of January 29, 1968, also ruled that plaintiff's amended complaint raised a substantial federal question appropriate for resolution by a three-judge court pursuant to 28 U.S.C. § 2282. The federal question is whether section 460(b)(3) is constitutional. A three-judge court was designated by the chief judge of this circuit. On February 20, 1968, a pretrial order was entered by this court and on March 14, 1968, this court approved a stipulation of the parties staying further proceedings in this case. The parties then believed that *Oestereich* v. *Selective Service Local Board No. 11*—F.2d—

(10th Cir. 1968), in which certiorari was then to have been sought, see 36 U.S.L. WEEK 3375, raised the issue of the constitutionality of section 460(b)(3).[1] From a reading of the memorandum filed by the Solicitor General in *Oestereich*, both sides later discovered that the Supreme Court may not decide the question which is precisely presented in this case. On April 3, 1968, the defendants asked to be relieved of the stipulation and filed a motion to dismiss this action.

On January 25, 1968, plaintiff refused to submit to induction into the armed forces of the United States. On April 23, 1968, plaintiff filed a motion basically seeking injunctive relief to prevent criminal prosecution for his noncompliance with the induction order, and seeking declaratory relief that the order was invalid. The civil suit is barred if section 460(b)(3)[*] is constitutional so as to oust this court of subject matter jurisdiction to review plaintiff's classification and processing other than in a criminal case.

On April 26, 1968, oral argument was heard by the three-judge court. On May 13, 1968, after consideration by the three-judge court, it was determined that the action, insofar as it attacked the constitutionality of section 460(b)(3), did *not* necessitate a three-judge court. The three-judge court then remanded the case to this court for further consideration.

THE MOTION TO DISCUSS

The pleadings heretofore filed and the oral argument to the three-judge court clearly frame the issue in this case: Is it unconstitutional and a denial of due process for Congress to deny a person the opportunity to have civil judicial review of his selective service classification and order to report for induction in an "article-three" or "constitutional" court[2] prior to a criminal prosecution pursuant to 50 U.S.C. App. § 462?

Plaintiff contends, in effect, that Article III's grant to Congress of the power to regulate original jurisdiction of the federal courts[3] other than the Supreme Court[4] is limited by the fifth amendment's due process clause which guarantees the right to an article-three court in circumstances such as are present here.[5] This case involves the specific situation where a federal administrative agency places an individual in the position of having to either: (1) comply with an allegedly invalid order when compliance may subject him to such restraint of liberty as military service entails or (2) risk criminal prosecution to judicially test the order's validity.

A. Congressional power to regulate the jurisdiction of the lower Federal courts

The United States Constitution, Article III, provides:

> Article III.—The Judiciary
>
> Section 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. . . .
>
> Section 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of of admiralty and maritime Jurisdiction;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States; between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.
>
> In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

Article III has engendered considerable and continuing debate centering on whether the Judiciary Act of 1789, 1 Stat. 73, creating lower federal courts, merely complied with the constitutional mandate that the judicial power "shall be vested" or was a gratuitous act of Congress which Congress was free to withhold or later revoke. See Wright, Federal Courts §§ 1, 10. The precise question, however, of whether Article III itself prohibits Congress from abolishing the lower federal courts is not raised in this case. The reason of course, is that Article III is not the only guide to congressional power, for there is precedent construing the due process clauses of the fifth and fourteenth amendments and their implications concerning a right of judicial review.

At oral argument, plaintiff's counsel was asked whether Congress could abolish the United States District Courts and Courts of Appeals. The reply was a qualified "yes". The qualification was that some other (constitutional or article-three) court would have to be created in a case such as this one where an administrative body acts upon an indivdual in a coercive way. Counsel's answer either (1) ignored the holding in *Marbury* v. *Madison*, 5 U.S. (1 Cranch) 137 (1803), for surely original jurisdiction could not be conferred on the Supreme Court to enjoin military inductions if *Marbury* is viable; (2) implied that appellate review by the Supreme Court of a classification would suffice, such a scheme being like that held constitutional in *Yakus* v. *United States*, 321 U.S. 414 (1944); or (3) was sophistry since opting for the creation of a new, *lower* constitutional court would, in reality, be the equivalent of a "no" answer.

The thrust of plaintiff's attack on section 460(b)(3) has been that the fifth amendment's due process clause is a *limitation* on congressional power to regulate jurisdiction. If due process requires either (1) appellate review of induction orders by the Supreme Court or (2) original jurisdiction of injunction actions to enjoin inductions in lower constitutional courts, prior to the time a person could raise the defense of an order's invalidity in a criminal case, then section 460(b)(3) is unconstitutional. Even if one of the foregoing alternatives *is* required to satisfy due process, Congress is still free to abolish the lower courts if Congress would prefer to place review in the Supreme Court. Section 460(b)(3) proscribes both alternatives.

B. Due process and the elimination of all review

Despite Article III and the argument that Congress has plenary power over jurisdiction of the federal courts, but for original jurisdiction of the Supreme Court, most authorities are singularly alike in their reluctance to agree that Congress could completely abolish judicial review in a case such as this which involves the validity of an administrative order to report for induction. For example:

> There is so much authority for the proposition that Congress is free to grant or withhold the judicial power that it might seem unnecessary to belabor the point. Yet lingering doubts remain. Wright, Federal Courts § 10.

In *Lockerty v. Phillips*, 319 U.S. 182 (1942), involving congressional power to vest special courts with power over Emergency Price Control Act disputes, the Court declared:

> The congressional power to ordain and establish inferior courts includes the power "of investing them with jurisdiction either limited, concurrent, or exclusive, and of withholding jurisdiction from them in the extact degrees and character which to Congress may seem proper for the public good."

Yet the Court specifically reserved the question whether a prohibition of *all* relief would be constitutional. In *Yakus v. United States*, 321 U.S. 414 (1944), the Court upheld a scheme which provided, as the only review in a constitutional court, an appeal to the Supreme Court from an administrative determination. The scheme went so far as to be the exclusive means of review. If a person by-passed his appeal, he was prohibited from raising his defenses even in a criminal case. The Court said:

---

[1] In his memorandum in *Oestereich*, the Solicitor General argues that the issue in that case "does not necessarily involve the constitutional validity of the provision of Public Law 90-40 [which is 50 U.S.C. App. § 460(b)(3)]" because "it is possible to construe the language [of section 460(b)(3)] as applicable to the generality of situations where the local board has applied its judgment, but to exclude purported action of a board which is in fact contrary to an exemption which has been expressly granted by statute." This court finds it difficult to distinguish a congressional determination to grant exemption to ministers and ministerial students, 50 U.S.C. App. § 456(g), from a congressional determination to grant exemption to conscientious objectors, 50 U.S.C. App. §456(j), or, for that matter, deferments to students (by such rules and regulations as the President may prescribe), 50 U.S.C. App. § 456(i). Compare *Kimball* v. *Selective Service Local Board No. 15*, 36 U.S.L. Week 2677 (S.D. N.Y. 1968). Indeed, it is difficult to see why all the functions of Selective Service boards, including the withdrawing and terminating of deferments and exemptions, are not classification functions pursuant to the direction of Congress. Such functions involve the board's "judgment." *Cf.*, 50 U.S.C. App. § 456(k). In any event, there can be no "ducking" of the issue as presented in the instant case, for here the court is clearly concerned with the application of section 460(b)(3) to the "generality of situations where the local board has applied its judgment."

[*] No judicial review shall be made of the classification or processing of any registrant by local boards, appeal boards, or the President, except as a defense to a criminal prosecution instituted under section 12 of this title . . . after the registrant has responded either affirmatively or negatively to an order to report for induction, or for civilian work in the case of a registrant determined to be opposed to participation in war in any form. . . .

[2] See *Glidden* v. *Zdanok*, 370 U.S. 530 (1962); *Nat'l Mut. Ins. Co.* v. *Tidewater Transfer Co., Inc.*, 337 U.S. 582 (1949); *Williams* v. *United States*, 289 U.S. 553 (1933); *O'Donoghue* v. *United States*, 289 U.S. 516 (1933); *Ex Parte Bakelite Corp.*, 279 U.S. 438 (1929).

[3] The most extreme statement of the power is that since Article III confers the power to abolish the district courts (and courts of appeals), Congress can regulate their jurisdiction *in any manner whatsoever. E.g., Harlan* v. *Pennsylvania R.R. Co., 180 F. Supp.* 725 (W.D. Pa. 1960).

[4] *Marbury* v. *Madison*, 5 U.S. (1 Cranch) 137 (1803).

[5] At oral argument, the question was raised whether a decision holding section 460(b)(3) unconstitutional would cast doubt on the validity of statutes such as 28 U.S.C. §§ 1331, 1332, each of which imposes a $10,000 prerequisite to jurisdiction. Clearly a federal forum in the form of a constitutional court is denied to some potential litigants. This court is not persuaded that a decision respecting section 460(b)(3) carries any implications for federal question and diversity dollar limitations on jurisdiction. Dollar amounts do not confront an individual with choosing between *prison* and compliance with allegedly invalid government action. Only in such cases as dollar amounts might somehow create such a risk or choice would their validity be drawn in question by this decision.

There is no constitutional requirement that that test be made in one tribunal rather than in another, so long as there is an opportunity to be heard and for judicial review which satisfies the demands of due process. . . . 321 U.S. at 444

A leading commentator has declared:

[T]he "Congressional power to ordain and establish inferior federal courts includes the power 'of investing them with jurisdiction . . . in the exact degrees and character which to Congress may seem proper. . . .' " Certainly this latter proposition is generally true, although theories as to . . . due process . . . may constitute peripheral qualifications upon the otherwise unlimited power of Congress to withdraw, curtail or in some other manner qualify a jurisdictional grant. Moore, Federal Practice [paragraph] 0.60[2].

At least one court of appeals has asserted:

We think . . . that the exercise by Congress of its control over jurisdiction is subject to compliance with at least the requirement of the Fifth Amendment. That is to say, while Congress has the undoubted power to give, withhold, and restrict the jurisdiction of courts other than the Supreme Court, it must not so exercise that power as to deprive any person of life, liberty, or property without due process of law . . . *Battaglia v. General Motors Corp.*, 169 F. 2d 254,, 257 (2d Cir. 1948).

Congress surely cannot dilute or abrogate existing constitutional guarantees in the guise of exercising its authority to vest, withhold or restrict the judicial power of inferior courts. If section 460 (b) (3) had provided for *no* review even in a criminal trial, the issue would be presented squarely of whether Congress could eliminate all review of the administrative action. If Congress can eliminate all review, then *a fortiori* section 460(b) (3) would be constitutional.

This court is not unmindful of the proposition that—

The very nature of due process negates any concept of inflexible procedures universally applicable to every imaginable situation. . . ." ' [D]ue process,' unlike some legal rules, is not a technical conception with a fixed content unrelated to time, place and circumstances." . . .

As these and other cases make clear, consideration of what procedures due process may require under any given set of circumstances must begin with a determination of the precise nature of the government function involved as well as of the private interest that has been affected by governmental action. . . . *Cafeteria & Restaurant Workers Union Local 473 v. McElroy,* 367 U.S. 886, 895 (1961).

Mr. Justice Frankfurter, concurring in *Joint Anti-Fascist Refugee Committee v. McGrath,* 341 U.S. 123, 162–63 (1951), declared:

"[B]y 'due process' is meant one which, following the forms of law, is appropriate to the case, and just to the parties to be affected. It must be pursued in the ordinary mode prescribed by the law; it must be adapted to the end to be attained; and whenever it is necessary for the protection of the parties, it must give them an opportunity to be heard respecting the justice of the judgment sought." . . . "Whether acting through its judiciary or through its legislature, a State may not deprive a person of all existing remedies for the enforcement of a right, which the State has no power to destroy, unless there is, or was, afforded to him some real opportunity to protect it." . . .

The requirement of "due process" is not a fair-weather or timid assurance. It must be respected in periods of calm and in times of trouble; it protects aliens as well as citizens. But "due process", unlike some legal rules, is not a technical conception with a fixed content unrelated to time, place and circumstances. Expressing as it does in its ultimate analysis respect enforced by law for that feeling of just treatment which has been evolved through centuries of Anglo-American constitutional history and civilization, "due process" cannot be imprisoned within the treacherous limits of any formula. Representing a profound attitude of fairness between man and man, and more particularly between the individual and government, "due process" is compounded of history, reason, the past course of decisions, and stout confidence in the strength of the democratic faith which we profess. Due process is not a mechanical instrument. It is not a yardstick. It is a process. It is a delicate process of adjustment inescapably involving the exercise of judgment by those whom the Constitution entrusted with the unfolding of the process.

The notion that *some* review of administrative action which operates in a coercive way on an individual is essential to due process has found expression in Supreme Court decisions dealing with administrative functions other than Selective Service and manpower mobilization. For example, in the case of *American School of Magnetic Healing* v. *McAnnulty,* 187 U.S. 94 (1902), the Court held that where the Postmaster General illegally excluded letters from the mails by administrative order, a citizen could resort to the courts. The Court more or less assumed that some inherent judicial power existed. Thirty-four years later, the Supreme Court more explicitly stated the justification for judicial review. In a case where judicial review was sought of maximum rates for various services that stockyards rendered, such rates being fixed by the Secretary of Agriculture, the Court said:

But to say that their findings of fact may be made conclusive where constitutional rights or liberty and property are involved, although the evidence clearly establishes that the findings are wrong and constitutional rights have been invaded, is to place those rights at the mercy of administrative officials and seriously to impair the security inherent in our judicial safeguards. . . . Under our system there is no warrant for the view that the judicial power of a competent court can be circumscribed by any legislative arrangement designed to give effect to administrative action going beyond the limits of constitutional authority. *St. Joseph Stock Yards Co.* v. *United States,* 298 U.S. 38, 52 (1936).

Concurring in *St. Joseph,* Mr. Justice Brandeis stated:

[I]n deciding when, and to what extent, finality may be given to an administrative finding of fact involving the taking of property, the Court has refused to be governed by a rigid rule. It has weighed the relative values of constitutional rights, the essentials of powers conferred, and the need of protecting both. 298 U.S. at 81.

The supremacy of law demands that there shall be opportunity to have some court decide whether an erroneous rule of law was applied; and whether the proceeding in which facts were adjudicated was conducted regularly. To that extent, the person asserting a right, whatever its source, should be entitled to the independent judgment of a court on the ultimate question of constitutionality. But supremacy of law does not demand that the correctness of every finding of fact to which the rule of law is to be applied shall be subject to review by a court. 298 U.S. at 84.

In this circuit, the Court of Appeals has stated, "[E]ven final action of an administrative agency, although declared unappealable by legislation, has always been subject to attack in court if fundamentals were violated." *Bustos-Ovalle* v. *Landon,* 225 F.2d 878, 880 (9th Cir. 1955). (The quote is dictum, as the case involved an alien's attempted review of an administrative order permitting him to depart the country voluntarily. The court's holding denied review on the ground that administrative remedies had not been exhausted.)

In the landmark case of *Ex Parte Young,* 209 U.S. 123 (1908), an issue was whether Minnesota, through an administrative agency, could prescribe rates that railroads could charge for tickets and impose, in the event of an unsuccessful attack after violating the rates, a fine or imprisonment. The Supreme Court declared:

The company, in order to test the validity of the acts, must find some agent or employe to disobey them at the risk stated. The necessary effect and result of such legislation must be to preclude a resort to the courts . . . for the purpose of testing its validity. The officers and employes could not be expected to disobey any of the provisions of the acts or orders at the risk of such fines and penalties being imposed upon them, in case the court should decide that the law was valid. The result would be a denial of any hearing to the company. 209 U.S. at 146.

We hold, therefore, that the provisions of the acts relating to the enforcement of the rates, either for freight or passengers, by imposing such enormous fines and possible imprisonment as a result of an unsuccessful effort to test the validity of the laws themselves, are unconstitutional on their face. . . . 209 U.S. at 148.

It is true that *Ex Parte Young* was dealing with state, not federal, action and hence with the fourteenth, not the fifth, amendment. Whether every violation of the fourteenth amendment would also constitute a violation of the fifth amendment[6] need not be decided, for there is extent authority that insofar as the finality of federal administrative orders is concerned, *some* judicial review, at least of the procedural regularity of the administrative determination, is necessary at some time. In addition to the cases cited above, language in *Yakus v. United States,* 321 U.S. 414 (1944), implies that there is a right to some review:

There is no constitutional requirement that that test be made in one tribunal rather than in another, so long as there is an opportunity to be heard and for judicial review which satisfies the demands of due process. . . . 321 U.S. at 444.

and

The petitioners are not confronted with the choice of abandoning their businesses or subjecting themselves to the penalties of the Act before they have sought and secured a [full review and] determination of the Regulation's validity. 321 U.S. at 438.

In *Yakus,* the issue was whether, in determining the validity of price control legislation, Congress could require review of orders in a special legislative or article—one court with appellate review to the Supreme Court as the exclusive mode of review, even to the exclusion of review in a criminal proceeding. The Supreme Court answered in the affirmative. And even as to factual finality, there is some doubt as to the power of Congress to make administrative determinations final. In addition to the cases cited above, in *Crowell v. Benson,* 285 U.S. 22 (1932), the Court held that where a person's compensation recovery hinged on whether he was an employee working in interstate commerce, the administrative findings could not be given finality. Deeming the facts to be "constitutional", the Court said:

[if] Congress may substitute for constitutional courts, in which the judicial power of the United States is vested, an [administrative agency] . . . for the final determination of the existence of the facts upon which the enforcement of the constitutional rights of the citizen depend . . . [t]hat would be to

---

[6] *Cf., Bolling* v. *Sharpe,* 347 U.S. 497 (1954).

sap the judicial power as it exists under the Federal Constitution, and to establish a government of a bureaucratic character alien to our system, wherever fundamental rights depend, as not infrequently they do depend, upon the facts, and finality as to facts becomes in effect finality in law. 285 U.S. at 56–57.

In his treatise on administrative law, Professor Davis collects the cases dealing with this quetsion of whether all review could be foreclosed (which he terms the question of "unreviewability") and concludes:

> When we line up the unreviewability cases on a scale, with rights in the nature of benefits at one end and obligations imposed through the governmental program at the other end . . . we find that most of the cases are bunched near the benefit end of the scale, and we find not a single clear-cut authority for unreviewability at the obligation end of the scale. . . . 4 Davis, Administrative Law § 28.19 (p. 104).

The conclusion seems to be justified that not a single case upholding unreviewability is an entirely satisfactory authority in support of the idea that due process permits denial of review of questions of law, procedure, and substantial evidence when the party seeking review is resisting enforcement of a legal obligation. *Id.*, § 28.10 (p. 106).

Perhaps questioning the propriety or constitutionality of unreviewability in the selective service context, the Supreme Court, in *Estep* v. *United States*, 327 U.S. 114 (1946), refused to construe the word "final" as meaning that no judicial review was permitted. Although draft board classifications were to be final, the Court held that judicial review in the criminal case was not meant to be precluded.[7] See 327 U.S. at 120.

Mr. Justice Murphy, concurring, was explicit: "[J]udicial review of some sort and at some time is required by the Constitution. . . ." 327 U.S. at 130. Further, "As long as courts are open and functioning, judicial review is not expendable." 327 U.S. at 132.

This court can perceive no significant difference between giving finality to a state administrative order and a federal administrative order where either order requires compliance or criminal prosecution. The court concludes that Congress cannot make selective service induction orders unreviewable. Due process is offended by an administrative order which demands compliance or a term of imprisonment. One commentator has recalled "Hamilton's insight that limitations on governments are not worth a fig without courts to enforce them."[8]

The question then remains *whether section 460(b)(3) is constitutional in confining review to the criminal prosecution.*

C. Due process and the timing of judicial review

Having concluded that *some* judicial review[9] of an order to report for induction is required by due process, the court notes that section 460(b)(3) *does* provide for review, but only at a criminal prosecution for violating the order.[10] Plaintiff contends that conditioning judicial review on compliance with the allegedly invalid order (and testing it by habeas corpus) or on risking imprisonment at a criminal prosecution should the order be found valid, is to deter many from testing the validity of orders at all, in effect provides for no hearing for some persons unwilling to risk prosecution (since the efficacy of habeas corpus is questionable[11] and, in any event, can come only after compliance with the order alleged to be invalid[12]), and hence violates due process.

Before turning to the merits, though not raised by the parties, the court feels compelled to discuss certain jurisdictional questions. The court is satisfied that a "case or controversy" exists concerning the validity of section 460(b)(3)—it precludes plaintiff from bringing a civil suit, plaintiff wants to bring a civil suit to enjoin criminal prosecution (originally to enjoin his induction), plaintiff contends the statute is unconstitutional, defendant contends the statue is constitutional. The court believes, however, that a serious question does exist whether plaintiff has "standing" to assert a constitutional defect which is based on a rationale which may have no relation to plaintiff himself. In other words, plaintiff's argument, simply stated, is that the statute precludes civil suits prior to the time he must comply with or violate the induction order. Yet plaintiff *has already made that choice.* He chose to violate the order.

It is a well-settled principle of constitutional adjudication that when a statute is attacked as violative of the first amendment, a plaintiff may raise hypotheticals or situations other than his own to illustrate the statute's unconstitutionality.[13] It is a less well-established principle that the same rule applies in a *non*-first amendment context. The clearest illustration in which the Supreme Court *has* allowed a litigant to raise constitutional claims of others in a non-first amendment case is *Barrows v. Jackson*, 346 U.S. 249 (1953). In *Barrows*, A, a white homeowner, sued B, a white seller of realty, alleging that B, A's former neighbor, had violated a restrictive covenant not to sell B's house to a non-white. A sought damages. The Court permitted B to raise the argument that such a covenant, if enforced, would impair the equal protection rights of non-whites seeking to purchase realty.

This court is satisfied that plaintiff may make his argument concerning the constitutionality of section 460(b)(3) for two reasons: First, *Barrows* is not materially different from this case, and since *Barrows* made it clear that the rule is neither constitutionally compelled nor forbidden, and since plaintiff did file this action at a time prior to the date set for induction, the court thinks plaintiff should be permitted to raise the arguments referred to even though he has made his choice. Second, the court is not convinced that there is no argument which does not apply to plaintiff personally. The court is cognizant of what is at least the practice in this district where *even after indictment* if a registrant submits to induction the criminal charge is dismissed. Therefore, if plaintiff is permitted to civilly challenge the validity of the induction order and he is wrong, he may still avoid the risk of imprisonment attendant on an unsuccessful challenge.

Turning then to the question of the constitutionality of section 460(b)(3) and its deferring of judicial review to the criminal prosecution, the court will first examine certain cases dealing with administrative rate-making and provisions for judicial review.

Ex Parte Young, 209 U.S. 123 (1908), has already been discussed. In that case the United States Supreme Court held that a state rate-making scheme which permitted a test of the validity of the orders only at the risk of imprisonment if the person is wrong was unconstitutional. The language in *St. Joseph Stock Yards Co.* v. *United States*, 298 U.S. 38 (1936), has also been quoted wherein the Supreme Court implied that finality in administrative rate-fixing was contrary to notions of due process.

In *Wadley Southern Ry. Co.* v. *Georgia*, 235 U.S. 651 (1915), the Court had before it a rate fixed by the state railway commission. The Court distinguished the case where if a railroad went to court to test the rate and lost, it had to pay a substantial penalty which accrued while litigating the validity. Instead the Court found that state law *did* provide for a way to test the rate without risking the penalty and held that the railroad had waived that judicial route.

A similar holding is found in *St. Louis, Iron Mtn. & So. Ry. Co.* v. *Williams*, 251 U.S. 63 (1919). In both *Wadley* and *Williams* the Court strongly implied that if an unsuccessful judicial test of rates would result in penalties being imposed, as in *Ex Parte Young*, the judicial review provisions would be unconstitutional. In *Oklahoma Operating Co.* v. *Love*, 252 U.S. 317 (1920), a state corporation commission determined that a laundry was a monopoly and then proceeded to regulate the laundry's rates. The only way to test the regulation was to defend a contempt proceeding for noncompliance, and an unsuccessful defense resulted in severe monetary penalties. The Supreme Court held that the scheme violated due process. See also *Cotling* v. *Kansas City Stock Yards Co.*, 183 U.S. 79 (1901). Again, in *Missouri Pac. Ry Co.* v. *Tucker*, 230 U.S. 340 (1913), a case in which the rates could be tested only by risking substantial fines in the event of an unsuccessful challenge, the Court held the scheme unconstitutional, citing *Ex Parte Young*. In *Pacific Tel. & Tel. Co.* v. *Kuykendall*, 265 U.S. 196 (1924), the Court held that federal courts could suspend penalties which were accruing pending a suit to test the validity of rates and which would be imposed in the event of an unsuccessful challenge. And in *Porter* v. *Investors Syndicate*, 286 U.S. 461 (1932), the Court construed a statute to mean that the effect of an administrative order would be stayed pending the institution of a test suit by an aggrieved party. *Reisman* v. *Caplin*, 375 U.S. 440 (1963), dealt with the provisions for judicial review of an Internal Revenue summons issued pursuant to Section 7602 of the Internal Revenue Code of 1954. A *unanimous* Court recognized the principle of *Ex Parte Young* and the cases cited above. The holding in *Reisman* was that the judicial review provisions were constitutional because they allowed a challenge without having to choose between compliance or penalty.

---

[7] See 56 Calif. L. Rev. 448 (1968), dealing with legislative considerations and policy in limiting review. The commentator explicitly declined to deal with the constitutional question involved in this case.

Not directly involved in this case is the constitutional question of what scope of review is essential to due process; that is to say, the continuing vitality of *Estep* v. *United States*, 327 U.S. 114 (1946).

[8] Currie, *The Three-Judge District Court in Constitutional Litigation*, 32 U. Chi. L. Rev. 1, 9 (1964). See also *Ohio Bell Telephone* v. *Pub. Util. Comm'n of Ohio*, 301 U.S. 292 (1932).

[9] In an article-three or constitutional court.

[10] The statute—section 460(b)(3)—may even be read to preclude review by habeas corpus after induction into the armed forces. No decision of which this court is aware has so construed it. Neither party in this case suggests such an interpretation to be correct. At oral argument, counsel for the government conceded that if habeas corpus were precluded a serious constitutional question would be presented, U.S. Const., Art. I § 9. This opinion assumes that habeas corpus after induction *is* an available remedy.

As the Solicitor General notes in his memorandum (n. 1) in the *Oestereich* case:

> Public Law 90–40 does not explicitly preserve the habeas corpus remedy. However, the law prior to 1967 (when P.L. 90–40 was adopted) clearly permitted habeas corpus as a means of testing the validity of an induction order. *Witmer* v. *United States*, 348 U S. 375, 377; *United States ex rel. Reel* v. *Badt*, 152 F. 2d 627 (C.A. 2); *United States ex rel. Samuels* v. *Pearson*, 151 F. 2d 801 (C.A. 3). The legislative history of P.L. 90–40 makes it plain that Congress intended to preserve the generally prevailing law with respect to judicial review of Selective Service classifications (H. Rep. No. 267, 90th Cong., 1st Sess., pp. 30–31). In addition, the statute provides for review after the registrant has responded "affirmatively" to the induction order; such review could only be by habeas corpus, since in these circumstances there would be no basis for a criminal prosecution. There would be room for doubt as to the constitutional validity of a reading of the statute which would abolish habeas corpus as a means of contesting an induction order. U.S. Constitution, Art. I. Sec. 9.

[11] See 56 Calif. L. Rev. 448, 460.

[12] *de Rozario* v. *Commanding Officer*, F. 2d (9th Cir. 1967).

[13] *Cf.*, 55 Calif. L. Rev. 549, 557–58 nn. 73–74 and accompanying text; Wright, Federal Courts § 13.

An examination of the foregoing authorities, and especially the recent decision in *Reisman* v. *Caplin*, compels the conclusion that judicial review cannot be conditioned on the risk of incurring a substantial penalty or complying with an invalid order. More precisely, it should be stated that the foregoing is the conclusion in situations other than a selective service context. The court is left with the problem of balancing the interests of the government and the individual in the selective service context to see if what the governmnt cannot do in other factual situations it may do when the governmental function involved is the raising of armies.

The court is unable to say that the financial penalties involved in most of the above cases or the risk of contempt constitute a less severe burden on the individual than the risk of imprisonment attendant upon an unsuccessful challenge of an induction order. What of the government's interest? It is certainly arguable that raising taxes and collecting rates is less important to government than mobilizing manpower for the armed forces. While this court is not competent to weigh the competing policies and necessities, it is willing to assume that the efficient operation of the selective service system is a more important function than any of the governmental functions discussed in the foregoing cases. However, since the risk to the individual is also substantial, and accrues as a result of a statute which would appear to be unconstitutional in a context other than selective service, the court must assess the consequences of a holding that the statute is unconstitutional. Due process is, of course, not an inflexible concept. The borders of due process may vary with the situation. The determination of the substance of due process in a given context must rest on an analysis of the competing interests. As has already been said, the individual's stake weighs heavily in the balancing process. If the individual chooses to contest the validity of the administrative order, and the individual is wrong, the individual finds himself convicted of a crime. The court is of the view that allowing civil review in advance of criminal prosecution would not disrupt the selective service system. The court is aware that the Solicitor General, in his memorandum (pp. 3–4) in the *Oestereich* case, declared:

> Under this statute, a registrant must either refuse induction and risk criminal prosecution, or submit to induction and seek a writ of habeas corpus, in order to obtain judicial review. While this scheme undeniably requires a registrant to incur a serious risk in order to obtain review of his draft classification, Congress has determined that the need for postponing judicial review in such situations outweighs any countervailing considerations. Public Law 90–40 was designed "to prevent litigious interruptions of procedures to provide necessary military manpower" (113 Cong. Rec. S8052 (June 12, 1967) (Sen. Russell); see *Falbo v. United States*, 320 U.S. 549, 551–554). Indeed, if pre-induction review were generally available, many men could be expected to bring suit in the hope of avoiding, or at least postponing, military service. Postponment of judicial review serves the national interest in preventing delays in the induction process, and the rights of the individual can be vindicated through the availability of post-induction review. Congress has thus struck a balance consistent with the Constitution.

In determining whether judicial review satisfies due process, a court cannot totally abdicate the balancing process to Congress.

Assuming civil review was available, what would the consequences be? First, assume that an individual's induction order is valid. Most likely, in a civil suit, the validity will be determined in the injunction proceeding following a brief hearing on an order to show cause. Once determined, the probabilities are that the validity will not be relitigated in the subsequent criminal case. The individual, having obtained a judicial declaration that his order to report is valid, may submit to induction, avoiding the consequence of a criminal conviction which would have obtained had he lost his challenge in the criminal case. Alternatively, he may choose to have a trial on the issue of the wilfulness of the refusal to submit. At such a trial, the court may avoid the now necessary procedure of having to excuse the jury whenever a witness gives testimony relating to the validity of the induction order, which issue is solely for the court to decide, *Martinetto v. United States*, F. 2d (9th Cir. 1968).

Therefore, the time taken in civilly adjudicating the validity of the induction order might have the following two effects: (1) the need for a few trials will be obviated by voluntary compliance with orders which have been judicially declared valid, and (2) some time will be saved at trials because the issue of the order's validity probably will not have to be litigated. The court has experienced such trials where briefs and argument on the validity of the induction order has been made both before and after the jury's verdict, with a considerable consumption of time. Second, assume the induction order is invalid. In this case, the need for calling and empanelling a jury will be completely eliminated and the court will experience a net saving in time.

Accordingly, this court believes that no substantial burden on the judiciary will be experienced by entertaining civil jurisdiction of suits to determine the validity of induction orders. Furthermore, since only the timing and not the scope of review will be affected, the number of men who will ultimately be found to have been validly classified will not be changed. Hence, no interference with the governmental function of raising of armies will result from civil jurisdiction.

Having weighed the consequences of section 460(b)(3) upon the individual, having considered the implications of a declaration that the statute is unconstitutional, and having considered the numerous authorities suggesting that such a statute would be unconstitutional in other contexts, the court holds that due process in this particular context demands that it is unconstitutional to restrict a registrant to the criminal trial forum to raise the defense that his order to report for induction was invalid because of procedural errors committed by the administrative agency in the classification process.[14]

D. The remedy of habeas corpus

The contention is made that section 460(b)(3) is not unconstitutional because due process is satisfied by the existence of the post-induction remedy of habeas corpus. Although the efficacy of habeas corpus in the military context has been questioned,[15] this court is not of the view that section 460(b)(3) is constitutional, even assuming habeas corpus is effective.

First, one must recognize that to utilize habeas corpus one must be inducted into the armed forces.[16] Second, submitting to induction is the equivalent of compliance with the administrative order alleged to be invalid.[17] Third, the more existence of habeas corpus as a remedy after the substantial deprivation of liberty should not serve to abrogate the duty to prevent the damage if possible.[18] The court doubts that in a criminal trial our system of justice would tolerate, for example, the deferring of all fourth or fifth amendment claims or defenses until after a factual finding that a defendant committed certain acts and require that they be raised by way of habeas corpus after confinement.

Accordingly, the court holds that the mere existence of habeas corpus as a remedy following induction into the armed forces of the United States, does not justify the elimination of a person's due process right to judicial review of an order to report for induction without the risk of imprisonment or compliance with a potentially illegal and untested administrative order. To repeat the words of the Court in *St. Joseph Stock Yards Co.* v. *United States*, 298 U.S. 38, 52 (1936):

> Under our system there is no warrant for the view that the judicial power of a competent court can be circumscribed by any legislative arrangement designed to give effect to administrative action going beyond the limits of constitutional authority.

CONCLUSION

The court holds that Congress cannot deny pre-criminal judicial review in some constitutional or article-three court to review the validity of an order to report for induction into the armed forces of the United States.[19]

In finding section 460(b)(3) unconstitutional in that it denies pre-criminal and pre-compliance judicial review, this court has not impaired congressional power under Article III to restrict the jurisdiction of the lower federal courts. Congress may, for example, adopt a scheme such as was involved in the *Yakus* case where *no* review of the administrative order was available at the criminal trial. Whether such a choice would be made by Congress, this court is neither able nor competent to say. But as long as the United States District Courts do exist, as long as the fifth amendment is the law of the land, and because the authorities herein cited are the law of the land, this court feels compelled to entertain plaintiff's civil suit to determine the validity of his induction order and to determine whether an injunction against criminal prosecution is justified.

---

[14] Expressly not decided herein is the question of whether, in every case, the same quantum or scope of judicial review is required. The court is here faced with a very specific situation in which a registrant must face induction or imprisonment to test the validity of his order and in which even in a criminal case the scope of review is extremely circumscribed. Hence, the risks attendent on the criminal trial are even greater than in the usual case where judicial review is permitted to invoke the substantial evidence test.

[15] 56 Calif. L. Rev. 448 (1968).

[16] *de Rozario v. Commanding Officer*, — F.2d — (9th Cir. 1967).

[17] See *American School of Magnetic Healing v. McAnnulty*, 187 U.S. 94 (1902); *St. Joseph Stock Yards Co. v. United States*, 298 U.S. 38 (1936); *Crowell v. Benson*, 285 U.S. 22 (1932).

[18] See Hart, *The Power of Congress to Limit the Jurisdiction of Federal Courts: An Exercise in Dialectic*, 66 HARV. L. REV. 1362, 1381–83 (1953). There is also the view that as long as Congress has charged the courts with an enforcement power to criminally try persons for noncompliance with orders to report, the court ought to be able to determine the validity of said orders without jeopardizing a person's liberty. *Cf., Yakus v. United States*, 321 U.S. 414 (1944); *Ex Parte Young*, 209 U.S. 123 (1908); *Reisman v. Caplin*, 375 U.S. 440 (1964); *Estep v. United States*, 327 U.S. 114, 132 (Murphy, J., concurring) (1946).

[19] Defendants have contended that even absent section 460(b)(3), prior case law precludes civil review in a case such as this one. This court is of the view that the opinions are not as clear as the government asserts, some being based more on the rationale that plaintiffs had not exhausted administrative remedies than on a true lack of constitutional jurisdiction. See, *e.g., Breen v. Selective Service Local Board No. 16*, — F. Supp. — (D. Conn. 1968); compare *Daniels v. United States*, 372 F.2d 407 (9th Cir. 1967) (issuance of order to report for civilian work constitutes end of administrative process for purposes of raising defense at criminal trial).

Therefore,

It is ordered that the defendants' motion to dismiss is denied.

It is further ordered that further proceedings—in the nature of an order to show cause why plaintiff's order to submit to induction should not be declared invalid and why prosecution for failure to comply therewith should not be enjoined—are stayed pending further order of this court.

It is my opinion that this order should be an appealable order pursuant to 28 U.S.C. § 1292(b) because it involves a controlling question of law—whether 50 U.S.C. App. § 460(b)(3) results in an unconstitutional denial of due process—as to which there is substantial ground for difference of opinion and that an immediate appeal from the order may materially advance the ultimate termination of the litigation.

Dated: May 28, 1968.

ALFONSO J. ZIRPOLI,
U.S. District Judge.

Mr. HART. Mr. President, the Petersen against Clark decision merely dramatizes and reemphasizes the need for a complete congressional reevaluation of the Military Selective Service Act of 1967.

I am hopeful that Congress will promptly consider my draft reform bill—S. 3394—and also the well-reasoned comprehensive draft reform bill—S. 3052—introduced by the senior Senator from Massachusetts [Mr. KENNEDY].

THE NATION DEMANDS EFFECTIVE GUN CONTROLS

Mr. TYDINGS. Mr. President, the clamor for effective gun controls in America today does not come from voices crying in the wilderness. Many Members of Congress have added their voices to this cause. The President has urgently requested effective gun control legislation. Countless public figures have spoken out in favor of gun controls. The Emergency Committee for Gun Control and many other responsible organizations, public and private, have joined forces in this cause. The demand for action is so widespread, in fact, that a stranger coming into our midst from some distant land would wonder why the problem had not been solved a long time ago.

The need for firearm registration and licensing has existed for decades. Public opinion polls for decades have shown massive support for gun controls. The toll of tragedy caused by guns grows higher with each succeeding year. What is the roadblock?

Why does Congress seem so unresponsive to the clear wishes of the majority of Americans? As we all know, the answer is very complicated. For example, there are traditional attitudes against gun controls in some parts of the country. Another element of the problem has to do with a lack of understanding as to exactly what the proposed gun control legislation would do.

Until recently, public apathy was widespread. Finally, there has always been the opposition generated by well-organized and highly vocal lobbies which feel their interests will be damaged by any gun control legislation.

At this time, I have no wish to get into a detailed discussion of what has or has not happened in the past. Instead, I would like to talk about the present—what the Nation is asking for, and what we here in Congress need to do now. For this purpose, I will quote briefly from a number of editorials throughout the country, all asking for positive action on gun control legislation.

Mr. President, there has been no massive, comprehensive search on my part to scan every newspaper from every city in the Nation. The editorials I shall cite came to me because of my well-known commitment to effective gun control legislation. There may be other editorials which are against gun controls, which have not come to my attention. But, the geographical distribution of the newspapers from which I shall quote is highly significant. These editorials come from newspapers in 20 States, coast to coast, in all sections of the country.

From the Des Moines Register:

> Britain has a long history of firearms control—and an enviably small number of deaths by shooting.

The Daily News, New York:

> Let's Try These Controls.

The Denver Post:

> Right now, it certainly will help to write congressmen, state legislators and city councilmen in support of more effective gun control and registration laws.
>
> All persons of good will who deplore violence can take heart from the fact that because of the pressure of public opinion opposition in Congress to effective gun control legislation is showing signs of cracking.

The Philadelphia Evening Bulletin:

> What should be remembered about restrictions on interstate commerce in deadly weapons is that they back up states and localities in efforts to achieve adequate gun regulation within their borders.
>
> The time has come for Congress and the states to move at once and more strongly on gun legislation.

The Atlanta Constitution:

> Gun registration in no way would interfere with a "citizen's constitutional right to bear arms."—if indeed there were such an individual right—yet the NRA continues parroting such nonsense.
>
> There is growing sentiment, reflected in recent opinion polls and among some members of Congress, that the only way to stop this nation from becoming an armed camp where murder and maiming by firearms is becoming almost commonplace, is to enact a federal firearms registration law.
>
> Time for Gun Controls Is Now.

The Boston Globe:

> We have gone past the point where we can worry about the inconvenience good gun laws might cause sportsmen and owners and sellers of firearms.

The Christian Science Monitor:

> But the time, the demand, the impetus for normal, sensible gun control legislation is here now. Let Congress act!
>
> Nothing short of the registration of every privately owned, commercially stocked and publicly assigned firearm in the United States can provide a gun control worthy of the name.

The Louisville Courier-Journal:

> Public sentiment and the arguments from Congressmen are running strong in favor of effective new controls."

Chicago Sun-Times:

> While the crime bill was designed to make America's streets safe, they will not be safe until all firearms are controlled.
>
> Gun controls—sound and inclusive ones—are a national need.

Chicago Daily News:

> The best gun control bill yet introduced is the Tydings bill requiring registration of all handguns, rifles and shotguns, and licensing of all owners or possessors of firearms.
>
> The great awakening seems to be taking place. The heretofore silent majority of Americans who favor gun control is speaking up, stirred finally by the murder of Sen. Robert F. Kennedy to say "Enough!"

The Newark, N.J., Evening News:

> Gov. Hughes has directed a strong but merited attack on Congress for its equivocation and delay in enacting an effective gun-control law. As the governor who pushed through the Legislature the strongest such law in the nation, Mr. Hughes is well qualified to speak on this subject.
>
> It may be argued that no law can keep a madman or criminal from getting his hands on a gun. More to the point, however, is the fact that countries with strong gun curbs have fewer homicides.

Ithaca Journal:

> There is no attempt to take away the right to keep and bear arms. The goal is the registration of firearms in an attempt to keep them out of the hands of the mentally unstable and the criminally bent.
>
> In practically all of the legislation that has been proposed, there is no intent to deprive an individual of the right to own guns, except where there is clear evidence that he is a criminal or is insane or is otherwise not qualified to own and shoot a gun.

The Louisville Times:

> National public opinion polls have indicated that most Americans—although they may not be as prone as members of NRA to write letters to Congress—do think there ought to be some restrictions on the sale of firearms.

The Los Angeles Times:

> No amount of political pressure, real or imagined, can now be allowed to prevent effective gun restrictions.
>
> Firearms Curbs Must be Uncurbed—Pretty Soon!

The Philadelphia Inquirer:

> We should think that responsible gun owners would join the fight for sensible controls.

The Cleveland, Ohio, Plain Dealer:

> Seventy-one percent of the American public, according to a Harris poll in April, favored stricter gun control as urban crime increases. Congress should heed this opinion.

The Minneapolis Star:

> The President and the public, shocked by the rising crime rate and by the assassination of Sen. Robert Kennedy, wants far more stringent regulation of gun sales.

The Milwaukee Journal:

Our permissive tolerance of almost universal firearms ownership, and of promiscuous flearms traffic, is nothing short of scandalous.

The New York Times:

Risks that can be reduced need to be reduced after so much killing and crime. If some members of Congress continue not to think so, it is time their constituents demand action.

The obvious hole is, as we have repeatedly noted, failure to regulate interstate shipment of rifles and shotguns.

President Johnson has said, "Americans should not have to wait any longer for a strict gun-control law." We agree. The strictest—because it would inform the proper police officials about who owns private firearms—is Senator Tydings' bill. The time to pass it is now when the public demands a real law.

The Baltimore, Md., News American:

Those in favor of gun control laws are not organized into such groups as the N.R.A. They are simply the millions of Americans who are horrified by the continuing carnage wrought upon this nation by lax firearms legislation.

I have yet to hear a convincing reason why every legally owned gun of any description should not be registered and held under a license.

New York Post:

What the country must be told bluntly is that men engaged in the big business of domestic munitions are fighting to preserve their business-as-usual.

Newark Sunday News:

The United States is the only highly developed nation without gun registration or other control. We can hardly consider ourselves civilized until Congress provides it.

The National Observer:

In Britain, the homicide rate per 100,000 persons runs one-eighth the rate in the United States, the rate for robbery one-tenth the U.S. rate, and the rate for aggravated assault one-seventeenth. When 5,126 Americans were being murdered by firearms in 1963, 24 Britons were dying by the same means.

The Nashville Tennessean:

The Choice for Congress: Gun Lobby or the People.

Long Island, N.Y., Newsday:

The Congress should heed the President's plea to close the "brutal loopholes" in our gun laws.

St. Louis Globe-Democrat:

But reasonable precautions over sale of guns, all kinds of guns, could curtail crimes of passion, drunken gun brawls, accidental gun deaths and suicides. If so many guns aren't so handy, such mortal incidents should be less common. Responsible gun owners would hardly suffer under such laws.

The Salt Lake Tribune:

No gun control law, not even one making it a capital crime to possess firearms, will completely rid this violence-prone nation of the pistols, rifles, shotguns and even machine guns and bazookas held by millions of its citizens for diverse reasons.

But a strong, fair and enforceable law which protects legitimate gun users while making it more difficult for crackpots, hatemongers and petty crooks to acquire lethal weapons would be a long needed improvement over the hodgepodge of weak and ineffective state and federal gun control laws now in force.

The Sacramento Bee:

Certainly, even meaningful gun control legislation would not stop criminals bent upon crime from stealing or otherwise obtaining weapons. But even if it were effective to a small degree, it would be worth the little inconveniences it might impose upon a few gun lovers. It would be a start toward making this a truly civilized nation.

Yet Congress still refuses to pass an effective gun law although there are in the hands of the citizens of Sacramento County alone half as many guns as there are in the hands of 46 million Englishmen.

The Philadelphia Sunday Bulletin:

The public will have to continue to speak out if is really wants the general permissiveness on guns ended.

The St. Louis Post-Dispatch:

What is at stake in Congress is not denial of the privilege of bearing arms. What is at issue is reasonable regulation in the interest of public safety.

The Wall Street Journal:

It is becoming increasingly clear that if the pistols and rifles are left readily available in urban America, then some unpleasant changes are going to be made in other American traditions.

The Wichita Sunday Eagle:

Registration May Be Best Way to Control Gun Use.

The Washington Post:

Americans now live in much too close proximity to each other to leave guns lying around at random for their mutual destruction.

For years, the National Rifle Association, spokesman for sportsmen and the firearms industry, has managed to drench Congressmen in a downpour of letters opposing reasonable firearms regulation anytime anyone proposed it. Congress needs to be told that this special interest group does not speak for the Nation.

The aim of the gun lobby is quite clear: it hopes to frustrate firearms control by the tactics of delay. It is now howling for hearings indiscriminately on the Administration bill and the Tydings bill—in the confident expectation that if it can hold off congressional action for the rest of this session, the public excitement on the subject will subside until another national leader is shot down. Congress will mistake the temper of an aroused public if it allows this tactic to prevail.

Neither the Administration bill nor the Tydings bill pending before Congress jeopardizes in any way the right of sportsmen to obtain, own and use firearms.

Mr. President, I ask unanimous consent that these and other editorials be placed in their entirety in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Boston (Mass.) Globe, June 11, 1968]

ARE WE MATURE? ARE WE HUMANE?

The shock of Sen. Robert F. Kennedy's murder will not by itself bring about good gun control legislation. That was shown last Thursday when the House passed the Omnibus Crime Control and Safe Streets Act which contains pitifully weak gun control provisions.

As Sen. Joseph D. Tydings (D-Md.), put it on television Sunday, "Nothing is going to move the Congress, nothing is going to move the state legislatures across the country except a tremendous outpouring of demands from citizens of this country."

As Attorney General Ramsey Clark said, also on TV Sunday, "It is absolutely essential to the safety of our people that we come to grips with the need to regulate firearms."

That means letters, telephone calls and telegrams to your representatives in the state legislatures and Congress. Make them change their minds if they previously have voted with the gun lobby. It means a whole new anti-violence, anti-gun force to loosen the grip the gun lobby has had on Washington for generations.

It means also that groups—clubs, lodges, churches, civic and veterans' organizations, labor unions, chambers of commerce—should put on the pressure.

The American Legion National Executive Committee last May passed a resolution in favor of legislation prohibiting the sale of mail order firearms to unlicensed individuals and requiring local permits for all those who want to purchase firearms. That should stimulate state departments and local Legion posts to call for good gun controls.

The passage of adequate gun control legislation, of course, could not bring about an abrupt end to violence in the United States. But it certainly could help by making it more difficult for criminals, the mentally unsound and the underage to buy and own and misuse firearms. All firearms should be registered so they can be traced. Why shouldn't every gun-owning citizen be required to be licensed?

We have gone past the point where we can worry about the inconvenience good gun laws might cause sportsmen and owners and sellers of firearms. It is tragically inconvenient to society that, in this country in 1966, firearms accounted for 6400 murders, 10,000 suicides and 2600 accidental deaths. No one needs to be reminded again of the three most terrible killings of the past five years.

The passage of adequate gun law legislation might also have a secondary effect. It could demonstrate to the world and to ourselves that Americans are mature enough and sufficiently humane to be serious in their efforts to end the killing.

[From the Atlanta (Ga.) Constitution, June 7, 1968]

TIME FOR GUN CONTROLS IS NOW

If ever there were a time for passage of an effective gun-control law, it is now.

Congress rushed passage of the so-called Safe Streets and Crime Control Bill yesterday, an action spurred by the tragedy in Los Angeles. But that bill mocks the tragedy because some of its amendments mock justice.

The bill does have a gun-control provision, but the controls are weak in that they merely forbid mail order sales of handguns.

What is needed is a separate gun-control bill which would require registration of all firearms. Would such a law have prevented the tragedy in Los Angeles and the assassinations of President Kennedy and Dr. Martin Luther King Jr.? Maybe not. But a California gun registration law did lead to quick and positive identity of the suspect in the assassination of Senator Kennedy. If Tennessee had had a law requiring registration of all firearms, including rifles, police probably would have made a quicker positive identification of the suspect in the King assassination.

Would a law requiring registration of all firearms interfere with the citizen's so-called "right to bear arms?" Without getting into the argument about what that "constitutional right" means, we submit that such a law would not interfere.

We have yet to hear anyone suggest that laws requiring registration of motor vehicles infringe on the "right" to possess automobiles. So why not nationwide registration of firearms?

Any adult without a record of criminal violence or mental illness would still have the "right" to possess as many handguns, rifles and shotguns as he desired and could afford. He could have them, but he would be required to register them.

Such a law not only would aid the police in solving crimes in which firearms were used, it also would deter people with criminal records from having firearms in their possession. Possession of firearms by such people would invite arrest and imprisonment whether or not any crime other than possession of an unregistered weapon were involved.

So, rather than take away anyone's right, a gun registration law applying to all types of firearms would give us more protection. It certainly would add an effective weapon for police in their war against crime.

[From the Atlanta (Ga.) Constitution, June 13, 1968]

Start Over on Gun Controls

The House Judiciary Committee has beaten back another effort by President Johnson to put stronger controls on the mail order traffic of firearms in this country.

There is the smell of blackmail in the committee's action, just as there was when the House forced the President to accept a $6 billion spending cut as the price for a 10 per cent income tax surcharge. The President paid off on that one, but Congress still dallies unconscionably on the tax bill even as inflationary heat imperils our economy.

What Southern Democrats and Republicans on the Judiciary Committee appear to be asking as the price for the administration gun bill is that the President sign the so-called Safe Streets and Crime Control Bill recently passed by Congress. This bill has a provision that would prohibit mail order sales of handguns, but it also has some provisions which would strike down basic rights guaranteed persons accused of crimes and would provide virtually uncontrolled use of electronic eavesdropping devices by police.

The bill rejected by the committee would extend the ban on mail order sales to all firearms, including rifles and shotguns.

It would be better for the President to veto the Crime Control Bill and for Congress to start all over again on crime and gun controls soon. It is time for Congress to start listening to the people, rather than to the gun lobbyists and to those who would enforce the law by striking down fundamental rights on which our laws are based.

There is growing sentiment, reflected in recent opinion polls and among some members of Congress, that the only way to stop this nation from becoming an armed camp where murder and maiming by firearms is becoming almost commonplace, is to enact a federal firearms registration law. Such a law should not bar responsible citizens from owning firearms, but it should make possession of any kind of firearms by persons with violent criminal records and the known mentally ill illegal.

Banning mail-order sales of firearms while perhaps desirable, will not solve the problem, a problem that becomes increasingly dangerous. A gun registration law is what is urgently needed.

[From the Philadelphia (Pa.) Evening Bulletin, June 6, 1968]

Congress and Guns

Regardless of the kind of firearm used by Sen. Robert Kennedy's assassin or how it was procured, this latest act of violence is another reminder of the intolerable laxity which generally prevails in the United States in permitting guns to flow without effective check into the hands of people who may turn them against others.

In January 1967, a Gallup Poll showed Americans to be overwhelmingly in support of tighter restrictions on gun ownership. This applied not only to a ban on people being able to send away for guns through the mails, but also to support for requiring the registration of handguns, rifles and shotguns. The identity of the man who shot Sen. Kennedy was established through the weapon he used.

If anything like this sentiment prevails in the country today—and the criminal violence by the gun over the past 16 months certainly must have reinforced it—Congress and the states are lagging far behind the public's desire for sane and sensible regulation of guns.

There is before Congress today, embedded in an anticrime bill, a provision to ban the sale of handguns (but not rifles and shotguns) to individuals through the mails. It would be of some help to states and localities which have moved in the direction of effective gun legislation on their own. But many state legislatures, like Congress itself, have been deterred from effective action by the gun lobby and the outcries of sportsmen who mistakenly insist in confusing stronger regulation with denial of the law-abiding citizen's access to firearms for legitimate use.

The time has come for Congress and the states to move at once and more strongly on gun legislation.

The failure to do so has become a national disgrace. It borders on criminal negligence itself; it caters to the violent; it makes a mockery of expressions of concern for law and order as it does of expressions of sorrow and outrage when national leaders are struck down.

[From the Atlanta (Ga.) Constitution, June 18, 1968]

Who is "Parroting Nonsense"?

Congress at last is hearing from the American public on gun controls, and it looks as if the chances are at least 50–50 that the comparatively weak control measures passed and proposed this year will be discarded in favor of a gun-registration bill.

The deluge of mail flooding congressmen's offices has changed the minds of many legislators who as recently as last month opposed all gun-control legislation. For example, Senate Majority Leader Mike Mansfield of Montana, who with other Western senators was not enthusiastic about curbs on mail order sales of guns, is now calling for gun registration.

The public endorsement of gun registration caught the National Rifle Association and other gun lobbyists off guard. NRA president Harold W. Glassen hastily called a press conference and accused the American people of "behaving like children, parroting nonsense, accepting unproved theory as fact, and reacting as the German people did in the 1930s as the Goebbels propaganda mill drilled lies into their subconsciousness and dictated their every move."

Mr. Glassen's was an intemperate attack, one he will probably regret. We can be certain of one thing: he is now hard at work organizing his own letters-to-Congress campaign. Whether it will be as effective as the ones he has organized in the past remains to be seen. It certainly will lack the spontaneity and sincerity of the one he claims is being launched by "Americans behaving like children."

It is becoming increasingly clear to many people alarmed by the armed violence, murders and assassinations that the NRA and other arms industry lobbyists have been "parroting nonsense" for too many years. Gun registration in no way would interfere with a "citizen's constitutional right to bear arms"—if indeed there were such an individual right—yet the NRA continues parroting such nonsense. We register our automobiles, yet no one has seriously suggested that this takes away anyone's right to own an automobile.

Another parrot of irrelevant nonsense, Gov. Lester Maddox, says he will veto any gun registration bill passed by the Georgia Legislature, which is another argument for a federal firearms registration law. Gov. Maddox's reaction to gun registration? "No one has shouted about the 300 policemen shot down in the past year!"

But, governor, those shootings are a part of what a growing number of American citizens are concerned about. These citizens are alarmed at the increasing violence in our society, violence that too often explodes from the mouths of guns. And, governor, every responsible police organization heard from thus far—from the FBI to the International Association of Chiefs of Police—has endorsed registrations of firearms. These organizations certainly do not represent "children parroting nonsense."

[From the New York Daily News, June 20, 1968]

Let's Try These Controls

The Johnson administration's gun-control bill got an encouraging 9–0 Yes vote Tuesday from the Senate Judiciary subcommittee on juvenile delinquency.

This measure would outlaw mail-order sales of rifles, shotguns and handguns . . . confine over-the-counter gun sales to state residents . . . require careful dealer records of gun and ammunition sales . . . forbid handgun sales to persons under 21 and long gun sales to those under 18 . . . limit machine gun and heavy weapon sales to Treasury Department licensees . . . outlaw interstate shipment of ammunition.

This looks to us like happy-medium legislation—a sensible compromise between those who would disarm every U.S. citizen and those who want no limitations at all on sale or possession of even the deadliest weapons.

We hope Congress will pass the Johnson bill, or something much like it. It can be repealed if found unsatisfactory; and it just might make U.S. trigger-happiness problems less serious.

[From the Denver (Colo.) Post, June 16, 1968]

Four Ways To Deescalate Violence

We have been touched by the stories of people all over the nation, fed up with the sort of violence dramatized by the slayings of Dr Martin Luther King and Sen. Robert Kennedy, turning in the guns they own to the police.

There are a lot of thoroughly good and decent people in this country.

But if we really want to sweep away the poisonous emotional atmosphere that makes so many normally peaceful people violence-prone or violence-tolerant, there are a few things any citizen can do which probably are more practical than turning in guns. For those who are seeking things they personally can do, let's list some practical ways to deescalate violence in America:

1. Right now, it certainly will help to write congressmen, state legislators and city councilmen in support of more effective gun control and registration laws.

As amazed Europeans never tire of telling us, America is the only big, civilized nation in the world that allows its citizens to own guns as a "right". In all other nations, gun ownership is a privilege, closely regulated and restricted to responsible citizens. And the citizens of those nations seem to like it, or at least feel safer, that way.

This is the only suggestion we have that involves making or changing a law.

2. One of the big things any citizen can do is to help take the profit out of the commercialized violence that infests so much of television, the movies, plays and literature these days. How? It's easy.

If the television show is full of meaningless violence, as so many are, turn it off. Or don't tune it in in the first place.

If the movie or play is touted as violent, "shocking"—which usually means mindlessly sadistic—don't go.

If the reviews say the same thing about a new book, don't buy it.

Most of these shows and books are written to make money, not because the writers have anything to say. If they don't make money, they are dead. By shunning them, we can hasten their demise without lifting a finger.

3. More positively, we can support, as individuals, those people and institutions in society, who stand firmly for restoring the process of social change in this nation to peaceful, non-violent channels. We can and should support them vocally, in writing and, where appropriate, with money.

4. But above all, we need to be supporting vocally, in writing, with our ballots and without money—all those who are trying through peaceful means to make this a more just society.

Without this, anything else we do is probably futile.

We hear the cry on all sides now for "law and order". But that is not the true goal for America. That is not enough; it never was enough and it will never be enough.

The South used to maintain law and order. Our cities used to maintain law and order. But behind those facades of law and order injustices grew and justified resentment of them festered. Now we are paying the price for those injustices.

The price is not only strife and violence itself, it is the mental turmoil in people of good consicence who are reluctant to support law and order unconditionally until the injustices are remedied.

But if we truly support and achieve justice for all Americans—effective schools for all, honorable jobs for all, open housing for all, equal treatment in law for all, responsive government for all—law, order, a peaceful and happy society will follow in the train of justice.

This is something every citizen can help to attain, in some way, every day. This is a goal worthy of Americans.

[From the Denver (Colo.) Post, June 13, 1968]

Keep Gun Control Pressure on Congress

All persons of good will who deplore violence can take heart from the fact that because of the pressure of public opinion opposition in Congress to effective gun control legislation is showing signs of cracking.

Letters from voters back home who have been jarred by the assassinations of Sen. Robert F. Kennedy and Dr. Martin Luther King are convincing some lawmakers that sentiment for controls is fully aroused at last.

As a result it now appears likely that the House Judiciary Committee will soon approve a bill to extend to rifles and shotguns the ban on mail-order sales which has already been voted for handguns.

Such legislation would be too small a step to satisfy most people at the grassroots, however, so it is encouraging that Sen. Joseph D. Tydings, D-Md., has announced he will introduce a bill for the registration of all guns under a system which would make it illegal for juveniles, criminals and mentally disturbed persons to have them.

The bill seems needlessly complex in that it would give states one year in which to enact registration laws of their own, after which the federal registration plan would go into effect only in states which had not complied.

The national interest in gun control is so great that there seems little reason to bring the state governments into the picture at all. But Senator Tydings has put his finger on the important need of the moment, which is for registration of guns.

Significantly, opinion polls have shown a strong consensus for registration for many years but those who want controls have been out-lobbied by gun manufacturers and their allies.

Senator Tydings has been a careful student of criminal trends in this and other countries.

"Our gun laws are, in fact, about as flimsy as those of any nation in the world," he said recently.

"We tolerate a level of gun crime in this country which is unthinkable in any civilized nation in the Western world.

"In England, which has a gun registration law, firearms account for only 10 per cent of all murders. In our country where the murder rate is 13 times greater, guns account for 60 per cent of all murders and are used in 58 per cent of all robberies.

"Gun murders take nearly 20 lives a day in this country. Ninety-five of every 100 policemen murdered in this country are killed with guns, one-fourth of which are rifles or shotguns."

Veteran observers in Washington say it will be difficult to get a gun registration law enacted at this session. The gun lobby is loud and spends a great deal of money.

However, a continuous stream of letters and telegrams from folk back home who, like Senator Tydings, are convinced we have reached an intolerable level of gun crimes, could prove most effective.

If the demand is strong and persistent Congress will respond.

[From the Christian Science Monitor, June 10, 1968]

Just Normal Gun Control

There just is no weight of argument against the control of rifles and shotguns—as well as pistols and revolvers. So why, in the name of conscience, intelligence, prudence and safety, should Congress not get on immediately with the business of bringing the sale of rifles and shotguns under tight control.

Surely no further shootings, of individuals of high or low degree, should be necessary to overcome the resistance of those who would leave America a nation of unregulated guntoters.

In frontiersland the sheriff and the cowboys went well-armed. But the days of the frontier are past. And no proposed legislation—let us be very clear about this—will keep legitimate hunters and sportsmen and gun fanciers from purchasing and keeping firearms. But stricter controls just might keep a gun out of the hands of a deranged person, a hardened criminal, addict, or alcoholic. A gun should become a society-regulated instrument, not something to be kept handy until anger or dementia spills over and another murder statistic is chalked up.

The Bill of Rights provides for arms bearing only for the purpose of maintaining a militia.

Let's keep in mind the deplorable tabulations which the President has presented: Each year in the United States guns are involved in more than 6,500 murders. This compares with 30 in England, 99 in Canada next door, 68 in West Germany, 37 in Japan.

Congress has passed its controversial anticrime bill, but there remains a "brutal loophole." To close this, President Johnson urges Congress to make it unlawful to sell not only pistols but rifles and handguns by mail order (a mail-order rifle killed President Kennedy), to limit sales to those under 21, and to prohibit the sale of rifles and shotguns in one state to residents in another. (This to protect strict states against lenient states.)

Sure, other efforts are necessary, too. Less glamorizing of gunplay in films. Less emphasis on violence, sadism and brutality in art and society. San Francisco's Mayor has urged his city dwellers to turn in their handguns—no questons asked—as a commemorative gesture to Senator Kennedy.

But the time, the demand, the impetus for normal, sensible gun control legislation is here now. Let Congress act!

[From the Christian Science Monitor, June 15, 1968]

Register Every Last Firearm

Nothing short of the registration of every privately owned, commercially stocked and publicly assigned firearm in the United States can provide a gun control worthy of the name. To such a law must be attached drastic penalties for disobedience. If the Senate and the House of Representatives do not pass such legislation, they will be playing false with the safety of every man, woman and child in America and will be dishonoring the memory of those national leaders who, in recent years, have been brutally assassinated.

Notwithstanding reports that a wave of public sentiment is now increasing congressional willingness to pass strict legislation, we believe that only unremitting voter pressure can lead to any worthwhile remedial action. Congressional dislike of offending powerfully organized lobbies (in this case the National Rifle Association) is too well known to allow of any complacency on this score.

We do not believe that the present administration bill now before Congress is enough. Primarily, it forbids the mailorder sale of rifles and shotguns. While this may be better than nothing, it is only barely so. What is absolutely required is a law requiring every last gun-owner and gun-buyer to register every old and new firearm. This would at least bring some measure of control over guns bought locally and not through the mail.

To this, as we mentioned above, must be attached severe penalties for the possession of any unregistered or incorrectly registered firearm. This law is necessary since it would place upon the gun-bearer or the gun-possessor the obligation of proving that he had come by the weapon lawfully. Failure to prove this would be prima facie evidence of guilt, subjecting one to the penalties which such a crime deserves.

For years, there has been an almost unamimous demand on the part of law enforcement officials, from the Federal Bureau of Investigation chief, J. Edgar Hoover, on down, that the gun traffic be brought under control. It is a national disgrace that only a series of assassinations has been able to move Congress to the point where it was willing to bother with firearm legislation.

The ridiculousness of the opposition to strict controls can be seen from the statements of Harold W. Glassen, the rifle association's president. He termed efforts to control guns childish and nonsensical, and then went on to say that Americans were being deceived on this issue in the same way that the Nazis deceived the German people.

If this is the level of the association's thinking, we cannot think of a better reason for disregarding its views.

[From the Louisville (Ky.) Courier-Journal, June 15, 1968]

An Outraged People Can, and Must, Rout the Gun Lobby

At last something may be done about the lethal traffic in firearms in this country. The public is aroused as never before. Congress is hearing from the people, for a change, not just from the gun lobby, and a significant shift in mood can be detected on Capitol Hill.

The Post Office Department has decided not to wait on Congress. Postmaster General W. Marvin Watson has announced new regulations requiring that packages containing guns be clearly labeled "firearms"; that delivery of firearms be held up until the chief law-enforcement officer of the community to which the package is addressed is notified, and that sawed-off shotguns and short-barreled rifles be banned from the mails unless addressed to authorized law-enforcement or military personnel.

All of this the Post Office Department could have done long ago. It didn't, apparently, because there was not sufficient public pressure to control firearms. It is only a stopgap measure. It is still up to Congress to enact strict controls.

The very least Congress should do is outlaw the interstate shipment of handguns, rifles and shotguns to individuals. It also should require registration of all firearms. The gun lobby, right on cue; claims that these restrictions will violate the rights of hunters and sportsmen, but it should be obvious by now that the gun lobby and the people who parrot its propaganda are strangers to the truth.

THE NEW JERSEY EXAMPLE

Two years ago New Jersey enacted a strict law covering the purchase of rifles and shotguns as well as handguns. Since then, the sale of hunting licenses has actually increased. "The law is preventing the sale of guns to those who should not have them," says Senator Case of New Jersey, "and it is not deterring legitimate sportsmen."

But neither facts nor reason have any effect on the gun lobby. The National Rifle Association has dealt in falsehood and distortion for so long that its responses are as predictable, and automatic, as those of Pavlov's dog.

Senator Tydings of Maryland has called for a congressional investigation of the gun lobby. One is overdue. The Senator also announced that he is asking the Internal Revenue Service to explain why the NRA is classified as nonprofit and why it is not required to register as a lobby. It is past time for the federal government to take a hard look at the operations of the NRA.

The public concern, and outrage, now being manifested in the wake of the assassination of Senator Kennedy must not be dissipated. "Laxness of U.S. gun controls is a national disgrace," the *Los Angeles Times* declares. "The rest of the world can only wonder how a civilized society can tolerate so obvious a threat to its safety."

We cannot tolerate it and remain civilized.

[From the Louisville (Ky.) Courier-Journal, June 18, 1968]

The NRA Lobbyists Take Aim

The full lobbying power of the National Rifle Association is focused now on efforts to offset a spontaneous demand for new controls on the sale of weapons which developed after the slaying of Robert F. Kennedy. Even that experienced and powerful group, however, seems unequal to the task.

Public sentiment and the arguments from Congressmen are running strong in favor of effective new controls.

Senator Warren G. Magnuson who formerly accepted the NRA position now argues: "The inconvenience (of gun controls) will be so insignificant; the contribution to the law and order of our society, so great."

This, basically, is the line taken by the thousands of citizens who already have asked their congressmen to favor new legislation and the line which the NRA has now made the target of a massive letter-writing campaign. In the past, the NRA has been able to use these tactics to convince enough legislators that most Americans favor easy access to deadly weapons. This was true even when survey after survey showed increased support for effective controls.

The organized efforts—with support from 900,000 adult members—still could prevail if the NRA can generate more pressure than that developed by the unorganized majority in favor of strong legislation. Many individuals already have told their congressmen how they feel, and even more will have to do so if the effect of the NRA campaign is to be offset.

In supporting such controls, the American Civil Liberties Union points out that strong legislation is not only necessary but is consistent with the right-to-bear-arms provision of the Constitution (Second Amendment) which says: "A well-regulated militia being necessary to the security of a Free State, the right of the people to keep and bear arms shall not be infringed." ACLU spokesmen said the right to keep and bear arms applied only to the preservation of a militia and not to the possession of guns by individuals.

Such a right, the ACLU feels, must be limited in support of the more important freedom of "free and fearless debate on which our free society rests."

Reason is on the side of the strict controls but reason will prevail only if the emotional campaign waged by the NRA can be matched by a continuation of the flow of letters from the majority.

[From the Chicago (Ill.) Sun-Times, June 20, 1968]

Gun Bloodshed Goes On

The great public outcry for gun controls appears to have swayed a previously reluctant Senate. The administration's firearms legislation has made encouraging early progress. Even Sen. Everett M. Dirksen (R-Ill.) has relaxed his stand against gun curbs.

Nonetheless, a first-inning score doesn't end a ballgame. If the nation is at last to see an end to free traffic in killer weapons, the public must continue to press for the strongest possible gun-control measures.

Only the most stringent restrictions can reduce the bloodshed that has become a national shame. An Associated Press survey showed that between midnight Sunday and Wednesday morning 49 persons died by gunfire in the United States. There were 29 homicides, 16 suicides and four accidental deaths. In the Chicago area alone on Tuesday, two persons were killed and six wounded in shooting tragedies.

The administration is seeking rifle and shotgun controls similar to handgun curbs that were written into the omnibus crime bill. Mail-order sales of long guns would be banned. Over-the-counter sales to out-of-state residents would be forbidden. No one under 18 could buy a rifle or shotgun. These are sound restrictions. Yet why not go even further and approve legislation for registering all guns and licensing all owners as proposed by Sen. Joseph D. Tydings (D-Md.)?

In any case, Congress must remain convinced that the public wants firearms legislation. The gun lobbies certainly will not relax their efforts. In Springfield Tuesday gun proponents sought to repeal the state's new owner-registration law, which goes into effect July 1. As usual, the arguments for killing the law ignored the lives it might save and hinged on specious allusions to communism and fascism.

We urge again that the American electorate counter such red-herring tactics and apply pressure on their lawmakers. Gun controls—sound and inclusive ones—are a national need.

[From the Chicago (Ill.) Daily News, June 18, 1968]

Toward Sane Gun Laws

The great awakening seems to be taking place. The heretofore silent majority of Americans who favor gun control is speaking up, stirred finally by the murder of Sen. Robert F. Kennedy to say "Enough!"

Deluged by mail from their constituents, Senators and Representatives long intimidated by the gun lobby are shifting position to support stronger control laws. Even the arms manufacturers have come forward with a disclaimer to the effect that they are not really opposed to strict regulation of gun sales.

The tide was long in turning. Just last month the Senate voted down an amendment to the anticrime bill that would have applied to rifles and shotguns the same weak restrictions reluctantly accepted for pistols and revolvers. But the chances now are favorable—unless the American public goes to sleep again—for some really meaningful legislation to curb the deadly traffic in guns.

Just how deadly that traffic is can easily be demonstrated by the record. Last year—apart from the Vietnam war—more than 20,000 Americans died by gunfire and 100,000 were wounded. Of the fatalities, 7,000 were labeled murder or homicide, 3,000 were accidental, and 10,000 were suicides.

Since 1900, nearly 800,000 Americans have been killed by privately owned guns—far more than 630,768 Americans killed in all the wars this nation has fought in its two centuries.

The easy access to guns in the United States has horrified visitors from abroad, who have wondered when we were going to outgrow the raw violence of the now-vanished frontier. Yet every effort to enact laws to restrict gun ownership or register firearms ran afoul of the potent gun lobby led by the National Rifle Assn.

Even after the assassination of Sen. Robert Kennedy, a spokesman for the NRA could angrily denounce the wave of gun-control demands. "We see Americans behaving like children," he said, "parroting nonsense, accepting unproved theory as fact and reacting as the Germans did in the 1930s as the Goebbels propaganda mill drilled lies into their subconsciousness."

We would hardly call 20,000 gun deaths a year unproved theory or nonsense. And it is the rankest kind of demagogery for an outfit that has bragged it could produce half a million letters opposing gun control within 72 hours to invoke the Goebbels ghost aaginst its opponents.

When George Gallup first polled the nation on gun control 34 years ago, 84 per cent favored strong legislation. The percentage has not changed appreciably. If this majority continues to make its voice heard, this nation may finally put a rein on the only consumer product whose sole purpose is to deal destruction and death.

[From the Newark (N.J.) Evening News, June 13, 1968]

Courtesy of Congress

Gov. Hughes has directed a strong but merited attack on Congress for its equivocation and delay in enacting an effective gun-control law. As the governor who pushed through the Legislature the strongest such law in the nation, Mr. Hughes is well qualified to speak on this subject.

Noting that the President's request for a ban on the mail order sales of rifles and shotguns is bottled up in committees of both houses, Gov. Hughes accused Congress of "encouraging lunatics, addicts and criminals" to purchase arms through the mails. He pointed out that New Jersey's two-year-old ban on sales of firearms had stopped the purchase of 890 guns. But there is nothing to prevent mail order sales to lunatics, addicts and criminals, he said, "by courtesy of the U.S. government."

Even as the governor spoke, the House Judiciary Committee by a tie vote blocked the mail order ban. A new vote is scheduled, however, amid signs that the gun lobby is beginning to lose ground. Even in the Senate, where gun-control prospects are bleakest, members are hearing from the folk back home.

Gov. Hughes' statement should help refute the specious argument heard in Washington that firearms control is a matter for the states. If New Jersey, with its new law, cannot control this deadly traffic to unfit purchasers, what state in the nation can?

[From the Newark (N.J.) Evening News, June 18, 1968]

Time To Act

Public pressure following the assassinations of Sen. Robert Kennedy and Rev. Dr. Martin Luther King Jr., at last appears to be outweighing the obstructionist pressures of the National Rifle Association and assorted sportsmen's organizations.

Influential members of the Senate Judiciary Committee are changing their minds. There now is hope that the deadlock which has bottled up effective gun-control legislation will be broken this week.

True, veterans like Sens. Mansfield and Dirksen still believe gun regulation should rest with the states. This permissive attitude nevertheless has one serious flaw.

Residents of, say, New Jersey, with its strong gun-control law, still can mail-order a gun from states where weapons are sold as freely as fishing rods or snorkel tubes. Fifty uniform state laws could close the gaps in the mail traffic in firearms—but so could one sound federal law.

Such legislation is represented by the Tydings bill which the Senate Judiciary Committee promises to re-examine this week. While they are at it, the 18 members of the committee might also add the reasonable requirement that long guns—shotguns and rifles—bear serial numbers, as pistols must do.

It may be argued that no law can keep a madman or criminal from getting his hands on a gun. More to the point, however, is the fact that countries with strong gun curbs have fewer homicides. Here in our own country over the last three years, guns figured in 69 per cent of the homicides in free-wheeling Texas, while the figure has been 38 per cent in New Jersey since it adopted its restrictive gun law. In addition, New Jersey's law last year kept guns out of the hands of 890 unstable persons—those with records of narcotics addiction, alcoholism, mental illness or criminality.

Shock, compassion or any other emotion arising out of the slayings of the Kennedy brothers and Dr. King is buttressed by statistics. Also by just plain common sense. It's about time Congress saw it that way.

[From the Ithaca (N.Y.) Journal, June 19, 1968]

Support for Gun Controls

Those Americans who seek new restraints on the nation's traffic in guns have gained some solid support in recent days.

Here are some of the developments:

The Ithaca Gun Co., has urged Congress to adopt legislation further strengthening existing federal firearms laws by banning all interstate mail-order shipments of shotguns and rifles to individuals.

Three other manufacturers of firearms have modified their opposition to the administration's control proposals.

Sen. Mike Mansfield, D-Mont., majority leader of the U.S. Senate, has endorsed a bill requiring the registration of all firearms and the possession of a permit for their use.

The U.S. Conference of Mayors has called for the banning of interstate mail-order sales.

The National Association of Attorneys General has asked for "restrictive and realistic legislation."

A Senate Judiciary Committee subcommittee has approved a bill to ban the sale, by mail order, of shotguns and rifles.

If this country is ever to have realistic legislation controlling guns, it is essential that Congress know the feelings of those supporting such laws. It is not too late for individuals to write to their senator, Jacob K. Javits, and their congressmen in The Journal's circulation area, Howard W. Robison, Samuel S. Stratton, and Charles E. Goodell. Letters may be addressed to Sen. Javits at the Senate Office Building and to the representatives at the House Office Building, Washington, D.C.

For those who may still be unconvinced, here are two contrasting statements:

President Johnson, appealing to Congress "in the name of sanity, in the name of safety, and in the name of an aroused nation, to give America the gun control law it needs."

Harold W. Glassen, president of the National Rifle Assn.: "We are witnessing the strange and masochistic spectacle of tens of thousands or normally proud and level-headed Americans begging the federal to take from them by force of law one of their basic civil rights, the right to keep and bear arms."

Mr. Glassen's statement does not bear scrutiny. There is no attempt to take away the right to keep and bear arms. The goal is the registration of firearms in an attempt to keep them out of the hands of the mentally unstable and the criminally bent.

The tens of thousands of Americans referred to by Mr. Glassen are far from making a spectacle of themselves. On the contrary, they are making a lot of sense.

[From the Ithaca (N.Y.) Journal, June 6, 1968]

Guns and the Nation's History of Violence

"The history of violence in the United States over the past 10 years is eloquent evidence that we need more, not less control of firearms, particularly military and quasi-military weapons."

These words were spoken by Frank C. Ramon, Seattle's police chief, right after the Supreme Court of the United States voided the National Firearms Act of 1934. The decision was handed down on Jan. 29.

The act applied to sawed-off shotguns, machine guns, mufflers, and silencers, but not to full-size shotguns, rifles, and pistols. One section required registration and payment of a tax by makers, dealers, and importers of guns covered by the law. Another section required Treasury Department approval of sale or transfer of these weapons.

The Supreme Court ruled that application of the statute exposed an individual to prosecution on another charge. The process thus violated, the court held, the Fifth Amendment's privilege against self-incrimination.

The weapon that fatally wounded Sen. Robert F. Kennedy early Wednesday morning was by no means a military or quasi-military weapon. It was a pistol of light caliber. But at short range even a light weapon can inflict mortal damage.

In February President Johnson asked for gun-control legislation. He said:

"Last year two million guns were sold in the United States. Many of them were sold to hardened criminals, snipers, mental defectives, rapists, habitual drunkards, and juveniles. There is no excuse for this."

In May, the U.S. Senate rejected a proposal to ban interstate, mail-order sales of rifles and shotguns. It is ironic that the chief sponsor of the measure is Sen. Edward M. Kennedy, D-Mass., brother of Robert and of the assassinated President John F. Kennedy.

The Senate did ban the same kind of sales of pistols and revolvers, except to licensed dealers; prohibit the sale of handguns to minors and out-of-state buyers, and raise standards and fees for the licensing of gun dealers.

In New York State, the Assembly rejected Gov. Rockefeller's request for a law licensing all rifles and shotguns in the state.

The powerful lobby opposed to gun controls bases its case on the Second Amendment of the Constitution: "A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

The President's Commission on Law Enforcement has asserted that the Supreme Court and lower courts have consistently interpreted this amendment to prevent federal interference with a state militia and not with regard to an individual's right to bear arms.

The commission has also said that licensing and registration of guns would merely constitute an inconvenience and would not penalize the law-abiding owner of a gun.

Americans have the right to keep and operate automobiles, but there is no great outcry over the licensing of operators and the registration of the vehicles.

In practically all of the legislation that has been proposed, there is no intent to deprive an individual of the right to own guns, except where there is clear evidence that he is a criminal or is insane or is otherwise not qualified to own and shoot a gun.

That sign on automobile bumpers, to the effect that if guns are outlawed, only outlaws will own guns, is misleading in the extreme. There is no campaign to outlaw guns, only to regulate their use.

It is also silly to assert that registration of guns will put an end to murders and wanton shootings. But such a statute could well be a deterrent that would reduce the nation's appalling crime rate and its proliferating tendency to violence.

[From the Louisville (Ky.) Times, June 18, 1968]

New Support for Control of Firearms

After President John F. Kennedy's assassination Congress passed a stronger civil-rights law than it had been willing to pass upon his urging while he lived.

An aftermath of Senator Robert F. Kennedy's assassination may be a federal law that applies stricter controls over firearms in private hands than had seemed possible before.

Six senators who have heretofore opposed a ban on mail-order sales of rifles and shotguns now support President Johnson's plea for such legislation.

Senator Joseph D. Tydings, D-Md., and nine other senators meanwhile are sponsoring an even tougher bill, and Senate Majority Leader Mike Mansfield has given it his support. This one would require federal registration and permits for all firearms, unless states pass their own registration laws. President Johnson over the weekend called on the 50 states to write jointly and enact uniformly a model gun-control law.

The omnibus crime bill, passed by Congress but still unsigned by the President, contains a ban on mail-order sale of handguns but makes no reference to rifles or shotguns. The stricter bill being sponsored by the administration would not only prohibit mail-order sale of rifles and shotguns, but would prohibit their sale to nonresidents of a state and to persons less than 18 years old, and would prohibit sale of handguns to persons less than 21 years old.

Meanwhile, opponents of gun-control laws have not been idle. The National Rifle Association (NRA) is urging its 900,000 members to deluge Congress with letters opposing stricter gun controls. It has employed this method in the past with great success. Now, however, spontaneous letters expressing a national sentiment for restriction on sales of guns have been reaching the White House and members of Congress. National opinion polls have indicated that most Americans—although they may not be as prone as members of NRA to write letters to Congress—do think there ought to be some restrictions on the sale of firearms.

A CASUAL COMMERCE

Most of them do not believe that restricting sales will make assassinations impossible, or make crime disappear from American cities. Neither do most of them believe—as some opponents of gun controls profess to believe—that a law restricting sales and requiring registration of owners is a first step toward confiscation of all privately owned firearms.

Most of them take the rational view that commerce in firearms is all too casual, and that steps need to be taken to record ownership of guns in the public interest.

Senator Warren Magnuson, D-Wash., chairman of the Senate Commerce Committee, is one of those newly committed to prohibiting mail-order sale of rifles and shotguns. It was not only the assassination of Kennedy that changed his views, he has said, but "the violence and terror surging through the streets of every city and every state."

"This has become a matter of deep conscience," he said.

It has become more than a letter-writing contest between members of NRA and the unorganized opponents of indiscriminate firearms sales.

[From the Los Angeles (Calif.) Times, June 6, 1968]

TO PROTECT THE NATION FROM ITSELF

This nation must do more than mourn the horrifying attempt upon the life of Sen. Robert Kennedy.

Anguish must lead to action if we are to curb the ugly violence that so infects American life. No society can long tolerate such a threat.

Congress has the obligation to begin by controlling the means of violence—through legislation far stronger than any pending or even proposed. No amount of political pressure, real or imagined, can now be allowed to prevent effective gun restrictions.

Without delay, Congress should require that every firearm in the United States be registered. No handgun, rifle or shotgun should be sold without a check of the purchaser and the weapon by local police. And all interstate gun sales ought to be prohibited.

The pallid restraints upon lethal weapons voted by a timid Senate are totally unacceptable in the wake of the gunning down of yet another national leader.

As amended and sent to the House, the pending restrictions would only limit interstate traffic in handguns. Rifles and shotguns were deleted in a vote that should shame the Senators who were influenced by the loud but empty arguments of the gun lobby.

Let there be an end to the terrible nonsense that restraint upon the possession of death weapons is not needed in a civilized and complex society. No other nation in the world is so foolish as to countenance gun control laws as weak as those in the United States.

There is nothing in the Constitution that gives a citizen the indiscriminate right to own a gun or that prohibits the government to impose restrictions. Who can seriously argue that nothing should be done to keep dangerous weapons out of the hands of criminals, psychotics and juveniles?

It may be argued that even with such laws the would-be assassin of Sen. Kennedy could still have armed himself. Perhaps. Perhaps not. Surely the gun he used could have been far more readily traced.

Surely Lee Harvey Oswald would not have been able to buy the mail-order rifle that killed President Kennedy had the proper laws been enacted. And many of the more than 6,000 persons murdered with guns last year, or the nearly 3,000 accidentally killed, would undoubtedly still be alive if Congress had protected the public.

"What in the name of conscience will it take to pass a truly effective gun control law," demanded the President of the United States.

The shooting of Sen. Kennedy is the final outrage. Congress must now act to protect the nation from itself while there is still time.

[From the Los Angeles (Calif.) Times, June 12, 1968]

FIREARMS CURBS MUST BE UNCURBED—PRETTY SOON

(By Paul Coates)

It was about a month ago when the Senate refused to vote effective curbs on rifle sales.

By 53 to 29, they rejected an amendment introduced by Senator Edward M. (Ted) Kennedy that would have extended the ban on mail order handgun sales to include rifles and shotguns.

At the time, Ted Kennedy said failure to include rifles and shotguns in the mail order ban would be "a loophole for death and destruction."

Now we read that even in the wake of this new assassination, the Congress has passed what President Johnson called "a watered-down version of the gun control law I recommended." And a bill that was labeled, by liberal congressmen, "a cruel hoax."

Among those voting against the Kennedy amendment were California's Sen. George Murphy and Congressman James Utt from Orange County who said of gun control legislation: "such a scapegoat will not solve our society's breakdown."

Perhaps you might have expected such a remarkable statement from Utt. Over the years, he has issued rather startling pronouncements.

In 1963 Utt said that he "regards Ralph Bunche (then the U.N. under secretary) "more inclined to the communist bloc than the U.S." He labeled the late Adlai Stevenson as "a dedicated socialist."

On May 30, 1968, Utt said in a speech that he would risk atomic warfare to gain the release of the Pueblo and her crew. He said also that the United States could win the war in Vietnam by bombing a single dam. "All we have to do is drop a bomb on the Red River dam and we'll kill a million of them."

So, I suppose it's no use in letting Utt know your feelings about gun control. But since Sen. Murphy has to be sensitive to all the people of California and not just the ultra conservative segment in Orange County, maybe we can do something to change his mind. At least we can barrage him with letters and telegrams.

Unfortunately, we can't do anything about another member of the Congress who voted against the Kennedy amendment—Sen. Mike Mansfield who comes from one of the "hunting" states and, apparently, voted the way he thought the people in Montana would wish him to vote.

Mansfield is a celebrated liberal in the Senate. But possibly, his liberal ideals were weighed against the looming vision of the polling booth. And the ideals lost.

The Senate, of which he is the majority leader, also made a puzzling rejection of an amendment by Sen. Edward W. Brooke that would outlaw the sale to private individuals of anti-tank guns, bazookas, mortars and other such military weapons.

Why? In God's name, why?

If this attitude of lunacy continues; if the Congress doesn't vote in strict gun control measures, the day might come when there will be such a public cry against this outrage, that there will be no guns in our country at all, except for essential purposes. And the National Rifle Assn. will be abolished.

I hope that day is fast approaching.

[From the Philadelphia (Pa.) Inquirer, June 12, 1968]

A TIE VOTE

Although a tie vote in the House Judiciary Committee Tuesday has temporarily stymied efforts to enact strong gun-control legislation, this is not the end of the story.

Another attempt will be made to get the bill onto the House floor. Success may well be in the offing. The deadlock was a disappointment but the narrowest of the defeat was indicative of mounting realization on Capitol Hill, as across the Nation that gun regulations are necessary as a step in curbing the crime and violence that plague our society.

In view of the tragic events of the past week, the continuing reluctance of some Congressmen to take a realistic stand in favor of gun controls is hard to understand. President Johnson, who earlier this week had met with his newly-appointed commission to study violence in America, expressed shock at the House committee's negative vote. That is our feeling, too.

We should think that responsible gun owners would join the fight for sensible controls.

[From the Cleveland (Ohio) Plain Dealer, June 6, 1968]

GUN CONTROL STILL MINIMAL

The shooting of Sen. Robert F. Kennedy should spur meaningful federal legislation over control of firearms.

It found the House with a federal firearms control measure on its hands, part of an omnibus crime control bill passed by the Senate, but one which also contains objectionable parts concerning wiretap privileges and an override of the Supreme Court.

The firearms clause, Title IV, however, is by contrast relatively minor.

Chiefly it would, in effect, prevent sale of weapons across the counter to out-of-state buyers, prevent sale of guns to minors, prevent mail order sale of handguns interstate.

It would not otherwise regulate, unless amended, the sale of hunting rifles and similar firearms.

The House appeared to have cleared the way for passage of this Senate-approved bill by taking steps yesterday designed to bypass any House-Senate conference committee.

Assassination of President John F. Kennedy and the Rev. Dr. Martin Luther King Jr. sparked strong demands for federal control over firearms.

So did the racial riots which disclossd a large number of guns in the hands of zealots, white and Negro.

There is no steady pattern for assassination;; President Kennedy and Dr. King were killed by rifles at long range. Sen. Kennedy was shot by a small handgun. But accessibility of guns, particularly through the mail order houses, long has been a burden on law enforcement. It has been possible for juveniles, criminals and even lunatics to order guns from another state when they could not purchase these weapons in person.

Congress, however, has been reluctant to pass a really stiff federal gun control and registration law due to pressure from gun lobbies, which insist arms-bearing is an Amercan right, and from groups who regard regulation of personal firearms as part of a Communist plot.

Sen. Edward M. Kennedy, D-Mass., younger brother of the critically injured senator and a strong backer for gun legislation, doesn't believe the solution to crime will be found in gun control alone; the basic ethical and moral weakness in society must be overcome, too. But 71% of the American public, according to a Harris poll in April, favored stricter gun control as urban crime increases. Congress should heed this opinion.

[From the Minneapolis (Minn.) Star, June 13, 1968]

A POOR CRIME CONTROL BILL

The anti-crime bill which Congress sent up to the President last week is a bad bill. Mr. Johnson would be justified in vetoing it.

Congress was overly-zealous with some parts of the bill, particularly those seeking to overturn several Supreme Court decisions relating to the rights of suspects and criminals, and giving federal and local officials almost unlimited authority to engage in wiretapping under court order.

It was far less zealous with the measure's gun control provision. The legislation would regulate the sale of hand guns in interstate commerce, but would do nothing about such sales of rifles and shotguns. The President and the public, shocked by the rising crime rate and by the assassination of Sen. Robert Kennedy, wants far more stringent regulation of gun sales.

President Johnson has asked for a new and tougher firearms control law, but that proposal is being held up in the House Judiciary Committee while its members wait to see what he will do with the anticrime bill. The President may permit it to become law without his signature, but he could indicate his displeasure more forcefully by vetoing the measure.

Congress could then pass it over his veto, but if its members are as concerned about law and order as they claim to be, they would turn to writing a better law, one that meets the needs of the people.

[From the Milwaukee (Wis.) Journal, June 16, 1968]

Lack of Gun Controls Disgrace, Danger to Nation

A British journalist has written of us: "However much I may love and admire America, its gun laws come near to ruling it out of civilized society."

They do. Our permissive tolerance of almost universal firearms ownership, and of promiscuous firearms traffic, is nothing short of scandalous. It has turned the public arena into a shooting gallery. It has helped put terror on the streets.

No system of government, no civilized society, can long endure when the cream of its leadership keeps getting shot by crackpots and fanatics; when some citizens regard the gun as a manly means of dissent; when a powerful and well heeled firearms lobby persists in distorting the facts about essential gun control legislation; when hordes of well meaning sportsmen swallow these distortions without bothering to inform themselves; when children of 12 can lug high powered rifles into the hunting field, as they can in Wisconsin and elsewhere; when the substantial majority of citizens who favor sane controls fail to stand up and be counted.

"We make it easy for men of all shades of sanity to acquire whatever weapons and ammunition they desire," Robert Kennedy declared in mourning the rifle assassination of Dr. Martin Luther King, jr. Now Kennedy, like his president brother, like the revered civil rights leader, has been cut down by an assassin's bullets.

From 1900 to 1966 guns were involved in 280,000 murders, 370,000 suicides and 145,000 accidental deaths in the United States. Total: 795,000 victims of bullets since the turn of the century, or almost twice the battle dead in all of our wars since the Spanish-American war.

In 1962 there were 29 people murdered by gunfire in Great Britain, 20 in France, 9 in Belgium, 6 in Denmark, 5 in Sweden. United States total that same year: 4,954.

Nobody really knows how many firearms there are in the United States because controls are minimal. Estimates range from 50 million to 200 million. In Japan, by contrast, fewer than 100 citizens in a population of 100 million have licenses permitting them to possess handguns.

Guns, of course, are only a particularly deadly tool of disaster, not the cause of it. The National Rifle association, leader in the fight against meaningful gun control legislation, is quite correct when it declares: "Guns don't kill people—people kill people." Cars seldom cause traffic accidents; drivers do. Thus we put strict restraints on drivers. Why should owners of guns, designed for the specific purpose of destroying, be exempt?

In sanity, the nation needs new laws to keep track of guns, and to see that the wrong people don't get and use them. At minimum, the following steps are needed:

Impose a total ban on the interstate shipments of *all* firearms (not just pistols) to individuals, as repeatedly proposed in congress. All other regulation, federal, state or local, falters when anybody can obtain guns in secrecy across state lines, by mail order.

Register all firearms, by name of owner and by description and serial number of the weapon. This probably would be some deterrent to lawless use and a genuine help to police in tracing gun ownership.

Require every gun owner to obtain a license or certificate under eligibility standards clearly defined by law, so that police could not deny a certificate on the basis of whim or bias. Surely convicted felons, persons with a history of mental illness, children and chronic users of alcohol or drugs should be among those denied certificates. An appeals procedure should be setup for persons denied certificates.

Bar sale of ammunition to anybody who lacks a certificate.

Require the certificate applicant to display his competence to use firearms and his knowledge of basic gun safety rules.

These basic controls are needed either at the federal level, or at the state level under uniform federal standards, with a firm deadline for state compliance.

Meanwhile it is wise to encourage passage of meaningful controls at state and local levels, such as the gun registration ordinance proposed for Milwaukee.

These requirements would not "take away" the gun of a single qualified citizen; at most they would pose an inconvenience. They would not make the streets, the countryside or the political rally "safe" overnight, but they offer a start toward sanity. Motor vehicle laws haven't ended accidents, but what sane citizen could contemplate the potential slaughter on the public highway without them?

To the extent that such laws would make it more difficult for the unqualified to get guns they would deter the gunshot violence that shames our nation.

[From the New York Times, June 12, 1968]

Unjamming Gun Controls

What a rising tide of violence and a series of assassinations have failed to do—unjam legislative processes to permit enactment of an effective gun-control laws—the people in their honest outrage must do themselves. It is up to them to convince an astonishingly stubborn Congress that the nation needs the additional protection such a law would accord.

Members of the House Judiciary Committee blocked positive action yesterday by a tie vote, after Senate leaders lamely rejected the idea of new controls on the ground that they would prove no "cure-all." Of course they wouldn't. But stiffer gun laws would reduce the risk of deadly weapons coming into the hands of those who should not have them.

Risks that can be reduced need to be reduced after so much killing and crime. If some members of Congress continue not to think so, it is time their constituents demand action.

[From the New York Times, June 6, 1968]

The Sound of Gunfire, Tolling

Political assassination in all its horror has again struck into the consciousness—and the conscience—of the American people. The enormity of this crime goes even beyond the depths of the poignant personal tragedy that has once again enveloped the Kennedy family: political assassination strikes at the very fabric of the state, of American democracy and of the most basic American institutions.

But now the thoughts and prayers of all Americans are focused not on the shattering implications of this latest example of man's unrestrained violence, but rather on a gallant young figure fighting for his life in a Los Angeles hospital. Senator Robert F. Kennedy and his anguished family have the grieved and shocked sympathy of their fellow-citizens throughout this country and their fellowmen in every corner of the civilized world.

And as Americans everywhere watch through the night in prayerful hope that Mr. Kennedy will pull through this terrible ordeal, they must resolve once again—so soon again—that this Government and this society will do everything, literally everything, it can do to thwart such terroristic acts that defy all decency and reason.

By grim coincidence, in the House of Representatives of the United States today there comes up for vote a Senate-approved measure that contains a thoroughly inadequate, half-hearted attempt to control the trade in guns.

"It amazes me that we continue to tolerate a system of laws which make it so outrageously easy for any criminal, insane person, drug addict or child to obtain lethal firearms which can be used to rain violence and death on innocent people."

These words were spoken in the Senate last month by Edward M. Kennedy of Massachusetts, but the Senate ignored them. Title IV of the so-called crime control bill on which the House will vote today is, as it now stands, a minimal attempt at genuine firearms regulation. It merely prohibits the interstate mail-order sale of pistols and revolvers and bans over-the-counter sale if the buyer lives outside the dealer's state.

The obvious hole is, as we have repeatedly noted failure to regulate interstate shipment of rifles and shotguns. Senator Edward Kennedy introduced an amendment to control such mail-order sales. Defeated 53–29. Senator Dodd introduced an amendment making it illegal for anyone under eighteen to buy a rifle or shotgun on his own. Defeated, 54–29. Senator Javits introduced an amendment that included an affidavit procedure for mail-order rifle and shotgun sales. Defeated, 52–28. Senator Brooke introduced an amendment to outlaw other destructive devices, such as hand-grenades, bombs and machine guns. Defeated, 47–30.

Thus, the record is clear. Senators mainly from the Southern and Western states, in lockstep with the National Rifle Association and other lobbyists for private arms and ammunition, have refused time and again to take these steps to prevent weapons from falling into the hands of potential lawbreakers and assassins. This failure to act set a discouraging example for those state legislatures, city councils and officials who were seeking stronger local firearms control.

It can be debated long into the night whether there is deep malaise in a society that breaks out in fits of madness and violence. What is not debatable is that when it came time to "do something about it" by law, the United States Congress failed.

And people all over the country, who look for leadership and guidance from Washington, heard once again the sound of gunfire, tolling.

[From the New York Times, June 21, 1968]

High Noon for Guns

The big shooting scene is coming up in Congress. It is taking on the look of the familiar walkdown between the good guys and the gunslingers at high noon in the Old West.

The overwhelming mail demand for tighter gun control has left little question that a law will be passed by this Congress before it adjourns. The big question is: Will it be another half-way measure or a truly effective law?

The Administration's gun-control bill cleared the House Judiciary Committee yesterday, but is stalled in the Senate Judiciary Committee until next Thursday. It would ban direct mail-order sales of all firearms and ammunition and prohibit over-the-counter sales to minors and out-of-state residents. This is certainly a great improvement over the weak title in the omnibus crime-control bill that the President has just signed into law. It covers rifles and shotguns as well as the now-banned interstate sale of pistols and revolvers.

The Administration bill is fairly certain of passage. Senator Dirksen is now in favor of it. It has the tacit approval of Senator Hruska, who has said he will do nothing to delay it; in the past he and other opponents of strong legislation saw eye to eye with the sharpshooters at the National Rifle Association.

But next week a still more comprehensive gun-control bill, introduced by Senator Tydings, will also come to the floor. His National Gun Crime Prevention Act requires licensing *and* registration for the purchase and possession of any firearms. His co-sponsors include Majority Leader Mansfield and thirteen other Senators. Identical bills have been introduced in the House.

Senator McCarthy, who has established his present strong position in the Presidential race by taking clear-cut stands on Vietnam and other key issues, is unfortunately showing no comparable decisiveness on gun control. He has said that "stronger state laws were necessary," but he doubted whether a Federal law that went beyond "certain limited registration" of guns "could be effective." To this equivocation he has added a warning that legislation should not be put through "under panic conditions." He is wrong here because gun-control laws have been fully debated—and a clear choice is now available that calls for every legislator, and especially every Presidential candidate, to stand up and be counted.

President Johnson has said, "Americans should not have to wait any longer for a strict gun-control law." We agree. The strictest—because it would inform the proper police officials about who owns private firearms—is Senator Tydings' bill. The time to pass it is now when the public demands a real law.

[From the Baltimore (Md.) News American, June 19, 1968]

THE PEOPLE' LOBBY

A persistent aspect of the controversy over gun-control legislation has been the flood of mail emanating from members of such organizations as the National Rifle Association. The N.R.A. alone musters some 900,000 adherents and, as a result, Congress has come under an organized lobbying attempt to influence it on the gun-control question.

Since the assassination of Sen. Robert F. Kennedy, though, a new element has appeared on the gun-control legislation scene. This is the un-organized pressure on Congress to enact strict gun-control laws. It is a form of pressure that can only be described as lobbying by the people. Those in favor of gun control laws are not organized into such groups as the N.R.A. They are simply the millions of Americans who are horrified by the continuing carnage wrought upon this nation by lax firearms legislation.

Nationwide polls show, in fact, that four out of five Americans favor rigid gun control laws. So far the will of this vast majority has been thwarted by the organized anti-control lobbies in Washington. But, with the memory of recent tragedy and strong Presidential pressure—plus the "people's lobby"—it seems that at long last there is a possibility that Congress will act as it should on the gun-control question.

[From the Baltimore (Md.) News American, June 16, 1968]

IT'S ABOUT TIME

(By William Randolph Hearst, Jr.)

I

NEW YORK.—Today's double-barreled column is divided into two sections because two separate and still-developing stories shared equal billing in this week's top news.

Both, curiously enough, involved guns—enemy guns in Vietnam and all kinds of guns in America. Otherwise, the stories have no connection, so we'll take them up one at a time, beginning with those enemy guns.

Because of those guns—specifically the Russian-made 122-mm. rocket launchers which have been cruelly shelling Saigon civilians off and on since May 5—a broad, new escalation of the war has become a distinct possibility.

It is unthinkable that this nation will much longer continue to exercise the bombing restraints ordered by President Johnson last March 31 when our curtailment does nothing but permit the enemy to mount new atrocities.

As you may have read, I was so burned up over the enemy's inhuman shelling of Saigon's helpless people that I cabled a protest last weekend to Averell Harriman and Cyrus Vance, our Ambassadors at the Paris peace talks.

The cable, voicing what I believe to be the feeling of most Americans, said that the North Vietnamese representatives at the talks should be told to cut out the bombardment forthwith or we would feel free to renew our own bombing.

Maybe my cable had nothing to do with what happened at the talks last Wednesday, although it was front-paged in Paris and by many European papers. The point is that something did happen—and it was about time.

Mr. Harriman didn't exactly read the riot act to the enemy. Diplomats don't talk that way. But there was no doubt what he meant when he told Xuan Thuy & company:

"We are patient, but we must be firm when the lives of our troops and of our Allies are at stake.

"The terrorist action against the southern capital is killing civilians without any military objective, and we are gravely concerned.

"The President of the United States has taken measures of great moderation—and this is not the proper way to reply to the first step he has made."

That's putting it mildly, but the veiled threat that we may soon be forced to retaliate by bombing Hanoi could not be missed by the enemy.

In any event, 13 straight days of indiscriminate and bloody bombardment of Saigon came to an abrupt halt the next day. Whether it will stay halted, however, is another matter.

The same day the chain of daily bombardments ended, on Thursday, the enemy's Liberation Radio broadcast warnings that the shelling of the southern capital would be renewed on a larger scale beginning this weekend.

According to the broadcast, and according to Vietcong leaflets scattered about Saigon, the threatened new terror assault will consist of a nightly barrage of 100 rockets and will continue for 100 consecutive days.

I strongly doubt the Communists are capable of doing this, but even if they resume daily rocket attacks on any scale whatever on non-military targets—then the time for diplomatic language will be over.

If a new attack does begin this weekend, it will be because the enemy thinks he can establish a bargaining point. He is likely to come to next Wednesday's Paris meeting and say he'll stop the Saigon shelling if we stop all our now drastically limited bombing of the North.

If the Communists get away with this, they will have succeeded in achieving by blackmail what they want more than anything else—a full halt to the aerial punishment which has been wearing them down.

It must not succeed, and it won't succeed if I know that man in the White House. Our next move, if the terror attacks are resumed, will be to tell the enemy one last time to cut it out—or else.

If we do not, the Paris peace talks will be totally meaningless.

One final thought. If we do resume all-out bombing—and I mean really all-out this time—I hope the American people will give it the support it obviously deserves.

The following is from a letter I received from a U.S. military commander in Vietnam this week. Because it is so pertinent, a brief extract is given here:

"I think many of us on the fighting front are terribly disappointed with the lack of support on the home front. I never thought it possible that in time of need the American people wouldn't rally around their fighting forces.

"The tragic thing is that this support apparently was pulled out at a time when we were winning the war from a military point of view. If anything, we should have turned the pressure on, accelerated the fighting, and intensified our own terms for a settlement of the war.

"We have to face the realities of the day, and this means not to lose patience and give in to our frustrations."

Why not show this to the next faint-hearted, frustrated friend you run across.

II

This second section, dealing with the prevalence of guns in America and the need for more control over them, has got to be short and snappy. Seems like I'm always running out of space just as I am getting warmed up.

Right now, as the result of Robert Kennedy's assassination, there is a tremendous wave of public sentiment for strong federal firearms legislation. Even a balky Congress, which thus far has refused the President's demand for a ban on mail order sales of rifles and shotguns, reportedly is wavering.

If America is ever to have such legislation, certainly now is the time for the public to keep up the pressure—by letters to our lawmakers, by petitions, telegrams and even telephone calls if possible.

The NRA has blocked stringent legislation for many years and they know time is on their side.

But there is no question in my mind that the NRA is counting on the public to do what it did after the assassination of President Kennedy—clamor for gun controls for awhile and then lose its zeal as time passes.

It would seem many Americans have lost their power for sustained indignation.

There is absolutely no good reason in the world why any criminal, any mentally unstable person—even any child—can buy a rifle or shotgun merely by sending in a coupon and a money order.

And I'll go further than that. I have yet to hear a convincing reason why every legally owned gun of any description should not be registered and held under a license.

It is maintained that this is an infringement of personal liberty and to this I say nuts! You have to be licensed and registered to run a car. You have to register to get Social Security and Medicare. You even have to be registered to vote.

The licensing and registering of all guns would not prevent a single responsible citizen from owning and possessing one or more for any legitimate purpose.

It would not stamp out armed crime by any means, but it would surely help—as the experience of many other countries proves. Additionally, a lot of non-criminal but unstable people would be kept from the temptation to violence so frequently created by a gun in the house.

There's no point in expanding on all this. I have long believed—and millions of Americans believe—that this nation should have really strong legislation to control the traffic in firearms.

If you are one of those Americans, you can help the drive to get such legislation by sitting down today and writing to your Senators and Congressman.

Or have you already lost the power for sustained indignation?

[From the New York Post, June 10, 1968]

THE MERCHANTS OF DEATH

Despite overwhelming popular sentiment for effective gun-control legislation reported again by the Gallup poll and other surveys, Congressional leaders were predicting over the weekend that President Johnson's latest plea for such a measure will be ignored. Instead the odds remained strong that the President will be confronted on a "take-it-or-leave-it" basis with a spurious anti-crime statute containing blatantly unconstitutional provisions and token curbs on the traffic in arms.

As Sen. Joseph Tydings (D-Md.) pointed out on "Meet the Press" yesterday, only a swift, massive expression of public feelings—addressed directly to legislators who have been serving as front-men for the National Rifle Assn. Lobby and trigger-happy constituents—can change the tide.

But no such upsurge is likely unless President Johnson immediately carries the fight to the people by television in more spirited and persuasive terms than he ever has before.

The truth is that the NRA operatives and their agents have succeeded in creating mass confusion. Many Americans have been persuaded that the projected "anti-crime" bill offers real safe-guards; even some wiser legislators are fearful of speaking out lest they be hysterically identified as "soft on violence."

What the country must be told bluntly is that men engaged in the big business of domestic munitions are fighting to preserve their business-as-usual. It must also be told why the assault on the Supreme Court's defense of the rights of defendants in criminal cases has virtually no bearing on most proceedings since it would apply only to federal prosecutions.

The President has said many of these things in scattered declarations. But the moment has come for full-scale exposure of the double-hoax in a major address, accompanied by a challenge to all Presidential aspirants of both parties—Nixon, McCarthy, Rockefeller, and, of course, Vice President Humphrey, to associate themselves plainly and unequivocally with that stand.

Admittedly the hour is late. But it is also an hour when many Americans, still stunned by the assassination of Sen. Kennedy, will be responsive to such a message from the President. In promoting the fraud of the so-called "anti-crime" measure, the munitions magnates have once again perpetrated a crime against truth and rationality. A belated attempt to seek to amend that legislation is almost surely doomed to produce another flabby form of surrender. What is needed is a large-scale new offensive heralded by a major Presidential exercise in education, leadership and courage.

[From the Newark (N.J.) Sunday News, June 9, 1968]

Mail-Order Murder

Even after the assassinations of the Kennedy brothers and Martin Luther King Jr., Congress still seems to be insensitive to the need for effective gun-control legislation.

After procrastinating for years, Congress has finally adopted a bill, the House having accepted the Senate's halfway measure. But the bill is so futile it deserves presidential veto. Even while the House tallied its votes, Mr. Johnson condemned the weak legislation and implored Congress to "act in the name of sanity."

As the bill stands, it is plain that what the President called "the voices of the few" have prevailed over the nation's interest. No member of Congress is unaware of the influence of the National Rifle Association, the powerful lobby that has successfully opposed gun control legislation.

The measure sent to the White House covers only hand guns. Even if the President signs the bill, it still would be possible for anyone who is not a proven criminal, or an alcoholic or is mentally unbalanced to buy a pistol without difficulty.

There is nothing in the legislation to prohibit mail-order purchase of shotguns and rifles. All that is needed is a money-order for $19.95, plus $1.50 postage, for another Lee Harvey Oswald to get a carbine with telescopic sight.

The nation, as President Johnson, said in his statement to Capitol Hill, "is crying out to the conscience of Congress." But Congress inexplicably has been unresponsive to the question why the sale of guns of all kinds should not be regulated. England, for example, requires at least that all firearms be registered.

[The United States is the only highly developed nation without gun registration or other control. We can hardly consider ourselves civilized until Congress provides it.]

[From the National Observer, June 10, 1968]

What Other Nations Have Found: Do Gun Control Laws Work

(By Lee Dirks)

Tough gun-control laws reduce crime rates and the number of homicides in a society: True or false?

The question has long been posed; the answer, at least in America, still is in hot dispute, largely because the evidence *seems* to be inconclusive or, in the minds of some, mostly irrelevant. There's no paucity of facts and figures, however, and the assassination of Senator Kennedy compels a fresh look at the conclusions they point to.

Throughout Sirhan Sirhan's native Jordan, for instance, persons purchasing or possessing firearms risk severe punishment unless they receive permission from the authorities. Even the Bedouins, the desert nomads who traditionally have carried weapons, must register them with a special desert police force.

Jordan's stringent firearms laws don't eliminate violence by gunfire, nor do they prevent some guns from circulating illegally. But they apparently do help keep crime rates down. In 1963, the year President Kennedy was assassinated, 2.25 of every 100,000 Jordanians were murdered, of whom a much smaller percentage died of bullet wounds. In the United States in the same year, 2.7 of every 100,000 Americans were murdered by firearms alone.

But Jordan is not an industrialized prosperous nation, those who deny the effectiveness of firearms legislation might argue, and besides, statistics from Jordan cannot really be trusted. . . .

Then take Japan, an industrialized, densely populated nation with urban problems not unlike those of the United States. Japan has perhaps the most stringent firearms laws of any nation in the Free World, and crimes of violence are relatively low.

JAPAN'S RIGID CONTROLS

With rare exceptions, only police officers can carry pistols in Japan. Of the more than 100,000,000 Japanese fewer than 100 have licenses permitting them to possess handguns; most of these are competitors in international shooting matches. Japan is a land of hunters, from the members of the imperial family who go duck hunting with nets to the sophisticated sportsmen who hunt game with the latest rifles, and some 500,000 rifles and shotguns are known to exist there. But anyone who is under 18, mentally deranged, without a fixed address, or potentially dangerous in the judgment of the authorities cannot get a gun permit. Even persons who pass these qualifications must take three hours of instruction and pass a written exam before they can receive a hunting license.

In 1966, firearms were present in only 99 crimes of all types—murders, rapes, assaults, robberies—in Japan. In the United States, which has twice as many people as Japan, firearms were used in more than 50 times that number of murders alone in 1966. The rate of murders in Japan runs about one-third that in the United States.

Whether because of stringent gun-control laws or other reasons, the rate of accidental deaths involving firearms is sharply lower in Japan and every other large country than in the United States. In contrast to Japan's 500,000 firearms, some 50,000,000 to 200,000,000 firearms are estimated to exist in the United States, according to Senate testimony last year; the estimates vary so widely because of the general absence of registration requirements. For every 10,000 Americans, 1.3 die every year in gun accidents; in Japan the rate is .09.

But Japan is an Oriental land with a long tradition of firearms controls, skeptics of legislation might say, and besides, Japan has a heritage of rule by a strong central government that at times has trampled on the right of individuals. . . .

WEAPONS LAWS IN BRITAIN

Then take Britain, defender of individual rights over the centuries and progenitor of the American system of law. Weapons laws in England date from the Statute of Northumberland of 1328, and the possession of firearms has been controlled by licensing since the Gun License Act of 1870.

No one under 14 is permitted to buy or possess any kind of gun in Great Britain. Almost all handgun permits issued authorize use only on pistol ranges. Genuine sportsmen can get licenses for the use of shotguns with little difficulty, however, and some 4,500 shooting clubs flourish in the British Isles.

In Britain, the homicide rate per 100,000 persons runs one-eighth the rate in the United States, the rate for robbery one-tenth the U.S. rate, and the rate for aggravated assault one-seventeenth. When 5,126 Americans were being murdered by firearms in 1963, 24 Britons were dying by the same means.

Not that Britons are more law-abiding than Americans; the larceny rate there runs three times the U.S. larceny rate. When a person uses a firearm in a homicide in Britain, however, he can be assured of headline treatment; the murder of three policemen in London not long ago received world-wide attention and incidentally resulted in a six-year prison sentence for illegal possession of firearms for the man who four months before the murder had sold the pistols to the murderers. Except for riot deaths and an occasional sensational murder, the more than 100 murders of policemen in the United States (more than 90 per cent by firearms) go largely unnoticed.

NO BRITISH FRONTIER TRADITION

But Britain has no frontier tradition, and besides, British law has no equivalent to the Second Amendment's right to bear arms. . . . (Question: Does the United States today have the "well-regulated militia . . . necessary to the security of a free State" upon which the Second Amendment predicates "the right of the people to keep and bear arms"?)

Then take Hawaii, covered by the Second Amendment yet a state that requires a permit to purchase a handgun and requiring that handgun sale be reported to the police. Hawaii's rate for murder and non-negligent manslaughter by every means in 1966, the latest year for which figures are available, was 2.9 per 100,000 persons. Alaska, which became a state at about the same time as Hawaii but has far less stringent firearms requirement, had a rate of 12.9, more than four times Hawaii's.

Urban conditions apparently have little effect on Hawaii's low standing among the states in homicides. Honolulu had fewer homicides (12) in 1966 than any of the four U.S. cities hovering closest to it in population. Miami recorded 53 homicides, Norfolk 20, Akron 17, and Omaha 13.

But Hawaii is not part of the continental United States, and besides, it's too small to be considered for an accurate sample of the effectiveness of firearms laws. . . .

Then take New York, the mainland state with the most stringent gun controls. New York's Sullivan Law requires citizens to obtain a license to possess handguns even in their homes or places of business.

New York's homicide rate ranks among the lowest in the nation despite the state's dense population; at 4.8 per 100,000 citizens, it's less than half the rate of Alaska. The New York City rate is similarly low—half that of Chicago, Detroit, and Cleveland and one-third the rate of Houston. In Texas, as Frederick J. Ludwig, chief assistant district attorney of Queens, put it last year in testimony before the Senate: "To violate the weapons laws . . . the defendant must (1) carry concealed (2) away from his home (3) a pistol or revolver, (4) have been convicted of a felony (5) involving a crime of violence, and (6) the particular act of violence must have been committed, not with *any* weapon, *but a firearm.*"

But New York City is not Houston, and besides.

[From Newsday, June 7, 1968]

THE ROOTS OF VIOLENCE

With the nation in deep mourning for Sen. Robert F. Kennedy, slain by an assassin's gun, the House of Representatives yesterday voted to tighten controls on the sale of guns. It was a well-intentioned effort—but not one which will atone for the loss of a young man who so thoughtfully articulated the needs of our divided society, who earnestly sought to close the gaps between black and white, rich and poor and young and old.

The gun control bill cannot serve, nor should it be considered as a memorial to Robert Kennedy. At best it is only a half-measure, shaped by the objections from the gun industry lobby and the sportsmen's groups. It is a bill which Robert Kennedy opposed as too weak. But even if it were totally effective, it still would deal only with the surface problems of violence, rather than with the problems that underlie the senator's death.

These problems are poverty, lack of opportunity and lack of hope. Together, they constitute the true roots of the restlessness and violence in our nation. So long as people despair, so long as discontent is so endemic in the American system, just so long will violence endure. President Johnson has taken a step toward focusing on this question of violence by appointing a commission of distinguished citizens to search for the psychological and physical origins that lead to assassinations and place the lives of our public officials in such great jeopardy.

Everything that can be done to establish why the fabric of American life is fraying and pulling apart will be helpful. The one concern must be that this commission does not come up with pat solutions, with answers that do not really answer, and with comments that soothe the American conscience while permitting us to stagger blindly down the road to anarchy.

The gun control bill as it stands is a good example. It forbids the mail-order sale of handguns but does not ban the mail-order sale of rifles or shotguns. Nor does it fulfill many of the recommendations cited by the President's Commission on Law Enforcement and Administration of Justice. That commission recommended, but Congress has ignored efforts to (1) outlaw private possession of such military-type firearms as bazookas, machine guns, mortars and anti-tank guns, (2) prohibit such persons as habitual drunkards, drug addicts, mental incompetents, the mentally disturbed and ex-convicts from buying or possessing firearms, (3) and underscore the need for state registration of all firearms and state permits to possess or carry handguns. These requirements alone probably would not stop all killing, but certainly they would help discourage it. The Congress should heed the President's plea to close the "brutal loopholes" in our gun laws.

Even so, the only true memorial to Robert Kennedy will be a resolute decision by Congress to mount an all-out attack on the problems which help create a national climate of violence. If the Congress wishes to build a true and lasting tribute to Robert Kennedy, it can do so by rebuilding the slums of Bedford-Stuyvesant, by feeding the hungry in Appalachia and by finding jobs for the Mexican-Americans of East Los Angeles. For these were the ideals which Kennedy cherished and the goals for which Kennedy worked. Only in this way can America renew its faith in the dream that made this country great.

[From the Nashville Tennessean, June 13, 1968]

THE CHOICE FOR CONGRESS: GUN LOBBY OR THE PEOPLE

The coming fight in Congress over the issue of gun control should provide the people with a measurement of how extensively legislation is being determined by powerful lobbies.

The National Rifle Association, which is fighting effective gun control legislation, is one of the most powerful and best-financed lobbies in the business.

For 30 years or more, the NRA has been able to slap down all efforts to impose legislative restrictions on the free flow of guns and ammunition. The rifle lobby has succeeded in this effort despite the growing demands of police officials, congressmen, and others, for a reduction in the traffic of dangerous weapons in a crowded society.

In the developing controversy, however, the advocates of effective gun control are supported by a lop-sided public sentiment which has grown in its intensity since the assassination of Sen. Robert F. Kennedy. It will be interesting to see if the National Rifle Association can withstand the renewed tide of public opinion and still influence enough congressmen to defeat effective control measures.

The gun control provisions of the anti-crime bill which was sent to the President last week are a mockery of serious efforts to keep guns out of dangerous hands. The bill sailed through the House in the emotional aftermath of Mr. Kennedy's slaying apparently in the hope that it would be accepted by a grieving public as a real answer to the gun problem. But the bill passed because it contained little that would upset the National Rifle Association.

However, there is little chance that these half-hearted efforts to control the gun traffic will be allowed to stand. President Johnson has already sent Congress another urgent message calling for much more stringent controls, and a growing number of Senators and Congressmen are joining the chorus for effective legislation.

Sen. Joseph D. Tydings, D.-Md., delivered a blast at the NRA over the weekend as "the voice of munitions makers and gun sellers" operating under the guise of representing sportsmen. Senator Tydings said the NRA receives most of the millions of dollars which it uses to influence legislation from the arms and ammunition makers—not the sportsmen.

Congressmen also are beginning to ridicule the NRA's argument that a law requiring the registration of guns and controls on gun sales would abrogate the constitutional right to bear arms.

Thus, the issue that is developing is one between the gun lobby, which wants no effective controls, and the people, who are showing more convincingly every day that they do want strong controls.

The outcome of this direct confrontation between a majority of the people and the selfish wishes of a powerful and wealthy lobby could have far-reaching effects on the way the people regard the performance of their elected representatives in Congress.

[From the St. Louis (Mo.) Globe-Democrat, June 12, 1968]

THE GUN LAW FURORE

The aftermath of the Robert F. Kennedy assassination has brought a renewed demand for tough gun control laws. A similar outcry was raised after the slaying of President John F. Kennedy and the killing of Rev. Martin Luther King.

The idea seems to be that if Congress whips through a drastic gun-curb act, murder and other criminal violence would be largely wiped from the scene. Certainly impressively cut back.

This is a heavily emotional appeal and doesn't bear the scrutiny of hard realism. That doesn't mean more stringent gun laws aren't needed and can be helpful. But any concept that a crackdown on gun traffic can possibly accomplish much toward slashing "criminal violence from the muzzle of a gun" just doesn't make hard sense.

According to President Lyndon Johnson 2 million guns were sold in the United States last year. Many, many more millions were already in the hands of citizens. There simply is no way to police these guns, or recall them.

But most significantly, and tragically, any potential murderer or felon who wants a gun will get one, law or no law. Any assailant determined to assassinate anyone in cold blood will get a weapon suitable to his design. They will steal guns, get them by bribery, even make them.

No gun law can halt murderous felony. It is utterly foolish to believe it can. Even the President, leader of the newest drive to adopt a rigorous federal gun statute, admitted this last week.

Immediately following the assassin's attack on Senator Kennedy, Mr. Johnson pleaded with Congress to pass laws that would bring "the insane gun traffic" to halt. Then he added: "That will not, in itself, end the violence, but reason and experience tell us it will slow it down; that will spare many innocent lives."

There can be a modicum of truth in this thesis. Therefore, despite the strong objection of hunters and long-gun fanciers, we see no reason why rifles and shotguns should not be barred from mail order shipment and promiscuous interstate dealing. The recently passed anti-crime bill merely outlaws mail-order sale and counter-sale of handguns to minors and non-residents of a dealer's state.

Regardless of the antipathy of the National Rifle Association for almost any statute impeding traffic in rifles and shotguns, we submit Congress should seriously consider statutes leading to:

State examination of every person seeking to purchase a gun. Such tests should include knowledge and ability of how to handle a gun; police record, if any, in the case of each applicant; medical information to exclude crackpots, the mentally ill. Guns should not be sold direct to minors.

Registration. This the NRA opposes, but it could be helpful and justified. Missouri already has a registration act for handguns, which requires clearance by police and two letters of recommendation from responsible citizens. A serial number of the weapon is affixed to the license and kept on record by the seller.

Another plausible proposal would be a case-gun law, which would provide that any person carrying a gun must have it in a case and unloaded. Illinois and Iowa have such statute.

Another area that needs close examination is the policy of federal government that admits foreign guns into the American market.

The result is that machine guns, bazookas, even anti-tank guns have been found in private hands in this country. Federal surplus commodity sales permit hand grenade "shells" to be sold for scrap. These have turned up, loaded and fused by individuals.

If the Administration is so concerned over the hazard of gun traffic in the United States, it ought to look to its own skirts, stop foreign gun traffic and the sometimes careless disposal of surplus weapons.

None of the proposed gun bills can possibly halt criminal slaying or use of weapons in robbery and other felonies. It is extremely doubtful, such stiffened acts could even reduce murder and gun crimes—any more than traffic laws have halted or diminished automobile deaths.

[But reasonable precautions over sale of guns, all kinds of guns, could curtail crimes of passion, drunken gun brawls, accidental gun deaths and suicides. If so many guns aren't so handy, such mortal incidents should be less common. Responsible gun owners would hardly suffer under such laws.]

[From The Salt Lake City (Utah) Tribune, June 8, 1968]

REDUCE ACCESSIBILITY OF ALL FIREARMS

No gun control law, not even one making it a capital crime to possess firearms, will completely rid this violence-prone nation of the pistols, rifles, shotguns and even machine guns and bazookas held by millions of its citizens for diverse reasons.

But a strong, fair and enforceable law which protects legitimate gun users while making it more difficult for crackpots, hatemongers and petty crooks to acquire lethal weapons would be a long needed improvement over the hodgepodge of weak and ineffective state and federal gun control laws now in force.

It is wishful thinking to believe that through mere legislation all criminals, sniping rioters, irresponsible juveniles or the mentally deranged can be denied access to a gun. A person who wants one badly enough will always be able to satisfy his wanton urge. But strict laws would go far in preventing deadly firearms from casually falling into the hands of people who are likely to misuse them out of ignorance or for more sinister reasons.

No one knows how many of the 6,000 murders committed with guns last year were carried out because a weapon happened to be handy when the killer's passion reached the flashpoint. Neither has it been determined how many of the 3,000 persons fatally shot by accident last year would be alive had the weapons been more difficult to obtain. In both cases it is reasonable to suppose death totals would have been much lower.

Guns control legislation included in the omnibus crime control bill is weak. But it is a start. If President Johnson goes through with his announced intention of submitting strengthening amendments to the bill early next week, Congress will have another opportunity to cure the sickly creature it created.

Because the gun lobby is a loud, highly organized one and can count on the sympathy of millions of gun-owning voters. Congress has consistently shied away from offending it although opinion polls show overriding public support for stronger firearms regulation.

The law contained in the crime bill is a good example of how a reasonably good control measure was diluted by timid lawmakers. As amended by the Senate and sent to the House—which railroaded it through in the wake of Senator Robert F. Kennedy's assassination—only interstate traffic in handguns and acquisition of larger military weapons would be limited. Rifles and shotguns would still move freely and could be ordered by mail by just about anyone capable of filling in the handy coupon and buying a money order.

We urge Congress to grant President Johnson's requests, not only because we hold them to be in the public interest but because we believe the majority of the public wants this added protection. There still is a place for guns in this increasingly recreation-minded society, but that place is not the dangerous hand of a mental or moral misfit.

[From the Sacramento (Calif.) Bee, June 14, 1968]

GUNS ARE NOT NEEDED IN CIVILIZED NATION

The fires of controversy which have been stirred once again by the brutal slaying of a national leader have illuminated the fact the United States continues to be clutched in the grip of a powerful gun lobby which refuses to bend to the rising public demand for meaningful firearms control.

This demand began long before the recent series of tragedies which have scarred the nation's soul. Congress last passed a firearms measure in the 1930s and even before the assassination of President John F. Kennedy the public was asking for better gun control laws.

After that shocking event, the public demand increased. Yet four and a half years later, the Congress has failed to respond to the public will. Law enforcement officials across the country shuddered in apprehension at the fantastic upsurge in gun buying—46 per cent in Detroit alone—which followed urban riots. The police, the Defense Department—these are the agencies which alone need weapons to enforce the law and to protect the citizenry.

The United States has become an armed camp, pitting brother against brother, citizen against citizen. Ten thousand guns reach private hands every day and apparently there is no effective legislation forthcoming from the legislative halls.

The House Judiciary Committee refused to approve a request for minor restrictions on the sale of rifles and shotguns. The California Assembly Committee on Criminal Procedure turned down a reasonable gun control bill by that "brave" voice vote whereby assemblymen are not recorded so their constituents could know where they stand.

Henry Fairlie, a British journalist, in 1966 commented: "However much I may love and admire America, its gun laws come near to ruling it out of civilized society."

Certainly, even meaningful gun control legislation would not stop criminals bent upon crime from stealing or otherwise obtaining weapons. But even if it were effective to a small degree, it would be worth the little inconveniences it might impose upon a few gun lovers. It would be a start toward making this a truly civilized nation.

[From the Sacramento (Calif.) Bee, June 16, 1968]

AMERICA WILL PROGRESS AS IT REJECTS ALL HATE AND VIOLENCE

The nation would have been more reassured if President Lyndon B. Johnson had demanded action to curb the already known causes of violence than calling for a new commission to find out what in American society leads to violence.

The President already has before him a recent and splendid report on disorders by a commission he himself named. He has yet to take any important notice of this commission's findings.

There have been untold reports by medical authorities of the effects of America's violence-loaded movies and television upon the young. Crime studies galore have linked crime and violence directly to poverty, the ghettos and the materialistic stress in American life.

Perhaps, a report on these many reports will save librarians from collecting already-conducted studies. The nation knows enough about the causes of violence to warrant some kind of direct action. For instance, Mayor Joseph Alioto of San Francisco has taken direct action in calling for the voluntary turning in of guns.

It is callow to discount the degree of violence as the President did by pointing out 200 million Americans did not assassinate the late Sen. Robert F. Kennedy. Of course they did not. But the malady of violence is manifested by more than one incident.

Violence shouts aloud in the American crime rate, in the riots which have made funeral pyres of American cities, in the bloody movie, "Bonnie and Clyde," which won Oscar recommendation, in the corpse-strewn television screen, as well as in the assassinations of the late John F. Kennedy, Martin Luther King and civil rights workers.

The peculiar and dangerous nature of American violence is the fact it has insinuated itself into acceptance as a form of national folklore and entertainment.

This acceptance easily can become a mode of action when stresses and strains of an acquisitive society play upon an unstable individual.

America cannot lay claims to maturity until the present emphasis upon violence is transferred into genuine admiration for the man of compassion, restraint and love.

One should not yield to the temptation to mitigate the urgency of the situation by dismissing it as a revolution in American values. The United States came to birth by revolution; it went through the bloodiest Civil War in history. In a sense it has had more than its quota of revolutions.

Yet Congress still refuses to pass an effective gun law although there are in the hands of the citizens of Sacramento County alone half as many guns as there are in the hands of 46 million Englishmen.

The American television and motion picture industries still refuse to reduce their diet of crime so long as it sells.

The most hopeful part of the whole American condition is the growing number of people who realize violence is too close to an American way of life.

Through legislation to reduce poverty and equalize opportunity through education, and if necessary through federalization, America must be made a more law-abiding state.

It is useless to talk about new frontiers as long as the primitive frontier of the gun remains or as long as the acquisition of material things is the nation's chief value.

[From the Philadelphia (Pa.) Sunday Bulletin, June 16, 1968]

SPEAKING OUT ON GUN CONTROL

Majority Leader Mansfield, who last week was doubtful that the U.S. Senate would approve stronger gun control legislation, now says that "prospects are looking up and seem to be favorable" for such legislation.

The shifting under public pressure is evident. That sensitive sniffer of the political winds, Senate Minority Leader Everett Dirksen, who voted against including long guns in the ban on mail-order sales to individuals, says of the new bill that "If it's necessary, I'll be delighted to support it."

But he makes it clear that he has yet to be convinced of the necessity, and that should be a warning to those who favor more control legislation.

Another shift is that of Gov. Shafer, whose previous ambiguity on strengthening Pennsylvania gun laws seems to be swiftly vanishing. It not only appears that he will move on the state level but he has urged inclusion of a strong gun control plank in the GOP platform for 1968.

The alarm of the National Rifle Association is another indication of the way the wind is blowing. Its president asserts that Americans are "reacting as the German people did in the nineteen-thirties as the Goebbels propaganda mill drilled lies into their subconscious and dictated their every move."

The kind of propaganda mill the gun lobby itself operates is manifest. It would make the effort at effective gun controls appear one to disarm law-abiding Americans.

This has been so drilled into the subconscious of large numbers of hunters and sportsmen that their opposition has been the principal barrier to a better check on weapons at national, state and local levels.

If public interest slackens there will happen again what has happened before; better gun legislation will be stalled or weak action will be taken instead of strong action. The public will have to continue to speak out if it really wants the general permissiveness on guns ended.

[From the St. Louis (Mo.) Post-Dispatch, June 16, 1968]

No Time To Misfire

The growing public demand upon Congress for serious gun control laws has led the gun lobby to respond with outraged emotionalism. Summoning up visions of the Minuteman and the Lone Ranger, the National Rifle Association warns against denying citizens a basic civil right, the right to "keep and bear arms."

If the NRA actually believes this, it ought to take the issue to the Supreme Court, and discard the kind of bravado that equates the building of the nation with the Long Rifle and the Colt .44. The fact is, however, that the courts have never concluded that bearing arms is a basic civil right. So it is only an assumption that the Second Amendment forbids limitation on an individual's right to bear arms. That amendment says:

"A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

Legal scholars and the courts have found it impossible to separate this right to bear arms from the need for a militia. The identification of "citizen soldiers" wth democracy is as old as Plato. But it does not follow that a democracy cannot regulate use or possession of arms; even Athenians could not walk the streets in armor.

Ancient English law recognized some individual claim to bear arms subject to legal restrictions. Against this background, America's Constitutional Convention argued the issue in terms of whether there should be a standing army or a militia, and the Second Amendment was the result.

The Supreme Court has construed the Second Amendment on only four occasions. Though its opinions differ somewhat, it never construed the Amendment to give citizens any absolute and untrammeled right to pack arms as they see fit.

In 1876 the high court threw out a Reconstruction indictment charging conspiracy to deprive Negroes of the right to bear arms. The court said the Second Amendment only restricted the power of the Federal Government, not the states, and bearing arms "is not a right guaranteed by the Constitution." In 1886 the court upheld an Illinois statute forbidding private groups to drill with arms, and in 1884 the Justices supported a Texas statute forbidding the carrying of dangerous weapons on the person.

These decisions all indorsed state authority to regulate weapons. In 1939 the Supreme Court upheld similar federal authority in the form of the National Firearms Act of 1934. At the same time it flatly interpreted the Second Amendment as an effort to support a militia rather than any individual right to guns. The Justices said they could see little relationship between the sawed-off shotgun involved in the case and any contribution "to the common defense."

That is how the law stands, and we doubt that the gun lobby could successfully challenge it. As a practical matter, of course, the necessity for a well-regulated militia is no longer what it was. The military competence of the United States today does not rest upon the private citizen's unregulated possession of a rifle or handgun. To the contrary, such possession, completely unregulated, has been proved thoroughly dangerous in our crowded urban society.

What is at stake in Congress is not denial of the privilege of bearing arms. What is at issue is reasonable regulation in the interest of public safety. Congress has already decided to ban interstate mail order sale of handguns, with the NRA's reluctant acquiescence. But that is not enough. The President proposes extending the ban to long guns, and Senator Tydings of Maryland and others are sponsoring a bill to require registration of all firearms.

The public is right to demand more stringent laws. A nation that has turned its guns more on itself than on its external enemies in this century, and that stands alone without reasonable firearms regulations in the Western world, has got to come to grips with its tragic record. Misconceptions of our law and history must not lead to another legislative misfire.

[From the Wichita (Kans.) Sunday Eagle, June 16, 1968]

Registration May Be Best Way To Control Gun Use

U.S. big-city mayors, meeting in Chicago, have called for federal legislation outlawing possession of handguns by anyone but police.

Their resolution is the latest in a number of requests for stern gun control legislation being expressed throughout the nation.

The Gallup poll reported earlier this month that a special survey conducted on the day Sen. Robert F. Kennedy was shot, finds the public advocates registration of all firearms as the best way to curb violence.

This may turn out to be the most practical of the gun-control suggestions.

There are some statistics which indicate strong gun control helps some. New Jersey has a gun-purchase law which requires you to prove your reputation for good behavior in your neighborhood before you can buy a gun.

The law probably has kept some narcotics addicts, people with police records, and unbalanced people from buying guns. And in New York, where the Sullivan Law has operated for years, gunfire killings account for only about a fourth of the homicides.

Yet gun laws can play only a small part in stopping crime and violence. In spite of the New Jersey law, LeRoi Jones, the anti-white Negro poet, had two loaded .32s on him when he was arrested in Newark.

Despite the Sullivan Act, an actress described as a psychotic man hater, shot Andy Warhol, pop artist and underground movie maker.

It is obvious that if you are willing to break the law to shoot someone, you don't worry about breaking it to get hold of a gun.

Despite the knowledge that deaths from gunshot are more numerous in the U.S. than in any other nation, and without regard to the fact that of all the civilized nations of the world, only U.S. citizens have the "right to bear arms," Americans refuse to give up their guns.

There still are some wide-open spaces in which to hunt, there is the matter of protection, and some own guns because they simply are firearm fanciers.

The only apparently practical steps remaining, then, are to enforce the new federal gun-control law which bans mail order sales of hand guns, limits store sales to adult residents of the state, and curbs traffic in imported firearms and military-type weapons.

So, it might be worthwhile to require local governments to register all guns. Provision could be made to revoke the license of anyone convicted of a crime.

[From the Washington (D.C.) Post, June 7, 1968]

And Take Away the Guns

The shooting of Robert F. Kennedy and five other innocent persons in Los Angeles was merely the most sensational of numberless shootings that took place in the United States on Tuesday night. Here in Washington, at a Georgetown hamburger shop, two young Marine lieutenants, 20 and 21 years old, were shot dead and a third officer and a young woman were wounded by gunfire at almost the same moment that the tragedy occurred in Los Angeles.

The United States can put a stop to this senseless slaughter—or at least very greatly lessen it. Congress has it within its power to do this simply and effectively, as every other civilized country has done it—by bringing the sordid traffic in guns under control. There were, as President Johnson said yesterday, more than 5000 homicides by firearms in this country during 1967—not to speak of suicides and accidental shootings which brought the year's death toll from guns up to about 18,000. Gun homicides are fewer than 50 a year in England or in Japan.

Thanks to the insensate obstructionism of the National Rifle Association, the gun-control provisions of the current omnibus crime bill are piddling and ineffectual. It is time now to deal with the gun peril in this country definitely, on its own merits and in a distinct piece of legislation, not squeezed casually into a hodge-podge measure of doubtful constitutionality. We applaud most warmly the President's appeal to Congress "to enact a strong and effective gun control law, governing the full range of lethal weapons." But control must go beyond the purchase of firearms. It must govern possession as well.

Regarding pistols and revolvers, the control should be just as rigid as possible. No one ought to be allowed to possess one of these weapons, designed only for the killing or maiming of human beings, unless he is a member of the military, a law-enforcement officer or an individual whose peculiar occupation and circumstances require him, in the judgment of the police, to possess a handgun for self-protection.

In short, private sale of these weapons should be ended. Everyone now possessing a pistol or revolver should be required to turn it in to police authorities by a fixed date—with just compensation, of course. Licensed shooting galleries and clubs may be allowed to keep such guns under stringent controls for target shooting purposes. But unlicensed possession of one of these weapons by anyone should be subject to severe penalties.

Possession of sporting rifles and shotguns should be limited strictly to law-abiding, responsible adults; and every one of these weapons should be registered, along with all sales of ammunition for them. Regulations should be formulated also for the responsible handling of these firearms, requiring that they be kept unloaded and disassembled except when being employed at appropriate places for target shooting or hunting. Better still, perhaps, they should be kept, as in Japan, at gun clubs where they can be obtained by their owners when actually needed for sport.

These measures will not forbid legitimate and reasonable use of guns for lawful purposes. They will, however, make it extremely difficult for criminals, lunatics, children and assassins to acquire guns. And they will reduce the tragic incidence of shootings by infuriated or intoxicated or careless individuals who happen to find a gun handy when they lose control of their minds or their tempers.

The frontier has passed from American life. Americans now live in much too close proximity to each other to leave guns lying around at random for their mutual destruction. The one redeeming benefit that could flow from the Kennedy tragedy in Los Angeles is effective action to save the lives of his fellow Americans. Common sense and a decent respect for the sanctity of human life command the President and Congress to deal with this peril now.

[From the Washington (D.C.) Post, June 11, 1968]

TELL IT TO CONGRESS

On *Meet the Press* Sunday, Senator Tydings pleaded for "a tremendous outpouring of demands from the citizens of this country" for effective gun control legislation. There can be no doubt whatever that this country now wants tough gun laws. The Gallup report of last Sunday disclosed that the public regards "registration of all firearms as the best way to curb violence in our society." The people, according to Dr. Gallup's researches, "favor a law requiring the registration of all guns, a law banning the sale of all guns through the mails, and strict restrictions on the use of guns by persons under 18 years of age."

Americans can have this kind of gun control if they let Congress know that they really want it. For years, the National Rifle Association, spokesman for sportsmen and the firearms industry, has managed to drench Congressmen in a downpour of letters opposing reasonable firearms regulation anytime anyone proposed it. Congress needs to be told that this special interest group does not speak for the Nation. The way to do it is for every American, concerned about the gun peril and angry about congressional failure to deal with it effectively to write to his Senators and his Congressman, if he is fortunate enough to enjoy representation in the National Legislature.

Washingtonians, lacking representation, can at least write to the chairman of the Judiciary Committees or to the Majority and Minority Leaders of both Houses. People who live in the District but are entitled to vote elsewhere can help the cause of gun control by urging their home-town newspapers and representatives and state legislatures to support it. We hope ardently that other newspapers throughout the country will urge their readers to write to Congress in the same important cause.

When you write to a member of Congress, you exercise a fundamental right of citizenship and are entitled to respectful attention. Most members of Congress will be glad to hear from you if you write to them in a frank and friendly way, with respect for their office and their personal integrity. We urge you to write in your own words, expressing your own thoughts—and to do it just as soon as you possibly can. For the benefit of those who may want some help in the composition of a letter, here's what we would write:

"Recent tragic events have convinced me that the country needs strong and strict gun control leigslation. I urge you to support action along the lines recommended by the National Crime Commission, including:

"1. A ban on mail order purchase of rifles and shotguns as well as pistols and revolvers.

"2. Registration of all firearms; and a ban on the sale of ammunition except to registered firearm owners.

"3. Licensing, comparable to the licensing of automobile ownership, of all gun owners for the purpose of preventing the possession of guns by convicted felons, habitual drunkards, drug addicts, mental incompetents and minors; and limitation of handgun ownership by police permit to military personnel, law enforcement officers and civilians whose peculiar occupation and circumstances require them, in the judgment of the police to possess a handgun for self-protection."

Let us all begin now to restore sanity to the land.

[From the Washington (D.C.) Post, June 24, 1968]

THE TACTICS OF DELAY

The aim of the gun lobby is quite clear: it hopes to frustrate firearms control by the tactics of delay. It is now howling for hearings indiscriminately on the Administration bill and the Tydings bill—in the confident expectation that if it can only hold off congressional action for the rest of this session, the public excitement on the subject will subside until another national leader is shot down. Congress will mistake the temper of an aroused public if it allows this tactic to prevail.

There is a justification for hearings on the Tydings bill. This measure, styled the National Gun Crime Prevention Act of 1968, presents a new approach to firearms control. It would provide for the registration of every firearm in the United States and would impose a licensing system for the purchase or possession of firearms or ammunition designed to deny them to anyone convicted of a felony or a crime of violence and also to aliens, alcoholics, narcotic addicts, mental incompetents and juveniles. We regard the proposal as essential to public safety.

Registration and licensing of deadly weapons is hardly a new idea. But it is an idea on which Congress is entitled to careful committee consideration. Opponents of this idea have a right to be heard regarding it. Proponents should have a chance to present what seem to us to be overwhelming arguments in its behalf. We would welcome hearings on the Tydings bill so long as they are held promptly and in pursuit of information, not obstruction.

There is no justification at all, however, for hearings on the Administration bill which is designed only to apply to the interstate traffic in rifles and shotguns the same admirable safeguards already approved by Congress in regard to pistols and revolvers. This proposal, initially introduced by Senator Dodd shortly after the assassination of President Kennedy in 1963 and repeatedly urged by President Johnson, has been the subject of exhaustive hearings before the Senate Judiciary Committee's Subcommittee on Juvenile Delinquency. Volumes of testimony have been printed recording the views of innumerable witnesses. No purpose other than obstruction could possibly be served by additional hearings on this measure.

It is too bad that the full Senate Judiciary Committee could not clear the Administration bill for floor action last week, after the admirable speed with which a Judiciary subcommittee endorsed the measure. The full Senate Committee should act this week with the same laudable dispatch displayed by the House Judiciary Committee which made up for an earlier 16-to-16 decision deadlock with an overwhelming 29-6 vote in favor of the bill.

The House group, which kept the individual votes secret in the case of the earlier tie, deserves special commendation for letting the public in on the identity of those voting for and against the measure. For the sake of those who might have missed the names of the last half dozen diehards on the Committee who do not believe in effective gun controls, they are Representatives Ashmore (S.C.), Brooks (Tex.), Dowdy (Tex.), Tuck (Va.), Whitener (N.C.) and Willis (La.).

If the Senate Committee can now match the House Committee's action, there is nothing to prevent swift approval by both bodies of Congress. But enactment of the Administration bill should by no means preclude action on the Tydings bill—action in this session of Congress. Both bills are needed to safeguard Americans from recklessness, irresponsibility and crime in the handling of firearms.

[From the Washington (D.C.) Post, June 21, 1968]

COUNTEROFFENSIVE

The National Rifle Association has now mounted a major counteroffensive against the effort to protect America from the dangers of unrestricted access to firearms. In apocalyptic tones, the president of the NRA, Harold W. Glassen, has warned all the faithful that "the right of sportsmen in the United States to obtain, own and use firearms for proper lawful purposes is in the greatest jeopardy in the history of our country."

Now, this really ought to be exposed for what it is—pure poppycock. Neither the Administration bill nor the Tydings bill pending before Congress jeopardizes in any way the right of sportsmen to obtain, own and use firearms. The Administration bill would merely put them to the minor inconvenience of purchasing guns from a licensed dealer in the state where they reside; and it would not affect in any way whatever the guns they now possess—or their use of those guns. The Tydings bill would merely require them to register any guns they purchase or possess in the same way that they register their automobiles; and it would require them to obtain a license for their weapons in the same way that they obtain a license to hunt or to fish. Licenses would be issued automatically for a nominal fee to every law-abiding, responsible adult who asked for one.

Mr. Glassen has now asked all the members of the NRA who may be taken in by this nonsense to write to Congress in opposition to the pending gun-control bills. There is no doubt from past experience that he will be able to produce a heavy barrage of mail. There is but one effective answer to it. Citizens who are sick of carnage for the convenience of "sportsmen" must let Congress know that they want reasonable, effective control of guns—designed to keep them out of the hands of criminals, madmen and children. Every true sportsman ought to support that purpose.

For those who want to add their voices to this sensible chorus, the National Council for a Responsible Firearms Policy at 100 Maryland ave. ne. is circulating a petition to Congress. The time to act is immediately.

[From the Des Moines (Iowa) Register, June 12, 1968]

FEW KILLINGS IN THREE NATIONS WITH STRICT GUN CONTROLS

(NOTE.—The following is a compilation by Los Angeles Times correspondents of gun controls in Britain, France and Japan.)

BRITAIN

Britain has a long history of firearms control—and an enviably small number of deaths by shooting. Only 45 murders involving guns were recorded in Britain and Wales last year as compared to more than 5,000 in the United States.

Even constables don't carry guns. Despite the killing of three unarmed policemen in August, 1966, in London, the Police Federation voted against being armed.

On the decision of local chief constables, guns are issued to combat criminals known to be dangerously armed, but police have agreed that such decisions are taken only in "most exceptional circumstances," says the Home Office.

Must show "good reason"

Weapon control for civilians are similarly strict. Restrictions are in three categories:

Guns which fire in bursts, submachine guns, for example, may be possessed only with certificate of approval from the Ministry of Defense. Even police must have such certificates for holding weapons of this kind.

Other weapons, including handguns and rifles but not shotguns, are covered by the Firearms Act of 1937, which consolidated bits and pieces of earlier law.

It is an offense to possess such weapons without a certificate issued by the chief constable of one's locality. An applicant must show "good reason" for possession. "Self-defense is most unlikely to be considered a good reason," says the Home Office.

Some 220,000 issued

Usually an applicant must show that he is a member of an established rifle club with known facilities, or a shopkeeper, or has an estate for hunting, or is a farmer who shoots rats and predatory beasts.

Penalty for unauthorized possession is maximum of three years in jail or 200 pounds ($480) fine or both.

In 1965 a total of 220,000 certificates (permits) were in use in all England and Wales, population about 50 million. There is no reason to believe that the number has increased since then; if anything, there are fewer permits now than before, according to the Home Office.

Shotguns were not controlled until the 1967 Criminal Justice Act clause came into force in May this year. Although a certificate from the chief constable is needed, the constable must have reason for not giving a permit. The penalty for illegal possession is six months and 200 pounds or both.

Controls on shotguns followed a rise in indictable offenses involving firearms in England and Wales in recent years, increasing from 552 in 1961 to 2,337 in 1967.

Prior to the shotgun law coming into force, a three-month amnesty was held for returning guns that had no certificate. A total of 25,088 were turned in including 8,847 revolvers and automatics, 4,340 rifles and 9,488 shotguns, whose owners apparently didn't want to apply for permit. Most weapons were usable.

There have been three other amnesties since World War II—1946 when 76,000 were turned in, 1961 when 70,000 were turned in, and 1965 when 41,000 were returned.

FRANCE

The French style of controlling firearms is devastatingly simple and strict.

Though weapons laws are the reasons for the rather remarkable phenomenon in the last few weeks of continuous violence without one shot being fired (except grenade launchers by the police).

As far as is known, not a gun was found on any of the several thousand who were rounded up by the police during this period. The only homicide in Paris during the demonstrations and fighting was a death from stabbing.

Personal arms, such as pistols or revolvers (apart from hunting weapons), can be purchased in France only on a police permit.

Two kinds of permit are issued. One is for possession of personal weapons at home or office, if there is a special security problem and the police agree that this kind of added protection is reasonable or desirable.

Almost impossible

The other is a permit to carry a weapon—and this is almost impossible to obtain. Such permits are issued only on the final authority of the Minister of the Interior himself, and would apply only in very special cases of private citizens needing personal bodyguards.

Anybody found in possession of a weapon without one or the other of these permits is automatically arrested. He is subject to varying degrees of jail sencence depending on the circumstances and/or explanations.

For example, if a gun is found during a road-check of car papers, the motorist would be arrested immediately.

An individual cannot walk into a shop and buy a revolver without first obtaining a police permit. If he should then sell or transfer the weapon to somebody without a permit he would be in violation of the law. Serial numbers and full identity of the weapons are part of the police files.

Hunting weapons are easier to obtain, but they also are purchasable only with a hunting license, and can be transported only if such a license is in the possession of the person carrying the gun.

JAPAN

Possession of pistols, carbines and other small guns is absolutely prohibited in Japan for anybody except police and military personnel. Possession of such a small arm carries a maximum penalty of five years imprisonment or 200,000 yen ($555).

National police headquarters claim there are never more than 50 pistols in circulation illegally in Japan because of the vigilant watch kept on this score. Biggest source seems to be U.S. servicemen from Vietnam trying to finance their rest and recreation in Japan.

Rifles and shotguns for hunting or target practice must be licensed, with the following requirements placed on the license holder: Minimum age of 20 years; mental health certified by a doctor; reasonable grounds for possession; if ever imprisoned, at least three years must have elapsed since finishing prison term.

Antique swords

About 800,000 shotguns are licensed in Japan and only 30,000 rifles. Shotgun licenses are issued by chiefs of police stations; rifle licenses by chief of police of a prefecture, a jurisdiction corresponding to a U.S. county.

Shotguns and rifles are licensed only for use in hunting and target shooting areas. Someone who used his weapon to shoot tin cans on the beach or in some other area not authorized for shooting would be subject to a two-year sentence or a 50,000-yen ($139) fine.

Nobody in Japan is allowed to possess a knife or sword longer than 15 centimeters (7 inches) unless it is an antique certified by the Cultural Properties Protection Commission. Switch blades longer than six centimeters (3 inches) with a switch angle larger than 45 degrees are also banned.

[From the Wall Street Journal, June 6, 1968]

DOMESTIC DISARMAMENT: STRICT RESTRICTIONS ON PRIVATE GUNS MAY PROVE INEVITABLE

(By Henry Gemmill)

WASHINGTON.—It seems reasonable to suppose that at some point the U.S. will decide to undergo domestic disarmament.

The shooting of Presidential candidate Robert Kennedy will in itself not bring that to pass, any more than did the assassination of his brother or the slaying of Martin Luther King. Perhaps the most that can be expected is that the shock of this event will put fresh steam into Congressional action on legislation that could mildly restrict fresh additions to the huge armament stocks scattered amongst the populace. The day when most of the guns will actually be grabbed out of their hands is uncertain and distant—yet its arrival may prove inevitable.

During recent years a highly competent "gun lobby" has been given most of the credit or blame for fighting off myriad Congressional moves intended to curb the domestic traffic in firearms. Certainly such groups as the National Rifle Association have used the most modern techniques—mass letter-writing campaigns and the like—in mobilizing opposition pressure. Nevertheless, the essence of the gun-bearers' strength has not resided in these techniques.

It has, on the contrary, represented the vestigal sentiment of a vanishing America—the thinly populated frontier society. It seems predictable that in an urbanized and crowded America the gun lobby will in the end, for good or ill, find itself overwhelmed—much as the equally competent doctors' lobby eventually was in its fight against medicare. Like civil rights legislation, domestic disarmament is likely to be voted in successive and increasing doses.

ALREADY EVIDENT TIDE

The direction of the political tide is already evident, even if its ultimate dimensions remain to be proved. The pollsters discovered more than a year ago that heavy majorities of the public favored tighter restrictions on gun ownership. The firearms legislation that came alive on Capitol Hill this spring was, though modest, the first approved by a Congressional committee in three decades.

One could be less confident about a continued pressure for domestic disarmament if it resulted solely from the slaughter of national leaders. Such high tragedy does genuinely move and significantly crystallize opinion—but may well be less basic than the fact that great numbers of ordinary people are becoming concerned about their own safety.

A sample of this sour taste of fear is available right here in this capital city; Washington lacked bus service during recent nights because drivers have been terrorized by gun-slinging bandits who've shown they are willing to shoot to kill. The cities are growing, and the statistics on violent crime growing even faster. And alongside this constant danger there stands the growing threat of sporadic urban riot with its sniper gunmen.

Of course there remains an ambivalence among Americans, largely because the nation is not yet totally city-oriented. It is mainly the Eastern Senators, like Dodd of Connecticut, who have pushed longest and hardest for gun control. A Senator from the open acres of the West is still likely to feel as his ancestors did; Idaho's Senator Church turned up last summer with a petition against control from 44,000 constituents.

Indeed, the frontier tradition is not yet dead even in the metropolises. The United Auto Workers strongly backs gun control legislation—and its leaders, in doing so, no doubt accurately reflect the Detroit workers' revulsion against riot and crime. Still, the union's officials say they get plenty of hot protests from the rank and file. Reason: Many a member thinks of himself not as the assembly-line unit which he is for most of the year but as the male huntsman in quest of prey—which he becomes briefly, once a year when he shoulders a gun and heads for the Michigan wilds.

Without suggesting that such inner urgings will easily be quelled, it does seem likely they will by degrees be subordinated to what appear to be the urban necessities. It becomes increasingly difficult to maintain national policy in the traditions of a vanished era, and that applies even to the Constitutional question often raised by opponents of gun control.

"The right of the people to keep and bear arms shall not be infringed," says the Second Amendment to the Constitution. Plain enough, perhaps, except that it is part of a sentence stating the need for "a well regulated militia"—and one can conjecture that the present Supreme Court, always willing to interpret the antique document as it deems fit for contemporary needs, might concur with any law taking guns away from folk who are not militiamen. If not, this is a Constitution that can be amended once again.

Apart from romantic notions and legalisms rooted in the American past, no doubt there are many rational arguments that can be offered against domestic disarmament. Once upon a time there was a Constitutional amendment that tried to take alcohol away from the populace; it proved so unenforceable it was revoked. Getting all the guns would unquestionably pose fantastic problems of enforcement, and at best take years to accomplish with reasonable success. The dangerous people—the insane, the conspirators and the criminals—are hardly the citizens who would quickly comply.

And even if the day came when none but the police had guns, violence would not have been utterly eliminated. The word "assassin" predates firearms; it belonged first to a murderous sect of Moslems and was spread by Crusaders equipped only with various sharp and blunt instruments. Such weaponry will remain available to the mugger on the dark street, to the madman who thinks he must "save" the country from its leadership.

MORE PERSUASIVE LOGIC?

But the pounding events of local and national news—and one can be sure they will continue to provide fresh terrors—are likely to make the logic of gun control far more persuasive. When the man who runs the dry cleaning establishment is shot down for his petty cash, the other shopkeepers down the street would like to try getting rid of those guns.

There are really no statistics to demonstrate scientifically that more psychotics exist per 100,000 of population than in 1868. But there can be no doubt that any single psycho can now threaten far more humans than he could a century ago. People are packed in around him, and he—like everyone else—has become enormously mobile.

It is becoming increasingly clear that if the pistols and rifles are left readily available in urban America, then some unpleasant changes are going to be made in other American traditions.

Any prominent politician and any leader of a controversial movement will have to stick to the TV studio, or hide behind a protection squad when he moves in public view. Before he withdrew from this year's Presidential contest, it was clear that Lyndon Johnson—whose instinct is to plunge into crowds—could not conduct a normal campaign at all unless he flagrantly violated the admonishments of the Secret Service men who must be concerned with the President's safety. Before he was slain, Dr. King fully knew he faced death. Before he was shot, Robert Kennedy's risks were reported repeatedly by the press corps traveling with him.

The habits of the ordinary citizens are in jeopardy as well. In this capital today hotel rooms are empty as tourists fear to travel. There are fewer customers in the downtown stores as suburban housewives fear to shop.

So the alternative to domestic disarmament are not likely to look appealing. The ugliest of all is this: The householder, shopkeeper or bus driver who fears guns on the loose will go get a gun for himself. If one is wrong in supposing the U.S. will choose domestic disarmament, one may be right about the possibility of a domestic arms race.

THE PRESIDENT GETS A HOPEFUL SIGN FROM MOSCOW

Mr. INOUYE. Mr. President, for nearly 4 years now, President Johnson has been working hard to achieve meaningful progress in the field of disarmament. The Nuclear Nonproliferation Treaty is, in large measure, a tribute to his dedication to this vital cause.

Yesterday, in Moscow, Foreign Minister Andrei Gromyko affirmed the Soviet Union's interest to respond to the American initiative to find ways to reduce the costly and dangerous missile area.

Over the years, President Johnson has persistently dealt with the need to curb the development of both offensive and defensive missile systems in the interest of a more stable and peaceful world.

If the Soviets are sincere in their desire to explore ways to end this dangerous and wasteful competition between the two great powers, the Johnson administration will have made a historic contribution to the peace of all mankind. We hope and pray that discussions will be quickly initiated and prove successful. For no problem confronting the human community is more fundamental to the security of all people than the spread of these terrible destructive weapons.

I commend the President for his leadership in promoting disarmament among all nations. And I join with him in hoping that the United States and the Soviet Union will be able to reach an agreement that will be a giant step toward a genuine disarmament among the nations of the world.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider two nominations which were reported earlier today by the Joint Committee on Atomic Energy.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

ATOMIC ENERGY COMMISSION

The assistant legislative clerk read the nominations of Dr. Glenn T. Seaborg and Mr. James T. Ramey to be members of the Atomic Energy Commission, for a period, respectively, of 2 years and 5 years.

Mr. PASTORE. Mr. President, Dr. Seaborg's tenure expires on June 30. Unless the position is filled, or he has been reappointed and his nomination is confirmed, we would be without a Chairman of the Atomic Energy Commission beginning on July 1.

Dr. Seaborg's new term normally would be for 5 years. However, because Dr. Seaborg was in no position to commit himself for the 5 years, the President decided to reappoint him to a 2-year term, in the vacancy that occurred because of the resignation of Dr. Nabrit, who resigned some time ago. To fill the vacancy that would result, the President appointed Mr. Ramey, who has 1 more year to serve under his present term. However, because the President got a commitment from him that he would remain there for 5 years, the President appointed him for 5 years.

I realize that some feel that subterfuge is involved in this matter. However, as far as I am made to understand, this involves nothing more than the fact that Dr. Seaborg cannot commit himself to a 5-year term.

Mr. HICKENLOOPER. Mr. President, I appreciate the position of the Senator from Rhode Island. This occurred without any manipulation on his part.

Mr. PASTORE. Oh, of course not.

Mr. HICKENLOOPER. I do not like the principle involved here. However, I am not going to object. As far as I am concerned, I will vote to confirm both nominations. I think, however, that it is utterly a bad precedent to manipulate these jobs for their own convenience.

Dr. Seaborg is one of the greatest scientists this country has ever produced. I have nothing against him. I am for him. Mr. Ramey has been a very able Commissioner on that Commission. He was an able staff director on the Joint Committee on Atomic Energy. I have nothing against him. It is the manner in which this is done that I think is bad.

It is a situation and a precedent that I think will rise and haunt us whenever the administration wants to play musical chairs with other appointments.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. HICKENLOOPER. I yield.

Mr. MURPHY. Mr. President, would the Senator from Iowa explain in a little more detail why he objects to the manner in which the nominations are made?

Mr. HICKENLOOPER. Mr. President, I object to the manner in which it is done because I do not believe in shifting Commissioners around in order that they may serve their own convenience. It would leave the public open to a bad precedent.

I believe that we have another precedent coming up in the very near future that is somewhat akin to it.

I understand that Dr. Seaborg will not quit immediately. He says that he may not stay for 5 years. He does not say that he will not do so.

I see no reason why he cannot move on with the continuity of his office and be reappointed to a 5-year term which is the natural sequel of office. If he wants to resign in 2 years, let him do so. Other men have resigned before. There is nothing wrong with that.

We should not disrupt the normal flow of business in this manner.

I am going to vote for Dr. Seaborg's confirmation and for Mr. Ramey's confirmation, if that is the way they want to handle it. However, the administration waited until the very last minute.

This is not the fault of anyone here. It is the fault of those at the other end of the avenue. And they did not do this until the hysteria of the last 2 days when the term of the Chairman was to expire on June 30.

We are now rushed into practically a browbeating in order to get the confirmations through today. Otherwise, we would be without a Chairman on Monday.

I agree that there ought to be continuity on the Commission. However, all I can say is that while I honor and respect these men both very highly, I do not like this method of doing business.

I think that this should not be considered to be a precedent and that we should not tolerate it again if we can help it.

Mr. AIKEN. Mr. President, I do not intend to oppose the nomination of these two members of the Atomic Energy Commission. They are both amiable and capable gentlemen. There is no question about that.

I simply want to express the hope that from now on they will give greater consideration to the public welfare and somewhat less solicitude for the private power companies of the United States.

I believe they are doing a disservice to the people of this country by, day after day, licensing $100 million atomic powerplants under the medical therapy and research clause of the law instead of under that part of the law which would automatically put these people under the antitrust laws. I believe they have done wrong; they are continuing to do wrong.

I received a notice this morning that they licensed three more plants yesterday, approximately 800,000 kilowatts each, all licensed under the medical therapy section of the law. I refuse to call any of those power company officials "doctor," because I do not believe they are medical therapists in any sense of the word, particularly when they construct plants costing $100 million or $150 million each.

The Atomic Energy Commission has made no finding of practical value for any of them, although, after being licensed by the Atomic Energy Commission, they go down the street to the Securities and Exchange Commission, which finds they are profitmaking enterprises and authorizes them to sell stock and borrow money running into billions of dollars.

The **PRESIDING OFFICER**. Without objection, the nominations are confirmed en bloc.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

INTERNATIONAL COFFEE AGREEMENT, 1968

The Senate, as in Committee of the Whole, resumed the consideration of Executive D, 90th Congress, second session, the International Coffee Agreement, 1968.

Mr. **JAVITS**. Mr. President, as I see it, there are several major factors to be considered in the International Coffee Agreement now before the Senate.

The United States consumes almost half of the world's traded coffee. Per capita we drink almost 15 pounds per annum. Given these figures, the price of coffee is of great significance to U.S. consumers.

Before the agreement coffee prices had fluctuated widely at the retail level; from a high of $1.11 in 1954 to a low of 70 cent in 1962. During the period of the agreement, and particularly in the 3 years of full U.S. participation, the dominant characteristic of the coffee market has been stability. The spread at retail between high and low prices for a pound of roasted coffee in this period has been 5 cent. In the 15 years before the agreement, fluctuations from year to year have been far higher. For example, the price of coffee increased by 20.6 cents from 1953 to 1954, while it dropped by 13.6 cents from 1958 to 1959.

According to the Bureau of Labor Statistics, the average retail price for 1 pound of coffee in the decade before the agreement was 88.6 cents. From 1963 through 1967—the tenure of the previous Coffee Agreement—the price was 78.7 cents. This was at a time when most other grocery prices were going up. The agreement, therefore, can make a major contribution to the stability of coffee prices which is a vital consideration to our consumers as well as to the producing countries.

Despite the stabilization of prices under the agreement, the coffee earnings of producer countries have increased approximately $500 million a year, from $1.8 billion to $2.3 billion. This increase resulted from substantial increases in European coffee consumption, while the value of coffee imports into the United States declined from an annual average of $1.3 billion in 1951 to 1960, to $1.02 billion in 1961 to 1967, and to $963 million in 1967. This reduction of imports benefited our balance-of-payments situation.

This agreement is particularly important to Latin America. The agreement was strongly endorsed by Carlos Sanz de Santamaria, chairman of the Inter-American Committee on the Alliance for Progress—CIAP. Income from coffee exports of the 16 Latin American members of the OAS average $1.6 billion annually during 1964 to 1966 and $1.5 billion in 1967.

An important element of the agreement is the new diversification fund to which every producer member of the agreement will be required to contribute. This fund will be used to assist in the diversion of resources from coffee to more economic production. Over the 5-year period of the new agreement, this will provide about $150 million, or $30 million per year, and, provided the United States finds the proposed use of these funds satisfactory, we may lend up to $15 million to the fund and loan another $15 million provided other coffee-consuming countries will match it. These loans will come from aid funds to be authorized by Congress.

One aspect of this agreement, however, has caused friction between the United States and Brazil, and I deeply regret and deplore this. This is the problem of soluble or instant coffee exports from Brazil to the United States. Under this agreement, Brazil will henceforth be required to impose an export tax on its soluble coffee as well as on its green coffee.

Previously, Brazil has taken the view that soluble coffee was a manufactured product and, under its tax system, export taxes are not imposed on such products. It has also stated that the soluble coffee industry was a result of its industrialization effort, a part of the Alliance for Progress, and our insistence on the imposition of an export tax represents a depreciation of our adherence to the aims of the Alliance.

The United States and virtually all other consuming and producing countries took the position that governmental measures providing special price advantages to processed coffee exports were unfair under the agreement, and also a threat to its price stabilization functions.

A careful reading of the hearings on the proposed agreement reveals certain considerations which override Brazil's argument. If Brazil was permitted to continue not to place a tax on soluble coffee exports and other exporting countries followed suit, this could have undermined the basis of the agreement; namely, the stabilization of prices. If other coffee producers, particularly those in Africa feeling as they did that Brazil was taking unfair advantage of the agreement, attempted to engage in the same kind of competition with Brazil, there would have been a price war and the agreement could very well have collapsed.

This practice was also unfair to other Latin American producers of soluble coffee—namely, Colombia, Mexico, and Guatemala—which do apply an export tax to both green and soluble coffee.

There is little evidence that the American consumer benefited from the availability of cheaper Brazilian instant coffee. Brazil has sold its soluble coffee to the U.S. trade and has not packaged it for direct consumer use. Therefore, it has not been possible to make direct price comparison at the retail level between the Brazilian and the United States product. As a matter of fact, in 1967 U.S. retail instant coffee prices declined only 3 percent while roasted coffee prices dropped by 7 percent and the price of green coffee dropped by 7 percent.

The domestic coffee industry was adamant in its position that the Brazilian practice placed them in an unfair and damaging situation. They have taken the position that if there were no agreement, they could have met competition from Brazil by buying lower quality and cheaper green beans from African and Asian producers. But since there was an agreement, they could not do this; the African and Asian suppliers were limited by tight export quotas and they preferred to sell their higher quality and more expensive coffee to the United States. The United States in turn was helping to enforce the quotas of exporting countries by limiting coffee imports to those covered by quotas. Had the United States not insisted that Brazil place an export tax on its soluble coffee exports, the United States would have been in the anomalous position of telling U.S. producers that they could not be defended against this unfair competition which was made possible by the functioning of the International Coffee Agreement.

Given these circumstances and the feelings of other producing countries, the U.S. negotiators had no choice but to urge Brazil to revise this position, which it did in the end after much discussion. I deeply regret that this issue has placed a strain on United States-Brazil relations. Brazil is important to the United States and we should do our utmost to repair any damage that has been caused by this problem.

I do not believe that anyone would benefit from the defeat of this agreement. The consumers would lose from wild price fluctuations—instead of 79-cent coffee we could be paying $1.11 per pound as in 1954. The producers would lose greatly by a major decline in earnings. The industrialized nations would suffer from their foreign aid losing its constructive value, and from political instability that might follow economic instability.

For all these reasons I support this agreement.

Mr. FONG. Mr. President, on April 23, President Johnson sent a message to the

Senate recommending ratification of the extension of the International Coffee Agreement, one of the most important economic agreements of our times, which expires September 30, 1968.

Two days later, Secretary of State Dean Rusk transmitted both to the Senate and the House a draft bill which would permit the President to carry out the U.S. obligations under the renewal of the International Coffee Agreement after September 1968.

As Senator from Hawaii, the only coffee-growing State in the Union, I supported from its beginnings, in 1962, the concept of the International Coffee Agreement. I believed then, as I believe now, that the agreement is beneficial not only to the producing countries, but also to the United States and the other consuming countries of the world.

Hawaii has a dual interest in this agreement. Our farmers, just as the coffee farmers all over the world, need a fair return for their coffee. At the same time, our people, like all U.S. consumers, must be protected against unwarranted shortages of supply and increases in price.

Hawaii's coffee is known the world over as "Kona coffee," after the district where it has been cultivated since the 1850's. Kona coffee is an arabica variety grown at an elevation of 750 to 2,000 feet. It is mainly shipped to the west coast of the United States. In 1966 and 1967, Hawaii produced some 47,000 bags—132 pounds each—of which 33,325 bags were sent to the U.S. mainland, and smaller quantities were exported abroad. Hawaii has approximately 4,700 acres under coffee cultivation on 860 farms. In 1966–67, the yield was 1,300 pounds of coffee per acre.

From 1957 to 1962, the world coffee situation had a depressing effect on returns to Kona coffeegrowers in Hawaii. Kona green coffee prices, which in 1956 hit the high point of 63 cents per pound, began to go down gradually to a low point of 27.9 cents a pound in 1962. Prices recovered to 32 cents a pound in 1966–67 as a beneficial result of the International Coffee Agreement.

It is a fact that the Kona coffee farms grow but a small crop in terms of world coffee production, but it is also a fact that our Hawaiian coffeegrowers individually have been hurt, just like the millions of coffee farmers around the world, by the wild price fluctuations which have traditionally plagued coffee over the years.

Coffee is not just another product. Coffee is the No. 1 agricultural export commodity of the developing nations, and of Latin America in particular. Many countries depend substantially on this basic product for their foreign-exchange earnings and for the dollars needed to sustain their development.

For the major Latin American coffee-growing countries, coffee accounts for 30 percent of total export revenue. Coffee exports represent 40 percent or more of the foreign earnings of Colombia, Haiti, El Salvador, Guatemala, Brazil and Costa Rica.

Coffee is also the most important farm commodity in international trade, in terms of dollar value. Of the $35 billion the developing nations earn in total annual exports, coffee alone accounts for over $2 billion.

Coffee is also important to the consuming countries, especially to the United States, which by itself consumes about half of the world coffee exports. Individual U.S. consumers are also directly involved: Americans drink an estimated 440 million cups of coffee a day.

Coffee sales to the United States stimulate a substantial market for U.S. exports of machinery, trucks, tractors, chemicals, food and other products, thus benefiting many U.S. factories and farms. The dollars earned by Latin America from its coffee sales return to the United States through the purchases of needed staples and capital goods.

The activities generated by U.S. exports to the coffee countries, including the processing, packaging, distribution and sale of coffee within the United States, provide some 615,000 jobs and $4.2 billion in wages and farm income throughout the United States, according to a recent survey. About one-third of these jobs and one-fourth of the income are stimulated by the Latin American coffee countries.

A fair price is of vital interest to the coffee-producing areas of the world. President Kennedy once said:

> A drop of one cent a pound for green coffee costs Latin American producers $50 million in export proceeds—enough to seriously undercut what we are seeking to accomplish by the Alliance for Progress.

Therefore, a slide in coffee prices, such as occurred between 1958 and 1963, hampered and thwarted efforts to carry out long-term development programs aimed at raising the standard of living of the producing countries. The decline also disrupted efforts to help these countries help themselves.

In a historic move to level out these crazy price gyrations, the major coffee producing and consuming nations of the world—today totaling 67—agreed in 1962, under the auspices of the United Nations and with the strong support of the United States, to establish the International Coffee Agreement.

This pact, put into operation by stages, became fully operative on May 22, 1965, when the United States was enabled through implementing legislation to become fully active in the agreement.

The record will show that from its initial stage in 1963, and especially since its full operation in May 1965, the International Coffee Agreement has given excellent results, even while blazing a new path in the field of international commodity agreements.

The producing countries tried for years, through agreements of their own, to establish and maintain export quotas in order to control the boom-and-bust cycles that buffeted their economies. All such attempts failed for the lack of an enforcement machinery.

The United States and other coffee-importing nations were then called upon to participate in a joint undertaking—the International Coffee Agreement—so that policing and enforcement of controls could be made effective.

President Johnson recently said:

> The Coffee Agreement was born in 1962 as a first fulfillment of the Alliance for Progress. More than 60 nations joined together in that Agreement. President John F. Kennedy hailed it as "a heartening example of international cooperation to resolve a vitally important economic problem." That problem in its broad dimension, was to stabilize world coffee prices to benefit both the coffee producer and coffee consumer. For years, wide price swings had wasted the resources and hindered the growth of developing nations who depend so heavily on coffee exports.

The International Coffee Agreement today embraces 42 producer and 25 importer nations and covers approximately 98 percent of total world trade in coffee. Policy under the agreement is set by the International Coffee Council, where all participating countries are represented. Under terms of the agreement, the producer countries as a group have 1,000 votes and the consumer countries as a group have 1,000 votes. All important issues require a two-thirds vote by each group. The United States holds 400 of the consumer group's 1,000 votes. Thus, it is clear that no important action can be taken without the approval of the United States.

In the short life of the International Coffee Agreement, experience has disclosed weaknesses, deficiencies, loopholes; but at each phase steps have been taken to strengthen and improve the pact. The fact is that no more effective, better proven formula has been found to attain a stabilized world market for coffee at prices fair both to producers and consumers.

In the past 3 years in which it has been in full operation, the agreement has achieved worthwhile benefits, which are summarized by President Johnson in his April 23 message to the U.S. Senate:

> The 1962 agreement—which the Senate ratified in 1963—has done the job of promoting price stability for coffee consumers and producers alike:
>
> Coffee import prices have been fair. They are almost 25 percent lower than the average price between 1953 and 1962, and 10 percent higher than during the world coffee slump of 1962.
>
> The sharp price fluctuations that plagued the world coffee market in past years have been avoided.
>
> Coffee consumers and roasters have been assured steady supplies at predictable and stable prices.
>
> The 1968 agreement I propose will extend this record of success. It builds on the experience we have gained over the last several years by:
>
> Assuring that different types of coffee will be available at fair prices to meet changes in consumer tastes and preferences.
>
> Providing fair treatment in trade for all forms of coffee.
>
> Attacking the problem of coffee surpluses by production control and by creating a Diversification Fund to encourage shifts to other crops.

President Johnson also said that without the agreement we "could return to the days of ruinous coffee price swings, disrupting the economies of many friendly nations, impairing world coffee trade, and endangering the continued flow of coffee at reasonable prices to the tables of American families."

These are the main achievements and objectives of the International Coffee Agreement. If the pact is to succeed in attaining its long-range goals, if the pact is to help the coffee-producing countries find a permanent solution to their problems, if the pact is to help these countries help themselves, the International Coffee Agreement should be given a real change to test itself.

Our Government on several occasions has recognized the important role played by the agreement in the socioeconomic and political development of Latin America. This is why the agreement was given special attention and specific support by the United States and the Western Hemisphere's chiefs of state meeting in Punta del Este, Uruguay, in April 1967.

The agreement, and its coffee diversification fund were expressly included in the plan of action of the declaration of Presidents, as follows:

> To combine efforts to strengthen and perfect international agreements, particularly the International Coffee Agreement, to obtain favorable conditions for trade in basic products of interest to Latin America and to explore all possibilities for the development of new agreements.
>
> To support the financing and prompt initiation of the activities of the coffee diversification fund, and consider in due course the creation of other funds to make it possible to control the production of basic products of interest to Latin America in which there is a chronic imbalance between supply and demand.

The significance of the agreement and its diversification fund was also emphasized at the Eighth United States-Mexico Interparliamentary Conference held in Honolulu in April 1968. More recently, the Chairman of the International Coffee Council and head of the Mexican Coffee Institute, Mr. Miguel Angel Cordera, speaking to coffee leaders from around the world meeting in Mexico City to discuss the diversification fund statutes, recognized the importance of dealing with the basic production-control problem when he said:

> The production of surplus coffee not only constitutes a waste of manpower, land and economic resources, but also exerts pressures on the market and weakens prices. . . . Our responsibility is very great, because the Agreement is recognized as being capable of sorting out the most difficult situations, of making constant progress, and of opening paths which had been regarded as impossible.

The International Coffee Agreement has been in full operation for only 3 brief years, and will expire on September 30, 1968. Our coffee legislation will also expire on September 30, 1968.

I would like to emphasize that the participation of the United States—the world's largest coffee importer—was essential, in the first, formative phase of the agreement; this participation will be even more significant in the second, decisive phase of the pact beginning October 1, 1968.

The Punta del Este summit meeting will long be remembered by our neighbors to the south in that we have lent our support to their initial steps in the establishment of a Latin American common market.

It will also be remembered because of our pledged support to the International Coffee Agreement.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which the Senator from Oregon [Mr. MORSE] had intended to make on the Coffee Agreement. The Senator from Oregon is necessarily absent today.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

I support the International Coffee Agreement of 1968.

As has been pointed out, this agreement is largely an extension of the International Coffee Agreement of 1962 which has worked well to stabilize coffee prices in the world market.

This is of fundamental importance to the foreign exchange earnings of the coffee producing countries of Latin America and Africa. As Chairman of the Subcommittee on American Republics Affairs of the Committee on Foreign Relations, I have had particular opportunity to realize the importance of coffee to such Latin American countries as Brazil, Colombia, Guatemala, El Salvador, and Costa Rica, among others.

The pending agreement is thoroughly in the spirit of the Alliance for Progress, and I commend it to the Senate.

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to vote on the resolution of ratification of Executive D, 90th Congress, second session, the International Coffee Agreement of 1968.

The question is, Will the Senate advise and consent to the resolution of ratification? On this question the yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SPARKMAN (when his name was called). On this vote the Senator from Colorado [Mr. ALLOTT] and I have a live pair with the distinguished Senator from Georgia [Mr. RUSSELL]. If the Senator from Georgia were present, he would vote "nay." If I were permitted to vote, I would vote "yea." I therefore withhold my vote.

Mr. ALLOTT (after having voted in the affirmative). I have voted "yea." I therefore withdraw my vote.

The bill clerk resumed and concluded the call of the roll.

Mr. MANSFIELD. On this vote the Senator from North Carolina [Mr. ERVIN] and I have a pair with the Senator from Tennessee [Mr. GORE]. If the Senator from Tennessee were present and voting, he would vote "nay." If the Senator from North Carolina were present and at liberty to vote, he would vote "yea." If I were at liberty to vote, I would vote "yea." Therefore, I withhold my vote.

Mr. BYRD of West Virginia. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr GRUENING], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Oklahoma [Mr. HARRIS], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Connecticut [Mr. RIBICOFF], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from Connecticut [Mr. DODD], the Senator from Alaska [Mr. GRUENING], the Senator from Wisconsin [Mr. NELSON], and the Senator from New Jersey [Mr. WILLIAMS] would each vote "yea."

I further announce that, if present and voting, the Senator from South Carolina [Mr. HOLLINGS] would vote "nay."

Mr. KUCHEL. I announce that the Senator from Utah [Mr. BENNETT], the Senator from Delaware [Mr. BOGGS], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. COOPER], the Senator from New Hampshire [Mr. COTTON], the Senator from Illinois [Mr. DIRKSEN], the Senator from Michigan [Mr. GRIFFIN], the Senator from Idaho [Mr. JORDAN], the Senator from Kentucky [Mr. MORTON], and the Senator from Illinois [Mr. PERCY] are necessarily absent.

If present and voting, the Senator from Utah [Mr. BENNETT], the Senator from Delaware [Mr. BOGGS], the Senator from Massachusetts [Mr. BROOKE], the Senator from Kentucky [Mr. COOPER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Idaho [Mr. JORDAN], and the Senator from Illinois [Mr. PERCY] would each vote "yea."

The yeas and nays resulted—yeas 51, nays 8, as follows:

[No. 202 Ex.]

YEAS—51

Aiken
Anderson
Baker
Bible
Byrd, Va.
Byrd, W. Va.
Cannon
Case
Church
Clark
Curtis
Ellender
Fannin
Fong
Hansen
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kuchel
Lausche
McClellan
McGee
McGovern
McIntyre
Miller
Moss
Mundt
Murphy
Pastore
Pearson
Pell
Prouty
Randolph
Scott
Smathers
Smith
Spong
Thurmond
Tower
Williams, Del
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—8

Dominick
Hart
Magnuson
Proxmire
Stennis
Symington
Talmadge
Tydings

PRESENT AND GIVING LIVE PAIRS, AS PREVIOUSLY RECORDED—3

Sparkman, for.
Allott, for.
Mansfield, for.

NOT VOTING—37

Bartlett
Bayh
Bennett
Boggs
Brewster
Brooke
Burdick
Carlson
Cooper
Cotton
Dirksen
Dodd
Eastland
Ervin
Fulbright
Gore
Griffin
Gruening
Harris
Hollings
Jordan, Idaho
Kennedy
Long, Mo.
Long, La.
McCarthy
Metcalf
Mondale
Monroney
Montoya
Morse
Morton
Muskie
Nelson
Percy
Ribicoff
Russell
Williams, N.J.

The PRESIDING OFFICER (Mr. McGee in the chair). Two-thirds of the Senators present and voting having voted in the affirmative, the resolution of ratification is agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the ratification of the treaty.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate return to the consideration of legislative business.

There being no objection, the Senate resumed the consideration of legislative business.

THE NATIONAL EDUCATION ASSOCIATION OF THE UNITED STATES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 2628. The bill has been cleared with the other side.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2628) to amend the act entitled "An act to incorporate the National Education Association of the United States," approved June 30, 1906 (34 Stat. 804).

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments, on page 2, line 22, after the word "principal", strike out "and" and insert "of"; and in line 25, after the word "has", insert "been approved"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act entitled "An Act to incorporate the National Education Association of the United States," approved June 30, 1906 (34 Stat. 804), as amended, is amended to read as follows:

"SEC. 3. That the said corporation shall further have power to have and to use a common seal, and to alter and change the same at its pleasure; to sue or to be sued in any court of the United States, or other court of competent jurisdiction; to make bylaws not inconsistent with the provisions of this Act or of the Constitution of the United States; to take or receive, whether by gift, grant, devise, bequest, or purchase, any real or personal estate, and to hold, grant, transfer, sell, convey, hire, or lease the same for the purpose of its incorporation; to accept and administer any trust of real or personal estate for any educational purpose within the objects of the corporation; and to borrow money for its corporate purposes, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise."

(b) Section 6(a) of such Act, as amended, is amended by deleting "a Board of Trustees,".

(c) Section 7 of such Act, as amended, is amended to read as follows:

"SEC. 7. (a) The invested fund now known as the 'Permanent Fund· of the National Education Association,' shall be held in such corporation as a Permanent Fund and shall be in charge of the Executive Committee, which shall provide for the safekeeping and investment of such fund, and of all other funds which the corporation may receive by donation, bequest, or devise. No part of the principal of such Permanent Fund or its accretions shall be expended or transferred to the General Fund, except by a two-thirds vote of the Representative Assembly, after the proposed expenditure or transfer has been approved by the Executive Committee and the Board of Directors, and after printed notice of the proposed expenditure or transfer has been printed in the Journal of the National Education Association at least two months prior to the meeting of the Representative Assembly.

"(b) The income of the Permanent Fund shall be used only to meet the cost of maintaining the organization of the Association and of publishing its annual volume of Proceedings, unless the terms of the donation, bequest, or devise shall otherwise specify or the Bylaws of the corporation shall otherwise provide.

"(c) The Executive Committee shall elect the secretary of the Association, who shall be secretary of the Executive Committee, and shall fix the compensation and the term of his office for a period not to exceed four years."

SEC. 2. Upon the adoption by the Representative Assembly of the National Education Association of amended bylaws to provide for the administration of the property of the corporation and for the selection of the secretary of the Association, section 7 of the Act of June 30, 1906 (34 Stat. 804), shall be of no further force and effect.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

AMENDMENT OF THE PACKERS AND STOCKYARDS ACT, 1921, AS AMENDED

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1311, H.R. 10673. The bill has been cleared on the other side but it was not included in the calendar this morning due to an error.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 10673) to amend title III of the Packers and Stockyards Act, 1921, as amended.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, at the beginning of line 11, insert "market agencies"; and on page 4, line 7, after the word "market.", insert "Such rules and regulations shall not prevent a registered market agency or dealer from rendering service on other markets or in occasional and incidental off-market transactions."

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

Mr. YOUNG of North Dakota. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1331) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION

This bill is intended to clarify a stockyard owner's authority under the Packers and Stockyards Act, 1921, on a reasonable and nondiscriminatory basis, to (1) prevent persons not acceptable to him from acting as market agencies or dealers at his stockyard; and (2) prescribe rules and regulations for the conduct of his yard and operations conducted there. It is also intended to allow stockyard owners and market agencies greater discretion as to the services they will furnish. The objective is to permit better management of stockyards and make them more competitive for the benefit of the operators and those using their facilities.

COMMITTEE DELIBERATION

The committee's Subcommittee on Agricultural Research and General Legislation held hearings on January 25 and 26 on H.R. 10673 and on a companion Senate bill, S. 1149. The bills are essentially identical in substance, except that H.R. 10673 contains the amendments proposed by the Department of Agriculture. All witnesses who desired to be heard were heard and the hearings have been printed. The bill was generally favored by witnesses who felt that it would result in better stockyard management so that the yards could serve the industry better. The bill was opposed by various market agencies and their livestock exchanges, who feared that the bill might give the stockyard owners too much authority to exclude market agencies from their yards. The American Farm Bureau and the National Livestock Producers Association proposed somewhat similar amendments which are discussed in the attached letter of March 8, 1968 from the Department of Agriculture. The need for the bill is fully explained in the attached report from the Department of Agriculture on S. 1149, dated June 5, 1967.

The committee felt that the amendments recommended by the Department of Agriculture to S. 1149, and included by the House of Representatives in H.R. 10673, should provide adequate protection for market agencies from any arbitrary or unreasonable action by stockyard owners. Under these provisions (1) a stockyard owner's determination that a market agency's services will be beneficial must be made on a basis which is not unreasonable or unjustly discriminatory; (2) stockyard services can not be refused on any basis that is unreasonable or unjustly discriminatory; and (3) it is made unlawful and subject to a cease and desist order by the Secretary for any stockyard owner to engage in any unfair, unjustly discriminatory, or deceptive practice in connection with determining whether persons should be authorized to operate at the stockyard.

The committee has recommended specific mention of market agencies in the definition of stockyard to give recognition to their interest in proper stockyard management. The committeee also gave consideration to a further amendment to require the stockyard owner, before making his determination that a market agency's services would or would not be beneficial to the yard, its patrons and customers, to receive the advice of a market supervision committee consisting of a representative of the stockyard owner, a person selected by a majority of the market agencies and dealers operating at the yard, and an employee of the Department of Agriculture designated by the Secretary. The committee felt very strongly that stockyard owners should avail themselves of such consultation, but that such consultation and the precise composition of the advisory committee should not be made a statutory requirement. The committee felt that such consultation would contribute to better understanding and better stockyard management and operations and would avoid administrative appeals from stockyard owners' decisions.

The committee carefully considered the amendments proposed by the American Farm Bureau and the National Livestock Producers Association, together with the Department's comments thereon, and adopted an alternative amendment which is more consistent with the objectives of the bill.

The **PRESIDING OFFICER**. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

VISIT TO THE SENATE BY CROW INDIANS

Mr. **MANSFIELD**. Mr. President, Senator METCALF's and my good friend, Barney Old Coyote, has informed me that a number of his people from the Crow country would be arriving in Washington, and I am glad to note that they are in the Capitol this afternoon.

This group numbers 32 Crow Indians with their chaperones. The Crow Tribe is sponsoring this trip for the students as an incentive to them and to give them a better appreciation for the country in which they live.

Some of these students are recent graduates from high school; some are honor students; and others are selected for their perfect attendance; but the primary criterion is that "these are good students." Some will enter college this fall; others will be attempting to continue their education while still others will continue in high school.

The chief chaperones are Mr. and Mrs. Ivan Small. Mrs. Small is the former Pauline Whiteman-Runs-Him and the outgoing vice secretary of the Crow Tribe. Pauline has always been interested in providing educational and enrichment opportunities for Crow Indians.

The other chaperones are Mr. and Mrs. George Bull Tail, Mr. and Mrs. John Half, and Mr. and Mrs. Blaine Falls Down. All three wives are members of the education committee of the Crow Tribe. It has been instrumental in providing educational opportunities and enrichment activities for Crow youth, including the establishment of the Crow Youth Camp in the Big Horn Mountains, which was a unique experiment in enrichment activities for Crow youth—even before the Job Corps program. It is very similar to the Job Corps program in that remedial classroom work is provided while working in the Big Horn Canyon. This will be the fourth year of operation for the Crow Youth Camp.

On behalf of Senator METCALF and myself, I welcome our fellow Montanans and descendants of the first Americans to the Nation's Capitol.

POLICY STATEMENT OF REPUBLICAN COORDINATING COMMITTEE

Mr. **MURPHY**. Mr. President, I am very pleased to serve on the Republican Coordinating Committee and to have played a part in the deliberations of many men more expert than I which led to the publication of a policy statement on America's current posture in international affairs.

I have learned from my travels throughout our great country that our people are deeply perplexed over the situation in the world today. They find it difficult to understand why things are so unsettled everywhere, why our allies and friends are deserting us, and most of all, why America's prestige and power have been permitted to decline so dramatically.

The Republican Coordinating Committee's statement provides some answers to such questions. It contains many useful facts and puts many seemingly unrelated events into an overall context which gives them new meaning.

I regret to say that the policy paper indicates America and the forces of freedom in the world are on the defensive. And we are on the defensive for one very simple reason—during the past nearly 8 years of Democratic administration, America has had no global strategy. As a result our sense of national purpose has been confused by too many ad hoc, reactive, unrelated, and often mutually contradictory policies. Regrettably, America has presented the world with a blurred and puzzling image—an image of a powerful but vacillating giant, devoid of plan principle or design and undecided about its basic objectives.

Mr. President, this was not always the case. In 1960, after 8 years of Eisenhower administration, America's strength was supreme, our alliances were intact, America was successfully handling her opponents in a peaceful yet firm manner, and most importantly, peace and stability prevailed throughout most of the world.

Today, that picture has changed almost beyond recognition. I think the coordinating committee's policy paper provides some answers to the questions all Americans are asking as to how this has happened.

I ak unanimous consent that the text of the Republican Coordinating Committee paper entitled "Foreign Policy—The Crisis of Confidence" be printed in the RECORD.

There being no objection, the paper was ordered to be printed in the RECORD, as follows:

FOREIGN POLICY—THE CRISIS OF CONFIDENCE

I. INTRODUCTION

After nearly eight years of Democratic Administration, the wreckage of our country's foreign policy is strewn around the world for all to see. Since 1960 our strategic superiority has slipped. Our alliances have virtually disintegrated. Our strength has been dissipated in pursuit of secondary objectives.

In consequence, America is on the defensive throughout the world. Our friends turn away from us. Our leadership is disputed and openly challenged. Our prestige is gravely eroded. Our enemies are increasingly bold.

In this election year the American people have the right, indeed the obligation, to ask of the Party in power how and why this has happened.

The answer is not difficult to find. Democratic Administrations have forgotten two fundamentals upon which United States' foreign policy has traditionally been based:

First, America's policies and actions must always be based on *principles* derived from the moral and spiritual values of our heritage, and thus in accord with the highest aspirations of mankind. Instead principles have all too often been sacrificed to expediency.

Second, America's military and economic *strength* must be sufficient to protect the nation's vital interests anywhere in the world. Above all, our government's unmistakable determination to use its strength when necessary must be clear to friend and foe alike. Any doubts about either our strength—or our leaders' resolve to use it—impair our credibility as a world power. Throughout the world, since 1960 our ambivalent policies have created more anxiety and doubt than confidence in America.

The true measure of our nation's foreign policy is whether or not it has enhanced the security and well-being of our people. By this test, the past two Democratic Administrations have failed—the Bay of Pigs, the Berlin Wall and the *Pueblo* incident are only symbolic of the general malaise. The peace and stability in world affairs that prevailed during the Eisenhower Administration are gone. Today our nation is less secure. We are less strong. We are less sure of our purpose. America's prestige and credibility have crumbled.

How has this happened—and, more important, how would a new Republican Administration remedy the situation?[1]

II. THE WORLD VIEW

For purposes of strategic planning the world can be viewed in three parts: The Communist World, the Free World, and the Uncommitted World.

The safeguarding of America's vital interests requires a *global strategy* encompassing these major divisions and their complex interrelationships. Without this strategy our policies become inconsistent and contradictory.

During the Eisenhower years, America's successful global strategy was based upon our preponderance of military and economic strength, buttressed by free world alliances. These alliances, always sanctioned and sometimes supported by the United Nations, required agreement on a common danger and a sharing of the burdens of maintaining the peace.

The strategy worked. An armistice was promptly achieved in Korea. Communism was contained. As long as Republican policies continued, peace was maintained. None dared challenge America's might or will.

---

[1] In eleven foreign policy reports issued during the past three years, the Republican Coordinating Committee has reviewed in detail most of the major areas of interest to the United States abroad. These papers have identified errors made by Democratic Administrations and presented specific recommendations for corrective action. The reports are entitled: *United States Relations with the Soviet Union, U.S. Foreign Policy in Vietnam, Our North Atlantic Alliance, The United States & Eastern Europe, The Middle East—Crisis and Opportunity (1967), Continuing Crisis in the Middle East (1968), Latin America—Progress or Failure?, East-West Trade, Foreign Economic Assistance, The American Image Abroad, and The United Nations.*

None dared challenge the free world's collective strength or purpose.

In 1960, after eight years of peace, the Democratic candidate for President charged: "The Republican peace and prosperity is a myth. We are not enjoying a period of peace—only a period of stagnation and retreat, while America becomes second . . ."

Members of the new Administration apparently believed this allegation—proved false by subsequent events—because they immediately began tampering with established policies.

Not only were the new policies wrong, but their implementation became increasingly unsystematic. The National Security Council machinery—so carefully structured during the Eisenhower Administration to develop and coordinate our foreign policy—was dismantled. White House subordinates, unversed in practical foreign affairs, were permitted to dabble in this critical area. The professional diplomatic corps was expanded to make room for political appointees ready to support the new policies. Inevitably confusion and conflict replaced order and precision. The security of the nation and the well-being of the American people were placed in jeopardy.

Only because the previous Republican Administration had bequeathed to its successors a coherent body of foreign policy based upon unrivaled diplomatic, military and economic strength, were the Democrats able to improvise and experiment for so long without having to account for their errors. Slow as the day of reckoning has been in arriving, it is now clearly at hand. We see it in the tragic loss of America's stature in the world.

A. The Communist world

For two generations and through two world wars the United States has opposed aggression by hostile totalitarian systems in Europe and Asia. We have considered such opposition essential to our own security and thus in the national interest.

Since the late 1940's Soviet and Chinese Communist governments have been the chief instigators of such aggression. As a result, containment of Soviet and Chinese Communism has been the foundation stone of American foreign policy and has received firm bipartisan support. Throughout the Eisenhower Administration the worldwide Communist movement was contained without major armed conflict.

Shortly after the Democratic Administration took power this picture changed. While rapidly increasing United States assistance to Laos and South Vietnam, the new Administration simultaneously sought accommodation with the Russians. Intrigued by the USSR's declining influence over the world Communist movement and the Soviet's disinclination to continue domestically the worst excesses of the Stalinist era, our new President decided that the United States should somehow exploit the situation.

In its zeal to encourage ferment and change within the Communist world, the Administration gravely misjudged the influence an outside power can exert for internal reform in a largely self-sufficient totalitarian state. It was apparently assumed that the Soviets were so eager to raise the living standards of their own people that they would accept the polycentric and "liberalizing" movements developing in the Communist camp.

Such suppositions led Democratic policy makers to focus more on presumed Soviet intentions than on Soviet actions, many of which continued to be inimicable to the United States. Wishful thinking induced the Administration to deal with the Soviets according to what they *said*, not what they *did*.

No one would fault the basic aims—to relax tensions and end the arms race—aims espoused long before by President Eisenhower. His Open Skies and Atoms for Peace proposals and his appointment of our first disarmament advisor created an atmosphere conducive to negotiation. But there was a critical difference in basic approach: in all negotiations Republicans required the Communists to meet us half-way.

On the other hand, since 1960 our leaders have acted as if we were obliged to demonstrate our sincerity—not once, but again and again—before the Russians could be expected to respond in kind. Disregarding policies which had sustained our leadership of the free world since World War II, new policymakers innovated and improvised.

A prime result of this experimentation has been crippling policy contradictions. The most glaring include:

The Administration's eager effort to "build bridges" to Communism in Europe while fighting Communist expansion in Asia. Over 80 percent of the weapons used against the United States in Vietnam have been produced in the USSR and Eastern Europe. Yet the President announced in 1964 that America would seek to "build bridges across the gulf" separating Communist regimes in Europe from the West primarily by offering to increase our trade with Iron Curtain countries. Such East-West trade obviously could help the Communists kill Americans by proxy in Asia.

The Administration's exhortations for Western European nations to stand firm against Communism while America sought to negotiate arms control agreements with the USSR without adequate consideration of our allies' interests.

The Administration's toleration of what has become an aggressive and openly avowed Communist state in Cuba only 90 miles from Miami, while American forces disperse all over the world to frustrate Communist designs. Following the disastrous Bay of Pigs venture, the Democratic Administration reversed its policy completely, denying Cuban exiles virtually all hope of returning home in the near future. Meanwhile, Castro-trained guerrillas have been active in such countries as the Dominican Republic, Guatamala, Colombia, Venezuela and Bolivia. Castro-financed propaganda and subversive activities have spread even beyond Latin America. Cuban mercenaries fought with the Congo rebels against the legally constituted government in Kinshasha, and a Cuban bodyguard unit foiled a coup attempt by indigenous African troops aimed at ridding the Congo (Brazzaville) of its leftist President. Conferences in Havana have repeatedly provided a forum for anti-American invective, including inflammatory statements urging revolution in the United States by black power advocate Stokely Carmichael.

The Administration's eagerness to negotiate non-proliferation and space treaties without adequate safeguards despite mounting evidence of the USSR's increasing military capability. In their zeal to reconcile East-West differences, Democratic policy-makers even concluded that America's overwhelming military superiority had become a barrier to dealing successfully with the USSR. In order to help overcome the imagined Soviet inferiority complex, United States military policy has tended to emphasize "parity" in armaments rather than superiority over the Soviets.

Proponents of "parity" believe that our offensive capability is invincible and therefore that our development of more advanced weapons would merely increase our existing "overkill" capacity and accelerate the arms race. So believing, *the Administration restricted America's weapons development, then tried to persuade the Russians to follow suit.* The Soviet reaction should have been foreseen. They feigned interest but simultaneously increased their military budget and pushed vigorously ahead with new weapons.

For several years the Soviets have narrowed their strategic gap with the United States. At current relative rates of growth their strategic missile force will shortly equal ours. They have begun deployment of an extensive anti-missile system (ABM). After our failure to dissuade them from this action, not only by exhortation but also by our Defense Secretary's refusal to expend funds the Congress voted for ABM development, we belatedly and half-heartedly started a very thin shield of our own. The Soviets have also unveiled a new orbital bomb system capable of launching nuclear strikes from outer space. This development contravenes the spirit, if not the letter, of a recent treaty hailed by the Administration as preserving outer space for peaceful use.

Tragically, the Democrats' false charge in 1960 about a "missile gap" now threatens to become a reality by virtue of polices that they have themselves imposed.

While rapidly expanding their missile strength, the Soviets have also qualitatively and quantitatively enlarged their air and naval power. For the first time they have displayed large naval forces in the Mediterranean. Their submarine fleet already exceeds ours numerically and nuclear-powered missile submarines are rapidly being added. Several new high-performance aircraft, unknown to the West until the 1967 Domodevodo air show, are operational. By contrast, America's F-111 aircraft (formerly the TFX), imposed by the Secretary of Defense over strenuous military objections, is too expensive, too heavy, too unreliable, and too late.

The Soviet research and development budget for new weapons now surpasses that of the United States. Exependitures for offensive strategic forces reportedly have doubled ours for the past four years. Because of the long leadtime required to develop major new weapons, the United States may be nearing a strategic crossover—the critical point at which the net strategic advantage passes to the Soviet Union. During the long years when Mr. McNamara was Secretary of Defense, he emphatically denied this possibility—with the same sureness, let it be noted, that he evidenced in repeatedly predicting an early end to American involvement in Vietnam.

Asia is vital in any assessment of the Communist world.

In January 1961 Republicans left this area in relative peace. Today, a major war drags on in Vietnam. South Korea is again actively threatened. India's borders remain tense after fighting erupted with both China and Pakistan. Hong Kong's future is uncertain following bloody civil disorders. Subversion of external Communist origin is active in a half dozen free nations.

In Asia we confront two major Communist powers. Soviet Russia and Communist China harbor deep antagonisms, but they are united in regarding the United States as the principal obsetacle to their regional and world goals. They are also united in their determination to weaken our nation. So motivated, the Soviet and Chinese Communists vie to outstrip each other in aiding enemies in Vietnam.

Of all nations, *Communist China* is most openly hostile to the United States and to a stable world order. For many reasons, including her self-imposed isolation and belligerent attitude toward the world, Communist China has turned inward and she has convulsed. Continuing conflict and internal stress make it impossible now to predict whether the Communists will be able to retain centralized control of that huge country; or whether China will disintegrate into regional rule by wardlords; or even whether the Chinese people will regain the freedom to choose a better form of government and then rejoin the free world. Therefore, this is a time for watchful waiting.

For years Communist China has stirred trouble abroad in order to distract her people from the deteriorating internal situation. She has twice attacked India, created disturbances in Macao and Hong Kong, nearly conquered Indonesia from within, launched wide-spread subversion in Africa, continually probed the Taiwan Straits, encouraged disgraceful conduct by her diplomats abroad, and mistreated foreign diplomats and newsmen in Peking. The world community cannot condone such tactics.

The stiff and successful British reaction to Communist provocations in Hong Kong last year provide a good example of what can be accomplished with a small amount of force applied with unswerving resolve.

RECOMMENDATIONS

Under a Republican Administration, we pledge to the American people that our policies will be based not on euphoric speculation, but on *realistic assessments* of Communist capabilities. Our actions will be based on what the Communists do, not on what they say.

Under a Republican Administration, we pledge America's *weapons superiority* will be maintained, our system of *alliances* will be revitalized; and the *credibility* of our will to protect vital national interests will be restored.

Under a Republican Administration, we shall seek *true détente*—but through strength, not weakness. No nation can negotiate successfully while its opponents are allowed to make gains at its expense. No general accommodation with the Communists can realistically be sought without an honorable settlement to the war in Vietnam.

Under a Republican Administration, we pledge to seek greater knowledge of *Communist China* and to offer increased contacts if and when it abides by the normal rules of conduct in the international community. Although we may reaffirm our traditional friendship for the Chinese people, this is not the time for new initiatives which might legitimize current Chinese Communst rulers or help them overcome their grave internal problems. America should continue to support the Republic of China, whose energetic government has developed a viable free enterprise economy on Taiwan, and now stands ready to play an increasingly important role in Asian affairs.

In Vietnam, the Republican Party wishes the President well during this period of peace negotiations. We support his declared objective of an honorable peace, one that would rule out a Communist take-over. Acceptance of a settlement lacking proper safeguards would betray our allies and the South Vietnamese people. It would be an outrage in light of the sacrifices made by our men—living and dead.

B. The free world

At the close of the Eisenhower years *mutual defense pacts* guaranteed the security of most of the free world under United States leadership. NATO, CENTO, SEATO, the ANZUS pact and a number of bilateral treaties coalesced free world strength and resolve. The Organization of American States (OAS), functioning as a regional alliance under the United Nations charter, and the United Nations itself, were used effectively to counter Communist aggression and maintain world stability.

Today all is changed. The United Nations is rendered increasingly impotent by factionalism and incipient bankruptcy. Cuban-sponsored subversion and revolution debilitate the OAS. SEATO defaults in the precise situation for which it was created. CENTO has largely disintegrated and the Soviets have at last achieved their goal of becoming a major force in Middle Eastern affairs.

Worse still is the deterioration of NATO. With no other part of the world is the United States more closely linked by ties of history, culture and trade. After World War II, America's stake in Europe grew larger than ever before. Having invested nearly $50 billion to revive Europe economically, we led in the creation of the Western Alliance. Thus, the Soviet threat against Europe was contained, and the earth's second largest concentration of productive power remained with the free world. When President Eisenhower left office, the Western allies stood resolute and united. We and our European friends looked to the day when our military alliance would evolve into a durable political community.

Since then, what has happened in Europe? Today the Western Alliance is in a shambles. France has withdrawn her military forces and her territory from NATO. Britain's world-wide influence is a mere shadow of its former self. The West Germans, perhaps following America's erratic lead, waver between commitment to the West and accommodation with the East. No longer do we enjoy the confidence or even the support of many of our traditional friends.

Early in the 1960's vacillations in U.S. strategic policy began to undermine Europe's trust in our pledge to defend her against Soviet attack:

In 1961, after repeatedly professing our determination to protect West Germany and West Berlin, the United States stood idly by while the East Germans erected the Berlin Wall in violation of the quadripartite covenants governing the status of the former German capital.

In 1962, the United States imposed a crucial change in defense policy on its NATO allies by unilaterally moving to a new strategy of "flexible response." At the time, a Democrat controlled Senate subcommittee commented caustically:

"There was little or no consultation with our allies, and the shift was explained in terms which, to say the least, caused doubt and confusion about what kind of counterblows the United States might be planning in the event of a Soviet attack on Europe. To some in Europe it looked as though the United States would rather switch than fight. The change in American doctrine forced modifications in Allied military doctrine as well, thus painfully underlining for the Allies how little influence they had on American policies of life and death importance to them."

Again in 1962, without prior consultation with our allies, all missiles were withdrawn from Italy and Turkey, leaving the impression that this was done in return for the withdrawal of Soviet missiles from Cuba. More recently we unilaterally withdrew troops from Europe for assignment elsewhere on the subterfuge that they were being rotated normally.

Also in 1962, the United States cancelled the Skybolt project, thus dealing a crippling blow to Britain's declining strategic capability. Worse, the cancellation cast a pall over the United Kingdom's economic future, for the crude manner by which America sought to placate British disappointment afforded France one month later the rationale for rejecting Great Britain's application to join the Common Market. Later, after urging other allies into joint weapons development projects, we unilaterally cancelled many, such as the Main Battle Tank (MBT) and the Vertical Short Take-off and Landing (VSTOL) aircraft projects with West Germany.

Finally, Democratic Administrations have repeatedly sought bilateral negotiations with the USSR on such key matters as nuclear proliferation and the Washington-Moscow "Hot Line" without adequate regard for European sensitivities and vital interests. Germany is deeply concerned over the ramifications of the nonproliferation treaty. France has flatly refused to sign it. The Washington-Moscow "Hot Line" became symbolic of Europe's concern both that the decision-making process might by-pass them, and that they were not considered of sufficient importance to have their own "Hot Lines" with the White House.

In all such matter's Democratic Administrations have often appeared more willing to court and placate the Soviets than to assist our European friends. Small wonder that concern and resentment replaced respect and confidence for the United States in the capitals of Western Europe.

The fiscal irresponsibility of Democratic Administrations is another key factor in the world's declining respect and confidence in America. The reliability of a country which refuses to live within its means at home and verges upon bankruptcy abroad will be seriously questioned.

While our President boasts of unparalleled domestic prosperity, William McChesney Martin, Chairman of the Federal Reserve Board, issues increasingly stern warnings about the true state of our economy:

"We are faced with an intolerable budget deficit and also an intolerable deficit in our international balance of payments."

"This country today is overextended and overcommitted . . . It's time we stopped talking about guns and butter."

"We have been living, to a certain extent, in a fool's paradise."

"The United States faces either an uncontrollable recession or an uncontrollable inflation if it does not correct its red ink budget and its balance of payments deficit . . . We are in the midst of the worst financial crisis we have had since 1931."

The world, Europe and Japan in particular, waits with growing impatience to see if the Administration will take the necessary steps to avert fiscal crisis. Foreign impatience with America's economic fumbling concerns all Americans, because foreign creditors now hold three times more dollars than the United States can redeem with its *entire* gold supply.

Our gold reserves have fallen to a thirty year low of less than $11 billion, and yet the Democratic Administration continues to delay and temporize. The President still refuses to treat the root causes of our balance of payments difficulties by revising his inflationary domestic policies.

The Administration has resorted to temporary palliatives rather than lasting solutions in dealing with our critical economic problems. In the long run, the suddenly-imposed executive restrictions on American business abroad and the proposed restraints on tourist travel are likely to do more harm than good. Even the two-price gold system adopted by leading financial nations in March 1968 merely buys time for the United States. Neither this device nor the proposed Special Drawing Rights (SDR's) to be administered by the International Monetary Fund will correct the fundamental imbalance in America's deficit position. America's reckless spending has placed her at the mercy of Europe's central bankers. Our international viability now depends upon their continuing good will.

Not only in Europe, but everywhere in the free world people worry over America's future. They know their own security and economic well-being will be jeopardized if current policies persist.

In Asia there are many countries long of importance to America—an American admiral "opened Japan" to trade with the West in 1853, an American Secretary of State authored the "Open Door" policy toward China which European powers subscribed to in 1899, and the last three wars America has fought began in Asia. Many nations allied with us today are in Asia, as are three bellicose enemies—Communist China, North Vietnam and North Korea. Japan, the world's third greatest industrial power and, with the exception of Canada, America's best customer, is increasing her role in Asian affairs. We must retain her as an ally and a cooperative friend.

How well we handle our security problems—how imaginatively we approach development problems once we are freed to accord them more attention—will profoundly influence the future of 900 million Asians outside the iron and bamboo curtains. In tomorrow's world these people may very well hold the balance of power. We must keep faith with them and they with us.

In Latin America, Democratic Administrations have promised a special effort to raise our closest neighbors' living standards. To date, only expectations have been raised. When the Alliance for Progress reached the half-way point after five years of highly-publicized effort only 7 of 19 countries, representing only 29% of the people in Latin America, had managed to meet the Alliance's minimum goal of increasing per capita income by 2½% a year.

Yet, if Latin America fails to make economic progress, political instability and further incursions by international Communism are the inevitable result. The security problems engendered for the United States by additional Castro-type regimes are obvious. Even now signs of declining United States' influence abound—and are ignored by the Administration. In the past few months alone, an American Ambassador was expelled from South America and two American military advisors were murdered while performing their duties in Central America. The Johnson Administration did not even bother to protest these outrages. Moreover, the Democrats so mishandled negotiations over the future status of the Panama Canal that Panamanian discontent has increased despite our country's remarkable offer to surrender control over that vital communications link.

Under the past two Democratic Administrations the confidence of our friends in America's future has been shattered. It is urgently necessary to regain this trust and friendship.

RECOMMENDATIONS

We cannot revert to the peaceful and orderly world of 1960. Too many changes have occurred—not the least of which are the alarming changes wrought by our nation's recent errors and failings. Still the fundamental precepts, the underlying ideals, of the former successful Republican policies provide useful guidelines for the future.

Under a Republican Administration, with America's spiritual, fiscal and military strength reestablished, we pledge an informed dialogue with our friends and allies on how best to *restore our unity of purpose*. As a prerequisite we pledge to deal with major Communist powers on issues of strategic importance within the framework of allied unity. Only thus can we hope to regain the confidence of our international partners.

Under a Republican Administration, we pledge to *improve the management* of our foreign commitments. New initiatives may be necessary, but the United States should never again allow itself to become isolated from its friends. Only with the loyal support of our allies will the burdens of maintaining the peace weigh less heavily and exclusively upon us.

Under a Republican Administration, we pledge to *organize the immense resources* of the free world which now lie fallow because of allied disunity. A renewed sense of purpose will not only improve the common security, but will release talent and resources for a collective assault on the problems of peaceful development. The United States should encourage greater regional and subregional cooperation as a means for stimulating other nations to play larger roles in dealing with their own problems of development and defense. We will also endeavor to *increase the effectiveness of the United Nations* by calling for charter revision aimed at providing equitable solutions to the organization's financial insolvency and burgeoning membership.

C. The uncommitted world

The political problems accompanying newly acquired independence, and the economic and social problems created by a headlong rush into the modern technological world, make most developing nations inherently insecure and unstable. Only competent local leadership can prevent disorder in situations where peoples' expectations are likely to rise faster than society's ability to satisfy them.

Demagogues will inevitably try to exploit the grinding needs and revolutionary expectations of have-not peoples. This danger would exist independent of Communists, but they will typically seek to scavenge upon troubles of the struggling, young countries.

The Communists have put us on notice that they will provoke trouble wherever possible in the uncommitted world. They announced in 1961 and have consistently followed a policy of support for "Wars of National Liberation" aimed at undermining not only colonial administrations but also independent governments whose actions fail to win Communist approval. Vietnam is but one manifestation of this policy. How regrettable it is that the Administration's mismanagement of the Vietnam commitment has prevented any country from providing much needed leadership elsewhere.

For example, in a political sense most of Africa has emerged onto the world scene only since 1960. Twenty-nine of Africa's thirty-nine legally independent states have achieved freedom during the 1960's. As a result, Africa now accounts for nearly one-third of the votes in the United Nations. Despite this portentious change, Democratic Administrations have neglected the huge continent. During the summer of 1967, for example, one-fourth of our embassies in Africa were without Ambassadors.

Worse, the Administration's urge to remodel our foreign policies has prompted our leaders to vie with Communists for the favor of endemic troublemakers among the leaders of uncommitted nations. Too much of America's aid has gone to the Nassers, Sukarnos and Nkrumahs of the world—men unwilling to face the hard decisions required for domestic development, yet all too willing to disrupt the progress of more responsible neighbors. The Democrats' over-riding desire to be popular among such leaders—so-called "neutrals" who regularly display a callous disregard for America and the West—has often prompted the United States to give more aid and support to those willing to injure us than to those inclined to support us.

Thus, America presents the "Third World" with a blurred and puzzling image—an image of a powerful but vacillating giant, devoid of principle and still undecided about basic objectives.

This lack of U.S. leadership is dangerous in the extreme. The underdeveloped world holds a menacing potential for violence, even anarchy. Precisely because turmoil defeats progress, precisely because violence perpetuates human misery, the United States must promote the stability necessary for orderly growth and improved living standards. Americans, with a few other fortunate peoples, cannot exist indefinitely as an island of plenty in a sea of poverty, hunger, disease and rising resentment. Nor would it be true to America's great ideals and humanitarian traditions for us to fail to help close the enormous development gap between the "have" and the "have-not" nations.

Although the genuine needs of developing areas mount alarmingly, the Administration appears unable or unwilling to defend even its modest 1968 aid proposal—the smallest request in foreign assistance history—much less to offer urgently needed new initiatives. The Republican Party has always endorsed the *purposes* of foreign aid. Our criticisms have focused on ineffective and wasteful *methods* of administration.

RECOMMENDATIONS

Under a Republican Administration, we pledge *to cooperate with leaders devoted to evolutionary rather than revolutionary change*. Great change is inevitable; the United States must remain flexible to help direct it into peaceful channels, but without forsaking our principles to curry the favor of opportuntists and demagogues.

Under a Republican Administration, we will *urgently seek new ways of accelerating economic development abroad*. We will encourage the cooperation of other nations, both those able to help others and those which must help themselves. Instead of restrictions on American business overseas, we will develop incentives to stimulate American enterprise to help solve the problems of economic development.

Under a Republican Administration, we pledge to follow up on recent international tariff reductions, which mainly secured advantage for wealthy nations, by *seeking ways to open up the huge American market* on a preferred basis to industrial products and agricultural commodities from selected developing areas.

III. CONCLUSIONS

In the final analysis, two Democratic Administrations have succeeded only in fostering a world instability perilous to our nation's security.

This country's confusing policies and unpredictable actions have caused America to lose both the confidence of her allies and the respect of her enemies.

America's credibility as a world power has been impaired by the absence of global strategy. Lacking an underlying theme our goals have fluctuated wildly; and even where our professed objectives have remained consistent our actions have denied our words. It is small wonder that our allies have drifted away from a leader whose sincerity they mistrust and whose wisdom and resolve they doubt.

Divisions in the free world and America's diminished stature have caused peace to become more remote because our confusion simply provokes the Communists into trying to exploit our weakness. When we fail to support our basic principles, and shrink from defending our vital interests, we invite our opponents to challenge our power and test our spirit in additional ways.

Nothing has so dramatically illustrated our deteriorating position in the world, or so damaged our credibility as a world power, as the *Pueblo* incident. After tiny North Korea captured a United States' naval vessel in international waters, the Secretary of State termed the unprecedented action an "act of war." The President sent the attack carrier *Enterprise* into the region and called up the Reserves. When the Communists called our bluff, the mighty United States backed away and meekly accepted defeat and humiliation. The Johnson Administration could then devise no better course of action than to ask the Soviets to intervene on our behalf. The Soviets' prompt refusal forced the United States into direct talks with North Korea, to the consternation of our South Korean allies.

Our country's ineptitude and lack of firm resolve in the *Pueblo* crisis may well have made plucking the Eagle's feathers an activity which other fourth-rate powers will presume they too can engage in with impunity.

In their totality, Democratic foreign policy failures have created a *crisis of confidence* in the world.

In 1960, while campaigning for the Presidency, the Democrats made much of America's alleged decline in prestige abroad. They demanded that the United States Information Service (USIA) release polls to prove the point. Once in office the Democrats not only refused to publish further foreign prestige polls, they even ordered USIA to cancel all future ones which the Administration suddenly decided "were of no value." It is obvious that the polls were abandoned because America's prestige and popularity abroad had plummeted.

But the American people do not need such

polls; the headlines bear daily evidence of our nation's declining international stature.

The restoration of American leadership in the world depends upon the restoration of our government's credibility. The Democrats can neither regain America's lost reputation nor win back alienated friends. They are unable to divorce themselves from their own past errors. The Party in power can neither admit nor rectify its mistakes. Only a Republican Administration, unencumbered with past error and illusion, can restore credibility to our nation.

Only a Republican Administration can overcome the current *crisis of confidence* and return the United States to its former position of world leadership.

Republican Coordinating Committee

Presiding Officer: Ray C. Bliss, Chairman, Republican National Committee.

Former President: Dwight D. Eisenhower.

Former Presidential Nominees: Barry Goldwater (1964), Richard M. Nixon (1960), Thomas Dewey (1944 and 1948), Alf M. Landon (1936).

Senate Leadership: Everett M. Dirksen, Minority Leader; Thomas H. Kuchel, Minority Whip; Bourke B. Hickenlooper, Chairman, Republican Policy Committee; Margaret Chase Smith, Chairman, Republican Conference; George Murphy, Chairman, National Republican Senatorial Committee; Milton R. Young, Secretary, Republic Conference; Hugh Scott, Vice Chairman, National Republican Senatorial Committee.

House Leadership: Gerald R. Ford, Minority Leader; Leslie C. Arends, Minority Whip; Melvin R. Laird, Chairman, Republican Conference; John J. Rhodes, Chairman, Republican Policy Committee; H. Allen Smith, Ranking Member of Rules Committee; Bob Wilson, Chairman, National Republican Congressional Committee; Charles E. Goodell, Chairman, Planning and Research Committee; Richard H. Poff, Secretary Republican Conference; William C. Cramer, Vice Chairman, Republican Conference.

Representatives of the Republican Governors Association: John A. Love, Governor of Colorado; John A. Volpe, Governor of Massachusetts; George Romney, Governor of Michigan; Nelson A. Rockefeller, Governor or New York; Raymond P. Shafer, Governor of Pennsylvania; John H. Chafee, Governor of Rhode Island; Nils A. Boe, Governor of South Dakota; Daniel J. Evans, Governor of Washington.

Republican National Committee: Ray C. Bliss, Chairman; Mrs. C. Wayland Brooks, Assistant Chairman; Mrs. Collis P. Moore, Vice Chairman; Donald R. Ross, Vice Chairman; Mrs. J. Willard Marriott, Vice Chairman; J. Drake Edens, Jr., Vice Chairman.

President of the Republican State Legislators Association: F. F. (Monte) Montgomery.

Robert L. L. McCormick, Staff Coordinator.

MEMBERS OF THE REPUBLICAN COORDINATING COMMITTEE'S TASK FORCE ON THE CONDUCT OF FOREIGN RELATIONS

Robert C. Hill, Chairman, United States Ambassador to Mexico, 1957–1961.

David N. Rowe, Vice Chairman, Professor of Political Science, Yale University.

Gordon Allott, United States Senator from Colorado.

Robert Amory, Jr., Deputy Director, Central Intelligence Agency, 1952–1962.

John B. Anderson, Member of Congress from Illinois.

Tim M. Babcock, Governor of the State of Montana.

Frances P. Bolton, Member of Congress from Ohio.

Lucius D. Clay, General of the United States Army, Retired.

Philip K. Crowe, United States Ambassador to Union of South Africa, 1959–1961.

Joseph S. Farland, United States Ambassador to the Republic of Panama, 1960–1963.

Paul Findley, Member of Congress from Illinois.

Peter H. B. Frelinghuysen, Member of Congress from New Jersey.

Ernest S. Griffith, Dean, School of International Service, American University, 1958–1965.

Mrs. Cecil M. Harden, Member of Congress from Indiana, 1949–1959; Republican National Committeewoman for Indiana.

Joe Holt, Member of Congress from California, 1953–1959.

Walter A. Judd, Member of Congress from Minnesota, 1943–1963.

John D. Lodge, United States Ambassador to Spain, 1955–1961.

Gerhart Niemeyer, Professor of Political Science, University of Notre Dame.

Nicholas Nyaradi, Director of School of International Studies, Bradley University.

Roderic L. O'Connor, Administrator, Bureau of Security and Consular Affairs, Department of State, 1957–1958.

G. L. Ohrstrom, Jr., Investment Banker.

William W. Scranton, Governnor of the Commonwealth of Pennsylvania, 1963–1967.

Bernard M. Shanley, Republican National Committeeman for New Jersey.

Robert Strausz-Hupé, Director, Foreign Policy Research Institute, University of Pennsylvania.

John Hay Whitney, United States Ambassador to Great Britain, 1956–1961.

Kent B. Crane, Secretary to the Task Force.

AMERICANS FOR CONSTITUTIONAL ACTION—10TH ANNIVERSARY

Mr. MURPHY. Mr. President, yesterday, June 27, marked the 10th anniversary of the founding of Americans for Constitutional Action, an organization which has played an important role, in a responsible manner, in promoting the principles of constitutional government across our country.

I am pleased to join in congratulating ACA for the excellent job which it has done and in wishing the organization ever-growing success in the future. All of us, regardless of our individual political beliefs, recognize the vital role played by education in our democratic process. An informed and aware public is essential to the development of sound debate and to the making of wise decisions in our political process. The organization which we salute today has done its job well in helping to keep the American people advised on current developments with respect to constitutional government.

I congratulate the organization, its officers and staff, and express my hopes for their continued success in the years ahead.

EXEMPTION OF CERTAIN VESSELS FROM THE REQUIREMENTS OF CERTAIN LAWS

Mr. MAGNUSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 2047.

The PRESIDING OFFICER (Mr. BYRD of West Virginia in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2047) to exempt certain vessels engaged in the fishing industry from the requirements of certain laws, which was, strike out all after the enacting clause, and insert:

That section 4426 of the Revised Statutes of the United States (46 U.S.C. 404) is amended by adding at the end thereof the following sentences: "As used herein, the phrase 'engaged in fishing as a regular business' includes cannery tender or fishing tender vessels of not more than five hundred gross tons used in the salmon or crab fisheries of the States of Oregon, Washington, and Alaska which are engaged exclusively in (1) the carriage of cargo to or from vessels in the fishery or a facility used or to be used in the processing or assembling of fishery products, or (2) the transportation of cannery or fishing personnel to or from operating locations. The exemption of the foregoing sentence for cannery tender or fishing tender vessels shall continue in force for five years from the effective date of this amendment."

SEC. 2. Section 1 of the Act of August 27, 1935 (46 U.S.C. 88), is amended by designating the existing section as subsection (a) and by adding a new subsection (b) as follows:

"(b) All cannery tender or fishing tender vessels of not more than five hundred gross tons used in the salmon or crab fisheries of the States of Oregon, Washington, and Alaska except those constructed after the effective date of this subsection or converted to either of such services after five years from the effective date of this subsection are exempt from the requirements of this Act."

SEC. 3. The first proviso of section 1 of the Act of June 20, 1936 (46 U.S.C. 367), is amended by adding at the end thereof the following sentences: "As used herein, the phrase 'any vessel engaged in the fishing, oystering, clamming, crabbing, or any other branch of the fishery or kelp or sponge industries' includes cannery tender or fishing tender vessels of not more than five hundred gross tons used in the salmon or crab fisheries of the States of Oregon, Washington, and Alaska which are engaged exclusively in (1) the carriage of cargo to or from vessels in the fishery or a facility used or to be used in the processing or assembling of fishery products, or (2) the transportation of cannery or fishing personnel to or from operating locations. The exemption of the foregoing sentence for cannery tender or fishing tender vessels shall continue in force for five years from the effective date of this amendment.

SEC. 4. The first subparagraph of section 4417a of the Revised Statutes of the United States (46 U.S.C. 391a(1)) is amended by adding at the end thereof the following sentence: "Notwithstanding the first sentence hereof, cannery tenders, fishing tenders, or fishing vessels of not more than five hundred gross tons used in the salmon or crab fisheries of the States of Oregon, Washington, and Alaska when engaged exclusively in the fishing industry shall be allowed to have on board inflammable or combustible cargo in bulk to the extent and upon conditions as may be required by regulations promulgated by the Secretary of the department in which the Coast Guard is operating."

Mr. MAGNUSON. Mr. President, the House amended the bill in several particulars, namely first, by limiting the exemption to vessels used in the salmon or crab fisheries of the States of Oregon, Washington, and Alaska; and, second, by limiting the exemption for a period of 5 years from the effective date of the amendment.

Mr. President, I move that the Senate concur in the House amendments.

The motion was agreed to.

MANEUVERINGS AGAINST THE PRESIDENT'S SUPREME COURT NOMINEES

Mr. CANNON. Mr. President, I am somewhat surprised at the tactics being planned by some of our colleagues to attempt to block the Supreme Court nominations of Justice Abe Fortas and Judge Homer Thornberry.

This attempt to embarrass the President is nothing more than irresponsible partisan politics. Even the spokesman for the opposition admitted he was not attacking the qualifications of either Justice Fortas or Judge Thornberry. What is being attacked is the right of the President of the United States to make nominations and appointments for as long as he holds office.

This is the President's constitutional right. And those who are threatening a filibuster are trying to quash these indisputable rights. Nowhere in my reading of the Constitution do I find this Presidential power limited to a part of an elective term.

I believe most Senators will join in defeating this idle and meritless argument and quickly and expeditiously move toward a fair examination of these two distinguished Americans based on their qualifications for a place on the Supreme Court.

THE MIDDLE EAST

Mr. DOMINICK. Mr. President, at a time when we are beset with grave problems around the world, it is alarming to observe that our foreign policy seems discordantly out of tune with the problems confronting us. Some scholars of world affairs warn that we are drifting rapidly toward calamity. It is time to check our course to see where we are headed. Storm flags seem to be flying everywhere.

While we now are occupied in South Vietnam, defending that nation against Soviet "aggression by proxy," events in other areas of the world appear to foreshadow other serious confrontations between the Soviet Union and the United States. The Middle East is fast emerging as the most dangerous area where one of these confrontations is shaping up.

The Middle East with its mysticism, its jigsaw geography, its varied cultures and currency, and its natural resources, has been a focal point for adventure, opportunity and emotional involvement since history began. Whether we study the Phoenicians, the Egyptian Empire, the Saracens, Genghis Khan, the Koran, or the Bible, this corner of our earth has been boiling with people, ideas, wars, vast resources and trouble which have defied permanent solutions. In this long-range historical perspective, the present situation appears in sharp focus. Deeply involved are old and new nations, charismatic leaders, vast natural resources, and the dangers of an explosion which could literally reap the wild wind. Perhaps nowhere in recent history have events and power patterns changed so abruptly in a short span of years. Since the end of World War II, the influence of Western European nations in the Middle East has tobogganed, Arab nationalism has increased, and the Soviet Union has multiplied its efforts to fish in these troubled waters.

The world is now faced with the urgent need to find a peaceful, permanent, solution to the problems in the Middle East and do it quickly.

What is behind the Russian move into the Middle East? Russian interest in that region is not new. Since the time of Peter the Great, Russia has maneuvered to get control of the Dardanelles and access to the Persian Gulf. Several times in the past, she has had almost within her grasp the ability to control strategic areas in Turkey and Iran, and good prospects for positions of influence further south and west. At the outset of World War I, the Russians ruled over the most important provinces of Iran and seemed close to Constantinople. During the years 1939 and 1940, when Nazi Germany seemed all-powerful, the Soviet Union obtained Nazi agreement to establish Soviet bases on the Bosporus and the Dardanelles. The Nazis also agreed to the establishment of Soviet spheres of influence in Turkey and Iran.

Later, at the close of World War II, the Russians tried to obtain a voice in control of Tangier at the Straits of Gibraltar. And many of us can recall the difficulties we had in securing the withdrawal of Soviet military forces from Iran in 1946.

In each of those instances and in the earlier ones, Russian designs were thwarted by circumstances. The Russo-Japanese War in 1907 exposed Russian weaknesses and slowed her advance in the area. The disasters of World War I, which toppled the czars, focused Russian attention on internal problems. The Nazi-Soviet war and the outcome of World War II, particularly the resultant power and position of the Western World, combined to prevent the Soviet Union from attaining the fruits which it had anticipated and which it had sought.

After World War II, the U.S. policy of containment and its concomitant large-scale assistance to Greece, Turkey, and Iran, closed the door to Soviet influence in that region. The presence of United States, British, and French military forces in the Mediterranean and their control of its ports made Soviet expansion in the Mediterranean extremely difficult. These factors, buttressed by the flaming enthusiasm of the Jewish Zionists to gain a home for themselves, form the backdrop for the independence of Israel. Furthermore, the Soviets' rigid adherence to the theory of world revolution and obvious ties with the worldwide Communist Party network were repulsive to much of the Moslem world, which was then, and largely continues to be, opposed to Communist ideology. Today, many of these factors have changed, thus changing the direction and the scope of the problems to be faced and solved.

European control and influence in the Middle East and North Africa have sharply declined under the thrust of Arab nationalism. In the process, new governments with a definite anti-Western bias have come to power in many of the Arab States—Algeria, Egypt, Syria, and Iraq are cases in point. They recognize that the social, economic, and military benefits which they want and need have been supplied mainly by the West—but, as we shall see, they have also turned to the Soviet Union for these benefits—hopefully playing both sides.

While this situation did not come about overnight, and in fact is still developing, the possibilities were not lost on Soviet policymakers.

After the death of Stalin, the Soviet Union revised its concepts to provide greater flexibility in dealing with the real world outside Soviet bloc borders. We usually think of "peaceful coexistence" as applying only to Soviet relations with the West, and the term "many roads to socialism" as a device for coping with the independent stance of Tito and Yugoslavia. They do apply in this limited sense. But more important, they are illustrative of the new doctrine which provides a rationale and a cover for Soviet relations with any government where Soviet national interests may be served. Aid, trade, and subversion are the intruments of this doctrine. Extension of Soviet political control is the objective. It matters not who suffers from its application.

Under this doctrine, in 1955, the Soviets provided some $80 million worth of Migs, tanks, artillery, and other arms to Egypt's Nasser. Ostensibly, this equipment was supplied by Czechoslovakia. This is a procedure which is still followed by the Kremlin in certain situations when the Soviet desires to retain a measure of public political freedom of action. Since that time the Soviet Union has furnished military equipment to the United Arab Republic, Algeria, Syria, and Iraq, valued at between $2 and $3 billion. Economic credits have been extended on a similar scale. The largest share by far has gone to Nasser. Twice, now, the Soviet Union has moved to replace Egyptian military equipment destroyed in battle by Israel. Many thousand Soviet technicians, military and civilian, are known to be present in the Arab countries, and large numbers of Arabs have received training in the Soviet Union.

Although this assistance is provided under barter agreements, such as loans or credits at large discounts and nominal interest charges, in fact they might as well be gifts since the recipients are usually either unwilling or unable to pay their debts.

My purpose in reviewing the dollar value of these selected Soviet programs is to make clear the size of the game the Soviet is playing in the Middle East. Let me cite an example to illustrate that they intend to remain in the game.

As we all know, in the short space of 6 days in June, Israel destroyed Soviet-supplied Arab equipment valued at about $1 billion. By all measures, the Soviets as well as Nasser suffered a military disaster. Furthermore, it seemed that the Soviets had lost control of the situation. What did they do? Without heistation they defended the Arabs through every means at their disposal, short of armed intervention, and immediately started replacing the lost equipment.

The concept of the "Big Lie" was once again vocalized in the United Nations through the Soviet and Syrian representatives and through the Asian countries by every possible mechanism. The "Big Lie" consisted solely of the claim that the United States and Great Britain had won the war for Israel.

This replacement of equipment and other assistance to the Arabs had continued at the rate of over 10 shiploads per month. Not one Arab leader has been deposed. Soviet control and influence, feeding on the scraps from the "Big Lie," appear to continue at high levels.

And the key Arab countries—Egypt, Algeria, Syria, and Iraq—have been revived militarily to the extent of approximately 95 percent of their pre-June armament. This has increased the Arab reliance on the Soviets and has drawn the Arab countries in the Soviet sphere of influence despite their anti-Communist leanings. The Soviets are not masters of diplomatic maneuvering. Far from it. But they had several factors helping them. One is the distrust of the Arabs for Western Powers which they equate with colonialism. A strong second factor is the conviction that the Western Powers are totally in support of Israel, a conviction fostered by the "Big Lie." A third factor is the conviction that only the Soviets have enabled the Arab countries to regain the loss of face suffered in their overwhelming military defeat.

The Soviet Union also is continuing to increase the size of its fleet of warships in the Mediterranean. Our Ambassador to NATO, Mr. Harlan Cleveland, has stated that at the time of the Arab-Israel War last June:

> A total of 46 Soviet ships were operational in the Mediterranean including some of the latest guided missile cruisers and about 10 submarines with numerous support ships.

Although these Soviet warships entered the Mediterranean from the Black Sea through the Dardanelles, which is under the surveillance of Turkey, more recently they have been using another more clandestine approach—steaming at night through the Straits of Gibraltar, making it more difficult for us to maintain surveillance of their coming and going. Of even greater significance and importance is the fact that these ships which have been entering the Mediterranean through the Gibraltar Straits, are from the 730-ship Soviet Baltic Fleet. This action reveals that the Russians have now begun to combine operations of their Baltic Fleet with their 700-ship Black Sea Fleet. Another alarming fact is that the Soviet ships in the Mediterranean now are using the Syrian port of Latakia and the ports of Alexandria and Port Said, in Egypt, freely and openly, as bases. Soviet bombers are also paying regular courtesy visits to Egypt and Syria. This increase in Soviet presence on NATO's southern flank has had, and will continue to have, serious political impact.

In addition to an increase in the number of Soviet harassments of the ships of our 6th Fleet, informed observers anticipate that the Soviets will soon add to their Mediterranean force at least one helicopter carrier. Each of these carriers is said to transport 1,000 assault troops. The helicopter carriers will provide the Soviets with the capability to move troops quickly into any area in sufficient force to control most situations. In the light of some recent events, the Soviet threat in the Mediterranean promises to become even more serious in the future.

The Russians are now negotiating for the huge NATO-built base in Algeria which was turned back to Algeria by France in March of this year. This base, located at Mers el-Kabir, has one of the best-protected deep anchorages in the Mediterranean and its underground workshop and storage facilities were constructed to withstand a nuclear attack. Of equal importance is the fact that this base has submarine facilities.

The closure of the Suez canal following the Israel-Arab conflict in June 1967 struck a staggering economic blow to Great Britain. The cost to Great Britain has been estimated at about $56 million a month. Coupled with the Rhodesian crisis, which cost Great Britain more than $280 million in trade, and the British dock strike, which has cost Great Britain more than $240 million, an economic crisis was created which has prompted the British to begin withdrawing all of their forces from east of the Suez. The vacuum so created is a natural ploy for the Soviets and they are already taking full advantage of it.

Two-thirds of the free world's proven oil reserves and one-third of the free world's total oil production are in the Persian Gulf area. Loss of the direct oil supply through the Suez Canal and the embargo by other Arab countries on shipment through the Mediterranean to England and Western Europe during the Arab-Israel conflict have already painted the signposts for the future. Oil supplies started flowing around the cape of Africa in large tankers. Oil costs went up, but those Middle East supplies under control of the Western powers did continue to come through. Further Soviet moves, however, particularly with the abandonment of the area by Great Britain, could and probably will change this pattern. It is entirely possible that the Arab countries will change their salesmen, from Great Britain and the United States-English affiliated companies, to the Soviets or to France. If they change to the former, Great Britain and Western Europe will depend for their oil supply on the new oil pipelines being constructed from Russia into Western Europe, or on Venezuelan, Canadian, and United States reserves, particularly the oil reserves in the Athabaska Tar Sands and the Colorado-Utah-Wyoming oil shale deposits. In either event, a drastic shift in oil economics will be realized.

Strategically, the Russians could obtain the already-built bases which the British are in the process of abandoning between now and 1971, including the huge naval base at Aden. The Soviet aim in this direction is already evident from their intervention in the civil war in Yemen. Russia thought 2 years ago that by equipping Nasser's troops which invaded Yemen, Nasser would serve as a front man for the Soviet ambitions in the area. While the Yemeni rebels, with the assistance of Nasser's 50,000 troops, were successful in seizing control of the government and gaining a tenuous foothold on the Red Sea flank of the Saudi Arabian oil field, the Royalist forces only retreated to the highlands and continued to fight. Nasser, however, was forced to withdraw his troops from Yemen at the time of the Arab-Israeli War last June, and according to reports from that area, Soviet fighter planes piloted by Soviet pilots moved in to attack the Yemeni Royalist forces. At least one of the Soviet Migs was shot down and the Soviet pilot killed while attacking the Yemeni Royalist forces.

Why would the Soviets risk overt intervention in Yemen? The Soviets realize that from Yemen they are in a position to move on Aden. The base at Aden controls one of the four most crucial bottlenecks of the world's trade routes—Bab el Mandeb. This strait forms the gateway between the Red Sea and the Indian Ocean. Through this strait passes all the shipping from the Suez Canal bound for the Indian Ocean and the Far East.

The British withdrawal from the Persian Gulf and its announced termination of its defense pact with Kuwait may also leave the door open for another Kuwait invasion by the Iraqi forces supported by the Soviet Union. With the Soviet presence in force in the area, in the form of sizable seapower, chaos could result among the little newly independent sheikdoms along the western shore of the Persian Gulf.

The Soviets already have base rights in Somaliland, are highly influential in the Yemen and in Aden, have exhibited their flag through their Navy in the Persian Gulf, and are constantly increasing their presence.

Historically, Saudi Arabia and Iran have been more alined with the western world than with the Sino-Soviet bloc. However, the Arab-Israeli War has complicated the situation with respect to Saudi Arabia, and Iran has been negotiating with both the Soviet Union and with us for armaments.

King Faisal of Saudi Arabia, in a recent statement, said that many people in the Arab world have been led to believe that the United States is the enemy of the Arab. This is a part of the "Big Lie" program. Soviet exploration of anti-Americanism, he said, "dictates that the United States should have good relations with the Arab world. As a friend," he continued, "I want the Americans to restore relations so that they won't give our enemies the chance to instill more bad feeling against the United States." King Faisal also said, "In the present situation, it is difficult to raise one's voice in favor of the United States. Up to now, I have done so, but it is increasingly difficult." He accused the present administration in Washington of supporting sections and factions in the Arab world that are against the interests of the Arab world as a whole, and the United States itself.

These statements, made on May 22d to Drew Middleton of the New York Times, are highly significant. King Faisal also said in that interview that he felt that the United States had consistently misjudged the position of President Nasser who, in King Faisal's view, is a puppet of the Soviet Union. The King also called Arab socialism "an instrument of Communist penetration" and stated that he was determined to keep it out of the Persian Gulf.

The Shah of Iran, who was negotiating in Washington in mid-June for the purchase of $100 million in aircraft and armaments, had previously purchased and received from the Soviet Union $110 million worth of armored vehicles, trucks, and antiaircraft weapons. Any rivalry between the Shah and King Faisal for dominance of the Persian Gulf area must be prevented, as it would in the long run serve only to enhance the Soviet thrust.

For all these reasons, I believe that we must move with determination toward achieving a settlement of the Arab-Israel conflict at the very earliest possible moment. As time goes by, the positions of Israel and the Arab countries become more rigid and harder to solve. The emotional attachment and concern for Israel cannot and should not be overlooked. The key, however, is the recognition by the Arab countries of the geographical entity of Israel. Once that issue has been resolved, the other important questions can be ironed out. To that end we must use our influence with Israel and our historical friends in the Arab world, including President Bourguiba, of Tunisia, Hussein, of Jordan, King Faisal, and the Shah of Iran.

It is not necessary nor advisable that we assume the role of policeman to the world, nor that we attempt to pick up the role of Great Britain. But it is essential that we pursue a strategy to assure both friend and foe that we are anxious to and capable of carrying out our role as world leader in the peaceful solution of the world's problems. Failure may lead us to the brink of Armageddon.

Mr. President, I had the honor, in January of this year, of being chairman of a delegation of distinguished Members of the Senate and the House of Representatives to the Ditchley Conference in England, where we discussed, with our counterparts in the House of Lords and the House of Commons, members of the British Cabinet, and many people in private life, in a series of meetings lasting more than 5 days, the problems in the Middle East.

It was distressing for me to see that although everyone recognized the problems, there was a strong divergency of viewpoints between members of the English delegation, as well as between members of ours, as to what could or should be done about solving those problems.

It seems imperative to me that we recognize that the Middle East is a cauldron which can easily be heated to the boiling point, and can create a problem of enormous significance to the United States in the very near future. Part of that problem, in fact the main part of it, has been created by the meddling of the Soviet Union in that area, but a great deal of it also has been exacerbated and increased by the fact that we have been unable to reach even the beginning of a settlement between Israel and the Arab countries which were defeated in the June war last year.

I have great sympathy for the Israelis who have been defending their homeland. I have great admiration for their ability to protect themselves. But it does seem to me that if we are going to maintain any kind of stability in that area, there must be a recognition by the Arab countries of the geographical aims of Israel, so that at that point we can start solving the other problems which have also been facing that area for so many years.

Mr. President, I yield the floor.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

FEDERAL HIGHWAY AUTHORIZATIONS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 3418, the Federal highway authorization bill. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The Legislative Clerk. A bill (S. 3418) to authorize appropriations for fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Public Works, with amendments.

LEGISLATIVE PROGRAM

Mr. BYRD of West Virginia. Mr. President, for the information of the Senate, I am authorized by the distinguished majority leader to state that following Senate action on the Federal highway authorization bill on Monday, the Senate likely will proceed to the consideration of S. 827, the nationwide system of trails legislation.

It is then expected that the Senate will take up the omnibus rivers and harbors authorization bill, probably on Tuesday, and the bill, H.R. 3400, on noise abatement.

This will likely be followed by S. 2525, a bill on vessel pollution control.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. DOMINICK. Mr. President, do I correctly understand that we are laying down the bill on Federal highway appropriations?

Mr. BYRD of West Virginia. It is the Federal highway authorization bill.

Mr. DOMINICK. Is that measure on the calendar? I did not see it.

Mr. BYRD of West Virginia. It has just been reported today, and the chairman of the Public Works Committee, the distinguished senior Senator from West Virginia [Mr. Randolph], has indicated that it is agreeable with him that the bill be taken up on Monday. So, it will be in order on Monday.

SUBCOMMITTEE MEETING DURING THE SESSION OF THE SENATE ON MONDAY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Veterans' Affairs Subcommittee of the Committee on Labor and Public Welfare be authorized to meet while the Senate is in session on Monday, July 1, 1968.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE VOCATIONAL REHABILITATION AMENDMENTS OF 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent, on behalf of the Senator from New Jersey [Mr. Williams], that I be permitted to have printed in the Record a statement by the Senator from New Jersey on the subject of H.R. 16819, the Vocational Rehabilitation Amendments of 1968.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Williams of New Jersey

I was pleased to see the Vocational Rehabilitation Amendments of 1968 passed by the Senate on Monday and returned to the House, which agreed to the Senate amendments on Tuesday, thus clearing this measure for the President's signature. I was especially pleased with the passage of this bill, as Chairman of the Senate Special Committee on Aging, with a long-term deep interest in increasing employment opportunities for older jobseekers, an objective which will be materially furthered if the President signs the bill and it becomes law.

Perhaps the most significant amendment in the bill from the standpoint of the elderly is its definition of "disadvantaged individuals" to include "individuals disadvantaged by reason of advanced age," for purposes of determining eligibility for services under the vocational evaluation and work adjustment program proposed by the bill. Thus, for the first time in the history of Federal vocational rehabilitation legislation, older persons will be eligible for vocational rehabilitation assistance solely on the basis of age, without reference to whether they are suffering a physical or mental disability.

Even without this special provision for the elderly, the Vocational Rehabilitation program could have been expected to help many in this age group who are disabled. Since 1945, when 7,244 disabled persons 45 years of age and older were rehabilitated, there has been a steady increase in the number of aging handicapped individuals rehabilitated into employment. For example, in fiscal year 1966, 41,300 persons over 45 were rehabilitated, over five times the 1945 figure. A total of 47,000 persons age 45 and beyond were rehabilitated during fiscal 1967, and it is estimated that 53,000 of them will be rehabilitated during fiscal 1968, the current year which will end Sunday, and that 60,300 will be rehabilitated during fiscal year 1969, which begins next Monday. These figures include only disabled individuals, not older individuals who are disadvantaged solely on account of their advanced ages, who will become eligible for a type of vocational rehabilitation under the amendments in the bill we passed yesterday. Rehabilitation for members of that group will increase the number of workers age 45 and over assisted by this legislation beyond the estimated 60,300 older individuals who will be aided during fiscal 1969 even if these amendments do not become law.

We have come a long way in vocational

rehabilitation since President Woodrow Wilson signed the first statute on this subject in 1920. While the basic concepts of this legislation have remained about the same during the 48 years since the start of the program, there have been substantial enlargements of the legislation's scope and effectiveness in major amendments enacted in 1943, 1954, and 1965. Now, we are about to take another major step forward by extending the benefits of vocational rehabilitation beyond those who are physically or mentally handicapped, to make it serve those who are disadvantaged in other ways in becoming employed, including those disadvantaged by advanced age. This can be an extremely significant step toward permitting the aged to remain in the mainstream of life and to be independent and self-sufficient.

We are indebted to the senior Senator from Alabama (Mr. Hill) for his leadership on this legislation as Chairman both of the subcommittee and full Committee which considered and reported this measure, and as the floor manager for the bill when it was passed. I hope it will soon become law.

SUPPORT FOR PRESIDENT JOHNSON'S NOMINATIONS TO THE SUPREME COURT

Mr. PELL. Mr. President, I support the nominations made recently by President Johnson for appointment to the Supreme Court. I believe it is in the national interest that these nominations be approved promptly.

If we were to leave the membership of the Supreme Court clouded in uncertainty while waiting for another administration to take office, it would be harmful to our Nation.

I can think of no better man to serve our Nation as Chief Justice than Mr. Justice Fortas. He possesses the qualities of judicial temperament, character, intelligence, and experience. I am confident he will prove to be one of the most outstanding Chief Justices in the long line of distinguished Chief Justices who have marked and embellished our Nation's history.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HARTKE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUPPORT FOR PRESIDENT JOHNSON'S RECOMMENDATION TO EXTEND THE RIGHT TO VOTE TO THOSE 18 YEARS OF AGE AND OVER

Mr. PELL. Mr. President, I wholeheartedly support President Johnson's recommendation to the Congress today in which he proposed that the Congress approve and submit for ratification by three-fourths of the States an amendment to the Constitution which will guarantee our younger citizens, 18 years old and older, the right to vote.

I believe that our young people have fully demonstrated their awareness in our political life and that they are informed and mature citizens.

There are 10 million young Americans in the 18- to 21-year-old age bracket, and I believe they should be given the right to vote just as they are subject to the call to bear arms in defense of the Nation, and are treated by many of our courts of law as adults. These young people, I believe, will prove to be among the best educated and most concerned of our voters. I have great confidence in their thought processes.

I believe that this amendment will expand our democracy rather than limit it.

Since I became Senator 8 years ago, I have had nearly 400 young people as interns and volunteers in my office. My purpose has been to help stimulate their interest in government and in public life. They have fully justified my confidence in them and I have found them to be responsible young citizens.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (H.J. Res. 1368) making continuing appropriations for the fiscal year 1969, and for other purposes, and it was signed by the President pro tempore.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BYRD of West Virginia. Mr. President, what is the pending business for consideration by the Senate on Monday?

The PRESIDING OFFICER. The pending business is S. 3418, Calendar No. 1321, the bill to authorize appropriations for fiscal years 1970 and 1971, for the construction of certain highways and for other purposes.

Mr. BYRD of West Virginia. I thank the distinguished Presiding Officer.

ADJOURNMENT UNTIL MONDAY, JULY 1, 1968

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 12 noon on Monday next.

The motion was agreed to; and (at 3 o'clock and 19 minutes p.m.), the Senate adjourned until Monday, July 1, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate June 28, 1968:

Foreign Claims Settlement Commission

Theodore Jaffe, of Rhode Island, to be a member of the Foreign Claims Settlement Commission of the United States for a term of 3 years from October 22, 1968 (reappointment).

Commission on Civil Rights

Maurice B. Mitchell, of Colorado, to be a member of the Commission on Civil Rights, vice Erwin N. Griswold.

Small Business Administration

Howard J. Samuels, of New York, to be Administrator of the Small Business Administration, vice Robert C. Moot.

Railroad Retirement Board

Thomas M. Healy, of Illinois, to be a member of the Railroad Retirement Board for the term of five years from August 29, 1968 (reappointment).

Postmasters

The following-named persons to be postmasters:

ALABAMA

Grady D. Cope, Huntsville, Ala., in place of L. G. Collier, retired.

CALIFORNIA

Jerald A. Egbert, Rancho Mirage, Calif., in place of S. F. Greenleaf, retired.

Carl H. Penfield, Tujunga, Calif., in place of T. H. Theobald, retired.

INDIANA

Olive L. Johnson, Etna Green, Ind., in place of F. B. Koenig, retired.

Glenward P. Glenn, Newburgh, Ind., in place of J. E. Cox, retired.

IOWA

Joseph D. Hayes, Cascade, Iowa, in place of W. T. McDermott, transferred.

Walter A. Galloway, Templeton, Iowa, in place of M. E. Kohorst, retired.

KANSAS

Norman M. Wiley, South Haven, Kans., in place of M. E. Popplewell, deceased.

LOUISIANA

Milton M. Spencer, Benton, La., in place of G. C. Grammer, retired.

Paul V. Burke, New Orleans, La., in place of A. F. Fairley, deceased.

MARYLAND

Samuel W. Belt, Reisterstown, Md., in place of W. E. Schwartz, retired.

MICHIGAN

Robert E. Loughrin, Cadillac, Mich., in place of B. C. Shankland, retired.

Frank L. Raynak, Greenbush, Mich., in place of H. G. Carrow, retired.

MINNESOTA

Donna K. Hill, Soudan, Minn., in place of H. A. Johnson, retired.

MISSISSIPPI

Eloise B. Barefield, Madison, Miss., in place of Helen Persell, retired.

Nannie T. Bailey, Pachuta, Miss., in place of L. M. Thornton, retired.

MISSOURI

J. Donald O'Connor, Perry, Mo., in place of G. C. Johnson, deceased.

NEBRASKA

H. Gerald Leapley, Belden, Nebr., in place of E. F. Francis, retired.

Marvin A. Jauernig, Stuart, Nebr., in place of D. G. Holliday, retired.

NEW JERSEY

Dixie G. Barracliff, Deepwater, N.J., in place of F. W. Buskirk, deceased.

Helen D. Glutting, Mullica Hill, N.J., in place of B. P. Heritage, deceased.

NEW YORK

William F. Ging, Mount Sinai, N.Y., in place of Clarissa Murphy, retired.

OREGON

Jennabelle M. Vincent, Weston, Oreg., in place of V. G. McLean, retired.

TENNESSEE

Edsel C. Floyd, Watertown, Tenn., in place of J. L. Vann, deceased.

VIRGINIA

Robert G. Moore, Lexington, Va., in place of R. M. Cummings, deceased.

Elsie B. Rich, Saluda, Va., in place of R. G. Walden, retired.

Department of Defense

Robert C. Moot, of Virginia, to be an Assistant Secretary of Defense, vice Robert N. Anthony.

In the Air Force

The following Air Force officers for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

To be captains

Abbott, James W., FV3117933.
Acheson, Gerald H., FV3110165.
Acosta, Jorge A., Jr., FV3103300.
Adams, George L., FV3117549.
Adams, James L., FV3083283.
Adams, William W., Jr., FV3117079.
Adcock, Eddie M., FV3103415.
Adkins, Wayne B., FV3103107.
Ahart, Paul D., FV3110166.
Ahl, Gilbert W., FV3104354.
Alexander, Robb R., FV3109880.
Allebach, James H., FV3115291.
Allee, Paul R., FV3115292.
Allen, Archie G., FV3103349.
Allen, Byron E., FV3116389.
Allen, Michael C., FV3103269.
Allison, Harry B., FV3115888.
Anderson, Edward L., FV3102794.
Anderson, Gaylord F., FV3116177.
Anderson, Gerald M., FV3103069.
Anderson, Warren D., FV3116203.
Arneson, Dwynne C., FV3116517.
Arnold, Gary D., FV3117215.
Arnold, John D., FV3104242.
Athas, Charles P., FV3103724.
Atkins, Benny J., FV3104534.
Atwater, Robert S., FV3117096.
Austin, Jimmie T., FV3103686.
Avis, Bertram, FV3108800.
Bablo, Adelbert G., FV3101713.
Baer John E., FV3105985.
Bailey, Jack E., FV2215767.
Bailey, John E., FV3115917.
Bainbridge, Thomas A., FV3104473.
Baines, Thomas B., FV3105863
Balko, Andrew I., FV3100012.
Banks, Gustave R., FV3117517.
Barager, Daniel C., FV3117234.
Barefoot, Joseph A., FV3117456.
Barker, Kenneth D., FV3117235.
Barnhill, Howard D., FV1930011.
Barrows, Richard T., FV3110049.
Barth, George J., FV2229025.
Bartine, Harris V., FV3103444.
Bartine, Jon C., FV3115974.
Baumann, Carl W., FV3096072.
Beathard, Donald D., FV3103113.
Beatty, John D., FV3115300.
Beauchamp, Ray H., FV3103074.
Beckham, Wesley F., Jr., FV3051724.
Bedingfield, Jerry R., FV3117238.
Belcher, Jesse P., FV3104535.
Bell, Thomas M., FV3116095.
Bello, Bruce J., FV3101709.
Benedict, Carl R., FV3110171.
Bennett, Forrest H., Jr., FV3101834.
Berdeaux, Donald R., FV3117465.
Berg, Kile D., FV3103302.
Berger, Charles E., FV3116397.
Bergmann, Fred H., FV3118007.
Bernard, Charles E., Jr., FV2216005.
Berner, Gerald K., FV3115977.
Bernholtz, Joseph C., FV3104021.
Billman, Charles E., FV3103633.
Bingham, Clifford W., FV3103861.
Biss, Robert I., FV3103220.
Bizily, Russell J., FV3104933.
Black, Maurice, FV3100057.
Blahak, Herman A., FV3110173.
Blair, Forest E., FV2253038.
Blakemore, Carl R., FV3110016.
Bland, Julian P., FV1857272.
Blasingame, Frank E., FV3105546.
Blatter, Wilburt H., FV3103903.
Blizzard, Gerald V., FV3104136.
Blommaert, Richard, FV3110174.
Blount, Harris R., FV3117521.
Boehmler, Richard E., FV3110017.
Bogdan, Robert J., FV3099495.
Booker, Sylvester, Jr., FV2205548.
Booth, Leon, Jr., FV3008778.
Bouchard, David F., FV3117498.
Bouldin, John W., FV3110176.
Bowen, Gary L., FV3104289.
Bowen, William G., FV3116050.
Bowers, Wesley P., FV3104523.
Brabbs, James H., FV3104358.
Bragg, Cloyce L., FV3110019.
Bragg, Richard L., FV3115304.
Brand, Joseph R., FV3106912.
Brandon, Jerry A., FV3117244.
Brasington, Frank C., FV3103303.
Braun, Ralph A., FV3047901.
Brazelton, Donald E., FV3103056.
Breen, Paul F., FV3115919.
Breitenfeld, Robert F., FV3103115.
Brewer, Jay R., FV3116372.
Brewer, Ronald G., FV3116401.
Brewer, Thomas A., FV3117646.
Brezinski, Robert A., FV3117525.
Bristol, Richard B., FV3103449.
Brock, Floyd J., Jr., FV3040669.
Brooks, Sloan L. B., FV3116051.
Brookshire, Robert C., FV3004671.
Brost, Carol A., FV3115442.
Brown, Donald L., FV3103398.
Brown, James A., FV3109950.
Brown, James K., FV3103076.
Brown, Kenneth L., FV3115921.
Brown, Theodore L., FV3050997.
Brownlee, Leonard J., Jr., FV3112321.
Brunk, John E., FV3103946.
Bryant, William F., Jr., FV3116403.
Buckman, Mark M., FV3020559.
Ruhrmann, Rolland L., FV3115308.
Bunton, Edward E., Jr., FV3105695.
Burton, Robert L., FV3101969.
Buschmann, John R., FV3103399.
Rush, Chester G., FV3117755.
Buskohl, Richard E., FV3115310.
Butcher, Clifford E., FV3103671.
Butler, Jack V., FV3116098.
Butler, Jon D., FV3104027.
Butters, Jerrold L., FV3095741.
Calderon, Jose G., FV3095504.
Campbell, Donald F., FV3097555.
Campbell, John J., FV3118015.
Campbell, Robert K., FV3117468.
Campbell, Thomas G., FV3103781.
Cannon, Edward L., FV3055860.
Cantergiani, Jose C., FV3117872.
Caraway, Charles R., FV3048439.
Carbery, Ronald L., FV3102072.
Carey, John J., FV3117648.
Carroll, Richard A., FV3118016.
Carruth, James R., FV3106298.
Carter, Michael G., FV3103452.
Cary, Richard B., FV3103271.
Caughlin, Donald W., FV3095482.
Chambers, Otis G., FV3104271.
Chandler, Jack D., Jr., FV3102077.
Chandler, Thomas C., FV3017793.
Chartier, Paul F., FV3117152.
Chase, Gary R., FV3117649.
Chastain, Randall K., FV3060021.
Cherry, George W., FV2231068.
Chesson, Roger T., Jr., FV3117378.
Childress, Harry M., FV3100767.
Chitwood, Edward C., FV3103454.
Chrietzberg, John H., FV3092331.
Christy, Donald D., FV3103228.
Chrobak, Stanley J., FV3115316.
Citron, Albert L., FV3022578.
Clark, Albert F., FV3103229.
Clark, Lynn L., FV3096464
Cleland, Val D., FV3066479.
Clemons, Larry C., FV3118019.
Clifton, Larry D., FV3030623.
Cline, Troice G., FV3118127.
Clingman, Billy G., FV3110029.
Clisby, Ronald D., FV3104258.
Clouse, Ronald A., FV3103601.
Cobb, William D., FV3109988.
Cofod, Robert K., FV3164981.
Cole, Denis J., FV3116261.
Coleman, Donald P., FV3101796.
Combs, Leon W., FV3011409.
Comiske, Joseph P., Jr., FV3040984.
Coneys, Martin T., FV3101807.
Conn, Phillip R., FV3103951.
Conner, William B., FV3103316.
Coody, Marcus H., FV3100204.
Cook, Barbara K., FV3101962.
Cook, Douglas J., FV3103784.
Cooper, Henry C., FV3101825.
Cooper, John T., FV3104029.
Cooper, William J., FV3098712.
Copeland, Donald P., FV3103953.
Corson, Edgar E., Jr., FV 3103733.
Couch Darrell B., FV3103866
Cox, Jerry, FV3115448.
Crawford, Henry O., Jr., FV2227372.
Creech, Charles P., FV3103174.
Crider, Luther L., FV3116057.
Crooks, Richard W., FV3109776.
Cumberland, Frank G., FV3103080.
Cunningham, Richard R., FV3103785.
Curry, John L., Jr., FV3099236.
Curtis, Richard R., FV3115989.
Cutler, Allen S., FV3104543.
Czerwinski, Walter W., FV3104366.
Daniel, Jesse R., FV2245444.
Daniels, George E., FV3029963.
Dannheim, Richard A., FV3115320.
Davis, Harold E., FV3115462.
Davis, Phillip L., FV3103558.
Davison, William G., FV3106123.
Davy, Robert W., FV3117959.
Dawson, Richard R., FV3103234.
Day, David F., FV3105650.
Daylor, Joseph E., FV3101968.
Debevec, John L., FV3103289.
Debolt, Leroy R., FV3117652.
Decker, Charles E., FV3104368.
Decker, Meredith A., FV3110144.
Deibler, Daniel C., FV3115478.
Delahanty, Martin H. FV3117254.
Delanhoussaye, George R., FV3104244.
Deliduka, George E., FV3101880.
Delzingaro, Frank J., FV 3115325.
Deniston, Thomas G., FV3117879.
Dennis, Troy R., Jr., FV3100206.
Depew, Billy D., FV3110145.
Deputy, Richard C., FV3003316.
Derenzo, Francis J., FV3110036
Deruiter, David H., FV3118134.
Desch, Gerald D., Jr., FV3104032.
Detweiler, Gerald E., FV3038481.
Devilbiss, Jere A., FV3097300.
Devoriss, William H., FV3103404.
Devries, Edward J., FV3115484.
Devries, William A., FV3099604.
Dewey, Robert H., FV3103954.
Dewhurst, Louis O., FV3110011.
Diaz, Doroteo T., FV3100934.
Dice, Wilbur D., FV3110033.
Digiorgio, Thomas, FV3058615.
Dillon, Edward B., FV3103735.
Dinnes, William D., FV3118136.
Dixon, Dale B., FV3117102.
Doll, Richard D., FV3118138.
Dorgan, Charles E., FV3096493.
Dorwart, Gerald E., FV3103787.
Doshier, Jack R., FV3110146.
Dove, Life N., FV3117538.
Dowden, Richard P., FV3104546.
Dreiling, Philip W., FV3109824.
Dreyer, Theodore C., FV3096087.
Drittler, John A., FV3118141.
Dugan, Thomas J., Jr., FV3117161.
Dunford, Ray E., FV3103330.
Dunhill, William M., FV3019733.
Dunipace, Joel, FV3040079.
Dunley, Gene C., FV2218165.
Dunn, Cloyd T., III, FV3109997.
Dvorak, Dudley J., FV3104190.
Dwyer, Roy F., Jr., FV3117882.
Eaton, Billy, FV2228178.
Edwards, Dale H., FV3014902.
Edwards, John F., FV3099202.
Edwards, Walter W., FV3104421.

Ehlers, James H., FV3115515.
Elder, Joseph R., FV3115517.
Elkins, Byron W., FV3102998.
Elliott, Hall S., Jr., FV3103171.
Elliott, Howard O., FV3103191.
Emodi, George P. P., FV3105974.
Engels, William D., FV1861174.
Erdos, Louis I., FV3104191.
Esculano, Teofilo, Jr., FV3109757.
Evans, Howard E., Jr., FV3103739.
Evans, Thomas C., FV3104585.
Faneuf, David A., FV3117384.
Fechser, Clyde A., FV3052777.
Fenton, Charles A., FV3103738.
Fernandez, John C., FV3115526.
Finlay, Henry M., FV3117482.
Fisher, Neil, FV3115329.
Fisher, Thomas J., FV3104297.
Flatbush, William E., Jr., FV3115331.
Flister, Herbert P., FV3109651.
Flowers, William R., FV3110149.
Fogg, Jerome D., FV3109652.
Fosgate, Kenneth R., FV3019225.
Foss, William V., FV3101761.
Foster, Lemuel C., FV3038579.
Foster, Robert E., FV3100561.
Fowler, Frederick W., FV3103651.
Fox, John D., FV3103331.
Frame, John W., FV3103790.
Frank, Charles W., FV3033549.
Frank, Howard W., FV2218458.
Franzyshen, Karol E., FV3115934.
Frazer, Oscar W., FV3103624.
Frazier, Robert O., FV3052200.
Freeman, Patrick W., FV3104100.
Friedland, Arthur S., FV2246916.
Friend, Patrick T., FV3103909.
Frost, Cyril R., FV3103408.
Fukai, Victor S., FV3118033.
Fuller, Monroe J., FV3105548.
Fuller, William T., Jr., FV3116325.
Fullerton, James D., FV3103559.
Furukawa, Ronald F., FV3115768.
Gaal, Roger C., FV3103238.
Galey, Maurice D., FV3103332.
Gallagher, John J., FV3035000.
Gallegos, Stevan R., FV3110153.
Garrison, Douglas L., FV3117773.
Garrison, Larry G., FV3098879.
Garrison, Robert H., FV3310434.
Garten, Muril V. D., FV3109650.
Gasho, Allan L., FV3104196.
Gates, Anthony A., FV3103333.
Gatlin, Jay P., FV3106406.
Geier, John C., FV3116063.
Geniuk, Eugene B., FV3109663.
Gentsch, Alvin C., FV3052155.
Giampietro, Ronald L., FV3106324.
Giese, Robert L., FV3115994.
Gildar, Jack D., FV3027048.
Giles, Roy M., Jr., FV3104245.
Gillespie, Peter T., Jr., FV3104369.
Girdler, John B., Jr., FV3116064.
Glose, John F., FV3104370.
Goeller, Arthur F., Jr., FV3095458.
Goldberg, Sheldon A., FV3109752.
Good, Larry G., FV3103033.
Goode, Jerry L., FV3103683.
Goodrich, Edwin P., FV3117776.
Goodson, Edward B., Jr., FV3104037.
Goodwin, David L., FV3103461.
Gosdin, Gary A., FV3095068.
Graves, Barry, FV2246537.
Graves, Carroll F., Jr., FV3104273.
Gray, Willis T., FV3081859.
Green, Edward J., Jr., FV3109658.
Green, Louis A., FV31033503.
Greene, Hubert S., FV3096756.
Greeno, Richard L., FV3055819.
Gregory, Hugh R., FV3104427.
Grenon, Maurice A., FV3010611.
Gresham, James R., FV3104371.
Gress, John J., FV3057362.
Grexa, John J., FV3082737.
Griffin, John J., Jr., FV3110156.
Groth, Allan R., FV3103911.
Grove, John E., FV3103463.
Gruchacz, Joseph I., FV3103795.
Guardalibene, Charles P., FV3103958.
Guild, Ralph F., FV3115771.
Gunia, Charles F., FV3110004.
Gutzat, Gustave E., FV31033201.
Haag, Raymond C., FV3103743.
Hadwin, Jack N., FV3103241.
Hagen, Elroy L., FV3110005.
Hailey, Robert C., FV3117555.
Hainley, Francis J., FV3115337.
Hale, Hollis B., Jr., FV3096593.
Hammond, George I., FV3109660.
Hancock, Thomas P., FV3098496.
Hargrove, Wilbur H., FV3117269.
Harnack, Elmer D., FV3103036.
Harrah, Rodney K., FV3103465.
Harris, Gerald M., FV3110006.
Harris, Robert W., FV3117107.
Harris, Thomas E., FV3104201.
Harrison, William D., FV3116424.
Harrop, James D., FV3103207.
Harroun, Charles R., FV3110007.
Hartley, Jerry W., FV3116276.
Harwood, Richard J., FV3104263.
Hash, George J., FV3104127.
Hawk, Robert W., FV3110122.
Hayes, Francis W., FV3117677.
Heagy, William H., FV3103334.
Hedgepeth, Robert G., FV3117784.
Hein, Don H., FV3103834.
Henderson, Carl J., FV3116067.
Henderson, Clement R., Jr., FV3115340.
Henry, Gilbert L., FV3117173.
Hester, Leon N., FV3115342.
Hetherington, Jeremiah J., FV3115343.
Hewes, Jay B., FV3110124.
Hildebrandt, Herbert C., FV3096330.
Hill, James L., FV3117786.
Hille, Arthur K., FV3110126.
Hinesley, Madison G., FV3103173.
Hintzen, Martin H., FV3103038.
Hodgin, John K., FV3104375.
Hoffpauir, Albert J., FV3110127.
Hogge, Joseph E., FV3101992.
Holland, David A., FV3117488.
Hooper, Bradley H., FV3018991.
Horn, David R. A., FV3104041.
Horton, John C., FV3110128.
Horton, Royce M., FV3054770.
Hottell, Max N., FV3110129.
Hover, Jack H., FV3117787.
Howe, Willard R., Jr., FV3117788.
Hoyt, Jerry W., FV3104431.
Hoyt, Stuart G., FV3103797.
Hubert, John K., FV3117395.
Hubertus, Lawrence F., FV3106661.
Hughes, Forrest M., FV3106634.
Hughes, Frank H., Jr., FV3100856.
Hunt, Robert C., FV3103845.
Hurst, Richard S., FV3104502.
Idone, John, FV3104148.
Ingersoll, Robert J., FV3103964.
Ingram, Robert L., FV3110013.
Irvin, Melvin D., Jr., FV3104206.
Isenhart, Robert K., FV3110014.
Jackson, Charles E., FV3116553.
Jacoviak, Thaddeus F., FV3082934.
Jamar, Louis G., FV3097056.
James, Donald, FV3103965.
Jatzen, Billie, FV3103244.
Jefferson, Joseph E., FV2220623.
Jenckes, James S., FV3109669.
Jeter, James G., FV3117902.
Jobes, Larry W., FV3108543.
Johnson, Charles R., FV3104149.
Johnson, Donald P., FV3117179.
Johnson, Earl K., II, FV3117281.
Johnson, Marshall L., FV3117904.
Johnson, Robert B., Jr., FV3103688.
Johnson, Russell G., FV3117793.
Johnson, William C., FV3103200.
Jones, David W., FV3014779.
Jones, George C., FV3025751.
Jones, Herman P., FV3006438.
Jones, Larry M., FV3104434.
Jones, Lee A., FV3106953.
Jordan, Lewis E., FV3110133.
Kaiser, Richard A., FV3115358.
Kanase, Clinton S., FV3117567.
Karafa, Steve A., FV3103967.
Karas, William B., FV3116230.
Kavanagh, Brian O., FV3117182.
Kawski, Alfred, FV3104435.
Kay, James G., FV3030568.
Kaylor, Ronald G., FV3117285.
Kearns, Harold D., FV3109976.
Kefalas, Jerry, FV3012749.
Keller, Charles R., FV3116003.
Kelly, John M., FV3116231.
Kelly, Palmes S., III, FV3095865.
Kempf, Marius F., FV3103245.
Kerr, Terrance W., FV3103041.
Kershaw, John J., FV3116004.
Keyman, John C., FV3115336.
Kidwiler, Charles W., FV3116005.
Kilburn, Daniel B., Jr., FV3109676.
Kilroy, Edward J., FV3031642.
Kime, William, FV3109978.
King, Bobby D., FV3104209.
King, Charles G., FV3100570.
King, Harold G., FV3110138.
King, Joseph D., FV3115943.
King, Russell S., Jr., FV3104210.
King, William A., Jr., FV3104504.
Klaehn, Raymond, FV3103914.
Klinger, Kenneth K., FV3103186.
Kluth, Larry J., FV590957.
Knapp, Richard A., FV3104305.
Kneeland, Charles C., FV3117798.
Knowles, James F., FV3103206.
Knudson, George H., Jr., FV3103514.
Koch, George W., FV3103799.
Koch, John T., FV3105706.
Kocher, Larry A., FV3115362.
Koontz, Nobe R., Jr., FV3103122.
Korpi, John J., Jr., FV3110163.
Kot, Marian A., FV3103751.
Kozimor, John P., FV3094331.
Kramer, Kenneth A., FV3104213.
Kreeger, Clyde L., FV3104560.
Kruse, Robert E., FV1851272.
Kuck, Edgar P., FV3117689.
Kulas, John A., FV3104045.
Kunkel, Allen D., FV3103183.
Kunkle, James H., FV3104215.
Kuntz, Robert T., FV3115382.
Kundel, Allen D., FV3103183.
Kuzma, Robert H., FV3103516.
Kwiatkoski, Kenneth, FV3110100.
Kyhn, Richard O., FV3104562.
Labeck, Marvin F., FV3117801.
Labell, Louis C., FV3054408.
Laird, Donald J., FV3103754.
Lamontagne, Gaston A., FV3098723.
Lampert, Doyle R., FV3117184.
Landers, James J., FV3115577.
Langham, Robert M., Jr., FV3117291.
Langley, Kenneth I. J., FV3097543.
Langston, Joseph L., FV3109982.
Laporte, Richard J., FV3115364.
Larock, William L., FV3115301.
Larson, Jerry L., FV3110101.
Laughrey, John D., FV3109984.
Lea, Gary C., FV3117692.
Leader, Edward M., FV3030482.
Leary, James C., FV3117293.
Lebar, Thomas J., FV3103917.
Lecroy, Roy C., FV3099717.
Lee, Owen M., FV3104984.
Leger, Eugene L., FV3103691.
Lehning, John E., FV3109679.
Leonard, Theodore G., FV3106601.
Letourneau, David E., FV3103693.
Lewis, Allen R., FV3103645.
Lewis, Durwood, FV3106442.
Lewis, John H., Jr., FV2254781.
Lewis, Robert F., Jr., FV3097544.
Light, Larry L., FV3115367.
Liguori, Gerard, FV3103973.
Lindenstruth, George F., Jr., FV3115580.
Linder, Richard H., FV3116647.
Little, James F., FV3105477.
Livingston, Larry R., FV3104309.
Logan, David A., FV3099515.
Lollis, David, Jr., FV3109682.
Lombardi, Alexander D., FV3041332.
Long, John A., FV3116120.
Lowy, Robert E., FV3103519.
Luro, Harold F., FV3115946.
Lussier, Edward L., FV3115371.
Lyman, Roderick W., FV3103804.
Lyons, Donald J., FV3103655.
Maakestad, John R., FV3103478.
Mabus, Gordon J., FV3110104.
Machuta, James J., FV3106076.
Madere, Antoine D. W., Jr., FV3100862.

Magee, John H., FV3117808.
Maiden, Jerre W., FV3116285.
Mallison, Lawrence, FV3109954.
Malyn, Albert D., FV2248288.
Mann, Dale M., FV3115947.
Markovich, Joseph A., FV3117696.
Markow, Nicholas M., FV3110110.
Marsh, Joseph B., Jr., FV3117916.
Marston, John W., FV3064181.
Martelle, George W., FV3104383.
Martin, Thomas S., FV3100024.
Massmann, Thomas A., FV3105953.
Maughan, Rulon B., FV1861177.
Maybaum, Frederick L., FV3117192.
McAloon, Christopher A., FV3103378.
McCabe, Francis X., FV3104384.
McCall, Edward D., FV3117698.
McCormack, Robert L., FV3103978.
McCright, James A., FV3109991.
McDaniel, Donald L., FV3109992.
McDowell, Richard E., FV3104440.
McElwain, Joseph C., FV3109685.
McFadden, Lawrence R., FV2245412.
McFarlane, Peter N., FV3100925.
McGee, Michael V., FV2220257.
McGowan, Clarence E., FV3106205.
McHugh, Jages P., FV3109688.
McKenzie, Alan D., FV3101552.
McKim, Kenneth E., FV3117919.
McKinnon, Taylor B., FV3115551.
McLean, Dale E., FV3117578.
McMahon, Walter J. II, FV3115568.
McMurray, Jerry D., FV3103757.
McNeilly, Elmer A., Jr., FV3116446.
McWilliams, Christian, Jr., FV3115582.
Melby, Roger D., FV3088148.
Mellor, Richard B., FV3109958.
Merelman, William A., FV3033272.
Merrill, Allan R., FV3015634.
Merrill, Preston M., FV3106709.
Mersnick, Alroy J., FV3107010.
Merz, John E. III, FV3116367.
Messersmith, John D., FV3106815.
Metts, Bobby L., FV3109959.
Metzger, Harry O., FV3103315.
Meyers, James Y., FV3103981.
Middleton, William T., FV3118167.
Miliefsky, Allen R., FV3117581.
Miller, Douglas R., FV3103807.
Miller, Jay K., FV3104154.
Mills, Paul F., FV3104311.
Milton, Philip S., FV3050302.
Mock, Frank H., FV2215849.
Molton, William, Jr., FV3103983.
Montague, Frank P., FV3115628.
Moore, Jimmie L., FV3115500.
Moorehead, Jimmie L., FV3103808.
Morris, Donald J., FV3117584.
Morris, Gary R., FV3095530.
Mott, Donald L., FV3101535.
Muehlof John J., FV3109966.
Mumma, Robert D., FV3109967.
Murray, Joseph P., Jr., FV3118169.
Musselman, Stephen C., FV3103110.
Myers, Gale A., FV3117403.
Myers, Leonard L., FV3109969.
Myers, Roger F., FV3115630.
Namaksy, Diane B., FV3110051.
Napolitano, John J., FV3103759.
Neale, David G., FV3118170.
Neely, Frank A., Jr., FV3117587.
Nelson, Robert G., FV3118061.
Nesrett, Daniel M., FV3117588.
Newell, William R., FV3100951.
Newson, Charles L., Jr., FV3103253.
Nicholas, Mansel E., FV3025532.
Nicoll, Donald L. FV3109971.
Nitsch, Anthony J., FV3117200.
Nope, Darrell A., FV3109972.
Norwood, George B., FV3106666.
Novak, Ralph B., FV3103989.
Noyallis, Edward C., FV3117708.
Nugent, Henry M., FV3103530.
Oberding Frederick H., FV3109932.
Obert, William F., FV3103416.
O'Brien, Michael F., FV3117306.
O'Connor John E., FV3109698.
O'Connor Joseph E., Jr., FV3103418.
O'Connor Thomas J., FV3098678.
O'Halloran, Gerald J., FV3103531.
O'Hanlon Alvin M., FV3110117.
O'Hare, Donald R., FV3103809.
Olson, Gerald E., FV3115797.
Olson, Sage H., FV3103990.
Oppenheimer, Edward FV3117113.
Osborne, Robert O., FV3116299.
Ostdiek, Marion A., FV2208369.
Overmoen, Creighton FV2216981.
Overton Gaylon R., FV3047270.
Owen, William E., FV3104159.
Paladino, Carl FV3116015.
Panek, Robert J., FV3103483.
Pankey, James L., Jr., FV3071191.
Parcell, Clarence A., Jr., FV3103295.
Parker, James L., FV3109700.
Parker, Joe D., FV3103379.
Parkes, Dale R., FV3103852.
Parrish, Jesse, R., FV1907494.
Parrott, Glendon B., FV3109937.
Parrott, Thomas V., FV3103992.
Passant John E., FV3037772.
Patterson, Robert E., FV3117502.
Peale, George H., FV3109939.
Peavey, James S., FV3109704.
Peckham, Paul A., FV3109705.
Peckham, Robert N., Jr., FV3103760.
Peirold, Ernest C., FV3102251.
Pekala, Robert R., FV3118174.
Pennington, James E., FV3103532.
Percival, Garry L., FV3116301.
Perry, Randolph A., Jr., FV3103258.
Peterka, James A., FV3118067.
Peters, Felix C., FV3065253.
Peterson, Roy W., FV3095042.
Petrik, Stephen, FV3085480.
Phillips, Earl C., FV3115386.
Phillips, William L., FV3116304.
Piet, Louis J., FV3109709.
Pitches, James S., FV3104161.
Plummer, James E., FV3110120.
Pollock, Roger K., FV3103700.
Pope, Sidney C., FV3116576.
Porter, Billy D., FV3103761.
Potter, William J., Jr., FV3117205.
Powell, William C., FV3117595.
Powers, Charles H., FV3059171.
Poyle, James M., FV3117596.
Preble, Donald W., FV3117315.
Presto, Edward J., FV3115732.
Preston, Willard D., FV3105088.
Priester, Richard A., FV3109710.
Protzmann, James D., FV3081839.
Purdon, Tommy J., FV3106619.
Putz, Robert F., FV3103997.
Quick, Ingram T., FV3116240.
Radike, John D., FV3115960.
Raphael, Joseph, FV3080221.
Ratterree, Hulic B., FV2208263.
Raulen, William J., FV3103486.
Records, Francis A., FV1856071.
Redfield, Richard M., FV3117599.
Reed, Vernon G., FV3100003.
Reisinger, Robert S., FV3104163.
Reynolds, Dwight R., FV2232064.
Rhodes, Thomas K., FV3096334.
Rice, Richard J., FV3104055.
Richardson, Kenneth L. Jr., FV3104165.
Riddell, Richard F., FV3109942.
Risley, Ronald D., FV3109713.
Ritchie, Howard, FV3109943.
Rockstad, Jon G., FV3104227.
Rodeheaver, Clarence G., Jr., FV3028651.
Rogers, William J., FV3117928.
Roll, Thomas R., FV3115606.
Roskos, John J., Jr., FV3103535.
Rowekamp, William G., FV3041522.
Roy, James R., FV3117722.
Rudolph, William B., FV3103704.
Rugh, John N., FV3104760.
Ryan, William W., FV3103487.
Sageser, John E., FV3053839.
Salin, Robert R., FV3110088.
Salvatore, Richard, FV3103765.
Santerini, Lawrence F., FV3103211.
Savard, Theodore R., FV3103345.
Sawicki, Gerard F., FV3104324.
Schaaf, John D., FV2259774.
Schaelling, Joseph W., FV3109717.
Scharf, Thomas R., FV3039791.
Schart, William E., FV3109948.
Schaur, George A., FV3103707.
Schefler, Arthur C., Jr., FV3117326.
Schmidt, Gerald E., FV1907812.
Schoensiegel, Ernest R., FV3104058.
Schorey, James R., FV3040058.
Schuette, Charles E., FV3104577.
Schuiten, Clyde L., FV3117070.
Schultz, Robert H., FV3116585.
Schweikhart, Richard G., FV3117834.
Scobey, Mark J., FV3117071.
Scott, Paul W., FV3115399.
Scuderi, Richard, FV3103537.
Sculley, Michael W., FV3103190.
Selensky, Herman J., FV3117614.
Seligman, Jack, FV3104456.
Semon, Edward A., FV3104325.
Shahmouradian, Edward A., FV3065867.
Shannon, Bobby G., FV3103188.
Shaw, Wayne E., FV3103767.
Shore, Clement W., FV3109643.
Shotwell, Larry M., FV3116243.
Shumaker, Donald H., FV3103769.
Silvers, John R., FV3109952.
Simpkins, David L., FV3104168.
Singleton, Arnold A., FV220823.
Sisk, Henry J., Jr., FV3104059.
Slater, Marvin M., FV3117837.
Small, John D., FV3118182.
Smeltzer, George G., FV3110093.
Smith, Bruce E., FV3099556.
Smith, Chester C., Jr., FV3117839.
Smith, Eugene W., FV3115402.
Smith, Glen L., FV3110094.
Smith, John F., FV3007154.
Smith, Ross A., FV3117841.
Smith, William H., FV3104250.
Snipas, Vincent P., FV3109723.
Snyder, Jay A., FV3117455.
Soeder, Eugene H., FV3107052.
Sofie, Stanley A., FV3110097.
Sorenson, Kenneth C., FV3106717.
Souders, Robert J., FV3109912.
Spear, Franklin L., Jr., FV3110098.
Spencer, Robert C., FV3104118.
Stamps, Arthur E., FV3117128.
Starling, Don R., FV3116317.
Starren, Jack A., FV3103542.
Steady, Howard A., FV3103298.
Steiner, Charles J. E., FV3104810.
Stephenson, Russell G., FV3103261.
Sterling, Philip A., FV3117081.
Stewart, Wallace F., FV3103493.
Stock, John W., FV3118087.
Stow, J. Harry III, FV3118988.
Strayer, James E., FV3100599.
Stymiest, Alexander L., FV3035738.
Sullivan, David J., FV3103936.
Sullivan, Roger E., FV3104173.
Summers, Donald L., FV3103897.
Sundholm, Robert A., Jr., FV3040175.
Sutton, Eston R., FV3109914.
Sveinbjornsson, Svfinbjorn C., FV3115613.
Sweeney, David J., FV3103818.
Sweeney, John R., FV3105970.
Sweeney, William L., FV3065710.
Sweet, Bruce M., FV3104329.
Swing, Robert A., FV3100581.
Tassie, James A., FV3116386.
Taylor, Lawrence H., FV3103546.
Taylor, Robert K., FV3106224.
Thelen, Daniel J., FV3109915.
Thomas, Raymond C., Jr., FV3106830.
Thomason, Charlie R., FV3028840.
Thompson, Frank M., FV3103196.
Tignor, Ralph E., FV3115653.
Tippit, William K., FV3109917.
Titus, Harold R., FV3117626.
Tokumoto, William K., FV3110062.
Tray, William P., FV2235459.
Trier, Robert D., FV3109904.
Trombley, James H., FV3103715.
Trybek, Raymond J., FV3104176.
Tucker, Joseph H., Jr., FV3096656.
Turk, Jimmy D., FV3104399.
Turner, John F., FV3103595.
Twitchell, Dwane D., FV3110063.
Undlin, Jesse P., FV3103772.
Vanalstine, Donald G., FV3109738.
Vanduyne, Vernon L., FV3109919.
Van Sloten, Harlyn W., 3055812.
Vantusko, George A., FV3116034.
Venn Porter W., FV3103496.
Viar, Johnny K., FV3110065.

Villarreal, Arnulfo H., FV3106671.
Volkwine, Raymond W., FV3115413.
Vorgetts, Robert J., FV3064173.
Wagner, Walter C., Jr., FV3103428.
Wagoner, Jerry L., FV3110066.
Wagoner, Karl M., FV3096194.
Wailly, Louis F., FV2267716.
Waldow, Willard A., FV3116035.
Wallace, Hoyt A., FV3103213.
Ward, Edward, FV1856041.
Ward, Wesley P., Jr., FV3104517.
Ware, Frederick B., FV3003999.
Warman, David K., FV3099784.
Warner, Henry D., FV3020292.
Warren, David M., FV3103146.
Warren, Terry L., FV3117942.
Washburn, Paul M., FV3109922.
Washington, David L., FV3097952.
Weaver, Dolpha T., FV3117423.
Weekley, Robert P., FV3041421.
Weir, James, FV3104334.
Wellington, Robert E., FV3119342.
Wells, William L., FV3100721.
West, Thomas E., FV3012410.
Wheeler, Donald C., Jr., FV3110039.
Whelton, Robert E., FV3104237.
White, James P., FV3103901.
White, Robert A., FV3104406.
Widen, Donald A., FV3105596.
Wilder, Leonard P., FV3110072.
Wiles, Carl T., FV3106317.
Willhoite, John A., FV3116600.
Williams, Gilbert H., FV3117088.
Williams, Harry C., Jr., FV3109928.
Williams, Robert J., FV3117853.
Williamson, Roger F., FV3080587.
Wilson, David D., FV3106681.
Wilson, George C., FV3115662.
Wilson, Raymond L., Jr., FV2232907.
Wilson, Richard S., FV3103576.
Wilson, Robert K., FV3116324.
Wineki, Raymond J., FV2220900.
Wintrode, Joseph H., FV3116694.
Wolff, Jack L., FV3103717.
Womelsdorff, Edgar H., FV3109748.
Wood, Loren G., FV3103433.
Wood, Robert W., FV2216865.
Woytovich, Bennie L., FV3117998.
Wright, George E., FV3110078.
Wright, James W., FV3103773.
Wright, Wayne, FV3117950.
Wyman, John W. G., FV3103215.
Yamamoto, Tom M., FV3110037.
Yandell, John R., FV3041443.
Yoder, William W., FV3107043.
Yonkos, James T., FV3026908.
Youmans, K. B., FV3118097.
Young, Ronald R., FV3101221.
Yuen, Arnold Y. D., FV3099612.
Zarkowski, Matthew, FV3117136.
Zimmerman, George V., Jr., FV3106086.
Zook, David S., FV3109754.
Zukowski, Joseph K., FV3103551.
Zych, Leonard P., FV3109692.

To be first lieutenants

Abney, Floyd J., FV3121601.
Adams, John W., FV3122682.
Adams, Kenneth P., FV3118372.
Adolf, John E., FV3116829.
Ahlstrom, Frank C., FV3120144.
Aiosa, Charles J., FV3146037.
Albertson, Jack D., FV2215376.
Alderman, Jerald R., FV3133708.
Alfaro, Eugene A., FV3118374.
Allee, William S., FV3155988.
Alleger, Arthur II, FV3108827.
Allen, Eugene D., FV3162496.
Allen, Gerald, FV3163569.
Allen, John R., FV3147948.
Allen, Robert J., FV3128444.
Allison, Jeffrey B., FV3148522.
Allred, Jack R., FV3156831.
Alston, Edward D., Jr., FV3107466.
Alt, William E., FV3147516.
Aman, Edwin D., FV3118130.
Anderson, Alan C., FV3122706.
Anderson, Eddy E., FV3147367.
Anderson, Jerry C., FV3115866.
Anderson, Marshall D., FV3015486.
Anderson, Peter J., FV3148374.
Anderson, Richard D., FV3148744.
Andrews, C. Peter, FV2234363.
Anduss, Larry P., FV3120581.
Antonow, Walter, FV3150453.
Arent, William L., FV3121037.
Arnaud, Alfred A., Jr., FV3121046.
Arnold, Francis W., FV3122344.
Arrington, Donald R., FV3148784.
Asboth, Julius, Jr., FV3147413.
Aspenson, Donald L., Jr., FV3148221.
Atwell, Edward A., FV3122452.
Aube, Richard M., FV3116743.
Auer, George A., FV3156470.
Ayres, Edwin B., FV3149086.
Back, George V., FV3121827.
Baddley, Henry M., Jr., FV3122453.
Baermann, Edwin R., Jr., FV3108005.
Bailey, Joe M., FV3167634.
Bainter, Jimmy R., FV3150490.
Baker, Noel J., FV3066131.
Baker, Patton H., FV3100836.
Baldauf, Robert E., FV3067429.
Balik, Michael A., FV3155257.
Ballentine, James M., Jr., FV3133530.
Barber, Ronald R., FV3116574.
Barbin, Albert R., Jr., FV3154725.
Barnett, Donald G., FV3121083.
Barnhill, Billie G., FV3162501.
Baron, Adam J., FV3148953.
Barry, Duncan A., FV3122352.
Barton, Robert J., FV3117140.
Barts, Duane A., FV3116857.
Barwick, Leon S., Jr., FV3133112.
Basque, Patricia E., FV3115865.
Bastian, Thomas W., FV3122582.
Battle, Bobby E., FV3155615.
Bauer, Darrol L., FV3120768.
Baumgartner, Richard C., FV3116440.
Baxter, James W., FV3155676.
Beamer, Donald E., FV3116733.
Beamer, Samuel C., FV3122457.
Bean, William K., FV3107377.
Bear, Sherman W., FV3118428.
Beck, James N., Jr., FV3147433.
Becker, Donald T., FV3128292.
Becker, George H., FV3104871.
Becker, Lawrence D., FV3122683.
Beeler, Craig A., FV3134012.
Belejchak, George J., Jr., FV3128366.
Bell, Raymond L., Jr., FV3121084.
Bell, Robert L., FV3116839.
Belzer, George W., III, FV3122585.
Bendere, George H., FV3128684.
Bendik, Carl M., FV3148128.
Bennett, Charles A., FV3156380.
Benson, Linn D., FV3122586.
Benthin, Thomas C., FV3118541.
Bentley, James M., FV3128293.
Berdine, Ralph E., FV3116893.
Bergandi, Louis J., Jr., FV3107734.
Berryhill, Robert T., FV3133317.
Bertino, William L., FV3121085.
Bertoli, Richard, FV3129168.
Bestgen, Robert F., FV3108079.
Bethel, Harold E., FV3121103.
Betts, Richard A., FV3120418.
Billotte, Robert A., FV3122729.
Bilton, Bertran W., FV3121039.
Birchard, Carl E., FV3118471.
Bird, William J., FV3133494.
Birgerson, Alexander O., Jr., FV3116924.
Biritz, Robert B., FV3148513.
Birnie, Ian, FV3121607.
Bishop, Russell D., FV3116953.
Bixler, Gene H., FV3133557.
Bjers, Thomas D., FV3118162.
Black, Harold H., FV3107946.
Blair, John D., Jr., FV3147336.
Blanchard, John M., FV3120428.
Blanchard, John Z., Jr., FV3115366.
Blanchfield, Robert, FV3108829.
Blaydes, Bernard B., FV3108700.
Blazek, Miroslav F., FV3099678.
Blevins, William C., FV3134232.
Blinn, Robert D., Jr., FV3116479.
Bloom, Michael I., FV3105163.
Bobak, John W., FV3109124.
Bobka, Ronald F., FV3147956.
Bocklage, Norman W., FV3122787.
Bodrak, Gilbert C., FV3119319.
Bogner, Harry W., FV3116973.
Bohannon, Richard L., Jr., FV3107313.
Bohner, Harry R., FV3116816.
Bold, David P. J., FV3117522.
Boleski, Stanley, Jr., FV3107086.
Bolliger, Ronald E., FV3148293.
Bolton, Ben W., FV3116677.
Bolton, Wayne E., FV3122644.
Bonck, Lionel N., FV3147572.
Bonniwell, Frank E., Jr., FV3121226.
Bond, Walter R., FV3133626.
Boole, Douglas S., FV3107229.
Booth, Kenneth C., Jr., FV3122645.
Boudreaux, Merlen, FV3108282.
Bourke, Theodore R., FV3128603.
Bousquet, Alfred, Jr., FV3108035.
Bousquet, Thomas R., FV3119350.
Bowen, Ronald A., FV3109452.
Bower, Frank H., FV3163046.
Bowers, Billy H., FV3116532.
Bowling, Isaac M., FV3002889.
Bowman, James D., FV3107269.
Boyd, Billy M., FV3157174.
Bozarth, Thomas L., FV3128155.
Bradford, Bruce, FV3147525.
Bradwell, John J., FV3115359.
Branch, Charles L., FV3147562.
Branch, John H., Jr., FV3147320.
Brandl, Jimmie R., FV3147604.
Brandt, Ronald L., FV3148268.
Branine, Raymond G., FV3116741.
Bransfield, John R., Jr., FV3145862.
Braun, Robert G., FV3086221.
Bray, Richard A., FV3155678.
Breininger, Robert L., FV3128240.
Brennan, John L. III, FV3108626.
Brindle, George T., FV3115373.
Brinson, Everett, FV3128527.
Britt, Ronald P., FV3122217.
Britz, William C., FV3116207.
Brockman, Charles D., FV3128220.
Broestler, Robert H., FV3109384.
Broglie, James R., FV3148645.
Bron, Robert P., FV3163271.
Bronstein, Abraham, FV3147875.
Brooks, David H., FV3148739.
Brosowske, Dennis L., FV3115597.
Brower, Barry S., FV3115920.
Brown, Harry M., FV3130633.
Brown, Jack H., FV3157217.
Brown, Jerry V., FV3106253.
Brown, Robert C., FV2245861.
Brown, Robert N., FV3148099.
Brown, Thomas P., FV3157881.
Browning, Richard A., FV3155725.
Brozovsky, David A., FV3121006.
Brumble, Michael R., FV3156039.
Brunson, Leslie S., FV3147660.
Bryner, Richard F., FV3147587.
Bryner, Richard L., FV3120726.
Buchanan, Hubert E., FV3148528.
Buehrig, Richard H., FV3121205.
Buriff, Donald S., FV3109314.
Burleigh, Lary G., FV3148666.
Burnett, Terrell E., FV3121008.
Burnette, Herman C., Jr., FV3155617.
Burnham, Robert F., Jr., FV3146171.
Burns, William A., FV3148689.
Burns, William C., Jr., FV3103451.
Burr, Alan L., FV3147838.
Burrell, Donald E., FV3150429.
Bush, Howard J., FV3154968.
Bushey, James W., FV3107123.
Butcher, Stanley R., FV3121253.
Butler, David H., FV3147533.
Butler, Joseph E., FV3154969.
Butler, Walter O., Jr., FV3120733.
Butler, William W., FV3133430.
Butterly, Glenn M., Jr., FV3148475.
Butterworth, Raymond J., FV3121087.
Buys, Richard E., FV3130974.
Buzzelli, James A., FV3122163.
Byers, Arden L., FV3148344.
Cabrera, Mark A., FV3133495.
Cain, Charles R., FV3121179.
Calahan, Wray D., FV3095002.
Calhoun, John H., III, FV3121009.
Call, Robert M., FV3117759.
Callanan, Anthony P., FV3134263.
Callen, Harry K., FV3148997.
Campbell, Doyle E., FV3149065.
Campbell, James T., III, FV3108830.
Campbell, Thomas E., FV3104360.
Canaday, Jerome B., FV3147877.
Cannaday, Curtis P., Jr., FV3122684.

Capeheart, David E., FV3156676.
Caradec, Bernard J. G., FV3107102.
Caraway, George E., FV3121105.
Carle, Richard L., FV3109728.
Carlson, Aulay P., FV3115369.
Carlton, Robert N., Jr., FV3150494.
Carmichael, Thomas O., FV3146279.
Carney, William L., FV3134100.
Carpenter, Frank L., FV3148046.
Carpenter, George R., FV3121999.
Carter, Robert W., Jr., FV3133857.
Cartledge, William T., FV3121287.
Casali, Gary, FV3100052.
Casey, Bernard L., FV2236995.
Casey, Joseph H., FV3121010.
Casey, Kevin M., FV3128695.
Casey,William E., Jr., FV3121794.
Cassidy, Francis M., FV3154485.
Catlett, John A., FV3120491.
Cavazos, Raul R., Jr., FV3145787.
Caviness, Donald G., FV3116942.
Cegavske, Wallace D., FV3147722.
Cenac, Dennis L., FV3148424.
Cervantes, Joaquin A., FV3150528.
Chaloult, Michael P., FV3121900.
Chambers, Glenn R., FV3115747.
Chambers, Willard R., FV3105819.
Chapman, David L., FV3120742.
Chapman, Johnny L., FV3147854.
Chapman, Robert L., Jr., FV3121106.
Charlton, John E., FV3115293.
Charneco, Humbert R., FV3161830.
Chatlos, Michael A., FV3122731.
Chavers, Pasqual D., FV3150496.
Cherone, Martin E., FV3121311.
Childress, Harvey A., Jr., FV3120743.
Chittenden, Robert D., FV3118017.
Christensen, Carl R., FV3148356.
Christensen, Marles A., FV3120745.
Christodoulou, Christo, FV3122631.
Christofilis, John G., FV3107358.
Chronister, Vernon L., FV3121321.
Chun, Patrick F., FV3121011.
Churan, Thomas M., FV3147947.
Churnell, Robert F., FV3157242.
Ciminero, John, FV3120746.
Clark, Byron A., FV3120747.
Clark, David E., FV3122599.
Clark, Ralph W., Jr., FV3115658.
Clark, Wayne E., FV3116214.
Clary, John J. III, FV3122791.
Clatterbuck, Guy E., Jr., FV3122601.
Clegg, Donald H., FV3116954.
Clements, William H., III, FV3118641.
Cleve, Robert E., FV3115880.
Closson, James B., FV3122751.
Coats, James A., FV3115817.
Cocciolo, Harry F., FV3121043.
Cofer, Arthur W., FV3150499.
Coffey, Donald J., FV3156170.
Coker, Artis B., Jr., FV3147990.
Coleman, Charles A., FV3148273.
Collier, Clifton E., FV3116470.
Collier, Russell L., FV3119389.
Collins, Earl L., FV3087541.
Collins, James L., FV3121670.
Combs, Delbert D., FV3121345.
Combs, Jesse L., FV3148422.
Combs, Ronald H., FV3150430.
Compton, Roger B., FV3119080.
Connor, Edward A., FV3122365.
Cook, David C., FV2249075.
Coover, Michael G., FV3118378.
Cordera, David M., FV3104541.
Corn, Philip B., FV3120905.
Corrion, James R., FV3120752.
Corry, Kenneth R., FV3150397.
Cortez, Robert B., FV1853463.
Costa, Francis L., FV3121360.
Cottingham, James D., FV3139329.
Cotton, Richard B., FV3120753.
Cottrell, Kit G., FV3133719.
Cousin, Edwin F., FV3148713.
Cox, Jasper D. M., FV3107270.
Cox, John T., FV3118132.
Crabb, William T., FV3116990.
Crabtree, Albert L., FV3109521.
Cranston, James R., FV3100106.
Crawford, Michael J., FV3133499.
Cray, Merwin L., FV3116544.
Cress, Ted S., FV3163086.
Crombie, Kent E., FV3148339.
Cronian, Dannie J., FV3122606.
Crooker, Christian A., FV3155802.
Crouch, Robert J., FV3116581.
Crowell, Charles C., FV3128597.
Cruger, Kenneth J., FV3021311.
Crummey, Donald M., FV3119131.
Cude, Michael W., FV3128536.
Cuellar, Fernando D., FV3147844.
Cumella, Joseph T., Jr., FV3115819.
Cunningham, John E., FV3156492.
Curtis, Stanley G., Jr., FV3119014.
Cusick, Richard J., FV3148334.
Cutter, Earl W., Jr., FV3108470.
Daigre, Richard G., FV3128462.
Dana, Gary L., FV3133208.
Dana, Joseph B., FV3121110.
Darden, Russell B. G., FV3147596.
Dargitz, David K., FV3121227.
Dausel, Dennis H., FV3128539.
Dausend, Robert J., FV3148027.
Davidson, James F., FV3147529.
Davidson, Ronald L., FV3107876.
Davis, James W., FV3121836.
Davis, Laurens C., Jr., FV3162512.
Davis, Thomas W., Jr., FV3120758.
Davis, William J., Jr., FV3149070.
Davis, Wilmer L., FV3147663.
Day, Joshua T. III, FV3122004.
Day, Lawrence A., FV3117878.
Degrella, George J., Jr., FV3156533.
Delaney, William J., FV3120751.
Delowery, Gregory M., FV3156250.
Demers, Joseph R. R., FV3148591.
Dempsey, Robert F., FV3118385.
Denk, Paul T., FV3066894.
Dennin, Thomas H., FV3147288.
Denton, Barry P., FV3147293.
Derato, Christen S., FV3148563.
Dervaes, Joseph R., FV3148372.
Dettling, Robert E., FV3109434.
Deuel, Robert F., FV3154774.
Devine, Bernard G., FV3118601.
Devine, Jerry A., FV3150531.
Devivo, Robert, FV3108372.
Diamond, Stephen W., FV3147934.
Dietrich, Henry L., FV3116499.
Dilda, Stancil L., Jr., FV3131652.
Dillmann, Edward C., III, FV3118200.
Dillon, Floyd R., FV3128249.
Dinapoli, Anthony C., FV3147790.
Diotte, Claude, Jr., FV3116992.
Dirga, Richard, FV3104545.
Dobberfuhl, Gerald P., FV3116270.
Dodd, Lawrence E., Jr., FV3116993.
Doerr, Albert F., FV3122206.
Doerr, Christopher M., FV3134107.
Dolan, George A., Jr., FV3147936.
Domeratzki, Alexander J., Jr., FV3148427.
Donley, Martin N., FV3119025.
Dooley, Frank, FV3147617.
Dooyema, Curtis C., FV3148972.
Dopplick, Thomas G., FV3159895.
Dorau, Laurence E., FV3154977.
Dorman, Robert K., FV3120909.
Dorsey, Clark B., FV3107605.
Dougherty, Richard P., FV3121089.
Douglass, Bruce S., FV3150457.
Douglass, Joseph W., FV3122477.
Douthitt, Albert L., FV2220524.
Dow, David S., FV3117880.
Doyle, Edward T., FV3128250.
Doyle, Larry T., FV3120760.
Doyle, Robert D., FV3118582.
Drake, Gordon L , FV3122222.
Drake, Robert D., Jr., FV3120761.
Dreifuss, David A., FV3147414.
Drew, Daniel, L., Jr., FV3121606.
Driggs, James D., FV3122251.
Drill, Arnold G., FV3147673.
Drowns, Walter J , FV3116995.
Druva, Karlis J., FV3120552.
Drysdale, Larry L., FV3134108.
Dubois, David L., FV3121902.
Dubois, Joel R., FV3155074.
Dudzinski, Stanley J., FV3148697.
Duffy, Edward P., FV3148224.
Dugan, Francis D , FV3118602.
Duke, William G., FV3116998.
Dukes, James F., FV3100130.
Duncan, Deryl C., FV3120763.
Dunn, William G., Sr., FV3006841.
Duto, Michael D., FV3106745.
Dykes, Clifford E., Jr , FV3133225.
Dzur, Robert J., FV3155900.
Dzyban, Charles W., FV3122373.
Eads, Charles M., Jr., FV3121474.
Earnshaw, Bruce B., FV3121478.
Eason, Ernest R., FV3146442.
Edenfield, James L., FV3122374.
Edmondson, William R., FV3150434.
Edson, Lee A., FV3154421.
Edwards, Charles R., FV3133559.
Edwards, David S., FV3147238.
Edwards, Frederick J., FV3117001.
Egbert, Edward M., FV3139352.
Egle, Valdis, FV3154979
Elbert, Keith R., FV3148699.
Elder, Samuel D., FV3121238.
Eller, Deryck J., FV3150400.
Elliott, Thomas F., FV3148792.
Elsberry, Lloyd W., FV3107173.
Emerson, Jerome A., FV3121112.
Enga, Richard H., FV3148445.
Engle, John D., FV3122029.
Ennett, Alfred, FV3121416.
Erickson, Eric J., FV3121796.
Erion, Gerald L., FV3148922.
Esterly, William K., FV3122617.
Etheredge, James M., FV3116926.
Evans, Damian G., FV3148235.
Evans, John D., FV3139331.
Evans, Roland B., FV3121152.
Evans, Thomas H., FV3116850.
Eveleigh, Robert E., FV3122027.
Ewanco, Thomas, FV3118287.
Ewing, Charles A., FV3122735.
Fackler, Edward H., FV3121244.
Fadal, William K., FV3118858.
Fain, Earl H., Jr., FV2254925.
Fairchild, William W., FV3147485.
Fallis, David L., FV3107250.
Fantle, Samuel III, FV3121091.
Farber, Melvyn E., FV3109068.
Farmer, James L., FV3115638.
Faye, Alexander L., Jr., FV3133432.
Fazio, Pasquale R., FV3117259.
Fenlon, James P., FV3147954.
Ferguson, David H., FV3147281.
Fernandez, Joaquin, FV3118618.
Feutz, Frank T., FV3120564.
Ficke, Wayne L., FV3147946.
Fields, David B., FV3119405.
Fields, Vollie C., Jr., FV3108213.
Filandro, Peter A., FV3155411.
Filigno, Daniel A., FV3118487.
Filkins, Darrell L., FV3122769.
Fillip, Darrel L., FV3162744.
Finuf, Bernard D., FV3159045.
Fischer, Richard J., FV3108676.
Fjetland, Gerald L., FV3162517.
Flatt, Dwayne T., FV3120988.
Fleck, Richard N., FV3021436.
Fletcher, Kenneth S., Jr., FV3148083.
Flint, Russell L., FV3148676.
Floyd J. T., Jr., FV3120568.
Flynt, James L., FV3107609.
Follmer, William H., FV3120721.
Forbes, Alfred A., III, FV3144623.
Forbis, William R., Jr., FV3139382.
Ford, David E., FV3122074.
Forrest, Harry J., Jr., FV3120777.
Foster, Leland C., Jr., FV3147344.
Fowler, Harold D., FV3147490.
Fowler, William P., FV3104977.
Fragos, John, FV3115933.
Frank, David H., FV3133725.
Frank, Ralph D., FV3155683.
Franklin, James W., FV3117009.
Franklin, Leon B., FV3128387.
Freedman, Paul M., FV3116835.
Freeman, John F., FV3118234.
Frein, Emil C., FV3133967.
Friend, Charles W., FV3122007.
Frighetti, Vincent J., FV3147297.
Fritze, Lee V., FV3121252.
Frost, Stanfield Jr., FV3118652.
Froyen, Leroy, FV3121491.
Fujinaga, Edwin M., FV3117011.
Funk, Dan G., FV3107397.
Furlong, Robert P., FV3150401.
Gacek, Frederick A., FV3115560.
Gado, Elmo D., FV3107253.
Gaines, William A., FV3118035.

Galbraith, Lee R., FV3133923.
Galbreath, Michael J., FV3157019.
Galioto, Fedele J., FV3148603.
Ganley, Richard D., FV3116219.
Gannon, Eugene J., FV3147774.
Gardner, Autrey T. Jr., FV3128545.
Gardner, Felix B., FV3118037.
Garmon, Claude E., FV3148267.
Garrett, Dennis N., FV3157154.
Garrett, James E., FV3122008.
Garrett, Robert C., FV3120848.
Garver, Claude D. Jr., FV3156888.
Gassiott, Ernest W., II, FV3147094.
Gassman, Thomas E., FV3121492.
Gaston, Robert A., FV3120400.
Gawelko, Jacob, FV3117547.
Gebhardt, Roger P., FV3150402.
Gehrke, Donald R., FV3148379.
Geiger, Gary W., FV3148114.
George, David I., FV3120574.
George, Thomas F., FV3108884.
Gerard, Joseph H., FV3117012.
Gibson, James G., II, FV3146318.
Gifford, Estel G., FV3156715.
Gilbert, Charles L., FV3122174.
Gilbertson, Jimmy D., FV3109267.
Gilchrist, Dennis D., FV3119506.
Gilding, Thomas J., FV3155658.
Gilkeson, Thomas C., FV3156889.
Gill, Robert E., FV3154925.
Gindlesperger, Larry P., FV3118146.
Girard, Gerald A., FV3131740.
Giusti, Paul G., FV3122113.
Glasser, Martin J., FV3155412.
Globokar, Frank T., FV3148384.
Goble, James A., FV3148527.
Godsey, Elwyn A., FV3159409.
Goeble, Harold E., Jr., FV3132223.
Goerges, William R., FV3107985.
Goethert, Wolfhart B., FV3118806.
Goetzman, Gary R., FV3147309.
Goin, John E., FV3154443.
Golden, George D., FV3147961.
Goldsmith, Eugene S., FV3118038.
Golemis, Denis, FV3115831.
Gonzalez, Louis P., Jr., FV3108972.
Goodale, George, FV3120784.
Goolsby, Ira D., FV3147998.
Gorg, Francis A., FV3147449.
Gottschalk, Donald W., FV3121840.
Gow, Edwin K., FV3108305.
Graber, Charles R., FV3148063
Graetzel, Robert L., FV3098886.
Graff, Gordon A., FV3148532.
Graham, Dennis L., FV3156577.
Graham, Samuel H., FV3122116.
Gram, Arthur M., FV3147794.
Grant, Stephen C., FV3148690
Grasmeder, Robert F., FV3120578.
Gray, Zac L., FV3150502.
Green, Bobby L., FV3148906.
Green, Bobby R., FV3109524.
Green, Glenn E., FV3128622.
Green, James L., Jr., FV3156717.
Green, William E., FV3134220.
Greenberg, Robert, FV3162526.
Greene, Franklin L., FV3115833.
Greve, Robert P., FV3146276.
Griffin, James P., FV3133663
Grimm, Paul G., Jr., FV3150404.
Grobstein, Joseph A., FV3148358.
Groff, Walter P., Jr., FV3162261.
Gruver, Barry D., FV3121518.
Gubler, Deon R., FV3119096.
Guenther, Norman M., FV3116810.
Guillermin, Louis F., FV3150435.
Gullo, Vincent J., Jr., FV3122795.
Gunderson, Eldon R., FV3088393.
Gunnoe, Orville D., FV3147797.
Gwaltney, Javy R., Jr., FV3155565.
Haas, Frederick W., FV3120913.
Hackett, Charles K., Jr., FV3148203.
Hadley, Terry J., FV3156740.
Hafermalz, William B., FV3122739.
Hagan, Dewey E., FV3108681.
Hagen, Gary E., FV3121521.
Hagenow, Paul E., FV3134112.
Hager, Edwin P., FV3116724.
Hager, Gerald T., FV3148008.
Hale, Fred T., Jr., FV3128257.
Hall, Edward B., Jr., FV3148294.
Halpain, William L., FV3128623.
Halsted, Ronald L., FV3150405.
Hamilton, Phillip W., FV3120792.
Hammond, Barrie L., FV3121118.
Hammonds, Cecil D., FV3162529.
Handrick, William J., FV3121830.
Haniman, Randcliff, Jr., FV3118235.
Hannan, Robert R., FV3147410.
Hansen, Allan L., Jr., FV3116725.
Hansen, Vernon C., FV3155659.
Hansen, William C., FV3107348.
Hanson, Gary R., FV3148535.
Harper, Gareth L., FV3105584.
Harper, Larry K., FV3157075.
Harrington, John P., FV3147908.
Harris, Cleveland S., FV3147527.
Harris, Joe L., FV3117065.
Harris, Stuart J., FV3134222.
Harrison, Alfred S., FV2218253.
Harrison, James C., FV3104553.
Harter, John L., FV3109153.
Harvey, Norman G., FV3116728.
Hast, Charles W., FV3121271.
Hastey, Eugene W., FV3122690.
Hatcher, Maxie A., Jr., FV3134237.
Hauger, Jon D., FV3150436.
Hawes, John L., FV3097361.
Hawkins, Hoyt D., FV3117020
Hayes, William A., Jr., FV3148758.
Hearron, Clifford D., FV3148285.
Hebrank, Andrew N., FV3128171.
Hecker, John F., FV3148756.
Heerbrandt, Anthony C., FV3128519.
Hegarty, Michael J., FV3155649.
Heivilin, Thomas S., FV3148554.
Helfenstein, John P., Jr., FV3156157.
Heller, William F., FV3118604.
Henderson, William W. III, FV3160015.
Hendl, Richard G., FV3131312.
Hendrick, David, FV3117897.
Hendrickson, Ronald A., Jr., FV3147669.
Henrichson, Charles H., FV3128394.
Henscheid, Robert H., FV3122179.
Henzler, Aloysius W., FV3116730.
Hepner, Dennis L., FV3148974.
Hepokoski, Mark E., FV3118239.
Hermeling, Roger A., FV3109282.
Herr, Edwin W., FV3127909.
Herrin, Horton H., FV3128172.
Hesler, Robert J., FV3119137.
Heuschkel, Austin L., FV3122715.
Hewer, David J., FV3097075.
Hibbs, Jerry A., FV3147676.
Hickenbotham, Richard J., FV3122387.
Hicks, Gary L., FV3118148.
Hiestand, James E., FV3139332.
Higashi, Robert M., FV3107384.
Higbie, Richard M., FV3119199.
Higgins, Page W., Jr., FV3119068.
Hightower, John W., FV3148354.
Hilliard, Warren K., Jr., FV3059572.
Himelick, Paul A., FV3134114.
Hines, James F., FV3148548.
Hinman, Elmer S. II, FV3157192.
Hoadley, William F., FV3148031.
Hoden, John P., FV3108430.
Hoff, Gerald F., FV3116734.
Hoffman, James W., FV3128174.
Hohenshelt, Johnnie R., FV3157198.
Holden, Raymond D., FV3128006.
Hollenbeck, Warren S., FV3107699.
Holley, James O., FV2210217.
Holmes, Bruce E., FV3108936.
Holmes, James E., FV3147579.
Holmes, Michael J., FV3150533.
Holsinger, Mitchell, FV3147331.
Holt, Donnie R., FV3148314.
Holub, Robert J., FV3147018.
Hooper, George R., Jr., FV3116737.
Hopper, Gerald D., FV3121548.
Hoppes, John D. K., FV3120416.
Horne, William K., FV3139333.
Horton, Hugh T., FV3121047.
Hoskins, Michael L., FV3127914.
Hosler, Ronald E., FV3147324.
Houle, John R., FV3147391.
Hovey, Thomas D., FV3157207.
Howe, David T., FV3119822.
Howe, Donald L., FV3147546.
Howell, Kenneth D., FV3147691.
Howlett, Ronald H., FV3116739.
Hoyt, Harold W., FV3122181.
Huertas, Jose L., FV3162532.
Huesing, William C., FV3128318.
Huff, Charles E., FV3155962.
Hughes, David E., FV3147842.
Hughes, Donald L., FV3105425.
Hull, Jimmy E., FV3155541.
Hulse, Henry A., FV3117681.
Humphrey, Winson R., FV3147839.
Hunsucker, William R., FV3149071.
Hunter, William B., FV3014030.
Huntington, Leoroy, FV3121553.
Hurlbert, Robert D., FV3120802.
Hurley, Jack, FV3118042.
Huskey, Richard L., FV3121285.
Huston, Frank J., FV3145806.
Hynes, George K., FV3147440.
Ibbotson, Edward L., FV3115646.
Ingram, Dick D., FV3155568.
Ipock, George T., Jr., FV3109229.
Irvin, Charles R., FV3154576.
Irvine, Darold D., FV3120595.
Irvine, William S., Jr., FV3160535.
Ishii, Thomas T., Jr., FV3107670.
Ivy, Lloyd M., Jr., FV3147514.
Jackson, Herbert L., FV3127916.
Jackson, James T., FV3118660.
Jackson, Karl W., FV3157504.
Jacobs, Fred B., FV3122629.
Jaehnig, Stewart H., FV3150504.
James, William B., FV3120806.
Jamieson, Magnus C., FV3115252.
Jardine, Randy B., FV3148573.
Jarvi, Dennis W., FV3157255.
Jiles, James C., FV3122502.
Johnson, Alexander T., III, FV3150437.
Johnson, Dale S., FV3139358.
Johnson, Ernest P., FV3128323.
Johnson, Joseph A., FV3128324.
Johnson, Kenneth R., FV3147993.
Johnson, Melvin J., Jr., FV3119306.
Johnson, Sidney L., Jr., FV3148185.
Johnson, Stephan G., FV3148760.
Johnson, Thomas R., FV3132119.
Johnson, Willard C., FV3155740.
Johnson, William E., Jr., FV3148052.
Jones, Bobby A., FV3154445.
Jones, Cleveland J., FV3133781.
Jones, George T., FV3146443.
Jones, Harold O., FV3139359.
Jones, John T., Jr., FV3128013.
Jones, Richard F., Jr., FV3057611.
Jones, Richard L., FV3120810.
Jordan, Troy D., FV3115847.
Julich, Robert L., FV3108778.
Jund, Carl S., FV3128326.
Junkin, Lehmon N., FV3121296.
Jurasek, Robert V., FV3118344.
Jursnick, John P., FV3155082.
Justice, John A., FV3156545.
Kahn, Olaf, II, FV3025717.
Kammerer, William F., FV3121506.
Kantzer, Gerald E., FV3155742.
Karels, Gerald F., FV3117032.
Karton, Simon M., FV3133730.
Kastands, George, FV3148644.
Kastle, Karl W., FV3146358.
Katon, John M., FV3156903.
Katz, Milton M., FV3155415.
Kaus, Robert J., FV3122753.
Kavanagh Thomas D., FV3150534.
Keil, Stanley W., FV3150535.
Keller, David W., FV3109903.
Keller, Wendell L., FV3118776.
Kellerman, Phillip R., FV3121943.
Kelley, Paul E., FV3116720.
Kelley, Phillip J., FV3154828.
Kelley, Ronald W., FV3115848.
Kelly, Jack S., FV3148174.
Kemp, Monty H., FV3148028.
Kempi, David J., Jr., FV3148759.
Kennedy, James F., FV3150439.
Kennedy, James H., FV3115549.
Kennedy, Virgil C., FV3150440.
Kessler, Carroll N., FV3118663.
Kessler, Paul D., FV3148350.
Kidd, James A., FV3122011.
Kierbow, Weyman R., FV3133872.
Kieslich, Karl V., FV-3148625.
Kiesling, David L., FV3119416.
Kilburn, Richard F., FV3148921.
Kilchrist, Lanny F., FV3148830.

Killingsworth, Lester J., Jr., FV3148255.
Kimbrough, Vernon R., FV3154928.
King, Carl W., FV3162282.
King, Gaylan W., FV3116894.
King, Leroy A., Jr., FV3147472.
Kinnie, Carl R., FV3157231.
Kirkeby, Larry D., FV3122506.
Kirksey, Gonza L., FV3132487.
Kiser, John D., FV3117038.
Kisla, Daniel F., FV3147606.
Kissner, George G., FV3118434.
Kline, Herbert M., FV3168146.
Klinke, John W., FV3133973.
Knauth, Peter G., FV3133642.
Knebel, Frederick L., F3147690.
Knecht, Ronald J., FV3121094.
Knott, Patrick E., FV3119072.
Knowles, Joseph, FV3147889.
Koch, Norman W., FV3120820.
Kochevar, Ronald J., FV3109250.
Koester, Allen R., FV3158862.
Koger, Perry D., Jr., FV3157123.
Kosalka, Stanley A., FV3122395.
Kostival, Francis, FV3150536.
Koteras, Frankie J., FV3128561.
Kozak, David J., FV3121919.
Kramer, Garrard P., FV3119253.
Kramer, Robert M., FV3155210.
Krejci, Lane, FV3109369.
Kress, Joseph H., FV2221201.
Krosnes, John W., FV3113810.
Krylo, Charles V., FV3148226.
Kugera, Eugene C., FV3145805.
Kulinski, Thomas J., FV3107894.
Kupniewski, Edward J., Jr., FV3122396.
Kwist, Garry R., FV3154762.
Labertew, Robert S., FV3107895.
Lacombacorbet, Fernando, FV3116746.
Lafon, Kenneth R., FV3118161.
Lagerstrom, Lloyd A., FV3148960.
Lamb, Charles F., FV3121533.
Lambiase, Nicholas, Jr., FV3122184.
Lane, Jon S., FV3121906.
Lane, Michael C., FV3134159.
Lang, Robert E., FV3148345.
Larkin, John W., III, FV3115490.
Larkins, John B., III, FV3109495.
Larsen, Lanny L., FV3121807.
Lauer, John C., Jr., FV3148566.
Lauer, Keith G., FV3147541.
Lauro, Philip A., FV3147334.
Law, Arthur L., FV3120615.
Lawrence, David J., FV3128487.
Lawrence, David R., FV3117803.
Lawrence, Larry D., FV3121603.
Lawson, Rex N., FV3121095.
Leach, Michael J., FV3155745.
Leachman, William D., FV3134069.
Leahy, Robert G., FV3122754.
Leatherbarrow, Kenneth, FV3122717.
Leblanc, Irving J., FV3148828.
Ledretter, Robert G., FV3120437.
Leding, John L., FV3116441.
Ledlow, Spencer A., FV3122800.
Lee, Maurice H., FV3121667.
Lee, Robert M., FV3148605.
Leigh, Harry W., FV3117187.
Lekarczyk, Robert J., FV3134123.
Leslie, James M., FV3128401.
Levesque, Douglas A., FV3117188.
Lewis, Alan R., FV3154500.
Lewis, Keith H., FV3148438.
Lewis, Larry M., FV3115157.
Lewis, Neil G., FV3116750.
Lewis, Paul W., FV3007000.
Liegl, John B., FV3147545.
Lighter, John J. Jr. FV2234275.
Lincer, Raymond L., FV3120829.
Lindquist, George R., FV3116751.
Linville, Charles M., FV3120830.
Lippincott, Roger H., FV3147306.
Liptak, Andrew S., FV3105781.
Little, Harrell W. Jr., FV3121313.
Little, Robert G., Jr., FV3156398.
Locascio, Gary R., FV3148526.
Lockard, Nick A., FV3116443.
Lombardi, Donato A., Jr., FV3128402.
Lord, Clark B., FV3150466.
Lorenzen, George L., FV3147312.
Lotter, Kenneth L., FV3145999.
Loud, George K., FV3122188.
Loulis, Paul T., FV3148572.
Loundermon, Andrew D., FV3107470.
Love, John A., III, FV3108649.
Low, Curtis S., FV3108826.
Lowe, Lawson, FV3122136.
Lowry, Kenneth F., FV3118777.
Lucas, David V., FV3131983.
Lueck, David M., FV3148553.
Luisi, Carmen A., Jr., FV3147315.
Luke, Hugh D., FV3122801.
Lukens, Larry A., FV3116752.
Lumpe, Ronald W., FV3128403.
Lusk, Glenn M., FV2259994.
Lutkenhouse, John D., FV3150468.
Lynch, John P., FV3115869.
Lyne, Robert B., FV3108168.
Maccio, Donald J., FV3121318.
Machado, Arthur F., FV3117051.
Mackinaw, William, III, FV3118297.
Macumber, Lorn J., FV3115874.
Madden, Francis M., FV3108432.
Maddin, Bob G., FV3147589.
Mahady, Thomas E., Jr., FV3108361.
Mahoney, John H., FV3150470.
Main, Wilson E., FV3122692.
Malcom, Charles E., FV3121507.
Malone, Robert H., III, FV3148834.
Malota, Robert E., FV3155354.
Mann, Horace J., FV3120841.
Manosh, James N., FV3154698.
Manzari, Thomas A., FV3150471.
Marcotte, Harold D., FV3121627.
Markey, James C., FV3128405.
Markham, Roy N., FV3148402.
Maroon, William F., FV3155469.
Marsh, George F., Jr., FV3122139.
Marshall, Patrick H., FV3134072.
Marshall, Ronald P., FV3122140.
Martin, Bruce A., FV3156863.
Martin, Cecil E., FV3148838.
Martin, Edward H., FV3109145.
Martin, Harry G., FV3147951.
Martin, Jimmie D., FV3157137.
Martin, Joseph I., Jr., FV3121635.
Martin, Roddy C., FV3108217.
Mason, James F., Jr., FV3107108.
Matisak, Joseph J., FV3109027.
Matson, James H., FV3148544.
Mattus, Robert J., FV3108651.
Maughan, Peter K., FV3148044.
Maus, Richard D., FV3121921.
Mavrotheris, Theodore N., FV3150442.
Mayer, George R., FV3155005.
Mayer, Richard A., FV3156450.
McBryde, Garrett E., FV3148721.
McCabe, James E., FV3126989.
McCabe, William S., Jr., FV3163233.
McCarty, Michael L., FV3122515.
McCaslin, Patrick D., FV3147385.
McClinton, Harry J., FV3162658.
McClister, William S., FV3147644.
McCord, Richard L., FV3149027.
McCormack, James F., FV3115870.
McCormack, Thomas F., FV3017282.
McCormick, Gerald, FV3134336.
McCormick, James B., FV3154930.
McCreary, Hugh B., Jr., FV3155828.
McCullough, Charles, FV3134163.
McDermott, Leo B., Jr., FV3118257.
McDowell, Alan J., Jr., FV3116908.
McDowell, Theodore C., Jr., FV3148072.
McFarland, Harvey L., FV3116753.
McFarland, Marshall, FV3107703.
McGauley, William J., FV3121541.
McGinnis, Donald L., FV2237907.
McGowan, Samuel M., FV3147599.
McGraw, Richard L., FV3162549.
McGrew, James A., FV3147652.
McIlwaine, William T., FV3148029.
McIntyre, William H., II, FV3148659.
McKee, Richard H., Jr., FV3148820.
McKeithen, Leo A., Jr., FV3133736.
McKinney, Lowell T., FV3115872.
McKinney, Ronald E., FV3120459.
McKinney, Thomas W., FV3154786.
McLaughlin, Edward A., FV3122719.
McLeaish, Jock A., FV3150412.
McLeod, Clyde F., FV3120838.
McMaster, Larry L., FV3134274.
McNamara, John V., FV3145869.
McNary, William B., FV3116755.
McNutt, Douglas D., FV3121339.
McWhiney, Edgar E., FV3162550.
Mead, Robert W., FV3148322.
Meade, Charles H., FV3109215.
Mehling, James E., FV3149089.
Melikan, Mark G., FV3147845.
Menzel, Robert J., FV3128492.
Merson, John R., FV3134206.
Messex, Clark L., FV3122693.
Meyer, Robert J., FV3117056.
Michael, George W., FV3148809.
Michael, Roger W., FV3121341.
Michaud, William N., FV3150508.
Mika, Francis, FV3128644.
Miller, Calvin R., FV3122756.
Miller, Peter N. S., FV3122460.
Miller, Terry D., FV3155117.
Mills, Jerry R., FV3156600.
Mills, Michael E., FV3121127.
Minardi, John F., FV3118056.
Mirkin, Darryl S., FV3121653.
Mitchell, Bernard A., FV3121809.
Mitchell, Will D., FV3150509.
Moening, William C., FV3148537.
Molta, Kenneth S., FV3122635.
Moncrief, Hugh, FV3154424.
Monteith, James W., FV3107404.
Montgomery, John P., FV3120853.
Moore, Daniel J., FV3116469.
Moore, William R., Jr., FV3119371.
Morelock, Gary S., FV3128568.
Morgan, George T., Jr., FV3150474.
Morin, Lawrence A., FV3147892.
Morrill, James E., FV3163559.
Morris, Harry P., FV3128494.
Morriss, Donald W., FV3148238.
Morrissey, John W., FV3148680.
Morrow, Paul E., FV3147556.
Mosley, James R., FV3121349.
Moulton, Neil B., FV3149051.
Mugg, Steven C., FV3133981.
Mulder, Grant R., FV3148501.
Mullen, Robert P., Jr., FV3147973.
Munroe, Charles K., FV3121909.
Murashige, Ronald T., FV3107678.
Murphy, Charles G., Jr., FV3121669.
Murphy, Patricia M., FV3147491.
Murphy, William P., FV3157097.
Musselman, Gerald C., Jr., FV3156014.
Myers, David J., FV3118208.
Nagy, Richard E., FV3118900.
Naidl, George E., FV3139366.
Natschke, Frederick R., FV3128648.
Needels, Duane R., FV3120991.
Neely, James W., Jr., FV3098201.
Neely, John W., FV3128194.
Neely, Robert E., FV2217356.
Nelson, David R., FV3109217.
Nelson, Jerome L., FV3118171.
Nelson, Jerrold T., FV3121556.
Nester, Robert A., FV3155010.
Newell, David T., FV3122523.
Newlon, Gene W., FV3148274.
Newsom, Phillip D., FV3149045.
Newzell, Dale A., FV3122696.
Neyman, Ralph W., FV3118314.
Nibbelin, Denis R., FV3100338.
Nichols, Richard C., FV3100160.
Nichols, Thomas W., FV3119434.
Niemann, Conrad R., FV3121810.
Nobbs, Robert A., FV3118315.
Nobert, Craig R., FV3148116.
Nolan, Ronald L., FV3121558.
Noll, David J., FV3127934.
Nonte, John A., FV3148004.
Norbury, Karl E., FV3107959.
Noyes, Peter M., FV3147916.
Nye, Harvey N., FV3162555.
O'Baker, Clyde E., FV3116296.
O'Brien, John N., FV3148051.
O'Connor, Mark, FV3147945.
O'Oland, John A., FV3147371.
O'Donovan, Harold C. M., Jr., FV3117924.
O'Hare, Norbert A., FV3122263.
Oldis, Frank A., FV3121811.
Olender, Raymond A., FV3139336.
Oliver, Cregg R., FV3147802.
Oliver, John W., FV3148324.
O'Malley, John F., FV3148881.
Orland, Burton A., FV3147674.
Ormsby, David W., FV3116770.
Orsini, David N., FV3157128.
Orsini, John V., Jr., FV3148731.
Ott, Peter J., FV3121686.

Outwater, Morris H., FV3147915.
Owens, Paul R., FV3120649.
Owens, Ralph E., Jr., FV3120866.
Owens, Ronald L., FV3120867.
Packard, Ronald L., FV3133592.
Padgett, Jettie E., FV3117926.
Padron, Jose M., FV3118322.
Page, Raymond, FV3139368.
Palma, Henry, FV3127937.
Panter, Kenneth W., Jr., FV3122776.
Paquette, Lawrence G., FV3127938.
Parker, Charles F., FV3122143.
Parker, Dyral Q., FV3060688.
Parker, Joseph Y., Jr., FV3148550.
Parks, Herbert H. FV3149059.
Parks, James C., FV3149066.
Patterson, Robert B., FV3108053.
Patton, Barbara A., FVS148822.
Paul, Richard J., FV3122291.
Paulsen, David R., FV3157056.
Pawley, Harold R., FV3108528.
Peabody, William E., FV3117823.
Pearl, Charles C., FV3118261.
Pearson, Carlton R., FV3121692.
Peek, James T., FV3128413.
Penkova, Stanley L., FV3121693.
Penley, Wayne K., FV3121694.
Pennington, Robert D., FV3147444.
Perkins, Richard W., FV3121695.
Peterson, Dennis A., FV3147588.
Peterson, Donn L., FV3133380.
Peterson, Rolland W., FV3122018.
Petregal, George N., FV3148624.
Pett, Bernhard R., Jr., FV3147401.
Pettit, David K., FV3150513.
Pfeffer, Gene J., FV3159925.
Pfister, Robert E., FV3148251.
Phenicie, Edward J., FV3119376.
Phillippe, Ross W., FV3163563.
Phillips, Antoine A., FV3139337.
Phillips, Don I., FV3122241.
Phillips, Walton S., FV3154766.
Phillips, William C., FV3148107.
Pickett, Ralph S., FV3121097.
Pignone, Richard, FV3118337.
Pinkston, Robert A., FV3133929.
Pirkkala, Henry J., Jr., FV3116017.
Plasse, Roger H., FV3119149.
Platon, Benjamin V., FV3120879.
Pluchinsky, Richard E., FV3147923.
Plummer, James M., FV3162952.
Pontius, Robert E., FV3107904.
Porter, George H., FV3157115.
Potter, John R., FV3121376.
Potts, William S., FV3120883.
Powell, David A., FV3120884.
Powell, Donald W., FV3128201.
Pratt, Allan P., FV3148196.
Pressburg, Joel E., FV3154537.
Price, James O., FV3107990.
Price, Leo R., FV3107905.
Prince, John W., FV3147358.
Pruner, Orin G., FV3020017.
Pryde, William A., FV3121024.
Pucik, Robert J., FV3147799.
Pulliam, Gregory J., FV3120921.
Purcell, Michael R., FV3148250.
Purvis, Donald C., FV3118330.
Puype, Maurice W., FV3148266.
Pybus, Charles L., FV3122020.
Quaid, James C., FV3109505.
Rachuy, Larry A., FV3134258.
Radcliff, Gerald L., FV3107390.
Radlo, Stanley W., FV3107442.
Raia, Philip, FV3120889.
Ramsey, Joseph C., Jr., FV3134073.
Rankin, Robert C., FV3117317.
Ranous, Gerald H., FV3118331.
Rapp, Richard L., FV1865980.
Ravenel, John M., FV3150414.
Ray, Thomas M., FV3150478.
Redding, Dennis R., FV3150416.
Redman, Jack B., FV3121389.
Reece, Tyron C., FV3147731.
Reed, John M., FV3121849.
Reeser, Roger W., FV3081350.
Reisenger, Robert P., FV3150515.
Renfro, Paul N., FV3147486.
Repasky, Frederick S., FV3118576.
Reppe, Ronald J., FV3148536.
Rest, David W., FV3147965.
Revering, Dennis J., FV3122780.
Rexford, John F., FV3148040.
Reynolds, Patrick J., Jr., FV3121850.
Reynolds, William R., FV3148928.
Rice, William L., FV3148166.
Richards, Robert C., FV3122196.
Richardson, Allen J., FV3122761.
Richardson, Don P., FV3124275.
Richardson, William R., FV3155088.
Richart, Hugh M., III, F3150516.
Rider, William M., FV3148663.
Riggins, Noel L., FV3147581.
Riopelle, Robert A., FV3148120.
Ripperger, Loren R., FV3118758.
Ristom, Robert E., FV3121398.
Ritchey, Franklin P., FV3133460.
Ritter, Joe B., FV3134209.
Ritter, Peter H., FV3163570.
Rivera, Juan, FV3118625.
Rives, Mary A., FV3121399.
Roach, Harold L., FV3128421.
Robbins, Richard A., FV3147479.
Robertson, Gilbert D., Jr., FV3128422.
Robertson, Kenneth W., FV3122302.
Robinette, Ross A., FV3100004.
Robinson, Hugh T., FV3128276.
Robinson, William R., FV3116484.
Robison, Raymond R., FV3148555.
Roderick, Douglas A., FV3120664.
Rogers, Nathan L., FV3109242.
Rodriguez, Carlos G., FV3014881.
Roe, Daniel, FV3147899.
Roehling, Edwin A., Jr., FV3148271.
Rogers, Bruce W., FV3108815.
Rogers, Charles W., FV3128503.
Rogers, Walter P., Jr., FV3121814.
Rogers, William F., FV3128663.
Rojeck, Gerald, FV3131841.
Rollins, Maurice C., FV3041460.
Roode, Robert A., FV3121712.
Ropp, James W., FV3134132.
Roscoe, John H., FV3161506.
Roseberry, Donald B., FV3148630.
Ross, Ramiro, FV3120666.
Rosskopf, James D., FV2250093.
Rothe, William D., FV3148728.
Rothrock, James G., FV3107098.
Rozmarich, Thomas A., FV3156160.
Ruckman, Thomas E., FV3120949.
Rudolph, Richard J., FV3121815.
Rumsey, Gerald T., FV3157002.
Rumzek, Harold A., FV3120898.
Runge, William O., FV3099948.
Rush, Randy G., FV3148170.
Russell, Bobby H., FV3116485.
Saar, Paul, FV3155221.
Sabourin, Larry P., FV3154855.
Saccoliti, Ralph A., FV3067883.
Safford, Arthur T., III, FV3148239.
Safris, Charles E., FV3149069.
Saginario, Robert T., FV3118214.
Salcido, Henry A., Jr., FV3133348.
Saliba, Gabriel S., Jr., FV3122416.
Salmon, Jack, FV3119061.
Same, Michael C., FV3116466.
Sampson, Charles D., FV3159141.
Sanders, David L., FV3107816.
Sanders, Forrest W., FV3116789.
Sandlin, Norris R., FV3121721.
Sanford, David A., FV3147709.
Sanpei, Francis T., FV3107684.
Sauter, George N., FV3109005.
Sauve, Ronald E., FV3103855.
Savanick, Andrew, Jr., FV3148100.
Schaaf, Richard J., FV3121739.
Schafer, Donald J., FV3147286.
Schaff, Kenneth J., FV3128278.
Schantin, Edward J., FV3118405.
Schapker, Alfred L., FV3121100.
Schatz, John V., FV3122146.
Scheerer, John F., FV3122120.
Schell, John F., FV3150417.
Schenk, James W., FV3121729.
Schenkenberger, Henry C., FV3118339.
Schmidt, Albert R. L., FV3148543.
Schmidt, Edwin A., FV3162556.
Schmidt, Eldon E., FV3128043.
Schmidt, Nolan W., FV3158812.
Schneider, Marlow A., FV3157088.
Schoenborn, Carlton M., FV3150390.
Schoenecker, Warren K., FV2219652.
Schooley, Max C., FV3154407.
Schriber, Floyd A., FV3105623.
Schroeder, James A., FV3163154.
Schuler, George G., FV3120674.
Schulz, Ronald E., FV3134243.
Schur, Morris J., FV3131045.
Schuyler, Donald L., FV3148608.
Scifres, James H., FV3147768.
Scola, Robert, FV3148032.
Scott, John C., FV3139371.
Scott, John J., FV3122147.
Scott, Robert A., FV3118440.
Sealy, Robert R., FV3118682.
Seehafer, Gary D., FV3157421.
Seiboldt, Friedrick C., IV, FV3121417.
Sentimore, Gilbert L., FV3107291.
Sentman, Harold T., FV3128682.
Serfass, Richard W., FV3148457.
Sessler, Richard P., FV3116793.
Sewell, Stanley G., FV3163579.
Sexton, Kenneth D., FV3122700.
Shabazian, Michael R., FV3147901.
Shaefer, Richard P., FV3150448.
Shafer, Jacob R., FV3118369.
Shaffer, John R., FV3148577.
Shally, Dennis M., FV3122662.
Shank, Arthur E., Jr., FV3121939.
Shanks, Willis E., FV3116963.
Sharp, Edward L., FV3155763.
Sharp, Jimmy F., FV3116964.
Shaw, Conway R., III, FV3149061.
Shaw, James N., FV3122674.
Shearer, Donald R., FV3154409.
Sheedy, Leo J., Jr., FV3128039.
Shelhammer, Donald E., FV3148704.
Shelton, Robert K., FV3120662.
Shingledecker, Armon D., FV3148892.
Shoemaker, Corydon D., FV3150517.
Shorey, Gerald M., Jr., FV3150483.
Shuck, Robert D., FV3121422.
Shuler, John J., FV3116929.
Siegwalt, Marlin L., FV3147467.
Sikes, Joseph R., FV3122422.
Siler, Chester H., FV3156555.
Silhan, Ralph W., FV3120501.
Silverman, George, FV3148597.
Simms, Orion O., III, FV3150484.
Simoncini, Richard C., FV3128207.
Simonton, Sammie C., FV3157210.
Simpson, Charles A., FV3150391.
Simpson, James L., FV3110346.
Singel, Ronald R., FV3122702.
Skidmore, John B., FV3155764.
Skidmore, Rance W., FV3148565.
Skirchak, John J., FV3107834.
Slater, David P., FV3122033.
Slattery, John D., Jr., FV3121740.
Slaughter, William G., FV3148495.
Sliwinski, Kevin F., FV3121741.
Sloan, William D., FV3156625.
Smith, Bradford H., FV3116799.
Smith, Carl R., FV3121144.
Smith, Charles E., FV3074669.
Smith, Charles G., FV3122542.
Smith, Charles, III, FV3148975.
Smith, Clyde H., FV3118953.
Smith, David J., FV3133750.
Smith, Edward E., FV3121146.
Smith, Harlan F., FV3150542.
Smith, Jerry C., FV3149033.
Smith, Joe B., FV3120684.
Smith, John E., FV3148123.
Smith, Joseph G., FV3118083.
Smith, Lawrence E., FV3155021.
Smith, Peter L., FV3148750.
Smith, Raymond H., Jr., FV3122039.
Smith, Richard J., FV3121147.
Smith, Vernon R., FV3118350.
Smith, William R., FV3120951.
Sneed, Charles L., FV3157152.
Snyder, Alan E., FV3116492.
Snyder, Donald L., FV3147294.
Snyder, Walter E., FV3117077.
Snyder, William L., FV3120923.
Solga, Dimitri J. C., FV3148432.
Sorensen, Clyde R., FV3107912.
Speer, William C., FV3144651.
Spenrath, James R., FV3156703.
Spidle, Thomas J., FV3118272.
Spillman, George R., FV3117730.
Spinelli, William M., FV3148648.
Spore, David E., FV3147964.
Spring, David W., FV3121028.

Squires, Edwin M., FV3154452.
Srba, Anton F., Jr., FV3116495.
Stadjuhar, Robert E., FV3133574.
Stafford, Joan E., FV3121429.
Stafford, Stephen W., FV3149050.
Staniszewski, Henry J., Jr., FV3146115.
Stankosky, John A., FV3139342.
Stark, James E., FV3121743.
Starr, James W., FV3163581.
Staten, Edward C., Jr., FV3109376.
Steele, Grove F., FV3122319.
Steelquist, John A., FV3120924.
Steen, Jon M., FV3147745.
Steffan, William L., FV3147833.
Steffen, William W., FV3117732.
Stephens, George H., FV3109038.
Stephenson, Verle L., FV3120507.
Stevens, John B., FV3121853.
Stevens, Roger W., FV3121744.
Stewart, Jerry W., FV3118308.
Stewart, John T., Jr., FV3121155.
Stewart, Thomas B., Jr., FV3128209.
Stillwell, Charles E., FV3108921.
Stockman, David C., FV3109377.
Stokes, Jackie D., FV3064957.
Stone, Charles M., FV3155104.
Stone, Hubert M., Jr., FV3122265.
Stone, Richard H., FV3128434.
Stone, Robert P., FV3150392.
Stowe, Forrest M., FV3121156.
Stpierre, Dean P., FV3149079.
Straume, Markus K., FV3122056.
Strockbine, Richard L., FV3128281.
Strong, John P., FV3134381.
Struble, Thomas A., FV3134382.
Stubbs, George E., FV3148620.
Stupar, Rudolph A., FV3158922.
Sturdevant, William D., FV3128282.
Stuyvesant, Gerald B., FV3116501.
Sullenger, William E., FV3147986.
Sullivan, Ennis C., II, FV3134058.
Sullivan, John J., FV3122813.
Sweeten, Noel W., FV3117055.
Swepson, David G., FV3150420.
Swindel, David J., FV3150393.
Szefler, Richard H., FV3116972.
Tabata, Hiroshi, FV3157039.
Tabler, Roy T., FV3133370.
Tameris, Gavin E., FV3118393.
Taylor, Dalton, FV3121159.
Taylor, Gerald R., FV3122060.
Taylor, Howard E., FV3154453.
Taylor, James L., FV3133894.
Taylor, Philip A., FV3148589.
Teachout, William C. R., FV3122551.
Tegen, James G., FV3120698.
Terry, William R., FV3121745.
Test, Gary W., FV3121030.
Tevebaugh, Dennis G., FV3061604.
Thacker, Ronald L., FV3119229.
Thiem, Gary R., FV3150422.
Thomas, James S., FV3107164.
Thomas, John W., FV3148660.
Thomas, Kenneth H., FV3150423.
Thomas, Robert D., FV3133895.
Thomasson, Claiborne G., FV3148798.
Thompson, Lynn L., FV3150521.
Thompson, Thomas M., FV3118356.
Thompson, Walter D., FV3147980.
Thompson, William F., FV3147393.
Thornton, Bobby E., FV3116974.
Thorvaldson, Leif O., FV3119379.
Throneberry, Coy B., FV3121162.
Thurmer, Dennis O., FV3147724.
Tinsley, Daniel L., FV3121164.
Titlow, Robert A., Jr., FV3150544.
Tolbert, Richard B., FV3117222.
Tomaszewski, Joseph G., FV3148321.
Towe, Gordon K., FV3116812.
Trachtenberg, Julius F., FV3146570.
Trahan, Gayle J., FV3148794.
Trayler, Andrew N., FV3163584.
Tremmel, Lloyd A., FV3139344.
Trower, William W., FV3155611.
Trozzo, Ernest C., Jr., FV3147017.
Truman, James G., FV3116502.
Tucker, James H., FV3148615.
Tucker, John M., Jr., FV3148567.
Turner, James S., FV3122070.
Tweedie, Robert C., FV3146292.
Tyl, Charles, FV3148389.
Tyler, William, FV3118275.
Ullrey, Larry L., FV3120702.
Ulrich, Charles C., FV3148192.
Urquhart, Henry T., Jr., FV3127963.
Utz, Robert, FV3116814.
Vales, Roger M., FV3118763.
Vance, Jerry D., FV3128140.
Verbecky, Kenneth W., FV3148473.
Vermaas, John, FV3122626.
Veteikis, John C., FV3147633.
Vick, Russell W., FV3130627.
Villarreal, Jose, Jr., FV3162348.
Vincent, Cecil E., Jr., FV3157126.
Violette, James G., FV3148214.
Visher, Dennis G., FV3128141.
Vispi, Vito D., FV3116506.
Vogel, George J., Jr., FV3155227.
Voltz, Neal S., FV3118537.
Waali, Douglas R., FV3122076.
Wadagnolo, George E., Jr., FV3155459.
Wadsworth, William J., FV3133754.
Wagner, Robert M., FV3139346.
Wakeman, Donald E., FV3109039.
Walker, Clarence E., Jr., FV3122079.
Walker, Jerry L., FV3148936.
Wallace, Jere T., FV3133424.
Walmsley, John C., Jr., FV3108873.
Walsh, Edward M., FV3157171.
Walters, Maynard Z., FV3128048.
Walters, William T., Jr., FV3133755.
Ward, George H., FV3148109.
Ward, Stephen E., FV3150449.
Warmbrod, Donald F., FV3156559.
Warn, Peter W., FV3128511.
Watson, Denis P., FV3116509.
Weaver, Elisha P., II, FV3147904.
Weaver, Windol C., FV3156641.
Webb, Francis R., FV3139376.
Weber, Paul A., FV3115645.
Webster, Kenneth I., FV3155612.
Webster, Robert A., FV3134076.
Weimer, John R., Jr., FV3122640.
Welch, Harold W., FV3108517.
Welch, Roger J., FV3148717.
Wensel, Harvey L., FV3155694.
Wensil, Larry E., FV3100199.
Wersland, Kenneth L., FV3128356.
Wessell, Herbert W., FV3109011.
West, Hugh C., FV3148730.
Weston, Thomas A., FV3156417.
Wetzel, William J., Jr., FV3116510.
Wheaton, Eric E., FV3150450.
Wheeler, Richard H., FV3118277.
Wheeler, William L., FV3155058.
Whitaker, M. G., FV3121468.
White, Galvin G., FV3122089.
White, Lawrence L., FV3150489.
White, Neil W., FV3147539.
White, Richard W., III, FV3116511.
Whitehead, Charles L., FV3148920.
Whitehead, Charles W., FV3139377.
Whitehead, Richard J., FV3147512.
Whitehurst, James L., FV3132877.
Whitefield, Glenn T., Jr., FV3163592.
Whitley, David B., FV3109226.
Wieland, David H., FV3148188.
Wilburn, William N., FV3147378.
Wild, Robert E., FV3148458.
Wilder, Richard H., FV3148069.
Wilhelm, James J., FV3109260.
Wilkinson, Peter R., FV3155304.
Willhoit, Etzel M., FV3119884.
Williams, Ellis S., FV3121823.
Williams, George B., Jr., FV3155598.
Williams, Harold E., FV3122818.
Williams, Henry M., FV3162552.
Williams, James L., FV3148967.
Williams, John O. S., FV3150522.
Williams, Keith J., FV3127967.
Williamson, George L, III, FV3107591.
Wilson, Charles E., FV3147487.
Wilson, Gerald P., FV3121942.
Wilson, Samuel B., Jr., FV3116513.
Wilson, Thomas A., FV3122339.
Wimbrow, Nutter J., III, FV3122560.
Winkler, David E., FV3120929.
Winslow, Patrick A., FV3128592.
Wisely, Donald E., FV3148223.
Witt, John A., FV3122562.
Wittenberg, Frederick F., FV3146096.
Wittkopp, Vernon G., FV3122679.
Woeber, Philip J., FV3122749.
Wojciechowski, William A., FV3128144.
Wood, Roger S., FV3121825.
Woodbury, Elmer F., FV3163594.
Woodcock, Andrew J., FV3116822.
Woodruff, Dennis P., FV3148570.
Woods, Jon P., FV3117856.
Worthington, Charles G., FV3128517.
Wright, John J., Jr., FV3122704.
Wright, Peter W., FV3147730.
Wright, William W., FV3155128.
Yancey, George P., FV3199604.
Yingling, Kay A., FV3121749.
Yoblonsky, George W., FV3117280.
Yocum, Allen, FV3122108.
Young, Barclay B., FV3148351.
Young, William J., FV3128051.
Youngblood, Jackie R., FV3065713.
Younglove, Gary D., FV3128361.
Youst, Lionel D., FV3116515.
Yurkiewicz, Joseph A., FV3148469.
Zamboni, William A., FV3103385.
Zaugg, David M., FV3132799.
Zeitvogel, Thomas J., FV3116825.
Zeller, Robert A., FV3148531.
Zenkus, Joseph A., FV3150427.
Ziegler, Byron J., FV3116516.
Zigrino, Angelo R., FV3118820.
Zimmer, Karl E., FV3146937.
Zimmerman, Carl S., FV3148578.
Zitel, Victor S., FV3128363.
Zucchetti, Sergio, FV3145966.

The following distinguished graduates of the officer training school for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Berry, Richard L., FV3225130.
Blanchard, Warren C. R., FV3224678.
Bloom, Arthur M., FV3224334.
Boland, John M., FV3224423.
Bonner, Barry D., FV3224162.
Booth, Robert T., FV3225131.
Bruce, Robert E. Jr., FV3224560.
Burleson, Lynn T., FV3224248.
Byrum, Edward S., FV3225132.
Ellis, Robert B., Jr., FV3224395.
Fairchilds, David C., FV3224433.
Grembowski, Eugene, FV3225135.
Hanson, Charles O., FV3223034.
Haringa, Robert R., FV3216105.
Hefling, Larry M., FV3225136.
Hollnagel, Michael J., FV3222980.
Jensen, Larry L., FV3224522.
Kemp, Scott P., FV3224424.
Lowrance, George G., FV3224224.
Mann, Perry S., FV3225139.
Marek, James D., FV3224623.
McGuire, James C., FV3224445.
McKenzie, Donald S., FV3224558.
Moody, Richard R., FV3224079.
Perrin, John P., FV322441.
Podraza, George F., Jr., FV3224095.
Radueg, Dean W., FV3224357.
Richards, Stephen O., FV3224509.
Riley, John M., FV3224225.
Roe, William G., FV3224061.
Rues, Dennis C., FV3224462.
Salsbury, Richard W., FV3224453.
Shockley, Larry G., FV3223040.
Skupniewitz, Joseph W., FV3224042.
Smith, Robert B., FV3224091.
Wagner, Thomas A., FV3224750.
Weidman, Robert F., FV3224464.
Weis, John T., FV3225151.
Zielsdorff, George F., FV3225108.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 28, 1968:

ATOMIC ENERGY COMMISSION

Glenn T. Seaborg, of California, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1970.

James T. Ramey, of Illinois, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1973.

HOUSE OF REPRESENTATIVES—*Friday, June 28, 1968*

The House was not in session today. Its next meeting will be held on Monday, July 1, 1968, at 12 o'clock noon.

LAND AND WATER CONSERVATION FUND ACT—CONFERENCE REPORT

Mr. ASPINALL, pursuant to unanimous consent obtained on Thursday, June 27, 1968, submitted a conference report and statement on the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965.

EXTENSIONS OF REMARKS

RURAL RESURGENCE STRENGTHENS WEST VIRGINIA—BRIGHT BROTHERS BRIGHTEN SMALL TOWN ECONOMY

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, June 28, 1968

Mr. RANDOLPH. Mr. President, I have long been a strong advocate of programs designed to help small companies and plants in rural sections. One of these—Bright of America—I shall emphasize later in my remarks.

In West Virginia new companies have been opened and numerous businesses established, and well-known corporations have brought small plants and factories to rural parts of our State.

During fiscal year 1966–67, the following new plants represent a partial listing of the firms which located in small and relatively small communities in West Virginia: Reidboard Corp., at Philippi; Air Reduction Co., at Arroyo in Hancock County; Alcan Silk Label Co., in Weston; Cabbot Corp., in St. Marys; Decoratior Industries, in Mannington; Flex-O-Lite Co., in Keyser; Gichner Mobile Systems, in Berkeley Springs; Hanover Shoe Co., in Franklin; Kinney Shoe Co., in Romney and in Kingwood; Mammoth Plastics in Wellsburg; and West Virginia Pulp & Paper Co., concentration yards in Millwood, Alderson, Richwood, and Ellenboro.

Several firms expanded their works during the same period including Allied Egry—a subsidiary of Allied Paper Co.—at Petersburg, Badger Fire Extinguisher Co., at Ranson; Bright of America, printers and stationers, at Summersville; Cumberland Charcoal, at Beryl, Mineral County; Globe Brick Co., at Newell; Goodyear Tire & Rubber, at Apple Grove; Harrisville Garment Co., at Harrisville; and Moore Business Forms at Buckhannon.

These operations in small towns and rural areas of West Virginia help to stimulate economic growth.

Bright of America, in Summersville, manufacturers of greeting cards and specialty note cards, began in 1959. It has, since that time, expanded, partly financed by a $360,000 loan from the Small Business Administration. This company—which began with one full-time and one part-time employee—is now employing over 70 persons and its management expects to employ approximately 100 by fall.

Bright of America is truly representative of what an aggressive company can do in rural sections. Summersville, with its slightly more than 2,000 citizens, is fortunate to have this progressive company among its payroll providers

Pacesetter, a publication of the West Virginia Department of Commerce published an article on Bright of America in the May–June 1968, issue.

Mr. President, I ask unanimous consent to have the story printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record as follows:

BRIGHT BROTHERS BRIGHTEN SMALL TOWN ECONOMY IN WEST VIRGINIA

There aren't many success stories in Nicholas County (W. Va.) that match the one of the Bright brothers.

John and Bill Bright are owners of Bright of America, Inc., a firm that manufactures and markets greeting cards and specialty note cards in Summersville.

In 1959 the parent enterprise of Bright of America, came into being in an upstairs bedroom in the Bright home as a result of John's interest in photography.

He had previously sold a number of photographs for covers of national magazines and advertising copy, and this experience really started the Bright brothers on their business path.

After completing his high school work at Nicholas County High School, John received a degree in English at West Virginia University, then after two years as an officer in the Signal Corps of the U.S. Army, he received a master's degree in Motion Picture Arts from the University of Southern California.

After graduation John worked in New York City with a firm that did a Christmas card line. That summer after a series of discussions between John and his younger brother Bill, they decided to try and crack the Christmas card market. Bill was at that time in his senior year at WVU and only able to devote part time to the new enterprise.

Thus, Church-Graphic Productions was formed and consisted of taking pictures of churches and church scenes and reproducing them in color.

The Bright brothers did the photography, farmed out the color printing and mailed out orders.

Their first appeal for business resulted in orders from almost four percent of the prospects in several states.

About this time the business outgrew the bedroom headquarters and new quarters were rented in downtown Summersville. Also a system was devised whereby nonprofessional photographers could do the work and several college boys were hired to relay photos to the Church-Graphic office.

Also, by this time, Bill Bright had graduated from West Virginia University and had served as an officer in the Adjutant General Corps of the U.S. Army. He worked part time during 1962 and went to law school at WVU, but the potential of the business made him decide to devote his full efforts to it.

Encouraged by their success with the church Christmas cards, the Bright brothers decided to try and branch out into other markets and to develop new products.

In 1963, West Virginia's Centennial year, the Bright brothers conceived the idea of producing note paper with outstanding West Virginia scenes to call attention to the State's natural wonders. To handle this phase of the business they organized an affiliate organization called "Bright of America," and again hired more employees and additional office and shop space.

The West Virginia Centennial note cards were the start of a completely new market. The idea was to make up packages of color note cards with historic and scenic views of any particular states to be sold by schools and women's clubs and various civic organizations within that particular state. At present the company has produced a package for every state within the United States; and in most states they are on their second and third series.

Following along the same idea as the note paper, the next creation was Christmas cards made up with snow scenes of a state. These are also merchandised through schools, women's clubs and various civic organizations. The company makes up a new series each year for almost every state in the United States that has snow.

By 1966 the Bright brothers' business had developed nationwide and they began to expand their physical facilities.

The same year they applied for, and were granted, a $360,000 loan from the Small Business Administration. The cost of their expansion program was $450,000. The SBA portion covered 80 percent of the cost, but of the 80 percent, the Nicholas County Bank and Farmers and Merchants Bank handled 10 percent, or $18,000 each; while the West Virginia Department of Commerce's Industrial Development Authority and the Summersville Chamber of Commerce Business Development Corporation each supplied $45,000.

This money was used for a new building and additional equipment.

So today, Bright of America, which started in a basement with one full-time and one part-time employee is now occupying 35,000 square feet and has about 70 people

Squires, Edwin M., FV3154452.
Srba, Anton F., Jr., FV3116495.
Stadjuhar, Robert E., FV3133574.
Stafford, Joan E., FV3121429.
Stafford, Stephen W., FV3149050.
Staniszewski, Henry J., Jr., FV3146115.
Stankosky, John A., FV3139342.
Stark, James E., FV3121743.
Starr, James W., FV3163581.
Staten, Edward C., Jr., FV3109376.
Steele, Grove F., FV3122319.
Steelquist, John A., FV3120924.
Steen, Jon M., FV3147745.
Steffan, William L., FV3147833.
Steffen, William W., FV3117732.
Stephens, George H., FV3109038.
Stephenson, Verle L., FV3120507.
Stevens, John B., FV3121853.
Stevens, Roger W., FV3121744.
Stewart, Jerry W., FV3118308.
Stewart, John T., Jr., FV3121155.
Stewart, Thomas B., Jr., FV3128209.
Stillwell, Charles E., FV3108921.
Stockman, David C., FV3109377.
Stokes, Jackie D., FV3064957.
Stone, Charles M., FV3155104.
Stone, Hubert M., Jr., FV3122265.
Stone, Richard H., FV3128434.
Stone, Robert P., FV3150392.
Stowe, Forrest M., FV3121156.
Stpierre, Dean P., FV3149079.
Straume, Markus K., FV3122056.
Strockbine, Richard L., FV3128281.
Strong, John P., FV3134381.
Struble, Thomas A., FV3134382.
Stubbs, George E., FV3148620.
Stupar, Rudolph A., FV3158922.
Sturdevant, William D., FV3128282.
Stuyvesant, Gerald B., FV3116501.
Sullenger, William E., FV3147986.
Sullivan, Ennis C., II, FV3134058.
Sullivan, John J., FV3122813.
Sweeten, Noel W., FV3117055.
Swepson, David G., FV3150420.
Swindel, David J., FV3150393.
Szefler, Richard H., FV3116972.
Tabata, Hiroshi, FV3157039.
Tabler, Roy T., FV3133370.
Tameris, Gavin E., FV3118393.
Taylor, Dalton, FV3121159.
Taylor, Gerald R., FV3122060.
Taylor, Howard E., FV3154453.
Taylor, James L., FV3133894.
Taylor, Philip A., FV3148589.
Teachout, William C. R., FV3122551.
Tegen, James G., FV3120698.
Terry, William R., FV3121745.
Test, Gary W., FV3121030.
Tevebaugh, Dennis G., FV3061604.
Thacker, Ronald L., FV3119229.
Thiem, Gary R., FV3150422.
Thomas, James S., FV3107164.
Thomas, John W., FV3148660.
Thomas, Kenneth H., FV3150423.
Thomas, Robert D., FV3133895.
Thomasson, Claiborne G., FV3148798.
Thompson, Lynn L., FV3150521.
Thompson, Thomas M., FV3118356.
Thompson, Walter D., FV3147980.
Thompson, William F., FV3147393.
Thornton, Bobby E., FV3116974.
Thorvaldson, Leif O., FV3119379.
Throneberry, Coy B., FV3121162.
Thurmer, Dennis O., FV3147724.
Tinsley, Daniel L., FV3121164.
Titlow, Robert A., Jr., FV3150544.
Tolbert, Richard B., FV3117222.
Tomaszewski, Joseph G., FV3148321.
Towe, Gordon K., FV3116812.
Trachtenberg, Julius F., FV3146570.
Trahan, Gayle J., FV3148794.
Trayler, Andrew N., FV3163584.
Tremmel, Lloyd A., FV3139344.
Trower, William W., FV3155611.
Trozzo, Ernest C., Jr., FV3147017.
Truman, James G., FV3116502.
Tucker, James H., FV3148615.
Tucker, John M., Jr., FV3148567.
Turner, James S., FV3122070.
Tweedie, Robert C., FV3146292.
Tyl, Charles, FV3148389.
Tyler, William, FV3118275.
Ullrey, Larry L., FV3120702.
Ulrich, Charles C., FV3148192.
Urquhart, Henry T., Jr., FV3127963.
Utz, Robert, FV3116814.
Vales, Roger M., FV3118763.
Vance, Jerry D., FV3128140.
Verbecky, Kenneth W., FV3148473.
Vermaas, John, FV3122626.
Veteikis, John C., FV3147633.
Vick, Russell W., FV3130627.
Villarreal, Jose, Jr., FV3162348.
Vincent, Cecil E., Jr., FV3157126.
Violette, James G., FV3148214.
Visher, Dennis G., FV3128141.
Vispi, Vito D., FV3116506.
Vogel, George J., Jr., FV3155227.
Voltz, Neal S., FV3118537.
Waali, Douglas R., FV3122076.
Wadagnolo, George E., Jr., FV3155459.
Wadsworth, William J., FV3133754.
Wagner, Robert M., FV3139346.
Wakeman, Donald E., FV3109039.
Walker, Clarence E., Jr., FV3122079.
Walker, Jerry L., FV3148936.
Wallace, Jere T., FV3133424.
Walmsley, John C., Jr., FV3108873.
Walsh, Edward M., FV3157171.
Walters, Maynard Z., FV3128048.
Walters, William T., Jr., FV3133755.
Ward, George H., FV3148109.
Ward, Stephen E., FV3150449.
Warmbrod, Donald F., FV3156559.
Warn, Peter W., FV3128511.
Watson, Denis P., FV3116509.
Weaver, Elisha P., II, FV3147904.
Weaver, Windol C., FV3156641.
Webb, Francis R., FV3139376.
Weber, Paul A., FV3115645.
Webster, Kenneth I., FV3155612.
Webster, Robert A., FV3134076.
Weimer, John R., Jr., FV3122640.
Welch, Harold W., FV3108517.
Welch, Roger J., FV3148717.
Wensel, Harvey L., FV3155694.
Wensil, Larry E., FV3100199.
Wersland, Kenneth L., FV3128356.
Wessell, Herbert W., FV3109011.
West, Hugh C., FV3148730.
Weston, Thomas A., FV3156417.
Wetzel, William J., Jr., FV3116510.
Wheaton, Eric E., FV3150450.
Wheeler, Richard H., FV3118277.
Wheeler, William L., FV3155058.
Whitaker, M. G., FV3121468.
White, Galvin G., FV3122089.
White, Lawrence L., FV3150489.
White, Neil W., FV3147539.
White, Richard W., III, FV3116511.
Whitehead, Charles L., FV3148920.
Whitehead, Charles W., FV3139377.
Whitehead, Richard J., FV3147512.
Whitehurst, James L., FV3132877.
Whitefield, Glenn T., Jr., FV3163592.
Whitley, David B., FV3109226.
Wieland, David H., FV3148188.
Wilburn, William N., FV3147378.
Wild, Robert E., FV3148458.
Wilder, Richard H., FV3148069.
Wilhelm, James J., FV3109260.
Wilkinson, Peter R., FV3155304.
Willhoit, Etzel M., FV3119884.
Williams, Ellis S., FV3121823.
Williams, George B., Jr., FV3155598.
Williams, Harold E., FV3122818.
Williams, Henry M., FV3162552.
Williams, James L., FV3148967.
Williams, John O. S., FV3150522.
Williams, Keith J., FV3127967.
Williamson, George L, III, FV3107591.
Wilson, Charles E., FV3147487.
Wilson, Gerald P., FV3121942.
Wilson, Samuel B., Jr., FV3116513.
Wilson, Thomas A., FV3122339.
Wimbrow, Nutter J., III, FV3122560.
Winkler, David E., FV3120929.
Winslow, Patrick A., FV3128592.
Wisely, Donald E., FV3148223.
Witt, John A., FV3122562.
Wittenberg, Frederick F., FV3146096.
Wittkopp, Vernon G., FV3122679.
Woeber, Philip J., FV3122749.
Wojciechowski, William A., FV3128144.
Wood, Roger S., FV3121825.
Woodbury, Elmer F., FV3163594.
Woodcock, Andrew J., FV3116822.
Woodruff, Dennis P., FV3148570.
Woods, Jon P., FV3117856.
Worthington, Charles G., FV3128517.
Wright, John J., Jr., FV3122704.
Wright, Peter W., FV3147730.
Wright, William W., FV3155128.
Yancey, George P., FV3199604.
Yingling, Kay A., FV3121749.
Yoblonsky, George W., FV3117280.
Yocum, Allen, FV3122108.
Young, Barclay B., FV3148351.
Young, William J., FV3128051.
Youngblood, Jackie R., FV3065713.
Younglove, Gary D., FV3128361.
Youst, Lionel D., FV3116515.
Yurkiewicz, Joseph A., FV3148469.
Zamboni, William A., FV3103385.
Zaugg, David M., FV3132799.
Zeitvogel, Thomas J., FV3116825.
Zeller, Robert A., FV3148531.
Zenkus, Joseph A., FV3150427.
Ziegler, Byron J., FV3116516.
Zigrino, Angelo R., FV3118820.
Zimmer, Karl E., FV3146937.
Zimmerman, Carl S., FV3148578.
Zitel, Victor S., FV3128363.
Zucchetti, Sergio, FV3145966.

The following distinguished graduates of the officer training school for appointment in the Regular Air Force in the grade of second lieutenant, under the provisions of section 8284, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Berry, Richard L., FV3225130.
Blanchard, Warren C. R., FV3224678.
Bloom, Arthur M., FV3224334.
Boland, John M., FV3224423.
Bonner, Barry D., FV3224162.
Booth, Robert T., FV3225131.
Bruce, Robert E. Jr., FV3224560.
Burleson, Lynn T., FV3224248.
Byrum, Edward S., FV3225132.
Ellis, Robert B., Jr., FV3224395.
Fairchilds, David C., FV3224433.
Grembowski, Eugene, FV3225135.
Hanson, Charles O., FV3223034.
Haringa, Robert R., FV3216105.
Hefling, Larry M., FV3225136.
Hollnagel, Michael J., FV3222980.
Jensen, Larry L., FV3224522.
Kemp, Scott P., FV3224424.
Lowrance, George G., FV3224224.
Mann, Perry S., FV3225139.
Marek, James D., FV3224623.
McGuire, James C., FV3224445.
McKenzie, Donald S., FV3224558.
Moody, Richard R., FV3224079.
Perrin, John P., FV322441.
Podraza, George F., Jr., FV3224095.
Radueg, Dean W., FV3224357.
Richards, Stephen O., FV3224509.
Riley, John M., FV3224225.
Roe, William G., FV3224061.
Rues, Dennis C., FV3224462.
Salsbury, Richard W., FV3224453.
Shockley, Larry G., FV3223040.
Skupniewitz, Joseph W., FV3224042.
Smith, Robert B., FV3224091.
Wagner, Thomas A., FV3224750.
Weidman, Robert F., FV3224464.
Weis, John T., FV3225151.
Zielsdorff, George F., FV3225108.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 28, 1968:

ATOMIC ENERGY COMMISSION

Glenn T. Seaborg, of California, to be a member of the Atomic Energy Commission for the remainder of the term expiring June 30, 1970.

James T. Ramey, of Illinois, to be a member of the Atomic Energy Commission for a term of 5 years expiring June 30, 1973.

HOUSE OF REPRESENTATIVES—*Friday, June 28, 1968*

The House was not in session today. Its next meeting will be held on Monday, July 1, 1968, at 12 o'clock noon.

LAND AND WATER CONSERVATION FUND ACT—CONFERENCE REPORT

Mr. ASPINALL, pursuant to unanimous consent obtained on Thursday, June 27, 1968, submitted a conference report and statement on the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965.

EXTENSIONS OF REMARKS

RURAL RESURGENCE STRENGTHENS WEST VIRGINIA—BRIGHT BROTHERS BRIGHTEN SMALL TOWN ECONOMY

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, June 28, 1968

Mr. RANDOLPH. Mr. President, I have long been a strong advocate of programs designed to help small companies and plants in rural sections. One of these—Bright of America—I shall emphasize later in my remarks.

In West Virginia new companies have been opened and numerous businesses established, and well-known corporations have brought small plants and factories to rural parts of our State.

During fiscal year 1966–67, the following new plants represent a partial listing of the firms which located in small and relatively small communities in West Virginia: Reidboard Corp., at Philippi; Air Reduction Co., at Arroyo in Hancock County; Alcan Silk Label Co., in Weston; Cabbot Corp., in St. Marys; Decoratior Industries, in Mannington; Flex-O-Lite Co., in Keyser; Gichner Mobile Systems, in Berkeley Springs; Hanover Shoe Co., in Franklin; Kinney Shoe Co., in Romney and in Kingwood; Mammoth Plastics in Wellsburg; and West Virginia Pulp & Paper Co., concentration yards in Millwood, Alderson, Richwood, and Ellenboro.

Several firms expanded their works during the same period including Allied Egry—a subsidiary of Allied Paper Co.—at Petersburg, Badger Fire Extinguisher Co., at Ranson; Bright of America, printers and stationers, at Summersville; Cumberland Charcoal, at Beryl, Mineral County; Globe Brick Co., at Newell; Goodyear Tire & Rubber, at Apple Grove; Harrisville Garment Co., at Harrisville; and Moore Business Forms at Buckhannon.

These operations in small towns and rural areas of West Virginia help to stimulate economic growth.

Bright of America, in Summersville, manufacturers of greeting cards and specialty note cards, began in 1959. It has, since that time, expanded, partly financed by a $360,000 loan from the Small Business Administration. This company—which began with one full-time and one part-time employee—is now employing over 70 persons and its management expects to employ approximately 100 by fall.

Bright of America is truly representative of what an aggressive company can do in rural sections. Summersville, with its slightly more than 2,000 citizens, is fortunate to have this progressive company among its payroll providers.

Pacesetter, a publication of the West Virginia Department of Commerce published an article on Bright of America in the May–June 1968, issue.

Mr. President, I ask unanimous consent to have the story printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record as follows:

BRIGHT BROTHERS BRIGHTEN SMALL TOWN ECONOMY IN WEST VIRGINIA

There aren't many success stories in Nicholas County (W. Va.) that match the one of the Bright brothers.

John and Bill Bright are owners of Bright of America, Inc., a firm that manufactures and markets greeting cards and specialty note cards in Summersville.

In 1959 the parent enterprise of Bright of America, came into being in an upstairs bedroom in the Bright home as a result of John's interest in photography.

He had previously sold a number of photographs for covers of national magazines and advertising copy, and this experience really started the Bright brothers on their business path.

After completing his high school work at Nicholas County High School, John received a degree in English at West Virginia University, then after two years as an officer in the Signal Corps of the U.S. Army, he received a master's degree in Motion Picture Arts from the University of Southern California.

After graduation John worked in New York City with a firm that did a Christmas card line. That summer after a series of discussions between John and his younger brother Bill, they decided to try and crack the Christmas card market. Bill was at that time in his senior year at WVU and only able to devote part time to the new enterprise.

Thus, Church-Graphic Productions was formed and consisted of taking pictures of churches and church scenes and reproducing them in color.

The Bright brothers did the photography, farmed out the color printing and mailed out orders.

Their first appeal for business resulted in orders from almost four percent of the prospects in several states.

About this time the business outgrew the bedroom headquarters and new quarters were rented in downtown Summersville. Also a system was devised whereby nonprofessional photographers could do the work and several college boys were hired to relay photos to the Church-Graphic office.

Also, by this time, Bill Bright had graduated from West Virginia University and had served as an officer in the Adjutant General Corps of the U.S. Army. He worked part time during 1962 and went to law school at WVU, but the potential of the business made him decide to devote his full efforts to it.

Encouraged by their success with the church Christmas cards, the Bright brothers decided to try and branch out into other markets and to develop new products.

In 1963, West Virginia's Centennial year, the Bright brothers conceived the idea of producing note paper with outstanding West Virginia scenes to call attention to the State's natural wonders. To handle this phase of the business they organized an affiliate organization called "Bright of America," and again hired more employees and additional office and shop space.

The West Virginia Centennial note cards were the start of a completely new market. The idea was to make up packages of color note cards with historic and scenic views of any particular states to be sold by schools and women's clubs and various civic organizations within that particular state. At present the company has produced a package for every state within the United States; and in most states they are on their second and third series.

Following along the same idea as the note paper, the next creation was Christmas cards made up with snow scenes of a state. These are also merchandised through schools, women's clubs and various civic organizations. The company makes up a new series each year for almost every state in the United States that has snow.

By 1966 the Bright brothers' business had developed nationwide and they began to expand their physical facilities.

The same year they applied for, and were granted, a $360,000 loan from the Small Business Administration. The cost of their expansion program was $450,000. The SBA portion covered 80 percent of the cost, but of the 80 percent, the Nicholas County Bank and Farmers and Merchants Bank handled 10 percent, or $18,000 each; while the West Virginia Department of Commerce's Industrial Development Authority and the Summersville Chamber of Commerce Business Development Corporation each supplied $45,000.

This money was used for a new building and additional equipment.

So today, Bright of America, which started in a basement with one full-time and one part-time employee is now occupying 35,000 square feet and has about 70 people employed, and expect this figure to rise to 100 by fall, 1968.

The company's plans for the future are rather extensive, as Bill Bright says: "We are presently moving to new markets, and we are developing new products. We are starting to make color plastic placements that will be merchandised this fall, and we feel this has great potential "

With such rapid success, the future of Bright of America, does indeed look bright.

THIS, OUR AMERICA—ESSAY BY DIANE LINDSEY, SAVANNAH, GA.

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Friday, June 28, 1968

Mr. TALMADGE. Mr. President, my attention has been called to an excellent essay on Americanism written by Miss Diane Lindsey, a 13-year-old student at Savannah, Ga.

The essay, entitled "This, Our America," expresses a great love of country and every citizen's responsibility in preserving the American heritage. In my judgment, this young lady speaks the real voice of American youth, which knows its duties and responsibilities to God and country and recognizes the value of and wants to preserve and strengthen the American way of life.

I ask unanimous consent that the essay be printed in the Extensions of Remarks

There being no objection, the essay was ordered to be printed in the RECORD, as follows:

THIS, OUR AMERICA

With one word you can sum up the greatest way of life in the world today—America. And the most wonderful thing about America is that it is ours. Our ancestors fashioned her, believed in her, fought for her, and died for her. They made her into the greatest country in the world and passed her on to us to build, to protect and to cherish all she is and all that she stands for. Our America is a sacred heritage, a great light and a great example for all the world, the finest way of life since the world began.

America is the Declaration of Independence, George Washington at Valley Forge, the Constitution, the Stars and Stripes, the Statute of Liberty, with her shining lamp held high. America is security, a refuge, a haven, "one Nation under God, indivisible, with Liberty and Justice for All". America is the living spirit of freedom, a dream of liberty and prosperity that men have made come true.

America has faults, for we, the people of America, have faults. But not even the greatest of these faults could stand up against the greatness of America's soul.

Our America is as beautiful a land as it is a way of life. America is a land of contrasts; the mild peacefulness of a summer day at dusk in the South; the breathless beauty of Niagara Falls; the wild loveliness of Alaska, the glory of sunset against the purple mountains of the West. America is the busy bustling of the big cities, and the quietness of a field of wheat swaying in a breeze.

America is people. America is the honest farmer, the ambitious businessman, the millions of people who honestly believe in liberty and justice for all, and who believe in the country that offers that liberty and justice. In truth, we are America, the defenders of America, the protectors of the spirit of America, the keepers of the American way of life.

All this is our America—to protect and to preserve—because it is ours.

"A GOD FOR MODERN MAN," BY ROLAND GAMMON

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1968

Mr. KUPFERMAN. Mr. Speaker, a remarkable new book has just been published and is available in the Nation's bookstores. Entitled "A God for Modern Man," it is written by my constituent, the widely known New York author and lecturer, Roland Gammon, the preface composed by the famed minister to millions, the Reverend Norman Vincent Peale, and the volume published by the Sayre Ross Co., 52 Park Avenue, New York City.

"A God for Modern Man," I deeply believe, is a notable breakthrough book which contains a tremendous moral message for our whole global generation. Because this inspirational volume celebrates the best of America's Judaic-Christian heritage and because it is written in a popular scientific-religious style of special appeal to our people, I should like permission to quote from Dr. Peale's fine introduction:

"This inspiring study might well be called The Coming Golden Age or The Rising Revolution in Science and Religion. For here is the authoritative book that the new age of science and spirituality has been waiting for. Here is the inspirational book that describes how the discoveries of modern science confirm the revelations of the prophets and the traditional truths of religion. Here is the mind-stretching, heart-warming book that gives a needed philosophy to live by, even as it reestablished the spiritual background of man and nature.

For the first time in "A God for Modern Man", a brilliant, science-oriented religious author has dramatized the developing unity of religion and science in a popular meaningful way for everyone. Roland Gammon, widely-known magazine writer, president of Editorial Communications and former *Life* editor, shows how the current breakthroughs in psychology, physics, biology, medicine and physical research reinstate the metaphysical in nature and reveal a universe of love, power and purposeful mind. Simultaneously, he shows how the great religious events of our time—the Ecumenical Movement, the Vatican Council, the New Reformation in the churches, the resurgence of mankind's great living religions—all confirm and complement Science's new world picture of a unified cosmos and Religion's age-old vision of a society of love, peace and brotherhood.

"A God For Modern Man", therefore, not only refutes and rejects the "Death of God" myth, but also eloquently reaffirms and recovers the "Life of God" in the modern world. In showing that the truths of science, religion and the innerself are one and the same, this vivid volume projects a hopeful new image of modern man as master of his fate, and thus helps all to see the first glimmers of God's Golden Age now beginning to dawn. Written for the new global generation, "A God For Modern Man" is just what the title implies—a guide in finding the living God in one's own experience.

Mr. Speaker, I should like to add my own personal commendation for the volume, and I am pleased to bring it to the attention of my colleagues.

SUPREME COURT NOMINATIONS

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Friday, June 28, 1968

Mr. GRIFFIN. Mr. President, I ask unanimous consent that a statement, which I issued on June 27, 1968, be inserted in the Extensions of Remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY U.S. SENATOR ROBERT S. GRIFFIN

If an appropriate balance is to be maintained among the branches of our government, there are times in the course of history when the United States Senate must draw a line and stand up.

I am convinced that this is such a time.

Positions on the Supreme Court of the United States cannot be regarded as ordinary political plums. Such deviations as may have been condoned in the past cannot serve as a guide for the present or the future.

The importance of the Supreme Court as an institution cannot be over-emphasized. Its decisions reach out and touch the lives of every American every day.

It was the intention of our founding fathers that an appointment to the Supreme Court should represent the pinnacle of achievement and recognition in the field of law.

At the very least, nominations to the Supreme Court should never be based on cronyism. If and when they are, the Senate's responsibility is clear.

I reject the view that the Senate should rubber-stamp its approval of every Presidential appointment simply because a nominee doesn't beat his wife. The responsibility of the Senate must be of a higher order, particularly with respect to the Supreme Court of the United States.

At the present time, the American people are in the process of choosing a new government. By their votes in November the people will designate new leadership and new direction for our nation.

Of course, a "lame duck" President has the Constitutional power to submit nominations for the Supreme Court. But the Senate need not confirm them—and, in this case, should not do so.

The maneuvering to deny the people and the next President their choice in this instance is wrong in principle—and everybody knows it.

The appointments announced yesterday smack of "cronyism" at its worst—and everybody knows it.

It should be recognized that if the Senate does assert itself to reject these nominations, the Court need not be shorthanded when it reconvenes in October after the summer recess.

In the letter tendering his resignation, Chief Justice Warren made it clear that his retirement was effective at the pleasure of the President and that his action was not taken ". . . because of reasons of health or on account of any personal or associational problem, but solely because of age."

In his reply to the letter of Chief Justice Warren, President Johnson said he would accept his decision to retire ". . . effective at such time as a successor is qualified."

Under the circumstances, if the Senate refuses to confirm the new appointees, I am confident that the Chief Justice, after serving his country so long and nobly, would be willing and able to continue in office a few more months until a new President takes over.

CALENDAR OF THE SMITHSONIAN INSTITUTION

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, under leave to extend my remarks, I include the following:

JULY AT THE SMITHSONIAN

1

The Glorious Cause of Liberty: The Townshend Acts (1767–1769) and the American Revolution. This exhibit, prepared for the Smithsonian by Dr. Keith E. Melder, Supervisor and Curator of the Smithsonian's Division of Political History, Department of Civil History, with the assistance of Carroll Greene, brings to life the very forceful resistance to the Government in England by Colonial Americans, particularly those in the cities and Colonial seaports whose trade was affected by The Townshend Acts, (which were, in essence, largely revenue acts.) It explores the techniques utilized to implement the resistance: boycott of imported British goods, the stimulation and encouragement of domestic manufactures, and so on. Hall of Historic Americans, Museum of History and Technology. *Through March 4, 1969.*

Smithsonian Tower Music. Open air concert of brass instruments with tympany. From the North Tower of the Smithsonian Building, Jefferson Drive on the Mall. Sponsored by the Division of Musical Instruments. Free. 7:30 p.m. to 8:30 p.m. *Through August 26.*

"Walking Down to Washington." National Park Service orientation film. Museum of History and Technology Auditorium. Free. 12 noon.

"Space Age Ballooning." Cosponsored by the United States Air Force Office of Aerospace Research (OAR) and the Smithsonian National Air and Space Museum, this exhibit depicts the role of giant U.S. Air Force research balloons in today's Space Age. The colorful display features more than 50 photographs, a short motion picture with spectacular shots of balloon operations, and three payloads that have been flown on Air Force balloons. On displays is NASA's 1600-pound "*Voyager*" Aeroshell that was lifted to an altitude of 130,000 feet by the world's largest balloon (over 815 feet high) to test parachute systems for landing instrument packages on Mars. Arts and Industries Building, South Hall. *Through June 21, 1969.*

2

"Music at the Smithsonian." Radio program on WAMU–FM (88.5 on FM dial), 8:30 p.m. to 9:30 p.m. Music selected from actual concert performances at the Smithsonian Institution sponsored by the Division of Musical Instruments, as played on instruments in the Smithsonian collection. *Carole Bogard, Soprano, and Members of the Smithsonian Colleqium Musicum,* under the direction of John Fesperman, Associate Curator, Smithsonian Division of Musical Instruments. Program features music of Monteverdi and Frescobaldi. *Through August 27.*

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. Produced by the Smithsonian Division of Performing Arts. Three performances daily, Tuesday through Sunday, 12:30 p.m., 2:30 p.m. and 4:30 p.m. Limited seating. No advance ticket sales. Tickets may be purchased at Puppet Theatre prior to performance." Admission fee—50¢. For further information, call 381–5407. *Through Labor Day.*

3

Smithsonian Second Annual Festival of American Folklife on the Mall. Sponsored by the Smithsonian Division of Performing Arts.

Daily demonstrations of traditional folk crafts begin at 11 a.m. and continue until 5 p.m. Craft demonstrations include a wide variety of basket making, such as split-oak baskets made in Maryland, cane and coil baskets from the Chootau Indian Craft Association in Mississippi, cedar bark baskets from Washington State, and rye grass and baleen baskets woven by Alaskan Indians.

Carvers in stone and wood will include a dulcimer maker from North Carolina, an old-time chair maker from Arkansas, whittlers and toy makers from North Carolina and Kentucky, and Santos carving demonstrated by Mexican-Americans.

A contingent of Lummi Indians from the State of Washington will demonstrate the century-old craft of spinning and net making, and there will be such unique craft demonstrations as blacksmithing, tin smithing, plus a complete sorghum mill from Kentucky. *A special feature will be a complete wool processing demonstration sponsored by the American Sheep Producers Council, which will include sheep shearing, spinning, carding, and weaving* from North Carolina, Missouri, Tennessee, Virginia, Massachusetts and three members of the Navajo Indian Tribe from New Mexico.

One area of the Festival will be devoted to the ethnic roots of the State of Texas and will feature such traditional Texas crafts as saddle and book making, blacksmithing and carving, plus performances by Negro, Czech, German, Anglo-American and Spanish musical groups. *Traditional food will be prepared and served by members of the San Antonio Conservation Society and the entire Texas contribution and participation is under the sponsorship of the Institute for Texan Cultures.* In addition to the daytime craft demonstrations, there will be three afternoon concert and workshop areas in which a wide variety of folk music styles will be performed and discussed.

A Saturday night concert will present many diverse Texas performers together on one stage for the first time as a demonstration of the variety patchwork of American culture still existent in the Southwest region of the United States. *Through Sunday, July 7.*

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

4

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

Smithsonian Second Annual Festival of American Folklife on the Mall. *Through July 7.*

5

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

Smithsonian Second Annual Festival of American Folklife on the Mall. *Through July 7.*

6

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

Smithsonian Second Annual Festival of American Folklife on the Mall. *Through July 7.*

7

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

Smithsonian Second Annual Festival of American Folklife on the Mall. (*This is the last day of this popular event.*)

8

Smithsonian Tower Music. Open air concert of brass instruments with tympany. From the North Tower of the Smithsonian Building, Jefferson Drive on the Mall. Sponsored by the Division of Musical Instruments. Free. 7:30–8:30 p.m. *Through August 26.*

"Walking Down to Washington." Free. See July 1.

9

"Music at the Smithsonian." Radio program on WAMU–FM (88.5 on FM dial), 8:30 p.m. to 9:30 p.m. Music selected from actual concert performances at the Smithsonian Institution sponsored by the Division of Musical Instruments, as played on instruments in the Smithsonian collection. *English Concert of Viols.* Program of 17th Century English music for viols. *Through August 27.*

The Art of Organic Forms: Illustrated lecture and visit to current art exhibit conducted by *Dr. Philip Ritterbush,* Director, Smithsonian Office of Academic Programs. Sponsored by The Smithsonian Associates. Museum of Natural History Auditorium. 8:30 p.m. (Doors open at 8 p.m.) *Public will be admitted as seats are available at 8:20 p.m.*‡*

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

10

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

11

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

Retrospective Memorial Exhibition of Works of Alexander Archipenko (1908–1964): Organized by the University of California at Los Angeles Art Galleries. The objects in this exhibit are drawn entirely from the private collection of Mrs. Archipenko. Included is Archipenko's last sculpture, "*King Solomon.*" National Collection of Fine Arts, 8th and G Streets, N.W. *Through August 18.*

12

"Walking Down to Washington." Free. See July 1.

Smithsonian puppet Theatre: Small Worlds. *See July 2 entry.*

"Movies on the Mall": Mall entrance of History and Technology, between Washington and Adams Drive. Sponsored by Smithsonian Division of Performing Arts. Free. Seating on the grass. Two-hour program starts at 9 p.m. Tonight "*Grapes of Wrath.*"

13

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

14

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

15

Smithsonian Tower Music. Open air concert of brass instruments with tympany. From the North Tower of the Smithsonian Building, Jefferson Drive on the Mall. Sponsored by the Division of Musical Instruments. Free. 7:30 p.m.–8:30 p.m. *Through August 26.*

"Walking Down to Washington." Free. See July 1.

16

"Music at the Smithsonian." Radio program on WAMU–FM (88.5 on FM dial), 8:30 p.m. to 9:30 p.m. Music selected from actual concert performances at the Smithsonian Institution sponsored by the Division of Musical Instruments, as played on instruments in

Footnotes at end of article.

the Smithsonian collection. ***Alan Curtis, harpsichordist.*** Keyboard music of the Bach Family. *Through August 27.*

Smithsonian Associates Potomac Cruise. Pier 4, Maine Avenue and N Street, S.W. 8 to 11 p.m. *By subscription only.*‡*

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

17

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

18

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

19

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

"Movies on the Mall": Dial-A-Museum—737-8811 for program.

20

An Introduction to Modern Dance: Erika Thimey and Dance Theatre Group. Sponsored by The Smithsonian Associates. *For Young Associates.* Doors open at 1:45 p.m. for performances starting at 2 p.m.†*

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

21

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

22

Smithsonian Tower Music. Open air concert of brass instruments with tympany. From the North Tower of the Smithsonian Building, Jefferson Drive on the Mall. Sponsored by the Division of Musical Instruments. Free. 7:30 p.m.–8:30 p.m. *Through August 26.*

"Walking Down to Washington." Free. See July 1.

23

"Music at the Smithsonian" Radio program on WAMU-FM (88.5 on FM dial) 8:30 p.m.–9:30 p.m. Music selected from actual concert performances at the Smithsonian Institution sponsored by the Division of Musical Instruments, as played on instruments in the Smithsonian collection. *Music for Viola D'Amore, Recorder, and One-keyed Flute.* Program chosen from works of Johann Joachim Quantz, J. S. Bach, Franz Joseph Hayden, and George Philipp Telemann. *Through August 27.*

The Film and the Producer: Featuring Charles Guggenheim. Sponsored by The Smithsonian Associates. Museum of Natural History Auditorium. 8:30 p.m. (Doors open at 8 p.m.) *Public will be admitted at 8:20 p.m. as seats are available.*†*

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

24

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

25

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

26

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

"Movies on the Mall": Dial-A-Museum—737-8811 for program.

27

Adult Sketch-In at the Zoo. Under the direction of Berthold Schmutzhart, Corcoran School of Art. Sponsored by The Smithsonian Associates. *by reservation only.*†*

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

28

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

29

Smithsonian Tower Music. Open air concert of brass instruments with tympany. From the North Tower of the Smithsonian building, Jefferson Drive on the Mall. Sponsored by the Division of Musical Instruments. Free. 7:30 p.m. to 8:30 p.m. *Through August 26.*

"Walking Down to Washington." Free. See July 1.

30

"Music at the Smithsonian." Radio program on WAMU-FM (88.5 on FM dial), 8:30 to 9:30 p.m. Music selected from actual concert performances at the Smithsonian Institution sponsored by the Division of Musical Instruments, as played on instruments in the Smithsonian collection. *The Baroque Players of New York.* Program chosen from works of Johann Joseph Fux, J. S. Bach, Tobias Hume, John Dowland, and Allesandro Scarlatti. *Through August 27.*

National Collection of Fine Arts Docent Tours. Sponsored by The Smithsonian Associates. Continuous tours of the National Collection of Fine Arts in its new home, 8th and G Street, N. W., 7 to 9 p.m.†*

"Walking Down to Washington." Free. See July 1.

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

31

Smithsonian Puppet Theatre: Small Worlds. *See July 2 entry.*

FOOTNOTES

*Dial direct 381-5157 for full information on Smithsonian Associates events. (For *general* information, dial 381-5911.)

†For members of Smithsonian Associates.

‡For Smithsonian Associates and guests.

CONTINUING EXHIBITIONS

The art of organic forms. A selection of Twentieth Century Art and of scientific illustrations which suggest that a similar sense of form is shared by both the biologist and the non-representational artist in their perception of their environment. Rotunda Art Exhibition Hall, Museum of Natural History. *Through July 31.*

Photography and the city: The evolution of an art and a science. An exhibition of over 1,000 photographs, some motion pictures, and special photographic equipment, shows the evolution of photography as it has affected city change and our attitudes toward the cities in which we live. Selected and designed for the Smithsonian Institution by *Charles Eames,* internationally known as an architect, motion picture producer and designer of furniture and exhibits. Arts and Industries Building. *Through December 1.*

The Copp Family textiles: A century of New England domestic manufactures. Sponsored by the Division of Textiles. (Spinning and weaving demonstrations, daily, *including Saturdays and Sundays,* from 10 a.m. to 1 p.m.) First Floor, Museum of History and Technology. *Through September 15.*

MUSEUM SHOPS AND BOOK SHOPS

(Open to public during all regular hours)

MUSEUM SHOPS #

1. Museum of History and Technology—First Floor Rotunda. Now featuring two recently published books by two members of the Smithsonian Department of Science and Technology: ***Search for Speed Under Sail,*** authored by Howard Chapelle, Senior Historian, and ***American Locomotives 1830–1880,*** by John H. White, Jr., Curator, Division of Transportation. Exhibit includes models of ships and trains relative to contents of books.
2. Museum of Natural History—Constitution Avenue Entrance.
3. Arts and Industries Building—Mall Entrance. Newly renovated and enlarged to provide spacious and harmonious quarters for current and future sales-exhibitions, art galleries and comprehensive children's section. Art gallery exhibit will feature Archipenko graphics.

BOOK SHOPS # #

1. Museum of History and Technology—Constitution Avenue Entrance.
2. Museum of Natural History—Mall entrance. This book shop features books on natural history subjects with emphasis on publications by Smithsonian curators, related to current exhibits. It also carries a large selection of children's books on such varied subpects as gems, the American Indian, shells, and prehistoric life.
3. National Collection of Fine Arts—Main Floor, 8th and G Streets entrance. This is a combination book shop and art gallery. The book shop sepcializes in publications on Art, Architecture, City Planning, and American furniture. Art Gallery current exhibit: Poster Art as an Art Form: Over 40 designs by prominent contemporary artists commissioned by the List Art Poster Program. *Through July 5.*

For a Calendar of Events at the National Gallery of Art, which is separately administered, please write to the Office of Information, National Gallery of Art, 6th Street and Constitution Avenue, NW., Washington, D.C. 20565, or call 737-4215.

FREER GALLERY OF ART

(Jefferson Drive at 12th St., S.W. on the Mall)

Opened in 1923, the gift of Detroit Industrialist Charles Lang Freer, the Freer Gallery of Arts is an outstanding center for research in the art of the Far and Near East. It houses a superb collection of sculpture, ceramics, metalwork, and other art objects. Major new accessions are added annually. The Freer also contains the Whistler Peacock Room and his etchings and paintings.

All Smithsonian Museums are open every day but Christmas Day. The Museum of Natural History, Freer Gallery of Art, National Collection of Fine Arts, National Air and Space Museum, and Arts and Industries Building are open the year around from 9 a.m. to 4:30 p.m.

Summer hours at The Museum of History and Technology are 9 a.m. to 9 p.m. through August 31.

Museum visitors are invited to enjoy the food services provided in the basement area of the Museum of History and Technology. *Cafeteria is open daily 10:30 a.m. to 8 p.m. Snack counter is open daily 9 a.m. to 8:30 p.m.*

Dial-A-Museum—737-8811—For daily announcements of exhibit openings and special events.

Dial-A-Satellite—737-8855—For recorded announcements of times and locations of satellite passages and other astronomical data, prepared daily by Smithsonian Astrophysical Observatory, Cambridge, Mass.

Deadline for August Calendar is June 28. Please submit material to the Smithsonian Office of Public Affairs. (Dial direct 381-5911 or Code 144-5911).

Dial direct 381-5033 for further information.

Dial direct 381-5950 for further information.

SOUTH AFRICA'S POLICY ON SALE OF GOLD PRODUCTION

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Friday, June 28, 1968

Mr. TOWER. Mr. President, the Washington Post recently published an article by Mr. Hobart Rowen which I believe gives an excellent up-to-date evaluation of South Africa's policy of not selling its gold production on the so-called free gold market.

I ask unanimous consent that Mr. Rowen's article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, June 27, 1968]

South Africa's Pressure of IMF Poses Delicate Gold Question

(By Hobart Rowen)

The Government of South Africa, world's leading gold producer, is still pressing the International Monetary Fund to buy part of its output for official reserves at $35 an ounce.

So far, a split IMF has refused to accede to the South African request. The United States has taken a strong position against the South Africans, assuming that if the existing "free" market is deprived of South African gold, prices would soar.

In turn, this would spell the end of the dual price system for gold, making it impossible to hold the official price at $35 an ounce. A general increase in the price of gold is, of course, a key objective of the South African government.

It was stressed by more than one official yesterday that the South African gold question "is a very delicate" one.

All officials involved have agreed not to talk to reporters until the issue is finally resolved, and it was emphasized by those close to the discussions here that the matter "is still before the Fund for consideration."

One source judged that the question might be settled one way or the other in a few days.

South Africa has not sold any gold since the U.S. and six co-operating nations announced on March 17 in Washington that they would maintain the official price of gold at $35 an ounce; that they would stop sales to private buyers out of official gold reserves; and that they would no longer add to the existing supply of their gold reserves. "They no longer feel," the communique said, "it necessary to buy gold from the market."

The free market price was allowed to seek its own level—and the hope was that since newly mined South African gold had no other place to go, it would be sold in the unofficial market, and that the price would thus be kept from soaring out of sight.

Some 92 central banks around the world have asked to cooperate with the "Washington" gold pool. Treasury officials reported to a Congressional committee on April 12 that most agreed to do so.

But despite such assurances, many central banks, in the wake of continuing uncertainty about key currencies and an unofficial price over $40 an ounce, have obviously been itchy to add to their gold reserves. The South Africans, naturally, do what they can to accentuate this mood.

On Tuesday, Mr. T. Reekie, president of the South African Chamber of Mines, said in a speech at Johannesburg that the international monetary system is suffering from a shortage of "real money." By "real money," Reekie said, "I mean a commodity that is acceptable throughout the world as an unconditional final means of payment. The only proven commodity that fits these requirements is gold."

He called for an immediate increase in the price to $49 (a 40 per cent jump) and an eventual doubling of the value of gold to $70.

The South African argument here is that the Fund rules require the organization to buy gold from a member who offers it at $35 an ounce. Some members, including the United States, contend that the Fund is not obligated to buy, but is permitted to do so.

It is understood that Managing Director Pierre-Paul Schweitzer and some Board members think that the South Africans have the better side of the legal argument, but they appear to be in a minority. "But it's a policy matter, and not a legal issue," says one insider, "and that's the way it eventually will be settled."

One touchy part of the situation is that many members of the Fund object to South Africa's apartheid policy. And while this presumably is not a formal part of the IMF discussions, the South Africans doubtless interpret some of the resistance to their plea as a political sanction.

The South Africans presumably are arguing that if the IMF makes some regular purchases, she then will be willing to sell the remainder of her gold production on the open market.

The South Africans would then get a higher price than $35 for a good share of her output.

But even more important would be establishment of her right to sell to the IMF at $35 an ounce. For the South Africans, that would establish a "floor", and tend to assure that the world price would never drop below $35 an ounce.

Those who are trying to block this deal think it would give the best of both worlds to the South Africans.

It would re-confirm reliance on gold as the backbone of the international monetary system, just at a time when most of the leading nations are trying to move away from a sole dependence on gold.

The South Africans are desperately trying to avert demonetization of gold, which could drop the price below $35 an ounce. This would be a crushing blow for a country heavily dependent on gold exports for her prosperity.

On the other hand, if the South Africans win their argument at the IMF, or if they persuade key individual countries to buy large amounts of gold, it could mean the end of the two-tier system.

Thus, the stakes are high in the "very delicate" discussions now going on.

SENATOR ROBERT F. KENNEDY—IN MEMORIAM

HON. HERMAN E. TALMADGE

OF GEORGIA

IN THE SENATE OF THE UNITED STATES

Friday, June 28, 1968

Mr. TALMADGE. Mr. President, I invite the attention of the Senate to a resolution adopted by the Veterans of Foreign Wars Post No. 3027 in Atlanta, Ga., of which I am a member, mourning the tragic and senseless assassination of Senator Kennedy.

The resolution expresses the deep grief felt by citizens throughout our country. I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution of Post No. 3027, VFW, Atlanta, Ga., June 13, 1968

Whereas our Nation and the entire world sustained a great loss in the tragic passing of Senator Robert Francis Kennedy, and

Whereas, he was carrying on a family heritage of public service at the time he was so cruelly attacked, and

Whereas he served honorably in war-time in the United States Navy, and

Whereas he was true to God, Country and Flag in his desire and efforts to better serve the people of our Nation,

Now therefore be it resolved that the Marcus W. Beck Jr.,—Post No. 3027, Veterans of Foreign Wars of the United States, located in Atlanta, Georgia, mourn with our fellow-Americans the passing of this great soul, U.S. Navy war veteran, a patriot in every sense of the word, a prominent member of the U.S. Senate, a loyal communicant of his Church, a devoted son, brother, husband and father, and

Be it further resolved that a copy of this Resolution be presented at the State Convention of the Georgia VFW in Atlanta June 21–23, for similar adoption and to Comrade Herman Talmadge, U.S. Senate, requesting it be inserted in the Congressional Record.

Harold B. McElroy,
Commander.
A. C. Dooley,
Adjutant.
Charles A. Moran,
Cofounder and Past Commander.

AS SEEN THROUGH THE EYES OF MOSCOW

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1968

Mr. ASHBROOK. Mr. Speaker, in the press every day we see statements by diplomats and articles by journalists commenting on relations between the Soviet Union and other countries of the world. Despite the increase of Soviet armaments to North Vietnam to be used against American servicemen, somehow the U.S.S.R. is mellowing—at least in the eyes of some of our homegrown "Kremlinologists." The difficulty besetting these analyists who try to tell us that the Soviets actually desire a true peace with freedom and justice stems from the fact that these sources tend to view Soviet strategy and tactics through their own eyes, and not through the eyes of Moscow.

A recent article by a true expert on the machinations of the Soviet Union, Herman Feofilowitsch Achminow, should be thoroughly digested by those who either write about, or negotiate with the Soviet Union. Mr. Achminow, who was born in 1921 in Archangelsk and reared in Leningrad, went to Germany during the war as a member of the Red army. In 1959 he completed his studies at Oxford and since the end of the war has been writing on political affairs in the German language. In 1950, he published his first book, "Die Macht im Hintergrund"—"The Power Behind the Scenes"—in which he predicted post-Stalin developments with astonishing accuracy. His most important work, "Die Totengraber des Kommunismus"—"The Gravediggers of Communism"—appeared in 1964. It is largely an analysis of the historical viewpoint and trends of modern communism. In addition, he has written numerous articles, radio scripts, and brochures. Since 1957, Mr. Achminow has been working at the Institute for the Study of the U.S.S.R., a highly respected center of learning in Munich, Germany.

The article, entitled "As Seen Through the Eyes of Moscow," recently appeared in a German publication, Defense and the Economy, and the translation was rendered by the Legislative Reference Service of the Library of Congress with certain minor changes made here in the office.

The seven points made by the author are worthy of serious considerations in this day of conferences and agreements with the Soviet Union.

By unanimous consent heretofore granted, I include the above-mentioned article in the RECORD at this point:

One of the cock-and-bull stories of our day is the myth of the Eastern Sphinx. It is not particularly difficult to analyze the actions, motives, and strategic and tactical plans of the Soviet leaders. The number of factors which determine their decisions is small as compared, for instance, to the many factors which must be considered by a President of the United States; moreover, they have a more or less constant effect. If we know them, then an analysis of Soviet policy is purely a matter of routine.

However, it is much more difficult to explain the results of such an analysis to a reader who is not a Marxist. Many conceptions that are taken for granted in Communist countries are either not grasped here, or they are rejected as "something impossible"—due either to historico-philosophical prejudices, or, especially in Germany, to an anti-Communist or anti-Russian complex which has its roots in the "insuperable past". But prejudices and guilt feelings make for poor judgment.

We list below seven prerequisites which must be kept in mind at all times when it comes to judging Soviet policy:

(1) *All Communists—including the Soviet leaders—are genuine Communists.*

That sounds like a truism. Unfortunately, it is not. Even in the ranks of the most sophisticated observers we hear it said that the Communists are Communists in name only; that in reality they are after something entirely different. Yes indeed, vague ideas prevail even on the very concept of Communism; though actually there is no room for argument. Marx and Engels stated unequivocally: "The Communists can sum up their theory in one expression: 'abolition of private property' ". (*The Communist Manifesto,* 1848), and this one-point program has been strictly adhered to by the Communists wherever they have risen to power.

With it, however, they ran into considerable resistance by the large majority of the population, and that is why the program is implemented in stages: First they nationalize the key industries and the banks; then the smaller industries, the arts and crafts, and businesses, as well as the retail trade. As for the peasants, they are (if they are well-to-do) either expelled or forced to collectivize, and single-family homes whose construction is, on the one hand, still permitted in order to relieve the housing shortage and, on the other hand, prohibited in order to fight capitalistic trends, are confiscated individually and sporadically.

In spite of this historic experience, enough people in the West claim, by pointing to the shortcomings of the Socialist planned economy, "these abuses must and will force the Communist leaders to give up their doctrine". Further arguments revolve around the occasional "retreats", or the occasional toleration, or even the encouragement, of "capitalistic trends".

None of these arguments hold water. Let us not forget: We are concerned with looking at the world through the eyes of the Soviet leaders. People like Josef Stalin, Nikita Khrushchev, Leonid Brezhnev, or Alexey Kosygin take the view that the abolition of private property has led not only to innumerable abuses, but that it has also made Russia become a powerful industrial nation—and the Red Flag atop the Brandenburg Gate vindicates all the shortcomings at home. The same goes for thousands of little Stalins, Breshnevs, and Kosygins.

As regards the occasional toleration, or even encouragement, of private enterprise, especially in agriculture, the knowledge of history alone was to prove to everyone that these concessions to the population, forced by circumstances, were not equivalent to abandonment of a doctrine. So far we have seen three relatively large-scale retreats: in 1921, when the civil war had come to an end and the country was totally exhausted; in 1941, following Hitler's surprise attack; and in 1953, when the whole system was rocked by Stalin's death. Each time, as soon as the crisis was over, the expropriation policy was immediately restored.

We place particular emphasis on this fundamental, theoretical question because here, in the knowledge of the Communist one-point program, lies the key to the understanding of all strategic decisions of the Soviet leaders. The next step is:

(2) *The Soviet leaders actually strive for Communist world revolution.*

Frequent references are found in the Western press to a "nationalistic trend in Soviet Communism", to its "turning away from the slogans of world revolution". The fact that such views are publicly expressed at all is evidence of low-level political thinking. It is nonsense, in the case of the Soviet Union, to set "national ideals" and "ideas of world revolution" against each other. It is just as futile as the discussion of whether during the Korean War the USA was pursuing national or international democratic objectives.

The Red Flag atop the Brandenburg Gate may be considered just as much a symbol of national victory as a stage in the Communist world revolution. The crucial point is not the national or international aspect, but Communism—the program of abolition of private property. And if we want to understand the relation between Kremlin policy and Communist world revolution, we must ask: Why should not the Soviets work toward Communist world revolution?

We live in a world revolution. We are witnesses to a radical, worldwide upheaval. It has many aspects: the collapse of the colonial powers and the rise of the Third World; the industrial revolution and the rise of the working class in the developing countries; the "second industrial revolution" and the nation-state crisis in Europe; etc.

All these processes take place independent of the will of Moscow. They always include significant changes in the property relations, such as, for instance, radical land reforms, and may lead to Communist dictatorships. Why in the world should not the Communist leaders take advantage of anything that may work toward the victory of Communism, toward the abolition of private property? Even if we ignore Marxism-Leninism and think of the Kremlin masters as good, old Russian imperialists, it is within their interest to shake other political systems to their foundations, and the best way to do this is by making radical changes in the property relations and by wiping out the existing leadership group. What is more, the abuses which accompany the abolition of private property and the planned economy produce continuous criticism and discontent at home. This can be fought wtih various weapons: with education, with censorship, and with terror. The most effective weapon for silencing all critics and doubters is, and remains to be, success in foreign policy. The more Communist states that are created, the more the Soviet citizen becomes convinced of the superiority of the Communist system.

The policy of abolition of private property nationally, and the expansion of Communism internationally, is a difficult task; in order to carry it out, a certain way of thinking is required which is usually called the Marxist-Leninist doctrine. It is a conglomeration of various true and false concepts. For our purposes, this is important:

(3) *The Soviet leaders are convinced that their policy is based on scientific principles and that it is, therefore, correct and successful.*

This goes back to the founders of modern Communism, Marx and Engels. They called their doctrine "scientific Socialism" from which, in the course of time, several disciplines developed such as dialectical and historical materialism, and scientific Communism, (the practical doctrine of building communism) and others. According to the latest state of science, the Marxist doctrine, taken as a whole, does not stand up to serious criticism. But it does contain a rational element which enables the Communists to see their way in political relations often much better than their opponents. This "rational element" is known by the misleading name of "historical materialism"; actually, the doctrine of the primary role of the productive forces in the historical and social process.

In reality, all political scientists accept this theory. Nobody will argue against the thesis that the construction of a factory in a village will produce certain predictable changes in the political attitude of its inhabitants, i.e., new conflicts and new problems. But while, in such a case, the West would investigate mainly the economic consequences, the East concentrates on the political consequences, because:

(4) *The Soviet leaders base their decisions on the firm belief that the historic process is predictable and basically controllable.*

This is a very important point by which, due to the philosophical interpretation of historical concepts prevailing in the West, many Western politicians are prevented from understanding the motives and aims of the Soviet leaders.

In the West, especially in Germany, the concept prevails that each historical event is unique and that the individual persons play a decisive part in history. The Communist-controlled, on the other hand, feel that a statesman is merely the spokesman for certain social groups, and that individual historical events are concrete manifestations of the objective and basically predictable laws of social development.

The Soviet leaders have all the more reason to believe that political processes are predictable and controllable, since their experience proves them right.

Let us cite only one example: the course of World War II. Stalin had expected this war and he had wanted to win it. On January 9, 1925, he said that, in his opinion, the "conditions for another war would mature", and he announced, in the name of his Party: "Should war break out, we will not be able to stand by idly—we will have to take a stand, but we will be the last to take a stand. And we will take a stand in order to throw the decisive weight which should tip the scale". When war broke out and the British Intelligence Service warned the Kremlin that a German invasion was imminent, the great Stalin made one mistake: he considered the warning as a provocation on the part of the British who wanted to have a second front for Germany, and he could not believe that Hitler would actually attack the Soviet Union.

From the standpoint of the present Soviet leaders, all of whom are Stalin disciples, he was right: he was the last to enter the war, and his weight tipped the scale. That he misjudged Hitler's psychology and, thereby, the cost of the victory, is immaterial for them.

However, the belief in being able to control the historical process remains theory pure and simple so long as the organizational conditions for taking action do not exist. Therefore, the next point is:

(5) *The Communist world movement is the instrument with which the Soviet leadership can help shape social processes all over the world.*

Insofar as the Soviet leadership is concerned, the Communist world movement has two aspects. On the one hand, it can actually influence the social processes in other countries, were it only by organizing Vietnam demonstrations. On the other hand—which is more important for us here—it must think in terms of long-term and large-scale social processes. If, for example, the Soviets decide to support the Communist Party in a newly arisen state, they must predict processes which develop far below the government level and which may not come to fruition for decades.

For non-Communist governments, on the other hand, only the government actually in office, or its most likely successor, is a reality in diplomatic relations.

All this, complemented by practical experience acquired in a multi-nation state and within the system of the Socialist states, will create a mental attitude which is called most appropriately, statesmanlike thinking and which is found among the big and the small Soviet leaders. Among the minor leaders because, in the Soviet Union, even the minor party functionaries are systematically indoctrinated with the idea that they are "statesmen at the district level"; i.e., that they must judge processes within their district, not from a purely local standpoint, but from that of the movement as a whole. Each district party secretary actually refers in his propaganda activity on subjects of "here and now", to Communist successes in the Congo or in Cuba; therefore, these developments are for him just as much of a reality as the successful performance of a "Mercedes", winning an automobile race in South America is a sales argument for a Mercedes dealer in Munich.

This statesmanlike thinking acquired by years of experience, leads the Soviet leaders to look at their limitations and possibilities, their failures and successes, differently from the way a Western observer influenced by nation-state thinking would view them. This refers, above all, to the so-called pluralism of the Communist world movement and to the use of force in the struggle for the Communist world revolution:

(6) *The internationalism of the Communist world movement is not based on the organic control of all Communist Parties, but on their community of interests, expressed in the common ideology.*

Before World War II, all non-Russian Communists were considered as "Moscow puppets". It was a skillful propaganda thesis, and it was so convincing that later, when the Communist movements outside of Russia became stronger and, necessarily, "more independent", people immediately began to talk about a "disintegration of the movement". It has become fashionable to expect national Communism to be the panacea.

In reality, people only rarely become Communists because they are pro-Russian. As a rule, they become Communists because they reject the reality of their countries, and they become "pro-Russian", because they seek in Moscow support for conquering power or keeping it. Hence, it is not true that the "poor Soviet leaders" do not know how to keep their flock together: Rather, the non-Russian Communists vie for Moscow's support, and the Kremlin masters set the priorities.

It is obvious why Western observers attach such great importance to national Communism: They think almost exclusively in national categories, which are, for them, the only realities: national prestige, national honor, hegemony—or national defeat and subjection.

For the Soviet leaders, on the other hand, National Communism is not a new phenomenon, but rather one inherent in the movement: As early as 1850, attempts were made to carry out the Communist program with a nationalist label, at the time of the split of the "Communist League" created by Marx; after that, there were other attempts, and it was proved over and over again that "nationalist Communism" comes to nothing: either the nationalist-Communists fail completely, or they become "internationalistic" because every country has only a small minority of people, enthusiastic about the abolition of private property but able to survive, and prevail, only as part of the international movement.

Tito is a good example of it: He has not yet entirely abolished private property in his country; before final arrangements have been made concerning his succession, this would be too dangerous. But he has transformed his State from a "people's republic" into a "Socialist Republic", thereby committing his successors to Socialism. And he has found his way back into the "Socialist Camp". though not formally. His foreign policy differs in no way from that of other Communist countries; but because he does not yet belong to it formally, his influence in the Third World remains assured.

Tito's return to the fold has not been played up as much as was his defection 20 years ago, because we now have a new great "schism"; the Soviet-Chinese conflict. Here too, current western interpretations and the views of Moscow differ radically. No Soviet leader would be afraid of the "flooding of Siberia with the Chinese population surplus". But the real danger to him is that upon Mao's death Communism may collapse in China.

The Soviets accuse Mao of bungling the Communist dictatorship. And they have genuine cause for concern, because the collapse of Communism in China would be a bitter blow, politically and ideologically, for Communism as a whole. Many Soviet measures all over the world can be properly understood only if they are viewed as preparations for saving the Communist dictatorship in China.

And, finally, the last prerequisite:

(7) *The struggle for Communist world revolution; i.e., the effort to establish more and more Communist dictatorships is not identical with military expansion.*

War and the use of force are only the last step in a series of actions, and force will be used only if the political conditions seem to be ripe for a Communist takeover. The policy of "peaceful coexistence", for example, is therefore absolutely not identical with the abandonment of world revolution—on the contrary, it is to create the most favorable conditions possible for further expansion.

Experience has proved the Soviet leaders right: Up to now they have expanded the Communist sphere of influence at all times with the express approval of the non-Communist powers. In 1917, the Communists came to power in Russia with the approval and support of the government of Emperor William II while they, the Communists, forced neutrality of the Entente; in 1939, they annexed the Baltic States, East Poland, and Bessarabia, with the approval of Hitler-Germany. The seven East European "People's Democracies" were created in the wake of the alliance with England and the USA; and Red China, as a direct result of the Soviet-American Alliance against Japan. In Cuba, the Communist dictatorship could come into being only on account of John F. Kennedy's "Great Family" policy, which implied that one could tolerate a Khrushchev satrap in the front-yard of the USA.

In view of these experiences it is only logical that the Soviet leaders should pave the way to expansion by political means and that they should consider force only as a last, and not always necessary, resort.

Any analysis of Soviet foreign policy thus boils down to the question of how the Soviets could exploit, as of now, the world revolution—which is proceeding independent of their will—in the interest of Communism. This may be achieved by application of a number of methods.

The Soviet Union can spontaneously make contacts—either informal ones, or those resembling an alliance—with non-Communist governments, with the secondary aim of making communism acceptable. This is being done right now in the case of Jordan.

After a certain length of time, these contacts might serve as a starting point in the struggle for having the Communist Parties declared legal—this is one of the aspects of the present Kremlin policy toward the Federal Republic and several Arab States. They might also be used for slowly building up a legal Communist Party (in the USA), or creating a "united front" of all opposition forces—in France and Italy. And finally, more extensive maneuvers—partly diplomatic and partly social—might be carried out with the aim of isolating a given State, a group of States, or a social stratum, and bringing the respective sphere of influence under Communist control.

Let me cite some examples: First, the present Kremlin policy toward the USA—all measures, from slogans of "peaceful coexistence" to frequently rather turbulent Vietnam-demonstrations, are designed to isolate the USA and thereby automatically to expand the influence of the Soviet Union.

One example of diplomatic isolation of a group of states is the preparation for occupation of the Baltic States in 1940. Due to Ribbentrop-Molotov Pact, the outbreak of World War II, and the collapse of Poland, Estonia, Latvia, and Lithuania were cut off from the democratic nations, and their occupation followed, with Hitler's approval, without firing a single shot.

The diplomatic and social isolation of a group of states was demonstrated at the end of World War II: The result of Hitler's policy was that not only Germany, but also its allies, were regarded as fair game—with the transformation of its satellites into Communist "people's democracies" as a logical consequence. Moreover, the atempted social isolation of certain—i.e., the ruling—groups is sum and substance of the anti-American activities of Leftist groups throughout the world: The governments are to be stigmatized as stooges of a foreign power.

To repeat once more, and to stress: all these maneuvers are primarily an exploitation of existing processes—not an initiative of the Soviet leaders. The Soviet policy is aimed at discrediting the existing non-Communist governments and at pushing them politically into a situation where there will be at the government level and, especially, below it, a definite move toward the Left, until the country is ripe for a Communist takeover.

For active intervention in the course of events, the Soviet leaders also have a number of methods at hand, ranging from organization of more or less unruly demonstrations for any reason whatever to commitment of Soviet forces. The decision depends, however, primarily on the headway made in political preparation for intervention.

These general conclusions must also form the basis for an analysis of current events which, as seen through the eyes of Moscow, are merely a stage in the international struggle between Communism and Democracy or—in the Communist terminology—Capitalism.

At present there is practically no opportunity for establishing a Communist dictatorship anywhere in the world. Theoretically, South Vietnam, West Berlin, and Finland might fill the bill, but it is not very likely that the Americans could be forced to a genuine capitulation; for a coup d'état to erupt in Berlin, the preparations are insufficient; and an annexation of Finland would interfere with too many other plans.

Therefore, the question is to plan for future victories, and that is what we are able to observe everywhere in the centers of conflict.

The Communists will probably fail in their efforts to push the Americans out of South Vietnam. However, they may create a political situation inside the USA which would make it virtually impossible for President Johnson or his successor to enter similar future commitments outside the American continent, with special emphasis on Asia. And that may be the salvation of Communism in Asia, should civil war break out in China after Mao's death.

There is practically no possibility now for the Arab countries to be placed under Communist control, or for the Communist Parties to become legalized. But, the longer the state of war with Israel lasts, the poorer these countries will become, and the more the Communists will be able to hope to make an open move . . . not right now, but several years from now.

The present trend clearly shows the global nature of the Communist policy. It is certainly no accident that so many things have happened in the span of a few weeks: In Korea, incidents on the line of demarkation; in South Vietnam, a major Communist offensive; shooting on the Israeli-Jordanian border; Vietnam demonstrations in many Western cities, especially in Berlin—coupled with Soviet initiations in the Berlin question which amount to a separation from the Federal Republic, i.e., an annexation, of West Berlin.

Though the incidents in Korea may have been triggered by other influences than the organization of Vietnam demonstration in Berlin—with the instruments available to them, the Soviet leaders can set the time and apply the brakes in these two cases—and in any other—because the processes which they exploit, exist: anti-American sentiments in the Western nations and the desire of North Korea to dominate the whole country.

We hope that we have been able to make one thing clear: the Soviet policy can be understood only if it is viewed within the scope of overall international developments, i.e., as an attempt of the Soviet Government to shape history—scientifically. Whether or not these attempts will be successful remains to be seen, but they are the expression of a way of thinking without the knowledge of which the actions of the Soviet leaders cannot be understood.

HERMAN F. ACHMINOW.

SELF-HELP RIGHT PRINCIPLE

HON. PAUL J. FANNIN

OF ARIZONA

IN THE SENATE OF THE UNITED STATES

Friday, June 28, 1968

Mr. FANNIN, Mr. President, I invite the attention of the Senate to the following letter, which I ask unanimous consent to have printed in the RECORD, because I think its provides a promising alternative and contrast to the widely publicized letter from a District of Columbia jail by Rev. Ralph Abernathy.

This is a letter from Dr. Thomas W. Matthew, a Negro neurosurgeon who gave up a $100,000-a-year practice to help Negro people help themselves. Dr. Matthew writes in an open letter to the Reverend Mr. Abernathy that the National Economic Growth and Reconstruction Organization of which he is president, is willing to intercede with the courts to secure the release of the SCLC people in jail who wish to participate in "this productive movement of self-help." Dr. Matthew is suggesting that these people can take the first step toward ending poverty by getting a job, and he offers to help them in that quest.

Mr. President, I am not familiar enough with the work of Dr. Matthew to say that I can support or agree with every action he takes, but I can certainly say that he is enunciating the right principle—the principle upon which America was founded and by which she has become the greatest Nation on earth with the highest standard of living yet known.

More importantly, Mr. President, I think Dr. Matthew, and others like him, are to be commended for their work in providing an alternative to "showdowns and confrontations" that are being advocated by leaders of the so-called Poor People's Campaign.

Mr. President, I ask unanimous consent to have the open letter from Dr. Matthew to which I have referred along with an article from yesterday's Washington Post that gives some indication of the work Dr. Matthew is doing.

There being no objection, the letter and article were ordered to be printed in the RECORD, as follows:

OPEN LETTER TO REV. RALPH D. ABERNATHY IN JAIL

JUNE 25, 1968.

REV. RALPH D. ABERNATHY,
Federal Detention Center,
Occoquan, Va.

DEAR REV. ABERNATHY: With a great feeling of empathy I understand your current plight. We both have the same ultimate objective of freedom and equal opportunity for all people. We do, however, have a fundamental difference in principles of strategy to accomplish that objective.

Firstly NEGRO holds that since the black man in our nation is the most deprived and underprivileged because of his color there can be no freedom for anyone unless it is won through the struggle for full emancipation of the 20 million decendants of black slaves in America. As a by-product of the black man's emancipation all other oppressed and underprivileged peoples will gain their opportunity to share in this freedom. Prior to the Poor People's Campaign I was not successful in convincing you, but your campaign has proved, that it is mainly black people who suffer during any of your resistance campaigns regardless of how peaceful—and as they become less peaceful the more exclusively does the suffering become the black man's. We of NEGRO do hope you will now join our position because we hold it as being fundamental insurance that when the coalition ceases struggling as in the past black men will not be the only people who will still be seeking freedom.

The second principle of strategy about which we have fundamental differences involves the concept of self-help and more self-determination for the black man as well as all underprivileged people. While you were forcefully stressing demands for aid to all people based upon charity and welfare methods there was by comparison no emphasis on the concept of self-help. The nearest that the Poor People's Campaign demands came to this point was in asking for jobs. If a man has an adequately paying job he fulfills some aspects of self-help, but that does not necessarily mean he has security. The history of mankind forcefully teaches that the job given today can be so easily taken away tomorrow. There is no true freedom for any people until they have meaningful influence over the economics upon which their survival depends. Economic self-determination is ultimately the only insurance that the black man as a group and all other underprivileged shall become free.

There are threatening clouds gathering over our people. Race relations are worsening between black and white because the doctrine of self-help has been so blatantly overlooked as your Poor People's Campaign has backed into a needless and non-productive confrontation. Your present (post-Resurrection City) position offers our people welfare dependency or prison. But, I am even more greatly troubled because, notwithstanding your surface pledge to non-violence, you know how much our people hurt and will fight for their freedom. Consciously or unconsciously your doctrine of non-violence depends on the background threat of violence. It is the black man you have ultimately to depend upon to put up the violent resistance or worse in passive resistance to be the recipient of violence from the forces with which you are in confrontation. The shame and wrong of this strategy is not that it causes a confrontation that may cause many of our black brothers to lose their freedom in jail or worse, to lose their lives but rather in what is offered to our people in exchange for imprisonment or death.

To ask all this for welfare dependency is too great a price. If we must make this kind of sacrifice, let us do it for freedom. Our people need more self-determination and this can only come from a strategy founded on the concepts of self-help. To this end, my black brother, I call upon you to call a moratorium on your present course of action. I implore you not to lead into tragedy those of our people who are so desperate for freedom that they will submit even to death not fully understanding why you are asking it of them.

As a first step NEGRO is willing to intercede with the courts to secure the release of all your people currently in jail who wish to participate in this productive movement of self-help.

You still have non-violent and peaceful options in the strategy of self-help. I invite you to join with NEGRO and millions of your black brothers who are working for economic self-determination. There are millions of white brother citizens who also support the black man in this objective. If you truly believe in non-violence and are profoundly protective of the freedom and life of our people, I am sure that you will want to explore this route with us. Imprisonment, death and destruction can wait. Our people have sought freedom and self-determination for 350 years. Let us not overlook the golden opportunities of the times.

This is the option left to our people in the black ghetto this summer. Let us explore the mechanics of self-help before assuming that our nation has come to a final confrontation. Through this positive approach we of NEGRO expect that all other minority groups will also benefit in their quest to combat poverty.

I sincerely await your response and pray that it will be positive.

I remain yours in brotherhood.

THOMAS W. MATTHEW, M.D.,
President.

CITY MAY FIGHT OCCUPANCY OF SHAW BUILDING: SMILING DR. MATTHEW PLANS MARKET

(By Robert F. Levey)

Dr. Thomas E. Matthew and his Negro self-help organization began to rehabilitate a riot-wrecked Shaw market and hire some local staff yesterday.

But their occupancy of the O Street Market, Seventh and O Streets nw., may hasten a showdown between Dr. Matthew's group—the National Economic and Growth Reconstruction Organization (NEGRO)—and city officials.

The issue is whether NEGRO can legally occupy the building. Dr. Matthew says the group can because it paid $1400 rent and a year's taxes to the owners, the Northern Market Co., Inc.

A company spokesman says he returned the money and cannot approve occupancy without a vote of the stockholders. The city's Department of Licenses and Inspections says NEGRO has no permit. The captain of the Second Police Precinct, William Trussell, says he is ready to make arrests as soon as his complainant-on-file, the company, complains.

But Dr. Matthew, a New York neurosurgeon, forged ahead smilingly yesterday. Wearing a white lab coat with "NEGRO" stenciled on the back, he greeted residents of the area, thumped their knees with a rubber hammer, and trumpeted the program to the press.

His consulting room was a sacked butcher's counter, ruined during the April riots like everything else in the barn-like building. Curtains were made of paper towels. Instruments were laid out on sheets of waxed paper. There was no electricity. But the patients did not complain.

They were being given physical exams for employment with NEGRO at what Dr. Matthews said would become a fully-functioning market inside three months.

Jobs were open as countermen, porters, baggers or builders. Other positions will be available for boys aged 14–18, Dr. Matthew said, as pushcart peddlers in ghetto streets.

Dr. Matthew, no friend of the Poor People's Campaign approach to Negro economic equality, accused it yesterday of "blatantly avoiding the area of self-help in favor of dependency."

"Our people are looking for freedom, not imprisonment," he said, and he volunteered to bail out of jail any Poor People's demonstrators who wished to join him.

ROBERT F. KENNEDY MEMORIAL SERVICE, INDIANAPOLIS, IND., JUNE 9, 1968

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1968

Mr. BRADEMAS. Mr. Speaker, all across our country, and indeed throughout the world, memorial services were conducted following the assassination of Senator Robert F. Kennedy this month.

Among these services was one conducted in the capital city of my State, Indianapolis, Ind. Both our distinguished colleagues, Congressman ANDREW JACOBS, JR., and Mayor Richard G. Lugar, of Indianapolis, addressed this service.

Mr. Speaker, by unanimous consent heretofore granted, I insert at this point in the RECORD the prayers and remarks delivered on this occasion:

ROBERT F. KENNEDY MEMORIAL SERVICE, INDIANAPOLIS, IND., JUNE 9, 1968

INVOCATION BY RABBI MURRAY SALTZMAN, INDIANAPOLIS HEBREW CONGREGATION

O Thou who dost comfort the afflicted and sustain the bereaved, we pray that Thy hand may uphold the sorrowing wife, children, and family of Robert F. Kennedy.

No more than the service of his country was the aspiration of Robert F. Kennedy. No less than the freeing of men from immemorial bonds of poverty, despair, bigotry and futility was the goal of Robert F. Kennedy. We mourn the stillness of his voice, the loss of his vigor, the absence of his determined presence. O America, you lie wounded and we shudder with grief for a precious son has been slain.

Yet let us not forget that this nation and its ideals were the germinating influences molding Robert Kennedy's refined commitments. He fed from the storehouse of America's spiritual granaries. He was given sight by America's bold vision. His discernment was born of her perception. His faith was inspired by her catechism of liberty and justice for all.

O God, in our grief we turn, as he turned, to America. In her was his trust. In her shall rest our confidence. Even as she spoke to him, she speaks now to us. We hear her speak in phrases hallowed by the martyrs who have lived and died so that she might greatly serve mankind.

Bowed by our sorrow, in Thy presence, Lord of all, we courageously move toward a new day when compassion and love shall unite us all. This nation conceived in the affirmation of human dignity and the uncompromised value of human life, gathers strength from that for which Robert F. Kennedy labored to realize. If there is any way that any of us can bring a degree of comfort to his bereaved family, surely it is through our consecrated dedication and renewed determination to move forward toward that end for which Robert Kennedy lived: The enthralling vision of a nation of free men divinely moved to establish justice, peace, and brotehrhood in their midst.

SCRIPTURE BY THE VERY REVEREND FRANCIS R. TUOHY, INDIANAPOLIS CATHOLIC ARCHDIOCESE

Father Tuohy's message included 3 readings:

1. Psalms 140, verses 1–4; 6–8 and 12–13.
2. Book of Wisdom (in Catholic Bible only), Chapter 4, verses 7–16.
3. Gospel of St. John, Chapter 12, verses 24–26.

REMARKS OF THE HONORABLE ANDREW JACOBS JR. REPRESENTATIVE, 11TH DISTRICT

We gather together today to mourn the kind of event which three times in the lifetime of almost all of us has pierced our hearts with unspeakable grief. From the beginning leaders who have lived, loved and taught the ways of peace have seldom been allowed to live or even die that way.

It was true of Lincoln. It was true of Kennedy, of Evers, of King and now of Kennedy again.

How can one escape the conclusion that the most dangerous thing on this earth to do is preach love and kindliness. And who makes it dangerous? I do. And you do. Why? Two hundred million did not kill or want the killing to happen and, in fact, no American killed. All legal consequence relates to the one who performed the murder, still, "no man is an island." And the one who did fire the shot lived among us for a dozen years. So before we dismiss ourselves too lightly, perhaps we should reflect on just what we as a people have come to accept and even want on the part of those who speak publicly and those who entertain us.

None of the two hundred million is morally responsible for unwitting negligence. But if after learning that our neglect can produce harm we continue that neglect, then according to the dogma of Dante, we are deserving of the hottest rung in hell.

Every time we fail to carry out the broad mandate of creation for self-control; every time we fail to control the natural temptation, born of fear and misunderstanding, to speak or print harsh words, we burn so much incense to the false god of violence.

"And sure it keeps their honor clean,
 the learned Court believes.
"They never gave a piece of plate to
 murderers and thieves.
"They never told the ramping crowd
 to card a woman's hide.
"They never marked a man for death,
 what fault of theirs he died.
"They only said he's awful
 and talked and went their way.
"By God, the boys who did the work
 were better men than they."

—KIPLING.

What each person says and does is influenced in some measure by what is said and done around him. If one lives life surrounded by gentleness and love, his ability to control himself from acts of violence is greater. If he is surrounded by an atmosphere of hostility and hate, he is more likely to become a part of it and consider violence the thing to do in order to earn respect from those who have expressed hatred for the victim. Hateful and violent words are akin to hateful and violent deeds. The suspect in the killing of Dr. Martin Luther King is reported once to have said, "I'm going to kill Martin Luther King and get a bounty."

How do we measure up?

So the question occurs, how do we as a nation measure up on the scales of civilization in terms of gentle ideas and kind words? And the answer is that we could do better—very much better.

I don't think we are a sick society. Most of us very much do not want harm done to others. But in the busy lives most of us lead we may have become a nation of unintentional neglect, permitting ourselves and our children to be conditioned—even a bit hardened to violence.

A casual accounting of American habits in television and movies reveals a taste for violence which simply cannot and, according to a great share of a Congressman's mail, *is not* separated from American political attitudes.

While one channel shows "The Dirty Dozen," another runs film of Vietnam; and somehow the fiction and the reality merge and we begin to have difficulty distinguishing one from the other. A newspaper finds it possible to refer to killing enemy soldiers as a "turkey shoot."

We give lip service to the term "gentleman."

But how many remember what the word means? A gentleman is a man who is gentle.

Yet harsh hatred is heaped upon a young Senator because he displays an inclination to take seriously the teaching of Christ: "love thy enemy" as well as friends.

It is possible to oppose without hating. And neither a nation nor a man can hate adversaries without having some of that hate spill over onto friends. Gentleness is not something to be ashamed of. Gentleness is not weakness. There is a difference between strength and brutality; between pride and arrogance.

It is a shameful commentary on the American volume of violence that in this century one-third of our Presidents have been targets for the assassin's bullet. It won't do to say that the general atmosphere of a country has nothing to do with political assassination. The fact is that the United States has had much more than its share of this sort of thing.

So what shall we do, we who are sick in our hearts from the grief that violence brings?

Improvement of our ability to apprehend and punish for violence already done is not enough, if we continue to accept for ourselves and our children the words and ways of violence as an index to patriotism and respectability.

If we as a nation should declare on this day of national mourning that we shall have a crash diet away from our taste for violence; that we shall never again treat a man worse in life than in death, we would be deluding ourselves and merely adding to pretty but meaningless Sunday oratory.

Little children will not lay aside their toy guns and their parents will not lay aside their acceptance of violent entertainment and tough talk overnight.

Let us begin

Perhaps we older ones will never fully reform. But we could begin a process. We could begin to teach the little ones what is really represented when they play with toy guns and use harsh words, and watch television do the same.

We can begin to reject hateful and violent words spoken and printed about others, and perhaps even come to the aid of those who are the target of such abuse, even those with whom we disagree.

Perhaps there will be no fewer who use harsh words. But surely there could be more who would begin to listen only to reasoned words.

"Let us begin," President Kennedy said. And if we falter let us begin again the process of teaching the very young the tragic human folly of admiring violence, which is their plaything in an hour and their master forever. Even if gentle ways did not contribute to greater national safety, they would still create a happier way to live for all of us.

"Being lied about—don't deal in lies.
And being hated—don't give way to hating."

Such a man was Robert Francis Kennedy.

Who here ever heard Senator Kennedy return violent words for violent words hurled against him? Search your hearts and recent memories about the hateful words he endured here in our own community—"unshorn and un-American." But being hated, he did not give way to hating. Nor would he have us, the living, hate those who heaped abuse upon him when he was here.

He had that Christ-like quality of loving and even trying to understand his enemies, domestic as well as foreign. He would gently kid them but never, never hate.

And to the world he was one of the Americans who carried for America the image of youth and vigor and ideals.

In the words of Stevenson:

"He made us proud to be Americans. Now he is gone. Today we mourn him. Tomorrow and tomorrow we shall miss him. And so we shall never know how different the world might have been had fate permitted this blazing talent to live and labor longer at mankind's unfinished agenda of peace and progress for all."

Still, for those of you who loved and followed him there can be no doubt about what his message would be: "Don't give up."

On his death bed the former Secretary of State, Henry L. Stimson, said this as advice to young men:

"But let them not turn aside from what they have to do, nor think that criticism excuses inaction. Let them have hope, and virtue, and let them believe in mankind and its future, for there is good as well as evil, and the man who tries to work for the good, believing in its eventual victory, while he may suffer setback and even disaster, will never know defeat. The only deadly sin I know is cynicism."

And this from Shakespeare Senator Robert Kennedy said of his beloved brother, the President:

"And when he shall die take him and cut him out into little stars and he shall make the face of heaven so fair that all the world will be in love with night, and pay no worship to the garish sun."

We have lost Senator Kennedy, and the grief in our hearts calls forth the tribute of the sorrowing Horatio in final farewell to his departed friend, Hamlet:

"Good night sweet Prince, and may flights of angels sing thee to thy rest."

REMARKS BY THE HONORABLE RICHARD G. LUGAR, MAYOR

Dear friends, for the past few days, our nation has struggled with questions of sordid and horrible motivation. For over four years, we have read thousands of words which tried to explain the death of a President. With morbid fascination, many will read and listen to a torrent of expression which tries to explain the death of Senator Robert F. Kennedy. Our minds and our hearts find it difficult to accept the fact that these murders were senseless and absurd. We are inclined to follow two courses of thought, both of which are potentially disastrous.

Some of our citizens are certain that an unseen conspiracy lies behind the deaths of President John F. Kennedy and Senator Robert F. Kennedy and perhaps extends likewise to the murders of Medgar Evers and Dr. Martin Luther King. Some are certain that the conspirators are steeped in communistic philosophy and are trying to bring our democracy to its knees by paralytic assaults on our political, religious, and civil rights leadership.

Others are equally certain that a conspiracy consists of those who oppose civil rights for all Americans and who lie in wait to cut down each leader who would speak out for those oppressed by social injustice. The fact that the alleged killers of Dr. King and Senator Kennedy do not appear to be related even remotely stands as no block to conspiracy logic because many believe that a large and current crop of hatred lies so close beneath the surface of American life that the actual gun man is irrelevant—literally any one of a million men could have performed the act of murder.

Each of us who believes in searching for the truth may wish to maintain a wait and see attitude on the theories of conspiracy. For my own part, I do not believe they are true nor am I interested, especially, in the assassins. From a relatively short period of public service, I am well acquainted by letters, calls, and personal confrontations with a legion of citizens in our own community who are at best unstable in their mental attitudes and at worst verge on madness. If this tribute to Senator Kennedy seems embarrassingly personal to an objective observer, it has been composed in such a way because I am deeply weary of the drone of voices who wish to chastise the United States of America, use our brief to further a political or theological premise, or simply to indulge in an emotional purge for the sake of it without emphasis on the great lessons which seem most important.

In short, Judao-Christian theology is clear and our own experience surely testifies that we are all fallable men. We do not sin once or twice in our life but on every occasion when we are determined to substitute our wills for that of God. We pray, "Let Thy will be done," but too hastily indicate through our feeble follow-through that we meant, "Let my will be done," and let it be supported by whatever scriptural or governmental sanctions that sheer cleverness may bring to the fore. If there has been hatred in America, the phenomenon is not unique to our time. Men far less conspicuous than Senator Kennedy have been killed in our own city in recent months for reasons equally as absurd as whatever might have motivated a murderer in Los Angeles on Wednesday morning. Historically, many in our own community continue to be more interested in the life and death of a public enemy of the people who terrorized this community than in Benjamin Harrison, a man who lived here and who was elected President of the United States.

To celebrate his life

My own bias remains in favor of celebrating the life of Robert Kennedy and not his assassin or the climate of our times, whatever it may be. My quest in this statement is simply to ask the question, why did he do what he did? The question is not asked of the assassin but asked in a special way of Robert F. Kennedy.

Robert Kennedy was a fortunate human being. He was raised by strong and loving parents who did all that they could to bring his young life into unity with God, with the patriotic destiny of his country, and with people of all walks of life who live anywhere in the world. He enjoyed the rich fellowship of talented brothers and sisters. He enjoyed the loyalty of many devoted friends of widely diverse backgrounds. From his birth, he had no material wants and no financial pressures. He married a loving and vivacious wife. He was the father of a great and growing family of his own. With all of these blessings, what compelled him to drive himself and others at such an incredible pace around this state and around this country in search of political responsibility?

Some men are drawn to political office by money. For some the salary of an office or funds unethically drawn from positions of power are an irresistible lure. Some men are less compelled to seek office for reasons of personal financial gain than by the possibilities to bend the law for the benefit of friends, associates, or others who are impressed by such abilities literally to "fix" the system.

The ambition of power?

Most will be quick to admit that Robert Kennedy, and John Kennedy before him, were not interested in money or in feathering the nests of cronies. Some will contend that it is obvious they were interested in exercising power. Some will contend, further, that they were willing to expend money, their friends, their families, and themselves to obtain power.

Of course, the fact remains that power is sought by many men in our society and running in campaigns for elective office would appear to be one of the most difficult and deliberately self-punishing ways to obtain power. Far more often than we might realize, power to effect social or moral or economical change in our democracy is exercised by political managers who maintain power by reasons of personal wealth, corporate or labor union position, ownership of mass media such as newspapers, television, or radio stations, or men who employ representative political management to produce and maintain a stable of reliable and manageable potential candidates.

One could be a political opponent of the Kennedy brothers and still affirm, as I do, that I am grateful to them for coming to the people, themselves. Both John and Robert Kennedy were perhaps ruthless when pompous stuff-shirts demanded special privilege. They could be and were gentle with children and youth but curt with adults who were loyal only when the sun shined and turned tail so very quickly when clouds appeared.

I am not certain that I know precisely how Robert Kennedy would have brought greater racial unity and harmony and justice to this nation, but I know why he gained the support of so many who have felt the lash of discrimination in this country. The answer is simply that he was so often physically there, himself, in neighborhoods where men and women cry out for understanding. It is not pleasant to be there on the hot pavement, in the sweat and dust, and heartbreak. Most men who have craved political power and who have attained and exercised it have not been there. Sadly enough, many talk as if they will never get there, that it is too dangerous, too uncertain—that personal, open campaigning may need to be curtailed if our leadership is to survive.

The irony of Robert Kennedy's last campaign was the fact that for all of his exertion and for all of his popular victories, for all the identification with youth and the future, with the alienated and dispossessed of our society, for all of his courage and independence in calling the shots himself unbossed and unobstructed by whatever power brokers remain in our society, it is certainly unclear whether he would have attained the prize of nomination by his party. Contrary to popular opinion, the percentage possibilities for success do not lie with those who champion reform.

The turmoil of our times

But we are in a period of transition in history. In my judgment, it is doubtful whether more countries have been in such internal turmoil at any one time since 1848. The youth of Poland, Czechoslovakia, France, Communist China, Spain are pulling in seemingly opposite political directions and are in process of re-ordering those countries and others. The same is happening in the United States. John and Robert Kennedy brought an unusual degree of dignity and responsibility to that change in the realm of statecraft. Medger Evers and Martin Luther King afforded channels of responsibility in the civil rights movements. I have been influenced by each and the passing of each has been a grievous shock which at the moment seemed unendurable.

Sometimes at moments such as these, we would be less than human if we did not have feelings of fear and inadequacy. Sometimes, we might even entertain a fleeting thought of such disgust that we wonder why we carry on in the face of hostility and malice and evil which seems to abound around us. On occasion, I have been deeply discouraged to read letters from citizens in this community who wrote with such hatred and used such strong words as "treason" that I have wondered why one would want to continue in public service.

I am certain Senator Kennedy knew very well why he continued on and down deep so do each of us. With all of his blessings, he still had a conscience and the terrible human predicament of living in a world of suffering all about him. He was compelled to act, and he sought change through reform and reconciliation in the ways he thought best as long as he had life to do so.

This memorial service for him comes only two months after the burial of Dr. Martin Luther King and it seems like many years since I affirmed the course of action which Indianapolis would take for the next four years. I have no way of knowing how Robert Kennedy would have implemented the goals and sentiments I set forth on January 8, but I am led to believe through conversation with his aides that at some point he read the words I am about to repeat and expressed his admiration and kinship for an unknown young mayor who he was not to meet.

In his memory and to fortify our own resolve, I say again today, "Many thousands still feel privately that decline and decay of our great urban areas is inevitable. Indeed, the odds are long because the problems are so enormous and complex and our skepticism as a community is still a great deal more obvious than our brave public words of confidence. Yet the fact remains that on this one occasion, you have given a young man an opportunity to serve 1461 days in an experiment with the idea that an honest, businesslike, intelligent, and compassionate government will be very different and that we will all love Indianapolis a great deal more after we have survived the experiment.

"The dangers of this administration are obvious to all of us. So much more is expected because so many more hopes have been raised. Moral frailty which might seem a necessary evil of big city government will not be treated so kindly in an enterprise which has been chosen for its idealism. Lapses of thought will seem less excusable in an administration chosen for intelligence rather than one selected to perform the role of caretaker or mortician.

"But let us remember from the outset that a Mayor is no stronger than the life which each of you in this community has for Indianapolis and for one another. I will think, and plan, and speak, and plead, and pray, but we will be greater in the next four years only if you respond very generously.

"I have enjoyed that rarest of all gifts, the opportunity to speak and to act as a free man, an independent spirit who was beholden to no man and determined to seek the truth.

After each winter a more beautiful spring

"The truly free man must be a man for all seasons. I have been grateful for each. After each winter has come a more beautiful spring. And soon, other young men who fight in our behalf today in a foreign land will return to enjoy a springtime in their lives. All of our young fighting men share with us now the winter of our discontent. We are disquieted by fears of racial strife, by fears of violence on our city streets, and perhaps by fears that the Bedrock certainties of moral judgment have been sliding into a fog, and that while we comfortably enjoy business as usual, the family next door suffers the anguish each night of knowing that a young man is in danger.

"Some of us are not prepared to pay the price for living in a just society which is equal and open to all men. But I say to each of you, please prepare to pay that price because I intend to ask it of you. If we are to enjoy social peace in this community, it will prevail only so long as our physical force is combined with a passion for justice. I intend to walk the sidewalks of this city, visit the factories, the schools, and the playgrounds, and grasp as many hands this year as I did last. Last year, I needed your votes and a chance to do the things I had suggested.

"This year, I will need your strength, your quiet confidence, and your pledge to help. And the next year, I will be back again because we must run this course together. We live in harmony only when the right words are spoken to the right people at the right time. Life is not merciful to those who suggest great plans and aims but execute them halfheartedly.

"We will act and speak in a timely manner, but I hope too that we will enjoy during all of these coming days an experience which may be a product of the tensions of our trials and errors—let us become a much more friendly city. Let us grow closer together rather than fragmenting ourselves in tiny areas of exclusiveness. Let us meet together as entire communities in our school buildings. Let us support each other's churches and neighborhood associations. Let us help many to become owners of businesses, many more to own homes, and all of our children to have the tools of health and education which will make Indianapolis a brighter city in years to come.

"Time and life are precious. We are responsible for all that we do. We can no longer plead ignorance of the tasks and challenges before us. Let us help each other to do his best."

Let this be remembered as one time and one place in which men and women said with the Scriptures, "Now death where is thy sting?" Victory is His and ours because we gave ourselves at the time we were needed and there is now new life within each one of us and in our city.

Why the frenzied pace?

But some would inquire still, why is the pace so frenzied? Why must all the ills which plague mankind be attacked today and simultaneously without rest and respite?

There was a time before the deaths of John and Robert Kennedy when I, too, took the viewpoint that change is in the wind but that change can come through the mellowness of time and the patient work of an Albert Schweitzer laboring in Lambarene over the course of many decades.

Now I am inclined to believe that words which should be spoken today should not be left until a seemingly more appropriate time, responsibilities which could be shouldered now should not be left until the times seem more right.

Even if I have confessed that I am not certain about the precise means which Robert Kennedy sought to employ and, in fact, his pragmatic philosophy made numerous adaptations even during his weeks among us this year in Indianapolis, he sensed correctly that the youth of America are in favor of a new sense of justice for those who are handicapped by race, by physical disability, by accident of birth, by any of a number of factors which have made this world more cruel and justice more uncertain.

For those of us who are involved even in a small way as political campaigners for a better life, for the furthering of God's will on this Earth as well as in the life to come, we are angered and enraged over the death of Robert Kennedy in the same way as one of our law enforcement officers would be enraged over the murder of a fellow officer in the streets of our city by a common felon. And yet slowly our anger dissolves into tears as we ponder the calm and courageous eulogy of a surviving brother, Senator Edward Kennedy, a man with every right to be vengeful, but instead a man who asked the right question before he spoke. And that question must always be for many of us, "What would our Lord Jesus Christ say and do if He was among us at this time and this moment?"

And so it must be for us as we are influenced by the words of two great poets, William Shakespeare and Dylan Thomas when we said last night to Robert Kennedy, "Good night sweet prince." "Do not despair for in the sunlight of today death shall have no dominion, death shall have no dominion, death shall have no dominion," because we shall dream with you and your brothers "things that never were and say why not?"

(NOTE.—The benediction was given by The Reverend F. Benjamin Davis.)

THE PRESIDENT HAS THE RIGHT AND THE RESPONSIBILITY TO FILL VACANCIES ON THE NATION'S HIGHEST COURT DURING HIS ENTIRE TERM—EVENING STAR PRESENTS A WELL-REASONED COMMENT

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Friday, June 28, 1968

Mr. RANDOLPH. Mr. President, I will support the appointments of Justice Abe Fortas to be the Chief Justice and Judge Homer Thornberry to be Associate Justice of the U.S. Supreme Court.

It is my feeling that the President has not only the right but the responsibility to fill vacancies on the Court as long as he serves as our Chief Executive.

I disagree with those persons who indicate that Presidential appointments now are in the nature of a lame-duck action.

The President is expected by the American people to act as their President during his entire term of office. It is begging the question to intimate that President Johnson should not make these selections now.

I recognize the individual responsibility of each Senator to assess the men on their own merits. This is a matter for individual judgment.

I believe that the Senate will approve these jurists. They have proved themselves men of the temperament and the capability to hold these positions with distinction and honor.

Mr. President, an editorial, "New Court Lineup," in the June 27, 1968, issue of the Washington, D.C., Evening Star, presents a very cogent and well-reasoned observation on the filling of the vacancies on the Court.

I ask unanimous consent, Mr. President, to have it inserted in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD as follows:

NEW COURT LINEUP

The choice of Judge Homer Thornberry to fill the vacancy on the Supreme Court is the crucial factor in the judicial changes announced yesterday by President Johnson. For while the "liberal" justices in any event will retain a 5-to-4 majority, the evolvement of Judge Thornberry's philosophy will have an important bearing on the direction which the court takes in the future.

He is described in some news reports as a "liberal." But this is not a very meaningful term. During his 15 years in the House, he was close to Speaker Sam Rayburn, which hardly suggests that he will go charging off into left field when he takes his place on the high bench.

A son of parents who were deaf mutes, he worked his way through high school, college and law school. He was a member of one of the best law firms in Houston. As a man and as a judge, he is highly respected by the lawyers who practiced before him. He has had five years of judicial experience and has served as a district attorney. The reports that come to us reflect enthusiastic approval of this nomination.

All of this has to be tempered with a certain reservation. A Solomon could not predict where a man will come down when he takes his place on the Supreme Court. But our hope and belief is that Judge Thornberry will travel the middle road, eschewing both the right and the left. If so, the fact that he has long been a close personal friend of Lyndon Johnson is not something to be held against him when the Senate votes on his confirmation.

The elevation of Justice Abe Fortas, also a close friend and adviser of the President, has brought forth complaints of "cronyism." But the fact of a close association with a President is not a disqualifying factor in judicial selections. What counts is the quality of the nominee.

No one can fault Fortas on the grounds of intellectual qualification or legal competence. One question, however, is whether he has the temperament that many look for in a man who, as Chief Justice, is to stand as a symbol of even-handedness. There are some who think of Fortas as an "operator," and, depending upon the meaning one attaches to the term, there may be some basis for this. The fact remains, however, that John Marshall, now regarded as one of the great chief justices, was very much of an "operator" in his bitter political feuds with Thomas Jefferson. So perhaps hasty judgment on this score should be avoided.

We do not put much stock in the contention that a "lame duck" President should refrain from naming a new Chief Justice. And we say this in spite of the fact that Lyndon Johnson, as majority leader, did not hesitate to bottle up many of Eisenhower court appointments until after the 1960 election was over. If there is a fight over his confirmation, Fortas is most likely to run into trouble because some senators feel very strongly that he misled them; that he testified one way on interrogation of criminal suspects during the hearing on his nomination to the bench, and then made a 180-degree turn after donning the judicial robes. At this juncture, however, it seems unlikely that this will be a formidable barrier to his promotion.

This leaves the problem of how to evaluate the performance of Earl Warren during the 15 years he presided over the court as Chief Justice.

It has been said that he stepped down at this time to avoid the risk that Richard Nixon might be elected in November and then appoint his successor. We prefer not to believe that any such shabby political consideration was the motivating factor. In his letter to the President, Warren gave the weight of 77 years as the sole reason for his decision to retire. If there was any other reason, it probably was that the court under his direction had been steered into a stormy controversy that could hardly fail to prejudice its work in the future. One item of evidence in support of this was the overwhelming vote by which Congress passed the omnibus crime bill, and the President's unwillingness to veto it. This measure was not as some have charged, an assault on the court. But it certainly reflected a serious and deepseated discontent with some of the decisions by the "Warren Court."

It most surely does not follow, however, that the final judgment of the 15 Warren years will be an unfavorable one. It is too early at this stage to say. Our view is that some of the rulings should be modified, and we hope they will be. But the great advances made by the court, notably in such areas as racial equality and political reform, are most unlikely to be condemned when time's verdict is rendered.

THE 10TH ANNIVERSARY OF AMERICANS FOR CONSTITUTIONAL ACTION

HON. CLIFFORD P. HANSEN

OF WYOMING

IN THE SENATE OF THE UNITED STATES

Friday, June 28, 1968

Mr. HANSEN. Mr. President, our country is facing a major challenge to our governmental system—the only solution to which is education. We must inform our people so they will not only be aware of the problems we face but will be able intelligently to aid in finding solutions to these problems.

An organization known as the ACA, Americans for Constitutional Action, located at 20 E Street NW., Washington, D.C., has helped greatly in making the public aware of the nature of the national crisis which America faces. It has helped to inform American citizens in the principles of constitutional conservatism, and the organization and proper functions of government in a free society, by distributing widely certain educational materials.

The ACA celebrates its 10th anniversary June 27, 1968. This is a nonpartisan, nonprofit, nationwide, political action organization. The organization was organized in 1958 by a group of citizens who sincerely believe that the United States now faces a crisis of such proportions as to jeopardize its survival and that of its citizens as a free people.

The group's goals are twofold: first, to help reelect to the U.S. Senate and House those legislators who have shown by their voting records allegiance to the original spirit and principles of the Constitution; and second, to assist in recruiting and electing others of like mind to strengthen the ranks of constitutional conservatives in Congress.

The ACA program consists of professional campaign assistance by providing conservative candidates with statistical research, speech material, art layouts, personalized news releases, counseling of new candidates, news releases designed to refute "smears," and ACA-published materials. Also included is the ACA Index which contains the voting records of Senators and Representatives on the crucial measures acted on in the session just ended, as well as the cumulative voting records from 1955 to the present for Senators and from 1957 for Representatives; and the Congressional Record Digest and Tally, issued periodically, which contains brief analyses of crucial measures pending in the Congress and the votes on such measures. The Congressional Record Digest and Tally also contains significant speeches and debates.

All funds made available to ACA are used entirely for support of constitutional candidates as almost all services are rendered by trustees without compensation or reimbursement.

Mr. President, I take this means to commend the ACA for its outstanding work, not only in aiding candidates but also in assisting through a number of programs to promote constitutional government. The organization has contributed to the awareness of the public and I am pleased to salute their efforts.

THE FOURTH OF JULY

HON. JOHN BUCHANAN

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1968

Mr. BUCHANAN. Mr. Speaker, this Thursday—the Fourth of July—is a special day in the hearts of Americans and free men everywhere. On this day we recall and honor the courage of a small band of men who pledged their lives, their fortunes, and their sacred honor to build a new, independent nation of freedom.

The spirit and ideals of the American Revolution in 1775 have substantially changed the thoughts, cultures, and the destiny of mankind. Our Revolution has kindled the desire for more individual freedom on every continent in the world.

Ralph Waldo Emerson, the famed American poet, put it most aptly in his famous "Concord Hymn," when he said:

> Here once the embattled farmers stood,
> And fired the shot heard 'round the world.

Indeed, it was a shot heard around the world and it reverberates today as men in other lands seek to achieve or regain the freedoms our forefathers secured for us.

With this Fourth of July we approach our Nation's second centennial. It is appropriate then that we remind ourselves of what America is, why she is great, and reaffirm our faith in our heritage.

America was conceived, has been and is the bastion of freedom. The brave men who fought for independence; the brilliant and courageous men who infused our Constitution and Bill of Rights with their ideals and who dared to try a new form of government of, by, and for the people; the millions who have sought refuge and hope in her midst, and our soldiers who have gallantly given their lives to preserve her—all did so in the belief that America is man's best hope for freedom and dignity.

The spirit of the American Revolution has been instilled into each new generation and into each immigrant entering her ports. That spirit was not a hot, bloody revolution led by men seeking kingdoms or the subservience of fellow citizens. It was a revolution of individuals seeking to guarantee freedom and liberty for themselves and generations to come. Since then, millions of men, women and children have given of their God-given talents to conquer a wilderness, to reap the harvest of our bountiful natural resources, to develop railroads, to build hospitals, opera houses, and homes for orphaned children.

Her citizens have always been free from a State police force, from dictatorship, from a system of the divine right of kings or politicians. In America, neighbor has helped neighbor, friend has helped friend, doctors have cared for the poor and rich alike, education has been open to all, and a nation of law, not men, has prevailed.

Today, the spirit of 1775 is still the spirit of most Americans—Americans striving to preserve the qualities that have made our Nation great, to build upon that greatness and to right wrongs wherever they exist in our society.

Yet, there also is a small minority that "claims" they are revolutionaries. But their concept of revolution is defiance of the law, the use of force and violence, the trampling of the rights of the majority.

The heroes of many of the so-called revolutionary student and minority movements are not young revolutionaries like Nathan Hale, who cried: "I only regret that I have but one life to give for my country," nor Patrick Henry, whose faith in freedom was "Give me liberty, or give me death." Their heroes are Fidel Castro, Che Guevara, Mao Tse-tung—men who slaughtered millions and oppress billions—men who made slaves of those they claimed to liberate.

That is why the radicals and militants who would transform this country will surely fail: because the men they revere, the goals they seek, the methods they employ cannot match, and cannot eclipse, the American heroes, the American goals, the American way you and I commemorate this Fourth of July.

As long as we reaffirm our faith in the American Revolution of 1775 and make whatever sacrifice is necessary to preserve it, freedom will continue not only in America but around the world.

LEGAL QUESTIONS ON TRANSPLANTS PROBED

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1968

Mr. DUNCAN. Mr. Speaker, one of the biggest questions concerning medical science today is the morality and the legality of transplanting organs in humans. I want to place in the RECORD an article from the Knoxville, Tenn., News-Sentinel, which pays tribute to an east Tennessee expert in the legal aspects, Attorney Erma Greenwood, of Knoxville. Mrs. Greenwood is one of the better lawyers in Tennessee and in our Nation, and I am sure her comments will be of interest and value to many readers:

LEGAL QUESTIONS ON TRANSPLANTS PROBED

(By Georgiana Fry)

The transplant of a murder victim's heart in Houston, Texas, has raised questions on the legality of such acts in the minds of many persons.

They should call on Mrs. Erma Griffith Greenwood, a Knoxville lawyer who in the last year has become somewhat of an expert on legal repercussions of transplants.

As the advisor to the Transplantation Society, an international organization formed a year ago in Oak Ridge, she has had to become knowledgeable on the subject of transplants. Dr. Christian Barnard, of South Africa, who performed the world's first heart transplant, is a member of the society.

STATUTE DEFINES DEATH

In the Houston case, the victim was declared dead by the county medical examiner's office three hours before the hospital said she died. The victim's death was ruled a homicide.

Mrs. Greenwood said some of the questions arose because Texas has a statutory definition of death—death being when the heart stops.

In contrast, Tennessee does not have a statutory definition of death and the courts have always accepted medical definitions, she said.

ANSWERS QUESTIONS

In an interview, Mrs. Greenwood explored some of the questions asked in connection with the Houston transplant. Here are the questions and her answers:

1. Can an autopsy report, required in homicide cases in Texas but not in Tennessee, be considered complete with the heart missing?

"I don't see any problem there. The removal of the heart is part of an autopsy in which the internal organs are examined. It would seem to me the heart would be more completely examined if the doctors were going to put it in someone else."

2. If a total autopsy was impossible, could it affect the prosecution, and defense in a murder trial?

"Not in Tennessee. It might depend on the laws in other states. But you always get back to the cause of death established by medical evidence."

3. Could a heart transplant team be prosecuted for interfering with a planned autopsy by removing a homicide victim's heart?

"Not in Tennessee. That's not an insurmountable problem, even in Texas. However, they might be sued if the heart is removed without permission (of the next of kin)."

The Transplantation Society may cast some influence in meeting the medical and legal repercussions of any kind of transplant.

The society was set up principally to disseminate particularly to surgeons, scientific knowledge on the biology, chemistry, immunology and genetics of transplantation and their clinical applications.

AEC PROVIDES FUNDS

Funds to finance the society initially came from the Atomic Energy Commission and were used to publish research findings for private and public doctors.

Since incorporating in February 1967, the society itself has decided to engage in research, and some of the AEC funds, as well as some from the National Institutes of Health, are being used to support that activity.

Mrs. Greenwood said one reason the society was established in the United States is because of the basic research in transplants being done at Oak Ridge National Laboratory. The absence here of a statute defining death, but the existence of one that authorizes residents to will parts of their body to another person or to research, made incorporation in Tennessee appealing, she said.

BODY'S REJECTION BIG PROBLEM

The incorporators include Dr. Charles C. Congdon of Oak Ridge, who has a worldwide reputation as a pioneer in research dealing with the body's rejection of transplanted organisms—"the big problem" in whether a transplant is a success or a faliure.

Other incorporators, all transplant researchers at Oak Ridge, are Drs. Raymond A. Popp and his wife, Diana M. Popp, Pennell Lane; and Dr. Raymond G. Cragle and Dr. Joan Wright Goodman, both of Oak Ridge.

The chief legal problem of the society has been a "peculiar" one, Mrs. Greenwood said. It was getting the society recognized by the Federal Government as a charitable organization, so that contributions could be tax deductible.

CONTRIBUTORS THROUGHOUT WORLD

Part of the problem came about because contributors live throughout the world and have different monetary systems from that in the United States.

To qualify as a charitable organization, none of the money is to go behind the Iron Curtain, a country doing a great deal of transplant research. At the same time, Russia won't let its money go outside the country.

It became an international problem that was resolved with the help of the AEC and NIH, Mrs. Greenwood said. Contributions to the society are now tax deductible.

TURNOVER CEREMONIES OF THE PACIFIC WAR MEMORIAL AT CORREGIDOR ISLAND

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1968

Mr. TEAGUE of Texas. Mr. Speaker, I was privileged to attend the official turnover ceremonies of the Pacific War Memorial at Corregidor Island on June 22, 1968. The invocation was offered by Father Pacifico A. Ortiz, S.J., a veteran of Corregidor and wartime chaplain of the late President Quezon of the Philippines. His invocation follows:

INVOCATION

(By Father Pacifico A. Ortiz, S.J.)

Almighty and eternal God whose providence has guided our people in their long struggle for freedom, behold gathered in Thy presence, around the President of our Republic—the remnants of that army which 26 years ago fought its last battle in the fastnesses of Bataan and on this island fortress of Corregidor.

We stand on *historic* ground: it was here in the tunnels of this mountain under the leadership of Quezon and McArthur that far-reaching decisions were made which forged forever the friendship of the American and Filipino peoples in the crucible of battle and on the anvil of courage, honor and mutual loyalty.

We stand on *heroic* ground: it was here that Filipino and American soldiers fought to the limit of human endurance, till, in the words of Gen. Wainwright, they laid down their arms "with broken heart, and head bowed down in sadness, but not in shame."

We stand on *hallowed* ground: For whoever stands on this island, stands under the banners of that forlorn-hope of gallant men who at Thy command rode out their last mission through the tunnels of these burnt-out hills into the valley of the shadows of death.

For these our fallen comrades, O God we stand at salute and pray: Let Thy peace descend on them and the splendor of Thy eternal vision.

For us their living comrades who remember them, we pray O God, let memory be kind, and forgetting all the ugliness of war, remember only the magnificent side of it: remember only as a badge of honor that in the noontide of our youth, Thou didst call us to bear for freedom the perils and passions of war; that in its muck and agony, we discovered our true and noble selves—how we too, even we, by what miracle of courage we knew not of, could rise to unscaled heights of selflessness and heroism, and if only for a moment, for an hour, for a day, did learn under enemy attack, to forget our selfish selves, and to throw away our lives for a friend, for a comrade, for our native land.

Grant, O God, that as we stand today in a twilight of peace amid "the doubts of civil life more besetting and harder to overcome than all the misgivings of the battlefield," that we whom Thou hast chosen and tempered in the crucible of war, may become, in peace, worthy instruments of Thy providence to teach our children and our children's children the uncompromising gospel of freedom: that freedom cannot be bought from one's enemy, nor fully inherited from one's ancestors, nor permanently maintained by one's friend—that freedom belongs to none but to the brave: to a people always ready to fight its own Bataan, survive its own death march, and, under enemy bombardment stand immovable like Corregidor.

On this living rock, as on the heart of the nation, we beseech you, O God, write this gospel of freedom: write it, if need be, as those who died here 26 years ago, write it in their blood—write it as your own Son wrote His epitaph on the Rock of Calvary; "Greater love than this no man hath that a man lay down his life for his friends." Amen.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, June 28, 1968

Mr. SCHERLE. Mr. Speaker, this is the 158th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

HOUSE OF REPRESENTATIVES—*Monday, July 1, 1968*

The House met at 12 o'clock noon.

Rabbi Mark I. Brener, Congregation Etz Jacob, Los Angeles, Calif., offered the following prayer:

Heavenly Father, we beseech Thy blessing on the constituency of this august body of Representatives of our Nation.

Grave is the responsibility and heavy is the burden of leadership.

Guide our thoughts, words, and actions to the fulfillment of our temporal welfare and our eternal happiness, to legislate in the spirit of our Founding Fathers with probity to all and partiality to none.

In a world torn by strife, animosity, and human degradation, America symbolizes the hopes and yearnings of free men the world over.

We pray Thee to endow our chosen leaders with wisdom, courage, and foresight.

Wisdom—to legislate with dignity, love, and compassion.

Courage—to uphold our democratic way of life and espouse our commitment to freedom and human equity.

Foresight—to continue to be the pathfinders and trailblazers of new goals in democracy, and to be a lighthouse unto all the peoples who sail in darkness upon life's uncharted sea.

May our American Nation ever be worthy of its God-given destiny to hold aloft the flaming torch of freedom and to help usher in that happier day of a world at peace and at one with Thee, our Father in heaven. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, June 27, 1968, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills and a concurrent resolution of the House of the following titles:

H.R. 3865. An act for the relief of Mauritz A. Sterner;

H.R. 10673. An act to amend title III of the Packers and Stockyards Act, 1921, as amended; and

H. Con. Res. 785. Concurrent resolution relating to the pay of the U.S. Capitol Police force for duty performed in emergencies.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 102. An act to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0310090);

S. 443. An act to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0280122);

S. 823. An act to authorize the Secretary of the Interior to reinstate oil and gas lease (Las Cruces 063610); and

S. 2047. An act to exempt certain vessels engaged in the fishing industry from the requirements of certain laws.

The message also announced that the Senate had passed bills and joint and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 2628. An act to amend the act entitled "An act to incorporate the National Education Association of the United States," approved June 30, 1906 (34 Stat. 804);

S. 2960. An act to provide for the appointment, promotion, separation, and retirement of commissioned officers of the Environmental Science Services Administration, and for other purposes;

S.J. Res. 171. Joint resolution to provide for the appointment of Robert Strange McNamara as Citizen Regent of the Board of Regents of the Smithsonian Institution;

S. Con. Res. 75. Concurrent resolution authorizing acceptance for the National Statuary Hall collection of statues of Father Damien and King Kamehameha I, presented by the State of Hawaii; and

S. Con. Res. 77. Concurrent resolution authorizing the printing of additional copies of parts 1 and 2 of Senate hearings on "Status and Future of Small Business."

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

JUNE 28, 1968.

The Honorable the SPEAKER,
House of Representatives.

SIR: Pursuant to authority granted on June 27, 1968, the Clerk received from the Secretary of the Senate today, the following message:

That the Senate passed without amendment the Joint Resolution (H.J. Res. 1368) entitled "Making continuing appropriations for the fiscal year 1969, and for other purposes."

Respectfully yours,
W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on Thursday, June 27, 1968, he did on June 28, 1968, sign the following enrolled joint resolution of the House: House Joint Resolution 1368, joint resolution making continuing appropriations for the fiscal year 1969 and for other purposes.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The **SPEAKER** laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., June 27, 1968.

Re: Civil Action File No. 19599.
The Honorable the SPEAKER,
House of Representatives.

DEAR SIR: By this letter I am transmitting to you a summons in a civil action directed against the United States of America and the Clerk of the House of Representatives of the Congress of the United States. I was served with this petition on the 25th day of June by certified mail. In addition to notifying you of this action in accordance with 2 U.S. Code 118 a copy of this summons is being forwarded to the U.S. District Attorney for the District of Columbia. In accordance with the provisions of this statute I am requesting the U.S. District Attorney to enter an appearance, file an answer and defend this civil action. Additionally I am notifying the Attorney General of the United States that this suit has been filed against me in my official capacity as Clerk of the House of Representatives of the Congress of the United States. Copies of these letters and notification are attached hereto.

This summons is attached and the matter is presented for such action as the House in its widom may see fit to take.

Respectfully submitted.

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

ISSUING OF PERMITS AND LICENSES TO CAMPING GROUPS AND INDIVIDUALS

Mr. KYL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. KYL. Mr. Speaker, this afternoon I intend to introduce a joint resolution which is designed to prevent the kind of problems we have had in the District of Columbia with such incidents as occurred in Resurrection City. At the same time this legislation would not violate the right of individuals or groups to petition the Government or to assemble peacably.

The joint resolution would attempt to accomplish this purpose by providing first, that no permit or license would be issued to any group or organization which would deny access to the area to any other citizen of the United States.

The joint resolution would also provide that no permit or license would be issued to any group or individual for use of areas in the National Capital parks if such use would alter the land or the facilities on that land in any manner other than what might normally be expected from its dedicated use.

Third, a provision of this joint resolution would prevent absolutley the transfer of any police powers from the duly constituted authorities to any other agency, individuals or groups except as specifically covered by statute.

PRESIDENT JOHNSON'S PROPOSAL ON VOTING LAWS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, the American people will fully support President Johnson's call for a constitutional amendment to lower the voting age to 18. This proposal is long overdue. For too many years now we have kept intelligent, sensitive, and mature young people out of the voting booths by clinging to a series of laws, which are unjust and outmoded.

America's youth deserve the chance, not only to be heard in debate, but to voice their convictions by voting for the candidate of their choice. This is a fundamental right in democracy, a right for which many 18- to 21-year-olds are now fighting in Vietnam.

I do not think we can ask our young people to lay down their lives for their country on the one hand, and deny them the right to vote on the other.

We cannot tell them that they are men enough to fight our wars, but too immature to make a judgment about who is the best candidate in an election.

I have unbounded confidence in the future of America. I have confidence because we are producing the best informed and most matured group of young people in our history. These youngsters are proving in countless ways that they are mature and wise. To deny them the right to vote is, in my view, a great miscarriage of justice.

President Johnson has now shown us the way to eliminate this barrier between what is right and necessary, and what is wrong but stubbornly perpetuated.

So, Mr. Speaker, I urge my colleagues to join with our President in creating a new era of fairness and justice for the young people of America. Let us give them the right to vote. By so doing we shall be giving ourselves a new opportunity to strengthen the democratic society we value and cherish.

CONSENT CALENDAR

The **SPEAKER.** This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

SALE OR EXCHANGE OF ISOLATED TRACTS OF TRIBAL LANDS, FLATHEAD RESERVATION, MONT.

The Clerk called the bill (H.R. 13780) to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, in the report accompanying this bill there is a letter printed, which is signed by Harry R. Anderson, Assistant Secretary of the Interior. In this letter it is said:

> The Bureau of the Budget has advised that there is no objection to the presentation of this proposed report from the standpoint of the administration's program. The Bureau, however, will comment separately.

I would like to ascertain as to whether the Bureau's own comments are available.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I did discuss this with the chairman of the subcommittee, the gentleman from Florida [Mr. HALEY], and also with the committee concerned. I am informed no comments have beein received from the Bureau, and it is their understanding that no comments are going to be sent up. However, they are seeking on the telephone at this time some direct official word from the Bureau to that effect. I would like to ask the gentleman if it would be possible to pass over this bill at this time and return to it at the conclusion of the reading of the calendar, if we are able to get that confirmation.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE CREEK NATION OF INDIANS IN INDIAN CLAIMS COMMISSION DOCKET NO. 21

The Clerk called the bill (H.R. 14205) to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 21, and for other purposes.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, may I interrogate one of the handlers of this bill?

Mr. Speaker, I want to ask this general question on the next three bills which provide for payments of judgments previously granted to Indian tribes and for a pro rata distribution to a roll of members of the tribes. When we had a similar bill for the California Indians several weeks ago, I believe I asked the same question. It is whether some provision should be made or has it been thought of here, and this is another situation where perhaps we could have established scholarship funds or family planning instead of doling the money out to be spent indiscriminately and with no lasting benefit. Was this discussed in the committee with respect to these three bills?

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I can say quite affirmatively to the gentleman with regard to the Creek Nation, a major portion of which is located in the district I serve, that tribe of Indians does at this time have an active education program and they are engaged very actively in promoting vocational training programs, and school construction and higher education programs for Indians of that tribe.

This is a decision by the tribe itself, concurred in by the director in this instance, that a per capita distribution would be in order and that it would meet the problems that are problems of all the tribe without at the same time interfering with ongoing programs that are in operation for education. All three of these bills should be passed without delay.

Mr. JOHNSON of Pennsylvania. Is that same thing true of the next two tribes? Does that apply to all three bills?

Mr. EDMONDSON. With respect to the Creek bills, it does apply.

With respect to the Delaware Tribe Indians, this is a much smaller group. I think it is a tribe that has pretty well been integrated into our society and in which most of the children are attending the public schools and in which there is not as great a requirement for tribal educational funds that there is in the case of some other tribes.

Mr. JOHNSON of Pennsylvania. I have an additional question. In view of the demands made by certain Indians who were in Resurrection City and charging that the Government had cheated them, and so forth, when these payments are made will a release be taken, so these people will finally, once and for all, recognize they have been paid so that they will not be coming back to Washington and charging they have been gypped and that we owe them huge sums of money in the future?

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Colorado.

Mr. ASPINALL. When the gentleman refers to those who were back here in the Poor People's Campaign, supposedly speaking for the Indian tribes, they were not in reality speaking for the Indian tribes as such. Those people, camping in our National Capital, were not a part of the group to which we are giving the benefits provided in this legislation.

It so happens that these judgment funds are now fixed. By law we have determined the time during which the Indians might file their claims. That time has passed. The termination of the filing period has now fixed the number of claims. Unless the Congress of the United States should happen to pass another act there will be no more claims.

Mr. JOHNSON of Pennsylvania. Of course, the indictment was to the treatment of all Indians.

May I again ask my question? Will a final release be taken when these moneys are paid, so that they will be considered to have been paid in full?

Mr. ASPINALL. May I say to my friend from Pennsylvania, when the court issues the decree the court establishes the amount and the interest accumulated since the court decree. That is all there is to it. That is a final receipt.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Iowa.

Mr. GROSS. I note in the report that $3 million of this money is drawing 5½ percent interest. Why does not all of it draw 5½ percent interest?

Mr. ASPINALL. Mr. Speaker, will my colleague yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Colorado.

Mr. ASPINALL. Moneys which are left in the Treasury draw 4 percent under the statute. If they are taken out of the Treasury of the United States and placed on deposit in other depositories, like the banks of the United States, they usually get, during the present period, additional interest over and beyond that authorized to be paid by Treasury.

Mr. GROSS. I understand that, and that is what the report shows; $3 million was taken from the Federal Treasury and put out on short-term, high-interest-bearing securities. Why was not all of it put out at 5½ percent?

Mr. ASPINALL. Because the request was not made by the tribal council.

Mr. GROSS. I see.

Mr. REIFEL. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from South Dakota [Mr. REIFEL].

Mr. REIFEL. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding.

I want to express my appreciation to the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Colorado [Mr. ASPINALL], for his explanation in regard to the question raised by the gentleman from Pennsylvania as to when we are going to have a final settlement so that we will not have individuals coming to Washington, as has happened recently with respect to the Poor People's March.

It would be of interest to the gentleman from Pennsylvania, I am sure, to know that the United Sioux Tribes, of which I am a member in South Dakota, passed a resolution in duly assembled session that they did not want to have any part in this meeting down here in Washington because they did not feel it would be of any avail.

It was particularly interesting, and I am quite pleased to know, that the National Congress of American Indians, meeting in duly called session in Albuquerque, N. Mex., resolved that none of their people should officially be here as a part of this march in Washington.

But this is a free society, Mr. Speaker, and individuals may have certain feelings about how they have been treated in the past and how they are treated at present. Of course, there is nothing anyone can do to prevent those individuals from coming here and protesting, even though this Congress and the courts and the Indian Claims Commission deal justly with every individual tribe's complaints and desires.

I just wanted to make that explanation and to thank the gentleman from Colorado for his explanation of the situation as it respects the Indians who are before the Congress with their complaints or with their needs, whether they are based on treaties, or other considerations.

I thank the gentleman from Pennsylvania for yielding.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of Pennsylvania. I yield to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. May I say to my distinguished colleagues that leaders of both of these tribes have expressed their absolute disgust with any Indian who came here to Washington to participate in the so-called Poor People's March.

I might also inform my friend, that goes for many other tribes of the American Indians.

I think the Indians you had down there protesting probably had less Indian blood than you and I have. I think probably they belong to some other dark-hued race.

Mr. JOHNSON of Pennsylvania. I thank the gentleman.

Mr. Speaker, with that explanation, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 14205

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements: (a) they were born on or prior to and were living on the date of this Act; (b) their names or the names of lineal ancestors appear on any of the documents identified herein or on any available census rolls or other records acceptable to the Secretary.

(1) The Final Rolls of Creeks by Blood which were closed as of March 4, 1907;

(2) Claims of Friendly Creeks paid under the Act of March 3, 1817 (H.R. Doc. 200, 20:1, 1828);

(3) Census of the Creek Nation, 1833, made pursuant to article 2 of the treaty concluded March 24, 1832 (Senate Doc. 512, 1835, Emigration Correspondence, 1831–1833, pages 239–395);

(4) Land Location Registers of Creek Indian Lands, made pursuant to the Treaty of March 24, 1832;

(5) Any emigration or muster rolls of Creek Indians;

(6) Any lists of self-emigrant Creek claimants (including those contained in Senate Ex. Doc. 198, 50:1, 1888, and H.R. Ex. Doc. 238, 51:2, 1891).

Applications for enrollment must be filed with the Area Director of the Bureau of Indian Affairs, Muskogee, Oklahoma, in the manner and within the time limits prescribed for that purpose. The determination of the Secretary regarding the eligibility of an applicant shall be final.

SEC. 2. After the deduction of attorney fees, litigation expenses, the costs of distribution, and the cost of preparing the roll pursuant to section 1 of this Act, the funds, including interest, remaining to the credit of the Creek Nation as constituted August 9, 1814, which were appropriated by the Act of April 30, 1965, to pay a judgment obtained in Indian Claims Commission docket numbered 21, shall be distributed on a per capita basis to all persons whose names appear on the roll. The funds so distributed shall not be subject to Federal or State income taxes.

SEC. 3. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee or in such manner as is deemed by the Secretary to be in the enrollee's best interest, and he shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under legal disability shall be paid to the persons who the Secretary determines will best protect their interests.

SEC. 4. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act, including establishing an appropriate deadline for filing applications.

With the following committee amendment:

Page 1, line 9, strike out "Secretary:" and insert "Secretary, which identify the person as a Creek Indian, including ancient documents or records of the United States located in the National Archives, State or county records in the Archives of the several States or counties therein or in the courthouses thereof, and other records that would be admissible as evidence in an action to determine Indian lineage."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF FUNDS APPROPRIATED TO PAY JUDGMENT IN FAVOR OF CREEK NATION OF INDIANS, INDIAN CLAIMS COMMISSION DOCKET NO. 276

The Clerk called the bill (H.R. 16211) to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 276, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 16211

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Secretary of the Interior shall prepare a roll of the Creek Indians who meet the following requirements: (1) they were born on or prior to and living on the date of this Act, and (2) their names or the names of lineal ancestors through whom eligibility is claimed appear on either the 1857 or 1859 payment roll prepared pursuant to Article VI of the Treaty of August 7, 1856 (11 Stat. 699), or on the Final Roll of Creeks by Blood closed as of March 4, 1907, pursuant to statute.

(b) Applications for enrollment shall be filed with the Area Director, Bureau of Indian Affairs, Muskogee, Oklahoma, in the manner, within the time limit, and on the form prescribed for that purpose. The determination of the Secretary of the eligibility for enrollment of an applicant shall be final.

Sec. 2. All costs incident to carrying out the provisions of this Act shall be paid by appropriate withdrawals from the judgment funds referred to in this section. After deducting attorney fees and all other costs, the remainder of the funds including interest, to the credit of the Creek Nation appropriated by the Act of October 27, 1966 (80 Stat. 1057), shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1 of this Act. The funds so distributed shall not be subject to Federal or State income taxes.

Sec. 3. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee or in such manner as is deemed by the Secretary to be in the enrollee's best interest including the establishment of trusts, and the per capita share of a deceased enrollee shall be paid to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under legal disability shall be paid to the persons whom the Secretary of the Interior determines will best protect their interests.

Sec. 4. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act, including an appropriate deadline for filing applications for enrollment.

With the following committee amendments:

On page 2, line 20, strike out "enrollees" and insert "enrollee"

On page 2, line 22, strike out "including the establishment of trusts,".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF FUNDS APPROPRIATED TO PAY JUDGMENT IN FAVOR OF DELAWARE NATION OF INDIANS, INDIAN CLAIMS COMMISSION DOCKET NO. 337

The Clerk called the bill (H.R. 16402) to provide for the disposition of funds appropriated to pay a judgment in favor of the Delaware Nation of Indians in Indian Claims Commission docket No. 337, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 16402

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) They were born on or prior to and living on the date of this Act; (b) their name or the name of a lineal ancestor appears on the Delaware Indian per capita payroll approved by the Secretary on April 20, 1906, or (c) their name or the name of a lineal ancestor is on or is eligible to be on the constructed base census roll as of 1940 of the Absentee Delaware Tribe of Western Oklahoma, approved by the Secretary of the Interior, or (d) they are lineal descendants of Delaware Indians who were members of the Delaware Nation of Indians as constituted at the time of the Treaty of October 3, 1818 (7 Stat. 188), and their name or the name of a lineal ancestor appears on any available census roll or any other records acceptable to the Secretary. No person shall be eligible to be enrolled under this section who is not a citizen of the United States. Applications for enrollment must be filed with the Area Director of the Bureau of Indian Affairs, Muskogee, Oklahoma, or the Area Director of the Bureau of Indian Affairs, Anadarko, Oklohama, on forms prescribed for that purpose. All applications filed shall be reviewed and a judgment of the eligibility of each applicant will be made and notice given in writing to the respective area directors by a committee composed of representatives of the two Oklahoma Delaware groups prior to submission of names to the Commissioner of Indian Affairs for acceptance on the distribution roll. The determination of the Secretary regarding the utilization of available rolls or records and the eligibility for enrollment of an applicant shall be final.

Sec. 2. There shall be withdrawn from the funds on deposit in the Treasury of the United States to the credit of the Delaware Nation that were appropriated by the Act of October 7, 1964 (78 Stat. 1033), and the interest accrued thereon, using the interest fund first, $7,000, which shall be divided equally between the Cherokee Delawares and the Delaware Tribe of Indians of Western Oklahoma, and shall be available for claims expenses incurred by the duly authorized personnel of the two tribal groups, as set forth in their joint resolution adopted on September 9, 1967.

Sec. 3. After the deduction of attorney fees and expenses, litigation expenses, all costs incident to the provisions of this Act, and to making the payments authorized by this Act, including the cost of roll preparation, which shall be paid by appropriate withdrawals from the judgment fund, the unexpended balance of the funds on deposit in the Treasury shall be distributed in equal shares to those persons whose names appear on the roll prepared in accordance with section 1 of this Act. No person shall be entitled to more than one per capita share of the funds.

Sec. 4. The Secretary shall distribute a share payable to a living enrollee directly to such enrollee. The Secretary shall distribute the per capita share of a deceased enrollee to his heirs or legatees upon proof of death and inheritance satisfactory to the Secretary whose findings upon such proof shall be final and conclusive. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid to the persons whom the Secretary determines will best protect their interests, including the establishment of trusts.

Sec. 5. The funds distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

Sec. 6. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act, including a deadline for filing enrollment applications.

With the following committee amendments:

On page 2, line 16, strike out "notice" and insert "recommendation".

On page 2, lines 18 and 19, strike out "Commissioner of Indian Affairs" and insert "Secretary of the Interior".

On page 3, line 7, after "resolution" insert "numbered 4–68".

On page 4, line 1, strike out "to the persons whom" and insert "in accordance with such procedures as".

On page 4, line 2, strike out "interests, including the establishment of trusts." and insert "interests.".

On page 4, line 5, strike out "taxes." and insert "tax.".

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSTRUCTION-DIFFERENTIAL SUBSIDY

The Clerk called the bill (H.R. 17524) to amend section 502 of the Merchant Marine Act, 1936, relating to construction-differential subsidies.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

Mr. **HALL**. Mr. Speaker, reserving the right to object, I understand that this is a recurring bill on the Consent Calendar, and certainly, as I have said before recently on this floor, no one appreciates the need for U.S. merchant marine ships any more than the gentleman from Missouri speaking, having served on the Airlift and Sealift Subcommittee of the Committee on Armed Services for the past 6 to 8 years. However, when this bill was last considered, on June 20, 1966, it was extended for 1 year only. This bill extends it for 2 years.

I wonder if we could have some comment, Mr. Speaker, as to why this is extended this long, in view of the expected new administration and in view of the new Congress coming into effect; and finally in view of the fact that the production cost plus the delivery cost equals the total of costs. We cannot, as a Nation, go ahead using the taxpayers' money forever in a subsidy program that averages more than 50 percent—in fact, from 49.6-percent subsidy up to 55-percent subsidy—forever, without any protective tariff and without getting to the basic cause of our cost of production being over that of other nations who also build ships.

It seems to me what we need is more automation in our shipbuilding yards, lessened production costs, more protection, and more concentration of industry and less subsidy from the taxpayers' purse. Perhaps we are approaching this year-in-and-year-out request on the Consent Calendar by unanimous consent of all who participate, on the wrong basis. I simply ask the question as to why we should extend this for 2 years and why we are resorting to a subsidy rather than by updating and equalizing shipbuilding techniques and costs.

I will be glad to yield to the distinguished chairman of the committee, the gentleman from Maryland [Mr. GARMATZ].

Mr. GARMATZ. Mr. Speaker, the gentleman has correctly said that they were down as low as 49.6 percent. Of course, it is hard to say how much less it will be in the next 2 years and how much the actual cost will be. It is impossible to give an accurate estimate.

But in our new program, the new program that we are now working on, we expect to be able to report a bill out from the full committee and get it onto the floor of the House for discussion.

We plan to provide for pay in subsidies direct to the shipyards and we hope that by this new legislation we will eliminate some of the subsidy or reduce it at least.

And, Mr. Speaker, in the next session of Congress, if we are fortunate enough to come back, we shall go over the overall subsidy question to shipping, and the overall subsidy as to the rates which are given as subsidies to the shipbuilding industry. In addition our opinion is that we ought to get to the study of this problem which is commonly referred to as double subsidy. We will, of course, go into that in the next Congress. So we felt that we should try to get out this legislation which would be helpful in many ways to cut some of these so-called evils of the subsidy. Existing law on this particular point expired as of June 30, 1968. We should extend it now so as not to lose continuity while we are going into the broader question of overall policy.

Mr. HALL. I appreciate the comments of the distinguished gentleman from Maryland, but I want all to understand that I do not oppose any subsidy which proposes to increase the volume of shipping under the control of the U.S. merchant marine; that we will have to continue that way because I know we are desperately short in our sealift and are having to hire foreign bottoms in which to carry much of our materiel, which at least do not fly our colors—or ensign—in the transportation of this materiel and the various equipment to the various areas of military and other need, around the world.

It certainly appears to me that we are proposing to extend a program for an additional 2 years when, in fact, we will have a new administration.

As I recall, on June 20, 1966, over 2 years ago, a report was promised on this situation. I have never seen that report of the Maritime Commission on the merchant marine which should have been forthcoming by this administration.

Now, we have a "lameduck" administration and in the waning days of the 90th Congress, does the gentleman know whether that report has ever been submitted or not?

Mr. GARMATZ. I would say that in view of the expiration of June 30, 1968, and the need for making the extension of the authority as soon as possible, your committee felt that it is essential that this subject be treated in a separate bill rather than waiting for an indefinite time to iron out difficulties inherent in the administration's proposed bill. I would further point out to the distinguished gentleman from Missouri that it should be noted that the administration's proposed bill also extends the construction subsidy ceiling at 55 percent for the next 2 years, until June 30, 1970, rather than just extending it for the period of 1 year on the subsidy program, but have the period of 1 year for a planning program.

Mr. HALL. I would think, I would say to my colleague from Maryland [Mr. GARMATZ], that the administration would run into a complicated and continuing lot of controversial matters to permit foreign-built vessels to receive operating subsidies. These appear to me to be some of the problems that are involved in the administration of the program. But I think the program, as I mentioned before, is a necessary one and I hope that these problems are cleared up in order that it would be helpful in the overall picture.

Is the gentleman from Maryland telling us that the solution of the problem now, among others, is that we are using foreign-built ships?

Mr. GARMATZ. The gentleman from Missouri is correct. That was the statement of the Secretary of the Department of Transportation, Mr. Boyd.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman from Iowa.

Mr. GROSS. I note that the committee in the report and in the comments from the Department of Commerce refers to an administration draft bill.

Is H.R. 17524 the administration draft bill or is it a committee bill?

Mr. GARMATZ. That is right; that is deleted from the administration bill.

Mr. HALL. Mr. Speaker, I reluctantly withdraw my reservation of objection in view of the need for surface ships in the transportation of American supplies around the world.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 17524

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso in the second sentence of subsection (b) of section 502 of the Merchant Marine Act, 1936, as amended (46 U.S.C. 1152(b)), is amended by striking out "June 30, 1968,", and inserting in lieu thereof "June 30, 1970,".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING SECTIONS 13(b) OF THE ACTS OF OCTOBER 3, 1962 (76 STAT. 698, 704)

The Clerk called the bill (S. 203) to amend sections 13(b) of the acts of October 3, 1962 (76 Stat. 698, 704), and for other purposes.

There being no objection, the Clerk read the bill, as follows:

S. 203

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 13(b) of the Act of October 3, 1962 (76 Stat. 698), entitled "An Act to provide for the acquisition of and the payment for individual Indian and tribal lands of the Lower Brule Sioux Reservation in South Dakota, required by the United States for the Big Bend Dam and Reservoir project on the Missouri River, and for the rehabilitation, social, and economic development of the members of the tribe, and for other purposes", and section 13(b) of the Act of October 3, 1962 (76 Stat. 704), entitled "An Act to provide for the acquisition of and the payment for individual Indian and tribal lands of the Crow Creek Sioux Reservation in South Dakota, required by the United States for the Big Bend Dam and Reservoir project on the Missouri River, and for the rehabilitation, social, and economic development of the members of the tribe, and for other purposes", are hereby amended by striking out the words "within one year after the date of rejection.", and by inserting ", or by the United States to determine just compensation, on or before September 1, 1969."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUPPLEMENTING PUBLIC LAW 87-734 AND PUBLIC LAW 87-735 WHICH TOOK TITLE TO CERTAIN LANDS IN THE LOWER BRULE AND CROW CREEK INDIAN RESERVATIONS

The Clerk called the joint resolution (S.J. Res. 157) to supplement Public Law 87-734 and Public Law 87-735 which took title to certain lands in the Lower Brule and Crow Creek Indian Reservations.

There being no objection, the Clerk read the joint resolution, as follows:

S.J. RES. 157

Whereas Public Law 87-734 and Public Law 87-735 were legislative takings for the Big

Bend Dam and Reservoir project of the entire interest, excluding minerals, in approximately fourteen thousand two hundred ninety-nine and three one-hundredths and six thousand two hundred eighty-three and fifty-seven one-hundredths acres of land in the Lower Brule and Crow Creek Indian Reservations, respectively, such land being identified as land in which the Indians had a trust or restricted interest,

Whereas the compensation paid for such land represented a negotiated price agreed to by the Indian tribal leaders and the United States, and did not represent any one appraised value of the land,

Whereas such compensation was required to be distributed according to "Indian ownership schedules" that were used as the basis for negotiation after the values on the schedules were increased by a uniform percentage to make the total equal the total amount of compensation,

Whereas such schedules included land in which there were unrestricted interests owned by non-Indians, Canadian Indians, and Indians over whom Federal supervision had been terminated, and the values assigned in the schedules applied in all interests,

Whereas the total compensation was required to be paid to "the tribe and the individual Indian owners" without indicating whether the owners of unrestricted interests in some of the land were to share in the compensation,

Whereas the sums of $1,185.32 and $8,128.34 have been withheld from distribution to the Lower Brule and Crow Creek Indians, respectively, pending a determination of whether the owners of unrestricted interests in the land should share in the distribution of the negotiated price, or be compensated separately, and

Whereas the negotiated price was intended to be compensation for the entire interest taken by the legislation, and, in any event, the distribution of the small sums withheld among all of the other owners would be impractical; Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall pay to the persons who owned unrestricted interests in the lands taken by the enactment of Public Law 87–734 and Public Law 87–735, or to their heirs, unless they previously have been compensated, from the funds appropriated pursuant to such public laws the amounts apportioned by the Secretary to their respective interests. Payment shall be made only on the basis of a claim filed with the Secretary within one year from the date of this Act. The Secretary shall take such action as he deems feasible to notify the persons who he believes are entitled to file claims, but the failure to receive such notice shall not affect the provisions of this Act. Any sum not timely claimed and paid shall be credited to the account of the tribe occupying the reservation where the land is located, and no further claim with respect thereto shall be recognized by the United States. Acceptance of a payment pursuant to this Act shall be deemed to be a release of any further claim by such person against the United States based on such taking, unless the person accepting payment notifies the Secretary in writing at the time of payment that he regards the payment at less than just compensation, and that he intends to commence a judicial proceeding under other provisions of law to recover additional compensation. No such judicial proceeding shall be entertained by any court unless it is commenced within three months after tender of payment by the Secretary.

With the following committee amendment: Strike out all of the preamble.

The committee amendment was agreed to.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING ACT RELATING TO LEASING LANDS IN ALASKA FOR GRAZING

The Clerk called the bill (S. 1059) to amend the act relating to the leasing of lands in Alaska for grazing in order to make certain improvements in such act.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

Mr. **GROSS**. Mr. Speaker, reserving the right to object, I note with respect to this bill that the departmental reports have asked that it be held up pending the Public Land Law Review Commission's report. Has that report been received, and duly noted in connection with this legislation?

Mr. **ASPINALL**. Mr. Speaker, will the gentleman yield?

Mr. **GROSS**. I yield to the gentleman from Colorado.

Mr. **ASPINALL**. In reply to the inquiry of the gentleman from Iowa, the Public Land Law Revision Commission has not reported. They will not report until the middle of 1970.

The reason that the Committee on Interior and Insular Affairs and the Subcommittee on Public Lands of that committee did not heed the advice from the Department in their report is that the subcommittee thought that the people in Alaska ought not be made to wait that long.

They do have a situation up there that is very different from that prevailing in the lower 48 States. The investment that goes with the cattle operation or any livestock operation in Alaska must be such that it is necessary to get large sums of money, and they cannot get the large sums of money unless they have the additional lease period provided in this legislation.

Mr. **GROSS**. Mr. Speaker, I thank the gentleman for his explanation, and I withdraw my reservation of objection.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

S. 1059

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act entitled "An Act to provide for the protection, development, and utilization of the public lands in Alaska by establishing an adequate system for grazing livestock thereon", approved March 4, 1927 (44 Stat. 1452), is amended to read as follows:

"NOTICE OF ESTABLISHMENT AND ALTERATION OF GRAZING RIGHTS

"Sec. 5. Before establishing or altering a district the Secretary shall publish once a week for a period of six consecutive weeks in a newspaper of general circulation in each judicial division in which the district proposed to be established or altered is located, a notice describing the boundaries of the proposed district or the proposed alteration, announcing the date on which he proposes to establish such district or make such alteration and the location and date of hearings required under this section. No such alteration shall be made until after public hearings are held with respect to such alteration in each such judicial division after the publishing of such notice."

Sec. 2. (a) Subsection (a) of section 7 of such Act of March 4, 1927, is amended to read as follows:

"Sec. 7. (a) A lease may be made for such term as the Secretary deems reasonable, but not to exceed fifty-five years, taking into consideration all factors that are relevant to the exercise of the grazing privileges conferred."

(b) Such section 7 is further amended by inserting at the end thereof a new subsection as follows:

"(d) Each lease shall provide that the lessee may negotiate for renewal of such lease, subject to the provisions of this Act, at any time during the final five years of the term of such lease."

Sec. 3. Section 14 of such Act of March 4, 1927, is amended by inserting "(a)" after "Sec. 14" and by inserting at the end of such section a new subsection as follows:

"(b) The Secretary shall take no action which will adversely affect rights under any lease pursuant to this Act until notifying the holder of such lease that such action is proposed and giving such holder an opportunity for a hearing."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING DISPOSITION BY THE CITY OF HOT SPRINGS, ARK., OF CERTAIN PROPERTY HERETOFORE CONVEYED TO THE CITY BY THE UNITED STATES

The Clerk called the bill (H.R. 14005) to authorize the disposition by the city of Hot Springs, Ark., of certain property heretofore conveyed to the city by the United States, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 14005

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 2 of the Act of May 29, 1928 (45 Stat. 959), providing for a reversion to the United States under specified circumstances of the title to part of lot numbered 3 in block numbered 115 in the city of Hot Springs, Arkansas, the city of Hot Springs is hereby authorized to sell or otherwise dispose of said lot upon the condition that the proceeds received from such sale or other disposition shall be used to construct a fire station within the city limits.

Sec. 2. The conditions in the patent issued by the United States on September 7, 1928, to the city of Hot Springs, Arkansas, pursuant to the Act of May 29, 1928 (45 Stat. 959), which provided for a reversion of title to the United States, are hereby released to the extent they are inconsistent with this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The **SPEAKER** pro tempore. This concludes the call of the Consent Calendar.

SALE OR EXCHANGE OF ISOLATED TRACTS OF TRIBAL LANDS, FLATHEAD RESERVATION, MONT.

Mr. **HALEY**. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 209, the bill (H.R. 13780) to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida.

Mr. **PELLY**. Mr. Speaker, reserving the right to object—and I shall not object—I simply want to say that I have been advised now that the Bureau of the Budget had no intention, or at least now has no intention, to send up any supplementary report on this legislation. Therefore, I withdraw my reservation of objection.

The **SPEAKER** pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 13780

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, may dispose of or acquire tribal lands within the exterior boundaries of the reservation in trust on the conditions hereinafter set forth, which transactions may be accomplished by any combination of cash, terms, or exchange with or without the giving or receipt of boot.

SEC. 2. Said Confederated Tribes may dispose of lands beneficially owned by them and held by the United States in trust only as to the following lands:

Township 17 north, range 20 west, M.P.M., section 6, lots 2, 3, 4, containing 118.53 acres.

Township 18 north, range 21 west, M.P.M., section 20, north half north half northwest quarter southeast quarter, containing 10.00 acres.

Township 19 north, range 21 west, M.P.M., section 28 south half northeast quarter, containing 80.00 acres.

Township 20 north, range 21 west, M.P.M., section 1 northeast quarter southwest quarter, containing 40.00 acres.

Township 22 north, range 22 west, M.P.M., section 3 north half southeast quarter, containing 80.00 acres.

Township 19 north, range 23 west, M.P.M. section 5 northeast quarter southwest quarter, containing 40.00 acres; section 35 south half northeast quarter, southeast quarter northwest quarter, northeast quarter southeast quarter, containing 160.00 acres.

Township 20 north, range 23 west, M.P.M., section 15 northeast quarter, southeast quarter northwest quarter, containing 200.00 acres; section 17 west half southwest quarter, containing 80.00 acres; section 18 southeast quarter northeast quarter, east half southeast quarter, containing 120.00 acres; section 29 northwest quarter southwest quarter, containing 40.00 acres; section 30 northeast quarter southeast quarter, containing 40.00 acres; section 29 west half southwest quarter southwest quarter southwest quarter, containing 5.00 acres; section 32 northwest quarter northwest quarter northwest quarter northwest quarter, containing 2.50 acres.

Township 22 north, range 23 west, M.P.M., section 9 southwest quarter northeast quarter, southeast quarter northwest quarter, east half southwest quarter, west half southeast quarter, containing 240.00 acres.

Township 23 north, range 23 west, M.P.M., section 3 southwest quarter northeast quarter, containing 40.00 acres; section 5 west half southeast quarter northwest quarter, southwest quarter northwest quarter, containing 60.00 acres; section 17 southeast quarter southeast quarter, containing 40.00 acres; section 19 lots 2 and 4, southeast quarter northwest quarter, containing 103.21 acres.

Township 24 north, range 23 west, M.P.M., section 19, southwest quarter, northeast quarter, northeast quarter southwest quarter, east half southeast quarter, containing 160.00 acres; section 20, southwest quarter southwest quarter, containing 40.00 acres; section 30, northeast quarter northeast quarter, containing 40.00 acres.

Township 23 north, range 24 west, M.P.M., section 1, northeast quarter southwest quarter, containing 40.00 acres; section 3, northwest quarter southeast quarter, containing 40.00 acres; section 24, northeast quarter southeast quarter northeast quarter, south half southeast quarter northeast quarter, southeast quarter southeast quarter southeast quarter, containing 40.00 acres.

Township 24 north, range 24 west, M.P.M., section 1, lot 2, containing 26.10 acres; section 35, northwest quarter northeast quarter, containing 40.00 acres.

SEC. 3. Said Confederated Tribes may acquire Indian or non-Indian-owned lands in trust to hold for tribal use or for alienation to tribal members in trust. The authority herein contained is in addition to existing authority to acquire tribal lands.

SEC. 4. Any transfer of lands hereunder shall be subject to the prior approval of the Secretary of the Interior or his authorized representative.

With the following committee amendments:

On page 1, line 3, strike out everything through page 2, line 2, and insert the following in lieu thereof:

"That upon request of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, acting through their governing body, the Secretary of the Interior is authorized to dispose of the following described tribal lands within the exterior boundaries of the reservation by sale at not less than fair market value or by exchange: *Provided*, That the values of any lands so exchanged either shall be approximately equal in fair market value, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances requires:".

On page 4, after line 12, insert the following sentence: "The net proceeds from the sales or exchange of lands pursuant to this section shall be used to acquire within a reasonable time additional lands within the reservation boundaries in accordance with section 2 of this Act."

On page 4, lines 13 through 20, strike out all of sections 3 and 4 and insert the following in lieu thereof:

"SEC. 2. Upon request of the Confedertaed Salish and Kootenai Tribes, the Secretary of the Interior is authorized to acquire Indian or non-Indian-owned lands within the reservation boundaries for such tribes, and such lands may be held for tribal use or for sale to tribal members. Title to lands acquired pursuant to this authority shall be taken in the name of the United States in trust for the tribes or the tribal member to whom the land is sold."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. **ASPINALL**. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 2701) to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont.

The Clerk read the title of the Senate bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

S. 2701

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon request of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, acting through their governing body, the Secretary of the Interior is authorized to dispose of the following described tribal lands within the exterior boundaries of the reservation by sale at not less than fair market value or by exchange: *Provided*, That the values of any lands so exchanged either shall be approximately equal in fair market value, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require:

Township 17 north, range 20 west, M.P.M., section 6 lots 2, 3, 4, containing 118.53 acres.

Township 18 north, range 21 west, M.P.M., section 20 north half north half northwest quarter southeast quarter, containing 10.00 acres.

Township 19 north, range 21 west, M.P.M., section 28 south half northeast quarter, containing 80.00 acres.

Township 20 north, range 21 west, M.P.M., section 1 northeast quarter southwest quarter, containing 40.00 acres.

Township 22 north, range 22 west, M.P.M., section 3 north half of southeast quarter, containing 80.00 acres.

Township 19 north, range 23 west, M.P.M., section 5 northeast quarter southwest quarter, containing 40.00 acres;

section 35 south half northeast quarter, southeast quarter northwest quarter, northeast quarter southeast quarter, containing 160.00 acres.

Township 20 north, range 23 west, M.P.M., section 15 northeast quarter, southeast quarter northwest quarter, containing 200.00 acres;

section 17 west half southwest quarter, containing 80.00 acres;

section 18 southeast quarter northeast quarter, east half southeast quarter, containing 120.00 acres;

section 29 northwest quarter southwest quarter, containing 40.00 acres;

section 30 northeast quarter southeast quarter, containing 40.00 acres;

section 29 west half southwest quarter southwest quarter southwest quarter, containing 5.00 acres;

section 32 northwest quarter northwest quarter northwest quarter northwest quarter, containing 2.50 acres.

Township 22 north, range 23 west, M.P.M., section 9 southwest quarter northeast quarter, southeast quarter northwest quarter, east half southwest quarter, west half southeast quarter, containing 240.00 acres.

Township 23 north, range 23 west, M.P.M., section 3 southwest quarter northeast quarter, containing 40.00 acres;

section 5 west half southeast quarter northwest quarter, southwest quarter northwest quarter, containing 60.00 acres;

section 17 southeast quarter southeast quarter, containing 40.00 acres;

section 19 lots 2 and 4, southeast quarter northwest quarter, containing 103.21 acres.

Township 24 north, range 23 west, M.P.M., section 19 southwest quarter northeast quarter, northeast quarter southwest quarter, east half southeast quarter, containing 160.00 acres;

section 20 southwest quarter southwest quarter, containing 40.00 acres;

section 30 northeast quarter northeast quarter, containing 40.00 acres.

Township 23 north, range 23 west, M.P.M., section 1 northeast quarter southwest quarter, containing 40.00 acres;

section 3 northwest quarter southeast quarter, containing 40.00 acres;

section 24 northeast quarter southeast

quarter northeast quarter, south half southeast quarter northeast quarter, southeast quarter southeast quarter southeast quarter, containing 40.00 acres.

Township 24 north, range 24 west, M.P.M.,
section 1 lot 2, containing 26.10 acres;
section 35 northwest quarter northeast quarter, containing 40.00 acres.

Sec. 2. Upon request of the Confederated Salish and Kootenai Tribes, the Secretary of the Interior is authorized to acquire Indian or non-Indian-owned lands within the reservation boundaries for such tribes, and such lands may be held for tribal use or for sale to tribal members. Title to lands acquired pursuant to this authority shall be taken in the name of the United States in trust for the tribes or individual for whom the land is acquired.

AMENDMENT OFFERED BY MR. ASPINALL

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Aspinall: Strike out all after the enacting clause of S. 2701 and insert the provisions of H.R. 13780, as passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 13780) was laid on the table.

PERMISSION FOR COMMITTEE ON THE DISTRICT OF COLUMBIA TO SIT DURING GENERAL DEBATE TODAY

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may be permitted to sit today during general debate.

The SPEAKER pro tempore (Mr. Albert). Is there objection to the request of the gentleman from Colorado?

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON TRANSPORTATION, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, TO SIT DURING GENERAL DEBATE TODAY

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Subcommittee on Transportation of the Committee on Interstate and Foreign Commerce may sit during general debate today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 16703, AUTHORIZING CERTAIN CONSTRUCTION AT MILITARY INSTALLATIONS

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes, together with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina? The Chair hears none, and, without objection, appoints the following conferees: Messrs. Rivers, Hardy, Ichord, Irwin, Machen, Bates, Gubser, King of New York, and Dickinson.

There was no objection.

AMENDING FOOD STAMP ACT

Mrs. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, I have today introduced legislation to amend the Food Stamp Act of 1964.

This bill is being introduced at the direction of the full Committee on Agriculture, and it contains two sections.

Section 1 represents the administration's request submitted to the committee in February of this year. It provides for a $20 million increase in the authorization for expenditures during fiscal year 1969 on the food stamp program. It is identical to the bill passed earlier this year by the other body and an earlier bill introduced by the chairman of the committee, the gentleman from Texas [Mr. Poage].

Section 2 reflects amendments adopted by the committee last week. The first deals with the eligibility of strikers for participation in the food stamp program. The second deals with students attending institutions of higher learning.

I have introduced this bill at the request of the committee in order to move this legislation to the House for prompt consideration.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO SIT TODAY DURING GENERAL DEBATE

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may sit today during general debate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

Mr. ARENDS. Mr. Speaker, reserving the right to object, has the gentleman cleared that with this side of the aisle?

Mr. PERKINS. I have talked with the gentleman from Minnesota [Mr. Quie] about it, and there is no objection on his part.

Mr. ARENDS. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

INDEPENDENCE DAY OF SOMALI REPUBLIC

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it gives me great pleasure to extend, in my own name and in behalf of the Congress of the United States of America, to the President, to the Government, and to the people of the Somali Republic warm congratulations on the occasion of the eighth anniversary of their country's independence.

In March of this year we were privileged to host in America a distinguished delegation from Somalia led by Prime Minister Mohamed Ibrahim Egal. During this happy occasion we all recognized that our two peoples, Somalis and Americans, are dedicated to the same fundamental ideals. Somalis and Americans believe in democratic government, in the importance of the individual man, in freedom under law for all, and in a Supreme Being over all our affairs.

In the past year Somalia has followed policies initiated by President Abdirashid Ali Shermarke and Prime Minister Egal which are an inspiration to us all. Dedicated to progress in peace, Somalia in cooperation with neighboring Ethiopia and Kenya has worked to improve the well-being of all peoples in its part of the world. The success of these neighbors working together gives hope to other leaders of nations vexed by similar inherited problems. They have shown that men of good will by patient effort and mutual respect can make this a better world.

It is thus with especial feeling that we extend to President and to the Somali Ambassador to the United States. His Excellency Yusuf O. Azhari Shermarke of the Somali Republic our sincere and best wishes on the anniversary of Somalia's independence.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 17734, SECOND SUPPLEMENTAL APPROPRIATION BILL, 1968

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on H.R. 17734, the second supplemental appropriation bill for the fiscal year 1968.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

CALL OF THE HOUSE

Mr. SISK. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ASPINALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 215]

Adams
Anderson, Tenn.
Andrews, N. Dak.
Ashley
Ashmore
Baring
Bell

Berry
Bevill
Bingham
Blackburn
Blanton
Blatnik
Bow
Brock
Brown, Calif.
Brown, Ohio
Burke, Fla.
Celler
Clawson, Del.
Colmer
Conyers
Corbett
Corman
Culver
Cunningham
Daddario
Diggs
Eckhardt
Edwards, Ala.
Edwards, La.
Evins, Tenn.
Farbstein
Fino
Foley
Fulton, Tenn.
Gardner
Gettys
Griffiths, Mich.
Halleck
Hanna
Hansen, Idaho
Holland
Ichord
Jones, Mo.
Kornegay
Kupferman
Kuykendall
Lloyd
Long, La.
Long, Md.
Macdonald, Mass.
Mathias, Calif.
Mathias, Md.
Miller, Calif.
Minish
Montgomery
Morris, N. Mex.
Murphy, N.Y.
Myers
Nichols
Nix
O'Hara, Mich.
Patman
Purcell
Reinecke
Resnick
Rosenthal
Roush
Ruppe
Sikes
Snyder
Steed
Stephens
Taft
Talcott
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Udall
Ullman
Van Deerlin
Walker
Whalley
Wolff
Wydler

The **SPEAKER** pro tempore. (Mr. Aspinall). On this rollcall 349 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TEMPORARY EMERGENCY ASSISTANCE TO PROVIDE NUTRITIOUS MEALS TO NEEDY CHILDREN

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 17872) to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced meals to needy children not now being reached, as amended.

The Clerk read the bill, as follows:

H.R. 17872

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National School Lunch Act (42 U.S.C. 1752) is amended by adding at the end of the Act the following new section:

"TEMPORARY EMERGENCY ASSISTANCE TO PROVIDE NUTRITIOUS MEALS TO NEEDY CHILDREN IN SCHOOL AND IN OTHER GROUP ACTIVITIES OUTSIDE OF SCHOOL

"Sec. 14. (a) Notwithstanding any other provision of law, the Secretary of Agriculture is authorized to use during the fiscal years 1969, 1970, and 1971 not to exceed $100,000,000 per annum in funds from section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), to formulate and carry out a program to improve the nutritional status of needy children in group situations away from home excluding situations where children are maintained in residence.

"(b) (1) Of the funds to be used for the purposes of subsection (a) for any fiscal year, the Secretary shall reserve 3 per centum for apportionment to Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands, Guam, Puerto Rico, the Virgin Island. American Samoa, and the Trust Territory of the Pacific Islands shall each be paid an amount which bears the same ratio to the total of such reserved funds as the number of children aged three to seventeen, inclusive, in each bears to the total number of children of such ages in all of them.

"(2) From the remainder of the funds available for any fiscal year, the Secretary shall allot to each State an amount which bears the same ratio to such remaining funds as (1) the number of children in that State aged three to seventeen, inclusive, in families with incomes of less than $3,000 per annum, and (2) the number of children in that State aged three to seventeen, inclusive, in families receiving an annual income in excess of $3,000 per annum from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, bears to the total number of such children in all the States. For the purposes of this section, the Secretary shall determine the number of children aged three to seventeen, inclusive, of families having an annual income of less than $3,000 on the basis of the most recent satisfactory data available from the Department of Commerce. At any time such data for a State are available in the Department of Commerce, such data shall be used in making calculations under this section. The Secretary shall determine from data which shall be supplied by the Secretary of Health, Education, and Welfare the number of children of such ages from families receiving an annual income in excess of $3,000 per annum from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, on the basis of the latest calendar or fiscal year data, whichever is later. For the purposes of this paragraph, the term 'State' does not include Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

"(c) State agencies, or the Secretary as appropriate, shall use the funds to provide meals to children whose parents or guardians do not have the financial ability to provide for the adequate nutrition of their children and to children determined by local officials as in need of improved nutrition. The funds may be used to finance such children's participation in an eligible nonprofit food service; to assist in financing the purchase of equipment needed to operate such programs, and not to exceed an amount equal to 2 per centum of the total funds used under subsection (a) in any fiscal year may be used in such fiscal year to defray part of the administrative costs of the Department of Agriculture and State agencies in carrying out this section.

"(d) The authority contained in this section is intended to supplement the authority and funds available for use under other sections of this Act and the Child Nutrition Act, as amended.

"(e) The Secretary of Agriculture shall issue regulations implementing the operation of this program including guidelines for the determination of the eligibility of children for free and reduced-price meals.

"(f) The withholding of funds for and disbursment to nonprofit private schools will be effected in accordance with section 10 of the National School Lunch Act, as amended, exclusive of the apportionment ratio and the matching provisions thereof.

"(g) The withholding of funds and disbursements to eligible service institutions will be effected in accordance with section 13(3) (d)."

The **SPEAKER** pro tempore. Is a second demanded?

Mr. QUIE. Mr. Speaker, I demand a second.

Mr. SISK. Mr. Speaker, I am opposed to the bill, and I demand a second.

The **SPEAKER** pro tempore. Is the gentleman from Minnesota opposed to the bill?

Mr. QUIE. No, Mr. Speaker, I am very strongly in favor of the bill.

Mr. SISK. Mr. Speaker, I am opposed to the bill, and I demand a second.

The **SPEAKER** pro tempore. The gentleman from California demands a second.

Without objection, a second will be considered as ordered.

There was no objection.

Mr. AYRES. Mr. Speaker, I demand a second.

The **SPEAKER** pro tempore. A second has already been demanded, and granted.

Under the rules, the gentleman from Kentucky [Mr. Perkins] will be recognized for 20 minutes, and the gentleman from California [Mr. Sisk] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Kentucky [Mr. Perkins].

Mr. PERKINS. Mr. Speaker, I deeply regret the propaganda that is being circulated that we are undertaking to do something in this bill which will adversely affect the farm program. That is just not so. This bill will strengthen the farm program.

This bill is worthy of the support of every Member of this body. Presently we have 20 million children participating in the school lunch program, and over 2.5 million children are receiving reduced-price lunches, or free lunches. However, millions of those most in need do not have access to any program.

The primary objective of this bill is to see that some 4 million-plus youngsters in the preschool, elementary, and secondary schools of this country who need free or reduced-price meals get them.

To my way of thinking, the school lunch program has been the most efficiently and effectively operated program of its type in the world.

Federal contributions presently account for approximately 20 percent of the total cost of the program. About 70 percent comes from the pockets of children and private sources, and only about 10 percent comes from local and State governments. Most of the total program expenditures are made in the child's hometown with local merchants in acquiring the food and services needed for the program.

In fact, over three-fourths of the money is spent locally.

This bill would provide an additional $100 million, or up to that amount, directly to the schools through the State school system in a manner determined by the Secretary of Agriculture as necessary to provide free lunches or breakfasts to children of low-income families who are not now receiving nutritional meals at the schools.

The steps to be taken in the program's administration include payments to the school to permit it to acquire the food and the service equipment necessary for these schools to be able to provide lunches or breakfasts to the needy children.

This bill distributes funds among the States so as to focus on the low-income groups in the poorer sections of the major metropolitan areas and in the isolated rural areas. Three percent of the funds would be allotted among Guam, Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands.

In these areas, school buildings are old and lack food facilities and thus far it has not been possible for many of such local school districts to finance the acquisition of the equipment that is needed.

These funds will be used to concentrate on poor children not now receiving adequate nutrition, and will result in many, many more children from low-income families to receive at least one meal at school.

The average rate across the board for our school lunch program per lunch in Federal support is 4.5 cents—that is the reimbursement rate. But for the schools in very low-income areas, we would have to put up quite a bit more—as much as 20 or 25 cents per lunch.

Presently, that kind of money is not available for program use. We have a limited amount of funds in the special assistance program which can provide an additional 15 cents a lunch. Funds appropriated for special assistance are already committed to maintain presently operating programs.

One of the important features of this bill is that it allocates funds among the States in order to reach the most needy. This means States will be able to concentrate their funds and initiate new lunch programs in areas where present programs are not adequate and in many more where they are presently nonexistent.

I want to emphasize that this new feature in school feeding programs will continue to rely on the State departments of education, which under law have basic responsibility to carry out programs to improve the nutrition of the Nation's children.

We want to strengthen each school's ability to meet the problems of poor diets and poor nutrition among deprived children. If we give them the tools and the authority, I know they can do the job.

Mr. Speaker, we provide here that out of section 32, funds may be used for each of the next 3 fiscal years up to $100 million each year.

It has been whispered that use of section 32 would, in some way hurt the agriculture commodity support program. Nothing is further from the truth. I would be the last person to walk on this floor and advocate amendments that would weaken the farm programs of this country. I grew up on a farm. I have been on a farm and I have farmed ever since I was big enough to climb on a wagon tongue and put a harness on a mule. I know the needs of farm people and pride myself in supporting the agriculture measures coming up in this body which are essential to the farmer.

Under appropriations authority, we have had a carryover each year of approximately $300 million of section 32 funds.

At this point, I submit for the RECORD a USDA table on the use of section 32 funds:

USDA.—SELECTED DATA ON SEC. 32 FUNDS, FISCAL YEARS 1958-67

[In thousands of dollars]

	1958	1959	1960	1961	1962	1963	1964	1965	1966	1967	Total
Funds available[1]	521,460	536,468	552,127	620,776	626,852	618,858	669,542	679,052	704,336	794,093	
Transfers from sec. 32:											
Bureau of Commercial Fisheries	4,651	4,786	4,994	5,321	4,757	5,071	5,373	5,298	6,610	6,779	53,640
School lunch program		35,000	43,657	45,000	45,000	45,000	45,000	45,000	45,000	45,000	393,657
Foreign Agricultural Service			2,493	2,817	3,117	3,117	3,117	3,117	3,117	3,117	24,012
Special milk program								51,500		53,000	104,500
Agricultural Research Service									18,100	25,000	43,100
Cooperative State Research Service									400		400
Food stamp program				906	14,070	20,440	30,507	30,650			30,650
Commodity Credit Corporation							16,000	12,175			28,175
General Services Administration						22	25				47
Agricultural Marketing Service					285						285
Total, transfers	4,651	39,786	51,144	54,044	67,229	73,650	100,022	147,740	73,227	132,896	678,466
Returns to Treasury	83,586	72,837	91,222	7,894	109,699	143,093	3,757	9	208,683	181,467	902,247
Unused balance carried forward	300,000	300,000	300,000	300,000	300,000	300,000	300,000	298,758	300,000	300,000	
Funds used	133,223	123,845	109,761	258,838	149,924	102,115	265,763	232,545	122,426	179,730	1,744,093

[1] Includes balances carried forward from prior years.

Assuming that the Secretary saw fit to spend this $100 million immediately, as he should, from the best estimates of Department of Agriculture there would remain at the close of the next fiscal year of 1969, $126 million in addition to the $300 million carryover, or a total of $426 million.

Section 32, when it was written, was written, for the purpose of helping the farmers in this country who were at the mercy of countless factors which created for them financial peril. I have read every order since 1935 involving the transfer of section 32 funds, and have observed the capacity of the fund to handle far in excess of commodities program requirement. That is the reason I say we are strengthening the farm program by this bill.

Section 32 was originally designed to encourage the exportation of agricultural commodities and encourage the domestic consumption of agricultural commodities. What we are doing here today is in furtherance of that objective—establishing new purchasing power through the normal purchase of any agricultural commodity for domestic consumption.

Section 32 is directed not to those commodities under price support, but rather to perishable, nonbasic, agricultural commodities, other than such perishables as dairy products. Under all of our commodity programs we can only get about one-fourth of the food needed by our schools from Government-donated commodities. The fresh fruits, milk, fish, meat, and vegetables that children really need, the other three-fourths of foods, not supplied by Government-donated commodities have to be bought by the schools on the local market.

It is for that reason that we are authorizing the use of $100 million each year from the funds available, so that the approximately 4 million undernourished children from extremely low income families will have access to a free or reduced-priced meal in school.

The gentleman from Mississippi [Mr. WHITTEN] had suggested to me an amendment. I would have liked to have accepted that amendment, but it would have made ineffective what we are trying to do by this legislation.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, may I say, I asked the gentleman to modify the bill to include that suggestion I made.

Mr. PERKINS. I could not do that. As the gentleman is aware if we would authorize the use of fiscal year 1968 unused section 32 funds, instead of section 32 funds derived in fiscal years 1969, 1970, and 1971, the purposes of the bill would be defeated, as the 1968 funds have already reverted to the Treasury—some $228 million.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield at this point?

Mr. PERKINS. Not at this point.

We just had, as of midnight last night, $228 million returned to the Treasury automatically. It was not expended at the end of the fiscal year, and the only way to get that back would be to reappropriate.

Let me assure the gentleman that this bill does not endanger the purposes of section 32, and it deserves the support of all the Members of this House.

Mr. WHITTEN. Mr. Speaker, will the gentleman yield further?

Mr. PERKINS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, the suggestion I offered the gentleman—which he would have had to accept because the amendments are not in order—would have made the primary purposes of section 32 primary, and would have kept us producing food so we will have something to sell. The gentleman takes $100 million out to distribute to needy, prior to seeing whether the purposes of the act are carried out. If we do not have the food, then we do not have anything to distribute.

Mr. PERKINS. Where the gentleman from Mississippi is missing the point is in the solid experience we have had with respect to the year-after-year reversion to the Treasury of unused funds, together with the approximate $300 million carryover available each year. With the funds going back to the Treasury for this past fiscal year, we would have not had one penny next year—not one penny—under the amendment proposed by the gentleman to me.

Mr. WHITTEN. Mr. Speaker, I beg to differ with the gentleman. The gentleman is entitled to draw his own analysis, but I differ with him.

Mr. PERKINS. Show me how we can have one penny this next fiscal year without reappropriating funds that were taken back into the Treasury under section 32, since it has already gone back to the Treasury?

I know the gentleman is a better lawyer than I am, but show me how it can be done.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, the chairman is absolutely correct. It cannot be done. The gentleman from the Agriculture Committee knows this. He also knows that last year we spent $104 million in hot lunches in AID programs and other outlets.

I congratulate the chairman of the committee for bringing this bill to the House. We have been hearing a lot about poverty. With this legislation, offered by the gentleman from Kentucky, we would provide 810 million hot lunches during the average school year. We have ample evidence before our committee that children who get a decent meal at lunchtime do markedly better in school accomplishments.

Mr. Speaker, this is one of the most important bills before this House. I hope it is approved.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I have one simple question: Where are the departmental reports in this report from the committee?

Mr. PERKINS. Mr. Speaker, I do not know that the Department made a report as such, but the Secretary testified at length before our committee on May 22 concerning the administration of school food service programs and with respect to hunger, commission legislation we have before the committee. The Secretary was very clear in telling the committee that under present funding many, many needy children were not being reached.

Mr. GROSS. There is not one word in this report about it.

Mr. PERKINS. I think I am authorized to state that the administration is supporting the measure.

Mr. GROSS. The report does not show it.

Mr. PERKINS. The report may not show it, but reports do not always contain all the facts.

Mr. BELCHER. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Oklahoma.

Mr. BELCHER. Mr. Speaker, as I understand this question of the school lunch programs, it just means this committee has found a fund of money to reach into and take $100 million out and spend it for a program authorized by that committee.

We do not object whatever to the school lunch program. It should be run through, just like the Defense Department, and——

Mr. PERKINS. Mr. Speaker, I do not yield further.

The **SPEAKER** pro tempore. The gentleman refuses to yield.

Mr. PERKINS. I want to say that this does not affect the basic price support program at all. We are only dealing here with perishable commodities.

We have here some extra funds. We should not neglect feeding these schoolchildren.

The only question we are going to decide here—and we should not get this clouded up with extraneous issues—is whether we are going to permit the use of $100 million for each of the next 3 years to furnish free, or at reduced rates, meals to the most needy schoolchildren in this country.

Mrs. MAY. Mr. Speaker, will the gentleman yield for two questions?

Mr. PERKINS. I yield to the gentlewoman from Washington.

Mrs. MAY. I have received correspondence from school lunch people in my State concerning the committee bills. First, are matching funds required from the States for this emergency $100 million?

Mr. PERKINS. In this emergency measure, no matching funds are required. It will be disbursed on the basis of need.

Mrs. MAY. May I ask the gentleman one more question? Will the funds be confined only for those children who are already on welfare or come from welfare families, or is there an open formula which does not necessarily require them to have been certified for public assistance?

Mr. PERKINS. It would be an open formula. Public assistance certification is not a prerequisite for program benefits.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Kentucky.

Mr. CARTER. I should like to compliment the distinguished chairman for his statement. In my area I have been able to see the value of the school lunch program in many cases. I have heard the superintendents and teachers in those areas tell of the wonderful benefits of this program.

I know that children who are underfed and undernourished in many cases go to school, and after receiving the lunches which are provided for them they become stronger and they appear stronger and they learn better.

Again I compliment my distinguished colleague.

Mr. PERKINS. In conclusion, Mr. Speaker, I want to state that, in my judgment, by the passage of this bill we will be strengthening section 32 of the 1935 Agricultural Act.

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Georgia.

Mr. LANDRUM. Is it true that under present law the Secretary of Agriculture can use section 32 funds with which to buy surplus agricultural commodities, such as poultry and other such foods, for school lunches, if he wants to?

Mr. PERKINS. That is correct.

Mr. LANDRUM. Does this amendment in any way preclude the authority in existing law?

Mr. PERKINS. It in no way precludes it, but it gives the Secretary additional authority, by turning the cash over to the States for use in local school food service programs.

At this point, Mr. Speaker, I submit for the Record, an analysis of section 32 which I have had prepared for the information of the Members:

Section 32 of Public Law 320, 74th Congress, as amended (7 U.S.C. 612c), is a permanent appropriation act which appropriates for each fiscal year an amount equal to 30 per centum of the gross receipts from tariff duties collected during the preceding calendar year. Any balance, up to $300,000,000, of such funds remaining unexpended at the end of a fiscal year remains available for expenditure in the following fiscal year.

Such funds are to be expended only to:

Encourage the exportation of agricultural commodities through indemnity or benefit payments,

Encourage the domestic consumption of agricultural commodities or products either by diverting them, by payments of benefits or indemnities or other means, from the normal channels of trade and commerce or by increasing their utilization, through benefits, indemnities, donations, or other means, among persons in low-income groups, and

Reestablish farmers' purchasing power by making payments in connection with the normal production of any agricultural commodity for domestic consumption.

Not more than 25 per centum of the funds may be spent on any one agricultural commodity during any fiscal year and the funds are required to be devoted *principally to perishable nonbasic* agricultural commodities other than those receiving price support under Title II of the Agricultural Act of 1949. This means perishable nonbasic agricultural commodities other than dairy products, honey, and tung nuts. In the past 20 years or so, only one program has been carried out under Clause (3). That was a program of short duration in 1960 when farmers were unable to market good cranberries because buyers declined to purchase them because of a scare created by the Government seizure of some lots of chemically contaminated cranberries.

In the earlier years of Section 32 there were some sizable expenditures in connection with export programs but, since the passage of the Agricultural Act of 1949, most export programs of the Department are carried out through the Commodity Credit Corporation. There is currently in operation a small export program on dressed poultry to hold a market for such products in certain European countries.

The great bulk of Section 32 operations are under Clause (2) to encourage the domestic consumption of surplus agricultural commodities. Among such programs in the past have been payments to effect diversion of commodities into new or different uses. Examples of this have been payments to effect the diversion of cotton into types of insulation, and the diversion of higher grades of surplus potatoes into starch and flour. The pilot food stamp program was carried out under Clause (2) as a method of encouraging domestic consumption of surplus commodities by increasing their utilization among low-income groups. The Food Stamp Act of 1964, however, now contains a prohibition against the use of such funds to carry out that Act. Large quantities of surplus agricultural commodities are purchased each year and donated for relief purposes. The National School Lunch Act and the Child Nutrition Act of 1966 contain express authorization for the utilization in programs under those acts of commodities which have been purchased under authority of Section 32. The values of these commodities are in addition to regular expenditure of funds appropriated for purposes of those Acts.

Section 32 was enacted as a part of comprehensive legislation designed to deal effectively with farm surpluses and depressed farm income. The extent to which funds appropriated for the purposes of Section 32 are obligated or expended during any fiscal year for perishables and other surplus removal programs depends upon the market situation which develops as peak marketing seasons approach. The type of programs developed also depends upon the kind and volume of the surpluses which exist at the time and the potential outlets.

10 YEAR HISTORY OF SEC. 32

[In millions of dollars]

	30 percent of customs[1]	Transfers	Obligations	Return to Treasury
1958	220.9	5.1	131.6	83.6
1959	235.9	40.3	122.6	72.8
1960	251.4	51.7	108.3	91.2
1961	320.0	53.8	257.6	7.9
1962	325.8	54.1	162.3	109.7
1963	318.1	54.4	121.2	143.1
1964	369.4	70.9	295.1	3.8
1965	378.9	147.6	232.5	0
1966	405.5	73.2	122.1	208.7
1967	493.9	132.9	179.7	181.5

[1] In addition, for each of these years $300,000,000 has been available from the previous year except in 1958 and 1966 when large purchases in the prior year reduced this amount to $299,900,000 and $298,800,000 respectively.

1964—High level of program activity required almost all the $369.4 million available. Beef and dairy purchases and financing of pilot food stamp program plus beginning of transfers to agriculture research uses were major items of expense.

1965—Section 32's largest purchase program—$157 million for beef purchases—plus financing of food stamp and special milk program resulted in use of $1.2 million of the $300 million reserve for the first time since 1956 when the fund last purchased substantial amounts of beef and pork.

As to the immediate outlook for Section 32, the Department placed the following statement in the record of the Senate Appropriation Committee recently:

"The Treasury Department estimates that customs receipts will continue to rise after fiscal year 1970 but at a rate lower than in the past. Funds available for Section 32 will increase by approximately $35 million in calendar year 1968 (fiscal year 1970 budget) and then increase approximately $15 million per year in subsequent years.

"Factors associated with the rise are the high level of copper imports, the build up of steel stocks due to the possibility of a steel strike on August 1 and the continuing rise in the importation of foreign made automobiles.

"Customs receipts have increased in each of the last six years. This can be attributed to trade generated by the expanding economy of the country. It is anticipated that future tariff decreases resulting from the 'Kennedy Round' will be offset by continued import expansion."

The Section 32 Budget for 1969 is as follows:

	Millions
Carry-in	$300.0
30 percent of customs	600.0
Available	900.0
Purchase of commodities for:	
Needy families	68.5
Schools	93.8
Institutions	10.0
Total purchases	172.3
Operating expenses	4.4
Marketing agreements and orders	3.0
Total obligations	179.8
Transfers as follows:	
1. School lunch: Sec. 6 commodity procurement	64.3
2. Special milk financing program	104.0
3. Agricultural Research Service: For research on production and utilization of agricultural products	15.0
4. Foreign Agricultural Service: For market development activities abroad	3.1
5. Interior Department: To encourage the distribution of fishery products	7.0
Total	193.4
Total budgeted for obligation	373.2
Carryover	300.0
Return to the Treasury	226.8
Total	900.0

SCHOOL LUNCH PROGRAM

[In millions of dollars]

	1967 obligation	1968 estimate	1969 budget
Cash payments (sec. 4)	147.7	155.0	157.3
Special assistance (sec. 11)	2.0	5.0	10.0
Commodity procurement (sec. 6) direct[1]	59.1	55.8	64.3
Subtotal	208.8	215.8	231.4
Sec. 32[1]	51.0	102.6	93.8
Sec. 416[1]	79.5	147.1	159.1
Subtotal	130.5	249.7	252.9
Total (excluding Federal operating expenses)	339.3	465.5	484.3
Pilot breakfast	.6	3.5	6.5
Nonfood assistance (equipment)	.7	.8	6.0
State Administrative expenses			2.3
Subtotal	1.3	4.3	14.8
Grand total (excluding Federal operating expenses)	340.6	469.8	499.1
Federal Administrative expenses	1.7	2.1	2.6
Total	342.3	471.9	501.7

[1] Typical commodities donated to schools under the following provisions:

Sec. 6 of the School Lunch Act: These commodities are purchased for schools on the basis of acceptability and nutritiousness. Typical commodities would include applesauce, chickens, turkeys, pineapple, and grapefruit.

Sec. 32 (removal of surplus agricultural commodities, act of Aug. 24, 1935, as amended): Commodities which are generally not supported, perishable and in short-term surplus, are donated to schools as well as other authorized sec. 32 outlets. Typical commodities: dried beans, cherries, meat products, raisins, orange juice, and honey. The highly acceptable commodities can move between sec. 6 and sec. 32 depending on supply conditions.

Sec. 416 of the Agriculture Act of 1949: The Commodity Credit Corporation may donate commodities acquired under price-support programs to authorized outlets including school lunch. Typical commodities include beans, butter, cheese, cereal products, rice, and dried milk.

CONGRESSIONAL ACTION ON THE 1969 APPROPRIATION FOR THE SCHOOL LUNCH PROGRAM

	Budget estimate	House bill	Senate bill
1. Food assistance:			
a. Cash payments to States	$157,097,000	$171,448,000	$157,097,000
b. Special cash assistance	10,000,000	5,000,000	10,000,000
c. Commodity procurement	64,325,000	64,325,000	64,325,000
2. Pilot school breakfast	6,500,000	3,500,000	6,500,000
3. Nonfood assistance (equipment)	6,000,000	750,000	2,000,000
4. State administrative expense	2,300,000		
5. Operating expenses	2,546,000	2,127,000	2,252,000
Total	248,768,000	247,150,000	242,174,000

The **SPEAKER** pro tempore. The time of the gentleman from Kentucky has expired.

Mr. **SISK**. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I certainly hate to find myself in opposition to my good friend from Kentucky, because I believe, as he knows, I have basically supported most of the legislation he and his distinguished committee have brought to the floor.

Let me hasten to say here today, I do not oppose this bill on the basis of its objectives.

As one who has always supported money and funding for the school lunch program, and in fact, I supported the amendments to increase it and improve it and to make food available to children as well as to needy adults above and beyond what the House has been willing to appropriate at times, I wish to make it clear that the issue we are faced with today is one of procedure, I believe. First of all, with reference to this procedure, I might say that I was considerably startled, as I find other Members were startled, to discover a bill which provides for a $300 million appropriation coming out of the Committee on Education and Labor and which is to be called up here under a procedure which permits only 20 minutes of debate on either side.

Mr. **PERKINS**. Mr. Speaker, will the gentleman yield for a correction?

Mr. **SISK**. I am sorry. I cannot yield at the moment. It seems to me that this is an important issue. I know my good friend from Kentucky recalls that last year we had a substantial discussion about authorizing and appropriating funds for a breakfast program and a number of other programs in order to feed children. I, for one, supported that idea because I happen to believe that children need food and nutritious food in order to learn. I am all for that. However, when we come in here today with this bill coming out of a legislative committee, and simply through the process of this resolution, make available $300 million during the next 3 years and without any opportunity to review it on the part of the Committee on Appropriations or any other committee of the House, then it simply seems to me this is going well beyond any procedure that this House has heretofore involved itself in.

In addition to that, let me say that in attempting to follow the arguments made by the gentleman from Kentucky about the fact that funds would not be available out of this section 321 for the purchase of fruits and vegetables, poultry and dairy products, and other things that we are purchasing unless this bill is passed——

Mr. PERKINS. Will the gentleman yield to me at that point, because that was a misunderstanding somewhere? I did not make that statement, or if I did, I did not intend to make that statement.

Mr. SISK. I am sorry. Maybe I have not made my position exactly clear, but the point is that the gentleman is talking about $900 million in funds and, as the gentleman knows, funds above $300 million return to the Treasury. If there is that amount of money going into the fund this year, there will be ample funds under the amendment which was proposed by the gentleman that would be available for this.

Mr. PERKINS. They have not been for several years.

Mr. SISK. If the gentleman will allow me to complete my statement, it seems to me the manner in which the present funds are being used is that they are being used to purchase nutritious foods and to purchase fruits and vegetables and poultry and dairy products and many other things. My concern here goes to the procedure involved where there is no way to review what will happen under this program.

Mr. Speaker, at this time I wish to yield to the gentleman from Oklahoma [Mr. BELCHER].

Mr. BELCHER. Mr. Speaker, as I tried to make clear to the gentleman from Kentucky, I am for the school lunch program. I am not for giving any legislative committee, however, the authority just to reach into some other fund and take out $100 million a year on the excuse that that fund does not need all of the money in it. If we are going to have a Committee on Appropriations, then we ought to use that Committee on Appropriations——

Mr. PERKINS. Mr. Speaker, will the gentleman yield to me at that point?

Mr. BELCHER. I cannot now.

We should use that Committee on Appropriations to review these particular programs. The other gentleman from Kentucky said that he was for this program because it made strong bodies, and so forth. I think they will make just as strong bodies under an appropriation made by the Committee on Appropriations as we would by reaching into a fund and sneaking off with these funds in the middle of the night.

Mr. SISK. Mr. Speaker, at this time I yield 5 minutes to the gentleman from Minnesota [Mr. QUIE].

Mr. QUIE. Mr. Speaker, I rise in support of this legislation.

Mrs. DWYER. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the distinguished gentlewoman from New Jersey.

Mrs. DWYER. Mr. Speaker, I wholeheartedly support H.R. 17872 and the companion bill, H.R. 17873, amendments to the National School Lunch Act which are designed to improve and expand this vitally necessary program and bring its important benefits to needy children who are not now being reached by the program.

As such, these two bills represent a major installment on the promise made to the poor people of America on May 8 when the bipartisan House coalition to help malnourished Americans was formed to help eliminate malnutrition among the Nation's poor children.

On that date, Mr. Speaker, approximately 70 Members of the House, almost evenly divided between minority and majority Members, cosponsored legislation to establish a Presidential Commission with orders to study "on an emergency basis" the problem of hunger and malnutrition in the United States. We asked for early hearings and promised to do everything possible to bring about action and to see that existing programs are made to work effectively.

With the very gratifying and understanding cooperation of the chairman and members of the Committee on Education and Labor, the hearings were held—16 hearings, in fact, with at least 75 witnesses and considerable written testimony—and the pending legislation is one result, together with a third bill, H.R. 17144, establishing a Presidential Commission on Hunger, which has been ordered reported by the committee.

As one member of the coalition, Mr. Speaker, I want to express my personal gratitude at the committee's very constructive response to this grave national need.

The committee's extensive hearings clearly confirm the need to improve the national school lunch program. Among other things, the committee found that, despite the genuine progress that has been made, more than 4½ million needy children between the ages of 5 through 17 are not receiving free or reduced price lunches; that more than 6,600 schools in economically depressed areas are without food services that almost 3 million economically deprived children, 5 through 17, in need of school breakfast do not have access to such a program; and that as many as three-quarters of a million children coming from large families whose incomes exceed the standard of $3,000 per year are estimated to need subsidized school food services.

Where effective school lunch and school breakfast programs do exist, Mr. Speaker, the results testify strikingly to the great value of such programs. The health of children is demonstrably improved. School attendance goes up. And the educational performance of the children becomes markedly better.

While statistics tell the overall story, the individual situation of a particular family may be just as revealing of the need. In one case known to me, a widow in her early forties is the sole support of her family which consists of herself, her elderly mother, and two school-age children, 7 and 9. The widow is disabled. Because of her heart condition and a bad back, doctors have forbidden her to work, though she occasionally does some babysitting and housework for other families for which she is ordinarily compensated only in castoff clothes and other items for which her employers have no further use. The family lives in a ramshackle wooden house in the country, exposed to rain and snow through gaps in the roof and siding for which they have no funds to repair. The house is unheated. The family's total income is $40 a month from the local welfare agency. Yet, out of this meager sum, no less than $10 a month goes to pay for school lunches for the two children.

By ordinary standards, 25 cents a day for school lunches per child may be a modest amount, but when it consumes 25 percent of a family's income it becomes necessary to make some changes in the school lunch program.

The two bills now before us, Mr. Speaker, will help make these changes possible. H.R. 17872 will authorize for the next 3 fiscal years up to $100 million in funds to supplement the present small Federal contribution to the school lunch program for the purpose of providing meals for children whose parents or guardians lack the financial ability to meet the nutritional requirements of their children. And H.R. 17873 will make the school lunch program more beneficial to children of the neediest families by increasing State matching requirements and by requiring free or reduced-price meals for children unable to pay the full cost of lunches under a plan formulated equitably on the basis of a family's need.

I urge our colleagues, Mr. Speaker, to give these bills the strong support they deserve.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from New York.

Mr. HORTON. Mr. Speaker, I rise in support of two school lunch program bills which are before the House today, which take initial steps toward easing the hunger crisis facing millions of children in our Nation's schools.

The measures—H.R. 17872 and H.R. 17873—are an immediate response to the deficiencies in our school-oriented food service programs under the National School Lunch Act and the Child Nutrition Act.

H.R. 17872 provides $100 million a year for the next 3 fiscal years to expand the program among low-income families.

The funds will be allocated among the States according to the relative number of children coming from families earning less than $3,000 a year. It will also aid children from large families earning more than $3,000 but receiving Federal aid under the public assistance program.

The second measure, H.R. 17873, would require the States to pick up a larger share of the matching funds required in the act.

Under the present program most of the States' 9-percent matching share has been coming from local sources. H.R.

17873 would eliminate the practice of making up matching requirements for Federal funds by charges to pupils or localities.

In fiscal 1970 and 1971 the measure requires the share appropriated from State tax revenues to equal at least 4 percent. Every other year the State requirement would be increased by 2 percent until it reaches a level of 10 percent.

Committee reports show that more than 4.5 million needy children 5 through 17 years old are not receiving free or reduced priced lunches. More than 6,600 schools in economically needy areas are without food service programs.

Almost 3 million economically deprived children are in need of a school breakfast program. And three-quarters of a million children from large families whose incomes exceed the statutory $3,000 limit need a subsidized school food program.

In determining the highest priorities of the deprived children the U.S. Office of Education says basic health and nutrition needs rank high.

Poor performance in school has been associated with the lack of a proper diet. Thousands of children eligible for food service programs have been found through tests to be suffering from nutritional deficiencies.

This condition detracts from the child's attitude, desire, and capacity to learn.

In New York State 27,248 children participated in the 1967 food services program. The State received $1.2 million.

The use of title I funds under the Elementary and Secondary Education Act for feeding programs robs the individual school districts of the more direct educational uses of these grants-in-aid. The ESEA program provides an effective means of enhancing educational opportunities of the schoolchildren.

Strengthening the National School Lunch Act and the Child Nutrition Act and furnishing the emergency temporary funds will focus efforts on the needy children and release title I funds to substantially improve educational programs.

Mr. Speaker, although it has no direct bearing on the subject of Federal antihunger efforts in the schools, I would like to take this opportunity to share with my colleagues a moving article which appeared yesterday in the Rochester, N.Y., Democrat and Chronicle. This article points up the fact that hunger lurks even in nondepressed areas, in fact, in a city where the unemployment rate is below 2 percent, and where the median family income is among the Nation's highest.

This package of two school food-program bills must be the beginning, and not the end of our legislative efforts to respond to the problem of hunger in this country. I think a consideration of the examples discussed in this article by Mike Power will underscore the necessity of this conclusion. The article follows:

Rochester's Unseen Spectre?—Hunger

(By Mike Power)

People go hungry in Rochester.

In reeking apartments, in trash-littered back alleys, in lonely rooms where the elderly live, people go hungry.

Health and welfare experts, almost to a man insist it is not a widespread malady. Malnutrition, maybe, they say. But not hunger.

Other people—civil rights workers, ministers and the poor themselves—tell a different story. They say they see hunger on the street every day.

One jarring statistic backs them up: there are 13,800 people in Monroe County hungry enough to seek government help. That is the number who rely on government surplus food available once a month at the county's warehouse at 11 Wadsworth St.

The experts may be right. Hunger is not an epidemic here. There are not masses of people starving. But tell that to someone who doesn't get enough to eat.

Tell it to Mrs. Allen Young.

"I'm sick of starving," she said. "My husband says 'What am I working for? I never get anything.' Everything's been going wrong here."

Mrs. Young and 16 relatives live in a four-room house at 18 Philander St. Two years ago, they left farming jobs in Steuben County to come to the city.

Things haven't been good since.

"We may eat good for a couple weeks, but that's it," she said. "These kids always come first. I can do without. If they go hungry, they'll start to getting in trouble."

Mrs. Young says she does without about twice a week. The food just runs out by the time the kids are fed.

On a bi-monthly welfare check, plus his income from an auto parts store, they manage to get by

They participate in the county's surplus food distribution program, which passes out staples to needy families once a month.

Mrs. Young said the surplus food lasts about a week in her house.

After that, it's a diet of spam and cheese, beans and ketchup or rice and onions.

James Geddes gets hungry, too. So do the other people who live in the old house made into apartments at 37 Kelly St.

Geddes has problems besides getting enough to eat. He is often struck down by epileptic seizures. He has high blood pressure, too. And he trembles.

Geddes has tried to hold a job, but he gets unlucky: he says the seizures always hit at work and the boss fires him.

"I feel weak when I don't get to eat, but not all that weak. Still your stomach misses that food," he said.

The food he does get "is the cheapest I can buy." That means a lot of pork chops, bread, lard and spaghetti.

Geddes said he survives on money his mother in Dansville can scrape together and send him every so often. He said his landlord is an understanding man.

Geddes said he was dropped from the welfare rolls when he missed two doctors' appointments at Strong Memorial Hospital.

Twice a week or so, the skinny, shaking 38-year-old Geddes just doesn't eat. The food has run out and there's no money from Mother.

Hungry people go to different places to relieve the pain.

Some use religious missions or the Salvation Army. Others beg for eating money. Still more beg and buy liquor. Others seek out friends or relatives.

Some, like 40-year-old Johnnie Jivers, 41 Kelly St., rely on civil rights groups.

Southern Christian Leadership Conference Director Rev. Bennie Brass said Jivers was starving when he sought out the SCLC.

"The Rev. will give you something to eat," Jivers says.

He lives alone and depends on lots of soup, vegetables and pork to sustain him. When that runs out, he said he gets stuff like tomatoes, corn and pineapple juice at the SCLC.

"I don't eat very much," Jivers said. He doesn't work, either. He says he gets sick too often.

Health and nutrition experts, in and out of government, are quick to concede "we don't have any data" to support any real conclusions about hunger here.

The Citizens Board of Inquiry Into Hunger and Malnutrition in the United States, whose televised report rocked a nation, did not include Monroe County among 256 "emergency hunger counties."

Monroe County Health Director Dr. Wendell Ames says there is "plenty of malnutrition" here. But, he said, you can find malnutrition in the richest of families merely because they don't eat enough of the right foods—by choice.

Ames doubts if much "undernutrition" exists in Rochester. "We have no valid data, really," he said.

Ames said malnutrition sometimes grows out of different racial and ethnic groups' liking for foods low in nutritional value.

Starvation-related diseases like rickets and scurvy, Ames said, don't crop up anymore.

On the other hand, a nearby federal official who asked that his name be withheld says: "Hunger does exist in Rochester, Batavia and in the squalid migrant camps of Wayne and Orleans Counties.

"What is more, it is on a pretty wide scale."

Dr. Gilbert Forbes, whose peers call him the area's most noted nutrition expert, doubts hunger exists widely in Rochester.

"It may, it may not," he said. "I don't think we'll know until we get some hard data on it.

"My own impression is you won't find very much."

Anyone on welfare can pick up free staples at the county's food surplus warehouse, 11 Wadsworth St., once a month.

Those not on welfare, but whose incomes are below certain limits, can get it, too.

They receive 10 items: flour, dry milk, lard, butter, peanut butter, raisins, split peas, rice, canned meat and cheese. Soon to be added are potatoes and beans.

The surplus food is designed as a supplement. But some people make do on it alone.

Of the 13,800 persons relying on the surplus food distribution, most are aged people whose Social Security checks don't go far enough at the grocery store.

If there are more than a few, isolated cases of hunger in Rochester, hardly anyone knows it. But the hungry people do.

Mr. GUDE. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Maryland.

Mr. GUDE. Mr. Speaker, I thank the gentleman from Minnesota for yielding.

Mr. Speaker, I rise in strong support of this bill, H.R. 17872 and the following bill H.R. 17873 both of which are concerned with providing adequate nutrition to needy children. The need for this legislation is obvious. Despite the fact that we have a National School Lunch Act, better than 4.6 million of the needy children in America are not receiving any free lunch.

In the State of Maryland we have better than 44,000 needy children who are not receiving the assistance of this program.

Following a recent visit to needy families in my own district and discussing the problem with Montgomery County welfare officials, I expressed concern that there was not a uniform school lunch policy for our county schools and some needy children are unable to have an adequate school lunch.

Poor performance in school has been associated with the lack of a proper diet. Nutritional differences detract from a child's attitude, desire, and capability to learn.

Montgomery County school officials are

working with county welfare officials and nutritionists of the University of Maryland Extension Service to formulate a better program for Montgomery County.

I know that these two pieces of legislation will assist them in their work as well as insuring that all the Nation's needy school children will have a chance to obtain the necessary nutrition to grow and learn as their classmates.

Mr. QUIE. Mr. Speaker, the real question before us insofar as I am able to determine, based upon the debate which has taken place, is whether or not $100 million more of section 32 funds are going to be permitted to be used for the School Lunch and Child Nutrition Act. Some Members object because they want section 32 funds to be used only for surplus commodities.

Mr. Speaker, the situation which is now pending before us is the fact that there are a large number of children who are in need of special help in order to obtain adequate food. The question must be determined to what extent there are Americans suffering from hunger. As Members of the House know, our committee reported out a bill to set up a National Commission on Hunger for the purpose of studying hunger which exists in this country and we know that hunger does exist in this country. However, we do not know the extent of it.

The question resolved itself down to this: Should we appropriate an additional $100 million for this program or should we utilize $100 million in section 32 funds.

Just a few hours ago the Secretary of Agriculture transferred better than $220 million of certain funds into the Treasury of the United States and those funds are now in the Treasury of the United States.

Mr. Speaker, during the coming year section 32 funds will be acquired to the extent of more than can be used. Further, do not forget that there is a $300 million carryover in this fund at the present time. Therefore, they have plenty of funds with which to carry out the purposes of this bill.

Mr. Speaker, the provisions of this bill will not harm the opportunity to acquire any surplus commodities that might be in trouble, $300 million has been available in the carryover every year since 1959 except for 1966 and then it was $298,758,226.

Now, Mr. Speaker, we have seen in the years 1966, 1967, and 1968 indications that there is ample money in section 32 funds for the carrying out of the provisions of this bill without touching that $300 million carryover. So, I think one need not feel that there is this danger of exhausting the funds with this carryover of $300 million. I think it is well within the annual receipts, and if not we can use the carryover of the section 32 funds. It would not cause any hardship at all to the perishable commodities which are covered under section 32.

Mrs. MAY. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the distinguished gentlewoman from Washington.

Mrs. MAY. I wonder if I might very briefly comment upon the question which I put to the chairman of the full committee earlier, the gentleman from Kentucky [Mr. PERKINS] with reference to the question of how much matching funds will be required from the States. There still seems to be confusion on this question.

I believe that is because we have pending before us today two separate bills. Would the gentleman explain this?

Mr. QUIE. The next bill, H.R. 17873, will address itself to the matching requirements. There is a matching requirement in our School Lunch Act, but most of that matching comes from the students themselves and the balance comes from the local communities and a little from the States. However, this bill H.R. 17872 contains no change in the matching requirement in the School Lunch Act, That comes into play in the next bill.

Mrs. MAY. Mr. Speaker, if the gentleman will yield further, in other words, it sets up a program but there will be matching funds requested if the other bill passes, H.R. 17873?

Mr. QUIE. That is right. Then, there will be the requirement in 1970 of a 4-percent matching on the part of the States and that matching requirement goes up at the rate of 2 percent per year until it reaches the total of 10 percent, but this would permit the section 32 money to go forward to the needy children at this time.

Mrs. MAY. Mr. Speaker, if the gentleman will yield further, my point is this: If it is correct that these two bills will eventually be tied together, the committee is amending two acts, the Child Nutrition Act and the school lunch program?

Mr. QUIE. That is right. H.R. 17872 affects both acts.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I would ask the gentleman is it not a fact that the reason for this legislation is that neither the States nor the Department of Agriculture nor the Committee on Appropriations have faced up to this problem of the 4.5 million children not receiving meals in this country, and so that is what we are trying to do with this legislation—to provide means to feed the youngsters in America? Is that not what it amounts to?

Mr. QUIE. The gentleman is exactly correct, and we are leaving it up to the local school authorities to determine who those children are whose parents do not have the financial ability to provide these necessary meals.

CALL OF THE HOUSE

Mr. WHITTEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. McFALL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 216]

Anderson, Tenn.
Andrews, N. Dak.
Ashley
Ashmore
Baring
Bell
Berry
Bevill
Bingham
Blackburn
Blanton
Bow
Brown, Calif.
Brown, Ohio
Burke, Fla.
Celler
Clawson, Del
Colmer
Conyers
Corbett
Corman
Culver
Cunningham
Daddario
Diggs
Eckhardt
Edwards, Ala.
Edwards, La.
Erlenborn
Evins, Tenn.
Farbstein
Fino
Foley
Fulton, Tenn.
Gardner
Gettys
Griffiths
Halleck
Hanna
Hansen, Idaho
Hansen, Wash.
Holland
Ichord
Jones, Mo.
Karsten
Kornegay
Kupferman
Kuykendall
Lloyd
Long, La.
Long, Md.
Macdonald, Mass.
Mathias, Calif.
Mathias, Md.
Miller, Calif.
Minish
Minshall
Montgomery
Moore
Moorhead
Morris, N. Mex.
Murphy, N.Y.
Myers
Nichols
O'Hara, Mich.
Patman
Purcell
Reinecke
Resnick
Rosenthal
Roush
Ruppe
Sikes
Snyder
Steed
Steiger, Ariz.
Stephens
Taft
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Udall
Ullman
Van Deerlin
Walker
Whalley
Wolff
Wydler

The SPEAKER pro tempore (Mr. HOLIFIELD). On this rollcall 346 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TEMPORARY EMERGENCY ASSISTANCE TO PROVIDE NUTRITIOUS MEALS TO NEEDY CHILDREN

Mr. WHITTEN. Mr. Speaker, will the gentleman yield?

Mr. SISK. Mr. Speaker, I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Speaker, I have always supported the school lunch program, including free lunch, for those unable to pay. Our bill pending now in a conference with the Senate provides the full budgeted amount of $246 million for school lunch, $104 million for school milk, and $225 for food stamps.

The problem we have here is that the $100 authorized in this bill comes out of section 32 funds (30 percent of import duties) which are set aside primarily to assure the production of food.

It is my belief we should be certain that the primary purposes of that act, an adequate supply of food is produced and that then we see what further steps need be made to meet schools needs if they are to be financed from section 32 funds.

It would be much better to handle this request in the regular way instead of having two lunch programs until such time as the Congress should tie them down. We should have this measure come up under regular procedure where it could be amended to really serve the purpose for which it is offered.

If this $100 million for each of the next 3 years is diverted for this purpose, and should there be sufficient funds to meet food production needs, this action would reduce funds available to buy surplus poultry, eggs, fruits, beef, and dairy products which in turn would be distributed to school lunch recipients by $100 million.

I believe we should defer or defeat this motion to suspend the rules, then take this proposal up in the regular way so as to be sure we do not do as much or more damage to other programs essential to school lunch, as we might do good.

Twenty minutes is no time at all to decide these issues and be sure we are doing what is best.

The motion should be turned down and the matter handled in the regular way.

Mr. SISK. Mr. Speaker, I yield 4 minutes to the gentleman from Texas [Mr. Mahon].

Mr. MAHON. Mr. Speaker, if there is any Member of the House who is against the school lunch program, I do not know who he is. Certainly I am not against the school lunch program. If the bill before us provided for the authorization of an appropriation of $300 million for increasing the school lunch program, I would be willing to vote to authorize the money. However, that is not what is before us.

Yes; every Member of this House is for the school lunch program. Otherwise, we would not have voted for more than half a billion dollars this year for the following purposes: $246 million for school lunch, $225 million for food stamps, and $104 million for the special school milk program. The problem here, though, is this—the Committee on Education and Labor has taken unto itself the function of the Committee on Appropriations. It is in effect appropriating $300 million, $100 million a year for the next 3 years. We will not have any control over this money during the year beginning today and for the next 2 years.

It seems to me that if we are going to provide half a billion dollars a year for aid to the needy through the school lunch, milk, and food stamp plans, we ought to look at the program each year and act affirmatively on the programs as we have been doing. This, in effect, is a back-door appropriation of $300 million. I hope we will defeat this bill. Then, if the committee on Education and Labor wishes to bring out an authorization bill for $300 million for the next 3 years, the Congress can look at it every year, and this should be wholly satisfactory to all concerned.

Let no one assume that those of us who are going to vote against this bill are against school lunch. We cannot be maneuvered into any such position as that.

I point out, as you will note, that insofar as I know, no member of the administration is endorsing this bill. This is an end run and it cannot be defended. This bill should be defeated.

So, Mr. Speaker, I hope that if we want to provide an additional school lunch program, we will provide it by a direct authorization in the long-established manner. I do not know anyone who is against such action. The Committee on Appropriations is certainly not against it. Therefore, let us vote this bill down and dispose of this issue in an orderly way and authorize whatever appropriations we desire for an expansion of the school lunch program.

My statement is not in defense of the Committee on Appropriations; I am defending the Congress. Congress, in the pending bill, loses the power of the purse for the next 3 years in this matter. We do not know what the next 3 years may hold or what administration may be in power. This bill permits the expenditure of $100 million a year for 3 years, and it is not fair or right or responsible to follow the course proposed in the pending measure.

Someone said in the debate that $200 million would revert to the Treasury from the section 32 funds as of the beginning of this fiscal year. What is bad about that? What is bad about recouping a little money in the Treasury which is in dire difficulty?

Someone said that the reason why this bill is before us is that the Committee on Appropriations has not faced up to its responsibilities to meet the needs of the schoolchildren. Such an unwarranted and indefensible statement cannot be sustained. The Appropriations Committee has from year to year led the fight and presented the legislation which has supported the school lunch program. The House has solidly backed the committee in these efforts.

Mr. Speaker, I do hope that we will not be misled into voting for the pending measure just because we love the schoolchildren and just because we want to do what is right by them in providing nutritious food, milk, and other things that make young people strong. They deserve our support but through legislation which is sound and responsible. Congress does no credit to itself when it abdicates the power of the purse, and loses control of the expenditure of Federal funds.

Mr. SISK. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky [Mr. Perkins].

Mr. PERKINS. Mr. Speaker, I hope the House does not forget that this is emergency legislation. Here we are undertaking to provide funds that are not being utilized. The only way we can move expeditiously to meet this problem is through the use of section 32 funds.

Mr. Speaker, the Committee on Education and Labor has never had any intention of usurping the authority of another standing committee of the House of Representatives. However, I still do not see any reason why any standing committee confronted with an emergency such as this cannot turn to the Members of the House to direct the use of available funds not otherwise being used, particularly where there has been a tradition of use of these funds for this type of purpose.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Minnesota.

Mr. QUIE. Mr. Speaker, I would say to the gentleman from Texas and the other gentlemen who serve on the Committee on Appropriations there is a proviso in the law under which they can appropriate additional money from section 32 funds to the extent of $500 million.

Mr. PERKINS. That is correct.

Mr. Speaker, I ask the Members of the House to vote for this bill.

Mr. SISK. Mr. Speaker, I yield myself such time as may remain to us on this side.

Mr. Speaker, in conclusion simply let me say this, in line with the statement made by the distinguished chairman of the Committee on Appropriations, the gentleman from Texas [Mr. Mahon]. Everyone in this House of Representatives is, of course, for and in support of the school lunch program and for feeding the poor, particularly making available to the youngsters who attend our schools a decent diet and making it possible for them to receive a decent education.

I, certainly, for one have always supported programs such as this. In fact upon occasion I have voted for funds above and beyond what the Members of the House were willing to authorize. However, it is my opinion that there is a question of procedure involved here. For instance, if the Committee on Education can make available and transfer large sums of money from one department or program to the other, there is no reason why the Public Works Committee could not come in and make $100 million available to the highway program or there is no reason why the Department of the Interior could not come in and direct that $200 million or $300 million be made available for the Bureau of Reclamation out of funds which accrue under section 32 of the Agricultural Act.

So, Mr. Speaker, it seems to me that if this committee desires to come up before the appropriate committee and ask for the transfer of money on this type of basis, that it should come before the House with a rule and thus give the appropriate committees of the House a fair and open discussion of the matter and let the House work its own will thereon.

As I said earlier, the thing that I do feel is wrong with this approach is that it is not in the best interest of good legislation.

PERMISSION TO EXTEND REMARKS

Mr. Speaker, I ask unanimous consent that I may revise and extend the remarks I made and all Members who spoke during general debate on the bill H.R. 17872 may revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ST. ONGE. Mr. Speaker, I am very much concerned about the prevalence of chronic hunger that still exists within our country and about the effect of malnutrition upon the performance and morale of children in the formative stages of their lives.

Since May 21st of this year, hearings have taken place in the House and the Senate to determine the effectiveness of the food service programs presently in operation under Federal law. Eighty percent of the testimony indicated that many poor children are not covered by these programs.

It is estimated that there are approximately 4½ million needy children in 48 States who are not receiving free or reduced-priced lunches; that more than 6,600 schools in economically needy areas are without food services; that almost 3 million economically deprived children of the ages of 5 through 17 in need of a school breakfast do not have access to such a program; and that as many as three-quarters of a million children coming from larger families whose incomes exceed $3,000 per annum are in need of subsidized food services.

H.R. 17872 and H.R. 17873, under consideration here today, would amend the National School Lunch Act to provide funds to the Department of Agriculture for the purpose of providing free or reduced-priced meals to needy children not now being reached. H.R. 17873 would specifically clarify the responsibilities under the act; prevent discrimination; revise the program of matching requirements; and generally strengthen the school food service program.

Estimates of the effect of the present programs are encouraging. Over 1,000 counties in the Nation have a food service program for needy families where no such program existed in 1960. Furthermore, poor people participation in these programs has increased by 1.7 million, while 1 million needy children are receiving free lunches who did not receive them in 1961.

Perhaps the most gratifying result of the program is the improvements in school attendance and academic performance in schools which have instituted food service programs.

Many of my constituents, who have registered their concern with me, feel that we have an opportunity now to extend such gains and benefits to areas and children still untouched by the Federal food programs. To curtail the existing programs would be an injustice to those who have not been able to benefit from our accomplishments.

Mr. Speaker, I strongly favor this legislation and appeal to all my colleagues to support these programs by speedy enactment of the two bills now before us.

Mr. BURTON of California. Mr. Speaker, I rise in support of H.R. 17872 and H.R. 17873, companion bills that will strengthen and add to our efforts to improve food service programs for children. Both measures are needed.

One will authorize the States to direct substantial sums of money to improving and broadening the kinds of food service they believe they need most. The second will clarify a number of points that have arisen as a result of the extensive hearings conducted by the House Education and Labor Committee.

These hearings revealed that a number of schools and school districts have not done as well as they should in developing and following a carefully thought-out policy with reference to determining the need for free and reduced price meals. Parents of the children most in need of these lunches all too frequently have no idea as to what the rules of the game are. In some situations children receiving public assistance are not eligible on the grounds that the welfare grants should provide for reduced price or free meals. In other situations, children on welfare rolls are the only ones eligible for free or reduced price meals.

We are not attempting to tell the school and school districts what their rules should be. We are saying only that whatever rules are adopted shall be consistent—shall be publicized. The books are to be open.

Beyond this, we intend to eliminate once and for all any identification of those children who are receiving free or reduced price meals. A certain carelessness seems to have developed in program administration in this respect despite the fact that the National School Lunch Act has forbidden this type of thing since it was first enacted in 1946. We are not changing the law—we are simply restating it and clarifying it so that all school officials will know that the practice of giving children special tickets to receive free meals will not be tolerated. Nor are they to be put into separate lines or at the end of the cafeteria line. They are to be treated just like paying children.

Children are natural-born status seekers and any leverage they can get they are apt to use. We are reminding the adults who administer these programs that there is no point—no point at all in shaming a child.

Mr. GRAY. Mr. Speaker, I would first like to congratulate the chairman and members of the House Education and Labor Committee for their patient and in-depth probing of the food assistance programs. Through many hours and many days, the members listened to anyone and everyone who wanted to be heard. They invited experts associated with every phase of nutrition and the practical application of nutrition. They heard from critics and from proponents of present programs. They sought solutions—not rhetoric. They sought facts and were not misled by hysterical charges of mass hunger and starvation in this country.

The committee found that certain improvements could be made in the present delivery system for improving nutrition in this country and particularly in the delivery system for reaching children. The committee has reported out several measures that I believe deserve our support.

The first of these is H.R. 17872, authorizing the Secretary of Agriculture to use $100 million of section 32 funds in each of the next 3 fiscal years to improve, strengthen, and expand efforts to improve nutrition among children. We know that the national school lunch program is not reaching several million of our neediest children. The school breakfast program has just emerged from a pilot operation reaching only 160,000 children a year. We know this program should be reaching hundreds of thousands of additional children. The special food service program for children in day-care centers, recreational centers, and settlement houses was just enacted this year.

I, for one, would like to see us really move out on these child feeding programs. It is not as though child food service is a new, untried approach. We all know that this one works. We all know that you cannot teach a hungry child or inspire a hungry child—we all know it is difficult to discipline a hungry child. We know, too, that there is no excuse—there can be no justification for a hungry child in this land of plenty.

We know that you can reach children through a group feeding arrangement. It may take us a little time to reach all the parents of all our children with the message on nutrition—its importance and the few essentials they need to know to assure good nutrition for their families—but for now—for the immediate future, not the long-range future—we can feed youngsters within days, within a few weeks—in every corner of the country—if we enact the measures we have before us today.

Mr. ANDERSON, of Illinois. Mr. Speaker, I rise in support of H.R. 17872, to amend the National School Lunch Act so as to provide funds and authorization, on a 3-year emergency basis, to the Department of Agriculture in order to provide free or reduced cost meals to millions of needy children not now being reached through the National School Lunch Act.

As a sponsor of the proposal to create a Commission on Hunger which is also before the Education and Labor Committee, I do want to take this occasion to express my view that I think our colleagues on that committee have done an admirable job in looking into the problem of the nutritional needs of school-aged children, pinpointing deficiencies in existing programs, and bringing before the House today a program for the kind of action embodied in this bill—a bill by the way which has won the unanimous bipartisan support of the membership of that committee. We should do no less than to give the measure a resounding vote of approbation here in the House Chamber today.

I think for too long we have been ignoring the shocking nutritional deficiencies among the schoolchildren right here in our own so-called backyards, while preoccupying ourselves with the nutritional deficiencies of the populations of the rest of the world. While the latter is admirable, we should not close our eyes to the hunger and nutritional problems here at home. In fact, I would recommend that we begin right now to put the primary emphasis on the problem sector so clearly delineated by our colleagues on the Education and Labor Committee and take care of first things first.

Indeed, I think it is incredible that the administration has put so much emphasis on the hunger and nutritional problems of the rest of the world, and now just finally realizing that right here in the United States there are more than 4½ million needy children ages 5 through 17 who are not receiving free or reduced priced lunches and that there are more than 6,600 schools in economically needy areas that are without food services.

I firmly believe that the bill at hand should be passed without delay. It would most certainly put to good use up to $100 million in funds from section 32 of the Act of August 24, 1935, in each of 3 fiscal years—1969, 1970, and 1971 to formulate and carry out a program to improve the nutritional status of needy children in schools and other group situations outside the home. It would make possible food service programs in schools where facilities are not now available by providing the means for the authorities in those schools to acquire equipment they do not now have.

I am also impressed with the so-called spin-off effects the measure would have; namely, in curing nutritional deficiencies, creating sharper, and more mentally alert minds thereby enhancing the educational process; allowing school authorities to use title I ESEA funds more efficiently to enhance educational processes; as well as reducing the number of school dropouts.

Mr. **ROSTENKOWSKI.** Mr. Speaker, we have under consideration today a measure that will assure adequate funding of our child nutrition programs on a continuing basis. This proposal, H.R. 17872, gives the States the option as to how they will meet the needs within their own boundaries. They can use the money for free or reduced price lunches, for a breakfast program, for equipment to bring a food service to those children who do not now have the benefits of a food service. They can feed preschool children, elementary or secondary schoolchildren. Wherever the need is greatest, this authority and these funds will be there to help them to do the job.

This authority and these funds will be available over and above the funds provided for the various categories of food assistance. It will permit a degree of flexibility we have long needed in these programs.

I urge support for all of these measures and particularly for H.R. 17872.

Mr. **VANIK.** Mr. Speaker, I rise in support of the two related bills before us today, H.R. 17872 as well as H.R. 17873 which will be considered later today.

Although great progress has been made in alleviating hunger in America in recent years, and although tremendous gains have been made in providing adequate meals for needy schoolchilden, much remains to be done.

According to the latest figures available, more than 4.5 million needy children between the ages of 5 and 17 are not receiving free or reduced priced lunches, and almost 3 million economically deprived children in need of a school breakfast do not have access to such a program.

In Ohio, only a little over one-fifth of the State's needy children participate in a free or reduced price lunch. In all, there are 194,251 schoolage children in families below the poverty level or receiving aid for dependent children. Only 43,433 benefit from the school lunch program.

Despite remarkable gains, the situation is similar in the greater Cleveland area, which I represent. In a study of the national school lunch program, entitled "Their Daily Bread," the director of the city of Cleveland's school lunch program states that only 44 out of 177 Cleveland schools participate in the program. All elementary schools with a total enrollment of 88,844 are excluded from participating because of a lack of facilities. He noted that in some schools there is a rule that children may not go home for lunch without special permission. Thus the child either brings his lunch or he does not eat. In all too many cases, the child from low-income families does not eat.

The legislation we are considering will help alleviate these problems. H.R. 17872, in particular, authorizes for each of the next 3 fiscal years, $100 million to improve the nutritional status of needy children.

In Ohio, this will mean the addition of $3,190,488 of Federal contributions to the program. More impressive, some 310,006 additional low-income children will be able to participate in the free or reduced price lunch.

Mr. Speaker, I urge the passage of this legislation.

Mr. **DONOHUE.** Mr. Speaker, I hope that this House will very quickly and overwhelmingly adopt this bill before us, H.R. 17872.

The basic purpose of this bill is to provide continuing appropriations, through the next 3 fiscal years, to make available nutritious meals to needy schoolchildren not now being reached by Federal programs providing free or reduced priced meals.

Authoritative and enlightening testimony has been revealed here this afternoon to conclusively show that there are some 5 million schoolchildren in this great country between the ages of 5 through 17 who are not now receiving free or reduced priced lunches and some 3 million economically deprived children who go to school without breakfast. I think that this Congress should be rightly concerned about this problem and do everything within reason to ensure that these children do receive nutritious food essential to their basic health and normal growth. There has been a good deal of discussion and concentration recently about hunger in this affluent Nation. We have a chance here this afternoon to do something about hungry children. There is no reason at all why any child or adult should go hungry in this land of plenty.

Mr. Speaker, all recognized medical authorities are in total agreement in the research finding that "a poor diet is a root cause of disease."

May I further say it is axiomatic that a well-nourished child learns better, is healthier, has greater energy, is better dispositioned and develops a more wholesome balanced personality than an undernourished child and is bound to be a better mature citizen.

Unquestionably this bill represents a prudent priority investment in the future of America and I urge the House to promptly adopt it.

Mr. **OLSEN.** Mr. Speaker, the report of the Committee on Education and Labor on H.R. 17872 and H.R. 17873 discloses, on the basis of an incomplete survey, that more than 4.5 million children between the ages of 5 and 17 from homes with less than $3,000 annual income, are not now receiving free or reduced price lunches.

Since the relationship between adequate diet and successful educational achievement has been proven, our efforts to improve education opportunities for all Americans should naturally include efforts to meet the nutritional needs of youngsters who otherwise would not have a satisfactory meal even once a day. I am convinced of the importance of this program if we are to sustain our efforts to improve the quality of education for all Americans.

The strengthening of the food service programs, authorized by H.R. 17873 and the increased authorization of $100 million annually for each of 3 fiscal years to reach children not now receiving an adequate diet as authorized by H.R. 17872, will represent congressional awareness of the value of this program in helping to alleviate the burden of poverty upon the innocent victims of poverty—the children of this Nation.

I fully support this important legislation because I am convinced of its importance to so many young American children.

Mr. **GONZALEZ.** Mr. Speaker, there has been a matching formula in the National School Lunch Act since that measure was passed in 1946. That matching formula requires the States to put up $3 for every dollar of Federal cash reimbursement provided for the lunch program. There has never been any problem for the States in meeting the matching requirements, frequently without putting up a dime of State tax money except for State administrative expenses. This has been and is possible because children's payments for the lunches served have always counted toward the matching provision.

Very few States have put in substantail amounts of money to assist in expanding the lunch program for their children. We are not going to eliminate children's payments as a State asset toward the matching requirement. We are just going to say that all States must begin to put up some tax money for this program.

If this legislation is adopted, we will make it easier for the States to meet this requirement. Financing of the national school lunch program will be put on an advanced funding basis so that the States will know a year in advance the amount of Federal cash they will be receiving. A year after advance funding begins, the States will be asked to provide appropriated funds equal to 4 percent of the matching requirement for each of the next 2 fiscal years. This will move up to 6 percent for each of the next 2 years; to 8 percent in the subsequent 2 fiscal years and finally to 10 percent in the seventh and following fiscal years.

I do not believe this will burden any State unduly—even the lowest income States—because the School Lunch Act formula carries an equalizer provision that reduces the impact of the existing matching provision for those States whose per capita income is below the national average.

We need to strengthen the total funding of the national school lunch program. I favor increased Federal apportionment for this program but I believe we should also require a greater effort on the part of the States—all of the States and not just a few.

Mr. **GILBERT.** Mr. Speaker, I strongly support the bills before us to improve and expand the school lunch, school breakfast, and similar programs for needy children. By providing the additional funds of $100 million, we shall make available nutritious meals to needy youngsters not now being reached.

These funds would be allocated to States on the basis of numbers of children from families of $3,000 income or less. This can be a constructive step toward reducing the prevalence of hunger in our country.

For more than 20 years the school lunch program has benefited hundreds of thousands of schoolchildren. I gave my strong support to the extension of this program to public and private nonprofit settlement houses, child-care institutions, centers for handicapped youngsters, and similar institutions approved by Congress earlier this year. No one questions or doubts that good nutrition is basic to the learning process; a hungry child is not an eager learner.

I approve the advance appropriation provision which will permit better planning on the State and local level, and the revision of the program-matching requirements to prevent States from raising the entire non-Federal share from charges made to pupils for their meals and from local funds. And I am pleased this legislation will clarify present language to make certain no needy child goes without a free lunch because he is unable to pay.

Mr. Speaker, I support the school lunch bills before us and I call on my colleagues in the House to vote with me to make this program available to more children of low-income families.

Mr. BOLAND. Mr. Speaker, I want to express my vigorous support for H.R. 17872, a bill that would broaden and strengthen programs carried out under the National School Lunch Act. We are all aware, I am sure, of the close relationship between malnutrition and school performance. A wealth of medical surveys has demonstrated that lack of proper diet plays hob with the physiological and intellectual development of a child, robbing him of the opportunity to even approach success in school and in later life. Administered with care and imagination, the National School Lunch Act has done much to remedy the nutritional deficiencies of many children, and, as a result, schoolroom performance. This act, it is clear, has been one of the most strinkingly fruitful of all the Federal school aid programs.

I am distressed, however, that there are such large numbers of children who are in need of a well-balanced noon meal but who are not participating in the program. We were made aware recently in a study of the school lunch program entitled "Their Daily Bread" that of the 6 million children from poverty-level families, less than 2 million receive free or reduced price lunches. Nationally, of 50 million elementary and secondary school children only 18 million receive the benefits of the school lunch program.

Certainly part of the program's inadequacy is a function of limited financial support. H.R. 17872 would authorize $100 million for each of the next 3 fiscal years to formulate and carry out a program to improve the nutritional status of needy children in schools and other group situations outside of the home. These funds are intended to supplement moneys already authorized by the National School Lunch and the Child Nutrition Acts. H.R. 17872 is also a response to the realization that many children most in need of a free or reduced price school lunch attend schools which do not have the facilities to conduct such a program. H.R. 17872, therefore, would allow funds herein authorized to be used to finance the purchase of equipment needed for the operation of a school lunch program.

It may be that there is no starvation in this country. It may be that severe hunger is almost nonexistent in the United States. But it is clear that malnutrition and improperly balanced diets do exist and that millions of eligible children are not presently receiving the nourishment they could. I believe that it is essential that additional funds be provided to expand the program to include these children.

Mr. Speaker, we are already into fiscal year 1969. I do not think that we can afford to delay our consideration of H.R. 17872, nor do I think that we can economize at the expense of our children's health and ability to learn. The passage of H.R. 17872 will help to correct a serious deficiency of a promising program. I urge unanimous support of this measure.

The following telegram, signed by school officials from throughout, Massachusetts, indicates the educational community's support for H.R. 17872 and the pressing need for its passage.

BOSTON, MASS.,
June 28, 1968.

Hon. EDWARD P. BOLAND,
Rayburn Building,
Washington, D.C.:

Bills H.R. 17872 and 17873 offered by Chairman Perkins and 21 other members of Committee on Education and Labor scheduled for floor Monday, July 1. Bills as reported out of committee would effectively amend National School Lunch Act by providing additional monies which would enable your State, city, and town school officials to extend school lunch benefits each day to at least 300,000 additional school children. These children presently attend schools with no school food service due to lack of equipment or schools in very low income areas where the limitations imposed by minimum funding discourage the service of free meals to tens of thousands who have great nutritional need. In authorizing the National School Lunch, Special Milk and Child Nutrition Acts the Congress struck the initial blow against hunger and malnutrition amongst the Nation's children. Passage of the bills at this time will enable us in Massachusetts to strike another telling if not knockout blow against the blight of malnutrition which has become America's intolerable burden.

John C. Stalker, State Director; Mrs. Dorothy Callahan, Milton Public Schools; Mrs. Elizabeth White, Granby Public Schools; Mrs. Marion Cronan, Brookline Public Schools; Mrs. Priscilla Richards, Boston Public Schools; Mrs. Ruth Sutton, Tewksbury Public Schools.

Mrs. Ruth Krebs, Natick Public Schools; Mrs. Marion Moore, Chelmsford Public Schools; Mrs. Bertha Hassard, Ashland Public Schools; George Hudgins, Saugus Public Schools; Charles Aubin, Watertown Public Schools; Julius Candela, Wrentham Public Schools.

Mrs. Alice Hanley, Shrewsbury Public Schools; Mrs. Joyce Barry, Wellesley Public Schools; Mrs. Dorothy Pope, Westfield Public Schools; Mrs. Dorothy Griffin, Medford Public Schools; Mrs. Ruth Lapham, Plymouth Public Schools; Mrs. Eleanor Harding, Bourne Public Schools; Mrs. Ann Ramocki, Adams Public Schools; Mrs. Doris Taylor, West Springfield Public Schools; John Bogacz, Ware Public Schools.

Mrs. Anita Benedetti, North Adams Public Schools; Mrs. Virginia Rogers, Mendon Public Schools; Mrs. Kay McGrath, St. Marys School; Lynn Edward Dowling, Northampton Public Schools; Bernard Flannery, Cambridge Public Schools; Mrs. Georgia Schlepegrell, Brockton Public Schools; Mrs. Eloise Greene, Fitchburg Public Schools; Mrs. Astrid E. Johnson, Gardner Public Schools.

Mrs. MINK. Mr. Speaker, I wish to add my strong support for H.R. 17872 and H.R. 17873 which will improve and expand the National School Lunch Act by providing additional funds for lunches for needy children.

I am extremely proud to be a cosponsor of these bills which will help meet one of the most urgent problems of hunger in this country. We cannot continue to ignore the hunger of our young children who cannot afford to buy the school lunches and therefore go hungry. With these bills, we are helping to meet our responsibilities to these poor youngsters and thereby help them to remain in school and to do well in their classes.

H.R. 17872 authorizes an expenditure of $100 million for 3 fiscal years beginning today, July 1, 1968, to provide additional hot lunches and breakfasts, for low cost or no cost, to needy children.

The need for this expansion can be clearly seen from evidence presented at the hearings conducted by my House Education and Labor Committee. The report which accompanies this bill states:

> More than 4½ million needy children ages 5 through 17 are not receiving free or reduced priced lunches.
>
> More than 6,600 schools in economically needy areas are without food services.
>
> Almost 3 million economically deprived children ages 5 through 17 in need of a school breakfast do not have access to such a program.
>
> As many as three-quarters of a million children coming from large families whose incomes are slightly in excess of $3,000 per annum are in need of partial subsidy for school lunches.

Funds appropriated for this expanded effort to meet this crisis are to be allocated among the States according to the number of children coming from families whose income is less than $3,000 per annum as well as the number of aid for dependent children under public assistance programs.

The money is to be used to provide meals for children whose parents or guardians lack the financial ability to provide for nutritional requirements of their children. Funds could be used in appropriate circumstances to acquire the necessary equipment to operate food service programs in schools serving such children where such facilities are not now available.

Perhaps Hawaii is in a better position than most States insofar as helping its needy children. It has one of the best records for caring for its hungry youngsters, but I must recognize that there are still some children who are in need and for whom the lack of food is just as painful and distressing as it is for youngsters in any other State.

The records presented at the hearings indicate that Hawaii now extends free lunches to 4,752 children. But they also point out that there are 9,583 children from families having an annual income of $3,000 or less who are not now receiving any such assistance. The record also indicates that another 1,500 youngsters in Hawaii whose families earn slightly more than $3,000 a year are in need of assistance.

It is estimated that about $15,000 in additional funds would be needed annually to expand the administration of this program in Hawaii.

There is much more that could be said about the need to supply an adequate diet for all youngsters, but suffice here to note the effort that the Federal Government has made in the past and is now making. The U.S. Office of Education has made this report on the effect of an adequate diet on youngsters in schools:

> Poor performance in school has been associated with the lack of a proper diet. On testing the children it has been brought to light that thousands of the children eligible for this program (title I of the Elementary and Secondary Education Act) are suffering from nutritional deficiencies. This condition detracts from the child's attitude, desire and capability to learn. Knowing that this need must be met before these children can learn, the states have expended several million dollars in Title I funds to supplement the diet of these children.

In Hawaii, a hot school lunch is regarded as part of the essential school program and as a consequence, Hawaii ranked second among the States in 1967 in its student participation in this program.

H.R. 17873 will eliminate the practice of States making up all of the matching requirements for Federal funds from charges made to pupils for their lunches and local funds.

For fiscal year 1967, State and local communities contributed about 9 percent toward the cost of the programs. By H.R. 17873, State-appropriated funds for the school lunch program made up from tax sources must equal at least 4 percent of the matching requirements in fiscal years 1970 and 1971. This amendment was made to this act to keep the price of school lunches as low as possible.

Mr. Speaker, this is an important step in our national effort to end hunger. We have a long road to travel before we have completely solved all of the critical problems of poverty, but I would hope that this Congress will move quickly to enact this obvious expansion of this highly successful existing program.

Mr. FARBSTEIN. Mr. Speaker, I rise in support of H.R. 17872 and H.R. 17873, amendments to the National School Lunch Act designed to bring its essential food benefits to needy children not presently being reached.

On May 8, I joined a bipartisan group of House Members in establishing a coalition on hunger. The primary purpose of this coalition was to find ways to eliminate hunger and malnutrition particularly among the Nation's poor children.

The two measures before us today are an immediate response to existing deficiencies in our food programs for schoolchildren. I might add that they represent a major goal of the Poor People's Campaign. Today more than 4.5 million needy youngsters are not receiving free or reduced-priced meals. Over 6,600 schools in economically-deprived areas are without food services.

H.R. 17872 would provide $100 million for each of the next 3 fiscal years to assure that the program reaches all who are in need of it. Funds would be allocated among the States according to the number of children coming from families earning less than $3,000 a year. It would also reach children who come from large families earning over $3,000 but receiving Federal help under the public assistance program.

The second bill, H.R. 17873, would require the individual States to pick up a larger share of the funds required to carry out the food program. More importantly, it would require schools to distribute free and reduced-priced meals to needy youngsters in such a manner that it would not identify them and thus discourage them from participating in the program. This bill includes no appropriation of money but is essential to providing a more effective food program.

Mr. Speaker, the need for expanding the present school lunch and breakfast program to reach all needy children is clearly evident. In those schools where programs are being effectively carried out the result has been higher school attendance and a marked improvement in the learning process. I urge all my colleagues in the House, regardless of political affiliation, to support these two measures. I believe we have a commitment to see that all needy youngsters are adequately fed.

The SPEAKER pro tempore. The time of the gentleman from California has expired. All time has expired.

The question is on the motion of the gentleman from Kentucky [Mr. PERKINS] that the House suspend the rules and pass the bill H.R. 17872, as amended.

The question was taken.

Mr. PERKINS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notfiy absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 274, nays 78, not voting 81. as follows:

[Roll No. 217]

YEAS—274

Adair
Adams
Addabbo
Albert
Anderson, Ill.
Annunzio
Ashley
Aspinall
Ayres
Barrett
Bates
Battin
Bennett
Betts
Biester
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brasco
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Broyhill, Va.
Buchanan
Burke, Mass.
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Cahill
Carey
Carter
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Conable
Conte
Cowger
Cramer
Daniels
Davis, Ga.
Dawson
de la Garza
Delaney
Dellenback
Dent
Derwinski
Dickinson
Dingell
Dole
Donohue
Dow
Dowdy
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Fallon
Fascell
Feighan
Findley
Flood
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Galifianakis
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Grover
Gubser
Gude
Hagan
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Hosmer
Howard
Hungate
Hunt
Hutchinson
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jones, Ala.
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
Kirwan
Kleppe
Kluczynski
Kyros
Landrum
Latta
Leggett
Lukens
McCarthy
McClory
McCloskey
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
MacGregor
Machen
Madden
Mailliard
Marsh
Matsunaga
May
Meeds
Meskill
Miller, Ohio
Mink
Mize
Monagan
Moore
Moorhead
Morgan
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Natcher
Nedzi
Nix
O'Hara, Ill.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pike
Pirnie
Podell
Poff
Pollock
Price, Ill.
Pucinski
Quie
Quillen
Railsback
Randall
Rees
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Sandman
Saylor
Schadeberg
Scheuer
Schneebeli
Schweiker
Schwengel
Shipley
Shriver
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Teague, Tex.
Thomson, Wis.
Tiernan
Tunney
Vander Jagt
Vanik
Vigorito
Waldie
Wampler
Watkins
Watts
Whalen
White
Widnall
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Wright
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—78

Abbitt
Abernethy
Andrews, Ala.
Arends
Ashbrook
Belcher
Bray
Broyhill, N.C.
Burleson
Byrnes, Wis.
Cabell
Casey
Curtis
Davis, Wis.
Denney
Devine
Dorn
Downing
Everett
Fisher
Flynt
Fountain
Fuqua
Gathings
Goodling
Griffin
Gross
Gurney
Haley
Hall
Hardy
Hébert
Henderson
Herlong
Hull
Jonas
Jones, N.C.
King, N.Y.
Kyl
Laird
Langen
Lennon
Lipscomb
McClure
McMillan
Mahon
Martin
Mayne
Michel
Mills
Nelsen
O'Neal, Ga.
Passman
Pickle
Poage
Pool
Price, Tex.
Pryor
Rarick
Reid, Ill.
Rivers
Roberts
Satterfield
Scherle
Scott
Selden
Sisk
Smith, Calif.
Taylor
Teague, Calif.
Tuck
Utt
Waggonner
Whitener
Whitten
Wiggins
Willis
Winn

NOT VOTING—81

Anderson, Tenn.
Andrews, N. Dak.
Ashmore
Baring
Bell
Berry
Bevill
Bingham
Blackburn
Blanton
Bow
Brown, Calif.
Brown, Ohio
Burke, Fla.
Celler
Clawson, Del
Colmer
Conyers
Corbett
Corman
Culver
Cunningham

Daddario
Diggs
Edwards, Ala.
Edwards, La.
Evins, Tenn.
Farbstein
Fino
Fulton, Tenn.
Gardner
Gettys
Griffiths
Halleck
Hansen, Idaho
Holland
Ichord
Jones, Mo.
Karsten
King, Calif.
Kornegay
Kupferman
Kuykendall
Lloyd
Long, La.
Long, Md.
Macdonald, Mass
Mathias, Calif.
Mathias, Md.
Miller, Calif.
Minish
Minshall
Montgomery
Morris, N. Mex.
Murphy, N.Y.
Myers
Nichols
O'Hara, Mich.
Patman
Purcell
Reinecke
Resnick
Rosenthal
Roush
Ruppe
Sikes
Snyder
Stephens
Taft
Talcott
Tenzer
Thompson, Ga.
Thompson, N.J.
Udall
Ullman
Van Deerlin
Walker
Watson
Whalley
Wolff
Wydler

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Evins of Tennessee with Mr. Fino.
Mr. Celler with Mr. Bow.
Mr. Farbstein with Mr. Minshall.
Mr. Ashmore with Mr. Cunningham.
Mr. Ichord with Mr. Berry.
Mr. Tenzer with Mr. Talcott.
Mr. Daddario with Mr. Whalley.
Mr. Culver with Mr. Andrews of North Dakota.
Mr. Gettys with Mr. Bell.
Mr. Sikes with Mr. Brown of Ohio.
Mr. Murphy of New York with Mr. Wydler.
Mr. Miller of California with Mr. Halleck.
Mr. Minish with Mr. Myers.
Mr. King of California with Mr. Del Clawson.
Mr. Wolff with Mr. Lloyd.
Mr. Nichols with Mr. Reinecke.
Mr. O'Hara of Michigan with Mr. Mathias of Maryland.
Mr. Colmer with Mr. Thompson of Georgia.
Mr. Morris of New Mexico with Mr. Taft.
Mr. Purcell with Mr. Ruppe.
Mr. Udall with Mr. Corbett.
Mr. Thompson of New Jersey with Mr. Edwards of Alabama.
Mr. Brown of California with Mr. Hansen of Idaho.
Mrs. Griffiths with Mr. Mathias of California.
Mr. Rosenthal with Mr. Kuykendall.
Mr. Stephens with Mr. Burke of Florida.
Mr. Walker with Mr. Gardner.
Mr. Bevill with Mr. Snyder.
Mr. Anderson of Tennessee with Mr. Blackburn.
Mr. Macdonald of Massachusetts with Mr. Kupferman.
Mr. Long of Missouri with Mr. Conyers.
Mr. Blanton with Mr. Baring.
Mr. Kornegay with Mr. Resnick.
Mr. Long of Louisiana with Mr. Holland.
Mr. Patman with Mr. Edwards of Louisiana.
Mr. Corman with Mr. Diggs.
Mr. Montgomery with Mr. Roush.
Mr. Van Deerlin with Mr. Ullman.
Mr. Fulton of Tennessee with Mr. Bingham.

Messrs. DE LA GARZA, JARMAN, and HAMMERSCHMIDT changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The title was amended so as to read: "A bill to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children not now being reached."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed and on H.R. 17873 which follows.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

STRENGTHENING CHILDREN'S FOOD SERVICE PROGRAMS

Mr. PERKINS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 17873) to amend the National School Lunch Act to clarify responsibilities relating to providing free and reduced-price lunches and preventing discrimination against children, to revise the program matching requirements, to strengthen the nutrition training and education benefits of the program, and otherwise to strengthen school food service programs for children, as amended.

The Clerk read as follows:

H.R. 17873

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 9 of the National School Lunch Act (42 U.S.C. 1759) is amended by inserting after the second sentence a new sentence: "Such determinations shall be made by local school authorities in accordance with a publicly announced policy and plan applied equitably to all families in the school attendance area on the basis of criteria which as a minimum shall include factors for the level of family income, including welfare grants, the numbers in the family unit, and the number of children attending school.".

(b) Section 9 of such Act is further amended by inserting after the former third sentence the following: "Overt identification of such child or children in the lunchroom or classroom by means such as special tokens or tickets or by announced or published lists of names is expressly prohibited".

(c) Section 4(e) of the Child Nutrition Act of 1966 (42 U.S.C. 1773(e)) and section 13(f) of the National School Lunch Act as amended by Public Law 90–302, section 3, are amended by inserting in each of those sections, respectively, wording identical with the amendments to section 9 of the latter Act provided by the above sections 3 (a) and (b) of this Act.

SEC. 2 (a) Section 3 of the National School Lunch Act (42 U.S.C. 1752) is amended by inserting at the end thereof: "Appropriations to carry out the provisions of this Act and of the Child Nutrition Act of 1966 for any fiscal year are authorized to be made a year in advance of the beginning of the fiscal year in which the funds will become available for disbursement to the States."

(b) Section 7 of the National School Lunch Act (42 U.S.C. 1756) is amended by inserting immediately before the last sentence of the section the following: "For the fiscal year beginning July 1, 1969, and each succeeding fiscal year, the Secretary's determination of what funds from sources within a State may be regarded as from sources within a State for purposes of matching shall be limited by the availability of State tax revenues for use for program purposes in the local school attendance units. For each of the first two such fiscal years, such State appropriated funds must equal at least 4 per centum of the matching requirements; for each year of the second two-year period, at least 6 per centum of the matching requirement; for each year of the third two-year period, at least 8 per centum of the matching requirement; and for each subsequent fiscal year, at least 10 per centum of matching requirements must be met from such State appropriated funds."

(c) Section 12(d)(5) of such Act is amended by striking the words "preceding fiscal year" and inserting in lieu thereof the following: "latest completed program year immediately prior to the fiscal year in which the Federal appropriation is requested".

SEC. 3. (a) Section 6 of the National School Lunch Act (42 U.S.C. 1755) is amended by inserting in the first sentence, after the comma following the phrase "his administrative expenses", the following: "including the operating expenses for the Child Nutrition Act of 1966 other than for section 3 of that Act".

(b) Section 6 of such Act is further amended by inserting in the first sentence after the comma following the phrase "pursuant to section 11", the following: "and less not to exceed 1 per centum of the funds appropriated for carrying out the programs under this Act and the provision of the Child Nutrition Act of 1966 other than section 3, hereby made available to the Secretary to supplement the nutritional benefits of these programs through grants to States and other means of nutritional training and education for workers, cooperators and participants in these programs in furtherance of the purposes expressed in section 2 of this Act and section 2 of the Child Nutrition Act of 1966".

(c) Section 12(c) of the National School Lunch Act (42 U.S.C. 1760) is amended by striking the period at the end of the subsection and inserting ", except as provided in section 6 of this Act".

(d) Section 11(a) of the Child Nutrition Act of 1966 (42 U.S.C. 1780) is amended by striking the period at the end of the subsection and inserting ", except as provided in section 6 of the National School Lunch Act".

SEC. 4. (a) Section 12(d)(1) of the National School Lunch Act (42 U.S.C. 1760) is amended by striking the word "or" that precedes the term "American Samoa" and by adding at the end of the sentence the following: "or the Trust-Territory of the Pacific Islands".

(b) Section 15(a) of the Child Nutrition Act of 1966 (42 U.S.C. 1784) is amended by striking the word "or" that precedes the term "American Samoa" and by adding at the end of the sentence the following: "or the Trust Territory of the Pacific Islands".

(c) The sections of such National School Lunch Act and Child Nutrition Act of 1966, other than the sections amended by subsections (a) and (b) of this section and other than in the proviso in section 11(b) and in section 4 of the National School Lunch Act, are amended by inserting the phrase "and the Trust Territory of the Pacific Islands" after the term "American Samoa" wherever that term appears in such Acts.

The SPEAKER. Is a second demanded?

Mr. QUIE. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. PERKINS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill, H.R. 17873, to amend the National School Lunch Act has been given thorough consideration by the Committee on Education and Labor. The bill does not involve the expenditure of any money.

Mr. Speaker, the purpose of this bill is to clarify responsibilities relating to providing free and reduced price lunches to our schoolchildren and in addition thereto prohibiting discrimination against these children.

Now, Mr. Speaker, that word "discrimination" may be misunderstood. We mean in this instance that children who receive free or reduced price school lunches should not be placed into a line or any procedures used by the school so that they would be identified and thus discouraged from participation, embarrassed, or penalized by participating in the program.

Mr. Speaker, we have a provision in the present law directed to this point but our hearings reveal that we must be more explicit in prohibiting such action. Hence the bill in addition to the "no discrimination" provisions of the existing food service laws prohibits published lists of names, and uses of special tokens or tickets.

Mr. Speaker, we think there are other provisions in this bill which are of great importance including the provision of financing which is perhaps the most important provision in the bill.

Under the present School Lunch Act which is the biggest business of its kind in the world today we have an expenditure involving better than $2 billion provided by local operations. Most of the funds to finance the program are made available locally from charges for the school lunches. Only 9 percent of the program costs are supplied by State and local government and of the 9 percent most comes from the local government. This bill would require State support of the program to the extent of 2 percent of the matching requirements in fiscal years 1970 and 1971, increasing by 2 percent in 1972 and every other year thereafter until the State's share of the local matching amounted to at least 10 percent.

H.R. 17872, the bill that we just passed does not require any matching for the next 3 years.

We well recognize that the State legislatures, many of them, will not meet this year, and for that reason no matching by the States is required in H.R. 17873 for the fiscal year 1969.

Under the present school lunch act the requirement is on a 3-to-1 basis, but as I stated most of the matching has been from payments made by the children for their lunches, and to put this thing in the proper perspective in the future I believe we will all agree that it is wise to commence now to obtain more funds for the program from the States. This will help to assure the availability of funds to supply free and reduced priced meals to all children in need of them.

Mr. Speaker, the bill amplifies present language in section 9 of the National School Lunch Act to require meals to be served without cost or at a reduced cost to children unable to pay the full cost of the lunch by a systematic plan applied equitably to all families on the basis of need criteria which includes: first, level of family income, second, number of members in the family, third, number of children from the family attending school.

To facilitate financial planning, budgeting and appropriation and matching processes, authorization in the bill is provided for appropriations to be made 1 year in advance of the fiscal year for which such funds are intended to be used. This permits broadened training for school lunch workers. Adequate leadtime for planning and in general assures a better and more economically administered program.

We also authorize up to 1 percent of the funds to be used for education and training, in the field of nutrition. This type of education operated in conjunction with the lunch program has proven effective in establishing family concepts of healthy nutritional needs.

Mr. Speaker, this is an uncomplicated, constructive piece of legislation and should receive the entire support of this body.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. PERKINS. I yield to the gentleman from Iowa.

Mr. GROSS. As I understand it, this bill does not require the appropriation of any money; it has no money figure in it?

Mr. PERKINS. That is correct.

Mr. GROSS. I just want to be sure that the House has not yet quite arrived at the place whereby it delegates to the Secretary of Agriculture the authority to go into social security funds to subsidize the growing of tobacco in Kentucky. It may not be too long before this happens in view of the vote in the House a few minutes ago.

Mr. PERKINS. I want to thank the gentleman from Iowa for his support of educational legislation and particularly vocational legislation. The gentleman has done an excellent job and I want to thank him.

Mr. QUIE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the bill before us, as the previous speaker indicated, has no appropriation in it and, therefore, should not be subject to the same criticism and the same difficulties that we ran into on the previous bill.

However, the bill we have before us now, H.R. 17873, will provide additional money for school lunches because it will require the States to match the Federal money. Few of them have done so, and in a small amount.

Actually, the State appropriation for the School Lunch Act has averaged throughout the entire country only 9 percent. Most money has been coming from children and parents—children who have the ability to pay because their parents have the ability to pay.

But there are some communities that have found it very difficult to either give reduced cost lunches or free lunches to exceptionally needy students.

We found from the report which is entitled "Daily Bread" which was written by five organizations—Church Women United, National Board of the YWCA, the National Council of Catholic Women, the National Council of Jewish Women, and the National Council of Negro Women—a recommendation that the States put up a dollar for every dollar that the Federal Government puts up.

So we see we are beginning in a very small way in requiring that 4 percent of the cost be borne by the State and 2 percent additional per year until it becomes 10 percent.

Also the legislative prohibition is in this bill against discriminating against children of the poor. In a few instances we found where children had been required to be in the lunchroom when they could not afford to take part in a lunch. This was the grossest discrimination.

In a few places they had a special token which indicated that they were receiving free lunches—and this is also discriminating.

Most of the schools are operated that children either purchase tickets if the students have the financial ability or otherwise they receive free tickets and there is no indication of whether a child has a free or paid-for ticket. In this way there is no discrimination in any way.

I believe all of us can support this program even though in the past there have been some objections to the States paying a portion of the cost to help the needy.

As you know, under the Food Stamp Act the Committee on Agriculture reported out a bill which involved State participation in the cost. I have always supported that idea but it was not supported, however, by this House.

When the Secretary of Agriculture was before us in committee, he indicated support of the bill which we have before us, and for the dollar-for-dollar contribution on the part of the States. When the food stamp plan is as well accepted as the school lunch bill is, he felt that at that time the States should bear the cost of the Food Stamp Act as well.

So this bill has the support of the organizations that I just referred to and from the Department of Agriculture. I feel that we all can give it our complete support.

Mr. McDADE. Mr. Speaker, will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. McDADE. I wish first to commend the gentleman for the diligent job he has done on both of these bills.

Mr. Speaker, I take this time in order to propound a question or two to the gentleman for the purpose of legislative history.

I note on page 7 of the bill, section (b), it refers to the discrimination that the gentleman from Minnesota was talking about. This section expressly prohibits the use of tokens, tickets, or other devices to identify the children in the lunch program, either free or paid, and restricts the use of any device, token, tickets, or things of that nature, to make any separation or discrimination among the children.

Mr. QUIE. That is correct, any discriminatory use. It will not prohibit a school from using the same tickets provided there is no means of discrimination in the use of the tickets. That is, they could be the same color, the same shape, and the same kind of a ticket.

Mr. McDADE. I note there is no indication in the language change of anything having to do with meals that might be served to the children. Do I take it it would be the opinion of the gentleman from Minnesota that the original act in 1946 contemplated that children participating in this program would receive the same type of meal that a child would receive who is actually paying for his lunch.

Mr. QUIE. The gentleman is absolutely correct. Reading the language of existing law, they felt there was ample authority there to enforce the requirement that there be no difference in the meal served to the person who is able to pay for his own and the person who was to receive a free or a reduced-cost meal.

Mr. McDADE. So, since this bill was first posed, the children are to receive the same type of lunches under this program?

Mr. QUIE. That is correct.

Mr. McDADE. I thank the gentleman.

Mr. ANDERSON of Illinois. Mr. Speaker, I rise in support of H.R. 17873. I think the measure will bring about some highly desirable and much needed changes in the ongoing, permanent program that we know as the National School Lunch Act. While the bill we had before us earlier today was designed as a temporary, crash program to deal with nutritional deficiencies and shortcomings in the National School Lunch Act on an emergency basis, the measure before us now contains excellently thought out changes to improve this program over the long run.

As a sponsor of the proposal to create a Commission on Hunger which is also before the Education and Labor Committee, I want to take this opportunity to commend our colleagues on that committee for undertaking a thorough-going investigation of existing nutritional deficiencies among our Nation's school-aged population and for bringing before the House chamber today the kind of enlightened program embodied in this bill that has won the unanimous bipartisan support of the membership of that committee.

I am certainly convinced of the need for action along the lines of what is proposed by the committee and I think we here in the House of Representatives today should give our wholehearted support to the measure.

As a legislator and a private citizen, I am appalled to note the disclosure by the committee that there are more than 4½ million needy children aged 5 through 17 who are not receiving free or reduced priced lunches and who would benefit by the committee-suggested changes in the national school lunch program. I am equally disturbed by the fact called to our attention that today there are still 6,600 schools in economically needy areas that are without food services. Likewise, I am concerned over the committee statement to the effect that there are almost 3 million economically deprived children ages 5 through 17 who are in need of a school breakfast but who do not have access to such a program.

If there was ever an instance where we could ill afford to be penny wise and pound foolish, I am convinced that the proposal before us today is one of those instances. There is much emphasis today on education and we have committed Federal tax dollars to the improvement of the educational processes, with the hope that our educational institutions will turn out better educated students. It makes little sense to expend tax dollars for educational accoutrements that our educators tell us will spell the difference between failure and success for educationally disadvantaged children if we ignore the fact that likewise, poor performance in school has been associated with the lack of a proper diet.

I say let us pass this bill. Let us derive for the Nation and for these affected children such accompanying benefits as curing nutritional deficiencies and in the process create sharper minds in these youths, thus enhancing the educational process for this group of youngsters. Passage of this measure would also allow school authorities who have been using title I funds to solve nutritional problems to concentrate on more direct educational use of title I ESEA funds. I am also certainly impressed with the promise that this holds out to cut down on the number of school dropouts.

Mr. BOLAND. Mr. Speaker, I rise in support of H.R. 17873, a bill to carry out needed reforms in the administration of the National School Lunch Act. Among other things the bill would help end the discrimination against, and humiliation of, needy children who receive reduced price or free lunches under the program. H.R. 17873 would assist the Department of Agriculture in the administration of the program by setting explicit criteria to assess need. The determination of a child's inability to pay would be made by local school authorities according to a publicly announced plan, equitably applied and taking into consideration family size, income, including welfare grants, and the number of children in school. In addition, States would be required to use a certain percentage of funds from tax sources to meet matching requirements. The bill would also allow 1 percent of funds appropriated to carry out the School Lunch and Child Nutrition Acts to be used for grants to the States and other means of nutritional training and education for program participants and workers.

H.R. 17873 is a companion bill to another bill favorably reported by the Committee on Education and Labor—H.R. 17872. The latter bill authorizes emergency temporary funds to expand the program to reach many of the children who are presently being missed. H.R. 17873 refines the program and clarifies some of the administrative responsibilities involved in funding and carrying out the program.

It is almost inconceivable that, because of the absence of national eligibility guidelines, some children are subjected to the embarrassment of being identified as needy and that a child who is eligible for a free lunch in one school might not be in another. It is also time for the States to bear a greater part of the financial burden of the school lunch program. Presently, the States are using the amount of money spent by children for school lunches to meet their own matching requirement.

Mr. Speaker, it seems to me that we should be able to meet the nutritional needs of our schoolchildren without penalizing them for the fact of their neediness and that the States must be more responsible in taxing themselves to support the program. For the first 2 fiscal years of its applicability, H.R. 17873 would require that State appropriated funds must equal 4 percent of the State matching requirement. This would give the program a broader base of financial support and might even enable some localities to lower the average price of a lunch charged to their children.

Like H.R. 17872, H.R. 17873 deserves our immediate attention. I do not feel it is necessary to debate the merits of the national school lunch program and the need to expand and improve it. I urge swift and favorable action on this bill.

Mr. DONOHUE. Mr. Speaker, I urge and hope that the House will speedily enact this bill now before us, H.R. 17873, which requires that a certain percentage of the non-Federal share necessary for Federal grants under the National School Lunch Act come from State tax revenues. This requirement is designed to prevent the practice, currently followed in some States, of raising the entire non-Federal share from charges made to pupils for their meals and from local funds.

While providing adequate school feeding programs is an effective and appropriate means of enhancing the educational opportunities of children the use of title I funds for this purpose robs the school district of the more direct educational uses of these grants-in-aid. Strengthening our National School Lunch Act and the Child Nutrition Act as well as furnishing at this time emergency funds to focus on needy children not being served will release title I funds for substantial improvements in education programs.

Other provisions in this bill amplify the present language of the act which requires meals to be served without cost or at a reduced cost to all children unable to pay the full cost of the meal by making very clear that this is an absolute requirement and specifically prohibit the identification, by any means, of any children participating in any school lunch or other program.

Obviously the basic purposes of this bill are to demonstrate special concern for needy children and they are just as obviously in the total national interest. I hope this bill will be resoundingly approved without delay.

The SPEAKER. The question is on the motion of the gentleman from Kentucky that the House suspend the rules and pass the bill H.R. 17873, as amended.

The question was taken.

Mr. QUIE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 352, nays 0, not voting 81, as follows:

[Roll No. 218]

YEAS—352

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Barrett
Bates
Battin
Belcher
Bennett
Betts
Biester
Blatnik
Boggs
Boland
Bolling
Bolton
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Broyhill, N.C.
Broyhill, Va.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Conable
Conte
Corbett
Cowger
Cramer
Curtis
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hall
Halpern
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Holifield
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kluczynski
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Mink
Mize
Monagan
Moore
Moorhead
Morgan
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Natcher
Nedzi
Nelsen
Nix
O'Hara, Ill.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Ottinger
Passman
Patten
Pelly
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Pool
Price, Ill.
Price, Tex.
Pryor
Pucinski
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roudebush
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tiernan
Tunney
Utt
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wright
Wyatt
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—0

NOT VOTING—81

Anderson, Tenn.
Andrews, N. Dak.
Ashmore
Baring
Bell
Berry
Bevill
Bingham
Blackburn
Blanton
Bow
Brown, Calif.
Brown, Ohio
Buchanan
Burke, Fla.
Celler
Clawson, Del
Colmer
Conyers
Corman
Culver
Cunningham
Daddario
Diggs
Edwards, Ala.
Edwards, La.
Evins, Tenn.
Farbstein
Fino
Fulton, Tenn.
Gardner
Gettys
Griffiths
Halleck
Hansen, Idaho
Holland
Ichord
Jones, Mo.
Karsten
King, Calif.
Kornegay
Kupferman
Kuykendall
Lloyd
Long, La.
Long, Md.
Macdonald, Mass.
Mathias, Calif.
Mathias, Md.
Miller, Calif.
Minish
Minshall
Montgomery
Morris, N. Mex.
Murphy, N.Y.
Myers
Nichols
O'Hara, Mich.
Patman
Pepper
Purcell
Reinecke
Resnick
Rosenthal
Roush
Ruppe
Sikes
Snyder
Stephens
Taft
Talcott
Tenzer
Thompson, Ga.
Thompson, N.J.
Tuck
Udall
Ullman
Van Deerlin
Walker
Wolff
Wydler

So (two-third having voted in favor thereof) the rules were suspended and the bill as amended, was passed.

The Clerk announced the following pairs:

Mr. Evins of Tennessee with Mr. Andrews of North Dakota.
Mr. Wolff with Mr. Fino.
Mr. Minish with Mr. Thompson of Georgia.
Mr. Ashmore with Mr. Berry.
Mr. Gettys with Mr. Gardner.
Mr. Farbstein with Mr. Mathias of California.
Mr. Daddario with Mr. Brown of Ohio.
Mrs. Griffiths with Mr. Taft.
Mr. Brown of California with Mr. Mathias of Maryland.
Mr. Ichord with Mr. Kupferman.
Mr. Miller of California with Mr. Reinecke.
Mr. O'Hara of Michigan with Mr. Halleck.
Mr. Walker with Mr. Edwards of Alabama.
Mr. Thompson of New Jersey with Mr. Hansen of Idaho.
Mr. Colmer with Mr. Del Clawson.
Mr. Edwards of Louisiana with Mr. Kuykendall.
Mr. Fulton of Tennessee with Mr. Bell.
Mr. Morris of New Mexico with Mr. Bow.
Mr. Holland with Mr. Burke of Florida.
Mr. Montgomery with Mr. Snyder.
Mr. Nichols with Mr. Lloyd.
Mr. Kornegay with Mr. Minshall.
Mr. Anderson of Tennessee with Mr. Blackburn.
Mr. Blanton with Mr. Myers.
Mr. Culver with Mr. Ruppe.
Mr. Rosenthal with Mr. Buchanan.
Mr. Sikes with Mr. Talcott.
Mr. Stephens with Mr. Cunningham.
Mr. Murphy of New York with Mr. Wydler.
Mr. Udall with Mr. Long of Maryland.
Mr. Diggs with Mr. Corman.
Mr. Bingham with Mr. Conyers.
Mr. Purcell with Mr. Resnick.
Mr. Roush with Mr. Macdonald of Massachusetts.
Mr. Baring with Mr. Bevill.
Mr. King of California with Mr. Long of Louisiana.
Mr. Celler with Mr. Van Deerlin.
Mr. Tenzer with Mr. Tuck.
Mr. Ullman with Mr. Patman.
Mr. Pepper with Mr. Karsten.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. BUCHANAN. Mr. Speaker, on rollcall No. 218 I left the Chamber on official business and was unable to return in time to cast my vote. Had I been present I would have voted "yea" on the passage of H.R. 17873.

ESTABLISHING CRADLE OF FORESTRY IN AMERICA IN THE PISGAH NATIONAL FOREST IN NORTH CAROLINA

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2837) to authorize the Secretary of Agriculture to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina, and for other purposes.

The Clerk read as follows:

S. 2837

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to preserve, develop, and make available to this and future generations the birthplace of forestry and forestry education in America and to promote, demonstrate, and stimulate interest in and knowledge of the management of forest lands under principles of multiple use and sustained yield and the development and progress of management of forest lands in America, the Secretary of Agriculture is hereby authorized to establish the Cradle of Forestry in America in the Pisgah National Forest, North Carolina. As soon as possible after this Act takes effect, the Secretary of Agriculture shall publish notice of the designation thereof in the Federal Register together with a map showing the boundaries which shall be those shown on the map entitled "Cradle of Forestry in America" dated April 12, 1967, which shall be on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture.

SEC. 2. The area designated as the Cradle of Forestry in America shall be administered, protected, and developed within and as a part of the Pisgah National Forest by the Secretary of Agriculture in accordance with the laws, rules, and regulations applicable to national forests in such manner as in his judgment will best provide for the purposes of this Act and for such management, utilization, and disposal of the natural resources as in his judgment will promote or is compatible with and does not significantly impair the purposes for which the Cradle of Forestry in America is established.

SEC. 3. The Secretary of Agriculture is hereby authorized to cooperate with and receive the cooperation of public and private agencies and organizations and individuals in the development, administration, and operation of the Cradle of Forestry in America. The Secretary of Agriculture is authorized to accept contributions and gifts to be used to further the purposes of this Act.

The SPEAKER. Is a second demanded?

Mr. BELCHER. Mr. Speaker, I demand a second.

Mr. GROSS. Mr. Speaker, I am opposed to the bill, and I demand a second.

The SPEAKER. Is the gentleman from Oklahoma opposed to the bill?

Mr. BELCHER. I am for the bill.

The SPEAKER. The gentleman from Iowa [Mr. GROSS] demands a second.

Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there has been a good deal of confusion about this bill and what it attempts to do. I think I understand why we have some erroneous ideas about the bill. This is probably because it does so very little. But it does do some of the things that need to be done.

The Pisgah National Forest was established a great many years ago. In that forest we had the first organized forestry of America, some 75 years ago.

Some 5 or 6 years ago we established down there what is known as the "Cradle of Forestry" and have built some buildings there. Under the authorization of the General Forestry Act, a considerable amount of money has been spent in developing the "Cradle of Forestry."

Under the existing law it is impossible to accept private contributions except that the department make a contract with each individual contributor. If some child wants to give 50 cents, the only way the Government can accept it is to write a contract and enter into a specific contract with that child and it will cost them $50 or $100 to do that.

The result is that we cannot accept contributions from the public.

This bill specifically authorizes contributions from the public and that substantially is all that it does.

The bill does authorize the Secretary to outline a map and to publish it in the official register to point out the boundaries of this "Cradle of Forestry."

It does give some prestige to this "Cradle of Forestry" and probably will result in additional private contributions. But basically the thing that this does is to authorize the making of private contributions to reduce the expenditures that will be necessary on the part of the Federal Government to carry this out.

We checked with the Department of Agriculture in the last hour, and the authority already exists to complete the works that they have under construction, to pay every dime of it from Federal funds or from the income of the national forests. Those are not appropriated funds, those are funds that come from the sale of timber in that forest, and we can charge every dime of the cost of this "Cradle of Forestry" to those funds. We can build the institution completely with Federal funds. The authorization already exists. The appropriation process is exactly the same whether this bill passes or not.

There are individuals who we are told would like to make contributions and we would like to receive those contributions and to the extent that we receive them, the cost to the Government will be that much less. That is what we are trying to do.

Now when we speak in the report of the cost of the project, and I know that the report says the project will cost about $10.5 million—in fact, that is the best figures we can get. It will cost that much. It will cost that if you do not pass this bill, and if you do not pass this bill every dime of it will have to come out of Federal funds.

If you do pass this bill, it will cost exactly the same, but at least a part of it will be out of privately contributed funds.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the distinguished chairman of the Committee on Agriculture yielding. It is to the point to which the gentleman is now addressing himself that I make my inquiry.

If I understood the gentleman correctly, the sale of timber from the land in the national forest would eventually pay for the long-range improvements and these other features such as demarcation, and making this in fact the "Cradle of Forestry."

Mr. POAGE. That is correct.

Mr. HALL. I would certainly approve of using anything on the land. On the other hand, the statement has been made, not by the gentleman in the well, but perhaps by others, that this would be paid for, these improvements that are authorized in this bill, by admission fees. These admission fees, of course, the gentleman understands, are a part of the golden eagle fees that were imposed by Executive order on reservoirs, reclamation projects, forests, and other lands where there is a certain amount of income or where there is a certain amount of traffic each year, and these fees go for additional land acquisition and for operation and maintenance of the forests.

So these fees which would be charged would go into the basic national forests; the Cradle of Forestry in America—and I understand that story perfectly—and would not revert, and in view of all of these statements, why does the gentleman's own committee report that this authorization will be about $10.5 million additional, to say nothing of the $400,000 a year maintenance cost?

Mr. POAGE. In the first place, I believe the gentleman has misread the report of the committee. I do not read the report of the committee to say that this authorization would be any amount, because there is no authorization in this bill. There is no point in this bill where it authorizes the appropriation of any funds whatever. What the report of the committee states, as I read it, and I have it before me is—

COST

The Department estimates the cost of planning and development will be about $10.5 million. Operating costs will probably build up to about $400,000 per year. It is anticipated that these expenses shall to some extent be defrayed by private gifts and other assistance, the remainder to be paid from regular Forest Service appropriations.

Obviously, if we do not do anything, it will all be paid out of forest funds because there will not be any private gifts. To the extent—and I do not know how much that extent will be, and the report does not attempt to say because we could not estimate how much in private funds there will be, but we have every reason to believe there will be some substantial gifts—to the extent that we get those gifts, they will reduce the Government's expenditures.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I concur 100 percent in his reading of section 2 of the report entitled "Cost." I must say further that I have absolutely no argument with the gentleman or his report about authorizing the use of funds secured by private gifts and other assistance. But it is that last sentence—"the remainder to be paid from regular Forest Service appropriations"—that the gentleman full well knows is untimely, and these birds come home to roost. In such authorization, if you read this in connection with S. 2837, where it states on page 2 that it is authorized to establish the "Cradle of Forestry" and is authorized to designate such and such a thing, I say that that is the very thing which has got this Nation in a state of bankruptcy today and makes this bill untimely, because we have just last week voted to increase taxes and to decrease expenditures. I think this is a very serious consideration as far as timeliness of the bill is concerned. I appreciate the gentleman yielding. I hope he can convince me further. I am willing to be convinced.

Either the statement in the report is in error or the statement of my good friend and the distinguished gentleman from Texas in the well of the House awhile ago was in error.

Mr. POAGE. If the gentleman will read the entire bill, he will find that there is no authorization of any funds. It is perfectly true that it authorizes the Secretary to outline this area that is the "Cradle of Forestry." But I do not believe you will find one word that authorizes the expenditure of one dollar. There is authority presently on the part of the Department of Agriculture to spend these funds and for the Department of Agriculture to carry out this work.

We are doing it now. It has been going on for some years. It will continue to go on unless Congress sees fit to deny a continuation. The only point I would make in connection with this bill is, if this does bring about some substantial private gifts, the expenditures by the Federal Government will be reduced by exactly that amount. That is all it comes to.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Speaker, in further response to what the gentleman said, is it not true this language might be required because timber sales receipts do go back into the Treasury and in order to have funds for this development we have to go this route?

Mr. POAGE. I do not think this could possibly be construed as changing any basic law.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I would like to ask someone—perhaps the chairman of the Agriculture Committee or the sponsor of the bill—from what sources these substantial gifts will come that the gentlemen speak of?

Mr. POAGE. This is the area in which Mr. Vanderbilt built his first great mansion in that area. Since that time, there have been a great many more very expensive homes built. Many of these people, who have a great deal more money than the gentleman or I have, and they have had it for a great many years, have felt a close attachment to the area with which they have been associated. In the earlier days when Gifford Pinchot, a member of the gentleman's party, began his great forestry work, he went down to this area and started it.

Frankly, I have not passed the hat, but I think it is reasonable to assume that some of these people who are closely associated with this area, who have been closely associated with this work over a great many years, who have a great deal of money and who can get a tax reduction, I guess, by contributing somewhere, would rather contribute it here than somewhere else. This simply gives them an opportunity to make a contribution somewhere in the neighborhood they are acquainted with. That is why I think there will be some substantial gifts.

Mr. GROSS. But my friend from Texas does not have any more assurance than does the man in the moon that there will be any contributions.

Mr. POAGE. I have not any assurance there will be one dime of contributions, but I do have the assurance it does not take anything away from anybody and it does not cost the Government one dime. I always thought if I had the possibility of saving the Government some money, I should take the possibility even if I did not have a gold note guaranteeing it, and I do have the possibility.

Mr. GROSS. My friend from Texas has been here quite a spell—and so have I. We can remember several ventures around here that were passed by one or the other branch of Congress dealing with this contribution business.

The gentleman will remember the "Freedom Wall" that was going to be built on Federal property—a $20 million deal that was to be built by subscription. There is a cultural center being constructed now that was originally supposed to be built from public subscriptions. The so-called Freedom wall, fortunately was abandoned, but unfortunately the cultural center is being financed largely by the Federal Government, as the gentleman well knows. The building of these projects by public subscription just does not pan out.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, apropos of the remark made by the distinguished gentleman from Texas, the chairman of the Committee on Agriculture, that we are not authorizing or voting more funds here, does the gentleman from Iowa know where ordinarily the returns from sales of timber on the public lands by the Forest Service revert to?

Mr. GROSS. I know where such revenues are supposed to go and where they ought to go. They ought to go to the Federal Treasury to return some of the Federal debt on which we are paying annually $15 billion of interest. That is where they ought to go.

Mr. HALL. Indeed it does, if the gentleman will yield, by law. If we take away from that which normally reverts to the U.S. Treasury by law it is the same thing as an appropriation or authorizing the same, in my opinion, I do not believe we can get around this argument, anymore than the fact that counterpart funds overseas established are not a raid on the Treasury.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Iowa.

Mr. KYL. The Agriculture Department, administering the National Forest Service, has the authority now to create the kind of project we are talking about here. It cannot authorize for itself the expenditure of funds.

The gentleman has had some question about the private donations to assist in doing this job, the completion of which is not contemplated in the immediate future. I can assure the gentleman that very sizable contributions both in land and money are made every year to the national forests and to the national park system, and it is on a continuing basis. We have already adopted language similar to that contemplated in this bill for the Interior Department, and the contributions are of very great magnitude, I say to the gentleman.

Mr. GROSS. Does the gentleman deny that the report says it is going to require $10.5 million to establish this Cradle of Forestry?

Mr. KYL. If anything, the figures may be a little inaccurate, but the figures are printed here. Those funds must be appropriated by the Congress to carry out the purposes.

Mr. GROSS. In view of what happened in the House a little while ago I would not be surprised if the Secretary of Agriculture in this instance would not reach out and take $10.5 million out of the highway, social security, or veterans' funds, if there are any available. I am sure the House would approve it. After voting as it did a few minutes ago, it could hardly deny it. Why not another backdoor raid on the Treasury for this purpose?

Mr. KYL. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield.

Mr. KYL. I have had an opportunity to survey at great length for quite a period of time the operation of the Forest Service, and I do not recall any instance in which they have overstepped their authority in this way. The Forest Service has been very honest with the Congress on matters of appropriations and expenditures.

Mr. GROSS. I am not accusing them of being dishonest in any way, shape, form or manner. But I say, as did the gentleman from Missouri [Mr. HALL] a few minutes ago, this is not the time to obligate this Government for $10.5 million for this purpose. It is not the time to obligate this Government for $400,000 to maintain and operate a so-called Cradle of Forestry, no matter how meritorious it may be. This Nation is in trouble financially.

I regret that only a little while ago so few Members of the House seemed to realize what we are up against in this country, when they voted for the spending of an additional $300,000,000 without any approval on the part of the Appropriations Committee.

Mr. KYL. Mr. Speaker, will the gentleman yield further?

Mr. GROSS. I yield.

Mr. KYL. The gentleman does think, though, that this is a good time to try to start collecting some funds from outside the taxpayer's pockets.

Mr. GROSS. I suppose any contributions would be tax exempt that would go into this thing. I am in favor of chopping down on some of these foundations, and on some of these gifts of money, because we need the revenue by way of taxes.

We passed a tax bill a few days ago, increasing the levy on the little fellow who cannot pass his taxes on to somebody else. He is going to pay it both ways. When the corporations who produce the products he buys are able to readjust their costs he will pay increased prices, and he will also pay his share of the increase in taxes, so he is going to get slapped both ways.

Yes, I want the people who have money to pay taxes on it.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Yes. I yield to the gentleman.

Mr. KYL. I think the gentleman knows that the other gentleman from Iowa voted the same way he did on both bills he mentioned, but this project is going to be completed whether there are private donations or not, and the funds they use will have to be appropriated by the Congress regardless of the time of the appropriation.

Mr. GROSS. I say this is not the time to do it. This is just not the time to obligate ourselves to expend $10.5 million for this purpose. That is all.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. TAYLOR. Mr. Speaker, S. 2837 is easy to misunderstand. A good record was established at the hearing before the House Agriculture Committee as to what the bill does and does not do. At first objections were raised and questions asked by committee members. After the bill was thoroughly discussed and understood, I understand it passed unanimously.

This bill would designate a section of the Pisgah National Forest in western North Carolina as the Cradle of Forestry. I introduced a companion House bill, but the Senate acted first.

Those designated sections would be operated as a public memorial and forest demonstration area under the jurisdiction of the U.S. Forest Service.

The bill does not create the Cradle of Forestry. The Secretary of Agriculture already has authority to develop the national forest lands for public use. He has already created the Cradle of Forestry and it is in operation. Seven buildings have already been constructed. Congress has appropriated funds in a modest amount during each of the last 4 years which have been used for this purpose. This has been through the regular appropriation to the Forest Service. Entrance fees are charged under the land and water conservation fund.

This bill does not authorize the appropriation of any money. This bill is designed to save the Government money by encouraging and making possible the acceptance of private funds and gifts. At present, if an individual wishes to make a donation for this purpose, it cannot be accepted until and unless a written cooperative agreement is entered into between the individual and the Government. Mr. Pete Hanlon, supervisor of national forests in North Carolina, told me that recently he turned down a $25 check for this project because he knew it would cost the Government more than $25 to accept it. This bill in the language of Chairman POAGE cuts governmental redtape. It simplifies the procedure for accepting gifts from a large number of interested persons.

The Pink Beds came into prominence in 1890. It was here that George W. Vanderbilt employed America's first recognized forester, European-trained Gifford Pinchot, to conduct a scientific practice of forestry and conservation which attracted national attention. It was here that the first field school of forestry in America was located. It was near here that the first tract of national forest land was purchased under the Weeks Law.

Mr. Pinchot was succeeded in 1895 by a German forester, Dr. Carl A. Schenck, a gifted and enthusiastic forester who ably carried on the program.

It was the work of outstanding leaders like Mr. Vanderbilt, Mr. Pinchot, and Dr. Schenck, supported by key citizens across the land, which led to the establishment of the Pisgah National Forest and contributed to the establishment of the National Forest Service. Secretary of Agriculture Orville Freeman has visited the Pink Beds and expressed strong support for this entire project. A visitor center has already been built by the Forest Service. A replica of the schoolhouse where Dr. Schenck held the first forestry classes has been constructed and financed by the alumni of the school.

The master development plan includes a museum and outdoor displays telling the story of forestry and conservation in a setting where these key events took place and in a setting unsurpassed in climate and magnificent scenery where the Blue Ridge Parkway, the Smoky Mountains National Park, and the Pisgah and Nantahala National Forests lead all other comparable Federal areas in annual visitations.

Last year 6,700,000 people visited the Smoky Mountains National Park, and the Blue Ridge Parkway which passes within 3 or 4 miles of the Cradle of Forestry had 9,250,000 visitors, an increase of 15.4 percent over the preceding year. The Pisgah National Forest last year had approximately 2 million visitors. I present these figures to show that the Cradle of Forestry will be visited by citizens from all over the Nation.

I see this Cradle of Forestry as a unique national forest conservation shrine, visited by millions of citizens each year and constituting a worthwhile investment, educationally and conservationwise.

The bill does two things. First, it designates the boundary lines and sets aside an area consisting of 6,800 acres as the Cradle of Forestry. Second, it authorizes the Secretary to accept donations of money and other gifts in furthering the purposes of this act. The bill would give legislative recognition to the Cradle of Forestry for these two purposes.

The Secretary may expect to receive many items of historical significance and other donations which will help develop and tell the story of American forestry conservation. As I stated, the reproduction of the original schoolhouse was a donation by the school alumni. Lumber interests in the Nation are expected to donate antique tools which help tell the history of American forestry. I have received letters supporting this bill from conservation-minded citizens from all sections of America. The alumni of the school of forestry are all now reaching mature age. Some are rather wealthy and they are very interested in this project and in this bill. From them we hope and expect to receive some valuable future donations.

I say again this bill does not cost the Government any money. In fact, it aids the development of this unique, historical attraction by making possible the receipt of private funds and gifts.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas [Mr. POAGE] that the House suspend the rules and pass the bill S. 2837.

The question was taken.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 279, nays 71, not voting 83, as follows:

[Roll No. 219]

YEAS—279

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Annunzio
Ashley
Aspinall
Ayres
Battin
Belcher
Bennett
Betts
Biester
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brinkley
Brooks
Broomfield
Brotzman
Broyhill, N.C.
Broyhill, Va.
Burke, Mass.
Burleson
Burton, Calif.
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Cahill
Casey
Cederberg
Clark
Clausen, Don H.
Cohelan
Collier
Conable
Conte
Corbett
Cowger
Cramer
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Dellenback
Denney
Dent
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Calif.
Esch
Evans, Colo.
Everett
Fallon
Fascell
Feighan
Findley
Fisher
Flood
Flynt
Foley
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fuqua
Galifianakis
Gallagher
Garmatz
Gathings
Giaimo
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Griffin
Gude
Gurney
Hagan
Haley
Hamilton
Hammerschmidt
Hanley
Hanna
Hansen, Wash.
Hardy
Harvey
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Herlong
Hicks
Holifield
Howard
Hull
Hungate
Hutchinson
Irwin
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kastenmeier
Kazen
Kee
Keith
Kelly
King, N.Y.
Kleppe
Kluczynski
Kyl
Kyros
Laird
Landrum
Leggett
Lennon
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Machen
Madden
Mahon
Marsh
Martin
Matsunaga
May
Meeds
Meskill
Miller, Ohio
Mills
Mink
Mize
Monagan
Moorhead
Morgan
Morse, Mass.
Morton
Mosher
Moss
Murphy, Ill.
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Passman
Patten
Pelly
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Pool
Price, Ill.
Pryor
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roth
Roybal
Ryan
St. Onge
Sandman
Satterfield
Saylor
Scheuer
Schneebeli
Schweiker
Schwengel
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Stubblefield
Stuckey
Sullivan
Taylor
Thomson, Wis.
Tiernan
Tuck
Tunney
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Wright
Wyatt
Young
Zablocki

NAYS—71

Arends
Ashbrook
Barrett
Bates
Bolton
Bray
Brock
Brown, Mich.
Buchanan
Byrne, Pa.
Carey
Carter
Chamberlain
Clancy
Cleveland
Curtis
Delaney
Derwinski
Devine
Dickinson
Dwyer
Eilberg
Erlenborn
Eshleman
Ford, Gerald R.
Fulton, Pa.
Goodling
Green, Pa.
Gross
Grover
Gubser
Hall
Harrison
Harsha
Heckler, Mass.
Horton
Hosmer
Hunt
Langen
Latta
Lipscomb
Mailliard
Mayne
Michel
Moore
Nelsen
Nix
Ottinger
Poff
Pollock
Price, Tex.
Pucinski
Riegle
Robison
Roudebush
Rumsfeld
Schadeberg
Scherle
Scott
Smith, Calif.
Steiger, Wis.
Stratton
Utt
Wampler
Watkins
Winn
Wylie
Wyman
Yates
Zion
Zwach

NOT VOTING—83

Anderson, Tenn.
Andrews, N. Dak.
Ashmore
Baring
Bell
Berry
Bevill
Bingham
Blackburn
Blanton
Bow
Brown, Calif.
Brown, Ohio
Burke, Fla.
Celler
Clawson, Del
Colmer
Conyers
Corman

Culver
Cunningham
Daddario
Diggs
Edwards, Ala.
Edwards, La.
Evins, Tenn.
Farbstein
Fino
Fulton, Tenn.
Gardner
Gettys
Griffiths
Halleck
Halpern
Hansen, Idaho
Holland
Ichord
Jones, Mo.
Karsten
King, Calif.
Kirwan
Kornegay
Kupferman
Kuykendall
Lloyd
Long, La.
Long, Md.
Macdonald, Mass.
Mathias, Calif.
Mathias, Md.
Miller, Calif.
Minish
Minshall
Montgomery
Morris, N. Mex.
Murphy, N.Y.
Myers
Nichols
Patman
Purcell
Reinecke
Resnick
Rosenthal
Roush
Ruppe
St Germain
Sikes
Snyder
Stephens
Taft
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Udall
Ullman
Van Deerlin
Walker
Wolff
Wydler

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Evins of Tennessee with Mr. Andrews of North Dakota.
Mr. Wolff with Mr. Fino.
Mr. Minish with Mr. Thompson of Georgia.
Mr. Ashmore with Mr. Berry.
Mr. Gettys with Mr. Gardner.
Mr. Farbstein with Mr. Mathias of California.
Mr. Daddario with Mr. Brown of Ohio.
Mrs. Griffiths with Mr. Taft.
Mr. Brown of California with Mr. Mathias of Maryland.
Mr. Ichord with Mr. Kupferman.
Mr. Miller of California with Mr. Reinecke.
Mr. Patman with Mr. Halleck.
Mr. Walker with Mr. Edwards of Alabama.
Mr. Thompson of New Jersey with Mr. Hansen of Idaho.
Mr. Colmer with Mr. Del Clawson.
Mr. Edwards of Louisiana with Mr. Kuykendall.
Mr. Fulton of Tennessee with Mr. Bell.
Mr. Morris of New Mexico with Mr. Bow.
Mr. Holland with Mr. Burke of Florida.
Mr. Montgomery with Mr. Snyder.
Mr. Nichols with Mr. Lloyd.
Mr. Kornegay with Mr. Minshall.
Mr. Anderson of Tennessee with Mr. Blackburn.
Mr. Blanton with Mr. Myers.
Mr. Culver with Mr. Ruppe.
Mr. Rosenthal with Mr. Halpern.
Mr. Sikes with Mr. Talcott.
Mr. Stephens with Mr. Cunningham.
Mr. Murphy of New York with Mr. Wydler.
Mr. Udall with Mr. Long of Maryland.
Mr. Diggs with Mr. Corman.
Mr. Bingham with Mr. Conyers.
Mr. Purcell with Mr. Resnick.
Mr. Roush with Mr. Macdonald of Massachusetts.
Mr. Baring with Mr. Bevill.
Mr. King of California with Mr. Long of Louisiana.
Mr. Kirwan with Mr. Teague of California.
Mr. Ullman with Mr. O'Konski.
Mr. Van Deerlin with Mr. Karsten.
Mr. Celler with Mr. St Germain.
Mr. Teague of Texas with Mr. Tenzer.

Messrs. EILBERG, CHAMBERLAIN, and WINN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks immediately preceding the vote on the bill just passed, S. 2837.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PERMISSION FOR COMMITTEE ON ARMED SERVICES TO HAVE UNTIL MIDNIGHT, JULY 5, TO FILE A REPORT ON S. 3293, MILITARY PROCUREMENT AND PERSONNEL STRENGTH

Mr. RIVERS. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services have until midnight, Friday, July 5, to file a report on S. 3293, to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

EXTENDING OPERATING LIFE OF CERTAIN INLAND VESSELS

Mr. CLARK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15714) to extend until June 30, 1970, the period for compliance with certain safety standards in the care of passenger vessels operating on the inland rivers and waterways, as amended.

The Clerk read as follows:

H.R. 15714

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to require evidence of adequate financial responsibility to pay judgments for personal injury or death, or to repay fares in the event of nonperformance of voyages, to establish minimum standards for passenger vessels and to require disclosure of construction details on passenger vessels, and for other purposes", approved November 6, 1966 (Public Law 89-777; 80 Stat. 1356 et seq.), is amended as follows:

(1) Section 4 is amended by striking the date "November 1, 1968" where appearing and inserting in lieu thereof "November 1, 1970".

(2) Section 5 is amended by striking the date "November 2, 1968" where appearing in the last sentence and inserting in lieu thereof "November 2, 1970".

The SPEAKER pro tempore. Is a second demanded?

Mr. GROVER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. CLARK. Mr. Speaker, this bill would authorize the continued operation of an inland steamer for a period of 2 years after November 2, 1968.

In the 89th Congress, Public Law 89-777 was enacted which provided for enforcement of standards developed by the Intergovernmental Maritime Consultative Organization for fire safety of ships. That legislation set a cutoff date of November 2, 1968, as the date upon which vessels not complying with pending international standards could operate from U.S. ports. The bill included domestic as well as oceangoing vessels, and at the time affected but two vessels on the inland waterways. Since its enactment, one of these vessels has withdrawn from service, leaving the *Delta Queen* as the sole vessel affected.

In the past, the inland waterways were the scene of operation of a large number of river boats, most of them stern-wheelers which furnished transportation between river ports. Economics has taken its toll and this vessel is the sole survivor of its type. It is felt that it is important, not only from the economic point of view of its owners, but also to some degree in the interest of tourism in the United States, to maintain it in operation. Its cruises are advertised abroad in connection with our attempts to encourage foreigners to visit the United States, and to some very slight degree it helps to contribute to our balance of payments.

The owners, upon enactment of Public Law 89-777, immediately began attempts to either reconstruct or replace the vessel to comply with the new standards, but, by reason of a number of conditions, notably the fact that construction of this type of vessel has long since ceased in the United States, they encountered difficulties. They have assured the committee that these difficulties have been overcome and that they will have a new vessel in operation before the cutoff date in this bill—November 2, 1970.

In view of the safety record of this vessel, which has been operating for some 25 years on the Mississippi, it appears that the 2-year extension is not unreasonable and will not present an undue safety hazard.

Under the circumstances, I believe that enactment of this legislation is reasonable and that it will serve a useful purpose.

Mr. Speaker, I now yield to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Speaker, the purpose of the bill is to provide authority for an additional 2 years of operation after November 2, 1968, of the river steamer *Delta Queen.*

A few years ago, the world was shocked by a number of passenger vessel fires resulting in considerable loss of life. The United States believed that additional international safeguards were required to upgrade the safety of passenger-carrying vessels. As a result of U.S. insistence, the Intergovernmental Maritime Consultative Organization approved amendments to the 1960 Convention for Safety of Life at Sea that substantially upgraded safety requirements abroad passenger vessels.

While this was occurring, the Congress believed that more immediate action was required to protect the lives of American citizens embarking upon cruise vessels from the United States and, accordingly, required in Public Law 89-777 that the new international standards become effective in the United States not later than November 2, 1968.

The law as passed applied not only to foreign-flag vessels but required that after November 1, 1968, no passenger vessel of the United States having berth accommodations for 50 or more passengers could be approved by the Coast Guard unless constructed of fire-retardant materials. At that time, the inland passenger-carrying fleet of the United States consisted of two vessels, one of which was subsequently withdrawn from service. The remaining vessel, the *Delta Queen*, operates on the Mississippi River and its tributaries. The vessel is a facsimile of an oldtime paddlewheel steamer which operated in large numbers on the Mississippi. This vessel was constructed in 1926 and is not constructed of fire-retardant materials as required by present Coast Guard standards. Over the years, the owners have maintained a service catering primarily to tourists interested in the past history of the rivers. Considerable sums have been spent in promoting the vessel both here and abroad and it is one of the attractions offered to foreign tourists visiting the United States.

PRESERVING A FINE TRADITION

Mr. Speaker, one of the saddest things about our country is the lack of respect we have for our great heritage. Almost daily in our own communities we see the ruthless destruction of architectural gems for the creation of parking lots.

I believe that for the sake of ourselves and of future generations at least some effort should be devoted to maintain and to preserve evidence of our past history. We have seen the thriving river boat traffic on our inland waterways reduced to a mere trickle. At the present time, there is only one of these vessels surviving in the entire United States, and it is in danger of destruction unless we act today. I refer, of course, to the sternwheeler *Delta Queen*, which handsomely preserves the river boat tradition of our country.

This vessel is a victim of the need for very substantially upgraded standards for ocean vessels to protect our citizens traveling overseas.

ONLY VESSEL OF ITS TYPE

But the current standards for fire safety, as contained in Public Law 89-777, although primarily aimed at our ocean-cruise trade, also include vessels on the inland waterways having 50 or more berths, even though such a vessel travels close to shore at all times.

This particular vessel is the only one of its type in existence.

Mr. Speaker, the company believes that, if the present *Delta Queen* is withdrawn as required by existing law at the end of this season, that is, by November 1968, then long before a successor vessel can be built, it is likely that the lack of service during the next 2 years or so will mean that no successor will be built, because the lapse of time without service will result in too great a loss of potential passengers. In consequence, this bill would extend the life of the present vessel for 2 years to allow sufficient time to place its successor in operation. As stated, this is the only vessel presently affected by the provision of law requiring construction of fire-retardant materials.

I believe that for the sake of history, if for no other reason, it is important that this steamboat be preserved.

NEW VESSEL BEING CONSTRUCTED

Its owners are presently engaged in constructing a new vessel which will embody to the greatest extent practicable the design of those vessels which were seen in such numbers in the past. However, by reason of the fact that the construction is unique in these days of nuclear powered vessels and container ships, difficulty has been encountered in securing a suitable design for this obsolete type of vessel. As a result, a certain amount of time will be required for the replacement of this vessel. I feel this request for an extension of authority to operate for a period of 2 years will be most helpful in continuing this tradition.

This bill has already been approved in a slightly different form in the other body, and I sincerely hope that the House will bow to tradition and vote to preserve this unique service on our inland waterways.

Mr. HECHLER of West Virginia. Mr. Speaker, will the gentlewoman yield?

Mrs. SULLIVAN. I am happy to yield to the gentleman from West Virginia.

Mr. HECHLER of West Virginia. Mr. Speaker, I would like to commend the gentlewoman from Missouri [Mrs. SULLIVAN] for her dedicated effort on behalf of preserving the *Delta Queen*.

I am sure that many of my colleagues had a chance to see the wire service photo of the gentlewoman from Missouri being honored in her hometown when the fabulous *Delta Queen* came through there recently. Not long ago, I was very fortunate in hitching a ride with Her Majesty, the *Delta Queen*, when she was going up the Ohio River toward Pittsburgh to go into drydock. It was, as everyone remarks who rides this vessel, a nostalgic experience which brings one back to the days of Mark Twain.

I am proud to have my name as a cosponsor of the legislation which we are considering today. By extending for 2 years the time within which it will be possible to build a replacement for the *Delta Queen*, we are not in any way compromising safety standards because of the operation of this great riverboat on the inland waterways of the Nation.

I certainly trust that this legislation will be voted without opposition, in order to preserve the great tradition of this noble sternwheeler, the *Delta Queen*.

Mr. GROVER. Mr. Speaker, I yield such time as he may desire to the gentleman from Missouri [Mr. HUNGATE].

Mr. HUNGATE. Mr. Speaker, I thank the gentleman for yielding this time to me.

I would like to express my strong support for the bill and endorse the remarks of the gentlewoman from Missouri. I commend her on her efforts.

Last year Congress demonstrated its interest in preserving the riverboat *Delta Queen*—symbol of America's great river tradition—when it extended to 87½ percent the mortgage insurance coverage available to riverboats. This made it possible for Greene Line Steamers, Inc., to build a new riverboat with a steel superstructure which will comply with the safety-at-sea law.

It is not easy to build the first new river passenger vessel in 40 years and Greene Line has already used more than a year of the 2 years allotted them. A successor to the *Delta Queen* cannot be completed before December 1969, more than a year past the November 1968 deadline. In the meantime, Greene Line advised me that they recently spent over $150,000 to improve the safety of the *Delta Queen* and that they will do more of the same this coming winter. Today we seek a reprieve for the *Delta Queen* so that it can continue to operate during the construction of the replacement.

The river boat *Delta Queen* has made Mark Twain's "Life on the Mississippi" real to thousands of Americans. Unless Congress comes to its rescue the *Delta Queen* soon will be making its last port calls in the 17 States bordering the Mississippi, Tennessee, Ohio, and Cumberland Rivers. It would be a sad and untimely end for the last authentic steam-powered, stern-wheel riverboat still in overnight service in the United States. I urge approval of this bill.

Mr. GROVER. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I wish to join my colleagues on our Committee on Merchant Marine and Fisheries in urging the passage of the bill, H.R. 15714.

This is a very simple bill. All it seeks to accomplish is to amend sections 4 and 5 of Public Law 89-777 so as to extend the effective date of compliance with certain structural fire protection requirements for U.S. passenger vessels operating on the inland rivers and waterways for 2 years from November 1, 1968, to November 1, 1970.

As a practical matter, the only known U.S. passenger vessel which this legislation would affect is the river steamer *Delta Queen*, which operates on the Mississippi and Ohio Rivers. There have been unforeseen delays in financing and constructing a vessel to replace the *Delta Queen* which will meet the higher safety standard imposed by Public Law 89-777. The time extension provided by this bill therefore is necessary in order to enable the operator of the *Delta Queen* to continue in business until such time as the replacement vessel is available for service.

In view of the special circumstances surrounding this particular situation and recognizing the economic hardship involved if relief is not granted to the *Delta Queen*, your Committee on Merchant Marine felt that the 2-year extension was neither unreasonable nor against the public interest. However, it should be made crystal clear that this singular exception in no way detracts from the continuing interest of your Committee on Merchant Marine in improving maritime safety standards so as to protect the American public. As a matter of fact, it would be my personal hope that, during this 2-year grace period granted to the *Delta Queen*, the Coast Guard will closely watch and scrupulously inspect the vessel and its operations.

Mr. Speaker, subject to these comments, I urge that the bill, H.R. 15714, be favorably considered and do pass.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. GROVER. Yes, I am happy to yield to the distinguished gentleman from Iowa [Mr. Gross].

Mr. GROSS. Can this old vessel be sailed through the arch which was recently constructed at St. Louis?

Mr. GROVER. I shall have to yield to the distinguished gentlewoman from Missouri [Mrs. Sullivan] for an answer to that question.

Mrs. SULLIVAN. If the gentleman will yield. I do not believe they could sail it through the arch, but they did come into St. Louis last Saturday with great pomp and ceremony and docked right at the foot of the arch. This gave the 179 passengers on the steamboat, out of a 200 capacity the opportunity during the day and the night to see the wonders of St. Louis.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, the *Delta Queen* does not burn cobs or wood, does it?

Mrs. SULLIVAN. Mr. Speaker, if the gentleman from New York will yield to me for a response to that question? No, it does not. It uses oil.

Mr. KYL. Mr. Speaker, will the gentleman yield?

Mr. GROVER. I yield to the gentleman from Iowa.

Mr. KYL. Is the *Delta Queen* a safe and seaworthy vessel at this time?

Mr. GROVER. It is my understanding that it is probably as safe as most of the vessels presently operating on the inland waterways which are not subject to the international safety types of requirements.

Mr. SCHERLE. Mr. Speaker, will the gentleman yield?

Mr. GROVER. I yield to the gentleman from Iowa.

Mr. SCHERLE. Mr. Speaker, I also would like to lend my support to the retention of this vessel for another 2 years.

After returning from overseas in 1944, I had the privilege of serving as a river pilot on the Ohio and Mississippi Rivers with the military. The discussion concerning the *Delta Queen* here this afternoon brings back many fine memories and I would certainly hope that the House of Representatives would vote to retain the *Delta Queen* at least until another one is built.

Mr. MOSS. Mr. Speaker, will the gentleman yield?

Mr. GROVER. I yield to the gentleman from California.

Mr. MOSS. Mr. Speaker, I would like to join in the remarks of those who have indicated support for this extension.

I am sure we have involved here a sense of nostalgia.

Mr. Speaker, the *Delta Queen*, together with the sister ship, the *Delta King*, originally operated on the Sacramento River in California. As a student, I recall many happy trips from San Francisco to Sacramento on this very fine boat.

Mr. Speaker, I certainly hope that it is continued in operation at least for this period of time which has been requested.

Mr. Speaker, if the gentleman will yield further, I would say to my good friend, the gentleman from Iowa, that it is an excellent boat and a most enjoyable one on which to spend leisure time.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. GROVER. I yield further to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I am delighted to hear that. I just wondered if she was used during the California gold rush?

Mrs. SULLIVAN. Mr. Speaker, if the gentleman from New York will yield further to me; no, but she would have been and would have made a worthy contribution at that time had she been in operation.

The **SPEAKER** pro tempore (Mr. Albert). The question is on the motion of the gentleman from Pennsylvania [Mr. Clark] that the House suspend the rules and pass the bill, H.R. 15714, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to extend until November 1, 1970, the period for compliance with certain safety standards in the case of passenger vessels operating on the inland rivers and waterways."

Mr. CLARK. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries be discharged from the further consideration of a similar Senate bill (S. 3102), and ask for its immediate consideration.

The Clerk read the title of the Senate bill.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the Senate bill as follows:

S. 3102

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 5 of the Act entitled "An Act to require evidence of adequate financial responsibility to pay judgments for personal injury or death, or to repay fares in the event of nonperformance of voyages, to establish minimum standards for passenger vessels and to require disclosure of construction details on passenger vessels, and for other purposes", approved November 6, 1966 (Public Law 89–777), is amended by (1) inserting "(a)" after "Sec. 5."; (2) striking out the second and fourth sentences thereof; and (3) adding at the end thereof the following new subsection:

"(b) The new subsection (c) of section 4400 of the Revised Statutes shall take effect on November 2, 1970, with respect to domestic passenger vessels operating solely on the inland rivers and waterways. Such subsection (c) shall take effect with respect to other passenger vessels on the date when the recommended amendments to the International Convention for the Safety of Life at Sea, 1960, come into force, but in any case not later than November 2, 1968. Section 4 of this Act shall take effect on November 2, 1970, with respect to passenger vessels operating solely on the inland rivers and waterways and on November 2, 1968, with respect to other passenger vessels."

(b) The fourth sentence of subsection (b) of section 5 of the Act of May 27, 1936 (46 U.S.C. 369), is amended by striking out "After November 1, 1968, no" and inserting in lieu thereof "No".

AMENDMENT OFFERED BY MR. CLARK

Mr. CLARK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Clark: Strike out all after the enacting clause of S. 3102 and insert in lieu thereof the provisions of H.R. 15714, as passed, as follows:

"That the Act entitled 'An Act to require evidence of adequate financial responsibility to pay judgments for personal injury or to repay fares in the event of nonperformance of voyages, to establish minimum standards for passenger vessels and to require disclosure of construction details on passenger vessels, and for other purposes', approved November 6, 1966 (Public Law 89–777; 80 Stat. 1356 et seq.), is amended as follows:

"(1) Section 4 is amended by striking the date 'November 1, 1968' where appearing and inserting in lieu thereof 'November 1, 1970'.

"(2) Section 5 is amended by striking the date 'November 2, 1968' where appearing in the last sentence and inserting in lieu thereof 'November 2, 1970'.

"Amend the title so as to read: 'A bill to extend until November 1, 1970, the period for compliance with certain safety standards in the case of passenger vessels operating on the inland rivers and waterways.' "

The **SPEAKER** pro tempore. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to extend until November 1, 1970, the period for compliance with certain safety standards in the case of passenger vessels operating on inland rivers and waterways."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 15714) was laid on the table.

FEDERAL EMPLOYEES LEAVE FOR FUNERALS OF CERTAIN RELATIVES AND FOR NATIONAL GUARD DUTY

Mr. HENDERSON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 13844) to amend title 5, United States Code, to provide time off from duty without loss of pay or reduction in leave for employees of executive agencies to attend and make necessary arrangements in connection with the funerals of their sons or daughters in the U.S. Armed Forces overseas who died in or as a result of armed conflict with a hostile foreign force or forces, and for other purposes, as amended.

The Clerk read the bill, as follows:

H.R. 13844

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subchapter II of chapter 63 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 6326. Absence in connection with funerals of immediate relatives who died while on duty with the Armed Forces

"(a) For the purpose of this section, 'employee' means—

"(1) an employee in or under an Executive agency; and

"(2) an individual employed by the government of the District of Columbia.

"(b) Under such regulations as the Civil Service Commission shall prescribe, an employee is entitled to leave without loss of, or reduction in, pay, leave to which he otherwise is entitled, credit for time or service, or performance or efficiency rating, to make arrangements for and attend the funeral of, or memorial service for, an immediate relative who died while on duty as a member of the Armed Forces.

"(c) The regulations prescribed by the Commission under this section shall include provisions—

"(1) defining 'immediate relative'; and

"(2) setting forth criteria under which the head of the employing agency or his designee may determine the amount of leave, not to exceed 3 days, to be granted to an employee.".

(b) The table of contents of chapter 63 of title 5, United States Code, is amended by inserting the following new item immediately below item 6325:

"6326. Absence in connection with funerals of immediate relatives who died while on duty with the Armed Forces.".

SEC. 2. (a) Section 6323 of title 5, United States Code, is amended by adding at the end thereof the following new subsections:

"(c) Except as provided by section 5519 of this title, an employee as defined by section 2105 of this title (except a substitute employee in the postal field service) or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

"(1) is a member of a Reserve component of the Armed Forces, as described in section 261 of title 10, or the National Guard, as described in section 101 of title 32; and

"(2) performs, for the purpose of providing military aid to enforce the law—

"(A) Federal service under section 331, 332, 3500, or 8500 of title 10, or other provision of law, as applicable, or

"(B) full-time military service for his State, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, or a territory of the United States;

is entitled, during and because of such service, to leave without loss of, or reduction in, pay, leave to which he otherwise is entitled, credit for time or service, or performance or efficiency rating. Leave granted by this subsection shall not exceed 22 workdays in a calendar year.

"(d) Except as provided in section 5519 of this title, a substitute employee in the postal field service who—

"(1) is a member of a Reserve component of the Armed Forces, as described in section 261 of title 10, or the National Guard, as described in section 101 of title 32;

"(2) performs, for the purpose of providing military aid to enforce the law—

"(A) Federal service under section 331, 332, 3500, or 8500 of title 10, or other provision of law, as applicable, or

"(B) full-time military service for his State, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, or a territory of the United States;

and

"(3) has worked at least 1040 hours, as a substitute employee in the postal field service, during the calendar year immediately before the calendar year in which he performs service described in subparagraph (2) (A) or (B) of this subsection;

is entitled, during and because of such service, to leave without loss of, or reduction in, as a substitute employee in the postal field service, pay, leave to which he otherwise is entitled, credit for time or service, or performance or efficiency rating. Leave granted by this subsection—

"(i) shall not exceed 160 hours in a calendar year; and

"(ii) shall accrue on the basis of 1 hour of leave for each period aggregating 13 hours of service performed, as a substitute employee in the postal field service, during the calendar year immediately before the calendar year in which he performs service described in subparagraph (2)(A) or (B) of this subsection.".

(b) Subchapter II of chapter 55 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 5519. Crediting amounts received for certain Reserve or National Guard service

"An amount (other than a travel, transportation, or per diem allowance) received by an employee for military service as a member of the Reserve or National Guard for a period for which he is entitled to leave under section 6323 (c) or (d) of this title shall be credited against the pay payable to the employee with respect to his civilian position for that period.".

(c) The table of contents of subchapter II of chapter 55 of title 5, United States Code, is amended by inserting—

"5519. Crediting amounts received for certain Reserve or National Guard service."

immediately below—

"5518. Deductions for State retirement systems; National Guard employees.".

The SPEAKER pro tempore (Mr. ALBERT). Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HENDERSON. Mr. Speaker, I rise in support of H.R. 13844, as amended. This bill was introduced by my chairman, the Honorable THADDEUS J. DULSKI of New York.

PURPOSE

The purpose of this legislation is to provide additional leave for a Federal employee or for an employee of the government of the District of Columbia—

First. When the employee is excused to arrange or to attend the funeral or memorial service for an immediate relative who died while on duty as a member of the Armed Forces; and

Second. When the employee, who is a member of the Reserve or of the National Guard, performs, for the purpose of providing military aid to enforce the law, Federal military service or full-time military service for his State, the District of Columbia, the Commonwealth of Puerto Rico, the Canal Zone, or any territory of the United States.

STATEMENT

This proposed legislation was ordered reported by unanimous vote of the Post Office and Civil Service Committee. The administration reports no objection to favorable consideration of this legislation. It is the opinion of the committee that no material additional cost will be incurred by the enactment of this legislation.

The Civil Service Commission recommended that certain technical corrections be included in any proposal that was favorably considered, and these recommendations have been embodied in the provisions as contained in the amendments recommended by the committee.

The committee believes—

First. That the enactment of the first section of the bill is needed to provide specific authorization in the law for an agency to grant up to 3 days leave to employees during their bereavement for an immediate relative who died while on duty with the Armed Forces, in order to overcome the uncertainties and confusion which now arise by reason of the requirement for each agency to decide that granting of administrative leave for funerals of such immediate relatives, in each particular case, "is for the convenience of the Government"; and

Second. That the enactment of section 2 is needed to correct the inequitable requirement that employees use their annual vacation leave, or be placed on military furlough without pay, when they are required to serve with the Reserves or the National Guard to enforce the laws of our country.

LEAVE FOR FUNERALS

The Civil Service Commission, under existing law and regulation—5 U.S.C. 6104 and Executive Order 10552, August 10, 1954—establishes guidelines for agencies to provide uniformity in agency decisions granting administrative leave for Federal employees.

However, the authority of the Commission to regulate in the area of administrative leave is limited to advisory and suggestive action. In granting administrative leave, each agency has to determine that the administrative leave, in each case, is "for the convenience of the Governments."

Guidelines have been issued by the Commission for granting administrative leave for several purposes, such as for registration and voting, blood donations, and for certain military funerals.

Civil Service Regulation 630–25(f), issued on December 4, 1967, provides that "an employee may be excused to attend the funeral of an immediate member of his family killed in line of duty in the Armed Forces."

While agencies have been granting administrative leave on an individual case-by-case basis, depending on the circumstances involved, instances have been brought to the attention of the committee, such as one case where an employee was charged annual leave to attend the funeral of a son who had been killed while on active duty with the Armed Forces.

Distressing circumstances have arisen and the use of vacation leave has been required under the existing practice in cases where the son was not actually killed in line of duty, but was injured and died at a later date. Or, when a funeral was not involved, but memorial services were held, because no body had been found.

The enactment of this legislation will require all agencies to grant leave in these cases without the need to determine that the action is for "the convenience of the Government." It will permit the agencies to avoid distressing technical quibbling over whether a memorial service constitutes a funeral when no body has been found, and over whether the individual was killed in line of duty or died as a result of an injury received in line of duty.

LEAVE FOR DUTY WITH THE RESERVE OR NATIONAL GUARD

A Federal employee or an employee of the Government of the District of Columbia is currently entitled to leave, not in excess of 15 days in a calendar year, for active duty with the Reserve or National Guard—5 U.S.C. 6323. The 15 days generally are sufficient to cover only required participation during each year by such employees in training and encampments of maneuvers or the assembling for drills and instructions. As a result, any absences of such employees for military duties as a member of the Reserve or of the National Guard, other than for training, must be charged to annual vacation leave or military furlough without civilian pay.

As an example of the inequities that can arise, the committee was advised that in just one Government department in Washington alone, the city post office, at least 40 employees were required to use their annual vacation leave or be on military furlough without pay on 4 working days when they served with the National Guard during the civil disturbance in Washington during April 1968.

The committee is convinced that a Federal employee or an employee of the Government of the District of Columbia should not be subjected to the personal inconvenience of being required to use his vacation leave to answer a call to serve with the Reserve or the National Guard to support civil authority, nor should these employees be subjected to financial hardships which may occur when they are required to be on military furlough without pay.

This legislation will permit a limited absence of not to exceed 22 workdays—the equivalent of a 30-day calendar month—in any calendar year for these employees when ordered to perform military service as part of their civic duty. The leave to be granted under this legislation while performing military service will not accrue from year to year.

This particular leave benefit is supported by the National Guard Association and by the Reserve Officers Association.

COST

There are no records to show the number of deaths of Armed Services personnel who were the immediate relatives of Federal employees, and it is impossible to estimate the number of such deaths that may occur in the future. Accordingly, no meaningful cost estimate can be made for this section of the bill. It is, however, expected to be minimal. Further, compassion dictates our action, and a price tag cannot be put on the morale impact inflicted on a Federal employee losing a near relative as the result of armed conflict.

There are, likewise, no records to show the number of Federal employees who performed military service as members of the Reserve or as members of the National Guard for the purpose of providing military aid to enforce the law. However, the committee believes in this instance also that the additional cost that would be incurred would be of no great significance, particularly in view of the requirement that the amount of military pay received by such Federal employees for normal workdays be credited against their civilian pay.

Mr. Speaker, I urge the support of the Members for the passage of H.R. 13844.

The SPEAKER pro tempore. Does the gentleman from Iowa desire to use time?

Mr. GROSS. Mr. Speaker, I believe the gentleman from North Carolina has explained the bill. I have no requests for time, and I yield back the balance of my time.

Mr. HENDERSON. Mr. Speaker, I yield such time as he may consume to the chairman of the full committee [Mr. DULSKI].

Mr. DULSKI. Mr. Speaker, I want to compliment the subcommittee chairman and the members of committee for considering this bill.

Mr. Speaker, I am most pleased that our committee has taken such prompt action on my bill, H.R. 13844, to remove two major inequities concerning excused absences for Federal employees.

This bill will permit a Federal employee or an employee of the Government of the District of Columbia to be excused first, to arrange or to attend the funeral or memorial service for an immediate relative who died while on duty as a member of the Armed Forces; and second, when he is called as a member of the Reserve or of the National Guard for the purpose of providing military aid to enforce the law, either with a Federal unit or by his Governor as a part of a State unit.

Mr. Speaker, I want to express my sincere appreciation to the gentleman from North Carolina [Mr. HENDERSON], chairman of the Subcommittee on Manpower and Civil Service, and to the gentleman from Iowa [Mr. GROSS], ranking minority member, as well as to all members of our committee, for their courteous consideration to me, and the prompt action that they took in considering this legislation. The bill received the unanimous support of our committee.

I sponsored H.R. 13844, with the provisions relating only to funerals. I acted when I was advised by several groups that it had been necessary for a postal employee to be charged with annual leave for the time he needed to arrange for the funeral of his son, who had been killed in action in Vietnam.

Shortly after introduction of the bill, a postal employee, who also is a major in the New York Army National Guard, advised that when called to duty he was required to charge the absence for such National Guard duty to his annual vacation leave.

The same situation occurred here in the District of Columbia, affecting about 40 postal employees of the Washington city post office who are members of the District of Columbia National Guard.

They were required to use their annual vacation leave, or to be on military furlough without pay, on 4 working days last April when they were called to duty during the disturbances in Washington.

Mr. Speaker, we are well aware that regulations have been changed since I sponsored this bill, permitting an employee to attend the funeral of an immediate member of his family killed in line of duty with the Armed Forces.

Also, just last Wednesday, the Postmaster General announced that postal employees who are members of the National Guard will be granted up to 3 days' excused absence when a State Governor calls them to service during a time of civil disorder.

The Postmaster General pointed out that Guard members are eligible for military leave when their units are called to service by the President.

The committee report on this legislation points out that this administrative action is totally inadequate under the existing circumstances.

For example, in connection with the funeral leave, the guidelines issued by the Civil Service Commission permit the excused absence to apply only when the individual is actually killed in line of duty. The guidelines do not cover the situation where the member of the immediate family may have been injured and died at a later date.

In the case of military leave, the law permits only 15 days during a particular calendar year. We all know that members of the Reserve and the National Guard are required to perform at least 15 days' training duty during a calendar year.

Thus, this would leave no excused days in the event the individuals are called up by the President or by the Governors to perform additional service.

Mr. Speaker, I commend the administration for the action it has taken to liberalize the authority for excusing our employees during these difficult times. However, the action taken is totally inadequate.

I am convinced that additional legislation is necessary to insure uniform treatment of our employees, and to provide the necessary legislative authority for our employees to be treated equally and adequately in two special circumstances:

First, when it is necessary for them to attend the funerals of immediate relatives who died while on duty as members of the Armed Forces;

And second, when they are required during civil disorder to serve with the Reserve or the National Guard, either as a member of a Federal unit or as a member of a State unit.

Mr. Speaker, I urge favorable consideration of H.R. 13844 by all Members here today.

Mr. CORBETT. Mr. Speaker, I wish to take only a few minutes to reinforce the remarks of my colleagues who preceded me in support of H.R. 13844.

This legislation is the product of sound and judicious effort on the part of our Subcommittee on Manpower and Civil Service and is unopposed by any of the Republican members of the committee.

With the committee amendments, this bill is designed to meet the need of additional leave for Federal employees under special circumstances. In the first instance, the legislation provides for additional leave, not to exceed 3 days, for employees to arrange or attend the funeral of an immediate relative who dies while on duty as a member of the Armed Forces. The second provision authorizes leave for employees who, as members of the Reserves or National Guard, are called to perform military aid to enforce the law.

Mr. Speaker, I will not dwell on the merits of the bill which I believe are evident. The committee was unanimous in its approval of this legislation and I therefore urge its prompt and unanimous approval by the House.

Mr. MACHEN. Mr. Speaker, I am pleased to support H.R. 13844, which includes language similar to that in a bill I introduced to provide more military leave for Federal employees who are activated in National Guard units or Reserve forces to maintain law and order during civil disturbances.

I introduced my bill, H.R. 16951, on May 1 this year after a large number of Federal employees brought to my attention the fact that they would be forced to take annual leave this year to go to summer training camps. Normally, they are allotted 15 days of military leave each year, but when they were activated to restore law and order during the April civil disturbances in Washington and Baltimore they lost most of their annual military leave. My legislation would provide 22 days military leave for duty during riots or civil disturbances.

H.R. 13844 was amended in the Post Office and Civil Service Committee to include similar provisions. At this point, I wish to commend the chairman of that committee, the gentleman from New York [Mr. DULSKI], and his committee colleagues for their prompt and responsive action on behalf of the Federal employees, and I urge my colleagues to support this legislation.

The SPEAKER pro tempore. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 13844, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend title 5, United States Code, to provide additional leave of absence for Federal employees in connection with the funerals of their immediate relatives who died while on duty with the Armed Forces and in connection with certain duty performed by such employees as members of the Armed Forces Reserve components or the National Guard, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

FEDERAL-AID HIGHWAY ACT OF 1968

Mr. SISK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1237 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1237

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17134) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed three hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the amendment in the nature of a substitute recommended by the Committee on Public Works now printed in the bill, and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. SISK. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may consume.

Mr. Speaker, the reading of the resolution makes it amply clear as to the purpose of this resolution. The resolution provides for 3 hours of general debate. It does provide for a waiver of points of order on the legislation.

I might say, Mr. Speaker, I propose to put into the RECORD some five specific reasons for the waiver of points of order.

I will be glad to answer any questions that any Member might have with reference to that.

Mr. Speaker, the Federal aid to highways program has now existed for many years as a cooperative venture conducted by the Federal and State Governments. That venture has provided the United States with a base on which it operates the most efficient system for the transportation of people, goods, and services that the world has ever known.

Mr. Speaker, I think it is timely of the Committee on Public Works to bring this matter to our attention, and I would urge the adoption of this resolution in order to permit the committee to discuss the subject.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SISK. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Will the gentleman state why points of order were waived on this bill?

Mr. SISK. I stated that I was going to put into the RECORD a brief summary of the reasons. I can read them very quickly here, because, as I am sure my colleague, the gentleman from Iowa, knows, the Committee on Rules is now requesting in writing the reasons for requests for waivers of point of order.

I would just quickly cite the first matter on which they asked for a waiver.

The first is: Section 7, page 29, advance acquisition of rights-of-way, creates a revolving fund which provides for expenditures without direct appropriation by Congress.

The second is: Section 17, page 41, amends the Department of Transportation Act to conform it with a provision of title 23 of the United States Code. The Department of Transportation Act was reported by the Government Operations Committee.

That act deals with the authority of the Highway Commission and the Secretary of Transportation to consider certain alternative routes in park areas and historic areas.

The third is: Section 18, page 41 and section 19, page 44, deal with the Fort Washington Parkway and the Garden State Parkway, which deal with specific highways in this general legislation.

A point of order would probably lie there because of the specific references to highways.

Then the fourth is section 22 on page 47, which I am sure my colleague, the gentleman from Iowa, is familiar with, and there are those who would like very much, of course, to strike this section. It is on page 47 of the bill and it deals with: Section 22, page 47, dealing with Interstate routes in the District of Columbia is alleged to be legislation dealing with specific highways in a bill dealing with highways generally.

Then the fifth item is: Section 24, page 59, amends the Smalls Business Act as it relates to businesses suffering economic injuries as a result of highway projects. The Small Business Act is not within the jurisdiction of the Committee on Public Works.

Those are the specific measons for which your Committee on Rules understand that the request was made. The Committee on Rules in its wisdom felt that it was advisable to waive points of order in these cases.

Mr. GROSS. This bill is in the nature of an omnibus bill; is it not?

Mr. SISK. I would say to my friend, it does have omnibus bill proportions in certain areas.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentlewoman from New York.

Mrs. KELLY. Mr. Speaker, I have never opposed a rule on any bill and I will not do that at this time.

However, in this bill there is money

incorporated for a road running through Brooklyn called the Cross-Brooklyn Expressway.

At the proper time, either I, or one of my colleagues from New York, will introduce an amendment to delete the funds earmarked for this project.

I want to say in order that the committee and the Members of the House realize the problem involved in this important project, and for those who are not familiar with it, I place in the RECORD the background on the Cross-Brooklyn Expressway, the funds for which are included in the Federal-Aid Highway Act of 1968.

I have joined with residents and public officials of the community in protesting the construction of the proposed Cross-Brooklyn Expressway. This Cross-Brooklyn Expressway is a substituted plan for the Bushwick Expressway, which was an already planned highway included in the federally planned arterial highway system for New York State, until it was deleted by the action of the 1966 New York State Legislature.

I want to emphasize that I am not against progress. However, progress should be for the good of the community and not a disruptive force. I admit the need for east-west arterial highways incorporated into the already existing highway system of New York. Highways are needed to serve the interstate and intracity traffic. One of these highways should serve the east-west traffic through Manhattan and through the north of Brooklyn; the other highway should serve the east-west traffic of the Verrazano Bridge to and from Long Island.

The northern arterial route which I previously mentioned would be the proposed Bushwick Expressway. This route was approved by the State of New York and the Federal Bureau of Public Roads. It was to be part of the U.S. Interstate Highway System and, as a result, the Federal Government was to pay 90 percent of its cost, with a matched 10 percent by New York State. During the 1966 session of the New York State Legislature, despite the efforts of the senators and assemblymen representing our community, the Bushwick Expressway was deleted from the New York State highway system and it was made known that the Cross-Brooklyn Expressway would be its substitute. Since this action of the State legislature, I have been working hand-in-hand with the legislators and the members of the community.

What has transpired since the action of the State legislature? We find that three separate proposals have been advanced for the construction of a Cross-Brooklyn Expressway.

BLAUVELT STUDY

In October 1966, the Blauvelt Engineering Co. issued a detailed engineering study covering the Cross-Brooklyn route, which it prepared for the Triborough Bridge and Tunnel Authority. That proposal would "dislocate 1,027 family units, affect 115 commercial buildings, and displace two public buildings." It calls for an 8-lane road from the Fort Hamilton Parkway to Flatbush and Nostrand Avenues, and six lanes from that point to the Nassau County line.

BRILL STUDY

When opposition to this plan developed, the city of New York retained another firm of engineers to conduct a further study. This firm, the Brill Engineering Corp., was retained on December 28, 1966, and in a record time of 3 weeks, issued its report on January 18, 1967. This report proposes use of the same route through our community, but calls for the building of a double-deck expressway over the railroad tracks. It envisions the displacement of 483 family units but does not estimate the cost of the project. This report is not based on engineering data, unless, of course, it took its material from the Blauvelt study.

LINEAR CITY

Following this report, I was summoned, along with other public officials, by Mayor John Lindsay, to attend a meeting at city hall where the city administration unveiled its proposal, named by the mayor as "Linear City." This proposal would more or less follow the identical route through the center of Brooklyn. It calls for a double-deck roadway above the railroad tracks, covered over on ground level by planned educational, cultural, and housing facilities. All of these "fringe benefit" facilities, which under ordinary circumstances would be sought and welcomed by us, would be to the west of Brooklyn College, mainly in the flatlands area. To our horror, there were no formal plans or estimates—just artists' sketches.

None of these proposals eliminate my objection, or the objections of the members of the community, to this road. Why?

First. It would bisect the most residential section of Brooklyn.

Second. It would cause the exodus of families from this area.

Third. Diesel trucks would further pollute the atmosphere.

Fourth. The noise of heavily laden vehicles roaring through this community would ruin the residential atmosphere of the greater part of this area.

Fifth. Traffic using the entrances and exits of the road would greatly increase the congestion on our already busy residential streets.

Now, at this point, what was the status of the proposed Cross-Brooklyn Expressway?

On February 28, 1967, when a representative of the Federal Bureau of Public Roads came to my office, I learned that they were then investigating the proposed plan which the officials of the State of New York had requested. I again expressed my opposition, as I had done previously, both verbally and in written communications. I again conveyed the opposition of the civic groups in our community, as well as the opposition of thousands of individuals who had written to me on this matter.

I also was informed that a decision would be made on this route in the very near future.

I suggested at that time that we step up our opposition to the building of the Cross-Brooklyn Expressway by having the presidents of every organization in the community send their protests in writing to Mr. F. C. Turner, then Acting Federal Highway Administrator, Bureau of Public Roads, U.S. Department of Commerce, Washington, D.C.

Continuously, from that time on, meetings have been held by community and church groups from this section of Brooklyn, protesting the building of the Cross-Brooklyn Expressway. Many persons from other sections of Brooklyn joined in this protest, realizing that the heart of the residential community would be cut out by the building of this expressway.

I have personally kept in close contact with the Secretary of Transportation Alan S. Boyd, Federal Highway Administrator Lowell Bridwell, and the New York State Department of Transportation. And on May 7, 1968, I found it necessary to again protest the proposed Cross-Brooklyn Expressway, when I was informed that an agreement had been made by officials of the city and State of New York to construct the Cross-Brooklyn Expressway, including Linear City. I immediately made inquiry to the Federal Bureau of Public Roads as to the status of the Cross-Brooklyn Expressway, the construction of which I have consistently and single-handedly opposed in Washington. In this regard, I have had no assistance or support from any of my congressional colleagues from Brooklyn, despite the fact that this proposed road would affect the residents of several congressional districts. On May 1, 1968, I met with officials of the Federal Bureau of Public Roads and learned that by letter dated April 25, 1968, which was not received in Washington until May 1, 1968, the New York State Department of Transportation had formally requested the Federal Highway Administrator to place the Cross-Brooklyn Expressway on the Federal Interstate Highway System. This was confirmed to me by the following letter from Secretary of Transportation Boyd, dated May 1, 1968:

> In his letter to you of April 19, Assistant Secretary Sweeney advised that at such time as the State of New York proposed to the Department that the Cross-Brooklyn Expressway be placed on the Interstate system, the proposal would receive appropriate review to establish that it conformed to the provisions of the Federal-Aid Highway Act.
>
> On April 25, 1968, in a letter to the Federal Highway Administrator, the Department of Transportation of the State of New York requested that the Cross-Brooklyn Expressway be placed on the Interstate system. Such approval by the Department would permit the State to join with the City of New York in a feasibility planning study of the Brooklyn linear city multiple use project.
>
> This proposed modification in the Interstate system is currently being reviewed by the Federal Highway Administration.

Federal approval of this New York State request would mean that this proposed road would be eligible for a 90 percent subsidy by the Federal Government.

I bring to your attention that this request was made within a few weeks after the New York State Senate passed legislation removing the Cross-Brooklyn Expressway from the New York State highway system.

Since no more than 41,000 miles of Interstate Highway may be built under existing law, almost all of which mileage is already committed, the New York State Department of Transportation requested that both the Mid-Manhattan and Bushwick Expressways be removed from the Interstate Highway System to make mileage available for the Cross-Brooklyn Expressway.

I had previously pointed out that under the original plans for the Cross-Brooklyn Expressway, 1,027 homes and 115 places of business would be destroyed. I now understand that the present proposal envisions the condemnation of additional property on either side of the proposed road for construction of the project that Mayor Lindsay calls Linear City. How many thousands of additional homes and businesses would be destroyed by such action has not as yet been revealed. I guarantee, however, that approval of such action would mean the complete destruction of the Flatbush and East Flatbush areas of Brooklyn.

In view of these developments, I notified Alan S. Boyd, Secretary of Transportation, and Lowell K. Bridwell, Federal Highway Administrator, to conduct a series of public hearings in Brooklyn before passing upon the State's request to place the Cross-Brooklyn Expressway on the Interstate Highway System. The people of Brooklyn are the ones most affected by this proposed road and their voice should be heard before the decision is made. I called upon the residents of Brooklyn to join me in this effort by expressing their opposition to local officials.

While the mayor of the city of New York publicly boasts that he will take no action on large-scale projects without prior consultation with the people of the community involved, he has completely disregarded the wishes of the people of Brooklyn. On March 2, 1967, at a meeting held at Brooklyn College with the mayor's representatives present, more than 2,500 residents of Brooklyn voiced their opposition to the proposed Cross-Brooklyn Expressway. Their protests have evidently fallen on deaf ears.

In the past, I have made it clear that I have no desire to impede progress by standing in the way of a needed new east-west road in Brooklyn. What I and thousands of my constituents oppose is the route stubbornly demanded by Mayor Lindsay. When other routes are available, why does the mayor insist on running this road through the most residential portions of Brooklyn? Atlantic Avenue, which runs east and west from one end of Brooklyn to the other, offers an ideal route for this road. Its selection would cause little or no residential dislocation. The easterly terminus of the Atlantic Avenue route would be adjacent to the easterly terminus planned for the Cross-Brooklyn Expressway. The westerly terminus for the Atlantic Avenue route would be convenient to the Brooklyn waterfront, the Brooklyn Battery Tunnel, the Brooklyn and Manhattan Bridges, the Gowanus Parkway, and the Verrazano-Narrows Bridge. I fully support the Atlantic Avenue route, and urge the mayor and the Governor to afford it favorable consideration.

I regret, Mr. Speaker, that included in the Federal-Aid Highway Act of 1968, are funds to build the Cross-Brooklyn Expressway, and I ask my colleagues to support my amendment to delete the funds for this purpose until proper hearings on the highway have been held, including the complete plans, design, and cost. My amendment will be on page 20, line 21, after the period insert the following new sentence:

> No funds authorized under this subsection on any other provision of law shall be used for the construction of the Cross-Brooklyn Expressway in New York State.

Mr. Speaker, I ask the committee to read most carefully the following letter which I received on May 22, in response to my letter of May 6:

> THE SECRETARY OF TRANSPORTATION,
> *Washington, D.C., May 22, 1968.*
>
> Hon. EDNA F. KELLY,
> *House of Representatives,*
> *Washington, D.C.*
>
> DEAR MRS. KELLY: I have your letter of May 6 concerning the proposal by the New York State Department of Transportation to include the proposed Cross Brooklyn Expressway as a part of the Interstate Highway System. You state your emphatic opposition to the construction of the Cross Brooklyn facility and ask that I direct the Federal Highway Administration to conduct public hearings in the communities through which the line would pass.
>
> The request now before the Federal Highway Administration is for addition to the Interstate System of a Cross Brooklyn Expressway. This would make the facility eligible for financing with 90 percent Federal-aid monies, but would not constitute a commitment to a specific location or to a specific design for the facility. Such commitments are made only after public hearings have been held. It is anticipated that in the very near future our requirements will include two such hearings on a new routing such as the Cross Brooklyn; one of the location itself and one on the design proposed for the highway. It is anticipated also that in an area as heavily populated as Brooklyn there will be several hearings covering individual segments of the highway. All of these hearings will be held by the State highway organization, in this case the New York State Department of Transportation, in close cooperation with local borough governments. There is no provision in the law for hearings by the Federal Highway Administration.
>
> The Federal Highway Administration now has the proposal for addition of the highway to the Interstate System under careful study and your opposition to its approval as a part of the System will be given full consideration.
>
> Sincerely,
>
> ALAN S. BOYD.

Mr. SISK. Mr. Speaker, I ask for the adoption of this resolution.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from California [Mr. SISK] has ably stated, House Resolution No. 1237 makes in order for consideration H.R. 17134 under an open rule with 3 hours of general debate, waiving points of order.

The purposes of the bill are to authorize appropriations for the Federal Interstate System, authorize appropriations for the primary, secondary and urban extension systems, and authorize funds for the highway safety program and highway beautification program. The bill also amends the Federal-Aid Highway Act to provide for advance acquisition of highway right-of-way, to prohibit cutbacks or freezes of highway trust fund moneys by the Executive, and creates a relocation system program to benefit those individuals and businesses that are forced to move because of Federal highway programs.

The 1968 cost estimate for the Interstate System is $56.5 billion, an increase of $9.7 billion since 1965. The Federal share is $50.6 billion. Revenues in the highway trust fund are insufficient to cover the 41,000 miles of programed highways within the statutory time limit, 1972. In addition to providing authorizations for the Interstate System, the bill extends the statutory time limit through 1974, which will insure that construction will be completed in 1975 or 1976. Authorizations through 1969 are already provided. The bill increases authorizations for 1970 and 1971 from $3.6 billion in each fiscal year to $4 billion in each fiscal year and increases the 1972 authorization from $2.6 billion to $4 billion. New authorizations for 1973 are $4 billion and for 1974, $2.25 billion.

When the full Interstate System, 41,000 miles, is completed, important gaps will remain. While the committee has not authorized further construction at this time, the bill does increase the Interstate System mileage 3,000 miles, to 44,000 miles, believing this additional milage can, in the future, be used to fill in existing gaps.

The Federal-aid ABC highway system is authorized for 1970 and 1971. This system covers the primary roads, secondary roads, and the urban systems. A total of $1 billion is authorized in each fiscal year. In addition, two further authorizations are provided, $125 million is authorized for each fiscal year to upgrade the current system. The bill also authorizes $125 million in each fiscal year—1970–71—for use in urban areas to increase and improve the traffic-carrying capacity of existing city streets.

A number of other Federal-aid highway systems are authorized for fiscal year 1970–71 under the bill. These authorizations, totaling $797,500,000 cover such programs as forest highways, public lands highways, public lands and park roads development, Indian reservation roads, and State and local highway safety programs.

Funds are allocated to the Highway Beautification Act in the bill. The program is authorized at only 10 percent of the administration's request and covers the years 1969 through 1971. Authorizations total $26,250,000.

The bill provides for advance acquisition of highway right-of-way to attempt to reduce the land acquisition expenses required by the highway programs. $100 million is authorized to be appropriated out of the highway trust fund to a revolving fund in each of fiscal years 1969, 1970, and 1971. Funds will be apportioned among the States to be used to acquire right-of-way lands on projects where actual construction will begin not less than 2 years nor more than 7 years in the future.

In order to insure that the Executive does not in the future cut back or freeze congressionally allocated highway trust funds in order to affect economic growth, the bill specifically prohibits the cutback or freezing of any funds which have been allocated to the States in any fiscal year. The bill also prohibits the use of highway trust funds for expenditures other than those directly attributable to the construction of the Federal-aid highway system.

The bill also requires contracts for highway construction shall be awarded only on the basis of low bids which meet the criteria published by the State, and that no other requirement or specification shall be permitted to determine the awarding of any contract. This prohibition is included because recently the Department of Labor, subsequent to the awarding of a construction contract, has attempted to intervene to impose equal employment opportunity requirements upon contractors. The committee has no objection to such requirements being contained in the job specifications prior to the bidding but does not believe the Labor Department should be able to complain after the fact.

The bill also requires the construction of all parts of the Interstate System within the District of Columbia. Recently there has been a great deal of controversy concerning this construction and the U.S. Court of Appeals has ruled—February 15, 1968—that the District of Columbia's Interstate System highway program is illegal. The bill seeks to over turn this decision and requires construction to proceed.

Finally, the bill contains a new program of mandatory relocation assistance to assist private individuals, farmowners, and businessmen whose real property is taken due to the right-of-way needs of the Federal-aid highway system. Cash payments will be made to such injured individuals through the Secretary of Transportation and will include reasonable expenses of moving themselves, their families, businesses, or farm operations.

Sections 505 and 506 set forth formulas for determining the amount of payment to the various types of injured parties.

Minority views are signed by 15 Members. They support the bill but believe several amendments are needed. They oppose authorization of any funds except for necessary administrative expenses to carry out the provisions of the Highway Beautification Act. They also point out that the two new programs for improving the traffic-carrying capacity of existing city streets and the program for improving existing primary and secondary highways in rural areas will, under the terms of the bill, have a priority over the Interstate System with respect to funds available from highway trust funds. They do not believe such a priority should be established.

There is opposition to section 22 of the bill, which requires the immediate construction of those portions of the Interstate System within the District of Columbia. Opponents point out that the action violates the rules of the House because the jurisdiction of the Committee on Public Works does not permit specificity in general highway construction bills. Opponents cite precedent in support of their argument. Opponents point to the general citizen opposition to segments of the proposed construction and to the recent decision by the court of appeals.

Additional and supplemental views are also offered in the report. There is and has been great concern to section 17 of the bill which is reported to remove the prohibition on the Secretary of Transportation from approving any program or project which requires the use of land from a park, recreation area, wildlife refuge, or historic site unless there is no feasible alternative. The fear is that such lands may be indiscriminately used if the prohibition is removed.

I also share this great concern and am in opposition to the removal of this prohibition, but I am assured that the language of the bill is sufficient to take care of this fear.

The Department of Transportation Act (80 Stat. 931; Public Law 89–670), under the general provisions of section 4(a) reads as follows:

> (f) The Secretary shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. After the effective date of this Act, the Secretary shall not approve any program or project which requires the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless **[**(1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.**]** *such program or project includes all possible planning, including consideration of alternatives to the use of such land, to minimize any harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.*

I want to see such areas protected and alternate routes found for the highways.

Also, I feel that appropriations for the highway beautification portion of this measure should be eliminated to save the taxpayers much-needed dollars. Certainly it is a program that could be postponed, and I hope that an amendment can be added to strike these funds.

Mr. Speaker, I urge the adoption of the rule and I have no further requests for time, but I reserve the balance of my time.

Mr. SISK. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. McCarthy].

Mr. McCARTHY. Mr. Speaker, I thank the gentleman for yielding. I take this time to call the attention of the Members of the House to the fact that the gentleman from Minnesota [Mr. Fraser], a member of the District Committee, and I appeared before the Rules Committee and asked that a rule waiving points of order not be granted so that we could make points of order. House Rule 11–15 governing the jurisdiction of the Public Works Committee very specifically and plainly provides that no legislation on general highways shall contain reference to specific highways, and it is quite clear from reading the legislation and the report that this does contain references to specific highways. We felt that this was clearly subject to a point of order.

Unfortunately we will not be able to make that point of order because the rule precludes points of order. While we will not oppose the rule in the interest of the time of the Members, under the 5-minute rule I will offer amendments to strike section 17, the anticonservation amendment, and section 22, relating to the District of Columbia highways.

Mr. SISK. Mr. Speaker, I yield 4 minutes to the gentleman from New York [Mr. Podell].

Mr. PODELL. Mr. Speaker, I thank the gentleman for yielding this time.

I would like to join in the comments made by the gentlewoman from New York [Mrs. Kelly], insofar as a proposed expressway that would go through the heart of the Borough of Brooklyn. It is my intention at the appropriate time to offer an amendment to the bill which would delete any monies in the current appropriation for this proposed cross-Brooklyn expressway.

I would like to take just a moment of time to tell about this proposed truckway that goes through the heart of the most beautiful residential area of the Borough of Brooklyn. It makes no sense at all to build an expressway in Brooklyn's most beautiful residential neighborhood than if you were to propose a north-south highway in Manhattan and choose Fifth Avenue to erect it.

These plans were thrust down the throats of the people of Brooklyn without their consent and without their approval. This truckway will, in effect, create a "Berlin Wall" through the heart of Brooklyn. It will desecrate the Brooklyn College campus; uproot over 1,200 families, destroy property values, and take from the tax rolls some $40 million in real estate property taxes.

At a time when we look to conservation, at a time when we look to economy, at a time when we have to cut from the budget some $200 million from the war against poverty; at a time when we have cut hundreds of millions of dollars from Federal programs for education, it is sheer nonsense to expend $500 million for a truckway or a highway, which no one seems to want.

Mrs. KELLY. Mr. Speaker, will the gentleman yield at this point?

Mr. PODELL. I yield to the gentlewoman from New York.

Mrs. KELLY. Mr. Speaker, I thank the gentleman for yielding.

I believe the figure that the gentleman and I have been using on the use of $500 million is not correct. I believe it will be twice that amount.

Also, as far as the number of families who are going to be dislocated in this area of Brooklyn will be doubled if the educational park plan is included. Is that correct?

Mr. PODELL. Mr. Speaker, it is certainly quite possible. However, I think this goes beyond merely the construction of this highway truckway or "killway." Are we to foist without the consent and without the knowledge or the prior approval of the people who reside in the area a highway that will destroy their homes, families and businesses without public hearing?

I would like to point out something

that concerns me as a freshman, perhaps. I wrote a letter to the U.S. Department of Transportation on May 13. On June 24 I received an answer in effect as follows:

> Thank you for your letter of May 13 concerning the Cross Brooklyn Expressway. We have not as yet acted on the State's request for the addition of the Cross Brooklyn Expressway to the interstate system.

They go on to say this proposal should be carefully studied and recommended studies will be entered into. Then, 4 days later, on June 28, a press release from the same Department of Transportation announced they have already thoroughly studied the project and have now included the same as part of the appropriation.

This to me is a gross disregard of not only the rights of the people but also the rights of Members of Congress. I think what they intended to do was merely lull the Congress into a sense of security and lull the people into a sense of security.

For this reason, I intend at the appropriate time to move to amend the present bill so that it will prevent any of the funds in the present appropriation bill from being used for the Cross Brooklyn Expressway.

Mr. SISK. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCORMACK] may extend his remarks at this point in the RECORD and include a letter from the Secretary of Transportation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I include at this point in the RECORD a letter from the Secretary of Transportation.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., July 1, 1968.

HON. JOHN W. McCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Today the House of Representatives will consider several amendments to the Federal-Aid Highway Act of 1968. Among these will be amendments that will profoundly affect the nation's resources and scenic beauty.

I am deeply concerned about the proposed amendments that will be offered on the floor to make a nullity of the Highway Beautification program. While I was disappointed at the magnitude of the program contained in the Committee bill, we nevertheless recognized the concern of the Committee about expenditures in the difficult fiscal situation which now exists. Despite this disappointment, however, the Committee did preserve the program so that we will be able to continue to plan and to move ahead swiftly when the present financial problems are solved.

We have been gratified by the progress that has already been made in the Highway Beautification program. Thirty-one state legislatures have enacted laws providing for the control of outdoor advertising. Other legislatures are now considering such legislation or will do so early in 1969. We have reached agreement with 17 states on outdoor advertising control procedures and we are close to agreement with a number of other states. Forty states have enacted legislation to control junk yards. Although only a small amount of Federal funds has been expended so far, approximately 1500 junk yards have either been screened or removed. All 50 states are participating in the landscaping and scenic enhancement provisions of the act. These have gained broad public acceptance.

We think that the present generation of Americans have given their overwhelming approval to these important beautification efforts. They will be enjoyed by generations to come. This nation has been blessed with beauty and grandeur that we can no longer squander. There are many programs which the Congress has approved to insure their preservation. We believe that the Highway Beautification program is a major effort that must be continued.

I strongly urge the House of Representatives to reject the amendments that will be offered to eliminate the grant programs and to eliminate any of the incentives that are designed to stimulate state participation. Those amendments would effectively end the Beautification program and we are confident that is not the desire or the intent of the Congress.

When the Congress enacted the Department of Transportation Act of 1966, it specifically and unequivocally recognized that national transportation policies and programs should be developed consistent with the efficient utilization and conservation of the nation's resources. It declared as the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. It implemented these declarations of policy by requiring the Secretary of Transportation to cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture and with the States in developing transportation plans and programs of all forms that include measures to maintain or enhance the natural beauty of the lands traversed.

In aid of the declared national policy, the Congress, in section 4(f) of the Act, directed the Secretary of Transportation not to approve transportation programs or projects which require the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.

The House Public Works Committee has proposed an amendment conforming the language of section 4(f) to that of section 138 of Title 23, United States Code. As the Committee Report indicates, the difference between its proposed change and the present language is slight. The Report states the Committee's belief that the perspective in decision-making should be broadened, not narrowed, and that preservation for use is sound conservation philosophy. In view of these statements, it seems clear that the intent of the Committee is not to depart from the stated national policy. It is in this spirit that the Department of Transportation proposes to administer the Act. We therefore view the intent of the Committee's limited conforming amendment as reflecting no substantive change in the mandates placed upon this Department.

However, the Department opposes the proposed amendment at this time—little more than a year after the effective date of section 4(f). The Department is aware of no problems which have arisen in the course of administering the present language, nor does the Committee Report refer to any. We think the present language of section 4(f) is a clear statement of the Congressional purpose. Accordingly, there would appear to be no reason to amend it at this time.

Sincerely,

ALAN S. BOYD.

Mr. SISK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. KLUCZYNSKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17134) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 17134, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Illinois [Mr. KLUCZYNSKI] will be recognized for 1½ hours, and the gentleman from Florida [Mr. CRAMER] will be recognized for 1½ hours.

The chair recognizes the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. Mr. Chairman, I yield to the gentleman from Maryland [Mr. FALLON], chairman of the House Public Works Committee, as much time as he may consume.

Mr. FALLON. Mr. Chairman, it is a distinct privilege to present to the House today the Federal-Aid Highway Act of 1968, H.R. 17134.

In a number of ways, this is the most significant highway bill to come before Congress since the Federal-Aid Highway Act of 1956, which established the interstate program. It suggests the most comprehensive program for solving urban highway problems that has ever been written. It lays the foundation for extensive development of new systems of transportation while utilizing and modernizing the present highway systems.

One of the most important and vital aspects of this Federal-Aid Highway Act is that it takes into account the total transportation planning picture as it affects millions of Americans, yet it maintains the integrity of the highway trust fund and retains the Federal-State partnership. In essence, the Federal-Aid Highway Act establishes a comprehensive package of urban transportation assistance.

The fact that this bill was written with the intent of serving the safety and transportation needs of the average man is obvious throughout, and I would like to commend those members of the Public Works Committee who worked so diligently to achieve this. In spite of the many disagreements which were bound to occur over a bill as significant and all-encompassing as this one, the committee maintained a bipartisan approach at all times. I would especially like to commend the able chairman of the Subcommittee on Roads, the gentleman from Illinois, who is the coauthor of the bill and who has been instrumental in bringing a comprehensive bill out of the subcommittee; and my distinguished colleague, the gentleman from Florida, the ranking minority member of the Committee on Public Works.

First, the bill extends the funding of the Interstate System for 2 years—fiscal years 1973 and 1974. The bill also advances the maximum authorizations to $4 billion, and increases the mileage of the Interstate System to 44,000.

Other major provisions of the bill are substantial and far reaching. The relocation assistance provision, for example, takes pains to insure that individuals are treated justly and equitably if and when they should have to relocate. The bill sees that relocation payments and advisory assistance is provided to all persons who are displaced.

For the first time, the highway bill also makes authorizations for the TOPICS—traffic operations program to increase capacity and safety—program. This program is concerned with the existing urban roads system and attempts to coordinate and reorganize traffic operations to eliminate traffic congestion and hazards. It is primarily a program which works with existing roads and streets, with a minimum of rebuilding.

An additional $125 million is authorized for TOPICS, thus effectively increasing the Federal authorizations for urban highway work by that amount.

And another $125 million is authorized as a supplement to the regular authorizations for rural primary and rural secondary programs, to be divided 60 percent for rural primary and 40 percent for rural secondary.

Under this plan, the $1.250 billion annual apportionment for ABC work is divided as follows: $525 million for rural primary roads; $350 million for rural secondary roads; and $375 million for urban extensions thereto, including TOPICS.

The bill also contains authorizations for highways in the Federal domain, for the highway safety and highway beautification programs, and for a new revolving fund which will provide non-interest-bearing loans to the States for the timely acquisition of right-of-way up to 7 years in advance of actual construction.

Another section of the highway bill deals with one of our most complex urban problems; that is, the problem of parking. The bill provides Federal assistance for the construction of fringe parking facilities to be built and located to permit them to be used with existing or planned public transportation facilities.

Thus, it becomes clear that the Federal-Aid Highway Act is designed not merely to provide for authorization, but also to promote the coordinated development of highway and road systems, both rural and urban.

Again, let me commend the members of the Public Works Committee for their diligent work in putting together a sound, effective Highway Act. We look forward to its speedy passage.

I should like to commend particularly those members of the Public Works Committee who worked so diligently to achieve this. In spite of the many disagreements which were bound to occur over a significant and all-encompassing bill such as this, the committee maintained a bipartisan approach at all times.

I should especially like to commend the able gentleman from Illinois, the chairman of the Subcommittee on Roads, and the able and distinguished gentleman from Florida [Mr. CRAMER], for the magnificent job they have done on this bill.

Mr. KLUCZYNSKI. Mr. Chairman, I yield myself such time as I may consume.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. KLUCZYNSKI. I yield to the gentleman from Minnesota.

Mr. NELSEN. Mr. Chairman, I wish to congratulate the members of the Public Works Committee for seeing fit to include as a part of the Federal Highway Act of 1968 the prohibition against the impounding of any portion of the Federal-aid highway funds or the withholding of the same from obligation except in situations where the amounts available in the highway trust fund would be insufficient to defray the expenditures of such fund. This provision, as noted in the committee's report, is identical to the text of separate bills introduced by Congressman HARSHA and other committee members. It also is identical to H.R. 14932 which I introduced in January of this year. Since that time I have spoken a number of times on the floor of the House and have appeared before the committee in urging that the substance of this prohibition be either separately enacted or be included in the Federal Highway Act of 1968 as the committee has now seen fit to do.

I note that two strong, excellent statements have been made in the committee report in support of this provision—one in the main body of the report and one under the minority views.

The withholding, cutbacks, and freezes of highway trust funds from obligation that have taken place twice in the past 4 years has raised havoc with orderly planning in the highway program in many of our States. The defense of these actions based on the desire to "combat inflationary tendencies in the economy" is without merit. Costs of highway construction are increasing daily. Also the uncertain position into which contractors, laborers, State highway programers, and allied industries are put by this stop-start manipulation of the program cannot have but helped boost the ultimate cost of the program. In this sense, the freeze of the funds has actually contributed to the inflationary trends rather than having lessened them. Neither can these withholdings be defended on the basis that this will be an aid in the reduction of the budget deficit. The Federal-aid highway program is financed on a pay-as-you-go basis out of the highway trust fund, not the general fund, and the funds not spent in the program cannot be properly diverted to the general fund. To do so would be a subversion of the terms of the trust. The proper obligation of these funds is a "bought and paid for" item to which the taxpayers footing the bill are entitled.

As I noted in my statement to the committee, Governor LeVander of Minnesota, the Interim Highway Commission of Minnesota, and many private groups and citizens of our State have been urging a prohibition against these freezes and cutbacks. The State of Minnesota on June 30 was approximately $51.8 million short on the original allotment of $111 million for fiscal 1968—almost a 50-percent cut. I know that the action the committee has taken, and which I hope both the House and Senate will see fit to endorse, is one which not only many in Minnesota will applaud but also citizens from every State in the Union.

Mr. KLUCZYNSKI. Mr. Chairman, H.R. 17134, the 1968 Federal Aid Highway Act, provides the authorization of funds to continue the Nation's network of commerce and travel, and equally important, it provides the new policies that will make that network even more efficient and more responsive to the needs of the people who use it.

The committee's report on this bill explains it very clearly, and I will not repeat it now, except to mention the high points.

The 1968 Interstate System cost estimate is $56½ billion, an ncrease of $9,700,000,000 over 1965. Financing and construction of the system are therefore extended through 1974.

Three thousand miles are added to the system, to make it possible for the States to program, if they wish, those obvious and serious missing links in the system; $1,250,000,000 is authorized for the ABC system, our primary, secondary, and urban roads; $125 million is earmarked for the rural areas and $125 million is earmarked for traffic improvement programs in urban areas. This additional $250 million is new authorization, recognizing the great need to improve and expand our primary and secondary roads and to aid the cities in dealing with traffic congestion. It is the committee's hope that the States and the Department of Transportation will, in planning all our Federal-aid highways, use a truly comprehensive planning approach, that they will try to bring together the planning for new highways, new airports, and new forms of mass transportation, and that in the cities, particularly, they will recognize in our new highways the very real opportunities to redesign and redevelop many areas of the cities. One of the new programs the bill included for this purpose is fringe parking, an optional, experimental program to be jointly supported by the States and the Federal Government, and intended to join together in a practical manner our highways and our mass transportation systems.

Perhaps the most important of the new programs, however, is relocation assistance, which will substantially lessen the housing and financial problems people will face when they are forced to move because of highway construction. The program is mandatory, and it covers individuals and families, businesses and farms, homeowners, and people who rent. It is, I believe, the best thought-out and potentially the most effective relocation program the Federal Government has ever proposed.

The bill also makes some other essential changes in the law. It eliminates the penalty provision of the Safety Act. The report clarifies another problem regarding the Safety Act. There is one point I would like to make, in behalf of the committee, that is not covered in the report. When the Highway Safety Act was under consideration, the committee made it abundantly clear that the safety program should not be used as a pretext for setting up at the Federal level any kind of register or record of every driver in this country. The Congress is already concerned about the dangers inherent in the number and kind of file on individual citizens the Federal Government already has.

It has come to the committee's attention that the Highway Safety Bureau proposes, as a Federal extension of the required State records systems, just that kind of registry—indeed, from what we have learned, one that would be far more extensive than any we had anticipated as undesirable when this legislation was under consideration.

As one Member of this body, as well as chairman of the Subcommittee on Roads, I am opposed to the Federal Government's keeping records of this kind under the guise of highway safety, and I will oppose it with specific legislation if that becomes necessary.

The bill eliminates the penalty provisions of the Beautification Act, and ties billboard and junkyard control to scenic enhancement as a single program.

It provides a revolving fund for advance acquisition of right-of-way, which should make it possible to save substantial amounts of money in this part of the highway program all over the Nation.

It prohibits future cutbacks or freezes on trust funds apportioned to the States.

It requires that preservation of parklands and historic sites be one of the goals in highway planning, but in a decision that rests between the best interests of people or the preservation of parks, the report makes clear that the interests of people must prevail, and that is a position I think every Member of this House would support.

The bill strengthens the competitive bidding requirements of existing law.

It attempts to solve, at last, the longstanding controversy over the George Washington Memorial Parkway in nearby Maryland. And, finally, it breaks the deadlock on construction of needed links of the Interstate System in the District of Columbia. The Subcommittee on Roads, of which I am chairman, has been holding hearings on one part or this program and another since last October. We have had many conferences with Federal, State, and local officials regarding these problems and proposed programs. I told you last year that we would bring before you a highway bill that would try to solve these problems, and I think we have done it.

The committee is, as always, indebted to Bob Mowson of the legislative counsel's staff. Without his truly expert help, it would not have been possible to work out this legislation.

This is a good bill, and I hope the House will approve it as it is presented. It is, in the main, a truly bipartisan bill, and its provisions will go a long way to insure that our highway programs will make real contributions to the continued development and prosperity of our country.

Mr. McMILLAN. Mr. Chairman, will the gentleman yield?

Mr. KLUCZYNSKI. I am happy to yield to the chairman of the Committee on the District of Columbia.

Mr. McMILLAN. I wonder if the gentleman could give us any assurance that his committee could accept a parking authority bill which has been added over in the other body.

Mr. KLUCZYNSKI. I spoke to the gentleman this morning and told him we would get together and assured him he would be satisfied with what this committee will do.

Mr. McMILLAN. I thank the gentleman.

Mr. PUCINSKI. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Forty-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 220]

Anderson, Tenn.
Andrews, N. Dak.
Ashmore
Baring
Bell
Berry
Bevill
Bingham
Blackburn
Blanton
Bow
Brown, Calif.
Brown, Ohio
Burke, Fla.
Clawson, Del
Colmer
Conyers
Corman
Culver
Cunningham
Daddario
Diggs
Edwards, Ala.
Edwards, La.
Everett
Evins, Tenn.
Farbstein
Fino
Fulton, Tenn.
Gardner
Gettys
Griffiths
Halleck
Hansen, Idaho
Holland
Ichord
Jacobs
Jones, Mo.
Karsten
Kornegay
Kupferman
Kuykendall
Lloyd
Long, La.
Long, Md.
Mathias, Calif.
Mathias, Md.
Miller, Calif.
Minish
Minshall
Montgomery
Morris, N. Mex.
Mosher
Murphy, N.Y.
Myers
Nichols
Patman
Purcell
Reinecke
Resnick
Rosenthal
Roush
Ruppe
Sikes
Snyder
Stephens
Taft
Talcott
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tuck
Udall
Ullman
Van Deerlin
Walker
Wolff
Wydler

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 17134, and finding itself without a quorum, he had directed the roll to be called, when 353 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Illinois consumed 9 minutes.

The Chair recognizes now the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the legislation. I believe it is obviously essential. Authorizations are running out.

I have two or three observations to make relating to possible controversies concerning the bill, because I have been asked questions relating to them.

The District of Columbia would be required to complete construction of Interstate highways by section 22 of this legislation. I, for one, strongly support retaining the committee provision which provides that within a reasonable period of time—and that gives plenty of time for hearings, if they want to hold hearings—they should construct the highways which now have been studied for 10 to 12 years, and restudied, and restudied again. They should immediately get underway in this, the show place, supposedly, of the Nation relating to Federal capability to do the job, not only in regard to highways but also in regard to other matters. Therefore, I believe it is time for the District of Columbia to get on with the job of building highways.

If we do not do this in the District of Columbia, I can understand why many other cities throughout the Nation, which are having difficulties with regard to locations and what have you, similar to the problems which exist in the District, which are looking to the District and not finding any leadership, not finding any incentive, can logically say, "If they cannot do it in the District of Columbia, which the Federal Government governs, how should we be expected to solve these problems in our local areas? Therefore, let us let it sit and hope it will go away."

What really will go away and will not be accomplished is the completion of the Interstate System.

It is an interstate defense system, so for adequate transportation for the defense of this country the system should be built.

The highway users were guaranteed the system would be built by the setting up of the highway trust fund. The money paid by highway users goes into it, and they have been assured that the system would be completed.

I, for one, cannot sit idly by and see the District of Columbia not complete its system because it has a few problems.

At the same time, we have tried to approach this from a logical and understanding basis. We have provided in section 23 of the bill, the most forward-looking relocation assistance provided in any bill I have seen before this Congress.

The principal problem is that people are not able to find adequate housing in the ghettos or the deprived or downtrodden areas, and enough money was not provided for them by way of reimbursement of moving costs to move to another area which might be somewhat upgraded. Therefore, the people in the ghetto areas did not want highways to be built, because they did not have the money to move. They could not get into a better home or a better apartment.

So, the relocation assistance provisions of the bill will help resolve the problem. We have said that the Bureau of Public Roads and the States can, in effect, provide bonuses for the rental and for the relocation purposes, in order to solve these problems. For goodness' sake, how could one have a better urban renewal program than that? How can one get rid of downtrodden ghetto areas better than that? How could one solve some of the District problems better than that?

I support retaining the District of Columbia section, and requiring its officials to get busy with respect to this highway program.

We have a further question with regard to section 17, relating to preservation of parks. I have gotten a lot of mail on this. I am fearful it is very much misunderstood and, I must say further, very much misrepresented.

The objective and the purpose of the amendment which was added by the Public Works Committee, which is now in the bill—and I hope it will remain in the bill—has to do with section 4(f) of the Department of Transportation Act.

All it relates to are parks, recreation areas, wildlife, waterfowl refuges and historic sites, and not only Federal, but State and local as well.

All it does is to say that a program or project shall not be approved unless certain conditions are met. Those conditions are that such a program or project includes all possible planning, including consideration of alternatives to the use of such lands, to minimize any harm that such a program or project might cause a park, recreation area, wildlife or waterfowl refuge, and so forth.

So, in effect, what section 17 does is provide adequate consideration for these wildlife, park, recreation, waterfowl, and historic sites. It does not prohibit the construction of highways in parks—and that is the way the present language has been interpreted in the Transportation Act—it does not prohibit construction of a highway where the merits would dictate, such as the excessive cost of building it elsewhere. If costs are so tremendously disproportionate, it would not make sense not to build it in the recreation area where they have the discretion to do so. So much for that particular issue.

Now, Mr. Chairman, we have the additional issue of highway beautification. This is back with us again. I know most of you remember staying here until midnight, supposedly resolving that problem a number of years ago, in 1965. It is with us again. It was deleted in the subcommittee. I will not suggest how it got restored the next morning when we got to the full committee; but there it was. So there are about $29.25 million in the bill for the purpose of highway beautification. There was no money authorized for this past fiscal year, 1968. This bill provides an authorization for 1969, 1970, and 1971. As a matter of fact, this program is so unpopular that when the committee voted out a bill last year to authorize funds for fiscal year 1969, it could not even get a rule. So the proponents, down on Pennsylvania Avenue principally, decided that the way they would get this low-priority beauty money is by attaching it to H.R. 17134. And on the ticker we just learned that there is a $25 billion deficit this fiscal year, which closed out today—a $25 billion deficit—the proponents still want to spend millions of dollars for beautification.

Mr. STRATTON. Mr. Chairman, will the gentleman yield to me?

Mr. CRAMER. I will be glad to in just a moment.

Lo and behold, here we have beautification again. Why did they set such a high priority for it? I do not know. It does not have it in my book. There will be adequate money here for the purpose of administration under an amendment which we shall offer, and the bill now provides for a study to be reported on on January 1 so that we will know what the Administration plans on doing, exactly how they plan to do it, and how much it is going to cost. Then we can determine what kind of a program we shall adopt. I think the program should go out of the bill.

Mr. Chairman, there are a number of other aspects that we will have an opportunity to discuss when we get into the amendment stage with respect to this legislation. This is one of the most forward looking pieces of legislation relating to highways since the Federal-Aid Highway Act of 1956 was brought to the floor of the House successfully.

I generally support H.R. 17134, as reported by the Committee on Public Works, and feel that if enacted into law it will add many desirable adjustments and improvements to the Federal-aid highway program.

The bill, as reported, is a vast improvement over the bill recommended by the administration and introduced, by request, by the chairmen of the Committee on Public Works and the Subcommittee on Roads on May 8, 1968. This improvement was made possible because the members of the committee on both sides of the aisle worked in a thoroughly cooperative and bipartisan manner to produce the best possible bill.

I generally support the bill, as reported, and urge its passage with some changes. The areas which I believe should be considered for amendment are as follows:

First. Under H.R. 17134, as reported, the new program for traffic operation projects in urban areas, for which $125 million annually is authorized to be appropriated for each of the fiscal years 1970 and 1971, and the additional $125 million authorized for each of these 2 fiscal years for Federal-aid primary and secondary highways in rural areas would have priority over the Intersate System with respect to funds available in the highway trust fund. I do not believe this should be the case.

Second. Under H.R. 17134, the present penalty of 10 percent of funds apportioned for the Federal-aid systems for any State which fails to comply with the outdoor advertising control and junkyard control provisions of the Highway Beautification Act of 1965 would be repealed, and a provision substituted under which the States would have to comply with the outdoor advertising control and junkyard control provisions in order to be eligible for the funds authorized for landscaping and scenic enhancement under section 319(b) of title 23, United States Code. I believe that the penalty should be removed entirely.

Third. H.R. 17134, as reported, would authorize the appropriation of funds to carry out the provisions of the Highway Beautification Act of 1965. I oppose the authorization of any funds to carry out this program at this time, except for funds to pay necessary administrative expenses.

SUBORDINATION OF INTERSTATE HIGHWAY CONSTRUCTION TO NEW PROGRAM OF TRAFFIC OPERATION PROJECTS IN URBAN AREAS AND ADDITIONAL AUTHORIZATIONS FOR FEDERAL-AID PRIMARY AND SECONDARY HIGHWAYS IN RURAL AREAS

Under the Highway Revenue Act of 1956, the Federal-aid highway program is financed by revenues available in the highway trust fund, which was created by that act. Under section 209(g) of the act, if the funds estimated to be available in the trust fund will be insufficient to meet expenditures which would result from apportionment of all funds authorized for both the Interstate System and the Federal-aid primary and secondary systems and their extensions in urban areas, the interstate highway apportionment must be reduced to a level which is within the ability of the highway trust fund to finance. In other words, all other programs financed out of the highway trust fund take priority over the Interstate System in regard to funds available in the trust fund. The Congress wisely wrote this provision into the law so that the basic ABC program would continue without interruption.

H.R. 17134 adds two new provisions to the Federal-aid highway program. The first of these is the so-called traffic operation projects in urban areas, which is designed to reduce traffic congestion and facilitate flow of traffic in urban areas. The second of these is the authorization of additional funds for the reconstruction and improvement of highways on the Federal-aid primary and secondary systems in rural areas. I wholeheartedly support these two new provisions. I do not believe, however, that either of these new additions to the ABC program should take priority over completion of the Interstate System, which has already been badly delayed because of lack of funds, cutbacks, and withholding of available funds.

I offered an amendment to H.R. 17134 which would have subordinated these two new provisions, each of which costs $125 million annually, to the interstate highway program. The amendment was rejected by the committee—mistakenly, in my opinion.

PENALTY FOR FAILURE TO COMPLY WITH THE HIGHWAY BEAUTIFICATION ACT OF 1965

The Highway Beautification Act of 1965 provides for a penalty of 10 percent of all the Federal-aid highway funds apportioned to a State, if such State fails to comply with either the outdoor advertising control or junkyard control provisions of the act. The original proposal of the administraiton for a Highway Beautification Act provided a 100-percent penalty for States which fail to comply. In 1965, this penalty was vigorously opposed by the minority Members of the House of Representatives, who did not believe in the penalty approach in State-Federal cooperative programs. Our efforts then to eliminate the penalty provision were not entirely successful, but we did succeed in reducing it from 100 percent of all Federal-aid highway funds to 10 percent. The committee has now recognized the undesirability of the penalty approach in the highway program and, accordingly, has deleted entirely the 10-percent penalty created by the Highway Safety Act of 1966.

With respect to the penalty in the Highway Beautification Act, however, the penalty provision has simply been shifted. The 10-percent penalty has been deleted, but there has been substituted a provision which would require a State to comply with the outdoor advertising control and junkyard control provisions of the Highway Beautification Act of 1965 in order to be eligible for the landscaping and scenic enhancement funds authorized by section 319(b) of that act. This, in my opinion, is simply a different kind of penalty, for it would place conditions upon the availability of funds which, up until now, have been available without condition.

It is my belief that the penalty provisions of the Highway Beautification Act of 1965 should be deleted entirely, as was done in the case of the Highway Safety Act of 1966.

AUTHORIZATION FOR HIGHWAY BEAUTIFICATION

The administration proposal would have authorized the appropriation of $85 million for each of the fiscal years 1969, 1970, and 1971 for the Highway Beautification Act. But, upon my motion in the Subcommittee on Roads, the authorizations for carrying out the Highway Beautification Act of 1965 were deleted in their entirety, except for an authorization of $1.25 million for each of the fiscal years 1969, 1970, and 1971 for necessary administrative expenses. During the executive session of the full Committee on Public Works, however, authorizations for the Highway Beautification Act of 1965 were restored, although in relatively nominal amounts.

The United States of America is presently confronted with runaway inflation, with a war that is escalating and becoming more expensive by the day, and with serious domestic and foreign problems. Under these circumstances, I do not believe that any taxpayers' money, in addition to that provided for highway construction, should be invested in cosmetic treatment of our highways at this time. Without question, highway beautification is desirable. However, it is not essential and should be deferred until the financial condition of the United States is substantially improved.

It is also pertinent to note that on September 27, 1967, the committee reported S. 1467, a bill to authorize funds for the highway beautification program for fiscal year 1968. The Committee on Rules was asked for a rule on the bill on September 28, 1967, but no hearings have been held, and no rule has been granted. To include highway beautification money in H.R. 17134 is an attempt to force a low-priority program through Congress by attaching it to a bill containing high-priority, "must" programs. I oppose this method of enacting a measure which cannot stand on its own merits.

No appropriations should be authorized for carrying out the provisions of the Highway Beautification Act of 1965, regardless of how small the amounts.

REPUBLICAN-SPONSORED IMPROVEMENTS IN H.R. 17134

As noted above, H.R. 17134, as reported, is the product of bipartisan cooperation. The Republican members can take justifiable pride in the many amendments which were offered by them and adopted by the committee. Some of those improving amendments which I offered are as follows:

ADVANCE RIGHT-OF-WAY ACQUISITION

For several years, minority members of the Committee on Public Works have urged the adoption of legislation which would create a fund to permit the acquisition of highway rights-of-way well in advance of highway construction. Such a program will produce substantial benefits both in the saving of public funds and the reduction of inconvenience, loss, and hardship by the persons displaced by highway construction. The administration's proposal incorporated in H.R. 17134, as introduced, included an advance acquisition right-of-way program. After examination of the proposal, however, it became apparent that it had a number of serious deficiencies. Accordingly, the committee substituted an advance right-of-way acquisition revolving fund program substantially identical to that provided in H.R. 16622, which I introduced for myself and the other minority members of the Committee on Public Works.

PROHIBITION AGAINST IMPOUNDING APPORTIONED FUNDS

On two occasions during the last 4 years, the administration has withheld apportioned Federal-aid highway funds from obligation by the States, allegedly as an anti-inflationary measure, even though funds were and are available in the highway trust fund to meet expenditure resulting from the obligation of such funds. It is essential that the Federal-aid highway program, including the interstate program, be conducted in an orderly, planned fashion. Frequent cutbacks and threats of other cutbacks disrupt the program, make it impossible for the highway departments, highway contractors, and suppliers of material and equipment to make adequate plans, and increase the ultimate cost of the highways. On January 16, 1968, the gentleman from Ohio [Mr. HARSHA] introduced H.R. 14641 to prohibit the impounding of any portion of the Federal-aid highway funds or withholding the same from obligation unless amounts available in the highway trust fund would be insufficient to defray the expenditures required to be made from such fund. Several other members of the committee, including me, introduced the same or similar legislation. The text of H.R. 14641 is contained in H.R. 17134, as reported by the committee.

PROHIBITION OF DIVERSION OF HIGHWAY TRUST FUND RECEIPTS

During recent years, there have been increasing efforts to use receipts in the highway trust fund for purposes not related or only remotely related to the Federal-aid highway program. The highway trust fund is being asked to contribute a disproportionate amount—approximately 88.5 percent—of the administrative expenses of the entire Federal Highway Administration, including the Bureau of Motor Carrier Safety, the National Highway Safety Bureau, and the Federal Highway Administration regional offices which are no longer subject to the supervision and control of the Bureau of Public Roads. In addition to this, I have been informed that substantial amounts of highway trust fund receipts have been used and may be used in the future to pay the administrative expenses of other agencies and instrumentalities through the guise of contracts for research and other services. I do not believe that this is in accordance with the intent of Congress when it limited expenditures from the highway trust fund to "obligations of the United States heretofore or hereafter incurred under the Federal-Aid Road Act approved July 11, 1916, as amended and supplemented which are attributable to Federal-aid highways (including those portions of general administrative expenses of the Bureau of Public Roads payable from such appropriation." Accordingly, I offered an amendment to prohibit such diversion, which was adopted by the committee and appears as part of section 14 of H.R. 17134. The amendment, as it is contained in the bill, simply reaffirms and strengthens the limitations on the use of highway trust fund revenues established by section 209(f) of the Highway Revenue Act of 1956.

CONSTRUCTION CONTRACTS

Within the last few months, the Office of Federal Contract Compliance of the Department of Labor has issued regulations designed to promote equal employment opportunities. Among other requirements established by these regulations is the requirement that after the low bidder on a Federal-aid construction contract is determined, but before the contract is awarded to such low bidder, the low bidder must submit an "acceptable affirmative action program" for the employment of members of minority groups. As this requirement has been administered, the advertised specifications contain no detailed description or specifics of what will be acceptable as an affirmative action program. This has been left to negotiation after the bids are opened and before the contract is awarded.

I asked the Comptroller General of the United States if this requirement violated the competitive bid requirements of the Federal-aid highway laws. In a letter opinion dated May 22, 1968, the Comptroller General held that the procedure would, in fact, violate the competitive bidding requirements, and stated, among other things, that—

> We believe that the basic principles of competitive bidding require that bidders be assured that award will be made only on the basis of the low responsive bid submitted by a bidder meeting established criteria of responsibility, including any additional specific and definite requirements set forth in the invitation, and that award will not thereafter be dependent upon the low bidder's ability to successfully negotiate matters mentioned only vaguely before the bidding.

There is considerable reluctance on the part of the Office of Federal Contract Compliance and perhaps certain offices or officials of the Department of Transportation to comply with this opinion of the Comptroller General of the United States, despite the fact that it simply states a principle which is elementary and basic relating to open competitive bidding. Because of this, I offered an amendment, which was adopted by the committee, to incorporate the effect of this ruling of the Comptroller General into the Federal-aid highways laws, to require resolution of the problem of equal employment programs before the bidding.

CONCLUSION

While I oppose certain parts of H.R. 17134, as outlined above, I otherwise support the bill and its objectives. I intend to offer amendments to improve what is already, generally speaking, an excellent bipartisan bill, and urge my colleagues to accept these amendments and pass H.R. 17134.

Mr. Chairman, I am now glad to yield to the gentleman from New York.

Mr. STRATTON. Mr. Chairman, I wanted to ask the gentleman in connection with the highway beautification section he referred to whether the full committee had any opportunity to have hearings or any discussion on the impact of the highway beautification program or any studies that may have been made on what it would do to local tourist businesses before the bill included this additional money for taking down billboards for fiscal years 1969 and 1970.

Mr. CRAMER. We have had a number of hearings before our committee. This has been a much-discussed matter. However, I will say in all frankness to the gentleman that I do not know, even despite all of our hearings, what the Federal Highway Administration is doing in this program or what the Department of Transportation is doing or how they plan on doing it or what standards they plan on putting into effect.

Mr. STRATTON. I have a report that I will bring up a little later in the discussion that I think may be illuminating on that point.

Mr. Chairman, I want to support the gentleman's position.

Mr. CRAMER. I thank the gentleman.

Mr. BRAY. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Indiana.

Mr. BRAY. Does the gentleman from Florida know how much the highway trust fund has been used by the Government for other purposes?

Mr. CRAMER. Well, in 1966 it was a cutback of $1.1 billion in obligations. It was later restored. But this last fiscal year in 1968 it was $600 million that was withheld. It has been borrowed by other agencies and is still withheld.

Of course, we had the $400 million of these funds withheld in addition to that when the supplemental appropriation bill did not go through until just a few days ago.

So, Mr. Chairman, there are all kinds of gimmicks being used to hold down the proper expenditure of this money for highway purposes, for which it was collected from the highway user in the first place.

Mr. BRAY. Mr. Chairman, if the gentleman will yield further, they will use that money, if the gentleman will yield for one further question, money which was in effect earmarked as a trust fund at the time the law was enacted by the Congress?

Mr. CRAMER. They have, in effect, created a false surplus, which can be used for purposes other than highway construction. Eventually it will be restored to the trust fund, but the delay in highway construction will be extremely costly.

Mr. BRAY. If the gentleman will yield further, have there been any statements made to your knowledge by any officials of the Government as to how much of that money they want to cut out of the fund based upon the $6 billion cut which was just voted by the Congress?

Mr. CRAMER. I have heard all sorts of suggested estimates. I have learned, however, a long time ago not to try to second guess the President now in the White House. It would be my hope that this program would not be cut, but if it is it is my opinion that it would be rather substantial.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. If I can have the attention of the gentleman from Indiana [Mr. BRAY], this is one of the reasons the committee in its wisdom added section 14, which would prohibit impounding those funds.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Ohio.

Mr. HAYS. I have a problem that bothers me and I have never been able to get an answer to it. When Interstate Route 70 was built by the State of Pennsylvania to Breezewood, there was that section of the Pennsylvania Turnpike of 90 miles, and then it goes over the turnpike and goes on through the State of Ohio.

I would like to know what happens to the old Pennsylvania Turnpike which was built before the war which at certain points covers Interstate 70 and then there was a 14-mile section of road which was a part of that particular system. It is the most dangerous piece of highway in the United States.

Did the State of Pennsylvania get reimbursement for that 90 miles of the Pennsylvania Turnpike? Does anyone have an answer to what happened in that situation?

Mr. CRAMER. Of course, as the gentleman knows, the Pennsylvania Turnpike is a toll road. It is an old road which was not built as a part of the Interstate System, but was built before 1956. Thereafter, it was designated as a part of the Interstate System, and some unconstructed mileage added. However, it is a toll road, and Federal funds do not participate in the cost of toll roads.

Mr. HAYS. I raise this question because I have to use it in order to get to Ohio.

Mr. CRAMER. That is right.

Mr. HAYS. But they did get credit for it?

Mr. CRAMER. They did get credit for it, for the existing mileage which was eliminated for toll purposes at the time of the enactment of the 1956 act.

Mr. HAYS. For credit purposes as of the date of the 1956 act.

But if they had built 90 miles of highway they could have used the 90 percent of the money?

Mr. CRAMER. Except I would say that two highways cannot be built in the same corridor of traffic. This was built on the basis of what a State might recommend to the Federal Government, and where the recommendation is given approval.

Mr. HAYS. Interstate 70 was supposed to take the place of State Route 40. The Pennsylvania Turnpike is even north of old State Route 30 and does not really do the job. It makes the State of Pennsylvania a lot of money, at the risk of the lives of the people who use the turnpike.

Mr. CRAMER. I would suggest that the gentleman take it up with the turnpike authority or with the State of Pennsylvania. Eventually the turnpike will have to measure up to the standards which are in effect in other States on the Interstate Highway System.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Ohio.

Mr. HARSHA. Mr. Chairman, I would ask the gentleman from Florida, am I correct in my understanding that toll roads do not participate in the distribution of funds on the 90–10 distribution for the Interstate Highway System?

Mr. CRAMER. They did not, in the past, and there is no inclination to include them in the future that I know of.

Mr. HARSHA. Then the Pennsylvania Turnpike, even though it is designated as part of the Interstate Highway System, did not participate in the trust funds?

Mr. CRAMER. That is correct, as is the case with many existing freeways that were included and incorporated into the system which were in existence in 1956.

But I still say that where there is a toll road on the Interstate System they are making money off the Interstate System traffic, and we should try to prevail upon the turnpike authority to bring such toll roads up to the Interstate Highway System safety standards, to handle the traffic from which they are making this money.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I would ask the gentleman if I am correct in my understanding that the establishment of interstate highways is a matter to be solved by the various State highway commissions, and the Bureau of Public Roads, and that neither the President of the United States nor the Congress of the United States nor the Committee on Public Roads, except for the establishment of law, have anything to do with the establishment of an interstate highway or any segment thereof?

Mr. CRAMER. The gentleman is basically correct. The present system was established as the result of State recommendations, and was approved by the Bureau, submitted to Congress, and Congress then approved the system as such, without designating the specific location.

Mr. GROSS. So that if there are political considerations in the allocation of money, the direction of money, they are beyond the scope of the law; is that correct?

Mr. CRAMER. They are basically generated on the State level, I presume. So far as the Bureau is concerned, it cannot initiate mileage on the Interstate System, it has to come from the State. And of course we have added in this bill some 3,000 miles in our Interstate System, so supposedly the 3,000 more miles will have to be generated from the States based upon State requests, based upon the merits, in determining which shall be approved. There are a number of missing links in the present system that need something done about them. For example, I–4 terminates in St. Petersburg, Fla., and I–95 terminates in Miami. No interstate route connects these cities, and this is one of the missing links.

Mr. GROSS. I thank the gentleman for his response.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Texas.

Mr. WRIGHT. I thank the gentleman for yielding.

Although the gentleman from Indiana [Mr. BRAY] asked the gentleman from Florida how much of the money that had been allocated into the highway trust fund had been in fact used for other purposes than the construction of highways, the gentleman from Florida replied respecting certain amounts that have been withheld by Presidential action, and it might therefore be presumed had been borrowed from the trust fund in the sense that they might be used for other purposes.

Mr. Chairman, I do not rise to quarrel with the gentleman from Florida in his interpretation of that fact. I rise, however, to ask the gentleman from Florida is it not true that the committee has vigorously fought off any attempts legislatively to divert moneys from the highway trust fund for other than highway construction purposes? And is it not also true that the gentleman from Florida himself has been one of the prime champions in protecting the trust fund from any attempts to remove moneys therein dedicated and to use them legally and legislatively for any program other than the construction of highways?

Mr. CRAMER. I thank the gentleman from Texas for his complimentary statement, and I appreciate it. The gentleman is correct. That is why beautification and safety come out of the general fund rather than the trust fund. And that is further reason why we should not let them take any more out of the general fund for beauty when we have all the problems that we do with money at the present time.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. PASSMAN. Plainly stated, neither the committee, the Congress, nor the President can designate in advance where an interstate highway is to be built. You pass legislation and subsequently the State highway commissioners submit their request for consideration and then it is approved with the concurrence of the Federal Highway Administrator.

Mr. CRAMER. The gentleman is correct.

I have been one who believes in the partnership approach and I have supported it—meaning that the States make the recommendations and the States let the contracts and they submit them for approval to the bureau, but they are initiated only by the States.

Mr. PASSMAN. And they are based upon the statistics as to the need and as to whether or not the public interest is best served by a particular location.

Mr. CRAMER. That is generally the case.

There are some five criteria that are established relating to the Interstate System that are adhered to. Other criteria for the ABC system are basically based on the need.

Mr. PASSMAN. So it is nonpolitical and nonpartisan based upon the need of completing a system.

Mr. CRAMER. I will say to the gentleman, I would hope that it would be so judged. I am not convinced that in every instance it is. For instance, the 360 miles that went to West Virginia. With a few exceptions, I would say to the gentleman, I think the highway program because of the manner in which it is set up, particularly interstate, is about as free from politics as you can get.

Mr. PASSMAN. That is the intent of the legislation, to keep it free of politics insofar as possible.

Mr. CRAMER. The gentleman is correct, particularly as it relates to the Interstate System where we have said the system has to be completed.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Jersey.

Mr. CAHILL. Does not the gentleman agree, however, that the criteria upon which this 90–10 system is being operated today is somewhat antiquated and that having been established, as it was, back in the 1940's, it should be brought up to date, especially in view of the tremendous concentration of traffic that we have in certain areas. Further, does the gentleman not feel that the committee—or the Department of Transportation, more properly, should consider the number of automobiles, for example, that are registered in a State, and the traffic volume in a State and the ingress and egress from urban areas or the State rather than national defense which was the principal criteria when the system was established?

I wonder if the gentleman does not agree with me that this entire criteria upon which these funds are allocated to the States should be reevaluated and that the new criteria should be established consistent with changing times.

Mr. CRAMER. I will say to the gentleman, I could not agree more wholeheartedly. That is why I offered an amendment in committee which was adopted which is on page 12 of the report entitled "Functional Highway Classification Study"—the report to be by January 1970 to the Congress considering all aspects of the present system, the present program, the present allocation and the justifications and the present manner of designations—with the specific thought in mind that highways should be built where they are needed.

Mr. CAHILL. I thank the gentleman. If the gentleman will yield further, I would say it is because of section 16, which I gather is largely the work primarily of the gentleman in the well addressing us, I did intend to offer an amendment which I had prepared and was about to offer, believing as I do that many other States, like my own State, are really being shortchanged today under the existing criteria.

As the gentleman knows, the State of New Jersey, just as the gentleman's State of Florida, is really utilized by the traveling public, the motorists, a great deal more than many other States.

The State of New Jersey, for example, is one of the highest top eight States in the Nation from the standpoint of contributions to this fund by reason of the gasoline tax. What the State of New Jersey is receiving is only a little over 2 percent of those funds. This is not due to anybody's fault except the criteria, and under the criteria as it was established back in the 1940's, the State of New Jersey and other States like New Jersey are not getting the highway funds that are so essential.

Mr. Chairman, I compliment the gentleman and hope the gentleman will use the power of his important office to followthrough and see that the Secretary of Transportation does complete that report with its recommendations by the time of the date required by this bill.

Mr. CRAMER. I thank the gentleman. Florida has a similar problem. There is an obvious missing link in the Interstate System between St. Petersburg and Miami. This bill should correct that. We get back about 50 percent of what we pay into the trust fund. I do not want to see our highway program—and that is why the subject was introduced—to be stagnant, static, and political. I want it to be fluid, nonstatic, dynamic, and nonpolitical.

Mr. CAHILL. I thank the gentleman. I congratulate him for his contribution.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I might say, with regard to the remarks of the gentleman from New Jersey, that I am sympathetic to the plight of New Jersey under the allocations formula, which was provided in the Act providing for construction of the Interstate Highway System. But I think the RECORD should show that the State of New Jersey is not without resources or without remedy. I think the Members who travel throughout the State and who pay toll after toll after toll on those toll roads are aware that they have remedies, and they are using them.

Mr. CAHILL. Mr. Chairman, will the gentleman yield further?

Mr. CRAMER. I yield to the gentleman from New Jersey.

Mr. CAHILL. I thank the gentleman.

Mr. CRAMER. I do not yield for the purpose of encouraging this to become a controversial bill, but I yield to the gentleman.

Mr. CAHILL. I will just say that I find, in my limited travels throughout the country, that New Jersey is not unique, and if the Federal Government were more equitable in its contribution of funds that are allocated and paid for by the taxpayers of New Jersey, perhaps New Jersey would not need so many toll roads.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield further?

Mr. CRAMER. I yield to the gentleman from New Hampshire, a member of the committee.

Mr. CLEVELAND. I noted in the gentleman's remarks he said that if they got more money from the Federal Government, they would not need so many toll roads. I noted it, but I cannot agree.

Mrs. KELLY. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentlewoman from New York.

Mrs. KELLY. I thank the gentleman for yielding.

Can the gentleman tell me if there is any money in this bill which could be earmarked for planning of a program in a State, or would a State be required to earmark its own money for planning of any road in the Interstate System? I will amend that question by first saying this: An amendment will be offered either by myself or by my colleague from New York [Mr. PODELL]. One should realize that there is a $250,000 grant from the Housing and Urban Development, $259,000, $100,000 from the Ford Foundation, and $250,000 from the Department of Health, Education, and Welfare available for study and planning of the cross-Brooklyn expressway. At this point I would like to raise an objection to money from other bureaus being earmarked and used for the planning of such an Interstate System.

Can the gentleman tell me if any money is earmarked for a State to make plans for such a roadway?

Mr. CRAMER. We wrote into this legislation a specific prohibition against using highway money for other planning purposes.

Mrs. KELLY. In other highway plans?

Mr. CRAMER. In other than highway plans. The reverse of that question is this: Can HUD money be used to plan highways? I would suggest that every Member who voted for the model cities program should realize that that is what it is for. That is one of its principal purposes—for mass transit, including highways and other transportation systems. Those who were supporting that measure in effect were supporting those agencies getting into the highway business, which I personally oppose. I offered an amendment to the appropriation bill to keep them from doing that. I would answer the gentlewoman from New York with one further remark:

Specifically we voted, I think it was in the 1962 act, for a comprehensive transportation planning process within the local community which could be financed with highway money, the local community doing the planning. But that is not the same as HUD coming in and telling them how to do it. That is what I oppose. That is the reason I offered an amendment to the model cities appropriation when the appropriation bill was before the Congress, and I hope when it comes up again shortly, we will get support for an even stronger amendment this time.

Mr. MILLS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Arkansas.

Mr. MILLS. I appreciate the gentleman yielding. I am interested in this addition of 3,000 miles to the Interstate System.

I listened to the gentleman's explanation earlier, that it was to fill gaps that presently exist in the system. Is it contemplated that this 3,000 miles is authorized in the same manner that the initial 41,000 miles was authorized, namely that the Bureau of Public Roads has the authority to make commitments now to the States with regard to it, depending upon the development of State plans?

Mr. CRAMER. Only on the basis of States' requests. On that basis, the answer is "Yes."

Mr. MILLS. Is this to be paid for out of the trust fund?

Mr. CRAMER. The gentleman is correct. As some of this mileage is designated, if we do not have adequate money in the trust fund, it will mean a stretch-out of the construction program.

It is a question of the States' determining where they want to put their priorities for construction.

Mr. MILLS. Under the existing legislation, the trust fund expires on September 30, 1972. I understand on the basis of present costs alone the trust fund would have to be extended until about 1975 or 1976 to complete the 41,000 miles presently existing. What I am leading up to is this. Is this an administration request for 3,000 additional miles to be added to this system?

Mr. CRAMER. The administration did not request the additional 3,000 miles. However, there was an abundance of testimony heard, and this was the opinion of the gentleman in the well and of the committee, and there was no opposition to it in the committee. In my opinion, it is essential, because otherwise we would have to wait until 1978 to determine whether the States can construct additional links and additional mileage to correct problems in the existing system and to make it more fully operable.

Mr. MILLS. I would appreciate it if somewhere along the line some communication could have been had with the Committee on Ways and Means about the financing of it. There is no possibility, as I see it, that additional moneys can be made available. Over the protest of users of this system, we will have to stretch out existing taxes. We have done it once.

I do not know what the attitude of the Ways and Means Committee will be some time in the future when we will have to see how much longer we want these user taxes to be applied for roadbuilding purposes. I have very serious question about this business of undertaking to build 3,000 additional miles without at least the Ways and Means Committee being taken into the confidence of the Committee on Public Works to let us at least know the tax would have to be extended beyond 1975 or 1978, perhaps to 1981 or 1982 or 1983.

Mr. CRAMER. I will say this to the gentleman, so far as this Member is concerned, he would hope the Committee on Ways and Means would hold hearings on new taxes and put more money into the trust fund.

I will say this gentleman, in all honesty—and I do not mean to be argumentative about this—does not know of a tax, meaning the road user tax, that is more willingly paid when the users know the moneys are being spent for highways so the users can better use their automobiles they are putting the gas into. I do not know of a tax that is more accepted, as compared to other taxes.

I will ask the gentleman further—and the administration proposed this and it is in this bill—the administration proposed one and one-quarter billions of dollars be used for traffic problems in urban areas and additional millions of dollars for parking facilities in the peripheral areas of the cities. I would like to ask the gentleman if the administration discussed with the committee that billion and a half or more dollars additional costs, which comes out of the trust fund?

Mr. MILLS. Oh, no. We find out after these matters occur, generally. That is why I asked the gentleman if the administration had recommended the 3,000 miles, because I thought at least they owed us the courtesy of recommending how to raise the money.

Mr. CRAMER. I do not personally feel a responsibility of liaison, being on the other side of the aisle.

Mr. MILLS. This is one of the problems we have in the Ways and Means Committee.

Mr. CRAMER. I appreciate that.

Mr. MILLS. Some other committee makes commitments.

I had thought and hoped we could have presented to us probably some kind of program at the end of the 41,000 miles, that would extend it and phase it out, because this would not be good for the economy of the country to let this program suddenly end, but to do it in this manner, in my opinion, delays and interferes with the development of an additional 20,000 to 25,000 or 30,000 miles to come onto the system at the end of the completion of the 41,000 miles.

I am sorry that the committee has done this without waiting and having the Bureau of Public Roads, Department of Transportation, given the opportunity of developing that tapering out program which I believe is necessary. This means that tapering out program could not come in 1975 or 1976 but must come in 1979 or 1980, at some time down the road.

Mr. CRAMER. I agree then plans should be made now for the after-1975 highway program. The Congress passed a joint resolution in 1965, which came out of the Committee on Public Works, directing the Secretary of Commerce—now Secretary of Transportation—to make a highway needs study and to submit recommendations to the Congress in January of 1968. We are still waiting for those recommendations. I will say to the gentleman that I was one who insisted on putting in a minimum amount of mileage at this point, solely for the purpose of adjustments, solely for the purpose of filling the missing gaps that have occurred in some instances because of population shifts and what have you. We were advised in the committee that these were critical and emergency matters and could not wait until 1978. We felt a minimal amount of additional mileage was justified.

We are aware of what the gentleman suggests, and that is why we put in the classification study, to get at what the gentleman is mentioning, the long-range planning. I hope that the administration may eventually come forth with recommendations for the after-1975 program, which is now overdue. But we need limited mileage for adjustments now.

Mr. MILLS. I do not want the gentleman to misunderstand. I am not being critical of him or of his committee.

The point I am trying to make is that before the Department of Transportation permits this new 3,000 miles of roads to be committed, if it passes the Congress, as I am sure it will, the Department of Transportation should come to the Ways and Means Committee and discuss the financing of it, and not make the commitments ahead of time.

That is always a problem we face. Commitments are made and money is spent, and nothing is left for us to do except to raise the debt ceiling or to raise taxes.

Mr. CRAMER. I thank the gentleman.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentlewoman from Ohio.

Mrs. BOLTON. This is quite off that point, but I want to speak for a moment and to ask some questions about section 22 and section 17.

As I understand section 22, it permits the construction of the three freeways into the District. Is the committee against that or for it?

Mr. CRAMER. The committee is for it. There are three members of the committee who are opposed to it, 3 out of 34.

Mrs. BOLTON. Now, as to section 17, the present provision prohibits freeways through parks unless there is no feasible and prudent alternative to the use of such land. Section 17 would change this to permit consideration of other factors, such as relocation of people and so on. We have a case in Cleveland on that point, and it is a very serious matter to Cleveland.

Mr. CRAMER. I say to the gentlewoman, there will be an amendment offered on that subject. I support the committee position, the language in the bill, because I believe it does the job. It does not prohibit putting highways there.

Mrs. BOLTON. It should prohibit it.

Mr. CRAMER. If in fact it is justified and the alternative routes make it prohibitively costly, or otherwise it is essential to be constructed?

Mrs. BOLTON. Of course, the justification always depends on the point of view of the individual, and they are not always reliable, if you will excuse me for saying so.

Mr. CRAMER. I appreciate the gentlewoman's comments.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman, who is a member of our committee.

Mr. CLEVELAND. I just wondered, in connection with the colloquy between the gentleman from Florida and the gentleman from Arkansas, about one thing. As I recall, our committee was told by the Secretary, Mr. Boyd, he had already asked the Ways and Means Committee for additional taxes, not for the 3,000 additional miles of the interstate highway but merely to complete what we have already put on the drawing board. That is as I recall the testimony of the Secretary.

Mr. CRAMER. I understand there is a request before the committee for consideration of additional user taxes.

Mr. MILLS. There is, as the gentleman states, a proposal to try to complete the 41,000 miles at an earlier date.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. Very briefly.

Mr. HALL. I am not so sure it will be brief. If the gentleman will yield, that is all right.

Mr. CRAMER. I am glad to yield.

Mr. HALL. I want to compliment the ranking minority member of the committee and the distinguished chairman of the committee particularly for pages 36 to 43 of the report, on chapter 5 of the bill.

This is a new departure as far as land acquisition is concerned for necessary highway construction. Does not the gentleman agree with me that we need general revision of land acquisition laws, and is not the gentleman familiar with H.R. 7078, which puts into effect the report of the Committee on Public Works made after considerable investigation of current land acquisition policies of some time back?

Mr. CRAMER. The gentleman is absolutely correct. I congratulate the gentleman on his sponsorship of the bill he mentions. I had hoped that the committee would get to it this session. It is quite obvious that we will not. I hope we can get to it early next year. Of course, this is a beginning in the necessary matter of updating the field of relocation of displaced persons and businesses.

Mr. HALL. But it does apply to other areas where land must be acquired, such as reclamation projects and forest projects and national parks and impounded reservoirs, missile sites, and others. Our general bill is much more general and it measures damages in a greater amount and redefines the measure of damages. If I might call the attention of the Members, this can be found in the CONGRESSIONAL RECORD of March 13, 1967, where this bill is explained.

Mr. CRAMER. I will say to the gentleman I hope this is a forerunner and one of the leading provisions for proper acquisition of right-of-way and relocation for all programs of the Government in the future.

Mr. HALL. I certainly appreciate that comment and hope that we can make it come to pass.

Will the gentleman answer one question? Is there anything in this current bill, H.R. 17134, which would authorize the Department of Transportation to delegate approval for any of its programs to other departments which, in turn, might, as happens in the model cities program, or urban transit, be delegated to some union such as the Amalgamated Transit Workers Union for approval? This is done under the model cities program, in the mass transit section, wherein the Department of Housing and Urban Development delegated and required the Secretary of Labor's position and that in turn required the contract, even though precluded the various States and municipalities by law, to be authorized and OK'd by some bargaining body or union.

Mr. CRAMER. There is nothing in this bill to accomplish that. As a matter of fact, we specifically restrict spending highway money for other than highway purposes, for a study or otherwise.

Mr. HALL. I thank the gentleman.

Mr. KLUCZYNSKI. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, there is authorized in this bill some $3.8 billion for the fiscal year 1969 and $4 billion each for a number of years thereafter. An amendment is going to be offered by our distinguished colleague from Brooklyn [Mr. PODELL], which will affect these authorizations and provide that none of them shall be used as an authorization for appropriations for what is known as the Cross-Brooklyn Expressway. The Department of Transportation, I understand, has approved this expressway. No hearings have been held concerning that expressway for Brooklyn. The views of the citizens of Brooklyn affected by the expressway have not been heard. Those views should not be disregarded. Congressman ROONEY, CAREY, BRASCO, MURPHY, PODELL, and Mrs. KELLY, represent Brooklyn. We are all unalterably opposed to this Cross-Brooklyn Expressway which has apparently been recommended by the Department of Transportation. The residents along this proposed route are greatly disturbed, agitated, and worried. They would not only be discommoded, but in most instances they would be dispossessed of homes that they have had for a lifetime. The area is replete with thousands of one- and two-family houses. Those homes might be demolished or greatly damaged. Irreparable damage would be done and done needlessly. Originally the route, this interstate route, was to go across what is known as Atlantic Avenue in Brooklyn. And, that would be along an industrial route where there are comparatively few homes.

Now, Mr. Chairman, it would be my thought, for this expressway to go the other route, along Atlantic Avenue. That avenue, which cuts through in this residential area. It is an industrial area—quite suitable for a Cross-Brooklyn Expressway. It would thus greatly benefit the business and industrial community.

Mr. Chairman, we the members of Brooklyn hope that the other members of this committee will join us so that none of this authorization will be used as intended by the Department of Transportation.

Mr. Chairman, we the seven Members who represent Brooklyn ask you to join us, appropriately, when this amendment is offered to help us prevent the rape of Brooklyn, because that is exactly what it is. It would do great harm and damage to thousands and thousands of our constituents in that area.

Mr. KLUCZYNSKI. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Texas [Mr. WRIGHT].

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I would be happy to yield to the distinguished chairman of the Committee on Appropriations, the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, before the gentleman from Texas [Mr. WRIGHT] gets into the main text of his remarks, I would like to express concern about a matter and ask a question. Now, this bill contains a provision to add 3,000 miles to the presently authorized Interstate System. I thoroughly support this provision and I hope that eventually it may be expanded beyond that.

Mr. Chairman, I realize there are problems here with regard to the actual construction of this additional mileage. Because of a number of factors it may not take place immediately but long-range plans must be made and additional routes must be designated as part of the Interstate System.

For instance, Mr. Chairman, I represent as part of my district the city of Lubbock, a city of more than 150,000 people that is more than 100 miles in any direction from the Interstate System. The city of Lubbock is my hometown.

I would like to have the gentleman from Texas [Mr. WRIGHT] comment upon the situation represented with respect to the additional mileage and extension of the Interstate System.

Mr. WRIGHT. I thank the gentleman from Texas [Mr. MAHON] for raising the question with respect to the situation regarding the city of Lubbock. It is one of those cities which the committee had under its active consideration when it provided two measures of relief.

First, as the gentleman knows, we propose adding 3,000 miles to the Interstate System. Second, we provide a means for bringing certain already completed mileage from the primary system onto the Interstate System when that existing mileage meets certain standards. It is my opinion that either of these measures could be applicable to the Lubbock situation.

Obviously it was the intent of those who planned this program in 1956—and it was clearly stipulated—that every city in the United States of as many as 100,000 people would be connected into this network of concrete which is the Interstate Highway System.

Some of the cities which were not at that time considered qualified by reason of population have since that time become clearly qualified by reason of population growth.

Many of the cities of America have grown very rapidly in the intervening decade, and Lubbock, Tex., is one of them. Lubbock has experienced a very appreciable growth. Emphatically it qualifies as containing well in excess of 100,000 people, and by every rule of reason it should be connected with the Interstate System.

It was partly in consideration of inadvertent omissions of this type, and also in consideration of many relatively short gaps where interconnecting links are vitally needed now to promote and facilitate the smooth and steady flow of traffic over the Interstate System that the committee included in the bill the two provisions I mentioned.

Rather than the previously authorized 41,000 miles we have provided that the Interstate System shall contain 44,000 miles. The committee corresponded with all of the States in an attempt to adduce from the respective State highway administrators their own individual, most critical, and most urgent needs for linking up the system. We did not ask what ultimately they would like to have under the most ideal situation. We asked what immediate and pressing needs exist today.

There appeared subsequently before the committee a gentleman who represents the State highway department from the gentleman's own State, Mr. Dingwall, the State highway engineer. He discussed several needs. Among them he discussed with the committee the need mentioned by the gentleman concerning the city of Lubbock.

I might add that in order to qualify for inclusion within this additional 3,000 miles, the appropriate State highway authority must make application for such an inclusion to the Bureau of Public Roads, and it then must be approved by the Bureau of Public Roads.

Obviously 3,000 miles is not a great amount of highway mileage when we divide it among the 50 States. Not all problems can be rectified nor all needs met by this extension of the system.

Second, the committee provided on page 40 of the bill, under section 15, an arrangement for additions to the Interstate System by designation. Let me read a portion of this section:

> Whenever the Secretary determines that a highway on the Federal-aid primary system meets all of the standards of a highway on the Interstate System and that such highway is a logical addition or connection to the Interstate System, he may, upon the affirmative recommendation of the State or States involved, designate such highway as a part of the Interstate System.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KLUCZYNSKI. I yield 2 additional minutes to the gentleman from Texas.

Mr. WRIGHT. I thank the gentleman for yielding this additional time.

Quite clearly the highways connecting the city of Lubbock with the city of Amarillo and with U.S. 20, as well as certain other highways that connect the city in an easterly direction with some of the other cities of the State could qualify as logical additions or connections with the Interstate System.

It is my impression, after having discussed this particular matter with the State highway engineer from the State of Texas, that certain of these highways may well meet the standards of a highway on the Interstate System, and it may conceivably be that a solution would be found in this paragraph of the bill.

Mr. MAHON. Mr. Chairman, I appreciate the statement of the gentleman from Texas. I also appreciate the opportunity of appearing before the committee. I do hope that these provisions can be maintained in the final version of this legislation, and that something can be done to meet the situation which we have been discussing.

I appreciate the cooperation and the attitude of the committee in regard to the problem with which we are confronted.

Again I thank the gentleman very much for yielding.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. Mr. Chairman, I thank the gentleman for yielding.

I want to express my appreciation to the Committee on Public Works here in the House, the chairman of the committee, and the Subcommittee on Roads and its great chairman, the gentleman from Illinois, Congressman KLUCZYNSKI, which has done in this instance exactly what they told the Congress last year they would do in bringing this Federal Highway Aid Act of 1968 to the Congress. I appreciate the committee hearing me in behalf of Louisiana; my arguments were based solely on need.

There has been a considerable amount of colloquy here today between different Members about the proposed additional 3,000 miles to fill gaps in the Interstate System—and the gentleman from Texas [Mr. MAHON] who preceded me was involved in a similar colloquy——

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. KLUCZYNSKI. I yield 3 additional minutes to the gentleman from Texas.

Mr. WAGGONNER. If the gentleman would yield further, in the interest of legislative history for the future the gentleman made a very clarifying statement about what this additional 3,000 miles was supposed to be, in my opinion, but there still seems to be some misunderstanding. Am I not right, in assuming from what has developed, that it was the intention of the House Committee on Public Roads to recommend the addition of 3,000 additional miles to the Interstate System not to expand it, but to fill in the gaps and correct the deficiencies which experience shows us have developed and as is always necessary since the specifics cannot be written into the bill the report was used for greater detail to express what was intended?

Mr. WRIGHT. I believe the gentleman from Louisiana has accurately described the purpose and intent of the committee.

Mr. WAGGONNER. Was it not the intention of the committee to convey the congressional intent in making some recommendations about where some of these serious gaps existed in delineating some areas which were obvious gaps? I refer to the examples of deficiencies outlined in the report one of which exists in

Louisiana between Shreveport and New Orleans.

Mr. WRIGHT. Yes; the gentleman is correct.

If the gentleman will refer to page 4 of the committee report, he will see that the committee sought to delineate certain examples of the obvious and serious gaps in the system which have prevented its being the continuous interconnected network which the Congress intended.

In the middle of the paragraph on page 4, are listed a number of such examples. This is not intended to be all inclusive, but these were some of the most glaring instances which were brought to the attention of the committee, and the committee thought it wise to express in specific terms exactly what we had in mind. So if the gentleman will refer to page 4, he will see some of the examples which the committee felt were particularly significant and illustrative of the type of connecting links for which the additional 3,000 miles are being provided. I believe omissions in the present system, the specific example cited by the gentleman from Louisiana, is included in this listing.

Mr. WAGGONNER. And it is the congressional intent that this is for the guidance of the States and the Federal Highway Administration; is that not correct? These gaps should, as glaring examples, be programed out of the new 3,000 miles to correct previous errors?

Mr. WRIGHT. That is precisely the purpose that the committee had in mind in preparing the committee report.

Mr. WAGGONNER. I thank the gentleman very much. We can do no less and we must add this mileage to correct these errors.

Mr. PICKLE. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman.

Mr. PICKLE. As the gentleman knows, I appeared before the committee in the hope that we might be able to connect the Interstate route between El Paso and Houston with the capital of the State, Austin, by means of an alternate loop.

As I understand the gentleman's explanation, 3,000 miles would be allocated, and the State of Texas would be given a portion as its entitlement. I understand further that the determination or the decision as to the precise location of this mileage within the State would result primarily from the recommendation of the State highway commission.

Mr. WRIGHT. The gentleman is exactly correct. Prior to inclusion of any specific mileage, application must be made by the State or States involved.

Mr. PICKLE. The gentleman knows the great need for the type of loop that I earlier described. Such alternate routes exist elsewhere in the State and in the Nation, and I know the responsible authorities will keep that consideration in mind.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Louisiana.

Mr. PASSMAN. I rise in support of this legislation.

As I understand it, when the gentleman refers to missing links, this is more or less predetermined by the engineers as to the need and location prior to the writing of this legislation; is that correct?

Mr. WRIGHT. As I understand the question of the gentleman, the answer would be that the committee upon determining that this was the right and necessary thing to do, circulated a questionnaire to the responsible highway officials in the various States. We asked each State highway official to enumerate for us those glaring and urgent needs for Interstate connections within their particular States.

As a result of those replies that the committee received, and I must say to the gentleman that some of the States did not make any response—the committee determined that 3,000 miles was a minimum necessary to connect up the system and fill in the missing gaps and that it would be wise to hold the extension to such a minimum figure for the reasons mentioned by the distinguished gentleman from Arkansas [Mr. MILLS], the question of financing and the problem of continuously stretching out the completion of the program.

Mr. PASSMAN. In other words, this is predetermined as to the need. You do not just shift these miles from one part of the State to another to accommodate some public official, should he be a Member of Congress or any other public official?

Mr. WRIGHT. No. We do not. The gentleman is correct. The committee made an earnest effort to consider the question of demonstrated need.

Mr. PASSMAN. It is based upon need statistics, and the recommendations of the highway experts?

Mr. WRIGHT. Precisely so.

Mr. PASSMAN. It is subsequently to be determined, not at this time in this bill, where those new connections will be. It is only recommended by the committee and the actual determination is to be made subsequently by the highway commission of the State with the concurrence of the Governor and the public administrator. Do I state the situation correctly?

Mr. WRIGHT. If I may be quite specific in replying to the gentleman from Louisiana, the recommendations which the committee has made are indeed recommendations. It is not intended that the list be all-inclusive. I should not want to leave the impression that these are the only places, by any manner of means, where the committee expects to see connecting links constructed in the existing system. The list we have included on page 4 of the committee report is illustrative of the congressional intent in authorizing the additional mileage.

It is expected by the committee, I think I should say, that very serious consideration should be given by the Bureau of Public Roads to those recommendations. It is the understanding of the committee that each of these specific needs we have listed comes with the affirmative recommendation of the State or States involved.

Mr. PASSMAN. But a State highway commissioner could designate a different location and have it considered. It would have to be from the State highway commission; it would not be at the Washington level.

Mr. WRIGHT. The gentleman is exactly correct.

Mr. RANDALL. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I am glad to yield to the gentleman from Missouri.

Mr. RANDALL. Mr. Chairman, I wish to compliment the gentleman for the amendments which have been added to the highway beautification section of the bill, amendments which I understand the gentleman from Texas may have had something to do with. In attempting to define "agreement" on the question of billboard control, some of us who may not have been so enraptured by the old wording feel that we are making some progress.

The committee has inserted the provision that in lieu of an agreement reached by negotiations between the State and the Federal authority, the State authority or a bona fide local zoning board may define what is "customary use," and that will be accepted in lieu of an agreement.

I would like to suggest to the gentleman that, at the appropriate time, we would like to have inserted in the act the words "unzoned commercial or industrial areas," referring to those areas that are actually being used for that purpose, so that the State might in good faith make a finding in this regard also, and this might in effect be in the nature of a grandfather's clause for commercial and industrial uses that are actually in existence.

Mr. WRIGHT. I appreciate the comments made by the gentleman from Missouri. As he is aware, and as many Members of the House are aware, the committee has had a very difficult time in trying to reconcile beauty and business. We have tried to define a policy that would serve both commerce and conservation, and promote both quantity and quality in American life as it exists along our highways. We believe we have made some appreciable strides towards making this program acceptable to the States.

For example, we have provided, in the bill, as the gentleman has observed, that where a State or a bona fide local zoning authority has made a determination as to what actually constitutes customary use, that this determination would then be accepted by the Federal Government. The committee believes that this is consistent with the legislative purposes originally expressed in the highway beautification bill in 1965 and that it will remove certain anxieties on the part of several of the States. If I correctly understand the amendment proposed by the gentleman from Missouri, I would see no major objection to including some such language as the gentleman has recommended.

Some comment has been made earlier today concerning the financial authorization in this bill for highway beautification.

Any fairminded analysis will reveal that this is truly a minimum authorization. We have divided the administration's request by 10. We have reduced the amount the Department asked by a full 90 percent.

The bill would authorize only $500,000 for billboard control, only $1 million for junkyard screening activities, and only $7 million for the scenic enhancement section. In each instance, the figure is exactly one-tenth of the amount requested by the administration. It is, in this instance, a "bare-bones" authorization.

While we recognize that beautification efforts may not command a high priority in times of austerity budgets, we do believe it is in keeping with the public desire to keep the program at least alive. The Vietnam war cannot last forever. The American people want us to preserve a certain amount of attractiveness in their environment, a certain amount of scenic beauty, a few opportunities to view a lovely landscape, a little bit of granduer in our life, and a chance now and again for serene reflection. This we feel is the least that we can do.

Mr. RANDALL. I thank the gentleman.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Florida.

Mr. FASCELL. Mr. Chairman, I rise in support of the Federal-aid highway bill as reported by the Committee on Public Works. The entire committee and particularly its able chairman, GEORGE FALLON, and the distinguished gentleman from Illinois [Mr. KLUCZYNSKI], chairman of the Subcommittee on Roads, are to be commended for the fine job which has been done in this bill in providing for our Nation's road needs.

The bill as reported by the committee contains many important provisions which will go a long way toward reducing the tragic toll on our highways and reducing the choking traffic congestion in our cities. Among the bill's most significant provisions are: A 3,000-mile addition to the Interstate Highway System; an increase of $125 million annually for traffic operations in urban areas; an increase above administration recommendations in highway safety spending; and provisions for the establishment of a demonstration program for fringe parking areas near our major cities.

Especially noteworthy is the committee's recommendation that authorized mileage for the Interstate Highway System be increased from 41,000 miles to 44,000 miles. This 3,000-mile addition is an absolute necessity if we are to tie the loose ends in the presently authorized system.

It is ridiculous for an interstate highway to come to an abrupt end at a busy intersection in the middle of a city. It is illogical to leave the two largest cities in a major State unconnected by interstate highway, yet these are exactly the cases in at least a few instances.

I believe the committee was wise in suggesting the 3,000-mile addition to close these and other gaps in the present system. I also feel that the committee was right to mention specific examples of the kind of situations the 3,000-mile addition is designed to remedy.

While the "missing links" cited in the report certainly are not all of those which could have been mentioned as obvious gaps in the Interstate System, the examples will serve as useful guidelines to the Secretary of Transportation in allocating the 3,000 miles to the States.

In my own area of Florida there are several examples of exactly the kind of missing link which the committee cites in favorably recommending the 3,000-mile interstate highway addition contained in the bill. Miami, the State's largest urban area with well over a million people, has no interstate link with the State's second largest urban area, Tampa-St. Petersburg, which itself has a million residents. Of equal importance is the lack of interstate highways serving the large metropolitan area south of the present terminus I–95 in downtown Miami. More than a million people south of the present terminus have no ready access to the Interstate System. This same area is the home of an extensive agricultural industry and is one of the fastest growing industrial, commercial, and residential areas in the entire Nation. It is also the site of several major defense installations.

These missing links in the Interstate System could and should be remedied from the 3,000-mile interstate highway addition contained in the present bill. Interstate 75 should be extended south from Tampa to Miami southward to Homestead, Fla. Interstate 95 also should be extended from its present terminus in Miami to a point south of Homestead, Fla., with high priority being given in any future addition to the Interstate System to extending I–95 south to Key West.

The logic of extending I–75 from Tampa to Miami is all but irrefutable. I and my colleagues in the Florida congressional delegation have been stating the need for constructing this highway for more than a decade.

At present I–75 ends in Tampa more than 250 miles from Miami. U.S. 41, the only road now linking the two cities is an antiquated, narrow two-lane highway with many bridge abutments, narrow shoulders, and deep canals on both sides. This highway is totally inadequate and unsafe for the tremendous volume of traffic between the two cities.

The need for the extension of I–95 southward from its present terminus to a point south of Homestead, Fla., is equally compelling. The route to be followed by this road would serve the heart of the southern half of the Miami metropolitan area with more than 400,000 people who do not now have easy access to the Interstate System. It would insure orderly economic growth by relieving traffic congestion which threatens to choke the area's future expansion.

Extension of I–95 would also provide direct access via the Interstate System to the major Tactical Air Command facility at Homestead Air Force Base. This base, together with the Key West Naval Air Station, are the primary response bases of the Continental Air Defense Command for any aggressive attacks from Communist Cuba which lies less than 200 miles south of Miami.

An extension of I–75 southward from its junction with downtown Miami's East-West Expressway to Homestead, Fla., is an essential part of Dade County's transportation plans. This road would insure direct access to the Interstate System for the tremendous amount of agricultural produce which is shipped northward from the major agricultural center located in southern Dade County. Construction of this leg of I–75 would accelerate and insure a steady flow of fruits and vegetables from the Redlands area to all points of the South, North, and Midwest without further adding to the traffic congestion of downtown Miami. This highway would also provide a second important internal line of transportation to Homestead Air Force Base.

In addition to the obvious impact which completion of these vitally needed roads would have on residential, commercial, and industrial location of south Florida, these roads would also serve millions of visitors who each year go to south Florida from all over the United States. The roads would help make their vacations easier and more enjoyable by allowing them to quickly and safely reach such outstanding natural areas south of Miami as the Everglades National Park, the John Pennekamp State Park, and the beautififul Florida Keys.

In summary, I believe that it is clear that this 3,000-mile addition to the interstate system is vitally necessary and should have the support of each and every member of the House of Representatives.

I am certain that an objective analysis of Florida's road needs will show that the three highway lengths which I cited ought to be constructed under the authorization of 3,000 additional miles. I have urged the State Road Board of Florida to submit a priority request for these roads to the Department of Transportation as soon as this bill becomes law.

Mr. BRINKLEY. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Georgia.

Mr. BRINKLEY. Mr. Chairman, I rise in support of this legislation and, in particular, section 13 which adds 3,000 miles to the Interstate Highway System. Columbus, Ga., located in the Third Congressional District which I have the privilege of representing, is one of the largest cities in the Nation which is not served by an interstate highway.

Our equities seem to be similar to those of Lubbock, Tex., and I am sure Columbus, Ga., would be given the same priority as that fine city.

In addition, one of the largest military installations in the country, Fort Benning, is located adjacent to Columbus.

The State Highway Department of Georgia has established an interstate highway connector from Columbus to the Warner Robins, Ga., area, as the first priority for additional interstate highway mileage in the State. Such a connector would link Robins Air Force Base in Warner Robins with Fort Benning, and additional expansion of the interstate system westward could link Maxwell Air Force Base, Montgomery, Ala.; Craig Air Force Base, Selma, Ala.; and Meridian Naval Auxiliary Air Station, Meridian, Miss.

Mr. Chairman, these plans constitute

a vital link in our defense system of highways.

Such a connector from Columbus to the Warner Robins area would give us access to I–75 and I–16, which is vitally necessary.

Mr. RANDALL. Mr. Chairman, I am most grateful that the gentleman from Texas [Mr. WRIGHT], a member of the committee, was good enough to yield to me that I might discuss with him the highway beautification section of H.R. 17134.

As I may have indicated, I shall offer, at the proper time, under the 5-minute rule, an amendment at line 4, page 26 of H.R. 17134. My proposed amendment is, in fact, the addition of only a few words to a committee amendment added at that point to the 1965 act, being Public Law 89–285.

During debate in 1965, I recall there was an effort to retain the major benefits that can come from highway beautification and, at the same time, recognize that beautification must be tempered or moderated to a measure or degree that will not completely or entirely put out of business the thousands of roadside enterprises, including the rural outdoor advertising companies and thousands of affiliated motels which cannot continue to exist without some rural signs.

The Committee on Public Works is to be commended for its efforts to provide a wording which will be accepted in lieu of controls by agreement. This means whenever a State authority or a bona fide local zoning authority has made a determination of customary use, then such a ruling will be valid in lieu of controls by agreement with the Bureau of Roads.

My amendment will simply add to the determination of customary use the determination by a State authority or bona fide local zoning authority of those unzoned commercial or industrial areas which actually exist in reality.

In other words, along the roadside there may be existing commercial or industrial areas which have been there long before zoning was enacted. Sometimes these areas are referred to as nonconforming uses. Whatever the description there is a use which exists or an industry is then and there in operation. Whether by virtue of the grandfather clause, or whatever mode of acceptance, if the State authority concurs these areas should be accepted in lieu of controls by agreement. This is just a matter of ordinary commonsense that when a roadside area is being used by business or industry it has a right to continue to operate. It would be difficult to reach the conclusion why such an area was not the appropriate location for outdoor advertising.

Some of the most widely criticized requirements of the 1965 act were those relating to the definitions of "customary use" as these apply to billboard control. The same is true with the meaning of "unzoned commercial and industrial areas," as these terms are applied to billboard control. The responsibility for making both determinations should be entirely in the hands of the States or appropriate local jurisdictions.

I hope my amendment proves to be a noncontroversial amendment. It is needed to further clarify the intent of the committee under the old law. The amendment I have offered should be a step toward arriving at an agreement as to what amounts to the so-called unzoned commercial or industrial areas. The amendment which I will offer does not strike off in a new course, but, hopefully, will supplement and further strengthen the amendment of the Committee on Public Works. It is my hope the members of the Public Works Committee will agree that the words which we will add are right in step with the intentions of the committee.

Mr. KLUCZYNSKI. Mr. Chairman, does the gentleman from Florida have any further requests for time?

Mr. CRAMER. I have requests for 20 minutes, and possibly some unanimous consent requests.

Mr. KLUCZYNSKI. I promised to have the Committee rise by 6:45 p.m. I hoped we could do so. Otherwise we will not complete the debate.

Mr. CRAMER. We will do our best to cooperate with the gentleman.

Mr. KLUCZYNSKI. I have a request for 3 minutes.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. HARSHA].

Mr. HARSHA. Mr. Chairman, I thank the gentleman for yielding. I shall not use the 5 minutes.

I would like to get the attention of the chairman of the subcommittee for one or two questions.

An Ohio citizen has written to me that he is concerned about items 3, 4, 5, 6, 7, and 8 on page 23, and 9 on page 24 of the bill. He seemed to be of the opinion that the authorized funds for those particular programs or roadways would be appropriated out of Highway trust funds rather than out of the general fund.

Mr. KLUCZYNSKI. That would be out of the general fund.

Mr. HARSHA. That was my understanding. I just wanted to clarify it. These programs would be financed out of the general fund of the Treasury. Historically this has been the policy of the committee on those items, has it not?

Mr. KLUCZYNSKI. The gentleman is correct.

Mr. HARSHA. I thank the gentleman and yield back the balance of my time.

Mr. CRAMER. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Chairman, I rise in support of the Federal-Aid Highway Act of 1968, and to express, briefly, some of my thoughts regarding this legislation, that will not be covered by my colleagues on the committee.

The Interstate System—National System of Interstate and Defense Highways—now stands at 41,000 miles, all of which has been designated, and less than 15 miles remains for making sorely needed adjustments. In recognition of this serious problem, and in order to permit the Secretary to complete and close the obvious gaps in the system, the reported bill increases the interstate mileage from 41,000 miles to 44,000 miles. This addition will permit the State of California to solve the immediate problems in Los Angeles, San Francisco, and the Oakland Bay area.

However, as this additional mileage will have to be paid for from existing revenues, it serves no purpose, in my judgment, to move in the direction of broadly expanding the interstate mileage at this time. With this in mind, I want to notify the Congress that the committee hearings revealed that there is a great and growing need to improve our entire highway system with more emphasis on primary, secondary and rural roads, in addition to interstate and urban systems. One of the principal reasons for including a functional classification study in this legislation, was to provide the Congress with an accurate inventory by the States, in concert with cities and counties, of what the current needs actually are. Once this information is compiled, it will be possible for the States and the Federal Highway Administration to establish appropriate funding priorities and also make available the necessary information so that our Public Works Committee and the Ways and Means Committee can properly recommend legislation to improve and update our highway system in every section of the country.

Important as the Interstate System unquestionably is, we cannot neglect the desperate need of the urban communities, counties, and rural areas of our country to advance construction and improvement of their primary and secondary roads.

Economic development in the rural areas of America is directly dependent upon transportation capabilities, access to, and connection with, other communities and markets.

With all the pressure building up in the metropolitan areas, it is only logical that we look for ways and means of attracting people, business, and industry to the smaller communities.

This can be accomplished by changing the revenue allocation for primary and secondary roads. This follows the basic concept of my bill, H.R. 17976, which is designed to "provide for a study of the need for increased expenditures for public works in smaller urban areas as a means of reversing the migratory trend toward large metropolitan areas."

My amendment which would authorize additional appropriations for Federal-aid primary and secondary roads in rural areas was adopted by the committee and is included in H.R. 17134. This is a first step toward recognition of the "positive program of decentralization" concept, which can be carried out only through a balanced system of highways. To accomplish this, the Congress must work toward a balanced system of finance and a revised revenue allocation formula.

The forest development roads and trails authorization recognizes the need to place the access road program on schedule in order to maximize the efficient land management of our national forest. Timber sales and receipts will more than ammortize and justify the authorized amount.

The relocation provision recognizes the tremendous inequity in values, established for real property acquisition, that has existed far too long. To me, this is the most important section of the bill.

Many property owners have been literally "put out in the street" because of the gross unfairness of using "fair market value" as the criteria for compensation for land acquired for right-of-way purposes. Many people have had their normal pattern of living completely disrupted, and then when they tried to replace their original property taken for highway purposes, they could not find like property in another location for the same amount paid them as compensation. This is no way to treat people and I am almost exuberant over the fact that this relocation assistance provision is about to become law. The revolving fund for advance acquisition is also long overdue.

Sharing importance with the highway program, in my judgment, must be consideration of air space. As more and more people "take to the skies," and as small communities become urbanized, a critical need has developed for additional airports. Obviously, these airports require access highways or access to existing highways. It is therefore imperative that the States, the Federal Highway Administration, and the Federal Aviation Administration coordinate efforts in planning highways and airports.

I had offered some comments that were to be included in the committee report that would put the committee on record as urging the Federal Highway Administrator and the Federal Aviation Administration Administrator to recognize this need and work toward its implementation. Because of the rush of time in getting the report filed and to the printer, I have been advised that these suggested comments were not included in the committee report. Therefore, I will include them in my remarks today in order to include them in the legislative record we are making today. I strongly urge the Congress and the executive agencies to give these suggestions a proper position of priority as we seek ways and means of improving the coordination of our land, sea, and air transportation capabilities.

I herewith quote the suggested comments:

> In addition to the potentials for utilization of air space over highways suggested by Departmental and other witnesses, the Committee believes that this concept should be explored more deeply in terms of intermodal transportation possibilities. Particularly as they offer a means to fill the clear need for new, logically planned general aviation terminal facilities, air space and "joint development" utilization concepts should be given careful consideration in the urban and suburban highway planning process.
>
> Soundly-conceived comprehensive land use planning, as envisioned by Section 134 of the Federal-Aid Highway Act of 1962 and subsequent legislation, dictates that acquisition of land for highway purposes be carried out not in a vacuum but as part of a program for development of facilities to meet a combination of urban transportation and non-transportation needs. The Committee recognizes that the Federal Highway Administration does not now have the financial potential for underwriting Federal participation in meeting all such needs. However, as a means of exploring applications of joint land use principles to meet needs for general aviation and other facilities integral to the health of the total transportation system, the way is open for coordination between the Highway Administration and the Federal Aviation Administration toward that goal.
>
> The Committee urges that appropriate agency heads within the Department consider these and other potentials of the air space utilization and joint development concepts, so that adequate attention can be paid to present and potential needs, particularly of urban areas, as part of the land acquisition and highway planning process.

Mr. CRAMER. Mr. Chairman, I yield such time as he may consume to the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. CLEVELAND. Mr. Chairman, I rise in support of this bill with the reservations expressed in our minority views as set forth in House Report No. 1584 of this session and with which I have concurred.

Because the hour is late, I will not elaborate on those views. I do wish to express my gratitude that two general proposals which I have urged for the past 6 years, and since I have served on this committee, have reached fruition in this bill.

The first is the matter of advanced taking of rights-of-way coupled with the problems of relocation. The second is the concept spelled out in section 27 of the bill, which would permit the inclusion of national forests and national parks and monuments in determining the Federal share payable on highway projects on the Federal-aid primary and secondary systems.

These proposals, which rest in experience and concepts of fairness, have been improved by the passage of time and committee deliberation. I especially want to express my admiration for the entire staff of the Public Work Committee generally, and particularly the minority staff for wise counsel and help in advancing and improving these proposals.

Mr. KLUCZYNSKI. Mr. Chairman, I yield such time as he may consume to the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Chairman, I urge support of H.R. 17134, the Federal-Aid Highway Act of 1968, as an essential, logical, and balanced advancement of this Nation's highway program.

After extensive hearings, the House Public Works Committee gave this legislation careful and detailed consideration. The committee has brought forward a bill to provide for continuation and improvement of the various elements of our highway system.

The recommended changes are a necessary advancement of the road system which provides the backbone of the Nation's transportation system, for pleasure and for commerce. Highways provide the only link to other points for many communities. In some cases, where alternatives exist, highways are the choice because of the mobility and convenience they allow the traveling and shipping public.

The extensive use of the road system makes it important that we provide the authorizations to make highway travel as efficient, as safe, and as attractive as possible.

The experience in building the Interstate System and other long-duration projects indicates we should provide for this efficiency, safety and attractiveness at the earliest possible time. To delay adds greatly to the ultimate cost because of rising construction prices and the needless expense of corrective measures in the future. Rather than saving money, delays also are costly to present highway users because of inefficiency in commerce, frustration in travel and needless deaths and injury which are more prevalent on older, outdated roads.

H.R. 17134 would authorize progressive steps to deal with these problems. The reported bill extends the Interstate System authorizations from 1972 to 1974 and increases the authorizations to provide for estimated costs for completion of the system. It provides for some 3,000 additional interstate miles to link segments of the system and provide the States with a reasonable leeway in programing deficiencies which have become known.

As in the case of all highway routing, it will be up to the States and the Federal Highway Administration to determine use of the additional mileage. Because the additional miles will be paid for from existing revenues, it will be up to the States and the Federal Highway Administration to determine whether a segment programed out of the additional mileage should take priority over a project already designated.

The reported bill also authorizes first funds for the much needed upgrading and expansion of the Federal-aid primary and secondary systems. This modest start is imperative.

Increased authorization is provided for the highway safety program. Through improvements in roads and safety programs which can reduce the number of traffic deaths and injury, the entire Nation benefits. This program needs the greatest possible attention.

The bill provides for improvements in the functioning of other phases of the highway program such as scenic enhancement, advance acquisition of right-of-way, and parking problems.

To continue the balanced advancement of our Nation's highway program I urge approval of H.R. 17134 as reported by the House Public Works Committee.

Mr. KLUCZYNSKI. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. STRATTON].

Mr. STRATTON. Mr. Chairman, I realize the hour is late, but I take this time to bring to the attention of the committee and the House some rather important facts with regard to the economic impact of the Highway Beautification Act for which this bill provides money for the next 3 fiscal years.

I voted against the highway beautification bill 3 years ago, when we were in session here until 12 o'clock at night, because, I said at the time this legislation was going to do real damage to the small tourist businesses around America, and particularly in the Finger Lakes area of New York State, which I have the honor to represent.

Oddly enough, the committee itself in its report on the legislation now before us comments they "have never been satisfied that the Highway Beautification

Act, as initially structured, would or could achieve its purpose without substantial undesirable effects upon motorist-oriented businesses and upon the enjoyment and convenience of the highway to the motorist himself." But the interesting thing is that the facts and figures about what this impact would really be have never been revealed to this committee or to the public. For example, the Secretary of Commerce told the committee in January of 1967, on page 29 of Senate Document No. 6 of the 90th Congress, first session—

> While some highway-oriented businesses will suffer, others will benefit so that the economic effect is basically a redistribution rather than a loss.

But he did not say how sweeping this redistribution would really be. And this is the point I want to make. I would like to call to the attention of the committee one of the studies prepared pursuant to section 302 of the Highway Beautification Act of 1965 by Rensselaer Polytechnic Institute in New York State at the request of the New York Department of Transportation, and paid for by the Federal Department of Transportation. Here is what this study concludes:

> It is our considered opinion that the Highway Beautification Act will give advantage to large national chains, promote concentration in businesses serving the traveling public, lead to the extinction of small independently owned firms, and finally, concentrate those firms offering lodging and shelter along the Interstate and Thruway System to the detriment of the traveling public, who need on-site direction to more beautiful, though less accessible places, which the national chains, except in the case of extremely important tourist objectives, seem disinclined to serve. The Finger Lake region—which is described in detail in this report—is an excellent example.

Now this is the kind of damage, this is the kind of "redistribution" that this bill will do. I propose to offer an amendment to delete from the bill even the limited $500,000 put in here for billboard implementation for the next 3 years until we have done something to correct these deficiencies in the basic act which, as RPI foresees, could have such devastating economic effects on small tourist business all across our land.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CRAMER. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. McEWEN. Mr. Chairman, will the gentleman yield?

Mr. STRATTON. I yield to the gentleman from New York.

Mr. McEWEN. Mr. Chairman, I compliment the gentleman from New York for bringing out this report. I would say to the gentleman that the report the Secretary made to the Congress pursuant to section 302, which is a 50-page report, has about 20 or so lines under the heading, "Impact on Highway Oriented Businesses." I notice in the bibliography of this there is a reference to a study to investigate the impact on the outdoor advertising industry and its reaction to the highway beautification program; but this is a bibliography which was not indicated to be a study on small businesses dealing with the motoring public.

Mr. STRATTON. I might say to the gentleman, the study from which I have read is the very same one referred to in the bibliography which he has mentioned. It has been a continuing study. It examines the billboard industry and also the economic impact of taking down these billboards. The point that the study by Professor Jack of RPI, made—a study incidentally, which has been in the hands of the New York State Department of Transportation and the Federal Department of Transportation at least since June of 1967—is that some 25 to 30 percent of all small tourist businesses, such as motels and restaurants, are likely to go bankrupt if this legislation on billboards were really implemented in New York State. And in the place of these small, local businesses you would have the big chains. If that can happen in upstate New York, in the beautiful Finger Lakes area, it can also happen in your State, too.

I do not believe any of us wants to see that kind of redistribution taking place. It is most unfortunate that the committee's study of this legislation was not aided by having these unpleasant facts furnished to us, voluntarily, by the Department of Transportation. And I might add, incidentally, they were not made available to the Legislature of New York either when the Legislature of New York recently passed implementing legislation for this Highway Beautification Act, although the RPI report had been in the hands of the State department of transportation for nearly a year.

I believe we ought to strike this billboard money until we can get this matter cleared up. I do not care if it is only $500,000 a year. The Senate put in $5 million for the same purpose. A conference could come up with a figure five or six times what we have in this bill before us, and then the die would be cast and the program would be rolling ahead, even though the Public Works Committee says it does not really like the program.

Mr. Chairman, under leave to include extraneous matter, which I shall obtain when we go back into the House, I insert at this point one of the summary conclusions, and also the 17 general conclusions of the study by Professor Jacks of Rensselaer Polytechnic Institute of Troy, which were authorized and paid for—for the information of Congress itself, by the way—under the provisions of section 302 of the Highway Beautification Act of 1965.

The report follows:

Interim Report

(A study to investigate the impact on the outdoor advertising industry in reaction to the Highway Beautification Act of 1965, prepared for the New York State Department of Public Works by the School of Management, Rensselaer Polytechnic Institute, Troy, N.Y.)

Probable Effects on Small Advertisers: The small advertiser is usually the small local business, the small roadside business, or the business requiring directional location signs. The small advertiser usually has a modest advertising budget that often precludes the use of radio, newspaper or television media.

It appears likely that a major result of the Highway Beautification Act will be to further enhance the advantage of large, national or regional chains over small, local businesses serving the travelling public. The large chain unit (which incidentally, can afford an expensive location near an interstate exit) need only erect one sign, well beyond the 660 feet limit in each direction, plus an on-premise sign whose only limits are cost and danger to aircraft that distract the attention of the travelling public. The Thruway and Interstate-Route traveller is already aware of this situation. The small business, lacking any reputation other than local, needs more and more expensive signs beyond the 660 feet limit which is in a less advantageous position to afford. It is particularly less well able to afford it, since the expansion of tourism has led many such travel-oriented businesses as his into plant expansions which have made them particularly vulnerable (in view of their consequent increased financial obligations) to a very small (10–15 per cent) reduction in gross revenue. No study, to our knowledge, has assigned a significantly small portion of such businesses' revenue to that generated by highway signs. It is our considered opinion that the Highway Beautification Act will give advantage to large national chains, promote concentration in businesses serving the travelling public, lead to the extinction of small independently owned firms and, finally, concentrate those firms offering lodging and shelter along the Interstate and Thruway system to the detriment of the travelling public, who need on-site direction to more beautiful, though less accessible places, which the national chains, except in the case of extremely important tourist objectives, seem discinclined to serve. The Finger Lakes region (which is described in detail in this report,) is an excellent example.

General Conclusions to Date

1. A number of concurrent circumstances have tended to make it difficult to determine and dissociate from these circumstances the economic impact of the Highway Beautification Act.

2. The major proportion of users of outdoor advertising will not be affected by any legislation which will tend to remove outdoor advertising signs or devices. This is because so much outdoor advertising has been entered into for competitive reasons that when some users abandon outdoor advertising devices other users will be quite happy to remove theirs and save the expense.

3. Many users of outdoor advertising are not utilizing it effectively. Their signs are badly conceived and constructed and exposure to the viewer is of such limited duration as to be of almost no help whatever. Such users, however, very often do construct useful outdoor signs or employ well designed and placed billboards and derive some benefit from them. For this reason we are inclined to think that reliance on outdoor advertising is overemphasized, since the user is inclined to view the picture of all his signs as a whole.

4. Most national advertisers, and local advertisers of insurance, petroleum products, soft drinks, and ordinary retail establishments will probably not suffer from removal of signs from highways.

5. A fairly large number of motel and restaurant operators, however, derive a critical marginal increment to gross revenue from outdoor advertising. Many of these businesses have been expanding their operations in response to increased demands for accommodation from the traveling public. As a result, many of them are heavily in debt and the loss of this critical increment—probably about 15 percent—could well prove fatal to them.

6. It was not expected that those travel service businesses in the food and lodging class which will thus be affected by outdoor advertising removal will be replaced. Almost all of this type of business replied that if they had their choice they would not set up

on their present sites. They would select in preference a site where an exit from an interstate or turnpike would make their place of business easily accessible from the thruway and would therefore rely heavily upon spectacular on-premise signs.

7. Those who would be affected in this way represent about 25 to 30 percent of the food, lodging, and recreation businesses depending upon the traveling customer. The signs utilized by these users of outdoor advertising amount to about eight percent of the total. It does not appear that they are inclined to trust the directional panels proposed by the Bureau of Public Roads. It may well be possible that such businesses should be given special consideration on such directional panels even if this should mean exclusion of others who may want such facilities but do not appear to be in any way severely in need of them.

8. Reliance upon signs which are distant from the enterprise appears to be relatively low except in the case of those groups who need directional panels which, as we have stated, amounts to about eight percent. It is probable that with the disappearance of signs the competitive aspect of outdoor advertising will reduce dependence not only upon distant but also upon near signs. Almost everyone questioned, however, said that he would convert his present expenditure upon distant and near signs to much larger and more spectacular on-premise signs that he is currently using. It is apparent that the sanctity of the on-premise sign is the one feature of the Highway Beautification Act which is clearly recognized and most roadside businesses intend to take full advantage of this.

9. While many operators of roadside businesses would prefer to locate themselves anew, or, if they were considering opening a new venture, to locate themselves in a selected spot, the site chosen is almost always one near the exit to a major traveled road or interstate route. Unfortunately, this has been well recognized by the chains of motels such as Holiday Inn, Quality Courts, Howard Johnson, etc. These have moved to select such sites and to erect simple but highly visible illuminated signs on premise. In this they hope to capitalize upon the new travel guides which are available.

10. Diversion of advertising effort to media other than roadside signs within the 660-foot limit does not appear to be feasible within the economic means of many businesses. However, large signs—fifty feet in the horizontal dimension or greater and illuminated—taking advantage of promontories and other sites along interstate routes, are available to the large chains offering food and lodging.

11. It appears, therefore, that a very large part of the economic impact of the Highway Beautification Act upon travel services will be that: a) off-road businesses which rely upon directional signs, even to a limited extent, will be considerably reduced in number and their place will be taken by new sites clustered around the intersections of major routes which are not necessarily distinguished for scenic beauty or any other enhancement; b) the individual proprietor is probably more reliant upon multiple signs than the member of a chain. One good on-premise sign for a chain is worth more than a similar sign for an individual, and their uniformity (as is now being carried to the obvious extreme as a result by Howard Johnson) renders them much more potent. It is probable that individual roadside businesses will disappear in favor of chains which will be located near the intersections of major routes.

12. The sign business is not likely to be drastically affected, although here again there may be some shift from one type of firm to another. The majority of sign manufacturers are one- to three-man firms or even one-man firms operated on a part-time basis. In some cases the operators of standard billboards have diversified into the manufacture of signs—particularly on-premise signs. They recognize that they will lose much of the business to which they are presently accustomed. They are currently plagued, however, by a shortage of the skilled worker who is able to letter signs which accounts for the proliferation of the cheaply manufactured "rippled plastic" sign. It appears that the smaller firms will be able to sustain themselves by lettering of trucks, while the larger firms will be able to sustain themselves by much larger and more garish on-premise signs. The sign manufacturer have little concern for the effects of the Highway Beautification Act.

13. The question of truck lettering raises the possibility that we may see more moving signs—these might be called transit advertising but for the fact that transit advertising has in the past been confined to buses, subways, etc. Within the last few weeks illuminated signs upon the rearends of trucks have appeared upon the New York Thruway, and we are inclined to regard this as a rather unhappy portent for the future. We cannot see how these are illegal, since the truck is more visible than if it did not possess such a sign and the lighting is so well controlled as not to present any hazard to other drivers.

14. The chief sufferer from the reduction of roadside signs would appear to be the operators of so-called standard billboards—the 12 by 25-foot sign using a pasted on message—but even these are not likely to be affected so long as the only stricture placed upon them is that they are within 660 feet of the right-of-way and within a rural district. In such a case, it appears that the average loss would be about 15 percent of their signs. Some of these firms would probably pick up some of this loss of income from the erection of "super-signs" of the type that would probably be used by motels, chains, and restaurants. If, however, strictures were applied as to ban all signs which are 30 feet above the level of the right-of-way and set back 50 feet from the edge of the right-of-way, it is probable that some of these firms would suffer severe loss. We are inclined to regard their claims as to the number of signs that would be lost (estimated in most cases at about 85 percent) as very exaggerated. We are inclined to believe, however, that the exposure that they could offer to advertisers to the traveling public would be so severely affected that many advertisers would reduce their outdoor advertising. This, in view of the effect in reduction in competition in outdoor advertising already mentioned, could very well mean the extinction of these firms. Since most of the signs which would be affected by the 50 foot setback and the 30 foot high limit are located in industrial and commercial areas, it appears that the best method of amelioration of this problem would be to set aside this restriction in such cases.

15. Even if the severest strictures were placed upon outdoor advertising it does not seem likely that there would be any major effect upon the outdoor advertising industry, since they would be recompensed for the loss of their signs. The cost of advertising on such signs, however, which is, of course, reflected in the gross revenues of these firms—and the value of leases for available outdoor advertising sites which have been severely reduced by the construction of interstate routes and arterial highways may well prove to be a much higher figure of compensation than that apparently envisioned heretofore. With a minimum rate of about $100 per billboard per month and an average useful (in view of traffic flows which alter from time to time) life of a sign of about five years, it appears that the gross income generated by a sign during its useful life can be as high as $7,200 and, as the number of useful sites diminishes the actual may well appreciate the potential.

16. The major other effect appears to be that the small roadside sign will be supplanted by the garish on-premise sign to an increasing extent. It is doubtful whether the purposes of beautification can in any way be served by this eventuality.

Mr. KLUCZYNSKI. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. McCarthy].

Mr. McCARTHY. Mr. Chairman, section 17 of the bill would repeal the key clause in section 4(f) of the Department of Transportation Act, prohibiting the Secretary of Transportation from approving any program or project which requires the use of land from a public park, recreation area, wildlife or waterfowl refuge, or historic site, unless there is no feasible and prudent alternative to the use of such land. Section 17 would substitute for the standard "no feasible and prudent alternative" a vague requirement that planning include "consideration of alternatives" to the use of land in a park, recreation area, wildlife or waterfowl refuge, or historic site.

What does "consideration of alternatives" mean? How much consideration to what kinds of alternatives? The amendment might permit a highway engineer to glance at an alternative to a proposed highway—an alternative that is more costly but does not slice through a park—and reject the alternative because use of parkland will keep down his acquisition costs. Section 17 is totally inconsistent with the intent of Congress to preserve and enhance this Nation's countryside by providing an explicit standard to guide the Secretary of Transportation's decisions. It should, therefore, be rejected.

Furthermore, the impact of section 17 will be felt beyond the highway program. It will influence decisions concerning all transportation programs or projects over which the Secretary of Transportation exercises jurisdiction—airports, railroads, urban mass transit systems, even some aspects of water transportation. The Committee on Government Operations is the only unit which would take an overall view of transportation programs in the course of writing a reorganization bill. The Committee on Interstate and Foreign Commerce has not been consulted even though the amendment will affect the Federal Aviation Administration. Nor has the Committee on Banking and Currency been consulted even though the amendment will affect the Urban Mass Transportation Administration. Section 17 should be rejected to avoid rude setbacks to orderly legislative process.

Section 22 would direct the Secretary of Transportation and the District government to construct certain interstate highways in the District "as soon as possible after enactment." It would also direct that the highways be constructed "notwithstanding any other provision of law, or any court decision or administrative action to the contrary." This section should be stricken from the bill for four reasons.

First, section 22 would establish a precedent for forcing urban highway construction over the opposition of local citizens and local governments. Bitter highway controversies have erupted in many of this Nation's cities—New Orleans, San Francisco, Seattle, Memphis, San Antonio, Atlanta, and Philadelphia—to name a few. None is more bitter than the highway controversy in the Nation's Capital. For more than a decade, citizens organizations have battled appointed officials in the District who seemed to show more concern for pavement than for people. The incumbent District government, however, has made an attempt to respond to popular protest. It has recommended that District residents be given opportunities for greater participation in making decisions about the highways that affect them. It has strongly recommended against the provisions of section 22.

In overriding the wishes of local citizens and local government, section 22 is contrary to the spirit and purpose of the Federal-State partnership for building interstate and defense highways. Under the Federal-Aid Highway Act, it is intended that planning decisions will be made by local governments and local experts, working in cooperation with Federal officials in the Bureau of Public Roads. The role of the Federal Government is limited to, first, establishing uniform criteria for design and construction of Federal-aid highways, and second, reimbursing part of the cost of the highways.

It was not intended that the Congress would overrule local decisions concerning the necessity, desirability, location, and design of Federal-aid highways. But that is precisely what section 22 purports to do for the District of Columbia. If this section is enacted, it will become a precedent for a rather simple solution to urban freeway controversies. Each time a cost estimate is made under the Federal Aid Highway Act, we shall be overrun by State highway officials who seek special legislation to overcome opposition to their urban freeway proposals back home. There is no reason why the Congress should legislate specific highway plans for the District or any other State.

Second, the highway plans to which section 22 refers have never been subjected to the public scrutiny and review required by law. On February 15, 1968, the U.S. Court of Appeals for the District of Columbia Circuit issued an injunction prohibiting any further land acquisition or construction in connection with four major freeways until the District government complies with the law governing their planning. The law which the court of appeals upheld, title 7 of the District of Columbia Code, contains the rudiments of meaningful public participation in highway planning. It requires: First, preparation of detailed highway maps in advance of public hearings; second, public hearings after 14 consecutive days' published notice; and third, public filing of the approved highway plans so that anyone may see just exactly where the proposed highways are to go. In ruling that these provisions apply to plans for interstate freeways, the court emphatically stated:

> It should be recognized that [these] procedures . . . are designed to protect property rights by insuring that the highway plans are evolved democratically rather than arbitrarily.

Section 22 now seeks to deprive the people of the District of even the rudimentary participation in highway planning provided by title 7. It seeks to deny them a right upheld by a Federal court of appeals only a few months ago. In effect, it seeks to punish those who sought redress for their grievances in court rather than in the streets. It is difficult to imagine any legislation that is more conducive to disrespect for law and order in these troubled times in the Nation's Capital.

Third, section 22 lacks support from the people and the government of the District of Columbia. One issue in the District evokes an almost unanimous cry of protest: the freeway issue. In the District primary last May, Democrats voted 19 to 1 to oppose freeway construction unless the plans are submitted for popular vote in a referendum. At hearings a month earlier, the Roads Subcommittee heard a parade of witnesses from all classes and walks of life who protested against the highway plans to which section 22 refers. The committee's report says:

> The opponents of completion of the Interstate System within the District of Columbia rely, for the most part, on emotionalism and outdated information. They are opposed, not to the building of specific Interstate routes within the District, but to the building of any new highway facilities within the District.

I do not believe that this summary is accurate. The testimony we heard was filled with bitterness and frustration over dictatorial highway planning. If it occasionally was emotional, the future of homes, businesses, and neighborhoods is an emotional subject. But the testimony was factual as well. In fact, several errors in the testimony of the Director of the District Highway Department were corrected by public witnesses. If the information provided by the public witnesses is outdated, it is because the most recent detailed summary of the highways' impact on the community and the environment was given to Congress more than 3 years ago. The District Highway Department did not volunteer any more recent information to the Congress and does not make it generally available to the public. It is unfair to say that the opponents of the proposed highway system are opposed to the building of "any new highway facilities within the District." Most of the public witnesses said, reasonably enough, that they thought highway construction should wait construction of the rail rapid transit system. This basic approach was recommended to the District in March 1966 by an independent consultant selected at President Johnson's request, Arthur D. Little, Inc. No testimony was given which supported the highway engineers' conclusions that primary reliance on rail rapid transit would be impractical or unwise. In short, the hearings demonstrated that most of the people of the District want a voice in the planning process, not a moratorium on highway construction.

The incumbent District government proposed a legislative solution designed to enhance democratic procedures in the highway planning process. The District government notified the committee that section 22 would deprive the citizens of the District of any opportunity "to participate meaningfully in the city's decisions regarding development of highways affecting their vital interest." Because section 22 would depart from the democratic process, the District government strongly recommended against its enactment. There is no reason why these decisions cannot be made by the people of the District of Columbia and their government. There is no overriding national interest involved that calls for congressional intervention at this time.

Fourth, the highway plans to which section 22 relates would mutilate the Nation's Capital and gravely harm its businesses and its people. We cannot escape the fact that transportation involves people. It can serve them, but it can also disrupt them, sometimes tragically. As the Secretary of Transportation has said:

> Before a city can decide what kind of transportation system it needs, it must decide what kind of city it wants to be. It must decide what kind of life and work and recreation it wants to offer its citizens.

The Nation's Capital, as many other cities, is faced with hard choices between people and motor vehicles, people and pavement. These choices are hard because, as Arthur Palmer, the transportation administrator for New York City, recently said:

> The advantage of the motor vehicle as a flexible and freely moving mode of transportation has been lost in its own uncontrolled and unprovided for abundance—like a herd of protected elk reduced to starvation by its own proliferation on a limited range.

These difficult choices should be made by the people of the District, not the Congress, and it is not hard to understand why the proposed highways have called forth such vigorous opposition.

The highway plans to which section 22 refers would commit the city of Washington to an auto-dominant transportation system for the foreseeable future. It would:

First, destroy about 180 acres of land in residential use, displacing about 15,000 residents;

Second, destroy about 225 acres of land in commercial and industrial use, displacing thousands of workers and hastening the flight of business to the suburbs;

Third, destroy about 245 acres of park, monumental and other Government-owned land; and

Fourth, destroy 24 acres of land used for schools and education.

It is estimated that the total annual tax loss to the District from depletion of its scarce land would probably exceed $6 million. Clearly, pushing blindly ahead with construction of this highway system will sacrifice the welfare of thousands of people and important urban values.

The highway plans have been severely critized by the Secretary of Transportation and the Director of Public Roads. Secretary Boyd in testimony before the Roads Subcommittee called the North Central Freeway, Route 70–S, along the

B. & O. Railroad tracks from the District line to 10th and Rhode Island Avenue NE., a "tremendously expensive and inadequate artery." He pointed out that its six lanes of traffic at one point are planned to join six additional lanes from I-95 and funnel into eight lanes. The Secretary warned:

> I don't need to point out to you the congestion, delay, and safety hazard that would be created by this design.

The Director of Public Roads has characterized the proposed South Leg tunnel under the Lincoln Memorial as a "cannon" which will literally fire three lanes of traffic at three lanes already on the Southwest Expressway. The Secretary also warned that construction of the proposed Three Sisters Bridge would simply transfer a growing traffic jam from the Virginia side of the Potomac to the interchange at 26th and K Streets. On the basis of this testimony alone, we should hestitate to direct the District to construct these highways as soon as possible.

In conclusion, section 22 would be a precedent for imposing controversial highways on protesting citizens in cities throughout the country and would seek to eliminate democratic planning procedures for the very highways that have the greatest impact upon the people of the District. The highway plans to which section 22 refers lack essential support in the community and in the District government. They are excessively damaging to the Nation's Capital. For these reasons, section 22 should be stricken from the bill.

Mr. McCARTHY. Mr. Chairman, I ask unanimous consent that the gentleman from Florida [Mr. ROGERS] may extend his remarks at this point in the RECORD.

The **CHAIRMAN.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROGERS of Florida, Mr. Chairman, I, too, am concerned over the proposal that would allow our parks and wildlife areas to become the target of superhighways when there are other routes which can be used.

I had my attention called to such a situation in Florida last year when the State road department was considering plans for Interstate 95. One of the proposals was to run the highway through the Jonathan Dickinson State Park.

Such a proposal would have ruined one of the State's most scenic parks. And one of the reasons given for considering this move was that it would save the State from buying rights-of-way. Fortunately, I think this plan has been shelved.

If any such legislation was passed, we could see our entire parks system ravaged with superhighways. I do not think that the Members of the House, after considering the far-reaching consequences, would want to grant such authority.

Mr. CRAMER. Mr. Chairman, I yield such time as he may consume to the gentleman from Nebraska [Mr. DENNEY].

Mr. DENNEY. Mr. Chairman, I rise in support of this legislation with the exception of the highway beautification section. I will support amendments to make it better law.

Mr. CRAMER. Mr. Chairman I yield 3 minutes to the gentleman from Maryland, [Mr. GUDE].

Mr. GUDE. Mr. Chairman, I rise particularly to point to that section of this legislation which deals with the highway programs in the District of Columbia.

The gentleman from Florida is very conservative. He said that there has been 11 or 12 years of planning that have gone on in regard to highways here. Careful analysis shows that we have had 20 years of planning of the highway system for the District of Columbia at a cost of $1 million a year making a total of $20 million in planning. It is time we moved ahead and started construction of this system. There is broad support for a freeway network balanced with a mass transit system and other components of a modern transportation system, such as fringe parking and utilization of air rights. If we fail to provide an adequate balance of expressways and mass transit the suburbs of Metropolitan Washington will flourish along the beltway and other expressways while the core city will deteriorate and decline. The two leading daily newspapers in the District of Columbia are in full support of this highway program. I shall insert editorials from those papers in the RECORD at an appropriate time.

I hope the House will support this section, which comprises much-needed legislation for the District of Columbia.

The editorials referred to follow:

[From the Washington (D.C.) Post,
June 21, 1968]

DISTRICT OF COLUMBIA FREEWAY NETWORK

The House Public Works Committee has wisely included the long-stalled District of Columbia freeway projects in its omnibus Federal highways bill. If this legislation is passed, the District will have a mandate to go ahead with its controversial freeway network without further wrangling. At this point many objective observers find it impossible to believe that any law will end the dispute. But there is a powerful argument for Congress to go as fas as it can in making the policy decision even if it cannot at this time resolve all the controversial details.

In our view the Potomac Expressway to connect with the George Washington Memorial Parkway on the Maryland side of the river, the North Central Freeway, the Three Sisters Bridge and completion of the inner loops are essential to give this city a modern transportation system. They must, of course, be carefully integrated with the new rapid transit system. Even if rapid transit fulfills the great expectations associated with it, however, this rapidly growing city will need these minimal highway projects to reduce congestion and keep heavy traffic off residential streets.

Especially hopeful is the Committee's decision to include in its bill a provision for higher relocation payments for families and businesses to be displaced by the highways. It is not enough to pay a family whose home is taken merely "fair market value" if that is not enough to buy a comparable home in a similar neighborhood and to reimburse the family for the expense and inconvenience of moving. Their construction should not impose a special burden on those who have the misfortune to be living where the road must go.

The condemnation of homes for expressways has caused special hardships in the past because many of the new projects have cut through the slums. In some instances that is unavoidable because of the necessity of linking the inner city with beltways and express radials. But a new concept of the "just compensation" that the Government must pay for such property taken under duress is in order. It should be enough to save the dispossessed family from any real loss and perhaps a little more to assuage injured feelings. Congress has been slow in coming to the acceptance of this principle, and the mammoth highways bill that has now been set into motion through the legislative pipeline should not be passed without it.

[From the Washington (D.C.) Sunday Star,
June 30, 1968]

CONGRESS MUST ACT

The necessity for Congress to end the ridiculous controversy over Washington freeways by compelling the completion of a moderate, rational highway system has been evident for a long, long time. This week, at last, the House of Representatives will have the opportunity to begin that process. Its members should not hesitate to do so.

Fortunately, the House Public Works Committee has given assurance that the issue will be faced by inserting a District freeway mandate in the high-priority administration bill—scheduled for debate tomorrow—to extend and broaden federal aid to highway programs throughout the country.

It is hard to think of a more fitting legislative vehicle. For the national bill contains long-needed reforms, especially in terms of expanded federal assistance to persons displaced by highways, which have a direct pertinence to the District dispute.

A fight on the House floor nevertheless seems assured, since three committee members already have filed a minority report against the District mandate. It seems to us, however, that their arguments have added nothing new to the tired old tirades of those people who seem to believe that the best way to deal with automobiles is to ignore them.

In its excellent report on the District issue, the Public Works Committee makes certain concessions to freeway opponents, including a relinquishment of District control over Glover-Archbold Park. But it insists that "quite obviously, the area within the District of Columbia boundaries cannot be left to eventual isolation from the rest of the Washington Metropolitan Area; the national interest simply will not permit that. Absent action by either the local government or the executive branch, the Congress must act."

That is the sum and substance of the case. The House committee's finding that a reasonable freeway program must proceed, as a necessary complement to a proposed rail transit system, was reached after months of study. We are confident that any other unbiased forum, apprised of the facts, would reach an identical conclusion.

Mr. KLUCZYNSKI. Mr. Chairman, I have no further requests for time.

Mr. CRAMER. Mr. Chairman, I have no further requests for time.

The **CHAIRMAN.** Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

H.R. 17134

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1968".

Mr. KLUCZYNSKI. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Rostenkowski, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 17134) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, had come to no resolution thereon.

PERMISSION FOR COMMITTEE ON THE DISTRICT OF COLUMBIA TO FILE REPORTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

LEGISLATIVE PROGRAM FOR BALANCE OF THE WEEK

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader the program for tomorrow and the rest of the week.

Mr. ALBERT. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. In response to the inquiry of the gentleman from Michigan, we will come in tomorrow and continue the consideration of the Natural Gas Pipeline Safety Act, to be followed by a return to and hopefully the finishing of the Federal-Aid Highway Act of 1968. That in turn is to be followed by the Department of Transportation Appropriation Act and the District of Columbia Revenue Act. Beyond that there are no changes in the program for the week as of this time.

Mr. GERALD R. FORD. The latter two bills probably would come up on Wednesday.

Mr. ALBERT. Probably.

Mr. GERALD R. FORD. Is there a conference report?

Mr. ALBERT. There is a conference report on an appropriation act tomorrow. I appreciate the gentleman reminding me of that.

HOUR OF MEETING TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma.

There was no objection.

PRESIDENT JOHNSON URGES NEW INITIATIVES TO EXPLORE NUCLEAR MISSILE DISARMAMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. ALBERT. Mr. Speaker, President Johnson is firmly on record in pursuing new accords with the Soviet Union to bring the arms race under control. He has, on numerous occasions, urged discussions on limiting nuclear missile offensive and defensive systems. In recent days, the Soviet Union has indicated that it is interested in pursuing such discussions. And today, in ceremonies at the White House which marked the signing of the Nuclear Nonproliferation Treaty, President Johnson announced that we would soon be meeting with the Soviets on this urgent matter.

I think we would all agree that the President's persistence and determination to end the nuclear arms race could conceivably result in a dramatic breakthrough if talks between the United States and the Soviet Union on reducing missile systems result in an agreement.

As the President said today, there is a long and difficult road ahead. But the fact that the two superpowers are ready and willing to talk about ways to end the senseless race toward more and more destructive weapons is a most significant development. With proper guarantees and safeguards, a new agreement with the Soviets to reduce these costly and dangerous missile systems will be a boon to both nations and offer new encouragement to others in the world who also want to disarm.

FROM WHERE I STAND

Mr. BRINKLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. BRINKLEY. Mr. Speaker, from where I stand I can see the four words inscribed above the point at which you preside over this House of Representatives. Formed by golden metallic letters fastened upon marble; supported by four 12-foot-tall pillars; capping the flag of the United States of America draped between the inner pillars; they read, "In God We Trust."

Long ago, at the Constitutional Convention in 1787, Delegate Benjamin Franklin set the example for this country when he said:

> I have lived a long time, and the longer I live the more convincing proofs I see of this truth—that God governs in the affairs of man. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid?

Is it likely that a Nation can continue without His guidance?

President Lincoln must have asked this question and sought that guidance. So was his leadership shaped:

> Let reverence for the laws be breathed by the American mother to the lisping babe that prattles on her lap; let it be taught in school, seminaries, and in colleges; let it be written in primers, spelling books, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay of all sexes and tongues and colors and conditions, sacrifice unceasingly upon its altars.

Yet on June 27, 1968, the Washington Post printed a letter in which the writer accused the Post Office Department of serious error in issuing a postage stamp with a slogan "Law and Order" and a picture of a policeman. The writer stated that the phrase had become a bigot's code word.

Justice Holmes once said that words are skins of living thoughts, changeable from time to time and from person to person. But basic values never change.

The basic value expressed by those metallic letters, Mr. Speaker.

The basic value expressed by that postage stamp.

It has been well said that dissent is loud and gratitude is quiet. May I quietly express my gratitude to the people of this great country for the privilege of serving them. The people—with lives and attitudes reflecting those basic values—still the anchor of these United States on this Fourth of July.

Mr. Speaker, may the inscription above you be a light unto our country's path.

FEDERAL REGISTRATION OF FIREARMS?

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, this Congress should not be stampeded through hysteria and emotionalism into passing strong Federal control of firearms.

I oppose any law passed here in Washington forcing the citizens of our country to register with the Federal Government their firearms for defense of their homes and their hunting guns. I am against the Federal Government passing any legislation requiring a citizen to obtain a permit from Washington before a gun can be purchased for the defense of his home or for outdoor sports.

Communist and Fascist dictatorships require the registration of firearms. The old kings and crown princes of Europe did not permit the people to own firearms or to hunt on the "king's land." The Founding Fathers of our country in creating a free nation wrote into the Constitution the right to bear arms. We must preserve this right of free people.

I do believe State laws requiring some gun regulation are necessary and desirable. When purchasing a firearm in Virginia where I live, a person is required by Virginia law to wait 3 days before going back to the store to pick up his gun. This is a good State law because it prevents someone who might be mad, temporarily insane, under the influence, or with a criminal record, from immediately buying a gun. This type of legislation should be considered at the local and State level. Federal registration of guns and Federal permits to own firearms will only harass and burden the good citizens. The criminal and the assassin will get a gun through the bootleg route. A Federal law will encourage illegal bootleg traffic in guns, which could make the situation worse.

The principal responsibility for law enforcement and law and order should be in the hands of local and State law-enforcement authorities. The Federal Government could assist these local and State authorities with equipment, technology, training, and with the very efficient FBI.

Our law-enforcement officials should have better salaries, equipment, and training to cope with the present crime wave. Mr. Speaker, we should never, however, through hysteria and emotionalism, create a Federal police state. This is the road of no return.

I do favor Federal laws which would prevent guns from being shipped across State lines to minors, the mentally ill, or those with criminal records. I do favor a Federal law outlawing the shipment of bazookas, antitank guns, machineguns, grenades, and high explosives across State lines to unauthorized persons.

SECRETARY UDALL MESSAGE TO UNIVERSITY OF DENVER GRADUATES

Mr. **ROGERS** of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. **ROGERS** of Colorado. Mr. Speaker, Secretary of Interior Stewart Udall was recently scheduled to speak at the June commencement of my alma mater, the University of Denver. Senator Kennedy's tragic death prevented Mr. Udall from going to Denver. He sent, by wire, the following eloquent remarks, which Chancellor Maurice B. Mitchell read to the graduates.

I include these inspiring words in the RECORD, as I think they have value for us all during these difficult times:

MESSAGE FROM STEWART UDALL

(Read by Chancellor Maurice B. Mitchell of University of Denver at Commencement on June 7, 1968)

If ever there was a time I would like to be with young people, it is now. If ever there was a moment when youth—in a world it did not make—requires an encouragement of its energies and talents and capacities to remake the world, it is now. If ever there was a time when tragedy must yield to hope and reason, instead of despair and frustration, it is now.

I can not be with you because Robert F. Kennedy was a man I loved and whose professional and personal life I shared. I had to be with his family.

One searches for words on an occasion when rhetoric itself is totally inadequate. The opening words of Dickens' A Tale of Two Cities have more appropriateness and poignancy than any I could frame: "It was the best of times, it was the worst of time, it was the age of wisdom, it was the age of foolishness, it was the epoch of belief, it was the epoch of incredulity, it was the season of Light, it was the season of Darkness, it was the spring of Hope, it was the winter of Despair; we had everything before us, we had nothing before us, we were all going direct to Heaven, we were all going direct the other way."

But these words—as any words—can only frame a question. The answer which must be the ultimate victory of reason over madness is for you—and all youth—to provide. This is increasingly your world—both by the strength of your numbers and the power of your concern and commtiment.

There is an end to a man's life; there need to be no end to the things he stood for and aspired for all men, everywhere. Those things—to which John F. Kennedy and Martin Luther King and Robert F. Kennedy dedicated their careers, and for which they gave their lives, are in your hands. The power to create is greater than the power to destroy. Indeed, that power is in your hands—and hearts.

FARM SUBSIDY RAID ON U.S. TAXPAYER

Mr. **MADDEN**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. **MADDEN**. Mr. Speaker, the Agriculture Committee of the House of Representatives presented H.R. 17126, a bill to extend the Food and Agriculture Act of 1965 for 1 year.

Although the pending bill has a year and a half before it expires on December 31, 1969, the recipients of annual subsidies to thousands of farmers and farm corporations all over the Nation are pressuring the Congress for another year continuance of this "boondoggle," so that it can carry through the year 1970.

Evidently these recipients of a "guaranteed annual income" from the American taxpayers are afraid the next Congress will toss this $3.5 billion subsidy bill in the "legislative wastebasket."

A month ago, the Rules Committee failed to report the legislation to the floor of the House, but on June 18 it was reported for consideration on the floor of the House. Evidently the sponsors are planning on passing this bill in the closing days of the session when, by reason of absentees and confusion in the final hours they might succeed in passing the same and extending the farm subsidy through 1970. Every Member should be on the alert against this contingency.

I am herewith enclosing with my remarks a letter received from Mr. Charles B. Shuman, president of the American Farm Bureau Federation. The same speaks for itself.

AMERICAN FARMER BUREAU FEDERATION,
Washington, D.C., June 25, 1968.

Hon. RAY J. MADDEN,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MADDEN: The House of Representatives will soon consider H.R. 17126, a bill to extend the Food and Agriculture Act of 1965 for one year—to December 31, 1970.

Passage of this bill would be unnecessary and unwise.

It is unnecessary to act in 1968. The present legislation does not expire until December 31, 1969. Rejection of this bill would permit Congress to develop an alternative program next year.

It is unwise to act because the Act of 1965 is a failure. It has failed:

To stabilize the food costs of consumers.

To expand farmers' export and domestic markets.

To improve—or even maintain—the incomes of farm families.

The farm parity ratio stood at 81 when the Act of 1965 became effective. Now when we are less than half-way through the third year of the program, it stands at 73. Farmers want something better than to be locked into the present low-price situation. And, while farmers have suffered a drop in their prices, the federal government's costs for wheat, feed grain, and cotton programs have steadily increased and now total over $3 billion annually.

With Congress having passed a 10-percent tax increase and a requirement that the President reduce budgeted expenditures $6 billion in the next fiscal year, it is incredible that Congress would even consider extending legislation which has proved to be so costly and ineffective.

We respectfully urge you to vote against H.R. 17126.

Sincerely yours,

CHARLES B. SHUMAN,
President.

THE OMNIBUS HOUSING BILL CONTAINS MANY PROPOSALS SPONSORED BY THE MINORITY

Mr. **WIDNALL**. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. **WIDNALL**. Mr. Speaker, the Housing and Urban Development Act of 1968 has been voted out of the House Banking and Currency Committee and granted a rule for floor action in the near future. As I stated in my supplemental views to the committee report, I am not unaware that reasonable men may differ over certain provisions, or that new or old programs deserve careful scrutiny and constructive criticism.

I do believe, however, that the bill contains a great deal that is good and useful, and that it has benefited greatly from the ideas of the minority. There is a new emphasis on homeownership for lower income families, improvement in the rent certificate or leased public housing program, a tightening of provisions requiring residential urban renewal to serve the housing needs of low- and moderate-income Americans, increased authorizations for the water and sewer program which is of benefit to every congressional district in the country, and renewed efforts at establishing an effective flood insurance program. All of these provisions reflect original efforts on the party of the minority, as does the recognition by the committee of the need to cut through the redtape and bureaucratic delays that so often accompany attempts to utilize existing programs.

To describe some of these efforts, I would like to include at this point my supplemental views to the committee report. I would also urge every Member of this body to carefully study the majority and minority views in House Report No. 1585. The bill, H.R. 17989, as well as the report, is of considerable size. It represents a major undertaking and, despite its length and complexity, should have the fullest consideration that can be achieved in an informed debate.

My supplemental views follow:

Supplemental Views of Representative William B. Widnall to Banking and Currency Committee Report on Housing Act of 1968

In supporting H.R. 17989, I am not unmindful of the fact that reasonable men may differ over certain provisions, or that new programs authorized or old ones extended by the measure are open to constructive criticism relating to conception and execution. On balance, however, I believe the bill is both necessary and worthwhile. It has benefited from ideas and proposals offered by the minority, and I think it is appropriate to call particular attention to this fact.

Foremost among these minority suggestions has been the concept of fostering on a major scale homeownership among low- and moderate-income citizens. Homeownership as a desirable goal is an idea deeply rooted in American tradition. For the low- and moderate-income citizen, particularly the minority group citizen, this has become increasingly the impossible dream. Statistics show that the percentage of existing one-family homes insured by FHA for families with incomes less than $4,000 fell from 42.8 percent of the total in 1950 to 1.3 percent in 1966. For new homes, the drop was from 56 percent to 1 percent in the same period.

In order to reverse this trend, I introduced H.R. 8820, the National Home Ownership Foundation Act on April 20, 1967. One hundred thirteen other House Members, including eight members of the minority of the Banking and Currency Committee, joined in offering a similar bill at that time.

The proposal had as its basic goals the enlargement of housing opportunities and choice for our lower income families, both rural and urban. We proposed to tap private capital, private management and technical experience, and private, community-oriented initiative. The Government role was to be limited to one of stimulus and reinforcement, rather than execution and control.

FEATURES OF THE NHOF BILL

The National Home Ownership Foundation Act proposal, besides its basic change in policy advocating homeownership in contrast to traditional federally assisted renter-oriented projects, contained a number of innovative features. In summary they were as follows:

1. The establishment of the National Home Ownership Foundation, a congressionally authorized nonprofit corporation, with a board of directors drawn from the private sector. Besides making mortgage capital available, the Foundation was to conduct a technical assistance service to aid in the development and formation of low- and moderate-income homeownership program, including interim planning loans, and the conduct of supporting programs in such fields as training, employment, credit counseling, and budget management to enable lower income families to assume the privileges and responsibilities of homeownership.

2. Authority to the Foundation to raise $2 billion in mortgage loan funds through the sale of its debentures, guaranteed by the Federal Government to supplement available moneys from existing mortgage lending institutions. The object was to bring together in one coordinated effort, and one pool of funds, sufficient capital to carry out a major lower income homeownership program. It was expected that the federally guaranteed bonds, carrying a market rate of return, would attract new capital, for the mortgage market, from such sources as union pension funds.

3. A market-interest rate mortgage, with a direct subsidy paid by the Treasury to the holder of the mortgage, thus lowering the interest rate and monthly payments for the home buyer. The purpose was to avoid the major budget impact that accompanies the use of the below-market-interest rate mortgage program involving Federal National Mortgage Association purchase of these mortgages utilizing special assistance funds. Thus, each Federal dollar would have a multiplier effect many times greater than the BMIR mortgage purchase dollar, a major accomplishment in a time of expenditure curtailment. The interest subsidy would be repaid into a revolving fund, if and as the buyer reached an adequate income level, prescribed as 70 percent of existing 221 (d) (3) program income limits.

4. Maximum utilization of community-based or neighborhood non profit corporations, including technical assistance for their development and operation of lower income homeownership programs. This would also provide an opportunity for the prospective home buyers in the area to have a voice in the conduct of the program. It would also enlist the aid, expertise, and financial backing of local community leaders in Government, business, labor, civic organizations, the professions and the like, to build a partnership within the private sector at the national and local levels.

5. Authority to develop a program of mortgage equity payment insurance, to protect the home buyer from losses of income due to illness, death, unemployment, and other causes not within the home buyer's control. To the greatest extent possible, the Foundation was directed to work out the program with the private insurance industry, and report back to Congress.

6. Utilization of the urban renewal program as a means of obtaining land and buildings at reasonable prices to lower the cost of construction, rehabilitation, or the use of existing housing for the homeownership program.

7. Increase employment opportunities and the use of self-help for area low-income residents and prospective home buyers.

SIMILARITIES WITH THE PRESENT BILL

Although the Department of Housing and Urban Development greeted the NHOF proposal last year with skepticism both for its technical provisions and its goal of lower income homeownership, sufficient support from a variety of groups and individuals within the American public appear to have changed the administration's mind. The cumulative result can be seen in H.R. 17989. In summary, the similarities between the committee bill and the proposal outlined above are as follows:

1. The committee bill establishes, in title I, section 107, a National Home Ownership Foundation. Its purposes follow those suggested for the technical assistance service under the minority's NHOF bill of last year. The Foundation is directed to encourage and assist public and private bodies at the national, community, and neighborhood levels in initiating, developing, and conducting programs to expand low-income homeownership and housing opportunities. This includes arrangements for technical and managerial assistance and training, aid in finding mortgage financing, insurance, and the like, encouraging research and innovation, collecting and distributing information, and assistance in expanding job opportunities.

The Foundation may make loans or grants to cover organizational or administrative expenses for homeownership programs, necessary preconstruction costs including land options, architectural fees, and similar items, and the costs of providing counseling to lower income families in budget management, home maintenance, and home management. The bill authorizes $10 million in appropriations.

2. The committee bill, in title VII, authorizes the new Government National Mortgage Association to guarantee securities issued by FNMA or other private issuers, backed by a pool of FHA and VA loans or mortgages. The purpose is the same as that of the NHOF-guaranteed debentures suggested by the minority; namely, to increase the supply of mortgage funds and tap new sources such as pension funds. It is permissive only, limited in scope, the funds raised would not be limited to use for lower income homeownership. The Department, in the hearings, admitted to not knowing what amount of additional funds this approach might attract.

As a result, it is unlikely that the massive attraction of new funds for lower income homeownership envisioned by the sponsors of the National Home Ownership Foundation Act last year will occur under this bill. The FHA insurance provisions in title I also depend upon existing lenders and mortgage money supply. This makes all the more important the direction in section 107(f)(2) to the Foundation to report to the Congress whenever insufficient funding is available for lower income homeownership purposes. The Foundation is also directed to make recommendations for alternate means of securing adequate financing.

3. The committee bill, in title VIII, authorizes the establishment of a private corporation for profit which is designed to encourage a partnership approach among interests in the private sector at the national and local level, in order to encourage low-income housing. Part of the purpose of the National Home Ownership Foundation authorized by the bill is also to encourage private involvement, including the development of neighborhood organizations interested in homeownership programs, which would involve the citizens themselves from the area. Maximum utilization of area residents or the lower income families to be served by the program is not pronounced as a major goal in the committee bill, however, in contrast to the NHOF proposal last year.

5. By amendment to title I (sec. 109) offered by Representative Garry Brown, of Michigan, the minority obtained inclusion in the bill of an authorization to the Secretary of HUD to develop, in cooperation with the private insurance industry, a plan of insurance to help homeowners meet mortgage payments in times of personal economic adversity.

The Secretary is directed to report back within 6 months on his actions. This provision was secured in the bill despite the objections of the Department of Housing and Urban Development, objections which, in turn, persisted, despite the evidence that such a plan was necessary and capable of being established, and despite a favorable report in the early 1960's, commissioned by the Housing and Home Finance Agency, forerunner of HUD.

6. The committee bill, in section 405, amends the urban renewal law to permit land to be sold to qualified low-income mortgagors and nonprofit sponsors of homeownership program and, by an amendment I offered, private homebuilders acquiring land for subsequent resale to low- and moderate-income home buyers.

7. By an amendment which I offered, section 3 was added to H.R. 17989 which requires, to the greatest extent feasible, the employment of lower income residents from the area served not only by homeownership activity but other federally assisted housing projects as well, in jobs created by these projects. The possibility of the home buyer contributing his own labor toward the cost of his housing has also been recognized in section 2 and in title I.

CAN HUD CARRY OUT THE PROGRAM?

One of the purposes behind establishing the National Home Ownership Foundation in the minds of its cosponsors last year, was to provide a quasi-public alternative to direct Federal bureaucratic control by the Department of Housing and Urban Development. The sponsors of the NHOF bill were not alone in questioning the capacity or will of the Department to carry out an expanded program of housing for low-income citizens. This presents a considerable challenge to the Department, in carrying out the proposals authorized in H.R. 17989.

While the Department's testimony before our committee has been reassuring, the continued opposition of HUD to my 1966 amendment requiring a substantial number of low- and moderate-income housing in each predominently residential urban renewal project has had the opposite effect. As the committee report notes, the definition of substantial as only 20 percent of the project units is hardly in keeping with the dramatic need for more and better housing for our underprivileged citizens. The change contemplated by section 413 of this bill increases this percentage to 51 or better for the aggregate number of units in approved projects within a community; that is, projects which have had their plans approved by the Department, not those which are only in the planning stage. The new amendment, worked out in conjunction with Representative Henry Reuss, of Wisconsin, as a bipartisan statement of congressional intent, also contains a 20-percent minimum aggregate for low-income housing suggested by Representative William Brock, of Tennessee. It is perhaps the best example I know of in the bill of bipartisan, congressional initiative in the legislative field. Certainly, all of the other low-cost housing programs will come to naught if land or structures are not assembled and made available at low cost, which is the major benefit of urban renewal use.

Two other amendments which I offered and which have been accepted in title I deserve mention, if only because of the opposition by HUD to their inclusion. The first opens the homeownership sections up to utilization of existing housing, as well as housing involving new construction or substantial rehabilitation. A survey made by my office among District of Columbia real estate agencies indicated the availability of houses selling for under $18,000 and needing little repair, if any. It also uncovered the potential availability of many more renter-occupied houses, which would come on the market if these very same renters had access to mortgage funds. Negro real estate brokers were particularly conscious of this opportunity. The use of existing housing will also mean, as the U.S. Civil Rights Commission has pointed out, the immediate implementation of the new homeownership program. Certainly in this time of tension and trouble within our cities, any tool that can provide an immediate impact, and thus new hope to the less fortunate, should be welcomed. Will the Department of Housing and Urban Development heed this opportunity? Only time will tell.

Another amendment makes nonprofit groups eligible for inclusion in the program for homeownership financing that wish to use existing housing instead of taking on the task of rehabilitation in a multi-unit project. It is my expectation that as these nonprofit groups, whether church or labor union, or civic association sponsors, gain in confidence and experience, they will move on to the more demanding but no less important task of increasing the supply of standard housing for homeownership purposes.

THE RENT CERTIFICATE PROGRAM

In 1964, I, with other members of the Republican minority introduced the rent certificate plan. It became legislation in 1965, and has since made a great record for something that was opposed by the administration and generally not promoted by them. To date, it has far outstripped its companion legislation, rent supplements, in terms of people housed, having provided shelter for over 16,000 families while the rent supplement total is just over 2,500. This means that the rent certificate program is responsible for placing over 60,000 people in decent, safe, and sanitary housing that they did not have previously.

In the present bill there are three sections, 208, 209, and 210 which are perfecting amendments that I introduced to facilitate the operation of the program.

Where the Secretary had previously restricted the program in certain localities to rehabilitated housing, on the completely unjustified claim that it would cause rents to rise, section 208 makes clear that he can no longer impose such regulations unless it is specifically so provided in the act.

Where HUD had taken the position that it could not use the program unless in quantities of 10 or more units, section 209 makes clear that it can.

In section 210, we have acted to enable tenants to become purchasers of the homes they occupy through the medium of the local housing authority. This innovation was prompted by spontaneous offers from builders in all parts of the country, attracted by the economics of the operation, to build for leasing purposes.

Now where the housing authority deems it advisable, it may include in its lease an option to purchase to be exercised when desirable in behalf of the tenant.

This latter provision could be used even in multi-family structures where tenants, so desiring to act, occupy units having more than 80 percent of the total value of the structure.

WATER AND SEWER GRANTS

Section 505 ups the matching sewer and water grants from $200 million annually to $500 million annually. I do not particularly like to increase authorizations beyond departmental recommendations. In the case of this program, however, I am quite ready to make an exception. This is a vital program. Upon it have depended at times, the question of whether or not a city would have to import water for drinking purposes.

The administration has not only given this program a low priority. It has asked for only half the funds which Congress authorized when appearing before the Appropriations Committee. This in the face of applications from needy communities which numbered over $4 billion. There is to my knowledge not a single congressional district that does not have an application for water-and-sewer funds and many are most desperate. Under the circumstances, I think the increase I have suggested is most modest and I know it is badly needed.

NATIONAL FLOOD INSURANCE

It was with a deep sense of personal satisfaction to me that the Committee on Banking and Currency adopted my amendment, in the form of a proposed title XI, National Flood Insurance.

Members of the House will recall that the proposed national flood insurance legislation passed the House—H.R. 11197—and the Senate in 1967 but because of far-reaching changes made by a House floor amendment in the financing mechanism in the House bill efforts to resolve the differences between the House and Senate versions in conference have been abandoned. In short, prior to inclusion of title XI in H.R. 17989, most observers conceded that flood insurance legislation had little if any chance of enactment in the 90th Congress.

As an original cosponsor of a national flood insurance program, the events leading up to the current legislative statement are indeed regrettable. Within the past month, the State of New Jersey experienced its worst natural disaster of the 20th century, sustaining more than $150 million in flood damage to private and public property. Having personally witnessed the human tragedy and widescale property damage in the wake of these devastating floods, my belief in the urgency of a national flood insurance program was further sustained.

When the House last November rejected the proposed financing through Treasury borrowing authority contained in the flood insurance bill, the circumstances surrounding that action were far different than those which prevail today. I refer to title X of the proposed housing bill where the Congress is being asked to approve Treasury borrowing authority in order to finance a national program of riot reinsurance. While I support title X, I think it would be uncharacteristically inconsistent for a majority of the House of Representatives to support Treasury borrowing authority for riot insurance, while rejecting this form of financing for a national flood insurance program of far more modest proportions.

In this regard, we should keep in mind that flood insurance proposals have been before the Congress for more than 10 years, long before any thought whatsoever was being given to the need for a Federal program of riot insurance.

Stated in its most candid terms, if the Congress of the United States can see its way clear to underwrite insurance protection against lawlessness in our cities, it can ill afford to turn a cold shoulder on the personal grief and tragedy of those of our law-abiding, taxpaying citizens who experience huge property losses caused by floods, or by what are said to be "acts of God."

TREATY FOR NONPROLIFERATION OF NUCLEAR WEAPONS

Mr. MORGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MORGAN. Mr. Speaker, this administration may well congratulate itself upon the tremendous achievement represented by the Treaty for the Nonproliferation of Nuclear Weapons. It is indeed the most significant development since the advent of nuclear power itself.

The promise it holds for the future of human association is due in no small measure to President Johnson, whose faith in such an agreement never faltered and whose encouragement and support provided a constant stimulus and inspiration over 4 long years of arduous negotiations.

The importance of the treaty lies not only in the hopeful pause it offers in the reckless race toward nuclear armament. It lies equally in its significance as an example of the ability of humankind to agree on major issues affecting its welfare. It is a tribute to reason which so often founders when the passions and the ambitions of men are stirred.

The world looks brighter today, despite the turmoil and the turbulence that besets it. The Treaty for the Nonproliferation of Nuclear Weapons has already opened the way to further progress in the stated willingness of the United

States and the U.S.S.R. to examine the possibility of limitations on strategic nuclear delivery vehicles.

There is indeed reason to rejoice.

My congratulations go out to this administration and to the men whose abundant good will, skill, and patience produced this splendid new hope for the future of mankind.

THE TAX-EXEMPT FOUNDATION: A NEW MAJOR THREAT TO CLEAN POLITICS

The SPEAKER pro tempore (Mr. PATTEN). Under previous order of the House the gentleman from New York [Mr. ROONEY] is recognized for 60 minutes.

Mr. ROONEY of New York. Mr. Speaker, I want to address you briefly on what I consider to be a grave and largely unnoticed peril to the election process in this country. It has to do with one of the most delicately sensitive areas; namely, the financing of elections.

Although some Members of the Congress have an income from business or some other profession, most of us think of ourselves primarily as politicians. All of us are proud to be so designated. Like medicine and law, politics is a profession with a sacred trust.

I think virtually all Members of the Congress want fervently to keep their profession clean, to keep it ethical, to keep it closely responsive to the people, and to keep it operating within certain statutory boundaries.

And that is why I think it important to call to your attention what I have had to overcome in winning the Democratic renomination in my district. The fact that I did win does not lessen my duty to tell you about a device that was used by one of my opponents. For, if the same device is used extensively over the country, I think it will truly endanger the democratic process by destroying the rules that now govern the financing of elections.

To put it bluntly—and I address myself personally to every Member of this Congress—unless you are a wealthy person or unless you have wealthy supporters who can help you fight back, you may find yourself in some future election being overwhelmed by a deluge of tax-exempt money. The columnist Drew Pearson is not noted for accuracy or respect of fact but in one recent column, he did accurately refer to the root of a major political problem today when he said:

> The most important thing to watch in elections today is the increasing power of money. It's become so you must be a millionaire or have the backing of big business or big labor to run for public office.

Unfortunately, Mr. Pearson did not have the candor to add tax-exempt foundations to this list of dangers. Perhaps this oversight on his part was brought about because he knows that one of my opponents, whom Mr. Pearson supported and tried to help by wrongfully and untruthfully abusing me in his column, did in fact use a tax-exempt foundation to finance part of his campaign. The details are these:

I had two opponents in my campaign for renomination. One of them was Frederick W. Richmond, a wealthy businessman and coffin manufacturer. He tried to bury me, but with the help of my friends and constituents I buried him, which perhaps goes to show that it takes more than a knowledge of coffin making to understand the intricacies of political undertaking.

Mr. Richmond fought a hard fight. I wish I could also say a fair fight, but the source of some of his money prevents my saying that.

I am not quite sure why Mr. Richmond wanted to represent my district of Brooklyn because he does not live there. Ours is largely a middle-income and lower income, rugged, all-American district. Mr. Richmond makes his home in a plush penthouse in the silk-stocking Sutton Place in Manhattan.

But for whatever private reasons he had, Mr. Richmond coveted my district and he set out to get it—at any cost.

The New York Times of June 12, 1968, tells us:

> Mr. Richmond does not dispute reports that he has Spent $250,000 in this campaign, mostly on 16 storefront headquarters, paid workers and an array of brochures.

And then the Times goes on to quote Mr. Richmond as saying:

> This is the first well-financed primary in the history of Brooklyn.

Now, let me repeat that figure for you again because some of you may think you did not hear me right. The New York Times says that Mr. Richmond spent $250,000—one quarter of a million dollars—in his unsuccessful effort to get into this House.

That is a lot of money. It is, in fact, as much as any Member of this House will earn from politics in 8 years.

POLITICAL MACHINERY OILED BY CHARITY DOLLARS

How could Mr. Richmond afford to spend so much in his effort to get this job?

The answer is, the taxpayers of America unwittingly helped pay for his campaign. That is, every organization that is exempt from taxation is to that extent supported by the American taxpayers, and Mr. Richmond used tax-exempt foundations in his campaign to unseat me.

Mr. Richmond set up his foundation in 1962, largely for the purpose of making himself look good in his high-powered campaign to represent the 14th Congressional District of New York State. And, with typical modesty, he named it the Frederick W. Richmond Foundation. In due course, that foundation took on a political tone. It began to "do good" in just the way that would do Mr. Richmond the most good politically.

My district contains a number of minority groups. We have a large representation of people of Italian, Jewish, Irish, Puerto Rican, and Negro extraction. So, beginning in 1967, we find the Frederick W. Richmond Foundation taking an intense interest in these groups.

For example, the foundation made six different contributions totaling $4,000 to the Yeshiva of Satimar-United Talmudical Academy in Brooklyn. These donations started on November 21, 1967, only 6 to 7 months before the June 18, 1968, New York primary, and continued until almost primary date. During the 5½ years June 15, 1962—date of incorporation—to November 21, 1967, the Frederick W. Richmond Foundation did not give one dime to the United Talmudical Academy. Here is the pattern of the foundation's contributions to the United Talmudical Academy:

On November 21, 1967, the foundation donated $1,000.

On December 20, 1967, it donated $500.

On February 5, 1968, it donated $1,000.

On March 19, 1968, it donated $500.

On April 19, 1968, it donated $500.

On May 15, 1968, it donated $500.

Many of our Irish, Puerto Rican, and Italian residents are Catholic. So, on May 15, 1968, only 1 month before the primary, the Frederick W. Richmond Foundation gave $5,000 to the Sacred Heart Day Care Child Center in Brooklyn, in the 14th Congressional District, and varying amounts to other Catholic organizations. The foundation, of course, had not made any grants to the Sacred Heart Day Care Child Center during the 6 years preceding May 15, 1968.

The foundation's gifts of $500 to the Puerto Rican Trade Committee and $50 to the Hispanic Society of the fire department were doubtless also appreciated by my constituents of Latin blood.

The foundation also had something for our Negro citizens. For example, $2,700 for the urban league and $50 for the Zion Baptist Church.

It is evident that Mr. Richmond had never been much aware that these groups existed or needed help until he decided to run for office.

It is also significant that Mr. Richmond did not exactly hide his light under a bushel. He was not in the least bashful about telling everyone of the tax-exempt donations being made by his foundation.

One of his campaign leaflets highlights the foundation's gifts to the United Talmudical Academy. The leaflet reproduces a letter, dated March 26, 1968—less than 3 months—before the primary—from the executive vice president of the United Talmudical Academy thanking the foundation for its contributions.

Keep in mind—this is a political leaflet. And it makes perfectly clear that Mr. Richmond was running for office on the timely donations—the tax-exempt donations—made by his foundation. In other words, Mr. Richmond was running for a political office with tax-exempt money. That is a pretty good trick, but it is not the kind of trick that the Congress would want to see widespread, I think.

Another of Mr. Richmond's campaign leaflets shows a picture of him talking with a Catholic pastor in the 14th Congressional District and apparently handing him a $5,000 check to help the Sacred Heart Day Care Child Center in Brooklyn. The money does not come from Mr. Richmond's pocket. It comes from his foundation, and it is tax-exempt. I repeat again—the Frederick W. Richmond Foundation contributed nothing to this church until May 15, 1968, a political year, at which time it donated $5,000 while Mr. Richmond was running for office.

I have saved Mr. Richmond's cleverest charitable gimmick—the Neighborhood Study Clubs, Inc.—to mention last because in it we find the culmination of the threat of which I am speaking—the threat of political machinery oiled by charity dollars.

The Neighborhood Study Clubs, Inc., was incorporated by Mr. Richmond on July 11, 1966. I might point out that this was less than 2 years before the June 1968 primary. Its application for Federal tax exemption is dated July 29, 1966, and tax exemption was granted less than 1 month later, on August 23, 1966. Keep that in mind, because you must not forget that these charitable politicians can go into business very rapidly indeed.

The application for tax exemption claims that the purpose of the Neighborhood Study Clubs, Inc. is educational. In reality, this organization was set up to publicize Mr. Richmond on a neighborhood basis, like the old ward clubs. Almost $43,000 was pumped into the Neighborhood Study Clubs, mostly in fiscal year 1967, by the Frederick W. Richmond Foundation and friends of Mr. Richmond.

REFUSES INDEPENDENT AUDIT AND MISREPRESENTS DIRECTORATE

The political competition from one who is supported by tax-exempt money is not only unfair to incumbents, but it is also unfair to others who get into the race. In my successful effort for the Democratic renomination, I was also opposed by a 34-year-old attorney, Peter Eikenberry.

While Mr. Eikenberry accepted the disadvantage that the challenger always has in opposing the incumbent, he was understandably not so willing to accept the disadvantage of running against the tax-exempt support received by Mr. Richmond. So, early in April, Mr. Paul Kerrigan, evidently a friend of Mr. Eikenberry's, charged that Mr. Richmond had put some political workers on the payrolls of Richmond's supposedly "charitable" operations. To offset this charge, Mr. Richmond offered to allow a disinterested accountant to examine the books of the Frederick W. Richmond Foundation.

This, however, proved to be an empty offer. When Mr. Kerrigan attempted to take Mr. Richmond up on the offer, he was blocked. Mr. Kerrigan's public challenge to Mr. Richmond will be inserted at the close of this statement as exhibit 1.

So the charge of using tax-exempt charity money to pay for political work was left unanswered and I think it should go into the record that this was the case. There really is no telling what the Richmond Foundation has been up to because not once—not once during its 6-year existence—has it had a field audit by the Internal Revenue Service.

It is not difficult to understand, however, why Mr. Richmond prefers secrecy. The Frederick W. Richmond Foundation is known to have been constructed around various misrepresentations. For instance, Mr. Richmond informed the Subcommittee on Foundations of the House Small Business Committee that Mr. Roger L. Stevens—whom I have never met or talked to—chairman of the board of trustees of the John F. Kennedy Center for the Performing Arts, is a director of the Frederick W. Richmond Foundation.

And yet Mr. Stevens advised H. A. Olsher, director of the foundation study, that he has never been a director of Mr. Richmond's foundation. It seems reasonable to assume that if Mr. Richmond would tamper with the truth on a matter such as this, he may be willing to tamper elsewhere as well, and so I can understand why he would not want an accountant, who is paid by a political opponent, looking into his foundation's records.

DODGING THE CORRUPT PRACTICES ACT

Here are a few more points that I want you to remember. During fiscal years 1967 and 1968—through May 15, 1968—the Frederick W. Richmond Foundation received $113,500 from the Walco American Corp., which is controlled by Frederick W. Richmond. The foundation's treasury was also enriched on May 3, 1968, through a $1,000 donation from the National Valve & Manufacturing Co., of Pittsburgh, Pa. According to the 1967 Dun & Bradstreet million-dollar directory, Mr. Richmond is a director of National Valve & Manufacturing Co.

Although it is against the law for a corporation to contribute to a political campaign, here is an easy way to get around that law. The corporation simply makes a donation to a tax-exempt foundation which in turn supports the candidate.

Here, as it must be plain to everyone, is a bonanza of the kind that one seldom comes across in business. The corporation is not only allowed to take a deduction on its tax return for giving to a "charitable" organization, but it is also permitted to undercut one of the most sensitive laws in campaign politics—the Corrupt Practices Act which prohibits political contributions by corporations.

Now, what relevance does all this have to your career and to the principle of fair play that we all hope to maintain in American politics?

The relevance is this, step by step:

Step 1: A man of wealth decides, for whatever reason, that he would like to enter politics. Perhaps he likes the Congressman in the district where he lives, so he decides to take on a Congressman in some other district—in any other district. As I have already said, Mr. Richmond does not live in my district. He just decided to play at politics in my district.

Step 2: To prepare for the eventuality of some day entering politics, this hypothetical wealthy person sets up one or more tax-exempt foundations. It can be done swiftly and easily. It took Mr. Richmond only 4 months to get Federal tax exemption for the Frederick W. Richmond Foundation and less than 1 month to obtain exemption for the Neighborhood Study Clubs, Inc.

Step 3: Then the businesses he controls and the businesses of his friends pour money into the foundation in such a way as to get corporate tax advantages. Mr. Richmond did this.

Step 4: Next he and his friends start making unlimited personal contributions to the foundation, all of which are deductible on their tax returns as charity. For example, the $3,500 donation which the Frederick W. Richmond Foundation received from Thomas G. Wyman, a Richmond fundraiser, 375 Park Avenue, New York City, on February 5, 1968, less than 5 months before the primary, is no doubt eligible for charitable deduction status. Mr. Wyman had not previously contributed to the Frederick W. Richmond Foundation during its 6-year history.

Step 5: And finally, although tax-exempt foundations are prohibited from making grants to political candidates, nothing seems to prevent friendly foundations from making gifts to one another, irrespective of the fact that the donee foundation may be helping a political candidate in some way.

And so we find the Frederick W. Richmond Foundation receiving substantial gifts from other foundations, including $50,000 from the Carol W. Haussamen Foundation, of New York City, and $5,000 from the John Lindsley Fund, of New York City, while the Neighborhood Study Clubs, Inc., received considerable funds from other foundations including $15,000 from the Edward John Noble Foundation, of Washington Depot, Conn., and $7,500 from the New York Foundation.

Step 6: Then the candidate begins to spread the money around to enhance his image as a charitable person, thus supporting his compaign with tax-exempt "charitable" money. The foundation saturates the congressional district with "good deeds." The candidate's face begins to appear in tens of thousands of political propaganda leaflets which show him making donations to charity. Mr. Richmond did this.

Step 7: The candidate may even hire campaign workers with tax-exempt funds. When Mr. Richmond was challenged on this point, he did not prove to the contrary.

In other words, to sum it up, for the first time to anybody's knowledge a congressional political campaign was subsidized this year by all U.S. taxpayers and in defiance of certain laws governing campaign moneys.

This time it happened in my district. It can and probably will happen in your districts. In fact, the appeal of this political gimmick is a threat to every Member of Congress who does not have access to a fat bankroll or to a business and tax-exempt foundation. Unless the Congress works out procedures that will prevent the use of this gimmick, it will become dangerously widespread.

EXHIBIT 1

A PUBLIC CHALLENGE TO FREDERICK W. RICHMOND

DEAR MR. RICHMOND: On April 4, 1968, I stated at a public meeting that you had placed your political workers on the payrolls of so-called "charitable" undertakings which are under your control. The spectacle of wealthy men using their money to attempt to buy public office has unfortunately become common in the United States. However, you have come into Brooklyn to present yourself to the voters of our 14th Congressional District as a "Reformer". If you have in fact used tax-exempt groups to pay your political workers, obviously you can have no claim to being a genuine Reformer.

In reply to my charges on April 4, 1968, you publicly offered to allow my accountant to examine the books of the Richmond Foundation. Since then, through my attorney Milton H. Friedman of Friedman and Perlin, I have been attempting to obtain this promised examination.

To date you have not permitted it.

You have now sent me what purports to be an accounting of the affairs of the Richmond Foundation. Among the notable points of this accounting are the following:

1. On March 31, 1968, the cash assets of the Foundation were $30.06.

2. The Foundation has debts of $70,000, partly interest-bearing, to a company and to another foundation, with both of which you are associated; your accounting in this respect is in conflict with that foundation's tax return.

3. The Foundation has made "loans" totalling over $150,000 to companies controlled by you.

4. No explanation is offered of to whom and for what purpose any of the "contributions" of $93,482.63 have been made.

Far from proving that the affairs of the Richmond Foundation have been properly conducted, this inadequate accounting raises further questions about the Foundation.

Since you have failed to fulfill your two-month old public offer to permit my accountant to examine the books of your "charitable" undertakings, you give me no choice except to raise these questions publicly and to challenge you to answer them:

1. I challenge you to permit a complete impartial audit of all "charitable" undertakings which are under your control. Since you do not seem to want to fulfill your promise to permit my accountant to make that examination, I would suggest that it be made under the supervision of a committee of distinguished citizens of whom we would both agree.

2. I challenge you to include in such an audit the following "charitable" undertakings which are under your control:

The Frederick W. Richmond Foundation Inc.
The Park Slope North Improvement Corporation
The East Island Corporation
Neighborhood Study Clubs
The Community Improvement Corporation of Manhattan
Richmond House
The Citizens Committee for Medicaid

3. I challenge you to include in such audit the sources of the salaries of the following persons, who have been among your political workers for the past several years; William Castleberry, Frank Montero, James Gallagher, Dan Greenberg, Murray Scharfstein, Joe Torres, Bernard Kleeger, Sally Leonard.

As you are fully aware, the affairs of the Richmond Foundation have been under investigation by the Select Committee on Small Business of the U.S. House of Representatives. In a report of March 26, 1968, the House Committee details the extraordinary history of loans, debts, and revolving-door directorships which have characterized the Richmond Foundation. In conclusion, the House Committee asks a question:

"If this mixture of high finance and tangled directorate and officers appears baffling, it is because it is baffling. Mr. Richmond is reportedly a successful businessman, so it is difficult to understand why his foundation should be constantly in debt. Does it benefit Mr. Richmond? Just who does profit from this type of activity?"

The answer to that question seems to be obvious—it is the political aspirations of Frederick W. Richmond that benefit from the manner in which the affairs of the Richmond Foundation and his other "charitable" undertakings are conducted.

If the charges made here are false, Mr. Richmond, you can easily prove that by permitting the kind of impartial and complete examination which you have already publicly promised.

I challenge you to permit such an impartial and complete examination.

Very truly yours,
PAUL KERRIGAN.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

Mr. ROONEY of New York. I yield to the distinguished gentleman from California.

Mr. HOLIFIELD. Mr. Speaker, I have sat here and listened with amazement to the story the gentleman from New York has told the Members of the House. I certainly can see that the gentleman has so vividly portrayed a danger in this type of action.

I know almost without asking that the gentleman has referred this information to the Internal Revenue Service and asked them to take such action as is necessary.

If they find a circumvention of the purpose of the law, and the purpose of allowing foundations to exist prohibits them from punishing this individual, I hope the gentleman will ask the Ways and Means Committee to bring out some legislation which the Members of the House can support to close this loophole of so-called charitable funds being used for political purposes.

Mr. ROONEY of New York. I say to the distinguished gentleman from California that I consider the remarks I made here this evening to be a request to the Commissioner of Internal Revenue to take the proper and necessary action in the circumstances.

Mr. HOLIFIELD. Mr. Speaker, I congratulate the gentleman also on overcoming Mr. Richmond's expenditure of money in his district and the gentleman's achieving the nomination of his party.

Mr. ROONEY of New York. I thank the gentleman.

If there is anyone here who would like to see these political flyers to which I have made reference, they are here for anyone to see.

SIGNING OF THE NONPROLIFERATION TREATY

The **SPEAKER** pro tempore (Mr. PATTEN). Under a previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 30 minutes.

Mr. HOLIFIELD. Mr. Speaker, this morning, with a number of my colleagues from the Congress, together with numerous representatives of foreign countries, I was privileged to be present in the White House when President Johnson, Ambassador Dobrynin, and other Ambassadors signed for their nations the Nonproliferation Treaty.

Mr. Speaker, it was a most memorable day for not only the people of the United States and the people of the U.S.S.R. but for the peoples of all the world. It was a particularly memorable occasion for President Johnson for it culminated many, many months of continuous negotiations which, despite all the other duties of his office, he personally followed on a day-to-day basis. It was he who justifiably should receive the main credit for the great event which took place today. History will reflect that President Johnson, more than any other President in the history of our Nation, has successfully worked toward the limitation and control of nuclear weapons. Quietly and persistently President Johnson's administration has carried forward the ideals set forth by him and the late President Kennedy in the early 1960's.

On August 5, 1963, the Governments of the United States, the United Kingdom, and the Union of Soviet Socialist Republics entered into a treaty banning nuclear weapons tests in the atmosphere, in outer space, and under water. The so-called Limited Test Ban Treaty was the first major agreement entered into by the nuclear powers in an attempt to control the dangers of nuclear weapons. The so-called Limited Test Ban Treaty was negotiated and signed in the Kennedy administration.

President Johnson consistently and successfully has been moving the United States along that difficult road in the direction of what President Kennedy characterized as "the first small step" of the Limited Test Ban Treaty. Under his direction Ambassador William C. Foster, Director of the Arms Control and Disarmament Agency, has neogtiated a Treaty for the Prohibition of Nuclear Weapons in Latin America, a treaty prohibiting the placing of nuclear weapons in orbit in outer space and now today the Nonproliferation Treaty.

These three treaties negotiated under the direction and administration of President Johnson have brought the United States, the Soviet Union and all the world several steps further along that road to a peaceful world. In his statement today the President announced his intention to begin negotiations with the U.S.S.R. seeking to limit offensive and defensive nuclear weapon systems.

Such a treaty will not be easy to negotiate but it will be one more indication of the efforts of President Johnson to take us further along that road and beyond that "first small step" that President Kennedy directed us back in 1963.

President Johnson's address today to the American people offers new hope that ways can be found to bring under control the enormously dangerous and costly missile systems of both the United States and the Soviet Union.

It is heartening that new talks will begin soon with the Soviet Union to attempt to work out ways to safely and surely reduce these systems and, by so doing, encourage other nations to join in the effort to de-escalate the arms race.

The President is right in warning against overoptimism. Many difficulties and complexities lie ahead. But the fact is that by their willingness to sit down together to discuss this matter, both sides have recognized the enormous burdens and dangers inherent in a steadily mounting missile system which, by its very existence, endangers the peace of the world.

I commend the President for his sincere and steadfast efforts in the disarmament field. I believe these efforts may well be the most important and lasting legacy that Lyndon Johnson will leave the American people.

I join with the President in expressing the prayerful hope that the talks with the Soviet Union will prove successful and will lead the world to a safer and more fruitful era of peaceful relations.

Mr. Speaker, I place in the RECORD at this point the statement of President Johnson today on the occasion of the signing of the Nonproliferation Treaty. I also place in the RECORD the text of the Nonproliferation Treaty, together with the text of the other two treaties entered into by the United States under the Johnston administration pertaining to limitations on nuclear weapons—the Treaty on Outer Space and the Treaty for the Prohibition of Nuclear Weapons in Latin America, and the Treaty Banning Nuclear Weapon Tests in Atmosphere, In Outer Space and Underwater. This latter treaty was signed under the Kennedy administration on August 5, 1963.

Text of the Remarks of the President at the Signing of the Nonproliferation Treaty

This is a reassuring and hopeful moment in the relations among nations.

We have come today to sign a Treaty which limits the spread of nuclear weapons.

More than fifty nations are here in Washington to commit their governments to this Treaty. Their representatives are also signing today in Moscow and in London. We hope and expect that virtually all the nations will move in the weeks and months ahead to accept this Treaty which was commended to the world by the overwhelming majority of the members of the United Nations General Assembly.

The treaty's purposes are simple:

To commit the nations of the world which do not now have nuclear weapons, not to produce or receive them in the future;

To assure equally that such nations have the full peaceful benefits of the atom;

And to commit the nuclear powers to move forward towards effective measures of arms control and disarmament.

Just a year ago, Chairman Kosygin and I agreed at Glassboro that we would work intensively in the time ahead to achieve this result.

After nearly a quarter century of danger and fear—reason and sanity have prevailed to reduce the danger and to lessen the fear. All mankind is reassured.

As the moment is reassuring, so it is, even more, hopeful and heartening. For this Treaty is evidence that amid the tensions, the strife, the struggle and sorrow of these years, men of many nations have not lost the way—or the will—toward peace. The conclusion of this Treaty encourages the hope that other steps may be taken toward a peaceful world.

It is for these reasons—and in this perspective—that I have described this treaty as the most important international agreement since the beginning of the nuclear age.

It enhances the security of all nations by significantly reducing the danger of nuclear war among nations.

It encourages the peaceful use of nuclear energy by assuring effectiveness safeguards against its destructive use.

But, perhaps most significantly, the signing of this Treaty keeps alive and active the impulse toward a safer world.

We are inclined to neglect and overlook what that impulse has brought about in recent years. These have been fruitful times for the quiet works of diplomacy. After long seasons of patient and painstaking negotiation, we have concluded, just within the past five years, the Limited Test Ban Treaty, the Outer Space Treaty, and the Treaty creating a nuclear-free zone in Latin America.

The march of mankind is toward the summit—not the chasm. We must not, we shall not allow that march to be interrupted.

This Treaty, like the treaties it follows, is not the work of any one nation. It is the accomplishment of nations which seek to exercise their responsibilities for maintaining peace and a stable world order. It is my hope—and the common will of mankind—that all nations will agree that this Treaty affords them added protection. We hope they will accept the Treaty and thereby contribute further to international peace and security.

As one of the nations having nuclear weapons, the United States—all through these years—has borne an awesome responsibility. This Treaty increases that responsibility—for we have pledged that we shall use our weapons only in conformity with the Charter of the United Nations.

Furthermore, we have made clear to the United Nations Security Council what I would repeat today: if a state which has accepted this Treaty does not have nuclear weapons and is a victim of aggression, or is subject to a threat of aggression, involving nuclear weapons, the United States shall be prepared to ask immediate Security Council action to provide assistance in accordance with the Charter.

In welcoming the Treaty that prevents the spread of nuclear weapons, I repeat the United States commitment to honor all our obligations under existing treaties of mutual security. Such agreements have added greatly to the security of our nation and the nations with which such agreements exist. They have created a degree of stability in an often unstable world.

This Treaty is an important security measure. But it also lays an indispensible foundation: for expanded cooperation in the peaceful application of nuclear energy; and for additional measures to halt the nuclear arms race.

We will cooperate fully to bring the Treaty safeguards into being. We shall thus help provide the basis of confidence necessary for increased cooperation in the peaceful nuclear field. After the Treaty has come into force we will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States—excluding only those with direct national security significance. Thus, the United States is not asking any country to accept any safeguards we are not willing to accept ourselves.

As the Treaty requires, we shall also engage in the fullest possible exchange of equipment, materials, and scientific and technological information for the peaceful uses of nuclear energy. The needs of the developing nations will be given particular attention.

We shall make readily available to the non-nuclear treaty partners the benefits of nuclear explosions for peaceful purposes. And we shall do so without delay and under the Treaty's provisions.

At this moment of achievement and hope, I am gratified to be able to report and announce to the world a significant agreement—an agreement I have actively sought and worked for since January 1964:

Agreement has been reached between the Governments of the Union of Soviet Socialist Republics and the United States to enter in the nearest future into discussions on the limitation and reduction of both offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles.

Discussion of this most complex subject will not be easy. We have no illusions that it will be. I know the stubborn, patient persistence it has required to get this far. I know the difficulties that lie ahead. I know the fears, suspicions, and anxieties we shall have to overcome. But I believe that the same spirit of accommodation shown in the negotiation of the present Treaty can bring us to a good result.

Man can still shape his destiny in the nuclear age—and learn to live as brothers.

Toward that goal—the day when the world moves out of the night of war into the light of sanity and security—I solemnly pledge the resources, the resolve, and the unrelenting efforts of the people of the United States and their government.

Treaty Banning Nuclear Weapon Tests in Atmosphere, in Outer Space and Underwater

(Signed August 5, 1963 in Moscow)

PREAMBLE

The Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, hereinafter refered to as the "Original Parties",

Proclaiming as their principal aim the speediest possible achievement of an agreement on general and complete disarmament under strict international control in accordance with the objectives of the United Nations which would put an end to the armaments race and eliminate the incentive to the production and testing of all kinds of weapons, including nuclear weapons.

Seeking to achieve the discontinuance of all test explosions of nuclear weapons for all time, determined to continue negotiations to this end, and desiring to put an end to the contamination of man's environment by radioactive substances.

Have agreed as follows:

ARTICLE I

1. Each of the parties to this Treaty undertakes to prohibit, to prevent, and not to carry out any nuclear weapon test explosion, or any other nuclear explosion at any place under its jurisdiction or control:

a. in the atmosphere, beyond its limits, including outer space, or underwater, including territorial waters or high seas; or

b. in any other environment if such explosion causes radioactive debris to be present outside the territorial limits of the state under whose jurisdiction or control such explosion is conducted.

It is understood in this connection that the provisions of this subparagraph are without prejudice to the conclusion of a treaty resulting in the permanent banning of all nuclear test explosions, including all such explosions underground, the conclusions of which, as the Parties have stated in the preamble to this Treaty, they seek to achieve.

2. Each of the Parties to this Treaty undertakes furthermore to refrain from causing, encouraging, or in any way participating in, the carrying out of any nuclear weapon test explosion, or any other nuclear explosion, anywhere which would take place in any of the environments described, or have the effect referred to in paragraph 1 of this article.

ARTICLE II

1. Any party may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Government which shall circulate it to all Parties to this Treaty. Thereafter, if requested to do so by one-third or more of the Parties, the Depositary Governments shall convene a conference, to which they shall invite all the Parties, to consider such amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to this Treaty, including the votes of all of the original Parties. The amendment shall enter into force for all Parties upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all of the original Parties.

ARTICLE III

1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the original Parties—the United States of America, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics—which are hereby designated as the Depositary Governments.

3. This Treaty shall enter into force after its ratification by all the original Parties and the deposit of their instruments of ratification.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Treaty, the date of its entry into force, and the date of receipt of any requests for conferences or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE IV

This Treaty shall be of unlimited duration.

Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the treaty three months in advance.

ARTICLE V

This Treaty, of which the English and Russian texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Treaty.

Done in triplicate at *Moscow*, this —— day of ———, one thousand nine-hundred and sixty-three.

TREATY ON PRINCIPLES GOVERNING THE ACTIVITIES OF STATES IN THE EXPLORATION AND USE OF OUTER SPACE, INCLUDING THE MOON AND OTHER CELESTIAL BODIES

The States Parties to this Treaty,

Inspired by the great prospects opening up before mankind as a result of man's entry into outer space,

Recognizing the common interest of all mankind in the progress of the exploration and use of outer space for peaceful purposes,

Believing that the exploration and use of outer space should be carried on for the benefit of all peoples irrespective of the degree of their economic or scientific development,

Desiring to contribute to broad international co-operation in the scientific as well as the legal aspects of the exploration and use of outer space for peaceful purposes,

Believing that such co-operation will contribute to the development of mutual understanding and to the strengthening of friendly relations between States and peoples,

Recalling resolution 1962 (XVIII), entitled "Declaration of Legal Principles Governing the Activities of States in the Exploration and Use of Outer Space", which was adopted unanmiously by the United Nations General Assembly on 13 December 1963,

Recalling resolution 1884 (XVIII), calling upon States to refrain from placing in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction or from installing such weapons on celestial bodies, which was adopted unanimously by the United Nations General Assembly on 17 October 1963,

Taking account of United Nations General Assembly resolution 110 (II) of 3 November 1947, which condemned propaganda designed or likely to provoke or encourage any threat to the peace, breach of the peace or act of aggression, and considering that the aforementioned resolution is applicable to outer space,

Convinced that a Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, will further the Purposes and Principles of the Charter of the United Nations,

Have agreed on the following:

ARTICLE I

The exploration and use of outer space, including the moon and other celestial bodies, shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of economic or scientific development, and shall be the province of all mankind.

Outer space, including the moon and other celestial bodies, shall be free for exploration and use by all States without discrimination of any kind, on a basis of equality and in accordance with international law, and there shall be free access to all areas of celestial bodies.

There shall be freedom of scientific investigation in outer space, including the moon and other celestial bodies, and States shall facilitate and encourage international co-operation in such investigation.

ARTICLE II

Outer space, including the moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means.

ARTICLE III

States Parties to the Treaty shall carry on activities in the exploration and use of outer space, including the moon and other celestial bodies, in accordance with international law, including the Charter of the United Nations, in the interest of maintaining international peace and security and promoting international co-operation and understanding.

ARTICLE IV

States Parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, install such weapons on celestial bodies, or station such weapons in outerspace in any other manner.

The moon and other celestial bodies shall be used by all States Parties to the Treaty exclusively for peaceful purposes. The establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military maneuvers on celestial bodies shall be forbidden. The use of military personnel for scientific research or for any other peaceful purposes shall not be prohibited. The use of any equipment or facility necessary for peaceful exploration of the moon and other celestial bodies shall also not be prohibited.

ARTICLE V

States Parties to the Treaty shall regard astronauts as envoys of mankind in outer space and shall render to them all possible assistance in the event of accident, distress, or emergency landing on the territory of another State Party or on the high seas. When astronauts make such a landing, they shall be safely and promptly returned to the State of registry of their space vehicle.

In carrying on activities in outer space and on celestial bodies, the astronauts of one State Party shall render all possible assistance to the astronauts of other States Parties.

States Parties to the Treaty shall immediately inform the other States Parties to the Treaty or the Secreary-General of the United Nations of any phenomena they discover in outer space, including the moon and other celestial bodies, which could constitute a danger to the life or health of astronauts.

ARTICLE VI

States Parties to the Treaty shall bear international responsibility for national activities in outer space, including the moon and other celestial bodies, whether such activities are carried on by governmental agencies or by non-governmental entities, and for assuring that national activities are carried out in conformity with the provisions set forth in the present Treaty. The activities of non-governmental entities in outer space, including the moon and other celestial bodies, shall require authorization and continuing supervision by the appropriate State Party to the Treaty. When activities are carried on in outer space, including the moon and other celestial bodies, by an international organization, responsibility for compliance with this Treaty shall be borne both by the international organization and by the States Parties to the Treaty participating in such organization.

ARTICLE VII

Each State Party to the Treaty that launches or procures the launching of an object into outer space, including the moon and other celestial bodies, and each State Party from whose territory or facility an object is launched, is internationally liable for damage to another State Party to the Treaty or to its natural or juridical persons by such object or its component parts on the Earth, in air space or in outer space, including the moon and other celestial bodies.

ARTICLE VIII

A State Party to the Treaty on whose registry an object launched into outer space is carried shall retain jurisdiction and control over such object, and over any personnel thereof, while in outer space or on a celestial body. Ownership of objects launched into outer space, including objects landed or constructed on a celestial body, and of their component parts, is not affected by their presence in outer space or on a celestial body or by their return to the Earth. Such objects or component parts found beyond the limits of the State Party to the Treaty on whose registry they are carried shall be returned to that State Party, which shall, upon request, furnish identifying data prior to their return.

ARTICLE IX

In the exploration and use of outer space, including the moon and other celestial bodies, States Parties to the Treaty shall be guided by the principle of co-operation and mutual assistance and shall conduct all their activities in outer space, including the moon and other celestial bodies, with due regard to the corresponding interests of all other States Parties to the Treaty. States Parties to the Treaty shall pursue studies of outer space, including the moon and other celestial bodies, and conduct exploration of them so as to avoid their harmful contamination and also adverse changes in the enviroment of the Earth resulting from the introduction of extraterrestrial matter and, where necessary, shall adopt appropriate measures for this purpose. If a State Party to the Treaty has reason to believe that an activity or experiment planned by it or its nationals in outer space, including the moon and other celestial bodies, would cause potentially harmful interference with activities of other States Parties in the peaceful exploration and use of outer space, including the moon and other celestial bodies, it shall undertake appropriate international consultations before proceeding with any such activity or experiment. A State Party to the Treaty which has reason to believe that an activity or experiment planned by another State Party in outer space, including the moon and other celestial bodies, would cause potentially harmful interference with activities in the peaceful exploration and use of outer space, including the moon and other celestial bodies, may request consultation concerning the activity or experiment.

ARTICLE X

In order to promote international co-operation in the exploration and use of outer space, including the moon and other celestial bodies, in conformity with the purposes of this Treaty, the States Parties to the Treaty shall consider on a basis of the equality any requests by other States Parties to the Treaty to be afforded an opportunity to observe the flight of space objects launched by those States.

The nature of such an opportunity for observation and the conditions under which it could be afforded shall be determined by agreement between the States concerned.

ARTICLE XI

In order to promote international co-operation in the peaceful exploration and use of outer space, States Parties to the Treaty conducting activities in outer space, including the moon and other celestial bodies, agree to inform the Secretary-General of the United Nations as well as the public and the international scientific community, to the greatest extent feasible and practicable, of the nature, conduct, locations and results of such activities. On receiving the said information, the Secretary-General of the United Nations should be prepared to disseminate it immediately and effectively.

ARTICLE XII

All stations, installation, equipment and space vehicles on the moon and other celestial bodies shall be open to representatives of other States Parties to the Treaty on a basis of reciprocity. Such representatives shall give reasonable advance notice of a projected visit, in order that appropriate consultations may be held and that maximum precautions may be taken to assure safety and to avoid interference with normal operations in the facility to be visited.

ARTICLE XIII

The provisions of this Treaty shall apply to the activities of States Parties to the Treaty in the exploration and use of outer space, including the moon and other celestial bodies, whether such activities are carried on by a single State Party to the Treaty or jointly with other States, including cases where they are carried on within the framework of international inter-governmental organizations.

Any practical questions arising in connection with activities carried on by international inter-governmental organizations in the exploration and use of outer space, including the moon and other celestial bodies, shall be resolved by the States Parties to the Treaty either with the appropriate international organization, or with one or more States members of that international organization which are Parties to this Treaty.

ARTICLE XIV

1. This Treaty shall be open to all States for signature. Any State which does not sign this Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force upon the deposit of instruments of ratification by five Governments including the Governments designated as Depositary Governments under this Treaty.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification of and accession to this Treaty, the date of its entry into force and other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE XV

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party to the Treaty on the date of acceptance by it.

ARTICLE XVI

Any State Party to the Treaty may give notice of its withdrawal from the Treaty one year after its entry into force by written notification to the Depositary Governments. Such withdrawal shall take effect one year from the date of receipt of this notification.

ARTICLE XVII

This Treaty, of which the English, Russian, French, Spanish and Chinese texts are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate, at the cities of Washington, London and Moscow, this twenty-seventh day of January one thousand nine hundred sixty-seven.

For the United States of America:
Dean Rusk
Arthur J. Goldberg
For the United Kingdom of Great Britain and Northern Ireland:
Patrick Dean
For the Union of Soviet Socialist Republics:
A. F. Dobrynin
For Chile:
Radomiro Tomic
For Mexico:
Hugo B. Margáin
For China:
Chow Shu-kai
For Italy:
Sergio Fenoaltea
For Honduras:
Ricardo Midence Soto
For Ethiopia:
Tashoma Haile-Mariam
For Ghana:
Abraham Benjamin Bah Kofi
For Cyprus:
Zenon Rossides
For Canada:
A. Edgar Ritchie
For Bulgaria:
Dr. Luben Guerassimov
For Australia:
John Keith Waller
For Denmark:
Flemming Agerup
For Hungary:
János Radványi
For Iceland:
Petur Thorsteinsson
For Czechoslovakia:
Dr. Karel Duda
For Japan:
Ryuji Takeuchi
For Romania:
Petre Balaceanu
For Poland:
Zdzislaw Szewczyk
For Tunisia:
Rachid Driss
For New Zealand:
Jack Shepherd
For Colombia:
Hernan Echavarría Olozaga
For Finland:
Olavi Munkki
For Panama:
Ricardo M. Arias E.
For Laos:
Khamking Souvanlasy
For Greece:
Alexander A. Matsas
For the Philippines:
José F. Imperial
For Turkey:
Melih Esenbel
For Yugoslavia:
Veljko Micunovic
For Afghanistan:
Dr. Abdul Majid
For Argentina:
Alvaro C. Alsogaray
For the United Arab Republic:
Mostafa Kamel
For Haiti:
Arthur Bonhomme
For Luxembourg:
Maurice Steinmetz
For Viet-Nam:
Bui Diem
For Venezuela:
Enrique Tejera-Paris
For the Federal Republic of Germany:
Heinrich Knappstein
For Israel:
Avraham Harman
For El Salvador:
Ramon de Clairmont-Dueñas
For Thailand:
Sukich Nimmanheminda
For Sweden:
Hubert de Besche
For Ecuador:
Gustavo Larrea
For Togo:
Robert Ajavon
For the Dominican Republic:
Hector Garcia-Godoy
For Switzerland:
Felix Schnyder
For Burundi:
Clément Sambira
For Ireland:
William P. Fay
For Cameroon:
Joseph N. Owono
For Indonesia:
Suwito Kusumowidagdo
For Bolivia:
Julio Sanjines-Goytia
For Botswana:
Zachariah Keodirelang Matthews
For Lesotho:
Alberto S. Mohale
For Korea:
Hyun Chul Kim
For the Congo (Kinshasa):
Cyrille Adoula
For Uruguay:
Rubin A. Alejandro Chelle

For the Central African Republic:
MICHEL GALLIN-DOUATHE
For Rwanda:
CELESTIN KABANDA
For Nicaragua:
GUILLERMO SEVILLA-SACASA

TREATY FOR THE PROHIBITION OF NUCLEAR WEAPONS IN LATIN AMERICA

PREAMBLE

In the name of their peoples and faithfully interpreting their desires and aspirations, the Governments of the States which sign the Treaty for the Prohibition of Nuclear Weapons in Latin America,

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards strengthening a world at peace, based on the sovereign equality of States, mutual respect and good neighbourliness,

Recalling that the United Nations General Assembly, in its Resolution 808 (IX), adopted unanimously as one of the three points of a coordinated programme of disarmament "the total prohibition of the use and manufacture of nuclear weapons and weapons of mass destruction of every type",

Recalling that militarily denuclearized zones are not an end in themselves but rather a means for achieving general and complete disarmament at a later stage,

Recalling United Nations General Assembly Resolution 1911 (XVIII), which established that the measures that should be agreed upon for the denuclearization of Latin America should be taken "in the light of the principles of the Charter of the United Nations and of regional agreements",

Recalling United Nations General Assembly resolution 2028 (XX), which established the principle of an acceptable balance of mutual responsibilities and duties for the nuclear and non-nuclear powers, and

Recalling that the Charter of the Organization of American States proclaims that it is an essential purpose of the Organization to strengthen the peace and security of the hemisphere,

Convinced:

That the incalculable destructive power of nuclear weapons has made it imperative that the legal prohibition of war should be strictly observed in practice if the survival of civilization and of mankind itself is to be assured.

That nuclear weapons, whose terrible effects are suffered, indiscriminately and inexorably, by military forces and civilian population alike, constitute, through the persistence of the radioactivity they release, an attack on the integrity of the human species and ultimately may even render the whole earth uninhabitable,

That general and complete disarmament under effective international control is a vital matter which all the peoples of the world equally demand,

That the proliferation of nuclear weapons, which seems inevitable unless States, in the exercise of their sovereign rights, impose restrictions on themselves in order to prevent it, would make any agreement on disarmament enormously difficult and would increase the danger of the outbreak of a nuclear conflagration.

That the establishment of militarily denuclearized zones is closely linked with the maintenance of peace and security in the respective regions.

That the military denuclearization of vast geographical zones, adopted by the sovereign decision of the States comprised therein, will exercise a beneficial influence on other regions where similar conditions exist.

That the privileged situation of the signatory States, whose territories are wholly free from nuclear weapons, imposes upon them the inescapable duty of preserving that situation both in their own interests and for the good of mankind,

That the existence of nuclear weapons in any country of Latin America would make it a target for possible nuclear attacks and would inevitably set off, throughout the region, a ruinous race in nuclear weapons which would involve the unjustifiable diversion, for warlike purposes, of the limited resources required for economic and social development,

That the foregoing reasons, together with the traditional peace-loving outlook of Latin America, give rise to an inescapable necessity that nuclear energy should be used in that region exclusively for peaceful purposes, and that the Latin American countries should use their right to the greatest and most equitable possible access to this new source of energy in order to expedite the economic and social development of their peoples,

Convinced finally:

That the military denuclearization of Latin America—being understood to mean the undertaking entered into internationally in this Treaty to keep their territories forever free from nuclear weapons—will constitute a measure which will spare their peoples from the squandering of their limited resources on nuclear armaments and will protect them against possible nuclear attacks on their territories, and will also constitute a significant contribution towards preventing the proliferation of nuclear weapons and a powerful factor for general and complete disarmament, and

That Latin America, faithful to its tradition of universality, must not only endeavour to banish from its homelands the scourage of a nuclear war, but must also strive to promote the well-being and advancement of its peoples, at the same time co-operating in the fulfilment of the ideals of mankind, that is to say, in the consolidation of a permanent peace based on equal rights, economic fairness and social justice for all, in accordance with the principles and purposes set forth in the Charter of the United Nations and in the Charter of the Organization of American States,

Have agreed as follows:

Obligations

Article 1

1. The Contracting Parties hereby undertake to use exclusively for peaceful purposes the nuclear material and facilities which are under their jurisdiction, and to prohibit and prevent in their respective territories:

(a) The testing, use, manufacture, production or acquisition by any means whatsoever of any nuclear weapons, by the Parties themselves, directly or indirectly, on behalf of anyone else or in any other way, and

(b) The receipts, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the Parties themselves, by anyone on their behalf or in any other way.

2. The Contracting Parties also undertake to refrain from engaging in, encouraging or authorizing, directly or indirectly, or in any way participating in the testing, use, manufacture, production, possession or control of any nuclear weapon.

Definition of the Contracting Parties

Article 2

For the purposes of this Treaty, the Contracting Parties are those for whom the Treaty is in force.

Definition of territory

Article 3

For the purposes of this Treaty, the term "territory" shall include the territorial sea, air space and any other space over which the States exercises sovereignty in accordance with its own legislation.

Zone of application

Article 4

1. The zone of application of this Treaty is the whole of the territories for which the Treaty is in force.

2. Upon fulfilment of the requirements of article 28, paragraph 1, the zone of application of this Treaty shall also be that which is situated in the western hemisphere within the following limits (except the continental part of the territory of the United States of America and its territorial waters): starting at a point located at 35° north latitude, 75° west longitude; from this point directly southward to a point at 30° north latitude, 75° west longitude; from there, directly eastward to a point at 30° north latitude, 50° west longitude; from there, along a loxodromic line to a point at 5° north latitude, 20° west longitude; from there, directly southward to a point at 60° south latitude, 20° west longitude; from there, directly westward to a point at 60° south latitude, 115° west longitude; from there directly northward to a point at 0 latitude, 115° west longitude; from there, along a loxodromic line to a point at 35° north latitude, 150° west longitude; from there, directly eastward to a point at 35° north latitude, 75° west longitude.

Definition of nuclear weapons

Article 5

For the purposes of this Treaty, a nuclear weapon is any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for warlike purposes. An instrument that may be used for the transport or propulsion of the device is not included in this definition if it is separable from the device and not an indivisible part thereof.

Meeting of signatories

Article 6

At the request of any of the signatory States or if the Agency established by article 7 should so decide, a meeting of all the signatories may be convoked to consider in common questions which may affect the very essence of this instrument, including possible amendments to it. In either case, the meeting will be convoked by the General Secretary.

Organization

Article 7

1. In order to ensure compliance with the obligations of this Treaty, the Contracting Parties hereby establish an international organization to be known as the "Agency for the Prohibition of Nuclear Weapons in Latin America", hereinafter referred to as "the Agency". Only the Contracting Parties shall be affected by its decisions.

2. The Agency shall be responsible for the holding of periodic or extraordinary consultations among Member States on matters relating to the purposes, measures and procedures set forth in this Treaty and to the supervision of compliance with the obligations arising therefrom.

3. The Contracting Parties agree to extend to the Agency full and prompt co-operation in accordance with the provisions of this Treaty, of any agreements they may conclude with the Agency and of any agreements the Agency may conclude with any other international organization or body.

4. The headquarters of the Agency shall be in Mexico City.

Organs

Article 8

1. There are hereby established as principal organs of the Agency a General Conference, a Council and a Secretariat.

2. Such subsidiary organs as are considered necessary by the General Conference may be established within the purview of this Treaty.

The General Conference

Article 9

1. The General Conference, the supreme organ of the Agency, shall be composed of all the Contracting Parties; it shall hold regular sessions every two years, and may also hold special sessions whenever this Treaty so provides or, in the opinion of the Council, the circumstances so require.

2. The General Conference:

(a) May consider and decide on any matters or questions covered by this Treaty, within the limits thereof, including those referring to powers and functions of any organ provided for in this Treaty.

(b) Shall establish procedures for the control system to ensure observance of this Treaty in accordance with its provisions.

(c) Shall elect the members of the Council and the General Secretary.

(d) May remove the General Secretary from office if the proper functioning of the Agency so requires.

(e) Shall receive and consider the biennial and special reports submitted by the council and the General Secretary.

(f) Shall initiate and consider studies designed to facilitate the optimum fulfilment of the aims of this Treaty, without prejudice to the power of the General Secretary independently to carry out similar studies for submission to and consideration by the Conference.

(g) Shall be the organ competent to authorize the conclusion of agreements with Governments and other international organizations and bodies.

3. The General Conference shall adopt the Agency's budget and fix the scale of financial contributions to be paid by Member States, taking into account the systems and criteria used for the same purpose by the United Nations.

4. The General Conference shall elect its officers for each session and may establish such subsidiary organs as it deems necessary for the performance of its functions.

5. Each Member of the Agency shall have one vote. The decisions of the General Conference shall be taken by a two-thirds majority of the Members present and voting in the case of matters relating to the control system and measures referred to in article 20, the admission of new Members, the election or removal of the General Secretary, adoption of the budget and matters related thereto. Decisions on other matters, as well as procedural questions and also determination of which questions must be decided by a two-thirds majority, shall be taken by a simple majority of the Members present and voting.

6. The General Conference shall adopt its own rules of procedure.

The Council

Article 10

1. The Council shall be composed of five Members of the Agency elected by the General Conference from among the Contracting Parties, due account being taken on equitable geographic distribution.

2. The Members of the Council shall be elected for a term of four years. However, in the first election three will be elected for two years. Outgoing Members may not be reelected for the following period unless the limited number of States for which the Treaty is in force so requires.

3. Each Member of the Council shall have one representative.

4. The Council shall be so organized as to be able to function continuously.

5. In addition to the functions conferred upon it by this Treaty and to those which may be assigned to it by the General Conference, the Council shall, through the General Secretary, ensure the proper operation of the control system in accordance with the provisions of this Treaty and with the decisions adopted by the General Conference.

6. The Council shall submit an annual report on its work to the General Conference as well as such special reports as it deems necessary or which the General Conference requests of it.

7. The Council shall elect its officers for each session.

8. The decisions of the Council shall be taken by a simple majority of its Members present and voting.

9. The Council shall adopt its own rules of procedure.

The Secretariat

Article 11

1. The Secretariat shall consist of a General Secretary, who shall be the chief administrative officer of the Agency, and of such staff as the Agency may require. The term of office of the General Secretary shall be four years and he may be re-elected for a single additional term. The General Secretary may not be a national of the country in which the Agency has its headquarters. In case the office of General Secretary becomes vacant, a new election shall be held to fill the office for the remainder of the term.

2. The staff of the Secretariat shall be appointed by the General Secretary, in accordance with rules laid down by the General Conference.

3. In addition to the functions conferred upon him by this Treaty and to those which may be assigned to him by the General Conference—the General Secretary shall ensure, as provided by article 10, paragraph 5, the proper operation of the control system established by this Treaty, in accordance with the provisions of the Treaty and the decisions taken by the General Conference.

4. The General Secretary shall act in that capacity in all meetings of the General Conference and of the Council and shall make an annual report to both bodies on the work of the Agency and any special reports requested by the General Conference or the Council or which the General Secretary may deem desirable.

5. The General Secretary shall establish the procedures for distributing to all Contracting Parties information received by the Agency from governmental sources and such information from non-governmental sources as may be of interest to the Agency.

6. In the performance of their duties the General Secretary and the staff shall not seek or receive instructions from any Government or from any other authority external to the agency and shall refrain from any action which might reflect on their position as international officials responsible only to the Agency; subject to their responsibility to the Agency, they shall not disclose any industrial secrets or other confidential information coming to their knowledge by reason of their official duties in the Agency.

7. Each of the Contracting Parties undertakes to respect the exclusively international character of the responsibilities of the General Secretary and the staff and not to seek to influence them in the discharge of their responsibilities.

Control system

Article 12

1. For the purpose of verifying compliance with the obligations entered into by the Contracting Parties in accordance with article 1, a control system shall be established which shall be put into effect in accordance with the provisions of articles 13–18 of this Treaty.

2. The control system shall be used in particular for the purpose of verifying:

(a) That devices, services and facilities intended for peaceful uses of nuclear energy are not used in the testing or manufacture of nuclear weapons,

(b) That none of the activities prohibited in article 1 of this Treaty are carried out in the territory of the Contracting Parties with nuclear materials or weapons introduced from abroad, and

(c) That explosions for peaceful purposes are compatible with article 18 of this Treaty.

IAEA safeguards

Article 13

Each Contracting Party shall negotiate multilateral or bilateral agreements with the International Atomic Energy Agency for the application of its safeguards to its nuclear activities. Each Contracting Party shall initiate negotiations within a period of 180 days after the date of the deposit of its instrument of ratification of this Treaty. These agreements shall enter into force, for each Party, not later than eighteen months after the date of the initiation of such negotiations except in case of unforeseen circumstances or *force majeure*.

Reports of the Parties

Article 14

1. The Contracting Parties shall submit to the Agency and to the International Atomic Energy Agency, for their information, semiannual reports stating that no activity prohibited under this Treaty has occurred in their respective territories.

2. The Contracting Parties shall simultaneously transmit to the Agency a copy of any report they may submit to the International Atomic Energy Agency which relates to matters that are the subject of this Treaty and to the application of safeguards.

3. The Contracting Parties shall also transmit to the Organization of American States, for its information, any reports that may be of interest to it, in accordance with the obligations established by the Inter-American System.

Special reports requested by the General Secretary

Article 15

1. With the authorization of the Council, the General Secretary may request any of the Contracting Parties to provide the Agency with complementary or supplementary information regarding any event or circumstance connected with compliance with this Treaty, explaining his reasons. The Contracting Parties undertake to co-operate promptly and fully with the General Secretary.

2. The General Secretary shall inform the Council and the Contracting Parties forthwith of such requests and of the respective replies.

Special inspections

Article 16

1. The International Atomic Energy Agency and the Council established by this Treaty have the power of carrying out special inspections in the following cases:

(a) In the case of the International Atomic Energy Agency, in accordance with the agreements referred to in article 13 of this treaty;

(b) In the case of the Council:

(i) When so requested, the reasons for the request being stated, by any Party which suspects that some activity prohibited by this Treaty has been carried out or is about to be carried out, either in the territory of any other Party or in any other place on such latter Party's behalf, the Council shall immediately arrange for such an inspection in accordance with article 10, paragraph 5.

(ii) When requested by any Party which has been suspected of or charged with having violated this Treaty, the Council shall immediately arrange for the special inspection requested in accordance with article 10, paragraph 5.

The above requests will be made to the Council through the General Secretary.

2. The costs and expenses of any special inspection carried out under paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article shall be borne by the requesting Party or Parties, except where the Council concludes on the basis of the report on the

special inspection that, in view of the circumstances existing in the case, such costs and expenses should be borne by the Agency.

3. The General Conference shall formulate the procedures for the organization and execution of the special inspections carried out in accordance with paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article.

4. The Contracting Parties undertake to grant the inspectors carrying out such special inspections full and free access to all places and all information which may be necessary for the performance of their duties and which are directly and intimately connected with the suspicion of violation of this Treaty. If so requested by the authorities of the Contracting Party in whose territory the inspection is carried out, the inspectors designated by the General Conference shall be accompanied by representatives of said authorities, provided that this does not in any way delay or hinder the work of the inspectors.

5. The Council shall immediately transmit to all the Parties, through the General Secretary, a copy of any report resulting from special inspections.

6. Similarly, the Council shall send through the General Secretary to the Secretary-General of the United Nations, for transmission to the United Nations Security Council and General Assembly, and to the Council of the Organization of American States, for its information, a copy of any report resulting from any special inspection carried out in accordance with paragraph 1, sub-paragraph (b), sections (i) and (ii) of this article.

7. The Council may decide, or any Contracting Party may request, the convening of a special session of the General Conference for the purpose of considering the reports resulting from any special inspection. In such a case, the General Secretary shall take immediate steps to convene the special session requested.

8. The General Conference, convened in special session under this article, may make recommendations to the Contracting Parties and submit reports to the Secretary-General of the United Nations to be transmitted to the United Nations Security Council and the General Assembly.

Use of nuclear energy for peaceful purposes

Article 17

Nothing in the provisions of this Treaty shall prejudice the rights of the Contracting Parties, in conformity with this Treaty, to use nuclear energy for peaceful purposes, in particular for their economic development and social progress.

Explosions for peaceful purposes

Article 18

1. The Contracting Parties may carry out explosions of nuclear devices for peaceful purposes—including explosions which involve devices similar to those used in nuclear weapons—or collaborate with third parties for the same purpose, provided that they do so in accordance with the provisions of the article and the other articles of the Treaty, particularly articles 1 and 5.

2. Contracting Parties intending to carry out, or to co-operate in carrying out, such an explosion shall notify the Agency and the International Atomic Energy Agency, as far in advance as the circumstances require, of the date of the explosion and shall at the same time provide the following information:

(a) The nature of the nuclear device and the source from which it was obtained,

(b) The place and purpose of the planned explosion,

(c) The procedures which will be followed in order to comply with paragraph 3 of this article,

(d) The expected force of the device, and

(e) The fullest possible information on any possible radioactive fallout that may result from the explosion or explosions, and measures which will be taken to avoid danger to the population, flora, fauna and territories of any other Party or Parties.

3. The General Secretary and the technical personnel designated by the Council and the International Atomic Energy Agency may observe all the preparations, including the explosion of the device, and shall have unrestricted access to any area in the vicinity of the site of the explosion in order to ascertain whether the device and the procedures followed during the explosion are in conformity with the information supplied under paragraph 2 of this article and the other provisions of this Treaty.

4. The Contracting Parties may accept the collaboration of third parties for the purpose set forth in paragraph 1 of the present article, in accordance with paragraphs 2 and 3 thereof.

Relations with other international organizations

Article 19

1. The Agency may conclude such agreements with the International Atomic Energy Agency as are authorized by the General Conference and as it considers likely to facilitate the efficient operation of the control system established by this Treaty.

2. The Agency may also enter into relations with any international organization or body, especially any which may be established in the future to supervise disarmament or measures for the control of armaments in any part of the world.

3. The Contracting Parties may, if they see fit, request the advice of the Inter-American Nuclear Energy Commission on all technical matters connected with the application of this Treaty with which the Commission is competent to deal under its Statute.

Measures in the event of violation of the Treaty

Article 20

1. The General Conference shall take note of all cases in which, in its opinion, any Contracting Party is not complying fully with its obligations under this Treaty and shall draw the matter to the attention of the Party concerned, making such recommendations as it deems appropriate.

2. If, in its opinion, such non-compliance constitutes a violation of this Treaty which might endanger peace and security, the General Conference shall report thereon simultaneously to the United Nations Security Council and the General Assembly through the Secretary-General of the United Nations, and to the Council of the Organization of American States. The General Conference shall likewise report to the International Atomic Energy Agency for such purposes as are relevant in accordance with its Statute.

United Nations and Organization of American States

Article 21

None of the provisions of this Treaty shall be construed as impairing the rights and obligations of the Parties under the Charter of the United Nations or, in the case of States Members of the Organization of American States, under existing regional treaties.

Privileges and immunities

Article 22

1. The Agency shall enjoy in the territory of each of the Contracting Parties such legal capacity and such privileges and immunities as may be necessary for the exercise of its functions and the fulfillment of its purposes.

2. Representatives of the Contracting Parties accredited to the Agency and officials of the Agency shall similarly enjoy such privileges and immunities as are necessary for the performance of their functions.

3. The Agency may conclude agreements with the Contracting Parties with a view to determining the details of the application of paragraphs 1 and 2 of this article.

Notification of other agreements

Article 23

Once this Treaty has entered into force, the Secretariat shall be notified immediately of any international agreement concluded by any of the Contracting Parties on matters with which this Treaty is concerned; the Secretariat shall register it and notify the other Contracting Parties.

Settlement of disputes

Article 24

Unless the Parties concerned agree on another mode of peaceful settlement, any question or dispute concerning the interpretation or application of this Treaty which is not settled shall be referred to the International Court of Justice with the prior consent of the Parties to the controversy.

Signature

Article 25

1. This Treaty shall be open indefinitely for signature by:

(a) All the Latin American Republics, and

(b) All other sovereign States situated in their entirety south of latitutde 35° north in the western hemisphere; and, except as provided in paragraph 2 of this article, all such States which become sovereign, when they have been admitted by the General Conference.

2. The General Conference shall not take any decision regarding the admission of a political entity part or all of whose territory is the subject, prior to the date when this Treaty is opened for signature, of a dispute or claim between an extra-continental country and one or more Latin American States, so long as the dispute has not been settled by peaceful means.

Ratification and deposit

Article 26

1. This Treaty shall be subject to ratification by signatory States in accordance with their respective constitutional procedures.

2. This Treaty and the instruments of ratification shall be deposited with the Government of the Mexican United States, which is hereby designated the Depositary Government.

3. The Depositary Government shall send certified copies of this Treaty to the Governments of signatory States and shall notify them of the deposit of each instrument of ratification.

Reservations

Article 27

This Treaty shall not be subject to reservations.

Entry into force

Article 28

1. Subject to the provisions of paragraph 2 of this article, this Treaty shall enter into force among the States that have ratified it as soon as the following requirements have been met:

(a) Deposit of the instruments of ratification of this Treaty with the Depositary Government by the Governments of the States mentioned in article 25 which are in existence on the date when this Treaty is opened for signature and which are not affected by the provisions of article 25, paragraph 2;

(b) Signature and ratification of Additional Protocol I annexed to this Treaty by all extra-continental or continental States having *de jure* or *de facto* international responsibility for territories situated in the zone of application of the Treaty;

(c) Signature and ratification of the Additional Protocol II annexed to this Treaty by all powers possessing nuclear weapons.

(d) Conclusion of bilateral or multilateral agreements on the application of the Safeguards System of the International Atomic

Energy Agency in accordance with article 13 of this Treaty.

2. All signatory States shall have the imprescriptible right to waive, wholly or in part, the requirements laid down in the preceding paragraph. They may do so by means of a declaration which shall be annexed to their respective instrument of ratification and which may be formulated at the time of deposit of the instrument or subsequently. For those States which exercise this right, this Treaty shall enter into force upon deposit of the declaration, or as soon as those requirements have been met which have not been expressly waived.

3. As soon as this Treaty has entered into force in accordance with the provisions of paragraph 2 for eleven States, the Depositary Government shall convene a preliminary meeting of those States in order that the Agency may be set up and commence its work.

4. After the entry into force of this Treaty for all the countries of the zone, the rise of a new power possessing nuclear weapons shall have the effect of suspending the execution of this Treaty for those countries which have ratified it without waiving requirements of paragraph 1, sub-paragraph (c) of this article, and which request such suspension; the Treaty shall remain suspended until the new power, on its own initiative or upon request by the General Conference, ratifies the annexed Additional Protocol II.

Amendments

Article 29

1. Any Contracting Party may propose amendments to this Treaty and shall submit its proposals to the Council through the General Secretary, who shall transmit them to all the other Contracting Parties and, in addition, to all other signatories in accordance with article 6. The Council, through the General Secretary, shall immediately following the meeting of signatories convene a special session of the General Conference to examine the proposals made, for the adoption of which a two-thirds majority of the Contracting Parties present and voting shall be required.

2. Amendments adopted shall enter into force as soon as the requirements set forth in article 28 of this Treaty have been complied with.

Duration and denunciation

Article 30

1. This Treaty shall be of a permanent nature and shall remain in force indefinitely, but any Party may denounce it by notifying the General Secretary of the Agency if, in the opinion of the denouncing State, there have arisen or may arise circumstances connected with the content of this Treaty or of the annexed Additional Protocols I and II which affect its supreme interests or the peace and security of one or more Contracting Parties.

2. The denunciation shall take effect three months after the delivery to the General Secretary of the Agency of the notification by the Government of the signatory State concerned. The General Secretary shall immediately communicate such notification to the other Contracting Parties and to the Secretary-General of the United Nations for the information of the United Nations Security Council and the General Assembly. He shall also communicate it to the Secretary-General of the Organization of American States.

Authentic texts and registration

Article 31

This Treaty, of which the Spanish, Chinese, English, French, Portuguese and Russian texts are equally authentic, shall be registered by the Depositary Government in accordance with article 102 of the United Nations Charter. The Depositary Government shall notify the Secretary-General of the United Nations of the signatures, ratifications and amendments relating to this Treaty and shall communicate them to the Secretary-General of the Organization of American States for its information.

Transitional Article

Denunciation of the declaration referred to in article 28, paragraph 2, shall be subject to the same procedures as the denunciation of this Treaty, except that it will take effect on the date of delivery of the respective notification.

In witness whereof the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Treaty on behalf of their respective Governments.

Done at Mexico, Distrito Federal, on the Fourteenth day of February, one thousand nine hundred and sixty-seven.

For the Argentine Republic:
For the Republic of Bolivia:
  Reinaldo del Caprio Jáuregui
For Brazil:
For the Republic of Colombia:
  Alvaro Herrán Medina
  Tulio Marulanda
For the Republic of Costa Rica:
  Rafael Angel Calderón Guardia
For the Republic of Chile:
  Armando Uribe Arce
For the Republic of Ecuador:
  Leopoldo Benites Vinueza
For the Republic of El Salvador:
  Rafael Eguizábal Tobias
For the Republic of Guatemala:
  Carlos Leónidas Acevedo
  Carlos Hall Lloreda
  Juan Carlos Delprée Crespo
For the Republic of Haiti:
  Juilo Jean Pierre-Audain
For the Republic of Honduras:
  Armando Veláquez Cerrato
For Jamaica:
For the Mexican United States:
  Alfonso Garcia Robles
  Jorge Castañeda
For the Republic of Nicaragua:
For the Republic of Panama:
  José B. Cárdenas
  Simón Quinós Guardia
  José B. Calvo
For the Republic of Paraguay:
For the Republic of Peru:
  Eduardo Valez Pérez del Castillo
For the Dominican Republic:
For Trinidad and Tobago:
For the Eastern Republic of Uruguay:
  Manuel Sánchez Morales
For the Republic of Venezuela:
  Rolando Salcedo Delima

ADDITIONAL PROTOCOL I

The undersigned Plenipotentiaries, furnished with full powers by their respective Governments,

Convinced that the Treaty for the Prohibition of Nuclear Weapons in Latin America, negotiated and signed in accordance with the recommendation of the General Assembly of the United Nations in Resolution 1911 (XVIII) of 27 November 1963, represents an important step toward ensuring the non-proliferation of nuclear weapons,

Aware that the non-proliferation of nuclear weapons is not an end in itself but, rather, a means of achieving general and complete disarmament at a later stage, and

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards strengthening a world at peace, based on mutual respect and sovereign equality of States,

Have agreed as follows:

Article 1. To undertake to apply the statute of denuclearization in respect of warlike purposes as defined in articles 1, 3, 5 and 13 of the Treaty for the Prohibition of Nuclear Weapons in Latin America in territories for which, *de jure* or *de facto*, they are internationally responsible and which lie within the limits of the geographical zone established in that Treaty.

Article 2. The duration of this Protocol shall be the same as that of the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this Protocol is an annex, and the provisions regarding ratification and denunciation contained in the Treaty shall be applicable to it.

Article 3. This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instruments of ratification.

In witness whereof the undersigned Plenipotentiaries, having deposited their full powers, found in good and due form, sign this Protocol on behalf of their respective Governments.

ADDITIONAL PROTOCOL II

The undersigned Plenipotentiaries, furnished with full powers by their respective Governments,

Convinced that the Treaty for the Prohibition of Nuclear Weapons in Latin America, negotiated and signed in accordance with the recommendations of the General Assembly of the United Nations in Resolution 1911 (XVIII) of 27 November 1963, represents an important step towards ensuring the non-proliferation of nuclear weapons.

Aware that the non-proliferation of nuclear weapons is not an end in itself but, rather, a means of achieving general and complete disarmament at a later stage, and

Desiring to contribute, so far as lies in their power, towards ending the armaments race, especially in the field of nuclear weapons, and towards promoting and strengthening a world at peace, based on mutual respect and sovereign equality of States,

Have agreed as follows:

Article 1. The statute of denuclearization of Latin America in respect of warlike purposes, as defined, delimited and set forth in the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this instrument is an annex, shall be fully respected by the Parties to this Protocol in all its express aims and provisions.

Article 2. The Governments represented by the undersigned Plenipotentiaries undertake, therefore, not to contribute in any way to the performance of acts involving a violation of the obligations of article 1 of the Treaty in the territories to which the Treaty applies in accordance with article 4 thereof.

Article 3. The Governments represented by the undersigned Plenipotentiaries also undertake not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty for the Prohibition of Nuclear Weapons in Latin America.

Article 4. The duration of this Protocol shall be the same as that of the Treaty for the Prohibition of Nuclear Weapons in Latin America of which this Protocol is an annex, and the definitions of territory and nuclear weapons set forth in articles 3 and 5 of the Treaty shall be applicable to this Protocol, as well as the provisions regarding ratification, reservations, denunciation, authentic texts and registration contained in articles 26, 27, 30 and 31 of the Treaty.

Article 5. This Protocol shall enter into force, for the States which have ratified it, on the date of the deposit of their respective instruments of ratification.

In witness whereof, the undersigned Plenipotentiaries, having deposited their full powers, found to be in good and due form, hereby sign this Additional Protocol on behalf of their respective Governments.

TEXT OF TREATY ON THE NONPROLIFERATION OF NUCLEAR WEAPONS

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty",

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples.

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to cooperate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States,

Convinced that in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in cooperation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

Urging the cooperation of all States in the attainment of this objective.

Recalling the determination expressed by the Parties to the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere in Outer Space and Under Water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation, of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a treaty on general and complete disarmament under strict and effective international control.

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources,

Have agreed as follows:

ARTICLE I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

ARTICLE II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

ARTICLE III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfillment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this Article.

3. The safeguards required by this Article shall be implemented in a manner designed to comply with Article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international cooperation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this Article and the principle of safeguarding set forth in the Preamble.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this Article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

ARTICLE IV

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty.

2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also cooperate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

ARTICLE V

Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

ARTICLE VI

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

ARTICLE VII

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

ARTICLE VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

ARTICLE IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United States of America, the United Kingdom of Great Britain and Northern Ireland and the Union of Soviet Socialist Republics, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by the Depositary Governments and 40 other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE X

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

2. Twenty-five years after the entry into force of the Treaty, a Conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

ARTICLE XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Treaty.

Done in__________at__________this________ of__________.

NUCLEAR NONPROLIFERATION TREATY

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. PRICE] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, I have just returned from an historic event at the White House. As we all know, the United States this afternoon signed the Treaty To Prevent the Proliferation of Nuclear Weapons, a document that will have dramatic impact on our chances for nuclear peace in the next generation. This event alone will have the greatest significance for all of us.

President Johnson also announced during the ceremonies that have just been completed that the quest for nuclear balance and peace will continue. The President announced that within a very short time the United States and the Soviet Union would enter into discussions to limit and reduce the nuclear armaments and missile delivery systems of both nations.

This historic announcement has led me to return to the House this afternoon to discuss with you briefly my conviction that the years of the Kennedy-Johnson administration have seen the greatest advances toward nuclear balance and rationality since the beginning of the nuclear age nearly 25 years ago.

In the anguish and anger that has surrounded the Vietnamese conflict, many have lost sight of the fact that four major agreements have been reached during the last 5 years which make life a little more secure for all of us.

Since President John Kennedy reached agreement on the Limited Nuclear Test Ban Treaty 5 years ago, agreement has been concluded in each of the following areas: use of nuclear armaments in outer space, creation of a nuclear free zone in Latin America, and the most recent agreement to limit the spread of nuclear armaments.

As the President said this afternoon, the Nonproliferation Treaty is the most important single international agreement to be signed since the dawn of the nuclear age. Presently there are only five nations in the world that possess nuclear armaments: the United States, the Soviet Union, the United Kingdom, Communist China and France. An additional dozen or so countries possess the capability to manufacture nuclear weapons in the very near future.

It is the firm conviction of those nation's that have this day signed the Nonproliferation Treaty that the acquisition of nuclear armaments by any additional countries would dangerously affect the fragile nuclear balance that exists in the world today. If dozens of additional small states develop a nuclear capability, the opportunity for nuclear blackmail, accidental nuclear war, and locally initiated confrontations would be increased at a steadily increasing rate.

There can be no disagreement that this is an unacceptable possibility. Today three of the nuclear powers—the United States, United Kingdom, and the Soviet Union—and many of the nonnuclear powers have recognized this compelling fact and have taken appropriate action to limit the spread of more destructive power.

As I have said that event alone is of the greatest historic importance. A milestone has been reached. But President Johnson and Premier Kosygin of the Soviet Union have also today given us hope for a peaceful future in their mutual announcements today that the United States and the Soviet Union would enter discussions in the very near future to limit the manufacture and level of nuclear armaments and delivery systems. Let none forget that the President warned that we should not enter these discussions with any hope for immediate success, but neither should anyone else forget that it was President Lyndon Johnson who first led our country into these historic deliberations involving the safety of all mankind.

VOCATIONAL EDUCATION ACT AMENDMENTS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. QUIE] is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, today I have joined with the distinguished chairman of our Committee on Education and Labor, the gentleman from Kentucky [Mr. PERKINS], in introducing a bill to amend the Vocational Education Act of 1963 and to modernize and streamline the entire structure of Federal support for vocational education.

This bill is the direct result of long months of study and work in both the executive and legislative branch. It embodies in large part the recommendations of the Advisory Council on Vocational Education which was headed by Dr. Martin Essex, the superintendent of public instruction in the State of Ohio, and appointed in 1966 by Secretary of Health, Education, and Welfare Gardner. It embodies, in addition, any number of suggestions of expert witnesses who appeared before our committee during the course of lengthy hearings this year. It also includes many excellent suggestions of the Department of Health, Education, and Welfare for administrative improvements in the Vocational Education Acts.

This bill, however, differs substantially from the administration-suggested bill and from other vocational education bills that have been introduced this year. It reflects at many points the assessment of Chairman PERKINS and myself of what is most needed and most fundamental to the improvement of vocational education, and of what we can reasonably expect to be supported financially in the 3 to 5 years.

Accordingly, our bill goes far beyond the administration recommendations for administrative improvements in the existing acts, because both the chairman and I feel—as most do and perhaps all of the members of the committee—that improved vocational education opportunities lie at the very heart of any realistic solutions to the problems of employment and problems of educational inequality and the whole complex of educational and social disadvantage that so trouble our Nation.

At the same time, we have not gone so far as the sponsors of other bills in adding a long list of new program authorizations carrying enormous amounts of new spending authorizations. Although our bill would, within 3 years, approximately double the authorization for Federal support of the basic, ongoing vocational programs, and would more than triple the total program authorizations, we regard it as being within the range of reasonable expectation for funding. At least, the expectation is reasonable if the Congress and the American people come to recognize fully the needs of our country for a modern system of vocational-technical education within the reach of every citizen and geared to the current and emerging manpower needs of the Nation.

There will have to come one other realization—and it will come to many as a profound shock—that no such vocational system exists today in our country. It is doubtful if more than one out of 10 of the graduates of our secondary schools are prepared with entrance level skills in any vocation, in which there is an actual job opportunity, and it is an appalling fact that vocational training opportunities often are not available to those who need them most and in areas of the country where they are most needed.

This bill, if enacted, would go far toward the correction of these conditions. It would be a solid beginning, at the very least, and it would greatly advance the purposes approved by the Congress in the Vocational Education Act of 1963.

Mr. Speaker, there follows a detailed analysis of the bill introduced today by Chairman PERKINS, to which I am joined as the cosponsor:

ANALYSIS OF PROPOSED "PARTNERSHIP FOR LEARNING AND EARNING ACT OF 1968" JULY 1, 1968

TITLE I—SPECIAL PROGRAMS TO IMPROVE VOCATIONAL EDUCATION

Title I would amend the Vocational Education Act of 1963 to add four new programs (Parts B, C, D, and E) designed to improve and strengthen the existing vocational structure in each State by helping to meet the most critical needs in this field. These programs are as follows:

Part B—Exemplary programs and projects

This part would authorize $15 million, $20 million, and $25 million respectively for fiscal years 1969, 1970, and 1971, with such sums for the two succeeding fiscal years as may hereafter be authorized, for grants to the States to carry out, in accordance with a State plan approved by the Commissioner, a wide variety of projects to broaden the occupational aspirations and opportunities of youths (with special emphasis given to youths with academic, socio-economic, or other handicaps) and to strengthen the occupational orientation in all schools and provide improved occupational counseling.

Appropriated funds (after a 10 percent reservation to the Commissioner for funding projects of national or regional significance) would be divided among the States by allotting each State $150,000 and allotting the remainder on the basis of population aged fifteen to nineteen. Programs for Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands would be funded by the Commission through a reservation of 2 percent of the funds.

State plans would be required to give assurance that to the extent consistent with the number of students enrolled in private, non-profit schools in the areas served (whose educational needs are of the type which the program is designed to meet), provision has been made for the participation of such children.

Part C—Attracting and qualifying vocational teachers

Subpart I (Improving Training Opportunities for Vocational Personnel) would authorize the appropriation of $10 million, $15 million, and $25 million, respectively, for fiscal years 1969, 1970, and 1971, to enable the Commissioner, through grants to or contracts with institutions of higher education, State boards of vocational education, or (with the approval of State boards) local education agencies to fund programs and projects to train and retain vocational teachers, vocational counseling and guidance personnel, teacher aides, skilled workers and technicians who wish to become vocational teachers, and similar personnel needed in vocational education.

Such programs would be conducted by means of (1) exchange programs with business and industry, (2) short term or regular session institutes, and (3) other types of inservice training conducted as part of a continuing program.

Subpart 2 (Fellowships for Vocational Educators) would authorize the appropriation of $5 million, $10 million, and $15 million, respectively, for fiscal years 1969, 1970, and 1971 for fellowships and attendant institutional support for graduate study leading to an advanced degree for persons who are pursuing or who plan to pursue a career in secondary or post-secondary vocational education (with necessary funds for the two succeeding fiscal years to permit individuals to complete a three-year program).

The Commissioner would provide for an equitable geographical distribtuion of fellowship awards. Such awards would include stipends for fellows (with allowances for subsistence and other expenses for fellows and their dependents) consistent with practices in comparable Federal programs, with payments to the institutions attended by such individuals (consistent with practices in comparable Federal programs) of amounts up to $3,500 per academic year. Fellowships would be awarded for periods not in excess of three academic years.

Part D—Curriculum development in vocational-technical education

This Part would authorize the appropriation of $5 million, $10 million, and $15 million, respectively, for fiscal years 1969, 1970, 1971, with such sums for the two succeeding fiscal years as may hereafter be authorized, to enable the Commissioner, through grants to or contracts with institutions of higher education, State boards of vocational education, and other public or nonprofit private agencies and institutions, (or contracts with profit-making organizations) to promote the development and dissemination, coordinate State efforts in the preparation, and otherwise improve, curriculum development and curriculum materials in occupational fields. Programs to train personnel in occupational curriculum development could also be supported.

Part E—Cooperative vocational education programs

This Part would authorize the appropriation of $25 million, $50 million, and $75 million, respectively, for fiscal years 1969, 1970, and 1971, with such sums for the two succeeding fiscal years as may hereafter be authorized, for grants to the States to carry out, in accordance with a State plan approved by the Commissioner, programs of cooperative work-study arrangements between local educational agencies and public and private employers for on-the-job training related to occupational education.

Allotments to States (after a reservation of funds for programs in Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territories of the Pacific Islands) would provide for an allocation of $200,000 to each State, with the remainder allotted on the basis of population aged fifteen to nineteen.

Programs would be designed to provide training opportunities that might not otherwise be available for persons who can benefit from such programs, with priority given to areas with high rates of school dropouts and youth unemployment. Necessary procedures would be established for cooperation with employment agencies, labor groups, industry, and community agencies in identifying suitable jobs for persons enrolled in the program.

The Federal share of the costs would be ninety percent in any fiscal year.

TITLE II—CONSOLIDATION AND IMPROVEMENT OF EXISTING VOCATIONAL EDUCATION PROGRAMS

Title II would amend the vocational statutes (effective July 1, 1969, unless otherwise specified) to strengthen the basic structure of vocational education at all levels of operation. Its provisions are as follows:

Section 201. *Increased Authorizations:* The authorization for the permanent programs under the 1963 Act would be increased from $225 million to $400 million for fiscal 1969, and for each year thereafter (under the combined Acts) the authorization would be $580 million.

Section 202. *Special Manpower Projections and Flexibility in Reallotments:* (a) The Commissioner is directed in each fiscal year to transfer up to $5 million to the Secretary of Labor to finance national, regional, State and local studies and projections of manpower needs for the use and guidance of vocational educators and Federal, State, and local officials.

(b) The provisions for reallotment of funds among States are amended to provide for greater flexibility, equity, and speed in making unused funds available to States having additional needs.

Section 203. *Inclusion of Trust Territories of the Pacific Islands:* This amendment is necessary to provide equitable treatment of the Trust Territories, consistent with other educational support legislation.

Section 204. *Elimination of Matching by Special Categories; Special Matching Provision for Trust Territories*: (a) Required matching of Federal funds is eliminated for the Trust Territories (and left without change at 50 percent for the States).

(b) Separate matching by purpose for which the funds are expended (vocational education for persons attending high school; vocational education for persons who have completed or left school; construction of area vocational school facilities; etc.) is eliminated in order to facilitate administration and to encourage a unified approach to vocational education needs.

Section 205. *Required Use of State Allotments:* Effective June 30, 1968, the requirement that each State spend at least 25 percent of its allotment for post-secondary vocational education or the construction of area vocational schools and at least 3 percent on ancillary services such as program evaluation and teacher training would be eliminated.

There would be substituted a new requirement that each State after June 30, 1969, spend at least 25 percent of new funds (increases over amounts allotted in fiscal year 1969 under all vocational acts) and in any case at least 15 percent of its total Federal funds for vocational education for persons who have academic, socio-economic, or other handicaps that prevent them from succeeding in the regular vocational education program.

Section 206. *Allowing Contracting and Dissemination of Information and Expansion of Program Under Section 4(c):* This section amends the research authorization to permit contracts with profit-making organizations, to give explicit authority for the dissemination of research findings, and to allocate 50 percent of the funds reserved for research in vocational-technical education among the States for the support of State research and development programs.

Section 207. *State Advisory Council:* Each State would be required to establish an advisory council, with members appointed by the governor, broadly representative of industry, labor, education, and the public, to evaluate vocational programs funded under the Act, to advise the State board on the development of the State plan and the preparation of long-range and annual program plans, and to submit through the State board a report to the Commissioner and the National Advisory Council an annual evaluation report.

Section 208. *Long-Range and Annual Program Plans:* This section would require that each State plan contain long-range program plans (up to five years), developed in consultation with the State advisory council, describing present and projected needs for vocational education and a program for meeting such needs. An annual program plan would be required showing the allocation of funds and describing the content of programs, and the relationship of such allocations and programs to the long-range program plan.

Section 209. *Criteria for Allocation of Federal Funds:* This section would demand State plan requirements to assure that policies and procedures used to determine fund allocations within the State give due consideration to program evaluations in light of current and projected manpower needs and job opportunities, to the vocational education needs of all population groups and all geographical areas in the State, and to the relative ability of local educational agencies to finance vocational education; it would also require that Federal funds be allocated according to local needs and financial ability (rather than on a uniform ratio throughout the State), and that applications from local educational agencies include a comprehensive plan related to the manpower needs of the locality and the local cooperative area manpower plan (if any).

Section 210. *Cooperative Arrangements With Other Agencies:* This would require that State plans provide for effective cooperative arrangements with other agencies concerned with manpower needs, such as business and labor organizations, institutions of higher education, and community action organizations.

Section 211. *Inclusion In State Plan of Exemplary and Other Special Programs:* This would require State plans to provide for the effective use of the experience and results of the special programs authorized by title I and of the research and development programs under section 4(c).

Section 212. *Public Participation and Information:* This section provides for affording local educational agencies an opportunity for a public hearing on the State plan, and for making the State plan and all general policies, procedures, and regulations thereunder reasonably available to the public.

Section 213. *Maintenance of Effort:* This would require assurances that Federal funds for vocational education will be used to supplement and increase, and in no case supplant, State and local funds made available for these purposes.

Section 214. *Annual Evaluation Reports:* This section modifies the reporting requirements to include an evaluation report of progress made toward meeting vocational education needs in the State.

Section 215. *Consolidation of Statutes:* The Vocational Education Act of 1946 (George-Barden Act), and amendments thereto, would be repealed; the Smith-Hughes Act of 1917 would remain on the statute books, but funds appropriated under its authority after fiscal year 1969 would be considered as appropriated pursuant to, and for the purposes of, the Vocational Education Act of 1963. This would leave, in effect, a single, consolidated national vocational education statute, thus eliminating separate and overlapping accounting and administrative procedures.

Section 216. *Separate Authorization for Consumer and Homemaking Education:* Beginning with fiscal year 1970, $15 million would be authorized to be appropriated for each fiscal year for grants to the States (allocated on the same basis as in the existing 1963 Vocational Education Act) to carry out education programs designed to fit for homemaking persons who have entered or are preparing to enter the work of the home, and special programs in economically depressed areas or areas with high rates of unemployment designed to assist consumers and to help improve the environment of the home in such areas.

There would be the requirement that at least one-third of the annual allocation in each State be used for consumer and homemaking programs in economically depressed areas or areas with high rates of unemployment, and all Federal funds utilized for this purpose would require only 10 percent State and local matching during fiscal years 1970 and 1971.

In effect, this section (which adds a new section 11 to the 1963 Act) would replace the funds authorized especially for homemaking education by the Smith-Hughes and George-Barden Acts.

Section 217. *Additional Amendment to Definitions:* The definition of terms would be amended (a) to permit group counseling as a part of vocational education, (b) to broaden the definition of counseling and guidance to include occupational counseling not specifically related to a training program, and (c) to permit construction funds to be utilized for vocational-technical facilities other than area vocational schools.

Section 218. *Establishment of Permanent National Advisory Council on Vocational Education In Lieu of Ad Hoc Council and Interagency Committee:* Section 9 of the Vocational Education Act of 1963 established an interagency committee on vocational education (with public membership included) to advise the Commissioner on major policy determinations in the administration of the 1963 Act; section 12 directed the Secretary to appoint during 1966 an Advisory Council to review accomplishments under the Act, which Council would be reconstituted at regular intervals for this purpose.

This section repeals section 12 of the Act and amends section 9 to establish a permanent National Advisory Council, consisting of fifteen members appointed by the President for three-year terms (with initial appointments of five for one year and five for two years) to advise the Commissioner with respect to policy determinations in administration of the Act, and to make an annual evaluation of the operation of the program and report thereon to the President and Secretary with findings and recommendations.

This section becomes effective on the date of enactment.

Section 219. *Extension of Authorization for Vocational Work-Study, and Residential Vocational Schools Programs; Special Study of Job Corps Transfer Authorized:* (a) This amends section 15 of the 1963 Act to extend the authorization for the vocational work-study and residential schools programs, with authorizations of $40 million, $50 million, and $100 million, respectively, for fiscal years 1969, 1970, 1971, with such sums for the two succeeding fiscal years as may hereafter be authorized.

(b) Section 13 of the Act is amended to extend the provision for 75 percent Federal funding for work study for each year after June 30, 1968.

(c) The Commissioner of Education is directed to make a special study of the most effective means by which the Job Corps program might be transferred to State or joint Federal-State operation in conjunction with the vocational residential schools authorized by this Act, and to report his findings and recommendations to the appropriate committees of the Congress not later than January 15, 1969.

Section 220. *New Part F—General:* This section adds provisions to the general administrative provisions of the 1963 Act to (a) provide better coordination and the utilization of other agencies at the Federal level, (b) authorize the Commissioner to expand the scope and improve the quality of the collection and dissemination of information relating to vocational education, and to improve technical assistance to the State boards and other agencies, and (c) to prohibit Federal funds to be utilized for religious worship or instruction, or for the construction of facilities to be utilized for such purposes. Necessary funds are authorized to expand informational and technical services.

Section 221. *Adequate Leadtime and Planning and Evaluation:* This section amends section 401 of the Elementary-Secondary Act of 1965 (relating to authorization for advance funding of programs and improved planning and evaluation) to include the Vocational Education Act of 1963, effective for fiscal years after 1968 (except as to the required transmission of evaluation reports, which would become effective on July 1, 1969).

TITLE III—REDUCING AGE LIMIT IN ADULT EDUCATION PROGRAM

Section 301. This section would amend the Adult Education Act of 1966 (P.L. 89–750) to reduce the age limit for those who may participate in the program from eighteen to sixteen years.

OBSERVANCE OF WEEK OF JULY FOURTH AS NATIONAL SAFE BOATING WEEK

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. CHAMBERLAIN], is recognized for 30 minutes.

Mr. **CHAMBERLAIN**. Mr. Speaker, once again it is near the time of year when Americans observe this great Nation's independence—July Fourth. Including this Nation's foremost holiday is National Safe Boating Week—and for good reason: Last year, 1967, 41 million Americans spent much of their leisure time on our Nation's waterways, engaging in numerous boating activities. National Safe Boating Week is dedicated to these Americans, in the pursuit of safe boating.

On February 28, 1968, the following National Safe Boating Week Proclamation was signed by the President of the United States, in accordance with Public Law 85–445, which I sponsored in the 85th Congress:

A PROCLAMATION

Each year more and more Americans go boating in their leisure hours. If we are to prevent the needless loss of life and property, this increasing traffic on our waterways must be accompanied by greater awareness of safe boating practices.

The principal agent of boating accidents last year was a careless operator. The most common errors were overloading or improper loading of small boats—mistakes easily avoided by the boatowner who understands his boat, its machinery, and its operation.

An aggressive and comprehensive program of safety education—supported where necessary, by law enforcement—can reduce the rate of boating accidents, and make boating what it should be: a purely pleasant recreation.

Recognizing the need for emphasis on boating safety, the Congress of the United States, by a joint resolution approved June 4, 1958 (72 Stat. 179), has requested the President to proclaim annually the week which includes July 4 as National Safe Boating Week:

Now, therefore, I, Lyndon B. Johnson, President of the United States of America, do hereby designate the week beginning June 30, 1968, as National Safe Boating Week.

I also invite the Governors of the States, the Commonwealth of Puerto Rico, and other areas subject to the jurisdiction of the United States to provide for the observance of this week.

In witness whereof, I have hereunto set my hand this twenty-eighth day of February, in the year of our Lord nineteen hundred and sixty-eight, and of the Independence of the United States of America the one hundred and ninety-second.

LYNDON B. JOHNSON.

This document is clearly indicative of the importance that is placed on recreational boating and National Safe Boating Week by the President.

RECREATIONAL BOATING INCREASE

With the ever-increasing importance of boating safety, the U.S. Coast Guard recruits the continued assistance and cooperation of organizations such as the Coast Guard Auxiliary, the U.S. Power Squadrons, the American Red Cross, the National Safety Council, and other organizations and boatmen everywhere. The National Safe Boating Committee, chaired by a Coast Guard officer, directs a safety program aimed at the boating public the year round and particularly emphasized during National Safe Boating Week.

Safe boating is an enormously big project, when it is considered there are over 41 million Americans, in more than 8 million boats of all types, enjoying our Nation's waterways. From the far reaches of Guam, in the Pacific, to the Virgin Islands in the Atlantic, and from Alaska across the continent to Puerto Rico.

On every river, lake, inlet, and bay—anyplace where navigation by any watercraft is feasible, one notes the increasing presence of the American boatman.

Recreational boating expenditures have risen more than 50 percent in the past 10 years, the boating industry reports. Sales of boats have shown well over a 50-percent increase during the same period. Other than boats and motors, dollar shipments of marine products climbed to an all-time high monthly average during 1967. For the sixth straight year in a row, Americans increased their retail spending on items of recreational boating.

Once again, a new record was set in 1967 for dollars spent for recreational boating—over $3 billion. This huge amount was spent on items such as new and used boats, motors, accessories, safety equipment, fuel, insurance, docking fees, maintenance, club dues, storage, repairs, and club memberships.

STATISTICS

The Coast Guard released its annual boating statistics, as required by the Federal Boating Act of 1958, on May 1 of this year. The Federal Boating Act of 1958 provides for a standardized system of numbering and identification of undocumented vessels, including the pleasure boats of more than 10 horsepower. It also provides for participation in this program by the several States. Since the effective day of the legislation, 47 States, Puerto Rico, and the Virgin Islands have enacted into law numbering systems which meet the approval of the Coast Guard, as set forth by the legislation's requirements.

Compare 4,458,893 boating registrations in 1967 with 4,067,371 in 1966, or the 2.5 million in 1945, and the extreme need for full-time operation of boating safety practices is apparent. More boats, plus more people, plus more leisure time logically add up to increasing opportunity for boating accidents to occur.

There must be efforts toward promotion of safe boating by the Congress, the state legislatures, the press, the boating industry, and by educational organizations; but, the only true means of effectively stopping disaster on the Nation's waterways lies in the safety consciousness and recognition of the hazards by the boatman himself.

For this reason, he must learn that a safety-first attitude insures happy boating and a safe return home. When he becomes clearly conscious of safety, accidents will rapidly dwindle, and boating will truly be the safest of family recreational activities.

Last year was indeed a great year for boating in the United States, and perhaps the start in a trend toward safer recreational boating. Again, as in 1966, there was a slight decline in fatalities: 1,312 as compared with 1,318 in 1966. Also, as in the previous year, most deaths occurred from boats not required to be numbered. This number includes fatalities from rowboats, canoes, sailboats, rafts, and other small craft.

During this period the numbering of boats in the United States and territorial possessions of the United States increased to another alltime high of 4.5 million.

Capsizing and falls overboard, as in several past years, continues as the most appalling type of casualty in that this combination claimed 43 percent of the total number of lives lost in boating accidents. This figure is less than the 1966 total. Drownings last year accounted for 1,118 victims, and 82 percent of these were found to have used no lifesaving device, although in most cases, one was required by law and was on board the boat.

There were 5,274 pleasure craft involved in 4,113 boating accidents last year, with each accident resulting $100 or more damage, injury, or death. There were 1,025 of these boats involved in fatal accidents, while 819 were in accidents resulting in injuries. Some 2,269 of the total number of boats involved in accidents involved only property damage. Speaking in the millions, the total property damage was over $6 million—encouragingly, this is a decline of $1 million from 1966.

COAST GUARD BOATING SAFETY ACTIVITIES

To have really safe boating in American waters, the Coast Guard and assisting organizations must get directly to the basic problem. They must reach the individuals comprising the millions that are the boating public. In an attempt to reach these boatmen, the Coast Guard is continuing its newly inaugurated education and persuasion program. Through boating films, safety publications, Coast Guard Auxiliary programs and utilization of the personnel assigned to the mobile boarding detachments in public education activities, the Coast Guard takes advantage of every opportunity to stress the practical aspects of boating safety. The Coast Guard also has close coordination with the boating industry, the National Safety Council, and other such vital organizations. The safety patrol concept in recreational boating was a new idea in 1965 and will be stressed on all waterfronts this year. Using the boating safety detachments, the Coast Guard will have an on-the-move safety patrol which will make unpublished stops at every possible navigable lake, river, or other waterfront where boating activities are conducted. The safety patrol is a roving waterborne patrol of boating areas for the purpose of deterring, detecting, and reporting unsafe practices. At the present time, there are 40 boating safety teams which form the backbone of the safety patrol. More are planned. These units are effective because of their mobility, thus preserving flexibility so that a broader impact is obtained. The primary mission of these units is to minimize unsafe practices such as speed, overloading, improper loading, operating while under the influence of liquor, heading out into stormy conditions instead of toward shelter. The effectiveness of the mobile units is not to be measured in the number of boardings reported. The effectiveness will be calculated by whether or not our waterways will be safer; whether the boating public is better educated in safe boating procedures, and the salutary effect of the apprehension of the reckless or negligent operator; and finally whether accidents decrease.

The Coast Guard will educate and persuade the boaing public and enforce the law. Boating accident injuries and fatalities must be cut down, as well as the number of other accidents.

The Coast Guard Auxiliary is also extremely active in the education of the boating public as to safe boating practices. As a voluntary, nonmilitary organization, the auxiliarist's purpose is to promote safety in recreational boating. At present there are 25,572 members of this organization. They are experienced boatmen, amateur radio operators, or licensed aircraft pilots. Their three basic programs carried out are: Courtesy examinations, public instruction, and operations. Some 180,749 persons were instructed in three different safe boating courses last year and 163,252 people received courtesy motorboat examinations.

Recently the Commandant of the U.S. Coast Guard, Adm. Willard J. Smith, proposed expanding the Coast Guard Auxiliary fourfold. This would make room for 75,000 new members, increasing the total membership to 100,000. This would, in the Coast Guard's opinion, supply more instruction and assistance to the rapidly increasing boating public.

As a regulatory and enforcement agency of the U.S. Government, the Coast Guard encourages State activity in law-enforcement procedures. Sometimes when the positive approach of education and persuasion fails, the negative or punitive approach gets the message across.

During 1967, the Coast Guard, in conjunction with its law-enforcement duties, boarded 72,000 vessels for equipment and safety examinations. Of this total, over 47,000 of the boardings were performed by mobile detachments. Nearly half of the vessels boarded by mobile units were found to be in violation. This high percentage is due to selective boardings. In actual figures, 48 percent of the total number of boats boarded by mobile units were found deficient in some manner. A total of nearly 70,000 man-hours were extended by the Coast Guard mobile boarding detachments in recreational boating safety during 1967 in safety patrols and public information activities.

NATIONAL SAFE BOATING WEEK

National Safe Boating Week—focusing attention upon the need of pleasure boatmen to know and comply with safe boating practices and regulations—begins June 30 this year as stated in the proclamation. Its objective is to both culminate and begin year-long efforts urging the more than 41 million people using boats on our waters to help "keep boating safe"; to teach important fundamentals of safe boating to the newcomers, and to remind experienced skippers as well as the novice to practice commonsense and courtesy afloat. The basic theme for this year's observance of the week is "Safe Boating Is Fun."

National Safe Boating Week also pays tribute to the many persons and organizations who have contributed toward maintaining boating's fine safety record. This year more than 928 Coast Guard Auxiliary flotillas, 369 U.S. power squadrons, 350 boating clubs, and scores of other boating clubs and safety organizations will participate in National Safe Boating week observances in communities throughout the country.

This year the National Safe Boating Week Committee has done an excellent job of promoting and coordinating this event. This committee includes representatives from the U.S. Coast Guard, the U.S. Coast Guard Auxiliary, the American Boat and Yacht Council, the American National Red Cross, the American Power Boat Association, the American Water Ski Association, the Boy Scouts of America, the Corps of Engineers, Department of the Army, the National Association of Engine & Boat Manufacturers, the National Association of State Boating Law Administrators, the National Safe Boating Association, the National Safety Council, the Outboard Boating Club of America, the U.S. power squadrons, the Yacht Safety Bureau, and the Young Men's Christian Association. To all of these organizations safety in boating is as important as it is to the individual and his family. To all of those national and local committees actively participating in National Safe Boating Week, I extend my congratulations. I urge all others interested in boating safety to join in making this an even more effective National Safe Boating Week than the successful ones in the past. Let us continue the good practices set forth for National Safe Boating Week throughout the year.

HOPEFUL SIGNS FOR A LOWERING OF WORLD TENSIONS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from California [Mr. COHELAN], is recognized for 5 minutes.

Mr. COHELAN. Mr. Speaker, this morning I had the pleasure of being present in the White House at the signing of the Nuclear Nonproliferation Treaty. In the course of the ceremony, President Johnson spoke about the significance of this new international agreement.

He pointed out that all nations are made more secure by it because the danger of nuclear war among nations is lessened by the treaty. Then the President announced that the United States and the Soviet Union have agreed to begin talks designed to place limitations upon strategic weapons systems, including missiles and antimissiles.

These two events give hope to the entire world that although there is much work and much negotiating still ahead, we can at least feel we are on the right road to a world free from the tensions and anxieties of potential global nuclear war.

The President's remarks expressed the world's hopes along these lines, and I insert the text of the President's speech in the RECORD, as follows:

REMARKS OF THE PRESIDENT UPON SIGNING OF THE NONPROLIFERATION TREATY

Secretary Rusk, Your Excellencies, Honored Members of Congress, Distinguished Guests, Ladies and Gentlemen:

This is a reassuring and hopeful moment in the relations among nations.

We have come here today to the East Room of the White House to sign a treaty which limits the spread of nuclear weapons.

More than 55 nations are here in Washington this morning to commit their governments to this treaty. Their representatives are also signing today in Moscow and in London. We hope and expect that virtually all the nations will move in the weeks and months ahead to accept this treaty which was commended to the world by the overwhelming majority of the members of the United Nations General Assembly.

The treaty's purposes are very simple:

To commit the nations of the world which do not now have nuclear weapons not to produce or receive them in the future;

To assure equally that such nations have the full peaceful benefits of the atom; and

To commit the nuclear powers to move forward toward effective measures of arms control and disarmament.

It was just a year ago that Chairman Kosygin and I agreed at Glassboro that we would work intensively in the time ahead to try to achieve this result.

After nearly a quarter century of danger and fear—reason and sanity have prevailed to reduce the danger and to greatly lessen the fear. Thus, all mankind is reassured.

As the moment is reassuring, so it is, even more, hopeful and heartening. For this treaty is evidence that amid the tensions, the strife, the struggle and sorrow of these years, men of many nations have not lost the way—or have not lost the will—toward peace. The conclusion of this treaty encourages the hope that other steps may be taken toward a peaceful world.

It is for these reasons—and in this perspective—that I have described this treaty as the most important international agreement since the beginning of the nuclear age.

It enhances the security of all nations by significantly reducing the danger of nuclear war among nations.

It encourages the peaceful use of nuclear energy by assuring safeguards against its destructiveness.

But, perhaps most significantly, the signing of this treaty keeps alive and keeps active the impulse toward a safer world.

We are inclined to neglect and to overlook what that impulse has brought about in recent years. These have been fruitful times for the quiet works of diplomacy. After long seasons of patient and painstaking negotiation, we have concluded, just within the past five years, the limited Test Ban Treaty; the Outer Space Treaty; and the treaty creating a nuclear-free zone in Latin America.

The march of mankind is toward the summit—not the chasm. We must not, we shall not, allow that march to be interrupted.

This treaty, like the treaties it follows, is not the work, as Secretary Rusk said, of any one particular nation. It is the accomplishment of nations which seek to exercise their responsibilities for maintaining peace and maintaining a stable world order. It is my hope—and the common will of mankind—that all nations will agree that this treaty affords them some added protection. We hope they will accept the treaty and thereby contribute further to international peace and security.

As one of the nations having nuclear weapons, the United States—all through these years—has borne an awesome responsibility. This Treaty increases that responsibility—for we have pledged that we shall use our weapons only in conformity with the Charter of the United Nations.

Furthermore, we have made clear to the United Nations Security Council what I would like to repeat today: if a state which has accepted this Treaty does not have nuclear weapons and is a victim of aggression, or is subject to a threat of aggression, involving nuclear weapons, the United States shall be prepared to ask immediate Security Council action to provide assistance in accordance with the Charter.

In welcoming the Treaty that prevents the spread of nuclear weapons, I should like to repeat the United States commitment to honor all our obligations under existing treaties of mutual security. Such agreements have added greatly, we think, to the security of our nation and the nations with which such agreements exist. They have created a degree of stability in a sometimes unstable world.

This Treaty is a very important security measure. But it also lays an indispensible foundation:

—for expanded cooperation in the peaceful application of nuclear energy.

—for additional measures to halt the nuclear arms race.

We will cooperate fully to bring the Treaty safeguards into being. We shall thus help provide the basis of confidence that is necessary for increased cooperation in the peaceful nuclear field. After the Treaty has come into force we will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States—excluding only those with direct national security significance. Thus, the United States is not asking any country to accept any safeguards that we are not willing to accept ourselves.

As the Treaty requires, we shall also engage in the fullest possible exchange of equipment, materials, and scientific and technological information for the peaceful uses of nuclear energy. The needs of the developing nations will be given especially particular attention.

We shall make readily available to the non-nuclear treaty partners the benefits of nuclear explosions for peaceful purposes. And we shall do so without delay and under the Treaty's provisions.

At this moment of achievement and great hope, I am gratified to be able to report and announce to the world a significant agreement—an agreement that we have actively sought and worked for since January, 1964.

Agreement has been reached between the Governments of the Union of Soviet Socialist Republics and the United States to enter in the nearest future into discussions on the limitation and reduction of both offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles.

Discussion of this most complex subject will not be easy. We have no illusions that it will be. I know the stubborn, patient persistence that it has required to come this far. We do not underestimate the difficulties that may lie ahead. I know the fears, the suspicions, and the anxieties that we shall have to overcome. But we do believe that the same spirit of accommodation that is reflected in the negotiation of the present Treaty can bring us to a good and fruitful result.

Man can still shape his destiny in the nuclear age—and learn to live as brothers.

Toward that goal—the day when the world moves out of the night of war into the light of sanity and security—I solemnly pledge the resources, the resolve, and the unrelenting efforts of the people of the United States and their government.

CALL FOR UNITY

Mr. HANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, 2 weeks ago, on Flag Day, I had the honor to participate in a ceremony sponsored by the Unity Mutual Life Insurance Co., which is headquartered in my district. Because of the unique nature of that ceremony, I want to share some thoughts on it with my colleagues.

Mr. Ernest Deming, the board chairman of Unity, contacted me some time ago, indicating that his company would like to do something to shed some light on the need for unity in this day of divisiveness and violence. It was agreed that a memorial service to be held on Flag Day would be an appropriate device.

In order to commemorate the contributions made to America by President John F. Kennedy, Dr. Martin Luther King, Jr., and Senator Robert F. Kennedy, and the tragic denial of the hopes of these three great Americans, Unity Mutual attached, under the stars and stripes on its newly erected flagpole, three black streamers to represent the three nationally mourned deaths of this Nation's leaders who have been ruthlessly struck down while endeavoring to alleviate the burdens of all Americans. This dramatic gesture was made in the hope that business firms, individuals, and organizations around the country would hear the message and would likewise attach the three symbolic black streamers under their respective American flags.

In a prepared statement, Mr. Deming said:

> We, the officers and directors of the Unity Mutual Life Insurance Company, strongly feel that during the months ahead, all Americans need to be reminded of the fearful danger to our country if violence continues unabated. Hence these streamers will fly from this flagpole each working day from now 'til September 15—one month for each senseless loss—as symbols of our common desire for peace and unity with God's help.

Mr. Speaker, I urge all of my colleagues to heed this message and to encourage their constituents to participate in this program throughout the country. More than at any time in our history, this Nation needs "unity with God's help."

We have many trying days ahead of us. There are those who would rend the fabric of our Nation; there are those who would cry for disunity, discord, and discontent. Let us, rather, call for unity, concord, and a peaceful solution to our collective problems.

PROPOSAL FOR PEACE BETWEEN PEOPLES BY THE ANCIENT ORDER OF HIBERNIANS

Mr. HANLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HANLEY. Mr. Speaker, this past weekend, the Ancient Order of Hibernians and ladies auxiliaries of New York State met for their 74th biennial convention in Syracuse, N.Y. This patriotic organization of Catholics of Irish descent solemnly resolved ". . . that we, the victims of persecution, of exploitation, ostracism, lead the way in these United States in bringing peace between peoples of all colors and religious persuasion."

Mr. Speaker, special honors should go to Convention Chairman William Regan, State President John Dunn, and Auxiliary President Mary Collins for the fine program. Their efforts were capped by a timely and provocative speech by the Reverend Thomas J. Murphy, pastor of St. Rose of Lima Church in North Syracuse. I am commending Father Murphy's remarks to my colleagues.

> With profound gratitude I come here this evening to share with you this memorable occasion, my heart is filled with deepest humility that you would permit me to address you. I thank God for a loving Irish mother, a sacrificing Irish father and a loyal Irish American home. If I am capable of this occasion it is only because of my education fostered by Holy Mother Church under the Constitution of the United States. May I, as a Catholic priest and an American citizen be always mindful of the love and loyalty I owe my country and the church. God forbid I would ever use the privileges that are mine as a citizen or a priest to bring discredit on my church or country, the least I owe for what I am is loyalty, devotion and gratitude to my church and country.
>
> In this country, where the church is placed by the Constitution and the laws of the land on as high ground as any other denomination, we have no hesitancy in asserting that good catholicity is quite identical with good citizenship. A Catholic is bound to worship the God who created him and governs him and will judge him: he is bound to repay his parents with the coin of filial respect for the life and care they have given him: he is bound to render to the land which has endowed him with civil existence and which provides for his physical well-being, the service of his hand and heart by patriotism. Now, in some quarters the word patriotism has become an obnoxious word. We insist that the Catholic who is practicing his religion is perforce a good citizen and a patriot.
>
> Notwithstanding our vaunted age of enlightenment, there are many who, thinking pink, see pink, are ready at every opportunity to point an indictment against the patriotic loyal American. Their indictment is against the black man, the red man, and the white man. These people are not ignorant; they are bitter and cynical persons who never place the laurel on the victor's brow. They minimize achievement, mock heroism and leer at self-effacement. Shame on the pink, narrow heart of a man who would debar an American citizen from the honors and privileges of the land because of his religion or the color of his skin. This type of individual screams out about his one-hundred percent Americanism, but he does not understand the principle which is the cornerstone of our commonwealth.
>
> The sons and daughters of Erin need not apologize for their presence in this land. No true son or daughter of the Emerald Isle will ever forget the forces that make America great come from the culture, the learning, the sacrifices of men from all countries whether they be red men, yellow men, black men or white men. Daniel O'Connell, Robert Emmett Parnell, Edmond Burke, Develara, every Irish patriot you can call upon, insisted on the dignity of man, not the color of his skin. Since that day about five hundred years ago, when Christopher Columbus, with the mantle of catholicity upon his shoulders and the cross of catholicity in his hand, fell on his knees to chant a te deum for the discovery of this land, there has been forged one link after another in the marvelous chain which binds the history of this country to the history of the Catholic Church. To the discovery of this new land, where the voice of the people would be the voice of God in the greatest democracy the world has ever known, a Catholic monk gave his eloquence, a Catholic king his treasure, a Catholic queen her jewels and a Catholic navigator his self-sacrificing efforts.
>
> Catholic energy and devotion are written indelibly on every page of the country's history as has been summed up in the words: "Catholic patriotism ploughed the Atlantic with Columbus and with Balboa, it looked upon the Pacific from the peak of Darien. With Leif Ericson it skirted the shores of Vineland and with Sebastian Cabot, the snows of Labrador. With DeSoto and Marquette it discovered the Mississippi. With Champlain it found the lake that bears his name; with Jacques Cartier, it sailed the picturesque St. Lawrence; with Menendez it founded St. Augustine, the oldest city in the States; with Father Hennepin, it discovered Niagara and located our mines of coal."
>
> From the very foundation of this Government, Catholics have been among its staunchest defenders. Their wisdom and eloquence have adorned its every council since the signing of the Declaration of Independence. Charles Carrollton risked more financially than did any of the signers. He said one day, "If there was a single Catholic traitor in the Revolutionary War, the world

never heard of him." We have won our spurs on the field of battle, for every battlefield of our history from Lexington to Vietnam has been wet aplenty with Catholic blood and now we get down to cases, to use an expression of that great and noble Irish-American, fourth-time Governor of New York and Presidential Candidate, "the happy warrier," Al Smith, "Let's Take a Look at the Record." I cite a legion of names from Timothy Murphy, the hero of the battle of Saratoga to Stephen Moylan, commander of Cavalry in the Revolution, Washington's aide de camp at Valley Forge, who led the dragoons in every battle in which Washington participated and of John Barry, father of the American Navy, the gallant Irish Commodore who refused Lord Howe's bribe of a hundred thousand dollars if he would surrender his good ship saying, "Go tell Old King George that he has not enough gold in all his realm to buy a single hair from Saucy John Barry's head." There was Major General John Sullivan who broke the back of the Iroquois Confederacy. Lafayette, Pulaski, Kascueseko, Rochambeau, De Grasse (now how did they get in there—well, we needed some help) can be recalled who brought to Washington over sixty million francs and at least fifty percent of his fighting men.

I might remind you of the day when ten thousand howling fanatics gathered about the White House to drag George Washington from the Presidential chair and Bishop John Carroll was the only man who could succeed in quieting that disturbance. I might remind you of the efforts made by Archbishop John Hughes of New York and Bishop Dominic of Pittsburgh, in the days of Lincoln, to keep this country under a single flag. I might remind you of fighting Phil Sheridan, then, whom, according to the statement of U. S. Grant, "No greater general ever lived." There were in that same Civil War a host of Irish Catholic heroes ranging from a whole regiment like Francis Meagher's fighting 69th which saved the day at Bull Run, Father Duffy's 165th in World War I, down to individuals like Pap Thomas, "The Rock of Chickamouge", and Pat Clayburn, and Gen. Wm. T. Sherman, who died a Catholic and whose eulogy was preached by the man who was called the first citizen of the land, Cardinal James Gibbons.

Again, I might remind you that, as our forefathers rallied to the standard of Washington to make this Nation, as they rallied to the standard of Lincoln to save this Nation, so did they rally to the standard in the great World Wars. They furnished about 36% of the Army and 40% of the Navy, although Catholics scarcely constituted one-fifth of the entire population under the American flag, including possessions. I dare say that many of our Catholic Irish lads who left our towns and parishes are sleeping their long sleep in some trench in far off Belgium or beneath the plains of Picardy or on the beaches of a far away Pacific isle or in the hills of Korea or in the high lands of Vietnam. Let us breathe a prayerful sigh tonight for the five Sullivan brothers who went down on their torpedoed vessel. Because of the heartache to this Irish-American family, by an act of Congress, brothers may not serve on a Navy ship of the line. Or Father Washington, the last male descendant of the father of our country, a Catholic chaplain in the Army of the U.S.A. who gave his life preserver to a private on a sinking transport, Colin Kelly, the first American pilot downed in World War II. This is not a new chapter in our history, it is the old, old story of Catholic duty to country in time of peace and of Catholic heroism under fire. "For God and for country" has always been our watchword; and "for faith and flag" will be our motto until time folds her wings over this glorious birthland of the free.

Wasn't it an Irish American President who said, "Ask not what your country can do for you but rather what can you do for your country"? Wasn't it an Irish American statesman who said, "I dream things that never were and say why not." Who will deny the immortality of these words in American history? We salute Rose Fitzgerald Kennedy the mother of two Irish American martyrs, we believe that we can die for no nobler cause than the ashes of our father and the altar of our God.

Nations should have learned long ago that God's religion is the greatest moral force in the world and when it is taken away from the people, they very quickly overthrow the government, the precepts of duty and responsibility she imposes upon her people have been the motive and the encouraging power back of the noblest deeds in history and if that religion is persecuted, they may recall the example of other nations of bygone centuries which were pushed out of their proud places in the world's life, this fate drives home the unalterable fact that unless a nation be God-fearing it cannot long survive. If the cross and the flag are side by side, untrammeled by petty suspicion and narrow bigotry, the causes of this land and every land under the sun may rest assured that true patriotism shall never perish from the earth.

The past few years have witnessed on every side, the disloyal, vicious and I say treasonous attacks on our flag and nation. It it is the popular idea of the day to drag down the proud name of the greatest nation the world has ever seen. It would seem that everything that has been accomplished since 1776 has been irrelevant and we have been only waiting for the critics of our time, God help us if this nation had depended upon the free thinkers of our era. I charge you, know your heritage. Try to honestly appreciate the blessing that is yours under the glorious stars and stripes, teach your children the glories of our land, would to God this evening that each one here present, as an individual, knew his history as he should and that he shared it with his children.

There is nothing wrong with the youth of today that good, sound basic history of our country wouldn't help to give them a sense of values, a sense of appreciation and a basic patriotic life.

The scandal and heartache of our Nation is the lack of respect and duty to civil authority. The cross of God's church today in America is a constant undermining of the God-given authority of our bishops. The ghastly Los Angeles crime is called the result of a sick society. Let us pledge ourselves to the duly elected representatives of Government: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands—one Nation, under God, with liberty and justice for all." Let us renew our confirmation pledges as soldiers of Christ. Stand with your bishop as the personal representative of the vicar of Christ on earth.

They tell us we are a "sick society." Don't you know this is basic communistic propaganda? Certainly they tell us our way of life is cancerous. Remember, with the Communist, the system means everything, the individual means nothing. Any faults in other countries, therefore, are the faults of the system. I tell you that this claim has made communism the crookedest confidence game in the world. Would to God that half the countries of the world had some of our sickness, perhaps they could support themselves.

Incidentally, speaking of sickness, I am reminded that the world is a much better place in which to live because of the heroic efforts of Dr. Tom Dooley, Mother Mary Anne to the lepers, Murphy, Gibbons, McLaughlin of Molakaland, the Leahys of Boston, and the Mayos of Minnesota.

The false approach by American politicos, special interests, and even some churchmen opens the doors for envious or enemy countries about to chop great America down to size. Accordingly, the Los Angeles shots, like Dallas and Memphis before them, presented an excuse for another wave of hypocrisy from overseas.

In answer we Hibernians accept the challenge. We are aware of the partition of Vietnam. We witnessed the partition of Korea. It seems to me the world has forgotten that we Irish are experts on the question of partition. After 700 years we should know something about it. I say to you tonight—keep the faith. Keep the faith in God and your country and that faith will keep you.

The words of a great American, a patriot, a philosopher, a truly religious man, a man who loved his country and devoted his life to her service after Port Moresby. He said this: "The springs of human conflict cannot be eradicated through institutions but only through the reform of the individual human being"—General of the Armies Douglas MacArthur.

In conclusion, "May the road rise with you. May the wind be always at your back. May the good Lord hold you in the hollow of His hand. May you be in heaven a half hour before the devil knows you are dead."

BEST WAY TO MEET THE POOR MARCH

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, the recent spectacle of poverty in our midst has launched much discussion as to the effectiveness of the Poor People's Campaign. Whatever our opinions on the march itself may be, I know my colleagues and I are in total agreement in our desire to alleviate the conditions causing poverty in America. The Denver Post has reiterated one obvious but most crucial step in the war on poverty. In a recent editorial, the Post suggests the best way to meet the poor march—Congress, through increased legislation, must enlarge the national effort to help the poor. The article points out that no single attempt by the Government can significantly wipe out poverty. A great many efforts at all levels of society are necessary to do this. Specifically praised in this regard are such Office of Economic Opportunity programs as VISTA, Headstart, and Job Corps.

I have a special interest in VISTA, the volunteer branch of OEO. Colorado boasts 76 VISTA volunteers in 16 grassroots projects, several of which are in Denver. Forty-eight Coloradans have volunteered for service with VISTA. During this time of threatening inflation, Congress, in its consideration of effective yet low-cost antipoverty programs, cannot afford to neglect VISTA. I do not think there could be a more worthwhile, a more far-reaching program than this national volunteer effort. I fully support VISTA, and I urge my colleagues to do likewise.

At this point, I would like to include in the Record this praiseworthy call to action from the Denver Post. I am sure my colleagues will be interested to know the stand taken by the editors of one of the Nation's leading newspapers in support of the Office of Economic Opportunity programs.

The complete text of the editorial follows:

BEST WAY TO MEET THE POOR MARCH

The simplest and best way to deal with the Poor People's March on Washington is for Congress to grant some of the things the poor are asking.

Congress cannot grant them all. But Congress can and should substantially enlarge the national effort to help the poor through more jobs and job training, better education and improvements in housing and health care.

The vanguard of what may be a summer-long encampment of thousands of poor people, most of them Negroes, already is in Washington. Its obvious purpose is to prod the American conscience by an embarrassing, awkward presence in the nation's capital.

If the demonstration can be kept within legal bounds—and this is an unprecedented challenge to authorities—it will be one of the more directly felt lobbies in the history of Congress.

But we believe Congress should act, not because it is under pressure from marching poor people, but because it is right.

However much we may deplore having the spectacle of U.S. poverty on display in the national capital, it is a spectacle that Americans, in general, and congressmen, in particular, need to deal with.

No single effort by government alone—or by government and private industry together—will wipe out poverty in the United States. But a great many efforts at all levels of our society can reduce it significantly. We need to make those efforts, and Congress ought to lead the way.

The list of ways in which Congress could respond to the demands and needs of the poor is almost inexhaustible.

First, it could provide more funds for programs which have already proved effective or promising.

It could restore the funds deleted from the program of summer jobs for youth. It could provide more funds for training—both on and off the job—more funds for housing, health and education, more funds for Head Start, the Job Corps and VISTA. With more funds, these programs could benefit a larger number of the poor.

Second, Congress could invest in new and innovative programs to accomplish what has not been accomplished under the old programs.

It could provide some of the poor with the means to rebuild their own neighborhoods. It could provide new incentives to industry to offer jobs to the hard-core unemployed. It could provide capital and technical assistance to help some of the poor get started in businesses of their own. It could seek more aid—and less obstruction—from unions in providing jobs for minorities.

Third, Congress could begin to study seriously some of the long-range proposals, such as the guaranteed minimum income, to deal with the problem of poverty in the United States.

We recognize that the measures listed above—and many others Congress could act upon—would require an increase in government expenditures. At the very least, it would rule out a large part of the $6 billion spending cut which Congress now seems ready to insist upon.

The spending cut is desirable, but the programs for the poor seem to us more important now for the well-being of the nation. A 10 per cent tax increase and a small spending cut ought to be sufficient for the time being to ease the pressure of inflation. We may have to be somewhat less effective in fighting inflation in order to be more effective in fighting poverty.

The demands of the poor, in any case, deserve a positive response from Congress. We cannot specify the contents or the size of the legislative passage, but we believe it is vital that Congress meet at least some of the demands of the poor.

To turn the Poor People's March away empty handed would not only be heartless but dangerous. In the long run, it would prove far more costly than a decent and reasonable effort at this time.

FUTURE DEMONSTRATIONS—LEGISLATION NOW NECESSARY

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I would like to take this opportunity to make a few comments on H.R. 16981, a bill prohibiting the use for demonstration purposes of any federally owned property in the District of Columbia, requiring the posting of a bond, creating a Joint Committee on Grievances, and for other purposes.

Designed to prevent a recurrence of the events which recently took place in West Potomac Park, this bill was reported out of the House Public Works Committee on June 3—House Report No. 1510—and was originally scheduled for action on the floor of the House during the week of June 10.

In the minority views which I filed jointly with Congressmen WALDIE and MCCARTHY, I stated that I was against H.R. 16981 as it was presently worded. Paragraph C, section 1, of the bill, would have immediately revoked any permit, authority, or other permission in effect on the date of enactment of this legislation.

Had the committee bill been applicable to future permits only, I would have supported it. Had this bill been acted upon prior to the granting of the permit, I would have supported it. But the fact remained that at the time this legislation was due to be considered, the leaders of the Poor People's Campaign had already been granted a permit by the administration until June 16, later to be extended 1 week, and the people were already living in Resurrection City. To have canceled that permit retroactively would only have opened the way for the demagogic and violent approaches of the leadership of the militant extremists.

However, now that this permit has expired and Resurrection City has been dismantled, I feel that paragraph C, section 1, no longer takes on any significance. I therefore withdraw my opposition to H.R. 16981, and urge that it be brought to the floor of the House for immediate passage.

TEACHER CORPS—CONGRESS MISSES AN OPPORTUNITY

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, Congress missed a good opportunity last week to direct a greater part of the Nation's resources toward a program which is operating in areas of critical national need. I was disappointed when the House appropriated only $15 million for the Teacher Corps out of a more than $17 billion budget for the Departments of Labor and Health, Education, and Welfare, and other related agencies.

In appropriating only $15 million for fiscal year 1969, the House was actually cutting the program to below last year's funding level of $17.3 million. The figure of $17.3 million includes $3.8 million for forward funding in fiscal year 1967 to operate training programs in the summer of 1967, as well as $13.5 million in regular appropriations of fiscal year 1968 to run the program from September 1967 to June 1968.

With this $17.3 million, the Teacher Corps was able to enroll 1,150 members last summer and fall. Altogether, the Teacher Corps has placed 1,520 young men and women, with 350 experienced team leaders, into 124 school systems in ghetto and impoverished rural areas.

This year, 10,000 more young college graduates have applied to work in the Teacher Corps. Yet, with a funding of only $15 million, less than 1,000 will be accepted, and Congress and the Nation will be losing an opportunity to place some of this country's best young talent in areas of the most critical national need.

Congress and the Nation must dedicate themselves to the needs of the poor, the uneducated, and the unemployed if we ever hope to resolve the crisis facing us today. We cannot afford to continue spending billions of dollars on space programs, on foreign aid, and on "pork-barrel" projects when the needs elsewhere are so critical.

School superintendents, principals, and mayors of small towns and large cities have praised the work of the Teacher Corpsmen that they have selected for their schools and communities. The National Education Association, once hostile to this program, now endorses it with enthusiasm. The National Commission on Civil Disorders has asked that the Teacher Corps "be expanded into a major national program."

Mr. Speaker, this is a vital program, and one that is getting results. I might direct the attention of my colleagues to my remarks in the RECORD of June 11, 1968, on pages 16744–16745. It is my hope that the other body will recommend a figure greater than $15 million, and that the House will concur. Congress must rethink the question of priorities and of where it should apply the Nation's resources, before it funds the Teacher Corps into obscurity.

SPEECH BY HON. GEORGE J. FELDMAN, U.S. AMBASSADOR TO LUXEMBOURG, AT BOSTON UNIVERSITY OVERSEAS GRADUATE PROGRAM'S FOURTH COMMENCEMENT EXERCISES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD and include an address.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, on June 15, 1968, at the Boston University overseas graduate program, fourth commencement exercises, at Heidelberg, Germany, an appropriate and effective address, including touching remarks on the recent tragic death of U.S. Senator Robert F. Kennedy, was delivered by our able and distinguished Ambassador to Luxembourg, Hon. George J. Feldman, which address I include in my remarks. Prior to his present assignment to Luxembourg, Ambassador Feldman represented our country in a brilliant manner at Malta.

The address follows:

ADDRESS BY HON. GEORGE J. FELDMAN, U.S. AMBASSADOR TO LUXEMBOURG, AT BOSTON UNIVERSITY OVERSEAS GRADUATE PROGRAM FOURTH COMMENCEMENT EXERCISES, HEIDELBERG, GERMANY, JUNE 15, 1968

It would be remiss of me, on an occasion such as this, not to comment on the tragic loss of Senator Robert F. Kennedy. It is ironic that an assassin's bullet should abruptly end the distinguished career of a man dedicated to an approach to politics which was essentially one of reconciliation. This senseless act becomes even more difficult to comprehend because it happened after the tragedies in Dallas and Memphis. This poses a frightening question—whether assassination has become a thinkable political act.

These are indeed troubled times, all over the world. They are times of change, of instability, of tension. Such periods of change are always marked by insecurity and uncertainty, and thus, they place a special strain on the unstable, the weaker members of society. It is in such an atmosphere of insecurity and uncertainty that such people go over the brink, lose control, grow violent, explode, seek extreme answers, resort to extreme acts.

But, you may ask, if this is a world-wide phenomenon, then why is it in America that these frightening events have happened.

I think there are several reasons for this, which may be summed up by saying that we have the weaknesses of our strengths, the vices of our virtues. By that, I mean that the very qualities and traditions that have made us strong and great also have an opposite side and cause us trouble and sorrow.

It is a fact of American life stemming from our representative form of government that our political leaders must be in close contact with the people. They do not live isolated behind high walls, but are often out with the crowd, in the crowd. This is not the case in almost any other country. Then add the following elements: the unparalleled freedom of movement within the United States; our people do not travel about with identification cards issued by the police; they are not under surveillance. And this same freedom applies also to the thousands who come to us from abroad for various reasons, often from countries with entirely different traditions. So in our heterogeneous society, all manner of people have immediate access to our leaders. In a country of 200 million people, of course, we have our share of warped minds, and this adds up to quite a few.

Then there is, lastly, that other old tradition of ours, easy access to guns. And I want to say that I personally think that is one tradition we should abandon, and right away.

When you combine all of these elements, it seems to me, you come up with an adequate explanation of why and how these things can happen in America. That does not excuse them or make them tolerable. But it is important to see them in their true perspective!

The whole world is shocked. But why is the whole world shocked, why indeed, is it even aware of these events? Because it is in *America* that they have happened. They, like ourselves, are shocked because they continue to regard us as the very cornerstone of freedom and democracy. And so, in a curious sort of way, we can find some consolation in that very shock.

In threading our way through the hard period of change upon which we are now entered, our greatest hope is in our youth. More than that, our *only* hope is in our youth. You will make a new America that is going to be much different from the old. It is up to you whether it will be a better one or a worse.

I meet many young people. I make it a point to do so. And I am glad to be able to say that I find the experience reassuring. Indeed, to bring the matter closer to home, I find that the young people who constitute the Class of '68 are just a little better prepared, just a little more qualified, to shake off the protective robes of the academic world and come out into the arena where the tedium and the excitement of day-to-day life goes on.

You will find, upon your entry into what (for the lack of a better phrase) we call the "real world," that your studies here have served you well.

You will find that your abilities to probe, to analyze, to discuss rationally, and to conclude logically, are abilities which are in great demand in this—the last third of the twentieth century.

You are going out into a world that is at once filled with wondrous things, and yet a world permeated with suffering and despair.

You are citizens of a nation that has grown and prospered and developed—yet, in which, there are many things left undone. And we have much going for us as we set about doing them. We are citizens of the most advanced nation in the world. We enjoy the highest standard of living. We have the most advanced technology and the most productive industry in the world. Similarly, we are the leaders in medicine, science, education, and the arts; students from the world over seek to enter our institutions of higher learning, reversing the situation of not so many years ago.

And despite the problems with which we are now struggling—which I shall touch on in a moment—our record of social and economic progress in the United States in recent years is without equal in modern times.

In my lifetime, our country has fought two world wars, and has been involved in major conflicts in Korea and now Vietnam. In all of these wars, we have resisted forces of selfish, ruthless aggression. In none of these wars has the United States sought material gain. Our basic commitment has been a commitment to freedom, and not to colonial expansion, plunder, or annexation.

Our nation was carved from a wilderness by men who cherished the priceless tradition of freedom. Our nation was built on a system of free enterprise, with opportunities for all, and all kinds of opportunity. Our nation has grown from a small scattering of colonists at Jamestown and Plymouth—to an industrial and mercantile giant that is rapidly approaching a one trillion dollar gross national product. Yes, our national accomplishments are manifold.

But at the same time the challenges that face us now are greater than ever! Your generation, as I said before, will be called upon to cope with social and economic problems the like of which the world has never seen. And those who come after you—succeeding generations—will have to be taught and inspired by what you do with your lives. This is no small responsibility.

What is the present situation? We are faced with a war in Vietnam that is bleeding the human and financial resources of the nation. We have an expanding dollar crisis—at home and abroad. We face pressures—humanitarian pressures—to do our part to aid the developing countries of the world.

Domestically, we have work to do—strenuous work—strenuous work in the areas of poverty, civil rights, job opportunities, blighted areas, housing, law enforcement, health, mental health, the environment; in transportation, government spending, and economic resources; in the areas of youth, the aged, recreation—I could go on and on.

As the so-called Kerner Commission Report pointed out just recently, every man and woman in this nation has an inner battle to be won—a battle that for many people, in many parts of our country, will be an inner struggle of the greatest proportions.

There are no two ways about it. Our nation must end, *without procrastination*, hate, lawlessness, and the cruelty and the sheer waste of discrimination. We must bring hope and self-respect, dignity and equal opportunity, to all those who have been downtrodden for far too many years. We must go forward together—as Americans—trusting in one another, believing in each other, seeking always areas of accord, or we, as a nation, shall never have the chance to grasp the soaring opportunities nor solve the nagging problems of the space age.

I would hope that history will credit your generation with meeting head-on these exciting, perplexing, rugged challenges of our times. So I *am* optimistic about the caliber of the young men and women of today who will be the leaders of tomorrow. As a recent issue of *Nation's Business* Magazine points out, the American people instinctively resist being bogged down in any social, economic, or political quagmire.

While we are restless over the inconclusiveness of Vietnam, over the enormity of the race relations problem, over the complexities of the future of the dollar, we must remember that our American heritage is a heritage of problem *solving*. We must remember that we are the innovators; we are the builders. And, because it *is* possible to erase poverty and injustice, because it *is* possible to revive the economy and restore the soundness of the dollar, because it *is* possible for men to work out reasonable solutions to knotty international problems, because we do believe in reason and the law, I am completely confident that these things will be done.

However discouraging events may sometimes look, I don't sell America short for one minute. And don't you lose faith in America! Our nation's people have a history of turning restlessness and dissatisfaction into *progress*. Overcoming obstacles lifts us to new levels of achievement.

And this leads me to just a few brief comments on the quote "situation" unquote on our campuses in recent weeks and months. First, a few statistics. Since September of 1967, students at 62 colleges and universities have held demonstrations on social, political, or educational issues. 62 campuses—out of a total of 5,570 institutions of higher learning in the United States. Not a large percentage. But look at this: More than 14,000 students participated in these demonstrations and *that* certainly is an impressive figure, you say. No, not really. Not when you consider that there are approximately 4 million, 234 thousand undergraduates in the United States. It comes to about one-third of one percent!

But beyond the statistics there is a greater story. Just as most of an iceberg is well below the surface, so is unrest and dissatisfaction among our young people. That one-third of one percent is deceptive, because never before have the students of America been more prepared to involve themselves—in thought as well as in deed—in the workings of American freedom and liberty. There may have been only a small percentage of students actively protesting, but there are thousands who have been thinking . . . who have been talking . . . who have been hoping and wishing and perhaps fearing a little . . . about the new world that you will soon be entering. And this is just what this nation needs!

Young people who are thinking . . . who are wondering, who are trying to figure out right answers, come up with good alternatives! There is a need today for a sound, durable and compelling philosophy which will perceive at once the greatness of America and the freedom in America . . . as it moves our nation forward and answers the diverse cries of its citizens. Ours is a great nation. An even greater America lies before us. We can climb any mountain, or meet any challenge, by combining the test of wisdom and timeless principles of the past with new knowledge and new methods, with vision and imagination, and a flat refusal to accept defeat.

Blatant disregard for law and order is not the way to new vision, new imagination. It engenders violence. It is totally unacceptable. And in America it is unnecessary. Within the framework on which this nation was built, there is ample provision for lawful change.

Because the challenge to you *is* to change, to improve upon, what has gone before you, I urge you with all my heart to become fully involved in making your nation a better nation—in making your world a better world.

I am confident that each of you will play a decisive role in meeting the challenge—and that your generation will carry proudly the torch that is being passed. Remember always that men in all times face immense problems; remember that, despite all else, you were born into the nation that has the best capacity to solve them.

Your great responsibility now is to improve upon that heritage with the zeal of those who have gone before you—to stand up and be counted when the need arises—to leave nothing undone that you, as individuals, know you can accomplish. I wish you success and trust in the outcome.

GREETINGS TO BURUNDI, CONGO, AND RWANDA

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CONGRATULATIONS TO BURUNDI

Mr. O'HARA of Illinois. Mr. Speaker, July 1 represents the sixth anniversary of the independence of Burundi.

To the government of President Micombero and to the Burundi people we offer our heartiest congratulations and our warm wishes on this important occasion.

NATAL GREETINGS TO THE CONGO

Mr. Speaker, the people of the Democratic Republic of the Congo celebrated the eighth anniversary of their independence on June 30. This anniversary is particularly significant, because the outlook for continuing stability and economic growth are better than they have been at any time in recent years.

Although foreign mercenary elements in the military forces attempted last summer and fall to take control of the country, the Congolese Government succeeded in forcing these mercenaries out of the country and putting down the mutiny with a minimal loss of life.

Despite this senseless threat, the Government did not waiver from its intention to go forward with the economic stabilization program, strengthen the currency, liberalize imports, and lay the groundwork for real increases in agricultural and industrial production. These increases have already shown themselves and have been reflected in an increase in exports.

With its immense resources, human and material, the Congo will surely continue to increase its importance within the family of nations and the people of the Congo will enjoy the fruits of their self-imposed austerity.

To President Mobutu and to the Government and people of the Democratic Republic of the Congo we send our best wishes for future progress and happiness.

BIRTHDAY SALUTE TO RWANDA

Mr. Speaker, July 1 marks the sixth anniversary of the independence of the Republic of Rwanda.

The 6 years since independence was proclaimed in that nation's capital, Kigala, have been marked by continually warm relations between our two countries.

To President Kayibanda, and to the people of Rwanda, we extend our warm congratulations and very best wishes on this historic occasion.

PRESIDENT JOHNSON SIGNS UNIFORM MONDAY HOLIDAY LEGISLATION CREATING COLUMBUS DAY AS A NATIONAL HOLIDAY

Mr. RODINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. RODINO. Mr. Speaker, last Friday, June 28, it was my great honor and privilege to be present when President Johnson signed into law H.R. 15951, the uniform Monday holiday bill. Present also were Senator SMATHERS, author of the bill in the Senate; Congressman MCCLORY who introduced the final version of the bill in the House and guided it through the Judiciary Committee; Congressman STRATTON, who initiated the original legislation; and Mr. Joseph A. Califano, Jr., special assistant to the President.

It was a particularly significant occasion for me, since the measure, in addition to scheduling Washington's Birthday, Memorial Day, and Veterans' Day on specified Mondays, includes a provision establishing Columbus Day as a new Federal holiday—to be celebrated on the second Monday in October.

I have sought for many years this tribute to the valiant admiral of the ocean seas, for to me he is the "father of immigration" and in observing Columbus Day as a national holiday we will be, each year, reaffirming our faith in the future and the unfailing strength and courage of the American people to face with confidence and determination the imponderables of unknown tomorrows. I was most pleased, therefore, that the President singled out for special mention the creation of this new national holiday, and I include full text of his remarks on this historic occasion be printed in the RECORD at this point:

TEXT OF REMARKS BY THE PRESIDENT ON SIGNING OF THE UNIFORM HOLIDAY BILL

The Bill that we sign today will help Americans to enjoy more fully the country that is their magnificent heritage. It will also aid the work of Government and bring new efficiency to our economy.

This Bill provides that three of our national holidays will be celebrated on Monday: Washington's Birthday on the third Monday in February; Memorial Day on the last Monday in May; and Veterans' Day on the fourth Monday in October.

The Bill takes effect on January 1, 1971. State legislatures will thus have time to act for observances in local government offices and in private employment.

This will mean a great deal to our families and our children—

It will enable families who live some distance apart to spend more time together.

Americans will be able to travel farther and see more of this beautiful land of ours.

They will be able to participate in a wider range of recreational and cultural activities.

The Bill also establishes Columbus Day as a Federal holiday—to be celebrated on the second Monday in October. Thirty-four of our states have already established a day honoring Christopher Columbus. It is fitting now that we give national expression to our faith in the spirit of discovery embodied by this great adventurer. This new holiday will henceforth honor one of our finest and most cherished national characteristics—our ability to live and work together, men and women of all national origins, as one united and progressive nation.

The provisions of this Bill insure a minimum of five regularly recurring three-day weekends each year for Federal employees. The costs will be offset to an important degree by avoiding disruptions of Government business through Monday observance of holidays.

The private employer will enjoy similar gains in efficiency. The Monday holiday will stimulate greater industrial and commercial production, sparing business and labor the penalty of mid-week shutdowns.

THE HOUSING BILL

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, the Housing and Urban Development Act of 1968 stands as a milestone in our Nation's long struggle to provide decent housing for every American, and I, for one, am pleased to have been privileged to be intimately engaged in the drafting of this most significant legislative measure.

The authorization of funds for the construction or rehabilitation of 1.2 million lower income housing units is one of the many outstanding provisions of this legislation. It is one of the many positive steps that can and must be taken if our Nation is to overcome social injustice and the root causes of civil disorder.

I was pleased to note that the Providence Journal has endorsed the Housing and Urban Development Act of 1968 as passed by the Senate. A similar bill will soon come before this House for consideration. Its programs are essential if we are to cope with the problems that plague our cities and abolish the shameful substandard housing that confines 20 million Americans.

I commend the Journal's editorial to all of my colleagues and include it at this point in the Record:

The Housing Bill

The U.S. Senate has demonstrated a highly commendable awareness of the country's needs in passing, by a vote of 67 to 4, the most comprehensive housing bill of the last two decades. It has opened the way toward impressive gains in the struggle to bring decent housing within reach of every American. If the House follows an equally wise course, as it did in the case of open occupancy, the process of elimination of one major grievance of the poor will have begun.

Praise for the bill does not imply perfection. The measure by no means achieves that lofty status. No legislation could. There always will be gaps, elements of the problem emphasized or de-emphasized out of proportion to the need, pitfalls overlooked and opportunities missed. But overall, the legislation is a credit to the administration and to the Congress.

It would authorize five billion dollars over the next three years for the construction or rehabilitation of 1.2 million housing units for lower-income families. It would enable for the first time families at the lower earning levels to think in terms of owning their own homes, and large private investors profitably to ally with government in the creation of "new cities."

It would further the aims of the Model Cities, urban renewal, and mass transit programs, set up a new program to subsidize the building or renovation of rental or cooperative housing units, and establish the machinery to provide reinsurance for private companies to extend coverage of slum properties and curb losses from riots or civil disorders.

Of special note, though minor in terms of fundings, is provision for urban renewal grants to speed up small-scale neighborhood redevelopment projects.

Weaknesses of the bill include a preposterous section that would authorize the Federal Housing Administration to guarantee mortgages on vacation houses costing up to $20,000. This absurd concession to the comfortable middle class is intolerable at a time when valid programs for the poor are being bypassed under the name of "fiscal responsibility."

The most grievous inadequacy of the bill, in fact, is the lack of imaginative aid for those at the very bottom of the economic ladder. Four hundred million dollars is authorized to continue existing public housing programs. The much maligned and sadly undernourished rent supplements program is in line for 140 million. But beyond these and the new experimental subsidy for rental property, America's slum dwellers, urban and rural, who are in greatest need get the least attention.

In sum, however, the bill goes far toward launching a broad frontal attack on the national disgrace of substandard housing. The Senate has done its work well. The House, by preserving what is strong and discarding what is weak, can go one better—and will, if it knows what's good for the nation.

POZNAN WORKER REVOLT—JUNE 28, 1956

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, 12 years ago on Friday last, the freedom-loving workers of Poznan reached the limit of their endurance of the subjugation enforced upon them by their Polish masters—the puppets of the Soviet Union installed to rule over them. Their constant enslavement and the increasing indignities heaped upon them caused them to stage a dramatic and forceful revolt against the hated Russian Communist rule.

All of us in the free world applauded the brave acts of the Polish workers in defying their ruthless Government officials. All of us were saddened to observe the rapidity with which the troops summoned to suppress the revolt were able to end the uprising. But the courageous acts of the downtrodden workers were not wholly in vain. A more independent government was formed with many of the repressions and indignities put to an end.

The revolt achieved another important result in that it once again convinced the free world that the fighting spirit of the Polish people had not been subdued and that the love of freedom and self-determination could not be obliterated by their Communist oppressors.

Although we have been gratified in recent months to see the lot of the Polish citizen improved, we remain aware of the continued restrictions which are imposed upon the people of this great nation—a people proud of the help given them by America and proud of the strong bonds of friendship which exist between our citizens.

Mr. Speaker, the anniversary of the Poznan revolt is meaningful to all of us, but it is particularly important to our fine American citizens of Polish birth or parentage. We share in their pride of their kinsmen's demonstrated determination to resist the Soviet Communist oppressors and to reject vigorously the programs and political objectives which these Russian puppets seek to impose upon all the people of Poland.

I trust that all of us—not just the Members of Congress but the American people as a whole—will recall the gallant action of the Poznan workers to regain a measure of the freedom which was denied them.

We could well reflect upon the freedom which we enjoy and be grateful for the great heritage of liberty and justice for all which our forebears sought to endow us forever. As we count our blessings we should rededicate ourselves to completing the unfinished task of bringing a full measure of these blessings to our longtime friends in Poland.

I am proud to join with my many loyal Polish-American friends in observing this anniversary of a most important historic event. I again pledge to them and to the many fine Polish-American organizations whch represent them my sincerest efforts to restore full freedom to their friends and relatives in Poland.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Gettys (at the request of Mr. Albert), from today through July 3, on account of official business.

Mr. Wolff (at the request of Mr. Rooney of New York), for July 1, 1968, through July 3, 1968, on account of official business.

Mr. Mathias of Maryland (at the request of Mr. Gerald R. Ford), for today, on account of illness.

Mr. Conyers (at the request of Mr. Albert), for the week of July 1, on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Holifield, for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

(The following Members (at the request of Mr. Railsback) and to revise and extend their remarks and include extraneous matter:)

Mr. Quie, today, for 60 minutes.

Mr. Scherle, on July 22, for 60 minutes.

Mr. Chamberlain, today, for 30 minutes.

Mr. Pollock, on July 9, for 1 hour.

Mr. Cohelan (at the request of Mr. Eilberg), for 5 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Landrum and to include extraneous matter.

Mr. O'Hara of Illinois in three instances and to include extraneous matter.

Mr. Stratton to include extraneous matter in his remarks on H.R. 17134.

Mr. Don H. Clausen to include extraneous matter in his remarks on H.R. 17134.

Mr. Gude to include extraneous matter in his remarks on H.R. 17134.

Mr. Randall during general debate on H.R. 17134 following the remarks of Mr. Wright.

(The following members (at the request of Mr. Railsback) and to include extraneous matter:)

Mr. Bush in two instances.

Mr. Berry.

Mr. Quillen in four instances.

Mr. Fulton of Pennsylvania in five instances.

Mr. Pelly in two instances.

Mr. Winn.

Mr. Ashbrook in two instances.

Mr. Broyhill of Virginia in two instances.

Mr. Smith of Oklahoma in two instances.

Mr. Bow in two instances.

Mr. Cowger.

Mr. Shriver.

Mr. Wyman in three instances.

Mr. Pettis.

Mr. Gurney in two instances.

Mr. Scherle in two instances.

Mr. Findley.

Mr. Wydler.

Mr. MORSE of Massachusetts in four instances.
Mr. HOSMER in two instances.
Mr. ESCH.
Mr. BRAY in three instances.
Mr. STEIGER of Wisconsin.
Mr. DUNCAN.
Mr. HORTON in two instances.
Mr. MCDADE.
Mr. BROCK.
Mr. FRELINGHUYSEN.
Mr. DERWINSKI.
Mr. RUMSFELD in four instances.
Mr. BURTON of Utah.
Mr. POLLOCK.

(The following Members (at the request of Mr. EILBERG) and to include extraneous matter:)

Mr. REES.
Mrs. SULLIVAN in two instances.
Mr. PEPPER in three instances.
Mr. RODINO.
Mr. GALLAGHER.
Mr. ASHMORE.
Mr. CORMAN in six instances.
Mr. BLATNIK in five instances.
Mr. JONES of Alabama.
Mr. DENT in three instances.
Mr. ROONEY of New York in two instances.
Mr. LONG of Maryland in two instances.
Mr. DINGELL.
Mr. SATTERFIELD.
Mr. RARICK in six instances.
Mr. HOWARD.
Mr. GONZALEZ in three instances.
Mr. WILLIS.
Mr. CASEY in two instances.
Mr. DIGGS in three instances.
Mr. FRASER in two instances.
Mr. KIRWAN.
Mr. VAN DEERLIN.
Mr. CLARK.
Mr. PATTEN.
Mr. SHIPLEY in two instances.
Mr. FASCELL in four instances.
Mr. FRIEDEL in two instances.
Mr. UDALL.
Mr. PATMAN in three instances.
Mrs. GREEN of Oregon.
Mrs. KELLY in two instances.
Mr. NEDZI.
Mr. KYROS.
Mr. FISHER in two instances.
Mr. RHODES of Pennsylvania.

SENATE BILLS, JOINT AND CONCURRENT RESOLUTIONS REFERRED

Bills, a Joint and Concurrent Resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2628. An act to amend the act entitled "An act to incorporate the National Education Association of the United States," approved June 30, 1906 (34 Stat. 804); to the Committee on the Judiciary.

S. 2960. An act to provide for the appointment, promotion, separation, and retirement of commissioned officers of the Environmental Science Services Administration, and for other purposes; to the Committee on Merchant Marine and Fisheries.

S.J. Res. 171. Joint resolution to provide for the appointment of Robert Strange McNamara as Citizen Regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

S. Con. Res. 75. Concurrent resolution authorizing acceptance for the National Statuary Hall collection of statues of Father Damien and King Kamehameha I, presented by the State of Hawaii; to the Committee on House Administration.

S. Con. Res. 77. Concurrent resolution authorizing the printing of additional copies of parts 1 and 2 of Senate hearings on "Status and Future of Small Business"; to the Committee on House Administration.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 5404. An act to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes;

H.R. 6279. An act to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data;

H.R. 15979. An act to amend section 2 of the act of August 1, 1958, as amended, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and other pesticides;

H.R. 17268. An act to amend the Defense Production Act of 1950, and for other purposes; and

H.J. Res. 1368. Joint resolution making continuing appropriations for the fiscal year 1969, and for other purposes.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The Speaker announced his signature to an enrolled joint resolution of the Senate of the following title:

S.J. Res. 165. Joint resolution authorizing the President to proclaim August 11, 1968, as "Family Reunion Day."

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on June 28, 1968, present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H.R. 3931. An act to amend the Act of April 3, 1952;

H.R. 8581. An act to amend section 11-341 (b) of the District of Columbia Code which relates to the sales price for the reports of the opinions of which U.S. Court of Appeals for the District of Columbia Circuit;

H.R. 13373. An act for the relief of Richard C. Mockler; and

H.J. Res. 1368. Joint resolution making continuing appropriations for the fiscal year 1969, and for other purposes.

ADJOURNMENT

Mr. EILBERG. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 18 minutes p.m.) under its previous order, the House adjourned until tomorrow, Tuesday, July 2, 1968, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1986. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated May 29, 1968, submitting a report, together with accompanying papers and illustrations, on a review of the reports on Navasota River watershed, Texas, requested by a resolution of the Committee on Public Works, House of Representatives, adopted July 1, 1958 (H. Doc. No. 341); to the Committee on Public Works and ordered to be printed with illustrations.

1987. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated November 24, 1967, submitting a report, together with accompanying papers and illustrations, on a review of the report of Yazoo River navigation project, Mississippi, requested by a resolution of the Committee on Public Works, House of Representatives, adopted June 3, 1959 (H. Doc. 342); to the Committee on Public Works and ordered to be printed with illustrations.

1988. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 29, 1968, submitting a report, together with accompanying papers and illustrations, on Cape Fear River Basin, Randleman and Howards Mill projects, North Carolina, in partial response to an item in Public Law 88-253, enacted on December 30, 1963 (H. Doc. No. 343); to the Committee on Public Works and ordered to be printed with illustrations.

1989. A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Randolph-Sheppard vending stand for the blind law so as to make certain improvements therein; to the Committee on Education and Labor.

1990. A letter from the Comptroller General of the United States, transmitting a report on Federal participation in the cost of airport land used for installation of runway approach light systems, Federal Aviation Administration, Department of Transportation; to the Committee on Government Operations.

1991. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal, pursuant to the provisions of the act approved July 7, 1943 (57 Stat. 380), as amended (59 Stat. 434 and 63 Stat. 377); to the Committee on House Administration.

1992. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket Nos. 90 and 122, *The Hualapai Tribe of the Hualapai Reservation, Arizona, Petitioners* v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055, 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1993. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 219, *Sac and Fox Tribe of the Mississippi in Iowa, the Sac and Fox Tribe of Indians of Oklahoma, and Kenneth Youngbear, Charles Davenport, Harry Lincoln, Albert Davenport, Edward Davenport, Percy Bear, Columbus Keahna, Edward Mack, Pauline Lewis, William Newashe, and Amos Black, appearing as the representatives of and on the relation of the Sac and Fox of the Mississippi, and as representatives of and on behalf of all the members thereof, and appearing as the representatives of and on the relation of the Confederated or United Tribes of Sac and Fox Indians, and as representatives and on behalf of all of the mem-*

bers thereof, Petitioners, v. *The United States of America, Defendant,* pursuant to the provisions of 60 Stat. 1055, 25 U.S.C. 70t; to the Committee on Interior and Insular Affairs.

1994. A letter from the Secretary of Transportation, transmitting a report on the "Safety for Motor Vehicles in Use," pursuant to the provisions of section 108(b)(1) of the National Traffic and Motor Vehicle Safety Act of 1966; to the Committee on Interstate and Foreign Commerce.

1995. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a request to withdraw certain cases involving suspension of deportation, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act of 1952, as amended; to the Committee on the Judiciary.

1996. A letter from the General Counsel for the National Council on Radiation Protection and Measurements, transmitting a report on the examination of accounts of the Council for the year ending December 31, 1967, pursuant to the provisions of section 14(b) of Public Law 88–376; to the Committee on the Judiciary.

1997. A letter from the attorneys for the Pacific Tropical Botanical Garden, transmitting a report of audit of the Pacific Tropical Botanical Garden for 1967, pursuant to the provisions of section 10(b) of Public Law 88–449; to the Committee on the Judiciary.

1998. A letter from the Acting Secretary of Transportation, transmitting a draft of proposed legislation to amend title 5, United States Code, to provide for the payment of overtime and standby pay to certain personnel employed in the Department of Transportation; to the Committee on Post Office and Civil Service.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of June 27, 1968, the following bills were reported on June 28, 1968:

Mr. ASPINALL: Committee of conference. S. 1401 an act to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes (Rept. No. 1598). Ordered to be printed.

Mr. BOLLING: Committee on Rules. House Resolution 1234. Resolution providing for the consideration of H.R. 15198, a bill to amend section 302(c) of the Labor-Management Relations Act, 1947, to permit employer contributions for joint industry promotion of products in certain instances or a joint committee or joint board empowered to interpret provisions of collective bargaining agreements (Rept. No. 1599). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 1235. Resolution providing for the consideration of H.R. 15758, a bill to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes (Rept. No. 1600). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 1236. Resolution providing for the consideration of H.R. 16903, a bill to provide certain increases in annuities payable from the Foreign Service retirement and disability fund, and for other purposes (Rept. No. 1601). Referred to the House Calendar.

Mr. SISK: Committee on Rules. House Resolution 1237. Resolution providing for the consideration of H.R. 17134, a bill to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes (Rept. No. 1602). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 1238. Resolution providing for the consideration of H.R. 17989, a bill to assist in the provision of housing for low and moderate income families, and to extend and amend laws relating to housing and urban development (Rept. No. 1603). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Joint Resolution 1. Joint resolution creating a Joint Committee To Investigate Crime; with amendment (Rept. No. 1604). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 148. Resolution to amend the Rules of the House of Representatives to change the name of the Committee on Un-American Activities, and for other purposes; with amendment (Rept. No. 1605). Referred to the House Calendar.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 16024. A bill to extend for 1 year the act of September 30, 1965, relating to high-speed ground transportation; with amendment (Rept. No. 1606). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 16824. A bill to extend for an additional year the authorization of appropriations under the State Technical Services Act of 1965; with amendment (Rept. No. 1607). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted July 1, 1968*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAHON: Committee of conference. H.R. 17734. An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 1608). Ordered to be printed.

Mr. McMILLAN: Committee on the District of Columbia. H.R. 16361. A bill to provide additional revenue for the District of Columbia, and for other purposes; with amendment (Rept. No. 1609). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BROOMFIELD:

H.R. 18241. A bill to amend title 13, United States Code, to limit the categories of questions required to be answered under penalty of law in the decennial censuses of population, unemployment, and housing, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. FRASER:

H.R. 18242. A bill to provide for the establishment of the National Foundation for the Social Sciences in order to promote research, education, training, and scholarship in such sciences; to the Committee on Education and Labor.

By Mr. HAGAN:

H.R. 18243. A bill to authorize a study for a waterway connecting the Savannah and Tennessee Rivers, and for other purposes; to the Committee on Public Works.

By Mr. HORTON:

H.R. 18244. A bill to amend the Public Health Service Act so as to extend and improve the provisions relating to regional medical programs, to extend the authorization of grants for health of migratory agricultural workers, to provide for specialized facilities for alcoholics and narcotic addicts, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 18245. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide for the development of nonlethal methods and devices for crowd and riot control, and to provide for the acquisition of, and instruction in, such nonlethal methods and devices by State and local law enforcement agencies; to the Committee on the Judiciary.

By Mr. HOWARD:

H.R. 18246. A bill to amend title 10, United States Code, to equalize the retirement pay of members of the uniformed services of equal rank and years of service, and for other purposes; to the Committee on Armed Services.

By Mr. KASTENMEIER:

H.R. 18247. A bill to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness; to the Committee on Interior and Insular Affairs.

By Mr. McMILLAN:

H.R. 18248. A bill to amend the acts of August 9, 1955, and July 24, 1956, relating to certain common carrier operations in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mrs. MAY:

H.R. 18249. A bill to amend the Food Stamp Act of 1964, as amended; to the Committee on Agriculture.

By Mr. MORRIS:

H.R. 18250. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. PEPPER:

H.R. 18251. A bill to amend the act of October 3, 1965; to the Committee on the Judiciary.

By Mr. TEAGUE of Texas (by request):

H.R. 18252. A bill to modify the reporting requirement and establish additional income exclusions relating to pension for veterans and their widows, to liberalize the bar to payment of benefits to remarried widows of veterans, to liberalize the oath requirement for hospitalization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WATTS:

H.R. 18253. A bill relating to the effective date of the 1966 change in the definition of earned income for purposes of pension plans of self-employed individuals; to the Committee on Ways and Means.

By Mr. GARMATZ (for himself, Mr. DELLENBACK, Mrs. GREEN of Oregon, Mr. WYATT, Mr. HICKS, and Mr. ADAMS):

H.R. 18254. A bill to amend further section 27 of the Merchant Marine Act, 1920; to the Committee on Merchant Marine and Fisheries.

By Mr. PATMAN:

H.R. 18255. A bill to establish an advisory commission to make a study and report with respect to freight rates for farm products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS (for himself and Mr. QUIE):

H.R. 18256. A bill to amend the Vocational Education Act of 1963, and for other purposes; to the Committee on Education and Labor.

H.R. 18257. A bill to amend section 222(a)(6) of the Economic Opportunity Act of 1964, as amended, to authorize additional funds for emergency food and medical services; to the Committee on Education and Labor.

By Mr. POLLOCK:

H.R. 18258. A bill to amend the Federal

Firearms Act to prohibit the use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on Ways and Means.

By Mr. ROTH (for himself, Mr. Don H. Clausen, Mr. Fascell, Mr. Fulton of Pennsylvania, Mr. McClory, and Mr. Matsunaga):

H.R. 18259. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. SAYLOR (for himself, Mr. Aspinall, Mr. Burton of California, Mr. Burton of Utah, Mr. Edmondson, Mr. Foley, Mr. Hansen of Idaho, Mr. Hosmer, Mr. Johnson of California, Mr. Kastenmeier, Mr. Mr. Kazen, Mr. Kee, Mr. Kupferman, Mr. Kyl, Mr. McClure, Mr. Morton, Mr. Pollock, Mr. Reinecke, Mr. Ryan, Mr. Taylor, Mr. Tunney, Mr. Udall, and Mr. White):

H.R. 18260. A bill to provide for a national scenic rivers system, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DELLENBACK:

H.J. Res. 1377. Joint resolution authorizing the President to proclaim August 11, 1968, as "Family Reunion Day"; to the Committee on the Judiciary.

By Mr. KYL:

H.J. Res. 1378. Joint resolution establishing criteria for issuing permits to utilize national parks in the Nation's Capital; to the Committee on Interior and Insular Affairs.

By Mr. O'NEILL of Massachusetts:

H. Res. 1239. Resolution authorizing the Speaker of the House of Representatives to appoint a special committee to investigate and report on campaign expenditures of candidates for the House of Representatives; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

357. By the SPEAKER: a Memorial of the Legislature of the State of Louisiana, relative to the status of Fort Polk, La.; to the Committee on Armed Services.

358. Also, a Memorial of the Legislature of the State of Michigan, relative to welfare payments to nonresidents; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 18261. A bill for the relief of Anna Fodera; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 18262. A bill for the relief of Mrs. Edith Arbogast and her children, Edward Lee Arbogast, and Harold Leroy Arbogast; to the Committee on the Judiciary.

H.R. 18263. A bill for the relief of Wilfried K. Byl; to the Committee on the Judiciary.

H.R. 18264. A bill for the relief of Hayri Serafettin Yuruten, his wife, Ferra Orat Yuruten, and their child, Mine Fatma Yuruten; to the Committee on the Judiciary.

By Mr. COWGER:

H.R. 18265. A bill for the relief of Crispulo Chan Manubay and his wife, Felicia Ng Manubay; to the Committee on the Judiciary.

By Mr. DUNCAN:

H.R. 18266. A bill for the relief of David E. Alter III, and his parents, Mr. and Mrs. David E. Alter, Jr.; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 18267. A bill for the relief of Dr. Leonda B. Garcia; to the Committee on the Judiciary.

H.R. 18268. A bill for the relief of Hannah Moreinis; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 18269. A bill for the relief of Mrs. Taji Eshraghi; to the Committee on the Judiciary.

H.R. 18270. A bill for the relief of Lidia Tagliaferro; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 18271. A bill for the relief of Rueben Rosen; to the Committee on the Judiciary.

By Mr. JOELSON:

H.R. 18272. A bill for the relief of Sister Amelia Callegarin; to the Committee on the Judiciary.

H.R. 18273. A bill for the relief of Rosa Carnemolla; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 18274. A bill for the relief of Dr. Manuel E. Tayko; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 18275. A bill for the relief of Vincenzo Di Pasquale; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 18276. A bill for the relief of Joao De Quadros; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 18277. A bill for the relief of Rosendo J. Franada; to the Committee on the Judiciary.

H.R. 18278. A bill for the relief of Elena F. Viloria; to the Committee on the Judiciary.

By Mr. REES:

H.R. 18279. A bill for the relief of Mr. Natan Sztark; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 18280. A bill for the relief of Peizbieta Neterowicz; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 18281. A bill for the relief of Deo Obidos German and Charito Ortiz German; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

361. By the SPEAKER: Petition of the Yap Islands Legislature, Trust Territory of the Pacific Islands, Colonia, Yap, relative to commending the Honorable Patsy T. Mink; to the Committee on Interior and Insular Affairs.

362. Also, petition of the city council, Philadelphia, Pa., relative to the designation of Flag Day as a national legal holiday; to the Committee on the Judiciary.

363. Also, petition of the Commission of the City of Miami, Fla., relative to regulating the importation into the United States of poisonous frogs and other similar species and animals; to the Committee on Ways and Means.

364. Also, petition of Mrs. Leonor R. Puig, Westhampton Beach, N.Y., relative to an immigration matter; to the Committee on the Judiciary.

SENATE—*Monday, July 1, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, again with the miracle of dawn has come the gift of a new day. With contrition for past failures, may no vain regrets keep us from seizing the challenge of each new day as we hear the angel of the morning declare—

"Each night I burn the records of the day—
Each sunrise every soul is born again."

And so through sleep and darkness safely brought, restored to life and power and thought, we would each face this fresh chance with the glorious consciousness, "I am with Thee."

Even in the heat and burden of daylight's tasks and of evening weariness, let not our strength fail nor our vision fade.

In the midst of all that besets us, make us patient and considerate of one another in the fret and jar of human contacts, remembering that even in the glare of public gaze, each fights a hard battle and walks a lonely way.

We ask it in the name of the One who in a dark garden trod the winepress alone. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, June 28, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

WAIVER OF CALL OF THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar, under rule VIII, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1316 and 1317.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

PROFESSIONAL PHOTOGRAPHY WEEK

The joint resolution (S.J. Res. 181) to authorize the President to designate the week of August 4 through August 10, 1968, as "Professional Photography Week" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S.J. Res. 181

Whereas professional photography is vital to the economy and welfare of our Nation, touching upon every aspect of this country's economic, scientific, industrial, and family life;

Whereas one hundred and fifty thousand men and women are engaged in the practice of professional photography;

Whereas a billion-dollar industry is generated and supported by the activities of the professional photographer;

Whereas the work of the professional photographer is used by industry in product design, research, manufacture, the promotion of safety, training, purchasing, and sales;

Whereas professional photography communicates and educates and illustrates in advertising, in our courts, on our farms;

Whereas in our reach toward outer space, in our search of the oceans' depth, and in research in our hospitals and laboratories throughout the land the professional photographer serves the cause of science;

Whereas the professional photographer records history for our edification today and the benefit of our posterity;

Whereas professional photography as an art form enriched the cultural life of America; and

Whereas professional photography continues in its traditional role of remembrance and recording those we love: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That as a tribute to the professional photographer and his many works and in recognition of the importance of professional photography in our life today and in America's future, the President is authorized to issue a proclamation designating the week beginning August 4 through August 10, 1968, as "Professional Photography Week," and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1316), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the joint resolution is to authorize the President of the United States to issue a proclamation designating the week beginning August 4 through August 10, 1968, as "Professional Photography Week."

STATEMENT

The work of the professional photographer today touches every facet of American life, from the neighborhood and town portrait photographer to the commercial photographer through the industrial photographer, who are all an integral part of the economy of this country.

It has been estimated that there are more than 150,000 American men and women engaged in the practice of professional photography. A like number supports the professional photographer in positions such as studio receptionists, prop men, laboratory assistants, and so forth.

The Professional Photographers of America, Inc., the oldest and largest association of professional photographers in the United States in conjunction with its affiliated associations comprising 142 local, State, and regional professional photographic organizations, is of the view that calling attention to professional photography and its contribution to our citizens and our Government, would fittingly be signaled by the establishment of Professional Photography Week.

The committee is of the opinion that this resolution has a meritorious purpose by calling the attention of the people of the United States to professional photography and its contributions to the cultural life of America, and that the designation of the week of August 4 through August 10, 1968, as "Professional Photography Week" would be most appropriate.

Accordingly, the Committee recommends favorable consideration of Senate Joint Resolution 181, without amendment.

SALUTE TO EISENHOWER WEEK

The joint resolution (H.J. Res. 1302) to authorize the President to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week" was considered, ordered to a third reading, read the third time, and passed.

H.J. Res. 1302

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized and requested to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week", and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

Mr. **MANSFIELD**. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1336), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the joint resolution is to authorize and request the President of the United States to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week," and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

STATEMENT

Dwight David Eisenhower was born on October 14, 1890, and on October 14, 1968, will celebrate his 78th birthday.

Few men in history have served their country and the world as well. As Supreme Commander of the Allied Expeditionary Forces in World War II, his leadership, resolution, and personal courage guided us to victory and peace. In 1952, he assumed a leading role in writing the history of our country as the 34th President of the United States.

During the 8 years as President, America was a unified Nation. He guided the Congress in enacting the first major civil rights bill in this country, which opened the polling booths to all races.

He assumed his role as Commander in Chief in time of war and left that post in time of peace.

Americans today nostalgically look back upon the Eisenhower years in the White House as a time of domestic tranquillity and peace internationally, an era of calm and quiet when the Eisenhower personality gave this country peace and progress.

The committee believes it highly appropriate in this present time of turmoil for America that the Congress enact a resolution honoring Dwight David Eisenhower for his great service to the Nation, both as a military leader and as President.

The committee, therefore, is of the opinion that this resolution has a meritorious purpose, and accordingly, recommends favorable consideration of House Joint Resolution 1302, without amendment.

PRESIDENT JOHNSON STRIVES FOR DISARMAMENT

Mr. **MANSFIELD**. In a White House ceremony this morning, President Johnson put his signature on the Nuclear Nonproliferation Treaty, recently endorsed by the United Nations General Assembly.

This treaty is designed to halt the spread of nuclear weapons to nations that do not presently possess these weapons.

Obviously, a world with fewer nuclear nations would be a safer world. In his remarks, the President also made a very encouraging announcement. The Soviet Union and the United States have agreed to begin talks aimed at reducing strategic nuclear weapons systems and defensive systems against ballistic weapons.

The purpose of these talks, among other things, would be to seek a halt to the ever-spiraling escalation of missile system, countermissile system, counter-counter-missile system, ad infinitum, with neither nation achieving any more national security for itself at any level of the race. I congratulate the President on his patient efforts to achieve these talks, and I acknowledge the sensibility of the Soviets in recognizing their own self-interests in starting such talks. The world can breathe the fresh air of new hope today.

THE 10TH ANNIVERSARY OF THE AMERICANS FOR CONSTITUTIONAL ACTION

Mr. **DIRKSEN**. Mr. President, June 27, 1968, was the 10th anniversary of the Americans for Constitutional Action. I would like to take a few moments to recognize its good works and commend the officials and workers who have been diligent in their efforts to produce accurate and worthwhile information of vital importance to the overall workings of our political system and the success of our constitutional government.

I sincerely hope that the next 10 years will bring even greater effort on the part of this splendid organization, and that it will be marked with even greater successes than those they have enjoyed over the last decade.

THE PRESIDENT ANNOUNCES A HOPEFUL FURTHER STEP IN WINNING NUCLEAR DISARMAMENT

Mr. **PASTORE**. Mr. President, the month of July has had an auspicious beginning for our land and for the world. Our month of national independence has seen a real step toward a world that can be free from fear.

I have just come from the White House where I watched President Johnson sign the Nuclear Nonproliferation Treaty.

My mind went back to May 17, 1966, when the Senate approved my resolution to support the President in this very effort to stem the "nuclear club."

The vote that day was 84 to 0 and today's signing is its fulfillment. This is indeed a hopeful step. For it is one of the world's most urgent priorities that we find ways to end the dangerous stockpiling of deadly weapons.

And my memory went back to August 5, 1963, and the signing of the Nuclear Limited Test Ban Treaty at Moscow. I was proud to be there for the signing and proud to work for the ratification of the treaty—as the Senate on September 24, 1963, approved it by a vote of 80 to 19.

My goal, my dream, my ideal throughout my Senate years has been "atoms for peace." My every vote has been for the purpose of maintaining the security of our country—adjusting against the aggressions and adamancy of a potential enemy—while making every move to restore sanity to this world from our position of strength and from our spirit of concession and cooperation.

For more than 4 years, President Johnson has urged the Soviet Union to join with the United States in disarmament talks concerning strategic weapons. The President's leadership and persistence has finally met with a positive response from the other side. And in his address today, the President announced that the United States and the Soviet Union will soon meet to discuss limiting and reducing offensive and defensive missile systems.

No one can say at this time whether this initiative will result in a major step forward, but there is a good reason for hoping that President Johnson's efforts have struck a responsive chord in Moscow, and that the world may be edging a little closer to freedom from the fear of nuclear war.

Certainly, no legacy that Lyndon Johnson could leave behind would be more important than real progress in nuclear disarmament. I salute the President for his efforts and I hope and pray that they will be successful.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution:

H.R. 5404. An act to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes;

H.R. 6279. An act to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data;

H.R. 15979. An act to amend section 2 of the act of August 1, 1958, as amended, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and other pesticides;

H.R. 17268. An act to amend the Defense Production Act of 1950, and for other purposes; and

S.J. Res. 165. Joint resolution authorizing the President to proclaim August 11, 1968, as "Family Reunion Day."

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER (Mr. BAKER in the chair):

Resolutions of various foreign governments extending condolences on the death of Honorable Robert F. Kennedy; to the Commiteee on Foreign Relations.

The petition of Ken Gribek, of Lakewood, Ohio, remonstrating against the enactment of gun control legislation; to the Committee on the Judiciary.

Resolutions of sundry persons and local governments in the United States extending condolences on the death of Honorable Robert F. Kennedy; ordered to lie on the table.

CONCURRENT RESOLUTION OF THE LEGISLATURE OF THE STATE OF LOUISIANA

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD a concurrent resolution adopted by the Legislature of the State of Louisiana, relating to commending veterans of Vietnam and members of the Armed Forces presently serving in Vietnam.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution is as follows:

H. CON. RES. 134

A concurrent resolution relative to commending veterans of Vietnam and members of the Armed Forces presently serving in Vietnam

Whereas, the veterans of World War I, World War II and the Korean conflict have been commended for the many sacrifices they have made in support of the American way of life, and in furtherance of peace in the world; and

Whereas, the veterans of the Vietnam conflict likewise have contributed to the furtherance of the cause of world peace; and

Whereas, many young men and women in the United States service who are now in Vietnam continue to defend the principles of peace and independence; and

Whereas, while lives are being lost and many sacrifices are being made, there exists in the United States a group of persons who in defiance of the principles of the Vietnam conflict openly and in public burn and destroy the draft cards which have been issued to them by the United States government.

Therefore, be it resolved by the House of Representatives of the Legislature of the state of Louisiana, the Senate thereof concurring, that the veterans of Vietnam and the men and women serving in the Armed Forces of the United States in Vietnam are hereby commended for the herioic and brave roles performed in furtherance of the world efforts toward peace and independence.

Be It Further Resolved that those persons in the United States who choose to defy the principles of the Vietnam conflict by publicly burning and destroying their draft cards are hereby condemned and held in contempt.

Be It Further Resolved that a copy of this Resolution be transmitted to the members of the Louisiana delegation in the Congress of the United States.

JOHN S. GARRETT,
Speaker of the House of Representatives.
C. C. AYCOCK,
Lieutenant Governor and President of the Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

S. 2715. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Chickasaw Nation or Tribe of Oklahoma, and for other purposes (Rept. No. 1344);

S. 3620. A bill to provide for the disposition of judgment funds on deposit to the credit of the Quechan Tribe of the Fort Yuma Reservation, Calif., in Indian Claims Commission docket No. 319, and for other purposes (Rept. No. 1345); and

S. 3621. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Muckleshoot Tribe of Indians in Indian Claims Commission docket No. 98, and for other purposes (Rept. No. 1346).

By Mr. ALLOTT, from the Committee on Interior and Insular Affairs, without amendment:

S. 3575. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments (Rept. No. 1347).

By Mr. HATFIELD, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1764. A bill to repeal section 7 of the act of August 9, 1964 (60 Stat. 968) (Rept. No. 1348).

By Mr. McGOVERN, from the Committee on Interior and Insular Affairs, with an amendment:

H.R. 9098. An act to revise the boundaries of the Badlands National Monument in the State of South Dakota, to authorize exchange of land mutually beneficial to the Oglala Sioux Tribe and the United States, and for other purposes (Rept. No. 1349).

By Mr. PROXMIRE (for Mr. BARTLETT), from the Committee on Appropriations, with amendments:

H.R. 18038. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes (Rept. No. 1350).

By Mr. MONRONEY, from the Committee on Post Office and Civil Service, with an amendment:

H.R. 14935. An act to amend title 39, United States Code, to regulate the mailing of master keys for motor vehicle ignition switches, and for other purposes (Rept. No. 1352).

By Mr. MONRONEY, from the Committee on Commerce, without amendment:

H.R. 3400. An act to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulation, and for other purposes (Rept. No. 1353).

By Mr. MONRONEY, from the Committee on Commerce; with an amendment.

S. 3566. A bill to amend the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation," and for other purposes (Rept. No. 1354); and

S. 3641. A bill to provide additional Federal assistance in connection with the construction, alteration, or improvement of air carrier and general purpose airports, airport terminals, and related facilities, and for other purposes (Rept. No. 1355).

INVESTMENT COMPANY AMENDMENT ACT OF 1968—REPORT OF A COMMITTEE—MINORITY VIEWS (S. REPT. NO. 1351)

Mr. **BYRD** of West Virginia. Mr. President, at the request of the Senator from Alabama [Mr. Sparkman], from the Committee on Banking and Currency, I report favorably an original bill (S. 3724) to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed, together with minority views.

The **PRESIDING OFFICER**. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from West Virginia.

PRINTING OF INTERIM REPORT ON BEAR CREEK BASIN, SOUTH PLATTE RIVER AND TRIBUTARIES, COLORADO, WYOMING, AND NEBRASKA (S. DOC. NO. 87)

Mr. **RANDOLPH**. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated January 15, 1968, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on an interim report on Bear Creek Basin, South Platte River and tributaries, Colorado, Wyoming, and Nebraska, requested by a resolution of the Committee on Public Works, U.S. Senate, adopted June 14, 1956. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

PRINTING OF REPORT ON TANANA RIVER BASIN AT FAIRBANKS, ALASKA (S. DOC. NO. 89)

Mr. **RANDOLPH**. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated June 3, 1968, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on Tanana River Basin at Fairbanks, Alaska, requested by a resolution of the Committee on Public Works, U.S. Senate, adopted January 6, 1965. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

PRINTING OF INTERIM REPORT ON COOPER RIVER, S.C. (S. DOC. NO. 88)

Mr. **RANDOLPH**. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated December 1968, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on an interim report on Cooper River, S.C.—shoaling in Charleston Harbor—requested by a resolution of the Committee on Public Works, U.S. Senate, adopted June 6, 1960. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

EXTENSION OF TIME FOR FILING REPORT

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the Committee on Commerce be authorized to have until midnight tonight to file its reports.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TALMADGE (for himself, Mr. Jordan of North Carolina, Mr. Spong, Mr. Monroney, and Mr. Harris):

S. 3711. A bill to establish a new marketing program for peanuts; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. Talmadge when he introduced the above bill, which appear under a separate heading.)

By Mr. TALMADGE:

S. 3712. A bill for the relief of Basile Christoforou, his wife, Alexandra Christoforou, and child, Chrystine Christoforou; Telemaque A. Kavadas, his wife, Evagelia Christidou Kavadas, and child, Akrivoula Kavadas; and John Poulakis; to the Committee on the Judiciary.

By Mr. McCLELLAN (by request):

S. 3713. A bill to amend the Trademark Act of 1946 to provide an exemption from the restrictions of the trademark laws, and for other purposes; to the Committee on the Judiciary.

(See the remarks of Mr. McClellan when he introduced the above bill, which appear under a separate heading.)

By Mr. SMATHERS (by request):

S. 3714. A bill to amend section 409 of part IV of the Interstate Commerce Act, as amended, to authorize contracts between freight forwarders and railroads; to the Committee on Commerce.

By Mr. BREWSTER:

S. 3715. A bill for the relief of Cheong Cheng; to the Committee on the Judiciary.

By Mr. NELSON:

S. 3716. A bill for the relief of Fo Kwan Pun, Hau Fan Ip, Yuk Wo Chan, Yuk Shui Chan, Loi Hing Man, Yuk Lam Chan, Kok Jam Foo; to the Committee on the Judiciary.

By Mr. HART:

S. 3717. A bill for the relief of Francesco Paolo Billeci; and

S. 3718. A bill for the relief of Telesfora de-Leon Parras; to the Committee on the Judiciary.

By Mr. BREWSTER:

S. 3719. A bill for the relief of Kwok Cheung Tsoi; to the Committee on the Judiciary.

By Mr. BAKER:

S. 3720. A bill for the relief of Henry B. Rodrigues; to the Committee on the Judiciary.

By Mr. MOSS:

S. 3721. A bill to authorize the Secretary of the Interior to proceed with loans to certain organizations; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Moss when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for Mr. Magnuson):

S. 3722. A bill for the relief of Bark Poon Chang; to the Committee on the Judiciary.

By Mr. CLARK:

S. 3723. A bill to provide for the establishment of a national cemetery, to be known as the Robert F. Kennedy National Cemetery, on certain designated lands in the State of Pennsylvania; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Clark, when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of West Virginia (for Mr. Sparkman):

S. 3724. A bill to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes.

(See reference to the above bill when reported by Mr. Sparkman, which appears under the heading "Reports of Committees.")

By Mr. MONRONEY:

S. 3725. A bill to clarify the authority of U.S. postal inspectors to serve warrants, issue subpoenas, and make arrests without warrant for certain offenses against the United States; and

S 3726. A bill to amend title 39, United States Code, to provide for postal modernization; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. Monroney when he introduced the above bills, which appear under separate headings.)

By Mr. SMATHERS (for Mr. Eastland):

S.J. Res. 185. Joint resolution to grant the status of permanent residence to Maria Mercedes Riewerts; to the Committee on the Judiciary.

S. 3711—INTRODUCTION OF PEANUT MARKETING ACT OF 1968

Mr. **TALMADGE**. Mr. President, I introduce today for myself, the Senator from North Carolina [Mr. Jordan], the Senator from Virginia [Mr. Spong], and the Senators from Oklahoma [Mr. Harris and Mr. Monroney], the Peanut Marketing Act of 1968.

This bill reflects months of study by virtually all segments of the peanut industry, and the legislation has received substantial widespread support. Peanut farmers, shellers and end users have been working in a coordinated effort to develop a program that will benefit all segments of the peanut industry, and at the same time, make available to consumers a quality product at a fair price.

In attempting to develop a new peanut price support program, three basic requirements were set forth that had to be included in this legislation.

Those requirements were—

First, to insure adequate supply of high quality peanuts.

Second, to increase income to farmers.

Third, and to decrease cost of the program to Government.

The legislation that I propose today fulfills these vital requirements. This act includes provisions that are workable.

They are helpful to all segments of the peanut industry—growers, shellers, users of the end product, as well as the consumer.

Segments of the industry have had an opportunity to study this proposed act and agree that it sets forth a practical program that will be beneficial to all of them.

The U.S. Department of Agriculture has also studied this legislation and agrees that the programs that will be developed as per provisions of this act are workable and will improve the program for peanuts.

For a number of years, peanut growers—like most farmers—have been caught in a cost-price squeeze. They are having to pay more and more to produce their product and to purchase the necessary materials and equipment for production, but prices they receive have steadily declined. It has been more than amply demonstrated that peanut farmers, if they are to remain in business, must receive an increased price for their product and a greater return on their investment.

In general, this act proposes a program to give farmers their own choice as to the acreage that they will produce, at a known support price at various levels of production.

The mere passage of this legislation will not automatically put the mechanics of this program into effect. It must first be voted on by peanut farmers in a referendum.

If accepted, the bill will continue support to producers at the minimum level of 75 percent of parity. It will not change the national minimum acreage allotment of 1,610,000.

The main thrust of the bill provides for a certificate program under which peanut growers would receive an increase of 1 percent parity for each 2-percent decrease in planted acreage, with the desired goal of adjusting downward the amount of planted acreage to desired levels, and to improve the income of farmers who make such adjustments.

For 1968, the support level to producers will be increased to 80 percent of parity under the existing program without the use of certificates.

This legislation will permit farmers to continue to produce peanuts, and at the same time allow fair returns to all other segments of the peanut industry. And it will make available to the American consumer one of the finest food products in the world at a very low cost.

I urge the enactment of my bill, and hope that the Congress will take this important step toward insuring peanut farmers their fair share of the national income.

Mr. President, I ask unanimous consent to have printed in the Record the bill and the section-by-section analysis of the bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and analysis will be printed in the Record.

The bill (S. 3711) to establish a new marketing program for peanuts, introduced by Mr. Talmadge (for himself and other Senators), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the Record, as follows:

S. 3711

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Peanut Marketing Act of 1968".

Sec. 2. Subtitle E of title III of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"Subtitle E—Peanut Marketing Certificate Program

"LEGISLATIVE FINDINGS

"Sec. 380a. The movement of peanuts from producer to consumer is preponderantly in interstate and foreign commerce, and the small quantity of peanuts which does not move in interstate or foreign commerce affects such commerce. Unreasonably low prices of peanuts to producers impair their purchasing power for nonagricultural products. The conditions affecting the production of peanuts are such that without Federal assistance, producers cannot effectively prevent low prices for peanuts or wide fluctuations in market prices. It is necessary in order to assist peanut producers in obtaining fair prices, to regulate the price of peanuts in the manner provided in this subtitle.

"FARM PEANUT MARKETING CERTIFICATES

"Sec. 380b. (a) During any marketing year for which a marketing quota is in effect for peanuts, beginning with the marketing year for peanuts planted in the calendar year 1969, a peanut marketing certificate program shall be in effect as provided in this subtitle. The Secretary shall provide for the issuance of peanut marketing certificates for each marketing year for which a peanut marketing certificate program is in effect for the purpose of enabling producers on any farm with respect to which certificates are issued to receive, in addition to any other proceeds from the sale of peanuts, an amount equal to the value of such certificates. The certificates issued for any farm shall be on the actual production of farmers stock peanuts harvested on the farm: *Provided*, That if the Secretary determines that because of drought, flood, or other natural disaster the quantity of peanuts harvested on a farm is less than 40 percent of the quantity obtained by multiplying the farm acreage allotment by the normal yield of peanuts for the farm, as determined by the Secretary, additional certificates for the farm shall be issued equal to such deficiency. The Secretary shall provide for the sharing of peanut marketing certificates among producers on the farm on the basis of their respective shares in the peanut crop produced on the farm, or the proceeds therefrom, except as otherwise approved under the regulations issued by the Secretary. Certificates shall not be issued for peanuts retained for use on the farm where grown. The Secretary may require producers on the farm to establish their actual production of farmers stock peanuts harvested on the farm and the number of acres on which such peanuts were harvested as a condition to issuing part or all of the certificates for the farm. No producer shall be eligible to receive peanut marketing certificates for any marketing year with respect to any farm (1) as to which a peanut marketing quota penalty is assessed or (2) as to which acreage allotments and marketing quotas for peanuts are not applicable under section 359(b) of this Act. In any case in which the failure of a producer to comply fully with the terms and conditions of the program formulated under this subtitle precludes the issuance of marketing certificates, the Secretary may, nevertheless, issue marketing certificates in such amounts as he determines to be equitable in relation to the seriousness of the default. Notwithstanding any other provision of law, for the purposes of establishing future State, county, and farm acreage allotments under this Act, the Secretary shall provide that the reduction in acreage of peanuts on any farm up to 20 percent of the allotment in excess of the amount of the reduction required to be made as a condition of eligibility for peanut marketing certificates shall be considered as acreage devoted to peanuts.

"VALUE OF CERTIFICATES

"Sec 380c. (a) The Secretary shall determine and proclaim for each marketing year, at the time he announces the level of price support for peanuts under section 108 of the Agricultural Act of 1949, as amended, for the crop to be marketed in the marketing year for which the determination is being made, (1) the face value (per ton of peanuts) of all peanut marketing certificates, and (2) the recommended acreage of peanuts, to be harvested at such levels as he determines can be expected to result in production of a quantity of peanuts needed to provide an adequate supply of peanuts for domestic edible use and for commercial seed plus a reasonable reserve; but in no event shall the recommended acreage for the 1969 marketing year be less than 85 percentum of the national acreage allotment, nor shall the recommended acreage for any subsequent marketing year be reduced below the recommended acreage for the preceding marketing year by more than an additional five per centum of the national acreage allotment. The recommended acreage shall also be determined and proclaimed as a percentage of the national peanut acreage allotment, which percentage is hereinafter referred to as "the recommended percentage". The face value of a certificate issued to any producer shall be—

"(1) not less than one per centum of the parity price for peanuts for each two per centum by which the recommended percentage is less than 100 per centum, in the case of a farm on which the acreage of peanuts harvested is, as a percentage of the farm acreage allotment, equal to or less than the recommended percentage; and

"(2) a value reduced below that prescribed under clause (1) on such a scale as the Secretary determines appropriate, in the case of a farm on which the acreage of peanuts harvested is, as a percentage of the farm acreage allotment, in excess of the recommended percentage.

Notwithstanding the foregoing, if the Secretary determines that the preceding provisions of this section will result in the production of peanuts of any type inadequate to fill the demand for such peanuts for domestic edible use and for commercial seed during the marketing year, he shall provide for the issuance of certificates, at the face value for producers on farms on which the acreage of peanuts harvested is equal to or less than the recommended percentage, on the actual production of peanuts of such type harvested on a farm on such acreage as he determines necessary to assure an adequate production of peanuts of such type. The face value (per ton of peanuts) of marketing certificates acquired by persons engaged in the cleaning inshell or shelling of peanuts shall be in an amount equivalent to 5 per centum of the parity price for peanuts; and, beginning with the marketing year for peanuts planted in 1970, in the amount determined by the Secretary, but not more than an amount equivalent to 1 per centum of the parity price in excess of the face value of certificates for the previous marketing year. In no event shall the face value of such certificates exceed an amount equivalent to 15 per centum of the parity price for peanuts. The cost of any marketing certificates issued to producers in excess of the value of certificates acquired by persons engaged in the cleaning inshell or shelling of farmers stock peanuts shall be borne by Commodity Credit Corporation.

"(b) Marketing certificates and transfers thereof shall be represented by such documents, marketing cards, records, accounts, certifications, or other statements or forms as the Secretary may prescribe.

"MARKETING RESTRICTIONS

"Sec. 280d. (a) Marketing certificates shall be transferable only in accordance with regulations prescribed by the Secretary. Any unused certificates legally held by any persons shall be purchased by Commodity Credit Corporation if tendered to the Corporation for purchase in accordance with regulations prescribed by the Secretary.

"(b) During any marketing year for which a peanut marketing certificate program is in effect, all persons engaged in the cleaning inshell or shelling of farmers stock peanuts in the United States (except as hereinafter provided) shall, upon receipt of peanuts acquire peanut marketing certificates on all farmers stock peanuts which are received for use in the production of cleaned or shelled peanuts for edible or seed purposes as determined by the Secretary. In addition, the Secretary may require producers who dispose of peanuts either before or after their cleaning or shelling for use as seed to acquire peanut marketing certificates on the farmers stock peanuts so used. The Secretary shall issue regulations providing for refund of the value of certificates (1) on edible quality peanuts sold to the Commodity Credit Corporation pursuant to the Commodity Credit Corporation price support program, and (2) on farmers stock peanuts purchased by a person engaged in the cleaning and shelling of peanuts but thereafter marketed as farmers stock peanuts solely for crushing or export. The Secretary may exempt from the requirements of this subsection peanuts cleaned or shelled for use on the farm where grown, peanuts produced by a State or agency thereof and cleaned or shelled for use by the State or agency thereof, peanuts cleaned or shelled for donation, and peanuts cleaned or shelled for use determined by the Secretary to be noncommercial. Marketing certificates shall be valid to cover only farmers stock peanuts received in the plant or warehouse during the marketing year with respect to which they are issued and after being once used to cover farmers stock peanuts shall be void and shall be disposed of in accordance with regulations prescribed by the Secretary. Notwithstanding the foregoing provisions hereof, the Secretary may require marketing certificates issued for any marketing year to be acquired to cover farmers stock peanuts received on or after the date during the calendar year in which peanuts harvested in such calendar year begin to be marketed as determined by the Secretary even though such peanuts are received prior to the beginning of the marketing year, and marketing certificates for such marketing year shall be valid to cover peanuts received on or after the date so determined by the Secretary.

"(c) Upon the giving of a bond or other undertaking satisfactory to the Secretary to secure the purchase of and payment for such certificates as may be required, and subject to such regulations as he may prescribe, any person required to have marketing certificates in order to receive farmers stock peanuts may be permitted to receive such peanuts without having first acquired marketing certificates.

"ASSISTANCE IN PURCHASE AND SALE OF MARKETING CERTIFICATES

"Sec. 380e. For the purpose of facilitating the purchase and sale of marketing certificates, the Commodity Credit Corporation is authorized to issue, buy, and sell marketing certificates in accordance with regulations prescribed by the Secretary. Such regulations may authorize the Corporation to issue and sell certificates in excess of the quantity of certificates which it purchases. Such regulations may authorize the Corporation in the sale of marketing certificates to charge, in addition to the face value thereof, interest (at a rate to be prescribed by the Secretary) on any such certificates not acquired within the time specified pursuant to this subtitle.

"AUTHORITY TO FACILITATE TRANSITION

"Sec. 380f. The Secretary is authorized to take such action as he determines to be necessary to facilitate the transition from the program currently in effect for peanuts to the program provided for in this subtitle. Notwithstanding any other provision of this subtitle, such authority shall include, but shall not be limited to, the authority to exempt all or a portion of the farmers stock peanuts or peanuts in cleaned or shelled form in the channels of trade on the effective date of the program under this subtitle from the marketing restrictions in subsection (b) of section 380d, or to sell certificates to persons covering such peanuts at such prices as the Secretary may determine. Any such certificates shall be issued by the Commodity Credit Corporation.

"REPORTS AND RECORDS

"Sec. 380g. Any persons cleaning or shelling peanuts, any exporter and warehouseman of peanuts in farmers stock, or cleaned or shelled form, and any person purchasing, selling, or otherwise dealing in peanuts or in peanut marketing certificates shall, from time to time on request of the Secretary, report to the Secretary such information and keep such records as the Secretary finds necessary to carry out the provisions of this subtitle. Such information shall be reported and such records shall be kept in such manner as the Secretary shall prescribe. For the purpose of ascertaining the correctness of any report made or record kept, or of obtaining information required to be furnished in any report, but not so furnished, the Secretary is hereby authorized to examine such books, papers, records, accounts, correspondence, contracts, documents and memorandums as he has reason to believe are relevant and are within the control of such person

"REGULATIONS

"Sec. 380h. The Secretary shall prescribe such regulations as may be necessary to carry out the provisions of this subtitle, including but not limited to regulations governing the acquisition, disposition, or handling of marketing certificates."

Sec. 2. Section 379i of the Agricultural Adjustment Act of 1938, as amended, is amended—

(1) by inserting in subsection (a) after the words "subsection (b) of section 379(d)" the words "or subsection (b) of section 380d";

(2) by changing in subsections (b) and (c) the words "this subtitle" to read "this subtitle or subtitle E"; by changing the words "by section 379h" to read "by section 379h or section 380g"; and by changing the words "of marketing certificates" to read "of wheat or peanut marketing certificates"; and

(3) by changing in subsection (d) the words "any marketing certificate" to read "any wheat or peanut marketing certificate".

Sec. 3. Subsection (a) of section 359 of the Agricultural Adjustment Act of 1938, as amended, is amended effective beginning with the 1969 crop of peanuts by deleting "(August 1-July 31)" from the first sentence and inserting in lieu thereof "(July 1-June 30)".

Sec. 4. The Agricultural Act of 1949, as amended, is further amended by inserting after section 107 the following new section:

"Sec. 108. Notwithstanding the provisions of section 101 of this Act, if marketing quotas and a peanut marketing certificate program are in effect for the crop, price support (excluding the value of peanut marketing certificates) shall be made available to cooperators through loans and purchases as follows: (1) for the 1968 crop at the level of 80 per centum of the parity price for peanuts, and (2) for the 1969 and subsequent crops of peanuts at the level of 75 per centum of the parity price for peanuts. Notwithstanding the provisions of sections 401 (d) and 406 of this Act, the level of price support for the 1969 and subsequent crops of peanuts shall be determined and announced not later than February 15 of the calendar year in which the marketing year begins for the crop for which the support level is being determined."

The analysis, presented by Mr. Talmadge, is as follows:

Section 1 of the proposed legislation deletes an inactive Subtitle E pertaining to rice marketing certificates and substitutes the following sections pertaining to peanut marketing certificates. The rice marketing certificate program was enacted in 1956, but was never approved by farmers in referendum.

Section 380a provides legislative findings that such a program is justifiable and is needed to assist peanut producers in obtaining fair prices for their product.

Section 380b provides for the following:

(1) The marketing certificate program will be in effect for any year in which marketing quotas have been approved by producers.

(2) Eligible producers will receive, in addition to proceeds from the sale of peanuts, certificates on the actual production of farmers stock peanuts harvested on the farm.

(3) In case of crop disaster, certificates will be issued on the quantity by which actual production is less than 40% of the quantity obtained by multiplying the farm acreage allotment by the farm normal yield.

(4) Producers on a farm will receive marketing certificates on the basis their respective shares of the crop produced.

(5) Certificates will not be issued for peanuts retained for use on the farm where grown.

(6) Proof of production may be required prior to issuance of certificates.

(7) Certificates will not be issued for peanuts produced on farms for which a peanut marketing penalty is assessed or on farms for which no peanut acreage allotment is established.

(8) For cases in which a producer fails to fully comply with conditions of the program, the Secretary may issue certificate payments in relation to the seriousness of the default.

(9) Any reduction in planting by producers up to 20 percent of the allotment in excess of the recommended reduction will automatically be considered, for history purposes, as planted acreage.

Section 380c provides as follows:

(1) The Secretary will proclaim the face value per ton of marketing certificates when he announces the level of price support.

(2) At the same time, he will proclaim the "recommended percentage" or the percentage of the national acreage allotment which, when harvested, can be expected to produce a quantity of peanuts needed to provide an adequate supply of peanuts for domestic edible use and for commercial seed plus a reasonable reserve.

(3) This recommended percentage may not be less than 85% in 1969 and for any following year may not be reduced below the recommended percentage for the preceding year by more than 5%.

(4) The face value of certificates issued to producers on farms on which the harvested acreage is equal to or less than the recommended percentage, may not be less than 1% of parity for each 2% reduction in harvested acreage down to the recommended percentage. For producers on farms with harvested acreage exceeding the recommended percentage, the face value of certificates will be less on such scale as the Secretary determines to be appropriate.

(5) Value of certificates to shellers or other persons selling peanuts for use or consump-

tion as seed or otherwise will be 5% of parity in 1969 and, in 1970 and subsequent years may be increased by the Secretary, by not more than 1% in any year, to a level not exceeding 15 percent of parity.

(6) Cost of any certificates issued in excess of certificates sold will be borne by CCC.

(7) If the Secretary determines that the program will result in a short supply of any type of peanuts in any year, additional certificates will be issued to assure adequate supplies of that type.

Section 380d provides for the handling of peanut marketing certificates including purchase by shellers, conditions for refunds, issuance of certificates for peanuts received prior to the beginning of a marketing year, and posting of bond for receiving peanuts without having first acquired marketing certificates.

Section 380e authorizes CCC to buy and sell certificates and to charge interest on certificates not acquired in the time required by the law and regulations.

Section 380f contains authority for the Secretary to take action needed to facilitate a smooth transition from the current program to the certificate program.

Section 380g provides for reports and record keeping by shellers, exporters, and warehousemen.

Section 380h provides authority for the Secretary to prescribe regulations for operation of the program.

Section 2 penalties provide for violation of the peanut marketing certificate program by adding peanuts to the pertinent provisions of the wheat certificate program.

Section 3 changes the peanut marketing year from August 1 through July 31 to July 1 through June 30.

Section 4 adds Section 108 to the Agricultural Act of 1949 to provide a loan level for the 1968 crop at 80% of parity and for 1969 and subsequent crops at 75% of parity. This section also requires the level of price support be announced not later than February 15 of the calendar year in which the marketing year begins.

S. 3713—INTRODUCTION OF BILL TO AMEND THE TRADEMARK ACT OF 1946

Mr. McCLELLAN. Mr. President, I introduce, by request, for appropriate reference a bill "To amend the Trademark Act of 1946 to provide an exemption from the restrictions of the trademark laws, and for other purposes."

The legislation, which I am introducing at the request of the Secretary of the Treasury, is designed to consolidate and clarify the provisions of law restricting the importation of trademarked merchandise, and to exempt from such provisions the importation of articles accompanying persons arriving in the United States and intended for their personal use.

Existing law requires the Bureau of Customs to interfere with the personal purchases of returning American tourists in thousands of cases each year. I am advised by the Secretary of the Treasury that this procedure is a constant cause of irritation for traveling Americans. The Treasury believes that the current requirement confers no real benefit on the trademak owners, while presenting a considerable burden and expense to administer.

The proposed legislation would remove the importation restrictions in the case of persons entering the United States with goods which they purchased abroad in limited quantities. The trademark owners would continue to have the procedural remedies presently found in existing law, however, they would no longer have the substantive benefit of an absolute right to have imported articles bearing a genuine trademark excluded merely by recording their trademarks with the Treasury. Instead, trademark owners would have to seek injunctive relief in the courts.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3713) to amend the Trademark Act of 1946 to provide an exemption from the restrictions of the trademark laws, and for other purposes, introduced by Mr. McClellan, by request, was received, read twice by its title, and referred to the Committee on the Judiciary.

S. 3721—INTRODUCTION OF BILL RELATING TO SMALL RECLAMATION PROJECT AUTHORIZATION

Mr. MOSS. Mr. President, I introduce a bill and ask that it be printed and appropriately referred.

Mr. President, it is now some 18 months since the Bureau of Reclamation has been able to make a small reclamation project loan. The Bureau's hands have been tied because the Congress has not acted on an administration request for amendments to the Small Reclamation Projects Act.

The delay is working an unconscionable hardship on water users in five States, including my State of Utah. I am therefore today introducing a bill to provide for direct authorization by the Congress of the projects which are being held up. The projects have been proposed by the following organizations:

Buttonwillow Improvement District, Bakersfield, Calif.

Hidalgo and Willacy Counties Water Control and Improvement District No. 1, Edcouch, Tex.

King Hill Irrigation District, King Hill, Idaho—supplemental loan.

Mitchell Irrigation District, Mitchell, Nebr.

Roy Water Conservation Subdistrict, Roy, Utah.

Salmon River Canal Co., Ltd., Hollister, Idaho.

On January 20, 1967, the Secretary of the Interior transmitted to the Congress legislation providing changes in section 4(d) of the Small Reclamation Projects Act, and advised that no further small reclamation projects would be transmitted to the Congress until the change had been adopted. The change related to what is termed a "separation of powers" doctrine. The executive branch holds that certain congressional actions encroach on executive responsibility.

The Senate Interior and Insular Affairs Committee did not necessarily agree with the conclusions of the executive agencies in this respect, but rather than make an issue of a power which is seldom used, and because it is most important that the small reclamation project program not be held up, the committee recommended that the Congress approve the change.

A bill was reported—S. 862—which contained the change the Administration wanted, and which was amended to contain also language of a bill I had introduced redefining and clarifying certain provisions on qualifications for loans.

S. 862 was passed by the Senate on August 2, 1967, and referred to the House Interior Committee, where it was reported August 31. It was objected to and stricken from the Consent Calendar in October, and since that time, because of the continuing objections in the House, has not been brought to a vote. There seems to be little reason to believe it can be dislodged—it looks as though it will die with the session.

Mr. President, it is not fair to keep some of our communities from developing their water resources because Congress cannot settle its internal difficulties. The organizations which have applied for loans will pay the money back to the United States with interest—all they are asking is that we let them go ahead with their plans. Since the law under which they are applying for the loan has been approved by Congress and signed by the President, surely, it is not right to keep them from developing sources of water supply because Congress cannot, or will not, act.

In every case the projects included in this bill have been studied by the Bureau of Reclamation and found to be financially feasible. They are all good, sound projects. I ask unanimous consent that full information on them be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

BUTTONWILLOW IMPROVEMENT DISTRICT, CALIFORNIA

On behalf of the Buttonwillow Improvement District, the Semitropic Water Storage District of Bakersfield, California, has applied for a Small Reclamation Projects Act loan of $6,000,000 to assist in financing the construction of an irrigation distribution system at a total estimated cost of $9,800,000. The remaining $3,800,000 will be contributed by the Improvement District.

The project is solely for irrigation and would serve 80,200 acres of agricultural land, of which 56,300 acres are irrigable and 36,670 acres are now irrigated by pumping from underground. The additional water supply would be obtained from facilities of the California Aqueduct now under construction by the State of California. It is estimated that about 50 percent of the area which would receive project benefits is held in ownerships in excess of that allowed under Reclamation law.

The loan would be repaid with appropriate interest within 43 years.

The project is needed to provide a supplemental water supply to its existing irrigated area, which is experiencing a severe groundwater overdraft. The proposed project works will enable the District to sustain the present economy and reach its full potential through providing irrigation benefits to its remaining irrigable area.

HIDALGO AND WILLACY COUNTIES WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1, TEXAS

The Hidalgo and Willacy Counties Water Control and Improvement District No. 1 of Edcouch, Texas, has applied for a Small Reclamation Projects Act loan of $5,177,900 to assist in financing the rehabilitation of its existing irrigation water distribution and drainage system at a total estimated cost of $5,411,000. The remaining $293,100 will be contributed by the District.

The project would serve 69,405 presently irrigated acres within the District and 11,742 acres of land lying outside the District boundary for which the District conveys irrigation water. At present there are 21,293 acres within the District and 10,992 acres outside the District held in ownership in excess of that allowed under Reclamation law. The District also provides about 1.3 percent of its annual water supply to several small communities, and it is not anticipated that municipal and industrial water deliveries will be significantly increased during the payout period.

The loan would be repaid with appropriate interest within 43 years.

The project is needed to enable the District to reduce its irrigation distribution system water losses and to enlarge and improve its drainage system to expedite removal of irrigation return flows and floodflows thus lowering water tables and improving crop efficiency.

King Hill Irrigation District, Idaho

The King Hill Irrigation District of King Hill, Idaho, has applied for a Small Reclamation Projects Act loan of $121,600 to supplement its existing loan of $696,700 to assist in financing the rehabilitation of its existing irrigation water distribution system at a total estimated cost of $918,500. The remaining $100,200 would be contributed by the District. The total cost of the project works to be constructed with the supplemental loan would be $149,800, of which the District would contribute $28,200.

The project would serve about 9,300 acres of irrigated land within the District and also provide a municipal and industrial water supply to about 300 urban acres. At present there are 158 acres held in ownerships in excess of that allowed under Reclamation law.

The supplemental loan would be repaid with appropriate interest within 50 years concurrently with the original loan.

The project is needed to enable the District to complete the original rehabilitation project, including a major siphon and a pipe lateral which could not be accomplished under the original loan because of an overrun in construction costs. The overrun was brought about primarily through an increase in prices since the original report was prepared in 1962 and is not occasioned by a change in project plan.

Mitchell Irrigation District, Nebraska

The Mitchell Irrigation District of Mitchell, Nebraska, has applied for a Small Reclamation Projects Act loan of $1,627,000 to assist in financing the rehabilitation of its existing irrigation water distribution system estimated to cost $1,654,000. The remaining $27,000 would be contributed by the District.

The project is solely for irrigation and would serve 10,993 irrigable acres in the Mitchell Irrigation District and, by contractual agreement, 13,481 irrigable acres within the Gering Irrigation District which has agreed to assist in repayment of the loan. There are, at present, 1,350 acres in the two districts held in ownerships in excess of the acreage allowed under Reclamation law.

The loan would be repaid with appropriate interest within 50 years.

The project is needed to enable the District to reduce its present irrigation water distribution system losses and thereby reduce the annual shortages of water delivered to the farm. Water and dollar savings will be realized annually through rehabilitation of the main canal and installation of underground pipelines to replace the existing open laterals.

Roy Water Conservancy Subdistrict, Utah

The Roy Water Conservancy Subdistrict of Roy, Utah, has applied for a Small Reclamation Projects Act loan of $3,800,000 to be used to convert an old open ditch water distribution system to a pressure pipe system estimated to cost $4,310,500. The remaining $510,500 would be provided by the Subdistrict. The project will serve water to an area of 3,475 acres in and adjacent to Roy city, of which 2,605 acres are used at present for agricultural purposes and 870 acres used for residential and community purposes. No purposes would be served except irrigation and municipal water. There are no irrigated lands in single ownerships in excess of 160 acres. It is anticipated that the agricultural lands would gradually be converted to residential uses, and it is estimated that by the end of the 50-year repayment period practically the entire project area will be converted to residential uses.

This project is needed to reduce the water losses in the present open ditch system, to reduce operation and maintenance costs, to alleviate the dangers inherent in open ditches in a suburban community, and to stabilize the water supply.

Salmon River Canal Co., Ltd., Idaho

The Salmon River Canal Company of Hollister, Idaho, has applied for a Small Reclamation Projects Act loan of $986,000 to assist in financing the rehabilitation of its existing irrigation distribution system estimated to cost $1,032,200. The remaining $46,200 will be contributed by the District.

The project is solely for irrigation and would serve 31,060 irrigable acres in the vicinity of Hollister, Idaho. Because of the highly variable annual water supply, only portions of the total acreage can be served in any single year. Although about 1,340 acres of land are held in ownerships in excess of that allowed under Reclamation law, only a portion of these lands would receive service in any year, and interest will be paid on those particular excess acres served in each year.

The loan would be repaid with appropriate interest within 50 years.

The project is needed to enable the District to conserve its highly limited water supply by lining its main water supply canal with concrete and installing more efficient water-measuring devices.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3721) to authorize the Secretary of the Interior to proceed with loans to certain organizations, introduced by Mr. Moss, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3723—INTRODUCTION OF BILL TO ESTABLISH A NATIONAL CEMETERY IN THE STATE OF PENNSYLVANIA TO BE KNOWN AS THE ROBERT F. KENNEDY NATIONAL CEMETERY

Mr. CLARK. Mr. President, I introduce for appropriate reference, a bill to create a new national cemetery in Chester County, Pa., in honor of the late Senator Robert F. Kennedy.

The site I propose is a 531-acre tract located in East Nantmeal Township and West Nantmeal Township in Chester County, in the midst of one of the most densely populated areas on the east coast. The site is now owned by the General State Authority of Pennsylvania and is available for purchase at the present time.

In his message to Congress on January 30, 1968, the President recommended that every veteran who wants it should have the right to burial in a national cemetery situated reasonably close to his home and family. The Chester County site is admirably suited and is publicly owned, making acquisition a relatively uncomplicated matter.

It should be noted, Mr. President, that there is only space for 4,000 more of our soldiers at the Arlington National Cemetery. Something should be done, and promptly, to provide additional space for our boys who are killed in war or who for other reasons are entitled to burial in a national cemetery. Such a cemetery would be a fitting memorial to Robert F. Kennedy, himself a veteran, who gave his life in the service of his country.

I hope the Senate will give prompt and favorable consideration to this proposal.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3723) to provide for the establishment of a national cemetery, to be known as the Robert F. Kennedy National Cemetery, on certain designated lands in the State of Pennsylvania, introduced by Mr. Clark, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

S. 3725—INTRODUCTION OF BILL TO CLARIFY CERTAIN INVESTIGATE AND ARREST AUTHORITY FOR POSTAL INSPECTORS

Mr. MONRONEY. Mr. President, I introduce for appropriate reference a bill to clarify certain investigative and arrest authority for postal inspectors of the United States.

Under the provisions of section 3523 (a)(2)(K) of title 39, United States Code, postal inspectors have the authority in criminal investigations to apprehend and effect arrests of postal offenders. Although this authority has in some cases been construed to include the power to arrest offenders in misdeameanor and felony cases without a warrant when the offense is committed in the presence of the inspector, or the inspector has reasonable grounds to believe that a felony against the United States has been committed, recent lower Federal cases have cast doubt on the authority.

The legislation I introduce today will clarify the statute and clearly authorize postal inspectors to make such arrests.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3725) to clarify the authority of United States postal inspectors to serve warrants, issue subpenas, and make arrests without warrant for certain offenses against the United States, introduced by Mr. Monroney, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

S. 3726—INTRODUCTION OF BILL TO IMPROVE POSTAL MODERNIZATION

Mr. MONRONEY. Mr. President, I send to the desk, for appropriate reference, a bill to amend title 39 of the United States Code, relating to the U.S. postal service, to improve postal modernization.

Our postal service suffers badly from a lack of modern facilities. The Post Office now occupies about 300 million square feet of space in postal buildings. The experts estimate that within 5 years, at least that much more space will need to be constructed to cope with the avalanche of mail—now more than 80 billion pieces a year—or nearly 3,000 letters, papers, and parcels every second of every day, to make it a little more meaningful and comprehensive to all of us.

The legislation I introduce today is an effort to provide effective financial planning to serve the American people in the postal service. Last year, Congress enacted a bill raising $1 billion in new postal revenue, about half of which resulted from a 1-cent increase in first-class mail rates. I pledged then that higher rates must be accompanied by improved service.

Some advance has been made. Overnight mail delivery by air taxi service is a reality in some parts of the country. The logjam that threatened Chicago and a few other very large offices just 2 years ago has been brought under control. But much remains to be done, and the improvement and modernization of facilities is the key to this progress.

I have firsthand knowledge of the financial difficulties the Department faces because I am chairman of the Treasury-Post Office Appropriations Subcommittee. Every year the squeeze is on, not only here in Congress but in the executive branch as well. And when all the chips are down, it is new facilities, modernization, and capital investment that are cut back to meet budget demands.

This legislation will provide the machinery for resolving that problem. By establishing a Postal Modernization Authority, with the power to issue bonds to obtain funds, the Department can begin a genuine modernization program necessary to meet the challenges of modern postal service. General Motors does it; American Telephone & Telegraph does it, and the postal service of the United States stands with those two industrial giants in its size, its relationship to the people, its widespread facilities, and its requirement for modern equipment.

The bill would also shift responsibility for the actual construction of postal facilities and procurement of equipment to the Postal Modernization Authority. The Department itself would have more time and ability to concentrate on its primary mission to provide the highest level of postal service possible to the American people.

I hope the Congress will give early attention to the changes proposed in my bill.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3726) to amend title 39, United States Code, to provide for postal modernization, introduced by Mr. Monroney, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

ADDITIONAL COSPONSORS OF BILLS

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Connecticut [Mr. Dodd] I ask unanimous consent that, at its next printing, the names of the Senator from Oklahoma [Mr. Harris] and the Senator from New Jersey [Mr. Williams] be added as cosponsors of the bill (S. 3633) to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, also on behalf of the Senator from Connecticut [Mr. Dodd] I ask unanimous consent that, at its next printing, the names of the Senators from New Jersey [Mr. Case and Mr. Williams] be added as cosponsors of the bill (S. 3691) to amend title 18, United States Code, to protect the people of the United States against the lawless and irresponsible use of firearms, and to assist in the prevention and solution of crime by requiring a national registration of firearms, establishing minimum licensing standards for the possession of firearms, and encouraging the enactment of effective State and local firearms laws, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from North Dakota [Mr. Burdick], the Senator from Wyoming [Mr. McGee], and the Senator from Texas [Mr. Yarborough] be added as cosponsors of the bill (S. 2743) to provide for the establishment and maintenance of reserve stocks of agricultural commodities by producers and the Commodity Credit Corporation for national security, public protection, meeting international commitments, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE OF HEARING ON NOMINATION OF HOMER THORNBERRY, OF TEXAS, TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

Mr. SMATHERS. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Friday, July 12, 1968, at 10:30 a.m., in room 2228, New Senate Office Building, before the Committee on the Judiciary, on the nomination of Homer Thornberry, of Texas, to be an Associate Justice of the Supreme Court of the United States, vice Abe Fortas.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

NOTICE OF HEARING ON NOMINATION OF ABE FORTAS, OF TENNESSEE, TO BE CHIEF JUSTICE OF THE UNITED STATES

Mr. SMATHERS. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, July 11, 1968, at 10:30 a.m., in room 2228, New Senate Office Building, before the Committee on the Judiciary, on the nomination of Abe Fortas, of Tennessee, to be Chief Justice of the United States, vice Earl Warren.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

NOTICE OF HEARINGS ON PLANNING, REGULATION, AND COMPETITION

Mr. NELSON. Mr. President, I announce a public hearing on July 10, 1968, on the question, "Are Planning and Regulation Replacing Competition in the American Economy?" The hearing will be before a joint session of the Subcommittee on Monopoly, which I chair, and the Subcommittee on Retailing, Distribution, and Marketing Practices, chaired by the Senator from Oregon [Mr. Morse]. Both are subcommittees of the Select Committee on Small Business. The hearing will begin at 10 a.m. in the auditorium of the New Senate Office Building, room G–308.

Our two subcommittees first opened this question in the Senate at a joint public hearing on June 29, 1967. At that time we heard testimony from a distinguished panel of witnesses which included Prof. John Kenneth Galbraith of Harvard University; Prof. Walter Adams of Michigan State University; Dr. Willard F. Mueller, then chief economist of the Federal Trade Commission; and Dr. Donald F. Turner, then the Assistant Attorney General in charge of the Antitrust Division. The record of that hearing, only 45 pages long, is one of the most fascinating and concise expositions of some immensely important questions that has ever been made before our Senate Small Business Committee.

The hearing next week will explore in the context of one industry the same kinds of crossroads questions that last year's hearing opened up in the context of the whole economy. The obvious industry for initial examination is the Nation's largest: automobile manufacturing. Because of his well-earned eminence as an expert and earnest critic of that industry, we invited Mr. Ralph Nader to be a witness. In a desire to hear both sides of what is surely going to be a controversy, we invited industry representation as well. To date, General Motors Corp., Ford Motor Co., and the Automobile Manufacturers Association have declined our invitations to supply members of our witness panel. Chrysler Corp., American Motors Corp. and Checker Motors Corp. have not as yet responded. We still hope that the industry will be represented on our panel; but, in any event, we shall take Mr. Nader's testimony. Copies of our correspondence with the industry are available in the committee's offices.

Senator Morse and I have prepared a joint statement that sets forth our objectives and approach in this inquiry in somewhat greater detail. This statement was given to the press Friday for release today. Since Friday, we have found it necessary to change the date of hearing from July 9 to July 10. The hour and place remain the same: 10 a.m. in the New Senate Office Building auditorium, room G-308. The change was necessitated by a conflict with the schedule of another committee on which both Senator Morse and I also serve.

Mr. President, I ask unanimous consent that the text of Senator Morse's and my joint statement be inserted in the Record at this point.

There being no objection the statement was ordered to be printed in the Record, as follows:

Planning, Regulation, and Competition

(A joint statement by Wayne Morse, chairman, Subcommittee on Retailing, Distribution, and Marketing Practices, and Gaylord Nelson, chairman, Subcommittee on Monopoly, Select Committee on Small Business, U.S. Senate)

SMALL BUSINESS' SHRINKING SHARE OF THE ECONOMY

One of the things we have to think about in our jobs as chairmen of two small business subcommittees is the definition of small business. There are, of course, many definitions for many purposes.

Insofar as manufacturing is concerned—and that is the most important sector of the modern economy—small business could rather realistically be thought of today as consisting of all firms *other than* the 200 largest.

Underlying this definition is the belief that the very largest corporations are something of a race apart. They are unusual not only for their size but for their diversification. Operating in a number of different and often unrelated industries, the giant, conglomerate corporation is able to make up losses in one industry through excessive profits in another, in which it may possess substantial monopoly power. This gives the huge conglomerate the capacity ultimately to destroy any single-industry firm regardless of its efficiency. Another characteristic is that once a firm has broken into the charmed circle, it generally stays there. Studies of turnover show that there is a very low rate of exit from and entry into the ranks of the 200 largest.

Committees of the Congress that have jurisdiction over the antitrust laws have long been concerned with the increasing concentration of business receipts, assets, profits, value added—in short, economic power—in the hands of the 200 largest corporations. But the other side of the coin is the diminishing share of the remainder. The very fact that this is self-evident may cause us to overlook it. Nonetheless, it is deeply disturbing to us, with our particular committee assignments and responsibilities, to realize that the share of the industrial economy held by companies other than the 200 largest has been steadily declining. In 1947, companies other than the 200 largest accounted for 70 percent of total manufacturing output; by 1963 their proportion had fallen to 59 percent.

The share held by all companies other than the giants is even smaller when measured in terms of assets. In addition to a given year's output, assets reflect the ownership of resources to be used in future production, such as oil and mineral reserves. In 1947, manufacturing companies other than the *100* largest accounted for 61 percent of total manufacturing assets. By 1962 the proportion had fallen to 52 percent.

Dr. Willard F. Mueller, the former chief economist of the Federal Trade Commission (now executive director of the Cabinet Committee on Price Stability), has estimated that if the present trends continue, ". . . by 1975 the 200 largest corporations will control two-thirds of the total assets of American manufacturing corporations." That, of course, means that the share held by all other companies would have diminished to only one-third of the total.

There is obviously no small business problem that is more serious than this downward trend in its relative importance. Some spokesmen for small business seem to ignore the inescapable fact that as the slice of the pie going to the large increases, the amount left for everyone else grows proportionally smaller.

This is the central issue to which our hearings on planning, regulation, and competition, begun last year and now about to resume, are addressed. We believe the public at large should be talking about this problem and thinking about it at the same level of concern as is given to war and the arms race, the war on poverty, civil rights and civil liberties, the balance of power and responsibility between Federal and State governments, gun control, and air and water pollution. Indeed, corporate giantism is not unconnected with any of those topics and is intimately involved in some of them. But it is perhaps most involved of all in the status and future of small business, which is the constant concern and jurisdiction of the Senate Small Business Committee and of our two subcommittees.

THE FIRST SESSION OF THE HEARINGS, JUNE 1967

Does the free, competitive market still exist and still function as a curb on excessive prices and as a stimulator of business and technical progress? Or is "the market," in many of the Nation's largest industries, now only a myth carefully perpetuated by giant corporations to conceal the fact that they control the output of their industries, planning and regulating both prices and production in the privacy of their board rooms to serve their own ends?

John Kenneth Galbraith, the Harvard economist, has answered the first question "No" and the second "Yes." His analysis is contained in his much discussed book, *The New Industrial State*, and, in greatly abbreviated form, in his testimony on June 29, 1967, before our two subcommittees at the first session of our hearings on planning, regulation, and competition. He argued, in the book and at our hearing, that the giant corporations ". . . impose their values and their needs on the society they are assumed to serve."

Galbraith also contended that the giant corporations have become, in practice, "substantially immune" from any attack on their achieved market power under the Federal antitrust laws. No fragmentation of the power of the giant corporations is likely or even desirable, in his view. To accomplish any meaningful restoration of the competitive market, he testified before our subcommittees, would require ". . . action, including enabling legislation leading to all-out dissolution proceedings against General Motors, Ford, the oil majors, United States Steel, General Electric, IBM, Western Electric, Du Pont, Swift, Bethlehem, International Harvester, North American Aviation, Goodyear, Boeing, National Dairy Products, Procter & Gamble, Eastman Kodak, and all of comparable size and scope. For there can be no doubt: All are giants. All have market power. All enjoy an immunity [to antitrust prosecution aimed at their achieved power] not accorded to those who merely aspire to their power."

An attack on the power of the firms named, and their like, Galbraith said, would be ". . . tantamount . . . to declaring the heartland of the modern economy illegal. . . . I will be a trifle surprised if my distinguished colleagues from the Government are willing to proclaim such a crusade. I am frank to say I would not favor it myself."

Galbraith's formula (which he admitted himself was far from complete) was to let the antitrust laws "quietly atrophy" and substitute public regulation of the corporate giants' private planning.

Galbraith's views are by no means universally accepted. Big business maintains that he is wrong in his analysis of the facts. Many antitrust lawyers and economists agree with his belief that the market has succumbed to oligopoly in much of basic industry, but disagree vigorously with his prescription on what to do about it. Let us consider each of these dissenting points of view.

The giant corporations (to a man of their several boards of directors, we surmise) maintain that Galbraith has vastly overstated their economic power. It is not all that great, they insist. General Motors, General Electric and U.S. Steel have to operate in tough, competitive markets and fight for position, just as anybody else does. And, big business executives say, it is not true that their companies are never sued under the antitrust laws, or that their behavior is not greatly influenced by those laws. *Fortune*, a magazine that reflects a big business viewpoint most of the time, has strongly urged the repeal of the antimerger law (section 7 of the Clayton Act), maintaining that the competition in the markets in which big business lives is, by nature, so real and so rigorous that no restraints on mergers are necessary; in fact, they are harmful. In this view, the market is no "myth"—but oligopoly is.

The other school of thought we mentioned is the one that was reflected in the testimony, at our 1967 hearing on this subject, of Professor Walter Adams of Michigan State University. Generally, he accepted Galbraith's analysis that the competitive market was in decline in concentrated industries; but, he said, the Government could and should restore the market by forceful, courageous antitrust policy and action, and by other policies—in procurement, taxation, and the like—intended expressly to promote competition. Most members of the school to which Adams belongs believe that the giants could and should be fragmented by more daring use by the Government of section 2 of the Sherman Act; however, there is also support in this school for strengthening the existing statutory law against economic concentration.

THE NEXT PHASE OF THE HEARINGS

Our hearing on June 29, 1967, served very well its intended purpose of exposing in broad terms the crossroads questions that our modern, industrial economy needs to face, and some—not all—of the major contending approaches to the answers. It will now be our purpose to start examining some of the specifics.

If there is any industry in which private corporate planning and regulation have supplanted competition, according to Galbraith, it is the automobile manufacturing industry. He persistently hammered away at that industry's structure and characteristics as the prime example illustrating two of his major points: market power is an accomplished fact, and giant corporations are "immune" from antitrust assault of any structural consequence.

We believe it quite logical, therefore, to begin our efforts to narrow the issues by taking a look at our largest industry. Because of his achieved eminence as an expert and earnest critic of that industry, we invited Ralph Nader to testify. To give balance to the panel, we invited, first, General Motors, next Ford, next the Automobile Manufacturers Association, and finally Chrysler, American Motors, and Checker Motors to send witnesses. The first three have declined our invitation. The last three have not yet responded. We still hope one or all of them will decide that the industry needs representation and will agree to supply it. In any event, we shall hear Mr. Nader. If he testifies alone, we shall place an empty chair at his side to symbolize the other invited witness—the automobile industry, which declined to produce a spokesman to answer the criticism that will be offered.

This is a large subject upon which we have embarked, and we anticipate that our consideration of it will extend over some time. In future sessions, still to be scheduled, we expect to consider other individual industries. We may also return from time to time to the total economy, as in our first session, and to the interesting and disquieting new relationships that are developing in it. For example, ever since 1960, when President Eisenhower coined the term, there has been much discussion of the military-industrial complex. Now there is considerable discussion and writing going on about an impending socio-industrial complex: a developing trend toward Government's "farming out" to giant private corporations some of the major public tasks in the civilian sector, following the pattern long established in the military sector. Both the military-industrial complex and the socio-industrial complex need to be better understood by small business and its friends in the Congress. We hope to make some contribution to that understanding.

Finally, a few words about our own attitudes in approaching this task. We did not—and we emphasize this—begin this inquiry last year, and we do not now resume it, with an assumption that giant size in business is always and necessarily bad or dangerous. But we also do not assume that it is instrinsically good and inevitable. Giant business is one of the major established institutions of our civilization. Indeed, no other institution of comparable importance is so much taken for granted.

Planning, regulation, and competition are also established institutions—each of them—in our society. As the Senate Small Business Committee pointed out in its 18th annual report, all of them are here to stay. They can and do and will continue to coexist. But if planning and regulation are becoming more important, and competition less important, we need to estimate the possible social costs of that change.

Planning and regulation are aspects of cooperation, a human value that we all cherish and wish to enhance. Competition is an aspect and a requisite of human freedom, another and not lesser value that we also cherish. Unfortunately, the two values do not exist independently of each other. Rather, they tend to conflict, and the task of society is to balance them. Our country has long been engaged in striking a balance between the independently desirable but often conflicting values of liberty and security. The majority-accepted balance changes from time to time. Similarly, we must constantly weigh and rebalance, in pragmatic scales, the conflicting values of cooperation (or planning and regulation) and competition.

We approach each of these institutions—big business, planning, regulation, and competition—as both friends and critics. We are indebted to John W. Gardner, the former Secretary of Health, Education, and Welfare, for pointing out a danger in any such approach, which we personally shall try to avoid, and shall counsel our witnesses to avoid as well.

In a commencement address at Cornell University this spring, ominously entitled "How 20th Century Civilization Collapsed," Mr. Gardner took a fanciful journey into the future and speculated on what 23rd century scholars would conclude from a study of the ruins of 20th century institutions. Here is a highlight from his remarks:

"The 23rd century scholars made another exceptionally interesting observation. They pointed out that 20th century institutions were caught in a savage crossfire between uncritical lovers and unloving critics. On the one side, those who loved their institutions tended to smother them in an embrace of death, loving their rigidities more than their promise, shielding them .from life-giving criticism. On the other side, there arose a breed of critics without love, skilled in demolition but untutored in the arts by which human institutions are nurtured and strengthened and made to flourish.

"Between the two, the institutions perished."

At our hearings examining the institution of giant business, we want equally to hear from the lovers and the critics of that institution. We want them to confront one another on the same panels of witnesses. In this way, we hope, the critics can become more loving, the lovers more critical, and the institution may thereby be encouraged and helped to change in ways that will enhance both the survival prospects of 20th century civilization and the rise of a 21st century civilization in which neither small business nor individualism will have become obsolete.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Special Subcommittee on Aging of the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONWIDE SYSTEM OF TRAILS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1211, Senate bill 827.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. S. 827 to establish a nationwide system of trails, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 3, after line 1, strike out:

> SEC. 2. (a) A national scenic trail eligible to be included in the system is an extended trail which has natural, scenic, or historic qualities that give the trail recreation use potential of national significance.

And, in lieu thereof, insert:

> SEC. 2. (a) A national scenic trail eligible to be included in the system is an extended trail which has natural historic and scenic qualities that give the trail recreation use potential of national significance. Such trails could be several hundred miles long, have overnight shelters at appropriate intervals, and be interconnected with other major trails to permit the enjoyment of extended hiking or riding experiences. A standard of excellence in the routing, construction, maintenance and marking consistent with each trail's character and purpose should distinguish all national scenic trails. Each should stand out in its own right as a recreation resource of superlative quality and physical challenge, and might extend through or into several States.

In line 22, after the word "extending" strike out "generally"; in line 23, after the word "Mountain," strike out "Georgia." and insert "Georgia, following the route as generally depicted on the map numbered NST–AT–101 which shall be on file and available for public inspection in the office of the Director, National Park Service."; on page 4, in line 4, after "(2)" strike out "Continental Divide Trail, a three thousand one hundred mile trail extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the Canadian border in Glacier National park."; and, in lieu thereof, insert "Continental Divide Trail, northern sector, an approximately one thousand two hundred mile segment of the Continental Divide Trail, extending from the Canadian border in Glacier National Park southward generally along the Continental Divide to the intersection of the divide with the southern boundary of the Bridger National Forest, following the route as generally depicted on the map numbered NST–CDT–101 which shall be on file and available for public inspection in the Office of the Chief, Forest Service."; in line 21, after the word "Lake" strike out "Ross." and insert "Ross, following the route as generally depicted on the map numbered NST–PC–103, which shall be on file and available for public inspection in the office of the Chief, Forest Service."

On page 5, line 4, after the word "Canal" strike out the word "towpath." and insert "towpath, following the route as generally depicted on the map numbered NST–PH–102, which shall be on file and available for public inspection in the office of the Director, National Park Service."; in line 23, after the word "studies" strike out "may" and insert "shall"; after line 24, insert:

> (1) Continental Divide Trail, southern sector, an approximately one thousand nine hundred mile segment of the Continental Divide Trail, extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the intersection of the divide with the southern boundary of the Bridger National Forest.

On page 6, at the beginning of line 7, strike out "(1)" and insert "(2)"; at the beginning of line 10, strike out "(2)" and insert "(3)"; at the beginning of line 15, strike out "(3)" and insert "(4)"; at the beginning of line 17, strike out "(4)" and insert "(5)"; at the beginning of line 22, strike out "(5)" and insert "(6)"; at the beginning of line 25, strike out

"(6)" and insert "(7)" on page 7, at the beginning of line 3, strike out "(7)" and insert "(8)"; at the beginning of line 6, strike out "(8)" and insert "(9)"; after line 8, insert:

(10) Gold Rush Trails in Alaska.

(11) Mormon Battalion Trail, extending two thousand miles from Mt. Pisgah, Iowa, through Kansas, Colorado, New Mexico and Arizona to Los Angeles, California.

In line 21, after the word "to" strike out "provide the maximum retention of" and insert "protect"; in line 24, after the word "public" strike out "access;" and insert "access: *Provided, however*, That acquisitions in fee or lesser interests (including scenic easements) which are acquired other than by agreement with the landowner shall not exceed a total of fifty acres per mile but acquisition in fee shall not exceed twenty-five acres per mile;"; on page 10, line 3, after the word "trail" strike out "may" and insert "shall"; at the beginning of line 22 insert "landowners and"; in line 25, after the word "of" insert "landowners and"; on page 11, at the beginning of line 23, insert "subject to limitations set forth in subsection (d) hereof"; on page 13, line 17, after the word "not" strike out "adequate" and insert "adequate, but such acquisitions may be made only to the extent authorized in subsection (d) of this section: And *provided further*, That neither Secretary may acquire lands, waters, or interests therein by condemnation without the owner's consent when 60 per centum or more of the acreage within the entire national scenic trail area is owned by Federal, State, or local governmental agencies, but this limitation shall not apply to the acquisition of scenic easements."; on page 14, at the beginning of line 21, strike out the word "uses" and insert "uses, including reasonable crossings"; on page 15, line 2, after the word "its" strike out "primeval" and insert "natural"; and in line 24, after the word "this" strike out "section." and insert "section, but not to exceed $10,000,000, for land acquisition during the five-year period beginning with the enactment of this Act. No funds for development of the Continental Divide Trail shall be appropriated until sixty days after the Secretary of Agriculture shall submit detailed plans for such development to the respective Committees on Interior and Insular Affairs of the Senate and House of Representatives."; so as to make the bill read:

S. 827

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

STATEMENT OF POLICY

SECTION 1. (a) The Congress finds that in order to provide for the ever-increasing outdoor recreation needs of an expanding population and to promote public access to, travel within, and enjoyment of, the National and State parks, forests, recreation areas, historic sites, and other areas, existing trails should be improved and maintained and additional trails should be established both in the remaining highly scenic and unspoiled areas and in the metropolitan areas of the Nation.

NATIONWIDE SYSTEM OF TRAILS

(b) To carry out the policy set forth in subsection (a) of this section, there is hereby established a nationwide system of trails composed of (1) trails designated as "national scenic trails" in this Act or subsequent Acts of Congress; (2) park, forest, and other recreation trails on lands within areas administered by the Secretary of the Interior or the Secretary of Agriculture when designated by the appropriate Secretary; (3) park, forest, and other recreation trails on lands administered by the States when designated by the States and approved by the Secretary of the Interior; and (4) recreation trails on lands in and near metropolitan areas when designated by the administering agency and approved by the Secretary of the Interior. The Secretary of the Interior and the Secretary of Agriculture, in consultation with the appropriate Federal agencies, States, local governments, private organizations, and advisory councils, shall select a uniform marker for the nationwide system of trails, and shall provide for the placement upon the uniform marker of a distinctive symbol for each national scenic trail.

DEFINITION OF NATIONAL SCENIC TRAILS

SEC. 2. (a) A national scenic trail eligible to be included in the system is an extended trail which has natural historic and scenic qualities that give the trail recreation use potential of national significance. Such trails could be several hundred miles long, have overnight shelters at appropriate intervals, and be interconnected with other major trails to permit the enjoyment of extended hiking or riding experiences. A standard of excellence in the routing, construction, maintenance, and marking consistent with each trail's character and purpose should distinguish all national scenic trails. Each should stand out in its own right as a recreation resource of superlative quality and physical challenge, and might extend through or into several States.

(b) The following trails are hereby designated as "national scenic trails":

(1) The Appalachian Trail, a trail of some two thousand miles, extending along the Appalachian Mountains from Mount Katahdin, Maine, to Springer Mountain, Georgia, following the route as generally depicted on the map numbered NST–AT–101 which shall be on file and available for public inspection in the office of the Director, National Park Service.

(2) Continental Divide Trail, northern sector, an approximately one thousand two hundred mile segment of the Continental Divide Trail, extending from the Canadian border in Glacier National Park southward generally along the Continental Divide to the intersection of the divide with the southern boundary of the Bridger National Forest, following the route as generally depicted on the map numbered NTS–CDT–101 which shall be on file and available for public inspection in the Office of the Chief, Forest Service.

(3) Pacific Crest Trail, a two thousand three hundred and fifty mile trail extending from the Mexican-California border northward generally along the mountain ranges of the west coast States to the Canadian-Washington border near Lake Ross, following the route as generally depicted on the map numbered NST–PC–103, which shall be on file and available for public inspection in the office of the Chief, Forest Service.

(4) Potomac Heritage Trail, an eight hundred and twenty-five mile trail extending generally from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia, including the one hundred and seventy mile Chesapeake and Ohio Canal towpath, following the route as generally depicted on the map numbered NST–PH–102, which shall be on file and available for public inspection in the office of the Director, National Park Service.

FEDERAL, STATE, AND LOCAL PLANNING FOR ADDITIONAL NATIONAL SCENIC TRAILS

(c) The Secretary of the Interior, and the Secretary of Agriculture where lands administered by him are involved, shall make studies of the feasibility and desirability (including costs and benefits) of designating other trails as national scenic trails. Such studies shall be made in consultation with the heads of other Federal agencies administering lands through which the trails would pass and in cooperation with interested interstate, State, local governmental and private agencies and organizations concerned. The two Secretaries shall submit the studies to the President, together with their recommendations resulting therefrom for the inclusion of any or all such trails in the system, and the President shall submit to the Congress such recommendations, including legislation, as he deems appropriate. The studies shall include, among others, all or appropriate portions of—

(1) Continental Divide Trail, southern sector, an approximately one thousand nine hundred mile segment of the Continental Divide Trail, extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the intersection of the divide with the southern boundary of the Bridger National Forest.

(2) Chisholm Trail, from San Antonio, Texas, approximately seven hundred miles north through Oklahoma to Abilene, Kansas.

(3) Lewis and Clark Trail, from St. Louis, Missouri, approximately four thousand six hundred miles to the Pacific Ocean in Oregon, following both the outbound and inbound routes of the Lewis and Clark Expedition.

(4) Natchez Trace, from Nashville, Tennessee, approximately six hundred miles to Natchez, Mississippi.

(5) North Country Trail, from the Appalachian Trail in Vermont, approximately three thousand two hundred miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.

(6) Oregon Trail, from Independence, Missouri, approximately two thousand miles to near Fort Vancouver, Washington.

(7) Santa Fe Trail, from Independence, Missouri, approximately eight hundred miles to Santa Fe, New Mexico.

(8) Long Trail, extending two hundred and fifty-five miles from the Massachusetts border northward through Vermont to the Canadian border.

(9) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.

(10) Gold Rush Trails in Alaska.

(11) Mormon Battalion Trail, extending two thousands miles from Mt. Pisgah, Iowa, through Kansas, Colorado, New Mexico and Arizona to Los Angeles, California.

SELECTION OF ROUTES FOR NATIONAL SCENIC TRAILS

(d) The Secretary of the Interior shall select the rights-of-way for trails designated as national scenic trails by subsection (b) of this section, paragraphs (1) and (4), and the Secretary of Agriculture shall select the rights-of-way for the trails designated by paragraphs (2) and (3). Such rights-of-way shall be (1) of sufficient width and so located to protect natural conditions, scenic and historic features, and primitive character of the trail area, to provide campsites, shelters, and related public-use facilities, and to provide reasonable public access: *Provided, however*, That acquisitons in fee or lesser interests (including scenic easements) which are acquired other than by agreement with the landowner shall not exceed a total of fifty acres per mile but acquisition in fee shall not exceed twenty-five acres per mile; and (2) located to avoid, insofar as practicable, established highways, motor roads, mining areas, power transmission lines, existing commercial and industrial developments, range fences and improvements, private operations, and any other activities that would be incompatible with the protection of the trail in its natural condition and its use for outdoor recreation. Where practicable, the right-of-way for the Appalachian Trail shall include lands protected for it under agreements in effect on January 1, 1966, to which Federal agencies and States were parties. The location and width of a national scenic trail right-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting a right-of-way, the appropriate Secretary shall obtain the advice and assistance of the States, local governments, private organizations, landowners, the land users concerned, and the advisory council established under subsection (f) of this section. The appropriate Secretary may revise the location and width of a right-of-way from time to time as required by circumstances, with the consent of the head of any other Federal agency involved, and with the advice and assistance of the aforesaid States, local governments, private organizations, landowners, land users, and the advisory council.

The appropriate Secretary shall publish notice of the selection of a right-of-way in the Federal Register, together with appropriate maps and descriptions. If in his judgment changes in the right-of-way become desirable, he shall make the changes in the same manner.

MARKERS TO IDENTIFY NATIONAL SCENIC TRAILS

(e) The Secretary of the Interior and the Secretary of the Agriculture, in consultation with the Federal agencies, States, local governments, private organizations concerned, and the advisory councils, shall erect and maintain the uniform marker for the nationwide system of trails at appropriate points along each national scenic trail route, and shall select a symbol for each such trail for placement upon the uniform marker. Where the trail route passes through Federal lands, such marker shall be erected and maintained by the Federal agency administering the lands. Where the trail route passes through non-Federal lands and is administered under cooperative agreements, the Secretary of the Interior and the Secretary of Agriculture shall require the cooperating agencies to erect and maintain such marker.

ADVISORY COUNCILS FOR NATIONAL SCENIC TRAILS

(f) The Secretary charged with the selection of the right-of-way for a national scenic trail shall establish an advisory council for each such trail. The appropriate Secretary shall consult with any such council from time to time with respect to matters relating to the trail, including the selection of the right-of-way, the selection, erection, and maintenance of the markers along the trail route, and the administration of the trail. The members of an advisory council shall be appointed for a term not to exceed five years by the appropriate Secretary as follows:

(1) A member appointed to represent each Federal department or independent agency administering lands through which the trail route passes and each appointee shall be the person designated by the head of such department or agency.

(2) A member appointed to represent each State through which the trail passes and such appointments shall be made from recommendations of the Governors of such States.

(3) One or more members appointed to represent landowners and private organizations that, in the opinion of the Secretary, have an established and recognized interest in the trail and such appointments shall be made from recommendations of landowners and the heads of such organizations. In the case of the Appalachian Trail, the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the trail passes.

The appropriate Secretary shall designate one member to be chairman. Any vacancy in a council shall be filled in the same manner as the original appointment.

Members of an advisory council shall serve without compensation, but the appropriate Secretary may pay the expenses reasonably incurred by the council in the performance of its functions upon presentation of vouchers signed by the chairman.

ACQUISITION, DEVELOPMENT, AND ADMINISTRATION OF LANDS FOR NATIONAL SCENIC TRAILS

(g) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national scenic trail as provided in subsection (d) of this section, the heads of Federal agencies may (1) enter into written cooperative agreements with landowners, States, local governments, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) subject to limitations set forth in subsection (d), hereof, acquire lands or interests in lands by donation, purchase with donated or appropriated funds, or exchange.

(h) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the States through which the trail passes and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(i) Where the lands included in a national scenic trail right-of-way are outside of the exterior boundaries of federally administered areas, the States or local governments involved shall be encouraged (1) to enter into written cooperative agreements with landowners, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) to acquire, develop, and administer such lands or interests therein: *Provided*, That if the State or local governments fail to enter into such agreements or to acquire such lands or interests therein within two years after the selection of the right-of-way, the Secretary charged with the selection of the right-of-way may (1) enter into such agreements with landowners, States, local governments, private organizations, and individuals; and (2) acquire private lands or interests therein by donation, purchase with donated or appropriated funds, or exchange, and may develop and administer such lands or interests therein: *Provided further*, That exchanges shall be governed by the provisions of subsection (h) of this section: *And provided further*, That the appropriate Secretary shall utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this subsection only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire the fee title only where, in his judgment, lesser interests in land (including scenic easements) or written agreements are not adequate, but such acquisitions may be made only to the extent authorized in subsection (d) of this section: *And provided further*, That neither Secretary may acquire lands, waters, or interests therein by condemnation without the owner's consent when 60 per centum or more of the acreage within the entire national scenic trail area is owned by Federal, State, or local governmental agencies, but this limitation shall not apply to the acquisition of scenic easements. Money appropriated for Federal purposes from the land and water conservation fund shall be available for the acquisition of property for the purposes of this section.

(j) The Secretary of the Interior shall develop and administer the Appalachian and Potomac Heritage Trails and the Secretary of Agriculture shall develop and administer the Continental Divide and Pacific Crest Trails, except that any portion of any such trail that is within areas administered by another Federal agency shall be administered in such manner as may be agreed upon by the appropriate Secretary and the head of that agency, or as directed by the President. The Federal agencies shall coordinate their efforts to provide uniform administration and protection of the national scenic trails, and shall give encouragement to, and cooperate with, States, local governments, private organizations, and individuals in promoting the purposes of this section.

National scenic trails shall be administered, protected, developed, and maintained to retain their natural, scenic, and historic features; and provision may be made for campsites, shelters, and related public-use facilities; and other uses, including reasonable crossings, that will not substantially interfere with the nature and purposes of the trails may be permitted or authorized, as appropriate: *Provided*, That the use of motorized vehicles by the general public along any national scenic trail shall be prohibited, and the Appalachian Trail shall be developed and maintained primarily as a footpath to retain its natural environment: *Provided further*, That the Federal laws and regulations applicable to Federal lands or areas included in any national scenic trail shall continue to apply to the extent agreed upon by the appropriate Secretary and the head of the agency having jurisdiction over the Federal lands involved, or as directed by the President.

The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national scenic trail passes, and after consultation with the States, local governments, and private organizations concerned, and any advisory council established under subsection (f) of this section, may issue regulations, which may be revised from time to time, governing protection, management, use, development, and administration of a national scenic trail. Any person who violates a regulation issued pursuant to this Act shall be guilty of a misdemeanor, and may be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

(k) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not to exceed $10,000,000, for land acquisition during the five-year period beginning with the enactment of this Act. No funds for development of the Continental Divide Trail shall be appropriated until sixty days after the Secretary of Agriculture shall submit detailed plans for such development to the respective Committees on Interior and Insular Affairs of the Senate and House of Representatives.

FEDERAL PARK, FOREST, AND OTHER RECREATION TRAILS

SEC. 3. (a) The Secretary of the Interior and the Secretary of Agriculture are directed to improve, expand, and develop park, forest, and other recreation trails for hiking, horseback riding, cycling, and other related uses on lands within areas administered by them: *Provided*, That the use of motorized vehicles by the general public shall be prohibited on such trails within (1) the natural and historical areas of the national park system; (2)

the national wildlife refuge system; (3) the national wilderness preservation system; and (4) other Federal lands where trails are designated as being closed to such use by the appropriate Secretary. Such trails may be designated and suitably marked as part of the nationwide system of trails by the appropriate Secretary.

(b) Whenever the Secretary of the Interior makes any conveyance of land under any of the public land laws, he may reserve a right-of-way for trails to the extent he deems necessary to carry out the purposes of this Act.

STATE AND METROPOLITIAN AREA TRAILS

Sec. 4. (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreation trails on lands owned or administered by States, and recreation trails on lands in or near urban areas. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open-space program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

(d) Such trails may be designated and suitably marked as parts of the nationwide system of trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

UTILITY RIGHTS-OF-WAY

Sec. 5. The Secretary of the Interior and the Secretary of Agriculture are authorized, with the cooperation of the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction, control over, or information concerning the use, abandonment, or disposition of rights-of-way and similar properties that may be suitable for trail route purposes, to develop effective procedures to assure that, wherever practicable, utility rights-of-way or similar properties having value for trail route purposes may be made available for such use.

Mr. JACKSON. Mr. President, S. 827 is a bill to establish a nationwide system of trails. It was unanimously reported by the Senate Committee on Interior and Insular Affairs on June 13, 1968, and I hope that prompt action will be taken on this legislation.

The purpose of the bill is set forth in its statement of policy—that such a nationwide system of trails will promote public access to, travel within, and enjoyment of the National and State parks, forests, recreation areas, historic sites, and other areas. It also stresses that, while existing trails should be improved, additional trails should be established in scenic and unspoiled areas, and in the metropolitan areas of the Nation.

Mr. President, there is great need for this legislation. It will help to provide for a practicable and low-cost method of satisfying growing outdoor recreation demands.

The bill sets up four categories of trails: National scenic trails; park, forest, and other recreation trails on lands within areas administered by the Secretary of the Interior or the Secretary of Agriculture; park, forest, and other recreation trails on lands administered by the States when designated by the States and approved by the Secretary of the Interior; and recreation trails on lands in and near metropolitan areas.

Four scenic trails make up the initial units in the system. These are: the Appalachian Trail, 2,000 miles along the Appalachian Mountains from Maine to Georgia; the Continental Divide Trail, extending 1,200 miles from the Canadian border in Montana to the southern boundary of the Bridger National Forest in Wyoming; the Pacific Crest Trail, 2,350 miles along the mountain ranges of the west coast from Canada to the Mexican border; and the Potomac Heritage Trail, extending 825 miles along the Potomac River from its mouth to its sources in Pennsylvania and West Virginia. Eleven other trails are scheduled for study for possible future inclusion in the system.

Mr. SYMINGTON. Will the Senator yield?

Mr. JACKSON. I yield.

Mr. SYMINGTON. As the Senator knows, officials of the Madeira School have expressed concern with this legislation and the passage of the trail beneath the promontory on which the school is situated just below the Great Falls Park in Virginia.

While announced plans are for a trail that would be limited to a footpath, and not one for mechanized vehicles or horses or other recreational purposes, I would hope to make sure that the trail in this segment of the river is truly only a footpath routed as close to the water's edge as feasible and not on the promontories. Any other type of construction and use would disturb the beauty and ecology of the area.

I would like to ask the distinguished chairman of the Interior Committee if he would object to an amendment to the bill which would restrict the segment of the trail in Virginia from Great Falls Park to Spout Run, which is located about a mile above Key Bridge, to a footpath?

Mr. JACKSON. Since this is the type of trail which the National Park Service has announced it would develop along this stretch of the river on the Virginia side, I would have no objection.

Mr. SYMINGTON. I thank the able Senator from Washington and would ask that my amendment be sent to the desk.

Mr. JACKSON. Before we take up the Senator's amendment, I ask unanimous consent that the pending amendments be considered en bloc.

The PRESIDING OFFICER. Is there objection?

Mr. HANSEN. Mr. President, reserving the right to object, I want to say first of all that I appreciate very much the very fine leadership of the distinguished Senator from Washington, but I do want to make some comments about the Continental Divide Trail which seems to me to be in concert with the reservation just expressed by the distinguished Senator from Missouri.

Mr. JACKSON. Could we agree to the committee amendments en bloc first, and then we could act on the amendments to be offered by the Senator from Missouri? Then I shall be very happy to yield to the Senator from Wyoming.

Mr. HANSEN. When the Senator says "agreeing to the committee amendments," he means I shall not be precluded from raising or suggesting other amendments?

Mr. JACKSON. Oh, no. As soon as we have voted on the committee amendments which must come first, prior to taking up other amendments.

The PRESIDING OFFICER. The question is on agreeing to the amendments en bloc.

The committee amendments were agreed to en bloc.

Mr. JACKSON. Mr. President, I am happy now that we can proceed to the consideration of the amendment of the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I send my amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The Legislative Clerk. On page 15, line 1, insert the following language after the word "trail": "and the Potomac Heritage Trail in Virginia between Great Falls Park and Spout Run."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Missouri.

The amendment was agreed to.

Mr. SYMINGTON. I express my deep appreciation to the Senator from Washington, the chairman of the committee.

Mr. JACKSON. The able Senator from Missouri has worked long and hard on this matter. I believe this is, indeed, a good resolution of a difficult problem, on which there has been substantial misunderstanding in the past.

Mr. HANSEN. First of all, I should like to point out that I appreciate very much the concern of those who have proposed this legislation as making available to the people of the United States scenic and historic areas. But, insofar as the Continental Divide Trail is concerned, I think it does bear observing that actually there has been no such thing as a Continental Divide Trail. Those familiar with the topography of the Continental Divide, particularly the northern part, from the Bridger Wilderness Area on the north, know full well that there has not been any trail along that Continental Divide.

With respect to the trail from the southern end of the Bridger Wilderness Area south, I think the committee recommendation is that this was in a study section. I ask the distinguished Senator from Washington if I am not right about that.

Mr. JACKSON. The Senator is correct.

Mr. HANSEN. I would like to propose that the northern section of the trail also be put in a study category rather than establishing it as a trail.

I would like to refer to some of the

considerations of the committee, which appear at the top of page 6 of the committee report. If I may, let me read it:

> In the case of the Continental Divide Trail, it is not the intent of the committee to authorize the construction of a trail which would follow the very top of the Continental Divide nor necessarily be fully contiguous along the entire divide. Instead, it is the committee's belief that existing trails along the mountain sides or in negotiable valleys close to the top of the divide should be designated part of the Continental Divide Trail, and that the segments to be constructed, where top terrain prevents reasonable foot or horseback travel, should be located at lower levels.
>
> Nor is it the intent of the committee that this legislation should be considered authorization for construction of trails or other works of man through wilderness areas in any such manner as to do violence to the wilderness concept as set forth in the Wilderness Act of 1964. The committee urges that in any event, the wilderness values should be properly protected in connection with any trail through any national wilderness area.
>
> Committee members also expressed concern that the marking of national scenic trails be unobstructive, with careful and tasteful placement and design of directional and other signs to conform with the esthetic setting regardless of the lands traversed.

I am in complete accord with this concept. I would point out that the trials which traversed this country along the area of the Continental Divide were, almost without exception, trials that traversed the Continental Divide. They went through the low mountain passes. The concern of the pioneers who established trails was in getting over the Divide. No one was interested in going from one end of the Continental Divide to the other.

I want to make sure that we do not do violence to the wilderness concept by some eager, enthusiastic persons who think we ought to try to establish trials parallel to the Continental Divide. For that reason I would like to ask that the nothern section be placed in a study category, rather than have it established as a trail.

Mr. JACKSON. First, may I say that I concur in the views expressed by the able Senator from Wyoming.

Regarding the need to harmonize the trails we are talking about in this bill with the wilderness system, I wanted to point out that the junior Senator from Colorado [Mr. DOMINICK] feels very strongly about the inclusion of this area. I suppose, if the Senator from Wyoming wants to exclude that part which is in Wyoming from the bill, there would be no objection to that; but, in fairness to the Senator from Colorado, as the Senator from Wyoming will recall, he was very strong in his determination to have that area included. I could not, without his presence on the floor, accept this amendment. I am sure my good friend will understand that.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. HANSEN. Let me say that I have talked with one of the aides of the distinguished Senator from Colorado. I understand he will be on the floor very shortly. Certainly, I do not propose to speak for the distinguished Senators from Montana, but, insofar as Wyoming is concerned, when one travels north from Bridger Wilderness Area, I think almost without exception the entire length of the trail along the Continental Divide in Wyoming would go through either wilderness areas or Yellowstone National Park. I think I can say I speak for nearly everyone in Wyoming, and certainly for no small part of the people interested in national parks, in hoping there would be no attempt made to establish a trail, or cut one out, or designate one, through the northwestern part of Wyoming.

I hope the distinguished Senator from Colorado will be on the floor shortly and will be able to give the assurance, as I think he will, to the distinguished Senator from Washington that he would not object to my amendment.

Mr. JACKSON. Mr. President, pending the arrival of the junior Senator from Colorado, I would like to yield to the Senator from Vermont [Mr. AIKEN], who has a question.

Mr. AIKEN. Mr. President, I have several questions.

I strongly support the basic purpose of this bill, which is to enhance the use of our National and State parks by promoting public access to them.

In Vermont we are proud of our famous Long Trail that extends from the Canadian border through the Green Mountains into Massachusetts. The Long Trail is a major segment of the Appalachian Trail this bill is designed to protect.

As one of the sponsors of the Land and Water Conservation Act, I see this bill as valuable additional protection of woodland trails for the hiker and camper, and a wide variety of other recreational uses.

I was privileged to join the distinguished Senator from Washington, the manager of this bill, in sponsoring the land and water conservation bill. I know his intentions are for conservation for greater public use. On this we think pretty much the same way.

I should therefore like to ask several questions to clarify the intent of this bill.

I do this to make certain that the rights of the States are protected, that scenic easements are clearly understood, and the rights of local landowners and business interests—especially logging, skiing, and other resort enterprise—are fully protected.

First, may I ask how wide the Secretary could establish these trail areas?

Mr. JACKSON. The maximum width in both, fee and easement, would be equivalent to 50 acres per mile, or an average 400-foot width.

Mr. AIKEN. Fifty acres to the mile or a 400-foot width?

Mr. JACKSON. Yes; so there is a definite maximum set.

Mr. AIKEN. I want to make sure the Secretary would not have authority to establish them several miles wide.

Mr. JACKSON. No; that definitely is not the case.

Mr. AIKEN. Are hunting and fishing prohibited in this area?

Mr. JACKSON. No.

Mr. AIKEN. Would the laws of the State through which the trail passes be the prevailing fish and game laws?

Mr. JACKSON. The only way the laws of the States would be affected is if they voluntarily passed legislation in their legislatures ceding such jurisdiction to the Federal Government.

Mr. AIKEN. Doing what?

Mr. JACKSON. They would have to cede jurisdiction. They would have to take the action themselves, because this is not exclusive Federal property, in the sense that at the present time where there is Federal property, most of it involves concurrent jurisdiction—where the Federal Government has jurisdiction and the States have jurisdiction. The national forests generally are in that category, as the Senator knows.

Mr. AIKEN. That is correct.

I find, on page 7, line 21, that the location of the trail has been defined to "protect natural conditions, scenic and historic features, and primitive character of the trail area."

As originally stated in the bill, the location was to "provide the maximum retention of natural conditions." This has been changed to "protect natural conditions."

What is the significance of this change?

Mr. JACKSON. It is more of a clarification than it is a change of substance. The present language better describes what the objectives are.

Mr. AIKEN. If a trail should be in the vicinity of a ski slope of ski area, or if a new ski slope or area were contemplated near a trail, would the promoters of the ski area be in violation of the law?

Mr. JACKSON. Let me respond by referring to the testimony before the committee.

The Secretary of the Interior, Mr. Udall, was asked about this general problem relating to ski developments, and he pointed out that there would be nothing wrong in a trail going by or near a ski resort, and that a trail is not like a highway, where you seek a straight line, but can be meandered around to avoid obstacles and to provide the least invasion of public holdings.

I see nothing incompatible with deviations being made to meet the public use requirements in a given area. In other words, it is discretionary, it is not mandatory, and I think there is in this bill sufficient flexibility to accommodate the kind of situation the Senator from Vermont suggests.

Mr. AIKEN. Would snowcats or snowmobiles be prevented from using the trail during the winter?

Mr. JACKSON. I know of no provision in the bill that would specifically prohibit that. The requirements are not like those applicable in a wilderness area.

Mr. AIKEN. The reason I asked that question is that in Vermont, as well as in other States, as the Senator knows, we have status-conscious users of ski trails who feel they must break a leg somewhere at a distance, and then someone has to go out and get them.

Mr. JACKSON. There is nothing in the bill that should preclude the emergency activity mentioned by the able Senator from Vermont.

Mr. AIKEN. In the same part of the bill, specific provision is made for "campsites, shelters, and related public use facilities."

Would this include a small resort hotel, or the establishment of a new hotel in the area?

Mr. **JACKSON**. I do not see, frankly, how you could put a resort facility on the trail. It could be adjacent to the trail, but with the maximum width being 400 feet——

Mr. **AIKEN**. I think that takes care of itself.

Mr. **JACKSON**. I think the width of the trail pretty well answers the question.

Mr. **AIKEN**. No one would want to build a hotel directly on the trail, anyway.

Mr. **JACKSON**. No. There is nothing to prohibit building reasonably adjacent to it.

Mr. **AIKEN**. On page 7, line 23, I see a reference to the "primitive character of the trial area."

Mr. **JACKSON**. That is a printing error. Mr. President, I ask unanimous consent that on line 23, where the word "trial" appears, the word "trail" be substituted in lieu thereof.

Mr. **AIKEN**. Either word might be appropriate, but I think "trail" is meant.

The **PRESIDING OFFICER**. Will the Senator from Washington reidentify the change he has requested?

Mr. **JACKSON**. On page 7, line 23, the second word is "trial". That word should be "trail"; it is a misprint; and I ask unanimous consent that that correction be made.

The **PRESIDING OFFICER**. Without objection, it is so ordered.

Mr. **AIKEN**. Going on to page 8, lines 5 to 11 would seem to outlaw "existing commercial and industrial developments" and "private operations."

Mr. **JACKSON**. What were the lines on page 8?

Mr. **AIKEN**. Lines 5 to 11 beginning with (2).

Mr. **JACKSON**. Yes.

Mr. **AIKEN**. Those words are not intended to eliminate logging operations, resort hotels, ski resorts, and the like, are they?

Mr. **JACKSON**. No. What we are saying is that the trail should not go into urban or semiurban areas.

Mr. **AIKEN**. Yes. It should not.

Mr. **JACKSON**. We want to keep it in an area where one would expect to find a trail, and not move into commercial and industrial type developments.

Mr. **AIKEN**. I note on line 2, page 15, that the word "primeval" has been stricken and in its place we have "natural" environment.

Here, again, would ski trails be considered "natural"?

Mr. **JACKSON**. Ski what?

Mr. **AIKEN**. Would ski trails or ski runs be considered "natural"?

Mr. **JACKSON**. Ski trails might not interfere; let us put it that way. The trails would probably be located around large ski slopes. "Natural" is, I would think, pretty much synonymous with "primeval." "Primeval," one might say, means even older, and a better description of the oldest possible state.

Mr. **AIKEN**. "Primeval" means just as God left it?

Mr. **JACKSON**. That is right.

Mr. **AIKEN**. "Natural" means about at the last man that operated there left it, I think.

Mr. **JACKSON**. Perhaps.

Mr. **AIKEN**. The last question I have relates to page 13. There is some question about "scenic easement" as used in the bill, at the bottom of page 13. This does not mean there could be no logging or other operations on a distant slope that was within view of the trail, does it?

Mr. **JACKSON**. No, sir; not if they were beyond the easement authority, and a "distant" slope surely would be.

Mr. **AIKEN**. The reason I asked that question is that when the national forests lease the right to operate a ski run or something in a forest area, I have had people living several miles away object to the Secretary granting such right, because they would not like to look over across the valley—at least one who wrote me was 7 miles away—and see activity on that slope. In other words, they do not like to see people working for a living; that disgusts some of them in some way.

Mr. **JACKSON**. I assure the Senator that would not affect them in any way, any more than you can look from a national park area, in my State, over to a Forest Service area, where they are cutting fir. The National Park Service is a different organization, and cannot do anything about it in any way.

Mr. **AIKEN**. What I am getting at is this: Although the primeval or natural appearance of a mountain or a forest is delightful, there is no more beautiful sight in the world, as far as I am concerned, than seeing a man earning a good living to raise a growing family. But we have some people so enthusiastic that they just object to seeing anyone working.

Mr. **JACKSON**. I wish to say to the Senator that this trail will go through areas where, nearby, people are engaged in commercial undertakings of all kinds.

Mr. **AIKEN**. I think it is a good idea to have more public areas, where the public can take advantage of the recreational values afforded, because we have too many areas—I know the Senator has them in his State, and we have some in Vermont—where I am reminded of what one of our former colleagues is reported to have said, that he did not want to own all the land in his State, just that which adjoined him. Some of our affluent part-time residents have that in mind, too, and I am sure they do in other States as well. Just what they can see is all they want to own.

Mr. **JACKSON**. I fully understand the Senator's position, and I wish to say that it is amply protected in the pending measure.

Mr. **AIKEN**. I thank the Senator. He has given an excellent explanation of the bill. I am very happy that it contemplates protecting the rights of the public to enjoy natural areas, scenic areas, and historic areas which otherwise might be foreclosed.

Mr. **LAUSCHE**. Mr. President, will the Senator yield?

Mr. **JACKSON**. I yield.

Mr. **LAUSCHE**. Mr. President, I understand that the bill contemplates the establishment of four trails.

Mr. **JACKSON**. The Senator is correct.

Mr. **LAUSCHE**. The national scenic trails are the Appalachian Trail, the Continental Divide, the Pacific Crest Trail, and the Potomac Heritage Trail.

Mr. **JACKSON**. The Senator is correct.

Mr. **LAUSCHE**. I refer to section (c) on page 5 of the bill which, I understand, deals with the duty of the Secretary of the Interior and the Secretary of Agriculture to make studies of the general areas in which trails can be established.

Mr. **JACKSON**. The Senator is correct. It is the study section of the bill.

Mr. **LAUSCHE**. The part of that section in which I am mainly interested appears on lines 23 and 24 and reads:

> The studies shall include, among others, all or appropriate portions of—

It then goes on to identify the southern sector of the Continental Divide Trail, the Chisholm Trail, the Lewis and Clark Trail, the Natchez Trace, the North Country Trail, the Oregon Trail, the Santa Fe Trail, the Long Trail, the Mormon Trail, the Gold Rush Trails in Alaska, and the Mormon Battalion Trail.

Included in the 11 trails that are directed to be studied mandatorily is the North Country Trail, from the Appalachian Trail in Vermont, approximately 3,200 miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.

The North Country Trail involving Ohio is directed to be studied.

Mr. **JACKSON**. The Senator is correct.

Mr. **LAUSCHE**. Do the Secretary of the Interior and the Secretary of Agriculture have the right to make studies of other potential trails?

Mr. **JACKSON**. I believe the answer is that they have permissive authority to study trails involving the lands under their jurisdiction, lands that they manage. However, the Senator will note that the program involves Forest Service land, land under the Department of Agriculture, as well as public domain land.

They might need legislative authority to study lands that are not within their jurisdiction. And, of course, the specific point here that the able Senator from Ohio has raised on item 5, the North Country Trail, is that a large percent of it, I would assume, involves non-Federal land, so that they would need this authority.

Mr. **LAUSCHE**. My reading of section C is that, with respect to the 11 projects which I have just identified, studies shall be made, but that other studies may be made by the Secretary of the Interior.

Mr. **JACKSON**. The Secretary, of course, has permissive authority to study trails with respect to land under his jurisdiction. That is the distinction.

Mr. **LAUSCHE**. Mr. President, the language beginning on line 10 of page 5 reads:

> The Secretary of the Interior, and the Secretary of Agriculture where lands administered by him are involved, shall make studies of the feasibility and desirability (including costs and benefits) of designating other trails as national scenic trails.

Is it the language, "where lands administered by him are involved," that causes the Senator to say that the Secretary can only study those lands which are administered by him?

Mr. JACKSON. No. The purpose of using "shall" is to make it mandatory and not permissive.

This is a directive by Congress. We are directing him to make these studies. He has basic statutory authority to make all kinds of studies involving recreation, and so on, on lands within his management jurisdiction. In the case of the Secretary of Agriculture, it involves land administered by the Forest Service. In the case of the Secretary of Interior, it involves non-Forest-Service land, public domain, the land in the Park Service, and so on.

Mr. LAUSCHE. I think that clarifies my point.

Mr. JACKSON. He has that permissive authority now.

Mr. LAUSCHE. Let us assume that a State feels it has an area that is entitled to be included in this general program. How would that have to be brought about? My belief is that at the next session of Congress, legislation would have to be offered to authorize it.

Mr. JACKSON. The point is that, of course, the Secretary could not go onto State land without the permission of the State authority. However, he is authorized to negotiate in that connection.

I refer to section 4 on page 17. The title is "State and Metropolitan Area Trails." The Senator will note the language. It reads:

> SEC. 4. (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreation trails on lands owned or administered by States, and recreation trails on lands in or near urban areas. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

That, of course, is a signal to the States that when they come in and ask for matching money assistance under the Land and Water Conservation Fund Act, it would be wise to include trails.

Mr. LAUSCHE. That still does not answer my question. In Ohio, we have the Muskingum River, a beautiful stream—at one time, at least. It is about 110 miles long from the Ohio River up to Zanesville.

Mr. JACKSON. Is that river included for study under the wild and scenic rivers bill?

Mr. LAUSCHE. I am not sure. How would the Senator proceed to make that stream and a paralleling trail a part of this program?

Mr. JACKSON. It would depend on which feature is predominant. It could come under the trails bill as a stream for study at this point; or it could come under the wild and scenic rivers bill. I would be happy to take appropriate action in the Committee on Interior and Insular Affairs if a bill were introduced to include that stream.

Mr. LAUSCHE. I am not certain that that stream would fall within the scenic rivers concept.

Mr. JACKSON. It is a question whether it would come under the trails proposal or under the wild and scenic rivers bill. But I certainly would be happy to assist the Senator from Ohio in doing anything I could to include that stream.

Mr. LAUSCHE. But if it should develop that it came under neither the scenic rivers nor the scenic trails legislation, there would have to be special legislation to bring it within one or the other; would there not?

Mr. JACKSON. That is correct, because it does not involve Federal lands.

Mr. LAUSCHE. That is correct.

Mr. MOSS. Mr. President, I am pleased that the Senate is considering S. 827, the bill to establish a system of national trails in America. It is most important to the historical and scenic heritage of the country, and I trust it will pass without further delay.

If we do not move to mark and protect both the scenic beauty and the historical relics of our old trails, we will lose both to the encroachments of civilization.

I am particularly glad that two trails of immense importance to my State of Utah are in the bill for study to see if they merit becoming a part of the national trails system. I am confident that they do. The two trails are the Mormon Pioneer Trail and the Mormon Battalion Trail. History marched along both of them.

It was over the Mormon Trail, of course, that the pioneers made their way west from Nauvoo, Ill., to the Salt Lake Valley, where they not only founded the State of Utah, but built the first city of any size between the Missouri River and the west coast.

It was over the Mormon Battalion Trail that the Mormon volunteers in the Mexican War made their historic trek from Council Bluffs and Mount Pisgah, Iowa, to Los Angeles, and helped to win the Southwest from the American Republic.

In Utah, we are especially interested in a 38-mile section of the Old Mormon Trail—we call this section the Old Pioneer Trail in Utah—which runs west from Henefer, in Summit County, over Big Mountain to Salt Lake City. This is the route the pioneers used on the last leg of their long trip into the Salt Lake Valley, and some of the wagon ruts from the many pioneer trains still remain, as do other relics of the migration.

I understand that the House Committee on Interior and Insular Affairs has ordered reported a somewhat different version of a national trails bill, and that the report will be filed sometime this week. I hope this means that the House leadership will bring the House bill up promptly so we can get into conference and take final action on a trails program at this session.

Mr. JACKSON. I thank the able Senator from Utah for his leadership in getting the bill through the committee. He has taken a very keen interest in this entire program.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. DOMINICK. Mr. President, I congratulate the Senator from Washington on bringing this bill to the floor of the Senate.

I was a cosponsor of S. 827, the bill to authorize a nationwide system of trails. Significant changes have been made in the bill since its introduction, including the slicing in half of the trail in which I am most interested—the Continental Divide Trail—and the placing of the southern half of that trail in a study category. Unlike the original bill, none of the Colorado portion of this trail is authorized by the measure reported by the Senate Interior Committee. Nevertheless, my enthusiasm for conservation and the acceptance by the committee of several of my suggestions to assure expeditious handling of the southern sector of the trail transcend my disappointment that it is not being authorized today.

Mr. President, Colorado is rich in the alluring qualities of nature's environment at its finest. In my State alone there are 52 mountain peaks which soar to 14,000 feet and above. We have a wealth of hill country as yet unblemished, and our clear and clean rushing mountain streams are known the world over. I have an interest in maintaining these, as do all our citizens. I want to protect them, not lock them up. I want to make them more accessible in a sensible fashion to all those who have a genuine appreciation for the outdoors.

These are the convictions which led me to inspect personally—by foot, horseback, and otherwise—many of the principal areas in my State which could be considered as wilderness.

These are the convictions which led me to support the underlying concepts of the Wilderness Act of 1964 and to offer amendments on the floor of the Senate to improve that measure during the debate.

These are the convictions which led me to support the wild and scenic rivers bill.

These are the convictions which led me, some 3 years ago, into a discussion of a new proposal, a great trail generally coursing along the route of the Continental Divide. My discussions centered with Mr. George Cranmer, former manager of parks and safety of the city and county of Denver, and founder of Red Rocks Amphitheater, just west of Denver. Mr. Cranmer has been active in setting up an exceptionally fine system of parks in the Denver area and has been influential throughout the entire State in this field, so he is very knowledgeable about the problems—and advantages—a trail along the divide would encompass. The subject of our discussion was a proposed trail beginning in southwest New Mexico and ending at the Canadian border in Glacier National Park. We decided to advise the appropriate Federal Government personnel of our proposal and express enthusiastic support for its further pursuit and implementation.

As specific legislation began to take shape, I learned that members of the Colorado Mountain Club had been engaged for several years in surveying various routes for a similar proposal. Their dedication is to be noted, and I commend them for it. The measure we are considering today will bolster their efforts, and help to bring them to fruition.

I think it is important to make some legislative history at this point as to why I remain a cosponsor of S. 827 and seek its approval despite the fact that the Continental Divide Trail in my State has been placed in a study category. A number of factors formed the basis of my decision.

When I first learned of the study suggestion, I sought a meeting with Forest Service personnel. Several uncertainties began to emerge. Tentative drafts of the trail by the Forest Service were fragmented. Some portions had not as yet been put on paper, and the routing of others was undetermined. There was a lack of a meeting of the minds as to the extent of availability of existing trails for incorporation into the main trail, and whether existing trails were substandard and needed beefing up.

The principal problems, however, seemed to center not in Colorado, but on alternative routes proposed in New Mexico, and a difficult, unmapped stretch in Wyoming from its border with Colorado to the lower end of what has become by this bill the northern sector of the trail.

Accordingly, I made two suggestions which were agreed to by the committee.

First, the study language given to me provided that although the Secretary was directed to make studies of the feasibility of designating other trails as national scenic trails, and some possibilities were listed including the southern sector of the Continental Divide Trail, it was purely discretionary with the Secretary whether those listed would be studied. My amendment makes study of the listed trails mandatory, and appears in line 23 of page 5 of the bill as reported.

Second, the time within which a study of the southern sector of the Continental Divide Trail, if undertaken, was to be completed was left uncertain. It was and is my judgment that not only should study of this trail be completed by a date certain, but also that it should receive priority for study. The committee report deals with this on page 3 in language drafted with my concurrence reading as follows:

> While placing the southern sector of the Continental Divide Trail in the study category, the committee believes this proposed addition to the system should receive priority for study by the Secretary of Agriculture. This sector is a natural increment; the Continental Divide Trail will not answer that description until the sector is added. The Committee further believes that this study should be completed within a 2-year period from the date of enactment.

Mr. President, the Continental Divide Trail is the only trail of the four originally authorized to be authorized only in part. It is a scenic, not historic, trail like the others listed for study. As a result, there is more flexibility in selection of a right of way and less need for a continuous, unbroken trail the full length. With few exceptions it would run along a mountain chain. Approximately 90 percent of the overall trail, and 95 percent in Colorado, would be on land already owned by the Government.

I am more convinced than ever that the Continental Divide Trail is a sound proposal, and I shall continue in the future to work with interested constituents in my State and with the Forest Service in making it a meaningful reality.

With all of the above factors in mind, and with the acceptance by the committee of the safeguards which I offered, I endorse the bill as presented today and ask for its passage.

Mr. President, I understand that the Senator from Wyoming has a proposal with respect to that portion of the Continental Divide Trail which encompasses Wyoming.

The Senator from Washington was kind enough to ask me what I thought about the amendment of the Senator from Wyoming because of my interest in the Continental Divide Trail. I have no objection to the Senator from Wyoming adding the Wyoming portion of the trail to the study category.

I believe the Senator from Washington has done a very fine job in this matter.

I listened attentively when the Senator from Vermont was asking certain questions about the bill. I believe these questions are well taken.

As we develop this trail system, we will be opening up areas of recreation for use by foot and by horseback which I believe will be extremely important. We will be assisting people to engage not only in summertime excursions but wintertime as well through connecting up the ski slopes that funnel off these trails. It will be of enormous value for recreation, physical fitness, and skiing.

So I am strong in support of the bill.

I wanted to say this to the Senator from Washington and to congratulate him on bringing the bill to the floor of the Senate.

Mr. JACKSON. Mr. President, the able Senator from Colorado is a cosponsor of the bill, and I wish to say, as chairman of the committee, that he has been extremely helpful in the progress that the bill has made. I wish to commend him for the constructive attitude he has taken.

I believe that this program will expand recreational opportunities throughout the length and breadth of our land, and I believe it is a wonderful, new concept, which will further diversify the opportunities of citizens to participate in out-of-doors recreation. It will bring this program into many States that heretofore have not had such opportunities. At the same time, it will preserve historic interests in the country.

Too often we think of recreation in terms of simply making land available for public use, for recreation. This is a program that will make land available for public use and, at the same time, will remind us of our great historic heritage.

I commend both Senators for getting together and agreeing on this amendment.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. DOMINICK. So far as the Continental Divide is concerned, not only have I traveled it on foot and horseback, on many occasions, but also I have flown over the entire area, following its contour, in my own airplane, all the way up into Wyoming. It is a fascinating, beautiful system of scenery that would be made available, for the first time in history, if we could get this proposal through. So I am delighted that the program is moving forward.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. JACKSON. I yield.

Mr. MANSFIELD. Mr. President, I have listened to the debate with interest, and I would hope that the distinguished chairman of the Committee on Interior and Insular Affairs would give the most serious consideration to the amendment offered by the distinguished Senator from Wyoming [Mr. HANSEN]. The Senator from Wyoming has a point, because the trails do go east and west rather than north and south.

I would hope that we could do in our part of the country, along the Continental Divide, what has been done along the Appalachian Trail in the eastern part of the country, and in time develop a series of trails which would extend from the Waterton National Park in Alberta, Canada, to Glacier, in northern Montana, to Yellowstone, in northwestern Wyoming, down into the Grand Teton country, and eventually down into Estes Rocky Mountain, and the other national parks of Colorado, as well as those in New Mexico.

I would hope that the Senator would give consideration to this proposal, because it is a worthwhile amendment and has merit. It may be necessary to get action to give this proposal the consideration it should receive, and we would hope that out of it will come eventually what we would like, not only for an east-west trail system but also a north-south trail system.

Mr. JACKSON. The program we are undertaking today is a very substantial one. It is obvious that there is a need for careful programing and studying of the requirements in certain areas. As chairman of the committee, I will have no objection to the amendment.

I am further bolstered by the fact that not only is the senior Senator from Montana in favor of the amendment, or has no objection to it, but also, I am informed that the junior Senator from Montana is in agreement, as is the senior Senator from Wyoming.

So, there being complete agreement, I am very happy now, Mr. President, to yield so that the able Senator from Wyoming can offer his amendment.

Mr. HANSEN. Mr. President, I thank the distinguished and able chairman of the Committee on Interior and Insular Affairs for the leadership he has given those of us—and that includes most, I believe, in this country—interested in conservation. This is a distinct step forward. I would like to commend my colleague, the very able Senator from Colorado [Mr. DOMINICK] for the interest he has taken in this matter, and not only for traveling this highly rugged mountainous country in the West on foot and on horseback, but also for having flown over it in an airplane. Those of us familiar with the area know that there are considerable reaches of the Continental Divide Trail that can be seen presently in no other fashion except by airplane, because, unlike the Appalachian Trail and some other trails in the East, I would defy any person, except one who would be willing to commit several summers of time, to traverse the Continental Divide Trail if he were to follow the Continental Divide Trail from the southern border to the Canadian border on foot. It is rough, rugged country.

I do not think that my amendment would do violence to the objectives extolled on the floor of the Senate this afternoon. As a matter of fact, the way in which the bill was originally drafted, the northern section began at the Bridger Wilderness Area and extended northwesterly through Wyoming, then through Yellowstone National Park, and Montana.

I think it is well that it not be so included insofar as Wyoming is concerned, so as to give Congress time to observe and to give consideration to a study which the bill calls for in order that we can keep all of those important elements we wish so much to preserve.

I am not unmindful of the fact, according to the definitions spelled out earlier in the day in response to questions by the Senator from Vermont, that a trail could be as much as 400 feet wide if some 50 acres per mile were to be included. I am certain all of those who know the proposed trail through northwestern Wyoming would hold up their hands in horror if anyone suggested we have a trail along the Continental Divide which was 400 feet wide. This would be completely at cross purposes to the objectives we all had in mind when the wilderness areas were designated in Wyoming. It was with this thought in mind that I proposed that we amend the bill.

I propose an amendment as follows:

On page 4, line 9, strike lines 9 through 16 and insert in lieu thereof the words: "aproximately nine hundred mile segment of the Continental Divide Trail, extending from the Canadian border in Glacier National Park southward generally along the Continental Divide to the intersection of the Divide with the western boundary of Yellowstone National Park, following the route as generally depicted on the map numbered NST–CDT–102 which shall be on file and available for public inspection in the Office of the Chief, Forest Service."

So, subsection (2) would then read, beginning on line 10 on page 4: "extending from the Canadian border in Glacier National Park southward generally along the Continental Divide to the intersection of the divide with the western boundary of Yellowstone National Park."

If my geography serves me correctly, that would be a point common, and I would ask the distinguished majority leader if I am correct. Would this be a point common to Montana, Idaho, and the Yellowstone National Park?

Mr. MANSFIELD. Yes, indeed; in the vicinity of West Yellowstone.

Mr. HANSEN. Yes.

Then, on page 5, I think further amendment would be necessary to implement my suggestion. I propose a further amendment to read:

On page 6, line 1, strike lines 1 through 6, and insert in lieu thereof the words: "approximately two thousand two hundred mile segment of the Continental Divide Trail, extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the intersection of the divide with the western boundary of Yellowstone National Park."

What I am trying to do, in case this language does not adequately disclose my wishes, is to place in the study section all of the Continental Divide Trail through the State of Wyoming.

Mr. President, I ask unanimous consent that my amendment be agreed to.

The **PRESIDING OFFICER.** Is there objection? Without objection, the bill is amended accordingly.

Mr. GRUENING. Mr. President, it gives me great pleasure today to reaffirm my support of S. 827 which provides for a nationwide system of trails. I congratulate our hard-working chairman, the Senator from Washington [Mr. JACKSON], for the leadership he has given all of us. I feel that this proposed legislation will be of continuing recreational, educational, and historical benefit to Americans from all walks of life.

I am particularly pleased to see the inclusion in the bill of an amendment I proposed to Secretary of Interior Stewart Udall which specifically outlines a request for further study of Alaskan gold rush trails for future development of a nationwide trail system.

During the Interior Committee hearings on S. 827, in March 1967, I expressed my concern that although I was an enthusiastic supporter of the bill I felt that the omission of Alaskan gold rush trails was a grave error.

The Alaskan gold rush trails relate to a very important event not merely in the history of Alaska, but in the history of the United States, as well. It was the very last gold rush, and there will never be another like it. It was a chapter in the great westward march of the American people in search of greater freedom and greater opportunity. The trails, incidentally, pass through some of the most beautiful scenery on the North American Continent.

In designating the study of gold rush trails in Alaska, the bill refers specifically to first, the Chilkoot Trail, extending from Dyea over Chilkoot Pass to the Canadian border; second, the White Pass Trail, from Skagway to the Canadian border; third, the Dalton Trail, beginning at Haines and extending along the Chilkat River to the Canadian border; fourth, the Valdez Trail, from Valdez to Fairbanks; and fifth, the Iditarod Trail, originating in Knik and crossing the Alaskan Range to Iditarod City." In addition the bill provides for the study of additional trails within Alaska which are now neglected and which may come to our attention by adding a final clause for proposed study of "other such gold rush trails in Alaska."

Possibly the most famous of the Alaskan trails is the Chilkoot Trail. Here scores of persons lost their lives while attempting in times of low temperature, to reach the great riches of the gold fields in the interior of Alaska. During the hearing, I invited Secretary Udall, who was a witness at our committee hearings on the trails proposal to accompany me on a hike over this historic trail which today is very much as it was 70 years ago. He replied that he was most glad to have my invitation and thought that it was a most egregious omission that the Alaskan gold rush trails were not included in the proposal.

Perhaps later this year Secretary Udall and many of us who enjoy that vigorous pursuit of outdoor recreation will find it possible to retrace those historic trails which now and in years to come will mean so much to the students of American history and to all lovers of the outdoors in general.

As our population grows and the pressures of the burgeoning urban sprawl deprive too many of us of the enjoyment of day-to-day contact with nature, the trails we are establishing and studying in S. 827 will become additionally valuable.

I urge the passage of this important bill.

Mr. JACKSON. Mr. President, I do not believe there are further amendments.

The **PRESIDING OFFICER.** The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill (S. 827) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 827

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

STATEMENT OF POLICY

SECTION 1. (a) The Congress finds that in order to provide for the ever-increasing outdoor recreation needs of an expanding population and to promote public access to, travel within, and enjoyment of, the National and State parks, forests, recreation areas, historic sites, and other areas, existing trails should be improved and maintained and additional trails should be established both in the remaining highly scenic and unspoiled areas and in the metropolitan areas of the Nation.

NATIONWIDE SYSTEM OF TRAILS

(b) To carry out the policy set forth in subsection (a) of this section, there is hereby established a nationwide system of trails composed of (1) trails designated as "national scenic trails" in this Act or subsequent Acts of Congress; (2) park, forest, and other recreation trails on lands within areas administered by the Secretary of the Interior or the Secretary of Agriculture when designated by the appropriate Secretary; (3) park, forest, and other recreation trails on lands administered by the States when designated by the States and approved by the Secretary of the Interior; and (4) recreation trails on lands in and near metropolitan areas when designated by the administering agency and approved by the Secretary of the Interior. The Secretary of the Interior and the Secretary of Agriculture, in consultation with the appropriate Federal agencies, States, local governments, private organizations, and advisory councils, shall select a uniform marker for the nationwide system of trails, and shall provide for the placement upon the uniform marker of a distinctive symbol for each national scenic trail.

DEFINITION OF NATIONAL SCENIC TRAILS

SEC. 2. (a) A national scenic trail eligible to be included in the system is an extended trail which has natural historic and scenic qualities that give the trail recreation use potential of national significance. Such trails could be several hundred miles long, have overnight shelters at appropriate intervals, and be interconnected with other major trails to permit the enjoyment of extended hiking or riding experiences. A standard of excellence in the routing, construction, maintenance, and marking consistent with each trail's character and purpose should distinguish all national scenic trails. Each should stand out in its own right as a recreation resource of superlative quality and physical challenge, and might extend through or into several States.

(b) The following trails are hereby designated as "national scenic trails":

(1) The Appalachian Trail, a trail of some two thousand miles, extending along the Appalachian Mountains from Mount Katahdin, Maine, to Springer Mountain, Georgia, following the route as generally depicted on the map numbered NST–AT–101 which shall be on file and available for public inspection in the office of the Director, National Park Service.

(2) Continental Divide Trail, nothern sector, an approximately nine hundred mile segment of the Continental Divide Trail, extending from the Canadian border in Glacier National Park southward generally along the Continental Divide to the intersection of the Divide with the western boundary of Yellowstone National Park, following the route as generally depicted on the map numbered NST–CDT–102 which shall be on file and available for public inspection in the Office of the Chief, Forest Service.

(3) Pacific Crest Trail, a two thousand three hundred and fifty mile trail extending from the Mexican-California border northward generally along the mountain ranges of the west coast States to the Canadian-Washington border near Lake Ross, following the route as generally depicted on the map numbered NST–PC–103, which shall be on file and available for public inspection in the office of the Chief, Forest Service.

(4) Potomac Heritage Trail, an eight hundred and twenty-five mile trail extending generally from the mouth of the Potomac River to its sources in Pennsylvania and West Virginia, including the one hundred and seventy mile Chesapeake and Ohio Canal towpath, following the route as generally depicted on the map numbered NST–PH–102, which shall be on file and available for public inspection in the office of the Director, National Park Service.

FEDERAL, STATE, AND LOCAL PLANNING FOR ADDITIONAL NATIONAL SCENIC TRAILS

(c) The Secretary of the Interior, and the Secretary of Agriculture where lands administered by him are involved, shall make studies of the feasibility and desirability (including costs and benefits) of designating other trails as national scenic trails. Such studies shall be made in consultation with the heads of other Federal agencies administering lands through which the trails would pass and in cooperation with interested interstate, State, local governmental and private agencies and organizations concerned. The two Secretaries shall submit the studies to the President, together with their recommendations resulting therefrom for the inclusion of any or all such trails in the system, and the President shall submit to the Congress such recommendations, including legislation, as he deems appropriate. The studies shall include, among others, all or appropriate portions of—

(1) Continental Divide Trail, southern sector, an approximately two thousand two hundred mile segment of the Continental Divide Trail, extending from near the Mexican border in southwestern New Mexico northward generally along the Continental Divide to the intersection of the divide with the western boundary of Yellowstone National Park.

(2) Chisholm Trail, from San Antonio, Texas, approximately seven hundred miles north through Oklahoma to Abilene, Kansas.

(3) Lewis and Clark Trail, from St. Louis, Missouri, approximately four thousand six hundred miles to the Pacific Ocean in Oregon, following both the outbound and inbound routes of the Lewis and Clark Expedition.

(4) Natchez Trace, from Nashville, Tennessee, approximately six hundred miles to Natchez, Mississippi.

(5) North Country Trail, from the Appalachian Trail in Vermont, approximately three thousand two hundred miles through the States of New York, Pennsylvania, Ohio, Michigan, Wisconsin, and Minnesota, to the Lewis and Clark Trail in North Dakota.

(6) Oregon Trail, from Independence, Missouri, approximately two thousand miles to near Fort Vancouver, Washington.

(7) Santa Fe Trail, from Independence, Missouri, approximately eight hundred miles to Santa Fe, New Mexico.

(8) Long Trail, extending two hundred and fifty-five miles from the Massachusetts border northward through Vermont to the Canadian border.

(9) Mormon Trail, extending from Nauvoo, Illinois, to Salt Lake City, Utah, through the States of Iowa, Nebraska, and Wyoming.

(10) Gold Rush Trails in Alaska.

(11) Mormon Battalion Trail, extending two thousand miles from Mt. Pisgah, Iowa, through Kansas, Colorado, New Mexico and Arizona to Los Angeles, California.

SELECTION OF ROUTES FOR NATIONAL SCENIC TRAILS

(d) The Secretary of the Interior shall select the rights-of-way for trails designated as national scenic trails by subsection (b) of this section, paragraphs (1) and (4), and the Secretary of Agriculture shall select the rights-of-way for the trails designated by paragraphs (2) and (3). Such rights-of-way shall be (1) of sufficient width and so located to protect natural conditions, scenic and historic features, and primitive character of the trail area, to provide campsites, shelters, and related public-use facilities, and to provide reasonable public access: *Provided, however*, That acquisitions in fee or lesser interests (including scenic easements) which are acquired other than by agreement with the landowner shall not exceed a total of fifty acres per mile but acquisition in fee shall not exceed twenty-five acres per mile; and (2) located to avoid, insofar as practicable, established highways, motor roads, mining areas, power transmission lines, existing commercial and industrial developments, range fences and improvements, private operations, and any other activities that would be incompatible with the protection of the trail in its natural condition and its use for outdoor recreation. Where practicable, the right-of-way for the Appalachian Trail shall include lands protected for it under agreements in effect on January 1, 1966, to which Federal agencies and States were parties. The location and width of a national scenic trail right-of-way across Federal lands under the jurisdiction of another Federal agency shall be by agreement between the head of that agency and the appropriate Secretary. In selecting a right-of-way, the appropriate Secretary shall obtain the advice and assistance of the States, local governments, private organizations, landowners, the land users concerned, and the advisory council established under subsection (f) of this section. The appropriate Secretary may revise the location and width of a right-of-way from time to time as required by circumstances, with the consent of the head of any other Federal agency involved, and with the advice and assistance of the aforesaid States, local governments, private organizations, landowners, land users, and the advisory council.

The appropriate Secretary shall publish notice of the selection of a right-of-way in the Federal Register, together with appropriate maps and descriptions. If in his judgment changes in the right-of-way become desirable, he shall make the changes in the same manner.

MARKERS TO IDENTIFY NATIONAL SCENIC TRAILS

(e) The Secretary of the Interior and the Secretary of Agriculture, in consultation with the Federal agencies, States, local governments, private organizations concerned, and the advisory councils, shall erect and maintain the uniform marker for the nationwide system of trails at appropriate points along each national scenic trail route, and shall select a symbol for each such trail for placement upon the uniform marker. Where the trail route passes through Federal lands, such marker shall be erected and maintained by the Federal agency administering the lands. Where the trail route passes through non-Federal lands and is administered under cooperative agreements, the Secretary of the Interior and the Secretary of Agriculture shall require the cooperating agencies to erect and maintain such marker.

ADVISORY COUNCILS FOR NATIONAL SCENIC TRAILS

(f) The Secretary charged with the selection of the right-of-way for a national scenic trail shall establish an advisory council for each such trail. The appropriate Secretary shall consult with any such council from time to time with respect to matters relating to the trail, including the selection of the right-of-way, the selection, erection, and maintenance of the markers along the trail route, and the administration of the trail. The members of an advisory council shall be appointed for a term not to exceed five years by the appropriate Secretary as follows:

(1) A member appointed to represent each Federal department or independent agency administering lands through which the trail route passes and each appointee shall be the person designated by the head of such department or agency.

(2) A member appointed to represent each State through which the trail passes and such appointments shall be made from recommendations of the Governors of such States.

(3) One or more members appointed to represent landowners and private organizations that, in the opinion of the Secretary, have an established and recognized interest in the trail and such appointments shall be made from recommendations of landowners and the heads of such organizations. In the case of the Appalachian Trail, the Appalachian Trail Conference shall be represented by a sufficient number of persons to represent the various sections of the country through which the trail passes.

The appropriate Secretary shall designate one member to be chairman. Any vacancy in a council shall be filled in the same manner as the original appointment.

Members of an advisory council shall serve without compensation, but the appropriate Secretary may pay the expenses reasonably incurred by the council in the performance of its functions upon presentation of vouchers signed by the chairman.

ACQUISITION, DEVELOPMENT, AND ADMINISTRATION OF LANDS FOR NATIONAL SCENIC TRAILS

(g) Within the exterior boundaries of areas under their administration that are included in the right-of-way selected for a national scenic trail as provided in subsection (d) of this section, the heads of Federal agencies may (1) enter into written cooperative agreements with landowners, States, local governments, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) subject to limitations set forth in subsection (d) hereof, acquire lands or interests in lands by donation, purchase with donated or appropriated funds, or exchange.

(h) The Secretary of the Interior, in the exercise of his exchange authority, may accept title to any non-Federal property within the right-of-way, and in exchange therefor he may convey to the grantor of such property any federally owned property under his jurisdiction which is located in the States through which the trail passes and which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require. The Secretary of Agriculture, in the exercise of his exchange authority, may utilize authorities and procedures available to him in connection with exchanges of national forest lands.

(i) Where the lands included in a national scenic trail right-of-way are outside of the exterior boundaries of federally administered areas, the States or local governments involved shall be encouraged (1) to enter into written cooperative agreements with landowners, private organizations, and individuals in order to develop, operate, and maintain the trail; and (2) to acquire, develop, and administer such lands or interests therein: *Provided*, That if the State or local governments fail to enter into such agreements or to acquire such lands or interests therein within two years after the selection of the right-of-way, the Secretary charged with the selection of the right-of-way may (1) enter into such agreements with landowners, States, local governments, private organizations, and individuals; and (2) acquire private lands or interests therein by donation, purchase with donated or appropriated funds, or exchange, and may develop and administer such lands or interests therein: *Provided further*, That exchanges shall be governed by the provisions of subsection (h) of this section: *And provided further*, That the appropriate Secretary shall utilize condemnation proceedings without the consent of the owner to acquire private lands or interests therein pursuant to this subsection only in cases where, in his judgment, all reasonable efforts to acquire such lands or interests therein by negotiation have failed, and in such cases he shall acquire the fee title only where, in his judgment, lesser interests in land (including scenic easements) or written agreements are not adequate, but such acquisitions may be made only to the extent authorized in subsection (d) of this section: *And provided further*, That neither Secretary may acquire lands, waters, or interests therein by condemnation without the owner's consent when 60 per centum or more of the acreage within the entire national scenic trail area is owned by Federal, State, or local governmental agencies, but this limitation shall not apply to the acquisition of scenic easements. Money appropriated for Federal purposes from the land and water conservation fund shall be available for the acquisition of property for the purposes of this section.

(j) The Secretary of the Interior shall develop and administer the Appalachian and Potomac Heritage Trails and the Secretary of Agriculture shall develop and administer the Continental Divide and Pacific Crest Trails, except that any portion of any such trail that is within areas administered by another Federal agency shall be administered in such manner as may be agreed upon by the appropriate Secretary and the head of that agency, or as directed by the President. The Federal agencies shall coordinate their efforts to provide uniform administration and protection of the national scenic trails, and shall give encouragement to, and cooperate with, States, local governments, private organizations, and individuals in promoting the purposes of this section.

National scenic trails shall be administered, protected, developed, and maintained to retain their natural, scenic, and historic features; and provision may be made for campsites, shelters, and related public-use facilities; and other uses, including reasonable crossings, that will not substantially interfere with the nature and purposes of the trails may be permitted or authorized, as appropriate: *Provided*, That the use of motorized vehicles by the general public along any national scenic trail shall be prohibited, and the Appalachian Trail and the Potomac Heritage Trail in Virginia between Great Falls Park and Spout Run shall be developed and maintained primarily as a footpath to retain its natural environment: *Provided further*, That the Federal laws and regulations applicable to Federal lands or areas included in any national scenic trail shall continue to apply to the extent agreed upon by the appropriate Secretary and the head of the agency having jurisdiction over the Federal lands involved, or as directed by the President.

The appropriate Secretary, with the concurrence of the heads of any other Federal agencies administering lands through which a national scenic trail passes, and after consultation with the States, local governments, and private organizations concerned, and any advisory council established under subsection (f) of this section, may issue regulations, which may be revised from time to time, governing protection, management, use, development, and administration of a national scenic trail. Any person who violates a regulation issued pursuant to this Act shall be guilty of a misdemeanor, and may be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

(k) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, but not to exceed $10,000,000, for land acquisition during the five-year period beginning with the enactment of this Act. No funds for development of the Continental Divide Trail shall be appropriated until sixty days after the Secretary of Agriculture shall submit detailed plans for such development to the respective Committees on Interior and Insular Affairs of the Senate and House of Representatives.

FEDERAL PARK, FOREST, AND OTHER RECREATION TRAILS

Sec. 3. (a) The Secretary of the Interior and the Secretary of Agriculture are directed to improve, expand, and develop park, forest, and other recreation trails for hiking, horseback riding, cycling, and other related uses on lands within areas administered by them: *Provided*, That the use of motorized vehicles by the general public shall be prohibited on such trails within (1) the natural and historical areas of the national park system; (2) the national wildlife refuge system; (3) the national wilderness preservation system; and (4) other Federal lands where trails are designated as being closed to such use by the appropriate Secretary. Such trails may be designated and suitably marked as part of the nationwide system of trails by the appropriate Secretary.

(b) Whenever the Secretary of the Interior makes any conveyance of land under any of the public land laws, he may reserve a right-of-way for trails to the extent he deems necessary to carry out the purposes of this Act.

STATE AND METROPOLITAN AREA TRAILS

Sec. 4. (a) The Secretary of the Interior is directed to encourage States to consider, in their comprehensive statewide outdoor recreation plans and proposals for financial assistance for State and local projects submitted pursuant to the Land and Water Conservation Fund Act, needs and opportunities for establishing park, forest, and other recreational trails on lands owned or administered by States, and recreation trails on lands in or near urban areas. He is further directed, in accordance with the authority contained in the Act of May 28, 1963 (77 Stat. 49), to encourage States, political subdivisions, and private interests, including nonprofit organizations, to establish such trails.

(b) The Secretary of Housing and Urban Development is directed, in administering the program of comprehensive urban planning and assistance under section 701 of the Housing Act of 1954, to encourage the planning of recreation trails in connection with the recreation and transportation planning for metropolitan and other urban areas. He is further directed, in administering the urban open-space program under title VII of the Housing Act of 1961, to encourage such recreation trails.

(c) The Secretary of Agriculture is directed, in accordance with authority vested in him, to encourage States and local agencies and private interests to establish such trails.

(d) Such trails may be designated and suitably marked as parts of the nationwide system of trails by the States, their political subdivisions, or other appropriate administering agencies with the approval of the Secretary of the Interior.

UTILITY RIGHTS-OF-WAY

Sec. 5. The Secretary of the Interior and the Secretary of Agriculture are authorized, with the cooperation of the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission, and other Federal agencies having jurisdiction, control over, or information concerning the use, abandonment, or disposition of rights-of-way and similar properties that may be suitable for trail route purposes, to develop effective procedures to assure that, wherever practicable, utility rights-of-way or similar properties having value for trail route purposes may be made available for such use.

Mr. MANSFIELD. Mr. President, the passage of this bill to establish a nationwide system of trails is but one additional monument to the distinguished Senator from Washington [Mr. JACKSON] in preserving for future generations the natural beauty and splendor of America. Future generations will pay the true tribute to his leadership and those of this generation that followed his leadership in the field of conservation.

I wish also to express my appreciation to the senior Republican of the body, the Senator from Vermont [Mr. AIKEN], the Senator from Missouri [Mr. SYMINGTON], and the Senator from Wyoming [Mr. HANSEN] for their cooperation in the expeditious handling of this measure.

PRESIDENT JOHNSON'S PEACE INITIATIVE SUCCEEDS

Mr. BAYH. Mr. President, today President Johnson signed the Nuclear Nonproliferation Treaty on behalf of the U.S. Government. The President referred to it as the most important international agreement since the beginning of the nuclear age.

This treaty adds to the security of all nations on the globe because it will reduce the dangers of nuclear war among nations. As an additional benefit, peaceful applications of nuclear energy will be encouraged by the treaty.

On the occasion of signing the treaty, President Johnson announced that agreement has finally been reached between the Soviet Union and the United States to discuss limitations on strategic weapons systems. This step was first proposed by the President more than 4 years ago. The President's persistent and patient efforts have brought the world's two global powers to the talking stage on lowering the threat of nuclear war.

Although much hard work and debate lie ahead, the entire world can breathe a little easier now.

SCHOOL FOR ADMIRALS

Mr. JACKSON. Mr. President, as many Senators know who have had the privilege of visiting the U.S. Naval War College in Newport, which is under the leadership of Vice Adm. John T. Hayward, that college is today a stimulating, up-to-date, educational center, where free inquiry and discussion are encouraged and respected.

Admiral Hayward rose from the Navy's enlisted ranks. He is now one of the Navy's top-ranking officers. A scientist by training, an able administrator, and a distinguished leader in seagoing commands, Admiral Hayward represents the kind of outstanding officer the Navy and the Nation needs in these fast-changing and dangerous times.

I invite the attention of Senators to an informative article about the U.S. Naval War College which was published in a recent issue of the Wall Street Journal and ask unanimous consent that it be printed in the Record:

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Wall Street Journal, June 28, 1968]

School for Admirals: An Intellectual Officer Tries To Widen Outlook of Future Navy Leaders—Hayward, War College Head, Adds Nonmilitary Subjects, Calls on Vietnam Critics—Graffito in Men's Room

(By Neil Ulman)

Newport, R.I.—The U.S. Naval War College, a collection of imposing gray stone buildings overlooking Narragansett Bay, has for 84 years been a school of strategy and command for senior officers. Its 10-month course has traditionally concentrated on battle planning, fleet maneuver and control, logistics and weapons systems.

But now a guest lecturer blasts the U.S. presence in Vietnam. A professor tells his class that the State Department's rationale for the Cuban quarantine is all wet. A picture of Ho Chi Minh hangs prominently in an administrative office. And a favored new text is Che Guevara on Guerrilla Warfare.

Some might call this treason, but Vice Admiral John T. Hayward doesn't. He has spent 44 of his 59 years in the Navy (he lied about his age to get in), rising from the enlisted ranks to become the Navy's tenth-ranking officer. For the past two years, he has been president of the War College here—a post he is expected to relinquish soon—and he is responsible for its new look.

THREE DAYS IN THE BRIG

Admiral Hayward, a high school dropout, Annapolis graduate and respected atomic physicist, knows the role of the modern military man involves more than guns and ships. Knowledge of economics, politics, sociology and psychology is essential, he figures, for officers who are more likely to be called upon to engage in delicate cold war jousting with the Soviets or to strengthen the social structure of a backward Asian land than to exchange shellfire with an enemy. Admiral Hayward also wants his students to get views from every side, which is why he invites critics of U.S. policy as guest lecturers and gives his regular faculty—10 civilians and 30 or so military men—complete freedom to speak their minds.

Despite an occasional raised eyebrow from old-line military men, most observers think the free-wheeling atmosphere created here by Admiral Hayward is all to the good. The students at the War College—along with those at the Army War College in Pennsylvania and the Air War College in Alabama, where the same liberalizing trends are stirring—are generally the officers considered to have the potential for moving up to the top command positions in the services. For such men, students of military affairs agree, exposure to a broad view of the complex modern world is increasingly important.

The admiral, who as a recruit once spent three days in the brig for impertinence, deliberately tries to provoke some irreverence on his snappishly military campus. He's procured the "autographed" picture of Ho Chi Minh in the public information officer's office. And in the War College's otherwise immaculate senior officers' toilet, a penciled scrawl reads, "Anderson Is Alive and Well in Portugal." The sardonic reference is to Admiral George Anderson, who was removed as Chief of Naval Operations and made ambassador to Portugal by President Kennedy after clashing with former Defense Secretary Robert McNamara over what the admiral viewed as unwarranted intrusion of civilian officials into military strategy.

INTELLECTUALS, NOT TECHNICIANS

Mr. McNamara is indirectly responsible for some of the change here. As Defense Secretary, he shifted the burden of defense decisionmaking to civilians, rankling many military men who felt they had been relegated to the role of "mere technicians," as Admiral Hayward puts it. The admiral believes the military men should recapture their prestige and influence, and he says the way for them to do it is to "broaden their professional education."

Accordingly, when he became president of the War College in February 1966, the place took on a whole new look. In little over a year, he doubled the civilian faculty, overhauled the curriculum, established a chair in economics and forged working ties with Brown, Harvard, Massachusetts Institute of Technology and the University of Rhode Island.

"When I got here," the square-jawed admiral says, "there was an obsession with the procedures of military planning. That's strictly mechanical—not an intellectual exercise. I wanted to make this a year of intellectual growth for my students so they could go on to future duties as broader men."

One of the first changes made by Admiral Hayward and Prof. Frederick H. Hartmann, senior civilian instructor and former head of the department of international relations at the University of Florida, was to run all students through a three-month survey course in the fundamentals of maritime history, international law, international relations and economics.

"These students are tops operationally, but they're from diverse backgrounds, and they've been out of college a long time," says Prof. Hartmann. "We start with the basics, assuming nothing, so that when we talk later about, say, the balance of payments, we won't leave anyone behind."

MAO TSE-TUNG AND CHE GUEVARA

Officers who were familiar with the pre-Hayward War College are impressed with the changes. "When I was a student here, we all wrote the same damn thesis on the military potential of the USSR versus the United States, and that was it," says Capt. Robert N. Miller, who has returned to the War College as an administrator.

Now, an antisubmarine officer writes a thesis on the role of birth control in U.S. foreign policy, another officer writes on "U.S. Investments in Canada—A Threat to Sovereignty?" and a third analyzes "The Newsman in Vietnam: Responsible or Irresponsible?" Papers on warfare quote heavily from Mao Tse-tung, Che Guevara and North Vietnamese Gen. Vo Nguyen Giap.

All this is not to say, however, that Admiral Hayward has abandoned the war part of the War College. Students still study the traditional war courses, and they still spend about a tenth of their time here playing war games.

Indeed, in a Navy that has always gone in heavily for elaborate training aids, the War College's $7.5 million Naval Electronic Warfare Simulator (NEWS) is, as one officer calls it, "the grand-daddy of them all." Housed in a three-story, block-long building, the simulator took 13 years to build. A staff of 70 operates and maintains it.

War situations are projected on the towering NEWS screen, showing real or hpyothetical geographical areas from 40 to 4,000 miles square. Only the umpires can see the screen, however. The students, isolated in "command centers," receive only such information as they would normally get in an aircraft cockpit or on a ship's bridge.

The students then maneuver forces to bomb, shell or torpedo each other. Their commands are fed into a computer, which projects the battle on the screen for the umpires to see. The idea is to give the students experience in command decisions under simulated battle pressure. When the War College students aren't using the machine, officers from the operating forces use it to work out actual battle plans whose "soundness," says a NEWS brochure, "can be tested with startling accuracy."

LACKING STUDENTS AND FACULTY

The War College administration would like to get a new computer that would pose a greater variety of situations and give realistic damage assessments, and they probably will get it before too long. The college, which counts most top officers among its alumni, usually gets most of the equipment it wants.

What Admiral Hayward can't readily get, however, are teachers and students. "I want a chair in comparative cultures when I can get the right man," the admiral says. "But it's hard. I have to sell the War College to scholars. They don't understand it. They don't realize there's complete academic freedom here."

Former faculty members stick up for the college. "It's a very stimulating place," says Harry L. Coles, who taught history at the War College last year and who now is chairman of the history department at Ohio State University. Dennis M. O'Connor, who taught international law at the War College last year and who now teaches at the University of Miami, agrees. "They'll never teach an antiwar curriculum there," he says, "but there's as much academic freedom as at any university I've seen."

Prof. Hartmann, the senior civilian instructor, cites another advantage of teaching at the War College. "I have off-the-record access to top State Department and Defense Department people who come here all the time," he says. "You can't get that anywhere else."

AN INCIDENT IN ALABAMA

To insure open inquiry and discussion by students, instructors and visiting lecturers, the Naval War College and its sister institutions of the Army and Air Force have decreed that nothing said in a class or lecture is to be repeated off the campuses. Nevertheless, Maj. Gen. Jerry D. Paige was relieved as commandant of the Air War College in Montgomery, Ala., last year after his criticisms of ordnance shortages in Vietnam, made in a supposedly off-the-record seminar, were relayed to the Pentagon.

"That's what can happen if you don't have good men backing you up," says Admiral Hayward. "I intend to see we keep academic freedom here, but without men like Paul Nitze

(Under Secretary of Defense and former Secretary of the Navy) who understands what we're trying to do, we could be in trouble."

The lack of students at the War College here has nothing to do with fears over academic freedom. It's simply that so many officers are needed to fight the Vietnam war that they can't be released for a year of study.

"A force commander flew all the way up here from Norfolk for lunch recently to try to cancel War College orders for one of his men," says a faculty member. Such resistance persists despite a directive from the Chief of Naval Operations that officers assigned to the War College for study be turned loose whenever possible.

About a third of the openings for captains and commanders went unfilled in the class that graduated here Wednesday. There were 140 openings, but only 96 students in that section. Another 117 junior officers—younger commanders and lieutenant commanders—were graduated from a second section of the school, which had room for 150. Thirty-one officers from friendly foreign navies were graduated from the third section.

A MASTER SURFACE TRANSPORTATION

Mr. MOSS. Mr. President, about a year ago, Representative JOHN Moss and I introduced in our respective bodies a joint resolution directing the Department of Transportation and the Interstate Commerce Commission to prepare and submit to Congress a master surface transportation plan utilizing to best advantage all rail and highway facilities in the country, and recommending the improvement of these modes of travel wherever possible.

The Moss-Moss bill as it has become known, has evoked considerable discussion, and last week my joint resolution, Senate Joint Resolution 52, was reported by the Surface Transportation Subcommittee to the Committee on Commerce for further consideration.

Coincidentally, the same day the resolution was ordered reported, the Interstate Commerce Commission sent to Congress a 100-page report in which it requested authorization of a similar comprehensive study, predicting that if certain policies of both the Federal Government and the railroads are not changed quickly, significant segments of the country's railway passenger service will vanish within a few years.

Full news coverage of the ICC recommendation was carried in both the New York Times and the Wall Street Journal on June 27. I ask unanimous consent that these articles be printed in the RECORD.

Mr. President, there is no doubt that we must undertake—and soon—some massive long-range ground transportation planning to make the best use of both of our railways and our highways. Until we do this our surface transportation system will continue to deteriorate.

Because we have no ground transportation blueprint, we are allowing our railroads to be consolidated and unified and merged until we no longer have adequate rail service in many sections of the country. We are also allowing our good passenger trains—often our blue ribbon trains—to be taken out of service one by one. I venture to say that no other modern nation in the world has allowed its passenger rail service to deteriorate as we have in the United States in the last two decades.

What we need is an immediate moratorium on the reduction of passenger train service pending the completion of a master plan. The Moss joint resolution would restrain the ICC from approving any railroad consolidations or mergers during the 1 year during which the authorized study would be made, and would also prevent further discontinuance of any scheduled trains unless such service reductions are approved by the States involved. It is the answer to the problem the ICC has outlined—an answer which is in the works already.

On May 13, the New York Times published an editorial entitled "Hotfoot for the ICC" which outlines what is happening to American passenger service, and indicates the extent to which both ICC and railroad policies must be changed if America is to continue to have an operating network of railroads providing transportation for both our people and our freight. Because the editorial makes a case for the passage of the Moss joint resolution far better than I could, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, June 27, 1968]

ICC Acts To Save Passenger Trains—Asks Congress To Let Lines Drop Unprofitable Runs To Protect Other Service

(By Robert E. Bedingfield)

WASHINGTON, June 26.—The Interstate Commerce Commission told Congress today that "significant segments" of long- and medium-distance rail passenger service would disappear in a few years unless the law was changed to allow carriers to drop money-losing service.

The commission, which proposed such changes in the Interstate Commerce Act, also recommended in a 100-page report that a comprehensive study be made of the need for a national railroad passenger system.

This study, the agency stipulated, should include the methods for developing a modern rail network, if such a system is desirable. The commission suggested that the study be made either by a Congressional committee or by the Department of Transportation with the assistance of the I.C.C.

"We pledge our full cooperation in such a venture," the commission said. Its report was presented by the chairman, Paul J. Tierney, to Senator Warren G. Magnuson, Democrat of Washington, who is chairman of the Senate Commerce Committee, and Representative Harley O. Staggers, Democrat of West Virginia, chairman of the House Committee on Interstate and Foreign Commerce.

The commission, which has been under increasingly sharp criticism recently for not having formulated its own minimum standards for railroad passenger service, has long urged revisions in section 13A of the Interstate Commerce Act.

It is section 13A that specifies the conditions under which the commission can authorize the elimination of passenger train service.

Section 13A was made part of the Interstate Commerce Act in 1958, when the financial status of the nation's railroads was so critical that it was feared that as many as two dozen systems might lurch into receivership.

REVISIONS PROPOSED

The section requires the commission to permit train discontinuance unless the regulatory agency finds that the particular train service "is required by the public convenience and necessity and will not unduly burden interstate and foreign commerce."

Among the revisions the commission recommended in section 13A was one that would require the railroad seeking to get out of a particular train service to give its patrons 60 days advance notice instead of the present 30 days.

It also recommended that the period of suspension the commission can order before allowing a discontinuance be extended to seven months from the present four months. This additional time, it explained, would permit a "more adequate investigation and consideration by the I.C.C."

The regulatory body also proposed that it be authorized to provide special rules to keep trains operating for two years before granting a railroad's request to discontinue its last remaining interstate service between two points.

The most critical problem it has encountered in handling train discontinuance applications, the commission said, is the trend of the railroads to end the last service between major cities. This is the most serious in the West, the agency said.

The commission, without mentioning the railroad by name, was referring, among others, to the Southern Pacific Company. That road wants to discontinue the Sunset, the last remaining passenger train operating between New Orleans and Los Angeles.

This spring, before the Southern Pacific filed its discontinuance application for the Sunset, a commission examiner conducted an exhaustive investigation asked for by California, New Mexico, Arizona, Texas and Louisiana. The examiner found that the railroad had violated the Interstate Commerce Ace by collecting special fares on the train without providing patrons with "special services."

The report acknowledged the joint program of the Government and the Penn Central and New Haven Railroads to conduct high-speed train demonstrations over the next several years between Washington, New York and Boston.

It also noted that there had been general acceptance by both the public and Government—Federal, state and local—that in many areas rail commuter service was the most economic public method of getting people in and out of crowded cities.

However, the report repeatedly criticized the Federal Government for not promoting rail passenger service. It said that the lack of Government promotion encouraged the railroads to continue to allow the quality and quantity of their passenger service to deteriorate.

"We do not believe that any significant action will be taken until a consensus is developed on whether a national intercity rail system is needed," the report said.

"The national ambivalence toward the problem not only fosters inaction and inconsistency in governmental policy, but it encourages railroads to continue the present trends," it added.

[From the Wall Street Journal, June 27, 1968]

ICC Report Calls for Congressional Study of Rail Passenger Service, Tougher Laws

WASHINGTON.—The Interstate Commerce Commission made a broad appeal for Congress to make some changes in the nation's rail passenger service system.

In its official report and recommendations, the ICC asked Congress to:

Authorize a massive Government study on the need and means for preserving a "national rail passenger system."

—Enact stopgap legislation that would make it tougher for the nation's railroads to discontinue their rail passenger service.

The agency also recommended that "as a temporary measure . . . the Post Office Department consider curtailing any additional reductions in mail contracts involving passenger trains for two years."

The report was presented by ICC chairman Paul J. Tierney to Sen. Magnuson (D., Wash.), chairman of the Senate Commerce Committee, and Rep. Staggers (D., W.Va.), chairman of the House Commerce Committee.

The report generally called for a new in-depth look at the present and future needs in intercity rail service and for consideration of changes in Federal policy and Federal law governing passenger train discontinuances.

The ICC has come under increasing criticism in recent months because of what its critics feel is a failure to do something to stop the rising number of passenger trains being dropped by the nation's roads. Recently, the commission asked for Congressional hearings on the adequacy of the nation's rail passenger system.

In calling for a study of the rail passenger system, the ICC said it doesn't believe that "significant segments" of the remaining long and medium-distance service will survive without "a major change in Federal and carrier policies."

The ICC concluded that current Federal policy is inadequate to deal with the current passenger-train problem for several reasons: The railroads themselves are convinced there isn't any future in such service; railroads face increasing competition in their freight business, which makes passenger deficits more burdensome; and a public belief that passenger trains are needed makes it difficult to satisfy anyone regardless of how cases are decided.

Moreover, current Federal law isn't designed to promote passenger service, but, to allow the carriers to reduce it. The ICC argues that currently it can't require roads to continue a passenger service unless it can find there's a "public need for the service and that the continuation will not impose an undue burden on interstate commerce."

"It is imperative that a comprehensive review be initiated of the future contribution which a modernized rail passenger system could make before some vital services are abandoned," the agency said. The ICC recommended that Congress initiate the study, or, alternatively, that the Transportation Department and the ICC make it.

It said the study should determine such things as existing capacity and anticipated expansion of all transportation modes, expected passenger transportation needs, and the costs and ability of an improved rail passenger service to meet those needs.

[From the New York Times, May 13, 1968]

HOTFOOT FOR THE ICC

The Interstate Commerce Commission awoke from its torpor long enough last week to authorize the discontinuance of a few more of the country's vanishing fleet of blue-ribbon passenger trains. The Santa Fe was allowed to drop its Chicago-Los Angeles streamliner, the Chief; the Chesapeake & Ohio got permission to kill the Fast Flying Virginian and the Sportsman on the Washington-Cincinnati run.

It is all part of a dismally familiar story for the I.C.C., the oldest of the Federal regulatory agencies and—except for the Federal Communications Commission, which nominally regulates the radio and television industry—the sleepiest and least effectual.

Made up of eleven commissioners who rotate the chairmanship each year, the I.C.C. has a shifting membership, no executive head and few consistent policies. Its protracted procedures sometimes irritate the railroads, buslines and trucking companies, but these private interests much prefer to suffer its fussy inconsequence than to deal with a small, reformed agency which might aggressively defend the public interest.

The scorching report of John S. Messer, the hearing examiner in a case involving a reduction of service standards by the Southern Pacific, is nothing less than an indictment of the commission for neglect of duty. Its failure to protect the traveling public against the exploitation of railroad managers is boldly set forth.

It is astonishng to learn that the commission has never formulated minimum standards for passenger service. Instead, the commission has supinely cooperated with those railroads which have wished to discontinue passenger service and concentrate on their more profitable freight service. Railroads are not ordinary business firms; they are quasi-public corporations endowed with enormous land grants and the power of eminent domain in order to perform a specific service. That service is to provide transportation for persons and goods.

Passenger service sometimes incurs a deficit, although the railroads exaggerate their losses, as the Southern Pacific did in this case; but the I.C.C. already takes the passenger deficit into account in setting (and raising) freight rates.

Railroad companies have developed the propaganda myth that maintenance of passenger service is a matter of interest only to a dwindling number of train buffs. In reality, ninety-eight million passengers, not counting daily commuters, traveled on intercity trains last year. Rather than dwindling, the number of rail passengers is likely to rise in the coming decade as highway and airlane congestion worsens. If highway traffic triples in the near future, as experts expect, the immensely expensive interstate highway system now being built will not be able to sustain the burden.

A functioning network of passenger railroads connecting major points in this nation is not a matter of nostalgia and romance; it is a practical necessity. The first duty of the I.C.C. is to stop finding excuses for discontinuance of service and act upon the recommendations of this landmark report. If the preservation of adequate service ultimately requires government reforms, that is the responsibility of the President, the Department of Transportation, and especially of the Congress. The I.C.C.'s duty is to stop pampering the railroads it is supposed to regulate and to begin protecting the defenseless traveling public.

THE GROWTH OF FEDERAL JURISDICTION

Mr. **MUNDT**. Mr. President, a good friend of mine and a distinguished public servant, John G. Adams, of the Civil Aeronautics Board, recently delivered an excellent address to the South Dakota Bar Association meeting in Pierre. Mr. Adams is a native of Sioux Falls, S. Dak., and is a graduate of the University of South Dakota School of Law. He has a wealth of experience in governmental affairs, having served as chief clerk of the Senate Committee on Armed Services and in the Office of the Secretary of the Army prior to his appointment to the Civil Aeronautics Board. Mr. Adams is one of our most distinguished native South Dakotans. I take pleasure in asking unanimous consent that his address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE GROWTH OF FEDERAL JURISDICTION

(Remarks by John G. Adams, member, Civil Aeronautics Board, before the South Dakota Bar Association, Pierre, S. Dak., June 21, 1968)

The autumn of 1932 was marked for me by two major events—my entrance into the University of South Dakota Law School and the defeat of the incumbent President of the United States—Herbert Hoover—by Franklin D. Roosevelt, which resulted in the coming of the New Deal. That political happening spelled the beginning of an era of expanding Federal power into more and more phases of American business life, the development of centripetal forces which concentrated more and more economic, as well as social, power in Washington.

In order to administer this newly centralizing power, there were created during the early years of the Roosevelt administration a series of new regulatory agencies, such as the Securities and Exchange Commission and the Civil Aeronautics Board. Attendant upon this development there has been growing a whole new field of law, Administrative Law.

As vast new powers accreted in these new regulatory agencies, how were they to be contained by forces both without and within? How were the regulators to exercise the broad powers conferred on them? How indeed, nearly two generations later, can I, an alumnus of this Bar Association, and now a member of the Civil Aeronautics Board, best discharge my responsibilities?

It is in this context that I am going to discuss today the role of law in the containment of power—administrative power.

It might be contended by some that control of administrative action is vested in the courts and there alone. That is only partially true. The controls that exist today for the containment of regulatory power are to be found in four different institutions. The first three stem from nothing less basic than the three branches of Government established by the Constitution: thus, besides the more apparent power of control which is vested in the judiciary, it will be seen that control is also exercised in large measure by the Congress, and, to varying degrees, by the President. In addition, there is a fourth control which lies within the administrative agencies themselves and which I shall term "administrative restraint." I shall try to indicate how these controls have developed over the past 35 years and to give examples of how they have been applied in particular cases.

When I went to law school, federal jurisdiction was a distant and somewhat esoteric concept. We studied contracts and torts, real property and wills, which fields of law were to be applied in the state courts with rights between the parties to be tried by South Dakota lawyers and adjudicated in South Dakota courts. Aside from a course in Bankruptcy, the only course offered which dealt with federal law was Constitutional Law. There we read *Marbury* v. *Madison*[1] and learned from Chief Justice Marshall that where justices of the peace are concerned, when an officer (here the Secretary of State) is "directed by law to do a certain act affecting the absolute right of an individual," a competent court by mandamus may direct an officer to act. We found that in the subsequent case of *Decatur* v. *Paulding*[2] Chief Justice Taney characterized the power of the Secretary of the Navy as "executive" and the Court refused to order the latter to pay a pension to the widow of Commodore Decatur. We learned in *Gibbons* v. *Ogden*,[3] again in an opinion by Chief Justice Marshall, that the act of the New York legislature in granting exclusive navigation of all waters within the state to Livingston and Fulton's steamboats was repugnant to the commerce clause so far as it purported to prohibit steam vessels licensed according to the laws of the United States from navigating such waters. And we were taught by Mr. Justice Holmes in *Schenck* v. *United States* that the free speech protection of the Constitution does not extend to one who attempts to cause insubordination in the Army by sending to newly drafted men pamphlets denouncing conscription, the question in every case being whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger."[4]

---

[1] 1 Cranch 137 (U.S. 1803).

[2] 14 Pet. 497 (U.S. 1840).

[3] 9 Wheat. 1 (U.S. 1824).

At the time those constitutional law cases seemed far away and had, it seemed to me, very little to do wtih the day-to-day practice of law in South Dakota to which I aspired. Indeed, the Federal District Court which now sits at Aberdeen, Pierre, Deadwood and Sioux Falls, but which then sat only at the latter two cities, had little impact on our daily lives. The matter in controversy had to exceed $3,000 and there were not many cases arising in South Dakota "under the Constitution, laws, or treaties of the United States."[5] Most of the cases in the federal court, as I remember, were criminal cases arising out of crimes committed on Indian reservations. Indeed, a search of the Federal Reporter and Federal Supplement shows no reported case out of the District Court from the fall of 1932 until Februnary 19, 1934, when I came upon *Schlosser* v. *Welsh*,[6] and that was before a three-judge court. The year before the legislature had enacted a state income tax. This was a suit in equity brought by three federal employees—a Sioux Falls postal clerk, a Veterans Administration attorney and a stockman on an Indian reservation—to enjoin collection of the state income tax on their federal salaries on the grounds that the state could not interfere in a federal activity. The court leaned heavily on a ruling by Chief Justice Marshall in *McCullough* v. *Maryland*[7] that "the states have no power, by taxation or otherwise, to retard, impede, burden, or in any manner control, the operation of the constitutional laws enacted by Congress to carry into execution the powers vested in the general government." Thus, ruled the Federal District Court of South Dakota: "These plaintiffs, if not themselves, in a limited sense, governmental agencies or instrumentalities, are necessary parts of such, and their income from the federal government for services cannot be taxed by the state."[8]

The plaintiffs' attorneys in that case were old friends of many of you, Olaf Eidem and E. D. Barron. The sitting District Judge was that fine old rugged individualist, A. Lee Wyman, who had been appointed by President Hoover in 1929.

I might add that a few years later Congress passed the Public Salary Tax Act of 1939, wherein the United States expressly consented to the levy of state and local income taxes on the pay of the Government employees.[9]

I earlier referred to the growth and concentration of federal power in Washington and the creation of new federal agencies.

These administrative bodies, as such, are not a completely modern phenomenon. Writers on English law have pointed, for example, to the sewer commissions in England in the 16th century as being "as akin to a modern administrative tribunal in their powers, their outlook and their political destiny as one is likely to find."[10] And even they were subjected to the jurisdiction of the Court of Common Pleas. When a challenge was brought to an assessment made by the commissioners in *Rook's Case* in 1599, it was argued in defense that the commissioners were empowered to act according "to their discretions." The court held the sewer assessment invalid and, as reported by Lord Coke, stated: ". . . discretion is a science or understanding to discern . . . and not to do according to their wills and private affections."[11]

Our own Declaration of Independence charges a host of abuses against the British administrative agencies which were operating in the colonies. It charged that the King had created a multitude of new offices and had sent hither swarms of officers to harass the American people.

And even our own new government was not long in creating administrative bodies. Thus, for example, the first Congress in 1789 established a complete administrative machinery for the collection of customs duties, with Customs Districts established from New Hampshire to Georgia, and provision made for administrative adjudication of disputes.[12] And that same Congress Provided a licensing system for persons desirous of trading with the Indians.[13]

But in 1932 there were essentially two federal regulatory agencies—the Interstate Commerce Commission, created by the Commerce Act of 1887 to regulate the railroads,[14] and the Federal Power Commission, which had been established by the Federal Water Power Act of 1920 with certain limited authority over water power resources.[15] But with the advent of the New Deal the number and powers of the regulatory agencies grew rapidly. My contemporaries will remember the ill-fated NRA, created by the National Industrial Recovery Act of 1933,[16] which was empowered to fix hours and wages for every business, small and large, in the country. That federal intrusion into the lives of the citizenry was struck down by the Supreme Court in May 1935, two weeks before I graduated from Law School, in the case of *Schechter Poultry Corp.* v. *United States*.[17] The court held not only that code making was an unconstitutional delegation of legislative power, but also that the attempt to fix the hours and wages of employees in intrastate business was not a valid exercise of federal power.

The principal regulatory agencies which were created in the 1930's and which are in business today are the Securities and Exchange Commission[18] and the Federal Communications Commission,[19] both created in 1934; the National Labor Relations Board,[20] established in 1935; and the Civil Aeronautics Board, which was set up in 1938.[21] In addition, the existing functions of the Federal Power Commission were greatly expanded in 1935.[22]

With the proliferation of these independent agencies, there also grew at an accelerated rate the field of administrative law. The basic elements of administrative law have been characterized as (1) the transfer of power from legislatures to agencies; (2) the exercise of power by agencies; and (3) review of administrative action by the courts.

These developments prompted the American Bar Association (ABA) to appoint a special committee on administrative law, which in 1934 reported: "The judicial branch of the federal government is being rapidly and seriously undermined . . . The committee naturally concludes that, so far as possible, the decision of controversies of a judicial character must be brought back into the judicial system."[23] In 1938 the ABA committee, then headed by Dean Roscoe Pound, criticized the administrative agencies for indulging in the following tendencies: "to decide without a hearing, to hear only one side, to decide on evidence not produced and to make decisions on the basis of preformed opinion and prejudices."[24]

As one sitting as a member of one of these bodies I sometimes have an uneasy feeling that even today, 30 years later, administrative agencies may not be entirely free of the latter tendency.

In 1939 President Roosevelt requested the Attorney General to appoint a committee to investigate the "need for procedural reform in the field of administrative law." While the Attorney General's committee was still investigating, Congress in 1940 passed the Walter-Logan bill, which was sponsored by the ABA. That bill, among other things, exempted from its provisions a host of agencies including the Federal Trade Commission and the Interstate Commerce Commission. As Dean James M. Landis said at the time, "to apply the Procrustean formula suggested by the [American Bar] Association's pending proposals is to cut off here a foot and there a head, leaving broken and bleeding the processes of administrative law."[25]

In any event, President Roosevelt vetoed the Walter-Logan bill, stating ". . . a large part of the legal profession has never reconciled itself to the existence of the administrative tribunal. Many of them prefer the stately ritual of the courts, in which lawyers play all the speaking parts, to the simple procedure of administrative hearings which a client can understand and even participate in. Many of the lawyers prefer that decision be influenced by a shrewd play upon technical rules of evidence in which the lawyers are the only experts, although they always disagree."[26]

The war cut short further efforts until 1944 when new bills were introduced, with the final passage in 1946 of the Administrative Procedure Act (APA) by unanimous vote in both Houses, and approval by President Truman on June 11, 1946.[27]

An English writer once observed that a countryman between two lawyers is like a fish between two cats. Before the APA perhaps a country lawyer appearing before an administrative agency would have felt just like that. One thing the APA accomplished was to frame the minimum basic essentials of procedure which each agency must follow for the protection of those citizens who are affected by its actions. What the APA did in effect was to require agencies to issue understandable rules as to their organization and procedure; to prescribe understandable procedures for the conduct of hearings and the formulation of decisions; and it guaranteed judicial review to any person suffering legal wrong because of any agency action.[28]

I now turn to the four kinds of control which are exercised over the independent agencies. In discussing them, I hope you will understand if I take examples from the CAB area, the agency with which I am most familiar.

Let us first consider the Congress. The

---

[4] 249 U.S. 47, 52 (1919).

[5] 36 Stat. 1091, now 72 Stat. 415, 28 U.S.C. § 1331.

[6] 5 F. Supp. 993 (D.S.D. 1934).

[7] 4 Wheat. 316, 436 (U.S. 1819).

[8] 5 F. Supp. at 1002.

[9] 53 Stat. 575, 5 U.S.C. § 84a, now 80 Stat. 608, 4 U.S.C. § 111.

[10] Jaffe, Judicial Control of Administrative Action 205 (1965).

[11] 5 Co. Rep. 99b, 77 Eng. Rep. 209 (C.P. 1599).

[12] 1 Stat. 29.

[13] 1 Stat. 137.

[14] Act to Regulate Commerce of Feb. 4, 1887, 24 Stat. 379, 49 U.S.C. § 1–27.

[15] Federal Water Power Act, 41 Stat. 1063, 16 U.S.C. 791a–793, 795–818, 820–825r.

[16] Act of June 16, 1933, 48 Stat. 195, 15 U.S.C. § 703.

[17] 295 U.S. 495 (1935).

[18] Securities and Exchange Act of 1934, 48 Stat. 881, 15 U.S.C. § 78a to 78jj.

[19] Communications Act of 1934, 48 Stat. 1064, 15 U.S.C. § 21, 47 U.S.C. § 35, 151–609.

[20] National Labor Relations Act of July 5, 1935, 49 Stat. 449, 29 U.S.C. § 151–166.

[21] Civil Aeronautics Act of 1938, 52 Stat. 973, 49 U.S.C. § 401.

[22] Federal Power Act, 49 Stat. 838, 16 U.S.C. § 791a–825r.

[23] 59 A.B.A.R. 539, 549 (1934).

[24] 63 A.B.A.R. 331, 346 (1938).

[25] 53 Harv. L. Rev. 1077, 1102 (1940).

[26] House Doc. No. 986, 76th Cong., 3d sess 1–2 (1940).

[27] 60 Stat. 237 (now 80 Stat. 378, 381; 5 U.S.C. § 551–559, 571–576, 701–706).

[28] See S. Rep. No. 752, 79th Cong., 1st sess. 193 (1945).

power of Congress to control the CAB is exercised in various ways. Congress created the CAB in 1938 by the Civil Aeronautics Act, which in 1958 was superseded by the Federal Aviation Act.[29] Insofar as the economic regulatory aspects of the CAB are concerned, the 1958 Act essentially reenacted the original legislation. The extent of the Board's authority as delegated by the Congress is carefully set forth in the statute. While the statute confers broad powers on the CAB, it specifically withholds certain others.

For example, the Board is denied any power to regulate air carrier schedules, or to tell air carriers what type of equipment to use.[30] Why? Because to regulate schedules and to prescribe equipment types means unduly to control the free interplay of competitive forces, a tactic which is generally repugnant to American business thought. Let me give you an example.

A few years ago an official of a major airline suggested that the Board waive the antitrust laws (as the statute permits us to do in certain situations)[31] to permit the airlines to get together to agree on reduced frequencies of flights between two major cities, for the sole purpose of raising load factors and increasing profits. Naturally, from one point of view, it would be nice to solve profit problems by government ukase, but in this country the dominant opinion is that the government should not be used for such a purpose.

There are several other areas, such as certain aspects of rate making,[32] where the Board's powers are similarly limited, but to elaborate on them would not add to this discussion and I shall not dwell on them here.

The Congress, of course, just like the South Dakota state legislature, retains many controls over the regulatory agencies it creates, through such media as required annual reports, legislative and appropriations hearings, and ad hoc investigations. And the Board, as well as other agencies, is not without experience in receiving the rebuke which can be visited upon it through one or another of these Congressional weapons.

The role of the President with respect to the regulatory agencies is a delicate one because of the supposedly "independent" character of the agencies. Congress has traditionally considered these agencies arms of the Congress.[35]

A somewhat opposite view was taken by Dean Landis, who had been appointed by President-elect Kennedy in 1960 to look into the independent agencies. Landis believed that the President should assume greater control over the agencies and proposed to set up a "czar" in the White House charged with appropriate oversight powers over the agencies.[36] This proposal was rejected by President Kennedy, who nevertheless made clear his awareness of the need for the President "to know and evaluate how efficiently these agencies dispatch their business." [37]

It is clear that the President of necessity plays an important role vis-a-vis the agencies in at least four way. First, it is he who appoints the members of the regulatory bodies and he may remove them for inefficiency, neglect of duty or malfeasance in office.[38] Second, he controls the size of the agency budgets. Third, no legislative proposals can be submitted by the agencies to Congress unless they have been cleared through his Budget Bureau. (The ICC is a lone exception to this requirement.) And finally, again excepting the ICC, the President annually designates the chairman of each agency from among the members.

In addition to the foregoing general powers of the President, insofar as the CAB is concerned there is a unique and specific power vested in the President which requires that any certificate issued by the Board to a domestic carrier to engage in overseas or foreign air transportation and any permit issuable to any foreign air carrier to engage in air transportation between the U.S. and foreign countries shall be subject to the approval of the President.[39] The reason for this, of course, is that when we get into the area of routes and landing rights involving foreign countries we are moving into the field of foreign policy—a field reserved to the President.

No more timely illustration of a case which is subject to Presidential review can be cited than the *Transpacific Route Investigation* [40] now pending before the Board. In that case 16 different U.S. air carriers are seeking new or improved route authority from the mainland to Hawaii, to the Orient and to the South Pacific. The stakes in the case are tremendous. At hearings before a Board Examiner, 433 witnesses submitted testimony and a transcript of 9,421 pages was compiled. On the first four days of last week after first having read over 2,000 pages of briefs I sat with the Board while we listened to oral argument from the parties. In due course we will reach a decision which will be sent to the President for his action. The President then may approve the Board's decision in its entirety, disapprove some air carriers which the Board has chosen for an award, or indicate a preference for others to receive the award; he may direct the Board to conduct further proceedings; or he may even disapprove the Board's decision in its entirety and terminate the proceeding. And because at this juncture it has become an executive decision, all of the rules of administrative law are at an end, to be replaced by the interplay of other government forces and foreign policy considerations.

I turn next to the role of the courts in their relationship to agencies such as the CAB.

In commenting on the extent to which the volume administrative actions reaching the Supreme Court for review had grown up to 1957, Justice Frankfurter observed:

"Review of administrative action, mainly reflecting enforcement of federal regulatory statutes, constitutes the largest category of the Courts' work, comprising one-third of the total cases decided on the merits." [41]

I believe that much the same proportion prevails today.

The Administrative Procedure Act provides that any person suffering legal wrong because of any agency action shall be entitled to judicial review thereof,[42] but, insofar as the CAB is concerned, it is unnecessary to resort to the APA since specific review provisions are contained in the Board's own statute.

The statute provides in effect that Board orders are subject to review in the Court of Appeals and that such court may affirm, modify, set aside, or order further hearings, with the Supreme Court as final arbiter.[43] Specifically excepted from court review, however, is any order relating to a foreign air carrier which has been approved by the President.

The grounds for review [44] are essentially that the agency action is alleged to be:

(1) arbitrary, capricious or an abuse of discretion;

(2) unconstitutional;

(3) in excess of the agency's statutory jurisdiction;

(4) without observance of procedure required by law; or

(5) unsupported by substantial evidence.

On the average, from among the hundreds of decisions we hand down every year, about a dozen times a year disappointed parties obtain review of the Board's decisions in the Court of Appeals. In 1967, for example, the various Courts of Appeals handed down ten decisions where Board action was reviewed, and in seven of these the Board action was affirmed. Of the other three cases the Board was twice upset on the grounds of abuse of discretion. The third case involved the authority of the Board to award certificates to various supplemental air carriers to engage in supplemental air transportation between the United States and foreign points, including inclusive tour charter authority. An inclusive tour is an all-expense tour, including air transportation and ground travel accommodations. Under this arrangement the air carrier charters the aircraft to a travel agent, who retails the package tour to the public. The Court of Appeals for the 2d Circuit held that inclusive tours were in essence selling individual tickets to the public, an authority which the statute denies to supplemental carriers, and hence that the Board had acted in excess of its statutory powers.[45] This ruling was directly contrary to an earlier holding of the Court of Appeals for the District of Columbia, which had upheld inclusive tours for supplemental carriers in domestic service.[46] At the request of the Board the Supreme Court granted certiorari because of the conflict between the circuits and the case was argued in April.

On May 27, 1968, the Supreme Court affirmed the judgment of the Court of Appeals for the Second Circuit by an equally divided court (4–4), with Justice Marshall not participating. As a result, the Board's power to grant inclusive tour authority is somewhat nebulous at the moment.[47]

As I have earlier pointed out, Board orders with respect to route awards to foreign air carriers which are subject to Presidential approval are by statute specifically excepted from court review. In 1948 the question was raised in the leading case of *Chicago & Southern Airlines, Inc.* v. *Waterman S.S. Corp.*[48] as to whether the President's action in granting a foreign route to one domestic carrier and denying it to another was reviewable by the court. A unanimous Supreme Court held that the action was not subject to review saying:

"The President, both as Commander-in-Chief and as the Nation's organ for foreign affairs, has available intelligence services whose reports are not and ought not to be published to the world. It would be intolerable that courts, without the relevant information, should review and perhaps nullify action of the Executive taken on information properly held secret. . . . But even if courts could require full disclosure, the very nature of executive decisions as to foreign policy is political, not judicial. . . . They are delicate, complex, and involve large elements of prophecy. . . . They are decisions of a kind for which the Judiciary has neither aptitude, facilities nor responsibility and which has long been held to belong in the domain of political power not subject to judicial intrusion or inquiry." [49]

---

[29] Federal Aviation Act of 1958, 72 Stat. 737, 49 U.S.C. § 1301–1542, hereinafter referred to as "the act."

[30] Sec. 401(e)(4) of the act, 72 Stat. 754, as amended by 76 Stat. 143, 49 U.S.C. § 1371.

[31] Sec. 414 of the Act, 72 Stat. 770, 49 U.S.C. § 1384.

[32] Sec. 403(b) of the Act, 72 Stat. 758, as amended by 74 Stat. 445, 49 U.S.C. § 1373; Sec. 1002(d), 72 Stat. 788, 49 U.S.C. § 1482.

[35] See, e.g., speech by Chairman Oren Harris before the United States Chamber of Commerce, Fourth Annual Public Affairs Conference, Washington, D.C., Feb. 4, 1965.

[36] Landis Report on Regulatory Agencies to the President-elect of December 21, 1960.

[37] President Kennedy's Message to the 87th Congress on Regulatory Agencies (April 13, 1961).

[38] Sec. 201 of the Act, 72 Stat. 741, as amended by 78 Stat. 424, 49 U.S.C. § 1321.

[39] Sec. 801 of the Act, 72 Stat. 782, 49 U.S.C. § 1461.

[40] CAB Docket 16242.

[41] 105 Univ. of Pa. L. Rev. 781, 793 (1957).

[42] 80 Stat. 392, 5 U.S.C. § 702.

[43] Sec. 1006 of the Act, 72 Stat. 795, as amended by 74 Stat. 255, 75 Stat. 497, 49 U.S.C. § 1486.

[44] See 80 Stat. 393, 5 U.S.C. § 706.

[45] Pan American World Airways, Trans World Airlines, American Airlines v. C.A.B., 380 F. 2d 770 (2d Cir. 1967).

[46] American Airlines, Inc. v. Civil Aeronautics Board, 365 F. 2d 939 (D.C. Cir. 1966).

[47] World Airways, Inc. v. Pan American World Airways, Inc., No. 800, 36 U.S.L. Week 3450 (U.S. May 27, 1968).

[48] 333 U.S. 103 (1948).

As I have indicated, review of CAB orders lies basically in the various Courts of Appeals. Occasionally parties go into the District Court to seek an injunction against Board action or a declaratory judgment that a Board regulation is unlawful. Many of these cases have been dismissed for lack of jurisdiction, although in a few instances the case has been tried on the merits.

I now come to the fourth element of control which I earlier referred to as "administrative restraint," which is really a sort of self-discipline which each agency must apply, and which each member must use in his daily approach to his task. It is my belief that agencies should endeavor to regulate as little as possible consistent with the performance of their statutory duties.

By restraints on regulation I have in mind two things. First, I believe that wherever and however possible, government regulation should be accomplished with a light hand on the rein, leaving as much latitude as is reasonably possible for the businesses which are regulated to conduct their own affairs in the exercise of their best managerial discretion. In the air transportation industry, this means such things as freedom from unnecessary route restrictions and freedom to experiment with rates and fares. Second, I believe that certain activities should be exempt from regulation altogether, and the regulator should constantly be alert to areas and methods by which controls can be lessened.

There are many opportunities for the Board to relax the regulatory rein. A rather unique feature of the statutory scheme under which the Board operates is the exemption power conferred upon it by section 416 (b) of the Federal Aviation Act.[50] The Board may exempt any air carrier from the economic regulatory provisions of the Act if it finds that enforcement of the Act would be an undue burden on the air carrier by reason of the limited extent of, or unusual circumstances affecting, its operations. The Board must also find that enforcement of the Act is not in the public interest. The Board has used this exemption power liberally—some believe too liberally—to improve carriers' route authority, to remove restrictions in certificates, to authorize charters, etc. Over the past year the Board has been issuing exemptions at the rate of about 52 a month, or over two every working day. For the most part these exemption applications are processed by the Board on the pleadings alone—applications and answers—without a hearing.

Let me cite two examples. By blanket regulation we exempt from regulation over 3,000 air taxi operators (including 44 in South Dakota), most of whom engage in interstate air transportation subject to federal regulation. For the most part their operations are small, they are generally non-competitive with the certificated carriers, and it would seem to serve no purpose for the government to regulate them. Thus there is complete freedom of entry into the air taxi business for anyone: no certificate is needed and the Board does not regulate rates and fares. But, I might add, ironically, that their largest trade association regularly asks us to impose the regulatory restraints on them which we are loath to do.

And, in California, a San Diego based intrastate airline named Pacific Southwest Airlines (PSA), known for its low fares, is technically subject to our jurisdiction because of the interstate aspect of its flight pattern. When its jet aircraft take off from Los Angeles, their flight pattern takes them out over the ocean, beyond the three-mile limit, for two or three minutes before they turn and fly northward over California territory again. This momentary excursion outside California airspace changes an intrastate flight into an interstate operation which the statute makes subject to federal jurisdiction.[51] Its interstate competitors regularly urge us to assert our jurisdiction over PSA and bring it into the federal ambit, apparently believing that once under Board jurisdiction, its low fares could be challenged in a rate investigation. So far, however, the Board has avoided what is to us an unnecessary step, and we grant the required exemption.[52]

The foregoing examples refer to the practice of restraint at an agency level. The individual, too, has to face the problem of his own attitudes. Judge Wyzanski, one of the more learned of the jurists now on active service in the lower federal court system, has observed that the nominal discretion with which a public official is vested is controlled "by general norms which are basic to the society in which he lives. These norms . . . . are among the important sources and materials of which the law is made; they are the limiting factors in the exercise of . . . power." [53]

Thus, for the individual regulator, what "administrative restraint" reduces to is the exercise of judgment and discretion within the framework of reasonable norms. And if he can succeed in its application, he will not be a low fare or a high fare advocate; he will not be a small carrier or a large carrier champion; nor will he be regarded as pro industy or pro consumer. Instead, he should succeed in being identified as one whose sole target is to regulate in the over-all public interest.

COSTS OF TENT CITY

Mr. BYRD of West Virginia. Mr. President, I do not know when, if ever, it will be possible to calculate fully the costs of the Resurrection City and Solidarity Day phases of the Poor People's Campaign.

I ask unanimous consent to have printed in the RECORD an interim report, dated June 27, and supplemental information which I have received from the National Park Service as to its costs, and also an article entitled "Adding Up the Costs—Tent City and Campaign Involved Millions," written by James Welsh, and published in the Washington Sunday Star of June 30, 1968.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D.C., June 27, 1968.

Memorandum to Regional Director, through: ARD, Operations.

From Regional Chief, Division of Maintenance.

Subject: Estimated cost of clearing the site and restoring the landscape in the vicinity of South Reflecting Pool Drive, West Potomac Park.

Pursuant to your request, Mr. Willard and I devoted more than four hours to inspecting the site occupied by those participating in the Poor Peoples' Campaign. Generally speaking, damage to trees, shrubs and other park facilities was minimal when one considers how the park was used. The greatest amount of damage occurred, of course, to the turf. Approximately 12 acres will have to be seeded or sodded in order to reestablish the greensward. The lower limbs of several trees were broken apparently by some one swinging on them, and some bark damage occurred as the result of whittling with knives and cutting with an ax. Ten white dogwood have been lost, ranging in size from 3" to 5" diameter. One large mulberry tree which had a forked shape has been lost, apparently from high winds that occurred during a recent thunder storm.

In the area immediately east of the D.C. War Memorial six large black walnut trees suffered severe bark damage. We also observed that five other trees, 12" to 14" in diameter, that are approximately 40 to 60 feet tall, suffered severe damage from a fire that occurred in the area. We also observed that two white pines were dead. The D.C. War Memorial has been defaced by painting slogans and symbols thereon.

In the area just north of the "City Hall" location, we observed that eight osmanthus plants have been transplanted in an attempt to landscape one of the temporary structures. These plants should be returned to their former location if it can be ascertained. Two park benches were severely damaged to such an extent that they will have to be replaced.

Unknown parties have driven vehicles across the slate sidewalks to the north of the D.C. War Memorial. Approximately 400 square feet of this walk will have to be replaced.

To the south of the Memorial we observed that some one has removed pieces of slate and that others are badly broken. While the remainder of the south walk is intact, soil movement in the area has created a safety hazard in that the slate slabs lie at different elevations in relation one of the other. This condition has been known to us previously, but to the best of my knowledge no action has been taken to budget for the repair of these walks. (I might also point out that the Memorial itself is deteriorating rapidly. The entire structure is in need of repainting and the masonry sealed so as to preclude water from entering the interior of the structure. If one looks carefully, you can observe stalactites forming on the under side of the rim of the dome. As you may recall a similar condition exists at the Lincoln Memorial.)

Proceeding east along Independence Avenue we found six large camellias that were badly damaged, some apparently from fire while others suffered broken branches. Four azaleas have been taken from the planting and nine rhododendron died or were destroyed by breaking the branches off of the plants. Two wood and metal frame park benches were also destroyed.

---

[49] 333 U.S. at 111. The rather sweeping breadth of the holding in *Waterman* was somewhat narrowed by the Court of Appeals in American Airlines v. Civil Aeronautics Board, 348 F. 2d 349 (D.C. Cir. 1965), where review was sought of Board action, approved by the President, which authorized two supplemental air carriers to carry split charters. The question was whether *Waterman* precluded court review in a situation where the action of the Board, before the matter reached the President, was argued to be beyond the power of the Board to act. The court held it had power to review because if the Board's action exceeded its statutory power, then there was nothing for Presidential action to approve. After this positive declaration, the court proceeded to affirm the Board's action as within its power.

[50] 72 Stat. 771, 49 U.S.C. 1386.

[51] Sec. 101 of the Act, 72 Stat. 737, 49 U.S.C. § 1301.

[52] Order E–24895, March 24, 1967.

[53] 57 Harv. L. Rev. 558, 560 (1944).

There follows a detailed estimate of the cost of repairing the damage and restoring the turf to its former condition:

RESTORATION OF TURF

Approximately 12 acres of turf will have to be restored. This may be accomplished by sodding at a cost of $3,000 per acre. If seed is used at this time, complete germination may not occur. We feel certain the area would have to be reseeded again this fall.

Subtotal	$36,000

TREE REPAIR AND REPLACEMENT

Replace 10 white dogwood trees, 3-inch diameter	1,500
Remove damaged lower limbs of approximately 50 trees of different varieties	250
Replace 6 walnut trees, 5-inch diameter	1,200
Repair bark damage on approximately 35 trees, ranging in size from 5 inches to 14 inches in diameter	305
Remove 1 large mulberry tree that apparently suffered wind damage	50
Subtotal	3,350

SHRUB REPAIR AND REPLACEMENT

Replace 6 camellias—10 feet tall	1,250
Replace 4 azaleas, 24-inch spread	80
Replace 9 rhododendron, 3 feet tall	360
Transplant to former location 6 osmanthus plants	36
Subtotal	1,726

INANIMATE FACILITIES

Replace 3,000 feet of snow fence	660
Replace 2 wood and metal frame park benches	100
Removal of defacements on District of Columbia War Memorial	200
Repair of slate sidewalks, District of Columbia War Memorial	900
Dismantling of structures and ground cleanup	18,500

(This figure also includes the cost of transporting materials to Fort Belvoir for storage. The work is being accomplished in such a manner as to make it virtually impossible to determine with any degree of accuracy the number of men and the pieces of equipment involved in dismantling work alone.)

Subtotal	20,360
Total	61,436

There are a total of 429 men and 79 pieces of equipment involved in the task of dismantling the structures and removing the debris from West Potomac Park. The NCR assigned 140 men and 22 pieces of equipment to the task. The GSA made available 121 men and 13 pieces of equipment, while the Department of Highways, Government of the District of Columbia, assigned 168 men and 44 pieces of equipment to the job.

Additionally, the District of Columbia Department of Traffic and Highways spent an estimated $13,154.00 over two days for labor and equipment assisting with site restoration. The General Services Administration is spending an estimated $10,474.00 assisting with the packing and transporting of personal effects and site restoration, bringing the grand total of government expenditures to $85,064.

ROBERT E. MARKE.

NATIONAL PARK SERVICE—NATIONAL CAPITAL REGION TOTAL EXPENDITURES INCURRED IN CONNECTION WITH POOR PEOPLE'S CAMPAIGN, MAY 11 TO JUNE 27, 1968

	Additional expenses, O.T., H.P., etc.	Regular time expenses	Total
RESURRECTION CITY			
Police costs	$121,903	$23,086	$144,989
Engineering costs to lay out site	178		178
Total	122,081	23,086	145,167
JUNE 19, SOLIDARITY DAY MARCH			
Police costs	7,700	1,327	9,027
Cleanup of area after march	2,930	2,650	5,580
Total	10,630	3,977	14,607
Grand total	132,711	27,063	159,774

Estimate of restoring West Potomac Park site used by Poor People's Campaign

Dismantling of structures and grounds cleanup	$18,500
Preparation of soil and placement of sod (12 acres)	36,000
Tree repair and replacement	3,350
Shrub repair and replacement	1,726
Replacement of snow fence (3,000 feet)	660
Replacement of 2 park benches	100
Removal of defacements on District of Columbia War Memorial	200
Repair of slate sidewalk, District of Columbia War Memorial	900
Total	61,436

Additionally, the D.C. Department of Highways and Traffic spent an estimated $13,154 over two days (for labor and equipment) assisting with the site restoration; and GSA is spending an estimated $10,474 assisting with packing and transporting of personal effects and site restoration, bringing the grand total of Government expenditures to $85,064.

ADDING UP THE COSTS: TENT CITY AND CAMPAIGN INVOLVED MILLIONS

(By James Welsh)

Early in May, the week before the first of the Poor People's campaigners came to town, staff members of the Smithsonian Institution were in New York and Newport, R.I., huddling with officials of two foundations.

Their idea, conceived some time before at the Smithsonian, was to mount a cultural program at Resurrection City. It would have been designed not only to entertain the tent-city residents, but to stimulate what cultural talents they brought with them, especially in the field of music.

Approval of the idea was no problem. The Ford Foundation promptly made a grant of $30,000, to be used for installing a wide variety of facilities, from a "culture tent" to elaborate sound and lighting systems, and for tours to the Smithsonian by the children of Resurrection City.

In addition, the Newport Folk Foundation made a grant of $5,000 to subsidize the appearance at the encampment of a number of folk-music entertainers. This sum was matched by private contributions from Gregory Peck, Theodore Bikel, Mrs. Pete Seeger, Folkways Records and others.

All together, the Smithsonian's ambitious venture represents just one small part of that unique lobbying spectacle and experiment in living called the Poor People's Campaign. But it illustrates a number of significant elements that were present throughout: the good will that existed despite a mounting hostility toward the campaign; the large numbers and diversity of people drawn into what was going on; the frustration encountered by so many who tried to help; and, not least, the enormous amount of money involved.

Now Resurrection City has come and gone. Although Smithsonian officials are putting a good face on it, the results of the cultural program can generously be described as mixed.

The tent went up, and so did the stage facilities. That proved fairly easy.

As to what to do with them, confusion plagued the program. Seldom was there agreement among the Southern Christian Leadership Conference staffers or their followers as to what people wanted and what would be best for the whole group.

Only some of the performers on the Newport Folk Foundation list appeared. One who did not was Harry Belafonte. Others were canceled after conditions at the tent city continued to deteriorate.

Of those who did appear, the Georgia Sea Island Singers stayed for a month, not only performing but teaching some of the residents.

A high point was the performance of a Sioux Indian, Henry Crowdog, who talked with dignity of keeping cultural roots alive, sang for a largely Negro audience that joined in polyrhythmical handclapping, then beat a drum while one of the Sea Island group sang. Things clicked that night.

But there were low points. An Algonquin Indian delivered an anti-white harangue that was challenged by a white man and almost provoked a riot. Singer Pete Seeger was largely ignored by the camp's Negroes. Other performances were badly attended, at times because the camp's young people decided to hold rock 'n' roll sessions a short distance away.

FEW TOURS CONDUCTED

The Smithsonian tour program largely went awry. Only one trip from Resurrection City, plus a few more for the Indians at Hawthorne School, ever materialized, and it was on the Friday before the camp was closed. At other times, despite elaborate plans that included lunches prepared for the children, things fell apart because the encampment leaders failed to get the children together.

A bus costing about $50 a day stood idle until Smithsonian officials decided to bring children from Washington schools to the specially planned programs. Almost 100 volunteer guides had been mobilized.

The Smithsonian also had hoped to organize some of the residents to create a large exhibit demonstrating the roots and culture of poverty. That project, in the words of a Smithsonian official, remains "in the gestation period."

Currently about a third of the Ford grant and a couple of thousand dollars in the other fund remain unspent.

Now that the campaign is dwindling, the financial elements are coming into sharper focus. But only to a degree.

FIGURING THE COST

Consider the costs of the campaign. A precise tabulation is impossible. Trying to obtain one would drive the average accountant wild, even if he had full access to records, for some of these records are incomplete, while lines of financial responsibility were criss-crossed throughout.

In direct financial outlay, in what the SCLC spent to finance the campaign, in what the government spent and in what was spent by all the people, mostly Washingtonians, and all the agencies like the foundations that rallied around to help the people of Resurrection City, the cost of the campaign probably ran between $1.5 million to $2 million.

The indirect costs would include countless hours of time contributed by doctors, lawyers, churchmen, food executives and others.

If they can be said also to include the losses suffered by downtown business establishments, these indirect costs would soar.

"You can safely say that the loss in business, especially to the tourist-oriented businesses like the hotels and restaurants, and to the downtown retail establishments, ran into the tens of millions of dollars," said William Calomiris, president of the Metropolitan Washington Board of Trade.

By far the biggest money mystery concerns the finances of the SCLC—what came in and what went out. Like the iceberg, much remains invisible. Questions to SCLC staffers are regularly bucked along upstairs, where they are usually greeted with vagueness and comments like, "That distracts from what we are trying to do."

WHERE MONEY WENT

Contributions following the slaying of the Rev. Martin Luther King Jr. and throughout the campaign fattened the group's treasury, certainly running into the hundreds of thousands of dollars.

But it went basically in three directions: directly to the SCLC to be used for the campaign or any other purpose; to the tax-exempt Martin Luther King Memorial Fund; and a separate SCL Foundation, also tax-exempt and separate from the direct efforts of the campaign.

Much of the big money went into the King memorial fund, established by Mrs. King and the Rev. Ralph David Abernathy, King's successor. For instance, one contribution given little publicity was a $275,000 grant from the Field Foundation of Chicago, part of a $1 million series of grants designed to forward the ideals and goals of the late SCLC leader.

Other sizable sums went to the SCLC Foundation, it is understood, from people who wanted to contribute but wished to still write it off their taxes.

Together, these two funds represent a virtually untouched reserve from which the SCLC hopes to continue operating.

Contributions to the SCLC for the campaign itself came in from all over in large and small amounts. Conspicuous were such donations as $12,000 from singer Ethel Merman, a similar sum from the New York postal workers union and other gifts running into the thousands, plus promises of more, from show business personalities.

More modest donations continue to arrive at SCLC offices, many passed along via church organizations, labor unions and Negro leaders.

EXPENSES CONTINUE

But SCLC was spending money, too, its expenses mounting from the time the first bus rolled toward Washington. These expenses also continue.

The Rev. Andrew Young, executive vice president of SCLC, now running the show while Abernathy is in jail, said he has had no opportunity to add up the campaign's expenses. But he ventured some estimates.

Young said the last he heard, the seven-week campaign cost the SCLC about $50,000 a week. The cost of building tent city he said, ran about $100,000.

Although money continued to come in during the campaign, he said, the bills came in at an equal pace. "It was a day-to-day operation with the bills and money running neck and neck," he said.

One of the most significant expense items. Young believes, was transportation. Most of this represents the costs of bringing participants to Washington and sending many of them back, although it also includes a considerable amount for traveling by staff members.

The bus expenses varied from caravan to caravan. The first group to arrive came from the South with only a few brief stops, at a cost of about $11,000 for 11 buses. Another Southern caravan started in old buses from Edwards, Miss., at an initial cost of $2,500 but worked its way slowly through the South, stopping frequently to raise money for the next leg of the trip.

COST OF CONSTRUCTION

Some $10,000 was set aside for the mule train, but the cost probably ran higher to pay for shipping it from Atlanta to Washington. SCLC also paid for the major part of the buses that brought the delegation of Mexican-Americans from the Southwest.

Most of the money spent to build the encampment, about $70,000, went for plywood. That wood, carted away last week, belongs to SCLC, and one offer to buy it for $15,000 already has come in.

The wood was purchased through Hechinger Building Materials. Officials of the firm say the SCLC was charged the lumber costs only, with the company absorbing about $10,000 in handling and overhead connected with getting the material to the tent city site.

John Hechinger, chairman of the District City Council and a member of the family that runs the building-supply firm, said he contributed a small amount directly to SCLC. He would not say how much.

Once the wood and other materials arrived at the site, a massive effort was required to put up the encampment. Here, as on a number of other fronts, volunteers from the Washington area, led by students and staff of Xaverian College in Silver Spring, got the job done. Dwellings for about 3,000 people and a number of large buildings quickly went up.

The Rev. John Adams, director of the National Council of Churches liaison office with the campaign, said his staff had filtered over $40,000 to SCLC through a special office in the Methodist Building.

This was only a small part of the donations that went into the campaign, he continued, because his office told most major donors to send their money directly to SCLC's Atlanta headquarters.

Making an estimate of the total amount he believes religious groups sent to the campaign, Adams placed the figure at $125,000. That, he added, "is probably low."

Adams said he was not including the major $50,000 donation from the United Presbyterians, U.S.A., that Abernathy announced from the platform on Solidarity Day because Adams believes that contribution was earmarked for the Martin Luther King Memorial Fund to be used for work in slum rehabilitation.

Money for the campaign is continuing to come in—$4,000 came in over the week, Adams said.

Citing an increase in calls to his office, Adams said the closing of Resurrection City and the mass arrests of last week have given him the impression that "we are entering into a phase where there could be greater support (for the campaign) than earlier.

"I have the feeling," he continued, "that the dramatic way the closing took place with the overreaction of the power structure, and the beautiful nonviolent action has impressed the clergy."

COST TO TAXPAYER

Adams said the National Council of Churches has been working since February to raise funds and places a value of about $75,000 on the staff services expended.

What the campaign cost the taxpayer (irrespective of what gains the SCLC made in prying loose federal funds for social welfare programs) is falling into place. The total will be about $1 million, most of it charged to the District government budget.

On Friday, separate estimates came from the District budget office and the Interior Department on money spent during the campaign and estimates for restoring the 12-acre West Potomac Park site to its former condition.

Through last Sunday, what District budget officer D. Peter Herman calls "expenditures above normal" totaled close to $500,000, mostly for police overtime. Extra spending for last week probably will run more than $100,000. The Interior Department said extra spending by the National Park Service totaled about $160,000.

Restoration costs were computed separately, with the total for the park cleanup, mostly borne by Interior, put at $85,000. National Guard and other military-alert expenses have not yet been determined.

BYRD COMMENTS

A report of District expenditures from Herman's office Friday prompted Sen Robert C. Byrd, D-W. Va., to comment to the Senate: "Had the campaign produced substansive results for the poor, these losses suffered might be somewhat less painful."

Young expressed just the opposite reaction. Asked about the government figures, he said: "That is a very small cost to pay for the education of this nation."

No history of the campaign can be written without mention of the sustained contribution in money, material and volunteered time by the people, businesses and organizations in the Washington area. It was considerable.

"I think this community responded very well," said the Rev. Geno Baroni, director of the Washington Catholic Archdiocese's urban affairs office and one of a number of churchmen who labored night and day soliciting and coordinating all manner of support programs.

Once again, it would be impossible to measure precisely the scope of this support, partly because so much of it was intangible and partly because nobody, either at SCLC or in the community, was in central command.

HOW IT WORKED

It was instead a free-flowing, frequently hand-to-mouth operation, one emergency after another tackled as circumstances demanded. It worked something like this:

A call would come in from Hawthorne School to say that no paper plates and cups were available for the next day's meals, or from Resurrection City asking for drug and toilet articles. At any of a number of church organizations or other agencies, someone would get on a phone, calling department stores or drug firms. Somewhere along the line, a firm would agree to help, either through a direct contribution or through providing the supplies wholesale.

One operative phrase throughout the campaign was this: "Meeting human needs." It was used by those who were fully enthusiastic about the campaign, but also by those who had strong reservations about what was happening at Resurrection City but wanted to help the people involved.

Another theme constantly heard concerned the problem of coordinating with SCLC. "There was always a gap between the SCLC information and the facts," is the way one religious leader put it.

TAX CONSIDERATIONS

A Washington business executive put the situation this way: "There were always problems, trucks getting turned back from the camp or workmen stopped, and lots of time wasted. And toward the last, it was sort of like putting supplies into a sinking ship. But the need was always there."

Despite all the direct contributions to SCLC, many individuals and firms backed away from this route, both because it appeared unbusinesslike and because of tax considerations. They elected instead to earmark it for specific purposes and channel it through the churches or agencies such as the District's Health and Welfare Council.

Feeding the residents of Resurrection City represents the biggest single part and one of the best organized parts of the Washington area's efforts.

Under the leadership of Giant Food's Joseph Dazansky, a committee put together a mass feeding program that cost an estimated $70,000. This was supplemented by the week of hundreds of volunteers mostly at Howard University and at St. Stephen and the Incarnation Episcopal Church.

The church effort, much of it funneled through Father Baroni's office, the Protestant Council of Churches and the Jewish Community Council, concentrated largely on housing and feeding people outside Resurrection City.

MEDICAL COMMITTEE

According to the Rev. Philip Newell of the Council of Churches, money that came into the three big church organizations and was used for these programs totaled about $15,000.

But this sum, said Newell, represents "only a fraction, certainly less than half" of the money spent by upwards of 200 churches and synagogues in the metropolitan area, many of which operated their own programs and called central religious offices only when the demand for help outstripped their resources.

Another group that operated throughout the campaign was a medical committee headed by Dr. Edward C. Mazique. Without charge, about 500 persons, doctors and other medical personnel served the poor people. Drugs were contributed by major pharmaceutical houses. No attempt has been made to put a price tag on this.

Operation of Resurrection City required an incredible list of supplies, from sewer pipes to toothbrushes, some of it contributed, some purchased at cost, some paid for out of SCLC funds.

OTHER CONTRIBUTIONS

About $2,000 in plumbing hardware was paid for by SCLC, but a Chicago firm decided to contribute 25 $55 water heaters, some of which were found still uncrated when Resurrection City folded. Upon the request of the Union of American Hebrew Congregations, the Metropolitan Electric Company here contributed about $3,000 in electrical supplies.

Like the Smithsonian, a number of groups in Washington, including a separate recreation committee, tried to make life more pleasant for the tent city residents, especially the children. Many of these gave up in frustration.

Like the campaign itself, Washington's contribution is for the most part over. But some of the poor are still staying in churches, and until the campaign is officially wound up, area organizations will continue to help.

TWO IMPORTANT STEPS TOWARD WORLD PEACE

Mr. BREWSTER. Mr. President, today should be a happy day for all people in the world who are longing for peace with freedom and justice. President Johnson has signed, on behalf of the United States, the Nuclear Nonproliferation Treaty. At the same time, he announced that after 4½ years of dialog, agreement has been reached between the Soviet Union and the United States to initiate talks on the limitation and reduction of strategic nuclear weapons delivery systems and systems of defense against ballistic missiles.

The new treaty represents a victory for the entire world. It has been approved by the United Nations General Assembly and will now be signed by most nations of the world.

The announcement by the President of the new talks with the Russians is, in one sense, a personal victory for President Johnson, because he first advanced the idea in 1964, and he has consistently pursued this vital objective in spite of the month-to-month fluctuations in relations between our two countries.

THE DROPOUT PREVENTION AND BILINGUAL PROGRAMS

Mr. MURPHY. Mr. President, today, I appeared before the Committee on Appropriations urging the funding of two most important programs—the dropout prevention program and the bilingual program.

The House of Representatives failed to fund either program, despite the fact that the dropout prevention program had been included in the budget at a $30 million level and the bilingual program at an inadequate $5 million. In my judgment, the failure to fund these programs would be shortsighted, because as I testified they will lay the groundwork for exciting breakthroughs in education.

While I recognize the fiscal limitations under which we are laboring, I do believe these promising programs are aimed at attacking two critical problems confronting our country. I would hope that Senators would study my testimony, which outlines the problem and the promise of these two programs. In so doing, I am convinced that they will agree that funding is essential.

I also spoke on this subject on June 21, and for interested Senators my remarks commence on page 18241.

I ask unanimous consent that my testimony before the committee this morning be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR GEORGE MURPHY BEFORE THE SENATE APPROPRIATIONS COMMITTEE, JULY 1, 1968

Mr. Chairman, I appreciate the opportunity to appear before the committee today. I know the many important items that you must consider in making your funding recommendations to the full Senate. These are difficult decisions in any year, but both the fiscal troubles and the many needs of the country combine this year to make your task almost an impossible one.

I personally testify today because of my strong feelings on two problems and two promising programs that have been enacted to deal with them. Unless this committee reverses the actions of the House Committee last week, two programs, the dropout prevention projects and the bilingual school program will remain mere promises. I am hopeful that my testimony will convince this committee that these programs are urgent, and that the failure to fund them is shortsighted.

First, I wish to discuss the dropout program which was authored by me and is incorporated in Section 707 of the Elementary and Secondary Education Act of 1965. The program attempts to deal with the critical problem of the school dropout in a practical way. The program has been endorsed at the authorized $30 million level by the President, both in his education and in his budget messages. Further, the Kerner Commission recommended that "this program be fully funded." Outside of government circles the program has generated a great deal of enthusiasm. I have heard from countless educators from all sections of the country, all of whom were very excited about the program's potential.

Now the dropout problem is not new. This nation has been concerned with the problem in the past. In fact, the efforts of our educational systems and others have resulted in more and more youngsters staying longer and longer in school. Some statistics might help to illustrate this.

At the turn of the century, approximately 80 percent of youngsters aged five through seventeen were in school. Last year's estimate for the same group was 97 percent, an improvement of 17 percent.

Further, of the 2.7 million ninth graders in 1956, 1.9 or 65 percent subsequently graduated from high school. Of the 3.8 million youngsters enrolled in the ninth grade in 1967, it was estimated that 2.9 million or 77 percent will ultimately graduate. Thus, in a little over a decade, the dropout rate has been reduced 12 percent.

This is a welcomed improvement. Yet if the projections for last year's ninth graders prove accurate, we will still face a dropout rate of 23 percent in 1970. Truly, as I said last year, the dropout problem is the Achilles' Heel of our educational system.

To translate these statistics to more understandable terms and to better picture the magnitude of the problem, I want to emphasize to the committee that there are approximately one million youngsters dropping out of school each year. In two short years the decade of the sixties will draw to a close. It is estimated, for this decade, that we will produce some seven and one-half million dropouts. I urge the committee to reflect on theses statistics and to ponder these projections with all their implications, Dr. Conant in his 1961 book, "Slums and the Suburbs" warned that social dynamite was accumulating in our large cities. Much of this "social dynamite" results from those who have dropped out of school and are out of work. I asked the Library of Congress to provide me with the dropout rates in our Nation's fifteen largest cities. These percentages varied from a high of 46.6 percent to a low of 21.4 percent.

Dropout rates—Percent of September 1960 grade 10 class not graduating in June 1963:

	Percent
New York City	37.05
Chicago	33.95
Los Angeles	22.83
Philadelphia	46.60
Detroit	37.84
Baltimore, Md	34.98
Houston	21.39
Cleveland	31.37
Washington, D.C	29.61
St. Louis	24.70
Milwaukee	26.19
San Francisco	33.15
Boston	35.90
Dallas	27.74
New Orleans	27.10

Source: Library of Congress.

We must keep in mind that these statistics reflect the dropout rate for the entire school system and if we were to focus on schools in the disadvantaged areas of the cities, the rate would be staggering. For example, the McCone Commission found that in three schools in a predominantly Negro area of Los Angeles, two-thirds of the students drop out before completing high school. Probably similar projections would hold true in the other cities also. We are told that in the poverty neighborhood schools of our 15 cities, 70% drop out before completing high school.

These statistics show the extent to which we are allowing "social dynamite" to accumulate in our large cities, and demonstrate the need for the funding of my dropout amendment.

In addition to the personal tragedy that results in the failure of an individual to develop to his full potential, the dropout is also costly to society. For the dropout reappears in our spiraling crime statistics and our juvenile delinquency rolls, in our penal and corrective institutions, and on our welfare rolls.

Even then, one might ask, "Why all the alarm?" the dropout rate is serious, but we are making progress. "What is the urgency that justifies the commitment of funds in this difficult fiscal year?" To adequately answer these questions it is necessary to understand and to emphasize it is not the dropout rate so much as it is the rapid changes that are taking place in our society. We truly are in the midst of an "education explosion" and a "technological revolution." Too, the speed of these changes are revealed in figures indicating the accumulation of knowledge by mankind. We are told that mankind's knowledge doubled for the first time between the dawn of history and the year 1700. This knowledge doubled again by 1900. The third doubling occurred fifty years later, around 1950 and the fourth in ten short years, in 1960. So, we are living in a time when the world's supply of knowledge will double each decade and at the same time the jobs available for the unskilled, the dropout, shrink.

H. J. Wells' famous quotation, "that human history becomes more and more a race between education and catastrophe" while conveying a general truth also has special significance for today's dropout and for our society. For both, society and the individual, the effect of youngsters leaving school today is "catastrophic." Society's stake, in short, is too high to allow a million youngsters to drop out of school annually, ill prepared to find employment and a useful place in our competitive society.

We have been aware for some time of the relationship between education and income. Dr. Harold Kastner, Jr. a consultant for the Florida State Department of Education, in the American School Board Journal a few years ago calculated the economic consequences to the individual and the country when a youngster drops out of school.

He determined that a young man's completion of eight grades of school would result in a mean lifetime income of $52,343 above the income of persons who did not complete the eighth grade. The completion of one to three years of high school would result in an additional $30,871 for those who had completed only the eighth grade. A male high school graduate would receive an additional $45,887 over that of one with one to three years of school. Thus, an individual with a high school education over his lifetime would earn over $120,000 more than an individual who left school without an eighth grade education.

As might be expected, cumulative economic loss to society is truly staggering. Dr. Kastner also calculated such losses. He divided individuals, based on the 1960 census, by levels of educational achievement as follows: Less than eight years, eight years, one to three years high school and four years of college. He then projected the aggregate income again over a 40-year period to the nation if the individual had been able to complete the next educational level.

If all who had not completed the eighth grade, for example, had been able to do so, over a 40-year period national income would have increased by $954 billion.

If those who had completed the eighth grade had attained the next educational level, namely, the one to three years of high school, the national income over a 40-year period would have expanded by $380 billion.

The total loss over the 40-year period for these two groups would have totaled over one trillion dollars, a figure which Dr. Kastner says represents two and one-half times the national income of the United States in 1962.

For a single year if the two groups just mentioned had completed the next educational level, national income would have increased by six and one-half percent. A six and one-half percent increase in our gross national product for 1967 would have added $50 billion to our nation's wealth. Further, Dr. Kastner contends that if "the dropouts at the various levels had continued their education to the level commensurate with their abilities, the national income of the United States would be at least twice as large as its current level . . . the aforementioned increased incomes would increase the tax base. This could lead to an increase in government services and a redistribution of the current tax burden in such a manner as to reduce the current amount paid per taxpayer."

Because of the urgency of the dropout problem and the cost to the individual and to the nation, I persuaded the Senate Education Subcommittee, the full Senate Labor and Public Welfare Committee, and the Senate to accept my dropout prevention amendment designed to make a major concentrated attack on the dropout problem.

In shaping the amendment my staff and I discussed the problem and possible approaches with various experts. I am particularly grateful for the assistance Dr. James Conant of New York, Dr. Max Rafferty, Superintendent of Public Instruction of the State of California, Superintendent Jack Crowther of Los Angeles City School System, Dr. Ralph Dillard of the San Diego School System, Dr. Wilson Riles of the Compensatory Education System in California, and Dr. Jenkins of San Francisco.

At first, I considered spelling out in the statutes specific approaches such as reducing classroom size, providing remedial reading teachers for reading classes in the elementary grades the use of teaching machines. School districts wanting to try a particular approach would have made application for federal funding. But Dr. Conant and others convinced me this was unwise. So, in its final form, the amendment gives maximum flexibility and freedom at the local and state level for experimentation. It is based on the premise that answers have not as yet been found which will make dramatic changes in poverty area schools. Under the program, local and state educational agencies will submit innovative proposals which zero in on a particular school or a particular classroom in an effort to have a major impact on the dropout problem. The amendment requires that eligible schools be located in an urban or rural area, have a high percentage of children from families of low income, and have a high percentage of children who drop out of school.

Before approving projects conceived at a local level, the school district is required to identify the school dropout problem, analyze the reason for and tailor programs to meet it, provide effective procedures, including objective measurements of educational achievement for evaluating the program, and secure the approval and active participation of the state educational agency.

Members of the committee, as you well know, our society spends dollar after dollar on program after program to rescue the dropout. These rescues or educational repair jobs are extremely costly and equally difficult, often not successful—witness the Job Corps.

My amendment seeks to find and reach the root causes of the dropout problem. It provides additional resources. It throws a challenge to the educational community. Prevent dropouts. If our educational system can reduce and prevent the dropout problem, it will not only be a saving to society of the cost of the cure, but it also, if Dr. Kastner's calculations are correct, add billions of dollars to our economic growth. I hope that my testimony today demonstrates the unsoundness of permitting the dropout problem, the Achilles' Heel of the educational community, to continue. In terms of society, it is costly, dangerous and a tremendous waste of manpower. In terms of the individual, it is tragic.

In closing, I would once again like to quote Dr. Kastner who said: "the failure of society to allocate a few million dollars to solve adequately the dropout problem represents a cost of billions in economic growth."

Mr. Chairman, I do hope that despite the economic difficulties facing the nation that the Dropout Prevention Amendment which I offered last year, which has been endorsed by the President in both his budget and educational messages, and by the Kerner Commission Report and applauded by educators throughout the land will be fully funded. The amendment is in the best interest of the nation, and individuals, and makes sound economic sense.

BILINGUAL PROGRAM

The second program I wish to discuss and urge full funding is the Bilingual Education Act of 1967 which was also incorporated in the 1967 amendments to the Elementary and Secondary Education Act. I was pleased to co-author the bill. As the members of the committee probably know, this program was conceived and initiated in the Congress and was enacted over the opposition of the Administration. The program has now been embraced by the Administration, but the level at which funds have been requested indicates that the Administration's endorsement lacks the enthusiasm which the program needs. For, like the dropout prevention program, the program is of little value unless it is given life by adequate appropriations. The House Appropriations Committee also refused to appropriate any funds for this much-needed program.

The magnitude of the problem is evident by the following appalling statistics:

(1) Of 1.6 million Mexican-American children entering the first grade in the five Southwestern States, one million will drop out before they reach the eighth grade. In my own State of California, I understand that 50 per cent of the Mexican-American children drop out by the eighth grade.

(2) Mexican-Americans in the United States have an average grade level of 7.1, compared to a grade level of 9.0 for Negroes and 12.1 for Anglo-Americans. Mr. Chairman, evidence and experience suggest that this need not be. Other countries have confronted the problems of educating bilingual children and some nations such as the United States and certain parts of Africa have insisted that instruction be in the national language only. Many countries have successfully solved the problem by instructing first in the youngsters mother tongue and as soon as possible, instructing the youngsters in the national language. Last year, Governor Reagan of California signed into law legislation that would permit instruction in Spanish in California's public schools.

It would appear that even Russia has a more enlightened policy than the United States in its approach to the problem. I understand that approximately 50 per cent of the Russian population have a mother tongue other than Russian. In 1938, the Russian Government reversed its insistence that instruction be in Russian and permitted instruction in the mother tongue. As a result I am told there has been a great increase in literacy as well as the use of the Russian language. Similar experiences have occurred in Mexico, the Philippines and in Puerto Rico. In the latter case, the United States at one time insisted that the educational system in Puerto Rico instruct in English, notwithstanding the fact that the mother tongue of the children was Spanish. Mr. Bruce A. Gaarder of the Office of Education in testifying before the Senate Special Subcommittee on Bilingual Education, outlined the experience which was documented in a study by Columbia University that occurred in Puerto Rico as follows:

"The Columbia University researchers, explaining the astonishing fact that those elementary school children in Puerto Rico—poverty-stricken, backward, 'benighted', beautiful Puerto Rico—achieved more through Spanish than continental United States children did through English, came to the following conclusion, one with extraordinary implications for us here . . .

"The conclusion is, in sum, that if the Spanish-speaking children of our Southwest were given all of their schooling through both Spanish and English, there is a strong likelihood that not only would their so-called handicap of bilingualism disappear, but they would have a decided advantage over their English-speaking schoolmates, at least in elementary school, because of the excellence of the Spanish writing system. There are no reading problems, as we know them, among school children in Spanish-speaking countries."

A Florida effort points not only to substantiation of the Puerto Rico experience, but also to its expansion. In 1963, public schools in Dade County, Florida, embarked on a model bilingual education program. Although final statistical data is not available, preliminary reports are most encouraging. Perhaps even more significant are the results regarding the English-speaking children in the bilingual program. Amazingly, these English-speaking children are doing better in English than their counterparts who were instructed only in English. Not only does the bilingual program have the potential and promise of successfully attacking education problems of youngsters whose mother tongue is other than English, but, apparently, if the Florida Study is correct, the "implications for education are extraordinary."

Mr. Chairman, I recognize the fiscal limitation under which we are laboring, but I urge you to see that these two important programs which will lay the groundwork for exciting breakthroughs in education be permitted to move ahead. Society can afford to do no less.

If we compare the cost in dollars with the benefits to be derived—plus the future costs which would in a great degree be eliminated—I believe this is the greatest bargain for the future of our country which we can possibly find today. I respectfully urge the support of this Committee.

RESURRECTION CITY—DON'T LET IT HAPPEN AGAIN

Mr. HOLLAND. Mr. President, recently an interesting editorial was published in the Polk County Democrat—Polk County is my home county—whose editor is a longtime friend of mine, Mr. Loyal Frisbie, of Bartow, Fla.

The editorial, entitled, "Memo to Congress: Don't Let It Happen Again," expresses so well the feeling of many Americans regarding the erection of the shantytown, Resurrection City, adjacent to the Capital's Lincoln Memorial, that I feel it will be good reading for Senators. I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MEMO TO CONGRESS: DON'T LET IT HAPPEN AGAIN

Resurrection City has come and gone. It did not generate the sympathy for "poor people" and "civil rights" that its promoters expected. Neither did it touch off violence on the scale that many persons feared (or hoped).

Even the efforts of the television network newscasters to pump up public enthusiasm for the project fell flat. Congress was monumentally unmoved.

When District of Columbia police moved in Monday morning to close the place down, there were no screams of anguish—neither from the people on the scene nor from anywhere else in the country. The principal public reaction to the sudden clamp-down was surprise.

As late as 24 hours before the once-extended camping permit was to expire, a National Park Service spokesman said there would be no rush to move the campers out. Their permit, he explained, gave them a "reasonable time" after expiration to restore the area to its former condition.

It is doubtful that anyone either in or out of government was so naive as to expect that the campers really would clean the place up—let alone replace the grass and shrubbery which had vanished into mud.

What the reasons were for the sudden change of mind, and for the quick dispatching of D.C. police into the area, are open to anyone's guess.

This much can be said with certainty: the moving in of the police at Resurrection City and the almost simultaneous arrest of Rev. Ralph Abernathy and some 200 followers on the Capitol grounds proceeded with the mechanical smoothness of a well planned production.

The mass arrests in particular had the dull familiarity of Summer reruns.

The fact that Reverend Abernathy was in conference with government officials shortly before the last act opened should be evidence enough that if he didn't write the script, he at least had a part in the stage management.

The whole dreary affair reflected no credit on either the promoters or the federal officials who issued the camping permit, and it must have been a crushing disappointment to the really poor people who entered on the crusade with high hopes.

Now that the fiasco is ended, we hope that Congress will complete action on the legislation already started, forever forbidding anyone to camp on federally-owned land in the nation's capital city. The spectacle of a national government too weak-kneed to stop a rag-tag mob from taking over and destroying public property is not a sight to inspire confidence abroad in the stability of the American way of life.

Mr. HOLLAND. Mr. President, Resurrection City, from a lack of planning by its so-called leaders, resulted in the exploitation of women and children, the outbreak of violence, and the complete lack of control within its confines. Its existence was brought about through the lack of courage by high ranking Federal officials who have not seen fit to enforce law, and was the result of a policy of appeasement which has been wreaking havoc in many parts of the Nation. The shantytown which has turned into a quagmire due to the heavy spring rains surely did not create a feeling of confidence or a desire to cooperate; and throughout the length of time the shantytown was allowed to exist the leader of the movement, Mr. Abernathy, was conspicuous by his absence—preferring to reside in a motel.

I have said many times that I feel the executive department was completely wrong in permitting the construction of Resurrection City on Government property, and I so communicated my feelings to the White House and military and civilian police officials, who assured me that ample facilities were available to prevent a repetition of the rioting which so badly damaged parts of the Nation's Capital in April of this year.

However, there were many sporadic outbreaks of violence during the tenure of shantytown. This violence became the hallmark of the so-called campaign against poverty. When some violence erupted at the time of the camp breakup, local police and National Guardsmen moved into action immediately and brought the situation under control. The firmness with which the poverty marchers were handled at that time earned the appreciation of residents, and their performance was outstanding. Had such methods been employed during the April riots, which proved so destructive, the loss of life and of property would have been greatly reduced. Apparently, Government officials learned from experience and moved to quell the disturbance, which has cost the city untold losses in revenue and has held the Nation's Capital in tension. I am hopeful that the Government officials, both national and District officials, will continue to control such groups effectively in the future and to follow a policy of firmness which had been so sadly lacking prior to the final fiasco at Resurrection City.

CRIME AND JUVENILE DELINQUENCY

Mr. McGOVERN. Mr. President, I am immensely pleased to note that the Committee on Labor and Public Welfare has reported H.R. 12120, the Juvenile Delinquency Prevention and Control Act of 1968.

I hope that this important measure will receive speedy approval by the Senate.

During the past several weeks our attention has been heavily occupied by various proposals to control the sale and use of firearms. Emotion on this issue is, as Senators know, running extremely high on both sides. Some have focused on these measures as a basic part of an attack on crime, while others go off on the opposite tangent and declare that they will have no effect at all.

The truth, I suspect, lies somewhere in between. I am convinced, however, that the bill just reported by the Committee on Labor and Public Welfare, with little fanfare or public attention, dwarfs firearms controls in terms of having a long-term impact on the crime problems.

The hearings last September and October by the Subcommittee on Employment, Manpower and Poverty, and the Uniform Crime Reports of recent years, supply ample testimony to the significance of juvenile crime. While our statistical reports leave much to be desired, for example, we know that crime among young people is growing more rapidly than among any other age group.

Between 1960 and 1966, according to the Uniform Crime Reports, the number of arrests of people under 18 years of age increased by an alarming 59 percent. During the same period arrests among people 18 years of age and older actually dropped by nearly 1 percent.

In every major crime except one—negligent manslaughter—ranging from auto theft to criminal homicide, the percentage increase among juveniles far exceeded that for adults.

A more precise breakdown shows that between 1960 and 1966 the rate of increase among people 15 years of age and under was higher than for all other age categories, in both serious and less serious crimes.

It is extremely important to point out that these figures are in absolute terms, and are not based on increases in population. The decline in all crimes by people over 18 years of age between 1960 and 1966 would, of course, have been substantially greater if the population increase factor had been included. Hence, where the increase in the crime rate is concerned, it is clear that our first priority should be to retard the growth of offenses among the young.

This conclusion is fortified by the rate of recidivism among youthful offenders, and by the fact that even many of those now included in the adult figures began their criminal careers as juveniles.

As part of its 1966 study, the Federal Bureau of Investigation made an analysis of 41,733 arrests. Of that number 36,506 were repeaters, or had a prior arrest on some charge. Their age at first arrest averaged 22 years.

As part of its study of careers in crime the Bureau has also examined the subsequent records of some 17,837 offenders who were released in 1963. For those under 20 years of age fully 65 percent were rearrested within 30 months. Moreover, the repeaters tended to commit more serious crimes than the ones for which they were originally arrested.

In my statement to the subcommittee during its hearings on this bill, I expressed the view that the American people are justifiably concerned about crime in this country. I pointed out:

> More than 2,780,000 serious crimes were reported to the Federal Bureau of Investigation in 1965, an increase of 5 percent over the year before in the number of crimes per 100,000 population and of 6 percent in absolute terms. The cost in lost property was over $3 billion, and the cost in human agony was immeasurable.

We can now update those statistics. The grim total for 1966 was 3¼ million, for an 11-percent increase. The problem is clearly worsening. The freedom of the American people is being severely restricted by fear, and with good reason. The risk of becoming a victim of serious crime increased 10 percent in 1966, with almost two victims per 100 inhabitants.

I think government at all levels must spare no effort to overcome this tragic blight. The Safe Streets and Crime Control Act recently signed by the President contains provisions that can help, by strengthening the ability of local and State police agencies. Certainly the rate of solution of crimes already committed is an important factor.

But the need to broaden that attack is obvious. If we can discourage potential criminals by the example of conviction rates, certainly we have much more to gain by preventing first offenses through attacks on the causes of criminality and criminal careers. The obvious place to begin is with the young.

We should know, for example, how our youth are affected by the glorification of violence and immorality in the form of "entertainment," and we should heed the report of the Judiciary Committee's Subcommittee To Investigate Juvenile Delinquency on this subject way back in the 88th Congress.

The statistics in that report are, of course, somewhat obsolete, but they are nevertheless significant. The subcommittee said, for example, that in 1963, 91 out of every 100 families owned at least one television set. In terms of child viewers, this means "that children under 12, on the average, spend more time watching television than they do in either school or church. It means that each day more than 25 million children 12 and under look at the television set."

The subcommittee also pointed out that violence and other antisocial behavior are, to an overwhelming degree, televised during time periods in which the children's audience is large.

On the basis of expert testimony and research evidence, the following conclusions were drawn:

> (a) Television programs which feature excessive violence tend to reinforce overly aggressive attitudes and drives in juvenile viewers where such attitudes and drives already exist.
>
> (b) Filmed violence has been shown to stimulate aggressive actions among normal viewers as well as among the emotionally disturbed. This applies to adults as well as to children but the effect is most pronounced on the latter. . . .
>
> (c) Children can learn to perform agressive acts by exposure to such acts on television.
>
> (d) The observation of violence and aggressive behavior on television is more likely to bring about hostile behavior in the young viewer than it is to "drain off" aggressive inclinations.
>
> (e) Children are adversely affected by isolated scenes or sequences of violence and brutality and this adverse effect is not necessarily washed away or purged by a "moral" ending which "good" triumphs over "evil."
>
> (f) Continuous exposure of the young to programs containing violence, crime and brutality tends to produce a cumulative effect which can build up aggressive tendencies and the viewers' acceptance of excessive violence as the "normal" way of life.
>
> (g) Filmed violence can serve as the motivation for the release of hostility and aggressive behavior in some individuals already under stress for other reasons.

Mr. President, any evening before the television set can convince us that these conclusions have had little impact on television programing. While I am encouraged by the recent announcements that the major television networks are reexamining their broadcasts internally, to purge excessive violence, it is clear that our steady diet of violence in sound and motion in this important medium has not declined measurably since the study was made.

The motion picture industry also deserves attention. I have endorsed the proposal of the Senator from Maine [Mrs. SMITH] to establish a committee on film classification, to devise a reliable means through which parents can at least have some basis for determining whether a given motion picture is suitable for viewing by impressionable young eyes.

Congress can, I believe, devise workable programs in this area, and Senate Resolution 9 is one example. While these are being developed, I hope that the American people will also exercise their influence to bring about appropriate changes. In this connection the editors of McCalls magazine have just recently supplied an excellent suggestion that I hope will stimulate widespread action. It is in the form of a letter to readers and is entitled "What Women Can Do To End Violence in America." I ask unanimous consent that it be printed in the RECORD at the conclusion of my remarks.

These are areas beyond the scope of H.R. 12120 that I believe deserve action. There are others, for no single step can solve a problem so complex as that of crime and violence among young people.

But the Juvenile Delinquency Prevention and Control Act should be at the forefront of our efforts now. It is ready for Senate action, and we know that it can, in combination with other youth-related programs, have a measurable impact.

Our experience with operative Federal programs in the field of juvenile delinquency, as opposed to research, technical aid, and projects such as vocational training that affect it secondarily, has been relatively brief, dating back only to the Juvenile Delinquency and Youth Offenses Control Act of 1961. Federal participation has also been quite modest, involving a total expenditure of only $47 million.

During that period we have gained valuable insights into the means for preventing crime among young people. In the words of former Secretary of Health, Education, and Welfare John Gardner, for example, we learned:

> Our current methods of dealing with delinquency have been relatively ineffectual, limited in content and impact, and in some ways positively harmful. Many experts inform us that the process of being adjudicated, of bearing the stigma of the delinquent label, of being dealt with by the courts and correctional systems, are often themselves a factor leading the way to a criminal career.

We know that the prevention of juvenile crime can be assisted by finding opportunities for youth to be involved in constructive activities within the community, and that isolation into special groups is likely to impede both prevention and rehabilitation. Demonstration projects have shown that the schools, business, job-training systems, welfare agencies, and parents—as well as juvenile court officials—should be brought into the effort.

This knowledge, in light of existing conditions, exposes corresponding urgent needs for implementation—for new facilities, new training and new techniques. Many programs should be completely reconstructed.

In 1965, for example, some 100,000 children were incarcerated in adult prisons, primarily because the sentencing judge had no other alternative. It was either imprisonment and exposure to the kind of environment that is almost designed to assure repetition, or release without supervision.

Attorney General Clark testified last year that one-third of the juvenile courts in the country have no probation officer or even a caseworker available to work with youthful offenders.

H.R. 12120 as reported by the Committee on Labor and Public Welfare is a wholly appropriate and well-considered response to this information.

It includes planning incentives for States and communities, so that the best of what we have learned can be applied on a coordinated basis.

It provides help in the area of rehabilitative services for the diagnosis, treatment and rehabilitation of delinquent youths conducted by public agencies such as courts, correctional institutions and law enforcement agencies.

Local public and nonprofit private agencies would be eligible for assistance in supplying prevention services for youths in danger of becoming delinquent.

Research and demonstration projects and technical assistance would be continued, and the bill would broaden training efforts to overcome oppressive shortages of manpower in virtually every part of the correctional system.

I am particularly pleased to note that the committee included in the bill an amendment that I proposed to include Indian tribes specifically in the definition of groups and agencies qualified for assistance.

The specific provisions of the bill are covered in depth, of course, in the committee report, and I hope the report will be read carefully. It is a concise and complete description of the need for this legislation.

Mr. President, the committee estimates that juvenile crime costs this Nation an estimated $4 billion annually, not including the very real deprivation in human resources that is involved when the productive and positive abilities of thousands of young people are turned in destructive directions. This figure stands in stark contrast to the $250 million in Federal funds, to be spread over a 4-year period, that would be authorized by H.R. 12120.

These costs can be reduced, and in doing so we can contribute extensively to the solution of the growth in crime that is of such great concern to all of us.

I urge the Senate to give its overwhelming and early approval to the Juvenile Delinquency Prevention and Control Act of 1968.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[A letter from the editors to the readers of McCall's]

WHAT WOMEN CAN DO TO END VIOLENCE IN AMERICA

Many years ago in London, a severe outbreak of cholera devastated the population. An English physician named John Snow had a hunch. He looked up the addresses of all the cholera victims and found that every one of them drew their drinking water from the same pump on Broad Street. Dr. Snow knew little of the nature of the cholera organism or how it transmitted the disease in the water. But he removed the handle of the Broad Street pump. And he stopped the epidemic.

American women may not know the precise reasons for the contagious violence and brutality of our times, where it comes from, what makes it flourish. But they do know some of the sources from which their children are drinking in this violence, and they know they have to turn it off before the poison gets beyond reach.

American women will turn it off because they are weary of the bomb-burst, the gunshot, the fisted hand. They have had enough of violence late and soon, and of the people and groups who use it for their own ends. They are sick with the collective havoc of the mindless crowd, and the individual savagery of those whose discontent has festered into rash destruction.

The bullet that killed Robert F. Kennedy has wounded us all. John F. Kennedy, Martin Luther King—each of these murders set off acute phases of our anxiety. There is a pervasive sense of fear, the feeling we are in the grip of terrible forces we cannot even name—within the borders of our country, within the setting of the entire world.

The sickness has been here a long time. It simmers and flares in the ghettos where people have felt its curse for years and would now pay it back in kind. It mows down our men—and theirs—in Vietnam. It erupts on the campuses of the nation, where some of our young men and women have turned against their own proclaimed abhorrence of violence and have disfigured not just their universities but their own lives. It stalks our cities, our parks and subways, and destroys the green and gentle calm of the countryside.

It rams its way into our homes, on the television screen that brings instant brutality and savagery, instructing children in the ease and casualness with which life can be humiliated, tormented, twisted. The need to respect the fragility and preciousness of life is blotted out by the thousands of good-man-bad-man deaths that make up the daily television-tube feeding of children.

It weakens those precious arts of gentleness, of compassion, of moderation, of love that women alone can give to their families and the world.

McCall's believes that the violence in our land is not a shameful national flaw of character that must be regarded as inevitable.

Violence is not the accidental product of a few crazed assassins that can be cured by adding some Secret Service men. Nor is it simply a lapse in what is known as "law and order" that can be corrected just by a massive crackdown on youth or restless minorities.

The attack on violence must be basic. It must be knowledgeable. It must be thorough.

McCall's makes no rigid distinction between the breakdown of law and order in the nation and the breakdown of law and order in the world. Violence is airborne. Violence among nations cannot be separated from the violence within nations.

In a very real sense, Robert F. Kennedy paid with his life for the failure of the world's nations to develop an effective mechanism of world law. If the United Nations had been given the workable authority to resolve the crisis in the Middle East, Robert Kennedy might be alive today. The Middle East is not the only area in the world on which an American President or a Presidential aspirant must take a position. Nor is the Middle East the only area in which passions are attached to triggers.

American women can see to it that the first order of business for American policy makers is to move mightily inside the United Nations in the effort to equip it with the responsible authority to substitute law for force in the affairs of nations.

Attacking the basic causes of violence in the world is inseparable from the need to eradicate it at home. Here, within the United States, there is much that women can do if only they are willing to use the power that is clearly theirs.

Approximately fifteen million women read McCall's magazine. We believe that these women, by acting together and acting promptly, can play a pivotal role in combating violence where it occurs.

Here is a five-point program that can make a difference if enough women get behind it:

(1) Guns: The present gun-control legislation, existing or proposed, must be drastically strengthened. Millions of letters to Representatives could do it. Sit down today and write informed letters to your Congressmen and two Senators. Tell them it makes no sense to have a gun readily available, as Robert Kennedy pointed out, to every child, every insane person, every criminal who wants one.

(2) Television and Movies: Women can stop the outpouring of violence and sordidness on our television screens and in the motion-picture theaters. Supposedly, television and the movie industry give the public what it wants; i.e., sexual brutality, depravity, sadism, and everything else that contributes to human desensitization and violence. If this is the case, American women should be loud and clear in letting television and movie executives know that such bilge is most certainly not what they want. Hold their top men responsible. Write to Julian Goodman, president of NBC, 30 Rockefeller Plaza; Frank Stanton, president of CBS, 51 52nd Street; and Leonard Goldenson, president of ABC, 1330 Avenue of the Americas, all in New York City. Let them feel the weight of millions of letters. There is a direct connection between the decisions these men make and the violence in the land. Hold them to account. Have you seen a picture lately that sickens you, pains you, makes you fear for your children? You can write to Jack Valenti, at the Motion Picture Association of America, 522 Fifth Avenue, in New York, and tell him so.

(3) Toys: Mothers and grandmothers of this country can wage a determined boycott against toys that foster and glorify killing. No letters or telegrams are necessary. Just don't buy them, and tell the man in the toy store why you won't.

(4) Books and magazines: This includes McCall's. If we or our colleagues have done something that you feel adds to the spread of violence, let us know. We can testify to the power of strong, reasoned letters. Keep us to the mark.

(5) World Law: As we said earlier, women must be heard on the most urgent question of our time—world law in time to prevent war. The long, dismal negotiations in Paris over Vietnam would seem to dramatize the need for a third party at the peace table. The United States cannot indefinitely act as world policemen. If we are to prevent future Vietnams, we will have to do it through a strengthened UN.

There is no point in trying to restore sanity and balance to life in America if the human race is going to be incinerated in a flash of nuclear violence. Both President Dwight D. Eisenhower and President John F. Kennedy called for world law inside the United Nations but did not receive the kind of response from the American people that would have enabled them to press forward in that direction.

This is an election year. Your letters to the Presidential candidates on all these questions couldn't be sent at a more opportune time. And don't forget that your ultimate power is the ballot box.

The women of this country have heard enough about black power, white power, student power, senior-citizen power. The greatest power of all for good is theirs—woman power. No force on earth can stand against it.

—THE EDITORS.

PRESIDENT JOHNSON'S LONGTIME EFFORTS FOR PEACE

Mr. ANDERSON. Mr. President, more than 4 years ago, President Johnson urged the Soviet Union to join with the

United States in mutual efforts to slow down the arms race. He made a similar plea in his state of the Union address in 1967. At about that same time, he wrote a letter to Soviet Premier Kosygin proposing bilateral talks aimed at halting the escalating race in strategic weapons.

Today's newspapers carry the encouraging news that the Soviet Union has finally decided to enter into talks with the United States for the purpose of limiting the missile race between the two nations.

We must evaluate the Soviet response thoughtfully and comprehensively, but we must not let pessimism cast a cloud of hopelessness over the prospect that at long last the two great powers may be able to work together toward mutual reductions in strategic weapons.

The goal of disarmament is too important to the world to be cynically cast aside by suspicions on either side. President Johnson persisted in his endeavors for peace. A response has finally come forth. Now it is up to all of us to encourage the continuation of the modest first steps. Let us emulate the President's patience for peace.

FEDERAL HOUSING ADMINISTRATION CONFRONTED WITH STAGGERING LOSS

Mr. WILLIAMS of Delaware. Mr. President, the Tampa Tribune of June 11, 1968, contains an editorial calling attention to the staggering loss confronting the Federal Housing Administration as a result of the carelessness exercised in approving guarantees on mortgages on multifamily projects in the Tampa area.

The editorial refers to the specific project of Mandalay Shores, Clearwater Beach, Fla., upon which the FHA insured a $7,170,900 mortgage, and which was built by the Dworman brothers of New York—Alvin, Lester, and Daryl.

Mandalay Shores is but one of 19 multifamily projects financed by the FHA in that area during recent years, all of which became failures.

On previous occasions I have criticized the loose manner in which the FHA was guaranteeing mortgages on these various projects.

What is even more ironic is that one of the promoters of this most recent failure, Mr. Lester Dworman, has just been appointed as an administrative adviser to the U.S. State Department. The State Department has been quoted as saying that Mr. Dworman as an expert in the building business will be called upon for advice in connection with the Department's foreign buildings operations.

Apparently anyone who fails in private business is ruled a success under the Great Society, and if his failure is on a Government loan, then in the minds of the Johnson administration such failure qualifies the man for a Federal appointment, where he can handle the taxpayers' money.

Is there any wonder that our Government keeps getting deeper and deeper in debt?

I ask unanimous consent that the Tampa Tribune editorial in the Tampa Tribune and an article written by Mr. Sam Mase, published in the same newspaper on June 10, be printed in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Tampa (Fla.) Tribune, June 11, 1968]

ONLY THE PUBLIC LOSES

The Mandalay Shores Apartment building overlooking the Gulf of Mexico at Clearwater Beach is a sight to admire. But its splendor cannot cover up the fact that it represents a colossal example of secrecy and mismanagement in government.

The history of this 387-unit luxury apartment building is a good example of why people raise questions about the way their government handles public funds.

The story of Mandalay Shores is only half told. It took an investigation by Tribune reporter Sam Mase to assemble the facts which are known.

On April 3, 1961 the Dworman brothers of New York—Alvin, Lester J. and Darryl—operating a corporation known as Manadaly Shores Inc., obtained a bank loan for $7,170,900. It was insured by the Federal Housing Administration. It was not the Dwormans' first FHA-insured venture. By 1964 they had constructed $250 million worth of apartment buildings in the United States.

The Dworman brothers also owned the construction firm which built Mandalay Shores. The FHA has refused to disclose construction costs. Several sub-contractors who sued the prime contractor, Dworman Construction, estimated the construction costs to be $5,975,895.

Business did not flourish at Mandalay Shores after it opened early in 1963 and apparently only $8,964 ever was paid on the $7,170,900 loan. The mortgage was assumed by FHA Feb. 21, 1964; then it made good the insured bank loan. On June 21, 1965 FHA assumed ownership and operation of the project.

By then the total indebtedness had reached $8,011,496, including $522,293 in unpaid interest.

Since the FHA began operating the apartment building, rentals have totaled $1,289,876. But this amount has not been sufficient to pay operational costs, taxes amounting to $751,698 and replacement of sub-standard construction work costing $200,000.

The Tribune's investigation turned up another interesting example of governmental laxity. By Federal Court order the Dworman brothers were told to return $30,963 in advance rental payments made by Mandalay tenants. The Dwormans ignored the court order and there is nothing to show that the U.S. District Attorney ever made any attempt to collect the money.

It is little wonder that the government refuses to make public the story of Mandalay Shores. It is the public's business, but the FHA uses the excuse that information in its files about Mandalay Shores is confidential.

Confidential for whom? The Dworman brothers? The New York bank which made the loan? FHA officials who might be embarrassed by full disclosure?

Mandalay Shores is one of 19 apartment buildings financed by FHA loans since the 1950s which became failures in the 21-county area supervised by the Tampa FHA office. The FHA has managed to sell to private interests all but eight.

As far back as 1965 Delaware Sen. John J. Williams, the persistent pursuer of wrongs in government, attacked the questionable handling of loans for big apartment buildings. He specifically listed Mandalay Shores among others at the time.

What Williams said then is even more appropriate today:

The wholesale manner in which these multi-million dollar projects have been approved in the past few years and the wholesale manner in which they are going broke, oft-times before they are completed, represents enormous and unnecessary cost to the taxpayer.

"The government takes 100 per cent of the risk and the sponsors can sit back with 100 percent of all the profit, resulting in everyone having a field day at the taxpayer's expense."

Neither Senator Williams' warning nor the entire Mandalay Shores affair has caused the FHA to change its policies in guaranteeing big apartment house loans.

If a project promoter can borrow an excessive amount for construction, then do the job himself at a substantially cheaper price, he pockets a handsome profit. He loses nothing, then, if the FHA takes over the property. To avoid this sort of risk to the government, it would seem essential to require the borrower to obtain competitive bids from independent contractors. But the FHA apparently doesn't do this.

If the FHA persists in refusing to tell the full story of its operations, then perhaps a Congressional investigation committee ought to determine how the taxpayer turned out to be a loser on Mandalay Shores.

[From the Tampa (Fla.) Tribune, June 10, 1968]

ONE OF THREE MANDALAY BUILDERS—DEFAULTER ON $7 MILLION FHA LOAN GETS U.S. POST

(By Sam Mase)

One of three brothers who obtained a $7-million FHA-insured loan to build Mandalay Shores Apartments on Clearwater Beach, then defaulted on their mortgage and interest payments, has been named an administrative adviser to the U.S. State Department.

He is Lester Dworman, president of Dworman Building Corp., New York City.

A spokesman for the State Department said Dworman is considered an expert in the building business, and will be called on for advice when there is a need for private expertise in connection with the department's foreign buildings operations.

These operations cover U.S. embassies, ambassadorial residences and housing for embassy employes throughout the world.

The embassies must be refurbished or remodeled from time to time, and occasionally the department builds a new embassy or residence. Dworman would provide advice in this area.

Dworman and his two brothers, Alvin and Daryl, formed Dworman Associates in 1958 for the purpose of coordinating their widespread construction and realty interests.

As associates, the brothers form subsidiary corporations to construct specific projects, such as Mandalay Shores. Then they employ their own construction firm to perform the work.

Indebtedness against Mandalay when it was foreclosed exceeded $8-million. More than $500,000 of that amount was interest which the Dwormans had not paid. One item of indebtedness was listed as more than $250,000 advanced for taxes and insurance.

FHA officials in Washington flatly refuse to permit inspection of records showing in detail how the $7 million loaned for Mandalay was spent, as well as other records relating to the financial collapse and present financial condition of Mandalay.

There have been reports that certain phases of construction on Mandalay did not meet specifications, and that it was not entirely completed when accepted as being so by the FHA, which now owns and operates it. One large room is still not completed.

The State Department spokesman said he did not know how Dworman came to be recommended for his appointment.

He explained that advisers, such as Dworman, serve as unpaid consultants. Each adviser, he said, must sign a statement to the effect he will not accept any compensation—

salary or annuity—from the government for any work he does for the government, and will pay his own expenses, including travel, hotel and meals.

AMERICAN DEMOCRACY NEEDS PARTICIPATION BY YOUNG PEOPLE

Mr. MONDALE. President Johnson's proposal to amend the Constitution to permit our young people to vote deserves the support and backing of all Members of Congress, as well as citizens throughout the land.

For too long, we have demanded that young people meet obligations of citizenship, while denying them participation in electing their public officials.

Young people today are better educated, more experienced, and more motivated to participate in the democratic process than any generation of young people that preceded them. We need to make use of the enthusiasm of youth, not discourage it. We need to invite our young people into the machinery of democracy, not keep them out. We need to harness their energy and their determination to make a better world, not discourage it.

There is widespread, bipartisan support for this concept. Now we must put it into effect by giving 18-year-olds the constitutional right to join in the most basic right of a democratic system—the right to vote for public officials.

PUTTING THE GUN PROBLEM IN PERSPECTIVE

Mr. BREWSTER. Mr. President, in his message, "The People's Right to Protection," President Johnson described the tragedy of uncontrolled guns on two levels. First, he told how a 71-year-old gas station attendant was shot to death during an armed robbery. He spoke of a 3-year-old boy shot through the head by a mental patient. He reported on three people injured and one killed when a band of teenagers fired shotgun blasts into a group. These are tragedies comprehensible in individual, human terms.

On the national level, he cited statistics from the Federal Bureau of Investigation which paint a grim picture indeed. America the beautiful, America the civilized, America the enlightened has a dismal record arising from the uncontrolled use of guns. Last year 7,700 people were killed in this country by guns. There were 55,000 assaults with guns. More than 71,000 robberies were committed with guns. How long are we going to stand idle in the face of this national picture of violence?

President Johnson is not going to ignore the situation, and I am not going to ignore it either. He has proposed two major steps to put the capstone on recent efforts in Congress to control guns. He recommends that all guns be registered and that owners of guns be licensed. These proposals are eminently reasonable and can be eminently effective.

Mr. President, I believe it should be stressed that the gun-control measure proposed by the President allows no discretion whatsoever in the licensing of gun owners, except in cases of individuals such as convicted felons who are legally prohibited from possessing a firearm.

In my opinion, it should be the aim of Congress, in enacting responsible gun-control legislation, to avoid imposing any kind of tax for licensing and registration. Additionally, we should encourage the States to enact their own legislation, because in the long run, I think there can be little doubt that State firearms regulation would be far more effective than Federal regulation.

In any case, regulation is the key word, not confiscation. Law-abiding Americans have a right to possess arms, and that right must be guarded. None of the gun control bills recently introduced in the Senate would result in any confiscation whatsoever.

WE MUST OPPOSE ESCALATION AND SEEK PEACE IN VIETNAM

Mr. YOUNG of Ohio. Mr. President, warhawks are unfortunately urging renewal of bombing of North Vietnam. In fact, those militarist extremists constituting the Joint Chiefs of Staff are vociferously denouncing the halt in bombing of North Vietnam and urging all-out bombing without restrictions. Gen. Earle Wheeler recently sounded off publicly on giving his ideas of proper foreign policy of our country in connection with our involvement in Vietnam. He and other generals should stick entirely with military matters. They have no business sounding off on foreign policy matters. This is an invasion of the power and prerogative of the President of the United States and his Secretary of State, and of Members of the Congress. They would do well to keep in mind the admonition of Georges Clemenceau, the great Premier of France during World War I. He stated "War is too serious a matter to be entrusted to generals."

General Wheeler and Gen. Maxwell Taylor, who still seems to have great influence over our President, although I cannot for the life of me figure why as he has been proven wrong so many, many times, urge all-out bombing of Haiphong, its harbor and its docks and even bombing of Hanoi and other areas of North Vietnam within seconds flying time of the southerly border of Communist China. They are even advocating bombing the dikes of the Red River. The destruction that would be wrought in such an operation is almost too terrible to contemplate. Were the views of the generals to prevail and inhumane and terrorist bombing of the Red River's dikes to commence, it would mean the destruction of crops, hamlets, villages, and the killing and wounding of men, women, and children and of water buffalo and domestic animals in an area probably as huge as 150 square miles of land in North Vietnam.

We have throughout 1967 and so far this year continued to destroy a greater part of South Vietnam. They say it is necessary to destroy these villages to save them, to quote some extraordinary expressions of U.S. Army officers. Cholon, the closely built-up slum area of Saigon, housing nearly 2 million people, most of them Chinese, is being destroyed by our bombing, some of which is claimed to be accidental and some of which—whatever the claim may be—is definitely not. This bombing of business blocks and homes in Cholon has not been due to malfunction of shells fired from our helicopters, but has resulted in some instances, it is claimed, from the demands of certain South Vietnamese military leaders and politicians incensed because the Chinese refused to pay tribute in money demanded of them to spare their property. So, we destroyed blocks of closely built-up tenements and business places killing and injuring civilians—including women and children—claiming we were bombing and shelling VC snipers.

Now, our generals, who are members of the Joint Chiefs of Staff, are planning as the next step, if all else fails, a land invasion of North Vietnam, commencing near Haiphong and sweeping toward Hanoi to the Chinese border. I hope and believe our President will not order this. Should President Johnson give in to the power of the military-industrial complex in these further demands, the tyranny and aggression of the French in seeking to restore their lush Indochinese empire will be regarded in future history as very minor compared to the destruction we have wrought.

Gen. Creighton Abrams, now the commander of U.S. forces in Vietnam, is manifesting intelligent leadership and operation of our forces than has been our situation during the past 2 years under his predecessor. Secretary of Defense McNamara, during the time he occupied that Cabinet position, frequently complained that General Westmoreland was not making the best use of the 500,000 fighting men we had in South Vietnam and that only a small number, approximately 85,000, were in actual combat while hundreds of thousands were doing clerical and logistical work, so-called, in Saigon, Danang, Camrahn Bay and other bases. Under the new leadership in South Vietnam, Khesanh has been abandoned as a forward defensive base. Six thousand marines, whose entire training and tradition is that of fighting men to be in the van leading amphibious landings and making the best use of their training and high mobility in offensive actions, were tied down for months repelling assaults made upon that defense post but never leaving the protection of their bunkers and artillery to engage in wide ranging offensive action for which they were trained. Many were killed and wounded while on the defensive in what was primarily an artillery battle. From late last year until early this June, unfortunately, they sustained huge losses particularly from last December to February 1. Now the survivors are in the field in South Vietnam to fight and maneuver in a manner for which they were trained. We have reason to expect to read of amphibious landings in the Mekong Delta and elsewhere in South Vietnam spearheaded by our fighting marines.

The abandonment of the Khesanh outpost in the jungles of the northwesterly area of South Vietnam near the demilitarized zone and Laotian border is confirmation of the fact that General Westmoreland's strategy of placing 5,500 marines to remain on the defensive defending this outpost of no strategic value and vulnerable to attack from three sides has been reversed. Fortunately, under new military leadership the mistake made late last year and continuing into the early months of this year has been rejected. Even persons with no military training or war experience whatever wonder for what possible reason was it that General Westmoreland and our leaders in South Vietnam caused these valiant marines to fight so stubbornly in holding this jungle outpost which cost so many priceless lives of marines and the destruction of airplanes and helicopters who flew in and out with equipment, supplies, and food. It was inexplicable throughout all those months why this solitary exposed outpost was held by marines who were dug in on the defensive and not permitted to be reinforced or to have the numbers to enable them to make offensive sweeps to clear the countryside of the VC.

It was well known or should have been well known to General Westmoreland and the marine generals that this outpost could not and did not prevent infiltration of soldiers and supplies from North Vietnam through the demilitarized zone into Laos and then South Vietnam. The Khesanh outpost never provided the North Vietnamese any access to areas in South Vietnam to which they wished to move their forces. Now, reasons given by the military leadership for abandoning this outpost are deceptive, probably untruthful and certainly specious. Generals and air force commanders deserve strong criticism for committing the lives of our fine marines to defend a jungle outpost which, after deliberation and second thought, they now conclude should never have been defended in the first instance.

THE PRESIDENT'S LEADERSHIP IN DISARMAMENT

Mr. ANDERSON. Mr. President, in historic ceremonies today at the White House, the United States joined with more than 60 other nations to sign the Nuclear Nonproliferation Treaty.

On this occasion, President Johnson announced that agreement has been reached between the United States and the Soviet Union to soon begin discussions on limiting and reducing both offensive and defensive nuclear weapons missile systems.

Thus, the patience and persistence of the President has finally met with a positive response from the other side. The record will show that the President refused to follow those who preach that no agreement can ever be reached with the Communists.

I think we would all agree that the American people will owe President Johnson a large debt of gratitude if these discussions with the Soviets lead to a reduction of these dangerous and costly missile systems.

We all hope that new accords and agreements will be forthcoming that will ease world tensions and greatly reduce the threat of nuclear war for all mankind.

THE NUCLEAR NONPROLIFERATION TREATY

Mr. HART. Mr. President, in the history of international relations since the Second World War, we have experienced few occasions as auspicious or hopeful as this day, marked by the signing of the Nuclear Nonproliferation Treaty. Indeed it would be difficult to imagine a greater contribution to the security and well-being of our country—and of the whole world—than progress in arms control and disarmament. President Johnson has the thanks of all of us for his leadership in this vital field.

Faced with the enormous destructive potential which nuclear weapons have brought to the world scene, the United States, as we all know, has long sought to carry out a dual process of nuclear arms control. On the one hand, we have endeavored to halt the geographic spread of these weapons to additional countries. And on the other, we have sought to place restraints on the arms race among the existing nuclear-weapon powers. The signing of the nonproliferation treaty marks the most important step yet in dealing with the first aspect of this process. And as the President anticipated, it appears that this treaty also has served to encourage our endeavors in dealing with the second aspect—the nuclear arms race.

The United States and the Soviet Union will soon begin talks aimed at finding ways to limit, and subsequently reduce, their strategic offensive and defensive nuclear forces. If these efforts are successful, there is every reason to expect that the essential security interests of both sides will be enhanced, and at the same time that we will be spared a senseless waste of much-needed resources.

In conclusion, I wish to commend our negotiators, beginning with Ambassador William C. Foster, Director of our Arms Control and Disarmament Agency, for the work they have accomplished under President Johnson's direction; and especially in the light of these encouraging new developments, I urge them to pursue the arms control negotiations with all the energy at their command.

HOW LONG MUST WE WAIT FOR HUMAN RIGHTS?

Mr. PROXMIRE. Mr. President, we have always been in the forefront in promoting freedom for the individual and human rights for all groups. It has been axiomatic in this country that members of a minority are entitled to all the privileges and immunities enjoyed by the majority. These principles have been part of our fabric ever since our Founding Fathers settled this land more than three centuries ago.

In light of this, Mr. President, I am at a loss to understand why the Senate has waited so long to ratify the Human Rights Conventions. Human rights are not a question of politics. This is not a matter which we should callously put over for the 91st Congress. Ratification of these conventions is needed now. The Senate is equivocating on a subject about which there can be no equivocation.

Mr. President, in 1920, the 19th amendment to the U.S. Constitution was ratified, guaranteeing women the right to vote. In 1968, 48 years later, we have still not ratified the Human Rights Convention which insures political rights for women.

Mr. President, during World War II we witnessed some of the worst atrocities which man has ever perpetrated on his fellow man. In 1968, 23 years after the end of the war against the Nazis, the Senate has still not ratified the Human Rights Convention outlawing genocide.

Mr. President, in the middle of the last century the Civil War amendments to the Constitution were ratified, outlawing once and for all any involuntary servitude in this country. Yet, during World War II, concentration camps were established in our midst, and innocent people were forced to labor against their will. It is now 1968, more than a century since the Civil War, and 23 years since the end of the war in the Pacific, and the Senate still has not ratified the Human Rights Convention outlawing forced labor.

Mr. President, how long must we wait for human rights?

THE PRESIDENT VOICES HOPE FOR NEW AGREEMENTS ON DISARMAMENT

Mr. SPARKMAN. Mr. President, President Johnson has spoken for all Americans in voicing the hope that new agreements can be reached with the Soviet Union to deescalate the arms race in offensive and defensive nuclear missile systems.

Certainly, there is no greater threat to mankind than the existence of these terrifying weapons systems that can, in a matter of minutes, destroy civilization as we know it. Thus, on numerous occasions, the President has urged the Soviet Union to discuss with our Government the ways be reduced. He discussed this matter with Premier Kosygin at Glassboro, and has kept in touch with the Soviet Government about it.

The President's persistence and commitment to nuclear disarmament could conceivably result in a major breakthrough if talks between the United States and the Soviet Union result in an agreement.

We can be prayerfully hopeful that a lasting contribution to the cause of world peace can be achieved in the near future. And we can feel satisfied that our Government, under Lyndon Johnson's leadership, is in the forefront of this urgent and demanding effort.

THE BARRING OF ARMED SERVICES RECRUITERS FROM CAMPUSES

Mr. CURTIS. Mr. President, Senators will recall that I sponsored amendment No. 842 to the National Aeronautics and Space Administration fund authorization bill to prohibit grants from being made to colleges and universities which bar recruiters for the Armed Forces from their campuses.

I was joined in sponsorship of this amendment by the Senator from Nevada [Mr. CANNON], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from

Idaho [Mr. Jordan], and the Senator from Maine [Mrs. Smith], and the amendment was approved by the Senate and later accepted by the House.

During the debate in the Senate, I read a letter from the Department of Defense listing colleges and universities which, according to the letter, had adopted official administrative policies barring recruiters of the Navy and the Marine Corps from their campuses.

I have since received information seriously challenging the accuracy of the letter from the Department of Defense. Therefore, I have written a letter to the Secretary of Defense asking him to look into the matter and give me a complete explanation, in order to set the record straight.

I ask unanimous consent that my letter to the Secretary of Defense and the original letter from Assistant Secretary Fitt, together with the communications which I have received challenging the information made available to me and the Senate by the Department of Defense, be printed in the Record. These constitute all of the communications I have received from the universities mentioned in Mr. Fitt's letter of May 8, 1968.

There being no objection, the material was ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., June 26, 1968.

Hon. Clark Clifford,
Secretary of Defense, The Pentagon,
Washington, D.C.

Dear Mr. Secretary: I am writing to you because serious questions have been raised as to the accuracy of information supplied to me by an official of the National Aeronautics and Space Administration in the form of a letter written by Mr. Alfred B. Fitt, Assistant Secretary of Defense, under date of May 8, 1968.

I refer to the letter which appears on Page 16534 in the Congressional Record of June 10, 1968, listing by name the colleges and universities "which officially bar Armed Services recruiters from their campuses".

In reading Assistant Secretary Fitt's letter to the Senate during debate on my amendment No. 842 to the NASA fund authorization bill, to prohibit NASA from making grants to institutions of higher learning that bar armed forces recruiters from their campuses, I stated:

"In the course of the discussion of this bill in executive session (of the Senate Aeronautics and Space Sciences Committee), I asked the question, 'What educational institutions, if any, to which NASA is making grants, have a policy of barring the recruiters for the Armed Forces of this country?'

"I had previously read in the newspapers—this was some three of four months ago—that Columbia University had barred certain recruiters for the armed forces from its campus. *We are speaking now not about student resistance or trouble caused by students; we are talking about the administration of a college or university taking the position that certain of our recruiters cannot come on the campus.*"

The italics are mine. On the basis of the language used by Assistant Secretary Fitt in the letter which was delivered to me, listing "the names of colleges and universities which officially bar armed services recruiters from their campuses", I had every reason to believe the listing was just that and I accepted it as completely accurate. I am enclosing copies of communications which I have received from officials of several institutions that were listed and also a copy of letter from Mr. Frank Skinner, Editor of the American Council on Education, which published the list in its bulletin entitled, "Higher Education and National Affairs."

The communications from college and university officials speak for the separate institutions. Mr. Skinner's letter is particularly disturbing because it reports on a telephone survey which he made and states that of the twenty-one colleges and universities on the list excluding Puetro Rico University, from which he did not get a definite answer, only one institution has a policy of prohibiting recruiters from its campus.

If these communications are accurate, Mr. Secretary, a tragic disservice has been done to many fine and patriotic institutions of higher learning by the letter which Assistant Secretary Fitt wrote.

I respectfully request that you look into this matter and provide me with a complete explanation in order that I might set the record straight with the Senate and remove the blemishes which the publication of Assistant Secretary Fitt's letter in the Congressional Record placed on the reputations of the colleges and universities incorrectly listed as having barred armed forces recruiters from their campuses.

Sincerely yours,

Carl T. Curtis,
U.S. Senate.

Assistant Secretary of Defense,
Washington, D.C., May 8, 1968.

Mr. Gerald J. Mossinghoff,
Director, Congressional Liaison, National Aeronautics and Space Administration, Washington, D.C.

Dear Mr. Mossinghoff: This is in response to your letter of April 11, 1968 in which you requested the names of colleges and universities which officially bar Armed Services recruiters from their campuses.

We have canvassed the four Services on this matter. Army and Air Force have reported that no such bars exist at the present time.

Navy reported that, by official action of the institutions, its recruiters are not permitted to recruit at the following colleges and universities at this time:

Columbia University, New York, New York.
Fordham University, New York, New York.
New York State University, Queens, New York.
New York University, New York, New York.
Rutgers University, New Brunswick and Newark, New Jersey.
Upsala College, East Orange, New Jersey.

Similarly, the Marine Corps reported that, as a result of official action by the institutions, it is not permitted to recruit on the following campuses at this time:

*Barnard College, New York City, New York.
Brandeis University, Waltham, Massachusetts.
*College of New Rochelle, New York City, New York.
*Finch College, New York City, New York.
Long Island University, Farmingdale, New York.
Pratt Institute, New York City, New York.
Queens College, Brooklyn, New York.
*Sarah Lawrence College, New York City, New York.
Syracuse University, Syracuse, New York.
University of Massachusetts, Boston, Massachusetts.
Central State University, Wilberforce, Ohio.
*Hood College, Frederick, Maryland.
Howard University, Washington, D.C.
Oberlin College, Oberlin, Ohio.
Wilberforce University, Wilberforce, Ohio.
University of Puerto Rico, Commonwealth of Puerto Rico.

The Department of Defense would strongly oppose the imposition of sanctions on schools resulting from these isolated situations, which are, in the large majority of the cases, considered temporary suspensions rather than permanent prohibitions.

Military recruiters visit colleges and universities as the guests of these institutions. Further, many of the schools listed above host one or more ROTC units. The imposition of a form of financial sanction on universities to compel recruiting on campus would have a serious detrimental effect upon the excellent relations now existing between military recruiters and the great majority of universities and university officials throughout the country. It is the judgment of military recruitment officials that such a policy could impair these relations and, in the long run, serve to handicap their college student recruitment programs.

Sincerely,

Alfred B. Fitt.

Fordham University,
Bronx, N.Y., June 19, 1968.

Senator Carl T. Curtis,
Senate Committee on Aeronautical and Space Sciences, U.S. Senate, Washington, D.C.

Dear Senator Curtis: In the June 14, 1968 issue of "Higher Education and National Affairs," published by the American Council on Education, it is reported that navy recruiters were not permitted to recruit at Fordham University, an institution that is now the beneficiary of a NASA grant.

I wish to protest the inaccuracy and falsity of this charge. The University has always maintained a policy of admitting recruiters from the armed services to visit campus and recruit. There was a student demonstration when navy recruiters were on campus on October 9 and October 10, 1967, but recruiting was carried on. The navy recruiters were also invited to recruit on the campus on December 4 and December 5, 1967. We also expect them to recruit at the University during the coming year.

Since the imputation listed above is attributed by the ACE to you as a result of information received from the Defense Department, Fordham and its administration, faculty, and students would appreciate having you set the record straight. We are proud of our record for patriotism at Fordham, and we do not wish to have our relationship with the National Aeronautics and Space Administration jeopardized.

You will serve justice and our cause, Senator, when this report is corrected. I thank you for your consideration.

Very truly yours,

Arthur W. Brown,
Vice President for Academic Affairs.

College of New Rochelle,
New Rochelle, N.Y., June 21, 1968.

Senator Carl Curtis,
Senate Office Building,
Washington, D.C.

Dear Senator Curtis: The June 14 issue of Higher Education and National Affairs carries on the first page a story concerning colleges which are to be denied NASA funds for having barred recruiters for the various branches of the armed forces. The College of New Rochelle is included on the list of those having barred Marine recruiters. I am deeply concerned about this incredibly irresponsible allegation, and I wish to register a strong protest. Since the College of New Rochelle has not requested any NASA funds, nor at present are we contemplating any such request, my action is inspired by no desire for financial benefit, but rather by a determination to protect both New Rochelle and all other colleges against the imputation of actions and motives which simply are untrue.

The College of New Rochelle is a small liberal arts college for women. The graduating class of 1968 numbered 190 students. Of this number over 40% are already registered in various graduate schools throughout the country; a number have received the necessary certification and will be teaching in the fall; some have recently been married or will be married very shortly; 7 have been accepted for the Peace Corps, and 10 are religious. You can see, therefore, that the number of graduates interested in all types of job and professional recruitment is small. The program sponsored by our Counseling Office, as a result, is rather limited and is planned with the needs and interests of the students in mind.

---

*Denotes women's college.

When the Marine Corps requested permission to come to campus, Miss Colette Conroy, Director of our Counselling Staff, wrote that because of students interested in this type of recruiting was so small, she thought that a visit at this time was unwarranted. When the Marine recruiter insisted that she wanted to come, Miss Conroy replied that she would ascertain the extent of student interest. If five students signified an interest, she would arrange a visit. When, in response to Miss Conroy's inquiry, the only student to indicate interest in the Marine program was one sophomore, Miss Conroy referred her directly to Captain Carolyn Woodson, the Marine recruiter. Miss Conroy later forwarded to Lieutenant Sandra J. Fulton, U.S.N., the names an addresses of two students who had indicated interest in the Navy.

In her letter of November 22, 1967, Miss Conroy had written to Captain Woodson, "We will be happy next year to reevaluate the situation and investigate the interest once again."

In view of the true facts of the situation, I find it extremely difficult to accept the charge that the College of New Rochelle has "barred marine recruiters," and I deplore the implications of this charge. I think a genuine wrong has been done to the College. How does one go about contradicting such a charge and vindicating one's good name? Such actions are scarcely the basis for confidence or for a continuing healthy interchange between the colleges of the country and our armed forces

Because you have been actively involved in this question, I am writing to inform you of the true nature of the situation. I shall be grateful for any assistance you can give us in having this error rectified.

Very sincerely yours,

Sister MARY ROBERT FALLS,
O.S.U., President.

NEW YORK, N.Y.

Senator CARL T. CURTIS,
Senate Office Building,
Washington, D.C.:

Information that New York University bars Navy recruiters as reported by Defense Department is incorrect. At least a dozen recruiters from branches of the Navy have recruited here this spring. Our placement office is open to all legitmate government military and industrial recruiters. Letter follows.

JAMES M. HESTER,
President, New York University.

NEW YORK UNIVERSITY,
New York, N.Y., June 24, 1968.

Hon. CLARK CLIFFORD,
Secretary of Defense,
Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I was quite surprised to note in the June 14 issue of "Higher Education and National Affairs," the newsletter of the American Council on Education, that New York University was included among six colleges and universities that allegedly do not permit Navy recruiters on their campuses. The article in question indicates that Senator Carl T. Curtis was so informed by the Defense Department.

This information is not correct. I write in haste in the hope of setting the record straight, both in your office and in that of Senator Curtis.

Last year I received two letters from Captain D. S. Stear, Commanding Officer of the Naval Air Station at Brooklyn, on this subject. On December 21 I replied to Captain Stear explaining the only change that had taken place in our procedures of recent years. Navy recruiters had previously used the facilities of both our Student Centers and our Placement Offices. This year we decided to utilize only the Placement Offices for recruitment and job interviews with one exception, that being a situation in which one of our registered student organizations or one of our student councils wished to invite and sponsor a recruitment agent to come to one of the Student Centers. In fact this is precisely what happened in the case of two other military branches. Captain Stear declined a similar invitation explaining that he felt it inappropriate to appear without "the necessary approval, support, and sponsorship of appropriate officials . . ." Meanwhile, during the course of the year at least a dozen different United States Navy recruiters representing specialized services (Air Development Center, Naval Air Test Center, Naval Ordnance Laboratory, et cetera) did make use of our Placement Office services.

I regret very much that the information reportedly given to Senator Curtis was not verified before release. The very fact that New York University presumably would bar Navy recruiters but not Marine recruiters, as stated in the newsletter, would suggest confusion in the information and the need for clarification.

Sincerely yours,

JAMES M. HESTER.

RUTGERS, THE STATE UNIVERSITY,
New Brunswick, N.J., June 17, 1968.

Hon. CARL T. CURTIS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CURTIS: It has been brought to my attention that in supporting your amendment No. 842 to the NASA bill, you quote a letter from Mr. Alfred B. Fitt, Assistant Secretary of Defense, in which he lists Rutgers University as denying to the Navy permission to recruit on our campus.

May I assure you, Sir, that this information is completely false. We have four undergraduate campuses, and during this past academic year, Navy recruiters were present on each one of the four with the full permission of the University.

Because of some slight student unrest, we did request the Navy to defer its proposed dates until the problem had been straightened out. This they agreed to do without any indication of unwillingness, and the recruiting then went forward as planned at the later date.

Since this statement appearing in the *Congressional Record* completely misrepresents the policy of this University, may I ask that you correct this error in the *Congressional Record* and at a meeting of the conferees at your earliest convenience?

I further hope that a similar error has not been made in the case of any of the other colleges and universities listed.

I should add that I agree with Mr. Fitt that this amendment "would have a serious detrimental effect upon the excellent relations now existing between military recruiters and the great majority of universities and university officials throughout the country." Surely, the purpose of these NASA grants to universities is to get jobs done which are believed to be essential to the national defense. It seems to me quite clear that the awards should be based solely upon the ability of the scientists at the various universities to carry out these jobs successfully.

Yours very sincerely,

MASON W. GROSS.

RUTGERS, THE STATE UNIVERSITY,
June 17, 1968.

INTERDEPARTMENT COMMUNICATION

To Dr. Mason W. Gross.
Subject: Navy Recruiting.

This is a quick note to provide you with "back-up" data on Navy visits to our undergraduate campuses during 1967–68. By campus, the Navy recruited at Rutgers on the following dates:

Rutgers College: November 27–December 1, April 15–April 19.

Douglass College: September 26–27, February 12.

***Rutgers-Newark*: November 20–21*, April 10–11.

Rutgers-Camden: April 22–25.

EARLE W. CLIFFORD,
Dean of Student Affairs.

PRATT INSTITUTE,
Brooklyn, N.Y., June 26, 1968.

Hon. CARL T. CURTIS,
Senate Committee on Aeronautical and Space Sciences, Senate Office Building, Washington, D.C.

DEAR SENATOR CURTIS: It was reported recently in the American Council on Education publication, *Higher Education and National Affairs* (Volume XVII, No. 22; June 14, 1968), that you said the Defense Department informed you that Pratt Institute is among 16 colleges which bar recruiters of the U.S. Marine Corps.

I want to inform you that that is utterly incorrect. In fact, the Marine Corps recruited here this past school year, and already has a recruiting date scheduled for the fall of the coming school year.

The only conceivable basis for the erroneous information given you is the fact that, for a period during the spring, we asked military recruiters to temporarily delay their requests for recruiting dates so that we could provide an opportunity for several sectors of our institution to study and debate our open recruitment policy in a relatively uncharged atmosphere. Completion of the studies, including a student referendum, was so late in the spring that no attractive recruiting dates could be offered the organizations who had been asked to wait.

Incidentally, the result of the studies was the decision to continue our policy of open recruitment. I enclose a copy of the announcement of that decision.

May I ask that your records be corrected to indicate that Pratt Institute is not among those colleges who bar Marine recruiters from campus.

Thank you.

Sincerely,

JOHN J. PRIOR,
Dean of Students.

HOOD COLLEGE,
Frederick, Md., June 17, 1968.

Dr. FRANK D. SKINNER,
Editor,
Higher Education and National Affairs,
American Council on Education,
Washington, D.C.

DEAR DR. SKINNER: Your June 14 issue of *Higher Education and National Affairs* has just reached my desk, and I am dismayed by what must surely be a typographical error.

Hood College is listed on page 1 as one of the 16 institutions cited by Senator Carl T Curtis as having barred Marine recruiters. At no time have we barred recruiters representing any of the branches of the Armed Services from the Hood College campus.

Marine recruiters, as a matter of fact, visited Hood College again this spring and spoke with six interested students here as a result of publicity and appointments facilitated by our Hood College Placement Director. One of these students, Miss Grace Flanders, decided to enlist in the Marines and was sworn into the service by Marine officers on our campus last month.

---

*Postponed by agreement from November 6–7.

**Navy recruiting at Newark was for Naval Air Force.

It is difficult to refrain from adding one related thought. The Marines have no more enthusiastic supporters and civilian sales representatives than our Placement Director and her husband, and it is ironic that she should have been put in a position which would appear to suggest some lack of enthusiasm for the Marines. Her oldest son, a Marine officer, was killed in Viet Nam two years ago, and her second son recently enlisted in the Marines and is currently enroute to Viet Nam.

If the listing of Hood College in your June 14 issue was simply a misprint, I am sure you will want to correct it appropriately. On the other hand, in case Senator Curtis has been misinformed through some inadvertent mistake, I will send him a copy of this letter for his current information and appropriate correction.

Sincerely yours,

Randle Elliott,
President.

American Council on Education,
Washington, D.C., June 21, 1968.

Hon. Carl T. Curtis,
New Senate Office Building,
Washington, D.C.

Dear Senator Curtis: Early today I completed telephone calls to the colleges and universities listed by the Department of Defense as barring military recruiters from their campuses. I think you will be interested to learn that I was able to find only one institution—Oberlin College—which has a policy of prohibiting military recruiters on its campus. Oberlin, however, has suspended *all* recruiting temporarily, not just by the military, until a general policy on recruiting is developed this fall. Curiously, Oberlin was cited only by the Marines, and not by the Army, Air Force, or Navy.

In talking to placement officials or presidents at the institutions (of all 21 colleges and universities on both lists, the University of Puerto Rico was the only institution where I was unable to reach appropriate officials), it became quite impossible to determine how such a series of mistaken reports could have been compiled by the Defense Department.

Because of the serious injustice done to these institutions, I am certain that you will want to see that appropriate apologies are made.

Sincerely,

Frank D. Skinner,
Editor.

DRAFT REFORM

Mr. HART. Mr. President, I ask unanimous consent to have printed in the Record four letters from presidents of institutions in Michigan expressing their support of S. 3394, the Hart draft reform bill.

Each day that Congress fails to consider my bill (S. 3943) and S. 3052, the draft bill of the senior Senator from Massachusetts [Mr. Kennedy] brings us that much closer to bearing the full brunt of the highly inequitable Military Selective Service Act of 1967.

The time for action on S. 3394 is now. I respectfully urge Senators to act now rather than to wait for the severe disruption of this fall's graduate school enrollment which the 1967 draft law could cause.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Wayne State University,
Detroit, Mich., June 11, 1968.

Senator Philip A. Hart,
U.S. Senate,
Washington, D.C.

Dear Senator Hart: I have read with the greatest interest your Senate Bill S 3394 designed to amend the Military Selective Service Act of 1967. I agree wholeheartedly with the purposes of your bill and with the theory underlying the changes that it would work in our current selective service arrangements. As I think I have said to you before, I have believed for a long time that the Selective Service Act and administrative implementation in its present form is deeply inequitable and on several occasions have urged revisions—along the lines recommended by the Advisory Commission on Selective Service over a year ago—that would give us a more equitable national policy. I believe your bill would achieve these objectives, and I hope that it will receive widespread support in the Congress. If there is any way in which I could be of assistance in helping to secure support for your bill, I hope that you will let me know.

With warm good wishes,

Cordially,

William R. Keast,
President.

Washtenaw Community College,
Ann Arbor, Mich., June 10, 1968.

Philip A. Hart,
U.S. Senator,
Washington, D.C.

Dear Senator Hart: Thank you very much for allowing me to review your Bill, Senate S 3394, to amend the Military Selective Service Act of 1967. It definitely is a more equitable approach to a most grave and difficult problem facing our Nation and it's young men.

In reviewing your Bill I find it to be extremely thorough in reversing questionable aspects of the present Selective Service Act. It has been my opinion that selecting older applicants for the draft has often resulted in hardships that otherwise might be avoided. I think your Bill greatly reduces this problem.

By drafting 19 year olds first, they should be able to resume their lives, careers, and pursuits much easier at the age of 21 than a man who might be 28 after finishing his military obligation. After an initial adjustment to your plan there should be very little difficulty for 19 year olds in accepting a clean-cut policy by the Selective Service System.

Please keep me informed of the progress of your Bill and any further developments.

Sincerely,

David H. Ponitz,
President.

Davenport College of Business,
Grand Rapids, Mich., June 5, 1968.

Senator Philip A. Hart,
Senate Office Building,
Washington, D.C.

Dear Senator Hart: Thank you for sending me a copy of your bill to amend the Military Selective Service Act of 1967. I have discussed this with my colleagues, and the consensus is that this is legislation which we would generally support. There has been so much confusion and uncertainty that our young men have had to put up with that improvement in the present situation is certainly in order. Your bill seems to contain the ingredients for a solution.

Sincerely,

Robert W. Sneden,
President.

Detroit Institute of Technology,
June 12, 1968.

Hon. Philip A. Hart,
Senator, State of Michigan,
U.S. Senate,
Washington, D.C.

Dear Senator: Thank you for your recent letter and the copy of S. 3394 "to amend the Military Selective Service Act of 1967 . . .".

May I say this is a substantial improvement over what we have at the present time. I will support it in any way I can.

Sincerely,

Dewey F. Barich.

THE NONPROLIFERATION TREATY

Mr. CHURCH. Mr. President, today, in Moscow, London, and here in Washington, the United States, Great Britain, and the Soviet Union formally signed a document that may well be remembered as one of the most hopeful treaties of our time.

Three of the great nuclear powers have recognized their responsibility to refrain from supplying nuclear weapons to countries which do not now possess them.

At the same time, the many nonnuclear countries which become signatories to this treaty, will pledge themselves to abstain from developing nuclear weapons of their own.

The treaty, which follows the partial nuclear test band and outer space agreements, represents the third step to be accomplished on the long journey that eventually leads toward a safer and saner world. It constitutes one of the signal achievements of the Johnson administration in the field of international relations.

I was privileged to witness the signing of the nonproliferation treaty at the White House this morning. The event should be one of celebration for all Americans—and for all citizens of the world—for it gives us reason to hope that we may yet find a silver lining on the mushroom cloud.

COORDINATION OF TRANSPORTATION SERVICE

Mr. BREWSTER. Mr. President, Congress has long maintained a policy of encouraging improved coordination of service among railroads, water carriers, and truck lines. I am pleased to see improved service resulting from the voluntary cooperation of the Chicago & North Western Railway and A. L. Mechling Barge Lines of Joliet, Ill. I ask unanimous consent to have printed in the Record an article published in the New York Journal of Commerce describing a new joint rail-barge service recently proposed.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Journal of Commerce, May 29, 1968]

Sharp Reduction—Barge-Rail Joint Rate Proposal Posts First Victory in Midwest

(By James Hanscom)

The barge line industry's campaign to develop "willing partner" joint rates with the railroads has apparently realized its first yield of pay dirt with the filing of a sharply reduced rate on corn moving from Iowa to Gulf ports for export.

The Chicago & North Western Railway and A. L. Mechling Barge Lines have joined in the rate based on coordinated service. Other barge lines have concurred.

INTERCHANGE WITH BARGES

Under the proposal, the C&NW will move the corn from Iowa origins to three river points—Chicago, Peoria, and East St. Louis—for interchange with the barges, which will make delivery at New Orleans, Baton Rouge and Destrahan, La.

The proposed rate schedule would compete with a 36-cents per hundredweight rate put into effect last year to the Gulf by the Rock Island, a C&NW rival.

Prior to the Rock Island's disputed volume rate on grain moving through Houston, the rate level to the Gulf had been in the 50–52 cents per hundredweight area.

The change, which amounted to a further escalation in the fight that has been pushing down grain rates for the last several years, had the effect of shutting out some grain growing origins from export, shutting out other Gulf ports from handling the tonnage, and shutting out competing carriers.

On of the carriers affected was the C&NW, and among the areas affected were several large producing regions in Iowa. Illinois and Iowa vie for the largest annual production of corn.

JOINT RATE

The joint rate proposed by the C&NW and the barge lines, scheduled to take effect June 28, was officially justified as "an effort to coordinate rail-barge services in order to meet the competition via all-rail routes."

The rate could also have the effect of opening up to export grain now cut off by the rate structure. The proposed joint rate structure varies between 35 and 37 cents a hundred-weight.

Reportedly, the C&NW found it necessary to coordinate with the barge lines in order to compete, despite the history of fighting between the modes. Some railroads have traditionally said they feared losing traffic from connecting railroads if they set up movements with the barge lines. However, in the case of the C&NW, the line would not have to divert any traffic from a connecting railroad.

The barge lines, working through the Water Transport Association, launched a campaign earlier this year to develop "willing partner" rates with the railroads and have been circulating specific examples of commodity movements where the railroads could find coordination profitable.

In some cases, an individual railroad might have to cut off a connecting railroad or even cut off its own long-haul, in order to achieve the highest profitability. In other cases, the traffic would be "new."

Although several railroads have tentatively indicated a willingness to talk with the barge lines, the first convert has been somewhat elusive. That is, until the C&NW stepped forward.

MAJOR EXPANSION PHASE

The barge lines have been looking at the grain trade as an ideal place to begin, partly because corn and soybean exports are in a major expansion phase and production. Marketing and distribution practices are undergoing major changes. The non-transit, bare-bones approach to moving grain has been taking hold as part of the effort to cut transportation costs and rates.

Ironically, the barge-rail coordination would tend to preserve terminal markets at points like Chicago and St. Louis, which would otherwise be bypassed as a result of nontransit rate structures. A barge-rail interchange would set up a natural transit, and some thought is being given to the possibility of reactivating empty elevator space at some terminal points to handle any increased traffic that might develop.

Such a plan would revolve around railroads shuttling grain to river points for interchange with the barge lines. Trucks have been supplying grain to the barges from up to 100 miles away, and the railroads could conceivably extend the influence of the low water bulk rates further inland from river points.

Under the joint rate proposal, the C&NW will not permit transit on its part of the move and the minimum weight per car will be 150,000 pounds. Only 24 hours free time will be permitted for loading, and 48 hours for unloading at the interchange point. The detention will not be subject to averaging. The minimum weight per barge will be 1,300 tons.

According to the proposal, the barge lines would also extend the plan to other Gulf ports upon request.

AMERICA CONTINUES TO LOSE ITS FAVORABLE BALANCE OF TRADE

Mr. HANSEN. Mr. President, several months ago I spoke to the Senate with regard to America's increasingly unfavorable balance of trade. At that time I introduced into the Record figures obtained from the Library of Congress revealing the decreasing size of the U.S. trade surplus. I expressed great concern over the trends that those figures demonstrated.

After discussing the possible result of the trends, I pointed out:

> No graph is needed to indicate all too well what the future may hold in store.

It seems that that future has arrived. On June 27, the Commerce Department announced the second monthly trade deficit of 1968—a $32.2 million gap. But what is as disturbing as the fact that the United States no longer exports as much as it imports, is the administration's apparent attitude toward the situation. The Washington Post, for example, began its front page story dealing with the trade deficit with the following paragraph:

> The United States *unexpectedly* suffered its second monthly trade deficit of the year in May, the Commerce Department announced yesterday. (Emphasis added)

I want to emphasize the word "unexpectedly" in that sentence for if anything has been expected, or foretold or forecast after an examination of statistics on trade, it has been that America was headed for a whopping deficit in merchandise trade.

Mr. President, in Wyoming it is often said that "You don't have to feed your last bale of hay before you know that you're short of feed." The administration has ignored this simple axiom. The trends were there, the statistics pointed to the obvious results, but yet Friday morning we read that the administration found the second trade deficit in 3 months unexpected and surprising.

High Federal deficit spending and the increasing expenditures for the Vietnam war are keeping the Nation's unemployment rate at its current low level. But there will be a day of reckoning—for when our economy is no longer supported by high Federal deficit spending—the high, inflation-caused price of American goods will make them unable to compete in the international markets. As industry is forced to cut back on production due to an increasing inability to compete with foreign goods, the Nation's unemployment rate will rise. Therefore, I maintain that this administration's economic policies will reap the whirlwind in the future and it is American jobs, filled by American workers, who must bear the brunt of the current folly.

Uncontrolled inflation, the result of Federal deficit spending, has caused the wage-price spiral to spin even faster as wages and prices continue to shoot up past the now almost forgotten productivity guidelines of 3.2 percent.

As wages and prices push up, American industry continues to price itself out of the international marketplace. According to William G. Whyte, vice president of the United States Steel Corp.:

> U.S. steelmakers use about 13 man-hours per ton of product while their closest competitor, Japan, averages 16 or 17. But since Japan's steel employment costs for wage earners were only $1.08 per hour in 1966, while the U.S. average was $4.63, the net result was about a $40-per-ton labor cost advantage for Japan—an advantage not offset by higher costs of raw materials or higher costs of production facilities.

The automobile industry is another area which has already begun to suffer. An article in the Washington Post on Friday, June 28, pointed out:

> Government sources indicate that much of the increase (in imports) comes from a big jump in the sale of foreign cars. Volume is now running at an annual rate of 1 million units—mostly small cars which American producers don't even make.

Mr. President, I ask unanimous consent that an article from the Washington Post entitled, "Second Trade Deficit Hits United States in May," and also an article from the New York Times entitled, "U.S. Trade Shows Deficit for May," be placed in the Record at this time.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Washington Post, June 28, 1968]

Second Trade Deficit Hits United States in May

(By Frank C. Porter)

The United States unexpectedly suffered its second monthly trade deficit of the year in May, the Commerce Department announced yesterday.

The country imported $32.2 billion more in goods during the month than it sold abroad on a seasonally-adjusted basis.

In March there had been a deficit of $158 billion, the first in five years. But officials regarded it as a fluke, due largely to dock and copper strikes and hedge buying against a steel shutdown later this year. They confidently expected the trade would swing back into a favorable balance and stay that way. Their forecast was borne out in April, which had a $248 million surplus.

Thus the May shortfall came as a surprise, with continued hedge imports of steel the only unusual circumstance. "There's no doubt that our trade position has deteriorated," said an Administration official, who added that further monthly deficits cannot be ruled out.

For years the Government has relied on the Nation's traditional export surplus to keep the deficit in international payments from becoming even deeper than it is. This favorable trade balance offsets a large part of the dollar outflow due to overseas investment, lending, military expenditures and foreign aid.

Last year there was a trade surplus of $4.1 billion and President Johnson had been hopeful in January that it could be increased by $500 million in 1968.

But the target looks more and more unattainable. For the first five months of the year the surplus is only $405 million, less than 10 per cent of the goal. The surplus for the equivalent period of 1967 was $1.9 billion.

On a seasonally-adjusted basis exports declined 6 per cent to $2,719,700,000 in May. Trade experts said this still represented a high level and said they aren't discouraged by the export picture.

The trouble is imports. They rose 4 per cent in May to an all-time high of $2,751,900,000. This was a whopping 30 per cent increase over the same month last year.

Although some economists worry that the inflation of the past two years has priced some American goods out of world markets and made the United States more vulnerable to imports, one Administration official said yesterday he feels a more important factor is the country's steep rise in income. Over the years imports have always spurted during periods of boom.

This official said the recently enacted 10 per cent income tax surcharge may help to stem the tide of imports by dampening consumer and business demand. But it will take several months for its effects to be felt, he said.

He also speculated that the first steps in tariff reduction negotiated during the Kennedy Round of trade talks—to go into effect July 1—may give a substantial lift to American exports.

Although the import surge is broadly based, Government sources indicate that much of the increase comes from a big jump in the sale of foreign cars. Volume is now running at an annual rate of 1 million units—mostly small cars which American producers don't even make.

[From the New York Times]

U.S. Trade Shows Deficit for May—Imports Surpass Exports Second Time This Year—Margin Is $32.2-Million—Dollar Defense Hurt—Goods Entering Nation Rise 4.2 Percent to Record as Items Leaving Decline 5.8 Percent

Washington, June 27.—The Administration's program to defend the dollar abroad suffered another blow today when the Commerce Department reported this year's second monthly trade deficit during May.

With heavy imports of steel, automobiles and consumer goods, the department said, the United States imported $32.2-million more merchandise than it sent to other countries last month.

During March the nation ran its first monthly trade deficit in five years when imports exceeded exports by $158-million, largely because of the copper and New York dock strikes and the possibility of a steel strike which spurred hedge buying of foreign steel. A sharp improvement came during April when exports took a $248-million lead.

Officials expect the 10 per cent income tax surcharge passed by Congress to help paint a brighter picture for the rest of 1968. However, they now concede there is no chance of surpassing last year's trade surplus of $4.1-billion.

PRESIDENT'S PROGRAM

President Johnson's program to stem the flow of dollars overseas has envisioned a $500-million increase in the trade surplus this year. It is part of an over-all plan to remove $3-billion from the dollar drain, which grew last year to $3.57-billion. The program has met with only partial success thus far, with trade the weakest part of the picture.

Imports rose 4.2 per cent during May, the department said, to their second straight monthly record at $2,751,900,000. Exports were down 5.8 per cent to $2,719,700,000.

In the first five months of the year, the trade surplus ran at an annual rate of only $972-million, based on exports of $32.69-billion at an annual rate and an import pace of $31.72-billion. If this trend held up for the rest of the year it would mean a 6 per cent rise in exports over 1967 but an 18 per cent jump in imports.

In May last year, the nation ran a trade surplus of $407-million, one of the highest in 1967.

OUTLOOK ASSESSED

One Administration economist said the increased imports stemmed from rising incomes, rising purchase power and rising prices in the United States. He said the tax surcharge should help improve the trade surplus picture over the rest of this year.

Commerce Department officials contend that despite the May decline, the export picture has been fairly good this year although imports have gotten out of hand. Auto imports alone are running at a record annual rate of one million units so far this year.

One official said the effects of the recent copper strike on imports appeared to be wearing off during May. He said exact figures were unavailable on the size of copper and steel imports.

In a related matter, the Commerce Department said prospects for exports should improve July 1 when 14 nations cut their tariffs as part of the Kennedy round agreement reached last year.

This reportedly will include France, which now plans to initiate export subsidies and import quotas to help stem her current economic crisis.

[From the New York Times]

Trade Group Notes Gain

Geneva, June 27.—Trade figures of the European Free Trade Association showed a slight improvement in April compared with March, the association's secretariat said here today.

Exports rose by 0.7 per cent, to $2,625,000,000, while imports moved up only 0.5 per cent to $3.23-billion. Compared with April. 1967, however, exports were down 1.4 per cent and imports up 2 per cent.

The trade association, also known as the Outer Seven, consists of Austria, Britain, Denmark, Norway, Portugal, Sweden and Switzerland.

THE RACE PROBLEM

Mr. HART. Mr. President, the most pressing issue in this country today, is as we all know, the race problem.

Back in 1963—and the years that led up to that first national awareness of what it meant to be a truly deprived citizen—the people who seemed to be most involved in a solution were the Negroes and other minority groups who belonged to or followed some type of civil rights organization—the politicians, the clergy, the courts, and the liberals. This composite was understandable because back in 1963, the struggle was one of legal rights.

Today, both the script and the actors have changed. The struggle involves more than constitutional rights. It is much bigger than politics and goes far beyond the Sunday sermon.

The problem involves total immersion on the part of the private sector and the private citizenry of our country. What this national effort would entail is eloquently expressed in a speech by Elisha Gray II, chairman of the board, Whirlpool Corp., delivered at the Southwestern Michigan Agricultural Association banquet. I ask unanimous consent that it be printed at this point in my remarks.

There being no objection, the speech was ordered to be printed in the Record, as follows:

An Address by Elisha Gray II, Chairman of the Board, Whirlpool Corp., to the Southwestern Michigan Agricultural Association Banquet, April 24, 1968

Good evening, ladies and gentlemen. I'm most pleased to be a part of this annual event honoring outstanding contribution to one of the most important industries in this part of America.

It's been my pleasure over the years to know, and at times to work with, nearly all of the past recipients of your "Distinguished Service Award," each of whom had a record of significant contribution to your industry . . . and I can, therefore, say with some authority that it is an honor of substance and meaning.

Most of us have known Hal Carlson for quite a while . . . and recognize him as an astute and dedicated businessman with an outstanding record of accomplishment. May I add my sincere congratulations, Hal.

When Parnell Dwan invited me to talk to you this evening, he said I could choose my own subject.

Nowadays, that's a fairly risky thing to do . . . because when someone gives *me* an opening like that, I am inclined to address myself to what I consider to be the most serious and threatening problem to face our country since the Civil War . . . the problem of our social minorities.

In my judgment, the business community, and I include all of us . . . whether processor, grower, banker, merchant or manufacturer . . . has got to play a leading role in the solution of this problem.

In the course of my comments, I'm likely to touch on some facts already familiar to you . . . but I'll get on as quickly as possible to the core of my thought, which is simply this:

As much as has already been done . . . as much as American business as a whole has accomplished, we have only scratched the surface of what must be done . . . and quickly . . . if we are to stave off national calamity. It is a national problem . . . and my remarks will deal with it as such.

We all have a great stake in this problem . . . whether we live in the city or in the country. We can't escape it . . . no matter where we go . . . we are all affected by it.

I believe that business . . . from the smallest farm to the largest industrial giant . . . has got to become involved in the social problems of our day . . . and must waste no more time doing it.

Consider if you will . . . we live in a nation where 85 percent of our people truly lead the "good life" . . . with plenty to eat, a decent home, and reasonably good prospects of achieving the goals they set for themselves.

We must now direct our attention to the other 15 percent . . . a minority within our land of plenty that can no longer be ignored, living under conditions which can no longer be tolerated. A minority that has become aware of what it's missing and is willing to risk anything to get its rightful share.

They've proved this by nearly burning down many of our great cities . . . and by resorting to looting to get those things they believe they'll never get any other way.

What has happened, of course, is most familiar to all of us here tonight. Mechanization of agriculture has obsoleted millions of farm jobs . . . driving nearly 75 percent of our colored and poor whites into the cities . . . and nearly all of them were totally unequipped to earn a living there. It happened almost while we weren't looking . . . and it continues to happen every day.

Suddenly, we are faced with the realization that these people simply will not continue to accept the miserable situation in which they are forced to exist. They are *demanding* a fair opportunity to earn a share of the good life this country has in such abundance.

No need to paint a verbal picture of the shameful slums and substandard housing to which these unfortunate people are relegated. We've more than our share right here in Berrien County . . . in and out of the cities. And if one wants to see more, he need only pick up a current issue of Life or Newsweek . . . or turn on the TV.

And I'm not here to argue the moral issues involved . . . or to quote statistics on crime rates, below-poverty level incomes and the like. That these exist is in all too well-established . . . well-documented fact. As has all too often been the case in the past, we have stood idly by, watching the problem grow, hoping against hope that it would go away, knowing all the while that it would not . . . that one day we would have to face up to it.

The facts speak for themselves . . . to date the traditional agencies within our society specifically established to fight our social ills . . . whether of federal, state or local origin, whether secular or religious in nature . . . have been unable to effectively halt the spread of this disease, much less cure it. And please don't interpret this as criticism of the many fine efforts that have been made and are being made; it is simply acknowledgement of the monumental size of the task before us . . . *so large that only a national effort involving every one of us has any chance of completing it.*

We all know there is no single answer. There are no printed guidebooks to racial tranquility, no magic formula. But there is a force within our society that has the power . . . the influence . . . and the resources needed to turn the tide in our fight against minority problems To date, however, its massive power has not been brought to bear on the problems of the underprivileged . . . and yet no single element within our nation has more to gain by solving them, or more to lose by letting them go unsolved. It is the most powerful single force in our nation, the very foundation of our economy . . . it is business.

Certainly there are moral reasons aplenty for advocating the involvement of business in the social problems of our day. But that gets us into the area of conflicting attitudes and personal prejudices . . . and I want to steer clear of that.

Instead, for the moment, let's look at it purely from the practical, realistic point of view. Finding solutions to the social ills that beset our country and our millions of disadvantaged citizens is vital to our very existence . . . to our nation's continued existence as a viable society . . . and, incidentally, to our survival as independent businessmen.

It's not difficult to justify such a statement.

Look at it in terms of your own community. You have your time and money invested there. You look to it for trained, qualified personnel. Your homes are there . . . and your children are educated there. You shop and trade there . . . and you look to the banks for much needed financial assistance from time to time.

It's just plain impractical and dangerous to sit back and watch your community deteriorate . . . piece by piece . . . bit by bit . . . until it is no longer fit to work in or live in.

Working on the premise that no single cause created the social conditions we are faced with, and that therefore, no single change is going to correct them, what are the primary trouble spots where corrective action must be taken?

There are several; I list five in no particular order of importance, for they all bear directly on the problem.

The first two are inseparable. They are education and jobs. If a young man can't just get a job after finishing high school, why bother to finish? On the other hand, if he doesn't finish high school, he can't qualify for a job. We've got to approach this dilemma in its entirety, and realize, as we work for its solution, that it may take a generation . . . or more . . . to achieve real success.

An interesting case in point is the situation of the migrant worker child. The circumstances of their existence . . . the constant moving and generally low living standards . . . team up to render them totally unprepared for the learning experience . . . if and when they receive it. The irony of their situation is that without education, the only jobs for which they will be suited are those now being rapidly eliminated by mechanization. The self-regenerating cycle of failure is sustained.

And so what's left for them? In most cases, banishment to the slums of our cities and all of the insufficiencies and indignities that exist there.

Nobody argues the need for education in today's society. But how many of us are willing to pay the price . . . to back this need with our vote?

Particularly when it means an increase in taxes. Or when it means that our children may have to travel a bit farther to get to a school that is a bit *too* integrated to suit our tastes. Or when we are not directly affected because none of *our* children are going to school.

We must educate our young . . . regardless of color or background.

We must have the facilities and teachers to do it . . . and these facilities must be designed and located to permit their most efficient use.

If this means sacrifice by the "haves" on behalf of the "have nots," then we must be willing to make them.

Of course, all the education in the world is of no use if there are no jobs available . . . or if the only jobs available are of the menial sort. It's up to us to provide opportunities with futures, jobs that offer the chance for advancement.

It's *impossible* to overstress the need for more jobs for the "hardcore unemployed" of our country.

After all the debating is over, a fellow has got to have a job. He needs the income, the status, the dignity, the stability a job gives him. "There is nothing like a job" to get a man on his feet. He needs a hand . . . not a handout.

I've discussed the first two of my five problem areas . . . jobs and education. A third where business must provide leadership and impetus is that of adequate housing. There are just too many areas with deplorable housing in our wealthy nation. Admittedly, this is a massive and most complex problem . . . but there are some important steps that can be taken right away.

We must support sound, practical and fair housing codes backed with ordinances and strong enforcement. Good codes and enforcement are inseparable . . . but you'd be surprised how seldom you'll find them together.

I hesitate to include this next point in my remarks because of its emotional aspects . . . but it's an issue that must be faced sooner or later: Every citizen must be free to buy a home wherever he wishes, if he can meet the financial requirements and will keep it up, regardless of his race, color or creed . . . and we must stand behind this basic right.

Finally, in the area of adequate housing, we must face up to the challenge of providing better living facilities for our migrant workers.

Now I'm no stranger to the problems of migrant housing. I've been involved with them for years, as have many of my oldest and closest associates.

It's frustrating and infuriating to spend considerable sums of money fixing up your worker living quarters, just for the dubious privilege of watching as they are systematically torn apart by some of the people who live in them.

But it is my contention that this in no way relieves us of the responsibility of continuing to provide good, clean, comfortable quarters for the workers and their families.

In analyzing this particular problem, I think we have to ask ourselves two important questions:

First, have any steps been taken to show these people how to take care of a home . . . or to get them to understand that *part* of their responsibility as an employee is to take care of the living facilities which are provided.

Second, are the living quarters provided really worth caring for . . . or are they just small slum buildings in a country setting?

The fourth of my five basic areas is the problem of our welfare system. We all are prone to criticize, and there is indeed a portion of our present system that invites criticism.

However, concerned citizens and, particularly, we businessmen would be in better grace, it seems to me, if we first learned the facts of how welfare operates and then took some positive steps to reduce the actual need for it. There are many constructive things that can be done toward this end, but in the interest of having time to cover my whole subject, I will leave the details for another occasion.

Suffice it to say, I believe it would be possible to reduce the need for welfare, to provide incentives and opportunities to recipients, to get off the public rolls and to improve the general efficiency of handling such welfare as is needed and desirable.

Fifth, law enforcement, as it relates to racial problems, leaves a lot to be desired across the nation. Our police officers must be trained and equipped to handle riots and potential riot situations, and they must understand the psychology that motivates these outbreaks of violence. Above all else, law enforcement must be fair and even-handed. We must remember that we are dealing with human beings . . . regardless of their color, nationality or social status. We cannot . . . and must not tolerate unequal dispensation of justice.

Now let me explain why I believe that business has got to lead the way in the fight against the social blight that exists to one degree or another in every part of our country.

Consider the fact that we have most of the jobs available under our jurisdiction . . . and the ability to create new jobs and to train people to fill them.

We enjoy a degree of flexibility and independence that permits us to change policy and practices rapidly to adjust to new circumstances as they arise. We have command, if you please.

We have the manpower and the management skills to develop workable programs for solving the various problems tht exist . . . and the money and facilities to implement corrective programs.

We can function at the local level where, in the final analysis, the job has got to be done. Everything needed to get the job started is instantly available . . . with a minimum of red tape and delay.

Business, collectively, can muster more sheer power for action than all the rest of the elements in the community combined. Call it power . . . call it influence . . . call it clout . . . call it anything you want! It's the ability to get things done . . . and that's what's needed.

At the beginning of my remarks, I stated my belief that the plight of our racial minorities is the most serious and threatening problem to face our country since the Civil War.

It is a national problem . . . vulnerable only to the force of a total, national commitment . . . and I would not for one moment insult your intelligence by even suggesting that business can do it alone.

But we can lead the way. We can set the example and provide the impetus.

I would further suggest that we really don't have any choice in the matter . . . for history shows that when we don't step up to our obligations voluntarily, we have them forced upon us in no uncertain terms . . . by government . . . by labor . . . by the overpowering sweep of human affairs.

I thank you for listening to me this evening . . . and I would leave you with this question:

Can any of us . . . aware of the problem as we are . . . pretend for one moment that it does not involve each and every one of us? Or that we can solve it by doing nothing?

NONPROLIFERATION TREATY

Mr. NELSON. Mr. President, today is a significant day in history for all mankind. The Nonproliferation Treaty is an achievement that men of peace have been working toward for many years.

Beginning with the Baruch plan and the Atomic Energy Act of 1946, Presidents Truman, Eisenhower, and Kennedy have all tried to keep the bomb from spreading. Small steps have been taken in that direction, but the treaty signed today is without question the most effective measure so far.

The treaty would, first, prohibit nuclear-weapon states from transferring to any recipient nuclear weapons or other nuclear explosive devices or control over them, second, prohibit nuclear-weapon states from helping non-nuclear-weapon nations to develop their own nuclear weapons or other nuclear explosive devices, third, prohibit non-nuclear-weapon states from receiving nuclear weapons or other nuclear explosive devices and from manufacturing their own, fourth, encourage cooperation between nuclear and non-nuclear nations to insure that all will benefit from the peaceful uses of nuclear energy, and fifth, provide for verification to assure that no nuclear materials are diverted by non-nuclear-weapon states from peaceful activities to nuclear weapons.

This treaty also opens the door to real prospects for disarmament. The announcement that an arrangement for missile talks with the Soviet Union also offers great hope for the future.

Neither we nor the Soviets now has the ability to strike first with such force as to prevent a retaliatory blow by the other. Both have the will and the capacity to prevent the other from achieving this ability. In the absence of agreement, both will seek to do so—and the nuclear arms race will escalate to new levels. But it would be far better, indeed it is essential, that we reach agreement. We should, for example, limit strategic offensive and defensive missile systems. This will require that both we and the Soviets accept the fact that if a halt is to be made, we will each have to forgo some of the developments we would otherwise pursue.

But this is the direction in which we must go in order to guarantee the preservation of the human race.

A WAKE FOR SENATOR KENNEDY

Mr. CHURCH. Mr. President, Mr. Drury Brown, the editor of the Blackfoot News, Blackfoot, Idaho, is a quiet-spoken, sensitive, and intelligent man who has often displayed the kind of moral courage that the late Senator Robert F. Kennedy admired.

It was not surprising, therefore, that he should have written so deeply-felt an editorial tribute as that which was published in the June 10 edition of his newspaper. The editorial is entitled "A Wake for Senator Kennedy." It is based upon a true account of an actual happening, retold so movingly that I believe it should have a place in the body of the RECORD.

Accordingly, I ask unanimous consent that this exceptional tribute be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A WAKE FOR SENATOR KENNEDY

The concern that Senator Robert F. Kennedy felt for those Americans from whom the American dream seemed most remote was told in the days of mourning that followed his death. Even the cynical among us must be touched by the evidence he indeed achieved a rapport with the objects of his concern.

Soon after his death became known, the thought occurred that it would bring sorrow to some of the people of the Fort Hall Reservation. It remains strong in their minds that in January, 1968, he interrupted a Sun Valley vacation to visit them and conduct a hearing on the reservation for the United States Indian Affairs subcommittee that he headed.

An official expression of their concern may have been sent to Mrs. Ethel Kennedy. It is for these proud and sensitive but muted people to know. But the thought occurred that many individual Indians would feel that when Senator Kennedy died they had lost a friend who cared. Would there be any expression from these people, who in the last three centuries have become undemonstrative in the face of what they may still consider to be hostile power?

The answer may have been found in something that occurred in Blackfoot Friday.

Early that afternoon an Indian acquaintance who stops occasionally at the office of The Blackfoot News came in. He carried with him the smell of liquor. He spoke incoherently.

"He was our friend. Tell them he was our friend. He came to see us."

Almost fiercely he sought a listener. "They should know," he repeated to everyone who would listen. I'm afraid that ears were closed to him. Eventually he wandered out.

About an hour later he returned. This time he confronted this reporter. Tears were streaming down his face.

"I want to tell them that he was our friend. I may be drunk, but I want you to tell them. He came to see us—he talked to my father—he was going to make things better for us. I was a Marine. I fought in many battles for this country. He was the first really big man that came to see us. He saw how we lived. He told us he would help us get new houses. Tell them the Shoshone-Bannock people thought he was their friend. Promise me that you will tell them."

Wiping his tears, the first I ever saw an Indian shed, he reluctantly accepted assurances we would try to get the word to the people who should know. By that time there had emerged a sense of concern for a responsibility placed upon me by another.

Yet a third time the petitioner came back as the afternoon drew to a close. He had regained his composure.

Steadily and with dignity he said:

"I'm not drunk. I'm sorry for acting as if I was before. But he was our friend and my friends and I want you to tell them." It had not occurred to me that he was acting as a messenger for others too.

Then I remembered a story that came out of World War II that I had read. It seems to me that it was written by Ernie Pyle, but I cannot be sure.

It was a story about the hard-bitten pilots of a group of fighter planes in the Pacific theater of the war. All but one of their group had returned from a mission. Tensely they awaited the report they feared. Eventually it came. Silently they wandered away individually, then reassembled later in a secluded spot. After time passed and bottles had been passed, soft cursing that sounded more like prayers than curses began to emerge as the men found their voices.

This is our effort to tell those who should know that a wake for Senator Robert Kennedy was held Friday in Blackfoot, Idaho, by some men of the Shoshone-Bannock nation.

—DRB.

DENTAL RESEARCH MARKS 20TH ANNIVERSARY

Mr. HILL. Mr. President, as we move ever closer to what I have had occasion to call a Golden Age of medicine, it is especially heartening to me to take note of the progress that has been made in one important aspect of medicine, dental research.

Twenty years ago this month, I had the pleasure of joining in sponsoring the legislation that established the National Institute of Dental Research. It was on June 24, 1948, that President Harry S. Truman signed into law the bill that created National Institute of Dental Research. It was the culmination of a long series of efforts that it was my pleasure to help lead, in association with my good friends in the American Dental Association and others.

At the time we were working toward National Institute of Dental Research's creation, special impetus was given to our efforts by recollection of the high rate of rejection of draftees during World War II because of dental disease resulting from neglect. It constituted a national shame and it indicated powerfully how deep and abiding a need this nation had for basic research into the cause and prevention of dental disease.

We had high hopes for National Institute of Dental Research when it was founded and those hopes have been mightily fulfilled. Under its three directors—Dr. Trendley Dean, Dr. Francis A. Arnold, Jr. and Dr. Seymour J. Kreshover—National Institute of Dental Research has made remarkable progress in alining the efforts of the clinical researcher with the skills of the pathologist, the biochemist, the micro-biologist, the geneticist, the bioengineer and many other basic scientists.

Scientists in biomedical disciplines are increasingly viewing the oral cavity as an easily accessible biological system for studies of fundamental life processes. Thus, dental research is concerned not only with an attack on specific clinical problems but also contributes to a greater knowledge of the whole human body.

New insights into the bacterial causes of dental caries hold promise for its virtual elimination as a health problem in the coming decade. A fuller understanding of the complex causes of periodontal disorders is steadily developing. Outstanding success with rehabilitative measures now permit greater attention to the causes of cleft lip and palate. Early recognition and simplified treatment for malocclusion is being sought. Oral cancer studies are being intensified.

I heartily congratulate the Institute

on its anniversary. I congratulate as well the dental profession and, especially, the American Dental Association for the unstinting support they have provided. I look forward to the even greater number of contributions to the health of our people that National Institute of Dental Research will make in the coming years.

RADIATION CONTROL—BARTLETT AMENDMENTS TO H.R. 10790

Mr. HART. Mr. President, the senior Senator from Alaska [Mr. BARTLETT] is necessarily absent because of illness. Before entering the hospital, he concluded his second set of hearings dealing with potential health hazards created by electronic products emitting radiation.

Senator BARTLETT's interest in and concern over such hazards date back a good many years. During that time he has presented a series of speeches in the Senate informing his colleagues about various aspects of the growing problem of health hazards created by radiation.

At the end of the last session of Congress he placed in the CONGRESSIONAL RECORD a "Report on Radiation," a report which has drawn much praise for its comprehensive and fair coverage of the subject. Similar comments have been made about the hearings he conducted last August and this May on the same subject. Quite clearly, Senator BARTLETT has become the Senate's expert on radiological health.

His May hearings were held on S. 2067, which Senator BARTLETT introduced; on S. 3211, introduced by the senior Senator from Alabama [Mr. HILL] and H.R. 10790, the Radiation Control for Health and Safety Act of 1968, which passed the House in March.

Following the conclusion of those hearings, and before he entered the hospital, Senator BARTLETT, drawing on the record of those hearings, drew up a series of amendments to the House passed bill. I ask unanimous consent that Senator BARTLETT's statement outlining his proposed amendments be printed in the RECORD.

There being no objection, the statement of Senator BARTLETT was ordered to be printed in the RECORD, as follows:

BARTLETT AMENDMENTS TO H.R. 10790, RADIATION CONTROL FOR HEALTH AND SAFETY ACT OF 1968

The Senate Committee on Commerce is currently considering H.R. 10790, the Radiation Control Act of 1968.

Based on hearings I conducted last August and this past May, I have proposed a number of amendments to H.R. 10790, amendments which I feel are important to provide for an effective bill. Let me hasten to add that I in no way wish to detract from the value of the House approved bill, but as might be expected the hearings conducted on the House side and the hearings I conducted concentrated on different aspects of the problem of radiation control and developed testimony to support different approaches to the problem.

While I intend to press vigorously for the amendments I have prepared, I do want to emphasize that I am also intent on securing enactment of a Radiation Control Act this session. I believe that it will be possible to solve any differences between H.R. 10790 with my amendments, if they are accepted by the Senate, and the House approved version of the bill.

The purpose of this statement is to outline several of the more important amendments I have proposed. In subsequent statements, I shall go into some detail about specific amendments and the reasons why I propose them.

Under the heading of "Defintions" I have proposed language which makes clear that the act covers all types of radiation emitted by electronic products and that an "electronic product" is any manufactured or assembled product which emits radiation when in operation. The definition also makes clear that the act covers any components of a system capable of emitting radiation and that shielding of any such product or component does not exempt such articles from coverage.

The type of products to be regulated by the act can be divided into groups of articles emitting ionizing radiation, articles emitting nonionizing radiation, articles emitting particulate radiation and articles emitting sonic, infrasonic or ultra sonic vibrations.

Products in the former category include: x-ray machines used for diagnosis and treatment in the healing arts, as well as x-ray machines used in research, education, and industrial applications; cyclotrons, betatrons, pulsed or flash x-ray spectrographs; electron microprobes; electron microscopes; electron beam welders; x-ray level gauges, klystron tubes, cathode ray tubes; and high voltage vacuum tubes.

Products emitting non-ionizing radiation include: microwave ovens, radar, diathermy units, lasers, computing systems, resonant transformers, communication equipment (broadcast relay), and illumination systems.

Sources of particulate radiation include: linear accelerators and Van de Graaf accelerators.

Examples of articles emitting sonic and ultrasonic vibrations are sonar systems and ultrasonic generators used for medical diagnosis and treatment and for industrial cleaning.

In general, the bill directs the Secretary of Health, Education, and Welfare, as a minimum, to set and administer safety standards for electronic products as defined and to carry out a program of research and development and training in the field of controlling electronic product radiation.

STUDIES AND LICENSES

In an entirely new section, entitled "Studies by the Secretary," I propose that the Secretary of Health, Education, and Welfare be instructed to carry out a two-part study:

1. A survey of state and federal controls in the field of radiation emission, with particular emphasis on gaps and inconsistencies in controls established by this act and previous legislation.

Even with enactment of H.R. 10790 some sources of radiation will still be free of any federal controls. Inasmuch as few states, if any, have comprehensive radiation controls, that means some sources of radiation which are potential health hazards will remain free of controls at any level.

2. Development of standards for the use of non-medical electronics products in commerce and industry. I fully expect one standard which will come in for particular study will be a proposal that operators of certain electronic products be licensed, either through a federal program or by a state agency. I would hope that if the study determines licensing is necessary and that it should be done at the state level, the Secretary also will propose ways the federal government can encourage and assist the states to set up their own licensing programs.

A careful reader of this section will note that the study excludes medical electronic products from the development of use standards.

The use of medical devices was omitted from the study because I believe that the records of my hearings make a strong case for combining equipment standards and operator standards when it comes to medical x-ray equipment. In this case "medical equipment" does not include dental equipment.

I want to emphasize at this point, and emphasize strongly that I am not opposed to the use of medical x-rays. To the contrary, I recognize that the use of x-rays as a diagnostic and therapeutic device is essential to the practice of sound medicine. My intent is not to scare any patient out of submitting to essential x-rays. My only intent is to assure a patient that he is receiving as small a dose of x-ray as he can and still have the x-ray serve its purpose.

In a subsequent statement I will outline the case for licensing medical x-ray technicians. At this point, I will just describe the provision I propose to be added to H.R. 10790 dealing with this topic.

The Secretary of Health, Education, and Welfare will be required to develop and issue advisory standards on licensing medical x-ray technicians and for accrediting training schools for those technicians. States will have three years following the issuance of such standards to develop their own licensing and accrediting programs. If a state has not instituted a satisfactory licensing program during that period, the Secretary will have authority to establish federal standards in that state.

STANDARDS

I have proposed two major amendments to the section entitled "Standards for Electronics Products."

The first will insure that manufacturers, distributors and dealers of electronic products and public and private organizations or individuals involved in promoting or studying such products will have opportunities to participate fully in the establishment of any safety standard authorized by this bill.

The second amendment directs the Secretary to appoint a 15-member Technical Electronic Product Radiation Safety Standard Committee, all of whom will be technically qualified in some scientific field applicable to electronic product radiation safety. Five members will come from each of three categories: state and federal government agencies; the electronic product industries, and the general public. The committee will be given up to 90 days, unless the Secretary grants an extension, to comment on all standards and amendments to standards proposed by the Secretary.

NOTIFICATION

I have also proposed amendments to the section entitled "Notification of Defects In and Repairs or Replacement of Electronic Products" which provide that manufacturers of electronic products immediately notify the Secretary of Health, Education, and Welfare of any product defect which creates a risk of injury. Representatives of the industry felt that in cases where the emission of radiation might be only slightly over the standard and, according to them, would not create a health hazard, the Secretary should be given some discretion in implementing the provisions of this section. I think it is fair to say that the industry wanted to place on the Secretary the burden of proof that a slight deviation from a standard creates a risk of injury.

While I agree that the Secretary should have some discretion in implementing costly recall and repair orders, I think that the burden of proof should rest with the manufacturers.

Therefore, I propose the addition of a paragraph to this section of the bill which allows the manufacturer, when notifying the Secretary, to apply for an exemption from the requirement that the notification also be sent to dealers and purchasers of the product. If the Secretary believes the request for exemption has merits, he will afford the manufacturer the opportunity to present material in support of making the exemption permanent. The language of the amendment specifically states the burden of proof is on the manufacturer.

Under this section, I have offered language that makes clear dealers will not have to pay the costs of repairing products, either in their inventory or sold by them, or assume the cost of products in their inventory which, after reaching the market, have been found defective.

INSPECTION

Of course, the principal goal of H.R. 10790 should be to insure that electronic products emitting excessive radiation do not reach the market place. The best way to assure that goal is met is to establish an effective in-plant inspection system. Therefore, I propose an amendment to H.R. 10790 authorizing the Secretary to conduct inspections of in-plant facilities and methods concerned with electronic product radiation safety.

In addition, I have sponsored a number of amendments dealing with enforcement provisions of H.R. 10790. It has been argued that by providing for criminal penalties, for increasing the limit for the maximum civil penalty and for seizure of products creating serious health risks, give the impression that the entire electronics industry is somehow guilty of massive disinterest in public safety and will become interested only under the threat of stiff criminal and civil penalties. In short, representatives of the industry feel such provisions give the industry an undeserved "blackeye".

Such is not the intent of such provisions. Representatives of the industry have met with members of my staff and of the staff of the Senate Committee on Commerce and have been most cooperative. I, for one, do not believe that the electronics industry deserves a "blackeye" of any sort.

The intent of enacting H.R. 10790 is not to penalize an industry, but rather, in face of development of a rapidly increasing number of radiation-emitting products, to have the federal government and business join forces to insure that the amount of radiation exposure to our population is kept to a minimum. The stiffer penalties I propose are only for persons who may not wish to join in this most important partnership in health, and should in no way be interpreted as an indictment of the industry or any part of it.

H.R. 10790 does indeed establish a partnership of great importance to the present and future health of this nation. I hope all interested parties will keep that fact in mind as we work to enact H.R. 10790 against the deadline of an August 2 adjournment.

PRIVATE ACTION SUGGESTED

Mr. HARTKE. Mr. President, we Members of Congress should be reminded sometimes that legislation is not always the most effective response to the problems facing our Nation. One such problem, the excess of violence in our land, will be solved only if large numbers of private citizens take it upon themselves to give expression to their concern.

The editors of McCall's, a popular magazine for women, are aware of what private individuals working together can accomplish, and they have put forward, in an open letter to their readers, some specific suggestions for private action. In addition to letter writing, a technique with which we in Congress are quite familiar, the editors suggest that their readers take initiatives to boycott and to raise complaints against publishers, producers, and manufacturers whose products tend to glorify violence.

The editors of McCall's have outlined a program for private action which would attack the problem of violence with the most effective force we have at our disposal—a concerned, mobilized citizenry. I ask unanimous consent that their open letter, entitled "What Women Can Do To End Violence in America," be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

[A letter from the editors to the readers of McCall's]

WHAT WOMEN CAN DO TO END VIOLENCE IN AMERICA

Many years ago in London, a severe outbreak of cholera devastated the population. An English physician named John Snow had a hunch. He looked up the addresses of all the cholera victims and found that every one of them drew their drinking water from the same pump on Broad Street. Dr. Snow knew little of the nature of the cholera organism or how it transmitted the disease in the water. But he removed the handle of the Broad Street pump. And he stopped the epidemic.

American women may not know the precise reasons for the contagious violence and brutality of our times, where it comes from, what makes it flourish. But they do know some of the sources from which their children are drinking in this violence, and they know they have to turn it off before the poison gets beyond reach.

American women will turn it off because they are weary of the bomb-burst, the gunshot, the fisted hand. They have had enough of violence late and soon, and of the people and groups who use it for their own ends. They are sick with the collective havoc of the mindless crowd, and the individual savagery of those whose discontent has festered into rash destruction.

The bullet that killed Robert F. Kennedy has wounded us all. John F. Kennedy, Martin Luther King—each of these murders set off acute phases of our anxiety. There is a pervasive sense of fear, the feeling we are in the grip of terrible forces we cannot even name—within the borders of our country, within the setting of the entire world.

The sickness has been here a long time. It simmers and flares in the ghettos where people have felt its curse for years and would now pay it back in kind. It mows down our men—and theirs—in Vietnam. It erupts on the campuses of the nation, where some of our young men and women have turned against their own proclaimed abhorrence of violence and have disfigured not just their universities but their own lives. It stalks our cities, our parks and subways, and destroys the green and gentle calm of the countryside.

It rams its way into our homes, on the television screen that brings instant brutality and savagery, instructing children in the ease and casualness with which life can be humiliated, tormented, twisted. The need to respect the fragility and preciousness of life is blotted out by the thousands of good-man-bad-man deaths that make up the daily television-tube feeding of children.

It weakens those precious arts of gentleness, of compassion, of moderation, of love that women alone can give to their families and the world.

McCall's believes that the violence in our land is not a shameful national flaw of character that must be regarded as inevitable.

Violence is not the accidental product of a few crazed assassins that can be cured by adding some Secret Service men. Nor is it simply a lapse in what is known as "law and order" that can be corrected just by a massive crackdown on youth or restless minorities.

The attack on violence must be basic. It must be knowledgeable. It must be thorough.

McCall's makes no rigid distinction between the breakdown of law and order in the nation and the breakdown of law and order in the world. Violence is airborne. Violence among nations cannot be separated from the violence within nations.

In a very real sense, Robert F. Kennedy paid with his life for the failure of the world's nations to develop an effective mechanism of world law. If the United Nations had been given the workable authority to resolve the crisis in the Middle East, Robert Kennedy might be alive today.

The Middle East is not the only area in the world on which an American President or a Presidential aspirant must take a position. Nor is the Middle East the only area in which passions are attached to triggers.

American women can see to it that the first order of business for American policy makers is to move mightily inside the United Nations in the effort to equip it with the responsible authority to substitute law for force in the affairs of nations.

Attacking the basic causes of violence in the world is inseparable from the need to eradicate it at home. Here, within the United States, there is much that women can do if only they are willing to use the power that is clearly theirs.

Approximately fifteen million women read McCall's magazine. We believe that these women, by acting together and acting promptly, can play a pivotal role in combating violence where it occurs.

Here is a five-point program that can make a difference if enough women get behind it:

(1) Guns: The present gun-control legislation, existing or proposed, must be drastically strengthened. Millions of letters to Representatives could do it. Sit down today and write informed letters to your Congressmen and two Senators. Tell them it makes no sense to have a gun readily available, as Robert Kennedy pointed out, to every child, every insane person, every criminal who wants one.

(2) Television and movies: Women can stop the outpouring of violence and sordidness on our television screens and in the motion-picture theaters. Supposedly, television and the movie industry give the public what it wants; i.e., sexual brutality, depravity, sadism, and everything else that contributes to human desensitization and violence. If this is the case, American women should be loud and clear in letting television and movie executives know that such bilge is most certainly not what they want. Hold their top men responsible. Write to Julian Goodman, president of NBC, 30 Rockefeller Plaza; Frank Stanton, president of CBS, 51 West 52nd Street; and Leonard Goldenson, president of ABC, 1330 Avenue of the Americas, all in New York City. Let them feel the weight of millions of letters. There is a direct connection between the decisions these men make and the violence in the land. Hold them to account. Have you seen a picture lately that sickens you, pains you, makes you fear for your children? You can write to Jack Valenti, at the Motion Picture Association of America, 522 Fifth Avenue, in New York, and tell him so.

(3) Toys: Mothers and grandmothers of this country can wage a determined boycott against toys that foster and glorify killing. No letters or telegrams are necessary. Just don't buy them, and tell the man in the toy store why you won't.

(4) Books and magazines: This includes McCall's. If we or our colleagues have done something that you feel adds to the spread of violence, let us know. We can testify to the power of strong, reasoned letters. Keep us to the mark.

(5) World law: As we said earlier, women must be heard on the most urgent question of our time—world law in time to prevent war. The long, dismal negotiations in Paris over Vietnam would seem to dramatize the need for a third party at the peace table. The United States cannot indefinitely act as world policeman. If we are to prevent future

Vietnams, we will have to do it through a strengthened UN.

There is no point in trying to restore sanity and balance to life in America if the human race is going to be incinerated in a flash of nuclear violence. Both President Dwight D. Eisenhower and President John F. Kennedy called for world law inside the United Nations but did not receive the kind of response from the American people that would have enabled them to press forward in that direction.

This is an election year. Your letters to the Presidential candidates on all these questions couldn't be sent at a more opportune time. And don't forget that your ultimate power is the ballot box.

The women of this country have heard enough about black power, white power, student power, senior-citizen power. The greatest power of all for good is theirs—women power. No force on earth can stand against it.

—THE EDITORS.

TWO MILESTONES ON THE ROAD TO PEACE

Mr. McGEE. Mr. President, today, July 1, 1968, may go down in the history books as the day when the cause of world peace took two large steps forward. Step No. 1 was the signing by President Johnson of the Nuclear Nonproliferation Treaty.

This treaty will reduce the dangers of nuclear war and will advance the peaceful uses of nuclear energy. Step No. 2 was the announcement by President Johnson that the United States and the Soviet Union have agreed to begin talks concerning the limitation and reduction of strategic weapons systems. These talks could eventually lead to a great reduction in the fears and tensions generated by the existence of long-range systems of nuclear warfare. Although we know that the road to total world peace is long and arduous, we must still take heart from the steps taken today.

President Johnson made the first move toward the strategic weapons talks more than 4 years ago. His persistence, in the face of many provocations by the other side, has paid off in an act of hope for the entire world.

THE BASQUE DANCERS

Mr. CHURCH. Mr. President, just over 4 years ago, I had the distinct pleasure of welcoming to Washington a group of Basques from Idaho. They came here from the New York World's Fair where they had presented some of their native dances to record-size crowds. We were treated to an exhibition of their outstanding talents when they performed in the rotunda of the Old Senate Office Building.

This week, it will again be my privilege and honor to welcome them to our Nation's Capital. The Oinkari Basque Dancers of Idaho will give residents and tourists alike the unique treat of seeing dances which originated in the Pyrenees Mountains between Spain and France, when they appear Friday and Saturday at the Smithsonian Institution Festival of American Folklife.

Idaho is justly proud of its Basque people, the descendants of a hardy and fierce race, the origins of which are shrouded in the midst of antiquity. Through the centuries they have amassed a fascinating and colorful history. It was through the Pyrenean mountain passes that the battle between Charlemagne and the Saracen invaders flowed back and forth; the Basques proudly identify themselves as the mountaineers who cut off the rear guard of Charlemagne's army and brought on its destruction.

The adventurous spirit of the Basques is typified by two famous mariners: Kokotza was the navigator who led Columbus to the New World, and Elkano who assumed command from Magellan after the latter's death, and became the first seaman to circumnavigate the earth.

The Basque language, too, is shrouded in mystery. It is one of the most difficult languages to be found anywhere and has not been related to any other language family in the world. The Basques have an amusing tale of their own concerning the language. I have related it to you before, but it bears retelling.

According to them, no Basque can go to hell. It seems the Devil spent 7 years in the Basque country trying to master the language. After diligent study he had learned only "bai" and "ez"—"yes" and "no."

As he was fleeing the country in a terrible thunderstorm he fell, hitting his head and knocking the two words he had learned from his memory.

Since the Devil knows nothing of the language, he cannot tempt the Basques, thus none can go to hell. So says Ramona Garro, my receptionist.

Today, residing in the mountain beauty of the Gem State, they comprise the largest colony of Basques in North America. The impact they have had on the history of Idaho and the West is great, contributing some of our country's finest citizens.

The Basques are known for their honesty, energy, and fidelity, for their agility in dancing and their fine voices. Close home ties and strong filial devotion have produced this exemplary group of young dancers whom we welcome here this week. Dancing has always played an important role in the life of the Basques in their homeland and it is no less important here. But many of the old steps had almost become extinct when, in 1948, Mrs. Rufino Hormaechea of Boise initiated classes and encouraged the younger generations to learn the steps of their fathers. In the past 20 years the program has grown so that, now, some 100 youths between 5 years of age and the eighth grade meet weekly for practice, this in addition to the older group comprising the Oinkaris.

This troupe, which will delight the eye on the mall Friday and Saturday, actually had their start in 1960 after eight young Basques visited relatives in Spain. During their travels, they encountered a professional dance group called the Oinkari Basque Dancers of San Sebestian. The enthusiasm displayed by both groups gave rise to the Idaho team who were loaned the name of their European counterparts, Oinkari, a contraction of words meaning "fast of feet," an apt description indeed. In that original group going to Spain was Albert Erquiaga who presently serves as the director of the Oinkari's.

Since their appearance here 4 years ago, they have delighted observers in many parts of the country; from the Holiday Folk Fair in Milwaukee, Wis., and their participation in a folk seminar at Squaw Valley, Calif., to appear twice in the National Basque Festival in Elko, Nev. They have also visited numerous places in southern and eastern Idaho under the auspices of the State Arts and Humanities Commission.

We are proud of the Basques. And we are proud of the Oinkari Basque dancers. It is a delight to be host to them once more in Washington, and I hope that their visits will be all the more frequent in the future.

GUN CONTROL LEGISLATION

Mr. SPARKMAN. Mr. President, a great deal has been said recently about whether or not the several States have enacted or will enact legislation to control the sale, ownership, possession, and use of firearms. As a result, I have checked into the gun control legislation that is already on the statute books in my State of Alabama.

I find that, a good many years ago in 1951 I believe it was, Alabama adopted some rather strict controls with regard to handguns. I ask unanimous consent that a memorandum setting forth the Alabama law on this be printed at this point in the RECORD.

Mr. President, the Alabama gun-control law was recently the subject of an article in the Birmingham News by staff writer Dan Dowe, and I ask unanimous consent that this article also be printed in the RECORD.

Mr. President, I believe that the enactment of these laws by the State of Alabama is a clear demonstration that the States are able to meet their responsibilities with regard to the protection of their people.

There being no objection, the memorandum and article were ordered to be printed in the RECORD, as follows:

1. The Constitution of Alabama of 1901, Article I, Section 26: "That every citizen has a right to bear arms in defense of himself and the State."

2. Title 51, Section 572: "All persons dealing in pistols, revolvers, and maxim silencers shall be required to keep a permanent record of the sales of every pistol, revolver or maxim silencer, showing the date of sale, serial number, or other identification marks, manufacturer's name; caliber and type, and also the name and address of the purchaser, which record shall always be open for inspection by any peace officer of the State of Alabama or any municipality thereof. The failure to keep such record shall subject such person to having his license revoked—."

3. Title 14, Section 170: "Any person who sells, gives, or lends to any minor any pistol—shall, on conviction, be fined not less than $50 nor more than $500."

4. Title 14, Section 174: (a): "No person who has been convicted in this State or elsewhere of committing or attempting to commit a crime of violence shall own a pistol or have one in his possession or under his control. (b): No person who is a drug addict or a habitual drunkard shall own a pistol or have one in his possession or under his control."

5. Title 14, Section 178: "No person shall deliver a pistol to any person under the age of eighteen or to one who he has reasonable

cause to believe has been convicted of a crime of violence, or is a drug addict, an habitual drunkard or of unsound mind."

6. Title 14, Section 179: "No seller shall deliver a pistol to the purchaser thereof until forty-eight hours shall have elapsed from the time of the application for the purchase thereof, and, when delivered, the pistol shall be securely wrapped and shall be unloaded. At the time of applying for the purchase of a pistol, the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name, address, occupation, color, place of birth, the date and hour of application, the caliber, make, model, and manufacturer's number of the pistol to be purchased and a statement that he has never been convicted in this State or elsewhere of a crime of violence. The seller shall within six hours after such application, sign and attach his address and forward by registered mail one copy of such statement to the Chief of Police of the municipality or Sheriff of the county of which the seller is a resident; the duplicate duly signed by the seller shall within seven days be sent by him with his address to the Director of Public Safety; the triplicate he shall retain for six years."

7. Title 14, Section 181: "No pistol shall be sold—under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his identity."

8. Title 14, Section 183: "No person shall, in purchasing or otherwise securing delivery of a pistol or in applying for a license to carry the same, give false information or offer false evidence of his identity."

9. Title 14, Section 184: "No person shall change, alter, remove, or obliterate the name of the maker, model, manufacturer's number, or other mark of identification of any pistol. Possession of any pistol upon which any such mark shall have been changed, altered, removed or obliterated, shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same."

STATE GUN LAWS STRICT ON PISTOLS

(By Dan Dowe)

MONTGOMERY.—Alabama has strict laws governing the sale and registration of pistols in the state, but transactions involving other firearms are virtually unregulated.

Laws enacted in 1951 require a license for carrying a pistol on the person or in an automobile, except on the property of the owner, and in his home or his place of business.

Penalties for violations of pistol laws call for jail terms of up to a year and fines of not more than $500, or both.

Persons convicted of crimes of violence are forbidden to possess pistols in Alabama. Violators are subject to five-year prison terms.

Moreover, the law provides that in the trial of a person charged with a crime of violence, the fact that he has an unlicensed pistol in his possession will be considered prima facie evidence of his intent to commit the crime.

The five-year prison term also applies to persons convicted of supplying false information in purchasing or licensing a pistol, and of obliterating identification marks on a hand gun.

Drug addicts or habitual drunkards are forbidden from owning a pistol or having one in their possession or control. The punishment is up to a year in jail and a $500 fine.

The same penalty is imposed on persons found guilty of "delivering" a pistol to anyone under 18 or one of unsound mind.

Sheriffs are authorized to issue pistol licenses to local residents "if it appears that the applicant has good reason to fear injury to his person or property, or has any other proper reason for carrying a pistol, and that he is a suitable person to be so licensed."

Exempted from the pistol license law are law enforcement officers and military personnel on duty.

Retail pistol dealers are also required to be licensed and must follow rigid procedures in selling the weapons.

Applicants for the purchase of a pistol must wait at least 48 hours before the actual transaction. The application contains detailed personal information about the purchaser, and a statement that he has never been convicted of a crime of violence.

The dealer must send a copy of the application to his local chief of police or county sheriff within six hours after he receives it. Following the sale, he must send another copy of the application, along with detailed identification of the pistol purchased to the director of public safety.

The law states that "no pistol shall be sold under any circumstances unless the purchaser is personally known to the seller, or shall present clear evidence of his identity."

Retail dealers who violate the law are subject to up to a year in jail, a $500 fine and revocation of their license.

But aside from the state pistol laws, the Alabama code makes little or no provision governing the sale of other firearms.

USE OF GOVERNMENT-OWNED INDUSTRIAL PLANT EQUIPMENT BY DEFENSE CONTRACTORS

Mr. **PROXMIRE**. Mr. President, the Department of Defense recently announced new regulations concerning the use of Government-owned industrial plant equipment—IPE—by defense contractors. The Subcommittee on Economy in Government of the Joint Economic Committee investigated this subject in two separate hearings last year. We established that more than $2.6 billion worth of Government-owned IPE is in the hands of private contractors. While the reason for permitting contractors to hold in their possession Government-owned property is to facilitate the performance of contracts pursuant to our defense needs, we found during our investigation that there was a considerable absence of management controls exercised by the Defense Department over much of this equipment. The result has been the widespread misuse of IPE, as shown by a number of shocking cases brought to light originally by the Government Accounting Office.

The unanimous report of the Subcommittee on Economy in Government stated:

> Perhaps the most serious problem uncovered in recent years by this Subcommittee concerns DOD's policy of furnishing government-owned property to defense contractors, and practices surrounding the use and replacement of such property.

For example, our investigation revealed that a number of contractors have been using Government-owned equipment on private, commercial work in excess of a reasonable time, that there has often been a failure on the part of contractors to even obtain proper authority for the use of IPE, that there has been a significant lack of uniformity in rental rates actually charged for the use of IPE, that the Government is not receiving equitable compensation for the use of its property, and that the Defense Department was not satisfactorily adhering to its own stated policy that contractors provide their own equipment incident to the performance of Government contracts.

The Subcommittee on Economy in Government, therefore, made a number of recommendations on these problems, and I have introduced proposed legislation to correct the situation. The new Defense Department regulations are the first tangible evidence that action on these matters will be taken. The regulations cover the following items:

First. Use of Government-owned industrial plant equipment by contractors.

Second. Procurement of equipment under $1,000 for privately owned contractor plants.

Third. Contractor statement of inability or unwillingness to provide industrial facilities.

Fourth. Responsibility for detection and reporting of overpricing.

These new regulations include the following significant changes:

First, a requirement for the contractor to state in writing his unwillingness or financial inability to acquire the new facilities with his own resources before DOD will furnish defense-owned equipment.

Second, the discontinuance altogether of furnishing small items of plant equipment costing less than $1,000.

Third, a revision upward of the rental rates when equipment less than 3 years old is used on nondefense work.

Fourth, a substantial tightening up of prior approvals required before Government-owned equipment can be used on nondefense work.

Three of these four significant changes are directly in line with my bill, S. 3122. I am delighted, at last, that the Defense Department is moving forward on some of the problems which have been brought to its attention by the Subcommittee on Economy in Government and the GAO with respect to the use of Government-owned industrial plant equipment. If the new regulations are properly implemented, there can be material improvement in the management of the more than $2.6 billion of IPE.

However, more needs to be done. For one thing, the new regulations provide that questions relating to the use of equipment having an acquisition cost of $25,000 or more must be considered on an individual item basis. But the regulations apparently do not require that the rental rates for such equipment also be determined on an individual item basis. The GAO has previously recommended that there be machine-by-machine rental determinations, rather than on an average basis, so that the Government receive equitable compensation for the use of its property.

Another important area which the new regulations do not seem to adequately cover is the replacement of Government-owned equipment. The subcomittee found that, in some cases where the Government had furnished original equipment to a contractor, request for replacement or modernization of this Government-owned equipment were granted without DOD even finding out whether the contractor was in a position to replace the IPE, himself. In some cases, DOD furnished Government-owned equipment without even asking the contractor to invest in modern tooling. While the new regulations do apply to the furnishing of equipment, there is an equal need to tighten up the policy and practice regarding the replacement at public expense of Government-owned equipment in the hands of defense contractors.

Recent studies have shown that the widespread use of Government-owned equipment by defense contractors has increased profits on defense contracts and total defense procurement costs to the Government. I, therefore, welcome the new regulations and am gratified that at long last the efforts of the Subcommittee on Economy in Government and the GAO have borne fruit. I commend the DOD for taking the new steps and hope that others will soon follow.

Mr. President, I ask unanimous consent to have printed in the RECORD, Defense Procurement Circular No. 61, dated June 10, 1968, containing the new regulations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE PROCUREMENT CIRCULAR NO. 61, JUNE 10, 1968

This Defense Procurement Circular is issued by direction of the Assistant Secretary of Defense (Installations and Logistics) pursuant to the authority contained in 5 U.S. Code 301, 10 U.S.C. 2202, DOD Directive No. 4105.30, and ASPR 1–106.

All Armed Services Procurement Regulation material and other directive material published herein is effective upon receipt except as otherwise indicated.

Unless otherwise indicated in the introductory language preceding an item, each item in this Circular shall remain in effect until the effective date of that subsequent ASPR revision which incorporates the item, or until specifically canceled.

ITEM I—USE OF GOVERNMENT-OWNED INDUSTRIAL PLANT EQUIPMENT BY CONTRACTORS

The changes to ASPR 7–702.12, 7–702.23, 13–000 and 13–405 published herein implement the memorandum of 22 February 1968 signed by the Assistant Secretary of Defense (Installations and Logistics) and published under Item III of Defense Procurement Circular #60, "Use of Government-owned Industrial Plant Equipment by Contractors."

It should be noted that (i) authorizations for non-government use of industrial plant equipment (defined in ASPR B–102.11) may not in any case be granted for a period of more than one year at a time; (ii) in determining whether non-government use of such equipment will exceed 25% of the time available for all use, the use of active items with a unit acquisition cost of less than $25,000 may be averaged on a quarterly basis; (iii) for purposes of the 25% limitation, such use of equipment having an acquisition cost of $25,000 or more shall not be averaged and must be considered on an individual item basis; and (iv) the revised clause in ASPR 7–702.23 contains new rental rates established by the Office of Emergency Planning.

The effective date for fully implementing the new policies and procedures has been revised by memorandum of 14 May 1968 signed by the Assistant Secretary of Defense (Installations and Logistics) published below. In applying evaluation factors (in lieu of cash rent) for purposes of selecting a contractor for award (ASPR 13–502.2), the revised rental rates are mandatory for use notwithstanding that they may not yet be incorporated in the contracts under which the equipment has been provided. New authorizations to use equipment on a cash rental basis shall be subject to the new policies, clauses, and rental rates reflected in this DPC and DPC 60. Outstanding authorizations for non-government use will be modified to conform with the policies, clauses, and rates as soon as practical but no later than July 1, 1969. This revision does not alter the requirement for submission of the first annual report to the Office of the Assistant Secretary of Defense no later than 1 September 1968 with specified information concerning all authorizations for commercial use of industrial plant equipment that are in effect as of 1 July 1968.

(Memorandum of 14 May 1968 signed by ASD (I&L) follows:)

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C. May 14, 1968.

Memorandum for The Assistant Secretary of the Army (I&L), the Assistant Secretary of the Navy (I&L), the Assistant Secretary of the Air Force (I&L), the Director, Defense Supply Agency.

Subject: Authorization for defense contractors to use Government-owned industrial plant equipment on commercial work.

Reference: Memorandum dated February 22, 1968 from the Assistant Secretary of Defense (I&L), subject as above.

The referenced memorandum provides the policy under which commercial use of Government-owned Industrial Plant Equipment may be authorized. It also specifies the effective date of this revised policy.

Because of the large volume of facilities contracts that must be revised, and in recognition of peculiar circumstances that may exist, paragraph 4 of the reference reflecting the effective date of this revised policy is changed as follows:

"4. Appropriate revisions to reference (a) and (b), including revised mandatory clauses, will be published in sufficient time for the incorporation of the clauses in existing contracts, as conditions on which future authorizations for commercial use will be predicated. Until July 1, 1968, the policies and procedures established herein will be applied as fully as practicable. Thereafter, all new authorizations for commercial use shall be predicated on these policies and procedures. Effective July 1, 1968, all new facilities contracts will contain the revised mandatory clauses. Revision to existing contracts will commence on July 1, 1968, will be completed as rapidly as practicable, and all contracts will reflect the revised mandatory clauses in conformance with this memorandum by not later than July 1, 1969."

A copy of this memorandum will be published in a Defense Procurement Circular at the earliest practicable date.

THOMAS D. MORRIS,
Assistant Secretary of Defense (Installations and Logistics).

ASPR 7–702.12, Clause: paragraphs (b) and (b)(1) revised.

7–702.12 *Use and Charges.*

Use and charges (1968 June).

(a) The Contractor may use the Facilities without charge in the performance of:

(i) prime contracts with the Government which specifically authorize use without charge.

(ii) subcontracts held by the Contractor under Government prime contracts or subcontracts of any tier thereunder if the Contracting Officer having cognizance of the prime contract concerned has authorized use without charge by approving a subcontract specifically authorizing such use or has otherwise authorized such use in writing, and

(iii) other work with respect to which the Contracting Officer has authorized use without charge in writing.

(b) Subject to the payment of a rental therefor, the Contractor may use all or part of the Facilities in the performance of work other than that specified in paragraph (a) above, as authorized in writing by the Contracting Officer or as specifically provided in the Schedule. Use so authorized shall not be construed to constitute a waiver of any rights the Government may have under this contract to terminate the Contractor's right to use all or any part of the Facilities. The amount of rental to be paid for the right to use the Facilities under this paragraph (b) shall be determined in accordance with the following procedures.

* * * the rental computation prescribed in subparagraph (2) * * * of any use of the Facilities under this paragraph:

(i) The rental rates for the right to use the Facilities shall be those set forth in the Attachment.

(ii) The acquisition cost of the Facilities shall be the total cost to the Government, as determined by the Contracting Officer of each item of the Facilities, including the cost of transportation and installation, if such costs are borne by the Government. When Government-owned special tooling or accessories are rented with any item of the Facilities, the acquisition cost shall be increased to include the price charged the Government for such tooling or accessories. When any item of the Facilities has been modernized by substantial rebuilding at Government expense so as to enhance its original capability, the acquisition cost for that item shall include the increased value, as determined by the Contracting Officer, that such rebuilding and modernization represent. The determination made by the Contracting Officer under this subparagraph shall be final.

(iii) For the purpose of determining the amount of rental due under subparagraph (2) below, the rental period shall be not less than one month nor more than six months, as may be mutually agreed to.

(iv) For the purpose of computing any credit under subparagraph (2) below, the measurement unit for determining the amount of use of the Facilities by the Contractor shall be direct labor hours, sales, hours of use, or any other measurement unit which will result in an equitable apportionment of the rental charge, as may be mutually agreed to.

(Remainder of contract clause unchanged).

(Attachment "Rental Rates" revised as indicated)

"Age of equipment:	*"Percent monthly rental rate*
0 to 2 years	3
Over 2 to 3 years	2
Over 3 to 6 years	1.5
Over 6 to 10 years	1.0
Over 10 years	.75"

7–702.23 revised.

7–702.23 *Notice of Use of the Facilities.*

Notice of use of the facilities (1968 June).

The Contractor shall notify the Contracting Officer in writing whenever:

(i) Use of all Facilities for Government work, in any quarterly period, is on an average less than 75% of the total use of the Facilities.

(ii) Any item of the Facilities which is no longer needed or usable for purposes of performing existing Government contracts or subcontracts for which use has been authorized.

13–000 Last sentence revised.

This Section does not apply to the lease of property to contractors under 10 U.S.C. 2667 or other leasing authorities, except as to non-Government use of industrial plant equipment under 13–405 or to property to which the Government has acquired a lien for title solely as a result of partial advance or progress payments.

13–405 Revised.

13–405 Non-Government Use of Industrial Plant Equipment (IPE).

(a) The prior written approval of the contracting officer is required for any non-Government use of active Government-owned industrial plant equipment (see B–102.11). Each such approval shall contain limitations on the contractor's right to use the equipment consistent with the requirements of this paragraph. Before non-Government use exceeding 25% may be authorized, prior approval of the Assistant Secretary of Defense (Installations and Logistics) shall be obtained; *provided* that as to Government-owned machinery and tools (Production Equipment Codes Nos. 3411–3419 and 3441–3449) having a unit acquisition cost of $1,000 or more the prior approval of the Office of Emergency Planning shall be obtained through the Assistant Secretary of Defense (Installations and Logistics). Request requiring approval by the Assistant Secretary of Defense (Installations and Logistics) shall be submitted at least six weeks in advance of the projected use and shall include:

(i) the total number of active IPE items involved and total acquisition cost thereof; and

(ii) an itemized listing of active equipment having an acquisition cost of $25,000 or more, showing for each such item the nomenclature, production equipment code, year of manufacture, and the acquisition cost.

(b) The percentage of Government and non-Government use shall be computed on the basis of time available for use. For this purpose the contractor's normal work schedule, as represented by scheduled production shift hours, shall be used. All active industrial plant equipment located at any single plant having a unit acquisition cost of less than $25,000 may be averaged over a quarterly period. Equipment having a unit acquisition cost of $25,000 or more shall be considered on an item by item basis.

(c) The approvals under subparagraph (a) may be granted only when it is in the interest of the Government; (i) to keep the equipment in a high state of operational readiness through regular usage; (ii) because substantial savings to the Government would accrue through overhead cost sharing and receipt of the rental; or (iii) to avoid an inequity to the contractor who is required, at the Government's request, to retain the equipment in place, often intermingled with contractor-owned equipment required for commercial production. Approval for non-Government use shall be for a period of not more than one year. Approval for non-Government use in excess of 25% shall be for a period of not less than three months.

ITEM II—PROCUREMENT OF EQUIPMENT UNDER $1,000 FOR PRIVATELY-OWNED CONTRACTOR PLANTS

The following two memoranda from the Assistant Secretary of Defense (Installations and Logistics) are published for information and guidance of personnel responsible for implementing Defense procurement policies. They prohibit furnishing to contractors any item of plant equipment (as defined in ASPR and having an acquisition cost of less than $1,000) either (i) from existing inventory (unless already in the possession of the contractor desiring to use it), or (ii) by purchasing new plant equipment. The restriction applies to all contractors, including educational institutions and other non-profit organizations, except a contractor operating a Government-owned plant on fee basis.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., May 3, 1968.

Memorandum for the Assistant Secretary of the Army (I&L), the Assistant Secretary of the Navy (I&L), the Assistant Secretary of the Air Force (I&L), the Director, Defense Supply Agency.

Subject: Procurement of equipment under $1,000 for privately-owned contractor plants.

Reference: Memorandum for the Assistant Secretaries (I & L) Army, Navy and Air Force, dated March 30, 1968, same subject.

This is to amplify the reference memorandum that the prohibition regarding provision of items of Government equipment having a unit cost of $1,000 or less is intended to apply to all DOD contractors *except* those operating a Government-owned plant on a fee basis.

THOMAS D. MORRIS,
Assistant Secretary of Defense (Installations and Logistics).

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., March 30, 1968.

Memorandum for the Assistant Secretary of the Army (I&L), the Assistant Secretary of the Navy (I&L), the Assistant Secretary of the Air Force (I&L), the Director, Defense Supply Agency.

Subject: Procurement of equipment under $1000 for privately-owned contractor-plants.

It is the policy of the Department of Defense to rely to the maximum extent possible on the use of privately-owned production equipment in connection with the performance of defense contracts. The furnishing of equipment to contractors is considered appropriate solely when it is necessary to meet mobilization requirements for an approved mobilization plan or to meet an urgent need for supplies or services which the head of the Military Department or Defense Agency has determined cannot be met by any other practical means or is considered to be in the public interest.

In keeping with the policy stated above, and to further limit Government investments in contractor-owned facilities as well as minimize the large expense associated with maintaining Government-ownership of equipment in contractors' plants, equipment having a unit cost of less than $1000, henceforth, will not be furnished to contractors for use in commercially-owned facilities for expansion, replacement, modernization or any other purpose.

This memorandum will be printed in a Defense Procurement Circular to assure its dissemination to all implementing purchasing and contract administration offices.

THOMAS D. MORRIS,
Assistant Secretary of Defense (Installations and Logistics.)

ITEM III—CONTRACTOR STATEMENT OF INABILITY OR UNWILLINGNESS TO PROVIDE INDUSTRIAL FACILITIES

The following memorandum from the Assistant Secretary of Defense (Installations and Logistics) is published for information and guidance of personnel responsible for implementing Defense procurement policies.

ASSISTANT SECRETARY OF DEFENSE,
Washington, D.C., April 17, 1968.

Memorandum for the Assistant Secretary of the Army (I&L), the Assistant Secretary of the Navy (I&L), the Assistant Secretary of the Air Force (I&L), the Director, Defense Supply Agency.

Subject: Contractor statement of inability or unwillingness to provide industrial facilities.

References: (a) ASPR 13–301 Providing Facilities, (b) DoD Directive 4275.5, Subject: Industrial Facilities Replacement and Expansion.

It is the policy of the Department of Defense that maximum reliance will be placed on the use of privately-owned production equipment in connection with the performance of defense contracts. No Military Department or Defense Agency will acquire or provide Industrial Plant Equipment to a contractor for performance of defense contracts, for use other than in a Government-owned contractor-operated plant, operated on a cost plus fee basis, unless the furnishing thereof is necessary (1) to meet mobilization requirements for an approved mobilization plan (ASOD package); or (2) to meet an urgent need for supplies or services which the head of the Military Department or Defense Agency has determined (a) cannot be met by any other practical means, or (b) to be in the public interest.

In accordance with this policy, effective immediately, no new commitments will be made to any contractor to the effect that the Government will furnish new facilities, or that existing Government-owned facilities will be allowed to be moved into a contractor's plant (either from another plant or from storage) for expansion, replacement, modernization or other purposes unless:

(i) The contractor expresses in writing, his unwillingness or financial inability to acquire the necessary facilities with his resources, and (a) appropriate determination is made by the head of the Military Department or Defense Agency, or his designee, for new facilities, or (b) approval is made by the authorized level within the Department or Agency for existing Government-owned facilities, or

(ii) The contractor expresses his willingness and financial ability to acquire the necessary facilities from private sources but demonstrates, in writing, to the satisfaction of the proper approval authority concerned, that time will not permit the contractor to make the necessary arrangements to obtain timely deliveries of such equipment in order to meet defense requirements. In the event time permits, existing Government-owned facilities (not new purchases) may be provided until the contractor purchased facilities are delivered and installed.

Additionally, in cases where it is desired to change from a sole source to price competitive procurement, existing facilities not already located in the plants of contractors who desire to use them, will not be offered or authorized to be moved into their plants, unless, in addition to the limitations above, it is not practical to obtain adequate price competition without offering or allowing existing Government-owned facilities to be moved into the competitor's plant. In such cases, since it is necessary that contractors identify the Government-owned facilities they desire be furnished (in order to establish applicable cash rentals or to evaluate rental equivalents under ASPR Part 5, Section XIII), the contractor statements under i. or ii. above, will be required by the procurement solicitation to be submitted by them with the documentation identifying the facilities they desire be moved into their plants.

These instructions are intended to apply to cases involving the movement of facilities (new or used) into a contractor's plant. The policy for commercial use of plant equipment already in contractor's plants is as prescribed in letter dated 22 February 1968 from the ASD(I&L) to the Military Departments and DSA, subject "Authorization for Defense Contractor to Use Government-owned Industrial Plant Equipment on Commercial Work."

It is requested that, until further notice, a copy of each contractor statement obtained in compliance with these instructions be furnished to my office (Attn: WS). A brief statement of the circumstances justifying the provision of facilities is to be submitted with the contractor's statement. Where a facilities project approval is required at any level, the contractor's statement will be included as a part of the request for approval. The above justification statement will also be submitted with the facilities project approval request if price competition is involved. Nothing herein is to be construed as altering departmental responsibility for submission of facility expansion or modernization projects for ASD(I&L) approval as required by reference (b).

This memorandum will be printed in a Defense Procurement Circular to assure its dissemination to all implementing purchasing and contract administration offices.

THOMAS D. MORRIS,
Assistant Secretary of Defense (Installations and Logistics).

ITEM IV—RESPONSIBILITY FOR DETECTION AND REPORTING OF OVERPRICING

The following is a statement of Department of Defense policy regarding the detection and reporting of instances of overpricing and overcharging:

"Much attention has been focused in the past year on instances of overpricing and overcharging by defense contractors. While such occurrences are relatively infrequent, all personnel should be alert to this possibility. DOD personnel at contractor facilities and at materiel receiving activities should be especially alert to instances of overpricing and overcharging. For example, the coordinated examination of hardware and purchase documents showing unit price, offers an opportunity for detecting overpricing. When gross overpricing or overcharging is suspected, the matter should be promptly reported to the administrative contracting officer.".

MAYOR WASHINGTON OFFERS SOLUTIONS TO NATIONAL CRISIS

Mr. HARTKE. Mr. President, the tragedies of the last few months which moved our entire Nation to such sorrow have prompted a nationwide self-examination as well. Those Americans whose deep concern has led them only to further doubt and greater fear should know that one of our citizens who is most keenly aware of the scope of our difficulties has proposed clear-cut solutions to the problems which face us today.

Walter E. Washington, the Mayor-Commissioner of the District of Columbia, has given us some of the answers we have been searching for in a commencement address which he delivered at Radcliffe College on June 12 of this year. Speaking to college graduates, Mayor Washington stressed the close relationship which has come to exist between a modernized, innovative educational system and the solutions to our most urgent national problems. The old solutions—sheer material abundance, law and order as an end in itself, and stress on training in impersonal skills—must be replaced by the creative energy of American citizens trained to translate their personal concern into practical action.

Mr. President, Mayor Washington has gone beyond his sorrow and grief to suggest ways in which the goals and the ideals of those we mourn can be realized. I ask unanimous consent that the text of his important address be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Commencement Address by the Honorable Walter E. Washington, Mayor, Washington, District of Columbia at Radcliffe College, Cambridge, Mass., June, 12, 1968

I came upon some extemporaneous remarks made by a man who was loved and respected throughout the country. His remarks were very helpful to me and they might help you as you reflect on the significance of today's commencement. He was speaking on the death of Dr. Martin Luther King. He was in Indianapolis, Indiana on April 4, 1968, when he said:

"What we need in the United States . . . is love and wisdom and compassion toward one another, and a feeling of justice toward those who still suffer within our own country, whether they be white or they be black.

"Let us dedicate ourselves to what the Greeks wrote so many years ago: To tame the savageness of man and make gentle the life of the world. Let us dedicate ourselves to that, and say a prayer for our country and for our people."

These were the words of Robert Francis Kennedy on April 4, 1968.

We, in America, have come face to face with tragedy. We are saddened and confused. But today I propose that at this Commencement we concentrate not on the sorrow we all feel, but that we thoughtfully examine the goals of the leaders we have lost and that we dedicate ourselves to the creation of the kind of society to which they dedicated their lives.

At the University of Kansas, Senator Kennedy asked college students to "give me your help, give me your hand, and we will build a new America."

Our response to that request will tell the nation and the world that Robert F. Kennedy, Martin Luther King, Medgar Evers and John F. Kennedy have not died in vain—that a bullet does not kill a cause—that the goals and dreams of these men can still come true.

The only fitting memorial to these valiant men is the living reality of bricks and mortar in homes for the ill housed, better schools for the poorly educated, and the proper distribution of our resources so that all of our people can live decent productive lives.

We must, individually and collectively, examine our purpose. It is crucial that we know where we are going. We must, once our goals are clear, devise procedures that provide for the full and equal participation of all citizens in the attainment of the basic goals of a democratic society. And so today—I want to talk with you briefly about cities, colleges and the urban crisis.

I believe that many of our problems today stem from the fact that our procedures have not changed with the times. The New England town meeting served a time and condition long past. We are living in a world of jet planes and television. Surely we can, with our new technology, construct new procedures that will give everyone an effective voice.

However, we need not listen to the voices of technology—we may wish to listen to the voices of the New England town meeting where questions such as these were raised generations ago—

Do we want to have an abundance of things or do we want to free man from limitations? Do we maintain systems of law and order as ends in themselves or do we maintain law and order as a system for insuring justice and opportunity? Do we acquire an education as if it were a property or do we become more educated as a way of being of greater service? Do we develop power to control others in order to have our way or do we acquire power in order to develop the nation and each single individual in it?

Questions of purpose cannot be answered by computers, by city planners, by contests of power, or by balances of power. They must be answered in philosophical terms by policy makers who take their direction from the people. The universities as institutions of higher education have a clear responsibility to enable their graduates to deal with these questions honestly.

In a famous chapter on "Education", Franz Boas wrote: "We are building up our new ideals by utilizing the work of our ancestors, even if we condemn it, and so it will be in the future. We must see that it is our task not only to free ourselves of traditional prejudice, but also to search in the heritage of the past for what is useful and right, and to endeavor to free the mind of future generations so that they may not cling to our mistakes, but may be ready to correct them." (Page 200, Anthropology and Modern Life.)

These words, from a man who sought always to use his learning in the service of humanity, seem to me to provide a basis for an approach to our problems.

We are in the midst of unrest and change. We can wring our hands and cower, or we can seize the opportunity to bring about beneficial changes. Our best intellects and most informed hearts can work together to make a better world.

We have, today, the nuclear power to build or destroy. We have the technology to put men to work or out of work. We have the communicative capabilities to open our hearts to others or to isolate ourselves from them.

The question of whether man will use his brainpower, his resources and his will to develop or to destroy, depends on the quality of leadership provided by educational and urban institutions.

Educational and urban institutions are tied together today in the spiritual and developmental crises of our times. Our institutions of higher education and our cities share the common responsibility of helping people discover a meaningful purpose to life and achieve higher standards of living.

As administrator of one of the ten major cities in America, on a day-to-day basis, in both practical and philosophical terms, I recognize the need for cooperative action between city administration and colleges.

The cities and the colleges are related. As Lewis Mumford stated, "The city, properly speaking, does not exist by the erection of houses, but by the association of human beings." As a related thought, I would add, "The colleges, properly speaking, do not exist by granting degrees, but by their success in fostering a favorable and positive association of human beings."

Each person in our society pursues goals—for the better, richer life—in cooperation or conflict with persons and groups around him. In this period of conflict on so many urban fronts, both colleges and cities must help people learn to communicate and act in concert with each other as individuals and in groups.

There are many today in our democracy who feel powerless.

The voices of all must be listened to.

The poor and the educationally disadvantaged have resorted to drastic means to make their voices heard. Even the educationally advantaged are strenuously indicating dissatisfactions with things as they are or as they perceive them.

The problem of poverty in our cities continues to plague municipal governments in spite of massive grants in aid.

However, some of the analyses made during the past two years, indicate the very cities which have expended the greatest amount per capita in the efforts to eradicate poverty seem to have suffered the most intensive violence from their own citizens.

Even with this phenomenon, mayors of over 150 cities in America that have been faced with civil disorders must undertake massive reconstruction efforts to rebuild and improve business, housing, job opportunities and essential services for all citizens.

The continuing high levels of youth and hard core unemployment in our cities require an emergency program of massive action. At the same time we know that an unprecedented effort must be mounted to relieve the frustration and despair of the people in the ghettoes of America. Most mayors today are trying to move their plans from the drawing boards to the doorstep of the families in need.

Issues today are vastly more complex than the problems dealt with at the old New England town meeting or by the board of the little red schoolhouse. Yet today as then every citizen must have a role in the decision-making process if he is to behave as a responsible member of our society. The legitimate goals of the less sophisticated can be attained only with the enlightened assistance of those who possess the special training and skills to translate needs into programs.

The poor know what they need in housing, education, transportation, jobs, recreation and health services. To a mother and six children, living in a cold water flat—with shared kitchen facilities, shared bath, wall-to-wall rats—what can city planners tell her about her housing need? They want to help make the plans. They want to understand the process by which resources are allocated and they want a voice in setting priorities for highways, housing projects, and job training programs.

The involved university must explore ways of providing the expertise and the research required to accomplish goals determined by all segments of the community.

Perhaps we need many different kinds of institutions of higher education to serve the great diversity of the needs of the citizens if the diversity of which America has been so proud is to be preserved.

The call for innovation in higher education has been made by the Commissioner of Education, Harold Howe II. He said, . . . "despite our national pride in diversity, a surprising 'sameness' permeates most of American higher education."

He also recognized the lack of a "rational, informed concern for student growth in that somewhat frightening and highly personal matter of feelings and emotions." "I do believe," he further said, "that faculty and administrations must recognize the profound influence their attitudes toward students have on emotional and personal development."

This suggests that we listen to our students; that we must recognize legitimate protest and legitimate involvement. Administration and students must then move forward together to create conditions that will afford dignity and opportunity for all men in our society. To have dignity and opportunity, we must stamp out racism, violence, prejudice and poverty.

Institutions of higher learning must examine ways in which they can become more relevant, innovative and responsive. They must learn to translate scholarly knowledge into practical action.

We must, all of us, recognize that those who have learned from life may have as much to contribute as those who have learned from books. This brings me to one of my concerns with some of our college students today. Some of them seem to know more about outer space and the moon than they know about their next door neighbor.

I am told that students will live in a dormitory for a year or two without knowing very much about the student a few doors down the hall. Of course, I am delighted to know that this does not happen at Radcliffe—but—who is your neighbor—what do you know about her? The problem we face is that this lack of understanding and concern is graduated from the college into the life of the complex urban community.

It may not be a surprise to you, but some of the most difficult problems in cooperative action are derived from the actions of college graduates—persons who are skilled in systems and procedures but who do not have the ability to relate to other professional personnel or to ghetto residents.

In our programs, we have found that professionals can develop skills which lend themselves to achieving cooperative action; they develop these skills if they are placed in situations which demand them. There have been times, however, when I have wished that the professional teachers, lawyers, doctors, scientists, administrators and others could have learned interdisciplinary and cross-cultural communications during their college days.

If they are to acquire this skill, they need both study and actual experience. Only by association and interaction as equal status partners in pursuit of common goals can the coalitions needed for community development be formed and sustained.

We are beginning to learn in Washington, however, that a sense of community can be developed by taking action in four areas. These actions may be relevant to Radcliffe in 1968. They involve:

1. *Developing Capabilities*—Using the total educational resources, formal and informal, traditional and experimental, to assist people in their associations and use of available resources.

2. *Developing Communication*—Bringing people together to find solutions to problems that affect each person and require cooperative action to be solved.

3. *Developing Alternatives*—Finding among previously unexplored resources and systems those forces which will increase the benefits of education, communication and community.

4. *Developing Attitudes*—Recognizing that man's inhumanity to man cannot be controlled by technology alone, that man's best interpreter is man and that faith often is the first step to success. We hope that such faith would be basic and transcend considerations of race and sex as prevailing attitudes.

The mission and purposes of colleges and cities will be determined in this century by our success in assisting people in these areas.

Institutions of higher education should keep a focus on the problems of urbanization, specialization, industrialization—a focus in terms of the influence of these forces on man's ability to live individually and cooperatively. The forces for individuality and conformity must be brought into harmony, if not balance.

Perhaps universities can devise curricula that will more and more allow students to learn both from the study of theory and from actual experiences, so that the head and heart will become equally informed. Then the idealism of youth can be turned to constructive action aimed at the alleviation of our problems.

Dedicated and idealistic though our greatest leaders are they only point the way. It is up to the rest of us to make their dreams a reality.

We must have confidence in ourselves, in our cities, and in our schools, not as they are, but as we know we can make them. We must believe in the worth of every individual. We should not suppress racial or ethnic groups in our society. Moreover, we should be very careful to avoid suppressing the capabilities of one sex so that the other may superficially have a place in the sun. And we must believe in the desire and ability of all young people to learn, whatever their economic status.

Ways must be found to provide education for students who can scarcely afford to spend four or more years in college. We need shortened courses with opportunities for part time study for those who want to continue their education. Most of all we need new patterns, new approaches for studying, working and living.

Here at Radcliffe under the great and able leadership of your President Bunting you have a special program to permit married women and mothers to return to school to complete their undergraduate work or obtain advanced degrees. This permits them to combine careers and family responsibilities as their children mature. I am hopeful that the concept and practical philosophy of the Radcliffe program may be extended into the urban areas.

There are men and women in the inner city struggling to get the additional education that will gain them better jobs and allow them to make a greater contribution to society.

Some spend time fulfilling curriculum requirements that give them a diploma but little that is actually relevant to their lives or work. We need to re-examine our requirements and develop the flexibility that permits a greater choice on the part of the individual so that continued learning will be a joy rather than drudgery.

Before we are too "warped by unconscious control of traditional ideas" we must examine some of our most basic assumptions, and we must, in the words of Franz Boas "endeavor to free the mind of future generations so that they may not cling to our mistakes, but may be ready to correct them."

We honor those who die for their belief in a better future for all men, by continuing to search for a means of achieving their goals.

On last Saturday, as I sat at the mass for the late Senator Robert Kennedy in St. Patrick's Cathedral, I was deeply moved by the words of Archbishop Terence J. Cooke. I now ask that you reflect for a moment upon his words.

"We have always believed that national unity is indispensable if these blessings are to be achieved and that an America divided in its ideals cannot survive. . . . We must answer our neighbor's call for true freedom and equality.

"Our response will be made in loving God and loving our neighbor, in proving our love by service, in serving by confronting and resolving problems of poverty, race, violence and war."

YOUNG PEOPLE NEED A STAKE IN THE FUTURE

Mr. McGEE. Mr. President, television newsreels and newspaper headlines in recent months have given the impression that some of our young people are determined to bring down the foundations of American society. To place this situation in proper perspective, however, we must recognize three very important facts.

First. The excesses we witness on television and read about in the newspapers are the excesses of a tiny minority.

Second. Millions of young Americans are leading productive and effective lives without drawing any attention.

Third. The desire of young people to improve their world is a healthy sign, and it needs only to be channeled into an acceptable means of expression.

President Johnson recognizes the situation in its true dimensions. Recently, he told a university graduating class that he had complete faith in their ability to change America for the better. He cautioned them that disruptive and violent protests only harden the status quo, making progress that much more difficult to achieve. Finally, he proposed that the voting age in America be lowered to 18 years.

I agree with the President's assessment of our young people, and I fully support his proposal to lower the voting age. There are several arguments for lowering the voting age. Most of them focus on the inequity of asking our young people to shoulder heavy responsibilities, while withholding from them the effective means of shaping their future life.

I am more impressed with some other arguments, from a different point of view. American democracy needs the infusion of energy and vitality which young people can give to our democratic process. At the same time, young people need to feel that they have a stake in the country's future, and that they have the right to participate meaningfully in the most important act of democratic life—the right to vote. From all points of view, it is important to lower the voting age.

I commend the President on his initiative, and I pledge my support to bring our young people into the decisionmaking process of the world's greatest democracy.

UNIONS OUTMODED?

Mr. FANNIN. Mr. President, right now the Nation is beset with disrupting labor stoppages that upset the economy, destroy jobs and hinder the accomplishment of our national goals. By this I do not intend blanketly to write off the labor movement. There are responsible labor leaders, but they are in the minority today. In the main, as labor leaders by their own polls have discovered, union members are far more enlightened and informed as they view America than are their leaders.

The Wall Street Journal has published an editorial that deals with this phenomenon in a most enlightening manner. The editors point to several recent strikes as working to the detriment of the union member rather than to his benefit. They mention the long lasting newspaper strike in Detroit and the recent Broadway strike that closed two shows. I would like to add the 9-month copper strike which has closed mines in Arizona as well as other States, dislocated families from their communities, and caused copper to lose certain markets that will never be regained.

The Journal points out that instead of enhancing their members' interests some unions' chief aims seem to be the display of union power. Mr. President, this simply points once again to the need for a balancing of the scale in the Nation. We need to reverse the flow of power that has for 20 years been flowing in the direction of the union leader and away from the union member. It appears to me that the country's labor laws need a drastic and thorough overhauling to correct these continuing imbalances.

Mr. President, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

The Decline of the Unions

Labor unions in recent years have been representing a declining percentage of the work force, and their leaders quite naturally wonder why. Some of the reasons, it seems to us, may be reflected in disputes in Detroit and New York City.

Though both have inconvenienced a lot of people, neither has the dimensions of a national crisis. In Detroit, strikes have shut down the city's two major newspapers for more than seven months. In New York, a strike by Actors Equity this week closed the city's major theaters for three days and idled several touring companies on the road.

There are important differences between the two tieups, of course, even aside from the fact that New York theaters reopened last night. To cite only one, Detroit's newspaper publishers are caught in a crossfire from 14 separate unions, compared with the single union involved in the New York strike.

At the same time, however, the two situations have certain similarities. Both disputes involve damage to a number of innocent bystanders. Among those injured in Detroit are smaller stores, which depend heavily on newspaper-advertised sales. The theater walkout naturally cut the business of New York hotels, restaurants and taxi companies.

That sort of thing is usual in strikes, so perhaps it won't trouble prospective union members. But other common attributes of the two tieups may be more worrisome.

For one thing, neither strike was deterred by substantial offers from employers. The union feeling appears to be that, however much can be obtained peacefully, perhaps warfare will produce a little more.

In New York one actor called the pre-strike offer "the finest contract we've ever gotten." In Detroit, the publishers actually settled with the Teamsters, the union that started it all last November, but now the 13 other unions are out to do better than the Teamsters did.

So there is at least some question whether the strikes were actually necessary. An even bigger question is how many jobs will be left for union members when they are ended.

Detroit's publishers, for example, are not only faced by rising costs but are hampered by union objection to more efficient equipment and methods. The publishers say, in fact, that the unions are trying to reclaim privileges that arbitrators previously had ended, such as the right to assign workers to certain jobs.

The city's citizens obviously have changed their reading habits; magazine sales are up sharply. The newspaper publishers understandably fear that their leadership, and thus their ability to provide jobs, may have been reduced permanently.

In New York the theater walkout caused three producers to close three shows permanently. Theater costs, inflated by union makework rules, already are so high that the number of new shows over the years has been trending downward; the new contract inflates costs still more. A producer whose rehearsals for a new musical were stopped by the strike says the undertaking represents an investment of $600,000. Will producers and investors want to go on taking that sort of risk?

We don't mean to say that the employers in either case are necessarily entirely blameless. Still, the unions' reason for existence is supposed to be the enhancement of their members' interests. In New York, and especially in Detroit, the chief aim instead seems to be to display union power.

There are apparently several explanations for the unions' decline. And one of them well may be a lingering doubt among unorganized employes about outfits that, launching unnecessary strikes, threaten destruction of the workers' jobs.

FOR A NEW ORDER OF PRIORITIES

Mr. GRUENING. Mr. President, in a deeply penetrating article, the able and distinguished Senator from Arkansas [Mr. Fulbright] has analyzed where the United States stands today and the choices before it in reordering its priorities in the years ahead. The article, entitled "New Order of Priorities," appears in the July issue of Playboy magazine.

As a first order of business in his article, Senator Fulbright described the disruptions wrought by the military involvement of the United States in Vietnam to the various segments of our society. He discusses the war's effects upon the military-industrial complex, the universities, the students, and the disadvantaged poor.

> Before we can even begin to think of what needs to be done and how to do it—

Senator Fulbright stated—

> we have got to re-evaluate our national priorities.

As one example he notes that we "have got to weigh the costs and benefits of going to the moon against the costs and benefits of rehabilitating our cities."

Even though the peace talks in Paris do not seem to be making visible progress, a reordering of priorities should still take place in the United States without delay. As Senator Fulbright points out:

> We have got to weigh the costs and benefits of the supersonic transport, which will propel a few business executives across the Atlantic in two or three hours, against the costs and benefits of slum clearance and school construction, which would create opportunity for millions of our deprived under class.

I share and heartily endorse the news which Senator Fulbright so eloquently expresses.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

For a New Order of Priorities at Home and Abroad

(Opinion by U.S. Senator J. William Fulbright)

As the Presidential campaign progresses and the possibility arises of major changes in foreign and domestic policies, it seems appropriate to review some of the major events of the past year or so and their effects on the American people. I think we will all agree that it has not been a happy time for the Executive, for Congress or for our country. The divisions among us are deep and the problems that beset us seem intractable. The center of our troubles is the war in Vietnam—a war that has isolated the United States from its friends abroad, disrupted our domestic affairs and divided the American people as no other issue of the 20th Century has divided them. (There has arisen, as of this writing, hope that peace negotiations will soon begin in Paris. At this early stage it is difficult—and perhaps unwise—to comment on their prospects, except to express the wish that they will, indeed, occur and will bring the war to an early end.)

The St. Louis Cardinals are a superior baseball team, but in the 1967 world series, most Americans outside of the St. Louis area itself rooted for the Boston Red Sox. Why was that? Was it because the Red Sox were better sports, or better players, or better looking? Certainly not; the Cardinals matched their rivals on all these counts and in the end they showed themselves to be the stronger team. Why, then, couldn't they match the Red Sox in popular affection? Because they had committed one of the worst crimes in Christendom—the crime of being top dog. Top dogs are not very popular, as a rule, just because there are so few of them. The underdogs are a vast majority in the world, and when, now and then, one of their multitude soars to the top in a sport or in politics or in some other highly visible pursuit, millions of other underdogs take heart, catching as by electric impulse the magic message: That could be *me* up there, at bat or on the pitcher's mound or in the high councils of power.

Our heritage reinforces our instincts; most of us have been raised on David and Goliath; and by the time we reach adulthood, we have been thoroughly indoctrinated—one might even say brainwashed—in the belief that every time a little guy knocks down a big guy, it is reason for rejoicing. Few people stop to think about the merits of the case, about the possibility that the top dog may have reached the heights by diligent and honest labor or that his cause may be virtuous and true or—unthinkable thought—that the little guy might just possibly be venal, self-seeking or otherwise unworthy.

That is what the Cardinals were up against. Like the Yankees before them, they had committed the crime of succeeding too well. They were Goliath; the Red Sox were David. They were the wicked stepmother; the Red Sox were Cinderella. The Cardinals were King John, the wicked queen and General Cornwallis; the Red Sox were Robin Hood, Snow White and George Washington. Their success was won by skill and courage and luck against overwhelming odds. They won in the only way that millions of underdogs could ever imagine themselves winning; and when in the end they lost, as had been probable right from the start, it seemed, nonetheless, as though something impossible had happened. Goliath had beaten David; the prince had eluded Cinderella; and a million hearts were broken.

The United States is not the St. Louis Cardinals, the Viet Cong are not the Red sox; and the war, God knows, is not a game. But there is something pertinent in the metaphor.

America is top dog in the world and, although we may be convinced that we are *good* top dogs, most people around the world are convinced that there is no such thing. Because we are rich, we are perceived as voracious; because we are successful, we are perceived as arrogant; because we are strong, we are perceived as overbearing. These perceptions may be distorted and exaggerated, but they are not entirely false. Power does breed arrogance and it has bred enough in us to give some substance to the natural prejudices against us. Much to our puzzlement, people all over the world seem to discount our good intentions and to seize upon our hypocrisies, failures and transgressions. They do this not because we are Americans but because we are top dogs and they fear our power. They are frightened by some of the ways in which we have used our power; they are frightened by the ways in which we might use it; and most of all, I suspect, they are frightened by the knowledge of their own inability to withstand our power, should it ever be turned upon them. They are, so to speak, tenants in the world at our sufferance, and no amount of good will on our part can ever wholly dispel the anxiety bred by the feeling of helplessness.

What do these feelings about American power have to do with the war in Vietnam? They go far, I think, to explain why our war policy commands so little support in the world. Anxiety about America's great power predisposes people, even against their better judgment, to take satisfaction in our frustrations and our setbacks. The French, for example, who well understand the importance to themselves of America's weight in the world balance of power, nevertheless seem to derive some satisfaction from seeing more than half a million Americans fought to a stalemate—or worse—by a ragtag army of Asian guerrillas. Seeing the Americans cut down to size like that is balm for the wounds of Dien Bien Phu, salve for the pride that was lost in the days of the Marshall Plan, when France survived on American generosity. If our military failures in Vietnam have this on the French, as I believe they do, think what they must mean to the real underdogs of the world, to the hundreds of millions of Asians, Africans and Latin Americans who can easily identify themselves with the Viet Cong guerrillas but could never see themselves in the role of the lordly Americans. There may even be people in our own country who feel some sneaking respect for a resourceful enemy, an enemy who, in a curious and purely emotional way, may even remind them of the ragtag American revolutionaries who humbled the mighty British Empire almost 200 years ago.

Such attitudes, it will be argued, are irrational and unfair; and so, in large measure, they are. People, it will be said, should be rational and should act on their interests, not their emotions; and so, indeed, they should. But they don't. I might be able to think up some good reasons why elephants should fly, but it would not be rewarding; elephants cannot fly and there is nothing to be done about it. So it is with men; they ought to be cool and rational and detached, but they are not. We are, to be sure, endowed with a certain capacity for reason, but it is not nearly great enough to dispel the human legacy of instinct and emotion. The most we can hope to do with our fragile tool of reason is to identify, restrain and make allowance for the feelings and instincts that shape so much of our lives.

That brings me to one of the most important of the many flaws in our war policy in Vietnam—its failure to take account of people's feelings and instincts, especially those pertaining to top dogs and underdogs. American policy asks people to believe things that they are deeply reluctant to believe. It asks them to believe that the world's most powerful nation is not only strong but motivated by deeply benevolent and altruistic instincts, unrelated even to national interests. Even if that were true—and on occasion it probably has been true—nobody would believe it, because nobody would *want* to believe it.

This is an extremely serious problem for the United States, because the success of its stated policy in Vietnam ultimately depends less on winning for its own sake than on persuading the world that American aims are what American policy makers say they are. That is the case because the war, as often explained by the Secretary of State and by others in the Administration, is said to be an *exemplary* war, one that will prove to the Communists, especially China, that wars of liberation cannot succeed, and prove to the rest of the world that America will not fail to honor its commitments, to whomever made and for whatever purpose. It is a war—so say our policy makers—to inspire confidence in the United States and to prove certain points; and once these points are proved, it is said, we will withdraw, within six months of a peace settlement, said President Johnson in Manila.

These being our stated aims, the success of our policy depends in great part upon whether people believe that our objectives are what we say they are. You cannot make an object lesson out of a war if people do not believe that is what you are trying to do; you cannot prove a point if people do not believe that you mean what you say.

Setting side for a moment the question of whether American purposes are really what American policy makers say they are, it is apparent that much or most of the world believes that they are not. I do not think that very many people, least of all the Viet Cong and the North Vietnamese, believe that we plan to withdraw from Vietnam as soon as arrangements for self-determination are made, arrangements that could result in the establishment of a Communist government. I do not think that very many people, least of all the Asians, Africans and Latin Americans for whose benefit the example is supposedly being set, really believe that, with virtually no help from the presumed beneficiaries, America has sacrificed over 21,700 lives and spent 100 billion dollars—thus far—simply to set their minds at rest about America's determination to come to their assistance should they ever be threatened with Communist attack or insurrection. Insofar as they do not believe us, our war policy is a failure, neither setting the intended example nor proving the stated point.

Prejudice is not the only basis of worldwide skepticism about American intentions. The war, after all, is not going well and, even if our sincerity were granted, our success could not be. Far from proving that wars of national liberation cannot succeed, all that we have proved so far is that, even with an army of more than half a million men and expenditures of 30 billion dollars a year, we are unable to suppress this particular war of national liberation. Far from demonstrating America's willingness and ability to save beleaguered governments from Communist insurgencies, all that we are demonstrating in Vietnam is America's willingness and ability to use its B-52s, its napalm and all the other ingenious weapons of "counterinsurgency" to turn a small country into a charnel house. Far from inspiring confidence in and support for the United States, the war has so isolated us that, despite all our alliances and the tens of billions we have spent on foreign aid, we cannot, according to the Administration, get 9 out of 15 votes to put the Vietnam issue on the agenda of the United Nations Security Council. Far from demonstrating America's readiness to discharge all of its prodigal commitments around the world, the extravagance and cost of Vietnam are more likely to suggest to the world that the American people will be hesitant, indeed, before permitting their Government to plunge into another such costly adventure.

There are already signs of such a reaction. In the days before the recent war in the Middle East, for example, strong and virtually unanimous sentiment was expressed in the Senate against any unilateral American military involvement in that part of the world. If America ever does withdraw into the neoisolationism of which our policy makers are so fearful, it will not be because of the influence of those of us who advocate *selectivity* in foreign commitments; it will be in reaction to the heedless interventionism of Vietnam.

Yet another reason why some of our stated purposes are disbelieved is the simple fact of their implausibility and inconsistency. It is implausible to contend that we are defending a valiant democracy when everyone knows that the Saigon generals can inspire neither the loyalty of their people nor the fighting spirit of their sizable army. It is implausible to contend that an act of international aggression has taken place when it is clear that the war began as a civil war within one-half of a divided country abetted by the other half and did not become an international war until the United States intervened. It is implausible to argue, as the distinguished Minority Leader, Senator Dirksen, has argued, that, but for the war in Vietnam, the West Coast of the United States would be exposed to attack, when the United States Navy and Air Force are virtually unchallenged over the entire Pacific Ocean.

Finally, it is implausible and inconsistent, on the one hand, to maintain that the United States seeks only to assure self-determination for the South Vietnamese people and will withdraw within six months of a peace settlement and, on the other hand, to assert that our real purpose is to protect a billion Asians from the power of a billion Chinese armed with nuclear weapons. If the latter is the American purpose, if the real enemy is not the Vietnamese guerrilla army but "Asian communism with its headquarters in Peking," then we are likely to have to remain in Vietnam indefinitely, all the more so because most of the presumed beneficiaries of our intervention, including the three greatest nations among them—India, Japan and Indonesia—show not the slightest inclination to take over even a small part of the military burden.

So implausible and so inconsistent are the statements about one principle or another that is supposed to be being vindicated in Vietnam that one comes to feel that what our policy makers have really been trying to vindicate is their own judgment in having led us into this war in the first place. Even former ambassador Edwin O. Reischauer, an Asian expert and a temperate man who, until recently, supported the Administration's policy because he saw little prospect of a negotiated peace, nonetheless expressed in a magazine article fundamental disagreement with the Administration's rationale for the war. "It seems highly probable," wrote Reischauer, "that Ho's Communist-dominated regime, if it had been allowed by us to take over all Vietnam at the end of the war, would have moved to a position with relation to China not unlike that of Tito's Yugoslavia toward the Soviet Union. . . . Wars sometimes seem justified by their end results, but this justification hardly applies to the Vietnam war. Even the most extravagantly optimistic outcome would still leave far greater losses than gains." It is doubtful, he added, "that even a favorable outcome to the war would do much to deter Communist subversion in other less developed countries. Instead of being discouraged by our ultimate victory in Vietnam, would-be revolutionaries might be encouraged by the obvious pain of the war to the United States and the clear reluctance of the American people to get involved in further wars of this type. . . . I have no doubt that if those who determined American policy toward Vietnam had foreseen even dimly the costs and futilities of the war, they would have made different choices at several times in the past and thus avoided the present situation, with only trifling costs, if any, to American interests."

Despite the Tet offensive, General Creighton Abrams and other Administration spokesmen continue to make statements about military success. It is, of course, possible that this time they may be right, that Ho Chi Minh will surrender or die or the Viet Cong will collapse or just fade into the jungle. But even in that highly unlikely event, it should not be supposed that the American commitment would be at an end; we would still be the sole military and economic support of a weak Saigon regime, at a cost of perhaps 10 or 15 billion dollars a year. This, of course, would assume—as we cannot safely assume—that the Chinese and the Russians would do nothing to prevent the collapse of the Viet Cong or of North Vietnam. But even if these most optimistic prospects should be realized, grateful for peace though we would be, we would still have little to be proud of and a great deal to regret. We would still have fought an immoral and unnecessary war; we would still have passed up opportunities that, if taken when they arose, would have spared us and spared the Vietnamese the present ordeal, and done so, as Ambassador Reischauer says, "with only trifling costs, if any, to American interests."

For all these reasons, much of the world and an increasing number of our own people are deeply skeptical about the American purpose in Vietnam. Underlying the skepticism is deep disappointment, a feeling that America has betrayed its own past and its own promise—the promise of Roosevelt and the United Nations and of Wilson and the League of Nations, but, most of all, the promise of the American Revolution, of free men building a society that would be an example for the world. Now the world sees that heritage being betrayed; it sees a nation that seemed to represent something new and hopeful reverting instead to the vanity of past empires, each of which struggled for supremacy, each of which won and held it for a while, each of which finally faded or fell into historical oblivion.

We are, in this respect, a disappointment to the world; but, far more important than that, we are a disappointment to ourselves. It is here at home that the traditional values were formed, here at home that the American promise was born, and it is here at home—in our schools and churches, in our cities and on our farms, in the hearts and minds of our people and their chosen leaders—that the American promise will finally be betrayed or resurrected.

While young dissenters plead for resurrection of the American promise, their elders continue to subvert it. As if it were something to be very proud of, it was announced not long ago that the war in Vietnam had created a million new jobs in the United States. Our country is becoming conditioned to permanent conflict. More and more, our economy, our Government and our universities are adapting themselves to the requirements of continuing war—total war, limited war and cold war. The struggle against militarism into which we were drawn 27 years ago has become permanent, and for the sake of conducting it, we are making ourselves into a militarized society.

I do not think the military-industrial complex is the conspiratorial invention of a band of "merchants of death." One almost wishes that it were, because conspiracies can be exposed and dealt with. But the components of the new American militarism are too diverse, independent and complex for it to be the product of a centrally directed conspiracy. It is, rather, the inevitable result of the creation of a huge, permanent military establishment, whose needs have given rise to a vast private defense industry tied to the Armed Forces by a natural bond of common interest. As the largest producers of goods and services in the United States, the industries and businesses that fill military orders will in the coming fiscal year pour some 45 billion dollars in over 5,000 cities and towns where over 8,000,000 Americans, counting members of the Armed Forces, comprising ten percent of the labor force, will earn their living from defense spending. Together, all these industries and employees, drawing their income from the 76-billion-dollar defense budget, form a giant concentration of socialism in our otherwise free-enterprise economy.

Unplanned though it was, this complex has become a major political force. It is the result rather than the cause of American military involvements around the world; but, composed as it is of a vast number of citizens—not tycoons or merchants of death but ordinary good American citizens—whose livelihood depends on defense production, the military-industrial complex has become an indirect force for the perpetuation of our global military commitments. This is not because anyone favors war but because every one of us has a natural and proper desire to preserve the sources of his livelihood. For the defense worker, this means preserving or obtaining some local factory or installation and obtaining new defense orders; for the politician, it means preserving the good will of his constituents by helping them get what they want. Every time a new program, such as Mr. McNamara's five-billion-dollar "thin" anti-ballistic-missile system, is introduced, a new constituency is created—a constituency that will strive mightily to protect the new program and, in the case of the ABM, turn the thin system into a "thick" one. The constituency-building process is further advanced by the perspicacity of defense officials and contractors in locating installations and plants in the districts of key Members of Congress.

In this natural way, generals, industrialists, businessmen, workers and politicians have joined together in a military-industrial complex—a complex that, for all the inadvertency of its creation and the innocent intentions of its participants, has nonetheless become a powerful new force for the perpetuation of foreign military commitments, for the introduction and expansion of expensive weapons systems and, as a result, for the militarization of large segments of our national life. Most interest groups are counterbalanced by other interest groups, but the defense complex is so much larger than any other that there is no effective counterweight to it except concern as to its impact on the part of some of our citizens and a few of our leaders.

The universities might have formed an effective counterweight to the military-industrial complex by strengthening their emphasis on the traditional values of our democracy; but many of our leading universities have instead joined the monolith, adding greatly to its power and influence. Disappointing though it is, the adherence of the professors is not greatly surprising. No less than businessmen, workers and politicians, professors enjoy money and influence. Having traditionally been deprived of both, they have welcomed the contracts and consultantships offered by the military establishment. The great majority of American professors are still teaching students and engaging in scholarly research; but some of the most famous of our academicians have set such activities aside in order to serve their Government, especially those parts of the Government that are primarily concerned with war.

The bonds between the Government and the universities are no more the result of a conspiracy than are those between Government and business. They are an arrangement of convenience, providing the Government with politically usable knowledge and the universities with badly needed funds. Most of these funds go to larger institutions that need them less than some smaller and less well known ones; but they do, on the whole, make a contribution to higher learning, a contribution that, however, is purchased at a high price.

That price is the surrender of independence, the neglect of teaching and the distortion of scholarship. A university that has become accustomed to the inflow of Government-contract funds is likely to emphasize activities that will attract those funds. These, unfortunately, do not include teaching undergraduates and the kind of scholarship that, though it may contribute to the sum of human knowledge and to man's understanding of himself, is not salable to the Defense Department or to the CIA. As Clark Kerr, former president of the University of California, expressed it in *The Uses of the University:*

"The real problem is not one of Federal control but of Federal influence. A Federal agency offers a project. A university need not accept but, as a practical matter, it usually does. . . . Out of this reality have followed many of the consequences of Federal aid for the universities; and they have been substantial. That they are subtle, slowly cumulative and gentlemanly makes them all the more potent."

From what one hears, the process of acquiring Government contracts is not always passive and gentlemanly. "One of the dismal sights in American higher education," writes Robert M. Rosenzweig, associate dean of the Stanford University graduate division, "is that of administrators scrambling for contracts for work that does not emerge from the research or teaching interests of their faculty. The result of this unseemly enterprise is bound to be a faculty coerced or seduced into secondary lines of interest, or a frantic effort to secure nonfaculty personnel to meet the contractual obligations. Among the most puzzling aspects of such arrangements is the fact that Government agencies have permitted and even encouraged them. Not only are they harmful to the universities—which is not, of course, the Government's prime concern—but they ensure that the Government will not get what it is presumably buying; namely, the intellectual and technical resources of the academic community. It is simply a bad bargain all the way around."

Commenting on these tendencies, a special report on Government, the universities and international affairs, prepared for the United States Advisory Commission on International Educational and Cultural Affairs, points out that "the eagerness of university administrations to undertake stylized, Government-financed projects has caused a decline in self-generated commitments to scholarly pursuits, has produced baneful effects on the academic mission of our universities and has, in addition, brought forward some bitter complaints from the disappointed clients. . ."

Among the baneful effects of the Government-university contract system, the most damaging and corrupting are the neglect of the university's most important purpose, which is the education of its students, and the taking into the Government camp of scholars, especially those in the social sciences, who ought to be acting as responsible and independent critics of their Government's policies. The corrupting process is a subtle one: No one needs to censor, threaten or give orders to contract scholars; without a word of warning or advice being uttered, it is simply understood that lucrative contracts are awarded not to those who question their Government's policies but to those who provide the Government with the tools and techniques it desires. The effect, in the words of the report to the Advisory Commission on International Education, is "to suggest the possibility to a world—never adverse to prejudice—that academic honesty is no less marketable than a box of detergent on the grocery shelf."

The formation of a military-industrial complex, for all its baneful consequences, is the result of great numbers of people engaging in more or less normal commercial activities. The adherence of the universities, though no more the result of a plan or conspiracy, nonetheless involves something else: the neglect and, if carried far enough, the betrayal of the university's fundamental reason for existence, which is the advancement of man's search for truth and happiness. It is for this purpose, and this purpose alone, that universities receive—and should receive—the community's support in the form of grants, loans and tax exemptions. When the university turns away from its central purpose and makes itself an appendage to the Government, concerning itself with techniques rather than purposes, with expedients rather than ideals, dispensing conventional orthodoxy rather than new ideas, it is not only failing to meet its responsibilities to its students; it is betraying a public trust.

This betrayal is most keenly felt by the students, partly because it is they who are being denied the services of those who ought to be their teachers, they to whom knowledge is being dispensed wholesale in cavernous lecture halls, they who must wait weeks for brief audiences with eminences whose time is taken up by travel and research connected with Government contracts. For all these reasons, the students feel themselves betrayed, but it is doubtful that any of these is the basic cause of the angry rebellions that have broken out on so many campuses. It seems more likely that the basic cause of the great trouble in our universities is the students' discovery of corruption in the one place, besides perhaps the churches, that might have been supposed to be immune from the corruptions of our age. Having seen their country's traditional values degraded in the effort to attribute moral purpose to an immoral war, having seen their country's leaders caught in inconsistencies that are politely referred to as a "credibility gap," they now see their universities—the last citadels of moral and intellectual integrity—lending themselves to ulterior and expedient ends and betraying their own fundamental purpose, which, in James Bryce's words, is to "reflect the spirit of the times without yielding to it."

Students are not the only angry people in America nor the only people with cause for anger. There is also the anger of the American poor, black and white, rural and urban. These are the dispossessed children of the affluent society, the 30,000,000 Americans whose hopes were briefly raised by the proclamation of a "war on poverty," only to be sacrificed to the supervening requirements of the war on Asian communism or, more exactly, to the Executive preoccupation and the Congressional parsimony induced by that war.

In our preoccupation with foreign wars and crises, we have scarcely noticed the revolution wrought by undirected change here at home. Since World War Two, our population has grown by more than 59,000,000; a mass migration from country to city has crowded over 70 percent of our population onto scarcely more than one percent of our land; vast numbers of rural Negroes from the South have filled the slums of Northern cities while affluent white families have fled to shapeless new suburbs, leaving the cities physically deteriorating and financially destitute and creating a new and socially destructive form of racial isolation combined with degrading poverty. Poverty, which is a tragedy in a poor country, blights our affluent society with something more than tragedy; being unnecessary, it is deeply immoral as well.

Distinct though it is in cause and character, the Negro rebellion is also part of the broader crisis of American poverty, and it is unlikely that social justice for Negroes can be won except as part of a broad program of education, housing and employment for all of our poor, for all of the great "under class," of whom Negroes comprise no more than one fourth or one third. It is essential that the problem of poverty be dealt with as a whole, not only because the material needs of the white and colored poor are the same—better schools, better homes and better job opportunities—but because alleviating poverty in general is also the best way to alleviate racial hostility. It is not the affluent and educated who primarily account for the "backlash" but the poorer white people, who perceive in the Negro rights movement a threat to their jobs and homes and—probably more important—a threat to their own meager sense of social status.

There is nothing edifying about poverty. It is morally as well as physically degrading. It does not make men brothers. It sets them against one another in competition for jobs and homes and status. It leaves its mark on a man and its mark is not pretty. Poverty constricts and distorts, condemning its victims to an endless, anxious struggle for physical necessities. That struggle, in turn, robs a man of his distinctly human capacities—the capacity to think and create, the capacity to seek and savor the meaning of things, the capacity to feel sympathy and friendliness for his fellow man.

If we are to overcome poverty and its evil by-products, we shall have to deal with them as human rather than as racial or regional problems. For practical as well as moral reasons, we shall have to have compassion for those who are a little above the bottom as well as for those who are at the bottom. We shall have to have some understanding of the white tenant farmer as well as the Negro farm laborer, of the urban white immigrant workingman as well as the Negro slum dweller. It would even benefit us to acquire some understanding—not approval, just understanding—of each other's group and regional prejudices. If the racial crisis of recent years has proved anything, it is that none of us, Northerner or Southerner, has much to be proud of, that our failures have been national failures, that our problems are problems of a whole society, and so as well must be their solutions.

All these problems—of poverty and race, jobs and schools—have come to focus in the great cities, which, physically, mentally and aesthetically, are rapidly becoming unfit for human habitation. As now taking shape, the cities and suburbs are the product of technology run rampant, without effective political direction, without regard to social and long-term economic cost. They have been given their appearance by private developers, builders and entrepreneurs, seeking, as they will, their own short-term profit. Lakes and rivers are polluted and the air is filled with the fumes of the millions of cars that choke the roads. Recreation facilities and places of green and quiet are pitifully inadequate and there is no escape from crowds and noise, both of which are damaging to mental health. At the heart of the problem is the absence of sufficient funds and political authority strong enough to control the anarchy of private interest and to act for the benefit of the community. Despite the efforts of some dedicated mayors and students of urban problems, the tide of deterioration is not being withstood and the cities are sliding deeper into disorganization and demoralization.

The larger cities have grown beyond human scale and organizing capacity. No matter what is done to rehabilitate New York and Chicago, they will never be places of green and quiet and serenity, nor is there much chance that these can even be made tolerably accessible to the millions who spend their lives enclosed in concrete and steel. Ugly and inhuman though they are, the great urban complexes remain, nonetheless, a magnet for Negroes from the south and whites from Appalachia. Crowding the fetid slums and taxing public services, they come in search of jobs and opportunity, only to find that the jobs that are available require skills that they lack and have little prospect of acquiring.

One wonders whether this urban migration is irreversible, whether it may not be possible to create economic opportunities in the small towns and cities, where there are space and land and fresh air, where building costs are moderate and people can still live in some harmony with natural surroundings. The technology of modern agriculture may inevitably continue to reduce farm enployment, but we have scarcely begun to consider the possibilities of industrial decentralization—of subsidies, tax incentives and other means—to make it possible for people to earn a living in the still-human environments of small-town America.

A decent life in a small town is not only very much better than slum life in a big city; it is probably cheaper, too. The Secretary of Agriculture has suggested that it would be better to subsidize a rural family with $1000 a year for 20 years than to house them in a cramped urban "dwelling unit" at a cost of $20,000. In New York or Chicago, $2500 a year of welfare money will sustain a family in destitution; in the beautiful Ozark country of Arkansas, it is enough for a decent life.

Aggravating the material ills is the impersonalization of the life in a crowded, urban America. Increasingly, we find wherever we go—in shops and banks and the places where we work—that our names and addresses no longer identify us; the IBM machines require numbers: zip codes, account numbers and other numbers. Our *relevant* identity in a computerized economy is statistical rather than personal. Business machines provide standard information and standard services and there are no *people* to provide particular information or services for our particular needs. The governing concept, invented, I believe, in the Pentagon, is "cost effectiveness," which refers not to the relationship of cost to human need or satisfaction but to the relationship of cost to the computerized system. Technology has ceased to be an instrument of human ends; it has become an end in itself, unregulated by political or philosophical purpose. The toll that all this takes on the human mind can only be guessed at, but it must surely be enormous, because human needs are different from the needs of the system to which they are being subordinated. Someday the human requirements may be computerized, too, but they have not, thank God, been computerized yet.

The cost of rehabilitating America will be enormous beyond anything we have even been willing to think about. When Mayor Lindsay said that aside from Federal, state and city funds, it would cost an additional 50 billion dollars over ten years to make New York a fit place to live in, his statement was dismissed as fanciful, although 50 billion dollars is less than we spend in two years in Vietnam. The Swedish sociologist Gunnar Myrdal has ventured the guess that it will cost trillions of dollars to rehabilitate our slums and their inhabitants. "[The] common idea that America is an immensely rich and affluent country," he says, "is very much an exaggeration. American affluence is heavily mortgaged. America carries a tremendous burden of debt to its poor people. That this debt must be paid is not only a wish of the do-gooders. Not paying it implies the risk for the social order and for democracy as we have known it."

Before we can even begin to think of what needs to be done and how to do it, we have got to re-evaluate our national priorities. We have got to weigh the costs and benefits of going to the moon against the costs and benefits of rehabilitating our cities. We have got to weigh the costs and benefits of the supersonic transport, which will propel a few business executives across the Atlantic in two or three hours, against the costs and benefits of slum clearance and school construction, which would create opportunity for millions of our deprived under class. We have got to weigh the benefits and consider the awesome disparity of the 935.4 billion dollars we have spent on military power since World War Two against the 114.9 billion dollars we have spent, out of our regular national budget, on education, health, welfare, housing and community development.

Defining our priorities is more a matter of moral accounting than of cost accounting. The latter may help us determine what we are able to pay for, but it cannot help us decide what we want and what we need and what we are willing to pay for. It cannot help the five sixths of us who are affluent to decide whether we are willing to pay for programs that will create opportunity for the one sixth who are poor; that is a matter of moral accounting. It cannot help us decide whether beating the Russians to the moon is more important to us than purifying our poisoned air and lakes and rivers; that, too, is a matter of moral accounting. Nor can it help us decide whether we want to be the arbiter of the world's conflicts, the proud enforcer of a *Pax Americana*, even though that must mean the abandonment of the founding fathers' idea of America as an exemplary society and the betrayal of the idea of world peace under world law, which, as embodied in the Covenant of the League of Nations and the Charter of the United Nations, was also an American idea. These, too, are matters of moral accounting.

Rich and powerful though our country is, it is not rich or powerful enough to shape the course of world history in a constructive or desired direction solely by the impact of its power and policy. Inevitably and demonstrably, our major impact on the world is not in what we *do* but in what we *are*. For all their worldwide influence, our aid and our diplomacy are only the shadow of America; the real America—and the real American influence—is something else. It is the way our people live, our tastes and games, our products and preferences, the way we treat one another, the way we govern ourselves, the ideas about man and man's relations with other men that took root and flowered in the American soil.

History testifies to this. A hundred years ago, England was dominant in the world, just as America is today. Now England is no longer dominant; her great fleets have vanished from the seas and only small fragments remain of the mighty British Empire. What survives? The legacy of hatred survives—hatred of the West and its arrogant imperialism, hatred of the condescension and the exploitation, hatred of the betrayal abroad of the democracy that Englishmen practiced at home. And the ideas survive—the ideas of liberty and tolerance and fair play to which Englishmen were giving meaning and reality at home while acting on different principles in the Empire. In retrospect, it seems clear that England's lasting and constructive impact on modern India, for example, springs not from the way she ruled in India but, despite that, from the way she was ruling England at the same time.

Possessed as they are of a genuine philanthropic impulse, many Americans feel that it would be selfish and exclusive, elitist and isolationist, to deny the world the potential benefits of our great wealth and power, restricting ourselves to a largely exemplary role. It is true that our wealth and power *can* be, and sometimes are, beneficial to foreign nations; but they can also be, and often are, immensely damaging and disruptive. Experience—ours and that of others—strongly suggests that the disruptive impact predominates, that when big nations act upon small nations, they tend to do them more harm than good. This is not necessarily for lack of good intentions; it is, rather, for lack of knowledge. Most men simply do not know what is best for other men; and when they pretend to know or genuinely try to find out, they usually end up taking what they believe to be best for themselves at that which is best for others.

Conceding this regrettable trait of human nature, we practice democracy among ourselves, restricting the freedom of individuals to impose their wills upon other individuals, restricting the state as well and channeling such coercion as is socially necessary through community institutions. We do not restrict the scope of Government because we wish to deny individuals the benefits of its wealth and power; we restrict our Government because we wish to protect individuals from its capacity for tyranny.

If it is wisdom to restrict the power of men over men within our society, is it not wisdom to do the same in our foreign relations? If we cannot count on the benevolence of an all-powerful Government toward its own people, whose needs and characteristics it knows something about and toward whom it is surely well disposed, how can we count on the benevolence of an all-powerful America toward peoples of whom we know very little? Clearly, we cannot; and, until such time as we are willing to offer our help through community institutions such as the United Nations and the World Bank, I think that, in limiting our commitments to small nations, we are doing more to spare them disruption than we are to deny them benefits.

Wisdom consists as much in knowing what you cannot do as in knowing what you can do. If we knew and were able to acknowledge the limits of our own capacity, we would be likely, more often than we do, to let nature take its course in one place and another, not because it is sure or even likely to take a good course but because, whatever nature's course may be, tampering with it in ignorance will almost surely make it worse.

We used, in the old days, to have this kind of wisdom and we also knew, almost instinctively, that what we made of ourselves and of our own society would probably have a lasting and beneficial impact on the world than anything we might do in our foreign relations. We were content, as they say, to let conduct serve as an unspoken sermon. We knew that it was the freedom and seemingly unlimited opportunity, the energy and marvelous creativity of our diverse population, rather than the romantic nonsense of "manifest destiny," that made the name America a symbol of hope to people all over the world.

We knew these things until events beyond our control carried us irrevocably into the world and its fearful problems. We recognized thereupon, as we had to, that some of our traditional ideas would no longer serve us, that we could no longer, for example, regard our power as something outside of the scales of the world balance of power and that, therefore, we could no longer remain neutral from the major conflicts of the major nations. But, as so often happens when ideas are being revised, we threw out some valid ideas with the obsolete ones. Recognizing that we could not help but be involved in many of the world's crises, we came to suppose that we *had* to be involved in every crisis that came along; and so we began to lose the understanding of our own limitations. Recognizing that we could not help but maintain an active foreign policy, we came to suppose that whatever we hoped to accomplish in the world would be accomplished by acts of foreign policy, and this—as we thought—being true, that foreign policy must without exception be given precedence over domestic needs; and so we began to lose our historical understanding of the power of the American example.

The loss is manifest in Vietnam. There at last we have embraced the ideas that are so alien to our experience—the idea that our wisdom is as great as our power and the idea that our lasting impact on the world can be determined by the way we fight a war rather than by the way we run our country. These are the principal and most ominous effects of the war—the betrayal of ideas that have served America well and the great moral crisis that that betrayal has set loose among our people and their leaders.

The crisis will not soon be resolved, nor can its outcome be predicted. It may culminate, as I hope it will, in a reassertion of the traditional values, in a renewed awareness of the creative power of the American example. Or it may culminate in our becoming an empire of the traditional kind, ordained to rule for a time over an empty system of power and then to fade or fall, leaving, like its predecessors, a legacy of dust.

INDEPENDENCE DAY, 1968

Mr. McGEE. Mr. President, Editor J. R. Wiggins, of the Washington Post, has given us an essay on Independence Day, 1968, which deserves great consideration. He is an optimist, as I am. America is a land of optimists, in fact. Otherwise, we would never had thought the achievements which have been realized in this country were possible and we never would have tried to realize them. But we have, as a people, believed. We have tried. And to a very great extent, we have succeeded. We know our faults and our shortcomings, as Mr. Wiggins recounts in his essay, which the Post entitled "Americans Aren't Used To Quitting in Tough Times."

He wrote:

> But we know something, as well, of the grandeur and glory of a Nation which, notwithstanding all its real mistakes and all its imagined errors, has utilized the genius of its founders and the ingenuity of their descendants to confer upon the rank and file of its citizens greater comfort, security, affluence, well-being and enlightenment than have been enjoyed by any people in all human history, on this or on any other continent.

We are beset, perhaps, by difficulty in this, our 192d year of Independence, but I believe that most Americans are ready to go on with the work of solving America's problems in the spirit of optimism which has always been our hallmark. I ask unanimous consent that Mr. Wiggins' article which chronicles the spirit of America as it relates to our time, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 30, 1968]

AMERICANS AREN'T USED TO QUITTING IN TOUGH TIMES

(By J. R. Wiggins)

When the historian Tacitus described the conditions of Rome 90 years after Christ, in the reign of Galba, he used language that would please many of our gloomy contemporaries, if employed to describe our society. According to one translation, he said: "We now enter upon the history of a period rich in disaster, gloomy with wars, rent by sedition and savage in its very hours of peace."

We are indeed "rich in disasters," "gloomy with wars," "rent by sedition" and environed by behavior in our cities and on our college campuses that is savage beyond our previous experience. There is occasion enough for genuine anxiety. The gulf between the generations, we are told, is a great yawning abyss, unfathomable, unbridgeable and irreducible, across which the generations speak to each other sometimes in angry shouts and sometimes in barely audible sounds of steadily diminishing meaning.

The biologists have informed us of species of animals in which the parents devour their own young; but the human race, for the first time, seems to have spawned a generation in which some of the young devour the parents.

Our great cities, in which we are heaping 70 per cent of our population, seem suddenly determined to vindicate dour prophecies of urban decay made by American intellectuals from Jefferson to Emerson.

The progress toward the elimination of racial discrimination that for so long sustained the liberal hope that America was at last on the way to becoming color-blind has given way to new fears. The advocates of racial segregation, on the right, have been joined by black power advocates on the left—both urging new and frightening divisions in an apartheid American society.

A generation-long consensus on American foreign policy—during which the Nation successfully used its power to protect and defend many free peoples against aggression—has been succeeded by a new fragmentation of American opinion which has shattered pride in our past, demolished agreement on the present and which portends even more serious dissent and disagreement in the future.

TO BURY THE PAST

A people accustomed to argument over means by which they could advance agreed-upon ends, sometimes seems driven by dispute over the very end of society. On this Fourth of July, there are Americans who seem to think it more in keeping with the times to bury the past than to celebrate it: more appropriate to weep over present fortune than to rejoice.

So, on this Independence Day, ought we gather to voice our despair and ventilate our grief? Should we mourn our past glories and bemoan our present fate? Would we be well advised to close the book on America, admit that fate has written finish to its history? Should we minister the last rites to what they call our "sick" society? Should we agree with the diagnosis of universal malaise proclaimed on every campus and pronounced in urban slums and broadcast from one political forum after another?

I wish to say that we have not come to bury the United States, but to praise it; that we have not come to celebrate a funeral mass but to hail a joyous birthday; that we have not come to administer the last rites of our society.

We know something of the trials of our country at this point in its history. We know something of the tragedies that have afflicted our people in our own generation. We know something of the hardships that have been imposed, decade after decade, on unoffending portions of our people who have not shared fairly in the fruits of this society. We understand the agony of those who have borne the brunt of the battle in far-off places and the anguish of those they have left behind in cities, towns and villages across this land. These things we cannot put from our minds, even on a day of celebration.

But we know something, as well, of the grandeur and glory of a Nation which, notwithstanding all its real mistakes and all its imagined errors, has utilized the genius of its founders and the ingenuity of their descendants to confer upon the rank and file of its citizens greater comfort, security, affluence, well-being and enlightenment than have been enjoyed by any people in all human history, on this or on any other continent.

And we know something, besides, of people in other lands who today live in freedom, who enjoy their liberties, who flourish in affluence and who can hope for a bright future because the Government of the United States was willing to commit its power and use its influence to resist aggression and to forestall subversion.

We know that this is not enough. We know that time makes ancient good uncouth. We know that injustice has not been altogether abolished. We know that inequality of fortune and health and well-being has not been eliminated. All this has been well said by many critics.

We know that there is much to criticize in our social, economic and political institutions. And we all have listened to those who have criticisms to make.

LISTENING TO THE POOR

We ought to listen to the anguished cries of the poor whose deprivations have made them dissatisfied with themselves and with their country and dangerous to their society. We ought to listen to them because of considerations of humanity and because of considerations of national survival. We ought to be moved by human misery—but not necessarily in the exact direction that everyone who presumes to speak for the miserable wishes to move us.

The impoverished may, in many ways, be morally superior to the affluent; but poverty is not a school of philosophy or a department of economics or a university of social theory. From the impoverished we can best learn what poverty is; but the impoverished may not be the best people to consult on what to do about it. We cannot dump on the victims of basic maladjustments in society responsibility for the administration of solutions that nothing in the background or history of the poor qualifies them to handle. We should not show to the disadvantaged an exaggerated demagogic deference that may win their hearts without bettering their conditions.

We ought to heed the cries of racial minorities who have suffered discrimination for generation after generation. But the Nation will not surmount its racial problems if the affluent, middle- and upper-class white majority sinks itself in sloughs of self-reproach while the racial minorities sink themselves in swamps of self-pity. We have problems to solve and we ought to solve them together without vain regrets about a past we cannot change or self-justification that denies all individual responsibility.

VOICE OF THE YOUNG

We ought to listen to the young upon our campuses. If we do not know their minds or their hearts, we cannot know the future of this country. That future soon will be in their hands. And that "soon" is rushing upon us at a great rate; the average age of the country is 28, the average voting age 44. So what the young have to say is the voice of the future, as surely as what the founders had to say is the voice of our past.

We are indeed obliged to listen repectfully to youth who bring to the examination of our society the vision of idealism, the foresight of the informed, the scrutiny of the well-prepared, the wisdom of a trained intellect, the mental fruit of study and preparation. But we are not obliged to submit quietly to the vacuous inanities and insanities of minds half formed, to heed those who have not submitted to intellectual discipline.

We are not required to respect the judgment of those who have derived their whole instruction from a process of intramural gaseous effusion, unrelieved by any inquiry into the past or any orderly examination of the present. The young people on our campuses were born free, to be sure, but they were not all born wise or infallible. They are not to be disparaged in broad generalizations that imply that they are all of a piece; but the most extreme and violent are not to be accepted blindly as the authentic voice of either their fellow students or as the voice of God.

DEBATE ON FOREIGN POLICY

The country needs a continuing and meaningful debate on foreign policy, for our foreign policy must adapt to a rapidly changing world; but it will not have that debate if those out of power make exaggerated accusations of national immorality against every policy with which they disagree. We will not have such a debate if those out of power appeal only to narrow, selfish motives and disavow all foreign policies that demand present sacrifice for future security. We will not have such a debate if we engage in a competition to exceed each other with catalogues of promised creature comforts and utopian assurances of "peace in our time," "the end of all wars," "the war to end wars." We ought to remember that politicians can make such promises and cannot deliver on them as long as there are forces in the world that Americans do not control.

Nothing wiser has been said on the vital issue of war and peace than was said by Antrobus in Thornton Wilder's great play, "The Skin of Our Teeth." You will remember that he emerged from disaster to proclaim: "I know that every good and excellent thing in the world stands moment by moment on the razor edge of danger and must be fought for—whether it's a field, a house or a country." So, unfortunately, it is with us.

But though we face the problems of war and peace, of our youth, of our racial minorities, of our campuses and our poor, present calamity should not blind us to a future that it is within our power to fashion. Carl Sandburg once said in a most eloquent paragraph: "I see America not in the setting sun of a black night of despair ahead of us. I see America in the crimson light of a rising sun, fresh from the burning, creative hand of God. I see great days ahead, great days possible to men and women of will and vision."

THE TRUE NOTE

How strangely this exuberant faith contrasts with the views of many who despair of the future of this country. But the note of optimism and faith and hope—even in the face of adversity—is the true American note, the constant American theme, the one quality of American life that is so interwoven with American action and reaction that it probably cannot be removed from the American psyche without destroying America.

Americans traditionally have not been much given to despair. They did not despair in 1776 when the haphazardly selected delegates of 13 quarreling colonies met to proclaim their independence in the glowing and luminous phrases of a 33-year-old Thomas Jefferson.

They did not despair when their ragtag armies repeatedly broke and ran in the face of British regulars—usually running enough to reform and fight again until their healthy instincts for self-preservation helped found George Washington's reputation as a Fabian commander.

They did not despair in 1812 when their successive military campaigns ended in almost comic disorder, when their Capitol was burned and when their Government fled.

They did not despair in 1860 when their Union fell into division and their improvised armies met with failure after failure in spite of the genius of a great leader.

They did not even despair when that leader was destroyed in one of the insane, futile and mindless assassinations that have disfigured American history.

They did not despair in the carnage of World War I. They did not despair when the great depression in the '30s paralyzed the national economy and dragged millions of citizens into want and thousands of enterprises into ruin.

This country time and again has had its heart broken, its hopes frustrated, its expectations denied—but it has never given over to despair and resignation and defeat. It has never lost the faith and courage and confidence that attended its birth. It never has lost its essential optimism. It will not lose it now.

The American people may be perplexed by the tumult on the campus. They may be confused by the disorders in the cities. They may be disappointed in the failure of their system to produce for the poor the good things they would like to see all Americans enjoy. They may be perplexed by the new militance of racial minorities. They may be taken aback by the reverses their foreign policy has encountered. They may be annoyed by the criticism of America at home and abroad. But it will be inconsistent with the past if they are plunged into despair.

If they react characteristically they will set about re-examining their educational institutions. They will rebuild their cities. They will make a more determined attack on poverty. They will hasten the elimination of racial discrimination. They will re-examine their role in the world and rebuild the measures to support it. They will seek—as they sought in 1776—the good opinion of mankind, and regain it.

All of this, to be sure, is incurably optimistic, but Americans have been incurably optimistic before. And time and circumstances, assisted by the application of courage and resolution, have helped to vindicate that optimism.

And so today, 192 years after the Declaration of Independence, we are beset, as we have been beset, by difficulty. The Congress that met in July of 1776 and the Declaration that it framed promised freedom—but it did not promise freedom from the foil and anguish and ardor of democratic government in the turbulent world of the 18th century. It did not promise it then and it cannot promise it now. Those who wish that kind of freedom may despair; those who know that our institutions promise us not the freedom from problems but the freedom to work at their solution will go forward in the spirit of optimism that has been an American tradition since 1776.

THE NOMINATIONS TO THE SUPREME COURT

Mr. McGEE. Mr. President, though the handwringing testimony against the so-called Warren court has been beating at our ears for years, those who have so long opposed the Chief Justice of the United States seem to take no satisfaction from the fact that he has chosen to step down from the bench and retire. Probably, they realize the truth of what Roscoe Drummond said in his Saturday column: that the Warren court, as they call it, will continue. The tradition, that is, will likely go on.

President Johnson, to my mind, has made an excellent choice in nominating Justice Abe Fortas to succeed as Chief Justice of the United States. Certainly an able jurist of Mr. Fortas' training and background will have great influence upon the Supreme Court as, indeed, he already has had as a member.

Mr. President, I ask unanimous consent that Mr. Drummond's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, June 29, 1968]

SUPREME COURT ISN'T LIKELY TO ABANDON WARREN TRADITION

(By Roscoe Drummond)

Where is the Supreme Court headed? The best answer is that the "Warren Court" will continue.

The elevation of Justice Abe Fortas to the Chief Justiceship means that the leadership of the Court will remain in the Warren tradition.

The Chief Justice possesses no special authority, certainly no dictatorial powers. When it comes down to decisions he has just one vote—no more.

But Mr. Fortas has a great legal mind, a mastery of the law and is a strong persuader. During the short period he has been on the court, his influence has quickly exceeded his seniority.

Earl Warren's notable influence on the Court stemmed from his character and his sense of what he believed right, not from great legal scholarship. The first pioneer act of the Supreme Court under Warren was the decision which found segregation of the public schools unconstitutional. Warren did not bring this decision about, but it was the force of his leadership that enabled the Court to render a unanimous decision—9 to 0.

When Warren, now retiring, was first appointed Chief Justice by President Eisenhower, his colleagues on the bench were dubious, skeptical, unimpressed. By some he was looked upon as a bush-leaguer, a provincial politician, and out of his class.

He wasn't a great jurist. He was a politician. He was not out of his class and he has performed in the tradition of a John Marshall, enabling the Court to exert a tremendous impact upon society.

I think it accurate to say that during the past 14 years the Supreme Court has done more to change the face of the Nation than either the Congress or the Presidency. And I hasten to add that in my judgment its major decisions have served the cause of responsible conservatism.

It is no violation of conservative principles to have the Supreme Court rule that discrimination in the use of public tax-supported facilities is unconstitutional.

It is no violation of conservative principles to have the Supreme Court rule that whatever civil rights under the law belong to one citizen belong to another, black and white alike.

It is no violation of conservative principles to have the Supreme Court rule that state and congressional redistricting must come close to guaranteeing one-man, one-vote.

Take this redistricting decision. It is preeminently an instrument of responsible conservatism. For years most of the state legislatures have been so districted that a minority of voters, mostly rural, had a veto power over them. Because the legislatures were unresponsive to public needs, governors and mayors took their needs to Washington, pleaded with the Federal Government to meet their needs.

I submit that, if the Nation is to have any fair chance of reversing the flow of power to Washington, making big government constantly bigger, it can only come about when by one-man, one-vote redistricting state government is made responsible and responsive. That the Supreme Court decision began to do.

As to hamstringing police, the Court decisions aimed at protecting against abuse of privacy and the dangers of police power too easily exerted have only laid down procedures long and successfully used by the FBI with no harm to its efficiency.

The new Chief Justice voted with the majority in supporting the police right to "stop and frisk." And I wouldn't expect the new Associate Justice, former Texas Congressman Homer Thornberry, to begin to move the Court in a different direction.

THE PRESIDENT ANNOUNCES AN INITIATIVE FOR NUCLEAR DISARMAMENT

Mr. BYRD of West Virginia. Mr. President, at the signing of the Nuclear Nonproliferation Treaty today at the White House, President Johnson announced that the United States and the Soviet Union will soon begin discussions aimed at reducing strategic missile systems, both offensive and defensive.

Obviously, much long and difficult work lies ahead before the United States can be assured that such an agreement will be safeguarded and honored. But there is some reason to feel hopeful that the costly and dangerous stockpiling of these weapons systems can be brought under control and that an end can be brought to the spiralling and irrational arms race.

As the President noted, these discussions will not be easy. But if we can succeed, we will have scored a major breakthrough in bringing under control these deadly weapons systems that threaten every nation on earth by their very existence.

I wish to pay tribute to Lyndon Johnson's long and dedicated efforts to reach common agreements on the urgent problem of nuclear disarmament. The President deserves the full support of the American people during this period of delicate negotiations with the Soviet Union. We all realize that if a workable and dependable agreement can be reached we will have accomplished an historic breakthrough in bringing nuclear weapons under control.

PRESIDENT JOHNSON MARKS A MILESTONE ON THE ROAD TO PEACE

Mr. WILLIAMS of New Jersey. Mr. President, this morning at the White House, President Johnson signed the Nuclear Nonproliferation Treaty. I was heartened to hear that, at the same time, he announced that the United States and the Soviet Union have, at long last, reached agreement to conduct discussions on the limitation and reduction of offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles.

Particularly with respect to the latter subject; that is, the anti-ballistic-missile systems, this was gratifying news. Just last week, over my dissenting vote, a provision was left in a bill which passed to authorize such a system. I have never thought that this could be justified as either necessary to our national defense, or in terms of what it would cost monetarily in view of our budgetary limitations.

The signing of the treaty, together with the announcement that the two most powerful nations in the world are at last ready to talk seriously about the subject of world disarmament, gives hope to the world that a solution may ultimately be found to the terrible problem of long-range nuclear destruction in a global conflict. President Johnson described the treaty as "the most important international agreement since the beginning of the nuclear age." If we can reach a prompt understanding concerning limiting and reducing nuclear ballistic missiles and systems of defense against these, then such a treaty could probably be described as "the most important international agreement since the beginning of the arms race."

Mr. President, because the issue of global peace is of such universal importance to humanity, I ask unanimous consent that the President's remarks be printed in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of the President Upon Signing of the Nonproliferation Treaty July 1, 1968

Secretary Rusk, Your Excellencies, Honored Members of Congress, Distinguished Guests, Ladies and Gentlemen:

This is a reassuring and hopeful moment in the relations among nations.

We have come here today to the East Room of the White House to sign a treaty which limits the spread of nuclear weapons.

More than 55 nations are here in Washington this morning to commit their governments to this treaty. Their representatives are also signing today in Moscow and in London. We hope and expect that virtually all the nations will move in the weeks and months ahead to accept this treaty which was commended to the world by the overwhelming majority of the members of the United Nations General Assembly.

The treaty's purposes are very simple:

To commit the nations of the world which do not now have nuclear weapons not to produce or receive them in the future;

To assure equally that such nations have the full peaceful benefits of the atom; and

To commit the nuclear powers to move forward toward effective measures of arms control and disarmament.

It was just a year ago that Chairman Kosygin and I agreed at Glassboro that we would work intensively in the time ahead to try to achieve this result.

After nearly a quarter century of danger and fear—reason and sanity have prevailed to reduce the danger and to greatly lessen the fear. Thus, all mankind is reassured.

As the moment is reassuring, so it is, even more, hopeful and heartening. For this treaty is evidence that amid the tensions, the strife, the struggle and sorrow of these years, men of many nations have not lost the way—or have not lost the will—toward peace. The conclusion of this treaty encourages the hope that other steps may be taken toward a peaceful world.

It is for these reasons—and in this perspective—that I have described this treaty as the most important international agreement since the beginning of the nuclear age.

It enhances the security of all nations by significantly reducing the danger of nuclear war among nations.

It encourages the peaceful use of nuclear energy by assuring safeguards against its destructiveness.

But, perhaps most significantly, the signing of this treaty keeps alive and keeps active the impulse toward a safer world.

We are inclined to neglect and to overlook what that impulse has brought about in years. These have been fruitful times for the quiet works of diplomacy. After long seasons of patient and painstaking negotiation, we have concluded, just within the past five years: The Limited Test Ban Treaty; the Outer Space Treaty; and the treaty creating a nuclear-free zone in Latin America.

The march of mankind is toward the summit—not the chasm. We must not, we shall not, allow that march to be interrupted.

This treaty, like the treaties it follows, is not the work, as Secretary Rusk said, of any one particular nation. It is the accomplishment of nations which seek to exercise their responsibilities for maintaining peace and maintaining a stable world order. It is my hope—and the common will of mankind—that all nations will agree that this treaty affords them some added protection. We hope they will accept the treaty and thereby contribute further to international peace and security.

As one of the nations having nuclear weapons, the United States—all through these years—has borne an awesome responsibility. This Treaty increases that responsibility—for we have pledged that we shall use our weapons only in conformity with the Charter of the United Nations.

Furthermore, we have made clear to the United Nations Security Council what I would like to repeat today: if a state which has accepted this Treaty does not have nuclear weapons and is a victim of aggression, or is subject to a threat of aggression, involving nuclear weapons, the United States shall be prepared to ask immediate Security Council action to provide assistance in accordance with the Charter.

In welcoming the Treaty that prevents the spread of nuclear weapons, I should like to repeat the United States commitment to honor all our obligations under existing treaties of mutual security. Such agreements have added greatly, we think, to the security of our nation and the nations with which such agreements exist. They have created a degree of stability in a sometimes unstable world.

This Treaty is a very important security measure. But it also lays an indispensible foundation:

For expanded cooperation in the peaceful application of nuclear energy.

For additional measures to halt the nuclear arms race.

We will cooperate fully to bring the Treaty safeguards into being. We shall thus help provide the basis of confidence that is necessary for increased cooperation in the peaceful nuclear field. After the Treaty has come into force we will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States—excluding only those with direct national security significance. Thus, the United States is not asking any country to accept any safeguards that we are not willing to accept ourselves.

As the Treaty requires, we shall also engage in the fullest possible exchange of equipment, materials, and scientific and technological information for the peaceful uses of nuclear energy. The needs of the developing nations will be given especially particular attention.

We shall make readily available to the non-nuclear treaty partners the benefits of nuclear explosions for peaceful purposes. And we shall do so without delay and under the Treaty's provisions.

At this moment of achievement and great hope, I am gratified to be able to report and announce to the world a significant agreement—an agreement that we have actively sought and worked for since January, 1964:

Agreement has been reached between the Governments of the Union of Soviet Socialist Republics and the United States to enter in the nearest future into discussions on the limitation and reduction of both offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles.

Discussion of this most complex subject will not be easy. We have no illusions that it will be. I know the stubborn, patient persistence that it has required to come this far. We do not underestimate the difficulties that may lie ahead. I know the fears, the suspicions, and the anxieties that we shall have to overcome. But we do believe that the same spirit of accommodation that is reflected in the negotiation of the present Treaty can bring us to a good and fruitful result.

Man can still shape his destiny in the nuclear age—and learn to live as brothers.

Toward that goal—the day when the world moves out of the night of war into the light of sanity and security—I solemly pledge the resources, the resolve, and the unrelenting efforts of the people of the United States and their government.

MEDICARE IN ACTION

Mr. ANDERSON. Mr. President, we in Congress have our full share of milestones and landmarks, but we meet today on an occasion that merits special attention because it marks the anniversary of a major step forward in our total program to make life easier and better for our senior citizens. Two years ago we launched what many considered the greatest social program of our generation. In its period of conception and during its infancy, medicare was nourished largely on the faith of dedicated men and women in the health field, in the Government, and in the general public. Today, on its second anniversary, medicare is able to stand—and stand proudly—on its accomplishments.

There were the inevitable problems in the implementation of the program and there are some formidable challenges that lie ahead, but I think we can say now, without presumption, that it has worked, that it has been a success, and that it commands our continuing and unstinting confidence and support. Few who have followed the program through its early stages or examined its impressive statistics or witnessed its grateful acceptance by the elderly citizens of this country would deny the remarkable record it has built up in so short a time.

In its first 2 years of operation, medicare has paid $8.4 billion in benefits toward the hospital and medical bills of Americans 65 and over. Medicare has covered 10.6 million hospital stays and 640,000 admissions to skilled nursing homes. Some 485,000 elderly Americans have been able to receive care at home from a home health agency. Forty-five million bills have been submitted for medical services under the supplementary medical insurance program, and $2.1 billion has been paid out.

It is easy to measure medicare's accomplishments in bare numerical terms. But the human dimension to this dramatic story is more subtle and more profound. One only has to have an aged relative with a serious illness, or to pick up a local newspaper, to appreciate what medicare does for the aged. A southern farmer, 90 years old and requiring hospitalization for 10 weeks, credits medicare for saving his life. An eastern mechanic was spared from having to mortgage his house. A retired Oklahoma dairyman could return home well, spirited, and without great financial strain, after a 7-week stay as a hospital and extended-care patient. This is the real story of medicare—the prolonging of life, the dignity given the elderly at a time of distress, the security provided the elderly in a time of need.

We must realize, too, that the impact of medicare extends beyond the 20 million people now past 65. It includes young people and their children and all Americans who look forward to a secure and active life in their old age. All will be the beneficiaries of a health care system with new vitality and responsive to the health needs of Americans regardless of race, age, or financial circumstances.

This has been the great achievement of medicare. It has been the achievement of informed, responsible, and progressive thinking. We in the Congress may well be proud to have joined with high-minded men and women in all walks of American society in this common commitment to better health care.

On this second anniversary of medicare, we can look forward to the progress of this program not only with the conviction and dedication that guided us at the start but with sound principles and proven experience as well. The faith which we placed in the willingness of the private health community to back medicare and in the ability of our Federal and State agencies to administer it has been vindicated. The recent amendments we enacted reinforce the program and reaffirm our commitment. Our task as individuals and as a nation this next year is to exploit our yet untapped resources and creative energies to perfect medicare and to improve the health and lives of all of our people.

HUNGARIANS IN RUMANIA

Mr. SCOTT. Mr. President, this year we celebrate the 20th anniversary of the United Nations' Universal Declaration of Human Rights. Rumania, a Soviet-dominated country, signed this declaration in 1955. Its current government has acquired considerable freedom from Moscow on matters of foreign policy, has liberalized some rules in domestic affairs, and in doing so has indicated some desire to improve relationships with the western world.

However, many civil and human rights are denied still to the citizenry of Rumania, particularly to the Hungarian minority in Transylvania. The people have been granted some isloated liberties—for example, the abolition of visa requirements for travel from Rumania to Hungary—but the Hungarian minority still are denied basic freedom in educational, cultural, and economic affairs. Continued dispersal of college and university graduates to areas outside Transylvania, and territorial reorganization disrupt any attempt to maintain nationalistic identity.

If the Rumanian Government is seriously interested in fairly treating its nationalistic minorities and in improving relationships with the free world, it should in this year of universal human rights: first, relax its policy toward the Transylvanian Hungarians; second, offer equal educational, cultural, and economic rights to all citizenry; and third, cease its practice of relocating Transylvanian Hungarian professionals outside the province.

NONPROLIFERATION TREATY

Mr. MONDALE. Mr. President, the treaty that was signed today at the White House is the most important nuclear arms control measure which has been achieved since the dawn of the nuclear age.

President Johnson proposed such a treaty in January of 1964 at the beginning of his administration, and he has worked long and hard to achieve it since then. This is the happy result of his efforts. I wish also to commend the determination and skill of the chief negotiator, William C. Foster of the Arms Control and Disarmament Agency.

Mr. President, this treaty would—

Prohibit any nuclear party from transferring nuclear weapons to anyone;

Prohibit any nuclear party from assisting any nonnuclear country from manufacturing nuclear weapons;

Prohibit any nonnuclear party from receiving nuclear weapons, manufacturing or otherwise acquiring them;

Provide for extension to all peaceful activities of nonnuclear parties of the safeguards inspections conducted by the international agency created as the result of President Eisenhower's atoms for peace plan; and

Encourage international cooperation in the peaceful applications of the atom for the benefit of all mankind.

Mr. President, I wish also to call attention to the great importance of the announcement of forthcoming talks on limitations and reductions of offensive and defensive missiles—ABM's and ICBM's. I hope the result of these talks will be the abandonment of the antiballistic-missile system for which the Senate voted funds last week. In the interests of peace and the desperately needed programs to meet the crisis in the cities, we can ill afford the funds earmarked for an antiballistic-missile system.

We must find a way to avoid a new escalation of the arms race, an escalation which would be more dangerous and more costly than any we have known. Without such discussions, the nuclear arms race will spiral upward through parallel deployment of ABM systems, increased offensive missiles and improved offensive designs to penetrate ABM defenses, then further ABM deployments and further offensive deployments in response. This can only result in higher and higher destructive power on each side and vast diversion of resources from peaceful pursuits—with no increase in security for anyone.

The President has been patiently trying to get these missile talks started since early 1967. We owe him our congratulations today with the announcement that arrangements have been made for these talks to begin.

PRESIDENT JOHNSON'S INITIATIVE FOR NUCLEAR DISARMAMENT RECEIVES A HOPEFUL REPLY FROM THE SOVIET UNION

Mr. HARRIS. President Johnson has been a determined advocate of disarmament since assuming the Presidency. On numerous occasions he has spoken out strongly in behalf of reducing the costly and dangerous arms race.

On numerous occasions he has urged the Soviet Union to discuss with the United States ways in which nuclear weapons systems could be reduced. He discussed this matter with Premier Kosygin at Glassboro, and has kept in touch with the Soviet Government about it.

These efforts have resulted in the announcement yesterday in Moscow by Foreign Minister Gromyko that the Soviet Union is interested in exploring avenues of agreement on this urgent matter.

The President's persistence and commitment to nuclear disarmament could conceivably result in a major breakthrough if talks between the United States and the Soviet Union result in an agreement.

This is a most happy and significant development. We can be prayerfully hopeful that a lasting contribution to the cause of world peace can be achieved in the near future. And we can feel satisfied that our Government, under President Johnson's leadership, is in the forefront of this urgent and demanding effort.

THE JUSTICE DEPARTMENT MAKES ITS OWN LAW?

Mr. HANSEN. Mr. President, last Friday's Washington Post carries an account of a confrontation on Thursday between Attorney General Ramsey Clark and a Senate Appropriations Subcommittee presided over by the senior Senator from Arkansas. This report, if it is correct, is extremely distressing to me.

Since reading this report, I have learned from other Senators who attended Thursday's hearing that the Attorney General argued before the subcommittee that the carefully circumscribed wiretap authority which was given to the Department of Justice by the Congress when it passed the 1968 omnibus crime control bill was not necessary for an all-out fight against organized crime and would not be used by his Department. I understand further that the Justice Department is still operating under the direction of the Attorney General's 1966 memorandum which confines the use of wiretapping to national security cases. The Attorney General apparently persists in limiting his Department's crime control activity despite the clear supercession of the 1966 memo by the Omnibus Crime Control Act passed by the Congress and signed into law by the President.

I am disturbed by the Attorney General's attitude for several reasons:

First. Why does he persist in maintaining that wiretaps are effective in national security cases as defined by the executive branch of Government and then in the same breath maintain that they are ineffective in combating organized crime?

Second. Why does he persist in claiming that wiretapping is not necessary in combating organized crime when other experts in this field such as New York District Attorney Frank Hogan and Gov. Nelson Rockefeller's special assistant Eliot Lumbard have testified directly to the contrary?

Third. Why does he persist in his unbending opposition to carefully regulated wiretapping despite the recommendations for legislative action in this area which were made by the President's Crime Commission and the Judicial Conference of the United States?

Fourth. Is the Justice Department of the United States now taking the law into its own hands?

I hope that the Attorney General can give satisfactory answers to these concerns in the near future.

DECREASE IN NUMBER OF TOBACCO SMOKERS

Mr. MOSS. Mr. President, I am certain that every person has a particular project at which he works and works, many times without much noticeable progress, and then all of a sudden success comes almost unexpectedly.

Such is the case with me when I read recently that the number of persons smoking tobacco in this country had decreased as much as 1.5 million in the past year. And even more pleasing to me is the report that the young people of this country are also becoming aware of the health hazards of smoking and are decreasing their use of tobacco.

During my 9 years in the Senate, I have worked alone and with colleagues such as former Senator Maurine Neuberger and Senator WARREN MAGNUSON and others to pass meaningful legislation to help get this important health message across. We have had some successes, and now it appears we are getting the message across and citizens are beginning to believe it and do something about it.

But at the same time we take encouragement from the fact that fewer people are smoking, we must also prepare for a big countercampaign which right now is being planned by the various tobacco interests in our country.

The tobacco people are as discouraged by the recent results as Public Health Service personnel are encouraged. They are as interested in the trends as we are, but their reaction is somewhat different.

First, let us look at the smoking trends, and then I will mention some of the things the tobacco industry is planning to try to reverse them.

Dr. Daniel Horn, director of the National Clearing house for Smoking and Health, U.S. Public Health Service, has reported on a recent survey conducted for his agency by Chilton Research Services of Philadelphia.

The survey consisted of 4,414 telephone interviews conducted among 315 boys and 315 girls at each year of age from 12 through 18.

Computers were used to obtain a truly representative and random selection and even unlisted numbers were included in the sample.

Interviews started late in December 1967, and were completed early in February 1968.

Here are the encouraging results as reported by Dr. Horn:

First. The proportion of smokers among teenagers appears to have declined appreciably from levels which have been reported in numerous studies over the past 10 years. Defining "regular" smoking among teenagers as smoking on a regular basis either daily or weekly, one boy in seven and one girl in 12 is so characterized for the entire group between the ages of 12 and 18. This varies from only 1.3 percent of the 12-year-old boys and 0.3 percent of the 12-year-old girls, to 35.5 percent of the 18-year-old boys and 21.3 percent of the 18-year-old girls.

In 1957, 34.7 percent of our 17-year-old boys in Portland, Oreg., were smoking at this level compared with 25.6 percent in our present sample; 25.5 percent of the 17-year-old girls compared with 15.7 percent in the present sample—a drop of about 9 or 10 percentage points in each group.

Second. Expectations about smoking in the future are remarkably low. Studies have shown that statements by children in junior and senior high school as to whether or not they expect to become smokers are accurate predictors of whether or not they actually do so. Only 2.6 percent of the entire sample say they definitely expect to be smokers 5 years from now, whereas 45.1 percent say they definitely do not expect to be cigarette smokers in 5 years.

Another 12.3 percent say they will probably be smokers then, and 34.2 percent say they will probably not become smokers. Even including the 5.9 percent who do not know what they expect, with those who say they definitely or probably will be smokers in 5 years, the expectation is 20.8 percent smokers—23.1 percent for boys, 18.4 percent for girls—when this group is aged 17 to 23, in contrast to rates about twice as high for comparable age groups in recent years. If these expectations are indeed accurate predictors of the future, we have every right to be optimistic about the eventual downturn of lung cancer death rates.

Third. There is an overwhelming awareness among youth at each year of age from 12 through 18 that cigarette smoking is a health hazard. For this group as a whole, 91 percent answered "Yes" to the question, "Would you say smoking is harmful to health?" Four percent said it was not harmful; and 5 percent did not know one way or the other. There was no significant difference between boys and girls on this question; there was a slight tendency for more of the younger children to accept this fact and for slightly fewer of them to express uncertainty than among the 17- and 18-year-olds.

Fourth. The same factors which distinguished teenagers who took up smoking by the time they were of high school age from those who did not, in our study of Portland schoolchildren in 1957, also characterize the smoking children of 1968. These may be classified under two broad headings:

First. Smoking is more common among children who come from families in which there is smoking. Parental smoking is still an important factor, although smoking among older brothers and sisters may be even more predictive.

Second. A group of characteristics that identify the out-group in the school setting: children who have slipped behind their agemates in school, and those who do not expect to go on to college, are more likely to smoke than are the rest of the children in the population.

Fifth. In the light of the continued importance of parental smoking as a factor in smoking by youth, it is interesting to note that at the time of our Portland study, 55 percent of the parents of high school children were reported as cigarette smokers. In our present sample, slightly less than 50 percent of the parents of the high school children are reported as cigarette smokers. This finding supports one of the basic premises of recent educational efforts to control smoking, that one must work to reduce both adult and teenage smoking simultaneously and with equally vigorous efforts, since they strongly influence each other.

Sixth. The findings in this survey are supported by the recent reports from the Internal Revenue Service which show an absolute decrease both in manufacturing of cigarettes and the removal of cigarettes from warehouses for distribution to the consumer markets. The 3 consecutive months of November 1967, December 1967, and January 1968, each show an absolute reduction over the corresponding months 1 year earlier. This is the first time since shortly after the Surgeon General's Report of 1964 that such a continuing reduction has taken place. The size of the reduction is such as to suggest that there may be about 1½ million fewer cigarette smokers now than there were a year ago, despite the fact that there are about 3 million more people in our population.

Add to this a more recent report which shows that 80 percent of the general practitioners in the medical doctor field are now nonsmokers.

All this is distressing news to the tobacco industry. It calls for action on their part, and action is being planned. One problem they face is deciding on a course of action. The industry is divided into two main camps. First there are those who say the tobacco industry should admit there is a health hazard involved in smoking and try to reduce the hazard so as to survive as well as possible. There are others, "the hard-nosers," who say there is no problem, no evidence, and the tobacco industry should hold its ground and wage a counter campaign of publicity and advertising.

The December 1967 issue of Tobacco Reporter, tells of this rift in the ranks of the industry. It tells of plans being made to counteract the bad publicity, or to use the terms of the tobacco industry, the "wild statistical claims" of the Public Health Service and the American Cancer Society.

The article quotes a member of the Tobacco Growers' Information Committee as saying:

> Let me assure you that we intend to speak out more in our defense, to give the public the true facts, not crusading propaganda. We refuse to sit by and be the scapegoat for any group.

He describes this as the "new spirit of aggressiveness" in the industry.

One of the things we can look for from the tobacco industry is a major saturation public relations and advertising campaign to try and reestablish the smoking and health controversy. My hope is that it is too late and that the American people will not be turned back in their understanding of the hazards involved.

The Tobacco Reporter article says this campaign will be backed by the "most extensive research campaign ever undertaken by the industry."

Yet the first two installments in the campaign, an article in Barrons and one in True magazine, contain nothing new.

Jack T. Walden, Assistant to Associate Surgeon General, Public Health Service, said the two articles are merely rehash jobs of all the old arguments and quotations which were presented to Congress when the 1964 Labeling Act hearings were conducted. He said the Surgeon General's Office has answered and disproved all questions raised by the two articles time and time again.

Nevertheless, the placement of such articles in these publications can be an expensive venture, and this indicates the seriousness with which the industry faces the problem of declining sales. These two articles are only the beginning. More are bound to come.

On May 10, 1968, six major tobacco firms took an important and expensive step toward their goal of reestablishing the controversy over the health hazards of smoking.

On that day it was announced the firms were providing $8 million for the American Medical Association Education and Research Foundation to continue a program begun in 1964. The new funds would provide the necessary finances through 1973.

I quote from a United Press International story reporting on the research grant on May 10:

> While announcing the contribution, the AMA said the question about the effects of smoking on health raised by the U.S. Surgeon General's report four years ago, have not yet been adequately answered.

And in the May 13 issue of the AMA News, which is published by the AMA, an article contains this quote by Dr. Gerald B. Dorman, vice president of the AMA research foundation. Dr. Dorman said:

> The foundation's research has added significantly to the body of knowledge about the effects of smoking on health. But, answers to the major questions—what are the exact, scientifically documented effects of smoking on the human, and what, if anything, can be done to make smoking more safe—are still inconclusive.
>
> Research must be continued if we are to find the answers.

Dr. Dorman said:

> This matter of the relationship of smoking and health has become an emotion-laden issue, and the foundation feels it is very important that all avenues of exploration be kept open. Unless you have the scientific facts and explanations, you can't make absolute judgments.

At no time during his remarks, according to UPI, did Dr. Dorman mention cancer.

Other campaigns being planned include running a paid advertisement listing 25 questions which the industry claims have not been answered. However, the ad was prepared in 1964, and there is some doubt as to whether or not the questions are still unanswered. This fact may not stop use of the ad, however. If you are trying to revive the health-smoking controversy, why not use a 4-year-old list of questions?

Other plans call for the reprinting and distribution of articles favorable to the industry's position. Another calls for "institutional" advertisements stating that tobacco smoking is an adult habit, and the industry discourages the use of tobacco by young people. Still others suggest the inclusion in these ads the reminder that persons with heart trouble should not smoke. These ads would be aimed at showing the industry's genuine concern for solving the problem. Of course it says nothing about the young person who smokes later or the person with the good heart who develops heart trouble because of continued smoking.

Another line of attack will be political pressure. Some persons in the tobacco industry feel that too much of the industry's battle has been fought in Washington, D.C. What he suggests is that spokesmen start at the grassroots, county court houses and then in the State houses. He looks at this as the way to influence the Congress through constituent pressure from home. They expect in this way to defeat any further legislation in this area.

Other things to look for include a speaker's bureau, a clearing house for information, and a media information center to supply news releases and radio tapes telling the industry side of the issue for public consumption.

Another suggestion calls for a railroad car or bus designed as a traveling exhibit on the history of tobacco and the tobacco side of the health issue. People in each community, such as supermarket managers who sell cigarettes, would be invited to visit the exhibit for refreshments and special programs.

One industry public relations man has called for a book to tell the industry's side of the issue. Such a book would probably be put together using the 1964–65 testimony by industry spokesmen before congressional hearings.

With the use of tobacco declining and the countercampaign being planned and in some cases already in operation, now is the time to press even harder on the effects of smoking on health.

There are several bills now before the Congress which would further restrict cigarette sales and advertising. In 1969 the Federal-Trade Commission requirement of the warning label moratorium expires.

We must not sit by and think that because smoking is declining that our battle is over. In many respects, it is just beginning. The tobacco industry is now realizing that we mean business and that we can win our battle. Now they begin to fight back.

We are indebted to Tobacco Reporter for telling us the industry's battle plans. We can look for their propaganda, recognize it for what it is, and continue our efforts to get the message of smoking and health to more and more people.

"SENIOR AIDES" IN COMMUNITY SERVICE PROGRAMS

Mr. WILLIAMS of New Jersey. Mr. President, for some years we who are members of the Special Committee on Aging have advocated that older Americans be enlisted in public service projects that would help their own communities better places in which to live.

Our reasoning is based on two premises:

We have abundant evidence that many persons in their late 50's and 60's have both the energy and the willingness to work in such projects; in fact, the onset of retirement for many of them has proven to be an unwelcome shock. They are looking for work that means something to them and to their neighbors.

The second premise is based on the all-too-obvious fact that great needs for services exist in most communities—in our hospitals and other institutions, in our "outreach" efforts to find the isolated poor and others in need of help, in our libraries, our schools, and in so many other areas.

Secretary of Labor W. Willard Wirtz, testifying last year on legislation, S. 276, I introduced to meet both of the needs described above, had an immediate, positive response. He said he would act under existing authority to establish older worker community service programs on a demonstration basis at an early date, and be acted quickly. On February 15, 1968, President Johnson and the Secretary announced that contracts would be awarded to the National Council of Senior Citizens and to the National Council on the Aging to establish pilot projects in 20 communities.

The first concrete results of that agreement were announced on June 26 by the National Council of Senior Citizens. The Council, under terms of an agreement with the Department of Labor, has designated 10 areas to receive help from a senior aides program. Those areas are:

Allegheny County, Pa.: 40 workers will help the aged poor not now adequately served by existing agencies.

Buffalo, N.Y.: This project will require 40 workers to provide health and nutrition services for needy elderly, personal services for the ill and disabled, homemaker services for shut-ins, and other services for the elderly poor.

Chicago, Ill.: The Chicago Committee on Urban Opportunity will require 17 workers to serve as clerical and program aides. The Chicago Jewish Vocational Service will take on 15 workers to fill gaps in the operation of its rehabilitation workshop programs, work therapy centers, and at three old people's homes. The Hull House Association will employ seven senior aides as teacher aides and in other services it provides for the community.

Dade County, Fla.: The subcontract calls for six food satellite managers, six home visitors, six neighborhood workers, eight recreation aides, and eight workers to provide services in the six senior centers of Dade County, Inc.

Detroit, Mich.: 28 community resources aides, eight home service aides, and four workers who will instruct young mothers in household management, will help make a better life for poor families in the central city.

Milwaukee, Wis.: 35 information specialists will locate and notify the elderly poor of services and facilities available to them. Another five will serve as program coordinators.

Minneapolis, Minn.: The subcontract calls for six workers at the public library, five at the institute of arts, 12 at the senior citizens' centers, and others in a project to provide musical entertainment at public housing projects nursing homes, and community centers.

New Bedford, Mass.: Workers here will perform socially useful services for a dozen community agencies. Five aides for example, will work with retarded children.

Providence, R.I.: The Providence public school system will employ 40 senior aides on a program aimed at persuading illiterate and semi-illiterate elderly to enter classes intended to improve their general knowledge and make them more employable.

Washington, D.C.: 40 senior aides will assist in the operation of day-care centers, neighborhood recreation centers, assisting community organizers in providing social services to the elderly, and assisting neighborhood employment offices as employment service aides.

Mr. President, the pilot programs launched by the National Council of Senior Citizens can be the forerunners of a comprehensive national program that will meet the needs of the elderly and of our communities in the decades ahead. We are faced with a steadily increasing number of older Americans, and there is every indication that the trend toward earlier retirement will continue. For those who wish to serve, there should be an opportunity to serve. The announcements by the NCCS this week are encouraging and significant. I am sure that the National Council on the Aging will be equally imaginative and constructive when it makes its announcement of subcontract awards in the near future.

Mr. President, I ask unanimous consent to have a press release from the NCCS printed in the RECORD. It offers additional information on this far-reaching program.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

NATIONAL COUNCIL OF SENIOR CITIZENS AWARDED $1,093,840 TO EMPLOY ELDERLY IN 10 AREAS

WASHINGTON, D.C., June 27.—The U.S. Labor Department has signed a $1,093,840 agreement with the National Council of Senior Citizens for an experiment program to open up jobs for elderly persons in need.

Jobs to be provided under the program range from personal services for elderly shut-ins to training the unskilled in operation of power tools, William R. Hutton, Executive Director of the National Council of Senior Citizens, reported.

The jobs cover scores of needed community services in schools, libraries, day care centers, home health care and other services older men and women can provide if given the opportunity, he added.

Starting July 1, 400 men and women 55 or older will be employed for nearly one year at a wide variety of jobs developed by the National Council of Senior Citizens in cooperation with public and non-profit community agencies in:

Allegheny County, Pa.; Buffalo, N.Y.; Chicago, Ill.; Dade County, Fla.; Detroit, Mich.; Milwaukee, Wis.; Minneapolis, Minn.; New Bedford, Mass.; Providence, R.I.; and Washington, D.C.

CALLED SENIOR AIDES

The program will be known as Senior Aides, Hutton said. Aides is a descriptive term made up of the first letters of Alert, Industrious, Dedicate, Energetic Service.

Senior Aides workers will put in a 20-hour week and receive wages ranging from approximately $1.60 to $2.50 an hour. Under the Labor Department agreement, the National Council of Senior Citizens will pay out four of every five dollars of its $1,093,840 grant for wages of those hired locally. The remainder is reserved for administration and related expense.

Recruitment and screening of job applicants will be through public employment offices and through offices of the Labor Department's Concentrated Employment Program (for coordinating and accelerating services to the needy unemployed), Hutton stated.

National Council representatives are in the process of negotiating sub-contracts with public and non-profit private agencies that will hire elderly job applicants in the 10 areas chosen for the program.

The National Council of Senior Citizens will be responsible for the full amount of wages and fringe benefits of Senior Aides workers and the employing agencies will absorb cost of local supervision on the job, Hutton stated.

BENEFITS CITED

Hutton added: "Under our program, the elderly poor can supplement their meager incomes by working at socially useful tasks in their communities. The employing agencies stand to benefit from application of their knowledge and skills to jobs opened up for them.

"We hope this will lead to a broadened program of this kind to help the five million 65 or over living in poverty and the millions of other seniors who live at or close to the poverty line."

Hutton said the National Council of Senior Citizens has long urged Congress to set up a nationwide community service corps for older Americans who are unemployed or retired and want to augment inadequate incomes with gainful employment presently denied them by Government and industry.

When, at a Congressional hearing last year, Secretary of Labor W. Willard Wirtz offered to use anti-poverty funds administered by his Department for a demonstration senior citizens community service program, the National Council submitted to him its proposal for a Senior Aides program, the senior citizens' spokesman explained.

Wirtz announced his Department would fund the Senior Aides program at a White House reception last Feb. 15 at which President Johnson addressed the 45-member National Council of Senior Citizens Executive Board then meeting in Washington.

QUALIFICATIONS LISTED

The National Council of Senior Citizens is a non-profit-non-partisan organization of 2,500 affiliated senior citizens' clubs with a total of approximately 2,500,000 members from coast to coast.

Many hundred National Council members served as paid and volunteer aides under Medicare Alert, a 1966 program to inform the elderly of their right to doctor insurance under Medicare.

During Medicare Alert, the National Council of Senior Citizens was sub-contractor under this program in the most populous portions of the District of Columbia and in adjoining portions of Maryland and Virginia.

The National Council of Senior Citizens, with headquarters at 1627 K St., N.W., Washington, D.C., was formed in 1961 to push for enactment of Medicare. It continues to seek legislation and administrative action at the Federal, State and local levels to make a better life for the elderly, Hutton stated.

OKLAHOMA DEMOCRATIC PARTY ENDORSES FINDINGS OF NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS

Mr. HARRIS. Mr. President, at its State convention this past weekend, the Democratic Party of the State of Oklahoma overwhelmingly and unequivocally endorsed the findings and recommendations for action of the President's National Advisory Commission on Civil Disorders. To my knowledge, this is the first expression of support for the report of the Commission by any State Democratic organization in the country, and I think that act represents uncommon political and social commitment by the Oklahoma Democratic Party to ending the racial discrimination, economic inequality, and social inequity which underlie urban disorders. I have every hope that party organizations in other States will follow the fine example of the Oklahoma party, and I urge them to do so.

Mr. President, I ask unanimous consent that the resolution be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

A RESOLUTION ADOPTED BY THE STATE CONVENTION OF THE OKLAHOMA DEMOCRATIC PARTY ON JUNE 29, 1968

Whereas: The report of the National Advisory Commission on Civil Disorders has documented the effects of white racism on the creation of a black sub-culture in our society to the detriment of our democracy, and

Whereas: The Commission has stated that "only a commitment to national action on an unprecedented scale can shape a future compatible with the historic ideals of American society and the major need is to generate new will—the will to tax ourselves to the extent necessary to meet the vital needs of the nation," and

Whereas: The eminent junior senator of the State of Oklahoma, the Honorable Fred R. Harris, is an author and ardent supporter of the Commission's report,

Therefore, be it resolved: That the Democratic Party of the State of Oklahoma give wholehearted support to this report, calls for immediate activation of its proposals, and vows to initiate immediately state programs to abolish every vestige of racism from the State of Oklahoma.

TV INTERVIEW WITH SENATOR ROBERT BYRD OF WEST VIRGINIA ON EARL WARREN'S RESIGNATION FROM SUPREME COURT, U.S.S. "PUEBLO," AND BILL MAKING IT FEDERAL CRIME TO KILL A CONGRESSMAN

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a transcript of questions which were asked of me during a TV interview on June 26, and of my answers thereto.

There being no objection, the transcript was ordered to be printed in the RECORD, as follows:

TEXT OF SENATOR BYRD'S TELEVISION INTERVIEW JUNE 26, 1968

Question. Senator Byrd, what do you think about the resignation of Supreme Court Chief Justice Earl Warren?

Answer. I personally feel that the retirement of Chief Justice Warren is good for the country, good for American jurisprudence and good for constitutional government. I say this because the Chief Justice and his activist colleagues on the Court—and they make up a majority of the Court—in recent years have rendered many decisions which have weakened the internal security of our country, favored the criminal, and contributed to the growing instability and disorder within our society.

Mr. Warren and the other libertarians on the Court have at times appeared to arrogate to themselves the power and functions of an alternate legislature and the powers of the people to amend the Constitution of the United States. I have said in the Senate many times, and I stated at the White House this week, and I repeat it now, that if we really want to put a crimp in the spiralling crime rate we have to start with the United States Supreme Court and by this I mean the appointment of men to the Supreme Court. We already have too many libertarians on the Court who apparently base their decisions on sociology textbooks and sociological theories rather than on legal precedent and the written constitution. I would like to see some constitutionalists appointed to the Court.

Question. Well, the President has nominated Associate Justice Fortas to be Chief Justice and Homer Thornberry, a former member of the House and a judge for a short time, to fill the vacancy. How do you feel about that?

Answer. Well, I voted to confirm Mr. Abe Fortas when his name was sent by the President to fill a position of Associate Justice. I do not think he has been any shining example as an advocate of support for law and order. I think that he has demonstrated, by some of his decisions, that he is one of the libertarians on the Court. I want to study his opinions and I also want to study the opinions in which he concurred before I definitely make up my mind in regard to Mr. Fortas. In other words I want to find out just how faithful he has been to the Constitution. But my impression is that he has been somewhat independent of the Constitution and I would say there is a likelihood that I would vote against his elevation to the Office of Chief Justice. As to Mr. Thornberry, I want to read some of his opinions which he has rendered as Justice in the fifth circuit and I'll make up my mind on the basis of those opinions and also on the basis of the hearings which will be conducted on these two nominations.

Question. Senator Byrd, is there anything new on the *Pueblo?*

Answer. I don't know of anything new. Our Joint Chiefs of Staff have turned thumbs down on any military moves because in their opinion these would result in the death of the men and the opening of a second front in Asia. I think our government, of course, is continuing to make efforts to bring about the release of the men through diplomatic channels, and it will continue to do this. I would imagine the North Koreans will hold the men until such time as they feel they have milked all of the propaganda value out of the action.

Question. Do we know anything about the present health of these men?

Answer. I cannot say that we do.

Question. Are they all living, do we know that?

Answer. I cannot say that they are with certainty and I doubt that anyone knows for sure that they are.

Question. You introduced a bill making it a Federal crime to murder, kidnap or assault a Member of Congress. Why did you do that?

Answer. I did this because when Senator Kennedy was assassinated I noted there was a gap in the Federal statutes. There are already Federal statutes which make it a Federal crime to assassinate the President, the Vice President, Federal judges, U.S. Attorneys, and other Federal law enforcement officers, and I felt that there was a loophole and it was for this reason I introduced a bill to plug this gap.

INTERVIEWER. Thank you, Senator Byrd.

CONCLUSION OF MORNING BUSINESS

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 203. An act to amend sections 13(b) of the Acts of October 3, 1962 (76 Stat. 698, 704), and for other purposes; and

S. 1059. An act to amend the act relating to the leasing of lands in Alaska for grazing in order to make certain improvements in such Act.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 16703) to authorize certain construction at military installations, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RIVERS, Mr. HARDY, Mr. ICHORD, Mr. IRWIN, Mr. MACHEN, Mr. BATES, Mr. GUBSER, Mr. KING of New York, and Mr. DICKINSON were appointed managers on the part of the House at the conference.

FEDERAL-AID HIGHWAY ACT OF 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDING OFFICER. Without objection, the Chair lays before the Senate the unfinished business, which the clerk will state.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3418) to authorize appropriations for the fiscal year 1970 and 1971 for the construction of certain highways in accordance with title 23 of United States Code, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported by the Committee on Public Works, with amendments, on page 1, at the beginning of line 3, after the enacting clause, insert:

TITLE I—FEDERAL-AID HIGHWAY ACT OF 1968

At the beginning of line 5, change the section number from "1" to "101"; in the same line, after the word "This", strike out "Act" and insert "title"; at the top of page 2, strike out:

REVISION OF AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM

SEC. 2. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of subsection (d) of section 103 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of $1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of $1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of $2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of $1,800,000,000 for the fiscal year ending June 30, 1961, the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of $2,400,000,000 for the fiscal year ending June 30, 1963, the additional sum of $2,600,000,000 for the fiscal year ending June 30, 1964, the additional sum of $3,400,000,000 for the fiscal year ending June 30, 1965, the additional sum of $2,800,000,000 for the fiscal year ending June 30, 1966, the additional sum of $3,000,000,000 for the fiscal year ending June 30, 1967, the additional sum of $3,400,000,000 for the fiscal year ending June 30, 1968, the additional sum of $3,800,000,000 for the fiscal year ending June 30, 1969, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1970, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1971, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1972, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1973, and the additional sum of $2,225,000,000 for the fiscal year ending June 30, 1974. Nothing in this subsection shall be construed to authorize the appropriation of any sums to carry out section 131, 136, or 319(b) of title 23, United States Code, or any provision of law relating to highway safety enacted after May 1, 1966."

On page 3, line 20, after "SEC.", strike out "3" and insert "102. (a)"; on page 4, lines 1, after the word "in", insert "revised"; after line 2, insert:

(b) Section 104(b)(5) of title 23, United States Code, is amended by striking the three sentences preceding the last sentence and inserting the following: "Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1970, and June 30, 1971. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1970. Upon the approval by the Congress the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal year ending June 30, 1972."

After line 17, strike out:

EXTENSION OF TIME FOR COMPLETION OF SYSTEM

SEC. 4. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "sixteen years'" and inserting in lieu thereof "eighteen years'" and by striking out "June 30, 1972", and inserting in lieu thereof "June 30, 1974".

(b) The introductory phrase and the second and third sentences of section 104(b)(5) of title 23, United States Code, are amended by striking "1972" where it appears and inserting in lieu thereof "1974", and such section 104(b)(5) is further amended by striking the three sentences preceding the last sentence and inserting the following: "Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate making apportionments for the fiscal years ending June 30, 1970, and June 30, 1971. The Secretary shall make a final revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1970. Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974."

On page 5, at the beginning of line 19, change the section number from "5" to "103"; in line 24, after the word "areas", strike out "out of" and insert "from"; on page 6, line 1, after the word "Fund", strike out "$1,000,000,000" and insert "$1,200,000,000"; in line 2, after the word "and", strike out "$1,000,000,000" and insert "$1,400,000,000", at the beginning of line 20, strike out "out of" and insert "from"; in line 23, after "June 30", strike out "1971, the additional sum of $250,000,000 for the fiscal year ending June 30, 1972, the additional sum of $250,000,000 for the fiscal year ending June 30, 1973, and the additional sum of $250,000,000 for the fiscal year ending June 30, 1974" and insert "1971"; on page 7, line 3, after the word "highways", strike out "out of the Highway Trust Fund,"; in line 7, after the word "highways", strike out "out of the Highway Trust Fund,"; in line 11, after the word "trails", strike out "$125,000,000" and insert "$170,000,000"; in line 13, after the word "and", strike out "$125,000,000" and insert "$170,000,000"; on page 8, at the beginning of line 3, change the section number from "6" to "104"; in line 5, after the word "be", strike out "appropriated" and insert "appropriated, from the Highway Trust Fund," at the beginning of line 11, change the section number from "7" to "105"; at the beginning of line 18, change the section number from "8" to "106"; on page 10, at the beginning of line 20, change the section number from "9" to "107"; in the same line, after "(a)", strike out "That section" and insert "Section"; on page 11, at the beginning of line 23, strike out "subsection" and insert "section"; on page 14, at the beginning of line 15, change the section number from "10" to "108"; on page 15, at the beginning of line 6, change the section number from "11" to "109"; at the beginning of line 20, change the section number from "12" to "110"; on page 16, line 21, after the word "section.", strike out the quotation marks; after line 21, insert:

(f) The urban area traffic operations improvement program shall be developed and carried out in accordance with the comprehensive urban plans developed pursuant to section 134 of this title.

On page 17, at the beginning of line 1, change the section number from "13" to "111"; at the beginning of line 5, change the section number from "14" to "112"; on page 18, line 1, after the word "the", where it appears the second time, strike out "right-of-way" and insert "highway"; in line 10, after the word "be", strike out "75" and insert "50"; in line 11, after "section 104", insert "(b)(3) and section 135"; in line 19, after the word "thereof", strike out the comma and "or a public parking authority, is authorized and capable of constructing, maintaining, and operating the facility" and insert "has the authority and is capable of providing for the construction, maintenance, and operation of the facility;"; on page 19, line 2, after the word "department", strike out "and"; in line 6, after the word "facility", strike out the period and insert a semicolon and "and"; after line 6, insert:

(4) The fringe parking facilities must be based on the comprehensive urban planning process required by section 134 of this article.

At the beginning of line 19, change the section number from "15" to "113"; after line 21, insert a new section, as follows:

URBAN IMPACT AMENDMENTS

SEC. 114. (a) The second paragraph in section 101(a) of title 23, United States Code, is amended by striking the period at the end thereof, inserting a comma and adding the following: "and the costs of adjustments to reduce adverse economic, social, environmental and other impact caused by a project."

(b) Clause (2) of subsection (a) of section 109 of title 23, United States Code, is amended by adding after the word "particular" the following: "economic, social, environmental, and other".

(c) The first sentence of subsection (a) of section 128 of title 23, United States Code, is amended by striking everything after the word "economic" and adding the following: "and social effects of such a location, its impact on the environment, and its consistency with the goals and objectives of the community.".

(d) The third sentence of section 134 of title 23, United States Code, is amended by striking the word "transportation" and inserting the word "urban" in lieu thereof.

On page 20, after line 17, insert a new section, as follows:

CONSTRUCTION BY STATES IN ADVANCE OF APPORTIONMENT

SEC. 115. (a) Subsection (a) of section 115 of title 23, United States Code, is amended to read as follows:

"(a) When a State has obligated all funds for any of the Federal-aid systems, including the Interstate System, apportioned to it under section 104 of this title, and proceeds to construct any project without the aid of Federal funds, including one or more parts of any project, on any of the Federal-aid systems in such State, including the Interstate System, as any of those systems may be designated at that time, in accordance with all procedures and all requirements applicable to projects on any such system, except insofar as such procedures and requirements limit a State to the construction of projects with the aid of Federal funds previously apportioned to it, the Secretary, upon application by such State and his approval of such application, is authorized to pay to such State the Federal share of the costs of construction of such project when additional funds are apportioned to such State under section 104 of this title if—

"(1) prior to the construction of the project the Secretary approves the plans and specifications therefor in the same manner as other projects on the Federal-aid system involved, and

"(2) the project conforms to the applicable standards adopted under section 109 of this title;

"*Provided*, the Secretary may not approve an application under this section unless an authorization is in effect for the fiscal year for which the application is sought beyond the currently authorized funds for such State and that no application may be approved which will exceed the State's expected apportionment of such authorizations."

(b) Subsection (b) of section 115 of title 23, United States Code, is amended by striking the following: "of subsection (b)(5)".

(c) The analysis of chapter 1 of title 23, United States Code, is hereby amended to read as follows:

"115. Construction by States in advance of apportionment."

On page 22, after line 4, insert a new section, as follows:

BRIDGE INSPECTION

SEC. 116. Section 116 of title 23, United States Code, is amended by adding a new subsection (d):

"(d) The Secretary in consultation with the State highway departments and interested and knowledgeable private organizations and individuals shall as soon as possible establish national bridge inspection standards in order to provide for the proper safety inspection of bridges on any of the Federal-aid highway system. Such standards shall specify in detail the method by which inspections shall be conducted, the maximum time lapse between inspections and the qualifications for those charged with the responsibility for carrying out such inspections. Each State shall be required to maintain written reports to be available to the Secretary pursuant to such inspections together with a notation of the action taken pursuant to the findings of such inspections. Each State shall be required to maintain a current inventory of all bridges on the Federal-aid system."

After line 22, insert a new section, as follows:

SEC. 117. The Secretary shall establish in cooperation with the State highway departments a program designed to train those employees of the Federal Government and the State governments charged with the responsibility for carrying out bridge inspections. Such a program shall be revised from time to time in light of new or improved techniques. For the purposes of this section the Secretary may use funds made available pursuant to the provisions of section 104(a) and section 307(a) of title 23, United States Code.

On page 23, after line 7, insert a new section, as follows:

EMERGENCY RELIEF

SEC. 118. (a) The first sentence of section 125 of title 23, United States Code, is amended to read as follows: "An emergency fund is authorized for expenditure by the Secretary, subject to the provisions of this section and section 120, for the repair or reconstruction of highways, roads, and trails which he shall find have suffered serious damage as the result of (1) natural disaster over a wide area such as by floods, hurricanes, tidal waves, earthquakes, severe storms, or landslides, or (2) catastrophic failures from any cause, in any part of the United States."

(c) The first sentence of section 120(f) of title 23, United States Code, is amended by inserting before the period the following: "*And provided further*, That the Secretary may increase the Federal share payable on account of any repair or reconstruction under this section up to 100 per centum of the replacement cost of a comparable facility if he determines it is in the public interest".

At the top of page 24, insert a new section, as follows:

TOLL ROADS

SEC. 119. Section 129 of title 23 of the United States Code is amended by adding to subsection (b) thereof the following language:

"After June 30, 1968, all agreements between the Secretary and a State highway department for the construction of projects on the Interstate System shall contain a clause providing that no toll highway will be constructed on the interstate highway route involved without the official concurrence of the Secretary. The Secretary shall not concur in any such construction unless he makes an affirmative finding that, under the particular circumstances existing, the construction of such highway as a toll facility rather than a toll-free facility is in the public interest."

After line 14, insert a new section, as follows:

GUAM

SEC. 120. (a) Effective for fiscal years beginning after June 30, 1969, section 101(a) of title 23 of the United States Code is amended in the clause relating to the definition of the term "State" by inserting "Guam," after "District of Columbia,".

(b) Section 103 of title 23 of the United States Code is amended by inserting at the end thereof a new subsection as follows:

"(f) The system or systems of highways in Guam on which Federal-aid funds may be expended under this chapter shall be determined and agreed upon by the Governor of Guam and the Secretary.".

On page 25, after line 2, insert a new section, as follows:

PREVAILING RATE OF WAGE

SEC. 121. Section 113 of title 23, United States Code, is amended by (1) striking subsection (a) and (b) thereof and inserting, in lieu thereof, the following:

"(a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the Federal-aid systems, the primary and secondary, as well as their extensions in urban areas, and the Interstate System, authorized under the highway laws providing for the expenditure of Federal funds upon the Federal-aid systems, shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the Act of August 30, 1935, known as the Davis-Bacon Act (40 U.S.C. 267a).

"(b) In carrying out the duties of subsection (a) of this section, the Secretary shall consult with the highway department of the State in which a project on any of the Federal-aid systems is to be performed. After giving due regard to the information thus obtained, he shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of subsection (a) of this section which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

"(c) the provision of the section shall not be applicable to employment pursuant to apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting equal employment opportunity in connection with Federal-aid highway construction programs."

(d) The analysis of chapter 1 of title 23, United States Code, is hereby amended to read as follows:

"113. Prevailing rate of wage."

On page 26, after line 12, insert a new section, as follows:

EQUAL EMPLOYMENT OPPORTUNITY

SEC. 122. Section 105 of title 23, United States Code, is amended by adding a new subsection (e) at the end thereof:

"(e) Prior to approving any programs for projects as provided for in subsection (a) of this section, the Secretary in consultation with the Secretary of Labor shall receive assurances that employment in connection with proposed projects will be open to all qualified applicants. He shall require that each State shall notify all prospective bidders of their equal employment opportunity responsibilities. In approving programs for projects on any of the Federal-aid systems, the Secretary shall require certification by any State desiring to avail itself of the benefits of this chapter that there are in existence and available on an areawide or statewide basis, apprentice and skill improvement programs, registered with the Department of Labor or appropriate State apprentice council, to insure equal employment opportunity to all persons without regard to race, color, creed or national origin; and that such persons are being given full opportunity to achieve employment on any projects approved for construction under this chapter. The Secretary shall periodically receive from the Secretary of Labor and the respective State highway departments information which will enable him to judge compliance with the requirements of this subsection and the Secretary of Labor shall render to the Secretary such assistance and information as he shall deem necessary to carry out the equal employment opportunity program required hereunder. Acceptance by the Secretary of the program or programs submitted by any State shall be in lieu of any other preaward of preconstruction requirement of law or regulation concerning equal employment opportunity."

On page 27, after line 19, insert a new title, as follows:

TITLE II—RELOCATION ASSISTANCE AND LAND ACQUISITION PRACTICES

After line 21, insert a new section, as follows:

SEC. 201. This title may be cited as the "Highway Relocation Assistance and Land Acquisition Practices Act of 1968".

At the top of page 28, insert a new section, as follows:

SEC. 202. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

"CHAPTER 5.—HIGHWAY RELOCATION ASSISTANCE

"Sec.
'501. Declaration of policy.
"502. Assurances of adequate relocation assistance program.
"503. Administration of relocation assistance program.
"504. Federal reimbursement.
"505. Relocation payments.
"506. Rent adjustment expenses.
"507. Replacement housing.
"508. Expenses incidental to transfer of property.
"509. Relocation services.
"510. Relocation assistance programs on Federal highway projects.
"511. Authority of Secretary.
"512. Definitions.

"§ 501. Declaration of policy

"Congress hereby declares that the prompt and equitable relocation and reestablishment of persons, business concerns, farmers, and nonprofit organizations displaced as a result of the construction of Federal-aid highways are necessary to insure that a few individuals do not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole. Therefore, Congress determines that relocation payments and advisory assistance should be provided to all persons so displaced in accordance with the provisions of this Act.

"§ 502. Assurances of adequate relocation assistance program

"The Secretary shall not approve any project under section 106 or section 117 of this title which will cause the displacement of any person, business, or farm operation unless he receives satisfactory assurances from the State highway department or any agency designated by a State highway department that:

"(a) fair and reasonable relocation and other payments shall be afforded to displaced persons in accordance with sections 505, 506, 507, and 508 of this title: *Provided*, That no State need agree to make any payment in excess of $25,000 to any displaced person in order to receive the assistance authorized by this Act.

"(b) relocation assistance programs offering the services described in section 509 of this title shall be afforded to displaced persons; and

"(c) within a reasonable period of time prior to displacement from real property in (1) an urban area, and (2) nonurban areas in any State to the extent practicable as designated by the Secretary, after consultation with the Governor, there will be available in areas not generally less desirable in regard to public utilities and public and commercial facilities and as rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings, as defined by the Secretary, equal in number to the number of and available to such displaced families and individuals and reasonably accessible to their places of employment.

"§ 503. Administration of relocation assistance program

"In order to prevent unnecessary expenses and duplication of functions, a State highway department may make relocation payments or provide relocation assistance or otherwise carry out the functions required under this chapter by utilizing the facilities, personnel, and services of any other Federal, State, or local governmental agency having an established organization for conducting relocation assistance programs.

"§ 504. Federal reimbursement

"(a) The Secretary shall approve, as a part of the cost of construction of a project under any Federal-aid highway program which he administers, the cost of providing the payments and services described in section 502: *Provided*, That, notwithstanding any other law, the Federal share of the first $25,000 of such payments to any person, on account of any real property acquisition or displacement occurring prior to July 1, 1971, shall be increased to 100 per centum of such cost.

"(b) Any agreement with a State highway department executed before the date of this Act for a project for which property has not been acquired as of the date of enactment of this Act under any such program shall be amended to include the cost of providing the payments and services described in section 502.

"§ 505. Relocation payments

"(a) PAYMENTS FOR ACTUAL EXPENSES.—Upon application approved by the State agency, a person displaced by any highway project approved under section 106 or section 117 of this title may elect to receive:

"(1) his reasonable actual expenses in moving himself, his family, his business, farm operation, or other personal property, and for his actual and reasonable expenses in searching for a replacement property;

"(2) if he disposes of personal property on moving his business or farm operation and replaces such property at the new location at a price exceeding the sale price, the amount of the difference between such prices, not to exceed, however, the estimated cost of moving the property or its market value, whichever is less; and

"(3) such other expenses as may be provided for in regulations issued by the Secretary; or

"(b) Optional Payments—Dwellings.—Any displaced person who moves from a dwelling who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section may receive:

"(1) a moving expense allowance, determined according to a schedule established by the Secretary, not to exceed $200;

"(2) a dislocation allowance of $100; and

"(3) an additional payment of $400 if the displaced person purchases a dwelling for the purposes of residence within one year from the date of actual displacement, except that such displaced person shall only be eligible for payment under this subparagraph when the dwelling purchased is situated upon real estate in which such person acquires fee title, life estate, ninety-nine-year lease, or other type of long-term lease equivalent to a proprietary interest.

"(c) Additional Payments—Farm Operations.—Any displaced person who moves or discontinues a farm operation shall receive, in addition to the payment authorized by subsection (a) of this section, a fixed relocation payment in the amount of $1,000: *Provided*, That, in the case where the entire farm operation is not acquired by the State, the payment authorized by this subparagraph shall be made only if the State agency determines that the remainder property is no longer an economic unit.

"(d) Additional Payments Businesses.—Any displaced person who moves or discontinues his business shall receive, in addition to the payment authorized by subsection (a) of this section, a fixed relocation payment in an amount equal to the average annual net earnings of the business or $5,000, whichever is the lesser. No payment shall be made under this subsection unless the State agency is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not part of a commercial enterprise having at least one other establishment, not being acquired by the State or by the United States, which is engaged in the same or similar business. For purposes of this subsection, the term 'average annual net earnings' means one-half of any net earnings of the business, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business moves from the real property acquired for such project, or such other reasonable period and basis as the Secretary may approve, and includes any compensation paid by the business to the owner, his spouse, or his dependent children during such two-year period. Such earnings and compensation shall be established by Federal income tax returns filed by such business and its owner and his spouse and dependent children for such taxable period.

"§ 506. Rent adjustment expenses

"(a) In addition to amounts otherwise authorized by this title, the State agency may pay to or on behalf of any displaced family, displaced elderly individual, or displaced handicapped individual monthly payments over a period not to exceed twenty-four months an amount not to exceed $500 in the first twelve months and $500 in the second twelve months to assist such displaced family or individual to secure a dwelling determined, in accordance with standards established by the Secretary, to be decent, safe, and sanitary. Subject to the limitation imposed by the preceding sentence, the additional payment shall be an amount which, when added to 20 per centum of the annual income of the displaced individual or family at the time of displacement, equals the average annual rental required for such a decent, safe, and sanitary dwelling of modest standards adequate in size to accommodate the displaced individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities: *Provided*, That such payment shall be made only to an individual or family who is unable to secure a dwelling unit in a low-rent housing project assisted under the United States Housing Act of 1937, or under a State or local program found by the Secretary of Housing and Urban Development to have the same general purposes as the Federal program under such Act, or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965.

"(b) The Secretary shall make the determinations under this section on the amount of assistance according to family size, family or individual income, average rents required, or similar considerations.

"(c) The additional payments under this section may be paid on a basis other than monthly in cases in which the small size of the payments that would otherwise be required does not warrant a number of separate payments or in other cases in which other than monthly payments are determined warranted by the Secretary.

"(d) No payment received under this section shall be considered as income for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal Act.

"§ 507. Replacement housing

"(a) In addition to amounts otherwise authorized by this title, the State agency may make a payment to the owner of real property acquired for a project which is improved by a single-, two-, or three-family dwelling actually occupied by the owner for not less than one year prior to the initiation of negotiations for the acquisition of such property. Such payment shall be (1) the amount, if any, not to exceed $5,000, which, when added to the acquisition payment, equals the average price required for a comparable dwelling determined, in accordance with standards established by the Secretary, to be a decent, safe, and sanitary dwelling adequate in size to accommodate the displaced owner, reasonably accessible to public services and places of employment, and available on the private market and (2) an amount determined by the Secretary to be necessary to compensate such owner for any loss of favorable financing due to such acquisition: *Provided*, That such payment shall be made only to a displaced owner who purchases and occupies a dwelling within one year subsequent to the date on which he is required to move from the dwelling acquired for the project: *And provided further*, That no such payment shall be required or included as a project cost under section 504 of this title if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the Secretary to have substantially the same purpose and effect as this section and to be part of the cost of the project for which Federal financed assistance is available.

"(b) Subject to the approval of the Secretary, the State agency shall determine the prices prevailing in the locality for dwellings meeting the requirements of subsection (a) of this section.

"§ 508. Expenses incidental to transfer property

"In addition to amounts otherwise authorized by this title, the State shall reimburse the owner of real property acquired for a project for reasonable and necessary expenses incurred for (a) recording fees, transfer taxes, and similar expenses incidental to conveying such property; (b) penalty costs for prepayment of any mortgage encumbering such real property: *Provided*, That such mortgage shall be on record as required by law on the date of official announcement of such project; and (c) the pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting of title in the State, or the effective date of the possession of such real property by the State, whichever is earlier.

"§ 509. Relocation services

"(a) Each State shall provide a relocation assistance program which shall include such measures, facilities, or services as may be necessary or appropriate in order:

"(1) to determine the needs of displaced families, individuals, business concerns, and farm operators for relocation assistance;

"(2) to assure a feasible method for the temporary relocation of families and individuals displaced from the property acquired;

"(3) to assure that, within a reasonable period of time prior to displacement from real property in (i) an urban area, or (ii) any other area of a State designated by the Secretary, after consultation with the Governor, there will be available, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, housing meeting the standards established by the Secretary for decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment;

"(4) to assist owners of displaced businesses and displaced farm operators in obtaining and becoming established in suitable business locations;

"(5) to supply information concerning the Federal Housing Administration home acquisition program under section 221(d)(2) of the National Housing Act, the small business disaster loan program under section 7(b)(3) of the Small Business Act, and other State or Federal programs offering assistance to displaced persons;

"(6) to assist in minimizing hardships to displaced persons in adjusting to relocation; and

"(7) to assure, to the greatest extent practicable, the coordination of relocation activities with other project activities and other planned or proposed governmental actions in the community or nearby areas which may affect the carrying out of the relocation program.

"(b) Any State may offer relocation services under such program to other persons occupying property abutting any real property acquired for a Federal-aid highway project who it determines are caused substantial economic injury because of such project.

"§ 510. Relocation assistance programs on Federal highway projects

"Notwithstanding any other provision of law, on and after the effective date of this Act any Federal agency which acquires real property for use in connection with a highway project authorized by chapter 2 of this title or any other Federal law shall, in accordance with regulations issued by the Secretary, provide the payments and services described in sections 502, 505, 506, 507, 508, and 509, of this Act. When real property is acquired by a State or local governmental agency for such a Federal project, for purposes of this chapter, the acquisition shall be deemed an acquisition by the Federal agency having authority over such project. Funds appropriated or otherwise available to any Federal agency for such project shall be available also for obligation and expenditure to carry out the provisions of this chapter.

"§ 511. Authority of the Secretary

"(a) To carry into effect the provisions of this chapter, the Secretary is authorized to make such rules and regulations as he may determine to be necessary to assure:

"(1) that the payments authorized by this chapter shall be fair and reasonable and as uniform as practicable;

"(2) that a displaced person who makes proper application for a payment authorized for such person by this Act shall be paid promptly after a move, or in certain hardship cases, the Secretary may, by regulation, authorize advance payment of certain relocation costs;

"(3) that any person aggrieved by a determination as to eligibility of a payment authorized by this chapter, or the amount of a payment, may have his application reviewed by the head of the State or Federal agency making such determination; and

"(4) that a displaced person shall have a reasonable time in which to apply for a payment authorized by this Act.

"(b) The Secretary may make such other rules and regulations consistent with the provisions of this chapter as he deems necessary or appropriate to carry out this chapter.

"§ 512. Definitions

"Unless the context requires otherwise, as used in this chapter—

"(1) The term 'displaced person' means—

"(a) any person who is the owner of a business which moves from real property or is discontinued on or after the effective date of this Act as result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway;

"(b) any person who is the farm operator of a farm operation which moves from real property or is discontinued on or after the effective date of this Act as a result of the acquisition or the reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway;

"(c) any individual who is the head of a family which moves from real property occupied as a dwelling on or after the effective date of this Act, as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway, or which moves from such dwelling as a result of the acquisition or reasonable expectation of acquisition of other real property, later acquired, for such highway on which such family conducts a business or farm operation;

"(d) any individual, not a member of a family, who moves from real property occupied as a dwelling on or after the effective date of this Act as the result of the acquisition or the reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway, or who moves from such dwelling as a result of the acquisition, or reasonable expectation of other real property, on which such individual conducts a business or farm operation; or

"(e) any individual not described in paragraph (a), (b), (c), or (d) of this subsection who moves his personal property from real property on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such real property for a Federal-aid highway: *Provided*, That this shall not include the owner of property on the premises of another under a lease or licensing arrangement where such owner is required pursuant to such lease or license to move such property at his own expense.

"(2) The term 'business' means any lawful activity conducted primarily—

"(a) for the purchase and resale of products, conmodities, or any other personal property;

"(b) for the manufacture, processing, or marketing of any such property;

"(c) for the cultivation, processing, or marketing of timber;

"(d) for the sale of services to the public; or

"(e) by a nonprofit organization.

"(3) The term 'farm operation' means any activity conducted solely or primarily for the production of one or more agricultural products or commodities other than timber for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

"(4) The term 'farm operator' means any owner, part owner, tenant, or sharecropper who operates a farm.

"(5) The term 'elderly individual' means a person not a member of a family who is sixty-two years of age or over.

"(6) the term 'handicapped individual' means a person not a member of a family who is handicapped within the meaning of section 202 of the Housing Act of 1959.

"(7) The terms 'owner' and 'person' means any individual, partnership, corporation, or association.

"(8) The term 'Federal agency' means any department, agency, or instrumentality in the executive branch of the Government and any corporation wholly owned by the Government.

"(9) The term 'State agency' means a State highway department or any agency designated by a State highway department to administer the relocation assistance program authorized by this chapter."

On page 43, after line 23, insert a new section, as follows:

Sec. 203. Paragraph (3) of section 7(b) of the Small Business Act is amended to read as follows:

"(3) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in continuing in business at its existing location, in reestablishing its business, in purchasing a business, or in establishing a new business, if the Administration determines that such concern has suffered substantial economic injury as the result of its displacement by, or location in, adjacent to, or near, a highway project constructed by the Federal Government or any State government; and the purpose of a loan made pursuant to such project or program may, in the discretion of the Administration, include the purchase or construction of other premises whether or not the borrower owned the premises occupied by the business and,".

On page 44, after line 18, insert a new section, as follows:

Sec. 204. Section 106 of title 23, United States Code, is amended by adding new subsections (d) and (e) at the end thereof as follows:

"(d) Before approving projects under this chapter, the Secretary shall obtain from the State highway department the following assurances:

"(1) that every reasonable effort shall be made to acquire the real property by negotiated purchase;

"(2) That the construction of projects shall be so scheduled that to the greatest extent practicable no person lawfully occupying the real property shall be required to move from his home, farm, or business location without at least ninety days written notice from the State of the date by which possession of such real property is required; and

"(3) that it will be the policy of the State, before initiating negotiations for real property, to establish a price which is believed to be a fair and reasonable consideration therefor, such price not to be less than the appraised value of the property as approved by such State, and to make a prompt offer to acquire the property for the full amount so established.

"(e) Before approving any project under this chapter after the date of enactment of this Act, the Secretary shall obtain from the State highway department the following assurances:

"(1) that no owner will be required to surrender possession of real property before the State (A) pays the agreed purchase price, (B) makes available for the benefit of the owner, by court deposit or otherwise, an amount equal to the appraised fair values of such property, as approved by such State, without prejudice to the right of the owner to contest the amount of compensation due for the property, or (C) deposits or pays the final award of compensation in the condemnation proceeding for such property;

"(2) that any decrease in the value of real property prior to the date of valuation caused by the project for which such property is acquired, or by the likelihood that the property would be acquired for the proposed project, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property; and

"(3) that for the purpose of determining the extent of the acquisition of real property and the valuation thereof, no building, structure, or other improvement will be deemed to be other than a part of the real property solely because of the right or obligation of a tenant, as against the owner of any other interest in the real property, to remove such building, structure, or improvement at the expiration of his term, and the head of the State agency shall pay to the tenant the fair value of the building, structure, or improvement, which fair value shall be determined by such agency head as the greatest of (1) the contributive value of the improvement to the present use of the entirety, (2) the current cost of reproduction less depreciation of the improvement, or (3) the value of the improvement for removal from the property: *Provided*, That (1) payment hereunder will not result in duplication of any payments otherwise authorized by law; (2) that the fee owner of the land involved disclaims any interest in the improvements of the lessee; and (3) the lessee in consideration for such payments shall assign, transfer, and release to the State agency all his right, title, and interest in and to such improvements: *Provided further*, That no provision of this section shall be construed to deprive the lessee of his right to reject the payments hereunder and to obtain payment for this property interests of just compensation as otherwise defined by law."

On page 47, after line 12, insert a new section, as follows:

Sec. 205. No provision of this title shall be construed to give any person a cause of action in any court, nor may any violation of this title be raised as a defense by such person in any action.

After line 16, insert a new section, as follows:

Sec. 206. If any provision of this title, or the application thereof to any person or circumstance is held invalid, the remainder of this title and the application of the provision to other persons or circumstances shall not be affected thereby.

After line 20, insert a new section, as follows:

Sec. 207. Section 133 of title 23, United States Code, is hereby repealed. Any rights or liabilities now existing under such section shall not be affected by the repeal thereof under this section.

At the top of page 48, insert a new section, as follows:

Sec. 208. Effective Date.—This Act shall taket effect on the date of enactment.

After line 3, insert a new title, as follows:

TITLE II—ESTABLISHMENT OF PARKING FACILITIES IN THE DISTRICT OF COLUMBIA

After line 4, insert a new section, as follows:

FINDINGS OF FACT: SHORT TITLE

SEC. 301. (a) The Congress finds that—

(1) the growth and development of the National Caiptal area has been accompanied by an ever-increasing number of persons entering the District of Columbia by motor vehicle which has resulted in serious traffic congestion;

(2) this congestion restricts the interchange of goods, services, and people between the District of Columbia and the surrounding suburbs, to the detriment of both; imposes hardships and inconvenience on residents, employers, employees, and tourists in the National Capital area; impedes the efficient conduct of the United States and the District of Columbia governments; and interferes with the rapid and effective disposition of police and firefighting equipment;

(3) the orderly growth and development of the National Capital area requires a balanced transportation system which provides residents of and visitors of the National Capital area a variety of economic and efficient means of travel into and through the District of Columbia;

(4) a balanced transportation system requires adequate highways, rapid rail transit, buses, and off-street parking facilities for motor vehicles;

(5) off-street parking facilities in sufficient numbers and at rates and locations adequate to meet the needs of the National Capital area have not been provided; and

(6) the establishment of a parking authority to supplement existing parking with additional off-street parking facilities is necessary to maintain and improve the economic well-being of the National Capital area, the safety, convenience, and welfare of the residents thereof and the visitors thereto, and the efficiency of the United States and District of Columbia governments.

(b) This Act may be cited as the "District of Columbia Parking Facility Act".

On page 49, after line 18, insert a new section, as follows:

CREATION OF PARKING BOARD

SEC. 302 (a) There is hereby created and established a body politic and corporate of perpetual duration, to be known as the "District of Columbia Parking Board" (herein called the "Parking Board"). The Parking Board shall consist of three members, who shall be the Commissioner of the District of Columbia and the Chairman and the Vice Chairman of the District of Columbia Council. The term of office of any member of the Parking Board shall be the same as his term of office as such Commissioner, such Chairman, or such Vice Chairman. Two members of the Parking Board shall constitute a quorum. The members of the Parking Board shall select from among their number a chairman and a vice chairman of the Parking Board.

(b) The Parking Board shall appoint, subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, an Administrator. The Parking Board may delegate to the Administrator such authority as may be necessary or convenient to carry out the purposes of this Act.

On page 50, after line 14, insert a new section, as follows:

PARKING ADVISORY COUNCIL

SEC. 303. (a) There is hereby established a Parking Advisory Council (herein called the "Advisory Council"). The Advisory Council shall be composed of eleven members, consisting of the Secretary of the Interior or his designee, the Director of the District of Columbia Department of Highways and Traffic or his designee, the Administrator of General Services or his designee, the Chairman of the National Capital Planning Commission or his designee, the Administrator of the Washington Metropolitan Area Transit Authority or his designee, all ex officio, and six members from private life appointed by the Parking Board of whom one shall be designated biennially by the Parking Board to serve as chairman. The members from private life shall be chosen to reflect a range of experience in such fields as architecture, engineering, retail trade, real estate, financing, law, motor vehicle parking, and transportation.

(b) The members of the Advisory Council appointed by the Parking Board shall be appointed for a term of four years, except that with respect to the first appointments made after this Act becomes effective, one member shall be appointed for a one-year term, one member shall be appointed for a two-year term, two members shall be appointed for a three-year term, and two members shall be appointed for a four-year term. Any member appointed to fill a vacancy shall serve only for the unexpired term of the member he is replacing. Any member shall be eligible for reappointment.

(c)(1) Members of the Advisory Council who are officers or employees of the United States or of the District of Columbia shall serve without compensation in addition to that received in their regular public employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Council.

(2) Members of the Advisory Council, other than those to whom paragraph (1) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of such Council and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Council.

(d) It shall be the duty of the Advisory Council to advise and assist the Parking Board in carrying out its functions under this Act, including the overall planning of parking facilities, the acquisition, construction, design, and operation of such facilities and such other matters as the Parking Board shall request or the Advisory Council shall determine. The Parking Board shall request the views of the Advisory Council on each matter made subject to a public hearing by this Act, and shall include the report of the Council, if any, in the Parking Board's record.

(e) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board and subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, to appoint an executive secretary. Subject to reimbursement by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, the ex officio members of the Advisory Council and the Commissioners of the District of Columbia shall make available to the executive secretary such staff, information, and technical assistance as he shall require to enable the Advisory Council to carry out its responsibilities under this Act.

(f) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board, in accordance with the provisions of section 20(a)(11) of this Act to hire independent consultants to assist it in carrying out its responsibilities under this Act.

On page 53, after line 9, insert a new section, as follows:

COMPREHENSIVE PARKING STUDY

SEC. 304. (a) The Advisory Council shall, within one year following the date of enactment of this Act, and not less than once each five years thereafter, prepare and distribute a comprehensive report on parking in the District of Columbia metropolitan area. Such report shall include—

(1) an inventory of existing parking facilities in the District of Columbia, both public and private, and an analysis of the manner and extent to which they are utilized;

(2) an inventory of the existing and reasonably anticipated transportation facilities in the National Capital area, including roads, highways, buses, and rapid rail transit, and an analysis of the manner and extent to which they are utilized;

(3) an analysis of the extent, type, and location of all parking facilities and on-street parking which are necessary or desirable for achieving balanced transportation and an efficient flow of traffic in the National Capital area together with recommendations as to the need, if any, for additional public parking facilities and the areas within which such facilities should be located; and

(4) any other information or recommendations that the Advisory Council determines to be useful to the Parking Board in carrying out its duties under this Act.

(b) The Advisory Council shall refer the parking report to all interested agencies in the National Capital area for their information and comments. The parking report and all relevant data used to compile the report shall be made available to owners and operators of private parking facilities in the District of Columbia in order to enable them more effectively to plan the operation and expansion of their facilities.

On page 54, after line 18, insert a new section, as follows:

ACQUISITION OF PARKING FACILITIES

SEC. 305. (a) The Parking Board is authorized to acquire, in its own name, by purchase, lease, gift, exchange, condemnation, or otherwise, such property, real or personal, in the District of Columbia, including any rights or interests therein, as the Parking Board may require to carry out the provisions of this Act; except that in no case shall the Parking Board acquire by condemnation any real property on which there is located a parking facility, unless the Parking Board intends substantially to increase the number of vehicles which can be parked on such property: *Provided*, That if within thirty days after the Board institutes a condemnation proceeding to acquire land on which there is located a parking facility the owners of such property file with the court a signed statement to the effect that they plan to undertake such construction as is necessary to cause to be located thereon a parking facility equal in capacity to that proposed to be constructed thereon by the Board and that they will cause such construction to be commenced within one year after the date such statement is filed, the condemnation proceeding shall be stayed pending the completion of such construction. Upon such completion, the court shall enter an order dismissing the condemnation proceeding. If such construction does not commence within such one-year period and proceed expeditiously thereafter, the Board may proceed with the condemnation proceeding.

(b) The Commissioner of the District of Columbia is authorized to make available to the Parking Board, without consideration, air and subsurface rights in areas consisting principally of land in street, highway, railway, or subway rights-of-way, bridges, and other lands under his jurisdiction and control in the District of Columbia for use by the Parking Board in carrying out its duties under this Act. The Commissioner, to the extent feasible, shall exercise this authority to enable the Parking Board to locate parking facilities in such manner as to coordinate parking with any future highway or subway construction in the District of Columbia. Nothing in this Act shall be construed as modifying or superseding title 23, United States Code.

(c) The Secretary of the Interior and the Administrator of General Services are authorized, subject to such terms and conditions as they may prescribe, to make available to the Parking Board, without consideration, subsurface rights in lands in the District of Columbia under their respective jurisdiction and control for use by the Parking Board in carrying out its duties under this Act.

(d) The Parking Board shall take no final action with respect to the acquisition of a parking facility or the acquisition of any real property for the purpose of establishing thereon a parking facility (other than the taking of options) until the Parking Board has—

(1) obtained a study of such proposed facility from an independent expert qualified to evaluate the feasibility of any such facility, and

(2) held a public hearing to obtain views on the need for such facility, its proposed size, and its economic feasibility. The Board shall publish notice of any such hearing in at least one newspaper of general circulation in the District of Columbia at least twenty days prior to such hearing.

(e) No condemnation proceeding shall be instituted under this Act unless the Commissioner, acting in his capacity as Commissioner, shall have approved the filing of such proceedings. Condemnation proceedings brought pursuant to this section shall be brought in the name of the Parking Board. Such proceedings shall be instituted and conducted in the United States District Court for the District of Columbia, which court shall have jurisdiction of such proceedings, and shall be prosecuted in accordance with the procedure in proceedings instituted and conducted under the authority of sections 1311 through 1321 of title 16 of the District of Columbia Code, except that (1) wherever in such sections the term "Board of Commissioners" or "Board" appear, such terms shall be deemed, for the purposes of this Act, to mean the Parking Board, (2) wherever in such sections provision is made for property to be taken in the name of the District of Columbia, such provisions shall, for the purposes of this Act, be construed to mean the Parking Board, (3) wherever in such sections reference is made to the District of Columbia (as a party to a proceeding instituted or conducted under the authority of such sections), such terms shall be deemed to refer to the Parking Board, and (4) wherever in such sections any payment is required by any of such sections to be made from appropriated funds, such payment is authorized to be made from any moneys of the Parking Board which are available for such purpose.

(f) The acquisition, by condemnation, of real property for use by the Parking Board under this Act shall be authorized only if, prior to the initiation of proceedings to condemn such property, the Parking Board shall have taken the following actions:

(1) Retained at least two qualified, independent real estate appraisers to assist it in establishing the fair market value of the property, and such appraisers have advised the Parking Board, in writing, of such value;

(2) Established a fair market value for the property based on such appraisal;

(3) Certified that it has been unable to purchase the property at such fair market value;

(4) Initiated condemnation proceedings within ninety days from the date of the certification required by paragraph (3): *Provided*, That in the event the Parking Board shall fail to initiate such proceedings within the prescribed period the Parking Board shall be foreclosed from initiating any such proceeding against said real property for a period of at least five years from the expiration of said ninety-day period;

(5) Certified that decent, safe, and sanitary housing can reasonably be expected to be available to any families which may be displaced by such condemnation action at rentals or prices they can reasonably afford; and

(6) Certified that, barring acts of God or other unforeseeable circumstances, it will commence, or cause to be commenced, construction of a parking facility upon such property within one year following the date of acquisition.

(g) In addition to any payments required by the preceding subsection, the Parking Board is hereby authorized to make relocation payments to persons displaced by reason of its acquisition of property under the authority of this section to the same extent as such persons would have been entitled to have received if such displacements had been within the purview of section 114 of title I of the Housing Act of 1949, as amended. The Parking Board and the District of Columbia Redevelopment Land Agency are authorized to enter into an agreement under which such Agency shall undertake to administer the payments authorized to be made by this subsection, and provide the Parking Board with relocation services in like manner as such Agency provides such services to the Commissioner.

(h) No parking facility shall be established under this Act upon any property zoned residential without the approval of the Zoning Commission of the District, which may grant such approval only after public notice and hearing in accordance with the provisions of section 3 of the Act of June 20, 1938 (52 Stat. 798 (1938); D.C. Code, sec. 5-415).

On page 60, after line 4, insert a new section, as follows:

PARKING BOARD AUTHORIZED TO CONSTRUCT AND OPERATE FACILITIES

Sec. 306. (a) The Parking Board is authorized to undertake, by contract or otherwise, the clearance and improvement of any property acquired by it under this Act as well as the construction, establishment, reconstruction, alteration, repair, and maintenance thereon of parking facilities. The Parking Board shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have, with respect to the labor standards specified herein, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

(b) The Parking Board may, with respect to any facility acquired or constructed pursuant to this Act,

(1) lease space in such facility at or below the level of the street on which such facility fronts or abuts for commercial purposes, and

(2) lease or sell air rights above any parking structure of four or more stories for commercial purposes,

if the Parking Board determines that the utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development and zoning of the vicinity in which such facility is located: *Provided*, That no petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the rental or sales price of any real property or facility leased or sold pursuant to sections 7 and 8.

(c) The Parking Board shall, as soon as practicable, lease or sell, pursuant to sections 7 and 8 hereof, any facility acquired or constructed under this Act unless the Parking Board determines that the public interest would best be served if it operated such facility itself, and includes in its record of the matter a statement as to its reasons therefor. Each such determination so made shall be reviewed by the Parking Board not less than every three years following the date on which such determination is made. The Parking Board shall extend to all qualified persons experienced in the business of motor vehicle parking who owned a parking facility on any land acquired by condemnation pursuant to section 5 the right of first refusal with respect to any sale, or the right to meet the high bid, with respect to the leasing, of any parking facility constructed on such land.

(d) In operating any such facility, the Board shall, to the extent feasible, provide, by contract or otherwise, for such operation of its parking facilities by any person or management firm competent to manage the operation. Any such contract shall be subject to the Service Contract Act of 1965 (79 Stat. 1034).

On page 62, after line 11, insert a new section, as follows:

PARKING BOARD AUTHORIZED TO LEASE FACILITIES

Sec. 307. (a) The Parking Board is authorized to lease any parking facility acquired or constructed by it for such period of time, as the Board may determine, except that a lease which is used as security for permanent financing shall not exceed forty years in duration and any other lease shall not exceed five years in duration. The Parking Board shall invite competitive bids for the lease of any parking facility, but may, whenever it determines it to be in the public interest, negotiate the lease of any such facility. The Parking Board shall include in its record of the matter a statement as to its reason for so negotiating any such lease.

(b) The Parking Board shall not lease any such facility for an annual rental in an amount less than that which is necessary to amortize, within a forty-year period, the cost of acquiring or constructing such facility and to provide a reasonable reserve for such purpose; to meet the Parking Board's obligations, if any, under the lease including any obligation to repair, maintain, or insure the facility, to make payments in lieu of taxes; and to meet all administrative expenses and other charges in connection therewith; except that the Parking Board may, for good cause, accept for such number of years as the Parking Board may determine is necessary, a lower rental than the minimum hereinabove prescribed, subject to the repayment to the Parking Board of the difference between such lower rental and such minimum rental prior to the termination of the period for which the parking facility is leased.

(c) The lease of a parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained, during the term of the lease, for the parking of motor vehicles by the general public in accordance with rates, hours of service, methods of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

On page 63, after line 22, insert a new section, as follows:

PARKING BOARD AUTHORIZED TO SELL FACILITIES

Sec. 308. (a) The Parking Board is authorized to sell any parking facility other than any facility constructed on land owned by or acquired from the governments of the United

States or the District of Columbia. The Parking Board shall invite competitive bids for the sale of any such parking facility, but may, whenever it determines it to be in the public interest, negotiate the sale of such facility. The Parking Board shall include in its record of the matter a statement as to its reason for so negotiating any such sale.

(b) The sale of any such parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the purchaser.

(c) The Parking Board is authorized, in connection with the sale of a parking facility acquired or constructed by it, to include in the deed for such property a covenant, running with the land, whereby the purchaser agrees, for himself and his successors in interest, that the property purchased from the Parking Board will be used as a parking facility for such period of time as the Parking Board shall specify in said covenant. The Parking Board is authorized to agree, subject to the requirements of the preceding subsection (b), to the release or modification of any such covenant whenever the Parking Board shall find, after public hearing, that the operation of a parking facility no longer is in the public interest, or the development of the vicinity in which such parking facility is located is or will be of such a character as to make such facility incompatible with such vicinity.

On page 65, after line 3, insert a new section, as follows:

LEASING PROPERTY FOR DEVELOPMENT

SEC. 309. (a) The Parking Board is authorized to lease for terms not exceeding forty years, any real property acquired pursuant to this Act, and to stipulate in such lease that the lessee shall erect at his or its expense a structure or structures on the land leased, which structure or structures and property shall be primarily used, maintained, and operated as a parking facility. Every such lease shall be entered into upon such terms and conditions as the Parking Board shall impose including, but not limited to, requirements that such structure or structures shall conform with the plans and specifications approved by the Board; that such structure or structures shall become the property of the District, or in the case of a facility constructed on land under the control and jurisdiction of the United States, such structure shall become the property of the United States, upon termination or expiration of any such lease; that the lessee shall furnish security in the form of a penal bond, or otherwise, to guarantee fulfillment of his or its obligations; that the lessee shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended, and any other requirements which, in the judgment of the Parking Board, shall be related to the accomplishment of the purposes of this Act.

(b) The lessee may, with the consent of the Parking Board—

(1) sublease space in such facility at or below the level of the street upon which such facility fronts or abuts for commercial purposes; or

(2) sublease air rights above any parking structure of four or more stories for commercial purposes;

if the Parking Board determines that the utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development of the vicinity in which such facility is located: *Provided*, That no petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the sales price of any real property sold pursuant to this section and the approval of rates for the parking of motor vehicles in the parking facility constructed thereon.

(c) Any such lease made pursuant to this section shall be upon such terms and conditions as the Parking Board shall determine, and shall include requirements that any parking facility constructed on the land so leased shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

On page 67, after line 10, insert a new section, as follows:

RATES

SEC. 310. (a) The Parking Board shall establish and, from time to time, revise, with or without public hearings, schedules of rates to be charged for use of space in each parking facility established pursuant to this Act. In establishing such rates, the Parking Board shall (i) consider, among other factors, the existing rates charged by privately operated parking facilities serving the same vicinity; and (ii) consider, in light of the overall transportation needs and problems of the District of Columbia metropolitan area, the extent to which long-term and short-term parking is desirable at each location and shall fix a schedule of rates for each location which is designed to encourage the types of use that are desired at such location. The Parking Board is authorized to provide rate differentials for such reasons as the amount of space occupied, the location of the facility, and other reasonable differences.

(b) The rates to be charged for the parking of motor vehicles within the parking facilities operated by the Parking Board shall be fixed at the lowest rates that will defray the cost of maintaining, operating, and administering such parking facilities; amortize, within a forty-year period, the cost of acquiring or constructing such facilities; pay all charges, fees, and payments in lieu of taxes attributable to such facilities.

(c) The rates to be charged for the parking of motor vehicles within any parking facilities leased pursuant to this Act shall be fixed at the lowest rates that will enable the lessee to meet all his obligations under his lease or leases; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

(d) The rates to be charged for the parking of motor vehicles within any parking facilities sold by the Parking Board pursuant to this Act, or constructed on any unimproved real property leased pursuant to section 9 of this Act, shall be fixed at the lowest rates that will enable the purchaser or lessee, as the case may be, to meet all his obligations under the purchase or lease agreement or agreements to amortize his investment over a reasonable period; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

On page 69, after line 3, insert a new section, as follows:

AUTHORITY TO ISSUE OBLIGATIONS

SEC. 311. (a) The Parking Board is authorized to issue and sell, upon such terms and conditions as it shall by resolution prescribe, its obligations having such maturities and bearing such rate or rates of interest as may be determined by the Parking Board: *Provided*, That not more than $50,000,000 in such obligations shall be outstanding at any time. Obligations issued under this Act shall be offered at public sale to the lowest responsible bidder. Such obligations may be made redeemable at the option of the Parking Board before maturity in such manner as may be stipulated in such obligations. The principal of and the interest on any such obligations so issued shall be payable out of any moneys or revenues of the Parking Board available under the provisions of this Act. The obligations issued under this Act, together with the interest thereon, shall not constitute a debt or obligation of the United States or of the District of Columbia, and the obligations issued by the Parking Board shall clearly so state.

Obligations authorized hereunder may be issued by the Parking Board in the form of temporary, interim, or definitive bonds, at one time or from time to time, for any of its corporate purposes, including acquiring necessary cash working funds, constructing, reconstructing, extending, or improving a parking facility or facilities or any part thereof and acquiring any property, real or personal, useful for the construction, reconstruction, extension, improvement, or operation of a parking facility or part thereof. The Parking Board shall also have power from time to time to refund any bonds by the issuance of refunding bonds, whether the bonds to be refunded shall have or have not matured, and may issue bonds partly to refund bonds outstanding and partly for any other of its corporate purposes. To the extent feasible, the provisions of this Act governing the issuance and securing of other obligations shall govern refunding bonds. All bonds issued under the provisions of this Act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under article 3 of the Uniform Commercial Code of the District of Columbia. The Parking Board shall determine the date, the price or prices, and the terms of redemption, and the form and the manner of execution of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the District of Columbia. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any bond may bear the facsimile signature of, or may be signed by, such person as at the actual time of the execution of such bond shall be duly authorized to sign such bond although at the date of such bond such person may not have been such officer. The bonds may be issued in coupon or in registered form, or both, as the Parking Board may determine, and provisions may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, for the reconversion into coupon bonds of any bonds registered as to both principal and interest, and for the exchange of either coupon bonds or registered bonds without coupons for an equal aggregate principal amount of other coupon bonds or registered bonds without coupons, or both, of any denomination or denominations.

In the discretion of the Parking Board, bonds may be secured by a trust agreement by and between the Parking Board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the District of Columbia. Such trust agreement may contain provisions for protecting and enforcing the rights and remedies of the bondholders, including covenants setting for the duties of the Parking Board in relation to the acquisition of property and the construction of parking facilities and the improvement, maintenance, operation, repair, and insurance of parking facilities, the rates to be charged and the custody, safeguarding, and application of all moneys; shall set forth the rights and remedies of the bondholders and of the trustees; may restrict the individual right of action by bondholders; and may contain such other provisions as the Parking Board may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of operation.

In order to secure the payment of its bonds, the Parking Board shall have power, in the resolution authorizing the issuance thereof or in the trust agreement securing such bonds (which shall constitute a contract with the holders thereof): to pledge all or any part of its revenues, including future revenues, the proceeds of bonds and any other moneys available to the Parking Board; to covenant with respect to pledges of revenues, liens, mortgages, sales, leases any property then owned or thereafter acquired, or against permitting or suffering any lien on such revenues or property; to covenant with respect to limitations on any right to sell, lease, or otherwise dispose of any parking facility or part thereof, or any property of any kind; to covenant with respect to the terms of any bonds to be issued, the custody, application, investment, and disposition of the proceeds thereof, the issuance of additional bonds, the incurring of any other obligations by it, the payment of the principal of and the interest on the bonds or any other obligations, the sources and method of such payment, the rank or priority of any such bonds or other obligations with respect to any lien or security or as to the acceleration of the maturity of any such bonds or other obligations; and to covenant with respect to the replacement of lost, destroyed, or mutilated bonds. The Parking Board is further authorized to pledge as security for revenue bonds, the revenues of parking meters, and to covenant with respect to the installation, relocation, operation, and maintenance of parking meters; the maintenance of its real and personal property, the replacement thereof; the insurance to be carried thereon and use and disposition of insurance money; the rates and other charges to be established and charged by the Parking Board under the authority of this Act; the amount to be raised each year or other period of time by rentals, sales, fees, rates, or other charges, and as to the use and disposition to be made thereof; and for the creation of special funds and accounts, including reasonable reserves.

(b) Obligations issued by the Parking Board, their transfer and the income therefrom (including any profit made on the sale thereof), shall be exempt from all taxation now or hereafter imposed by the United States or the District of Columbia, and by any State, territory, or possession, or by any county, municipality, or other municipal subdivision or taxing authority of any State, territory, or possession of the United States, with the exception of estate, inheritance, and gift taxes.

(c) Notwithstanding any restrictions on investment contained in any other laws, all domestic insurance companies, and domestic insurance associations, and all executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia, may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued pursuant to this Act, it being the purpose of this section to authorize the investment in such bonds, or other obligations of all sinking, insurance, retirement, compensation, pension, and trust funds; except that nothing contained in this section shall be construed as relieving any person, firm, or corporation from any duty of exercising reasonable care in selecting securities for purchase or investment.

(d) No trustee or receiver of any property of the Parking Board shall assign, mortgage, or otherwise dispose of all or part of any parking facility established under this Act, except in the manner and to the extent permitted under any trust or other agreement securing an obligation of the Parking Board. A trustee under any trust or other agreement securing an obligation of the Parking Board may be authorized in the event of default under any such trust or agreement to seek the appointment of a receiver who may enter and take possession of any parking facility of the Parking Board, operate and maintain such facility, collect all revenues arising therefrom, perform all duties required by this Act or by any trust or other agreement securing an obligation of the Parking Board to be performed by the Parking Board or any officer thereof, and take possession of the revenues from parking meters applicable to the payment of any obligations of the Parking Board.

On page 75, after line 13, insert a new section, as follows:

PARKING METERS

SEC. 312. (a) The Parking Board shall, subject to the approval of the Commissioner install, maintain, repair, relocate, and remove parking meters at such locations on the streets, rights-of-way, avenues, roads, highways, and other public open spaces under the jurisdiction and control of the Commissioner as the Parking Board may determine as an aid to the regulation and control of the movement and parking of motor vehicles. In carrying out the aforementioned duties, the Parking Board shall, from time to time, consult with the Director of the District of Columbia Department of Highways and Traffic. The Parking Board is authorized to prescribe fees for the parking of vehicles where parking meters are now or hereafter installed and to utilize its own personnel to collect such fees. Such fees shall be collected by the Parking Board and shall be accounted for and disposed of in like manner as other revenues of the Parking Board.

(b) The Parking Board is authorized to pledge, in addition to its other revenues, the revenues of parking meters as security for its obligations, except that no such pledge shall extend to more than 75 per centum of the revenues of the meters in existence at the time such pledge is made. No covenant or agreement entered into by the Parking Board shall prohibit it from relocating parking meters.

On page 76, after line 12, insert a new section, as follows:

EXEMPTION FROM TAXATION

SEC. 313. The Parking Board shall not be required to pay any taxes or assessments upon any parking facilities or any part thereof, or upon the income thereof: *Provided*, That in lieu of such taxes or assessments the Parking Board may pay to the District of Columbia an amount equal to the taxes or assessments that would have been levied against the property of the Parking Board were the Parking Board not exempt from taxation. The exemption from taxes and assessments hereunder shall not be extended to any interest in a parking facility conveyed by the Parking Board to a grantee or lessee. The authority to make payments in lieu of taxes shall be subordinate to the obligations of the Parking Board under any bond, mortgage, obligation, other evidence of indebtedness, or contract.

On page 77, after line 2, insert a new section, as follows:

FRINGE LOTS

SEC. 314. (a) Notwithstanding any other provision of this Act, the Parking Board is authorized, after consultation and coordination wtih the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, and the Washington Metropolitan Area Transit Commission, to establish fringe lots in the National Capital area. The head of any Federal or District of Columbia government agency or department is authorized to make lands in the National Capital area under his jurisdiction and control available, on such terms and conditions as he shall determine, to the Parking Board for use by it in establishing fringe lots under this section. No fringe lot shall be established outside the District of Columbia, except on land owned by the United States, or any department or agency thereof, unless the Parking Board has first obtained approval therefor from the local governing body of the jurisdiction in which such fringe lot may be located.

(b) The Parking Board is authorized to operate any fringe lot established by the Board under this section, or to lease any such fringe lot pursuant to such terms and conditions as the Board may determine. The Parking Board is further authorized to operate or arrange for the operation of such fringe lots either with or without charge to the persons patronizing such lots, or at such rate as the Parking Board may from time to time establish.

(c) As used in this section, the term "fringe lot" shall mean a parking lot primarily open to public use for the long-term parking of motor vehicles, located at or beyond the fringe of the central business district of the District of Columbia served by buses, rail transit, or other mode of mass transportation.

On page 78, after line 9, insert a new section, as follows:

NATIONAL CAPITAL PLANNING COMMISSION

SEC. 315. (a) The Parking Board shall submit to the National Capital Planning Commission for its review and recommendations thereon its plans for the acquisition of existing parking facilities, construction of new parking facilities, and lease of properties for use as parking facilities: *Provided*, That the recommendations of the Commission shall be advisory in nature, and shall not be binding upon the Parking Board.

(b) The National Capital Planning Commission is authorized, whenever such plans and programs are forwarded to it in accordance with the requirements of this Act, to study such plans and programs and make such report thereon to the Parking Board as the Commission, in its discretion, determines is necessary: *Provided*, That if no such report on such plans and programs is submitted by the Commission within sixty days from the date the Parking Board forwards them to the Commission, the Commission's approval of such plans and programs shall be assumed.

On page 79, after line 3, insert a new section, as follows:

COMMISSION OF FINE ARTS TO REVIEW PLANS

SEC. 316. (a) The Parking Board shall, in accordance with the provisions of the Act of May 16, 1930 (46 Stat. 366, as amended; 40 U.S.C. 121 (1964)), submit to the Commission of Fine Arts the plans for each parking facility which the Parking Board proposes to construct or which is to be constructed on land leased by the Parking Board.

After line 11, insert a new section, as follows:

PRIVATE PARKING STRUCTURES

SEC. 317. (a) On and after the date of the enactment of this Act, the District of Columbia shall not issue a building permit to construct any parking garage or substantially to expand any existing garage in the District of Columbia without the approval of the Director of the District of Columbia Department of Highways and Traffic (herein called "the Director") and the National Capital Planning Commission. This section shall not apply to parking garages constructed pursuant to this Act.

(b) Upon receiving a request for the approvals required in subsection (a), together with any plans or data they may by regulation require, the Director and the National Capital Planning Commission shall render a decision within sixty days. The Director shall approve any request unless he finds that the size, design, or location of such parking structure would interfere with the efficient flow of traffic. The National Capital Planning Commission shall approve any such request unless it finds that the size, design, or location of such parking structure would be incompatible with the plans and recommendations of the Commission made pursuant to law. The Director and the National Capital Planning Commission may make their approvals subject to such conditions as they deem necessary to protect the public interest.

(c) If either the Director or the National Capital Planning Commission deny such request, or approve such request subject to any conditions, the party aggrieved may obtain review of any such decision by filing in the United States Court of Appeals for the District of Columbia Circuit, and serving upon the Director and/or the National Capital Planning Commission, within sixty days after the entry of such decision, a written petition praying that the decision of the Director and/or the National Capital Planning Commission be modified or set aside in whole or in part. Upon receipt of any such petition, the Director and/or the National Capital Planning Commission shall file in such court a full, true, and correct copy of the transcript of the proceedings upon which the order complained of was entered. Upon the filing of such petition and receipt of such transcript, such court shall have jurisdiction to affirm, modify, or set aside, in whole or in part, any such decision. In any such review, the findings of fact of the Director and the National Capital Planning Commission shall not be set aside if supported by substantial evidence. The order of the court affirming, modifying, or setting aside, or enforcing, in whole or in part, any such decision shall be final, subject to review as provided in section 1254 of title 28 of the United States Code.

(d) Nothing in this section shall be construed as superseding any existing law or provision of law relating, directly or indirectly, to the construction, establishment, expansion, operation, or location of parking structures in the District of Columbia.

On page 81, after line 14, insert a new section, as follows:

NOTICE TO PARKING BOARD OF SCHEDULE OF RATES TO BE CHARGED BY PRIVATE PARKING FACILITIES

Sec. 318. Every person owning or operating a parking facility in the District of Columbia shall, pursuant to such rules and regulations as shall be established by the Parking Board, file in writing a complete schedule of the rates charged by such person for the storing or parking of motor vehicles in such facility, and in no case shall such person, following the filing of such schedule of rates, make any charge for such storing or parking in excess of that set forth in such schedule so filed until forty-eight hours after he has notified the Parking Board in writing of the new schedule of rates which he intends to charge. Nothing herein shall be construed as authorizing the Parking Board to fix or regulate such rates. The provisions of this section shall not be applicable with respect to any parking facility the rates of which are subject to the control and regulation of the Parking Board under this Act. Any person who shall violate this section shall be subject to a fine of not less than $100 and not to exceed $500.

On page 82, after line 9, insert a new section, as follows:

AUDITS AND REPORTS

Sec. 319. (a) All receipts and expenditures of funds by the Parking Board pursuant to the provisions of this Act shall be made and accounted for under the direction and control of the Commissioner in like manner as is provided by law in the case of expenditures made by the government of the District of Columbia: Provided, That nothing herein contained shall be construed as preventing the Parking Board from providing, by covenant or otherwise, for such other audits as it may consider necessary or desirable.

(b) A report of any audit required under subsection (a) shall be made by the Parking Board to the Congress not later than one hundred and twenty days after the close of the Parking Board's fiscal year. The report shall set forth the scope of the audit and shall include a verification by the person conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expenses, (5) sources and application of funds, and (6) a separate income and expense statement for each facility, including as an expense item a payment in lieu of taxes.

(c) The Parking Board shall submit together with the audit report, a comprehensive report to the Congress summarizing the activities of the Parking Board for the preceding fiscal year.

On page 83, after line 9, insert a new section, as follows:

POWERS OF PARKING BOARD

Sec. 320. (a) The Parking Board, in performing the duties imposed upon it by this Act, shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Act, including the following powers in addition to others herein granted:

(1) To sue and be sued, to compromise and settle suits and claims of or against it, to complain and defend in its own name in any court of competent jurisdiction, State, Federal, or municipal;

(2) To adopt, alter, and use a corporate seal which shall be judicially noticed;

(3) To adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations for the exercise of its powers under this Act or governing the manner in which its business may be conducted and the powers granted to it by this Act may be exercised and enjoyed;

(4) To make, deliver, and receive deeds, leases, and other instruments and to acquire easements, rights-of-way, licenses, and other interests in land, and to take title to real and other property in its own name;

(5) To construct and equip parking facilities in the District of Columbia and to exercise all powers necessary or convenient in connection therewith;

(6) To borrow money; to mortgage or hypothecate its property, or any interest therein; pledge its revenues; and to issue and sell its obligations;

(7) To appoint and employ, subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, such officers, agents, engineers, accountants, appraisers, and other personnel for such periods as may be necessary in its judgment, and to determine the services to be performed by them on behalf of the Parking Board;

(8) To procure and enter into contracts for any types of insurance and indemnity against loss or damage to property from any cause, including loss of use or occupancy, against death or injury of any person, against employers' liability, against any act of any director, officer, or employee of the Parking Board in the performance of the duties of his office or employment, or any other insurable risk;

(9) To deposit its moneys and other revenues in any bank incorporated under the laws of the United States;

(10) To spend its revenues, or any funds appropriated to carry out the purposes of this Act;

(11) To employ, or to enter into contracts with, consulting engineers, architects, accountants, legal counsel, construction and financial consultants, managers, superintendents, and such other consultants and technical experts as in the opinion of the Parking Board may be necessary or desirable, without regard to section 3709 of the Revised Statutes, the civil service, classification and pay laws, and section 3109 of title 5, United States Code;

(12) To enter into all contracts and agreements, in addition to those otherwise mentioned herein, necessary or incidental to the performance of the functions of the Parking Board and the execution of its powers under this Act. Except as otherwise provided in this Act, all such contracts or agreements shall be subject to competitive bidding unless the value thereof does not exceed $2,500;

(13) To sell, exchange, transfer, or assign any property, real or personal, or any interest therein, acquired under the authority of this Act, whether or not improved: *Provided*, That such action shall be in accordance with the general law covering the disposal of such property by the District: *Provided further*, That the Parking Board shall have first determined, after public hearing that any such real property is no longer necessary for the purposes of this Act;

(14) To obtain from the United States, or any agency thereof, loans, grants, or other assistance on the same basis as would be available to the District of Columbia.

(b) Notwithstanding the provisions of paragraph 13 of subsection (a) of this section, the Parking Board shall not have the authority to exchange any real property acquired by condemnation within one year following such acquisition unless the owners of such property at the time of its acquisition by the Parking Board shall first have been afforded a reasonable opportunity to reacquire such property for an amount equal to that paid to them by the Parking Board plus the cost of improvements made by the Parking Board to such property, if any.

At the top of page 87, insert a new section, as follows:

COMMISSIONER AUTHORIZED TO PROVIDE ASSISTANCE TO PARKING BOARD

Sec. 321. (a) The Commissioner is authorized to aid and cooperate in the planning, undertaking, construction, reconstruction, extension, improvement, maintenance, or operation of any parking facility established pursuant to this Act by providing, subject to reimbursement, such services, assistance, or facilities as the Parking Board may request.

(b) Subject to the reimbursement to the District of Columbia by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, there shall be made available to the Parking Board such number of employees of the District of Columbia as the Parking Board certifies are necessary to the proper discharge of its duties in carrying out the purposes of this Act, which employees shall be subject to the Classification Act of 1949, as amended.

(c) The provisions of the second paragraph under the caption "For Metropolitan Police" in the first section of the Act entitled "An Act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes", approved March 3, 1899 (30 Stat. 1045, 1057, ch. 422; sec. 4–115, D.C. Code, 1961 edition), authorizing appointment of special policemen for duty in connection with the property of corporations and individuals, shall be applicable with respect to the property of the Parking Board.

(d) The Corporation Counsel of the District of Columbia is authorized and directed in all matters to act as counsel for the Parking Board, except insofar as the Parking Board may find it necessary or convenient to retain outside legal counsel.

On page 88, after line 9, insert a new section, as follows:

PARKING FACILITIES IN CONNECTION WITH NEW CONSTRUCTION

SEC. 322. The first section of the Act entitled "An Act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes", approved June 20, 1938 (52 Stat. 797), as amended, is amended (1) by striking out "That to promote" and inserting in lieu thereof "that (a) to promote", and (2) by adding at the end thereof the following new subsection:

"(b) The Zoning Commission shall, after consultation with the District of Columbia Parking Board, issue regulations to require, with respect to buildings erected in the central business district of the District of Columbia after the expiration of the one hundred and twenty day period following the effective date of the District of Columbia Parking Facility Act, that reasonable facilities on the premises or off the premises be provided for the offstreet parking of motor vehicles of the owners, occupants, tenants, patrons, and customers of such buildings, and of the businesses, trades, and professions conducted therein. The Commission may, however, provide by regulation for waiver of such requirement when, in its judgment, or, if the Commission so delegates, in the judgment of the Board of Zoning Adjustment, the building site is too small reasonably to accommodate parking facilities on the premises to be erected, or when, in the judgment of the Director of the District of Columbia Department of Highways and Traffic, provision of parking facilities on or off the premises would interfere with the efficient flow of pedestrian or vehicular traffic, or when, in the judgment of the National Capital Planning Commission, provision of parking facilities on or off the premises would be incompatible with the plans and recommendations of the Commission made pursuant to law. Where such waiver is granted, the owner of the building to be erected shall agree to pay to the District of Columbia Parking Board a sum of money which represents an equitable contribution toward the costs of providing parking facilities under the provisions of this Act. The District of Columbia Parking Board, with the advice and assistance of the Parking Advisory Council, shall establish general regulations to govern the computation of such contribution".

On page 90, after line 2, insert a new section, as follows:

DEFINITIONS

SEC. 323. As used in this Act, the term—

(1) "District" means the District of Columbia;

(2) "Commissioner" means the Commissioner of the District of Columbia;

(3) "Person" means an individual, firm, copartnership, association, or corporation (including a nonprofit corporation);

(4) "Revenues" means all payments received by the Parking Board from the sale or lease of parking facilities all moneys received from the operation of parking meters, authorized to be pledged, and all income and other moneys received by the Parking Board from any other source;

(5) "Parking facility" means a parking lot, parking garage, or other structure (either single- or multi-level and either at, above, or below the surface) primarily for the offstreet parking of motor vehicles, open to public use for a fee, and all property, rights, easements, and interests relating thereto which are deemed necessary for the efficient and economical construction or the operation thereof;

(6) "Parking garage" means any structure (either single- or multi-level and either at, above, or below the surface) which is open to public use for a fee and which is primarily used for the offstreet parking of motor vehicles; and

(7) "National Capital area" means the District of Columbia and all surrounding jurisdictions which are commonly recognized as part of the District of Columbia metropolitan area.

On page 91, after line 8, insert a new section, as follows:

ABOLITION OF THE DISTRICT OF COLUMBIA MOTOR VEHICLE PARKING AGENCY AND TRANSFER OF FUNDS AND PROPERTY TO PARKING BOARD

SEC. 324. (a) The Motor Vehicle Parking Agency created by Reorganization Order Numbered 54 and reconstituted under Organization Order Numbered 106 (title 1, appendix, D.C. Code), predicated upon authority contained in Reorganization Plan Numbered 5 of 1952 (66 Stat. 824), is hereby abolished. The functions, positions, personnel, equipment property records, and unexpended balances of appropriations allocations, and other funds, available or to be made available relating to the Motor Vehicle Parking Agency are hereby transferred to the Parking Board.

(b) All positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the function of installing, repairing, replacing, and removing parking meters on the public streets of the District of Columbia are hereby transferred to the Parking Board from the Department of Highways and Traffic.

(c) Section 11 of the Act approved April 4, 1938 (52 Stat. 156, 192; sec. 40–616, D.C. Code, 1961 edition), is hereby repealed.

On page 92, after line 7, insert a new section, as follows:

COORDINATION OF FACT WITH PROVISIONS OF REORGANIZATION PLAN NUMBERED 3 OF 1967

SEC. 325. The performance of any function vested by this Act in the Commissioner or in any office or agency under the jurisdiction and control of said Commissioner or in the District of Columbia Council may be delegated by said Commission or Council in accordance with section 305 and section 205 of the Reorganization Plan Numbered 3 of 1967.

After line 16, insert a new section, as follows:

REPEAL

SEC. 326. The District of Columbia Parking Facilities Act of 1942 is hereby repealed.

And, after line 19, insert a new section, as follows:

EFFECTIVE DATE

SEC. 327. This Act shall take effect on the first day of the first month which begins more than ninety days after the date of its enactment.

So as to make the bill read:

S. 3418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FEDERAL-AID HIGHWAY ACT OF 1968

SHORT TITLE

SECTION 101. This title may be cited as the "Federal-Aid Highway Act of 1968".

AUTHORIZATION OF USE OF COST ESTIMATE FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 102. (a) The Secretary of Transportation is authorized to make the apportionment for the fiscal years ending June 30, 1970, and 1971, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in revised table 5 of House Document Numbered 199, Ninetieth Congress.

(b) Section 104(b)(5) of title 23, United States Code, is amended by striking the three sentences preceding the last sentence and inserting the following: "Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1970, and June 30, 1971. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1970. Upon the approval by the Congress the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal year ending June 30, 1972."

AUTHORIZATIONS

SEC. 103. For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, from the Highway Trust Fund, $1,200,000,000 for the fiscal year ending June 30, 1970, and $1,400,000,000 for the fiscal year ending June 30, 1971. Nothing in this paragraph shall be construed to authorize the appropriation of any sums to carry out sections 131, 136, or 319(b) of title 23, United States Code, or any provision of law relating to highway safety enacted after May 1, 1966. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For traffic operation projects in urban areas as authorized in section 135 of title 23, United States Code, from the Highway Trust Fund, the additional sum of $250,000,000 for the fiscal year ending June 30, 1970, the additional sum of $250,000,000 for the fiscal year ending June 30, 1971, $33,000,000 for the fiscal year ending June 30, 1970, and $33,000,000 for the fiscal year ending June 30, 1971.

(4) For public lands highways, $16,000,000 for the fiscal year ending June 30, 1970, and $16,000,000 for the fiscal year ending June 30, 1971.

(5) For forest development roads and trails, $170,000,000 for the fiscal year ending June 30, 1970, and $170,000,000 for the fiscal year ending June 30, 1971.

(6) For public lands development roads and trails, $3,500,000 for the fiscal year ending June 30, 1970, and $5,000,000 for the fiscal year ending June 30, 1971.

(7) For park roads and trails, $30,000,000 for the fiscal year ending June 30, 1971.

(8) For parkways, $11,000,000 for the fiscal year ending June 30, 1971.

(9) For Indian reservation roads and bridges, $30,000,000 for the fiscal year end-

ing June 30, 1970, and $30,000,000 for the fiscal year ending June 30, 1971.

AUTHORIZATION FOR STATE AND COMMUNITY HIGHWAY SAFETY PROGRAMS

SEC. 104. For the purpose of carrying out section 402 of title 23, United States Code, there is hereby authorized to be appropriated, from the Highway Trust Fund, the sum of $50,000,000 for the fiscal year ending June 30, 1970, and $75,000,000 for the fiscal year ending June 30, 1971.

AUTHORIZATION FOR HIGHWAY SAFETY RESEARCH AND DEVELOPMENT PROGRAMS

SEC. 105. For the purpose of carrying out sections 307(a) and 403 of title 23, United States Code, there is hereby authorized to be appropriated to remain available until expended the additional sum of $30,000,000 for the fiscal year ending June 30, 1970, and the additional sum of $40,000,000 for the fiscal year ending June 30, 1971.

AUTHORIZATIONS FOR HIGHWAY BEAUTIFICATION

SEC. 106. (a) Section 131(m) of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, not to exceed $5,000,000 for the fiscal year ending June 30, 1969, not to exceed $5,000,000 for the fiscal year ending June 30, 1970, and not to exceed $5,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(b) Section 136(m), title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, not to exceed $10,000,000 for the fiscal year ending June 30, 1969, not to exceed $10,000,000 for the fiscal year ending June 30, 1970, and not to exceed $10,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(c) Section 319(b) of title 23, United States Code, is amended by striking the last two sentences and inserting in lieu thereof the following: "There is authorized to be appropriated to carry out this subsection, out of any money in the Treasury not otherwise appropriated, not to exceed $120,000,000 for the fiscal year ending June 30, 1966, not to exceed $120,000,000 for the fiscal year ending June 30, 1967, not to exceed $70,000,000 for the fiscal year ending June 30, 1969, not to exceed $70,000,000 for the fiscal year ending June 30, 1970, and not to exceed $70,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this subsection after June 30, 1967."

(d) Funds authorized to be appropriated by this section to carry out the provisions of sections 131, 136, and 319(b) shall be subject to a deduction for necessary administrative expenses which shall not exceed 5 per centum of the aggregate total of amounts authorized for any fiscal year.

ADVANCE ACQUISITION OF RIGHTS-OF-WAY

SEC. 107. (a) Section 108 of title 23, United States Code, is amended to read as follows:

"(a) For the purpose of facilitating the acquisition of rights-of-way on any of the Federal-aid highway systems, including the Interstate System, in the most expeditious and economical manner, and recognizing that the acquisition of rights-of-way requires lengthy planning and negotiations if it is to be done at reasonable cost; to facilitate the orderly relocation of persons, businesses, farms, and other existing users of property; to minimize right-of-way costs by forestalling development of land ultimately required for highway purposes, and to achieve a rational development of communities, the Secretary, upon the request of the State highway department, is authorized to make available the funds apportioned to any State for expenditure on any of the Federal-aid highways systems, including the Interstate System, for acquisition of rights-of-way in anticipation of construction and under such rules and regulations as the Secretary may prescribe.

"(b) In addition to funds available under subsection (a) of this section, the Secretary is authorized to allocate to each State, subject to the provisions of section 124(b) of this title, an additional amount equivalent to 2 per centum of the aggregate sums apportioned to it under section 104 of this title for any fiscal year. Within six months subsequent to the allocation to a State of funds under this subsection the State shall demonstrate to the satisfaction of the Secretary that it will obligate such funds for the purposes of this section. Any funds made available under this subsection with respect to which a State has not made the demonstration required by the preceding sentence shall automatically revert to the Secretary who may, in his discretion, make such reverted funds available for the purposes of this subsection and on the basis of need to any other State requesting such funds and making the requisite demonstration.

"(c) Before any funds may be made available to a State pursuant to this section, the State highway department shall enter into an agreement with the Secretary which shall provide (1) for the reimbursement of the costs of such rights-of-way, and (2) for the actual construction of a road on such rights-of-way, both within a period not exceeding seven years following the fiscal year in which such request is made or by the terminal date of the Highway Trust Fund, whichever occurs first.

"(d) Federal participation in the cost of rights-of-way acquired under subsection (a) of this section shall not exceed the Federal pro rata share applicable to the class of funds from which Federal reimbursement is made except for advance payments that are to be repaid under the provisions of section 124(c) of this title."

(b) That section 124 of title 23, United States Code, is amended by relettering the first paragraph as subsection "(a)", substituting the word "subsection" for the word "section" in the third sentence of such subsection "(a)" and adding at the end thereof the following new subsections:

"(b) For the purpose of carrying out the provisions of section 108(b) of this title relating to the allocation of additional amounts to the States for the advance acquisition of rights-of-way, there is hereby authorized to be appropriated from the Highway Trust Fund such moneys, not to exceed $100,000,000, as may be necessary for the initial establishment of a fund and for its replenishment on an annual basis, which may be used by the Secretary, upon the request of any State, for payment of the total cost of rights-of-way acquired in advanuce of construction, including any net expenses of property management, on any of the Federal-aid systems. Pending such appropriation, the Secretary may advance from any cash heretofore or hereafter appropriated from the Highway Trust Fund to Federal-aid highways (Trust Fund) for liquidation of contract authority, such sums as may be necessary for payments to the States for the rights-of-way acquired in advance of construction, that appropriation to be reimbursed from the appropriations herein authorized when made.

"(c) Before any funds are made available to a State under subsection (b) of this section, the respective State highway department shall enter into an agreement with the Secretary which shall provide for repayment by the State of its pro rata share of funds made available under section 108 of this title. Before actual construction commences on rights-of-way acquired under section 108 of this title, repayment by the State of its pro rata share of the costs applicable to such project shall be credited to the Highway Trust Fund and the Federal pro rata share of the costs applicable to such project shall be charged to the unobligated balance of regularly apportioned funds available to the State for improvement of the Federal-aid system for which the right-of-way was purchased.

"(d) The provisions of subsections (d), (f), and (g) of section 209 of the Highway Revenue Act of 1956 (70 Stat. 374) shall be applicable to section 108(b) of this title and to subsection (b) of this section."

DEFINITIONS OF FOREST ROAD OR TRAIL AND FOREST DEVELOPMENT ROADS AND TRAILS

SEC. 108. The fourth and fifth paragraphs in section 101(a) of title 23, United States Code, are amended to read as follows:

"The term 'forest road or trail' means a road or trail wholly or partly within or adjacent to and serving the national forests and other areas under Forest Service administration.

"The term 'forest development roads and trails' means those forest roads or trails of primary importance for the protection, administration, and utilization of the national forest and other areas under Forest Service administration or where necessary, for the use and development of the resources upon which communities within or adjacent to the national forest and other areas administered by the Forest Service are dependent."

FOREST DEVELOPMENT ROADS AND TRAILS

SEC. 109. The first two sentences of subsection (c) of section 205 of title 23, United States Code, are amended to read as follows:

"(c) Construction estimated to cost $15,000 or more per mile or $15,000 or more per project for projects with a length of less than one mile, exclusive of bridges and engineering, shall be advertised and let to contract. If such estimated cost is less than $15,000 per mile or $15,000 per project for projects with a length of less than one mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account."

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

SEC. 110. Chapter 1 of title 23, United States Code, is hereby amended by adding the following new section 135 thereto:

"§ 135. Urban area traffic operations improvement programs

"(a) The Congress hereby finds and declares it to be in the national interest that each State should have a continuing program within the designated boundaries of urban areas of the State designed to reduce traffic congestion and accidents and to facilitate the flow of traffic in the urban areas.

"(b) To accomplish this objective the sums available for expenditure for the purposes of this section shall be used for projects which include but are not limited to those which directly facilitate and control traffic flow.

"(c) The sums available for expenditure

for the purposes of this section shall be apportioned in accordance with section 104(b)(3).

"(d) The Federal share payable on account of any project authorized by this section shall be that provided for in section 120(a) of this title. Sums available for expenditure for the purposes of this section shall be used to finance the Federal share payable under this section.

"(e) The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the sums available for expenditure for purposes of this section."

"(f) The urban area traffic operations improvement program shall be developed and carried out in accordance with the comprehensive urban plans developed pursuant to section 134 of this title."

Sec. 111. The analysis of chapter 1 of title 23, United States Code, is hereby amended by adding thereto, in the appropriate numerical order the following:

"135. Urban area traffic operations in improvement programs".

FRINGE PARKING FACILITIES

Sec. 112. Chapter 1 of title 23, United States Code, is hereby amended by adding the following new section 139 thereto:

"§ 139. Fringe parking

"(a) It is hereby declared to be in the national interest, in furtherance of the orderly development of balanced transportation systems based on a continuing comprehensive transportation planning process, to encourage and assist the States in the development of publicly owned parking facilities outside central business districts to reduce traffic volume and incerase the mobility and safe flow of traffic on highways and streets within urban areas of more than fifty thousand population.

"(b) The Secretary may approve, as a project under this title, the acquisition of land adjacent to the right-of-way on any Federal-aid highway system outside a central business district, as defined by the Secretary, and the construction of publicly owned parking facilities thereon or within such right-of-way, including the use of the airspace above and below the established gradeline of the highway, to serve an urban area of more than fifty thousand population. Such parking facility shall be located and designed to permit its use in conjunction with existing or planned mass transportation facilities. In the event fees are charged for the use of any such facility, the rate thereof shall not be in excess of that required for maintenance and operation.

"(c) The Federal share payable on account of any project authorized by this section shall be 50 per centum. Sums apportioned in accordance with section 104(b)(3) and section 135 of this title shall be used to finance the Federal share payable under this section.

"(d) The Secretary shall not approve any project under this section until the following conditions have been satisfied:

"(1) The State highway department has provided assurances satisfactory to the Secretary that the State, or a political subdivision thereof, has the authority and is capable of providing for the construction, maintenance, and operation of the facility;

"(2) The design standards for construction of the facility have been concurred in by the Secretary, which shall be developed in cooperation with the State highway department;

"(3) The Secretary and the State highway department or other appropriate public agency have entered into an agreement governing the financing, maintenance, and operation of the facility; and

"(4) The fringe parking facilities must be based on the comprehensive urban planning process required by section 134 of this article.

"(e) The term 'parking facilities', for purposes of this section, shall include access roads, buildings, structures, equipment, improvements, and interests in lands.

"(f) The Secretary shall not approve any project under this section unless he determines that it is needed for carrying out a plan, completed or under active preparation, for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area."

Sec. 113. The analysis of chapter 1 of title 23, United States Code, is hereby amended by adding thereto, in the appropriate numerical order, the following:

"139. Fringe parking".

URBAN IMPACT AMENDMENTS

Sec. 114. (a) The second paragraph in section 101(a) of title 23, United States Code, is amended by striking the period at the end thereof, inserting a comma and adding the following: "and the costs of adjustments to reduce adverse economic, social, environmental and other impact caused by a project."

(b) Clause (2) of subsection (a) of section 109 of title 23, United States Code, is amended by adding after the word "particular" the following: "economic, social, environmental, and other".

(c) The first sentence of subsection (a) of section 128 of title 23, United States Code, is amended by striking everything after the word "economic" and adding the following: "and social effects of such a location, its impact on the environment, and its consistency with the goals and objectives of the community.".

(d) The third sentence of section 134 of title 23, United States Code, is amended by striking the word "transportation" and inserting the word "urban" in lieu thereof.

CONSTRUCTION BY STATES IN ADVANCE OF APPORTIONMENT

Sec. 115. (a) Subsection (a) of section 115 of title 23, United States Code, is amended to read as follows:

"(a) When a State has obligated all funds for any of the Federal-aid systems, including the Interstate System, apportioned to it under section 104 of this title, and proceeds to construct any project without the aid of Federal funds, including one or more parts of any project, on any of the Federal-aid systems in such State, including the Interstate System, as any of those systems may be designated at that time, in accordance with all procedures and all requirements applicable to projects on any such system, except insofar as such procedures and requirements limit a State to the construction of projects with the aid of Federal funds previously apportioned to it, the Secretary, upon application by such State and his approval of such application, is authorized to pay to such State the Federal share of the costs of construction of such project when additional funds are apportioned to such State under section 104 of this title if—

"(1) prior to the construction of the project the Secretary approves the plans and specifications therefor in the same manner as other projects on the Federal-aid system involved, and

"(2) the project conforms to the applicable standards adopted under section 109 of this title;

"*Provided*, the Secretary may not approve an application under this section unless an authorization is in effect for the fiscal year for which the application is sought beyond the currently authorized funds for such State and that no application may be approved which will exceed the State's expected apportionment of such authorizations."

(b) Subsection (b) of section 115 of title 23, United States Code, is amended by striking the following: "of subsection (b)(5)".

(c) The analysis of chapter 1 of title 23, United States Code, is hereby amended to read as follows:

"115. Construction by States in advance of apportionment."

BRIDGE INSPECTION

Sec. 116. Section 116 of title 23, United States Code, is amended by adding a new subsection (d):

"(d) The Secretary in consultation with the State highway departments and interested and knowledgeable private organizations and individuals shall as soon as possible establish national bridge inspection standards in order to provide for the proper safety inspection of bridges on any of the Federal-aid highway system. Such standards shall specify in detail the method by which inspections shall be conducted, the maximum time lapse between inspections and the qualifications for those charged with the responsibility for carrying out such inspections. Each State shall be required to maintain written reports to be available to the Secretary pursuant to such inspections together with a notation of the action taken pursuant to the findings of such inspections. Each State shall be required to maintain a current inventory of all bridges on the Federal-aid system."

Sec. 117. The Secretary shall establish in cooperation with the State highway departments a program designed to train those employees of the Federal Government and the State governments charged with the responsibility for carrying out bridge inspections. Such a program shall be revised from time to time in light of new or improved techniques. For the purposes of this section the Secretary may use funds made available pursuant to the provisions of section 104(a) and section 307(a) of title 23, United States Code.

EMERGENCY RELIEF

Sec. 118. (a) The first sentence of section 125 of title 23, United States Code, is amended to read as follows: "An emergency fund is authorized for expenditure by the Secretary, subject to the provisions of this section and section 120, for the repair or reconstruction of highways, roads, and trails which he shall find have suffered serious damage as the result of (1) natural disaster over a wide area such as by floods, hurricanes, tidal waves, earthquakes, severe storms, or landslides, or (2) catastrophic failures from any cause, in any part of the United States."

(b) The first sentence of section 120(f) of title 23, United States Code, is amended by inserting before the period the following: "And provided further, That the Secretary may increase the Federal share payable on account of any repair or reconstruction under this section up to 100 per centum of the replacement cost of a comparable facility if he determines it is in the public interest".

TOLL ROADS

Sec. 119. Section 129 of title 23 of the United States Code is amended by adding to subsection (b) thereof the following language:

"After June 30, 1968, all agreements between the Secretary and a State highway department for the construction of projects on the Interstate System shall contain a clause providing that no toll highway will be constructed on the intertsate highway route involved without the official concurrence of the Secretary. The Secretary shall not concur in any such construction unless he makes an affirmative finding that, under the particular circumstances existing, the construction of such highway as a toll facility rather than a toll-free facility is in the public interest."

GUAM

Sec. 120. (a) Effective for fiscal years beginning after June 30, 1969, section 101(a) of title 23 of the United States Code is amended in the cause relating to the definition of the term "State" by inserting "Guam," after "District of Columbia,".

(b) Section 103 of title 23 of the United States Code is amended by inserting at the end thereof a new subsection as follows:

"(f) The system or systems of highways in Guam on which Federal-aid funds may be expended under this chapter shall be determined and agreed upon by the Governor of Guam and the Secretary.".

PREVAILING RATE OF WAGE

SEC. 121. Section 113 of title 23, United States Code, is amended by (1) striking subsection (a) and (b) thereof and inserting, in lieu thereof, the following:

"(a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the Federal-aid systems, the primary and secondary, as well as their extensions in urban areas, and the Interstate System, authorized under the highway laws providing for the expenditure of Federal funds upon the Federal-aid systems, shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the Act of August 30, 1935, known as the Davis-Bacon Act (40 U.S.C. 267a).

"(b) In carrying out the duties of subsection (a) of this section, the Secretary shall consult with the highway department of the State in which a project on any of the Federal-aid systems is to be performed. After giving due regard to the information thus obtained, he shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of subsection (a) of this section which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

"(c) the provision of the section shall not be applicable to employment pursuant to apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting equal employment opportunity in connection with Federal-aid highway construction programs."

(d) the analysis of chapter 1 of title 23, United States Code, is hereby amended to read as follows:

"113. Prevailing rate of wage."

EQUAL EMPLOYMENT OPPORTUNITY

SEC. 122. Section 105 of title 23, United States Code, is amended by adding a new subsection (e) at the end thereof:

"(e) Prior to approving any programs for projects as provided for in subsection (a) of this section, the Secretary in consultation with the Secretary of Labor shall receive assurances that employment in connection with proposed projects will be open to all qualified applicants. He shall require that each State shall notify all prospective bidders of their equal employment opportunity responsibilities. In approving programs for projects on any of the Federal-aid systems, the Secretary shall require certification by any State desiring to avail itself of the benefits of this chapter that there are in existence and available on an areawide or statewide basis, apprentice and skill improvement programs, registered with the Department of Labor or appropriate State apprentice council, to insure equal employment opportunity to all persons without regard to race, color, creed or national origin; and that such persons are being given full opportunity to achieve employment on any projects approved for construction under this chapter. The Secretary shall periodically receive from the Secretary of Labor and the respective State highway departments information which will enable him to judge compliance with the requirements of this subsection and the Secretary of Labor shall render to the Secretary such assistance and information as he shall deem necessary to carry out the equal employment opportunity program required hereunder. Acceptance by the Secretary of the program or programs submitted by any State shall be in lieu of any other preaward of preconstruction requirement of law or regulation concerning equal employment opportunity."

TITLE II—RELOCATION ASSISTANCE AND LAND ACQUISITION PRACTICES

SEC. 201. This title may be cited as the "Highway Relocation Assistance and Land Acquisition Practices Act of 1968".

SEC. 202. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

"CHAPTER 5.—HIGHWAY RELOCATION ASSISTANCE

"Sec.
"501. Declaration of policy.
"502. Assurances of adequate relocation assistance program.
"503. Administration of relocation assistance program.
"504. Federal reimbursement.
"505. Relocation payments.
"506. Rent adjustment expenses.
"507. Replacement housing.
"508. Expenses incidental to transfer of property.
"509. Relocation services.
"510. Relocation assistance programs on Federal highway projects.
"511. Authority of Secretary.
"512. Definitions.

"§ 501. Declaration of policy

"Congress hereby declares that the prompt and equitable relocation and reestablishment of persons, business concerns, farmers, and nonprofit organizations displaced as a result of the construction of Federal-aid highways are necessary to insure that a few individuals do not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole. Therefore, Congress determines that relocation payments and advisory assistance should be provided to all persons so displaced in accordance with the provisions of this Act.

"§ 502. Assurances of adequate relocation assistance program

"The Secretary shall not approve any project under section 106 or section 117 of this title which will cause the displacement of any person, business, or farm operation unless he receives satisfactory assurances from the State highway department or any agency designated by a State highway department that:

"(a) fair and reasonable relocation and other payments shall be afforded to displaced persons in accordance with sections 505, 506, 507, and 508 of this title: *Provided*, That no State need agree to make any payment in excess of $25,000 to any displaced person in order to receive the assistance authorized by this Act.

"(b) relocation assistance programs offering the services described in section 509 of this title shall be afforded to displaced persons; and

"(c) within a reasonable period of time prior to displacement from real property in (1) an urban area, and (2) nonurban areas in any State to the extent practicable as designated by the Secretary, after consultation with the Governor, there will be available in areas not generally less desirable in regard to public utilities and public and commercial facilities and as rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings, as defined by the Secretary, equal in number to the number of and available to such displaced families and individuals and reasonably accessible to their places of employment.

"§ 503. Administration of relocation assistance program

"In order to prevent unnecessary expenses and duplication of functions, a State highway department may make relocation payments or provide relocation assistance or otherwise carry out the functions required under this chapter by utilizing the facilities, personnel, and services of any other Federal, State, or local governmental agency having an established organization for conducting relocation assistance programs.

"§ 504. Federal reimbursement

"(a) The Secretary shall approve, as a part of the cost of construction of a project under any Federal-aid highway program which he administers, the cost of providing the payments and services described in section 502: *Provided*, That, notwithstanding any other law, the Federal share of the first $25,000 of such payments to any person, on account of any real property acquisition or displacement occurring prior to July 1, 1971, shall be increased to 100 per centum of such cost.

"(b) Any agreement with a State highway department executed before the date of this Act for a project for which property has not been acquired as of the date of enactment of this Act under any such program shall be amended to include the cost of providing the payments and services described in section 502.

"§ 505. Relocation payments

"(a) PAYMENTS FOR ACTUAL EXPENSES.—Upon application approved by the State agency, a person displaced by any highway project approved under section 106 or section 117 of this title may elect to receive:

"(1) his reasonable actual expenses in moving himself, his family, his business, farm operation, or other personal property, and for his actual and reasonable expenses in searching for a replacement property;

"(2) if he disposes of personal property on moving his business or farm operation and replaces such property at the new location at a price exceeding the sale price, the amount of the difference between such prices not to exceed, however, the estimated cost of moving the property or its market value, whichever is less; and

"(3) such other expenses as may be provided for in regulations issued by the Secretary; or

"(b) OPTIONAL PAYMENTS—DWELLINGS.—Any displaced person who moves from a dwelling who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section may receive:

"(1) a moving expense allowance, determined according to a schedule established by the Secretary, not to exceed $200;

"(2) a dislocation allowance of $100; and

"(3) an additional payment of $400 if the displaced person purchases a dwelling for the purpose of residence within one year from the date of actual displacement, except that such displaced person shall only be eligible for payment under this subparagraph when the dwelling purchased is situated upon real estate in which such person acquires fee title, life estate, ninety-nine-year lease, or other type of long-term lease equivalent to a proprietary interest.

"(c) ADDITIONAL PAYMENTS—FARM OPERATIONS.—Any displaced person who moves or discontinues a farm operation shall receive, in addition to the payment authorized by subsection (a) of this section, a fixed relocation payment in the amount of $1,000: *Provided*, That, in the case where the entire farm operation is not acquired by the State, the payment authorized by this subparagraph shall be made only if the State agency determines that the remainder property is no longer an economic unit.

"(d) ADDITIONAL PAYMENTS BUSINESSES.—Any displaced person who moves or discontinues his business shall receive, in addition to the payment authorized by subsection (a) of this section, a fixed relocation payment in an amount equal to the average annual net earnings of the business or $5,000, whichever is the lesser. No payment shall be made under this subsection unless the State agency is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not part of a commercial enterprise having at least one other establishment, not being acquired by the State or by the United States, which is engaged in the same or similar business. For purposes of this subsection, the term 'average annual net earnings' means one-half of any net earnings of the business, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business moves from the real property acquired for such project, or such other reasonable period and basis as the Secretary may approve, and includes any compensation paid by the business to the owner, his spouse, or his dependent children during such two-year period. Such earnings and compensation shall be established by Federal income tax returns filed by such business and its owner and his spouse and dependent children for such taxable period.

"§ 506. Rent adjustment expenses

"(a) In addition to amounts otherwise authorized by this title, the State agency may pay to or on behalf of any displaced family, displaced elderly individual, or displaced handicapped individual monthly payments over a period not to exceed twenty-four months an amount not to exceed $500 in the first twelve months and $500 in the second twelve months to assist such displaced family or individual to secure a dwelling determined, in accordance with standards established by the Secretary, to be decent, safe, and sanitary. Subject to the limitation imposed by the preceding sentence, the additional payment shall be an amount which, when added to 20 per centum of the annual income of the displaced individual or family at the time of displacement, equals the average annual rental required for such a decent, safe, and sanitary dwelling of modest standards adequate in size to accommodate the displaced individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities: *Provided*, That such payment shall be made only to an individual or family who is unable to secure a dwelling unit in a low-rent housing project assisted under the United States Housing Act of 1937, or under a State or local program found by the Secretary of Housing and Urban Development to have the same general purposes as the Federal program under such Act, or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965.

"(b) The Secretary shall make the determinations under this section on the amount of assistance according to family size, family or individual income, average rents required, or similar considerations.

"(c) The additional payments under this section may be paid on a basis other than monthly in cases in which the small size of the payments that would otherwise be required does not warrant a number of separate payments or in other cases in which other than monthly payments are determined warranted by the Secretary.

"(d) No payment received under this section shall be considered as income for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal Act.

"§ 507. Replacement housing

"(a) In addition to amounts otherwise authorized by this title, the State agency may make a payment to the owner of real property acquired for a project which is improved by a single-, two-, or three-family dwelling actually occupied by the owner for not less than one year prior to the initiation of negotiations for the acquisition of such property. Such payment shall be (1) the amount, if any, not to exceed $5,000, which, when added to the acquisition payment, equals the average price required for a comparable dwelling determined, in accordance with standards established by the Secretary, to be a decent, safe, and sanitary dwelling adequate in size to accommodate the displaced owner, reasonably accessible to public services and places of employment, and available on the private market and (2) an amount determined by the Secretary to be necessary to compensate such owner for any loss of favorable financing due to such acquisition: *Provided*, That such payment shall be made only to a displaced owner who purchases and occupies a dwelling within one year subsequent to the date on which he is required to move from the dwelling acquired for the project: *And provided further*, That no such payment shall be required or included as a project cost under section 504 of this title if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the Secretary to have substantially the same purpose and effect as this section and to be part of the cost of the project for which Federal financial assistance is available.

"(b) Subject to the approval of the Secretary, the State agency shall determine the prices prevailing in the locality for dwellings meeting the requirements of subsection (a) of this section.

"§ 508. Expenses incidental to transfer of property

"In addition to amounts otherwise authorized by this title, the State shall reimburse the owner of real property acquired for a project for reasonable and necessary expenses incurred for (a) recording fees, transfer taxes, and similar expenses incidental to conveying such property; (b) penalty costs for prepayment of any mortgage encumbering such real property: *Provided*, That such mortgage shall be on record as required by law on the date of official announcement of such project; and (c) the pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting of title in the State, or the effective date of the possession of such real property by the State, whichever is earlier.

"§ 509. Relocation services

"(a) Each State shall provide a relocation assistance program which shall include such measures, facilities, or services as may be necessary or appropriate in order:

"(1) to determine the needs of displaced families, individuals, business concerns, and farm operators for relocaton assistance;

"(2) to assure a feasible method for the temporary relocation of families and individuals displaced from the property acquired;

"(3) to assure that, within a reasonable period of time prior to displacement from real property in (i) an urban area, or (ii) any other area of a State designated by the Secretary, after consultation with the Governor, there will be available, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, housing meeting the standards established by the Secretary for decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment;

"(4) to assist owners of displaced businesses and displaced farm operators in obtaining and becoming established in suitable business locations;

"(5) to supply information concerning the Federal Housing Administration home acquisition program under section 221(d)(2) of the National Housing Act, the small business disaster loan program under section 7(b)(3) of the Small Business Act, and other State or Federal programs offering assistance to displaced persons;

"(6) to assist in minimizing hardships to displaced persons in adjusting to relocation; and

"(7) to assure, to the greatest extent practicable, the coordination of relocation activities with other project activities and other planned or proposed governmental actions in the community or nearby areas which may affect the carrying out of the relocation program.

"(b) Any State may offer relocation services under such program to other persons occupying property abutting any real property acquired for a Federal-aid highway project who it determines are caused substantial economic injury because of such project.

"§ 510. Relocation assistance programs on Federal highway projects

"Notwithstanding any other provision of law, on and after the effective date of this Act any Federal agency which acquires real property for use in connection with a highway project authorized by chapter 2 of this title or any other Federal law shall, in accordance with regulations issued by the Secretary, provide the payments and services described in sections 502, 505, 506, 507, 508, and 509, of this Act. When real property is acquired by a State or local governmental agency for such a Federal project, for purposes of this chapter, the acquisition shall be deemed an acquisition by the Federal agency having authority over such project. Funds appropriated or otherwise available to any Federal agency for such project shall be available also for obligation and expenditure to carry out the provisions of this chapter.

"§ 511. Authority of the Secretary

"(a) To carry into effect the provisions of this chapter, the Secretary is authorized to make such rules and regulations as he may determine to be necessary to assure:

"(1) that the payments authorized by this chapter shall be fair and reasonable and as uniform as practicable;

"(2) that a displaced person who makes proper application for a payment authorized for such person by this Act shall be paid promptly after a move or, in certain hardship cases, the Secretary may, by regulation, authorize advance payment of certain relocation costs;

"(3) that any person aggrieved by a determination as to eligibility for a payment authorized by this chapter, or the amount of a payment, may have his application reviewed by the head of the State or Federal agency making such determination; and

"(4) that a displaced person shall have a reasonable time in which to apply for a payment authorized by this Act.

"(b) The Secretary may make such other rules and regulations consistent with the provisions of this chapter as he deems necessary or appropriate to carry out this chapter.

"§ 512. Definitions

"Unless the context requires otherwise, as used in this chapter—

"(1) The term 'displaced person' means—

"(a) any person who is the owner of a business which moves from real property or is discontinued on or after the effective date of this Act as result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway;

"(b) any person who is the farm operator of a farm operation which moves from real property or is discontinued on or after the effective date of this Act as a result of the acquisition or the reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway;

"(c) any individual who is the head of a family which moves from real property occupied as a dwelling on or after the effective date of this Act, as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway, or which moves from such dwelling as a result of the acquisition or reasonable expectation of acquisition of other real property, later acquired, for such highway on which such family conducts a business or farm operation;

"(d) any individual, not a member of a family, who moves from real property occupied as a dwelling on or after the effective date of this Act as the result of the acquisition or the reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway, or who moves from such dwelling as a result of the acquisition, or reasonable expectation of other real property, on which such individual conducts a business or farm operation; or

"(e) any individual not described in paragraph (a), (b), (c), or (d) of this subsection who moves his personal property from real property on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such real property for a Federal-aid highway: *Provided*, That this shall not include the owner of property on the premises of another under a lease or licensing arrangement where such owner is required pursuant to such lease or license to move such property at his own expense.

"(2) The term 'business' means any lawful activity conducted primarily—

"(a) for the purchase and resale of products, commodities, or any other personal property;

"(b) for the manufacture, processing, or marketing of any such property;

"(c) for the cultivation, processing, or marketing of timber;

"(d) for the sale of services to the public; or

"(e) by a nonprofit organization.

"(3) The term 'farm operation' means any activity conducted solely or primarily for the production of one or more agriculutral products or commodities other than timber for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

"(4) The term 'farm operator' means any owner, part owner, tenant, or sharecropper who operates a farm.

"(5) The term 'elderly individual' means a person not a member of a family who is sixty-two years of age or over.

"(6) The term 'handicapped individual' means a person not a member of a family who is handicapped within the meaning of section 202 of the Housing Act of 1959.

"(7) The terms 'owner' and 'person' means any individual, partnership, corporation, or association.

"(8) The term 'Federal agency' means any department, agency, or instrumentality in the executive branch of the Government and any corporation wholly owned by the Government.

"(9) The term 'State agency' means a State highway department or any agency designated by a State highway department to administer the relocation assistance program authorized by this chapter."

SEC. 203. Paragraph (3) of section 7(b) of the Small Business Act is amended to read as follows:

"(3) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in continuing in business at its existing location, in reestablishing its business, in purchasing a business, or in establishing a new business, if the Administration determines that such concern has suffered substantial economic injury as the result of its displacement by, or location in, adjacent to, or near, a highway project constructed by the Federal Government or any State government; and the purpose of a loan made pursuant to such project or program may, in the discretion of the Administration, include the purchase or construction of other premises whether or not the borrower owned the premises occupied by the business and,".

SEC. 204. Section 106 of title 23, United States Code, is amended by adding new subsection (d) and (e) at the end thereof as follows:

"(d) Before approving projects under this chapter, the Sercetary shall obtain from the State highway department the following assurances:

"(1) that every reasonable effort shall be made to acquire the real property by negotiated purchase;

"(2) That the construction of project shall be so scheduled that to the greatest extent practicable no person lawfully occupying the real property shall be required to move from his home, farm, or business location without at least ninety days written notice from the State of the date by which possession of such real property is required; and

"(3) that it will be the policy of the State, before initiating negotiations for real property, to establish a price which is believed to be a fair and reasonable consideration therefor, such price not to be less than the appraised value of the property as approved by such State, and to make a prompt offer to acquire the property for the full amount so established.

"(e) Before approving any project under this chapter after the date of enactment of this Act, the Secretary shall obtain from the State highway department the following assurances:

"(1) that no owner will be required to surrender possession of real property before the State (A) pays the agreed purchase price, (B) makes available for the benefit of the owner, by court deposit or otherwise, an amount equal to the appraised fair values of such property, as approved by such State, without prejudice to the right of the owner to contest the amount of compensation due for the property, or (C) deposits or pays the final award of compensation in the condemnation proceeding for such property;

"(2) that any decrease in the value of real property prior to the date of valuation caused by the project for which such property is acquired, or by the likelihood that the property would be acquired for the proposed project, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property; and

"(3) that for the purpose of determining the extent of the acquisition of real property and the valuation thereof, no building, structure, or other improvement will be deemed to be other than a part of the real property solely because of the right or obligation of a tenant, as against the owner of any other interest in the real property, to remove such building, structure, or improvement at the expiration of his term, and the head of the State agency shall pay to the tenant the fair value of the building, structure, or improvement, which fair value shall be determined by such agency head as the greatest of (1) the contributive value of the improvement to the present use of the entirety, (2) the current cost of the reproduction less depreciation of the improvement, or (3) the value of the improvement for removal from the property: *Provided*, That (1) payment hereunder will not result in duplication of any payments otherwise authorized by law; (2) that the fee owner of the land involved disclaims any interest in the improvements of the lessee; and (3) the lessee in consideration for such payment shall assign, transfer, and release to the State agency all his right, title, and interest in and to such improvements: *Provided further*, That no provision of this section shall be construed to deprive the lessee of his right to reject the payments hereunder and to obtain payment for his property interests of just compensation as otherwise defined by law."

SEC. 205. No provision of this title shall be construed to give any person a cause of action in any court, nor may any violation of this title be raised as a defense by such person in any action.

SEC. 206. If any provision of this title, or the application thereof to any person or circumstance is held invalid, the remainder of this title and the application of the provision to other persons or circumstances shall not be affected thereby.

SEC. 207. Section 133 of title 23, United States Code, is hereby repealed. Any rights or liabilities now existing under such section shall not be affected by the repeal thereof under this section.

SEC. 208. EFFECTIVE DATE.—This Act shall take effect on the date of enactment.

TITLE III—ESTABLISHMENT OF PARKING FACILITIES IN THE DISTRICT OF COLUMBIA

FINDINGS OF FACT: SHORT TITLE

SEC. 301. (a) The Congress finds that—

(1) the growth and development of the National Capital area has been accompanied by an ever-increasing number of persons entering the District of Columbia by motor vehicle which has resulted in serious traffic congestion;

(2) this congestion restricts the interchange of goods, services, and people between the District of Columbia and the surrounding suburbs, to the detriment of both; imposes hardships and inconvenience on residents, employers, employees, and tourists in the National Capital area; impedes the efficient conduct of the United States and the District of Columbia governments; and interferes with the rapid and effective disposition of police and firefighting equipment;

(3) the orderly growth and development of the National Capital area requires a balanced transportation system which provides residents of and visitors to the National Capital area a variety of economic and efficient means of travel into and through the District of Columbia;

(4) a balanced transportation system requires adequate highways, rapid rail transit, buses, and off-street parking facilities for motor vehicles;

(5) off-street parking facilities in sufficient numbers and at rates and locations adequate to meet the needs of the National Capital area have not been provided; and

(6) the establishment of a parking authority to supplement existing parking with additional off-street parking facilities is necessary to maintain and improve the economic well-being of the National Capital area, the safety, convenience, and welfare of the residents thereof and the visitors thereto, and the efficiency of the United States and District of Columbia governments.

(b) This Act may be cited as the "District of Columbia Parking Facility Act".

CREATION OF PARKING BOARD

SEC. 302. (a) There is hereby created and established a body politic and corporate of perpetual duration, to be known as the "District of Columbia Parking Board" (herein called the "Parking Board"). The Parking Board shall consist of three members, who shall be the Commissioner of the District of Columbia and the Chairman and the Vice Chairman of the District of Columbia Council. The term of office of any member of the Parking Board shall be the same as his term of office as such Commissioner, such Chairman, or such Vice Chairman. Two members of the Parking Board shall constitute a quorum. The members of the Parking Board shall select from among their number a chairman and a vice chairman of the Parking Board.

(b) The Parking Board shall appoint, subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, an Administrator. The Parking Board may delegate to the Administrator such authority as may be necessary or convenient to carry out the purposes of this Act.

PARKING ADVISORY COUNCIL

SEC. 303. (a) There is hereby established a Parking Advisory Council (herein called the "Advisory Council"). The Advisory Council shall be composed of eleven members, consisting of the Secretary of the Interior or his designee, the Director of the District of Columbia Department of Highways and Traffic or his designee, the Administrator of General Services or his designee, the Chairman of the National Capital Planning Commission or his designee, the Administrator of the Washington Metropolitan Area Transit Authority or his designee, all ex officio, and six members from private life appointed by the Parking Board of whom one shall be designated biennially by the Parking Board to serve as chairman. The members from private life shall be chosen to reflect a range of experience in such fields as architecture, engineering, retail trade, real estate, financing, law, motor vehicle parking, and transportation.

(b) The members of the Advisory Council appointed by the Parking Board shall be appointed for a term of four years, except that with respect to the first appointments made after this Act becomes effective, one member shall be appointed for a one-year term, one member shall be appointed for a two-year term, two members shall be appointed for a three-year term, and two members shall be appointed for a four-year term. Any member appointed to fill a vacancy shall serve only for the unexpired term of the member he is replacing. Any member shall be eligible for reappointment.

(c)(1) Members of the Advisory Council who are officers or employees of the United States or of the District of Columbia shall serve without compensation in addition to that received in their regular public employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Council.

(2) Members of the Advisory Council, other than those to whom paragraph (1) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of such Council and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Council.

(d) It shall be the duty of the Advisory Council to advise and assist the Parking Board in carrying out its functions under this Act, including the overall planning of parking facilities, the acquisition, construction, design, and operation of such facilities and such other matters as the Parking Board shall request or the Advisory Council shall determine. The Parking Board shall request the views of the Advisory Council on each matter made subject to a public hearing by this Act, and shall include the report of the Council, if any, in the Parking Board's record.

(e) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board and subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, to appoint an executive secretary. Subject to reimbursement by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, the ex officio members of the Advisory Council and the Commissioners of the District of Columbia shall make available to the executive secretary such staff, information, and technical assistance as he shall require to enable the Advisory Council to carry out its responsibilities under this Act.

(f) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board, in accordance with the provisions of section 20(a)(11) of this Act to hire independent consultants to assist it in carrying out its responsibilities under this Act.

COMPREHENSIVE PARKING STUDY

SEC. 304. (a) The Advisory Council shall, within one year following the date of enactment of this Act, and not less than once each five years thereafter, prepare and distribute a comprehensive report on parking in the District of Columbia metropolitan area. Such report shall include—

(1) an inventory of existing parking facilities in the District of Columbia, both public and private, and an analysis of the manner and extent to which they are utilized;

(2) an inventory of the existing and reasonably anticipated transportation facilities in the National Capital area, including roads, highways, buses, and rapid rail transit, and an analysis of the manner and extent to which they are utilized;

(3) an analysis of the extent, type, and location of all parking facilities and on-street parking which are necessary or desirable for achieving balanced transportation and an efficient flow of traffic in the National Capital area together with recommendations as to the need, if any, for additional public parking facilities and the areas within which such facilities should be located; and

(4) any other information or recommendations that the Advisory Council determines to be useful to the Parking Board in carrying out its duties under this Act.

(b) The Advisory Council shall refer the parking report to all interested agencies in the National Capital area for their information and comments. The parking report and all relevant data used to compile the report shall be made available to owners and operators of private parking facilities in the District of Columbia in order to enable them more effectively to plan the operation and expansion of their facilities.

ACQUISITION OF PARKING FACILITIES

SEC. 305. (a) The Parking Board is authorized to acquire, in its own name, by purchase, lease, gift, exchange, condemnation, or otherwise, such property, real or personal, in the District of Columbia, including any rights or interests therein, as the Parking Board may require to carry out the provisions of this Act; except that in no case shall the Parking Board acquire by condemnation any real property on which there is located a parking facility, unless the Parking Board intends substantially to increase the number of vehicles which can be parked on such property: *Provided*, That if within thirty days after the Board institutes a condemnation proceeding to acquire land on which there is located a parking facility the owners of such property file with the court a signed statement to the effect that they plan to undertake such construction as is necessary to cause to be located thereon a parking facility equal in capacity to that proposed to be constructed thereon by the Board and that they will cause such construction to be commenced within one year after the date such statement is filed, the condemnation proceeding shall be stayed pending the completion of such construction. Upon such completion, the court shall enter an order dismissing the condemnation proceeding. If such construction does not commence within such one-year period and proceed expeditiously thereafter, the Board may proceed with the condemnation proceeding.

(b) The Commissioner of the District of Columbia is authorized to make available to the Parking Board, without consideration, air and subsurface rights in areas consisting principally of land in street highway, railway, or subway rights-of-way, bridges, and other lands under his jurisdiction and control in the District of Columbia for use by the Parking Board in carrying out its duties under this Act. The Commissioner, to the extent feasible, shall exercise this authority to enable the Parking Board to locate parking facilities in such manner as to coordinate parking with any future highway or subway construction in the District of Columbia. Nothing in this Act shall be construed as modifying or superseding title 23, United States Code.

(c) The Secretary of the Interior and the Administrator of General Services are authorized, subject to such terms and conditions as they may prescribe, to make available to the Parking Board, without consideration, subsurface rights in lands in the District of Columbia under their respective jurisdiction and control for use by the Parking Board in carrying out its duties under this Act.

(d) The Parking Board shall take no final action with respect to the acquisition of a parking facility or the acquisition of any real property for the purpose of establishing thereon a parking facility (other than the taking of options) until the Parking Board has—

(1) obtained a study of such proposed facility from an independent expert qualified to evaluate the feasibility of any such facility, and

(2) held a public hearing to obtain views on the need for such facility, its proposed size, and its economic feasibility. The Board shall publish notice of any such hearing in at least one newspaper of general circulation in the District of Columbia at least twenty days prior to such hearing.

(e) No condemnation proceeding shall be instituted under this Act unless the Commissioner, acting in his capacity as Commissioner, shall have approved the filing of such proceedings. Condemnation proceedings brought pursuant to this section shall be brought in the name of the Parking Board. Such proceedings shall be instituted and conducted in the United States District Court for the District of Columbia, which court shall have jurisdiction of such proceedings, and shall be prosecuted in accordance with the procedure in proceedings instituted and conducted under the authority of sections 1311 through 1321 of title 16 of the District of Columbia Code, except that (1) wherever in such sections the term "Board of Commissioners" or "Board" appear, such terms shall be deemed, for the purposes of this Act, to mean the Parking Board, (2) wherever in such sections provision is made for property to be taken in the name of the District of Columbia, such provisions shall, for the purposes of this Act, be construed to mean the Parking Board, (3) wherever in such sections reference is made to the District of Columbia (as a party to a proceeding instituted or conducted under the authority of such sections), such terms shall be deemed to refer to the Parking Board, and (4) wherever in such sections any payment is required by any of such sections to be made from appropriated funds, such payment is authorized to be made from any moneys of the Parking Board which are available for such purpose.

(f) The acquisition, by condemnation, of real property for use by the Parking Board under this Act shall be authorized only if, prior to the initiation of proceedings to condemn such property, the Parking Board shall have taken the following actions:

(1) Retained at least two qualified, independent real estate appraisers to assist it in establishing the fair market value of the

property, and such appraisers have advised the Parking Board, in writing, of such value;

(2) Established a fair market value for the property based on such appraisal;

(3) Certified that it has been unable to purchase the property at such fair market value;

(4) Initiated condemnation proceedings within ninety days from the date of the certification required by paragraph (3): *Provided*, That in the event the Parking Board shall fail to initiate such proceedings within the prescribed period, the Parking Board shall be foreclosed from initiating any such proceeding against said real property for a period of at least five years from the expiration of said ninety-day period;

(5) Certified that decent, safe, and sanitary housing can reasonably be expected to be available to any families which may be displaced by such condemnation action at rentals or prices they can reasonably afford; and

(6) Certified that, barring acts of God or other unforeseeable circumstances, it will commence, or cause to be commenced, construction of a parking facility upon such property within one year following the date of acquisition.

(g) In addition to any payments required by the preceding subsection, the Parking Board is hereby authorized to make relocation payments to persons displaced by reason of its acquisition of property under the authority of this section to the same extent as such persons would have been entitled to have received if such displacements had been within the purview of section 114 of title I of the Housing Act of 1949, as amended. The Parking Board and the District of Columbia Redevelopment Land Agency are authorized to enter into an agreement under which such Agency shall undertake to administer the payments authorized to be made by this subsection, and provide the Parking Board with relocation services in like manner as such Agency provides such services to the Commissioner.

(h) No parking facility shall be established under this Act upon any property zoned residential without the approval of the Zoning Commission of the District, which may grant such approval only after public notice and hearing in accordance with the provisions of section 3 of the Act of June 20, 1938 (52 Stat. 798 (1938); D.C. Code, sec. 5–415).

PARKING BOARD AUTHORIZED TO CONSTRUCT AND OPERATE FACILITIES

SEC. 306. (a) The Parking Board is authorized to undertake, by contract or otherwise, the clearance and improvement of any property acquired by it under this Act as well as the construction, establishment, reconstruction, alteration, repair, and maintenance thereon of parking facilities. The Parking Board shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have, with respect to the labor standards specified herein, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

(b) The Parking Board may, with respect to any facility acquired or constructed pursuant to this Act,

(1) lease space in such facility at or below the level of the street on which such facility fronts or abuts for commercial purposes, and

(2) lease or sell air rights above any parking structure of four or more stories for commercial purposes, if the Parking Board determines that utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development and zoning of the vicinity in which such facility is located: *Provided*, That no petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the rental or sales price of any real property or facility leased or sold pursuant to sections 7 and 8.

(c) The Parking Board shall, as soon as practicable, lease or sell, pursuant to sections 7 and 8 hereof, any facility acquired or constructed under this Act unless the Parking Board determines that the public interest would best be served if it operated such facility itself, and includes in its record of the matter a statement as to its reasons therefor. Each such determination so made shall be reviewed by the Parking Board not less than every three years following the date on which such determination is made. The Parking Board shall extend to all qualified persons experienced in the business of motor vehicle parking who owned a parking facility on any land acquired by condemnation pursuant to section 5 the right of first refusal with respect to any sale, or the right to meet the high bid, with respect to the leasing, of any parking facility constructed on such land.

(d) In operating any such facility, the Board shall, to the extent feasible, provide, by contract or otherwise, for such operation of its parking facilities by any person or management firm competent to manage the operation. Any such contract shall be subject to the Service Contract Act of 1965 (79 Stat. 1034).

PARKING BOARD AUTHORIZED TO LEASE FACILITIES

SEC. 307. (a) The Parking Board is authorized to lease any parking facility acquired or constructed by it for such period of time, as the Board may determine, except that a lease which is used as security for permanent financing shall not exceed forty years in duration and any other lease shall not exceed five years in duration. The Parking Board shall invite competitive bids for the lease of any parking facility, but may, whenever it determines it to be in the public interest, negotgiate the lease of any such facility. The Parking Board shall include in its record of the matter a statement as to its reason for so negotiating any such lease.

(b) The Parking Board shall not lease any such facility for an annual rental in an amount less than that which is necessary to amortize, within a forty-year period, the cost of acquiring or constructing such facility and to provide a reasonable reserve for such purpose; to meet the Parking Board's obligations, if any, under the lease including any obligation to repair, maintain, or insure the facility, to make payments in lieu of taxes; and to meet all administrative expenses and other charges in connection therewith; except that the Parking Board may, for good cause accept for such number of years as the Parking Board may determine is necessary, a lower rental than the minimum hereinabove prescribed, subject to the repayment to the Parking Board of the difference between such lower rental and such minimum rental prior to the termination of the period for which the parking facility is leased.

(c) The lease of a parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained, during the term of the lease, for the parking of motor vehicles by the general public in accordance with rates, hours of service, methods of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

PARKING BOARD AUTHORIZED TO SELL FACILITIES

SEC. 308. (a) The Parking Board is authorized to sell any parking facility other than any facility constructed on land owned by or acquired from the governments of the United States or the District of Columbia. The Parking Board shall invite competitive bids for the sale of any such parking facility, but may, whenever it determines it to be in the public interest, negotiate the sale of such facility. The Parking Board shall include in its record of the matter a statement as its reason for so negotiating any such sale.

(b) The sale of any such parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the purchaser.

(c) The Parking Board is authorized, in connection with the sale of a parking facility acquired or constructed by it, to include in the deed for such property a covenant, running with the land, whereby the purchaser agrees, for himself and his successors in interest, that the property purchased from the Parking Board will be used as a parking facility for such period of time as the Parking Board shall specify in said covenant. The Parking Board is authorized to agree, subject to the requirements of the preceding subsection (b), to the release or modification of any such covenant whenever the Parking Board shall find, after public hearing, that the operation of a parking facility no longer is in the public interest, or the development of the vicinity in which such parking facility is located is or will be of such a character as to make such facility incompatible with such vicinity.

LEASING PROPERTY FOR DEVELOPMENT

SEC. 309. (a) The Parking Board is authorized to lease for terms not exceeding forty years, any real property acquired pursuant to this Act, and to stipulate in such lease that the lessee shall erect at his or its expense a structure or structures on the land leased, which structure or structures and property shall be primarily used, maintained, and operated as a parking facility. Every such lease shall be entered into upon such terms and conditions the Parking Board shall impose including, but not limited to, requirements that such structure or structures shall conform with the plans and specifications approved by the Board; that such structure or structures shall become the property of the District, or in the case of a facility constructed on land under the control and jurisdiction of the United States, such structure shall become the property of the United States, upon termination or expiration of any such lease; that the lessee shall furnish security in the form of a penal bond, or otherwise, to guarantee fulfillment of his or its obligations; that the lessee shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended, and any other requirements which, in the judgment of the Parking Board, shall be related to the accomplishment of the purposes of this Act.

(b) The lessee may, with the consent of the Parking Board—

(1) sublease space in such facility at or below the level of the street upon which such facility fronts or abuts for commercial purposes; or

(2) sublease air rights above any parking structure of four or more stories for commercial purposes;

if the Parking Board determines that the utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development of the vicinity in which such facility is located: *Provided*, That no petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the sales price of any real property sold pursuant to this section and the approval of rates for the parking of motor vehicles in the parking facility constructed thereon.

(c) Any such lease made pursuant to this section shall be upon such terms and conditions as the Parking Board shall determine, and shall include requirements that any parking facility constructed on the land so leased shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

RATES

SEC. 310. (a) The Parking Board shall establish and, from time to time, revise, with or without public hearings, schedules of rates to be charged for use of space in each parking facility established pursuant to this Act. In establishing such rates, the Parking Board shall (i) consider, among other factors, the existing rates charged by privately operated parking facilities serving the same vicinity; and (ii) consider, in light of the overall transportation needs and problems of the District of Columbia metropolitan area, the extent to which long-term and short-term parking is desirable at each location and shall fix a schedule of rates for each location which is designed to encourage the types of use that are desired at such location. The Parking Board is authorized to provide rate differentials for such reasons as the amount of space occupied, the location of the facility, and other reasonable differences.

(b) The rates to be charged for the parking of motor vehicles within the parking facilities operated by the Parking Board shall be fixed at the lowest rates that will defray the cost of maintaining, operating, and administering such parking facilities; amortize, within a forty-year period, the cost of acquiring or constructing such facilities; pay all charges, fees, and payments in lieu of taxes attributable to such facilities.

(c) The rates to be charged for the parking of motor vehicles within any parking facilities leased pursuant to this Act shall be fixed at the lowest rates that will enable the lessee to meet all his obligations under his lease or leases; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

(d) The rates to be charged for the parking of motor vehicles within any parking facilities sold by the Parking Board pursuant to this Act, or constructed on any unimproved real property leased pursuant to section 9 of this Act, shall be fixed at the lowest rates that will enable the purchaser or lessee, as the case may be, to meet all his obligations under the purchase or lease agreement or agreements to amortize his investment over a reasonable period; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

AUTHORITY TO ISSUE OBLIGATIONS

SEC. 311. (a) The Parking Board is authorized to issue and sell, upon such terms and conditions as it shall by resolution prescribe its obligations having such maturities and bearing such rate or rates of interest as may be determined by the Parking Board: *Provided*, That not more than $50,000,000 in such obligations shall be outstanding at any time. Obligations issued under this Act shall be offered at public sale to the lowest responsible bidder. Such obligations may be made redeemable at the option of the Parking Board before maturity in such manner as may be stipulated in such obligations. The principal of and the interest on any such obligations so issued shall be payable out of any moneys or revenues of the Parking Board available under the provisions of this Act. The obligations issued under the Act, together with the interest thereon, shall not constitute a debt or obligation of the United States or of the District of Columbia, and the obligations issued by the Parking Board shall clearly so state.

Obligations authorized hereunder may be issued by the Parking Board in the form of temporary, interim, or definitive bonds, at one time or from time to time, for any of its corporate purposes, including acquiring necessary cash working funds, constructing, reconstructing, extending, or improving a parking facility or facilities or any part thereof and acquiring any property, real or personal, useful for the construction, reconstruction, extension, improvement, or operation of a parking facility or part thereof. The Parking Board shall also have power from time to time to refund any bonds by the issuance of refunding bonds, whether the bonds to be refunded shall have or have not matured, and may issue bonds partly to refund bonds outstanding and partly for any other of its corporate purposes. To the extent feasible, the provisions of this Act governing the issuance and securing of other obligations shall govern refunding bonds. All bonds isued under the provisions of this Act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under article 3 of the Uniform Commercial Code of the District of Columbia. The Parking Board shall determine the date, the price or prices, and the terms of redemption, and the form and the manner of execution of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the District of Columbia. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any bond may bear the facsimile signature of, or may be signed by, such person as at the actual time of the execution of such bond shall be duly authorized to sign such bond although at the date of such bond such person may not have been such officer. The bonds may be issued in coupon or in registered form, or both, as the Parking Board may determine, and provisions may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, for the reconversion into coupon bonds of any bonds registered as to both principal and interest, and for the exchange of either coupon bonds or registered bonds without coupons for an equal aggregate principal amount of other cupon bonds or registered bonds without coupons, or both, of any denomination or denominations.

In the discretion of the Parking Board, bonds may be secured by a trust agreement by and between the Parking Board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the District of Columbia. Such trust agreement may contain provisions for protecting and enforcing the rights and remedies of the bondholders, including covenants setting forth the duties of the Parking Board in relation to the acquisition of property and the construction of parking facilities and the improvement, maintenance, operation, repair, and insurance of parking facilities, the rates to be charged, and the custody, safeguarding, and application of all moneys; shall set forth the rights and remedies of the bondholders and of the trustees; may restrict the individual right of action by bondholders; and may contain such other provisions as the Parking Board may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of operation.

In order to secure the payment of its bonds, the Parking Board shall have power, in the resolution authorizing the issuance thereof or in the trust agreement securing such bonds (which shall constitute a contract with the holders thereof): to pledge all or any part of its revenues, including future revenues, the proceeds of bonds and any other moneys available to the Parking Board; to covenant with respect to pledges of revenues, liens, mortgages, sales, leases, any property then owned or thereafter acquired, or against permitting or suffering any lien on such revenues or property; to covenant with respect to limitations on any right to sell, lease, or otherwise dispose of any parking facility or part thereof, or any property of any kind; to covenant with respect to the terms of any bonds to be issued, the custody, application, investment, and disposition of the proceeds thereof, the issuance of additional bonds, the incurring of any other obligations by it, the payment of the principal of and the interest on the bonds or any other obligations, the sources and method of such payment, the rank or priority of any such bonds or other obligations with respect to any lien or security or as to the acceleration of the maturity of any such bonds or other obligations; and to covenant with respect to the replacement of lost, destroyed, or mutilated bonds. The Parking Board is further authorized to pledge as security for revenue bonds the revenues of parking meters, and to covenant with respect to the installation, relocation, operation, and maintenance of parking meters; the maintenance of its real and personal property, the replacement thereof; the insurance to be carried thereon and use and disposition of insurance money; the rates and other charges to be established and charged by the Parking Board under the authority of this Act; the amount to be raised each year or other period of time by rentals, sales, fees, rates, or other charges, and as to the use and disposition to be made thereof; and for the creation of special funds and accounts, including reasonable reserves.

(b) Obligations issued by the Parking Board, their transfer and the income therefrom (including any profit made on the sale thereof), shall be exempt from all taxation now or hereafter imposed by the United States or the District of Columbia, and by any State, territory, or possession, or by any county, municipality or other municipal subdivision or taxing authority of any State, territory, or possession of the United States, with the exception of estate, inheritance, and gift taxes.

(c) Notwithstanding any restrictions on investment contained in any other laws, all domestic insurance companies, and domestic insurance associations, and all executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia, may legally invest any sinking funds moneys, or other funds belonging to them or within their control in any bonds or other obligations issued pursuant to this Act, it being the purpose of this section to authorize the investment in such bonds, or other obligations of all sinking, insurance, retirement, compensation pension, and trust funds; except that nothing contained in this section shall be construed as relieving any person firm, or corporation from any duty of exercising reasonable care in selecting securities for purchase or investment.

(d) No trustee or receiver of any property of the Parking Board shall assign, mortgage, or otherwise dispose of all or part of any parking facility established under this Act, except in the manner and to the extent permitted under any trust or other agreement securing an obligation of the Parking Board. A trustee under any trust or other agreement securing an obligation of the Parking Board may be authorized in the event of default under any such trust or agreement to seek the appointment of a receiver who may enter and take possession of any parking facility of the Parking Board, operate and maintain such facility, collect all revenues arising therefrom, perform all duties required by this Act or by any trust or other agreement securing an obligation of the Parking Board to be performed by the Parking Board or any officer thereof, and take possession of the revenues from parking meters applicable to the payment of any obligations of the Parking Board.

PARKING METERS

Sec. 312. (a) The Parking Board shall, subject to the approval of the Commissioner install, maintain, repair, relocate, and remove parking meters at such locations on the streets, rights-of-way, avenues, roads, highways, and other public open spaces under the jurisdiction and control of the Commissioner as the Parking Board may determine as an aid to the regulation and control of the movement and parking of motor vehicles. In carrying out the aforementioned duties, the Parking Board shall, from time to time, consult with the Director of the District of Columbia Department of Highways and Traffic. The Parking Board is authorized to prescribe fees for the parking of vehicles where parking meters are now or hereafter installed and to utilize its own personnel to collect such fees. Such fees shall be collected by the Parking Board and shall be accounted for and disposed of in like manner as other revenues of the Parking Board.

(b) The Parking Board is authorized to pledge, in addition to its other revenues, the revenues of parking meters as security for its obligations, except that no such pledge shall extend to more than 75 per centum of the revenues of the meters in existence at the time such pledge is made. No covenant or agreement entered into by the Parking Board shall prohibit it from relocating parking meters.

EXEMPTION FROM TAXATION

Sec. 313. The Parking Board shall not be required to pay any taxes or assessments upon any parking facilities or any part thereof: *Provided*, That in lieu of such taxes or assessments the Parking Board may pay to the District of Columbia an amount equal to the taxes or assessments that would have been levied against the property of the Parking Board were the Parking Board not exempt from taxation. The exemption from taxes and assessments hereunder shall not be extended to any interest in a parking facility conveyed by the Parking Board to a grantee or lessee. The authority to make payments in lieu of taxes shall be subordinate to the obligations of the Parking Board under any bond, mortgage, obligation, other evidence of indebtedness, or contract.

FRINGE LOTS

Sec. 314. (a) Notwithstanding any other provision of this Act, the Parking Board is authorized, after consultation and coordination with the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, and the Washington Metropolitan Area Transit Commission, to establish fringe lots in the National Capital area. The head of any Federal or District of Columbia government agency or department is authorized to make lands in the National Capital area under his jurisdiction and control available, on such terms and conditions as he shall determine, to the Parking Board for use by it in establishing fringe lots under this section. No fringe lot shall be established outside the District of Columbia, except on land owned by the United States, or any department or agency thereof, unless the Parking Board has first obtained approval therefor from the local governing body of the jurisdiction in which such fringe lot may be located.

(b) The Parking Board is authorized to operate any fringe lot established by the Board under this section, or to lease any such fringe lot pursuant to such terms and conditions as the Board may determine. The Parking Board is further authorized to operate or arrange for the operation of such fringe lots either with or without charge to the persons patronizing such lots, or at such rate as the Parking Board may from time to time establish.

(c) As used in this section, the term "fringe lot" shall mean a parking lot primarily open to public use for the long-term parking of motor vehicles, located at or beyond the fringe of the central business district of the District of Columbia served by buses, rail transit, or other mode of mass transportation.

NATIONAL CAPITAL PLANNING COMMISSION

Sec. 315. (a) The Parking Board shall submit to the National Capital Planning Commission for its review and recommendations thereon its plans for the acquisition of existing parking facilities, construction of new parking facilities, and lease of properties for use as parking facilities: *Provided*, That the recommendations of the Commission shall be advisory in nature, and shall not be binding upon the Parking Board.

(b) The National Capital Planning Commission is authorized, whenever such plans and programs are forwarded to it in accordance with the requirements of this Act, to study such plans and programs and make such report thereon to the Parking Board as the Commission, in its discretion, determines is necessary: Provided, That if no such report on such plans and programs is submitted by the Commission within sixty days from the date the Parking Board forwards them to the Commission, the Commission's approval of such plans and programs shall be assumed.

COMMISSION OF FINE ARTS TO REVIEW PLANS

Sec. 316. (a) The Parking Board shall, in accordance with the provisions of the Act of May 16, 1930 (46 Stat. 366, as amended; 40 U.S.C. 121 (1964)), submit to the Commission of Fine Arts the plans for each parking facility which the Parking Board proposes to construct or which is to be constructed on land leased by the Parking Board.

PRIVATE PARKING STRUCTURES

Sec. 317. (a) On and after the date of the enactment of this Act, the District of Columbia shall not issue a building permit to construct any parking garage or substantially to expand any existing garage in the District of Columbia without the approval of the Director of the District of Columbia Department of Highways and Traffic (herein called "the Director") and the National Capital Planning Commission. This section shall not apply to parking garages constructed pursuant to this Act.

(b) Upon receiving a request for the approvals required in subsection (a), together with any plans or data they may by regulation require, the Director and the National Capital Planning Commission shall render a decision within sixty days. The Director shall approve any request unless he finds that the size, design, or location of such parking structure would interfere with the efficient flow of traffic. The National Capital Planning Commission shall approve any such request unless it finds that the size, design, or location of such parking structure would be incompatible with the plans and recommendations of the Commission made pursuant to law. The Director and the National Capital Planning Commission may make their approvals subject to such conditions as they deem necessary to protect the public interest.

(c) If either the Director or the National Capital Planning Commission deny such request, or approve such request subject to any conditions, the party aggrieved may obtain review of any such decision by filing in the United States Court of Appeals for the District of Columbia Circuit, and serving upon the Director and/or the National Capital Planning Commission, within sixty days after the entry of such decision, a written petition praying that the decision of the Director and/or the National Capital Planning Commission be modified or set aside in whole or in part. Upon receipt of any such petition, the Director and/or the National Capital Planning Commission shall file in such court a full, true, and correct copy of the transcript of the proceedings upon which the order complained of was entered. Upon the filing of such petition and receipt of such transcript, such court shall have jurisdiction to affirm, modify, or set aside, in whole or in part, any such decision. In any such review, the findings of fact of the Director and the National Capital Planning Commission shall not be set aside if supported by substantial evidence. The order of the court affirming, modifying, or setting aside, or enforcing, in whole or in part, any such decision shall be final, subject to review as provided in section 1254 of title 28 of the United States Code.

(d) Nothing in this section shall be construed as superseding any existing law or provision of law relating, directly or indirectly, to the construction, establishment, expansion, operation, or location of parking structures in the District of Columbia.

NOTICE TO PARKING BOARD OF SCHEDULE OF RATES TO BE CHARGED BY PRIVATE PARKING FACILITIES

Sec. 318. Every person owning or operating a parking facility in the District of Columbia shall, pursuant to such rules and regulations as shall be established by the Parking Board, file in writing a complete schedule of the rates charged by such person for the storing or parking of motor vehicles in such facility, and in no case shall such person, following the filing of such schedule of rates, make any charge for such storing or parking in excess of that set forth in such schedule so filed until forty-eight hours after he has notified the Parking Board in writing of the new schedule of rates which he intends to charge. Nothing herein shall be construed as authorizing the Parking Board to fix or regulate such rates. The provisions of this section shall not be applicable with respect to any parking facility the rates of which are subject to the control and regulation of the Parking Board under this Act. Any person who shall violate this section shall be subject to a fine of not less than $100 and not to exceed $500.

AUDITS AND REPORTS

Sec. 319. (a) All receipts and expenditures of funds by the Parking Board pursuant to the provisions of this Act shall be made and accounted for under the direction and control of the Commissioner in like manner as is provided by law in the case of expenditures made by the government of the District of Columbia: *Provided*, That nothing herein contained shall be construed as preventing the Parking Board from providing, by covenant or otherwise, for such other audits as it may consider necessary or desirable.

(b) A report of any audit required under subsection (a) shall be made by the Parking Board to the Congress not later than one hundred and twenty days after the close of the Parking Board's fiscal year. The report shall set forth the scope of the audit and shall include a verification by the person conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expenses, (5) sources and application of funds, and (6) a separate income and expense statement for each facility, including as an expense item a payment in lieu of taxes.

(c) The Parking Board shall submit together with the audit report, a comprehensive report to the Congress summarizing the activities of the Parking Board for the preceding fiscal year.

POWERS OF PARKING BOARD

SEC. 320. (a) The Parking Board, in performing the duties imposed upon it by this Act, shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Act, including the following powers in addition to others herein granted:

(1) To sue and be sued, to compromise and settle suits and claims of or against it, to complain and defend in its own name in any court of competent jurisdiction, State, Federal, or municipal;

(2) To adopt, alter, and use a corporate seal which shall be judicially noticed;

(3) To adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations for the exercise of its powers under this Act or governing the manner in which its business may be conducted and the powers granted to it by this Act may be exercised and enjoyed;

(4) To make, deliver, and receive deeds, leases, and other instruments and to acquire easements, rights-of-way, licenses, and other interests in land, and to take title to real and other property in its own name;

(5) To construct and equip parking facilities in the District of Columbia and to exercise all powers necessary or convenient in connection therewith;

(6) To borrow money; to mortgage or hypothecate its property, or any interest therein; pledge its revenues; and to issue and sell its obligations;

(7) To appoint and employ, subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, such officers, agents, engineers, accountants, appraisers, and other personnel for such periods as may be necessary in its judgment, and to determine the services to be performed by them on behalf of the Parking Board;

(8) To procure and enter into contracts for any types of insurance and indemnity against loss or damage to property from any cause, including loss of use or occupancy, against death or injury of any person, against employers' liability, against any act of any director, officer, or employee of the Parking Board in the performance of the duties of his office or employment, or any other insurable risk;

(9) To deposit its moneys and other revenues in any bank incorporated under the laws of the United States;

(10) To spend its revenues, or any funds appropriated to carry out the purposes of this Act;

(11) To employ, or to enter into contracts with, consulting engineers, architects, accountants, legal counsel, construction and financial consultants, managers, superintendents, and such other consultants and technical experts as in the opinion of the Parking Board may be necessary or desirable, without regard to section 3709 of the Revised Statutes, the civil service, classification and pay laws, and section 3109 of title 5, United States Code;

(12) To enter into all contracts and agreements, in addition to those otherwise mentioned herein, necessary or incidental to the performance of the functions of the Parking Board and the execution of its powers under this Act. Except as otherwise provided in this Act, all such contracts or agreements shall be subject to competitive bidding unless the value thereof does not exceed $2,500;

(13) To sell, exchange, transfer, or assign any property, real or personal, or any interest therein, acquired under the authority of this Act, whether or not improved: *Provided*, That such action shall be in accordance with the general law covering the disposal of such property by the District: *Provided further*, That the Parking Board shall have first determined, after public hearing that any such real property is no longer necessary for the purposes of this Act;

(14) To obtain from the United States, or any agency thereof, loans, grants, or other assistance on the same basis as would be available to the District of Columbia.

(b) Notwithstanding the provisions of paragraph 13 of subsection (a) of this section, the Parking Board shall not have the authority to exchange any real property acquired by condemnation within one year following such acquisition unless the owners of such property at the time of its acquisition by the Parking Board shall first have been afforded a reasonable opportunity to reacquire such property for an amount equal to that paid to them by the Parking Board plus the cost of improvements made by the Parking Board to such property, if any.

COMMISSIONER AUTHORIZED TO PROVIDE ASSISTANCE TO PARKING BOARD

SEC. 321 (a) The Commissioner is authorized to aid and cooperate in the planning, undertaking, construction, reconstruction, extension, improvement, maintenance, or operation of any parking facility established pursuant to this Act by providing, subject to reimbursement, such services, assistance, or facilities as the Parking Board may request.

(b) Subject to the reimbursement to the District of Columbia by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, there shall be made available to the Parking Board such number of employees of the District of Columbia as the Parking Board certifies are necessary to the proper discharge of its duties in carrying out the purposes of this Act, which employees shall be subject to the Classification Act of 1949, as amended.

(c) The provisions of the second paragraph under the caption "For Metropolitan Police" in the first section of the Act entitled "An Act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes", approved March 3, 1899 (30 Stat. 1045, 1057, ch. 422; sec. 4–115, D.C. Code, 1961 edition), authorizing appointment of special policemen for duty in connection with the property of corporations and individuals, shall be applicable with respect to the property of the Parking Board.

(d) The Corporation Council of the District of Columbia is authorized and directed in all matters to act as counsel for the Parking Board, except insofar as the Parking Board may find it necessary or convenient to retain outside legal counsel.

PARKING FACILITIES IN CONNECTION WITH NEW CONSTRUCTION

SEC. 322. The first sections of the Act entitled "An Act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes", approved June 30, 1938 (52 Stat. 797), as amended, is amended (1) by striking out "That to promote" and inserting in lieu thereof "that (a) to promote," and (2) by adding at the end thereof the following new subsection:

"(b) The Zoning Commission shall, after consultation with the District of Columbia Parking Board, issue regulations to require, with respect to buildings erected in the central business district of the District of Columbia after the expiration of the one hundred and twenty day period following the effctive date of the District of Columbia Parking Facility Act, that reasonable facilities on the premises or off the premises be provided for the offstreet parking of motor vehicles of the owners, occupants, tenants, patrons, and customers of such buildings, and of the businesses, trades, and professions conducted therein. The Commission may, however, provide by regulation for waiver of such requirement when, in its judgment, or, if the Commission so delegates, in the judgment of the Board of Zoning Adjustment, the building site is too small reasonably to accommodate parking facilities on the premises to be erected, or when, in the judgment of the Director of the District of Columbia Department of Highways and Traffic, provision of parking facilities on or off the premises would interfere with the efficient flow of pedestrain or vehicular traffic, or when, in the judgment of the National Capital Planning Commission, provision of parking facilities on or off the premises would be incompatible with the plans and recommendations of the Commission made pursuant to law. Where such waiver is granted, the owner of the buiding to be erected shall agree to pay to the District of Columbia Parking Board a sum of money which represents an equitable contribution toward the costs of providing parking facilities under the provisions of this Act. The District of Columbia Parking Board, with the advice and assistance of the Parking Advisory Council, shall establish general regulations to govern the computation of such contribution."

DEFINITIONS

SEC. 323. As used in this Act, the term—

(1) "District" means the District of Columbia;

(2) "Commissioner" means the Commissioner of the District of Columbia;

(3) "Person" means an individual, firm, copartnership, association, or corporation (including a nonprofit corporation);

(4) "Revenues" means all payments received by the Parking Board from the sale or lease of parking facilities, all moneys received from the operation of parking meters, authorized to be pledged, and all income and other moneys received by the Parking Board from any other source;

(5) "Parking facility" means a parking lot, parking garage, or other structure (either single- or multi-level and either at, above, or below the surface) primarily for the offstreet parking vehicles, open to public use for a fee, and all property, rights, easements, and interests relating thereto which are deemed necessary for the efficient and economical construction or the operation thereof:

(6) "Parking garage" means any structure (either single- or multi-level and either at, above, or below the surface) which is open to public use for a fee and which is primarily used for the offstreet parking of motor vehicles; and

(7) "National Capital area" means the District of Columbia and all surrounding jurisdictions which are commonly recognized as part of the District of Columbia metropolitan area.

ABOLITION OF THE DISTRICT OF COLUMBIA MOTOR VEHICLE PARKING AGENCY AND TRANSFER OF FUNDS AND PROPERTY TO PARKING BOARD

SEC. 324 (a) The Motor Vehicle Parking Agency created by Reorganization Order Numbered 54 and reconstituted under Organization Order Numbered 106 (title 1, appendix, D.C. Code), predicated upon authority contained in Reorganization Plan Numbered 5 of 1952 (66 Stat. 824), is hereby abolished. The functions, positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the Motor Vehicle Parking Agency are hereby transferred to the Parking Board.

(b) All positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the function of installing, repairing, replacing, and removing parking meters on the public streets of the District of Columbia are hereby transferred to the Parking Board from the Department of Highways and Traffic.

(c) Section 11 of the Act approved April 4, 1938 (52 Stat. 156, 192; sec. 40–616, D.C. Code, 1961 edition), is hereby repealed.

COORDINATION OF FACT WITH PROVISIONS OF REORGANIZATION PLAN NUMBERED 3 OF 1967

SEC. 325. The performance of any function vested by this Act in the Commissioner or in any office or agency under the jurisdiction and control of said Commissioner or in the District of Columbia Council may be delegated by said Commission or Council in accordance with section 305 and section 205 of the Reorganization Plan Numbered 3 of 1967.

REPEAL

SEC. 326. The District of Columbia Parking Facilities Act of 1942 is hereby repealed.

EFFECTIVE DATE

SEC. 327. This Act shall take effect on the first day of the first month which begins more than ninety days after the date of its enactment.

Mr. TOWER. Mr. President, I wish to express to the distinguished Senator in charge of the bill the importance of recognizing certain advantages in H.R. 17134, entitled "Federal-Aid Highway Act of 1968."

The benefit to the Nation of the current interstate highway program is overwhelming. We have made it possible for the public to travel in safety and comfort never before dreamed possible. Our multilaned highways with their controlled access, public accommodations, rest areas, superior markings and construction based on safety with adequate speed limits is unmatched anywhere in the world.

It is important we approve the additional 3,000 miles recommended by the House. This additional mileage will make it possible to include cities with the network that must be served.

There are three cities in particular that illustrate the urgency for this extension. All three are striving for an adequate industrial tax base and being served by the Interstate Highway System is mandatory. I make special reference to Fresno, Calif.; Green Bay, Wis., and Lubbock, Tex. If our mapmakers are forced, as a result of our action, to show these fine industrious cities as being served by secondary roads, the results will be most detrimental. We have firm proof of what happens to a city when it is no longer on the preferential highway system.

I wish to point out that most of our individual States are also requesting they be allowed to work closely with the Secretary of Transportation. Many State highways are being constructed in accordance with the specifications established for the interstate program. If we grant permission for the Secretary of Transportation to designate these State highways as a supporting part of the Interstate System we will have taken a great step in recognizing the individual States' attitude in helping supplement our Interstate Highway System.

The Secretary of Transportation and the individual States must have the option of selecting individual primary roads, within the State, that meet the design criteria and serve the cities with no access to the Interstate System and designating them as part of this great transportation network.

I know we are all in accord that any action taken here today must result in the benefit to those areas that have expressed their determination to help themselves and ask very little from us.

I therefore would suggest to the Senator in charge of the bill that consideration be given to these provisions of the House bill, when the bill comes to conference.

I am hopeful that the Senate will accede on this matter so that some of our major cities will not be unnecessarily penalized by the provisions of the bill.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, we have under consideration today the Federal Highway Act of 1968. I think Members of the Congress, and our citizens generally, are intensely interested in the continued development, construction, and expansion of our highway program. Today we consider legislation which has special significance, because we are a country of mobility. The movement of our people and the movement of the products in the commerce of this Nation are important to a nation on wheels.

The Federal-Aid Highway Act of 1968 is the most significant highway legislation to be considered in this forum since the passage of the 1956 act, which established the accelerated program for construction of the Interstate System. The provisions of S. 3418, as reported, bring the highway program to full maturity. This measure will enable those charged with responsibility for constructing highways to tailor their actions and activities to the needs of the people of the areas through which highways will be constructed. The highways which result will become a force for positive improvement of our communities, as well as the national environment.

We recognize the importance of highways as an instrument of economic growth and development. And there should be general recognition that the major highways being built pursuant to our program, help establish the most sophisticated land transportation network in the world.

What this bill adds is the ability to fashion highways so as to enable them to fit into the total life of the people who live in proximity to them. Not all of what we are authorizing is new. In many ways we are ratifying and approving procedures which have evolved as a result of the impact of highway construction on the communities through which they pass.

As with its predecessor biennial authorization bills, the necessary funds are authorized in this measure to continue the highway program in which we have been engaged for more than half a century.

S. 3418, as originally introduced, provided authorizations for the Interstate System, the ABC System, and the Federal domain highway programs, together with authorizations for the safety and beautification programs.

In addition to these funding provisions, the bill proposes certain amendments to the substantive portions of title 23, United States Code, including authorizations to carry them forward in the ensuing years.

As reported, S. 3418 is an expanded version of the legislation on which hearings were held. It includes matters covered by other hearings conducted by the Subcommittee on Roads. Among the proposed changes are amendments which directly resulted from subcommittee hearings on bridge safety and urban highway problems.

We conducted hearings for 19 days on various phases of our highway program for which legislation is proposed in S. 3418. Careful attention was given to the witnesses; and there was very keen evaluation, I believe, by members of our subcommittee and the committee, of the testimony presented.

The bill includes three titles: The Federal-Aid Highway Act of 1968, the Highway Relocation and Land Acquisition Practices Act of 1968, and the District of Columbia Parking Facility Act.

Title I would provide, first, authorizations for the use of the estimate of the cost of completing the Interstate System submitted to the Congress on January 12, 1968, for the purpose of making apportionments of funds to the States for the fiscal years ending June 30, 1970 and 1971.

Second, authorization of $1.2 billion and $1.4 billion for fiscal years 1970 and 1971, respectively, for the Federal-Aid Primary and Secondary system and their urban extensions.

Third, authorization for the 2 fiscal years 1970 and 1971 of $250 million each for traffic operation projects in urban areas.

Fourth, authorization for the Federal domain programs in the following amounts:

[In millions of dollars]

	Fiscal year 1970	Fiscal year 1971
Forest highways	33.0	33
Public lands highways	16.0	16
Forest development roads and trails	170.0	170
Public lands development roads and trails	3.5	5
Park roads and trails		30
Parkways		11
Indian reservation roads and bridges	30.0	30

Fifth, authorization for State and community highway safety programs of $50 million for fiscal year 1970 and $75 million for fiscal year 1971.

Mr. President, at this point I call attention to the absence from the Chamber today of our beloved colleague, the Senator from Kentucky [Mr. COOPER]. As the ranking minority member of the Subcommittee on Roads and of the Committee on Public Works, he has given the most careful and helpful attention to matters of highway safety, and also to the authorization for highway safety research and development programs of $30 million for fiscal year 1970 and $40 million for fiscal year 1971.

I know that the Senator from Kentucky had anticipated being present in the Chamber today, but a slight illness has kept him away.

I wish further to indicate not only his interest in these two areas, but to say that the work of this committee—I started to say it is made the easier, but I do not mean that—is made the better because of Senator COOPER's attention and his application to the matters before us.

The remaining provisions of title I are:

Authorization of $85 million for each of the fiscal years 1970 and 1971 for highway beautification: $5 million would be available for outdoor advertising control; $10 million for junkyard control; and $70 million for landscaping and scenic enhancement, and

Authorization of $100 million for establishment and annual replenishment of a fund for the advance acquisition of rights-of-way.

I note at this point that the increased cost of acquisition for highway rights-of-way is a matter of real concern. In fact, they are pyramiding. So we feel it is very important to authorize $100 million for the establishment and annual replenishment of a fund for the advance acquisition of rights-of-way.

In all, for fiscal year 1970 the Department of Transportation requested authrization of $5,772,500,000 and the bill as reported provides for obligation of $5,567,500,000.

For fiscal year 1971 the Department requested $5,800,000,000 and the bill would provide $5,845,000,000. Of the $11,412,500,000 as reported, $7.6 billion is actually a carryover from the 1966 highway act.

Thus, the bill would provide new authorization for fiscal year 1970 of $1 billion, $967 million, of which $1.6 billion will be from the trust fund. For fiscal year 1971 the compatible figures are $2 billion, $245 million in new authorizations of which $1 billion, $828 million are trust funds.

In addition, title I would also authorize an urban area traffic operations improvement program designed to reduce traffic congestion and accidents and to facilitate the flow of traffic in urban areas.

We had 12 days of hearings on the problems of our urban areas from the standpoint of the design, the construction, and the maintenance of the highways in those areas. We did this because we realized that it is basically the urban problems which cause controversy, and which are most often responsible for the increases in the cost of our roads today.

Today we are an urban society. Ours is not the rural society it once was, and these problems press in on us. When a road is to be constructed in an urban area, there is naturally involved a greater dislocation of businesses, homeowners and tenant families. These dislocations and displacements caused by urban highways have been the source of much of the discontent and unrest in our cities. Title II would bring relief to the individual citizen in this regard and significantly ameliorate some of the critical problems of our cities.

This title would permit States to use certain highway funds for the development of fringe parking facilities and for the advance acquisition of rights-of-way.

Title II would establish a broad gage program designed to insure that those displaced and dislocated by Federal-aid highway construction are aided and assisted in reestablishing their homes, farms, and businesses.

It is timely to point out that these provisions have been modeled after S. 698, legislation introduced by the Senator from Maine [Mr. MUSKIE], on which extensive hearings were held by the Subcommittee on Intergovernmental Relations of the Committee on Government Operations. Also joining with him in that important undertaking is a very valued member of the Subcommittee on Roads of the parent Committee on Public Works, the distinguished Senator from Tennessee [Mr. BAKER].

The thinking of these two Senators has helped the subcommittee and the full committee to realize the importance of the work which has been done by the Senator from Maine and the Senator from Tennessee who have led the effort to develop a more effective and equitable relocation program.

We value the work of the Subcommittee on Intergovernmental Relations, and though the full range of S. 698 will not be implemented in this Congress, a major step forward will be achieved in applying these provisions to the highway construction program.

The language of title II of S. 3418, as reported, reflects in large part the improved understanding of relocation procedures which has developed as a result of the long term efforts of the Senator from Maine, the Senator from Tennessee, and others in connection with this subject. It is not a subject that will decrease in interest. It is not a problem that will lessen.

Title III would provide for a public parking authority for the District of Columbia.

The Committee on Public Works recommends that the authorizations established in the Federal-Aid Highway Act of 1966 for the fiscal years 1970 and 1971 be left unchanged. Those authorizations of $3.6 billion for each of these years will enable the Interstate System programs to move forward in an orderly and reasonable fashion.

The cost of completing the system, as reported to the Congress in the cost estimate submitted in January 1968, was estimated at $56.5 billion as compared to a 1965 cost estimate of $46.8 billion and a 1961 cost estimate of $41 billion.

Mr. President, we remember when the first cost estimate was $27 billion for the 41,000 miles of interstate and defense highway. In 1961 the cost estimate for completion increased to $41 billion. By 1965, completion costs had risen to $47 billion. Still later, as of the first of this year, there was an estimate of $56.5 billion. I am frank to say that I believe it will be $62 billion before we complete the Interstate System.

I hope that the expenditure can be kept below that figure. However, I do know that the increased cost of land involved in acquisitions of rights-of-way, increased wages paid to workers, improved design standards and the increased costs of material are responsible in large part for the increased costs.

An analysis of the 1968 cost estimate prepared for the Committee on Public Works by the Comptroller General indicates that the process of estimating cost has not yet achieved the degree of precision which the Committee on Public Works and the Congress must have in order to make final determinations with respect to authorizations for completing the system. Based on the review, it appears that the current best guess is that the final cost will approximate $62 billion. It is conceivable this figure will go higher before the final authorizations for the Interstate System are made.

As presently established, the highway trust fund extends only to October 1972. Until such time as the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate report and the Congress adopts an extension of the trust fund provisions, it will be difficult for the Committee on Public Works to recommend authorizations for fiscal years beginning after the currently authorized life of the trust fund. The trust fund is operative only under the present programs until October 1972. So, under existing law, funds for the Interstate System are now available through fiscal year 1972.

The revised allocations which were proposed by the administration would have resulted in a total authorization of approximately $50 billion for the Interstate System as compared to the presently established total of $42 billion. Even this increase would not be sufficient to meet the expected share of the cost of completing the system if the information presented us in the report of the Comptroller is accurate. The Federal share of a $62 billion program would be almost $57 billion.

As we know, 90 cents out of each dollar that is spent comes from users revenues raised by the Federal Government and 10 cents out of each dollar that is spent comes from the State level.

It would seem that little harm would result if the provisions of the Federal-Aid Highway Act of 1966 were left in force for the next 2 years during which time another cost estimate will be prepared and submitted to the Congress. At that time it will be necessary for the Congress, through the various committees having jurisdiction, to make the necessary decisions relating to funding the program. If this course is followed, then the authorizations for the Interstate System for fiscal years 1970 and 1971 will be $3.6 billion each.

Testimony before the committee during the various hearings on highways and related matters gives evidence of the need for increased funding for the regular funding for the regular Federal-aid highway program. Since the Federal-Aid Highway Act of 1964, the ABC program has been maintained at the $1 billion level. During that period, costs have risen rapidly, while safety and construction standards have been improved and the highway needs have increased.

This has resulted in proportionately less money being available for work on the primary and secondary systems and their urban extensions. The cost increase for the 4-year period 1966–69 is estimated at 20 percent.

The Committee on Public Works, therefore, recommends that the authorization for the Federal-aid primary and secondary systems and their urban extensions be increased from $1 billion to $1.2 billion for the fiscal year ending June 30, 1970, and that the authorization for these programs for fiscal year ending June 30, 1971, be increased from $1 billion to $1.4 billion.

These figures are not pulled from a hat. We believe these figures are valid. We believe these amounts need to be expanded to keep our roads at high standards, to reduce the hazard from accidents. We believe that both these programs—greater safety and better standard of roads—are important to all the American people.

For several years the committee has been concerned with the progress of the construction of the Interstate System. Especially in the last few years, we have been concerned with its construction as interstate highways are extended into and through our urban centers.

We have noted that many proposed route locations and designs for urban interstate segments have been involved in controversy. The problems encountered have resulted in the delay or stoppage of construction of these links vital to our unified national network of highways.

The continued existence of these unresolved conflicts disrupts the timely completion of the Interstate System. We have not been able to keep it on schedule as we have desired, to keep it moving.

The committee has, to the maximum extent possible, fully explored the problems relating to urban highway planning, design, and construction and has sought solutions to mitigate or eliminate the controversy. In order to insure coverage of all facets of the impact of highway construction on our major urban centers, we listened to witnesses representing the full spectrum of views within the urban community—people who are part of our urbanized life in America, 1968.

As the hearings progressed, it became obvious to me—and I am sure it became obvious to the other members of the subcommittee and of the committee—that in general, as we listened to these people, they were talking about the same subject matter from different viewpoints. It also became apparent that these problems fell into a number of somewhat overlapping or reciprocally influencing categories which can be classified as follows:

First. Need for relocation assistance for those displaced by highway construction.

Second. Need to broaden the multiple or joint development approach to highway construction.

Third. Need to up-grade local arterial streets and roads to relieve congestion.

Fourth. Need to increase the effectiveness of public hearings.

I believe the American people have a right and a responsibility to participate in these hearings. I believe that this is important. If there has been a shortcoming, which has been apparent in the past, it is that roads in some instances have been rammed through a community because the people had not been given sufficient opportunity to exercise in hearings their feelings about where the roads were to be constructed.

This is not in criticism, except that I believe it is borne out by the hearings that we need a fuller participation by people who will discuss and counsel with the authorities at every level as they plan our roads for the present and for the future.

Fifth. Need for effective and informed State and local decisionmaking.

Sixth is the need for the broadest approach to urban highway planning.

Seventh, and last, is the need at all levels of government for continuing coordination—I also would say cooperation and partnership—among those responsible for urban renewal, for housing, and for transportation. No longer can we separate these responsibilities into nicely fitted compartments. We have to realize that they go together; and in the urban centers of our country, I am thinking in terms of the people who are to be affected, people who have their businesses and residences in these areas, people who are vitally concerned with what takes place as we move our transportation system into a more effective status.

At this point, as we speak of our urban problems, I wish especially to commend the leadership and the innovation, which has been brought to our highway program, especially in the last year, by Lowell K. Bridwell, the Federal Highway Administrator.

Mr. Bridwell has sat with us both informally and formally, time and time again, and his counsel has been of the utmost value, as I know can be attested to by the other members of the committee.

The most pressing of these seven problems is the inequitable treatment of persons or businesses that are displaced or disrupted by the construction of highways. Accordingly, the committee, in title II of S. 3418, as reported, to the Senate, has included language which we believe will add significantly toward reducing the hardships of those who suffer private injury for the public benefit. The public benefit certainly must be served; yet equity must be given to private individuals.

The committee heard testimony that one of the fundamenal causes of the failure of the States and the Department of Transportation to obtain local approval of proposed interstate highway route locations in urban areas stemmed from the fact that those displaced were not provided with adequate relocation assistance and just compensation for property that was taken.

The evidence clearly showed also that, because urban interstate highways often go through the rundown, dilapidated, low-income or so-called disadvantaged areas of cities, the persons who live in these areas are perhaps least able to afford to be dislocated; and they are frequently the ones who are forced, rather precipitately at times in the past, to leave their homes, and that often when persons are displaced from these areas there is no housing or replacement property available for relocation. People are thus forced to move but have no place to go; or if other housing or replacement property does exist, it is usually well beyond their financial capabilities. The evidence shows clearly that there is a definite need for procedures which provide for comparable replacement housing and property at the time such displacement occurs.

Under prevailing practice, property owners are compensated for property taken on the basis of the appraised fair market value. The hearings have shown that fair market value does not necessarily encompass all the expenses of involuntary relocation. Fair market value does not take into consideration such factors as social and economic loss, and the availability of replacement property.

In addition to the program which would be established by the proposal in the bill as reported, the committee wants to encourage initiative on the part of the States in developing innovative approaches designed to see that equity is accorded to persons displaced as a result of a highway program.

We cannot wait any longer for this program. There is an urgency about it. I think it is imperative that we move.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. RANDOLPH. I am glad to yield to the Senator from California who is a most helpful member of the committee.

Mr. MURPHY. Mr. President, I am pleased to have the honor of serving on this committee with my distinguished chairman.

In connection with provisions relating to planning related to people who have been displaced along highway rights-of-way, I am pleased that the State of California has an experiment underway whereby along the right-of-way of the super highway or freeway, extra land will be taken and housing will be provided as part of the major plan so that when the people must be displaced they will have some place to go.

In other words, we do not want to tear down the house and then try to find those persons someplace to live. We want to take advantage of future housing in order to provide housing so that disadvantaged people, people in poverty areas, can be moved in very quickly.

I wish to take this opportunity to thank the chairman for the remarks that are contained in the committee report on page 7, where this matter is set out.

The committee report states on page 7:

> In addition to the program which would be established by the proposal contained in the bill as reported, the committee wants to encourage initiative on the part of the States in developing innovative approaches designed to see that equity is extended to persons displaced as a result of the highway program.

The report further states:

> The committee believes that authority exists under Federal-aid highway law to assist the States in the acquisition of the needed land outside of the freeway right-of-way for the purpose of relocating displaced persons.

Mr. President, I think this is one of the most important aspects of the bill, and there are many important aspects. I wish to take this occasion to thank the chairman as profusely as I can for his cooperation, understanding, and enthusiastic reception of this innovative plan which was started in California. If it works, I think it will be taken up by the other 49 States in the near future.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the entire text of the report appearing on page 7 dealing with this matter.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> Specific problems will require their own uniquely responsive solutions. For example, the committee was told of a situation in the Watts community in Los Angeles, Calif., where 2,600 families will be displaced as a result of interstate road construction. Because of the number of individuals involved, California officials believe that sufficient comparable low-cost housing will not be available.
>
> To meet this situation, the California Legislature is considering a program which would authorize the State department of public works to acquire property outside the freeway right-of-way for the purpose of developing replacement housing. The State plans to contract with public or private organizations for the development of this replacement housing to be built on the acquired land. One procedure being considered is to move to the new site homes acquired in connection with other highway construction projects in the Los Angeles area. It is felt that this method will not only provide decent, safe, and sanitary homes to the individuals displaced, but will also assist in revitalizing the Watts community.
>
> The committee believes that authority exists under Federal-aid highway law to assist the States in the acquisition of the needed land outside of the freeway right-of-way for the purpose of relocating displaced persons. The committee also feels that additional payment for replacement housing which S. 3418 would provide for in section 507 may be used as part of the consideration paid to acquire comparable or replacement housing, constructed or reconstructed by the States or local agencies as part of the plan for the relocation of persons displaced by highway construction.
>
> This approach fits in well with the concept of joint development and is an example of the growing concern for making highway development a force for private environmental improvement.

Mr. RANDOLPH. We are grateful to the Senator from California for helping us focus attention on the innovative plan in the Los Angeles area. I can recall from the report that it was said it might aid in revitalizing the Watts area.

Mr. MURPHY. Mr. President, will the Senator yield for further observation?

Mr. RANDOLPH. I yield.

Mr. MURPHY. The report states that in the Watts community in Los Angeles there are 2,600 families to be displaced as a result of interstate road construction, and that because of the number of individuals involved, California officials believe that sufficient comparable low-cost housing will not be available.

It is the hope of the California commission, as it is of the chairman of this committee, that this matter be taken care of and that there be low-cost housing provided when these people are forced to move.

Mr. RANDOLPH. Mr. President, I express appreciation to the distinguished Senator from California. I indicate to him that we are going to act to encourage other areas to adopt the plan being used in California.

As I indicated, if we want to do something on this matter it cannot wait. It is urgent and it is imperative that we act.

In that regard, the committee recommends that the relocation assistance program be carried out with 100 percent Federal funds until July 1, 1971, since it will be necessary for many of the States to change their laws to enable them to participate in the cost of this vital program.

One of the areas of our concern which requires some emphasis is in connection with urban highway problems which relate to the need for upgrading local arterial streets and relieving congestion.

Thus, we have in the bill the language which contains the authority to carry out a program to increase the capacity and safety of traffic operations in the urban areas within major construction.

Through this effort, by improved signaling, changing traffic flow and other such methods, it is believed that the traffic carrying capacity—and this is very important to underscore—the traffic-carrying capacity of the urban network can be increased by 20 to 25 percent.

With the proper application, the topics program can be of significant value in increasing traffic service and reducing the congestion that exists on our urban systems. When we have an increasing number of vehicles, we will have an increased traffic problem. Accordingly, other means of relieving urban street congestion must be sought.

Who is to say what will be done tomorrow, or the next day? We must realize, as the problems press in upon us, that we need to plan, we need to think, we need to act, perhaps anew, that we need to disenthrall ourselves from some of the accepted practices which we have had over too long a period of years in the construction of roads.

The matter of equal employment opportunity has been a matter of concern to the committee, and a difficult facet of the bill, as reported. The problem of contract compliance with equal employment opportunity requirements arises as a result of the implementation of Executive orders which were issued in 1965. As currently implemented by the Department of Labor, the attempt is made to establish the equal employment opportunity requirements of individual contractors on a contract by contract basis for each highway project. The practice has been to require an affirmative action program from the low bidder before the award is made, without the benefit of specific guidelines in the bid proposal. It has the disability of adding grave uncertainty about the exact nature of the legal obligation and requirements which may be imposed upon the low bidder on the Federal-aid highway projects.

Thus, the amendment proposed by S. 3418, as reported, is designed to require that prior to any bidding, the equal employment opportunity requirements which will be imposed upon all bidders for the project, would be set forth. In other words, he will be informed. It would establish sufficiently early and with certitude, the ground rules.

It would place on the States, who are the actual contract parties in Federal-aid work, the responsibility for insuring that those who seek employment are indeed given an equal opportunity to obtain such employment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. LAUSCHE. I have had communications from contractors stating that they find themselves in an insoluable dilemma. First, they want to give equal opportunity of employment; second, they must hire workers who belong to unions. In some of the craft unions, apprenticeship has not been open to Negroes. Thus, the particular craft, when it is hired, is unable to supply efficient and capable workers to meet the equal opportunity requirement.

The dilemma is that first, under directions from Government, there must be equal opportunity of getting work; and, second, under directions of the Government, under the Bacon law, the unions supply labor, and they cannot supply Negroes, because they have not been accepted as apprentices.

How will the contractor handle this problem, and how does the bill propose to solve it?

Mr. RANDOLPH. Mr. President, I am grateful for the comment of my distinguished colleague from Ohio. The problem in Cleveland has been especially acute. The problem in the Philadelphia, Pa., area also has been of concern. We have recognized that there is a responsibility of government, Federal and State, and of unions as well as contractors in this effort. We have conferred with many of the interested parties and the language in the bill dealing with the problem stems from those discussions.

Apprenticeship training is needed to give people the opportunity to participate. Often it is those who have had the least opportunity, perhaps from the standpoint of education and training who are foreclosed from employment. Through an apprenticeship program they will be able to secure those skills which will help them in a manner that will help develop our road system.

I congratulate the Senator from Ohio. I feel we should state for the RECORD that the Secretary of Transportation would be able to withhold funds if a State program was not satisfactory with regard to the apprenticeship training which I have discussed with my colleague. I thank the Senator.

Mr. LAUSCHE. The answer of the Senator really is that there is no fixed direction in the law, but it is anticipated that, through the efforts of government, labor leaders, States, and contractors, apprenticeship opportunity will become available, thus solving the problem of giving equal opportunity of employment?

Mr. RANDOLPH. Yes. It would be applicable in every State. I think through this measure we have an acceptable method of providing equal opportunity to those who wish to obtain employment in the highway construction field. We do not guarantee employment. It will, however, prohibit discrimination in training and employment based on race, color, creed, or national origin.

It is the committee's understanding that the proposal presented in S. 3418 is acceptable to those most directly concerned with the implementation of both the highway program and the equal employment opportunity program.

There are numerous adjustments in existing provisions of title 23, United States Code, relating to highways designed to further improve and facilitate responsive and responsible administration of the highway program. They are covered in detail in the committee report. I refer my colleagues to that report for a full understanding of exactly what they are intended to do.

As chairman of the Committee on Public Works, I commend with the deepest sense of admiration and respect, the diligent efforts of the members of the committee.

Special recognition is accorded the ranking minority member, Senator John Sherman Cooper, of Kentucky, in the discussion and deliberations on this highly important but complex legislation.

Mr. President, I do not say this gratuitously, I admire Senator Cooper and the other members of the Committee on Public Works. I respect the judgment of all the committee members. During the markup of this legislation, we sat for 7 hours and 30 minutes. We worked through the lunch hour in an attempt to resolve these matters and bring to the Senate legislation that is important for our country these days. I express this appreciation for the diligent efforts of all the members of the committee, which has been of great satisfaction to me. They all worked with me in solving the problems. This has been a very salutary effort. The measure which we bring to the Senate for consideration is vital to our economy and the well-being of our people. I believe, taken as a whole this legislation is the most creative and constructive highway bill since 1956 when the Congress enacted the accelerated Interstate System program. We have opened new areas of concern for the public interest. We have attempted to be realistic by providing the guideposts to insure that highways contribute to the healthy growth of our total economy. This bill is a recognition of the broadest interests of our citizenry.

I urge the approval of legislation by the Senate.

Mr. President, I ask unanimous consent that the individual views of Senator Cooper may be made a part of the Record at this point. I have explained his absence. Again I express tribute to him.

There being no objection, the individual views were ordered to be printed in the Record, as follows:

Individual Views of Mr. Cooper

I consider the Federal-Aid Highway Act of 1968, S. 3418 as approved by the Senate Committee on Public Works, one of the most constructive measures to be recommended to the Senate during my service on the Committee—especially as it incorporates the results of the hearings and work of the Committee concerning the impact of freeways on the development and life of the cities, and with respect to families, farms and businesses displaced by road construction. I am glad to urge adoption by the Senate of this bill, which in general provides for continuation of the Federal-aid highway programs by extending the authorization for these programs for two years.

The bill, in Section 103, extends through fiscal years 1970 and 1971 authorizations for the Federal-aid primary and secondary systems and their urban extensions (the ABC systems), at a somewhat higher level than recent years but well within the capability of the highway trust fund from which these systems as well as the Interstate are financed. Authorization for the Interstate system for these years, which the Department of Transportation purposed to increase, is already provided by the 1966 Federal-Aid Highway Act and is maintained by the bill.

Section 103 also provides fiscal 1970 and 1971 authorizations for the public domain highways, which are financed by appropriations from the general fund—forest highways, public lands highways, forest development roads and trails, public lands development roads and trails, park roads and trails, parkways, and Indian reservation roads and bridges. In the Committee, I proposed amendments to reduce those programs authorized by the bill which must be financed by appropriations from the general funds of the Treasury. My amendments would have reduced the total of general fund authorizations in the Committee bill by $89 million for fiscal 1970, and by $100 million for 1971—nearly 25 percent. However, in no case did they require a reduction below the amount appropriated in fiscal 1968, or requested in the President's budget for fiscal 1969. I consider that in the present difficult fiscal situation, which has required a tax increase and the reduction of Federal expenditures, we have a responsibility to reduce wherever possible authorizations as well as appropriations.

I will mention briefly several other provisions of the bill which have been of particular interest to me. Authorization of funds for the State and community highway safety programs is provided by Section 104—from the highway trust fund, in order to assure that the Federal share of these programs will be available to the States. The States are required to implement the safety programs by the Highway Safety Act of 1966, which imposes a penalty of 10 percent of its highway apportionment if a State fails to do so. I had proposed at that time that the safety programs be financed through the highway trust fund so as to assure orderly planning and prompt implementation, and am glad that the Committee bill now so provides. The bill also extends the authorization for the highway beautification programs—billboards, junkyards and scenic enhancement—as approved by the Senate last year.

The amendments to Title 23 contained in Section 114 of the bill are designed to secure full consideration during highway planning, location, design and construction for the social and environmental consequences of road construction. We hope they will encourage the selection of routes and the use of design features which can ameliorate the impact of freeways in urban areas, and contribute to the orderely growth and development of the areas they serve. The bill also provides, in Section 110, for a new program, not limited to the urban extensions of primary and secondary routes, to improve traffic flow, capacity and safety in cities. I share the hope that this "topics" program will be helpful, and will encourage also planning toward the improved urban arterial systems which the Committee expects to consider next year. The Committee bill provides, too, for national bridge inspection standards, and for improved supervision of bridge inspection and safety.

Of great importance, Title II will establish a comprehensive program of relocation assistance designed to assure fair treatment and reasonable help to those individuals, families, farms and businesses displaced by highway construction projects. I consider these provisions fair, proper and a great advance in compensating those who are uprooted and dislocated by Federal projects. The Intergovernmental Relations Subcommittee of the Committee on Government Operations has given leadership in this field, and I hope very much that the relocation assistance provided by this bill for the highway programs will be extended to the construction projects of the Corps of Engineers, and to the other Federal agencies.

I understand that in the Senate there may be proposals to add provisions directed to the highway system for the District of Columbia. That is a complex and difficult subject, involved in controversy; the Committee has held no hearings on it. I have stated my belief that we should not enter this field, for the location and planning of highways is not within the competence of the Committee or the Congress. The policy of reserving to the States and affected local jurisdictions the determinations of highway planning and route locations has proved to be a wise one. But if such legislation is nevertheless considered, certainly before attempting to make any judgment with respect to the District of Columbia highway system, I believe and have proposed that the Committee should hold hearings, and secure the views of District officials and area planning bodies, and of the Federal Highway Administration and the Department of Transportation.

The Federal-Aid Highway Act of 1968 as recommended by the Committee is an important and constructive measure, as I have said, and I urge its adoption by the Senate.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to my colleague from Washington.

Mr. JACKSON. I compliment the able and distinguished Senator from West Virginia, the chairman of the committee, for his very fine presentation of the highway bill.

I call to the attention of the distinguished Senator from West Virginia a provision in H.R. 17134, the Federal-Aid Highway Act of 1968, now under consideration in the House of Representatives. Section 17 of the House bill contains language which, if enacted, will severely weaken section 4(f) the Department of Transportation Act. As the Senator will recall, in enacting legislation to create a new Department of Transportation, Congress expressed a national policy to preserve and enhance the beauty of the countryside, public parks, recreation lands, wildlife, and waterfowl refuges, and historic sites in sections 2(b)(2) and 4(f) of the Transportation Act. Section 4(f), which implements this policy, is now under attack. Its opponents seek to substantially diminish, if not nullify, the clear directive of 4(f). Instead of directing the Secretary of Transportation not to approve any program or project which requires the use of these public parklands unless there is "no feasible and prudent alternative to the use of such land," the Secretary, under the House amendment, would merely be required to "consider" alternatives.

It is highly important, in my judgment, to carry on the previously expressed intent of Congress on this question of the balance that must be struck between expanding transportation systems and the preservation of our public parklands.

It is my understanding that the Senate highway bill does not contain a provision that would modify section 4(f) of the Transportation Act. Am I correct?

Mr. RANDOLPH. The Senator is correct.

Mr. JACKSON. I thank the Senator. Am I also correct in stating that the able chairman of the Public Works Committee does not recommend any modification of section 4(f) of the Department of Transportation Act and that the Committee has determined to uphold the previously expressed intent of Congress on this question?

Mr. RANDOLPH. The Senator is again correct. On September 29, 1966, the Senate passed the Department of Transportation Act by a 64-to-2 rollcall vote. The distinguished junior Senator from Washington was the floor manager of the act and performed a great service in guiding this complex and important legislation through the Senate. The Senator offered as amendments what are now sections 2(b) (2) and 4(f). The House accepted the Senate language in conference. These sections are clear statements of a national policy that the natural beauty of our countryside and public parks should be preserved.

I wish to underline my assurance to the Senator that I will make every effort to see that section 4(f) is not disturbed, and that the intent of Congress is upheld.

In that connection as we stated in the report:

> The committee is extremely concerned that the highway program be carried out in such a manner as to reduce in all instances the harsh impact on people which results from the dislocation and displacement by reason of highway construction. Therefore, the use of park lands properly protected and with damage minimized by the most sophisticated construction techniques is to be preferred to the movement of large numbers of people.

I also wish to quote from a letter of July 1, 1968, from Alan S. Boyd, the Secretary of Transportation, to Hon. JOHN W. MCCORMACK, the Speaker of the House of Representatives.

I ask unanimous consent that the entire letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SECRETARY OF TRANSPORTATION,
Washington, D.C., July 1, 1968.

HON. JOHN W. MCCORMACK,
Speaker, House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Today the House of Representatives will consider several amendments to the Federal-Aid Highway Act of 1968. Among these will be amendments that will profoundly affect the nation's natural resources and scenic beauty.

I am deeply concerned about the proposed amendments that will be offered on the floor to make a nullity of the Highway Beautification program. While I was disappointed at the magnitude of the program contained in the Committee bill, we nevertheless recognized the concern of the Committee about expenditures in the difficult fiscal situation which now exists. Despite this disappointment, however, the Committee did preserve the program so that we will be able to continue to plan to move ahead swiftly when the present financial problems are solved.

We have been gratified by the progress that has already been made in the Highway Beautification program. Thirty-one state legislatures have enacted laws providing for the control of outdoor advertising. Other legislatures are now considering such legislation or will do so early in 1969..We have reached agreement with 17 states on outdoor advertising control procedures and we are close to agreement with a number of other states. Forty states have enacted legislation to control junk yards. Although only a small amount of Federal funds has been expended so far, approximately 1500 junk yards have either been screened or removed. All 50 states are participating in the landscaping and scenic enhancement provisions of the act. These have gained broad public acceptance.

We think that the present generation of Americans have given their overwhelming approval to these important beautification efforts. They will be enjoyed by generations to come. This nation has been blessed with beauty and grandeur that we can no longer squander. There are many programs which the Congress has approved to insure their preservation. We believe that the Highway Beautification program is a major effort that must be continued.

I strongly urge the House of Representatives to reject the amendments that will be offered to eliminate the grant programs and to eliminate any of the incentives that are designed to stimulate state participation. Those amendments would effectively end the Beautification program and we are confident that is not the desire or the intent of the Congress.

When the Congress enacted the Department of Transportation Act of 1966, it specifically and unequivocally recognized that national transportation policies and programs should be developed consistent with the efficient utilization and conservation of the nation's resources. It declared as the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. It implemented these declarations of policy by requiring the Secretary of Transportation to cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture and with the States in developing transportation plans and programs of all forms that include measures to maintain or enhance the natural beauty of the lands traversed.

In aid of the declared national policy, the Congress, in section 4(f) of the Act, directed the Secretary of Transportation not to approve transportation programs or projects which require the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.

The House Public Works Committee has proposed an amendment conforming the language of section 4(f) to that of section 138 of Title 23, United States Code. As the Committee Report indicates, the difference between its proposed change and the present language is slight. The Report states the Committee's belief that the perspective in decision-making should be broadened, not narrowed, and that preservation for use is sound conservation philosophy. In view of these statements, it seems clear that the intent of the Committee is not to depart from the stated national policy. It is in this spirit that the Department of Transportation proposes to administer the Act. We therefore view the intent of the Committee's limited conforming amendment as reflecting no substantive change in the mandates placed upon this Department.

However, the Department opposes the proposed amendment at this time—little more than a year after the effective date of section 4(f). The Department is aware of no problems which have arisen in the course of administering the present language, nor does the Committe Report refer to any. We think the present language of section 4(f) is a clear statement of the Congressional purpose. Accordingly, there would appear to be no reason to amend it at this time.

Sincerely,

ALAN S. BOYD.

Mr. RANDOLPH. I call particular attention to the paragraph of the letter where Secretary Boyd says:

> The House Public Works Committee has proposed an amendment conforming the language of section 4(f) to that of section 138 of Title 23, United States Code. As the Committee Report indicates, the difference between its proposed change and the present language is slight. The Report states the Committee's belief that the perspective in decision-making should be broadened, not narrowed, and that preservation for use is sound conservation philosophy. In view of these statements, it seems clear that the intent of the Committee is not to depart from the stated national policy. It is in this spirit that the Department of Transportation proposes to administer the Act. We therefore view the intent of the Committee's limited conforming amendment as reflecting no substantive change in the mandates placed upon this Department.

Mr. JACKSON. I thank the able Senator from West Virginia for that excellent statement.

If the Senator will yield further, I have at the desk an amendment which would carry out this intention. As I understand it, the Senator from West Virginia has no objection to the amendment.

Mr. President, I call up my amendment.

The PRESIDING OFFICER. A floor amendment is not in order until the committee amendments have been acted upon.

Mr. JACKSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JACKSON. Have the committee amendments not been acted upon?

The PRESIDING OFFICER. They have not been acted upon.

Mr. STENNIS. Mr. President, I know that the Senator wants to proceed with the committee amendments, but I wonder whether the Senator from West Virginia would yield briefly to me at this point.

Mr. RANDOLPH. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, we now have a subcommittee on the Appropriations Committee that handles all funds involving transportation. It is my privilege to serve as the first chairman of that subcommittee, which service gives me a better understanding of the fine work the Committee on Public Works and this subcommittee are doing, and also an appreciation and a realization of the burden that the committee has to carry, and the great volume of work it has to do. Speaking as a Member of the Senate, I wish to express my appreciation to all the members of the Subcommittee on Public Roads, especially its chairman, who necessarily has to give the matter more time, and to commend him and them for the fine work they are doing.

I noted with special interest the Senator's remarks about our highway systems—and I use that word in the plural intentionally, because we are still interested in the primary, the secondary, and the urban highways, as well as the interstate highways.

We appreciate the comfort as well as the encouragement that the committee was able to give us with reference to additional mileage being added to all those systems, including the Interstate System. I point out that when the original bill was passed, there were a great many strong promises made with reference to other areas and other mileage that could not then be served by the Interstate System. I feel sure that the committee remembers all those things, and always continues to work to reach the point when those promises can be considered again on their merits, and additional mileage can be added.

The Senator from West Virginia has expressed himself on that matter. I know how he feels personally, and I thank him again for his work and the work of the committee.

Mr. RANDOLPH. I understand the interest of the Senator from Mississippi in this matter. His view is joined by Senator Russell and Senator Talmadge of Georgia and Senator Hill of Alabama among others. As the Senator knows there are currently pending before the committee a number of bills which would add mileage to the Interstate System. Most notable among these are Senator Magnuson's bill S. 3560 and Senator Montoya's bill S. 3675. All told there are 12 bills pending on this subject. The committee did not consider the question of extending the Interstate System since, as I have already stated, the major problem we face in the near future is funding the completion of the existing 41,000-mile system. At present we have authorizations in the amount of $42 billion to cover a program which we are reasonably certain will cost at least $62 billion. Extensions of the system at this time, without more information, would ultimately delay the completion of what we already have before us.

We are aware that the House bill, as reported, includes the addition of 3,000 miles of interstate highway. At a minimum this would cost another $15 billion. When the hearings of the Federal-Aid Highway Act of 1968 were opened I, as chairman, stated that next year we would consider in detail and for the legislative purpose, the extension of our Federal-aid highway system in the future.

We have before us many requests for miles and many suggestions and ideas on how the total highway system should be developed.

Among them is one which would provide for additional designations of interstate system routes without any commitment to participate on 90–10 matching basis. This idea has gained some support since the great desire of people is for the designations these routes for economic development and other important purposes, rather than the substantial Federal cost sharing. I promise to those of my colleagues who are anxious to provide proper Interstate System connection in their States that we will consider the requests at hearings next year and will take the action which the record indicates will be most propitious and most responsive to the total needs of our Nation.

Mr. President, the members of the committee are grateful for the expressions of the Senator from Mississippi. I do remember a time when our Committee on Public Works confined its activities almost exclusively to authorizations for roads, rivers and harbors, and flood control. Now we have jurisdiction for air and water pollution control programs, solid waste disposal programs, regional economic development, and other public works programs relating to depressed areas.

The members of the committee have applied themselves to the study of those problems, trying to be responsive to the needs of the country and responsible to the Senate.

Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc, and that the text as thus amended be regarded as original text for the purpose of amendment.

The PRESIDING OFFICER. Is there objection to the request of the Senator from West Virginia? Without objection, the amendments are considered and agreed to en bloc.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. JACKSON. Mr. President, I call up my amendment which is at the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. JACKSON. Mr. President, I ask unanimous consent that further reading of the amendment be waived.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendment will be printed in the Record.

Mr. Jackson's amendment is as follows:

On page 27, line 20, insert the following:

"Sec. 123. Section 15 of the Federal-Aid Highway Act of 1966 (80 Stat. 766; P.L. 89-574, Act of September 13, 1966) is hereby amended by striking all of subsection (a) and inserting in lieu thereof a new subsection as follows:

"(a) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

" '§ 138. Preservation of Parklands

" 'It is hereby declared to be the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. The Secretary of Transportation shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. After the effective date of this Act, the Secretary shall not approve any program or project which requires the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site from such use.' "

Mr. JACKSON. Mr. President, referring to the colloquy with the able chairman of the committee, the Senator from West Virginia [Mr. Randolph], the amendment at the desk is the provision that is now a part of the Department of Transportation Act, sections 2(b)(2) and 4(f). It is my understanding that the able Senator from West Virginia has no objection to this amendment, and I hope the amendment will be accepted.

Mr. RANDOLPH. Mr. President, I have discussed this amendment with both majority and minority members of the committee. The amendment is in line with our thinking, and we are therefore prepared to accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington.

The amendment was agreed to.

Mr. MURPHY. Mr. President, will the Senator from West Virginia yield?

Mr. RANDOLPH. I yield.

Mr. MURPHY. I take this opportunity to express the pleasure and enjoyment I have received from serving on the committee with the distinguished Senator from West Virginia. Of all the committees on which I serve, I can think of none where the business is conducted in a more constructive manner or in a finer atmosphere of cooperation and consideration.

I am quite certain that the pending bill—which is a bill dealing with a complex segment of our complex society—is a good bill. I sincerely hope that the Senate will agree with the chairman and the members of the committee on its passage.

CENTURY FREEWAY

Mr. President, I congratulate the distinguished chairman, the Senator from West Virginia [Mr. Randolph] who, with his usual skill, has brought S. 3418, the Federal Highway Act of 1968 to the Senate floor.

I am particularly grateful that the chairman and the Public Works Committee accepted my amendment that will make possible, at long last, the Century Freeway. The completion of this piece of highway is desperately needed in my State and in my city of Los Angeles.

As a result of an amendment I offered in full committee, California's apportionment factor will be increased from 7.752 percent to 9.026 percent. This new apportionment factor reflects the addition of the Federal Government's share—approximately $253 million—for the completion of the Century Freeway. The total Federal and State cost for its completion is estimated at $276.9 million.

The inclusion of the Century Freeway within the apportionment formula culminates a long effort to add the badly needed Century Freeway, a vital and necessary addition to the interstate system in California.

In August 1965, because local residents were unable to reach agreement over certain interstate routes in the San Francisco area, these designated routes were deleted from the interstate system. The State of California and its congressional delegations, since that time, has been attempting to substitute the Century Freeway for the San Francisco area routes, which have been turned back. There was agreement by all that the Century Freeway met all the necessary criteria for classification as an interstate route.

From the outset, I was hopeful that this problem could have been worked out administratively and, in fact, I thought agreement had been reached to do so, but this fell through, and it became necessary to enact legislation to accomplish this purpose. Thus, last year, I supported what is now Public Law 90-328, which specifically authorized adjustment in the Interstate System. Briefly, this law authorizes the Secretary of Transportation, when a portion of the Interstate System cannot be completed to withdraw that mileage from the Interstate System and substitute in its place other mileage. Century Freeway, as a result of Public Law 90-328, was added to the Interstate System, effective March 20, 1968. My amendment carries out the intent of the law by adjusting the apportionment factor to reflect the addition of the Century Freeway.

Mr. President, the Century Freeway is an excellent addition to the Interstate System. It will serve numerous vital defense industries, ends at one of the Nation's most important airports, Los Angeles International, will ease serious congestion problems over an extended area, and will carry more than 150,000 vehicles daily. One of the problems in the Watts area has been the difficulty of the residents to travel easily to available jobs in other sections of the city of Los Angeles. I am persuaded that the Century Freeway, by opening the Watts district to a vast part of the east Los Angeles area will do much in the way of helping Watts' residents get to and from jobs.

I thank the distinguished chairman of the committee and hope that I may have the privilege for many years to come of serving on committees of which he is chairman.

Mr. RANDOLPH. Mr. President, I am grateful for the comments of our colleague, the distinguished Senator from California. No State has a greater system of highways than California.

Private automobiles and trucks move there by the hundreds of thousands, in a way which is not experienced in other States.

I know that the Senator from California has given much attention to seeing that the roads are of the utmost use to people and to business generally in his great State.

Mr. MURPHY. Mr. President, this particular segment, the Century Freeway, will carry upward of 150,000 vehicles a day. That is how important it is to the area.

Mr. RANDOLPH. Mr. President, I thank the Senator very much for pinpointing that fact.

Mr. BAKER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. BAKER. Mr. President, I rise on this occasion as a member of the Committee on Public Works and the Subcommittee on Roads to pay respect and commendation to our chairman, the distinguished Senator from West Virginia [Mr. RANDOLPH], and to our distinguished ranking Republican member, the Senator from Kentucky [Mr. COOPER], who is unavoidably absent today, for their handling, understanding, and sensitivity in constructing and then reporting this important and significant piece of legislation which involves the transportation system in America.

Much has already been said on the contents of the pending bill. There has been a very able section-by-section analysis of it by the distinguished chairman. I will not detain the Senate further by a reelaboration of the points that the Senator from West Virginia has already so ably made. However, I would say that the importance of title II of the pending bill cannot be overstated or overemphasized.

If there is one area of need and concern in this Nation relating to highway and other construction, it is the impact that such so-called improvements very often, and almost universally, have on those who are involuntarily displaced in our urban areas, in areas that are not so urban, and, in fact, in some of our rural areas.

I pay special tribute to the chairman for having taken the substance of the hearings and the work product of the Subcommittee on Intergovernmental Relations of the Government Operations Committee into account in constructing title II of the pending bill in order to move us away from the artificial concept that some mystical, theoretical, artificial enunciation of fair cash market value as compensation for the property taken from those who have no desire to be displaced, represents equity and fairness.

It almost never does not. Instead, in title II of the pending bill we have moved a great distance in the direction of fair compensation based more on the philosophy that after an involuntary taking of property for highway construction, we should make every effort to see that the occupant of that property who was involuntarily displaced is made not less than whole as a result of the various methods of compensation—for cash value, for residential damages, for moving expenses, for relocation expenses, for rent adjustment, for mortgage cost adjustment, and for others that are provided in the pending bill.

I say simply that I think the bill as written and reported is a giant step in the right direction in the field of compensation and fair treatment in the area of involuntary land acquisitions.

I point out that much is to be done. The principles enunciated by S. 3418 should, in my judgment, be extended to all activities of government dealing with construction—to the Corps of Engineers and all other agencies. Beyond that, then, I think that the U.S. Government should come to terms with the proposition that all of its land acquisition policies—not just highways and not just the Corps of Engineers—should be unshackled from the artificial means of testing a measure by the fair market value. I think the Government should be directed toward the humane consideration of seeing that people who are lifted from their homes and their property and involuntarily displaced do not suffer and are not thus made to pay a disproportionate share of the cost of the improvement in deference to the requirement for improvement in the national interest.

I say again that I am proud to serve on this committee under our distinguished chairman, and to have reported to the floor what I believe to be a very substantial piece of legislation that may serve as the hallmark for future efforts in this field.

I commend all of the members of the committee and, in particular, our ranking Republican member, the distinguished Senator from Kentucky [Mr. COOPER], for negotiating this difficult and complex subject matter and being able to bring the legislation to the floor.

Mr. RANDOLPH. Mr. President, in response to the remarks of the able Senator from Tennessee, I do agree with him that we have now gone an important part of the way. I can completely subscribe to his philosophy that what we are doing here in reference to the highway program should be applied across the board to all programs which displace persons.

Mr. President, I yield to the distinguished Senator from Virginia, a member of the committee.

Mr. SPONG. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Virginia will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. SPONG. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 47, after line 24, insert a new section as follows:

"SEC. 208. The government of the District of Columbia is authorized to participate in the Highway Relocation Assistance Program pursuant to chapter 5 of title 23 of the United States Code."

On page 48, line 1, in lieu of "SEC. 208." insert "SEC. 209.".

Mr. SPONG. Mr. President, in order to allow the District of Columbia to participate under the provisions of title II of the Federal-Aid Highway Act, relating to relocation assistance and land acquisition practices, as soon as the bill becomes effective, it is necessary to amend the title in such manner as to authorize the District to participate thereunder. Accordingly, I have offered this amendment of title II of the bill.

It is my understanding that the chairman will accept the amendment, and I move, accordingly, that the amendment be agreed to.

Mr. RANDOLPH. Mr. President, this amendment has been discussed with members of the committee. We believe that it should be added to the proposed legislation. In fact, I believe that if the District of Columbia is to avail itself of the provisions of this bill, it is necessary to have the amendment which has been offered. Therefore, I support the amendment.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. SPONG. I yield.

Mr. DOMINICK. I have read the distinguished Senator from Kentucky's views on this matter very hurriedly. Do I correctly understand that he would be in opposition to this amendment?

Mr. SPONG. I believe the Senator's understanding is incorrect. The Senator is thinking of the freeway system. This amendment would only allow the District of Columbia to participate under title II of the bill, which has to do with relocation.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Virginia.

The amendment was agreed to.

Mr. SPONG. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. SPONG. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 27, after line 19, insert the following:

"(a) The Commissioner of the District of Columbia is authorized to acquire by purchase, donation, condemnation or otherwise, real property for transfer to the Secretary of the Interior in exchange or as replacement for park, parkway, and playground lands transferred to the District of Columbia for a public purpose pursuant to section 1 of the Act of May 20, 1932 (47 Stat. 161; D.C. Code, sec. 8-115) and the Commissioner is further authorized to transfer to the United States title to property so acquired.

"(b) Payments are authorized to be made by the Commissioner, and received by the Secretary of Interior, in lieu of or in addition to property transferred pursuant to subsection (a) of this section. The amount of such payment shall represent the cost to the Secretary of Interior of acquiring real property suitable for replacement of the property so transferred as agreed upon between the Commissioner and the head of said agency and shall be available for the acquiring of the replacement property."

Mr. SPONG. Mr. President, in order to place into the statute the provisions of a written agreement between the District of Columbia and the Department of the Interior, I offer an amendment under which the Commissioner of the District would be authorized to transfer land to the Interior Department as replacement for park, parkway, and playground lands transferred to the District for public purposes.

I understand that this amendment is acceptable to the committee.

Mr. RANDOLPH. Mr. President, there has been an agreement entered into between the National Park Service of the Interior Department and the District of Columbia government.

The Corporation Counsel has thought that the amendment offered by the Senator from Virginia is advisable—even perhaps necessary. Therefore, after consultation with my colleagues on the committee, I am glad to support the amendment.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SPONG. I yield.

Mr. LAUSCHE. What is the purpose of having it transferred from the District to the Secretary of the Interior?

Mr. SPONG. To aid in highway construction in the District of Columbia.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Virginia.

The amendment was agreed to.

Mr. SPONG. Mr. President, before I yield the floor, I should like to add my words to those already spoken by other members of the Committee on Public Works, to commend the chairman of the committee, the Senator from West Virginia [Mr. RANDOLPH], and the ranking Republican member of the committee, the Senator from Kentucky [Mr. COOPER], for the great care and patience they have exercised in the consideration of the proposed legislation, which I support.

THE CONFIRMATION OF JUSTICE FORTAS AND JUDGE THORNBERRY

Mr. SMATHERS. Mr. President, I rise today to address myself both to those who are gratified by the appointment of a great lawyer and Justice to be Chief Justice of the United States, and to those who have expressed concern about the timing of the appointment.

Before I share with Senators the results of my close analysis of the judicial opinions and other writings of Mr. Justice Fortas and of my knowledge of the man, it is necessary to set the record straight with respect to the claims, advanced by some, that no judicial vacancy exists and that a successor to Chief Justice Earl Warren should not be appointed until a new President has taken office.

I

First, to the claim that no vacancy exists. It has been suggested by some that because the Chief Justice's retirement is not to be effective until a successor is chosen, we have no vacancy to fill. That simply is not so.

For many years, retiring judges, the Presidents who have nominated their successors, and this body, which has confirmed the nominations, have acted on the entirely reasonable understanding that the nomination and confirmation machinery may be put into effect while the retiring judge continues to perform his duties. Only the signing of the successor's commission and his entry upon active duty must await the effective date of the retirement.

This was precisely the procedure which President Roosevelt and this body followed in June 1941 with respect to another great Chief Justice, Charles Evans Hughes. On June 12, 1941, while Charles Evans Hughes remained Chief Justice of the United States, the President nominated Associate Justice Harlan Fiske Stone to be Chief Justice, and Robert Jackson was designated to take Justice Stone's seat. The Senate of the United States did not wait for Hughes to leave his post, but on June 27 confirmed the nomination of a new Chief Justice, 4 days before—I repeat, before—Hughes retired.

An identical pattern was followed with the resignation in 1922 of Justice John Clarke, whose successor, George Sutherland, was nominated by President Harding and confirmed by this body 13 days before the retirement of Justice Clarke.

In 1962, the late President Kennedy requested that Circuit Judge E. Barrett Prettyman delay his announced retirement until a successor had been "qualified." This was done. Judge Prettyman did not retire from active service until his successor had been nominated and confirmed.

Indeed, it has become entirely commonplace for retiring judges to make their retirement effective upon the appointment and qualification of a successor. This procedure was followed, for example, when Judge Bastian of the Court of Appeals for the District of Columbia retired in 1964. Judge Bastian did not vacate his seat until his successor, Judge Edward Tamm, had been nominated and confirmed by the Senate.

In February of this year, the identical procedure was followed in the case of Judge Wilson Warlick of the western district of North Carolina. On February 24, Judge Warlick wrote to the President, expressing his desire to retire, effective upon the qualification of a successor. As indicated in documents released to the press by the Justice Department, Senators ERVIN and JORDAN of North Carolina wrote to the President 3 days later urging the appointment of James McMillan to "fill this vacancy." The Senators said that as a result of Judge Warlick's announcement, "a vacancy now exists in that office." While Judge Warlick continued to sit, the President, on April 25, nominated James McMillan to replace him, and this, of course, was after President Johnson had announced his decision not to stand for reelection. Both Senators from North Carolina endorsed the nomination, and on June 7 this body confirmed it. It is my understanding that Mr. McMillan has not yet entered upon judicial duty and that Judge Warlick, pursuant to his letter to the President, continues to sit.

Precisely the same procedures have been followed in connection with the recent retirements of Judge Frank Scarlett of the southern district of Georgia, of Judge William East of Oregon, of Judge William C. Mathes of the southern district of California, of Judge Dave Ling of Arizona, and of Judge Charles Fahy of the U.S. court of appeals in Washington, D.C.

Are we to conclude that all of these retirements and the process by which the successors were chosen were improper? Ineffective? A mistake?

The answer is clear. It has become a custom for judges to make their retirements effective either at some future date or upon the appointment and qualification of a successor. This procedure is not only commonplace, and follows well established and ancient precedent, but it also serves the highly salutary purpose of keeping the Federal bench fully manned while the President and the Senate of the United States discharge their important responsibilities to replace retiring judges with qualified successors.

Mr. MURPHY. Mr. President, will the Senator yield for a question?

Mr. SMATHERS. I will be happy to yield to the distinguished Senator from California.

Mr. MURPHY. For the information of the Senator from California, which act takes place first? As the Senator explained it, it seems to be concurrent; and the question was raised whether a vacancy can be filled when no vacancy exists. Either there is or there is not a vacancy, precedent notwithstanding.

Mr. SMATHERS. The point I was making and the point I made with the illustrations I gave here is that in each instance these prospective retirees wrote of their intention to retire. Thereafter, the President has sent to the Senate a name and the Senate has considered that name even before the other man retired. The Senate considered that name and confirmed him. In many instances, the man is not confirmed and has not yet served, even though the man who brought about the question wanted to retire. There are well-established precedents.

Mr. MURPHY. I agree that there are well-established precedents. In my short time in the Senate I think one could find precedent for almost any sort of procedure.

One of the things that is disturbing to me is the fact that sometimes the procedural matters are not clearcut or definitive. We do not know exactly how these things take place. I think in this great Nation of ours and in these complex and trying times, when the President has said there is restlessness throughout the country, some of these things should be clearly and definitely delineated so that newcomers to this body, like me, will understand what is happening.

There cannot be two men in the same job at the same time, obviously. I do not see how a man can be replaced until he has vacated the job. There is a bit of confusion on the part of the Senator from California, and I would like to have the precedents carefully explained so that I will understand the situation completely and be able to explain it to my constituents inasmuch as I know they will ask me about it.

Mr. SMATHERS. I appreciate the Senator's remarks. If the Senator will listen to what I have to say, I am sure he will understand. While I do not have all of the knowledge, I have looked up the precedents. I dispute the Senator's statement that he is a bit confused. I do not believe the Senator is ever confused about anything. I respect the Senator's great ability.

Apparently the Senator did not hear the first part of my remarks. I do not desire to go back over them in their entirety but I will be delighted to give the Senator the benefit of what I said before he arrived.

I had pointed out at least four instances where we had vacancies on the Supreme Court and before the men actually retired from the Court their successors were considered by the Senate and qualified.

On June 12, 1941, while Charles Evans Hughes remained Chief Justice of the United States, the President nominated Associate Justice Harlan Fiske Stone to be Chief Justice, and Robert Jackson was designated to take Justice Stone's seat. The Senate did not wait for Hughes to leave his post, but on June 27 confirmed the nomination of a new Chief Justice, which is about the same situation we have now. On June 27 the Senate confirmed the nomination of the new Chief Justice, 4 days before Chief Justice Hughes retired. The same thing occurred with respect to Justice John Clarke.

Mr. MURPHY. If I had been present at that time, I would have had the same misgivings. I think this changeover in such an important position——

Mr. SMATHERS. I can understand the desire of the Senator to change the situation. As of this time the precedents are eminently clear that the procedure President Johnson is endeavoring to follow in this particular instance is clear and insofar as the Senate is concerned, there is every right to go forward in considering the nominee the President has sent us and the confirmation of Justice Fortas to be Chief Justice. The precedents are clear that that can be done.

If the Senator from California wishes to attempt to change the procedure and ignore the precedents that is his right and privilege.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. LAUSCHE. What is the name of the judge who indicated his intention to resign and thereafter the nomination was made of his successor, approved by the Senate, but the resigning judge continued to serve?

Mr. SMATHERS. The name of that judge is Judge Warlick, of North Carolina. The Committee on the Judiciary approved his successor, who was recommended by the distinguished Senators from North Carolina, both Senators ERVIN and JORDAN, and he was confirmed. His successor, McMillan, was confirmed by the Senate and he has not yet served.

Mr. LAUSCHE. My question is: What if the incumbent, who intended to resign, does not step down from the Bench and persists in continuing to serve? Who is the duly qualified judge?

Mr. SMATHERS. The Senator is asking a question that takes us into an area that would be baffling with the height of its complexities. I do not know.

Mr. LAUSCHE. Has the Senator thought about it?

Mr. SMATHERS. It is entirely possible in the situation that Judge Warlick would not retire after having indicated his intention to retire.

Mr. LAUSCHE. Who is the judge under the circumstances, then?

Mr. SMATHERS. The judge who sits; but the judge has not yet received his commission.

Mr. LAUSCHE. What is the effect of the President's nomination and the Senate's confirmation? Has that become a nullity or does it mean that the confirmed appointee is the judge?

Mr. SMATHERS. It means the confirmed appointee is the judge in my analysis, certainly, when the commission has been issued, after we have gone through the preliminaries which the Constitution requires, and when the man has the certificate that he is the judge.

Mr. LAUSCHE. If the confirmed appointee is the judge what would be the validity of the judgments now rendered by the man who is no longer judge?

Mr. SMATHERS. We will have to take that up before the Supreme Court one of these days.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. SMATHERS. I am happy to yield to the Senator from Colorado.

Mr. ALLOTT. If a man who is a member of the Supreme Court writes a letter to the President indicating his intention to retire from the Supreme Court, does the Senator consider that a resignation?

Mr. SMATHERS. That has been considered a resignation. Yes, that has been the precedent.

Mr. ALLOTT. If the President issued a commission after the Senate confirmed an appointee in the regular way, does the Senator know any way the judge can be required to leave the office?

Mr. SMATHERS. That is the same question asked by the Senator from Ohio.

Mr. ALLOTT. No; it is not the same question because the point is that a letter to the President saying that a man intends to resign at a date uncertain is not a resignation. If there is a resignation to the President saying, "I will resign. I intend to resign and terminate my service on the qualification of my successor," this is a resignation. But if he writes a letter and says, "It is my intention to resign," that is not a resignation and so, under the circumstances, the President has no right to issue a certificate of appointment to the man appointed until the office is vacated.

Mr. SMATHERS. In the present situation we have Chief Justice Warren having written a letter, the letter having stated in substance that it is his desire and intention to resign just as soon as his successor is qualified.

That is the language, pretty much, of the precedents and the statutes. That is why they use that language. Thus, it is presumed to be that when the successor has received confirmation of the Senate and when he is otherwise qualified, at that point the resignation of the person serving on the Bench is in effect. That is the practical part of it.

Mr. MURPHY. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. Mr. President, I have the floor. I wish to continue——

Mr. MURPHY. If the Senator will yield for just one question on the point he has just made——

Mr. SMATHERS. I yield.

Mr. MURPHY. This may be a ridiculous question, but in the event there was no confirmation, then the present Chief Justice would continue to be Chief Justice until such replacement occurred; is that not correct?

Mr. SMATHERS. Until such time as the Chief Justice amended his letter and stated that as of a certain date he retired.

Mr. MURPHY. I thank the Senator from Florida.

Mr. BAKER. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I should like not to yield any further at this point. I will be happy to yield in a moment. I know that we want to go forward with the highway bill, and I want to speak for the benefit of Senators who may not have heard my preliminary remarks and may wish to ask me questions in all good conscience and judgment.

II

Mr. President, it has also been suggested by some that the successor to Chief Justice Warren should not be selected until a new President takes office early next year.

I am frank to tell the Senate that I am appalled at the suggestion. Who of those among us, who love the law and respect the courts and hope that the public at large will share this attitude, can conscientiously condone the prospect that the appointment of a Chief Justice of the United States could become a political pawn in this summer's political conventions, a bargaining tool among candidates for high office, a vote-getting device in the November election? To follow such a course could well involve the Supreme Court in bitter partisan controversy to the lasting detriment of this great institution and our system of constitutional Government.

The impact of such a postponement upon the work of the U.S. Supreme Court is also a matter or grave and deep concern. Should the Chief Justice bow to his 77 years and to the pressures of more than 50 years of public service and leave the Court this summer, as he so clearly desires, we shall have a Court without a Chief Justice, an institution without an administrator, a judicial conference without leadership. An eight-judge Court would, in many cases, find itself unable to produce a majority.

In August of 1960, the Senate of the United States, by Senate Resolution 334, expressed its will that even a recess appointment would be preferable to permitting the prospect of a breakdown in the administration of the courts. On the floor of this body, my distinguished colleague from Nebraska [Mr. HRUSKA] emphasized the vital necessity that nine Justices serve at all times. He said it was particularly important that the position of Chief Justice never be vacated.

Let me refresh the Senate's memory a bit concerning that occasion. The distinguished Senator from Michigan and certain Democrats on this side of the aisle on the Judiciary Committee had recommended to President Eisenhower and said that it would be a sense of the Senate resolution that the President not make a recess appointment to the Supreme Court. There was a vacancy on the Supreme Court at that time. On the Judiciary Committee was the distinguished senior Senator from New York, then Mr. Keating; the Senator from Nebraska [Mr. HRUSKA]; and the Senator from Wisconsin, Mr. Wiley, representing the Republican side of that committee. They wrote a minority report in which they said this:

> There must always be a Chief Justice, if we expect the duties assigned to the Chief Justice to be performed. It will not do to have an Acting Chief Justice. There should be a Chief Justice who, upon appointment, will commence the performance of his duties. . . . After all, we are dealing with the head of a coordinate, coequal and independent branch of the government, and there should be no inhibition upon him, nor should there be any desire to raise an obstruction to a prompt and immediate designation and qualification of the nominee pursuant to the language of the Constitution which has been followed all these years.

That is from the Republican minority report.

Nor would the prospect be any better were the Chief Justice to assume the burdens of a portion of another term. The most intensive burden for a Chief Justice is the very first week of October, when he must organize and analyze for his brethren the 600 or 700 cases which have accumulated over a long summer.

What would happen should a successor be qualified early next year? Chief Justice Warren will have heard argument in perhaps 100 cases, 70 or 80 of which would not have been decided at the time of his replacement. Accordingly, and even though he might have voted initially on those cases, have assigned opinions to be written in them, and have himself undertaken preparation of the opinions in his share of the cases, his role would be abruptly terminated. His successor, who would not have heard argument in those cases, would not be able to participate in their decision. Thus, at the last moment, an eight-man Court would be left to dispose of cases heard and voted upon by a Court of nine.

Judicial chaos would result. Such chaos, unfortunately, does occur when a sitting Justice is stricken in midterm by ill health or death. But the confusion would be greatly magnified were the change to involve the Chief Justice.

No friend of our judicial system, in my judgment, could wish this to happen, and no adherent to the cause of law and order should permit such a lamentable contingency to occur—still less, cause it to happen.

Of course, there is no necessity for turning the selection of a Chief Justice into a political issue or for interrupting the work of the Court in the middle of a term. Chief Justice Warren has advised the President that a successor should be appointed now, during the summer recess of the Court, and while Congress is in session. This is the orderly and responsible course.

Precedent, as well as reason, clearly suggests that the only sensible procedure available to the President is to act forthwith, as he has done.

The most striking illustration, of course, of an outgoing President filling a vacant seat on the Supreme Court concerns the great John Marshall, of Virginia. President John Adams and his party had been defeated at the polls in November of 1800. In December, Chief Justice Ellsworth retired. The outgoing President first nominated John Jay, who was confirmed by the Senate but who then declined the nomination. On January 20, 1801, less than 2 months before leaving office, President Adams named his Secretary of State, John Marshall, to the post. This great body—the U.S. Senate—confirmed the nomination on January 27. John Marshall immediately assumed the duties of Chief Justice, while remaining himself a "lameduck" Secretary of State. Needless to say, our country would have suffered greatly had Members of this body in 1801 denied the then President his right and constitutional duty to appoint a Chief Justice.

On March 3, 1837, President Andrew Jackson on the last day of his second and last term, nominated two men to vacancies on the Court, which nominations this body immediately approved.

One month before leaving office in 1845, President John Tyler, who the previous summer had withdrawn from the presidential race, nominated Samuel Nelson to a vacant seat, which this body approved just a few weeks before the inauguration of a new President.

In December of 1880, President Hayes, who had not been renominated, named William Woods, and this body confirmed the appointment.

Finally, President Benjamin Harrison, defeated by Grover Cleveland in 1882, in the last months of his term nominated a Supreme Court Justice whom this body confirmed.

More recently, in October of 1956, President Eisenhower named William Brennan to his present seat, although the President faced a reelection battle the next month.

Many of us have noted that the concept of a "lameduck" President disintegrates upon analysis. Every President, in a sense, is a "lameduck" because the 22d amendment to the Constitution prohibits an indefinite series of terms. Must the work of the Court grind to a halt and the process of filling vital jobs in other branches of Government come to a standstill because a President has entered his second term? Or because he is in ill health? Or even because he has been defeated at the polls? Or because, as in the present case, he has announced that he will not stand for reelection? Shall paralysis infect our courts and other agencies of the Government become impotent because a national election is impending? To state the question is to answer it, and in my view those who are for partisan or other motives would stay the orderly processes of Government betray lack of faith in our great system of democratic institutions.

Those Senators who would deny the President the right and duty to appoint a successor to Chief Justice Warren should explain why they have unanimously approved at least 11 judicial nominations by the President since he announced his withdrawal from the presidential race. On March 31 of this year, the President announced that he would not run for reelection. Since that time, he has sent to the Senate, and we have confirmed, eight nominees for Federal district judgeships whose present occupants had indicated a desire to retire. He has sent to this body the names of nominees for one circuit judgeship, Myron Bright, of one Customs Court judge, and of one nominee for a seat on the District of Columbia Court of Appeals. The Senate of the United States early last month confirmed all 11 of these nominees, and many of them have entered into judicial service; and as I said earlier, many of them are still awaiting actual vacancies to occur so that they can take up their duties.

When we acted upon these appointments only last month, we did not ask whether the President who made them was a "lameduck." We recognized his duty to fill judicial vacancies as they occurred, and we participated in the process. Indeed, many of us are urging the President to fill what vacancies now remain. Are we not now bound by the action we took in June of this year? Is that so long ago that we may now take a different tack? What, I ask you, is the difference in principle? I believe the President and the Senate of the United States acted correctly in proceeding to fill those vacancies. I believe we are acting properly now if we confirm the nomination of Mr. Justice Fortas and of Judge Homer Thornberry.

Thus, it is not only good sense and respect for the court and for the law which suggests that the President and this body act now to select a new Chief Justice. It is also the force of precedent of more than a century and one half, as well as the will of this body as expressed as recently as 1960, that we do so now.

Indeed, in light of our actions only last month, it would be unseemly for us to follow any other course.

Let me make it abundantly clear to my colleagues that I do not embrace or endorse all of the decisions or policies of the so-called Warren court. I could catalog many of my disagreements and reservations. But my own views on the Court's work are irrelevant in this context.

A broader and more basic value is involved. The issue as I view it involves the basic integrity and independence of our judicial system. And this principle may be simply defined as the adherence to constitutional commands and the preservation of an independent judicial system free from the transient political winds which may blow and cause some to lose sight of our charter—the Constitution of the United States.

III

This brings me to the qualifications of Abe Fortas to be Chief Justice of the United States.

Since the nominee for Chief Justice is a sitting Justice, the obvious place to start in assessing his qualifications is with his written opinions.

Before discussing these opinions, I want to note in passing my considerable pleasure and satisfaction with the President's decision to select a new Chief Justice and a new Associate Justice, both of whom have had prior judicial experience. As some of my colleagues know, for years I have sponsored bills to require the President to choose Justices from those with prior Federal or State judicial experience. All too often, this has not been done. This time, however, happily, we have nominees one of whom has 3 years' experience on the Supreme Court of the United States, and the other 5 years of judicial experience, both at the trial and appellate level. I hope this becomes a powerful and persuasive precedent.

In 3 years of service as Associate Justice, Abe Fortas has written 73 opinions, 32 of them for the Court.

Considering only his opinions for the Court, Abe Fortas already has demonstrated his mastery of such diverse subjects as admiralty, the administrative process, antitrust, civil and criminal procedure, the intricacies of Federal jurisdiction, habeas corpus, patent law, State taxation of interstate commerce, labor law, as well as the broader questions of individual rights.

He has written for the Court in matters as momentous as the recent Penn Central Railroad merger, which, as we know, the Supreme Court approved. And he has written for the Court in matters seemingly so narrow as the law of salvage.

A careful reading of his work over the past 3 years clearly reveals certain unique characteristics.

Perhaps the most fundamental characteristic of Abe Fortas' judicial qualifications is his sense of restraint which I, for one, have found a wholesome and salutary addition to the court.

One aspect of this restraint is Abe Fortas' insistence that the Court not decide cases upon records which do not clearly present the issues. In case after case during the past 3 years, sometimes alone, as in Rosenblatt against Baer and Bank of Marin against England; and sometimes in conjunction with four of his brethren, as in Miller against California and Wainwright against New Orleans, Abe Fortas has voted for dismissal of cases with imperfect records. Not since Chief Justice Hughes, Justice Frankfurter, or Justice Brandeis has a Justice been so fastidious about matters so important to the integrity of the Court's work.

Another kind of restraint is reflected in his obvious deference to and respect for the Congress. Abe Fortas' first two opinions rejected pleas that the Court—in the interest of one policy or another—do what was more appropriate for the legislative process. In his brilliant dissent in the Dean Foods case, Abe Fortas marshalled overwhelming materials of legislative history to show Congress had denied to the FTC what the majority of the Court proposed to grant to that Agency. For Abe Fortas, who knows the difference between a court and a legislature, that was reason to withhold what the Agency then sought. And just a few weeks ago, in the Fortnightly case, Abe Fortas alone on the Court argued that it was for Congress, not the Court, to update the copyright laws. Here is one Justice, at any rate, who recognizes that in our system of government, no one branch has a monopoly on virtue and power, and that there are matters as to which Congress—and not the courts—should have the ultimate say.

This judicial restraint has likewise been shown with respect to States rights. In one of his early opinions, United States against Yazell, Abe Fortas wrote for a majority of five that State rules of law were to give way to conflicting Federal rules only—and I underline "only"—when that was absolutely essential to preserve legitimate Federal interests. Again, this past term, in the case extending the right to jury trial to the States, Abe Fortas sharply cautioned his brethren that this should not mean that all of the detailed Federal rules which had grown up around the right to trial by jury should be imposed upon the States. As he said in that case, in language all too rare these days, the Constitution requires: "maximum opportunity for diversity and minimum imposition of uniformity of method and detail upon the States. Our Constitution sets up a Federal union, not a monolith."

Perhaps even more characteristic of Abe Fortas' work is his deep-grained aversion to absolutes. Not for him has been the tendency, which some claim the Court has shown, to carry principles to sometimes unwise conclusions. For example, Abe Fortas has been the most vigorous defender in the Court of a healthy law of libel. Whereas some—in the name of a wooden reading of the first amendment—would strip public figures of virtually any defense from assaults made with words—and certainly Members of Congress should appreciate this—Abe Fortas in case after case has expressed a contrary view. As he wrote last April:

> The first amendment is not so fragile that it requires us to immunize this kind of reckless, destructive invasion of the life, even of public officials, heedless of their interests and sensitivities. The first amendment is not a shelter for the character assassinator, whether his action is heedless and reckless, or deliberate. The first amendment does not require that we license shotgun attacks on public officials in virtually unlimited open-season. The occupation of public office holder does not forfeit one's membership in the human race.

Nor has Abe Fortas, the practical man of affairs, fallen prey to the siren song of one man, one vote. In a characteristic opinion this term, dissenting from the automatic application of the one-man, one-vote principle to local governing bodies, Abe Fortas expressed his lawyer's awareness of the necessity to accommodate legal principle to the complexities of life. He noted:

> Constitutional commandments are not surgical instruments. They have a tendency to hack deeply—to amputate. And while I have no doubt that, with the growth of suburbia and exurbia, problems of allocating legal government functions and benefits urgently require attention, I am persuaded that it does not call for the hatchet of one man-one vote.

One need not agree with every position taken over 3 years by Mr. Justice Fortas, or with every vote. Certainly I do not. Indeed, every lawyer occassionally finds himself in disagreement even with an opinion of Holmes, or Brandeis, or Learned Hand, or Charles Evans Hughes or John Marshall. What counts is the integrity, intelligence, craftsmanship, and insight which a judge brings to his work.

On this account, the President's nominee cannot be faulted. He has written path-breaking decisions, such as the Gault decision which has revolutionized treatment of juveniles charged with delinquency.

He has lent his vote both to opinions which have clarified the rights of individuals charged with crime, and to opinions—for example, the wiretapping, stop-and-frisk, and the draft-card-burning cases—which have vindicated the right of society to protect itself and its agents from danger.

And with his votes, the Court has for the first time in many years found it possible in acute cases, at least, to affirm the convictions of those charged with pushing pornography.

Abe Fortas has joined no bloc on the Court. Indeed, since his appointment and partly as a result of his aversion to absolutes, his insistence upon craftsmanship, and his lawyer's skill in devising legal compromises, the Court has in large measure ceased to function in blocs. In short, he has been a welcome addition to the Court, one who already is earning acclaim as a great justice.

Finally, there is that unique Fortas style, which already has produced a series of opinions destined for the anthologies of the future. Surely he is the finest writer to sit on the Court since Robert Jackson.

In a sense, Abe Fortas' intellectual qualifications ought not to be the prime focus of our discussion. For he is, after all, presently a Justice of the Court, and will remain so whatever we do. Those who object to the way he has voted can do nothing now to replace him with someone else. He is there, and he will remain there. As Chief Justice he will have the same vote he now has, one of nine. The only question is whether he should remain Justice No. 8 or become Chief Justice. Those who wish to moderate the Court's work, to give it a more conservative tone, must look not to Abe Fortas, but to the qualifications of the nominee who has been selected to replace him should Abe Fortas become Chief Justice. In short, for them, the question must be Homer Thornberry's qualifications and Homer Thornberry's philosophy, as opposed to that of Chief Justice Warren. This is not an issue of whether or not we are going to have Fortas on the Court. He is there. He will remain there, no matter what action the Senate takes. The question is, Do we change the philosophy of the Court by leaving Warren on, or letting Warren retire and putting Thornberry on the Court?

On that score, I have no doubt. I had the privilege of serving in the House of Representatives with Judge Thornberry. I can assert without reservation that he had the esteem and respect of his colleagues in the House. Homer Thornberry is an individual of integrity and purpose, and those who know him as I have had the privilege of knowing him would vote for his confirmation as Associate Justice without hesitation.

In 1963, President John F. Kennedy appointed Homer Thornberry to a Federal trial court in Texas. Judge Thornberry immediately began to duplicate on the bench the reputation he had made here in Washington—which was a good reputation, a reputation for work and industry, and for insight.

In 1965, Judge Thornberry was promoted to the Court of Appeals for the Fifth Circuit, the busiest Federal appellate court and one called upon to decide a broad range of questions. On that court, Judge Thornberry again distinguished himself, writing major opinions in the areas of criminal law, civil rights, obscenity, labor law, and many other subjects. When nominated by President Johnson to the Supreme Court, Judge Thornberry received the highest recommendation—I repeat, the highest recommendation anyone could receive—from the American Bar Association, and his nomination was greeted with applause by the lawyers who have practiced before him and the judges who have served with him. I, too, salute this promotion to the Supreme Court of a distinguished lawyer, legislator, and an experienced Federal trial and appellate judge.

To return to the Chief Justiceship, of course, no one seriously challenges the intellectual qualifications of Abe Fortas. But people ask, what kind of a man is he? Will he be able to get along with his brethren?

Those of us who have for years known Abe Fortas have no doubts on this score.

Twenty years ago, after a distinguished career in Government, Abe Fortas entered into the practice of law with Thurman Arnold and Paul Porter. Over the years, this firm became one of this Nation's great law firms. And Abe Fortas became one of this Nation's most distinguished and successful lawyers.

What a gifted man we have here, whose friends include Lyndon B. Johnson, Luiz Muñoz-Marín, and Pablo Casals.

We have a man whose deep concern for individual rights is matched by his insistence on law and order.

When others remained silent while advocates of disorder, civil disobedience, and revolution attempted to dominate public opinion, Abe Fortas came forward with a reasoned call for orderly change under the rule of law.

The qualities of this man are illuminated by his recent book "Concerning Dissent and Civil Disobedience." There, Abe Fortas has produced a detailed analysis of what society must permit in the way of dissent and what conduct society must proscribe. As the Justice, sympathetic as always to those in our society who feel driven to dissent and disobedience, and devoted as always to the right to dissent, he wrote:

> A democratic society should and must tolerate criticism, protest, demand for change, and organizations and demonstrations within the generally defined limits of the law to marshal support for dissent and change. It should and must make certain that facilities and protection where necessary are provided for these activities.
>
> Protesters and change-seekers must adopt methods within the limits of the law. Despite the inability of anyone always to be certain of the line between the permissible and the forbidden, as a practical matter the lines are reasonably clear.
>
> Violence must not be tolerated; damage to persons or property is intolerable. Any mass demonstration is dangerous, although it may be the most effective constitutional tool of dissent. But it must be kept within the limits of its permissible purpose. The functions of mass demonstrations, in the city or on the campus, are to communicate a point of view; to arouse enthusiasm and group cohesiveness among participants; to attract others to join; and to impress upon the public and the authorities the point advocated by the protesters, the urgency of their demand, and the power behind it. These functions do not include terror, riot, or pillage.

Only rarely, in my judgment, do nations have available to them men of quality equal to the challenge they face. Our Nation has been fortunate. Once again, as we enter a period in which our institutions will perhaps be put to the sternest challenges of history, we have an opportunity to place the Chief Justiceship of the United States in the custody of one who is extraordinarily qualified. We must not let this opportunity pass.

Mr. President, at this point I ask unanimous consent to insert in the body of the Record statements of highlights in the judicial careers of both Justice Fortas and Judge Thornberry, and an article from the June 30 edition of the Washington Post, entitled "Thornberry Record Shows He's Not Soft on Crime."

There being no objection, the material was ordered to be printed in the Record, as follows:

Some Highlights in the Judicial Career of Mr. Justice Fortas, 1965–68

I. CRIMINAL LAW

Wiretapping

Justice Fortas joined the recent opinions of the Court—*Berger* v. *New York*, 388 U.S. 41 (1967) and *Katz* v. *United States*, 389 U.S. 347 (1967)—which stated that law enforcement officers could be authorized to obtain court authority for wiretapping and eavesdropping for the investigation of criminal offenses. These decisions led directly to the recent enactment by Congress of Title III of the Omnibus Crime Control and Safe Streets Act, which authorizes electronic surveillance by Federal and State law enforcement officers acting under court orders.

Stop and frisk

In *Terry* v. *Ohio*, decided June 10, 1968, Justice Fortas joined the opinion of the Court holding that a law enforcement officer may stop and search a suspicious person on the street when the search is reasonably necessary to protect the safety of the officer. The *Terry* decision gives strong support to law enforcement in confrontations on the street between policemen and potential lawbreakers.

II. RESPECT FOR LAW

Justice Fortas joined the opinion of the Supreme Court in *United States* v. *O'Brien*, decided May 27, 1968, which upheld the constitutionality of the Federal statute prohibiting the destruction of draft cards. The decision recognizes the power of Congress to regulate conduct in all areas where a legitimate Federal interest exists, even if the legislation might be argued to have an incidental dampening effect on public expression

In the same vein, a recently published book by Justice Fortas, entitled "Concerning Dissent and Civil Disobedience", asserts that no person in the United States is entitled to immunity from the law if he willfully incites violence or insists upon deliberately disrupting the work or movement of others. Protesters and change-seekers, said Justice Fortas, must adopt methods within the law, no matter what cause they seek to advance.

The view that laws may not be flouted with impunity is also reflected in Justice Fortas' opinion in *Dennis* v. *United States*, 384 U.S. 855 (1966). There, the defendants challenged the constitutionality of a provision of the National Labor Relations Act that a union cannot obtain the assistance of the NLRB unless it files affidavits showing that none of its officers is a Communist. The defendants sought to challenge their conviction on the ground that the statutory provision was unconstitutional. Justice Fortas refused to decide the case on this basis. He pointed out that while the defendants had available to them ample other opportunities to challenge the law by legitimate means, they had chosen to engage upon a course of deliberate and cynical fraud, perjury, and deceit. Justice Fortas held that in these circumstances, the defendants could not escape the consequences of the law they had flouted by challenging the validity of the law itself.

III. REAPPORTIONMENT

Justice Fortas strongly protested the Supreme Court's decision in *Avery* v. *Midland County*, decided April 1, 1968, which held the "one man, one vote" rule of the reapportionment cases applicable to county government elections. He asserted that inflexible application of the "one man, one vote" formula to such elections is destructive of important political and social values inherent in the system of local government in the United States:

"I believe there are powerful reasons why, while insisting upon reasonable regard for the population-suffrage ratio, we should reject a rigid, theoretical, and authoritarian approach to the problems of local government. In this complex and involved area, we should be careful and conservative in our application of constitutional imperatives, for they are powerful."

IV. ECONOMIC ENTERPRISE

Several opinions of Justice Fortas during his first year on the Court demonstrate his balanced and careful approach to problems of economic and business regulation. In *U.S.* v. *General Motors, Corp.*, 384 U.S. 127 (1966), he refused to break new ground, as had been urged by the Government, on the issue of vertical arrangements between dealers and distributors. Instead, he decided the case under the classical doctrine of conspiracy in restraint of trade under Section 1 of the Sherman Act of 1890.

In *U.S.* v. *Grinnell, Corp.*, 384 U.S. 563 (1966), Justice Fortas, dissenting, strongly criticized the broad majority opinion of Justice Douglas for what he said was the Court's arbitrary approach to defining the relevant market. Justice Fortas insisted that the Court had gerrymandered the market to fit the facts of the particular defendant's business.

In *U.S.* v. *Pabst Brewing Co.*, 384 U.S. 546 (1966), Justice Fortas wrote a separate opinion concurring in the result reached by the Court. As in the *Grinnell* case, he expressed concern at what he characterized as the Court's arbitrary approach to the difficult problem of market definition in antitrust cases. He insisted that any determination whether the effect of a merger "may be substantially to lessen competition" can be reached only after a proper definition of the market—whether national, regional, or local—in which competition is alleged to have been reduced.

In *FTC* v. *Dean Foods Co.*, 384 U.S. 597 (1966), in what many experts regard as his most scholarly and craftsmanlike opinion, Justice Fortas wrote a strong dissent from the Court's novel 5–4 holding that the Federal Trade Commission is entitled to seek an injunction from a federal Court of Appeals restraining the consummation of a merger pending determination of its validity by the FTC. Justice Fortas said that the Courts of Appeals are obviously unsuited to exercise this power, which involves the hearing of evidence and the resolution of disputed issues of fact. Moreover, he pointed out that in the most recent 10-year period at least 37 bills had been introduced in Congress to give this power to the FTC, but none had been enacted. Justice Fortas sharply criticized the Court's willingness to grant the agency this far-reaching power after Congress itself had declined to do so.

V. RESPECT FOR CONGRESS

In his first published opinion for the Court, *United Steelworkers* v. *Bouligny*, 382 U.S. 145 (1965), Justice Fortas demonstrated his deference to the role of Congress in our system of Government. The Court in the *Bouligny* case refused to hold that a labor union could be deemed a "citizen" and thus subjected to suit in the diversity jurisdiction of the Federal Courts under Article III, § 2 of the Constitution. Justice Fortas held specifically that the question is one for Congress, not the courts, to resolve.

Similarly, in *United States* v. *Speers*, 382 U.S. 266 (1965), Justice Fortas rejected the Government's argument that the Court should promulgate a novel interpretation of the Federal bankruptcy laws to give the Government a lien priority in bankruptcy proceedings. He held that the question of priorities is one of policy for Congress to resolve, observing that if hardship should result to the Government under existing law redress is for Congress, not the courts, to provide.

On the basis of the *Bouligny* and *Speers* opinions, the *New York Times*, assessing Justice Fortas' role on the Court, concluded that he was not the "activist" judge that many critics had expected him to be.

Again, in *Dombrowski* v. *Eastland*, 387 U.S. 82 (1967), Justice Fortas joined the unanimous per curiam opinion of the Court which held the doctrine of legislative immunity a complete defense to Senator Eastland in a civil suit alleging an illegal seizure of the plaintiff's property and records. Noting that the records involved were within the scope of a legitimate investigation by Senator Eastland's Internal Security Subcommittee, the Court held that legislators engaged in such activity should be protected not only from adverse judgments but also from being harassed by litigation.

VI. RESPECT FOR THE STATES

Justice Fortas concurred separately in *Bloom* v. *Illinois*, decided May 20, 1968, which held that the Due Process Clause of the Fourteenth Amendment requires the States to grant jury trials in prosecutions for all crimes that are not petty offenses. In his concurring opinion, Justice Fortas argued that the provisions of the federal Bill of Rights should not be arbitrarily and literally applied to the States but that the sole Constitutional test of State procedure should be the test of fundamental fairness. Asserting that the States should be given latitude to develop their own systems and procedures within that standard, Justice Fortas said:

"The Constitution's command, in my view, is that in our insistence upon state observance of due process, we should so far as possible, allow the greatest latitude for state differences. It requires, within the limits of the lofty basic standards that it prescribes for the States as well as the Federal Government, maximum opportunity for diversity and minimal imposition of uniformity of method and detail upon the States. Our Constitution sets up a federal union, not a monolith."

In *United States* v. *Yazell*, 382 U.S. 341 (1966), decided early in his first year on the Supreme Court, Justice Fortas also demonstrated his strong respect for the significant role of the States in our Federal system. The case involved the liability of a wife on a contract for a loan between her husband and the Small Business Administration. The Government argued that the local Texas law exempting the wife should not be applied, in the interest of a uniform national policy for SBA loans. Justice Fortas disagreed, holding that Federal Court should override State law only in the most exceptional circumstances, when substantial national interests would otherwise be impaired.

VII. RESPECT FOR FEDERAL ADMINISTRATIVE AGENCIES

In what was probably his most significant opinion for the Supreme Court during the past year, the *Penn-Central Merger Cases*, 389 U.S. 486 (1968), Justice Fortas sustained the merger of the Pennsylvania and New York Central Railroads, holding that the Interstate Commerce Commission had lawfully discharged its duties in approving the merger under the "public interest" standard of the Interstate Commerce Act. He said that since Congress had entrusted to the ICC the primary determination of the factors relevant to the public interest with respect to such mergers, the sole task of the Court was to determine whether the criteria applied by the Commission were in accord with the broad standards of the statute and whether the Commission's decision was supported by substantial evidence.

VIII. SUPREME COURT JURISDICTION AND PRACTICE

In *Bank of Marin* v. *England*, 385 U.S. 99 (1966), decided during his second year on the Court, Justice Fortas took a traditional approach to Supreme Court jurisdiction and practice. The majority of the Court agreed to decide this bankruptcy case on the merits; Justice Fortas dissented on the ground that there was no "case or controversy" before the Court because one of the two parties in the case had no stake in the outcome of the litigation. He argued that under established jurisdictional rules long espoused by the Court, it should refrain from deciding the issue because it was not an adversary proceeding.

In *Wainwright* v. *New Orleans* and *Miller* v. *California*, both decided June 17, 1968, Justice Fortas reaffirmed his view that the Court should not decide cases which are not in an appropriate posture for judicial determination. He joined the majority of the Court which dismissed the cases without deciding them on the ground that the records of the cases were insufficient to enable a decision to be reached. In the *Wainwright* case, he and Justice Marshall wrote a special concurring opinion emphasizing that the inadequacy of the record made it impossible for the Court to resolve a very difficult issue raised by the defendant under the Fourth Amendment. In the 5–4 decision in *Miller* Justice Fortas joined the Court against the sharp dissenting opinion of Chief Justice Warren, who was joined by Justices Douglas, Brennan and Marshall.

IX. RIGHTS OF PUBLIC EMPLOYEES

In three cases decided June 17, 1968—*Gardner* v. *Broderick*, *George Campbell Painting Corp.* v. *Reid* and *Sanitation Association* v. *Commissioner*—Justice Fortas drew a careful line between the constitutional rights of public employees and the need of public agencies to investigate allegations of misconduct by their employees. On the one hand, Fortas held that public employees cannot be fired merely for refusing to waive their Fifth Amendment privilege against self-incrimination when called to testify. At the same time, he held that a public employee may be fired if he refuses to answer questions that specifically, directly, and narrowly relate to the performance of his official duties.

X. PRIVACY AND LIBEL

In several major opinions in the area of privacy and libel, especially in cases dealing with the right of public officials to obtain redress for libels based on their public activities, Justice Fortas has made it clear that he would give broader scope to the rights of public officials than has been afforded by the majority of the Court. Basically, Justice Fortas does not accept the very broad language of the *New York Times* case, which held that public officials can sue for libel only in narrow circumstances, involving false and malicious libels. Justice Fortas' views are most clearly stated in his strong dissenting opinion in *Time, Inc.* v. *Hill*, 385 U.S. 374 (1967), where he said that it is the Court's responsibility:

". . . to preserve values and procedures which assure the ordinary citizen that the press is not above the reach of the law—that its special prerogatives, granted because of its special and vital functions, are reasonably equated with its needs in the performance of these functions. For this Court totally to immunize the press—whether forthrightly or by subtle indirection—in areas far beyond the needs of news, comment on public persons and events, discussion of public issues and the like, would be no service to freedom of the press, but an invitation to public hostility to that freedom . . ."

ILLUSTRATIVE DECISIONS OF JUDGE THORNBERRY IN THE FIELD OF LAW ENFORCEMENT

In *Morales* v. *United States*, 378 F. 2d 187 (1967), Judge Thornberry affirmed convictions for smuggling marijuana, rejecting defendants' contention that their automobile had been illegally searched by customs agents. Judge Thornberry said border searches may be made without probable cause and upon mere suspicion but found that there was in fact probable cause for the search which was made. In part, he said:

"The job of policing our international borders is indeed a difficult one, a fact the courts have recognized in giving the statutory powers of our customs agents the broadest interpretation compatible with constitutional principles. . . . It would be clearly contrary to the policies that justify our border search laws to hold that once a person or vehicle has been examined, any further search must be based upon probable cause even where, as here, facts giving rise to a reasonable suspicion come to light subsequent to the initial search. . . . We hold that in the factual situation before us, neither the initial examination of the automobile at the border, nor any other attendant circumstance removes the official conduct from classification as a valid border search. We also conclude that the facts upon which the agents acted gave rise to 'a reasonable cause to suspect' that appellants might be in possession of goods which [were] * * * introduced into the United States in [a] * * * manner contrary to law."

In *Pardo* v. *United States*, 369 F. 2d 922 (1966), Judge Thornberry affirmed appellant's conviction for having knowingly failed to report for induction into the armed forces. He held that the admission of testimony and documentary evidence of past failure to comply with selective service board orders was not erroneous. Judge Thornberry found that the evidence bore upon the intent of the appellant who had contended that illness prevented him from appearing on the occasion for which he was charged with failing to appear.

In *Blanchard* v. *United States*, 360 F. 2d 318 (1966), Judge Thornberry upheld a narcotics conviction. He held that evidence of telephone conversations between an informant and a narcotics seller which had been listened to by a Government Agent with the informant's consent was properly admitted, saying:

"While there may be justification for a feeling of increasing distaste for the obtaining of evidence through listening to telephone conversations, the courts have not as yet found this particular practice to be a violation of the Fourth Amendment or Section 605 of the Federal Communications Act."

In *Rodriguez* v. *Hanchey*, 359 F. 2d 724 (1966), Judge Thornberry upheld the district court's denial of a writ of habeas corpus to a state convict. He held that petitioner's action in slamming a door on police officers who had seen a fugitive in petitioner's house gave the officers reasonable cause to believe that he was knowingly harboring a fugitive and thus to arrest him without a warrant. A contemporaneous search of the apartment, leading to seizure of narcotics, was found to have been conducted as an incident to a lawful arrest. Finally, Judge Thornberry held unfounded petitioner's contention that his attorney was not given sufficient time to prepare the case.

[From the Washington Post, June 30, 1968]

THORNBERRY RECORD SHOWS HE'S NOT "SOFT" ON CRIME

(By John P. MacKenzie)

Senators combing the judicial record of Supreme Court nominee Homer Thornberry are in for a surprise if they expect to find him undeviatingly "soft" on criminal suspects.

They will discover, among other things, that while sitting on the Fifth U.S. Circuit Court of Appeals, Judge Thornberry has declined to enlarge upon the safeguards against coercive questioning laid down by the Supreme Court in its controversial Miranda v. Arizona ruling of 1966.

The 59-year-old nominee has been so cautious in this area that only last month he was reversed by the High Court itself.

There were signs last week that conservative Senators, who for the most part were holding their fire against the Texan and former Congressman, were searching for clues that he is just as ultra-liberal as any member of the Warren Court.

So far the Republican fire has concentrated on charges that the two Supreme Court nominations—Justice Abe Fortas to replace retiring Chief Justice Warren and Judge Thornberry to fill the Associate Justice seat to be vacated by Fortas—are acts of "cronyism" by a "lame duck" President Johnson.

Some conservative Democrats have appeared torn between relief at contemplating the departure of Warren and displeasure at seeing the liberal Fortas take the highest judicial seat in the land.

Thornberry's differences with the Supreme Court's majority emerged May 6 when the Justices split 5 to 3 in reversing the tax fraud conviction of Robert T. Mathis Sr.

Mathis was serving time in Florida State Penitentiary on a bad check charge in October, 1964, when Internal Revenue Service agents visited him to inquire about his 1960 tax return. Without warning him of his rights, the agents obtained Mathis's waiver of the five-year statute of limitations—giving the Government more time to prosecute—and his admission that the signature on the return was his.

The "civil" tax investigation, which the Justice Department claimed did not call for the warnings required in criminal interrogations, later became a criminal matter and Mathis was convicted of falsely claiming a tax refund.

Writing for a unanimous three-judge panel, Thornberry rejected the claim that Mathis was entitled to the "Miranda warnings" and ruled that the evidence was properly used against the prisoner.

Thornberry noted that the Miranda decision involved incriminating statements obtained during in-custody interrogation, but he said the decision's purpose was primarily to curb abuses in the "police-dominated atmosphere" of precinct stations.

The Supreme Court's reversal came in an opinion by Justice Hugo L. Black that called the prison interview fully as "coercive" as any station house grilling.

Black's oral delivery was an impassioned defense of the Miranda decision. It came as Congress was moving toward passage of the 1968 Crime Control Act, which included a section aimed at undoing the Miranda and other Supreme Court rulings.

The agents "failed to observe the constitutional rule set out so clearly" in Miranda, "to which we strongly adhere today," Black announced. His opinion did not help Administration forces in their efforts to eliminate the court-baiting confession section.

Thornberry also upheld two other convictions last month in "Miranda cases," including one in which a bank teller was convicted of embezzlement after discussing bookkeeping discrepancies with FBI agents at the bank.

In another recent case Thornberry joined a Fifth U.S. Circuit Court majority in refusing to set aside the prison sentence of a convicted narcotics peddler although the prosecution admitted that a key witness had concealed his role as a paid informant.

Thornberry has issued a few liberal opinions in the criminal law, but it appears that critical Senators will have to focus on his civil rights opinions if they want to object to the nominee on an ideological basis.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. MURPHY. I congratulate my distinguished colleague from Florida for one of the finest presentations I have ever heard. I hope if it is ever my fortune to run against another candidate, he will come to my State of California and give me such a recommendation as he has just given the two gentlemen he has named.

Mr. SMATHERS. Mr. President, I like and respect the distinguished Senator from California so much that I will go to California and speak for or against him, whichever he thinks will do him the most good.

Mr. MURPHY. Mr. President, I thank the distinguished Senator from Florida.

I think the matter of personalities and names of the men has nothing whatsoever to do with the decision announced by me a week ago last Saturday. So, lest there be any confusion as to the position I have taken, my argument was made before the names were mentioned in the press and before we were certain there was to be a vacancy. And I am still not quite sure as to whether there is or is not a vacancy or whether there might be a vacancy.

I go back to the confusion I observed when the former Secretary of Defense left office. I have asked this question in the Chamber, and I have asked it on many occasions. We do not know yet the true disposition of the most important job in the Nation. The Secretary of Defense was Secretary of Defense one day, and suddenly he was in another very important job. I do not know whether he resigned, whether he was moved over, whether he was fired, or what happened.

This is why, in order to be able to

explain these matters to my constituents, I ask these questions.

I took my position based on the promises I made when I campaigned. And I think with regard to the selection of men to fill the posts in our courts, the greatest of care must be taken, because of the importance of the courts in our Federal system and the important and significant decisions they must make. If the courts make a wrong decision, the effects of that decision are felt throughout the Nation.

That is why we must not move too quickly on confirmations. I have been guilty of it. I have come in here and after a nominee had been confirmed, I say, "Wait a minute. This is too quick. I do not know this man's qualifications. I have not heard about them or had the time to look them up."

So, in taking my position as of a week ago last Saturday, I wish the RECORD to show that it was merely in the hope of carrying out completely, insofar as I was able, the promises I made to my constituents in the State of California back in 1964 when I had the privilege of talking to the people in all sections of that great State.

I am most thankful for learning the names and records of the gentlemen that I imagine the President will send up. I want the RECORD to show that this has nothing to do with the position I have taken.

Mr. SMATHERS. Mr. President, I am grateful to the Senator for that statement. I have nothing but the highest respect for the very able Senator. I am sure he knows that. At no time did I impute to him or to anyone else any lack of good faith with respect to this matter.

The only point I am trying to make is that at no time is it a valid argument to say that this President, who has announced that he will not run for reelection, does not have the constitutional right, and actually the duty, to fill any vacancy which does occur.

The only other point we wanted to discuss is that the manner in which the vacancy is being brought about is in keeping with traditions and precedents in this judicial field that have been set up for more than 100 years.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. SMATHERS. I yield.

Mr. JAVITS. Mr. President, I speak as a working and practicing lawyer and a former attorney general of my State, and divorced completely from any partisan consideration. It seems to me that the President is under a duty to appoint Justices to the Court, so long as he is President, so long as there are vacancies, and so long as he thinks the men he is appointing deserve to be Chief Justice and Associate Justice of the Supreme Court of the United States.

I hope very much that that question will be decided very strongly in the affirmative, because many appointments need to be made, sometimes appointments of a critical character.

Suppose the Chief of Staff of the Army were to resign, or the Chairman of the Joint Chiefs of Staff, or any other critically important Government official. I think it would be the President's duty to appoint a successor. If he chose not to do so, it would be at his peril to leave the office unfilled. I have no doubt on that point.

As to the nature of the appointments, I think that the Senate has a duty to examine the qualifications of the nominees very carefully and to reject them if it considers them unwise and to approve them if it considers them appropriate.

The danger I see in this as a lawyer is that the matter will be tangential in decision rather than direct. I would hope that as much time at least will be spent upon the qualifications of the nominees as will be spent upon the argument as to whether the President should or should not have acted, being a lame duck. And I hope that in that later discussion, the qualifications of the nominees will not be overlooked, because I happen to believe that the proposed Chief Justice is one of the most able lawyers in the country, a man of great distinction.

I do not know as much about the legal career of Judge Thornberry. I served with him in the House of Representatives. And I shall with the greatest interest and concern look at the decisions and the material the Senator has cited in support of his qualifications to be a justice of the Supreme Court.

I do express the hope as a lawyer that we will not miss the forest for the trees.

I realize that there is a deep feeling—and I respect that feeling—on the part of a number of my colleagues, on this matter, and they are just as much entitled to feel deeply about it as I do, except that I do not take that point of view. I hope very much that the deep feelings on the part of some will not prevent either the committee or the Senate from concentrating upon the other half of the question, critically important in nature—the question of whether these lifetime terms, for that is what they are, based upon the qualifications of the nominees should be actually approved.

I agree with the Senator from California. The Senator from Florida has certainly put the case as well as it could be put, including citations and details, which is the way it ought to be.

I have no doubt that the Judiciary Committee will proceed in the same way.

I express the hope that there will be a deliberate discussion in the Senate without a filibuter, but with a decent discussion of the issue so as to be able to vote without any derogation to the nominees on a motion to recommit the nominations by those who feel strongly that the President should not have made them. I would vote against such a motion to recommit. Then we would vote on the question of confirming the nominations. In that way, we would have two votes, one of which would be solely on the qualifications of the nominees.

I ask the Senator from Florida whether he does not think that would be a very proper way in which to decide both questions. One could be decided on a motion to recommit, and the second could be decided on the confirmation of the nominations themselves by separate votes.

Mr. SMATHERS. The Senator is correct. I would agree with the Senator from New York. That would be a very excellent method by which a Senator could have an opportunity to cast a vote and express his belief on both issues involved. I agree with the Senator.

Mr. THURMOND. Mr. President, back in 1960, when I was classed as a Democrat, it seems to me that I recollect that President Eisenhower recommended the creation of certain Federal judgeships, stating that they were badly needed. At that time the bill was not favorably considered. But shortly after the election, when President Kennedy went into office, the judgeships were created and were filed by the Democratic President.

Does the Senator from Florida see any difference, or very much difference, between that and the situation now?

Mr. SMATHERS. As I recall, in 1960, it was a sense of the Senate resolution. The Democrats generally voted for it. The Republicans voted against it. Regrettable, it was a rather partisan vote. Any time judicial matters become involved in partisanship, it is to be regretted, and it is usually to the detriment of the Nation. In 1960, however, President Eisenhower went ahead and did what he was supposed to do. In October of 1960 he appointed Justice Brennan.

From the Committee on the Judiciary, Senator HRUSKA, Senator Wiley, and Senator Keating opposed the proposal made by the sense of the Senate proposal, made by Senator HART for the Democrats. Senator HRUSKA said:

> There must always be a Chief Justice, if we expect the duties assigned to the Chief Justice to be performed. It will not do to have an Acting Chief Justice. There should be a Chief Justice who, upon appointment, will commence the performance of his duties. . . . After all, we are dealing with the head of a coordinate, coequal and independent branch of the government, and there should be no inhibition upon him, nor should there be any desire to raise an obstruction to a prompt and immediate designation and qualification of the nominee pursuant to the language of the Constitution which has been followed all these years.

So what I am doing at this time is to cite the statements made by the distinguished Senator from Nebraska and the other Republicans.

Actually, what happened was what should have happened— the President went ahead and appointed.

Mr. THURMOND. As a matter of fact, President Eisenhower recommended more judges, and at that time the Democratic Party would not let him have them, would it?

Mr. SMATHERS. No; that is not correct.

Mr. THURMOND. Is not that what the record shows.

Mr. SMATHERS. That is not what the record shows.

Mr. THURMOND. In connection with the point about a lame duck President, I wish to say that I was one of 19 who signed the statement that President Johnson should not appoint the next Chief Justice now. The word "lameduck" was not even used in the statement I signed.

I signed the statement because it is my judgment that if President Johnson appoints a Chief Justice, he will not be the kind of judge who will stand for the Constitution and the principles of government on which this country was founded.

I am a little surprised that the Senator from Florida takes the position he does, in view of the position he has taken on other matters throughout the years.

My position on the Fortas appointment is this:

Chief Justice Warren has not submitted a firm resignation, and the President has not yet made a firm acceptance. Under these circumstances, there is no legal vacancy on the Supreme Court.

If Justice Abe Fortas is named to succeed Warren, I shall oppose him for three reasons: First, his long reputation as a fixer and his involvement with many questionable figures prompted me to vote against his confirmation for Associate Justice and nothing since then has caused me to change my mind.

Second, since becoming a Justice of the Supreme Court, Fortas has alined himself firmly with the radical wing of the Court. His decisions have extended the power of the Federal Government and invaded the rights of the States; turned criminals loose on technicalities; approved Communists working in defense plants, teaching in the schools and colleges and aided the Communists.

Third, I feel that there was collusion between President Johnson and Chief Justice Warren to prevent the next President from appointing the next Chief Justice. The new President elected in November, fresh from the people should be allowed to name the next Chief Justice who may serve 20 years or longer and whose decisions will affect the lives of millions of people. The Senate should defeat this confirmation.

Does the Senator from Florida agree with Justice Fortas' decisions that have turned loose criminals on technicalities?

Mr. SMATHERS. I would appreciate it very much if the Senator from South Carolina would read my statement. It would save a great deal of time, and I believe he would get some learning from it.

Mr. THURMOND. I heard the Senator deliver his statement.

Mr. SMATHERS. The Senator was not in the Chamber. I saw the Senator when he came in. He heard part of it.

I will then be delighted to engage in colloquy with the Senator, but no purpose is to be served at this time by my answering those "When did you stop beating your wife?" questions.

Mr. THURMOND. Does the Senator approve of Justice Fortas' decision with respect to Communists working in defense plants?

Mr. SMATHERS. Mr. President, I believe I have made my position clear.

Mr. THURMOND. If the Senator does not wish to answer, he need not. I am merely asking these questions of the Senator—does he approve of the decision of Justice Fortas with respect to Communists working in defense plants?

Mr. SMATHERS. Mr. President, I believe in the right of every individual to be protected. I am not for communism. I will put my record against that of the distinguished Senator from South Carolina any day on that matter.

Mr. THURMOND. Mr. President, that is not the question.

The **PRESIDING OFFICER.** Does the Senator yield?

Mr. SMATHERS. I will answer that question. I do not yield until I have finished answering the question.

I believe every citizen has a right to be protected. Every citizen has a right to go all the way to the Supreme Court, if need be, to find out what his rights are. I do not believe that some Senator, no matter where he is from or what kind of record he has, has the right to, himself, pass judgment on some citizen. I believe it is a matter for the courts. And if the Supreme Court of the United States makes a ruling such as it has done to protect certain people whom some but not all have called Communists, then that is the law, and I am prepared to abide by it. I may not approve. I said earlier in my remarks that I did not approve of every decision written by Justice Fortas.

But the distinguished Senator from South Carolina has not yet seemed to understand that the issue here is not whether Justice Fortas goes off the Court or stays. He is on the Court; he will stay on the Court.

If the philosophy of the Court is to be changed, what must be done is to look at the philosophy of Homer Thornberry vis-a-vis that of Chief Justice Warren. Chief Justice Warren is leaving the Court, and Judge Thornberry is coming on. Justice Fortas stays there, anyway one looks at it.

Mr. THURMOND. Mr. President, in answer to the point made by the distinguished Senator from Florida, I realize that if Justice Fortas is promoted to Chief Justice, he will still be on the Court. But, as Chief Justice, he will wield far more influence than he would as an Associate Justice.

I am sorry that the distinguished Senator from Florida would not answer these questions—that Justice Fortas' decisions have turned loose criminals on technicalities, have allowed Communists to work in defense plants, and have allowed Communists to teach in schools and colleges. Those are some of the reasons I am opposed to promoting Justice Fortas to be Chief Justice. I voted against his nomination as Associate Justice, and I shall vote against his nomination to be Chief Justice. I shall not vote against him merely because a "lameduck" President nominated him.

I believe that Chief Justice Warren colluded with the President of the United States to make that appointment now rather than waiting until a Republican was elected President, because they both want to continue the policies of Chief Justice Warren. Chief Justice Warren has participated in the same type of decisions as Justice Fortas.

Mr. President, I regret that the Senator from Florida would not answer these specific questions. He can talk all he wants, but the point is, why did Justice Fortas vote to extend the power of the Federal Government and invade the rights of the States? Why did he vote to turn loose criminals on technicalities? Why did he vote to allow Communists to work in defense plants? Why did he vote to allow Communists to teach in schools and colleges?

Those are vital questions that affect the American people. The Senator from Florida has failed to answer these questions. How can the Senator from Florida support a man with this record for Chief Justice?

A REVIEW OF THE WARREN COURT

Mr. HANSEN. Mr. President, on June 22 the Wyoming State Tribune carried an editorial which is both timely and in point for the debate concerning new appointments to the Supreme Court.

I ask unanimous consent that this editorial be printed in the RECORD at this time.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

SOMEBODY WORSE THAN WARREN?

In his 15 years as Chief Justice of the United States, Earl Warren has managed to make himself the most controversial figure in the history of American jurisprudence, Chief Justices Marshall, Taney, Story and White notwithstanding.

That he has been more often condemned than agreed with has not seemed to affect Warren one bit; he is a man dedicated to a course of action and nothing has deterred him from it. This is precisely, of course, why he and the so-called "Warren majority," a five-member aggregation of judicial activists, have stirred up all of the furor for the past decade and a half in American life; for these legal scholars, in the eyes of their supporters, and dangerous tamperers with the law, in the view of their critics, plainly have not just interpreted the law but they have made it, blatantly, consistently, and determinedly.

Their attitude has been that the basic law of the land is a living thing to be construed not in the view with which it was written nearly 200 years ago, but as current conditions dictate. Strict vs. liberal interpretation of the Constitution has ever been a thorny question in America from the earliest times, mirrored by changing conditions as well as changing attitudes.

The change in attitude and theories has been a hallmark of the Warren tenure on the Supreme Court and perhaps it is as well reflected by the transition of the legal philosophy of possibly the greatest jurist who sat on the Supreme Court in modern times, one who commenced as a liberal somewhat in the mold of Earl Warren and later sharpyly modified his views so drastically that he became the severest critic and gadfly on the bench of the Warren majority.

This was Felix Frankfurter, appointed to the Supreme Court by Franklin D. Roosevelt who said in 1930 as a law professor at Harvard that "the great judges are those to whom the Constitution is not primarily a text for interpretation but the means of ordering the life of a progressive people."

Frankfurter also said that the Constitution "has ample resources for imaginative statesmanship if judges have imagination for statesmanship." But this was several years ago before he himself was named to the Supreme Court, and later and ultimately as a justice himself he commenced taking a severely critical attitude toward the "lawmaking" of the Court, particularly its tendencies toward disregarding judicial precedent and launching out on its own into what Frankfurter called a "political thicket." In Baker v. Carr it was Frankfurter who called the decision by the Warren majority "a massive repudiation of the experience of our whole past in asserting destructively novel judicial power."

He said: "The Court's authority—possessed of neither the purse nor the sword—ultimately rests on sustained public confidence in its moral sanction. Such feeling must be nourished by the Court's complete detachment, in fact and in appearance, from political entanglements . . ."

It is perhaps a fitting commentary upon the 15 years that Earl Warren has been chief justice that as a Republican appointed by a Republican president, he has more than anything provided a judicial corollary to the past eight years of liberal administration by two

Democratic presidents; and in keeping with this, the cries of the critics of the Warren majority have drawn more attention than have the words of edicts of the Warren court, if not the effect of their rulings.

Further in keeping with the Warren tenure, there now are prospects for great political turmoil in the wake of his resignation which has not yet been officially announced possibly for a definite reason—a trial balloon perhaps of the country's reaction—which suggests that President Johnson, a philosophical soulmate of the Supreme Court majority, may be preparing to name an even more pronounced judicial activist than Earl Warren as chief justice. Many persons feel that even if this is done, things could never be worse than what the Warren majority has produced from its judicial grist mill. Or could they?

ENROLLED BILL SIGNED

The PRESIDING OFFICER announced that on today, July 1, 1968, the President pro tempore signed the enrolled bill (H.R. 17268) to amend the Defense Production Act of 1950, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

THE OUTLOOK FOR ADJOURNMENT BY AUGUST 2

Mr. ALLOTT. Mr. President, much has been said in Congress and in the newspapers about adjournment by August 2 of this year. Frankly, as I look at the record today, I do not believe the prospects are very bright for such an adjournment.

Mr. President, as I look at the appropriation bills, and this is merely an analysis of the appropriation bills, the Senate has passed the following bills: Agriculture, Interior, Treasury-Post Office, urgent supplemental for 1968, second supplemental for 1968, and the highway and claims supplemental. Of those six bills three are supplementals.

The Senate still must consider: Defense, District of Columbia, foreign aid, independent offices, Labor-HEW, legislative—in connection with which there is a full meeting going on at this time—military construction, public works, State-Justice-Commerce, and Transportation. Of these 10 bills the Senate must consider at this time, there are five bills which the House has not yet passed, and they are: Defense, District of Columbia, foreign aid, military construction, and Transportation.

I have had prepared in my office a table which shows the progress of these bills and also their relation to the adjusted budget estimates, the amount the House passed, the amount the Senate reported, and so forth.

I ask unanimous consent to have printed at this point in the Record the table entitled "Status of Appropriations."

There being no objection, the table was ordered to be printed in the Record, as follows:

STATUS OF APPROPRIATIONS, FISCAL YEAR 1969

[In millions of dollars]

Bill	Adjusted budget estimates	House passed	Senate report	Senate passed	Plus or minus budget	Conference report	Plus or minus budget	Last year	Plus or minus last year
Agriculture	6, 923. 98	5, 523. 64	5, 536. 05	5, 540. 55	−1, 383. 43			4, 952. 95	
Defense								69, 939. 62	
District of Columbia								500. 95	
(Foreign aid authorization)	(2, 961. 46)							(2, 674. 61)	
Foreign aid								2, 876. 59	
Independent offices	16, 570. 58	13, 670. 64						10, 139. 47	
Interior	1, 577. 11	1, 411. 68	1, 402. 98	1, 402. 98	−174. 13			1, 382. 85	
Labor-HEW	18, 205. 32	17, 224. 77						13, 255. 37	
Legislative	257. 16	257. 16						275. 70	
(Military construction authorization)	(1, 895. 99)	(1, 818. 50)	(1, 807. 25)	(1, 807. 25)				(2, 303. 29)	
Military construction								2, 093. 36	
(NASA authorization)	(4, 370. 40)	(4, 031. 42)	(4, 250. 56)	(4, 013. 07)	(−357. 33)	(1)		(4, 865. 80)	(−852. 63)
NASA								4, 588. 90	
Public works	4, 908. 66	4, 499. 22						4, 689. 94	
State-Justice-Commerce	2, 203. 82	1, 794. 98						2, 169. 01	
Transportation	1, 620. 83							1, 581. 91	
Treasury-Post Office	1, 959. 54	1, 777. 80	1, 781. 05	1, 781. 05	−178. 83	(1)	(1)	1, 903. 55	−122. 50
Urgent supplemental, 1968	1, 216. 02	1, 214. 78	1, 380. 45	1, 405. 45	+189. 43				
2d supplemental, 1968	6, 738. 31	6, 346. 28	6, 373. 74	6, 373. 74	−364. 57				
Highway and claims supplemental	450. 98	450. 98	450. 98	450. 98	−364. 57				

[1] House accepts.

Note: Temporary debt ceiling, $358,000,000,000; National debt, $354,920,000,000 (as of June 19, 1968); estimated interest on debt, $14,400,000,000; social security trust fund expenditure, $25,100,000,000.

Mr. ALLOTT. Mr. President, finally, I say that it would behoove all Senators who believe they are genuinely interested in sine die adjournment on August 2 to look very hard at these bills, because unless we get them moving we will not be out of here by that date.

FEDERAL-AID HIGHWAY ACT OF 1968

The Senate resumed the consideration of the bill (S. 3418) to authorize appropriations for the fiscal year 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Mr. RANDOLPH. Mr. President, I wish to accommodate those Senators who desire to address themselves to a subject which is important, but I hope we can move forward with the bill.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. DOMINICK. Mr. President, I wish to ask about title III of the bill, the District of Columbia parking facility proposal, which as I recall, was passed by the Senate in this form some months ago. Is that correct?

Mr. RANDOLPH. The Senate on two occasions has passed essentially the legislation contained in this measure.

Mr. DOMINICK. What is the difference between what is here contained in title III and what we have already turned over to the House of Representative with the approval of the Senate in other bills?

Mr. RANDOLPH. There is no difference.

Mr. DOMINICK. Why are we taking this action again if the Senate has already passed a similar provision and has sent it to the House of Representatives? What is the purpose of including this provision in the bill?

Mr. RANDOLPH. The Senator's question is a proper one. We believe this is the vehicle by which the House would be afforded the opportunity to approve the matter.

Mr. DOMINICK. In a few moments I may ask one or two further questions, because I serve on the Committee on the District of Columbia. I worked very hard on this particular bill.

We will have in conference between the House and the Senate a number of important proposals. Obviously, the purpose of including this proposal in the bill is to bypass the Committee on the District of Columbia of the other body. It would occur to me that if we go forward in this manner we are going to create all kinds of problems for ourselves in other conferences on other bills, with the Committee on the Interior of the other body being frustrated by not being given jurisdiction of a problem that is fundamentally within their area. Has this problem been brought up with the chairman of the Senate committee, the Senator from Nevada [Mr. Bible]?

Mr. RANDOLPH. I wish the Senator from Maryland [Mr. Tydings], who is a member of the Committee on Public Works and the Committee on the District of Columbia, were in the Chamber. I understood that he had discussed this matter with the Senator from Nevada [Mr. Bible]. I believe that is correct. I thought the Senator from Maryland would be able to be here this afternoon. During committee action on the bill, he assured us that the matter had been cleared with the Senator from Nevada [Mr. Bible] and that the ranking minority member of the House District

Committee was in agreement with this procedure.

Mr. DOMINICK. Inasmuch as this is a Senate bill, it will go to the House of Representatives next. Is that correct?

Mr. RANDOLPH. The Senator is correct.

Mr. DOMINICK. Is it the Senator's understanding that the House is going to retain title III?

Mr. RANDOLPH. It is my understanding that that is probable.

Mr. DOMINICK. I thank the Senator. I believe we have a real problem, and we might as well bring it up publicly rather than to have it hidden under the hat.

Mr. RANDOLPH. I completely agree with the Senator. It is my desire to have this matter discussed, as well as other provisions in the bill. I believe my responses are correct.

VISIT TO THE SENATE BY THE HONORABLE LANCE HERBERT BARNARD, MEMBER OF THE HOUSE OF REPRESENTATIVES OF AUSTRALIA

Mr. SPARKMAN. Mr. President, I invite the attention of Senators to a distinguished visitor to the Senate this afternoon, the Honorable Lance Herbert Barnard, a Member of Parliament of our great and friendly neighbor, Australia.

I am very glad to be able to express the pleasure of Senators in having this distinguished parliamentarian visit us on this occasion.

I should like to introduce to the Senate the Honorable Lance Herbert Barnard. [Applause, Senators rising.]

ORDER OF BUSINESS

Mr. BAKER. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

THE CHIEF JUSTICE OF THE UNITED STATES

Mr. BAKER. Mr. President, I thank the Senator for yielding and I apologize to him and to the Senate for taking additional time on this matter. However, I would very much like to make a few comments about matters raised by the distinguished Senator from Florida [Mr. SMATHERS] who is still in the Chamber. I regret that the distinguished Senator from Florida did not feel that he could yield to me to ask these questions. Therefore, I would like to raise a point or two and would like to hear the further responses of the distinguished Senator from Florida.

I wish to say in the beginning that in the matter of the confirmation of Justice Fortas as a nominee for Chief Justice of the United States, I have no desire to be legalistic nor to play with technicalities of the law.

Having listened to the entire speech of the Senator from Florida, I wonder whether he would contend that a vacancy exists and whether he can cite precedents to that effect.

It is my understanding that the resignation tendered by Chief Justice Warren was conditionally accepted by the President. The resignation was accepted on condition that the President's nomination of a successor be confirmed.

Can the Senator from Florida enlighten me as to whether there is precedent for such a conditional acceptance and whether, in fact, contrary to the suggestion made by some Senators, there is a vacancy, so long as there is a condition precedent to the acceptance of the resignation tendered by the present Chief Justice?

I say again that I have no desire to engage in a smoke-shoveling contest. I have no desire to get engaged in the matter of legalisms. But I do not find any precedent for a conditional acceptance of a resignation of a Justice or a Chief Justice of the Supreme Court of the United States.

Can the distinguished Senator from Florida cite any such precedents?

Mr. SMATHERS. Mr. President, if the Senator will yield, I shall be happy to respond.

Mr. BAKER. I yield.

Mr. SMATHERS. As to every precedent that I read in my earlier speech, I stated that the Justices who said they intended to retire continued to serve, and gave no specific date as to when they would actually stop work. The Senate, in the meantime, acted on the nominations and confirmed them.

I cited as illustrations the instances of Chief Justice Charles Evans Hughes and other Justices, who were qualified, and whose nominations were confirmed by the Senate, and who waited while the Justices who had stated their intention to retire continued to serve. It has not been a frequent practice to have an absolute vacancy, although that has happened when a Justice died or when a Justice suddenly announced that he planned to retire "as of next Saturday." It has not been the usual procedure that a vacancy actually existed when the Senate considered the nomination of a successor.

The Senator from Tennessee asked if I could cite precedents. I have a few illustrations before me.

In a letter dated March 30, 1967, Judge Frank M. Scarlett, of the Southern District of Georgia, retired subject to "AQ," which means that he retired subject to a successor being appointed and being qualified. To date, no one has been appointed, and Judge Scarlett is still on the bench, although he says he wants to retire.

In a letter to the President dated February 24, 1968, Judge Wilson Warlick, of the Western District of North Carolina, expressed his desire to retire effective upon the qualification of a successor.

The two Senators from North Carolina, in a letter written to the President 3 days later, proposed the appointment of James McMillan to fill the vacancy.

The Senate considered and confirmed him and the judge who had applied to retire has not actually retired. But we have already considered and approved his successor.

Judge Frank Scarlett of Georgia retired, subject to the appointment and qualification of his successor.

Judge Edward Fanin was nominated on May 24, 1967, and was appointed on June 12, 1967.

Judge Hughes did not retire, however, until June 29, some 2 weeks later. I would be happy to put this in the record. There are seven other illustrations that happened within the past 18 months. So, when the Senator asks me about this, I am happy to respond and show that the precedents are the other way. The precedents says that we usually do retire, subject to a successor being appointed and confirmed by the Senate.

Mr. BAKER. I thank the Senator from Florida. I say, with all respect, that I am afraid we are comparing apples and oranges in these illustrations. The point I attempt to make in my feeble way is that while I might retire as a judge—if I were a judge—on condition my successor be confirmed, I know of no precedent where the President of the United States has accepted the retirement or resignation conditioned on the President's appointment being accepted and confirmed by the Senate.

Mr. SMATHERS. Would the Senator from Tennessee yield at that point?

Mr. BAKER. I yield.

Mr. SMATHERS. I think the reason why the President does not accept them is that he does not want a vacancy. That is why he does not accept them. If the man says he wants to retire, they say, "Stay in your position until we get someone qualified, so that there will be no vacancy." It would be a difficult position if that man stopped flat out and quit, because we would then have to go and get the two Senators to agree on who should take the place of the suddenly retired judge, so that then we would have a vacancy for a long period of time, perhaps. So that the precedent has grown up that a judge will say, "I am going to retire when you get someone to replace me," and the President says, "On the appointment and confirmation of a qualified man, we will have him take your place."

Mr. BAKER. I thank my colleague from Florida for his comments. Once again, however, I suggest that I can find no precedent where the President of the United States has made a conditional acceptance of a resignation or a retirement as distinguished from a conditional resignation or a retirement by a member of the Court. I believe it does in fact lead to the legal question of whether a vacancy exists or not. As the distinguished Senator from Florida has pointed out, the precedents for a conditional resignation are abundant. The precedents for a conditional acceptance, I submit, are not. I say once again, in all seriousness, that it is a paradox and passing strange in dealing with the Supreme Court of the United States, which has been charged from time to time with shattering precedent, with ignoring precedent, with having virtually abandoned the doctrine of "stare decisis", that the aid, the assistance, and the efforts of the doctrine and dogma of precedent are now being used by those who would seek confirmation of Justice Abe Fortas.

Let me add this. My own observations from the Executive Journal of the Senate of the 77th Congress, 1941–42, pertaining to the first example cited by the distinguished Senator from Florida, on the appointment of Chief Justice Harlan

Stone to take the place of Chief Justice Hughes, indicates very clearly a communication from the White House, by the President to the Senate, on June 12, 1941, which reads:

> I submit the name of Harlan Fiske Stone to be Chief Justice of the United States in place of Charles Evans Hughes, who has retired as of July 1, 1941.

It is my understanding that the President of the United States in 1968 has accepted the request of Chief Justice Warren for retirement, after the confirmation of his successor by the Senate, which makes it a conditional acceptance, a conditional nomination. It raises the very real question, and not the insubstantial one, of whether legally a vacancy exists.

The distinguished Senator from Florida also points out that he is in substantial disagreement with those of us who doubt the propriety of the appointment of a new Chief Justice, at this time and place in history, then proceeds, as I have read his manuscript and listened very carefully to his speech, to a legal vindication and justification of the right of the President to make the appointment to the position of Chief Justice.

There is not the slightest doubt that under article II of the Constitution, with the inherent powers of the Presidency, and by the precedents of the Senate in passing on and confirming the various nominations to these positions in the past, that the President of the United States can make this appointment. But, I would respectfully point out that there are thousands of things the President of the United States can lawfuly do between now and January next which I prayerfully hope the President of the United States does not do between now and January of 1969.

Thus, in the matter of deciding the propriety of the situation, as distinguished from the fuzzy, hazy, and legalistic intricacies of whether a vacancy exists, I suggest that a balance in the equity falls between the judgment of the executive department on whether it is wise and prudent to make this appointment at this time, and the judgment of the Senate on whether it is wise and prudent to confirm at this time.

I believe that while the President might lawfully escalate the war to enormous proportions in Vietnam, I would very much hope that he does not; that while the President might lawfully undertake unilaterally to disarm the United States, I would very much hope that he does not; and that while the President may appoint a new Chief Justice of the United States, I would very much hope that he is not permitted to do so by the action of this body in refusing to confirm that nomination.

I feel that one of the three equal and coordinate branches of Government, the judiciary, has fallen into some disrepute in the eyes of the people of this Nation, that it is the subject of a great and raging controversy by much of the population of this country, and that it is essential to the continuation of the effectiveness of this Republic that we have law and order, and justice as well, and that we have respect for the institutions of Government.

We have here a brilliant opportunity for a new administration, with a new mandate from the people gained in November of 1968, with either a Republican or a Democratic President, to name and designate the head of one of the other coordinate branches of Government. The new Chief Justice would start at the same time with the new administration, sensitive to the recently expressed desires of the people, and, thus, go about the business of restoring confidence not just in the men who are appointed but in the institution itself, which is so vital to the preservation of the future potential prospects of this great Nation.

Therefore, I believe under the Constitution that, just as the President has the unquestioned right to appoint, I, as one Member of the Senate, have the unquestioned right and obligation to judge its propriety and advisability.

Mr. HANSEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from West Virginia [Mr. RANDOLPH] has the floor.

Mr. RANDOLPH. Mr. President, I want to be cooperative. I think we can move forward with the pending bill. I do not want to stop the discussion. I am not lecturing in any way.

I yield to my distinguished colleague.

Mr. HANSEN. Mr. President, I thank the distinguished Senator from West Virginia.

I very much appreciate the expressions to this body just made by the distinguished junior Senator from Tennessee. I am not trained in the law, but I would suggest very humbly that I have some appreciation of the feelings of the people of this country.

It seems to me there is yet another reason why we may question and why we may exercise the right as Members of this body to seek to follow our own counsel. I agree with the distinguished Senator from Florida [Mr. SMATHERS] when he subscribes to the basic integrity and independence of the judicial system. I would say, in furtherance of that philosophy of thought, that I support the separation of powers that was spelled out by the framers of the Constitution.

I recall that back in the early 1930's the then President of the United States was unhappy, as undoubtedly a number of people were, with some of the decisions handed down by the Supreme Court of the United States. In order to try to change the composition of the Court, in hopes that it might reflect more the opinions held by the Presidency, the President of the United States proposed that the membership of the Supreme Court be increased.

One of the opponents of that plan was the then distinguished Senator from Wyoming, Mr. O'Mahoney, who, with others at that time, succeeded in preventing legislation from being passed in the Senate which would have increased the membership of the Supreme Court of the United States.

It seems to me equally out of character and of equal impropriety for the Chief Justice of the U.S. Supreme Court to say what he has said to the people of this country if we are to believe the reports in the press. Among other things, having observed the outcome of the primary election in California, he became concerned that Mr. Nixon might become the next president. I do not claim the omniscience of Mr. Chief Justice Warren. I do not know whether Mr. Nixon will become President or not. But I have greater confidence in the electorate of the United States than to attempt to impugn the ability and wisdom and good judgment of the President who they duly elect, whomever he might be, to appoint less than a competent successor to a retiring Chief Justice. Accordingly, it seems to me to be improper for the Chief Justice of the United States to say not only that he now desires to retire, but to say, as he seemingly has said, "I have decided to retire now in order that I may personally see to it that a successor to the position I now hold will more closely reflect the philosophy and views which I have than might be the case if the people were to choose a new President in November, who, in due time, after his becoming invested with the office of the Presidency of the United States, would then attempt to exercise his good judgment, reflecting the feelings of the people of this country, in choosing my successor."

It seems to me improper that the Chief Justice of the United States in effect is saying to the people of this country, "I want to retire now, under certain conditions and with certain stipulations in mind, so that when a successor has been chosen by the President at this particular time, I will be assured that another Chief Justice will follow whose views will be in conformity with those views and philosophy I now hold."

I recognize that many people are disturbed today because of the increase in crime. I am concerned about Justice Fortas becoming Chief Justice of the United States because when the President of the United States signed the omnibus crime control bill, he did not go through the formalities that I think ordinarily would have accompanied the signing of so important a piece of legislation. He did not call the Honorable JOHN MCCLELLAN to the White House. I think he should have, because Senator MCCLELLAN and other Members of this body, as well as Members of the House, were deeply concerned about crime in this country. If this important landmark piece of legislation, setting out in two of its titles a rather marked departure from rulings of the Supreme Court in recent years in the area of wiretapping and voluntary confessions, was not significant enough to have been heralded with all of the pomp and ceremony that normally would have taken place, then it occurs to me that there are some people in this country in high authority who fail to recognize the temper of the people today.

That is why I am going to vote in opposition to the confirmation of the nomination of Mr. Fortas to become Chief Justice of the Supreme Court of the United States. I do not appreciate the fact that, seemingly, Mr. Warren has so little confidence in the good judgment of the people of America that he wants to choose the kind of philosophy that his successor shall hold, rather than leave that to the good judgment and wisdom of the next President, whoever he might be.

Mr. MANSFIELD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from West Virginia has the floor.

Mr. MANSFIELD. I have some remarks on what I assume to be the pending business, but I will withhold if the distinguished Senator from Delaware [Mr. WILLIAMS] is ready to offer his amendment, so we can get on.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 2837) to authorize the Secretary of Agriculture to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina, and for other purposes.

FEDERAL-AID HIGHWAY ACT OF 1968

The Senate resumed the consideration of the bill (S. 3418) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, I have amendments at the desk which I ask the clerk to report.

The PRESIDING OFFICER. The amendments offered by the Senator from Delaware will be stated.

The bill clerk read the amendments, as follows:

> On page 7, line 8, strike out "$16,000,000" and insert in lieu thereof, "$12,000,000" and on line 9, strike out "$16,000,000" and insert in lieu thereof, "$12,000,000".
>
> On page 7, line 12, strike out "$170,000,000" and insert in lieu thereof, "$140,000,000" and on line 13, strike out "$170,000,000" and insert in lieu thereof, "$140,000,000".
>
> On page 7, line 19, strike out "$30,000,000" and insert in lieu thereof, "$25,000,000".
>
> On page 7, line 21, strike out "$11,000,000" and insert in lieu thereof, "$10,000,000".
>
> On page 7, line 23 and 24, strike out "$30,000,000" and insert in lieu thereof, "$25,000,000" and on line 25, strike out "$30,000,000" and insert in lieu thereof, "$25,000,000".
>
> On page 8, line 14, strike out "$30,000,000" and insert in lieu thereof, "$20,000,000" and on line 16, strike out "$40,000,000" and insert in lieu thereof, "$25,000,000".
>
> On page 10, line 6, strike out "$70,000,000" and insert in lieu thereof "$30,000,000"; line 7, strike out "$70,000,000" and insert in lieu thereof, "$30,000,000" and on line 8, strike out "$70,000,000" and insert in lieu thereof, "$30,000,000".

The PRESIDING OFFICER. Does the Senator from Delaware wish to have his amendments considered en bloc?

Mr. WILLIAMS of Delaware. Yes; I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WILLIAMS of Delaware. I ask for the yeas and nays on my amendments.

The yeas and nays were ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that on the pending Williams amendments, there be a time limitation of 1 hour, the time to be under the control of and equally divided between the distinguished floor manager of the bill, the Senator from West Virginia [Mr. RANDOLPH] and the distinguished Senator from Delaware [Mr. WILLIAMS].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. WILLIAMS of Delaware. Mr. President, for the information of the Senate, I doubt that these amendments will require even that much time. I might say that this is the same amendment which was offered in the committee by the Senator from Kentucky [Mr. COOPER], although it was rejected by the committee. I read from his individual views in the committee report the statement which the Senator from Kentucky made with respect to this particular series of amendments: Senator COOPER is sick today, and therefore I am offering the same amendment.

> In the committee, I proposed amendments to reduce those programs authorized by the bill which must be financed by appropriations from the general funds of the Treasury. My amendments would have reduced the total of general fund authorizations in the committee bill by $89 million for fiscal 1970, and by $100 million for 1971—nearly 25 percent. However, in no case did they require a reduction below the amount appropriated in fiscal 1968, or requested in the President's budget for fiscal 1969. I consider that, in the present difficult fiscal situation, which has required a tax increase and the reduction of Federal expenditures, we have a responsibility to reduce, wherever possible, authorizations as well as appropriations.

I point out, Mr. President, without going into the merits and demerits of each one of these items separately, that these amendments merely roll back the total authorization close to, but does not quite reach the amount recommended by the Bureau of the Budget for fiscal 1969.

For example, under public lands highways, the first section of my amendment would reduce the amount authorized from $16 million in each of 1970 and 1971, as in the committee bill, to $12 million. It is interesting to note that only $9 million was appropriated last year, and only $9 million was asked for in the 1969 budget; so the pending amendment would roll the figure back closer to the budget figure.

On forest development roads and trails for fiscal 1969 there was authorized $170 million, and the appropriation request was only $92 million. The committee bill proposes to authorize $170 million for 1970 and the same for 1971. My amendment would roll that figure back to $140 million, which would be a reduction of $30 million each year; but that still represents more than was appropriated for this same category last year.

On the question of park roads and trails, the committee bill for fiscal 1969 would authorize $30 million. The budget request was for $30 million. This amendment would roll that figure back to $25 million for each year 1970 and 1971, or a reduction of $5 million.

For highway safety research last year we appropriated $7.3 million. The committee bill raises this to $30 million for the fiscal year ending June 30, 1970, and $40 million for the fiscal year ending June 30, 1971. This amendment would reduce those figures to $20 million and $25 million, respectively.

On beautification for scenic enhancement, last year the committee did not authorize anything. For fiscal 1969 there was a request for $70 million. None has been appropriated in 1968 or 1969. This amendment would roll that $70 million asked for in 1970 and 1971 back to $30 million for each year. While there may be merit in this particular proposal, certainly at this time when we do not have the money, we must hold the line. I believe the proposed reduction is the very minimum which the Senate must seek to achieve.

As the Senator from West Virginia has pointed out, much of this bill provides for expenditures from the highway trust fund. Whether they are curtailed or not is a decision which must be made either by Congress or by the executive branch even though those funds are spent out of trust fund money which has accumulated in the highway trust fund. The pending amendments deal directly with the amount to be appropriated by Congress out of general revenue. As the Senator from Kentucky pointed out, their adoption would not quite roll those expenditures back to the amount requested by the budget.

Certainly the very least the Senate should do is to roll the authorization back to the budget figure, and when the general appropriation bill comes up for consideration I hope we can go even further.

I hope the Senator from West Virginia will accept this very modest amendment. Its adoption would save $229 million.

At some point, somewhere, Congress has got to face up to this problem of selecting the place for these cuts.

The PRESIDING OFFICER. Who yields time?

Mr. RANDOLPH. Mr. President, I yield 5 minutes to my distinguished colleague from Idaho, a member of the committee.

Mr. JORDAN of Idaho. Mr. President, I regret that those funds which have been requested in this authorization bill for road construction which are not a part of the highway trust fund are sought to be reduced by this amendment of the Senator from Delaware. I rise in opposition to the amendment because, Mr. President, these are the only funds through which the Federal Government can discharge its responsibilities and do its housekeeping chores with respect to the vast areas of public lands under its custody. It is simply a matter of stewardship and the proper maintenance and protection of this resource, which belongs to all of the people.

Mr. President, it is the responsibility of the Committee on Public Works to serve, in a sense, as a board of directors for this great natural resource, the public lands of the United States, insofar as seeking authorizations for expenditures of money for roads and trails to take care of the maintenance and supervision of the resource is concerned.

As such, we members of the committee are interested not only in protecting and making available through wise use such resources, but in evaluating and reviewing their use and production in relation to our total economy. We expect the Federal Government to operate its land and protect its resources as prudent private land operators and the State governments are doing with similar resources.

An adequate transportation system is the key to full multipurpose and balanced use and management of our public lands, as it is with the private lands or State-owned lands, whatever the ownership may be.

There are three principal types of forest roads: forest highways, public land highways on Federal-aid systems, and forest development roads and trails. The importance of forest highways and public land highways on Federal-aid systems cannot be too highly emphasized.

The construction of high standard, federally financed, multipurpose, conservation roads—and that is what they are, Mr. President, conservation roads—will provide the means to keep pace with the increasing demand and needs for new recreation sites, forest products, livestock hauling, recovery and transportation of ores and minerals, and improved management of soil, watersheds, and timber stands.

We can save millions of board-feet of timber that will otherwise go to waste and in so doing will threaten other parts of our forests with bug and insect infestations along with increased fire hazards, that go with a lack of proper roads and proper supervision of resources.

Our forest soils and watershed management programs are so important to those of us in the West we need to do everything possible to protect and preserve them.

The minerals that now lie hidden in our forest lands may be needed badly for our defense, space and industrial programs. A good road system will assist in prospecting, exploration, recovery and transportation of minerals and ores from processing.

Hunters and fisherman can also better utilize and enjoy outdoor activities when there are good forest roads. Many of our campsites and picnic areas as well as scenic spots on forest lands are now overused because other potential recreation sites are not accessible for lack of roads.

Without an adequate road system the result is that close-in blocks of timber are harvested first, thus rendering the far out blocks economically infeasible. Proper and adequate road development would make possible a blending of long and short haul harvestings so that all areas can be managed with a uniform feasibility that would increase the allowable cut with the economic advantages incident thereto.

Moreover, such a road system would permit the harvesting of diseased and overmature or blow down timber which could be replaced by young, healthy growing stands which would further increase our allowable cut. The Federal Government, the county, and the State would gain if a sound conservation road system were constructed and it would be a good investment for all concerned.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. RANDOLPH. Mr. President, I yield an additional 3 minutes to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho is recognized for an additional 3 minutes.

Mr. JORDAN of Idaho. Mr. President, the Federal Government owns two-thirds of the area of my State. It is the largest single landlord.

The State and privately owned forest lands have met or are meeting the responsibility of providing adequate access by roads.

The Federal Government has not met its responsibility, and it can only do so by authorizations and appropriations of this kind. The result is waste and devastation of resources that we cannot afford to lose.

I urge the Senate to reject the amendment because, after all, the preservation of the national trust that was implicit in the establishment of national forests now requires that the United States be willing to spend some money in the management of that trust or we will lose it substantially if we fail to do so.

Mr. RANDOLPH. Mr. President, I commend the Senator for the comments that he has just made.

The Senator from Idaho has very properly indicated that the thrust of the programs involved are largely carried out in the Western States, the Federal domain States. Those States are today attempting to conserve their natural resources, they need to be encouraged. Senator Jordan has been a leader in the committee in efforts to secure the proper level of Federal involvement and I join with him in this effort.

One program in particular deserves added comment, that involves our roads and bridges in the Indian reservations. We increased the amount over the fiscal year 1968 and 1969 by $7 million for 1970 and 1971. That increase is justified and necessary.

The amendments were rejected in the committee by a vote of 10 to 4. There was a thorough discussion in the committee. I believe that the Senate should act as the Committee on Public Works acted with reference to the amendments.

Mr. President, I yield 2 minutes to the Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized for 2 minutes.

Mr. HANSEN. Mr. President, first of all I pay my sincere respects to the distinguished Senator from Delaware, a man who I find that I have supported more than I have supported any other Senator according to my voting record here. It is indeed unusual for me to find myself opposed to him. However, on this occasion, having served as Governor of Wyoming and, prior to that, as county commissioner of one of the smallest counties in terms of population—in fact, the smallest county—a county that is owned 97 percent by the Federal Government, I think I have some reason to appreciate the importance of the committee's work in this connection.

I know from personal observation and experience that the tax base in some Western States, and particularly in the State of Wyoming, is tied closely to the full, wise, and complete use of our public lands, the livestock we run that appear on the tax rolls look to the public lands for much of the forage they consume during the year. The sawmills that we have going in Wyoming depend upon the forest lands for the timber that must keep their saws humming.

There are a great many different materials that come from the forest lands.

All of these activities are dependent over the years upon the accessibility of forest areas to industry in order that we may carry on the complicated economy we have in the West. And unless we can keep up with the job of seeing that forest areas are accessible for the different purposes that must be served by forest roads, we cannot hope to sustain the sort of economy that is so important to the State of Wyoming.

Because of this, and also because of the fact that we have some 5,000 Indians in the State of Wyoming today who are looking to forest products as a means of upgrading their job opportunities in Wyoming, I associate myself with the remarks made by the distinguished Senator from Idaho.

The Senator from Idaho has expressed the concern I feel. I hope in this instance that the economy measure proposed by the amendment of the Senator from Delaware will be rejected.

I thank the distinguished chairman, the senior Senator from West Virginia, for yielding to me.

Mr. RANDOLPH. Mr. President, I thank the Senator from Wyoming for his remarks.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 5 minutes.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 5 minutes.

Mr. WILLIAMS of Delaware. Mr. President, I certainly respect very highly my colleagues, the Senator from West Virginia, the Senator from Idaho, and the Senator from Wyoming, and I respect their viewpoints.

I agree with them completely that we should preserve our public lands and protect them. However, my amendment would still protect the public lands.

I would like to cite exactly what we would do here. For public lands highways measure in 1968 we appropriated $9 million. In 1969 the budget request was for only $9 million. The committee bill for 1969, 1970, and 1971 would provide $16 million for each of those years, nearly double.

The pending amendment first sponsored by the Senator from Kentucky [Mr. Cooper] would reduce that amount to $12 million. That would still give them 25 percent above what they have been getting. That is more than we can afford now.

On the question of forest development of roads and trails, in 1968 we appropriated $110 million. The budget request for fiscal year 1969, is $92 million. The committee bill would increase this authorization to $170 million for both 1970 and 1971. The pending amendment would roll it back to $140 million, or $48 million more than they have been getting.

Frankly, I think we should go even lower, but recognizing the situation I am settling for this figure as a compromise. It is not too restrictive.

On Indian roads and bridges, in 1968

we appropriated $18 million. Budget is asking for only $20 million in 1969. In 1970 and 1971 the committee bill would increase this to $30 million each year. The pending amendment would roll it back to $25 million for each of those years.

Personally, I see nothing wrong with rolling it back further. When the appropriation bill comes up for consideration I will make a further effort to try to hold the line. We will have to hold the line if we expect to come anywhere near reducing these authorizations in accordance with the bill that Congress passed earlier this year which authorized a surtax of 10 percent and proposed to reduce spending for the fiscal year 1969 by $6 billion.

These are the major changes in the pending amendment. I have taken the Cooper amendment as it was offered in the committee.

But I believe that this is the very minimum which we should cut. This would result in a saving of $189 million in the appropriation for 1970–71 plus an additional $40 million saving in the authorization for 1969, which would make a total reduction of $229 million.

I quote one sentence from the individual views of Senator COOPER, who sponsored this amendment in the committee:

> However, in no case did they require a reduction below the amount appropriated in fiscal 1968, or requested in the President's budget for fiscal 1969.

Mr. LAUSCHE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. CLARK in the chair). Who yields time?

Mr. WILLIAMS of Delaware. I yield 5 minutes to the Senator from Ohio.

Mr. LAUSCHE. The Senator's amendment deals only with those phases of the bill that take money out of the General Treasury in the financing of the purposes mentioned under the items in his amendment; is that correct?

Mr. WILLIAMS of Delaware. The Senator is correct. It does not deal with the trust funds.

Mr. LAUSCHE. The Senator is not at all disturbing the trust fund. He is, however, taking the position that with the passage of the bill providing for a 10-percent surtax and the $6 billion reduction in spending, we have to assume that responsibility and at least not increase the amounts recommended by the President for spending out of the general fund.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LAUSCHE. According to the individual views filed by the Senator from Kentucky [Mr. COOPER], there has been authorized in this bill $189 million of expenditure from the general fund in excess of what the President recommended.

Mr. WILLIAMS of Delaware. The Senator is correct.

Mr. LAUSCHE. The Senator from Delaware, on the basis of his amendment, takes the position that, if anything, in order to make up this $6 billion, we should not increase the authorizations but, rather, should decrease them.

Mr. WILLIAMS of Delaware. The Senator is correct. And this $229 million today will go toward making up the $6 billion.

Mr. LAUSCHE. These areas in which the improvements contemplated by the $189 million, plus another item mentioned by the Senator—what is the item?

Mr. WILLIAMS of Delaware. The $189 million in fiscal years 1970 and 1971 and an additional $40 million in fiscal 1969.

Mr. LAUSCHE. Approximately $20 million.

Mr. WILLIAMS of Delaware. No. It is $40 million above the amendment as offered in the committee. It would reduce from $70 million to $30 million the amount of authorization for 1969 for the scenic enhancement under the beautification program.

The Cooper amendment provided for reduction for the years 1970 and 1971, but this amendment adds the 1969 year for a reduction of $40 million.

Mr. LAUSCHE. Assuming that it is only $189 million——

Mr. WILLIAMS of Delaware. A $189 million reduction for the years 1970 and 1971, and it represents a $40 million reduction in the authorization for 1969, or a total reduction of $229 million.

Mr. LAUSCHE. Are these reductions applicable to areas of work that the Government controls?

Mr. WILLIAMS of Delaware. Yes.

Mr. LAUSCHE. So that if we delay now, there can be no change in the structure of the areas. They will remain as they are and be susceptible to improvement as contemplated in the present bill.

Mr. WILLIAMS of Delaware. That is right. In addition, it should be pointed out that even with the adoption of this amendment, in all three of these categories they would have more money than they had last year.

Mr. LAUSCHE. How much more money would they have in these three categories than they had last year, if the Senator's amendment is adopted?

Mr. WILLIAMS of Delaware. For public lands in 1968 and 1969 they got $9 million for each year. The committee bill would approve $16 million. This amendment would cut that back to $12 million for each year.

Mr. LAUSCHE. So that they would get $3 million more than they had.

Mr. WILLIAMS of Delaware. The Senator is correct.

On the forest development for roads and trails, $110 million was appropriated in 1968, $92 million is requested in fiscal 1969, and the committee bill would authorize $170 million for each of the years 1970 and 1971. This amendment would roll it back to $140 million.

Mr. LAUSCHE. How much more would that be than was given in 1968?

Mr. WILLIAMS of Delaware. It would be $30 million more than was given in 1968, and it would be $48 million more than was requested in 1969.

Mr. LAUSCHE. So in each instance the amount that the Senator from Delaware's amendment would provide would be more than was available under the 1968 allocation but less than the committee recommended?

Mr. WILLIAMS of Delaware. Less than the committee recommended.

For Indian roads and bridges $18 million was appropriated in 1968. In 1969 it was $20 million. The committee bill would authorize $30 million for each of the years 1970 and 1971.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WILLIAMS of Delaware. I yield myself 5 additional minutes.

This amendment would roll it back to $25 million for each year.

Mr. LAUSCHE. And that would be $7 million more?

Mr. WILLIAMS of Delaware. It is $7 million more than they had in 1968, and $5 million more than requested in the budget for 1969.

As I stated earlier, I, personally, would go back closer to what we had last year, but this is the very minimum we should do.

I thought that as a compromise I would offer the amendment as it was offered by the Senator from Kentucky [Mr. COOPER] in the committee.

Mr. LAUSCHE. Would the Senator yield me half a minute?

Mr. WILLIAMS of Delaware. I yield 1 minute to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, consistency of approach to the problems of finances confronting the country, having in mind that we adopted the 10-percent surtax and the $6 billion reduction in expenditures, requires that, if anything, we go below the recommendations in the budget and not extravagantly above those recommendations. The Senator from Delaware has joined the thinking of Senator COOPER and still goes above it, but goes above it only in a moderate way, and I will support the Senator's amendment.

The PRESIDING OFFICER. Who yields time?

Mr. RANDOLPH. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator from West Virginia has 20 minutes remaining.

Mr. RANDOLPH. I yield myself 5 minutes.

Mr. President, the distinguished Senator from Oregon [Mr. MORSE] has a deep interest in the forest roads and trails. He has conferred with members of our committee. He has testified during the hearings. He is unable to be present. He hopes for a live pair.

The Senator from Oregon desires that his position be stated in the category of forest roads and trails. He has made a very compelling statement, and I ask unanimous consent that his statement be printed at this point in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MORSE

No funds the Congress authorizes or appropriates are more directly revenue-producing than are those provided for roads and trails on national forests and other public lands.

In January of this year, my Small Business subcommittee took extensive testimony in six full days of hearings on the problems facing the timber industry. The focal point of the hearings was the impact of log exports upon the industry. The hearings developed the facts on that issue. But they also illuminated the inescapable fact that with or without log exports, timber supplies are limited and are constricted by the lack of roads giving access to them.

I submit that contrary to the expectations of the budget slashers, a cut in national forest roads and trails will lose more money for the Treasury than it will save. The Forest Service sells timber. Without roads to give buyers the chance to get in and take the logs off, there will be less timber sold. Or else, the Forest Service will have to tie into the sale contracts huge road building requirements for the buyer to meet himself. Large companies will have to tie up limited capital to construct the roads, and small companies will not be able to bid at all.

To those who would vote to cut this fund, I also refer the statement of the Treasury Department on the log export issue. It called the timber resource "green gold" that could be realized if proper management and access were provided by the Congress.

National Forest revenues for 1967 were $184.5 million, a new high.

Budget forecasts are for $200 million in fiscal year 1969. To cut funds for construction of roads can only thwart this forecast. In addition, one-quarter of the receipts which are paid to local government will also be adversely affected.

So also will the local economies dependent upon timber availability be adversely affected. Their economic health will suffer and so will tax revenues from them.

I cannot imagine a more foolish shortsighted action than the reduction of this authorization.

Mr. RANDOLPH. Mr. President, in the colloquy that has been engaged in today—in particular, the colloquy between the distinguished Senator from Delaware and the distinguished Senator from Ohio—appropriations have been discussed; and we are talking about the authorization, not the appropriation.

I believe that each Senator, whether he voted for or against the 10-percent surtax and the $6 billion cut in Federal expenditures, reserves unto himself the right to be selective on items; and, certainly, each Senator will exercise that right.

The authorizations contained in the bill are in most cases identical with the authorizations for these highway programs enacted with the passage of the Federal-Aid Highway Act of 1966. They are, for the most part at the same level as those set for fiscal year 1969.

For forest development roads and trails the amount is $170 million. As the Senator from Idaho said, and as reported by the Senator from Wyoming, this figure is the same as the figure authorized in 1968 and 1969.

I counsel with Senators, to do what we did in the Committee on Public Works and bring about a decisive defeat of the amendments of the Senator, just as the amendments were rejected in committee by a convincing vote of 10 to 4. I hope the work of the committee will be sustained now as we oppose the en bloc amendments of the Senator from Delaware.

Before yielding back the balance of my time, I wish to commend Senator Williams, of Delaware, for raising this issue. It is one which deserves our time and discussion. As always he has acted to protect our fiscal integrity and as is characteristic been thorough and complete in his presentation.

I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendments of the Senator from Delaware. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. Bible], the Senator from Hawaii [Mr. Inouye], the Senator from Washington [Mr. Magnuson], the Senator from Rhode Island [Mr. Pell], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Mississippi [Mr. Eastland], the Senator from North Carolina [Mr. Ervin], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Michigan [Mr. Hart], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from Connecticut [Mr. Ribicoff], the Senator from Georgia [Mr. Russell], and the Senator from Florida [Mr. Smathers] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Brewster], the Senator from North Dakota [Mr. Burdick], the Senator from Connecticut [Mr. Dodd], the Senator from Louisiana [Mr. Long], the Senator from Oregon [Mr. Morse], the Senator from Rhode Island [Mr. Pell], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Florida [Mr. Smathers], would each vote "nay."

Mr. DIRKSEN. I announce that the Senator from Kansas [Mr. Carlson], the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senator from New Hampshire [Mr. Cotton], the Senator from Hawaii [Mr. Fong], the Senator from Nebraska [Mr. Hruska], and the Senator from California [Mr. Kuchel] are necessarily absent.

The Senator from Oregon [Mr. Hatfield] and the Senator from North Dakota [Mr. Young] are detained on official business.

If present and voting, the Senator from Kentucky [Mr. Cooper] and the Senator from Oregon [Mr. Hatfield] would each vote "yea."

The result was announced—yeas 22, nays 44, as follows:

[No. 203 Leg.]

YEAS—22

Baker
Boggs
Brooke
Byrd, Va.
Clark
Curtis
Dirksen
Griffin
Hickenlooper
Hollings
Javits
Lausche
Miller
Pearson
Percy
Proxmire
Scott
Smith
Symington
Thurmond
Tower
Williams, Del.

NAYS—44

Aiken
Allott
Anderson
Bennett
Byrd, W. Va.
Cannon
Case
Church
Dominick
Ellender
Fannin
Gruening
Hansen
Harris
Hartke
Hayden
Hill
Holland
Jackson
Jordan, N.C.
Jordan, Idaho
Mansfield
McClellan
McGee
McGovern
McIntyre
Metcalf
Mondale
Monroney
Moss
Mundt
Murphy
Muskie
Nelson
Pastore
Prouty
Randolph
Sparkman
Spong
Stennis
Talmadge
Williams, N.J.
Yarborough
Young, Ohio

NOT VOTING—33

Bartlett
Bayh
Bible
Brewster
Burdick
Carlson
Cooper
Cotton
Dodd
Eastland
Ervin
Fong
Fulbright
Gore
Hart
Hatfield
Hruska
Inouye
Kennedy
Kuchel
Long, Mo.
Long, La.
Magnuson
McCarthy
Montoya
Morse
Morton
Pell
Ribicoff
Russell
Smathers
Tydings
Young, N. Dak.

So the amendments of Mr. Williams of Delaware were rejected.

THE DISTRICT HIGHWAY PROGRAM

Mr. MANSFIELD. Mr. President, the Federal-Aid Highway Act being considered by the House today, includes a provision—section 22—directing the Secretary of Transportation and the District of Columbia government to construct certain interstate highways in the District "as soon as possible after enactment." This provision also directs that the highways be built "notwithstanding any other provision of law, or any court decision or administrative action to the contrary." One of the highways to which this provision relates is the proposed Three Sisters Bridge.

The Three Sisters Bridge would span the Potomac from Spout Run in Arlington to Glover-Archbold Park. Its approaches would destroy more than 20 acres of parkland in Arlington and 11 acres of parkland in the District, including the Chesapeake & Ohio Canal and towpath, the Potomac palisades, and Glover-Archbold Park. The bridge alone would cost $15 million, but the cost of approaches and interchanges to reach the bridge would be several times that amount. The Arlington County Board of Commissioners and the private citizen members of the National Capital Planning Commission unanimously oppose construction of the bridge, and I do not know of a single citizens' organization in Arlington or the District that does not also oppose it.

Not being a highway engineer, I am not fully informed as to all of the technical factors that pertain to the selection of routes for highways and bridges. I am nevertheless not persuaded that the Three Sisters Bridge is the only solution to traffic problems in this area. The Secretary of Transportation testified before the Roads Subcommittee of the House Public Works Committee last December that construction of the bridge would be "unwise at this time" because it "simply would transfer a growing traffic jam from the Virginia side of the Potomac to the interchange at 26th and K Streets." I see no reason why we should overrule his expert opinion.

Furthermore, the Three Sisters Bridge would pose a permanent threat to Glover-Archbold Park. The Secretary of

Transportation also testified last December that "the major justification for the Three Sisters Bridge involved its tying into two major corridors of traffic, one an intermediate loop." Plans for an intermediate beltway through the length of Glover-Archbold Park are not now being actively promoted, but construction of the bridge would revive them. As a former Director of the National Park Service has said, the Three Sisters Bridge would be "a pistol pointed toward the Glover-Archbold Parkway." We must preserve unspoiled natural woodland parks, like Glover-Archbold, from the pressures generated by increasing automobile traffic. If we do not, millions of city dwellers will be deprived of the refreshing temporary isolation they provide from busy day-to-day existence.

The House Public Works Committee's report on the District highway provision states that the committee will "require" the District to relinquish its highway right-of-way through Glover-Archbold Park to the National Park Service after the Three Sisters Bridge is completed. In the meantime, of course, the approaches to the bridge would cut away the lower acres in Glover-Archbold Park. And the threat of an intermediate beltway through the length of the park would remain, whether or not title is vested in the District of Columbia or the National Park Service.

Finally, the proposal to direct construction of the Three Sisters Bridge without further administrative action would be contrary to the intent of Congress in the Historic Preservation Act of 1966. That act authorized the Secretary of the Interior to maintain a national register of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture. It also created the Advisory Council on Historic Preservation composed of seven Cabinet officers and other Federal officials and 10 private citizens. Section 106 of the act requires that the head of any Federal agency having jurisdiction over a proposed project involving the use of Federal funds shall take into account the project's effect on any site included in the National Register and shall afford the Advisory Council on Historic Preservation a reasonable opportunity to comment with regard to the project.

The Chesapeake and Ohio Canal is listed on the National Register and Glover-Archbold Park is under consideration for listing on the National Register. Both obviously are affected by the proposed Three Sisters Bridge. On February 8, 1968, the Advisory Council on Historic Preservation adopted by resolution strongly recommending that—

> No approvals or commitments be granted by the Secretary of Transportation or other authorized official for any segment of the District of Columbia Highway Plan that shall have failed to provide for the preservation of such historic properties or for the study of prudent and feasible alternatives that would minimize the damage to or relocation of properties on the National Register or meeting National Register standards.

The Advisory Council also requested that the District's highway plans, including the proposed Three Sisters Bridge, be forwarded to it for review and comment. To my knowledge, this request has not been complied with. I see no reason for us to direct the District Government and the Secretary of Transportation to construct the Three Sisters Bridge without review by the Advisory Council to assure that there is no feasible and prudent alternative to the bridge that would minimize harm to the Chesapeake & Ohio Canal and Glover-Archbold Park.

Mr. President, a provision similar to section 22 of H.R. 17134 was not included in the proposed amendments to the Federal-Aid Highway Act as reported to the Senate. I hope that any such provision can be taken out of the House bill in conference.

I ask unanimous consent to have the resolution of the Advisory Council on Historic Preservation of February 8, 1968, and an editorial entitled "Case of Three Sisters" published in the St. Louis Post-Dispatch on January 5, 1968, printed in the Record.

There being no objection, the resolution and editorial were ordered to be printed in the Record, as follows:

Resolution—Advisory Council of Historic Preservation, February 8, 1968

Whereas, the Advisory Council on Historic Preservation is vitally concerned with the preservation of buildings, neighborhoods, and areas of outstanding historic and architectural significance, and

Whereas, certain elements of the proposed highway program of the District of Columbia may adversely affect notable historic areas and buildings of national significance, including the Chesapeake and Ohio Canal, the Georgetown neighborhood and waterfront, the Lincoln Memorial, the Palisades of the Potomac, and numerous other buildings and areas meeting National Register standards, and

Whereas, the Congress of the United States has placed a new requirement on highway planners for the full consideration of historic and architectural values in the planning and execution of all Federally aided programs and projects, and

Whereas, the highway program may not have provided for the preservation of such significance historic assets or for the consideration of prudent and feasible alternatives as required by section 4(f) of the Department of Transportation Act of 1966, or for Council review as required by section 106 of the Historic Preservation Act of 1966, and

Whereas, the Advisory Council on Historic Preservation is charged with advising the President and the Congress,

Resolved that the Advisory Council on Historic Preservation strongly recommends that no approvals or commitments be granted by the Secretary of Transportation or other authorized official for any segment of the District of Columbia Highway Plan that shall have failed to provide for the preservation of such historic properties or for the study of prudent and feasible alternatives that would minimize the damage to or relocation of properties on the National Register or meeting National Register standards.

Resolved further that the Council requests that any proposed highway plan or program for the District of Columbia which would adversely affect properties on the National Register or meeting such standards be submitted by the appropriate agency for necessary review and comment by the Council at the earliest possible time, as required by section 106 of the Historic Preservation Act of 1966, and

Resolved that copies of this resolution be sent to the District of Columbia government, to all affected agencies of the Federal Government, and to the appropriate agencies of the United States Congress as an expression of the deepest concern of the Council for the preservation of historic and architectural values and assets of high national significance.

[From St. Louis (Mo.) Post-Dispatch, Jan. 5, 1968]

Case of Three Sisters

Alan S. Boyd, Secretary of the Department of Transportation, has struck a blow for human values in planning highways, and in so doing has precipitated a struggle that could have national consequences. Superficially, what is involved is a local dispute over the proposed Three Sisters Potomac River bridge at Washington, but in the background is the question of whether highway engineers, the construction industry and the automotive and allied industries are to continue to dominate the planning of urban freeway systems.

If Mr. Boyd's side wins, it is thought that a share in highway planning may go to sociologists, economists, housing officials and architects; and we say it is high time. The cities have been sadly damaged by commuter roads designed to speed motorists in from the suburbs; property has been removed from the tax rolls and the former residents of the land forced to move. The qualities of urban life have been virtually destroyed in many instances.

Mr. Boyd is not standing as a Horatius at the proposed bridge. He has merely been raising questions that have made him a sort of pariah among officials of the freeway industry. He has questioned the industry's contention it should go on constructing roads for automobiles that may have less and less downtown mobility and parking space; what about rail mass transit as an alternative? Must we not do something to preserve the integrity of neighborhoods and to prevent the disruption of lives in the paths of the highways?

The economic forces behind the freeway builders are formidable, but Mr. Boyd is entirely right in raising the questions that could prompt another look at the ancillary effects of freeway-building in the cities and hopefully put some brakes on the road builders while alternatives are being considered. The Three Sisters bridge could be the symbol of human resistance to the juggernaut. Those who care for the future of our cities and the people who dwell in them will be applauding Mr. Boyd.

Mr. CASE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CASE. I completely agree with the majority leader. This is just another effort on the part of those who would destroy the parks of this city to use them for purposes other than parks. I commend the Senator and express complete agreement with his hope that when the bill finally becomes law it will not contain that provision.

Mr. MANSFIELD. I thank the Senator. What is contemplated goes directly against the wishes of the donors of this tract, the Glover-Archbold Park. I submitted a letter by Ann Archbold, who died 2 or 3 months ago, in which she reiterated that when the tract was originally given to the District of Columbia in toto, it was not to be used for the purposes contemplated in this proposal today.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. YARBOROUGH. Mr. President, I rise in support of S. 3418, the Federal-Aid

Highway Act of 1968. This is a comprehensive bill that is the product of exhaustive hearings relating to the present and future highway needs of America. The distinguished senior Senator from West Virginia [Mr. RANDOLPH], chairman of the Committee on Public Roads, has demonstrated his great capabilities during the 19 days of hearings on the various matters contained in S. 3418. In this far-sighted bill, Chairman RANDOLPH has shown his great sensitivity to the needs of all people who are affected by the construction of highways.

There are a few aspects of the Federal-Aid Highway Act of 1968 that are of special concern to me and to my State, and I wish to comment briefly on these.

Not only is this S. 3418 important for what it contains, but it is also important for what it leaves out. Along with other Senators, I was disappointed to learn that the House version of this bill contained language that would endanger our vital park land, historic sites, recreation areas, and wildlife refuges.

During my years in the Senate, I have fought hard to protect these areas from being slashed needlessly by highways. In 1958, when I first came to the Senate, I sponsored an amendment to prevent the acquisition of lands for highway construction when such acquisition would affect our national policy of preserving for public use historic sites and buildings of national significance. In 1966, I added section 15 to Public Law 89-574, the Federal-Aid Highway Act of 1966. This section prohibited the approval after July 1, 1968, of any highway project that would cut through a public park or historic site unless there was no feasible alternative to the use of such lands. In 1966 I also supported a similar provision, added to the Department of Transportation Act by the distinguished Senator from the State of Washington [Mr. JACKSON]. That provision is now contained in section (4)(f) of the Department of Transportation Act.

Now I find that the House version of the bill that we are now considering contains, in section 17, a provision to eliminate section (4)(f) of the Department of Transportation Act. In other words, the House has taken from the Secretary of Transportation his authority to protect our parklands and our historical sites.

In a time when our park lands, our natural areas, and our historic sites are under constant threat of depletion or destruction from many quarters, I do not think the Congress of the United States should sanction a Federal assault on these areas. In this instance, I think the House is acting unwisely, and I am pleased that the Senate Committee has not sought to delete that authority of the Secretary of Transportation. Indeed, at page 18 of the committee report to S. 3418, there is the following reaffirmation of our national policy to preserve these areas:

> The Committee is firmly committed to the protection of vital park lands, parks, historic sights, and the like. We would emphasize that everything possible should be done to insure their being kept free of damage or destruction by reason of highway construction.

I appreciate the Senate committee's concern for the protection of these irreplaceable lands and sites, and the adaptation of Senator JACKSON's amendment to preserve them. I want it recorded that my vote for this bill today specifically includes my insistance that the Senate position prevail on this issue.

Of the many contributions made in this bill, the finest is its concern with the impact of highways on our urban areas. The Subcommittee on Roads conducted 12 days of hearings on urban highway planning, location, and design. From these hearings have come provisions in S. 3418 that should alleviate a great many problems associated with highways in our major urban centers. At long last, this bill begins to look at highway planning not only from a perspective of traffic, but from a human perspective as well. It begins to consider the highway not as an isolated structure ripping through a city but as an important urban unit relating to overall community development.

For too long we consulted only with the engineer when we considered construction of another highway. At last we are adopting a more human approach that brings together the engineers, the architects, the sociologists, the urban planners, the economists, and others, into a coordinated team to consider the total impact of highway construction.

But most important, this bill assures that there will be more consulting with those who are most directly affected by highway construction—the community. S. 3418 recommends additional language relating to public hearings and matters which must be considered in the decisionmaking process. This additional language is added to insure greater involvement not only by local officials but also by private individuals and groups.

I also endorse the committee's very proper concern with the relocation needs of people forced from their homes and businesses by highway construction. Title II of S. 3418 deals with this important need and reflects the committee's emphasis on the human aspects of legislative development.

Mr. President, I have noticed two other provisions in the House version of this bill that potentially are of great benefit to certain areas of my State.

Section 13 of the House bill, H.R. 17134, would add 3,000 miles to the present 41,000 miles authorized for the Interstate Highway System. These 3,000 additional miles would help to fill gaps in our present network of interstate highways—gaps that exist primarily in our great urban areas. One example is Lubbock, Tex., with a 1966 population estimated to be 184,500. These people and their city are 121 miles from the nearest interstate highway.

Section 15 of the House bill provides still another opportunity for these cities to connect to the Interstate System. Under its provisions a State highway department could upgrade an existing highway to meet the standards of the Interstate System. If those standards were met, the Secretary of Transportation could designate that highway as a part of the Interstate System.

With no additional cost to the Federal Government, these provisions would allow a city to connect to the Interstate System. Many of our metropolitan areas suffer an economic disadvantage because they are not a part of this system, and this is a reasonable opportunity to alleviate their plight.

Mr. MANSFIELD. Mr. President, a number of Senators left because I had told them I understood there would be no further yeas and nays. Now I understand there will be. I ask attachés to notify Senators of that fact, so they can come back posthaste.

Mr. JAVITS. Mr. President, I have a number of questions which I should like to address to the Senator from West Virginia [Mr. RANDOLPH]. I may point out that I am not the Senator who suggested a rollcall.

Mr. MANSFIELD. Mr. President, unless there is another demand, there will not be a rollcall. I wish to so notify attachés so they may pass on the information.

Mr. LAUSCHE. Mr. President, inasmuch as many Senators were notified that there would not be a rollcall and are on their way home, I shall not ask for one.

Mr. JAVITS. Mr. President, if I may have the attention of the Senator from West Virginia, there are two items in this bill which are of great importance and need clarification. Both refer to the urban impact of this particular measure. One is contained in section 114, which appears at page 19 of the bill. The other is contained in title II of the bill, which appears at page 27, and deals with relocation and relocation assistance.

It will be noted that there are a number of urban impact amendments which considerably expand the concept of road construction and deal with adjustments to reduce adverse economic, social, environmental, and other impact caused by a road-building project. There is also added, in connection with the economic effects of such an activity, the language "and social effects, of such a location, its impact on the environment, and its consistency with the goals and objectives of the community." Finally, there is the substitution of the operative word "urban" for the operative word "transportation" in terms of the consideration which must be given to the various effects and relationships of an urban road project

I am sure the committee has not written in these amendments without a very serious purpose—a purpose which was long overdue, I may say. This country is now 70-percent urbanized, and for too long the construction of interstate highways has proceeded with relatively little regard to the various criteria which are now going to be set up in the law.

I am sure the committee acted seriously. I am sure it is a very deliberate position which represents a very serious reorientation of thinking in our country.

I rise, first, to emphasize that fact. I feel that the committee has come abreast in a very important way with modern times. This may prove to be one of the most significant things which it has done in this bill.

Second, I rise in order to elucidate more completely the import of the

amendment, which would substitute the word "urban" for the word "transportation." This substitution could have great significance or little significance.

Is it the chairman's understanding that the Department of Housing and Urban Development will, with the Department of Transportation, which has the direct administration of this bill, develop criteria which will insure that the Department of Transportation will approve only those urban highways, under this system, which are commensurate with comprehensive urban planning for the particular area?

Mr. RANDOLPH. Mr. President, the response to the question of my able colleague from New York is "Yes." I state further that the committee was very much in earnest when it included these sections—so much so that I want the record to be reinforced by the statement that I made earlier today, when I believe my colleague from New York was not present, that of the 19 days of hearings before bringing this bill to the floor, 12 days of those hearings were concerned with problems of the planning, the design, and the construction of urban highways. So this is proof positive of the concern of the members of the Committee on Public Works and of the Subcommittee on Roads.

I wish to add that in connection with those hearings, we also had a field trip in New York.

Mr. JAVITS. I thank the Senator. My next question is this: Is it the chairman's understanding that the Department of Transportation will, with the Department of Housing and Urban Development, insure that comprehensive planning exists in a particular urban area, and that such planning is adequate, prior to the approval of a Federal-aid urban highway?

Mr. RANDOLPH. The Senator is correct.

Mr. JAVITS. Third, does the chairman believe that under this bill, the Department of Transportation should and now must consider the broad social and environmental issues and interests which are concerned prior to the approval of a Federal-aid urban highway?

Mr. RANDOLPH. Yes; the Senator makes a correct observation. I stressed in my opening statement today that we consider the roads within the urban community as a part of the whole environment. Certainly I agree with the Senator's cogent comment.

Mr. JAVITS. I should like to ask the Senator about the committee's attitude toward the affected residents, in the planning and design of a Federal-aid road project prior to the Department of Transportation's approval. Would the Senator say that the Secretary of Transportation could withhold approval if he believes there has been inadequate consultation and participation with affected residents, to the maximum extent feasible with respect to such a project?

Mr. RANDOLPH. I believe the Secretary of Transportation could withhold approval. I hope we will not come to that point, because we feel that we have stressed, in the language of the report and in the bill itself, the need for participation at the local level and very comprehensive planning of our work in urban areas.

So we feel that point will not be arrived at; but if it were necessary, I state it as my personal opinion that he could so control the construction.

Mr. JAVITS. The committee, in its report, has recommended making available Federal participation with respect to federally aided construction of fringe parking facilities. The report states:

> The committee believes that Federal participation in fringe parking facilities with highway funds is fully justified.

I should like to have the chairman's comment about this matter. It seems to me that this, certainly, is a real enlargement of the concept of the Federal-aid road program insofar as it affects the tremendous development of the suburbs and the conception of the need for downtown parking at shopping areas. An effort is made herein to preserve shopping in the core city.

These provisions really do both; they deal with the parking problems in suburban shopping centers and surburban complexes as well as in core cities where direct road access—as in the city of Rochester in my own State of New York—has made it into the equivalent of a suburban shopping center, through a particularly broad arterial highway which delivers the client or customer right to a parking area contiguous to the core city.

Mr. RANDOLPH. I reassure the Senator from New York, as I assured the Senate in my opening statement today, that we are thinking in terms of the development of this type of fringe parking.

This program is an effort to be creative and innovative; we are attempting to lay every emphasis on such matters.

Mr. JAVITS. I thank the Senator. Finally, on the subject of relocation assistance:

When I was a member of the Committee on Banking and Currency, I became convinced that there were few things which were more injurious than the way in which people who were preempted from their own homes by virtue of highway or other types of construction were treated. Of course, our committee had jurisdiction only over housing, and we did our best to improve the situation somewhat, but not nearly enough.

I am very pleased to see the enlightened provisions for relocation which are contained in this bill, and also the mandate, again at the penalty of losing the benefit of Federal-aid highway funds, that the States fairly and adequately carry out the recommended relocation practices.

I ask the Senator from West Virginia whether this is really his concept of what ought to be a uniform Federal relocation policy. Of course, his committee has jurisdiction only over roads, but is it not his concept of what ought to be a uniform policy, across the board? If a person loses his home by virtue of road construction, it is the same thing as if he loses it for urban renewal or for any other reason involving eminent domain. I would appreciate the Senator's comment.

Mr. RANDOLPH. Yes; I think it is important to have it uniform. We know that there are many areas in which this should be done. I am inclined to believe that on rivers and harbors and flood control projects, such practices should be carried out also.

I wish to express again, as I have earlier today, my appreciation to the Senator from Maine [Mr. MUSKIE] and the Senator from Tennessee [Mr. BAKER], who, on the Government Operations Committee, have given close study to this subject, and have urged us in the Committee on Public Works to speak affirmatively in this regard; and I am delighted that the Senator from New York has again called our attention to the necessity to deal fairly with those who are disrupted in their businesses and those who are dislocated from their places of residence.

Mr. JAVITS. Mr. President, in view of the answers of the chairman of the committee, given with the tact and statesmanship to which I have become accustomed in working with him so frequently on the Committee on Labor and Public Welfare, I do not see any necessity for any amendments. I think the chairman has very completely elucidated what is contained in the bill; I think it will be most helpful in administering the bill, and I am very grateful to him.

Mr. RANDOLPH. Mr. President, I thank the Senator from New York. He has made a very considerable contribution to our discussion in these areas, and we appreciate it.

The PRESIDING OFFICER. The bill is open to further amendment.

The Senator from Virginia is recognized.

Mr. SPONG. Mr. President, page 12 of the report deals at some length with the design concept theme. Before we vote on final passage, I express the hope that we shall see to it that assistance is rendered in planning and locating of highways in the District of Columbia.

I ask unanimous consent that my individual views and remarks appearing on page 47 of the committee report be printed at this point in the RECORD.

There being no objection, the individual views were ordered to be printed in the RECORD, as follows:

INDIVIDUAL VIEWS OF SENATOR WILLIAM B. SPONG, JR.

I regret the committee has not included in the bill a provision to permit construction of certain highway projects which would improve the flow of traffic in Metropolitan Washington.

I am reluctant to interfere in local highway affairs, but the freeway situation in the District of Columbia has reached a stalemate, and congressional action is a necessity.

The Three Sisters Bridge is essential to the proper development of Dulles International Airport. The bridge was planned as an integral part of the highway system linking Washington with Dulles Airport, and until the system is completed, Dulles will remain relatively idle while Washington National Airport will become even more congested.

The proposed $40 million expansion of Washington National cannot be justified. Its capacity has been exceeded, and any major effort to improve air transportation facilities in the Washington area should be directed toward Dulles. Construction of the Three Sisters Bridge and completion of Interstate Route 66 would facilitate full utilization of the air transportation potential of Dulles.

The relocation assistance program included in the bill would insure that no families and businesses displaced by highway construction would suffer undue hardship.

Enactment of this title of the bill would be helpful in relieving the objections of many residents to the District highway program.

With the intention of establishing a basis for a resolution of the freeway impasse in Washington, I would suggest an authorization to permit construction of the Three Sisters Bridge and Georgetown waterfront highway; the George Washington Parkway from the District of Columbia line to a connection with the Three Sisters Bridge and Potomac Parkway; completion of the center leg through New York Avenue to Brentwood Road, and the east leg from 11th Street to a point just south of East Capitol Street.

This would clear up the clouded authority of District officials responsible for the management of highway affairs. Because the House Public Works Committee has included language in its bill requiring construction of the Interstate Highway System in and through the District of Columbia, it is apparent that this issue must be faced in conference.

In my view, the suggestion above would be helpful to all concerned with orderly transportation planning in Metropolitan Washington.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 3418) was passed.

Mr. MANSFIELD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. RANDOLPH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, I wish to pay a well deserved tribute to the senior Senator from West Virginia [Mr. Randolph]. His extraordinary handling of the Federal highway authorization was in large measure responsible for its overwhelming success. He applied to this bill the same strong advocacy and diligence that have characterized his handling of many legislative achievements in the past. We are deeply grateful.

We are grateful also to the Senator from Kentucky [Mr. Cooper] who similarly has contributed so much to the passage of this measure. Though necessarily absent today, his work in committee has left an indelible mark on this fine achievement. Other Senators also contributed. Noteworthy were the efforts of the Senator from Texas [Mr. Tower], the Senator from Virginia [Mr. Spong] and others whose views are always welcome. Particular praise is due the senior Senator from Delaware [Mr. Williams]. He offered his own strong sentiments on the measure and sought to make adjustments where he sincerely felt they were needed. We thank him. And once again to Senator Randolph and to the other members of the committee, we are grateful for this magnificent success achieved with such an efficient manner.

Mr. CLARK subsequently said: Mr. President, I desire to note that I voted "yea" on passage of the Federal Aid Highway Act of 1968, despite the fact that I supported the Williams amendment. In my opinion, it would have been wiser had the Williams amendment reduced the bill to the amount recommended in the budget by President Johnson.

Nevertheless, the essential requirement of our highway construction program is such that I want it noted that I did vote "yea" on passage of the bill.

Mr. RANDOLPH. Mr. President, I cannot permit the record of the Senate's consideration of this landmark highway legislation to close without expressing my appreciation and that of the members of the Committee on Public Works, for the efforts of all of the committee staff, both majority and minority for this fine contribution to our work in developing this important measure. In addition to these fine people, the personnel staffs of the Members have assisted us greatly during the many hours spent in bringing this bill into being.

I have already commented on the parts played by Senator Muskie, Senator Cooper, Senator Jordan of Idaho and Senator Baker. Their efforts in resolving the complex issue which faced us during our deliberations in the legislation were matched by the other members of the committee. Senator Stephen Young of Ohio, although he was otherwise occupied by other legislation pending before the committee, which I understand we will consider tomorrow was most helpful as were Senator Ernest Gruening and Senator Daniel Inouye.

Senator B. Everett Jordan of North Carolina, assisted greatly along with Senator Birch Bayh and Senator Hiram Fong in helping to resolve some of the questions created by the provisions relating to employment practices and wages. Senator Joseph Tydings, was instrumental in bringing the District of Columbia parking legislation to our attention and otherwise participated in the deliberations. Senator William Spong was extremely helpful in bringing a number of issues before the committee for further discussion and refinement.

Senator J. Caleb Boggs, added his talent for smoothing over the difficult matters before us and lent his calm reason to the discussions. Senator George Murphy was also contributor of ideas and solutions which greatly aided our endeavors. Senator Joseph Montoya, has unfortunately been absent for reasons of health, but his views were made known to us by his staff.

PUBLIC WORKS ON RIVERS AND HARBORS FOR NAVIGATION AND FLOOD CONTROL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1322, S. 3710. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be read by title.

The Assistant Legislative Clerk. A bill (S. 3710) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

SECONDARY BOYCOTT BY NEW YORK CITY GOVERNMENT AGAINST CALIFORNIA GRAPES

Mr. MURPHY. Mr. President, I was appalled to learn this morning from articles in the New York Times and the Los Angeles Times that the New York City government has entered into the secondary boycott by New York City retail grocery chainstores against the use of California table grapes.

These articles stated that Deputy Mayor Timothy Costello has announced that New York City would not buy its usual tonnage of California table grapes this year, but more importantly he urged New Yorkers not to consume them.

I have been advised that a long string of New York court decisions have been interpreted as holding that any secondary boycott is illegal within the State.

Furthermore, California growers have filed motions with the National Labor Relations Board alleging the boycott by retail grocery stores to be an unfair labor practice under section 8(b)(4) of the National Labor Relations Act.

It would seem to me, Mr. President, that Mr. Costello and the New York City administration have no business attempting to throw their weight behind either side in this contest between the California growers and the AFL–CIO union leaders who are presently trying to apply economic leverage against the growers to force them to recognize the United Farm Workers Organizing Committee which is an AFL–CIO affiliate.

Frankly, I would think that should the farmers be able to obtain sufficient evidence in affidavit form to demonstrate that the chainstores had been threatened, there would be little question but that the aforementioned provision of the National Labor Relations Act would have been violated.

Mr. President, I ask unanimous consent that the articles published in the New York Times and the Los Angeles Times be printed at this point in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the New York Times, July 1, 1968]

City Is Supporting Boycott of Grapes Grown in California

The city has thrown its weight behind union attempts to organize a national boycott of California-grown grapes.

Deputy Mayor Timothy W. Costello announced yesterday that the city would not buy any California grapes until a labor dispute between California grape pickers and the Guimarra Vineyards Corporation and other growers was resolved.

Dr. Costello said he hoped that "the city's decision to support the boycott will stimulate city residents to do the same thing."

About a fifth of all California grapes are sold in the New York City area. The city buys about 15 tons of grapes a year for use in prisons and hospitals, an amount that Dr. Costello said was relatively small.

The United Farm Workers Organizing

Committee, an affiliate of the American Federation of Labor-Congress of Industrial Organizations that represents the striking workers, has been encouraging unions here to promote the boycott.

Officials of major food chains and union leaders agreed that very few California grapes were being sold here now, the peak of the grape season.

Guimarra Vineyards and other growers filed a charge last week with the New York office of the National Labor Relations Board, alleging that various unions here had acted in concert and had threatened retaliation against stores that continued to sell grapes.

The board is investigating the charge.

The grape strike has been a long and bitter one. It began last August when 950 of the 1,000 workers at Guimarra walked off their jobs when the company refused to recognize their union.

The company hired replacements, and the unions charged that Guimarra then tried to ship its grapes under the labels of other growers. The unions then called for a boycott of all California grapes except those of the DiGiorgio Company, which has signed a contract with the union.

[From the Los Angeles Times, July 1, 1968]

New York City Won't Buy Grapes in California

New York.—Dep. Mayor Timothy W. Costello said Sunday New York City would not buy its normal 15 tons of California table grapes this year and he urged city residents not to buy them either until California growers agree to allow their farm workers union representation.

The city boycott of the grapes supports a nationwide boycott called by the United Farm Workers' organizing committee, AFL–CIO, which represents striking field hands. The union boycott was called when 950 to 1,000 workers struck Giumarra Vineyards Corp. last August over the issue of union representation.

The city makes direct purchases of about 15 tons of grapes a year for use in its hospitals and prisons.

"Though the city's purchases of grapes are relatively small," Costello said, he hoped "The city's decision to support the boycott will stimulate city residents to do the same thing."

About one-fifth of all California grapes are sold in the New York area.

Purchase Commissioner Marvin Gersten said shoppers should urge their grocers not to carry the boycotted grapes.

Mr. MURPHY. Mr. President it will be noted there is a statement in both articles that during the strike at one of the vineyards, 950 of 1,000 workers went out on strike. The records of the vineyard, however, show that only 40 of nearly 3,000 workers on the payroll went out on strike. There is a great difference between 1 or 2 percent of the workers and 95 percent, as the articles allege. This discrepancy can only serve to remind me of the time members of the Labor and Public Welfare Committee went to the State of California and my friend, Steve Allen, appeared as an expert witness with a flier that announced that 5,000 workers were on strike. At that time the largest number of strikers that the committee could find was 75. I pointed out to Mr. Allen that there was a large disparity between the figures he used and what the Senators actually saw. Strangely enough, he said he had gotten his figure from the leaders of the strike.

This is the reason I must question now the statements made in this morning's newspapers. I am afraid that there may be a false figure contained there.

I think that this matter concerning the workers on the California farms has grown to the point of confusion where it is necessary to explain this matter once and for all so that the general public can understand it based on fact and not fantasy.

While I might speak today of inaccurate reporting due to inaccurate sources, the question of the legality of the secondary boycott, while disturbing to me, is not a matter to be resolved on the Senate floor. It is for the NLRB to determine and Deputy Mayor Costello should not give weight to one side or the other.

NUCLEAR NONPROLIFERATION TREATY

Mr. THURMOND. Mr. President, I am opposed to the nuclear nonproliferation treaty because the United States and the Soviet Union exchange pledges of trust through its approval. This is the same Soviet Union that is daily sending the sinews of war to North Vietnam; it is the same Soviet Union that encourages the North Koreans to commit acts of aggression; and it is the same Soviet Union that encourages East Germany to harass our friends and allies trying to enter Berlin.

Furthermore, it is evident from the terms of the treaty that the allies of the United States are prohibited from establishing defensive nuclear armaments such as the antiballistic missile.

With regard to the President's announcement that the Soviet Union and the United States will soon begin discussions on the limitation and reduction of nuclear armaments, I view this with some apprehension. In my opinion the Soviet Union is using disarmament as a weapon. I believe that they have come to this agreement solely because of the action taken last week by the Senate on the Sentinel anti-ballistic-missile system. On this vital issue I urge that we continue deployment of the Sentinel. Any cessation in this deployment would bargain away our position.

It is well-known that the Soviets are years ahead of us in missile defense. Their Galosh system around Moscow is already deployed, and we have not yet started construction of our Sentinel sites.

In proposing new discussions on strategic delivery systems and defenses, the Soviet Union is following the same pattern of the 1963 Nuclear Test Ban Treaty. I advise caution in these forthcoming discussions, and urge that we negotiate from a position of strength. In this regard I believe it essential that we continue our Sentinel deployment. Continuation with the Sentinel would indicate to the world that we intend to maintain our strength even though we are willing to discuss arms limitations.

KANSAS CITY AREA TRANSPORTATION AUTHORITY

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1314, House Joint Resolution 1111.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The Legislative Clerk. A joint resolution (H.J. Res. 1111) granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1333), explaining the purposes of the joint resolution.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of House Joint Resolution 1111 is to grant the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri.

STATEMENT

The House, in its favorable action on House Joint Resolution 1111, relates the following:

"By Public Law 89–599, 80 Stat. 826, approved September 21, 1966, Congress consented to a compact between Missouri and Kansas creating the Kansas City Area Transportation District and the Kansas City Area Transportation Authority. Pursuant to the compact the authority was given the power to acquire by gift, purchase, or lease, and to plan, construct, operate and maintain, or to ease to others for operation and maintenance, passenger transportation systems and facilities, either upon, above, or below the ground, and to charge and collect fees and rents for use of these facilities.

"Article III, part 11, of the compact authorizes the authority 'to perform all other necessary and incidental functions; and to exercise such additional powers as shall be conferred on it by the legislature of either State concurred in by the legislature of the other and by act of Congress.' In section 2(c) of Public Law 89–599, consenting to the compact, Congress provided that no additional powers shall be exercised by the authority under part 11 of article III of the compact unless such powers are conferred by the legislatures of the participating States and consented to by Congress.

"THE ADDITIONAL POWERS FOR WHICH CONSENT IS SOUGHT

"The States of Kansas and Missouri have enacted legislation conferring certain additional powers on the Kansas City Area Transportation Authority by Senate bill numbered 399 of the Kansas Legislature, session of 1967, and Senate bill numbered 266 of the Seventy-fourth General Assembly of the State of Missouri, as follows:

"'Section 1. In further effectuation of that certain compact between the states of Kansas and Missouri heretofore made and entered into on December 28, 1965, the Kansas City Area Transportation Authority of the Kansas City Area Transportation District, created by and under the aforesaid compact, is authorized to exercise the following powers in addition to those heretofore expressly authorized by the aforesaid compact:

"'(1) To make all appointments and employ all its officers, agents and employees,

determine their qualifications and duties and fix their compensation.

" '(2) To deal with and enter into written contracts with the employees of the Authority through accredited representatives of any labor organization authorized to act for such employees or representatives of any labor organization authorized to act for such employees, concerning wages, salaries, hours, working conditions, pension or retirement provisions, and insurance benefits.

" '(3) To provide for the retirement and pensioning of its officers and employees and the widows and children of the deceased officers and employees, and to provide for paying benefits upon disability or death of its officers and employees and to make payments from its funds to provide for said retirements, pensions and death or disability benefits.'

"Certified copies of the State legislation are in the committee's files.

"NEED FOR THE LEGISLATION

"As appears above, the additional powers conferred on the authority by concurrent legislation of the two States involve (1) appointment of employees, (2) collective bargaining with employees, and (3) provision for retirement and pension rights.

"The following memorandum, submitted to the committee, indicates the reasons why these additional powers were sought:

" 'IN RE PROPOSED JOINT RESOLUTION APPROVING CERTAIN ADDITIONAL POWERS CONFERRED UPON THE KANSAS CITY AREA TRANSPORTATION AUTHORITY BY THE STATES OF KANSAS AND MISSOURI

" 'This proposed joint resolution approves powers granted the Kansas City Area Transportation Authority by the Kansas and Missouri Legislatures. These powers relate to the power of the authority to deal with representatives of its employees and to enter into labor contracts with representatives of its employees. These powers were sought so that there would be no legal question as to the right and power of the authority to recognize unions representing its employees, to deal with representatives of employees, to enter into labor contracts and to provide for pensions and other benefits for its employees.

" 'As in many other States, in Kansas and Missouri there exists some question as to the powers of political subdivisions to recognize unions, deal with representatives of their employees and to enter into contracts with said employees relating to wages, hours, working conditions, etc. These matters have been the subjects of litigation in the courts of both States (*State* v. *Julian*, 222 S.W. 2d. 720 (Missouri Supreme Court); *Wichita Public School Employees Union, Local No. 513* v. *Smith*, 194 Kansas 2 (Kansas Supreme Court)). It is believed that subparagraphs 1 and 2 remove any question as to the power of the authority to recognize unions, deal with representatives of its employees and enter into contracts with its employees.

" 'Subparagraph 3 is to remove any question as to the power of the authority to provide for pensions and other benefits for its employees. Section 25, article 6, of the Missouri constitution forbids political subdivisions from granting public moneys to private individuals. This has been interpreted to forbid the paying of pensions (*State* v. *Zeighenhein*, 45 S.W. 1099). Over the years, this section of the constitution has been amended various times to permit the paying of pensions to policemen, firemen, and other classes of public employees. Finally in January 1966, the constitution was amended to empower the general assembly to authorize any political subdivision to provide for pensions for its employees. Subparagraph 3 is this authorization.

" 'It should be noted that section 13(c) of the Urban Mass Transportation Act of 1964 (49 U.S.A. 1609(c)) makes it a condition of any assistance under that act, that the interests of the employees be protected. Specifically, it is required that provision be made for preservation of rights, privileges, and benefits of employees, including continuation of pension rights and benefits and continuation of collective bargaining rights. The additional powers granted the Kansas City Area Transportation Authority by this joint resolution will remove any question of its right and power to comply with the requirements of section 13(c).'

"RESERVATIONS

"House Joint Resolution 1111 contains the usual reservations of the right of Congress to require information and to alter, amend, or repeal the consent granted.

"The committee recommends favorable consideration of the measure."

The committee, after a review of the foregoing and the attachments hereto, concurs in the action of the House of Representatives and recommends that the joint resolution be considered favorably.

COASTWISE TRADE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 1320, S. 3514.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3514) to authorize the use of the vessel *Mouette* in the coastwise trade.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3514

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of law requiring that vessels used in the coastwise trade be built in the United States, the vessel Mouette, which is licensed (No. 231440) by the Department of the Treasury as a yacht under twenty tons and is owned by F. Bronson Conlin, 20 East Main Street, Avon, Connecticut, may be used in such trade if other applicable provisions of law are complied with.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1339), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to authorize the use of the vessel *Mouette* in the coastwise trade.

REASON FOR THE BILL

The vessel *Mouette* was built in a foreign country and is therefore ineligible to be documented for operation in the coastwise trade under section 27 of the Merchant Marine Act, 1920, and under section 4132 of the Revised Statutes (46 U.S.C. 11).

The purpose of restricting documentation with coastwise privileges to vessels built in American shipyards is to encourage ship construction in the United States. It has been the policy of the United States since 1789 to reserve the coastwise trade to vessels constructed in U.S. shipyards. However, from time to time and under special circumstances, Congress has passed legislation authorizing the documentation of vessels for use in the domestic trades although the vessel was built in a foreign country or otherwise lost its documentation because of a transfer to foreign registry. The committee considers each proposal for such documentation on its own merits.

The vessel is owned by Mr. F. Bronson Conlin of Avon, Conn., who is a citizen of the United States. Mr. Conlin, who is also the skipper of the vessel, intends to charter it to a summer camp in Kent, Conn. It will be used by the camp simply for the pleasure of the campers. The ketch is under 20 tons.

In view of the hardship that would otherwise be imposed and because of the limited size and employment of the vessel, the committee recommends approval of the bill. The committee believes that this exception is of such a limited and restricted nature that it will pose no threat to the general goals of our coastwise restrictions or to the American shipbuilding industry.

NEGOTIATIONS FOR ARMS CONTROL

Mr. CLARK. Mr. President, I commend the President of the United States for the remarkably able diplomatic achievement he announced to the world today at the time of the signing of the nuclear nonproliferation agreement, a treaty which I strongly support.

The President announced today that we were going to begin what I am sure, as he said, will be long and hard negotiations with the Soviet Union, looking to the first significant arms control limitation and agreement dealing with nuclear delivery systems, nuclear weapons, and the anti-ballistic-missile systems which have already been constructed in Russia and which it is proposed now to deploy in the United States.

I commend the President for his strong move toward peace. This is the result of quiet diplomacy at its best.

I note with some apprehension that the Senator from South Carolina does not concur in the views I have just expressed, but I am confident that an overwhelming majority of my colleagues will support the President in his efforts to take further steps toward peace.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WILLIAMS of New Jersey in the chair). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 12 noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 11 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, July 2, 1968, at 12 noon.

EXTENSIONS OF REMARKS

THE 193D ANNIVERSARY OF THE U.S. ARMY CORPS OF ENGINEERS

HON. MICHAEL J. KIRWAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. KIRWAN. Mr. Speaker, last month marked the 193d anniversary of the U.S. Army Corps of Engineers.

On June 16, 1775, Gen. George Washington appointed Col. Richard Gridley as the first Chief Engineer of the Army and launched a military and construction organization that has performed a significant role in the defense of the country and in the development and management of the Nation's water resources.

Those of us who are directly involved in the water resource development programs are most concerned over the tendency of the press to headline any efforts for the funding of projects as "pork barrel." These critics fail to point out the value and urgency of these projects which are authorized by Congress for funding only after a most extensive review process to assure that they are economically justified. After a thorough study by the responsible agency and clearance with all other agencies involved, they are carefully reviewed by the legislative committees of Congress before they are authorized by law. Each project must meet stringent criteria to assure benefits will fully justify the cost. A large percentage of the projects also require assurance of local cooperation, including repayment of the benefits derived from water supply and irrigation, before construction is initiated.

The basic investigation of the projects in the field of flood control, beach erosion, navigation, and multiple purpose development are the responsibility of the U.S. Army Corps of Engineers, which is one of the most dedicated, talented, and admired professional organizations in the world.

The corps is unique among the world's military organizations for its water resource and conservation mission. Other nations have used our corps as a model in giving civilian missions to their own military engineers; but none has come anywhere near duplicating its range of versatility, responsibility, and competence.

The corps' history shows how an energetic country can turn a liability into an asset. When our Nation was formed, it needed roads and harbors and bridges and waterways, but it had no engineers. It turned to the Army engineers recruited by George Washington, mostly in France, to serve our Nation in the Revolutionary War. Thus was born the organization and traditions which today are unrivaled in all the arts and sciences associated with the conservation and use of water and related land resources.

Today its programs provide about 100 man-years of employment for every $1 million invested in construction. Each $100 million of its program represents about 10,000 jobs. Viewed from another angle, the $110 million already deducted from the corps' program this year by our committee because of the serious fiscal situation represents the abolition of 11,000 jobs—equivalent to wiping out the economy of a medium-sized city. This is something to think about at a time when we are investing billions of dollars to relieve unemployment and poverty and why we urged the House last week to make no further reductions in the public works bill for water and power resources development.

Every dollar invested in Corps of Engineers' construction for flood control so far has returned about $4 in damage prevented. Navigation projects return up to $12 per year in transportation savings for every dollar invested. Recreation developments yield benefits estimated at 50 cents to $1.50 per visitor day. These gains too, are foregone in proportionate measure when we cut back our water-resource investments.

Meanwhile, the corps has participated in all our country's wars, playing an increasingly important role as warfare has become more technological and more involved with large-scale movements of men and material over all kinds of terrain. It is no coincidence that today there are more engineer troops serving in the swamps and jungles of Vietnam than of any other branch except the infantry.

For almost a century and a half, the corps has carried out the largest public-works construction program in the free world. Yet it has never had a major scandal. None of its major construction has ever failed. None of its projects has proven an unworthy investment. On the contrary, the corps has victoriously undertaken some of the most daring tasks with which man has ever challenged nature, and the undertakings it has planned and recommended and carried out have contributed to the wealth and welfare of our people to a degree that dwarfs the investment involved.

They spearheaded the expansion drive that opened the western frontier. They built many of the magnificent public buildings and parks of the Nation's Capital city. They have conquered the Arctic with its inconceivable problems of cold and ice and permafrost, and built there military establishments and scientific institutions in places where previously it had been considered a triumph just to stay alive. As the construction agency for NASA, they are helping to conquer space. They built the base installations from which our missiles can range over the entire planet.

Our country could not exist in its present level of power and prosperity without the contributions of the Army's Corps of Engineers. Our foreign commerce is absolutely dependent upon the 700-odd harbors they have built under all kinds of conditions. Our domestic commerce was founded on, and still largely depends on, their developments in the Great Lakes and along some 20,000 miles of river waterways and canals. Virtually all our major cities, and scores of millions of our people, stand in our river valleys secure from flood, thanks to the Corps of Engineers. Their hydroelectric power generation facilities which will pass the 10,000,000-kilowatt milestone this year, have given rise to major industrial centers in the Midwest, the Northwest, and the South. The recreation provided at their lakes, pools, and beaches amounts to the colossal total of some half-billion visitor days each year—more than double the attendance of all forms of organized sport combined.

In this elite corps we have a mighty organization capable of mobilizing the Nation's entire construction industry within a matter of hours, if need be, to meet any form of physical crisis or disaster. Its officers and civilian engineers have used their river-development skills to blast the way across the beaches of Normandy and the Pacific, and their organization commands skills to cope with fires, floods, and earthquakes. In this era when national defense, construction, and industry are intimately related, the military engineeer is the key man. Much of our security and power are due to the fact that America's Corps of Engineers are the best military engineers in the world.

A couple of years ago President Johnson called the Corps of Engineers "one of the greatest organizations ever known to man, one of the finest organizations ever conceived and developed by the U.S. Government, they represent strength, they represent resolution, they represent responsibility." To which we may add: "They represent integrity." What would our Nation do, what would it have been, what would it be, without them?

So I am proud and glad today to have this opportunity to congratulate the corps on its 193d anniversary, and to wish them continued success in the years ahead.

THE "PUEBLO" INCIDENT

HON. GORDON ALLOTT

OF COLORADO

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1968

Mr. ALLOTT. Mr. President, this is the 23d week that American boys have been in the hands of the North Koreans because of the capture of the *Pueblo*.

Over the weekend we heard reports that the boys may soon be released. Of course we pray to God that this will be the case, but we also pray that their mental and physical health still remains strong and intact.

Whether or not the Hanoi press reports about the pending release of these boys is true, the fact remains that they have been allowed to remain in enemy hands for an intolerable length of time.

Whatever has been done to free them has obviously not been enough. As a reminder to the President that this vital matter still remains unsolved, I ask unanimous consent that an excellent summary of the *Pueblo* situation, published in the Boston Globe of June 9, 1968, be printed in the Extensions of Remarks.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

GLOOM COVERS TALKS FOR "PUEBLO" RELEASE

(By Vera Glaser)

WASHINGTON, June 4.—The United States has receded from the position of infuriated bluster it espoused when the U.S.S. *Pueblo* and her crew were seized by the North Koreans in late January.

Now, after four months and 17 fruitless talks at Panmunjon, the official line is gloomy, whether it be expressed by President Johnson, ambassador to the United Nations Arthur Goldberg, or Secretary of State Dean Rusk.

There is no hard information on the whereabouts or state of health of the 82 survivors, nor is there optimism about their early release.

The problem has moved from the military arena, where is was originally categorized as "an act of war" by Rusk, to diplomatic terrain, with this current summing-up by a State Department spokesman:

"We can only hope that after they (the North Koreans) realize they have milked this for all possible propaganda value, they will begin to think seriously about releasing the men. Many of the military actions suggested might demonstrate that we are a strong nation, but we see no advantage to bringing out a charred hull and 82 corpses."

It is not that the administration has forgotten the ship or its men. That would be difficult to do, with reminders, ranging from anguish to anger and scorn, pelting Washington like hail.

Reporters frequently raise the question at presidential news conferences and sessions with presidential candidates. Rep. William J. Scherle R.-Iowa, reminds Congress daily of the time elapsed since the ship's capture January 23, as do several metropolitan newspapers. Mrs. Lloyd Bucher, wife of the imprisoned skipper, is working with her Congressman, Rep. Bob Wilson, R.-Calif., to flood the nation with bumper strips exhorting "remember the *Pueblo!*"

It appears rather that officials have shot their bolt in the effort to peacefully settle the humiliating chapter. A new negotiator, Brig. Gen. Gilbert H. Woodward, has been assigned to sit opposite Major Gen. Pak Chung-Kuk, representing North Korea. Accompanied by a handful of technicians, the two confer privately at the same table in the same headquarters used by the military armistice commission which supervises the uneasy truce at the 38th parallel. Transcripts of their highly classified conversations, ranging in length from half an hour to about one and one-half hours, are forwarded to the State Department.

The *Pueblo* has been discussed also at several meetings of the Military Armistice Commission with South Koreans present. On April 18, U.S. Rear Admiral John V. Smith, then the senior U.S. negotiating official, categorized the ship's seizure as "war provocation of the most serious magnitude."

WANTS CONCILIATION

Within a week Senate Majority Leader Mike Mansfield suggested it might be well to separate the often acrimonious commission talks from what should be a conciliatory effort building toward release of the prisoners. He proposed dispatching a special U.S. mission to North Korea to attempt to see the crewmen and talk with officials there. The administration has not seen fit to follow through.

According to the Defense Department, the Pueblo, an electronic intelligence ship of 906 tons, was manned by six officers, 75 enlisted men and two civilian hydrographers. One crewman has since been reported dead, leaving 82 in the hands of the North Koreans. The United States insists the ship was seized outside the 12-mile territorial limit of North Korea and is therefore being held illegally.

According to the military, fighter planes of the kind necessary to defend the Pueblo were not immediately available at nearby U.S. bases. The carrier U.S.S. Enterprise was sent, but arrived too late for action and was withdrawn in February. Military commentator Hanson Baldwin has written that, 'The safety of the crew of the Pueblo, though invoked by Washington as a reason for taking no reprisal action, was less a factor in the decision to do nothing than was the lack of capability."

The marked shift in U.S. attitude toward the seizure is revealed by a comparison of official statements at the time of capture with those now being made:

On January 25, less than 48 hours after the Pueblo's seizure, the President called it a "wanton and aggressive act" that "cannot be accepted." He activated 15,000 air and naval Reservists and called for an urgent meeting of the UN Security Council.

NOW WE HOPE

By May 6, however, his tone had softened. "We hope that upon careful reflection, they (the North Koreans) will release the men," he said.

Ambassador Goldberg, who forcefully and indignantly described the ship's seizure as illegal before the Council, is now saying, "I will not take back an ounce of what I said, but I do not want any false optimism to be derived."

Secretary of State Rusk originally advised North Korea to "cool it." Now his spokesmen says, "there is little forward progress we can report."

Ambassador of the Republic of Korea (South) Dong-Jo Kim makes no secret of his feeling that the U.S. should have acted with greater firmness. "You Americans should be better poker players," was the way he put it.

Letters purportedly from members of the *Pueblo's* crew, including Cmdr. Bucher, have been received by relatives, friends, newspapers and Members of Congress. They state that if North Korea's terms (admission of violation of territorial waters, an apology, and promise not to repeat the offense) are not met, the crewmen will be executed.

PHONY CONFESSIONS

The State Department has labeled all alleged confessions of officers and men and some individual letters as "produced under circumstances which in themselves constitute a form of duress. We do not consider any of them to be proof of the North Korean allegations."

Efforts to arrange admission for International Red Cross representatives to check on prisoners' welfare have failed. Film clips and photographs give the impression the men are in good health, but State says there is no way to confirm it. The department denies there is complacency about their treatment.

Capt. Carleton W. Voltz, the last American to return from North Korea captivity, reports he was tortured and beaten.

Noting on May 29 that 128 days passed since the *Pueblo* and her crew were taken into communist captivity, Rep. Scherle accused the administration of a "hollow response to the incident and exposition of the Nation as a "paper tiger." The California American Legion called the administration "evasive and apathetic" in efforts to release the crew, but offered no specific suggestion except "increased pressure."

After the last talk at Panmunjon on May 27, a State Department spokesman again said, "there has been no breakthrough."

Meanwhile Defense Secretary Clark Clifford has asked Congress for $3.9 billion in supplemental funds to run his Department, naming seizure of the *Pueblo* as a factor in his rising expenses.

NATIONAL FOUNDATION FOR THE SOCIAL SCIENCES ACT OF 1968

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FRASER. Mr. Speaker, today I am introducing a bill to establish a National Foundation of the Social Sciences. In the Senate a subcommittee of the Government Operations Committee has held hearings on the bill and action by the full committee is scheduled for July 8.

The purpose of the Foundation would be to support and promote research, education, training, and scholarship in the social sciences. I think the potential contribution of this act is already demonstrated by the success of the National Foundation of the Arts and Humanities. I am proud to have cosponsored the legislation creating it in 1965.

The need for a National Social Science Foundation was well put by Senator FRED R. HARRIS, author of the Senate bill along with 20 other Senators.

He said:

> We understand the button and the machine very well, but we are woefully weak in the understanding of the button pusher.

By closing the gap between our knowledge of the natural sciences and our knowledge of the social sciences, the enactment of this bill will help us to better understand the man who operates the machine.

The Foundation would consist of a Board of Trustees of 24 prominent citizens from the social sciences community, both academic and practicing. There would as well be a Director and Deputy Director, appointed by the President with the advice and consent of the Senate. The bill also provides for a staff to administer the Foundation funds.

The Federal Government could then underwrite, fund, and support academic research in the fields of political science, economics, psychology, sociology, anthropology, history, law, social statistics, demography, geography, linguistics, communications, international relations, education, and other social sciences. The social sciences would have the legislative support that they need if they are to assist in devising new concepts and suggesting new methods for enriching man's life and alleviating social strife and injustice.

Social science research would be in civilian hands, providing an urgently needed addition to that now carried on under the auspices of the Department of Defense. Though the Foundation would be available for contracting by the operating departments and agencies of the Federal Government, it would conduct no research of a controlled or classified nature.

A Social Science Foundation would reverse the relative lack of attention given the social sciences under the present system. In 1966, the social sciences received only 2.4 percent of the basic research funds appropriated by the Federal Government. The figure was similar in 1967 and in 1968. Moreover, the National Science Foundation is presently able to allot only one-twelfth of its budget to the social sciences. Not only does inadequate funding diminish the stature of the social sciences, but, with this disparity in emphasis, the ability of the natural and social sciences to interrelate is greatly inhibited.

The Foundation's most distinct advantages, though, lie in the answers the social sciences can provide for the most serious problems now confronting our country. How a ghetto can be dissolved; what really causes the breakdown of the family; what leads one nation to seek to dominate the world—or to withdraw from it; how a democratic government survives the fury of its birth—these are questions to which we all seek answers and no one can answer with certainty. These are the questions studied by the social sciences.

To my colleagues who would object that we cannot afford the money to establish a National Social Sciences Foundation, I reply, we cannot afford not to. We who are splitting the atom and studying the far corners of the universe must at the same time learn why our cities burn every summer and why our children prefer cap guns to marbles.

Mr. Speaker, I hope that this body gives favorable consideration to the establishment of a National Social Sciences Foundation.

A BUSINESSMAN LOOKS AT RIOTS AND CRIME

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1968

Mr. BYRD of West Virginia. Mr. President, the President of the U.S. Chamber of Commerce, Mr. Winton M. Blount, delivered an excellent address to the National Press Club on Thursday, June 27, 1968.

Speaking of the riots which have struck our major cities, Mr. Blount said:

> We are told that lives were saved by withholding force during the April riots. This is presented to us as a wise and successful policy—not just an exception that was made once and that future rioters had better not count on, but rather as a noble experiment worthy of national adoption.
>
> The political argument is that all the property destroyed in riots is not worth one human life, and while that may be true, it is not the relevant point. We tend to forget that riots are not started by innocent bystanders or children. They are started by lawless hoodlums and the disruptive elements of our society. If we have a policy of withholding authority and letting the arsonist burn and the looter steal then you can be certain that seeing this example, the surrounding community will join in. We must have a policy that says that as soon as riots threaten, at the very first hour, there must be an appropriate and overwhelming show of force and determination by all those in authority to insure that the criminal acts are stopped in their tracks. It is important to note that the number involved in these riots and destruction is very small and does not involve the majority of those who live in the ghetto area.

That all Senators may have the opportunity to read Mr. Blount's address, I ask unanimous consent that it be printed in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

A BUSINESSMAN LOOKS AT RIOTS AND CRIME

(Address by Winton M. Blount, president, Chamber of Commerce of the United States, before the National Press Club, Washington, D.C., June 27, 1968)

It is a real pleasure to be the guest of the National Press Club. I am especially grateful to you, Mr. Chairman for your introduction.

I would like to discuss with you today a new phenomenon in our society—the emergence of mob action as a tolerated instrument for political, social and economic change.

It is tolerated primarily for political reasons, and also in the name of social progress. Many intellectuals and opinion leaders, interpreting mob action as an expression of progress, have given their blessing to this phenomenon.

We need only to look about us to determne that it is not progress but regression.

It is regression symbolized by the spectacle on television several months ago of some small businessmen from the national capital going before a Congressional investigating committee wearing hoods for their own protection. By telling publicly how organized bands of thieves were looting their stores almost regularly, these businessmen were putting themselves in danger of violent revenge. Their identities had to be hidden.

It is regression symbolized by reckless opportunists and extremists who, in such a lenient atmosphere, are able to slip freely into leadership roles for purposes of making trouble. There are divisive and demagogic elements of leadership in our society—both on the left and on the right, both black and white—and they are doing irreparable harm to the nation. They arouse vast passions, both of support and opposition, and out of this conflict comes the present atmosphere of violence and anarchy.

It is regression symbolized by an exploding crime rate. The Supreme Court is making landmark decisions that permit confessed criminals to go free, sometimes to continue their crimes, and we are supposed to believe that this is better than running the risk that some accused person might suffer unjustly for lack of a legal technicality in his favor.

And it is regression when the times tempt politicians to carelessly promise the world to the disadvantaged and uneducated—promises which they know cannot be fulfilled. This is a callous and tragic way to treat innocent people who deserve better. Their expectations are being raised, not only behind any possibility of attainment, but also, in many instances, even beyond the intentions of those making the wild promises. This is a basic cause of much of the mob action, because when these hopes are dashed on the rocks of reality, frustration sets in and the extremist takes over. When this happens, the justifiable needs of these people become latched together with totally unreasonable demands, and it becomes more difficult to do what we should do to help the poor.

To be sure, we are in the midst of a truly significant social revolution and we can expect some of the old patterns to go out of style, and some traditional standards to slip off balance for a while.

But undisciplined and untutored tolerance can lead to anarchy. It has already led us to a point where I think it is reasonable to fear for the Constitutional rights of all Americans, and I say this with careful deliberation.

I am not the first businessman to complain about these problems and there may be a tendency to write it off as another voice attempting to buttress the status quo. So let me at this point try to get you a little better acquainted with the business community of 1968.

I would like to sketch for you the businessmen's participation in the social reform movement, and I hope you realize that we are deeply involved and are not just bystanders. If we in the business community had disassociated ourselves from the human concerns of society generally, it would be easier to understand why businesses are targets for so much of the protest and violence. But free enterprise is waging aggressive war against the root causes of poverty and unrest.

We do much in cooperation with government, and we do still more voluntarily, working mostly with all kinds of local groups. The businessman has the same reasons as everyone else, and additional ones of his own for being genuinely concerned about the problems of the unproductive poor.

Our self-interest in disadvantaged people becomes more enlightened all the time.

Seven of 10 forum sessions at the National Chamber's recent annual meeting were devoted to urban problems. Efforts to get businessmen more involved in these problem areas have top priority in the National Chamber's work program. Typical of these efforts is a study conducted for the Chamber by Seymour L. Wolfbein, of the School of Business Administration at Temple University, showing the economic impact of helping the poor.

This study demonstrated that one effect would be a significant decrease in the manpower shortage that is throwing a cloud over the economy. It has been estimated that by 1975—seven years hence—there will be a need for 14,000,000 more workers than are likely to be available, unless, in the meantime, large numbers of the hard-core unemployed are brought into the job force.

Another economic gain would be a dramatic increase in consumer spending associated with a rising standard of living. Professor Wolfbein estimated that if the incidence of poverty could be reduced by one-third, which is certainly a feasible goal, since only five per cent of the population would be affected, then the increase in consumer spending would be 21 per cent. This is a feasible reduction in poverty when you remember that between the years 1959 and 1965 there was a 20 per cent decline in the number of Americans living under the poverty level, as estimated by Dean George P. Baker, of Harvard Business School, and this was done without the massive concentration on the problem that occupies 1968 America.

We hope you will believe that the businessman, in his concern for the ghettos, has the same human motives as everyone else, in addition to his own far-sighted economic reasons for wanting to help. And if you will keep in mind that the businessman is a realist through economic necessity, you can expect him to be more inclined than some others—the politician, for example—to seek out the most practical remedies and goals. Management skills, problem-solving ability, creativity and innovation—these are what businessmen have to contribute to the war on poverty.

Getting needy people into jobs, so that they can lead more useful, more self-respecting and more enjoyable lives, is where the business stress is being applied. We are trying not only to provide more job opportunities, but to deliver them to the doorstep of the hard-core unemployed.

In large city ghettoes, coordinated, business-sponsored programs of basic education and training, backed up by job guarantees, are now commonplace. The helping hands are often stretched a long way out to relieve such problems as transportation to the job, arrest records, and poor social habits of those willing to work.

All kinds of companies are lowering their hiring requirements by such means as breaking down more difficult jobs so that part of the work can be handled by the lesser skilled. Through industry generally there is a search for better ways to encourage, and use, and improve the capabilities of persons who heretofore have been unable to find a place in life.

Yes, businessmen are meeting new times with new measures. Actually, business is in charge of a technological revolution that is changing men's lives faster and more fully than all the new social attitudes are doing. Our problems arise because this technological change has come so fast—so blindingly fast—that we have not been able to develop the new kind of human relationships that our material progress calls for.

Nevertheless, our whole way of life is improving, and technology is bringing vast social as well as material gains. For all its ugliness, the ghetto problem is a by-product of the progress that has relieved hundreds of thousands of women, children and men from back-breaking toil and drudgery on the farms and in menial tasks in the factories. While many of these persons may not seem to have gained much yet in the exchange of rural poverty for urban poverty, they are no longer forgotten people, and that's putting it mildly.

In sketching out for you the businessman's relevance to the times, as I am trying to do, we come now to the argument that while free enterprise provides a better living, it still has a backward way of putting material values above human values. We hear it said that no matter how much the businessman cares for people, he cares for profits more. This really is the springboard for the notion that human rights are separate and apart from and superior to property rights. Here is the thinking that breeds street and campus riots, and it needs careful attention.

You can look to business, and nowhere else, for material progress. And whether you credit the businessman for it or not, the fact is there will not be much social progress unless there is economic progress first. This is the problem of the underdeveloped countries around the world. And in stronger countries the problem still is to keep social gains in balance with economic growth. A sagging economy, brought about in part by an unrealistic social program, recently forced Great Britain to cut back on its national health program—and our own government's excessive spending, mostly for social purposes, and in a time of a major military engagement—led us into a fiscal mess with worldwide consequences.

The American free enterprise system is the biggest and best fighter that has ever gone to war against poverty anywhere on earth.

Yes, we have 3.5 per cent of our labor force unemployed, but don't forget that we have 96.5 per cent at work.

Yes, we have a relatively small per cent of our population living in squalor, degredation, hopelessness and despair in the slums, and we can, we must, we will do something about this. But don't forget that the vast majority of Americans lead satisfying and rewarding lives.

We are dealing with problems of success, and not of defeat. Air and water pollution, the blight of our cities, mass transportation needs, traffic and highway problems, crowded schools and colleges, all are problems which can be traced to our tremendous growth and success as a nation.

Poverty, slums, under-education and hard-core unemployment are not new—they have always existed. What brings them into such prominence now is that we have achieved such affluence that for the first time in history a nation is almost within range of eliminating them.

And so, as we watch politicians tinker with the rights of all in order to win favor with minorities, we ask: Is this building a better America?

The 14th Amendment guarantees us the right not to be deprived of property without due process of law. Yet that right is so far gone it is not even insurable in parts of many cities.

It's gone because government will not adequately defend it against pillage masquerading as protest, or even against the day-to-day robbery, arson and vandalism going on in areas of racial sensitivity.

The various levels of government have all the armed force necessary to protect ghetto stores and housing but they are not using it. The decision to hold back is essentially political judgment on the part of a few. It has not been submitted to any test of public sentiment.

What is the full meaning of this? If it takes the permission of mobs to operate a business or a rental housing property in one location, on what basis is property safe anywhere else? If extortioners can prey on businessmen in riot-prone areas, on the pretense of selling them protection, what's to prevent a threat of riots and attendant extortion from spreading throughout the land?

How is the civil rights cause served by driving businessmen out of ghettoes because they are white, or because they are Jewish, or because they are called Uncle Toms? How many wrongs make a right?

We are asked to take it for granted that human rights are on a higher plane than property rights, but when we look around the world at those whose property rights are restricted, we find them without much personal freedom of any kind. Basic rights can't be divided. Indeed, the very thing the Negro is reaching for is property of his own. If he can't be secure in his ownership, what has he to gain? Human rights cannot exist in a chaotic society.

Having reached the point where a Constitutional right is abridged for political expediency, what do any of us have left? This time it happens to be the right to hold property. What will it be next?

It may be true that only an alarmist would consider our rights to life or our right to liberty to be in any present danger, but the fact remains that if it ever became politically advantageous to take those protections away from us, a precedent has been made available.

Business has fallen victim to political appeasement of riot and crime, and what has been gained by it? Are minority rights any more secure? Has the moral tone of the country been improved? Is there more brotherly love among races than before? Have such cities as Washington, Detroit and Newark been purged of prejudice by all the blood and fire? They certainly don't look any better for their experiences.

We are told that lives were saved by withholding force during the April riots. This is presented to us as a wise and successful policy—not just an exception that was made once and that future rioters had better not count on, but rather as a noble experiment worthy of national adoption.

The political argument is that all the property destroyed in riots is not worth one human life, and while that may be true, it is not the relevant point. We tend to forget that riots are not started by innocent bystanders or children. They are started by lawless hoodlums and the disruptive elements of our society. If we have a policy of withholding authority and letting the arsonist burn and the looter steal then you can be certain that seeing this example, the surrounding community will join in. We must have a policy that says that as soon as riots threaten, at the very first hour, there must be an appropriate and overwhelming show of force and determination by all those in authority to insure that the criminal acts are stopped in their tracks. It is important to note that the number involved in these riots and destruction is very small and does not involve the majority of those who live in the ghetto area.

But the main point to remember about riots is that there is a principle to be defended in property rights. A man who would not sell his life for a million dollars will sometimes risk it—and with the odds heavily against him—trying to protect $20 in his wallet from a robber. The ownership principle is what is being tossed aside for the benefit of rioters, and this is far more important than the value of the property.

Are they really trying to sell us that we should be ready to surrender anything we own without a fight? The politicians preach this, but if you put them to the test, you find it is not what they really mean.

Ask them whether they think the police should also stand aside for a gang of bank robbers, rather than risk human lives in a gun battle, and they will say "No." If you asked what's the difference between crimes by bank robbers and crimes by looters, they would say that the looting is a form of protest against social injustice. Of course, the bank robber might also have a grievance against society but he's just one vote. He's expendable.

I don't know what kind of treatment would be recommended for looters who managed to get inside a bank during working hours. I somehow feel that this would be looked upon a little differently than raids on liquor and television and grocery stores, but I don't know why it should be.

The reason why so much of what is going on fails to make sense is that the standards we are trying to live by have been thrown of balance. I mentioned earlier that we are told to expect temporary imbalances, while old wrongs are being remedies, but what we see now is that imbalances in the people's rights are not controllable.

We see in practice that over-emphasis on minority rights means neglect of majority rights. Courts began extending the legal rights of persons accused of crimes, and the streets became unsafe for everybody. College authorities became unreasonably permissive with small, loud-mouthed and even anti-American campus elements, and the education of tens of thousands of young persons has been violently disrupted.

Neither in the courts nor in the college administrative offices have the rights of the majority been controlling.

We really don't know where we stand until further tests come. If it is reasonably safe to riot in ghettoes and on campuses, then how far removed are we in America from riots on jobs, or at political meetings?

It shouldn't take much more nerve to burn tax forms than it does to burn draft cards.

The people of Germany presumed too much on their state of civilization when they began tolerating the excesses of the Nazis. Very soon their nation was wallowing in an orgy of genocide—and worse.

Events have gone much too far in our own country but they would still respond to a simple remedy. All it takes to re-establish order is government's will. The forces of violence and crime can't begin to match us in armed strength. We need only to deal with them as we of the majority deal with each other.

Impose on the rioter the same likelihood of punishment that you or I would face for committing the mischief, and the riot fever would be hard to arouse.

Bend the law back to where the victim of crime has a rightful advantage over the criminal and we wouldn't have to be afraid to go out-of-doors at night.

Our marble statues still show Justice wearing a blindfold, but the smart law-breaker knows she is peeking, watching for political signals, ready to press her thumb down on the side of the scales opposite majority rights.

So it goes with our symbols and so it goes with our Constitutional guarantees.

The businessman alone cannot win the struggle for property rights. The whole law-abiding majority will have to stir itself before the trend will change, and this will have to be done while there is still a majority abiding by the law. Politicians know how to defeat majority rule by dividing it against itself.

It should not be too difficult at this point for public opinion to calm down the cities by demanding that the various levels of government, as needed, put up an overpowering show of force of determination at the very first sign of an outbreak.

I believe that the question involved is whether America is to have a free society or not.

FIFTY-EIGHTH COMMENCEMENT EXERCISES OF SARAH J. HALE VOCATIONAL HIGH SCHOOL, BROOKLYN, N.Y., AT BROOKLYN ACADEMY OF MUSIC, JUNE 25, 1968

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. ROONEY of New York. Mr. Speaker, on last Tuesday morning, June 25, it was my high honor and great privilege to address the graduates of Brooklyn's Sarah J. Hale Vocational High School. The following is the program of this occasion, including the names of the graduates:

FIFTY-EIGHTH COMMENCEMENT EXERCISES

(Sarah J. Hale Vocational High School, Brooklyn, N.Y., Brooklyn Academy of Music, June 25, 1968)

PROGRAM

1. Processional: "Pomp and Circumstance," *Sir Edward Elgar*.
2. Salute to the flag.
3. Reading of the Scriptures.
4. Ephebic pledge: Naomi Brown and graduates.
5. Song, graduates: "Lift Every Voice and Sing" *J. Rosmond Johnson*.
6. Greetings: Horace R. Lapman, *principal*.
7. Salutatory: Milagros Vazquez.
8. Songs, Choral Club: "I Love Life," *Manazucca;* "Lift Thine Eyes," *Albert Logan;* "The Star," *James Rogers*.
9. Address: Hon. John J. Rooney, House of Representatives.
10. Presentation of the Scroll: Naomi Brown, Carmella Davis.
11. Song, graduates: "Man of La Mancha," *Mitch Leigh*.
12. Presentation of Awards: Horace R. Lapman, principal.
13. Song, graduates: "Listen to the Lambs," *R. Nathaniel Dett*.
14. Presentation of graduating class: Rose L. Bellucci, senior advisor.
15. Presentation of Diplomas: Horace R. Lapman.
16. Presentation of class gift: Diane Neurohr.
17. Valedictory: Alba Serrano.
18. Sarah J. Hale Song, *Florence Donaghy*.
19. Recessional: "The Green and Gold," *Emma Inglee*.

Musical program under the direction of Oland Gaston.

GRADUATION AWARDS

General Excellence Medals: Honor Class, Milagros Vazquez; Non-Regents Class, Alba Serrano.

Honor Society Medal, Sylvia Pazos.

Auxiliary Health Assistant Medal, Sylvia Pazos.

Business Education Medal, Milagros Vazquez.

Cosmetology Teachers' Guild Medal, Alba Serrano.

Fashion Arts Medal, Kathleen Mandes.

English Medal, Sylvia Pazos.

Health Education Medal, Milagros Vazquez.

Mathematics Medal, Barbara Lopes.

Music Medals, Eileen Brown, Francisca Gonzalez.

Science Medal, Florence Gomez.

Social Studies Medal, Nina Jones.

Cooperation in Government (Frank Rexford Certificates), Naomi Brown, Katherine Harris, Loretta, James, Silvia Knight, Ramona Rodriquez.

Governor's Committee on Scholastic Achievement, Naomi Brown, Florence Gomez, Miriam Melendez, Alba Serrano, Milagros Vazquez.

Grand Street Boys Foundation ("Award for Excellence"), Lydia Perez.

Fashion Crafts Guild Medal, Beverly Oak.

Fashion Arts—Certificate, Lena Marchese.

Related Science: Textile Key, Nelida Rivera.

Related Science: Ralph Horton Memorial Certificate, Beverly Oak.

Cosmetology Medal, Alejandra Jimenez; Certificates, Joan Ferrara, Madeline Cilento.

Related Science: Cosmetology Key, Diane Neurohr.

Rebe Sanit Memorial Awards: Medal, Florence Gomez; United States Savings Bond, Marta Garcia.

Business Education Key, Carmen Melendez.

Altholz Award, Rose Chapman.

Sales Executive Club Medal, Awilda Crespo.

Underwood Corporation Awards: For Outstanding Business Education Student, Zoraida Girau; For Best Typist of the Year, Pat Scantlebury.

O.E.A. Belding Medal for Excellence in Stenography, Julia Ramos.

Administrative Management Society Medal in Bookkeeping, Maria Roldan.

Business Education Award Certificate for Typing, Julia Ramos.

Business Education Award Certificate for Stenography, Milagros Vazquez.

Related Science: A.H.A. Science Key, Lydia Perez.

Association of Teachers of Nursing Certificate, Priscilla Fleming.

Chemistry Teachers' Club of New York, Certificate, Miriam Melendez.

New York City Teachers of Biological Science Certificate, Olga Domenech.

English Certificate, Julia Ramos.

New York City Association of Chairmen of English Certificate, Miriam Melendez.

Speech Key, Irma Rodriquez.

Publications Medal, Naomi Serrano; Certificate, Nina Jones.

Dramatics Medal, Alejandra Jimenez; Certificate, Nina Jones.

Social Studies Certificate, Marta Garcia.

Association of Teachers of Social Studies Certificate, Nelida Rivera.

Student Government Key, Ramona Rodriquez.

Richard Welling G. O. Conference Award, Silvia Knight.

Carthan Memorial Award Medal, Lydia Griffin.

Mae M. Jacobs Memorial Award Medal, Annie Holmes.

Leadership Award, Underhill Certificate, Amelia Satterthwaite.

P.S.A.L. Gold Medal Awards, Lydia Griffin, Betty Robinson, Amelia Satterthwaite.

Driver Education Certificate, Naomi Braunstein.

New York Health Education Teachers' Certificate, Awilda Crespo.

Music Chairmen's Association Award Certificate, Amelia Satterthwaite.

Lincoln Center Student Awards, Marta Garcia, Sylvia Pazos.

Sachs—John F. Kennedy Memorial Award, Naomi Brown.

Perfect Attendance Pins, Ramona Alicea, Naomi Brown, Marta Garcia, Florence Gomez, Carmen Jacob, Silvia Knight, Betty Owen, Jackalene Resnick, Amelia Satterthwaite.

EPHEBIC PLEDGE

With gratitude to my school, with pride in my city and with devotion to my country, I pledge:—

"As a graduate, to cherish the traditions of Sarah J. Hale Vocational High School;

"As a citizen, to work both alone and with many to improve my city; and

"As an American, to obey my country's laws and to support and defend its Constitution."

SERVICE PINS

Acknowledgment is hereby given to all members of the Class of 1968 who gave of themselves in the service of the school and community.

In recognition of outstanding service, the following graduates have been awered Service Pins: Belinda Blakey, Eileen Brown, Naomi Brown, Irish Burgos, Ouida Bush, Rose Chapman, Christine Ciabattari, Madalaine Cilento, Awilda Crespo, Rosa Diaz, Zoraida Delgado, Olga Domenech, Joan Ferraro, Priscilla Fleming, Marta Garcia, Florence Gomez, Francisca Gonzalez, Veronica Gurnell, Louise Harley, Katherine Harris, Sarah Hernandez, Loretta James, Henrietta Kornegay, Silvia Knight, Barbara Lopes, Elena LaPorte, Marie LePore, Yongdoker Lucas, Lena Marchese, Lucy Marrero, Beatrice Martin, Louella Massenberg, Miriam Melendez, Theresa Mitchell, Irma Navedo, Diane Neurohr, Beverly Oak, Betty Owen, Sylvia Pazos, Lydia Perez, Julia Ramos, Jackalene Resnick, Betty Robinson, Ramona Rodriquez, Amelia Satterthwaite, Felicita Torres, Milagros Vazquez.

MEMBERS OF THE BOARD OF EDUCATION

Rose Shapiro, president; Joseph Barkan, Aaron Brown, Thomas C. Burke, Lloyd K. Garrison, Morris Iushewitz, John H. Lotz, Clarence Senior.

Dr. Bernard E. Donovan, superintendent of Schools.

Dr. Nathan Brown, Executive Deputy Superintendent.

John W. McCarthy, Assistant Superintendent.

Local School Board: George Boberg, Prudence Cangiano, Doris Cohen, Ann Hau, H. Dean Michener, Beatrice Monson, Delia Rodriguez, Matilda Salpeter, Clark J. Simmons.

Horace R. Lapman, Principal.

Robert Erman, Acting Administrative Assistant.

Susan A. Campbell, Administrative Assistant—Annex.

Helen D. Logan, Guidance Counselor.

Bernard Wolinez, Chairman—Academic Subjects.

Elsa C. Hall, Acting Chairman—Art-Fashion Arts.

Mary Slaughter, Acting Chairman—Business Education.

Anne McCarthy, Chairman—Cosmetology.

Helena Kawecki, Chairman—Health Careers.

Roy Glick, Chairman—Related Technical.

Rose L. Bellucci, Advisor—Class of 1968.

GRADUATES, JUNE 1968

Business education

Aleman, Yolanda
Alicea, Ramona Iris
Anavitate, Elizabeth
Bayon, Carmen A.
Bellido, Marie M.
Bordoy, Sonia F.
Bordoy, Sonia G.
Burgos, Iris N.
Bush, Ouida
Capella, Gladys
Chapman, Rose
Crespo, Awilda
Cruz, Miriam
Cunningham, Betty J.
Custodio, Margarita
Delgado, Zoraida
Diaz, Rosa I.
Durand, Gladys
Falcon, Evelyn
Faulk, Renee
Feliciano, Rosa
Figueroa, Carmen J.
Fonseca, Emily
Fontanez, Mirta M.
Ford, Antoinette M.
Fournier, Leonor M.
Freeman, Lorraine C.
Funches, Shurry
Garcia, Maria C.
Garcia, Marta
Garcia, Norma I.
Girau, Zoraida
Gomez, Florence
Goods, Diane
Gurnell, Veronica
Harley, Louise
Harris, Katherine
Hernandez, Daisy
Hernandez, Nilda
Hernandez, Rosario S.
Holmes, Annie J.
Knight, Silvia O.
Kornegay, Henrietta L.
Lamboy, Illiana
LaPorte, Elena
Leverson, Dorthinia
Lopez, Adela A.
Maldonado, Dominga
Marrero, Lucy S.
Massenburg, Louella
Medina, Luz M.
Melendez, Carmen M.
Montanez, Blanca
Nieves, Esther M.
Ortiz, Olga I.
Owen, Betty
Payton, Joann
Ramirez, Elizabeth
Ramos, Julia
Rivers, Gloria J.
Rodriguez, Eloina
Roldan, Maria V.
Sanderlin, Jackie
Santiago, Carmen M.
Scantlebury, Patricia
Scurry, Anne
Serrano, Maria A.
Sierra, Maria A.
Sosa, Doris
Valentin, Carmen S.
Vazquez, Milagros
Vereen, Maggie
Williams, Elmira

Cosmetology

Avner, Sandra
Bacigalupo, Adeline
Blakey, Belinda
Brady, Dorothy D.
Braunstein, Naomi
Brown, Eileen H.
Cacciola, Angela M.
Cardona, Judith
Ciabattari, Christina
Ciaffone, Donna Maria
Cialo, Elaine,
Cilento, Madalaine F.
Cordero, Evenessa A.
Correa, Emma R.
Cupito, Virginia R.
Dallara, Rose
Delgado, Aida
DeMauro, Georgiane M.
DiLustro, Geraldine M.
Dolan, Joyce M.
Domenech, Olga Iris
Ferraro, Joan Lillian
Frascona, Janet
Fricano, JoAnne
Gainyard, Diane
Garcia, Gladys M.
Giustra, Angela
Gonzalez, Francisca T.
Gonzalez, Irene
Granato, Concetta
Jimenez, Alejandra
Jones, Nina
Lepore, Maria
Lopes, Barbara A.
Lopez, Carmen M.
Lucas, Catherine H.
Maestre, Madga
Martin, Francine H.
Mauorah, Paula
Medina, Tomasa
Melendez, Maritza
Mercado, Lydia
Micciche, Joyce P.
Mojica, Sylvia
Nangano, Lisa R.
Navedo, Irma
Neurohr, Diane S.
Olejarz, Regina
Paccione, Jenny Anne
Parmegiani, Amelia A.
Paryzer, Marlene
Perez, Carmen L.
Perrera, Jeanette J.
Piro, Angela
Piscitello, Caterina
Puccio, Theresa
Ramos, Aida
Rodriguez, Irma N.
Romero, Edie E.
San Inocencio, Frances
Saroli, Elena
Savarese, Tessa
Serrano, Alba N.
Siegal, Andrea
Soto, Carmen
Vega, Sandra Iris

Fashion arts

Alaia, Carol
Bantan, Mary
Brown, Naomi Arlene
Caggiano, Rosemary
Caldwell, Maryilyn
Camacho, Dora
Caro, Judith
DeJesus, Helen
Ellis, Jerlean
Kaplan, Beverly
Mandes, Kathleen M.
Marcano, Helen E.
Marchese, Lena
Marsh, Lorraine
Martin, Beatrice
Mercado, Celia B.
Miranda, Senaida
Mitchell, Theresa
Neal, Veronica
Oak, Beverly
Ortiz, Milagros M.
Osuna, Evelyn
Parker, Patricia
Pereira, Maria
Perez, Naomi
Powell, Vergenia
Ramos, Sarah
Resnick, Jackalene E.
Rivera, Nelida
Sanchez, Migdalia
Satterthwaite, Amelia
Shannon, Gladys
Tirado, Anna
Torres, Felicita L.
Torres, Maria I.
Torres, Tilzan
Tucker, Linda
Valezquez, Luz C.
Villanueva, Marcolina

Health careers

Alvarez, Doris
Andrews, Roberta
Aycock, Deborah
Belle, Francina
Caban, Edna
Fair, Patricia
Fleming, Priscilla M.
Floyd, Frances
Gant, Cynthia
Garcia, Martha
Glover, Lynette
Graham, Marian
Gonzalez, Brunilda
Griffin, Lydia
Hinson, Rosemary
Howard, Diane M.
Huggins, Patricia
James, Loretta
Jett, Sharlie M.
Jones, Margie
Lucas, Yongdoker
Mayes, Martha
McDuffie, LeGladys
Melendez, Miriam
Murdaugh, Phyllis
Myrick, Renee
Padilla, Irma
Pazos, Sylvia
Perez, Jenny
Perez, Lydia
Pinckney, Valorie
Quinones, Norma
Riley, Jeannette
Robinson, Betty
Rodriguez, Ramona
Simmons, Felicia
Tatum, Sandra Louise
Toro, Maria
Torres, Maria Elena
Torres, Mariana
Vasquez, Doris

GRADUATES, JANUARY 1968

Business education

Burgos, Evelyn
Robinson, Gloria

Cosmetology

Chirico, Binda.

Health careers

Sutton, Jo Ann.

At this point I should like to include the message to the 1968 graduating class addressed to all its members by President Lyndon B. Johnson:

THE WHITE HOUSE,
Washington, D.C.

To the 1968 Graduating Class, Hale Vocational High School:

Let me extend to each of you the warm congratulations of a former teacher who, in spirit, shares your sense of achievement.

You have laid a foundation for useful and satisfying lives. Before you get on with the work, I would like to offer a few thoughts that you may find useful.

The passion to succeed, to achieve great things, is strongest in youth. Heed it. Do not squander your lives in petty pursuits. Commit yourselves now to a course that will strengthen you for the trials and opportunities of life.

Prize your individuality always. Whatever your place in society, whatever your work, do not surrender your self-reliance or compromise your independence. Liberty is and always will be your most precious possession. Guard it well.

Direct your energies, your talents, and your desires to what is best for yourselves and best for your country. We look to you to redeem what is wrong in our national past and to build what will be great in our national future.

Let this be your wish: that you may look back upon this graduation—from no matter how many years hence—with the conviction that you have treated all men with honesty and goodwill, that you have put your heart into your work, that you have done your best.

LYNDON B. JOHNSON.

I am also including with the foregoing insertions, the text of my address to the young ladies of the 1968 graduating class:

Mr. Lapman, Mr. Lotz, Superintendant McCarthy, Mrs. Cohen, distinguished guests, members of the faculty, and my young friends, I was happy to respond to the invitation of your program director, Mr. Mario Albi, who is a constituent of my good friend and colleague, Congressman Herbert Tenzer of Nassau County, Long Island, to address you today.

Not too long ago the completion of high school meant the end of formal education for most graduates. Today it marks the beginning of a whole new area of continued study. For some of you it means going on to college. For some of you it means enrolling in the university of hard knocks which is another way of saying taking on a full time job. If you are to succeed you will have to take advantage of the added learning which is available to you—learning which you can get both on and off the job.

One of the most gratifying rewards coming to me as a Member of the United States Congress has been to initiate and support the enaction of laws which give the youth of our country increased educational opportunities and broadened job training.

I hope you all plan to pursue these studies, because there is not a shadow of doubt that you will need them.

But whether or not you engage in any further schooling you will be faced with a continuing learning process. Graduation day is frequently and aptly called commencement day. It means the end of some things and the beginning of many new ones. You are proceeding through a door which will close upon many of the familiar things in your lives; things that are so familiar that you don't realize their existence until you begin to miss them.

Today marks the end of firm and intimate control over the daily lives of many of you. Where you go, with whom you go, when you return, what you will wear, how much you will spend all will soon become decisions of your own. Making your own decisions henceforth is one of the most gruelling and difficult learning processes you will ever encounter.

As you emerge from your teens you will not be admonished or forced to comply with rules and regulations, but it will be assumed you are mature enough to conform without external pressures. Are you ready for this responsibility?

Tomorrow you will become increasingly on your own. And the learning process will often be painful. You will be amazed to find out how much things cost when you begin to provide them for yourselves. You will begin to realize the multitude of items and services which mom and dad have provided for you and which you have taken for granted all these years.

You will make another startling discovery, too. You will discover that your father is far wiser than you've been willing to credit him and that your mother hasn't been so old-fashioned after all. And believe it or not many of you will soon be seeking the parental guidance which you have tended to spurn.

You will discover that *time* is a very precious thing—an item of which you will never have enough. You will discover the value of a sense of timing and the ability to put first things first.

I am sure that many of you these past days in struggling to get in overdue papers, in cramming for examinations or in trying to meet deadlines of one kind or other have vowed to yourselves that next year in college or on the job you will do better.

You vow that you will get your assignments in on time. You will get the most out of whatever you are expected to do. But my young friends it is unfortunate that these noble self-promises are not likely to come to pass.

For most of you the die has been cast. What you will do in life will largely duplicate what you have been doing for the past several years.

Yes, it is sad to contemplate. But you laggards will continue to lag; you loafers will continue to loaf; you playgirls will continue to play; you butterflies will continue to flit; and you procrastinators will continue to put off essential things until the tomorrow which never comes.

I suppose I should tell you what most commencement speakers all over the land are telling graduating classes. That you represent tomorrow's hope; that "unto you the torch is passed"; that the golden streets of opportunity and fame are open to you, and so on and so on.

I would be less than honest if I painted such a rosy future for you. It is true some of you will make good. A few of you will achieve fame and fortune. And all of you could enjoy a fuller, richer life if you follow a few suggestions which I am about to offer to you.

Some young men and women are able to tear asunder the self-made mold which engulfs them. This rarely is the result of their own energies or will. Their "breakout" is more often the result of external shock such as the death of the family's breadwinner or exposure to some family tragedy. Sometimes the shackles of habit are broken if they are suddenly confronted with the facts of life. I will feel my time well spent if but one or two of you take my words to heart and really make an effort to reassess the priorities in your lives and put first things first as you move forward from this fateful day.

I suggest we turn back the time machine for almost a century and a half and hear the promise a lanky barefoot boy in homespuns made to himself "I will study and prepare and maybe my chance will come." Young Abe Lincoln did study and he did prepare and you well know how his chance did come.

I suggest that you take inventory of your assets and your liabilities. Such an inventory must include your father and your mother, your immediate family, your church, your neighborhood, your schools and your teachers. What have each of these invested in you? What did it cost not only in dollars and cents to keep you in school, but what sacrifices and personal needs were foregone by your family to see that you got what was needed?

Against these precious items list now the manner in which you have settled your debts and have met your obligations. Have you made full use of the advantages given you? Have you shown even a little appreciation for what has been made available to you? Is it still possible to write off some of these obligations with belated thanks or gracious acts of kindness?

I suggest, too, that you compare your lot with that of girls your own ages in countries abroad. Contrast the limits of education available to them; compare the rigid social code of behavior with your freedom and fun-filled years. Compare the advantages of American life which are yours to enjoy with the privations which face other youth all over the world. And as you make these comparisons remember who has been responsible for the good things of life which you enjoy.

Some of you are first generation Americans as I am and you know well the advantages you have today in contrast to those available to your parents in the "old country."

These benefits which are yours for the taking have been made possible by the "establishment" which the lunatic fringe today deplores. Your parents and your neighbors and their parents before them have made possible this glorious American heritage for you to possess and enjoy—or you can follow the slap-happy crowd who find fault with all they survey.

It has been my good fortune to have traveled widely throughout the world. I have met with young people of many races and nationalities and I have been made aware of the privations which face them and the limits of education and advancement open to them.

Thus it is I cannot condone the acts of some youth groups who fail to see the advantages their own country offers them. Do they not realize you are coming of age in a period of great transition? The atomic age is but in its infancy with horizons unlimited for those of you with scientific minds. We have not yet approached the peak of mechanization, and the possibilities in the fields of transportation, manufacture, distribution and utilization for human comfort and satisfaction are likewise without limit. The strides made within the last decade in the field of medicine, surgery and the control of disease and human ailments offer to those of you interested in this profession a boundless opportunity to achieve a satisfactory career. A revival of spiritual interests and a spectacular increase in awareness of church activities demand more clergymen, priests and rabbis. The world has become so much more complex, the tempo of the life of its people so accelerated, and with the interdependence of its people on one another so acute, the field of the social sciences has scarcely been explored. In fact our social progress, whether in terms of political concepts, foreign policy, domestic issues, or social welfare approaches has failed to keep pace with our achievements in pure science, mechanization and physical developments. There is a graphic shortage of teachers, economists, social scientists and political scientists.

From your ranks this shortage must be met. You, then, will enter and probably leave college or pursue a vocation with the most golden of opportunities open to you. I can assure you this is in sharp contrast to the future your parents of the last generation faced.

Much of what I have said to you this morning may sound negative but I assure you it is not. The negative elements concern those things you take for granted in life and those things which you have left undone.

I will now close with some very specific suggestions and I'm going to put them to you in language I hope you will understand. I would call them the "ten commandments for high school graduates."

1. *Don't talk too much*. A good listener is an appreciated conversationalist. The leaky faucet is an irritation—don't be a drip.

2. *Think before you act*. The excuse you made to your parents—"I didn't think"—won't go over with your professors, your classmates or your bosses.

3. *Study and evaluate the people whom you meet, but don't express your opinion*. Observe the value of "first impressions." Look for the good in people first, the bad will come to the surface soon enough.

4. *Be friendly* but distinguish between true friends and acquaintances. Do your utmost to hold onto real friends even to the point of great sacrifice.

5. *Don't carry a chip on your shoulder*. You are liable to get it and your block knocked off. It's far easier to get into a quarrel than it is to get out. However, if you are forced into one make it good.

6. *Hang on to your own belongings*. You or your parents will have invested heavily in clothes, books and equipment. Have your own things and don't be dependent on others. Be cautious of lending. Nobody loves his banker, and you can't buy prestige or popularity by putting others under obligation to you.

7. *Don't be a peacock or a clothes horse*—clothes make a man or woman and clothes also make a man or woman conspicuous. There's no need to lead the pack with fashions or contrariwise to remain outmoded. Observe reasonable customs.

8. *Be considerate of others*. Generosity pays greater dividends than stinginess. Too much use of the capital "I" makes people "I-sore."

9. *Be true to yourself*. You can't kid your own ego. Anybody who tries to fool himself or herself is a fool indeed. If you can't be honest with yourself, you can't be honest with others.

I shall pause here at the conclusion of only nine of the ten high school commandments. Perhaps these admonitions have a familiar ring. If they don't, they should have, because they are but a modernizing of good advice given several centuries ago. The Bard of Avon, one Bill Shakespeare, put them in the mouth of one of his characters. Remember Polonius' advice to Laertes which begins, "Give thy thoughts no tongue or any unproportioned thought his act".

The tenth commandment is one of my own. It is: *"Be well-rounded but not a square."* This is a day of specialization. In fact there is a danger that we shall become overspecialized. It's wise to learn as much as you can about as many things as you can. Multiple interests preclude warping. If you know only sports, you can't enjoy life's full benefits which include the arts. If you know only science, you will fail to appreciate the humanities which govern the output of science. More could be said in this respect; it's sufficient to point out that the acquisition of only one element of human interest is of less value than a well-rounded understanding of many.

All ten commandments can be summed up by merely suggesting that you *live* . . . generously . . . dangerously, but not recklessly . . . widely and wisely.

Thank you and Godspeed to each of you.

LAW-ENFORCEMENT CREDO

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1968

Mr. MOSS. Mr. President, the Salt Lake Area Chamber of Commerce, with headquarters in Salt Lake City, recently adopted a law-enforcement credo. I am pleased to see the chamber take the initiative and leadership in stating its position on law enforcement, and I congratulate its leadership and membership in adopting a forceful resolution.

Especially do I invite attention to the paragraph in which the Salt Lake Area Chamber of Commerce calls on all leaders at every level of government—in villages, towns, cities, counties, States, and the Nation—to enforce all laws to protect our leaders and to help to assure the peace and tranquillity guaranteed to all citizens. We need a reaffirmation of our devotion to law, and certainly we need a strengthening and thoughtful application of local law enforcement.

I ask unanimous consent that the credo be printed in the Extensions of Remarks.

There being no objection, the credo was ordered to be printed in the RECORD, as follows:

CHAMBER ADOPTS LAW-ENFORCEMENT CREDO

At the regular meeting of the Board of Governors of the Salt Lake Area Chamber of Commerce, Board members approved and adopted a resolution to encourage the full enforcement of laws. In making the proposal, Max E. Rich, Executive Vice President of the Chamber, stated that "There is nothing seriously wrong with America that reaffirmation by our citizenry of their faith in democracy and concerted action to abide by laws will not correct."

"Those individuals responsible for the assassination of national leaders are outrageous examples of the complete disregard for laws and respect of the rights of others," Mr. Rich continued. He explained that criminals violate many laws even before the punitive crime is committed.

The following resolution was then presented for Board consideration and was unanimously adopted. It is similar to resolutions being adopted by other chambers of commerce across the nation.

RESOLUTION

"There is increased violence, crime and lawlessness in the cities and states of this country which has been shown in many ways:

"The assassination of three of our most highly respected leaders.

"The increasing crime of all types and the lawless flaunting the laws and courts.

"The use of the right to demonstrate has abrogated the long cherished right of ownership of property.

"Students have shown a lack of respect for their schools, their facilities, their leadership and even the rights of fellow students.

"Many of America's small businesses, the backbone of our economic system, have had their property insurance cancelled because of the violations of their property rights by others.

"The individual rights of many Americans have been violated and even denied because of the actions of others.

"The success of a democracy is based upon intelligent, moderate and tolerant thought of all its people. Disagreement must be made with respect. The majority cannot appease or acquiesce to a militant few. Society can only exist and continue with law and order.

"No nation can prevent all violence, but it can insist on the enforcement of laws designed to minimize and discourage violence. In recent years, there have been numerous reductions of court sentences, overturning of long standing principles of jurisprudence, and the release of convicted or confessed criminals for seemingly little or inconsequential reasons. In addition, the Supreme Court of the United States has recently issued a ruling that would virtually invalidate capital punishment in all states.

"It is the position of the Salt Lake Area Chamber of Commerce that it is time for the American public to organize itself and insist on law enforcement at all levels of government. It is time that all Americans call on the courts, judges and all those in authority to help safeguard the future of the states and cities of our Nation by meting out proper punishment to those who violate the rights of others.

"The Salt Lake Area Chamber of Commerce calls on all leaders at every level of government in villages, towns, cities, counties, states and the Nation, to enforce all laws to protect our leaders and to help assure the 'peace and tranquillity' guaranteed to all citizens.

"The Salt Lake Area Chamber of Commerce calls on all other chambers—local, state, and national—and their members, to take similar actions in their own areas and to join in a nation-wide concerted effort to secure full law enforcement and greater respect for law enforcement and personnel."

TENTH ANNIVERSARY OF THE ACA

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. BOW. Mr. Speaker, Friday marked the 10th anniversary of the Americans for Constitutional Action and I wish to offer my congratulations to the able and distinguished men and women who have contributed to its success.

It is no small achievement to establish a national political organization and win general recognition and respect as ACA has done in 10 years.

Special credit and recognition should be given Adm. Ben Moreell who has served as chairman of ACA and Charles A. McManus, its very able executive director.

INDIANA BUSINESS AND PROFESSIONAL WOMEN SUPPORT ANTICRIME EFFORTS

HON. VANCE HARTKE

OF INDIANA

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1968

Mr. HARTKE. Mr. President, the Indiana Federation of Business and Professional Women's Clubs, Inc., recently celebrated its golden anniversary at its State convention in Indianapolis on June 7 through June 9. Comprised of working women in all phases of business and professional life, the Indiana federation has consistently stood and worked for those ideals to which our Nation is steadfastly committed. At its State convention the Indiana federation approved and adopted a resolution of timely importance urging support for the President, the Governor of Indiana, Indiana mayors and all law-enforcement officials in their efforts toward prevention and control of civil disturbances and in their fight against crime. I wish to commend the Indiana Federation of Business and Professional Women's Clubs, Inc., for this resolution and to congratulate them on the golden anniversary of their Indiana federation. I ask that the resolution be printed in the RECORD following my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION

Whereas, the National Federation of Business and Professional Women's Clubs, Inc., adopted a resolution in July, 1967, at the National Convention in New York City, supporting the President of the United States, governors, mayors and law enforcement officials in using full strength to restore and maintain law and order resulting from crime, riots, and demonstrations; and

Whereas, the All Systems Go in Civic Participation has urged program planning to include a study of crime and its prevention;

Therefore, be it resolved, That the Indiana Federation of Business and Professional Women's Clubs, Inc., assembled in Indianapolis, Indiana, June 8, 1968, support President Johnson, Governor Branigin, and all Indiana mayors and all law enforcement officials in their efforts toward the prevention and control of civil disturbances and in their fight against crime.

Be it further resolved, That the Indiana Federation of Business and Professional Women's Clubs, Inc., through its program seek to instill in its members the need for respect for the law and an obligation to develop the spiritual and moral sensibility of our citizens.

Be it further resolved, That a copy of this resolution be sent to President Johnson, to Governor Branigin and copies to be sent to each club president for presentation to the Mayor and Chief of Police of each city in the State of Indiana.

RHODESIA—SANCTIONS TAKE A BITE

HON. CHARLES C. DIGGS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. DIGGS. Mr. Speaker, in this era of mass communications media and public relations consciousness, the American public often is inundated with press reports designed to influence their opinion on controversial issues. Certainly this is true regarding southern Africa, that continent's most nearly insoluble problem area where five of the political divisions are ruled in one form or another by white minority governments.

Concerning Southern Rhodesia in particular, we read many reports from one source or another to the effect that economic sanctions have not hurt Rhodesia but have in fact increased its prosperity. Still other articles announce triumphantly that new constitutional proposals being studied by the Rhodesian Government show that the Smith regime is, after all, willing eventually to share governmental powers with the country's large African majority.

Fortunately, competent experienced reporters visit Southern Rhodesia from time to time and present us with some degree of evidence to counteract the large volume of public output from what might be called the Rhodesia lobby, both in this country and abroad. These reporters show us that neither is economic prosperity so assured nor are political trends so rosy in Southern Rhodesia as some would have us believe.

One of the most respected economic journals of the English-speaking world, the Economist of London, covers Southern Rhodesia regularly, and its June 8 issue carries a report from its Salisbury correspondent on the quite serious economic difficulties now prevailing and in prospect in Southern Rhodesia. The Economist points up this situation graphically in its report:

> Rhodesia's industrialists have warned Mr. Ian Smith more bluntly than ever before that economic progress requires a return to normal trading with the outside world.

I insert into the RECORD this article which concludes "Perhaps sanctions are at long last beginning to work."

The article follows:

SANCTIONS TAKE A BITE

Rhodesia's industrialists have warned Mr. Ian Smith more bluntly than ever before that economic progress requires a return to normal trading with the outside world. Any new Rhodesian constitution, they argue, must be acceptable to the world's major trading nations. For some time they have been pressing their points in heated private exchanges with the Smith regime. They have been accused of wanting a "sell-out." Now they have brought their demands into the open.

On May 22nd, at the annual congress of the Association of Rhodesian Industries, the theme was announced sharply by the president, Mr. William Perry of Lancashire Steel. Delegate after delegate played variations on the theme, accompanied by applause, in the presence of visibly unhappy members of the Smith government. Some 200 manufacturers were present, representing 90 per cent of secondary industrial production. They heard Mr. Perry warn Rhodesia that it could not afford to ignore the looming threat of mandatory sanctions on all its trade—a threat that has become a reality with the Security Council's unanimous resolution of May 29th.

Just before the 1965 declaration of independence, business was flourishing. Exports of manufactured goods to Zambia and Malawi were going up. Never had Rhodesia's balance of payments been so healthy. But the industrialists' warnings were ignored by the Smith men, the farmers and many top civil servants, and the plunge was taken.

Came the clampdown on imports to conserve foreign exchange, and the shrinking of Rhodesia's export markets under the pressure of sanctions. Hundreds of factories switched to the home market. New industries opened up. Today it is fairly hard to find imported goods in the shops. Some manufacturers have made a lot of money in this hungry market. They say so frankly. Others, especially the manufacturers of textiles, footwear and radios, did well in the comparatively new South African market until the recent restrictions secured by alarmed South African manufacturers. This is the bitterest blow of all, especially as South Africa has meanwhile captured former Rhodesian markets in Zambia and Malawi.

Now the home market is reaching saturation point. The South African market doesn't look so good. Manufacturers need to move into the wider export field again if growth rates are to be maintained, factories kept busy and labour employed. There are fears of inflation and of African unrest.

At the recent annual congress loud applause greeted Dr. Denis Berens, a pharmaceutical manufacturer, who said that: "Any form of worthwhile sustained economic growth can only come to Rhodesia through a settlement with Britain in the political sphere." As Mr. Coulthard of the Metal Box Company said: "that view should have been expressed by us long ago."

Delegates knew well that this was highly unpopular talk among the rank and file of the ruling Rhodesian Front party, and extremely embarrassing to the Smith government. Some observers see this congress as the beginning of powerful big business pressure to force an end to the deadlock. True, the regime and it supporters are totally unprepared for a new round of negotiations with Britain, even if they want one, which is doubtful. But perhaps sanctions are at long last beginning to work.

SITUATION OF HUNGARIANS IN TRANSYLVANIA (RUMANIA)

HON. CLIFFORD P. CASE

OF NEW JERSEY

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1968

Mr. CASE. Mr. President, in September 1965 I joined my colleagues in the Senate in discussing the situation of the 1.75 million Hungarian minority in Rumania, living in the province of Transylvania. At that time we called attention to the practical denial of the human and civil rights promised to them by the Universal Declaration of Human Rights and the 1947 peace treaty, as well as the Rumanian Constitution.

Today, almost 3 years later, the American Hungarian Federation informs me much of the same situation prevails. According to the federation, this is the situation today:

Though the visa requirements for travel between Hungary and Rumania were abolished and Bishop Aron Marton of Alba Julia—Gyulafehervar—is no longer under house arrest, in other fields little or no improvement can be discerned.

The present Rumanian Economic Council, appointed on February 7, 1968, by a decree of the State Council, contains no one of Hungarian origin though it has 24 members, all of them leading ministry officials and managers. The Minister of Internal Trade, Mihai Levente, the only Hungarian in the central Government except for the half-Hungarian Moghioros, was removed on March 29, 1968, and was not given an equivalent job.

Dispersal of college and university graduates in areas outside of Transylvania continued unabated as the State determines their first position. In addition, the number of Hungarian sections in the various primary and secondary grades and classes continue to decrease; there are only 1,700 classes in all of Transylvania in which instruction in Hungarian is given in the majority of subjects. This includes both grade schools and high schools. There are 1.75 million Hungarians and there must be at least 300,000 young men and women of Hungarian origin between the ages of 6 and 18 in the province. Even counting 30 people per class, 1,700 classes comprise only 51,000 students, leaving five-sixths of the Transylvanian Hungarian schoolchildren attending Rumanian schools where they do not receive any education in Hungarian.

The situation on college and university level is no better. Michel Tatu, the East European reporter of Le Monde, in a series of articles in 1967, reported that the rector, three vice rectors, and seven of the eight deans and 61 percent of the faculty and students in Babes-Bolyai University were Rumanian. Babes-Bolyai is the only university in Rumania designed to instruct students of Hungarian origin in Hungarian-language courses. The university was created in 1959 out of the merger of the Rumanian language Babes and Hungarian language Bolyai universities in the capital of Transylvania, Cluj—Kolozsuar. Tatu also reported that the Polytechnic Institute of Brasov, which is located in an area in which Hungarians represent 22 percent of the population, had only two or three students who were graduates of Hungarian school sections of secondary schools. In the Rumanian schools, Tatu reported, Hungarian is not required as a second language even in areas where there are strong Hungarian minorities. As a result, he says, all Hungarians know Rumanian but few Rumanians know Hungarian, particularly in the cities.

The 1965 Constitution weakened the assurances of autonomy which had been promised, though imperfectly realized, in the 1962 Constitution. The 1965 Constitution reads:

> The free use of the mother tongue is guaranteed.

The 1952 Constitution read:

> The Rumanian People's Republic guarantees its Hungarian population in the Szekely region where it lives as a compact bloc its administrative and territorial autonomy.

Cultural autonomy also has been weakened. Tatu reported:

> A book exhibition in Hungarian language is held about every two years but always in Bucharest and never in Cluj (Kolozsvar) or Tirgu Mures (Marosvasarhely) where the most knowledgeable public lives. The Opera at Cluj (Kolozsvar) may receive occasionally an artist from Budapest but no soloist perform who are from beyond the frontier. Two years ago the Transylvanian capital was host to the Comedie Francaise but never to the Attila Theater of Budapest which only is allowed to come to Bucharest. The most reputable Hungarian Theater group of Tigu Mures (Marosvasarhely) has never performed in Hungary since 1958 and the last time a Hungarian theater group visited in Transylvania was 1946.

There are many examples of economic discrimination and political discrimination. The new county of Hargita, which was created of the core area of the former Mures-Magyar autonomous region and has a totally Hungarian population, has a Rumanian Party Secretary and a Rumanian chairman of the people's council. In addition, the percentage of Hungarians in state administration is steadily decreasing in all but the Szekely areas and even there Hungarians are used usually in low- and middle-echelon positions.

In this 20th anniversary year of the Universal Declaration of Human Rights we cannot abandon our commitment to personal freedom. Any demonstration by the Rumanians that they are committed to the same principle, it seems to me, could lead to improved United States-Rumanian relations.

TEN YEARS OF MERITORIOUS SERVICE

HON. W. E. (BILL) BROCK

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. BROCK. Mr. Speaker, last Thursday marked the 10th anniversary of a highly respected political action organization which has worked tirelessly and unrelentingly for responsible, constitutional government. Americans For Constitutional Action has served a high set of principles unflinchingly for a decade now, and I feel that congratulations are in order.

By informing the public of the voting performances of the Congress; by citing those whose records merit it; and by aiding worthy candidates in the public arena, ACA has been a potent force for good government.

Such an organization on the American political scene is needed more now than ever before, and I hope that the fine work of ACA will continue for many more decades.

COLUMNIST WILLIAM RASPBERRY URGES THAT POOR PEOPLE'S CAMPAIGNERS GO HOME

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1968

Mr. BYRD of West Virginia. Mr. President, Columnist William Raspberry writes in the Washington Post today of the plight of the children of certain Poor People's Campaign demonstrators who were sent to jail for violations of the law.

In a haphazard manner typical of the campaign, leaders at Resurrection City urged many of the women demonstrators to go to jail last week and assured them that their children would be taken care of.

Unfortunately, in spite of the good intentions of a number of people who have offered their help, the children have, in some instances, been neglected.

Mr. Raspberry suggests that—

> It still is not too late to face up to the fact that some of the campaigners have accomplished about all they can hope to and, in the light of the closing of Resurrection City, ought to be sent back home.

I ask unanimous consent that Mr. Raspberry's article be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

POTOMAC WATCH: SOME LINGERING POOR HURT CAMPAIGN

(By William Raspberry)

The young lady has been opposed to the Poor People's Campaign from the start. She's not opposed to poor people, of course; she's just convinced that the Campaign isn't likely to accomplish anything worthwhile.

It is ironic, therefore, that she may wind up being evicted from her Northeast apartment as a result of PPC snafu.

The woman, a civil rights activist who has been jailed for her efforts, got involved with the Poor People's Campaign last Wednesday when she learned that some 30 children, living at Immaculate Conception Academy since the closing of Resurrection City, were being "encouraged" to leave the Academy as well.

"I'm a part of what amounts to a cleanup committee," she said. "We're opposed to the Campaign, but the leaders know they can call on us when things get fouled up; there are always people like me who'll do what they can to cover up other people's goofs."

This particular goof was that many of the women here for the Campaign had been encouraged to go to jail after last week's closing of Resurrection City. Leaders reportedly had assured them that their children would be cared for.

In fact, Campaign leaders had made only haphazard provisions for caring for the children.

Thus it was that the young lady wound up volunteering to take four boys, aged 3 to 8, into her home. There wasn't even time to clear it with her husband, who was away in the service. She simply brought the youngsters home and, short on cash, raised $50 from among her coworkers to purchase food, shoes and underwear for the boys, who were hungry, scantily clad and barefoot.

She immediately ran afoul of her landlady's "no children" rule. In addition, when she went to buy food for her charges, leaving them in the care of a 15-year-old former resident of Resurrection City, the youngsters went outside to play and wound up damaging a table, a drainpipe and some rose bushes belonging to the landlady.

The young woman apologized profusely and asked for a statement of the damages, which she guessed to total about $10. Instead, she got a note threatening her with eviction.

If she does have to leave, it won't be the first time. She was evicted a year ago from an apartment at 13th and Clifton Streets nw. after she gave a party for neighborhood waifs, earning the ire of her landlord there.

She took that one in stride and isn't terribly upset with the current eviction threat. What does have her steaming is what she views as the irresponsibility of Campaign leaders in not making adequate provisions for the participants they have recruited.

For example, she said that when she took her four "guests" by the Campaign office in the old Urban League building on 3d Street nw. to find out what facilities were available for them, she was told that there was some place they could be taken but the person in charge couldn't remember either its name or address.

Another example: A friend of hers heard a broadcast appeal for families that could take some of the homeless children in. She called the number at Pitts Motel, to offer her home. No one ever called her back, although officials say they still need emergency quarters.

The young lady probably judges the Campaign's leaders too harshly, mistaking their disorganization, the result of an almost endless series of crises, for callousness.

It is understandable that leaders of the Poor People's Campaign, having committed themselves to doing something about hunger and poverty, are unwilling to quit now, with their goals so far from fulfillment.

But it still is not too late to face up the fact that some of the campaigners have accomplished about all they can hope to and, in light of the closing of Resurrection City, ought to be sent back home. This is especially true for the women who brought their young children with them.

Those mothers who are living in emergency quarters around town ought to be sent back home; those who are in jail ought to be bailed out immediately and reunited with their children.

While it is true that any prolonged demonstration needs "bodies," it is also true that families are being separated and sympathetic Washingtonians are being inconvenienced without contributing in any way to the goals of the Campaign.

If these sympathetic Washingtonians had been mobilized months ago, they might be prepared now to move in massively to help out. It's almost too late for that now, and the talents of too many leaders who could be mapping campaign strategy are being wasted on nonproductive housing and babysitting chores.

AEROSPACE MAN OF THE YEAR

HON. JOHN G. TOWER

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1968

Mr. TOWER. Mr. President, the July edition of Air Force-Space Digest contains an article about one of our most talented and effective military leaders, Gen. William Wallace Momyer, whom the Air Force Association has named "Aerospace Man of the Year," and to whom the H. H. Arnold Trophy has been awarded.

I invite the attention of the Senate to this much-deserved award and ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MOMYER AND TAC: A PERFECT FIT

(By Allan R. Scholin)

(NOTE.—The man whom AFA awarded its H. H. Arnold Trophy as Aerospace Man of the Year has been called by General McConnell the Air Force's greatest tactical air technician. And why not? He saw at firsthand the successes and mistakes in tactical air operations in World War II, he wrote the book on joint combat doctrine, and as Commander of the Seventh Air Force he brought air-ground tactics to a new peake of effectiveness in South Vietnam while concurrently directing the air war over the North. Now he moves on to a new assignment ideally suited to his experience and interests . . .)

Returning to his base at Thelepte, Tunisia, in his Curtiss P-40 after a bombing mission in February 1943, Lt. Col. W. W. Momyer and his wingman sighted a force of eighteen JU-87 Stuka dive bombers and three ME-109 escorts about to attack a US Army column. Unhesitatingly, they turned to engage the German planes. The wingman's plane was damaged in the first assault, but Colonel Momyer wheeled in again and again, destroying four planes and damaging seven others. Then, with his fuel almost gone, he turned for home. When he landed and taxied off the runway, his engine quit. His fuel tanks were dry.

This action tells a lot about the character and ability of Gen. William Wallace Momyer, whom AFA in April named its "Aerospace Man of the Year" for his superb leadership as Commander of the Seventh Air Force and MACV's Deputy for Air Operations in Vietnam. It stamps him first as one who isn't awed by the obstacles when a vital task needs doing; it marks him as a fighter pilot who knows the value of adrenalin in offsetting enemy odds but keeps it under control to zero in and demolish a target; and it demonstrates his ability to wring the last ounce of performance from his equipment.

General Momyer this month turns over his dual Vietnam posts to Gen. George S. Brown, and in turn becomes Commander of the Tactical Air Command upon the retirement of Gen. Gabriel P. Disosway. The move to TAC headquarters should be a rewarding one for General Momyer, not only because his career seems to have pointed him toward the job ever since he earned his wings in 1939, but because of the remarkable results he has achieved in two years as the top air commander in Southeast Asia.

Unfortunately, in the public eye at least, the successes of the air campaign he directed in Southeast Asia are obscured by the rash of random, almost suicidal, attacks by the North Vietnamese and Viet Cong in the past three months. But any disappointment General Momyer may feel is more likely to center on having to leave Vietnam at a time when, despite surface appearances, the US strategy he did so much to formulate and carry out could be about to pay off—not in complete victory, but in achieving the limited objectives of US policy in Vietnam. For it is apparent in Washington as well as in Saigon that the step-up in Communist attacks has a propaganda, rather than military, objective designed to strengthen the hand of Vietnam's representatives in Paris. The attacks are costing some allied lives, but they are taking a much heavier toll of the enemy. If the pressure of air assaults on enemy lines of communications in the North is maintained, such enemy losses must inevitably affect the length and outcome of the war.

To characterize General Momyer as being "disappointed" over the timing of his departure may attribute to him a sentiment he would not acknowledge. There could have been a number of disappointments in his two-year tour. He was not permitted to attack a number of targets in North Vietnam that, from a purely military standpoint, would have greatly impaired North Vietnam's ability to fight. As one result, he saw treasured pilots and planes shot down in attacks on targets of secondary significance. But he has fully understood, and painstakingly honored, the restraints imposed on his operations. And, within those restraints, he is confident that airpower has done everything that could have been expected.

He recently summarized the effects of that campaign in these words:

"We are preventing [the enemy] from deploying any of his air further south . . . Now I don't think it takes too much imagination to realize what the consequence would be if we had MIGs operating, let us say, forty to fifty miles to the north of the DMZ, threatening our logistical installations like Da Nang, Chu Lai, Cam Ranh Bay, and those places. So any positive assessment would say that there isn't any question but that, from the classical point of view, we've gained air superiority, we've maintained air superiority, and we've denied his air the capability to effectively interfere."

The fact that North Vietnam has consented to the Paris talks is perhaps the best indicator of the results of General Momyer's air campaign. Hanoi's most insistent plaint has been that the US stop the bombing of North Vietnam. And Khe Sanh, as this magazine noted last month, represented not only a shattering defeat to North Vietnam but gave General Giap and his superiors a new, and disquieting, appreciation of airpower in its broader ramifications.

"I've never been discouraged about the effect that we're having," General Momyer said. "This is a task that takes perseverance, determination, and 'keep doing what you're doing.' There's no easy solution."

GREATEST TACTICAL AIR TECHNICIAN

General Momyer was born in Muskogee, Okla., on September 23, 1916. His father died while he was young, and his mother moved the family to Seattle. There General Momyer attended Broadway High School and the University of Washington, graduating with a Bachelor of Arts degree in 1937. A year later he was accepted for pilot training, and was commissioned on February 1, 1939. On that date, too, he married Marguerite Chapman Wilson, of Salt Lake City. They have a daughter, Jean, who is married to an Air Force fighter pilot.

His credentials to serve as TAC Commander were described in positive terms recently by Gen. J. P. McConnell, USAF Chief of Staff. "He is the greatest tactical air technician," said the Chief, "and knows more about the operations of tactical air forces than anyone else the Air Force has ever produced."

Much of that experience was aquired long before General Momyer went to Vietnam. As a second lieutenant in 1941, assigned to the US Military Attaché in Cairo, he served as technical adviser to the RAF's Western Desert Air Force in converting to the Curtiss P-40 fighter-bomber. Thirteen months later, now a lieutenant colonel, Momyer led the P-40-equipped 33d Fighter Group in a catapult takeoff from the USS *Chenango* to land at Port Lyautey, near Rabat, in the invasion of North Africa.

At that time, Air Force units were parceled out under control of Army commanders in the field. Air commanders found this too restrictive. Some squadrons had more targets than they could handle, while others in quieter sectors did little. Over the objections of lesser Army leaders, the theater air forces in March 1943 were put under direct control of the top Army commander in the theater (then Lt. Gen. Dwight D. Eisenhower), enabling him to concentrate them first on attacking enemy air, and then on interdiction and close support. After a year in which Colonel Momyer led his group on the North Africa cleanup, the taking of Pantelleria, and the Sicily and Italy invasions, during which he shot down four more enemy aircraft, he was sent home to become Chief of the Army-Air Force Combined Operations Board at Orlando, Fla., to work out new joint doctrine for tactical air operations with the Army. When the Tactical Air Command was formed in March 1946, Colonel Momyer was appointed Assistant Chief of Staff, J-5, Plans, a post in which he served until 1949.

General Momyer missed seeing combat in the Korean War. Graduated from the Air War College in 1950, he remained for three years on the faculty at Maxwell AFB, Ala., then attended the National War College. From there, he finally made it to the Far East as commander of the 8th Fighter-Bomber Wing in August 1954. He won his first star in December 1955 while commanding the 312th Fighter-Bomber Wing at Cannon AFB, N.M., his second as Deputy for Plans at TAC headquarters in September 1959. In October 1961 he went to the Pentagon as Director of Operational Requirements, and was Assistant DCS/Programs and Resources when he was picked to head the Air Training Command, with three-star rank, in August 1964. Two years later he went to Vietnam, where he rose to general in December 1967.

FULL-SCALE OPS, WITH GROWING PAINS

When he took over the Seventh Air Force in July 1966 from Lt. Gen. Joseph H. Moore, General Momyer acquired a command that was engaged in full-scale operations. F-105s and F-4s were bombing North Vietnam from bases in Thailand, F-100s and F-4s were supporting ground forces in the South, backed up by B-52s from Guam that hit enemy troop and supply concentrations. The Forward Air Controller (FAC) system was operating effectively, and an excellent network of intratheater air transport routes was in being. Facilities, however, were uniformly inadequate and overcrowded. Communications were substandard. Logistics were improving, but supply pipelines were often clogged, and this in turn hampered effective maintenance. Bomb stocks were adequate but distribution was faulty.

Those problems were unavoidable in the fast buildup of U.S. forces in Southeast Asia. General Momyer's task when he took over was to unsnarl the bottlenecks, push new facilities to completion, improve living conditions for Air Force personnel, and, above all, continue and step up air operations against the enemy.

He waded into all these problems with a fierce energy that belies his professional appearance and quiet voice. From the first, he insisted that his staff travel in the field, to find out what people needed. Wherever they uncovered problems, he dispatched a team to find out what was wrong, and what it would take to set it right. Armed with the facts, he had no compunctions about going right to the source—PACAF, CINCPAC, or to Washington—to get whatever was needed.

Flying safety improved dramatically during his tour. The accident rate dropped from 21.4 per 100,000 flying hours when he assumed command to 5.2 by the fall of 1967. He was extremely sensitive, too, to the combat loss rate. Whenever losses seemed to be approaching an unacceptable level, he immediately called for a change in tactics.

"If you look at our loss rate in World War II," he told a group of reporters, "it ran about 9.5 per 1,000 sorties. In Korea it ran about 3.5 per 1,000 sorties. [In attacks over the North] we've been operating under 3, and in some months it's been down as low as 1.5. So I think on total balance, with the number of sorties that we're running, and the effort that we're putting out, this . . . is much more favorable than any war that we've previously fought." In operations in South Vietnam, he added, the loss rate was less than one-half of one percent.

Meanwhile, he continually hammered on wing and base commanders to get the support personnel out of the mud into dry quarters, to improve their food and recreational facilities—anything that would better their living conditions right now. With one-year turnovers, not many airmen would be around six months later to take advantage of long-range projects. He didn't neglect the latter, but he insisted on tangible improvements day by day.

It was General Momyer's practice to visit units in the field every Tuesday and Thursday. He didn't limit himself to Air Force bases, but dropped in on Army forces as well, questioning men, from privates to generals, on the adequacy or shortcomings of air support. From each tour he returned with a full sheaf of notes, ready to work with his staff on effecting improvements.

He was receptive, too, to ideas from others. When Col. Fred Blesse arrived at the 366th Tactical Fighter Wing at Da Nang as Director of Operations, he recommended that a 20-mm Gatling gun be mounted externally on the F-4 Phantom II to discourage enemy MIGs from moving inside the F-4's effective missile range. Colonel Blesse found little support for his idea until it came to General Momyer's attention. The first time F-4s equipped with the gun encountered MIGs, they shot down two. Pilots of the 366th now call themselves the Gunfighters.

His fact-finding trips to units in the field were not confined to discussions on the ground. He frequently climbed into an operational cockpit to fly combat missions. Whether they included strikes against targets in the North no one will admit, but his staff members say he has flown just about every kind of aircraft and mission his pilots were flying.

The famed MIG-shoot of January 2, 1967, was largely credited to General Momyer. "Let's send in a formation on top of an overcast as if they were on a strike mission, but make them all F-4s and all clean [without external bombs]," he's reported to have said. "If the MIGs come up, we'll be ready to pick them off as they break through the clouds." The 8th Fighter Wing, led by then Col. Robin Olds, shot down seven MIGs that day.

ICE CREAM FOR THE TROOPS

Every morning except Sunday, General Momyer's staff briefed him on the command's operational status—its ability to fight. The briefing included the status of every aircraft in the command, down to the O-1 Bird Dogs and U-3 Blue Canoes. Each afternoon at 5:00 o'clock, seven days a week, he met with his staff to plan operations for the next forty-eight hours, including a review of "frag" orders for the next day's missions. This was followed at 6:00 o'clock by an intelligence briefing on the ground situation. On Wednesdays at 9:30 a.m. he met with his full staff, each allotted ten minutes to brief him on highlights of their operations and to field his numerous questions.

He has a remarkable capacity for seeing everything on a base, and to recall even minor details, keeping his staff on the ball and prodding them to get things done. At one Wednesday meeting his civil engineer reported that construction of a hangar was to have been completed earlier that week. "Well," General Momyer interjected, "it isn't I flew over it yesterday and the roof isn't on yet."

On a visit to Bien Hoa, during a bull session with a group of airmen, General Momyer asked if they had any complaints. One commented that the dining hall served ice cream only twice a week. Next day at his briefing, the first thing General Momyer said, turning to his DCS/Materiel, was "What is something in the food line that's in the greatest of American traditions?"

The DCS/M thought a moment and replied, "I guess it would be ice cream."

"I want the men at Bien Hoa to have ice cream every day, at every meal if they want it," General Momyer shot back. And they do, not only at Bien Hoa but throughout the theater.

In addition to his own schedule of meetings, General Momyer, as Deputy to the MACV Commander, attended MACV planning, operations, and intelligence briefings, and the weekly MACV staff meetings.

With all the other duties connected with running his command, he moved through the days and well into the night at a fast pace. Consequently, his messages were normally brisk, with little time for by-play.

"The one time he really relaxed," a staff aide told me, "was when pilots were brought in to be cited for some outstanding performance. When he talks with them, he goes back twenty years. He leans back in his chair, puts his hands behind his head, and a big smile brightens his face.

"The pilots are invariably amazed at his detailed knowledge of the missions they flew. 'Let's see,' he'd say, 'that day you were in White flight and you came in from this altitude on this heading. You had to break left . . .' and on he'd go, right through the whole mission. He'll talk with these kids for the longest time, discussing bedrock details, and getting their ideas on tactics. Whenever he could get alone for a few minutes with just a line pilot, he was in his glory."

In what little spare time he had to himself, General Momyer enjoyed golf, photography, and—like nine-tenths of his men in Southeast Asia—taping and playing stereo music. He had a big hand in setting up tape centers at every base, so popular that reservations must be made days in advance to record from a large library of tapes and discs. General Momyer's preference is for piano music, from Peter Nero to Arthur Rubenstein.

When he assumes command at TAC headquarters next month, there should be no appreciable change in his procedures and habits. He may not enjoy the same top priorities for supplies and personnel available to him in Southeast Asia, but he has a genius for improvising, for taking whatever is available and turning it to maximum advantage. There may be a little more time for golf.

But best of all, for him and for the Air Force, he will be spending much of his time with the pilots and ground crews of his command, getting their ideas and imparting some of his own, from the vast store of experience, skill, and dedication that have made him the Air Force's "greatest tactical air technician."

L. B. J.: A PRESIDENT WHO UNDERSTANDS YOUNG PEOPLE

HON. FRANK M. CLARK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. CLARK. Mr. Speaker, we have accomplished many things in fulfilling our obligations to all of our citizens. We have provided the world's best educational system to prepare our young for the tasks of citizenship; we have provided a sort of cradle-to-the-grave protection over ill health and poverty, but we have failed to provide one of the basic and fundamental rights and privileges to a group of our citizens who have proved their value and their ability in our society. These are the same 10 million young men and women between the ages of 18 and 21 who have not been given the right to full participation in our Government because they have not been franchised to vote.

We now have a message from the White House asking that we act to approve such a proposal in order that the State legislatures may act to ratify such an amendment. I believe this proposal by the President acknowledges the desire of all our people that the youth of our Nation be awarded that which is justly theirs.

This Nation cannot afford to ignore this important part of our people. They should be made a part of the electorate in order that their ideas, their desires and their knowledge may become a part of the American scene.

For several years we have recognized the emergency of the importance of this age group in our economy and our society as a whole, but we have failed to acknowledge the great strides that have been made by this age group in preparing themselves for the important role of full-fledged citizen. They are judged to be responsible as adults, when we decide there is a task to be performed or laws to be obeyed. They are an important taxpaying segment in many cases; they have served in the Armed Forces or Peace Corps in telling the American story of democracy.

We must now recognize this service. We must now realize that the young men and women of today are no longer children, but instead men and women vitally interested in the future of this country.

I believe the proposal to grant them the right to vote is one of the most important due our consideration. I commend the President for taking the lead in this matter, and I know that my many colleagues who have already introduced similar legislation will welcome his support. I look forward to voting for this proposal.

INCREASED MANPOWER FOR EXPANDING COAL INDUSTRY URGED BY JAMES R. McCARTNEY, AN OFFICIAL OF CONSOLIDATION COAL CO.

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1968

Mr. RANDOLPH. Mr. President, James R. McCartney, director of personnel and public relations for Consolidation Coal Co., stated recently at the annual meeting of the National Coal Association in Chicago, that the coal industry will need nearly 50,000 additional employees during the next 5 years.

Coal is one of our most important and abundant natural resources and it is gratifying to learn of additional job being provided in this vital industry. Consolidation Coal has long been a leader in encouraging young men to accept employment and to work while continuing their education.

McCartney rightly feels we need to prepare our youth for the job shortages which are becoming increasingly more numerous.

The vocational-technical training programs are important in helping us to fill these voids.

Mr. President, I ask unanimous consent to have an informative article from the June 26, 1968, issue of the Wheeling, W. Va., Intelligencer reprinted in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ABOUT 3,000 WILL BE NEEDED IN VALLEY: MANPOWER NEEDS FOR COAL EXPECTED TO REACH 50,000

In order to meet the labor requirements of the greatest expansion in its history, the coal industry is going to need almost 50,000 new workers in the next five years.

That estimate—including about 3,000 new men in the mines throughout the Ohio Valley—was made in Chicago Tuesday by James R. McCartney, an official of Consolidation Coal Co.

McCartney, director of personnel and public relations for Consol, spoke at the annual meeting of the National Coal Association in Chicago.

He called attention to the recently completed survey by the National Coal Policy Conference.

It shows that new and expanded mines opened since 1965 and those presently under construction will have an annual production capacity of 130 million tons," he said.

These will be new mines, McCartney said, and alone will create a market for 19,000 jobs.

This will be in addition to the new men required to replace retiring miners.

"A conservative estimate," he remarked, "is that the coal industry will need another 30,000 or so on top of the 19,000 needed for new mines."

Consol had put its manpower needs for the next five years at 10,000 and almost half of these will be needed in the Ohio Valley where new mines are opening in Benwood, Moundsville and near Hopedale.

McCartney discussed at length the methods being used by Consol to meet the future requirements for men. He mentioned five areas where his firm is concentrating its efforts.

These include:

Employe upgrading—such as mine foreman certification classes, mine maintenance courses, welding classes, mine mechanics and mine electrical classes.

High school graduates—selling young men on the coal industry as a place for a secure and growing future.

Former miners—seeking the return of former employes who must be told of the expanding and revitalized industry.

Two-year technical school program—training personnel to provide highly skilled men, as well as first line management personnel.

College recruiting—Seeking qualified college men by emphasizing the opportunities for engineers as well as pushing the employment of college men during summer vacations and offering cooperative "learn while you earn" programs.

McCartney said the employment estimates "do not take into account additional mining operations which might start in the future."

And, he warned, the most important resource in the country is being bypassed.

"Unfortunately, our country continues to waste our most important resource—its young men.

"Far too many of our youth are receiving formal education which ignores training in skills that would prepare them for many of the job shortages in our country today.

"We need more emphasis and upgrading of vocational-technical training in our public school system," he claimed.

He said the country is waging a battle to conserve natural resources—land, water, timber and coal—but "still wasting our youth at a time when it is most harmful to them and to the continued industrial growth of our country."

McCartney called for selective recruitment and efficient use of available manpower, if the needs of the coal industry are to be met.

REV. RALPH ABERNATHY'S PRESS CONFERENCE CRITICIZED

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, July 1, 1968

Mr. BYRD of West Virginia. Mr. President, I express agreement with a Washington Post editorial today which criticized the District of Columbia Department of Corrections for allowing Rev. Ralph Abernathy to hold an extravagant press conference while he was a prisoner in the city jail.

I ask unanimous consent that the editorial and two Washington Post articles about the Poor People's Campaign be printed in the RECORD.

There being no objection, the editorial and articles were ordered to be printed in the RECORD, as follows:

UNWISE DECISION

Department of Corrections Director Kenneth L. Hardy used poor judgment when he permitted Dr. Abernathy to hold an extravagant press conference in the District Jail. Perhaps Mr. Hardy could make an argument for finding a way to let the public know Mr. Abernathy was not being mistreated and to make clear the purposes of his fast. But to allow reporters, photographers and radio and television crews in D.C. Jail seems unwise. The leader of the Poor People's Campaign may qualify as a unique inmate but this does not mean he should receive special privileges. It makes a mockery of being in jail.

MORE THAN 600 JOIN CAPITOL HILL POOR MARCH

(By Irna Moore and George Davis)

More than 600 supporters of the Poor People's Campaign began the Campaign's second phase yesterday by marching quietly around the Capitol in what leaders termed "a moving prayer meeting."

Walking slowly, two abreast, in groups of 30, the marchers made two trips around the Capitol on sidewalks across the street from the grounds. There were no incidents during the demonstration.

The Rev. Andrew Young, a top Campaign official, told the group before it started that the march marked the beginning of the Campaign's second phase.

"Phase One was the poor people's phase," Mr. Young said. "In Phase Two we admit that poverty is not the problem of the poor but the problem of the Nation."

"We are saying today that the Poor People's Campaign is not over . . . that there are people who care about the poor and care about this Nation."

Mr. Young urged the marchers to attend a mass meeting tonight at Lincoln Memorial Temple, 11th and R Streets nw., and to come to the Campaign "action center" at Mt. Carmel Baptist Church, 3d and I Streets nw., "if you want to join us by going to jail."

Mr. Young, executive vice president of the Southern Christian Leadership Conference, also suggested that similar marches around the Capitol be made every Sunday, "until, just like Joshua, we have marched around the walls seven times."

The marchers set out at 4 p.m. yesterday, after meeting at the Ebenezer Methodist Church, 4th and D Streets SE. They were led by the Rev. Walter Fauntroy, vice chairman of the D.C., City Council and Washington director of SCLC, and the Rev. Charles Warren of the D.C. Council of Churches.

Walking almost silently in the 96-degree afternoon heat, the marchers included girls in sandals, nuns and clergymen, several family groups, women in summer shifts, teenage boys in jackets and ties, and a few Campaigners in denim work clothes.

They moved slowly, in separate clusters, from D Street SE. to First Street and over to Constitution Avenue.

Along First Street, across from the West Front of the Capitol, many of the marchers paused to buy sodas and ice cream from a line of vendors.

At 6 p.m., after the second trip around the Capitol grounds, the group made an orderly return march to Ebenezer Methodist Church.

About 100 marchers stayed briefly at the church to hear Mr. Young invite them for "another leisurely stroll next Sunday at 3."

He stressed that the Sunday tactics will not necessarily be the same as the tactics used during weekday demonstrations. "If others of us go to jail tomorrow and the judge gives us 30 days, the judge will be deciding how long the Poor People's Campaign will go on." Mr. Young said. We cannot leave Washington and leave some of our folk in jail."

CHALLENGE OF 14TH STREET CONFRONTS SCLC LEADERS

(By Robert C. Maynard)

When the Southern Christian Leadership Conference decided to have a Poor People's Campaign, it decided the Rev. Andrew J. Young said recently, to tell the poor to come. "Not just the clean poor, not just the well poor, but the poor poor."

Mr. Young, executive vice president of SCLC and now the pro tem leader while the Rev. Ralph David Abernathy is in jail for unlawful assembly on the Capitol grounds, was describing some of the problems that afflicted the late Resurrection City.

Those problems, he said, are the problems of the poor all over America, and they are problems created by an exploiting and uncaring society.

The place in Washington that typifies the urban variety of those problems—hunger, stealing, violence, dope addiction and prostitution—is the intersection of 14th and U Streets nw.

And it was there, months ago, that SCLC placed its headquarters for the Poor People's Campaign. On Monday, when the Metropolitan Police cleared Resurrection City, the problems for the police and SCLC did not disappear.

The refugees, the hangers on, the curious and the committed flocked to 1401 U st. nw., once a bank with high ceilings and tile floors and now the collecting place for what Mr. Young called the "poor poor."

Hosea Williams, SCLC's goateed and perennially hoarse director of political education, arrested once on Monday for overstaying his time at Resurrection City and again on Friday for overstaying his time at the Capitol, dropped by 1401 U st. nw. Saturday shortly before midnight.

Fresh from jail and haggard from meetings and discussions, Williams was stunned by what he found. He listened while aides such as Joseph Phipps from Mississippi described violent types who had come to the building in search of a free meal and stayed on to provoke incidents among the campaigners.

Twice within the week there were reports of guns on the premises and several times police have responded to calls of disorder on the corner.

It looked as though the problems of Resurrection City had moved into the community to join black urbanism at its most pathological.

Across from the corner on which Williams stood, the hookers were doing a flourishing business; south from U Street on the east side, the girls and female impersonators were running an open flesh market. South of U Street on the west side, less than fifty yards from SCLC headquarters, the addicts, spaced out and nodding, were leaning against riot-gutted storefronts.

Uniformed and plain-clothes police wandered in and out of the scene with an eye out for fugitives wanted for more violent crimes than prostitution and drug holding.

Phipps and another aide, incensed over the conditions at SCLC, wanted advice.

"Close it down," said Williams after watching and listening for 20 minutes. "Don't mess with it anymore, just close it down."

Williams said he thought the answer was to scatter the administrative functions of SCLC into several small offices in various sections of the city, a plan that would be consistent with SCLC's intention of organizing the Washington community.

He said he thought the place could be reopened after a week or so, after the people with nothing better to do had found some place else to hang out, or had returned to wherever they had been before the Poor People's Campaign made the corner attractive.

But such a decision poses a dilemma for SCLC, a religion-oriented organization with a social and political mission to bring its resources to the core of the cities.

For SCLC's mission is to spread the gospel of nonviolence among the very people who congregate at 14th and U Streets, and to make them a politically potent force, capable of bringing about solutions to their basic problems.

To close the headquarters is to retreat from that challenge, even if temporarily. To stay is to drain manpower from the battle against hunger being fought at the Federal level downtown.

"It's just too tense a corner," Mr. Young said yesterday. "It is too tense a neighborhood. Any little crowd is a potential incident . . . And the police are so jumpy up there."

Nonetheless, he said, a firm decision to close the headquarters has not been made.

Mr. Young has said SCLC and the Poor People's Campaign are facing a "dark and trying hour." As with Resurrection City until a week ago, the office at 14th and U Streets is becoming a new example of those trials.

SENATOR CHARLES H. PERCY TO TESTIFY BEFORE THE HOUSE REPUBLICAN URBAN AFFAIRS TASK FORCE

HON. WILLIAM O. COWGER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. COWGER. Mr. Speaker, Senator CHARLES H. PERCY will testify before the House Republican urban affairs task force tomorrow at 12 noon in room H-202, the Capitol.

Senator PERCY has been an advocate of involving enterprise in solving our urban problems. He first developed the idea of involving the private sector in our Nation's housing problem with the noteworthy Percy-Widnall plan. He has since continued to express the need for involving the private sector in the solution of other urban problems.

Senator PERCY endorsed the human renewal fund which was sponsored by 70 House Republicans. The human renewal fund, of course, advocates the involvement of the private sector in solving urban problems, such as jobs and manpower, pollution control, and housing.

This will be the 13th hearing conducted by the urban affairs task force on various phases of urban problems.

TIME IS RUNNING OUT

HON. JOHN H. DENT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. DENT. Mr. Speaker, I had the pleasure of reading the brief of George Baldanzi, international president, United Textile Workers of America, AFL–CIO, before the House Committee on Ways and Means. This statement is of such importance that I request permission to have it put in the CONGRESSIONAL RECORD where all the Members can have the opportunity to read it. There are those amongst us that believe we can afford so-called free trade without doing irreparable damage to the American economy. I do not share that belief, and I can say that the United Textile Workers of America among the many other unions, do not share that belief. I would like to quote the last paragraph in President Baldanzi's brief:

> Time is running out; the situation is far more serious today than it was in 1959, and we respectfully urge the Congress to act now in support of the workers in our domestic industries deprived of their livelihood by unfair, unjust import regulations.

Mr. Speaker, I agree with George Baldanzi and I would add that this Nation has never been in a more serious financial crisis caused by international trade relations at any time in its history; and I repeat what I have said many times before, this Nation nor any other nation, can grow and prosper in a world of free trade when each nation writes its own rules, sets its own standards, and has fluctuated values to their currencies.

I join President Baldanzi in his appeal to the rest of the Members of this Congress, particularly the President of the United States to review our position on international trade immediately.

Mr. Baldanzi's statement follows:

In lieu of personal appearance by the United Textile Workers of America, AFL–CIO, I am herewith submitting a statement of our position on International Trade.

First of all, we would call to the attention of the Committee that the AFL–CIO has submitted the position and the action of the 1967 Convention on the entire question of International Trade, Tariffs, etc., and our union is in agreement with the basic principles.

We desire, however, to emphasize sections of the statement directly applicable to the textile workers and the textile industry. Quote: "The AFL–CIO cannot ignore the fact that rising imports have disrupted some domestic markets and resulted in adverse impacts on some industries. These developments have imposed severe hardships on thousands of American workers. Agreements with other countries, like the International Cotton Agreement, should be concluded, covering trade in textiles and apparel of wool and man-made fibers. The Cotton Textile Arrangements should be effectively enforced and no erosion permitted in its safeguards against disruption."

The AFL–CIO continues "that it is a matter of growing concern to note the sharp rise of imports of non-durable goods such as textiles, apparel, shoes, toys, etc., from low-wage countries for sale at U.S. prices in this market. This relationship may be controlled by a relatively few integrated firms with international subsidiaries or other investment and sales arrangements. To look at aggregate country data in the United States and determine that the U.S. Textile Industry is thriving because some large firms are making big profits—or to determine that the United States shoe industry as a whole is doing well—is to ignore the specific impact on United States production and employment in many parts of the country."

The United Textile Workers of America, AFL–CIO, would call and ask for the particular attention of the Congress to the following resolution adopted by the unanimous vote of the delegates at our International Convention held last month. This resolution embodies the desires and struggles of men and women who are striving to hold their jobs against those—many in high places who are willing and ready to sacrifice the workers in the textile and garment industries. They attempt to scare the American people and intimidate the Congress with the cry of higher prices of which they cannot prove, but in their own willingness to expend our domestic industry, they are against a reasonable control of excessive harmful and injurious imports.

This resolution is a brief summary of all of the things we have been saying to the Congress for several years in appearing before the House and Senate committees in complete detail, and in this year we have witnessed our position justified by large majorities in the House and Senate. And still our opponents are serving up the same old shibboleths. They attempt to pacify the jobless with promises of compensation if imports terminate their employment.

The United Textile Workers of America finds no solace or solution in the adjustment provisions of the 1962 Trade Expansion Act, whereby American firms and workers adversely affected by imports, would be safeguarded and assisted. I believe that I can speak for all import-affected industries, durable and non-durable, and the list is constantly growing, when I say that the "so-called" escape clause has been proven absolutely useless. In support of this, I again quote from the AFL–CIO testimony before the Ways and Means Committee on June 13, 1968. Quote: "As a result of the Tariff Commission's interpretation of that law, all petitions for trade adjustment and assistance have been rejected. The record of these 14 cases in six years is a shameful mockery, a a fraud on the American people and the American workers."

We note the amendment in the 1968 Bill substituting the Executive for the Tariff Commission, and this brings me to other Bills before the Committee. One of these, the 'so-called' Omnibus Bill, covering all affected industries, calling for ceilings after investigation by the Tariff Commission. We favor legislation for any and all industries injured by excessive imports, and we would suggest the same amendment substituting the Executive or the Congress. In fact, the Tariff Commission is the creature of the Congress, and there should be a measure of supervision, and, if necessary, correction of its decisions.

We also have noted that under certain conditions the Administration's Trade Expansion Act of 1968 does allow the President to order quota import curbs. On the other hand, the President's special trade message to the Congress states that new restrictions on imports are undesirable and the Administration favors special Federal tax aid for the employers, and adjustment for the workers. We cannot speak for the employers, but the workers are still faced with Tariff Commission fact-finding. Our unions and membership has and will continue to petition the President for the establishment of quotas in the textile industry, and we urge our supporters in the Congress to continue this objective, and for favorable action at this session of the Congress.

The opponents of "quotas" have raised another scare balloon, this one has to do with retaliation by importing countries, or what they called negative reciprocity. Of course, they know that reciprocity is a two-way street. Perhaps they don't know that no less than 70 Nations restrict imports from the United States. If they do know, the retaliation balloon is punctured before it gets off the ground. Would our opponents say: "This is free trade." It should be known that while textile and apparel imports into the United States are rising, exports are static at a relatively low level. According to the U.S. Department of Commerce, in 1967 textile and apparel imports were valued at $1,461 billion compared with $695 million for exports. In the first quarter of 1968 imports were at a record $387.6 million while exports were at $169.3 million. And, according to the same source, imports of the three major textile Cotton, Wool, and Man-made totalled 274.9 million equivalent square yards in April of this year—an increase over the previous month and April a year ago.

The January-April cumulative total this year was 582 millions square yards, compared with 541.6 million square yards a year ago. In addition, we find that the countries of the World that have cried the loudest and threaten retaliation if the U.S. sets up controls over wool and man-made fiber, and apparel imports, have set up their own barriers in a secure network of quotas, tariffs and licensing procedures.

We hear much about hard-core unemployment and the millions of poor mainly from the South, as well as the Appalachian region. Our program is a humane measure. We are trying to save any appreciable erosion of the textile and apparel industries, and all others victimized by excessive and uncontrolled imports.

Finally, we know that the Committee has all necessary information on low and cheap labor in importing countries.

We rest our case on the report and recommendations of the Special Subcommittee of the Senate Committee on Interstate and Foreign Commerce, back in 1959. "Since the wages of textile workers in foreign countries range down to as much as one-tenth of the earnings of American textile workers, foreign mills have a pronounced competitive advantage over domestic mills and can dispose of their products in our markets at prices substantially below which American mills must receive. Therefore, we recommend that quotas be established which will permit foreign producers of textile products to sell in our markets within limits which will not further endanger existing textile capacity. We also recommend that quotas be established by specific categories of textile products."

Time is running out; the situation is far more serious today that it was in 1959, and we respectfully urge the Congress to act now in support of the workers in our domestic industries deprived of their livelihood by unfair, unjust import regulations.

A CALL FOR RETURN TO LAW AND ORDER

HON. ROBERT T. ASHMORE

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. ASHMORE. Mr. Speaker, recently a drive was initiated in my home county of Greenville, S.C., to establish a point of view and to call to the attention of the public at large and certainly congressional leaders and members of the executive branch the necessity for a return to law and order. This resolution has been read and signed by several thousands of people at this point and I am very happy to submit the resolution at this time for inclusion in the RECORD:

A CALL FOR RETURN TO LAW AND ORDER—GREENVILLE, S.C.—JUNE 1968

A democratic society can exist only where law and order prevail. No man has the right to take the law into his own hands, to ignore it, violate it, or give it private interpretation. To do so is to court anarchy. There is a thin line between jungle and civilization. That line is the law. Those who insist that they have the right to disobey the law must also accept society's penalty for disobedience. No man can set himself above the law if civilization is to survive.

Where injustice and inequality exist in the principle or application of the law, citizens have the constitutional and moral right to protest through lawful "petition for redress" and peaceful assembly. The fact that such injustice and inequality do exist makes the conscience of fair-minded Americans sensitive to the need for righting such wrong.

But two wrongs do not make one right, and the use of violence under the pretext of calling attention to inequity must not be tolerated. Looting, arson, rioting, and inciting to riot have nothing to do with justice. There is no legitimate connection between the widespread lawlessness now prevalent in American cities and the cause of civil rights and equal opportunity.

Therefore, we the citizens of this land rally to the cause of law and order. We call upon the elected officials of the nation to fulfill their constitutional responsibility to uphold law and order that all citizens may have their rights to personal safety and personal property made secure again. We deplore the apathy that has taken violence for granted and looked the other way while cities burned. We call upon all elected officials to support law enforcement agencies in their difficult and dangerous task of preventing lawlessness and restoring order where lawlessness occurs.

We as American citizens demand a return to law and order. We pledge our full support to those who will insist that government can exist only by due process of law and while we join hand and heart to remedy the wrongs that still plague our American democracy, we will not tolerate its destruction. Further, we pledge ourselves to do whatever may be necessary to restore and preserve a peaceful society under constitutional government.

H.R. 10218

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. BERRY. Mr. Speaker, the Bureau of Indian Affairs has recommended against passage of H.R. 10218 which would provide a tax incentive to an industry which would move to an Indian reservation to provide jobs, salaries, individual respect, and self-reliance for the Indian people.

In their adverse report they say:

> An attempt to use tax preferences, etc., raises a host of questions that cannot be satisfactorily answered. We, therefore, believe that such financial assistance as is needed in attracting industries should be provided directly rather than through the tax system device.

Why cannot those tax proposals be satisfactorily answered, Mr. Speaker?

What are the "host of questions" that are raised by this tax incentive program, Mr. Speaker?

This plan has been successful where it has been tried. When Rexford G. Tugwell left Puerto Rico as the last appointed Governor he wrote a book, calling that island "The Stricken Land." Congress gave Puerto Rico commonwealth status and with it the authority to grant a 10-year tax exemption to any industry that would come to their shores and provide jobs, income, and human dignity.

It worked—just as it will work on every Indian reservation in the United States. The purpose of H.R. 10218 is to set up a pilot plant so that the Department can get satisfactory answers to this "host of questions" they want to raise.

Let them look at Puerto Rico. Although almost every Indian reservation is located in a remote area, it is not as remote as the island of Puerto Rico.

Mr. Speaker, let them set out what their questions are. Let them indicate why these questions cannot be satisfactorily answered. Let them look across the Caribbean at Puerto Rico and then rewrite their adverse report.

ROBERT A. O'NEAL, INDIANA STATE POLICE SUPERINTENDENT

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. BRAY. Mr. Speaker, few men have contributed as much to the State of Indiana as has Robert A. O'Neal, who is now retiring from his job as State police superintendent. He leaves behind him a truly outstanding record in the field of law enforcement. The State will miss his abilities and services. Robert O'Neal was a leader in that group of capable and dedicated officers and men who together with an appreciative and loyal citizenry have given Indiana a State police department second to none. The following editorial from the June 25, 1968, Indianapolis News pays fitting tribute to this man:

O'NEAL'S RETIREMENT

Robert A. O'Neal decided to retire as superintendent of the Indiana State Police because he wanted to leave the law enforcement field.

The superintendent's job is one that requires much time and attention and O'Neal cannot be blamed for wanting to spend more time with his family. From the standpoint of the public, however, we wish it were otherwise.

Bob O'Neal has been an excellent state police superintendent in his two separate tours of duty. He was Gov. Roger Branigin's appointee in 1965 and previously served in the same position in the administration of the late Gov. Henry F. Schricker. He also served as Marion County sheriff, being elected in 1954 and again in 1958. He resigned in 1962 to become United States marshal.

In all these jobs, O'Neal has demonstrated great ability as an administrator. He was cited for outstanding police work by the Indiana General Assembly in 1947, named as sheriff of the year by the Indiana Sheriff's Association in 1957 and as recipient of the Indianapolis Chamber of Commerce good government award in 1962.

During O'Neal's tenure as superintendent, the Indiana State Police has continued to maintain its high reputation as one of the nation's top state law-enforcement agencies. He said in announcing his retirement that he was leaving a fine and outstanding department and an excellent group of employes. O'Neal's own contribution has done much to enhance that record.

IRS RULING ON TAX-EXEMPT STATUS FOR LIFE INCOME TRUSTS

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mrs. GREEN of Oregon. Mr. Speaker, for the information of the Members, I insert in the CONGRESSIONAL RECORD an exchange of letters between the Treasury Department and the president of the Association of American Colleges.

This correspondence refers to a ruling by the Internal Revenue Service on tax-exempt status for life income trusts which are a significant source of revenue to American colleges and universities. As I have said many times in different contexts, this is not the time to make more difficult the operation of our schools of higher learning. And I would invite my colleagues to consider the impact of this possible ruling in the light of the serious financial problems our colleges and universities are experiencing.

The letters follow:

ASSOCIATION OF AMERICAN COLLEGES,
Washington, D.C., May 6, 1968.

MRS. EDITH GREEN,
House of Representatives,
Washington, D.C.

DEAR MRS. GREEN: Recently I have exchanged letters with the Honorable Stanley S. Surrey, Assistant Secretary of the Treasury for Tax Policy. Copies of our correspondence are enclosed. Secretary Surrey's position on this matter is sufficiently important that I feel it should be a matter of public record. I wonder whether you might be willing to have this exchange entered into the CONGRESSIONAL RECORD, so that the reply might take on additional stature.

Sincerely,

RICHARD H. SULLIVAN,
President.

Enclosures.

ASSOCIATION OF AMERICAN COLLEGES,
Washington, D.C., April 8, 1968.

Hon. STANLEY S. SURREY,
Assistant Secretary for Tax Policy, Department of the Treasury, Washington, D.C.

DEAR MR. SECRETARY: I am writing to discuss the Association's views regarding Revenue Ruling 60–370, 1960–2 C.B. 203, a possible expansion of which we have heard may be under serious consideration.

Colleges and universities, as you know, receive from students only fifty to seventy-five percent of the cost of their education. The difference has traditionally been derived from various forms of private and, increasingly, public financial support. Most individuals in the private sector who support colleges do so for the straightforward reason that particular colleges merit such support. But, for many donors, an important secondary stimulus for such support has been the tax benefits which accrue to them. Life income trust arrangements have become an increasingly important form of such support.

As I understand the present situation, the Treasury Department is seriously considering extending Revenue Ruling 60–370 to tax the donor on the gain realized upon the sale by the trustee of appreciated property transferred under circumstances referred to in the revenue ruling where there is an "expressed or implied" obligation on the part of the trustee to sell such property and reinvest the proceeds in any other kind of an asset. The revenue ruling is, of course, limited to reinvestment in tax exempt securities. Such an expansion would, in my judgment, limit the attractiveness of life income plans, and thus the ability of our colleges to obtain vital support from the private sector. It might also tend to restrict the investment decisions of our colleges, at a time when significant forces are urging on college trustees a more imaginative and better managed investment strategy for the long-run welfare of their institutions.

I should appreciate your giving serious consideration to the effect on our colleges and universities of an expansion of Rev. Rul. 60-370.

Sincerely,

RICHARD H. SULLIVAN,
President.

TREASURY DEPARTMENT,
Washington, D.C., April 16,1968.

Mr. RICHARD H. SULLIVAN,
President, Association of American Colleges, Washington, D.C.

DEAR MR. SULLIVAN: This is in reply to your letter of April 8 in which you discuss the possible expansion of the scope of Revenue Ruling 60-370.

A ruling by the Internal Revenue Service is the application of the tax law to a particular set of facts, and from time to time, the Service does review rulings to ascertain whether principles expressed in them are applicable to other situations. Where such extension would have a substantial impact on a particular group, I assure you that such groups would have an opportunity to present views. Certainly no action would be taken without full consideration of the propriety of it.

Sincerely yours,

STANLEY S. SURREY.

WAR IN VIETNAM

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. BOW. Mr. Speaker, at the Naval Medical Center recently Adm. R. O. Canada shared with me a poem written in Vietnam by EnIc. Bill LeRoux for his mother. Mrs. LeRoux sent the poem to the President with a moving letter about the world situation. I include with my remarks Mrs. LeRoux's letter and her son's poem as follows:

SAN DIEGO, CALIF.,
April 3, 1968.

The PRESIDENT OF THE UNITED STATES.

DEAR MR. PRESIDENT: I think you are a great and good man. And for our next President so far I just don't see what good they can do for our country. First they should look at Japan and see what has been accomplished and also South Korea. If we pull out of Vietnam it would be a disaster to these countries. The U.S. made two blundering mistakes, one with Russia in World War Two, the other not letting General MacArthur go the limit in Korea if it meant China when they were at their lowest ebb. There was also a mistake made in Cuba . . .

My youngest son went to Korea when he was 17 years old. Was in Korea 2 years and Japan 18 months. My son has a lot of respect for the So. Viet. He is with the Navy Advisory. He has a crew of nothing but So. Vietnamese boys. He has made friends with these people. The officers have invited him to their homes. He has met their families. My son thinks what they are doing over there for these people is a great thing. I send him boxes of clothes often as I can to give them. I just want you to know there are still people who think you have done a good job. And if we don't keep faith with these people in the Far East it could be us next. I hope you read this. I know it's poorly written but I am 70 years old and a little shaky and nervous.

My son wrote a poem I am sending you and a letter.

Sincerely,

MRS. ELMA LEROUX.

P.S.—My son is a career man. He has 20 years in 1971. He has his gold braid. He is still single

---

WAR IN VIETNAM

Like the sea that meets her shore,
Vietnam shows a quiet face.
But listen, hear the batteries roar
And see the ever speeding pace.

The earth is red with blood of men,
Who were yellow, black or white;
They who died so others might be free again
Were merely souls who fought for right.

They came here from many distant lands
To fight on land and sea,
And here for freedom they made their stands
So others might be free.

Keep freedom's torch a bright, burning flame,
So that these men will not be gone,
So that these men will not have died in vain,
But live in the memories of you who carry on

—ENIC. LEROUX.

RESULTS OF QUESTIONNAIRE

REMARKS
OF

HON. JOSEPH M. McDADE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. McDADE. Mr. Speaker, each year it has been my privilege to send a questionnaire to each family in my congressional district. In these questionnaires, I have tried to solicit the thinking of my constituents on the most serious problems facing this Nation, particularly those problems which most directly concern our work here in the Congress of the United States.

Each year, to my great pleasure, I receive a deluge of these questionnaires back from the district. I find, in studying the results of these mailings, that my constituents are a most knowledgeable group of people, who have given much study to the problems of our times.

In a special poll mailed out earlier in the year, I questioned my people about three of the most pressing problems of our times: the war in Vietnam, the economy of the Nation, and the manner in which the draft law is administered.

The results of this special poll, as usual, show a profound understanding of the problems of the times. They show, also, a deep and disturbing discontent, which all of us should consider carefully. With your consent, Mr. Speaker, I will append the results of the poll here in the RECORD.

The full tally of questions and answers is as follows:

1. What should we do about Vietnam?

Continue our present course	6.3
Take steps to de-escalate the war	16.7
Apply more military pressure	45.2
Withdraw as soon as possible	26.9
Undecided	4.9

2. Should the United States encourage direct talks with the Viet Cong in an effort to end the war?

Yes	74.3
No	19.4
Undecided	6.3

3. Do you believe the South Vietnamese army is doing enough in fighting the Viet Cong and the North Vietnamese?

Yes	8.4
No	82.8
Undecided	8.8

4. Do you believe it is vital to our national security to fight in Vietnam?

Yes	46.1
No	50.4
Undecided	3.5

5. Do you believe the bombing of North Vietnam has been effective?

Yes	41.0
No	47.3
Undecided	11.7

6. Do you believe that we should cut off aid with any country that trades with North Vietnam?

Yes	82.3
No	14.3
Undecided	3.4

7. Do you believe that the draft law has been working equitably?

Yes	35.8
No	54.9
Undecided	9.3

8. What should we do about our economic problems:

Enact the President's proposal for a 10-percent surtax	8.5
Reduce Federal spending	73.8
Raise taxes and cut spending	13.5
Undecided	4.2

9. If we have to cut Federal spending, show your order of preference by listing 1 through 8:

Result: Foreign aid, Space, Public Works, Urban Aid, Agriculture, Health and Welfare, Education, and Defense.

10. Do you favor the President's proposals to—

Limit new capital investments abroad?

Yes	61.0
No	20.9
Undecided	18.1

Limit freedom of U.S. citizens to travel abroad?

Yes	35.1
No	40.3
Undecided	24.6

WHO CAN WIN?

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. DUNCAN. Mr. Speaker, we hear a great deal of talk about who is the strongest candidate for President the political parties can nominate for the November election.

Mr. James J. Kilpatrick, a noted columnist for the Washington Evening Star, had a most interesting column on this subject on June 27, which I would like to share with my colleagues.

The article follows:

New Figures for Rockefeller's Numbers Game

(By James J. Kilpatrick)

Nelson A. Rockefeller, who has turned into a tiger on the campaign trail, apparently is picking up a few Brownie points in his belated chase after Richard Nixon. Early in the week, pollsters found gains for the New York Governor in Ohio and Pennsylvania. The Evans-Novak team, working a Cleveland beat, turned up a few sparks for Rocky, but nothing to call an inferno.

The governor's favorite pitch is the old reliable fast ball, hurled in tight: Nixon is a loser. Rockefeller is a winner. No Republican can hope for the White House, says Mr. R., unless he can carry the electoral votes of the big Eastern and Midwestern States, plus California. The big States cannot be carried unless the big cities within them are carried. Here the governor sighs a lugubrious sigh. Nixon just can't carry these cities.

Thus, we now have been reminded repeatedly that Nixon in 1960 was doing fine in New York State until the returns came in from New York City. He was carrying Pennsylvania until he got to Philadelphia. He was leading in Michigan until he hit Detroit. Rockefeller just happens to have the figures in his pocket. As a matter of fact, he has them in his head. Ask him.

But in recalling these unpleasant incidents, is the governor being divisive? Is he violating his party's eleventh commandment which forbids speaking ill of another Republican? The governor reacts with an injured who-mee, boss? No, indeed. He is merely citing the record. He is only mentioning a few figures. He thinks it better for the convention to consider realities. And the realities, in the Rockefeller view, are that Nixon is a loser and Rocky is a winner.

Well, two can play the numbers game. It is doubtful, to begin with, that anything very useful can be drawn from the experience of Nixon-Kennedy eight years ago in terms of Nixon-Humphrey or Nixon-McCarthy come November. Even so, it is worth recalling that in the straight Democrat-Republican race in New York, Nixon actually ran ahead of John Kennedy; the loss came with the Liberal Party's vote for JFK. Nixon lost Pennsylvania in 1960 by 116,000 votes in five million cast; he lost Michigan by only 67,000 in 3.3 million cast. He lost Illinois by fewer than 8,000, and the probabilities are that 5,000 of these were crookedly counted. This is not an appalling record as background for a Nixon-Humphrey contest.

Meanwhile, what of the Rock? M. Stanton Evans, editor of the Indianapolis News, recently pulled together a few pertinent figures of his own. If Rockefeller is a "winner," he concluded, you can't prove it by Rockefeller's record.

In 1958, Rockefeller polled 3,127,000 votes, or 53 percent of the total, to win election in New York. Four years later, he dropped to 3,082,000 and 51 percent. In 1966, though he spent a fortune and campaigned frantically, the figures fell to 2,691,000 and 44 percent. This is the pattern of a winner?

There is more. A Republican convention, urged to consider realities, will want to consider the reality of Rockefeller's coattail effect. A real winner ought to be able to carry others of his party into office with him, as Romney did in Michigan.

Evans looked for coattails and saw nothing but the seat of Rocky's pants. In 1956, before Rockefeller gained control of the Republican party in New York, the State had 26 Republicans and 17 Democrats in the House. After three Rockefeller terms the delegation is composed of 26 Democrats and 15 Republicans. In 1966, New York Republicans, under Rockefeller's leadership, lost control of the State Assembly and barely held the State Senate. A study of 57 legislative districts found that Rockefeller actually ran behind the legislative candidates in 41 of them.

Would Rockefeller pull Republican candidates for Congress into office with him? It seems highly unlikely. It is Nixon, on the contrary, who demonstrated in the 1966 congressional campaign that he can rally GOP organizations to the GOP cause. The records of Nixon's devoted labors just two years ago also count among the "realities" the convention will want to consider before it embarks upon the long and Rocky road.

THE CIVIL RIGHTS BILL FOR LAW-ABIDING CITIZENS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. BROYHILL of Virginia. Mr. Speaker, more than 150 residents of my congressional district have presented to me a petition urging enactment by the Congress of the United States of legislation to be known as the civil rights bill for law-abiding citizens, to restore law and order to our land and protect the rights of those who seek to live in peace.

As I believe all of our colleagues should know, the concern of these patriotic Americans over the absence of law and order, I insert their petition in full at this point in the RECORD:

Given the complexities of a mixed society and the human problems involved, the characterization by many public figures and groups that this is a race problem between black and white is a gross oversimplification. Certainly, one of the obvious problems that exists is the conflict between law-abiding people, both black and white, and lawless people, both black and white.

The thousands of victims of the recent public insurrections have been innocent, law-abiding people, both black and white.

In any event, we all agree that whatever the problems are and whatever the ultimate solutions may be, the absolutely necessary social condition that must prevail while these solutions are emerging is the maintenance of law and order by our government.

We, therefore, present this petition to you, as our elected representative, so that you may know and act upon the feelings of a large number of your constituents:

"Whereas, the function of a constitutionally elected government is to govern and, by definition 'to govern' means to rule with authority or to direct and control the activities and affairs of a people, and

"Whereas, all citizens are entitled to and the government is obligated to provide equal protection of the law at all times and under all conditions, and

"Whereas, a riot is a violent disturbance of the peace by an assembly or body of persons, and

"Whereas, the only known way to stop a riot is to apply superior force promptly regardless of the cause for which lawbreakers are rioting, and

"Whereas, failure to so deal with a riot inevitably results in a state of anarchy which is a state of lawlessness due to the absence of or inefficiency of the supreme power (government), and

"Whereas, we interpret recent events in Washington, D.C., as representing a national disgrace by the duly elected Federal Government. Such disgrace resulting from the failure to take prompt and effective counteraction as a riot was beginning, and

"Whereas, we reject the premise that the rioting was based upon social injustice and personal grief over Dr. King's death, and

"Whereas, we interpret the rioting as an attack by lawless and inflamed elements of our society against the decent, law-abiding element both black and white, and

"Whereas, as a result, thousands of innocent citizens have been threatened and their persons violated; thousands of innocent citizens have been made unemployed, thousands of innocent citizens have been made homeless and hungry and hundreds of innocent citizens have been injured or killed, and

"Whereas, it is the constitutional right of every citizen to have his house, his family and his own person protected from harm by the government.

"Therefore, we petition the Congress of the United States to enact Federal legislation to be known as "The Civil Rights Bill For Law-Abiding Citizens." This legislation shall provide for the following points:

"1. A statute designating a person as an habitual criminal who has been convicted of two felonies of any type. Imprisonment of a minimum of 10 years shall be automatic.

"2. A statute designating acts of public arson, looting and sniping as major felonies with a minimum penalty of 20 years imprisonment.

"3. The passage of a "sense of the Congress" resolution advising all executive branches of government:

"(a) The existing statutes dealing with incitement to riot shall be vigorously enforced.

"(b) As a matter of public policy, all citizens shall be advised that public insurrection and rioting will be met immediately with equal force by the duly constituted law enforcement agencies."

To encourage the adoption of this petition a nation wide effort will be made to bring about the will of the law-abiding citizens through the democratic process of electing public officials who will translate these feelings into law.

We are all mindful of Edmund Burke's admonition that all that is required for the forces of evil to triumph is for enough good men to do nothing.

We and millions of other law-abiding citizens of this society are determined that this shall not be the fate of our beloved Republic.

ABUSE OF FOOD STAMP PROGRAM

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. GURNEY. Mr. Speaker, it has come to my attention that the food stamp program, for which we are about to consider an authorization increase, is being used in several very strange ways throughout the Nation, ways which I am sure the Congress did not have in mind when the program was established.

One of the greatest abuses is the use of Federal food stamps by persons with regular and well-paying jobs, who are temporarily and voluntarily off work—strikers. The Federal Government is subsidizing strikers, supplementing union strike funds, and helping to prolong strikes by minimizing a major incentive for reasonable settlement.

A few brief examples will illustrate how widespread this misuse of the program is. In Montana during the lengthy copper strike, 3,051 strikers were certified for food stamps. Approximately 650 union construction and rubber workers received stamps during the height of their strikes in Akron, Ohio, last July; also, 876 Ford strikers in Lorain, Ohio, and 3,809 in Detroit last October, plus an undetermined number of lumbermen in northern California during their strike a few years ago. These are only a few instances. Multiply these figures by the number of strikes throughout the Nation—by the number of unionists involved in labor disputes annually—by the number of individuals in each striker's household—and the $6.20 monthly per person cost to the Federal Government rapidly mounts up.

And strikers are not the only group of "voluntarily unemployed" seeking and receiving this type of aid. The California State Department of Social Welfare reports receiving a great many complaints because of the large number of "hippies" in the San Francisco and Monterey County areas who are using food stamps.

Furthermore, my colleague from Nebraska [Mr. MARTIN] has testified that married college students in his district are being granted stamps, regardless of their parental resources.

Mr. Speaker, this was a program designed, I thought, to feed those who are genuinely disadvantaged; to assure a balanced, nutritious diet to those who might otherwise go hungry because of circumstances beyond their control. The Secretary of Agriculture reports that there are still hundreds of thousands, perhaps millions of hungry Americans unable to get Federal food relief. He told the Agriculture Committee that 239 additional counties were approved for this fiscal year and 145 others have already requested programs for fiscal 1969, but sufficient funds are lacking and the programs cannot get underway.

Why are we allowing the limited funds available to be used to help the voluntarily unemployed remain so indefinitely, when so many of those for whom the program was set up are unable to get assistance?

Does not the Department of Agriculture have an obligation, especially during these present times of financial crisis, to expend these funds carefully and wisely, in order to get the most benefit from the resources available, rather than passing out aid to anyone, deserving or not, and then coming back for more?

POZNAN: A PEOPLE'S STRIKE FOR FREEDOM

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. HOWARD. Mr. Speaker, it is with great pride that I rise to commemorate the anniversary of the Polish workers' revolt against Communist deprivation which occurred in Poznan 12 years ago.

On June 28, 1956, in the gray light of early morning, 16,000 Polish workers from Zispo, a huge locomotive works in Poznan, a major city in western Poland, began a march to the town hall to protest the miserable conditions of their lives under the Communist regime. Before the crowd had reached its destination, it had swelled to 300,000 strong as men, women, and children from factories and offices along the way joined the ranks of the marchers. Bearing Polish flags, the crowd began singing old songs of their beloved Poland, songs which had long been forbidden by the Communist regime as subversive doctrine.

The gigantic crowd that gathered in the great square in front of the Municipal People's Council Building had come to protest conditions to which they had long submitted but could no longer endure. They decried broken Communist promises of a better way of life; they asked for a stop to persecution of the church and for an end to domination by the Soviets; they demanded better wages and a higher standard of living. Their dictum was "bread and freedom," an oft-used Leninist expression which was now being employed against the very system that had popularized it.

On that morning, intense and passionate emotions which had so long been restrained suddenly exploded into a violent eruption of defiance as the citizens of Poznan demonstrated their resistance to the tyranny which had been inflicted upon them by the Communist government in power. At the end of 2 days of terrible rioting, 53 persons had been killed and 300 more were wounded.

The electrifying events of Poznan reverberated throughout the Communist world, shaking the entire Communist empire to the roots of its strength, and for the first time evidencing to the free world the deep defiance and dissention which had been churning just below the surface among the peoples trapped behind the Iron Curtain. For, in Poznan, a people had reasserted its spirit and had reaffirmed its will to freedom.

Proof of the impact of the Poznan riots on the ruling Communist order in Poland was the reaction of the Polish Government to the events, and the period of reassessment of government and administration which followed. Polish Government authorities issued statements to the effect that the events in Poznan were not due solely to machinations of imperialistic agents planted in the city, and were at least partly due to governmental and economic shortcomings—an admission unprecedented in Communist history. In the aftermath of Poznan, the Polish Government launched a large-scale investigation of its own operations and announced the inauguration of specific measures related to political and economic reforms aimed at ameliorating conditions of the workers and the Polish citizenry in general. Thus, for the first time in the Communist experience, the cries of a people were not crushed by brutal force and answered by increased subjugation; instead, the demands of a people were heard and responded to.

Poznan was the beginning of a liberation in Communist government policy which has not ended. Compared to the life that Eastern Europe had known before, the 12 years since the Poznan uprising have brought significant advances on the long road toward the achievement of human freedom. Twelve years after, there is hope that the future will be brighter, not only for the people of Poland, but for all peoples oppressed by Soviet Communist dogma.

Commemorating the 12th anniversary of the Poznan uprising, we in the United States salute the gallant workers of this Polish city, and, indeed, all peoples of Eastern Europe who are today struggling to regain their human dignity. To us in the free world, the furious eruption of the people of Poznan provides sustained proof that the peoples of all Eastern Europe, each holding fast a long and proud record of national existence, demand the right to choose the form of government under which they shall live, and will strive ceaselessly until their just demands for self-determination are realized.

We in the United States reaffirm our belief that the sovereign rights and individual liberties which have been denied the peoples entrapped behind the Iron Curtain should be restored to them.

THE STAKES IN VIETNAM

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. WILLIS. Mr. Speaker, the statement on Vietnam which I present for the RECORD was prepared by Dr. Franz Michael, of the Institute for Sino-Soviet Studies of the George Washington University. Along with his view on Vietnam, I am also including a biographical sketch of Professor Michael. As an author and a professor, Dr. Michael has a wide reputation for presenting a clear and factual accounting of the subject to which he addresses himself.

This paper, "The Stakes in Vietnam," is not a presentation of the usual verbiage which has poured forth from the towers of the academic community—condemning every effort the United States has made in Southeast Asia, but rather, it is a clear and concise justification of our presence there. "The Stakes in Vietnam" has been accepted for publication in the next issue of Orbis.

I recommend it for reading to all those who are concerned about the security of our great country and that of the free world.

THE STAKES IN VIETNAM

(By Franz Michael)

One of the most common assumptions about the war in Vietnam is that neither side can win it. From this assumption, the conclusion is drawn that the only possible way to end the war is a compromise which can only be obtained by negotiations with our opponent, who is believed to share this assumption. Negotiations to end the fighting are, of course, possible and are obviously a better way of concluding the war than a fight to the bitter end. But, with or without such negotiations, there are only two possible endings to the war. One is that the Communist attempt to take over South Vietnam is defeated; the other, that it succeeds. One is our victory—whether gained in battle or by negotiations; the other is theirs—obtained by our military defeat, or our political surrender. No negotiations, no talk about honorable peace can affect this alternative.

The reason that this basic issue is so little understood is the confusion on two fundamental concepts relating to the war in Vietnam. We have been confused regarding the concept of "victory" in this kind of modern war, and we have little understanding of the strategy of so-called wars of national liberation with which we are confronted in Vietnam, but which affects the world balance between communism and the Free World. The two misconceptions are interrelated.

As to "victory," let us remember Korea. There the Communists attempted to invade and conquer the South and were repulsed. This was our "victory," a victory not only of South Korea and the United Nations, but of all the Free World.

The issue in Korea became confused because, at one time, we went beyond our original purpose by moving on to the Yalu River in an attempt to unify Korea under a non-Communist government. In this effort, we were defeated when we abandoned the idea of unification and limited our aim to the original goal of defending the South. This goal we won. The Communist propaganda which claimed that Korea was a Communist triumph has never been adequately countered even in our own thinking. Whether the larger prize of Korean reunification could have been won is another question. As it was, the defeat of the Communist attack against South Korea was a clear victory.

Today, the Communist goal in Vietnam is the same as it was in Korea. The defeat of the Communist attempt to take over the South will be our victory; their success will be our defeat, whatever formula is found to negotiate the issue. There is no middle ground between Communist takeover and Communist defeat, since communism, by creed, will not share power except as a temporary device for subversion and conquest. It is for this reason that no true negotiations for a lasting compromise are feasible. We should know by now that "coalition" government is impossible with a dishonest partner.

The concept behind so-called coalition governments is based on the assumption that the parties brought together have accepted the system and the rules of democratic procedure. From all practical experience and knowledge of communism, we must know that this is not the Communist purpose. Past experiences with communism in Eastern Europe and elsewhere should have taught that lesson. The failure of a "coalition" government in China after World War II should not be forgotten. For Communists, a "coalition government" is but a means to conquer the decisive positions of power which shortly enable them to take over. If it were necessary to demonstrate the application of this Communist tactic in Vietnam, there are all of those Communist documents and directives which have fallen into our hands. As a captured notebook taken from a member of a Vietcong unit explained:

"What is important is that we must have tight control over the government, the workers and the peasants . . . to all appearances it will be a coalition government, but the real power will be in our hands and we will follow the Front's political program, the revolutionary line."

This is well realized by our South Vietnamese allies. If we attempt to force them into acceptance of a solution imposed by us and the Communists, we will only destroy the very structure we have helped to establish, even before the coalition starts. We can perhaps maintain a facade of compromise, but will cause disaster for a large majority of the population which has resisted communism in its way, and which we will abandon to its fate. For a people who have not lived under totalitarian rule, it is hard to grasp the full impact of terror which is a major weapon of Communist "wars of national liberation." At a rate which proportionately in the United States would amount to 70,000 people killed yearly by assassination, the toll of local leadership, of teachers, village elders, magistrates, monks and other social leaders has been stunning. The miracle is that there have been no defections of units or leaders to the Communist side and no breakdown of government under years of terror and the latest onslaught, the TET offensive. The very fact of continued fight and resistance speaks for the Vietnamese determination to resist Communist control. The suggestion by some American politicians that, to alleviate our consciences, we should help a few South Vietnamese leaders to escape from the Communist takeover shows only a complete lack of understanding of the attitude of most of the population and of the size of the catastrophe that awaits the Vietnamese in case of Communist victory. Our very talk about coalition with the Vietcong is bound to undermine morale and weaken our position. Any proposal of coalition government is at best a face-saving formula under which we deliver our allies to the enemy.

If we surrender South Vietnam, we must also have no illusions about the effect of our weakness on the whole of Asia and eventually the rest of the world.

A Communist victory in this decisive test will not remove the Communist danger; it will greatly increase it. It will be a Communist victory—a victory for the strategy of wars of national liberation whose impact will reach far beyond Vietnam. It is this strategy which we have to understand and for which we have to find the answer.

The strategy of national liberation movements is not new. Its architects were Lenin and Stalin. Its doctrinal basis was Lenin's theory of "imperialism" according to which the fight against the "imperialist powers" in the colonial and quasi-colonial agrarian countries was an attack against the "monopoly capitalism" which the "proletarian" revolutions fought from within. The two strategies of "proletarian revolutions" and "wars of national liberation" had, then, the same target, monopoly capitalism, and the same goal, Communist World Revolution.

It was after World War I, when the "proletarian revolution" failed to come off in Central Europe as Lenin had so ardently hoped, that he, and later Stalin, turned East to promote and organize in China and the Asian world this second Communist strategy of "wars of national liberation." The phrase "the way to Paris leads via Peking" which has been ascribed to Lenin, popularized this shift to a strategy under which the conquest of the agrarian countries of the Afro-Asian world would force the fall of the industrial countries of the West. The strategy of "wars of national liberation" has ever since formed the second half of the over-all Communist campaign for world revolution. Its primary role has only recently been reasserted by such Communist leaders as the late Aidit of Indonesia and Lin Piao in China. It is this strategy which we face in Vietnam.

To apply this strategy, Lenin and Stalin and their Soviet and Asian successors were to exploit two revolutionary elements in the countries concerned. Since there was no "proletariat" to speak of, the Communists were to use peasant discontent and nationalism, doctrinally described as "anti-feudal" and "anti-imperialist" movements, which were pressed into the service of Communist world revolution.

To the West, the non-"proletarian" aspects of the Communist strategy have been confusing. It took time to recognize that Mao Tse-tung was not a "peasant leader." Even today, it is not always understood that the agrarian strategy in China came from Stalin and was not Mao's invention; and for many who are unfamiliar with the history and recent planning and actions of Moscow, it is still harder to understand that Ho Chi-minh, one of the oldest Bolsheviks, a past Comintern figure and co-worker with Borodin, is no more a nationalist than Mao was an agrarian reformer. This misjudgment of the war in Vietnam by well-meaning Western writers today is as serious as was the misjudgment of communism in China after World War II.

It has been a myth of wide credence that "wars of national liberation" are Peking's *specialite de la maison*. Their Soviet origin is no longer remembered; nor is the importance of this part of Communist strategy for Moscow today fully understood. Yet it is for good reason that the main support of the war in Vietnam comes from Moscow, not from Peking. As Lenin once turned East when the revolution in Germany did not come off, so today, the activation of "wars of national liberation" is a logical counterpart to the shift of Communist strategy toward "peaceful coexistence" in the area of "proletarian revolution."

"Peaceful coexistence" as a Communist strategy has, of course, been used before. When Stalin was threatened by Nazi Germany and the German-Japanese-Italian Tri-partite Pact, the world of the "imperialist powers" abruptly became the world of the "Western democracies"; and Stalin's "peaceful coexistence" and united front policy of the 30's created in some Western minds—the Walter Duranty's of that time—the same hope that communism had disappeared in the Soviet Union—as is expressed by Western writers and columnists of today.

Yet, today's "peaceful coexistence" has a broader scope than Stalin's had. The advent of atomic weapons, which forced the Communists to abandon the concept of the "fatalistic inevitability" of world wars if they were to retain any doctrinal appeal, has given "peaceful coexistence" a broader role in the strategy of "proletarian revolution." Today the Communists claim to be the "camp of peace.' Not only have they abjured the dictim of Marx and Lenin that wars in the capitalistic world were as inevitable as advantageous to communism, but they have now also usurped the role of guardian of world peace against imperialist "war mongers" of the industrial West. This self-assumed new role, has, however, never meant the abandonment of world revolution, nor the use of violence in obtaining it. Peaceful coexistence is strictly reserved to the problem of hydrogen war—but does not mean "peace." Not only does political warfare, or what Khrushchev called "ideological warfare," continue; but war, other than hydrogen war, is not at all banned as a means of Communist strategy. Revolutionary wars—that is, civil wars, and most of all, wars of national liberation—remain a legitimate means of Communist strategy. They are, in the words of Khrushchev and his successors, "just" wars, wars that deserve all possible support. On this there is no argument between Moscow and Peking, who have both given full backing to Hanoi.

It is often held today that communism is no longer monolithic and therefore no real threat. This is an obvious non sequitur. A complex and multifaceted movement can be much more dangerous than a simple "monolithic" one, since the basic system, the main tenets of the doctrine, the final goals and the strategies remain the same.

This is not to say that there is no ferment within the Communist world; the Hungary rebellion, today's restlessness in Eastern Europe, the crisis in China, are signs of the Communist dilemma that may yet break the doctrine and its system. But the decentralization of present strategy has clearly eased the strain. Perhaps, indeed communism was never as "monolithic" as was often assumed. Even in Stalin's time greater or lesser centralization depended on strategy. Unified direction was, of course, assured by the very fact that there was only one "fatherland" of communism and that the security of the home base was in truth a major Communist objective. When the growing alignment between Nazi Germany and Japan threatened that base, the policy of united fronts and "peaceful coexistence" with the West required a lessening of emphasis on the Comintern and a greater autonomy for what were claimed to be national Communist parties. During World War II, in 1943, the Comintern was rather unceremoniously dissolved. After the war and the emergence of eleven fatherlands of communism, the cold war brought in 1947 a new centralized Communist organization—albeit in a different form—the Cominform, to be dissolved in turn with the new "peaceful coexistence" policy by Khrushchev in 1956.

The Soviet leadership has insisted that there is no longer a need for a center of the movement, that all Communist parties are equal and independent while "proletarian internationalism" will be accomplished through a sort of osmosis—helped along where necessary by a little Soviet pressure.

The Chinese Communists, who are discrediting Moscow's alleged revisionism and are stressing almost solely revolutionary violence, have claimed for Peking and for Mao Tse-tung the roles of center and of central leadership of the movement.

If the conflict between Moscow and Peking has affected Communist policy, it has been a matter of the interrelationship of the two strategies involved. The Maoist group in China has gone all out for national wars of liberation, and has placed no stock in the success of the strategy of peaceful coexistence as applied to the area of "proletarian revolution." In the words of Lin Piao, Mao's closest "comrade-in-arms" and heir apparent: "Since World War II, the proletarian revolutionary movement has for various reasons been temporarily held back in the North American and West European countries, while the peoples' revolutionary movement in Asia, Africa and Latin America has been growing vigorously." All support was therefore to be given to a relentless pursuit of national liberation wars that alone were to bring down the capitalist world.

The Soviets have not been so provincial in outlook as this Maoist group, which, blind in its military tradition, has forgotten the grand strategy of Lenin and the present Soviet leaders, in which the wars of national liberation remain related to an overall plan. For Moscow, the pressure exerted against the United States to abandon resistance against Communist aggression in Vietnam for the sake of "peaceful coexistence" and *detente* has aimed at undermining our will to counter strategy number two on its own terms. The tie-in between the military-political warfare of national liberation, as in Vietnam, and of the peaceful coexistence strategy of breaking down our will to resist has not been fully appreciated by us. Indeed Vietnam threatens rapidly to become the classic example of successful Communist psychological warfare—not within that country but in the rest of the world.

But, if our public opinion and many of its intellectual leaders, uneducated in the ways of communism, have not grasped this relationship, neither has the Maoist wing of the Chinese Communist party. It has proved to be impatient and possibly unwilling or unable to understand the Soviet design. It has been contemptuous of the strategy of "peaceful coexistence," has ridiculed the Soviet assertion of support to Vietnam, and has accused the Soviets of cooperation with imperialist America in "selling out" national liberation movements and world revolution for a share in world power.

Not all Chinese Communist leaders have seen it this way. In 1965, when American military intervention in South Vietnam prevented Communist victory at the last moment, the Soviets found it necessary to appeal for Communist unity to revive the Communist chance in Vietnam. This appeal found an echo in Communist China. Some of the Chinese party leaders, now purged or in disgrace, inclined toward reconciliation with Moscow. Sympathy for cooperation with Moscow also reappeared in the Chinese Red Army. The second in command, Chief of Staff and head of the Chinese Communist secret police, Lo Jui-ch'ing echoed the Soviet call for unity on several occasions. He even indicated that he had a broader understanding of the interrelationship of the strategies of Moscow and Peking and of "peaceful coexistence" and "wars of national liberation" than had been demonstrated by the Maoist group. For Lo, the Sino-Soviet conflict—which he called a "debate"—had served its purpose in confusing the West and advancing the Communist purpose of the broadest front. In Lo's words: "One aspect of the historic significance of the *debate* of the last few years between the two lines in the international Communist movement is that it has enabled Marxism-Leninism *to spread on an unprecedented scale* and has promoted the integration of the universal truth of Marxism-Leninism with the concrete practice of the peoples' revolution *in every country.*" (authors' underlining)

No other Communist has so clearly pointed to the overall advantage of directing two different but mutually helpful Communist strategies from two different headquarters. Mao, of course, could not yield to the Soviet temptation without losing his claim of being the only true leader on the road to the Communist future, a road which, according to his claim, the Soviets had abandoned in their revisionist return to capitalism; Lo did not long survive politically his flirtation with Moscow. Sometime in November of 1965, two months after he made this last public statement, he disappeared and was not heard of again until he was publicly attacked and humiliated by Mao's Red Guards.

Yet, even though the official Sino-Soviet accusations continued, a partial understanding must have been reached between Moscow and Peking around March of 1966. Soviet arms to Vietnam were again permitted to roll on the trains through China, and the Soviet tanks that overran the outpost near Khesanh in February, 1968, had been seen on their transit through that Maoist country.

What we face in Vietnam is then, not just a local fight in another southeast Asian country, but a confrontation with a world Communist strategy in the larger battle between Communist revolution and our concept of a free world. Every Communist statement, whether it issues from Moscow, Peking or Budapest, is directed against imperialist America as the main target; and in Communist strategical thinking, the war in Vietnam is ultimately an important part of the war against the industrial world of "capitalism" of which we are, in Communist eyes, the leaders. What is at stake is not only our national security, but that of the free world.

It is a long way from Saigon to Africa and South America, but nowadays political movements and strategy travel fast. Much more will depend on the outcome of the struggle in Vietnam than is often realized. The very fact of our resistance has hampered the Communist world and strengthened our side. The defeat of the Communist attempt in Indonesia, the collapse of Sukarno's attack against Malaysia, the strengthening of a free Asian community of countries in ASPAC and other recent intercountry agreements, the greater determination of Indian policy and the outcome of the recent major battles at the Tibetan border, Burma's willingness to stand up against Communist China, the Laotian resistance, Prince Sihanouk's defiance of Peking, even the defeats of the Communist attempts in Africa and South America, cannot be understood without their connection with the fact that the line has been drawn in Vietnam.

It has been said that our forces are overextended, but it should be clear from any look at the map that a Communist breakthrough in Vietnam would widely extend the frontier of defense for the Free World. Should the dike there give way, the flood will seek not only the neighboring countries where the Communists are already preparing the ground, as in Thailand, Cambodia, Malaya, or for that matter, in the Philippines, but the whole Afro-Asian world will be affected. Most of all, Indian leaders, who have realized by now how much Vietnam has been their line of defense, will be threatened by a Communist breakthrough in Southeast Asia that could easily be correlated with the Communist advance in the Islamic world, should that advance be successful.

The 18th parallel is still the most narrow frontier that we can hope to defend unless we want to withdraw to fortress America, or, as Walter Lippmann has it, to draw the line at the white man's world of Australia and New Zealand—a singularly antiquated attitude in the world of today.

That there is indeed a larger design in which the Vietnam story is seen by our opponents could easily be construed once Communist action on other fronts is related to that of Vietnam. It can scarcely be accidental that the areas of Communist Soviet supported advance form two large pincer movements, each with its own central objective. One such objective will be India and the Middle East; the other, mainland China. The threat to India is similar to the one undertaken by the Axis powers in World War II, when Hitler's thrust toward the Suez and the Japanese campaign through Southeast Asia were feared to lead to a linkup of the Axis powers in India. The threat to Burma and the tribal frontier area of India and the attack at the Himalayan frontier, are, in actuality if not in design, a counterpoint to the new Soviet presence in the Arabic and Islamic world.

More immediate is the connection between the new Communist aggressiveness in Korea and the war in Vietnam. There has been extensive speculation as to the timing of the new attacks against South Korea (the Pueblo crisis) as they related to the intensified effort of the Vietnamese Communist offensive. This relationship has been seen as a move to aggravate our problem of dividing our military strength between such widely separated fronts in Asia.

But one could also relate this move to the most crucial developments in Communist China itself. The Communist crisis in China today, which has been provoked by Mao's attempt to reassert his leadership in China as well as in the Communist world, has been directly affected by the success and failure of Communist strategy abroad. Our very stand in Vietnam, the set-backs of the revolutionary Communist attempts in Southeast Asia, South Asia and Africa, have aggravated Mao's problems in China and may have been contributing factors in triggering the internal conflict which is at the heart of the present crisis. With the military take-over in China, that crisis has reached its moment of truth. Whether Maoism, with its Hitlerian *Führerkult* will prevail or whether Mao will fail in his attempt to rebuild the Communist structure in his image, will be decided in the coming months. The real decision may be not so much the question of a Maoist survival, which in the long run appears more than doubtful, but the course to be taken by whatever military-political leadership will take over. A Communist victory in Vietnam, backed by the Soviet Union, will leave little leeway for any leadership in China to assert its independence doctrinally or institutionally from the Moscow club.

The problem is compounded for the Chinese military by the new Communist aggressiveness in Korea about which the Chinese Communists have been surprisingly unenthusiastic. Looking at the two fronts in the Asian war in purely geographical terms, one cannot but see the two arms of another pincer movement, directed not only against the American position in Eastern Asia from North to South, but also encircling with a not-so-tender bear hug the group of Chinese Communist brothers quarreling among themselves. If Communist strategy wins in Vietnam, there is no way to go for those men who will come out on top in China except back to the fold.

The outcome of the war in Vietnam will thus be decisive not only for the balance in Asia, but for the course of our confrontation with the Communist world. It will affect the issues of unity or division within Communist ranks and of constructive, independent build-up or disarray in the Free World.

It is unfortunate that our emotional climate almost precludes a rational discussion in our country of the stakes of the world. The label of "immoral war" has been used assertively by political leaders, columnists, newspaper editors and civic and social leaders without challenge and with no attempt even to analyze the moral issues involved. As if war itself, with its killing of the innocent, could ever be moral! And yet the issue, properly understood, is the same as that of the fight for civil rights at home. For anyone acquainted with totalitarianism it should be clear that freedom is still indivisible, that it is impossible to withdraw from war responsibility into a neo-isolationism and maintain the principles at home for which we are fighting both here and abroad. What is at stake is not only the fate of Asia, but our own freedom and that of the Free World.

BIOGRAPHICAL INFORMATION, FRANZ MICHAEL

Personal: Born March 10, 1907, at Freiburg im Breisgau, Germany. Married, two children.

Academic Training: Studies at the Universities of Freiburg, Hamburg, and Berlin, 1925–1933, history and law. Orientalisches Seminar, Berlin, 1928–1930, Chinese Studies.

Degrees: Sinological Diploma, 1930; Referendar, 1931; Dr. Jur., 1933.

Positions: Attache in the German diplomatic service, 1933 (left after Hitler's seizure of power).

Professor at National Chekiang University in Hangchow, China, 1934–1938 (with the University at various places in the interior of China during 1937–1938).

Research Associate and Charles Lathrope Fellow, Walter Hines Page School, Johns Hopkins University, 1939–1942.

1942–1964, University of Washington at Seattle, professor of Chinese History and Government. From 1942–1947, Acting Chairman, Far Eastern Department. 1947–1962, Assistant Director and Acting Director, Far Eastern and Russian Institute, University of Washington. 1947–1964, Chairman of the Modern Chinese History Project. During the war, Chairman of an Army Specialized Training Program.

At present, Associate Director and Professor of International Affairs, Institute for Sino-Soviet Studies, The George Washington University, Chairman, Research Colloquium on Modern China.

Travels: Frequent travels in Asia, the Soviet Union and Europe, and participation in many international conferences.

Publications: Der Streit um die Mandschurei. Die chinesisch-japanischen Rechtsbeziehungen in den "drei östlichen Provizen" Chinas vor Ausbruch des Konfliktes im September 1931. Leipzig, 1933.

The Origin of Manchu Rule in China. Frontier and Bureaucracy as Interacting Forces in the Chinese Empire. Baltimore, 1942.

The Far East in the Modern World (with George E. Taylor). Holt, Rinehart and Winston, New York, 1955, second edition, 1964.

The Taiping Rebellion: A Totalitarian Movement in Nineteenth-Century China, History and Documents, 3 volumes. To be published in 1965.

Numerous articles and chapters in joint publications.

The following articles are relevant to the Sino-Soviet conflict:

"The Role of Law in Traditional, Nationalist, and Communist China." *China Quarterly.* Pp. 124–128. January-March, 1962.

"China in Afrika." *Studien zur Aktivität des Ostblocks in den Entwick-lungsländern,* Friedrich-Ebert-Stiftung, Literatur und Zeitgeschenen. Hannover, 1963.

"Khrushchev's Disloyal Opposition: Structural Change and Power Struggle in the Communist Bloc." V. VIII, No. 1, in *Orbis.* Spring, 1963. (Reprinted and translated)

"The Power Struggle in the Communist Bloc." V. XI, 4 in *Colorado Quarterly.* Spring, 1963.

"Communist China and the Non-Committed Countries: Motives and Purposes of Communist China's Foreign Policy." Kurt L. London, (ed.) *New Nations in a Divided World,* Frederick A. Praeger, Inc., New York. 1963.

ARMS CONTROL MEETINGS BETWEEN THE UNITED STATES AND SOVIET UNION SHOULD BE IN OPEN FORUM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FINDLEY. Mr. Speaker, in light of President Johnson's announcement that agreement had been reached by the Soviet Union and the United States to have discussions on halting the building of offensive and defensive missiles, I am constrained to question the wisdom of secret negotiations with the Soviet Union on disarmament.

Any discussions should be in open forum, with other nations—especially those with nuclear arms, including China—invited to participate. Discussions with the Soviet Union should be multilateral, not bilateral. A multilateral conference in which members of NATO, the Warsaw Pact countries, and the nonalined European countries would participate would be preferable to any bilateral discussions between the Soviet Union and the United States. The advantages for open international conferences are these:

First, Secret arms control conferences between the United States and the U.S.S.R. may lead to an ill-advised attempt by the two superpowers to gang up on China as has been suggested in diplomatic and academic circles. Such a move would only confirm the power structure in Peking in their suspicions, further weaken the moderate elements inside China, make even less likely the establishment of meaningful communications between Washington and Peking, increase the likelihood of continuing instability in Asia and make more probable an eventual confrontation with China that neither side wants. China—as a nuclear power—should be invited to participate in any arms control conference.

Second. An open, multilateral conference would insure that the nations of Western and Eastern Europe would be heard. It would guard against an arrangement being made over the heads of our NATO allies. Arms control arrangements have an important impact on the security of Western Europe and our ability to honor our NATO commitments. Therefore, it is logical and necessary that our European allies be included in all negotiations.

At the same time there is no reason why the United States should assume that the Soviet Union does—or should—speak for all Eastern European countries. An open, multilateral conference would allow Rumania and Czechoslovakia room to maneuver and assert their own independence of Moscow.

Third. An open, international conference could well consider besides arms control timely and crucial questions such as German reunification, access to Berlin, and European security arrangements. Such questions are likely to come up in bilateral conversations, but no agreement between them relating to Europe will be worth anything unless it has been arrived at and agreed upon by all the nations concerned, not just the two superpowers.

The record of bilateral confidential discussion with the Soviets is not a promising one. Secret discussions with the Soviet Union finally extracted all substance from the so-called inspection provisions of the nuclear nonproliferation treaty.

ARTICLE BY ASSISTANT CHIEF INSPECTOR LLOYD G. SEALY, NEW YORK POLICE DEPARTMENT, ENTITLED "A POLICE-COMMUNITY RELATIONS PROGRAM"

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. ROONEY of New York. Mr. Speaker, on Friday last, I received the following communication from the Honorable John Edgar Hoover, Director of the Federal Bureau of Investigation, U.S. Department of Justice:

FEDERAL BUREAU OF INVESTIGATION,
U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., June 27, 1968.

Hon. JOHN J. ROONEY,
House of Representatives,
Washington, D.C.

MY DEAR MR. CHAIRMAN: I am enclosing two advance copies of the July issue of the FBI Law Enforcement Bulletin for your information. Beginning on page seven, we feature an article by Mr. Lloyd G. Sealy, Assistant Chief Inspector, Police Department, New York, New York, entitled "A Police-Community Relations Program." Knowing of your continuing interest in effective law enforcement and programs to improve the profession, I thought you might like to see Chief Sealy's excellent presentation.

As you may know, the Bulletin, a monthly publication, is one of the many cooperative services of the FBI. It is distributed to law enforcement members without charge and is a medium through which police officials and other executives can, in by-line articles, report on successful projects and investigative achievements.

Sincerely yours,

EDGAR.

strategy. Unified direction was, of course, assured by the very fact that there was only one "fatherland" of communism and that the security of the home base was in truth a major Communist objective. When the growing alignment between Nazi Germany and Japan threatened that base, the policy of united fronts and "peaceful coexistence" with the West required a lessening of emphasis on the Comintern and a greater autonomy for what were claimed to be national Communist parties. During World War II, in 1943, the Comintern was rather unceremoniously dissolved. After the war and the emergence of eleven fatherlands of communism, the cold war brought in 1947 a new centralized Communist organization—albeit in a different form—the Cominform, to be dissolved in turn with the new "peaceful coexistence" policy by Khrushchev in 1956.

The Soviet leadership has insisted that there is no longer a need for a center of the movement, that all Communist parties are equal and independent while "proletarian internationalism" will be accomplished through a sort of osmosis—helped along where necessary by a little Soviet pressure.

The Chinese Communists, who are discrediting Moscow's alleged revisionism and are stressing almost solely revolutionary violence, have claimed for Peking and for Mao Tse-tung the roles of center and of central leadership of the movement.

If the conflict between Moscow and Peking has affected Communist policy, it has been a matter of the interrelationship of the two strategies involved. The Maoist group in China has gone all out for national wars of liberation, and has placed no stock in the success of the strategy of peaceful coexistence as applied to the area of "proletarian revolution." In the words of Lin Piao, Mao's closest "comrade-in-arms" and heir apparent: "Since World War II, the proletarian revolutionary movement has for various reasons been temporarily held back in the North American and West European countries, while the peoples' revolutionary movement in Asia, Africa and Latin America has been growing vigorously." All support was therefore to be given to a relentless pursuit of national liberation wars that alone were to bring down the capitalist world.

The Soviets have not been so provincial in outlook as this Maoist group, which, blind in its military tradition, has forgotten the grand strategy of Lenin and the present Soviet leaders, in which the wars of national liberation remain related to an overall plan. For Moscow, the pressure exerted against the United States to abandon resistance against Communist aggression in Vietnam for the sake of "peaceful coexistence" and *detente* has aimed at undermining our will to counter strategy number two on its own terms. The tie-in between the military-political warfare of national liberation, as in Vietnam, and of the peaceful coexistence strategy of breaking down our will to resist has not been fully appreciated by us. Indeed Vietnam threatens rapidly to become the classic example of successful Communist psychological warfare—not within that country but in the rest of the world.

But, if our public opinion and many of its intellectual leaders, uneducated in the ways of communism, have not grasped this relationship, neither has the Maoist wing of the Chinese Communist party. It has proved to be impatient and possibly unwilling or unable to understand the Soviet design. It has been contemptuous of the strategy of "peaceful coexistence," has ridiculed the Soviet assertion of support to Vietnam, and has accused the Soviets of cooperation with imperialist America in "selling out" national liberation movements and world revolution for a share in world power.

Not all Chinese Communist leaders have seen it this way. In 1965, when American military intervention in South Vietnam prevented Communist victory at the last moment, the Soviets found it necessary to appeal for Communist unity to revive the Communist chance in Vietnam. This appeal found an echo in Communist China. Some of the Chinese party leaders, now purged or in disgrace, inclined toward reconciliation with Moscow. Sympathy for cooperation with Moscow also reappeared in the Chinese Red Army. The second in command, Chief of Staff and head of the Chinese Communist secret police, Lo Jui-ch'ing echoed the Soviet call for unity on several occasions. He even indicated that he had a broader understanding of the interrelationship of the strategies of Moscow and Peking and of "peaceful coexistence" and "wars of national liberation" than had been demonstrated by the Maoist group. For Lo, the Sino-Soviet conflict—which he called a "debate"—had served its purpose in confusing the West and advancing the Communist purpose of the broadest front. In Lo's words: "One aspect of the historic significance of the *debate* of the last few years between the two lines in the international Communist movement is that it has enabled Marxism-Leninism *to spread on an unprecedented scale* and has promoted the integration of the universal truth of Marxism-Leninism with the concrete practice of the peoples' revolution *in every country*." (authors' underlining)

No other Communist has so clearly pointed to the overall advantage of directing two different but mutually helpful Communist strategies from two different headquarters. Mao, of course, could not yield to the Soviet temptation without losing his claim of being the only true leader on the road to the Communist future, a road which, according to his claim, the Soviets had abandoned in their revisionist return to capitalism; Lo did not long survive politically his flirtation with Moscow. Sometime in November of 1965, two months after he made this last public statement, he disappeared and was not heard of again until he was publicly attacked and humiliated by Mao's Red Guards.

Yet, even though the official Sino-Soviet accusations continued, a partial understanding must have been reached between Moscow and Peking around March of 1966. Soviet arms to Vietnam were again permitted to roll on the trains through China, and the Soviet tanks that overran the outpost near Khesanh in February, 1968, had been seen on their transit through that Maoist country.

What we face in Vietnam is then, not just a local fight in another southeast Asian country, but a confrontation with a world Communist strategy in the larger battle between Communist revolution and our concept of a free world. Every Communist statement, whether it issues from Moscow, Peking or Budapest, is directed against imperialist America as the main target; and in Communist strategical thinking, the war in Vietnam is ultimately an important part of the war against the industrial world of "capitalism" of which we are, in Communist eyes, the leaders. What is at stake is not only our national security, but that of the free world.

It is a long way from Saigon to Africa and South America, but nowadays political movements and strategy travel fast. Much more will depend on the outcome of the struggle in Vietnam than is often realized. The very fact of our resistance has hampered the Communist world and strengthened our side. The defeat of the Communist attempt in Indonesia, the collapse of Sukarno's attack against Malaysia, the strengthening of a free Asian community of countries in ASPAC and other recent intercountry agreements, the greater determination of Indian policy and the outcome of the recent major battles at the Tibetan border, Burma's willingness to stand up against Communist China, the Laotian resistance, Prince Sihanouk's defiance of Peking, even the defeats of the Communist attempts in Africa and South America, cannot be understood without their connection with the fact that the line has been drawn in Vietnam.

It has been said that our forces are overextended, but it should be clear from any look at the map that a Communist breakthrough in Vietnam would widely extend the frontier of defense for the Free World. Should the dike there give way, the flood will seek not only the neighboring countries where the Communists are already preparing the ground, as in Thailand, Cambodia, Malaya, or for that matter, in the Philippines, but the whole Afro-Asian world will be affected. Most of all, Indian leaders, who have realized by now how much Vietnam has been their line of defense, will be threatened by a Communist breakthrough in Southeast Asia that could easily be correlated with the Communist advance in the Islamic world, should that advance be successful.

The 18th parallel is still the most narrow frontier that we can hope to defend unless we want to withdraw to fortress America, or, as Walter Lippmann has it, to draw the line at the white man's world of Australia and New Zealand—a singularly antiquated attitude in the world of today.

That there is indeed a larger design in which the Vietnam story is seen by our opponents could easily be construed once Communist action on other fronts is related to that of Vietnam. It can scarcely be accidental that the areas of Communist Soviet supported advance form two large pincer movements, each with its own central objective. One such objective will be India and the Middle East; the other, mainland China. The threat to India is similar to the one undertaken by the Axis powers in World War II, when Hitler's thrust toward the Suez and the Japanese campaign through Southeast Asia were feared to lead to a linkup of the Axis powers in India. The threat to Burma and the tribal frontier area of India and the attack at the Himalayan frontier, are, in actuality if not in design, a counterpoint to the new Soviet presence in the Arabic and Islamic world.

More immediate is the connection between the new Communist aggressiveness in Korea and the war in Vietnam. There has been extensive speculation as to the timing of the new attacks against South Korea (the Pueblo crisis) as they related to the intensified effort of the Vietnamese Communist offensive. This relationship has been seen as a move to aggravate our problem of dividing our military strength between such widely separated fronts in Asia.

But one could also relate this move to the most crucial developments in Communist China itself. The Communist crisis in China today, which has been provoked by Mao's attempt to reassert his leadership in China as well as in the Communist world, has been directly affected by the success and failure of Communist strategy abroad. Our very stand in Vietnam, the set-backs of the revolutionary Communist attempts in Southeast Asia, South Asia and Africa, have aggravated Mao's problems in China and may have been contributing factors in triggering the internal conflict which is at the heart of the present crisis. With the military take-over in China, that crisis has reached its moment of truth. Whether Maoism, with its Hitlerian *Führerkult* will prevail or whether Mao will fail in his attempt to rebuild the Communist structure in his image, will be decided in the coming months. The real decision may be not so much the question of a Maoist survival, which in the long run appears more than doubtful, but the course to be taken by whatever military-political leadership will take over. A Communist victory in Vietnam, backed by the Soviet Union, will leave little leeway for any leadership in China to assert its independence doctrinally or institutionally from the Moscow club.

The problem is compounded for the Chinese military by the new Communist aggressiveness in Korea about which the Chinese Communists have been surprisingly unenthusiastic. Looking at the two fronts in the Asian war in purely geographical terms, one cannot but see the two arms of another pincer movement, directed not only against the American position in Eastern Asia from North to South, but also encircling with a not-so-tender bear hug the group of Chinese Communist brothers quarreling among themselves. If Communist strategy wins in Vietnam, there is no way to go for those men who will come out on top in China except back to the fold.

The outcome of the war in Vietnam will thus be decisive not only for the balance in Asia, but for the course of our confrontation with the Communist world. It will affect the issues of unity or division within Communist ranks and of constructive, independent build-up or disarray in the Free World.

It is unfortunate that our emotional climate almost precludes a rational discussion in our country of the stakes of the world. The label of "immoral war" has been used assertively by political leaders, columnists, newspaper editors and civic and social leaders without challenge and with no attempt even to analyze the moral issues involved. As if war itself, with its killing of the innocent, could ever be moral! And yet the issue, properly understood, is the same as that of the fight for civil rights at home. For anyone acquainted with totalitarianism it should be clear that freedom is still indivisible, that it is impossible to withdraw from war responsibility into a neo-isolationism and maintain the principles at home for which we are fighting both here and abroad. What is at stake is not only the fate of Asia, but our own freedom and that of the Free World.

BIOGRAPHICAL INFORMATION, FRANZ MICHAEL

Personal: Born March 10, 1907, at Freiburg im Breisgau, Germany. Married, two children.

Academic Training: Studies at the Universities of Freiburg, Hamburg, and Berlin, 1925–1933, history and law. Orientalisches Seminar, Berlin, 1928–1930, Chinese Studies.

Degrees: Sinological Diploma, 1930; Referendar, 1931; Dr. Jur., 1933.

Positions: Attache in the German diplomatic service, 1933 (left after Hitler's seizure of power).

Professor at National Chekiang University in Hangchow, China, 1934–1938 (with the University at various places in the interior of China during 1937–1938).

Research Associate and Charles Lathrope Fellow, Walter Hines Page School, Johns Hopkins University, 1939–1942.

1942–1964, University of Washington at Seattle, professor of Chinese History and Government. From 1942–1947, Acting Chairman, Far Eastern Department. 1947–1962, Assistant Director and Acting Director, Far Eastern and Russian Institute, University of Washington. 1947–1964, Chairman of the Modern Chinese History Project. During the war, Chairman of an Army Specialized Training Program.

At present, Associate Director and Professor of International Affairs, Institute for Sino-Soviet Studies, The George Washington University, Chairman, Research Colloquium on Modern China.

Travels: Frequent travels in Asia, the Soviet Union and Europe, and participation in many international conferences.

Publications: Der Streit um die Mandschurei. Die chinesisch-japanischen Rechtsbeziehungen in den "drei östlichen Provizen" Chinas vor Ausbruch des Konfliktes im September 1931. Leipzig, 1933.

The Origin of Manchu Rule in China. Frontier and Bureaucracy as Interacting Forces in the Chinese Empire. Baltimore, 1942.

The Far East in the Modern World (with George E. Taylor). Holt, Rinehart and Winston, New York, 1955, second edition, 1964.

The Taiping Rebellion: A Totalitarian Movement in Nineteenth-Century China, History and Documents, 3 volumes. To be published in 1965.

Numerous articles and chapters in joint publications.

The following articles are relevant to the Sino-Soviet conflict:

"The Role of Law in Traditional, Nationalist, and Communist China." *China Quarterly.* Pp. 124–128. January-March, 1962.

"China in Afrika." *Studien zur Aktivität des Ostblocks in den Entwick-lungsländern,* Friedrich-Ebert-Stiftung, Literatur und Zeitgeschenen. Hannover, 1963.

"Khrushchev's Disloyal Opposition: Structural Change and Power Struggle in the Communist Bloc." V. VIII, No. 1, in *Orbis.* Spring, 1963. (Reprinted and translated)

"The Power Struggle in the Communist Bloc." V. XI, 4 in *Colorado Quarterly.* Spring, 1963.

"Communist China and the Non-Committed Countries: Motives and Purposes of Communist China's Foreign Policy." Kurt L. London, (ed.) *New Nations in a Divided World,* Frederick A. Praeger, Inc., New York. 1963.

ARMS CONTROL MEETINGS BETWEEN THE UNITED STATES AND SOVIET UNION SHOULD BE IN OPEN FORUM

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FINDLEY. Mr. Speaker, in light of President Johnson's announcement that agreement had been reached by the Soviet Union and the United States to have discussions on halting the building of offensive and defensive missiles, I am constrained to question the wisdom of secret negotiations with the Soviet Union on disarmament.

Any discussions should be in open forum, with other nations—especially those with nuclear arms, including China—invited to participate. Discussions with the Soviet Union should be multilateral, not bilateral. A multilateral conference in which members of NATO, the Warsaw Pact countries, and the nonalined European countries would participate would be preferable to any bilateral discussions between the Soviet Union and the United States. The advantages for open international conferences are these:

First, Secret arms control conferences between the United States and the U.S.S.R. may lead to an ill-advised attempt by the two superpowers to gang up on China as has been suggested in diplomatic and academic circles. Such a move would only confirm the power structure in Peking in their suspicions, further weaken the moderate elements inside China, make even less likely the establishment of meaningful communications between Washington and Peking, increase the likelihood of continuing instability in Asia and make more probable an eventual confrontation with China that neither side wants. China—as a nuclear power—should be invited to participate in any arms control conference.

Second. An open, multilateral conference would insure that the nations of Western and Eastern Europe would be heard. It would guard against an arrangement being made over the heads of our NATO allies. Arms control arrangements have an important impact on the security of Western Europe and our ability to honor our NATO commitments. Therefore, it is logical and necessary that our European allies be included in all negotiations.

At the same time there is no reason why the United States should assume that the Soviet Union does—or should—speak for all Eastern European countries. An open, multilateral conference would allow Rumania and Czechoslovakia room to maneuver and assert their own independence of Moscow.

Third. An open, international conference could well consider besides arms control timely and crucial questions such as German reunification, access to Berlin, and European security arrangements. Such questions are likely to come up in bilateral conversations, but no agreement between them relating to Europe will be worth anything unless it has been arrived at and agreed upon by all the nations concerned, not just the two superpowers.

The record of bilateral confidential discussion with the Soviets is not a promising one. Secret discussions with the Soviet Union finally extracted all substance from the so-called inspection provisions of the nuclear nonproliferation treaty.

ARTICLE BY ASSISTANT CHIEF INSPECTOR LLOYD G. SEALY, NEW YORK POLICE DEPARTMENT, ENTITLED "A POLICE-COMMUNITY RELATIONS PROGRAM"

HON. JOHN J. ROONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. ROONEY of New York. Mr. Speaker, on Friday last, I received the following communication from the Honorable John Edgar Hoover, Director of the Federal Bureau of Investigation, U.S. Department of Justice:

FEDERAL BUREAU OF INVESTIGATION,
U.S. DEPARTMENT OF JUSTICE,
Washington, D.C., June 27, 1968.

Hon. JOHN J. ROONEY,
House of Representatives,
Washington, D.C.

MY DEAR MR. CHAIRMAN: I am enclosing two advance copies of the July issue of the FBI Law Enforcement Bulletin for your information. Beginning on page seven, we feature an article by Mr. Lloyd G. Sealy, Assistant Chief Inspector, Police Department, New York, New York, entitled "A Police-Community Relations Program." Knowing of your continuing interest in effective law enforcement and programs to improve the profession, I thought you might like to see Chief Sealy's excellent presentation.

As you may know, the Bulletin, a monthly publication, is one of the many cooperative services of the FBI. It is distributed to law enforcement members without charge and is a medium through which police officials and other executives can, in by-line articles, report on successful projects and investigative achievements.

Sincerely yours,

EDGAR.

I am pleased to include herewith under the permission heretofore granted me the highly interesting article entitled, "A Police-Community Relations Program," by Assistant Inspector Sealy:

A POLICE-COMMUNITY RELATIONS PROGRAM

The civil disorders and disturbances that have occurred throughout the country—in urban, suburban, and rural areas alike—have focused the attention of all law enforcement officers on the urgent necessity of improving the relationship between the police and the communities they serve.

Effective law enforcement is dependent upon public support. This truism recognizes the role of the individual as a key factor in the control of crime and the maintenance of law and order. It points up the absolute necessity for law enforcement agencies to develop and maintain good police-community relations as one prerequisite for achieving maximum efficiency.

Professor Lou Radelet, Michigan State University School of Police Administration, defines police-community relations as "the sum total of the many and varied ways in which it may be emphasized that the police are a part of and not apart from the communities they serve."

All law enforcement agencies have a need for improved police-community relations. Basic to the success of any community relations plan in a department is the top administrator's wholehearted commitment to the effort. If the top man does not support it, the plan is a waste of time. Everybody is knowledgeable enough to know when we are giving lipservice to a policy. The head of the agency must unequivocally support the idea and indicate that it has value and is practical for his department. The commitment by the top echelon must permeate the ranks of middle management as well, so that policy may be properly interpreted.

One practical way of stimulating supervisory concern about police-community relations is to give this aspect of police work greater emphasis in evaluation for promotion.

Every law enforcement officer makes good or bad police-community relations in day-to-day contacts with the public. Therefore, even though an agency may create a specialized community relations unit, police officials must stress that community relations are the concern of all police personnel and that professional performance of duties commands public respect.

FUNCTIONS OF A CR UNIT

A police department should have a community relations unit, the functions of which would be:

1. Advise and assist the police commissioner or chief in all matters relating to community relations and the police department.
2. Establish personal contact with associations and individuals active in promoting religious, racial, cultural, philanthropic, commercial, and civil welfare; develop a cooperative, working relationship with such groups.
3. Effect close liaison with offices engaged in related community and public relations efforts in other city departments and agencies; establish and maintain liaison with government organizations in other jurisdictions that are active or interested in community relations.
4. Conduct studies, as directed by the police commissioner or chief, in police-public attitudes which may affect the department.
5. Formulate publicity and community action programs which express the vital constructive role of the police officer in the community.
6. Cooperate with recognized, accredited public and private organizations in community-sponsored projects which serve to enhance a positive police image.
7. Coordinate with and advise the officer in charge of police training regarding curriculum preparation in human relations and the development and dissemination of training material and informational publications on community relations for use within the department and by the public.
8. Provide representation for the department at conferences, seminars, and other scheduled meetings concerned with police and community relations.
9. Encourage and facilitate affiliation with professional institutions and agencies prominent in the human relations and community relations field; obtain and utilize approved public and private assistance in the form of scholarships and incentive awards, created to aid in developing interest, offering advanced training, and producing special skills in this field.
10. Collect and catalog material on human relations and community relations from all available sources; establish and maintain a reference file of such material for research, analysis, and informational purposes.
11. Assist field commanders and detective commanders by providing operational guidelines, offering specialized services, and providing source material where required.
12. Supervise community relations activities; coordinate with field commanders and present recommendations concerning the selection of qualified field personnel for community relations work, their functions, recommended employment in the community, and preferred operational devices where unusual local conditions prevail.

College training for personnel assigned to community relations is desirable, since it provides a broad background for understanding today's social changes. However, it must be remembered that the role of a community relations officer is to relate meaningfully to the public as well as to members of his own department. Academic credentials without the facility for dealing with people will yield poor results in improving police-community relations. Personnel must be well grounded in all phases of police work and should have "beat" experience.

PERSONNEL RELATIONS

Although we are considering the subject of police-community relations from the viewpoint of the police and the public, we should remember that good personnel relations are equally important. Law enforcement personnel are constantly reminded that the rights of the individual must be respected. It is, therefore, appropriate that police agencies examine their own personnel practices to determine whether similar rights are extended to their employees. Such consideration for police officers does not impede department functioning nor reduce administrative control. It enhances the individual officer's sense of personal dignity and self-respect, which in turn aids in improving interpersonal public relationships. The New York City Police Department has instituted such a policy.

A good law enforcement agency without public support will fall short of its goal to render the best possible public service. More effective communication will help the public to understand the varied complexities of police work and to view police operations more intelligently.

In recent years court decisions in search and seizure and confession cases have extended the exclusionary rules of admissibility of evidence. Law enforcement needs to create and encourage more dialog with the public in these areas of mutual concern. Again, the objective should be a better understanding of police problems and respect through enabling the community to share in effecting necessary changes.

People must realize that the problems of crime control involve the total criminal justice process, not just the police alone. The police, the prosecutor, the courts, the correctional agencies, probation, and parole must be viewed as parts of the whole. Any hope for real substantial impact on the crime situation will involve, at the very least, critical examination and evaluation of all the elements of the system of criminal justice.

Criticism, almost continuous adverse criticism of law enforcement in recent years, has made the police conscious of their status as a minority group, and as such they have reacted defensively in many instances. The public must cease blaming law enforcement for the frustrations and dislocations of our times and recognize the tremendous contribution that police departments all over the country are making to the continual growth and development of our great democratic society.

One of the values of improved police-community relations, from the law enforcement point of view, is that the police have an opportunity to more clearly define their role to the public. It is indeed surprising the number of people who do not understand the role of the police and their limitations under the law.

A SELF-ANALYSIS

Before we approach the public to discuss mutual problems and ways of better cooperation, it might be advantageous to survey our operations. This will enable us to see how we are doing, make necessary adjustments, and anticipate criticisms. Always remember, a basic ingredient in good police-community relations is good police service. There is no substitute for effective performance of law enforcement duties. We could begin by looking at our first contacts with the public:

1. How do we handle telephone inquiries, personal requests for information, and traffic citations?
2. What about the appearance of the officer—his attitude toward himself and his job?
3. Do we as police respect and observe the law ourselves? (Nothing destroys respect for law enforcement more than public awareness that a policeman disregards the law himself.)
4. How do we utilize necessary tools, such as stop and frisk and field interrogations? (The Negro community believes in many instances, that such laws are used as a license to harass and embarrass Negroes instead of for their protection.) Police officers must be certain that they use such aids to enforcement in a fair and impartial manner.
5. What about crime complaints and the clearance rates?
6. What are our procedures for handling juveniles?
7. What are the procedures for handling citizen complaints against police?
8. What type of liaison exists to establish cooperation with other agencies?
9. What are the recruitment policies?

The foregoing is not intended as an exhaustive list for department self-analysis but to stimulate a trend of thought. A cooperative, supportive public enables a competent police organization to function with optimum efficiency.

We in law enforcement have evaluated our efforts to fulfill our responsibilities according to our criteria of number of citations, arrests, convictions, crimes reported, property recovered, juvenile cases, persons aided, and accident cases. We must add another criterion for consideration; namely, how the public perceives our operations. To develop mutual respect, we must have mutual concern and consideration. Law enforcement must recognize that the public we serve has the right to expect us at least to be aware of community concerns and give consideration to community wishes in the carrying out of our duties.

JOINT PROGRAMS

The New York City Police Department has engaged in a variety of programs designed primarily to improve communication between police and public and to project the manyfaceted role of the police officer. The precinct community council program functions in all 76 patrol precincts covering every section of the city. It is intended to provide opportunities for police and community to meet on a regular basis and discuss problems of mutual concern. Every effort is made to include in its membership the broadest cross-section of people in the precinct, so that it will truly reflect community opinion.

This program is supplemented by the efforts of the community relations officers to seek out and establish communication with those persons who are not council members and generally not participants in structured programs. Other programs include:

1. "Operation Friend"—Police officers take youngsters from the area in which they work home with them to spend a weekend.
2. Art Shows—Residents display their art work at the local precinct, where it may be viewed by the public, and the winners receive a prize.
3. Recreational Programs—Police in cooperation with the public organized baseball teams for youngsters who would not ordinarily get a chance to participate in organized sports.
4. Employment Assistance—Police, business, and the community team up to offer employment to youngsters in need of a job.
5. Use of Civilian Volunteers as Station House Information Aides and Spanish Language Interpreters—Members of the community are recruited to aid the police during incidents and also to serve as volunteer interpreters at street incidents and at the station house in precincts with large Spanish-speaking populations.
6. Police Cadet Program—Young men, ages 17 to 27½ years, who have dropped out of school or fear that they are not equipped to pass the police entrance examination are enrolled in special training programs.
7. Police and the Schools—Teachers are offered a college-level course on police operations so that they will be better prepared to discuss them in their classrooms.
8. Know Your Police Department—School classes visit department facilities, and police visit the schools in an effort to acquaint children with the wide variety of police services.
9. "Operation Partnership."—Youth have a voice in the community through a forum in which the teenagers may suggest programs they would like to see in their neighborhood.
10. Mobile Narcotics Exhibit—This unit goes to street corners in heavily stricken narcotics areas and to schools and public meetings.
11. Police-Community Centers—Store fronts are opened in certain areas so the community can learn of police services and functions.
12. Roll-Call Training—Policemen in the station house hear talks on ethnic group culture and public welfare problems.
13. Law Enforcement Explorer Posts of The Boy Scouts of America—Boys receive prevocational training in the philosophy and techniques of police work.
14. Police-Clergy Conferences—Police and clergy cooperate in resolving community tensions and preventing outbreaks.
15. Civilian Lecturers at the Police Academy—Lectures on the humanities are given by civilians in order to present different points of view.

YOUTH AND POLICE

From the law enforcement viewpoint, perhaps the most important phenomenon of our time is the activist role which the youth of our country have assumed in crime, drug usage, peace demonstrations, and civil rights.

Dialog between the police and this extremely important segment of the public is decidedly limited. The prognosis is positive for continued confrontation between the police and youth. We must devise ways and means, informal as well as formal, to bring police and young people together in meaningful communication. Opportunities should be provided for law enforcement officers and youths representing all shades of opinion to talk with one another. Initially, the police role in such contacts should be to listen hard in order to become sensitized to another point of view, which can serve as a valuable frame of reference for building mutual respect and understanding.

One of the problems confronting an officer in the field during demonstrations, periods of tension, and disorders is the words, actions, and abuses, directed at the officer, which impugn his manhood and appear to be wanton disrespect for the law. These incidents call forth in the policeman the urge to avenge the indignity and remove the stains of dishonor from the shield of the law. This personalizing of insults and the emotional reaction to contempt for law enforcement precipitate actions which further heighten tensions or aggravate disorders.

The professional law enforcement officer is secure in the knowledge that the law cannot be defamed or threatened by the mouthings of the mob. The dignity and majesty of the law are raised to greater heights and command even more respect when people at the scene observe law enforcement officers who cannot be baited or deterred from their basic objectives, i.e., to preserve the peace and protect life and property. Through self-discipline we retain control of the situation. If law enforcement officers lose their heads all is lost.

MINORITY GROUPS

We must constantly keep in mind that strong effective law enforcement depends upon strong public support. This is as true in a minority community as in any other type. The law enforcement officer must work with the community to overcome hostility and apathy where they exist.

Reasons for the cleavage between police and community members may vary from place to place but there are some basics common to all. Some citizens charge that equal justice under the law does not apply to Negroes and some other minority groups, that there are dual standards of enforcement for these groups and whites, that police are prejudiced, that civilian complaints against police are not processed impartially, and that the role of police is to maintain the status quo. Police in turn charge hostility, apathy, lack of cooperation, propensity for violence, and disrespect for the law. There is truth on both sides. But because law enforcement is mandated to preserve the peace and protect life and property, we must take the initiative in resolving the impasse between police and some ethnic communities.

Prejudice in a police officer is regarded as a dirty word. Yet when we consider that we are the products of our environment, who could be without some bias? However, law enforcement need not be defensive. What is necessary is that we examine our attitudes toward people—particularly minorities—and that we recognize that standards of fairness and impartiality with true justice for all are inherent in professional police service. Police-community relations programs are not intended to make the police officer like or love anybody. They are designed to help develop better cooperation between police and public and to assist the law enforcement officer to understand his professional responsibility for safeguarding the life, property, and rights of all people.

BASIC PROBLEMS

The police must be aware of basic community problems and how they affect the lives of the people they serve. The impact of the problems of unemployment, insufficient housing, inadequate schools, and discrimination confronting law enforcement should be clearly understood. The police have an obligation to point up those community conditions of life which are conducive to crime and social disorder. Although they cannot solve these problems, their expressed awareness and concern serve to bridge the gap of misunderstanding between the police and the Negro, Puerto Rican, Mexican, and other minority communities and to make possible meaningful communication.

No communities need or want good police protection more than do those where Negroes live. The hoodlum element, conscious of the gap between police and community, utilizes this weakness to its advantage against both police and community.

We must focus primarily not on these individuals, in whose eyes law enforcement officers can never do anything right, but rather on the vast majority whose concern with law enforcement is that it be efficient, fair, impartial, and respectful to all people: It is here that good community relations programs which provide the opportunities for meaningful communication teamed with good police service can make great strides toward securing the community cooperation so necessary for dealing effectively with our serious crime problems.

Establishment of civilian complaint procedures which instill confidence and respect for the system goes far toward alleviating some of the resentment directed at the police officer.

POLICE RECRUITMENT

One possible method of improving understanding between police and minority groups is to demonstrate the sincere intention of providing opportunities for such groups to become law enforcement officers. The seriousness of purpose is measured not only at the entrance level but through the promotion chart as well. The growing philosophy of group identification and pride helps to facilitate communication through use of personnel selected from minority groups.

Standards for recruitment should remain high, as methods are devised to evaluate equivalents in regard to entrance requirements. Experience in certain social situations may outweigh formal training and provide both a background and temperament well suited for the diversified responsibilities of police service.

Police cadet programs designed to assist young men to prepare themselves for a law enforcement career should be encouraged. Awareness by police administrators—particularly in urban communities—of the urgency of making their departments more adequately reflect the communities they serve is of prime importance. Increased minority group personnel can only be achieved by carefully conceived and implemented programs designed specifically for this purpose. Career potential is judged by achievement in any profession. Therefore, a police agency seeking to attract able police candidates among minority groups must demonstrate opportunities for advancement at all levels in its organization.

CONCLUSION

From a realistic point of view, the police have few alternatives. Based upon the theory that sufficient manpower and equipment can contain and control, primary emphasis can be given to devising and implementing plans for dealing with civil disturbances. This approach concedes the inevitability of disorders and that nothing can be done to prevent them. It implies failure in our basic duty to preserve the peace. Recognition of the need for thorough planning for disorder control is unquestioned.

I suggest that plans which place greater emphasis on disorder prevention are more likely to succeed with a minimum of community dislocation when disturbances do occur, because effective law enforcement can only prevail where the police have a good relationship in the community. Military rule can be established in a hostile community, but not good law enforcement.

The American way of life of equal opportunity for all who will help themselves is on the threshold of realization. Law enforcement stands in the vanguard as a bulwark, preserving the peace, protecting life and property and the right of dissent, and making possible social change within our democratic framework.

A VOICE TO MATCH THE VISION

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. BELL. Mr. Speaker, I am including this article about my distinguished colleague, JIM FULTON, from Pennsylvania, not only because of his success in Congress, but also because of his substantial knowledge of the space program:

A VOICE TO MATCH THE VISION

He didn't figure to get to Congress in the first place. This Republican running in solidly Democratic Pittsburgh. It was like David trying to Indian-wrestle Goliath. Or Swarthmore taking on Notre Dame on Saturday. Jim Fulton's best chance of seeing Washington seemed to be on one of those two dollar bus tours.

And it's an especially difficult political task if the year is 1944 and you're trying to run your campaign from the deck of an aircraft carrier in the South Pacific.

But Jim Fulton did it, and he's gone on to amaze a lot of people with his political success, with vision as to America's position in the world. More recently, he's amazed them with his far-reaching knowledge of the nation's space program, which he feels can spark the country to unprecedented heights.

Now after being returned to Congress for 12 straight terms from a district where he "couldn't possibly win," his voices continues to grow stronger, and his listeners more numerous. He has become a dedicated career congressman, a thoroughly independent public servant and one of the nation's most visionary voices in charting America's future.

A politician thinks about the next election. A statesman thinks about the next generation. Congressman Fulton says, "I'm really optimistic about our present young people. Actually, they're much smarter than the rest of us. I believe that the new generation will guide the nation well when its turn comes, but it's our job right now to provide the kind of intelligent government to help maintain America's leadership in the world." Maintaining the strongest kind of posture in space research is part of the Fulton program for the future.

"The U.S. space program has provided unparalleled gains in scientific knowledge, communications, weather observation and prediction, navigation and national security. These gains must not be lost.

"The future of the space program and the very existence of our people as a nation depend upon long range programs constantly developing, with more efficient space vehicles, with higher capabilities and efficiency. The ability to perform research and to apply this research to our future needs in the strategic area of space is the key to United States survival in future decades.

"Our job in Congress is to safeguard the interests of the taxpayers and the public, and to assure them that the nation's resources are being used wisely in program areas having the best possible payoff."

Jim Fulton wouldn't trade committee assignments with the Miss America judges. He's a member of both the Foreign Affairs Committee, and the Science and Astronautics Committee, where he is ranking minority member, a position from which he can practice his successful "art of slight irritation," based on plain speaking.

"Let's look at the period beyond Apollo. We must and should honor our commitment to land and safely return men from the moon in this decade. I have always supported a vigorous manned space program. The Apollo lunar landing is the largest and most complex peaceful space task facing this country. However, the Apollo Applications Program is still in the planning stage and the missions to be undertaken are far from being determined, and the hardware that will be needed is still far from final selection.

"My basic criticism is that there are serious imbalances in this nation's planning for planetary exploration starting in fiscal year 1969. NASA's present plan is strictly short-term, Mars-oriented, consisting of two fly-by missions to the planet in 1969, two orbiting missions in 1971, and two orbiters plus two small lander capsules in 1973. There is only limited study money in the NASA budget for the future exploration of other planets.

"The Congress must forcefully insist on a more diversified program. We must point toward broader objectives. We must insist upon the development of carefully conceived plans, not only for the exploration of Mars, but for Venus, Mercury, Jupiter, Saturn, Uranus, Neptune and Pluto, as well as the Asteroid Belt.

"This nation is rapidly approaching the post-Apollo period and my evaluation is that NASA plans are not well set. We appear to be living from budget year to budget year with little regard for long-range planning and with little regard for the future exploitation of proven technology to gain scientific knowledge and prestige."

Fulton's "art of slight irritation" is independently applied. He urges fellow congressmen to provide more support for space research; nudges NASA about long-range planning; criticizes the aerospace industry for some of its management approach; and even needles himself for not being able to "do more" to aid the country's technological momentum.

"Consider the implications of our decisions on future national security," he says. "It is evident that we will remain under technological competition in all areas with USSR now and China in the near future. We read reports of USSR fractional orbital bombardment systems, of planned reconnaissance and manned surveillance stations—a real surprising variety of new Soviet space undertakings.

"Red China is placing much emphasis on space development. China has established a large space center in western China, has formed a nuclear institute and a space institute in Peking, and is greatly expanding training, engineering and technical personnel for space development and rocket capability.

"National security and national defense require that the U.S. not become complacent in forward thinking and research—or other nations by foresight will obtain a strategic advantage in space and rocketry that the American people by tardy action might not be able to offset."

The professionals in the space industry measure each other by how well they're prepared to discuss technical matters. It's an area where they usually have an edge on congressmen. With Jim Fulton, they lose that edge. Fulton makes a habit out of homework. He startles some space people with his knowledge, is years ahead of most and sends others scurrying to check their notes. He is not timid about making his observations. Fulton used to cross-examine for the defense as a junior member of a large Pittsburgh banking firm.

PROPULSION SYSTEMS

"In my firm opinion, the key to success in the exploration of space and space defense are propulsion and space power systems tailored to future needs. It is as simple as that. The United States is now at the point in planning for future missions where the present outstanding chemical propulsion systems cannot produce the performance that the United States needs to accomplish U.S. required future objectives. We need big booster power, and big power for space operations.

"Congress must seriously reconsider the impact of the Science Committee's divided decision to cancel and close down completely the U.S. development of the NERVA I nuclear rocket engines. Congress is now deciding irrevocably whether the American people are going to be shocked and embarrassed before the world again just six years from now, by canceling research and development programs that wise counsel and serious judgment require. Congress is deciding now whether the United States is going to concede to the Soviet Union and Red China a tremendous advantage in space, the strategic and pioneering area of the future.

"NERVA can double the payload and mission capabilities of the Saturn V launch vehicle for maneuvering heavy payloads in earth orbit, for landing heavy payloads at any point on the moon's surface, and for sending unmanned probes into deep space. For such missions, it is clear that the payload capability of the Saturn V will increase by as much as 100 percent.

"The NERVA system is the only rocket under development that can supply the needed thrust to perform rendezvous and inspection in orbit of a foreign payload and permit neutralization or deflection in orbit. These performance again for U.S. missions, lunar and planetary, manned and unmanned, also simplify operations and are translatable into cost benefits which can pay off the development cost in a relatively few missions. The Voyager program of manned space flight deep-planetary exploration becomes feasible and within realistic cost limitations with NERVA development.

"The United States cannot succeed in space nor hope to compete with the USSR further in space without aggressive research and development programs of this type, to insure adequate power.

"I have always been a strong proponent of research in these new fields. If our country does not step out vigorously in these high-potential payoff areas, our program will suffer from outdated methods. Our technological capability will not be utilized and our program costs in the long run will be excessive."

PLANETARY EXPLORATION

"The United States should plan to be the first nation to impact Mars. The hard landing attempt on Mars under NASA's present plan will not be made until 1973. Scientists speculated while testifying during the recent hearings that the Soviet Union may attempt unmanned Mars landing as early as 1969. Again, the United States will be too late with too little as was the case in the recent Soviet impact flight and United States fly-by flights to Venus.

"I would also place almost as high a priority on new pioneering missions to Mercury and Jupiter. Technically, such flights are feasible as early as 1970, and could lead to results of even greater scientific and national prestige value that did Mariner IV, because existing ground-based information is even less definitive for the more distant planets.

"Opportunities for Jupiter occur almost yearly and a presently available excess Saturn V launch vehicle from the Apollo program could be used for such a mission. A Venus swingby to Mercury is possible in 1970 and 1973, but not again until the 1980's. The existing Atlas-Centaur launch vehicle would be adequate for such a mission. NASA has these launch vehicles already in the stable awaiting a mission and the spacecraft to do the job.

"The Lunar Orbiter project has been unusually successful. In the short lifespan of the Lunar Orbiter, scientists have learned more about the surface of the moon than their predecessors learned since the beginning of time. This most versatile spacecraft could be uprated for photographic coverage of Mars and Venus at comparatively little expense and in much less time than developing new payloads from scratch. With the addition of radar sensing equipment, it could prove to be of inestimable value in the topographic exploration of Venus, Mars and other planets."

EARTH RESOURCES

"The natural resources of the world become more critical as the world population expands. The efficient use and conservation of these resources are most important. Space technology developments over the past decade now make it possible to move forward toward improving controls over food, water and mineral resources. The basic objectives are to discover new resources, exploit, manage and conserve known resources, and apply them for the public good.

"In agriculture alone, the economic benefits would be tremendous. Farm productivity is essential to all of us. Tremendous benefits would accrue to the mining and petroleum industries. These groups spend millions of dollars in their search for oil, metallic ores or other valuable mineral deposits. Pictures from space can greatly help in focusing these ground search efforts on likely areas.

"We need to de-emphasize the accumulation of earth resources data from aircraft surveillance and place further emphasis on the development of an operational earth resources satellite system. Aerial photography will never be totally supplanted. There are some jobs it can do, some levels or detail it can attain that surveillance from space cannot equal. However, for covering large areas, it is a slow, expensive system, always at the mercy of the weather and severely limited in capacity.

"It is clear that the development of our spacecraft technology is far enough along to handle most requirements for earth resources satellites."

SAFEGUARDS

"For many years, I have strongly recommended that an Office of Inspector General, with necessary staff and facilities, be established in the National Aeronautics and Space Administration. NASA is short on safety on some ordinary inspections. An example was the Apollo 6 unmanned test flight in April, where better attention to some of the wiring requirements might well have saved nearly $200 million—enough to finance NERVA 2 and Voyager programs for some time.

"It is of urgent importance that NASA establish and maintain an inspector general to insure that the space program and objectives of this nation are carried out and met with both economy and efficiency."

Fulton continues to make these and other points in his frequent appearances before the House Appropriations Committee. All of his remarks reflect his concern for the country's future, and his recognition of his responsibilities as a congressman who wants to be just that and not a seeker of higher office. ("Thomas Jefferson outlined the importance of a congressman and formed an excellent pattern for us to follow.) I like being a congressman."

A man of multiple action, he believes that you cannot build a reputation on what you're going to do. Instead, you have to begin somewhere.

His somewhere was Pittsburgh, where his relatives had two centuries of civic service. A high honor graduate at Penn State, he was chosen Fellow in the Economics and Mathematics departments his senior year. The law degree came from Harvard Law School, and he joined a Pittsburgh banking law firm during the thirties, served in the Pennsylvania State Senate just before World War II and went on active duty as a Navy lieutenant in 1942.

It was while he was in the Pacific in 1944 that he ran for Congress, seeking a seat held by the Democrats for 30 years. He was an unlikely prospect. A banker's son in a labor district, no campaigning and 8,000 miles from home. But he made it (he says by accident), and has been elected ever since by a majority of 50,000.

So sure that he had stepped on a political banana peel, his law associates didn't even take his name off the office door, figuring he'd be back in two years. They're still waiting.

His impact in Congress was felt early. The U.S. Congress passed Fulton's resolution just after World War II placing the Japanese League of Nations-mandated islands between Hawaii and the Philippines under United States sole trusteeship. This is the only United Nations Security Council authorized trusteeship with the right of the trustee to fortify. This has prevented any dispute blocking or any takeover by cold war foes. ("That has been the strategic U.S. frontier since the late forties; now the U.S. strategic frontier is 'space'—clearly and equally.")

Fulton has served under five presidents and has distinguished himself in foreign affairs, Latin America relations, serving as U.S. delegate to the United Nations in 1959 and since as an advisor to the U.S. mission at the UN—working on early development for space law and treaties and many other areas. Congressman Fulton finds himself unhampered by political debts or patronage, permitting the time and judgment to do the job the way he sees it. He's a Republican endorsed by labor unions, backed by political groups from both the liberal and conservative fronts, mostly because, he says, "I work."

His office is in the Rayburn Building ("I admired Sam Rayburn a great deal."), but most of his office correspondence is handled through his Pittsburgh office in the new Federal Building. Most of his mail is about Vietnam, ("It reflects the nation's concern.") He's a longtime advocate of "opening up the world," cooperating with Russia in as many areas as possible, but keeping a strong U.S. defense.

Asked how Washington has changed in the 24 years he's been there, Congressman Fulton said, "There are fewer politicians here now, and more competent congressmen, working in many technical and research fields; and that's a healthy situation."

Fulton, in the new dimension of Congress, is in a group of competent "technocrats" in the government, rather than the Republican or Democratic parties. The politicians and office holders have to depend on the "technocrats" in the government for the facts, and also their ability to judge among large engineering and industrial proposals involving vast sums of money over long periods of time in research and development. This process is neither bookkeeping nor accounting, but involves sound judgment.

They won't have to run any benefits for Jim Fulton when he retires. He owns and operates a chain of seven Pittsburgh/suburban weekly newspapers and several southwestern Pennsylvania ranches—where he raises Angus cattle and sheep. He's built a library and is living testimony to why attics were created. Fulton is a collector. Not just stamps or coins. He collects antique paintings and portraits (his office is a mini-museum of art), tapestry, pieces of marble and sections of trees. He has a barn full of doors and even has collected a number of historical western Pennsylvania housefronts and fountains, which were about to be demolished. He is the only collector of old bridge piers in the nation, owning two 15-story-high suspension piers right in the Monongahela River in downtown Pittsburgh. Each could hold a 50-story building.

But his number one interest is the nation. He has enthusiasm. He has visionary ideas. Some say his ideas are impractical, but a man with an idea is usually called impractical until the idea works.

He shares his concern and his courage with others: "There is the imminent possibility of another space shock such as October 1957 when, because of our too little and too late booster capability, the Russians were first to put heavy payloads in orbit and all the U.S. could do was belatedly launch a grapefruit.

"The United States must do more research, not less. We must direct our work to give us the capability that is within our grasp. We in Congress must help, not hinder, our nation's progress."

TO PROTECT THE SECURITY OF THE INDIVIDUAL AND HIS PROPERTY

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. ASHBROOK. Mr. Speaker, from 1960 up until February of this year 335 law enforcement officers had been killed by criminals throughout our Nation. Consequently, it is understandable that law-enforcement officers look with alarm on court decisions which release criminals on technicalities and legal evasions. The danger is a very real one when one considers statistics compiled by the FBI in its continuing study entitled "Careers in Crime Program." This program, began in 1963, follows the criminal and prosecutive histories of a group of known offenders in their lives of crime. An analysis of 41,733 such offenders arrested in 1966 shows that over one-half of these repeaters had been the recipients of leniency in the form of parole, probation, suspended sentence, or conditional release on one or more occasions in their criminal careers. Although the courts were not responsible for all the releases mentioned above, one Supreme Court decision, for instance, can have far-reaching effects.

In the case of Danny Escobedo, who was sentenced to 20 years for helping to murder his sister's husband, he was freed because he had not been permitted to see a lawyer before talking. Because of this decision the district attorney in Dallas, Tex., dropped charges against 100 persons who had confessed to burglary and narcotics charges. He maintained that the Escobedo decision made prosecution futile. Justice Byron White, in his dissent from the majority Escobedo decision, stated the case in terms that American citizens have long assumed to be a basis for court decisions:

> The most basic function of any government is to provide for the security of the individual and his property . . . Without the reasonably effective performance of the task . . . it is idle to talk about human dignity and civilized values.

A national effort is now underway to secure a fighting chance for the rights

of law-abiding citizens in future Supreme Court decisions. As reported by Donald McDonough in the Philadelphia Inquirer of June 23, the National Fraternal Order of Police will begin circulating throughout the 50 States petitions for a "redress of grievances" against the Supreme Court. Reiterating the theme of Justice White cited above, John J. Harrington, president of the organization, states that "the Supreme Court has been crying for the criminal and not weeping for the victim." Momentum for the drive was initiated by a speech by Judge Leo Weinrott of the Philadelphia Common Pleas Court whose call for the petitioning of Congress was implemented under the auspices of the police fraternal organization.

It seems to me that here is an excellent opportunity for concerned citizens to tell the Supreme Court, Congress, and the executive branch that members of these three branches are still truly the servants of the American people, employed by the American people, and answerable to the American people, and that changes had better be made to protect the security of the individual and his property—or changes will be made to restrict or remove responsible officials.

I insert the article, "Court Restrictions Spur Protests," by Donald A. McDonough, appearing in the Philadelphia Inquirer of June 23, in the RECORD at this point:

COURT RESTRICTIONS SPUR PROTESTS

(By Donald A. McDonough)

A local effort to gather signatures protesting recent U.S. Supreme Court decisions on criminal cases is blossoming into a national drive.

John J. Harrington, a Philadelphia policeman and president of the National Fraternal Order of Police, said Saturday petitions will begin circulating next week throughout the 50 States for a "redress of grievances" against the Supreme Court. He's hoping for 30 million signatures.

"The Supreme Court has been crying for the criminal and not weeping for the victim," Harrington said. "Now it's time for the people to be heard."

SPARKED BY WEINROTT

The idea for the petition was sparked two weeks ago by Common Pleas Judge Leo Weinrott in a speech to 300 wives and daughters of policemen. In his address, Weinrott said people should petition Congress to nullify recent "hampering" decisions by the nine-member court. If necessary, the Constitution should be amended, Weinrott added.

Since his speech, Weinrott said, he has been flooded with enthusiastic letters from civic and community leaders across the Nation. Because of the response, he and Harrington discussed the possibility of a massive campaign against the court.

WOMEN TO HELP

Behind the grass-roots drive will be 137,000 active policemen in Federal, State and local levels, plus 120,000 associate FOP members, Harrington said.

Wives and daughters of FOP members in 965 lodges in the country also will be called on to circulate the petitions.

Decisions by the court extending the rights of accused persons, the petitions will say, "are looking solely to the protection of the criminals in disregard to the safety and property of law-abiding citizens."

CRIME BILL SIGNED

They also will ask the Government to take "prompt and immediate" steps to reverse the decisions.

Last week President Johnson reluctantly signed into law the omnibus crime bill, a few sections of which attempt to counteract some Supreme Court rulings.

If Harrington has his way, the Federal Government will find out how many Americans object to the trends in jurisprudence.

"Our petitions will show that the people are not satisfied with the recent Supreme Court decisions," Harrington said.

ALASKA'S APPROACH TO RESPONSIBLE GUN LEGISLATION AND THE CRIME STATISTICS

HON. HOWARD W. POLLOCK

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. POLLOCK. Mr. Speaker, during the past several weeks there has been an ever-increasing clamor for Federal legislation to prohibit or restrict accessibility of all firearms and ammunition. The proponents of this new, and in my opinion, unconstitutional Federal antigun legislation, claim that such action is necessary to protect our citizens and this is "responsible" legislation which would control the criminal element of our society. The need for this Federal antigun legislation is premised upon first, the shocking national rate of increase in crimes and particularly the number of crimes involving the use of firearms; and second, the inability of the several States to control the use of firearms within their separate jurisdictions. The proponents of this new Federal antigun legislation make it abundantly clear that there is only one resonsible course Congress can take—and that we must act immediately.

Mr. Speaker, I have consistently maintained, and I still do, that Federal antigun legislation of the type now before the Congress is unconstitutional and that these measures do not attack the basic problem. Mr. Speaker, in the State of Alaska, the per capita gun ownership by law-abiding persons is probably the highest of any State in the Nation. Alaska is truly pioneer country, not only in the physical sense of the challenging and stimulating natural environment, but also in the way in which it attacks the root cause of the gun-crime problem at its very foundation. The Alaskan approach is to place responsibility where it belongs—at the State level with enactment of appropriate legislation to punish the criminal harshly and to protect the law-abiding citizen without undue abridgment of his individual rights.

Mr. Speaker, the last Alaska State Legislature passed, and the Governor signed into law, an amendment to Alaska's criminal statutes which provides that a person who uses or carries a firearm during commission of a robbery, assault, murder, rape, burglary, or kidnapping and is convicted of such an offense for the first time is to be imprisoned for a minimum of 10 years. For a second offense the term of imprisonment is to be not less than 25 years. This approach places maximum responsibility upon the owner or user of a firearm. I am today introducing similar Federal legislation. Mr. Speaker, I include a copy of the Alaska statute in the RECORD at this point. I commend this Alaska statute to the attention of all Members as a responsible approach to the unlawful use of firearms.

The statute follows:

LAWS OF ALASKA, 1968: HB 333,
CHAPTER NO. 144

An act relating to the commission of certain crimes with firearms

Be it enacted by the Legislature of the State of Alaska:

Section 1. AS 11.15 is amended by adding a new section to read:

"Sec. 11.15.295. Use of Firearms During the Commission of Certain Crimes. A person who uses or carries a firearm during the commission of a robbery, assault, murder, rape, burglary, or kidnapping is guilty of a felony and upon conviction for a first offense is punishable by imprisonment for not less than 10 years. Upon conviction for a second or subsequent offense in violation of this section, the offender shall be imprisoned for not less than 25 years."

As a citizen and as a Member of this august body, I too am shocked and concerned about the increase in crime. However, I am equally amazed at the statistical evidence on crime that is consistently misrepresented to "prove" the need for new Federal antigun legislation. I shall pursue the matter of crime statistics a bit further in just a moment. But first, Mr. Speaker, I would like to remind the Members of this body of some of the pertinent provisions included in the Safe Streets Act which was signed into law less than 2 weeks ago.

Title IV of the Safe Streets Act is what the President termed the "half-way" measure which, among other things, prohibits interstate sale of handguns. Let us examine a provision of this title which goes to the heart of the matter. Section 922(a)(3)(B) prohibits anyone from transporting or receiving any firearm purchased or otherwise obtained outside his State of residence which would be unlawful to purchase or possess in the State or local subdivision where he resides. For some strange reason we are hearing very little about this aspect of the "half-way" measure.

Title VII of the Safe Streets Act is another provision which has also been quietly ignored by those antigun proponents who are concerned about private ownership of firearms and crime. Title VII provides that it is a Federal crime punishable by not more than 2 years imprisonment and/or a $10,000 fine for certain persons to receive, possess, or transport any firearm in commerce or in a manner which affects commerce. This provision makes it unlawful for such action by: first, anyone convicted for a crime by a Federal, State, or local court which is punishable by imprisonment for a term exceeding 1 year; second, anyone discharged from the armed services for reasons other than honorable; third, anyone lawfully declared as mentally incompetent by a Federal, State, or local court; fourth, anyone who has renounced his U.S. citizenship; fifth, aliens who may be illegally in the United States; and, sixth, any individual employed by a person in any of the catagories above with knowledge of same.

Mr. Speaker, I will wholeheartedly support efforts to further strengthen either the penalty provisions or the definition of persons who are adjudged as unqualified for ownership of lawful firearms, as long as this latter is not inclusive of all citizens. To me, this is the only reasonable and sensible way to attack the criminal use of firearms.

Now, Mr. Speaker, I would like to briefly discuss the matter of crime statistics and the way these data are being used to "prove" firearms per se are the culprit. Comparisons are presented to show that the rate in which firearms are used in this Nation to commit crimes is considerably higher than the rate in which firearms are used in other countries. Mr. Speaker, I most certainly do not contend that the use of firearms in the commission of crimes is not a serious problem which needs our collective attention. But at the same time I must express my absolute amazement at the manipulation of crime data to "prove" the urgent need for new Federal antigun legislation.

In recent days I have taken time to review the most recent remarks of the President concerning the need for tighter gun controls throughout the United States. My criticisms voiced on the floor of the House the day the President called for the registration of every gun and every gun owner were not only for the very serious and unconstitutional thing that the President was trying to do to the law-abiding citizens of America, but also I was taking umbrage at the manner in which he carefully phrased his remarks to further inflame an already hysterical populace. I feel as strongly today as I did at that moment.

Now, however, I have had an opportunity to make a more in-depth review of the statistics he quoted, and must report to the Congress and to the people of these United States that the President did not tell the whole story, nor did he tell it fairly.

Mr. Speaker, I include a copy of my letter of this date to the President on the point, in order that some of the misinformation or one-sided information might be corrected:

Congress of the United States,
House of Representatives,
Washington, D.C., June 28, 1968.

The President,
The White House.

Dear Mr. President: As a citizen and a member of Congress, I too am deeply disturbed about our shocking national rate of crime. However, I am somewhat amazed at the apparent misrepresentation of statistical information to "prove" that the culprit is the lack of federal gun laws.

In your special message to Congress "The Peoples Right to Protection" (H. Doc. 332) dated June 24, 1968 you state:

"We can see the difference in the last reported comparison of homicides by *gunfire*, Out of the 15 countries reporting, the United States ranked worst . . ."

Mr. President, I do not question this statement; however, you are not telling the whole story and in fact you are statistically comparing peanuts to coconuts. Accordingly, I feel compelled to respectfully invite your attention to the total story. A check with the latest available statistics in the Library of Congress shows the following ranking of all homicides and suicides regardless of cause: [1]

Year	Country	Total rate per 100,000 population	Suicide rate	Homicide rate
1964	Denmark	21.4	0.4	21.0
1964	German Federal Republic	20.4	19.2	1.2
1964	Sweden	19.6	18.9	.7
1964	Switzerland	17.5	16.7	.8
1964	Japan	16.7	15.2	1.5
1965	United States	16.6	11.1	5.5
1965	Australia	16.3	14.8	1.5
1965	France	15.8	15.0	.8
1964	Belgium	14.6	14.0	.6
1965	England and Wales	11.5	10.8	.7
1965	New Zealand	10.4	9.2	1.2
1965	Canada	10.0	8.7	1.3
1965	Scotland	9.1	8.0	1.1
1965	Netherlands	7.3	6.9	.4
1965	Italy	6.4	5.5	.9
1965	Ireland	2.1	1.8	.3

To claim that the cause of the high rate of homicides is a reflection of the vast numbers of firearms in private ownership in this country is a misstatement of fact. For if this were The case, then liberal access to firearms would also "cause" a disproportionate increase in the rate of suicides. Since the rate of suicides in the United States is comparable to the suicide rate in other countries, it strongly suggests that guns *per se* are not the CAUSE.

To illustrate the role of guns in crime even further, I also respectfully invite you to review the FBI Law Enforcement Bulletin of December 1966 *Crime is a Worldwide Problem*. Information in that publication shows among other things that the percent change in the crime rate between 1960 and 1965 for the United States, Sweden and England-Wales were:

	Change	Murder	Aggravated assault	Forcible rape	Robbery	Burglary	All larceny	Auto theft
United States	+40	+9	+40	+36	+29	+41	+39	+51
England and Wales	+55	+10	+64	+7	+86	+67	+54	+3
Sweden	+39	[1] +38		+33	+92	+39	+37	+44

[1] Statistics for Sweden combined murder and aggravated assault into a single category: comparable U.S. grouping shows a plus 38 also.

Since England and Wales have gun laws of the general nature which you now propose, I should expect the overall percent increase of crime to be less. Conversely, I could make the argument that statistically the United States serious crimes have increased at a rate which was *15 percent less because* the perpetrator of a serious crime in the U.S. was aware that many homes were armed for self-defense. In any event, the rate of increase in murders in the U.S. was 1 percent *less* than that of England and Wales and aggravated assault were 24 percent *less*.

Further, Mr. President, you state in your June 24 call for new, and in my opinion unconstitutional, anti-gun legislation that in the United States: ". . . in 1967 there were 7,700 murders with guns . . . 55,000 aggravated assaults with guns . . . over 71,000 robberies with guns." Again only part of the story. What were the actual *totals* for: (1) all murders by type of weapon? (2) all aggravated assaults by type of weapon? and (3) all robberies? I would also appreciate having the statistics for the above on the basis of each state, the District of Columbia, and territories or possessions which were used to derive the totals used in your June 24 message. Of the 133,700 criminal uses of firearms in 1967 you cited, how many will now be covered by the "Safe Streets Act": (1) Title IV; and (2) Title VII? How many of these were in violation to existing state or local gun laws? How many were in violation of the 1934 National Firearms Act? How many were in violation of the 1938 Federal Firearms Control Act?

Mr. President, you also state: "Last year more than 3 million guns were added to private stocks, building a massive arsenal which arms the murder and robber." This statement implies that a vast number of these 3 million guns, or for that matter the 50 million to 100 million guns already in private ownership, are—or will be—used in criminal acts against society. I would appreciate knowing your basis for this blanket indictment against all gun owners. I also respectfully request information as to how many of those 3 million guns—which probably all involved movement in interstate commerce as defined in Titles IV and VII of the "Safe Streets Act"—would now be illegal. I would appreciate this information on the basis of: (1) the number of handguns covered under Title IV of the "Safe Streets Act"; (2) possession or ownership by undesirable persons as defined under Title VII of the "Safe Streets Act"; (3) firearms covered by the 1934 National Firearms Act; (4) the 1938 Federal Firearms Control Act; and (5) what impact the Postmaster General's recent miraculous discovery of previously existing authority to control the flow of interstate transfers of firearms and ammunition.

I would also appreciate knowing how your new proposal would have prevented, or otherwise reduced the total U.S. (1) homicide (2) suicide (3) aggravated assault or (4) burglaries?

Mr. President, we do not disagree that a serious crime problem exists in the U.S., but we most certainly disagree on the cause of the crime. Your argument that guns *per se* are responsible has no basis in fact. To me, the fundamental problem is the criminal and a society which fosters an environment of violence, not the inanimate gun, knife or blunt instrument used by the criminal. To restrict—and in the State of Alaska the restrictions would be very real indeed—lawful use of a firearm under the guise of crime prevention makes as little sense as saying automobile registration reduces automobile theft or the numbers of persons annually killed by misuse of automobiles.

Mr. President, if the criminal use of guns is truly the objective of your new anti-gun proposal, why not endorse pending legislation which would provide swift, certain, decisive, and predictable justice for acts of violence against society? Why not hold individuals responsible for their conduct rather than legislating against an inanimate object? Parole policies have been extremely liberal for those criminals who have been convicted and sentenced for such crimes against society. Why not enforce stiff maximum sentence, as mandatory, and without authority for commuting sentences whenever a person is convicted of possessing a firearm while committing a felony, or whenever a criminal is convicted the second time of any crime of violence. It is my firm conviction that this type of action, combined with a massive public education effort comparable to that launched to reduce deaths from automobile accidents would show positive results; whereas, your anti-gun proposals will have no appreciable impact whatsoever on the criminal.

Cordially,

Howard W. Pollock,
Congressman for Alaska

---

[1] Demographic Yearbook: 1966, United Nations.

A RESPONSIBLE APPROACH

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, the deep concern, wisdom, firm convictions, and responsible actions shown by SILVIO O. CONTE, my good friend and colleague in the Massachusetts delegation "is not" "the stuff of which election-year political speeches are usually made," as the North Adams Transcript recently stated.

Dedicated to the welfare of the Nation as a whole and the citizens of Massachusetts in particular, SIL CONTE presents the issues, difficult and controversial though they may be at the moment, clearly, forcefully, and with specifics. He tells it the way it is, and the North Adams Transcript has expressed the gratitude which I am sure all his constituents feel for the outstanding work of their Representative. It is a privilege to be able to bring this editorial comment to the attention of my colleagues here in the House:

[From the North Adams (Mass.) Transcript, June 18, 1968]

A RESPONSIBLE APPROACH

Congressman Silvio O. Conte's formula for fiscal sanity—higher taxes and reduced federal spending—is not the stuff of which election-year political speeches are usually made.

But then, our representative in Congress has always made it a practice to call his shots as he sees them and treat his constituents like intelligent adults who are entitled to the truth, whether it be bitter or sweet.

This characteristic of openness and frankness, without question, explains why Mr. Conte is so highly respected by his constituents—and that includes Democrats as well as Republicans.

In his talk at the annual dinner of the Chamber of Commerce of Greater North Adams Saturday night, Congressman Conte made it clear that right now the United States is in precarious financial shape, and that drastic steps must be taken if we are to avoid drastic consequences in the form of continuing inflation, loss of confidence in the dollar and continuing attacks on our diminished gold reserves.

We face these threats because our government—and that includes both the Administration and the Congress—has refused to face up to the fact that we cannot have both guns and butter. We have been spending billions on the war in Vietnam without making adjustments in our domestic spending to meet this increased burden.

The result has been a series of large federal deficits—a tremendous expansion in the national debt. And this has led to sharp and growing increases in the cost of living, a deteriorating balance of payments situation due to the fact that we are pricing ourselves out of world markets, a weakening in the strength of the dollar, and sky-high interest costs.

All of these things could have been avoided if the government had followed the advice of economists as long as two years ago and brought our deficit under control by increasing taxes and reducing spending. But such steps were politically unpalatable, and received little more than lip service in Washington.

We know from experience that taxation is a potent weapon for keeping the economy in balance. We have seen tax cuts stimulate a lagging economy, and tax increases slow down an overheated economy. We know that there is a direct connection between the government's fiscal policies and the financial well-being of the nation.

But because the prescription for the situation we now face was higher rather than lower taxes, and because the imposition of taxes is never as politically palatable as cutting them, Congress has put off taking the indicated steps in spite of the pleadings of such responsible members as Rep. Conte.

The Pittsfield congressman did not stop Saturday night with a general and meaningless call for reduced federal spending. He cited chapter and verse of where Congress could find plenty of fat and impose spending reductions without undue damage to the nation, either militarily or domestically.

And he was right in demanding that Congress stop treating the defense budget like a sacred cow. Spending reductions should be minimized, as he said, in the important, ongoing social programs designed to relieve poverty, improve education and revitalize and save our cities.

But when we find ourselves spending $80 billion out of a total budget of $195 billion for defense, it becomes obvious that substantial amounts can certainly be saved in the military area. Other areas cited by Mr. Conte as possible fields for economy included government research, development of a supersonic transport plane, outmoded and unsuccessful but costly farm subsidies, and foreign aid.

It is absurd to think that we cannot stand a 10 per cent surtax and at least a $6 billion reduction in spending, unpalatable as each may temporarily be.

The alternative is fiscal disaster, and it is good to know that this district's representative in Congress is taking a responsible and realistic approach to the nation's economic ills.

THE 10TH OBSERVANCE OF CAPTIVE NATIONS WEEK—JULY 14–20, 1968

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. BRAY. Mr. Speaker, there is one very great truth in these times, and that is the fact that the captive nations are very much captive under communism. The purpose of Captive Nations Week is to remind Americans that almost a billion humans are under this yoke. The following documents are pertinent to the subject and are worthy of consideration:

[From the New York Times, Feb. 9, 1968]

EXCERPTS FROM DOCUMENTS ON UKRAINIAN TRIALS IN 1966

WASHINGTON, February 8.—Following are excerpts from Soviet manuscripts that were written by Vyacheslav Chornovil, a convicted Ukrainian newsman, and that reached the West through a variety of channels. The first is from an account of investigations and trials that took place in the Ukraine in 1965–66. The second is from a letter addressed to Pyotr Y. Shelest, the Ukrainian party leader.

ACCOUNT OF TRIALS

It seemed that nothing was happening during August and September of 1965 to affect the usual rhythm of life in the Ukraine. Newspapers wrote of new victories on the labor front. The editorial of Moscow's Pravda urged a strengthening of friendship between nationalities and warned that the party would not allow anyone to obstruct the progressive processes of the drawing together of nationalities.

The Ivan Franko Theater in Kiev was staging the premiere of Stelmakh's drama "Truth and Falsehood," at which the audience applauded the fearless hero who overcame the dishonest police agents with merely one word of truth.

Meanwhile, for some reason, Ivan Svetlichny, a literary critic; Mikhailo Horyn, a psychologist; Mikhailo Ozerny, a teacher, and Waroslav Hevrych, a student, did not return from their summer vacations.

ABSENCES FROM WORK

Giving no reason, Bohdan Horyn, a research worked at the Lvov Museum of Ukrainian Art; two lecturers of Lvov University, Mikhailo Osadchy and Mikhailo Kosiv; two Kiev engineers, Oleskandr Martynenko and Ivan Rusyn, did not show up for work.

Slowly the rumor spread that nearly 30 university lecturers, artists and scholars suddenly disappeared from their departments, their desks and laboratories and moved into rooms with double bars on the windows.

Men with stern faces appeared in various Ukrainian homes and turned apartments upside down, confiscating old editions of books, letters and manuscripts. Messengers delivered gray bits of paper bearing the peremptory command: "You must appear before investigator N as a witness."

After five to eight months of "investigation," 20 persons stood trial, charged with anti-Soviet nationalistic propaganda and agitation and some also with "organizational activity." However, even those from whom repentance had been forced after long months refused to admit at the trials that they had read "forbidden" books or articles to "undermine or weaken the Soviet order."

To charge a person with reading a book or article without taking an interest in his convictions and intent is a fact unheard of in the juridical practice of the greater majority of the countries of the world and completely incompatible with the Declaration of Human Rights, which the Soviet Union ratified.

But let us look at the matter more soberly. Was it for those few foreign editions that Mikhailo Horyn read himself and gave to several of his closest friends, scholars like himself, that he was condemned to six years—not months, years—in hard labor camps? Or was this merely a pretext, used to take revenge on a man for convictions that he did not conceal from anyone?

And was it not because of this that, after legality had been mocked, 15 out of the 19 persons were tried in secret, away from the public eye, and the 20th was deported without an investigation or trial?

Accustomed to periodical pogroms during the last decades, the Ukrainian-intelligentsia reacted to this new bloodletting quite mildly. The schooling of the nineteen-thirties did not go unheeded. But inquiries, signed by authoritative persons, were sent to high offices. The younger generation used all possible means to demonstrate their solidarity with those who were arrested. During the trials in Kiev and Lvoy, spontaneous demonstrations and protests broke out.

As a result, neutralizing measures were taken. A small group of intellectuals were read a document in which phrases arbitrarily chosen out of context from the court records were supposed to prove that all those who had been sentenced accepted their sentence as a just retribution for their acts.

A statement as made from a high tribune that there had been no organized action against the Ukrainian intelligentsia, that only a few criminals who had no connection with intellectual societies had been arrested.

It is true that the names of the majority of those who were sentenced are not at all, or only slightly, known to wide circles of Ukrainian society.

If one were to compile a typical biography of those sentenced in 1966 for "anti-Soviet nationalistic propaganda and agitation," it would read as follows: On the day of arrest, the condemned N was was 28–30 years old. He came from a peasant or worker family. He graduated from high school and entered an institution of higher learning, in some cases after army service, where he became an active member of academic clubs.

As one of the top students, he received a good appointment, was writing a dissertation or had already completed it, was publishing articles in periodicals or had published a book. Even if he had only technical training, he was interested in literature and art and was concerned about the state of his native language and culture. He is unmarried or was married shortly after the arrest and has a small child.

LETTER TO SHELEST

It is not as an ordinary journalist that I am addressing myself to you. I am addressing myself to you as one Soviet citizen to another Soviet citizen, as a Ukrainian to another Ukrainian. I am writing concerning the problem that pains everyone who has not yet fallen into the swamp of bourgeois callousness.

The arrests and secret trials that have swept across the Ukraine during the last nine months were not on a massive scale and, therefore, to the not very farsighted may seem to be too petty an episode in the life of the republic to provoke serious attention. However, the lawlessness and arbitrariness permitted today as a kind of exeriment may tomorrow becme a terrible and all-pervading epidemic.

Communism represents the highest development of the spiritual world of every individual. Man is not a robot without soul, who lives by an established program. Man examines each program with his brain and with his heart. The community of thoughts, the contest of opinions, the crisscross of ideas—these are a powerful lever that always has moved and always will move humanity forward.

The highest saturation of material goods, without free thought and will, is not Communism. It is a great prison in which the food rations of prisoners are increased.

Even under Communism people will suffer, the suffering of an ever searching intellect. Even under Communism there will be conflicts, even tragic conflicts. There will be contradictions of spirit and deed; they will not be resolved by compulsion and force, but by the healthy sense of a free personality. About such a society the great minds of mankind have always dreamed.

It has been proclaimed that "the generation of Soviet people will live under Communism." Perhaps our generation will live in a declared Communism, just as we now live in a declared sovereign republic, have declared freedoms and a declared Socialist legality.

History has more than once refuted the Jesuit principle that "the end justifies the means." The most equitable society cannot be built by means of terror and the stifling of social impulses in the people. The dialectics of history are inexorable, and unworthy means disgrace the end.

PRECEDENT IS FEARED

Today's officers of the K.G.B. [The state security police] do not like to be compared with their predecessors of the nineteen-thirties. But a look into the past shows that once lawlessness and lack of principle in the activities of the court and the investigative organs are permitted, there are no limits to where it will end.

Today someone may be subjected to a search without a warrant, may have the prerevolutionary editions of books confiscated as anti-Soviet, may have his complaint ignored. Tomorrow, authorship of an article may be attributed to a person after he sees that article for the first time. The day after tomorrow a "movement" will be fabricated and completely innocent people will be punished.

One would like to believe that the series of arrests and secret trials in the Ukraine was an ominous "blind spot" in history, caused by the uncertainty of the party line during the period between the October plenum [of 1964, when Nikita S. Khrushchev was deposed] and the 23d congress of the party [in March, 1966] and not a new, even more drastic course in policy toward nationalities.

Who are the people being thrown behind bars in the Ukraine today? They are young people who grew up under Soviet power, who were educated in Soviet schools, Soviet universities and in the Komsomol, the Young Communist League.

Those put on trial for bourgeois nationalism are people who do not remember the bourgeois order under which their parents or grandparents suffered such privation on their own rich land.

LOOKING FOR CAUSES

No one has ever thought of looking for a reason for this anymore deeply than the tiresome nonsense about the effects of bourgeois ideology and bourgeois nationalism.

Brainwashing by the police will serve no purpose if we close our eyes to unsolved problems, particularly the nationality problem. Again and again it will be necessary to throw behind bars those who persistently refuse to call white that which is black.

And later it will be necessary to rehabilitate people again, and accept that truth for which they sacrificed their youth. For history always runs into clear waters.

Now, when the condemnation of Stalin's despotism and methods of violence is final and irrevocable (no matter what some unclever and helplessly cruel people would like), experiments involving the cutting out of roots and silencing and terrorizing are infamous and historically irresponsible. They are—and I say this with full conviction—anti-Soviet to their essence. This is why I write about it.

[From the Newark (N.J.) Sunday Star-Ledger, Mar. 10, 1968]

ENSLAVED UKRAINE SMUGGLED DOCUMENTS BARE SOVIET SUPPRESSION

(NOTE.—Rarely does news of Soviet crimes outside of Moscow or Leningrad reach the West. Russia takes special pains to conceal the ferment in its satellite republics. This article documents the suppression of freedom and justice in the largest non-Russian Soviet Republic, the Ukraine. It is based on letters from Ukrainian intellectuals that were smuggled to the West, and on sources inside and out of the Ukraine.)

(By Sid Goldberg)

Event: The secret trial of a noted Soviet journalist.

Time: November 15, 1967.

Scene: A grim, bare, improvised courtroom in a KGB (secret police) prison "isolator."

Protagonists: The defendant, KGB men, the judge, and a squad of bayonet-bearing soldiers.

The defendant protests his innocence, and cites the law to prove the trial is illegal.

The judge sentences him to three years in a prison camp.

It's a familiar story by now, repeated with numbing frequency throughout Soviet history in dreary, make-shift courts.

What's different about this one, however, is that it is fully documented, and rips the curtain from the ferment taking place in the Soviet Union.

This trial was in Kiev, capital of the Ukrainian Soviet Socialist Republic (UKSSR). The journalist was 30-year-old Vyacheslav Chornovil, arrested for protesting the arrests of other Ukrainian intellectuals.

Though the Chornovil trial and others like it have received scant and belated attention in the Western press, experts rank them in importance with the highly publicized Sinyavsky-Daniel trial in Moscow.

Their significance lies in the flood of light they shed on Soviet abuse of its own laws, and on the Ukrainians' persisting struggle to maintain their national identity.

The Ukrainian trials are documented by letters smuggled to the West, all of them desperate appeals by condemned Ukrainian intellectuals, including a remarkable 71-page document written by Chornovil himself before his arrest.

Dr. Zbigniew Brzezinski, director of Columbia University's Research Institute on Communist Affairs, calls these documents "remarkable" and "of monumental importance."

One of the encouraging developments in the recent trials is that Soviet intellectuals—not only in Russia and the Ukraine, but in many other Soviet republics—are talking back to the prosecutors and to the judges. Soviet youth is no longer cowed, as it was under the Stalin terror.

Ironically, the greatest defense for the defendants on trial turns out to be the Soviet Constitution itself, which resounds with lofty ideals but is seldom enforced. Ukrainian intellectuals, for example, have frequently cited the Soviet Constitution's Paragraph 126, which guarantees freedom of the press, the right to hold public demonstrations, and the right to organize. The intellectuals insist that these laws be obeyed by the Soviet law-enforcers; the KGB officials insist equally strongly that they won't be intimidated in their police work by "legalists."

The new ferment does not exist in a vacuum. There has been great unrest in the Soviet Union since the lid was taken off when Stalin died. In 1953 and 1954 several large slave labor camps, among them the notorious Vorkuta, rose up in abortive rebellions. In 1956 there was widespread rioting in Georgia, birthplace of Stalin. In 1962, rises in the food prices triggered riots in Moscow itself, while in Novocherkassk on the Don River, KGB troops battled rioters for several days, killing hundreds.

On June 10 last year at Chimkent, an industrial center in Soviet Asia, riots were sparked when police beat to death a taxi driver. The disorders ended only when tanks and armored cars opened fire against the mobs.

In the Ukraine, rioting flared in 1963 and 1964, fanned by crop failures and intolerable labor conditions in industry. Since the Ukraine is the agricultural and industrial heart of the Soviet Union, the Kremlin felt a special urgency in crushing the rebelliousness there.

In the forefront of the Ukrainian ferment are the intellectuals, who seek not only individual freedom but also a more authentic nationhood for their people. They cite laws guaranteeing not only freedom of speech and press, but also laws purported to safeguard the Ukrainian language and culture. Despite this, there has been for years a relentless Russification of the Ukraine.

Since 1965, the KGB has arrested several hundreds of these Ukrainian intellectuals. The sentences have ranged from three years in prison to death by firing squad. There have been at least two executions.

Journalist Chornovil became embroiled in the KGB's struggle with restive intellectuals in 1966, when as correspondent for the Kiev Radio and TV Station, he was admitted to trials of young Ukranian intellectuals in Kiev and Lviv (called Lvov by Russians). What he saw there shocked him deeply. "The lawlessness and arbitrariness that are permitted today as a kind of experiment," he wrote in his letter, "may tomorrow become a terrible and all-pervading epidemic."

On April 16, 1966, he found himself personally involved. The Lviv authorities called him to testify as a witness in the secret trial of four people. Chornovil refused to appear, on the ground that secret trials were a violation of Soviet Ukraine's legal code, which specifies that all trials must be public.

Consequently, on April 19, Judge Rudyk and prosecutor Antonko of the Lviv regional court filed charges against Chornovil, accusing him, under Article 62 of the Ukrainian Criminal Code, of "disseminating anti-Soviet propaganda with the purpose of weakening the Soviet regime." In his letter, Chornovil wrote, "The court did not have any evidence of such propaganda and agitation. This was their revenge for my refusal to testify." (This was the same accusation made against Sinyavsky and Daniel in Moscow.)

Chronovil, who had taken a master's examination in Marxism-Leninism and knew his law, appealed. On May 17 the Ukrainian SSR's Supreme Court overruled the charges against him as groundless. But the all-powerful KGB, which is a law unto itself, kept working diligently to catch Chornovil.

On May 22, Chornovil boldly wrote the 71-page letter to the First Secretary of the Communist Party of Ukraine, Petro Shelest. The letter, flashing with sarcasm and with the human drama of the trials Chornovil had witnessed, arrayed powerful arguments against KGBM procedures. It appealed to Shelest to protect all the arrested intellectuals.

Shelest ignored it, and allowed the KGB to move in. Not long after, Chornovil was arrested. Last November after months in prison (during which the KGB conducted its investigation of the case), he was brought to trial and sentenced. As he had written in his letter, "Again and again it will be necessary to throw behind bars those who stubbornly refuse to call white that which is black."

Clandestine copies of his letter were made and circulated broadly in Ukraine, at great personal risk for those who did it. It finally penetrated the Iron Curtain and came into Western hands.

[From the New York Times, Mar. 15, 1968]

SOVIET WINS DELETION OF MOST OF U.S. CHARGE FROM U.N. REPORT

(By Drew Middleton)

UNITED NATIONS, N.Y., March 14.—The Soviet Union has succeeded in expunging from the record of the Commission on Human Rights most of Ambassador Arthur J. Goldberg's charge that Soviet leaders are repressing free speech.

The United States Mission was described today as being angry about the Soviet move. This anger was shared by other diplomats on the commission, who considered that its report to the Economic and Social Council had been "falsified" by the deletion of material that offended the Soviet Union.

American and other diplomats regarded the Soviet action, on Tuesday, as an example of what one of the former described as the "cynical double standard" prevailing in the United Nations.

Under it, one source said, the Soviet Union, its allies and friends are free to criticize United States policies, foreign and internal. But any criticism of the Soviet Union is considered out of order.

SOME EVENTS IGNORED

The double standard also extends, these sources said, to a process of brushing aside or ignoring events and policies in nations of the African and Asian bloc, whose exploration here might embarrass the governments concerned.

The affair began on March 6, when Mr. Goldberg appeared before the commission to deliver a formal protest against the suppression of free speech in the Soviet Union through the imprisonment of dissenting writers.

The speech touched off a brisk debate between Ambassador Goldberg and Ambassador Platon D. Morozov of the Soviet delegation. Mr. Morozov included in his rebuttal assertions of violations of human rights in the United States.

Late on Tuesday, the commission met to complete its report to the Economic and Social Council. In the midst of the discussion, the Soviet representative, Yevgeny N. Nasinovsky, proposed the deletion of three paragraphs and the commission approved his proposal by a vote of 10 to 8, with 4 abstentions.

The paragraphs included one that summarized the Goldberg charges in these words: "Certain writers had been accused, tried and sentenced as criminals for expressing themselves in writing in ways which did not please the authorities of their country, and because these writings had been sent abroad without official permission."

The proposal to delete the paragraphs won the support of Iran, India, Madagascar, Nigeria, the United Arab Republic, Yugoslavia, Poland, the Soviet Union, the Ukraine and Tanzania. Voting against it were the United States, Britain, Greece, Italy, New Zealand, Israel, the Philippines and Argentina.

A previous attempt by the Ukraine to win deletion of another paragraph has been rejected by the commission.

This paragraph in the report said that in the course of the debate "it was also alleged that, recently, in Poland, the U.S.S.R. and the Ukrainian S.S.R. certain writers and other persons had been tried in camera and sentenced for having expressed or published views contrary to those held by those governments."

Western diplomats took issue with the word "alleged" to describe events that are a matter of record.

Morris B. Abram, the American representative on the commission, told it that the deletion of most of Mr. Goldberg's speech and Mr. Morozov's reply was clearly out of keeping with the vote on the Ukrainian proposal.

VIOLATION AND DESTRUCTION OF HUMAN RIGHTS IN UKRAINE

(Memorandum to the International Conference on Human Rights, April 22 to May 13, 1968, Teheran, Iran. Submitted by Ukrainian Congress Committee of America, Inc.)

INTRODUCTION

The Ukrainian Congress Committee of America is an organization of American citizens of Ukrainian descent and background which is vitally interested in the movement of human rights in the United States, Ukraine, the country of origin of many of its members, and in the world at large.

The International Conference on Human Rights is an important world gathering called for the purpose of surveying and assessing the status of human rights everywhere. In step with the *Universal Declaration of Human Rights*, adopted and proclaimed by the U.N. General Assembly on December 10, 1948, it will seek to promote and extend the application of the principles of human rights whenever they are obstructed, obscured or denied in everyday life.

The Ukrainian Congress Committee of America, as an organization of free American citizens operating in the free country of the United States, has always supported those lofty principles which provide the basic foundation of the *Universal Declaration of Human Rights*, the 20th anniversary of which is being commemorated throughout the entire civilized world as "International Human Rights Year—1968." Consequently, it has stood behind all the international movements combatting racial discrimination, social and economic injustice, national and cultural oppression and the practice of genocide. The grossest violators have been certain totalitarian powers with regard to both their own citizens and the ethnically foreign populations which have fallen under their domination.

Of specific interest to the Ukrainian Congress Committee is Ukraine, the ancestral country of some two million American citizens.

Although the United Nations numbers among its members the Ukrainian Soviet Socialist Republic as an "equal" charter member of this illustrious international body, in reality this equality is non-existent. The Ukrainian SSR is not a free and independent state of the Ukrainian people. It is an artificial creation of Moscow designed to meet two purposes: to provide for the benefit of the world at large the semblance of a free and sovereign Ukrainian nation and to offer the Ukrainian people a sop, in the hope that this paper state would allay their desire for genuine independence and thus keep them in subservience.

Therefore, it is incumbent upon Americans of Ukrainian descent to present a true picture of Ukraine, where violation and destruction of human rights have been and are being committed by the Soviet government on a breadth and depth of awesome dimensions.

I. THE SOVIET UNION AND THE CONCEPT OF HUMAN RIGHTS

The Soviet government is a signatory to the *Universal Declaration of Human Rights*, and it makes much of this fact in its massive propaganda drives outside the Soviet Union.

Recently an article marking "International Human Rights Year" appeared in *Izvestia*, official organ of the Soviet government. It stated that the U.N. Declaration of Human Rights had become the generally accepted basis for man's political, social and economic rights. It further stated:

"But in the conditions of capitalism the Declaration's basic tenets remain unfulfilled to this day. The bourgeois democracies, which serve the interests of imperialist monopolies, have turned the rights and freedoms assured by their constitutions into a farce. Thanks to the unstinted efforts of the Soviet Union. . . the U.N. has taken a series of measures aimed at restoring the independence of colonial people, the ending of all forms of racial discrimination, and (has) signed conventions condemning racialism and genocide. However, much remains to be done." ("The Chornovil Papers," by Gabriel Lorince, *New Statesman*, Feb. 23, 1968, London).

This self-serving boast of the official Soviet organ can in no way be substantiated by evidence. On the contrary, the Soviet Union has been and continues to be a crass violator and destroyer of human rights on a scale unprecedented in mankind's history.

Its Marxism, grafted onto Russian Messianism, has led to this lamentable result: every single article of all 30 articles contained in the *Universal Declaration of Human Rights* has been transgressed, violated, or deliberately broken by the Soviet government.

II. VIOLATION OF HUMAN RIGHTS IN UKRAINE

Article 18 of the Declaration reads:

"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, pratice, worship and observance."

But how does the Soviet government observe this right in practice?

In such fashion:

(a) The Soviet government destroyed the Ukrainian Autocephalic Orthodox Church in the 1930's by murdering over 30 archbishops and bishops, and over 20,000 clergy and monks;

(b) In 1945-46 it ruthlessly destroyed the Ukrainian Catholic Church in Western Ukraine by arresting 11 bishops and over 2,000 priests, monks and nuns; it forced the Ukrainian Catholics into the fold of the

Communist-controlled Russian Orthodox Church, against their will and conviction;

(c) The Soviet government persistently harasses and persecutes other Christian adherents in Ukraine—the Baptists, Evangelics, Seventh Day Adventists, Jehovah's Witnesses, and others, by imposing heavy taxation, arresting pastors and preachers for alleged "crimes" against the state, and other repressive means;

(d) The Soviet government is relentlessly persecuting over 1,000,000 Ukrainian Jews by closing down synagogues, molesting religious leaders and terrorizing worshippers;

(e) The same policy of intolerance and open persecution is being applied by the Soviet government to the Moslems in Ukraine, who are hounded by the secret police and effectively prevented from practicing their traditional religion.

Article 19 of the Declaration reads:

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas, through any media and regardless of frontiers."

This vital aspect of the Human Rights Declaration has been cynically and ruthlessly violated by the Soviet government, especially in Ukraine, up to the present. Beginning in August, 1965, a wave of arrests swept through Ukraine, ensnaring over 200 *Ukrainian intellectuals* in such cities as Kiev, Lviv, Odessa, Ivano-Frankivsk, Lutsk, Zhytomyr and Ternopil. This veritable intellectual *pogrom* in scope and intensity far surpassed the arrest and trial of Sinyavsky and Daniel. Most of these victims were young men reared under the Soviet system in Ukraine. They were charged with "anti-Soviet" nationalist writings, glorification of the Ukrainian past, and disseminating speeches by Western leaders. such as an encyclical of Pope John XXIII and the address by former President Dwight D. Eisenhower which was delivered on June 27, 1964, at the unveiling of the Taras Shevchenko statue in Washington, D.C.

Most of these men were tried *in camera* and sentenced to long terms at hard labor under Article 62 of the Penal Code of the Ukrainian SSR, which is in direct contradiction to Art. 19 of the *Universal Declaration of Human Rights*. Article 62 of the Penal Code of the Ukrainian SSR reads:

"Any agitation or propaganda with the intent to undermine or subvert the Soviet regime, the participation in certain specific and particularly dangerous crimes against the state, the dissemination with the same intent of slanderous inventions against the Soviet state and its social system, as well as distribution, preparation or possession to the above end of literature with such content, are punishable by loss of freedom for terms from six months to seven years or banishment for terms from two to five years. The above actions, if committed by persons previously convicted for serious crimes against the state or of crimes committed in time of war, are punishable by imprisonment for terms of three to ten years."

This Soviet criminal code which is overworked as the legal justification for extreme repression, is contradicted by the Soviet constitution itself, which specifies as follows:

"In accordance with the worker's interest and with the aim of strengthening the Socialist system, the citizens of the USSR are guaranteed by Law: a) Freedom of speech; b) Freedom of the press; c) Freedom of gatherings and meetings; d) Freedom of procession and demonstrations on the street." (Soviet Constitution, Chapter X, Article 125)

It was these trials to which U.S. Ambassador Arthur J. Goldberg referred in his debate in the U.N. Human Rights Commission on March 6, 1968, when he said:

"What has been completely overlooked is the particular concern of this Commission in light of the Declaration of Human Rights with the aspects of the trials to which I referred in the Soviet Union . . . And the prosecutions which have occurred in the Soviet Union and the convictions are specifically in violation of that provision of the Declaration of Human Rights, and the convenants which have been drafted to implement it."

The breakthrough as to information on the Ukrainian trials and convictions was provided by a Ukrainian journalist, *Vyacheslav M. Chornovil*. As a TV newsman and a member of the Comsomol organization, Mr. Chornovil attended the trials of several Ukrainian intellectuals. He found intolerable the flagrant violation of "Soviet justice" and the coercion and terror of the KGB. His protests to the Soviet authorities and party leaders in Ukraine came to no avail. He was finally arrested, tried and sentenced on November 15, 1967 to 3 years at hard labor. His manuscript, *Portraits of 20 'Criminals'*, was smuggled out of Ukraine in 1967 and published in Ukrainian by *Ukrainske Slovo* in Paris.

On the basis of his white book the international press carried a series of articles on the suppression of freedom and human rights in Ukraine: *The Times* of London, February 7, 1968; *The New York Times* on Feb. 8, 9 and 10, 1968; *The Observer* of London, Feb. 11, 1968; *New Statesman*, Feb. 23, 1968, also of London; *The Toronto Telegram*, January 11, 1968, and *The New Leader*, January 15, 1968.

Articles on the persecution of Ukrainian intellectuals also appeared in *Die Welt of Hamburg, Die Sued-Deutsche Zeitung* of Munich; *Le Monde* of Paris, and *L'Osservatore Romano* of Rome.

Examples of inhuman persecution

Some of the Ukrainian cases merit special mention:

(1) *Svyatoslav Y. Karavansky*, poet and journalist. In 1944 he was tried and sentenced to 25 years at hard labor. He was amnestied in 1960 after 17 years in an Arctic slave labor camp; the maximum prison sentence in the USSR was then reduced from 25 to 15 years. He returned to Odessa, enrolling at the university there and working on translations of Shakespeare and Byron. He also wrote well-documented petitions to the government of the Ukrainian SSR protesting practices by the Russians conducted against the Ukrainians and Jews. In 1965 he was arrested on an Odessa street and sentenced, without benefit of jury, to 8 years and 7 months. In imprisonment he has gone on a hunger strike 5 times. At present he is incarcerated in Camp 11, Yavas, Mordovia.

(2) *Yuriy Shukhevych*, son of General Roman Shukhevych (Taras Chuprynka), commander-in-chief of the Ukrainian Insurgent Army (UPA). Arrested in 1948 at the age of 15, he was sentenced to 10 years at hard labor. In 1958 he was released, only shortly to be rearrested; on December 1, 1958 he was sentenced again to 10 years at hard labor. In 1963 he was brought from Mordovia to Kiev, where KGB Major Kalash and KGB Captains Lytvyn and Markatanenko proposed that he denounce Ukrainian nationalism and the activities of his father, General Shukhevych, in return for prompt release. He refused, stating that he had been sentenced twice without having committed any crime against the Soviet state. His second sentence is up this year.

(3) *Mykhailo Soroka*, Ukrainian patriot. Arrested in 1940, he was sentenced to 8 years at hard labor; released in 1948, he returned to Lviv (Western Ukraine), but again was arrested and sent to Krasnoyarsk for the same "crime." Upon his return to Lviv in 1951 he was vindicated, only again to be arrested in 1952 and sentenced to 25 years at hard labor. He is now in Yavas, in the Mordovian ASSR. Altogether, he has spent 31 years in Polish and Soviet jails. As late as 1966 he was reported suffering from coronary thrombosis. He was refused medical treatment in a camp, where the so-called camp hospital contained only 7 beds to accommodate 225 invalid and sick prisoners. It was reported that Yuliy Daniel protested to the camp authorities against the "shocking and inhuman treatment" of this prisoner.

(4) Three Ukrainian women-martyrs, *Katherine Zarytska, Odarka Husiak* and *Halyna Didyk*, members of the Ukrainian Red Cross organization. Each was sentenced to 25 years at hard labor, although none committed any crime against the Soviet state. All three are at Vladimir Prison, northeast of Moscow.

On these mass trials of Ukrainian intellectuals, Edward Crankshaw, a leading British authority on Soviet affairs, (*The Observer* of London, Feb. 11, 1968):

"What had these men done? They had discussed among themselves and among their friends, ways and means of legally resisting the forcible Russification of Ukraine and the continued destruction of its culture. They possessed books dealing with this problem, some of them written in Czarist times. They possessed notebooks with quotation from the great Ukrainian patriots.

"No evidence whatsoever was produced to show that they agreed with these opinions or were contemplating subversive action. Unlike some who had gone before (and others still active) they were not advocating secession in any form and even had they done so, there would have been no violation of the constitution. They were deeply concerned because the Moscow government was still persisting in its efforts to blot out Ukrainian consciousness, which even Stalin with his massive deportations and brutal killings had failed to do."

III. DESTRUCTION OF THE NON-RUSSIAN NATIONS IN THE USSR

Article 2 of the Declaration reads:

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

Article 15 of the Declaration reads:

"(1) Everyone has the right to a nationality.

"(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality."

1. Genocide of entire ethnic entities

Despite these provisions of the *Declaration*, the Soviet government has been engaged in a systematic destruction of the non-Russian nations and ethnic entities.

After World War II, Stalin ordered the wholesale deportations and destruction of such non-Russian peoples as the *Crimean Tartars, Volga Germans, Chechen-Ingushes, Kalmyks* and *Karachais*. All were uprooted from their ancestral homes and dispersed throughout the Soviet Union on thinly substantiated charges of having been "pro-German" during World War II. These people were collectively found guilty—many men and women were executed without trial or even a hearing, to which they were entitled under the Soviet constitution. In 1958 the Soviet government restored statehood to some of these peoples, and some survivors were allowed to return, only to find their homes occupied by Russian settlers sent in by Moscow. For instance, when a number of Chechens and Ingushes returned to their city of Grozny in the Caucasus, they were greeted by hostile Russians brandishing posters, which read: "Long Live Stalin's Nationality Policy," and "Chechens and Ingushes, Get Out of the Caucasus!"

The Genocidal treatment of the non-Russian ethnic entities by the Soviet government is a crime of the first magnitude under the *Universal Declaration of Human Rights*.

2. Persecution of the Jewish minority

There are still about 3 million Jews in the USSR, of which at least a million are living in Ukraine. Their treatment by the Soviet government was deplored by Svyatoslav Karavansky, one of the most outstanding Ukranian intellectuals persecuted by the Soviet Russian regime, in his "Petition to the Council of Nationalities of the USSR." In it he stated:

"I call your attention to the discrimination against the Jewish population. I state this problem first because the attitude of a society towards its Jewish population is the litmus paper indicating that society's level of international consciousness. The closing down of Jewish cultural institutions (newspapers, schools, theaters, publishing houses); the execution of Jewish cultural workers; discrimination in admitting Jews to institutions of higher and secondary learning—these are all practices that flourished in the era of the personality cult. . . . To appease public opinion abroad, Nikita Khrushchev (who paid little attention to public opinion in the Soviet Union itself) was forced to "rehabilitate" the innocent Jewish cultural leaders executed under Stalin. But he went no further."

3. Deportations of Estonians, Latvians, and Lithuanians

The brutal uprooting of the Baltic peoples by the Soviet government in 1940 is a matter of historical record. Karavansky underscores these large-scale deportations of the Baltic nations in his cited petition. Thousands upon thousands of the hapless Baltic nationals were deported for the usual offenses: they happened to live near the western Soviet frontiers, they opposed Russian Communism and its totalitarian system and, above all, they wanted to be free and independent of Soviet Russian control. Entire towns and villages—for example, the town of Silamaye in Estonia—were deported to Siberia. The societal fabrics of the Estonians, Latvians, and Lithuanians vanished under the genocidal onslaught. In his petition Karavansky asks a penetrating question:

"Today in Komi ASSR (Vorkuta, Inta, Pechora), in Siberia (Irkutsk *Oblast,* Kemerovo *Oblast,* Krasnovarsky *Krai*), in Kazakhstan, and in Kolyma, are large numbers of *Ukrainians, Lithuanians, Latvians, Estonians* who were deported on the suspicion of opposing the personality cult in the years 1943–49. One can only presume that it is precisely because it intends to prevent the release of these persons that the USSR continues to maintain its barbaric 25-year prison term. For at this time 25-year sentences are being served primarily by *Ukrainians. Lithuanians, Latvians, Estonians, Byelorussians* and *Moldavians*. Why is there no pardon for them? We have generously pardoned those who contributed to the mass extermination of Soviet citizens in 1937–39, excusing them on the ground that they were not responsible for the conditions of those times and were only obeying orders."

4. Restriction upon movement of citizens

Article 13 of the Declaration reads:

"(1) Everyone has the right to freedom of movement and residence within the borders of each state.

"(2) Everyone has the right to leave the country, including his own, and to return to his country"

This provisions of the *Universal Declaration of Human Rights* is violated daily by the Soviet government by its practice of the so-called *system of passport registration*. According to this practice, articulated into law, *a person may live only where the militia allows him to live*. One does not have the right to move about freely in the country, more precisely, he has the right only to go East: to Siberia, to the Urals, to Kazakhstan; he does not have the right to live in the so-called "regime" cities. Thus, an inhabitant of Ukraine may not settle in Kiev, Odessa or Lviv; an inhabitant of Lithuania, in Vilnius of Kaunas; or an inhabitant of Latvia, in Riga. And why, we may ask, is he not? Why should not Ukrainians be allowed to live in their own capital city of Kiev?

Because it is the intent to Russify Kiev and all other important urban centers. The discriminatory system of passport registration presently in force in the USSR allows only Russians to settle in these cities. Here is the other side of the genocidal coin: a slow extirpation as compared with swift Stalinist deportations and mass killings. In a technological era, wherein the city has become all-important, this insidious form of genocide is perhaps most heinous of all. Inevitably, such a practice provokes deep resentment and bristling antagonism between the non-Russian and Russian populations not only in Ukraine, the Baltic states, Byelorussia, and Moldavia, but also in Georgia, Azerbaijan, Armenia and in the Moslem countries of Central Asia.

IV. RUSSIFICATION AND CULTURAL OPPRESSION IN UKRAINE

The Soviet government's linguistic and cultural policies are in direct violation of two articles of the *Universal Declaration of Human Rights,* namely, Art. 2 (*freedom of language, and so forth*) and Art. 15 (*the right to a nationality*).

In theory the Ukrainian SSR is an independent and sovereign state, and a charter member of the United Nations. In practice, however, it is a puppet creation of Communist Russia.

The Soviet Union, following hard on the footsteps of the Russian Czars, relentlessly pursues a policy of cutural and linguistic *Russification* aimed at the creation of a "Soviet man," who is essence and ideally would be a Russian.

In his petition Svyatoslav Karavansky fixes the crux of the matter:

"The *Russification* of Ukrainian institutions of higher learning introduced after 1937 has been condemned and partially corrected in Western Ukraine, but in Eastern Ukraine these institutions remain completely *Russified*. This discriminatory policy is explained by the supposed difference between the two regions; but if this is the case, why did the Ukrainian nation unite into one Ukrainian Soviet state in the first place?"

The ongoing Russification of Ukraine by Moscow was described recently by a Canadian Marxist who had spent two years in Ukraine (1963–65) attending the "Higher Party School of the Central Committee of the Communist Party of Ukraine" in Kiev. In his book, *Education in Soviet Ukraine* (published by Peter Martin Associates in Toronto), John Kolasky says:

"The aim of Russian policy is to maintain a tight control over education in Ukraine and other national republics to restrict Ukrainians and other nationals from progressing beyond the elementary and general secondary level . . . to denationalize them . . . to increase . . . the continuous influx of Russians to occupy posts in government, education, science and other fields . . .

"Everywhere in Kiev there was evidence of pressure to impose the Russian language . . . Many Russians with whom I came in contact displayed open contempt because I spoke Ukrainian . . . Russians were everywhere with their arrogant, overbearing attitude; their contempt sometimes veiled, but often overt, for the Ukrainian language; their open display of a feeling of Russian superiority."

Anyone who insists on the right to speak a language other than the Russian "runs a risk of being denounced as a bourgeois nationalist," he contends. There is no instruction in the Ukrainian language at the universities of Odessa, Kharkiv and Dniepropetrovsk, all in Ukraine. Only 20 to 25 percent of the instruction at the University of Kiev is given in Ukrainian.

In every Union Republic the percentage of students studying in the Russian language is higher than the percentage of Russians living in the Republic.

In Ukrainian School No. 178 in Kiev, there are 1,400 pupils with a library of 3,323 books—of which a scant 14 are in Ukrainian. There are no non-Russian schools in the Russian Republic, despite its millions of non-Russians, including some 8 million Ukrainians, who are forced to send their children to Russian schools.

In Ukraine, for instance, about 17 percent of the population is Russian; students studying only in Russian constitute nearly 30 percent.

Among certain ethnic groups Russification has progressed to the point where the national language has all but been throttled. This fate has befallen such languages as the Yiddish, Tartar, Ossetian, Kalmyk, Chechen, Ingush and Karelian-Finnish. In Armenia, Russian is the language of instruction beginning with the first grade of primary school.

PRISON CAMPS—STILL A PERENNIAL FEATURE OF SOVIET RUSSIAN LANDSCAPE

The persistent claims of the Soviet Russian leaders, from Khrushchev to Brezhnev and Kosygin, that the slave labor and prison camps are things of the past in the USSR, are but hollow propaganda pronouncements for foreign consumption:

"There are some 36 prison camps in the Potma area of the Mordovian ASSR (east of Moscow) alone. Each holds 2 to 3 thousand prisoners. Some have more, as, for instance, the Yavas Camp, which holds 6 thousand prisoners. . . . Altogether there are up to 100,000 prisoners in the Potma area alone.

"The great majority of prisoners are on semi-starvation rations. Theoretically they receive 2,300 to 2,400 calories daily, but they are lucky if they get 1,500 because the products are of low quality, especially in spring and summer, before the new crop. The herring is rotten and smelly; the dried potatoes, macaroni, barley and meat are infested with worms.

"There is no medicine, nor do the prisoners have the right to receive any from their relatives—even vitamins. Prisoners who work on construction have no warn clothing. (*From reports by Ukrainian political prisoners in Mordovia.*)

The Soviet government does not observe the canons of elementary decency, much less the dignity and liberty of man envisioned by the U.N. *Universal Declaration of Human Rights.*

APPEAL TO THE INTERNATIONAL CONFERENCE ON HUMAN RIGHTS

In view of the flagrant and systematic violations by the Soviet government on Articles 2, 13, 15, 18 and 19, as substantiated by mounting irrefutable evidence;

In view of the open violations of other Articles of the *Universal Declaration of Human Rights,* specifically Arts. 3, 4, 5, 6, 7, and especially Arts. 9 and 10, which protect all persons from arbitrary arrest and assure all of impartial tribunal; Art. 14, guaranteeing the right of political asylum; Art. 26, assuring that each person is entitled to free education, as well as Arts. 27 and 29, assuring everyone the right of protection of moral and material interests, as well as a social and international order in which all the freedoms set forth in this *Declaration* can be fully realized, We entreat the International Conference on Human Rights:

(1) To establish a Special U.N. Committee to Investigate the Violations of the U.N. 'Universal Declaration of Human Rights' in Ukraine and in other Union Republics of the USSR; especially, to investigate the religious persecution involving Orthodoxy, Catholicism, Protestantism, Judaism and Islamism; the unbridled Russification of the non-Russian nations, now ruled by Moscow; the relentless persecution of the intellectual elite in Ukraine and in Russia proper, and the

willful destruction of ethnic minorities in the USSR, such as the Jews, the Crimean Tartars, Volga Germans, Chechens, Ingushes, Kalmyks and Karachai peoples.

(2) To prevail upon the Soviet government to release some 200 Ukrainian intellectuals arrested in 1965–67, and all Ukrainian political prisoners who are languishing for long years in Soviet Russian prison camps without benefit of amnesty and leniency on the part of the Soviet government; to release also those Russian writers who have been convicted for not conforming to the official policy of the regime by advocating more freedom for intellectual life in the USSR.

(3) To prevail upon the Soviet government to return all deportees to their native countries, such as Ukraine, Byelorussia, Lithuania, Latvia, Estonia, Moldavia, Georgia, Azerbaijan and Armenia, and to repatriate Russian nationals brought as settlers to become the dominant element in the non-Russian Republics of the USSR.

(4) To prevail upon the government of the Soviet Union to adhere to the basic principles espoused in the Universal Declaration of Human Rights.

We recall that the United Nations, in a resolution adopted in 1952 on "The Right of Peoples and Nations to Self-Determination," called for the implementation of this fundamental right of all peoples—freedom and national independence. Although a number of African and Asian nations, once subject to the rule of colonial empires, have been granted the right to rule themselves, no such implementation has occurred in the Soviet Union, a great empire based on conquest and domination of captive nations.

The full and unqualified liberation of these captive nations languishing in the USSR is a prerequisite to the enjoyment of all human rights and to the attainment of a lasting peace in the world.—Ukrainian Congress Committee of America.

MIAMI'S EPIDEMIC OF LAW AND ORDER

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. ASHBROOK. Mr. Speaker, during his testimony before the House Appropriations Subcommittee, FBI Director J. Edgar Hoover mentioned the nearly incredible drop in the crime rate in Miami, Fla., after get-tough measures were taken by the city's police chief.

Director Hoover submitted statistics indicating that since the new policy got underway, robberies in high-crime areas dropped 62 percent and dropped 45 percent throughout the city. These figures indicated, he said, "proof of the fact that a strict policy in the enforcement of laws works, whereas some of the theoretical sociological policies that are advanced and urged just do not work."

An article from today's National Observer discusses the success of the Miami action and the chief of police who implemented it, Walter Headley.

It points out that you do not talk crime away; you do not meditate, or wish, or hope it away. You stand up to it with the force necessary and you do not pull your punches.

Effective law enforcement is a necessary part of government activity, and it should be allowed to function and not made the plaything of the sociologists. Where it is allowed to work, as in Miami, it does work. Moreover, the people appreciate the results.

It is especially timely to note that while many were seeking passage of firearm legislation, Chief Headley was disarming 125 persons weekly merely through stop-and-frisk laws. This is effective firearms control.

I submit the article, by Wesley Pruden, Jr., at this point in the RECORD:

A TOUGH COP CUTS CRIME IN MIAMI CRUSADE—PATROL DOGS ENRAGE SOME NEGROES, OTHERS CHEER—"LIONS WOULD BE OK"

(By Wesley Pruden, Jr.)

MIAMI.—Walter Headley, a tough cop, set out to start "an epidemic of law and order" in the sweltering and violent Negro neighborhoods of Miami. He armed patrolmen with shotguns and dogs, told them to use the city's new "stop and frisk" law lavishly, and warned hoodlums to beware.

"When the looting starts," the chief of Miami police said, "the shooting starts."

That was six months ago. Most of the results so far were easily predicted. Violent crimes in the three large Negro neighborhoods have dropped sharply. In the first month, strong-arm robberies diminished by 62 per cent in the Negro neighborhoods, 45 per cent Miami-wide. So far this year, not one merchant has been killed in a robbery attempt.

AN OBJECTION OF ATTENTION

Miami's crackdown is, in a way, an experiment with hard-nosed law enforcement in a day when hard-nosed law enforcement is out of style if not beyond the letter of the law. The chief himself has become the object of attention, if not always adulation, of police chiefs, civil-rights groups, and citizen law-enforcement groups across the nation.

He has received more than 12,000 letters since his campaign began last Christmas Eve. In the first few days, in fact, he received, in addition to the sacks of mail and bundles of telegrams, a dozen roses, a potted poinsettia, and a dollar from a man in Ohio with instructions "to buy some slugs with this."

This reflects a growing national concern that at times and in certain places approaches fear if not panic. Nearly everyone agrees that "crime in the streets" will become a pivotal issue of the 1968 Presidential campaign; polls show most Americans worry more about crime than any other single problem.

Nowhere is this concern and fear more pervasive than in the cities. The Federal Bureau of Investigation last week reported that "serious crime" in the cities rose 17 per cent in the first three months of this year over last. Crimes of violence—murder, rape, and robbery—increased even more markedly.

Miami's Chief Headley is an old-time cop who thinks tough enforcement is the only way to fight crime. "There has been a policy of appeasement all over the country," he says, and it isn't going to accomplish anything. The job of the police is to protect life and property, preserve the peace and enforce the law." He likes harsh solutions for harsh problems. Says he: "You can't bond a felon out of the morgue."

Civil rights groups were, predictably, aghast at the chief's language, if not his intentions; some civil libertarians accused Mr. Headley of racist demagoguery. One NAACP official said the 62-year-old chief was simply asking for trouble.

NEGRO REACTION

What was not so easily predicted was the reaction of many Negroes in the three high-crime-rate neighborhoods. Many of them, either victims of hoodlums or neighbors of those who have suffered from the violence of black criminals, have urged Chief Headley to keep the pressure on.

"Some people criticize Headley for using shotguns and dogs," says one Negro minister, "but with a lot of my people it would be okay to use tanks and lions."

Another Negro man, the owner of a small appliance shop in the Liberty City area of northwest Miami, agrees. "What a lot of people don't realize is that black people are the biggest law-and-order fans in town. When there is no law and order, it is black people who suffer the most."

Even Chief Headley's critics usually temper their criticism with faint praise. When the Miami Times, a weekly aimed at Dade County's 170,000 Negroes, demanded that he resign it carefully commended Mr. Headley's goal of cutting the crime rate in Miami's Negro neighborhoods.

Fan and critic alike agree that there was, in fact, a frightening surge in violent crimes late last year and that Chief Headley's tactic of putting patrolmen into the "hot" neighborhoods has, in fact, cut out a lot of the trouble.

In the week end that snapped the city's patience, 58 stores were hit by robbers; three merchants were killed. One was Chinese, the others were white. One merchant, who was not physically hurt, was robbed for the 25th time.

"Some of them said I wouldn't have done anything if the merchants who were killed had been Negroes," Chief Headley recalled last week. "Well, how do they know I wouldn't have done anything?"

Chief Headley confesses he doesn't know why all this violence arrived with Christmas. "We noticed that the really bad crimes, the crimes against the person, started escalating last July. I can't explain it, unless it had something to do with all the riots."

The chief sprinkles his conversation with military terms, discussing the "escalation" of crime and how he "deploys" his "troops" against the "enemy." He scorns such things as civilian review boards and community-police relation boards as "fraternizing with the enemy." He plainly has no use for subtle, indirect, "criminal-coddling" crime-fighting.

"THE POTENTIAL WAS THERE"

"We had been averaging picking up 125 guns a week with our stop-and-frisk law. That's why I am so happy about the Supreme Court ruling upholding our law. We weren't surprised when the crime wave started. We knew the potential was there."

Miami has become a large city, with a population of almost 400,000. It has spread across the swampy lowlands, instead of growing vertically as many older cities did, and this often gives even the slums a sunny character.

Negroes live in three principal neighborhoods: the Central City, though this has been almost altogether taken over by Cuban refugees, and in two outlying communities called Liberty City and Coconut Grove.

The worst-looking is Central City, a run-down collection of dilapidated stucco buildings left over from the land-boom days of the 1920s. Whites began giving up these neighborhoods during World War II, and this is the area where assault, robbery, mugging, and rape are most common.

Liberty City is in the northwest part of town, beyond the airport, and included in Liberty City are streets with the neat pink or white concrete-block houses that most of Miami lives in. Some of the Negro homes in Coconut Grove, near Coral Gables, are quite plush.

"THEIR FAULT AND NOT MINE"

In these three areas live the Negroes who make up 15 per cent of Miami's population, and who commit 85 per cent of the crime. "If they commit 85 per cent of the crime," says Chief Headley with a matter-of-fact simplicity that infuriates many Negroes, "that is their fault and not mine. But since that is where the crime is, that is where the enforcement has to be."

He set up a special division, which was inevitably called a task force, and armed them with shotguns and assigned Miami's 20 police dogs to this special shift. Three of the 20 dog handlers are Negroes.

"We put the dogs on leashes," the chief says, "because that is the way they are most effective." To set up this shift, he raided other departments. Several officers were taken off the vice squad—not, the chief explained, because he thinks prostitution is unimportant, "but crimes against people are the most important and after all, it takes two to tango."

Word got out quickly. "For two or three days" says the manager of a dimly lighted pool hall on Northwest 65th Street, "you couldn't even find anybody to shoot a game with. Some of them I never have seen again."

Garth Reeves, editor of the Miami Times, agrees.

"The word got around, and the hoodlums got out of town. There is a general feeling of relief in the Negro community about this. But where the danger lies is that some of the militants who are looking for a little action will read these tough things Headley is saying and decide to come in here and see for themselves how tough he really is."

"WE ALL MAKE MISTAKES"

Critics of the crackdown (and not all critics are black) charge that Chief Headley's men often take the order to stop and frisk with too much enthusiasm. In the early days of the campaign, several officers went into a Negro-owned bar and frisked every customer in the house. When this provoked a loud outcry among Negroes, the chief apologized, more or less. "We all make mistakes," he said.

A few weeks later, uneasiness quickly turned to rage when a 17-year-old Negro boy accused two white patrolmen of stripping him to his undershorts and dangling him, held only by his heels, from the expressway-overpass.

The two officers said the boy abused them with sarcasm when they found a knife concealed in his shirt in a routine "shakedown" of suspects in a pool hall, but the chief fired them when they couldn't explain why they dangled the youth from the overpass.

Many Negroes criticized Mr. Headley for firing them rather than placing charges against them. By a bureaucratic irony, the officers were charged only with placing the boy under arrest without reason and, further provoking black rage, for "failing to complete the arrest procedure."

"I know there was some criticism," Chief Headley says, "but I turned over all my information to the FBI, and both men have been indicted for violating that suspect's civil rights."

One Negro businessman here insists, in fact, that most of the black resentment of Mr. Headley's crackdown is a misunderstanding of the chief's public statements rather than disapproval of what he is doing. The chief's bark is often worse than the bite of any of his 20 dogs.

Even when he attempts to mollify his critics, the assurance is less than overwhelming. "We haven't fired a shot or made a wrong bite yet," he replies, dismissing complaints that the dogs are meant to terrorize Negro neighborhoods into tranquility.

Mr. Headley is not one of the "new cops." He goes back to the sterner era of law enforcement. He is a policeman to his toes, and when he married (for the third time) a few weeks ago, he selected his bride from his own department. She was a policewoman whom he had courted for 11 years. He fired her and sent her home the day after they were married.

CRIMINALS, PLEASE NOTE

He parts his hair in the middle, wears dark suits decorated only by a Masonic lapel pin, and sits behind a polished mahogany desk decorated with plaques, citations, photographs, and other souvenirs of a long career. A corner of the desk is decorated by a small framed poster, which features a policeman and a smoking revolver with the message: "Notice to Criminals: Your police are armed and dangerous."

He was a U.S. cavalryman at 15, a shrewd and savvy lad who quickly learned to play polo, ingratiating himself with his superiors to win advancement in the ranks. He worked as a riding master on a Bernarr McFadden health spa in New York state before coming to Miami. He joined the police department here in 1937, hired to organize a horse patrol. He was assigned to walking a beat instead.

"He was a new kind of policeman then," an observer of the police of those days recalled not long ago. "He was even the department intellectual, because in those days the police were recruited from the corn fields of south Georgia and north Florida."

Miami was wide open then, a super-swinging kind of place that looked on prostitution as a source of tax revenue and tolerated sidewalk bookies and "numbers" agents openly. Miami is quiet, if not altogether dull today, though there are occasional charges that Mr. Headley's department is not 100 per cent pure.

The chief likes to boast that he is a policeman and not a politician, but the survival instincts of a political professional have helped weather several attempts to replace him. He turns criticism aside with a politician's aplomb. When a citizens' committee charged that "numbers" rackets were pulling in $5,000,000 a year, the chief replied: "Aw, that's fantastic." On another occasion, when a reporter produced a "numbers" ticket he had purchased on the street, the chief whistled and said, "I'm amazed."

He cruises around Miami in either a new Lincoln Continental convertible, his own, or a city-owned, nine-year-old Buick. "The city offered me a new Ford or a Plymouth," he said, "and I told them, 'nothing doing.'" He keeps a listed telephone number and a policeman's whistle by the telephone. Crank callers, and he is bothered by them occasionally, get an eardrum-shattering blast.

Negro leaders here, on the other hand, concede that Mr. Headley has been something of a pioneer in civil rights—he hired Negro policemen as early as 1944, when to do so elsewhere in the South would have been career suicide.

TWO CATEGORIES OF OFFICERS

To get them, he says, Miami watered down an entrance examination for the police academy, a part of the University of Miami, and established two categories of officers: Whites would be called policemen, Negroes would be patrolmen.

The "patrolmen" were assigned to a special precinct station in the Central City district, and this station was abolished only a few years ago. Five years ago, at the urging of Negroes, the special exam was eliminated and only five Negroes have been recruited since then.

About 50 of the 590-man police department are Negroes, including the three in the dog corps, one lieutenant, four sergeants, two motorcycle patrolmen, and 10 plainclothes detectives. "We're 50 men short right now," Chief Headley says, "and I'd like to fill every vacancy with a Negro man if I could find them."

Many of them would probably be assigned to the three Negro neighborhoods. "That," says the chief, "is where the crime is." This would please the Negro community.

"We don't need shotguns and dogs," says one Negro critic of the chief's, and a resident of crime-plagued Liberty City. "We just need more men up here."

SOKOL MILWAUKEE NOTES 100TH YEAR

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. REUSS. Mr. Speaker, the Sokol Milwaukee Gymnastic Association, which is dedicated to physical fitness and good citizenship, this year is celebrating its 100th year of distinguished service to the Czech community of Milwaukee. I had the pleasure of attending Sokol Milwaukee's centennial banquet last weekend, and I include the message of the organization's president, Mr. August A. Shabart, and the banquet program:

PRESIDENT'S MESSAGE

It is a distinct pleasure to welcome you, as president of the Sokol Gymnastic Ass'n, to this, our 100th Anniversary. I would like to emphasize, that this is the happiest moment of my Sokol life, having participated in the activities of the Sokol movement for approximately 59 years. Most of you undoubtedly understand that the philosophy of the Sokols is to teach physical fitness, especially for our youth so that they may develop healthy bodies, with a sound mind and a good moral standard, thereby becoming better citizens. I would be amiss if I didn't acknowledge the important part our Sister Organization, The T. J. Sokolic, played in the success of our Sokol during these many years. Many courtesies and help have been extended. I do desire to express my sincere appreciation for all their kindness. One of our most important and progressive Units is the Physical Directors Board headed by Fred Stankovsky, Director of Men, and Emily Falarsh, Director of Women. Not only do they plan and supervise our Gymnastic program and Czech Dancers, but they assist in formulating our Sokol functions. Also the Physical Board is serving on the 100th Anniversary Committee. As President I want to say that I can find no adequate words which would be appropriate to convey to you my personal feeling for the energy and efforts given in fulfilling this tremendous task. At present we have nine Honorary members as follows: Arthur Novak, 72 yrs. Allen Shabart, 63 yrs. August Shabart, 59 years. George Reisimer, 59 yrs. Stanley Pinter, 55 yrs. Henry Zelenka, 52 yrs. Edward Brikner, 52 yrs. and Frank Novotny, 51 yrs. We salute these pioneers for their faithfulness and may they be blessed with good health. I also wish to recognize our Past Presidents for their loyal service in guiding the destinies of Sokol in past years. In closing I wish to thank all who have in some way contributed to the success of this Anniversary. With love in our hearts, and the desire to overcome todays obtacles, let us ever keep in mind the important teachings of the Sokol.

Na Zdar,

AUGUST A. SHABART, *President.*

PROGRAM FOR CENTENNIAL BANQUET, SOKOL MILWAUKEE, SATURDAY, JUNE 29, 1968

1. Pledge of Allegiance.
2. National Anthems: Bro. Anthony Kopecky; accompanied by Audrey Shabart Braatz.
3. Welcome: Bro. Fred Stankovsky, Chairman, Centennial Committee.
4. Address: Bro. August Shabart, President, Sokol Milwaukee.
5. Greetings: Hon. Henry Maier, Mayor, City of Milwaukee.
6. Vocal Selections: Bro. Anthony Kopecky.
7. Greetings: Bro. Stanley Barcal, President, A.S.O.
8. Greetings: Bro. Joseph Drnec, President, Central District A.S.O.

9. Address: Hon. Henry Reuss, Congressman, 5th District, Wisconsin.

10. Vocal Selections: Bro. Anthony Kopecky.

11. Greetings: Bro. Rudolph Mudroch.

12. Address: Hon. Roman Hruska, Senator from Nebraska.

13. Vocal Selections: Bro. Anthony Kopecky.

14. Closing Address and Presentation of Guests: Bro. Fred Stankovsky, Chairman, Centennial Committee.

GYMNASTIC PROGRAM FOLLOWING IMMEDIATELY

1. Old Guard: Sokol Mladocech, Racine.

2. Tribute: Men and Women, Sokol Slavsky.

3. Dance from Bartered Bride: Sokol Milwaukee.

Dancing to the Music of Carl Ratzer.

WASHINGTON ASSOCIATION OF SHERIFFS AND POLICE CHIEFS SPEAKS OUT ON GUN REGISTRATION

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. PELLY. Mr. Speaker, on June 20, 1968, the Washington State Association of Sheriffs and Police Chiefs passed a resolution which raises numerous points on the question of gun controls. The position adopted by this organization of Washington State police executives is certainly of interest to all of us who are studying the many proposals on gun restrictions.

For the information of my colleagues, I insert this resolution to be printed in the RECORD:

RESOLUTION

Crimes of violence committed with firearms is indeed a facet of our troubled times that deserves legislative attention. Ill considered or hastily formulated restrictions however can easily create situations that will unreasonably effect responsible citizens and be virtually valueless in combating crime. The Washington Association of Sheriffs & Police Chiefs therefore generally urge the legislative bodies to carefully consider legislative proposals in this area and specifically resolves:

Whereas unrestricted sale and delivery of short firearms by mail order permits irresponsible persons to obtain small weapons and presents a danger to the public. The Association supports restrictions on such sales and deliveries.

Whereas crimes of passion are implemented by immediate delivery of short firearms and present a danger to the public. The Association urges and recommends enactment of a waiting period of 72 hours between the sale and the delivery of such weapons.

Whereas present statutory requirements for obtaining a permit to carry concealed firearms are inadequate to prevent issuance to certain classes of irresponsible persons of such permits and presents a danger to the public.

The Association urges and recommends enactment of stricter requirements for the issuance of a concealed weapon permit.

Whereas present statutory limitations on carrying short firearms in motor vehicles is inadequate and presents a danger to the public and particularly the law enforcement officer.

The Association urges and recommends that carrying short firearms in motor vehicles be classified as carrying such weapons concealed.

It is further resolved that this Association is opposed to the registration of shotguns and rifles.

Passed by the unanimous vote of the members this 20th day of June 1968.

AN ADDRESS BY PORTER HARDY, JR., BEFORE THE NATIONAL CONVENTION OF THE RESERVE OFFICERS ASSOCIATION, MIAMI BEACH, FLA., JUNE 21, 1968

HON. DAVID E. SATTERFIELD III

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. SATTERFIELD. Mr. Speaker, on June 21 in Miami, the Honorable PORTER HARDY, JR., a distinguished member of the House Armed Services Committee, delivered an address to the national convention of the Reserve Officers Association. This address fully reflects the objective, yet penetrating analysis of our Defense Establishment which has become his hallmark. His message should be the immediate concern and the object of sober reflection by all Members of Congress.

The address follows:

AN ADDRESS BY PORTER HARDY, JR., BEFORE THE NATIONAL CONVENTION OF RESERVE OFFICERS ASSOCIATION, MIAMI BEACH, FLA., JUNE 21, 1968

There is a kind of convention which dictates the form of address on occassions such as this. One talks first about the importance of the Reserve, passes tribute to your organization's effort to keep the Reserve strong, lauds the dedication of individual Reservists and closes stirringly with a promise of Congress determination to keep the Reserves strong.

I thought this morning that I would depart from convention. All of us here know the importance of the Reserve and you all know—or should by now—that Congress is not going to let the Reserves fall apart. We all know the true importance of your organization. And we all know the proportions of personal ambition and the desire to do good that go into any form of public service. And, being a Reservist is a form of public service—one of the highest forms.

So, I thought today I would omit the praise which you might normally anticipate. Instead, I'd like to review a little history which you and I have observed while it was being made.

I am coming to the close of twenty-two years in Congress. Despite many frustrations, it has been for me a rich and full and rewarding experience. In the nature of things most of those twenty-two years have been given to concern for national defense and our military establishment.

I represent the district in the United States that has the finest natural harbor in the world, and inevitably, from the very beginning of our nation it has played an important part in our national defense. Were it not for the military importance of my district, I might have spent my twenty-two years primarily concerned with the Nation's agriculture. In fact, I am sure I knew more about farming than about national defense when I started. But it has been my lot and my privilege to handle responsibility in the area of our defense establishment and our foreign operations.

I'd like to spend my brief time today summing up some of the things with which I have been most concerned over these years. I take them in no particular order but have put them down as the thoughts occurred to me.

The very fact of having to be concerned always with national defense, with massive weapons of destruction, colors a man's way of looking at things. How often in voting and working for huge authorizations for weapons systems I have thought of the fine schools and other public improvements that could be constructed with the money if it were not needed to insure our national survival. It has made me particularly conscious of what I call Hardy's first law of government: that is, problems that are not solved do not go away even though people get tired of thinking about them.

The requirement to maintain an awesome military machine, the most awesome the world has ever conceived, has been with us for all of my twenty-two years in Congress. This power is maintained to answer primarily the threat of global war, to prevent not only the destruction of our own democracy but the loss of freedom throughout the world. The threat has not gone away; it has only been held in abeyance.

The problem has not been solved. But our people have grown tired of thinking about it, and some of our reputedly best minds have grown tired of thinking about it. We hear a lot today about the breakup of monolithic communism, about the revival of nationalism and the working of new forces in the world, about the independent aspirations of the emerging nations and about the danger of meeting new challenges with old ideologies. In all of this there is some truth. But the stale old truism remains—and make no mistake about it—the forces of communism which, like us, have the power to destroy the world will take over control of it if we do not retain the power to stop them.

There will always be arguments about the level of power we should maintain, there will always be disagreements about the speed with which we should modernize our weapons systems, but that the process must go on cannot be doubted.

I am convinced that much of the unrest in our country today grows out of the despair of having to live so long with this number one problem that just won't go away.

There are many other problems that are on a somewhat less universal level where people put off a decision, take a hedge position, or order a new study, hoping the problem will resolve itself. It never does and tax dollars are often wasted during the waiting period.

I would not wish to dwell on, or be critical of individuals for, mistakes of the past. The men who have managed the Pentagon have had to make some frighteningly grave decisions. What I am interested in is our capacity to learn from the mistakes of the past and our capacity to avoid making the same mistakes over and over.

It has been pointed out, to use one example, that the Navy was shockingly slow in realizing the value of nuclear submarines and that without the action of the Congress the nuclear submarine would not have become a reality nearly as early as it did.

What is far more disturbing to me is that the defense establishment is in danger of making the same mistake in regard to nuclear powered surface vessels. Notice that the authority to make the decision—one might more properly say the authority to delay the decision—has moved up from the Navy Department, which floundered on the nuclear sub in the early 50's, to the Defense Department, which is dragging its feet on nuclear surface ships in the late 60's.

Mr. McNamara used to talk about the pyramiding of bad decisions. But of much greater concern to me is the danger inherent in the organizational structure and a centralized system which includes the pyramiding of bad decisionmaking processes.

Political scientists like to point out that democracy is an inherently inefficient form of government. This would be true I suppose because of the diffusion of power in a democracy.

But, it seems to me that the advantage of a democratic form of government is that it has a greater capacity to survive its own mistakes. This too is related to the diffusion of power. An over-concentration of power in one person or one group or one unit of an organization, however well intentioned at the outset, reduces the questioning of decision, the capacity for objectivity and the ability to reverse mistakes.

There are several courses by which such concentrations of power can be countered as regards our military establishment. One is a more active role by the Congress in military decisionmaking.

Edmund Burke said, "he that wrestles with us strengthens our nerves and sharpens our skill. Our antagonist is our helper." I have learned that one of the things our military decisionmakers require is a touch of inquiry into the basis for and the reasonableness of their decisions. I hope it can be said of me that my service has been a whetstone for their skills.

Sometimes I get accused of asking embarrassing questions. Of course, I wouldn't intentionally embarrass anyone, but I take very seriously the responsibility of Congress for legislative oversight. That responsibility is, in my mind, a most important congressional function; and in seeking to protect that congressional prerogative I hope that my questioning and searching for facts has always been constructive.

One of the things with which I have been concerned is what seems to be an ever increasing tendency for the executive departments, in the instant case the Pentagon, to initiate through directives actions which ought to be done by legislation.

A most important function of the Congress is to question such actions. Sometimes we slow them down and get criticized by the press for so doing. The headline word is always "obstructing", especially with respect to those actions or contemplated actions which the Pentagon has elaborately propagandized through its high-powered public information office. Thus, the Congress may often be doing the most good when it is being most criticized. You members of the Reserves will not have too much difficulty in thinking of an example.

An important lesson of the last twenty-two years is that we ought to allow the little man to make the little mistakes so the big fellow won't make as many big ones. And, I would also suggest that the way we have learned this lesson was inevitable. To put it another way, one might say that the need for proper decentralization has become clearer through observing the defects of overcentralization.

There has always been tremendous duplication and waste in the Defense Department, and I am sure you will recall that during the 50's the Congress, in an effort to correct some of this, enacted legislation which brought about the very centralization that is now disturbing to so many people. And I share the feeling of many Members of Congress that it has gone much too far.

I recall so well the atmosphere which existed when the National Security Act was revised to include the words which gave the Secretary of Defense "direction, authority, and control" over the military departments.

But I suspect we have moved along what is, if a somewhat tortuous, a nevertheless inevitable course. There was duplication that had to be eliminated. There was a change in the nature of world military realities which required greater interaction of defense elements and, therefore, closer policy control from the top.

If we had allowed the military departments to continue as they had been going we might have had more decentralization today, but we would have also multiplied many of the old problems. We might still be considering each service separately and slicing the budget pie without adequate coordination. I do not think we could live with independent military departments today in the same sense that we had them 22 years ago.

But I also think that it is time now to question whether we have not over-corrected our course. I doubt that we can now change those words "direction, authority, and control", but it is something we ought to consider.

Again, let me say I am more concerned with the process of decision making than with the individual decisions themselves. Steps in the process which tend to separate the decision making from those who must live by the decisions tend to separate authority from responsibility.

This is why I have been critical of decisions which are sometimes made by, or affected by, whiz kids in the Department of Defense. Although the techniques employed may be praiseworthy, because of the centralization of authority they often ignore many important factors which could be provided only by the experienced military man who will be required to carry out or implement the decision.

You all know of areas where the institution of such new steps has made it extremely difficult, not only to get the right decision, but even to get all sides of the questions considered. You know, too, that often existing procedures bring about delays in getting any decision made.

The test of our defense establishment now is whether we can remove some layers of authority and whether we can reduce the number of people who can stop action, whether we can make certain that authority and responsibility go together, certain that all pertinent factors, particularly military factors, are considered when important decisions are made.

I have sometimes thought that the original concept of the National Security Act was more desirable than the present—that the Office of the Secretary of Defense should be responsible for policy with the service secretaries *fully* responsible for operations. Perhaps we ought to be considering whether some modifications of the existing structure along these lines is now in order.

In closing, let me thank you for this generous award that you have given me today. Your organization has always been very kind to me. I started my service in Congress 22 years ago with great faith in my country. I have as much faith in it today as I ever did. One of the things that sustains my faith is people like you who are ever prepared, ready, willing and eager to defend our country.

Again, I thank you for your dedication to your country and for the honor which you have bestowed upon me.

THE "PUEBLO": HOW LONG MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. SCHERLE. Mr. Speaker, this is the 161st day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

AN OPEN LETTER

HON. BOB CASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. CASEY. Mr. Speaker, Mr. John R. Immer, first vice president of the Federation of Citizens Association of District of Columbia, has furnished me with a copy of the Federation's open letter to the Honorable John W. Hechinger, chairman of the District of Columbia City Council. The Federation strongly endorses swift and strong punishment of the criminal and particularly, those who use a firearm in the commission of a crime as proposed in my bill, H.R. 4212, calling for mandatory sentence for such use of firearms in the District of Columbia.

Since I feel that this open letter should be called to the attention of my colleagues, I request permission to insert the full text at this point in the RECORD.

AN OPEN LETTER

FEDERATION OF CITIZENS ASSOCIATIONS OF THE DISTRICT OF COLUMBIA,

July 1, 1968.

Ref: Pres. Johnson's March 13 "D.C. Gun Control Message to Congress" should be acted on immediately by D.C. City Council.

Hon. JOHN W. HECHINGER,
Chairman, District of Columbia City Council, Washington, D.C.

DEAR MR. HECHINGER: We are sending you herewith a copy of President Johnson's March 13, 1968 Message to the Congress calling for D.C. Gun Control legislation. In that message he recommended "that the Congress promptly enact a strict gun control law for the Nation's Capital city." We believe the D.C. City Council has failed in its responsibility to support President Johnson in this vital issue involving the lives and welfare of thousands of District citizens. President Johnson said in his great Message to the Congress that:

"Each time a storekeeper is threatened at gunpoint—each time a woman is terrorized on her way home from work—each time a burglar breaks into a home at night—the liberty of every citizen is diminished. Crime today is the first problem in the nation's first city. It is on the rise. . . . If the District is to wage a successful battle against crime, it must have a strong gun control law. Last year, almost 2,500 major crimes were committed in the Nation's Capital at gunpoint—murders, assaults and robberies. Laxity in gun control legislation is an open invitation to tragedy. A pistol in dangerous hands is like a ticking time bomb. And today, in the District of Columbia, alcoholics, juveniles and mental incompetents are free to own deadly weapons. The proposal I have recommended—the D.C. Gun Control Act—would help bring safety to the District's streets, homes and stores. It would: Require individuals to obtain a permit to possess or carry a pistol and limit the sale of pistols to those with valid permits. Prohibit possession of pistols by persons under 21, drug users, alcoholics, or mental incompetents, as well as drug addicts, felons, and other criminals. Add ten years' imprisonment to the regular penalty when a firearm is used in a robbery or an attempted robbery. Require all rifles or shotguns to be unloaded and encased while being carried. Require stricter licensing of persons who manufacture, sell or repair firearms, and require records and reports to be made concerning sales and repairs. This legislation is designed to safeguard the public order and to stop tragedy. It would not, however, prevent any law-abiding citizen from owning firearms if he can show the need for such weapons to protect himself or his property. I again recommend that the Congress promptly enact a strict gun control law for the Nation's Capital city."

The D.C. City Council has made no effort to press for enactment of these D.C. Gun Control recommendations by the Congress. Instead, the D. C. City Council has attempted to bypass the President's Message calling on Congress for new legislation by developing a municipal regulation which, by its very nature, cannot provide the penalties which President Johnson thought necessary. Industry, sportsman, citizen and civic leaders, including Simon Atlas and John M. Thornton, met on June 27 with Councilman John A. Nevius and your assistant, Isaiah T. Creswell, Jr., and presented a D. C. Gun Control program developed by the Ad Hoc Committee for a Sane Gun Control Law for the District of Columbia, which, point by point, does back up President Johnson. Councilman Nevius expressed interest in the plan, but he said he doubted the Council would seek legislation. His main objection to seeking enactment by the Congress was that the Congress would not adopt legislation which would carry out President Johnson's recommendation to "add ten years imprisonment to the regular penalty when a firearm is used in a robbery or an attempted robbery." This is an amazing position for the D. C. City Council to take. Actually, the Congress has enacted an amazing number of the recommendations made by President Johnson. He has one of the highest box scores ever when it comes to Presidential recommendations enacted into law, as he has repeatedly said. For the D. C. City Council not even to try to get the Congress to adopt President Johnson's March 13, 1968 D. C. Gun Control plan to eliminate a recurrence of the 2,500 major crimes committed here last year involving guns is a failure to measure up to the requirements of the high Office of City Council.

Earlier this year Congressman Bob Casey of Texas introduced a bill, H.R. 4212, to carry out President Johnson's ten-year mandatory sentence recommendation. Yet, when we visited Congressman Casey's office on June 28 his staff people told us that Congressman Casey hasn't heard one word from any member of the D. C. City Council in support of his bill to carry out the President's March 13 recommendation regarding a ten-year sentence.

Further proof that the Congress would undoubtedly respond to any effort on the part of the D.C. City Council to seek the adoption of President Johnson's March 13 D.C. Gun Control recommendations is shown by the many Acts Congress has adopted already for gun control here and nation-wide. The Act of Congress of 1932 (see Section 3202 of Title 22 of the D.C. Code) says: "If any person shall commit a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, he may, in addition to the punishment provided for the crime, be punished by imprisonment for a term of not more than five years; upon a second conviction for a crime of violence so committed he may, in addition to the punishment provided for the crime, be punished by imprisonment for a term of not more than ten years; upon a third conviction for a crime of violence so committed he may, in addition to the punishment provided for the crime, be punished by imprisonment for a term of not more than fifteen years; upon a fourth or subsequent conviction for a crime of violence so committed he may, in addition to the punishment provided for the crime, be punished by imprisonment for an additional period of not more than thirty years."

In the Act of December 27, 1967 the Congress further amended this legislation so that Title 22's section 3202 now reads as follows: "If any person shall commit a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, he may in addition to the punishment provided for the crime be punished by imprisonment for an indeterminate number of years up to life as determined by the court. If a person is convicted more than once of having committed a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearms, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, then, notwithstanding any other provision of law, the court shall not suspend his sentence or give him a probationary sentence." (July 2, 1932, 47 Stat. 650, ch. 465, sec. 2; Dec. 27, 1967, Public Law 90–226, sec. 605, title VI, 81 Stat. 737.) This section recognizes the simple fact that guns are not the only weapons which are murderous, and the use of which should be outlawed by prison sentences imposed by an alert and responsible law-abiding people. Mandatory ten-year sentences should be imposed in addition to the regular penalty when a firearm is used in a robbery or an attempted robbery, and, in addition, this mandatory ten-year sentence should be imposed when the other weapons listed in this Act of Congress are used in a robbery or an attempted robbery.

The view of Councilman John A. Nevius that the Congress would not act to write a mandatory ten-year sentence for the use of firearms in robberies, and attempted robberies is ill-founded and damaging. Proof that ten-year mandatory sentences, such as President Johnson has called for, are badly needed is shown by some of the recent sentences imposed by the courts. Congressman Paul G. Rogers denounced some of these sentences in a speech on the House floor June 26, 1968. The *Washington Post* (June 27) reported that: "Rep. Paul G. Rogers (D-Fla.) took issue yesterday with court sentences here which he said do not match the seriousness of the crimes for which they are imposed."

In a statement on this subject on page 18971 of the *Congressional Record* of June 26, Congressman Rogers is critical of sentences given out by Judges John L. Sirica, George L. Hart, Luther W. Youngdahl, John Lewis Smith, Jr., Gerhard Gesell, William B. Bryant, and Aubrey E. Robinson. He explained: ". . . there were 17 cases up for sentencing in district court last week which involved guns. Six cases, or one-third of the total, resulted in suspended sentences. Four cases resulted ni sentences under the Youth Corrections Act, although they involved serious crimes and the individuals were 18, 19, 20, and 21 years old, all old enough to have been tried as adults—for having committed adult crimes with weapons. Perhaps even more shocking were the sentences given out for murder. One individual guilty of first-degree murder and robbery received a 2-year minimum sentence. Another convicted of second-degree murder received an 8-month minimum sentence. And there was one suspended sentence for assault with intent to kill. In each of these cases guns were used. In each case, guilty verdicts were entered. Do the sentences match the seriousness of the crimes? I think not. Do the sentences indicate a need for additional gun laws? Are the judges of this city helping to fight crime by punishing criminals. Congress will soon consider new gun laws. I am hopefull consideration will also be given to increasing the penalty for those who use weapons in crime. The judges of Washington and other cities must come to realize the important role they must play in removing the criminal, especially the repeat customer, from the streets."

Perhaps the permissive attitude of the courts has had as much as any other single factor to do with the growth and increase in crime. The permissive attitude of the courts may have been on the President's mind when he drafted his March 13 recommendations for a stiff D.C. Gun Control Law. We believe Congressman Paul G. Rogers is to be highly commended for pointing to one of the major weaknesses in the law-enforcement system.

We believe the D.C. City Council should put aside its proposed regulation to control the traffic in firearms and ammunition within the District of Columbia in favor of an all-out effort to get the President's March 13 Gun Control Bill advanced as far as possible in this Congress. An all-out effort would, we believe, make it possible to get The President's plan adopted in this Congress, in time for President Johnson to sign it into law.

We believe, in conclusion, that the D.C. City Council's proposed regulation is illegal. The reason for our view that it is illegal is that the Congress has several times written into law effective gun control proposals. In adopting the open housing regulation some years ago the Board of Commissioners of the District of Columbia justified its action on the grounds that the Congress had failed to legislate on that subject. The fact that the Congress has legislated into law gun control proposals certainly would have to be taken into account by the Congress, the courts, and the D.C. City Council. What the D.C. City Council seems to be doing in pushing for its proposed gun control legislation is (1) failing to take into account the gun control laws both locally and nationally adopted by the Congress; failing to recommend gun control legislation presented to the Congress by President Johnson on March 13, 1968 on the specious grounds that Congress won't adopt the President's Plan, and (2) pointing to the failure of the Congress to date to adopt the President's Plan of March 13 as a justification for the adoption of its own unsound proposal which fails to carry out a single one of the 5 points in the President's March 13 D.C. Gun Control Plan.

We urge the D.C. City Council to immediately call on the D.C. City Government, Mayor Walter E. Washington and the Congress to adopt in this Session of the Congress the March 13, 1968 Gun Control Plan recommended to the Congress by President Johnson.

Sincerely yours,

JOHN R. IMMER,

First Vice President, Federation of Citizens Associations of the District of Columbia.

MR. EARL S. REYNOLDS OF THE KAISER STEEL CORP. TO RETIRE

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. PETTIS, Mr. Speaker, on July 31, 1968, Earl S. Reynolds, director of public relations for Kaiser Steel Corp., in Fontana, Calif., will retire after nearly 26 years of participation in Kaiser Steel and other Kaiser companies.

A few years after the late Henry J. Kaiser told his engineers to "go out and build a steel plant" Earl came to the Fontana area in San Bernardino County. It became Earl's job to "sell" this rural, citrus-growing community on the fact that Kaiser Steel could be a good and valuable neighbor. Earl was successful, and throughout the following years he expanded his activities to include accepting several city and county commission posts. He further participated in numerous youth organizations, State and National groups, and was generally active in civic affairs.

I have enjoyed a long, warm friendship with Earl, and have often considered him my counselor. I know that my predecessor of 14 terms, the Honorable Harry Sheppard, worked successfully with him on community and national problems and that Congressman Sheppard has the highest regard for Earl Reynolds.

The current issue involving corporate social responsibility is a reminder to us that Kaiser Steel early recognized, implemented, and continues to perpetuate such a program. Earl was effective in the initial support and launching of this endeavor.

Mr. Reynolds has been recognized by the senate of the State of California, during its most recent legislative session, for his outstanding work.

I commend Earl S. Reynolds for his community and corporate service.

SBANE'S PROPOSALS FOR CONGRESSIONAL ACTION

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, recently the Smaller Business Association of New England—SBANE—met with Members of Congress to discuss the problems of the small businessman. As usual, the presentation of SBANE's proposals to the Congress was imaginative, thoughtful, and informative. SBANE, founded in 1938, is a private, nonprofit, nonpartisan association of small companies throughout New England. Part of the purpose of this association is the promotion and support of legislation and Government activities beneficial to small business. The following is the first of two parts of the SBANE "Proposals for Congressional Action," dealing with economy in Government, participation in Government procurement, pension plans, and patents. The introduction to the proposals is by Mr. M. Michael Cantor, president of SBANE. I heartily recommend these proposals to my colleagues for their careful reading and under unanimous consent I submit them for inclusion in the CONGRESSIONAL RECORD, as follows:

THE 1968 SMALLER BUSINESS ASSOCIATION OF NEW ENGLAND, INC., PROPOSALS FOR CONGRESSIONAL ACTION

(Introduction presented by M. Michael Cantor, E. Van Noorden Co., Boston, Mass., president of SBANE)

Gentlemen, the Smaller Business Association of New England, Inc., as the only regional organization of its kind in the United States, fills a very unique role in representing smaller businesses in New England. Founded in 1938 to gain a greater recognition and understanding of small business by the general public and the Congress, our Association has tailored its legislative proposals through this annual Washington Presentation not for the exclusive benefit of New England but also for small business everywhere.

This nationwide interest has been welcomed by the Congress over the years as witnessed by the contacts and participation we receive yearly from Congressmen outside of New England.

We firmly believe our purposes in promoting and protecting the interest of small business is most vital. Our free enterprise system is over 95% small business and its vitality and growth are essential to the economic growth of the whole country.

For 30 years SBANE has actively worked with the Congress to support and bring to your attention specific measures that we believe should be undertaken to render assistance to small business. Through the years the concern and attention of the Congress to small business has increased measurably. When our Association was founded, for instance, there were no Senate and House Committees for Small Business nor a federal agency like the Small Business Administration.

Of all the segments of our society that now have some type of an association, few are as easily justified as an organization for small business. Big businesses can hire specialized talent to run the various departments of their companies. The unique characteristics of the small businessman as the fellow who must play many solo roles and wear many hats and who must rely on his own knowledge and experience rather than a staff of experts has prompted him to seek guidance along many channels. Membership in SBANE brings the young entrepreneur in contact with experienced businessmen where he can obtain advice and counsel on the weighty problems and decisions that he must cope with daily.

SBANE also offers a focus for expression in many areas. Of great importance is the long-established liaison with our friends in Washington through this Presentation, appearances before various committee hearings and frequent contact with the Congress and various departments and agencies on matters that affect small business.

One of the gratifying results of our Association's activities in Washington has been your support of our proposals and the requests we have received to start simular organizations in other regions of the country. Within the past year, two members of the Senate have sought the assistance of SBANE in establishing a small business association in their states. Extensive materials and background information on how our Association operates have been furnished and SBANE is gratified by this interest.

Today, we offer your proposals and recommendations on legislative issues we believe are in the best interests of small business and the general public through the strengthening of the American free and competitive enterprise. We ask that you weigh the proposals by SBANE as you vote on the issues we have included because of the importance they carry to the small business community.

The threat of uncontrolled inflation, the need for greater economy in government and a serious deficit in the balance of payments are all topics the Congress has heard much about recently.

These conditions are in many ways interrelated. They all affect the strength of our dollar. As small business owners, we are the most vulnerable to the fluctuations in an unstable economic system.

We have given all three of these vast and complex areas serious study from the viewpoint of our experience in running our own business and we convey to you, the Congress. some of our observations. We hope that our grassroots approach to this vastly complicated problem may be a help in your search for solutions.

Inflation—During the period between 1960 and 1968 the U.S. Government spent nearly $57 billion more than it collected in taxes. Abroad we spent $16 billion more than we received.

The federal debt has gone up by $60 billion in 10 years.

The purchasing power of the dollar has declined every year for the past decade.

Non-defense federal spending has almost doubled since 1960.

This continuous and large-scale trend of excessive spending over income has led to a dangerous inflationary climb that has eroded the value of the dollar to a serious degree. On the other hand the small business executive must operate within the discipline of a budget which is geared to keep his income and expenses in balance. This fiscal discipline requires a weighing of desirable programs to keep them in balance with what the company can afford.

To restore international trust in our dollar, maintain our capacity for world leadership and relieve the pressures of an unstable economy that affects everyone, SBANE recommends the following:

1. Reduction in government spending
2. Passage of 10% surcharge tax
3. Reduction in rate of growth of the money supply

We believe the reduction in government spending should begin with a long, hard look at the need for the present tempo of the space program. This is just one example, we believe, where huge appropriations are spent on a program that is very desirable but not a necessity at the present level.

THE CASE FOR ECONOMY IN GOVERNMENT

Economy in Government—Senator William Proxmire and Congressman Wilbur Mills have filed bills which we strongly endorse as constructive and fundamental approaches to expenditure control. S. 2032 and H.R. 10520 will create a twelve-member bi-partisan Government Program Evaluation Commission to examine all old and new Federal programs and activities to determine their continued need and effectiveness. At a time when our national needs must be weighed within a reasonable tax structure, it is vital that the Congress give high priority to every avenue of improvement in the functioning of our government.

This would be the fifth major reorganization during this century. All previous studies resulted in improvement of government management at less cost. Some of the past studies have been more effective than others and we suggest guidelines to insure the most productive commission possible:

1. Size of the Commission be limited
2. The members of the Commission be outstanding private citizens without recent affiliation with any governmental agency
3. The Commission be appointed by the President after consultation with leaders of both parties in both houses
4. The Commission be authorized and funded to perform the study in a thorough and professional manner

Mr. Luther Gulick, Chairman of the Board of Trustees, Institute of Public Administration, New York City, has participated in the past four major studies. His reputation in the field of Public Administration is world-wide. The following quotation from Mr. Gulick summarizes our beliefs on this vital subject.

"It is even more important for government to be modernized than it is for private business to be, because government does not have the curative influence of competition to get rid of the deadwood and substitute more effective approaches."

Balance of payments—We believe there are better approaches to meeting the balance of payments problem than taxing money spent abroad. While the U.S. Treasury estimates this would bring a savings of between 300 and 500 million dollars a year, this savings could be largely negated should the tourist provoke retaliation.

Several incentive proposals have been offered to encourage foreign tourism in this country and greater export by U.S. firms, especially small businesses, which seem a better and more effective way of combating the balance of payments crisis.

PROCUREMENT

During last year's Washington Presentation we expressed the serious concern of our Association over the number of highly qualified smaller businesses that had made the decision to either cease or greatly reduce their participation in government procurement. Because of the inherent capabilities of small business such as inventiveness, ingenuity and flexibility, we believe this exodus from procurement is not in the best interests of the government.

The seriousness of the problem also has been expressed by Congressman James C. Corman, Chairman, Sub-Committee on Government Procurement of the House Small Business Committee, in hearings that reviewed the procurement policies and practices of Federal agencies to determine their effect upon small business.

On March 13th when SBANE testified before this Sub-Committee, Congressman Corman stated that the small business share of military procurement has declined from 21.8% in fiscal year 1966 to 18% for the first six months of fiscal 1968. Yet the net value of military procurement from 1965 to 1967, alone, increased by $15 billion.

Several of our members also appeared at these hearings to cite specific examples of problems that they had encountered. Many constructive suggestions were offered to correct inequities and deficiencies in Federal government procurement.

For example, Ted Valpey of Valpey Corporation, Holliston, Massachusetts, suggested the establishment of a program similar to the Service Corp of Retired Executives (SCORE) to deal with procurement specifically. Organized in the Small Business Administration, it would be composed of retired business executives familiar with the complex procurement procedures who could visit smaller businesses and offer counseling in procurement matters.

We hope that all of you will study the records of these hearings to get a more detailed, up-to-date insight into the procurement field.

COMMISSION ON GOVERNMENT PROCUREMENT

The Smaller Business Association of New England, Inc. supports the establishment of a Commission on Government Procurement provided small business is represented.

The Federal government is a $70 billion a year business in purchasing goods and services and more than half is spent by the various procurement agencies. The practices and procedures used in procurement are numerous and varied.

The Federal Property and Administrative Services Act and the Armed Services Procurement Act are the basic statutes for procurement. They were enacted almost 20 years ago when the budget was a fraction of its present size. Since then government responsibilities have grown and scores of new departments have been added.

The proposed Commission on Government Procurement would create a sweeping study of present policies and procedures, statutes and regulations. It would ferret out loopholes, inconsistencies, conflicts and variations in present practices.

This legislation will benefit both government and business. Most important will be to provide greater economy in government. Also, as members of the Congress you have undoubtedly been called upon to help a constituent, particularly a smaller businessman, who encounters a serious problem while doing business with the government. Eliminating the confusion will save small business the waste of time, effort and money now devoted to procurement difficulties.

Legislation to create this Commission is H.R. 12510 and S. 1145 which provide that the Commission will be composed of members appointed by the President of the United States, President of the Senate and the Speaker of the House of Representatives. The Comptroller General or his designated representative is to serve as an ex-officio member. Seven members, according to H.R. 12510 are to be appointments made outside of the Federal Government.

We are in accord with the minority views of members of the House Committee on Government Operations who have stated, "Unless the appointment of non-Congressional members of the proposed Commission is to be made with the greatest degree of care and circumspection, a bias could well develop in favor of contractors, or in favor of Government Procurement Agencies, or in favor of large businesses over smaller businesses, (SBANE's emphasis) or in favor of the status quo, or in favor of Government in house capability over private enterprise, or in favor of almost any special interest over the taxpayer's interests."

We understand that the House Rules Committee has voted to defer Congressman Holifield's request to send the Government Operations Committee bill to the House floor. We will continue to urge the adoption of a Commission on Government Procurement, however, we would like to point out that we strongly feel the need of having small business represented.

SET-ASIDE PROGRAM AND PCR'S

The Smaller Business Association of New England, Inc., notes with pleasure that the Procurement Center Representatives of the Small Business Administration will be re-established.

SBANE wishes to emphasize the importance of the joint set-aside program as it was established. It was of benefit in increasing the amount of business to the small businessman and of equal beneficial importance to the Government in cost savings.

In fiscal year 1965, Department of Defense set aside 6.3% of the total value of military procurements for small business. This fell to 5.0% in fiscal year 1966, thence to 4.7% in fiscal year 1967 and is down to 3.7% for the first half of fiscal year 1968. This is a reduction of 42.7% in the value of set-asides.

This indicates to us the great need for the prompt return of the PCR's and joint set-aside program and we trust that DOD and SBA will move with dispatch in the re-establishment of this program.

ESTABLISHMENT OF CONTRACTS DISPUTES CLAUSE

We strongly believe that contracts and purchase orders issued by a Government prime contractor to a subcontractor should contain a "Disputes" clause to give subcontractors access to the appropriate Government contracting officer and the Armed Services Board of Contract Appeals when a dispute cannot be settled between a sub and the prime.

Such a clause is standard in all Government prime contracts but the prime contractor is prohibited from including such a clause in subcontracts.

It would seem that the intent of Armed Services Procurement Regulations 23–203 is to insure the Government against direct claims by a subcontractor and to suggest that unresolved disputes between "prime" and "sub" by resolved by arbitration, by suit in the courts, or by a "prime" instituting an appeal to the Government on behalf of a "sub". The ASPR does not insulate the Government but provides no positive safeguard to a subcontractor because:

A. A "prime" does not have to assert a claim on behalf of a "sub" and is not apt to do so if the dispute is the result of action by the "prime" which affects the "sub".

B. When suits have been made in Courts of Competent Jurisdiction by a "sub" against a "prime" such Courts have ruled with reasonable consistency that the written terms of the contract are the whole terms and that in the absence of a "Dispute" clause there is no ground for suit. Such adverse decisions can be expected particularly with regard to terms imposed on the sub by direction of the Government. For example: ASPR 7–104.29 states the context of clauses to be included in various type government contracts and subcontracts to provide for price reduction if defective cost or pricing data has been furnished.

The clause as written in a Government contract with a prime, specifically provides the prime access to the standard Government "Disputes" clause. However, the clause that the prime is required by the Government to insert in subcontracts (and that the subcontractor must insert in lower tier contracts when appropriate) does not make reference to a "disputes" clause. In fact, the clause applicable to subcontracts gives a prime unilateral power, as representative of the Government, to determine by itself that a subcontractor has provided defective cost or pricing data. Also, the Government has the same unilateral power in many subcontracts through its right to audit provided for in ASPR 7–104.41 and as sometimes otherwise provided.

It is therefore recommended that provisions be made in ASPR as follows:

"That contracts and purchase orders issued by a Government prime contractor to a subcontractor contain a "disputes" clause giving the subcontractor access to the appropriate Government contracting officer and, if necessary, the Armed Services Board of Contract Appeals in the event of dispute related to the terms and conditions of the contract, when such dispute cannot be settled by the subcontractor with the prime."

This right should accrue to a subcontractor whether the dispute is the result of actions by the Government or the prime contractor in connection with the contract. If the prime contractor, acting as an agent for the Government, imposes terms as directed by the Government or as approved by the Government, then a subcontractor should have access to relief in the event of dispute to the real purchaser—the Government.

MAXIMUM MONTHLY SUPPLY POTENTIAL

When bidding on government contracts a small business must rightfully be expected to comply with many requirements. However, we believe one of these, "Maximum Monthly Supply Potential" places a costly and unfair burden on small business and often disqualifies worthy and otherwise competent companies from competing on contracts. Under this requirement, the firm must be able to supply a set number of items per month plus have the capacity to produce a maximum amount—usually a year's supply in ninety days—if the government demands for this item should increase at a substantial rate.

We believe this maximum monthly supply potential factor, most frequently imposed by the General Services Administration, is often established arbitrarily and could be used to eliminate small business from competitive bidding. Small businesses sometimes are forced to purchase extra equipment to meet this maximum monthly potential only to find later they do not need the machinery. For example, a small New England company had to buy two more screw machines for $30,000 in order to meet maximum monthly supply potential for a certain product. The company could easily have met the normal requirements without the new machines.

To this day, the machines have not been used because the maximum potential has never been needed by the government agency. This small company is faced with large monthly payments for two machines which it was required to buy in order to qualify for the contract.

Several small firms have been denied contracts containing the maximum monthly supply potential requirement and have declined to apply for a Certificate of Competency knowing that they can meet estimated requirements, but not the maximum monthly supply potential provisions.

SBANE believes this system of maximum monthly supply potential should receive careful study by the Small Business Administration and the Procurement Regulations Committees and changes be made to prevent well-qualified small businesses from indiscriminate elimination on government bidding solely because of this maximum requirement.

PRIVATE PENSION PLANS

Everyone here today realizes that the objectives of Government and Industry are not dissimilar. We are both interested in the economic prosperity of the country and its citizens. Retirement security is an important corollary to this broad objective. To this end, certain programs have been developed during this country's economic history. A significant one, familiar to all, is social security. This is, and should remain, a broad basic retirement system. Another area of increasing importance, which complements social security, is the role of private industry-sponsored pension plans.

Private pension plans are not new but their burgeoning growth since 1940 has attracted increased attention. This growth, which gives rise to private pension fund assets now in excess of $100 billion, has come about not only in terms of numbers of people covered, which is currently over 30 million employees, but even more significantly in terms of the percentage of the total work force covered. As a representative of industry and small business, this association is keenly desirous of having this growth continue and even accelerate.

There is no need for us to debate whether government has a role in private pension plans, for we are not apart. Certainly, when a system affecting the financial well-being of our citizenry reaches such magnitude, it warrants examination by many responsible bodies. Our concern today is to alert the Congress of the United States to the danger of tempering with an already proven successful program. We think there is a tendency to note a desirable provision in one plan and, therefore, deduce that it would be even more desirable to make this provision mandatory for all plans. This is not the case since the success of the private pension plan system has been in a good measure the result of the flexibility accorded it. The pension costs, which can be borne by each company, vary widely. Size, profitability, income stability, and labor mobility are some of the reasons.

Current legislation before you, which relates to mandatory vesting, portability, increased minimum contributions, and Federal Reinsurance, we believe is not, in the long run, in the best interest of the employer or the employee. Our belief is this stems from the fact that legislation of this sort will increase the cost of private pension plans to the employer. Faced with this increased cost, he must of necessity give consideration to reducing the ultimate retirement benefits. In addition, increasing the cost must certainly hinder the adoption of new plans which neither you, gentlemen, or this association, deems desirable. The small business executive must be allowed more latitude in the design and funding of his plan.

In summation, further restrictive legislation to control private pension plans voluntarily instituted may very well damage the small business segment of our society and, therefore, its employees. We urge you to allow this healthy growth to continue in an orderly manner.

PATENTS

SBANE opposes legislation that would change the present system under which patents are issued the first inventor to the first to file system that has been proposed to the Congress.

Despite the enormous investment that large companies spend each year on research and development, studies reveal that small businesses are still the birthplace of most of the new ideas and products that are marketed. For this reason, the Association has given careful study to the recommendations of the President's Commission on Patent Reform and legislation that has been filed in the Congress as a result of this study.

Of particular interest to small business is the proposal to change the system of priority from "first to invent" to "first to file" or various modified first to file rules that have been submitted to the Congress.

The cost of a patent application to an inventor is from $500 to $1,000 and higher in complex cases. These changes in the patent laws would impose a serious financial burden on small business and the private inventor who often lacks the funds to file patent applications that have not demonstrated commercial utility. These inventors must conserve their funds to develop inventions for which there is substantial expectation of commercial use and value. Large businesses, however, can afford to file and prosecute patent applications on all likely inventions without knowing their commercial value.

The present cost to the Patent Office in conducting first invention contests and interferences is less than $250,000 with a staff of 20 employees. This low expenditure of manpower and money to insure the patent goes to the first inventor is a good indication of the efficiency, economy and reasonableness of the present system. The proposed changes would encourage half-baked applications that would lead to more expensive contests and a greatly increased workload on the Patent Office.

These proposed changes would preclude an inventor from contesting the priority of an invention merely because he failed to file a patent application within a prescribed period before another who claims the same invention.

We ask that you resist any changes in the patent laws from the present first to invent system that has succesfully protected and encouraged American inventiveness for so many years.

THE PROGRAM INFORMATION ACT

HON. JAMES V. SMITH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. SMITH of Oklahoma. Mr. Speaker, on last Tuesday, June 25, my esteemed colleague Congressman BILL ROTH, of Delaware, delivered to the House of Representatives the results of an outstanding study, which will benefit every Member of this body and the organization of government as a whole. The general public will also be assisted greatly by being able to better understand the services offered by the various branches of the broad establishment of government. I am pleased to cosponsor the Program Information Act with the hope that it will find its full usefulness in the disseminating of information and also with the desire that the burgeoning bureaucracy might be made more efficient, thus reducing the cost to the taxpayer.

I wholeheartedly commend Congressman ROTH for his presentation of this enormous and difficult work, which required endless hours of detailed research We need more men like him in the Congress.

TODAY'S HORATIO ALGER HEROES

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FRIEDEL. Mr. Speaker, it is indeed heartening to know that the spirit of Horatio Alger is still with us today, notwithstanding the fact that his first published book "Ragged Dick" appeared over 100 years ago. We remember him well as the author of over 100 books, whose heroes, by leading exemplary lives struggling valiantly against poverty and other odds, won wealth and honor.

The May 1968 issue of Nation's Business published an article entitled "Today's Horatio Alger Heroes." It is of special interest, not only because it is true, but as evidence that the spirit of free enterprise still animates our youths, many of whom are tomorrow's businessmen.

As one of the Representatives to Congress from Greater Baltimore, Md., I was particularly pleased that two fine and upstanding young men of the area, Patrick M. Fahey and Fred Cuomo are cited in the article which merits reprinting in the pages of the CONGRESSIONAL RECORD.

The article follows:

TODAY'S HORATIO ALGER HEROES

(By Wilbur Martin)

Horatio Alger's heroes were young men with burning ambition to "strive and succeed," poor boys who overcame poverty and disadvantaged backgrounds in the best American tradition.

Those countless thousands who thrilled to Ned the Newsboy and Alger's other young knights have all grown up, many to become today's business and industrial leaders. And, in nostalgia, they may ponder: Where are the candy butchers of old No. 9, the shoeshine boy and the waif on the corner with his financial extra?

Alger's fictional characters have their real-life counterparts, just as they always have. You can find them in the garment district of New York City, pushing dress racks along Seventh Avenue and dreaming of one day owning a manufacturing house of their own. Or ushering at NBC, ABC or CBS, striving to break into television, just as did hundreds of youngsters who clerked in the drugstores near Hollywood and Vine in Hollywood's heyday.

You can find them on college campuses. There are more of this type among the ivy than the mop-haired, bearded, beaded, sockless vocal searchers who flit from cause to cause.

Every businessman can look back on his own school days and remember "Working Willie," the boy who had a dozen odd-jobs to pay his way through school and finance Saturday night's date.

Today's counterpart to Alger's Ned the Newsboy is far more sophisticated, but his aim is the same: to succeed. A good example of the type of enterprise you can find on

almost any campus is Patrick M. Fahey, 24, of Baltimore, president of Paladin Advertising Co. His vice president is Fred Cuomo, 21.

Fahey tells it like this:

"I was 21, going to the University of Baltimore and I wanted to pay my own way. I also knew that when you go to get a job, businessmen ask you, 'What have you done,' even if you've just graduated."

Paladin Advertising Co. (from a character out of the time of Charlemagne but best remembered as a TV western Robin Hood type) was born with $75 and a printer willing to carry it on the cuff.

Its stock in trade is a sports directory that also lists every graduating student each year from the University of Baltimore (and grew to editions for 12 other Maryland colleges).

It also handles place mats for fraternity functions (courtesy of participating merchants), ads on the back of dance and raffle tickets.

Fahey tells his score of full-time campus employees that companies are looking for people who realize they must have something else beside a college diploma—some solid work experiences and a background of accomplishment.

To add a little more incentive than the 40 per cent commission, he had a contest and the top salesmen ended up with company titles: vice president, secretary, treasurer. Other good producers got a $3 gas allowance.

Along the four-year road, Fahey became the youngest member ever taken into the Baltimore Chamber of Commerce and the Advertising Club.

He also moved his company offices from his basement to an office of its own, a $10-a-month garage (no heat, but a rug on the concrete floor). And his mother, as Cuomo's, still is the telephone answering service.

"The company's been fun," says Fahey, graduated now and 1-A in the draft.

"It has paid my way through college and given me something that I think I can either build on or give me terrific experience if I go to work for somebody else. It has also given me the down payment on some property."

Cuomo, who won an athletic scholarship to Baltimore as a soccer player, will be able to keep Paladin operating if Fahey goes into service—for a while. He's a senior himself.

Fahey unabashedly believes "opportunities are unlimited if you're willing to work" and "you can still make something out of nothing."

"Maybe it's corny to think like this. But you look at the people who made this country great. They thought like this and they did a pretty good job of it.

"What's wrong if you think you can still become a millionaire?" he grins.

CLARK MOLLENHOFF, A FINE REPORTER

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. SCHERLE. Mr. Speaker, Clark Mollenhoff, an author and a Pulitzer Prize winning reporter for the Des Moines Register, has been a key figure in keeping the people of Iowa and the Nation informed of activities in Washington. Through his clear and concise prose, he frequently has taken the American people behind the scenes of Government to find the real news.

An example of Mr. Mollenhoff's in-depth reporting is his current series of articles on Chicago street gangs living off Office of Economic Opportunity funds. More than 2 weeks before the Senate Permanent Investigating Subcommittee began open hearings on the OEO blunder, Mr. Mollenhoff had reported in the Register that OEO would come under fire in the committee hearings.

Mr. Mollenhoff's stories make it clear that Rev. John E. Fry, the pastor of the First Presbyterian Church in Chicago, where the gangs headquartered, was implicated—if not directly, at least through knowledge—with the unlawful activities of the gangs.

While he may have been naive at the start, Reverend Fry apparently learned as the program progressed the ways in which the outlaw gangs misused Government funds.

Congratulations also are due to Senators John L. McClellan, of Arkansas, Karl E. Mundt, of South Dakota, and Carl T. Curtis, of Nebraska for thoroughly exploring this OEO program and acting on behalf of the taxpayers to block the wasteful expenditure of Federal funds.

I commend Mr. Mollenhoff's articles to the attention of my colleagues:

Chicago Gang Testimony Problem for Presbyterians

(By Clark Mollenhoff)

Washington, D.C.—Testimony of the criminality of the Blackstone Rangers street gang in Chicago has stirred a multitude of problems for the United Presbyterian Church.

At least for the moment, the highest officials of the church have given their full support to the Rev. Dr. John E. Fry, the controversial 44-year-old pastor of the First Presbyterian Church in Chicago.

But the views of the hierarchy of the church are not given such enthusiastic endorsement by those who feel that the Rev. Dr. Fry is at least, "misguided" in his stout defense of such characters as Eugene (Bull) Hairston, president of the Rangers, and Jeff (Black Prince) Fort, the gang's vice-president.

DENOUNCED PROBE

With no knowledge of the evidence, the Rev. Dr. John Coventry Smith, moderator of the church's General Assembly and titular head of the church, rushed to Washington last week to denounce the McClellan Permanent Investigating Subcommittee and praise Pastor Fry for "the brilliance of his insights and the creative imagination of his approach to the problems of church and society."

"He (Fry) has done things that the rest of us would not have been able to do," the Rev. Dr. Smith said. "He has succeeded in establishing communications with street gangs in Chicago, making his church a base for relationship with representatives of underprivileged groups."

The Rev. Dr. Smith and the Rev. Dr. Kenneth G. Neigh, general secretary of the Board of National Missions of the United Presbyterian Church, shoved aside what they called "undocumented" testimony against the Rev. Dr. Fry as having been made "by a former gang leader and one other disaffected person."

The Rev. Drs. Smith and Neigh said they were relying upon Donald E. Zimmerman, executive of the Presbytery of Chicago, who they said had made a "rather thorough" investigation of the whole matter.

However, under questioning, the Rev. Dr. Smith said he really didn't know how thorough an investigation Zimmerman had conducted and that he was rather certain that Zimmerman had not questioned the police, school authorities, or the witnesses who have been appearing before the McClellan subcommittee.

Senator Carl Curtis (Rep., Neb.), a member of the Presbyterian Church, declared that he believed that Zimmerman and other church people "are a little premature" in making such a broad defense of the Rev. Dr. Fry.

KINDEST THING

Senator Karl Mundt (Rep., S.D.) declared that the Rev. Dr. Fry might have been "a well-motivated kind of a fellow when he got into this Blackstone Ranger business, but I think the kindest thing I could say about him is that he has been unaware of what was happening around him.

Mundt and McClellan have called the Rev. Dr. Fry "naive" in his dealings with the leaders of a criminal gang who have been convicted of rape, illegal possession of narcotics, assault and battery, robbery, burglary, conspiracy to murder, and murder.

The Senate Permanent Investigating Subcommittee headed by McClellan started the investigation because the Office of Economic Opportunity (OEO) had made a grant of $927,000 to a Chicago organization for an educational program that had been administered by the leaders of two Chicago criminal gangs—the Blackstone Rangers and the East Side Disciples.

The program was admittedly a "high risk" program, and Chicago police, Mayor Richard Daley and social organizations have been appalled at the lack of supervision the program was receiving. It was an educational program where dropouts from the ninth and tenth grade were teaching dropouts from the third and fourth grade.

But the testimony has established that very little actual teaching was being done, and there has been little evidence that the program has reformed the Blackstone Rangers or the Disciples.

CONDITIONS WORSE

A dozen witnesses from the Chicago Police Department and from the office of the Cook County state's attorney have testified that crime conditions have become worse under the federal grant.

The number of shootings in the area of the Blackstone Rangers and Disciples has more than doubled since the program was started. There have been 30 gang killings in the area just since Jan. 1.

As far as Mayor Daley and police are concerned, the "high risk" experiment in letting the criminal gangs dole out federal funds has gone far enough. They want it stopped.

Police and prosecutors have testified that conditions are generally worse, that the Blackstone Rangers have continued a pattern of extortion, intimidation, narcotics peddling, robbery and murder.

The Rev. Dr. Fry says Mayor Daley and the Chicago police are engaged in a major effort to frame him because they do not approve of his unorthodox approach to dealing with social problems.

The Rev. Dr. Fry and his lawyer, William Brackett, continually emphasize that the most serious testimony about the Rev. Dr. Fry comes from two persons of questionable reliability—George (Mad Dog) Rose, a former Blackstone Ranger war lord, and Annabelle Martin, a poorly educated mother of 10 children who admits that eight of her boys were in the Blackstone Rangers and that she bought $90 worth of bullets for Ranger boss Hairston.

Committee Chairman McClellan and associate counsel La Vern Duffy were aware that witnesses such as Rose and Mrs. Martin would be subject to serious attack if they were not corroborated on major points by testimony of other witnesses.

CORROBORATE FACT

Police and others corroborated the fact that there were guns and narcotics in the church, and that the Rangers were engaged in extortion requiring businessmen to pay $50 to $150 a month for protection. However, there is nothing yet in the record to substantiate the Rose charge that the Rev. Dr. Fry knew about it.

Mrs. Martin testified that sex parties took place in the church at night, that girls came out smoking marijuana cigarettes and that she delivered bullets to Hairston at the church when the Rev. Dr. Fry was present.

Through the affidavits of a half-dozen witnesses, the subcommittee established that Rose was correct in testifying that the Negro gang leaders had purchased five guns while on a church-financed vacation trip to Circle Pines Camp in Michigan with Charles LaPaglia, a church counselor who assisted the Rev. Dr. Fry.

Even if the Rev. Dr. Fry and LaPaglia were testifying honestly in denying that they knew of the extortion, gun buying, drinking, and narcotics, the record very clearly established that such activities were taking place in the First Presbyterian Church.

As the committee puts more corroboration into the record during the next week the problems will continue to pile up for the Rev. Dr. Fry and for the Presbyterian Church.

Even before the current Senate hearings, there had been some opposition to the Rev. Dr. Fry.

In a speech in Minneapolis, Minn., on May 15 before the Presbyterian Conference on Evangelism, the Rev. Dr. Fry lashed out at the "monstrous crimes" against the black people. He accused the church and the nation of condoning "murders, beatings, rape, exploitation, savagery, and incalculable brutalities."

WHAT'S HAPPENING?

In an editorial in the June issue of the Presbyterian Layman, lay leaders sharply criticized the Rev. Dr. Fry for the lack of a balanced presentation. The editorial stated there was no message of hope or love, "nothing but a harsh sweeping indictment of white Christians for all the monstrous crimes against black people, for which we would be judged, not by God, but by such as Rap Brown and Stokely Carmichael."

"What in the world is happening to our church anyway?" the editorial asked. "If this is the way our church is heading, then we had better fold our tents and dissolve."

The picture of the actual operation of the Blackstone Rangers in and round the First Presbyterian Church in Chicago is likely to evoke an even greater reaction than the Rev. Dr. Fry's speech.

Sex, Drugs at Church in Chicago Told—Mother Ties Pastor to Vicious Gang

(By Clark Mollenhoff)

Washington, D.C.—The mother of eight members of the Blackstone Rangers gang testified Wednesday that the First Presbyterian Church in Chicago is used for sex, narcotics, guns, and as a haven for criminals.

Mrs. Annabelle Martin was one of several witnesses to relate the criminal activities of the Blackstone Rangers and to assert that the Rev. John Fry, pastor of the church, "had to know about it."

The Negro mother of 10 children told the Senate Permanent Investigating Subcommittee that physical violence directed by Ranger leaders forced her to let eight of her 10 children join the Negro gang.

After the children came home with bloody noses and torn clothing, she said, she decided that it was necessary for them to join the criminal gang. She said the small children paid 25 cents a week to avoid being beaten and the older children paid 25 cents a day or $1.25 a week.

POVERTY PROGRAM

Subcommittee Chairman John L. McClellan, (Dem., Ark.) heard the testimony in exploring an anti-poverty program called The Woodlawn Organization (TWO) that was financed by a $927,000 grant from the Office of Economic Opportunity (OEO).

The Rev. Mr. Fry is a key figure in the Woodlawn Organization, and is the major promoter of more federal funds to finance the gang-run educational program for another year.

Mrs. Martin testified that she recognized the gang leaders—Eugene (Bull) Hairston and Jeff (Black Prince) Fort—as vicious criminals but that there seemed no alternative to letting her children join the gang and to try to work with it.

On one occasion, Mrs. Martin testified, Hairston, the president of the Blackstone Rangers, hired her to buy bullets for the gang. She said he gave her a list and $50 and she went to a pawn shop that sold ammunition.

The ammunition listed cost $90, Mrs. Martin testified, so she went back, got another $50 from Hairston and then delivered the ammunition at the First Presbyterian Church.

An employe of the pawn shop filed an affidavit with the subcommittee relating that Mrs. Martin had made such a purchase under the circumstances she related.

Mrs. Martin testified that she put the large package of bullets on a table in the church and that the Rev. Mr. Fry came into the room and saw them.

The Rev. Mr. Fry denied he had ever seen any bullets in the church. He also denied that the Blackstone Rangers had sex parties in his church, smoked marijuana cigarettes there, and kept guns and other weapons there.

With Pastor Fry present at the same witness table, Mrs. Martin declared that he had seen the bullets and had been more interested in saving Hairston than in doing something for two of her boys who were involved as co-defendants in a conspiracy-to-murder case.

Mrs. Martin testified that her two sons—Marvin, 15, and Sanders, jr., 14—were arrested with Dennis Jackson, 15, in the slaying of a narcotic peddler and the wounding of two of his companions.

The Martin boys were present at the time of the slaying, but it was Jackson who shot the three men, Mrs. Martin related.

MUSCLING IN

She said Marvin and Sanders, both members of the Rangers, told her they were present with Jackson when Hairston asked him to kill the narcotics peddlers, who were reported to be muscling in on Blackstone Ranger narcotics operations.

Mrs. Martin said she saw the boys run into her house a few minutes after the slaying, and that she saw Hairston enter the house and go upstairs a few minutes later. She later was told that Hairston gave the young boys $6 for the shooting, she said.

After her two boys were arrested in connection with the shooting, Mrs. Martin testified, she went to the Rev. Mr. Fry for a lawyer. She said he did not hire the lawyer she wanted, but hired one from the Chicago Legal Aid Society who told her that her boys should not talk about Hairston's role or they would be killed by Fort, vice-president of the Rangers.

Mrs. Martin said she and her two sons did testify in the trial that resulted in the conviction of Hairston on a charge of conspiracy to murder. She said the Chicago police and the Cook County state's attorney's office have moved her from her home in the Blackstone Ranger area and have her and her family under 24-hour guard because of the fear they will be killed.

CORROBORATES STORY

Robert Pierson, an investigator for the state's attorney's office, corroborated her story about the vicious nature of the leaders of the Blackstone Rangers. He also testified that local investigators have evidence of extortion of businessmen by the Rangers.

Signs signed by Jeff Fort were "sold" to various business establishments for $50 to $150 a month as "protection" against the Blackstone Rangers, Pierson said. Evidence of this has been obtained from businessmen who were reluctant to talk because of fear, Pierson said, and the case is being considered by a local grand jury.

Mrs. Martin said her children went to the regular public schools in Chicago because she would not permit them to attend the anti-poverty school being run by the Blackstone Rangers in the First Presbyterian Church.

"What could they teach but murder and narcotics peddling and extortion," Mrs. Martin said when Chairman McClellan asked her about the anti-poverty school.

The school is taught by fourth- to tenth-grade dropouts, and Hairston and Fort received salaries of $6,500 and $6,000 a year respectively as supervisors of the program.

QUESTION SCHOOL

McClellan and Senator Carl Curtis (Rep., Neb.) questioned how these dropouts with criminal records could be expected to do a satisfactory job of teaching students mathematics and literacy skills.

Mrs. Martin and a half-dozen police officers said the gang-run school is a menace to the community.

However, the Rev. Mr. Fry continued to assert that Hairston and Fort were "leaders in the community" and were providing "inspiration" to the young people in the Woodlawn area.

Pastor Fry said all of his accusers are involved in "a frame-up," including Mrs. Martin, who he said has a bad reputation, the police officers of the gang intelligence unit, and George (Watusi) Rose, a former warlord of the Blackstone Rangers who has said that the Rev. Mr. Fry even passed on an order to kill one of the gang's enemies.

Rose returned to the witness chair late Wednesday to confront the Rev. Mr. Fry with testimony that Pastor Fry knew of narcotics and guns in the church and of extortion.

Rose said the Rev. Mr. Fry gave the gang the idea of extorting money from neighborhood businessmen. He said there were stories in the newspapers indicating Blackstone extortion in 1966, but that it was not true at the time.

Pastor Fry suggested that the gang might seek "contributions" from white businessmen in the area because these businessmen had been exploiting the Negro community, Rose testified. A clever means was worked out to "compliment" a businessman on his fine place, and to suggest that he might need some protection to keep it from being burned or destroyed, Rose said.

He also testified that he had taken part in the extortion, and that the Rev. Mr. Fry knew of these instances. He said he had given the name of the places and details in a closed session of the hearing.

Police said they had corroborated much of the story told by Mrs. Martin and Rose, but that much of the corroboration could be given only in a closed session of the committee because of fear for the safety of some of the witnesses.

Pastor Fry testified that despite the testimony against him, he has the full backing of his Presbyterian Church membership. He also declared that he has not lost his confidence in either Hairston or Fort, and would retain them as supervisors in the program if it is refunded by the OEO.

The Senate hearing is for the purpose of demonstrating the use or misuse of government funds and programs, and Chairman McClellan, Senator Curtis, and Senator Karl Mundt (Rep., S.D.) have indicated forcefully that they do not believe the Woodlawn program should be funded for another year.

How Two Gangs Ran $927,000 OEO Program—Officials Ignored Police Warnings

(By Clark Mollenhoff)

WASHINGTON, D.C.—The Office of Economic Opportunity (OEO) permitted a program in Chicago, Ill., to be amended to give leaders of a criminal Negro gang almost total control over the handling of a $927,000 anti-poverty program, a Senate subcommittee was told Thursday.

The Permanent Investigating Subcommittee headed by Senator John L. McClellan (Dem., Ark.) heard testimony that the program was approved over the objections of Chicago Mayor Richard Daley and Dr. Deton Brooks, executive director for Urban Opportunity.

The approval came from the OEO at a time when R. Sargent Shriver was director, and after he had been apprised of the objections by Mayor Daley, Dr. Brooks and Chicago police.

Committee investigator John Walsh, a former Des Moines man, testified on the broad scope of the investigation into what was admittedly to a "high risk" program to try to rehabilitate the members of two criminal gangs—the Blackstone Rangers and the East Side Disciples.

AN ALTERNATIVE

Chairman McClellan said that this kind of program "might be sound, worthy and laudable particularly when its alleged objectives are to give members of a gang of youths an opportunity to choose an alternative to the lawlessness and violence which usually characterize the activities of city street gangs."

Before the day of testimony was over, McClellan and other committee members had concluded that appropriation of nearly a million dollars to the Woodlawn organization for use by the gang leaders had resulted in so many improprieties and bad practices that it was doubtful if any real good came from the program.

Despite the continued lawlessness, including 28 murders since Jan. 1, the Office of Economic Opportunity, under the control of Director Bertrand Harding, considering a renewal of the program for another year.

According to the testimony of Walsh and Winston Moore, superintendent of the Cook County Jail in Chicago, if the program had any chance when it started it lost that chance when OEO officials in Washington bent to the demands of gang leaders and removed all safeguards and effective supervision.

PLANS DESIRED

Walsh testified that Shriver gave erroneous information to Mayor Daley relative to whether such a program to finance the criminal gangs was even under consideration. Shriver told Daley and Dr. Brooks that no such program was being considered. Walsh testified.

At the time there had been several meetings between Jerome Bernstein, then a representative of the Washington OEO office, and the gang leaders. Even on the day that Shriver told Mayor Daley that there was no such program contemplated, Bernstein was meeting in Philadelphia with the gang leaders and putting the final touches on the program.

Although Shriver never actually signed the approval for the $927,000 grant to the Chicago gangs, he was aware of the objections by Daley and others, and was aware that one of his assistants did the actual signing, testimony showed.

Walsh testified that he and assistant committee counsel Lavern Duffy, formerly of Indepence, Ia., have tried to obtain reports on Bernstein's activity at OEO and have been barred from these reports by officials of the OEO.

Walsh testified that it was Bernstein who set up the program initially with provisions that professional teachers would be employed to take part in a basic education program. Gang leaders were to be assistant teachers.

DEMANDED CONTROL

However, the gang leaders did not want to be assistant teachers, and although many of them had dropped out of school in the sixth to tenth grades they demanded that they be given full control of the teaching assignments.

Walsh testified that Bernstein and the Washington office of OEO "acceded to these demands." It was rationalized that the only way that the gang members and the gang leaders could "obtain power and status" was to permit them to run the program.

The result was a program in which dropout students were teaching other dropouts, Walsh testified.

Crime did not drop, he said, and in fact the major gang leaders were involved in nearly as many crimes of violence—rape, burglary, robbery and murder—after they came under the federally-financed program as they had been involved in prior to the program.

Walsh related that gang leaders were given a bonus of $5 for each student they recruited for the school, and with this incentive used intimidation and bribery to get students to leave legitimate schools taught by qualified teachers to join the dropout school.

STUDENTS PAID

There were monetary incentives to going to the dropout school. Those who went to the legitimate schools received no pay, but in the federally-financed schools run by the criminal gangs the students received from $45 to $58 a week, Walsh testified.

It also was testified that the gang leaders worked another "racket" off of this system by demanding, and receiving, $10 a week or more as a "kickback" from the students they had recruited for the dropout school.

When the program was being established there was a provision for "stringent selection criteria" in the screening of "the selection of indigenous individuals to fill staff positions in the program," Walsh testified.

In fact, there were no "stringent selection criteria," and the best paying jobs of up to $6,500 a year went to the gang leaders with the worst criminal records.

Police found that the four gang headquarters used by the Blackstone Rangers and the East Side Disciples for the anti-poverty program actually were havens for criminal activity. Police found guns and narcotics in the headquarters, and there were brutal assaults and even one slaying in one of the local OEO-financed headquarters.

EVALUATION JOB

Six months after the program started, the OEO did contract with a University of Chicago professor to do an evaluation of the program. The reports on these evaluations were to be due every four months, and the price for the job was $80,000.

Walsh testified that the contract started in January, and that the government has not received the first evaluation report. In fact, Walsh said that although the bulk of the money has been paid out, the only known work has been the interviewing of a few members of the criminal gangs by Dr. Irving Spergel, the University of Chicago professor.

Nine Hundred Thousand Dollars Aid From United States to Street Gangs—Investigating Use of Poverty Funds

(By Clark Mollenhoff)

WASHINGTON, D.C.—The Office of Economic Opportunity (OEO) will come under fire for giving more than $900,000 to a Chicago anti-poverty program that is perpetuating the racket-ridden leadership of two gangs of Negro criminals.

The permanent investigating subcommittee, headed by Senator John L. McClellan (Dem., Ark.), last week heard testimony in a closed session from a defecting former leader of one Negro gang known as the Blackstone Rangers. Open hearings are expected to start June 11.

INSIDE STORY

The testimony of the former leader of the Blackstone Rangers will provide the inside story on the operations of the Negro street gangs in much the same manner that the testimony of Joe Valachi revealed the inner workings of the Cosa Nostra.

Lavern Duffy, assistant committee counsel, has been in charge of the questioning and the custody of the carefully guarded Chicago Negro gang leader who will tell his story of the manner in which federal funds and government-financed headquarters were used by the street gangs.

Duffy, formerly of Independence, Ia., was also in charge of the Valachi case.

It was only a year ago that the Washington office of the OEO, then under Poverty War Director R. Sargent Shriver, announced a federal grant of $927,341 to The Woodlawn Organization, Inc., also known as TWO, of Chicago.

The action of the Washington office of OEO was taken on the recommendations of Jerome Bernstein, $18,764-a-year manpower specialist over the objections of Chicago Mayor Richard Daley, local social agencies and local police.

STREET GANGS

The money was given to the TWO organization with the full knowledge at OEO in Washington that it was to be used to establish four headquarters' organizations for two Negro street gangs—the Blackstone Rangers and the East Side Disciples.

Bernstein, the roly poly bearded prophet in tennis shoes, pushed the program through the Washington office by-passing Daley and the local agencies. Bernstein's theory was that the local agencies had been unsuccessful "in reaching the gangs" and that an "unusually high-risk program" was called for to deal with the Negro gangs on Chicago's south side.

OEO in Washington was aware that the money was to be channeled through gang leaders with criminal backgrounds, but it was reasoned that "the gang structure" should be used because the gang hold on thousands of young Negroes would have made it more difficult to operate against the will of the criminal gang.

At the time the TWO organization received the first funds there were agreements worked out with the gang leaders. The leaders of the Blackstone Rangers were to control two anti-poverty centers and leaders of the East Side Disciples would control two centers.

There was to be an end to the warring between the two organizations that had resulted in more than a dozen murders in less than two years. No illegal activity was to be permitted inside the government-financed centers, which was intended to mean that the leaders would give up narcotics traffic, prostitution, thievery, and carrying guns and knives.

POLICE RECORDS

The prohibition against illegal activity was based on the record showing that most of the gang leaders had been arrested and convicted of serious crimes, and that a vast majority of the gang members had serious police records.

OEO called it "a demonstration manpower program" and stated that "the target population for this job training program will be 800 unemployed poverty youths and young adults . . . Primary goal . . . to obtain gainful employment."

Although the program initially was to provide close supervision by leaders from local church groups and business organizations, the close supervision promised by the Rev. Arthur M. Brazier, president of TWO, and by Bernstein, never materialized.

JOB PATRONAGE

There was gang leader resentment of bringing part-time community workers into the program and interfering with their handling of the education and recreation centers. The gang leaders wanted the pay that went with the best jobs, and they wanted the control over the job patronage.

Over the period of the last year, the TWO program instructors and trainees have been involved in one problem after another—three of the leaders have been charged with murder, and three have been charged with rape.

The instructors, all of them high school or grade school dropouts, have been "teaching" the trainees who are the lowest level dropouts.

The TWO program pays the gang members from $5,000 to $6,500-a-year to serve as instructors, and the trainees who they recruit as students receive $45 a week plus travel expenses if they are beyond walking distance from the anti-poverty centers.

Under the best circumstances, this system of having dropouts teach dropouts had its disadvantages. To add to that problem were the complaints that local police and city officials received that at least some of the instructors were not present to handle classes on a regular basis.

There have been serious questions raised by police about the instruction inside of the anti-poverty schools when the convicted burglars and extortionists have showed up to explain to the younger Negroes how to get along in the world.

NARCOTICS SEIZED

Police have seized guns, knives and narcotics on the premises of some of the TWO schools. Although there may have been some improvement in the conduct of some of the gang members it has been difficult for the Chicago police to see much progress.

Mayor Daley and the Chicago police have been at odds with the TWO officials and the Washington office of OEO over the practice of continuing to pay leaders of the Blackstone Rangers and East Side Disciples after they have become involved in serious crimes, and even provided them with lawyers.

Last week, Eugene Hairston, a 24-year-old leader in the Blackstone Rangers, was found guilty of paying three juveniles to kill three men. According to the testimony, Hairston gave the young Negro boys one dollar each and three bologna sandwiches to make the attempt to kill three gang rivals.

The indictment charged that the three juveniles—one only 14—tried to shoot Lee McClure, 33, Durocher Berrien, 36, and Theodore Newsom, 35, last September. McClure was killed, and Berrier and Newsom were seriously wounded.

MURDER CASES

The murder of McClure is only one of a series of murder cases tied to leaders of the Blackstone Rangers or the East Side Disciples since the OEO program has been operating. In February, a 14-year-old girl was killed when she was caught in a crossfire between the Rangers and the Disciples.

In another instance, a 13-year-old boy, a trainee, was shot while attending a class in headquarters. The instructor holding the gun insisted that the weapon went off by accident.

The Rev. Mr. Brazier has defended the TWO program on grounds that things would have been worse if the federal funds had not been poured into Chicago and bought a temporary truce between the Rangers and the Disciples for keeping peace on Chicago's south side after the assassination of the Rev. Dr. Martin Luther King, Jr.

The Rev. Mr. Brazier, and the heads of two merchants organization in the area claimed by the Rangers and the Disciples say that it was the work of these Negro gang leaders that kept the south Chicago area from erupting violence.

The Rangers and Disciples printed signs in the TWO headquarters that were placed in the windows of merchants and others stating: "Don't touch nowhere." The signs were signed either Blackstone or Disciples and by officers of these gangs.

Police have been less enthusiastic about the performance of the Negro gangs. They have had some reports that the lack of violence was a result of a widespread protection racket worked by some of the Rangers and some of the Disciples.

While there have been individual incidents of extortion pinned down, the McClellan subcommittee will seek to get into the overall operations and determine whether the shakedown of businesses was a protection racket for a few or whether it was gang policy.

McClellan and his subcommittee members are also expected to examine the pattern of "recruiting" used by the gang leaders. There have been some reports that Negro youths are intimidated to drop out of regular schools to attend the TWO school at $45 a week, and the subcommittee is interested in determining how widespread this practice is.

CITE BACKGROUND

The defenders of the TWO demonstration project contend that the incidents of murder, rape and robbery are not large when they take into consideration the previous criminal background of those involved. They see progress in motivating the criminal element to deal with the church men and the businessmen in the area.

Mayor Daley and police officials regard the OEO operation as "a tribute" to the Negro gangs that has perpetuated the criminal leadership of these gangs in power by giving them federal salaries and patronage.

The McClellan subcommittee has received full co-operation from Mayor Daley, Chicago police and the Chicago educational institutions in the investigation of TWO.

Privately, they have expressed the hope that a full exposure of the activities of TWO might result in an end of the federal financing.

Representative Roman Pucinski (Dem., Ill.) has already declared that he sees no reason "why we should permit these organizations to receive funds when there are effective programs being administered on the local level."

The Washington office of OEO has transferred Jerry Bernstein out of his headquarters manpower job to a field office. He regards the transfer as "firing" and has appealed to the Civil Service Commission for return to his Washington job. That case is still pending.

While the Washington office of OEO defends the initiation of the TWO Project as "experimental" and "a demonstration" to try to get to the criminal element, there is little indication of enthusiasm to allocate more money to TWO at this time.

FERTILIZER CENTER IS NATIONAL ASSET

HON. ROBERT E. JONES

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. JONES of Alabama. Mr. Speaker, a longtime and knowledgeable worker for the advancement of American agriculture has written me regarding the great needs for increased funds for modernization of the National Fertilizer Development Center at Muscle Shoals, Ala.

Many changes have taken place in the agricultural field during the past 30 years and a considerable portion of the improvement can be attributed to the new fertilizers and techniques pioneered throughout the Nation by the Fertilizer Development Center at Muscle Shoals.

The pace of continued improvement of American agriculture is directly related to the work of the center. The fertilizer center's capacity for maximum benefit is clouded by the lack of funds for essential modernization.

The importance of the center was recognized by the House Appropriations Committee, which, in the report for the public works appropriation bill, urged budget approval for funds for the facility.

The significance of the National Fertilizer Development Center to the farmers of this country was cited in a letter to me from Fred R. Robertson, vice president for extension at Auburn University in Alabama.

I urge my colleagues to study Mr. Robertson's well-written letter and support the necessary funds for this vital national asset. I include the letter at this point in my remarks:

Auburn University,
Auburn, Ala., June 24, 1968.

Hon. Robert E. Jones,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Jones: In a recent newspaper article, I noticed that the House Appropriations Committee recommendations had omitted funds from the TVA appropriations for continued modernization of TVA fertilizer facilities at Muscle Shoals, Alabama.

The purpose of this letter is to urge the restoration of funds which will fully support TVA's activities in manufacturing, testing, and demonstrating new and improved fertilizers and the operation of the National Fertilizer Development Center at Muscle Shoals, Alabama. It is extremely important that TVA be supported by appropriations which will permit the building of new pilot scale plants as well as the modernization of existing plants to provide demonstrations of improved fertilizer production under the most economical conditions. This is a very significant point because economical production costs must be maintained by the fertilizer industry, if farmers are to be provided adequate amounts of fertilizer at prices which they can afford.

I am motivated to write to you because of my long association with both TVA and the farmers of the Tennessee Valley States. Nearly 29 years ago, I began working as an assistant county agent. My major responsibility was with test-demonstration farms using TVA demonstration fertilizers. We were, at that time, using whole farm demonstrations to determine "the value effect and best method of use" of TVA produced fertilizers. In my opinion, since that time, the TVA-Land Grant Colleges cooperative programs in fertilizer research and education have been a major factor behind both the revolution in fertilizer production and the revolution in agricultural production in this country.

In my opinion, it has been—and is now—in the public interest for TVA to provide the thrust necessary to overcome periodic and severe lags in the development and application of production technology in the fertilizer industry. Improved production technology has resulted in American farmers having the most efficient and lowest cost fertilizers available anywhere in the world. These savings have been passed on by farmers to consumers and the American public, in general, has been the ultimate gainer.

You are aware that the farmers of Alabama and the nation are in the middle of an input-output cost-price squeeze. Interestingly enough, during the past two decades, the cost of most major inputs used in agricultural production has risen sharply. However, in the case of plant nutrients, the reduction in cost has been about one-third during this period. This reduction has been brought about by upgrading the average plant nutrient content of fertilizers to about double what it was when TVA began its cooperative programs in fertilizer research and education with the nation's land-grant universities. It will be a serious financial blow to the farmers of Alabama, as well as the nation, if we do not continue our forward progress in developing and applying new technology in the production and use of more efficient and lower cost fertilizers.

During the 29 years that I have worked in agriculture here in the Valley and elsewhere, I have maintained a close association with TVA-College cooperative programs in fertilizer and education. At the present, I am serving as Chairman of the Agricultural Deans and Extension Directors from the seven Tennessee Valley States. Currently, we are engaged in writing a Land-Grant College-TVA Cooperative Program in Fertilizer Research and Education which will guide our joint activities over the next five years. Similar programs in the past years have been successful, to a large extent, because of the leadership TVA has provided in the development and application of new technology in production and use of more efficient and lower cost fertilizers.

It is our sincere hope that funds can be provided for TVA to continue this leadership in fertilizer research and education which is so important to farmers in Alabama, the nation, and the world.

With kindest regards, I am

Sincerely yours,

FRED R. ROBERTSON,
Vice President for Extension.

THREE MARYLANDERS DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. LONG of Maryland. Mr. Speaker, Pfc. John J. Shorter, Army S. Sgt. Tate T. Hackney III, and Sgt. Raymond H. Hitchcock, Jr., three fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage and honor their memory by including the following article in the RECORD:

THREE MARYLANDERS DIE IN VIETNAM—ONE SOLDIER, TWO MARINES KILLED IN ACTION

Two marines and an Army staff sergeant from Maryland have been killed in Vietnam, the Department of Defense reported yesterday.

They were:

Marine Pfc. John J. Shorter, 21, son of Mr. and Mrs. Nessie P. Shorter, of 113 Wells avenue, Glen Burnie.

Army Staff Sgt. Tate T. Hackney 3D, 25, husband of Mrs. Yahnina D. Hackney, of 1605 Keokee street, Adelphi.

Marine Sgt. Raymond H. Hitchcock, Jr., 27, husband of Mrs. Jacqueline Hitchcock, 427 St. John street, Havre de Grace.

Private Shorter, a member of the 1st Marine Division, died June 23 of third-degree burns over his entire body, received when his truck detonated a mine on return from patrol. He had been in Vietnam two months to the day.

Born in Whitesburg, Tenn., he moved with his family to Maryland in 1955. He graduated from Andover High School and worked in the maintenance department of the Anne Arundel County Board of Education before enlisting in the Marine Corps on October 30, 1967.

Private Shorter planned to open a service station with one of his brothers after he got out of the service, his father said.

A BEAUTIFUL PLACE

Mr. Shorter said his son wrote that Vietnam would "have been a beautiful place if it wasn't for the war."

In addition to his parents, Private Shorter is survived by three brothers, Navy Seaman George P. Shorter in Hawaii, and Jerry and Nessie P. Shorter, Jr., at home, and five sisters, Mary L., Iva J., Rosa, Patricia and Karen Shorter, at home.

Sergeant Hackney, who was killed June 2 in Khe Sahn, has a 4-month-old daughter who was born two weeks after he was sent to Vietnam.

SUITLAND HIGH GRADUATE

Born in Washington, he graduated from Suitland High School in Suitland, Md. He enlisted in the Army at the age of 17 and served two tours in Berlin before going to Vietnam.

Sergeant Hackney is survived by his wife; his daughter, Georgianna; his mother, Mrs. Catherine Cloman, of Hillside, Md.; his father, Tate T. Hackney, Jr., of Landover Hills, Md.; two sisters, Mrs. Peggy Sherman, of Marlboro, Md., and Mrs. Patricia Tibbitt, of Forestville, Md., and his paternal grandfather, Tate T. Hackney, Sr., of Gainesville, Ga.

IN VIETNAM 2 MONTHS

Sergeant Hitchcock, a member of the 3d Marine Division, was killed June 24 by mortar fragments in Con Thien. He had been in Vietnam since April 24.

Born in Havre de Grace, he graduated from the schools there. He enlisted in the Marine Corps seven years ago and planned to make it his career. He was stationed in Japan before going to Vietnam.

In addition to his wife, Sergeant Hitchcock is survived by a daughter, Taressa Lynn, 6, and a son, Robert, 13 months; his mother, Mrs. Fahey Hitchcock, of Havre de Grace and a brother, Marine Sgt. Thomas Hitchcock in Baltimore.

HENRY LEVITT: A MAN OF MANY VIRTUES

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. SHRIVER. Mr. Speaker, Mr. Henry Levitt, a widely known businessman, humanitarian, and civic leader of Wichita, Kans., passed away recently. He was a good friend of mine, as he was to all who knew him. Every community in America should have a Henry Levitt.

Founder and president of three clothing stores called Henry's, Inc., he achieved national recognition in his business field.

However, he did not confine his activities to his business. He worked to enrich his community, his State, and Nation. He was dedicated to justice and equality for all of his fellow men.

Henry Levitt was closely identified with education and with sports. He had served on the board of regents of the University of Wichita, and was a charter member on the board of governors of the Wichita State University Endowment Association.

He sponsored a Wichita High School basketball team which won a national title about 40 years ago. He also sponsored the Wichita Henry's which won three consecutive National Amateur Athletic Union basketball tournament championships. In 1966 he was named to the Helms Basketball Hall of Fame.

Mr. Levitt was instrumental in establishment of Greater Downtown Wichita Inc. and he was organizer of Civic Progress, Inc., a citizens association. He also was active in the National Conference of Christians and Jews, Red Cross, Community Chest, and United Fund, and the Institute of Logopedics.

His loss will be keenly felt in Wichita and in Kansas; but we shall always remember what Henry Levitt stood for and accomplished during his lifetime.

Mrs. Shriver and I extend our heartfelt sympathy to Mrs. Levitt, his brothers and his sister.

SENATE—*Tuesday, July 2, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, who art the hope of all the ends of the earth and the light of all our seeing, help us who grope in the darkness of earth's dim ways to remember that even the shadows themselves are born of light.

Dowered with privileges and with power as no other nation, may our high estate be to us Thy call to protect the weak and exploited, that all who seek to promote good will and understanding in the world may be renewed in strength and courage: that men may realize more clearly, not the barriers that divide them, but the bands which unite them.

May we conquer, not as nation over nation, but as man over himself and his own weakness, that the true spirit of the Master with all its joy, its hope, and above all, its abiding faith, may dwell among us.

Inspire and guide with Thy spirit these servants of the people to the end that they may be found faithful stewards of the Nation's trust.

In the dear Redeemer's name. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, July 1, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 9 A.M., TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9 o'clock tomorrow morning.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Post Office and Civil Service.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills:

S. 102. An act to authorize the Secretary of the Interior to consider a petition re reinstatement of an oil and gas lease (Wyoming 0310090);

S. 203. An act to amend sections 13(b) of the acts of October 3, 1962 (76 Stat. 698, 704), and for other purposes;

S. 443. An act to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0280122);

S. 823. An act to authorize the Secretary of the Interior to reinstate oil and gas lease (Las Cruces 063610);

S. 1059. An act to amend the act relating to the leasing of lands in Alaska for grazing in order to make certain improvements in such act,

S. 2047. An act to exempt certain vessels engaged in the fishing industry from the requirements of certain laws; and

S. 2887. An act to authorize the Secretary of Agriculture to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

Financing of Certain Generation and Transmission Facilities

Four letters from the Administrator, Rural Electrification Administration, U.S. Department of Agriculture, transmitting, pursuant to Senate Report No. 497, information of the approval of loans for the financing of certain transmission facilities to the Central Electric Power Cooperative, Inc., of Cayce, S.C., dated June 25, 1968, the KAMO Electric Cooperative, Inc. of Vinita, Okla., dated June 25, 1968, the Brazos Electric Power Cooperative, Inc., of Waco, Tex., dated June 25, 1968, and the Northereast Missouri Electric Power Cooperative of Palmyra, Mo., dated June 26, 1968 (with accompanying papers); to the Committee on Appropriations.

Report on Cigarettes by Federal Trade Commission

A letter from the Chairman, Federal Trade Commission, transmitting, pursuant to law a report concerning (A) the effectiveness of cigarette labeling, (B) current practices and methods of cigarette advertising and promotion, and (C) recommendations for legislation which are deemed appropriate (with an accompanying report); to the Committee on Commerce.

Report on Safety for Motor Vehicles in Use

A letter from the Secretary of Transportation, transmitting, pursuant to law, a report on the Safety for Motor Vehicles in Use, dated June 1968 (with an accompanying report); to the Committee on Commerce.

Report of Examination of Accounts, National Council on Radiation Protection and Measurements

A letter from the General Counsel for the National Council on Radiation Protection and Measurements, transmitting, pursuant to law, a report on examination of accounts of the Council as of December 31, 1967 (with an accompanying report); to the Committee on the Judiciary.

Disposition of Executive Papers

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest and requesting action looking to their disposition (with accompanying papers); to the Joint Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. MONRONEY and Mr. CARLSON members of the committee on the part the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on Finance:

"S. CON. RES. 203

"A concurrent resolution memoralizing the Congress relative to Federal participation in welfare payments to nonresidents

"Whereas, the Federal Social Security Act since its enactment in 1935 has permitted the various states to impose reasonable residence requirements for eligibility to the various public assistance programs whose costs are partly paid by federal funds; and

"Whereas, The Federal Social Security Act so provides at the present time, with Michigan having consistently required a reasonable continued residence as an eligibility factor for permanent public assistance payments; and

"Whereas, Several federal courts have declared the unconstitutionality of such residence requirements alleging that they contravene the 'equal protection of the law' guarantee of the Federal Constitution and that they unduly restrict the freedom of Americans to travel at will within the country; and

"Whereas, If this new judicial theory is upheld by the United States Supreme Court, state and county costs of public assistance in Michigan will be tremendously and permanently increased; now therefore be it

"Resolved by the Senate (the House of Representatives concurring), That the Legislature of the State of Michigan respectfully memorializes the President and the Congress of the United States to amend the Federal Social Security Act at once so as to provide full federal financing of public assistance payments made to recipients who do not meet the length of residence requirements presently permitted by federal statute and contained in the Michigan laws and applicable statutes in other states, such federal financing to continue in each case only until the existing length of residence requirements have been met by each recipient; and be it further

"Resolved, That a copy of this resolution be transmitted to the President and the Vice President of the United States, to the Speaker of the House of Representatives, and to each member of the Michigan delegation to the Congress of the United States.

"Adopted by the Senate, June 4, 1968.

"Adopted by the House of Representatives, June 6, 1968.

"BERYL I. KENYON,
"Secretary of the Senate.
"T. THOS. THATCHER,
"Clerk of the House of Representatives."

A resolution adopted by the city council of Philadelphia, Pa., praying for the enactment of legislation to designate June 14 as a national legal holiday; to the Committee on the Judiciary.

Petitions signed by Janet Krauss, and sundry other citizens, remonstrating against attacks upon the Mississippi Freedom Democratic Party, the National Conference for New Politics, and associated organizations; to the Committee on the Judiciary.

REPORT ENTITLED "STANDARDS FOR GUIDING MONETARY ACTION"—REPORT OF THE JOINT ECONOMIC COMMITTEE (S. REPT. NO. 1361)

Mr. PROXMIRE. Mr. President, from the Joint Economic Committee, I submit a report entitled "Standards for Guiding Monetary Action." I ask unanimous consent that the report be printed, together with the supplementary views of Representative Patman.

The **PRESIDENT** pro tempore. The report will be received; and, without objection, the report will be printed, as requested by the Senator from Wisconsin.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MOSS, from the Committee on Interior and Insular Affairs, without amendment:

S. 3227. A bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in Indian Claims Commission dockets numbered 88, 330, and 330–A, and for other purposes (Rept. No. 1356).

By Mr. DOMINICK (for Mr. Bible), from the Committee on the District of Columbia, without amendment:

H.R. 13402. An act authorizing the use of certain buildings in the District of Columbia for chancery purposes (Rept. No. 1357).

By Mr. MILLER, from the Committee on Armed Services, with amendments:

S. 3495. A bill to authorize the Secretary of the Army to release certain use restrictions on a tract of land in the State of Iowa in order that such land may be used as a site for the construction of buildings or other improvements for the Iowa Law Enforcement Academy (Rept. No. 1358).

By Mr. SPONG (for Mr. Bible), from the Committee on the District of Columbia, without amendment:

S. 3456. A bill to provide that the prosecution of the offenses of disorderly conduct and lewd, indecent, or obscene acts shall be conducted in the name of and for the benefit of the District of Columbia (Rept. No. 1360).

By Mr. McINTYRE, from the Committee on Banking and Currency, without amendment:

S. 3671. A bill to provide for the striking of medals in commemoration of the 200th anniversary of the founding of Dartmouth College (Rept. No. 1359).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. RANDOLPH, from the Committee on Public Works:

Brig. Gen. William M. Glasgow, Jr., U.S. Army, to be a member of the California Debris Commission.

Mr. SYMINGTON. Mr. President, from the Committee on Armed Services I report the nominations of 13 flag and general officers in the Army, Navy, and Air Force.

I ask that these nominations be placed on the Executive Calendar.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

The nominations, ordered placed on the Executive Calendar, are as follows:

Rear Adm. Ralph W. Cousins, U.S. Navy, for commands and other duties determined by the President, for appointment to the grade of vice admiral while so serving;

Lt. Gen. Ferdinand Joseph Chesarek, Army of the United States (major general, U.S. Army), for appointment as senior U.S. Army member of the Military Staff Committee of the United Nations;

John H. Cheffey, Ralph E. Faucett, Douglas H. Lyness, Wallace R. Dowd, Jr., Henry J. Johnson, John G. Dillon, and Myron G. Turner, U.S. Navy, for temporary promotion to the grade of rear admiral;

Maj. Gen. Bertram C. Harrison, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general;

Lt. Gen. Ben Harrell, Army of the United States (major general, U.S. Army), to be assigned to a position of importance and responsibility designated by the President, in the grade of general;

Gen. John P. McConnell (major general, Regular Air Force), U.S. Air Force, to be reappointed as Chief of Staff, U.S. Air Force; and

Maj. Gen. Robert H. Warren, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general.

PRINTING OF REVIEW OF REPORT ON DELAWARE COAST, BEACH EROSION CONTROL AND HURRICANE PROTECTION (S. DOC. NO. 90)

Mr. RANDOLPH. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated May 13, 1968, from the Chief of Engineers, Department of the Army, together with accompanying papers and an illustration, on a review of the report on Delaware coast, beach erosion control and hurricane protection, requested by a resolution of the Committee on Public Works of the U.S. Senate, adopted January 7, 1963. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BROOKE (for himself, Mr. Anderson, Mr. Bible, Mr. Burdick, Mr. Carlson, Mr. Case, Mr. Clark, Mr. Dirksen, Mr. Dominick, Mr. Gruening, Mr. Hansen, Mr. Hart, Mr. Hartke, Mr. Hatfield, Mr. Inouye, Mr. Javits, Mr. Long of Missouri, Mr. McIntyre, Mr. Mondale, Mr. Smathers, and Mr. Tower):

S. 3727. A bill to establish a commission to be known as the Commission on Air Traffic Control; to the Committee on Commerce.

(See the remarks of Mr. Brooke when he introduced the above bill, which appear under a separate heading.)

By Mr. HARRIS (for himself and Mr. Monroney):

S. 3728. A bill to authorize the use of funds arising from a judgment in favor of the Kiowa, Comanche, and Apache Tribes of Indians of Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BREWSTER:

S. 3729. A bill for the relief of Carlota de Veyra; and

S. 3730. A bill for the relief of Erlina R. Manzano; to the Committee on the Judiciary.

By Mr. CASE:

S. 3731. A bill to prohibit the use of certain park and recreational lands for public work projects unless such lands so utilized are replaced by lands of a like kind; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS (for himself, Mr. Bennett, Mr. Case, Mr. Cotton, Mr. Javits, Mr. Montoya, Mr. Scott, and Mr. Williams of Delaware):

S. 3732. A bill to create a Catalog of Federal Assistance Programs, and for other purposes; to the Committee on Government Operations.

(See the remarks of Mr. Boggs when he introduced the above bill, which appear under a separate heading.)

S. 3727—INTRODUCTION OF BILL TO ESTABLISH A COMMISSION TO BE KNOWN AS THE COMMISSION ON AIR TRAFFIC CONTROL

Mr. BROOKE. Mr. President, every time we take off or land in an airplane, our lives are literally in the hands of two human beings: the pilot in the cockpit and the controller in the tower. We are aware of the care with which pilots are selected and trained: each airline is responsible for its own personnel, and its safety record is a matter of frequent public pronouncement. But air traffic controllers, as Government employees, come under different standards of recruitment and training.

While the pilot may be at the manual controls of the plane, some of the most vital decisions are made by the man in the control tower. The controller tells the pilot when to take off and to land, how much distance to keep between planes, where to circle the airport and for how long, the approach to take for a landing, and the pattern to follow after takeoff. The control of the flow of traffic at all of our airports is largely in the hands of the controllers, and they must be well trained.

But air traffic in the United States is rapidly aproaching a critical stage; in some areas of high-density traffic, crises already exist. In many areas the system is handicapped by a lack of sufficient competent personnel to operate essential positions and direct aircraft movement. Many controllers are working mandatory overtime hours, and their resources are being so overtaxed that their efficiency necessarily suffers. It is becoming increasingly difficult to attract new men of high caliber who possess the skill and stamina necessary to function in this delicate and essential occupation.

Besides the drain on human resources, physical facilities are often not adequate to the job at hand. Because of insufficient runways and electronic landing systems, some airports now operating are actually unable to handle the present traffic and still maintain minimum safety standards. In many facilities the radar necessary for positive control is obsolete and inadequate; in many other facilities there is no radar at all. Among its other deficiencies, our air traffic control system has no means of limiting or even forecasting the number of airplanes which schedule arrivals and departures at any single airport at a given time. At major airports, delays are commonplace. As these occur, spacing between aircraft is often shortened to the point where safety is undermined.

Our annual increase in air traffic has been very substantial during the past 5 years. It promises to continue without abatement for the foreseeable future. If the American people are to have air transportation that is reasonably dependable and at the same time meets proper safety standards the country must, without further delay, develop the facilities and the manpower which will make it possible to manage safely and efficiently our rapidly accelerating air traffic flow.

It is for these reasons that I send to the desk a bill to establish a commission to be known as the Commission on Air Traffic Control. The Commission shall be responsible for making a full and comprehensive study of air traffic control and the duties and responsibilities of air traffic controllers. It will serve in an advisory capacity to the Secretary of Transportation, and will submit a comprehensive report of its findings to the President and the Congress within 1 year.

I am pleased to have as cosponsors of this measure: Mr. ANDERSON, Mr. BIBLE, Mr. BURDICK, Mr. CARLSON, Mr. CASE, Mr. CLARK, Mr. DIRKSEN, Mr. DOMINICK, Mr. GRUENING, Mr. HANSEN, Mr. HART, Mr. HARTKE, Mr. HATFIELD, Mr. INOUYE, Mr. JAVITS, Mr. LONG of Missouri, Mr. McINTYRE, Mr. MONDALE, Mr. SMATHERS, and Mr. TOWER.

Mr. President, I introduce this bill and ask unanimous consent that it be printed at this point in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 3727) to establish a commission to be known as the Commission on Air Traffic Control, introduced by Mr. BROOKE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3727

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of (1) the ever increasing workload and stress on air traffic controllers, particularly at certain airports in the Nation, and (2) the fact that, with very large aircraft carrying many more passengers soon to become operational, the performance of such controllers will become even more important, there is hereby established a commission to be known as the Advisory Commission on Air Traffic Control (hereinafter referred to as the "Commission").

SEC. 2. (a) The Commission shall make a full and comprehensive study of air traffic control and the duties and responsibilities of air traffic controllers in order to determine what policies are necessary to assure that such controllers are of the highest caliber attainable and work under such rules as will best insure the safety of the public. Such study shall include—

(1) an examination and determination of the best methods for defining the "work loads" of air traffic controllers and "high density" airport facilities, taking due account of other relevant surveys and studies;

(2) a thorough review and recommendations concerning air traffic control personnel standards and practices, including problems of recruitment, education and training, personel qualification, licensing and classification, periodic proficiency and medical examinations, compensation, retirement, and leave policies;

(3) a consideration of the desirability and feasibility of establishing an academy to conduct specialized education and training for air traffic control personnel;

(4) any other matter which the Commission deems necessary to carry out its responsibilities under this Act.

(b) The Commission shall submit a comprehensive report of its study, including such recommendations for legislation as it deems appropriate, to the President and the Congress within one year after the date of enactment of this Act. The Commission shall cease to exist ninety days after the submission of such report.

SEC. 3. (a) The Commission shall be composed of fifteen members appointed by the Secretary of Transportation. The composition of the Commission shall be as follows:

(1) four members appointed from private life;

(2) four members who are active air traffic controllers appointed from recommendations by the Professional Air Traffic Controllers Organization, the Air Traffic Control Association and the National Association of Government Employees;

(3) one member appointed from recommendations submitted by the Air Transport Association of America;

(4) one member appointed from recommendations submitted by the Airline Pilots Association and the Allied Pilots Association;

(5) one member appointed from recommendations submitted by the Aircraft Owners and Pilots Association;

(6) one member appointed from recommendations submitted by the National Business Aircraft Association;

(7) one member appointed from the Civil Service Commission or its employees;

(8) one member appointed from the Federal Aviation Agency;

(9) one member who is an expert in the field of air traffic control, and who shall serve as chairman.

(b) Vacancies shall be filled in the same manner in which the original appointments were made. Any vacancy in the Commission shall not affect its powers, and six members of the Commission shall constitute a quorum.

(c) Each member of the Commission who is appointed from private life shall receive $100 per diem for each day (including travel time) during which he is engaged in the actual performance of his duties as a member of the Commission. A member of the Commission who is in the legislative, executive, or judicial branch of the United States Government shall serve without additional compensation. All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

SEC. 4. (a) The Commission is authorized to appoint and fix the compensation of such personnel as may be necessary to carry out the provisions of this Act. Such appointments shall be without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and such compensation shall be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no individual so appointed shall receive compensation in excess of the rate prescribed for GS–18 in the General Schedule under section 5332 of title 5, United States Code.

(b) The Commission is authorized to obtain services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, at rates for individuals not to exceed $100 per diem.

(c) The Commission is authorized to accept and utilize the services of voluntary uncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code.

SEC. 5. (a) The Commission, or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, administer such oaths, and require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission or such subcommittee or member may deem advisable. Subpoenas may be issued under the signature of the chairman of the Commission, of such subcommittees, or any duly designated member, and may be served by any person designated by such chairman or member. The provisions of section 102 to 104, inclusive, of the Revised Statutes (2 U.S.C. secs. 192–194), shall apply in the case of failure of any witness to comply with a subpoena or to testify when summoned under authority of this section.

(b) The Commission is authorized to secure directly from any department, agency, or instrumentality of the United States information, studies, surveys, and reports to carry out the purposes of this Act. Each such department, agency, or instrumentality is authorized and directed to furnish such information, studies, surveys, and reports directly to the Commission, upon request made by the chairman, unless the President determines that it is in the best interests of the security of the United States that such information, studies, surveys, and reports not be furnished.

SEC. 6. To carry out the provisions of this Act, the Commission shall have the authority—

(1) to prescribe such rules and regulations as it deems necessary governing the manner of its operations and its organization and personnel;

(2) to obtain, upon a reimbursable basis, from any department, agency or instrumentality of the United States, with the consent of the head thereof such facilities, services, and supplies as the Commission deems necessary to carry out its duties;

(3) to enter into contracts or other arrangements, or modifications thereof, with State and local governments, and institutions and individuals in the United States, to conduct studies the Commission deems necessary to carry out the purposes of this Act, and such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(4) to make advance, progress, and other payments which the Commission deems necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); and

(5) to make any other expenditures necessary to carry into effect the purposes of this Act.

S. 3732—INTRODUCTION OF PROGRAM INFORMATION ACT

Mr. BOGGS. Mr. President, I introduce, for appropriate reference, and on behalf of myself and Senators BENNETT, CASE, COTTON, MONTOYA, SCOTT, JAVITS, and WILLIAMS of Delaware, a bill to create a catalog of Federal assistance programs, and for other purposes.

We are all familiar with the proliferation of Federal programs in recent years. The tangle of programs frustrates efforts to ferret out all of those which apply to certain individuals or to a particular agency of State or local government. No one will ever know how many manhours this searching has wasted.

The absence of a reliable cross-referenced source of information for all Federal programs has also undoubtedly contributed to an overlapping of Federal programs, adding needless cost to the considerable confusion.

As a new Member of the House of Representatives, my colleague from Delaware, the Honorable WILLIAM V. ROTH, JR., was constantly being asked about various programs. He determined that he needed more answers than were immediately available. Being resourceful as well as energetic, he and his staff proceeded to make an intensive survey of existing Federal programs; and from that study has emerged not only a compilation of nearly 1,300 programs, but a proposal to create an up-to-date compendium of existing programs. (See RECORD pp. 18604–18754, June 25, 1968.)

Mr. ROTH's efforts have already won him a wide favorable response; and I join many of his House colleagues and others in congratulating him for the very valuable contribution he has made.

The bill which Mr. ROTH introduced in the House, and which I am introducing today in the Senate, provides that the President shall send to the Congress at the beginning of each regular session a catalog of Federal assistance programs.

The catalog is to outline all the essential information a potential applicant for a Federal program would need. This catalog is to be revised at no less than monthly intervals.

This catalog is also to be the only compendium of program information published by any Federal agency or department.

Most of us are familiar with the catalog developed by the Office of Economic Opportunity. In his study of this catalog, Mr. ROTH found that it was incomplete and the information contained was in many cases far too little to be of much help to a potential program beneficiary. But at least it was an effort. It was a start. My colleague's study made it plain, however, that much more information is needed if the many agencies and levels of State and local government—along with private citizens—are to be able to make the best use of the programs available to them.

It is evident that the publication of a compendium such as this bill provides would be useful in focusing attention on overlapping functions of various agencies. It would certainly also suggest ways for judicious trimming of the budget.

This bill is in keeping with the spirit of a bill I cosponsored in January of 1967 which called for the establishment of a Hoover-type commission to study the organization and operation of the executive branch of the Government.

Introduction of a clean bill (S. 3640) followed hearings on this proposal to eliminate duplication and overlapping of Federal services, activities, and functions and to consolidate them where possible. Hopefully the Senate will get an opportunity to act on it before the current session is over.

I might say, Mr. President, that the intent of the bill I introduce today to make the operation of the Federal Government more efficient is also in line with the basic intent of S. 355, the proposed Legislative Reorganization Act of 1968, which has been passed by the Senate (March 7, 1967), but not by the other body.

My introduction of the proposed Program Information Act follows widespread interest shown in the proposal after Mr. ROTH introduced it in the House. Because much of that interest came from Members of the Senate, he encouraged me to introduce it here; and I am very happy to do so.

I ask unanimous consent that three of the comments on the proposal, one by Roscoe Drummond and the others editorials in the Wilmington, Del., Evening Journal and the Washington Daily News, be inserted at this point in the RECORD, along with a copy of the bill.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill and editorials will be printed in the RECORD.

The bill (S. 3732) to create a Catalog of Federal Assistance Programs, and for other purposes, introduced by Mr. BOGGS (for himself and other Senators), was received, read twice by its title, referred to the Committee on Government Operations, and ordered to be printed in the RECORD, as follows:

S. 3732

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Program Information Act."

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) The term "Federal assistance program" means any program providing Federal benefits, regardless of whether it is identified as a separate program by law or by any administering agency, which can be differentiated from any other such program on the basis of its legal authority, its administering office, its specific purpose, the specific benefits it provides, or the specific qualifications of its beneficiaries.

(b) Federal assistance program "benefits" include but are not limited to grants, loans, mortgage loans, mortgage and other insurance, scholarships, other financial assistance, property of any kind, services, technical assistance, and expert information.

(c) A Federal assistance program "beneficiary" includes but is not limited to a State, or grouping or subdivision thereof, county, city, other political body, profit or nonprofit corporation or institution, any individual, or any other potential beneficiary, domestic or foreign, other than an agency of the United States.

(d) An "administering office" is the lowest subdivision of any Federal agency or department that has direct, operational responsibility for a Federal assistance program.

(e) "Federal agency or department" means any executive department; independent commission; wholly owned Government corporation; board, bureau, office, agency, or other establishment of the Government, including any independent regulatory commission or board; and the municipal government of the District of Columbia.

EXCLUSION

SEC. 3. This Act does not apply to any activities related to the collection or evaluation of national security information.

CATALOG OF FEDERAL ASSISTANCE PROGRAMS

SEC. 4. The President shall transmit to Congress during the first days of each regular session a catalog of Federal assistance programs, referred to in this Act as the Catalog, in accordance with this Act. The Catalog shall set forth the required program information for each Federal assistance program, summary data and text, supporting additional detail, required reports, recommendations, and other matter as the President may determine.

PURPOSE OF CATALOG

SEC. 5. The Catalog shall be designed to assist the potential beneficiary identify all existing Federal assistance programs whereever administered, and shall supply information for each program so that the potential beneficiary can determine whether particular assistance or support sought might be available to him to use for the purposes he wishes.

REQUIRED PROGRAM INFORMATION

SEC. 6. For each Federal assistance program, the Catalog shall—

(1) identify the program. The identification may include the name of the program, the authorizing statute, the specific administering office, and a brief description of the program including the objectives it is designed to attain.

(2) describe the program structure. The description may include a statement of the eligibility restrictions, the available benefits, and the restrictions on the use of such benefits.

(3) state the level of funding. This statement may include a tabulation of the appropriations sought, past appropriations, obligations incurred, average assistance given, or other pertinent financial information designed to indicate the size of the program and any funding remaining available.

(4) state the costs to the recipient of receiving assistance or support. This statement may include a statement of prerequisites to receiving benefits, and of duties required after receiving benefits.

(5) identify the appropriate officials to contact. The list may include contacts in both Washington, D.C., and locally, including addresses and telephone numbers.

(6) describe the mechanics of application. The description may include application deadlines, and the time taken to process or approve an application.

(7) identify related programs.

FORM OF CATALOG

SEC. 7. (a) Detailed budgetary information shall be given for each Federal assistance program. Except for budgetary information, similar information for each Federal assistance program may be consolidated.

(b) The program information may be set forth in such form as the President may determine, and the Catalog may include such other program information and data as in his opinion are necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal assistance program.

(c) The Catalog shall contain a detailed index designed to assist the potential beneficiary to identify all Federal assistance programs related to a particular need.

(d) The Catalog shall be in all respects concise, clear, understandable, and such that it can be easily understood by the potential beneficiary.

SIMPLIFICATION OF APPLICATION PROCEDURE

SEC. 8. The President shall transmit with the Catalog a report setting forth the specific measures taken in the past year to simplify

and consolidate the various application forms and program guidelines a potential beneficiary would use to benefit from each Federal assistance program, and to coordinate, simplify, and consolidate application forms and program guidelines of one Federal assistance program with application forms and program guidelines of other related Federal assistance programs, administered either by the same or especially by different Federal agencies or departments.

MONTHLY REVISION

SEC. 9. The President shall revise the Catalog at no less than monthly intervals. Each revision—

(1) shall reflect for each Federal assistance program any changes in the program information listed in section 6.

(2) shall further reflect addition, consolidation, reorganization, or cessation of Federal assistance programs, and shall provide for such Federal assistance programs the program information listed in section 6.

(3) shall include such other program information as will provide the most current information on changes in current funding status, on changes in organizations administering the Federal assistance programs, and on other changes of direct, immediate relevance to potential program beneficiaries as will most accurately reflect the full scope of Federal assistance programs, and the current organizational structure of the Federal agencies and departments that administer such programs.

(4) may include such other program information and data as in the President's opinion are necessary or desirable in order to assist the potential program beneficiary to understand and take advantage of each Federal assistance program.

PUBLICATION BY SUPERINTENDENT OF DOCUMENTS

SEC. 10. The Superintendent of Documents shall make the Catalog and all revisions thereof available to the public at cost in quantities adequate to meet public demand, providing subscriptions to the Catalog and revisions thereof in such manner as he may determine.

The Catalog shall be the only compendium of program information published by any Federal agency or department. For its own use, any department or agency of the United States may reprint such parts of the Catalog, together with such other program information, as it may deem appropriate, and may change the form of the Catalog in any such reprint, but all the program information listed in section 6 as is given in the most recent revision of the Catalog shall be retained in any such reprint. All other compendiums of program information are prohibited in order to make the Catalog the exclusive source of such program information both for the public and for the program officer.

DELEGATION OF FUNCTIONS

SEC. 11. The President may delegate any function conferred upon him by this Act to the Director or other personnel of the Bureau of the Budget, with authority for redelegation within that Bureau, but no functions under this Act may be delegated to any other department, agency, or officer of the United States.

AMENDMENT TO BUDGET AND ACCOUNTING ACT, 1921

SEC. 12. Section 207 of the Budget and Accounting Act, 1921 (31 U.S.C. 16) is amended (1) by inserting "(a)" immediately after "SEC. 207.", and (2) by adding at the end thereof the following new subsection:

"(b) The Bureau, under such rules and regulations as the President may prescribe, shall prepare the Catalog of Federal assistance programs in accordance with the Program Information Act, shall prepare proposals on improvements in the Catalog so as further to assist the potential program beneficiary to understand and take advantage of each Federal assistance program, and shall make every effort to simplify and consolidate the various application forms and program guidelines that a potential beneficiary would use to benefit from each Federal assistance program, and to coordinate, simplify, and consolidate application forms and program guidelines of other related Federal assistance programs, administered either by the same or especially by different Federal agencies or departments. In order to facilitate its performance of any function specified in this title, the Bureau of the Budget may—

"(1) prepare information for machine processing;

"(2) process information by machine by performing mathematical or logical operations thereon, selective retrieval, integration, or other machine operations; and

"(3) prepare for presentation or other use information processed by machine.

The Bureau may acquire automatic data processing equipment and retain personnel needed for any activity authorized by the Program Information Act."

TRANSFER OF FUNCTIONS

SEC. 13. (a) The functions of operating the Federal Information Exchange System and of preparing the Catalog of Federal assistance programs administered prior to the enactment of this Act by the Information Center of the Office of Economic Opportunity are removed from the Office of Economic Opportunity and shall be administered instead by the Bureau of the Budget, not to be delegated therefrom to any Federal agency or department. Such personnel, records, property, and unexpended balances of appropriations related to functions under this Act as may be agreed upon between the Director of the Office of Economic Opportunity and the Director of the Bureau of the Budget may be transferred from that Office to the Bureau.

(b) Sections 613 and 635 of the Economic Opportunity Act of 1964 are amended by inserting "of the Bureau of the Budget" immediately after "Director" each place it appears therein.

The editorials, presented by Mr. BOGGS, are as follows:

[From the Washington Post, June 26, 1968]

DOMESTIC AID CAUGHT IN SPRAWLING CHAOS

(By Roscoe Drummond)

WASHINGTON.—Federal Administration of billions of dollars in aid to millions of Americans is so tangled today nobody knows how bad things are.

The need is urgent to rescue from itself the sprawling, chaotic, inefficient, overburdened, overcostly maze of Federal assistance programs.

Democratic liberals like the late Robert Kennedy, J.F.K. aides Daniel Moynihan and Richard Goodwin and Republican conservatives like Congressmen Melvin Laird, Gerald Ford and Charles Goodell have for some time been suggesting that the Federal complex has become so big, so cumbersome, so overlapping that it simply can't any longer do its job.

The need is to decentralize, not just a little bit but radically, functions, funds and authority so that State and local Government—near to the people—can begin to do the job on a scale which is manageable.

New facts which reveal how bad the situation is come from a heroic effort of a lone first-term Congressman, William V. Roth, Jr. (R., Del.), who set out four months ago to survey the entire Federal establishment to find out just how many programs of Federal assistance there are, what they do, how and where they are administered.

His findings justify virtually everything that has been said about the labyrinth of overgrown national Government. He found:

That nobody knows how many Federal programs there are and that there is no place to go in the whole Federal system to find out.

That Congress simply does not have the information to judge which programs should be kept and which should be stopped.

That the executive branch does not have the information to find overlapping and duplication and thereby to unify and streamline the operation.

That at the very least the Federal Government is attempting to administer 1050 assistance programs designed to dispense more than $20 billion a year.

That as many as 10 Cabinet-level departments and 15 or more agencies operate programs devoted essentially to the same purpose.

No wonder Democrats and Republicans alike, conservatives and liberals alike and many who used to think let-Washington-do-it was the answer to every social ill are beginning to see and say that functions, funds and initiative need to be turned back to state and local government.

This is why Moynihan, Assistant Secretary of Labor under President Kennedy and now head of the Harvard-M.I.T. Urban Affairs Center, bluntly asserts that while the Federal Government has proved itself massively efficient at collecting taxes, it has shown itself massively inefficient at dispensing Federal services.

Representative Roth's titanic study of administrative dishevelment ought to stir Congress and the White House to action. His immediate proposal is modest—that the Government be directed to put into a single catalogue a lucid report on all Federal assistance programs and what the citizen needs to know to use them.

It would be a beginning to get at the facts. But far more need to be done—and soon. A special Congressional-Presidential commission, like the Hoover Commission, ought to be put to work at once to study how best to decentralize Federal assistance programs and to report to the new Congress early enough so that action could be forthcoming next year.

There is little doubt that decentralization of the unwieldy Federal sprawl is coming. It ought to be brought about in an orderly, well planned manner. This is why Congress ought to put it in motion now.

[From the Wilmington (Del.) Evening Journal, June 26, 1968]

CLEARING SOME COBWEBS

Former Congressman Harris B. McDowell Jr. is paid $15,000 a year by the state to thread his way through the bureaucratic maze of federal aid programs to ensure that Delaware gets its share of them. Now, his successor, U.S. Rep. William V. Roth Jr., has come up with an idea that might make Mr. McDowell's job obsolete.

Mr. Roth's measure to require the federal government to maintain a complete, up-to-date catalog of its aid programs is needed and long overdue.

There is no quarrel with Mr. McDowell's work—federal aid, which rose an estimated $5 million to about $50 million in Delaware this year, is an important source of revenue. And as things now stand, without the services of someone to bridge the information gap between eligible recipient and the government Delaware could easily lose sizable sums of federal support for its programs.

Individuals and small local governments, however, cannot afford the services of an "aid detective" and may often miss out on aid for which they qualify simply because of ignorance.

The government provides about $20 billion. a year for aid programs, yet there is no central office where a citizen interested in scholarship money or a state agency interested in help for its mental health program can receive answers to such basic questions as: How many programs exist? Who is eligible? What aid is provided? How do I apply?

If Mr. Roth's bill passes, as it should, obtaining answers to these questions will become a more simple matter and another layer of the administrative bureaucracy that separates the people from the government will be reduced, if not removed.

[From the Washington Daily News, July 1, 1968]

PONDEROUS GOVERNMENT

William V. Roth is a first term Congressman from Delaware and one of the first things a freshman Congressman learns is that his constituents expect him to be a fountain of information—especially about such things as where in the Government do we go to get some of the assistance the Government has promised us?

Mr. Roth soon found that he didn't have much of this information and just finding somebody in the Government who did have it was a frustrating job.

As a result, he and his staff spent eight months in a "massive" effort just to identify the complex, overlapping assortment of Government programs purporting to offer "assistance to the American public."

He finally compiled such a list with brief descriptions of these programs and where to find them, and had it printed in agate type in the Congressional Record. The list covered 148 pages. He says he has 1050 programs identified; he knows there are many more but he can't get the responsible departments to answer his questions.

Some of his other findings:

These programs spend about $20 billion of taxpayer money a year; "no one, anywhere, knows exactly how many Federal programs there are," there is not even a "common denominator" of what a program is, as many as 25 agencies of the Government have programs in the same areas.

Mr. Roth's chief complaint was that a state or municipality or university or individual wanting to take advantage of any of these programs couldn't find out where to go, or even if there was a program to meet their needs, without a staff of birddogs to run them down.

So he introduced a bill to require the President to publish yearly, and update monthly a compendium of Federal assistance programs.

But there is another much more awesome point to all this.

Think of the staggering cost of all this duplication, all this red tape, all the bureaucracy which defies even the expert searchers of a Congressman's office!

And LBJ says he has a tight budget!

SENATE RESOLUTION 311—RESOLUTION TO MAKE A STUDY OF MILITARY OVERPAYMENTS

Mr. TOWER. Mr. President, I submit for appropriate reference, a measure that instructs the Comptroller General of the United States to make a complete study of overpayments of compensation and allowances to members of the Armed Forces and employees of the executive branch of the Government as a result of administrative error. The number of these overpayments which are not the fault of the receiving person, has apparently been steadily increasing lately and has been causing much havoc for those who receive the money.

Under the terms of this measure, the Comptroller General shall find out why these overpayments are increasing and shall devise ways to both decrease their occurrence and prevent them from recurring. In many instances, today, the members of the armed services and other governmental employees are underpaid. We must take steps to insure such burdens are ended.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 311) was referred to the Committee on Government Operations, as follows:

S. RES. 311

Resolved, That, in accordance with section 312(b) of the Budget and Accounting Act, 1921 (42 Stat. 26; 31 U.S.C. 53(b)), the Comptroller General of the United States is directed to make a complete study with respect to overpayments of compensation and allowances to members of the Armed Forces and employees of the executive branch of the Government as the result of administrative error and through no fault of the member or employee. The study will cover such overpayments made during fiscal years 1966, 1967, and 1968 and shall include a review of the particular reasons for the overpayments and measures that may be taken to eliminate overpayments.

SEC. 2. The Comptroller General shall make a report on such study, together with any recommendations for legislation, to the Senate on or before June 30, 1969.

SENATE RESOLUTION 312—STUDY RELATING TO THE ESTABLISHMENT OF AN INTERNATIONAL SMALL BUSINESS MANAGEMENT PROGRAM

Mr. TOWER. Mr. President, the Senate has acted on an Export-Import Bank bill designed particularly to increase exports from this country to less developed nations in the world.

The act will expand American exports to such nations by liberalizing the conditions of Bank loans, insurance, and guarantees covering exports needed in those countries for development purposes; and, to improve our international trade balance-of-payments position.

I am submitting a resolution which I believe belongs in our less developed nations package and which can do much toward enlarging the overall benefits which we expect will be derived in those countries from the provisions of the Eximbank bill.

I am sure we will find that most of the beneficiaries of the Bank program will be the larger businesses and industries in the less developed nations largely because there are very few so-called small businesses in those countries with credit records that would be acceptable for Bank assistance even under the Bank's newly liberalized program.

The lack of small businesses in these countries, to a large extent, is due to the failure of business management training. We have found that in our own highly advanced country, many small business failures have been due to lack of such proper business management training.

It has been only in the past few years that an adequate training program has been established by the Small Business Administration in the hope of helping to overcome many of the management failures in the United States. The resolution I am introducing today would be a first step toward the same goal in the less developed countries, but would be accomplished without imposing an additional tax burden on the people of the United States.

The plan to be studied by the committee, as provided in the resolution, was devised by Dr. James R. Omps, professor of accounting in the College of Business Administration, University of Hawaii, and professor Charles F. Heye, director, Small Business Management Program, College of Business Administration, University of Hawaii.

There is no question that our foreign assistance program has suffered from this gap in all the years of our foreign assistance effort. It is recalled that former President Harry Truman's Point Four recommendation in his 1949 inauguration speech was designed largely to give knowhow treatment to big business in foreign countries.

We have noted for many years that the less developed countries particularly, are lacking in middle-class segment. A small business program in those countries would go far to develop a middle-class population, thus expanding the domestic economy of the country.

The plan that has been drafted for study under the terms of this resolution has many purposes and goals, including the stemming of communism in the less-developed countries and new, less costly, more productive forms of foreign aid.

It is designed to provide foundations for sound economies at the grassroots; create employment and raise standards of living. It has the potential of saving great amounts of money in our foreign-aid expense and still win friends abroad.

Basically, the plan rests on a training foundation with institutes for international small business management programs at the Universities of Hawaii and Puerto Rico playing important parts along with extension branches established in the developing nations.

Funds for the total operation would be derived from several sources, including existing foreign-aid programs, private foundations, private business interested in outlets and sources abroad, and from the developing nations themselves.

Other details of the plan appear on the surface to warrant the study I ask for in the resolution.

In the light of the fact that our well-developed small business system in this country was found wanting of management ability in recent years, we certainly have reason to believe that such management assistance can be of major importance in our aid-to-developing-nations program.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, under the rule, the resolution will be printed in the RECORD.

The resolution (S. Res. 312) was referred to the Committee on Banking and Currency, as follows:

S. RES. 312

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is authorized under sections 134(a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified in rule XXV of the Standing Rules of the Senate, to make a complete and comprehensive study and investigation with respect to the feasibility of establishing in the United States an international small business management program designed to increase the role of American small business concerns in the development of the private enterprise sector of the less developed countries and proposed to be initiated by the creation, at the University of Hawaii and the University of Puerto Rico, or at other suitable American colleges or universities, of research and training institutes which shall undertake basic research and surveys relating to the nature of the small business environment in each of the less developed countries and make the results of such research and surveys widely available to American small business concerns, serve as clearing houses of information and advice to familiarize American small business concerns with investment and trade opportunities in the less developed countries, including opportunities for joint ventures between American and foreign small business concerns and investors, and offer training programs for small business educators recruited from less developed countries who intend to return to their respective countries for the purpose of assisting in the creation or operation therein of national and local institutes concerned with training and assisting local businessmen. Such study and investigation shall include an analysis and consideration of—

(1) the extent to which funding for such program should and could be provided by, and allotted among, American private businesses interested in investment and trade opportunities abroad, private foundations and organizations concerned with the development and growth of private enterprise in the less developed countries, private and governmental sources from within the less developed countries, and the United States Government pursuant to laws relating to investment and sales opportunities for American small business concerns in, and the economic development of, the less developed countries;

(2) the ways and means by which such program might be improved or supplemented so as to provide for the most economical and effective administration and operation of such program and the widest possible role for participation in such program by American small business concerns and persons experienced in such businesses, whether active or retired;

(3) the relationship which departments, agencies, and instrumentalities of the United States should have to the administration and operation of such program, with a view to establishing and maintaining such program as an independent operation free of political and governmental control; and

(4) the extent to which such program might replace or complement United States government-to-government assistance designed to develop and expand private investment in, and the growth of private enterprise in, the less developed countries.

Sec. 2. The Committee shall report its findings upon the study and investigation authorized by this resolution, together with such recommendations as it deems advisable, to the Senate at the earliest practicable date, but not later than September 30, 1969.

EXTENSION OF TAX ON THE TRANSPORTATION OF PERSONS BY AIR—AMENDMENT

AMENDMENT NO. 872

Mr. DIRKSEN submitted an amendment intended to be proposed by him, to the bill (H.R. 16241) to extend the tax on the transportation of persons by air and to reduce the personal exemption from duty in the case of returning residents, which was referred to the Committee on Finance and ordered to be printed.

JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT OF 1968—AMENDMENTS

AMENDMENT NO. 873

Mr. MURPHY submitted amendments, intended to be proposed by him, to the bill (H.R. 12120) to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes, which were ordered to lie on the table and to be printed.

EXTENSION OF CERTAIN EXPIRING PROVISIONS UNDER THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962—AMENDMENT

AMENDMENT NO. 874

Mr. PROUTY. Mr. President, I submit an amendment intended to be proposed by me to S. 2938 and ask that it be printed in the Record and appropriately referred.

This amendment to the Manpower Development and Training Act of 1962 creates a Federal Construction Advisory Council for the purpose of making a study of seasonality of employment in the construction industry. The Council will be required to submit a report to the President and the Congress next year containing its findings and recommendations concerning means to stabilize employment and to diminish seasonality of employment in the construction industry.

The Council shall consist of the Secretaries of Labor, Commerce, HEW, HUD, and Interior, the Administrator of GSA, the Director of the Bureau of the Budget and representatives of labor and management in the construction industry and of the architectural and engineering professions and any other members that the President may designate. The Secretary of Labor will act as chairman of the Council.

I have been informed by representatives of both labor and management in the building and construction industry that this type of a study would be welcomed and that its results could prove highly beneficial to the economy of our country.

I know that the Department of Labor is studying this problem, but the data available on this subject is quite fragmentary at the present time. I believe this study can show labor and management ways of solving this problem, as well as establishing a framework for possible future needed legislation.

The **PRESIDENT** pro tempore. The amendment will be received, printed, and appropriately referred; and, without objection, the amendment will be printed in the Record.

The amendment (No. 874) was referred to the Committee on Labor and Public Welfare, as follows:

At the appropriate place in the bill, add the following title:

"Title ——. Study of Seasonality of Employment in the Construction Industry

"STATEMENT OF PURPOSE

"Sec. — (a) The Congress finds that seasonal unemployment represents a substantial portion of the unemployment in the construction industry; that unemployment in the construction industry represents 20 percent of all unemployment in this country with resulting economic hardship for construction employees, needless extra costs to the construction industry, and unnecessary waste of the Nation's manpower resources; that stabilization of construction operations may be expected to have a leveling effect on construction employment and costs; and that it is highly desirable from the standpoint of our national economy that positive and expeditious action be taken by public authorities and private groups to regularize construction employment through such means as the adoption and promotion of improved technology and the advance planning of construction on a sequential basis.

"(b) It is, therefore, the purpose of this title to provide for the establishment of a Federal Construction Advisory Council to study seasonality in the construction industry, with special attention to its implications for national manpower policy, and to submit a report containing its findings and recommendations to the President and to the Congress.

"FEDERAL CONSTRUCTION ADVISORY COUNCIL

"Sec. — (a) There is hereby established a Federal Construction Advisory Council composed of the Secretary of Labor (who shall be Chairman of the Council); the Secretary of Commerce; the Secretary of Health, Education, and Welfare; the Secretary of Housing and Urban Development; the Secretary of the Interior; the Administrator of the General Services Administration; the Director of the Bureau of the Budget; and representatives of labor and management in the construction industry and representatives of the architectural and engineering professions to be appointed by the President; and such other members as the President may designate.

"(b) The Council shall study, investigate, conduct research, and prepare a report containing its findings and recommendations concerning means to achieve stabilization of employment in the construction industry and the diminishment of seasonality of employment in the construction industy, with special attention to its implications for national manpower policy, and shall transmit such report to the President no later than August 1, 1969 and to the Congress no later than October 1, 1969.

"Sec. —. Matters which the Council shall consider shall include, but not necessarily be limited to:

"(a) The extent to which seasonal unemployment in the construction industry can be reduced without substantial increases in construction costs by means such as—

"(1) the application of modern techniques to reduce the influence of weather on construction activity;

"(2) the resolution of technical problems which have not been solved by existing research and development activities;

"(3) possible changes in contract procedures and allocation cycles; and

"(4) improved planning and scheduling of construction projects.

(b) "Means by which Federal departments and agencies responsible for the expenditure of construction funds, directly or indirectly, can assist in—

"(1) reducing seasonal unemployment in the construction industry by insuring that planning and programing activity involving construction explicitly take seasonal effects into consideration;

"(2) stimulating similar action by State and local bodies; and

"(3) coordinating plans for reducing seasonal unemployment in construction on the local political subdivision level.

"(c) Procedures which may be instituted by the Bureau of the Budget that would take seasonality into account in making quarterly allocations of funds to agencies for construction purposes;

"(d) Means by which the Department of Commerce can, within the framework of existing authorizations, (1) increase its dissemination of information concerning technology which can reduce seasonality in the construction industry; and (2) institute further research and development projects on this subject;

"(e) Methods to facilitate winter construction operations and to encourage year-round construction planning; and

"(f) Any other methods or developments which might contribute to year-round activity in the construction industry and to the reduction of seasonal unemployment.

NOTICE OF HEARINGS ON HEARING LOSS AND OLDER AMERICANS

Mr. CHURCH. Mr. President, as chairman of the Subcommittee on Consumer Interests, Senate Special Committee on Aging, I wish to announce that the subcommittee will conduct hearings on "Hearing Loss, Hearing Aids, and the Older Americans" at 10 a.m. on July 18 and 19 in room 4232, New Senate Office Building.

The subcommittee inquiry will be concerned primarily with three major areas:

First. Extent of hearing loss among older Americans and the possibility of even wider hearing loss within the next decade.

Second. Availability of hearing aids and needed services by those who have hearing loss.

Third. Suggestions for changes in Government policy or programs that may be helpful to older Americans with hearing loss.

NOTICE OF HEARINGS ON DISTRICT OF COLUMBIA REVENUE LEGISLATION

Mr. SPONG. Mr. President, on Monday, July 1, the House District of Columbia Committee ordered reported a bill to provide additional revenues for the District of Columbia. The House is expected to act on this bill on July 3.

Immediate consideration of a District of Columbia revenue bill is essential, so that the Appropriations Committees may complete their work on the District budget for the new fiscal year.

As chairman of the Fiscal Affairs Subcommittee of the District Committee, I am scheduling a hearing on this vital legislation for Monday, July 8, at 2 p.m. The subcommittee will consider the legislation as approved by the House, the revenue measures originally proposed by the District government, and such other revenue proposals for the District of Columbia as may be brought to the attention of the subcommittee.

I expect to conclude the hearing in 1 day, and will continue to listen to testimony as long as necessary in order to complete the hearing on Monday.

FRANCE AND AMERICA

Mr. MANSFIELD. Mr. President, in today's issue of the Wall Street Journal, under "Review and Outlook," the lead editorial is entitled "France and America." It contains some pertinent statements with respect to the recent triumph of General de Gaulle in the election which was held in France over the past weekend. It refers to the anti-French sentiment which has been prevalent—all too prevalent, in my opinion—in certain parts of this country. The editorial brings about a greater recognition of the importance of this man in the France of today and the possible alternative which would take place were he to be displaced.

I hope, Mr. President, that the editorial will be read with much interest by the Members of the Senate, because it is worthwhile and to the point.

I also hope that, so far as this country is concerned, we would get over our emotionalism vis-a-vis our relations with France, and recognize that this last remaining great figure of the Second World War has done much for his country and has achieved for it prestige and a certain degree of stability, despite the recent disturbances there.

He is one of the few great men left in the world today, and he has left his mark upon his country, upon Europe, and, to some extent, upon the world. I wish him well. I hope that under the mandate he has now received from the French people, France will once again resume its place in the affairs of the world, under the outstanding leadership which President de Gaulle has furnished it over the past several years.

Mr. President, I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

France and America

General de Gaulle's election triumph provides all the more reason for Americans to stop and reassess their attitudes toward France. For much of the anti-French feeling so widespread here is based on emotion rather than a clear-eyed view of American interests.

The surprising election sweep gave the Gaullist party an absolute majority in the French parliament, and a resounding majority if its long-time allies are included. The strikes and rebellion that forced the election expressed the French citizen's resentment of the regime's authoritarianism and overemphasis on foreign policy. But when the voters saw that the alternatives to de Gaulle were chaos or Communism, they decided the general was not so bad.

Precisely the same observation ought to apply to American attitudes toward the current French government. General de Gaulle unquestionably has been prickly in his anti-Americanism, but the American rejoinder ought to be something more substantial than "you're another." This attitude has been too prominently expressed in publicity stunts like pouring French wine and perfume into the gutter. It seems President Johnson has widely kept the lid on similar feelings within the Government, but they have been expressed by officials in the past and could be again once he leaves the scene.

Actual American interests are obviously far less threatened by de Gaulle than by a France dissolved in anarchy or dominated by an organized Communist minority. De Gaulle may be irritating, but at least France stands on its own feet. Indeed, in a sense de Gaulle's anti-Americanism is a testimony to the success of the American policy of helping to strengthen and stabilize Europe. A weaker France could afford no such foreign policy.

We doubt that Gaullist foreign policy has in fact done America any grievous direct harm. France's condemnations of the Vietnamese war have added little to the din already emanating from the rest of Europe. Its penchant for collecting gold could do us no damage if we put our own house in order. De Gaulle kicked out the GIs, but it was past time for them to leave France and perhaps Germany too.

The most harm de Gaulle has done probably is in blocking further moves toward the unification of Europe. A unified Europe including Great Britain would have the size and impact to relieve America of some of its international burdens. It would also benefit the citizens of the nations involved, but de Gaulle has subordinated this vision to his narrow nationalism.

The rebellion and elections in France raise the prospect of a reduction in some of the irritants in American-French relations. The condemnation of our Vietnamese involvement, already somewhat muted by the choice of Paris as a site for negotiation, was further undermined by the political necessity for the Gaullists to take a harsh anti-Communist line in the election campaign. With the sharp wage increases resulting from the strikes, it may be a long time before France again becomes a drain on U.S. gold supplies.

It is being widely though perhaps rashly predicted, finally, that the rebellion and elections will mean the Gaullists will turn inward to emphasize domestic rather than foreign concerns. If this comes to pass, it should mean at the least no further anti-American initatives. Beyond that, a government truly dedicated to raising the living standards of its citizens will be strongly drawn toward wider and deeper European unity.

This is the point America ought to stress in its policy toward France. To do so, it must recognize that the most important meaning of Sunday's election is that Gaullism will after all survive de Gaulle. It currently seems the rest of his party is as committed as the general to an ultra-nationalistic foreign policy, but appearances can deceive and economics can speak compellingly. At this juncture, America ought to quietly do what it can to explore the possibility that other Gaullists can be persuaded in their interest and ours to tone down their resistance to a unified Europe.

It is not an especially hopeful venture to begin with, but it certainly is not advanced by outbursts of emotional anti-Gaullism here in America. American interests would be far better served if both its Government and its people saw Gaullist France in perspective: A nuisance perhaps, but one better to tolerate than to disturb.

ORDER OF BUSINESS

Mr. JAVITS. Mr. President, I ask unanimous consent that I may be recognized for 6 instead of 3 minutes.

The PRESIDING OFFICER (Mr. Harris in the chair). Without objection, it is so ordered.

URGENT NEED FOR MIDEAST ARMS LIMITATION AGREEMENT

Mr. JAVITS. Mr. President, the whole world will welcome the agreement of the United States and the U.S.S.R. to initiate discussions with respect to limitation and control of offensive and defensive nuclear missiles, including the ICBM and the

ABM; but it would be misleading to assume, desirable as is the beginning of this effort, that it is meeting the highest immediate priority in respect of peace. For, these priorities continue to be peace in Vietnam, which, so long as it lasts, presents the danger of international war, and peace in the Middle East, which continues to be an even more likely place of face-to-face confrontation between the two superpowers.

I therefore urge the President to seize the opening presented by Premier Kosygin's speech to propose to the Soviet Union concrete steps for a joint effort to bring about peace negotiations in the Middle East and the deescalation of the arms race there.

The United States has shown extraordinary restraint in respect of the Mideast arms race in its refusal to supply to Israel what Israel considers indispensable to its security—the 50 Phantom F–4 aircraft to replace the 50 French Mirages which President de Gaulle refuses to allow to be shipped to Israel though they have been fully paid for. The United States cannot maintain this position indefinitely, considering the enormous resupply of the United Arab Republic and Syria with the most modern and sophisticated weapons by the Soviet Union. The destructive power of these advanced new weapons was demonstrated by the sinking of an Israel destroyer at long range by a Soviet-supplied Styx missile. In the circumstances, and considering the threats of the Arab States, it is very unlikely that the United States can refrain very long from matching, with the Phantom F–4's, the sophisticated weaponry supplied to the Arabs by the Soviet Union. It will be recalled that the United States had to supply arms to Jordan in pursuit of its policy to maintain self-defense arms balance in the area.

In addition, press reports indicate a closeup involvement of Soviet military personnel, reaching down to the battalion level, of some United Arab Republic frontline units and advisers and instructors.

Indeed, the Middle East could even become the Soviet Union's Vietnam. Let us remember that U.S. combat involvement in Vietnam began with a heavy commitment at the military adviser level—and that is exactly where the Soviet Union's military personnel is today in Egypt and Syria.

When to these facts is added the fivefold increase of the Soviet fleet in the Mediterranean, where it directly confronts the U.S. Sixth Fleet and enjoys free use of the major Egyptian port of Alexandria, and the possibility of the deployment of a composite NATO force in the Mediterranean in response to the Soviet naval deployment, the grave potentiality of the situation there becomes even clearer.

The real key to lasting peace in the Middle East is agreement by the United States and the U.S.S.R. to seek to bring it about through negotiations among the parties concerned; and such negotiations will be made far more likely by a deescalation of the arms race in the Middle East.

I do not exclude the United Nations. On the contrary, the United Nations should be the principal forum, or algis, under which peace is negotiated. However, I believe the likelihood of negotiations starting depends in the first instance upon agreement between the Soviet Union and the United States. We have a tremendous stake in this matter inasmuch as Israel, and peace in that area, represents one of the major bastions of peace in the world, as far as the United States is concerned.

Time is of the essence; hence, the urgent need for utilizing the present opening between the United States and the Soviet Union to endeavor to bring about the beginning of negotiations for peace in the Middle East.

Mr. President, it is from that point of view that I urge the President to seize the opening presented by Premier Kosygin's speech, to see if the Soviet Union and the United States can agree on deescalation of the Mideast arms race and the beginning of peace negotiations between the Arab States and Israel.

THE DISTRICT OF COLUMBIA

Mr. MANSFIELD. Mr. President, an action was taken on yesterday according to the Washington Post which has disturbed me deeply. It has disturbed me, as an American and as one who lives in the District of Columbia while the Senate is in session.

The Nation's Capital is in bad shape. Anyone with eyes to see, who walks its streets or looks up, for a moment, while driving to and from the suburbs can see the progressive decay. In recent months, a succession of blows has been dealt to its stability, its commerce and its enterprise. As business dries up, the impoverished people who live here—and there are many—will be driven further into the hopelessness wherein churns more violence and hostility. And so the vicious spiral goes round. All the while the security and serenity of the inhabitants of the District and its visitors rest even more heavily on the uneasy base of an inadequate and overworked police force. Right now, it is obvious in the deserted streets that neither inhabitants nor visitors are very secure or very serene.

I should think, Mr. President, that every Member of Congress would want to face up to the situation in the District. It degrades us. It degrades the Nation. This city belongs not only to the inhabitants of the District; it belongs to every American. It has little reason for existence except as an expression of the Nation as a whole. If it is allowed to wither and die, the Nation in a symbolic sense is also being allowed to wither and die.

I should think we would want the services of this city to be a little more adequate, not less, since they are available to so many who do not live here. I should think we would want to make the plight of the impoverished here a little less miserable—not more. I should think we would want to see the police force here have the men and resources which will enable them to give the best possible protection to visitors from everywhere in the country, as well as to those who live here. I should think we would want this city to typify the best not the worst of our national characteristics.

Words will not save the Capital of the United States. Making money available for essential services may help. A decent tax structure may help. However, the action to which I have referred, I regret to say, moves in precisely the opposite direction. It increases the tax burden in just the areas where the impoverished inhabitants, who have no direct representation in the Congress will feel it most—on retail food purchases. It places taxes on medicines and drugs for the first time. It provides funds which fall far short of what is needed by the hard-pressed police force of this city and other essential services.

There are grave troubles in the District of Columbia, Mr. President. The action which I have referred to could not have been better calculated to assure that these troubles will not be alleviated. I would hope that the Senate District Committee would move without delay to neutralize this situation.

GUNS, CRIME, AND CIVIL DISORDER

Mr. JAVITS. Mr. President, I wish to call to the attention of the Senate a speech I made before the Middletown Junior Chamber of Commerce, Middletown, N.Y., on June 24, 1968, entitled "Guns, Crime, and Civil Disorder." In the speech I sought to answer arguments made against gun control, including registration and licensing.

Mr. President, I ask unanimous consent to have printed in the RECORD the speech I made before the Middletown Junior Chamber of Commerce.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

GUNS, CRIME, AND CIVIL ORDER

(Remarks of Senator JACOB K. JAVITS, to the Middletown Junior Chamber of Commerce, Middletown, N.Y., June 24, 1968.)

In response to an overwhelming tide of public opinion, the House Judiciary Committee last week sent to the House a bill that would regulate the mail order sale of rifles and shotguns and prohibit private ownership of such lethal devices as machine guns and anti-tank guns. Senate Committee action is expected next week.

While such regulation has seemed eminently sensible to me for years, it has been unpopular in many parts of the country. Indeed, it appears to have become a particularly controversial cause in areas where there are many sportsmen. All too often, these sportsmen have been urged to conclude that hunting and Federal gun control are incompatible.

There has been a good deal of misconception and some outright distortion of what gun-regulation laws would and would not do. In recent weeks, I have received some 25,000 letters on this issue. This is why I believe a frank discussion of the situation is in order.

We would be deluding ourselves if we did not relate the violence in our society and the terrible toll that violence has extracted this year with the easy availability of guns in our country.

There were more than 6,000 gun murders in the United States last year compared with 12 in Britain, 20 in France and 6 in Belgium. Each of these European countries have strong gun control laws.

In most states in this country, a mental patient, a child, a felon or an alcoholic can order a lethal weapon by simply writing away for it. To demonstrate how foolish this absence of regulation is, a reporter, shortly after the assassination of President Kennedy, ordered a rifle by mail in the name of Lee Harvey Oswald and it was delivered.

Furthermore, the patchwork of laws across the nation virtually negates effective state legislation where it does exist. The City of Washington, for example, requires a three-day waiting period—during which a police check is made—before purchase of a handgun. But a gun store in nearby Chillum, Maryland, reports that 58 per cent of its sales are to District of Columbia residents, and 40 per cent of the buyers had criminal records!

The Federal law on handguns just signed by the President and the proposed extension of it to rifles and shotguns are not intended to disarm the sportsmen or the legitimate hunter. But they do hope to provide some order, some reasonable amount of discretion over the use of deadly weapons.

Perhaps the best way to proceed is to answer some of the most common objections to this kind of law.

Argument Number One. This one offends me the most. It goes something like this: "New York has a strong gun control law—the Sullivan Law—but it still has the highest crime rate in the world." This statement is simply and patently untrue, for New York's crime rate is not at all the highest in the land.

In New York City, for example, only 25 per cent of all murders in a recent year were committed with guns. In Dallas and Phoenix—where there are no gun control laws—the figures were 72 per cent and 65.9 per cent respectively for the same year. Nationally, about 80 per cent of all murders are committed with guns. Of the ten largest cities in the nation, New York, which has the largest population and the strictest gun control legislation, has the fifth lowest assault rate, the third lowest murder rate, and the *lowest* robbery rate.

Argument Number Two. Many opponents of gun legislation maintain that those who are determined to kill or maim their fellow man will do so by other means—that they will somehow obtain guns by stealing them or in some other fashion. It is claimed that would-be criminals will possess guns under the new proposed law, that only the poor law-abiding citizen will remain defenseless against the armed criminal.

But once more, the facts fail to bear out this argument. A recent study conducted by the Massachusetts Department of Public Safety revealed that over a one-year period, 4,506 guns were taken away from criminals. Of these 4,506 guns *only six* were stolen weapons. Furthermore, 87 per cent of these guns were bought not in Massachusetts, which has a strong gun-control law, but in neighboring states with no such laws. In a similar study conducted in New Jersey, four-fifths of the guns taken from criminals were previously purchased in nearby unregulated states.

Argument Number Three. Some gun-control opponents will maintain from a legal point of view that such legislation is unconstitutional because of a Second Amendment provision that "the right of the people to bear arms shall not be infringed." Unfortunately, however, they cite this phrase out of context.

Actually, the Second Amendment reads as follows: "A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed." The Supreme Court, in a series of decisions reaching back to the 1870's, has clearly interpreted the amendment as protecting the right of a State to raise a militia but *not* the right of an individual to possess a gun. Any other interpretation runs counter to long-standing legal precedent. Until all these decisions are overruled and the Amendment interpreted anew, the argument must be rejected.

Argument Number Four. Some argue, rather irrationally I think, that automobiles kill more people each year than guns, and yet no one suggests that they be confiscated. Indeed, the most stringent proposal yet to be offered simply calls for guns to be treated in the same manner as automobiles—that is, that they be registered and their owners hold licenses. If we require licensing and registration for automobiles—whose primary purpose is *not* to kill but to transport—how much more sensible it would be to have the same kind of control over guns, whose *sole function* is to kill or to maim.

While the above objections to gun control legislation are unreasonable in my judgment, they are made mainly because their proponents do not have the correct facts. Another frequently heard argument however, is totally implausible.

Argument Number Five is usually made by the same people who for twenty years have looked for communists under the bed at night and approach paranoia whenever they discuss the state of the nation's security. These people—and they have nothing in common with legitimate sportsmen—are the Minutemen, the members of the John Birch Society, and their ilk who protest that each citizen should be armed and ready to protect the Republic against an invasion by the communists. One man actually wrote me: "When the Reds come marching down Broadway and I don't have my gun, you'll be to blame". These latter day Daniel Boones are simply incongruous in the nuclear age, and if they weren't so dangerous they would be amusingly quaint.

What disturbs me much more however, is the real threat to our security which lies within our own borders. The real danger from within is that militant groups from both ends of the political spectrum could arm themselves to wage a campaign of violent terrorism in our cities that would destroy us from within. I wonder how many John Birch Society members realize that the free traffic in guns that they cherish also made it possible for a black militant group in Jamaica, Queens, to get a National Rifle Association charter and to arm themselves with guns and ammunition supplied by the Federal government to NRA members. These guns were to be used in a plot to kill Roy Wilkins and other moderate civil rights leaders in a conspiracy for which they have been tried and convicted. And I wonder how many NRA members would support a system that allows persons convicted of sniping in last years' riots to purchase guns for the summer of 1968.

So I ask you to reflect for a moment: would President Kennedy or the Reverend Dr. Martin Luther King Jr. or Senator Robert F. Kennedy have been as likely to have been killed by an assassin armed with only a knife? Could these vigorous national leaders be alive today if the nation had effective gun-control regulation?

Would a street hoodlum have the courage to rob a bank armed only with a knife?

Would law enforcement officers have a better chance to arrest murderers and assassins; would we stand a better chance to stem the bloody tide of violence in our land if owners of guns were compelled to hold permits for their weapons?

I believe that violence must stringently be checked in our nation and that gun legislation is the quickest, most effective way of making the necessary start.

Much more must be done to render economic and social justice to long oppressed groups, to re-direct the anger in our society and thereby to curb the expression of long-standing frustrations through the exercise of force.

Let us have social justice in America. But let us not kill each other on the road to that goal. The people of the United States are overwhelmingly in favor of gun registration. A recent poll shows that nearly three-fourths of our citizens believe that gun registration is necessary, desirable and even imperative.

I hope with all my heart that this is the year when Congress will listen with an open ear to the hitherto unspoken demand of the people and that the lawmakers, once and for all, will act.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OVERLAPPING GOVERNMENT BUREAUCRACY

Mr. WILLIAMS of Delaware. Mr. President, Representative Roth, of Delaware, has just completed an extensive research project, the purpose of which was to determine the extent of overlapping Government bureaucracy.

During his study Representative Roth found as many as 25 agencies of the Government operating programs in the same area, and he has compiled a list identifying 1,050 programs, stating that there are many more but that thus far he has been unable to identify them due to failure to persuade the responsible departments to answer his questionnaire.

Representative Roth has introduced a bill, H.R. 18115, in the House, the purpose of which is to require the President to publish annually and to update monthly a compendium of Federal assistance programs. Once these programs are identified much of this overlapping and bureaucratic redtape can be eliminated at a substantial savings to the American taxpayers.

Today Senator Boggs and I are introducing a companion bill in the Senate, and we join Representative Roth in expressing the hope that this constructive proposal can receive early consideration.

Representative Roth is to be commended for the diligence with which he has pursued this subject.

I ask unanimous consent that two editorials—one as appearing in the Washington Daily News of July 1 and the second as appearing in the Wilmington, Del., Evening Journal of June 26—be printed in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Daily News, July 1, 1968]

Ponderous Government

William V. Roth is a first-term Congressman from Delaware and one of the first things a freshman Congressman learns is that his constituents expect him to be a fountain of information—especially about such things as where in the Government do we go to get some of the assistance the Government has promised us?

Mr. Roth soon found that he didn't have much of this information and just finding somebody in the Government who did have it was a frustrating job.

As a result, he and his staff spent eight months in a "massive" effort just to identify the complex, overlapping assortment of Government programs purporting to offer "assistance to the American public."

He finally compiled such a list, with brief descriptions of these programs and where to find them, and had it printed in agate type in the Congressional Record. The list covered 148 pages. He says he has 1050 programs identified; he knows there are many more but he can't get the responsible departments to answer his questions.

Some of his other findings:

These programs spend about $20 billion of taxpayer money a year; "no one, anywhere, knows exactly how many Federal programs there are," there is not even a "common denominator" of what a program is, as many as 25 agencies of the Government have programs in the same areas.

Mr. Roth's chief complaint was that a state or municipality or university or individual wanting to take advantage of any of these programs couldn't find out where to go, or even if there was a program to meet their needs, without a staff of birddogs to run them down.

So he introduced a bill to require the President to publish yearly, and update monthly a compendium of Federal assistance programs.

But there is another much more awesome point to all this.

Think of the staggering cost of all this duplication, all this red tape, all the bureaucracy which defies even the expert searchers of a Congressman's office!

And LBJ says he has a tight budget!

[From the Wilmington (Del.) Evening Journal, June 26, 1968]

CLEARING SOME COBWEBS

Former Congressman Harris B. McDowell Jr. is paid $15,000 a year by the state to thread his way through the bureaucratic maze of federal aid programs to ensure that Delaware gets its share of them. Now, his successor, U.S. Rep. William V. Roth Jr., has come up with an idea that might make Mr. McDowell's job obsolete.

Mr. Roth's measure to require the federal government to maintain a complete, up-to-date catalog of its aid programs is needed and long overdue.

There is no quarrel with Mr. McDowell's work—federal aid, which rose an estimated $5 million to about $50 million in Delaware this year, is an important source of revenue. And, as things now stand, without the services of someone to bridge the information gap between eligible recipient and the government Delaware could easily lose sizeable sums of federal support for its programs.

Individuals and small local governments, however, cannot afford the services of an "aid detective" and may often miss out on aid for which they qualify simply because of ignorance.

The government provides about $20 billion a year for aid programs, yet there is no central office where a citizen interested in scholarship money or a state agency interested in help for its mental health program can receive answers to such basic questions as: How many programs exist? Who is eligible? What aid is provided? How do I apply?

If Mr. Roth's bill passes, as it should, obtaining answers to these questions will become a more simple matter and another layer of the administrative bureaucracy that separates the people from the government will be reduced, if not removed.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRESIDENT JOHNSON'S PEACE INITIATIVES MAY BE MOST MEMORABLE ACHIEVEMENT OF HIS PRESIDENTIAL CAREER

Mr. PROXMIRE. Mr. President, over the past 2 or 3 years, it has been most fashionable to picture President Johnson as a great domestic President whose failure to come to grips with the Vietnam war has cast a pall over his second term. This facile analysis, in my estimation, overlooks the immense complexities which confront this Nation's attempts to put together a viable and practical Asian policy—complexities that have stymied us for well over 20 years.

Be that as it may, yesterday's announcement by the President that the United States and the Soviet Union had agreed to open talks aimed at deescalating the arms race is a development of such potential significance that its outcome may completely eclipse the Vietnam impasse. As things presently stand the two greatest nations in the world are rushing headlong toward nuclear incineration. A mere halt in this destructive arms race, let alone a reversal of the current pattern, would be a triumph of such magnitude that it would dwarf the foreign policy developments, particularly in Vietnam, that have formed the basis for the voices of protest and dissent in this country.

We would be wrong to jeopardize the chances for the success of this new initiative by burdening the discussions with premature and unrealistic hopes. At the same time, let us at the very least salute President Johnson, whose wisdom and courage has enabled us to take that all-important first step toward nuclear deceleration. And let us recognize that the world will owe a lasting debt to our President if these discussions, which he first suggested back in January of 1967, truly carry us forward into an era of peace and good will.

SENATORS CLARK AND JAVITS WIN MODEST VICTORY FOR POOR AGAINST ENORMOUS ODDS

Mr. PROXMIRE. Mr. President, on April 10, this body disagreed with a conference report on an "urgent" supplemental appropriations bill because the conference committee had deleted funds from the bill for Headstart and summer job programs. This bill has languished in conference ever since that date, despite its "urgent" nature.

The sponsors of the amendments providing $25 million for Headstart and $75 million for summer jobs might be expected to give up the fight. For not only were the amounts rejected by the conference committee, but they had earlier passed the Senate by the narrowest of votes and did not receive administration support. But the Senator from Pennsylvania [Mr. CLARK], who initiated the Headstart proposal, and the Senator from New York [Mr. JAVITS], who authored the summer jobs amendment, are not, as my colleagues know, prone to compromise causes in which they strongly believe.

Both have shown deep concern over the problems of the poor—especially the urban poor. Senator CLARK, as chairman of the Labor and Public Welfare Committee's Subcommittee on Employment, Manpower, and Poverty is acutely aware of ghetto needs. Senator JAVITS as ranking member of the full Labor and Public Welfare Committee also knows only too well that our national strength is being sapped by the tensions arising from the increasingly apparent gap between affluent and underprivileged.

So these two hard fighters did what we all expected them to do. They successfully worked to gain Senate acceptance for Headstart and summer jobs appropriations in the second supplemental appropriations bill, which passed this body last week.

I know that both Senators were sorely disappointed by the action of the conference committee on the second supplemental bill in cutting back the Headstart and summer job funds by 80 percent to $5 million and $13 million, respectively. But I hope that they will take some solace in the fact that were it not for their perseverance in a just cause, not even this modest $18 million would have been forthcoming.

Mr. JAVITS. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. JAVITS. I am very grateful to the Senator from Wisconsin for his reference to me. He is very kind. He should couple anything he says about me with the unbelievably devoted labors of the Senator from Rhode Island [Mr. PASTORE]. This thing is not the fault of the Senate. The Senate his stood up to its responsibility with that of the other body. But we will be debating this issue when it comes to the floor of the Senate, and I hope that the Senator from Wisconsin will be in the Chamber.

I express to him my pleasure and my thanks. I know that the Senator from Pennsylvania [Mr. CLARK] feels the same way, for the fine way in which this issue has been sustained and all points pressed in the Appropriations Committee and for the deep interest he has shown himself.

Mr. PROXMIRE. I thank the Senator from New York for his comments. I knew that this matter would be debated later. But I speak out now to cite the extraordinary perseverance against the greatest kind of odds of two outstanding Senators.

There was strong opposition on the part of the Appropriations Committee to begin with, much opposition in the Senate, and by the administration. The Senator from New York and the Senator from Pennsylvania, however, persevered. While they would have wanted more—and all of us would like to have had more—they achieved remarkable success, considering all the circumstances.

A QUESTION OF PRIORITIES

Mr. PROXMIRE. Mr. President, this country has made vast strides in science, in industry, and in technology. We have split the atom and pioneered its use for peaceful purposes. The computer has been spawned, and we have discovered the manifold and diverse ways in which it can work for us. We have begun the conquest of space, a possibility that not so long ago was beyond our wildest dreams.

Despite this vast progress in technology and science, Mr. President, we have lagged far far behind in an area that is much more vital. We have conquered worlds that were thought unconquerable, but we have failed to come to grips with a basic problem right in our very midst. I am referring to fundamental human rights. I am referring to the fact that the Senate still has not seen fit to ratify the Human Rights Conventions.

Mr. President, it seems to me that our priorities are misplaced. There is nothing wrong with making vast strides in science and technology. I applaud the progress we have made, and expect to see us maintain our lead in this area. But we have to put this in its proper perspective. If we cannot solve the fundamental problems of this planet—easing human tensions, enabling man to live alongside his fellow man, and guaranteeing to every citizen the rights possessed and exercised by his neighbor—our progress in other areas will be of little value to us.

If I can draw a simple analogy, it is akin to a basic tenet in military logistics: the troops must not be permitted to outstrip supply lines. Mr. President, this is exactly what we face as long as we refuse to ratify the human rights conventions. If we continue to ignore the problems here on the "home front" if the individual is not permitted to exercise his fundamental human rights, then our society must eventually crack under the strain. If society crumbles, of what value is scientific and technological progress?

Mr. President, it is simply a question of priorities.

TEMPORARY UPSWING IN DEFENSE ACTIVITY

Mr. PROXMIRE. Mr. President, the selected economic indicators recently released by the Defense Department give evidence of an expansion of defense spending activity, but it is an expansion most likely to be of temporary duration.

The April level of military prime contract awards, a leading indicator of the impact of defense spending on the economy, rose to $3.5 billion, some $300 million, or 9.5 percent, above that of March. May witnessed a considerably larger increase in these contract awards, an increment of $715 million, or more than 20 percent over the April figure, to a level of $4.2 billion.

Another leading indicator, gross obligations incurred, also showed a significant jump in April, rising $737 million, or more than 12 percent above the March level.

Net expenditures, a lagging indicator, were also on the increase in April, climbing $785 million, or almost 13 percent above the figure for March.

Various factors were operating during this period, however, which indicate that this expansionary trend in defense spending will probably be short lived. To some extent, the growth in the indicators reflected seasonal influences, particularly the approaching end of the 1968 fiscal year.

Probably even more responsible for this increase in defense activity, however, was anticipation of the supplemental appropriations for defense purposes. Although the funds had not yet been made available, increased obligations could be incurred and expenditures made, by borrowing from other defense programs whose resources had not at that time been exhausted.

With the start of the new fiscal year, and the restrictions on Government expenditures contained in the recently passed tax conference report, the expansionary trend in defense activity, in my opinion, is likely to be limited, if not reversed. However, those of us who are concerned with the performance of the economy will have to watch it closely since we know from previous experience how important a factor defense spending can be in stimulating the economy.

Mr. President, at this point I should like to acquaint those of my colleagues not already familiar with it, with the new Department of Commerce publication, originated at the urging of the Joint Economic Committee, entitled "Defense Indicators." As of this month, this report will replace the Defense Department publication, Selected Economic Indicators, and will present all of the series contained in the Defense Department bulletin, as well as many related series compiled by other departments. The new report, unlike its predecessor, will be available to the public.

Mr. President, I ask unanimous consent to have printed in the RECORD the latest and final report of the Defense Department Selected Economic Indicators.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

SELECTED DEFENSE DEPARTMENT ECONOMIC INDICATORS

[Dollars in millions; manpower in thousands; quarters by calendar year]

	1966				1967				1968					
	1st quarter	2d quarter	3d quarter	4th quarter	1st quarter	2d quarter	3d quarter	4th quarter	January	February	March	1st quarter	April	May
I. Military prime contract awards:[1]														
Aircraft	$1,944	$2,985	$2,696	$2,261	$2,101	$3,049	$2,512	$2,632	$442	$529	$574	$1,545	$834	$1,129
Missile and space systems	997	957	1,244	843	1,162	1,140	1,525	1,045	345	419	387	1,151	317	449
Ships	354	491	871	239	679	406	416	409	108	77	236	421	79	224
Weapons and ammunition	545	1,482	692	931	815	1,768	1,103	1,335	225	416	382	1,023	423	431
Electronics and communications equipment	861	1,543	605	907	922	1,813	719	811	308	259	240	807	328	407
Combat vehicles	114	221	139	195	57	225	173	99	26	79	30	135	62	35
Other hard goods	721	1,615	520	831	856	1,337	610	554	214	269	276	759	252	285
Soft goods	709	921	1,077	989	637	651	1,054	491	437	139	202	778	218	211
Construction	207	392	197	149	232	624	231	212	61	53	67	181	39	195
Services	392	584	1,449	506	481	555	1,483	734	163	141	184	488	162	116
Educational and non-profit institutions	198	214	197	119	235	205	233	149	95	84	40	219	52	30
Awards under $10,000	936	1,241	849	1,054	1,013	1,295	779	821	261	305	325	891	324	346
Total	7,978	12,646	10,536	9,024	9,190	13,068	10,838	9,292	2,685	2,770	2,943	8,398	3,090	3,858
Total, seasonally adjusted	8,814	10,132	10,646	10,220	10,328	10,632	10,955	10,413	2,887	3,445	3,185	9,517	3,488	4,203
Work outside United States	521	1,195	856	672	453	834	891	455	288	139	134	561	157	135
II. Gross obligations incurred:														
Operations	8,326	9,604	10,426	9,702	10,229	11,435	11,224	10,812	3,798	3,435	3,487	10,721	3,799	....
Procurement	4,374	8,539	5,368	5,276	5,113	8,948	6,154	6,292	1,784	1,865	2,003	5,652	2,239	....
Other	2,429	3,470	3,453	2,230	2,519	3,510	3,420	2,194	863	792	553	2,206	742	....
Total	15,129	21,613	19,247	17,208	17,861	23,893	20,798	19,298	6,445	6,092	6,043	18,579	6,780	....
III. Gross unpaid obligations outstanding:														
Operations	3,828	3,777	4,792	5,024	4,644	4,513	5,267	5,150	5,127	5,127	4,975	4,975	4,938	....
Procurement	18,023	22,119	22,736	23,173	22,780	25,248	24,925	24,856	24,197	24,024	24,127	24,127	23,947	....
Other	5,625	5,942	8,026	7,253	6,996	7,506	7,971	7,360	7,329	7,303	7,038	7,038	6,848	....
Total	27,476	31,838	35,554	35,450	34,420	37,267	38,163	37,366	36,653	36,454	36,140	36,140	35,733	....
IV. Net expenditures:														
Operations	7,689	9,076	8,968	9,087	10,002	10,731	10,001	10,494	3,550	3,273	3,416	10,239	3,622	....
Procurement	3,651	3,886	4,392	4,264	5,074	5,282	6,060	5,598	2,274	1,913	1,680	5,867	2,109	....
Other	2,757	2,647	2,484	3,092	3,160	2,001	3,047	2,363	1,153	1,032	1,025	3,210	1,175	....
Total	14,097	15,609	15,844	16,443	18,236	18,014	19,108	18,455	6,977	6,218	6,121	19,316	6,906	....

See footnotes at end of table.

SELECTED DEFENSE DEPARTMENT ECONOMIC INDICATORS—Continued

[Dollars in millions; manpower in thousands; quarters by calendar year]

	1966				1967				1968					
	1st quarter	2d quarter	3d quarter	4th quarter	1st quarter	2d quarter	3d quarter	4th quarter	January	February	March	1st quarter	April	May
V. DOD personal compensation:														
Military	$3,181	$3,249	$3,551	$3,606	$3,624	$3,646	$3,842	$3,972	$1,338	$1,399	$1,338	$4,014	$1,343	
Civilian	1,937	2,015	2,105	2,135	2,170	2,248	2,271	2,332	828	774	773	2,375	803	[2] $844
Total	5,118	5,264	5,656	5,741	5,794	5,894	6,113	6,304	2,166	2,113	2,111	6,389	2,146	
VI. Outstanding payments:														
Advance payments	66	79	90	83	92	80	110	134				128		
Progress payments	4,402	4,346	4,750	5,461	5,981	6,765	7,179	7,491				7,681		
Total	4,468	4,425	4,840	5,544	6,073	6,845	7,289	7,625				7,809		
VII. Strength (manpower):														
Military	2,969	3,094	3,229	3,334	3,371	3,377	3,412	3,398	3,427	3,440	3,467	3,467	3,494	
Civilian	1,088	1,138	1,184	1,230	1,268	1,303	1,274	1,271	1,267	1,265	1,266	1,266	1,267	[2] 1,271

[1] Revised; see new definition.
[2] Preliminary.

Note: Open spaces for indicators other than No. VI indicate information not available at time of publication. Indicator No. VI information available only on a quarterly basis .Totals may not add due to rounding.

ROSS ASKS FOR BIGGER INVESTMENT IN STATISTICS AND WISER USE OF THEM

Mr. PROXMIRE. Mr. President, I call the Senate's attention to a splendid article by Arthur Ross, former Commissioner of the Bureau of Labor Statistics, on the need for more statistics and the even more urgent need for using those statistics with wisdom and judgment.

Mr. Ross served relatively briefly in Washington, but with considerable distinction.

He says that for price of several miles of an interstate highway we could develop statistics that could save us literally billions of dollars in policy decisions.

After all, statistics must be the basis of our intelligence and our information.

It has been said that an army is no better than its intelligence system. It could be said with even more assurance that government economic policy is no better than the statistics on which it is based.

This Government's statistics are improving, but they should be better. The distinguished Senator from Georgia [Mr. TALMADGE] heads the Statistics Subcommittee of the Joint Economic Committee which has conducted studies of our statistics over the years, and has demonstrated that it is hard to imagine a better investment the Government can make than securing the most accurate and relevant statistics possible.

At the same time, the abuse of statistics is a besetting sin in which all of us are likely to indulge, and in doing so renders a serious disservice to policy.

On this, former Commissioner Ross is eloquent. His examples should remind us of some of the most flagrant examples of self-deception.

I ask unanimous consent to have the article by Mr. Ross printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

OVERBLOWN AFFINITY FOR NUMBERS: ROSS HITS STATISTICS MISUSE, SAYS OFFICIALS FOOL THEMSELVES

(By Arthur M. Ross, former Commissioner of Labor Statistics)

(NOTE.—Having left the Government Friday to become a vice president of the University of Michigan, Ross responded to the Washington Post's invitation to set down his impressions after 2 years in office.)

The position of statistics in Washington is curiously ambivalent. On the other hand, the statistical agencies are starved for money and personnel. For the cost of few miles of interstate highway they could provide information potentially worth billions in terms of more intelligent policy choices. Unfortunately, as veteran budget officers like to say "statistics don't vote."

On the other hand, statistics have extraordinary prestige among men of affairs.

Unlike the British, who appoint another Royal Commission when they wish to evade a problem, Americans launch another statistical survey.

Public men become known by the statistics they keep. Before he decided not to seek another term, the President was wont to regale his visitors with the latest opinion polls. His predecessor's attack on the Eisenhower administration was centered on statistical comparisons of economic growth and missile stockpiles. Many moons will pass before Robert McNamara lives down the image of a human computer. Sargent Shriver, while head of the OEO, would unfailingly report on the number of families "rescued from poverty."

VALUE OF STATISTICS

The distinguished secretary of HEW has gone so far as to assert that the chief statistician of the department and his staff "do more to determine future HEW programs than all the other officials in the department." (Up to now, however, Wilbur has stopped short of promoting himself to chief statistician.)

I, myself, coming from the obscurity of academic life, was startled to discover that I was "good copy" because I had jurisdiction over the figures on inflation, unemployment, etc. I obtained more mileage from stale and mediocre ideas, presumably backed with statistics, than I ever had derived from fresh and brilliant ideas when I was younger. To the amusement of my colleagues and the gratification of my wife, I was often described as "the nation's leading expert" on subjects where, in fact, I had little expertise. Because of a strong passion for anonymity, known best to my immediate superior, I strove manfully to keep my name out of the public print. It was, I confess, a losing struggle.

If this overblown affinity for statistics were only amusing, it would not deserve much comment in a city replete with absurdities. But the phenomenon has a more sober aspect. Government officials are prone to take statistics too literally, to ignore their limitations, and to confuse partial truths with the whole truth about complex realities. This propensity can lead to serious, even tragic, consequences.

DISTRICT OF COLUMBIA ISSUES VAST

I think I can explain the peculiar function of statistics in the Washington milieu. The issues which come here are vast, intricate, ambiguous, intractable. Statistics enable us to grasp and describe these many-sided problems at the cost of heroic over-simplification. One or two dimensions, which happen to be measurable, serve as a shadow representation of something with numerous, perhaps innumerable, dimensions.

No harm is done if a quantitative measure is seen for what it really is. But trouble sets in when the statistical abstraction is confused with the more complex underlying reality. There are two principal dangers in this process. First, immeasurable aspects of the problem may be vastly more important than the measurable. Second, the validity of a particular measure may have been undermined by economic and social changes.

Meanwhile, bemused by the appearance of objectivity and precision, the policy maker keeps his eye fixed on charts and tables which are sadly incomplete, increasing obsolescent, or both. Eventually he comes to believe that poverty really is a condition of having less than $3300 income; that war in Vietnam really is a matter of body counts and kill ratios; and that full employment really is a situation where the national unemployment rate is 4 per cent or less.

OFFICIALS FOOL THEMSELVES

This shadow replaces substance. The ultimate hazard is not that the officials fool the public, but that they fool themselves. After all, they are more inclined to swallow their own rhetoric than the public is.

I should like to dwell briefly on the three examples just noted.

Poverty.—Statistics tell us there is less poverty in America than ever before. The number of poor families has fallen from 8.3 million in 1960 to 5.2 million in 1967. OEO has said that we can look forward to the complete abolition of poverty by the year 1976. Imagine that—a country with no poverty. Truly a historic "first" in the history of social statistics.

With the poverty problem well on its way toward solution, no wonder Secretary Freeman was so irritated by the CBS documentary on "Hunger in America." No wonder the government has been taken aback and caught unprepared by the increasing militancy of the poor. The shock becomes greater when it is realized that only one group among the poor, the urban Negroes, has yet become radicalized to any significant extent. Rural whites and Negroes, Mexican-Americans, Puerto Ricans, and Indians are still relatively apathetic.

The trouble is that the government claims to measure poverty by the number of families with incomes of less than $3300 in current purchasing power, adjusted for differences in family size and urban or rural location. An income cutoff is a useful statistic for many purposes, but a terribly simple-minded definition of poverty. Poverty is shame, guilt and despair; lack of access to good schools or decent housing; being preyed on by criminals; and many other conditions not necessarily cured by family incomes over $3300. Remember that the bulk of families in Harlem are "non-poor."

VIETNAM

For many months we were winning the war in Vietnam—not as quickly as originally hoped, but steadily and inexorably. All the statistics told us so—the body counts, kill ratios, infiltration estimates, bombing data, captured weapons, content analysis of captured documents, and so on. Then it appeared we were not winning.

Is it a coincidence that the most elaborately measured war in American history is also the least successful?

I do not think so. On the contrary, the egregious abuse of statistics contributed directly and substantially to the outcome. Some of the statistics were pulled out of the air, it is true, and some of the interpretations were palpably absurd, e.g., the claim that 2,000,000 refugees had "voted for freedom with their feet." But the major vice was the assumption that the basic elements in the war were those incidents of military might which could be counted, calculated, and computerized.

Had this calculus of force not yielded such ample and comforting food for thought, would it have been possible to disregard so flagrantly all the crucial factors which could not be computerized? Science has worked many wonders, but has not yet put history on the computer, nor ideology, religion, color, colonialism, nationalism sectionalism, cynicism. Since these could not be quantified, they never found their way into the accounts.

FULL EMPLOYMENT

We have been enjoying full employment for two and a half years. We know this because a national unemployment rate of 4 per cent is the official definition of full employment. The rate has been running below 4 per cent except for a brief period in 1967, and currently stands at 3.5 per cent.

And yet it appears that the most important social problem is that of jobs. If we have full employment, how come we need more jobs?

The short answer is that rising expectations have rendered the old measures obsolete.

The full employment concept is related to the scope of the government's responsibility under the Employment Act. Until recently, full employment of primary breadwinners, especially married men, was viewed as the principal obligation. At an overall rate of 4 per cent, most married men do have jobs.

Today the bulk of unemployment is concentrated among women, teenagers, and unmarried men, and the responsibility is broadening to include them. Surely there is no need to belabor the importance of Negro unemployment, though it has only a marginal effect on the national rate.

This misuse of statistics leads to results ranging from the comical to the tragic. What practical lessons are to be learned?

First, of course, we need more and better statistics in order to illuminate the problems more adequately.

Second, statistics must be interpreted with greater skill and discretion. Administrators should not be permitted to confuse them with complex, elusive realities or regard them as significant entities in their own right.

Third, extreme care must be taken lest program budgeting became a Procrustean bed and cost-benefit analysis a crown of thorns. Specious quantification of the unquantifiable can be as mischievous as ignoring it. The peculiar genius of the human brain is that, unlike the present generation of computers, it can deal with qualitative issues in their own right.

Finally, there is no substitute for the intuitive feel of a problem resulting from firsthand exposure to it. This is particularly true for people in Washington, a governmental company town insulated from much that goes on in the world.

Statistics are indispensable, but they cannot remedy the isolation from reality which has beset rulers in all times and places.

EMPLOYEE RIGHTS AND INVASIONS OF PRIVACY—S. 1035

Mr. ERVIN. Mr. President, I ask unanimous consent to have printed in the Record the text of a statement which I presented today before the House Post Office and Civil Service Subcommittee on Manpower and Civil Service, which is presently considering S. 1035, the employee privacy bill passed by the Senate last September. Since, due to the pressure of House business, the subcommittee was unable to hear the entire statement, I have submitted it for the hearing record and am including it here for the benefit of those Members who may wish to study it before the next session of the subcommittee.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Constitutional Rights of Employees of the Executive Branch and Unwarranted Invasion of Privacy

(Statement by U.S. Senator Sam J. Ervin, Jr., Democrat of North Carolina, on S. 1035 and related legislation before the House Post Office and Civil Service Subcommittee on Manpower and Civil Service, July 2, 1968)

Mr. Chairman, I appreciate the opportunity to appear before this Subcommittee and discuss the need for your favorable consideration of S. 1035.

This measure is designed to protect the civilian employees of the Executive branch in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasion of their privacy.

I introduced this bill because I was convinced that some of the practices and attitudes displayed by the Federal Government are threatening constitutional guarantees which are essential to free men.

As this Subcommittee well knows, complaints have been received by Congress for years that employees do not enjoy due process and other rights equally with all other citizens.

Recently, as the Federal Government has seized larger and larger chunks of the economic sector, citizens who work for it in any degree have been subjected to economic coercion to surrender their liberties for purposes which have no reasonable relationship to the needs of government. These liberties do, however, have a significant relationship to the health of our free society. If three million Federal employees and their families can be forced to surrender them without any recourse to the courts, then they can be surrendered by millions of State and local employees. Since the attitudes and practices of the Federal Government are emulated by private industries and organizations, the injustices and tyrannies against employees ignored by Congress today will spell the destruction of basic liberties tomorrow.

S. 1035 does not begin to cure all of the injustices and petty tyrannies to which employees are subject. Rather, it deals with specific instances of violations of First Amendment rights of the citizen who may apply for Federal employment or who may work for government.

It specifically protects that individual in the enjoyment of his freedom of conscience, of his right to speak or not to speak about personal matters; to participate or not to praticipate in the political, economic and social life of his community, free of pressure from the Civil Service Commission or from his supervisor.

It assures that they can keep to themselves what they believe or feel about religion, sex, or family relationships or what they do or do not do in their private lives. It assures also that they will never be forced as free citizens to become the unwilling instruments for imposing unauthorized political, social or economic goals of some administration which happens to be in power at the time in Washington.

In an era dominated not only by scientific technology but by the need for rapid and efficient decision-making on a grand scale, S. 1035 is a means of reconciling the needs of government with the individual's right to retain certain areas of his thoughts, beliefs, words and actions, free of unwarranted interference.

It is needed now. If the present trends in the Federal Government are any indication, it will be more vitally needed in the future.

This measure does not affect the power of the Executive branch to deal with employees within the proper confines of the employment relations. Nor, unfortunately, does it limit the harassments and muleheaded thinking displayed in the course of daily work life.

It leaves untouched the vast investigative apparatus of the Federal Government except that they can't harass employees directly with questions about their religion, personal family relations, personal finances, sexual attitudes and conduct. In the case of the latter, if they have specific information of misconduct they can present it to the employee and give him a chance to rebut it. They have extensive power to dismiss probationary employees with no notice, no confrontation, no stipulated reason, and no appeal rights.

There are numerous conflict of interest statutes. There are broadly-worded laws for safeguarding security information, for withholding information, and for apprehending persons suspected of violating these laws. This bill does not affect the administration of these laws nor the authority of Federal managers to manage the operations of government.

The arrogance displayed by the Executive branch toward its employees is illustrated by this form I received recently from a civil servant. It says an employee can't even buy a loaf of bread in a Post Exchange without signing a statement in advance that "I agree to a search of my person, vehicle or any conveyance under my control at any time, anywhere within the confines of Clark Air Base."

About this form, one employee writes: "I object strongly to this arbitrary abridgement of my civil rights. While the measure is intended as a means of black market control, I believe there are legal means of reaching the same end. I hope you will express my objections to the proper authorities."

Then there is the authority which the Civil Service Commission claims under the Freedom of Information Act. It claims the power to deny a personnel specialist in a large non-Defense Department a security clearance, even though he served in the Armed Forces and had worked at a military installation with a clearance. It tells him that investigators were informed by unnamed persons that he has two friends with "questionable mannerisms."

Then they say he had no right to appeal because they merely moved him to a nonclassified position. When I asked the Commission to investigate their complaint and review procedures in this area, they replied with a classic statement of their view of their power to deny due process and withhold in-

formation. They claimed that Congress has endorsed this attitude by passing the Freedom of Information Act containing exemptions for revealing information given to the government in confidence, or covering law enforcement, or relating to "national defense or foreign policy." Yet, nowhere had the Commission accused the individual of such charges or related their findings to these specific matters.

Asserting the power to withhold all information of this character, the General Counsel informed the Constitutional Rights Subcommittee:

> There is no doubt that the confidentiality we think proper denies persons the ability to confront witnesses who gave unfavorable testimony, and we are aware that this lack of either confrontation or full disclosure is often discussed in 'due process' terms. However, we see no way that effective investigations are possible without the pledge and practice of confidence, and we believe any 'due process' question in this situation is muted by the fact that no court decision has ever recognized an employee's entitlement to full disclosure in the precise situation presented here.

The new General Counsel claims that no question of "due process" arises in these cases because no court decision has recognized an employee's rights in such cases.

This is the response Congress receives time and time again when members bring violations of basic rights to the attention of the departments or agencies.

It has always been my understanding of our constitutional system that "due process is synonymous with fair play."

But this attitude of the Executive branch on routine employment matters is precisely why S. 1035 is urgently needed to protect civil servants in certain basic liberties they possess as citizens.

Why the Executive department officials are so reluctant to see this limited protection extended to every civil servant is beyond my understanding.

Yet, in the face of a 79 to 4 vote of approval for this bill in the Senate, in the light of widespread public support from Federal employees and citizens throughout the country, these officials feel they should continue their battle in the halls of the House of Representatives.

The order has gone out to kill S. 1035, and we can only marvel at the equanimity with which the Administration's troops have carried out their orders. For several weeks during these hearings, they have obediently marched up Capitol Hill and back down, leaving, I fear, a wake of half-truths, misconceptions and innuendos about this employee rights legislation. They have conjured up bizarre hypothetical cases. They have raised spectres they are afraid to present in public hearings, and, in effect, they have tried everything from guerrilla warfare to nuclear attacks on S. 1035.

Their strategy is all too clear: They have declared all-out war on any effective measures to protect employee rights. They are obviously determined to beat back any Congressional offensive against the tyrannies of the Executive branch. I submit that Congress must not yield. Contrary to what representatives of the Executive branch would have us believe, we are dealing here with matters much broader than the narrow issue of personnel practices. These are issues of constitutional rights and fair play which touch the heart of our system of government. How they are decided will affect our concepts of American citizenship and the very fabric of our free democratic society.

It is not the business of the politicians in the Executive branch to determine what shall be the public rights of all American citizens. These men are merely charged temporarily—for the length of their particular tenure in office—with the administration of the laws.

Why should the fate of measures protecting basic rights of all citizens be dictated by the personal whims and the skillful lobbying of a Deputy Director of Defense for Civilian Personnel Policy, or an Assistant General Counsel for Manpower, or a deputy director of the National Security Agency, or a chairman of the Civil Service Commission?

It is clear that the bureaucrats will use any means to achieve their goals in Congress.

The Chairman of the Civil Service Commission, for instance, has made a blatant appeal to public concern over civil disorder and law enforcement problems. He had the audacity to equate the desire of Executive Branch employees for additional protections in their enjoyment of their constitutional rights and their personal privacy with disrespect for law and authority displayed by certain individuals in our society.

Mr. Macy performed an amazing feat of obliterating the real issues and focusing on imaginary problems. His aim obviously is to detract from the essential justice accorded by S. 1035. Using the old legal tactic of "confess and avoid," he makes the startling and frank admission that there are other rights which need protecting and that S. 1035 should not be passed because it does not go far enough.

That there are many other violations of basic rights which need correcting goes without saying, of course. Any member of Congress can testify to the fashions in bureaucratic follies he must contend with in trying to help his constituents.

We can heartily encourage the Commission's attempt to identify these problems and to seek administrative and legislative remedies for them. I for one will be happy to support additional measures, and I am sure there are several million civil servants who will be only too happy to assist in the task of describing the problems.

Meanwhile, it is important to make a start. Mr. Macy and his Federal battalions think that if legislation is to be enacted it would be enough to state that an employee possesses general rights and that officials should recognize and protect these "to the maximum extent consistent with law and with the responsibilities of employment in the public service." He therefore endorses H.R. 17760, introduced by the Chairman of this Subcommittee.

This bill not only would retain the status quo and reinforce the present evils perpetrated under existing law: Its language can be used to justify further restrictions on the freedom of employees as private citizens.

H.R. 17760 is distinguished by its lack of recognition of the realities of life in the Federal Service. It appears to be premised on the idea that a citizen's rights cannot be spelled out without jeopardizing the government. It presupposes a government of men, not of laws.

There are significant differences between these two proposals, S. 1035 and H.R. 17760.

That difference is *action*. And it is an intellectual commitment to the idea that constitutional principles can be applied to employees.

It is illustrated by the titles. S. 1035 would *protect* specific constitutional rights and *prevent* specific unwarranted invasions of privacy. It provides remedies for specific violations. It calls for enforcement of rights through court action or through a Board on Employees' Rights.

H.R. 17760 protects no rights; it provides no remedies. It provides no Board on Employees' Rights. It affords no access to the courts. Without specific remedies, and without specific rights, that bill is, as one expert in Civil Service matters termed it, "a feeble litany of pious hopes."

For instance, this measure states that employees have "the right to be protected against any unwarranted invasion of personal privacy." It does not specify what type of privacy.

It further states that employees have "the right of free speech, association and assembly compatible with his Government employment." Well, the Constitution already provides for those protections and there is no caveat concerning government employment. Our purpose is to protect guaranteed rights—not codify limitations on them.

Certainly these are vague standards for protecting constitutional rights.

The bill then lists a number of obligations of employees, including "the obligation to conduct his personal affairs so as not to reflect adversely on the Government as his employer."

An employee's efforts to obtain recourse might be fruitless under the Henderson bill. It provides, for instance, that an employee may file a grievance with his agency and may appeal the decision to the Commission.

Furthermore, if an official has "cause to beileve that an employee has not honored *one of the obligations* he owes either to the government as his employer or to an official charged with administrative or supervisory responsibility, he shall take corrective action."

In keeping with its orientation, the bill is open-ended, leaving the Commission power to issue regulations defining "such additional rights and obligations as it determines are necessary to implement fully the policy in the bill." An employee under this bill would never be sure what rights or remedies he possessed.

As one commentator on the Civil Service analyzed it:

> It's interesting that the Henderson bill stresses as strongly the obligations employes owe their bosses as the obligations managers owe employes. No one argues that federal employes don't have obligations to the government and their employers, but these obligations are already spelled out in various laws, including the possible penalty of dismissal if these obligations aren't adhered to.

Many of the violations covered in S. 1035 are caused by the action or inaction of the Commission itself, or are based on Executive orders, or more important, are simply beyond the political influence or the administrative capacities of the Civil Service Commission. How can the Commission be expected to judge its own policy decisions? As the agent of the President, it is bound to defend its own actions and the legality of Presidential orders.

The Civil Service Commission blows hot and cold. They don't know what they want.

First, they say there is no need for S. 1035 and that they can take care of any complaints.

Then, Mr. Macy says he is reluctant to see S. 1035 enacted because it is too specific and does not go far enough. At the same time, he decries the expense of a Board whose members would be paid on a per diem basis and only when they are working.

Apparently, he anticipates an extraordinary case load from people who feel they can obtain no satisfaction from the Commission. Likewise, he looks for a heavy judicial burden on the courts if S. 1035 is enacted. The courts would be "flooded," according to the Commission.

We can only draw the conclusion that things are much worse than we thought they were.

If the Commission and agencies obey this law, the Board on Employees' Rights and the courts will never get a case.

The Commission says the Board will "usurp" its power.

S. 1035 in no way limits the Commission's power to perform its assignment in the area of personnel management, and to investigate and resolve complaints from employees. I sometimes have grave doubts about their ability to deal with routine employee problems, much less the important ones in S. 1035. But there is nothing in the bill to prevent an employee from going through the complaint machinery of the agency or the Commission.

For instance, the National Association of Government Employees reported that at the Navy Submarine Base at New London, employees received a notice of the arrival of Civil Service Inspectors. They were told:

The inspectors shall be available to receive any information employees believe should be brought to the attention of the Commission. However, they will not be in a position to take action with regard to individual grievances or other problems of an individual nature. Inspectors will, however, use the information in conducting the inspection, in evaluating the personnel program and in deciding on corrective actions required. Employees are invited, if they so desire, to talk with the inspectors during their visit.

Despite this rather limited concern of the inspector, one employee availed herself of the invitation to discuss personnel problems with the inspectors. Her union officer wrote:

After much debate and roadblocks thrown in her way by IRO, she managed to meet with the Commission representative. On her return from this meeting, she was immediately grabbed by her supervisor, who demanded to know why she went there and what she told them.

After the "third degree" she was marched into the office of the Commanding Officer's assistant, and again was interrogated as to why she went to the Civil Service Commission and what she said to them. This is an invasion of privacy and a serious violation of regulations.

In this case, the regional Commission office, after an official complaint from the union, only reiterated its policy that employees are free to communicate with Civil Service Commission representatives.

ARMY MAP SERVICE CASE

If the Commission had sufficient resources and initiative or inclination to review denials of due process and fair play, there would not be the public indignation over cases like that of the new college graduate who was employed in the competitive service by the Army Map Service and given a secret clearance. Then to obtain higher clearance she was subjected to an extensive personal interview preliminary to undergoing a lie-detector test. She had to sign a form saying she was doing this voluntarily. She was told she would have to answer the same questions when strapped to the polygraph machine. The inquiry ranged from religious beliefs, her politics, to whether she took birth control pills. Then she was called in and told by the security officer, with the personnel officer acquiescing, that investigation showed she was "immoral" and could not retain her clearance. She was pressured to resign and told the information would be in her file for a hundred years. They cited reports from some unnamed people in her apartment building about visits from her boyfriend, the fact that he had a key to her apartment and that they were heard arguing. When she took the matter to the complaint section of the Civil Service Commission, she was told it was outside their jurisdiction and that she should see the personnel office at Army Map Service. Needless to say, she received no information or assistance from that office.

Only after she gave her story to the press and it appeared on front pages of newspapers throughout the country, only after the Civil Liberties Union intervened, and the Constitutional Rights Subcommittee asked for an investigation of the methods used, only then was action taken at the highest level.

Recently, the Department of Defense informed me that it had reviewed her case and found that revocation of her security clearance and her resignation "were unwarranted by the circumstances." She was also informed by the Army General Counsel that the action vacating her clearance revocation leaves her in the position of never having had her security clearance revoked, and that she should respond in the negative if ever asked whether she has been fired or forced to resign from a job.

Under Secretary of the Army David McGiffert has also reported that the Army is currently "undertaking a review of procedures and investigative techniques presently used in connection with the denial, suspension or revocation of security clearances with respect to all personnel, both civilian and military."

This was only one case. It is repeated time and time again, and employees and applicants are intimidated by signed forms supposedly waiving their rights, or by the consequences of the widespread publicity necessary to win their case.

SPECIFIC GUARANTEES IN S. 1035

I think it is high time we focused on just what S. 1035 will do for constitutional rights and employee privacy.

In contrast to the platitudes in H.R. 17760, S. 1035 specifically prohibits requirements or requests to disclose race, religion, or national origin, or that of any of his forebears.

Employees were harassed for months with orders to fill out IBM cards with such information. This was only halted after S. 1035 was introduced and they saw Congress meant business. At least they said early last year that they stopped this nonsense and would use visual surveys instead to acquire the data.

Meanwhile, of course, the information was put into federal computers to accompany or precede every personnel action. Apparently, these questionnaires are still in use. I received this card last month from an employee who was up for promotion and has refused to complete the first card in 1966. Evidently, the data on his tape was not complete. He was required to reveal information about his race and national origin.

One employee was told that a survey of religion would be next.

What the federal government gets away with on federal employees, they will try on private citizens. Private businesses, for instance, have been told by the Labor Department to produce information about the religion of employees and to look for guidance to the experience of the federal government in tabulating civil servants. I think it will be very difficult for them to tell a Presbyterian by the way he parts his hair. If we are truly operating a merit system in the Civil Service, these things have nothing to do with a person's qualification for a job. No individual should be compelled to reveal this information about himself.

The second section of S. 1035 makes it illegal to state or intimate to any civil employee "that any notice will be taken of his attendance or lack of attendance at any assemblage, discussion, or lecture held or called by any officer of the executive branch, or by any outside parties or organizations to advise, instruct, or indoctrinate any civilian employee in respect to any matter or subject other than the performance of official duties to which he is or may be assigned in the department or agency, or the development of skills, knowledge, or abilities which qualify him for the performance of such duties."

This language is directed at employee complaints of brainwashing sessions by consultants and guest lecturers on such matters as the cold war, the United Nations, sociological and economic issues. In some instances, attendance was required; in others, attendance was voluntary, but a list of those attending was maintained.

No man in a free society should be subjected to such governmental control over his thoughts.

An example of improper on-the-job indoctrination of employees about sociological and political matters was cited in his testimony by John Griner, president of the AFL–CIO affiliated American Federation of Government Employees:

One instance of disregard of individual rights of employees as well as responsibility to the taxpayers, which has come to my attention, seems to illustrate the objectives of subsections (b), (c), and (d), of section 1 of the Ervin bill. It happened at a large field installation under the Department of Defense.

The office chief called meetings of different groups of employees throughout the day * * *. A recording was played while employees listened about 30 minutes. It was supposedly a speech made at a university, which went deeply into the importance of integration of the races in this country. There was discussion of the United Nations—what a great thing it was—and how there never could be another world war. The person who reported this incident made this comment:

"Think of the taxpayers' money used that day to hear that record." I think that speaks for itself.

* * * * *

With one complaint of attempted indoctrination of employees at a Federal installation, a civil servant enclosed a memorandum taken from a bulletin board stating the time, place, and date of a lecture by a sociology professor on the subject of the importance of racial integration. Attendance was to be voluntary but the notice stated that a record would be made of those attending or not attending.

* * * * *

A third section makes it illegal to require or request any employee "to participate in any way in any activities or undertakings unless such activities or undertakings are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties."

Section (c) protects a basic constitutional right of the individual employee to be free of official pressure on him to engage in any civic or political activity or undertaking which might involve him as a private citizen, but which has no relation to his Federal employment. It preserves his freedom of thought and expression, including his right to keep silent, or to remain inactive.

Senate Report No. 534 and the hearings on the bill provide examples of this form of coercion.

One of these is contained in this letter:

"DEAR SENATOR ———: On ———, 1966, a group of Treasury Department administrators were called to Miami for a conference led by ———, Treasury Personel Officer, with regard to new revisions in Chapter 713 of the Treasury Personnel Manual."

Over the years the Treasury Department has placed special emphasis on the hiring of Negroes under the equal employment opportunity program, and considerable progress in that regard has been made. However, the emphasis of the present conference was that our efforts in the field of equal employment opportunity have not been sufficient. Under the leadership of President Johnson and based on his strong statement with regard to the need for direct action to cure the basic causes leading to discrimination, the Treasury Department has now issued specific instructions requiring all supervisors and line managers to become actively and aggressively involved in the total civil rights problem.

The requirements laid down by chapter 713 and its appendix include participation in such groups as the Urban League, NAACP, etc. (these are named specifically) and involvement in the total community action program, including open housing, integration of schools, etc.

The policies laid down in this regulation, as verbally explained by the Treasury representatives at the conference, go far beyond any concept of employee personnel responsibility previously expressed. In essence, this regulation requires every Treasury manager or supervisor to become a social worker, both during his official hours and on his own time. This was only tangentially referred to in the regulation and its appendages, but was brought out forcefully in verbal statements by Mr. ——— and ———. Frankly, this is tremendously disturbing to me and to many of the other persons with whom I have discussed the matter. We do not deny the need for strong action in the field of civil rights, but we do sincerely question the authority of our Government to lay out requirements to be met on our own time which are repugnant to our personal beliefs and desires.

The question was asked as to what disciplinary measures would be taken against individuals declining to participate in these community action programs. The reply was given by the equal employment officer, that such refusal would constitute an undesirable work attitude bordering on insubordination and should at the very least be reflected on the annual efficiency rating of the employee.

The principles expressed in these regulations and in this conference strike me as being of highly dangerous potential. If we, who have no connection with welfare or social programs, can be required to take time from our full-time responsibilities in our particular agencies and from the hours normally reserved for our own refreshment and recreation to work toward integration of white neighborhoods, integration of schools by artificial means, and to train Negroes who have not availed themselves of the public schooling available, then it would seem quite possible that under other leadership, we could be required to perform other actions which would actually be detrimental to the interests of our Nation.

Section (d) is closely allied to the previous section. It prohibits requirements or requests by an agency official that an employee of the agency make any report concerning any of his activities or undertakings unless they "are related to the performance of official duties to which he is or may be assigned in the department or agency, or to the development of skills, knowledge, or abilities which qualify him for the performance of such duties, or unless there is reason to believe that the civilian employee is engaged in outside activities or employment in conflict with his official duties."

* * * * *

Testifying on the issue of reporting outside activities, the American Civil Liberties Union representative commented:

To the extent that individuals are apprehensive they are going to have to, at some future time, tell the Government about what organizations they have belonged to or been associated with, that is going to inhibit them in their willingness to explore all kinds of ideas, their willingness to hear speakers, their willingness to do all kinds of things. That has almost as deadening an effect on free speech in a democracy as if the opportunities were actually cut off.

The feeling of inhibition which these kinds of questions cause is as dangerous, it seems to me, as if the Government were making actual edicts.

Witnesses gave other examples of invasion of employees' private lives which would be halted by passage of the bill.

In the southwest a division chief dispatched a buck slip to his group supervisors demanding: "the names * * * of employees * * * who are participating in any activities including such things as: PTA in integrated schools, sports activities which are intersocial, and such things as Great Books discussion groups which have integrated memberships."

* * * * *

In a Washington office of the Department of Defense, a branch chief by telephone asked supervisors to obtain from employees the names of any organizations they belonged to. The purpose apparently was to obtain invitations for Federal Government officials to speak before such organizations.

* * * * *

Reports have come to the subcommittee that the Federal Maritime Commission, pursuant to civil service regulations, requested employees to participate in community activities to improve the employability of minority groups, and to report to the chairman any outside activities.

* * * * *

In addition to such directives, many other instances involving this type of restriction have come to the attention of the subcommittee over a period of years. For example, some agencies have either prohibited flatly, or required employees to report, all contacts, social or otherwise, with Members of Congress or congressional staff members. In many cases reported to the subcommittee, officials have taken reprisals against employees who communicated with their Congressmen and have issued directives threatening such action.

* * * * *

The Civil Service Commission on its Form 85 for non-sensitive positions requires an individual to list: "Organizations with which affiliated (past and present) other than religious or political organizations or those with religious or political affiliations (if none, so state)."

* * * * *

You will see that page 18 of the Senate report contains examples of this type of pressure on employees to report to supervisors what they are doing in their local communities to further integration, help poor people, beautify the city and promote other goals of the Administration in Washington, or report any contacts with members of Congress.

INTERVIEWS AND TESTS

Section 1(e) is meant to preserve an inviolate area of personal privacy for the individual working for government or the applicant who is thinking of working for it.

This is an essential guarantee in an era when our lives are beginning to be dominated by hungry computers, when the experts in science and technology daily are making unreviewed decisions about people's lives. This section prohibits an official of a department or agency from requiring or requesting or attempting to require or request any civilian employee or any person applying for employment "to submit to any interrogation or examination or to take any psychological test which is designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters."

There is a proviso "That nothing contained in this subsection shall be construed to prevent a physician from eliciting such information or authorizing such tests in the diagnosis or treatment of any civilian employee or applicant where he deems such information necessary to enable him to determine whether or not such individual is suffering from mental illness."

Another proviso assures that this section shall not be construed to prevent an official from advising the employee or applicant of a specific charge of sexual misconduct made against that person and affording him an opportunity to refute the charge.

This should limit some of the broad fishing expeditions conducted by officials in some agencies.

The American Federation of Government Employees has provided an example of some of the nonsense the Marine Corps inflicts on clerk-stenographers who apply for jobs with them which require a security clearance.

A young lady went for an interview for a position and after discussing the job description with her, the supervisor asked her to take the "Frederick Test for Emotional Maturity." That test included such questions as:

1. Do you like and enjoy solitude?
2. Do you enjoy a sweet and peaceful family relationship?
3. Have you ever wanted to murder anyone or commit suicide?
4. Do you live beyond your means?
5. Do you get depressed easily and often; have moods or spells of depression?
6. Are you capable of intense hate for any one person?
7. Do you get angry easily and often, temper tantrums?
8. Do you take offense easily at things people say?

The supervisor told her this was given to all of the applicants and asked her not to reveal that she took the test.

President Griner of the American Federation of Government Employees urged the Army to stop using the test. I think his comment was appropriate. He said:

This is one of the most absurd, ridiculous and unbelievable misuses of a test that has ever come to our attention. It is an outright invasion of privacy and has no possible connection with the position for which the employee applied, nor for that matter any other position.

This bill will stop the State Department from subjecting college applicants for summer jobs to such interviews as that experienced by an 18-year-old girl who told her Congressman that in the course of an interview with a department investigator, she was asked wide-ranging personal questions. For instance, regarding a boy whom she was dating, she was asked questions which denoted assumptions made by the investigator, such as:

"Did he abuse you?

"Did he do anything unnatural with you? You didn't get pregnant, did you?

"There's kissing, petting, and intercourse, and after that, did he force you to do anything to him, or did he do anything to you?"

The State Department informed me they have the authority under Executive Order 10450 to do this to all applicants, since all of its positions are sensitive.

Something similar occurred to a prominent attorney who was asked to serve as a legal consultant to an intergovernmental committee. He reports:

"I was asked whether I'd ever had any homosexual experiences.

"I was asked whether I'd ever smoked marihuana, or any of my friends or associates had.

"I was asked whether I'd ever seen a psychiatrist or psychologist and the reasons why I had.

"I was finally asked to tell about anything I or my family had ever done which I was ashamed of.

"The interviewer made me feel sick. That is, I felt he was mentally sick and that he was trying to infect me with this sickness.

"At no time had I been told I would be asked such questions; at no time was I advised I need not answer them; at all times I was made to feel answers were required at the risk otherwise of not being given the job and of being labeled a security risk."

NASA has engaged in similar shenanigans. Some time ago, newly-hired research professionals were told to complete a long "biographical information inventory" at their convenience and to return it to the personnel office within 10 days. They were told the answers would have no effect on their work status although the scores will be related to their "future work performance"—(small comfort, indeed).

They were asked to select answers to such questions as the following:

To what extent did you have feelings of doubt about your intellectual abilities during your childhood and adolescence?

(A) To a great extent; (B) To some extent; (C) To a small extent; (D) Not at all; (E) Was not particularly aware of my intellectual abilities.

At what age did you start dating the opposite sex as a fairly regular part of your social life?

(A) Under 14; (B) 14 to 16; (C) 17 to 20; (D) 21 or over; (E) Never.

To what extent did you "play the field" rather than going out with only one girl at a time?

(A) "Played the field" to a great extent; (B) To some extent; (C) To a small extent; (D) Not at all.

Approximately how old were you when you first fell in love?

(A) Under 7 years old; (B) 8 to 12; (C) 13 to 17; (D) 18 or over; (E) Never did, or don't remember.

During your childhood did you make tree houses and/or build caves?

(A) Yes; (B) No.

During your childhood and early youth, how often did you attend church?

(A) Weekly; (B) Frequently; (C) Occasionally; (D) Barely; (E) Never.

Which statement best describes the family seating arrangement for meals in your childhood?

(A) Fixed arrangement that never varied; (B) Varied rarely; (C) Varied occasionally; (D) There was no arrangement, just sat where we liked.

How would you describe the marital happiness of your parents while you were growing up?

(A) Very happy; (B) Happy; (C) Moderately happy; (D) Rather unhappy; (E) Unhappy.

To what extent were your parents affectionate toward each other?

(A) To a very great extent; (B) To a great extent; (C) To some extent; (D) To a small extent; (E) Not at all.

How much disagreement, discord, or friction have you had with your *mother?*

(A) Very little; (B) Little; (C) Some; (D) Quite a bit; (E) A great deal.

To what extent was your mother irritated when she found your toys or clothing lying around?

(A) Usually very irritated; (B) Usually rather irritated; (C) Rarely irritated to any extent; (D) Does not apply; (E) Fluctuated.

Which statement best describes your marital status? (Select *one* choice from the 10 choices in this and the following question.)

(A) Neither going steady nor engaged; (B) Going steady or engaged; (C) Married less than 2 years; (D) Married 2 to 10 years; (E) Married 10 or more years.

(A) Remarried (Widowed); (B) Remarried (Divorced); (C) Separated; (D) Divorced; (E) Widowed.

How often do you polish your own shoes?

(A) Daily; (B) Once a week; (C) Twice a month; (D) Once a month; (E) Someone else does it.

To what extent do you enjoy viewing still life paintings?

(A) To a great extent; (B) To some extent; (C) To a small extent; (D) To a very small extent; (E) Not at all.

How often do you wonder what life in general is about?

(A) I never think about these things, it is sufficiently clear to me what life is all about; (B) I very rarely think about these things, mature people are more concerned with doing their jobs well; (C) Now and then I wonder about "life," but usually dismiss it rather readily because it is an unproductive area of thought; (D) Sometimes I ponder about these things, but I am not deeply concerned; (E) Sometimes I wonder what life is all about—where we are headed—what can it all mean—what is man doing here?

How accurately and honestly have you given your answers in completing this questionnaire?

(A) I have been as accurate and sincere as possible; (B) I have been quite accurate and sincere—I have answered most questions honestly; (C) I have not cooperated very much on this project—I have answered a number of questions inaccurately; (D) I concentrated more on speed of getting through than on accuracy and sincerity in my answers.

How did you feel about filling in a questionnaire such as this one?

(A) I enjoyed it; (B) It was interesting; I would enjoy a discussion with those who constructed it; (C) I found it somewhat interesting; (D) I found it neither interesting nor too distasteful; (E) It was a nuisance, and I resented it.

Fortunately, NASA reported that this project expired. It seems the Director of Personnel conducted a review of the research reports and determined that "the results were not conclusive enough to warrant operational use."

I am not surprised.

It is amazing to me that any federal agency feels it necessary to ask an applicant:

Whether he had diarrhea once a month or more;

Whether he believes in God;

Whether he has to urinate more often than others;

Whether he has been disappointed in love; or

Whether he dreams about sex matters.

Certainly, they can decide whether a person is a good secretary or clerk or writer without prying into such intimate matters.

"LIE DETECTORS"

I have found nothing in the Constitution which permits federal officials to strap an individual to a lie-detector machine and ask him:

When was the first time you had sexual relations with a woman?

How many times have you had sexual intercourse?

Have you ever engaged in homosexual activities?

Have you ever engaged in sexual activities with an animal?

When was the first time you had intercourse with your wife?

Did you have intercourse with her before you were married? How many times?

Yet, it is done for the purpose of screening all applicants in two agencies, and for security clearance and ethical conduct cases in other agencies. In addition to my own investigation and experiences, I have found persuasive evidence about the use of machines from the hearings and reports of the House Government Operations Subcommittee chaired by Congressman John Moss. The lack of reliability and validity of lie-detectors is amply documented there. The lack of constitutionality is obvious. I should like to submit for the record additional comments on this subject.

[Speech, "Twentieth Century Witchcraft—The Lie-Detector," appears at completion of statement.]

I think the finding that some 28,000 lie-detector tests were given by 21 Federal agencies in one year is a dreadful commentary on the brand of administrative justice accorded applicants and employees.

I would heartily commend to you the conclusion of the House Committee that:

> There is no "lie detector" neither machine nor human. People have been deceived by a myth that a metal box can detect truth or falsehood.

However, while I personally believe there is no excuse at all for subjecting an innocent citizen to such an ordeal, S. 1035 prevents such inquiry only with respect to a person's religious beliefs or practices, his personal relationship with members of his family, or his attitude or conduct with respect to sexual matters.

There is an exemption in section 6 for the CIA, NSA, and FBI if a personal finding is made with regard to each individual that the test or information is required to protect the national security.

Although these prohibitions will not halt all of the misuses of the lie-detector, it will limit the mass screening programs and require some gesture toward due process and a specific need for the information.

COERCION TO BUY BONDS AND MAKE DONATIONS

The right to spend or invest one's money as one sees fit is a basic freedom of any citizen and one which has been repeatedly denied Federal employees of the Executive branch.

They have been pressured and coerced unmercifully to invest in savings bonds and to donate to charities and causes of all kinds. Blacklisting, reprisals, denials of promotion, threats of loss of security clearances are only some of the tactics used. The Senate hearing record, report, and debates are full of such instances. It is not a passing problem, but one which gets worse with the years.

Regulations condemning such practices are useless when a supervisor is trying to please the Department head, and he in turn is trying to please the President.

We had a complaint, for example, from a Postal employee who said he just did not have the money, on his salary, to buy bonds. He was told that his office had a standing rule that no employee will be promoted or given an incentive award unless his record shows bond purchases. He wrote:

> I had been pressured to the breaking point. I signed up for bonds. My morale is at its lowest ebb. Since I have a few years to go before retirement, I prefer my name not be given to the Postmaster because of possible repercussion.

That was two weeks ago.

Another employee writes of extensive pressures from administrators in the savings bond campaigns in the Veterans Administration. Employees were told of a quota system under which a bureau might not receive funding from the VA Central Office unless its participation in the bond drive was adequate. His letter reports the typical attitude of Federal officials about S. 1035, and I have heard it in so many cases. He writes:

> People are afraid to speak up about this. As do others, I fear retaliation—it was only an abrupt remark: 'When the Ervin bill becomes *law, then* we'll follow it!' by our office that galvanized me into writing this letter to encourage you in your efforts. Many who up to this time have been either afraid or too brainwashed to stand up for their rights are very interested in the discussions in the press on your efforts for federal employees rights and passage of this legislation will encourage them to seek their own justice. I would appreciate anything you could send me on this that I could pass around to my co-workers.
>
> Trusting your discretion (I wouldn't care to be identified), I remain—

PERSONAL FINANCIAL INQUIRIES

Another unwarranted invasion of privacy which S. 1035 specifically prohibits is the broad periodic inquiry into the details of an individual's personal finances and of members of his family. What civil servants do with their money, what debts they have, how much life insurance they own, where their property is located, what outside interests they have—these are none of the business of government.

Yet the government launched a program for wholesale disclosure requirement in an effort to prevent the appearance of conflict of interest and corruption in government. The questionnaires and the forms went far beyond the concerns of the conflict of interest laws.

This was a typical manipulation of the Civil Service for political ends.

This new program is designed to prevent conflict of interest and corruption in Government. To my mind, the 26 laws already on the books and the many regulations already governing ethical behavior, are sufficient, with the proper policing, to prevent any conflict of interest which such an invasion of privacy as this would disclose in the first place.

Aside from the invasion of privacy, and the fact that the Federal Government looks foolish, the expense of these programs to the taxpayers is just so much money poured down the drain.

Dean Bayless Manning, of the Stanford University Law School, writing about conflict of interest issues for the *Federal Bar Journal* in 1964, expressed well the principle involved in many of the practices which this bill would limit. He commented:

> In an orgy of virtue, we seem to lose our grip on decency. Confidence gives way to suspicion. . . . One may wonder whether the cause of Morality in government is furthered by a national psychology that would have demanded of President Washington that he dispose of Mount Vernon on the ground that issues involving slavery and tobacco might come up during his administration. The best way to make a man trustworthy is to trust him. And the best way to attract men of dignity to public office is to treat them as men of dignity.

Needless to say, the cost of civil service morale is already reflected in frustration and indignation. I agree with the employee who writes:

> I am in complete agreement with the objectives of the Standards of Conduct Directive and the Executive Order it purports to implement. I will continue to fully comply with these standards of conduct.
>
> I strongly object, however, to the unwarranted invasion of my privacy resulting from the forced compliance with the requirement to submit a "Confidential Statement of Employment and Financial Interest."
>
> This type of disclosure by Presidential Appointees and other high officials, when this is known to be a requirement of the job, is not an unreasonable requirement. However, wholesale application of this requirement to multitudes of lower level positions is either an act of no faith on the part of the Federal Government as an employer, or overzealousness on the part of an impersonal insensitive bureaucracy.
>
> As many other employees are doing, I am completing the statement to avoid disobeying direct order. This in no way will change either my standards or my conduct.
>
> Such a lack of faith in the integrity of employees opens to question the good faith and judgment of the employer.
>
> The management philosophy underlying such policies will cause me and many others to re-examine the desirability of Defense Department and Federal employment.

Mr. Macy seems to have mistaken the entire point of the concern over the disclosure requirement. He has dictated some cut-back in the number of people who must reveal this data, and accorded them a right to appeal the decision that they must disclose. As employees have found, in order to appeal, they must prove they have no responsibilities. The threat of demotion hangs over their heads.

The Commission maintains there is no employee concern over the policy of subjecting civil servants, already stringently controlled, to such personal inquiries. I submit that if Mr. Macy would read some of the complaints from professional employees in high level positions, he would have a better feel for the people he is supposed to help manage.

No one in the Executive branch has listened. That is why Congress must.

That is why section 1(i) of S. 1035 prohibits requirements or requests of employees to disclose any items of his property, income, or other assets, source of income, or liabilities, or his personal or domestic expenditures or those of any member of his family or household. There is an exception for those employees who have authority to make any final determination with respect to tax or other liability to the Government, or claims which require expenditure of federal moneys.

The information required of these people is limited to possible conflict of interest situations.

Thus, the inquiry is given some semblance of due process overtones. Important agencies of the Federal Government have survived throughout our history by observing these principles in conflict of interest matters. I see no reason to depart from the Constitution at this juncture because a couple of political appointees might have had conflict of interest which embarrassed the Administration.

POLITICAL CONTRIBUTIONS

Another invasion of First Amendment freedoms of employees is illustrated in complaints of pressure from supervisors to buy tickets to political affairs, to work for local legislation in their communities, or attend meetings on political or economic programs of a political party. That is why S. 1035 specifically prohibits requests or requirements of an employee to support the nomination or election of anyone to public office through personal endeavor, financial contribution or any other thing of value. An employee may not be required or requested to attend any meeting held to promote or support the activities or undertakings of any political party in the United States.

The purpose of this section is to assure that the employee is free from any job-related pressures to conform his thoughts and attitudes and actions in political matters unrelated to his job to those of his supervisors. With respect to his superiors, it protects him in the privacy of his contribution or lack of contribution to the civic affairs and political life of his community, State and Nation. In particular, it protects him from commands or requests of his employer to buy tickets to fundraising functions or to attend such functions, to compile position papers or research material for political purposes, or make any other contribution which constitutes a political act or which places him in the position of publicly expressing his support or nonsupport of a party or candidate.

Contrary to the allegation of some of the representatives of the Civil Service Commission and the Justice Department, who are seizing any straw to slow the passage of S. 1035, this language is quite consistent with the recently proposed revisions in the Hatch Act. Since it deals with unique situations, it should supplement and dovetail with that proposal, when it is eventually enacted. At any rate, I see no reason to avoid enactment of section 1(g) in the interest of further studying the Hatch Act, which has not prevented the complaints on which S. 1035 are based.

PRESENCE OF COUNSEL OR OTHER PERSON

Section 1(k) bans requirements or requests of employees under investigation for misconduct of any sort, to submit to interrogation which could lead to disciplinary action without the presence of counsel or other person of his choice, if he so requests.

If criminal suspects are accorded a right to counsel in the early stages of an investigation and indeed, must even be notified of that right, then surely a law-abiding employee can be accorded the right to have a counsel or other person present if he wishes.

Without this guarantee, other rights will be meaningless. On this point I would refer you to the hearing record and the Senate report.

The merits of this clause are manifold; not least of which is that uniformity and order it will bring to the present crazy quilt practices of the various agencies concerning the right to counsel for employees facing disciplinary investigations or possible loss of security clearances tantamount to loss of employment. The Civil Service Commission regulations are silent on this critical issue. In the absence of any Commission initiative or standard, therefore, the employing agencies are pursuing widely disparte practices. To judge from the questionnaires and other evidence before the subcommittee, a few agencies appear to afford a legitimate right to counsel, probably many more do not, and still others prescribe a "right" on paper but hedge it in such a fashion as to discourage its exercise. Some apparently do not set any regulatory standard, but handle the problem on an ad hoc basis.

On a matter as critical as this, such a pointless diversity of practice is poor policy. So far as job-protection rights are concerned, all Federal employees should be equal.

While the courts have as yet had no occasion to articulate a specific right to counsel in the employment relationship, there can obviously be no doubt that the right to counsel is of such a fundamental character that it is among the essential ingredients of due process. What is at stake for an employee in a discharge proceeding—often including personal humiliation, obloquy and penury—is just as serious as that involved in a criminal trial. This is not to suggest that all the incidents of our civilized standard of a fair trial can or should be imported into Federal discharge proceedings. But if we are to have fair play for Federal employees, the right of counsel is a sine qua non.

The need for such protection was confirmed at the hearings by all representatives of Government employee organizations and unions.

Employees charged with no crime have been subjected to intensive interrogations by Defense Department investigators who ask intimate questions, make sweeping allegations, and threaten dire consequences unless consent is given to polygraph tests. They have been ordered to confess orally or to write and sign statements. Such interviews have been conducted after denial of the employee's request for presence of supervisor, counsel, or friend, and in several intsances the interrogations have resulted in revocation of a security clearance, or denial of access to classified information by transfer or reassignment, with the resulting loss of promotion opportunities.

Witnesses testified that employees have no recourse against the consequences of formal charges based on information and statements acquired during a preliminary investigation. This renders meaningless the distinction urged by the Civil Service Commission between formal and informal proceedings.

I am informed that the Internal Revenue Service which has a similar regulation has granted this right in 100% of the cases in which it was made.

Similarly, I am told, this has been included in union contracts through negotiations. Contrary to the testimony of the federal officials who have appeared here, I just do not believe this guarantee will disrupt any agency's work.

The protection for such a right is a policy judgment to be made by Congress, and there is no valid reason for denying it.

To those who claim S. 1035 should not be enacted because the remedies it provides are "strange" and "unusual," I say that these particular violations of individual rights are strange and unusual in a free society. In this day when courts so often engage in law-making and the exercise of powers they don't have, it is strange indeed that Congress must pass a law telling them to enforce individual rights and exercise powers they do have.

I urge the Subcommittee to approve S. 1035 favorably and urge its prompt enactment.

Twentieth Century Witchcraft—The Lie Detector

(Address by U.S. Senator Sam J. Ervin, Jr. before the Greensboro Bar Association, Greensboro, N.C., on November 16, 1967)

I want to discuss with you tonight the constitutionality of the Federal Government's use of the polygraph on American citizens.

Throughout human history, from the dawn of civilization, men have sought to distinguish the real from the unreal, fact from fiction, truth from lies. As Cicero wrote "Our minds possess by nature an insatiable desire to know the truth."

It is to this end that men and societies have applied vast resources of intellect and strength to developing institutions and devices for divining the truth.

As lawyers, we are well aware of the ancient function of the jury to find the facts, to distingusih truth from untruth. And we know the dangers to a client's liberty of false evidence. We have seen the daily invention of new ingenious scientific and laboratory methods of judicial proof. So we are familiar with the laws of probability.

As citizens and as members of a profession which has a duty and obligation to pursue the truth and to facilitate other men's search for it, we have a special interest in some of the ways Federal officials seek truth.

The poet Keats said:

"Beauty is truth, truth beauty,
That is all—
Ye know on earth, and all ye need to know."

But man's search for truth is not always beautiful. In some agencies of the Federal Government, and elsewhere, man's desire to know all the truth from employees and applicants can be downright ugly.

I want to read you some typical complaints from law-abiding Americans who have encountered this device.

RECEIVED FROM AN APPLICANT AT THE NATIONAL SECURITY AGENCY

"When I graduated from college in 1965, I applied at National Security Agency. I went to 2 days of testing, which apparently I passed because the interviewer seemed pleased and he told me that they could always find a place for someone with my type of degree.

"About one month later, I reported for a polygraph test at an office on Wisconsin Avenue in the District or just over the District line in Maryland. I talked with the polygraph operator, a young man around 25 years of age. He explained how the machine worked, etc. He ran through some of the questions before he attached the wires to me. Some of the questions I can remember are—

'When was the first time you had sexual relations with a woman?

'How many times have you had sexual intercourse?

'Have you ever engaged in homosexual activities?

'Have you ever engaged in sexual activities with an animal?

'When was the first time you had intercourse with your wife?

'Did you have intercourse with her before you were married? How many times?

"He also asked questions about my parents, Communist activities, etc. I remember that I thought this thing was pretty outrageous, but the operator assured me that he asked everybody the same questions and he has heard all the answers before, it just didn't mean a thing to him. I wondered how he could ever get away with asking a girl those kind of questions.

"When I was finished, I felt as though I had been in a 15 round championship boxing match. I felt exhausted. I made up my mind then and there that I wouldn't take the job even if they wanted me to take it. Also, I concluded that I would never again apply for a job with the Government, especially where they make you take one of these tests."

RECEIVED FROM A FOREIGN SERVICE OFFICER

"I am now a Foreign Service Officer with the State Department and have been most favorably impressed with the Department's security measures.

"However, some years ago I was considered for employment by the CIA and in this connection had to take a polygraph test. I have never experienced a more humiliating situation, nor one which so totally violated both the legal and moral rights of the individual. In particular, I objected to the manner in which the person administering the test posed questions, drew subjective inferences and put my own moral beliefs up for justification. Suffice it to say that after a short time I was not a 'cooperative' subject, and the administrator said he couldn't make any sense from the polygraph and called in his superior, the 'deputy chief.'

"The deputy chief began in patronizing, reassuring tones to convince me that all he wanted was that I tell the truth. I then made a statement to the effect that I had gone to a Quaker school in Philadelphia, that I had been brought up at home and in school with certain moral beliefs and principles, that I had come to Washington from my University at the invitation of the CIA to apply for a position, not to have my statements of a personal and service nature questioned not only as to their truth but by implication as to their correctness, and that I strongly objected to the way this test was being administered.

"The deputy chief gave me a wise smile and leaning forward said, 'Would you prefer that we used the thumb screws?'(!) I was shocked at this type of reasoning, and responded that I hardly thought it was a question of either polygraph or the thumb screws.

"This incident almost ended the deep desire I had for service in the American government, but fortunately I turned to the Foreign Service. But if it happened to me it must have happened and be happening to hundreds of other applicants for various Federal positions."

RECEIVED FROM THE WIFE OF AN APPLICANT AT GENERAL SERVICES ADMINISTRATION

Her husband applied to the General Services Administration for a position as Operating Engineer. General Services Administration advised him that there was such a position open in the Public Building Services of the National Security Agency at Fort Meade, Maryland. During an interview at the National Security Agency he was advised that the position required security clearance and was called upon to furnish normal security type information about himself. He provided all papers and information required.

Her husband was then directed to report to the National Security Agency for a polygraph test.

Many questions were asked of him before the polygraph was applied. The questions were of such a nature that he became angry, incised and emotionally upset. He was in this state when the polygraph was actually applied.

None of the questions asked were concerned with his loyalty to the United States, his religious beliefs or political affiliation. A number of questions asked pertained to his sex habits. Mr. ——— told his wife following the test that he felt too humiliated and so degraded by the questions and the manner in which they were placed by the operator that he didn't care whether or not he secured the position. He told his wife that if truth in answering the questions was the criteria he was fully confident he did pass the test. The polygraph operator told him at the time of testing that he, the operator, would determine the outcome of the test.

In an attempt to be 100% sure that an applicant or employee is not lying, officials of some agencies strap him to a lie-detector machine—a polygraph. They hook up wires and tubes to him which are supposed to register his respiration, blood pressure and pulse rate. Electrodes are attached to his hand to measure the "galvanic skin response"—the flow of electric current across his skin as sweating increases. When the subject is asked a series of questions, his physiological responses are recorded on a moving sheet of graph paper by three pens. This explains the name of this instrument, since "polygraph" was the Greek word for "many writings."

USE OF POLYGRAPHS INCREASING

This is no minor problem, for the use of the polygraph is increasing. From an investigative tool in law enforcement work, its use has been extended for other purposes into private and public employment. Although it was developed in 1921, only in the last 15 years have employers come to rely on the polygraph to test the honesty of employees already on the payroll. When labor unions began complaining that a man's failure to pass a polygraph was not a just cause for dismissal, many employers began using polygraphs to screen applicants instead, on the ground that these people had no way of challenging the instrument or the findings.

According to a recent estimate, approximately 3,000 polygraph operators are giving between two hundred thousand (200,000) and three hundred thousand (300,000) tests yearly in the United States.

In the Federal Government alone, a House Subcommittee found that 21 agencies gave 19,000 lie-detector tests in 1963. These figures did not include around 9,000 tests administered by the Central Intelligence Agency and the National Security Agency.

Proponents of polygraphs justify their use because of some findings and assumptions that:

Lying leads to conflict; conflict causes fear and anxiety; this emotional and mental state causes physical changes that can be accurately recorded and measured by the polygraph; and the operator by studying these reactions, can tell whether the subject is being deceptive or truthful.

The truth of the matter is, as the House Government Operations Committee recently reported:

"There is no 'lie detector,' neither machine nor human. People have been deceived by a myth that a metal box can detect truth or falsehood."

NORTH CAROLINA RULING

The Supreme Court of North Carolina in *State* v. *Foye*, 254 N. C. 704 (1961) listed a number of reasons for failure of the courts in this country to accept lie-detector evidence as a reliable and accurate means of ascertaining truth or deception. It found these overwhelming obstacles to acceptance of the polygraph, the court said, "notwithstanding its recognized utility in the field of discovery and investigation for uncovering clues and obtaining confessions."

In an article in the American Bar Association Journal several years ago, Professors Inbau and Reid defended the use of the polygraph. They frankly admitted, however, that only about 20 percent of the individuals who hold themselves out as examiners possess the training and skill required for competency in this field.

The attempt to transfer this investigative aid of law enforcement to the field of job suitability screening raises serious due process questions.

In standard criminal investigation, the polygraph examiner sets up a control question, in which he measures the subject's "guilt" response to a peccadillo, usually from childhood. This establishes a level of susceptibility against which can be measured the subject's response to the question at issue, which is the commission of a specific crime. In job suitability screening, there is no question at issue. All the questions are control questions and, thus, the examiner is measuring general sensitivity rather than specific guilt.

This is one reason the polygraph is an inappropriate tool for general suitability appraisal. Job applicants who fail the polygraph test may not be more "guilty" than those who pass, but only more sensitive. "Nervous" responses are more likely to be given by sensitive, introspective, vigorously honest persons. There is no correlation between these personality traits and the probability that the applicant might be corruptible. Some unreliable applicants might also give a "nervous" response, others not.

The whole process smacks of twentieth century witchcraft. Does the flesh of the applicant burn when a hot iron is applied to it? When tightly bound and thrown into a pond, does the applicant sink or float? When strapped in a chair with electrodes and other gadgets attached, does the rate of respiration and blood pressure of the applicant rise? Does the salt of his pores induce increased electrical conductivity? Are we reduced to alchemy as a technique of screening applicants for highly sensitive positions in the Federal bureaucracy?

The burden of proof should be on those who assert the efficacy of polygraph in predicting the behavior of prospective government employees.

There have been practically no efforts to compile this proof. Congressional hearings and reports as well as the professional literature on the subject show that there are neither statistics nor facts to prove the value of the polygraph in personnel work.

Nevertheless, even more sophisticated devices are being planned. For instance, we recently discovered that under government research contract, primarily through the Defense Department funds, private companies have developed a lie detector in the form of an innocent looking office chair—"a wiggle seat." This, of course, is to get around all of those opponents who say an applicant's body and mind react when all those electrodes are attached to him.

An article in the Science News Letter describes this device: "When an individual is seated in the chair, the forces exerted by the pumping action of his heart are sensed, changed from mechanical to electrical energy, then broadcast to remote recording instruments. An individual weighing less than 140 pounds will not generate a satisfactory signal. Since the chair so closely resembles an ordinary chair, the heart data can be obtained without the conscious knowledge of the subject."

A commercial brochure on the chair proclaims: "Nothing intrudes on the serenity of the setting. The patient does not see, much less 'wear' an electrode—straps and wires are prominent only by their absence. He or she remains fully clothed throughout the brief examination. . . . Mere hand contact with the arm electrodes is sufficient to obtain a good record. . . . A microphone in the dorsal position senses vibro- and phonocardiographic information."

While the medical uses of such instruments can be of great value, their potential for denial of basic rights to unsuspecting applicants and employees cannot be overestimated.

Legislatures in six states and several city councils have already outlawed lie detectors in the employment relations; in some instances, unions have forced their elimination through collective bargaining.

FBI Director Hoover, fortunately for our security, does not use them for personnel work.

The Warren Commission report stated:

". . . In evaluating the polygraph, due consideration must be given to the fact that a physiological response may be caused by factors other than deception, such as fear, anxiety, neurosis, dislike and other emotions. There are no valid statistics as to the reliability of the polygraph . . ."

Why then, do administrators have such blind faith in these devices? In my opinion, it is directly related to the role of science and technology in our society—to the cult of "the expert." There is an increasing belief that anything scientific must be more reliable and rational than the judgment of men. Unfortunately, this is true not only of officials who favor the lie-detector machine; it is also true of the average person who is subjected to it. Officials have admitted that its greatest use is in scaring the individual into admitting his transgressions.

There is a growing belief that the machine can bridge that credibility gap which must exist wherever fallible men choose between truth and untruth.

But I submit that this gap is a risk which must be taken in a free society. We cannot afford to dismiss the human element in decision-making where basic liberties are at stake.

There are workable alternatives to lie detectors. At the disposal of the Federal Government is a great investigative apparatus for checking references, background and qualification of applicants. Vast sums are spent training personnel specialists how to evaluate an individual's understanding of his role in an organization or agency.

Which brings me to the second point I want to make about the polygraphs.

Even if they could be proved 100% reliable and valid, there is no necessity for these infringements of freedom and invasions of privacy; but even if there were a necessity for them, I believe every citizen should answer with William Pitt:

"Necessity is the plea for every infringement of human liberty. It is the argument of tyrants; it is the creed of slaves."

Why should an applicant or employee have to describe his religious beliefs and practices? As long as his record shows that his conduct is socially and legally acceptable, why should he have to tell a prospective Federal employer about his sexual attitudes and conduct; or whether he loved his mother; or whether he fights with his wife?

Is there not a part of his personality, of his private life, which can and should be immune from govermental trespass?

By questionable means, we are perhaps seeking truthful answers to questions which should not be asked. I think we should ask ourselves whether, by sanctioning these privacy invasions, we are not trifling with the great constitutional truths which buttress our society. I believe we are.

Regrettably, it would appear that we have come far from the nature of the truths which we once thought important; but in the case of the polygraph, we have come not very far at all from the ancient methods of seeking the truth. It is not too far from the ancient trial of ordeal by fire or water to the concept of the "wiggle seat." Nor is there much difference between the polygraph and the old deception test used by the Indians. They thought that fear inhibited the secretion of saliva. To test his credibility, an accused was given rice to chew. If he could spit it out he was considered innocent; but if it stuck to his gums he was judged guilty.

What do polygraph techniques do to the concepts underlying the Fourth and Fifth Amendments? To the principles that there shall be no search and seizure without warrant, and that no man should be compelled to incriminate himself? Is there anything more destructive to our system of government than attempting to seize a man's innermost thoughts; compelling him to confess his beliefs, his religious practices, his every sin; requiring him to bare his soul to a machine in order to hold a job?

Hardened criminals are safeguarded in this area of the law, yet an applicant for Federal employment is not.

In the employment process, however, it is to the First Amendment that this twentieth century witchcraft does the most violence. That Amendment guarantees a citizen freedom from interference with his freedom of expression in his thoughts and beliefs. And it includes not only his right to express them but his right to keep silent about them. This is a crucial issue in a free society.

To condition a citizen's employment and his future job prospects on his submission to the pumping of his mind, his thoughts, and beliefs about personal matters unrelated to his duties, is to exercise a form of tyranny and control over his mind which is alien to a society of free men. It is to force conformity of his thought, speech and action to whatever subjective standards for conduct and thought might be held by a polygraph operator, or his company, or an agency official. It is to weaken the fabric of our entire society.

I submit that the Constitution can and does protect us from such incursions on our liberties.

EMPLOYMENT AS A PRIVILEGE

To say that employment is a privilege is to avoid the issue. For, as the Supreme Court has said, it does not matter whether or not there is a constitutional right to employment. The means and procedures employed by government should not be arbitrary.

CONSENT

Nor does it help to reply that a person "consents" to such an invasion of his liberty. Where the full force of government is behind the request, where he knows that great computer and data systems of government will retain forever his refusal to reply, or his answers to the queries, there is no free consent.

CONFIDENTIALITY OF RECORDS

Proponents argue that the records are confidential. It is no secret that his employment records, with all of the medical and security data, follow a man throughout his career. They are officially transmitted through the subterranean passages of our complex bureaucracy.

It was to prevent the practice of such tyrannies on Federal employees that I introduced my bill, S. 1035.

This bill is premised on the belief that just because he goes to work for government, the individual does not surrender his basic rights and liberties as a citizen. Nor does he surrender his right to a proper respect by his government for his privacy and other rights. S. 1035 is designed to prohibit unwarranted governmental invasions of employee privacy and is sponsored by 55 Members of the Senate. I am happy to report that it was approved by the Senate on September 13 by a vote of 79 to 4.

Section (f) of S. 1035 makes it unlawful for any officer of any Executive department or agency to require or request, or attempt to require or request, any civilian employee serving in the department or agency, or any person applying for employment in the Executive branch of the United States Government "to take any polygraph test designed to elicit from him information concerning his personal relationship with any person connected with him by blood or marriage, or concerning his religious beliefs or practices, or concerning his attitude or conduct with respect to sexual matters."

This measure is now pending in a Subcommittee of the House Post Office and Civil

Service Committee under the Chairmanship of Congressman David Henderson. I am hopeful that the Congress will enact it promptly.

It is time we put a rein on the Federal Government's use of twentieth century witchcraft to find the truth. It is time the Federal Government was told what truths it should be seeking.

Memoranda Concerning the Effect of S. 1035 on the Security Agencies

The Library of Congress,
Washington, D.C., January 29, 1968.

To: Senate Subcommittee on Constitutional Rights.
From: American Law Division.
Subject: Effect of S. 1035 on C.I.A. Secrecy.

This is in response to your request for a consideration of the possible effects of S. 1035, to protect the privacy of governmental employees, upon the secrecy of an organization like the Central Intelligence Agency.

A number of statutory provisions are designed to allow the C.I.A. to maintain almost absolute secrecy about its operations and personnel. In 50 U.S.C. § 403(d)(3), the Director of C.I.A. is authorized, *inter alia,* to protect intelligence sources and methods from unauthorized disclosure. The Agency is exempted by 50 U.S.C. § 403g from the provisions of any law requiring the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by it. The Director is authorized, by 50 U.S.C. § 403(c), in his discretion, to terminate the employment of any officer or employee of the Agency whenever he deems it necessary or advisable in the interests of the United States.

Additionally, a series of criminal statutes prohibit unlawful disclosure of confidential information respecting the national defense. 18 U.S.C. §§ 793, 794, 798, 1905. And, finally, it appears that the C.I.A. requires of most if not all of their employees the execution of a secrecy agreement under which the employee swears to maintain in confidence information gained because of his employment and under which it is specifically recognized that an intentional or negligent violation of the agreement might subject the employee to prosecution under at least 18 U.S.C. §§ 793 and 794. See, *Heine* v. *Raus*, 261 F. Supp. 570, 571–572 (D.C.D.Md. 1966).

It is, of course, a rule of statutory construction that when two statutes conflict, the one later in date will govern. Therefore, if any provision of S. 1035, upon enactment, conflicts with any provision of the statutes listed above, S. 1035 would prevail. Would there be any conflict?

In order to protect the privacy of government employees, S. 1035 prohibits those in authority from engaging in certain activities in regard to government employees. The prohibited activities are (1) requiring the disclosure of one's race, religion, or national origin or that of his forebears, (2) indicating that the failure of one to attend any assemblage for the purpose of advising, instructing, or indoctrinating in the performance of or in regard to anything other than official duties will be noticed or acted upon, (3) requiring one to participate in activities or undertaking not relating to official duties, (4) requiring one to report on his activities or undertakings not related to his official duties, (5) requiring one to submit to any interrogation or examination designed to elicit information concerning such personal matters as relationships to other people, religious beliefs or practices in sexual matters, (6) requiring the taking of a polygraph test designed to elicit such personal information, (7) requiring one to participate in any way in the support of any person for political office on any political party, (8) requiring one to invest one's money in bonds or other obligations, (9) requiring one to disclose personal finances except in certain conflict of interest situations, (10) requiring or requesting one to participate in any investigation which could have disciplinary consequences without the presence of counsel or other persons of his choice, (11) and discharging or otherwise discriminating against one because of a refusal to comply with a request or demand made illegal by the bill.

Certain provisions of the bill recognize the existence of security interests necessitating deviation from the provisions of the bill. For example, a proviso permits inquiry into the national origin of an employee when deemed necessary or advisable to determine suitability for assignment to activities or undertakings related to the national security of the United States or to activities or undertakings of any nature outside the United States.

And Section 6 of the bill permits the requiring of polygraphing, personality testing or financial inquiry to elicit otherwise impermissible personal information of any employee of the C.I.A., the National Security Agency or the F.B.I. if the Director of the appropriate agency, or his designee, makes a personal finding with regard to each individual to be tested that such test is required to protect the national security.

Enforcement of the act would be placed in a Board of Employee Rights and hence to federal district court.

It appears then that the issue in any matter taken to the Board and to court subsequently would be whether some prohibition of the act had been violated. That is, the only relevant issue to be adjudicated would be whether, for example, someone had been requested or forced to take a polygraph test in regard to his sexual activities and had, perhaps, been discriminated against, by being fired, demoted, or somehow been retaliated against. Thus, it is difficult to see how an issue involving government secrets could be relevant to any determination the Board or court might be called up to make. One possibility might arise should the assignment of an operative be made to attend some assemblage or to take part in some activity be made and refused, for which refusal disciplinary action might follow.

It could be claimed by the affected employee that the requirement violated one or another provision of the act. But it will be noted that such assignments would violate the act only if not part of an employee's "official duties." Should determination of a possible violation depend upon whether or not the assignment involved "official duties," the precedents seem clear that to avoid disclosure of confidential or secret information a court will accept the certification by the Agency head to that effect. *Heine* v. *Raus,* supra 577–78; and, see *United States* v. *Reynolds,* 345 U.S. 1 (1953).

Thus, it would seem that issues involving governmental secrecy would not be relevant to issues before the Board and to a subsequent court. The issues would turn rather upon whether specific provisions of S. 1035 had been violated.

In regard to the question of any conflict between present statutes and the proposed act, it appears that in all but one instance no conflict would occur. That instance arises with regard to 50 U.S.C. § 403(c), permitting the Director to terminate the employment of any employee or officer in his discretion. Under S. 1035, it would seem that the Director could not terminate employment for a refusal to carry out any request to do anything prohibited by the bill. He could not, for example, fire anyone for refusing to buy U.S. savings bonds. But, as has been noted, the issue would be simply whether this violation was the cause of dismissal or not; no secrets or confidences, no disclosure of any other reason, would have to be made known.

And, as already noted, there are exemptions. The Director may make inquiry of all sorts of personal information if he makes a finding that security requires it. No disclosure would be required of the reason for such a finding, if it became an issue before the Board, only disclosure that the finding had in fact been made.

In short, it appears that enactment of S. 1035 would create no conflict with present statutes nor change any of them, with the limited exception noted above.

Johnny H. Killian,
Legislative Attorney.

Comments by Senator Ervin: Why the CIA and NSA Should Not Be Excluded From the Provisions of S. 1035, the Bill To Protect Employee Rights

The Central Intelligence Agency and the National Security Agency have asked that the guarantees in S. 1035 not be extended to their employees or to citizens who apply for employment with those agencies.

I see no practical or policy reasons for granting this request, and find no constitutional grounds for it. It is neither necessary nor reasonable.

The men who drafted the Constitution envisioned a government of laws, not of men. They meant that wherever our national boundaries should reach, there the controls established in the Constitution should apply to the actions of government. The guarantees of the amendments hammered out in the state constitutional conventions and in the meetings of the First Congress had no limitations. They were meant to apply to all Americans; not to all Americans with the exception of those employed by the Central Intelligence Agency and the National Security Agency.

My research has revealed no language in our Constitution which envisions enclaves in Washington, Langley, or Fort Meade, where no law governs the rights of citizens except that of the Director of an agency. Nor have I found any decision of the highest court in the land to support such a proposition.

Why, then, do these agencies want to be exempt from this bill?

Is it that, unbeknown to Congress, their mission is such that they must be able to order their employees to go out and lobby in their communities for open-housing legislation or take part in Great Society poverty programs?

Must they order them to go out and support organizations, paint fences, and hand out grass seeds, and then to come back and tell their supervisors what they did in their spare time and with their weekends?

Do they have occasion to require their employees to go out and work for the nomination or election of candidates for public office? Must they order them to attend meetings and fund-raising dinners for political parties in the United States?

Do they not know how to evaluate a secretary for employment without asking her how her bowels are, if she has diarrhea, if she loved her mother, if she goes to church every week, if she believes in God, if she believes in the second coming of Christ, if her sex life is satisfactory, if she has to urinate more often than other people, what she dreams about, and many other extraneous matters?

Why do these two agencies want the license to coerce their employees to contribute to charity and to buy bonds? The Subcommittee has received fearful telephone calls from employees stating that they were told their security clearances would be in jeopardy if they were not buying bonds, because it was an indication of their lack of patriotism.

Why should Congress grant these agencies the right to spend thousands of dollars to go around the country recruiting on college campuses, and the right to strap young applicants to machines and ask them questions about their family, and personal lives such as:

"When was the first time you had sexual relations with a woman?

"How many times have you had sexual intercourse?

"Have you ever engaged in homosexual activities?

"Have you ever engaged in sexual activities with an animal?

"When was the first time you had intercourse with your wife?

"Did you have intercourse with her before you were married?

"How many times?"

What an introduction to American government for these young people!

The Subcommittee has also received comments from a number of professors indicating the concern on their faculties that their students were being subjected to such practices.

That we are losing the talent of many qualified people who would otherwise choose to serve their government is illustrated by the following letter which was received by Representative Cornelius Gallagher, Chairman of the Special House Government Operations Committee investigation of invasions of privacy:

"I am now a Foreign Service Officer with the State Department and have been most favorably impressed with the Department's security measures.

"However, some years ago I was considered for employment by the CIA and in this connection had to take a polygraph test. I have never experienced a more humiliating situation, nor one which so totally violated both the legal and moral rights of the individual. In particular, I objected to the manner in which the person administering the test posed questions, drew subjective inferences and put my own moral beliefs up for justification. Suffice it to say that after a short time I was not a 'cooperative' subject, and the administrator said he couldn't make any sense from the polygraph and called in his superior, the 'deputy chief.'

"The deputy chief began in patronizing, reassuring tones to convince me that all he wanted was that I tell the truth. I then made a statement to the effect that I had gone to a Quaker school in Philadelphia, that I had been brought up at home and in school with certain moral beliefs and principles, that I had come to Washington from my University at the invitation of the CIA to apply for a position, not to have my statements of a personal and serious nature questioned not only as to their truth but by implication as to their correctness, and that I strongly objected to the way this test was being administered.

"The deputy chief gave me a wise smile and leaning forward said, 'Would you prefer that we used the thumb screws?' (!) I was shocked at this type of reasoning, and responded that I hardly thought it was a question of either polygraph or the thumb screws.

"This incident almost ended the deep desire I had for service in the American government, but fortunately I turned to the Foreign Service. But if it happened to me it must have happened and be happening to hundreds of other applicants for various Federal positions."

On the subject of polygraphs, the AFL–CIO in 1965 stated:

"The AFL–CIO Executive Council deplores the use of so-called 'lie detectors' in public and private employment. We object to the use of these devices, not only because their claims to reliability are dubious but because they infringe on the fundamental rights of American citizens to personal privacy. Neither the government nor private employers should be permitted to engage in this sort of police state surveillance of the lives of individual citizens."

Legislatures in 5 States and several cities have already outlawed these devices, and many unions have forced their elimination through collective bargaining. The Director of the Federal Bureau of Investigation has said they are unreliable for personnel purposes.

Why should Congress take a step backward by specifically authorizing their continued use on American citizens in these two agencies to ask about their sex lives, their religion, and their family relationships?

Bear in mind that, reprehensible as these lie detectors are, the bill only limits their use in certain areas, and the Director may still authorize their use if he thinks it necessary to protect the national security. Personally, I fear for the national security if its protection depends on the use of such devices.

Similarly, the question may be asked, why should these agencies force their employees to disclose all of their and their families' assets, creditors, personal and real property, unless they are responsible for handling money? Nevertheless, under the bill, the CIA and NSA have been granted the exemption they wished, to require their employees to disclose such information, if the Director says it is necessary to protect the national security. What more do they want?

Apparently, what they want is to stand above the law.

Taken all together, their arguments for complete exemption suggest only one conclusion—that they want the unmitigated right to kick Federal employees around, deny them respect for individual privacy and the basic rights which belong to every American regardless of the mission of his agency.

The idea that any government agency is entitled to the "total man" and to knowledge and control of all the details of his personal and community life unrelated to his employment or to law enforcement is more appropriate for totalitarian countries than for a society of free men. The basic premise of S. 1035 is that a man who works for the Federal government sells his services, not his soul.

REPLIES TO CENTRAL INTELLIGENCE AGENCY OBJECTIONS TO S. 1035, A BILL TO PROTECT THE RIGHTS OF FEDERAL EMPLOYEES

The Central Intelligence Agency, in a report which was stamped "secret," stated a number of objections to this bill. At the request of CIA representatives these were also explained to me at length in personal discussions. Their suggestions were carefully considered in Committee and the bill was carefully redrafted and amended to meet them. I believe the agency now has no legitimate complaint other than their natural lack of enthusiasm about being subject to any law. Following is a summary of their objections and the provisions in S. 1035 which meet them. I believe the same arguments will apply to other security positions in the Defense Department. Where those positions are not covered, the Subcommittee must make a policy decision that, subject as they are to Civil Service regulations, they should not be accorded any exemptions. The extent of their wrongs is so amply documented that I believe they deserve no exemption.

They state they have no interest in the race or religion of an applicant, but must inquire into his national origin and that of his forebears for purposes of his suitability for foreign assignment.

Section 1 (a) provides that nothing therein shall be construed to prohibit inquiry concerning the national origin of the employee when this is deemed necessary or desirable to determine suitability for assignment to activities or undertakings related to the national security within the United States or to activities or undertakings of any nature outside the United States.

There is nothing in section 1(a) which would prevent the agency from asking a person if he has relatives in a foreign country.

They state that they could not take notice of the activities of their employees in "notorious and controversial assemblages which will bring them to the general public attention and thus destroy their usefulness to the degree that it will destroy their anonymity." They also believe they could not take notice of participation in communist meetings.

Section 1(b) does not apply if the activity is related to official duties of the employee; this includes those to which he is or may be assigned. Since the entire mission of the CIA is directed to preservation of the national security, certainly, nothing in Section 1(b) would preclude taking notice of participation in activities, communist and otherwise, in conflict with official duties or in violation of the law, and thus inconsistent with the security functions of the agency.

They say that section 1(c) would prohibit them from telling employees overseas to participate in activities whose relation to the job may not be apparent to the employee; and that they might not wish to tell the employee of the relationship in order to preserve the naturalness of his participation.

This argument is so patently specious as to require no reply. The section does not apply to activities and undertakings related to the performance of official duties to which the employee is or may be assigned.

I find it difficult to believe that employees of the Central Intelligence Agency are so disaffected, so poorly trained, so unresponsive to official commands on the job as to bring a law suit every time they are given an official assignment.

They fear that section 1(d) will prevent requirements that employees keep the Agency informed concerning their speaking engagements and proposed publications, as well as concerning their personal relationships with foreign diplomats or "any other unusual associations which may have security implications," or any brushes with the law.

Again, it is clear that the exceptions in Section 1(d) would meet these objections since, generally, these are matters relating to the mission of the agency and to the ability and capacity of the employee to discharge his security mission. Section 1(d) does not apply to the reports concerning activities or undertakings related to official duties or when there is reason to believe the employee is engaged in outside activities or employment in conflict with his official duties. I believe this revision in the bill is more than adequate to meet the needs of the agency.

The Agency objected to Section 1(e) of the original bill prohibiting orders to employees not to patronize business establishments offering goods and services to the general public.

This section was deleted to meet their objection, even though there was a need for it to protect all other employees from paternalistic or officious direction of their outside activities.

They objected to Section 1(f) on the ground that it would prohibit their psychological testing of applicants and employees. (This is now Section 1(e))

Although it probably should do this, the bill did nothing of the sort. There are many, many varieties of psychological tests, and I am sure the expert psychologists employed by the Agency are aware of them. This section originally limited their use of one type of test to ask questions about three areas—religion, sex, and personal family relationships.

Now, by the Committee amendment, they can even ask about those matters if the Director thinks it is necessary for national security purposes. A floor amendment allows his designee to make this finding.

They can ask about anything else under the sun.

They object to the Section which would limit the use of polygraphs in three respects—sex, religion, and personal family relationships.

They are limited in only these three areas and they can ask about anything else. Under the Committee amendment, they may even ask questions in these three areas when the Director believes it is necessary for national security purposes. By the floor amendment, the Director's designee may make this finding.

They have no objection to the ban on requirements to make political contributions.

They have no objection to the ban on coercion of employees to buy bonds and contribute to charity.

They object to the limited ban on requirements to disclose personal assets, creditors, and liabilities of employees and members of their families.

This does not apply to an employee who has authority to make final determinations concerning expenditures of money. By a Committee amendment they may even do this where it is necessary for national security purposes. A floor amendment allows the finding to be made by the Director's designee.

They object to the Section giving an employee the right, if he requests it, to have a counsel or other person present during an interrogation which could lead to disciplinary action.

This is obviously a specious objection since I doubt that their employees are going to request a lawyer for every interview with their supervisor concerning their work. There are ample summary dismissal powers already accorded the agency by Congress and these are sufficient to meet any security needs of the agency. In addition, there are numerous statutes governing protection of government information.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRESIDENT'S APPOINTMENTS TO THE SUPREME COURT

Mr. BROOKE. Mr. President, on Thursday, June 27, the Boston Herald traveler commented editorially upon the President's recent decision to appoint Abe Fortas as Chief Justice of the Supreme Court and Homer Thornberry as Associate Justice. I believe the editorial is a worthy contribution to the dialog which has taken place regarding these appointments, and I ask unanimous consent that it be printed in the Record

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Fortas and Thornberry

In nominating a new Chief Justice and Associate Justice to the U.S. Supreme Court, President Johnson has served history as well as friendship. While both Abe Fortas and Homer Thornberry have enjoyed long and close associations with the President, both also—Fortas especially—bring more than friendship to their new appointments. Moreover, Fortas would become the first Jewish Chief Justice and only the third to be promoted from within the Court.

Justice Fortas' credentials are of the first order. Before joining the Court in 1965, he fashioned an outstanding career as a lawyer, handling several controversial and unpopular cases and building a reputation as a champion of individual liberties and equal protection under the law for all. His service on the Court has not diminished that reputation. Other lawyers regard him as brilliant, articulate, a perfectionist.

Considered generally part of the liberal element within the Supreme Court, Justice Fortas obviously would not be the first choice as Chief Justice of those who have been critical of the Court under Earl Warren. But their criticism of Justice Fortas has been tempered by his obvious devotion to the law and his condemnation of those who would go beyond it.

In an address in Boston in 1965, Justice Fortas said: "We must establish, without exception, the rule of law. We cannot tolerate lawlessness or the conditions which bring it about." Recently he spoke out against certain of the student actions at Columbia University. On another occasion he said: "The advocacy of civil rights does not require or justify the abandonment of all decency." He has advocated adequate education, training, employment, recreation and discipline to prevent the young from growing into lawbreakers.

Justice Fortas does not see the Supreme Court as an aloof entity handing down arbitary decisions, but as a force very much involved in the mainstream of American development. "Law is a profession dealing with human beings, not an automated business," he has said. His respect for the law blends with a respect for human dignity.

If President Johnson's nominations are confirmed, the essential character of the Warren Court is likely to be preserved, for Judge Thornberry, too, is regarded as a liberal. But as a Southerner, he should be more acceptable at least to those critics of the Court who are from the South. Thornberry is, of course, less well known than Justice Fortas, but he would come to his new post with five years of judicial experience and 15 years of legislative experience in the U.S. House. It was President John F. Kennedy who appointed him a federal district judge in 1963, from which position he was elevated to the appeals court in 1965.

From the standpoint of merit, then, the Senate would have difficulty finding cause to reject Mr. Johnson's nominees. And, while some discontent is still being voiced in the Senate about the practice of having crucial vacancies in the judiciary filled by a lame-duck President, it is doubtful that any organized move to block the appointments on these grounds will be mounted.

Herbert Hoover and every President since him, with the exception of Mr. Kennedy, has named a Chief Justice. Mr. Johnson, up to yesterday, had made only two appointments of Associate Justices, a number equal to President Kennedy's in his abbreviated tenure in the White House. Dwight Eisenhower appointed four Associate Justices, Harry Truman three, Franklin Roosevelt eight.

Today the average age of the Justices is 65, and rumors of additional retirements soon are common. Mr. Johnson's successor almost certainly will have opportunity to leave his own imprint on the Supreme Court.

Mr. CHURCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. Nelson in the chair). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHURCH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CERTAIN RECLAMATION PROJECT EXPENSES NONREIMBURSABLE

Mr. CHURCH. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1251.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1251) to make certain reclamation project expenses nonreimbursable which was, strike out all after the enacting clause, and insert:

> That, notwithstanding any provision of the Federal reclamation laws, as amended and supplemented, (a) severance payments heretofore made to employees of the Department of the Interior resulting from the transfer to the A and B Irrigation District of operation and maintenance responsibilities for the North Side pumping division of the Minidoka Federal reclamation project, Idaho, and (b) severance payments which hereafter may be made to employees of the Department of the Interior as a result of the transfer to the Quincy-Columbia Basin Irrigation District, the East Columbia Basin Irrigation District, and the South Columba Basin Irrigation District of operation and maintenance responsibilities for the irrigation facilites of the Columbia Basin Federal reclamation project, Washington, shall be nonreimbursable and nonreturnable.

Mr. CHURCH. Mr. President, S. 1251, a bill to make certain reclamation project expenses nonreimbursable, would relieve certain water users' organizations from the responsibility for the repayment to the Federal Government of severance pay to Bureau of Reclamation employees whose Federal employment is terminated as a result of the transfer of the responsibility for project operation from the Bureau to the water user agency.

It is a longstanding policy of the Department of the Interior when reclamation project construction is completed and operation well established to transfer operation and maintenance of the project works to the contracting water user agency, if the agency is willing and competent to assume the responsibility. This has been found to be a desirable and sastisfactory procedure.

Under the provisions of section 9 of the Federal Employee's Salary Act of 1965, however, the Bureau operating personnel who are involuntarily separated from Federal service as a result of such transfers are entitled to severance pay. The severance pay becomes an operating cost to be repaid to the Treasury by the water users.

As passed by the Senate, S. 1251 would have declared such severance payments to be nonreimbursable in the transfer of any reclamation project. The House has amended the bill to make it applicable only to certain specific transfers which are imminent on the Minidoka project in Idaho and the Columbia Basin project in Washington.

These are the only water user organizations which are faced with substantial charges of this kind in the immediate future. Because of the urgency of the situation confronting these agencies, Mr. President, I move that the Senate concur in the amendment of the House of Representatives.

Mr. JORDAN of Idaho. Mr. President, I fully endorse the motion made by my distinguished colleague, Senator CHURCH, regarding S. 1251. I urge the approval by the Senate of this amended version of this bill, which passed the Senate in August 1967. The Senate bill as amended passed the House on June 17, 1968.

The bill applies particularly to the A and B Irrigation District on the northside pumping division of the Minidoka Federal reclamation project in Idaho. A clarification is necessary because on March 1, 1966, this district took over the operation and maintenance of that particular project. This is the first district to assume such responsibility after enactment of the Federal Employees Pay Act of 1965. Under the interpretation of this act, Public Law 89-301, it would be necessary to charge accumulated leave payments of about $20,000 and an estimated $40,000 for severance pay to the districts. These benefits, if any, were earned by the employees over the years as Federal employees and even the Department of the Interior agrees that it is inequitable to charge these to the district. The Senate agreed when it passed the bill.

The transfer of responsibility is beneficial to both local water users and the Federal Government. Some of the employees of the Bureau of Reclamation wished to remain in Idaho and were transferred immediately to the district when they were separated from Federal service.

After the Senate passed the bill, the Civil Service Commission changed its regulations to provide that severance pay would go only to such Federal employees whose jobs terminated on reclamation projects if; first they are not offered comparable employment by the irrigation district; and second if they do not accept any alternative employment within the district within 90 days of date of transfer.

The amendment made by the House now brings the bill into compliance with the regulations of the Civil Service Commission. Inasmuch as the severance payments which were to be charged to the district will be due on June 30, 1968, there is an urgency in accepting the amended bill so the charges to the A and B Irrigation District will be nonreimbursable. I hope it will be possible to accept the House version without delay so the bill may become law.

The motion was agreed to.

The PRESIDING OFFICER. It there further morning business?

ARMS CONTROL COMES OF AGE

Mr. CLARK. Mr. President, as I noted in the RECORD at the close of business yesterday, the President of the United States at the White House yesterday announced a most significant agreement with the Soviet Union, on the occasion of the signing of the treaty prohibiting the further proliferation of nuclear weapons.

I again honor the President for his initiative in the search for peace, and pledge my strong support for efforts to control the arms race. Such efforts will, of course, require long, tedious, and sometimes irritating negotiations with the Soviet Union, but I believe, with the Washington Post in its lead editorial this morning, that arms control has now come of age.

There is a place for political inventiveness in trying to dispel the balance of nuclear terror which hangs over us, and has hung over us ever since Hiroshima. I congratulate the President and his diplomats for the quiet skill with which they have finally brought to pass the promise of Glassboro, more than a year ago. This political inventiveness has not always been a hallmark of the State Department, but one must give credit where credit is due, and I give unstinting credit to Dean Rusk, Llewellyn Thompson, and the other American diplomats who have succeeded in bringing to pass this beginning of the long, hard negotiations.

One can hope that after the Test Ban Treaty, the Outer Space Treaty, and now the Nonproliferation Treaty, we can speedily move forward toward a significant decrease in nuclear delivery vessels and in nuclear missiles. We can also look forward to the elimination of the utterly useless anti-ballistic-missile system which, I believe with great lack of wisdom, the Senate gave the green light to move ahead on just a few days ago.

Strategic weapons talks, of course, will confront the problem of the balance of nuclear forces between Russia and America. Are we satisfied with parity in overkill? Are we going to require superiority in overkill? Nor will it be possible much longer to sidestep the issue of onsite inspection.

But even having raised all these difficulties, and having also noted that at least one Senator, the Senator from South Carolina, yesterday, to my surprise and disappointment, indicated that he did not even want to talk with the Russians, I nevertheless feel that an overwhelming majority of my colleagues will support a sane and sensible arms control agreement, to deal with the vexing problem of decreasing the balance of nuclear terror which hangs over us.

This can best be done, I believe, by an agreement dealing with nuclear delivery vessels. It must also eventually move into the field of conventional disarmament, as well as reduction and finally elimination of nuclear weapons.

Again, as the Washington Post this morning says:

> Arms control has come of age. The nonproliferation treaty emerges as the last stage of diplomatic adolescence. The missile talks represent maturity. The great tests begin.

Let us hope that Congress will also move out of adolescence and into maturity in considering these negotiations and the treaty which, hopefully, will spring from it.

I am confident, as I have been for a long time, that the country is way ahead of Congress in the country's desire for peace, arms control, and disarmament.

Mr. President, I ask unanimous consent that the editorial entitled "Arms Control Comes of Age," to which I have referred, be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARMS CONTROL COMES OF AGE

The ends and means of the nuclear arms race have long conspired against controlling it. The ends—to serve security and a globalist foreign policy—contain no inherent limits. Any weapons development can be justified in the name of one of them. The means involve the science, wealth and ambition of the two great powers, and in practice these have proven virtually limitless as well. This is why it has been so difficult to halt what Robert McNamara called the "mad momentum" of arms.

For what success has been achieved, first credit must go to fear. Political inventiveness is a slender reed next to the mutual instinct for survival. There has been, nonetheless, a large and necessary place for political inventiveness. Its first great application—great because it was first and thereby showed that controls could be imposed—came in the partial test-ban treaty. This agreement setting a pattern, limited the environment where bombs could be tested. The next, the outer space agreement, limited the environment where bombs could be stationed. The newest, the nonproliferation treaty signed yesterday, limits the environment where they can be acquired at all and offers compensation in the form of protection and peaceful explosions for those forfeiting the right to their own nuclear arms.

But even the men who value these accords most understand that they leave intact, and on a hair trigger, the enormous arsenals of the Soviet Union and the United States. To many foreigners, this stance is an act of irresponsibility, if not arrogance. Washington and Moscow themselves have long recognized it as an act of great mutual peril. Finally, now, they have brought themselves to the brink of imposing substantive controls on their own arms. This is what gives historic significance to the announcement of Soviet-American strategic-missile talks. For they offer far more than the widely trumpeted prospect of heading off the next weapon, antimissile missiles, however, worthy that prospect alone may be.

The difficulty of the task will match its dimensions. As an indication, there is apparently to be more than a little back and forth just on selecting a time and place to start meeting. The catchall disarmament memo issued yesterday in Moscow suggests how the effort at arms control is likely to be entangled with the search for more routine forms of political advantage. Strategic-weapons talks must perforce confront the devilish issue, sidestepped in previous agreements, of the balance of nuclear forces between Russia and America: superiority or parity or something else again. Nor will it be possible much longer to sidestep the issue of on-site inspection. And will the allies and clients and enemies and rivals of the two great powers stand still and let their talks freely go on?

Arms control has come of age. The nonproliferation treaty emerges as the last stage of diplomatic adolescence. The missile talks represent maturity. The great tests begin.

GUN LAWS: ARE WE NOT LEGISLATING IN PANIC?

AMENDMENT NO. 871

Mr. GRUENING. Mr. President, the foul, senseless shooting of the late Senator from New York, Robert F. Kennedy, following so closely as it did on the heels of the equally cruel and senseless shooting of the late Reverend Martin Luther King, Jr., has resulted in a widespread hue and cry throughout the United

States for the speedy enactment of Federal gun control legislation.

In the past few weeks that hue and cry has at times approached panic.

Impelled not only by this public outcry, but by the obvious need of acting against the mounting incidence of crime, the Congress passed and the President signed the so-called Crime Control and Safe Streets Act of 1968. During the consideration of that bill by the Senate, I voted four times against restrictive gun amendments for reasons I shall make clear. The Senate Judiciary Committee now has before it a bill to extend further the gun control provisions of title IV of the Crime Control Act.

I shall continue to vote against restrictive gun control provisions which bear no relationship to the problems involved, which deprive individuals of subsistence, which deprive an individual of the right to defend himself against attack either by man or beast, or fly in the face of the relationships between our Federal, State, and local system of government which must be preserved.

It must be recognized at the outset that there is absolutely no way in which a law—Federal, State, or local—can be devised so as to prevent with certainty guns—or, for that matter, any other potentially lethal weapon—from falling into the hands of individuals determined to use them to kill or maim themselves or others or to use them for the commission of crimes.

It is illusory to hold out the hope that gun homicides can be eliminated entirely by the simple passage of a Federal act—and even the most ardent advocates of the strongest possible Federal gun control measure do not put forth such a claim.

It is likewise illusory to hold out the hope that it is possible to devise a Federal gun control law which could in one fell swoop take care of the myriad problems of a land and a people as diverse as the 50 States of this land.

The problems and the circumstances confronting a family living in downtown Manhattan—minutes away from a separate State—cannot be compared to the problems and circumstances of a family in a small, remote, isolated Alaska village not connected by road with any other village.

Looking at the problem of gun control in perspective, it is obvious that regulation should in the first instance be the responsibility of State and local governments. Ours is not a Federal system of government—it is a Federal-State system of government.

Unless there are urgent and compelling reasons for doing so—and none have been shown to me—the Federal Government should not preempt the field of gun regulation.

There are of course instances where the Federal Government, because of its power to regulate interstate commerce, must take action to prevent regulatory State legislation from being subverted. This the Federal Government has done in many instances, such as transporting stolen automobiles in interstate commerce.

In some instances a stolen motor vehicle in the hands of an inexperienced driver—or a driver seeking to make good his escape—can be just as lethal as a rifle. Yet there is no massive movement for providing Federal registration of automobile drivers, limiting such registration to individuals who meet rigid Federal standards as interpreted by some official in Washington. Instead, the Federal power in this field has been circumscribed and limited to just that area where it is needed—to those instances where the antisocial action continues beyond a State's borders.

But the proponents of gun control legislation seek to go much further. And they have.

In Public Law 90–351—the Omnibus Crime Control and Safe Streets Act of 1968—in title IV, the Federal Government uses two approaches.

One approach is to seek to prevent the undermining of State laws through the utilization of interstate commerce. Thus it prohibits the transfer by a resident of one State to a resident of another State of "any firearm which the transferee could not lawfully purchase or possess in accord with applicable laws, regulations or ordinances of the State or political subdivision thereof in which the transferee resides."

This is a valid exercise of Federal power to buttress the laws of the State.

But the crime bill goes further than that. It seeks to impose a Federal standard on the residents of all 50 States with respect to certain matters. For example, it is forbidden for any "licensed importer, licensed manufacturer, or licensed dealer to sell or deliver any firearm to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age, if the firearm is other than a shotgun or rifle."

The pressure is now on to delete the exemption for shotguns and rifles with respect to those between 18 and 21.

In the circumstances prevailing in many parts of Alaska, the strict enforcement of this provision would cause an unbearable hardship which I am certain its framers never intended.

Thus in many of the remote native villages of Alaska—Indian, Eskimo, and Aleut—the villagers must perforce depend for their subsistence on fish and game. Theirs is not a money economy. When game are running, the family must all participate in "gathering" food for the table. All those able to hunt must and do help. This is and has been their way of life since time immemorial. It is an operation akin to that carried out on a family farm when the crop is ripe. To say that only those 21 years of age or over can participate in hunting would be to deny many a native family of its very sustenance.

Even the younger members of the family, if able, must participate to fill the family larder. Thus, during World War II, while, as Governor of the Territory of Alaska, I was organizing the Alaska Territorial Guard, I was in a village where I saw one boy of about 11, out hunting alone, shoot down several ptarmigans on the wing with a .22 caliber rifle, rather than buckshot, which is good shooting at any age. Several Eskimo boys, 14 or under, enrolled in this wartime organization and they served well.

Perhaps it may be contended that the solution to this problem is easy. Have the father buy the gun and give it to his son.

There are two objections to this seemingly simple solution.

In the first place, why the prohibition if it can be circumvented so easily? During prohibition this country had its fill of scofflaws. Let us not see a repetition.

In the second place, some of the young men going on these hunts in the remote villages, are heads of families—either through the deaths of their fathers or because they are starting their own families. How are they to obtain the guns they need to procure food for themselves and their dependents without breaking the law?

Another example of how a blunderbuss approach to gun control legislation can wreak chaos because it cannot adequately cover the many specific situations in every part of the country:

Alaska is the "flyingest" State in the Union. Its residents have to fly because Alaska lacks roads, having been excluded from the Federal highway aid program for so many years. Under Federal Aviation Agency regulations a private pilot's license can be obtained at the age of 16. However, because of the danger inherent in a forced landing on some of the rough terrain in Alaska inhabited by predatory wildlife, Alaska law provides—Alaska statutes, section 02.35.12:

> No airman may make a flight inside the State unless emergency equipment is carried as follows . . . (D) one pistol, revolver, shotgun or rifle, and ammunition for same . . .

The 16-year-old airman intending to take a flight in the State of Alaska thus faces a choice: he can disobey the State law and take a chance of being mauled or killed by a bear, or of starving, if he is forced down, or he can disobey the Federal law and follow the State statute enacted for his own safety. Why should the Federal Government force this choice upon him and to what end?

Another oversight in passing hasty, ill-conceived gun control legislation is that it affects the very safety of many of the residents of Alaska.

The forests just outside many Alaska cities have wild animals in them, such as bears and wolves. It is advisable in going into these woods for a stroll or a picnic to take along a gun. Indeed it is inadvisable not to do so. What is the 15-year-old boy to do when he wants to picnic in the woods—ask his father to go along with him or, if he has one, his older brother or sister who is over 18 or 21?

The omnibus bill is absolute in its prohibition of the sale of a handgun—and long guns if so extended—to a person who has been convicted of a felony. There are no ands, ifs, or buts about this prohibition. No exceptions are made. No period is specified after which an individual can be considered rehabilitated. No attempt is made to differentiate the types of felonies except those felonies relating to business crimes.

What is the head of a native family to do who must shoot to provide the only food he and his family will have, but is denied a gun because 15 or 20 years before, as a young man, he had been convicted of stealing $101, which under Alaska law is a felony?

Suppose the same man wants to take a stroll in the woods outside Juneau on a Sunday afternoon. The Omnibus Act would send him on that stroll without giving him a gun to protect himself and his family if charged by a grizzly, brown, or black bear.

What purpose is served by making him take such risks? Are the people walking the streets of Manhattan made any safer because a thoughtless Federal legal provision has endangered the life of a man in Juneau, Anchorage, or Fairbanks, or has made a native in a remote village of Alaska unable to feed himself and his family?

It is indeed ironic that much of recent furor for strong Federal gun control legislation erupted after the tragic killing of Senator Robert F. Kennedy. I say ironic because the gun used by the slayer of Senator Kennedy was purchased from a dealer in California and never left the State of California. California has one of the strongest gun control laws in the Nation.

Thus, as reported by the Washington Post on June 6, 1968:

> The gun used to wound Sen. Robert F. Kennedy and five other persons was originally purchased for home protection during the Watts riot in August, 1965, it was disclosed today.
>
> The history of the 22-caliber, 8-shot pistol manufactured by Iver Johnson's Arms and Cycle Works in Fitchburg, Miss., [sic] includes at least four persons.
>
> It was bought at a sporting goods store during the riot by Albert L. Hertz, 72, of Alhambra, a Los Angeles suburb. He gave it to his daughter, Mrs. Robert F. Westlake of Woodacre, in Marin County in northern California.
>
> Mrs. Westlake told investigators she gave it to a family friend, George C. Erhard, 18, of Pasadena, last November or December.
>
> Erhard sold the gun to Joe, "a bushy-haired Pasadena man," who police identified as one of the brothers of Sirhan B. Sirhan, suspected of wounding Sen. Kennedy and the others.

Obviously, the most stringent legislation proposed could not, had it been enacted, prevented the murder of Robert Kennedy.

As I have said, in my opinion, the initial responsibility for the enactment of effective gun control legislation should rest on State and local governments in the first instance, buttressed by the power of the Federal Government to assure that State laws are not subverted because the writ of a State does not run beyond its borders.

In the enactment of Public Law 90-351 that was not done, so some of the provisions of that Federal law work a hardship on many of the residents living in the State of Alaska because of the unique condition of the last frontier. To remedy this situation, I send to the desk an amendment to S. 3633—now under consideration by the Senate Judiciary Committee—and ask that it be appropriately referred.

I ask unanimous consent that the amendment, the provisions of title IV and VII of Public Law 90–351, the provisions of S. 3633 as reported by the Senate Subcommittee on Juvenile Delinquency and a perceptive editorial from the Anchorage Daily Times of June 20, 1968, entitled "Guns in Alaska," be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. The amendment will be received, printed, and will be appropriately referred; and, without objection, the amendment and material referred to by the Senator from Alaska will be printed in the Record.

The amendment (No. 871) was referred to the Committee on the Judiciary, as follows:

> Add at the end thereof the following new section:
>
> "Sec. 9. The Governor of a State may certify to the Secretary that application of this Act or of Title IV and VII of Public Law 90-351, approved June 19, 1968, or both, or of certain portions of such Acts, to residents of that State, or some part thereof, is not practicable or would cause undue hardships for certain classes of residents thereof. Upon receipt of such certification, the Secretary shall grant to such residents exemption from the application of the provisions of such Act or Acts."

There being no objection, the material was ordered to be printed in the Record, as follows:

[Public Law 90–351, 90th Congress, H.R. 5037, June 19, 1968]

Title IV—State Firearms Control Assistance

FINDINGS AND DECLARATION

Sec. 901. (a) The Congress hereby finds and declares—

(1) that there is a widespread traffic in firearms moving in or otherwise affecting interstate or foreign commerce, and that the existing Federal controls over such traffic do not adequately enable the States to control this traffic within their own borders through the exercise of their police power;

(2) that the ease with which any person can acquire firearms other than a rifle or shotgun (including criminals, juveniles without the knowledge or consent of their parents or guardians, narcotics addicts, mental defectives, armed groups who would supplant the functions of duly constituted public authorities and others whose possession of such weapons is similarly contrary to the public interest) is a significant factor in the prevalence of lawlessness and violent crime in the United States;

(3) that only through adequate Federal control over interstate and foreign commerce in these weapons, and over all persons engaging in the businesses of importing, manufacturing, or dealing in them, can this grave problem be properly dealt with, and effective State and local regulation of this traffic be made possible;

(4) that the acquisition on a mail-order basis of firearms other than a rifle or shotgun by nonlicensed individuals, from a place other than their State of residence, has materially tended to thwart the effectiveness of State laws and regulations, and local ordinances;

(5) that the sale or other disposition of concealable weapons by importers, manufacturers, and dealers holding Federal licenses, to nonresidents of the State in which the licensees' places of business are located, has tended to make ineffective the laws, regulations, and ordinances in the several States and local jurisdictions regarding such firearms;

(6) that there is a causal relationship between the easy availability of firearms other than a rifle or shotgun and juvenile and youthful criminal behavior, and that such firearms have been widely sold by federally licensed importers and dealers to emotionally immature, or thrill-bent juveniles and minors prone to criminal behavior;

(7) that the United States has become the dumping ground of the castoff surplus military weapons of other nations, and that such weapons, and the large volume of relatively inexpensive pistols and revolvers (largely worthless for sporting purposes), imported into the United States in recent years, has contributed greatly to lawlessness and to the Nation's law enforcement problems;

(8) that the lack of adequate Federal control over interstate and foreign commerce in highly destructive weapons (such as bazookas, mortars, antitank guns, and so forth, and destructive devices such as explosive or incendiary grenades, bombs, missiles, and so forth) has allowed such weapons and devices to fall into the hands of lawless persons, including armed groups who would supplant lawful authority, thus creating a problem of national concern;

(9) that the existing licensing system under the Federal Firearms Act does not provide adequate license fees or proper standards for the granting or denial of licenses, and that this has led to licenses being issued to persons not reasonably entitled thereto, thus distorting the purposes of the licensing system.

(b) The Congress further hereby declares that the purpose of this title is to cope with the conditions referred to in the foregoing subsection, and that it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trap shooting, target shooting, personal protection, or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title.

Sec. 902. Title 18, United States Code, is amended by inserting after section 917 thereof the following new chapter:

"CHAPTER 44.—FIREARMS

"Sec.
"921. Definitions.
"922. Unlawful acts.
"923. Licensing.
"924. Penalties.
"925. Exceptions: Relief from disabilities.
"926. Rules and regulations.
"927. Effect on State law.
"928. Separability clause.

"§ 921. Definitions

"(a) As used in this chapter—

"(1) The term 'person' and the term 'whoever' includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.

"(2) The term 'interstate or foreign commerce' includes commerce between any State or possession (not including the Canal Zone) and any place outside thereof; or between points within the same State or possession (not including the Canal Zone), but through any place outside thereof; or within any possession or the District of Columbia. The term 'State' shall include the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia.

"(3) The term 'firearm' means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device.

"(4) The term 'destructive device' means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

"(5) The term 'shotgun' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

"(6) The term 'short-barreled shotgun' means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(7) The term 'rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

"(8) The term 'short-barreled rifle' means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(9) The term 'importer' means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term 'licensed importer' means any such person licensed under the provisions of this chapter.

"(10) The term 'manufacturer' means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution; and the term 'licensed manufacturer' means any such person licensed under the provisions of this chapter.

"(11) The term 'dealer' means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms or (C) any person who is a pawnbroker. The term 'licensed dealer' means any dealer who is licensed under the provisions of this chapter.

"(12) The term 'pawnbroker' means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

"(13) The term 'indictment' includes an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

"(14) The term 'fugitive from justice' means any person who has fled from any State or possession to avoid prosecution for a crime punishable by imprisonment for a term exceeding one year or to avoid giving testimony in any criminal proceeding.

"(15) The term 'antique firearm' means any firearm manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system) or replica thereof, whether actually manufactured before or after the year 1898; and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States; and is not readily available in the ordinary channels of commercial trade.

"(16) The term 'ammunition' means ammunition for a destructive device; it shall not include shotgun shells or any other ammunition designed for use in a firearm other than a destructive device.

"(17) The term 'Secretary' or 'Secretary of the Treasury' means the Secretary of the Treasury or his delegate.

"(18) The term 'published ordinance' means a published law of any political subdivision of a State which the Secretary of the Treasury determines to be relevant to the enforcement of this chapter and which is contained on a list compiled by the Secretary of the Treasury which list shall be published in the Federal Register, revised annually, and furnished to each licensee under this chapter.

"(b) As used in this chapter—

"(1) The term 'firearm' shall not include an antique firearm.

"(2) The term 'destructive device' shall not include—

"(A) a device which is not designed or redesigned or used or intended for use as a weapon; or

"(B) any device, although originally designed as a weapon, which is redesigned so that it may be used solely as a signaling, line-throwing, safety or similar device; or

"(C) any shotgun other than a short-barreled shotgun; or

"(D) any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for use for the hunting of big game; or

"(E) surplus obsolete ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of sections 4684(2), 4685, or 4686 of title 10, United States Code; or

"(F) any other device which the Secretary finds is not likely to be used as a weapon.

"(3) The term 'crime punishable by imprisonment for a term exceeding one year shall not include any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secretary may by regulation designate.

"§ 922. Unlawful acts

"(a) It shall be unlawful—

"(1) for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms, or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce.

"(2) for any importer, manufacturer, or dealer licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce, any firearm other than a rifle or shotgun, or ammunition to any person other than a licensed importer, licensed manufacturer, or licensed dealer, except that—

"(A) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received;

"(B) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firearm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of title 18 of the United States Code, is eligible to receive through the mails pistols, revolvers, and other firearms capable of being concealed on the person, for use in connection with his official duty;

"(C) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States.

"(3) for any person other than a licensed importer, licensed manufacturer, or licensed dealer to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, in which he maintains a place of business)—

"(A) any firearm, other than a shotgun or rifle, purchased or otherwise obtained by him outside that State;

"(B) any firearm, purchased or otherwise obtained by him outside that State, which it would be unlawful for him to purchase or possess in the State or political subdivision thereof wherein he resides (or if the person is a corporation or other business entity in which he maintains a place of business).

"(4) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer, to transport in interstate or foreign commerce any destructive device, machinegun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barrelled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary.

"(5) for any person to transfer, sell, trade, give, transport, or deliver to any person (other than a licensed importer, licensed manufacturer, or licensed dealer) who resides in any State other than that in which the transferor resides (or in which his place of business is located if the transferor is a corporation or other business entity)—

"(A) any firearm, other than a shotgun or rifle;

"(B) any firearm which the transferee could not lawfully purchase or possess in accord with applicable laws, regulations or ordinances of the State or political subdivision thereof in which the transferee resides (or in which his place of business is located if the transferee is a corporation or other business entity).

"This paragraph shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"(6) for any person in connection with the acquisition or attempted acquisition of any firearm from a licensed importer, licensed manufacturer, or licensed dealer, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false or fictitious or misrepresented identification, intended or likely to deceive such importer, manufacturer, or dealer with respect to any fact material to the lawlessness of the sale or other disposition of such firearm under the provisions of this chapter.

"(b) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or deliver—

"(1) any firearm to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age, if the firearm is other than a shotgun or rifle.

"(2) any firearm to any person in any State where the purchase or possession by such person of such firearm would be in violation of any State law or any published ordinance applicable at the place of sale, delivery or other disposition, or in the locality in which such person resides unless the licensee knows or has reasonable cause to believe that the purchase or possession would not be in violation of such State law or such ordinance.

"(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located; except that this paragraph shall not apply in the case of a shotgun or rifle.

"(4) to any person any destructive device, machine gun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, unless he has in his possession a sworn statement executed by the principal law enforcement officer of the locality wherein the purchaser or person to whom it is otherwise disposed of resides, attesting that there is no provision of law, regulation, or ordinance which would be violated by such person's receipt or possession thereof, and that he is satisfied that it is intended by such person for lawful purposes; and such sworn statement shall be retained by the licensee as a part of the records required to be kept under the provisions of this chapter.

"(5) any firearm to any person unless the licensee notes in his records required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Paragraphs (1), (2), (3) and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"(c) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or otherwise dispose of any firearm or ammunition to any person, knowing or having reasonable cause to believe that such person is a fugitive from justice or is under indictment or has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year. This subsection shall not apply with respect to sale or disposition of a firearm to a licensed importer, licensed manufacturer, or licensed dealer who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

"(d) It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

"(e) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from justice, to ship or transport any firearm or ammunition in interstate or foreign commerce.

"(f) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or is a fugitive from justice, to receive any firearam or ammunition which has been shipped or transported in interstate or foreign commerce.

"(g) It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe the same to have been stolen.

"(h) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, moving as or which is a part of or which constitutes interstate or foreign commerce, knowing or having reasonable cause to believe the same to have been stolen.

"(i) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm the importer's or manufacturers' serial number of which has been removed, obliterated, or altered.

"(j) It shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition, except as provided in subsection (d) of section 925 of this chapter; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

"(k) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer knowingly to make any false entry in, or to fail to make appropriate entry in or to fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

"§ 923. Licensing

"(a) No person shall engage in business as a firearms or ammunition importer, manufacturer, or dealer until he has filed an application with, and received a license to do so from, the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. Each applicant shall be required to pay a fee for obtaining such a license, a separate fee being required for each place in which the applicant is to do business, as follows:

"(1) If a manufacturer—

"(A) of destructive devices and/or ammunition a fee of $1,000 per year;

"(B) of firearms other than destructive devices a fee of $500 per year.

"(2) If an importer—

"(A) of destructive devices and/or ammunition a fee of $1,000 per year;

"(B) of firearms other than destructive devices a fee of $500 per year.

"(3) If a dealer—

"(A) in destructive devices and/or ammunition a fee of $1,000 per year;

"(B) who is a pawnbroker dealing in firearms other than destructive devices a fee of $250 per year;

"(C) who is not a dealer in destructive devices or a pawnbroker, a fee of $10 per year.

"(b) Upon the filing of a proper application and payment of the prescribed fee, the Secretary may issue to the applicant the appropriate license which, subject to the provisions of this chapter and other applicable provisions of law, shall entitle the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign commerce during the period stated in the license.

"(c) Any application submitted under subsections (a) and (b) of this section shall be disapproved and the license denied and the fee returned to the applicant if the Secretary, after notice and opportunity for hearing, finds that—

"(1) the applicant is under twenty-one yers of age; or

"(2) the applicant (including in the case of a corporation, partnership, or association, any individual possessing directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under the provisions of this chapter; or is, by reason of his business experience, financial standing, or trade connections, not likely to commence business operations during the term of the annual license applied for or to maintain operations in compliance with this chapter; or

"(3) the applicant has willfully violated any of the provisions of this chapter or regulations issued thereunder; or

"(4) the applicant has willfully failed to disclose any material information required, or has made any false statement as to any material fact, in connection with his application; or

"(5) the applicant does not have, or does not intend to have or to maintain, in a State or possession, business premises for the conduct of the business.

"(d) Each licensed importer, licensed manufacturer, and licensed dealer shall maintain such records of importation, production, shipment, receipt, and sale or other disposition, of firearms and ammunition at such place, for such period and in such form as the Secretary may by regulations prescribe. Such importers, manufacturers, and dealers shall make such records available for inspection at all reasonable times, and shall submit to the Secretary such reports and information with respect to such records and the contents thereof as he shall by regulations prescribe. The Secretary or his delegate may enter during business hours the premises (including places of storage) of any firearms or ammunition importer, manufacturer, or dealer for the purpose of inspecting or examining any records or documents required to be kept by such importer or manufacturer or dealer under the provisions of this chapter or regulations issued pursuant thereto, and any firearms or ammunition kept or stored by such importer, manufacturer, or dealer at such premises. Upon the request of any State, or possession, or any political subdivision thereof, the Secretary of the Treasury may make available to such State, or possession, or any political subdivision thereof, any information which he may obtain by reason of the provisions of this chapter with respect to the identification of persons within such State, or possession, or political subdivision thereof, who have purchased or received firearms or ammunition, together with a description of such firearms or ammunition.

"(e) Licenses issued under the provisions of subsection (b) of this section shall be kept posted and kept available for inspection on the business premises covered by the license.

"(f) Licensed importers and licensed manufacturers shall identify, in such manner as the Secretary shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer.

"§ 924. Penalties

"(a) Whoever violates any provision of this chapter or knowingly makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter, or in applying for any license or exemption or relief from disability under the provisions of this chapter, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(b) Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships, transports, or receives a firearm in interstate or foreign commerce shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"(c) Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of this chapter, or a rule or regulation promulgated thereunder, or violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5848(1) of said Code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

§ 925. Exceptions: relief from disabilities

"(a) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, or sold or shipped to, or issued for the use of the United States or any department, or agency thereof; or any State or possession, or any department, agency, or political subdivision thereof.

"(b) A licensed importer, licensed manufacturer, or licensed dealer who is indicted for a crime punishable by imprisonment for a term exceeding one year, may, notwithstanding any other provisions of this chapter, continue operations pursuant to his existing license (provided that prior to the expiration of the term of the existing license timely application is made for a new license) during the term of such indictment and until any conviction pursuant to the indictment becomes final.

"(c) A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act) may take application to the Secretary for relief from the disabilities under this chapter incurred by reason of such conviction, and the Secretary may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to conduct his operations in an unlawful manner, and that the granting of the relief would not be contrary to the public interest. A licensee conducting operations under this chapter, who makes application for relief from the disabilities incurred under this chapter by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary grants relief to any person pursuant to this section he shall promptly publish in the Federal Register notice of such action, together with the reasons therefor.

"(d) The Secretary may authorize a firearm to be imported or brought into the United States or any possession thereof if the person importing or bringing in the firearm establishes to the satisfaction of the Secretary that the firearm—

"(1) is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10 of the United States Code; or

"(2) is an unserviceable firearm, other than a machinegun as defined by 5848 (2) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece; or

"(3) is of a type than does not fall within the definition of a firearm as defined in section 5848(1) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, and in the case of surplus military firearms is a rifle or shotgun; or

"(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm:

Provided, That the Secretary may permit the conditional importation or bringing in of a firearm for examination and testing in connection with the making of a determining as to whether the importation or bringing in of such firearm will be allowed under this subsection.

"§ 926. Rules and regulations

"The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter. The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations.

"§ 927. Effect on State law

"No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State or possession on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State or possession so that the two cannot be reconciled or consistently stand together.

"§ 928. Separability

"If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

SEC. 903. The administration and enforcement of the amendment made by this title shall be vested in the Secretary of the Treasury.

SEC. 904. Nothing in this title or amendment made thereby shall be construed as modifying or affecting any provision of—

(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954); or

(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

(c) section 1715 of title 18, United States Code, relating to nonmailable firearms.

SEC. 905. The table of contents to "PART I.—CRIMES" of title 18, United States Code, is amended by inserting after

"43. False personation................ 911"

a new chapter reference as follows:

"44. Firearms .... 921".

SEC. 906. The Federal Firearms Act (52 Stat. 1250; 15 U.S.C. 901–910), as amended, is repealed.

SEC. 907. The amendments made by this title shall become effective one hundred and eighty days after the date of its enactment; except that repeal of the Federal Firearms Act shall not in itself terminate any valid license issued pursuant to that Act and any such license shall be deemed valid until it shall expire according to its terms unless it be sooner revoked or terminated pursuant to applicable provisions of law.

TITLE VII—UNLAWFUL POSSESSION OR RECEIPT OF FIREARMS

SEC. 1201. The Congress hereby finds and declares that the receipt, possession, or transportation of a firearm by felons, veterans who are other than honorably discharged, mental incompetents, aliens who are illegally in the country, and former citizens who have renounced their citizenship, constitutes—

(1) a burden on commerce or threat affecting the free flow of commerce,

(2) a threat to the safety of the President of the United States and Vice President of the United States,

(3) an impediment or a threat to the exercise of free speech and the free exercise of a religion guaranteed by the first amendment to the Constitution of the United States, and

(4) a threat to the continued and effective operation of the Government of the United States and of the government of each State guaranteed by article IV of the Constitution.

SEC. 1202. (a) Any person who—

(1) has been convicted by a court of the United States or of a State or any political subdivision thereof of a felony, or

(2) has been discharged from the Armed Forces under other than honorable conditions, or

(3) has been adjudged by a court of the United States or of a State or any political subdivision thereof of being mentally incompetent, or

(4) having been a citizen of the United States has renounced his citizenship, or

(5) being an alien is illegally or unlawfully in the United States,

and who receives, possesses, or transports in commerce or affecting commerce, after the date of enactment of this Act, any firearm shall be fined not more than $10,000 or imprisoned for not more than two years, or both.

(b) Any individual who to his knowledge and while being employed by any person who—

(1) has been convicted by a court of the United States or of a State or any political subdivision thereof of a felony, or

(2) has been discharged from the Armed Forces under other than honorable conditions, or

(3) has been adjudged by a court of the United States or of a State or any political subdivision thereof of being mentally incompetent, or

(4) having been a citizen of the United States has renounced his citizenship, or

(5) being an alien is illegally or unlawfully in the United States,

and who, in the course of such employment, receives, possesses, or transports in commerce or affecting commerce, after the date of the enactment of this Act, any firearm shall be fined not more than $10,000 or imprisoned for not more than two years, or both.

(c) As used in this title—

(1) "commerce" means travel, trade, traffic, commerce, transportation, or communication among the several States, or between the District of Columbia and any State, or between any foreign country or any territory or possession and any State or the District of Columbia, or between points in the same State but through any other State or the District of Columbia or a foreign country;

(2) "felony" means any offense punishable by imprisonment for a term exceeding one year;

(3) "firearm" means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device. Such term shall include any handgun, rifle, or shotgun;

(4) "destructive device" means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter;

(5) "handgun" means any pistol or revolver originally designed to be fired by the use of a single hand and which is designed to fire or capable of firing fixed cartridge ammunition, or any other firearm originally designed to be fired by the use of a single hand;

(6) "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger;

(7) "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifle bore for each single pull of the trigger.

SEC. 1203. This title shall not apply to—

(1) any prisoner who by reason of duties connected with law enforcement has expressly been entrusted with a firearm by competent authority of the prison; and

(2) any person who has been pardoned by the President of the United States or the chief executive of a State and has expressly been authorized by the President or such chief executive, as the case may be, to receive, possess, or transport in commerce a firearm.

S. 3633

A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "State Firearms Control Assistance Act of 1968."

FINDINGS AND DECLARATION

SEC. 2. (a) The Congress hereby finds and declares—

(1) that there is a widespread traffic in firearms moving in or otherwise affecting interstate or foreign commerce, and that the existing Federal controls over such traffic do not adequately enable the States to control this traffic within their own borders through the exercise of their police power;

(2) that the ease with which any person can acquire firearms (including criminals, juveniles without the knowledge or consent of their parents or guardians, narcotics addicts, mental defectives, armed groups who would supplant the functions of duly constituted public authorities, and others whose possession of such weapons is similarly contrary to the public interest) is a significant factor in the prevalence of lawlessness and violent crime in the United States;

(3) that only through adequate Federal control over interstate and foreign commerce in these weapons, and over all persons engaging in the businesses of importing, manufacturing, or dealing in them, can this grave problem be properly dealt with, and effective State and local regulation of this traffic be made possible;

(4) that the acquisition on a mail-order basis of firearm by nonlicensed individuals, from a place other than their State of residence, has materially tended to thwart the effectiveness of State laws and regulations, and local ordinances;

(5) that the sale or other disposition of firearms by importers, manufacturers, and dealers holding Federal licenses, to nonresidents of the State in which the licensees' places of business are located, has tended to make ineffective the laws, regulations, and ordinances in the several States and local jurisdictions regarding such firearms;

(6) that there is a causal relationship between the easy availability of firearms and juvenile and youthful criminal behavior, and that firearms have been widely sold by federally licensed importers and dealers to emotionally immature, or thrill-bent juveniles and minors prone to criminal behavior;

(7) that the United States has become the dumping ground of the castoff surplus military weapons of other nations, and that such weapons, and the large volume of relatively inexpensive firearms (largely worthless for sporting purposes), imported into the United States in recent years, has contributed greatly to lawlessness and to the Nation's law enforcement problems;

(8) that the lack of adequate Federal control over interstate and foreign commerce in highly destructive weapons (such as bazookas, mortars, antitank guns, and so forth, and destructive devices such as explosive or incendiary grenades, bombs, missiles, and so forth) has allowed such weapons and devices to fall into the hands of lawless persons, including armed groups who would supplant lawful authority, thus creating a problem of national concern;

(9) that the existing licensing system under the Federal Firearms Act does not provide adequate license fees or proper standards for the granting or denial of licenses, and that this has led to licenses being issued to persons not reasonably entitled thereto, thus distorting the purposes of the licensing system.

(b) The Congress further hereby declares that the purpose of this title is to cope with the conditions referred to in the foregoing subsection, and that it is not the purpose of this title to place any undue or unnecessary Federal restrictions or burdens on law-abiding citizens with respect to the acquisition, possession, or use of firearms appropriate to the purpose of hunting, trap shooting, target shooting, personal protection, or any other lawful activity, and that this title is not intended to discourage or eliminate the private ownership or use of firearms by law-abiding citizens for lawful purposes, or provide for the imposition by Federal regulations of any procedures or requirements other than those reasonably necessary to implement and effectuate the provisions of this title.

SEC. 3. Title 18, United States Code, is amended by inserting after section 917 thereof chapter 44 to read as follows:

"CHAPTER 44.—FIREARMS

"Sec.
"921. Definitions.
"922. Unlawful acts.
"923. Licensing.
"924. Penalties.
"925. Exceptions: Relief from disabilities.
"926. Rules and regulations.
"927. Effect on State law.
"928. Separability clause.

"§ 921. Definitions

"(a) As used in this chapter—

"(1) The term 'person' and the term 'whoever' includes any individual, corporation, company, association, firm, partnership, society, or joint stock company.

"(2) The term 'interstate or foreign commerce' includes commerce between any State or possession (not including the Canal Zone) and any place outside thereof; or between points within the same State or possession (not including the Canal Zone), but through any place outside thereof; or within any possession or the District of Columbia. The term 'State' shall include the Commonwealth of Puerto Rico, the Virgin Islands, and the District of Columbia.

"(3) The term 'firearm' means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; or any firearm muffler or firearm silencer; or any destructive device.

"(4) The term 'destructive device' means any explosive, incendiary, or poison gas bomb, grenade, mine, rocket, missile, or similar device; and includes any type of weapon which will or is designed to or may readily be converted to expel a projectile by the action of any explosive and having any barrel with a bore of one-half inch or more in diameter.

"(5) The term 'shotgun' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

"(6) The term 'short-barreled shotgun' means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than twenty-six inches.

"(7) The term 'rifle' means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

"(8) The term 'short-barreled rifle' means a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches.

"(9) The term 'importer' means any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution; and the term 'licensed importer' means any such person licensed under the provisions of this chapter.

"(10) The term 'manufacturer' means any person engaged in the manufacture of firearms or ammunition for purposes of sale or distribution; and the term 'licensed manufacturer' means any such person licensed under the provisions of this chapter.

"(11) The term 'dealer' means (A) any person engaged in the business of selling firearms or ammunition at wholesale or retail, (B) any person engaged in the business of repairing such firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms, or (C) any person who is a pawnbroker. The term 'licensed dealer' means any dealer who is licensed under the provisions of this chapter.

"(12) The term 'pawnbroker' means any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm or ammunition as security for the payment or repayment of money.

"(13) The term 'indictment' includes an indictment or an information in any court under which a crime punishable by imprisonment for a term exceeding one year may be prosecuted.

"(14) The term 'fugitive from justice' means any person who has fled from any State or possession to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding.

"(15) The term 'antique firearm' means any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar early type of ignition system or replica thereof, whether actually manufactured before or after the year 1898) and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United States and is not readily available in the ordinary channels of commercial trade.

"(16) The term 'ammunition' means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

"(17) The term 'Secretary' or 'Secretary of the Treasury' means the Secretary of the Treasury or his delegate.

"(b) As used in this chapter—

"(1) The term 'firearm' shall not include an antique firearm.

"(2) The term 'destructive device' shall not include—

"(A) a device which is neither designed nor redesigned nor used nor intended for use as a weapon; or

"(B) any device, although originally designed as a weapon, which is redesigned so that it may be used solely as a signaling, line-throwing, safety, or similar device; or

"(C) any shotgun other than a short-barreled shotgun; or

"(D) any nonautomatic rifle (other than a short-barreled rifle) generally recognized or particularly suitable for use for the hunting of big game; or

"(E) surplus obsolete ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of sections 4684 (2), 4685, or 4686 of title 10, United States Code; or

"(F) any other device which the Secretary finds is not likely to be used as a weapon.

"(3) The term 'crime punishable by imprisonment for a term exceeding one year' shall not include any Federal or State offenses pertaining to antitrust violations, unfair trade practices, restraints of trade, or other similar offenses relating to the regulation of business practices as the Secetary may by regulation designate.

"§ 922. Unlawful acts

"(a) It shall be unlawful—

"(1) for any person, except a licensed importer, licensed manufacturer, or licensed dealer, to engage in the business of importing, manufacturing, or dealing in firearms, or ammunition, or in the course of such business to ship, transport, or receive any firearm or ammunition in interstate or foreign commerce.

"(2) for any importer, manufacturer, or dealer licensed under the provisions of this chapter to ship or transport in interstate or foreign commerce, any firearms or ammunition to any person other than a licensed importer, licensed manufacturer, or licensed dealer, except that—

"(A) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from returning a firearm or replacement firearm of the same kind and type to a person from whom it was received;

"(B) this paragraph shall not be held to preclude a licensed importer, licensed manufacturer, or licensed dealer from depositing a firearm for conveyance in the mails to any officer, employee, agent, or watchman who, pursuant to the provisions of section 1715 of title 18 of the United States Code, is eligible to receive through the mails pistols, revolvers, and other firearms capable of being concealed on the person, for use in connection with his official duty;

"(C) nothing in this paragraph shall be construed as applying in any manner in the District of Columbia, the Commonwealth of Puerto Rico, or any possession of the United States differently than it would apply if the District of Columbia, the Commonwealth of Puerto Rico, or the possession were in fact a State of the United States.

"(3) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer to transport into or receive in the State where he resides (or if the person is a corporation or other business entity, in which he maintains a place of business) any firearm purchased or otherwise obtained by him outside that State.

"(4) for any person, other than a licensed importer, licensed manufacturer, or licensed dealer, to transport in interstate or foreign commerce any destructive device, machinegun (as defined in section 5848 of the Internal Revenue Code of 1954), a short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary consistent with public safety and necessity.

"(5) for any person other than a licensed importer, licensed manufacturer, or licensed dealer, to transfer, sell, trade, give, transport, or deliver any firearm to any person (other than a licensed importer, licensed manufacturer, or licensed dealer) who the transferor knows or has reasonable cause to believe resides in any State other than that in which the transferor resides (or in which his place of business is located if the transferor is a corporation or other business entity).

"This paragraph shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"(6) for any person in connection with the acquisition or attempted acquisition of any firearm or ammunition from a licensed importer, licensed manufacturer, or licensed dealer, knowingly to make any false or fictitious oral or written statement or to furnish or exhibit any false or fictitious or misrepresented identification, intended or likely to deceive such importer manufacturer, or dealer with respect to any fact material to the lawfulness of the sale or other disposition of such firearm or ammunition under the provisions of this chapter.

"(b) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or deliver—

"(1) any firearm or ammunition to any individual who the licensee knows or has reasonable cause to believe is less than eighteen years of age and, if the firearm or ammunition is other than a shotgun or rifle, or ammunition for a shotgun or rifle, to any individual who the licensee knows or has reasonable cause to believe is less than twenty-one years of age.

"(2) any firearm or ammunition to any person in any State where the purchase or possession by such person of such firearm or ammunition would be in violation of any State or local law applicable at the place of sale, delivery, or other disposition, unless the licensee knows or has reasonable cause to believe that the purchase or possession would not be in violation of such State or local law.

"(3) any firearm to any person who the licensee knows or has reasonable cause to believe does not reside in (or if the person is a corporation or other business entity, does not maintain a place of business in) the State in which the licensee's place of business is located.

"(4) to any person any destructive device, machine gun (as defined in section 5848 of the Internal Revenue Code of 1954), short-barreled shotgun, or short-barreled rifle, except as specifically authorized by the Secretary consistent with public safety and necessity.

"(5) any firearm or ammunition to any person unless the licensee notes in his records required to be kept pursuant to section 923 of this chapter, the name, age, and place of residence of such person if the person is an individual, or the identity and principal and local places of business of such person if the person is a corporation or other business entity.

Paragraphs (1), (2), (3), and (4) of this subsection shall not apply to transactions between licensed importers, licensed manufacturers, and licensed dealers.

"(c) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer to sell or otherwise dispose of any firearm or ammunition to any person, knowing or having reasonable cause to believe that such person is a fugitive from justice or is under indictment or has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year. This subsection shall not apply with respect to sale or disposition of a firearm or ammunition to a licensed importer, licensed manufacturer, or licensed dealer who pursuant to subsection (b) of section 925 of this chapter is not precluded from dealing in firearms or ammunition, or to a person who has been granted relief from disabilities pursuant to subsection (c) of section 925 of this chapter.

"(d) It shall be unlawful for any person knowingly to deliver or cause to be delivered to any common or contract carrier for transportation or shipment in interstate or foreign commerce, to persons other than licensed importers, licensed manufacturers, or licensed dealers, any package or other container in which there is any firearm or ammunition without written notice to the carrier that such firearm or ammunition is being transported or shipped.

"(e) It shall be unlawful for any common or contract carrier to transport or deliver in interstate or foreign commerce any firearm or ammunition with knowledge or reasonable cause to believe that the shipment, transportation, or receipt thereof would be in violation of the provisions of this chapter.

"(f) It shall be unlawful for any person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from justice, to ship or transport any firearm or ammunition in interstate or foreign commerce.

"(g) It shall be unlawful for any person who is under indictment or who has been convicted in any court of crime punishable by imprisonment for a term exceeding one year, or is a fugitive from justice, to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce.

"(h) It shall be unlawful for any person to transport or ship in interstate or foreign commerce, any stolen firearm or stolen ammunition, knowing or having reasonable cause to believe the same to have been stolen.

"(i) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, moving as or which is a part of or which constitutes interstate or foreign commerce, knowing or having reasonable cause to believe the same to have been stolen.

"(j) It shall be unlawful for any person knowingly to transport, ship, or receive, in interstate or foreign commerce, any firearm the importer's or manufacturer's serial number of which has been removed, obliterated, or altered.

"(k) It shall be unlawful for any person knowingly to import or bring into the United States or any possession thereof any firearm or ammunition, except as provided in subsection (d) of section 925 of this chapter; and it shall be unlawful for any person knowingly to receive any firearm or ammunition which has been imported or brought into the United States or any possession thereof in violation of the provisions of this chapter.

"(l) It shall be unlawful for any licensed importer, licensed manufacturer, or licensed dealer knowingly to make any false entry in, or to fail to make appropriate entry in or to fail to properly maintain, any record which he is required to keep pursuant to section 923 of this chapter or regulations promulgated thereunder.

"§ 923. Licensing

"(a) No person shall engage in business as a firearms or ammunition importer, manufacturer, or dealer until he has filed an application with, and received a license to do so from, the Secretary. The application shall be in such form and contain such information as the Secretary shall by regulation prescribe. Each applicant shall be required to pay a fee for obtaining such a license, a separate fee being required for each place in which the applicant is to do business, as follows:

"(1) If a manufacturer—

"(A) of destructive devices and/or ammunition for destructive devices a fee of $1,000 per year;

"(B) of firearms other than destructive devices a fee of $500 per year;

"(C) of ammunition for firearms other than destructive devices a fee of $10 per year.

"(2) If an importer—

"(A) of destructive devices and/or ammunition for destructive devices a fee of $1,000 per year;

"(B) of firearms other than destructive devices and/or ammunition for firearms other than destructive devices a fee of $500 per year.

"(3) If a dealer—

"(A) in destructive devices and/or ammunition for destructive devices a fee of $1,000 per year;

"(B) who is a pawnbroker dealing in firearms other than destructive devices or ammunition for firearms other than destructive devices a fee of $250 per year;

"(C) who is not a dealer in destructive devices or a pawnbroker a fee of $10 per year.

"(b) Upon the filing of a proper application and payment of the prescribed fee, the Secretary may issue to the applicant the appropriate license which, subject to the provisions of this chapter and other applicable provisions of law, shall entitle the licensee to transport, ship, and receive firearms and ammunition covered by such license in interstate or foreign commerce during the period stated in the license.

"(c) Any application submitted under subsections (a) and (b) of this section shall be disapproved and the license denied and the fee returned to the applicant if the Secretary, after notice and opportunity for hearing, finds that—

"(1) the applicant is under twenty-one years of age; or

"(2) the applicant (including in the case of a corporation, partnership, or association, any individual possessing, directly or indirectly, the power to direct or cause the direction of the management and policies of the corporation, partnership, or association) is prohibited from transporting, shipping, or receiving firearms or ammunition in interstate or foreign commerce under the provisions of this chapter; or is, by reason of his business experience, financial standing, or trade connections, not likely to commence business operations during the term of the annual license applied for or to maintain operations in compliance with this chapter; or

"(3) the applicant has willfully violated any of the provisions of this chapter or regulations issued thereunder; or

"(4) the applicant has willfully failed to disclose any material information required, or has made any false statement as to any material fact, in connection with his application; or

"(5) the applicant does not have, or does not intend to have or to maintain, in a State or possession, business premises for the conduct of the business.

"(d) Each licensed importer, licensed manufacturer, and licensed dealer shall maintain such records of importation, production, shipment, receipt, and sale or other disposition, of firearms and ammunition at such place, for such period and in such form as the Secretary may by regulations prescribe. Such importers, manufacturers, and dealers shall make such records available for inspection at all reasonable times, and shall submit to the Secretary such reports and information with respect to such records and the contents thereof as he shall by regulations prescribe. The Secretary or his delegate may enter during business hours the premises (including places of storage) of any firearms or ammunition importer, manufacturer, or dealer for the purpose of inspecting or examining any records or documents required to be kept by such importer or manufacturer or dealer under the provisions of this chapter or regulations issued pursuant thereto, and any firearms or ammunition kept or stored by such importer, manufacturer, or dealer at such premises. Upon the request of any State or possession, or any political subdivision thereof, the Secretary of the Treasury may make available to such State or possession, or any political subdivision thereof, any information which he may obtain by reason of the provisions of this chapter with resepct to the identification of persons within such State or possession, or political subdivision thereof, who have purchased or received firearms or ammunition, together with a description of such firearms or ammunition.

"(e) Licenses issued under the provisions of subsection (b) of this section shall be kept posted and kept available for inspection on the business premises covered by the license.

"(f) Licensed importers and licensed manufacturers shall identify, in such manner as the Secretary shall by regulations prescribe, each firearm imported or manufactured by such importer or manufacturer.

"§ 924. Penalties

"(a) Whoever violates any provision of this chapter or knowingly makes any false statement or representation with respect to the information required by the provisions of this chapter to be kept in the records of a person licensed under this chapter, or in applying for any license or exemption or relief from disability under the provisions of this chapter, shall be fined not more than $5,000 or imprisoned not more than five years, or both.

"(b) Whoever, with intent to commit therewith an offense punishable by imprisonment for a term exceeding one year, or with knowledge or reasonable cause to believe that an offense punishable by imprisonment for a term exceeding one year is to be committed therewith, ships, transports, or receives a firearm or any ammunition in interstate or foreign commerce shall be fined not more than $10,000 or imprisoned not more than ten years, or both.

"(c) Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of this chapter, or a rule or regulation promulgated thereunder, or violation of any other criminal law of the United States, shall be subject to seizure and forfeiture and all provisions of the Internal Revenue Code of 1954 relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5848(1) of said Code, shall, so far as applicable, extend to seizures and forfeitures under the provisions of this chapter.

"§ 925. Exceptions: Relief from disabilities

"(a) The provisions of this chapter shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm or ammunition imported for, or sold or shipped to, or issued for the use of the United States or any department or agency thereof; or any State or possession, or any department, agency, or political subdivision thereof.

"(b) A licensed importer, licensed manufacturer, or licensed dealer who is indicted for a crime punishable by imprisonment for a term exceeding one year, may, notwithstanding any other provisions of this chapter, continue operations pursuant to his existing license (provided that prior to the expiration of the term of the existing license timely application is made for a new license) during the term of such indictment and until any conviction pursuant to the indictment becomes final.

"(c) A person who has been convicted of a crime punishable by imprisonment for a term exceeding one year (other than a crime involving the use of a firearm or other weapon or a violation of this chapter or of the National Firearms Act) may make application to the Secretary for relief from the disabilities under this chapter incurred by reason of such conviction, and the Secretary may grant such relief if it is established to his satisfaction that the circumstances regarding the conviction, and the applicant's record and reputation, are such that the applicant will not be likely to conduct his operations in an unlawful manner, and that the granting of the relief would not be contrary to the public interest. A licensee conducting operations under this chapter, who makes application for relief from the disabilities incurred under this chapter by reason of such a conviction, shall not be barred by such conviction from further operations under his license pending final action on an application for relief filed pursuant to this section. Whenever the Secretary grants relief to any person pursuant to this section he shall promptly publish in the Federal Register notice of such action together with the reasons therefor.

"(d) The Secretary may authorize a firearm or ammunition to be imported or brought into the United States or any possession thereof if the person importing or bringing in the firearm or ammunition establishes to the satisfaction of the Secretary that the firearm or ammunition—

"(1) is being imported or brought in for scientific or research purposes, or is for use in connection with competition or training pursuant to chapter 401 of title 10 of the United States Code; or

"(2) is an unserviceable firearm, other than a machinegun as defined in section 5848(2) of the Internal Revenue Code of 1954 (not readily restorable to firing condition), imported or brought in as a curio or museum piece; or

"(3) is of a type that does not fall within the definition of a firearm as defined in section 5848(1) of the Internal Revenue Code of 1954 and is generally recognized as particularly suitable for or readily adaptable to sporting purposes, and in the case of surplus military firearms is a rifle or shotgun; or

"(4) was previously taken out of the United States or a possession by the person who is bringing in the firearm or ammunition:

Provided, That the Secretary may permit the conditional importation or bringing in of a firearm or ammunition for examination and testing in connection with the making of a determination as to whether the importation or bringing in of such firearm or ammunition will be allowed under this subsection.

"§ 926. Rules and regulations

"The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter. The Secretary shall give reasonable public notice, and afford to interested parties opportunity for hearing, prior to prescribing such rules and regulations. Violation of any provision of this chapter, or rule or regulation promulgated hereunder, shall be grounds for revocation by the Secretary, upon due notice and hearing, of any license issued hereunder.

"§ 927. Effect on State law

"No provision of this chapter shall be construed as indicating an intent on the part of the Congress to occupy the field in which such provision operates to the exclusion of the law of any State or possession on the same subject matter, unless there is a direct and positive conflict between such provision and the law of the State or possession so that the two cannot be reconciled or consistently stand together.

"§ 928. Separability

"If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the remainder of the chapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby."

SEC. 4. The administration and enforcement of the amendment made by this title shall be vested in the Secretary of the Treasury.

SEC. 5. Nothing in this title or amendment made thereby shall be construed as modifying or affecting any provision of—

(a) the National Firearms Act (chapter 53 of the Internal Revenue Code of 1954); or

(b) section 414 of the Mutual Security Act of 1954 (22 U.S.C. 1934), as amended, relating to munitions control; or

(c) section 1715 of title 18, United States Code, relating to nonmailable firearms.

SEC. 6. The table of contents to "PART I.—CRIMES" of title 18, United States Code, is amended by inserting after

"43. False personation................ 911"

a chapter reference as follows:

"44. Firearms .... 921"

SEC. 7. The Federal Firearms Act (52 Stat. 1250; 15 U.S.C. 901–910), as amended, is repealed.

SEC. 8. The provisions of this title shall become effective one hundred and eighty days after the date of its enactment; except that repeal of the Federal Firearms Act shall not in itself terminate any valid license issued pursuant to that Act and any such license shall be deemed valid until it shall expire according to its terms unless it be sooner revoked or terminated pursuant to applicable provisions of law.

[From the Anchorage (Alaska) Daily Times, June 20, 1968]

Guns in Alaska

Let's talk about gun control.

Everyone is. It's the national emotional issue at this moment. And there is good reason for it to be.

The nation has been stunned by events which strike at our conscience as citizens of the United States and as human, decent individuals.

Our President was slain in Dallas by a mail order rifle. The most respected of the civil rights leaders, Dr. Martin Luther King Jr., was killed in Memphis by an assassin armed with a rifle. The late President's brother was assassinated in Los Angeles by a man who apparently bought a hand gun in the last of a series of uncontrolled sales—from second hand, to third hand.

Across the land, in our great metropolitan areas, men and women of otherwise good will are arming themselves in fear of riot and terror.

The sale of weapons and ammunition—not for use by sportsmen or collectors—has reached something of a frenzy.

And no matter how the situation is viewed, it is real. There is concern. And there is reason for concern.

And somewhere, in all the furor, lies a solution. There must be, amid the emotions, a way to be found that will meet a real need in the areas where gun control is a crisis of high order—while still serving those areas where the situation is not inflamed.

The easy way for us would be to join those who clamor for rigid control on the sale and shipment of fire arms and ammunition. But that would not serve the interests of Alaska or the needs of Alaskans.

We're different here. The problems we have in Alaska are not the problems of Dallas or Memphis or Los Angeles—or Detroit or Newark or Washington, D.C., for that matter.

Because of that difference, we have been excluded before in national legislation.

We are excluded from the Interstate Highway program, although we pay all the federal gasoline taxes any other state pays.

We are penalized by the Jones Act in a way no other state among the contiguous 48 states is penalized.

We are a land apart in a dozen other pieces of federal regulations and controls—some to our benefit, others to our detriment.

But the precedent is there. And it could well apply to gun controls, too.

If the rest of the states have problems, they should be solved. If it requires federal legislation, the laws should be enacted.

But there need be no blanket law that would penalize Alaskans for the troubles in other states.

We don't have political assassins roaming our streets and hotel kitchens. We don't have riots and civil turmoil.

But we do have wilderness. And we do have hunting—for subsistence and for sport. We have the frontier—and the frontier requires firearms and men who know how to use them.

It's easy to demand passage of a law. But a law construed to solve an emotional or practical need in one area of the country, in this case, may not serve another.

Let Congress write its gun control laws if it must.

But include Alaska out. It can be done. And it should be done, if anything of this nature is to come about in this land of ours.

ORDER FOR ADJOURNMENT FROM WEDNESDAY, JULY 3, UNTIL 12 NOON ON MONDAY, JULY 8, 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business tomorrow—and the appropriate concurrent resolution will come from the House—the Senate stand in adjournment until 12 o'clock noon on Monday next.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

POSSIBLE VACANCY IN POSITION OF CHIEF JUSTICE

Mr. MANSFIELD. Mr. President, a vacancy in the position of Chief Justice imposes a heavy burden on Federal justice.

The burden of the present Supreme Court is a heavy one whether measured in the number of cases coming before it or in the importance of the cases. A vacancy of months' duration, either in the post of the Chief or an Associate Justice, would inevitably have a slowing effect, simply because of the impact of the loss of one of nine members. Equally disturbing is the risk of indecisive 4-to-4 decisions produced by the absence of a ninth vote.

The absence of a Chief Justice would compound the problem. He is the executive officer of the Court and responsible for the efficient conduct of its business. Moreover, his administrative responsibilities extend to the whole of the Federal judicial system. A hiatus of leadership and supervision by the Chief Justice at this time of increasing difficulties for the courts would be particularly harmful. He is Chairman of the Judicial Conference. The need to oversee the establishment of the Federal Judicial Center authorized by Congress last December, in itself, is a compelling reason to avoid the hiatus.

Examples of recognition of the need for continuity in the office of Chief Justice may be found both in our early history and recent times. To succeed Oliver Ellsworth, the third Chief Justice, President John Adams nominated John Jay in December 1800, only to have him decline on January 2, 1891. President Adams quickly named his Secretary of State, John Marshall, whose renomination was confirmed on January 27, 1801. Marshall carried on the duties of Chief Justice from January 31, the date of his commission, although finding it necessary to continue as Secretary of State until the end of Adams' term on March 4.

President Eisenhower's use of recess appointments on two occasions also emphasizes the importance of maintaining a full complement on the Supreme Court. He appointed Chief Justice Warren on October 2, 1953, at the beginning of the term of Court rather than await the return of Congress the next January. He gave a recess appointment to Associate Justice Brennan on October 16, 1956, also at the commencement of a new term and, it should be noted, just before the 1965 presidential election.

I am aware of nothing in our history suggesting that a President should refrain from filling a Court vacancy that will otherwise last an appreciable time—particularly when it will extend well beyond the opening of a term. For the reasons I have mentioned, it seems to me desirable to move quickly to fill a vacancy in that circumstance.

The President is empowered by the Constitution to appoint Justices of the Supreme Court. The President's powers are the same throughout his term.

Nonpolitical appointments to the judiciary are the ideal. Politics should not enter in the deliberations of the Senate in exercising its power of confirmation. Only the qualifications of the appointee are appropriate for consideration.

THE ENEMY IN LAOS

Mr. McGEE. Mr. President, at a news conference in Paris the other day, Prince Souvanna Phouma, of Laos, who is naturally vexed by North Vietnam's continued invasion of his country despite the terms of the 1962 Geneva accords, argued sensibly against a total cessation of bombing of North Vietnam by the United States.

> If you stopped the bombardment . . . without removal of North Vietnamese troops from Laos, how could the Americans accept the situation? It would leave their western flank exposed—

Said the Laotian Premier.

The point is well taken, as was observed in an editorial published in yesterday's Washington Evening Star. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE ENEMY IN LAOS

At his news conference in Paris the other day, Premier Prince Souvanna Phouma of Laos offered a bit of advice worth listening to. As long as Hanoi maintains a big army on Laotian soil, he said, the United States should turn a deaf ear to demands for a total halt to its bombing of North Vietnam.

It is difficult to fault this view on either military or political grounds. As Souvanna told the reporters, "If you stopped the bombardment . . . without removal of North Vietnamese troops from Laos, how could the Americans accept the situation? It would leave their western flank exposed" in South Vietnam. As for his own country, it would then become more vulnerable than ever to a complete Communist takeover.

The 1962 Geneva accords, of course, are supposed to guarantee the Laotian people's national independence and neutrality. But Hanoi, though a signatory, has never honored the agreements. On the contrary, it has flagrantly violated them by invading Laos and using it as a transit route for North Vietnamese forces committed to the war in South Vietnam. Needless to say, this massive act of aggression is not admitted by the Ho Chi Minh regime, but it is a grim reality nonetheless.

In Souvanna's words, backed up by a mass of tangible evidence, North Vietnam now has 40,000 troops stationed "permanently" in Laos, wholly apart from the thousands "passing through." The Laotians have reason to feel greatly abused and menaced. As Souvanna has put it, "The presence of these troops has obliged us to maintain an army of 100,000, which is an enormous quantity for a country which has barely 3 million inhabitants."

Small wonder that the prince believes a full American bombing stoppage should be conditioned on an agreement by Hanoi to withdraw from Laos. The point is germane to the current Paris talks. Some such quid pro quo will have to be negotiated if there is ever to be a genuine peace settlement.

GARY, IND., A CITY OF HOPE

Mr. BAYH. Mr. President, on May 24 I responded in some detail to a series of articles written by John J. Synon which were highly critical of the city of Gary, Ind. The articles, which had been printed in the CONGRESSIONAL RECORD on May 9 and May 21, seemed to suggest that Gary was a "city without hope" because its people had elected a Negro to the office of mayor.

Recently there came to my attention a moving and thoughtful reply to those who charge that Gary is beyond redemption. It was written by Prof. Mark C. Roser, of the social work department, Valparaiso University, Valparaiso, Ind. Professor Roser is well acquainted with Gary—its problems, its strengths, its needs, its diverse ethnic groups, and its many accomplishments. As he so eloquently states, Gary is a young city, only 61 years of age, and for the multitude of workers who flocked there in past decades it was truly a city of hope, of opportunity, and of freedom.

I ask unanimous consent that this tribute by Professor Roser to the city of Gary be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

REBUTTAL TO "GARY, A CITY WITHOUT HOPE"

(By Prof. Mark Roser, Valparaiso University)

True there is no hope in Gary for those who are racists, prejudiced, and who live with ideas unchanged since the medieval times. No hope for those who react with hostility to people who differ from their own rigid, narrow and unchanging social attitudes. There is no hope for those who cannot see the 'good' in other people regardless of religious or ethnic background. No hope for those who automatically reject with hostility people who 'look' different, who go to different churches, who speak with an accent or who have a rich but different social background than their own narrow world.

Gary is a new world. Because of its geographical location, its newness, being founded in 1907, its lack of traditions, the city has beckoned to those who want to grow, to be creative and to form a new culture in our democratic land. It beckoned to those in the early years who wanted to live with more freedom, more economic opportunity and a more democratic government than in the foreign lands from which they came.

In the middle years of its development, the spirit of the city offered new hope, new opportunities to be a decent and productive citizen to minority groups in our Country and who felt the oppressive stricture of racial prejudice; who dreamed of a new life for themselves and their children. It was all of these who came to Gary to work, to educate their children, build their churches—and help in their way to create the largest giant of industrial complex in the world.

In their hearts and minds they had a dream. This was a dream to create a new town, to achieve the benefits of the country's heritage of democratic living.

Many achieved their dream. It is represented in their schools, the achievements of its graduates in the arts, medicine, education and science. They built their churches and felt a freedom to seek truth in their own way. Due to the conditions of the town, such as living and working together they also discovered that social and ethnic background differences did not need to arouse hate.

Gary citizens are proud of their achievements, both in the world of work, their schools, their churches and social systems.

As in every community of the land there is a degree of social disorganization and need. Gary leaders are aware of these and they are losing no opportunity to bring resources, both in the community and from the state and federal resources to help. Many of these social needs are not created within Gary but are due to outmoded government patterns which have long since been inadequate to meet present needs. No community exists by itself. Gary carries heavy burdens because its urban needs have long surpassed the characteristic rural outlook of its state legislators.

Gary is demonstrating that the real need now is for a revolution in the attitudes in the minds and hearts of white Americans. To a degree they have demonstrated this and to a degree this achievement is reflected in the goodwill and respect given to its present mayor leadership.

Gary is a city of hope for all those who are feeling in their hearts a new sense of the dignity of each man. To those who are as yet closed to the demands of the times, who cling stubbornly to their hates—for them Gary has no hope, for they have not yet learned to love "others as themselves".

SOLID EDITORIAL SUPPORT FOR THE PRESIDENT'S SUPREME COURT NOMINATIONS

Mr. MOSS. Mr. President, President Johnson's nominations for the Supreme Court have received the overwhelming endorsement of editorial writers in our Nation's press. I am delighted to report this fact to my colleagues, for it indicates, beyond question, the true sentiments of the majority of the American people in this matter.

The press supports the President for two basic reasons. First, because he has nominated two outstanding jurists in Justice Abe Fortas and Judge Homer Thornberry. As the Denver Post noted:

> Abe Fortas, we believe, is likely to make another great Chief Justice. To reject him for partisan purposes would be a tragic mistake.

As for the President's nomination of Judge Thornberry, the Post concludes:

> We believe the selection to be a good one.

As for the charge that the President has appointed "two cronies" to the Court, the Wichita Eagle has this to say:

> One thing about Lyndon Baines Johnson—he has impressive cronies.

The paper goes on to point out that neither man can truthfully be called a political appointee, and that the President is well within his rights to make Court nominations or fill any existing vacancy in the Federal Establishment.

In my view, the Minneapolis Star demolishes, once and for all, the argument that the President is a lameduck who has no moral right to make these nominations. The paper notes that the President is not a defeated politician serving out an expired term, and declares:

> L.B.J. was not defeated. He has the duty and moral right to exercise all powers of office.

I think the vast majority of my colleagues will agree that the judgment of the Nation's editorial writers that the attack on President Johnson's nominees is politically motivated and part of the narrow partisanship that often accompanies a presidential election year.

I doubt very much whether the Senate of the United States will pay heed to those who are desperately seeking a campaign issue by trying to involve the Supreme Court in partisan politics.

In my view, President Johnson is discharging the duties of his office in submitting these nominations. I believe he has acted wisely and well to serve the highest interests of the Court and of the American people.

I ask unanimous consent to insert into the RECORD a sample of editorial opinion concerning the President's nominees to the Court and his right to hold the powers of his Office until next January.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From Newsday, June 28, 1968]

A NEW CHIEF JUSTICE

Amid rumblings of opposition from Republican senators, President Johnson has designated Justice Abe Fortas as the new chief justice of the U.S. Supreme Court to succeed Earl Warren. He has also named an old Texas friend, Homer Thornberry of the Circuit Court of Appeals, to succeed Fortas as a justice. Both men conform with the present "liberal" orientation of the court.

As to the qualifications of Justice Fortas there can be no argument. He is a thoughtful and compassionate scholar of long tenure in government. He came to Washington as one of the energetic young lawyers recruited by Franklin D. Roosevelt to bolster the New Deal. In later years he has been a highly-esteemed corporation lawyer, who believes that big business—when conducted responsibly—can coexist with big government. Thornberry, in common with Justice Fortas, has the approval of the American Bar Association.

Some threats of filibuster over the confirmation of these two men have come from certain Republican members of the Senate. The threats should be reconsidered. The President has the right to name his own appointees to vacant positions. He is President until the end of his term, and cries of "lame duck" are in reality cries of sour grapes. Former Vice President Nixon, unfortunately, has leaped into the argument. First he insisted that a new President should select a new chief justice. When he learned the appointment had been made, he again repeated his views. He should have kept his silence.

The consternation among some Republicans seems to be based upon the fear that the court will continue to be "liberal" instead of conservative as a result of the appointments the President has made. Those who cry loudest downgrade the dispassionateness of justices of the Supreme Court. Felix Frankfurter, in his time with the New Deal, was vilified for his so-called left-wing views; after he became a justice, he was criticized for his conservatism. The appointments are within the right of the President to make. The merits of those appointed will be best judged after enough opinions are given to establish their contributions to the trends of thought.

[From the Denver Post, June 27, 1968]

FORTAS' NOMINATION SHOULD BE APPROVED

The constitutional authority of President Johnson to nominate Abe Fortas to be chief justice of the U.S. Supreme Court is unquestioned and talk that Senate Republicans may try to block confirmation of the appointment carries a revolting flavor of bitter partisan politics.

If there were reasons—other than political reasons—for rejecting Fortas, the case might be different. Actually, there are no such reasons.

When Fortas was named an associate justice of the Supreme Court in 1965 he submitted to the usual examination of his qualifications by the Senate judiciary committee, which unanimously approved his nomination.

He was officially confirmed for that appointment by the Senate by a voice vote, which means no one in the Senate, Republican or Democrat, wanted to go on record as opposing him.

Since then Fortas has served on the court with distinction.

Any effort to prevent his elevation to chief justice would, admittedly, be a scheme to deprive President Johnson of his authority to name a successaor to Chief Justice Warren in the hope that a Republican may be elected president in November and would then name a member of his own party to head the court.

For the Republicans this might amount to reckless finagling with appointive processes because Democrats may still control the Senate next year and might look on the rejection of Fortas as an open invitation to them to reject the Republican nominee of the new president.

The federal government would present a sorry picture if excessive partisan zeal were to be introduced into the matter of confirming appointments made under presidential and constitutional authority.

The propriety of making "lame duck" appointments to the courts was pretty well settled back in 1801 when President John Adams, who had been defeated for re-election, nominated 16 new circuit court judges and a new chief justice of the U.S. Supreme Court just before leaving office.

Political rivals stormed against the appointment of the "midnight judges" and even repealed the law under which the circuit judges had been named.

But the appointment of the new chief justice was generally recognized as proper and legal. It was not disturbed.

That chief justice, by the way, was the great John Marshall who guided the American legal system through its formative years and left an indelible imprint on judicial history.

Abe Fortas, we believe, is likely to make another great chief justice. To reject him for partisan purposes would be a tragic mistake.

As for President Johnson's nomination of U.S. Appeals Judge Homer Thornberry to be an associate justice of the U.S. Supreme Court, we believe the selection to be a good one.

Fortunately, political considerations are not likely to raise any objections to his confirmation and his nomination may be expected to be weighed by the Senate on its merits—just as the nomination of Fortas should be weighed, and approved.

[From the Atlanta Constitution, June 28, 1968]

No Place for Politics

U.S. senators should think a long time before making a political issue of President Johnson's right to name a new chief justice.

Michigan Sen. Robert Griffin in particular would be ill advised to carry out his threat of an organized filibuster against the elevation of Justice Abe Fortas and the nomination of Circuit Judge Homer Thornberry to Fortas' old position.

The public will see opposition for what it is: petty politics, not a question of Fortas' and Thornberry's qualifications.

The basis of the opposition is the tenuous one that Richard Nixon might be the next president and that it is therefore dirty pool for a Democratic president to name a successor to Chief Justice Warren now.

Even Mr. Nixon has injected himself obliquely into the controversy by predicting that the nomination fight could result in a "donnybrook" damaging the court's reputation.

Mr. Nixon's politics would be better served if he kept his mouth shut on this one. For anything he says only serves to remind the public that the Chief Justice probably picked this time to resign because he feared Mr. Nixon might win. Mr. Warren's decision is a strong if quiet repudiation of a fellow Republican.

Abe Fortas was examined by the Senate when he was nominated to the high court. His qualifications were well established then.

Any opposition to his being Chief Justice now pretty patently would be based on political objections to his rulings, not doubts about his qualifications. There might be a trace of anti-Semitism in the opposition, too.

Chief Justice Warren had a right to decide when to resign. President Johnson has a right and duty to fill the vacancy. He has chosen well.

Senators who oppose the nomination out of partisan political reasons do so at their peril.

[From the Wichita Eagle, June 28, 1968]

The President's "Cronies" Are Both Outstanding Men

One thing about Lyndon Baines Johnson—he has impressive cronies.

Cronyism and lame-duckism are going to be the two main arguments used by those who oppose President Johnson's two Supreme Court nominations, Abe Fortas for chief justice, and Homer Thornberry for associate justice.

The President fairly well cuts the ground out from under the critics by his astute choices. Neither Fortas nor Thornberry are second-raters. Viciously attacked as merely a "crony" when Johnson appointed him in 1965, Fortas has proved an able associate justice, whose performance in the court has won the respect of most observers. If confirmed, Fortas would become the first Jew ever to be chief justice of the U.S. Supreme Court.

It's hard to level a charge of provincial cronyism at a President who appointed the first Negro to the court, and who now wants to see a Jew presiding.

Thornberry, another close friend of the President, is also a man of proven ability. While his appointment would put a Texan upon the bench again, presumably pleasing both Texas and the South, he is no Southern conservative, but a man who has shown liberal views in his federal court decisions on such questions as civil rights, desegregation and freedom of speech.

Neither Fortas nor Thornberry can truthfully be called a "political" appointee.

If these two men are confirmed, President Johnson will have left a mark upon the Supreme Court that will last for years. Fortas is 58, Thornberry is 59, and the other Johnson appointee, Thurgood Marshall, is 60. In a body where longevity and long service are the rule (Justice Hugo Black, is 82 and has served 31 years), these men are likely to be around a long while. And they would comprise one-third of the court.

This is what is infuriating some congressmen—that LBJ would have the effrontery, in the declining months of his last year in office, to make such important appointments. Eighteen senators are reported ready to block them. That includes Kansas Senator Frank Carlson, who also happens to be in the lame duck category. However, majority and minority leaders are reported to be pleased with the nominations. So the nation shouldn't be surprised if both men are approved.

[From the Minneapolis Star, June 28, 1968]

A Pair of Good Appointments

President Johnson's appointment of Abe Fortas to succeed Earl Warren as chief justice and Judge Homer Thornberry of a U.S. Court of Appeals in Texas to the vacant seat was an astute political move, a typical Johnsonian exhibit of personal loyalty, and at the same time a guarantee of the continuity of the progressive Warren traditions.

By obtaining in advance the enthusiastic approval of Senate GOP leader Everett Dirksen, LBJ countered carping about "lame duck" appointments. He's not really a "lame duck," which means a defeated politician serving out an expiring term.

LBJ was not defeated. He has the duty and moral right to exercise all powers of office.

That both Fortas and Thornberry are old personal friends, that the first is Jewish, and both are Southerners, is less important than that both are a credit to the bench intellectually, and put the highest priority on individual rights and dignity.

Fortas is a tough-minded legal scholar who can be expected to "marshal the court" as did Warren. For all his toughness he is sensitive to the civil rights and civil liberties issues that make half the court's business. Thornberry, who served LBJ's old congressional district, was the only southern liberal on the House Rules Committee. As a subsequent federal judge he has been strong on desegregation and civil rights.

One of Warren's accomplishments as chief justice was to minimize internal dispute that can result in 5-to-4 decisions which in turn can subtly undermine the Supreme Court's prestige. The Fortas and Thornberry appointments are double assurance that "the Fortas court" will continue on the humane course that produced for that august body, the most powerful court in the world, some of its finest hours.

[From the Anderson (S.C.) Independent, June 28, 1968]

President Makes an Excellent Choice in Naming Fortas as Chief Justice

President Johnson's nomination of Justice Abe Fortas to be Chief Justice of the U.S. Supreme Court will meet with widespread approval.

An individual of unquestionable integrity, Justice Fortas has long been recognized by the legal fraternity as one of the most able minds in the profession.

A native of Tennessee, the son of an immigrant English cabinet maker, Abe Fortas has won his way in this world by hard work and earnest application of his talents.

For more than 30 years President Johnson and Justice Fortas have known each other, and the President's nomination bespeaks the admiration he holds for a truly dedicated American.

Republican voices already have been raised and they promise to fight confirmation in the Senate on the very shaky and unsound ground that a "lame duck" President should not be allowed to fill an important vacancy on the Supreme Court.

If any be needed—and there is no need—there is ample precedent. Former President Eisenhower named justices during his second or "lame duck" term of office without the Republicans raising opposition.

And one of the great Chief Justices of all, John Marshall of Virginia, was appointed by President John Adams when the latter had only a month left in his term of office.

Republican opposition to Abe Fortas as Chief Justice is so obviously political as to be self-defeating and we trust that will be its fate.

Justice Fortas deserves swift confirmation as Chief Justice of the U.S. Supreme Court.

[From the Hartford (Conn.) Courant, June 28, 1968]

The Supreme Court Appointments

When Earl Warren was appointed Chief Justice in 1953, it was widely predicted that he would follow a middle-of-the-road course on the Supreme Court. The 15 years since provide vivid testimony of how wrong that prediction was. And so it has proved in many cases that a man's record before his appointment does not offer a firm basis for judgement on how he will conduct himself once he is on the bench.

Further, as the record of the Chief Justice himself demonstrates, a man may change and grow during his service on the Supreme Court. The Chief Justice who wrote his last opinion as the Court recessed last week was a wiser and more mature man than the one who wrote his first opinion in 1953. So it is dangerous to speculate on what effect the elevation of Justice Abe Fortas to be Chief Justice and the appointment of Judge Homer Thornberry to the Court will be.

In this case, however, the prophet has an advantage that he did not have when Chief Justice Warren was appointed. Both appointees have distinguished judicial records behind them, although Justice Fortas has only served three years. During that period he has in general followed the "Warren line," although he has not hesitated to dissent, most recently in the 5-to-4 opinion that denied that a common drunk is a sick man who should be hospitalized rather than jailed.

Those close to the Court report that Justice Fortas' personality is more abrasive than is that of the present Chief Justice, and that he lacks the qualities of leadership and persuasiveness which enabled Mr. Warren to come up with unanimous opinions on so many of the critical issues it decided. But a man leans and grows as Chief Justice as well as when he is only an Associate Justice, and Mr. Fortas is a wise and knowing man.

Judge Thornberry's independent leanings were clear when, as a Texas Congressman, he was one of the few Southerners who worked and voted with the liberal wing of his party. As District Judge, and later as Judge of the Fifth Circuit Court of Appeals, he has indicated a concern for the rights of minorities that in at least one case went farther than the Warren Court was willing to go. That both men are close personal and political friends of the President does not affect their qualifications, although those who are trying to block their confirmation by the Senate will doubtless not hesitate to try to use it against them.

The nominations are also being assailed as "lame-duck" appointments, as if the President should have left the posts vacant for six months so that his successor could make them. So was President John Adams a "lame duck" when he named the greatest Chief Justice of them all, John Marshall, who did more to make the Constitution what it is today than any other man before or after him.

EASEMENT OF NUCLEAR CONFRONTATION

Mr. McGEE. Mr. President, recent events have given us hope that the nuclear confrontation which besets our world may be eased. Certainly much of the credit for this situation must go to President Johnson who, as Richard Wilson observed in a column published in the Evening Star of July 1, has created the atmosphere for such progress as we have recently witnessed. The Star entitled the column "Opportuniy for World Progress Appears," and nearby published another by David Lawrence, which tells of yet another opportunity.

"There is an acute need today not merely for dedicated conciliators but for the mobilization of the moral forces of mankind," wrote Lawrence, suggesting that the spiritual leaders of the world's religions should bring their weight to bear in order to utilize more effectively the great power they are not using to further the concept of brotherhood today.

One might observe that Mr. Wilson is extremely hopeful and Mr. Lawrence very idealistic in their presentation of these ideas, but hopefulness and idealism are needed if we are to succeed in establishing world peace and a relaxation of tensions between nations. I ask unanimous consent that the articles be printed in the Record.

There being no objection, the articles were ordered to be printed in the Record, as follows:

[From the Evening Star, July 1, 1968]

OPPORTUNITY FOR WORLD PROGRESS APPEARS

(By Richard Wilson)

An opportunity has presented itself in the closing months of the Johnson administration for solid, and even spectacular, progress toward the settlement of major world problems. For this President Johnson's severest critics should give him full credit. He has created the atmosphere for such progress, is attempting to exploit every opportunity, and in this field continual references to him as a lame duck President have no meaning except to reflect the political animus of those who use the term.

There are three major problems which cannot, in all reality, be related to the term of office of the presidency. These problems are national and international in character, not political, and the solution of them will be just as difficult whoever is President. Solutions in Vietnam, the Mideast, and relaxation of the nuclear confrontation need not and should not await the presidential election or the inauguration of the next President.

Whatever the Republicans and Democrats may wish to do about the President's Supreme Court nominations is another matter; the court will go on in much the same way as before. But there is no excuse to throw away precious months in failing to walk through the doors the President has opened for progress on major world problems.

It should be borne in mind that none of the alternatives to Johnson—Humphrey, Nixon, McCarthy or Rockefeller—has any magic formula for solution of these problems, and it is one man's opinion that their approach to a solution, once they held the highest office, would be little different than the approach to be taken now in the Johnson administration.

The President therefore needs and deserves support in his final efforts to move toward solutions. It should be recognized that he has made his withdrawal from the presidential race a creative matter, and that results have, in fact, flowed from this creativity.

The Russian agreement to talk about the limitation of nuclear armament, in response to the President's personal diplomacy, is a major breakthrough. It represents also a new condition of affairs related to Russia's attitude toward a settlement in Vietnam, and related also to the break-up which appears to be going on in China at an accelerated pace.

Not all these events, nor their relationship, is clearly understood at the highest levels here, but there is a definite premonition of change. This premonition is marked with respect to China, where renewed and extensive violence and demonstrations against the Paris peace talks are thought to be symptoms of intense ferment.

Whether or not these premonitions prove to be justified, the time to pursue any possibility of constructive change is now, and not after next January 20 when a new President will barely have had time to pull himself and his advisers together to deal with the problems before him.

The Russians have waited since the Glassboro conference a year ago to respond to the President's initiative on nuclear limitation and they could have waited a few months longer to deal with the new administration. So it must be concluded that the leaders of the Soviet Union are serious, that they now have their own reasons for moving promptly, and that they do not believe the problem will be any different after next January 20 than it is now. So they have taken a step toward avoidance of burdening their own economy with the $20 to $40 billion cost of a total missile defense system. They have assessed the situation correctly. The limited missile defense the United States is now to undertake would unavoidably have been expanded into a total missile defense, and Russia would have no alternative to expanding its own limited missile defense system. Then we would be back where we started, each searching for some new multibillion dollar technological stage to gain the advantage, and wasting vast resources in a race neither can win.

It is perhaps not too much to hope that some rationality is penetrating the nauseous fog, that this rationality may eventually extend to Vietnam and to the gravely dangerous crisis in the Mideast.

If so, the leading nations of the world can then address themselves to the problems which beset them at home. The process will be slow and the way hard, but an agreement between the two great superpowers on the limitation and control of nuclear armament would have an electrifying effect in the world.

[From the Evening Star, July 1, 1968]

CHURCH LEADERS HAVE OPPORTUNITY

(By David Lawrence)

Twice in this century peoples have wishfully persuaded themselves that big wars were far distant and that they would somehow be prevented. But World War I and World War II came anyway, and their tragic consequences have never been erased. Friction and conflicts again are emerging in Central Europe, as well as in Southeast Asia and the Middle East. The peoples of the world however, once more are not fully aware of the dangers that confront them.

It is apparent that the negotiations in Paris on the Vietnam war are not succeeding. Diplomacy requires much versatility, but this does not necessarily assure a successful result. Just seven years before World War II broke out, a keen observer of world affairs wrote a salient truth as he said:

"The successful issue of diplomatic negotiations and the peace and welfare of vast nations often hang upon the finding of just the right formula, in words which will smooth down the ruffled feathers and bristling hair, and draw back into their sheaths the outflung claws, talons, beaks, fangs, of all the 'human' eagles, bears and lions concerned."

There is an acute need today not merely for dedicated conciliators but for the mobilization of the moral forces of mankind. Never before have the heads of governments, large and small, possessed such an opportunity to appeal to humanity. President Johnson could, for example, urge the leaders of the principal religions of the world to meet in Paris and there unite in a prayerful search for peace in Vietnam. This would make a profound impression everywhere.

Internal peace is directly related to economic conditions. As they grow worse, a feeling is created that military force is the only way to acquire benefits for the individual. What could be offered, therefore, which would promise a brighter future than a united Vietnam rehabilitated on a strong economic foundation? The whole world would stand ready to furnish the material means of providing a better life for the 16 million South Vietnamese and the 19 million North Vietnamese.

Spiritual leaders of Europe, Asia, Africa, and the Americas, dedicated to the concept of brotherhood as revealed in the teachings of all religions, could open up the way to a worldwide demand for a fair and honorable peace. Bhagavan Das, the noted Hindu scholar, in his book entitled "The Essential Unity of All Religions," made this significant comment nearly four decades ago:

"It is common knowledge that Asiatic thought is eminently coloured by religion; as modern European thought is by science. All the great living religions are of Asiatic origin; also almost all the historical great dead religions. The personal, domestic, and social life of the Hindu is largely governed by the rules of what he regards as his religion.

So is that of the Musalman. So of the Jew. So of the Confucian. So was, and to a considerable extent still is, that of the Christian belonging to the Roman Catholic form of Christianity. Such also is the case with the followers of the other forms and reforms of the Vedic religion, known as the Zoroastrian, the Buddhist, the Jaina, the Sikh, though perhaps the element of ritual is less prominent, and that of ethics more, and the latter of these, in accordance with the very principle of reform."

The truth is the individual religions of the world are not utilizing effectively today their great power to inspire an honorable means of achieving and maintaining peace in the world.

The "Golden Rule" and the basic laws of a well-ordered society had their origins in Scriptures written some 10,000 years ago—indeed, more than 80 centuries before the birth of Christ. The intervening centuries have contributed a most remarkable influx of religious thought and aspirations in many countries far distant from each other. Yet, through all these years, the basic precepts, derived in the Western world from the Ten Commandments and the Sermon on the Mount, have too often been ignored.

If only the religious leaders of the various nations of the earth would petition their governments to enter negotiations for world peace and solemnly proclaim obedience to the universal mandate—"Thou shalt not kill"—there truly would be less and less fear that the frictions and quarrels of today would evolve into another world war.

ASIA'S NEXT WAR?

Mr. METCALF. Mr. President, if we insist upon fighting wars on the Asian mainland, then we ought to know more about the peoples and politics of the Asian mainland. Accordingly, I ask unanimous consent to have printed in the RECORD a thought-provoking article entitled "Asia's Next War?" published in the London Observer of June 23, 1968. The author is Robert Dickson Crane, a member of the Hudson Institute of New York.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ASIA'S NEXT WAR?

While the world's attention has been focused on Vietnam, another crisis has been quietly building up on the other side of the South-East Asian peninsula. The latest clash between the Indian Army and Naga guerillas equipped with Chinese arms, and Delhi's protest to Peking last week, are only symptoms of a wider problem.

Guerrilla warfare has been waged for many years in pockets throughout this area, extending almost one thousand miles from the Himalayan frontier of Assam in North-East India, across Burma, down to the Thailand and Laos borders. But in the last year, however, the nature of the challenge to the ruling Burmese and Indian Governments in the region has changed substantially. The formerly uncoordinated groups, whose resistance was primarily motivated by grievances, are now developing into a politically conscious, region-wide movement of peoples that seems about to reach the take-off stage on the way to nation-Statehood.

Chinese political antennas have been quick to pick up this shift, and agents and arms from China now threaten to grow from a trickle to a substantial flow. The United States, on the other hand, without seriously considering the real dynamics of recent developments, has reacted by abandoning its *de facto* policy of neutrality towards Burma. At the end of last year, US military aircraft began airlifting arms and ammunition into Rangoon to help General Ne Win crush the growing and allegedly Communist-dominated independence movements in his country. Almost simultaneously the Soviet Union was reported to have adopted a parallel policy to help Ne Win by diverting a shipment of arms to him from North Vietnam.

The implications are complex and far-reaching. The US could become gradually involved in a hopeless attempt to oppose political, social, and military movements more powerful than anything it has faced in Vietnam. China and the Soviet Union may become engaged, even unwillingly, in a 'proxy' war between Pakistan (which is now training troops from the independence armies of Assam) and India, with the Chinese supporting the Pakistanis and the Russians supporting the Indians. This war could extend from South-East Asia all the way to Kashmir.

CHINESE AID

The two most striking developments in the area are the rapid growth of cultural and political consciousness among the major ethnic groups, and the gathering momentum of co-operation and co-ordination among them. These developments have resulted in two important decisions by the leading members of the independence movements. These leaders, the Nagas in Assam and the Shans in Burma, have now decided that negotiations to achieve their political goals are useless and that to fight for their independence is not only worth while but inevitable. Further, they have decided to accept offers of Chinese military equipment to defend themselves against the expected renewal of attacks by the Indians and Burmese respectively.

I recently visited the Assam-Burmese and Burmese-Thailand border areas to interview independence leaders before the possible outbreak of major hostilities. What I learned strongly suggested that American policy-making on the region must go beyond the mere noting of who has received military equipment from the Chinese and who has not.

There are indeed Communist-oriented factions in the Karen and Kachin liberation movements in Burma. But there is also substantial evidence that both the movements are still strongly independent and strongly nationalist. And assertions of Communist domination among the Shans (who are in fact traditionally monarchist) or the other Burmese minorities of Chins, Mons and Arakanese are, according to all the evidence, simply unsupportable. Despite their decision last year to accept Chinese arms, the Nagas in Assam are probably the most deeply religious and also the most non-Communist people in all Asia.

My observations produced the overriding impression that American policy towards this part of South-East Asia (and perhaps towards the other areas of ethnic revolutionary conflict in the world) should go far beyond mere calculations of military strength. The development of policy should be based above all on thorough knowledge of the intangible motives of the new-type nationalists in the area.

These motives, especially the ideas and visions of the future held by the politically-conscious people in South-East Asia, may prove more decisive in the end than any military aid which the Chinese may give the nationalists in order to gain influence over them. Similarly, these ideas may prove more powerful than any military aid the U.S. can provide to oppose their being put into effect.

The new Asian nationalists believe that their major task during the next generation is to modernise their emerging nation-States without destroying the traditional values, customary law, and social fabric which make possible the necessary discipline and honesty of their peoples. They are convinced that they can succeed in their undertaking only if they can themselves determine in what way and at what speed their nations will modernise. They also believe that regional co-operation can be made really effective over the long run only if this co-operation is free rather than coerced either from within or without.

The major ethnic groups of Burma, the Shans in the east (nearly two million of them), the Kachins in the north (half a million), the Karens and Mons in the south, and the Chins and Arakanese (1,602,000) in the west, are at present seeking to establish a federation of roughly equal States within the existing borders of Burma. But more and more their long-range goals are coming to include the complete elimination of the artificial boundaries established by the British. In October, the Burmese and Indian Governments incensed the proud and powerful Nagas by formally drawing an international boundary right through the middle of Naga territory.

In the place of such artificial boundaries, some of the new Asian nationalists, most of them now in their twenties and thirties, foresee a loose confederation of freely co-operating medium-size, nation-States, stretching from Assam, through Burma to Thailand, which some of them regard as their natural anchor.

Each State would have its own constitution, its own internal military force, and the right, clearly recognised in international law, to secede from the larger regional grouping (very few existing federations recognise a constitutional right of secession; and even where the right *is* recognised, its exercise is prevented in practice).

GREAT EMPIRE

Some legal scholars among the new generation of nationalists foresee a new, intermediate form of State, which could better serve both the goals of national independence and regional co-operation. It would neither be an absolutely sovereign State, like those in Europe, nor would it be the kind of autonomous State within another sovereign nation as developed by colonial empires.

Recently, the Ahoms of Assam have sent some of their best young men to train with the Naga independence army. Here they have studied the history of their country and acquired greater awareness of the fact that the Ahoms were once the northern part of a great Thai empire extending throughout most of South-East Asia. They boast that for seven centuries—until their conquest by the British 100 years ago—they maintained an independent and highly cultured Thai kingdom throughout most of Assam between the Himalayas and the Naga Hills.

The Nagas, who now have 3,000 graduates and are one of the most literate nations in Asia, have begun to conduct original research into their own obscure history. They are conscious of the fact that of all the peoples of South-East Asia they alone have never once succumbed during the past two millennia to any of the waves of immigrants that periodically swept down into the area from the north. The Shans of Burma have always called themselves Thais and are becoming increasingly aware of their long history of independence as a confederated Thai nation. They claim that before the British conquest, their compulsory Buddhist schools had given them the highest literacy level in Asia.

As modern communications and technologly bring the peoples of the world closer together, they not only become more conscious of their cultural uniqueness; the process also provides a better basis for judging their neighbors. The peoples I have mentioned are all very aware that India has a stagnant economy and that Burma is a economic failure of desperate proportions. They are equally conscious that, by comparison, Thailand is an economically vigorous nation-State.

The Government of Thailand has quite properly not encouraged those new nationalists who would like to look to Thailand, rather than to India-Burma or China, as a window to the outside world and as an alternative political anchor for the South-East Asian subcontinent. Those nationalists believe, however, that the logic and pressure of events in the area may produce what Thailand itself may not even desire.

How realistic these hopes and aspirations may be will depend in part on American policy towards the region. Automatic American support of existing Governments without consideration of the long-range implications of their policies might encourage the Indians to try to crush rebellions in Assam by the massive use of force. This would probably compel the independence movements there to rely heavily on China for military support and might provide the opportunity and pretext for Chinese expansion through Assam to the Indian Ocean.

Again, substantial American support of General Ne Win against the emerging nations in Burma could have a similar effect there. It would almost certainly force those peoples into a fatal reliance on Chinese support. Indeed, strongly pro-Western Shan leaders asked me to convey a warning that such American military participation in Burmese affairs would probably have just that effect.

Given freedom to conduct their revolution without outside intervention, the Shans are confident that the present Ne Win regime, which now has more than 30,000 political prisoners, will be replaced in Burma by a reconstituted union, willing and able to defend itself against any outside pressure other than a massive Chinese invasion. None of the leaders with whom I spoke expressed any fear of such an invasion, provided that they could complete their independence struggle before China recovered from its present internal turmoil.

A WARNING

The more perceptive young nationalists of the area warned that China is trying to associate the US with regimes that have inherited the European colonial empires and to align the US against genuine independence movements. They also warned that a decisive Western victory against the emerging nation-States of the western flank of South-East Asia would be impossible. The only result of such Western opposition would be a protracted conflict, from which the sole beneficiary would be China.

The vision and responsibility of those who lead the emerging nation-States of South-East Asia may offer the only hope for genuine freedom and independence in this part of the world. In adopting a policy towards these emerging peoples, US policymakers should aim at a longer-range goal than the illusory attempt to maintain the political *status quo*.

The US should at least refuse to participate even indirectly in the suppression of these peoples. Better still, it should publicly reassert its traditional support of the principle of self-determination of peoples and thus give moral encouragement to responsible local nationalism in South-East Asia.

Mr. METCALF. Mr. President, Mr. Crane discusses the political tensions of a vast area of Southeast Asia extending a thousand miles from the Indian Himalayas on the northwest to the borders of Laos and Thailand on the southeast. The recognized national boundaries of this area, a legacy of colonial surveyors, are artificial in the extreme. Both Burma and India include within their borders ethnic minorities with territorial homelands and with nationalistic aspirations. One gets the impression that the Nagas, the Shans, the Kachins, and other peoples Americans have hardly heard of, are capable of being every bit as fierce and assertive as the Biafrans today or the Irish in the 19th century. Throughout the area there is apparently a growing resentment against rule from New Delhi and Rangoon.

We have had experience with these ethnic tangles in the past. In Burma and eastern India, another situation is made to order for American intervention. That is to say, the American Army could dive into it and disappear without a trace. I am quite alarmed, therefore, at what Mr. Crane says about our recent activities in Burma:

> At the end of last year, U.S. military aircraft began airlifting arms and ammunition into Rangoon to help General Ne Win crush the growing and allegedly Communist-dominated independence movements in his country.

Mr. President, does America have a national commitment to defend the military government of Burma against its internal enemies? I am not an expert in these matters, but I have looked through the list of countries to which we have treaty commitments, and nowhere could I find any mention of Burma. I would like to know what we are doing over there and why we are doing it.

Mr. Crane's words on the likely consequences of American intervention in India and Burma are worth quoting in full:

> Automatic American support of existing Governments without consideration of the long-range implications of their policies might encourage the Indians to try to crush rebellions in Assam by the massive use of force. This would probably compel the independence movements there to rely heavily on China for military support and might provide the opportunity and pretext for Chinese expansion through Assam to the Indian Ocean. Again, substantial American support of General Ne Win against the emerging nations in Burma could have a similar effect there. It would almost certainly force those peoples into a fatal reliance on Chinese support. Indeed, strongly pro-Western Shan leaders asked me to convey a warning that such American military participation in Burmese affairs would probably have just that effect.

SUPREME COURT STRENGTHENED BY L. B. J.'S NOMINATIONS

Mr. McGEE. Mr. President, in Associate Justice Abe Fortas and Judge Homer Thornberry the President has found two very capable men who are particularly well qualified for positions on the Supreme Court. Justice Fortas, in his 3 years on the Court, has had ample opportunity to study its operation and to understand the proper functions of the role of Chief Justice, and he is a man who can be expected to devote his considerable energy to the job. His former experiences in private practice give evidence to Justice Fortas' broad interests in the law; and surely he is well acquainted with the problems of those who appear before the Court, having done so many times himself. Judge Thornberry would come to the Court with more judicial experience than any of its present members, save one, had at the times of their appointments. And it is experience marked by intelligent and forthright decisions.

It would be wrong, I think, to pass judgment on these men in terms other than of their evident qualifications. To do so in terms of what we expect of them, once in office, is to engage in a kind of guessing game at which failure tends to be the rule as often as the exception. The case of the present Chief Justice is a cardinal example, as discussed in a recent comment by Thomas O'Neill in the Baltimore Sun, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLITICS AND PEOPLE: GUESSING GAME

(By Thomas O'Neill)

WASHINGTON.—President Eisenhower's most significant appointment to a public position during his White House years, that of Chief Justice Warren, was also to become the appointment he most grievously lamented. Such are the hazards, plentifully encountered by Presidents over the years, of trying to peg the philosophical stance of any choice once the lifelong freedom from political pressures of the high court is attained.

The congressional conservatives balking at the elevation of Justice Fortas as successor to the Chief Justice are nevertheless betting that a new Administration will offer an appointment closer to their anti-court way of thinking.

A joker in the deck is that by blocking Justice Fortas they may end up with the bitterly assailed Chief Justice Warren still on the court.

There is a tentative aspect to the resignation sent President Johnson by Justice Warren. It specified no date for retirement, leaving that to the pleasure of the President. The wily Mr. Johnson acted on cue and put off acceptance until a successor has been confirmed by the Senate.

Having thus neatly cornered the obstructionists, the President can look forward with considerable confidence to a favorable vote before Congress quits at the end of July.

Little question clouds confirmation on the floor of the Senate, especially since the Republicans are raising a partisan issue. Rejections of Supreme Court nominations on a partisan basis were once fairly common in the Senate, but there has been only one denial in the present century. In 1930 confirmation was denied John J. Parker, of North Carolina, an act the Senate later came to own was mistaken. It made partial amends by approving a subsequent selection of Judge Parker for the next judicial level, the Court of Appeals.

Any blockade of Justice Fortas would be more likely in the Senate Judiciary Committee, where the nomination could be left unacted upon.

The defense for inaction, that as a lame duck President Mr. Johnson should defer the nomination to his successor elected in November, is ludicrously feeble. Nearly seven months remain of the Johnson term, he holds office into January, and the Supreme

Court will be back in session in October. It needs a full complement of justices.

Mr. Johnson has ample precedent for acting as his term draws to a close. It was set in the Republic's early days. John Adams, the second President, appointed a Chief Justice with only a month to go in a lame duck term. His choice was John Marshall, who made the court into a real full partner in Government and is universally recognized as the greatest Chief Justice. (Mr. Warren may well come to be accepted as No. 2 in that ranking.)

All Presidents are now, in effect, lame ducks upon the day of inauguration. The two-term amendment sees to that, forbidding a new candidacy.

President Eisenhower's unhappiness with Justice Warren on the bench is fresh and remembered, but he was only the most recent to miscalculate a mockup of how a new justice will perform.

He thought he saw a fellow don't-rock-the-boat spirit in the unpartisan Governor of California, Earl Warren, who specialized in pleasing all hands. He was astonished when the court within a year set out on an activist course of social change, beginning with school desegregation and still in progress. The Warren Court rediscovered the Bill of Rights, which had become a quaint museum piece to be praised and forgotten, and it recognized that the post-Civil War amendments notably the Fourteenth, were meant for people.

President Eisenhower's amazement was shared widely, most pointedly by Sacramento journalists who had been chronicling the Warren acts and thoughts for a dozen years.

Wide of the mark though Mr. Eisenhower was, he was a sharpshooter when compared with an Abraham Lincoln misjudgment about a court appointee.

Lincoln wanted a Chief Justice who could be relied upon to defend the questionable paper money issued during the Civil War, which was under legal attack. No safer choice could be imagined than the man who had issued that money, Salmon P. Chase, Lincoln's Treasury Secretary. On the bench, Chief Justice Chase voted the money he issued was invalid. Lincoln by then was dead and so was spared the shock.

SUPREME COURT NOMINATIONS SHOULD BE APPROVED—NEW YORK POST APPROVES SELECTIONS

Mr. RANDOLPH. Mr. President, the President has made good selections to fill the vacancies on the Supreme Court, as I said in the Senate on Friday, June 28. There should be swift confirmation in the Senate. One essential consideration is paramount—are the nominees qualified to serve in those positions?

It is the President's duty to fill vacancies in the judicial branch when they occur. He has performed this function and performed it well. The next step is for the Senate to act, and it is my hope that confirmation will be an early action on the part of this body.

The New York Post approved the selection the President has made in an editorial of June 24, 1968. I ask unanimous consent to have it inserted in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Earl Warren and After

And so another chapter has ended, and a stirring chapter it was, deplored only by those who hate and fear any advancement of human liberty or insurance of human rights. Chief Justice Earl Warren, in the still vigorous fullness of his 77 years, has tendered his resignation.

The remarkable thing about Earl Warren was that nobody, certainly not President Eisenhower, foresaw the direction in which the California Republican would move when he became a free man with his appointment to the Court. Once, long ago, as Attorney General of California during World War II, soon to become Governor, Warren had backed the disgraceful expulsion and interment of his state's Japanese-American citizens. Yet it was this same Earl Warren under whose tenure these past 15 years the Supreme Court forced tremendous breakthroughs in everything from school desegregation (1954) to open housing (just last week).

In those 15 years there was indeed only one blur, and that had nothing to do with Warren's service on the Court. It was when he was induced against his wishes to head the commission to investigate the death of President Kennedy. Put together as it was under great pressure, the Warren Commission report left many gaps not conclusively explored.

It was, however, for other reasons that the Chief Justice was endlessly villified by the howlers and the haters; it was for all the things "the Warren Court" was doing to change the face of America for the better. The battalions opposed to any such change will now try in the Senate Judiciary Committee to prevent the naming of a new Chief Justice until, as they hope, Richard Nixon is President. There is ample precedent for the appointment of a Chief Justice by a "lame duck" President—the great John Marshall, chosen by President John Adams just before the end of his term, being the celebrated case in point. We need to keep the Supreme Court looking forward for the next 15 years, and the nasty little ploy in the Senate Judiciary Committee must not be allowed to succeed.

L. B. J. AND THE RIGHT TO VOTE

Mr. BAYH. Mr. President, President Lyndon B. Johnson may be recorded in history as the Chief Executive who did the most to help extend voting rights to all Americans. In the recent past, this movement has generally benefited minority groups and poor people, and the legislative struggle in these areas has virtually been won.

But there is one large segment of Americans that is still denied the ballot—the group of men and women between the ages of 18 and 21. Only four States up to now have acted to lower the voting age below 21. In all the other States, the ballot is closed to these young Americans.

In his message to Congress, President Johnson advocated remedying this wrong. And it is a wrong. Make no mistake about it. There is no constitutional requirement for, or bar to, voting on the basis of age. The reasons for the 21-year-old standard can be traced back in English history hundreds of years. These reasons have little if anything to do with modern, 20th century America.

President Johnson seeks to bring the Constitution into line with the realities of modern times by enfranchising millions of young people. These young Americans are more educated, more experienced, and probably better motivated, than any other generation of young people in our history.

We require our 18- to 21-year-olds to accept the adult responsibilities of living in our society. They are legally liable for payment of taxes, for military service, and for the consequences of their personal actions. In simple justice, they should be given the right to participate as adults in the democratic process.

The President has accurately gaged the needs of the times in his proposal for a constitutional amendment to lower the voting age. He is responding to the changing conditions of America. During the 8 years of my service in the Indiana General Assembly, I introduced measures which would have extended the privilege of voting to younger citizens, and the Subcommittee on Constitutional Amendments has recently held hearings on proposed changes in the Constitution designed to achieve this purpose. I am pleased to join the President in this endeavor. I urge Senators to support this important move to broaden and strengthen the machinery of democracy.

PROPOSED CANCELLATION OF NAVY DEEP-DIVING SUBMARINE PROJECT

Mr. McINTYRE. Mr. President, this morning's Washington Post contains an alarming article written by Ted Sell, revealing Pentagon plans to kill a Navy deep-diving submarine project.

I have felt for a long time that someone at the Pentagon was effectively lobbying against our submarine program, but it seems to me that the cancellation of this project hits a new low.

I ask unanimous consent that the article outlining plans to cancel this project be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Pentagon Is Set To Kill Project for a Deep-Diving Quiet Sub

(By Ted Sell)

The Defense Department, over strenuous Navy objections, is about to kill a project to build a deep-diving quiet submarine which Navy officers say is necessary to guard against Soviet missile-launching submarines.

The cancellation is expected Wednesday, it was learned. It will come after $50 million of $125 million authorized by Congress last year for the project already had been obligated.

The Navy feels the upcoming cancellation shows duplicity on the part of John S. Foster, director of defense research and engineering. As recently as March, Foster was claiming partical credit for helping persuade the Defense Department to push ahead with development of the vessel.

Now, Foster reportedly is spearheading efforts to slash the remaining $75-million expenditure as part of Pentagon efforts to cut $3 billion in the overall defense budget. That is reportedly the Defense Department's share of a $6-billion budget reduction forced on President Johnson by Congress as the price for his 10 per cent income tax surcharge.

Navy officers feel so strongly about the need to push development of the quiet submarine that they are willing to divert money allocated for surface ship construction and conversion in order to stay ahead of the Soviet Union in submarine technology.

The submarine, specifically designed for operation on surveillance missions, would have joined the fleet in early 1973, after construction by the Electric Boat Co. in Groton, Conn.

Russia is known to be pushing development of similar quiet vessels.

As modern communications and technology bring the peoples of the world closer together, they not only become more conscious of their cultural uniqueness; the process also provides a better basis for judging their neighbors. The peoples I have mentioned are all very aware that India has a stagnant economy and that Burma is a economic failure of desperate proportions. They are equally conscious that, by comparison, Thailand is an economically vigorous nation-State.

The Government of Thailand has quite properly not encouraged those new nationalists who would like to look to Thailand, rather than to India-Burma or China, as a window to the outside world and as an alternative political anchor for the South-East Asian subcontinent. Those nationalists believe, however, that the logic and pressure of events in the area may produce what Thailand itself may not even desire.

How realistic these hopes and aspirations may be will depend in part on American policy towards the region. Automatic American support of existing Governments without consideration of the long-range implications of their policies might encourage the Indians to try to crush rebellions in Assam by the massive use of force. This would probably compel the independence movements there to rely heavily on China for military support and might provide the opportunity and pretext for Chinese expansion through Assam to the Indian Ocean.

Again, substantial American support of General Ne Win against the emerging nations in Burma could have a similar effect there. It would almost certainly force those peoples into a fatal reliance on Chinese support. Indeed, strongly pro-Western Shan leaders asked me to convey a warning that such American military participation in Burmese affairs would probably have just that effect.

Given freedom to conduct their revolution without outside intervention, the Shans are confident that the present Ne Win regime, which now has more than 30,000 political prisoners, will be replaced in Burma by a reconstituted union, willing and able to defend itself against any outside pressure other than a massive Chinese invasion. None of the leaders with whom I spoke expressed any fear of such an invasion, provided that they could complete their independence struggle before China recovered from its present internal turmoil.

A WARNING

The more perceptive young nationalists of the area warned that China is trying to associate the US with regimes that have inherited the European colonial empires and to align the US against genuine independence movements. They also warned that a decisive Western victory against the emerging nation-States of the western flank of South-East Asia would be impossible. The only result of such Western opposition would be a protracted conflict, from which the sole beneficiary would be China.

The vision and responsibility of those who lead the emerging nation-States of South-East Asia may offer the only hope for genuine freedom and independence in this part of the world. In adopting a policy towards these emerging peoples, US policymakers should aim at a longer-range goal than the illusory attempt to maintain the political *status quo*.

The US should at least refuse to participate even indirectly in the suppression of these peoples. Better still, it should publicly reassert its traditional support of the principle of self-determination of peoples and thus give moral encouragement to responsible local nationalism in South-East Asia.

Mr. METCALF. Mr. President, Mr. Crane discusses the political tensions of a vast area of Southeast Asia extending a thousand miles from the Indian Himalayas on the northwest to the borders of Laos and Thailand on the southeast. The recognized national boundaries of this area, a legacy of colonial surveyors, are artificial in the extreme. Both Burma and India include within their borders ethnic minorities with territorial homelands and with nationalistic aspirations. One gets the impression that the Nagas, the Shans, the Kachins, and other peoples Americans have hardly heard of, are capable of being every bit as fierce and assertive as the Biafrans today or the Irish in the 19th century. Throughout the area there is apparently a growing resentment against rule from New Delhi and Rangoon.

We have had experience with these ethnic tangles in the past. In Burma and eastern India, another situation is made to order for American intervention. That is to say, the American Army could dive into it and disappear without a trace. I am quite alarmed, therefore, at what Mr. Crane says about our recent activities in Burma:

> At the end of last year, U.S. military aircraft began airlifting arms and ammunition into Rangoon to help General Ne Win crush the growing and allegedly Communist-dominated independence movements in his country.

Mr. President, does America have a national commitment to defend the military government of Burma against its internal enemies? I am not an expert in these matters, but I have looked through the list of countries to which we have treaty commitments, and nowhere could I find any mention of Burma. I would like to know what we are doing over there and why we are doing it.

Mr. Crane's words on the likely consequences of American intervention in India and Burma are worth quoting in full:

> Automatic American support of existing Governments without consideration of the long-range implications of their policies might encourage the Indians to try to crush rebellions in Assam by the massive use of force. This would probably compel the independence movements there to rely heavily on China for military support and might provide the opportunity and pretext for Chinese expansion through Assam to the Indian Ocean. Again, substantial American support of General Ne Win against the emerging nations in Burma could have a similar effect there. It would almost certainly force those peoples into a fatal reliance on Chinese support. Indeed, strongly pro-Western Shan leaders asked me to convey a warning that such American military participation in Burmese affairs would probably have just that effect.

SUPREME COURT STRENGTHENED BY L. B. J.'S NOMINATIONS

Mr. McGEE. Mr. President, in Associate Justice Abe Fortas and Judge Homer Thornberry the President has found two very capable men who are particularly well qualified for positions on the Supreme Court. Justice Fortas, in his 3 years on the Court, has had ample opportunity to study its operation and to understand the proper functions of the role of Chief Justice, and he is a man who can be expected to devote his considerable energy to the job. His former experiences in private practice give evidence to Justice Fortas' broad interests in the law; and surely he is well acquainted with the problems of those who appear before the Court, having done so many times himself. Judge Thornberry would come to the Court with more judicial experience than any of its present members, save one, had at the times of their appointments. And it is experience marked by intelligent and forthright decisions.

It would be wrong, I think, to pass judgment on these men in terms other than of their evident qualifications. To do so in terms of what we expect of them, once in office, is to engage in a kind of guessing game at which failure tends to be the rule as often as the exception. The case of the present Chief Justice is a cardinal example, as discussed in a recent comment by Thomas O'Neill in the Baltimore Sun, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

POLITICS AND PEOPLE: GUESSING GAME

(By Thomas O'Neill)

WASHINGTON.—President Eisenhower's most significant appointment to a public position during his White House years, that of Chief Justice Warren, was also to become the appointment he most grievously lamented. Such are the hazards, plentifully encountered by Presidents over the years, of trying to peg the philosophical stance of any choice once the lifelong freedom from political pressures of the high court is attained.

The congressional conservatives balking at the elevation of Justice Fortas as successor to the Chief Justice are nevertheless betting that a new Administration will offer an appointment closer to their anti-court way of thinking.

A joker in the deck is that by blocking Justice Fortas they may end up with the bitterly assailed Chief Justice Warren still on the court.

There is a tentative aspect to the resignation sent President Johnson by Justice Warren. It specified no date for retirement, leaving that to the pleasure of the President. The wily Mr. Johnson acted on cue and put off acceptance until a successor has been confirmed by the Senate.

Having thus neatly cornered the obstructionists, the President can look forward with considerable confidence to a favorable vote before Congress quits at the end of July.

Little question clouds confirmation on the floor of the Senate, especially since the Republicans are raising a partisan issue. Rejections of Supreme Court nominations on a partisan basis were once fairly common in the Senate, but there has been only one denial in the present century. In 1930 confirmation was denied John J. Parker, of North Carolina, an act the Senate later came to own was mistaken. It made partial amends by approving a subsequent selection of Judge Parker for the next judicial level, the Court of Appeals.

Any blockade of Justice Fortas would be more likely in the Senate Judiciary Committee, where the nomination could be left unacted upon.

The defense for inaction, that as a lame duck President Mr. Johnson should defer the nomination to his successor elected in November, is ludicrously feeble. Nearly seven months remain of the Johnson term, he holds office into January, and the Supreme

Court will be back in session in October. It needs a full complement of justices.

Mr. Johnson has ample precedent for acting as his term draws to a close. It was set in the Republic's early days. John Adams, the second President, appointed a Chief Justice with only a month to go in a lame duck term. His choice was John Marshall, who made the court into a real full partner in Government and is universally recognized as the greatest Chief Justice. (Mr. Warren may well come to be accepted as No. 2 in that ranking.)

All Presidents are now, in effect, lame ducks upon the day of inauguration. The two-term amendment sees to that, forbidding a new candidacy.

President Eisenhower's unhappiness with Justice Warren on the bench is fresh and remembered, but he was only the most recent to miscalculate a mockup of how a new justice will perform.

He thought he saw a fellow don't-rock-the-boat spirit in the unpartisan Governor of California, Earl Warren, who specialized in pleasing all hands. He was astonished when the court within a year set out on an activist course of social change, beginning with school desegregation and still in progress. The Warren Court rediscovered the Bill of Rights, which had become a quaint museum piece to be praised and forgotten, and it recognized that the post-Civil War amendments notably the Fourteenth, were meant for people.

President Eisenhower's amazement was shared widely, most pointedly by Sacramento journalists who had been chronicling the Warren acts and thoughts for a dozen years.

Wide of the mark though Mr. Eisenhower was, he was a sharpshooter when compared with an Abraham Lincoln misjudgment about a court appointee.

Lincoln wanted a Chief Justice who could be relied upon to defend the questionable paper money issued during the Civil War, which was under legal attack. No safer choice could be imagined than the man who had issued that money, Salmon P. Chase, Lincoln's Treasury Secretary. On the bench, Chief Justice Chase voted the money he issued was invalid. Lincoln by then was dead and so was spared the shock.

SUPREME COURT NOMINATIONS SHOULD BE APPROVED—NEW YORK POST APPROVES SELECTIONS

Mr. RANDOLPH. Mr. President, the President has made good selections to fill the vacancies on the Supreme Court, as I said in the Senate on Friday, June 28. There should be swift confirmation in the Senate. One essential consideration is paramount—are the nominees qualified to serve in those positions?

It is the President's duty to fill vacancies in the judical branch when they occur. He has performed this function and performed it well. The next step is for the Senate to act, and it is my hope that confirmation will be an early action on the part of this body.

The New York Post approved the selection the President has made in an editorial of June 24, 1968. I ask unanimous consent to have it inserted in the Record at this point.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Earl Warren and After

And so another chapter has ended, and a stirring chapter it was, deplored only by those who hate and fear any advancement of human liberty or insurance of human rights. Chief Justice Earl Warren, in the still vigorous fullness of his 77 years, has tendered his resignation.

The remarkable thing about Earl Warren was that nobody, certainly not President Eisenhower, foresaw the direction in which the California Republican would move when he became a free man with his appointment to the Court. Once, long ago, as Attorney General of California during World War II, soon to become Governor, Warren had backed the disgraceful expulsion and interment of his state's Japanese-American citizens. Yet it was this same Earl Warren under whose tenure these past 15 years the Supreme Court forced tremendous breakthroughs in everything from school desegregation (1954) to open housing (just last week).

In those 15 years there was indeed only one blur, and that had nothing to do with Warren's service on the Court. It was when he was induced against his wishes to head the commission to investigate the death of President Kennedy. Put together as it was under great pressure, the Warren Commission report left many gaps not conclusively explored.

It was, however, for other reasons that the Chief Justice was endlessly villified by the howlers and the haters; it was for all the things "the Warren Court" was doing to change the face of America for the better. The battalions opposed to any such change will now try in the Senate Judiciary Committee to prevent the naming of a new Chief Justice until, as they hope, Richard Nixon is President. There is ample precedent for the appointment of a Chief Justice by a "lame duck" President—the great John Marshall, chosen by President John Adams just before the end of his term, being the celebrated case in point. We need to keep the Supreme Court looking forward for the next 15 years, and the nasty little ploy in the Senate Judiciary Committee must not be allowed to succeed.

L. B. J. AND THE RIGHT TO VOTE

Mr. BAYH. Mr. President, President Lyndon B. Johnson may be recorded in history as the Chief Executive who did the most to help extend voting rights to all Americans. In the recent past, this movement has generally benefited minority groups and poor people, and the legislative struggle in these areas has virtually been won.

But there is one large segment of Americans that is still denied the ballot—the group of men and women between the ages of 18 and 21. Only four States up to now have acted to lower the voting age below 21. In all the other States, the ballot is closed to these young Americans.

In his message to Congress, President Johnson advocated remedying this wrong. And it is a wrong. Make no mistake about it. There is no constitutional requirement for, or bar to, voting on the basis of age. The reasons for the 21-year-old standard can be traced back in English history hundreds of years. These reasons have little if anything to do with modern, 20th century America.

President Johnson seeks to bring the Constitution into line with the realities of modern times by enfranchising millions of young people. These young Americans are more educated, more experienced, and probably better motivated, than any other generation of young people in our history.

We require our 18- to 21-year-olds to accept the adult responsibilities of living in our society. They are legally liable for payment of taxes, for military service, and for the consequences of their personal actions. In simple justice, they should be given the right to participate as adults in the democratic process.

The President has accurately gaged the needs of the times in his proposal for a constitutional amendment to lower the voting age. He is responding to the changing conditions of America. During the 8 years of my service in the Indiana General Assembly, I introduced measures which would have extended the privilege of voting to younger citizens, and the Subcommittee on Constitutional Amendments has recently held hearings on proposed changes in the Constitution designed to achieve this purpose. I am pleased to join the President in this endeavor. I urge Senators to support this important move to broaden and strengthen the machinery of democracy.

PROPOSED CANCELLATION OF NAVY DEEP-DIVING SUBMARINE PROJECT

Mr. McINTYRE. Mr. President, this morning's Washington Post contains an alarming article written by Ted Sell, revealing Pentagon plans to kill a Navy deep-diving submarine project.

I have felt for a long time that someone at the Pentagon was effectively lobbying against our submarine program, but it seems to me that the cancellation of this project hits a new low.

I ask unanimous consent that the article outlining plans to cancel this project be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Pentagon Is Set To Kill Project for a Deep-Diving Quiet Sub

(By Ted Sell)

The Defense Department, over strenuous Navy objections, is about to kill a project to build a deep-diving quiet submarine which Navy officers say is necessary to guard against Soviet missile-launching submarines.

The cancellation is expected Wednesday, it was learned. It will come after $50 million of $125 million authorized by Congress last year for the project already had been obligated.

The Navy feels the upcoming cancellation shows duplicity on the part of John S. Foster, director of defense research and engineering. As recently as March, Foster was claiming partical credit for helping persuade the Defense Department to push ahead with development of the vessel.

Now, Foster reportedly is spearheading efforts to slash the remaining $75-million expenditure as part of Pentagon efforts to cut $3 billion in the overall defense budget. That is reportedly the Defense Department's share of a $6-billion budget reduction forced on President Johnson by Congress as the price for his 10 per cent income tax surcharge.

Navy officers feel so strongly about the need to push development of the quiet submarine that they are willing to divert money allocated for surface ship construction and conversion in order to stay ahead of the Soviet Union in submarine technology.

The submarine, specifically designed for operation on surveillance missions, would have joined the fleet in early 1973, after construction by the Electric Boat Co. in Groton, Conn.

Russia is known to be pushing development of similar quiet vessels.

A major use of such nuclear submarines would be to shadow nuclear-missile carrying submarines and, undetected, destroy them if they showed signs of preparing to fire missiles.

Preparations to proceed with U.S. development of the quiet submarine, while reported to Congressional committees, have been kept secret from the public.

As an indication of the importance attached to the scheme, however, complete control of the project was assigned to Vice Adm. Hyman G. Rickover, a Navy gadfly called the father of the nuclear submarine program.

Mr. McINTYRE. Mr. President, I have always been told that the nuclear submarine is probably the best strategic weapon in our Nation's military arsenal.

I do not need to tell Senators the vital role which is played by our Polaris and nuclear attack submarines.

But it seems to me that the Defense Department is doing everything it can to cripple this program.

No new Polaris submarines are on the drawing-boards; we have decided to discontinue our nuclear attack submarine program; no new strategic submarines are being planned; and now we read that the Pentagon believes it is unnecessary to construct this new surveillance submarine.

I, for one, intend to find out just who it is at the Pentagon that is trying to curtail our Nation's submarine program.

Disarmament is the prerogative of the State Department and our negotiators in Geneva, not of some functionary at the Pentagon.

THE ENLISTED PERSONNEL IN VIETNAM

Mr. TALMADGE. Mr. President, the people of the United States and the free world owe a great debt of gratitude to our servicemen who are fighting in Vietnam to defend the cause of freedom. The war in Vietnam is a most frustrating conflict, one that is often bewildering and hard to understand by the people at home. But we must stop to consider the serviceman as an individual, as a young man just starting out in life.

I have recently read an outstanding article written by 1st Lt. William L. Eberhardt, Jr., a marine who has been serving in Vietnam, in which he pays special tribute to the enlisted personnel in Vietnam. Lieutenant Eberhardt is the son of Mr. and Mrs. Bill Eberhardt, Sr., a highly respected family in Millen, Ga. The article—although not originally intended for publication—was printed in the March 1968 edition of Georgia Bell Notes, along with the following background information on Lieutenant Eberhardt from his hometown newspaper, the Millen News:

Lieutenant Eberhardt in Khesanh Action

First Lt. William Landrum Eberhardt, Jr., USMC, son of Mr. and Mrs. Bill Eberhardt of Millen, was actively engaged in the defense of the Khe Sanh area of Vietnam during the last two weeks. During his entire tour of duty with the Marines in Vietnam, Lt. Eberhardt has been with the "Charlie" Battery, 1st Battalion, 13th Marines as a forward artillery officer. During the powerful North Vietnamese attempts week before last to penetrate the defense surrounding Khe Sanh. Lt. Eberhardt's Battery, among others, played an important part in holding their protective positions around the vital Khe Sanh airfield and supply facilities.

On relief from a particularly hazardous assignment during this period of action, Lt. Eberhardt paid tribute to the enlisted personnel also serving in Vietnam and particularly those in the Marine Corps who serve close with him. Lt. Eberhardt wrote his article not for publication, but for those men and their families. A copy was sent to Millen for an opinion of its contents. The article was shown to Lt. Eberhardt's parents and they have given permission for it to be published in The News.

No changes have been made in the original tribute as written by Lt. Eberhardt. It is in itself, also a tribute to the many young officers who lead in Vietnam.

Lieutenant Eberhardt writes specifically about marines because they are the ones that he knows the best. I wish to bring this fine article to the attention of the Senate, and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

Georgia Bell Notes

(EDITOR'S NOTE.—The article reproduced here was written not for publication, as is noted in the accompanying paragraphs entitled "The Author." But it was published, with Lieutenant Eberhardt's parents' permission, in The Millen News early in February. And it seemed too good not to share with as many readers as possible. As "The Author" notes, the article attempts to describe "the enlisted personnel . . . serving in Vietnam." It is written specifically about the Marine enlisted men, because those are the ones the author knows best. The lieutenant's father is W. L. Eberhardt, line foreman in Millen.)

The feeling in Vietnam is that most backhomers, including lawmakers, do not fully understand or accept the truth that the conflict in Vietnam is war. The bulk of America considers Southeast Asia with confusion and mild contempt.

A Marine returning home from Vietnam will find that people can't yet point the country out on a map, can't guess the number of weekly casualties there, can't figure out who the enemy is, and can't understand what it's all about except they guess that freedom is involved.

"You think Vietnam is bad?" a statesider will grin. "Brother, you should have been in New York during the blackout."

"Too bad you're home," another adds grimly, "Traffic's terrible."

"Khe Sanh, Hill 881?" a third will say. "Nothing. You should'a seen the Battle of the Bulge. Now that was real war."

Vietnam is still a pop art oddity 12,000 miles away. The public worries more about living with a possible tax increase. Officials worry about living with world opinion. I still haven't decided what the Hippies and the Draft Dodgers and the War Protestors are living for, but that's all right, because they don't know either. The Marine worries only about living.

His world in Vietnam is continuous blackout and traffic—nightly blackout and mortar traffic. It's alive with booby traps that can blow his legs or his life to shreds. It's occupied with an enemy and an ally that look exactly alike.

He would give a month's pay for a sound night's sleep.

And 10 years of his life for a night at home.

He is not a bit player in a comic opera conflict, not the trump in an international card game and not 12,000 miles away, but as near as the muddy and bloody pictures in the newspapers and on TV.

Moreover, he is usually a very young American citizen in a hell of a fix. The average age of a combat Marine is 18½.

But what a man this young Marine is!

A pink-cheeked, tousled-haired, tight-muscled fellow who, under normal circumstances, would be considered by society as half-man, half-boy, not yet dry behind the ears, a pain in the employment chart.

But right now, he is the beardless hope of free men.

He is for the most part unmarried and without material possessions except for possibly an old car at home and a transistor radio here.

He listens to rock 'n' roll and the constant firing of his section's 105mm howitzer. He dreams of the day that he will be back home with his family, wife and loved ones. But right now, he has a job to do, and he does it outstandingly.

He has just gotten out of high school within the past year, received so-so grades, played a little football, and had a girl who either broke up with him when he came overseas or who swears that she is still faithful although he is half a world away.

He has learned to like beer by now because it is cold and because it is "the thing to do." He smokes because he gets free cigarettes in his C-Rations and it is also the thing to do.

He never cared much for work, preferred waxing his own car to washing his father's, but he is now 10 to 20 pounds lighter than before because he is working or fighting from dawn to dusk, often longer.

He still has his trouble spelling, and writing letters home is a painful process. But he can break down and clean a 105mm howitzer and put it back together again in under four minutes. He can take his weapon apart and put it together again in less than a minute. He can describe the nomenclature of a fragmentation grenade, explain how a machine gun operates and, of course, utilize either if the need arises.

He obeys without hesitation, but he is not broken.

He has seen more suffering than he should have in his short life. He has stood among hills of bodies and he has helped to construct those hills.

He has wept in public and private, and he is not ashamed in either place, because his pals have fallen in battle and he has come close to joining them.

And he has become self-sufficient; he has two pairs of utilities, washes one and wears the other. He sometimes forgets to brush his teeth, but not to clean his rifle or howitzer.

He keeps his socks dry and his canteens full. He can cook his own meals, fix his own hurts and mend his own rips—material or mental.

He will share his water with you if you thirst, break his rations in half if you are hungry, split his ammunition if you are fighting for your life.

He does the work of two civilians, draws half the pay of one and finds ironic humor in it all. He has learned to use his hands as a weapon and his weapon as his hands. He can save a life or, most assuredly, take one.

Eighteen-and-a-half years old. But what a man he is . . . already!

SUPREME COURT NOMINATIONS

Mr. GRIFFIN. Mr. President, in today's Washington Star, the distinguished columnist, Mr. David Lawrence, wrote concerning President Johnson's nominations to the Supreme Court. I ask unanimous consent that Mr. Lawrence's column be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"VACANCY" ON SUPREME COURT ISN'T

(By David Lawrence)

Surprising as it may seem to many people, there is actually no "vacancy" today in the office of chief justice of the Supreme Court of the United States. Nor is there any "vacancy" in the office of associate justice, for which judge Homer Thornberry of Texas has been slated.

These strange paradoxes reveal the need for a clarification of the present law. When Chief Justice Earl Warren recently wrote to President Johnson, he did not actually resign from the Supreme Court. What he did write was this statement: "I hereby advise you of my intention to retire as chief justice of the United States effective at your pleasure."

President Johnson, in his reply, used similar language which also makes clear that there is no "vacancy" today in the office of chief justice. Johnson wrote to Warren as follows:

"In deference to your wishes, I will seek a replacement to fill the vacancy in the office of chief justice that will be occasioned when you depart. With your agreement, I will accept your decision to retire effective at such time as a successor is qualified."

The Supreme Court cannot, by statute, consist of any more than nine justices. If one justice announces that he "intends" to retire, this is not a termination of his service. He actually must specify a date for his retirement so that a successor will then be able to take office.

What has happened thus far is that Chief Justice Warren has merely announced his "intention" to retire. President Johnson, in stating that Warren will "retire" at a time when "a successor is qualified," is, in effect, affirming that there is today no vacancy in the office of chief justice.

The position which Abe Fortas now occupies as associate justice is also not vacant. The Senate cannot act, therefore, on the nomination of Judge Thornberry as his successor until an actual vacancy has been created through the withdrawal of Fortas from his present post.

The present retirement law for judges is full of weaknesses. It gives the President of the United States a tremendous power. For the device of retirement can be utilized "at the pleasure of the President," and it permits him to dangle nominations before Congress. If the Senate, for instance, doesn't currently confirm the nominees for the prospective vacancies, the President can acquiesce in Warren's stay in office indefinitely and thus can assure a continuance of a particular kind of judicial philosophy. Chief Justice Warren will not be relieved of his duties until the Senate has actually confirmed a successor.

Another prevalent misconception is that a chief justice or an associate justice really severs all connection with the judicial system upon retirement. An existing statute, however, provides that the chief justice, after stepping down from the Supreme Court, may be asked at any time to serve as a judge in the U.S. Court of Appeals or in the Court of Claims. He cannot, however, be called upon to sit on the Supreme Court.

Even though a new chief justice takes office, Warren continues to be paid the same salary he received while serving on the Supreme Court. This compensation continues during the remainder of a justice's lifetime.

The procedures prescribed by present law can have a far-reaching significance. Thus, there are many members of the Senate who do not wish to confirm Associate Justice Fortas for the post of chief justice, and they may delay action by filibustering. Also, it is difficult to see how there can be actual "vacancies" while both Chief Justice Warren and Associate Justice Fortas continue to serve in their present posts.

The spirit of protest among senators of both parties is growing. An example is the statement by Sen. Robert P. Griffin, Republican of Michigan, who summed up the attitude of the opposition as follows:

"Positions on the Supreme Court of the United States cannot be regarded as ordinary political plums. Such deviations as may have been condoned in the past cannot serve as a guide for the present or the future. . . .

"At the present time, the American people are in the process of choosing a new government. By their votes in November the people will designate new leadership and new direction for our nation. . . .

"The maneuvering to deny the people and the next President their choice in this instance is wrong in principle—and everybody knows it."

NOMINATIONS TO THE SUPREME COURT

Mr. METCALF. Mr. President, AFL–CIO President George Meany today strongly supported President Johnson's nominations to the Supreme Court and urged every Member of the Senate to vote for their confirmation:

President Meany said:

> The President has nominated two eminently qualified Americans as Chief Justice and Associate Justice of the Supreme Court of the United States. The AFL–CIO strongly supports the nominations of Justice Fortas and Judge Thornberry and we hope the Senate will speedily confirm both nominations.
>
> We commend the President for the caliber of his appointments.
>
> As a lawyer and on the Court, Justice Fortas has demonstrated beyond question his qualifications for the highest position in the American judicial system.
>
> In singling him out for this honor, the President has wisely chosen a man who is equipped to take his place with other great Americans who have headed the Supreme Court. He would, of course, be the first Jewish Chief Justice—a matter worthy of note.
>
> It is an appointment that ranks with the President's earlier nominations to other major posts in the government—appointments characterized by the President's decision to choose men of merit, ability and character, regardless of any false barrier of race, creed or color.
>
> The President's choice of Judge Thornberry is equally praiseworthy. The Judge has established a fine record on the bench, as a member of the House of Representatives and on the House Rules Committee.
>
> We are dismayed and disappointed by the political maneuvering among a few Senators and a leading Presidential candidate that has followed the President's announcement. The threat of a filibuster, and the overtones of prejudice that accompany it, cannot be justified by any political or moral standard. An attack on these appointees, or an attack on the right of the President to fulfill his constitutional duties, can only reflect discredit upon those engaging in it.
>
> We certainly cannot understand objections in the Senate now for both Justice Fortas and Judge Thornberry were confirmed by the Senate without opposition when they were nominated to their present posts.
>
> We trust cooler heads and more mature legislators will recognize these dangers and that the Senate will speedily consent to these appointments.
>
> We cannot allow this opportunity to pass without stating our deep regret at the resignation of Chief Justice Warren and our acknowledgement of the real debt that we and all Americans owe to him—a truly outstanding jurist and great American.

SETTING THE POVERTY RECORD STRAIGHT

Mr. TOWER. Mr. President, I desire to right a wrong, to set the record straight. The record belongs to no less a body than Congress; the wrong done to Congress and to the Government is no less than the complete distortion of the record.

"The Government doesn't care about the poor. Congress is cold and indifferent to the needs of our cities; it never does anything to help the underprivileged." These are the charges that are continually made, no matter what contrary evidence is presented. This is the fiction we hear repeated in the cultured, quiet tones of many eminent liberals as well as in the raucous shouts of those who are less fortunate. We have even heard similar irresponsible statements made by others who should know a great deal better.

It is, of course, easy to put the blame for perplexing phenomena like widespread defiance of authority and an unstable economy on Congress; easier for mayors whose cities are engulfed in riots to blame Congress; easier for those who do not have jobs to place the blame on the Government; easier for many supposedly educated people to blame Congress than to look searchingly at the policies they have blindly followed for so long. It is easier, but it is also a disservice, not only to the men who serve so well as the people's representatives but to the whole system of representative government itself.

Let us now turn to the facts instead of meaningless slogans; let us now examine the record, something a number of critics of Congress have failed lately to do.

By every measure, Congress has continually striven to aid the poor in our cities and rural areas both by adopting and funding new programs and by funding older programs as generously as possible.

If we look at the overall funding situation as presented in an analysis of the 1968 budget, we see that an estimated total of $25.6 billion is going to programs assisting the poor: I repeat, $25.6 billion. If we accept the Department of Health, Education, and Welfare's 1966 figures, there are 29.7 million people in this country classified as poor. The story told by the combination of these two figures is that the Government—through Congress—is annually spending close to $1,000 for every such person through a variety of programs.

Among this variety of programs administered by the Office of Economic Opportunity is the much-discussed war on poverty. By an act of Congress, an independent executive office was created solely for the purpose of aiding the poor. Certainly, a body of legislators responsible for such an expansion of Federal help for the disadvantaged cannot rightly be called unresponsive. And Congress has not stopped merely with the creation of the OEO, but has continued to write new programs for the poor into the economic opportunity law. Thus, last fall, Congress legislated new daycare, senior citizens, Upward Bound, Follow Through, and emergency food and medical programs. There is indeed an abundance of Federal programs to aid the disadvantaged, and the entire collection was initiated by Congress. As far as money goes, this year no less than $1.773 billion was appropriated by Congress for the programs of the OEO. This is not the action of a government that does not care.

In the area of housing, one has only to look at the new housing bill which the Senate passed just a few weeks ago, and which I strongly supported. In it the Senate reaffirms the goal of "a decent home and a suitable living environment for every American family," and to attain that goal we adopted a new program to assist low-income families to purchase their own homes. For fiscal 1969, the House extended the rent supplement program and appropriated $25 million for it and $500 million for the model cities program. Public housing, on which we have spent $2.8 billion since the program began, was granted $350 million for fiscal 1969, $75 million more than last year. The House recommended total fiscal 1969 appropriations for the Department of Housing and Urban Development of $1.2 billion. Thus, Congress has approved new housing programs, extended the life of old programs, and appropriated as much money as possible for them. These are not the actions of a Congress that does not care.

Under the Department of Health, Education, and Welfare, there are numerous programs for the poor, most notably the public assistance program which alone is estimated to cost $3 billion in fiscal 1968. HEW also administers title I of the Elementary and Secondary Education Act, providing Federal funds to schools with high numbers of low-income pupils. The 1968 estimated expenditure in that area is $1.3 billion. Public assistance medical care, also under HEW, will cost $1.2 billion, while job training programs such as Job Corps, Neighborhood Youth Corps, and others, will cost $1.3 billion.

Let us turn now to the Department of Labor and its Manpower Development Training Act: $0.3 billion is estimated for that program in fiscal 1968, $0.5 billion is estimated for Department of Agriculture food programs, and $0.2 billion for the Department of Commerce's Economic Development Act and aid to Appalachia.

I have not mentioned a number of additional programs administered by a number of Government agencies. It is enough to say, as does Michael S. March, the Budget expert from whose analysis I have drawn the 1968 estimates, that in fiscal 1968, $25.6 billion will be spent on programs to aid the poor, and that in the last 6 years total Federal aid for the poor has nearly doubled.

Now, I have not dealt with the complex issues of just how much this proliferation of aid programs does, in fact, help the poor, nor will I go into the matter of whether or not the Nation would benefit more from the stable economy that would result from judicious Federal spending than from the continued existence and expansion of these myriad programs, so many of which seem to be duplications of one another.

It is a fact that the utterly poverty-stricken numbers in this country are steadily decreasing. The number of middle-class Americans are steadily increasing like a widening river, while the number of Americans living in standards of malnutrition, hunger, and abject poverty is decreasing. This trend has been aided by the enormous growth and productivity of American industry: economic innovation and industrial mechanization has led to increased employment and to larger incomes for all Americans—including the unskilled. The Labor Department has announced that unemployment is at an all-time low, even for the chronically unemployable. Business and industry, the private sector, has done much; the Federal Government has also done a great deal through legislation and financial appropriations. It is not important at this time to debate the merits of what has been done—but it is important to acknowledge that much has been done by the legislative bodies on both the State and National levels to alleviate poverty.

Poverty is decreasing, according to statistics; however, the plight of the poor is now more visible and urgent than ever before. The poor are concerned, and there is much unrest over their plight. Congress has not only voiced its concern; it has put its concern into action through legislation and the appropriation of billions of dollars for the relief of the poor. The concern and action on the part of the U.S. Congress will hopefully result in a further reduction in the amount and extent of poverty in the United States. Surely, Members of Congress will not be overlooked by the active masses demonstrating for an end to poverty. We, the Members of the U.S. Congress, members of both parties, have also been demonstrating against the economic inequities in our Nation. Our demonstrations have been in the form of productive proposals and far-reaching programs designed to help all Americans enjoy the benefits of our rich and productive Nation.

OPPOSITION TO CUT IN FUNDS FOR POVERTY CHILDREN IN NATION'S SCHOOLS

Mr. HART. Mr. President, I invite the attention of the Senate to the critical situation posed by the drastically reduced appropriation bill passed last week by the House of Representatives for the Departments of Labor and Health, Education, and Welfare. The bill, which carries funds for the fiscal year 1969 for most of our federally aided education programs, contains serious cuts in amounts needed to provide for poverty children in our Nation's schools. The most serious of the cuts is a reduction of $127 million in the amount requested by the President to fund title I of the Elementary and Secondary Education Act. This cut, coming at the eleventh hour, when the schools are preparing to open their doors for the fall term, will affect every State, every county, and every school district in this land.

This bill is now before the Senate Committee on Appropriations. I urge our Committee on Appropriations to restore these funds so that the children of poverty are not saddled with the fiscal failures of our federal system and the burdens of Vietnam.

Senators will, I am sure, want to look at the effect of this House action on the Nation as a whole, on his own State, and on the various cities of his State. These cuts are real, and they are drastic. What are their implications for the schools? The two alternatives are these: First, 1 million children would have to be dropped nationally from the program by the schools. The second cruel alternative facing the local schools is to reduce the quality of services to the 9 million children who are now in the program. Thus, a serious dilution of the program would occur and the chances diminished for helping these unfortunate children seeking to find their way out of the cycle of poverty.

Let me describe how this action affects Michigan, which has had its considerable share of troubles with poverty and civil unrest. Our schools are using title I funds with great effectiveness to help our poverty children succeed in school and provide escape from the fate of their parents. But if Michigan's allocation were reduced by the $3,147,000 proposed by the House, there would immediately be statewide cuts in programs affecting about 20,000 poor children. There would have to be a $2.5 million cut in teacher's salaries, involving the release of about 3,300 teachers. Auxiliary health services would be reduced by 50 percent. One thousand teacher aides hired in the poor neighborhoods would be dropped from the program, and 1,500 teachers who were due for in-service training will not be able to participate.

In the city of Detroit, which would lose $1,175,457, 25 target schools would be dropped. This means 10,000 poor children would not be included in Detroit's title I program. All part-time teachers would be released and all enrichment activities would be stopped.

In Flint, 20 percent of full-time title I teachers would be released and the complete summer program scheduled for next summer would be eliminated. Grand Rapids would automatically drop next summer's program and would eliminate 33 teacher aides for the entire year. And in Benton Harbor all services for 120 preschoolers would be terminated.

I want to emphasize that it is not only areas such as Detroit that we must worry about. At this late hour, 17,000 school districts in the Nation look to us to help them provide an educational opportunity for their poverty children which is equal to the education received by their more fortunate contemporaries. With adequate funding, title I can go a long way toward helping local educational agencies reach this goal. I therefore urge Senators to restore the $127 million taken from title I children by the House.

I ask unanimous consent to place in the RECORD at the conclusion of my remarks two tables. One shows the actual reductions that will occur in each State if the House action prevails. The second table illustrates the cuts in the amounts that will result in 93 of our larger cities across the Nation. I have mentioned the loss to Detroit and other Michigan cities. Let me just mention a few others. Chicago would suffer a cut of $3,298,696. Buffalo would lose $1,560,745—a third of its 1968 allocation. Los Angeles would be reduced by $1,440,879. Philadelphia loses $1,863,410. San Antonio is cut by $418,817. And so it goes. All across the land, the schools of our cities and rural areas would either have to cut out a certain number of children, or they would have to cut services to children, release teachers, teacher aides, cancel health services, eliminate summer programs, deprive children of needed materials and supplies, and so on.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. HART. Mr. President, all of these drastic cuts would come after school plans and budgets have already been made for the coming year. There is no easy way to take these cuts. They cannot be waved aside as a mere postponement of services—the child passes this way but once, and we should not fail him.

Although the House report says that the cut affects only equipment, it cuts all services, and each school system must make its Hobson's choice of whether to eliminate schools and children from the program or to dilute the services drastically to all children. Let no one be deceived—these cuts mean fewer teachers, fewer aides, fewer nurses and nutritionists, fewer counselors and librarians, fewer lunches and breakfasts, fewer eyeglasses and hearing aids, and, of course, much less hope to the 9 million children who are now participating in the program.

Mr. President, many of our constituents are disappointed by the fact that since title I was initiated 3 years ago, the administration has failed to request the full amounts authorized by the law. For the fiscal year 1969, only 43 percent of the funds which Congress authorized was requested. Congress owes it to the children of the Nation to be at least as generous as our President was in his budget. To do less at this hour would be to fail the schools, to fail the teachers, and to fail the children. And in failing, we jeopardize not only this generation but those to come, as well.

I await the report of our committee in the hope that the Senate will repair the damage inflicted by the House. I intend to vote for the full amount requested by the President, and if needed I will offer amendments to that end when the appropriation bill reaches the Senate floor.

EXHIBIT 1

COMPARISON OF 1968 ALLOTMENTS AND 1969 AMOUNT ESTIMATED UNDER HOUSE ALLOWANCE LOCAL EDUCATIONAL AGENCIES

	1968 allotments	1969 estimate under House allowance	Decrease
Total	$1,100,287,599	$974,404,184	$125,883,415
Alabama	36,988,984	33,677,096	3,311,888
Alaska	1,805,503	1,534,678	270,825
Arizona	8,422,776	7,159,360	1,263,416
Arkansas	22,673,547	20,644,660	2,028,887
California	78,008,208	71,045,552	6,962,656
Colorado	7,798,580	6,997,585	800,995
Connecticut	7,907,261	7,092,820	814,441
Delaware	2,084,729	1,953,476	131,253
Florida	26,445,029	22,478,275	3,966,754
Georgia	36,829,728	33,532,359	3,297,369
Hawaii	2,226,608	2,082,657	153,951
Idaho	2,475,984	2,219,859	256,125
Illinois	46,230,999	39,718,745	6,512,254
Indiana	14,580,136	12,650,396	1,929,740
Iowa	15,153,804	12,880,773	2,273,031
Kansas	9,608,706	8,167,400	1,441,306
Kentucky	32,483,284	29,573,721	2,909,563
Louisiana	31,530,268	28,708,880	2,881,388
Maine	3,403,277	3,148,346	255,031
Maryland	14,590,115	13,285,656	1,304,459
Massachusetts	16,422,153	14,956,030	1,466,123
Michigan	30,670,217	27,523,182	3,147,035
Minnesota	18,867,365	16,412,169	2,455,196
Mississippi	38,788,595	35,315,387	3,473,208
Missouri	23,086,158	19,938,618	3,147,540
Montana	2,993,356	2,560,475	432,881
Nebraska	5,666,795	5,216,476	450,319
Nevada	879,759	790,684	89,075
New Hampshire	1,296,376	1,235,782	60,594
New Jersey	22,865,209	20,744,021	2,121,188
New Mexico	9,629,504	8,185,078	1,444,426
New York	115,776,356	105,420,611	10,355,745
North Carolina	$51,096,076	$46,524,544	$4,571,532
North Dakota	4,042,272	3,735,605	306,667
Ohio	34,197,997	30,190,991	4,007,006
Oklahoma	17,214,771	15,675,342	1,539,429
Oregon	6,982,937	6,091,999	890,938
Pennsylvania	46,699,583	39,694,646	7,004,937
Rhode Island	3,481,096	3,139,958	341,138
South Carolina	31,540,454	28,717,151	2,823,303
South Dakota	5,649,685	5,198,969	450,716
Tennessee	33,763,326	30,704,029	3,059,297
Texas	65,260,201	55,687,803	9,572,398
Utah	2,724,300	2,443,719	280,581
Vermont	1,484,141	1,275,206	208,935
Virginia	28,130,476	25,613,290	2,517,186
Washington	9,840,169	8,542,455	1,297,714
West Virginia	17,193,348	15,653,561	1,539,787
Wisconsin	14,357,585	12,251,095	2,106,490
Wyoming	1,235,793	1,050,424	185,369
District of Columbia	5,397,367	4,587,762	809,605
Outlying areas	22,806,653	20,774,928	2,031,725
Bureau of Indian Affairs	9,000,000		9,000,000

SUMMARY

	1968 allotments	1969 estimate under House allowance	Decrease
Local educational agencies	$1,100,287,599	$974,404,184	$125,883,415
Handicapped children	24,746,993	24,746,993	
Juvenile delinquents	9,168,720	9,168,720	
Dependent and neglected	1,113,455	1,113,455	
Migratory children	41,692,425	41,692,425	
Administration	13,990,808	13,001,223	989,585
Total	1,191,000,000	1,064,127,000	126,873,000

COMPARISON OF 1968 INITIAL ALLOCATIONS AND 1969 ESTIMATED ALLOCATIONS UNDER HOUSE ALLOWANCE FOR SELECTED LARGE CITIES

City	1968 initial allocation	1969 estimated allocation under House allowance	Decrease
Akron, Ohio	$1,042,187	$920,070	$122,117
Albany, N.Y	800,860	644,306	156,554
Albuquerque, N. Mex	1,645,403	1,398,592	246,811
Allentown, Pa	188,001	159,771	28,230
Amarillo, Tex	288,438	246,084	42,354
Anaheim, Calif	276,144	251,430	24,714
Atlanta, Ga	2,758,767	2,511,741	247,026
Austin, Tex	836,408	713,695	122,713
Baltimore, Md	7,574,551	6,897,328	677,223
Baton Rouge, La	1,040,972	947,824	93,148
Beaumont, Tex	371,611	317,086	54,525
Berkeley, Calif	422,743	384,995	37,748
Birmingham, Ala	1,996,831	1,818,024	178,807
Boston, Mass	4,613,141	4,201,283	411,858
Buffalo, N.Y	5,384,734	3,823,989	1,560,745
Cambridge, Mass	462,085	420,818	41,267
Camden, N.J	1,234,536	1,119,990	114,546
Canton, Ohio	335,065	295,781	39,284
Charlotte, N.C	1,299,834	1,183,538	116,296
Chattanooga, Tenn	928,550	844,392	84,158
Chicago, Ill	23,396,381	20,097,685	3,298,696
Cincinnati, Ohio	3,156,114	2,786,296	369,818
Cleveland, Ohio	5,531,982	4,883,785	648,197
Columbus, Ga	797,121	725,741	71,380
Columbus, Ohio	2,343,946	2,069,291	274,655
Corpus Christi, Tex	1,076,559	918,626	157,933
Dallas, Tex	2,466,750	2,104,888	361,862
Dayton, Ohio	1,404,186	1,239,642	164,544
Dearborn, Mich	125,675	112,762	12,913
Denver, Colo	2,234,345	2,004,850	229,495
Des Moines, Iowa	763,843	649,268	114,575
Detroit, Mich	11,455,586	10,280,129	1,175,457
Duluth, Minn	418,913	364,400	54,513
Elizabeth, N.J	462,832	419,880	42,952
El Paso, Tex	$946,066	$807,250	$138,816
Erie, Pa	566,908	481,853	85,055
Evansville, Ind	624,544	541,880	82,664
Flint, Mich	778,243	698,373	79,870
Fort Wayne, Ind	485,685	421,397	64,288
Fort Worth, Tex	1,453,499	1,240,279	213,220
Gary, Ind	887,736	770,232	117,504
Grand Rapids, Mich	748,342	671,538	76,804
Hammond, Ind	275,642	239,155	36,487
Honolulu, Hawaii	2,226,608	2,082,657	143,951
Houston, Tex	3,448,670	2,942,766	505,904
Indianapolis, Ind	1,591,286	1,380,664	210,622
Jackson, Miss	1,136,492	1,034,705	101,787
Jacksonville, Fla	2,392,809	2,033,879	358,930
Jersey City, N.J	1,485,388	1,347,573	137,815
Kansas City, Mo	1,813,831	1,566,517	247,314
Knoxville, Tenn	1,015,153	923,147	92,006
Little Rock, Ark	614,500	559,512	54,988
Long Beach, Calif	1,363,356	1,241,663	121,693
Los Angeles, Calif	16,143,188	14,702,309	1,440,879
Louisville, Ky	1,932,193	1,759,104	173,089
Lubbock, Tex	418,285	356,903	61,382
Memphis, Tenn	3,149,017	2,863,673	285,344
Miami, Fla	3,419,439	2,906,508	512,931
Milwaukee, Wis	2,843,756	2,426,525	417,231
Minneapolis, Minn	2,494,562	2,169,934	324,628
Mobile, Ala	2,009,397	1,829,475	179,922
Montgomery, Ala	1,362,914	1,240,866	122,048
Nashville, Tenn	1,577,915	1,434,922	142,993
New Orleans, La	3,742,865	3,407,945	334,920
New York, N.Y	71,513,045	69,892,210	1,620,835
Newark, N.J	4,966,293	4,505,560	460,733
Niagara Falls, N.Y	701,825	604,198	97,627
Norfolk, Va	2,433,326	2,215,575	217,751

COMPARISON OF 1968 INITIAL ALLOCATIONS AND 1969 ESTIMATED ALLOCATIONS UNDER HOUSE ALLOWANCE FOR SELECTED LARGE CITIES—Continued

City	1968 initial allocation	1969 estimated allocation under House allowance	Decrease
Oakland, Calif	$2,875,101	$2,618,455	$256,646
Philadelphia, Pa	12,420,884	10,557,744	1,863,140
Pittsburgh, Pa	3,214,988	2,732,738	482,250
Rochester, N.Y	1,902,110	1,841,973	60,137
St. Louis, Mo	4,381,175	3,783,831	597,344
San Antonio, Tex	2,855,158	2,436,341	418,817
San Diego, Calif	2,144,795	1,953,326	191,469
San Francisco, Calif	3,275,608	2,983,203	292,405
Seattle, Wash	1,485,841	1,289,885	195,956
Syracuse, N.Y	1,621,382	1,443,953	177,429
Toledo, Ohio	1,501,588	1,325,626	175,962
Trenton, N.J	873,003	792,006	80,997
Tuscon, Ariz	792,042	673,230	118,812
Tulsa, Okla	$1,396,716	$1,271,803	$124,913
Utica, N.Y	706,983	565,616	141,367
Washington, D.C	5,397,367	4,587,762	809,605
Wichita, Kans	1,346,222	1,144,285	201,937
Winston-Salem, N.C	985,246	897,086	88,160
Yonkers, N.Y	745,069	621,572	123,497
Youngstown, Ohio	586,509	517,775	68,734
Oklahoma City, Okla	1,757,979	1,600,766	157,213
Paterson, N.J	1,104,514	1,002,040	102,474
Portland, Oreg	1,674,678	1,461,008	213,670
Richmond, Va	1,574,932	1,433,985	140,947
St. Paul, Minn	1,276,745	1,110,595	166,150
Savannah, Ga	1,088,264	990,814	97,450

PRESIDENT'S PERSISTENCE ON DISARMAMENT PAYS OFF

Mr. YARBOROUGH. Mr. President, over the past 4 years, President Johnson has on several occasions indicated strong interest on the part of the United States in talks with the Soviet Union leading toward progress on nuclear disarmament. Just last year, the President offered to begin talks with Russia on possible mutual restraint in building new missile and antimissile systems.

There have been many occasions during recent years when any cooperation between America and the Soviet Union in the field of disarmament seemed completely out of the question. But the President persisted in his search for peace, either by small steps or giant steps.

Finally, some forward movement seems to have come from the other side. Soviet Foreign Minister Andrei Gromyko in a speech Thursday declared that his Government is ready to enter into talks with the United States concerning limitations on missiles.

We all hesitate to be too optimistic about this initial response, but it cannot be doubted that President Johnson's persistent efforts on behalf of peace through limitation of arms have at least brought forth a positive response from the Soviet Union. We must all hope and pray that this first step will lead to substantive actions to make the world safer and more secure for all mankind.

THE PANAMA CANAL

Mr. THURMOND. Mr. President, in a recent statement to the Senate, I quoted an interesting discussion in the U.S. Naval Institute Proceedings of January 1968, by Representative DANIEL J. FLOOD, of Pennsylvania, who is one of the leading authorities in Congress on interoceanic canal problems, concerning the overall canal subject.

Another able discussion of canal problems by Richard B. O'Keeffe, a careful and objective student of canal problems, was published in a recent issue of the same publication.

Because of its relevance to current canal consideration by Congress as a fitting sequel to the earlier discussion by Representative FLOOD, I ask unanimous consent that Mr. O'Keeffe's article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

TO BUILD A BIGGER DITCH

(By Richard B. O'Keeffe)

(*See* August C. Miller, Jr., pp. 26–34, September 1967 and W. R. Mathews, p. 102, January 1968 *Proceedings*.)

There is no question (and your editor's note points this out) that Dr. Miller's advocacy and analysis have been overtaken by the event of the treaty announcement of 27 June 1967, issued jointly by the Presidents of the United States and of Panama.

It is not unfair to assert that Dr. Miller's article requires more than mere updating, more then reference to the peculiar protocolary delay of the U.S. Department of State. Until recently, inquiries about the three treaties were answered by the Department's assertion that these documents were being translated into Spanish.

First, in regard to the need for a sea-level canal, Dr. Miller has not pointed out that these same large freighters and tankers which cannot transit the Panama Canal, cannot (while fully laden) transit the Suez sea-level canal; nor can these ships enter many of the world's important harbors. The owners of these ships obviously have concluded that their operation is practical and economical despite these restrictions. It is scarcely any objective of our Republic to run "greyhounds after the mechanical hare" in the matter of accommodating Japanese and other shipbuilders.

In any case, the article fails to note the impressively endorsed alternative solution to our Isthmian canal problems, the Terminal Lakes projects. It is unfortunate that Dr. Miller should prepare what purports to be an article on Isthmian canal possibilities without properly referring to this important alternative to the old sea-level idea. This omission is more grievous since a major advantage of Terminal Lakes over a sea-level canal is political, i.e., there is no necessity for the United States to negotiate new treaties in order to improve its existing canal. As a political scientist, he is surely aware of this contrast.

The Panama Canal Zone and the Panama Canal, territorial possession and property of the United States, has now cost this nation almost $2 billion in acquisition, construction, and maintenance thus far, plus more than that sum in the inescapable costs of defending our possession.

Professor Miller's reference to the Colombian hydroelectric-seaway plan is, I assume, to the Chocó Project, [see pages 135–137, July issue], prepared for the Republic of Colombia by the Hudson Institute in the fall of 1966. Two observations should be made here: The Chocó Project is a Terminal Lakes design canal, suggesting that the idea of the operational or economic inferiority of a lake-lock canal is "not necessarily so." Vannevar Bush, General Thomas F. Farrell, and many other experts have argued cogently that against atomic weaponry, neither a sea-level nor a terminal lake canal is secure. The Chocó canal, as outlined by Robert Panero in the official report, would be totally inadequate for present-day interoceanic commerce (cf. Dr. Miller's suggestion that the Chocó canal be used while the Panama Canal is brought down to lea level). The authors of the Chocó Project go to considerable pains to deny any intention of competing with or of replacing the existing Panama Canal.

What was the result of the 1955 yielding to Panamanian importunings? Within nine years, as Professor Miller pointed out, the United States had denounced (in effect) the 1955 Treaty, and American Isthmian policy seemed to be set firmly on a course of appeasing the insatiable. Dr. Donald Dozer and Vice Admiral T. G. W. Settle sum up the grave situation in Panama with: "We now have a fine canal. We know it will work. We know how to operate it. We know how to enlarge it from time to time as necessity requires. We have a treaty with Panama which enables us to operate it and control it, though this treaty is now being abrogated by executive fiat. We are losing control of the Panama Canal through a policy of retreat and through our *obsession with the construction of a canal of sea-level design*, which weakens our bargaining position. If we cannot control the Canal which we now own, we may be forced entirely out of the canal business in Central America. If this happens, who will control this priceless interoceanic utility? Who will operate it to serve the needs of world commerce?"

REFORM OF THE DECENNIAL CENSUS

Mr. TOWER. Mr. President, I wish to discuss with Senators a matter which is receiving growing attention from the membership of Congress and the Nation generally, and justifiably so, namely, the current plans for the forthcoming decennial census of population, housing, and employment to be conducted during April of 1970.

In reviewing the history of the decennial census, everyone must be impressed by the marked changes which have taken place in the character and makeup of the census since its inception in 1790. The first census of population involved essentially a simple count of population. However, with the rapid and significant changes that have taken place in the economic and social framework of the Nation over the years, and particularly since the turn of the century, the national census with every passing decade has grown increasingly more comprehensive in both its scope and content. Consequently the decennial census today not only calls for a detailed survey of population, but a far ranging survey of housing and employment characteristics as well.

Based on current plans, the questionnaires to be used in the 1970 census will be considerably more extensive than those used in the 1960 census. The number of subject items covered in the questionnaire to be answered by all American households will be increased from 17 subjects in 1960 to 21 subjects in 1970. Moreover, the 20-percent sample questionnaire to be answered by 16 million American households will cover 67 subject categories compared to 56 subjects covered by the 1960 survey. Thus, the question to be legitimately raised is: Has the decennial census become too comprehensive, too searching, or even prying, into our private lives, both in terms of scope and content?

Over the past year, like many other Members of Congress, I have received a considerable number of complaints from Americans of all walks of life concerning the current plans for the forthcoming 1970 census. In addition to their strongly voiced objections over the number of questions that they will be required to answer in the census, these concerned Americans contend that many of the questions slated to be asked in the census are far too personal in nature and constitute a serious violation of personal privacy. Furthermore, they contend that many of the questions are not really essential to the basic purpose of the census—namely, the enumeration of the population of the Nation every 10 years, as provided in the Constitution, for purposes of apportioning representation in the House of Representatives.

Given the marked changes that have taken place in the character of our Nation over the years, I am certain that none of those critical of the Census Bureau's plans for the 1970 census would advocate that the Census Bureau be required by law to confine the scope of the decennial census to a simple population count. Nevertheless, on the other hand, it does appear that we have reached a point where some restraint must be exercised concerning the scope and content of the decennial census.

Under existing statutory authority, the Census Bureau has unlimited authority concerning the number and types of questions to be contained in the decennial census. The Bureau in the planning stages of such a census does invite the advice of all interested parties before drafting the final questionnaires to be used in this census. However, in the final analysis, the Bureau has the last word as to what will and will not be contained in the various official census questionnaires. Moreover, present law requires that every American to the best of his ability must answer all questions contained in the official census or be subject to a 60-day jail sentence, or $100 fine, or both.

During the 90th Congress, legislation has been introduced in both the House and Senate which would limit the scope and content of the 1970 census to certain essential and basic areas of inquiry. The legislation introduced to date in general takes two forms. One approach would limit the scope of the census to seven categories: name and address; relationship to head of household; sex; date of birth; race or color; marital status; and visitors in home at the time of the census. These would be the only categories which every individual household would be required by law to answer. Any other information which the Census Bureau should wish to obtain during the course of the decennial census, on matters relating to population, housing and employment, would have to be obtained on a voluntary basis from the respondent.

A second proposal under consideration would limit the scope and the mandatory requirement of the census to 10 instead of seven subject areas; namely, name and address; relationship to head of household; sex; date and place of birth; race; marital status; educational attainment; number of rooms in house or other living quarters; number of family units in house or other living quarters; and employment status and type of employment. Moreover, unlike the first proposal just cited, this proposal would allow the Census Bureau to obtain permission from the respective Committees on Post Office and Civil Service of the Senate and House to ask additional questions in connection with any national census of population, housing, and employment. If both committees should concur in granting such a request, the additional questions would likewise be subject to the mandatory requirement of the census.

Though I agree with the spirit of these proposals, I think that it would be a bit premature at this stage of the game to place any direct limitation upon the Census Bureau as far as the decennial census is concerned. In my view, Congress—and in particular the respective legislative committees having jurisdiction of Census Bureau activities—must first do everything in their power to impress upon the Census Bureau the fact that every care must be taken to confine the scope and content of the decennial census only to those matters which are clearly in the public interest. Accordingly, I would like to take this opportunity to offer an alternative proposal which would direct the Census Bureau to use greater restraint in its conduct of the national census of population, housing and employment. No such intent is stated in the language of the present law governing the conduct of the census. Specifically my bill provides—

> That subsection (a) of section 141 of title 13, United States Code, is amended by adding immediately at the end thereof the following new sentence: "The Secretary [of Commerce] shall limit the categories of questions to be asked in such census to those categories essential to accomplish the purposes of such census".

As noted earlier, the present law places no restrictions on the scope and content of the decennial census. My bill calls for no explicit limitation on the scope and content of the census. However, my proposal would place Congress officially on record as supporting the view that questions to be asked on such a census should be held to a minimum, and that the interest of the private citizen—and in particular individual privacy—should always remain the principal governing factor in the Census Bureau's final selection of questions to be used in any decennial census. Moreover, it is clearly the intent of my proposal that the Post Office and Civil Service Committees of the House and Senate review carefully all questionnaires prepared by the Bureau in connection with the decennial census to insure that they at all times conform to the spirit and intent of section 141 of title 13 of the United States Code, as amended by my bill.

Finally, if at a later date it is found that the Census Bureau itself is unable to place a realistic and proper limitation on the scope of the decennial census, Congress will have no alternative but to take it upon itself to legislate certain specific guidelines concerning the makeup of the decennial census. It is my hope, of course, that Congress will never have to resort to such an alternative.

I wish to make it quite clear that it is not my intention to cast aspersions on the activities and practices of the Census Bureau. In general, the Census Bureau has served our Nation in a most conscientious and effective manner over the years. As far as the decennial census is concerned, it is clearly operating within the intent and scope of the law as presently cited on the statute books. However, times have changed markedly over the years and it is becoming increasingly clear that we have reached a stage where the law governing the conduct of the decennial census must be changed to reflect more nearly the needs of the times.

Therefore, I urge again that Congress, at the earliest possible date, take legislative action which would instruct the Census Bureau to exert every effort to confine the scope and content of the decennial census only to those categories deemed absolutely essential to the purpose of the census. In the years ahead, the continued development of our society will undoubtedly bring forth the need for more information on the characteristics of our Nation's population. However, such information should never be obtained in a manner which would place an undue burden upon the citizen or, more importantly, impinge upon the privacy of the individual.

UTILITIES PLAN TO USE SURTAX TO INCREASE PROFITS

Mr. METCALF. Mr. President, when Americans were more vigorous, they turned unfair taxation into a tea party. Nowadays tax increases are used to increase profits of utilities, whose customers will be kept docile by a stream of advertisements and press releases issued by the utilities, at the customers' expense.

The June 19 issue of the Wall Street Journal tells how many utilities plan to increase rates to offset the 10-percent tax surcharge. The Journal reports that the utilities "are already struggling to cope with the highest interest rates ever recorded on utility securities." Here I would point out, as I did previously in a letter which the Journal declined to print, that the average interest rate on utility debt is only 3.9 percent, a rate which any homeowner would welcome.

During the past quarter of a century the "struggling" electric utilities have increased their average earnings on common stock equity from 7 percent to almost 13 percent.

The Journal article, by a Mr. Benedict, reports that "taxes account for about 27 percent of all operating costs of investor-owned electric utilities and their tax bill has grown to nearly $3.2 billion annually." Mr. Benedict is no doubt also alarmed by children who eat more food as they grow larger. Federal taxes on electric utilities amounted to 10.6 percent of revenue in 1966, down from 13.6 percent in 1955. All electric utility taxes combined—Federal, State, and local—decreased from 24 percent in 1959 and 1960 to 21.1 percent in 1966.

Theoretically, we would all be better off if utilities paid no taxes at all. Ever since the matter of utility taxation was settled by the Supreme Court—in Galveston Electric Co., against Galveston, a decision handed down in 1922—all taxes have been included in operating expenses, collected from customers. So utilities are not taxpayers. They are tax collectors. When utility taxes are decreased, as they have been frequently, many utilities do not automatically reduce rates. They thus become tax keepers.

However, now that Congress has approved a temporary surcharge which they could absorb in their overcharge, the utility barkers are clearing their throats and readying the gullible public with impassioned appeals to a pliable press. The publicists for those "struggling" utilities, whose phrases were collected by Mr. Benedict, tell of "the ravages of inflation," "the straw that breaks the camel's back," how "the bloom is off the rose," and how "the surtax would put the head on the beer, making it necessary to get an offsetting rate increase." That last remark, incidentally, was from Earl Ewald, president of Northern States Power, in Minnesota, where there is no agency of government, State, or Federal, to regulate utility retail rates. What these cliches add up to, I suppose, is "keep the wolf away from our door to the vault."

Dr. Horace M. Gray, professor of economics emeritus at the University of Illinois, summed up the utility surcharge gambit in two paragraphs, as follows:

> The surcharge will amount to about $400,000,000. Therefore, they (the electric utilities) propose to raise charges to consumers by $800,000,000. They will collect an extra $800,000,000 from consumers, pay $400,000,000 of this to to the U.S. Treasury to meet their surcharge tax, and keep the balance of $400,000,000 for their common stockholders.
>
> At a capitalization rate of 15 times net earnings, this bonanza of $400,000,000 is worth $6,000,000,000 in terms of appreciation of the market value of common stocks. If anyone disbelieves this let him consult his broker or check the market course of public utility common stocks over the past two weeks.

Mr. President, I know how difficult it must be for the Wall Street Journal to obtain accurate and significant data on electric utilities. There are all those utility press releases to go through, and the momentous announcement from Edison Electric Institute, every Thursday, that the production of electricity has again increased. There are all the utility ads to look at, and the Journal's stern editorials about those REA co-op monsters now gobbling up about 1 percent of the power production in the country. Columbia University, close at hand, cannot be of much help, even when classes can be held there. That institution, whose president sits on the board of Consolidated Edison, dropped its utility courses, in keeping with the prevalent practice among educators, who have left the field of utility education to the utilities.

But somewhere, surely—even if it required sending over to the Federal Power Commission for "Statistics of Electric Utilities in the United States"—Mr. Benedict or someone on the Journal staff, which includes many competent reporters, could have uncovered the basic and pertinent information about decreasing utility taxation, low utility interest rates and increasing utility profits.

He might have learned that reasonableness of rates is determined by an examination of rates of return rather than an enumeration of rate reductions, which most utilities should be making regularly because of declining unit cost of production.

Had he been an especially energetic reporter, he might even have read Senate Document 56 and observed that 21 of the States which supposedly regulate hundreds of utilities worth billions of dollars have only one or two accountants—or none at all; that 29 of the States have only one or two rate analysts—or none at all; and that 30 of the States have only one or two attorneys—or none at all. Of course, had he written such a story, he would no doubt have been promoted to education editor, as occurred in two recent instances when bright young reporters with inquiring minds dug into utility affairs.

I ask unanimous consent to have printed the Wall Street Journal article and my unpublished letter to that newspaper in the RECORD.

There being no objection, the article and letter were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, June 19, 1968]

SURPRISE FOR CONSUMERS: MANY UTILITIES PLAN RATE RISES TO OFFSET PROFIT DRAIN TAX SURCHARGE WOULD BRING

(By Roger W. Benedict)

NEW YORK—The 10% surcharge Congress is expected to impose on Federal income taxes could raise more than your annual payments to Uncle Sam. For many consumers, it is also likely to lead to higher monthly bills for electricity, gas, telephone and water services.

The surtax would boost annual Federal income-tax payments by the nation's investor-owned utilities by more than $400 million at a time when they are already struggling to cope with the highest interest rates ever recorded on utility securities, sharply stepped-up capital spending programs and steady increases in state and local taxes and in labor and material costs.

Utilities choosing to fully absorb the surtax, in most cases, would lose a full year's earnings gain. To fully offset the impact of the surtax would require rate boosts totaling more than $800 million annually.

A nationwide survey indicates many utilities will attempt at least initially to absorb the tax boost, but the survey turns up at least 25 major utilities that have either filed for rate increases at least partly tied to the surtax, plan to do so, or are studying the possibility of such filings.

Any such rate changes, however, are subject to approval of regulatory authorities, which can choose to reject them.

The surtax, in combination with other rising costs, already appears to have set in motion enough rate-boost plans to threaten to raise, rather than lower, the average retail cost of electricity for the first time in more than 50 years; to end seven years of stability in retail gas prices; and to accelerate already rising intrastate telephone tolls and retail water charges.

CITES INFLATION EFFECT

"The ravages of inflation have outrun the ingenuity of efficiency" to offset the sharp boost the proposed surtax would add to rising costs, asserts Shearon Harris, president of Carolina Power & Light Co., Raleigh, N.C. Should the surtax pass, he says, Carolina Power plans to ask North Carolina and South Carolina authorities for approval of the first increase in residential electric rates in the company's history.

"Sooner or later, those dollars paid for the surtax have to come from the customers," says P. J. Lucier, president of Continental Telephone Corp., St. Louis. While noting that the exact post-surtax move by each of his company's about 100 telephone operating subsidiaries would vary, he says: "There isn't a telephone operating company in the industry that isn't at least looking at the possible need for a rate increase."

Among those who have already acted or say they will act on rate boosts that would include recovery of the surtax are Alabama Power Co.; Central Louisiana Electric Co.; Cincinnati Gas & Electric Co.; Consolidated Natural Gas Co., New York; Consumers Power Co., Jackson, Mich.; Cities Service Gas Co., Tulsa; Equitable Gas Co., Pittsburgh; Florida Power Corp.; Florida Power & Light Co.; Michigan Consolidated Gas Co.; Michigan-Wisconsin Pipe Line Co.; Mississippi Power Co.; Mississippi Power & Light Co.; Mississippi Valley Gas Co.; Natural Gas Pipeline Co. of America; Northern States Power Co., Minneapolis; Panhandle Eastern Pipe Line Co.; and Tampa Electric Co.

Those pondering possible rate boosts include Boston Edison Co.; Detroit Edison Co.; General Public Utilities Corp., New York; Southern California Edison Co.; and Virginia Electric & Power Co.

By contrast, consider these statistics, gathered by Ebasco Services, utility consultant division of Ebasco Industries Inc., New York: Over the past five years, there have been 275 reductions of electric rates by utilities totaling $380.6 million, compared with just 19 rate increases totaling $75.7 million. (And one company, Consolidated Edison Co., faced with sharply higher New York state and city taxes, accounted for more than two-thirds of that total.) In 1965, there wasn't a single electric-rate boost, and last year only two utilities boosted electric rates a total of just $701,000, while 26 companies cut rates a total of $37.7 million.

Ebasco's figures on the gas industry show a similar picture: Rate cuts by gas-distribution utilities over the last seven years totaled $213.7 million, compared with rate boosts totaling $98.8 million. Last year, seven utilities cut gas rates $11 million, while five raised rates $2.8 million.

As of May 31, Ebasco noted, there wasn't a single electric or gas rate reduction case pending, but three electric-rate boosts and seven gas-rate increases were pending that totaled $54.3 million.

And this may be only a slight indication of what is likely to come in the next few months. The surtax "just may be the straw that breaks the camel's back, especially for the smaller companies," asserts William R. Clark, chairman of the Missouri Public Service Commission. He says one Missouri utility has laid off more than 100 workers in the last 60 days and that many others are "tightening their belts to cut down expenses." He says he expects some smaller utilities may file for rate boosts soon after a surtax is passed, but that some bigger companies might hold off filings until after next fall's election.

"HEAD ON THE BEER"

"Taxes, of course, are only one of several rising-cost factors," notes Earl Ewald, president of Northern States Power, "but the surtax would put the head on the beer, making it necessary to get an offsetting rate increase. It appears likely we'll have to raise electric rates in all four states we serve (Minnesota, North Dakota, South Dakota and Wisconsin) if the surtax is passed. We've already asked for gas rate increases, and the possibility of the surtax was a factor in our decision to do so."

And John J. Barr, president of American Water Works Co., Wilmington, Del., parent for more than 100 water utilities around the nation, says: By itself, the 10% surtax probably wouldn't be sufficient to force higher rates, but it becomes one more major rising cost that water utilities are unlikely to offset except through increased rates." Particularly vulnerable to inflationary cost rises, water rates are already moving steadily upward, he adds.

Electric utilities up to now have generally been able to offset steadily rising costs through increased efficiency resulting from the "economies of scale" from ever-bigger power plants and steady increases in capacity of power lines, plus a sharp rise in average consumption of electricity.

"But the bloom is off the rose," glumly concedes John Thornborrow, assistant managing director of Edison Electric Institute, New York, a trade group for investor-owned electric utilities. "Some electric utilities will have to raise rates to offset the surtax, and for others, it will mean a slowing down of the past rate of reducing rates. Taxes are the largest single cost factor of utilities, and utilities pay the largest tax bill of any industry."

Taxes account for about 27% of all operating costs of investor-owned electric utilities, and their tax bill has grown to nearly $3.2 billion annually, even before the surtax, from $1.9 billion 10 years ago. But the average price of electricity they sold to residential customers last year was only 2.31 cents per kilowatt hour, having been reduced each year since the 7 cents per kilowatt hour of 1926.

A tax boost is harder for utilities to offset than rises in other costs, says William G. Kuhns, president of General Public Utilities Corp., which is studying whether it will need to ask for rate boosts by its electric operating subsidiaries in New Jersey and Pennsylvania. "A rise in operating costs other than Federal income taxes is offset by the per cent of operating income taxed (48% now, 52.8% after a surtax), but there's no such offset for a surtax," he notes.

Gas companies, too, have had recent success in offsetting rising costs, cutting the average retail price to residential customers to 10.02 cents per therm (100,000 British Thermal Units of heat) last year from 10.19 cents in 1962. But there, too, the picture is changing.

Reporting on filings by two subsidiaries to boost gas rates in West Virginia and Pennsylvania by $8.3 million annually, H. C. Johnson, president of Consolidated Natural Gas, notes that even before the surtax issue arose, it was becoming increasingly difficult to offset, through increased efficiency, cost-reduction programs and increased gas sales, the impact of increases in wages, state and city taxes, interest and depreciation. "And we know that we cannot offset the cost of an increase in Federal income taxes," he adds.

PREVIOUS RATE CUTS

Regulatory authorities generally required utilities to pass on to customers in rate reductions the cut in Federal income-tax rates on corporations to 48% from 52% in 1964 and 1965. Bell System telephone operating subsidiaries of American Telephone & Telegraph Co., for example, passed along more than $50 million in rate cuts.

"We think it is only fair that we be permitted to recover in rate increases the rise in our effective tax rate to about 53% from 48% the surtax would produce," says Scott O. Brame, vice president, finance, of Central Louisiana Electric, Pineville, La. The company plans to ask approval of higher electric gas and water rates to offset the tax boost, and also intends to ask the Louisiana Public Service Commission to consider instituting an automatic tax-adjustment clause that would reflect changes in tax rates, up or down, in rates to customers.

Some regulatory bodies have already installed this policy. "We feel that an automatic tax-adjustment policy makes as much sense as the automatic fuel cost-adjustment clauses now in wide use by many commissions," asserts Norman A. Johnson Jr., chairman of the Mississippi Public Service Commission. That commission has approved surtax rate boosts for Mississippi Power, a unit of Southern Co.; Mississippi Power & Light, a unit of Middle South Utilities Inc.; and Mississippi Valley Gas.

The City of Cincinnati has given similar approval to Cincinnati Gas & Electric, which gets about 60% of its gas revenues and about 30% of its electric revenues in that city. The company plans to seek similar tax-adjustment clauses in other municipalities it serves. And Alabama Power, another Southern Co. unit, has asked for such a clause in Alabama.

Most commissions, however, indicate it will be up to each utility to prove that a surtax makes a rate boost necessary. "As far as I'm concerned, income tax is just another item of expense," says James Karber, chairman of the Illinois Commerce Commission. He notes that when tax rates were cut, Illinois required rate cuts only when benefits of the tax reduction boosted a utility's rate of return on invested capital above the permitted ceiling.

Tight past regulation to force rate cuts, however, may result in many surtax-related rate-increase filings, some regulators note. "If a commission has been doing its watchdog job right, the sudden imposition of a sizable expenditure (the surtax) is likely to result in rate-increase applications from well-regulated utilities," says Peter Spivak, chairman of the Michigan Public Service Commission.

There well could be some amendments of pending rate cases, too. General Telephone & Electronics Corp., New York, says it plans to amend pending rate-increase applications by its subsidiaries in California, Florida and North Carolina to reflect effect of higher taxes if the surtax is passed. The company, which has the nation's largest independent telephone system, adds, "In a number of other operating companies a tax increase would undoubtedly accelerate the filing of rate-increase applications, which are currently in preparation, but not yet filed."

Some surtax-related rate increases already pending could bring automatic rate boosts by scores of other companies. Four major natural gas pipelines have asked the Federal Power Commission for approval of rate boosts that include provision for a 10% surtax. Each supplies gas to a large number of distribution utilities. Many states permit any rise in the cost of such gas to be reflected automatically in rates to customers.

ANOTHER POSSIBILITY

Net effect of the surtax could be to postpone or cancel rate cuts. One New England utility reports it has been considering a rate reduction, but "we might forget it" if the surtax is passed.

And decisions to absorb impact of the tax may be related to factors other than ability to offset costs. A Midwest gas utility says a major factor in its decision to forgo a rate boost is "competition from electric utilities."

Many utility executives also have mixed feelings over likelihood of a surtax. American Water Works' Mr. Barr, for example, notes, "I'm greatly impressed with the logic of those urging a tax increase to fight inflation." Adds Continental Telephone's Mr. Lucier, "If a tax boost can stabilize or knock down the cost of money and the impact of inflation on our costs, it could save customers money over the long run."

MAY 13, 1968.

LETTERS TO THE EDITOR,
The Wall Street Journal,
New York, N.Y.

DEAR SIR: A contributor to your letters column, commenting on the Journal's 11 March article, "Rate Wrangle," asks how I expect investors "to provide capital for electric utilities if the return is to be limited to a figure slightly lower than currently available on Government agency bonds."

He has fallen into the common error of confusing "Rate of return," a regulatory term, with the return on common stock equity, which is a better guide to utility earnings. Despite relatively high cost of debt financing now, average interest costs on long-term utility debt is only 3.9%. More than half (52.3%) of utility capitalization is through long-term debt. Thus, with a rate of return of 6% a utility can pay its interest costs and have enough earnings remaining to earn 9.5% on its common stock equity. That is not a bad return for a risk-free public service corporation endowed by government with special privileges not accorded risk enterprises.

However, rates of return of most utility corporations now exceed 6%, despite theoretical limitations set by impotent regulatory commissions. The median rate of return was 7.44% in 1966—for 63 of the major utilities the rate of return exceeded 8%. Consequently, the average return on common stock equity has risen from about 7% during World War II to 10% in the Fifties, 11% in the early Sixties and a record of 12.8% in 1966. Individual common stock equity returns run as high as 20% in the case of Ohio Power.

I do believe the utility industry will continue to prosper. I am less optimistic about the industry's customers.

Very truly yours,

LEE METCALF.

THE MIDDLE EAST

Mr. **DOMINICK**. Mr. President, last Friday in my remarks here in this Chamber, I called attention to the very explosive situation which has been building up in the Middle East. Conditions prevailing in that part of the world today pose an ominous threat to world peace and urgently demand immediate efforts be employed to resolve the bitter differences that exist.

I was very pleased to read in last Sunday's Denver Post a very perceptive analysis of the festering situation in the Middle East written by the noted Washington journalist, Mr. Alfred Friendly, vice president and associate editor of the Washington Post. Mr. Friendly describes the Soviet goal in the Middle East as "controlled chaos." He points out that Russian diplomacy is pursuing a "boiling point" policy that led to the Arab-Israel war in June of last year. I commend Mr. Friendly for his excellent report on the tension-filled conditions in the Middle East which even now threaten to erupt into bloody conflict. I ask unanimous consent that Mr. Friendly's excellent report be printed as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOVIET MIDDLE EAST GOAL SEEN AS CONTROLLED CHAOS: RUSSIAN DIPLOMACY PURSUES BOILING POINT POLICY WITH CAUTION BUT IT LED TO HISTORIC WAR IN 1967

(By Alfred Friendly)

JERUSALEM, ISRAEL.—"The Russians want to keep the situation in the Middle East just below the boiling point. It's a damn dangerous game."

The judgment is that of an American diplomat in the area but it precisely summarizes a remarkably uniform consensus of informed American diplomats in Lebanon, the United Arab Republic and Jordan as well, and that of Israeli government officials concerned with foreign affairs.

The almost unanimous opinion is that the Soviet Union has infinite gains to make in conditions of "controlled chaos" the Arab world, and infinite risks if the chaos gets out of control.

These observers are less certain about whether the U.S.S.R. has yet reached a final policy. Most think the Soviets are still stewing over it, trying to reach a fixed decision and meantime playing for time by counseling Egypt, which is the key nation in the amalgam, a paradoxical but not contradictory course of action:

Do not provoke another military confrontation, another war, but do not enter into negotiations for a political settlement.

This Russian policy envisions the manipulation of the Middle East to provide the way to reach its basic goal, a powerful presence, and ultimately control, in the Indian Ocean. One of the instruments to promote it is its own: the Russian Navy. The rest are its proxies, the "progressive" or "revolutionary" Arab states.

ARABS UNPREDICTABLE

One key Israeli official speculates: "For the present, the Russians are in a crisis with their proxies, because they have no confidence in them. While they are assets to the Soviet Union they are also liabilities, because they are unpredictable.

"The Russians would like to pursue their policy with caution.

"Thus, they are telling the Arabs, as near as we can see, 'Look, we're helping you with free weapons and training, we are insistently demanding Israeli withdrawal from the occupied territories, and we are supporting you in every way. But your problem must be solved by political means.'

"The trouble with this policy is that it is the same one that they took in 1967, which led to war. You cannot keep giving military aid and be certain that your proxies will get the desired message. They might get a different one. They might think they can force the Russian hand.

"Yet the Soviets cannot admit a final settlement once there is an accommodation between Israel and the Arab states—once the problem of Palestine disappears and there is no issue between us and the Arabs—there will be no place for Iran in the Middle East.

"The U.S.S.R. looks to be stalling, perhaps waiting for an opportunity, for Israel to play into its hands, or for a chance to win a big diplomatic victory, or for a caving in of the United States' position of support.

"The Russians must know that, despite the rebuilding of Egypt's military forces with new equipment, it cannot fight again for two or three years. And even then, the Russians still have a dilemma. They know that the Arabs are no good militarily and that in the case of war they could save their proxies from defeat only by fighting themselves, and on a large scale, by sending in several divisions. Yet they realize that that would risk starting World War III."

DOORS LEFT OPEN

Another Israeli diplomat, who agrees in general with his colleague's thesis, dissents on the matter of Russian military involvement. The Soviets, he points out, always leave themselves open doors and the way to pull back.

He cites the example of Yemen when, after the U.A.R. pulled out, the Republicans' capital was threatened with capture by the Royalists. The Soviets sent in their own planes and pilots. But when the first one was shot down and the dead flyer was identified as Russian, the entire contingent was pulled out.

"The Russians are pushing as hard as possible," this official concludes, "but are always willing to withdraw when the stakes get too high."

He is convinced that the Arabs appreciate this fact as well, and are chiding their great ally with the charge that "You are our friend only as long as it suits you."

Israelis, as well as foreign diplomatic observers, see the danger point in two or three years, when the Arabs may come to believe they can fight again, and may involve themselves in another war, however the Soviet Union may feel about it.

Gen. Moshe Dayan, Israel's minister of defense, is known to feel certain that another war will come. Other Israelis, less positive, nevertheless agree that because prospects for a peaceful settlement appear so dismal, its problem is to make certain that it will win such a war and its hope is to make sure that the Arabs know it too—and therefore will not put the matter to a test.

MAY BUILD PLANES

Denied the Mirage planes it expected from France, and facing the prospect of another war in a few years with the Arab states, Israel is now debating whether to build its own fighter aircraft.

The project appears to be technologically and industrially feasible, but hideously expensive.

The issue is a vital one. For the moment, Israel can administer Egypt and the other Arab nations another beating like that of last year. Although the Soviet Union has resupplied the United Arab Republic with military hardware to the point where Israeli analysts think it is as strong as it was in June 1967, that level of strength was to conquer Israel then, and remains so now.

But the question is what the situation may become in the future, on the probable assumption that the weapons flew from the Soviet Union continues, with newer and superior models.

The issue is at its most crucial in the realm of fighter aircraft. Until recently, Israel had counted on France supplying the Mirage fighters it had contracted and paid for. But President de Gaulle's veto is now accepted as final and unchangeable.

The United States, it appears here, has refused for the moment to plug the gap, arguing that as of now Israel is militarily secure and that if circumstances change it will take another look at what has to be done.

But circumstances could change in the United States, too. A nonspecific, nonpublic promise from a lame-duck President may be insufficient for a nation that sees its survival at stake. Thus the current debate, still under wraps, continues over whether to build planes here.

Israel believes it has the skills at all levels to do it, and can get the materials and machinery. Its government-owned Israel Aircraft Industries already makes small nonmilitary jets. Another company, Turbo-Mecca, is starting to make larger jet engines. It should not be beyond their ability to replicate the Mirage and keep modifying it to stay abreast of modernization requirements. The expense, in starting such a project from scratch, is huge.

But so are the stakes.

Israel is known to be ready to produce its own tanks. Its prowess in electronic equipment manufacture is evidenced by the fact that it not only produced its own for the Patton tanks it bought from the United States, but recently sold $7 million worth of the same equipment for Argentina's Pattons.

In its 20th anniversary parade on May 2, Israel displayed 120-mm and 160-mm mortars of its own manufacture.

All in all, it can make much of the weaponry it thinks it needs—if it is willing to pay the price.

If it must, it doubtless will, for there can be no question of its resolve. Despite three wars in 20 years, there are no signs of a weakening or unwillingness to bear the burden or to search for an easy out, even though the burden makes for a grim life.

NO DEFERMENTS

At the age of 18, every Israeli (except for a few superorthodox religious objectors) goes into the army for almost three years. There are no deferments. Thereafter, until middle-age, the men continue active military duty for periods of from 30 to 80 days each year.

The economic cost is proportionately heavy: one-third of the government's budget, or almost one-fourth of the nation's gross national product, goes for defense.

Remarkably, these burdens are scarcely discussed, much less complained of, but rather taken for granted, as beyond argument.

For the next year, it is known, military deployments are programmed on the assumption that the present nonpeace conditions will continue. For such comfort as it may be to Israel, its present military frontiers are vastly more secure now than ever before.

Some talk is to be heard that Gen. Moshe Dayan wants to make them even more secure—or at least to relieve the harassment from Arab Fedayin commandoes—by occupying the ridges on the East Bank of the Jordan, the terrain equivalent to that now occupied on the Golan Heights in Syria.

Those reports, however, are much to be doubted. In the first place, and despite his reputation, Dayan rates as a dove in the Israeli version of the dove-hawk division. Second, the Jordan River, not the heights east of it, makes the sensible natural military defense line. Third, an advance into Jordan would certainly inflame an already suspicious world opinion, could well topple the regime of King Hussein—something that Israel recognizes would be greatly to its disadvantage—and would be an admission that Dayan's "light hand" occupation policy of the West Bank has been a failure.

PEACE KEY

That last, however, is not the case. In fact, the success of Israel's occupation of what was Jordanian Palestine may be the only key of hope for the ultimate peaceful settlement of the Arab-Israeli conflict.

Despairing of a peace by direct negotiations with its adversaries of last summer, Israel is thinking long thoughts about a future settlement with the people whom the Middle East conflict is all about: the Palestinians.

The theme, a relatively new one in its present form, enjoys a substantial vogue among the state's policy makers.

The premise, which may be flimsy, is that the Palestinians of the Israeli-occupied West Bank have a vested interest in peace, and one that will become stronger the longer the present relatively stable and prosperous conditions persist. If they do, and begin to affect the East Bank Palestinians—those who fled to Jordan during the wars of 1948 and 1967—a solid modus vivendi might be obtained.

And once it is, then almost the whole basis of the Arab-Israeli conflict would disappear, or at least be diminished to a small fraction of its present intensity.

How wild is the dream? A three-week survey of part of the scene of conflict provides varying answers.

FANTASY TO SOME

To the dedicated Palestinian nationalist—from the intellectual at the American University of Beirut to the Fedayin commando in the Jordanian hills—it is fantasy born of an opium pipe. Illegally and by force, the Zionist state raped Palestinians of their land and property, they declare, and there can be no peace, no reconciliation, no respite until that injustice is rectified by restoration.

In Amman, there are two different answers. The royal palace and the Jordanian Establishment pant for a final settlement, an "honorable" one, to be sure.

The trouble is, they are not in a position of decision. The majority of Jordan's people are Palestinian and it is they, plus the governments of other Arab countries, who call the tune.

The "moderates" in Jordan nevertheless insist that even the majority of Palestinians want a negotiated settlement. But the fact that King Hussein dares not enter into negotiations with the Israelis by himself casts doubt on the proposition.

The difficulty is that there is no public opinion poll in Jordan or any useful substitute. No one knows where the majority stands, but it is all too obvious that no voice dares speak in Jordan publicly and unequivocably in favor of such a settlement.

The Israelis, to whom the wish may be the mother of the thought, cite the evidence of the West Bank.

Its occupation by Israel is accomplished with the minimum of presence of the occupiers. Local administration remains almost entirely in the hands of the Palestinian municipal authorities.

CONDITIONS "GOOD"

The population has refused, with the most minor exceptions, to aid the Fedayin infiltrators. There have been incredibly few "incidents" and almost no violence.

Economic conditions have been as good as, if not better than, before the war. The normal trade between the West Bank and Jordan has been resumed in almost its full previous volume. When Israel crossed the river to destroy the Fedayin base of Karamen in March, the cross-river commerce was back in full swing the next day.

A significant factor in the situation is that for the first time in 20 years there is an open border between Israel and the Palestinians. And also for the first time, those Palestinians have the possibility of some independence from the political thralldom in which they were held by the Arab states. They may come to see a chance to make their own decisions about their fate.

Will they make decisions that a Western mind would find "reasonable"? Or, as Arabs who live in a world with a different, non-Western, logic, will they come to other conclusions? As patriots, as nationalists, or simply as people who have lived for two decades on a diet of hate and resentment, will they choose not peace but the sword?

Israel hopes that the present atmosphere is a portent of the future. That, plus Jordan's need for peace, infinitely more urgent than Egypt's, may produce a situation in the future in which the Palestinians on both sides of the river will take matters into their own hands, resist the roars of intransigence from the rest of the Arab world, and opt for coexistence.

The premise may be flimsy, as noted above, but it is the only hopeful one Israel can put its hands on at the moment.

SOME TRIBUTES TO HOMER THORNBERRY FROM HIS COLLEAGUES IN THE HOUSE OF REPRESENTATIVES

Mr. YARBOROUGH. Mr. President, on this occasion, I think it would be appropriate for us to recall what was said about Homer Thornberry when he left the House to become a district court judge in 1963.

His colleagues, who had worked with him for 15 years, expressed firm confidence in him as a wise and conscientious jurist.

Representative PATMAN, for example, dean of the Texas delegation, cited Mr. Thornberry's dedication to "the progress of freedom and the recognition of the dignity of the individual."

Representative CARL ALBERT, majority leader of the House, called him "one of the finest, ablest men I have ever known. I do not know of anyone who has more outstanding traits of character and mind."

Representative GEORGE MAHON, chairman of the House Appropriations Committee, reminded us all that Mr. Thornberry "believes in representative government, believes in our country, and believes in his colleagues."

Representative MENDEL RIVERS, of South Carolina, called him a "deep and indefatigable student of legislation and of the law. He impresses one with his capacity to sift the wheat from the chaff."

Representative OMAR BURLESON, chairman of the House Administration Committee, said he had "never observed a more dedicated public servant than Homer Thornberry. I have always believed that if a man in public sought the truth, exercised commonsense judgment, and wholly dedicated himself to serving the Nation and his people, in the final analysis he was usually right in his actions. I believe this description to be wholly and unreservedly applicable to him."

Representative JOHN YOUNG praised Mr. Thornberry's "devotion to duty, exceptionally high standard of morality, character, and sense of justice."

Homer Thornberry's ardent supporters came not just from his home State and not just from the Democratic Party, to which he belongs. Representative BOLAND, of Massachusetts, had words to say about his "magnificent personality, fine judicial demeanor, and very keen intellect."

Representative ARENDS, of Illinois, called him a "great American and a truly outstanding individual."

Representative HALLECK, of Indiana, then the House minority leader, said:

> I know he will do the same magnificent job for the people who come before him there that he did in the House of Representatives for the people who sent him here, as well as for his State and our beloved country.

The list goes on, with high praise for Homer Thornberry's judicial, personal, and legislative qualities—for his wisdom, his fairness, and his devotion to the dignity of the individual.

I am sure that those men who praised him then, as I did, feel today, as I do, that Homer Thornberry on the U.S. District Court and on the U.S. Circuit Court, has lived up to our predictions.

Representative ALBERT said in 1963:

> If I ever met a man in my life who has judgment, it is Homer Thornberry.

COMMUNITY RADIO WATCH

Mr. PERCY. Mr. President, at a time when the focus of national attention is on the passage of laws to secure additional protection to society from the current wave of lawlessness that plagues our society, we will do well to note and promote other nonlegislative efforts being made to achieve the same ends.

A critical need is to improve the public attitude toward the police, and to stimulate our citizens to assist crime victims as well as to reinforce police efforts in law enforcement work whenever they can. Stories of apathetic citizens standing by or turning away as a crime is committed in their presence have appeared too frequently in the press and the other public media in recent months.

The Communications Division of Motorola Communication and Electronics of Chicago has for the past year actively sponsored a community radio watch program. Under the program, drivers of radio-equipped vehicles are encouraged to act under specific instructions as "the eyes and ears" of public safety agencies as they go about their daily rounds. In addition to being a deterrent to crime, and an aid to rapid law enforcement reaction to crime I believe that this program effectively promotes constructive community-police relationships, and underscores the responsibility of each individual to aid in promoting greater public safety. The Motorola Co. and the participants in this program are to be commended for this public spiritual undertaking. I ask unanimous consent that two press releases outlining the achievements of vehicle drivers who have received the Community Radio Watch Distinguished Service Award be printed in the RECORD.

There being no objection, the releases were ordered to be printed in the RECORD, as follows:

> CHICAGO, ILL., May 16, 1968.—Nine vehicle drivers have received the Community Radio Watch Distinguished Service Award for using two-way radio to cooperate with public safety agencies during the last three weeks.
>
> Seven have just been given during this *Police Week* and two awards were given on the week of May 6. These events, plus the growth of the Community Radio Watch program, has proved that many citizens are concerned with the rapid growth of crime, that they will help law enforcement agencies prevent crime.
>
> Six of these award winners helped capture criminals. Two came to the aid of victims of serious automobile accidents; and one helped save a baby from suffocation. Here are the facts.
>
> On February 26, 1968, shortly before 11:30 PM, Gene Hunt—a serviceman for the Niagara Mohawk Power Company—noticed a man loitering in front of Jim's Soda Spot in Fulton, New York.

He circled the block; and as he approached the restaurant again, he saw that the front door had been smashed.

Immediately, he contacted his dispatcher by radio, advising him of the situation, and requested that the police be notified.

The police arrived within minutes. Hunt notified them to proceed with caution as the intruder was very probably still in the building. Hunt proved to be correct. The police apprehended the man as he was in the process of burglarizing the restaurant.

Hunt was cited on May 13.

On November 15, 1967, Ronald Cole—a service truck driver for the Independent Oil Company in Rochester, N.Y., was driving in a remote area along Lakeshore Boulevard through the Durand Eastman Park.

Suddenly he saw a vehicle go out of control and plunge into a pond. Mr. Cole radioed his dispatcher, requesting that the police and fire department both be notified of the incident.

The victim's car was towed from the pond within minutes.

Cole was cited on May 14.

On February 12, 1968, Carl LaFountain, a truck driver for the Cataract Truck and Car Rental Corporation in Niagara Falls, N.Y., saw a woman's car skid out of control, jump the curb and hit a tree.

LaFountain radioed his dispatcher. His dispatcher called the police, requesting an ambulance.

Both vehicles arrived within minutes, and the woman was taken to the hospital where she was treated for injuries.

LaFountain was cited on May 15.

On November 2, 1967, Richard A. Misnik and Earl K. Hodgson, troublemen for the Niagara Mohawk Power Company in the Buffalo, N.Y. area, helped capture a gunman who threatened a city councilman's daughter as she was walking home from night classes at the University of Buffalo.

The girl was walking along a downtown street when the man whirled around holding a revolver. He pulled the trigger, but the firing pin merely clicked on the shell.

The girl ran screaming onto Main Street, stopped Misnik and Hodgson, and poured out her story in gasps.

"Earlier, he offered me a ride. I refused. Then he tried to kill me!"

A quick radio message to the Niagara Mohawk dispatcher, relayed by telephone to the police, brought further aid immediately.

The police caught the man as he ran into a downtown parking lot. The gun in his possession still had live bullets in its chambers.

Hodgson and Misnik received the Community Radio Watch Award on May 16.

In San Francisco, Edgar J. Pierce saw a man snatch a purse from a woman. He notified his dispatcher, who—in turn—notified the police.

Just two minutes later, the two suspects involved in the incident were captured.

In Santa Monica, California, Carl Hood received the award for using radio to summon help to an off-duty policeman who was holding a hit-and-run driver at gunpoint. Hood requested that other officers be dispatched to the policeman's aid.

These men received awards on May 15 and 16.

In the week of May 6th, William P. Fritzley, a taxi driver, was presented the Distinguished Service Award in Detroit for using radio to report his movements. He was carrying a bank robber who had hailed his cab as a get-away vehicle.

In the same week, Clarence R. Higgins received the Community Radio Watch Award in Bay City, Michigan, for using radio to report the plight of a baby which was suffocating.

The Community Radio Watch program, which asks drivers of radio-equipped vehicles to act as the "eyes and ears" of the police and other public safety agencies and to observe and report, is thriving from coast to coast.

Currently some 650 communities are protected by this program. Seventeen awards have been given nationally. Nine have been given already this year, one more than the total for last year. At the current rate, the award winners will multiply three to four fold over last year. Community Radio Watch is sponsored nationally by the Communications Division of Motorola, Chicago.

GREENSBORO, N.C., May 29, 1968.—Jimmy Douglas Solomon, Sr., former taxicab driver for the Sun Cab Company, has just received the second Community Radio Watch Distinguished Service Award to be given in the State of North Carolina.

The award—a plaque and two hundred dollars in U.S. Government Savings Bonds—was given to Solomon by Mayor Carson Bain.

Solomon used his two-way radio to assist in the capture of a murderer. Without his identification and police notification the crime might possibly have gone unsolved.

On Saturday, September 16, 1967, at approximately 11:58 A.M., Solomon was driving his occupied cab on Washington Street toward the intersection with Edgeworth Street.

As he crossed the intersection, he heard a noise that sounded like a gunshot. He looked to his left and saw a man with a pistol in his hand, crouched behind a 1960 blue Cheverolet.

He saw the man fire the pistol a second time. Then Solomon saw another man running from the assailant. The man stumbled, kept running briefly and finally fell.

As Solomon stopped his cab, he saw the assailant walk up to his victim and shoot the man three more times as the man lay on the ground.

Solomon already had his "mike" in his hand. The assailant, however, apparently saw Solomon attempting to communicate over his two-way radio. He pointed the pistol at Solomon.

Solomon dropped the "mike" and drove away. He stopped when he was out of range, radioed his dispatcher again and requested help. The dispatcher notified the Greensboro communications center and police were dispatched to the scene.

After making the call, he saw the assailant drive away in the blue Chevrolet and noted the license plate number.

Mr. Solomon left the cab and ran back to the victim, but the man was already dead.

Remaining at the scene until the officers arrived, Solomon gave them a vivid description of the man, the vehicle and its license number.

An all points bulletin was sent out by the Greensboro Police Department; and at approximately 3:00 p.m., the Durham Police notified the Greensboro Police that the suspect has been apprehended in Durham.

Solomon accompanied the officers to Durham, voluntarily where he identified the suspect. Later he testified as a witness for the State in both the Municipal and the Superior Court.

At the award ceremony, Mayor Bain had nothing but the highest praise for Solomon.

"As Mayor of the City of Greensboro, I heartily commend, you Jimmy Douglas Solomon, Sr., for your participation in Community Radio Watch and in particular for the service you have rendered the Greensboro Police Department and your community.

"You have given your time generously. You stepped forward immediately without being asked. Your outstanding action leading to the apprehension and conviction of the assailant is an indication of your desire to contribute to the welfare of your community and your fellow man."

Solomon is 25, married, the father of four children. He lives at 741 Gillies Court, Greensboro.

This award was delayed at the request of the authorities so as not be detrimental to the trial of the assailant.

Community Radio Watch is sponsored by the Communications Division of Motorola, Inc., headquartered in Chicago. The program has been in operation in Greensboro since March 1967 and there are more than 900 drivers participating in the Community Radio Watch program in Greensboro. Mayor Bain asks drivers of radio equipped vehicles to act as the "eyes and ears" of the police and other public safety agencies, thus helping mankind through the use of two-way radio.

INTERNATIONAL WHEAT TRADE CONVENTION

Mr. DODD. Mr. President, on Thursday, June 13, I was one of the 23 Senators who opposed the International Grains Arrangement of 1967.

This was not a liberal-conservative issue, as is the case with so many of the issues that have come before Congress. The fact is that there were liberals and conservatives on both sides of this question. Essentially, it boiled down to economic commonsense.

The committee report defended the arrangement on the ground that it would benefit American wheat growers by establishing a higher minimum price and that it would, in consequence, have a beneficial effect on our balance-of-payments position.

Commenting on this argument, I said in my statement of June 13:

> The arrangement will be bad for the wheat grower because it will increase the minimum world price of wheat by about 23 cents a bushel above the minimum established by the International Wheat Agreement, thus forcing the efficient U.S. grower to hold a protective umbrella over higher cost producers in foreign countries . . . It stands to reason that higher wheat prices will tend to increase production in countries that are a party to the agreement and countries that are not a party to the agreement . . . It stands to reason that some of this increased production is bound to find its way into the world market, so that our share of this market will inevitably contract . . . If our commercial wheat exports decline, this will, as the minority views point out, mean more wheat thrown on our domestic market which, in turn, would depress the price paid to U.S. farmers . . . A growing surplus in this country would inevitably result in further restrictions on acreage, while the nations that compete with us in the international wheat market would be expanding their own acreage.

I invite attention to a letter I received yesterday from the Connecticut Farm Bureau Association, Inc. The letter states, just as the critics of the treaty had warned, that the treaty is having consequences which are anything but good for the American farmer. In fact, almost immediately after the treaty was ratified, the Secretary of Agriculture acted to impose an export tax on wheat and to reduce wheat allotments for 1969 by 13 percent.

When a government makes an error in judgment in a situation like this, the chickens invariably come home to roost. But the chickens are coming home to roost much faster in this case than even the most ardent critics of the treaty could have contemplated.

I ask unanimous consent to have printed in the RECORD the text of the letter I received from the Connecticut Farm Bureau Association, Inc.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CONNECTICUT FARM BUREAU
ASSOCIATION, INC.,
Hartford, Conn., June 27, 1968.

Hon. THOMAS DODD,
Senate Office Building,
Washington, D.C.

DEAR SENATOR DODD: We wish to extend to you our sincere appreciation for your opposition to ratifying the International Wheat Trade Convention.

I have read your statement, given during the debate on June 13. Your analysis stated our concern precisely.

You probably are well aware that the Secretary, who has continually praised the IWTC as good for farmers, acted immediately to impose an export tax on wheat and a reduction in the national wheat allotment for 1969 of 13% exactly as we had feared.

We again commend you for your position on this matter.

With my best wishes, I am
Sincerely yours,
GEORGE W. SIMPSON, Jr.,
Executive Secretary.

THE POUND STERLING VERSUS THE U.S. DOLLAR

Mr. TOWER. Mr. President, on June 28, sterling opened in Zurich at 10.2385 Swiss francs bid, a new low. The U.S. dollar was 4.2975 with its parity at 4.373 Swiss francs. The U.S. dollar on the same day on Frankfurt's foreign exchange market was 3.99 with parity at 4.

The U.S. dollar is now caught in a pincer between continued weakness of the pound sterling and the deterioration of the French franc. No one can take any solace from France's problems. The French situation only adds to the preference for the standard gold and a general distrust of institutionalized paper, the fiat moneys of the world.

Not only is this a critical period for the U.S. dollar and pound sterling, but the Common Market and the French franc have also met difficulty. Should the request of France for cooperation with protectionist measures be denied at the upcoming meeting of the Common Market, a French devaluation is probable. It must be noted that even during the height of the French political crisis the French gold reserve was not fully utilized. France requested the Bank for International Settlement to withdraw all support of the French franc. The French then imposed currency exchange controls. They chose controls over full utilization of their reserves. It is illogical to consider that France will now allow their losses of both gold and currency reserves to continue at the present rate totaling $1 billion equivalent so far. It is most probable that France will shortly devalue, supporting at a more realistic parity. They will by this action maintain the solvent nature of their national current assets versus liabilities as they attempt to correct their political difficulties.

A French devaluation will increase the strains on the international monetary systems. A protectionist movement in Europe is negative to the U.S. balance of payments.

We no longer can entertain pleasant sounding theory as the marketplace says plainly the time for corrective action has passed. France's difficulty demands immediate self-examination. Actions rather than inactions and the self-admission that not only can it happen here but that it is now happening here each day as the dollar fails the market test when it sells below parity in foreign exchange. Furthermore, the specter of pound sterling looms ominously above at 2.826 versus the U.S. dollar.

CRISIS IN EDUCATION FINANCE: BILINGUAL EDUCATION APPROPRIATION DESTROYED BY HOUSE

Mr. YARBOROUGH. Mr. President, yesterday morning I appeared before the Subcommittee on Labor-HEW Appropriations to testify on H.R. 18037, the 1969 appropriations bill for the Department of Labor and the Department of Health, Education, and Welfare.

In general, my remarks point out the inadequate funding for education as the bill was reported by the House Appropriations Committee and the bill as passed by the House. In particular, I point out the need for funding of the Bilingual Education Act, which I authored last year.

This act would affect over 3 million children from non-English-speaking families. The bill authorized $15 million during fiscal year 1968—none was appropriated. This year there is an authorization for $30 million, yet the budget recommended a sparse $5 million. Despite this severe cut, the House of Representatives omitted funding for the entire program.

Because of the importance of education to the Nation, in particular bilingual education, I ask unanimous consent that my statement before the Labor-HEW Appropriations Subcommittee on July 1, 1968, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR RALPH W. YARBOROUGH BEFORE THE LABOR-HEW SUBCOMMITTEE ON APPROPRIATIONS ON H.R. 18037, U.S. SENATE, JULY 1, 1968

Mr. Chairman, Members of the Subcommitte, thank you for this opportunity to testify on HR 18037, the 1969 Appropriations Bill for the Departments of Labor, and Health, Education and Welfare, and Related Agencies.

I come before you to urge that you provide full funding for all of our education programs in general, and for the Bilingual Education Act in particular.

We live in a difficult time. We are fighting a difficult and expensive war in Southeast Asia while at home we are fighting other battles, all of them complex and none of them inexpensive. I am reminded in this time of trouble of the opening lines of "The Second Coming," a poem written in 1913 by William Butler Yeats:

"Turning and turning in the widening gyre
The falcon cannot hear the falconer;
Things fall apart; the centre cannot hold;
Mere anarchy is loosed upon the world,
The blood-dimmed tide is loosed, and everywere
The ceremony of innocence is drowned;
The best lack of all conviction, while the worst
Are full of passionate intensity."

It is our responsibility as Senators of the United States to see to it that the centre does hold, to see to it that things do not fall apart. I suggest that in our complex society there is no single factor which can be isolated as a "centre." Rather, there are several elements which go to comprise the center of society. One of these is education. And without the balance wheel of education at the center of our society, things will begin to fall apart.

We know that a democratic society presupposes an informed, intelligent, and educated populace. To the degree that we fail to educate our youngsters, democracy will fail, and with it society. Thus, a decision, such as the one made by the House Appropriations Committee, to spend some $186 million less in education this year than last goes to the very core of our society and must be viewed in a context larger than the one apparently chosen by the House Committee.

We live in difficult times and because the times are difficult it was necessary to pass the Revenue and Expenditure Control Act of 1968—the bill encompassing the surtax and the $6 billion budgetary cutback in Federal programs. I voted—albeit reluctantly—for that measure because to do otherwise would be to abdicate all responsibility. That law now provides that Federal expenses must be cut back by $6 billion. And the question, of course, is where those cuts shall come.

Education must be viewed as an investment; an investment not only in a person but an investment in society as a whole. The House Committee action, which I urge my colleagues on this Committee to cast aside, would slash 15 to 18 per cent off the money spent last year to teach children under Title I of the Elementary and Secondary Education Act. These are the children of America who need that assistance—this money—the most.

At the least, we must maintain our previous level of commitment to our children. We should fund the education programs authorized by Congress at the full level provided in the authorizing legislation. You gentlemen know that the need is great, indeed far greater than our laws now recognize.

By honoring the House Committee proposal this Committee will be dishonoring the promise we have made to the children of America, and will be acting in a way which in the long run will make "things fall apart" in our society. Therefore I urge the Committee most strongly to follow the request of President Johnson and spare our education programs.

The impact of an inadequate education received in the early years of a child's life is carried with him for life; it is an indelible, intellectual mark of Cain.

Cutting dollars from the education budget cannot be rationalized as a short-run, economic measure; it has long-range effects and implications.

Thus far my remarks have been general. More specifically, I wish to enter a plea on behalf of two education programs which have just become law and which have not yet had a chance to make their contribution to our youngsters. I speak of the Drop-out Program, sponsored by Senator Murphy of California, and the Bilingual Education Act, which I authored. The remarks I have addressed to education in general are equally applicable to these two programs.

As a result of testimony taken during hearings it became evident during the last session of Congress that these two programs were essential if we were to combat the problems—individual and societal—caused by our inattention to youngsters who drop out of school or who are doomed to failure in school because they come from non-English speaking families.

The report of the House Committee, in rationalizing the refusal to fund any new programs, states that the Committee has "learned from long experience that once a new grant program is started it is most difficult to discontinue it or even to keep it from growing larger each year." This is nothing but a brilliant example of avoiding the real issue presented by new legislation: that a real need exists and that Congress and the President have recognized that need by passing a law.

The need is manifest. As of 1960, for instance, the educational achievement of the Mexican-American population in Colorado, California, and Texas was *lower* than that of any other group—minority or otherwise—in *1950*. In other words, the Mexican-American population in these three states is more than a decade behind the educational achievements of any other group in this nation. Our hearings on Bilingual Education made it clear that it was the language barrier that these children encounter on enrolling in school that was the prime factor in their poor scholastic performance.

Taking the problem one step further, I point out that as of 1960, fifty per cent of the Mexican-American population in these same three states—Colorado, California, and Texas—had less than an eighth grade education....

And in Texas, forty percent of the Spanish-speaking population were found to be functionally illiterate.

To ignore these needs, to ignore these citizens by refusing to fund the Bilingual Education Act, would be a most callous act. As it is, the authorization we provided for programs under the new law is highly modest—only $30 million dollars for the coming fiscal year. We requested only $30 million because we realized that the budget was going to be tight.

There are more than three million children in this Nation who need the assistance of the Bilingual Education Act—the Mexican-Americans in our southwestern states, the Cajun population in Louisiana, French-Canadians in Maine, Portugese in Rhode Island and Massachusetts, Puerto Ricans in New York City, Cubans in Florida, and the Polish Americans in Chicago, to name just a few. If the Bilingual Education Act were fully funded at $30 million, it would help only 215,000 of these children during the first year of operation.

We are talking about 215,000 children who go to classrooms every morning where they are destined to be confused. They go to school speaking only Spanish or only German or only French and because the teacher is not bilingual and because she has no training and because there is no money for special text books, these non-English speaking children are cut off from the educational process.

The more than three million children in America who come from non-English speaking homes need the assistance that the Bilingual Education Act would provide; and it will be small solace to them to know that they have been sacrificed in the name of economy.

Instead of saying "we cannot afford to educate them," the Senate should say "we cannot afford *not* to educate them."

Therefore, I suggest, most urgently, that the Senators on this Committee examine the priorities of the Federal budget not solely in terms of dollars and cents, but in terms of people and children. If, in your deliberations you decide that the Drop-out Program and the Bilingual Education Act cannot be funded at their level of $30 million, then reduce their appropriations to the same level as you reduce other education programs—if indeed, you reduce the education budget at all.

The times are difficult, but difficulty should not dictate negativism; rather we should be positive in our convictions that now, this year, we are the last best hope of the children of America and that we will not "lack all conviction" as Yeats put it , but will rise to the challenge, the responsibility, and the obligation.

FINANCIAL NEEDS IN HIGHER EDUCATION

Mr. PROXMIRE. Mr. President, at a time in which the Nation is placing increasing demands on its institutions of higher education, colleges and universities are finding themselves under severe financial pressures. Public institutions are confronting increasingly constrained budgets due to the inability of State revenue systems to generate sufficient income to meet the full range of social needs for which State governments have responsibilities. Private institutions, confronted with gift and grant sources which are failing to grow as rapidly as costs, have raised tuition levels to heights which effectively exclude students from families of modest means and prejudice the student heterogeneity so necessary for a successful education institution.

While current annual expenditures for higher education are $15 billion or 2 percent of gross national product, both economists and professional educators inform us that the share of the Nation's final output devoted to higher education must increase to at least 3 percent of gross national product if the quality and diversity of American higher education is to be preserved. As a leading educator, Howard R. Bowen, president of the University of Iowa, has stated:

> It is unthinkable that this country, as committed as it is to higher learning, would allow the system of colleges and universities, private or public, to deteriorate—especially so since the nation can, despite the war and other claims on our resources, easily afford an excellent system of higher education.

Having a commitment to study and report on matters relating to the training and utilization of the Nation's manpower, the Joint Economic Committee intends to undertake an analysis of this important subject. Surely the issues involving the maintenance of autonomy and diversity in higher education, and growing conflict between private and public institutions, the need to expand higher education opportunities to all citizens, irrespective of income level and the need to encourage increased efficiency in the use of higher education facilities need to be clarified if the Congress is to adopt appropriate policy measures in this area.

An article published in the New York Times of June 30, 1968, points up the significance of this financial crisis. I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the New York Times, June 30, 1968]

Education: Urgent Plea for More Federal Aid

While students are demanding university reforms, university presidents worry about footing the bill. Last week, in an unusual move, the heads of the nation's 42 leading universities issued a joint appeal to the Federal Government to assume a greater share of the burden. Their appeal was unusual for several reasons:

(1) Public and private institutions joined in an appeal for all.

(2) The universities, whose major concern is graduate scholarship, stressed that they wanted the Federal dollars for all levels of higher education, from the junior colleges on up.

(3) All agreed that, while the present Federal contributions for such specific purposes as research, construction and student aid are essential and must be increased, there is now a desperate need for general subsidy of current operations on a regular, continuing basis.

(4) Since such general aid, never provided before, will require some formula based on a combination of an institution's enrollment and the equality of the education dispensed, the academic leaders conceded that some national yardsticks will probably have to be accepted.

But the appeal was unusual in another way. It took cognizance of political realities and left no doubt that the timing aims at the political conventions, in the hope that a new higher education deal, already urged by President Johnson, will be part of the next President's program. The university leaders, in effect, were saying that now is the time for all good parties to come to the aid of the campus.

A MAJOR EXPANSION

At an executive committee meeting of the Association of American Universities which drafted the statement, Nathan M. Pusey, president of Harvard University, told this reporter: "We wouldn't be unhappy if some of this document showed up in the party platforms."

Why is the situation so critical?

Partly, it is a matter of the huge expansion of higher education. Enrollments are up from 2.6 million in 1955 to 7 million now, with a continuing build-up that is expected to reach 8 million by 1975 and perhaps 15 million by the end of the century.

This, plus inflation, is reflected in operating expenditures, which have grown from $3.4-billion to $15-billion annually in the past decade. For construction alone, it is estimated, between $1.5-billion and $2.2-billion will be needed annually for the foreseeable future. And by 1975, the total annual operating costs may be $6-billion higher than they are today. Neither tuition, nor state subsidy, nor private donations nor all three combined can pick up so huge an additional tab.

A major reason why costs are rising so phenomenally, apart from higher faculty salaries and library and equipment costs, is that graduate study, not long ago a minimal part of the enterprise, is becoming a mass-education sector, too.

Graduate enrollments have grown from just above 300,000 in 1960 to almost 700,000 now, and the million mark is expected to be reached by 1975. The cost of educating a graduate student may be as much as six times that of an undergraduate. The average cost to the university of maintaining a graduate student for one year is $4,500, but many fellowships provide no more than $2,500, and so the subsidy by the university is considerable.

State universities feel the pinch most severely. State legislatures are under strong pressure to provide money for college students, especially for those who live within the state. No such pressures are exerted on behalf of graduate students who are chosen on a national basis for nationwide service.

Another reason for the crisis is that, at the moment when the war in Vietnam has led to a serious retrenchment of Federal funds already, the universities are asked to do more. They not only must tool up for such new areas as computer science, molecular biology and oceanography, but they are being challenged to respond to the urban crisis and to the pollution of our environment.

There can be legitimate debate, as there has been at Columbia, whether the universities are sufficiently responsive to the needs of the slums that surround many of them. But it is absurd to pretend that the universities, with their own resources or even with such additions as the Ford Foundation's $10-million urban grant to Columbia, can do more than administer first aid. Anything more substantial will require a massive infusion of government dollars.

CONTROVERSY EXPECTED

Clearly, the call for substantial Federal subsidy will be accompanied by controversy and, if and when the dollars flow, will bring about far-reaching changes on the academic scene.

Among the controversies will be the extent to which public funds may be used to support church-affiliated institutions without violating the Constitution. Some church-related universities may try to meet this issue by phasing out the control their churches have exercised over them, and this is already beginning.

There is every likelihood that following the recent Supreme Court decision which has opened the way to citizens' suits to test this issue, there will be specific court actions to determine the future course.

More fundamental is the question whether extensive Federal subsidy will wipe out the difference between public and private institutions.

G. Alexander Heard, president of Vanderbilt University and a member of the committee which drafted the statement, said last week: "The Federal money is the freest money we get."

Both Pusey and Grayson Kirk, president of Columbia, pointed out that most private universities now get a substantial part of their budget from Washington—in Columbia's case exactly half of the total, at Harvard not very much less. Most of such money is for specific research.

Already, the remaining difference between private and public institutions is on the undergraduate level where the public universities must meet the demand for expansion and where admission, though often quite selective, cannot be as academically exclusive as that at the top-quality private schools.

Moreover, for a public university to indulge in the luxury of smallness is increasingly difficult, and this creates a difference in tone and type.

But on the graduate level, as Pusey pointed out, these differences have largely disappeared. The professors, students and work are interchangeable in public and private universities.

A larger Federal role will diminish collegiate differences, without necessarily wiping them out. The extent to which private universities determine their own course will depend on the convictions and strength of the trustees and presidents.

Any judgment as to whether the greater coming Federal subsidy is boon or threat depends on the observer's political philosophy as much as on facts. Indeed, the only fact that cannot be argued is that the question is no longer whether, but only when and how, increased Federal aid will come. The alternative would be either to go the way of the Sorbonne and let more and more students be taught by fewer and fewer professors, or to raise tuitions to a point where only the few would be able to afford what the many want and need. Either course is the path to revolution.

FRED M. HECHINGER.

TAIWAN: ISLAND OF PROGRESS

Mr. TOWER. Mr. President, amidst the barrage of commentary and news about the turbulence in mainland China over the past year, little attention has been paid to the exciting story of the progress, prosperity, and stability of Taiwan. In contrast to the economic setbacks and disintegrating social order which Communist China is experiencing under the cultural revolution, the economic and social advancement of Nationalist China stands as a powerful example of the ability of a non-Communist, free enterprise system to build a better life for the people of an Asian nation. Taiwan is making steady advances in the movement toward a representative, republican system protecting the rights of Taiwanese and Chinese alike.

As an island of progress, Taiwan has quickly become an Asian model for an alternative to Communist rule. The 18 million overseas Chinese spread throughout Asia now look to Taiwan for a pattern for a new social order. To the struggling nations of Asia which are often seemingly confronted with the painful choice between communism and despair, the successful example of Taiwan offers a bright alternative.

The people of Nationalist China, next to Japan, enjoy the highest standard of living in the Far East. Unlike the mainland Chinese, who are expected to number 1 billion by 1980, the people of Taiwan will not be confronted by the horrible threat of famine. Through skillful planning and diligent effort, the Taiwanese have escaped the squeeze of the food population spiral which threatens to strangle so much of the Asian world. Since 1952, Taiwan has enjoyed a progressive and dramatic increase in agricultural productivity. The rice crop for 1967 set a new national record of 1.1 million metric tons. At the same time, Taiwan has brought its birth rate down to a demographically manageable level. Unlike the mainland, where the population is currently growing at a rate of approximately 17 million per year, Taiwan appears to have the problem of population under control. With one of the highest population densities in the world, Taiwan during the mid-1950's had a population growth rate of approximately 3.8 percent, a level well above the demographic danger point of 3 percent. In 1965, as the result of a limited birth control program, the annual birth rate had declined to 2.7 percent.

Yet Taiwan's high standard of living is the result of far more than merely defying the threat of a population squeeze. The island's economy is presently considered to be one of the fastest growing in the world. Since 1960, the national income has increased at a rate of more than 9 percent per year while industrial production has enjoyed an annual growth rate of approximately 15 percent. Exports for the first three quarters of 1967 were already 20 percent ahead of 1966.

Furthermore, economic advancement has been accompanied by social progress. A social welfare program currently covers approximately 680,000 people. Taiwan's land reform program, begun in the early 1950's, is generally considered to be the only successful land reform program in Asia outside of Japan. The compulsory education program has been expanded, and new school construction has been a source of pride.

To have accomplished all this in a little less than 20 years surely proves the unequaled source of energy found in the hearts, minds, and bodies of free men. The history of this success story is certainly deserving of our attention. The Republic of China assumed administrative authority over Taiwan and the Pescadores immediately after the Japanese surrender in 1945, for they had been promised control over the islands by the Allies in the Cairo and Potsdam Declarations. Under the Nationalist Government, the islands in 1947 became one of the 35 provinces of China. As the situation on the mainland progressively deteriorated for the Nationalists, Taiwan became a haven for the Nationalist refugees from Communist oppression, with the greatest influx between 1948 and 1950. After suffering military defeat, the Government of the Republic of China reestablished itself on the island of Taiwan in December 1949. The stalwart group of approximately 1½ million Chinese who retreated with the Nationalist Government and Chiang Kai-shek were faced with the formidable task not only of settling in a new homeland but also rebuilding an island devastated by war.

As the Nationalist Government reorganized and reestablished itself under President Chiang Kai-shek, the still dominant Kuomintang Party began a study of the factors contributing to its defeat on the mainland. One conclusion of this survey was that the Nationalist Government had not been sufficiently concerned with the welfare of the people and had not made adequate efforts to curb inflation and corruption. Consequently, the Government coupled its program of economic development with effective plans for land reform and education while at the same time assuming the burden of maintaining one of the largest standing armies in the world in proportion to population.

Land reform was the object of concentration in the economic development program between 1949 and 1953. The Nationalist Government, with the assistance of the Sino-American Joint Commission on Rural Recontruction, launched a three-stage plan. The first phase, begun in 1949, was a statutory reduction of rents to a maximum of 37.5 percent of the main crop. In 1951, the second phase was inaugurated with the sale of public lands. The final phase of the program was begun in 1953 under the slogan "land to the tiller." Large landholdings were purchased by the Government and then sold on easy terms to the tenants. The landowners were reimbursed with shares in the large public enterprises and Government bonds. Thus, by compensating the landowners, Taiwan wisely avoided the social turmoil and bloodshed which often accompanies land reform and negates its salutory effects.

Not only did Taiwan break up the stagnant subsistence cycle of her agricultural society, but industry also benefitted from the new availability of capital possessed by former landowners seeking new investments. As a result of the land reform program, which was also accompanied by market credit and agriculture extension services, agricultural production has doubled and the average family income multiplied threefold.

The comparison, the success of Nationalist China's land reform program impressively outdistances the results of land distribution efforts in Communist China as well as programs in several other Asian countries. In terms of productivity, the Communist program of agricultural collectivization appears to have failed. While the level of agricultural production did increase, it failed to maintain a balance with the needs of the population, and, in 1961, Communist China did not enjoy even the 1958 level of consumption.

The Nationalist Government's concern with the social advancement and welfare of its people was additionally manifested in the emphasis it placed upon education. While much of the developing world is waging a battle against illiteracy, Taiwan has one of the highest literacy rates in the Far East. In 1955, it was estimated that 85.2 percent of the total population was literate; at approximately the same time, it was believed that on the mainland only about 20 percent of the population had achieved literacy. At present, around 22 percent of the island's population is in school. Attempting to meet the increasing demands of a newly industrialized society, the government recently instituted a 9-year compulsory education program; within the next 6 years, the Government intends to invest $1.9 billion in education. In the year 1964–65 alone, 81 new schools were constructed.

Taiwan is not only providing education for its own people, but it has quickly become a center of higher education for the vast number of overseas Chinese spread throughout Asia. Taiwan presently has 10 universities, 11 colleges, and 48 junior colleges, and important efforts are being made to improve facilities for postgraduate study. Taiwan's steady progress and pursuit of excellence in the field of education provides a thoughtful contrast to the social system on the mainland where, as the result of the "cultural revolution," some 100 million children have not been in school since 1966.

Once Taiwan's dramatic agricultural growth was sufficient to provide a base for her economic boom, the government turned its attention toward industrial development and launched the first 4-year economic plan in 1953. This relatively late start in full-scale industrialization worked to Taiwan's advantage, for she was able to begin with modern plants rather than being slowed down by a technological lag resulting from obsolete equipment. Under the Japanese, Taiwan's economy was based largely on agriculture. When the Nationalist Chinese assumed control of Taiwan in 1945, the island was almost totally lacking in an industrial base. At that time, there were only two cotton mills, two jute mills, and one woolen mill; hardly an auspicious base for Taiwan's now booming textile industry. Thus, Nationalist China's startling economic progress in the last 20 years is the result of a skillful harnessing of resources and a steady application of determination rather than the result of the inheritance of an already-developed economy.

One might pause at this point to note that an important resource in terms of capital and technical assistance for Taiwan has been the approximately $1.4 billion in American aid given to Nationalist China between 1948 and the end of fiscal year 1966. Taiwan's progress surely is an indication that successful aid efforts are possible, and the fact that she has now developed her own foreign assistance program is a gratifying epilog to the history of the American foreign aid program.

Industrial production growth since 1958 has been at a spectacular rate with no sign of a slowdown in 1967. During the past 2 years, the construction industry has served as the pacesetter for the economy, while another booming field has been electronics. Taiwan is now truly on its way to becoming an industrialized nation. In 1966, textiles for the first time replaced sugar as the leading export. Taiwan's GNP per capita growth rate has been the highest in East Asia outside Japan.

Taiwan does have a few economic problems, but the manner in which she is grappling with her difficulties gives positive cause to believe that she will effectively meet these challenges. With a proportionally very young population—44 percent of the 13.5 million population are under 15—Taiwan is faced with the problem of underemployment. There is also a need to further develop the nation's infrastructure. In a very effective effort to meet the problem of underemployment, Taiwan has launched a program to attract increased foreign investment in order to create more employment opportunities. Foreign investment levels are already very high and have been credited with accelerating and sustaining Taiwan's economic boom. Already several American companies such as General Instrument Corp., IBM World Trade Corp., Philco-Ford, and TRW, Inc., play leading roles in Taiwan's flourishing electronics industry.

Taiwan has attracted this high level of foreign investment through favorable investment laws, such as a 5-year tax holiday for qualifying companies, the creation of special industrial districts, and attractive wage levels. The Nationalists hope to build Taiwan into a large processing center into which unfinished goods are imported and processed products exported. The new industrial park at Kaosiung is already operating as a customs free zone for foreign industry. Twenty-six firms have invested approximately $3.8 million in their plants in the Kaosiung free trade area.

A growing volume of foreign trade has also made a significant contribution to Taiwan's economic boom. The trade figures for 1965 and 1966 list a total of imports and exports of more than $1 billion. Last year exports jumped more than 14 percent, with leading gains in textiles, ores, lumbers, chemicals, and cement. Next to textiles, top foreign exchange earners are bananas and sugar. Such progress stands in marked contrast to the foreign trade setbacks resulting from the xenophobic outbursts and policies of the Communist Chinese "cultural revolution." Communist China's foreign trade dropped in 1967, and unofficial reports indicate that industrial output on the mainland also dropped.

Taiwan's economic miracle is an example of a successful guns and butter policy as she has balanced the economic demands of development with the maintenance of a constantly modernizing military force. Though U.S. military assistance to the Republic of China has been considerable, Taiwan has shouldered the majority of the financial burden. Buying approximately $8 million worth of military equipment from the United States every year, the Nationalist Government puts $3 into its Military Establishment for every $1 of U.S. assistance.

The militarily strategic role of Taiwan in the free world's defense system against Communist aggression is considerable. Communist occupation of Taiwan would be a blow to the free world as it would not only lessen the effectiveness of U.S. bases on Okinawa but would also create a threat against the Philippines and other Pacific nations. Moreover, Taiwan presently has a strategic significance as a base for the U.S. 7th Fleet and as a service base for American aircraft used in Vietnam. Furthermore, American military leaders consider the strong armed forces of Taiwan as an important deterrent against a massive Chinese Communist thrust into Southeast Asia. A significant portion of Red China's military is presently tied down in its coastal areas.

Taiwan's Armed Forces currently number around 600,000 troops, and it is estimated that the Government spends about $325 million per year on defense. The reserve training program, which was initiated in 1956, now has more than a million men ready to come to the nation's aid. A steady recruitment program has kept the soldier's average age in the early 20's.

The Republic of China has demonstrated that it is a nation willing to grab on to its boot straps to defend and develop its new homeland. Taiwan's progress, prosperity, and stability present an impressive comparison with the economic setbacks and unrest which have racked Communist China in the last 20 years. The economic and social advancement which Taiwan has made while also shouldering the weight of a gigantic military commitment should serve as proof to the many struggling nations of Asia and the world that a system of free enterprise and individual justice offers a viable and desirable alternative to the empty promises and oppression of the Communist system.

URGENT PROBLEMS IN PROPER PERSPECTIVE

Mr. HARTKE. Mr. President, the violence and the tragedy which we have all witnessed in recent months has served to intensify the demands of those who call for a rapid return to "law and order." Characterized by a sense of urgency, these demands have spawned an overabundance of easy answers, and those of us who seek enduring solutions to the problems of crime and disorder have experienced a growing concern.

This concern has been well expressed by the editors of the Saturday Review in a recent statement entitled "The Crusade for Law and Order." Reminding us that America is a nation born out of protest, the editors insist that important distinctions must be drawn between political unrest and organized crime. They are disturbed by the tendency to offer simple repressive solutions to disorders which grow out of legitimate needs, and they are critical of those who disguise their objections to those needs with false arguments about political or economic priorities.

The editors of the Saturday Review have set the present debate over crime and disorder in its proper perspective. I ask unanimous consent that their thoughtful statement be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The Crusade for Law and Order

According to newspaper reports, Governor Ronald Reagan of California has blamed the "spirit of permissiveness" for the death of Senator Robert F. Kennedy and for much of the violence in the land. He has called special attention to the role of "so-called leaders" and the courts in fostering attitudes of irresponsibility and lawlessness. Governor Reagan has declared that he will not tolerate this kind of permissiveness in California.

Since the assassination took place in California, and since Mr. Reagan has blamed permissiveness for it, and since he has said that governors should not tolerate permissiveness, what does this say about the Governor of California? This question is not more absurd than the progression of absurdities embedded in Mr. Reagan's remarks.

Nor is it absurd to ask whether Governor Reagan is aware of the contribution to the atmosphere of casual violence and crime made by television and the film industry, the production headquarters of which is Hollywood, California. Brutality, sadism, murder, and cheap sex are mass produced in California and constitute one of the state's leading sources of revenue. Mr. Reagan himself is a product of this particular industry and was featured in many Westerns, the trademark of which is the quick draw and the lightning-fast trigger finger, depicted as being among the highest of the manly virtues. Mr. Reagan didn't produce or distribute these films, nor did he personally sit millions of children down in front of TV screens, desensitizing the youngsters to the fragility of life and the need for respect for law; but it is Mr. Reagan who has said that governors should not tolerate those things that make violence.

Obviously, the Governor of California cannot tell Hollywood what to do. It is ludicrous to suppose that the problem of violence on TV or films, or the problem of violence in general, can be done away with by simple ukase issued from any state capitol. There is a multiplicity of causes, just as there is a multiplicity of effects, and basic approaches are necessary. The atmosphere of violence fostered by Hollywood is not a state problem but a national one.

Our purpose in calling attention to Governor Reagan's remarks is not to engage in petard-hoisting but to illustrate the kind of nonsense now being retailed across the nation on the subject of violence. Easy answers are filling the air. What most of them have in common is the call for a crackdown. It is made to appear that if only we beef up the police and encourage them to act tougher the nation can be restored to its serene ways. More energies are being mobilized to combat effects than are being summoned for confronting the underlying causes. Repression seems to be primary; prevention is secondary. And nothing is more characteristic of the kind of advice that is so freely offered these days on the subject of law and order than the emphasis being put on the need to crack skulls rather than on the need to combat despair and humiliation which make protest inevitable. It is ironic that a nation born out of protest should be putting such high priority on subduing protest rather than scrutinizing it and seeking to meet it in the only basic way it can be met. Law in a free society is much more than an army of heavily armed policemen wading into a crowd; law is first of all a system of justice, political and social, designed primarily to keep people from being pushed around by other people or by the state itself, and to enable people to live fuller and freer lives.

The best way to make law work is to make justice operational. Some of the same lawmakers who said the nation couldn't possibly afford an adequate antipoverty program have no difficulty in finding as much money as may be necessary to expand police forces or to equip the police with weapons of enlarged destructiveness. Similarly, billions of dollars are instantly available for Vietnam, where our announced objective is to give people the right to choose their own government. Americans who live in the ghettos have clearly chosen to improve their own station in life, yet some of the men who make the laws do not seem to comprehend this kind of self-determination and their own clear responsibility to help make it work.

Another unhappy characteristic of many of the easy answers now being offered for eradicating violence is the collapse of distinctions. An important distinction must be made between people who are caught up in political and social unheaval and people involved in organized crime. Respect for law and order is not advanced when police deal with both groups as though they are dealing with the same thing. The same is true of student demonstrations. A distinction must be made between the many students who are demonstrating for increased participation in the decisions that affect their lives, and the few students who are exploiting this underlying situation for their own avowed destructive ends. (It is unfortunate that Columbia University, where relations broke down, should dominate the headlines, while almost no attention is being paid to compuses such as American University, in Washington, D.C., where student protest has been imaginatively and responsibly met and where a pattern of strong student-faculty administration cooperation is being worked out.)

The easiest way of creating a nation of law and order is to establish a police state. The business of carrying out the laws in a free society, however, is somewhat more complicated. Here we face the undoubted fact that free societies have not been able to meet all their problems without a certain degree of clamor and chaos. But we will at least serve ourselves and advance our purposes if we understand our own historical background and if we learn to resist easy answers. The attack on violence requires not just superior counter-violence but a spirited and morally imaginative upgrading of our entire way of life.

—N. C.

ADVICE FROM ILLINOIS SMALL BUSINESSMEN

Mr. PERCY. Mr. President, some weeks ago I asked the small businessmen in Illinois to advise me on matters of concern to them. I asked them to explain their problems with Government programs and what the Government might do to help alleviate some of these problems. The response of over 1,000 of them was of great assistance to me in my role as ranking minority member on the Small Business Subcommittee. Because the replies were so informative and helpful to my own understanding, I would like to share their comments and suggestions with my colleagues in the Senate.

The questionnaire which I circulated asked specifically what the businessmen consider to be their major problems with the Federal Government. Their replies follow, in order of importance:

First. High taxes.

Second. Paperwork and redtape in required Federal forms.

Third. Government interference and regulation.

Fourth. Minimum wage laws.

Fifth. Growing union power and control.

Sixth. Difficulty in obtaining business financing.

Seventh. Government spending and inflation.

Eighth. Fair trade practices.

Ninth. Shortage of qualified skilled labor.

Tenth. Government bureaucracy and inefficiency.

We in Congress are aware that one of the first sectors of our economy to reflect difficulties and one of the last to share in the good times is the small business community. The fact that the economy is currently in an inflationary spiral is quite evident to Illinois small businessmen. They see themselves caught in a squeeze play and the pinch is beginning to make them very uncomfortable.

They see the tax structure as awesome in size, variety, and complexity. Small businesses tend to maintain a very narrow margin of operating capital. Of course, increasing costs, including taxes, eat into this small margin, particularly when prices cannot go up sufficiently to cover their additional costs.

Wages have gone up. Businessmen hear Government people and politicians give speeches on the dangers of inflation, but the rising minimum wage they sponsor is to many small businessmen a symbol of Government complicity in the inflationary spiral. Rising labor costs are inevitably altering the small business owner's perspective on hiring. Too many are deciding they just cannot afford new help for either expansion or for filling present job vacancies. And too frequently, the minimum wage has caused unemployment among those unskilled groups who are in greatest need of employment opportunities.

Other operating costs have gone up with wages. Inventories, raw materials, services, and even the equipment required to fill out the seemingly endless stream of Government forms are ever more expensive. Wage rates, operating costs, rising interest rates and taxes constitute a set of financial pressures that are a serious problem to the stability of the small business sector.

The small businessmen of Illinois have as many different complaints and suggestions as any group of concerned American citizens. But there was a common thread through all of their comments. They resent the pressures placed on them by the financial crisis this Nation faces. To the extent that this crisis is due to decisions made here in Washington, they resent the price they must pay for mistakes and poor judgments made by their elected officials. Their concern is sincere and I certainly agree with their legitimate right to expect Congress and the administration to demonstrate both fiscal responsibility and a greater sensitivity to the problems facing small businessmen.

LEGISLATIVE PROPOSAL: REVENUE SHARING WITH TOWNS AND CITIES

Mr. HARTKE. Mr. President, I will soon introduce legislation to strengthen city and town government by means of a Federal revenue-sharing plan.

Too often today our cities lack the financial wherewithal to effectively grapple with the rising costs of established governmental programs and to mount new efforts to meet growing social needs. Cities and towns have long been forced to rely on State Governments and, more significantly, on the Federal Government for assistance—assistance that comes through a myriad of programs which are directed at specific needs and which carry with them specific requirements and controls.

I do not speak against the development of Federal grants-in-aid programs; indeed, I have supported them and shall continue to do so. But they are neither sufficient nor appropriate for meeting a host of urban needs which vary in complexity and character from city to city.

In order to maintain a healthy democracy and in order to effectively master many of the Nation's social challenges, we will do well to leave the broadest possible spectrum of decisionmaking and decision implementation in the hands of our local governments. But this is a sterile recommendation if we do not provide local governments with the means of generating income. Too often, the determination as to who will make decisions depends decisively upon who possesses the financial resources for implementing those decisions. Increasingly, that has come to be the Federal Government which in general has the most efficient and equitable means for collecting taxes.

Under my proposals—the details of which I am now working out—a percentage of Federal revenues would be earmarked for distribution directly to town and city governments for use in covering general operating expenses. Federal requirements and controls would be kept to a minimum.

I shall introduce specific legislative proposals to this effect in the immediate future.

CONCLUSION OF MORNING BUSINESS

The **PRESIDING OFFICER.** Is there further morning business? If not, morning business is concluded.

PUBLIC WORKS APPROPRIATIONS, 1968, RIVERS AND HARBORS—FLOOD CONTROL AND MULTIPLE PURPOSE PROJECTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The **PRESIDING OFFICER.** The bill will be stated by title for the information of the Senate.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3710) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The **PRESIDING OFFICER.** Is there any objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. RANDOLPH obtained the floor.

Mr. MANSFIELD. Mr. President, will the Senator yield, without losing his right to the floor?

Mr. RANDOLPH. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. RANDOLPH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. RANDOLPH. Mr. President, I wish to cooperate with the distinguished senior Senator from Louisiana [Mr. ELLENDER], who has discussed with me an amendment he wishes to present to the pending bill.

Mr. ELLENDER. Mr. President, in the hearings held by the Public Works Committee, commencing at page 864, appears testimony by Hon. F. EDWARD HÉBERT, myself, and others in respect to the Mississippi River-Gulf Outlet at Michoud.

At the time the testimony was given, the project had not cleared the budget. Since that time, this project has cleared the budget.

I send to the desk an amendment reading as follows:

> On Page 3 after line 20 insert the following:
>
> "Mississippi River-Gulf Outlet, Michoud Canal, La: Senate Document numbered——, 90th Congress, at an estimated cost of $1,300,000;".

I ask that the amendment be agreed to at this time. The amendment is offered on behalf of myself and the junior Senator from Louisiana [Mr. LONG].

Mr. RANDOLPH. Mr. President, the Senators from Louisiana, [Mr. ELLENDER and Mr. LONG], have discussed this matter with me, and I have discussed it with members of the committee.

The statement made by the senior Senator from Louisiana presents the facts in connection with this project, although it is not actually contained in the proposed legislation. It has had the clearance of the Bureau of the Budget, as has been indicated.

Mr. President, at this point I wish to make mention of the fact that there will be certain projects that have been cleared by the Bureau of the Budget since the committee reported S. 3410, and which are not therefore included in the bill; and from time to time during the day we are going to give attention to those clearances which have been presented to the committee.

The amendment presented by the Senator from Louisiana does not have a document number, as is the case with several projects reported in the bill. However, as the documents are printed the numbers will be assigned by the House of Representatives, or at the latest in conference.

I am agreeable to accepting the amendment which has been presented.

I wish to say on behalf of myself and the chairman of the Subcommittee on Flood Control—Rivers and Harbors, the Senator from Ohio [Mr. YOUNG], that this project has had the attention of the subcommittee and the full committee and we are happy at this time to support the amendment.

The **PRESIDING OFFICER** (Mr. HARRIS in the chair). The question is on agreeing to the amendment of the Senator from Louisiana [Mr. ELLENDER]. [Putting the question.]

The amendment was agreed to.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the distinguished Senator from Florida.

Mr. HOLLAND. Mr. President, I thank the Senator for yielding.

I recall there were two or three projects for Florida which had been approved by the Rivers and Harbors Board and the Chief of Engineers but were awaiting budget approval, and the committee was gracious enough to hold hearings on them. Since that time one of those projects has come to the committee with budget approval and that is the project for deepening Miami harbor, which I understand is at an estimated cost of $6,476,000.

If it is appropriate at this time, I would like to offer an amendment for the inclusion of that project, already covered by the hearings and, as I say, now not only approved by the District Engineer, the Division Engineer, the Rivers and Harbors Board, but also bearing the approval of the Chief of Engineers, the Secretary of the Army, other interested agencies and the Bureau of the Budget.

Mr. RANDOLPH. The request of the Senator from Florida is in order.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD our data sheet on the Miami Harbor. This material does not appear in the bill as reported.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

MIAMI HARBOR, FLA.

Location: Miami Harbor is on the Atlantic coast of southern Florida.

Authority: Senate Public Works Committee Resolution adopted 18 August 1944.

Existing Project: The authorized Federal project consists of a 30-foot deep and 500-foot wide channel inland to the outer end of the north jetty; thence 400 feet wide across Biscayne Bay to a 1,700-foot diameter turning basin; a 30-foot deep turning basin at Fisher Island, about 900 x 1,900 feet; two entrance jetties; and connecting interior channels.

Navigation Problem: Fully loaded deep-draft cargo vessels and some cruise ships cannot use harbor due to insufficient depth. In the future, new and larger vessels will also find the channel inadequate.

Recommended Plan of Improvement: Deepening the existing 30-feet channels to 38 feet by 500 feet in the bar channel, widening the north side of the channel between jetties by 100 feet at 38 feet depth to beach line, hence 36 feet by 400 feet across Biscayne Bay to and including existing turning basin at Biscayne Boulevard terminal; deepening Fisher Island turning basin to 36 feet.

Estimated cost: (June 1966 price level)

Federal	$6,476,000
Non-Federal	789,000
Total	7,265,000

PROJECT ECONOMICS

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$265,400	$41,200	$306,600
Maintenance and operation	3,000		3,000
Total	268,400	41,200	309,600

(1) Includes $9,100 economic costs of lands.

Annual benefits:

Transportation savings	$391,200
Reduction of accidents	6,000
Land Enhancement	77,800
Total	475,000

Benefit-Cost Ratio: 1.5.

Location Cooperation: Provide without cost to the United States all lands, easements, and rights-of-way required for construction and subsequent maintenance of the project, including suitable areas for initial and subsequent disposal of spoil and necessary retaining dikes, bulkheads and embankments therefor, or the costs of such retaining works; provide and maintain at local expense adequate public terminal and transfer facilities including an oil terminal, open to all on equal terms, and depths in birthing areas and local access channels serving the terminals commensurate with the depth provided in the related project areas; hold and save the United States free from damages due to construction and maintenance of the project; accomplish without cost to the United States such utility and other relocations or alterations as necessary for project purposes; establish regulations prohibiting discharge of untreated sewage, garbage, and other pollutants in the waters of the channel and harbor by users thereof, which regulations shall be in accordance with applicable laws or regulations of Federal, State, and local authorities responsible for pollution prevention and control; contribute in cash 8.2 percent of the construction cost, including engineering and design and supervision and administration thereof, of all work to be provided by the Corps of Engineers, a contribution now estimated at $579,000, to be paid in a lump sum prior to start of construction, or in installments prior to start of pertinent work items in accordance with construction schedules as required by the Chief of Engineers, the final allocation of cost to be made after the actual costs have been determined. Local interests have indicated their willingness to furnish all items of local cooperation required.

Comments of the State and Federal Agencies:

Department of the Interior: Favorable.

Department of Health, Education, and Welfare: Favorable.

Department of Transportation: Favorable.

State of Florida: Favorable.

Comments of the Bureau of the Budget: No objection.

Mr. HOLLAND. Mr. President, I am very happy to have the data sheet printed in the RECORD. I thank the Senator.

Mr. RANDOLPH. Mr. President, I do know that the Senator from Florida has an intimate knowledge of the need for this project. I am very happy to have it included. I will be glad to hear any further comment the Senator wishes to make for the RECORD.

Mr. HOLLAND. I thank the Senator.

Mr. President, I ask that the amendment to which I have referred be stated at this time.

The **PRESIDING OFFICER.** The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 3, after line 9, insert the following:
>
> "Miami Harbor, Florida: Senate Document Numbered ——, Ninetieth Congress, at an estimated cost of $6,476,000;"

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from Florida [Mr. HOLLAND]. [Putting the question.]

The amendment was agreed to.

Mr. HOLLAND. Mr. President, first I wish to thank the distinguished chairman and the committee. I think they were most considerate and yet reasonable in their position that they would permit us to testify on this project that passed the scrutiny of the engineers but on which action by the Bureau of the Budget was being awaited.

This one project is the only one I am in a position to offer at this time. I wish to thank the distinguished chairman, particularly, and the committee for including in the bill five projects which are of importance in our State.

On page 5 there are two projects, one for Brevard County, Fla., and one for Fort Pierce, Fla., for beach erosion. On page 20 of the bill there appears the project for beach erosion control and hurricane flood protection for Dade County, Fla.; and hurricane-flood control protection on Hillsborough Bay, Fla. On page 36 there is included an additional money authorization for the Central and Southern Florida control program, which is considered one of the basic flood control projects, and which, I understand, is being authorized for 1 additional year, as far as money needs are concerned.

Mr. RANDOLPH. The Senator is correct, as far as funding is concerned.

Mr. HOLLAND. I thank the Senator for his courtesy. The Senator has been most cooperative both during the hearings and at this time. I shall not take further time.

Mr. RANDOLPH. I appreciate the remarks of the Senator from Florida.

Mr. President, I suggest the absence of a quorum..

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The **RANDOLPH.** Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, will the Senator yield once more?

Mr. RANDOLPH. I yield.

Mr. HOLLAND. I note in the report of the committee, at the bottom of page 5, there is a discussion with reference to the eradication of water hyacinths, which states:

> The committee is in complete accord with the position of the Corps of Engineers on this matter and can find no justification for modifying the authorized water-hyacinth control program at this time.

The testimony of the Corps of Engineers, which is also quoted on page 5 of the report states in part:

> Accordingly, we endeavor to proceed with control operations on a basin-by-basin approach beginning insofar as practicable at the headwaters and working downstream to establish as fully controlled a condition as possible in order to obtain the greatest possible benefits over the longest period of time at the least cost.
>
> If Florida interests desire that we proceed in a different manner such as leaving shoreline vegetation in place, it should be recognized that the costs of maintaining that degree of control would be exorbitant and result in making the program as a whole impracticable.

I understand that the committee has agreed with the position of the Corps of Engineers. My question is: I ask the distinguished chairman of the committee if, in light of the comments of the Chief of Engineers, whether there would be any objection to the "control" rather than the "eradication" of water hyacinths if the State is willing to pay the difference in cost involved and what would be the difference in cost as the Engineers state.

Mr. RANDOLPH. Yes. I shall respond to the question of the Senator from Florida by indicating that this problem is not new. It is a continuing one in Florida and certain other States. There has been a difference of opinion. It is said that we cannot control water hyacinths, so that therefore we can either let them grow or eradicate them. If, in the thinking of the Senator from Florida, as substantiated by the Corps of Engineers, there can be some measure of control, and that control would be a matter of funding from other than the Federal sector, then it is understandable that we shall make an effort to do it.

I do not know what the funds will amount to. I am sure that the Senator from Florida has no figure. It is restrictive, but I am willing to go forward with that sort of approach. It is innovative. That may be the answer. I shall be happy to accept it.

Mr. HOLLAND. I thank the distinguished Senator. The people of my State feel that it is wiser not to cut down all the vegetation along the shorelines but to leave some of it which is ornamental and affords a measure of protection from erosion and is desirable. They are prepared to meet the added cost which would be involved in adopting that practice rather than wiping out all vegetation along the margin. I understand now that the Senator feels that if Florida is willing to pay for the added cost, the committee is willing to go along.

Mr. RANDOLPH. The Senator is correct.

Mr. HOLLAND. I thank the distinguished Senator from West Virginia.

Mr. RANDOLPH. I appreciate the discussion of this subject in the Senate. It was given attention in the subcommittee and the committee.

Mr. NELSON. Mr. President, I call up my amendment at the desk and ask that its reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment offered by Mr. Nelson is as follows:

On page 24, after line 6, insert the following:

"The project for flood protection of State Road and Ebner Coules, city of La Crosse and Shelby Township, Wisconsin, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered _____, Ninetieth Congress at an estimated cost of $6,849,000;"

Mr. NELSON. Mr. President, this is an amendment for a project for flood protection of State Road and Ebner Coulees, city of La Crosse and Shelby Township, Wis. The amendment would authorize substantially in accordance with the recommendations of the Chief of Engineers in House document numbered—and we do not have the number at this moment—90th Congress, an estimated cost of $6,849,000.

The Corps of Engineers approved the project at the time the bill came before the Senate but we did not have budget approval. We now have that budget approval.

The amendment is discussed on page 542 of the public works hearings held on May 14, 15, 16, 21, 22, and 23, 1968. I understand that there is no objection to the amendment.

Mr. RANDOLPH. Mr. President, the State road and Ebner Coulees project has fallen in the category already explained—where approval of the Bureau of the Budget had not been received while the projects were still before the committee and it was our decision to move the projects to the floor, if budget approval came to us in time, and have them considered in this Chamber.

Mr. President, I ask unanimous consent to have printed in the Record the data sheet on this project.

There being no objection, the data sheet was ordered to be printed in the Record, as follows:

State Road and Ebner Coulees, Wis.

Location: In the City of La Crosse and adjoining Shelby Township, west central Wisconsin, with drainage into the Mississippi River.

Authority: Resolution adopted by the House Public Works Committee on 10 May 1962.

Existing Project: There are no existing projects in either basin.

Flood Problem: Potentially serious flood problems have existed only during the last several years as a result of the recent suburban development. It is estimated that a 25-year discharge frequency flood would cause $1,452,000 damages in 1970.

Recommended Plan of Improvement: The project consists of about three miles of channel improvement and diversion works with associated structures, plus eight new street bridges, one new railroad bridge and modifications to another railroad bridge.

Estimated cost: (April 1966 price level)

Federal	$6,849,000
Non-Federal	510,000
Total	7,359,000

PROJECT ECONOMICS

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$287,900	$21,500	$309,400
Maintenance and operation		5,000	5,000
Total	287,900	26,500	314,400

Annual benefits:

Flood control	$442,900
Advanced bridge replac	2,600
Total	445,500

Benefit-Cost Ratio: 1.4.

Local Cooperation: Provide all lands, easements, and rights-of-way; hold and save the United States free from damages due to construction; maintain and operate all works; accomplish all necessary relocations and alterations; prevent encroachment on the improved channels and diversion works; and in the event of future developments in the marsh beyond the downstream terminus of the Ebner Coulee diversion works, maintain a sufficient outlet through that area; provide guidance in use of flood plain management techniques; and inform affected interests that complete flood protection will not be provided. Local interests are willing to provide the items of local cooperation.

Comments of the State and Federal Agencies:

Department of the Interior: Favorable.

Department of Agriculture: Favorable.

Department of Transportation: Favorable.

Department of Health, Education, and Welfare: Favorable.

State of Wisconsin: Favorable.

Comments of the Bureau of the Budget: No objection.

Mr. RANDOLPH. Mr. President, we have discussed this matter in committee and we are, of course, ready, in accordance with the decision made earlier in the committee, to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

Mr. JAVITS. Mr. President, I send an amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read, as follows:

On page 4, after line 2, insert the following: "Hamlin Beach State Park, New York: House Document Numbered —, Ninetieth Congress, at an estimated cost of $500,000;".

Mr. JAVITS. Mr. President, the amendment would add authorization for a navigation and beach erosion project at Hamlin Beach State Park in New York State. It is my understanding that this amendment is not opposed by the chairman of the committee and will be accepted.

I ask unanimous consent that a copy of the justification of the project, as provided by the Corps of Engineers, together with a statement by Colonel Anderson, of the Corps of Engineers, be printed in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

Hamlin Beach State Park, N.Y.

Location.—On the south shore of Lake Ontario, about 20 miles northwest of Rochester, New York.

Authority.—House Public Works Committee Resolution approved 25 September 1945.

Existing project.—There is no existing navigation project in the area. A beach erosion project west of the area, has not been started.

Problem.—The fast increasing number of small recreational boats in the area make a small-boat harbor and harbor of refuge necessary. The nearest existing facilities are Rochester Harbor, 20 miles easterly and Oak Orchard Harbor, 14 miles westerly. Braddock Bay Harbor, 12 miles east, is not suitable as a harbor of refuge.

Recommended plan of improvement.—An 8-foot protected entrance channel; a 6-foot dock channel and maneuvering area; a revetment along the lake to prevent scouring around the inshore ends of the breakwaters; and breakwater recreational fishing facilities.

Estimated cost (July 1967 price level)

Federal	$500,000
Non-Federal	500,000
Total	1,000,000

PROJECT ECONOMICS

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$21,400	$21,000	$42,400
Maintenance	4,500	500	5,000
Total	25,900	21,500	47,400

Annual benefits:

Recreational boating	$63,900
Harbor of refuge	5,000
Breakwater fishing	43,000
Total	111,900

Benefit-Cost Ratio: 2.4.

Local Cooperation: Contribution in cash 50 percent of the construction costs of navigation and fishing facilities excluding navigation aids; provide all lands, easements and rights-of-way and provide areas for any spoil containment works; hold and save the United States free from damage due to construction, operation and maintenance of the project; regulate the use and growth of the harbor; provide and maintain adequate berthing area, mooring facilities, and service areas; establish and enforce regulations prohibiting pollution of the harbor; and bear all costs of maintenance, operation, and replacement of facilities, parking areas, and sanitary facilities for recreational fishing. Local interests are willing to provide the items of local cooperation.

Colonel Anderson. Mr. Chairman and members of the committee, this report concerns construction of a small-boat harbor at Hamlin Beach State Park on the south shore of Lake Ontario, about 20 miles northwest of Rochester, N.Y., in the interest of recreational navigation. It is in response to a resolution by the House Public Works Committee adopted September 25, 1945.

A small-boat harbor is needed to accommodate the increase in small-boat traffic. There are no navigation projects at the location. A beach erosion control project, west of the area, has not been started. The recommended project consists of an 8-foot protected entrance channel; a 6-foot dock channel and maneuvering area, a revetment along Lake Ontario, and breakwater recreational fishing facilities. Total estimated cost of the project is $1,010,000 of which $510,000 is Federal, including $10,000 for aids to navigation. The benefit-cost ratio is 2.4. Local interests are willing to provide the items of cooperation.

The report has been submitted to the State of New York and the interested Federal agencies. Upon receipt of the comments, the report of the Chief of Engineers will be sent the Bureau of the Budget through the Secretary of the Army prior to its submission to Congress by the Secretary of the Army.

Mr. JAVITS. Mr. President, this project is favored by the State of New York. It deals with full development of recreational facilities at this particular park. The Bureau of the Budget has given its approval, and I hope very much that the Senator in charge of the bill will feel it proper to accord it the same treatment which has been declared as the policy of the committee.

Mr. RANDOLPH. The Senator from New York is correct. I ask unanimous consent that the data sheet on this project be printed in the RECORD.

There being no objection, the data sheet was ordered to be printed in the RECORD, as follows:

HAMLIN BEACH STATE PARK, N.Y.

Location: On the south shore of Lake Ontario, about 20 miles northwest of Rochester, New York.

Authority: House Public Works Committee Resolution approved 25 September 1945.

Existing Project: There is no existing navigation project in the area. A beach erosion project west of the area has not been started.

Problem: The fast increasing number of small recreational boats in the area make a small-boat harbor and harbor of refuge necessary. The nearest existing facilities are Rochester Harbor, 20 miles easterly and Oak Orchard Harbor, 14 miles westerly. Braddock Bay Harbor, 12 miles east, is not suitable as a harbor of refuge.

Recommended Plan of Improvement: An 8-foot protected entrance channel; a 6-foot dock channel and maneuvering area; a revetment along the lake to prevent scouring around the inshore ends of the breakwaters; and breakwater recreational fishing facilities.

Estimated cost (July 1967 price level)

Federal	$500,000
Non-Federal	500,000
Total	1,000,000

PROJECT ECONOMICS

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$21,400	$21,000	$42,400
Maintenance	4,500	500	5,000
Total	25,900	21,500	47,400

Annual benefits:

Recreational boating	$63,900
Harbor of refuge	5,000
Breakwater fishing	43,000
Total	111,900

Benefit-Cost Ratio: 2.4

Local Cooperation: Contribute in cash 50 percent of the construction costs of navigation and fishing facilities excluding navigation aids; provide all lands, easements and rights-of-way and provide areas for any spoil containment works; hold and save the United States free from damage due to construction, operation and maintenance of the project; regulate the use and growth of the harbor; provide and maintain adequate berthing area, mooring facilities, and service areas; establish and enforce regulations prohibiting pollution of the harbor; and bear all costs of maintenance, operation, and replacement of facilities, parking areas, and sanitary facilities for recreational fishing. Local interests are willing to provide the items of local cooperation.

Comments of the State and Federal Agencies:

Department of the Interior: Favorable.

Department of Health, Education, and Welfare: Favorable.

Department of Transportation: Favorable.

State of New York: Favorable.

Comments of the Bureau of the Budget: No objection.

Mr. RANDOLPH. The committee has several such projects. We felt that they were meritorious, but, as is our practice, we waited for approval by the Bureau of the Budget, as the Senator from New York said.

I am, of course, delighted to accept the amendment.

Mr. JAVITS. I thank the Senator from West Virginia.

The **PRESIDING OFFICER.** The question is on agreeing to the amendment of the Senator from New York.

The amendment was agreed to.

Mr. JACKSON. Mr. President, on behalf of myself and my colleague [Mr. MAGNUSON] I send an amendment to the desk and ask that it be stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The assistant legislative clerk read as follows:

On page 4, line 11, insert the following: "Snohomish River (Everett Harbor) Washington: House Document Numbered —, Ninetieth Congress, at an estimated cost of $1,108,000;".

Mr. JACKSON. Mr. President, the amendment pending at the desk involves a project, the study of which was authorized by Committee Resolution 64. Hearings were held last month on the Corps of Engineers' proposal. My colleague, Mr. MAGNUSON, and I requested that no further action be taken until a minor inconsistency with the State's recommendation could be ironed out. That has now been done and local, State, and Federal recommendations are uniform and favorable to the project as planned by the Corps of Engineers.

It has Bureau of the Budget clearance, in addition.

Mr. President, I compliment the able and distinguished Senator from West Virginia, the chairman of the committee, for his very fine presentation of S. 3710, rivers and harbors flood control bill. Legislation of this kind is essential if our water resources are to be developed properly.

The plan of improvement provides for the raising and extension of the existing training dike, and construction of a planked timber-pile breakwater on the western and southern sides of the small-boat basin. A very high benefit-cost ratio of 4.8 is forecast for the project on an average annual basis.

It is my understanding that the able Senator from West Virginia has no objection to accepting this amendment.

Mr. RANDOLPH. Mr. President, the Senator from Washington is correct. The project, of course, meets the criteria. It had previously not been cleared by the Bureau of the Budget. We arranged, as with other projects, as the Senator from Ohio [Mr. YOUNG], chairman of the Subcommittee on Rivers and Harbors, knows, to take these projects when they receive the approval of the Bureau of the Budget.

Mr. President, I ask unanimous consent to have printed in the RECORD the data sheet on this project.

There being no objection, the data sheet was ordered to be printed in the RECORD, as follows:

SNOHOMISH RIVER (EVERETT HARBOR), WASH.

Location: Everett Harbor is located in western Washington, about 30 miles north of Seattle, where the Snohomish River discharges into Puget Sound.

Authority: Resolutions of the Committees on Public Works of the House of Representatives and Senate, adopted 14 and 28 April 1964, respectively.

Existing Project: The existing Federal project provides for a training dike to channel river flows through the harbor, spurs dikes, settling basins for controlling sediment deposition, and connecting channels of varying depths from deep water in Port Gardner Bay to the head of Steamboat Slough.

Navigation Problem: Storm generated waves pass over the deteriorated training dike causing turbulence which disrupts navigation, menaces log raft storage areas in the harbor and damages moored vessels.

Recommended Plan of Improvement: The plan of improvement provides for the raising and extension of the existing training dike, and construction of a planked timber-pile breakwater on the western and southern sides of the small-boat basin.

Estimated cost (April 1967 price base)

Federal	$1,108,000
Non-Federal	332,000
Total	1,440,000

PROJECT ECONOMICS

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$44,400	$13,300	$51,700
Maintenance, operation, and rehabilitation	20,400	0	20,400
Maintenance navigation aids	700	0	700
Total	65,500	13,300	78,800

Annual benefits:

General navigation	$195,900
Recreational boating	184,900
Total	380,800

Benefit-Cost Ratio: 4.8.

Local Cooperation: Provide all necessary lands, easements, and rights-of-way; hold and save the United States free from damages due to the recommended improvements; provide and maintain all necessary terminal and allied facilities; accomplish without cost to the United States all necessary utility or other relocations and alterations; establish regulations prohibiting pollution of the harbor by users thereof; contribute in cash prior to the start of construction, 9.6 percent of the cost of the proposed work on the training dike, an amount presently estimated at $85,000, and 44.5 percent of the cost of the boat basin breakwater, an amount presently estimated at $246,000. Local interests have indicated willingness to comply with requirements of local cooperation.

Comments of the State and Federal Agencies:

Department of Interior: Favorable.

Department of Transportation: Favorable.

Department of Health, Education, and Welfare: Favorable.

State of Washintgon: Favorable.

Comments of the Bureau of the Budget: No objection.

Mr. RANDOLPH. Mr. President, we are prepared to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Washington.

The amendment was agreed to.

Mr. RANDOLPH. Mr. President, we had 17 days of hearings on the bill which is presented today from the Committee on Public Works. This measure, S. 3710, was the subject of detailed and extensive hearings. Our colleague who chairs the Subcommittee on Flood Control—Rivers and Harbors, and who conducted those hearings was the distinguished Senator from Ohio [Mr. YOUNG]. I am going to ask him at this time to make whatever statement he wishes to make in connection with the hearings which he conducted.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, I am pleased to join with the distinguished chairman of the Committee on Public Works, the Senator from West Virginia [Mr. RANDOLPH], in bringing to the floor for consideration the omnibus rivers and harbors bill of 1968.

The Subcommittee on Flood Control—Rivers and Harbors, of which I have the honor to be chairman, held long and searching hearings on various matters relating to water resources development. We took the public hearings last fall. Those hearings continued until May of this year. Each member of the subcommittee and of the Public Works Committee has developed the voluminous record compiled by the subcommittee on this subject.

We heard testimony on more than 120 projects and other items that had been favorably recommended by the Chief of the Engineers Corps and upon which committee consideration was requested by Senators or by constituents of various Senators.

Approximately 250 witnesses appeared before the subcommittee and presented details on various projects for consideration by the subcommittee.

At this time I desire to thank all the members of the subcommittee, who, even though they had very busy schedules, devoted a great deal of time to the consideration of these important matters. Their attendance at, and participation in, the many sessions of the subcommittee enabled us to bring this legislation before the Senate for consideration.

I concur in the recommendation of the chairman of the Committee on Public Works [Mr. RANDOLPH], that the Senate adopt this measure. However, I should like to stress the importance of this legislative proposal to the economic well-being of the Nation. In that respect I want to assure my colleagues that this bill does not appropriate 1 cent of taxpayers' money at this time. Therefore, passage of this bill today will not affect the present fiscal situation of the United States. However, those projects which are needed for prevention of floods, development of navigation, water supplies for our cities and towns, and for many, many other beneficial water resources purposes, including recreation, will, when the Congress approves this legislation, be placed in a ready position to be developed as rapidly as the economic and fiscal situation of the Nation allows.

I would like to invite the attention of Senators to the report that has been filed on this proposed legislation. It contains a full explanation of each and every project and item that is in the bill.

As can be seen, all the projects included in the bill were favorably recommended by the Chief of Engineers, cleared by the Federal and State agencies, including the Bureau of the Budget and carefully considered by the members of the Subcommittee on Flood Control—Rivers and Harbors, of which I have the honor to be chairman. This report completely supports the recommendation of the committee that the bill, S. 3710, be passed by the Senate. I wholeheartedly recommend that that action be taken.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. YOUNG of Ohio. I yield.

Mr. LAUSCHE. I heard the Senator from Ohio state that this bill does not appropriate any moneys of any character whatsoever for the financing of the projects mentioned in the bill. That is, it is an authorization bill. The moneys to finance the projects will have to be appropriated under a separate bill.

Mr. YOUNG of Ohio. After full consideration; yes. I am glad the senior Senator from Ohio brought that matter up. He is absolutely correct in his assumption.

Mr. LAUSCHE. And when the appropriation bill comes before the Senate, I assume the report will contain the projects recommended and approved by the Budget.

Mr. YOUNG of Ohio. We hope and believe that that will be the case.

Mr. LAUSCHE. In the report accompanying this authorization bill, there is no indication of what the administration has recommended for authorization. Am I correct in that?

Mr. YOUNG of Ohio. The Senator is correct in his assumption; but the fact is, that the administration has approved each of the projects set forth in the bill.

Mr. LAUSCHE. For authorization?

Mr. YOUNG of Ohio. That is correct.

Mr. LAUSCHE. Then the administration, through the Bureau of the Budget, will indicate what projects it wants financed now, in this period of fiscal stringency?

Mr. YOUNG of Ohio. Yes; if any, at the present time.

Mr. LAUSCHE. I observe that there is included in the authorizations the project known as the Licking River Basin project of Ohio. Is that right?

Mr. YOUNG of Ohio. That is correct.

Mr. LAUSCHE. That Licking River Basin is the one in which the Dillon Dam is located, which was completed but has been found to be inadequate to control floods.

Mr. YOUNG of Ohio. Yes. The Senator from Ohio is correct in that statement. It is completed at present, but it is inadequate.

Mr. LAUSCHE. I thank the Senator very much.

Mr. RANDOLPH. Mr. President, I desire at this point in the debate to commend, as I have on an earlier occasion during our discussion, the work of the Senator from Ohio [Mr. YOUNG], and, of course, to include the members of the subcommittee and the members of our parent committee in connection with the very careful consideration of the pending legislation.

The Senator from Ohio has stated that this is important legislation. It is very important legislation. Sometimes what we consider to be very important legislation is perhaps not always given the attention which we think it should have by those who report to the American people through our media of communications, but that is a matter, of course, of disagreement.

The Members of this body well know my position and feelings concerning water resource developments.

I have often heard it said, by persons who are not informed on the subject, or speak strictly for the benefit of seeking headlines, that the projects we are discussing today are "pork barrel." That they represent a so-called raid on the public Treasury.

I resist these statements and accusations. I feel it is my duty and obligation to the Members of this body, the Congress, and the people of the Nation who send us here, to set the record straight.

I like to think of these improvements as an investment in America; as money well spent for the protection of the lives and property of citizens located in flood-ravaged areas; as a savings to the consumer of goods due to the lowering of shipping costs because Congress has the wisdom to authorize the deepening and widening of these important waterways; as an adjunct to the water supply program, to assist the various cities and towns in obtaining additional supplies of fresh water for domestic and industrial use. The supply of water for this purpose is needed to meet the demands of our growing cities. Yes, it could be said that this water is needed for survival, to protect and insure our very existence on this earth. For without this precious God-given element, which we will need in ever-increasing abundance in the future, man stands little chance of developing and improving the other necessities of life.

It has been said, in a derogatory manner, that the Corps of Engineers, the Federal agency which Congress has designated as the "architect," and "contractor" to carry out these public programs, is an agency rife with "opportunists" seeking to perpetuate their own empire.

I would like to say to my colleagues here today that I know of no organization in the Federal Establishment for whom I have a higher regard than the Corps of Engineers.

"Opportunists," yes. If designing projects in the most efficient manner possible; finding new ways to develop and improve engineering concepts, and maintaining and operating the many civil and military projects throughout the Nation; if performing these many useful and needed tasks makes them opportunists, then I wholeheartedly condone the use of such a reference.

At this point, Mr. President, I would like to publicly commend the civilian and military employees of the Corps of Engineers. They are dedicated public servants and deserving of our thanks and praise for their many accomplishments in the science of engineering.

Mr. President, if I may, I would like to dwell for a moment on the accomplishments of the civil works program of the Corps of Engineers.

The program which the Corps of Engineers conducts for the Federal Government is aimed at satisfaction of the immediate and long-range water resources development needs of the Nation. These needs include navigation, beach erosion control, flood control, hydroelectric power, water supply, water quality, recreation, and conservation of fish and wildlife. The current total estimated cost of the program is about $30 billion, of which about $16 billion has been expended. The present level of the program is in the neighborhood of $1.2 billion a year.

Some 22,000 miles of waterways have been constructed and carry approximately one-sixth of the ton-mileage of the Nation's intercity freight. In addition to 500 commercial harbors, 250 smallboat harbors have been provided primarily for recreational use.

More than 300 reservoirs provide about 112 million acre-feet of storage for impoundment of flood waters. Some 600 local protection projects include approximately 10,000 miles of levees and floodwalls and 8,000 miles of improved channel. A recent study showed that an actual investment of $4.5 billion had already saved $14.6 billion in flood losses.

Controlled releases of impounded floodflows meet conservation needs. A dependable flow of more than 3 billion gallons a day from 38 corps reservoirs supplements water supplies for more than 2 million people in some 88 cities, towns, and rural areas. Much more water supply storage as well as storage for water quality control will be available in reservoirs now under construction.

Some 45 multiple-purpose projects have a total installed hydropower generating capacity of about 9.5 million kilowatts. Total ultimate capacity of the 71 projects completed or under construction will be nearly 21 million kilowatts.

The 4 million acres of water surface and 38,000 miles of shoreline at corps reservoirs attracted an attendance in excess of 190 million visitor-days in 1966. At least a similar number made recreational use of waterways and harbors.

The latest addition to the list of corps projects is the J. Percy Priest Dam and Reservoir near Nashville, Tenn., which was dedicated by the President a few days ago. Because of it, thousands of acres along the Cumberland River will now be free from floods, the power resources of the area will be enhanced, and recreational facilities will attract millions of visitors each year.

The canalization of the Ohio River offers a dramatic illustration of the contribution of waterway development to economic and industrial growth. When the original system was completed in 1922, the river was carrying 6 million tons of cargo annually. By 1929 traffic had increased to 24 million tons. Although the system was expected to meet foreseeable requirements, the impetus given to commercial and industrial expansion in the Ohio Valley was so great that in less than 20 years it became apparent that a modernization program would be necessary. At that time traffic was in excess of 34 million tons, and modern tows had to be broken up in order to pass through each of the 46 locks.

By 1955, when construction was started on the first of the new and larger replacement structures, traffic had risen to 71 million tons. And by 1963, with only three of the 17 proposed new locks in operation, annual tonnage had increased to more than 88 million. Of even greater significance, however, is the fact that since World War II, more than $21 billion worth of new industrial development has taken place in the counties along the Ohio River and its navigable tributaries.

A success story of similar proportions has emerged in the Pacific Northwest—the great region which Daniel Webster once referred to as "this vast worthless area—this region of savages and wild beasts, of deserts of shifting sands and whirlwinds of dust, of cactus and prairie dogs." The multipurpose development of the Columbia River providing abundant cheap electric power has, within the past 25 years, transformed much of the Pacific Northwest from a region largely dependent on farming, mining, lumber, and fishing into a major center for the production of aluminum and aircraft.

Thus we see the reciprocal interaction between new technologies, new social and economic needs, and new uses for stream development. In the past, our national interest in water resources was concentrated on navigation, irrigation, winning the West, and lessening the impact of natural disasters. Today, our concern is widening to include the effort to provide a greater share of the national growth for the lesser developed regions, to assure the protection and enhancement of the quality of our physical environment, and to provide opportunity for our citizens to enjoy the physical and spiritual enjoyment of the natural environment.

Mr. President, these are impressive accomplishments and I am proud to be chairman of a committee that has been instrumental in recommending to Congress authorization of the projects and plans that have made this outstanding record possible.

Mr. President, turning to the legislation before us, I will briefly describe its various provisions:

Section 101 of title I deals with the approval of 19 navigation projects and one beach erosion control project at a total estimated Federal cost of $570 million.

Section 203 of title II authorizes the construction of 38 flood control, hurricane, and multiple-purpose projects at a total estimated cost of about $1.1 billion.

Title III of this bill authorizes the sum of $469 million to be appropriated for the continuation of work on projects previously approved by the Congress. This, I believe the Members of the Senate know as the "river basin authorization account." These are not new projects, but projects that have been approved in prior Congresses for which full authorization was not provided at the time of authorization.

The total authorization contained in these titles amounts to $2.1 billion.

Other items contained in this measure, which I will briefly describe since all are fully explained in the report accompanying the bill, include the following:

Section 102 modifies the Fort Pierce, Fla., beach erosion project to permit the Corps of Engineers to construct the project in lieu of local interests. This procedure results in no increased costs to the Federal Government and is agreeable to the committee.

Section 103 permits the town of Marmet, W. Va., to use certain land previously conveyed to that city by the Federal Government, with consideration, for construction of a firehouse. The language in the original bill allowed the land to be used for "park and municipal purposes." Since the town was not sure whether "municipal use" could be interpreted as permitting construction of a firehouse, it has requested classification of the original act.

Section 104 authorizes the conveyance of certain land at locks and dams Nos. 16, 19, 20, and 21 on the West Virginia side of the Ohio River to be conveyed to the State of West Virginia for park purposes at 50 percent of the fair market value, at such time as the land becomes excess to the needs of the Department of the Army.

Section 105 is a similar section and conveys surplus land to the city of Buffalo, N.Y. However, the United States retains the privilege of using these underwater lands for spoil disposal areas in connection with authorized dredging operations in the area.

Section 106 authorizes the Chief of Engineers to make a comprehensive investigation of the United States and Great Lakes shorelines in the interest of beach erosion control. This is a most urgent matter since our coastal shores and beaches are receding at an alarming rate.

Section 107 relates to the alteration of obstruction highway bridges along the Illinois Waterway. These bridges must be modified before the waterway can be widened to its authorized dimensions.

Section 108 deauthorizes the Steele Bayou navigation project and declares the stream to be nonnavigable to permit local interests to develop the water resources of this stream.

Section 109 grants the Chief of Engineers additional time in which to submit to Congress a codification of all existing river and harbor laws.

Section 110 authorizes the Corps of Engineers to review the cost-sharing provisions with regard to the Ouachita River navigation project and reports his findings to Congress. The committee has received a request by certain interests in Arkansas to modify the conditions of local cooperation for this project in view of their financial inability to meet the authorized requirements. The committee will study this matter more fully at such time as it receives the report of the Chief of Engineers.

Section 111 adopts a general policy relating to the collection and removal of drift and debris for the Nation's federally authorized harbors. This item provides for a diversion of responsibility between local interests and the Federal Government and the committee feels that such a program will result in safer, cleaner, and more attractive harbors.

Title II of this measure concerns itself with flood control and multiple-purpose projects. Section 203 authorizes 38 projects in this category at an estimated cost of $1.1 billion.

These projects, together with those approved in title I, are located in 33 States throughout the Nation.

Section 204 authorizes the Chief of Engineers, in cooperation with the U.S. Office of Education, to provide school facilities for the education of dependents engaged in the construction of the Dworshak Dam in Idaho. The school facilities in the Orofino, Idaho, Joint School District have become greatly overtaxed due to the influx of workers connected with this project. The Office of Education is without funds to cope with the situation; therefore, the committee feels that the action proposed in the bill is more urgently needed and justified.

Section 205 and 206 provide for reauthorization and the Weber River, Utah and Pecos River, Carlsbad, N. Mex., flood control projects. These projects were automatically deauthorized when local interests failed to meet the requirements of local cooperation. These communities are in need of flood protection and feel they can now meet the necessary local cooperation requirements.

Section 207 amends the Gila River flood control project, downstream from Painted Rock Dam, Ariz. This project has been inactive due to the inability of local interests to provide the necessary lands for the channel improvement. However, good quality water is needed for transportation to Mexico in accordance with our 1965 agreement with Mexico, which guarantees a specified amount of water to be made available to our good neighbor nation, south of the border. The item in the bill reduces the amount of local cooperation required of interests in the Gila River Basin by the amount of the benefit received from the transportation of water to Mexico to meet our obligations under the terms of the 1965 international agreement.

Section 208 will permit the Secretary of the Army to acquire land for resettlement purposes in connection with Federal flood control and multiple-purpose projects when the affected State is unable to obtain such land on its own initiative. The Federal Government will act only as an agent to the State and only at its request and entirely at State expense, with no cost to the Federal Government.

Section 209 exempts the power program of the Tennessee Valley Authority which is funded entirely out of nonappropriated revenues, from the provisions of the recently enacted Revenue and Expenditure Control Act of 1968. Since TVA finances its own power program out of the sale of revenue bonds and notes, the committee feels it is inappropriate to subject that agency to the restrictions of that act.

Title III provides for an increase in monetary authorization to provide for the appropriation of funds to prosecute various flood control and multiple-purpose projects previously approved by the Congress. The committee has limited the amount of authorization to be made available by this title to $469 million to cover projects which are currently scheduled to be prosecuted during calendar year 1969. Inasmuch as only 1 year's authorization is being made available at this time, consideration will be given during the first session of the 91st Congress to further increases for the approved comprehensive river basin plans.

That, Mr. President, is a brief summary of the bill. Complete details are of course available in the committee report.

Mr. President, in closing I would like to extend my thanks to the distinguished chairman of the Subcommittee on Flood Control—Rivers and Harbors. Senator Young of Ohio, the ranking minority member of the committee, my good friend and colleague from Kentucky, Senator Cooper, as well as all the other members of our fine committee and the staff who have worked long and diligently to bring this legislation to the floor.

I also want to thank Gen. Charles Noble, the Director of Civil Works and his assistants, both military and civilian, for the long hours they spent in preparing and presenting the details on the various projects considered by the committee. In particular, I would like to mention that Mr. John Anderson and Mr. Marine Garrison of the Office, Chief of Engineers were of invaluable assistance to the committee during the consideration and preparation of the omnibus rivers and harbors bill.

Mr. President, I join my colleagues on the committee in recommending the passage of this important legislation.

Mr. President, as I pointed out in the Senate yesterday, during my presentation to the Senate of the Federal Highway Act of 1968, the distinguished senior Senator from Kentucky [Mr. Cooper] is unavoidably absent from the Senate at this time. Senator Cooper is the ranking minority member of the Subcommittee on Flood Control—Rivers and Harbors, and of the full Senate Committee on Public Works. He is attentive to all the matters that come before the committee, and his experience and insight is always helpful. His knowledge of both the highway and the civil works programs is deep and broad, and we miss him.

I ask unanimous consent, Mr. President, that a statement by Senator Cooper be included at this point in the Record.

The PRESIDING OFFICER. Without objection, it is so ordered.

Statement by Senator Cooper on S. 3710—Public Works Authorizations, 1968

The bill before the Senate, known generally as the Omnibus Rivers and Harbors-Flood Control or biennial public works authorization bill, authorizes a number of rivers and harbors navigation and flood control projects, and would also extend the authorization for the river basin plans. In effect, it makes eligible for appropriations for planning, and later for the initiation of construction, these projects which have been developed by the U.S. Corps of Engineers of the Department of the Army and which, after local hearings, have been approved by the States, by the Board of Engineers for Rivers and Harbors, by all affected Federal agencies, and by the Chief of Engineers and the Secretary of the Army.

The Subcommittee on Flood Control—Rivers and Harbors, on which I serve, held more than twelve days of hearings on these projects. While I could not hear all the testimony, because of meetings of the Foreign Relations and other Committees on which I also serve, I did review the facts on all the projects included in the Committee bill before it was approved by our Committees. I determined, also, that all the projects had been approved by the Secretary of the Army, and that submission to the Congress of the reports on these projects had been approved by the Bureau of the Budget.

Two of the projects which would be authorized by the bill are located in Kentucky. The first is the local flood protection project for Southwestern Jefferson County, which appears on page 24 of the Senate bill and is described on page 103 of the Committee report. The Louisville and Jefferson County River Port Authority has given testimony before the Appropriations subcommittees of the Senate and the House, as well as the Public Works Committees, and I know that the project is needed and would be helpful.

Second, I support and strongly urge the authorization of Devils Jump Dam and Reservoir on the South Fork of the Cumberland River. The project is on page 25 of the bills and is described on page 57 of the Committee report. The site of Devils Jump Dam is in McCreary County, Kentucky about 48 miles above the confluence of the Big South Fork and the Cumberland Rivers at Burnside, Kentucky. The main area of the reservoir would be situated in Tennessee, but part is in Kentucky. I will not present at this time details of the project, for which I have worked for years, and which is strongly supported by officials, organizations, and hundreds of citizens in the area.

I do point out, however, that the Devils Jump project was approved by the Corps of Engineers and by every interested agency of the Federal Government after thorough study. It has been approved by three Administrations—those of President Eisenhower, President Kennedy and President Johnson. It has the approval of the States of Kentucky and Tennessee. And, it has been approved on four previous occasions by the Senate Committee on Public Works and the Senate itself—in the Public Works authorization bills of 1962, 1963, 1965 and 1966.

I have lived in this area all my life, as has my family for 170 years. I know the people. I am interested in them—and I know that this project would be of great help.

I am glad that the Senate Committee on Public Works has again approved authorization of the Devils Jump Dam and Reservoir project, and I hope very much that this year it will be approved also by the House Committee on Public Works and the House of Representatives.

Mr. MILLER. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER. The amendment will be stated.

The Assistant Legislative Clerk. The Senator from Iowa [Mr. Miller] proposes an amendment, as follows:

Strike all after the colon on line 24, page 25, down through line 8 on page 26 and insert in lieu thereof the following: "*Provided*, That, with respect to that portion of the project above Sioux City, Iowa, approved in accordance with House Document Numbered 199, Eighty-eighth Congress, in the Flood Control Act of 1965 (Public Law 89-298), there shall be mutual agreement between the States of Iowa and South Dakota on a flood control plan and a plan for mitigation of fish and wildlife losses with respect to said portion within three months following completion of the reservoir study for the upper basin of the Big Sioux River and the Rock River now underway and receipt of copies of said report by the Governors of the States of Iowa and South Dakota; and *Provided further*, That if said mutual agreement is not reached within said time, approval of said flood control plan and plan for mitigation of fish and wildlife losses shall be made by a committee consisting of one representative each appointed by the Chief of Engineers, the Secretary of Interior, and the Secretary of Agriculture."

Mr. MILLER. Mr. President, the proviso in the bill which would be replaced by the language in my amendment would, in effect, require the State of Iowa to agree to a flood control plan from Sioux City to Akron, Iowa—a stretch of some 35 miles—within 1 year, or my hometown of Sioux City will suffer the loss of the 5.5-mile flood control project relating to the stretch of the Big Sioux River from its mouth to the northern limits of Sioux City.

This 5.5-mile flood control project is urgently needed to prevent flood damages of hundreds of thousands of dollars, suffered as recently as 1959, 1964, and 1965, and to the extent of $2.3 million in 1960.

I might point out that in 1965, one of the interstate bridges between Sioux City and South Dakota was destroyed by a flood. The project now in the bill would prevent a repetition of that catastrophe.

I point out, furthermore, that this project is approved by the Corps of Engineers, and is in the budget.

Under the 1965 act, the 35-mile project will not move forward until there has been mutual agreement by the States of Iowa and South Dakota with respect to the flood control plan for this area and a plan for mitigation of damage to fish and wildlife. The position of the Governor of my State is that a flood control plan which the State of South Dakota favors is not acceptable; further, that it would be premature to reach an agreement until after the Corps of Engineers completes its ongoing study of the feasibility of a system of reservoirs on the upper reaches of the Bix Sioux River and the Rock River—a major tributary in my State—which study was requested by a 1963 resolution of the Senate Public Works Committee. The target date for completion of the study is May 1969, according to the division engineer. The Governor of Iowa believes that the reservoir approach could reduce the cost of channelization for flood control on the Sioux City to Akron stretch of the river and, by holding back much of the water, would permit flood control to be attained without undue damage to fish and wildlife in this stretch of the river.

I might point out that the Governor of Iowa has sent a telegram to the distinguished chairman of the Committee on Public Works, advising that the Iowa Conservation Commission continues to be willing to meet with South Dakota and the Corps of Engineers at any time and any place, to consider any new proposals devised to solve this problem. I ask unanimous consent that his telegram be printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

Senator JENNINGS RANDOLPH,
Chairman, Senate Public Works Committee,
New Senate Office Building, Washington, D.C.:

Regarding the Big Sioux River Iowa and South Dakota Project recommended for inclusion in the Omnibus Rivers and Harbors Bill of 1968 now being drafted by the Senate Public Works Committee, I want to reiterate my support for funding of the 5.5-mile segment running through the City of Sioux City, Iowa, and my opposition to any further channelization of the upper reaches of the Big Sioux River from Sioux City to Akron until mutual agreement can be reached between South Dakota, Iowa and the Corps of Engineers on containing the flood problem in that area. The Iowa Conservation Commission continues to be willing to meet with South Dakota and the Corps of Engineers at any time in any place to consider any new proposals devised to solve this problem.

HAROLD E. HUGHES,
Governor of Iowa.

Mr. MILLER. Mr. President, I also ask unanimous consent that there be printed in the RECORD designated portions of a plan of survey of the Corps of Engineers, dated August 1965, covering the program for the reservoir study now underway.

There being no objection, the excerpt from the plan of survey was ordered to be printed in the RECORD, as follows:

PLAN OF SURVEY: UPPER BIG SIOUX RIVER AND TRIBUTARIES, SOUTH DAKOTA, IOWA, AND MINNESOTA

(By the U.S. Army Engineer District, Omaha, Corps of Engineers, Omaha, Nebr., August 1965)

1. Authority: Authority for the report and investigation is contained in resolutions adopted 1 August 1963 and 8 May 1964, by the Committees on Public Works of the United States Senate and House of Representatives, respectively. The Senate Resolution was adopted at the requests of South Dakota Senators Karl Mundt and George McGovern; the House Resolution at the request of Representatives Ben Reifel, South Dakota, and Charles B. Hoeven, Iowa.

2. Existing Conditions: No coordinated attempt has been made to develop the land and water resources of the upper Big Sioux River Basin. There are no Federal irrigation, navigation, or recreational developments. The Corps of Engineers has completed local flood protection projects on the Big Sioux River at Sioux Falls, South Dakota, and on Dry Creek at Hawarden, Iowa. It has developed a potential Section 205 local protection project for Trent, South Dakota, and has recommended improvement of the existing channel of the Big Sioux River from the mouth to two miles above Akron for flood control. The Soil Conservation Service has installed several small flood-detention basins throughout the uplands of the basin downstream from Sioux Falls as a part of its watershed treatment program. It has plans for similar installations in several other subwatersheds of the basin. A number of the larger lakes in the upper basin, notably Lakes Kampeska, Pelican, Poinsett, Hendricks, Preston, Norden, Thompson, Campbell, Herman, Madison and Brandt, have been extensively developed for recreation and have important fish and wildlife values. The South Dakota Department of Game, Fish and Parks has constructed small impoundments on the lower reaches of Split Rock and Nine Mile Creeks for recreation and fish and wildlife purposes. It also has constructed facilities for diverting Big Sioux River water into Lakes Kampeska, Pelican, and Poinsett, in an effort to maintain high water surface levels in these lakes.

3. Relatively small portions of Watertown, Flandreau, Trent, Dell Rapids, Renner, Sioux Falls, North Sioux City, all in South Dakota, and Sioux City, Iowa, are subject to occasional shallow flooding from the Big Sioux River. Nuisance flooding has occurred in Madison, South Dakota, on two occasions from occurrence of extreme floods on North Creek. The park area at Luverne, Minnesota, and a small residential area on the edge of Rock Valley, Iowa, are subject to flooding from large floods in the Rock River.

4. Practically all of the bottom lands adjacent to the Big Sioux River and its tributaries are subject to frequent flooding. Areas inundated and total damages sustained throughout the basin as a result of occurrences of recent floods are approximately as follows:

Flood	Total flood area (acres)	Total flood damages
March-April 1951	73,400	$2,225,000
March-April 1952	99,000	4,500,000
June 1953	29,200	967,000
June 1954	34,700	1,193,000
June 1957	62,000	4,000,000
June 1959	5,600	228,000
March-April 1960	85,700	2,307,000
April 1964	38,800	553,000

5. Stream bank erosion is not severe and, generally, is active only during flood periods. There is little evidence of gully erosion except in the loess-covered area in the lower extremities of the basin, and sheet erosion generally does not appear to be severe. Annual rainfall throughout the basin is generally sufficient for successful agriculture, hence irrigation is not practiced to any large extent and there is no apparent demand for it. However, pump irrigation from wells is resorted to in some areas to supply supplemental water to croplands during prolonged dry spells.

6. The city of Watertown uses Lake Kampeska water to supplement well sources of water supply. The Pathfinder Atomic Power Plant uses Big Sioux water for a portion of its supply. All other urban water supplies are obtained from an underground aquifer which exists throughout most of the basin. This aquifer is capable of supplying adequate amounts of satisfactory water to smaller communities for the present and foreseeable future. However, the cities of Sioux Falls, Canton, Beresford, Dell Rapids, and Lake Preston have, or may soon have, water quantity problems. The water supplies of 22 urban areas contain excessive amounts of mineral salts, and are in need of supplemental water for dilution.

7. State Health Departments have, for a number of years, actively prosecuted a program for treatment of sewage and most urban areas are presently served by wastewater treatment plants. Only one town presently discharges raw, untreated sewage to the Big Sioux River. Discharge of sewage effluent from the treatment plants creates pollution problems on the Big Sioux River and its tributaries during critical low flow periods, during which additional water for dilution would be desirable. The pollution problem is most severe on the Big Sioux River downstream from Sioux Falls.

8. Sedimentation is not generally severe throughout the basin. However, it appears that diversion of Big Sioux River floodwater into several lakes in the upper basin has

created problems of this nature, especially in Lakes Kempeska and Pelican, near Watertown. Water shortages plague most of the lakes throughout the basin during late summer months of dry years.

9. Desires of Local Interests: Local interests desire development of multiple-purpose storage reservoirs on the Big Sioux River and the tributaries for control of floods, with conservation storage for recreation, fish, wildlife, urban water supply, irrigation, replenishment of underground water, regulation of stream flow, pollution and water quality control, erosion and sediment control, and other purposes. They particularly desire development of projects of this type in the Klondike to Hudson reach of the Big Sioux River, in the lower Rock River Basin, and on Skunk Creek west of Sioux Falls. Local interests also desire studies of the sedimentation, water supply, recreation, fish and wildlife and water quality problems of the lakes in the basin, and development of practicable and feasible measures for control. Local interests are strongly opposed to any extensive channel straightening or clearance of wooded areas which would result in loss to local fish and wildlife habitat and recreation values.

10. Objectives of the Investigation: The immediate needs of the basin are control of the flood problems, provision of supplemental water supply for Sioux Falls, control of water supply and sediment problems of the lakes in the basin, and preservation and enhancement of local fish and wildlife and water-centered recreational facilities. Long range needs include surface runoff and erosion control and land treatment in the upland areas, replenishment of underground water, and storage of excess surface waters for possible irrigation, urban, industrial and other uses. The Bureau of Reclamation and the South Dakota State University are making a cooperative investigation of irrigation and related water development potentials in the basin. The Soil Conservation Service is investigating the needs for soil erosion prevention, and runoff and water-flow retardation in upland areas. Fish and Wildlife and National Park Services, Outdoor Recreation, and Health, Education, and Welfare Departments are studying the recreational, fish and wildlife, water supply, and pollution control measures needed.

11. The Corps of Engineers' investigation of the upper Big Sioux River Basin will be directed primarily toward evaluating flood problems and development of measures for control, preferably by means of multiple-purpose reservoirs with conservation storage for recreation, fish and wildlife, and other purposes as listed above. Consideration will also be given to development of feasible measures for control of water supply and sediment problems of the basin lakes.

12. Data Available: The following data are available for use in making this study.

a. Maps and Survey Data: Army Map Service maps, with 50-foot contours, covering the entire Big Sioux River Basin; United States Geological Survey topography maps covering dam site and reservoir areas in the lower part of the Skunk Creek basin, the Big Sioux River from Sioux Falls to below Canton, and portions of the Big Sioux River upstream of Flandreau to near Brookings; aerial photomaps covering the Big Sioux River from the mouth to above Watertown, and the Rock River from the mouth to above Luverne; and numerous Big Sioux River valley and channel cross sections, bridge profiles, and bank-line profiles surveyed by the Corps of Engineers and the South Dakota State Engineer for preparation of prior reports.

b. Hydrology: Basic hydrologic meteorologic, and stream flow data compiled by the Corps and other agencies for preparation of recent comprehensive survey reports on flood control for the Big Sioux River Basin, and related analysis based thereon.

c. Geology: The following reports pertinent to the geology and ground-water conditions throughout the upper basin.

(1) Published ground-water studies in Big Sioux River Basin in South Daokta:

Lee, K. Y., 1957, Geology and shallow ground-water resources of the Brookings area, Brookings County, South Dakota: South Dakota State Geological Survey Rept. Inv. 84.

Lee, K. Y., and Powell, J. E., Geology and ground water resources of glacial deposits in the Flandreau area: South Dakota State Geological Survey Rept. Inv. 87.

Rothrock, E. P., and Otton, E. G., 1947, Ground-water resources of the Sioux Falls area: South Dakota State Geological Survey Rept. Inv. 56.

Steece, F. V., 1958, Geology and shallow ground-water resources of the Watertown-Eastalline area, South Dakota: South Dakota State Geological Survey Rept. Inv. 85.

(2) Reports submitted for final review: Ellis, M. J., and Adolphson, D. G., The Skunk Creek-Lake Madison Drainage Basin, South Dakota, a hydrogeologic investigation of the glacial drift: U.S. Geological Survey Hydrologic Atlas.

Adolphson, D. G., and Ellis, M. J., Basic hydrogeologic data, Skunk Creek-Lake Madison Drainage Basin, South Dakota: South Dakota State Geological Survey and South Dakota State Water Resources Commission. Water Resources Report 3.

(3) Project in progress (first of three years): Big Sioux River Drainage Basin from near Brockings (gaging station at NW-¼ NE-¼, sec. 8, T 108N., R. 49N.) to the falls of the Big Sioux at Sioux Falls, South Dakota.

(4) Recent Study: Loren R. Rukstad and Lyn S. Hedges, Ground-Water Supply for the city of Watertown. Special Report 28, 1964.

(5) A hydrographic map of Lake Kampeska, dated 1952.

d. Flood damages: A history of past flood occurrences in the basin together with pertinent flood and damage data and inundated area maps, prepared for prior Corps of Engineers reports on the basin. Similar data for subsequent floods are available in various post-flood reports.

13. Economic Studies: An economic base study will be made to determine the potential growth pattern of the upper Big Sioux River Basin. The Basin is predominantly an agricultural area. Crop production and stock raising are the principal occupations of the basin, with the towns serving primarily as marketing and distribution centers. In the absence of any known deposits of coal, oil, or metallic minerals of commercial importance for support of other industries, it appears the upper Big Sioux River Basin will follow the general growth and economic pattern forecast for the Middle West Plains Area; that is, farms will become larger and rural population will decrease with a corresponding increase in the urban population. Studies will be required to appraise potential modification in current farm practices and the effects technology may have on potential future land returns.

14. Provision of flood control could have a marked effect on the economy of both rural and urban flood areas—in the former by stabilizing and, in some cases, increasing the net returns for crop and pasture lands subject to frequent flooding, and in the latter by permitting further improvement and beautification of these areas, even though these are generally of small areal extent and not well developed.

15. A small privately owned hydroelectric plant located at Sioux Falls is operated in conjunction with large thermal electric generating plants. Conditions are not favorable for development of any large amounts of firm hydroelectric power in the basin. This condition is not considered detrimental to future economic development of the basin because the current power supply is considered adequate for the foreseeable power needs of the basin.

16. On the basis of available data and information it appears the distribution and quantity of ground water available can meet the future water needs of the greater portion of the basin, providing irrigation is not unduly expanded. In the event irrigation becomes a widespread practice, additional water for this purpose would have to be obtained from surface supplies or by recharging the underground supplies. The Bureau of Reclamation is currently investigating these potential sources of water supply.

17. Most urban areas throughout the basin are presently served by waste water treatment plants. However, effluent discharge from these plants during periods of low flow in the late summer has created pollution problems in certain areas. The South Dakota Health and Fish and Wildlife Departments desire that potential multiple-purpose reservoir projects provide for adequate base flows to correct these conditions and to conserve and improve local fish and wildlife values along the basin streams.

18. The lakes in the basin attract numerous tourists. Considerable suburban developments exist along the shore of Lake Kampeska and several of the other larger lakes. Lake Kampeska is also an important source of water supply to Watertown. Local interests are anxious to maintain the lake water surfaces at the highest practicable level and to eliminate the sediment and pollution problems. In the hope of attracting additional tourist trade and to conserve and enhance recreation and fish and wildlife facilities in other parts of the basin, local interests desire that all potential reservoir projects include permanent pools for these purposes. Studies will be made to evaluate possible benefits that could be provided from developments which would satisfy their desires.

19. Engineering Studies: Consideration will be given to the possibility of providing control of basin flood and related problems of water and land resource development by the following methods: multiple-purpose and single-purpose storage reservoirs—both with and without downstream channel improvements and levees; channel improvements with and without levees; and bank stabilization measures. In accordance with the desires of local interests, channel straightening and clearance of wooded areas will be avoided, insofar as practicable, in order to minimize damage to existing fish and wildlife habitat.

20. Field and office studies will be made to determine the nature and extent of local problems and of problems affecting the entire basin, and to develop feasible improvements for providing control. Preliminary project designs and estimates of costs and benefits will then be prepared from readily available data for each project. Projects obviously lacking economic feasibility will be eliminated from further study. Those having a more favorable benefit-cost ratio will be discussed with local interests to determine if they would be willing and able to furnish the required cooperation. Projects lacking local support will be eliminated from further consideration. The remaining projects will be studied in further detail in accordance with established survey standards and procedures.

21. If feasible, all urban local protection works will be designed to provide SPF protection. Reservoir projects located closely upstream of urban areas will be designed to control the standard project flood. In more remote rural areas, lesser design floods would be adopted.

22. Cost analyses will be based upon recent bid prices received by the Corps of Engineers for comparable work in nearby areas.

23. Field studies will be required to obtain data and information on developments in the urban and rural areas. Field studies will also

be required to obtain basic stream data for hydraulic computations, and to obtain data on soils and subsurface foundation conditions. Because of the limited topographic maps available, topographic and other surveys will be required for most of the project sites. Economic and design studies will also be required.

24. Constraints and Controls: In view of the great areal extent of the control that would be effected on stream flow conditions throughout the basin by development of a system of large-scale storage reservoirs, all problems and potential benefits will be analyzed on a cumulative as well as on an individual basis.

25. The scale of potential reservoir development is sharply limited in all instances by the height of dam-site abutments, presence of economic improvements within the reservoir areas, and the amounts of water available. The presence of porous material of considerable depth in dam-site abutments and foundations may be a further limiting factor. Economic considerations will probably be the principal limiting factor in the scale of development of most local protection projects.

26. The investigation will be conducted in three phases. During phase 1, engineering, hydrologic, and economic studies will be accomplished together. These studies will be prosecuted in sufficient detail to eliminate obviously infeasible projects and projects which would not be supported by local interest and responsible State officials. At such time as an apparently feasible and practicable plan of improvement has been developed for control of a substantial portion of the major problems of the basin, a field review will be arranged with the Division Engineer to determine the scope of further detailed studies which should be undertaken. During phase 2, detailed studies will be made in potential protected areas to evaluate project benefits. These studies will be accompanied by detailed study and evaluation of potential projects and alternate projects. All reservoir projects will be given multiple-purpose consideration. A practicable plan of improvement, comprised of the most economic and practicable elements, will be developed for control of all critical problems in the basin, and will be presented in survey detail in the final report. Only the feasible elements will be recommended for construction. Infeasible units will not be so recommended, but the preliminary designs and cost estimates presented will facilitate review thereof in the event changed field conditions or revised legislation should warrant a restudy. Phase 3 will involve the actual writing, drafting, editing, review, and reproduction of the report and its supporting appendixes. The proposed phasing of the work is shown in the appended bar graph work schedule.

27. Coordination and Cooperation: The East Dakota Conservancy Sub-district, a political subdivision of State government, is authorized under State law to coordinate the efforts of agencies interested in the conservation storage in and ultimate use of the basin water resources, and to help sponsor a Federal project. All agencies have advisors to the Sub-district, and an engineer-manager has been hired, with an office in Brookings, to handle the Subdistrict affairs. The Subdistrict officials and their advisors will hold meetings periodically to coordinate the studies.

Mr. MILLER. Mr. President, with a view to providing a reasonable mechanism to protect the interests of both the State of Iowa and the State of South Dakota, as well as the taxpayers in general, I have submitted the pending amendment to supersede the proviso added by the committee. I believe that it is a reasonable approach, and I suggest to the chairman that if there is any particular difficulty over the mechanism structured by this amendment, I am sure it could be worked out in conference. I hope he will be willing to take the amendment to conference.

Mr. RANDOLPH. Mr. President, I have discussed this matter with the able Senator from Iowa [Mr. MILLER]. It has also been the subject of discussion with the able Senator from South Dakota [Mr. McGOVERN]. There was some conference yesterday—though not a long conference—between the two Senators.

Senator McGOVERN, because of an official assignment representing the Senate at a conference outside the United States, is not able to be present today. The committee attempted, early in its consideration, to deal with the viewpoints of the two Senators. There are others interested, of course, but Senator MILLER and Senator McGOVERN are the principal ones. They appeared before our Committee on Public Works.

The solution we have presented in the legislation, about which the Senator from Iowa is fully informed, as am I, represents an attempt by the committee to accommodate, if we could, the positions of both Senators. While I am willing to take the matter to conference, I am not going to indicate my enthusiasm for what is proposed. The RECORD that the Senator is making here, together with the correspondence and other matter being inserted, will include, as I understand, all of the material pertinent to the proposed legislation. I ask the Senator from Iowa, is that not correct?

Mr. MILLER. The Senator is correct. I think that the most important thing is the telegram to the chairman of the committee from the Governor of the State of Iowa pointing out the willingness of the Governor and the Iowa State Conservation Commission to try to work this matter out with the State of South Dakota.

That is a good faith commitment on the part of the Governor of my great State. And I am sure that the Senator from West Virginia will find that the Governor of Iowa will live up to his commitment.

Mr. RANDOLPH. I am sure that great Democratic Governor will do so.

Mr. MILLER. It may seem a little anomalous for a Republican Senator to try to uphold the position of his Democratic Governor. However, the Senator from West Virginia well knows that the pending bill is replete with these by-and-large nonpartisan matters involving these fundamental matters.

I have been saying for a long time that what is good for the State of Iowa and what is good for the United States is not a matter of partisanship.

I assure the Senator from West Virginia that this is certainly the policy behind the amendment I have offered.

Mr. RANDOLPH. That is the way we considered it in the committee, of course.

Mr. MILLER. I have found in my committee work—and at one time I had the privilege of serving under the very able chairman of the Subcommittee on Public Roads, the Senator from West Virginia, who is now the chairman of the full committee—that this was the policy that was followed whenever I had anything to do with the Senator from West Virginia. I want to emphasize that for the record.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Iowa.

The amendment was agreed to.

Mr. MURPHY. Mr. President, I send to the desk two very simple amendments and ask unanimous consent that they be considered en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

The amendments will be stated.

The assistant legislative clerk read as follows:

On page 4, after line 14 insert the following:

"Port Hueneme, California, House Document Numbered —, at an estimated Federal cost of $1,000,000;

"Ventura Marina, California, House Document (Numbered —, at an estimated Federal cost of $1,540,000;".

Mr. MURPHY. Mr. President, the reason the amendments are being offered at this late hour is that since our meeting this morning I was informed that the Bureau of the Budget had given final approval to two California projects which were still under consideration at the time that the omnibus bill now before us was reported by the Senate Public Works Committee. These items are of great importance to my State and I would like to mention at this point that I appreciate the efforts and cooperation of the Bureau of the Budget in acting on these projects in time for them to be considered with the public works previously approved and included in the bill.

The projects approved this morning by the Bureau of the Budget have obtained all of the necessary Federal and State clearances. They are well considered, thoroughly studied, worthy, necessary undertakings.

Mr. President, the first amendment would provide for the addition of the Port Hueneme Harbor project to the bill. This item calls for the improvement of the harbor by deepening the central basin and by widening, deepening, and extending the southernmost interior channel, all to a depth of 35 feet.

The estimated cost is $1,200,000 of which $1,000,000 would be the Federal cost for construction, and $210,000 would be the non-Federal cost for lands, easements, and rights-of-way.

The annual charges are estimated at $90,000 including $40,000 for Federal annual maintenance, and the average annual benefits at $1,868,000, resulting in a benefit-cost ratio of 20.8.

The improvements would meet a need for a deep-draft harbor for commercial vessels at Port Hueneme to meet the immediate and future needs of commerce.

Mr. President, the second amendment would include the Ventura Marina project.

This would provide that the general navigation features of the existing harbor, excluding interior basins, be adopted as a Federal project, along with further improvements to provide for a 1,500-

foot-long detached breakwater, a sand trap in the lee of the breakwater, repair of the existing north and middle jetties, and provision of recreational facilities for sport fishing on the jetty crests. The total first cost is estimated at $3,084,000 of which $1,540,000 would be Federal for construction, exclusive of $4,000 for aids to navigation.

The annual charges are estimated at $319,000, including Federal maintenance costs of $191,000 and non-Federal maintenance costs of $2,000. The estimated annual benefits are $1,341,000 and the benefit-cost ratio is 4.2.

The improvement is needed to provide safe navigation facilities for an ultimate 2,500 boats presently berthed in Ventura Marina-Ventura Keys.

Mr. RANDOLPH. Mr. President, the amendments offered by the able and distinguished member of the Committee on Public Works, the Senator from California [Mr. MURPHY], fall in that category of projects that have been approved except for clearance by the Bureau of the Budget. The Bureau of the Budget has now cleared the two projects even though the clearance had not come to us at the time we reported the legislation to the floor.

I commend the Senator from California for his discussion of the importance of these projects at Port Hueneme Harbor and Ventura Marina, Calif.

I emphasize the benefit-cost ratio of 20.8 on the first project and 4.2 on the second. These are projects that are not really going to cost anything because they will return more than the investment. And it is an investment. It is not an expenditure. It is an investment which is placed in this type of project by the Federal Government.

Mr. President, I ask unanimous consent that the data sheets on these two projects be printed in full at this point in the RECORD.

There being no objection, the data sheets were ordered to be printed in the RECORD, as follows:

PORT HUENEME HABROR, CALIF.

Location: Port Hueneme Harbor is located on the coast of California, about 65 miles northwest of Los Angeles Harbor.

Authority: Senate Committee on Public Works resolution adopted 18 April 1963. House Committee on Public Works resolution adopted 19 June 1963.

Existing Project: The existing project was originally constructed by the Oxnard Harbor District and acquired by the U.S. Navy in 1942. In 1961, the Oxnard Harbor District acquired from the U.S. Navy the original wharf and contiguous land area. The harbor is a man-made, landlocked harbor connected to the ocean by a jetty-protected entrance channel, with interior channel and central basin.

Navigation Problem: Depths in the interior channel and central basin are insufficient to accommodate modern general cargo vessels at all tides.

Recommended Plan of Improvement: Provides for the deepening of the central basin; widening, extension and deepening of the interior commercial channel, all to a depth of 35 feet. In addition, the general navigation features of the existing harbor, comprising entrance jetties, channels and basin, would be adopted as a Federal project for maintenance.

Estimated cost (price level of January 1968)

Federal	$1,000,000
Non-Federal	210,000
Total	1,210,000

PROJECT ECONOMICS

	Federal	Non-Federal	Total
Annual charges:			
Interest and Amortization	$41,000	$9,000	$50,000
Maintenance and Operation	40,000	0	40,000
Total	81,000	9,000	90,000

Annual benefits:

Transportation savings	$1,868,000

Benefit-Cost Ratio: 20.8.

Local Cooperation: Local interests will be required to provide lands, easements, rights-of-way and disposal works required for construction and maintenance; provide terminal and transfer facilities including depths in berthing areas commensurate with depths in related project channels and basins; accomplish utility relocations; clear and remove all improvements from the lands, easements and rights-of-way provided for construction and subsequent maintenance. Local interests have indicated willingness to provide requirements of local cooperation.

Comments of the State and Federal Agencies:

Department of the Interior: Favorable.

Department of Transportation: Favorable.

State of California: Favorable.

Comments of the Bureau of the Budget: No objection.

VENTURA MARINA, CALIF.

Location: Ventura Marina is a light-draft harbor for recreational craft located on the coast of California within the City of San Buenaventura, about 65 miles northwest of Los Angeles.

Authority: Section 6, Public Law 14, 79th Congress, approved 2 March 1945.

Existing Project: Local interests have constructed a small-craft recreational harbor having a usable water area of 116 acres; entrance channel with protective jetties, middle jetty and turning basin.

Navigation Problem: Shoaling of the entrance channel not only prevents full use and development of the harbor, but causes severe breaking waves therein which are hazardous to recreational craft.

Recommended Plan of Improvement: The proposed improvement would provide for construction of an offshore breakwater to protect the entrance and to form a sand trap; adoption as a Federal project for maintenance of the existing general navigation features and provision of recreational facilities for jetty fishing.

Estimated cost

(Price level of January 1968)

Federal	$1,540,000
Non-Federal	1,540,000
Total	$3,080,000

PROJECT ECONOMICS

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$63,000	$63,000	$126,000
Maintenance and operation	191,000	2,000	193,000
Total	254,000	65,000	319,000

Annual benefits:

Recreational boating	$1,273,000
Sport fishing	68,000
Total	1,341,000

Benefit-Cost Ratio: 4.2.

Local Cooperation: The requirements of local cooperation conform to general policy for small-boat harbor projects. Local interests are required to hold and save the United States free from damage; provide and maintain mooring facilities, service areas, a public landing and appurtenant facilities open to all on equal terms; maintain recreational fishing facilities; provide and maintain such additional works as may be required for protection of downcoast beach areas and not procured through disposal of material dredged from the sand trap and entrance channel; provide all lands, easements and rights-of-way required for construction of the project including disposal areas and retention works; and contribute in cash 50 percent of the cost of construction, exclusive of aids to navigation, a contribution presently estimated at $1,540,000. Local interests have indicated willingness to comply with requirements of local cooperation.

Comments of the State and Federal Agencies:

Department of Interior: Favorable.

Department of Transportation: Favorable.

State of California: Favorable.

Comments of the Bureau of the Budget: No objection.

The **PRESIDING OFFICER.** The question is on agreeing to the amendments of the Senator from California en bloc.

The amendments were agreed to.

Mr. HARRIS. Mr. President, on behalf of myself and my senior colleague, I send to the desk an amendment and ask unanimous consent that the reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered. The amendment will be printed in the RECORD.

The amendment ordered to be printed in the RECORD is as follows:

On page 22, line 9, insert the following:

"ARKANSAS RIVER BASIN

"The project for the Arcadia Dam and Reservoir, Deep Fork River, Oklahoma, is hereby authorized substantially in accordance with the recommendations of the Board of Engineers for Rivers and Harbors in its report dated June 6, 1968, at an estimated cost of $24,900,000."

Mr. HARRIS. Mr. President, the Arcadia Reservoir project was first brought forward in connection with the proposed central Oklahoma project, approval of which has been deferred for further study. During the consideration of the larger project, the Arcadia Reservoir was found to be justified on its own merits, independent of the larger project. Thus, the Rivers and Harbors Board has now recommended authorization of the Arcadia project independent of the other aspects of the central Oklahoma project. We are hopeful it can be authorized this year, as this amendment would do.

At the present time, about 67,000 acres along the Deep Fork River are subject to flooding, and the average annual flood losses are estimated at $790,000. This potential damage from flooding on the Deep Fork will increase substantially as Oklahoma City and Edmond, Okla., continue to grow into the valley. Flood control on the Deep Fork is a pressing need, but of equal importance is the need for additional municipal and industrial water supply, water quality control, and recreational benefits for an ever increasing population in the metropolitan Oklahoma City area. Edmond's water supply is already inadequate, and the city has asked for enough storage in the Arcadia Reservoir to assure 11 million gallons of flow per day for long-term municipal use. Furthermore, the Deep Fork River has a water quality problem, for the natural flow often drops to zero during summer months and the only water in it comes from treated waste discharged from Oklahoma City. The U.S. Public Health Service estimates a need for water storage sufficient to assure a flow of 20 million gallons per day to maintain water quality.

Local interests have agreed to pay some $2,835,000 in consideration of water supply and recreational benefits which will become available with the construction of the reservoir. The State of Oklahoma, the cities of Oklahoma City and Edmond and other local interests have indicated their full support for the construction of the project.

Mr. President, the Rivers and Harbors Board, in reporting favorably for authorization of the Arcadia project, established the benefit-cost ratio at $1.6 to $1, with an estimated cost of $24,900,000. However, if authorization and construction are delayed for any length of time, the cost of the project will increase substantially because of steadily rising land costs in the reservoir area. These increased costs result from the fact that Oklahoma City is growing toward the Northeast and into the proposed location of the reservoir. Thus, considerable savings will be realized if the project is authorized this year.

A great deal of time, effort, and expense has gone into the development of the Deep Fork River Valley in the past years, and the construction of the Arcadia Reservoir is vital to the continued orderly development of the vast resources of this area of Oklahoma. Water, in my State, as in other parts of the Nation is an increasingly important commodity. The Arcadia Reservoir is designed to help us more fully realize the benefits of this precious resource in central Oklahoma. I, therefore, urge the Senate to adopt my amendment to authorize the construction of this needed project.

Mr. President, the Rivers and Harbors Board, as I indicated, has reported favorably on this project. There has not been sufficient time, however, prior to the reporting of the bill now under consideration for us to have a report from the Bureau of the Budget. Therefore, if we were to wait until the report could come, which I fully expect, we would be at least 1 year further away from actual construction of this much needed project unless we could have hearings and consideration of an omnibus rivers and harbors bill or particular consideration of this project next year. If there is no omnibus rivers and harbors bill next year. Then we would be 2 years away from authorization. In the meantime, costs would have gone up and needs would have become much greater.

So we are hopeful that this amendment can be adopted, despite what would be irregular procedure for the Committee on Public Works, presided over by my distinguished former chairman, when I served on that great committee under his leadership, the senior Senator from West Virginia.

Mr. President, I am pleased to yield now to my senior colleague from Oklahoma [Mr. MONRONEY], who has been a very active advocate of this project and who joins me fully in this amendment today.

Mr. MONRONEY. Mr. President, I deeply appreciate my junior colleague yielding to me.

I wish to associate myself with his remarks and with the urgent need for putting this project on the track for the beginning of the design of this very important dam.

As we all know, water for human consumption is becoming more and more scarce throughout almost every State in the Union. In our own State, which is plagued sometimes by cycles of drought and then cycles of heavy rainfall, it is highly important for us not to wait longer than is absolutely necessary to start the wheels in motion for the design of a dam that will furnish a water supply to a rapidly growing city, a city that has more than quadrupled in size, the home of Oklahoma State College, at Edmond, Okla. It has multiplied five or six times in size and now has some 20,000 students in residence, taking their college degrees at this important place.

Farther north is the growing city of Guthrie, which has absolutely no dependable water supply at this time. The large river north of it is the Cimarron, which is plagued not only with salt infestation but also water from the gypsum hills which make it unpotable for human consumption.

There is no available water supply for this growing area, or for the city of Oklahoma City, because our water resources are fully committed to that area.

Furthermore, we have the problem of periodic floods downstream, which we all see as we drive over during a heavy rain. Vast amounts of flood water cover the fertile valley through which the Deep Fork River flows, from the central part of the State clear on through until it reaches the confluence with the South Canadian, near Muskogee, Okla.

Therefore, I wish it were possible—I hope it is found to be possible by the distinguished chairman of this committee, who has pioneered so many great water projects during his service as chairman of the Committee on Public Works—to permit us to move forward with the design features of this project. It would take very little money. It is within the capability of the Corps of Engineers at Tulsa, Okla., to design it, and in this way, for the expenditure of a few hundred thousand dollars, shortcut the time in which construction can actually start. A long-delayed period of perhaps a year or 2 years could be saved by the permission of this great committee, if they find it possible, through the rules of the Senate, to enable us to authorize it for design at this time; and then, hopefully, after a year or two have gone by and the design has been completed, to actually start moving earth.

This would indeed be a vital step that I believe would help not only in adverting a threatened water shortage but also in giving us the flood protection so necessary, plus the pollution control which my distinguished junior colleague has so adequately pointed out.

This is a city of almost 400,000 people putting sewage into Deep Fork today. Although the sewage is treated, it is not a happy situation, without an available water source in which to keep the stream alive and active.

So I am most happy to join with my colleague in urging the chairman of the committee to take to conference the amendment we offer, with the hope that we can at least move forward to authorizing the design of this project and therefore save 1 or 2 years or more in having the project finalized into a working situation, at a cost that will be 5 percent or 10 percent more for each year it is delayed.

I thank my colleague for yielding to me.

Mr. RANDOLPH. Mr. President, the integrity of the members of the committee is not involved in the consideration of this matter at this time. But certainly the continuing consideration we have given to projects—all meritorious to some degree, with the requirement for committee approval that they be cleared by the Bureau of the Budget—is in a sense an obligation of the members of the committee which I would not desire to see broken. Nor do I feel free to speak for the committee in abrogating this policy.

I have in mind now that we are faced today with projects that fall somewhat in the same category as the project whose value has been so well documented by the Senators from Oklahoma.

This project has previously been part of a more comprehensive program envisaged for a number of years. The project referred to by the Senators from Oklahoma is a noncontroversial project, perhaps, of a program that had some elements of disagreement in it.

The testimony that has been received on these projects before the Subcommittee on Flood Control, Rivers and Harbors, chaired by the Senator from Ohio [Mr. YOUNG], has been considered. But we have had to follow our established policy on these matters, because we could open—to use a term that might be appropriate in this connection—the flood gates on one project; I tell the Senator there is another Senator who has another project this afternoon, and there are others with worthwhile projects in various stages of approval. Therefore, we must have Budget approval on these projects, including this project, although the Board of Engineers has approved it, as the Senators well know.

I can understand the intense interest of the Senators in this worthy project. This must go back to the State; and other Federal agencies must comment on it.

For that reason it would be impossible to accept the amendment.

I refer to the language of our report:

> Those favorable reports on proposed projects, on which testimony was received, but were not before Congress at the time the committee marked up the bill, will be considered for authorization at some future date.

That is what we should say and that is what we have said. I hope the amendment might be withdrawn. I am not suggesting I am ready to have a vote on it, but I do know the Senators know of the attitude of the members of our committee. I know they do not want delay. I know they feel the need is urgent. All of these considerations we understand, but still it is necessary to keep within a pattern of propriety and the proper consideration of projects.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. HARRIS. Mr. President, I want to say that I understand and, by and large, I agree with the orderly procedure for these kinds of projects which have been established by the Committee on Public Works under the leadership of the Senator from West Virginia. I think there is an orderly way to go about things and a regular way to go about things.

We are concerned, however, about the time lag that might be involved, and I know the Senator understands that. I appreciate the Senator having called to our attention the language at the bottom of page 4 of the committee report about future considerations of projects.

As soon as we have the report of the Governor of Oklahoma and the report of the Bureau of the Budget, as is required by the regular procedure of the committee, we would hope, if the amendment were withdrawn—and I believe it will probably have to be withdrawn in light of the statement of the distinguished Senator—that we could be assured not that we would be taken out of order or given undue consideration, but that consideration would be given to this project at the proper time before the Committee on Public Works.

Mr. RANDOLPH. The chairman of the committee can assure both Senators from Oklahoma that this would be the procedure to be followed by the committee; that is, careful and orderly consideration, which is what the Senators want and which I think is what we have an obligation to the Senate and to the country to fulfill.

Mr. HARRIS. I appreciate that comment from the chairman of the committee.

Mr. President, in light of the statement of the chairman of the committee and his explanation of the procedures usually followed, in spite of the feeling my colleague and I have about the critical importance of getting underway with this multipurpose project, we do not see that anything would be gained by pressing for a vote at this time.

Therefore, I ask that the amendment may be withdrawn.

Mr. LAUSCHE addressed the Chair.

The PRESIDING OFFICER (Mr. Spong in the chair). The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, I am grateful to the Senators from Oklahoma for withdrawing their amendment and not requiring this item to go to a vote.

Undoubtedly, there has been brought to the attention of their constituents the authorizations already contained in the bill and prior bills dealing with the development of the Arkansas River Basin. The Arkansas River Basin was first considered by the Congress as far back as 1938. Since 1960 undue attention has been given to it.

There has thus far been spent $1,055 million in the improvement and development of the Arkansas River Basin. It is estimated that the total cost of developing the basin for flood control and water supply and other purposes, as of this time, is $1,367 million. There is now a deficiency of $108 million in the authorization and it is to be taken care of by the bill that is before us.

The Arcadia Dam project is not included in the $108 million. However, undoubtedly the citizens of this area know that in this bill there is $3,729,000 for the Oologah Reservoir in Oklahoma, $10,035,000 for the Robert S. Kerr lock and dam in Oklahoma, $15,900,000 for the Webbers Falls lock and dam in Oklahoma.

The point I am trying to make is to give support to the position taken by the two Senators in not pressing this measure. This basin has been treated as liberally as any basin in the United States.

The figures indicate that the anticipated cost is $1,367 million, of which $1,055 million has already been spent in the development of that basin.

I thank the Senators from Oklahoma for withdrawing the amendment.

Mr. MONRONEY. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield.

Mr. MONRONEY. Mr. President, I appreciate very much that reference by the Senator from Ohio to the work being done in the Arkansas Basin. I wish to add only this addendum because many people feel the basin to be a local matter.

The Arkansas rises in the heights of the Rocky Mountains, flows through most of Colorado, flows through two-thirds of Kansas, flows through more than one-half of Oklahoma, and all of Arkansas, in going into the Mississippi River. It is one of the four great river basins of the Nation, akin to the Ohio River in importance to the land as a drainage and navigation facility.

We do not want to appear greedy. We are merely trying to develop our part of the United States and develop the resources which in this dry land are the difference between survival as an agricultural community, or destruction.

I appreciate the Senator's cordial attitude and helpful interest in this development.

Mr. LAUSCHE. I thank the Senator.

The PRESIDING OFFICER. The amendment is withdrawn.

The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I wish to ask the Senator about section 209 of the bill.

When the Senate adopted the so-called 10-percent surcharge along with the reduction in expenditures of $6 billion we also provided for an automatic rollback in the number of civilian employees to the July 1, 1966, level. The rollback provided that every agency of Government would be affected except as the Director of the Bureau of the Budget might make his own exceptions. We provided that the rollback would take place in a manner which would not cause anyone to lose his job but would allow them to hire three out of every four needed to take the place of normal resignations or retirements.

As the bill passed the Senate there were certain exemptions, such as the Department of Defense, the Post Office Department, the Tennessee Valley Authority, the FBI, and the CIA. In conference, however, it was worked out with the executive branch downtown that it would be better not to have any exemptions whatever, because once we exempted one agency every other agency would be coming in for exemptions. So we conferred upon the Director of the Bureau of the Budget the power to make the exceptions as he thought wise or to make the cuts where he thought they should be made until we go back to the level of July 1966.

I notice in section 209 that it writes back into the bill a mandatory exception, which exempts the TVA not only from a rollback in employment but also from any effect so far as the $6 billion expenditures reduction ceiling is concerned.

I am wondering whether the Senator would go along with an emendment to delete this section. I understand that the Senator from Tennessee is interested in this and I shall shortly suggest the absence of a quorum before we vote.

Mr. RANDOLPH. In response to the able Senator from Delaware, he is correct in saying that in section 209 the decision of the committee is to exempt the TVA power-producing, nonfederally funded program from the provisions of the Williams-Smathers amendment, which has already been adopted.

Mr. WILLIAMS of Delaware. As stated earlier, there was an exemption in the bill as it passed the Senate originally, exceptions for the TVA, the Department of Defense, the Post Office Department, the FBI, and the CIA, but the conferees struck them all out. We struck them out with the understanding that we would eliminate them all. If we start writing them back in, then where do we stop? HEW, Treasury, and every other agency downtown will be asking that they be specifically exempted.

Mr. RANDOLPH. The Senator from Delaware of course, recognizes that if in the judgment of the committee there is a jurisdictional matter that comes within the purview of the committee, it can bring in such an exemption to have it considered.

Mr. WILLIAMS of Delaware. I appreciate that. I do not question the propriety of what the committee is trying to do.

Mr. RANDOLPH. In reference to the TVA, there are many Senators who have an interest in this subject. The Senator from Tennessee will list the names of the Senators on both sides of the aisle who are in the TVA area. The Senator from Tennessee presented this matter to us in a persuasive and effective manner which set forth a well justified rationale for considering the TVA as an instance calling for exemption from the Williams-Smathers amendment.

The Senator from Tennessee will go into these matters thoroughly. I should like to have him give the background of the proposal, which we did consider very carefully in the committee before including the exception as a part of the legislation reported by the committee.

Mr. WILLIAMS of Delaware. I appreciate that and shall yield in a moment to the Senator from Tennessee to express his views.

I state at this time that the elimination of all exceptions was done by the conferees on the basis that if we start, where do we stop?

As I stated earlier every other agency—the Veterans' Administration, HEW, and so forth—wanted to be exempted. The Commodity Credit Corporation pointed out that it had a unique situation in that it was a Government corporation, the same as TVA. The Export-Import Bank, the FDIC, and so forth.

Mr. RANDOLPH. But the CCC does not make money, let me say to the Senator from Delaware.

Mr. WILLIAMS of Delaware. That is true. They do not make money. Taxpayers are having trouble even making enough money to keep some of the agencies going. But still, these are Government employees, and if we are going to write in the exceptions for one agency the next question is, What will be the position of the Senate and the House when the next exception is raised?

That is the reason that I, as one Senator, certainly would regret very much seeking the beginning of the writing in of exceptions. It would be unwise—not as to the amount of employees involved, but once we start to write in these exceptions we shall be in trouble.

It was suggested by some that these reductions would wreck the Government. All we did was to write into the law the provisions of the President's Executive order as issued on July 20, 1966, wherein he stated that he was going to roll back civilian employment to the July 1, 1966, level. That Executive order did not exempt the TVA. We took that Executive order and wrote it into the law as part of the package. In line with the agreement with the administration the conferees eliminated all exceptions but conferred the authority upon the Budget Director to select where to make the reductions in civilian employment. The conference report provided that no individual would lose this job as a result of this reduction but that the vacancies would be filled only by the administration having the right to hire three out of every four normal resignations or retirements. Through gradual attrition we would reach the July 1966 level. At the same time, in the bill we conferred upon the Director of the Bureau of the Budget the authority that if he felt some particular agency should be excepted from the provisions of the rollback he could exempt that agency and apply the rollback in other areas, or conceivably, if he felt that this particular agency or a particular agency should have additional employees they would even expand employment above the existing level and make the cuts in some more appropriate place.

We tried to leave some leeway there. We did not pass the buck to the administration. But this was one area where both the executive department and the conferees felt that the executive department could do better on its own initiative than if we were to spell out where the cuts should be made. Certainly, if we are not going to spell out where the reductions should be made we should not start exempting our pet agencies from the effects of that reduction. Once we do that we are automatically telling the Director of the Budget to do all the dirty work of cutting the agencies and we make the exceptions. Congress have no choice except to stand by our decisions—that is, if we really want to cut expenditures.

Mr. LAUSCHE. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. Am I correct in my understanding that the Senator from Delaware is expressing the judgment that in face of the fact we have written into the law a requirement that in the replacement of employees who quit, there shall be an objective of reducing the number of employees on the Federal payroll?

Mr. WILLIAMS of Delaware. That is correct.

Mr. LAUSCHE. We shall be faced with certain proposals to create exemptions in certain departments. Is it not a fact that we have to determine now whether we will begin to exempt certain departments and, if we do, will we not find ourselves in an indefensible position, for when we exempt one, we cannot with justification exempt another unless there is a difference in the facts surrounding the two classes?

Mr. WILLIAMS of Delaware. That is correct. If we are going to start here in the Congress spelling out the exemptions, the agencies which will not be affected, let us start acting affirmatively and spell out where we want these reductions made.

It was felt both by the conferees and the Director of the Budget that Congress should not write in any exceptions. At that time he could not tell us just where these cuts could best be made. It was much easier to allow him discretionary authority to make reductions where they would be at least disruptive from the standpoint of Government and public service. We gave him the right to hire back three out of every four employees who left the service as a result either of normal resignations or retirement. This flexibility was necessary. For example, if a specialist were retiring it might be necessary to hire another specialist. For this reason the Senate gave him various leeways and discretionary authority so he would not be handicapped. At the same time we delegated to him the authority whereby, conceivably, if he felt that TVA should not bear a part of this burden he could exempt that agency and leave it as it is. He even has the authority and discretion to add to the number of employees if he felt it necessary. But to the extent that this agency is exempted or allowed to add to its employees it means a greater reduction in another area.

I think we would be making a terrible mistake in starting these exceptions. I say that without prejudice in any way to the good case that may be made by the agency, but let the agency make its case with the Director of the Budget.

Mr. LAUSCHE. I was just told by the the Senator from Colorado [Mr. DOMINICK] that in his committee an exemption also has been made. He fought the exemption as a mistake, because he felt that if one department or function were exempted, of necessity other agencies would have to be exempted. Can the Senator from Delaware tell us where it is now contemplated creating exemptions? He mentioned Health, Education, and Welfare, the Tennessee Valley Authority——

Mr. WILLIAMS of Delaware. Several applications for exemptions have been made, but none have gone through either the House or the Senate. I do not know of a single agency that would not want to be exempted. That is just natural, and if we take this step, each agency will be down here wanting to be exempted. If we are going to exempt agencies let us stop talking about the fact that we are going to reduce employment. We are not going to roll back the number of employees to the July 1, 1966, level unless we reduce employment in some agencies.

We are going to have to make these reductions in some areas. I think we have just got to face up to it and start making them. That is the only way we are going to achieve any reduction in expenditures.

Mr. LAUSCHE. It is argued that the Tennessee Valley Authority is a self-sustaining operation, whereby power is sold and the proceeds of the power sold are adequate to sustain its expenses, and therefore this function ought to be exempted. May I hear what the Senator has to say about that? I may go along with this proposal if there is justification for differentiating between the two.

Mr. WILLIAMS of Delaware. We had the same argument advanced for the Federal Reserve Board, for example. We had the same argument advanced for the Federal Home Loan Board. We had the same argument advanced for the Commodity Credit Corporation, although, as the Senator pointed out, that is losing money rather than making it. We have had the same argument advanced for various trust funds, such as the civil service retirement trust fund, the Civil Service Commission, the railroad retirement board. Several agencies came down and gave an excellent argument as to why that particular agency should not fall into the realm of these reductions. Maybe some of them should be considered. The point is: Are we going to start passing on the ones that should be exempted? If we are we are automatically passing the heavier burden over to those that are not exempted. The Treasury Department made an excellent case that it needed extra employees. They claim that the more agents they send out the more money is collected, and they argued it would be disruptive to their service for them to take a cut. We get the same kind of arguments from all the agencies. The point is: Where do we start and where do we stop? I think it is easier to stop it before we get started.

There is no doubt in my mind that before we adjourn in the next 30 days we are going to have requests from practically every agency of the Government to exempt it from the rollback in employment or reduction in expenditures. That is what is involved here, because section (a) would exempt the agency from the employment reduction and section (b) from any decrease in expenditures.

Mr. **LAUSCHE**. Mr. President, will the Senator yield further?

Mr. **WILLIAMS** of Delaware. I yield.

Mr. **LAUSCHE**. Is it not a fact that the more agencies are exempt, the greater the reduction will have to come from the nonexempt agencies; and in some instances, in order to comply with the law, the reductions in the nonexempt agencies will have to be so great as to destroy the ability of some agencies to act?

Mr. **WILLIAMS** of Delaware. That was the argument made by the Director. That is the reason we felt discretionary authority should be given to him in order to carry out this mandate. I do not see how we can do otherwise. I do not think it would work if we tried to do otherwise.

Mr. **LAUSCHE**. I thank the Senator.

Mr. **WILLIAMS** of Delaware. Mr. President, I yield the floor.

Mr. **BAKER**. Mr. President, I regret that the Senator from Delaware apparently finds himself opposed to this section of the bill as reported from the committee. I would start, if I may, in speaking of the bill as reported, and of this section in particular, by responding to the very fundamental question posed by the Senator from Ohio, and that is whether or not, if any agency is exempted, such an exemption may not thus automatically create a greater burden for some other agency by way of an added expenditure reduction for it in order to make up for that which was not reduced from the exempted agency. May I say, responding to the very fine point raised by the Senator from Ohio, that the answer is "No," not in this case, and this strikes at the very heart of the justification for this provision.

This is the way in which I view that justification. The Tennessee Valley Authority has two functions. One is the power function, the production of electricity, which TVA generates and then sells to customers. Customers pay their monthly bills, and this money is used by TVA to operate and expand its power program. The other program of TVA is essentially a conservation program. The funds for that function are appropriated funds.

In this case, if the committee proposal is adopted, it will simply mean that TVA can keep and use the money it collects from selling electricity and its own revenue bonds. No Treasury funds are involved. If this provision does not pass, the net effect will be that the money collected by TVA from the sale of electricity would not go to the Treasury, but, under the TVA law, the money collected from the sale of electricity would simply accrue as surplus in the treasury of the Tennessee Valley Authority.

Mr. President, the point I hope to make is this: The bill itself and the report itself make it abundantly clear that we are not trying to create an exception to or exemption from the expenditure control proposal under the sponsorship of the Senator from Delaware [Mr. WILLIAMS] and the Senator from Florida [Mr. SMATHERS]. On the contrary, the pending bill and the committee report are written to make it quite clear that the Tennessee Valley Authority will stand in the same position as all other Federal agencies when it comes to the expenditure of Treasury funds, appropriated moneys, or tax moneys; this provision of the act deals only with the nontax revenues for the nonappropriated funds, the non-Treasury funds, which are derived from the sale of electricity to the citizens of the Tennessee Valley area, which covers some several States, and the sale of TVA bonds, which are not U.S. Government securities and which do not bear the faith and credit of the Federal Government but which are secured entirely by power sales.

Mr. President, on March 29, 1968, this matter was brought to the attention of the Senate, at the time that the Williams-Smathers proposal was first pending. I offered at that time, and the Senate agreed to, an amendment to the Williams-Smathers proposal that made it abundantly clear that the expenditure limitations did not apply to activities of the Tennessee Valley Authority paid for out of nonappropriated funds, but would apply to any funds received by the Tennessee Valley Authority which were appropriated by the Treasury.

That amendment, unfortunately, was stricken in conference; at that time the distinguished Senator from Delaware [Mr. WILLIAMS] agreed that it should be done, and as I understand his argument now—and I respect his point of view—he says that while the TVA situation may have merit in separate justification, enactment of this provision might create a precedent; that is, it creates an exception or an exemption for one agency, which, in his view, would lead to exceptions or exemptions for other agencies.

Mr. President, I most respectfully disagree with my colleague from Delaware, because I think there is a unique distinction between this and all other situations.

First, the Tennessee Valley Authority is a corporation. It is chartered by Congress, but it is a corporation. The Tennessee Valley Authority has the dual functions of power production and conservation. The power production is a self-sustaining operation whereby the agency generates power, sells it to the public, collects the proceeds thereof, operates and expands the system, and then remits to the Treasury of the United States each year a dividend representing a return on the original capital investment made by the U.S. Government in that corporation.

I reiterate, for the sake of emphasis, that the provisions of this bill as reported by the Committee on Public Works in no way exempt the Tennessee Valley Authority from the operation of the Williams-Smathers amendment, insofar as the moneys of the U.S. Government are concerned. Insofar as appropriated moneys are concerned, TVA will take its lumps, as it were, along with every other Federal agency.

But bear in mind, Mr. President, that Congress has mandated the Tennessee Valley Authority as the sole and only supplier of electricity in the Tennessee Valley area. There is no other source of supply. And bear in mind further that, if the unintended effect of the Williams-Smathers amendment—and I think it would be unintended—were to constitute a raid on the nontax revenues of the Tennessee Valley Authority derived from power operations, it would amount to imposing a double tax on the residents of the Tennessee Valley area, because not only would they pay the 10-percent surtax; they would also indirectly pay an additional tax, due to the effort of the Treasury to appropriate unto itself power revenues which never belonged to the Treasury of the United States, but which were the earned revenues of the TVA from the operation of its electric system.

So, Mr. President, I respectfully suggest that unless the bill as reported by the full Committee on Public Works is accepted, an unintended and unfortunate result would ensue.

Mr. **MURPHY**. Mr. President, will the Senator yield for a question?

Mr. **BAKER**. I am happy to yield to the Senator from California.

Mr. **MURPHY**. Do I understand the Senator to say that actually, for practical purposes, the Tennessee Valley Authority is really two operations, one operation which has supplanted what would ordinarily be a privately owned power company, to supply the power in the valley—which was done when the Authority was set up at the outset—and in the second instance, it works in conservation?

Mr. **BAKER**. That is correct.

Mr. **MURPHY**. With regard to the matter that my distinguished friend from Delaware worries about, all the necessities of our times would apply to the conservation part?

Mr. **BAKER**. They would, indeed.

Mr. **MURPHY**. The Senator says that it would not and should not apply to the part which is, in effect, substituting for and operating as almost a private power company, being the only power supplier in the valley.

Mr. **BAKER**. The Senator from California is entirely correct.

Mr. **MURPHY**. One further question. Can the Senator furnish a breakdown as to the number of employees in each category? Does he have that information?

Mr. **BAKER**. Mr. President, I do not have the total number of TVA employees. However, I would point out that this bill is most carefully designed to apply only to employees paid from power revenues—that is, from nonappropriated revenues.

Mr. **MURPHY**. Yes.

Mr. **BAKER**. And other employees, those paid from tax revenues and appropriated funds, would be subject to the reduction.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield at that point?

Mr. BAKER. I am happy to yield.

Mr. STENNIS. Mr. President, may we have order so that we may hear the debate?

The PRESIDING OFFICER. The Senate will be in order.

Mr. WILLIAMS of Delaware. That point was raised during the conference, and it was pointed out that there was no separation, as far as the budget is concerned, between whether a given employee is working under the power system of TVA or whether he is working under the soil conservation. There is no way these can be distinguished. The employees are not separated. Perhaps it should have been done, but it operates as one corporation.

I point out to the Senator that there is nothing in this amendment intended to disrupt the operations of the TVA; not at all. I respect that agency. The amendment merely states that we do not single this agency out for any more of an exception than we are going to make as to any other Government agency, whether it be the Veterans' Administration, the TVA, HEW, or any of the others. The Federal Reserve Board, the Federal Home Loan Bank Board, and all the various boards came before the committee, and practically every agency, before it was through, felt it had a particular excuse as to why it should not be covered. We gave to the Director of the Budget the discretionary authority to make the cuts where he thought they could best be made without disrupting the regular course of the Government.

This is but one of several proposals to write in exceptions. Once we write in one exception, how can we stop writing in the next one? That is the problem we are confronted with.

Mr. BAKER. Mr. President, I appreciate the remarks of my colleague, the Senator from Delaware. However, I would respectfully take exception to this extent: The manpower or personnel requirements of the Williams-Smathers amendment are mandatory, with the exception that the Bureau of the Budget can substitute positions from one agency to another.

Mr. WILLIAMS of Delaware. That is correct. The rollback is mandatory.

Mr. BAKER. The matter that is so vitally important to the Tennessee Valley Authority is that a year ago they had planned but did not have underway a construction program for the expansion of their electric system. Now they do. If they have to roll back to the number of men and women employees at a corresponding time in 1967—with many of these particular employees employed as temporary construction employees to build additions to the power system—then it will have the effect of impinging directly on that part of the system which does not have a thing to do with appropriated funds.

The heart of the matter, simply put, is that it is not an exception to the Williams-Smathers proposal, and, as I believe the Senator from Delaware will agree, it was never intended that the Williams-Smathers amendment would constitute a raid on the self-supporting portion of the TVA electrical operation.

Mr. WILLIAMS of Delaware. It was not so intended, nor will it be so now. Even under this proposal there is no reason for that to occur, unless we assume that we will have sitting in the office of the Director of the Budget a man who would deliberately single this agency out and make a raid upon it. That can conceivably happen to any agency of the Government, regardless of what it is.

But if that should happen let us get a new Director of the Budget, because the argument that it is going to disrupt the services of this particular department because the Director of the Budget can, if he so elects, put more of the cuts under this agency than some other agency, can be made with equal validity as to any agency of the Government. If that is the argument, then go ahead and repeal the whole proposal contained in the Williams-Smathers amendment.

Mr. BAKER. Mr. President, I yield to the distinguished Senator from Mississippi.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. STENNIS. Mr. President, I commend the Senator from Tennessee for making a very clear and concise statement and presentation on this relatively small problem in the entire picture of the operations. However, it is highly important in this particular field.

It has been my privilege to serve on the Appropriations Committee for a good number of years. Back in the old days, all funds for the Tennessee Valley Authority were appropriated funds. However, very properly, I think 5 or 10 years ago, the Tennessee Valley Authority was told, in effect, that they would have to stand on their own feet, produce their own revenue, issue their own bonds, and pay interest on those bonds as well as the return. That was for the power program.

Mr. BAKER. The Senator is entirely correct.

Mr. STENNIS. Mr. President, the Senator's proposal here applies only, as I understand it, to those employees involved in the power program in the Tennessee Valley Authority.

Mr. BAKER. The Senator is correct. On page 118, section 209 of the committee report, we took, I think, great case to point out that this provision of the bill is to clarify the fact that the recently enacted Revenue and Expenditure Control Act of 1968, which is the Williams-Smathers amendment, was intended to make a distinction between the power program and the parts of the Tennessee Valley Authority operations which are funded from general appropriations.

Mr. STENNIS. It is clear that the pending proposal would not apply to appropriated funds.

Mr. BAKER. The Senator is correct.

Mr. STENNIS. As one of the original backers of the Williams-Smathers amendment on the floor of the Senate, I thought the matter was made clear at that time. I thought it was clear that we were talking about appropriated money and were trying to reduce the appropriated funds and trying to get nearer a balanced budget. The measure had the tax feature included, too.

I would think it is contrary to the spirit, if not the letter, of the Williams-Smathers amendment to reach out now in a revenue-producing area and try to talk about reducing appropriations. It just does not fit the situation.

Mr. BAKER. I thank the Senator from Mississippi. He has made a very clear and entirely accurate statement of the situation.

Mr. STENNIS. Mr. President, I thank the Senator for his presentation and for his fine knowledge of this problem.

I trust that under the guise of dealing with appropriations and concerning ourselves with the Williams-Smathers amendment—which I certainly want to see carried out, and we will all have to take our part of cuts wherever they hit—the Senate will not see fit to transgress into these other matters that were not intended to be reached.

Mr. BAKER. I thank the Senator.

Mr. HILL. Mr. President, is it not true that the day the act was passed in 1959, the TVA owned and financed its own power program and turned money into the Treasury of the United States and amortized the investment which the Government had made in the past?

Mr. BAKER. The Senator from Alabama is entirely correct.

The Tennessee Valley Authority has always made a very substantial payment, indeed, into the Federal Treasury for general use.

The distinction is very important. We are not dealing here with a cut in appropriated funds to the Tennessee Valley Authority. We are dealing with money that the Tennessee Valley Authority earns and part of which it then pays to the Treasury of the United States as a dividend.

Mr. HILL. The Senator is exactly correct. It has nothing whatsoever to do with the appropriation of any money or funds out of the Treasury of the United States. It only has to do with funds that the Tennessee Valley Authority collects from the sale of the power. The Tennessee Valley Authority uses the money collected from the sale of this power for the operation of the power program and uses it also to pay the Federal Treasury and amortize the past investments made by the Federal Government.

Mr. BAKER. The Senator is entirely correct. I thank the Senator from Alabama.

Mr. President, I never intended—and I do not believe that the Senator from Delaware ever intended—that the Revenue and Expenditure Control Act of 1968 should apply to funds which are not appropriated funds.

Unless the pending bill is passed as reported by the Committee on Public Works, there is a substantial danger that it will apply to nonappropriated funds and that it will, in effect, require a reduction in the level of expenditures of internal Tennessee Valley Authority funds. It would not improve the budgetary situation of the U.S. Government one bit. It would not make any difference one way or the other, because even if we were to roll back the Tennessee Valley Authority power expenditures, the money would not go into the Treasury of the United States. It would simply accrue as a surplus in the treasury of the Tennessee Valley Authority resulting from the sale of electricity to the general public.

Mr. President, the purpose of this section of the pending bill as reported by the committee is not to create an exception, but rather to make it clear, so that there can be no doubt, that the Expenditure Control Act of 1968 does not apply to nonappropriated funds of the Tennessee Valley Authority, nor to the personnel paid from those funds which were earned from the sale of electricity and not from funds appropriated from the Treasury of the United States.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the following bill and joint resolution of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 2701. An act to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont.; and

S.J. Res. 157. Joint resolution to supplement Public Law 87-734 and Public Law 87-735 which took title to certain lands in the Lower Brule and Crow Creek Indian Reservations.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 3, 19, and 26 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 1, 6, 14, 20, 21, 22, and 25 to the bill, and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 792) providing for the adjournment of the two Houses from Wednesday, July 3, 1968 to July 8, 1968, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 13844. An act to amend title 5, United States Code, to provide additional leave of absence for Federal employees in connection with the funerals of their immediate relatives who died while on duty with the Armed Forces and in connection with certain duty performed by such employees as members of the Armed Forces Reserve components or the National Guard, and for other purposes;

H.R. 14005. An act to authorize the disposition by the city of Hot Springs, Ark., of certain property heretofore conveyed to the city by the United States, and for other purposes;

H.R. 14205. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 21, and for other purposes;

H.R. 16211. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 276, and for other purposes;

H.R. 16402. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 337, and for other purposes;

H.R. 17524. An act to amend section 502 of the Merchant Marine Act, 1936, relating to construction-differential subsidies; and

H.R. 17873. An act to amend the National School Lunch Act to clarify responsibilities relating to providing free and reduced-price lunches and preventing discrimination against children, to revise the program matching requirements, to strengthen the nutrition training and education benefits of the program, and otherwise to strengthen school food service programs for children.

ENROLLED JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled joint resolutions:

H.J. Res. 1111. Joint resolution granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri; and

H.J. Res. 1302. Joint resolution to authorize the President to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week."

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 13844. An act to amend title 5, United States Code, to provide additional leave of absence for Federal employees in connection with the funerals of their immediate relatives who died while on duty with the Armed Forces and in connection with certain duty performed by such employees as members of the Armed Forces Reserve components or the National Guard, and for other purposes; to the Committee on Post Office and Civil Service.

H.R. 14005. An act to authorize the disposition by the city of Hot Springs, Ark., of certain property heretofore conveyed to the city by the United States, and for other purposes;

H.R. 14205. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 21, and for other purposes;

H.R. 16211. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Creek Nation of Indians in Indian Claims Commission docket No. 276, and for other purposes; and

H.R. 16402. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Delaware Nation of Indians in Indian Claims Commission docket No. 337, and for other purposes; to the Committee on Interior and Insular Affairs.

H.R. 17524. An act to amend section 502 of the Merchant Marine Act, 1936, relating to construction-differential subsidies; to the Committee on Commerce.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 3639) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes.

RESTRICTION ON DISPOSITION OF LANDS UNDER NATIONAL WILDLIFE REFUGE SYSTEM

Mr. METCALF. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 322.

The PRESIDING OFFICER (Mr. SPONG in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 322) to restrict the disposition of lands acquired as part of the National Wildlife Refuge System, which was, on page 1, line 5, strike out all after "sentences:" over through and including "fund." on page 2, line 10, and insert:

No acquired lands which are or become a part of the System may be transferred or otherwise disposed of under any provision of law (except by exchange pursuant to subsection (b)(3) of this section) unless (1) the Secretary of the Interior determines after consultation with the Migratory Bird Conservation Commission that such lands are no longer needed for the purposes for which the System was established, and (2) such lands are transferred or otherwise disposed of for an amount not less than (A) the acquisition costs of such lands in the case of lands of the System which were purchased by the United States with funds from the migratory bird conservation fund, or (B) the fair market value of such lands (as determined by the Secretary as of the date of the transfer or disposal), in the case of lands of the System which were donated to the System. The Secretary shall pay into the migratory bird conservation fund the aggregate amount of the proceeds of any transfer or disposal referred to in the preceding sentence.

SEC. 2. The amendments made by the first section of this Act shall apply only with respect to transfers and disposals of land initiated and completed after the date of their enactment.

Mr. METCALF. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1968—CONFERENCE REPORT

Mr. PASTORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. SPONG in the chair). The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. PASTORE. Mr. President, so that Senators will know that a new matter is before the Senate for consideration, I ask unanimous consent that I may suggest the absence of a quorum, without losing my right to the floor.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Rhode Island will state it.

Mr. PASTORE. What is the pending business?

The PRESIDING OFFICER. The pending business is the consideration of the conference report on H.R. 17734.

Mr. PASTORE. Mr. President, the new obligational authority requested by the administration in this bill was $6,738,000,000, and the final conference figure on new obligational authority is $6,295,000,000. In addition, transfers and releases requested in this bill totaled $2,979,000,000, and the final authority granted in this respect is $2,723,000,000.

By far the largest items in the bill were in chapter II for Department of Defense military activities.

For manpower development and training activities under the Department of Labor, an appropriation of $13 million has been agreed to in conference. This is one of the items which contributed to the delay in the urgent supplemental appropriation bill, which passed the Senate on March 11 and which, for all practical purposes, is now extinct, since the items in that bill have been disposed of in other bills.

Another item which contributed to the delay on the urgent supplemental bill was the Headstart program. The conference agreement on the present bill allows $5 million additional to be available for the Headstart program this summer during the months of July and August.

Inasmuch as the bill provided funds for fiscal year 1968 and it is now fiscal year 1969, a validating clause was inserted in the bill in conference extending the availability therein for 5 days after the date of approval of this act by the President unless a longer period is specifically provided in the bill.

There are many items in the bill, and I shall be glad to answer any questions which any Senator may have with respect to them.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. PASTORE. I am honored to yield to the distinguished Senator from Pennsylvania.

Mr. CLARK. I realize, at least as well as any other Member of this body, the valiant work the Senator from Rhode Island has done in attempting to come out with an acceptable compromise of the many difficult items contained in this supplemental appropriation bill.

I realize, too, that the bill is loaded down with appropriations for the military and that cuts have been made in essential programs for the poor, for the young, and for the disadvantaged men and women of America in the rural and urban slums.

From the very brief explanation the Senator has made, I deplore the cut in the Headstart program. I wonder what happened to the money for the special summer programs under the poverty setup.

Mr. PASTORE. Does the Senator mean food for the undernourished children in day camps?

Mr. CLARK. Yes.

Mr. PASTORE. On that item, the amount allowed was $10 million.

Mr. CLARK. What was the amount requested by the Senator?

Mr. PASTORE. The amount in the bill as passed by the Senate was the full amount of the authorization of $32 million.

Mr. CLARK. Could the Senator give me any overall idea of the extent to which the House conferees insisted—I understand they were completely adamant—on cutting back these various and differing programs for the underprivileged children and adults of America?

Mr. PASTORE. As a matter of fact, the Senator from Rhode Island was not only disappointed but also chagrined at the attitude on the part of the House conferees. They took a very stiff and strong position that there were no budget estimates on these three items, which, to me, was merely a play upon words and was merely a fiction; because, after all, the reality of the problem is here, and whether or not we have a budget request is of no consequence at all.

Mr. CLARK. For the record, will the Senator state the three items?

Mr. PASTORE. The three items are these: $10 million for the expansion of the school lunch program, principally to provide food during the summer season for children who are in day camps.

Of course, this is a 1969 item, and I received a letter from the Senator from Michigan [Mr. HART] asking me to consider the matter before our subcommittee, and we included the entire matter.

Mr. CLARK. Which was how much?

Mr. PASTORE. $32 million. We put it in at $32 million. Of course, this is not the final amount for fiscal year 1969. We have other bills coming forward, and the remaining $22 million of the authorization can be picked up in one bill or another. I hope it will be.

But, in order to get this matter off the ground and to do what we need to do during the summer months for the undernourished children in day camps, I believe we can get started with the $10 million. I would have preferred to see the entire $32 million.

I suggested, when the debate became rather heated, that we would take half and they could consider the other half later. But the best figure I could get was $10 million. That is on the school lunch program.

With reference to the neighborhood youth program, which is summer jobs, the amount we inserted in the bill was $75 million. That was the original amount that went into the urgent supplemental bill, which languished in conference and is now extinct. Of course, our committee felt that could we at least achieve approximately $52 million, we would have brought it more or less up to the level of last year. But the House could not see it that way, and we dickered back and forth. They would not even take it back in disagreement. I wanted them to take it back in disagreement and give it a test before the full membership of the House, and that became an impossibility.

Mr. CLARK. The end result was that none of the $52 million was included?

Mr. PASTORE. No, we got $13 million, which to me was a virtual victory. At least, we got something.

With respect to the Headstart program, the amount sought was $25 million, which was the amount in the urgent supplemental bill, the bill that languished in conference. On that, we finally could reach a figure of only $5 million.

I wish to make it abundantly clear that we did the best we could. We hit a stone wall. If anybody ever hit a stone wall, we did. There is no question about that.

But the Senator from Rhode Island is not completely pleased with this result. He feels refreshed and encouraged because we did get something, but it was my hope that we could have secured more.

Mr. CLARK. How much is there in this bill for Vietnam and other military affairs?

Mr. PASTORE. Almost $4 billion for Southeast Asia. Our committee decided to cut out $80.3 million for military construction in Vietnam, because we felt that a complete planning had not been instituted. We felt that there were some projects they could not even name, and there was a tremendous carryover of $225 million.

There, again, the House was adamant in restoring the full amount. We hassled over that for a number of hours and finally reched a compromise in cutting it in half.

Mr. CLARK. Is it the opinion of the Senator from Rhode Island that if the Senate were to reject the conference report, we would go back to a stone wall in the House again and there would be no practical possibility of increasing these sums for the underprivileged and the disadvantaged children and adults of America?

Mr. PASTORE. Yes, I believe that sincerely.

Mr. CLARK. May I say to the Senator from Rhode Island that this is a bitter pill for me personally to take.

I wish to remain within the Senate rules. To me, the action of the House conferees reveals an attitude toward appropriate priorities for the United States of America, in the summer of 1968, which shocks me.

On the other hand, if I had a champion I wanted to go to conference with the House in order to restore the amounts which have been cut with such an utter lack of compassion for Americans, I would choose the Senator from Rhode Island. If he cannot do it, I am sure nobody can. Therefore, I shall not oppose the conference report.

I thank the Senator for yielding to me.

Mr. PASTORE. I appreciate the very generous tribute of the distinguished Senator from Pennsylvania.

Mr. JAVITS. Mr. President, we come today to the end of a long and very hard road.

I have heard with the greatest interest, the deepest affection, and the greatest sympathy the trials which the distinguished Senator from Rhode Island has gone through, and the deep aggravation of spirit endured by the distinguished Senator from Pennsylvania [Mr. CLARK].

The Senate should know that what is here brought in question is the same set of items which resulted in the rejection of the conference report—that has not been mentioned, and it is very important—on the urgent supplemental on April 10, 1968, and the return to conference of that bill with the Senate's disapproval of that conference report.

Since that time that conference report has remained completely hung up and we have been unable to agree. I was one of the conferees, thanks to the graciousness of the distinguished Senator from North Dakota [Mr. YOUNG], who waived seniority in respect to the conference on the bill.

It will be recalled that I made a fight also upon pieces of the urgent supplemental which were brought up here as separate bills, notably, the one related to claims against cities, and one for aid to highways. I moved the same amendments on that bill and they were tabled. I understood the reason, although I felt it my duty to press the amendments.

When the second supplemental came along I again pressed the amendments in committee and they were adopted in the committee and then agreed to in the Senate. This action was very much due to the leadership and deep conviction of the distinguished Senator from Rhode Island who felt so deeply, as I have, that all the priorities in terms of expenditures are completely topsy-turvy, considering the exigencies of order and tranquility in the United States.

We have come to the end of a long and frustrating road which started on February 21 of this year when the struggle began in an amendment to the second supplemental made on the floor of the Senate, which was successful, to add $75 million for summer jobs.

The other body on the conference report now before us has voted 287 to 81 to sustain the compromise agreed upon between the Senator from Rhode Island's conferees and those of Chairman MAHON of the House of Representatives, and 265 to 105 on the Headstart items.

Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. JAVITS. It is time to sum up what all of this means as we do stand at the end of the road and I wish nothing to depreciate from this statement.

However, I first wish to express my deep appreciation to the distinguished Senator from Rhode Island within the context of the problems he had to face, and I know because I was a conferee with precisely the same conferees on the House side. He performed a miracle due to his personal leadership and conviction. If he could not bring anything back in these areas it was not because his heart would not let him, although the entire Vietnam war was involved. This is a tremendous tribute to him as a man and a Senator. I feel very deeply about this matter.

Mr. MILLER. Mr. President, will the Senator yield to me briefly?

Mr. JAVITS. Mr. President, I yield to the Senator from Iowa for the purpose of asking for the yeas and nays.

Mr. MILLER, Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. JAVITS. Mr. President, the reduction from $75 million to $13 million in the appropriation for summer jobs—funds to be spent primarily to employ disadvantaged teenagers—provides shocking evidence of the failure to comprehend essential expenditure priorities.

Again, I wish to emphasize that there was involved not only the tremendously gifted leadership of the Senator from Rhode Island, but also the Senate conferees. Even though they voted against me, they stayed with me, and I refer to the Senator from Florida [Mr. HOLLAND] and the Senator from North Dakota [Mr. YOUNG]. I feel Senators behaved very well in this matter, but it reflects a situation in Congress which I feel must be called to the attention of the country.

No number of tricks with figures—engaged in even by the administration, and there was a flurry of that under the signature of one of the aides at the White House—can belie the fact that this summer's job program will be at least 20 percent less effective than in 1967. It is alleged that the number of summer jobs available this year is the same as last year. But the fact is that—in the hours' worked, in the duration of the program, in the level of pay and in the diversion of funds from other important antipoverty programs—this appropriation has depreciated the 1968 job program by at least 20 percent. I base this conclusion on the authority of the Secretary of Labor's own testimony.

It is inconceivable that at so critical a time—a time when our domestic tranquillity may well once more undergo a grave challenge—the message has still not clearly come through that summer jobs constitute a major part of the answer to tranquillity in the cities.

In that regard, I repeat what I said before: $200 million, wisely appropriated in a rearrangement of priorities, would have given a thundering answer to those who would do rioting and violence in the cities, such as Headstart and summer jobs, $100 million; the starvation program begun by the Senator from Mississippi [Mr. STENNIS], $25 million; rat control, for which we thank the Senator from Rhode Island for getting some $13 million.

Mr. PASTORE. No. We had to drop that.

Mr. JAVITS. It has to go in a future bill.

Mr. PASTORE. We were confronted with the argument that there is something in the other bill, and, again, I was disappointed.

Mr. JAVITS. Of course. The $13 million would have done what this $10 million would do for school lunches. This fiscal year starts July 1 and, therefore, it would do something for this summer.

Mr. PASTORE. We were told in the committee meeting that there were applications in under the rat control program to the extent of $26 million. All we were asking for was a transfer of authority, money already available, and called attention to that. We presented that request and it was rejected. We put in $13 million in transfer authority, making it one-half of the available application, to get the program off the ground before the other money could be used. Again, we hit a stone wall. Nothing could be done about it.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. YOUNG of North Dakota. Mr. President, I wish to give credit to the Senator from Rhode Island and the Senator from New York for prevailing in this matter. They did not get all of the money they wanted. They put in a 3-month battle. They were in the minority in the conference between the House and the Senate. I think it is remarkable that they were able to get any money at all.

Mr. JAVITS. I thank the Senator. I am deeply grateful to him for having made me a conferee, notwithstanding his seniority, because he wanted to be fair and to give me a chance to fight for what I believe in in conference.

Mr. YOUNG of North Dakota. The Senator certainly believed in it.

Mr. JAVITS. The reason I worked so hard on the question of jobs is that we have to do everything we humanly can.

Congress is making a serious mistake because the jobless rate for Negro teenagers in the ghetto varies between 25 and 40 percent. This rate is at least 2½ times that of white teenagers. This is the area where tension and friction arises.

As the Secretary of Labor testified, at least 150,000 jobs more than the 294,000 jobs provided in 1967 are needed in 1968.

The fact is that the reduced appropriation leaves 82,700 young men and women who would otherwise be able to work in the summer of 1968 unable to do so.

The 17,300 jobs that the $13 million will add, while helpful, falls far short of the critical need.

Mr. President, in addition, the fact is, the level of hours worked, the compensation, and the number of weeks of the summer job program will not be maintained at the 1967 level. It is too late for that now, even with $13 million. The $13 million will, therefore, probably be used for new jobs, which is all right. As the Senator from Rhode Island [Mr. PASTORE] just stated, it is something, but it is a terrible disappointment, considering what we are up against in this very long, hot summer.

We voted $250 million the other day for a hotly challenged anti-ballistic-missile system which promises eventually to cost the Nation between $4 and $5 billion and which easily could have been deferred for a year. The things I am arguing about are the priorities which we have in mind. I contend that the funding of the summer job program at an adequate and responsible level, which was $75 million, set by the Senate, can be deferred only at the gravest peril to our domestic tranquillity and internal security.

I deeply feel that we should worry about how many young men will turn to a summer of crime and violence because they were unable to find work. How many potentially productive lives will be ruined in the heat and the idleness of the ghetto because of these distorted priorities?

How long before the Congress faces the fact that the festering situation within our urban ghettos must be met with jobs and with hope if we are to avoid the kind of disturbances that shook our country last summer and the summer before and the summer before that?

I point out in that regard, Mr. President, that the National Alliance of Businessmen, the Urban Coalition, and many individual governmental leaders are doing enormously fine work, but we are racing the clock with this tremendous dissatisfaction going on in the country and the hunger for dignity which comes from work.

I can only conclude that this unfortunate result—the seeming inability as the Senator from Rhode Island [Mr. PASTORE] says—as if it were a brick wall, in trying to arrive at the legislative priorities in expenditures—reflects, in my judgment the inherent difficulty and delay in transforming the legislative process from essentially a rural to an urban outlook so that Congress truly reflects the fact that 70 percent of all Americans now live in the cities. This is a monumental struggle which is in the people's hands to correct. I hope they will not wait until the march of time under the one-man, one-vote concept will correct the situation. I do not believe we have that much time to spare. I have already given the tragic history of this situation.

I began the effort to appropriate $75 million for summer jobs on February 21, 1968 and the struggle has continued ever since that date. On April 10, the Senate sent the urgent supplemental bill to conference with the $75 million for summer jobs included. But we met the most stubborn resistance among the conferees appointed by the House of Representatives. Furthermore, we had no help from the Executive Department, which failed in 1968 to do what it had done in 1967—namely, to request that $75 million be made available for special summer job funds.

Today's result, although pitifully inadequate, is still $13 million more than the House conferees would have provided. I attribute this result—and I know Senators love to claim credit, and I am the party in interest to this one—to the talents of the Senator from Rhode Island [Mr. PASTORE], a gifted negotiator who managed to produce this compromise. But the resulting rearrangement of expenditure priorities reflects little generosity and less sense.

I thank my colleague for his indulgence.

The **PRESIDING OFFICER**. The question is on agreeing to the conference report.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Hawaii [Mr. INOUYE], the Senator from Washington [Mr. MAGNUSON], the Senator from Rhode Island [Mr. PELL], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. CANNON], the Senator from Connecticut [Mr. DODD], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Louisiana [Mr. LONG], the Senator from South Dakota [Mr. MCGOVERN], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from Connecticut [Mr. DODD], the Senator from North Carolina [Mr. ERVIN], the Senator from Ohio [Mr. LAUSCHE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oregon [Mr. MORSE], the Senator from Rhode Island [Mr. PELL], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], and the Senator from Maryland [Mr. TYDINGS] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from Kansas [Mr. CARLSON], the Senators from Kentucky [Mr. COOPER and Mr. MORTON], the Senator from Arizona [Mr. FANNIN], the Senator from Hawaii [Mr. FONG], the Senator from Nebraska [Mr. HRUSKA], and the Senator from California [Mr. KUCHEL] are necessarily absent.

The Senator from Illinois [Mr. PERCY] is detained on official business.

If present and voting, the Senator from Kentucky [Mr. COOPER], the Senator from Arizona [Mr. FANNIN], the Senator from Hawaii [Mr. FONG], the Senator from Nebraska [Mr. HRUSKA], the Senator from California [Mr. KUCHEL], and the Senator from Illinois [Mr. PERCY] would each vote "yea."

The result was announced—yeas 64, nays 1, as follows:

[No. 204 Leg.]

YEAS—64

Aiken
Allott
Anderson
Baker
Bayh
Bennett
Boggs
Brooke
Byrd, Va.
Byrd, W. Va.
Case
Church
Clark
Cotton
Curtis
Dirksen
Dominick
Ellender
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Mansfield
McClellan
McGee
McIntyre
Metcalf
Miller
Mondale
Monroney
Moss
Mundt
Murphy
Muskie
Pastore
Pearson
Prouty
Proxmire
Randolph
Scott
Smith
Spong
Stennis
Symington
Talmadge
Thurmond
Tower
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—1

Nelson

NOT VOTING—34

Bartlett
Bible
Brewster
Burdick
Cannon
Carlson
Cooper
Dodd
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Hruska
Inouye
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
McCarthy
McGovern
Montoya
Morse
Morton
Pell
Percy
Ribicoff
Russell
Smathers
Sparkman
Tydings

So the conference report was agreed to.

The **PRESIDING OFFICER**. The clerk will state the amendments in disagreement.

The assistant legislative clerk read as follows:

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 1, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$10,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 6, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$1,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 14, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$3,000,000".

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 20, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$150,000".

Resolved, That the House recede from its

disagreement to the amendment of the Senate numbered 21, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$13,000,000".

Resolved, **That the House recede from its disagreement to the amendment of the Senate numbered 22, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the matter proposed to be inserted, insert the following: ", to remain available until July 31, 1968:** ***Provided,*** **That funds appropriated, or otherwise made available, by this Act for the fiscal year 1968, shall remain available for obligation for five days after the date of approval of this Act unless a longer period is specifically provided:** ***Provided further,*** **That all obligations incurred in anticipation of such appropriations and authority for the fiscal year 1968 as well as those for longer periods as set forth herein are hereby ratified and confirmed if in accordance with the terms hereof."**

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 25, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$5,000,000.".

Mr. PASTORE. Mr. President, I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 1, 6, 14, 20, 21, 22, and 25.

The motion was agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent that a tabulation on this bill giving the budget estimate figures, the House and Senate versions of the bill, and the final action in conference be included in the RECORD at this point.

There being no objection, the tabulation was ordered to be printed in the RECORD, as follows:

2d supplemental appropriation bill, 1968 (H.R. 17734)

H. Doc. or S. Doc. No.	Department or activity	Budget estimate	House version of bill	Senate version of bill	Conference action
	CHAPTER I				
	DEPARTMENT OF AGRICULTURE				
274	Agricultural Research Service:				
	Salaries and expenses (*transfer and/or release*)	(*$5,132,000*)	(*$5,000,000*)	(*$5,000,000*)	(*$5,000,000*)
274	Extension Service:				
274	Cooperative extension work, payments and expenses (*transfer and/or release*)	(*273,000*)	(*273,000*)	(*273,000*)	(*273,000*)
274	Economic Research Service:				
	Salaries and expenses (*transfer and/or release*)	(*375,000*)	(*375,000*)	(*375,000*)	(*375,000*)
274	Statistical Reporting Service:				
	Salaries and expenses (*transfer and/or release*)	(*508,000*)	(*508,000*)	(*508,000*)	(*508,000*)
274	Consumer and Marketing Service:				
	Consumer protective, marketing, and regulatory programs (*transfer and/or release*)	(*8,075,000*)	(*7,380,000*)	(*7,380,000*)	(*7,380,000*)
	School lunch program			32,000,000	10,000,000
	Food stamp program (*transfer and/or release*)	(*6,000*)	(*6,000*)	(*6,000*)	(*6,000*)
274	Foreign Agricultural Service:				
	Salaries and expenses (*transfer and/or release*)	(*267,000*)	(*267,000*)	(*267,000*)	(*267,000*)
274	Commodity Exchange Authority:				
	Salaries and expenses (*transfer and/or release*)	(*94,000*)	(*69,000*)	(*69,000*)	(*69,000*)
274	Agricultural Stabilization and Conservation Service:				
	Expenses, Agricultural Stabilization and Conservation Service (*transfer and/or release*)	(*3,128,000*)	(*2,428,000*)	(*2,428,000*)	(*2,428,000*)
274	Office of the Inspector General:				
	Salaries and expenses (*transfer and/or release*)	(*23,1000*)	(*159,000*)	(*159,000*)	(*159,000*)
274	Packers and Stockyards Act (*transfer and/or release*)	(*72,000*)	(*72,000*)	(*72,000*)	(*72,000*)
274	Office of the General Counsel:				
	Salaries and expenses (*transfer and/or release*)	(*262,000*)	(*162,000*)	(*162,000*)	(*162,000*)
274	National Agricultural Library:				
	Salaries and expenses (*transfer and/or release*)	(*31,000*)	(*31,000*)	(*31,000*)	(*31,000*)
274	Office of Management Services:				
	Salaries and expenses (*transfer and/or release*)	(*81,000*)	(*81,000*)	(*81,000*)	(*81,000*)
274	General Administration:				
	Salaries and expenses (*transfer and/or release*)	(*113,000*)	(*113,000*)	(*113,000*)	(*113,000*)
274	Farmers Home Administration:				
	Salaries and expenses (*transfer and/or release*)	(*1,577,000*)	(*1,577,000*)	(*1,577,000*)	(*1,577,000*)
274	Federal Crop Insurance Corporation:				
	Administrative and operating expenses (*transfer and/or release*)	(*285,000*)	(*285,000*)	(*285,000*)	(*285,000*)
	Total, chapter I: New obligational authority			32,000,000	10,000,000
	(*Transfer and releases*)	(*20,510,000*)	(*18,786,000*)	(*18,876,000*)	(*18,786,000*)
	CHAPTER II				
	DEPARTMENT OF DEFENSE—MILITARY				
	MILITARY PERSONNEL				
317	Military personnel, Army	11,000,000			
317	Military personnel, Navy	5,900,000			
317	Military personnel, Marine Corps	2,400,000			
317	Military personnel, Air Force	6,700,000			
317	Reserve, personnel, Navy	2,000,000	2,000,000	2,000,000	2,000,000
	OPERATION AND MAINTENANCE				
274	Operation and maintenance, Army	52,757,000	52,757,000	52,757,000	52,757,000
274	Operation and maintenance, Navy	38,941,000	38,941,000	38,941,000	38,941,000
274	Operation and maintenance, Marine Corps	1,950,000	1,950,000	1,950,000	1,950,000
274	Operation and maintenance, Air Force	42,685,000	36,000,000	36,000,000	36,000,000
	(*Transfer and/or release*)		(*6,600,000*)	(*6,600,000*)	(*6,600,000*)
274	Operation and maintenance, Defense agencies	23,079,000	23,079,000	23,079,000	23,079,000
274	Claims, Defense	8,000,000			
	(*Transfer*)		(*8,000,000*)	(*8,000,000*)	(*8,000,000*)
	EMERGENCY FUND, SOUTHEAST ASIA				
315	Emergency fund, Southeast Asia	3,900,000,000	3,791,100,000	3,710,800,000	3,750,950,000
	(*Transfer and/or release*)	[1] (*2,629,600,000*)	(*2,345,000,000*)	(*2,345,000,000*)	(*2,345,000,000*)
	Total, chapter II:				
	New budget (obligational) authority	4,095,412,000	3,945,827,000	3,865,527,000	3,905,677,000
	(*Transfers and/or releases*)	(*2,629,600,000*)	[2] (*2,359,600,000*)	[2] (*2,359,600,000*)	[2] (*2,359,600,000*)

See footnotes at end of table.

2d supplemental appropriation bill, 1968 (H.R. 17734)—Continued

H. Doc. or S. Doc. No.	Department or activity	Budget estimate	House version of bill	Senate version of bill	Conference action
	CHAPTER III				
	DISTRICT OF COLUMBIA				
	FEDERAL FUNDS				
274	Federal payment to the District of Columbia	$6,020,800	$6,020,800	$6,020,800	$6,020,800
S.Doc. 84	Loans to the District of Columbia for capital outlay	7,000,000		7,000,000	3,688,000
317	The Commission on Revision of the Criminal Laws of the District of Columbia	150,000			
	Total, chapter III, Federal funds, new budget (obligational) authority	13,170,800	6,020,800	13,020,800	9,708,800
	DISTRICT OF COLUMBIA FUNDS				
	Operating expenses:				
274	General operating expenses	*(3,062,000)*	*(535,558)*	*(2,992,558)*	*(1,535,558)*
274 and S. Doc. 84	Public safety	*(8,305,000)*	*(1,611,076)*	*(8,237,076)*	*(6,466,076)*
274 and S. Doc. 84	Education	*(6,073,000)*	*(790,000)*	*(5,690,000)*	*(5,690,000)*
S. Doc. 84	Health and welfare	*(2,222,000)*	*(2,214,000)*	*(2,222,000)*	*(2,214,000)*
S. Doc. 84	Highways and traffic	*(28,000)*		*(28,000)*	
S. Doc. 84	Sanitary engineering	*(75,000)*		*(75,000)*	
274	Settlement of claims and suits	*(36,800)*	*(36,800)*	*(36,000)*	*(36,800)*
	Total, operating expenses	*(19,801,800)*	*(5,187,434)*	*(19,281,434)*	*(15,942,434)*
S. Doc. 84	Capital outlay	*(898,000)*	*(847,000)*	*(898,000)*	*(547,000)*
	Total, chapter III, District of Columbia funds	*(20,699,800)*	*(6,034,434)*	*(20,179,434)*	*(16,759,434)*
	CHAPTER IV				
	FOREIGN OPERATIONS				
	FUNDS APPROPRIATED TO THE PRESIDENT				
274	Military assistance	100,000,000	100,000,000	100,000,000	100,000,000
	DEPARTMENT OF DEFENSE—CIVIL				
	RYUKYU ISLANDS, ARMY				
317	Administration	5,500,000		5,500,000	
	Total, chapter IV: New budget (obligational) authority	105,500,000	100,000,000	105,500,000	100,000,000
	CHAPTER V				
	INDEPENDENT OFFICES				
	CIVIL SERVICE COMMISSION				
274	Annuities under special acts	78,000	78,000	78,000	78,000
	GENERAL SERVICES ADMINISTRATION				
317	Construction, public buildings project	3,100,000		3,100,000	3,000,000
	SELECTIVE SERVICE SYSTEM				
274	Salaries and expenses	6,720,000	6,720,000	6,720,000	6,720,000
	VETERANS' ADMINISTRATION				
274	Compensation and pensions	47,500,000	47,500,000	47,500,000	47,500,000
274	General operating expenses	6,725,000	6,000,000	6,000,000	6,000,000
	Total, Veterans' Administration	54,225,000	53,500,000	53,500,000	53,500,000
	DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT				
	RENEWAL AND HOUSING ASSISTANCE				
274	Low-rent public housing annual contributions:				
	Fiscal year 1967	6,042,000	6,042,000	6,042,000	6,042,000
	Fiscal year 1968	24,000,000	20,000,000	20,000,000	20,000,000
	Total, Department of Housing and Urban Development	30,042,000	26,042,000	26,042,000	26,042,000
	Total, chapter V, new budget (obligational) authority	94,165,000	86,340,000	89,440,000	89,340,000
	CHAPTER VI				
	DEPARTMENT OF THE INTERIOR				
	BUREAU OF LAND MANAGEMENT				
274	Management of lands and resources	10,033,000	9,733,000	9,733,000	9,733,000
	BUREAU OF INDIAN AFFAIRS				
274 and 317	Education and welfare services	7,152,000	3,107,000	6,099,000	5,732,000
274	Resources management	2,172,000	2,172,000	1,972,000	1,972,000
	Total, Bureau of Indian Affairs	9,324,000	5,279,000	8,071,000	7,704,000
	OFFICE OF TERRITORIES				
S. Doc. 84	Trust Territory of the Pacific Islands	6,900,000		6,900,000	6,200,000

2d supplemental appropriation bill, 1968 (H.R. 17734)—Continued

H. Doc. or S. Doc. No.	Department or activity	Budget estimate	House version of bill	Senate version of bill	Conference action
	CHAPTER VI—Continued				
	DEPARTMENT OF THE INTERIOR—Continued				
	NATIONAL PARK SERVICE				
274 and	Management and protection	$4,182,000	$4,046,000	$4,182,000	$4,182,000
S. Doc. 84	Construction			*(560,000)*	*(560,000)*
	OFFICE OF SALINE WATER				
274	Prototype desalting plant	2,000,000	1,000,000	1,000,000	1,000,000
	Total, Department of the Interior	32,439,000	20,058,000	29,886,000	28,819,000
	(Transfer)			*(560,000)*	*(560,000)*
	DEPARTMENT OF AGRICULTURE				
	FOREST SERVICE				
274	Forest protection and utilization	24,348,000	24,323,000	24,323,000	24,323,000
	(Transfer and/or release)	*(21,129,000)*	*(21,129,000)*	*(21,129,000)*	*(21,129,000)*
274	Forest roads and trails *(transfer and/or release)*	*(1,392,000)*	*(1,382,000)*	*(1,382,000)*	*(1,382,000)*
	Total, Forest Service, Department of Agriculture	24,348,000	24,323,000	24,323,000	24,323,000
	Transfers and/or releases	*(22,521,000)*	*(22,511,000)*	*(22,511,000)*	*(22,511,000)*
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	PUBLIC HEALTH SERVICE				
274	Indian health activities *(transfer and/or release)*	*(2,857,000)*	*(2,857,000)*	*(2,857,000)*	*(2,857,000)*
	HISTORICAL AND MEMORIAL COMMISSIONS				
318	American Bicentennial Commission	225,000		225,000	150,000
	Total, chapter VI:				
	New budget (obligational) authority	57,012,000	44,381,000	54,434,000	53,292,000
	(Transfers and/or releases)	*(25,378,000)*	*(25,868,000)*	*(25,928,000)*	*(25,928,000)*
	CHAPTER VII				
	DEPARTMENT OF LABOR				
	MANPOWER ADMINISTRATION				
	Manpower development and training activities			75,000,000	13,000,000
	BUREAU OF EMPLOYMENT SECURITY				
274	*Limitations on grants to States or unemployment compensation and Employment Service Administration*	*(295,000)*			
274	Salaries and expenses *(transfer and/or release)*	*(780,000)*			
	DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE				
	OFFICE OF EDUCATION				
	School assistance in federally affected areas		[4] 90,965,000	90,965,000	90,965,000
	VOCATIONAL REHABILITATION ADMINISTRATION				
254	Grants for rehabilitation services and facilities	[3] 1,240,000			
	(Transfer and/or release)	*(660,000)*	[3] *(1,900,000)*	[3] *(1,900,000)*	[3] *(1,900,000)*
	PUBLIC HEALTH SERVICE				
274	Air pollution *(transfer and/or release)*	*(8,355,000)*	*(355,000)*	*(355,000)*	*(355,000)*
274	Community health services *(transfer and/or release)*	*(4,324,000)*	*(324,000)*	*(324,000)*	*(324,000)*
274	Comprehensive health planning and services *(transfer and/or release)*	*(20,112,000)*	*(60,000)*	*(13,060,000)*	*(60,000)*
	SOCIAL SECURITY ADMINISTRATION				
274	*Limitation on salaries and expenses*	*(84,928,000)*	*(84,928,000)*	*(83,828,000)*	*(83,828,000)*
	Payment to trust funds for health insurance for the aged	373,028,000	373,028,000	373,028,000	373,028,000
	WELFARE ADMINISTRATION				
274	Work incentive activities	10,000,000			
	(Transfer and/or release)	*(30,000,000)*	*(10,000,000)*	*(10,000,000)*	*(10,000,000)*
254	Grants to States for public assistance	[3] 1,135,000,000	[3] 1,135,000,000	[3] 1,135,000,000	[3] 1,135,000,000
	NATIONAL MEDIATION BOARD				
274	Salaries and expenses *(transfer and/or release)*	*(71,000)*	*(36,000)*	*(36,000)*	*(36,000)*
	RAILROAD RETIREMENT BOARD				
274	*Limitation on salaries and expenses*	*(1,624,000)*	*(1,300,000)*	*(1,300,000)*	*(1,300,000)*
	EXECUTIVE OFFICE OF THE PRESIDENT				
	OFFICE OF ECONOMIC OPPORTUNITY				
	Economic opportunity program			25,000,000	5,000,000
	Total, chapter VII:				
	New budget (obligational) authority	1,519,268,000	1,598,993,000	1,698,993,000	1,616,993,000
	(Transfers and/or releases)	*(64,302,000)*	*(12,675,000)*	*(25,675,000)*	*(12,675,000)*

See footnotes at end of table.

2d supplemental appropriation bill, 1968 (H.R. 17734)—Continued

H. Doc. or S. Doc. No.	Department or activity	Budget estimate	House version of bill	Senate version of bill	Conference action
	CHAPTER VIII				
	LEGISLATIVE BRANCH				
	SENATE				
	Gratuity to widow of deceased Senator			$30,000	30,000
	CONTINGENT EXPENSES OF THE SENATE				
S. Doc. 84	Inquiries and investigations	$365,000		365,000	$365,000
	HOUSE OF REPRESENTATIVES				
274	Office of the Sergeant at Arms	505,260			
274	Committee employees	125,000	$125,000	125,000	125,000
274	Members' clerk hire	600,000	600,000	600,000	600,000
274	Contingent expenses, miscellaneous items	750,000	650,000	650,000	650,000
	JOINT ITEMS				
274	Capitol Police, general expenses	44,900			
	Total, chapter VIII	2,390,160	1,375,000	1,770,000	1,770,000
	CHAPTER IX				
	DEPARTMENT OF STATE				
	INTERNATIONAL COMMISSIONS				
274	International Boundary and Water Commission, United States and Mexico: Construction	700,000			
	DEPARTMENT OF JUSTICE				
	LEGAL ACTIVITIES AND GENERAL ADMINISTRATION				
274	Alien property activities, limitation on general administrative expenses	*(106,000)*	*(86,000)*	*(86,000)*	*(86,000)*
	IMMIGRATION AND NATURALIZATION SERVICE				
274	Salaries and expenses	6,238,000	5,738,000	5,738,000	5,738,000
	FEDERAL PRISON SYSTEM				
274	Support of U.S. prisoners	1,300,000	1,300,000	1,300,000	1,300,000
	Total, Department of Justice	7,438,000	7,038,000	7,038,000	7,038,000
	DEPARTMENT OF COMMERCE				
	ECONOMIC DEVELOPMENT ASSISTANCE				
274	Development facilities	Language	Language	Language	Language
	INTERNATIONAL ACTIVITIES				
274	Salaries and expenses	2,426,000	1,000,000	1,000,000	1,000,000
	UNITED STATES TRAVEL SERVICE				
274	Salaries and expenses	1,700,000			
	Total, Department of Commerce	4,126,000	1,000,000	1,000,000	1,000,000
	THE JUDICIARY				
	COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES				
274	Salaries of judges	260,000	180,000	180,000	180,000
274	Fees of jurors and commissioners	350,000	350,000	350,000	350,000
	Total, courts of appeals, district courts, and other judicial services	16,000	530,000	530,000	530,000
	FEDERAL JUDICIAL CENTER				
274	Salaries and expenses	83,000	40,000	40,000	40,000
	Total, the Judiciary	693,000	570,000	570,000	570,000
	RELATED AGENCIES				
	UNITED STATES INFORMATION AGENCY				
274	Special international exhibitions	14,619,000	7,876,000	11,876,000	7,876,000
	(Transfers and/or releases)	*(681,000)*	*(1,431,000)*	*(1,431,000)*	*(1,431,000)*
	Total, chapter IX:				
	New budget (obligational) authority	27,576,000	16,484,000	20,484,000	16,484-000
	(Transfers and/or releases)	*(681,000)*	*(1,431,000)*	*(1,431,000)*	*(1,431,000)*
	CHAPTER X				
	TREASURY DEPARTMENT				
	BUREAU OF ACCOUNTS				
274	Salaries and expenses	5,138,000	5,138,000	5,138,000	5,138,000
	(Transfer and/or release)	*(12,000)*	*(12,000)*	*(12,000)*	*(12,000)*
	BUREAU OF CUSTOMS				
274	Salaries and expenses	837,000	837,000	837,000	837,000
	(Transfer and/or release)	*(2,163,000)*	*(2,163,000)*	*(2,163,000)*	*(2,163,000)*
	BUREAU OF NARCOTICS				
274	Salaries and expenses	88,000	88,000	88,000	88,000
	(Transfer and/or release)	*(203,000)*	*(203,000)*	*(203,000)*	*(203,000)*
	BUREAU OF THE PUBLIC DEBT				
274	Administering the public debt	455,000	455,000	455,000	455,000
	(Transfer and/or release)	*(260,000)*	*(260,000)*	*(260,000)*	*(260,000)*

2d supplemental appropriation bill, 1968 (H.R. 17734)—Continued

H. Doc. or S. Doc. No.	Department or activity	Budget estimate	House version of bill	Senate version of bill	Conference action
	CHAPTER X—Continued				
	TREASURY DEPARTMENT—Continued				
	INTERNAL REVENUE SERVICE				
274	Salaries and expenses				
	(Transfer and/or release)	*(559,000)*	*(559,000)*	*(559,000)*	*(559,000)*
274	Revenue accounting and processing	2,314,000	2,314,000	2,314,000	2,314,000
	(Transfer and/or release)	*(2,745,000)*	*(2,745,000)*	*(2,745,000)*	*(2,745,000)*
274	Compliance	1,990,000	1,990,000	1,990,000	1,990,000
	(Transfer and/or release)	*(12,935,000)*	*(12,935,000)*	*(12,935,000)*	*(12,935,000)*
	UNITED STATES SECRET SERVICE				
274 and S.Doc.84	Salaries and expenses	350,000	200,000	350,000	350,000
	(Transfer and/or release)	*(516,000)*	*(516,000)*	*(516,000)*	*(516,000)*
	Total, Treasury Department:				
	New budget (obligational) authority	11,172,000	11,022,000	11,172,000	11,172,000
	(Transfers and/or releases)	*(19,393,000)*	*(19,393,000)*	*(19,393,000)*	*(19,393,000)*
	POST OFFICE DEPARTMENT				
	(Out of Postal Fund)				
274	Supplies and services	4,206,000	3,000,000	3,000,000	3,000,000
	(Transfer and/or release)		*(2,800,000)*	*(2,800,000)*	*(2,800,000)*
	Total, Post Office Department:				
	New budget (obligational) authority	4,206,000	3,000,000	3,000,000	3,000,000
	(Transfer and/or release)		*(2,800,000)*	*(2,800,000)*	*(2,800,000)*
	EXECUTIVE OFFICE OF THE PRESIDENT				
	COUNCIL OF ECONOMIC ADVISERS				
274	Salaries and expenses	38,000			
	(Transfers and/or releases)	*(28,000)*	*(28,000)*	*(28,000)*	*(28,000)*
	Total, Executive Office of the President:				
	New budget (obligational) authority	38,000			
	(Transfers and/or releases)	*(28,000)*	*(28,000)*	*(28,000)*	*(28,000)*
	INDEPENDENT AGENCY				
	ADMINISTRATIVE CONFERENCE OF THE UNITED STATES				
274	Salaries and expenses	88,000	67,000	67,000	67,000
	Total, independent agencies: New budget (obligational) authority	88,000	67,000	67,000	67,000
	Total, chapter X:				
	New budget (obligational) authority	15,504,000	14,089,000	14,239,000	14,239,000
	(Transfers and/or releases)	*(19,421,000)*	*(22,221,000)*	*(22,221,000)*	*(22,221,000)*
	CHAPTER XI				
	CLAIMS AND JUDGMENTS				
317	Claims and judgments: New budget (obligational) authority	$16,687,049	$16,687,049	$16,687,049	$16,687,049
	Total, title I:				
	New budget (obligational) authority	[4] 5,946,685,009	5,830,196,849	5,912,094,849	5,834,190,849
	(Transfers and/or releases)	*(2,759,892,000)*	*(2,440,081,000)*	*(2,453,641,000)*	*(2,440,641,000)*
	TITLE II—INCREASED PAY COSTS				
	Total, title II:				
	New budget (obligational) authority	[5] $791,626,384	$516,087,075	$461,640,649	$461,640,649
	(Transfers and/or releases)	*(219,502,100)*	[6] *(274,193,598)*	[7] *(283,193,598)*	[7] *(283,193,598)*
	GRAND TOTAL—TITLES I AND II				
	Grand total, titles I and II:				
	New budget (obligational) authority	$6,738,311,393	$6,346,283,924	$6,373,735,498	$6,295,831,498
	(Transfers and/or releases)	*(2,979,394,100)*	*(2,714,274,598)*	*(2,736,834,598)*	*(2,723,834,598)*

---

[1] Language proposed providing release of indefinite amounts reserved under title II, Public Law 90-218, to offset special Vietnam costs (currently estimated at $2,629 600,000).

[2] Includes transfer of $8,000,000 from contingencies for payment of claims. Also includes releases of $2,351,600,000 from reserves created pursuant to Public Law 90-218.

[3] These items were included in the urgent supplemental bill (H.R. 15399) which passed the House on Feb. 20, 1968 and the Senate on Mar. 11, 1968.

[4] Includes $20,501,000 not considered by the House in S. Doc. 84, H. Doc. 317, and H. Doc. 318.

[5] Includes $1,295,714 for Senate items not considered by House.

[6] Includes transfer of $25,000,000 for Post Office operations and miscellaneous transfers of $1,671,798 in other accounts. Also includes releases of $247,521,800 from reserve created pursuant to Public Law 90-218.

[7] Includes transfer of $34,000,000 for Post Office, miscellaneous transfers of $1,671,798 and Public Law 90-218 release of $247,521,800.

Mr. HOLLAND. Mr. President, I am exceedingly glad that this bill has been passed, and I congratulate and commend the distinguished senior Senator from Rhode Island [Mr. PASTORE] for his diligence and succesful efforts in the handling of the bill.

DISCHARGE OF CONFEREES

Mr. President, I have an announcement to make, if I may have the attention of the Presiding Officer. The second conference on the so-called urgent supplemental bill has been underway since April 23. I have had the dubious distinction of being chairman of that conference.

I am happy to report to the Senate that all items which were in conference have now been agreed to: One of them in the supplemental bill called the Labor supplemental bill, House Joint Resolution 1229, passed some time ago; another in the so-called highway supplemental of 1968, which also included an amount for claims and judgments, known as House Joint Resolution 1268; and others now in this bill, the second supplemental of 1968, known as H.R. 17734. I am glad to report that all items that were in disagreement have now been compromised or passed in one form or another, and that there is nothing left for the urgent supplemental conferees to do. There is one exception to that statement, and that is the $25 million that was in that bill for the Farmers Home Administration production loans. The Senate has taken care of that item by adding that amount to the annual appropriation bill which is now in conference.

Therefore, in order to relieve the conferees, who are Senators ELLENDER, MAGNUSON, BIBLE, MCGEE, YARBOROUGH, MUNDT, JAVITS, HRUSKA, and myself, I ask unanimous consent that the Senate conferees on the urgent supplemental bill be discharged from further service.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? Without objection, it is so ordered.

Mr. HOLLAND. Mr. President, in addition to that, I shall ask the House conferees to indefinitely postpone consideration of the bill. Of course, I cannot control their action; but the action which I have taken, and which the Senate has approved, completely disposes of the matter insofar as the Senate can dispose of it. In other words, the second group of conferees on the urgent supplemental bill have now been unanimously relieved from further service, and discharged by the Senate.

Mr. PASTORE. Mr. President, will the Senator yield for a question?

Mr. HOLLAND. I yield.

Mr. PASTORE. The Senator used the expression that all the items contained in the urgent supplemental bill "have been agreed to." That is not true. They have been disposed of.

Mr. HOLLAND. The Senator has used a better word. Some of those items have been greatly reduced, and I think I used the subsequent language, in my statement, to make it very clear, that there had been some compromising in connection with the disposition of the various matters.

Mr. PASTORE. Yes; that is correct.

Mr. HOLLAND. They have been disposed of, with one exception, and that item, which is an item relating to the Farmers Home Administration, has been transferred to the annual appropriation bill for the Department of Agriculture. That bill is in conference. I think there is no justification at all for further continuation of this conference, which is the reason why I have made the request, to which the Senate has unanimously agreed, that the conferees be discharged.

Mr. PASTORE. Will the Senator yield further?

Mr. HOLLAND. I am happy to yield.

Mr. PASTORE. I merely wish to say to my colleague from Florida that this was a responsibility that belonged to me, and I was ill at the time, and the Senator from Florida was gracious enough to undertake it. I am extremely indebted to him, and thank him from the bottom of my heart.

Mr. HOLLAND. Mr. President, the Senator is entirely welcome. The Senator from Alabama [Mr. HILL] was the chairman of the first conference on this bill, and when the second set of conferees were appointed, without the Senator from Florida in any sense requesting the responsibility, the responsibility was placed upon him by the action of the Presiding Officer.

Mr. PASTORE. I give my heart to the Senator from Alabama also.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. HOLLAND. I am happy to yield.

Mr. JAVITS. I, too, was one of the conferees now relieved from responsibility. I wish to say that the Senator from Florida, though he did not necessarily agree with me on all matters, did his best, in conference, to uphold the position of the Senate first; and, indeed, he was even willing to author with me, at my request, a compromise which I was willing to accept at the time, all to no avail, in view of the attitude on the part of the House conferees.

Mr. HOLLAND. I thank the Senator. As a conferee, I always attempt to maintain the position of the Senate, whether I agree with it or not.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. YARBOROUGH. Mr. President, I thank the Senator from Florida for his diligent work for the funds put in this supplemental bill. I was the author of an amendment to provide $25 million for the Headstart program. That was cut back by the conferees to $5 million. In my opinion, that was a devastating cut. It is all the more devastating to deny Headstart children $25 million while voting $12 billion for highway construction, $2 billion for public works, and untold billions for the war in Vietnam.

I know that the Senator from Florida had great difficulty in saving even that $5 million, because I was a conferee on the first supplemental, and the House conferees would not put one red cent in the bill for the Job Corps, for summer job work, or for Headstart money. What was saved here was saved by the Senate conferees.

So even with the drastic reduction in funds for summer jobs, and the 80-percent reduction for Headstart, I compliment the Senator from Florida for saving anything. The House conferees deadlocked that first conference week after week because they would not vote anything for summer jobs or for Headstart. So whatever is in here, however small the amount, is a tribute to the Senator from Florida. At least the Senator has saved $5 million to help some children in Headstart, and $13 million to help some young people with summer jobs. Having served on the first conference, I know how the House conferees would pick up their papers and say, "We are through indefinitely; no use meeting again if you are going to insist on putting any Headstart or Job Corps money in this."

It is hard to get anything for children. It is easy to get concrete and weapons, but to get a few measly dollars for little children is almost impossible in the Congress of the United States. The House of Representatives cuts out every cent for the bilingual education program that would have helped 3 million children from non-English-speaking homes. Now they have cut the $25 for Headstart to $5 million. But think of the $12 billion we voted for highways yesterday, with more billions coming for public works, and billions for weapons to destroy other countries.

Mr. President, what is the state of this Nation, when Congress will vote nothing for children, but billions on billions for big fat contracts to carry on an unnecessary war overseas?

Mr. HOLLAND. Mr. President, I would like to accept those gracious thanks from the Senator from Texas, but I cannot properly do it. If I was entitled to any credit at all, it was simply because I would not agree to the House position throughout that long and difficult conference. We are ending, now, on a pleasant note on a subsequent conference on a different bill. That is the second supplemental for 1968, which has been handled in conference by our able friend, the senior Senator from Rhode Island, and I hope that the Senator from Texas will realize that his full mete of appreciation and gratitude should go to the Senator from Rhode Island.

Mr. YARBOROUGH. Mr. President, I transfer it over. I thank the Senator from Florida.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. PASTORE. The Senator from Florida and myself.

Mr. YARBOROUGH. The Senator from Florida saw the other conference die rather than yield to the House position against these children. It was only by his unwillingness to yield then that the Senator from Rhode Island has saved anything here.

I divide my accolade between the two Senators.

PUBLIC WORKS AUTHORIZATIONS, 1968, RIVERS AND HARBORS—FLOOD CONTROL AND MULTIPLE-PURPOSE PROJECTS

Tht Senate resumed the consideration of the bill (S. 3710) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 33, beginning with line 21, strike out all down to and including line 13 on page 34.

Mr. WILLIAMS of Delaware. Mr. President, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. WILLIAMS of Delaware. Mr. President, the rejection of the pending amendment would mean that we would be eliminating the Tennessee Valley Authority, by legislation from any effect it may have on the Federal budget or its ability to expand its employment.

I call attention to the fact that there are several corporations in a similar capacity that are operating on the same basis.

I refer to the Export-Import Bank. The FDIC has no Government money involved. That is also included in the reductions. There is the Farm Home Loan Board, and the Railroad Retirement Board with its 1,730 Government employees. That Board is not functioning with Government money. It is run with revenues derived from the employee and employer.

We have the Civil Service Retirement Board and many of these trust funds.

Mr. PASTORE. Mr. President, will the Senator yield so that I may ask for the yeas and nays?

Mr. WILLIAMS of Delaware. I yield.

Mr. PASTORE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. Mr. President, one provision in this bill attempts to undo much of what the Congress recently did in the Revenue and Expenditure Control Act of 1968. This particular amendment is merely a foot in the door for what will come later if we allow this provision to stay in this public works authorization bill.

I am referring to the provision which removes TVA employees paid out of power revenues from the employee ceiling provision recently provided in the Revenue and Expenditure Control Act, and also to the succeeding language which removes expenditures made by the TVA out of power revenue from the $6 billion expenditure limitation and also the $10 billion obligational reduction which also were included in the act that I have just referred to.

The procedure to be followed in destroying the effectiveness of these provisions is all too clear. First, TVA employees or TVA expenditures or obligational authority are removed from the application of these provisions and then some similar exception is made for another group of employees or expenditures or obligations, until the provisions are so riddled with exceptions that they no longer assure us the employee reductions or the expenditure or obligational cuts Congress provided in connection with the tax increase so recently provided.

I realize that the TVA employees or appropriations are described as being just a minor exception to the major provisions, but they most clearly and certainly represent the first attempt to break through these employee and expenditure reductions. If we allow the line to be broken at this point, you can be sure that others will take advantage of it to break the line in the case of other agencies. It is for that reason that I believe that this amendment is of major importance and should be defeated by those who previously voted for the expenditure limitation and employee ceiling. To permit an exception here will almost certainly lead to other exceptions later on.

Some will say that this is nothing more than restoring the Senate amendments which were included in the Senate version of the Revenue and Expenditure Control Act. In the case of the employee limitation, this is, of course, true; but this is not true in the case of the provision relating to expenditure or obligational cuts.

Let me deal first with the matter of the employee ceiling. The Senate version contained a series of exceptions to the employee ceiling, one for Defense Department employees, another for Post Office employees, another for FBI employees, another for CIA employees, and the one for TVA employees paid out of power revenues. When this was considered in conference, both the conferees and the Budget Director concluded that to make an employee ceiling work effectively it should apply across the board without exceptions. It was for this reason that all of the exceptions in this provision were deleted. It is also important to realize that the agreement reached by the conferees permitted the filling of three out of four instead of two out of four vacancies, and that this was a direct concession for the removing of these exemptions. Now this provision we have before us would start restoring these exceptions without restoring the provision requiring that only two out of four vacancies be filled.

How can we justify picking out TVA employees and making an exception for them when all other Federal employees, including those of the Defense Department, the FBI, the CIA, and the Post Office, are under the limitation? It cannot be done.

One argument that is sometimes made is that since these employees are not paid out of appropriated funds it makes no difference in the budget whether additional revenues are spent for this purpose or not. This, of course, is not true, because revenues of the TVA in excess of those spent are, in effect, the debt of the United States since borrowings by the TVA are reduced by any excess of power revenues they may have.

Still another factor that needs to be realized is that the act which Congress passed gives the Budget Director the authority to permit higher rates of employment in the TVA if he thinks this is in the interests of efficient Government operation and if he will hold down employment in some other agency by a like amount. As a result, let me point out that the result desired here will be obtained under present law if this leads to more efficient Government operation.

In the case of the expenditure and obligational exceptions provided for the TVA here, let me point out that the proposal before us goes beyond the original Senate amendments with respect to TVA employees. Under the earlier Senate provision, increases in TVA expenditures or obligations above the expenditure ceiling or above the obligational ceiling were excepted from the $6 billion expenditure cut and the $10 billion obligational cut. This amendment, however, goes further than this and even removes from the application of the expenditure provision and obligational provision amounts presently included in the budget for TVA to the extent paid for from power revenues. In other words, this not only excepts future increases from these limitations but also the present budgetary proposals from the limitations. There is no justification for making exceptions in these cases, and I can only say that a vote for this provision or against my amendment striking out this provision is a vote to begin overturning the expenditure limitation and obligational cut Congress so recently imposed.

I urge the adoption of my amendment.

Mr. RANDOLPH. Mr. President, I have no desire to continue the discussion upon this matter. It has been thoroughly documented from the standpoint of the Senator from Delaware and the Senator from Tennessee.

Mr. President, the Senator from Tennessee, speaking not only for himself, but also for the Committee on Public Works, has presented his argument, and the matter has been thoroughly considered. The debate has been helpful. The Senators who have been present to listen to the debate are more knowledgeable on the matter. I have no desire to do anything other than to bring the matter to a vote.

I am grateful again, as I said yesterday, for the continuing attention to these matters by Senators who are not members of our committee. The Senator from Delaware is not a member of our committee, but he checks on what we are doing in these legislative matters and gives us an opportunity for debate and a vote on rollcall, such as we will now have.

Mr. WILLIAMS of Delaware. Mr. President, I thank the Senator. It has been argued that the Tennessee Valley Authority does its own financing. However, even though it has its own bonds those funds are included and counted as a part of the obligation of the U.S. Government, and the property owned by the U.S. Government backs up the payment of those bonds so that they are included as a part of the debt and are guaranteed by the taxpayers.

Mr. President, I said that I was ready for a vote. However, I have had a request to the effect that the Senator from Tennessee wants a short quorum call so that he may have the opportunity to make a few brief remarks.

Mr. RANDOLPH. I did not want to hurry the Senator.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Delaware.

Mr. BAKER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BAKER. Do I correctly understand that the yeas and nays have been ordered on the Williams amendment?

The PRESIDING OFFICER. The Senator's understanding is correct.

Mr. BAKER. And the amendment is to the bill as reported, and it would strike the TVA language?

The PRESIDING OFFICER. The Senator is correct.

Mr. BAKER. I thank the Chair.

The PRESIDING OFFICER (Mr. Moss in the chair). The question is on agreeing to the amendment of the Senator from Delaware. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. Bible], the Senator from Hawaii [Mr. Inouye], the Senator from Washington [Mr. Magnuson], the Senator from Rhode Island [Mr. Pell], and the Senator from Maryland [Mr. Tydings] are absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Maryland [Mr. Brewster], the Senator from North Dakota [Mr. Burdick], the Senator from Nevada [Mr. Cannon], the Senator from Pennsylvania [Mr. Clark], the Senator from Mississippi [Mr. Eastland], the Senator from North Carolina [Mr. Ervin], the Senator from Arkansas [Mr. Fulbright], the Senator from Tennessee [Mr. Gore], the Senator from Massachusetts [Mr. Kennedy], the Senator from Ohio [Mr. Lausche], the Senator from Missouri [Mr. Long], the Senator from Louisiana [Mr. Long], the Senator from Minnesota [Mr. McCarthy], the Senator from South Dakota [Mr. McGovern], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from Connecticut [Mr. Ribicoff], the Senator from Georgia [Mr. Russell], the Senator from Florida [Mr. Smathers], and the Senator from Alabama [Mr. Sparkman] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. Bartlett], the Senator from Maryland [Mr. Brewster], the Senator from North Carolina [Mr. Ervin], the Senator from Tennessee [Mr. Gore], the Senator from New Mexico [Mr. Montoya], the Senator from Oregon [Mr. Morse], the Senator from Connecticut [Mr. Ribicoff], and the Senator from Maryland [Mr. Tydings] would each vote "nay."

On this vote, the Senator from Ohio [Mr. Lausche] is paired with the Senator from Alabama [Mr. Sparkman]. If present and voting, the Senator from Ohio would vote "yea" and the Senator from Alabama would vote "nay."

Mr. DIRKSEN. I announce that the the Senator from Kansas [Mr. Carlson], the Senators from Kentucky [Mr. Cooper and Mr. Morton], the Senator from Arizona [Mr. Fannin], the Senator from Hawaii [Mr. Fong], the Senator from Nebraska [Mr. Hruska], and the Senator from California [Mr. Kuchel] are necessarily absent.

If present and voting, the Senator from Kentucky [Mr. Cooper], the Senator from Arizona [Mr. Fannin], the Senator from Hawaii [Mr. Fong], and the Senator from California [Mr. Kuchel] would each vote "nay."

The result was announced—yeas 7, nays 59, as follows:

[No. 205 Leg.]

YEAS—7

Bennett
Byrd, Va.
Cotton
Curtis
Pastore
Thurmond
Williams, Del.

NAYS—59

Aiken
Allott
Anderson
Baker
Bayh
Boggs
Brooke
Byrd, W. Va.
Case
Church
Dirksen
Dodd
Dominick
Ellender
Griffin
Gruening
Hansen
Harris
Hart
Hartke
Hatfield
Hayden
Hickenlooper
Hill
Holland
Hollings
Jackson
Javits
Jordan, N.C.
Jordan, Idaho
Mansfield
McClellan
McGee
McIntyre
Metcalf
Miller
Mondale
Monroney
Moss
Mundt
Murphy
Muskie
Nelson
Pearson
Percy
Prouty
Proxmire
Randolph
Scott
Smith
Spong
Stennis
Symington
Talmadge
Tower
Williams, N.J
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—33

Bartlett
Bible
Brewster
Burdick
Cannon
Carlson
Clark
Cooper
Eastland
Ervin
Fannin
Fong
Fulbright
Gore
Hruska
Inouye
Kennedy
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
McCarthy
McGovern
Montoya
Morse
Morton
Pell
Ribicoff
Russell
Smathers
Sparkman
Tydings

So the amendment of Mr. Williams of Delaware was rejected.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I would like to ask the majority leader about the session tomorrow and the business that will be considered.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, when we complete our business this afternoon the Senate will adjourn until 9 o'clock tomorrow morning. It is anticipated that Calendar No. 1312, H.R. 12120, the so-called juvenile delinquency control bill will be laid before the Senate this evening and discussed, and I hope disposed of tomorrow.

It is anticipated that when the pending business today is disposed of, the land and water conservation conference report will be taken up. In addition, there will be a number of other bills taken up during the course of tomorrow. Providing the juvenile delinquency control bill is disposed of tomorrow, the pending business for Monday next will be the legislative appropriation bill.

Let me say that there is the serious expectation that rollcall votes will occur tomorrow, that amendments will be offered that could very well precipitate that end result. I make this statement just to put the Senate on notice.

ADJOURNMENT OF THE TWO HOUSES FROM WEDNESDAY, JULY 3, 1968, UNTIL 12 NOON MONDAY, JULY 8, 1968

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Concurrent Resolution 792.

The **PRESIDING OFFICER** laid before the Senate House Concurrent Resolution 792, which was read as follows:

Resolved by the House of Representatives, the Senate concurring, That when the two Houses adjourn on Wednesday, July 3, 1968, they stand adjourned until 12 o'clock meridian, Monday, July 8, 1968.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the resolution?

There being no objection, the concurrent resolution (H. Con. Res. 792) was considered and agreed to.

Mr. DIRKSEN. Mr. President, I move that the vote by which the resolution was agreed to be reconsidered.

Mr. BAKER. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

PUBLIC WORKS AUTHORIZATIONS, 1968, RIVERS AND HARBORS—FLOOD CONTROL AND MULTIPLE-PURPOSE PROJECTS

The Senate resumed the consideration of the bill (S. 3710) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

Mr. WILLIAMS of Delaware. Mr. President, I have one more amendment which I send to the desk and ask to have stated.

The **PRESIDING OFFICER.** The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER.** Without objection, it is so ordered; and the amendment will be printed in the Record.

The amendment of the Senator from Delaware [Mr. Williams] is as follows:

At the appropriate place insert a new section, as follows:

"Sec. —. Moratorium on public works projects.

"(a) (1) Notwithstanding any other provision of law, no Federal department or agency shall, during the period in which this section is in effect—

"(A) initiate the planning or construction of any public works project (including projects for recreational facilities but excluding projects for highways), or

"(B) make any grant to any State or local government agency for initiating the planning or construction of any such public works project.

"(2) Upon request of the head of the Federal department or agency concerned, the Director of the Office of Emergency Planning shall investigate a public works project with respect to which paragraph (1) applies for the purpose of determining whether the delay in planning or construction of such public works project required by paragraph (1) will cause irreparable damage to the public health or welfare. If with respect to any planning or construction of any such public works project, the Director determines that such delay will cause such irreparable damage, paragraph (1) shall cease to apply with respect to such planning or construction effective on the date on which the Director publishes such determination.

"(3) The Director shall report, from time to time, the results of his investigations and determinations under paragraph (2) to the President and the Congress.

"(b)(1) The Director of the Office of Emergency Planning shall make an investigation of all public works projects (including projects for recreational facilities but excluding highway projects), the planning or construction of which has been initiated on or before the date of the enactment of this Act and is being carried out by a Federal department or agency or by a State or local government agency with Federal assistance, for the purpose of determining what planning and construction on such public works projects can be temporarily halted without causing irreparable damage to the public health or welfare.

"(2) Notwithstanding any other provision of law, no Federal department or agency shall—

"(A) continue any planning or construction, or

"(B) make any grant (or payment of a grant previously made) to any State or local government agency for continuing any planning or construction,

which the Director determines under paragraph (1) can be so temporarily halted, during the remainder of the period in which this section is in effect beginning with the day after the date on which the Director publishes such determination.

"(3) The Director shall, as soon as practicable, report the results of his investigation and determinations under paragraph (2) to the President and the Congress.

"(c) This section shall apply during the period beginning on the day after the date of the enactment of this Act and ending on the last day on which the tax required to be deducted and withheld on wages under section 3402 of the Internal Revenue Code of 1954 includes any amount attributable to the tax surcharge imposed by section 51 of such Code."

Mr. WILLIAMS of Delaware. Mr. President, I shall be very brief. I am going to ask for a division on the amendment because, based on the result of the last vote, I recognize the mood of the Senate so far as this particular bill is concerned.

I point out that under the bill the Senate is authorizing new projects with a total cost of nearly $2 billion. We have a total of $570 million approved for navigation projects, $1,088 million for other new public works projects, which is a total of about $1,658 million, plus, about $200 million added on the floor by additional amendments. These are new projects.

It is impossible to analyze these one by one. I do not question that there is merit in each of them, but I do have this question: How can we continue to expand projects and initiate new projects at a time when we are in the midst of a full-scale war which we have to finance at a time when the Senate and House are on record that they want to cut back $10 billion in obligational authority for 1969, and at a time when we are on record that we will require the President to cut $6 billion in spending if we in Congress do not do it?

By our vote we have already excluded one segment of this bill from any effect, so far as the TVA area is concerned, on any reduction in expenditures or any reduction in civilian payrolls.

The purpose of this amendment would not be to cancel one single project but to leave them authorized as they are under the bill. It would merely provide that they would not proceed to the initiation or the construction of any project until after it had been certified as essential to the national security or until the war in Vietnam is over, or when our budget would be more nearly in balance.

This is the identical amendment which the Senate voted on during debate on the Williams-Smathers package and which I regret to say was defeated at that time.

In World War II and again during the Korean war, similar action was taken, but unfortunately this administration insists upon both guns and butter.

Why not have a moratorium on new public works projects until this war is over?

This is the appropriate bill. I think this is the time for us to decide whether we want to make some of the cuts in this area of new public works projects or whether we shall insist on expanding and continuing every program that comes before the Senate and delegate to the President the responsibility for making the cuts. I think that this is the place to do it. In view of the results of the last vote I will not ask for a record vote.

Mr. President, I call for a division.

The PRESIDING OFFICER. A division is called for.

On a division, the amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

If there be no further amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. WILLIAMS of Delaware. Mr. President, I shall vote against the bill. I think there are many worthwhile projects in it, but it is wrong for Congress to insist upon expanding and authorizing nearly $2 billion worth of new projects at a time when we are talking about economy. The Senate must make up its mind which way it is going.

How can the Senate possibly justify its approval of $2 billion for new public works projects in the face of a $25 billion deficit for fiscal year 1968 and at a time when we are placing a 10-percent tax increase on all taxpayers?

This is not the time for expansion of pork barrel projects.

Mr. AIKEN. Mr. President, I should like the Record to show that had there been a record vote, I would have voted "yea" for the Williams amendment.

The PRESIDING OFFICER. The Record will so state.

Mr. THURMOND. Mr. President, I also would like the Record to show that had there been a yea-and-nay vote, I would have voted "yea" for the Williams amendment.

The PRESIDING OFFICER. The Record will so state.

Mr. PROUTY. Mr. President, I join my distinguished colleague, Mr. Aiken, in pointing out that I, too, would have voted "yea" for the Williams amendment, had there been a record vote.

The PRESIDING OFFICER. The Record will so state.

Mr. GRUENING. Mr. President, the 1968 omnibus rivers and harbors bill, S. 3710, in my opinion represents important constructive and needed legislation for the people of America.

The bill will authorize 71 projects which when funded completely will cost less than $2.2 billion. The projects have been studied and reviewed by the State governments and Federal agencies concerned. They have been discussed in the hearings held by the Public Works Subcommittee on Flood Control, Rivers and Harbors, chaired by the able junior Senator from Ohio [Mr. Young]. The full committee has reviewed them.

The 1968 public works authorization bill comes from the people and it represents worthy projects which will repay many times the Federal and local investments which are to be appropriated.

The distinguished chairman of the Public Works Committee [Mr. Randolph] has devoted many long hours to the bill, as have the other members of the committee of which I am proud to be a member.

Some critics of public works comment unfairly about them. Sometimes they attach to them the utterly unjustified deprecatory designation of "pork barrel" projects. They will again. Someday I hope they will take the time to ascertain what a modest investment in a public works project can mean to the community affected.

Consider the benefits: Power for electricity; power for irrigation; reservoirs to hold back floodwaters, rivers and streams cleaned of debris to make navigation possible and profitable, small boat harbors to protect fishing vessels, breakwaters to protect towns and cities, recreation facilities, pollution abatement, beach and river erosion control, and many others.

Flood control and the multipurpose of comprehensive river development are difficult to value in dollars and cents, perhaps impossible, but I can testify at this time as to what the proposed Fairbanks flood control project means to the men, women, and children who live in the area affected. Similiarly, I believe the residents of southeastern New Hampshire will benefit when the proposed Beaver Brook Dam and Reservoir are constructed. Similarly, I believe the proposed plan of improvement for beach erosion control and hurricane protection in Dade County, Fla., will be an investment repaid many times. Similarly, the proposed flood control improvements on the Little Blue River in the vicinity of Kansas City, Mo., will provide protection for the rapidly growing residential and commercial developments in the expanding Kansas City metropolitan area, including measures to prevent a growing pollution problem.

The Senate report on S. 3710 describes in detail the many positive effects of the omnibus rivers and harbors bill which we are considering.

As a member of the Public Works Committee, I know much work has gone into this bill by the committee and members of the committee staff. I would like to express appreciation on behalf of my friend and colleague from Alaska, Bob Bartlett, and myself for the assistance other members of the committee and members of the staff have given whenever we have had questions concerning problems in Alaska.

One such instance comes vividly to mind today. Last August the Fairbanks area was badly hurt by the flooding waters of the Chena and Tanana Rivers. Thousands of residents were forced to leave their homes and businesses. The chairman of the Public Works Committee wanted to have the facts and immediately authorized a special onsite investigation and requested a complete written report. I can tell you today that that investigation was one of a type none of us would want to make because to see what terrible damage can be caused by unchecked floodwaters is a grim experience. I reported in detail to the committee and was ably assisted by staff members Joseph F. Van Vladricken and Harold Symes. With the help of the local, State, and Federal agencies concerned it was possible to include the authorization of the Tanana River area flood control project in the Fairbanks area in the bill we consider today. The Fairbanks project has a benefit-cost ratio of 2.7. Its estimated cost is $113 million.

I quote the remarks from the committee's report concerning the proposed Fairbank's flood control project:

> *Remarks.*—The committee notes that the proposed improvements would protect the Fairbanks area and nearby Fort Wainwright which suffered damage estimated to be $95 million in August 1967 by the largest recorded flood in the history of central Alaska. Ninety-five percent of the city of Fairbanks was flooded; the airbase was covered by water, and a large portion of the base's structures made inoperable. At the time this disaster struck, the committee immediately authorized a special on-site investigation and requested a written report and specific recommendations to prevent similar disasters. Investigation showed that prompt flood control measures were needed. The committee commends authorities of the State of Alaska and the executive branch of the Federal Government for moving expeditiously to review the revised proposed Tanana River Basin flood control project study. Residents of the Fairbanks area have evidenced their desire to cooperate to the fullest. Fairbanks future incorporates its being the industrial gateway to resource development in the Brooks Range and western Alaska. The committee considers this project to be needed and to be economically well justified and believes that early initiation of the project is desirable. Accordingly, language has been included in the bill authorizing its construction.

The 1968 omnibus rivers and harbors bill also includes the authorization of harbor improvements at Kake, a town located in southeastern Alaska, 39 miles west of Petersburg. The proposed improvements will cost $1,766,000 and will provide protection to the local fishing fleet. The benefit-to-cost ratio is 1.8.

Harbor improvements are also proposed at King Cove in the Aleutian chain about 650 miles southwesterly of Anchorage. The improvements include a 15-foot-deep anchorage basin about 11 acres in area, an entrance channel 125 feet wide and 15 feet deep, an earthfill training dike, and a rockfill groin for a total cost of $527,000. The benefit-to-cost ratio is 4.5.

For the removal of navigation hazards at Sergius and Whitestone Narrows, which connect Sitka with the rest of southeastern Alaska, the committee approved the authorization of $3,030,000. Peril Strait through Sergius Narrows will be deepened to 24 feet and widened to 450 feet, and Neva Strait through Whitestone Narrows will also be deepened to 24 feet and widened to 350 feet. The benefit-to-cost ratio is 3.3.

These four Alaska projects when funded completely will represent a total investment of $117,012,000. The benefits which will be accrued from them will be many times that amount in dollars and cents and cannot be assessed as to the value they will afford individuals.

I ask unanimous consent to have printed in the RECORD a statement on the pending bill by my friend and colleague from Alaska [Mr. BARTLETT] who cannot be with us today.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

TANANA RIVER FLOOD CONTROL PROJECT AUTHORIZED

(Statement by Senator BARTLETT)

I regret that I cannot be present today to convey my congratulations to the distinguished chairman of the Public Works Committee [Mr. RANDOLPH] and to his colleagues for the concern, the interest, and the expedition which they have demonstrated in authorizing the Tanana River flood control project at Fairbanks.

From the onset of the great flood in August of 1967 the committee has been active. It authorized an on-site inspection. The Corps of Engineers worked quickly to update its flood control study of the Tanana River basin. All the federal agencies involved and the State of Alaska and the community of Fairbanks have worked together. The result is the authorization today of the $113 million Tanana River flood control project. Its benefit cost ratio is a very high 2.7. The project is needed. It is needed now. It is needed if the City of Fairbanks is to survive and prosper. Fairbanks is determined that it will. The action of the Congress authorizing this project backs up the City in its determination.

I congratulate the chairman of the committee [Mr. RANDOLPH], the committee, and of course the junior Senator from Alaska, [Mr. GRUENING], who as a member of the committeee has worked so hard and done so much on this project.

LITTLE DELL PROJECT NEEDED NOW

Mr. BENNETT. Mr. President, I support the omnibus rivers and harbors-flood control bill and wish to invite the attention of Senators specifically to the Little Dell project near Salt Lake City, Utah, which is included in the proposed legislation.

The construction of this dam for flood control, water development, and recreational purposes is an inevitable step in the development of Salt Lake Valley. For this reason, I introduced S. 1549, a bill to reauthorize the Little Dell project after the final report of the Army Engineers was received.

Having worked for the approval of this project since 1955, I am eager to see construction begin as soon as possible. I was the author of a bill in the 85th Congress authorizing the dam, but action on the bill was delayed pending completion of the report to the district engineer.

At the request of the Salt Lake City Commission, I worked with the Corps of Engineers to get this portion of the Jordan River Basin report completed ahead of schedule, so that Little Dell could get the priority it deserves.

Some 43 percent of Utah's population resides in Salt Lake County, and industrial and municipal water needs are expected to double by 1985.

Since 1847, when the pioneers first settled in Salt Lake Valley, providing an adequate municipal water supply has been a continuing problem. Small reservoirs on mountain streams in and adjacent to the city have been constructed, together with an extensive water distribution system. A supplemental water supply has also been obtained in recent years from the Provo River project of the Bureau of Reclamation; but the city is outgrowing these sources and it is imperative that additional water be provided. Fortunately, the problem is not in finding the water, but merely of developing a way to store it for future use.

It is estimated that about 13,000 acre-feet of water is lost each year in Parleys Canyon. The Little Dell Reservoir would drastically reduce this waste.

The flood control value of the dam is also important. In most years, a flood-control dam is not needed; but in unusual years, such as 1952, the awesome spectacle of millions of gallons of uncontrolled water coming from the melting snows in the mountains east of Salt Lake City points up the fact that adequate flood control facilities are absolutely necessary if the city is to be protected.

The recreational value of the project will be tremendous, particularly in view of the close proximity of the reservoir to the city and to Interstate 80. The existing recreational facilities in the area are limited, and with the ever-increasing population there is an urgent need for recreation facilities in conjunction with water development.

The rapid increase in population and industrial development along the Wasatch Front and the apparent need for more water to serve Salt Lake City within the next few years points up the project's value. I cannot overemphasize the importance of speeding congressional approval of the Little Dell project which will be such a boon to the people of the Salt Lake metropolitan area.

Mr. President, in addition to Little Dell, I should like to call the Senate's attention to another worthwhile project in this bill, the extension of the authorization of the Weber River Channel improvement.

The $1 million project would provide flood protection on the Weber River and its tributaries. This badly needed flood control project was authorized in the 85th Congress, but one of the difficulties in implementing construction was the requirement that local interests provide rights-of-way for construction, move utilities, and give the usual assurances to the Federal Government.

The bulk of the costs of this work falls upon Morgan County, which is one of the smaller counties in Utah. The county has been unable to raise the necessary funds from its meager annual budgets and, as a result, preconstruction planning was suspended in 1962 and the project authorization expired on April 16, 1967.

Because of the potential flood damage downstream, this project is vitally needed. Therefore, as I did last year in a letter to the chairman of the Public

Works Committee, I again urge that the authorization be extended.

The Utah Board of Water Resources has pledged its full support to the project and will assist the local interests in meeting their commitments in order to overcome the real potential flood threats on the Weber River.

SENATOR YARBOROUGH COMMENDS CHAIRMAN RANDOLPH AND THE RIVERS AND HARBORS BILL

Mr. YARBOROUGH. Mr. President, I am pleased to support the rivers and harbors bill as it is reported from the Committee on Public Works. Earlier this year I testified before the committee in support of a number of Texas projects now included in the bill.

Among the numerous projects which particularly concern Texans is the Red River Waterway project. The bill calls for bank stabilization and improved navigation along the Red River below Lake Texoma. Included in this project will be improved water quality, flood damage reduction, recreational facilities, and area redevelopment. This project will involve almost $15 million in Federal funds.

The bill also authorizes $23 million in Federal funds for the Aquilla Dam and Reservoir in the Brazos River Basin north of Waco at Aquilla Creek. This project should reduce flood damages originating in the Aquilla Creek watershed.

In the Navasota River Basin a two-step project, beginning with the Millican Dam, has been authorized which involves $119 million. This project will provide for flood control and should also enhance recreational, fish, and wildlife activities in the area.

A similar project which is badly needed for flood protection is that authorized on Pecan Bayou, utilizing $24 million in Federal funds. The plans call for channel improvements, protective measures for Lake Brownwood, and a Pecan Bayou Reservoir.

Another flood control project authorized is that for Clear Creek, a rapidly growing residential area south of Houston. Existing flood control arrangements are clearly inadequate. This bill authorizes $12,000,000 in Federal funds for channel improvements.

Nearby in the Texas City-La Marque-Hitchcock area, nearly $11,000,000 in Federal funds is authorized by this bill for hurricane flood protection. An earthen levee authorized would provide protection for an area badly damaged by Hurricane Carla in 1961.

An additional $2,000,000 has been authorized for the Brazos River Basin flood control plan, which has already received $109,000,000 over the 14-year period since 1954.

Lastly, the bill provides for surveys for flood control in the Baytown, Burnett, Crystal, and Scotts Bays vicinity.

All these public works projects will help Texas better improve and utilize its water development potential. In a State so diverse that it suffers from both severe droughts and severe floods, these public works projects are extremely important. I am very pleased to support the rivers and harbors bill before us today.

I would like to express my deep appreciation and commendation to Senator JENNINGS RANDOLPH, chairman of the Public Works Committee for his careful weighing of all the public works proposals throughout the Nation and his knowledgeable evaluation of the priorities of projects. The knowledge and experience which he brings to bear in this field is outstanding and his judgment is admirable.

SANDBAGS FOR GREENCASTLE

Mr. HARTKE. Mr. President, I am disappointed that the Big Walnut Reservoir is not included in the omnibus rivers and harbors bill, S. 3170.

Although Big Blue Reservoir, Downeyville Reservoir, and Marion Floodwall were recommended, Big Walnut Reservoir was not.

The lack of favorable action by the Bureau of the Budget hinges on a controversy between the Chief of Engineers and the Department of the Interior on the designation of a part of the Big Walnut Valley as a national landmark. In other words, if a compromise—flood control and natural area preservation—is not brought about, the people of Greencastle and down river will have to give up any hope for flood control and prepare a lot of sandbags for flood protection in the future.

Another serious consideration is the hope for the future of the natural area itself. If Congress adjourns without authorizing the Big Walnut Reservoir, then the land so admired for its stand of walnut trees, Canadian ewe trees, hemlock, and heron rookeries will remain in private ownership. It will remain closed to all but a select few.

It seems to me that flood control and conservation are compatible. All the other projects in Indiana have successfully combined flood control, wildlife preservation, recreation, and land conservation. The Big Walnut project is no exception.

I am concerned about the Big Walnut Valley and land and water for the future. If we adjourn without authorizing Big Walnut, then I will have to return to the people of the Wabash Valley area and say to them that they can expect many more years of flood damage, that water resources will be shortened in the future, and that the land in the Big Walnut Creek area remains in private ownership.

There appears to be no one force interested in mediating the controversy. Therefore, Greencastle citizens will need a lot of sandbags, and they will be forced to make up their own flood protection. The Federal Government is not interested.

Mr. MOSS. Mr. President, the omnibus rivers and harbors bill (S. 3710) before the Senate today contains two projects of considerable significance to my State of Utah. Both are in a sense reauthorization of projects which the Congress considered in the past in one form or another, and both were presented to the Senate Public Works Committee in the form of individual bills which I introduced.

The first project is Little Dell, Salt Lake City streams. This is an important flood control and municipal and industrial water project which has been delayed for almost 10 years by a series of decisions and events.

Little Dell was first proposed in 1955, 3 years after a disastrous flood had engulfed some of the city's main streets. In its original form, it was a flood control project only, and it was authorized in 1960.

However, the original plans were rejected by the Salt Lake City Commission, and a comprehensive study was initiated of both flood control and municipal and industrial water needs for the entire metropolitan area, with emphasis placed on long-range planning. The new project grew out of that study and will be far more beneficial to the city than the original project could possibly have been.

Pending is a bill which I introduced to authorize Little Dell. However, Little Dell has been included in this omnibus bill. The project will divert water from a number of creeks on the Salt Lake City watershed into a multiple-purpose reservoir at the Little Dell site on a tributary of Parley's Creek. The reservoir capacity will be about 50,000 acre-feet, and aside from flood control and municipal and industrial water, it will also provide recreation and fish and wildlife benefits. The total cost of the project is estimated at $23,250,000 and it has a benefit-to-cost ratio of 1.8.

Little Dell is the type of project needed by a growing, expanding area like Metropolitan Salt Lake. We now have 450,000 people in the area—over 40 percent of the population of Utah. Our municipal needs will double by 1975. The water from Little Dell is ample to sustain a growth of 100,000 persons in the metropolitan area—without it we will face a shortage of a firm supply in less than 10 years.

The second Utah project in the bill is the reauthorization of the Weber River flood control project which was previously authorized in 1958. Unfortunately, Morgan County, where the project is located, was unable to raise the necessary funds to acquire the rights-of-way and to relocate utilities near Morgan City, both of which were necessary before the project could proceed. Therefore, the original authorization expired.

Now, however, the Utah Water and Power Board has undertaken to promote flood control development in Utah, and feels that the Weber River flood control project is vitally needed. The board is convinced that with more time the difficulties which prevented Morgan County from taking advantage of the Federal assistance in the past can be worked out. I feel that the county should have this additional time.

The bill before us today reauthorizes Weber River with an expiration date of April 16, 1972. The authorization will run out on that date unless local interests can furnish assurances satisfactory to the Secretary of the Army that the required local financial cooperation will be furnished. Total cost of the project is $960,000.

Mr. President, both of the Utah projects in this bill are noncontroversial, and have wide support. I hope the bill will pass.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 3710) was passed.

Mr. RANDOLPH. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT OF 1968

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1312, H.R. 12120. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. H.R. 12120, to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in prevention, treatment and control of juvenile delinquency and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Labor and Public Welfare, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Juvenile Delinquency Prevention and Control Act of 1968".

FINDINGS AND PURPOSE

Sec. 2. The Congress finds that delinquency among youths constitutes a national problem which can be met by assisting and coordinating the efforts of public and private agencies engaged in combating the problem, by affording youths an opportunity to participate and be involved in efforts designed to assist them, and by increasing the number and extent of the services available for preventing and combating juvenile delinquency. It is, therefore, the purpose of this Act to help State and local communities strengthen their juvenile justice and juvenile aid systems, including courts, correctional systems, and law enforcement and other agencies which deal with juveniles, and to assist communities in providing diagnosis, treatment, rehabilitative, and preventive services to youths who are delinquent or in danger of becoming delinquent, to encourage the development of community-based rehabilitation and prevention programs in which youths are provided an opportunity for direct involvement, to provide assistance in the training of personnel employed or preparing for employment in occupations involving the provision of such services, to provide support for comprehensive planning, research activities, and information services in the field of juvenile delinquency and youth involvement, and to provide technical assistance in such field.

TITLE I—PLANNING AND PREVENTIVE AND REHABILITATIVE SERVICES

Part A—State and Local Planning and State Assistance to Localities

STATE AND LOCAL PLANNING

Sec. 101. (a) In order to encourage States and localities to prepare and adopt comprehensive plans covering their respective jurisdictions, based on a thorough evaluation of problems of juvenile delinquency and youths in danger of becoming delinquent in the State, the Secretary is authorized to make grants to any State or local public agency to assist in preparing or revising such a plan. No such grant may exceed 90 per centum of the cost of the planning with respect to which such grant is made.

(b) The Secretary may impose as a condition to any grants under this title within any State or locality that such planning be undertaken and that, where he deems it appropriate, a comprehensive plan or plans be prepared within a reasonale period.

GRANTS FOR PLANNING PROJECTS OR PROGRAMS

Sec. 102. The Secretary is authorized to make grants to any State, county, municipal, or other public or nonprofit private agency or organization to assist it in meeting the cost of planning any project or program for which a grant may be made under the other provisions of this title. No such grant may exceed 90 per centum of the cost of the planning with respect to which such grant is made.

Part B—Rehabilitative Services

STATEMENT OF PURPOSE

Sec. 120. The purpose of this part is to assist courts, correctional institutions, law enforcement agencies, and other agencies having responsibilities with respect to delinquent youths, including youths who are on parole or probation, to develop, improve, and make full use of State and community rehabilitation services for the diagnosis, treatment, and rehabilitation of such youths; to assist and encourage States to devote resources under other programs, in the fields of general and vocational education, job training, prevention and detection of crime, health, and welfare, to support programs for the diagnosis, treatment, and rehabilitation of delinquent youths including support through the provision of assistance to establish linkage between the planning, conduct, and delivery of services under such other programs and programs for delinquent youths under this Act; and to encourage the development in communities of new designs and new methods of care and treatment, including the operation of full-time or part-time community-based residential facilities for youths requiring residential care, diagnosis, treatment, and rehabilitation.

AUTHORIZATION OF GRANTS

Sec. 121. The Secretary is authorized, with the concurrence of the Attorney General, to make grants to any public agency to meet not to exceed 60 per centum of the cost of projects or programs designed to carry out the purposes of this part. In case such grants are made by a State agency pursuant to a State plan approved under section 123, concurrence by the Attorney General shall not be required.

APPLICATIONS

Sec. 122. (a) Grants under this part may be made only upon application by a State, county, municipal, or other public agency or combination thereof which contains or is accompanied by assurances satisfactory to the Secretary or (in the case of a grant pursuant to a State plan approved under section 123) to the State agency that—

(1) such applicant agency will provide to the extent feasible for coordinating, on a continuing basis, its operations with the operations of public agencies and private nonprofit organizations furnishing welfare, education, health, mental health, recreation, job training, job placement, correction, and other basic services in the community for youths;

(2) such applicant agency will make reasonable efforts to secure or provide any of such services which are necessary for diagnosing, treating, and rehabilitating youths referred to in section 120 and which are not otherwise being provided in the community, or if being provided are not adequate to meet its needs;

(3) maximum use will be made under the program or project of other Federal, State, or local resources available for provision of such services; and

(4) public and private agencies and organizations (including courts, law enforcement and other agencies involved in the youth correction process) providing the services referred to in paragraph (1) will be consulted in the formulation by the applicant of the project or program, taking into account the services and expertise of such agencies and organizations, and with a view to adapting such services to the better fulfillment of the purposes of this part.

(b) Such application shall contain such information as the Secretary finds necessary to carry out the purpose of this Act, including—

(1) a description of the services for youths described in section 120 which are available in the State or community;

(2) a statement of the method or methods of linking the agencies and organizations, public and private, providing these and other services; and

(3) a showing that the project or program is consistent with any comprehensive plan developed under any other Act which is related to the purposes of this Act.

STATE PLANS AND STATE AGENCY APPLICATIONS

Sec. 123. (a) If a State desires to receive grants for a fiscal year in order to provide grants under section 121 to a county, municipal, or other public agency or combination thereof, the State shall submit to the Secretary, through its State agency, a State plan and a State agency application at such time and in such detail as the Secretary may deem necessary. Any State plan and State agency application submitted under section 143 shall be combined with any plan and application submitted under this section. The Secretary may, by regulation, set a date or dates for the submission of State plans and State agency applications. The requirements of this section shall in no way apply to applications by the State for grants under section 121 for projects or programs operated directly by agencies of the State. Notwithstanding the provisions of this section, the Secretary may make grants under this part directly to public agencies in a State for which he has approved a State plan and State agency application.

(b) The Secretary shall approve a State plan or modification thereof for any fiscal year for purposes of this section if he determines that the plan for that fiscal year—

(1) provides that funds paid to the State pursuant to this section will be used solely (A) for projects and programs which are submitted to the State agency by a county municipal, or other public agency or combination thereof, which meet the requirements of section 122, and which are approved by such State agency, and (B) for paying up to 60 per centum of the cost of administering the plan approved under this section;

(2)(A) sets forth, on the basis of an analysis and survey of the needs in the State for assistance under this part, a method of distribution of funds under the plan, including establishment of priorities for locations and types of projects and programs, which gives emphasis to community based alternatives to programs of institutionalization and which conforms to criteria of the Secretary, and (B) provides for distribution of such funds, insofar as financial resources make possible, in accordance with such method;

(3) provides for (A) effective coordination of plans and programs developed and conducted by the State in fields related to juvenile delinquency, including programs under the Elementary and Secondary Education Act of 1965, the Social Security Act, the Manpower Development and Training Act of 1962, and programs for the prevention and

detection of crime, with plans and programs developed and conducted by the State under this title, and (B) appropriate application of resources under such other plans and programs to support and reinforce plans and programs under this title;

(4) provides for the effective participation of persons representative of local and areawide public and private groups and organizations familiar with the field of juvenile delinquency and with associated fields in the development and implementation of the State plan, including persons representative of disadvantaged youth and of youth groups working in these fields;

(5) provides, where there is also a State plan submitted under section 143, for an appropriate balance of rehabilitation and preventive programs;

(6) demonstrates the capability of the State agency in the areas of planning, project, and program development, technical assistance, and evaluation, and sets forth the administrative organization and procedures in such detail as the Secretary may prescribe by regulation;

(7) provides for the maximum use of other Federal, State, and local resources, including resources available through the programs referred to in paragraph (3), in carrying out the State plan and projects and programs under it;

(8) sets forth policies and procedures which give assurance that Federal funds made available under this part for any fiscal year will be used to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Secretary by regulation) that would, in the absence of such Federal funds, be made by the State, and subdivisions thereof, in the field of juvenile delinquency;

(9) provides for adoption of effective procedures (A) for the evaluation at least annually of the effectiveness of the programs and projects supported under the State plan and (B) for dissemination of information secured thereby and other useful information to public agencies in the State operating in the field of juvenile delinquency or a related field;

(10) provides for adoption of procedures to assure that funds paid to public agencies with respect to projects and programs under the plan will be used in accordance with applications therefor approved under the plan;

(11) provides for making an annual report and such other reports, in such form and containing such information and evaluations, as the Secretary may reasonably require;

(12) provides that final action by the State agency denying (in whole or in part), or withholding funds with respect to, any application (or amendment thereof) made to it for a grant under this part shall not be taken without first affording the applicant reasonable notice and opportunity for a hearing;

(13) provides that final approval by the State agency of any application (or amendment thereof) made to it for a grant under this part shall not be given unless the application (or amendment) has been submitted to the Secretary together with a brief statement describing how the proposed project or program implements the State plan, and the Secretary has not determined, within thirty days after such submission, that the application fails to comply substantially with the State plan; and

(14) provides assurance that the State will furnish at least one-half of the non-Federal share of funds required under this part to meet the cost of projects and programs aided under the State plan.

(c) Depending upon the availability of funds and the other applications from States and public agencies under this part, the Secretary may approve all or part of the assistance requested in a State agency application pursuant to an approved State plan, but all assistance requested by an application pursuant to an approved State plan may be disapproved only if he determines that the provision of such assistance would so disperse available funds that the effectiveness of other projects or programs under this part, including projects or programs submitted pursuant to other State plans and other assistance requested under such plans, which would more effectively carry out the purposes of this part, would be impaired.

(d) The Secretary may, if he finds that a State plan for a fiscal year is in substantial (but not complete) compliance with the requirements set forth in subsection (b), approve that part of the plan which is in compliance with such requirements and make available to that State only those funds which he determines to be necessary to carry out that part of the plan so approved.

(e)(1) The Secretary shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State agency submitting the plan reasonable notice and opportunity for a hearing.

(2) Whenever the Secretary, after reasonable notice and opportunity for hearing to any State agency, finds that there has been a failure to comply substantially with any requirement set forth in the plan of that State approved under this section, the Secretary shall notify the agency that further payments will not be made to the State under this part (or, in his discretion, that the State agency shall not make further payments under this part to specified public agencies affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this part, or payments by the State agency under this part shall be limited to public agencies not affected by the failure, as the case may be.

CONSIDERATIONS FOR APPROVAL OF APPLICATIONS

SEC. 124. In determining whether or not to approve applications for grants under section 121, the Secretary or the State agency shall consider, among other relevant factors in the State or community of the applicant—

(1) the relative costs and effectiveness of the project or program in effectuating the purposes of this part;

(2) the incidence of and rate of increase in youth offenses and juvenile delinquency;

(3) school dropout rates;

(4) the adequacy of existing facilities and services for carrying out the purposes of this part;

(5) the extent of comprehensive planning in the community for carrying out the purposes of this part;

(6) youth unemployment rates;

(7) the extent to which proposed programs or projects incorporate new or innovative techniques within the State or community to carry out the purposes of this part; and

(8) the extent to which the proposed programs or projects incorporate programs for the parents of youths who are delinquent or in danger of becoming delinquent, as well as programs for other adults who offer guidance or supervision to such youths.

PART C—PREVENTIVE SERVICES

STATEMENT OF PURPOSE

SEC. 140. The purpose of this part is to promote the use of community-based services for the prevention of delinquency of youths; and to assist States and communities to establish special preventive services for youths in danger of becoming delinquent including youths who are on parole or probation.

AUTHORIZATION OF GRANTS

SEC. 141. The Secretary is authorized to make grants to any State, community, municipal, or other local public or nonprofit private agency or organization to meet not to exceed 75 per centum of the cost of projects or programs designed to carry out the purposes of this part.

APPLICATIONS

SEC. 142. Grants under this part may be made only upon application by a State or local public or nonprofit private agency or organization which contains or is accompanied by assurances satisfactory to the Secretary or (in the case of a grant pursuant to a State plan approved under section 143) to the State agency that—

(1) steps have been or will be taken toward provision, within a reasonable period of time, of a program of services in the area served which are necessary for the prevention of delinquency of youths, including diagnosis, treatment, and rehabilitation of youths in danger of becoming delinquent;

(2) such applicant agency or organization will—

(A) provide for appropriate participation by youths in the formulation and operation of the project or program;

(B) make special efforts to assure that the services provided by the program or project will be available for youths with serious behavioral problems;

(C) provide for the coordination referred to in section 122(a)(1);

(D) make the efforts referred to in section 122(a)(2);

(E) provide for the utilization referred to in section 122(a)(3);

(F) provide for the consultation referred to in section 122(a)(4); and

(G) provide the information referred to in section 122(b).

STATE PLANS AND STATE AGENCY APPLICATIONS

SEC. 143. (a) If a State desires to receive grants for a fiscal year in order to provide grants under section 141 to a community, municipal, or other local public or nonprofit private agency or organization or combination thereof, the State shall submit to the Secretary through its State agency, a State plan and a State agency application at such time and in such detail as the Secretary may deem necessary. Any State plan and State agency application submitted under section 123 shall be combined with any plan and application submitted under this section. The Secretary may, by regulation, set a date or dates for the submission of State plans and State agency applications. The requirements of this section shall in no way apply to applications by the State for grants under section 141 for projects or programs operated directly by agencies of the State. Nothwithstanding the provisions of this section, the Secretary may make grants under this part directly to public or nonprofit private agencies and organizations in a State for which he has approved a State plan and State agency application.

(b) The Secretary shall approve a State plan or modification thereof for any fiscal year for purposes of this section if he determines that the plan for that fiscal year—

(1) provides that funds paid to the State pursuant to this section will be used solely (A) for projects and programs which are submitted to the State agency by a community, municipal, or other local public or nonprofit private agency or organization or combination thereof, which meet the requirements of section 122, and which are approved by such State agency, and (B) for paying up to 75 per centum of the cost of administering the plan approved under this section;

(2)(A) sets forth, on the basis of an analysis and survey of the needs in the State for assistance under this part, a method of distribution of funds under the plan, including establishment of priorities for locations and types of projects and programs, which gives emphasis to community based alternatives to programs of institutionalization and which conforms to criteria of the Secretary, and (B) provides for distribution of such funds, insofar as financial resources make possible, in accordance with such method;

(3) provides for (A) effective coordination of plans and programs developed and conducted by the State in fields related to juvenile delinquency, including programs under the Elementary and Secondary Education Act of 1965, the Social Security Act, the Manpower Development and Training Act of 1962, and programs for the prevention and detection of crime, with plans and programs developed and conducted by the State under this title, and (B) appropriate application of resources under such other plans and programs to support and reinforce plans and programs under this title;

(4) provides for the effective participation of persons representative of local and areawide public and private groups and organizations familiar with the field of juvenile delinquency and with associated fields in the development and implementation of the State plan, including persons representative of disadvantaged youth and of youth groups working in these fields;

(5) provides, where there is also a State plan submitted under section 123, for an appropriate balance of rehabilitation and preventive programs;

(6) demonstrates the capability of the State aegncy in the areas of planning, project and program development, technical assistance, and evaluation, and sets forth the administrative organization and procedures in such detail as the Secretary may prescribe by regulation;

(7) provides for the maximum use of other Federal, State, and local resources, including resources available through the programs referred to in paragraph (3), in carrying out the State plan and projects and programs under it;

(8) sets forth policies and procedures which give assurance that Federal funds made available under this part for any fiscal year will be used to supplement and, to the extent practical, increase the fiscal effort (determined in accordance with criteria prescribed by the Secretary by regulation) that would, in the absence of such Federal funds, be made by the State, and subdivisions thereof, in the field of juvenile delinquency;

(9) provides for adoption of effective procedures (A) for the evaluation at least annually of the effectiveness of the programs and projects supported under the State plan, and (B) for dissemination of information secured thereby and other useful information to local public or nonprofit private agencies and organizations in the State operating in the field of juvenile delinquency or a related field;

(10) provides for adoption of procedures to assure that funds paid to local public or nonprofit private agencies and organizations with respect to projects and programs under the plan will be used in accordance with applications therefor approved under the plan;

(11) provides for making an annual report and such other reports, in such form and containing such information and evaluations, as the Secretary may reasonably require;

(12) provides that final action by the State agency denying (in whole cr in part), or withholding funds with respect to, any application (or amendment thereof) made to it for a grant under this part shall not be taken without first affording the applicant reasonable notice and opportunity for a hearing;

(13) provides that final approval by the State agency of any application (or amendment thereof) made to it for a grant under this part shall not be given unless the application (or amendment) has been submitted to the Secretary together with a brief statement describing how the proposed project implements the State plan, and the Secretary has not determined, within thirty days after such submission, that the application fails to comply substantially with the State plan; and

(14) provides assurance that the State will furnish at least one-half of the non-Federal share of funds required under this part to meet the cost of projects and programs aided under the State plan.

(c) Depending upon the availability of funds, and the other applications from States and local public or nonprofit private agencies and organizations under this part, the Secretary may approve all or part of the assistance requested in a State agency application pursuant to an approved State plan, but all assistance requested by an application, pursuant to an approved State plan, may be disapproved only if he determines that the provision of such assistance would so disperse available funds that the effectiveness of other projects or programs under this part, including projects or programs submitted pursuant to other State plans and other assistance requested under such plans, which would more effectively carry out the purposes of this part, would be impaired.

(d) The Secretary may, if he finds that a State plan for a fiscal year is in substantial (but not complete) compliance with the requirements set forth in subsection (b), approve that part of the plan which is in compliance with such requirements and make available to that State only those funds which he determines to be necessary to carry out that part of the plan so approved.

(e)(1) The Secretary shall not finally disapprove any plan submitted under subsection (a), or any modification thereof, without first affording the State agency submitting the plan reasonable notice and opportunity for a hearing.

(2) Whenever the Secretary, after reasonable notice and opportunity for hearing to any State agency, finds that there has been a failure to comply substantially with any requirement set forth in the plan of that State approved under this section, the Secretary shall notify the agency that further payments will not be made to the State under this part (or, in his discretion, that the State agency shall not make further payments under this part to specified public or nonprofit private agencies or organizations affected by the failure) until he is satisfied that there is no longer any such failure to comply. Until he is so satisfied, no further payments shall be made to the State under this part, or payments by the State agency under this part shall be limited to public or nonprofit private agencies and organizations not affected by the failure, as the case may be.

CONSIDERATIONS FOR APPROVAL OF APPLICATIONS

Sec. 144. In determining whether or not to approve applications for grants under this part, the factors referred to in section 124 shall, among other relevant factors, be considered.

Part D—Miscellaneous

NOTIFICATION

Sec. 151. The Secretary shall not approve an application for a grant under part A, B, or C until a copy of the application has been submitted—

(1) to the Governor of the State, or an officer designated by him or by State law, and a reasonable opportunity has been afforded the Governor or such officer to prepare and submit to the Secretary his evaluation of the program or project, which shall include comments on the relationship of the application to other applications then pending and to existing or proposed plans in the State for the development of new or additional programs for the diagnosis, treatment, or rehabilitation of youths who are delinquent and preventive services for those in danger of becoming delinquent; and

(2) to the governing bodies of the political units principally affected, and a reasonable opportunity afforded such governing bodies, acting through such officers as they may designate, to prepare and submit to the Secretary an evaluation of the program or project.

USE OF FUNDS

Sec. 152. Funds paid to any agency or organization (whether directly or through a State agency pursuant to section 123 or 143) under part B or C of this title may be used for—

(1) meeting the cost of securing or providing services designated to carry out the purposes of such part, but only to the extent and for the period reasonably necessary for the community to provide such services; and

(2) meeting not to exceed 50 per centum of the cost of construction, expansion, remodeling, alteration, or acquisition of community-based, unusual, and special purpose or innovative types of facilities, including equipment, which, in the judgment of the Secretary, are necessary for carrying out the purposes of part B or C of this title, as the case may be: *Provided, however,* That not to exceed 15 per centum of the funds appropriated for any fiscal year under this Act may be used to meet such costs.

It shall be a condition of any grant under this part which is wholly or partially for construction that all laborers and mechanics employed by contractors or subcontractors on such construction shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). The Secretary of Labor shall have with respect to these labor standards the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 P.R. 36, 64 Stat. 1267) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

AMOUNTS AVAILABLE FOR EACH STATE

Sec. 153. (a) The total of the grants made under this title for any fiscal year with respect to activities in any one State may not exceed 15 per centum of the total of the funds available for such grants under this title for such fiscal year.

(b) Of the funds available for grants under this title for any fiscal year—

(1) $25,000 each shall be reserved for the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands; and

(2) $100,000 shall be reserved for each other State;

except that, if the Secretary determines, on the basis of the information available to him on the last day of the ninth month of any fiscal year, that any portion of such $25,000 or $100,000 for any State will not be required for such grants under this title for such year, such portion shall be available for grants under this title for such year with respect to activities in any other State (in the case of which such a determination has not been made).

TITLE II—TRAINING

AUTHORIZATION

Sec. 201. The Secretary is authorized, with the concurrence of the Secretary of Labor, to make grants or contracts for projects for the training of personnel employed in or preparing for employment in fields related to the diagnosis, treatment, or rehabilitation of youths who are delinquents or in danger of becoming delinquent. Such projects shall include special programs which provide youths and adults with training for career opportunities, including new types of careers, in such fields. Such projects may include, among other things, development of courses of study and of interrelated curricula in schools, colleges, and universities, establishment of short-term institutes for training at such schools, colleges, and universities, inservice training, and traineeships with such stipends, including allowances for travel and subsistence expenses, as the Secretary may determine to be necessary.

RECIPIENTS AND CONDITIONS OF GRANTS AND CONTRACTS

Sec. 202. Such grants may be made to and such contracts may be made with any Federal, State, or local public or nonprofit private agency or organization; and to the extent he deems it appropriate, the Secretary shall require the recipient of any such grant or contract to contribute money, facilities, or services for carrying out the projects for which the grant or contract is made.

TITLE III—RESEARCH AND TECHNICAL ASSISTANCE

RESEARCH PROJECTS

SEC. 301. (a) The Secretary is authorized to conduct research into and develop and demonstrate improved techniques and practices which, in his judgment, hold promise of making a substantial contribution toward prevention of delinquency and treatment of youths who are delinquent or in danger of becoming delinquent or toward improvement in the rehabilitative services for delinquent youths, including techniques and practices for the training of personnel.

(b) The Secretary may also make grants for such purposes to any State, local, or other public or nonprofit private agency or organization; and, to the extent he deems it appropriate, the Secretary shall require the recipient of any such grant to contribute money, facilities, or services for carrying out the project for which such grant was made.

(c) The Secretary is further authorized to enter into contracts for any such purposes with public or private agencies and organizations and with individuals.

(d) Not more than 10 per centum of the funds appropriated for any fiscal year under this Act, or $2,000,000, whichever is the lesser, may be used to carry out this section.

TECHNICAL ASSISTANCE

SEC. 302. The Secretary is authorized to cooperate with and, either directly or through grants to or contracts with any public or nonprofit private agency or organization, render technical assistance to State, local, or other public or private agencies or organizations in matters relating to prevention of delinquency or treatment of delinquent youths or to rehabilitative services for such youths, and to provide short-term training and instruction of a technical nature with respect to such matters.

STATE ASSISTANCE TO LOCAL UNITS

SEC. 303. The Secretary is authorized to make grants to any State agency which is able and willing to provide technical assistance to local public and nonprofit private agencies or organizations engaged in or preparing to engage in activities for which aid may be provided under this Act. No such grant may exceed 90 per centum of the cost of the activities of the State agency with respect to which such grant is made.

INFORMATION SERVICES

SEC. 304. The Secretary is directed to collect, evaluate, publish, and disseminate information and materials relating to research and programs and projects conducted under this Act, and other matters relating to prevention or treatment of delinquency or provision of rehabilitative services for delinquent youths, such information and materials to be for the general public and for agencies, organizations, and personnel engaged in programs concerning youths who are delinquent or in danger of becoming delinquent.

TITLE IV—GENERAL

PAYMENT PROCEDURE

SEC. 401. Payments of any grant (whether by the Secretary or by a State agency pursuant to section 123 or 143) or under any contract under this Act may be made (after necessary adjustment on account of previously made overpayments or underpayments) in installments, and in advance or by way of reimbursement, as may be determined by the Secretary, and shall be made on such conditions as he finds necessary to carry out the purposes for which the grant or contract is made.

COORDINATION AND CONSULTATION WITH THE HEADS OF OTHER FEDERAL AGENCIES

SEC. 402. The Secretary shall coordinate his activities under this Act with the activities of the Attorney General, the Secretary of Labor, the Secretary of Housing and Urban Development, the Director of the Office of Economic Opportunity, and the heads of other Federal agencies concerned with juvenile crime and delinquency and youth development. The heads of such Federal agencies shall cooperate with the Secretary to the extent necessary to carry out the purposes of this Act.

JOINT FUNDING

SEC. 403. Pursuant to regulations prescribed by the President, where funds are advanced for a single project by more than one Federal agency to an agency or organization assisted under this Act, any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose.

ANNUAL REPORT

SEC. 404. Not later than one hundred and twenty days after the close of each fiscal year, the Secretary, with the appropriate assistance and concurrence of the heads of other Federal agencies who are consulted and whose activities are coordinated under section 402, shall prepare and submit to the President for transmittal to the Congress a full and complete report on all Federal activities in the fields of juvenile delinquency, youth development, and related fields. Such report shall include, but not be limited to—

(1) planning, program, and project activities conducted under this Act;

(2) the nature and results of research and demonstration projects conducted under title III of this Act;

(3) the number and types of training projects, number of persons trained and in training, and job placement and other follow-up information on trainees and former trainees assisted under title II of this Act;

(4) the nature, extent, and effectiveness of youth participation in the formulation and operation of projects or programs under this Act; and

(5) steps taken and mechanisms and methods used to coordinate and avoid duplication of Federal activities in the fields of juvenile delinquency, youth development, and related fields and the effectiveness of such steps, mechanisms, and methods.

ADVISORY COMMITTEES

SEC. 405. (a) The Secretary is authorized to appoint an advisory committee to advise him with respect to matters of general policy involved in the administration of this Act, and particularly with respect to the coordination of activities under this Act and related activities under other Federal, State, or local laws and on such other matters relating to this Act as the Secretary may request.

(b)(1) The Secretary is also authorized to appoint such other technical or advisory committees to advise him in connection with activities under this Act as he deems necessary.

(2) Members of any committee appointed under this section who are not otherwise in the regular full-time employ of the United States, while attending meetings of their respective committees, shall be entitled to receive compensation at a rate to be fixed by the Secretary, but not exceeding $100 per diem (or, if higher, the rate specified at the time of such service for grade GS–18 in title 5, United States Code, section 5332), including travel time, and while away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

EVALUATION

SEC. 406. (a) The Secretary shall provide for the continuing evaluation of the programs, projects, and other activities under this Act, including their effectiveness in achieving stated goals, and their relationship to and impact on related Federal, State, and local activities, and he shall arrange for obtaining the opinions of youth participants about the strengths and weaknesses of the programs. This evaluation shall include comparisons with proper control groups composed of persons who have not participated in programs under this Act. The results of such evaluations shall be included in the report required by section 404.

(b) In addition to funds otherwise available for evaluation, such portion of any appropriation under section 408 as the Secretary may determine, but not exceeding 1 per centum thereof, shall be available for evaluation by the Secretary (directly or by grants or contracts) of the programs for which such appropriation is made.

DEFINITIONS

SEC. 407. For purposes of this Act—

(1) The term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands;

(2) The terms "public agency", "nonprofit private agency", "public organization", and "nonprofit private organization" include an Indian tribe. If the Secretary is satisfied that an Indian tribe does not have sufficient funds available to meet the non-Federal share of the cost of any project or program, he may increase the Federal share of the cost of such project or program payable under this Act to the extent necessary, notwithstanding the maximum otherwise imposed by this Act on the portion of such cost which may be so payable;

(3) The term "Secretary" means the Secretary of Health, Education, and Welfare; and

(4) The term "State agency" means the State agency or officer designated by the Government of the State or by State law to develop and implement the State plan for the purposes of title I of this Act.

APPROPRIATIONS

SEC. 408. There are authorized to be appropriated for grants and contracts under this Act, to the Department of Health, Education, and Welfare, $25,000,000 for the fiscal year ending June 30, 1969, $50,000,000 for the fiscal year ending June 30, 1970, $75.000,000 for the fiscal year ending June 30, 1971, and $100,000,000 for the fiscal year ending June 30, 1972.

PANAMA CANAL: SPECIAL REPORT ON PLOWSHARE

Mr. THURMOND. Mr. President, in current literature about the interoceanic canal problem, surprisingly little has been published by nuclear physicists and scientists. It was, therefore, gratifying to read in the December 1967 issue of the Bulletin of the Atomic Scientists an illuminating article by Dr. David R. Inglis and Dr. Carl L. Sandler on the nonmilitary uses of nuclear explosives, particularly its incisive section on the Panama Canal. In their canal discussions these authors puncture some of the specious propaganda that has featured so much recent publicity and even official reports on the vital interoceanic canal subject; and it reveals angles seldom mentioned in the mass news media. Because of the importance of having a clear understanding, I shall elaborate on some of the facts stated in the article.

The Panama Canal is the end product of two important decisions by our Government as to site and type of an isthmian canal. The location was decided in 1902 in a notable struggle in the Congress between advocates for the Nicaraguan and Panama sites known as the "battle of the routes." This historic contest, after full debate in the Congress, ended in victory for the Panama site as the most feasible, least costly, shorter and operationally superior. The recommendation for the existing high-level lake and lock canal, fervently urged by Chief Engineer John F. Stevens, was made on February 19, 1906, in a message to Congress by President Theodore Roosevelt. After careful consideration and full debate, described by General Goethals as the "battle of the levels," the Congress adopted the high-level lake and lock plan.

The facts and arguments set forth in 1906 message, with minor modification, are just as applicable today as when made. In order that all Members of the Congress may be precisely informed on what President Roosevelt stated on that occasion, I shall later quote the indicated message to the Congress.

Authors Inglis and Sandler make these points in their 1967 article which are fundamental:

First. That both the high-level-lake and lock and sea level types of canal would be vulnerable to nuclear attack.

Second. That the Terminal Lake-third locks plan for improving the existing canal is the most economical proposal for meeting the needs of traffic in the foreseeable future.

Third. That the Terminal Lake proposal will enable the maximum utilization of the existing facilities on which billions of taxpayers' money has been spent—$889 million from 1904 to 1966, including defense.

Fourth. That the stability of the bank slopes for a nuclear excavated canal at sea level is a matter of grave concern involving unknown costs.

Fifth. That a canal at sea level runs the risk of harming fish life through the mixing of ecologies, and thus becoming destructive of important local industries.

As to the supertankers and angle-deck aircraft carriers, mentioned by authors Inglis and Sandler as being too large to pass through locks, there are two factors that should not be overlooked. The first is that the supertankers were designed for the purpose of avoiding passage through either the Panama or Suez Canals because it is more economical to route such vessels around Cape Horn or the Cape of Good Hope than to pay transit tolls. The other factor is that our Navy long ago eliminated passage through the Panama Canal as a military characteristic in the design of its largest vessels for the reason that any type of canal is vulnerable, making it necessary to plan on the basis that canal transit may be interrupted during a national emeregency.

In connection with the Cape Cod Canal mentioned by the authors, we must not forget that the problems of a "Strait of Panama" would be far greater in magnitude because it would be three times or more longer than the short Cape Cod waterway. At the latter, there is both scouring and depositing of sand and silt by the strong tidal current. In the section scoured, some depths are about 60 feet, where the original project depth was 36 feet. In the channel near the southern end of the Cape Cod Canal, vessels have run aground on deposits in the middle of the channel. Also one vessel grounded in the midsection of the canal, swung across the channel and sank. Graver problems would be expected in a longer Panama Canal excavated in one of the most treacherous terrains with which engineers ever had to deal.

In addition to the above points, I would stress that a canal at sea level, whether in the Canal Zone territory or in the Republic of Panama, would require a new treaty with Panama with a huge indemnity from the United States, greatly increased annuity, and, after a brief period, the ultimate gift of such canal to Panama without any compensation whatsoever. In contrast, the Terminal Lake-Third Locks plan for the existing canal is covered by existing treaty with Panama and does not require a new one.

Mr. President, the treaty angle is a paramount consideration that should be controlling; and, for the reasons indicated above, should serve to bring about the adoption of the Terminal Lake-Third Locks plan. Moreover, a total of $76,357,405 was expended on the suspended Third Lakes project and an estimated $81,257,097 will be expended on the enlargement of Gaillard Cut due for completion in 1970. These expenditures totalling $157,614,502 represent a substantial commitment for the major improvement of the existing canal.

In these connections, I would emphasize that under the Terminal Lake-Third Locks plan the existing canal and Canal Zone will remain the property and territory of the United States, a fact that would not be permissible under provisions of the proposed three new Panama Canal treaties that were quoted by me in addresses to the Senate on July 17, 21, and 27, 1967.

On March 6, 1968, I introduced S. 3108, which is identical with bills introduced in the House by Representatives DANIEL J. FLOOD, of Pennsylvania, and JOHN R. RARICK, of Louisiana, and would be designated as the "Panama Canal Modernization Act." In an address to the Senate that day, I commented at length on the nature of the Canal questions.

Mr. President, in order that all Members of the Congress may have the Panama section of the identical writing by Dr. Inglis and Dr. Sandler, the 1906 message of President Theodore Roosevelt, and the text of S. 3108, I ask unanimous consent that all three be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

A SPECIAL REPORT ON PLOWSHARE

PROSPECTS AND PROBLEMS: THE NONMILITARY USES OF NUCLEAR EXPLOSIVES

(By David R. Inglis and Carl L. Sandler)

(NOTE.—In undertaking this assessment of the prospective peaceful uses of nuclear explosives, the authors have been motivated by interest in its technical and economic aspects and in its close relationship with the vital problems of nuclear arms control. Dr. Inglis is senior physicist at Argonne National Laboratory; Dr. Sandler is affiliated with the Academy of Interscience Methodology.)

"Project Plowshare" represents a beautiful concept. Civilization is threatened as never before by a nuclear Sword of Damocles. The name suggests that we can beat the sword into a nuclear plowshare with which to dig usefully into the earth. Indeed, this digging can be done with the same kind of nuclear material used for the sword. But the biblical phrase implies that in "beating swords into plowshares" the swords are destroyed and, alas, this is not true of the nuclear sword. Pursue "Plowshare" as we may, the threat of nuclear devastation is still with us. There is some hope that by promoting prosperity these efforts may increase contentment and decrease the likelihood of war, but the question may even be raised whether it might not work the other way, whether insistence on the right to pursue "Plowshare" might not stand in the way of efforts to reduce the threat of the nuclear sword.

It is important to assess just what the promise of "Project Plowshare" may be worth. But despite some 10 years of effort, it is still in the developmental stage, and it is patently difficult to assess the future scope of bold new developments. Its backers have sometimes painted its future in glowing terms, yet a realistic approach is important in judging the probable extent to which the use of nuclear explosives, when the techniques are fully developed, may provide important assets for mankind that could not be obtained in more conventional ways. It is also of interest to try to guess whether money and effort could be saved by simply substituting the nuclear methods for more conventional means where there is a choice. The advantages in money or effort, if any, must then be weighed against the possible hazards and politico-diplomatic disadvantages inherent in the use of nuclear methods.

There are three general categories of proposed peaceful applications of nuclear explosives in the earth: (1) excavation and earth-moving, (2) unearthing natural resources, and (3) experiments in pure science.

The Panama Canal

Preliminary testing for large-scale excavation represents the most advanced research and development so far carried out by Project Plowshare. There has been a variety of cratering experiments, the results of which would seem to indicate that it may be quite feasible to dig new canals, harbors, or railroad routes by nuclear means if the radioactivity induced is not too severe.

In a search over the world for sufficiently uninhabited regions, a number of sites have been proposed where nuclear excavation might be feasible and useful. In the continental United States, for example, it may be appropriate to test making a new harbor in northern Alaska and a railroad cut in southern California. Western Australia might acquire by nuclear means a harbor convenient to her ore deposits and Libya a canal where hydroelectric power can be produced by letting the sea flow into a depressed desert.

But the most spectacular project considered is the construction of a second Panama Canal. The present canal now 50 years old, has, of course, been a great success in facilitating world commerce, but commerce is increasing so heavily that in the 1970s it will tax the canal's capacity. Already there are a number of ships, including aircraft carriers and the new super tankers, which are too large to use the canal. What sort of improvement or replacement is needed, and what contribution can be made by nuclear methods are difficult questions to decide, but an examination of the possibilities will show the definite potential and limitations of Plowshare.

Discussion of a new canal is complicated by an old debate on the merits of a sea-level canal as against a canal with locks. Plowshare can make an important contribution only in the case of a sea-level canal. Most of the channel of the present canal uses lakes which were made by damming rivers, and it has locks which lift the ships to 85 feet above sea-level. In 1906 a commission of consulting engineers had recommended a sea-level canal at an estimated cost of $250 million. Instead the canal commission in Washington adopted, and Congress that year authorized, a lock canal at an estimated cost about half as great. (The final cost including incidental installations was nearer $400 million.) It was judged that the lock canal would provide better service, would be less expensive to maintain and operate, and could easily be modified to meet future needs, although similar claims were made for the sea-level proposal by its proponents.

From the point of view of commerce, little has changed since 1906 in the argument between a sea-level and a lock canal at the present site. The largest ships are larger now and machine technology, such as is used in building locks, further advanced, but it was a toss-up then and is a toss-up now. The sea-level canal, with little or no hold-up at tidal control locks, can handle more traffic, and there is more traffic in prospect now; but the same traffic could also be handled by a greater number of locks beside each other in an enlarged version of the present lock canal. It would be cheaper to enlarge the lock canal at the present site than to build a sea-level canal there, but a lock canal requires maintenance and operation of locks; alternatively, a sea-level canal, having deeper cuts, may have more trouble with caving of slopes, which is another factor in maintenance costs.

After an earlier plan to enlarge the present locks was abandoned because of the demands of World War II, interest in a sea-level canal revived in the United States during the atomic age because of the vulnerability of the present canal to nuclear attack. However, both types of canal are vulnerable to both nuclear and conventional attack: a nuclear attack could cause enormous landslides, and an attack by conventional weapons could block a canal by sinking ships, as has been done in the case of the Suez, a sea-level canal. The principal difference is that the lock canal is more vulnerable to guerrilla operations which might be capable of destroying locks and dams, thus putting the canal out of use for several months or more.

There is support in Congress and in Panama for remodelling the present canal in accordance with a plan known as the Terminal Lake-Third Locks plan. Because the canal at present flows through two lakes of slightly different levels, it has needed three sets of locks which slow down the passage of ships. By the Terminal Lake-Third Locks plan the smaller lake would be raised to the level of the larger, eliminating the middle set of locks and providing a summit-level transit and also a summit-level anchorage at the Pacific end of the canal to match that at the Atlantic end. Large, new locks alongside the present ones would accommodate big, modern ships and increase the canal's traffic capacity. The plan involves well-known construction methods and the cost is estimated to be approximately a billion dollars.

Building a sea-level canal raises special difficulties, in particular the engineering problem of controlling the tidal current for navigation and the biological problem of mixing two ecologies. First, in relation to the navigation problem, there is a strong tide, about 20 feet from ebb to flood at some sites, on the Pacific, and a very weak one of about two feet on the Atlantic side. The tidal current is thus driven almost entirely by the Pacific tide, and it reverses its direction four times a day. Model studies suggest that the maximum current would be about six knots and that for only one hour out of each six-hour period would it be above the tolerable rate of four and a half knots. These are not excessive rates for a canal—the Cape Cod canal current is faster—but they may impose limitations on scheduling passage. They may still be ways to ensure continuous traffic along the entire canal; for example, a gate could be set up with a lock around it, the gate to be closed during the hours of peak tide to stop the maximum currents. In any case, tidal currents present no insurmountable problem for a sea-level project.

Second, biologists have raised the objection that a sea-level canal, by mixing the species of two oceans, could impair marine life. The mixing of two ecologies did cause real trouble in the Great Lakes: when the St. Lawrence canal opened a passage into the Lakes from the ocean, the sea lamprey swam in; becoming acclimated in fresh water, it multiplied rapidly after escaping its natural enemies and began to prey upon fish which had belonged to a balanced ecology. For commercial lake fishing which was an important industry four decades ago, the arrival of the lamprey spelled disaster. Much has yet to be learned about the interactions of the separate microscope and macroscopic organisms in the Atlantic and Pacific, but in the meantime the present Panama Canal has served the ecology well by isolating one ocean from another with a stretch of fresh water; and it has no long estuaries like the St. Lawrence where saltwater species can become acclimated. The ocean fisheries are so far unimpaired, and, therefore, political embarrassment has been spared us on that score.

Overriding the debate on the merits of the two kinds of canals, President Johnson has this year proclaimed the building of a sea-level Panama Canal to be a national goal, in somewhat the same way that it was previously announced that we have it as a national goal to put a man on the moon in this decade. Although it is not clear that Congress will go along with this, the important contention may thus now be the debate between conventional and nuclear means of digging a sea-level canal. The President also announced preliminary agreement on a new treaty, which will be more advantageous to Panama than the old treaty, but which will give the United States the option to undertake negotiations for a sea-level canal by various routes.

Several routes have been proposed, ranging from Colombia to Mexico, but most of them in the Republic of Panama. The best route for conventional digging lies alongside the present canal, a route which was selected long ago as the lowest, taking advantage of what amounts to a gap in the mountain ridge. The estimated cost of a sea-level canal dug there with conventional earth-moving equipment—the digging carefully constrained by the requirement of keeping the present canal in operation—is $2 billion; that is, twice as much as the Terminal Lake-Third Locks plan. Both plans, however, have the advantage of leaving undisturbed the functioning of the cities at the two ends of the canal. It is to be noted that nuclear digging is not even proposed for this easy route. The hazard of air-blast and earth-shock damage in the cities limits the use of these explosives to remote and almost uninhabited regions, and therefore to a site at least 100 miles from the present canal.

The favored site for a canal dug by nuclear means lies 100 miles east of the Panama Canal where the route cuts through higher ground, a couple of miles of it through a mountain ridge 1,000 feet above sea-level. It would be 100 miles long, while the present canal is 50. Current estimates set the cost of a canal by this route at $1 billion dollars with nuclear digging, and $5 billion with conventional digging; the great difference here arises from the fact that this route is selected as the best for nuclear digging. The sea-level nuclear-dug canal is, then, competitive in dollar cost with the Terminal Lake-Locks plan.

But there are disadvantages that accrue from the production of radioactive materials. Preliminary suggestions call for the use of some 300 nuclear explosives totaling 200 megatons, much more explosive power than in all of our tests carried out in the remoteness of the Pacific. Though only a fraction of the radioactivity escapes, this would still be a formidable amount if similar bombs were to be used. However, most of the radioactivity from past tests came from bombs that were purposely made more dirty than necessary, for the sake of economy. These extra-dirty explosives (fission-fusion-fission) would not be used for excavation. Less dirty explosives have been developed for both military and engineering uses; still "cleaner" explosives are being sought, and may become available in a few years, to reduce the radioactive hazards of nuclear excavation.

On the site of the new canal a few explosives at a time would be detonated periodically over several months. Normal wind patterns would confine the radioactivity to a land area of about 10,000 square miles, mostly jungle, before it is blown out to sea, and an estimated 25,000 inhabitants of this area would have to be relocated for some years, whether they liked it or not. We have become accustomed to relocating people arbitrarily for military purposes, as in Vietnam, but this time we would be faced with a peaceful situation where restraint is desirable. The political cost of removing so many Latin Americans from their homes may be more than we want to pay.

In the event that the plan for a canal dug by nuclear means is adopted, we would be relying on technology developed by Plowshare in a variety of cratering experiments in which the explosive is detonated underground, but not deep underground, so that the explosion breaks out from the surface, throwing out debris and leaving a rather large crater which constitutes the excavation.

Since 1963, the experiments of the United States and the Soviet Union have been limited by the partial test ban treaty which, while forbidding tests in the atmosphere, permits tests underground so long as they do not release enough radioactivity to be detectable across national borders. This means that we can use only "small" nuclear explosives for the purpose. Cratering explosions release some radioactivity, but little in comparison with atmospheric nuclear explosions—typically about 10 per cent. This is because the tremendous heat of the explosion instantly forms a bubble of vapor and melts a layer of the rock around the lining of the cavity; most of the radioactivity fission products become embedded in the molten rock. The rock or earth above the explosion is thrown violently upward, and the upper parts are thrown outward to fall back and form a raised lip around the outside of the crater as it settles. The lower part of the rock falls back into the crater, including the molten part that becomes a radioactive glassy substance collected at the bottom of the cavity under a pile of rubble. Some radioactive dust settles in the neighborhood as local fallout. The gaseous fission products escape into the atmosphere, but in an A-bomb explosion these carry only a small portion of the radioactivity. With an H-bomb explosion the tritium that escapes amounts to a higher percentage of the total.

Important cratering experimentation was carried out in two nuclear explosions, and most available ideas about crater formation derive from them and from the smaller supplementary chemical-explosive tests. The smaller of the two nuclear shots was in hard rock and had an explosive power of one-half kiloton at a burst depth of about 100 feet; it formed a crater of about 200 feet in diameter and 60 feet deep. The larger one was in loose rock and had an explosive power of 100 kilotons at 600 feet deep, forming a crater 1,200 feet in diameter and 300 feet deep. These tests released much more radioactivity than allowed by the test ban, but they were carried out before it came into effect. By way of comparison, the 100 kiloton burst was about five times as powerful as the original 1945 atom bombs, such as the one tested at Alamogordo. The cratering experiments with chemical explosives have completed the series down to smaller sizes and have helped determine the relationship between explosive power and crater dimensions, as well as the combined effects of several simultaneous bursts near one another. It has been found that several chemical explosives properly spaced in a straight line make a neat ditch somewhat wider across than the crater formed by one of the explosives singly. Such experiments are the source of the conclusion that a canal can probably be dug by nuclear means.

Two possible engineering designs are being considered for the nuclearly dug canal: the single-row ditch and the multiple-array ditch. The first is made by detonating simultaneously a single row of explosives that make a long crater with sloping sides similar to the round single-explosive craters. Experiments to produce single conical craters have been successfully performed with conventional explosives in desert alluvium, which is a rather loose compaction of sand and gravel. More tests will be needed to determine whether the peculiar rock structure of the ridge in Panama will behave the same way, and also whether the slope of a ditch will be less satisfactory than that of a conical crater. It appears that the angle of the slope from this kind of explosion is close to, but fortunately somewhat short of the critical angle of repose for short-time stability. The slope is determined by a double process of formation. The violent shock wave that ejects the material from the crater sends it almost vertically upward, much of it hundreds or thousands of feet, and most of it falls back into the crater, but after a considerable delay. While this material is in the air, the shaken-up and partly pulverized sides of the temporary crater slide down to form a slope at the short-time angle of repose. When the ejected material returns, it forms over this a layer that is somewhat thicker in the middle, so that its surface is not as steep as the original slope.

The other possibility is the multiple-array ditch. One might, for example, plant a series of large charges along a central row and smaller charges in a row on either side, the whole array to be detonated at once. Though not yet proved by experiment, it is expected that the result would be a ditch with flatter sides. This method does, of course, require a bigger total charge to achieve a given depth, and since the amount of charge that can be detonated at once will be limited by considerations of blast damage in Panama City, the multiple-array may be less acceptable than the single-row method.

The stability of the slopes is a matter of concern in the digging of any canal. The slopes of the present canal are not entirely stable; the channel must be dredged to keep ahead of minor slumping and there have been landslides, though none serious enough to block the canal since it was opened to full-time traffic. It is impossible to say with certainty that a nuclearly-dug canal, with its much deeper cut through the ridge, will not have worse trouble of this sort, but the hope is that any trouble will be absorbed by the more generous proportions. In making proper provision for sliding and slumping, it may be better to over-dig with the single-row method. To get a couple of hundred feet deeper with a single row (thus producing a wider channel) and then to cope with some sliding or slumping of the slopes, which would only partially fill in the extra depth and width, may be cheaper than digging a slideproof canal to the required depth with a multiple array.

In summary, then, nuclear digging seems to be a practical way of building a canal, although further testing is needed before the design can be established. The problems of blast-damage and radioactivity are inconvenient, and they limit the choice of a route to remote areas, but these are manageable problems.

The chief argument for the nuclear method is its economy; the government would not need to spend as much of the taxpayers' money to get a sea-level canal dug this way as by conventional means. The relative economy of the nuclear method reflects the fact that the cost of developing nuclear explosives has been charged off over the years to military development, and the explosives for blasting are considered a spin-off. There is irony in the use of Isaiah's term "Plowshare": we can afford the plowshares only because we have already paid for the forge to fashion the swords.

The cost of the explosive increases surprisingly little with the power of the explosive so that an enormous blast of a megaton or more is the big economy size. This is because an H-bomb uses for the most part cheaper material than an A-bomb. A 10-kiloton burst costs $350,000, but one that is 200 times as powerful costs less than twice as much.

The economics of the canal must be judged in a broad view. To enlarge the present canal, as proposed in the Terminal Lake-Third Locks plan, is as cheap a way as any to handle the prospective traffic of the foreseeable future. It has the added advantage of a minimal disruption of what we already have, using the facilities of the present canal and leaving undisturbed the cities, water reservoirs, and ocean fisheries. Such a course offers political stability, which is in itself desirable. Either kind of sea-level canal would have the capacity to carry still more traffic, without the necessity of operating locks (except part of the time in tide control), but the sea-level canal runs the risk of harming aquatic life through the mixing of ecologies.

If we are to have a sea level canal, there is no clear-cut case for nuclear as against conventional digging. Even the argument of the relative cheapness of the nuclear method is not compelling, since there is more potential for unpredictable cost fluctuation; if, for example, problems in nuclear blasting arise, there is the possibility that costs would increase enormously. The costs of earth-moving by conventional means are much better defined, and in addition, government expenditures on heavy earth-moving machinery for canal construction would have greater benefit in stimulating industry.

It is impressive in retrospect to think that the present lock-canal was constructed in the era of 1906–14, when the model-T Ford was a new concept, when awkward shovels were run by steam, and when most excavating in the United States was done with a horse-drawn shovel. At that time a sea-level canal could have been built for about twice the cost of the lock canal. Some of the cost and an important part of the success was due to the conquest of malaria, no longer a problem. Clearly, the sea-level canal could be built by conventional methods much more easily now, with modern earth-moving machinery, possibly further improved for the specific purpose. Clearly, it is not necessary to use nuclear explosives to construct a sea-level canal.

Against the short-term economy of the nuclear method must be balanced our lack of full information on its use and the consequences, the increased radioactivity, the need to clear the adjacent area and to relocate the population centers of Panama, and a less convenient shipping route. None of these reservations is to be taken lightly in admitting the possibility of using Plowshare to build the new Panama Canal.

REPORT OF THE BOARD OF CONSULTING ENGINEERS FOR THE PANAMA CANAL

To the Senate and House of Representatives:

I submit herewith the letter of the Secretary of War transmitting the report of the Board of Consulting Engineers on the Panama Canal and the report of the Isthmian Canal Commission thereon, together with a letter written to the chairman of the Isthmian Canal Commission by Chief Engineer Stevens. Both the Board of Consulting Engineers and the Canal Commission divide in their report. The majority of the Board of Consulting Engineers, eight in number, including the five foreign engineers, favor a sea-level canal, and one member of the Canal Commission, Admiral Endicott, takes the same view. Five of the eight American members of the Board of Consulting Engineers and five members of the Isthmian Canal Commission favor the lock canal, and so does Chief Engineer Stevens. The Secretary of War recommends a lock canal pursuant to the recommendation of the minority of the Board of Consulting Engineers and of the majority of the Canal Commission. After careful study of the papers submitted and full and exhaustive consideration of the whole subject I concur in this recommendation.

It will be noticed that the American engineers on the Consulting Board and on the Commission by a more than two to one majority favor the lock canal, whereas the foreign engineers are a unit against it. I think this is partly to be explained by the fact that the great traffic canal of the Old World is the Suez Canal, a sea-level canal, whereas the great traffic canal of the New World is the Sault Ste. Marie Canal, a lock canal. Although the latter, the Soo, is closed to navigation during the winter months, it carries annually three times the traffic of the Suez Canal. In my judgment the very able argument of the majority of the Board of Consulting Engineers is vitiated by their failure to pay proper heed to the lessons taught by the construction and operation of the Soo Canal. It must be borne in mind, as the Commission points out, that there is no question of building what has been picturesquely termed "the Straits of Panama;" that is, a waterway through which the largest vessels could go with safety at uninterrupted high speed. Both the sea-level canal and the proposed lock canal would be too narrow and shallow to be called with any truthfulness a strait, or to have any of the properties of a wide, deep water strip. Both of them would be canals, pure and simple. Each type has certain disadvantages and certain advantages. But, in my judgment, the disadvantages are fewer and the advantages very much greater in the case of a lock canal substantially as proposed in the papers forwarded herewith; and I call especial attention to the fact that the chief engineer, who will be mainly responsible for the success of this mighty engineering feat, and who has therefore a peculiar personal interest in judging aright, is emphatically and earnestly in favor of the lock-canal project and against the sea-level project.

A careful study of the reports seems to establish a strong probability that the following are the facts: The sea-level canal would be slightly less exposed to damage in the event of war, the running expenses, apart from the heavy cost of interest on the amount employed to build it, would be less, and for small ships the time of transit would probably be less. On the other hand, the lock canal at a level of 80 feet or thereabouts would not cost much more than half as much to build and could be built in about half the time, while there would be very much less risk connected with building it, and for large ships the transit would be quicker; while, taking into account the interest on the amount saved in building, the actual cost of maintenance would be less. After being built it would be easier to enlarge the lock canal than the sea-level canal. Moreover, what has been actually demonstrated in making and operating the great lock canal, the Soo, a more important artery of traffic than the great sea-level canal, the Suez, goes to support the opinion of the minority of the Consulting Board of Engineers and of the majority of the Isthmian Canal Commission as to the superior safety, feasibility, and desirability of building a lock canal at Panama.

The law now on our statute books seems to contemplate a lock canal. In my judgment a lock canal, as herein recommended, is advisable. If the Congress directs that a sea-level canal be constructed its direction will, of course, be carried out. Otherwise the canal will be built on substantially the plan for a lock canal outlined by the accompanying papers, such changes being made, of course, as may be found actually necessary, including possibly the change recommended by the Secretary of War as to the site of the dam on the Pacific side.

THEODORE ROOSEVELT.

THE WHITE HOUSE. *February 19, 1906.*

S. 3108

A bill to provide for the increase of capacity and the improvement of operations of the Panama Canal, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the Panama Canal Modernization Act of 1968".

SEC. 2. (a) The Governor of the Canal Zone, under the supervision of the Secretary of the Army, is authorized and directed to prosecute the work necessary to increase the capacity and improve the operations of the Panama Canal through the adaptation of the third locks project set forth in the report of the Governor of the Panama Canal, dated February 24, 1939 (House Document Numbered 210, Seventy-sixth Congress), and authorized to be undertaken by the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), with usable lock dimensions of one hundred and forty feet by one thousand two hundred feet by forty-five feet, and including the following: elimination of the Pedro Miguel locks, and consolidation of all Pacific locks near Miraflores in new lock structures to correspond with the locks arrangements at Gatun, raise the summit water level to approximately ninety-two feet, and provide a summit-level lake anchorage at the Pacific end of the canal, together with such appurtenant structures, works, and facilities, and enlargements or improvements of existing channels, structures, works, and facilities, as may be deemed necessary, at a total cost not to exceed $850,000,000.

(b) The provisions of the second sentence and the second paragraph of the Act of August 11, 1939 (53 Stat. 1409; Public Numbered 391, Seventy-sixth Congress), shall apply with respect to the work authorized by subsection (a) of this section. As used in such Act, the terms "Governor of the Panama Canal", "Secretary of War", and "Panama Railroad Company" shall be held and considered to refer to the "Governor of the Canal Zone", "Secretary of the Army", and "Panama Canal Company", respectively, for the purposes of this Act.

SEC. 3. (a) There is hereby established a board, to be known as the "Panama Canal Advisory and Inspection Board" (hereinafter referred to as the "Board").

(b) The Board shall be composed of five members who are citizens of the United States of America. Members of the Board shall be appointed by the President, by and with the advice and consent of the Senate, as follows:

(1) one member from private life, experienced and skilled in private business (including engineering);

(2) two members from private life, experienced and skilled in the science of engineering;

(3) one member who is a commissioned officer of the Corps of Engineers, United States Army (retired); and

(4) one member who is a commissioned officer of the line, United States Navy (retired).

(c) The President shall designate as Chairman of the Board one of the members experienced and skilled in the science of engineering.

(d) The President shall fill each vacancy on the Board in the same manner as the original appointment.

(e) The Board shall cease to exist on that date designated by the President as the date on which its work under this Act is completed.

(f) The Chairman of the Board shall be paid basic pay at the rate provided for level II of the Executive Schedule in section 5313 of title 5, United States Code. The other members of the Board appointed from private life shall be paid basic pay at a per annum rate which is $500 less than the rate of basic pay of the Chairman. The members of the Board who are retired officers of the United States Army and the United States Navy each shall be paid at a rate of basic pay which, when added to his pay and allowances as a retired officer, will establish his total rate of pay from the United States at a per annum rate which is $500 less than the rate of basic pay of the Chairman.

(g) The Board shall appoint, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, a secretary and such other personnel as may be necessary to carry out its functions and activities and shall fix their rates of basic pay in accordance with chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates. The secretary and other personnel of the Board shall serve at the pleasure of the Board.

SEC. 4 (a) The Board is authorized and directed to study and review all plans and designs for the third locks project referred to in section 2(a) of this Act, to make on-the-site studies and inspections of the third locks project, and to obtain current information on all phases of planning and construction with respect to such project. The Governor of the Canal Zone shall furnish and make available to the Board at all times current information with respect to such plans, designs, and construction. No construction work shall be commenced at any stage of the third locks project unless the plans and designs for such work, and all changes and modifications of such plans and designs, have been submitted by the Governor of the Canal Zone to, and have had the prior approval of, the Board. The Board shall report promptly to the Governor of the Canal Zone the results of its studies and reviews of all plans and designs, including changes and modifications thereof, which have been submitted to the Board by the Governor of the Canal Zone, together with its approval or disapproval thereof, or its recommendations for changes or modifications thereof, and its reasons therefor.

(b) The Board shall submit to the President and to the Congress an annual report covering its activities and functions under this Act and the progress of the work on the third locks project and may submit, in its discretion, interim reports to the President and to the Congress with respect to these matters.

SEC. 5. For the purpose of conducting all studies, reviews, inquiries, and investigations deemed necessary by the Board in carrying out its functions and activities under this Act, the Board is authorized to utilize any official reports, documents, data, and papers in the possession of the United States Government and its officials; and the Board is given power to designate and authorize any member, or other personnel, of the Board, to administer oaths and affirmations, subpena witnesses, take evidence, procure information and data, and require the production of any books, papers, or other documents and records which the Board may deem relevant or material to the performance of the functions and activities of the Board. Such attendance of witnesses, and the production of documentary evidence, may be required from any place in the United States, or any territory, or any other area under the control or jurisdiction of the United States, including the Canal Zone.

SEC. 6. In carrying out its functions and activities under this Act, the Board is authorized to obtain the services of experts and consultants or organizations thereof in accordance with section 3109 of title 5, United States Code, at rates not in excess of $200 per diem.

SEC. 7. Upon request of the Board, the head of any department, agency, or establishment in the executive branch of the Federal Government is authorized to detail, on a reimbursable or nonreimbursable basis, for such period or periods as may be agreed upon by the Board and the head of the department, agency, or establishment concerned, any of the personnel of such department, agency, or establishment to assist the Board in carrying out its functions and activities under this Act.

SEC. 8. The Board may use the United States mails in the same manner and upon the same conditions as other departments and agencies of the United States.

SEC. 9. The Administrator of General Services shall provide, on a reimbursable basis, such administrative support services for the Board as the Board may request.

SEC. 10. The Board may make expenditures for travel and subsistence expenses of members and personnel of the Board in accordance with chapter 57 of title 5, United States Code, for rent of quarters at the seat of government and in the Canal Zone, and for such printing and binding as the Board deems necessary to carry out effectively its functions and activities under this Act.

SEC. 11. All expenses of the Board shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Chairman of the Board or by such other member or employee of the Board as the Chairman may designate.

SEC. 12. Any provision or provisions of the indicated Act of August 11, 1939 (53 Stat. 1409) or of any other Act inconsistent with, or opposed to, any provision or provisions of this Act, are hereby repealed and shall be of no effect.

SEC. 13. There are hereby authorized to be appropriated to the Board each fiscal year such sums as may be necessary to carry out the functions and activities under this Act.

Mr. JACKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF LAND AND WATER CONSERVATION FUND ACT OF 1965—CONFERENCE REPORT

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The bill clerk read the report.

(For conference report, see House proceedings of June 28, 1968, p. 19345, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JACKSON. I yield to the Senator from New Hampshire.

Mr. McINTYRE. Mr. President, I rise today in support of the position taken by the chairman of the Senate Interior Committee on the conference report on S. 1401, the bill to supplement revenues to the land and water conservation fund. This is a measure which is badly needed. It will, if approved, increase the revenues flowing to the land and water conservation fund. The bill also provides some new tools for the Secretary of the Interior which he can use to attack the problem of rising recreation land prices.

In recent years, particularly during this decade, Congress has recognized its responsibilities to preserve our most precious and unique natural landscapes before they are used for purposes other than recreation or conservation. It has also recognized the need for Federal assistance to States and local governments in their efforts to provide increased recreation opportunities for the growing populations.

In particular, Congress has authorized the Cape Cod National Seashore, the Fire Island National Seashore, and the Delaware Water Gap National Recreation Area. Even though these facilities have been authorized, there still have not been sufficient appropriations approved by Congress to complete the acquisition of lands within the boundaries of these national areas. In addition, Congress is presently considering bills which would create a Redwoods national park, a national system of trails, a national system of scenic and wild rivers, and other recreation areas which will need a considerable amount of money once they are authorized.

The source of money for all these programs, Federal and State, is the land and water conservation fund.

In addition to the problem of a land and water conservation fund which is inadequate to meet the needs of the States and the Federal agencies, we are facing an escalation of recreation land prices which ranges between 15- and 20-percent each year.

S. 1401, as agreed to in conference, would add to the land and water conservation fund for the next 5 years, $200 million for each of those years.

If Congress is going to continue to provide the Nation with park and recreation areas, it must provide this additional authorization. While I have briefly mentioned the Federal part of the overall land and water conservation fund, it is important to not lose sight of the impact this single program has within each State.

To date, more than $161 million has been allocated to the States and their political subdivisions in the form of 50-percent matching grants. This money has been used to acquire and develop facilities ranging from major State parks to vest pocket parks and recreation areas within the inner city of some of our major communities.

In New Hampshire we have received over $1¾ million under this program. We know it works, and we also know that our needs far exceed our ability to raise local revenue to provide outdoor recreation areas and facilities for the residents of New Hampshire and for the visitors to our State.

Mr. President, I congratulate the fine chairman of the Committee on Interior and Insular Affairs and the members of his committee for their outstanding work on this measure.

I urge the approval of the conference report.

Mr. JACKSON. Mr. President, the conference report on S. 1401 represents a true compromise between the differing versions of the House and Senate with respect to the most controversial point that developed during the long debate here in the Senate; namely, the use of a portion of the Outer Continental Shelf receipts as an added source of revenue for the land and water conservation fund. I am happy to report that the conferees adopted much of the substance of the Senate's position.

That is, direct appropriations are the primary source for the desperately needed new revenues the land and water conservation fund must have if outdoor recreation programs of the States and the Federal agencies are to be maintained. This was the amendment offered by the Senator from Louisiana [Mr. ELLENDER]. However, in view of the critical situation with respect to land price escalation, the conferees provided that, for a limited 5-year period, if funds from the sources provided in the 1964 Land and Water Conservation Fund Act plus the direct appropriations authorized in the current bill do not total $200 million a year, then and in that event enough of the receipts from oil and gas leasing on the Outer Continental Shelf shall be covered into the fund to bring its income up to the authorized amount of $200 million.

DIRECT APPROPRIATIONS PRIMARY SOURCE

But the direct appropriations for which provision was made by the floor amendment sponsored by the able senior Senator from Lousiana [Mr. ELLENDER] are the primary source of the new revenues for the fund.

As I stated during the floor discussion on appointment of conferees on S. 1401, there were other major differences between the House and Senate bills. Satisfactory agreement has been reached, I believe, on all of the points of disagreement. It will be recalled that the House amendment provided for the repeal, effective March 31, 1969, of the provisions in the basic act which established a uniform system of admission and user fees for all Federal recreation areas. This is the so-called Golden Eagle program concerning which there has been no little controversy.

The House specifically provided that its action in repealing the Golden Eagle would in no way affect the operations of the 1951 law which authorized individual agencies to collect fees where facilities and services are provided at public expense. The Senate bill retained the Golden Eagle, and our report on S. 1401 committed the committee to a thorough study of the admission and user fee program.

GOLDEN EAGLE RETAINED UNTIL 1970

The conference committee recommends adoption of the House language with an amendment changing the effective date of the repeal to March 31, 1970, and with an additional clarifying amendment to insure that, in the meantime, collections under the fee system will continue to be covered into the general land and water conservation fund. Thus, there will be ample opportunity for further study of the benefits and drawbacks of the controversial Golden Eagle program under which persons who use and enjoy Federal outdoor recreation facilities for which taxpayers funds have been expended pay a small fee for the privilege.

Another point of difference between the two Houses was the authority for advance appropriations. The basic law provides for advance appropriations for a period of 8 years in amounts up to $60 million a year. S. 1401 as reported by committee terminated this advance appropriation authority, but when the proposed new sources of revenue were stricken from the bill, it was desirable that this authority be retained, so the termination provision was stricken by floor amendment. The House did not delete the provision from its bill. Adoption of the conferees recommendation for additional revenues will make advance appropriations unnecessary, and accordingly the Senate recedes on deletion of the termination section in the bill.

The Senate version of the bill included a provision authorizing the Secretary of the Interior to enter into option contracts for the acquisition of lands within national park system areas. Expenditures under this authority were limited to $500,000 a year. The House version of the bill contained no provision on this subject. The conference committee amendment incorporates the Senate provision.

EXCHANGE PROVISIONS BROADENED

S. 1401, as it passed the Senate, authorized the Secretary of the Interior to convey freehold or leasehold interests in land within the national park system and "miscellaneous areas" (cf. 16 U.S.C. sec. 1c) in certain instances but excepted therefrom property within national parks proper or within national monuments of scientific significance. The House version of the bill did not contain this exception. The conference committee recommends the Senate language with a clarifying amendment.

In its version of S. 1401, the Senate included a subsection providing for exchange of properties in the same State or States as a means of acquiring land within authorized units of the national park system and miscellaneous areas. The House version limited this authority to cases in which such exchanges are otherwise authorized by law and required that the land conveyed in exchange be within the same unit as that in which the land acquired is located. The Senate version also exempted from exchange Federal timberlands managed under a sustained-yield program, and required that public hearings be held before any exchange took place. The House version did not include these provisions.

The conference committee recommends language that authorizes the Secretary of the Interior to accept title to non-Federal lands within a unit of the national park system or miscellaneous area and in exchange therefor to convey land under his judisdiction that is located in the same State as is the property to be acquired. Public hearings would be held if requested by a State or a political subdivision, or by a party in interest under the conference committee's recommendation, and the Senate's exemption from exchanges of Federal timberland managed under a sustained-yield program is retained.

REPORT SIGNED BY ALL CONFEREES

Mr. President, the report was signed by all of the conferees. I believe it is a fair and equitable adjustment of the differences between the action taken by the Senate and that taken by the House of Representatives. There was considerable controversy on the appointment of conferees; we had a rollcall vote, and the chairman of the Interior Committee at that time made it very clear that an honest effort would be made to reach a compromise.

I believe we have reached a good compromise and we retained the basic objectives that both the House of Representatives and the Senate had in mind.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. JACKSON. I am happy to yield to the able senior Senator from Colorado, who was very helpful in the conference.

Mr. ALLOTT. Mr. President, I think the words the Senator has just spoken are very true. There are various facets of this bill, as recognized by the various amendments which the Senator has discussed, which have been, at one time or another, highly controversial—sometimes, I might add, without respect to parties.

For that reason, I consider that the conference which we held on this bill last week—last Tuesday afternoon, as I recall—was a very productive one. We sat there and tried to, and actually did in some instances, rewrite amendments so that they met the best interests of the Senate and the best interests of the House of Representatives.

Frankly, I believe this is the best bill that it would be possible for this Congress to produce.

Mr. President, I sincerely hope that, as passed, the measure will represent a step forward in this important area of providing lands for public and recreational use in our country.

Mr. JACKSON. Mr. President, I thank the able Senator from Colorado for his very kind remarks. The Senator was extremely helpful in connection with the decisions that were made in the conference.

I believe it is the best possible compromise that could have been achieved under the circumstances. The best proof of that is that the report was unanimous. The able Senator from Colorado had a different point of view on the Outer Continental Shelf funds, as he stated on the floor of the Senate at the time of the appointment of the conferees.

I think the words of the Senator indicating his feelings and impression as to the nature and result of the conference and the overall judgment of that conference should carry great weight.

Mr. ALLOTT. Mr. President, the bill finally agreed on in conference represents now the composite opinions of the House of Representatives and the Senate. And after all, I think this was our duty under the conference.

Mr. JACKSON. The Senator is correct. We achieved the basic objectives that the Senate and House had in mind. We modified the means as to how we would achieve that objective. I think this is a good resolution of a very troublesome problem that we have had this year in the House and the Senate.

Mr. President, I move the adoption of the conference committee report on S. 1401.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

AIRCRAFT NOISE ABATEMENT (H.R. 3400)

Mr. JAVITS. Mr. President, I have for some time been deeply concerned about the problem of noise pollution, and, in particular, aircraft noise. This problem is a particularly serious one in many parts of New York State. The Metropolitan New York City area is one of the busiest air centers in the world. Presently, there is need to develop a new jet port and many smaller satellite airports in this region. All of this will add to the already serious problem which aircraft noise causes to those who live close to airports—an ever increasing number.

For this reason, I have repeatedly sought to stimulate Federal action to meet this growing crisis. I proposed an amendment to the Housing and Urban Development Act of 1965, which was accepted, which required the Housing and Home Finance Administrator to undertake a study of ways in which the hardship and economic depreciation suffered by homeowners in the vicinity of airports might be reduced. In 1966, I unsuccessfully proposed an amendment to the Department of Transportation Act which would have established within that new Department an Office of Aircraft Noise Abatement. I believed then, as I do now, that what is required is a unified attack on this problem by the Federal Government. Under its provisions the Administrator of the Federal Aviation Agency, in consultation with the Secretary of Transportation, would prescribe and amend standards for the measurement, control and abatement of aircraft noise and sonic boom. This is done through the certifying procedure and power already vested in FAA, including, among other things, air-worthiness certificates, air carrier operating certificates and airman certificates.

Although not a perfect procedure, it does seem to me that this is a most worthwhile beginning. I remain convinced that there must be a more intensive and coordinated research effort aimed at the reduction and eventual elimination of the most serious effects of aircraft noise. Naturally, such a solution rests on a comprehensive attack on all the environmental problems of our cities. Noise pollution, as other environmental problems, can not be solved in isolation. However, we can and must act now to reduce aircraft noise. I support this bill and urge its passage.

ADJOURNMENT TO 9 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the order previously entered, that the Senate stand in adjournment until 9 a.m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 52 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, July 3, 1968, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate, July 2, 1968:

POSTMASTERS

The following-named persons to be postmasters:

CALIFORNIA

William J. McGovern, Millbrae, Calif., in place of H. E. Purpus, retired.

CONNECTICUT

Robert L. Parent, Haddam, Conn., in place of M. E. Thayer, retired.

FLORIDA

Clarence W. Martin, Jr., Bartow, Fla., in place of G. C. Coker, transferred.

Gloria D. Pearce, Killarney, Fla., in place of L. J. Jones, retired.

GEORGIA

J. Ray Grant, Forsyth, Ga., in place of T. M. Smith, retired.

HAWAII

Arthur C. Kong, Ewa Beach, Hawaii, in place of H. K. Ching, retired.

ILLINOIS

Catherine R. Martin, Donovan, Ill., in place of G. A. Doyle, retired.

Fred E. Schoonover, Herrin, Ill., in place of L. L. Herrin, retired.

IOWA

Robert B. Seemuth, Hills, Iowa, in place of W. E. Dietsch, retired.

KANSAS

Kenneth S. Fincham, Blue Rapids, Kans., in place of R. D. Gallup, deceased.

MICHIGAN

Joseph E. Liska, Jr., Ashley, Mich., in place of R. E. Sievert, transferred.

MINNESOTA

Mario A. Colletti, Aurora, Minn., in place of J. L. Zimmerman, retired.

Francis J. O'Keefe, Prior Lake, Minn., in place of M. E. Lannon, retired.

MISSOURI

Hosea Rhoades, Thayer, Mo., in place of J. W. Mitchell, retired.

NEBRASKA

Donald L. Shimerka, Pierce, Nebr., in place of A. E. Brodhagen, removed.

NEW JERSEY

Alice L. Ordille, Clarksboro, N.J., in place of Reva Hilborn, retired.

Albert L. Schenone, Union City, N.J., in place of Frank Elia, retired.

OHIO

Paul E. Rowse, Harpster, Ohio, in place of E. I. Karr, retired.

PENNSYLVANIA

John R. Macey, Latrobe, Pa., in place of J. A. Barkley, retired.

Robert W. Anderson, Monaca, Pa., in place of F. H. Zinke, Jr., retired.

TENNESSEE

Colleen C. Meeks, Coalmont, Tenn., in place of C. R. Winton, resigned.

William F. Massey, Hartsville, Tenn., in place of E. D. Freedle, retired.

TEXAS

Robert G. Brown, Crawford, Tex., in place of O. R. Hawkins, transferred.

VIRGINIA

Joseph J. Restein II, Cape Charles, Va., in place of S. C. Churn, retired.

WEST VIRGINIA

Norval J. Tutwiler, Clarksburg, W. Va., in place of P. F. Sheets, deceased.

WISCONSIN

Patrick J. McGinley, Gays Mills, Wis., in place of W. C. Carroll, retired.

S. Jane Abbott, Oconomowoc, Wis., in place of J. P. Snyder, resigned.

HOUSE OF REPRESENTATIVES—*Tuesday, July 2, 1968*

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

God is with you in all that you do.—Genesis 21: 22.

O Thou who art the companion of our way and the creative spirit ever endeavoring to lead us to new frontiers of thought and action, at the beginning of a new day we bow before Thee invoking Thy blessing upon us and praying that Thy wisdom may guide us, Thy strength support us, and Thy love hold us true all the day long.

In the midst of hectic hours and harassing happenings may Thy healing presence restore our souls and lead us in the paths of righteousness for Thy name's sake.

Forgive, O Lord, our impatient impulses, our petty prejudices, our discouraged dispositions. Strengthen us to make a striking contribution to the life of our day, to think clearly, to speak courageously, to act confidently, to keep our faith in Thee and our country and may this faith keep up steady in this time of trouble.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment joint resolutions of the House of the following titles:

H.J. Res. 1111. Joint resolution granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri; and

H.J. Res. 1302. Joint resolution to authorize the President to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week."

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 827. An act to establish a nationwide system of trails, and for other purposes;

S. 3418. An act to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes;

S. 3514. An act to authorize the use of the vessel *Mouette* in the coastwise trade; and

S.J. Res. 181. Joint resolution to authorize the President to designate the week of August 4 through August 10, 1968, as "Professional Photography Week."

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO SIT DURING GENERAL DEBATE TODAY AND TOMORROW

Mr. PUCINSKI. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor be permitted to sit during general debate today and tomorrow. This has been cleared with the minority members.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I do not ordinarily make the point of order that a quorum is not present before the Private Calendar is called. However, in the absence of any Members, I must make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 221]

Anderson, Tenn.
Andrews, N. Dak.
Ashley
Ashmore
Baring
Bell
Berry
Bingham
Blackburn
Blanton
Bow
Brown, Calif.
Burke, Fla.
Clawson, Del
Colmer
Conyers
Corman
Culver
Davis, Ga.
Diggs
Donohue
Edwards, Ala.
Edwards, Calif.
Evins, Tenn.
Gettys
Goodell
Griffiths
Hagan
Halleck
Hansen, Idaho
Herlong
Holifield
Holland
Ichord
Jones, Mo.
Karsten
Leggett
Lloyd
Long, La.
Long, Md.
McCloskey
McFall
Mathias, Calif.
Mathias, Md.
Miller, Calif.
Minish
Nichols
Passman
Patman
Rees
Reinecke
Resnick
Rosenthal
Roush
Ruppe
Schweiker
Sikes
Stephens
Taft
Thompson, N.J.
Udall
Ullman
Van Deerlin
Walker
Willis
Wolff

The SPEAKER. On this rollcall 367 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE REPORT ON H.R. 13940, NEW MARITIME PROGRAM

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries have until midnight tonight to file a report on H.R. 13940, to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

WE MUST END MOST-FAVORED-NATION PRIVILEGE TO POLAND

Mr. FARBSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FARBSTEIN. Mr. Speaker, during the 1930's, America stood by wringing its hands while conditions in Nazi Germany moved closer and closer to inevitable tragedy. We did nothing, and 6 million Jews died. In retrospect, we recognize that, as a nation, we were culpable in our indifference. We have learned from the holocaust that we cannot confront inhumanity with inaction.

I propose now, Mr. Speaker, that we take a first step to confront the inhumanity of anti-Semitism in Poland. There, a government is using persecution of Jews as a political instrument, though less than 30,000 Jews remain of the prewar community of some 3 million.

That first step must be the ending of the most-favored-nation privileges which Poland receives in its trade with the United States. These privileges have enabled Poland to worsen our balance-of-payments problem, to its own advantage. The continuation of these privileges, by a country that moves closer and closer to the Stalinism of another era, is intolerable.

I intend to offer at the proper time, an amendment to the foreign aid bill to effectuate the aforementioned denial of most-favored-nation treatment to Poland if possible.

"GOOD RIDDANCE FLIGHTS" TO CUBA

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, another U.S. airliner has been skyjacked and forced down in Cuba.

Mr. Speakers, there is absolutely no reason why such incidents should take place.

Unlike Cuba or any other Communist country, people who are not content with living in the United States are free to leave the country and go elsewhere. They do not have to skyjack a plane and threaten the passengers and pilots to leave the United States.

I have proposed that the State Department adopt a "good riddance flight" to Cuba for those who wish to return to Cuba.

We send planes to Cuba every day to pick up Cuban nationals who wish to leave and come to the United States. They are called freedom flights. When they fly to Cuba, they are empty.

The State Department could, and should as soon as possible, adopt the good riddance idea and allow anyone who wishes to get on one of those empty planes and fly to Cuba. The only condition which would be placed on such an individual would be that he could not return to the United States.

The State Department should publicize the plan, especially in Latin-populated areas of the United States. It should be made abundantly clear that we have no reservations about shipping disgruntled individuals to Cuba and that there is no necessity for skyjacking planes to get to Cuba.

I ask that you join me in pressing for the adoption of this plan.

GM FRANCHISE DEALERS TO WHOLESALE CRASH PARTS TO GARAGEMEN AND BODY SHOP OPERATORS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, more than 77 percent of all U.S. households own one or more automobiles. Americans, who today operate some 80 million cars, are dependent upon the automobile—and trucks—for their livelihood, transportation and recreation. The immediate availability of parts and repair facilities are essential elements in the full enjoyment of these automobiles.

Fortunately, the franchise automobile dealers and the automobile repair shop operators, many of whom are members of the Independent Garage Owners Association—IGOA—together provide a national network of facilities for the major repairs of automobiles. It is in the public interest that they continue to perform their important function in an expeditious and efficient manner.

With this as a background, Chairman EVINS, Representatives KLUCZYNSKI, CORMAN, CONTE, and our other colleagues on the House Select Committee on Small Business, are particularly pleased to learn that General Motors Corp. and the Federal Trade Commission have worked out a plan under which, when adopted, the GM franchise dealers will be able to serve as the wholesale distribution system, nationwide in scope, to supply sheet metal body parts—sometimes called crash parts—to the garagemen and body shop operators for the repair of GM made automobiles damaged in accidents. GM will pay the franchise dealer wholesale compensation for performing this distribution function. Thus, independent garagemen can be fully competitive with franchised dealers.

We are further pleased that this plan of distribution has been arranged without time-consuming and expensive litigation, and GM is to be commended for this progressive action. This sets an excellent pattern which I hope the rest of the industry will see fit to follow in the immediate future.

We heartily believe that GM's proposed plan will be beneficial to the consumer as well as to the automobile repair industry, including both franchised dealers and the operators of garages and body repair shops.

SUPPORT FOR LOWERING THE VOTING AGE REQUIREMENTS

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, President Johnson has spoken out in behalf of a considerable number of Americans who are excluded from the political processes of the United States.

It is appropriate that a great civil rights President, who has led the way toward the elimination of any barriers to keep people from exercising their full rights of citizenship, should now urge Congress to adopt a constitutional amendment that will enable 18-year-olds to vote.

President Johnson knows—as we ourselves must know—that right and justice are on the side of this important proposal. We cannot exclude so many Americans from the right to vote without diminishing the vitality of American society.

These young people are fully qualified by virtue of their education, interests, and dedication to fully participate in our electoral processes.

We now have the opportunity to fulfill the promise of full citizenship for more than 10 million young Americans. I consider this to be a rare privilege and I am delighted to lend my full support to President Johnson's proposal.

I commend the President for his wisdom and leadership in focusing the Nation's attention upon the need for updating restrictive and outmoded laws.

This Congress must act—and quickly—to do its duty in this regard.

RAMSEY CLARK IS ALL MIXED UP

Mr. KUYKENDALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. KUYKENDALL. Mr. Speaker, the Attorney General, Ramsey Clark, seems to be all mixed up about the duties of his office.

He has publicly refused to enforce the provisions of the anticrime bill approved by Congress to make it possible under court order to use wiretapping against hardened criminals and members of the crime syndicate. He fears this may be an invasion of the privacy of those who prey upon law-abiding citizens.

Yet, he now comes out for invading the privacy of 25 million law-abiding Americans who lawfully possess rifles and shotguns for hunting. The Attorney General would support a law which would seize these weapons unless registered and their owners licensed.

Would it not be wonderful if the Attorney General showed the same zeal for protecting the Americans who obey the law as he does for those who flaunt it?

SUBVERSIVE ACTIVITIES CONTROL ACT TO CONTROL CAMP-INS

Mr. POOL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POOL. Mr. Speaker, on Friday, June 28, the Washington Evening Star carried an article detailing the costs by various governmental agencies to clean up the site of Resurrection City. The total came to some $85,000 in expenditures by the Federal and District Governments for cleanup and restoration costs alone. Every American should pause to reflect on the expense of this endeavor, especially since the campers guaranteed only $5,000 in bond money. In other words, it cost 17 times over what the campaign proposed to back up.

But the cleanup costs do not by any means describe the entire picture. The Star reveals that the total cost of the Poor People's Campaign to the Federal and District Governments amounts to almost half a million dollars when extra police costs and other expenses are tallied. Where does this half million dollars come from? From the pockets of the taxpayers of America. I for one do not believe the American people should be forced to finance such foolishness: patronizing and placating a group which demands to camp right in the heart of the Nation's Capital City.

It is expenditures of this nature, I might add that led me to vote against the tax bill. In all good conscience, I could not support increased taxation, when our Government is squandering money to pacify those who will not get out and work for their living.

I call on the Members of this body to pass my bill, H.R. 17127, which would amend the Subversive Activities Control Act and prevent other such dangerous camp-ins in our hallowed Capital City.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

VISITACION ENRIQUEZ MAYPA

The Clerk called the bill (H.R. 4386) for the relief of Visitacion Enriquez Maypa.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ARTHUR JEROME OLINGER, A MINOR

The Clerk called the bill (S. 155) for the relief of Arthur Jerome Olinger, a minor, by his next friend, his father, George Henry Olinger, and George Henry Olinger, individually.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

REFERRAL OF H.R. 14109 TO THE CHIEF COMMISSIONER, COURT OF CLAIMS

The Clerk called the resolution (H. Res. 991) to refer the bill (H.R. 14109) entitled "A bill for the relief of Joseph W. Harris," to the chief commissioner of the Court of Claims pursuant to sections 1492 and 2509 of title 28, United States Code, as amended.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LAURENCE BLOOM

The Clerk called the bill (H.R. 1608) for the relief of Laurence Bloom.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

HORACE H. EASTERDAY

The Clerk called the bill (H.R. 2758) for the relief of Horace H. Easterday.

There being no objection, the Clerk read the bill, as follows:

H.R. 2758

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 2041(b) of title 28 of the United States Code barring tort claims against the United States under the Federal tort claims provisions of title 28, United States Code, unless action is begun within two years after such claim accrues is hereby waived in favor of any claim of Horace H. Easterday, of San Diego, California, against the United States arising out of disabling tuberculosis allegedly resulting from the failure of a Department of the Navy physician to detect minimal tuberculosis in his examination of the said Horace H. Easterday in 1951.

With the following committee amendment:

On page 1, line 3, strike "2041(b)" and insert "2401(b)".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO CONFER JURISDICTION ON COURT OF CLAIMS—WASSON COAL MINING CORP.

The Clerk called the bill (H.R. 12539) to confer jurisdiction of the U.S. Court of Claims to hear, determine, and render judgment on the claim of the Wasson Coal Mining Corp. against the United States.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. RUTH BRUNNER

The Clerk called the bill (H.R. 12894) for the relief of Mrs. Ruth Brunner.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there an objection to the request of the gentleman from Iowa?

There was no objection.

ROBERT J. BEAS

The Clerk called the bill (H.R. 15633) for the relief of Robert J. Beas.

There being no objection, the Clerk read the bill, as follows:

H.R. 15633

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Robert J. Beas, of 6441 Grosse Drive, Cleveland, Ohio, hereby is relieved of all liability to repay to the United States the sum of $800. Such sum represents the amount which he was required to pay for the loss of a package of registered mail while he was employed at the United States post office at Cleveland, Ohio.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay to the said Robert J. Beas, out of any money in the Treasury not otherwise appropriated, any amounts paid by him in reduction of the indebtedness referred to in section 1 of this Act or withheld from amounts otherwise due him because of that indebtedness. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RACHEL STIMPSON

The Clerk called the bill (H.R. 1527) for the relief of Rachel Stimpson.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

HUBERT ASHE

The Clerk called the bill (H.R. 4404) for the relief of Hubert Ashe.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CHARLES BERNSTEIN

The Clerk called the bill (S. 321) for the relief of Charles Bernstein.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CUBAN TRUCK & EQUIPMENT CO.

The Clerk called the bill (H.R. 6321) for the relief of the Cuban Truck & Equipment Co., its heirs and assigns.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

REMCO INDUSTRIES, INC.

The Clerk called the bill (H.R. 10417) for the relief of Remco Industries, Inc.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

AMALIA P. MONTERO

The Clerk called the bill (H.R. 5959) for the relief of Amalia P. Montero.

There being no objection, the Clerk read the bill, as follows:

H.R. 5959

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Amalia P. Montero, Joint United States Military Group—Military Assistance Advisory Group, Spain, is relieved of liability to the United States in the amount of $1,395.84, representing the total amount of living quarters allowance paid to her by the Department of the Army during the period of October 13, 1963, through April 9, 1965, as a result of erroneous payment without fault on her part. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. The Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Amalia P. Montero, an amount equal to the aggregate of the amounts paid by her, or withheld from sums otherwise due her, on account of the liability to the United States referred to in the first section of this Act. No part of the amount appropriated in this section shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 7, strike "Army" and insert "Air Force".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK KLEINERMAN

The Clerk called the bill (H.R. 2654) for the relief of Frank Kleinerman.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AUTHORIZING SECRETARY OF INTERIOR TO ISSUE APPROPRIATE PATENTS TO HEIRS OF DOLLY McCOVEY

The Clerk called the bill (H.R. 11782) to authorize and direct the Secretary of the Interior to accept allotment relinquishments, approve a lieu allotment selection, and issue appropriate patents therefor to the heirs of Dolly McCovey.

There being no objection, the Clerk read the bill, as follows:

H.R. 11782

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon receipt from those Indian heirs of Dolly McCovey, deceased Hoopa extension allottee numbered 197–H, representing more than one-half of the undivided Indian interests, of a relinquishment of all of their right, title, and interest in her Hoopa extension allotment, the Secretary of the Interior shall cancel the patents to said allotment described as commencing at southeast corner of lot 4 in section 32, township 11 north, range 3 east, thence north 15 chains, west 16 chains, south 15 chains, east 16 chains, to place of beginning and southwest quarter of southeast quarter of section 32, township 11 north, range 3 east, Humboldt meridian, California, containing 64 acres, more or less, and approve a lieu allotment selection described as the northeast quarter of northeast quarter, section 13, township 11 north, range 2 east, Humboldt meridian, California, comprising 40 acres, more or less, and issue a trust patent to all of the Indian heirs as their respective interest may appear.

With the following committee amendments:

On page 1, line 3, after "those" strike out "Indian".

On page 1, line 4, strike out "extension" and insert "Extension".

On page 1, line 5, after "undivided" strike out "Indian".

On page 1, line 7, strike out "extension" and insert "Extension". After "allotment," insert "free and clear of all liens and encumbrances,".

On page 2, line 10, after "heirs" insert "and a fee patent to all of the non-Indian heirs".

On page 2, after line 10, add the following paragraph:

"If after reasonable search a non-Indian patentee cannot be located, the Secretary shall publish in a newspaper which is sold in the area where the lands are located a notice that the patent has been issued, and no claim against the United States with respect to the issuance of such patent or the cancellation of the trust patent to Dolly McCovey shall be entertained by any court unless commenced within one year from the date the notice is published."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. OLGA CONCEPCION PEREZ DE LANIO

The Clerk called the bill (H.R. 14654) for the relief of Dr. Olga Concepcion Perez de Lanio.

There being no objection, the Clerk read the bill, as follows:

H.R. 14654

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of chapter II of title III of the Immigration and Nationality Act, Doctor Olga Concepcion Perez de Lanio shall be admitted to United States citizenship upon taking the oath prescribed by section 337 of such Act before any court referred to in subsection (a) of section 310 of such Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That, for the purposes of the Immigration and Nationality Act, Doctor Olga Concepcion Perez de Lanio shall be held and considered to have been lawfully admitted to the United States for permanent residence on April 21, 1962."

The committee amendment was agreed to.

Mr. MATSUNAGA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Hawaii?

There was no objection.

Mr. MATSUNAGA. Mr. Speaker, I rise in support of H.R. 14654, a private bill which provides that, for the purposes of the Immigration and Nationality Act, Dr. Olga Concepcion Perez de Lanio shall be held and considered to have been lawfully admitted to the United States for permanent residence on April 21, 1962. The beneficiary would therefore be eligible for immediate naturalization if she meets the requirements other than that relating to the period of permanent residence in the United States.

Dr. Lanio, a Cuban by birth, first entered the United States at Miami, Fla., on April 21, 1962. She reentered as a permanent resident on November 23, 1964, and now resides at 8810 Lanier Drive, Silver Spring, Md., with her husband, Jose Antonio Lanio, and their two children Jose Antonio Lanio, Jr., age 15, and Maria Isabel Lanio, age 12. Both children were born in Cuba.

A dentist by profession, Dr. Lanio received her diploma from the University of Havana and gained several years of professional experience in her native country before coming to the United States. She is presently employed as a supervisor in a clinic of orthodontists located at 5010 Wisconsin Avenue, Washington, D.C. She is not licensed to practice her profession in any State or in the District of Columbia.

The beneficiary believes that American citizenship, with all of its attendant rights and privileges as well as duties, would enhance her opportunities to study and work at the same time. In order to practice her profession in the United States she has determined that she has to enter a university and take certain additional courses to satisfy curricular requirements.

As an American citizen and with a license to practice dentistry in the United States, Dr. Lanio would be able to help relieve the shortage of dentists in this country. She is aware of the many social action programs sponsored by the Federal Government which could utilize her services, and her interest at present leans heavily toward eventual employment in this field. She is convinced that she would be able to render better service to the community as an active professional, and American citizenship would help immeasurably to her early attainment of this objective.

Favorable action on H.R. 14654 would accordingly be beneficial not only to Dr. Lanio, but also to the country of which she desires so much to become a citizen. I strongly urge a unanimous vote for this private bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CERTAIN PROPERTY OWNERS IN TATE COUNTY, MISS.

The Clerk called the bill (H.R. 11552) for the relief of certain property owners in Tate County, Miss.

There being no objection, the Clerk read the bill, as follows:

H.R. 11552

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized and directed to issue to each of the individuals named below, respectively, a patent in fee, subject to existing rights-of-way, to the real property, located within section 22, township 5 south, range 6 west, Tate County, Mississippi, which is described opposite his or her name:

Name	Property
Walter L. Hyde	East half of the northeast quarter of such section.
Mrs. Mary Lockett Cocke Taylor.	West half of the southeast quarter of such section.
Henderson House	East half of the southeast quarter of such section.
Cathey S. Dandridge	West half of the northeast quarter, the northwest quarter, the north half of the southwest quarter and the southeast quarter of the southwest quarter of such section.
Mrs. Mary W. Hyde	Southwest quarter of the southwest quarter of such section.

With the following committee amendment:

Strike out all after the enacting clause and insert the following in lieu thereof:

"There is hereby conveyed to the heirs or assigns of Ho-pah-cubby, a Chickasaw Indian of Mississippi, and to persons claiming through them, as their rights and interests may appear, all right, title, and interests of the United States to section 22, township 5 south, range 6 west, Chickasaw meridian, Tate County, Mississippi."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The **SPEAKER**. This concludes the call of the Private Calendar.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1968

Mr. **MAHON**. Mr. Speaker, I call up the conference report on the bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 1608)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17734) "making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 10, 11, 12, 13, 23, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 8, 16, 18, 24, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, and 39; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert "$3,750,950,000"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: "$3,688,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert "$1,535,558"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert "$6,466,076"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert "$5,732,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment insert: "$6,200,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1, 3, 6, 14, 19, 20, 21, 22, 25 and 26.

GEORGE MAHON,
JAMIE L. WHITTEN,
ROBERT L. F. SIKES,
WILLIAM H. NATCHER,
DANIEL J. FLOOD,
JULIA BUTLER HANSEN,
CHARLES R. JONAS,
MELVIN R. LAIRD,
GLENARD P. LIPSCOMB,
ROBERT H. MICHEL,
Managers on the Part of House.
JOHN O. PASTORE,
SPESSARD L. HOLLAND,
ALLEN J. ELLENDER,
LISTER HILL,
WARREN G. MAGNUSON,
KARL E. MUNDT,
MILTON R. YOUNG,
MARGARET CHASE SMITH,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17734) making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I

CHAPTER I—DEPARTMENT OF AGRICULTURE

Amendment No. 1: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the amendment with an amendment to appropriate $10,000,000 for the school lunch program authorized by P.L. 90-302, instead of $32,000,000 as proposed by the Senate.

CHAPTER II—DEPARTMENT OF DEFENSE—MILITARY

Amendment No. 2: Appropriates $3,750,950,000 for "Emergency Fund, Southeast Asia", instead of $3,791,100,000 as proposed by the House and $3,710,800,000 as proposed by the Senate.

Amendment No. 3: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the amendment.

Financial management improvement

The Committee of Conference is in agreement that the Department of Defense should proceed with the implementation of budgeting and accounting procedural improvements in accord with all of the restrictions imposed in H. Report 1531, further restricted to the application of "reducibility" not below such major command levels as TAC, CONARC, etc. A slow and deliberate approach is encouraged, and, in collaboration with the General Accounting Office, perfecting actions should take precedence over expansion of the program.

CHAPTER III—DISTRICT OF COLUMBIA

Amendment No. 4: Appropriates $3,688,000 from federal funds for loan to the District of Columbia instead of $7,000,000 as proposed by the Senate.

District of Columbia funds

Amendment No. 5: Appropriates $1,535,558 for "General operating expenses", instead of $535,558 as proposed by the House and $2,992,558 as proposed by the Senate.

Amendment No. 6: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the amendment with an amendment to provide $1,000,000 for a summer program for children and youth instead of $2,457,000 as proposed by the Senate.

Amendment No. 7: Appropriates $6,466,076 for "Public safety" instead of $1,611,076 as proposed by the House and $8,237,076 as proposed by the Senate. The increase over the House amount provides $4,426,000 for increased pay costs, police and firemen as authorized by P.L. 90–320; and $429,000 for police over-time pay resulting from additional street patrols.

Amendment No. 8: Appropriates $5,690,000 for "Education" as proposed by the Senate instead of $790,000 as proposed by the House.

Amendment No. 9: Appropriates $2,214,000 for "Health and Welfare" as proposed by the House instead of $2,222,000 as proposed by the Senate.

Amendment No. 10: Deletes the Senate proposal to appropriate $28,000 for "Highways and Traffic".

Amendment No. 11: Deletes the Senate proposal to appropriate $75,000 for "Sanitary Engineering".

Amendment No. 12: Appropriates $847,000 for "Capital Outlay" as proposed by the House instead of $898,000 as proposed by the Senate.

Appropriations for the estimated expenses resulting from the civil disorders have been deferred at this time.

CHAPTER IV—FOREIGN OPERATIONS

Amendment No. 13: Deletes the Senate proposal to appropriate $5,500,000 for "Administration, Ryukyu Islands".

CHAPTER V—INDEPENDENT OFFICES

Amendment No. 14: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the amendment with an amendment to appropriate $3,000,000, instead of $3,100,000 as proposed by the Senate, for "Construction, Public Buildings Projects".

CHAPTER VI—DEPARTMENT OF THE INTERIOR

Amendment No. 15: Appropriates $5,732,000 for "Education and Welfare", Bureau of Indian Affairs, instead of $3,107,000 as proposed by the House and $6,099,000 as proposed by the Senate. The additional amount allowed over the House amount is $2,625,000 for blizzard costs in New Mexico last winter.

Amendment No. 16: Appropriates $1,972,000 for "Resources Management", Bureau of Indian Affairs, as proposed by the Senate instead of $2,172,000 as proposed by the House.

Amendment No. 17: Appropriates $6,200,000 for "Trust Territory of the Pacific Islands" instead of $6,900,000 as proposed by the Senate.

Amendment No. 18: Appropriates $4,182,000 for "Management and Protection" National Park Service as proposed by the Senate instead of $4,046,000 as proposed by the House.

Amendment No. 19: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the amendment to make available $560,000 for construction of a transcanyon water line and trail at Grand Canyon National Park.

Amendment No. 20: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the amendment with an amendment to appropriate $150,000 for salaries and expenses of the American Revolution Bicentennial Commission instead of $225,000 as proposed by the Senate.

CHAPTER VII

Department of Labor

Amendment No. 21: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the Senate amendment with an amendment appropriating $13,000,000 for Manpower Development and Training Activities instead of $75,000,000 as proposed by the Senate.

Department of Health, Education, and Welfare

Amendment No. 22: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the Senate amendment with additional language for the purpose of validating obligations made between June 30, 1968 and five days following approval of this Act.

Amendment No. 23: Provides $60,000 for "Comprehensive health planning and services" as proposed by the House instead of $13,060,000 as proposed by the Senate.

Amendment No. 24: Makes available $83,828,000 for "Limitation on salaries and expenses", Social Security Administration as proposed by the Senate instead of $84,928,000 as proposed by the House.

Office of Economic Opportunity

Amendment No. 25: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the amendment with an amendment to provide $5,000,000 for the headstart program instead of $25,000,000 as proposed by the Senate.

CHAPTER VIII—LEGISLATIVE BRANCH

Amendment No. 26: Reported in technical disagreement. The Managers on the part of the House will offer a motion to concur in the amendment to provide payment to widow of deceased Senator.

Amendment No. 27: Appropriates $365,000 for "Inquiries and Investigations", Senate.

CHAPTER IX—U.S. INFORMATION AGENCY

Amendment No. 28: Appropriates $9,307,000 for "Special International Exhibitions" as proposed by the House instead of $13,307,000 as proposed by the Senate.

CHAPTER X—TREASURY DEPARTMENT

Amendment No. 29: Appropriates $350,000 for "Salaries and expenses" United States Secret Service as proposed by the Senate instead of $200,000 as proposed by the House.

TITLE II—INCREASED PAY COSTS

Amendments No. 30 & 31: Appropriate $558,574 for various Senate items.

Amendment No. 32: Appropriates $65,000,000 for "Military Personnel, Army" as proposed by the Senate instead of $90,000,000 as proposed by the House.

Amendment No. 33: Appropriates $105,000,000 for "Military Personnel, Navy" as proposed by the Senate instead of $110,000,000 as proposed by the House.

Amendment No. 34: Appropriates $65,000,000 for "Military Personnel, Air Force" as proposed by the Senate instead of $70,000,000 as proposed by the House.

Amendment No. 35: Appropriates $2,000000 for "Administration and Regional Operation", Post Office Department as proposed by the Senate instead of $3,000,000 as proposed by the House.

Amendment No. 36: Appropriates $89,000,000 for "Operations", Post Office Department as proposed by the Senate instead of $110,000,000 as proposed by the House.

Amendment No. 37: Provides transfer of $34,000,000 from "Transportation" to "Operations", Post Office Department as proposed by the Senate instead of $25,000,000 as proposed by the House.

Amendment No. 38: Appropriates $12,000,000 for "Operations", Federal Aviation Administration as proposed by the Senate instead of $10,000,000 as proposed by the House.

Amendment No. 39: Deletes the House proposal to appropriate $5,000 for "Salaries and expenses" National Foundation on the Arts and the Humanities.

GEORGE MAHON,
JAMIE L. WHITTEN,
ROBERT L. F. SIKES,
WILLIAM H. NATCHER,
DANIEL J. FLOOD,
JULIA BUTLER HANSEN,
CHARLES R. JONAS,
MELVIN R. LAIRD,
GLENARD P. LIPSCOMB,
ROBERT H. MICHEL,
Managers on the Part of the House.

Mr. MAHON (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers on the part of the House be dispensed with.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

The **SPEAKER**. The gentleman from Texas is recognized.

Mr. MAHON. Mr. Speaker, this is the second supplemental appropriation bill for the fiscal year 1968, which just concluded 2 days ago. This is one of the major appropriation bills of the session. It provides about $6.3 billion in new funds.

Actually, the total in the bill is approximately $9 billion because some of the funds which had been frozen as a result of the action of Congress last year have been released, and so the total in the conference bill, in terms of authority to spend money, approaches $9 billion—$8.970 billion, to be more precise.

The major portions of the bill relate to pay increases which Congress approved last year and to the continuation of the war in Southeast Asia.

There are many items in the bill. The bill is about $50 million below what it was when it passed the House. It is about $77 million below what it was when it passed the Senate, so that the final version of the bill is below the original versions in either House.

There will be some interest in the fact that we finally compromised longstanding disagreements with the other body in regard to funds for summer jobs.

We provide $13 million more for summer jobs.

We provide $10 million more for the school lunch program, which has just recently been authorized by Congress by Public Law 90–302.

We provide $5 million additional for the Headstart program.

These three programs, a combined total of $28 million, are above the budget. This was the most acceptable compromise that we were able to achieve.

Mr. Speaker, under leave granted, I am inserting, in connection with the matter of funds for summer jobs, a recent letter from the Director of the Budget, in which he points out the greatly increased effort this year, as compared to last summer, in providing summer jobs for disadvantaged youths, and Federal funds available for summer programs.

The number of jobs under direct Federal programs, according to Mr. Zwick, is up 15 percent over last summer. The total, including the private efforts, is estimated to be up 50 percent.

The letter and attachments follow:

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., June 21, 1968.
Hon. GEORGE H. MAHON,
Chairman, Committee on Appropriations, House of Representatives, Washington, D.C.

DEAR GEORGE: Per our conversation this morning, I am enclosing our current estimates of summer jobs for disadvantaged youths and Federal funds available for summer programs. As I said this morning, no matter how you look at it—in terms of jobs or in terms of money—we are doing better this summer than last.

The total estimated jobs are up by 285,000, or 50%. The major component of this increase is the National Alliance for Businessmen's pledge of 200,000 summer jobs. In addition, the number of jobs under direct Federal programs will be 656,000, up 15% over last summer.

The unemployment statistics that we talked about are as follows:

UNEMPLOYMENT RATES

	January 1961	November 1963	April 1968
All adult males (over 20)	5.8	4.4	2.1
White	5.2	3.9	1.9
Nonwhite	11.2	9.7	4.0

CHARLES J. ZWICK,
Director.

Attachments.

ESTIMATE OF SUMMER JOBS FOR DISADVANTAGED YOUTHS

[In thousands]

	Summer 1967	Summer 1968	Difference
Neighborhood Youth Corps:			
In-school program	294	294	0
Out-of-school youth	77	63	—14
Other Federal programs:			
MDTA and other programs	39	41	+2
Federal agency hires	43	70	+27
College work study	90	90	0
Vocational education work study	12	50	+38
Youth employment in Summer Headstart	16	16	0
Concentrated employment program	0	22	+22
JOBS	0	10	+10
Total, Federal	571	656	+85
National Alliance of Businessmen commitment	0	200	+200
Total goal	571	856	+285

ESTIMATE OF FUNDS AVAILABLE FOR SUMMER PROGRAMS

[In millions]

	1967	1968
NYC program	$176.7	$157.9
Title I, ESEA	150.0	168.0
Summer Headstart program	101.5	102.5
College work-study program	49.5	49.5
Federal employment program	24.2	43.4
Community action program	36.7	35.0
MDTA program	22.5	23.3
Concentrated employment and JOBS program	0	20.0
Upward Bound program	19.0	20.0
Other Federal programs	16.8	42.3
Total	596.9	661.9

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Georgia.

Mr. LANDRUM. I note in the report that there are considerable sums of money included for the government of the District of Columbia.

I want to ask the chairman if there is included in this conference report or in this supplemental appropriation bill any money to reimburse the District of Columbia government for the cost of the April disorders and riots.

Mr. NATCHER. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Kentucky [Mr. NATCHER], who is the chairman of the subcommittee handling appropriations for the District of Columbia.

Mr. NATCHER. Mr. Speaker, at the time the supplemental requests were presented to the Subcommittee for the District of Columbia Budget, no requests were presented for any items pertaining to the civil disorders which took place during the month of April.

Under Senate Document No. 84 which was presented to the other body, certain items pertaining to the civil disorders were presented and approved in their bill. These amounts, I would say to the distinguished gentleman from Georgia, total $1,925,000; $1,771,000 was listed under public safety. There were three other items making a total of $1,925,000.

No one of these items were presented to the House committee.

There were no hearings held on any of these items by the Committee on Appropriations in the House.

In conference, as the chairman of the Appropriations Committee, the distinguished gentleman from Texas, will tell you, when this item was brought up, your conferees refused to accept it. We said to the conferees on the other side that we could not accept this amount. We will not take it back to the House. The conferees on the other side receded, and all of these amounts, I will say to the distinguished gentleman from Georgia, are out of the supplemental bill. They are not included in this bill.

Mr. LANDRUM. Mr. Speaker, if the gentleman will yield further, is it therefore correct to say that this conference report includes no money for reimbursing the District of Columbia government to pay any of the costs of these civil disorders?

Mr. NATCHER. The gentleman is correct.

Mr. LANDRUM. I thank the gentleman for yielding, and commend the House conferees for declining to include any sum to be used for paying the costs of the April riots and the damages resulting from these disorders.

Mr. MAHON. Mr. Speaker, in reference to the cost of the riots, I had a statement from the Department of Defense showing that the total cost to the Department of Defense for riots in Chicago, Baltimore, and Washington during the April disturbances amounted to some $6,215,000 in all the branches of the military services.

There are no funds in this bill specifically for that purpose. But the funds used were used in operation, maintenance and deployment of various forces.

Mr. Speaker, under leave granted, I include a summary of the totals of the conference report in relation to the budget requests and to the House and Senate versions of the bill:

2D SUPPLEMENTAL, 1968 (H.R. 17734)—CONFERENCE SUMMARY

Chapter	Department or activity	Budget estimates	House bill	Senate bill	Conference action	Conference action compared with— Budget estimates	House bill	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
	TITLE I							
I	Agriculture:							
	New budget (obligational) authority			$32,000,000	$10,000,000	+$10,000,000	+$10,000,000	−$22,000,000
	(Release of Public Law 90-218 reserves)	*($20,510,000)*	*($18,786,000)*	*(18,786,000)*	*(18,786,000)*	*(−1,724,000)*		
II	Defense:							
	New budget (obligational) authority	4,095,412,000	3,945,827,000	3,865,527,000	3,905,677,000	−189,735,000	−40,150,000	+40,150,000
	(Release of Public Law 90-218 reserves)	*(2,629,600,000)*	*(2,351,600,000)*	*(2,351,600,000)*	*(2,351,600,000)*	*(−278,000,000)*		
III	District of Columbia: New budget (obligational) authority	13,170,800	6,020,800	13,020,800	9,708,800	−3,462,000	+3,688,000	−3,312,000
IV	Foreign operations: New budget (obligational) authority	105,500,000	100,000,000	105,500,000	100,000,000	−5,500,000		−5,500,000
V	Independent offices—HUD: New budget (obligational) authority	94,165,000	86,340,000	89,440,000	89,340,000	−4,825,000	+3,000,000	−100,000
VI	Interior:							
	New budget (obligational) authority	57,012,000	44,381,000	54,434,000	53,292,000	−3,720,000	+8,911,000	−1,142,000
	(Release of Public Law 90-218 reserves)	*(25,378,000)*	*(25,368,000)*	*(25,368,000)*	*(25,368,000)*	*(−10,000)*		
VII	Labor-Health, Education, and Welfare:							
	New budget (obligational) authority	1,519,268,000	1,598,993,000	1,698,993,000	1,616,993,000	+97,725,000	18,000,000	−82,000,000
	(Release of Public Law 90-218 reserves)	*(62,862,000)*	*(10,775,000)*	*(23,775,000)*	*(10,775,000)*	*(−52,087,000)*		*(−13,000,000)*
VIII	Legislative: New budget (obligational) authority	2,390,160	1,375,000	1,770,000	1,770,000	−620,160	+395,000	

2D SUPPLEMENTAL, 1968 (H.R. 17734)—CONFERENCE SUMMARY—Continued

Chapter	Department or activity	Budget estimates	House bill	Senate bill	Conference action	Conference action compared with—		
						Budget estimates	House bill	Senate bill
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
IX	State, Justice, Commerce, and judiciary:							
	New budget (obligational) authority	$27,576,000	$16,484,000	$20,484,000	$16,484,000	−$11,092,000		−$4,000,000
	(Release of Public Law 90-218 reserves)	*(681,000)*	*(1,431,000)*	*(1,431,000)*	*(1,431,000)*	*(+750,000)*		
X	Treasury-Post Office:							
	New budget (obligational) authority	15,504,000	14,089,000	14,239,000	14,239,000	−1,265,000	+150,000	
	(Release of Public Law 90-218 reserves)	*(19,421,000)*	*(19,421,000)*	*(19,421,000)*	*(19,421,000)*			
XI	Claims and judgments: New budget (obligational) authority	16,687,049	16,687,049	16,687,049	16,687,049			
	Total, title I:							
	New budget (obligational) authority	5,946,685,009	5,830,196,849	5,912,094,849	5,834,190,849	−112,494,160	+3,994,000	−77,904,000
	(Release of Public Law 90-218 reserves)	*(2,758,452,000)*	*(2,427,381,000)*	*(2,440,381,000)*	*(2,427,381,000)*	*(−331,071,000)*		*(−13,000,000)*
	Total, title II:							
	New budget (obligational) authority	791,626,384	516,087,075	461,640,649	461,640,649	−329,985,735	−54,446,426	
	(Release of Public Law 90-218 reserves)	*(217,599,100)*	*(247,521,800)*	*(247,521,800)*	*(247,521,800)*	*(+29,922,700)*		
	Grand total, titles I and II:							
	New budget (obligational) authority	6,738,311,393	6,346,283,924	6,373,735,498	6,295,831,498	−442,479,895	−50,452,426	−77,904,000
	(Release of Public Law 90-218 reserves)	*(2,976,051,100)*	*(2,674,902,800)*	*(2,687,902,800)*	*(2,674,902,800)*	*(−301,148,300)*		*(−13,000,000)*

Mr. Speaker, I now yield 5 minutes to the gentleman from North Carolina [Mr. JONAS].

Mr. JONAS. Mr. Speaker, as the gentleman from Texas has said, this is one of the largest appropriation bills we have had for consideration this year. This bill actually applies to the 1968 fiscal year instead of 1969 although we are already in fiscal year 1969.

This bill, as the chairman of the committee has said, makes $9 billion available for obligation, $6.3 billion of which is new obligational authority and $2.7 billion of which constitutes funds released from the reserves imposed by Public Law 90–218 enacted in the closing days of last year.

I would like to say to the House that the bill, as it comes from conference, is actually $50 million under the bill when it passed the House.

It is $90 million under the Senate bill. So the conference report is below the bills as they were adopted in both Houses.

But the most significant thing about the bill—and I do not think this has been mentioned so far—is that this bill we bring to you today as a result of the conference action is $743,628,000 below the budget requests. So while there may be some question as to how much credit we are due for bringing back a bill from conference which is only $50 million under the House bill, I think we are entitled to considerable credit for achieving a reduction under the budget of $743 million.

I think the House also should know that much of the money in this bill is composed of items commonly referred to as mandatory. For example, of the $9 billion in this bill, nearly $1 billion—$954.6 million to be exact—is for increased pay costs voted by Congress. There is about $6 billion in the bill for increased costs in Vietnam, usually referred to as mandatory.

In addition, there is $1,135,000,000 in this bill for medicaid and other public assistance programs. For medicare and related costs there is $373 million brought about by reason of the unexpectedly large number of people who are now qualifying for benefits under this program.

For military assistance in South Korea there is $100 million. For veterans' pensions and compensation, also mandated by law, there is $47.5 million; and there is $16.7 million in the bill to pay claims that have accrued against the Government, and which are beyond our control.

Actually, if you add up these items to which I have referred, you will find that about $8.7 billion in this bill represent either mandatory items that are beyond our control or additional costs to pay the expenses of the war in which the country is now engaged, leaving only $300 million that is actually more or less controllable.

Having achieved a cut of $743 million under the budget requests, with all of these mandatory items, I submit that the conference report represents the best that your House managers could accomplish in the conference, and I support it for that reason.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. When this supplemental appropriation bill originally came before the House, I believe the gentleman from Texas will recall that at that time I asked the question, in view of reports that were then circulating, whether there would be a request made upon the Congress for some $2 million to pay certain costs incidental to the Washington, D.C., riot of last April. I was pleased to hear the question was raised by the gentleman from Georgia and the answer given by the committee that although a request was made in conference by the Senate for $1,925,000, no money was put into this bill for that purpose.

I would say to the chairman of the Appropriations Committee that I am sure I am one of several in the House who will be very much interested in all future authorization and appropriation bills dealing with the District of Columbia, the Department of the Interior, and any other agencies that had anything to do with the so-called Poor People's March on Washington for I know that efforts will be made by the District of Columbia and by certain agencies to secure funds from the Federal Treasury to indemnify them for moneys expended in connection with that late and unlamented fiasco.

I notice in the papers that the so-called poor people's marchers somehow were able to buy several automobiles while they were here. There is also a story in one of the newspapers, as of yesterday or today, that they are going to seek funds for the repair of automobiles for the so-called poor people, and so on ad infinitum. I simply want to say to the chairman of the Appropriations Committee that I am going to be—as I am sure other Members will be—very much interested in how much money is now doled out of the Federal Treasury to take care of the defacement of war memorials; such as the one located in the area that was occupied, as well as restoration of that area. I insist that Congress should refuse to pay one thin dime of the damages and other costs as a result of the so-called march on Washington.

Mr. MAHON. I would say to the gentleman that the Committee on Appropriations has been making a careful check for some time of the costs to which the gentleman has referred. Of course, if the costs were paid out of funds on hand and no reimbursement is requested, they would not appear in future bills. But if this arises in an appropriation bill, I would say it would probably arise in the final supplemental, and the gentleman will, of course, be alerted to that fact, and I am sure the committee will be able to respond to his questions.

Mr. GROSS. If the gentleman will yield further and briefly, I would hope that if the Appropriations Committee discovers where funds appropriated for other purposes have been taken or transferred for use in any way to pay the costs or damages of the so-called march, that appropriate cuts be made in their forthcoming appropriations. Some kind of penalty must be applied to those agencies that use funds for such unauthorized purposes. I say to the distinguished chairman of the Appropriations Committee that the present occupant of the White House approved the issuance of the permit that started all this sorry business. Now let him bail them out, if he can and will. Let him present an itemized bill to the Congress.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I certainly appreciate the distinguished chairman of the Appropriations Committee yielding to me. I have a question or two. No. 1, is there anything in amendment No. 6, or anything in this conference report which reestablishes the summer program for youth, which would be reestablishing the so-called legislative congressional internship?

Mr. MAHON. There is nothing in the bill that relates directly or indirectly to the congressional internship program.

Mr. HALL. In other words, the Congress continues to penalize itself in the interest of economy, while we do appropriate funds for executive or judicial branch internships or other types of employment. Is that correct?

Mr. MAHON. I am not sure whether we would agree that we would be penalized. We are restraining ourselves in that we are not allowing ourselves to get additional employees through the internship program, but we can, of course, if we wish, use our regular clerk-hire allowance to hire additional employees if we are not up to the number the law allows. There has been some reduction, as the gentleman knows, in internships, so-called, in the executive branch.

Mr. HALL. Mr. Speaker, I appreciate the answer. I take it that it is affirmative.

May I ask another question in connection with the $2.97 billion of rescissions that I recall we referred to when we first considered the second supplemental appropriation bill; as I understand it, these were releases of funds placed in escrow, so to speak, under the Economy Act of 1967, which became Public Law 90-218.

Did we release any more of those funds under the Economy Act or did we reduce the number of releases in the conference between the two bodies?

Mr. JONAS. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from North Carolina.

Mr. JONAS. In response to the question of the gentleman from Missouri, the bill does, as the gentleman says, release $2.7 billion of the funds that had been placed in reserve. The $2.7 billion is $300 million less than the budget requests and leaves still in reserve $3.4 billion of the $6.1 billion reserved under the provisions of Public Law 90-218.

Mr. HALL. In other words, this was a reduction in the number of leases we made, and it applies particularly to Southeast Asia; therefore, it is an additional saving to the taxpayer. That is my only interest.

Mr. MAHON. I must say that on page 10 of the bill the language is, "For an additional amount for emergency funds, Southeast Asia." The fund agreed to in conference was $3,750,950,000 plus release of $2,345,000,000 from the reserve. The figure from the reserve was not changed. There was a reduction in the new appropriation but not a reduction in the amount that was released from the reserve.

Mr. HALL. I understood the gentleman to say that the final release figure for the conference report under Public Law 90-218 was $2.7 billion, whereas it had been $2.97 billion requested, when we considered the second supplemental appropriation in the House. I naturally concluded we had in conference reduced that amount of relinquishments. Therefore, it is still remaining in escrow under the Economy Act.

Is that a fair statement of the situation?

Mr. MAHON. Well, it may be that the record needs some clarification on the point.

The bill as it passed the House would have released from reserve some $2.675 billion. The bill as it passed the Senate would have released from reserve some $2.688 billion, a difference of $13 million. That figure includes $2,345,000,000 for Southeast Asia.

Now, the total amount put in reserve under Public Law 90-218 was about $6.1 billion, so that some $3.4 billion of the reserve funds are not released by this bill.

Mr. HALL. I thank the gentleman.

If the gentleman will yield for one further question, I notice we have reduced, under chapter IV, "Foreign Operations," the appropriation for administration of the Ryukyu Islands by $5.5 million. Could the distinguished gentleman tell us what that leaves for administration by the High Commissioner of the Ryukyus during the balance of fiscal year 1968?

Mr. MAHON. This was an additional amount which was placed in the bill in the other body.

They had about $15 million last year. This is for fiscal 1968.

Mr. HALL. Actually that was increased, I believe the gentleman will recall, or the RECORD will show. There is no indication, as result of this cutback, that we are planning to do the same thing with the Ryukyus that we did with Iwo Jima, even on the urging of the Department of State or any other "one-worlder," or "international idealistic department or organization"—or anything of that nature—so long as this is our bastion of defense in the South Pacific, is there?

Mr. MAHON. I have had no indication to that effect.

Mr. HALL. I would urge that we remain vigilant and alert to such an undercover maneuver, because we need the Pearl of the Orient and the Ryukyus and Okinawa in particular, about which there is no question on capture, ownership, sovereignty or protective custody. We should all resist any effort to return this as a matter of polite diplomacy or for other reasons, so long as we are trying to defend freedom around the world.

I thank the gentleman.

Mr. DONOHUE. Mr. Speaker, I earnestly hope the great majority of the Members of the House will accept this conference report on the second supplemental appropriations bill of 1968.

There are of course many most worthy amendment recommendations in this report that I know the House will very carefully examine and express their judgment.

However, I think there are three recommended amendments that are of special concern to many of us here and I most earnestly hope that when they are brought to the question the House will register resounding approval.

These three amendments provide compromise agreements of $10 million for the special school lunch program designed to properly feed the poor children in day-care centers; $13 million to provide summer employment opportunities for disadvantaged youth; and $5 million for the Headstart program.

Mr. Speaker, certainly no one questions the sincerity of any who may disagree about these amendments for whatever reasons but I must say a great many of us deeply believe the objectives involved appear to be obviously directed toward an essential need in our society today affecting, as they do, the basic health and wholesome development of disadvantaged children and youth, and in any listing of prudent and priority expenditures in the national interest I submit such objectives should be rated in the very highest bracket.

Finally, although many of us may further believe that the recommended amounts should be substantially greater there is no other realistic alternative to the acceptance of what is being offered in compromise today.

Therefore I hope the House will resoundingly accept this report including these particular amendments of special merit.

Mr. COHELAN. Mr. Speaker, I want to take this opportunity to state for the RECORD my position and views on two aspects of the conference recommendation on the second supplemental appropriation.

I have on several occasions expressed to this body my view that we must address promptly and with adequate resources the urgent problems which face those of our people who are living in poverty. To this end I have worked for and supported efforts to appropriate additional funds to supplement the year round and summer Headstart programs, to provide more money for manpower training and for school lunch services.

The conference report which is now before us provides for the appropriation of only $13 million of the $75 million Senate passed increase in manpower training funds. The $75 million would not be enough of a supplement, the $13 million is too great a shortfall. Accordingly I will vote to reject the compromise on this item and to instruct the conferees to seek a higher figure.

Similarly I have supported a full supplemental funding of Headstart at a level of $25 million. The conference suggests an appropriation of only $5 million. This is simply not enough. Therefore I will vote to return this item to conference to increase the funding to the full $25 million.

I fully recognize the demands of fiscal restraint. However, I do not believe that these demands require that we be penny-wise and pound foolish.

Mr. REID of New York. Mr. Speaker, I have introduced legislation calling for a $200 million supplemental appropriation for OEO summer programs and I feel strongly that the food, job, and Headstart programs referred to in amendments 1, 21, and 25 should be fully funded.

I strongly supported the $75 million for summer jobs and $25 million for Headstart approved by the Senate and I believe that even those amounts represent minimal levels. At a time when the Nation is facing a crisis as serious as the Civil War, there should be major job programs and not merely token efforts, and an increase in education funding at all levels, including Headstart.

Nonetheless, the record should show that the conferees—notably Mr. JONAS, Mr. LAIRD, Chairman MAHON, and Members of the other body including Senator JAVITS—did include in the second supplemental appropriations bill $28 million which was not requested by the administration and which is over the budget.

I think it should be clear that an effort was made to provide some funds in spite of the administration's inaction. While I intend to vote "no" on the separate votes on these amendments to indicate my belief that the amounts are far too low, fairness requires that it be noted that the conferees did provide $28 million not requested by OEO, the Department of Labor, and the Department of Agriculture.

Mr. MAHON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

AMENDMENTS IN DISAGREEMENT

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1: Page 4, line 5, insert:

"SCHOOL LUNCH PROGRAM

"For an additional amount for "School lunch program", fiscal year 1969, for the special food service programs for children, including State and Federal administrative expenses therefor, pursuant to the Act of May 8, 1968 (Public Law 90–302), $32,000,000."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$10,000,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3: Page 10, line 16, insert: ": *Provided*, That funds made available under this head may also be used in connection with military activities in the Republic of Korea."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 3 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: Page 11, line 23, insert: ": *Provided*, That $2,457,000 of this appropriation shall remain available until September 30, 1968, for the purpose of conducting a summer program for children and youth."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 6 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$1,000,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 14: Page 15, line 1, insert:

"GENERAL SERVICES ADMINISTRATION

"REAL PROPERTY ACTIVITIES

"CONSTRUCTION, PUBLIC BUILDINGS PROJECTS

"For an additional amount for 'Construction, public buildings projects' for construction of Federal Office Building Numbered 5, District of Columbia, $3,100,000, to remain available until expended: *Provided*, That, in addition, savings effected in other projects under the appropriation for 'Construction, public building projects' shall be available for the foregoing project but in an amount not to exceed 10 per centum of the amount appropriated herein."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 14 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$3,000,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 19: Page 17, line 5, insert:

"CONSTRUCTION

"For an additional amount for 'Construction', to remain available until expended, $560,000, to be derived by transfer from balances remaining unobligated on June 30, 1968, in annual appropriations to the Department of the Interior."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 19 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: Page 19, line 17, insert:

"HISTORICAL AND MEMORIAL COMMISSIONS

"AMERICAN REVOLUTION BICENTENNIAL COMMISSION

"SALARIES AND EXPENSES

"For expenses necessary to carry out the provisions of the Act of July 4, 1966 (Public Law 89–491), as amended, establishing the American Revolution Bicentennial Commission, $225,000, to remain available until expended."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 20 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$150,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: Page 20, line 2, insert:

"DEPARTMENT OF LABOR

"MANPOWER ADMINISTRATION

"MANPOWER DEVELOPMENT AND TRAINING ACTIVITIES

"For an additional amount to carry out the provisions of section 102 of the Manpower Development and Training Act of 1962, as amended, $75,000,000, to remain available until August 31, 1968."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 21 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$13,000,000".

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. RYAN. I thank the chairman for yielding.

I believe what the distinguished chairman is asking—and I would appreciate being corrected if I am mistaken—is that, instead of $75 million for the manpower development and training program, the House accept $13 million. Is that correct?

Mr. MAHON. The gentleman is correct.

Mr. RYAN. My recollection is that the Senate included in the urgent supplemental appropriation bill $75 million for manpower training and $25 million for Headstart. These items have not been voted upon before by the House, but now in this bill amendment 21 and amendment 25 put the issue before us.

So, that what is proposed by this amendment No. 21 is to substitute $13 million for $75 million for the manpower development and training program, and amendment No. 25 is to substitute $5 million instead of $25 million for the Headstart program?

Mr. LAIRD. Mr. Speaker, will the distinguished gentleman from Texas yield to me at this point?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I would just like to say to the gentleman from New York that the $75 million and the $25 million to which he refers has never been before the House of Representatives.

In the urgent supplemental appropriation bill these items were added by the U.S. Senate. No move was made in the House to add them to this bill, the second supplemental appropriation bill, 1968, but again they were added in the Senate.

We have patiently waited for an estimate on these two programs from the Secretary of the Department of Labor and the Director of OEO but they apparently think they do not need these funds. It was my position that, unless we could get an affirmative indication from the Secretary of Labor or from the Director of the Office of Economic Opportunity, the House should not proceed with action on these two items.

We have arrived at this compromise, however. In view of the fact that this has been tied up for a period of 3 or 4 months, we felt a compromise was necessary.

I regret to inform the gentleman from New York that there has been no request from the Secretary of the Department of Labor, there has been no request from the Director of the Office of Economic Opportunity, there has been no request from the Bureau of the Budget, and there has been no request from the President of the United States.

Mr. RYAN. Mr. Speaker, if the chairman will yield further, I thank the gentleman for clarifying the parliamentary situation, but today will be the first time the House of Representatives can vote on these two propositions.

Mr. Speaker, it seems to me important that we do face this problem squarely. In my judgment the Senate was correct in providing $100 million for these two programs and in my judgment the administration had a responsibility to support them. However, it was so involved in getting the surtax passed and the $6 billion cut in spending, which will have a disastrous effect on critical domestic programs such as these, that it did not come forward and support these programs. These are very important programs, and I believe that we should fund them at least to the extent that the other body funded them.

I would ask, Mr. Speaker, that we have a vote on amendment No. 21 when that time comes. If the House refused to accept the amendment appropriating $13 million instead of $75 million as proposed by the Senate, then I will offer an amendment to recede and concur in the Senate amendment. I hope my colleagues will support the $75 million.

The SPEAKER. The question is on the motion of the gentleman from Texas [Mr. MAHON].

The question was taken; and the Speaker announced that the "ayes" appeared to have it.

Mr. RYAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 287, nays 82, not voting 64, as follows:

[Roll No. 222]

YEAS—287

Abbitt
Abernethy
Adair
Albert
Anderson, Ill.
Andrews, Ala.
Arends
Ashbrook
Aspinall
Ayres
Bates
Battin
Belcher
Bennett
Betts
Bevill
Biester
Boggs
Bolton
Bow
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Bush
Button
Byrnes, Wis.
Cabell
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Cleveland
Collier
Conable
Conte
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dingell
Dole
Dorn
Dowdy
Downing
Duncan
Dwyer
Edmondson
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Fascell
Feighan
Findley

Fino
Fisher
Flood
Flynt
Ford, Gerald R.
Fountain
Fraser
Friedel
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Gathings
Giaimo
Gibbons
Gonzalez
Goodling
Green, Oreg.
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Hamilton
Hammerschmidt
Hanna
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hays
Hébert
Heckler, Mass.
Henderson
Herlong
Holifield
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, N.C.
Karth
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kornegay
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lukens
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen

McFall
McMillan
Macdonald, Mass
MacGregor
Machen
Mahon
Mailliard
Marsh
Martin
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Monagan
Montgomery
Moore
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Murphy, N.Y.
Myers
Natcher
Nelsen
Nix
O'Konski
Olsen
O'Neal, Ga.
Pelly
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Pool
Price, Tex.
Pryor
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Roth
Roudebush
Roybal
Rumsfeld
Sandman
Satterfield
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Shriver
Sisk

Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Talcott
Taylor

Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Tunney
Utt
Vander Jagt
Vigorito
Waldie
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten

Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Wilson, Charles H.
Winn
Wright
Wyatt
Wydler
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NAYS—82

Adams
Addabbo
Annunzio
Barrett
Blatnik
Bolling
Brademas
Brasco
Burke, Mass.
Burton, Calif.
Byrne, Pa.
Carey
Celler
Clark
Cohelan
Daddario
Daniels
Dawson
Delaney
Dow
Dulski
Eckhardt
Edwards, Calif.
Eilberg
Farbstein
Foley
Ford, William D.

Fulton, Pa.
Gallagher
Garmatz
Gilbert
Green, Pa.
Gude
Halpern
Hanley
Hathaway
Hechler, W. Va.
Helstoski
Hicks
Howard
Irwin
Jacobs
Joelson
Kastenmeier
King, Calif.
Kluczynski
Kupferman
McCarthy
Madden
Matsunaga
Meeds
Mink
Moorhead
Moss
Murphy, Ill.

Nedzi
O'Hara, Ill.
O'Hara, Mich.
O'Neill, Mass.
Ottinger
Patten
Pepper
Podell
Price, Ill.
Pucinski
Rees
Reid, N.Y.
Reuss
Rodino
Ronan
Rooney, Pa.
Rostenkowski
Ryan
St Germain
St. Onge
Saylor
Scheuer
Sullivan
Tenzer
Tiernan
Vanik
Yates

NOT VOTING—64

Anderson, Tenn.
Andrews, N. Dak.
Ashley
Ashmore
Baring
Bell
Berry
Bingham
Blackburn
Blanton
Boland
Brown, Calif.
Burke, Fla.
Cahill
Clawson, Del
Colmer
Conyers
Corman
Culver
Diggs

Donohue
Edwards, Ala.
Edwards, La.
Evins, Tenn.
Frelinghuysen
Gettys
Goodell
Gray
Griffiths
Hagan
Halleck
Hansen, Idaho
Hawkins
Holland
Ichord
Jones, Ala.
Jones, Mo.
Karsten
Lloyd
Long, La.
Long, Md.
Mathias, Calif.

Mathias, Md.
Miller, Calif.
Minish
Nichols
Passman
Patman
Reinecke
Resnick
Rivers
Rosenthal
Roush
Ruppe
Sikes
Stephens
Taft
Thompson, N.J.
Udall
Ullman
Van Deerlin
Waggonner
Walker
Wolff

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Waggonner for, with Mr. Wolff against.

Mr. Long of Louisiana for, with Mr. Brown of California against.

Mr. Donohue for, with Mr. Diggs against.

Mr. Evins of Tennessee for, with Mr. Minish against.

Mr. Passman for, with Mr. Resnick against.

Mr. Ashmore for, with Mr. Hawkins against.

Mr. Colmer for, with Mr. Rosenthal against.

Mr. Stephens for, with Mr. Bingham against.

Mr. Andrews of North Dakota for, with Mr. Conyers against.

Mr. Burke of Florida for, with Mrs. Griffiths against.

Mr. Reinecke for, with Mr. Thompson of New Jersey against.

Mr. Cahill for, with Mr. Corman against.

Mr. Frelinghuysen for, with Mr. Miller of California against.

Mr. Blackburn for, with Mr. Van Deerlin against.

Mr. Rivers for, with Mr. Holland against.

Mr. Edwards of Louisiana for, with Mr. Mathias of Maryland against.

Mr. Sikes for, with Mr. Karsten against.

Until further notice:

Mr. Anderson of Tennessee with Mr. Bell.
Mr. Boland with Mr. Edwards of Alabama.
Mr. Culver with Mr. Berry.
Mr. Nichols with Mr. Del Clawson.
Mr. Patman with Mr. Halleck.
Mr. Gettys with Mr. Ruppe.
Mr. Gray with Mr. Hansen of Idaho.
Mr. Hagan with Mr. Mathias of California.
Mr. Roush with Mr. Goodell.
Mr. Blanton with Mr. Lloyd.
Mr. Ashley with Mr. Taft.
Mr. Baring with Mr. Udall.
Mr. Walker with Mr. Ullman.
Mr. Jones of Alabama with Mr. Ichord.

Messrs. MOSS, KING of California, RODINO, CLARK, ECKHARDT, MADDEN, HECHLER of West Virginia, NEDZI, SAYLOR, and PATTEN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 22: Page 20, line 17, after the comma, insert the following: "to remain available until July 31, 1968."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 22 and concur therein with an amendment, as follows: In lieu of the matter proposed to be inserted, insert the following: ", to remain available until July 31, 1968: *Provided*, That funds appropriated, or otherwise made available, by this Act for the fiscal year 1968, shall remain available for obligation for five days after the date of approval of this Act unless a longer period is specifically provided: *Provided further*, That all obligations incurred in anticipation of such appropriations and authority for the fiscal year 1968 as well as those for longer periods as set forth herein are hereby ratified and confirmed if in accordance with the terms hereof."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 25: Page 24, line 3, insert the following:

"EXECUTIVE OFFICE OF THE PRESIDENT

"OFFICE OF ECONOMIC OPPORTUNITY

"ECONOMIC OPPORTUNITY PROGRAM

"For an additional amount for expenses necessary to carry out Headstart programs provided for by law pursuant to section 222(a)(1) of the Economic Opportunity Act of 1964, as amended, $25,000,000, to remain available until August 31, 1968."

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 25 and concur therein with an amendment, as follows: In lieu of the sum named in said amendment, insert "$5,000,000".

Mr. MAHON. Mr. Speaker, this relates to the Headstart program. Funds are provided in the conference report to the extent of $5 million above the budget. We had no budget estimate. The $25 million inserted in the bill by the other body was settled at $5 million.

We are now, of course, into fiscal year 1969. For fiscal year 1969 the House increased the appropriations for the poverty program, which includes the Headstart program, by $100 million. This is included in the Labor-HEW appropriation bill that we acted on last week.

So the Headstart program should proceed under that bill at a level at least equivalent to the level of last year.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. RYAN. Mr. Speaker, I thank the distinguished chairman for yielding.

Again, Mr. Speaker, amendment No. 25, as did amendment No. 21, relates to the $100 million which was added to the urgent supplemental by the other body. For the first time the House has the opportunity to vote upon it.

The amendment provides $5 million for the Headstart program instead of the $25 million recommended by the Senate.

Mr. Speaker, I believe the Headstart program is a crucial program for the future development of our Nation and for the educational needs of our children. It seems to me that $25 million is little enough to appropriate in this supplemental appropriation. The Poor People's Campaign presented many requests to the Congress and to the Nation. One of the least of these requests was that Congress simply fund the Headstart program at an adequate level. Certainly the Headstart program should not be crippled because of the tax package.

If amendment No. 25 is voted down, then I will offer a motion to recede and concur in the Senate amount of $25 million, as I intended to do if amendment No. 21 had been voted down. Then $25 million would be available to be obligated until August 31 under title I, chapter VII of H.R. 17734.

This is an important investment in the future of our Nation.

Mr. DOW. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. DOW. Mr. Speaker, I want to concur in the remarks just made by the gentleman from New York [Mr. RYAN]. All through my term of office in the Congress there has been a great deal of interest in my district concerning the Headstart program, and constantly I hear those in charge of it deploring the fact that it is not achieving what it should be achieving, and it seems to be an intermittent program with fits and starts, that the program goes a distance, and then it lapses, and that it does not have the continuity of a regular educational program, and yet despite all of this, it has been of wonderful help to our youngsters in the deprived areas.

I have had a great deal of correspondence on this subject from people who favor the Headstart program.

Again I want to thank the gentleman from Texas for yielding me this time to express my views.

Mr. MAHON. Mr. Speaker, I think we all believe that the Headstart program is fulfilling a need, and many of us, indeed, the majority of us, have supported the Headstart program by providing $100 million more for fiscal year 1969 for the OEO, which includes the Headstart program, than we did for 1968. All of the $25 million in the Senate amendment is over and above the budget request, and it would be my judgment that if such additional funds were to be provided they would not be expended.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. LAIRD. Mr. Speaker, I am sure that the majority of the Members of the House realize full well that the Headstart program is one of the most popular programs administered by the Office of Economic Opportunity. I believe it is important, however, to remind the House that when the House acted on the Office of Economic Opportunity appropriation bill last year we gave every penny requested by the Office of Economic Opportunity for the Headstart program.

I would like to insert at this point in the RECORD the testimony of the Office of Economic Opportunity administrators in regard to additional funds for this and other summer programs. They were questioned at some length as to whether they could make use of these funds. And in examining them I gave them every opportunity to indicate on the record that they could use additional funds, and as of today the Director of Office of Economic Opportunity, the present Director, the former Director, Sargent Shriver, the President of the United States, and the Bureau of the Budget have not requested a single dollar for this—not one dollar. The most pertinent and concluding testimony of Office of Economic Opportunity, and this was almost 3 months ago, on April 5, is as follows:

Mr. LAIRD. Then you have got to make a request of the Congress, and there is no such request. I have just found out for the first time here that there is no request anticipated to be sent to the Congress; is that correct?

Mr. HARDING. That is correct. Mr. Berry, the director of the community action programs, wants to add something.

Mr. FLOOD. Mr. Berry.

Mr. BERRY. My name is Theodore M. Berry, director of the community action programs, and I have been since March of 1965.

NECESSITY OF ADVANCE PLANNING

I think we should approach this matter of summer programs realistically, that what we are doing in terms of summer programs for the summer of 1968 has to be planned for well in advance and this is what we attempted to do last fall. We did make funds available to some 50 cities to plan for the summer of 1968.

It is not reasonable to expect to receive a supplementary appropriation in June to be able to launch a well-coordinated, well-planned program for the same summer. So that while we may hold ourselves in readiness to fight fires, so to speak, with any additional money that might be made available under an emergency, from a program standpoint we have done all that we could do with the foreseeable funds that we have in hand, namely, $35 million, over and above what we have made available for planning for the summer of 1968. Last year, if there is any criticism growing out of the Trans Century report that the chairman alluded to, it can be attributed to the fact that we did not get a supplementary appropriation for a summer program until May of 1967, and the communities, at the last moment, were alerted that there would be additional funds. They had to, on a crash basis, formulate programs. This is not the way to do business.

Mr. LAIRD. We in the Congress acted rather rapidly on that 1967 supplemental request. I would like to point something out on that $75 million in the 1967 supplemental. The reason that you didn't get it until May was because of the timing of the transmission from the executive branch. I really think that if you will check the record, you will find that the $75 million was made available rather rapidly as far as the Congress was concerned.

It is just like this rat control program. The Congress passed the authorization last fall, and we didn't get the supplemental request for it until about 10 days ago. This idea of putting it on the Congress, I am really not very sympathetic with.

Mr. BERRY. I am not attributing any blame or responsibility. I am supporting the Acting Director in his position that we are not requesting at this late stage in a program year a supplementary request.

We kept continuing the conference, hoping that the administration, the executive branch, might give consideration to a supplemental request for the Headstart program, but it was not done. The Office of Economic Opportunity did not even make such a request to the Bureau of the Budget. But regardless of this fact, the committee of conference decided that it was the better part of wisdom to include an additional $5 million over and above that requested by OEO, and the request by the Bureau of the Budget and by the President.

I believe this compromise that was worked out by the conferees, which I had something to do with, should be supported by the House today.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Minnesota.

Mr. QUIE. I am going to support the amendment that was placed in the conference report for Headstart today.

I would like to ask the gentleman from Texas, is my understanding correct that this money can be obligated up through August and that it will then be made available for programs beginning in September for Headstart, meaning a full-year Headstart program; is that correct?

Mr. MAHON. The gentleman is correct. I appreciate the fact that he is supporting the compromise which was worked out in the conference with the other body. These funds will be available for obligation until August 31, 1968.

Mr. QUIE. Therefore, they will be available for a full-year program. I think it is important the we recognize that the excellent programs of Headstart are the full-year programs. Full-year Headstart gives us value for the money that we have expended.

I know that when you play the numbers game, the summer Headstart programs give the appearance of helping great number of children, but the ones that have the best and most lasting effect on the children and enable them to assimilate their later education better are the full year programs.

Is it not also true that under the appropriation bill that was passed the other day in the House providing for $100 million more than last year for the OEO, that OEO can allocate the full amount of money desired for Headstart when it funds next year's program for fiscal year 1969; is that not correct, since OEO money for fiscal 1969 is not earmarked?

Mr. MAHON. I believe the gentleman is correct.

Mr. QUIE. I thank the gentleman.

Mr. CAREY. Mr. Speaker, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from New York.

Mr. CAREY. I take this time to commend the conferees for reaching anything at all in the way of a compromise because this is one case where the House is not at fault and the conferees are not at fault and the Committee on Appropriations of the House is not at fault for not rendering full gratification of this request because much of the difficulty in terms of getting an additional sum of funds rests with those who manage the Headstart programs, which are in major cities. They came in very late with the request to the Office of Economic Opportunity. As the gentleman from Wisconsin stated, the Office of Economic Opportunity is not able therefore to document properly for the Congress the absolute need for these funds.

I think if cities, including the major city of New York, prepared better, and made a better case for the expenditure of Headstart funds this summer, there might have been a better opportunity for the Congress to review the necessity of this request. But they came in late. They did get the full fund of moneys that they were asking for, for the year-round programs which were ably documented.

I think some of the major blame here belong to those administering the program locally in that they did not come in at the proper time and make the request for the summer moneys.

Mr. MAHON. I thank the gentleman for his helpful comment.

Mr. Speaker, I move the previous question on the motion.

The previous question was ordered.

The **SPEAKER.** The question is on the motion offered by the gentleman from Texas [Mr. MAHON].

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. DOW. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER.** Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 265, nays 106, not voting 62, as follows:

[Roll No. 223]

YEAS—265

Abernethy
Adair
Albert
Anderson, Ill.
Andrews, Ala.
Arends
Aspinall
Ayres
Bates
Battin
Belcher
Bennett
Betts
Abbitt
Bevill
Biester
Blackburn
Boggs
Bolton
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clausen, Don H.
Cleveland
Collier
Conable
Conte
Corbett
Cowger
Cramer
Cunningham
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dingell
Dole
Dorn
Dowdy
Downing
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Everett
Fascell
Findley
Fino
Fisher
Flood
Flynt
Ford, Gerald R.
Fountain
Fraser
Frelinghuysen
Fulton, Tenn.
Fuqua
Galifianakis
Gardner
Gathings
Giaimo
Gibbons
Gonzalez
Goodling
Green, Oreg.
Griffin
Gross
Grover
Gubser
Gurney
Haley
Hall
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Hardy
Harrison
Harsha
Harvey
Hébert
Hechler, W. Va.
Henderson
Herlong
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kazen
Kee
Keith
Kelly
King, N.Y.
Kirwan
Kleppe
Kornegay
Kuykendall
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lukens
McClory
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McFall
McMillan
MacGregor
Mahon
Mailliard
Marsh
Martin
May
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Mize
Monagan
Montgomery
Moore
Morris, N. Mex.
Morse, Mass.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
O'Neal, Ga.
Pelly
Pepper
Perkins
Pettis
Pickle
Pike
Pirnie
Poage
Poff
Pollock
Price, Tex.
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Roudebush
Rumsfeld
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stubblefield
Stuckey
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Tunney
Utt
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Wiggins
Williams, Pa.
Willis
Wilson, Bob
Winn
Wright
Wyatt
Wylie
Wyman
Young
Zablocki
Zion
Zwach

NAYS—106

Adams
Addabbo
Annunzio
Barrett
Blatnik
Bolling
Brademas
Brasco
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Clark
Cohelan
Daddario
Daniels
Dawson
Dow
Dulski
Dwyer
Edwards, Calif.
Eilberg
Evans, Colo.
Fallon
Farbstein
Feighan
Foley
Ford, William D.
Friedel
Fulton, Pa.
Gallagher
Garmatz
Gilbert
Green, Pa.
Gude
Halpern
Hanna
Hathaway
Hawkins
Hays
Heckler, Mass.
Helstoski
Hicks
Holifield
Howard
Irwin
Jacobs
Kastenmeier
King, Calif.
Kluczynski
Kupferman
Kyl
Kyros
McCarthy
McCloskey
Macdonald, Mass.
Machen
Madden
Matsunaga
Mink
Minshall
Moorhead
Morgan
Morton
Mosher
Moss
Murphy, Ill.
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.

Ottinger
Patten
Philbin
Podell
Price, Ill.
Pryor
Pucinski
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Rodino
Ronan
Rooney, Pa.
Rostenkowski
Roth
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schweiker
Staggers
Stratton
Sullivan
Tenzer
Tiernan
Vander Jagt
Vanik
Waldie
Wilson,
Charles H.
Wydler
Yates

NOT VOTING—62

Anderson,
Tenn.
Andrews,
N. Dak.
Ashbrook
Ashley
Ashmore
Baring
Bell
Berry
Bingham
Blanton
Boland
Bow
Brown, Calif.
Burke, Fla.
Bush
Clancy
Clawson, Del
Colmer
Conyers
Corman
Culver
Diggs
Donohue
Evins, Tenn.
Gettys
Goodell
Gray
Griffiths
Hagan
Halleck
Hansen, Idaho
Holland
Ichord
Jones, Mo.
Karsten
Leggett
Lloyd
Long, La.
Long, Md.
Mathias, Calif.
Mathias, Md.
Miller, Calif.
Minish
Nichols
Passman
Patman
Pool
Reinecke
Resnick
Rosenthal
Roush
Ruppe
Sikes
Smith, Calif.
Stephens
Taft
Thompson, N.J.
Udall
Ullman
Van Deerlin
Walker
Wolff

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Long of Louisiana for, with Mr. Wolff against.

Mr. Evins of Tennessee for, with Mr. Brown of California against.

Mr. Passman for, with Mr. Diggs against.

Mr. Ashmore for, with Mr. Minish against.

Mr. Colmer for, with Mr. Resnick against.

Mr. Stephens for, with Mr. Rosenthal against.

Mr. Sikes for, with Mr. Bingham against.

Mr. Berry for, with Mr. Conyers against.

Mr. Smith of California for, with Mrs. Griffiths against.

Mr. Bow for, with Mr. Thompson of New Jersey against.

Mr. Lloyd for, with Mr. Corman against.

Mr. Burke of Florida for, with Mr. Miller of California against.

Mr. Andrews of North Dakota for, with Mr. Van Deerlin against.

Mr. Mathias of California for, with Mr. Holland against.

Mr. Del Clawson for, with Mr. Karsten against.

Mr. Bush for, with Mr. Mathias of Maryland against.

Mr. Reinecke for, with Mr. Taft against.

Mr. Clancy for, with Mr. Bell against.

Until further notice:

Mr. Anderson of Tennessee with Mr. Goodell.

Mr. Boland with Mr. Halleck.

Mr. Ashley with Mr. Ashbrook.

Mr. Gray with Mr. Ruppe.

Mr. Udall with Mr. Hansen of Idaho.

Mr. Baring with Mr. Donohue.

Mr. Culver with Mr. Donohue.

Mr. Gettys with Mr. Hagan.

Mr. Leggett with Mr. Ichord.

Mr. Nichols with Mr. Patman.

Mr. Long of Maryland with Mr. Roush.

Mr. Ullman with Mr. Walker.

Messrs. **HOLIFIELD**, **TIERNAN**, and **EVANS** of Colorado changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The **SPEAKER**. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: On page 25, line 13 insert:

"SENATE

"For payment to Ethel Kennedy, widow of Robert F. Kennedy, late a Senator from the State of New York, $30,000."

Mr. **MAHON**. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MAHON moves that the House recede from its disagreement to the amendment of the Senate numbered 26 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the conference report and the several motions was laid on the table.

GENERAL LEAVE

Mr. **MAHON**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous matter and tables on the conference report just agreed to.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

There was no objection.

PROVIDING FOR FOURTH OF JULY ADJOURNMENT

Mr. **ALBERT**. Mr. Speaker, I offer a concurrent resolution and ask unanimous consent for its present consideration.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 792

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Wednesday, July 3, 1968, they stand adjourned until 12 o'clock meridian, Monday, July 8, 1968.

The **SPEAKER**. Is there objection to the request of the gentleman from Oklahoma [Mr. ALBERT]?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING CLERK TO RECEIVE MESSAGES FROM THE SENATE AND THE SPEAKER TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS

Mr. **ALBERT**. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday, July 8, 1968, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The **SPEAKER**. Without objection, it is so ordered.

There was no objection.

LAND AND WATER CONSERVATION FUND ACT OF 1965

Mr. **ASPINALL**. Mr. Speaker, I call up the conference report on the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Colorado?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1598)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same with an amendment as follows: In lieu of the matter inserted by the House amendment insert the following:

"That (a) section 2, subsection (a), of the Land and Water Conservation Fund Act of 1965 (78 Stat. 897; 16 U.S.C. 460 1–5), except the fourth paragraph thereof, is repealed; said fourth paragraph is redesignated section 10 of said Act; and subsections (b) and (c) of said section 2 are redesignated (a) and (b), respectively.

"(b) It is not the intent of the Congress by this repealer to indicate that Federal agencies which have under their administrative jurisdiction areas or facilities used or useful for outdoor recreation or which furnish services related to outdoor recreation shall not exercise any authority they may have, including authority under section 501 of the Act of August 31, 1951 (65 Stat. 290; 31 U.S.C. 483a), or any authority they may hereafter be given, to make reasonable charges for admission to such areas, for the use of such facilities, or for the furnishing of such services. Except as otherwise provided by law or as may be required by lawful contracts entered into prior to September 3, 1964, providing that revenues collected at particular Federal areas shall be credited to specific purposes, all fees so charged shall be covered into a special account under the Land and Water Conservation Fund and shall be available for appropriation, without prejudice to appropriations from other sources for the same purposes, for any authorized outdoor recreation function of the agency by which the fees were collected.

"(c) Section 6, subsection (a), of said Act is amended by striking out the words 'in substantially the same proportion as the number of visitor-days in areas and projects hereinafter described for which admission fees are charged under section 2 of this Act'.

"(d) The provisions of subsections (a) and (c) of this section shall be effective March 31, 1970. Until that date, revenues derived from the subsection (a) that is repealed by this section shall continue to be covered into the fund.

"SEC. 2. The aforesaid section 2 of the Land and Water Conservation Fund Act of 1965 is further amended by adding at the end thereof the following new subsection:

"'(c)(1) OTHER REVENUES.—In addition to the sum of the revenues and collections estimated by the Secretary of the Interior to be covered into the fund pursuant to this section, as amended, there are authorized to be appropriated annually to the fund out of any money in the Treasury not otherwise appropriated such amounts as are necessary to make the income of the fund not less than $200,000,000 for each of the five fiscal years beginning July 1, 1968 and ending June 30, 1973.

" '(2) To the extent that any such sums so appropriated are not sufficient to make the total annual income of the fund amount to $200,000,000 for each of such fiscal years, an amount sufficient to cover the remainder thereof shall be credited to the fund from revenues due and payable to the United States for deposit in the Treasury as miscellaneous receipts under the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1331 et seq.): *Provided*, That notwithstanding the provisions of section 3 of this Act, moneys covered into the fund under this paragraph shall remain in the fund until appropriated by the Congress to carry out the purposes of this Act.'

"SEC. 3. The first sentence of section 4, subsection (b), of the Land and Water Conservation Fund Act of 1965 is amended by deleting 'for a total of eight years' and inserting in lieu thereof 'until the end of fiscal year 1969'.

"SEC. 4. The Land and Water Conservation Fund Act of 1965 is further amended by adding thereto the following new sections:

" 'SEC. 8. Not to exceed $30,000,000 of the money authorized to be appropriated from the fund by section 3 of this Act may be obligated by contract during each of fiscal years 1969 and 1970 for the acquisition of lands, waters, or interests therein within areas specified in section 6(a)(1) of this Act. Any such contract may be executed by the head of the department concerned, within limitations prescribed by the Secretary of the Interior. Any such contract so entered into shall be deemed a contractual obligation of the United States and shall be liquidated with money appropriated from the fund specifically for liquidation of such contract obligation. No contract may be entered into for the acquisition of property pursuant to this section unless such acquisition is otherwise authorized by Federal law.

" 'SEC. 9. The Secretary of the Interior may enter into contracts for options to acquire lands, waters, or interests therein within the exterior boundaries of any area the acquisition of which is authorized by law for inclusion in the national park system. The minimum period of any such option shall be two years, and any sums expended for the purchase thereof shall be credited to the purchase price of said area. Not to exceed $500,000 of the sum authorized to be appropriated from the fund by section 3 of this Act may be expended by the Secretary in any one fiscal year for such options.'

"SEC. 5. (a) With respect to any property acquired by the Secretary of the Interior within a unit of the national park system or miscellaneous area, except property within national parks, or within national monuments of scientific significance, the Secretary may convey a freehold or leasehold interest therein, subject to such terms and conditions as will assure the use of the property in a manner which is, in the judgment of the Secretary, consistent with the purpose for which the area was authorized by the Congress. In any case in which the Secretary exercises his discretion to convey such interest, he shall do so to the highest bidder, in accordance with such regulations as the Secretary may prescribe, but such conveyance shall be at not less than the fair market value of the interest, as determined by the Secretary; except that if any such conveyance is proposed within two years after the property to be conveyed is acquired by the Secretary, he shall allow the last owner or owners of record of such property thirty days following the date on which they are notified by the Secretary in writing that such property is to be conveyed within which to notify the Secretary that such owners wish to acquire such interest. Upon receiving such timely request, the Secretary shall convey such interest to such person or persons, in accordance with such regulations as the Secretary may prescribe, upon payment or agreement to pay an amount equal to the highest bid price.

"(b) The Secretary of the Interior is authorized to accept title to any non-Federal property or interest therein within a unit of the National Park System or miscellaneous area under his administration, and in exchange therefor he may convey to the grantor of such property or interest any Federally-owned property or interest therein under his jurisdiction which he determines is suitable for exchange or other disposal and which is located in the same State as the non-Federal property to be acquired: *Provided, however*, That timber lands subject to harvest under a sustained yield program shall not be so exchanged. Upon request of a State or a political subdivision thereof, or of a party in interest, prior to such exchange the Secretary or his designee shall hold a public hearing in the area where the lands to be exchanged are located. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal, the values shall be equalized by the payment of cash to the grantor from funds appropriated for the acquisition of land for the area, or to the Secretary as the circumstances require.

"(c) The proceeds received from any conveyance under this section shall be credited to the land and water conservation fund in the Treasury of the United States."

And the House agree to the same.

WAYNE N. ASPINALL,
ROY A. TAYLOR,
HAROLD T. JOHNSON,
JOHN P. SAYLOR,
JOE SKUBITZ,
Managers on the Part of the House.
HENRY M. JACKSON,
CLINTON P. ANDERSON,
ALAN BIBLE,
THOMAS H. KUCHEL,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1401) to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes, submit this statement in explanation of the effect of the language agreed upon and recommended in the accompanying conference report.

There were five principal differences between S. 1401 as it passed the Senate and the amendment to the bill adopted by the House. These differences and the disposition of them which the conference committee recommends are as follows:

(1) The House amendment provided for the repeal, effective March 31, 1969, of the provisions of the basic Land and Water Conservation Fund Act relating to the establishment of a system of admission and user fees for all Federal recreation areas. It thus returned to the individual agencies the power to fix such fees and provided that such fees as were collected by the individual agencies should be covered into the fund, credited to the collecting agency, and be available for appropriation for the use of the collecting agency. The Senate version of the bill had none of these provisions. The conference committee recommends adoption of the House language with an amendment changing the effective date of the repeal to March 31, 1970, and with an additional clarifying amendment to ensure that collections under the fee system in the meantime will continue to be covered into the general land and water conservation fund.

(2) The House version of the bill provided for covering into the land and water conservation fund $200 million per year for 5 years. The sources for this amount were to be what they are under existing law—viz., entrance and user fees until the repeal mentioned under (1) above becomes effective, receipts from the sale of surplus Government real property, and receipts from the motor boat fuel tax—and, to the extent that these sources do not yield $200 million annually, receipts from activities under the Outer Continental Shelf Land Act of 1953. The Senate version omitted any reference to the Outer Continental Shelf Land Act of 1953. The Senate version omitted any reference to the Outer Continental Shelf Act receipts but authorized appropriations from the general fund of the Treasury of amounts sufficient to bring the total land and water conservation fund receipts up to $200 million a year for 3 years. The conference committee recommends an amendment authorizing appropriations from the general fund of the Treasury sufficient to bring the total receipts of the fund up to $200 million a year for 5 years and providing that receipts from Outer Continental Shelf activities shall be covered into the fund to the extent that appropriations from the general fund fail to achieve this objective. The amendment also provides that moneys covered into the fund from Outer Continental Shelf sources shall remain there until appropriated by the Congress. The committee notes that the funds authorized to be appropriated annually to the land and water conservation fund by this section of the bill are in addition to any advance appropriations which may be made to the fund under section 4(b) of the Fund Act. This legislation, however, terminates such advance appropriation authority at the end of fiscal year 1969.

(3) The Senate version of the bill included a provision authorizing the Secretary of the Interior to enter into option contracts for the acquisition of lands within national park system areas. Expenditures under this authority were limited to $500,000 a year. The House version of the bill contained no provision on this subject. The conference committee amendment incorporates the Senate provision.

(4) S. 1401, as it passed the Senate, authorized the Secretary of Interior to convey freehold or leasehold interests in land within the national park system and "miscellaneous areas" (cf. 16 U.S.C. sec. 1c) in certain instances but excepted therefrom property within national parks proper or within national monuments of scientific significance. The House version of the bill did not contain this exception. The conference committee recommends the Senate language with a clarifying amendment.

(5) In its version of S. 1401, the Senate included a subsection providing for exchange of properties as a means of acquiring land within authorized units of the national park system and miscellaneous areas. The House version limited this authority to cases in which such exchanges are otherwise authorized by law and required that the land given in exchange be within the unit as that in which the land acquired is located. The Senate version also forbade the use of Federal lands managed under a sustained-yield program for exchange purposes and required that public hearings be held before any exchange is consummated. The House version did not include these restrictions. The conference committee recommends language which omits the House provision that the Federal lands used for exchange be in the same unit as the acquired lands, adopts a prohibition against using Federal sustained-yield forest lands for exchange purposes, and requires a public hearing if request therefor is made by a State, a political subdivision thereof, or a party in interest.

WAYNE N. ASPINALL,
ROY A. TAYLOR,
HAROLD T. JOHNSON,
JOHN P. SAYLOR,
JOE SKUBITZ,
Managers on the Part of the House.

Mr. ASPINALL (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be considered as read.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. The gentleman from Colorado [Mr. ASPINALL] is recognized for 1 hour.

Mr. ASPINALL. Mr. Speaker, I urge adoption of the conference report on S. 1401. Members of the conference committee, I believe, have reached a quite satisfactory solution for the issues on which the House and Senate versions of this bill varied. I also believe that, with enactment of this bill, the land and water conservation fund program can look forward to the next 5 years with a reasonable degree of confidence.

One point on which the two versions of the bill differed was the inclusion by the House of a section repealing the basic law's provision for a Government-wide system of admission and user fees at its outdoor recreation installations. This repealer was to become effective April 1, 1969. The Senate bill did not include a section like this. The conferees recommend adoption of the House language with one or two clarifying amendments but with the effective date set as April 1, 1970, instead of April 1, 1969. This will give the administration an extra year in which to satisfy its critics, if it can do so, that the Government-wide system of user and admission fees can be made to work.

Another point with respect to which the two versions of the bill differed was that having to do with the increase in land and water conservation fund receipts to $200 million a year instead of the present $100 million, more or less. The two versions differed with respect to the source of the additional money and with respect to how long the annual increase should continue. The Senate wanted the increase to come by direct appropriations into the fund from the Treasury; the House, you will recall, voted overwhelmingly to earmark a certain portion of the receipts from Outer Continental Shelf oil leases for this purpose. The Senate version increased receipts to the fund for a period of 3 years; the House made it a 5-year program.

Members of the conference committee unanimously agreed that it should be a 5-year program and that Outer Continental Shelf oil receipts should be earmarked for the fund to the extent, and only to the extent, that the fund's present sources of revenue plus additional appropriations to it from the general fund of the Treasury do not generate $200 million. In other words, present sources of revenue—admission and user fees, receipts from the sale of surplus real property, and the motorboat fuel tax—will continue to be earmarked. Then there will be an opportunity for appropriating into the land and water conservation fund enough to bring it up to $200 million a year for 5 years. Finally, if it has not been brought up to this figure by these means, Outer Continental Shelf receipts will be tapped, and the moneys from this last source will continue to be carried on the books of the fund until they are appropriated out of it.

A third difference between the House and Senate versions of the bill was with respect to Federal agency use of options in their real property acquisitions programs for outdoors. The Senate bill included a section authorizing the use of appropriated funds for this purpose to a limited extent. The House version did not include such a provision. The conference committee recommends that the Senate language be adopted.

Mr. Speaker, there were other minor differences in the two bills that were satisfactorily ironed out. They are explained in the statement of the managers on the part of the House, so I will not go into them here. Suffice it to say that I believe we have a workable bill and that the differences between the two Houses have been harmoniously resolved. I recommend that the House adopt the conference report.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I am happy to yield to the gentleman from Missouri.

Mr. HALL. I appreciate the distinguished chairman of the Committee on Interior and Insular Affairs yielding, and I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HALL. Mr. Speaker, I appreciate the work of, and the unanimous report of the managers on the part of the House in connection with S. 1401 to amend the Land and Water Conservation Fund Act of 1965 and amendments thereto.

One thing that bothers me is that when we considered this bill, there was considerable discussion and there has been considerable planning that after this bill went into effect and sources of revenue for the land and water conservation fund—as controlled by the Bureau of Outdoor Recreation—made available from other sources; that there would be a relinquishing on the Executive order calling for those who operate impoundments to charge user fees and other fees ordinarily referred to as mooring or boating and docking fees.

It has often been testified and documented as double taxation on the Corps of Engineers lakes or others.

I notice in the statement of the managers on the part of the House that the time of effectiveness of this relief has been changed from the original House language to March 31, 1970, with an additional clarifying amendment to insure collections under the fee system—that is the duplicate fees—in the meantime will continue to be covered into the general land and water conservation fund.

Mr. Speaker, several Members have introduced individual bills and indeed hearings have been held by the committees and subcommittees on public works of this House, making these fees imposed by Executive order not in order, predicated upon the fact that the people have paid for the original land acquisition, for the impoundment itself, and have rights to the use of their rivers, as far back as the Northwest Land Act of 1789—or somewhere thereabouts.

I would like to inquire of the distinguished chairman, Mr. Speaker, why it was necessary to delay this, if there is still any intent to forego this relief of double jeopardy to the taxpayers, and why it was necessary to include this in the report of the conference?

Mr. ASPINALL. Mr. Speaker, I shall reply to my friend from Missouri and simply state that we did fight for the cutoff date of March 31, 1969 on this part of the Land and Water Conservation Fund Act. The other body had no such provision whatsoever. I am just as disappointed in the operation of the collection of these fees as is any Member of the House. It has not worked out as it was supposed to. It has not worked out in accordance with the justification that I made before my colleagues when we passed the original bill. My justification, of course, was founded upon the justification made by the Department, especially the Bureau of Outdoor Recreation.

In order to come into agreement, the conferees of the other body said that they did not have any provision. They were not ready yet for a cutoff date. They contended that they should not put a stop date placed in this program whatsoever. They held out for another year or two to study it.

We pointed out that the House was determined to bring an end to enhance fee operation as provided in the parent legislation.

That is what it means at the present time. In order to bring about an agreement, a compromise—and my friend knows that compromise is necessary in conference committees—we accepted that proposal and we agreed on the extra year extension. We are shutting it off just as definitely on March 31, 1970, as we would have in 1969 except for the additional year.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's statement, and I gather from his inference, as well as his spoken words, if I have heard him correctly; he believes that a definite cutoff date, even though it is postponed for 1 year, is better than no cutoff date at all?

Mr. ASPINALL. The gentleman is correct. I think this comes as near to satisfying certain Members of the House as we could get.

Mr. HALL. Mr. Speaker, will the gentleman state further that he does not think this would have any untoward effect on the bills of Members pending before the other committee as to the influence on this legislation one way or the other?

Mr. ASPINALL. Of course, I cannot speak to that question, but I just do not believe it would have.

Mr. HALL. Mr. Speaker, I want to say again how much I appreciate the chairman's explanation. I still disagree with the delay. I am sorry it had to be brought about as the result of a compromise. Only this past week all Members have received on their desks the new fee schedules, user fee schedules, mooring, docking, and other boat rental schedules for fiscal year 1969, some of which may be perfectly justified as user fees if they were allowed to revert back to improved operations, as I think the gentleman originally intended, rather than for further land acquisition.

Mr. ASPINALL. May I reply to my friend from Missouri that once we make a definite date, then the handling of the operation has to be in accordance with the legislative history. I think in this instance it is going to be very constructive and very effective.

Mr. HALL. I thank the gentleman.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to my friend, the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I am glad to see a conference report on this bill, and appreciate the assurance of funding that is provided in the bill as agreed to in conference.

I regret, however, that the termination date for entrance fees in the bill has been changed from March 31, 1969—as passed by the House—to March 31, 1970. The earlier date was favored by both the House Committee on Interior and Insular Affairs and by the Members of this body.

Entrance fees have proved to be a great disappointment as a revenue source and a continuing source of irritation to the public. The sooner we completely eliminate them, the better.

Let us hope the departments who collect these fees will read the handwriting on the wall with regard to entrance fees and proceed to eliminate them, without waiting for the 1970 date set forth in this bill.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Iowa.

Mr. GROSS. I would like to ask the gentleman if, in the conference, amendments were made to the bill, and if so, whether all such amendments are germane to the bill?

Mr. ASPINALL. I am glad to advise my friend that everything we agreed to is germane and in accordance with the original legislation.

Mr. SAYLOR. Mr. Speaker, I rise in support of the conference report on S. 1401, to amend the Land and Water Conservation Fund Act of 1965.

Mr. Speaker, while I had hoped for a stronger bill to come out of conference, I nevertheless urge the adoption of this conference report. I do so because this legislation represents, in my opinion, one of the most important conservation measures to come before the Congress of the United States.

I say this because Congress in response to the nationwide demands for more outdoor recreation facilities has authorized the acquisition of Federal and federally assisted park and recreation areas throughout the Nation to be financed from the Land and Water Conservation Fund Act of 1965. The promise of the Congress to acquire these lands to meet the needs of the American people has not been kept. And, the reason is, the failure of the Congress to appropriate sufficient funds to provide for the acquisition and development of the park and recreation areas demanded by the American people. At the present time there exists a backlog of authorizations for Federal park and recreation facilities in the neighborhood of $450 to $500 million.

The legislation which is the subject of this conference report will permit us to begin to fulfill our promise to the American people. If a stronger measure had been reported out of the conference committee a major portion of the backlog in unfunded but authorized park and recreation facilities could be eliminated.

Two important features of this legislation deserve further comment at this time. The first of these concerns the amendment adopted in conference providing a 1-year extension before the repeal of the admission and user fee provisions of the land and water conservation fund. The failure of the "Golden Eagle passport program" to generate revenues into the fund in the past is one of the reasons calling for its repeal. However, the amendment adopted by the conference committee to continue the admission and user fee program until April 1, 1970, does not eliminate the causes for the failure of the "Golden Eagle passport program."

The failure of the golden eagle passport program can be stated to have two aspects, the first of which concerns the major conservation organzations throughout the Nation. These conservation organizations should be on notice that their goals and objectives can only be best served by a major promotional effort in support of the "Golden Eagle passport program" to increase revenues into the land and water conservation fund. Without this major promotional effort, the future of conservation legislation appears in jeopardy.

The other aspect of the problem concerning the lack of revenues into the fund from admission and user fees involves the abuses of the "Golden Eagle passport program." The practice of affixing golden eagle passports by autorental proprietors in the vicinity of park and recreation facilities should be eliminated and those caught prosecuted. The National Park Service and the Bureau of Outdoor Recreation should exercise every precaution to prevent abuses of this type.

The other feature of this legislation which deserves comment at this time concerns the amendment adopted by the conference committee authorizing appropriations from the general fund of the Treasury sufficient to bring the total receipts of the land and water conservation fund to $200 million a year for 5 years and the use of moneys covered into the Treasury under the Outer Continental Shelf Land Act of 1953.

This amendment, in my opinion, seriously hampers the overall objectives in amending the Land and Water Conservation Fund Act. The primary objective is to increase the sources of revenue into the fund in order to eliminate the continually building backlog of authorizations. This goal could have been almost completely attained by the language of the House bill which provided that receipts under the Outer Continental Shelf Act be covered into the fund for a period of 5 years, but not more than the amount necessary to equal the difference between the other sources of revenues into the fund and $200 million.

The amendment merely adds another step to an already serious problem and does not, in my opinion, help in the solution of the overall program objectives.

Mr. Speaker, other provisions adopted by the conference committee will go a long way in helping to achieve the objectives of this legislation. For this reason, I support and urge the adoption of the conference report.

Mr. ASPINALL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDING THE FEDERAL FOOD, DRUG, AND COSMETIC ACT TO CONSOLIDATE CERTAIN PROVISIONS ASSURING SAFETY AND EFFECTIVENESS OF NEW ANIMAL DRUGS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 3639) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out "1967.'" and insert "1968.'"

Page 28, after line 8, insert:

"ANIMAL DRUGS FOR EXPORT

"SEC. 106. Section 801(d) of the Federal Food, Drug, and Cosmetic Act, as amended, is amended by adding at the end thereof the following: 'Nothing in this subsection shall authorize the exportation of any new animal drug, or an animal feed bearing or containing a new animal drug, which is unsafe within the meaning of section 512 of this Act.'"

Page 28, line 11, strike out "106." and insert "107."

Page 28, line 21, strike out "107." and insert "108."

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

Mr. SPRINGER. Mr. Speaker, reserving the right to object—and I shall not object—I think there ought to be some brief explanation.

Mr. STAGGERS. Mr. Speaker, this motion to concur in the Senate amendment has been cleared with the gentleman from Illinois [Mr. SPRINGER] and with the ranking members of the Subcommittee on Public Health and Welfare.

The amendment of the Senate merely restores the bill to the same status it had when originally introduced in the House. During the consideration of the bill by our Subcommittee on Public Health and Welfare, an amendment was suggested providing some loosening of the requirements of the Food and Drug Act with respect to exports of animal feeds. When the bill was considered in the Senate, this was the only controversial feature of it, so the Senate agreed to an amendment which leaves existing law with respect to exports exactly the way it is today.

In other words, Mr. Speaker, this bill is primarily a consolidation of existing law relating to animal drugs and animal feeds bearing or containing new animal drugs. The Senate amendment leaves existing law as it currently stands.

Section 106 which amends section 801 (d) of the act will in no way preclude the export of animal feed containing a new animal drug which has been produced by a feed manufacturer in accordance with section 512(m) of the act, since its safety will have already been determined. The Senate report makes it clear—page 3—that animal feed which contains a new animal drug is to be distinguished from a new animal drug and is to be regulated under the provisions of section 512(m). The second sentence of section 512(a) (1) which makes reference to a consignee having an approved application applies only to new animal drugs and has no applicability to animal feed containing a new animal drug which has been incorporated into the feed in accordance with the provisions of section 512(m).

Mr. Speaker, I urge the adoption of the amendment.

Mr. SPRINGER. Mr. Speaker, I withdraw my reservation of objection.

Mr. NELSEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. NELSEN. Mr. Speaker, all of us who worked so hard and long on this proposal to facilitate the handling of animal drug applications by the FDS are indeed very happy to see this bill finally passed by the Congress.

I might comment on some clarifying language which appears in the Senate report. Section 106 which amends section 801(d) of the act will in no way preclude the export of animal feed containing a new animal drug which has been produced by a feed manufacturer in accordance with section 512(m) of the act, since its safety will have already been determined. The Senate report makes it clear—page 3—that animal feed which contains a new animal drug is to be distinguished from a new animal drug and is to be regulated under the provisions of section 512(m). The second sentence of section 512(a) (1) which makes reference to a consignee having an approved application applies only to new animal drugs and has no applicability to animal feed containing a new animal drug which has been incorporated into the feed in accordance with the provisions of section 512(m).

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

NATURAL GAS PIPELINE SAFETY ACT OF 1968

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 1166, with Mr. GALLAGHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Under the unanimous-consent agreement of Thursday, June 27, 1968, further general debate on the bill will continue for not to exceed 30 minutes, to be equally divided and controlled by the gentleman from West Virginia [Mr. STAGGERS] and the gentleman from Illinois [Mr. SPRINGER].

The Chair recognizes the gentleman from West Virginia.

Mr. STAGGERS. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. KORNEGAY], a member of the committee.

Mr. KORNEGAY. Mr. Chairman, I appreciate very much my good friend, the chairman of our full committee, yielding this time to me, in order that I might as a member of the Subcommittee on Communications and Power speak in support of S. 1166. This bill came to us from the Senate and was assigned to the Interstate and Foreign Commerce Committee, and subsequently to the Subcommittee on Communications and Power.

Your Subcommittee on Communications and Power, under the chairmanship of the gentleman from Massachusetts [Mr. MACDONALD], held long and diligent hearings on this bill. I believe I can say this from my 7 years of serving on the Committee on Interstate and Foreign Commerce and on the Subcommittee on Communications and Power. I can recall no bill that our subcommittee worked any harder on, or listened to any more witnesses with any more interest than we did in this particular instance. We listened to and heard every witness who wanted to come before the subcommittee and testify. We listened to all the points of view that were presented in connection with this matter of gas pipeline safety.

Thereafter, of course, we held our executive sessions. We worked on the bill. We drafted it. We reported it to the full committee. It came out of the full committee on a split vote. I do not recall what it was, but it was approved by a substantial majority.

This bill comes about as a result of the fact that it involves one area in which the Secretary of Transportation has no jurisdiction insofar as safety connected with the transportation of gas is concerned.

Also it comes about by virtue of the fact that natural gas and the transportation thereof has become big business in the United States. It is very important to the people of this country, because one out of every three depends upon it for heat and for the means of cooking food and heating water. I am sure that it brings other comforts and conveniences to our people.

There has been a rapid, dramatic, and tremendous increase in the use and consumption of natural gas since World War II, or 1945. There are presently more than 800,000 miles of gas pipelines in the country. These 800,000 miles are generally divided into three categories or groups.

I believe it is important, as we go along in this debate and as we approach the stage when amendments will be offered to this bill, for the Members of the House to keep in mind and under consideration the fact that there are three general groups or types of pipelines that carry natural gas in this country.

First, there are what are called the gathering lines. They are the lines which are somewhat temporary in nature, which run from the gas well or the hole in the ground, as I understand it, to the point where the gas is put into a transmission line, a high pressure line of large diameter, and is carried throughout the United States or to distant points from the point it originates. It is carried, of course, into the distribution points in the cities and towns of the country, where it is turned over to and transmitted to distribution companies, and it then proceeds to go out throughout the communities, the cities and towns, and into the homes, where it is ultimately used.

So there are three different sets or three different classifications of gaslines we are going to be talking about in connection with this bill. There are those that gather gas in the fields, which are found mostly in the rural and remote areas of the country. There are the transmission lines, which carry the gas under high pressure over great distances. Third and last, there are the distribution lines within the cities and towns of the country.

This bill generally would confer upon the Secretary of Transportation authority—and within 24 months he must exercise the authority under the terms of this bill—to set up minimum safety standards and regulations for the transportation of gas and for gas facilities. This means he will have the authority to determine what those minimum standards should be.

This bill further would bring into the picture and seek the help and assistance of State agencies, many of which are now in the business of pipeline safety and regulation in the particular States.

The Secretary will be setting the standards and the States will be assisting the Federal Government in carrying them out and seeing that these standards are imposed and carried out by the gas companies. The States will come into the picture in one of two ways. Under section 5(a) of the bill a State can certify a long list of things: First, that it adopted each and every standard promulgated by the Secretary and that they have the authority to enforce these standards and that they are in fact enforcing these standards and will keep records and call upon those that they regulate to furnish records. This is found in section 5(a) of the bill. Upon that certification and upon its acceptance by the Secretary, the State goes into the business of assisting the Federal Government and the Secretary in carrying out the provisions of the act.

Another system whereby the State can play a role or have a hand in carrying out the provisions of the act comes up under section 5(b) which permits the Secretary to enter into an agreement with a State agency in which the State agency agrees to enforce and carry out the provisions of the act.

The third method for enforcing the act falls strictly and solely on the Secretary himself and upon the Federal Government. If the States does not choose to certify, if the Secretary or the State do not choose to enter into an agreement, then the Federal Government through the Secretary of Transportation comes into the State and local community and enforces the safety standards which have been set up.

Mr. Chairman, the bill provides for the exemption of certain of the gathering lines. I understand this is one of the controversial features of the bill or at least a point which will be raised later in the amendment stage.

Under all of the facts and testimony presented to the subcommittee, there are 63,000 miles of gathering lines throughout the United States, 98 percent of which fall into rural, remote, and desolate areas of the country where safety to human beings should certainly be of no great import for the simple reason that human beings are just not there. The subcommittee wrote into the bill a provision which would provide coverage of gathering lines in any areas where there are people living in the sense of any incorporated or unincorporated city, town, or village or any legal residential or commercial area such as a subdivision, a business center or shopping center, or any community development. Also, any centrally populated area which the Secretary may define as a nonrural area. There, of course, the Secretary has the authority under our committee bill or the Senate bill as amended by the committee to say where gathering lines do come under the law and to which the regulations he might promulgate and the safety standards he might promulgate would apply.

Mr. Chairman, this bill has some degree of controversy about it, as I understand it, and certain amendments will probably be offered to it. As I look over it and analyze the controversy in connection with it and the sections that are subject to controversy, I think it is rather not a matter of safety or of one side saying that we ought to be safe and the other side saying that we ought not to be safe or that sort of thing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. KORNEGAY. Mr. Chairman, I thank the gentleman very much for yielding me the additional time.

I think this is basically really a matter of philosophy. Those who, speaking for myself, support the committee and the amendments which the committee placed in the bill feel that there is a place and a role for the States to participate with the Federal Government in this type of legislation and in this type of program, feeling that the two working together can do a far more effective job, more economically, than it can be done or would be done with the Federal Government taking the entire role and sending agents and inspectors and engineers out from Washington all over the country.

Now, there probably are some States, no doubt, who have little or no interest in this legislation dealing with this pipeline question. But there are, I think, many States that have a deep interest in the problem and which are doing a good job from the standpoint of regulation and safety.

Mr. Chairman, I can assure the Members of the Committee that the bill is not perfect. However, it is a good bill and the product of a lots of hard work.

Mr. Chairman, it is my firm belief that this bill is in the interest of the safety of pipeline operations, is in the interest of the safety of the public and is one that can be administered satisfactorily and I, therefore, urge its passage.

Mr. CAREY. Mr. Chairman, will the gentleman yield?

Mr. KORNEGAY. I am happy to yield to the distinguished gentleman from New York.

Mr. MURPHY of New York. Mr. Chairman, I would like to congratulate the gentleman from North Carolina upon a very fine statement of the facts contained in this piece of legislation. I want to join my colleague from North Carolina in supporting his views on this very complex issue.

Mr. Chairman, the gentleman from North Carolina has made a great contribution toward the work of the committee. He has been a most valuable and capable member of the committee. His contributions, his advice, his experience, have assisted many members in their deliberations and final work toward major issues that the Committee on Interstate and Foreign Commerce has faced in the past 8 years. I personally have had the opportunity to serve on the Subcommittee on Communications and Power as well as the full committee for 4 years. He is truly a leader in every respect. We shall miss him upon his retirement.

Mr. KORNEGAY. I am very grateful to the gentleman from New York for his remarks.

Mr. MURPHY of New York. Mr. Chairman, I rise in support of the Natural Gas Pipeline Safety Act of 1968.

The need for this legislation is well documented; the gas explosion in Natchitoches, La., in 1965, is one of the most well-known tragedies of this decade, and there are many other examples of the destructive force of gas explosions.

The problem with the transportation of gas and other inflammable fuels is their potential for destruction. A single pipeline failure, under certain circumstances, can be a major disaster. The problem is especially serious in urban areas, where rapid increases in population have been accompanied by a rapid increase in the amount of gas supplied in the area. Also, because of the population density in urban areas, the consequences of a gas leak may be much more serious.

It is obvious that this is a national problem of considerable importance. There are now over 800,000 miles of gas pipelines in the United States, ranging in diameter from less than one inch to 42 inches, and containing pressure as high as 1,300 pounds per square inch.

At present there is no Federal safety regulation of these natural gas pipelines, and State and local regulation has proved in many cases to be inadequate. The bill now before the House would provide the vitally needed Federal regulation. Basically the bill directs the Secretary of Transportation to establish minimum Federal safety standards for the transportation of gas and for pipeline facilities. These standards will apply to the three basic types of gas pipelines, the gathering lines, transmission lines, and distribution lines.

Gathering lines, which constitute approximately 63,000 miles of total pipeline mileage, are those lines which transport gas from the well to the transmission system. These lines are generally in rural areas, and pose little threat of explosion; some, however, run through urban areas. The Interstate and Foreign Commerce Committee excluded rural lines from coverage, which I think is realistic, and included only those gathering lines in urban areas. We must also remember at this time that the ultimate cost of all transmission, collection, or distribution will be borne by the user. It may be difficut to differentiate between what is rural and nonrural, particularly as rural areas become inhabited, and we may find that all such lines must eventually be subject to regulation. But for the present, this section of the bill is adequate.

Distribution lines are the most important, because these are the lines that criss-cross our urban areas, delivering the gas to our front door. Distribution lines account for 536,000 miles of the total pipeline mileage. When these lines fail and an explosion results, the loss to human life and property can be immense. These lines are included under the coverage of this bill, as they should be.

Transmission lines are generally interstate lines which carry gas from the field to the distributor. These lines are the largest of any lines, and carry gas at the highest pressure. Regulation of these lines is essential.

Few will argue against regulation of some kind, but the question of which level of government should be responsible for the regulation is the subject of considerable debate.

Generally, I feel that the State should have the primary responsibility for regulation of gas pipelines, but if they fail to do an adequate job, the Federal Government should have the authority to enforce minimum standards.

This is the arrangement contemplated by the bill, whereby if States can show they are doing an adequate job of regulation, the Federal Government will exempt them from the coverage of the bill. There will be Federal monitoring of the State compliance procedures to make sure that the States are doing the job. This provision will allow those States who sincerely desire to regulate their own pipelines to do so with a minimum of Federal oversight, while the States who either do not want to regulate the pipelines or who are not able to do so will be required to meet the minimum standards.

Another important aspect of the bill is that part relating to the 800,000 miles of pipeline already in the ground. Much of this pipe is very old; in New York City for instance from 75 to 80 percent of the gaslines are more than 25 years old, and almost half were put into the ground before 1920. Age alone does not mean that a pipe is unsafe, but there must be some means of protecting against those pipes which, because of age, are no longer safe. The bill deals with this problem by allowing the Secretary to exempt existing pipelines except where he finds "a particular facility to be hazardous to life or property." Thus those existing pipelines which are found to be unsafe will be subject to regulation.

Mr. Chairman, I think this bill is an important step in protecting our citizens and our property against the potential danger of gas explosions. I urge my colleagues to give it their support.

Mr. O'HARA of Illinois. Mr. Chairman, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. Mr. Chairman, I would like to add my commendation to that of previous speakers. In clarity and in giving understanding and simplicity to a subject that otherwise might to me have been complex and confusing the presentation of the distinguished gentleman from North Carolina [Mr. Kornegay], was one of the best speeches on a piece of pending legislation that I have had the privilege to hear on this floor in my 18 years in Congress.

Mr. PATTEN. Mr. Chairman, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman from New Jersey.

Mr. PATTEN. Mr. Chairman, I rise in support of the amendments which I feel would significantly strengthen the gas pipeline safety bill. The bill reported out by the House Commerce Committee last month is weaker than the Senate bill in such very important areas that I believe it to be deficient in its present state.

The original bill which I helped cosponsor authorized the U.S. Department of Transportation to create national safety standards for natural gas pipelines. In effect, the bill before the House today gives the States exclusive authority in this area. This is an invitation for the States to exempt themselves from any kind of regulation at all and would be a serious mistake.

There is a 42-inch pipeline now being installed in my district. Certainly, my constituents as well as those of every other district in the country have a right to be protected against the possibility of explosions. There are more than 800,000 miles of lines in the Nation; industrial and residential growth make it imperative to establish strong and reliable national safety standards.

We cannot limit protection to gathering lines in urban and suburban areas; lines in rural areas should also be covered. Although these areas do not now have the heavy concentration of population which you find in the cities, they should also be protected, especially as our city population expands into what is rural today but which may be urbanized tomorrow.

Pipes already in the ground will, in the large part, be exempted from meeting construction standards for new pipelines, unless the Senate provisions are restored. Can we ignore this and, in effect, leave safety to pure chance in the future? I think not.

The Members of Congress have a real and distinct responsibility to the people of America to take meaningful action in this area. We were sent to Congress to protect our citizens from exploitation and injustice—not to surrender to lobbies.

A group of my colleagues, spearheaded by the distinguished gentleman from Washington [Mr. Adams] and the distinguished gentleman from California [Mr. Moss], have submitted a series of amendments designed to revitalize and restrengthen the bill so that it is similar to the legislation which passed the Senate.

I ask for the approval of amendments to help protect the people of the country from possible disaster.

Mr. PICKLE. Mr. Chairman, I wish to commend the gentleman for the very excellent statement which he has just made. And we who serve on the committee shall miss him upon his retirement.

The gentleman from North Carolina has presented to us in a most succinct and able manner the many provisions contained in this bill and it has been especially enlightening to those Members of the House who do not sit on the subcommittee or the full committee on which the gentleman from North Carolina serves. He is able, fair, and reasonable.

Mr. Chairman, the distinguished gentleman from North Carolina has distinguished himself today based upon the statement which he has made and I commend him for it.

We need to pass the pipeline bill. I think it is a good bill and the distinguished gentleman from North Carolina has had a great deal to do with the provisions which have been written into the bill.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I would like to commend the distinguished gentleman from North Carolina for his usual contribution to the work of the committee. Even though on this particular issue I may disagree with him on certain provisions as contained in the bill, I warmly respect him.

I come from a State where we have had a number of very serious explosions, where State regulation is quite inadequate, and therefore I am not as sanguine as the gentleman is about the committee action on this bill. But I hold the gentleman in the very highest regard.

The CHAIRMAN. The time of the gentleman from North Carolina has again expired.

Mr. SPRINGER. Mr. Chairman, I yield 2 additional minutes to the gentleman from North Carolina.

Mr. OTTINGER. Mr. Chairman, if the gentleman will yield further, I would add that I do believe Mr. Kornegay's presentation of the gas pipeline situation has been a very good one. I also wish to state that it has been my privilege indeed to serve with the gentleman on both the subcommittee and on the full committee.

Mr. SPRINGER. Mr. Chairman, if the gentleman will yield, I would like to say that I very much regret that the distinguished gentleman from North Carolina will not be able to be with us on the committee in the following session.

The gentleman has voluntarily, may I say, given up his seat in the House. He has not been defeated, and therefore retains all the respect that an undefeated Member of Congress should receive, not only in his own district, but from all Members of the Congress.

The gentleman has been a valued member of the committee. I know of no one who has been listened to more carefully than the gentleman has with respect to the many problems considered by our committee, and especially the piece of legislation that we now have before the House.

The gentleman's career has been one of years of distinguished service, not only in this Congress, but to the people of North Carolina. I am sure that not only I, but all of my colleagues, commend the gentleman, and when the gentleman leaves this Congress we hope that we will see him here many times in the future. We hope he will enjoy all of his future years just as well as we know he has enjoyed his years in this House.

Mr KORNEGAY. Mr. Chairman, I thank the gentleman from Illinois for his most kind and gracious remarks.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. KORNEGAY. I am delighted to yield to my friend from Massachusetts [Mr. Macdonald], the chairman of the subcommittee.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I thank the gentleman for yielding, and I would just like to add to what has been said by the other Members: that, since I have been chairman of the subcommittee, the very distinguished gentleman in the well has made great contributions to our subcommittee. His diligence and his attendance at all of the subcommittee meetings have been outstanding. Although this may sound like a valedictory for the gentleman in the well, the gentleman from North

Carolina [Mr. KORNEGAY], it is not to be so construed, since the gentleman will be working with us for the rest of this Congress, but we will all miss the gentleman in the next Congress.

Mr. KORNEGAY. I thank the gentleman very much.

The CHAIRMAN. The time of the gentleman from North Carolina has again expired.

Mr. SPRINGER. Mr. Chairman, I yield 1 additional minute to the gentleman from North Carolina.

Mr. BROYHILL of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from North Carolina.

Mr. BROYHILL of North Carolina. Mr. Chairman, I would like to join in what my colleagues have said in regard to the great ability of the gentleman from North Carolina [Mr. KORNEGAY]. As the ranking majority member on the subcommittee, I have had the opportunity and privilege to work with the gentleman 6 years, and I know that we will miss him. We will miss his advice, good counsel, and his knowledge. He has been energetic and diligent as he has conducted himself as a Member of the House of Representatives. He has been faithful to his duties and responsive to the people he represents.

Mr. KORNEGAY. Mr. Chairman, I thank my good friend from North Carolina very much.

Mr. BROTZMAN. Mr. Chairman, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman from Colorado.

Mr. BROTZMAN. I thank the gentleman for yielding.

Mr. Chairman, I would like to associate myself with the remarks of my colleagues that have been expressed revealing their great admiration for the gentleman from North Carolina, and for the way that the gentleman has performed his service in the Congress; and more particularly for the diligent and attentive way that the gentleman has worked on this particular subcommittee as its ranking member.

We congratulate the gentleman, and we will miss him.

The CHAIRMAN. The time of the gentleman from North Carolina has again expired.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I would like to join with my colleagues in their remarks about the gentleman from North Carolina [Mr. KORNEGAY] who has just left the well of the House. I want to congratulate the gentleman on his service in the Congress, and to wish him well in his future services to his community, or wherever that service may take him. One of my great pleasures and prides in my service in this body has been my association with the gentleman from North Carolina. Though he sits on the other side of the aisle in the Interstate and Foreign Commerce Committee, his clear thinking, sound logic, and strong mind have contributed to the committee, this body and our Nation.

Mr. Chairman, I yield back the balance of my time.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time.

I reserve the balance of my time.

Mr. STAGGERS. Mr. Chairman, I would like to add to what has been said about our colleague from North Carolina [Mr. KORNEGAY], and I will make my remarks very brief.

In my opinion, Mr. Chairman, HORACE KORNEGAY is a gentleman in every meaning of the word. He is one of those fine and capable men who comprise the Committee on Interstate and Foreign Commerce. Not only in the Congress, but in the United States, one could find no one more dedicated to their duties.

I would further say of HORACE KORNEGAY that he believes in gentlemanliness, honesty, chivalry, and that he is a clean-cut and God-fearing gentleman.

Mr. Chairman, I yield the remainder of my time to the gentleman from Washington [Mr. ADAMS], a member of the committee, to finish the debate.

Mr. ADAMS. Mr. Chairman, I would like to first pay my respect to the gentleman from North Carolina [Mr. KORNEGAY] and I echo the comments of my colleagues.

I am hopeful that during the course of the afternoon today, and I think it is very possible, that we will work our will on this bill and particularly on section 5(a) through the subcommittee chairman, the gentleman from North Carolina [Mr. KORNEGAY], and through the minority Members, and perhaps correct this bill and bring forth a bill that will be worthy of this House and the committee.

I am not critical of any member of the committee. I simply want to point out at this time that we will be going into individual amendments so I will not go into details. But I want to talk about the package and what the problem is that we are trying to correct. I am going to plead with the Members that we work our will and change this bill and I think we can.

The key point is the one that has been mentioned by the subcommittee chairman and the gentleman from Massachusetts [Mr. MACDONALD], in section 5(a), because what we have done with this bill, and all the other amendments fill in and fall around it. This bill was changed in committee from a Federal regulatory bill to a bill that will simply continue the present State regulatory system, with a type of Federal monitoring, and everyone agrees that the present system is completely inadequate—and not just inadequate but desperately dangerous because we are now moving into the major cities of America with huge quantities of natural gas. In the past we have had a limited amount of manufactured gas in our cities. Many of these systems have been shut down for years and years and, in turning this new natural gas back into these systems, you have a desperate economic problem and safety problem.

Do you have to dig up these city lines? But before you ask that, the question occurs what is going to happen when you turn the gas into those old lines? If you have a leak in them, you can see what the problem is. Any type of leakage buildup in these old pipes can cause a violent explosion.

Let me point out what the problem is specifically with this bill. We have said first in this bill that the States will have the right to say, "We are out." We are going to certify, as the gentleman has said, with a secretary that a few things have been done. That is only the beginning of the problems in this bill.

We can take care of that. Then let us deal with other sections.

Section 3 refers to "any lines in the ground." Those are the dangerous lines—those are the old lines that are going to leak gas, then explode, if there is going to be an explosion in the cities of the United States.

With those existing lines we say, "Standards affecting the design, installation, construction, initial inspection."

In this bill it says that, unless the Secretary goes out and examines 800,000 miles of lines and finds a particular potentially hazardous situation exists on a particular line, he cannot stop a dangerous overall situation.

Now that, when it is coupled with the State certification system, it means that everybody freezes, and nobody will have to improve their system to meet the necessary standards.

When we tie in a penalty section the whole problem begins to build up because, under the penalty section, it says:

> No one can have a civil penalty established against them unless somebody has gone out and given them notice and told them to comply first.

Mr. Chairman, that is contrary to every regulatory system in the entire Federal area. Nobody need do anything until they are caught.

This is not a regulatory bill when you look at it. The reason this bill will cause trouble is that the whole purpose of regulation is not to catch somebody—the whole purpose of the regulation is to say, "These are the standards; now go out and meet those standards." Instead we want to say, "These are the things we expect you to do, Mr. Industry." And we say to the States, "We want you to help. Let us come in and have agreements with you."

Both bills provide that there can be agreements.

But if you do not bring up your standards, then you are subject to a penalty.

Under the bill as it reads now, nobody moves at all until somebody catches them and, when we look at the appropriation section, we find the committee has taken all the money out of the bill so the Secretary cannot hire inspectors to go around and look.

So I ask this simple question: What is going to happen under the unusual system that is set up in this bill? The answer is: Nothing.

Mr. RHODES of Arizona. Mr. Chairman, the House Republican policy committee supports the Natural Gas Pipeline Safety Act of 1968, S. 1166, as it has been reported by the House Interstate and Foreign Commerce Committee.

This bill provides adequate Federal safety standards for the interstate transportation of gas by pipeline and for pipeline facilities. It would close the safety gap that now exists with respect to this important mode of transportation.

As reported by the committee, S. 1166 contains the following major provisions:

First. The Secretary of Transportation is directed to establish within 24 months minimum safety standards for the gathering, transmission, and distribution of gas by pipeline for its storage and for pipeline facilities used in the transportation or treatment of gas.

Second. Each person engaged in the transportation of gas or who owns or operates pipeline facilities has the duty to comply with the safety standards, file and comply with a plan of inspection and maintenance, and permit access to records, make reports, and permit entry or inspection.

Third. The Secretary of Transportation will enforce the standards with respect to pipeline facilities and the transportation of gas subject to the Federal Power Commission. Standards for all other pipeline facilities and transportation of gas will be enforced by the Secretary or by a State agency, including a municipality, that is certified for that purpose.

Fourth. A pipeline safety standards committee is established and a judicial review of orders issued by the Secretary is provided.

Today, there are more than 800,000 miles of gas pipeline in the United States. These lines range in diameter from less than 1 inch to 42 inches with 48-inch lines under construction. Many of the transmission lines now traverse densely populated areas and the distribution of much of the gas is handled by mains originally constructed for manufactured gas. This means that these distribution systems have been in existence for many years and that some of the pipe presently in use is from 30 to 40 years old and perhaps much older.

Although 67 people have been killed in gas transmission accidents from 1950 to November 1967, the overall safety record of the transmission industry has been a relatively good one. Many of the recorded deaths were attributable to accidents involving trucks or other instrumentalities beyond the control of the pipeline operators. Moreover, since 1935 there has been in existence and operating an industry safety code created and developed by the American Society of Mechanical Engineers and the U.S.A. Standards Institute. Secretary of Transportation Boyd has testified:

> Few industries have devoted the time and attention to safety procedures as has this one.

The safety record for the distribution systems stands in sharp contrast. Although the information regarding past accidents is sketchy at best, there have been major accidents in recent months that have given ample warning of the danger that is present and the need for a step-up in gas distribution safety procedures. On January 13, 1968, there was a fire that engulfed in Queens, Long Island, an area equivalent to an entire block. In this fire, 7 people were injured and 19 families were left homeless. On February 19, 1968, there was an explosion in a rehearsal hall in South Milwaukee, Wis., where 250 people had been located just 20 minutes prior to the explosion. Explosions in Hastings, N.Y., Logansport, Ind., Fort Worth, Tex., and St. Louis, Mo., have killed and injured a number of people and caused a great deal of property damage.

The 63,000 miles of gathering lines located almost entirely in unpopulated areas have presented no safety problems. This bill exempts these lines from coverage until such time as the area through which a line runs becomes nonrural as determined by the Secretary of Transportation. Then, for the protection of the population which is affected by the presence of such a line, the Federal safety standards will apply.

Due to the rapid growth of the industry and the population which it serves, there is a need for a coordinated safety effort in the field of gas transmission and distribution. This bill provides a sound basis for the introduction and implementation of reasonable safety standards that will protect the public and help to insure the uninterrupted transmission and distribution of a vital commodity that is, if improperly handled, inherently dangerous to both life and property.

Mr. WOLFF. Mr. Chairman, I wish to add my voice to the just and proper cry for amendments to bring the Natural Gas Pipeline Safety Act up to the standards in the Senate-passed version of this legislation.

The other body provided for basic minimum standards to protect the safety of millions of Americans. The House Commerce Committee has offered a greatly weakened and unacceptable bill.

The need for uniform Federal standards of pipeline safety is urgent. The great growth in the natural gas industry has led to a proliferation in pipelines and millions of Americans are at every moment of every day near a gas pipeline.

The history of explosions from gas pipelines point vividly to the problem, and the challenge now before the House is whether or not we will capitulate to the interests of a single industry or act with dispatch and responsibility for the American people.

We must provide the Secretary of Transportation with the power, personnel, and funds to insure the adequacy of safety standards in the natural gas industry. Not to do so would be a regretful and inexcusable dereliction of our responsibility.

Mr. EDWARDS of California. Mr. Chairman, in the early morning hours of last May 8, the residents of a 32-block area of San Jose, Calif., were awakened by a deafening and window-shattering explosion. The damage was extensive—four homes completely destroyed, 20 more wrecked, $1 million in damages, seven persons injured, 20 families left homeless. The cause was a gas leak—a leak suspected and reported by residents for over 18 months prior to a fire and explosion; a leak gas company officials had been unable, prior to the disaster, to locate.

Mr. Chairman, unfortunately, this is not unusual. The kind of ignition of just the right mixture of gas and air which can cause such devastation has occurred enough to say that action is needed—and now—to protect the lives and property of the American people from future accidents.

Since the Second World War, the natural gas industry has grown tremendously to the point where it now supplies one-third of the Nation's fuel and energy resources. Gas pipelines reach a total of over 800,000 miles in an extensive network including 63,000 miles of gathering lines, 224,000 of transmission lines, and 536,000 miles of distribution lines. By 1980, it is expected that transmission lines will increase to 301,000 and distribution lines to 857,400 miles.

There are inherent dangers in any natural gas pipeline. With pressures ranging from one-quarter pound to as much as 1,300 pounds per square inch, any small leak could cause an explosion such as that which leveled so much of the city of San Jose. Indeed, it is a wonder that more serious accidents have not resulted from the failures which have occurred in the overall system. According to a report of the Federal Power Commission, in transmission lines alone, the failure rate has averaged about once every 5 days. Luckily, most did not ignite.

There are greater problems, too. Many of these pipes are old, not well designed, not well protected from the effects of corrosion. Many are simply not equipped to handle the volume of gas now required in our urban areas. Urban development in previously rural areas has increased population density in the vicinity of pipelines and pipelines have been subject to damage from earthmoving equipment and other construction activity.

Admitting the potential and growing hazard of the broad-ranging network of natural gas pipelines, it might be argued either that there is no need for Federal legislation or that the bill before us, S. 1666, fills the bill. I disagree with both these contentions.

The only Federal law now on the books is the 1938 Natural Gas Act authorizing the FPC to gather statistics and to investigate accidents—but only those connected with transmission pipelines, not the important distribution lines used in house-to-house service.

It is urged upon us to let the States do the job. But it is abundantly clear that the States have had the opportunity and responsibility for years but have shown neither the desire nor the vigor to regulate for the public safety. There are 28 States that have established standards, 25 of these having adopted the industry's 1963 safety code. Many of the States apply their standards only to intrastate facilities. The code, and therefore, most State law, is not applicable to pipeline already in the ground. An overwhelming portion therefore of pipelines across the country are subject to either empty safety standards or none at all. Amazingly enough, the transmission of natural gas, a highly dangerous and flammable material, remains the only significant kind of transportation beyond the effective comprehensive safety regulation of the Department of Transportation and I urge the passage of good legislation to bring this national industry under regulatory action by the Federal Government.

I hesitate to label this bill pending before us today, however, good legislation. The provisions herein are substantially weaker than that which many of us feel is necessary to have any kind of meaningful safety program. There are a number of provisions to which I specifically object.

I urge, first of all, the automatic inclusion of "gathering" lines. It is not justified to exempt these lines on the grounds that they are only in rural areas and that they are only subject to low pressures. The potential danger of these lines is just as great as larger lines. Forty-one percent of them operate at pressures of more than 200 pounds per square inch and they are not limited to rural areas—in the metropolitan Los Angeles area alone there are 243 miles of these lines. All of them ought to come under the bill without requiring the Secretary to distinguish their rural or nonrural nature.

I was disappointed, too, with the reduction of civil penalties from $1,000 to $500 per day with a maximum of $100,000 instead of $400,000. This is but a pittance for the large utilities which operate these pipelines and at the very minimum the larger penalty ought to be restored. There is good reason further for the consideration and adoption of criminal penalties for willful violation of safety standards. When the bill was before the Senate, the Washington Post editorialized as follows:

> There is no reasonable defense for the omission of criminal penalties from this legislation. They were written into the petroleum pipelines safety bill that was passed last year, and there are more urgent reasons for following that precedent, where a more combustible substance is involved. Those who knowingly subject gas pipelines to unsafe pressures should be punished as individuals and not merely discommoded by fines that are levied against their corporations.

Third. No program can operate at an adequate level on the budget authorized by this bill. It is futile and misleading to pass legislation without providing the funds to fulfill the directive. The fiscal year 1969 authorization ought to be reinstated to its original level of $13 million from the pitiful amount of $2 million authorized by S. 1666, and fiscal 1970 to $15 million from $3 million.

A further drastic defect in this bill is the exemption, in effect, of existing pipe—despite the acknowledged fact that this is where the greatest danger lies. The Secretary of Transportation must be allowed to require compliance with established safety standards, to set up generalized orders to cover potential dangers without having to determine an "actual" hazard in a "particular" facility. As the minority report points out, this would place an "impossible burden" on the Secretary to inspect every line in the country before issuing an order to correct the situation, a burden the appropriations level could not possibly support.

I shall support all amendments offered today by committee members to strengthen the bill along these lines. Also, I lend my support and urge my colleagues to join in making the fundamental effort to insure that this bill is what it is supposed to be: a Federal regulatory bill. The issue is clear—are we to have Federal standards truly applicable in all States or are we to allow the continuation of an inadequate, patchwork system of State regulation and lack of regulation with the only change, really, being that the Federal Government is watching over the system, subsidizing it to some extent, yet powerless to touch it?

Under section 5 of S. 1666 as it now stands, the State may certify that it is in compliance with Federal standards and it would be up to the Secretary to show that this was not the case. This is a task for which a massive investigatory force with sufficient financial backing would be required—again, something for which this bill does not provide.

It is therefore highly essential to give the Secretary of the Department of Transportation the authority to make sure that the standards which are developed are followed and maintained. The original provisions of this legislation would achieve this goal without a total absorption of State authority.

Mr. Chairman, I was gratified to know that there is at least one commissioner on the California Public Utilities Commission who is deeply concerned about the lack of protection being provided the people of his State. Commissioner William Bennett telegramed me just a few days ago to verify the problems and deficiencies, in both general and specific terms, of California's program of regulation of pipeline safety. His comments are so pertinent and so cogent, I would like at this time to quote the telegram in its entirety:

> Let me urge that the Natural Gas Pipeline Safety Bill S1166 as originally written be enacted. This legislation, sorely needed by an unprotected public, should not be emasculated by the proposed amendments. The people of the State of California and the consumers for whom I speak are not now properly protected by any meaningful provisions of law in terms of the safety of gas pipelines.
>
> I disagree emphatically with the position of my colleagues on this commission who speak to you now from a business oriented administration and seemingly from an ignorance of the present lack of effective state regulation in this field. California today merely adopts the standards of the gas industry and has a hands off policy with reference to safety. The standards of the gas industry are self created and primarily designed for industry benefit and not the protection of the public.
>
> In California there is no system of pipeline inspection under existing state law and one can speculate as to the present condition of repair or disrepair of the enormous network of gas pipelines interlacing California. The danger to life and property from want of a rigid strictly-enforced program with standards and watchful inspection cannot be overstated.
>
> The Pacific Gas and Electric Company on May 8, 1968 at 2:20 a.m. suffered a major explosion in its system within the city of San Jose, a community of 408,000. This system was installed in 1925 and over the life of the pipeline suffered at least five gas leaks. Despite the history of leaks in this particular portion of the system, a major gas explosion occurred either from material failure or human failure causing widespread property damage. The absence of people from the vicinity alone resulted merely in property damage rather than loss of life.
>
> The PG&E (Pacific Gas and Electric Company) in opposing S. 1166 as originally proposed and in effectively lobbying weakening amendments into such legislation speaks only for its corporate officers and its shareholders—it does not speak for the California Public. Indeed, in my opinion its position is contrary to the public interest. The balancing of the interest of the public utility as against the rights of the California public to protection obviously should be resolved in favor of the public interest. It should be noted as well that the successful lobbying activities of PG&E are financed by the same public the original legislation is intended to protect.
>
> State protection is largely a myth and PG&E knows this. State protection under a regulatory agency which is now dominated by a utility bias is not only a myth, it is dangerous. And the position of the California Commission in support of the PG&E lobby tells it all.
>
> The transmission and gas distribution system of the U.S. and of California are now acquiring an ancient vintage. Gas pipeline presently in service in California dates back to 1920, 1925, the 1930's, the 1940's, the 1950's and the present. In San Jose, California, for example, approximately 99,000 feet of gas main installed in 1945 through 1949 in San Jose is still in service. Almost 2 million feet of gas main installed in 1950 and 1954 in San Jose is still in service. Gas pipeline explosions will increase simply because of the vintage of the pipe unless there are strict penalties for dereliction and a complete and adequate program of inspections. The fact of the San Jose explosion demonstrates quite clearly that PG&E even when upon notice of a system subject to leakage was still unable to prevent what might have been a human catastrophe. This is an example of self regulation at its worst but it is all too typical. The proposed amendments would merely permit this situation to endure.
>
> Let me point out that as a public utility the first responsibility of PG&E is to the public and not to its shareholders, particularly in matters of safety. Further, any additional expenses attendant upon compliance with S. 1166 is an expense paid for by the customers of PG&E—not by its shareholders. I have obtained from PG&E a report about the San Jose accident which offers no satisfactory explanation for the failure to prevent a gas explosion and offers nothing meaningful by way of a program in the future to prevent further recurrence. Let me point out that the California P.U.C. with such jurisdiction as we have over gas pipelines has no program over inspection of existing systems. Neither does any other division or agency of state government.
>
> As a member of the P.U.C. of the State of California, an associate therewith for over a decade and as a Californian concerned with public safety, let me urge that S. 1166 as originally presented and without the crippling amendments proposed by the utility lobby be passed. Failure to support such legislation would be a grave disservice and a deeply hazardous action to the safety of Californians for whom I speak.

Mr. Chairman, to pass the bill as it came from committee is an empty gesture, a mere acknowledgment of the hazards and national character of the gas pipeline industry. The people of our country, the people who have been injured or killed, who have had their homes destroyed by gas-leak explosions, deserve far better. I hope that we, as representatives of these people, will achieve a strong, meaningful bill which really does guarantee safety standards and, hopefully, the prevention of future disasters.

Mr. RYAN. Mr. Chairman, the Natural Gas Pipeline Safety Act of 1968 must be strengthened so that it at least corresponds to the bill which came to this body from the Senate. To pass a measure as weak as the one reported by the Committee on Interstate and Foreign Commerce would be to deceive the American people and to lead them into a false sense of security. I find the minority views to be very persuasive.

The Natural Gas Pipeline Safety Act of 1968 as it came to this body from the Senate was not as strong a measure as I would have liked to have seen. It was not as strong as the pipeline safety bill I cosponsored on November 9, 1967, H.R. 13936, which would have provided for criminal penalties for willful violations of the act. Nevertheless, the Senate bill represents a constructive step in the direction of natural gas pipeline safety. The bill reported to this body by the Committee on Interstate and Foreign Commerce contains only an illusion of progress in this area.

Perhaps the most dangerous change in the Senate bill made by the committee would have the effect of virtually insuring that none of the pipeline laid before the date of enactment of this bill would ever have to measure up to safety standards set by the Secretary. Section 3 of the Senate version of this bill empowers the Secretary to set minimum safety standards for pipelines now in the earth. The House committee diluted this provision to require that the Secretary find a particular facility dangerous and then inform the company involved of the hazard. If the Secretary were to attempt to prevent the type of tragedy which destroyed a block of the Borough of Queens in New York City last year, it would be necessary for the Department of Transportation to track down every dangerous condition in the entire Nation. With 800,000 miles of pipeline now underground in the United States, clearly this is an impossibility.

Some of the pipeline below our cities is 30, 40, and even 100 years old. Congressmen present at the House committee hearings reported that—

> (S)ome pieces of pipe taken recently from under city streets and buildings and shown at the hearings were so corroded that they could crumble at the slightest touch.

Must the Secretary wait for each explosion to tell him where pipeline has decayed? The thought is ludicrous. Crumbling gas lines cannot be allowed to exist simply because rigid standards were not enacted earlier.

It has been argued that the replacement of a large quantity of old pipe would impose a severe cost on the companies involved. If the companies have laid that much substandard piping, I can think of no more persuasive argument for forcing them to rectify the situation immediately.

The Congress has been slow in setting stringent safety standards. Experience shows that the industry could not be expected adequately to regulate itself. In a nation where every major city is riddled with gas mains, too many lives are at stake to bail out those members of the industry who have failed to set high enough safety standards.

The weakening of section 5 of this bill must also be viewed with alarm. As the bill passed the Senate, each State could take responsibility for enforcing the Secretary's regulations, provided that the State could convince him that it was capable and determined to enforce his regulations stringently. Under the bill as reported by the House committee, the burden of proof is shifted to the Secretary to demonstrate that a particular State has been unable to perform enforcement procedures satisfactorily. Considering the cut the committee has made in the amount authorized to be appropriated in this bill, it is hard to believe that the committee really intends for the Secretary to hire the staff which would be needed to check into the work of the enforcement agency of each State. Let us bear in mind that the purpose of this bill is to prevent the type of tragedy which took the lives of nine persons in Hapeville even as the Congress has been considering this bill. Past history shows that State agencies cannot, or will not, do the job. Otherwise, we would not be debating this bill today. If then, the Federal Government must be called upon to do the job, let us give the Secretary of Transportation the necessary tools. The Secretary must be more than truant officer who must go and hunt to find the delinquent State. This is literally a matter of life and death and should be treated as such.

In the same vain, I do not understand why the committee made the changes it did in section 9. Instead of imposing heavy penalties on gas companies who fail to meet safety standards, the Secretary would now be required to first warn the company in question and then give it time to correct the violation. This is a sham. Is this whole matter a game of hide and go seek? There is no incentive for gas companies to raise their safety standards one iota over what they are now. They have nothing to lose by permitting existing violations to continue until they are discovered.

It may be argued that gas companies are not infallible, that they cannot reasonably be expected to locate every single hazardous condition existing along 800,000 miles of pipeline. Considering the magnitude of the danger involved, laxity in gas pipeline safety programs cannot be tolerated. But if indeed there are some hazards which are unforeseeable, some problems which are unavoidable, it should be remembered that the Senate version of this bill states quite clearly that the Secretary need not impose the maximum penalty, or indeed any penalty at all, if he finds that there are mitigating circumstances. Subsection b of section 9 of the Senate bill reads in part, "In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business or the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance after notification of a violation shall be considered." Surely the Secretary would use his powers judiciously.

I also disagree with the House committee's action in changing the wording of section two in order to make this legislation inapplicable to pipelines used for gathering gas unless the Secretary finds a specific pipeline to be located in a "nonrural area." Does the committee really expect the Secretary to locate all 65,000 miles of gathering line to find which ones are located in rural areas and which in urban areas? If it does, why did it cut the funding level of this bill 650 percent from the Senate figure? The only practicle course, the only alternative feasible without huge cost is to spare the Secretary the impossible task of locating nonrural gathering lines by subjecting all gathering lines to the same rigid safety standards as all other gas pipeline.

It should also be borne in mind that much of what is now rural may well become urban in a few years. There are already crumbling gas lines beneath today's cities. At least let us avoid having them under the cities of tomorrow.

Finally, the funding for this bill should be restored to the level originally set by the Senate. This amounted to $13 million, compared to the $2 million recommended by the committee—an amount which the minority views note, "won't even provide for any meaningful Federal inspection to say nothing of the 50 percent grants to the States required under section 5c." A strict, meaningful code is necessary, but it will be worthless unless the Secretary of Transportation has the funds with which to enforce it. If we are serious about ending the growing number of tragedies caused by exploding gas pipelines, if we are sincere about controlling a situation which is regularly resulting in death and destruction, then the Secretary must have the funds with which to institute an effective program for gas pipeline safety.

Mr. Chairman, the Senate passed a strong bill. The Committee on Interstate and Foreign Commerce has reported a weak bill. In several respects it is a dangerous bill. I shall support amendments which will be offered to restore the bill to the form in which it came to the House from the Senate. Anything less would be a travesty.

Mrs. DWYER. Mr. Chairman, enactment of the present legislation, the Natural Gas Pipeline Safety Act, will help to close one of the few remaining gaps in the pattern of regulation designed to protect the safety of the American people in the transportation of products of potential danger.

The only significant type of transportation which is presently beyond the reach of effective and comprehensive safety regulation is the transportation of gases by pipeline. As the committee report points out, the Department of Transportation, which now is responsible for transportation safety regulation in other areas, also exercises regulation over transportation of gases by means other than pipeline and over transportation by pipelines of commodities other than natural gas.

Given the vast increase in the mileage of interstate transmission, gathering, and distribution lines in recent years, especially the proportion of such lines in heavily populated areas, the time for remedying this regulatory gap has long since arrived.

Pipeline transportation of natural gas is inherently dangerous, as the examples of disastrous explosions presented to the committee make abundantly clear. The rapid introduction of natural gas into urban areas and the frequent use of older city mains, intended originally to carry manufactured gas, for distributing natural gas has greatly increased the potential danger and the potential scope of danger resulting from pipeline accidents.

For these reasons, Mr. Chairman, I strongly support the present bill, both as a means of rationalizing Federal regulation of transportation safety in the public interest and of improving the quality and consistency of State regulation of natural gas pipelines.

In view of the controversy which has existed about the adequacy of certain provisions in the committee bill, I would urge our colleagues on the Committee on Interstate and Foreign Commerce to monitor with special attention the implementation of whatever legislation is finally enacted. The American people need and want and deserve every reasonable protection.

Mr. PRICE of Texas. Mr. Chairman, the propaganda and horror stories of gasline explosions and fires that have been so irresponsibly circulated and publicized over the alleged weaknesses of this bill are entirely misleading.

This bill, as it was approved by the House Committee on Interstate and Foreign Commerce, is a strong bill and an adequate bill. Most of the horrible examples portrayed by the proponents of stricter regulations and standards are accidents resulting from ruptured city distribution lines usually during excavation for construction, street repairs and the like and have nothing to do with interstate transmission lines or gathering lines, most of which do not cross State lines and which, generally are regulated by State laws, as they are in Texas.

As a rancher in an oil and gas producing area of the Texas Panhandle, I have ridden horseback and driven over many of the hundreds of smaller pipelines that carry gas from wells to larger lines, booster stations or gasoline plants. Unfortunately none of these lines are on my land.

Most of the oil and gas production in the Panhandle of Texas is old production, that is, from discoveries back in the early and middle twenties when the big Panhandle and Hugoton gas fields were discovered and later oil at Borger, Pampa and other fields. Many of these wells, especially the oil wells, are now considered marginal and produce only a few barrels of oil daily and not much gas. They are owned by hundreds of different independent and major oil companies and individuals.

And while many of these are old lines, they are also mostly low pressure lines and in very remote areas. I believe the statistics show that of the total of all gathering lines in oil and gas producing areas, some 98.2 percent are in rural areas and not near or within residential areas. In my country this would probably be closer to 99.9 percent. Most of the towns these lines come close to are prairie dog towns.

I have never known personally of an injury to anyone caused by one of these lines. In fact, the oil and gas operators have successfully depended on their own safety standards for many years for their very existence. They must get their gas to market at a reasonable cost and this factor leaves no room for costly personal or property damage resulting from inferior or improperly installed or maintained gas gathering lines.

The two main gas fields in that area extend from the Texas Panhandle into Oklahoma and Kansas for 162 miles and vary in width from 13 to 47 miles. In this strip are almost 5,000 gas wells from which 11 interstate gas lines are supplied. The actual mileage of the gathering lines needed to funnel gas into these interstate lines can only be guessed. But the cost of a new Federal safety standard when applied to these hundreds of miles of gathering lines would be tremendous and, in view of past safety records, entirely unnecessary.

The petroleum industry generally was a pioneer in safety because of the very nature of the product it produces and handles. Strict safety standards were a necessity for its own well-being and that of its employees.

Companies in my area, independents and majors alike, are proud of their safety records. And these records didn't come accidentally. They are the results of long years of engineering, education, training, and experience.

Inclusion of gathering lines was considered by the Senate committee but they were not included in the bill as it was reported but were added on the Senate floor by a close vote.

In fact, I cannot see how any inspection procedure or Federal standards for the many thousands of miles of small lines in rough and remote areas would be possible or feasible and the cost would certainly be prohibitive both to the operators and the enforcing agency.

Mr. Chairman, I oppose any amendment to the bill as it was approved by the full committee which would include further regulation of gas gathering lines.

Mr. VIGORITO. Mr. Chairman, the American citizen has the right to be protected from unsafe and unsanitary food products. For that reason we have passed the meat and poultry inspection bills. The American citizen deserves to be protected from loan sharks. For that reason we have passed the truth-in-lending bill.

Equally important, the American public has the right to be protected from other risks to life, and it has the right to turn to Congress for this protection. Today we are taking up the natural gas pipeline bill which would set nationwide safety standards for the natural gas industry.

Story after story in the newspapers recount the loss of life or the damage to property from natural gas pipeline explosions or leaks. The industry is not able to assure the country its miles of underground pipe are safe. State regulatory agencies have not been able to keep up with the inspection necessary to assure this safety.

We need nationwide, Federal standards to bring about a uniformity across the land under the jurisdiction of a strong Federal agency. A few months ago the Senate, after due deliberation and extensive hearings, passed a strong, forceful pipeline safety bill.

Unfortunately, shortly thereafter the natural gas industry turned out its lobbying forces in full strength. They said that because they kill only 44 persons per year, theirs was a safe industry and did not need Federal regulation.

I take exception to that view. The continuing loss of life requires the House take immediate action. I hope that my colleagues will heed those who urge the strengthening of the present House version of the bill so that it be similar to the Senate measure passed earlier.

The Nation is crying for consumer and citizen protection. We cannot afford to wait any longer.

Mr. DONOHUE. Mr. Chairman, I hope the House will speedily approve this Natural Gas Pipeline Safety Act of 1968, with strengthening amendments, because it is so clearly essential to the public safety and interest.

The purpose of the bill as reported is to provide for the prescription and enforcement of minimum Federal safety standards for the transportation of natural and other gas by pipeline and for pipeline facilities.

The term "transportation of gas" is defined as the gathering, transmission or distribution of gas by pipeline or its storage in or affecting interstate or foreign commerce. With exception as to gathering in certain circumstances, this means all aspects of the transportation of gas from the wellhead to the consumer.

I am particularly concerned and pleased that "storage of gas in or affecting interstate commerce" is included in the coverage as I know this factor is of very special interest to the many residents in the areas where these storage facilities are located. I have previously urged and I am gratified that this bill will rightfully provide measures and require strict standards in protection of their lives and safety and property.

Authority to improve the public safety as it is affected by transportation by private auto, bus, truck, railroad train, airplane, ship, and pipelines which carry products other than gas and water, now exists in the Department of Transportation. The only significant mode of transportation which is presently beyond the reach of effective comprehensive safety regulation is the transportation of gases by pipeline. The anomaly of this exception is that the Department of Transportation now exercises safety regulation over flammable and other hazardous gases moving other than by pipeline, and safety regulation over pipeline movements of many other commodities including petroleum but not of natural gas.

Mr. Chairman, the times and the circumstances practically dictate the essential need to federally regulate in this natural gas area in the public interest; the safety standards are reasonable and do not impose any excessive hardships upon the industry; the appropriations recommended must be judged prudent in relation to the lives and safety of the general public and by any other standard this legislation would have to be termed "good for all Americans." Let us then adopt it without prolonged delay and get on with other matters of equally urgent concern to the Nation.

Mr. BOLAND. Mr. Chairman, I want to express by strong support for the proposed amendment offered by my colleague from Massachusetts, Congressman TORBERT H. MACDONALD, to strengthen the natural gas pipeline safety bill.

As originally passed by the Senate, this bill sought the establishment and enforcement of meaningful safety standards for the 800,000-mile labyrinth of gas pipelines now sprawling throughout the United States. The bill we have before us today, however, is much weaker than the Senate version. Its most significant provisions diluted, its tough inspection and enforcement procedures made tame, S. 1166 falls far short of the goals envisioned by its initial sponsors. A high administration official termed the present bill "worse than an empty gesture."

The need for a strong bill—a bill with teeth—is obvious. Gas explosions are frequent in the United States, killing people and destroying hundreds of thousands of dollars in property year after year. A recent explosion in Atlanta, Ga., rocked a day nursery off its foundations and kindled a fire that took several lives. An earlier blast—this one in Boston, Mass.—reduced an entire city block to smoking rubble. The death and injury toll ran into the scores. A 1965 holocaust in Natchitoches, La., leveled 13 acres, killing 17 people, burning five houses, and — astonishingly — literally melting cars parked in the vicinity. Other examples culled from the headlines of newspapers are just as alarming. And what are termed minor explosions—the ones that shake private dwellings and cause superficial injuries to their inhabitants—are an equal cause for alarm. Natural gas, after all, is as potent and lethal an explosive as some of the most powerful explosives in this country's wartime arsenal. The pipelines channeling this gas to industries, businesses, and homes lie under virtually every community in the United States. Supplying about one-eighth the Nation's total fuel consumption in 1945, natural gas now supplies more than one-third. The per capita consumption, for example, has jumped from 30 to 88 British thermal units in the past 20 years. It is clear, Mr. Chairman, that the Congress must enact a law that establishes meaningful safety standards and meaningful penalties for flouting those standards.

Secretary of Transportation Boyd has testified cogently to the need for such standards in gas distribution lines as follows:

> Distribution systems have been in existence for many years and much of the original pipe is still in use even though it is now 30 or 40 years old. In some instances, it may be twice as old as that. There is no readily available information concerning past accidents in distribution systems as there is with transmission pipelines. However, in the first few months of this year, there were several major accidents in distribution systems. On January 13, there was a fire which engulfed an area equivalent to an entire block in Queens, Long Island, in which seven people were injured and 19 families left homeless. On February 19, there was an explosion in a rehearsal hall in South Milwaukee, Wis., where 250 people had been located just 20 minutes prior to the explosion, 14 people were injured. Simple chance and the heroic action of the police prevented loss of life in both these incidents.
>
> On February 27, in Hastings, N.Y., one person was killed and 15 injured and 35 families left homeless. On March 14, a crack in a main located in Logansport, Ind., caused a blowup leaving eight injured. Another recent accident occurred in Fort Worth, Tex., where a gas main failed during a test, resulting in a blowup in which 12 were injured. The most recent incident of which we are aware occurred less than a month ago, on November 11, in St. Louis. Fortunately, the office building, which reportedly was leveled, was unoccupied since the blast occurred at night. However, records and documents were destroyed and two passersby were slightly injured.
>
> How many major accidents have occurred in past years and how many minor ones this year is pure conjecture, but this emphasizes the need for safety jurisdiction over distribution lines to help prevent accidents of the type I have related.

The safety jurisdiction Secretary Boyd has called for, Mr. Speaker, would be made significantly more effective by Congressman MACDONALD's proposed amendment.

I strongly urge its adoption.

The CHAIRMAN. Pursuant to the rule, the Clerk will now read the substitute committee amendment printed in the reported bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Natural Gas Pipeline Safety Act of 1968".

DEFINITIONS

SEC. 2. As used in this Act—

(1) "Person" means any individual, firm, joint venture, partnership, corporation, association, State, municipality, cooperative association, or joint stock association, and includes any trustee, receiver, assignee, or personal representative thereof;

Mr. STAGGERS. Mr. Chairman, I ask unanimous consent that the substitute committee amendment be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

Mr. SPRINGER. Mr. Chairman, I have no objection to the first part of the request, but I believe the bill ought to be read. The substitute is all right, but I object to the fact that it would be open to amendment without reading it.

The CHAIRMAN. Objection is heard. The Clerk will read.

The Clerk read as follows:

(2) "Gas" means natural gas, flammable gas, or gas which is toxic or corrosive;

(3) "Transportation of gas" means the gathering, transmission, or distribution of gas by pipeline or its storage in or affecting interstate or foreign commerce; except that it shall not include the gathering of gas in those rural locations which lie outside the limits of any incorporated or unincorporated city, town, village, or any other designated residential or commercial area such as a subdivision, a business or shopping center, a community development, or any similar populated area which the Secretary may define as a nonrural area;

(4) "Pipeline facilities" includes, without limitations, new and existing pipe, rights-of-way, and any equipment, facility, or building used in the transportation of gas or the treatment of gas during the course of transportation, but "rights-of-way" as used in this Act does not authorize the Secretary to prescribe the location or routing of any pipeline facility;

(5) "State" includes each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico;

(6) "Municipality" means a city, county, or any other political subdivision of a State;

(7) "National organization of State commissions" means the national organization of the State commissions referred to in part II of the Interstate Commerce Act;

(8) "Interstate transmission facilities" means pipeline facilities used in the transportation of gas which are subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act; and

(9) "Secretary" means the Secretary of Transportation.

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OTTINGER: On page 23, line 14 to line 21, strike "except that it shall not include the gathering of gas in those rural locations which lie outside the limits of any incorporated or unincorporated city, town, village, or any other designated residential or commercial area such as a subdivision, a business or shopping center, a community development, or any similar populated area which the Secretary may define as a nonrural area;".

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. OTTINGER. Mr. Chairman, the purpose of the amendment is to remove the exemption for rural gathering lines from coverage under the Gas Pipeline Safety Act. The Senate-passed bill contains no such exemption, and I see no justification for it here.

Gathering lines, as so well spelled out by my friend and colleague from North Carolina, are lines which bring natural gas from the wellhead to the point at which the gas is either processed or put into large interstate transmission lines. Some 63,000 miles of these gas-gathering lines exist today, and the Department of Transportation estimates that there will be some 86,000 miles of those gathering lines by 1980. This is about one out of every 12—3 percent of the entire 800,000 miles of gas pipelines in the country today.

The testimony before the committee shows that gathering lines exist in States all over the country, and do not just in the major producing States.

The following is a list of the States and their mileage of gathering lines:

1. Texas	10, 280
2. New Mexico	7, 030
3. Pennsylvania	6, 830
4. Kansas	6, 494
5. Oklahoma	6, 450
6. Ohio	4, 330
7. Kentucky	3, 450
8. Louisiana	2, 440
9. West Virginia	2, 020
10. Colorado	1, 160
11. Montana	1, 140
12. New York	820
13. Wyoming	770
14. California	710
15. Michigan	620
16. Arkansas	580
17. Utah	470
18. Indiana	320
19. Mississippi	140
20. Illinois	80
21. Iowa	70
22. Maryland	60
23. Nevada	40
24. North Dakota	20
25. Virginia	10

It is thus seen that many highly populated industrial States have more gathering lines than the producing States. The State of Pennsylvania has three times the mileage of gathering lines that the State of Louisiana has, the second producing State.

Nor, of course, does the fact that many of these gathering lines do exist in rural areas mean they are not hazardous to life. One of the largest and worst recent explosions in Natchitoches, La., killed approximately 17 people on March 25, and those people are just as dead, and it is just as much a tragedy for their friends and family, as it would be if such an explosion took place in an urban area.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield for a question on that particular incident?

Mr. OTTINGER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, is not the incident to which the gentleman referred an incident that occurred in a populated area that would be covered by this bill? Natchitoches is a fairly well populated town.

Mr. OTTINGER. The town was classified by the pipeline company and by the State regulatory agency for the purpose of determining safe operating pressure as a "Class 1" rural location.

Mr. EDMONDSON. What I am saying is that under the terms of this bill, it would not be an exempted area, as I read the language of paragraph 3 of section 2.

Mr. OTTINGER. It might or might not be, depending on whether it was a populated part.

The rural areas of this country are also being very rapidly developed. It is a fact of life that the farm is attractive to the developer-entrepreneur, and today's cow pasture may well become tomorrow's Levittown, as indeed happened in Long Island. There is no way to predict where the next development will occur. This bill requires the Secretary to know where the next developments will be in our rural areas and subject them to regulation. It puts him in a position of having to be aware of every land development project in the country. If the Secretary fails to foresee a future subdivision the result might well be that the residents of that area could find themselves sitting on an unsupervised powder keg. This is an unreasonable burden to place on the Secretary and will result in inadequate protection for people in developing areas of the country.

Gathering lines are no safer than any other lines. While some are of smaller diameter and lower pressure, testimony before the committee and the other body shows that approximately 41 percent of the gathering lines operate at pressures of 200 pounds per square inch or greater. These lines may go as high as 20 inches in diameter and run to 1,200 pounds per square inch of pressure.

Opponents of the amendment point out there has been a commendable safety record in the industry for gathering lines, and I certainly agree with that but statements were made in the general debate, and several times repeated, that there have been no accidents at all on the gathering lines.

The CHAIRMAN. The time of the gentleman from New York has expired.

(By unanimous consent, Mr. OTTINGER was allowed to proceed for 5 additional minutes.)

Mr. KUYKENDALL. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman from Tennessee.

Mr. KUYKENDALL. Mr. Chairman, I thank the gentleman for yielding. Mr. Chairman, is it not true—by the way, I am sorry there is not someone from Louisiana who could talk about this and clear up the discussion about the village of Natchitoches, La.—that the accident occurred on a transmission line and not on a gathering line.

Mr. OTTINGER. It appears in the Senate hearings. I do not know if I can give the gentleman the exact page. I believe it is page 346 of the hearings before the Committee on Commerce of the Senate, which describes that as a gathering line.

Mr. KUYKENDALL. The evidence we have is that there have been no deaths on gathering lines at all in the last 6 years.

Mr. OTTINGER. The testimony in the Senate indicates there have been three accidents within the past 6 years, that two involved only minor injuries and that one particular incident involved four deaths.

Mr. Chairman, I am sorry, I believe the gentleman is quite correct. The accident in Natchitoches did not involve a gathering line; it was an accident in Bartlesville, Okla., that involved gathering lines to which the testimony refers.

Mr. KUYKENDALL. Mr. Chairman, will the gentleman yield further?

Mr. OTTINGER. I yield to the gentleman from Tennessee.

Mr. Chairman, that is on page 14 of the testimony. The gentleman is quite correct. There have been three gathering-line accidents, but the Natchitoches accident was not one of them. The Natchitoches accident was merely cited as an example of a rural gas pipeline explosion.

Mr. KUYKENDALL. It was not on a gathering line.

Mr. OTTINGER. It was not on a gathering line, the gentleman is quite correct.

Mr. KUYKENDALL. So it does not apply in this case at all.

Mr. OTTINGER. It applies in this case, because an argument is made that because many gathering lines are in rural ares there is no real danger.

Mr. KUYKENDALL. Was that not in the city of Natchitoches, La.?

Mr. OTTINGER. I do not know whether it was in the city proper. It was classified as a rural area.

Mr. KUYKENDALL. By whom?

Mr. OTTINGER. I do not know the size of the town. It was classified by the pipeline company itself and by the regulatory commission.

Mr. KUYKENDALL. The Secretary of Transportation does not say this was a rural area.

Mr. OTTINGER. The Secretary of Transportation had no jurisdiction at the time. The bill before the House today could provide him with the necessary jurisdiction.

Mr. KUYKENDALL. Under this bill he would have jurisdiction.

Mr. OTTINGER. Under this bill he would or would not, depending on whether it was classified as a rural area.

There have been three gathering-line accidents. One of them was in Bartlesville, Okla., to which I referred. It killed four people. This accident took place when a Phillips Petroleum Co. gathering-line froze, and two safety devices failed to operate to relieve the pressure. All those killed were company employees living near the station where the accident took place. It is that accident which is related in the testimony in the Senate hearings at page 346.

Mr. KUYKENDALL. When did this accident take place?

Mr. OTTINGER. I do not have the date this accident took place. I would have to look it up.

Mr. JARMAN. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I yield to the gentleman from Oklahoma.

Mr. JARMAN. Where did the accident take place?

Mr. OTTINGER. The accident took place in Oklahoma, at the Phillips Petroleum Co. compressor station. The hearings are not clear about the name of the community but seem to refer to Bartlesville. They do specify it was a gathering line.

The point of all this is that gathering-line accidents can and do happen. People can and do get killed by them.

I do not feel there is any need to gamble for these stakes. An adequate and enforcible pipeline safety bill cannot guarantee a perfect record in the industry, but it can measurably improve the odds.

Gathering lines at the present time are totally exempt from regulation. Under this bill the rural gathering lines would be totally exempt from regulation.

I do not see that any of the people who oppose this amendment have spelled out any real objection to placing them under regulation. They say perhaps it is not fully necessary, and perhaps these lines in the rural areas will not jeopardize as many lives as those in urban areas, but there is no real reason put forward that shows any harm that would be done by bringing these gathering lines under regulation.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. OTTINGER. I am happy to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I have checked the population of Natchitoches, La. It is an incorporated community and has 13,924 people. It is inconceivable to me it would be defined as a rural area, excluded by the terms of this bill.

Mr. OTTINGER. Does the gentleman know whether the explosion took place in the town or in the rural environs of the town? The area where the explosion occurred was classified as a rural area by both the gas company and the regulatory commission.

Mr. EDMONDSON. I say that the bill would cover that community as a town, and that would not be a rural area.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

I dislike very much to oppose my very good friend who is also a hard-working member of our subcommittee, but in the testimony which was given to our subcommittee it was stated repeatedly, and nobody contradicted it, that the safety record of the gathering lines was 100 percent. I call the gentleman's attention to our committee report, on page 19. Testimony was offered as to the safety record of these gathering lines, and it is stated that no man days had been lost as a result of accidents on gathering lines during the past 6 years.

That means not only were there no fatalities but, according to the records that have been kept, there was not a person who lost a day's work on the gathering lines during the last 6 years by reason of gathering-line accident.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. MACDONALD of Massachusetts. I will in just a minute.

Mr. OTTINGER. Because that is inaccurate.

Mr. MACDONALD of Massachusetts. I have not yielded yet. I will be happy to yield when I finish.

The CHAIRMAN. The gentleman refuses to yield.

Mr. MACDONALD of Massachusetts. For the moment.

In the second place, the point is made by the gentleman from New York that this is a fast-growing nation and some area that might be a rural area in 1969 could be urbanized by 1970. That is the reason why we gave to the Secretary the right to reclassify these lines and to say that while at one time as gathering lines they offered no problem as far as danger is concerned, conditions have changed and now they should come under the jurisdiction of the Secretary.

Third, I point out to the gentleman that with the amount of money we have given to the Secretary in this bill and the number of hundreds, literally thousands, of lines that are used by the gathering companies, it would be virtually impossible for the Secretary to have agents in sufficient quantity to carry out any inspection.

Now I am glad to yield to the gentleman from New York.

Mr. OTTINGER. I would question the statistics of the gentleman from Massachusetts. I note the Senate hearings wherein it was stated by Stanley Learned, vice chairman of the board of directors of Phillips Petroleum Co., on July 10, 1967, that 5½ years previous a very serious explosion occurred in Bartlesville, Okla., which killed four people on a gathering line. The gentleman may be technically right on the 6 years by a few days, but here is a very serious accident that took place on a gathering line about 6 years ago.

Mr. MACDONALD of Massachusetts. I would point out to the gentleman that we are working on a bill that came out of our subcommittee and our committee. If the gentleman wants to go to the Senate for his information, maybe he should have done so before the witnesses testified before us and then asked questions about this matter. Perhaps it would have been cleared up then. As the record stands and as I repeat, there have been no accidents on a gathering line that would cause even, not just a fatality, but a loss of 1 working day.

Therefore, Mr. Chairman, I urge that the amendment be defeated.

Mr. OTTINGER. Will the gentleman yield further.

Mr. MACDONALD of Massachusetts. I yield to the gentleman.

Mr. OTTINGER. You come very close in your technicality as to whether it is within 6 years and maybe 1 or 2 weeks or months but the danger exists. It seems to me it would be worthwhile protecting against. I fail to see what would be the harm of subjecting these lines to regulation. I also wish to point out that a witness before our own committee described the same accident, although not in as much detail, at page 115 of the record.

Mr. KUYKENDALL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would like to join the chairman of the subcommittee in opposition to this amendment. Of all the amendments I have heard which are proposed to be offered to this legislation I think this is probably the most uncalled for amendment. The gentleman from New York says repeatedly, "Why not?"

Well, my independent survey has found out that the largest hazard with respect to gathering lines in this country is from rattlesnake bites. Why not regulate them? Why start saying "Why not?" on the regulation of something where there has been a safety record which shows this has been completely safe in the past 6 years? Whether or not this accident occurred in the city of Bartlesville, Okla., if it did, the bill as it was passed out from our committee would clearly have regulated the area of that accident. This is under the bill as it came out of the committee.

I think it is time that we realized when we take a blanket arbitrary regulation of an area that requires no regulation there is no such thing as a free ride. This is just another of the many, many ways in which we can add to the terrific burden of both business and Government costs in this Nation. When we do this it ends up being paid for right out of the pockets of the taxpayers. When we are talking about something where the safety of citizens is involved, then we simply do not object to additional cost, but we do object to it when there is no hazard whatsoever.

There are many, many cases where people can be and may be hurt in the various hazardous things that exist across this country. Why not have Federal regulation of all privately owned sporting lakes? There are 10 times as many people who are drowned there as there are people killed by gas explosions. We simply know that this is an impractical thing.

I think the gentleman underestimates the ability of the Secretary in regard to his ability to keep up with subdivisions as they are being constructed. The contractor or any resident of this subdivision can report its existence to the Government and it will immediately come under regulation.

Mr. JARMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to take this opportunity to point out the fact that gas transportation is handled in three broad phases. No. 1 is the gathering lines which take gas from wells to No. 2, the transmission lines which take gas to the areas of consumption, and No. 3, the distribution lines that deliver gas to consumers. The distribution lines are small in diameter, low pressure lines but are located in populated areas while the transmission lines are located in less populated areas but are normally large in diameter with high pressure. The gathering lines which take the gas from the wells are small in diameter, low pressure, with 98 percent of mileage in rural or unpopulated areas.

This bill covers natural gas distribution lines, transmission lines, and gathering lines in populated areas. It does not cover field gathering lines in rural areas where some 98 percent of the total gathering line mileage is located.

These are the lines which gather gas from several hundred thousand scattered producing wells located in prairies, hills, mountains, marshes, swamps, and offshore with no exposure to the public.

As has been pointed out in the debate so far, the record shows that the industry's safety experience in the operation of these gathering lines has been excellent. The record also shows that there will be a tremendous administrative burden on the Government and industry if Federal regulation is unnecessarily extended to the thousands of producer-gatherers. This would only result in the completely unjustified expenditures of tax dollars at the very time when there are unparalleled priorities for Federal funds, and when every possible economy is being sought.

In conclusion, Mr. Chairman, it should be emphasized that the bill does apply to the gathering lines which are in populated areas, or areas which becomes populated. I sincerely believe, Mr. Chairman, that the committee language does provide an entirely sensible solution.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I want to compliment the gentleman from Oklahoma on his excellent argument, and join him in his position. I also wish to point out to my good friend from New York that, rather than having a contradictory industry statement with regard to Oklahoma explosion that was referred to, testified about by Mr. Learned in 1967, that the record was very clear both in the House and Senate that this explosion had happened at a company camp, and not in the city of Bartlesville, as our colleague apparently thought it had. Also the record is clear that it happened back in January 1962, which is clearly more than 6 years ago, and in complete conformity with the record cited by the gentleman from Massachusetts with regard to the 6-year safety record of gathering lines.

Furthermore, the language in the committee bill very clearly makes it in order to have regulation in a community like Natchitoches in Louisiana, or in a company camp. If a company camp should be defined by the Secretary as a nonrural area, it also could be a regulated area. And in a truly rural area you would not have the problem.

So, Mr. Chairman, I belive that the language is good language, and it should be retained, and that the amendment should be defeated.

Mr. JARMAN. I thank the gentleman from Oklahoma for his contribution.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I would be happy to yield to my colleague from Oklahoma.

Mr. BELCHER. Mr. Chairman, the gentleman from New York who offered the amendment stated the Secretary had to look at all of these lines to see where there were dangerous spots that he would declare as nonrural, but that would be a tremendous task. Well, if he takes the whole 63,000 miles under his supervision the Secretary is going to have to patrol the whole 63,000 miles when, as a matter of fact, 98 percent of that mileage is absolutely in a spot that could not cause any danger.

Nine times out of 10 he will find that gas explosions occur because of gas leaking under a building, where it becomes confined in some one particular spot, and then somebody touches a match or creates a spark, and it blows up.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

(On request of Mr. BELCHER, and by unanimous consent, Mr. JARMAN was allowed to proceed for 2 additional minutes.)

Mr. BELCHER. Mr. Chairman, will the gentleman yield further?

Mr. JARMAN. I will be happy to yield further to the gentleman.

Mr. BELCHER. Mr. Chairman, the gathering lines that go out through the country, if there should happen to be a leak in one of them it will not cause an explosion because the gas passes off into the air. So, Mr. Chairman, to cause the Secretary to patrol 63,000 miles just because 1 or 2 percent of that particular area might be dangerous is certainly a great waste of time and money.

Mr. Chairman, I believe all of us want safety insofar as gas transmission is concerned, but let us put the inspection and the standards on the places where the danger actually is, and not on the 63,000 miles where there is no danger.

Mr. JARMAN. I thank the gentleman.

Mr. WAGGONNER. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I yield to my colleague from Louisiana to help straighten out the record.

Mr. WAGGONNER. Mr. Chairman, the gentleman spoke about the explosion in Matchitoches, La. First of all, it is Natchitoches, La. It was not in a gathering system line, it was in a transmission line.

But we ought to ask just one question about this entire matter.

The author of this amendment says, "Why not extend this regulation to the gathering lines?"

The Government cannot enter into regulation on that basis. The Government must justify the necessity to extend regulation to any area of your line. So we are putting the cart before the horse when we approach it in that manner. You must be able to justify that inclusion with some reason and when the reasons are not evident for extending regulation to the gathering system lines as is the case the amendment should be defeated.

Mr. JARMAN. I thank the gentleman for completing the record.

Mr. DINGELL. Mr. Chairman, I rise in support of the amendment.

My good friend, the gentleman from Oklahoma [Mr. BELCHER] has just made a very persuasive argument in favor of a later amendment that will be offered to this bill to get the Government out of the business of patrolling lines by assuring sufficient advance control by the Secretary to assure that step-by-step inspection of the lines is not necessary.

My other colleagues who have spoken have also pointed out the evils of trying to regulate natural gas pipelines safety in this fashion.

I would point out, Mr. Chairman, that if this amendment is adopted and the next amendment dealing with the fashion in which the Secretary will regulate these pipelines is adopted, we will have evolved a fair, safe, and efficient pattern of regulating with safety the pipelines from the wellhead to the burner tip.

It is true that there is a good record in terms of safety in the gathering lines.

The bill that was sent to us from the Senate regulated gathering lines.

The bill that was presented to the committee and which is right now presented to the floor does not regulate these gathering lines where they are in rural areas.

I believe fundamental fairness to every person in this Nation and also to the pipeline companies requires that we should regulate these gathering lines in both rural and urban areas. It does not mean gathering lines are going to be regulated in precisely the same way that the large high-pressure line is regulated. As a matter of fact it is neither necessary nor desirable that this should be done.

But I believe it is necessary if they should be regulated because, with the tremendous increase in urban growth, an area which was rural in character today may tomorrow become an area which is highly urban and could be, as my good friend, the gentleman from New York State [Mr. OTTINGER], pointed out, become a Levittown of tomorrow.

Obviously, it is unfair to the population to leave such lines unregulated and to have a town built upon or about them; it is equally unfair to the pipeline and gas companies to have the regulation then changed so that they are under an entirely new and different set of standards than they were before. Such a situation might then require that the gas company take up the pipe, or change the pumping stations, or change the kind of pipe or fittings, and change the pipe material or pressure levels. It could require the doing of many expensive things that might be necessary to restore that pipeline to a condition which is safe for those many hundreds and many thousands of people who might at this time surround it.

It has been pointed out that the problem is not one of explosions always—and that is true. It is always anywhere where there is a possibility of an extremely dangerous flare that comes out of these lines—it is the problem of both.

The leakage of these things going into a sewer or going into a home or a church or a building is extremely destructive whether it comes from low-pressure lines or high-pressure lines.

What we are saying is—this amendment establishes a pattern of fairness.

Coupled with the other amendments which will be offered at a later time, it says that we will afford the pipeline industry a fair regulation. And, if the second amendment be taken, to absolve the Secretary of the burden of patrolling many thousands of miles of pipelines. It says rather that he will lay down fair standards before these gathering lines are built, so that everybody who puts down a gathering line will know the rules of the game and so that he will understand that, if a Levittown is put on his gathering line, what standards he is compelled to meet.

In areas like the Sacramento River Delta there is, I think, a very good example of the reason for this amendment, because there is a tremendous amount of homebuilding going on there right in the middle of a major gas-gathering area.

What we say is simply this. The gathering lines and those who operate these gathering lines should be subject to reasonable regulation so that there will not be a change in the rules in the middle of the game. They also should know what they are faced with as they go forward and as they gather the gas.

After the pipeline has been laid down, for some period of time, the operator of that pipeline ought not to be compelled to face an altogether different and new set of regulations, and possibly the prospect of tearing up the lines, tearing up the valves, the fittings, and the pumps.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. Just to keep the record straight, I would call the gentleman's attention to the fact that, after having heard the testimony that our good friend, the gentleman from New York [Mr. OTTINGER], read into the RECORD, the committee in the other body exempted gathering lines, and it was only put back by one fairly influential Member of the other body in a very arduous debate on the floor of that body.

Mr. DINGELL. I want to thank my good friend for that item of history but it does not move me very much.

Mr. ECKHARDT. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. ECKHARDT. Mr. Chairman, I hesitate to rise at this time——

Mr. FRIEDEL. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. ECKHARDT. I yield to the gentleman from Maryland.

Mr. FRIEDEL. I would like to inquire whether we can limit time on this amendment to 10 minutes.

Mr. SPRINGER. That is satisfactory.

Mr. FRIEDEL. Mr. Chairman, I ask unanimous consent that debate on this amendment be limited to 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

Mr. WATSON. Mr. Chairman, reserving the right to object, would the time limitation begin after the completion of the time allotted the gentleman in the well?

The CHAIRMAN. The time would begin after the time of the gentleman from Texas expires.

Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GERALD R. FORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GERALD R. FORD. Do I understand that the 10 minutes will be equally divided among the Members standing at the time the request was made?

The CHAIRMAN. The gentleman is correct.

The Chair recognizes the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I would like to point out to the House that the amendment must be stricken if this bill is to be effective in view of the provision of section 3(b). Under section 3(b) on page 25 it is provided that standards affecting the design, installation, construction, initial inspection, and initial testing shall not be applicable to pipeline facilities in existence on the date such standards are adopted. Therefore, if an area is rural at the time of construction of the pipeline, it is excluded.

I live in a rural area approximately 21 miles away from Houston. A little while ago, within about a half mile of my house, there was drilling for gas. There could be no regulation under the provisions of 3(b) because such gas-gathering lines as might have been laid would be altogether outside of the regulation of the act, as long as they were in a rural area.

But the property I live on presently is within a short distance of a quickly developing airport, to the point where the values of properties have gone up from $1,100 an acre to approximately $4,000 an acre in about 5 years.

Now, that means, of course, that as long as the regulation providing a grandfather clause for rural areas exists, the opportunity to regulate these gathering lines, even after the development of this area, will be effectively prevented.

Mr. BUSH. Mr. Chairman, will the gentleman yield?

Mr. ECKHARDT. I yield to the gentleman from Texas.

Mr. BUSH. I am familiar with the lovely area in which my distinguished colleague lives. It is my understanding that the Secretary would designate this area as an area which would come under this. I think what the proponents fear is that the vast areas of Texas with which my colleague is familiar——

Mr. ECKHARDT. I can answer your question right now, and I would prefer to do that. The area in which I live is presently a rural area or an area outside the limits of an incorporated city, nor is it a designated residential or commercial area.

As a matter of fact, most of that part of Harris County is not. The point is simply this, that since it is not at the present time, the Secretary will not have the authority in the future to go in and so designate it, because of the change in the provisions of the old Senate language to 3(b). In 3(b) it was provided that the Secretary could go in and subsequently change the designation with respect to the dangers to such areas, but this was stricken out also in the changes by the Interstate and Foreign Commerce Committee of the House.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield for a further question?

Mr. ECKHARDT. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, even though the gentleman does not live in an incorporated or in an unincorporated town area, would the gentleman not feel he does live in a community development or a similarly populated area which the Secretary may define as a nonrural area, if it is being developed heavily as the gentleman says?

Mr. ECKHARDT. My land is not presently being developed heavily, but property values are going up in anticipation of development. The land I live on and that many of my neighbors live on, who are farmers, is wholly rural and is held in acreages. The Secretary under present provisions of the act is limited to those areas which are presently urban and presently developed, not those which are potentially developable.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield for a correction?

Mr. ECKHARDT. In just one moment I shall.

Under the provisions of the Senate bill, in section 3(b), it was provided, in a proviso that was added to the bill, that standards affecting design, installation, and construction shall be exempt. It said that "unless the Secretary finds that a potentially hazardous situation exists, in which case he may by order require compliance with any such standards." That is found in the stricken language on page 4. Had that not been stricken out, it would have taken care of the situation.

In the new language on page 26 the Secretary is required to find "a particular facility to be hazardous" and then he may require only the "person operating such facility" to remove the hazard. This does not seem to permit general orders to enforce generally applicable standards. Thus areas which become populated after the passage of the bill cannot be protected by general standards unless this amendment passes.

The CHAIRMAN. The chair recognizes the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Chairman, in summary I would just say about gathering lines that there are a tremendous number of them throughout the country—63,000 miles. Many of the areas in which they are located are fast developing areas. There have been fatal explosions in gathering lines. The danger from gathering lines is very substantial. Some of them are just temporary installations, and the same pipe is used over and over again at different locations. Some of the lines carry sour gas which is particularly corrosive.

As long as there is substantial danger to human life, and as long as we are purporting to protect the public from explosions in gas pipelines, I think these lines ought to be included.

I think the burden on the Secretary to keep track of all land that is developing throughout the country, so he will be able to place them under regulation in the newly developing areas, is an unreasonable one. The Secretary ought to be able to establish regulations that will apply to all potential areas. As my good friend, the gentleman from Michigan [Mr. DINGELL], so ably pointed out, when the area does develop, the people there will be secure, and the land over which they are building will be safe.

I ask support of the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from South Carolina [Mr. WATSON].

Mr. SPRINGER. Mr. Chairman, I ask unanimous consent that I may yield my time to my colleague from South Carolina.

Mr. TALCOTT. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The Chair recognizes the gentleman from South Carolina [Mr. WATSON].

Mr. WATSON. Mr. Chairman, I trust we can wrap this up in 1½ minutes or so and will not have to take advantage of the generosity of my colleague.

First of all, I think this amendment should be defeated because, in the words of the author himself, we are imposing a tremendous burden on the Secretary of Transportation. There are over 700,000 miles of transmission and distribution lines; yet the author of the amendment would add to that burden the control and supervision, and so forth, of 63,000 miles of gathering lines.

So, if we really want to help the author of the amendment and lighten the burden on the Secretary of Transportation, we will vote down his amendment.

Second, even the author of the amendment said the companies have an impeccable record so far as safety is concerned on the gathering lines. If it is not impeccable, certainly it is worthy of emulation so far as safety is concerned.

If the Members are still concerned, if there is any future problem in this area, the Secretary of Defense has the authority to come in and to label any area with gathering lines as a nonrural area, and they will come under the purview of this bill. There is no question about any hearings or other action prior to such a determination. It is exclusively under the authority of the Secretary.

Let us go along with the author of the amendment and not impose an additional burden on the Secretary of Transportation by voting down his amendment.

Mr. KORNEGAY. Mr. Chairman, will the gentleman yield?

Mr. WATSON. I yield to the gentleman from North Carolina.

Mr. KORNEGAY. The gentleman inadvertently referred, I believe, to the Secretary of Transportation as the "Secretary of Defense."

Mr. WATSON. I thank the gentleman for his correction. Certainly that is correct. I am sure the Members are aware of the fact that the administration of this bill will vest in the Secretary of Transportation and not the Secretary of Defense.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, the author of the amendment, in an effort to justify the amendment, has said that as long as substantial danger to human life exists there should be regulation of these gathering lines. But it appears to me that he has, in offering the amendment, done no more than allege that there is danger, because he has failed miserably to demonstrate that in fact there is substantial danger to human life in the use of these gathering lines. Therefore, he has not in any way justified the need for regulation of these gathering system lines.

There is one thing nobody has called attention to here. The inference has been made that these companies who own these lines and the contractors who install these lines purposely go out and construct slipshod and unsafe lines just because they do not have Federal regulation and can get by with it. It ought to be abundantly clear that the companies who own these lines and the gentlemen who work for the contractors who actually do the construction and installation work themselves are just as much concerned about safety as anybody else, because whose lives are at stake if something does happen? It is the lives of the employees of the company which owns the lines and the employees of the contractors who construct the lines.

Let us put first things first. That is what those people do. They try to do a good job. They try to see to it that the lines that are built and constructed are safe to begin with, because they have more at stake than anybody else. The liability which is theirs makes this not only desirable but mandatory on their part.

This Congress should write this legislation not Betty Furness.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, I yield to the gentleman from Texas [Mr. BUSH].

Mr. BUSH. I thank the gentleman for yielding.

I should like to point out, in a continuation of the colloquy I had with my colleague from Texas [Mr. ECKHARDT], that several members of the committee have now advised me that the area he refers to, which is where he lives, and is in a county I represent as well, would be covered under the language on page 23, line 20. I am familiar with that area, and I am confident that is so. I wanted the record to reflect that the Secretary could take in this type of area, where there are several houses along the street the man lives in. I believe the record should reflect that.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Texas.

Mr. ECKHARDT. My colleague from Texas mentions my area. I know positively that a great portion of the area across the creek is acreage. If anyone here will state that mere acreage in which there is a potential of residential development is covered by the definition I should like to hear it, because I believe it would be important to the construction of the bill with respect to legislative intent. As I read the bill there must be present development, not mere undeveloped acreage which may have that potential.

Mr. SPRINGER. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. KORNEGAY].

Mr. KORNEGAY. I thank the gentleman for yielding.

I should like to answer that point by stating that in my opinion, and I believe the opinion of the subcommittee and of the full committee, because this matter was discussed in both those bodies, once a subdivision is placed on record in the county courthouse it would come under the act.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. FRIEDEL] to close debate on this amendment.

Mr. FRIEDEL. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. OTTINGER].

The amendment was rejected.

Mr. SMITH of Oklahoma. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SMITH of Oklahoma. Mr. Chairman, I rise in opposition to the amendment. The safety records of the companies mentioned, like any other industry, are subject to improvement; however, the management has been most diligent in pursuing this objective and I believe their record will speak for itself.

Essentially, it is my opinion that the several States are generally capable of implementing safety standards that are in keeping with the best interests of all concerned and there is no worthy, practical objective to be served by the passage of this amendment, and I urge its defeat.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

STANDARDS ESTABLISHED

SEC. 3. (a) As soon as practicable but not later than three months after the enactment of this Act, the Secretary shall, by order, adopt as interim minimum Federal safety standards for pipeline facilities and the transportation of gas in each State the State standards regulating pipeline facilities and the transportation of gas within such State on the date of enactment of the Act. In any State in which no such standards are in effect, the Secretary shall, by order, establish interim Federal safety standards for pipeline facilities and the transportation of gas in such State which shall be such standards as are common to a majority of States having safety standards for the transportation of gas and pipeline facilities on such date. Interim standards shall remain in effect until amended or revoked pursuant to this section. Any State agency may adopt such additional or more stringent standards for pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commissioner under the Natural Gas Act as are not incompatible with the Federal minimum standards, but may not adopt or continue in force after the interim standards provided for above become effective any such standards applicable to interstate transmission facilities.

(b) Not later than twenty-four months after the enactment of this Act, and from time to time thereafter, the Secretary shall, by order, establish minimum Federal safety standards for the transportation of gas and pipeline facilities. Such standards may apply to the design, installation, inspection, testing, construction, extension, operation, replacement, and maintenance of pipeline facilities. Standards affecting the design, installation, construction, initial inspection, and initial testing shall not be applicable to pipeline facilities in existence on the date such standards are adopted. Whenever the Secretary shall find a particular facility to be hazardous to life or property, he shall be empowered by order to require the person operating such facility to take such steps necessary to remove such hazards. Such Federal safety standards shall be practicable and designed to meet the need for pipeline safety. In prescribing such standards, the Secretary shall consider—

(1) relevant available pipeline safety data;

(2) whether such standards are appropriate for the particular type of pipeline transportation;

(3) the reasonableness of any proposed standards; and

(4) the extent to which such standards will contribute to public safety.

Any State agency may adopt such additional or more stringent standards for pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act as are not incompatible with the Federal minimum standards, but may not adopt or continue in force after the minimum Federal safety standards referred to in this subsection become effective any such standards applicable to interstate transmission facilities.

(c) Any standards prescribed under this section, and amendments thereto, shall become effective thirty days after the date of issuance of such standards unless the Secretary, for good cause recited, determines an earlier or later effective date is required as a result of the period reasonably necessary for compliance.

(d) The provisions of subchapter II of chapter 5 of title 5 of the United States Code shall apply to all orders establishing, amending, revoking, or waiving compliance with, any standard established under this Act. The Secretary shall afford interested persons an opportunity to participate fully in the establishment of such safety standards through submission of written data, views, or arguments with opportunity to present oral testimony and argument.

(e) Upon application by any person engaged in the transportation of gas or the operation of pipeline facilities, the Secretary may, after notice and opportunity for hearing and under such terms and conditions and to such extent as he deems appropriate, waive in whole or in part compliance with any standard established under this Act, if he determines that a waiver of compliance with such standard is not inconsistent with gas pipeline safety. The Secretary shall state his reasons for any such waiver. A State agency, with respect to which there is in effect a certification pursuant to section 5(a) or an agreement pursuant to section 5(b), may waive compliance with a safety standard in the same manner as the Secretary, provided such State agency gives the Secretary written notice at least sixty days prior to the effective date of the waiver. If, before the effective date of a waiver to be granted by a State agency, the Secretary objects in writing to the granting of the waiver, any State agency action granting the waiver will be stayed. After notifying such State agency of his objection, the Secretary shall afford such agency a prompt opportunity to present its request for waiver, with opportunity for hearing, and the Secretary shall determine finally whether the requested waiver may be granted.

Mr. MACDONALD of Massachusetts (during the reading). Mr. Chairman, I ask unanimous consent that the section be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDMENT OFFERED BY MR. MOSS

Mr. MOSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Moss: On page 25, line 24, strike out "adopted. Whenever the Secretary shall find a particular facility to be hazardous to life or property, he shall be empowered to require the person operating such facility to take such steps necessary to remove such hazards." and insert in lieu thereof the following: "adopted, unless the Secretary finds that a potentially hazardous situation exists, in which case he may by order require compliance with any such standards."

Mr. MOSS. Mr. Chairman and my colleagues of the committee, this amendment, unlike the previous amendment, does not rest upon a theory that there are no accidents of record where serious property loss or damage has occurred. The facts of serious explosions, numerous ones, running into millions of dollars of property loss and the loss of many lives, are incontrovertible. I have, for example, the headline here of the San Jose, Calif., morning paper for Thursday, May 9, 1968. This reports damage in excess of $1 million. It reports the complete destruction of four homes and the wreckage of 20 others, with the knocking out of windows in an area of more than 32 square blocks.

Now, we all know of the tragedies in Indiana and New York. There have been recent ones here in this area. We are talking about 800,000 miles of line. Under the legislation as it reached this body, the Secretary was empowered to impose standards when he found a potential hazard existed. In other words, he could order the correction of a type of valve if he found that that type of valve had failed and had set itself in operation.

Mr. Chairman, I am also concerned with the replacement of a type of item needed improvement in other communities, and the lack of performance of the equipment. This would be very similar to the type of operations which deal with automobiles in replacing those types of mechanisms under certain circumstances. In other words, it would be comparable to the authority which we have given for the manufacturers of automobiles to recall certain of those automobiles under certain circumstances. We do not require a finding of defect in every instance. If there is a defect in the automobile, the owner is notified before the defect has been discovered by him. The manufacturer is required to give full notice that a type of replacement would be required for safe performance.

In other words, the legislation would require procedures that would wipe out that approach of finding the defect in 800,000 miles of gas lines. It would be an impossible situation and would impose an impossible burden on the Secretary and he could not make the correction immediately and precise. It would clearly be a most difficult task to locate.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. You have many photographs and pictures of gas lines—gas pipelines—in the Speaker's lobby, some of which particularly tear at the hearts of all of us. There is one picture of a father reaching for his child at one city in Georgia in which I am particularly interested, and that is Hapesville, Ga.

I am sure that situations of this kind are not prevalent and have not occurred throughout the State of Georgia, and I just wondered if the gentleman from California was undertaking to play on the heartstrings of the Members of the House.

Mr. MOSS. Mr. Chairman, I decline to yield further.

I do not want this presentation to appear as a misrepresentation such as bringing in a bulldozer and breaking a gas main and thereby endangering the lives of many people. That is not my reputation in the House of Representatives. I am talking about instances of failure of gas lines and gas facilities. That is what I am concerned with. I am not trying to create a chamber of horrors which would misrepresent the facts.

On the other hand, the evidence is abundant and uncontroverted that failures in operation have repeatedly occurred all over this country. It will undoubtedly be alleged during the course of this debate that the gas industry is just as interested as each one of us in seeing safety prevail. I would not challenge that, but I point out that the failure to achieve safety has caused the legislation of regulatory provisions from the beginning of this Congress as an institution of lawmakers, and each time a further step toward regulation has been taken, a plea of the concern of those to be regulated has been interposed.

We were urged not to approve the automobile safety legislation because after all, the manufacturers of autos were just as interested as the buyers in building a safe machine, but we did regulate the manufacturers, and we have had to regulate many other areas of our daily activity to achieve order and safety.

I predict that whenever an effort is made to regulate, the same arguments will be offered.

So let us not deal with that. Let us look squarely in the record—and it is a very extensive one—of the actual failure in operation of these facilities. We are grandfathering dynamite under the streets of America—make no mistake—that is the result unless the amendment is adopted.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WAGGONNER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, as I understand the amendment offered by the gentleman from California, he proposes to get rid of what is known as the grandfather clause now written into the legislation presented to us by the committee.

The best argument in opposition to this amendment was made by the gentleman from Michigan [Mr. DINGELL] on the previous amendment where he said that it would be unfair and wrong to let anybody construct a gathering line which might at some future time come under the regulation of the Federal Government wherein standards might be changed.

Mr. Chairman, I simply submit to the Members that it would be terribly unfair and terribly wrong to submit these 800,000 miles of gas transmission lines which have been in the ground for maybe a day, but for maybe a good bit longer, and bring them back now without having had any indication that they be subject to Federal regulation and say to those people now that at the whim of some Federal bureaucrat you are going to have to go and dig these lines up, and build them or repair them like I say you ought to, where there might not be anything wrong.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Washington.

Mr. ADAMS. I thank the gentleman for yielding.

Mr. Chairman, I believe the gentleman perhaps is missing the point of what we are trying to do in this section. It is not advocating the digging up of 800,000 miles of line. The difference between the amendment and the present bill is that we want the Secretary empowered to say that a particular situation in America may be dangerous. Let us take cast iron pipe. It happens that in certain types of ground it will corrode, such as the ones the Members have seen out in the Speaker's lobby. We want the Secretary to be able to say to the company that if you have that in the ground in this type of soil, then it should be replaced.

The present bill says that you must go around the country and find each one, and say "Sir, you shall replace that particular one."

Now, this is not left wide open to the Secretary, either, because there is the right of appeal, and, of course, there is judicial review of the order. And we are hopeful, I might say to the gentleman, that we will have agreement with the States so that the States can better assess the situation and that the State governments can better deal with it.

Mr. WAGGONNER. Let me say to the gentleman from Washington simply this: Anytime that any responsible pipeline operator locates anything such as the gentleman has just described, the Federal Government is not going to have to tell him to go fix it, because he is going to go fix it himself, as a matter of necessity.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, one of the things we have found out in the subcommittee hearings on this legislation is that the quality of the pipe really depends upon the quality of the soil in which it is laid as to whether or not it can be serviceable.

Now, maybe cast iron pipe will be found to be unsafe in certain areas, but in other areas it may be perfectly adequate.

Mr. WAGGONNER. I yield back the balance of my time.

Mr. DINGELL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I believe there is rather considerable misapprehension about what this amendment does. The amendment is very fair. It says we are going to treat all pipeline alike, new and old. It says that the operator of a pipeline system is not going to have to meet one set of standards on old pipelines, and another set of standards of new pipelines. It says something else.

We have heard considerable here today about the inefficiency of the Government, and reducing the cost of Government. If the Members want low-cost Government, and if they want efficient administration of this pipeline safety bill, then by all means they must support this amendment, because this amendment assures that the many thousands of transmission and distribution lines in this country that are now under ground will not have to be inspected foot by foot and mile by mile. The Secretary is going to be able to lay down standards that will cure the existing defects in these many thousands of miles of pipelines. The people who administer this program will be able to set out, subject to appropriate rule-making procedures and subject to judicial review, standards which will assure that pipelines, new and old, will be safe.

This amendment simply provides, first, that the Secretary must find there is a hazardous condition. Then when he finds a hazardous condition exists with regard to a pipeline, he can make that pipeline or all pipelines be subject to regulations which he promulgates with regard to safety.

But if he makes no such findings that a hazardous condition exists, the pipeline is free and it does not have any requirements to meet.

The difference between that is the bill says he has to make a hazardous condition finding with regard to each and every sort of circumstances that might jeopardize or hazard human life or property.

I agree there is an important difference here and one which makes clear that the amendment is desirable.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman.

Mr. BROWN of Ohio. We had quite a bit of discussion in the subcommittee on the question of the difference between "hazardous" and "potentially hazardous". We decided that the words "potentially hazardous" was a redundant phrase and that in fact "hazardous" means a potential danger.

I just went to the dictionary in the Chamber here to check the dictionary's definition of "hazardous". The first choice of definitions is this: "Depending on hazard, chance—fortuitous."

The second choice is: "Exposed to hazard, or dangerous, risky."

The synonyms are "perilous," "unsafe," "precarious," and "uncertain."

The antonym is "safe," "secure," "sheltered."

It seems to me "hazardous" or "potentially hazardous" is potentially the same thing.

Mr. DINGELL. Mr. Chairman, the gentleman may be right. I prefer to think that there is a hazard potential here for the American people if we do not adopt the amendment.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman.

Mr. ADAMS. In reply to the gentleman, that is not the argument on this section.

The argument is that at the top of page 26 the committee bill as written says:

> Whenever the Secretary shall find a particular facility to be hazardous to life or property, he shall be empowered by order to require the person operating such facility to take such steps necessary to remove such hazards.

The Senate language says that when he finds a potential hazard situation in America, he can put a rule out on which those companies and the States have an agreement.

Mr. DINGELL. Yes, and he may do this on a broad-brush basis. He may make a regulation which will affect all the pipelines in the country that are similarly situated insofar as population and the kind of soil and the kind of pipe and the kind of fitting and things of this kind are concerned. This is the important difference.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman.

Mr. BROWN of Ohio. The point I am making is as to the distinction between hazardous and potentially hazardous.

There are other points I will make and which I intend to discuss in my 5 minutes. I thank the gentleman.

Mr. ECKHARDT. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Texas.

Mr. ECKHARDT. Mr. Chairman, I concur in the gentleman's statement.

Mr. Chairman, I favor the Moss amendment which would permit the Secretary to issue an order taking care of potentially hazardous situations which may arise concerning pipeline facilities in existence on the date on which standards were adopted for the reasons stated by the gentleman from California [Mr. Moss] and also because of its application with respect to gas gathering lines. Since the Ottinger amendment failed, the definition of "transportation of gas" does not include the gathering lines in those rural locations which lie outside the limits of populated areas which the Secretary defines as nonrural areas. As I previously pointed out, such gas gathering lines, built without compliance with the standards provided in this act, may eventually underlie populated areas, and the only possibility of later bringing them under coverage of the safety regulations of this act is by use of this section.

Therefore, it is extremely important that the Secretary be permitted to find that such areas have become potentially hazardous and then order compliance with reasonable safety standards by a general order. If the Moss amendment is not adopted, the meaning that the language of the bill would spontaneously yield is that the Secretary may only "take such steps necessary to remove" hazards which may develop and "require the person operating such facility" to comply. Practically speaking, this would place a heavy burden on the Secretary and would doubtless leave many heavily populated areas unprotected from gas-gathering pipeline hazards. The original bill recognizes that these hazards exists in connection with gas-gathering pipelines to be built in populated communities. Exactly the same hazard exists if the lines are first laid and then a community develops over them.

When I voted for the Ottinger amendment, I thought that safety standards should be applicable at least with respect to gas gathering lines to be built in the future, wherever they were to be built, because with the rapid mushrooming of population that exists in my area, it is not safe to build sub-standard gas pipelines anywhere. But since this power was not given to the Secretary—by virtue of the defeat of the Ottinger amendment—it is now absolutely necessary that the Secretary be permitted to apply general safety orders to gas gathering pipeline areas where population centers have developed since the lines were laid.

I say that the present language of the act, here sought to be amended, would spontaneously yield a meaning which would not authorize the Secretary adequately to take care of the changed population situation in the area of gas gathering pipelines. Of course, if the proponents of the committee language believe that orders requiring compliance may, in fact, be issued where a potentially hazardous situation exists, then such changed conditions could be protected. That is what the Moss amendment spells out specifically.

Mr. BROWN of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise to read into the RECORD at this point a letter from the Secretary of Transportation addressed to the chairman of the Committee on Interstate and Foreign Commerce, written on

June 20, 1968, in which this subject of retroactivity is discussed.

That portion of the Secretary's letter dealing with retroactivity reads as follows:

> *Retroactivity:* The language relating to regulation of existing facilities in the bill reported by your Committee differs substantially from the language on this matter in the Senate bill. Normally, a variance in the language would indicate a similar variance in legislative intent, and this gave rise to the concern I voiced publicly. However, the House Report subsequently contained substantially identical statements to those in the Senate Report, indicating that "any Federal standard leading to inspection and testing (other than initial inspecting and testing), extension, operation, replacement and maintenance may be applied to existing pipe as well as new pipe. (House Report, page 21; Senate Report pages 7–8). Moreover, the House Report sets forth on page 23 two specific examples of situations in which the Secretary would have authority to require replacement of types of potential hazards wherever they may exist.
>
> From this we draw the conclusion that it is the intent of both the Senate and your Committee that the Secretary have authority to require, in the interest of safety, replacement of any kind of facility, wherever located, which, on the basis of experience, he finds to be potentially hazardous as well as to require replacement of individual facilities which actual inspection indicates are potentially hazardous. Furthermore, we understand that it is the Committee's belief that the language in the Committee bill confers this authority.
>
> Nevertheless, the actual wording of any statute is more important to its interpretation than the legislaive history. We, therefore, would hope there could be a clear reconciliation of this language through an amendment on the House floor.
>
> If that is not an acceptable procedure, then we would welcome further clarification of Congressional intent during the House floor debate. If a conference committee is necessary, we would also hope that additional clarification could be undertaken in the Report of the Conference Committee. The manner of application of the new law to existing facilities is of the utmost importance. To permit prompt and effective implementation without unnecessary litigation or enforcement activity, no room should be left to doubt Congress' intention.

The point that we have at issue in this particular amendment is very simple. It is whether or not we would take the Senate's language, and use the Senate report to establish the interpretation that the Secretary would not require the removal of the pipe all over the country out of hand, or whether we would take the House language, which would in fact make that interpretation part of the law, and then use the report to interpret that language to permit the Secretary to have the authority when a serious hazard exists to deal with that hazard.

Frankly, the complaint to the language the amendment proposes here was expressed by industry, and it should be the concern of every Member of this House who has constituents who pay gas bills, and I am sure that many of us have constituents who are worried about the size of their gas bills. We should guard that the Secretary could not arbitrarily require the removal and replacement of all pipe in a distribution system, which would shut down that system, end industrial jobs, and make it impossible to heat a house. We should not be able to arbitrarily require pipe to be put in, the cost of which would ultimately result in a much higher gas bill for the consumer.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Washington.

Mr. ADAMS. Perhaps we can work this out by legislative history. I am most pleased with the remarks the gentleman has made, and would say that if we can establish—I do not want to quarrel about particular words—that the Secretary has the authority to make the general regulation to correct a potentially hazardous situation, then I want to do that. I am not stuck on the words of the Senate or the words of the House, and I would hope that among the gentleman from Ohio, myself, the chairman of the committee, and the ranking minority member, we can get such an interpretation into this bill and in this situation, then, just as the Secretary's letter says, we will either do it by legislative history or by amendment. We have proposed the amendment because that is the better way to approach it.

Mr. BROWN of Ohio. I am under the impression that the gentleman will yield my time back to me.

Mr. ADAMS. I will.

Mr. BROWN of Ohio. It is done in the language of the report by the House and the language of the report by the Senate. In the language written into this legislation by the subcommittee, we are merely establishing the basic principle. The language of the report then establishes the modification. What I would suggest is that we defeat the amendment offered by the gentleman from California and leave the language in the bill as it was written by the subcommittee with the interpretation put on it by the reports of both the Senate and the House—the language was very similar in their reports—and by this letter of the Secretary and this legislative history.

Mr. ADAMS. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Washington is recognized.

Mr. ADAMS. I would ask that the gentleman who has just addressed the House to kindly follow the inquiry I am about to make. I address this inquiry to the chairman of the committee because I would like to make this very certain. I am referring to the committee report, and in particular to the language appearing on page 23.

It says on page 23:

> When the Secretary finds that a particular type of pipeline valve is hazardous, the Secretary should have and the bill does give to him, the authority to require the removal of this hazard . . .

Is it the position of the committee and the chairman of the committee that the language on pages 25 and 26 of the bill, wherein it says:

> Whenever the Secretary shall find a particular facility to be hazardous to life or property, he shall be empowered by order to require the person operating such facility to take such steps necessary to remove such hazards—

Is it intended that this gives the Secretary the power to make a general regulation on safety of existing lines so he could by promulgation of a general rule establish throughout the country a safety improvement that must be followed by all of the people covered in this bill?

Mr. STAGGERS. Mr. Chairman, in my interpretation of the bill, as reported, this is correct. It is patterned after the Federal Aviation Act, in which, when they find a defect in a plane, they can ground all planes that have this similar kind of valve, or whatever it might be, and ground all the planes for this defect. I would say in the bill—and in the words of the report—that it was the intention that if it is so found, and the Secretary so says in his letter to me that he interprets it that way—that was my interpretation and that is the way the report is written.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, speaking for the minority members of the subcommittee, it was our interpretation of the language in the bill that it means similar types of specific hazards. Very clearly we are not giving the Secretary carte blanche to pick up a specific valve problem and then say all kinds of valves everywhere in the country must be replaced regardless of the type of valve it is or whether there is or is not a hazard existing in the other types of valves. We had in mind his finding a specific hazard and giving him the authority to order the correction of that specific hazard in that particular valve where it is hazardous.

Mr. ADAMS. Mr. Chairman, I yield now to the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, I would just like to make it very clear that the language which I now propose reading, on page 23, where it says:

> Just so, when the Secretary finds that a particular type of pipeline valve is hazardous, the Secretary should have and the bill does give to him, the authority to require the removal of this hazard by removing or replacing this type of valve wherever it exists—

Is that the intent?

I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, the gentleman from Washington has the floor; but that is what I just got through saying.

Mr. MOSS. Mr. Chairman, I yield to the gentleman from Ohio to clarify specifically, is that the intent as the gentleman from Ohio and the ranking minority Member understand it?

Mr. BROWN of Ohio. Mr. Chairman, what the gentleman from California has read means, as I interpret it, exactly the same as the language on page 25, line 24, of the bill, which reads:

> Whenever the Secretary shall find a particular facility to be hazardous to life or property, he shall be empowered by order to require the person operating such facility to take such steps necessary to remove such hazards.

Now this does apply, in the understanding of the subcommittee when it wrote the language, to similar specific types of particular hazards.

Mr. ADAMS. Mr. Chairman, I yield to the gentleman from California.

Mr. TENZER. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California [Mr. Moss].

S. 1166, as amended and reported by the House Committee on Interstate and Foreign Commerce, is inadequate and unsatisfactory. The Gas Pipeline Safety Act has been weakened and watered down to the point where too little protection is offered to our unprotected public.

Under the present version of the bill, existing pipelines are exempt from coverage unless the Secretary of Transportation finds "a particular facility to be hazardous to life or property."

Under the version of the gas pipeline bill passed by the Senate unanimously, the Secretary is authorized to issue standards and orders to correct dangerous situations in existing pipelines if he finds a "potentially hazardous situation."

Mr. Chairman, I cannot find justification for the change made by the House Commerce Committee and I support Mr. Moss' attempt to put some teeth back into the bill. There are more than 800,000 miles of pipeline under the streets of this Nation. Much of this pipeline is 50 to 75 years old. It is illogical to require the Secretary to find a particular pipeline hazardous, which implies an inspection of all 800,000 miles of pipeline before standards can be issued.

The hearing record—and the press—is filled with examples of accidents, gas main breaks, explosions, and the loss of human life.

There are many other loopholes in this bill and I will support every effort to strengthen the legislation, but the Moss amendment is the most important. I urge my colleagues to lend their support to this effort to protect the American public.

On Long Island, the Long Island Lighting Co. recently installed a gas pipeline from Long Beach through about eight communities all the way to Garden City. The public protested, took the matter to the courts, appealed to the State public service commission and to elected officials, but to little avail. The route of the pipeline was altered slightly and we have been told the pipeline meets the highest safety standards—but who will assure us that the pipeline will be safe 10, 20, 50, or 100 years from now?

The people of Long Island and the people in every community where a pipeline has been or will be constructed are entitled to every reasonable assurance that the pipeline will be inspected and will continue to meet the highest safety standards. There is no reason to distinguish existing pipelines from future pipelines—in fact it is more urgent that we protect the public from explosions in existing pipelines.

The language at the top of page 23 of the committee report may offer some hope for citizens with respect to safety of pipelines already in existence, in order to be certain of the rights of the Secretary to exercise authority over existing pipelines. Further legislative history may be desirable and necessary.

Mr. Chairman, I will ask permission to place in the RECORD at this point the text of the following telegrams which I received from Mr. Franklin Bear, chairman of the Nassau County Planning Commission, and Nassau County executive Eugene H. Nickerson, on this subject:

> MINEOLA, N.Y.
>
> HERBERT TENZER,
> *House of Representatives,*
> *Washington, D.C.:*
>
> In executive session, the Nassau County Planning Commission voted unanimously to ask that you vote for the minority amendments to the natural gas pipe lines safety bill (S. 1166). We have studied the amendments to S. 1166 as proposed by the House Committee on Foreign and Interstate Commerce and find that they make the pipe line safety bill totally meaningless. This is especially true in its application to Long Island. We urge you to vote to the minority amendment which would be presented by various Congressmen from the House Committee. These amendments will restore the bill to its original version.
>
> FRANKLIN BEAR,
> *Chairman, Nassau County Planning Commission.*

> MINEOLA, N.Y.,
> *June 28, 1968.*
>
> HERBERT TENZER,
> *Washington, D.C.:*
>
> Have studied amendments proposed by the House Committee on Foreign and Interstate Commerce to the Natural Gas Pipeline Safety bill (S. 1166) find that they make the bills meaningless especially in its application to Long Island. Urge you to vote for the amendment which will restore the bill to the original Senate version.
>
> EUGENE H. NICKERSON.

Mr. MOSS. Mr. Chairman, with the understanding in the colloquy that just concluded, I would ask unanimous consent to withdraw my amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. THOMPSON of Georgia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time because in the lobby I noticed some pictures about which I would like an explanation. A few minutes ago, I asked for an explanation from the gentleman from California, who was explaining some of the pictures displayed, but I did not receive it.

The reason I take this time is that one group of pictures in the lobby were taken in my district. These, I think particularly tear at the heart of an individual and shows mothers and fathers of small children who have died in a nursery, they are crying and weeping and wailing. Certainly this is injecting emotionalism into this matter.

I would like to know what is the relevance of the pictures shown about the explosion in Hapeville, Ga., to this particular bill, and is there anything in this bill that would prevent such an occurrence as happened at this nursery in Hapeville, Ga.?

Mr. MOSS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Georgia. I yield to the gentleman from California.

Mr. MOSS. I just want to reiterate what I stated in my own remarks, that I did not place those pictures in the lobby and I would not feel that the incident in Georgia, where the bulldozer struck a pipe and caused an explosion, would be the type of problem with which I am primarily concerned. If anyone else can give a more specific answer, I do not know.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Georgia. I yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. I will try to answer on behalf of the committee. I do not know the details of the accident in Georgia and I did not have anything to do with putting those pictures out there in the lobby.

I do not know how deep the pipe was, or what size pipe it was, or whether had there been inspection of this particular pipe before it was struck, perhaps the accident you refer to could have been prevented.

Mr. THOMPSON of Georgia. I thank the gentleman.

Mr. MACDONALD of Massachusetts. The gentleman asked a question, and now he does not want to hear the answer.

Mr. THOMPSON of Georgia. I believe I have heard enough of the answer to see that no one knows specifically as to whether the bill would cover that point.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Georgia. I do not yield to the gentleman at the moment, because I want to make a point.

This is, to all intents and purposes, a good bill. I believe most people recognize the desirable features of this particular bill. But the explosion which occurred at Hapeville, Ga., was in my district. A bulldozer was grading in a yard outside a house. It struck a pipe. The pipe was not severed, but the pipe was pulled loose a number of feet from where the bulldozer was working, at a connection inside the house. This allowed gas to escape in the basement of the house, apparently reaching the flame of a hot water heater, and it exploded.

The thing which I object to in this instance is that this has nothing to do with the bill. It is injecting emotionalism into the debate for no apparent purpose. The bill should be sold on its merits.

I happen to believe it is a good bill, but this being in my congressional district, I resent whoever did place those pictures placing them there, and, frankly, I question the motive.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Georgia. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. I should like to point out to the gentleman that there is nothing in this bill which would prohibit a bulldozer from digging up a gas pipeline, or an earth shift or an earthquake from rupturing a gas pipeline, or bad workmanship by anybody resulting in a leak in a pipeline, nor is there anything to prevent anyone from leaving a gas jet open, which could create an explosion.

I might say, with reference to the Speaker's Lobby pictures, the source of which seems to be such a mystery, that they are certainly in the wonderful tradition of the questionable pictures and the information which we were provided at the time of the Meat Inspection Act.

I should like to heartily concur in the gentleman's concern that the Members get mysteriously propagandized right here within a few feet of this chamber by material which is not always pertinent and perhaps not always accurate or even creditable.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Georgia. I yield to the gentleman from Washington.

Mr. ADAMS. I would point out that on page 16 of the report there is an appendix to the statement by Alan Boyd, indicating why the present code in voluntary use, Code 31.8, is not sufficient.

It so happens, if the gentleman will look, he will find Georgia does not have safety jurisdiction over gas pipelines. He will find also, on 4, it says the code does not require uniform marking of the exact locations of lines; and 6, the code does not require uniform construction specifications for new pipelines.

No, it will not stop every bulldozer. It will not stop accidents. But it can show the bulldozer operator where the lines are and help improve the present situation.

Mr. THOMPSON of Georgia. I thank the gentleman. I believe the gentleman and I are not in disagreement, except on the pictures.

Mr. DINGELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just want to point out to my good friend from Georgia that I have not placed pictures in the lobby to which he refers. I want to point out to him, however, that those pictures show what can happen if there is a gas pipeline fire or explosion. I recognize very clearly that we cannot assure in everyone's district no bulldozer is going to drive through——

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I will yield when I get done.

We cannot assure that it is not going to go through every pipeline in everyone's district, but the function of those pictures and this legislation is to try to assure that we pass a good piece of pipeline legislation today. Those pictures show what happens when there is a gas pipeline explosion and they give an understanding of how big a crater we have when we have an explosion such as that. Some of these craters are the size of a football field. There is need for more effort by the Federal Government and the States both in terms of the consequences and the need. I want to point out to my friend one thing is very plain from those pictures, namely, that a great deal of misfortune accompanied one of these blasts. Perhaps this pipeline was not buried deep enough or was not placed well enough in the ground. Possibly it was not well marked as to the place where it was. That information is not available to me. However, these are the kinds of things that we are going to need to understand if we are going to protect the gentleman's district and the other districts around the country from the kinds of hazards that we saw there.

Now I am glad to yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. Let me say those pictures are emotional, pure and simple.

Mr. DINGELL. You can call them emotional if you want to.

Mr. THOMPSON of Georgia. If you want to show what the force of gas is, you can just take a napalm bomb and show the pictures of burned children. It is just exactly the same kind of thing. But there is nothing in this bill which would have prevented an occurrence such as this, when a bulldozer is grading an area and digging and hits a pipeline. The objection I have and most of us have is to the manner in which this is done. It is a mystery as to how those pictures occurred.

Mr. DINGELL. For the benefit of the gentleman from Georgia, there is no emotionalism here. This is a calm and commonsense presentation. If the gentleman chooses to find emotionalism, it is inside him and not inside the Chamber.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am glad to yield to the gentleman.

Mr. BROWN of Ohio. I hope you will save those pictures so when we have the bulldozer operator inspection bill you can use those pictures over again to show us all of the dangers that are involved in improper bulldozer operation.

Mr. DINGELL. I will not be instructed by the gentleman as to what pictures I will use or when I will use them. As I indicated to the gentleman, I was not the one who placed them there, but for his benefit—and this is said in a spirit of friendship—it might be well for the gentleman to go out and take a look at those pictures. Then he might have a little different attitude toward this legislation.

Mr. Chairman, I yield back the balance of my time.

Mr. OTTINGER. Mr. Chairman, the amendment which has been offered by the gentleman from California affects one of the most vital parts of this bill. It determines the effectiveness of this statute to correct dangerous conditions with respect to existing lines in the ground under every major city of our country.

Mr. Chairman, I would like to ask the chairman of the full Committee on Interstate and Foreign Commerce a question if I could have his attention.

Mr. SPRINGER. Mr. Chairman, I do not refer to——

Mr. OTTINGER. I have not yielded to the gentleman from Illinois but I want to make it quite clear——

Mr. SPRINGER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Illinois will state his parliamentary inquiry.

Mr. SPRINGER. Mr. Chairman, is this the regular order of business?

The CHAIRMAN. The gentleman from New York [Mr. OTTINGER] has the floor.

Mr. SPRINGER. Again, Mr. Chairman, is this in regular order?

The CHAIRMAN. The Chair will state to the gentleman from Illinois that it is in regular order.

Mr. OTTINGER. Mr. Chairman, the interpretation placed on section 3(b) in the colloquy which took place earlier in which the majority and minority agreed that the Secretary could issue general requirements for correction of hazardous conditions as they may appear throughout the country, does some violence to the actual words used in the section. I would ask if the chairman of the committee, the gentleman from West Virginia [Mr. STAGGERS], would press for clarification of this language to reflect the views expressed on the Floor today, in the conference between the House and the other body.

Mr. STAGGERS. I will certainly assure the gentleman from New York [Mr. OTTINGER] that we shall do everything in conference to maintain the provisions and the position of the House.

Mr. Chairman, I ask that the Clerk read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

TECHNICAL PIPELINE SAFETY STANDARDS COMMITTEE

SEC. 4. (a) The Secretary shall establish a Technical Pipeline Safety Standards Committee. The Committee shall be appointed by the Secretary, after consultation with public and private agencies concerned with the technical aspect of the transportation of gas or the operation of pipeline facilities, and shall be composed of fifteen members each of whom shall be experienced in the safety regulation of the transportation of gas and of pipeline facilities or technically qualified by training and experience in one or more fields of engineering applied in the transportation of gas or the operation of pipeline facilities to evaluate gas pipeline safety standards, as follows:

(1) Five members shall be selected from governmental agencies, including State and Federal Governments, two of whom, after consultation with representatives of the national organization of State commissions, shall be State commissioners;

(2) Four members shall be selected from the natural gas industry after consultation with industry representatives, not less than three of whom shall be currently engaged in the active operation of natural gas pipelines; and

(3) Six members shall be selected from the general public.

(b) The Secretary shall submit to the Committee all proposed standards and amendments to such standards and afford such Committee a reasonable opportunity, not to exceed ninety days, unless extended by the Secretary, to prepare a report on the technical feasibility, reasonableness, and practicability of each such proposal. Each report by the Committee, including any minority views, shall be published by the Secretary and form a part of the proceedings for the promulgation of standards. In the event that the Secretary rejects the conclusions of the majority of the Committee, he shall not be bound by such conclusions but shall publish his reasons for rejection thereof. The Committee may propose safety standards for pipeline facilities and the transportation of gas to the Secretary for his consideration. All proceedings of the Committee shall be recorded and the record of each such proceeding shall be available for public inspection.

(c) Members of the Committee other than Federal employees may be compensated at a rate to be fixed by the Secretary not to exceed $100 per diem (including travel time) when engaged in the actual duties of the Committee. All members, while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently. Payments under this section shall not render members of the Committee employees or officials of the United States for any purpose.

Mr. OTTINGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I ask unanimous consent that the following colloquy appear before the reading of section 4, since it pertains to section 3.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: On page 28, beginning in line 16, strike out "each of whom shall be experienced in the safety regulation of the transportation of gas and of pipeline facilities or technically qualified by training and experience in one or more fields of engineering applied in the transportation of gas or the operation of pipeline facilities to evaluate gas pipeline safety standards".

Mr. DINGELL. Mr. Chairman, this bill establishes one of the most extraordinary technical committees that has been established by Congress. Over the years we have established in abundance advisory committees. But first let us look at the language this amendment would strike. You will find that the language that would be stricken requires that each and every member of this advisory committee shall come from, at one point or another in his career, the natural gas industry.

Now, the language of this section caused much trouble to the committee. As a result of the trouble this amendment caused the committee, a change was made which appears on page 29 of the bill where the number of members who would be selected from the general public was raised to six, and the number of members of this advisory committee who would be selected from the natural gas industry, after consultation with industry representatives, was reduced from five to four, one being taken from the industry and in turn being given to the public at large.

Now, it is not my purpose in this amendment to deny the representatives of the natural gas pipeline industry fair representation upon this advisory committee. It is my purpose only to see that this advisory committee is broadly representative. I would point out in the language of the report, in the minority views, points out that the language of the bill limits the membership of this committee for all intents and purposes to individuals who are now in or in the past have been members of the gas pipeline industry. This would exclude members of the regulatory agencies who had not worked in the industry, or academic personnel who had not worked specifically in engineering applied in the transportation of gas, or in the operation of pipeline facilities.

Remember, there is a large body of knowledge that is available in this country for this kind of a technical committee. There are the schools of engineering. There are the people who are in city goverment who might be from the municipal department of public safety, or the department of engineering of a large city. These would be excluded by the language of the bill unless this amendment is adopted. No one may serve as a member of this committee under the bill unless they have been in and experienced by training or experience in one or more fields of engineering applied to the transportation of gas, or the operation of pipeline facilities.

There may be large numbers of people available in the country who at one time or another had been members of a State regulatory agency. Conceivably those persons would be barred from membership on this technical committee.

In addition to this, it must be noted that there are large numbers of members of the bar who would be excluded who have valuable contributions to make to an organism of this kind.

In addition to this, persons who might have come from the labor movement, or who might have come from the chambers of commerce, or the National Association of Manufacturers, or retired judges, would be excluded. Also representatives of consumer groups conceivably would be barred because they would fail to meet this requirement.

If this amendment is adopted, the bill will provide for a technical safety standards committee which will have five reppresentatives from governmental agencies, State and Federal, including representatives of State commissions, and State commissioners; four members will come right straight from the gas industry, so that the voice of the gas industry may be heard clearly and without any conflict or denial. Six members will come from the general public, something always clearly recognized as being highly desirable.

Why is it important that this committee be fairly constituted? It is obvious that this committee, from a reading of the legislation, has responsibility and powers far more broad than we have ever seen in the instances of other technical committees before. Why? They may originate standards themselves, and may present them to the Secretary who must adopt them, or else publish his reasons why he does not do so.

Second, they have almost a veto power over the safety standards that the Secretary will promulgate. This is a far more sweeping power than we have afforded in the case of auto safety. This is a far more sweeping power than we have afforded in terms of advisory committees set up with regard to food and drugs, or advisory committees set up with regard to water pollution.

This is why the amendment should be adopted.

Mr. KORNEGAY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to point out to the House that this particular committee, which is authorized in this bill, is in and of itself a Technical Pipeline Safety Standards Committee. This is not a policy committee, but a committee that will be dealing with the complex and intricate problems involved in gas transportation and gas pipelines.

As a further argument against the amendment offered by my good friend from Michigan [Mr. DINGELL], this committee will be appointed by the Secretary himself, and I am confident that the present Secretary of Transportation, or any future Secretary, would not load down a committee with numbers whose point of view would be adverse to the public interest. He would try in every way possible to bring the greatest expertise possible in the safety field to the committee.

Your committee wrote into this bill that five members would come from the State and Federal Governments, four members from the natural gas industry and six members are to be selected from the public.

It is very easy, in my opinion, to go to the general public or to go into areas other than the natural gas industry and into the State and Federal Governments to find people who do possess the expertise that would enable them to make a contribution to the mission of this Technical Pipeline Service Standards Committee.

We have numerous engineers and college professors and others who are knowledgeable along this line.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman.

Mr. DINGELL. Let us say that the President or the Secretary of Transportation has an engineer or a college professor or a law school dean or an outstanding safety expert from, let us say, a major city like the city of New York—what qualifications is that man going to have to meet in terms of experience and background?

Mr. KORNEGAY. He is going to have to be experienced in safety regulations in the transportation of gas.

Mr. DINGELL. All right, where is he going to get that?

Mr. KORNEGAY. As to pipelines, for instance—that is one area—or to be technically qualified by training and experience in one or more fields of engineering applying to the transportation of gas or the operation of a pipeline.

The reason we put that first phrase in there, and the gentleman was not on the subcommittee, we saw where there could be practical trained mechanics and people who for example, and two of them appeared before our committee and they were not engineers, and had never been to a college a day in their lives, I do not think—but they had good practical knowledge of pipelines and pipeline safety and we wanted to make it possible for them and others similarly situated to serve. Therefore, we put in the additional proviso that says "experience in safety regulations of the transportation of gas."

Mr. DINGELL. What this amendment really says is that these people have to come from the natural gas industry or they have to be engineers with experience in natural gas—which means that they either come from the gas industry or they cannot get on the Technical Pipeline Safety Standards Committee that this legislation would establish.

Mr. KORNEGAY. No; they have to know something about gas because that is their mission. They do not have to come from the industry.

Mr. DINGELL. Where else are they going to get that kind of experience if they do not come from the industry—are we going to use everybody from the industry?

Mr. KORNEGAY. There are schools in this country, I assume, that are staffed and equipped and filled with people who know about gas.

Mr. DINGELL. Let us say the President has an outstanding Federal judge who he wants to appoint. Could he appoint him?

Mr. KORNEGAY. Not unless he knows about gas. This is not a policy committee—it is a technical committee.

Mr. DINGELL. I want to treat with that point with the gentleman in a minute. Let us say the President has an outstanding dean of law school or an engineering school whom he wishes to appoint. Could he appoint him?

Mr. KORNEGAY. That would depend upon whether he knew anything about natural gas and the transportation of gas.

Mr. DINGELL. Let us say the President has the head of the safety engineering department of the city of New York, Pittsburgh, Detroit, or Cleveland as the man whom he wishes to appoint. Could he appoint him?

Mr. KORNEGAY. Yes; he could appoint him.

Mr. DINGELL. Not unless he comes from the gas industry; not unless he is experienced in safety regulation and the transportation of gas; not unless he has an engineering degree in the handling of natural gas. That is precisely why the amendment is offered.

Mr. KORNEGAY. Yes; he could.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

(On request of Mr. DINGELL, and by unanimous consent, Mr. KORNEGAY was allowed to proceed for 4 additional minutes.)

Mr. DINGELL. Mr. Chairman, will the gentleman yield further?

Mr. KORNEGAY. I yield to the gentleman from Michigan.

Mr. DINGELL. That is precisely why the amendment is offered, because a person who is lacking either in practical working experience in the gas industry, which means associations, connections, and everything else in the industry, or unless he has a degree in engineering, specializing in natural gas transmission, he cannot be appointed to the committee. You are denying safety engineers the opportunity of participating in this field. You are denying retired Federal judges the opportunity of participating in this field. You are denying attorneys, you are denying accountants, you are denying educators, you are denying people who might be concerned with the expansion of our cities the opportunity of participating. You would exclude demographers, who are capable of making population expansion projections and that kind of thing. If you are going to have a committee of this kind, the committee ought to be broad enough to include everyone in the society who has some useful information to bring to it.

Mr. KORNEGAY. Let me just comment on that and say that if this were a policy committee I would agree with the gentleman. But this is a technical committee which is called together to bring the best brains in the gas pipeline field in the country together to determine what is the best and safest type of pipe and what is the best and safest way to transport gas.

Mr. DINGELL. Let us talk about that. The gentleman has said that the Commission will not make policy. I refer to page 29, line 9, subsection (b). Under that language, before the Secretary can promulgate any kind of standard—

> (b) The Secretary shall submit to the Committee all proposed standards and amendments to such standards and afford such Committee a reasonable opportunity, not to exceed ninety days, unless extended by the Secretary, to prepare a report on the technical feasibility, reasonableness, and practicability of each such proposal.

Mr. KORNEGAY. That is correct.

Mr. DINGELL. What this says is that he cannot do anything without first having his actions cleared by the committee. I say to my good friend that that is making policy.

Let us go a little further. If he rejects the conclusion, he does not have to be bound, but he must publish his reasons for rejecting it. Then let us go a little further. I am now referring to line 20 of page 29 of the bill:

> The Committee may propose safety standards for pipeline facilities and the transportation of gas to the Secretary for his consideration.

So not only do they get the veto, or almost a veto, but in like manner they have the power of insisting that he take certain actions. That again is policy.

I say when they have powers as broad as this they are a policy committee. There is no way of denying they do have the power to make policy. Not only is there no way of denying they have the power to make policy, but in the same fashion other persons, citizens-at-large who might be living on these pipelines, municipal officials who have a high responsibility for public safety, all the deans of the law schools, attorneys, people who are experienced in the making of regulations, conservationists, the whole of our society is excluded by the language of the bill, except for persons who come from the pipeline industry. That is why this amendment is necessary.

Mr. KORNEGAY. That is not correct.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. KORNEGAY. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Chairman, I am impressed with the nature of the oratory, but not with the facts as they relate to this piece of legislation. It seems to me that this bill states clearly that anyone who is qualified by training and experience in fields that are applicable to the transportation of gas would be eligible to be on this Commission.

We could have the steam engineer, we could have the stationary engineer, we could have the mechanical engineer, we could have the petroleum engineer—we could have any number of people who have knowledge and expertise related to this field who could be eligible for this Commission.

Mr. MOSS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I find that I share the concern expressed by my friend and colleague, the gentleman from Michigan, because the language clearly limits. When we take this language of qualification in context with the very careful consultation the Secretary must hold with this technical committee, if he disagrees with it, he has to express his disagreement in writing. It may originate. It is supposed to be really an advisory body, I think, in a broad sense. It is not always necessary to look only to the industry, and I submit that this does confine the selection very closely to the industry or industry-oriented persons.

That is not necessarily a disqualification but it should not be the exclusive qualification. I grant there are members of State public utilities commissions and perhaps of some local city regulatory bodies who could qualify, but I can think of others who might be able to make contributions and yet not have been engaged in a field of engineering or of experience applied in the transportation of gas. I can think of a hydraulic engineer who might have a contribution to make.

Generally, a person trained in almost any of the engineering disciplines, unrelated to this, would have some contribution he could make. An expert in soils might have a contribution that could be made.

We are not limiting this only to the members who come from the industry itself. In the language we require that at least four members shall be selected from the natural gas industry, and even the six members from the general public shall have this specific type of experience.

I think it would be far more in the public interest to broaden this. If we want to apply it to the four who come from the industry, or even to the five additional ones coming from government, that is acceptable, but we should not apply it to every public member and say that there shall be no lay opinion, that a good economist might not be able to participate.

All of these are not just purely technical considerations in the very narrow confining sense of relating to the transportation of gas. These are matters of broad public concern. I would urge very strongly that this committee consider the wisdom of broadening the committee. It is not achieved merely by saying six shall come from the public, because the six have this burden of qualification placed on their backs.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Michigan.

Mr. DINGELL. Mr. Chairman, I would like very briefly to point out, for example, under this it would be most doubtful if one who could give a good economic analysis on what pipeline safety would cost, such as an economist, could be included in the committee. It is also quite probable that a former Member of Congress who had served on the subcommittee which wrote this bill might be precluded, and he might well have a most valuable contribution to make. Perhaps others in metallurgy, or hydraulic engineering or in electronic engineering could be of great use, but would be denied participation. The general public would be denied the advantage of their knowledge and experience because of their exclusion by this language, which this amendment seeks to strike.

Mr. BROWN of Ohio. Mr. Chairman will the gentleman yield?

Mr. MOSS. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. The way the language is written that does not happen to be the case if it is interpreted in any way reasonably, because anybody who has any expertise in the field of engineering who has any relationship to the transportation of gas or the operation of pipeline facilities is covered.

Mr. MOSS. I suggest the gentleman is using the term "relationship" interchangeably with "applied in the transportation," and there is a difference. There is a difference. We discussed this quite extensively in committee, and I expressed the same reservation there.

This clearly carries the connotation that the person shall have gained the experience in the field of gas transportation, and that is what I object to.

Mr. WAGGONNER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I can appreciate the desire on the part of the gentleman from Michigan to see that this Technical Pipeline Safety Standards Committee is highly representative of the public and in the public interest. But this 15-member committee must be technical for a very special reason. It is I believe representative of the public. That reason is, if they do not know something about pipelines and the transmission of gas there is very, very, very little chance they can contribute anything to pipeline safety.

The argument has been made that we should, for example, make eligible the inclusion of economists on this technical committee. I submit that personnel of that type should compose the staff of this Technical Pipeline Safety Standards Committee.

This language says "15 members each of whom shall be experienced in the safety regulation of the transportation of gas and of pipeline facilities or technically qualified by training and experience in one or more fields of engineering applied in the transportation of gas or the operation of pipeline facilities to evaluate gas pipeline safety standards."

That language is broad enough to include any man of any engineering discipline, for example, who knows something about this business and who can make some contribution.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I am happy to yield to my friend from Oklahoma.

Mr. EDMONDSON. As a matter of fact, this would open the door to any person who had training and experience as a civil engineer, because that is one of the sciences which is applied in connection with the transportation of gas or the operation of pipeline facilities.

It would apply, I would think, to anybody with training and experience in chemical engineering, because this is one of the engineering sciences which is applied.

One would have to go pretty far afield in the engineering sciences to get away from an engineering science that was not in some way applied in connection with the transportation of gas or the operation of pipeline facilities.

If the committee had intended that these people had to be people actually engaged in or employed in the pipeline industry, it seems to me the committee would have written in that language.

Mr. WAGGONNER. The gentleman is exactly right. I am not on the committee, but I am sure, from reading the language, it was not the intention of the committee that these people would all come from industry, because there are three categories mentioned. A division is made. Five members must be representative of the Federal and State public agencies. Four must come from the natural gas industry. The remaining six must come from the general public.

It is intended that these people not all be industry people, but that they just simply be, no matter from where they come, people who have some knowledge and can contribute in a technical way to pipeline safety.

I totally agree with the gentleman.

Mr. KUYKENDALL. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from Tennessee.

Mr. KUYKENDALL. The gentleman from California mentioned one specialty which I listened to and was interested in. He mentioned an expert in soils. Does the gentleman have any doubt about that?

Mr. WAGGONNER. I would say a corrosion engineer is a must to anybody who has any knowledge or part of the pipeline business.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I will be happy to yield to my friend.

Mr. DINGELL. The gentleman said, "All right. We are going to get six members of the general public." I want you to listen to what kind of member of the general public he refers to. If this kind of a person is representative of the general public, then both my good friend from Louisiana and I are qualified to be Queen of the May. I read from the bill: "each of whom shall be experienced in the safety regulation of the transportation of gas and of pipeline facilities or technically qualified by training and experience in one or more fields of engineering applied in the transportation of gas or the operation of pipeline facilities to evaluate gas pipeline safety standards."

These are the kinds of people you will get from the general public. The only place you will find a man like that is a retired engineer who worked for the gas industry or a retired executive of the gas industry. All I want here is fairplay.

Mr. WAGGONNER. Would the gentleman want representatives of the general public with those abilities as set forth in the legislation or does he think some of these know-it-alls, like Mr. Nadar, who really knows nothing about anything but professes to know everything about everything, would better serve the interests of the public?

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. WAGGONNER. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. DINGELL. Will the gentleman yield?

Mr. WAGGONNER. I am glad to yield to the gentleman from Michigan.

Mr. DINGELL. I am not commenting on that, but the only thing I say is if you will call them from the general public, then I say let us really have them from the general public. Furthermore, I point out that the five members will come from Government agencies, and they have to meet the same unfair and unrealistic test. I have no objection to saying that we have to have representation—and I am not trying to stack this body against the industry—those four representatives have to come from industry and a number from Federal agencies and a number from State agencies. I am satisfied that with the language of the amendment the natural gas industry will get very fair consideration. But without the language of the amendment I have grave doubt that you will have a representative body both approving the standards of the Secretary and submitting standards to him that for all intents and purposes he almost must accept.

Mr. WAGGONNER. I will say to the gentleman that as long as the Secretary has the authority to appoint this committee, he will try to look after his kind.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. OTTINGER. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. ANNUNZIO. Mr. Chairman, I object.

Mr. BROWN of Ohio. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am overwhelmed at the extent to which the opponents of this legislation want to go in trying to obfuscate what was the intent of the subcommittee in writing this language. There was no intention on the part of the subcommittee—and I say it as a member of the subcommittee and I would be happy to have the concurrence of other members of the subcommittee or of the chairman of the subcommittee—to limit the membership of the Technical Pipeline Safety Standards Committee only to those people who had been employed in the pipeline industry either directly or indirectly.

Now, I would suggest to the gentleman from Michigan that one could find sufficiently qualified personnel in any of a number of universities in his own State who have no connection with the pipeline industry directly or indirectly and who would qualify as public members of this commission. I would suggest just out of hand six different categories that might be appropriate: a soil scientist, a stationary engineer, a mechanical engineer, even an architect, a civil engineer, or perhaps someone who was attending that university and who has been a laborer for a pipeline company and who knows something about pipelines in the ground or above the ground.

Eliminated, I am sure, would be a farmer if he knew nothing about soils as they relate to pipelines but only about soils as they relate to corn growing. I am sure we could exclude, on the basis of the language we have written here, newspapermen or ex-television commercial announcers who do not know anything about pipes or the question of the pressures within pipes or the soil in which pipes are laid or valves or the various technical aspects of this problem.

It seems to me that we ought not to handle the subject of the supposed meaning of this language by making so many presumptive interpretations. We do not make for good legislative history in this fashion. When we took this subject up for consideration in the subcommittee there was little question about the meaning of the language. The purpose of this amendment clearly does not serve to improve the language of the legislation. The report as it relates to this particular matter would have the Technical Advisory Committee composed of trained and experienced people in one or more fields of engineering which have application to pipeline safety. Those from industry would have a direct industry connection in their background. Those from Government might or might not have come from industry this is frankly the situation. It could apply to people with these qualifications from related industries or disciplines—some being trained engineers or people with related experience in other fields. The public members of the Technical Committee would be subject to these qualifications, and this provision as spelled out in the bill.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I just asked the subcommittee chairman of the Committee on Interstate and Foreign Commerce if it was the intent, that there would be civil engineers, there would be mechanical engineers or chemical engineers or others representing various engineering fields having application in the pipeline business, that would be qualified in this category to serve, regardless of whether or not they had been employed in the pipeline industry, and he said they would be qualified, without regard to industry employment.

If it is going to be a technical advisory committee, let us have technically qualified people on it. They can be qualified as engineers, regardless of whether they have been employed by the pipeline industry itself or have been public employees or private consultants or otherwise. It seems to me that we defeat the purpose of the particular provision of this bill with reference to the advisory committee if we eliminate the committee requirement for technical qualification and open the door to ballet dancers, buglers balloon blowers, or what have you.

Mr. BROYHILL of North Carolina. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from North Carolina.

Mr. BROYHILL of North Carolina. This is designed to be a technical committee; is it not?

Mr. BROWN of Ohio. It is stated in the bill as a technical committee.

Mr. BROYHILL of North Carolina. Mr. Chairman, if the gentleman will yield further, the President may also reject them.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from New York.

Mr. OTTINGER. It seems to me and I am very happy to see the gentleman from Ohio [Mr. BROWN], concede and adopt a sensible construction of the language of these particular provisions.

Mr. BROWN of Ohio. The time is mine and I will say to the gentleman from New York that the gentleman from Ohio is not conceding anything. The fact is that the interpretation I am putting on the language is what was done. The presumptive criticism of the language is the gentleman's interpretation of what the language says but is not the interpretation when the legislation was under consideration.

Mr. Chairman, I think the point that the gentleman is trying to suggest has been conceded was never in question. I think he is trying to stretch the language of the statute beyond the wording which it contains.

The CHAIRMAN. The time of the gentleman from Ohic has expired.

The question is on the amendment offered by the gentleman from Michigan [Mr. DINGELL].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

STATE CERTIFICATIONS AND AGREEMENTS

SEC. 5. (a) Except as provided in subsection (d) of this section, the provisions of this Act shall not apply to pipeline facilities and the transportation of gas (not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act) within a State when the safety standards and practices applicable to same are regulated by a State agency (including a municipality) which submits to the Secretary an annual certification that such State agency (1) has regulatory jurisdiction over the safety standards and practices of such pipeline facilities and transportation of gas; (2) has adopted each Federal safety standard applicable to such pipeline facilities and transportation of gas established under this Act as of the date of the certification; (3) is enforcing each such standard; and (4) has the authority to require record maintenance, reporting, and inspection substantially the same as are provided under section 12 and the filing for approval of plans of inspection and maintenance described in section 11; and that the law of the State makes provision for the enforcement of the safety standards of such State agency by way of injunctive and monetary sanctions. Each annual certification shall include a report, in such form as the Secretary may by regulation provide, showing (i) name and address of each person subject to the safety jurisdiction of the State agency; (ii) all accidents or incidents reported during the preceding twelve months by each such person involving personal injury requiring hospitalization, fatality, or property damage exceeding $1,000, together with a summary of the State agency's investigation as to the cause and circumstances surrounding such accident or incident; (iii) the record maintenance, reporting, and inspection practiced by the State agency to enforce compliance with such Federal safety standards, including a detail of the number of inspections made of pipeline facilities by the State agency during the preceding twelve months; and (iv) such other information as the Secretary may require. The report included with the first annual certification need not show information unavailable at that time. If after receipt of annual certification, the Secretary determines that the State agency is not satisfactorily enforcing compliance with Federal safety standards, he may, on reasonable notice and after opportunity for hearing, reject the certification or take such other action as he deems appropriate to achieve adequate enforcement including the assertion of Federal jurisdiction.

(b) With respect to any pipeline facilities and transportation of gas (not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act) for which the Secretary does not receive an annual certification under subsection (a) of this section, the Secretary is authorized by agreement with a State agency (including a municipality) to authorize such agency to assume responsibility for, and carry out on behalf of the Secretary as it relates to pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act the necessary actions to—

(1) establish an adequate program for record maintenance, reporting, and inspection designed to assist compliance with Federal safety standards;

(2) establish procedures for approval of plans of inspection and maintenance substantially the same as are required under section 11;

(3) implement a compliance program acceptable to the Secretary including provision for inspection of pipeline facilities used in such transportation of gas; and

(4) cooperate fully in a system of Federal monitoring of such compliance program and reporting under regulations prescribed by the Secretary.

Any agreement executed pursuant to this subsection shall require the State agency promptly to notify the Secretary of any violation or probable violation of a Federal safety standard which it discovers as a result of its program.

(c) (1) Upon an application submitted not later than September 30 in any calendar year, the Secretary is authorized to pay out of funds appropriated pursuant to section 15 up to 50 per centum of the cost of the personnel, equipment, and activities of a State agency reasonably required to carry out a safety program under a certification under subsection (a) or an agreement under subsection (b) of this section during the following calendar year. No such payment may be made unless the State agency making application under this subsection gives assurances satisfactory to the Secretary that the State agency will provide the remaining cost of such a safety program and that the aggregate expenditures of funds of the State, exclusive of Federal grants, for gas safety programs will be maintained at a level which does not fall below the average level of such expenditures for the last two fiscal years preceding the date of enactment of this section.

(2) Payments under this section may be made in installments, in advance or by way of reimbursement, with necessary adjustments on account of overpayments and underpayments.

(3) The Secretary may, by regulation, provide for the form and manner of filing of applications under this section, and for such reporting and fiscal procedures as he deems necessary to assure the proper accounting for Federal funds.

(d) A certification which is in effect under subsection (a) of this section shall not apply with respect to any new or amended Federal safety standard for pipeline facilities or the transportation of gas, not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act, established pursuant to this Act after the date of such certification. The provisions of this Act shall apply to any such new or amended Federal safety standard until the State agency has adopted such standard and has submitted an appropriate certification in accordance with the provisions of subsection (a) of this section.

(e) Any agreement under this section may be terminated by the Secretary if, after notice and opportunity for a hearing, he finds that the State agency has failed to comply with any provision of such agreement. Such finding and termination shall be published in the Federal Register, and shall become effective no sooner than fifteen days after the date of publication.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the section be considered as read, printed in the Record, and open to amendment at any point.

Mr. SPRINGER. Mr. Chairman, reserving the right to object, I have no objection if it is only this section.

The CHAIRMAN. The Chair will state to the gentleman from Illinois [Mr. Springer] that it is only this section.

There was no objection.

AMENDMENT OFFERED BY MR. MACDONALD OF MASSACHUSETTS

Mr. MACDONALD of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Macdonald of Massachusetts: On page 30, strike out line 11 and all that follows down through page 32, line 15, and insert in lieu thereof the following:

"AGREEMENTS WITH STATE AGENCIES

"Sec. 5. (a) Subject to the provisions of this section, the Secretary is authorized by written agreement with an appropriate State agency to exempt from the Federal safety standards pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act, under which agreement such State agency—

"(1) adopts each Federal safety standard applicable to such transportation of gas and pipeline facilities and any amendment to each such standard, established under this Act;

"(2) undertakes a program satisfactory to the Secretary, designed to achieve adequate compliance with such standards and with the plans of inspection and maintenance required by section 11; and

"(3) agrees to cooperate fully in a system of Federal monitoring of such compliance program and reporting under regulations prescribed by the Secretary.

No such agreement may be concluded with any State agency which does not have the authority (i) to impose sanctions substantially the same as are provided under sections 9 and 10, (ii) to require record maintenance, reporting, and inspection responsibilities substantially the same as are provided under section 12, and (iii) to require the filing for approval of plans of inspection and maintenance described in section 11.

"(b) With respect to any State agency with which the Secretary determines that he cannot enter into an agreement under subsection (a) of this section, the Secretary is authorized by agreement to authorize such agency to assume responsibility for, and carry out on behalf of the Secretary as it relates to pipeline facilities and the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act the necessary actions to—".

On page 33, beginning in line 12, strike out "safety program under a certification under subsection (a) or an agreement under subsection (b) of this section" and insert in lieu thereof the following: "such agreement".

On page 33, line 18, strike out "safety program" and insert in lieu thereof the following: "an agreement".

On page 34, strike out lines 7 through 17, inclusive, and insert in lieu thereof the following:

"(d) Where an exemption from Federal standards for pipeline facilities or the transportation of gas is in effect under subsection (a) of this section the provisions of sections 8(a)(1), 8(a)(2), 9, and 10 of this Act, shall not apply. Any such exemption shall remain in effect until a new or amended Federal safety standard for pipeline facilities or the transportation of gas not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act is established pursuant to this Act, and such exemption shall not apply to any such new standard or amendment until the State agency has adopted such new standard or amendment pursuant to the provisions of subsection (a) of this section. The provisions of this Act shall apply to such standard until such adoption has become effective."

Mr. OTTINGER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

One hundred and twenty-five Members are present, a quorum.

The gentleman from Massachusetts [Mr. Macdonald] is recognized in support of his amendment.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I am very glad if a quorum is here because I think that many Members of the subcommittee who have followed this bill closely will agree that this amendment goes to the very heart of our bill.

Although to those of you who were listening to the reading of the amendment, it seemed like a long amendment; it actually is not.

What this amendment does in essence is to restore the language that the other body had in its bill for entering into agreements with State agencies. The bill that was sent over to us provided that the Secretary of Transportation could enter into written agreements with State agencies to carry out the enforcement of the natural gas pipelines safety, provided that that State agency first adopted the standards that the Secretary of Transportation would promulgate and then would undertake a program which would be satisfactory to the Secretary; and third, would agree to cooperate in a system of Federal monitoring of the compliance program.

But there was one more provision that was a condition precedent, before the Secretary could enter into any such agreement. This was to the effect that no agreement could be concluded with any State agency which does not come up to Federal standards and to impose sanctions as to penalties and to get injunctive relief for the enforcement of its orders which are set forth in this bill.

But more importantly, and I hope the Members will note this—most importantly, the whole reason given for having the powers vested in the Secretary of Transportation to set, promulgate, and enforce Federal regulations was to induce the various States to enter into agreements with him.

Now the language that our committee saw fit to write said that while some agreements could be entered into, that also, if a State merely would certify—merely write out a certification and forward it to the Secretary of Transportation—that they then would be in compliance and would be eligible for the matching funds the Federal Government was to supply.

Under both the Senate version and the House version, the Secretary is bound to give matching funds, that is 50-percent matching funds, to the various States.

It seems peculiar to me if we are going to have Federal regulation to have it set forth in such a way that any State can merely make out a certification and indicate that they are in compliance and that when they do this and they send it down to the Secretary that they are automatically eligible for the matching grants, without having improved by one iota any safety regulation as to the transportation of natural gas within the confines of that particular State.

On the other hand, the proponents of the language contained in the House bill say that the Secretary still has the power to say that this certification shall no longer be in effect if he feels a State is not living up to it, the whole point being that the burden of proof shifts from the State to the Secretary of Transportation to prove when the State is in compliance.

Under the Senate language the burden of proof was on the State to show to the Secretary that, indeed, they were in compliance with the regulations and that they intended to continue to enforce, and have the means of enforcing, these regulations. So in my judgment the adoption of this present section would merely turn around the entire thrust of this legislation 180 degrees.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. Macdonald of Massachusetts was allowed to proceed for 3 additional minutes.)

Mr. MACDONALD of Massachusetts. The amount of money that we gave to the Secretary under this bill is very minimal indeed. The reason I voted for the very small amount which we gave him was that certainly under the committee language he would have absolutely no ability, with the number of agents that he would have at his command, to see whether or not the States were in compliance, and therefore the State that was entitled to 50-percent moneys would, by the very fact of setting forth merely a certified copy that they are in compliance with the safety standards, seems to me to be very weak Federal regulation indeed. Perhaps there should be no Federal regulation. That is for each Member of this House to decide for himself.

But if there is to be Federal regulation, it seems to me that it should be meaningful regulation, and in my judgment it will not be meaningful regulation unless this amendment is adopted.

Mr. BROYHILL of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from North Carolina is recognized.

Mr. BROYHILL of North Carolina. Mr. Chairman, I rise in opposition to the amendment. The gentleman from Massachusetts and I have sat side by side for many months and have had agreement on many issues, but on this one I find myself in disagreement with him—the interpretation of the language that the committee adopted in section 5(a). This is a strong provision.

Mr. Chairman, the entire legislation would give the Secretary of Transportation the authority to make the rules, to set the standards, to write the regulations as they apply to gas pipeline safety. This section (5a) sets up a Federal-State relationship for the enforcement of these safety standards which are laid down by the Secretary of Transportation.

In this section, we recognize that the State agencies have a role to play in this enforcement area. But at all times they are operating under the Federal safety standards that are laid down. If a State chooses to operate under this section of the act, I would point out that at all times, that State will be operating under Federal safety standards.

Just look at what the States are required to do under section 5(a). The States are required to make sure, and they have to specify, that they have lawful regulatory jurisdiction over these safety standards within the borders of their States. They must show conclusively that they have adopted these Federal standards that have been laid down by the Secretary of Transportation. They have to prove conclusively that they are enforcing each of these standards. They have to show that they have the authority to require the various recordkeeping, maintenance, and various reporting systems that the Secretary may require.

Many other requirements are spelled out in the act. The States have to show that they have the authority for the enforcement of these safety standards by way of injunctive or monetary sanctions. Section 5(a) goes on and on with these various protections. Also the Secretary, if he determines that the State agencies are not living up to what the States say they will do, has the right to reject these certifications. He has the right even to impose Federal jurisdiction, if he feels this is so required.

I feel this is a strong section. There is no unusual burden on the Secretary. In fact, as I see it, the burden is on the State to come up to the Federal standards and to show they are living up to the terms of the act. But, more than anything else, this bill does give the States a role in enforcement, and I think this is important. It will be 2 years before the Secretary specifies new standards and regulations. In that time, the States will have opportunity to review their regulatory responsibilities. It is clear that the Secretary of Transportation has no staff ready to enforce this law. Let us move ahead with the expertise that has been built up in certain States—and build and expand on this base of past experience.

Mr. ADAMS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I want to say, as I did earlier in the day, that this is the single most important section of this bill, and all of the other things we have been talking about in amendments tie to it. I compliment and join with the gentleman from Massachusetts, the chairman of the subcommittee, in trying to change this section by restoring to this bill the language that came over originally from the other body, and which could make this a truly Federal regulatory bill.

I know of no other bill in Federal regulation allowing the screwball system this one has proposed. Ordinarily, when the Federal Government says it is going to take jurisdiction over safety standards, it takes jurisdiction. Then if the States want to come in and say, "We will have an agreement on enforcement or we will help in some other fashion," then the Federal Government, through the Secretary says—and this is what was proposed in the original bill—"come in and we will make an agreement, and you take over that job under a delegated authority."

What we have done in this bill is to go 180 degrees, completely in the other direction, and say that the State will decide whether or not there will be Federal or State jurisdiction.

Why is that bad? At the present time, the State regulatory agencies are woefully understaffed. Many of them have had jurisdiction over natural gas only during the last 2 years. The report indicates in a survey taken—and this is on pages 42 and 43—that answers to questions go like this: when they ask the States if the commission has a program of inspection and does it have a staff of its own to do this work, the answer shows 21 said "yes," and 14 said "no," and five said it was not applicable, and the rest did not have any jurisdiction at all.

The question was asked about how many inspectors they employed. Twenty States have inspectors and they average from one to four, seven do not have any inspectors, and 13 did not even bother to reply to the Secretary of Transportation.

When we look at the whole present system, and we are not saying it is all wrong, and we are not saying the States are going to do everything bad. What we are saying is that we have a brand new industry now beginning to move natural gas into all the major cities of America—and it is the cities we are presently worried about, because they have the old manufactured gas systems under their streets. These are dangerous; the old systems have outdated pipes, or old valves which are inadequate, and now the natural gas people when they come in and buy out a gas system—and it is an economic problem—wonder how much of the system they can take a chance on and how much they have to replace. They have to go to their stockholders and justify replacing the whole system, so they try to use part of it. The danger starts.

If we turn to pages 41 and 42 and 43, again we find most States do not have any authority to regulate the publicly owned utilities within their areas, which gives them no safety in that area at all. Take the Maryland explosion. One of the problems is whether we have anybody who has jurisdiction to determine what happened. There is nobody. Take the Indiana explosion. One of the problems with the Richmond, Ind., explosion is that they had to set up a board of inquiry under the public prosecutor to determine even what happened. A gas explosion is like an airplane accident. After the accident occurs, nobody knows what happened, because there is not anything left. The people who were there are dead, the materials are blown apart, and someone must reconstruct it. This takes real inspection capability and ability to go in and do the job to try to prevent this from happening again.

The States do not have that ability now. That is the purpose of this bill, to give them some ability and to see that they come up to the standards that can be created in a Federal system.

I close by saying that in any regulatory system the whole purpose is to set forth what should be done. You say, for example, "Put this kind of pipe in. Do it this way. There is this penalty if you do not." Then you rely on the industry to come up to that level. In this bill we simply have created that system.

Mr. STAGGERS. Mr. Chairman, I rise to see if we can come to some agreement on a limitation of time on this amendment. There are several more amendments, and I am certain every Member who wants to have time to talk will have time to talk.

Could we have a limitation of 15 minutes?

Mr. PICKLE. Mr. Chairman, I see about eight Members standing. I wonder if the gentleman would make the request for 25 minutes.

Mr. STAGGERS. Mr. Chairman, I ask unanimous consent that the time on this amendment be limited to 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. MACDONALD of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his inquiry.

Mr. MACDONALD of Massachusetts. If a Member has spoken on an amendment, is he entitled to further time under a limitation of time?

The CHAIRMAN. Those Members who

were on their feet at the time the limitation was set will be recognized.

Mr. MACDONALD of Massachusetts. Even if they have spoken on the amendment before?

The CHAIRMAN. Even if they have spoken on the amendment before.

The Chair recognizes the gentleman from Pennsylvania [Mr. ROONEY].

(By unanimous consent, Mr. SPRINGER yielded his time to Mr. ROONEY of Pennsylvania.)

Mr. ROONEY of Pennsylvania. Mr. Chairman, I rise in opposition to the amendment.

It is not very often I disagree with the very distinguished chairman of my subcommittee, but in this particular case I must rise in opposition.

Whatever is held out as being uncertain or weak in the State certification method, in my opinion, would be just as true in the prior agreement method unless under the prior agreement method the Secretary of the Department of Transportation would send in teams of inspectors, hold hearings, and inspect the facilities of every distribution company throughout the country.

Would the Secretary actually be able to go in, with the staff he has, to all the 50 States of this Nation, to sign an agreement with them exempting them from Federal enforcement? The answer I suspect is "No." Probably the Secretary might not do much more, in checking out State enforcement facilities, than he would in the certification method, which we have asked for, which passed in our subcommittee.

If the Secretary does do a thorough job of inspecting before signing an agreement under the Senate version, then he is assuming the burden from the start. If so, I ask the Members of this committee whether or not he has the facilities to do this in every State in this Nation? I believe the States could certify themselves. I believe it is up to the Secretary of Transportation then to decide whether or not he feels they are doing a good job. If not, he can revoke their certification, and I am sure that the States will not want this to happen.

The gentleman from Washington talked about gas explosions and after the explosions nothing being understood and that it takes weeks and weeks and perhaps months and still no conclusions are reached. This is not true, because in any case of a gas explosion that we have had in this country the cause has been determined and on many occasions were not the fault of the gas company but were brought about by other reasons; for example, municipal companies going in and digging a trench and perhaps hitting a gas line, which causes an explosion. It has nothing to do with the legislation we are discussing today. Many of the gas explosion causes have been determined. In my opinion, this amendment offered by the gentleman from Massachusetts should be voted down.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. WATSON yielded his time to Mr. ROONEY of Pennsylvania.)

Mr. ROONEY of Pennsylvania. I yield to the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. Mr. Chairman, in general debate the very distinguished and able chairman of the subcommittee pointed out that the certification route might not be a desirable approach in the enforcement of these standards. He preferred the agreement route as written in the Senate language. He thought this was the best and more desirable approach. In the report on page 26 it clearly outlines that if a State does certify they are complying with these standards, they will therefore be expected to enforce and to carry out these particular certifications or, if the State is not certified and they enter into an agreement, the State will likewise enforce the standards.

The inference was left the other day, and the language was used, that all a State has to do is have a clerk in some agency of the State fill out the papers and they will say to the Secretary that they are complying and that is all that would be required. That is not the case. When you read the report, they have to list several things that they must agree to. I say to you there is not a great deal of difference between certification and agreement. In either event, as is shown in the report on page 27, whether you go into certification or agreement, the Secretary can reject the certification or terminate the agreement. If that happens, then the Secretary must give notice and a hearing will be started. There is not much weight to the burden of proof argument, and I intend to express myself further on that point.

The CHAIRMAN. The time of the gentleman has expired.

The Chair now recognizes the gentleman from Texas [Mr. PICKLE].

Mr. PICKLE. I thank the chairman.

The gentleman from Massachusetts said that they wanted the agreement approach used because if that was the language which we kept from the Senate bill, then the burden of proof would be put on the State as contrasted to the certification method, which would just be the opposite. In my opinion, it make no big difference whether you go to certification or agreement. We are really making a great deal of argument here over something that is basically philosophic. The gentleman from Massachusetts wants to make the Federal Government the all-powerful agency in enforcement. I say we ought to relegate these duties to the States. It is not correct, as the gentleman from Washington has said, that we have not used this approach before, because, in the report on page 29 it states at least three instances where we used this. One was in the Hinshaw agreement—Natural Gas Act—the Securities and Exchange case, and in the field of motor carriers.

The important thing is that we establish these standards, and say to the States, whether by certification or agreement, that these standards are to be enforced. The public interest demands this be done.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. BROYHILL].

Mr. WATSON. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of North Carolina. I yield to the gentleman from South Carolina.

Mr. WATSON. Mr. Chairman, I thank the gentleman from North Carolina for yielding him time to me.

Mr. Chairman, I should like to clarify two points, if I may.

The first question is directed to the adequacy of the State regulatory agencies. Mr. Chairman, the State regulatory agencies may not have done a perfect job but they have been doing a good job in this field. Let us bear in mind, though, that they are the only ones who have been active in this field. Yet, all of a sudden, the Federal Government is the only one ot do this, according to the proponents of this amendment.

Mr. Chairman, the Federal authorities know nothing about this problem. If there is any expertise which exists in this field, and there is, it is in the States. This is an ideal arrangement to save money and an ideal arrangement with which to get the most effective safety regulations.

Mr. Chairman, insofar as I am concerned I think this approach would follow the procedures that we have followed in the past with reference, for instance, to water and air pollution and other joint State-Federal programs.

I urge my colleagues to vote down the amendment.

Mr. ADAMS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL of North Carolina. I yield to the gentleman from Washington.

Mr. ADAMS. I would simply state to the gentleman from South Carolina [Mr. WATSON] that this is the whole purpose for establishing this Federal legislation—because the State system has been inadequate and we want to correct it.

Mr. WATSON. Yes; but you want the Federal Government not only to correct it but take it over also.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. OTTINGER].

Mr. OTTINGER. Mr. Chairman, this is the crux of the bill, and I congratulate my subcommittee chairman for offering this amendment. We simply cannot leave gas pipelines safety regulation to mere certification by the States.

In New York State we had a major explosion wherein one person was killed and 35 families left homeless. This occurred in Hastings, N.Y., in my district. The State authorities did nothing about it. Other explosions occurred recently in Queens and Jamaica, N.Y.

A similar lack of effective State regulation exists in Missouri. I would like to show the committee this pipe that was presented to our committee during the course of our hearings by the people who actually install and inspect gas pipeline in the field. This pipe was taken out from under a school building in St. Louis, Mo., just a few weeks ago. The workmen testified that it is the type of pipe that exists throughout the city of St. Louis—full of corrosion and leaks.

Mr. Chairman, I would like to read to the Members of the Committee of the Whole House on the State of the Union a telegram that I received from the commissioner of California Public Utilities, Mr. William M. Bennett, Commission State Building, San Francisco, Calif., that shows the some kind of weak State regulation in that State:

SAN FRANCISCO, CALIF.,
June 29, 1968.

RICHARD OTTINGER,
House of Representatives,
Washington, D.C.

Let me urge that the natural gas pipeline safety bill S. 1166 as originally written be enacted. This legislation, sorely needed by an unprotected public, should not be emasculated by the proposed amendments. The people of the State of California and the consumers for whom I speak are not now properly protected by any meaningful provisions of law in terms of the safety of gas pipelines.

I disagree emphatically with the position of my colleagues on this commission who speak to you now from a business oriented administration and seemingly from an ignorance of the present lack of effective State regulation in this field. California today merely adopts the standards of the gas industry and has a hands off policy with reference to safety.

The standards of the gas industry are self-created and primarily designed for industry benefit and not the protection of the public. In California there is no system of pipeline inspection under existing state law and one can speculate as to the present condition of repair or disrepair of the enormous network of gas pipelines interlacing California. The danger to life and property from want of a rigid strictly enforced program with standards and watchful inspection cannot be overstated. The Pacific Gas & Electric Company on May 8, 1968 at 2:20 a.m. suffered a major explosion in its system within the city of San Jose, a community of 408,000. This system was installed in 1925 and over the life of the pipeline suffered at least 5 gas leaks.

Despite the history of leaks in this particular portion of the system a major gas explosion occurred either from material failure or human failure causing widespread property damage. The absence of people from the vicinity alone resulted merely in property damage rather than loss of life.

The PG&E in opposing S. 1166 as originally proposed and in effectively lobbying weakening amendments into such legislation speaks only for its corporate officers and its shareholders—it does not speak for the California public. Indeed in my opinion, its position is contrary to the public interest. The balancing of the interest of the public utility as against the rights of the California public to protection obviously should be resolved in favor of the public interest. It should be noted as well that the successful lobbying activities of PG&E are financed by the same public the original legislation is intended to protect.

State protection is largely a myth, and PG&E knows this. State protection under a regulatory agency which is now dominated by a utility bias is not only a myth, it is dangerous. And the position of the California commission in support of the PG&E lobby tells it all.

The transmission and gas distribution systems of the United States and of California are now acquiring an ancient vintage. Gas pipeline presently in service in California dates back to 1920, 1925, the 1930's, the 1940's, the 1950's and the present. In San Jose, California, for example, approximately 99,000 feet of gas main installed prior to 1920 is still in service. Approximately 1,500,000 feet of gas main installed in 1945 through 1949 in San Jose is still in service. Almost 2 million feet of gas main installed in 1950 and 1954 in San Jose is still in service. Gas pipeline explosions will increase simply because of the vintage of the pipe unless there are strict penalties for dereliction and a complete and adequate program of inspections. The fact of the San Jose explosion demonstrates quite clearly that PG&E even when upon notice of a system subject to leakage was still unable to prevent what might have been a human catastrophe. This is an example of self regulation at its worst but it is all too typical. The proposed amendments would merely permit this situation to endure.

Let me point out that as a public utility the first responsibility of PG&E is to the public and not to its shareholders particularly in matters of safety. Further any additional expenses attendant upon compliance with S 1166 is an expense paid for by the customers of PG&E—not by its shareholders. I have obtained from PG&E a report about the San Jose accident which offers no satisfactory explanation for the failure to prevent a gas explosion and offers nothing meaningful by way of a program in the future to prevent further recurrence. Let me point out that the California PUC with such jurisdiction as we have over gas pipelines has no program over inspection of existing systems. Neither does any other division or agency of State government.

As a member of the PUC of the State of California, an associate therewith for over a decade and as a Californian concerned with public safety, let me urge that S 1166 as originally presented and without the crippling amendments proposed by the utility lobby be passed. Failure to support such legislation would be a grave disservice and a deeply hazardous action to the safety of Californians for whom I speak.

Commissioner WILLIAM M. BENNETT,
California Public Utilities Commission.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ADAMS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred thirty Members are present, a quorum.

The Chair recognizes the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I always hesitate to confuse the eloquence of debate with the facts of the language of the legislation, but I should like to read to the Members just one phrase from the legislation on page 31, line 23, and following, where it says:

> If after receipt of annual certification, the Secretary determines that the State agency is not satisfactorily enforcing compliance with Federal safety standards, he may, on reasonable notice and after opportunity for hearing, reject the certification or take such other action as he deems appropriate to achieve adequate enforcement including the assertion of Federal jurisdiction.

It seems to me, Mr. Chairman, that this very clearly spells out the objective of this legislation, or the presumed objective, and that is to bring about pipeline safety.

The legislation is designed, however, to do the job economically through the existing State agencies where the expertise now exists, and to do it with as great as possible a degree of security and as little additional cost as possible so that we can have the job done and done well by those people who know how to do it.

The Secretary can assert his authority when the States fail. It seems to me that should provide sufficient protection for failure within the State regulatory agencies or those agencies at the State level which have jurisdiction over pipeline safety.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MOSS].

Mr. MOSS. Mr. Chairman, I want to make a very brief comment on the fact that there is a great deal of difference between certification and agreement. The procedure that is outlined here, if it were applied to the practice of law, I could go out and certify that I was a lawyer and engage in the practice of law, and someone would then have to establish the burden of proof to the contrary.

Where you enter into an agreement certainly envisions a setting down and a working out of an accommodation between two parties, and in this case two relatively equal parties, and that is the intention here, and that is why we have Federal regulations.

I say to my colleague on the committee who contended that we are just trying to turn this over to the Central Government, the act says that it is an "act to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline," and if we do not adopt this amendment we are perpetrating a fraud upon the American people. We are telling them there is regulation when in fact there is no regulation. The only way you can possibly impose the Federal standards on a State and insure their enforcement is to have the State fail dramatically to regulate, and that failure would usually be in some very explosive form.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, the reason the Federal Government is forced into the business of regulating transportation of gas in interstate commerce is because the States have not done an adequate job. Millions of dollars in property damage, many human lives have been lost, and extensive damage done to industries and to homes, injury to persons, and a long series of disasters have placed us in the position where today we are trying to work out a bill that is really going to protect the people.

The amendment here is very simple. All it says is that the Federal Government is going to be able to enter into agreements on these matters of pipeline safety as an equal in dealing with the situation.

The bill as presented says that when the States may present certificate by some clerk saying, "Well, we are doing just precisely what you state we ought to do," until the Federal Government has proven otherwise, it may do nothing to force the States to adequate regulation in the public interest.

There is a sleeper in this bill. When considering this amendment, remember that there is no requirement that the State law have an adequate penalty provision to assure compliance. That is of great importance. There can be no real enforcement without adequate penalties. One of the things which is of the most considerable importance here is that the Federal Government under the amendment may require negotiation and agreement adequate in form to protect the public interest before it relinquishes its authority to the State agencies.

This is the way the matter has been done in water pollution and in air pollution. This bill provides a new and effective way of doing nothing that has never been found in regulatory language before.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. KUYKENDALL].

Mr. KUYKENDALL. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. KORNEGAY].

(By unanimous consent, Mr. KORNEGAY yielded his time to Mr. WAGGONNER.)

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Chairman, the gentleman from Michigan [Mr. DINGELL] who preceded me in the well made the assertion that it was necessary for the Federal Government to involve itself in pipeline regulation in the instance of natural gas because the States have not done a good job.

I cannot let that statement go unchallenged because I personally do not feel a case has even been made to require or to make necessary Federal regulation of the natural gas pipeline industry.

But there seems to be an inconsistency here on the part of some who advocate support of this legislation on the one hand and support of this amendment to the legislation on the other as proposed by the committee because section 3 of the bill says:

> As soon as practicable but not later than three months after the enactment of this Act, the Secretary shall, by order, adopt as interim minimum Federal safety standards for pipeline facilities and the transportation of gas in each State the State standards regulating pipeline facilities and the transportation of gas within such State on the date of enactment of the Act.

And where the States have no regulations now, they ought to use that regulation which is common to the States that do have legislation involving regulation.

So I submit, if it is good on the one hand, it is good on the other. The States cannot be so bad after all.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. STAGGERS] to close debate on this section.

Mr. STAGGERS. Mr. Chairman, I rise in support of the amendment because this is a Federal bill for the safety of transportation of natural and other gases by pipeline and for other purposes.

In the amendment, as offered by the gentleman from Massachusetts, proposing language as is contained in the Senate bill, the Secretary and representatives of the States would be able to sit down and come to a common agreement, a bilateral agreement. Otherwise, it would be a unilateral matter and the Federal Government would have to show that the State was not keeping the regulation. This would also change the penalties and make them very unequal across America because the States have different penalties.

One State has no laws whatsoever. At least half of the States have what we call and which are inadequate laws at the present time. This would make them the standard and would make them minimal and would establish throughout the United States what we would expect them to come up to.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman.

Mr. BURKE of Massachusetts. Mr. Chairman, I rise in support of the amendment offered by my distinguished and esteemed colleague, the gentleman from Massachusetts [Mr. MACDONALD].

Mr. Chairman, the amendment is a sound one. In essence what it does is to restore the language that the other body had in its bill for entering into agreements with State agencies. The measure that was sent over to this body provided that the Secretary of Transportation could enter into written agreements with the State agencies to carry out the enforcement of the natural gas pipelines safety provided that the State agency first adopted the standards that the Secretary of Transportation would promulgate and then would undertake a program which would be satisfactory to the Secretary and would agree to cooperate in a system of Federal monitoring of the compliance program.

This amendment would result in meaningful language in the bill and result in the kind of safety regulations that the public has a right to expect.

I want to commend my able and hardworking colleague from Massachusetts [Mr. MACDONALD] for his excellent presentation of the facts. He has been in the vanguard leading the fight for safety regulations and I wish to associate myself with him in his sincere efforts to write into law provisions that are long overdue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. MACDONALD].

The question was taken; and on a division (demanded by Mr. MACDONALD), there were—ayes 36, noes 83.

Mr. ADAMS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. MACDONALD of Massachusetts and Mr. SPRINGER.

The Committee again divided, and the tellers reported that there were—ayes 59, noes 112.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. STAGGERS: On page 30, beginning in line 12, strike out "Except as provided in subsection (d) of this section" and insert in lieu thereof the following: "Except for the fourth sentence of section 3(b), section 12(b), and except as otherwise provided in this section".

Mr. STAGGERS. Mr. Chairman, this is simply a clarifying amendment. On both sides I believe we have agreed this language is necessary.

Mr. Chairman, I urge adoption of the amendment.

Mr. SPRINGER. Mr. Chairman, will the gentleman from West Virginia give a little more explanation? I want to be sure I understand this amendment.

Mr. STAGGERS. Mr. Chairman, this is the same amendment that counsel, Dr. Stevenson, had gone over with and discussed with the minority leader, and this is clarifying the intention of the language.

Mr. SPRINGER. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. STAGGERS].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

JUDICIAL REVIEW OF ORDERS

> SEC. 6. (a) Any person who is or will be adversely affected or aggrieved by any order issued under this Act may at any time prior to the sixtieth day after such order is issued file a petition for a judicial review with the United States Court of Appeals for the District of Columbia or for the circuit wherein such petitioner is located or has his principal place of business. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose.
>
> (b) Upon the filing of the petition referred to in subsection (a), the court shall have jurisdiction to review the order in accordance with chapter 7 of title 5 of the United States Code and to grant appropriate relief as provided in such chapter.
>
> (c) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.
>
> (d) Any action instituted under this section shall survive, notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.
>
> (e) The remedies provided for in this section shall be in addition to and not in substitution for any other remedies provided by law.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that this section be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. If there is no amendment to be proposal to section 6, the Clerk will read.

The Clerk read as follows:

COOPERATION WITH FEDERAL POWER COMMISSION AND STATE COMMISSIONS

> SEC. 7. Whatever the establishment of a standard or action upon application for waiver under the provisions of this Act would affect continuity of any gas services, the Secretary shall consult with and advise the Federal Power Commission or State commission having jurisdiction over the affected pipeline facility before establishing the standard or acting on the waiver application and shall defer the effective date until the Federal Power Commission or any such commission has had reasonable opportunity to grant the authorizations it deems necessary. In any proceedings under section 7 of the Natural Gas Act (15 U.S.C. 717f) for authority to establish, construct, operate, or extend a gas pipeline which is or will be subject to Federal or other applicable safety standards, any applicant shall certify that

Mr. Chairman, I would like to read to the Members of the Committee of the Whole House on the State of the Union a telegram that I received from the commissioner of California Public Utilities, Mr. William M. Bennett, Commission State Building, San Francisco, Calif., that shows the some kind of weak State regulation in that State:

SAN FRANCISCO, CALIF.,
June 29, 1968.

RICHARD OTTINGER,
House of Representatives,
Washington, D.C.

Let me urge that the natural gas pipeline safety bill S. 1166 as originally written be enacted. This legislation, sorely needed by an unprotected public, should not be emasculated by the proposed amendments. The people of the State of California and the consumers for whom I speak are not now properly protected by any meaningful provisions of law in terms of the safety of gas pipelines.

I disagree emphatically with the position of my colleagues on this commission who speak to you now from a business oriented administration and seemingly from an ignorance of the present lack of effective State regulation in this field. California today merely adopts the standards of the gas industry and has a hands off policy with reference to safety.

The standards of the gas industry are self-created and primarily designed for industry benefit and not the protection of the public. In California there is no system of pipeline inspection under existing state law and one can speculate as to the present condition of repair or disrepair of the enormous network of gas pipelines interlacing California. The danger to life and property from want of a rigid strictly enforced program with standards and watchful inspection cannot be overstated. The Pacific Gas & Electric Company on May 8, 1968 at 2:20 a.m. suffered a major explosion in its system within the city of San Jose, a community of 408,000. This system was installed in 1925 and over the life of the pipeline suffered at least 5 gas leaks.

Despite the history of leaks in this particular portion of the system a major gas explosion occurred either from material failure or human failure causing widespread property damage. The absence of people from the vicinity alone resulted merely in property damage rather than loss of life.

The PG&E in opposing S. 1166 as originally proposed and in effectively lobbying weakening amendments into such legislation speaks only for its corporate officers and its shareholders—it does not speak for the California public. Indeed in my opinion, its position is contrary to the public interest. The balancing of the interest of the public utility as against the rights of the California public to protection obviously should be resolved in favor of the public interest. It should be noted as well that the successful lobbying activities of PG&E are financed by the same public the original legislation is intended to protect.

State protection is largely a myth, and PG&E knows this. State protection under a regulatory agency which is now dominated by a utility bias is not only a myth, it is dangerous. And the position of the California commission in support of the PG&E lobby tells it all.

The transmission and gas distribution systems of the United States and of California are now acquiring an ancient vintage. Gas pipeline presently in service in California dates back to 1920, 1925, the 1930's, the 1940's, the 1950's and the present. In San Jose, California, for example, approximately 99,000 feet of gas main installed prior to 1920 is still in service. Approximately 1,500,000 feet of gas main installed in 1945 through 1949 in San Jose is still in service. Almost 2 million feet of gas main installed in 1950 and 1954 in San Jose is still in service. Gas pipeline explosions will increase simply because of the vintage of the pipe unless there are strict penalties for dereliction and a complete and adequate program of inspections. The fact of the San Jose explosion demonstrates quite clearly that PG&E even when upon notice of a system subject to leakage was still unable to prevent what might have been a human catastrophe. This is an example of self regulation at its worst but it is all too typical. The proposed amendments would merely permit this situation to endure.

Let me point out that as a public utility the first responsibility of PG&E is to the public and not to its shareholders particularly in matters of safety. Further any additional expenses attendant upon compliance with S 1166 is an expense paid for by the customers of PG&E—not by its shareholders. I have obtained from PG&E a report about the San Jose accident which offers no satisfactory explanation for the failure to prevent a gas explosion and offers nothing meaningful by way of a program in the future to prevent further recurrence. Let me point out that the California PUC with such jurisdiction as we have over gas pipelines has no program over inspection of existing systems. Neither does any other division or agency of State government.

As a member of the PUC of the State of California, an associate therewith for over a decade and as a Californian concerned with public safety, let me urge that S 1166 as originally presented and without the crippling amendments proposed by the utility lobby be passed. Failure to support such legislation would be a grave disservice and a deeply hazardous action to the safety of Californians for whom I speak.

Commissioner WILLIAM M. BENNETT,
California Public Utilities Commission.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ADAMS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. One hundred thirty Members are present, a quorum.

The Chair recognizes the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, I always hesitate to confuse the eloquence of debate with the facts of the language of the legislation, but I should like to read to the Members just one phrase from the legislation on page 31, line 23, and following, where it says:

> If after receipt of annual certification, the Secretary determines that the State agency is not satisfactorily enforcing compliance with Federal safety standards, he may, on reasonable notice and after opportunity for hearing, reject the certification or take such other action as he deems appropriate to achieve adequate enforcement including the assertion of Federal jurisdiction.

It seems to me, Mr. Chairman, that this very clearly spells out the objective of this legislation, or the presumed objective, and that is to bring about pipeline safety.

The legislation is designed, however, to do the job economically through the existing State agencies where the expertise now exists, and to do it with as great as possible a degree of security and as little additional cost as possible so that we can have the job done and done well by those people who know how to do it.

The Secretary can assert his authority when the States fail. It seems to me that should provide sufficient protection for failure within the State regulatory agencies or those agencies at the State level which have jurisdiction over pipeline safety.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MOSS].

Mr. MOSS. Mr. Chairman, I want to make a very brief comment on the fact that there is a great deal of difference between certification and agreement. The procedure that is outlined here, if it were applied to the practice of law, I could go out and certify that I was a lawyer and engage in the practice of law, and someone would then have to establish the burden of proof to the contrary.

Where you enter into an agreement certainly envisions a setting down and a working out of an accommodation between two parties, and in this case two relatively equal parties, and that is the intention here, and that is why we have Federal regulations.

I say to my colleague on the committee who contended that we are just trying to turn this over to the Central Government, the act says that it is an "act to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline," and if we do not adopt this amendment we are perpetrating a fraud upon the American people. We are telling them there is regulation when in fact there is no regulation. The only way you can possibly impose the Federal standards on a State and insure their enforcement is to have the State fail dramatically to regulate, and that failure would usually be in some very explosive form.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, the reason the Federal Government is forced into the business of regulating transportation of gas in interstate commerce is because the States have not done an adequate job. Millions of dollars in property damage, many human lives have been lost, and extensive damage done to industries and to homes, injury to persons, and a long series of disasters have placed us in the position where today we are trying to work out a bill that is really going to protect the people.

The amendment here is very simple. All it says is that the Federal Government is going to be able to enter into agreements on these matters of pipeline safety as an equal in dealing with the situation.

The bill as presented says that when the States may present certificate by some clerk saying, "Well, we are doing just precisely what you state we ought to do," until the Federal Government has proven otherwise, it may do nothing to force the States to adequate regulation in the public interest.

There is a sleeper in this bill. When considering this amendment, remember that there is no requirement that the State law have an adequate penalty provision to assure compliance. That is of great importance. There can be no real enforcement without adequate penalties. One of the things which is of the most considerable importance here is that the Federal Government under the amendment may require negotiation and agreement adequate in form to protect the public interest before it relinquishes its authority to the State agencies.

This is the way the matter has been done in water pollution and in air pollution. This bill provides a new and effective way of doing nothing that has never been found in regulatory language before.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. Kuykendall].

Mr. KUYKENDALL. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. Kornegay].

(By unanimous consent, Mr. Kornegay yielded his time to Mr. Waggonner.)

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. Waggonner].

Mr. WAGGONNER. Mr. Chairman, the gentleman from Michigan [Mr. Dingell] who preceded me in the well made the assertion that it was necessary for the Federal Government to involve itself in pipeline regulation in the instance of natural gas because the States have not done a good job.

I cannot let that statement go unchallenged because I personally do not feel a case has even been made to require or to make necessary Federal regulation of the natural gas pipeline industry.

But there seems to be an inconsistency here on the part of some who advocate support of this legislation on the one hand and support of this amendment to the legislation on the other as proposed by the committee because section 3 of the bill says:

> As soon as practicable but not later than three months after the enactment of this Act, the Secretary shall, by order, adopt as interim minimum Federal safety standards for pipeline facilities and the transportation of gas in each State the State standards regulating pipeline facilities and the transportation of gas within such State on the date of enactment of the Act.

And where the States have no regulations now, they ought to use that regulation which is common to the States that do have legislation involving regulation.

So I submit, if it is good on the one hand, it is good on the other. The States cannot be so bad after all.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. Staggers] to close debate on this section.

Mr. STAGGERS. Mr. Chairman, I rise in support of the amendment because this is a Federal bill for the safety of transportation of natural and other gases by pipeline and for other purposes.

In the amendment, as offered by the gentleman from Massachusetts, proposing language as is contained in the Senate bill, the Secretary and representatives of the States would be able to sit down and come to a common agreement, a bilateral agreement. Otherwise, it would be a unilateral matter and the Federal Government would have to show that the State was not keeping the regulation. This would also change the penalties and make them very unequal across America because the States have different penalties.

One State has no laws whatsoever. At least half of the States have what we call and which are inadequate laws at the present time. This would make them the standard and would make them minimal and would establish throughout the United States what we would expect them to come up to.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman.

Mr. BURKE of Massachusetts. Mr. Chairman, I rise in support of the amendment offered by my distinguished and esteemed colleague, the gentleman from Massachusetts [Mr. Macdonald].

Mr. Chairman, the amendment is a sound one. In essence what it does is to restore the language that the other body had in its bill for entering into agreements with State agencies. The measure that was sent over to this body provided that the Secretary of Transportation could enter into written agreements with the State agencies to carry out the enforcement of the natural gas pipelines safety provided that the State agency first adopted the standards that the Secretary of Transportation would promulgate and then would undertake a program which would be satisfactory to the Secretary and would agree to cooperate in a system of Federal monitoring of the compliance program.

This amendment would result in meaningful language in the bill and result in the kind of safety regulations that the public has a right to expect.

I want to commend my able and hardworking colleague from Massachusetts [Mr. Macdonald] for his excellent presentation of the facts. He has been in the vanguard leading the fight for safety regulations and I wish to associate myself with him in his sincere efforts to write into law provisions that are long overdue.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. Macdonald].

The question was taken; and on a division (demanded by Mr. Macdonald), there were—ayes 36, noes 83.

Mr. ADAMS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Macdonald of Massachusetts and Mr. Springer.

The Committee again divided, and the tellers reported that there were—ayes 59, noes 112.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. STAGGERS

Mr. STAGGERS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Staggers: On page 30, beginning in line 12, strike out "Except as provided in subsection (d) of this section" and insert in lieu thereof the following: "Except for the fourth sentence of section 3(b), section 12(b), and except as otherwise provided in this section".

Mr. STAGGERS. Mr. Chairman, this is simply a clarifying amendment. On both sides I believe we have agreed this language is necessary.

Mr. Chairman, I urge adoption of the amendment.

Mr. SPRINGER. Mr. Chairman, will the gentleman from West Virginia give a little more explanation? I want to be sure I understand this amendment.

Mr. STAGGERS. Mr. Chairman, this is the same amendment that counsel, Dr. Stevenson, had gone over with and discussed with the minority leader, and this is clarifying the intention of the language.

Mr. SPRINGER. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia [Mr. Staggers].

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

JUDICIAL REVIEW OF ORDERS

> Sec. 6. (a) Any person who is or will be adversely affected or aggrieved by any order issued under this Act may at any time prior to the sixtieth day after such order is issued file a petition for a judicial review with the United States Court of Appeals for the District of Columbia or for the circuit wherein such petitioner is located or has his principal place of business. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Secretary or other officer designated by him for that purpose.
>
> (b) Upon the filing of the petition referred to in subsection (a), the court shall have jurisdiction to review the order in accordance with chapter 7 of title 5 of the United States Code and to grant appropriate relief as provided in such chapter.
>
> (c) The judgment of the court affirming or setting aside, in whole or in part, any such order of the Secretary shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28 of the United States Code.
>
> (d) Any action instituted under this section shall survive, notwithstanding any change in the person occupying the office of Secretary or any vacancy in such office.
>
> (e) The remedies provided for in this section shall be in addition to and not in substitution for any other remedies provided by law.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that this section be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. If there is no amendment to be proposal to section 6, the Clerk will read.

The Clerk read as follows:

COOPERATION WITH FEDERAL POWER COMMISSION AND STATE COMMISSIONS

> Sec. 7. Whatever the establishment of a standard or action upon application for waiver under the provisions of this Act would affect continuity of any gas services, the Secretary shall consult with and advise the Federal Power Commission or State commission having jurisdiction over the affected pipeline facility before establishing the standard or acting on the waiver application and shall defer the effective date until the Federal Power Commission or any such commission has had reasonable opportunity to grant the authorizations it deems necessary. In any proceedings under section 7 of the Natural Gas Act (15 U.S.C. 717f) for authority to establish, construct, operate, or extend a gas pipeline which is or will be subject to Federal or other applicable safety standards, any applicant shall certify that

it will design, install, inspect, test, construct, operate, replace, and maintain the pipeline facilities in accordance with Federal and other applicable safety standards and plans for maintenance and inspection. Such certification shall be binding and conclusive upon the Commission unless the relevant enforcement agency has timely advised the Commission in writing that the applicant has violated safety standards established pursuant to this Act.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that section 7 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. Are there any amendments to be proposed to section 7?

If not, the Clerk will read.

The Clerk read as follows:

COMPLIANCE

SEC. 8. (a) Each person who engages in the transportation of gas or who owns or operates pipeline facilities shall—

(1) at all times after the date any applicable safety standard established under this Act takes effect comply with the requirements of such standard; and

(2) file and comply with a plan of inspection and maintenance required by section 11; and

(3) permit access to or copying of records, and make reports or provide information, and permit entry or inspection, as required under section 12.

(b) Nothing in this Act shall affect the common law or statutory tort liability of any person.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that section 8 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. Is there any amendment to be proposed to this section? If not, the Clerk will read.

The Clerk read as follows:

CIVIL PENALTY

SEC. 9. (a) Whenever the Secretary has reason to believe any person is violating any portion of section 8(a), or any regulation issued under this Act, he shall give notice to such person and permit such person reasonable opportunity to achieve compliance prior to imposing the penalties hereinafter provided. If compliance has not been achieved in a reasonable time, the Secretary may impose a civil penalty not to exceed $500 for each day that such violation persists, except that the maximum civil penalty shall not exceed $100 000 for any related series of violations. In addition, the Secretary may seek injunctive relief under the provisions set forth in section 10.

(b) Any such civil penalty may be compromised by the Secretary. In determining the amount of such penalty, or the amount agreed upon in compromise, the appropriateness of such penalty to the size of the business of the person charged, the gravity of the violation, and the good faith of the person charged in attempting to achieve compliance, after notification of a violation, shall be considered. The amount of such penalty, when finally determined, or the amount agreed upon in compromise, may be deducted from any sums owing by the United States to the person charged or may be recovered in a civil action in the United States district courts.

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that section 9 be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. ADAMS

Mr. ADAMS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ADAMS: On page 37 strike out line 15 and all that follows down through and including line 2 on page 38, and insert in lieu thereof the following:

"SEC. 9. (a) Any person who violates any provision of section 8(a), or any regulation issued under this Act, shall be subject to a civil penalty of not to exceed $1,000 for each such violation for each day that such violation persists, except that the maximum civil penalty shall not exceed $400,000 for any related series of violations."

Mr. ADAMS. Mr. Chairman, as we pointed out earlier this afternoon, the key amendment was the one the gentleman from Michigan [Mr. MCDONALD] offered to section 5(a), but I might as well, because of what has happened to this bill, follow this through, so we all know what we have done before we get to the final vote.

Section 9 completes our efforts to strengthen the bill. This section, in my opinion, epitomizes the ineffectiveness of this bill. The civil penalty section proposed here is another example of one of those sections that does not exist anyplace else in the federal system.

It might be called a "mad dog" type of statute, because what it says is that everybody is entitled to one bite before you can do anything about it. The present section in the bill says that the Secretary cannot enforce a civil penalty until he has gone to somebody and said they should comply, and then they have a chance to comply before the penalty will apply. As anyone and everyone knows, in a regulatory system one sets up a system of penalties. It is not necessary to apply them every time because certain equities may apply but the policing authority lets the man know if he does not meet the standards he is subject to the penalty, so he brings himself up to the standards.

Let me give an example. Suppose that we said, in regulating automobile traffic by providing speed regulations, for a man driving down the road, there was a 50-mile-an-hour statute. What generally happens under this type statute? If he were going down the road and there was a 50-mile-an-hour prohibition, if he happened to be driving 60 miles an hour, and there were a penalty that said anyone who violated the speed limit would pay a $25 fine he would pay a fine. Under this act we would say, "No, the officer has to stop him and say, 'You know, you were going beyond the speed limit; but I haven't asked you not to do it until now so do not do it anymore or else I will have to apply the fine.'"

What does everybody do then? Everybody drives beyond the speed limit until he is caught the first time.

That is precisely what this act will mean.

When we consider all the three sections—the one the gentleman brought out, on section 5(a); and this section, which says there will not be any penalty until after something has happened; and then take all the money out of section 15—then, Mr. Chairman, what will be established in this bill is a charade for the American public. They think they are going to be protected by a Federal regulation. There is not any Federal regulation. They believe there will be a penalty if somebody does not comply, but there is not going to be a penalty. Then they say that the Secretary shall go out to inspect these areas, but we are not going to give him any money to inspect them.

We are not going to offer the amendment to restore the money in section 15. We will leave it right where it is, because there is no point in putting any more money in this bill.

I do not know whether this amendment will succeed. I doubt it, after the last vote, but I want to make it very clear to the Members of the House what they have done.

I will be very happy if some other member of the committee can cite to me an instance in safety regulation any place in Federal regulation where this type of system has been used.

Mr. WATSON. Mr. Chairman, I rise in opposition to the amendment.

I believe the Committee should be aware of the fact that this amendment would do two things.

First, it would increase the penalties which are now provided in the bill, which were threshed out in the committee, from $500 for each day of violation up to $1,000 and from $100,000 for a series of violations up to $400,000. It would double the amount in one instance and quadruple it in the other instance.

Second, it does not allow the Secretary of Transportation to work out compliance with an industry on an amicable basis. Read this section 9, on page 37. It says:

> Whenever the Secretary has reason to believe any person is violating any portion of section 8(a), or any regulation issued under this Act, he shall give notice to such person and permit such person reasonable opportunity to achieve compliance.

Is that not a fair proposition? If we are interested in getting this bill to work, if we are interested in compliance, this is the way to do it.

If Members merely want to try to collect a lot of fines, then they will adopt the amendment offered by the gentleman from Washington.

Incidentally, a gentleman from his side gives a very eloquent and succinct argument against the amendment now proposed. I refer to the committee report, on page 57, where the gentleman from California [Mr. VAN DEERLIN] states:

> I am baffled by colleagues who find it "amazing" that a violator should be warned before he is penalized. Let us hope the day of the friendly cop has not ended altogether.

This is the way, under the language as worked out in the committee, to get compliance of companies, not badger them into compliance by excessive penalties.

If you just want to go out and have a series of penalties on this matter, then adopt this amendment. I believe the will of this committee is to go ahead and let this be a workable bill and serve notice on them and give them an opportunity to clean up their house before we run out arbitrarily assessing penalties of this amount against them.

Mr. STAGGERS. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto conclude in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. Moss].

Mr. MOSS. Mr. Chairman, I am surprised at the plea for tolerance for law violation that I have just heard from my distinguished colleague from South Carolina, [Mr. Watson]. I have heard so much about softness on law violations around Washington that it shocks me to find a plea here that knowledgeable and intelligent and supposedly responsible corporate persons should be given that first bite—should be permitted to violate the law with impunity on one occasion before we do anything to them. This is a new and novel doctrine to me. I come from a part of the country where we still try, despite the words of my colleague—we still try to be both friendly and firm, and when people knowingly violate, the penalty should then start. It is the intolerance for proper law enforcement which has done great damage to this Nation, and I am shocked at the source of the plea that we be tolerant yet again and condone further law violations. That is all in the world you can possibly say you mean under this language.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. Devine].

Mr. DEVINE. Mr. Chairman, the argument that penalties are not high enough can be discussed indefinitely without agreement. Each individual has his own ideas as to the proper level of penalties taking all things into account. The amounts put in the bill originally were just lifted bodily out of the Traffic Safety Act and have no basis in logic or experience. If they are the correct figures, it is an accident.

The mad-dog argument is specious. There need be no explosion before the Secretary steps in. And an explosion can happen even though the operator is obeying all standards. As a matter of fact, the notice provision is more apt to prevent an explosion than the hard-nosed approach so dear to the hearts of the minority group. If the only alternative open to the Secretary when he discovers a violation is to start formal proceedings against the culprit, he is apt to be dragged along for many a moon before he can get results. And then the result is a penalty. Is the Government more interested in collecting penalties or using its authority to get correction of dangerous situations?

Further, the mine run violation is not going to be a patently hazardous situation so vividly described by the minority as "dynamite under the streets," but failure to file some paper or make information available. If it's penalties we are interested in, then the minority may be right, but if it is compliance that is desired, the committee version makes total sense.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. Pickle].

Mr. PICKLE. Mr. Chairman, it is only fair and reasonable that we give such persons or firms notice and an opportunity to comply with these Federal standards that would be established. This is not a new approach. This is something that is done in various fields throughout the Government. It is certainly fair and right that we extend this to the pipeline companies.

I would also like to point out with respect to the penalty that the committee voted 2 to 1 in the full committee that they would not adopt the amendment that has been offered by the gentleman from Washington.

There was an additional amendment that was a sort of an in-between amendment which I supported, but that lost by a close vote. However, this other amendment lost by a vote of 2 to 1.

Mr. Chairman, this amendment contains what could be severe penalties. It might be argued that the sum of $500 is a little small, but we must bear in mind that some of these companies are small companies while others are large. To the small company a fine of $500 a day instead of $1,000 a day would be very material, if not disastrous. The penalty or amount constitutes a matter of judgment. This is what the chairman pointed out.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. Brown].

Mr. BROWN of Ohio. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. Springer].

Mr. SPRINGER. Mr. Chairman, I yield back my time.

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. Staggers].

Mr. STAGGERS. Mr. Chairman, I yield back my time.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from Washington [Mr. Adams].

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

INJUNCTION AND JURISDICTION

Sec. 10. (a) The United States district courts shall have jurisdiction, subject to the provisions of rule 65(a) and (b) of the Federal Rules of Civil Procedure, to restrain violations of this Act (including the restraint of transportation of gas or the operation of a pipeline facility) or to enforce standards established hereunder upon petition by the appropriate United States attorney or the Attorney General on behalf of the United States. Whenever practicable, the Secretary shall give notice to any person against whom an action for injunctive relief is contemplated and afford him an opportunity to present his views, and, except in the case of a knowing and willful violation, shall afford him reasonable opportunity to achieve compliance. However, the failure to give such notice and afford such opportunity shall not preclude the granting of appropriate relief.

(b) In any proceeding for criminal contempt for violation of an injunction or restraining order issued under this section, which violation also constitutes a violation of this Act, trial shall be by the court or, upon demand of the accused, by a jury. Such trial shall be conducted in accordance with the practice and procedure applicable in the case of proceedings subject to the provisions of rule 42(b) of the Federal Rules of Criminal Procedure.

(c) Actions under subsection (a) of this section and section 9 may be brought in the district wherein any act or transaction constituting the violation occurred, or in the district wherein the defendant is found or is an inhabitant or transacts business, and process in such cases may be served in any other district of which the defendant is an inhabitant or transacts business or wherever the defendant may be found.

(d) In any action brought under subsection (a) of this section and section 9, subpenas for witnesses who are required to attend a United States district court may run into any other district.

INSPECTION AND MAINTENANCE PLANS

Sec. 11. Each person who engages in the transportation of gas or who owns or operates pipeline facilities not subject to the jurisdiction of the Federal Power Commission under the Natural Gas Act shall file with the Secretary or, where a certification or an agreement pursuant to section 5 is in effect, with the State agency, a plan for inspection and maintenance of each such pipeline facility owned or operated by such person, and any changes in such plan, in accordance with regulations prescribed by the Secretary or appropriate State agency. The Secretary may, by regulation, also require persons who engage in the transportation of gas or who own or operate pipeline facilities subject to the provisions of this Act to file such plans for approval. If at any time the agency with responsibility for enforcement of compliance with the standards established under this Act finds that such plan is inadequate to achieve safe operation, such agency shall, after notice and opportunity for a hearing, require such plan to be revised. The plan required by the agency shall be practicable and designed to meet the need for pipeline safety. In determining the adequacy of any such plan, such agency shall consider—

(1) relevant available pipeline safety data;

(2) whether the plan is appropriate for the particular type of pipeline transportation;

(3) the reasonableness of the plan; and

(4) the extent to which such plan will contribute to public safety.

RECORDS, REPORTS, AND INSPECTION FOR COMPLIANCE

Sec. 12. (a) Each person who engages in the transportation of gas or who owns or operates pipeline facilities shall establish and maintain such records, make such reports, and provide such information as the Secretary may reasonably require to enable him to determine whether such person has acted or is acting in compliance with this Act and the standards established under this Act. Each such person shall, upon request of an officer, employee, or agent authorized by the Secretary, permit such officer, employee, or agent to inspect books, papers, records, and documents relevant to determining whether such person has acted or is acting in compliance with this Act and the standards established pursuant to this Act.

(b) The Secretary is authorized to conduct such monitoring of State enforcement practices and such other inspection and investigation as may be necessary to aid in the enforcement of the provisions of this Act and the standards established pursuant to this Act. He shall furnish the Attorney General any information obtained indicating noncompliance with such standards for appropriate action. For purposes of enforcement of this Act, officers, employees, or agents authorized by the Secretary, upon presenting appropriate credentials, to the individual in charge, are authorized (1) to enter upon, at reasonable times, pipeline facilities, and (2) to inspect, at reasonable times and within reasonable limits and in a reasonable manner, such facilities. Each such inspection shall be commenced and completed with reasonable promptness.

(c) Accident reports made by any officer, employee, or agent of the Department of Transportation shall be available for use in any civil, criminal, or other judicial proceeding arising out of such accident. Any such officer, employee, or agent may be required to testify in such proceedings as to the facts developed in such investigations. Any such report shall be made available to the public in a manner which need not identify individuals. All reports on research projects, demonstration projects, and other related activities shall be public information.

(d) All information reported to or otherwise obtained by the Secretary or his representative pursuant to subsection (a), (b), or (c) which information contains or relates to a trade secret referred to in section 1905 of title 18 of the United States Code shall be considered confidential for the purpose of that section, except that such information may be disclosed to other officers or employees concerned with carrying out this Act or when relevant in any proceeding under this Act. Nothing in this section shall authorize the withholding of information by the Secretary or any officer, employee, or agent under his control, from the duly authorized committees of the Congress.

ADMINISTRATION

SEC. 13. (a) The Secretary shall conduct research, testing, development, and training necessary to carry out the provisions of this Act. The Secretary is authorized to carry out the provisions of this section by contract, or by grants to individuals, States, and nonprofit institutions.

(b) Upon request, the Secretary shall furnish to the Federal Power Commission any information he has concerning the safety of any materials, operations, devices, or processes relating to the transportation of gas or the operation of pipeline facilities.

(c) The Secretary is authorized to advise, assist, and cooperate with other Federal departments and agencies and State and other interested public and private agencies and persons, in the planning and development of (1) Federal safety standards, and (2) methods for inspecting and testing to determine compliance with Federal safety standards.

ANNUAL REPORT

SEC. 14. (a) The Secretary shall prepare and submit to the President for transmittal to the Congress on March 17 of each year a comprehensive report on the administration of this Act for the preceding calendar year. Such report shall include—

(1) a thorough compilation of the accidents and casualties occurring in such year with a statement of cause whenever investigated and determined by the National Transportation Safety Board;

(2) a list of Federal gas pipeline safety standards established or in effect in such year with identification of standards newly established during such year;

(3) a summary of the reasons for each waiver granted under section 3(e) during such year;

(4) an evaluation of the degree of observance of applicable safety standards for the transportation of gas and pipeline facilities including a list of enforcement actions, and compromises of alleged violations by location and company name;

(5) a summary of outstanding problems confronting the administration of this Act in order of priority;

(6) an analysis and evaluation of research activities, including the policy implications thereof, completed as a result of Government and private sponsorship and technological progress for safety achieved during such year;

(7) a list, with a brief statement of the issues, of completed or pending judicial actions under the Act;

(8) the extent to which technical information was disseminated to the scientific community and consumer—oriented information was made available to the public;

(9) a compilation of—

(A) certifications filed by State agencies (including municipalities) under section 5(a) which were in effect during the preceding calendar year, and

(B) certifications filed under section 5(a) which were rejected by the Secretary during the preceding calendar year, together with a summary of the reasons for each such rejection; and

(10) a compilation of—

(A) agreements entered into with State agencies (including municipalities) under section 5(b) which were in effect during the preceding calendar year, and

(B) agreements entered into under section 5(b) which were terminated by the Secretary during the preceding calendar year, together with a summary of the reasons for each such termination.

(b) The report required by subsection (a) shall contain such recommendations for additional legislation as the Secretary deems necessary to promote cooperation among the several States in the improvement of gas pipeline safety and to strengthen the national gas pipeline safety program.

APPROPRIATIONS AUTHORIZED

SEC. 15. For the purpose of carrying out the provisions of this Act over a period of three fiscal years, beginning with the fiscal year ending June 30, 1969, there is authorized to be appropriated not to exceed $500,000 for the fiscal year ending June 30, 1969; not to exceed $2,000,000 for the fiscal year ending June 30, 1970; and not to exceed $3,000,000 for the fiscal year ending June 30, 1971.

Mr. STAGGERS (during the reading). Mr. Chairman, I think this takes in all of our amendments. Therefore, I ask unanimous consent that the remainder of the substitute committee amendment be considered as read, printed in the RECORD at this point and open for amendment at any point.

Mr. SPRINGER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SPRINGER. Mr. Chairman, this unanimous-consent request begins on page 38 at line 15?

The CHAIRMAN. The Chair will state to the gentleman from Illinois that the gentleman is correct.

Mr. SPRINGER. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state his further parliamentary inquiry.

Mr. SPRINGER. And it applies to the remainder of the committee amendment?

The CHAIRMAN. The gentleman is correct. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

AMENDMENT OFFERED BY MR. ADDABBO

Mr. ADDABBO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Addabbo: On page 39, after line 25, insert the following new section:

"CRIMINAL PENALTY

"SEC. 11. Any person who knowingly and willfully violates any provision of section 8(a) or any regulation issued under this Act, and, in the case of a violation by a corporation of any provision of section 8(a) or any regulation issued under this Act, any director, officer, employee, or agent of such corporation who knowingly and willfully authorized, ordered, or performed any of the acts constituting in whole or in part such violation, shall be fined not more than $50,000, or imprisoned not more than one year, or both."

Redesignate the succeeding sections and all references to such sections accordingly.

Mr. ADDABBO. Mr. Chairman, I have stated previously during general debate that I saw the holocaust and inferno of a gasoline explosion in my district in January 1967 and the actual Associated Press photographs in the Lobby attest to the destruction. We have heard of many other such gasoline explosions and the loss of life and property incident thereto. Who has paid for these losses? First, those who have suffered loss of life and property; second, those who have suffered loss of life and property and all other users of natural gas. Yes, the sufferers have paid twice.

Has it cost the corporations anything? No, for legal fees or damages expended are computed into utility rates and passed on to the consumers.

Mr. Chairman, so would any civil penalties under the present legislation be simply passed on to the users. To be sure there is compliance, Mr. Chairman, I believe, in a matter such as this which so directly affects lives, where there is willful violation there must be criminal penalty. I, therefore, ask this Committee to support this needed amendment. I believe this amendment will put the needed teeth in this bill to make it truly effective.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. ADDABBO. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I congratulate the gentleman for his excellent amendment and on his presentation. We certainly need this kind of teeth in this bill, and I wholeheartedly support the amendment offered by my good friend and esteemed colleague, the gentleman from New York [Mr. ADDABBO].

Mr. HALPERN. Mr. Chairman, I rise to associate myself with the gentleman's amendment and to express enthusiastic support of its objectives.

The amendment restores the original intent of H.R. 13936, which I had the privilege of joining the gentleman in introducing. I want to add, Mr. Chairman, that our able and distinguished colleague the gentleman from New York [Mr. ADDABBO], has done outstanding work toward perfecting this legislation and I strongly commend his amendment to provide criminal penalties and enforcement provisions.

This amendment puts guts into the bill and I trust it will be the wisdom of this Committee to accept it, as well as the other amendments that would restore the civil penalties as contained in the Senate version of this bill.

The Senate bill, in my opinion, was far superior and it is regrettable that it was not accepted, together with the inclusion of the enforcement provisions as contained in the bill the gentleman from New York [Mr. ADDABBO] and many of us here in the House introduced.

Amendments offered here today would restore to the bill effective civil penalties contained in the Senate's unanimously passed bill, and the amendment advanced by the gentleman from New York [Mr. ADDABBO] would restore the criminal penalties as originally provided in his bill.

These amendments effectively place with the Secretary of Transportation the authority he clearly must have, and which the public welfare and safety demand, to eliminate potentially dangerous situations by requiring compliance with safety standards already established. The amendments will allow the Secretary to promulgate orders in general form that would correct some of the more dangerous situations that exist throughout the Nation. The Secretary must have this authority, and these amendments give it to him.

I urge approval of the amendments and trust that the bill would then have the overwhelming acceptance by this House in order to provide the mechanism necessary to prevent further catastrophes of the type suffered by the people of Jamaica, Queens, in Mr. ADDABBO's district adjacent to mine in January of 1967. Let that tragic, inexcusable experience serve as an example of what could happen in any community in this country without effective legislation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York

The amendment was rejected.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. GALLAGHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes, pursuant to House Resolution 1215, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The question was taken; and on a division (demanded by Mr. DINGELL) there were—ayes 115, noes 38.

Mr. DINGELL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant-at-Arms will notify absent members, and the Clerk will call the roll.

The question was taken; and there were—yeas 247, nays 125, answered "present" 1, not voting 60, as follows:

[Roll No. 224]

YEAS—247

Abbitt
Abernethy
Adair
Albert
Anderson, Ill.
Andrews, Ala.
Arends
Ashbrook
Aspinall
Ayres
Bates
Battin
Belcher
Betts
Bevill
Biester
Blackburn
Boggs
Bolton
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Cederberg
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Conable
Corbett
Cowger
Cramer
Curtis
Davis, Ga.
Davis, Wis.
de la Garza
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Dorn
Dowdy
Downing
Duncan
Edmondson
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Fallon
Findley
Fisher
Flood
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fulton, Pa.
Fuqua
Galifianakis
Gardner
Gathings
Giaimo
Goodling
Griffin
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hammerschmidt
Hardy
Harrison
Harsha
Hays
Hébert
Heckler, Mass.
Henderson
Herlong
Horton
Hosmer
Hull
Hungate
Hunt
Hutchinson
Jarman
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, N.C.
Kazen
Keith
King, N.Y.
Kleppe
Kornegay
Kuykendall
Kyl
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Lukens
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
MacGregor
Mahon
Mailliard
Marsh
Martin
May
Mayne
Meskill
Michel
Miller, Ohio
Mills
Minshall
Mize
Monagan
Montgomery
Moore
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Murphy, N.Y.
Myers
Natcher
Nelsen
O'Konski
O'Neal, Ga.
Pepper
Perkins
Pettis
Pickle
Pirnie
Poage
Poff
Pollock
Pool
Price, Tex.
Pryor
Purcell
Quie
Quillen
Railsback
Rarick
Reid, Ill.
Reifel
Rhodes, Ariz.
Riegle
Rivers
Roberts
Robison
Rogers, Colo.
Rogers, Fla.
Rooney, Pa.
Roth
Roudebush
Rumsfeld
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Selden
Shipley
Shriver
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vander Jagt
Waggonner
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Williams, Pa.
Wilson, Bob
Winn
Wright
Wyatt
Wylie
Wyman
Young
Zion
Zwach

NAYS—125

Adams
Addabbo
Annunzio
Ashley
Barrett
Bennett
Blatnik
Boland
Bolling
Brademas
Brasco
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Carey
Celler
Cohelan
Conte
Daddario
Daniels
Dawson
Delaney
Dent
Dingell
Dow
Dulski
Eckhardt
Edwards, Calif.
Eilberg
Farbstein
Fascell
Feighan
Fino
Foley
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Gallagher
Garmatz
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Halpern
Hamilton
Hanley
Hanna
Hansen, Wash.
Hathaway
Hawkins
Hechler, W. Va.
Helstoski
Hicks
Holifield
Howard
Irwin
Jacobs
Joelson
Jones, Ala.
Karth
Kastenmeier
Kee
Kelly
Kluczynski
Kupferman
Kyros
Leggett
McCarthy
McFall
Macdonald, Mass.
Machen
Madden
Matsunaga
Meeds
Mink
Moorhead
Morgan
Moss
Murphy, Ill.
Nedzi
Nix
O'Hara, Ill.
O'Hara, Mich.
Olsen
O'Neill, Mass.
Ottinger
Patten
Philbin
Podell
Price, Ill.
Pucinski
Randall
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Rodino
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Sisk
Smith, Iowa
Staggers
Sullivan
Tenzer
Tiernan
Tunney
Udall
Vanik
Vigorito
Waldie
Wilson, Charles H.
Wydler
Yates
Zablocki

ANSWERED "PRESENT"—1

Pelly

NOT VOTING—60

Anderson, Tenn.
Andrews, N. Dak.
Ashmore
Baring
Bell
Berry
Bingham
Blanton
Bow
Brown, Calif.
Burke, Fla.
Clawson, Del
Colmer
Conyers
Corman
Culver
Cunningham
Diggs
Donohue
Dwyer
Evins, Tenn.
Gettys
Goodell
Griffiths
Hall
Halleck
Hansen, Idaho
Harvey
Holland
Ichord
Jones, Mo.
Karsten
King, Calif.
Kirwan
Lloyd
Long, La.
Long, Md.
Mathias, Calif.
Mathias, Md.
Miller, Calif.
Minish
Nichols
Passman
Patman
Pike
Reinecke
Resnick
Roush
Ruppe
Schweiker
Sikes
Stephens
Taft
Thompson, N.J.
Ullman
Van Deerlin
Walker
Wiggins
Willis
Wolff

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Evins of Tennessee for, with Mr. Wolff against.

Mr. Walker for, with Mrs. Griffiths against.

Mr. Passman for, with Mr. Thompson of of New Jersey, against.

Mr. Sikes for, with Mr. Minish against.

Mr. Ashmore for, with Mr. Resnick against.

Mr. Long of Louisiana for, with Mr. Brown of California against.

Mr. Willis for, with Mr. Miller of California against.

Mr. Blanton for, with Mr. Diggs against.

Mr. Colmer for, with Mr. Conyers against.

Mr. Gettys for, with Mr. Donohue against.

Mr. Patman for, with Mr. Bingham against.

Mr. Nichols for, with Mr. Holland against.

Mr. Stephens for, with Mr. King of California against.

Mr. Baring for, with Mr. Van Deerlin against.

Mr. Bow for, with Mr. Corman against.

Mr. Berry for, with Mr. Karsten against.

Until further notice:

Mr. Kirwan with Mr. Del Clawson.

Mr. Ichord with Mr. Burke of Florida.

Mr. Anderson of Tennessee with Mrs. Dwyer.

Mr. Culver with Mr. Cunningham.

Mr. Roush with Mr. Mathias of Maryland.

Mr. Pike with Mr. Harvey.

Mr. Ullman with Mr. Hall.

Mr. Long of Maryland with Mr. Lloyd.

Mr. Andrews of North Dakota with Mr. Hansen of Idaho.

Mr. Reinecke with Mr. Schweiker.

Mr. Goodell with Mr. Bell.

Mr. Mathias of California with Mr. Halleck.

Mr. Wiggins with Mr. Taft.

Mr. PODELL, **Mr. GALLAGHER**, **Mr. HECHLER** of West Virginia, **Mr. BURKE** of Massachusetts and **Mr. FULTON** of Tennessee changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

The **SPEAKER**. The question is on the third reading of the bill.

The bill was ordered to be read a third time and was read the third time.

MOTION TO RECOMMIT

Mr. KUPFERMAN. Mr. Speaker, I offer a motion to recommit.

The **SPEAKER**. Is the gentleman opposed to the bill?

Mr. KUPFERMAN. I am, Mr. Speaker.

The **SPEAKER**. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kupferman moves to recommit the bill, S. 1166, to the Committee on Interstate and Foreign Commerce.

The **SPEAKER**. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The **SPEAKER**. The question is on the motion to recommit.

The motion to recommit was rejected.

The **SPEAKER**. The question is on the passage of the bill.

Mr. FRIEDEL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 351, nays 14, answered "present" 1, not voting 67, as follows:

[Roll No. 225]

YEAS—351

Abbitt
Abernethy
Adair
Addabbo
Albert
Anderson, Ill.
Andrews, Ala.
Annunzio
Arends
Ashbrook
Ashley
Aspinall
Ayres
Barrett
Bates
Battin
Belcher
Bennett
Betts
Bevill
Biester
Blackburn
Blatnik
Boggs
Boland
Bolton
Brademas
Brasco
Bray
Brinkley
Brock
Brooks
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Mass.
Burleson
Burton, Utah
Bush
Button
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Carey
Carter
Casey
Cederberg
Celler
Chamberlain
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Conable
Conte
Corbett
Cowger
Cramer
Curtis
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Dawson
de la Garza
Delaney
Dellenback
Denney
Dent
Derwinski
Devine
Dickinson
Dole
Dorn
Dow
Dowdy
Downing
Dulski
Duncan
Eckhardt
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Everett
Farbstein
Fascell
Feighan
Findley
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Gardner
Garmatz
Gathings
Giaimo
Gibbons
Gilbert
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Halpern
Hamilton
Hammerschmidt
Hanley
Hansen, Wash.
Hardy
Harrison
Harsha
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Henderson
Herlong
Hicks
Horton
Hosmer
Howard
Hull
Hungate
Hunt
Hutchinson
Jacobs
Jarman
Joelson
Johnson, Calif.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, N.C.
Karth
Kazen
Kee
Kelly
King, N.Y.
Kleppe
Kluczynski
Kornegay
Kuykendall
Kyl
Kyros
Laird
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Lukens
McCarthy
McClory
McCloskey
McClure
McCulloch
McDade
McDonald, Mich.
McFall
McMillan
Macdonald, Mass.
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin
Matsunaga
May
Mayne
Meeds
Meskill
Michel
Miller, Ohio
Mills
Mink
Minshall
Mize
Monagan
Montgomery
Moore
Moorhead
Morgan
Morris, N. Mex.
Morse, Mass.
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Myers
Natcher
Nedzi
Nelsen
Nix
O'Hara, Ill.
O'Hara, Mich.
O'Konski
Olsen
O'Neal, Ga.
O'Neill, Mass.
Patten
Pepper
Perkins
Pettis
Philbin
Pickle
Pike
Pirnie
Poage
Podell
Poff
Pollock
Price, Ill.
Price, Tex.
Pucinski
Purcell
Quie
Quillen
Railsback
Randall
Rarick
Rees
Reid, Ill.
Reifel
Reuss
Rhodes, Ariz.
Rhodes, Pa.
Riegle
Rivers
Roberts
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roth
Roudebush
Rumsfeld
St Germain
St. Onge
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Schneebeli
Schwengel
Scott
Selden
Shipley
Shriver
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Sullivan
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Thompson, Ga.
Thomson, Wis.
Tiernan
Tuck
Tunney
Udall
Utt
Vanik
Vigorito
Waggonner
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Widnall
Williams, Pa.
Wilson, Bob
Wilson, Charles H.
Winn
Wright
Wyatt
Wydler
Wylie
Wyman
Yates
Young
Zablocki
Zion
Zwach

NAYS—14

Adams
Bolling
Burton, Calif.
Dingell
Holifield
Kastenmeier
Kupferman
Moss
Ottinger
Reid, N.Y.
Roybal
Ryan
Scheuer
Waldie

ANSWERED "PRESENT"—1

Pelly

NOT VOTING—67

Anderson, Tenn.
Andrews, N. Dak.
Ashmore
Baring
Bell
Berry
Bingham
Blanton
Bow
Brown, Calif.
Burke, Fla.
Clawson, Del
Colmer
Conyers
Corman
Culver
Cunningham
Diggs
Donohue
Dwyer
Evins, Tenn.
Fallon
Gettys
Goodell
Griffiths
Hall
Halleck
Hanna
Hansen, Idaho
Harvey
Holland
Ichord
Irwin
Jones, Mo.
Karsten
Keith
King, Calif.
Kirwan
Lloyd
Long, La.
Long, Md.
McEwen
Mathias, Calif.
Mathias, Md.
Miller, Calif.
Minish
Nichols
Passman
Patman
Pool
Pryor
Reinecke
Resnick
Roush
Ruppe
Schweiker
Sikes
Stephens
Taft
Thompson, N.J.
Ullman
Van Deerlin
Vander Jagt
Walker
Wiggins
Willis
Wolff

So the bill was passed.

The Clerk announced the following pairs:

Mr. Kirwan with Mr. Bow.

Mr. Wolff with Mr. Hansen of Idaho.

Mr. Sikes with Mr. Burke of Florida.

Mr. King of California with Mr. Clawson of California.

Mr. Ashmore with Mr. Berry.

Mr. Ichord with Mr. Halleck.

Mr. Thompson of New Jersey with Mrs. Dwyer.

Mr. Evins of Tennessee with Mr. Andrews of North Dakota.

Mr. Fallon with Mr. Harvey.

Mr. Gettys with Mr. Hall.

Mrs. Griffiths with Mr. Cunningham.

Mr. Pryor with Mr. Bell.

Mr. Minish with Mr. Keith.

Mr. Walker with Mr. Lloyd.

Mr. Blanton with Mr. Mathias of Maryland.

Mr. Culver with Mr. McEwen.

Mr. Donohue with Mr. Goodell.

Mr. Passman with Mr. Mathias of California.

Mr. Long of Louisiana with Mr. Vander Jagt.

Mr. Willis with Mr. Reinecke.

Mr. Irwin with Mr. Ruppe.

Mr. Van Deerlin with Mr. Schweiker.

Mr. Miller of California with Mr. Taft.

Mr. Nichols with Mr. Wiggins.

Mr. Patman with Mr. Ullman.

Mr. Brown of California with Mr. Conyers.

Mr. Colmer with Mr. Roush.

Mr. Long of Maryland with Mr. Diggs.

Mr. Anderson of Tennessee with Mr. Baring.

Mr. Karsten with Mr. Pool.

Mr. Stephens with Mr. Holland.

Mr. Corman with Mr. Bingham.

Mr. Hanna with Mr. Resnick.

Mr. BURTON of California changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17734) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to amendments of the Senate numbered 1, 6, 14, 20, 21, 22, and 25 to the foregoing bill.

PERMISSION TO COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. SISK. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

FEDERAL-AID HIGHWAY ACT OF 1968

Mr. KLUCZYNSKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 17134) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23, United States Code, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois [Mr. KLUCZYNSKI].

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 17134, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read through section 1 ending on page 19, line 3, of the committee substitute amendment. If there are no amendments to this section, the Clerk will read.

The Clerk read as follows:

REVISION OF AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM

SEC. 2. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of expediting the construction, reconstruction, or improvement inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of subsection (d) of section 103 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of $1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of $1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of $2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of $1,800,000,000 for the fiscal year ending June 30, 1961, the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of $2,400,000,000 for the fiscal year ending June 30, 1963, the additional sum of $2,600,000,000 for the fiscal year ending June 30, 1964, the additional sum of $2,700,000,000 for the fiscal year ending June 30, 1965, the additional sum of $2,800,000,000 for the fiscal year ending June 30, 1959, the additional sum of $2,500,000,000 for the fiscal year ending June 30, 1967, the additional sum of $3,400,000,000 for the fiscal year ending June 30, 1968, the additional sum of $3,800,000,000 for the year ending June 30, 1969, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1970, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1971, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1972, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1973, and the additional sum of $2,225,000,000 for the fiscal year ending June 30, 1974. Nothing in this subsection shall be construed to authorize the appropriation of any sums to carry out sections 131, 136, or 319(b) of title 23, United States Code, or any provision of law relating to highway safety enacted after May 1, 1966."

AUTHORIZATIONS OF USE OF COST ESTIMATE FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 3. The Secretary of Transportation is authorized to make the apportionment for the fiscal years ending June 30, 1970, and 1971, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5A, a revision of table 5 of House Document Numbered 199, Ninetieth Congress, submitted to Congress on June 14, 1968.

EXTENSION OF TIME FOR COMPLETION OF SYSTEM

SEC. 4. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "sixteen years'" and inserting in lieu thereof "eighteen years'" and by striking out "June 30, 1972", and inserting in lieu thereof "June 30, 1974".

(b) The introductory phrase and the second and third sentences of section 104(b)(5) of title 23, United States Code, are amended by striking "1972" where it appears and inserting in lieu thereof "1974", and such section 104(b)(5) is further amended by striking the three sentences preceding the last sentence and inserting in lieu thereof the following: "Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1970, and June 30, 1971. The Secretary shall make a final revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1970. Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974."

AUTHORIZATIONS

SEC. 5. For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the Highway Trust Fund, $1,000,000,000 for the fiscal year ending June 30, 1970, and $1,000,000,000 for the fiscal year ending June 30, 1971. Nothing in this paragraph shall be construed to authorize the appropriation of any sums to carry out section 131, 136, 319(b) or chapter 4 of title 23, United States Code. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For traffic operation projects in urban areas as authorized in section 135 of title 23, United States Code, out of the Highway Trust Fund, $125,000,000 for the fiscal year ending June 30, 1970, and $125,000,000 for the fiscal year ending June 30, 1971.

(3) For forest highways, $33,000,000 for the fiscal year ending June 30, 1970, and $33,000,000 for the fiscal year ending June 30, 1971.

(4) For public lands highways, $16,000,000 for the fiscal year ending June 30, 1970, and $16,000,000 for the fiscal year ending June 30, 1971.

(5) For forest development roads and trails, $170,000,000 for the fiscal year ending June 30, 1970, and $170,000,000 for the fiscal year ending June 30, 1971.

(6) For public lands development roads and trails, $3,500,000 for the fiscal year ending June 30, 1970, and $5,000,000 for the fiscal year ending June 30, 1971.

(7) For park roads and trails, $30,000,000 for the fiscal year ending June 30, 1971.

(8) For parkways, $11,000,000 for the fiscal year ending June 30, 1971.

(9) For Indian reservation roads and bridges, $30,000,000 for the fiscal year ending June 30, 1970, and $30,000,000 for the fiscal year ending June 30, 1971.

(10) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), $75,000,000 for the fiscal year ending June 30, 1970, and $100,000,000 for the fiscal year ending June 30, 1971. Sums for carrying out section 402 of title 23, United States Code, authorized by this paragraph shall not be apportioned until Congress, by law enacted after the date of enactment of this Act, shall provide for such apportionment.

(11) For carrying out sections 307(a) and 403 of title 23, United States Code (relating to highway safety research and development), the additional sum of $30,000,000 for the fiscal year ending June 30, 1970, and the additional sum of $35,000,000 for the fiscal year ending June 30, 1971.

(12) For the Federal-aid primary system and the Federal-aid secondary system, exclusive of their extensions in urban areas, out of the Highway Trust Fund, $125,000,000 for the fiscal year ending June 30, 1970 and $125,000,000 for the fiscal year ending June 30, 1971, such sums to be in addition to the sums authorized in paragraph (1) of this subsection. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 60 per centum for projects on the Federal-aid primary highway system; and

(B) 40 per centum for projects on the Federal-aid secondary system.

HIGHWAY BEAUTIFICATION

SEC. 6. (a) Section 131(b) of title 23, United States Code, is amended to read as follows:

"(b) No State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of outdoor advertising signs, displays, and devices which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall receive any allocation made after the date of enactment of the Federal Aid Highway Act of 1968 under section 319(b) of this title, until such time as such State shall provide for such effective control. Whenever he deems it to be in the public interest, the Secretary may suspend for such periods as he deems necessary, the application of this subsection to a State."

(b) Section 131(d) of title 23, United States Code, is amended by inserting the following sentence between the second and third sentences of the subsection: "Whenever the State authority or a bona fide local zoning authority has made a determination of customary use, such determination will be accepted in lieu of controls by agreement in the zoned and unzoned commercial and industrial areas within the geographical jurisdiction of such authority."

(c) The first sentence of section 131(j) of title 23, United States Code, is amended by striking out ", but no such State" down through and including "stricter".

(d) Section 131(m) of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, not to exceed $500,000 for the fiscal year ending June 30, 1969, not to exceed $500,000 for the fiscal year ending June 30, 1970, and not to exceed $500,000 for the fiscal year ending June 30, 1971. The provisions of this chapter relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(e) Section 131 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(n) No sign, display, or device shall be required to be removed under this section if the Federal share of the just compensation to be paid upon removal of such sign, display, or device is not available to make such payment."

(f) Section 136(b) of title 23, United States Code, is amended to read as follows:

"(b) No State which the Secretary determines has not made provision for effective control of the establishment and maintenance along the Interstate System and the primary system of outdoor junkyards, which are within one thousand feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall receive any allocation made after the date of enactment of the Federal Aid Highway Act of 1968 under section 319(b) of this title, until such time as such State shall provide for such effective control. Whenever he determines it to be in the public interest, the secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State."

(g) Section 136(m) of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, not to exceed $1,000,000 for the fiscal year ending June 30, 1969, not to exceed $1,000,000 for the fiscal year ending June 30, 1970, and not to exceed $1,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(h) Section 319(b) of title 23, United States Code, is amended (1) by striking out in the first sentence thereof "An amount" and inserting in lieu thereof "Except as otherwise provided in sections 131 and 136, an amount", and (2) by striking out the last two sentences and inserting in lieu thereof the following: "There is authorized to be appropriated to carry out this subsection, out of any money in the Treasury not otherwise appropriated, not to exceed $120,000,000 for the fiscal year ending June 30, 1966, not to exceed $120,000,000 for the fiscal year ending June 30, 1967, not to exceed $7,000,000 for the fiscal year ending June 30, 1969, not to exceed $7,000,000 for the fiscal year ending June 30, 1970, and not to exceed $7,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this subsection after June 30, 1967."

(i) There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for necessary administrative expenses in carrying out sections 131, 136, and 319(b) of title 23, United States Code, not to exceed $1,250,000 for the fiscal year ending June 30, 1969, $1,250,000 for the fiscal year ending June 30, 1970, and $1,250,000 for the fiscal year ending June 30, 1971.

(j) The Secretary of Transportation shall submit to Congress on or before January 1, 1969, a full and complete report of past administration of sections 131, 136, and 319 of title 23 of the United States Code, together with a report of expected future administration of such sections, and his recommendations with respect thereto.

ADVANCE ACQUISITION OF RIGHTS-OF-WAY

Sec. 7. (a) Subsection (b) of section 108 of title 23, United States Code, is amended by striking out "this section" and inserting in lieu thereof "subsection (a) of this section".

(b) Section 108 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(c)(1) There is hereby established in the Treasury of the United States a revolving fund to be known as the right-of-way revolving fund which shall be administered by the Secretary in carrying out the provisions of this subsection. Sums authorized to be appropriated to the right-of-way revolving fund shall be available for expenditure without regard to the fiscal year for which such sums are authorized.

"(2) For the purpose of acquiring rights-of-way for future construction of highways on any Federal-aid system and for making payments for the moving or relocation of persons, businesses, farms, and other existing uses of real property caused by the acquisition of such rights-of-way, in addition to the authority contained in subsection (a) of this section, the Secretary, upon request of a State highway department, is authorized to advance funds, without interest, to the State from amounts available in the right-of-way revolving fund, in accordance with rules and regulations prescribed by the Secretary. Funds so advanced may be used to pay the entire costs of projects for the acquisition of rights-of-way, including the net cost to the State of property management, if any, and related moving and relocation payments made pursuant to section 133 or chapter 5 of this title.

"(3) Actual construction of a highway on rights-of-way, with respect to which funds are advanced under this subsection, shall be commenced within a period of not less than two years nor more than seven years following the end of the fiscal year in which the Secretary approves such advance of funds, unless the Secretary, in his discretion, shall provide for an earlier termination date. Immediately upon the termination of the period of time within which actual construction must be commenced, in the case of any project where such construction is not commenced before such termination, or upon approval by the Secretary of the plans, specifications, and estimates for such project for the actual construction of a highway on rights-of-way with respect to which funds are advanced under this subsection, whichever shall occur first, the right-of-way revolving fund shall be credited with an amount equal to the Federal share of the funds advanced, as provided in section 120 of this title, out of any Federal-aid highway funds apportioned to the State in which such project is located and available for obligation for projects on the Federal-aid system of which such project is to be a part, and the State shall reimburse the Secretary in an amount equal to the non-Federal share of the funds advanced for deposit in, and credit to, the right-or-way revolving fund."

(c) There is authorized to be appropriated, out of the highway trust fund, to the right-of-way revolving fund established by subsection (c) of section 108 of title 23, United States Code, $100,000,000 for the fiscal year ending June 30, 1970, $100,000,000 for the fiscal year ending June 30, 1971, and $100,000,000 for the fiscal year ending June 30, 1972.

(d) On or before January 1 next preceding the commencement of each fiscal year for which funds are authorized to be appropriated to the right-of-way revolving fund by subsection (c) of this section, the Secretary shall apportion the funds so authorized for such fiscal year to the States. Each State shall be apportioned for such fiscal year an amount which bears the same percentage relationship to the total amount being apportioned under this subsection as the total of all apportionments made to such State for such fiscal year under paragraphs (1), (2), (3), and (5), of subsection (b) of section 104 of title 23, United States Code, bears to the total of all amounts apportioned under such paragraphs to all States for such fiscal year. Amounts apportioned under this subsection shall not be construed to be authorizations of appropriations for the construction, reconstruction, or improvement of the Interstate System for the purposes of subsection (g) of section 209 of the Highway Revenue Act of 1956.

(e) Funds apportioned to a State under this subsection (d) of this section shall remain available for obligation for advances to such State until October 1 of the fiscal year for which such apportionment is made. All amounts not advanced or obligated for advancement before such date shall revert to the right-of-way revolving fund and together with all other amounts credited and reimbursed to such fund shall be available for advances to the States to carry out subsection (c) of section 108 of title 23, United States Code, in an equitable manner, taking into consideration each State's need for, and ability to use, such advances, in accordance with such rules and regulations as the Secretary of Transportation shall establish.

DEFINITIONS OF FOREST ROAD OR TRAIL AND FOREST DEVELOPMENT ROADS AND TRAILS

Sec. 8. The fourth and fifth paragraphs in section 101 (a) of title 23, United States Code, are amended to read as follows:

"The term 'forest road or trail' means a road or trail wholly or partly within or adjacent to and serving the national forests and other areas administered by the Forest Service.

"The term 'forest development roads and trails' means those forest roads or trails of primary importance for the protection, administration, and utilization of the national forest and other areas administered by the Forest Service or, where necessary, for the use and development of the resources upon which communities within or adjacent to the national forest and other areas administered by the Forest Service are dependent."

FOREST DEVELOPMENT ROADS AND TRAILS

Sec. 9. Subsection (c) of section 205 of title 23, United States Code, is amended to read as follows:

"(c) Construction estimated to cost $15,000 or more per mile or $15,000 or more per project for projects with a length of less than one mile, exclusive of bridges and engineering, shall be advertised and let to contract. If such estimated cost is less than $15,000 per mile or $15,000 per project for projects with a length of less than one mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account."

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

SEC. 10. (a) Chapter 1 of title 23, United States Code, is amended by adding immediately after section 134 the following new section 135:

"§ 135. Urban area traffic operations improvement programs

"(a) The Congress hereby finds and declares it to be in the national interest that each State should have a continuing program within the designated boundaries of urban areas of the State designed to reduce traffic congestion and to facilitate the flow of traffic in the urban areas.

"(b) The Secretary may approve under this section any project on an extension of the Federal-aid primary or secondary system in urban areas for capital improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and loading and unloading ramps, if such project is based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title.

"(c) The sums authorized to carry out this section shall be apportioned in accordance with section 104(b)(3) of this title.

"(d) The Secretary shall report annually on projects approved under this section with any recommendations he may have for further improvement of traffic operations in accordance with this section."

(b) The analysis of chapter 1 of title 23, United States Code, is hereby amended by adding thereto, immediately after the catchline for section 134, the following:

"135. Urban area traffic operations improvement programs."

FRINGE PARKING FACILITIES

SEC. 11. (a) The Secretary may, until June 30, 1971, approve as a project under title 23, United States Code, for demonstration purposes, the acquisition of land adjacent to the right-of-way on any Federal-aid highway system outside a central business district, as defined by the Secretary, and the construction of publicly owned parking facilities thereon or within such right-of-way, including the use of the air space above and below the established grade line of the highway pavement, to serve on urban area of more than fifty thousand population. Such parking facility shall be located and designed to permit its use in conjunction with existing or planned public transportation facilities. In the event fees are charged for the use of any such facility, the rate thereof shall not be in excess of that required for maintenance and operation (including compensation to any person for operating such facility).

(b) The Federal share payable on account of any project authorized by this section shall be 75 per centum. Not to exceed 5 per centum of the sums apportioned in accordance with section 104(b) (1), (2), and (3) of title 23, United States Code, shall be available to finance the Federal share payable under this section.

(c) The Secretary shall not approve any project under this section until—

(1) he has determined that the State, or the political subdivision thereof, where such project is to be located, or an agency or in strumentality of such State or political subdivision, has the authority and capability of constructing, maintaining, and operating the facility;

(2) he has entered into an agreement governing the financing, maintenance, and operation of the parking facility with such State, political subdivision, agency, or instrumentality, including necessary requirements to insure that adequate public transportation services will be available to persons using such facility; and

(3) he has approved design standards for constructing such facility developed in cooperation with the State highway department.

(d) The term "parking facilities," for purposes of this section, shall include access roads, buildings, structures, equipment, improvements, and interests in lands.

(e) Nothing in this section, or in any rule or regulation issued under this section, or in any agreement required by this section, shall prohibit (1) any State, political subdivision, or agency or instrumentality thereof, from contracting with any person to operate any parking facility constructed under this section, or (2) any such person from so operating such facility.

(f) The Secretary shall not approve any project under this section unless he determines that it is based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of title 23, United States Code.

(g) The Secretary shall submit to Congress annually a report of the demonstration projects approved under this section together with his recommendations with respect to the future operation of these projects including, but not limited to, the possible sale of such projects to private enterprise and the possibility of future construction of projects of this type by private enterprise.

HIGHWAY SAFETY PROGRAM

SEC. 12. Section 402(c) of title 23, United States Code, is amended by striking out the last three sentences thereof.

INTERSTATE SYSTEM ADJUSTMENTS

SEC. 13. The first sentence of subsection (d) of section 103 of title 23, United States Code, is amended by striking out "forty-one thousand miles" and inserting in lieu thereof "forty-four thousand miles".

PROHIBITION OF IMPOUNDMENT OF APPORTIONMENTS AND DIVERSION OF FUNDS

SEC. 14. Section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsections:

"(f) No part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this section shall be impounded or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund.

"(g) No funds authorized to be appropriated from the Highway Trust Fund shall be used to pay the administrative expenses of any Federal department, agency, or instrumentality other than the Bureau of Public Roads, or any other department, agency, or instrumentality established by law, Executive Order, or otherwise, either by transfer of funds, reassignment of personnel or activities, contract, or otherwise, unless funds for such expenditure are identified and included as a line item in an appropriation Act and are to meet obligations of the United States heretofore or hereafter incurred under title 23 of the United States Code which are attributable to the construction of Federal-aid highways or planning, research, or development in connection therewith."

ADDITIONS TO THE INTERSTATE SYSTEM

SEC. 15. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 140. Additions to Interstate System

"Whenever the Secretary determines that a highway on the Federal-aid primary system meets all of the standards of a highway on the Interstate System and that such highway is a logical addition or connection to the Interstate System, he may, upon the affirmative recommendation of the State or States involved, designate such highway as a part of the Interstate System. The mileage of any highway designated as part of the Interstate System under this section shall not be charged against the limitation established by the first sentence of section 103(d) of this title. The designation of a highway as part of the Interstate System under this section shall create no Federal financial responsibility with respect to such highway."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"140. Additions to Interstate System."

FUNCTIONAL HIGHWAY CLASSIFICATION STUDY

SEC. 16. The Secretary of Transportation shall, in the report to Congress required to be submitted by January 1970 by section 3 of the Act of August 28, 1965 (79 Stat. 578; Public Law 89–139), include the results of a systematic nationwide functional highway classification study to be made in cooperation with the State highway departments and local governments with particular attention to the establishment of highway system categories, rural and urban, according to the functional importance of routes, desirable as one of the bases for realigning Federal highway programs to better meet future needs and priorities.

PRESERVATION OF PARK LANDS

SEC. 17. Section 4(f) of the Department of Transportation Act (80 Stat. 931; Public Law 89–670) is amended by striking out "(1)" in the last sentence of such subsection and all that follows down through and including the period at the end thereof and inserting in lieu thereof the following: "such program or project includes all possible planning, including consideration of alternatives to the use of such land, to minimize any harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use."

FORT WASHINGTON PARKWAY

SEC. 18. (a) The Secretary of the Interior is authorized to acquire by (1) donation, (2) purchase with donated funds, (3) purchase with funds appropriated to him under subsection (c) of this section, (4) transfer from any other Federal department, agency, or instrumentality (including the government of the District of Columbia), or (5) exchange, lands and interests in lands in Prince Georges County, Maryland, within the boundary depicted on drawing NCR 117.4—186 which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Notwithstanding any other provision of law, any property of the United States within the boundary depicted on such drawing may, with the concurrence of the head of the department, agency, or instrumentality having jurisdiction thereof, be transferred without reimbursement to the Secretary of the Interior to carry out this section.

(b)(1) With respect to those lands which are identified on the map by the legend "Fee simple acquisition to be acquired", striped green, the Secretary of the Interior is authorized to acquire the fee simple absolute title to such property.

(2) With respect to lands which are identified on the map by the legend "Private development areas" striped blue, the Secretary of the Interior is authorized to acquire only such easements and other interests in lands less than fee simple title as may be necessary to protect the natural scenery and shoreline of such property, and to prohibit the use of such property for industrial or commercial purposes or for residential purposes, other than low density single family detached dwellings, except that any such property which on the date of enactment of this section is lawfully used for any purposes thereafter prohibited by this paragraph may

trial areas within the geographical jurisdiction of such authority."

(c) The first sentence of section 131(j) of title 23, United States Code, is amended by striking out ", but no such State" down through and including "stricter".

(d) Section 131(m) of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, not to exceed $500,000 for the fiscal year ending June 30, 1969, not to exceed $500,000 for the fiscal year ending June 30, 1970, and not to exceed $500,000 for the fiscal year ending June 30, 1971. The provisions of this chapter relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(e) Section 131 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(n) No sign, display, or device shall be required to be removed under this section if the Federal share of the just compensation to be paid upon removal of such sign, display, or device is not available to make such payment."

(f) Section 136(b) of title 23, United States Code, is amended to read as follows:

"(b) No State which the Secretary determines has not made provision for effective control of the establishment and maintenance along the Interstate System and the primary system of outdoor junkyards, which are within one thousand feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall receive any allocation made after the date of enactment of the Federal Aid Highway Act of 1968 under section 319(b) of this title, until such time as such State shall provide for such effective control. Whenever he determines it to be in the public interest, the secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State."

(g) Section 136(m) of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, not to exceed $1,000,000 for the fiscal year ending June 30, 1969, not to exceed $1,000,000 for the fiscal year ending June 30, 1970, and not to exceed $1,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(h) Section 319(b) of title 23, United States Code, is amended (1) by striking out in the first sentence thereof "An amount" and inserting in lieu thereof "Except as otherwise provided in sections 131 and 136, an amount", and (2) by striking out the last two sentences and inserting in lieu thereof the following: "There is authorized to be appropriated to carry out this subsection, out of any money in the Treasury not otherwise appropriated, not to exceed $120,000,000 for the fiscal year ending June 30, 1966, not to exceed $120,000,000 for the fiscal year ending June 30, 1967, not to exceed $7,000,000 for the fiscal year ending June 30, 1969, not to exceed $7,000,000 for the fiscal year ending June 30, 1970, and not to exceed $7,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this subsection after June 30, 1967."

(i) There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for necessary administrative expenses in carrying out sections 131, 136, and 319(b) of title 23, United States Code, not to exceed $1,250,000 for the fiscal year ending June 30, 1969, $1,250,000 for the fiscal year ending June 30, 1970, and $1,250,000 for the fiscal year ending June 30, 1971.

(j) The Secretary of Transportation shall submit to Congress on or before January 1, 1969, a full and complete report of past administration of sections 131, 136, and 319 of title 23 of the United States Code, together with a report of expected future administration of such sections, and his recommendations with respect thereto.

ADVANCE ACQUISITION OF RIGHTS-OF-WAY

Sec. 7. (a) Subsection (b) of section 108 of title 23, United States Code, is amended by striking out "this section" and inserting in lieu thereof "subsection (a) of this section".

(b) Section 108 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(c)(1) There is hereby established in the Treasury of the United States a revolving fund to be known as the right-of-way revolving fund which shall be administered by the Secretary in carrying out the provisions of this subsection. Sums authorized to be appropriated to the right-of-way revolving fund shall be available for expenditure without regard to the fiscal year for which such sums are authorized.

"(2) For the purpose of acquiring rights-of-way for future construction of highways on any Federal-aid system and for making payments for the moving or relocation of persons, businesses, farms, and other existing uses of real property caused by the acquisition of such rights-of-way, in addition to the authority contained in subsection (a) of this section, the Secretary, upon request of a State highway department, is authorized to advance funds, without interest, to the State from amounts available in the right-of-way revolving fund, in accordance with rules and regulations prescribed by the Secretary. Funds so advanced may be used to pay the entire costs of projects for the acquisition of rights-of-way, including the net cost to the State of property management, if any, and related moving and relocation payments made pursuant to section 133 or chapter 5 of this title.

"(3) Actual construction of a highway on rights-of-way, with respect to which funds are advanced under this subsection, shall be commenced within a period of not less than two years nor more than seven years following the end of the fiscal year in which the Secretary approves such advance of funds, unless the Secretary, in his discretion, shall provide for an earlier termination date. Immediately upon the termination of the period of time within which actual construction must be commenced, in the case of any project where such construction is not commenced before such termination, or upon approval by the Secretary of the plans, specifications, and estimates for such project for the actual construction of a highway on rights-of-way with respect to which funds are advanced under this subsection, whichever shall occur first, the right-of-way revolving fund shall be credited with an amount equal to the Federal share of the funds advanced, as provided in section 120 of this title, out of any Federal-aid highway funds apportioned to the State in which such project is located and available for obligation for projects on the Federal-aid system of which such project is to be a part, and the State shall reimburse the Secretary in an amount equal to the non-Federal share of the funds advanced for deposit in, and credit to, the right-or-way revolving fund."

(c) There is authorized to be appropriated, out of the highway trust fund, to the right-of-way revolving fund established by subsection (c) of section 108 of title 23, United States Code, $100,000,000 for the fiscal year ending June 30, 1970, $100,000,000 for the fiscal year ending June 30, 1971, and $100,000,000 for the fiscal year ending June 30, 1972.

(d) On or before January 1 next preceding the commencement of each fiscal year for which funds are authorized to be appropriated to the right-of-way revolving fund by subsection (c) of this section, the Secretary shall apportion the funds so authorized for such fiscal year to the States. Each State shall be apportioned for such fiscal year an amount which bears the same percentage relationship to the total amount being apportioned under this subsection as the total of all apportionments made to such State for such fiscal year under paragraphs (1), (2), (3), and (5), of subsection (b) of section 104 of title 23, United States Code, bears to the total of all amounts apportioned under such paragraphs to all States for such fiscal year. Amounts apportioned under this subsection shall not be construed to be authorizations of appropriations for the construction, reconstruction, or improvement of the Interstate System for the purposes of subsection (g) of section 209 of the Highway Revenue Act of 1956.

(e) Funds apportioned to a State under this subsection (d) of this section shall remain available for obligation for advances to such State until October 1 of the fiscal year for which such apportionment is made. All amounts not advanced or obligated for advancement before such date shall revert to the right-of-way revolving fund and together with all other amounts credited and reimbursed to such fund shall be available for advances to the States to carry out subsection (c) of section 108 of title 23, United States Code, in an equitable manner, taking into consideration each State's need for, and ability to use, such advances, in accordance with such rules and regulations as the Secretary of Transportation shall establish.

DEFINITIONS OF FOREST ROAD OR TRAIL AND FOREST DEVELOPMENT ROADS AND TRAILS

Sec. 8. The fourth and fifth paragraphs in section 101 (a) of title 23, United States Code, are amended to read as follows:

"The term 'forest road or trail' means a road or trail wholly or partly within or adjacent to and serving the national forests and other areas administered by the Forest Service.

"The term 'forest development roads and trails' means those forest roads or trails of primary importance for the protection, administration, and utilization of the national forest and other areas administered by the Forest Service or, where necessary, for the use and development of the resources upon which communities within or adjacent to the national forest and other areas administered by the Forest Service are dependent."

FOREST DEVELOPMENT ROADS AND TRAILS

Sec. 9. Subsection (c) of section 205 of title 23, United States Code, is amended to read as follows:

"(c) Construction estimated to cost $15,000 or more per mile or $15,000 or more per project for projects with a length of less than one mile, exclusive of bridges and engineering, shall be advertised and let to contract. If such estimated cost is less than $15,000 per mile or $15,000 per project for projects with a length of less than one mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account."

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

SEC. 10. (a) Chapter 1 of title 23, United States Code, is amended by adding immediately after section 134 the following new section 135:

"§ 135. Urban area traffic operations improvement programs

"(a) The Congress hereby finds and declares it to be in the national interest that each State should have a continuing program within the designated boundaries of urban areas of the State designed to reduce traffic congestion and to facilitate the flow of traffic in the urban areas.

"(b) The Secretary may approve under this section any project on an extension of the Federal-aid primary or secondary system in urban areas for capital improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and loading and unloading ramps, if such project is based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title.

"(c) The sums authorized to carry out this section shall be apportioned in accordance with section 104(b)(3) of this title.

"(d) The Secretary shall report annually on projects approved under this section with any recommendations he may have for further improvement of traffic operations in accordance with this section."

(b) The analysis of chapter 1 of title 23, United States Code, is hereby amended by adding thereto, immediately after the catchline for section 134, the following:

"135. Urban area traffic operations improvement programs."

FRINGE PARKING FACILITIES

SEC. 11. (a) The Secretary may, until June 30, 1971, approve as a project under title 23, United States Code, for demonstration purposes, the acquisition of land adjacent to the right-of-way on any Federal-aid highway system outside a central business district, as defined by the Secretary, and the construction of publicly owned parking facilities thereon or within such right-of-way, including the use of the air space above and below the established grade line of the highway pavement, to serve on urban area of more than fifty thousand population. Such parking facility shall be located and designed to permit its use in conjunction with existing or planned public transportation facilities. In the event fees are charged for the use of any such facility, the rate thereof shall not be in excess of that required for maintenance and operation (including compensation to any person for operating such facility).

(b) The Federal share payable on account of any project authorized by this section shall be 75 per centum. Not to exceed 5 per centum of the sums apportioned in accordance with section 104(b) (1), (2), and (3) of title 23, United States Code, shall be available to finance the Federal share payable under this section.

(c) The Secretary shall not approve any project under this section until—

(1) he has determined that the State, or the political subdivision thereof, where such project is to be located, or an agency or instrumentality of such State or political subdivision, has the authority and capability of constructing, maintaining, and operating the facility;

(2) he has entered into an agreement governing the financing, maintenance, and operation of the parking facility with such State, political subdivision, agency, or instrumentality, including necessary requirements to insure that adequate public transportation services will be available to persons using such facility; and

(3) he has approved design standards for constructing such facility developed in cooperation with the State highway department.

(d) The term "parking facilities," for purposes of this section, shall include access roads, buildings, structures, equipment, improvements, and interests in lands.

(e) Nothing in this section, or in any rule or regulation issued under this section, or in any agreement required by this section, shall prohibit (1) any State, political subdivision, or agency or instrumentality thereof, from contracting with any person to operate any parking facility constructed under this section, or (2) any such person from so operating such facility.

(f) The Secretary shall not approve any project under this section unless he determines that it is based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of title 23, United States Code.

(g) The Secretary shall submit to Congress annually a report of the demonstration projects approved under this section together with his recommendations with respect to the future operation of these projects including, but not limited to, the possible sale of such projects to private enterprise and the possibility of future construction of projects of this type by private enterprise.

HIGHWAY SAFETY PROGRAM

SEC. 12. Section 402(c) of title 23, United States Code, is amended by striking out the last three sentences thereof.

INTERSTATE SYSTEM ADJUSTMENTS

SEC. 13. The first sentence of subsection (d) of section 103 of title 23, United States Code, is amended by striking out "forty-one thousand miles" and inserting in lieu thereof "forty-four thousand miles".

PROHIBITION OF IMPOUNDMENT OF APPORTIONMENTS AND DIVERSION OF FUNDS

SEC. 14. Section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsections:

"(f) No part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this section shall be impounded or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund.

"(g) No funds authorized to be appropriated from the Highway Trust Fund shall be used to pay the administrative expenses of any Federal department, agency, or instrumentality other than the Bureau of Public Roads, or any other department, agency, or instrumentality established by law, Executive Order, or otherwise, either by transfer of funds, reassignment of personnel or activities, contract, or otherwise, unless funds for such expenditure are identified and included as a line item in an appropriation Act and are to meet obligations of the United States heretofore or hereafter incurred under title 23 of the United States Code which are attributable to the construction of Federal-aid highways or planning, research, or development in connection therewith."

ADDITIONS TO THE INTERSTATE SYSTEM

SEC. 15. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 140. Additions to Interstate System

"Whenever the Secretary determines that a highway on the Federal-aid primary system meets all of the standards of a highway on the Interstate System and that such highway is a logical addition or connection to the Interstate System, he may, upon the affirmative recommendation of the State or States involved, designate such highway as a part of the Interstate System. The mileage of any highway designated as part of the Interstate System under this section shall not be charged against the limitation established by the first sentence of section 103(d) of this title. The designation of a highway as part of the Interstate System under this section shall create no Federal financial responsibility with respect to such highway."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"140. Additions to Interstate System."

FUNCTIONAL HIGHWAY CLASSIFICATION STUDY

SEC. 16. The Secretary of Transportation shall, in the report to Congress required to be submitted by January 1970 by section 3 of the Act of August 28, 1965 (79 Stat. 578; Public Law 89–139), include the results of a systematic nationwide functional highway classification study to be made in cooperation with the State highway departments and local governments with particular attention to the establishment of highway system categories, rural and urban, according to the functional importance of routes, desirable as one of the bases for realigning Federal highway programs to better meet future needs and priorities.

PRESERVATION OF PARK LANDS

SEC. 17. Section 4(f) of the Department of Transportation Act (80 Stat. 931; Public Law 89–670) is amended by striking out "(1)" in the last sentence of such subsection and all that follows down through and including the period at the end thereof and inserting in lieu thereof the following: "such program or project includes all possible planning, including consideration of alternatives to the use of such land, to minimize any harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use."

FORT WASHINGTON PARKWAY

SEC. 18. (a) The Secretary of the Interior is authorized to acquire by (1) donation, (2) purchase with donated funds, (3) purchase with funds appropriated to him under subsection (c) of this section, (4) transfer from any other Federal department, agency, or instrumentality (including the government of the District of Columbia), or (5) exchange, lands and interests in lands in Prince Georges County, Maryland, within the boundary depicted on drawing NCR 117.4—186 which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Notwithstanding any other provision of law, any property of the United States within the boundary depicted on such drawing may, with the concurrence of the head of the department, agency, or instrumentality having jurisdiction thereof, be transferred without reimbursement to the Secretary of the Interior to carry out this section.

(b)(1) With respect to those lands which are identified on the map by the legend "Fee simple acquisition to be acquired", striped green, the Secretary of the Interior is authorized to acquire the fee simple absolute title to such property.

(2) With respect to lands which are identified on the map by the legend "Private development areas" striped blue, the Secretary of the Interior is authorized to acquire only such easements and other interests in lands less than fee simple title as may be necessary to protect the natural scenery and shoreline of such property, and to prohibit the use of such property for industrial or commercial purposes or for residential purposes, other than low density single family detached dwellings, except that any such property which on the date of enactment of this section is lawfully used for any purposes thereafter prohibited by this paragraph may

continue to be used for such purpose until such time as it ceases to be so used.

(c) No money shall be expended by the the Secretary of the Interior under this section until he shall have received definite commitments from the State of Maryland or from political subdivisions thereof, for one-half of the cost of acquiring land easements or interests in lands under subsection (b) of this section, other than lands belongng to the United States on the date of enactment of this section or donated to the United States to carry out this section. In the discretion of the Secretary he may advance the State of Maryland, or any political subdivision thereof, the full amount of the funds necessary for the acquisition of lands under subsection (b) of this section on the condition that that State or political subdivision reimburse the United States one-half the cost of such acquisition, without interest, within a period of not to exceed 8 years from the date such funds are so advanced.

(d) There is authorized to be appropriated to the Secretary of the Interior to carry out this section an amount equal to the unappropriated balance of the amount authorized to be appropriated in subsection (a) of the first section of the Act of May 29, 1930 (46 Stat. 482), as amended, for acquiring and developing the George Washington Memorial Parkway, and the authorization contained in such first section of such Act of May 29, 1930, is reduced by such amount.

(e) Upon the completion of the acquisition of all of the real property and interests in real property authorized by this section, the Secretary of the Interior shall report to Congress his recommendations (including any necessary legislation) on the construction of the Fort Washington Parkway through the portion of Prince Georges County, Maryland, authorized to be acquired under this section. Such report shall include cost estimates and other information as may be necessary for the authorization of construction of such parkway by Congress.

GARDEN STATE PARKWAY

Sec. 19. (a) The amount of all Federal-aid highway funds paid on account of those sections of the Garden State Parkway in the State of New Jersey referred to in subsection (c) of this section shall, prior to the collection of any tolls thereon, be repaid to the Treasurer of the United States. The amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment the Federal-aid projects with respect to which such funds have been repaid and any other Federal-aid project located on said sections of such parkway and programed for expenditure on any such project, shall be credited to the unprogramed balance of Federal-aid highways funds of the same class last apportioned to the State of New Jersey. The amount so credited shall be in addition to all other funds then apportioned to said State and shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended or supplemented.

(b) When the New Jersey Highway Authority shall have constructed toll-free highway facilities in the vicinity of said sections of the Garden State Parkway in accordance with a general plan approved by the Secretary of Transportation as adequate to service local traffic, and pursuant to an agreement between the Authority and the State of New Jersey, acting by and through its State House Commission concerning the financing and construction of such facilities, then upon the repayment of Federal-aid highway funds and the cancellation and withdrawal from the Federal-aid highway program of all projects on such sections of the Garden State Parkway, as provided in subsection (a) of this section, such sections shall become and be free of any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulation thereunder, with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

(c) The provisions of this section shall apply to the following sections of the Garden State Parkway:

(1) That section of the parkway near Cape May Court House from interchange numbered 8 to interchange numbered 12 at route United States 9—a distance of approximately four and twenty one-hundredths centerline miles.

(2) That section of the parkway from a point near its connection with route United States 9 north of Toms River to Dover Road in South Toms River—a distance of approximately two and fifty one-hundredths centerline miles.

(3) That section of the parkway from route United States 9 in Woodbridge to the Middlesex-Union County line—a distance of approximately six and thirty-seven one-hundredths centerline miles.

(4) That section of the parkway from a point near its connection with the Middlesex-Union County line to a point near its connection with route United States 22 in Union Township—a distance of approximately seven and ninety-two one-hundredths centerline miles.

SECTION 103, TITLE 23, UNITED STATES CODE

Sec. 20. Paragraph (2) of subsection (d) of section 103 of title 23, United States Code, is amended by striking out "1965 Interstate System cost estimate set forth in House Document Numbered 42, Eighty-ninth Congress" and inserting in lieu thereof "1968 Interstate System cost estimate set forth in House Document Numbered 199, Ninetieth Congress, as revised".

CONSTRUCTION CONTRACTS

Sec. 21. Subsection (b) of section 112 of title 23, United States Code, is amended by adding at the end thereof the following: "Contracts for the construction of each project shall be awarded only on the basis of the low responsive bid submitted by a bidder meeting established criteria of responsibility. No requirement or obligation shall be imposed as a condition precedent to the Secretary's concurrence in the award of a contract to such bidder, unless such requirement or obligation is specifically set forth in the advertised specifications."

DISTRICT OF COLUMBIA

Sec. 22. (a) Chapter 3 of title 23 of the United States Code is amended by inserting immediately following section 312 the following new section:

"§ 313. Interstate routes in the District of Columbia

"Notwithstanding any other provision of law, or any court decision or administrative action to the contrary, the Secretary of Transportation and the government of the District of Columbia shall, as soon as possible after the enactment of this section, construct all routes on the Interstate System within the District of Columbia as set forth in the document entitled '1968 Estimate of the Cost of Completion of the National System of Interstate and Defense Highways in the District of Columbia' submitted to Congress by the Secretary of Transportation with, and as a part of, 'The 1968 Interstate System Cost Estimate' printed as House Document Numbered 199, Ninetieth Congress. Such construction shall be carried out in accordance with all other applicable provisions of this title."

(b) The analysis of chapter 3 of title 23, United States Code, is hereby amended by inserting immediately following:

"312. Detail of Army, Navy, and Air Force officers."

the following:

"313. Interstate routes in the District of Columbia."

RELOCATION ASSISTANCE

Sec. 23. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

"Chapter 5.—HIGHWAY RELOCATION ASSISTANCE

"Sec.
"501. Declaration of policy.
"502. Assurances of adequate relocation assistance program.
"503. Administration of relocation assistance program.
"504. Federal reimbursement.
"505. Relocation payments.
"506. Replacement housing.
"507. Expenses incidental to transfer of property.
"508. Relocation services.
"509. Relocation assistance programs on Federal highway projects.
"510. Authority of Secretary.
"511. Definitions.

"§ 501. Declaration of policy

"Congress hereby declares that the prompt and equitable relocation and reestablishment of persons, businesses, and farmers displaced as a result of the Federal highway programs and the construction of Federal-aid highways is necessary to insure that a few individuals do not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole. Therefore, Congress determines that relocation payments and advisory assistance should be provided to all persons so displaced in accordance with the provisions of this title.

"§ 502. Assurances of adequate relocation assistance program

"The Secretary shall not approve any project under section 106 or section 117 of this title which will cause the displacement of any person, business, or farm operation unless he receives satisfactory assurances from the State highway department that—

"(1) fair and reasonable relocation and other payments shall be afforded to displaced persons in accordance with sections 505, 506, and 507 of this title;

"(2) relocation assistance programs offering the services described in section 508 of this title shall be afforded to displaced persons; and

"(3) within a reasonable period of time prior to displacement there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings, as defined by the Secretary, equal in number to the number of and available to such displaced families and individuals and reasonably accessible to their places of employment.

"§ 503. Administration of relocation assistance program

"In order to prevent unnecessary expenses and duplication of functions, a State highway may make relocation payments or provide relocation assistance or otherwise carry out the functions required under this chapter by utilizing the facilities, personnel, and services of any other Federal, State, or local governmental agency having an established organization for conducting relocation assistance programs.

"§ 504. Federal reimbursement

"The Secretary shall approve, as a part of the cost of construction of a project under any Federal-aid highway program which he administers, the cost of providing the payments and services described in section 502.

"§ 505. Relocation payments

"(a) Payments for Actual Expenses.—Upon application approved by the State agency, a person displaced by any highway project approved under section 106 or section 117 of this title may elect to receive actual reasonable expenses in moving himself, his family, his business, or his farm operation, including personal property.

"(b) OPTIONAL PAYMENTS—DWELLINGS.—Any displaced person who moves from a dwelling who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section may receive—

"(1) a moving expense allowance, determined according to a schedule established by the Secretary, not to exceed $200; and

"(2) a dislocation allowance of $100.

"(c) OPTIONAL PAYMENTS—BUSINESSES AND FARM OPERATIONS.—Any displaced person who moves or discontinues his business or farm operation who elects to accept the payment authorized by this section in lieu of the payment authorized by subsection (a) of this section, may receive a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, or $5,000, whichever is the lesser. In the case of a business, no payment shall be made under this subsection unless the State agency is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not part of a commercial enterprise having at least one other establishment, not being acquired by the State or by the United States, which is engaged in the same or similar business. For purposes of this subsection, the term 'average annual net earnings' means one-half of any net earnings of the business or farm operation, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property acquired for such project, and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such two-year period.

"§ 506. Replacement housing

"(a) In addition to amounts otherwise authorized by this title, the State agency shall make a payment to the owner of real property acquired for a project which is improved by a single-, two-, or three-family dwelling actually owned and occupied by the owner for not less than one year prior to the initiation of negotiations for the acquisition of such property. Such payment, not to exceed $5,000, shall be the amount, if any, which, when added to the acquisition payment, equals the average price required for a comparable dwelling determined, in accordance with standards established by the Secretary, to be a decent, safe, and sanitary dwelling adequate to accommodate the displaced owner, reasonably accessible to public services and places of employment and available on the private market. Such payment shall be made only to a displaced owner who purchases and occupies a dwelling within one year subsequent to the date on which he is required to move from the dwelling acquired for the project. No such payment shall be required or included as a project cost under section 504 of this title if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the Secretary to have substantially the same purpose and effect as this section and to be part of the cost of the project for which Federal financial assistance is available.

"(b) In addition to amounts otherwise authorized by this title, the State agency shall make a payment to any individual or family displaced from any dwelling not eligible to receive a payment under subsection (a) of this section which dwelling was actually and lawfully occupied by such individual or family for not less than 90 days prior to the initiation of negotiations for acquisition of such property. Such payment, not to exceed $1,500, shall be the amount which is necessary to enable such person to lease or rent for a period not to exceed 2 years, or to make the down payment on the purchase of, a decent, safe, and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities.

"§ 507. Expenses incidental to transfer of property

"(a) In addition to amounts otherwise authorized by this title, the State shall reimburse the owner of real property acquired for a project for reasonable and necessary expenses incurred for (1) recording fees, transfer taxes, and similar expenses incidental to conveying such property; (2) penalty costs for prepayment of any mortgage entered into in good faith encumbering such real property if such mortgage is on record or has been filed for record under applicable State law on the date of final approval by the State of the location of such project; and (3) the pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting of title in the State, or the effective date of the possession of such real property by the State, whichever is earlier.

"(b) No payment received under this chapter shall be considered as income for the purposes of the Internal Revenue Code of 1954 or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law.

"§ 508. Relocation services

(a) Each State shall provide a relocation advisory assistance program which shall include such measures, facilities, or services as may be necessary or appropriate in order—

"(1) to determine the needs, if any, of displaced families, individuals, business concerns, and farm operators for relocation assistance;

"(2) to assure that, within a reasonable period of time, prior to displacement there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, housing meeting the standards established by the Secretary for decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment;

"(3) to assist owners of displaced businesses and displaced farm operators in obtaining and becoming established in suitable locations; and

"(4) to supply information concerning the Federal Housing Administration home acquisition program under section 221(d)(2) of the National Housing Act, the small business disaster loan program under section 7(b)(3) of the Small Business Act, and other State or Federal programs offering assistance to displaced persons.

"(b) Nothing in this chapter shall be construed to prohibit any person from exercising any right or remedy available to him under State law with respect to any action of a State agency in carrying out this chapter.

"§ 509. Relocation assistance programs on Federal highway projects

"Notwithstanding any other provision of law, on and after the effective date of this Act any Federal agency which acquires real property for use in connection with a highway project authorized by section 107 and chapter 2 of this title or any other Federal law shall, in accordance with regulations issued by the Secretary, provide the payments and services described in sections 502, 505, 506, 507, and 508 of this Act. When real property is acquired by a State or local governmental agency for such a Federal project for purposes of this chapter the acqusition shall be deemed an acquisition by the Federal agency having authority over such project.

"§ 510. Authority of the Secretary

"(a) To carry into effect the provisions of this chapter, the Secretary is authorized to make such rules and regulations as he may determine to be necessary to assure—

"(1) that the payments authorized by this chapter shall be fair and reasonable and as uniform as practicable;

"(2) that a displaced person who makes proper application for a payment authorized for such person by this chapter shall be paid promptly after a move or, in hardship cases, be paid in advance; and

"(3) that any person aggrieved by a determination as to eligibility for a payment authorized by this chapter, or the amount of a payment, may have his application reviewed by the head of the State agency making such determination.

"(b) The Secretary may make such other rules and regulations consistent with the provisions of this chapter as he deems necessary or appropriate to carry out this chapter.

"§ 511. Definitions

"As used in this chapter—

"(1) The term 'person' means—

"(A) any individual, partnership, corporation, or association which is the owner of a business;

"(B) any owner, part owner, tenant, or sharecropper who operates a farm;

"(C) an individual who is the head of a family; or

"(D) an individual not a member of a family.

"(2) The term 'family' means two or more individuals living together in the same dwelling unit who are related to each other by blood, marriage, adoption, or legal guardianship.

"(3) The term 'displaced person' means any person who moves from real property on or after the effective date of this chapter as a result of the acquisition or reasonable expectation of acquisition of such real property, which is subsequently acquired, in whole or in part, for a Federal-aid highway, or as the result of the acquisition for a Federal-aid highway of other real property on which such person conducts a business or farm operation.

"(4) The term 'business' means any lawful activity conducted primarily—

"(A) for the purchase and resale, manufacture, processing, or marketing of products, commodities, or any other personal property;

"(B) for the sale of services to the public; or

"(C) by a nonprofit organization.

"(5) The term 'farm operation' means any activity conducted solely or primarily for the production of one or more agricultural products or commodities for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

"(6) The term 'Federal agency' means any department, agency, or instrumentality in the executive branch of the Government and any corporation wholly owned by the Government.

"(7) The term 'State agency' means a State highway department or any agency designated by a State highway department to administer the relocation assistance program authorized by this chapter."

SMALL BUSINESS ACT

SEC. 24. Paragraph (3) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)(3)) is amended to read as follows:

"(3) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in continuing in business at its existing location, in reestablishing its business, in purchasing a business, or in establishing a new business, if the Administration determines that such concern has suffered substantial economic injury as the result of its displacement by, or location in, adjacent to, or near, a federally aided urban renewal program or a highway project or any other construction constructed by or with funds provided in whole or in part by the Federal Government; and the purpose of a loan made pursuant to such project or program may, in the discretion of the Administration, include the purchase or construction of other premises whether or not the borrower owned the premises occupied by the business; and".

EMINENT DOMAIN

SEC. 25. Nothing contained in chapter 5 of title 23, United States Code, shall be construed as creating in any condemnation proceedings brought under the power of eminent domain, any element of damages not in existence on the date of enactment of such chapter 5.

ANNUAL REPORT

SEC. 26. The Secretary of Transportation shall report annually to Congress, but no later than January 15 of each year, concerning his administration of chapter 5 of title 23, United States Code, together with his recommendations, including any necessary legislation with respect to such chapter.

FEDERAL SHARE

SEC. 27. Section 120(a) of title 23, United States Code, is hereby amended to read as follows:

"(a) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project financed with primary, secondary, or urban funds, on the Federal-aid primary system and the Federal-aid secondary system, shall not exceed 50 per centum of the cost of construction, except that in the case of any State containing nontaxable Indian lands, individual and tribal, public domain lands (both reserved and unreserved), and national forests and national parks and monuments, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State is of its total area, except that the Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of any such project."

EFFECTIVE DATE

SEC. 28. This Act and the amendments made by this Act shall take effect on the date of its enactment, except that for the first three years after such date of enactment sections 502, 505, 506, 507, and 508 of title 23, United States Code, as added by this Act, shall be applicable to a State only to the extent that such State is able under is laws to comply with such sections. After such three-year period such sections shall be completely applicable to all States. Section 133 of title 23, United States Code, shall not apply to any State if sections 502, 505, 506, 507, and 508 of title 23, United States Code, are applicable in that State.

Mr. KLUCZYNSKI (during the reading). Mr. Chairman, I ask unanimous consent that the committee substitute amendment be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. SAYLOR. Mr. Chairman, reserving the right to object, I want to ask the gentleman from Illinois whether or not it is his intention to try to limit debate on the bill if this consent is granted?

Mr. KLUCZNSKI. Not right at this time.

Mr. SAYLOR. Mr. Chairman, further reserving the right to object, I am not concerned with whether the gentleman has plans to undertake to limit debate at this time on this bill, but I want to know whether the gentleman plans to limit debate on this bill, and then I would be compelled to object.

Mr. KLUCZYNSKI. The gentleman from Pennsylvania knows that the gentleman from Illinois will always protect the gentleman from Pennsylvania as well as the gentleman from Illinois knows the gentleman from Pennsylvania would protect his rights.

Mr. SAYLOR. Mr. Chairman, with that understanding, I shall be most happy to withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AMENDMENT OFFERED BY MR. HOWARD

Mr. HOWARD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOWARD: On Page 38, after line 9, insert the following:

"PREVAILING RATE OF WAGE

"SEC. 12. (a) Subsection (a) of section 113 of title 23, United States Code, is amended by striking out "the initial" down through and including "1956" and inserting in lieu thereof the following: 'the construction work performed on highway projects on the Federal aid systems'.

"(b) Subsection (b) of such section 113 is amended by striking out 'on the Interstate System'.

"(c) The section heading of section 113 is amended by striking out '—Interstate System', and the table of contents of chapter 1 of title 23, United States Code, is amended by striking out '—Interstate System' in the reference to section 113."

And renumber the succeeding sections and references thereto accordingly.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. HOWARD].

Mr. HOWARD. Mr. Chairman, the purpose of my amendment is to extend the provisions of the Davis-Bacon Act of 1956. At the present time there is a glaring gap in the existing law. The prevailing wage provisions of the Davis-Bacon Act now apply only to the Interstate Highway System but do not apply to the construction of ABC highways to which the Federal Government contributes 50 percent of the cost on a matching basis. The omission of such a provision from this program is completely inconsistent with the longstanding practice and intent of Congress; in fact, practically every federally assisted construction program—with the notable exception of the ABC highway program under this act—requires the payment of the prevailing wage rates in the locality as predetermined by the Secretary of Labor.

This inconsistency is further emphasized by the fact that ABC highways constructed under the Appalachian Regional Development Act of 1965 are covered by the provisions of the Davis-Bacon Act. This program involves roughly 2,700 miles of ABC highways in 12 or 13 States.

For 37 years the Davis-Bacon Act has protected both local contractors and construction workers engaged on federally assisted projects from unfair competition by outside contractors who fail to observe the labor standards maintained generally in the area.

When this happens, responsible contractors, employees, and the community in general, suffer from this unfair competition to which the Federal Government is a party. The low wages of these workers from outside the local area undercut the wage rates and undercut the living standards of building and construction workers and their families in the local community.

Today there are more than 40 Federal construction programs where contractors are required to pay the prevailing wage rate. These construction programs cover the broad spectrum of Federal activity. In the field of education, construction programs are authorized by the School Survey and Construction Act of 1950, the Higher Education Facility Act of 1963, the Vocational Educational Act of 1953, and the Elementary and Secondary Education Act of 1965.

Projects that provide housing for the Armed Forces under the Defense Housing and Community Facilities and Services Act of 1951 provide Davis-Bacon coverage.

Housing projects under the various housing acts, such as the National Housing Act, the Housing Act of 1949, and the Housing Act of 1964, all maintain the standard of a minimum prevailing hourly wage rate.

Those programs by which the Federal Government assists in providing health services for the Nation, such as the Hospital Survey and Construction Act, the Health Professions Educational Assistance Act of 1963, the Mental Retardation Facilities Construction Act, the Community Mental Health Centers Act of 1963, the Public Health Service Act, the National Technical Institute for the Deaf Act, and the Allied Health Professions Personnel Training Act of 1966, also incorporate the provisions of the Davis-Bacon Act.

Airports built under the Federal Airport Act provide this coverage.

Libraries built under the Library Services and Construction Act, commercial fisheries built under the Commercial Fisheries Research and Development Act of 1964, and cultural centers constructed under the National Foundation on the Arts and the Humanities Act of 1965, all protect the workers on these projects with a predetermined prevailing wage rate.

In the area of mass transportation, projects of the "Urban Mass Transportation Act of 1964," and the "Research and Development in High-Speed Ground Transportation Act of 1965," also provide this coverage.

Construction under the various economic acts as the "Area Redevelopment Act," the "Economic Opportunity Act of 1964" and the "Appalachian Regional Development Act of 1965" all maintain these standards for the workers employed on these projects.

Demonstration cities constructed under the "Demonstration Cities and Metropolitan Development Act of 1966" proscribe a prevailing wage rate.

All the various public works projects built by the Bureau of Reclamation, the Corps of Engineers and the General Services Administration have maintained this standard for over three decades. Federally financed highway construction projects under the "Federal Aid Act of 1956," the "Federal Aid Act of 1966," and the "Appalachian Regional Development Act of 1965" all contain Davis-Bacon provisions.

The one major Federal highway construction program without this provision is the so-called ABC highway system that is the primary and secondary roads and their urban extensions. Congress has authorized the annual expenditure of $1 billion for this program. Since the States share 50 percent of the cost of the program, $2 billion is expended annually on the ABC highway system. This program affects almost 100,000 highway construction workers.

It should be clearly understood that the inclusion of prevailing wage provisions, as provided for, in the Davis-Bacon Act of federally assisted projects does not increase wage rates in a community. The Davis-Bacon provisions are designed purely to protect local contractors and local building tradesmen in the area from the incursions and underbidding of the outside contractors. Thus the wage and living standards in the community are protected and contractors are placed on equal competitive terms.

I feel that local contractors and workers on these projects are entitled to the protection of the Davis-Bacon Act. As I have stated, virtually all Federal construction projects require the payment of the prevailing wage rate with this one major exception. The time is now for Congress to remedy this situation in the 1968 Highway Act.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. HOWARD. I yield to the gentleman.

Mr. SAYLOR. I want to take this opportunity to commend the gentleman in the well for his statement on the Davis-Bacon Act.

It certainly seems to me that the committee was negligent or has been negligent at least in oversight in seeing to it that the Davis-Bacon application does not apply to the ABC highways.

I sincerely hope that the amendment offered by the gentleman will be adopted and that the Davis-Bacon provisions will apply to the ABC highways.

Mr. HOWARD. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. HOWARD] has expired.

Mr. CRAMER. Mr. Chairman, I ask unanimous consent that the gentleman from New Jersey may proceed for 2 additional minutes because I would like to ask him a couple of questions.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The gentleman from New Jersey [Mr. HOWARD] is recognized.

Mr. CRAMER. Does the gentleman have a copy of the amendment that we could take a look at?

Mr. HOWARD. Yes, I have been informed that a copy of the amendment has been provided at the minority table.

Mr. CRAMER. I am sorry I do not have it.

Mr. HOWARD. What is intended, as the gentleman knows from my conversation with him yesterday, would be to extend the general Davis-Bacon prevailing wage coverage to the ABC highway program.

Mr. CRAMER. I understand that, but as I am sure the gentleman knows, when we wrote the Davis-Bacon provision for the Interstate System only we had some specific amendments to the general Davis-Bacon approach, principally the words "immediate locality" which the gentleman is familiar with.

I ask the gentleman, Is that in his amendment?

Mr. HOWARD. That is not, to my knowledge, in the amendment.

Mr. CRAMER. That is what I thought. Second, as I understand the gentleman's amendment, it applies to Federal as well as Federal-aid highways; is that correct?

Mr. HOWARD. Yes, the ABC primary and secondary.

Mr. CRAMER. Well, there is a difference.

There is a difference and the reason I am asking the gentleman the question is because the gentleman's amendment apparently applies to forest highways, Indian reservation roads and bridges, public lands highways, forest development roads and trails, public lands development roads and trails, park roads and trails, and parkways.

Mr. HOWARD. I would intend this—it applies to all the things the gentleman mentioned. It applies to library construction and school construction and if it is in an Interstate System and if it is in any major program other than that, I think it ought to be in the law.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. HOWARD] has expired.

Mr. CRAMER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, would the gentleman answer a couple of additional questions?

Could the gentleman tell me why he changed the wording of the present Davis-Bacon provision in title 23, United States Code, which now applies only to the Interstate System, which reads in part as follows:

> To insure that all laborers and mechanics * * * shall be paid wages at rates not less than those prevailing on the same type of work and similar construction in the immediate locality.

Let me emphasize the phrase "in the immediate locality."

Now I am familiar with that because that was my amendment in the committee years ago, to make certain that it would be tied down to wages paid in the "immediate locality."

Now the gentleman's amendment does not include this restriction, as I understand it—or does it?

Mr. HOWARD. I am informed it does not.

Mr. CRAMER. Does the gentleman feel it is justified to include those seven categories of roads and highways that I mentioned in addition to ABC and Interstate highways in his amendment?

Mr. HOWARD. If Federal funds are included, I answer the gentleman in the affirmative.

Mr. CRAMER. In the form that the gentleman has offered the amendment, I would have to oppose it because I do not think it is justified to have Davis-Bacon applicable to those areas, in particular the seven areas I just mentioned. I do not think, frankly, that you want Davis-Bacon applying to Indian reservation roads and bridges, forest highways, public lands highways, forest development roads and trails, public lands development roads and trails and so forth.

I do not think that the gentleman would really want to do that because it would very substantially increase the costs of those roads. They are in the rural areas and often built to much lower standards. In fact some are only pioneer type trails. There is no reason to apply an urban wage rate to the construction of these roads and trails.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am glad to yield.

Mr. HOWARD. I feel that whether these roads are built in a rural or semirural area, the people who are in the construction business in those rural or semirural areas ought to have the protection that we are asking for the other people, so that they will not be underbid or undercut or have an outside group come in and do the work and take the economy out of that area. I feel that the people in rural areas have every right to expect that federally aided construction should be aided by having the money and the increase in the economy stay in that rural area and not have it taken to the cities. I believe the cities have enough programs with Federal buildings, such as the hospitals.

Mr. CRAMER. I understand the gentleman's position. I just do not happen to agree with him in regard to these types of roads and trails. Why did the gentleman strike out the words "initial construction work"? Why did the gentleman strike out the "initial," which has the effect, as I understand it, of including all types of construction work that is performed after the highway is built, such as minor reconstruction, major repairs, possibly some maintenance functions, and other small improvement or betterment projects. This will create many problems and increase the costs of keeping constructed highways in service, particularly in regard to the Federal-aid secondary systems, which includes county roads and city streets.

"Initial" was specifically written into the basic law for a purpose, and that was to limit it to the actual first construction of a highway, not its upkeep. Why does the gentleman strike that out?

Mr. HOWARD. The gentleman will reply by stating that he has requested the staff to write an amendment which would put the general Davis-Bacon application into the ABC highway program. The gentleman understands that this is generally the case, and that is why the amendment reads as it does.

I believe if there are any small points that the gentleman may wish to have cleared up, this could be done subsequently by an amendment after we once get the general idea that we are going to have fairness and justice in the ABC highway program.

Mr. CRAMER. Can the gentleman tell me why he did not offer the amendment in the committee? It is being offered on the floor of the House. It was not offered in the committee. I understood there was a gentlemen's agreement it would not be offered.

Mr. HOWARD. The gentleman from New Jersey has heard no agreement that this might not be offered. Certainly this provision is not new to anyone.

Mr. CRAMER. Can the gentleman tell me why he did not offer it in the committee, when we would have had an opportunity to thoroughly consider it, discuss it, get the proper language, and write an amendment which would do the job without doing a lot of harm?

Mr. HOWARD. I do not believe this will do a great deal of harm. The gentleman knows that the gentleman from New Jersey was involved in a great many separate items in this huge omnibus bill.

Mr. CRAMER. The gentleman has not answered the question as to why he did not offer it in the committee.

Mr. HOWARD. The gentleman has just responded.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. WRIGHT. Mr. Chairman, I move to strike the last word.

I take this time merely to clarify one point. Like the gentleman from Florida, I had not anticipated the introduction of this amendment at this point in the debate, and had not previously had the privilege of examining the amendment in detail. However, in applying the amendment to section 113 of title 23 of the United States Code, I find it clear that the language which the gentleman from Florida was interested in retaining, specifically that language which states "shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality" is retained in the law, and no violence would be done to that language by this amendment. The amendment simply strikes out the language in subsection (a), which makes the Davis-Bacon applicable on the initial construction work performed on highway projects in the Interstate System, and substitutes in lieu of that an application of Davis-Bacon to the construction work performed on highway projects in the Federal aid systems.

Additionally, it makes the same change in subsection (b), so that the only change that is made in the application of the Davis-Bacon formula is that it is made to apply not only to the Interstate System but to the entire Federal aid system.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I merely want to take this time to respond to one point made by the gentleman from Florida, and that is the point of what was supposed to be an agreement on the subject of this particular amendment.

I would like, as one member of both the subcommittee and the full committee, to state I participated in most of the discussions and the markup in connection with this bill, and I am personally unaware of any agreement not to have this amendment taken up.

There were several of us who explored the possibility of getting this amendment adopted in the committee, and we reached the conclusion that, at the time we looked into it, we did not have the votes present in the committee to get the amendment adopted, so for that reason the decision was made, insofar as this gentleman is concerned, not to offer the amendment in the committee. But there was no agreement I know about with regard to the Davis-Bacon Act.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, has the gentleman indicated then, and does the gentleman know why this was not offered in the committee so we could properly consider it?

Mr. EDMONDSON. Mr. Chairman, I just indicated my own conclusion, when we were in the committee and in markup sessions, that we concluded we did not have the votes to get it adopted.

Mr. CRAMER. Mr. Chairman, I appreciate the response.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, in order to clarify some of the comments that were made in colloquy between the gentleman from New Jersey and the gentleman from Florida with respect to what has been requested for consideration, I have before me a copy of a letter written to me—and I am assuming it was written to other Members of Congress—from the National Joint Heavy and Highway Construction Committee, made up of heads of union organizations starting with the International Union of Operating Engineers; Laborers' International Union of North America, AFL–CIO; Bricklayers, Masons, and Plasterers' International Union of America; United Brotherhood of Carpenters and Joiners of America; and Operative Plasterers and Cement Masons International Association.

In this letter they clearly define what their basic objectives are. I will read just that portion:

> Virtually every federally financed or assisted construction project carries a guarantee that the workers on these projects will be paid the prevailing hourly wage rate.

They also say:

> There is one major exception, that is the system of primary and secondary roads and their urban extensions known as the ABC highway system.

Then they say:

> We feel that the workers on these projects are entitled to the protection of the Davis-Bacon Act and urge Congress to remedy this situation in the 1968 Highway Act.

Mr. Chairman, I think I can indicate what their point of view is, and I include herewith in the RECORD the copy of their letter that clearly spells out the request of the organizations referred to, as well as a letter from the Building and Construction Trades Department of the AFL–CIO.

NATIONAL JOINT HEAVY AND HIGHWAY CONSTRUCTION COMMITTEE,
Washington, D.C., June 27, 1968.

Hon. DON H. CLAUSEN,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: We are writing to you concerning the 1968 Highway Bill on behalf of the local union members of the five International Unions sponsoring this National Committee.

Virtually every Federally financed or assisted construction project carries a guarantee that the workers on these projects will be paid the prevailing hourly wage rate. The more than thirty-five Federal construction programs covering the broad spectrum of Federal activity in the fields of health, education, housing, mass transportation, economic development, flood control, land reclamation and highway construction all incorporate the provisions of the Davis-Bacon Act.

There is one major exception, that is the system of primary and secondary roads and their urban extensions known as the ABC Highway System.

We feel that the workers on these projects are entitled to the protection of the Davis-Bacon Act and urge Congress to remedy this situation in the 1968 Highway Act.

Very truly yours,

HUNTER P. WHARTON,
General President, International Union of Operating Engineers.

J. V. MORESCHI,
General President, Laborers' International Union of North America, AFL–CIO.

THOMAS F. MURPHY,
General President, Bricklayers, Masons and Plasterers' International Union of America.

M. A. HUTCHESON,
General President, United Brotherhood of Carpenters and Joiners of America.

E. J. LEONARD,
General President, Operative Plasterers and Cement Masons International Association.

BUILDING AND CONSTRUCTION TRADES DEPARTMENT, AFL–CIO,
Washington, D.C., June 28, 1968.

Hon. DON H. CLAUSEN,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: I am writing on behalf of the Building and Construction Trades Department, AFL–CIO, in regard to H.R. 17134, "The Federal-Aid Highway Act of 1968". This bill authorizes funds for the various Federal highway programs for fiscal years 1970 and 1971. This Department is composed of 17 National and International Unions representing approximately four million building and construction tradesmen.

The Department is deeply concerned and wishes to call to your attention that the Section of the Act dealing with ABC highways does not contain a provision requiring the payment of the prevailing wage rates as required by the Davis-Bacon Act. At present this provision applies to the Interstate Highway system under this Act. However, *all* highway construction including ABC highways in the counties included under the Appalachian Regional Development Act of 1965 require the payment of the prevailing wage.

In fact, practically every Federally-assisted construction program, with the notable exception of the ABC Highway program, under this Act, requires the payment of the prevailing wage rates in the locality, as predetermined by the Secretary of Labor. This is the philosophy on which the Davis-Bacon Act was based and has been the policy of Congress over the years in extending the prevailing wage requirements to all Federally-assisted construction projects, including loans and guaranteed loans. The omission of such a provision in the ABC Highway Program under the Federal-Aid Highway Act is completely inconsistent with the longstanding practice and intent of the Congress. (List attached)

The Davis-Bacon Act is designed to correct conditions which arise when contractors bring low-paid construction workers from outside the area into a local community to build federal projects. The low wages of these workers from outside the local area undercut wage rates and living standards for building and construction workers and their families in the local community.

In this way, unfair contractors, many of whom are located outside the local area, are given a competitive advantage by failing to observe the labor standards maintained generally in the community. When this happens, responsible contractors, employees and the community in general suffer from this unfair competition to which the Federal Government is a party.

It should be clearly understood that the inclusion of prevailing wage provisions, as provided for, in the Davis-Bacon Act on Federally-assisted projects does not increase wage rates in a community. The Davis-Bacon provisions are designed purely to protect local contractors and local building tradesmen in the area from the incursions and underbidding of the outside contractors. Thus the wage and living standards in the community are protected and contractors are placed on equal competitive terms.

Congress has authorized $1 billion annually through fiscal year 1969 for the ABC Highway Program. Since this program is funded on a 50–50% Federal-State matching basis, this represents a total annual expenditure of $2 billion. This involves close to 100,000 workers who are not now covered by the prevailing wage provisions of the Davis-Bacon Act. This situation should not be allowed to exist.

As you know, the Davis-Bacon Act requires payment of the prevailing wage rates in the area on all Federally-assisted projects in excess of $2000. Time and time again Congress has recognized the validity and the desirability of this principle by extending its application to virtually every form of Federally-assisted construction. The ABC Highway construction Program is a glaring and unjustifiable exception especially in view of the fact that the construction involved totals some $2 billion per year.

We strongly urge, therefore, that the bill, H.R. 17134, be amended by incorporating the prevailing wage provisions of the Davis-Bacon Act in the ABC Highway section of the Federal-Aid Highway Act of 1968.

With best wishes, I am

Sincerely,

C. J. HAGGERTY,
President.

Mr. SAYLOR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment that has been offered, though it may come as a shock to some Members of the Committee of the Whole House.

The Davis-Bacon Act, which has been referred to in the amendment, was the first piece of major labor legislation ever considered by the House and the Senate and enacted into law. What comes as a distinct shock to me is that some Members on my side of the aisle are trying to limit its application.

The senior Senator at that time from Pennsylvania, the late Senator Davis, who was the author of the Davis-Bacon Act, has as the primary thought in support of this legislation while it was considered, that it ill-behooved the Federal Government to ask other people, private and public, to abide by a minimum wage while the Federal Government itself would not provide protection in the expenditure of Federal funds for the people who worked under Federal contracts. So the Davis-Bacon Act was adopted. If we go back and look at it, it was almost by unanimous vote adopted in both the House and the Senate.

It has been made to apply to every proposition so far as the Federal Government is concerned, with the exception of the ABC highways.

The amendment we are now considering is to extend the Davis-Bacon Act and its protection to those who work on the ABC highways.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to the distinguished Speaker.

Mr. McCORMACK. I remember well when the Bacon-Davis Act was up, because I was a Member of this body. As the gentleman says, it was supported pretty unanimously by Members on both sides of the aisle.

The name "Bacon" is a very familiar one. He was one of the finest Members who ever served in this body, one of the most able and most distinguished Members. He was elected as a Republican, but he served well. He was a great man in this body, and he was one of its outstanding men.

When the gentleman talks about this law, it brings back fond memories to me of my participation in its passage, and brings back pleasant memories of one of my dear friends, the late Congressman Bacon from New York, who played such a very important part in the passage of the original bill, and who served with great distinction in this body.

Mr. SAYLOR. I thank the distinguished Speaker for those fine comments with regard to Mr. Bacon.

I am a little surprised by the question raised by the gentleman from Florida as to why this amendment was not offered in the Committee on Public Works.

I do not happen to be a member of the Committee on Public Works, but I am a Member of the Committee of the Whole House on the State of the Union, and that Committee supersedes any other standing committee of the Congress. Any Member of the House of Representatives is privileged at any time to get up and offer an amendment.

I want to tell the Members that it comes to me with poor grace for one to try to say that the Members of the Committee of the Whole House on the State of the Union are precluded from offering amendments merely because the amendment was not discussed in one of the 20 select or standing committees of the House.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I yield to the gentleman from Ohio.

Mr. HARSHA. The gentleman did not say that other Members of Congress should be precluded from offering amendments. He was directing his remarks to another member of the Committee on Public Works, also a member of the Public Roads Subcommittee, who did not offer the amendment.

Mr. SAYLOR. That is perfectly all right. There is no reason why a Member who happens to be a member of the Committee on Public Works should be precluded from offering an amendment now in the Committee of the Whole House on the State of the Union, because this Committee supersedes any other committee of the House of Representatives, and do not ever kid yourselves about it.

I hope the amendment will be adopted.

Mr. HECHLER of West Virginia. Mr. Chairman, I rise in support of the Howard amendment which will extend the provisions of the Davis-Bacon Act. I feel that the amendment of the gentleman from New Jersey makes a great deal of sense and deserves wide support.

I could not resist the opportunity to follow up and endorse the remarks made by our distinguished Speaker concerning one of the coauthors of the Davis-Bacon Act, the late Representative Robert Low Bacon, of New York. I was born a few miles from the home of Congressman Bacon on Long Island, and I had the opportunity to vote for him once before his untimely passing in 1938. He represented the old First District in Nassau County, home of Teddy Roosevelt's Oyster Bay, and served in this body with intelligence and distinction. My mother and father owed a great deal to him and to Mrs. Bacon for their many kindnesses.

But to return to the main point at issue. I am happy that the gentleman from New Jersey has taken the bull by the horns and introduced this amendment. I do not see why any Member has to push an amendment in his own standing committee prior to introducing it on the floor in Committee of the Whole, and I hope that the Howard amendment is adopted.

SUBSTITUTE AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment in the nature of a substitute for the amendment offered by the gentleman from New Jersey [Mr. HOWARD].

The Clerk read as follows:

Amendment offered by Mr. CRAMER as a substitute for the amendment offered by Mr. HOWARD: On page 38, after line 9, insert the following new section:

"PREVAILING RATE OF WAGE

"SEC. 12. Section 113 of title 23, United States Code, is amended by (1) striking subsection (a) and (b) thereof and inserting, in lieu thereof, the following:

"'(a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the Federal-aid systems, the primary and secondary, as well as their extensions in urban areas, and the Interstate System, authorized under the highway laws providing for the expenditure of Federal funds upon the Federal-aid systems, shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the Act of August 30, 1935, known as the Davis-Bacon Act (40 U.S.C. 267a).

"'(b) In carrying out the duties of subsection (a) of this section, the Secretary shall consult with the highway department of the State in which a project on any of the Federal-aid systems is to be performed. After giving due regard to the information thus obtained, he shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of subsection (a) of this section which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

"'(c) The provisions of the section shall not be applicable to employment pursuant to apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting equal employment opportunity in connection with federal-aid highway construction programs.'

"(2) The analysis of chapter 1 of title 23, United States Code, is hereby amended by striking out—

"'113. Prevailing rate of wage—Interstate System'

"And inserting in lieu thereof:

"'113. Prevailing rate of wage.'"

And renumber succeeding sections and references thereto accordingly.

The CHAIRMAN. The gentleman from Florida is recognized for 5 minutes in support of his amendment.

Mr. CRAMER. Mr. Chairman, the purpose of this substitute amendment—and I am trying to be able to take advantage of the prerogatives that I, along with others, have as a member of the Committee of the Whole House on the State of the Union in offering this substitute—the purpose of this substitute amendment is to attempt to do something about the problems that I asked about in my colloquy with the gentleman from New Jersey. I hope he will accept this language. Let me say this is the same language that is in the Senate bill which already passed the other body. It contains an exemption for employment pursuant to apprenticeship and skill training programs. I call your attention to this, because it is extremely important, I think. I wanted to see these people who are being trained under the equal employment opportunity program—who are being trained by the highway contractors—to be properly trained. I want to see these people have the chance to get these jobs. They cannot do it if the contractors do not employ them, and they will not employ them if they have to pay the prevailing wage rates. Obviously, you cannot employ an apprentice and pay him the same amount of money you would pay someone who is trained to do the job and who can do the job. That is what this substitute does principally. It says:

> The provisions of the section shall not be applicable to employment pursuant to apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting equal employment opportunity in connection with Federal-aid highway construction programs.

I think everybody would be for that.

Mr. KLUCZYNSKI. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I am delighted to yield to the gentleman.

Mr. KLUCZYNSKI. I want to thank the gentleman from Florida for yielding to me.

As chairman of the subcommittee, I would say that the committee accepts the substitute offered by the gentleman from Florida.

Mr. CRAMER. I thank the gentleman.

Mr. KLUCZYNSKI. Mr. Chairman, will the gentleman yield further?

Mr. CRAMER. Yes. I yield to the gentleman.

Mr. KLUCZYNSKI. I want to satisfy myself with regard to the provisions contained in the letter I referred to that they will be covered in the gentleman's amendment as requested by the Joint Heavy and Highway Construction Committee.

Mr. CRAMER. I have read the letter that the gentleman received from the National Joint Heavy and Highway Construction Committee, which asked to be able to apply this coverage to the ABC program. This amendment accomplishes that.

Mr. KLUCZYNSKI. I want to join the gentleman in supporting his amendment, then.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. HOWARD. Mr. Chairman, I would like to commend the gentleman from Florida who was very surprised that this matter of Davis-Bacon was brought up in the Committee of the Whole House but has very quickly produced a very fine substitute for it. This is despite the fact that it was not introduced in the committee. I am very happy that the gentleman has introduced this, and I think him for it. I am grateful to the chairman of the subcommittee for accepting it.

Mr. CRAMER. I appreciate that. I was delighted to hand the gentleman a copy in advance.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Florida [Mr. CRAMER] for the amendment offered by the gentleman from New Jersey.

The substitute amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from New Jersey, as amended by the substitute offered by the gentleman from Florida.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. M'CARTHY

Mr. McCARTHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. McCARTHY: On page 41, strike out lines 9 through 18, inclusive.
>
> Renumber succeeding sections and references thereto accordingly.

Mr. McCARTHY. Mr. Chairman, this is a very simple amendment.

Mr. SAYLOR. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. SAYLOR. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The gentleman from New York [Mr. McCARTHY], is recognized for 5 minutes.

Mr. McCARTHY. Mr. Chairman, this is a very simple amendment. It would strike out section 17 of the bill before us.

The reason I offer it is that by cutting out of the bill the provision contained in section 17 we will discard a meaningful and effective conservation policy and substitute a meaningless and vague admonition.

Mr. Chairman, as the law now stands, section 4(f) of the Transportation Act of 1966 forbids the Secretary of Transportation from approving any highway, rail, rapid transit, or other transportation project which requires the use of any public park, recreation area, wildlife or waterfowl refuge, or historical site from the law as it stands now and reads as follows: "or no safe or prudent alternative."

Mr. Chairman, we would wipe that away and substitute this language in the act. It simply prescribes that the highway engineer or other transportation engineer take another alternative. It could mean that a highway engineer located about 5 miles away could take the shortest route and then he decided probably he would go into the park because it is the shortest distance between two points.

It has the endorsement of many organizations. It is endorsed and supported by the President's Council on Conservation and Natural Resources and it has the unique and unusual support of the combination of HUMPHREY and Rockefeller.

It also has the support of the American Institute of Architects and other groups.

Mr. Chairman, in the other body, yesterday the distinguished Senator from Washington [Mr. JACKSON], felt so strongly about this that he succeeded in having added to the companion bill in the other body the exact wording which is sought to be accomplished by this amendment. In the bill that passed the other body is the exact wording of the Transportation Act of 1966 which I cited earlier.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, I want to compliment the distinguished gentleman from New York [Mr. McCARTHY] for proposing this amendment. It does exactly that which he says it proposes to do.

Mr. Chairman, this Congress passed on this language that was in the Department of Transportation and the Committee on Government Operations handled that bill, as the gentleman knows, and I was the author of it.

In that section we provide protection against a violation of these national parks and other historic monuments by putting the words "prudent and feasible." Those words have been stricken by the committee's bill, and I am in support of the amendment offered by the gentleman from New York [Mr. McCARTHY].

If I receive the time, I intend to speak at length on the amendment.

Mr. McCARTHY. Mr. Chairman, I thank the gentleman from California, and I certainly agree with the gentleman that it would give the highway engineers and others virtual carte blanche if they chose to go through any park, national park, recreational area, wildlife area, or whatever, and that we would be taking a step backward.

I do not know why this body should be the anticonservation body, when the other body yesterday felt so strongly that they actually were redundant.

Mr. HOLIFIELD. Mr. Chairman, if the gentleman will yield further, is it not true that it also encroaches upon the jurisdiction of a number of committees of the House that have to do with airports and other areas that go beyond the highway jurisdiction?

Mr. McCARTHY. That is correct. The Banking and Currency Committee, which deals with rapid transit, is in that category.

Mr. HOLIFIELD. That is correct.

Mr. McCARTHY. The Committee on Interstate and Foreign Commerce and the gentleman's committee, the Committee on Government Operations.

Mr. HOLIFIELD. The Interstate and Foreign Commerce Committee that deals with airlines and railroads, also.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. McCARTHY. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I would ask the gentleman from New York if his amendment has the same virtue of that possessed by the Howard amendment of not being offered in committee?

Mr. McCARTHY. No; this was offered in the committee.

Mr. EDMONDSON. So the gentleman is not claiming that virtue?

Mr. McCARTHY. I cannot claim that virtue of initially offering it in this distinguished Committee of the Whole.

Mr. EDMONDSON. Was the amendment defeated by a vote in the committee?

Mr. McCARTHY. I believe it failed.

Mr. EDMONDSON. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KLUCZYNSKI. Mr. Chairman, I ask unanimous consent that all debate on this bill and all amendments thereto close in 1 hour.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

Mr. DINGELL. Mr. Chairman, reserving the right to object, I would like to know how many Members were standing and how much time they would be permitted to have, because from the number of Members I now see standing they would be quite curtailed.

The CHAIRMAN. The Chair will state to the gentleman from Michigan that it cannot answer that question at this particular point.

Mr. DINGELL. Mr. Chairman, I do not believe that 1 hour will be enough. It might be, Mr. Chairman, that an hour and a half would be sufficient, but I note just by a quick count that probably 30 or 35 Members are standing, and will want to be heard on this bill.

We have observed the situation where many times Members who have offered an amendment do not have a chance to speak on their amendment, and I do not believe in this situation that would be a good procedure in view of the importance of a matter of this kind.

Perhaps the gentleman from Illinois would be willing to ask for more time.

Mr. KLUCZYNSKI. How about an hour and 15 minutes?

Mr. DINGELL. Why not make it an hour and a half?

Mr. CRAMER. Mr. Chairman, reserving the right to object, would the gentleman from Illinois make it an hour and a half? I believe most of the Members would be in agreement if it were an hour and a half.

Mr. KLUCZYNSKI. The gentleman will state that he cannot refuse the request of the gentleman from Florida, and will make the unanimous-consent request that all debate on this bill and all amendments thereto close in one hour and a half.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ZWACH. Mr. Chairman, I rise in support of section 14, pages 38 and 39, of this bill, H.R. 17134. This language would specifically prohibit the diversion of funds from the highway trust fund for purposes not connected with the building of highways.

By acts of a previous, responsible, Congress, a trust was made to the highway users that in agreeing to pay a tax for the use of highways, the U.S. Government gave an irrevocable promise to them that such funds would only be used for highway purposes.

Now we have evidence that not only are some funds diverted, they are also withheld by the whim of an administration which found itself caught in the backlash of the very inflationary fire they have been feeding by overextension of Federal funds in other projects. Just last year, the covenant made with various States was broken by the Presidential decree that highway trust funds were to be withheld or delayed. This unconscionable delay undoubtedly has already added to the cost of building highways, and more importantly, such "freezes" have and will add to the death toll of highway users who are forced to use old, unsafe highways.

Any such delay causes innumerable problems at the State and county levels in planning, keeping, and making sound local contracts, or of honoring vouchers and bills for work already completed.

If we are to restore faith in our citizens' minds regarding their Government, those needed steps must be taken to regain that respect. Mr. Chairman, this is one of those small, necessary steps.

Mr. ROGERS of Florida. Mr. Chairman, I am happy to rise in support of section 13 of H.R. 17134, the Federal-Aid Highway Act of 1968, which authorizes an increase in Interstate System adjustments from 41,000 miles to 44,000 miles.

This additional mileage authorization will permit many gaps and missing links in the Interstate System to be completed. Among these is a 300-mile segment in I–75 from Tampa, Fla., to Miami, Fla., along Florida's west coast.

May I say that the communities of Tampa, St. Petersburg, Bradenton, Sarasota, Ft. Myers, Naples, and Punta Gorda, among others, have for many years now been working diligently and earnestly to bring about the authorization which is before the House today.

Citizens groups, chambers of commerce, and business groups in all these communities have contributed to getting the message across that this additional link in the I–75 highway is vital to the growth of Florida's west coast.

In March of last year, I introduced H.R. 7694 which would authorize the necessary increase in the Interstate mileage to permit the I–75 link from Tampa to Miami.

I am pleased that the committee, in its deliberation on this bill before us has seen fit to provide for this needed extension.

Mr. HECHLER of West Virginia. Mr. Chairman, the position taken in the amendment of the gentleman from New York [Mr. McCarthy] is eminently sound. We tend to overlook too quickly the need for preserving and enhancing the natural beauty of our land in our rush to develop transportation facilities. We are in danger of having our globe choked by ribbons of concrete unless we take steps to keep those precious green spots which otherwise would be defaced and destroyed.

Section 4(f) of the Department of Transportation Act of 1966 specifically rules out interference by highways and other transportation facilities with public parks, recreation areas, wildlife and waterfowl refuges or historic sites with certain specific exceptions. I hope that the amendment of the gentleman from New York will prevail, and that Members will also look carefully at the letter dated July 1, 1968, from Secretary of Transportation Alan S. Boyd to Speaker McCormack, which was printed at page 19394 of the July 1 Record.

GENERAL LEAVE TO EXTEND

Mr. KLUCZYNSKI. Mr. Chairman, I ask unanimous consent that all Members may extend their remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The Chair has noted the names of 48 Members who were standing when the limitation of time for debate was agreed to, which entitles each Member to 2 minutes approximately.

The question is on the amendment offered by the gentleman from New York [Mr. McCarthy].

Mr. KLUCZYNSKI. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Rostenkowski, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 17134) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, had come to no resolution thereon.

CONGRESSMAN ANNUNZIO SUPPORTS PRESIDENT JOHNSON'S CALL FOR CONSTITUTIONAL AMENDMENT TO CHANGE VOTING AGE TO 18

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, in my opinion, one of the finest statements ever made by President Johnson was issued by the White House on June 27, 1968. It was aptly titled, "To Vote at 18—Democracy Fulfilled and Enriched."

As the Washington Post stated later in an editorial supporting the President's call for a constitutional amendment to reduce the voting age to 18, the statement "effectively marshaled the arguments."

The strongest argument, it seems to me, is this:

> Reason does not permit us to ignore any longer the reality that 18-year-old young Americans are prepared—by education, by experience, by exposure to public affairs of their own land and all the world—to assume and excercise the privilege of voting.

The President pointed out that Georgia, since 1954, and Kentucky, since 1955, have permitted 18-year-old residents to vote. The two newest States, Alaska and Hawaii, permit residents to vote at 19 and 20, respectively.

Maryland recently proposed lowering the voting age to 19. There are movements afoot in other States to lower the voting age to various levels.

As the Washington Post pointed out:

> The choice is between a national policy of voting at age 18 and a wide range of state policies under which voting may be permitted from, say 15 to 21. The argument for returning to uniformity, in line with current realities, is a powerful one.

Well stated.

The thought that States are destined to have a wide variety of voting ages must seem comic to some, tragic to others.

Surely in the greatest Nation on the face of the globe, citizens, no matter where they live, should be treated alike at the ballot box, as well as on the bus or in a real estate office. This truth should apply to citizens of the same age, as well as to both sexes and all races and religions.

The cause of civil rights will again be served.

TOUGHER LAWS PROPOSED BY ICC

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, last week the Interstate Commerce Commission published a comprehensive and authoritative plan on solving the problem of railroad passenger service.

It is no secret over the past 10 or 15 years that passenger service on the railroads has declined both in quantity and quality. I do not think it is best merely to let the issue slide until the passenger train has vanished. We should study the problem—its causes and solutions. We should take immediate steps to make sure the point of no return is not passed. And we should look for new ways to vitalize the railroads.

I feel the proposal of the ICC makes good progress in these directions. I commend it to every Member and would like to give my own thanks to the ICC for stepping in on this question with such ambition.

Mr. Speaker, at this point, I include an article on the ICC proposal which appeared in the June 27, 1968, issue of the Wall Street Journal:

ICC REPORT CALLS FOR CONGRESSIONAL STUDY OF RAIL PASSENGER SERVICE, TOUGHER LAWS

> WASHINGTON.—The Interstate Commerce Commission made a broad appeal for Congress to make some changes in the nation's rail passenger service system.
>
> In its official report and recommendations, the ICC asked Congress to:
>
> Authorize a massive Government study on the need and means for preserving a "national rail passenger system."
>
> Enact stopgap legislation that would make it tougher for the nation's railroads to discontinue their rail passenger service.
>
> The agency also recommended that "as a temporary measure . . . the Post Office Department consider curtailing any additional reductions in mail contracts involving passenger trains for two years."
>
> The report was presented by ICC chairman Paul J. Tierney to Sen. Magnuson (D., Wash.), chairman of the Senate Commerce Committee, and Rep. Staggers (D., W. Va.), chairman of the House Commerce Committee.
>
> The report generally called for a new in-depth look at the present and future needs in intercity rail service and for consideration of changes in Federal policy and Federal law governing passenger train discontinuances.
>
> The ICC has come under increasing criticism in recent months because of what its critics feel is a failure to do something to stop the rising number of passenger trains being dropped by the nation's roads. Recently, the commission asked for Congressional hearings on the adequacy of the nation's rail passenger system.
>
> In calling for a study of the rail passenger system, the ICC said it doesn't believe that "significant segments" of the remaining long- and medium-distance service will survive without "a major change in Federal and carrier policies."
>
> The ICC concluded that current Federal policy is inadequate to deal with the current passenger-train problem for several reasons: The railroads themselves are convinced there isn't any future in such service; railroads face increasing competition in their freight business, which makes passenger deficits more burdensome; and a public belief that passenger trains are needed makes it difficult to satisfy anyone regardless of how cases are decided.
>
> Moreover, current Federal law isn't designed to promote passenger service, but to allow the carriers to reduce it. The ICC argues that currently it can't require roads to continue a passenger service unless it can find there's a "public need for the service and that the continuation will not impose an undue burden on interstate commerce."
>
> "It is imperative that a comprehensive review be initiated of the future contribution which a modernized rail passenger system could make before some vital services are abandoned," the agency said. The ICC recommended that Congress initiate the study, or, alternatively, that the Transportation Department and the ICC make it.
>
> It said the study should determine such things as existing capacity and anticipated expansion of all transportation modes, expected passenger transportation needs, and the costs and ability of an improved rail passenger service to meet those needs.

TREATY ON NONPROLIFERATION OF NUCLEAR WEAPONS

Mr. ANDERSON of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANDERSON of Illinois. Mr. Speaker, yesterday in Washington, London, and Moscow, the United States, the United Kingdom, the Soviet Union and more than 50 other countries signed the Treaty on the Nonproliferation of Nuclear Weapons. It was my personal pleasure to be present during the signing ceremony in the East Room of the White House. During the White House signing ceremony, the President announced that an arrangement had been reached with the Soviet Union to begin talks to limit and reduce offensive and defensive missiles—ICBM's and ABM's. Thus, on the same day, two events of the utmost significance to the future of our country and our planet have come to pass.

The Nonproliferation Treaty which was signed yesterday will not only reduce the threat to peace which is inherent in a spread of nuclear weapons capabilities, but will also enhance the prospects for maximum utilization of the peaceful uses of nuclear energy.

Both as a member of the Joint Committee on Atomic Energy and as a congressional adviser to the 18-nation Disarmament Conference, I know how hard the U.S. representatives have worked to make this a durable and lasting treaty. Their efforts to design a treaty that will promote the peaceful uses of nuclear energy deserve special commendation.

The goal of promoting the peaceful atom is reflected in our domestic legislation but it was a Republican administration that first set the machinery to implement this goal in motion. The International Atomic Energy Agency resulted from President Eisenhower's "atoms-for-peace plan."

President Eisenhower also made the first U.S. test ban proposal, noting that it would help keep additional fingers off the nuclear trigger.

In the signing of the Nonproliferation Treaty we have learned that another major breakthrough in arms control may be possible. Placing limitations on the spiralling arms race in the field of offensive and defensive nuclear delivery vehicles is of critical urgency.

The human and natural resources of

this globe are simply insufficient to permit the apparently never-ending cycle of building delivery system upon delivery system to continue. The security of this United States and of all nations will be greatly increased if some degree of certainty and rationality can be brought to the missile race.

Negotiating an agreement with the Soviet Union in the missile field will surely not be a simple task. However, it is a task which we can and must undertake.

Today there is hope that negotiations will soon begin. They will be long, they will be arduous. But let all Americans and all the world pray to God that they will be successful.

THE FOOD STAMP PROGRAM

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, it seems incredible that in these affluent United States we should allow some of our citizens to be faced with starvation and yet it does occur in some counties across our land. In fact, there are some 10 million Americans who daily hear the ugly knock of hunger at their door.

Though the surplus commodity and food stamp programs were introduced to overcome this, we have, for the most part failed to arrest the problem in accordance with our capabilities. While the former program involves local storage and distribution costs, the latter entails recertification and administrative costs. But regardless of the cost of operating these programs in an efficient and effectual manner, they are necessary for those people who need our help most and, therefore, should be continued.

Though the merits of both of these programs are worthy of much note, Mr. Speaker, today I would like to dwell upon the food stamp program.

There are many things that one in need can do without for awhile but food is not one of them. Therefore, when we consider the needs of the poor, food should be the primary consideration before all else.

The food stamp program is an attempt to meet the primary need of the poor. It was designed to supplement the diets of low-income families. The people pay a certain amount of money for which they receive a like amount of food stamps plus bonus stamps which increase the purchasing power of the participants.

For the approximately 19,000 people who participated in the food stamp program in the State of Rhode Island during the month of April, food stamps meant improved diets and a chance to share in America's abundance of food. In the month of April, food stamp participants in Rhode Island were provided with about $124,000 in bonus stamps. For these low-income families, it has meant more meat, more milk, more poultry, and more fruits and vegetables. These are the foods that make for better diets and improved health.

The food stamp program is supported in Rhode Island because it has proved its worth and I believe it has proven its worth across our Nation. However, it has not realized the fulfillment of its potentiality in meeting the basic needs of our poor because it hasn't received the support it needs in terms of adequate authorization from the Congress.

Soon the House will be asked to vote upon authorizing legislation pertaining to this program and it is to this that I wish to address myself.

I do not look upon a mere extension of this program for 1 year, as recommended by the House Agriculture Committee, to be either adequate or wise. I opposed a 1-year authorization when we considered this matter last June and I rise in opposition to a mere 1-year authorization again this time around.

What is needed is a firm commitment by the Federal Government to provide assistance to States in building a strong food stamp program to meet the needs of the Nation's poor, not only today and not only next year but for the next decade at least. I do not look upon a mere 1-year authorization as being a "firm commitment." We must assure the States that adequate funds will be made available in the future to support their efforts to provide the poor with food. We should authorize adequate appropriations for a long enough period so that the States may plan and implement their programs in accordance with the overall needs across the Nation. Sufficient support must be given to generate a program that will embrace all the needy people of our land.

We must not settle for anything less.

Let us join hands in assuring our Nation that this body has given not only its imprimatur but its greatest possible support toward the attainment of a food stamp program that will reach all the needy people of our Nation.

SP4C. VINCENT P. MURPHY

Mr. TIERNAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper clipping.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. TIERNAN. Mr. Speaker, recently a young man from my congressional district was awarded the Department of Army Commendation Medal for heroism in action while serving in Vietnam. He is Sp4c. Vincent P. Murphy, son of Mrs. Mary C. Murphy of 106 Sumter Street, Providence, and the brother of my secretary, Miss Anne G. Murphy.

Specialist Murphy was given the Army Commendation Medal for making repeated trips into an area under enemy mortar fire to aid his wounded comrades. The courage which these actions took is hard to imagine for those of us who sit safely at home. It is a quality which too few of us have. To save the lives of others while risking one's own life is the greatest service which any man can render to his fellow man.

It is with great admiration that I place into the RECORD at this point a recent news clipping from the Providence Evening Bulletin which tells of the heroism of Specialist Murphy.

PROVIDENCE SOLDIER IS DECORATED FOR HEROISM

Army Sp-4 Vincent P. Murphy, 22, son of Mrs. Mary C. Murphy of 106 Sumter St. and the late Edmund M. Murphy, has been given the Army commendation medal for heroism in action while engaged in ground operations in Vietnam.

Specialist Murphy, a 1964 graduate of LaSalle Academy, is a radio operator with Troop B, 1st Squadron of the 4th Infantry Division's 10th Cavalry. He went to Vietnam in June, 1967.

The commendation credited Specialist Murphy with making repeated trips into an area under enemy mortar fire to aid wounded comrades. The action occurred on March 4 at the Ban Me Thuot Airfield.

FIREARMS CONTROL

Mr. FEIGHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Speaker, the present controversy raging over the sale of guns by private manufacturers has had the effect of exposing the easy accessibility of acquiring firearms. One example of this is the recent revelation that the U.S. Army has been selling thousands of guns at discount rates, and supplying huge quantities of free ammunition.

The distribution of these firearms is administered by the National Board for the Promotion of Rifle Practice, a group dominated by the National Rifle Association. Distribution is only to members of the NRA and clubs which are NRA affiliates. However, no security check is run on members and only a loyalty oath and two recommendations are required for membership in the NRA. Officials of the club have cited costs of security checks as being prohibitive.

The Department of Justice may appoint a law enforcement officer to this controlling board. It has not done so. The Department of Health, Education, and Welfare may appoint a member to the board. For agencies so vitally involved with gun control and public safety, this seems to be an extreme oversight, and one that should soon be rectified.

I believe that the presence of a member of the Justice Department on the board would have a salutory effect and would serve the public interest. Such a law enforcement appointee would be very beneficial in tightening up procedures regarding security problems, such as, access to firearms and security checks on the users thereof. I understand that under a new security system a few leaders of rifle clubs will be given security checks. Should not checks be made on all club members?

The revelation of these and many other facts can be attributed to the alert reporting of Mr. Sanford Watzman, of the Washington Bureau of the Cleveland Plain Dealer. For the benefit of my colleagues, I include the articles written by Mr. Watzman, which appeared in the

Plain Dealer, as well as the editorial to which I have referred.

[From the Plain Dealer, June 22, 1968]

ARMY SOLD 676,934 GUNS

(By Sanford Watzman)

WASHINGTON.—Against a background of riots, assassinations and crime in the streets—and government attempts to stop it—a Plain Dealer investigation has disclosed that:

The U.S. Defense Department is one of the top purveyors of firearms to civilians, having sold more than a half-million rifles, pistols and shotguns in a decade.

This operation has featured discount prices—plus a giveaway program involving free ammunition and "loans" of weapons.

These firearms have reached the hands of many whom the authorities know nothing about, including possibly persons with police records.

Despite, a sharp cutback in this government activity, announced only yesterday, a substantial quantity of weapons and bullets remain outstanding—and more will continue to be supplied—without the assurance of adequate security checks.

Agent for the government gun business is the U.S. Army acting through the National Board for the Promotion of Rifle Practice, established in 1903.

The board, composed of both military and civilians, is dominated by members of the National Rifle Association (NRA), a civilian organization that has long been one of the most powerful lobbies in Washington and the chief barrier to effective gun control legislation.

There are two vacant seats on the 25-man board, reserved for representatives of the Departments of Justice and Health, Education and Welfare. The vacancies have not been filled.

NRA members—and only NRA members—qualify to buy the GI firearms. The ammunition and other weapons are delivered into the custody of local rifle clubs that are NRA affiliates.

The public benefits, in theory, because the clubs train boys and men, starting at age 12, to become marksmen. The rationale is that they will be better soldiers and will also be available as firearms instructors if and when the Army needs them.

One such club was the Jamaica Rifle and Pistol Club in New York. Two men associated with it were found guilty last weekend of plotting the murder of Roy Wilkins and Whitney Young, Negro leaders of moderate civil rights organizations.

On another occasion, members of the Minutemen, an armed extreme rightist organization, were found to be rehearsing with weapons provided with the army's compliments.

While it is true that these were isolated examples among 5,700 gun clubs, totaling 450,000 members, board officials concede the possible existence of more cannot be ruled out.

An independent study published in January, 1966, the Arthur D. Little research organization concluded the rifle clubs consisted mostly of responsible, reputable persons making a significant contribution to national security.

But the study also called for fingerprinting of members and police record searches.

Today, 2½ years later, these recommendations have yet to be implemented—although a partial start is about to be made.

The Federal budget for the board will be drastically reduced starting July 1. Only $84,000, for instance, will be allocated to the ammunition giveaway, against $1.5 million in the previous 12-month period.

Yet, at a penny a bullet, the $84,000 would supply 8.4 million .22-caliber bullets to the rifle clubs, free of charge. It was a .22 that killed Sen. Robert F. Kennedy.

Retail price of these bullets—for someone who does not share in the Army-NRA largesse—is about $1.70 a hundred.

The Army's bargain basement has also featured .38-caliber revolvers at $22.85 and .22-caliber training pistols at $19.10. Comparable retail prices are $89 and $80.

In the 10 years ending Dec. 31, 1967, the government board has supervised the sale of 676,934 firearms to civilians.

This figure includes 5,267 M1 rifles, 152,377 handguns of .38 and .45 caliber, 5,186 pistols of .22 caliber, 6,780 .22-caliber rifles, 207,312 carbines, 290,849 .30-caliber rifles (1903 models), 8,674 12-gauge shotguns and 489 special rifles.

As of the same date, 39,301 weapons were out on loan to the local clubs. The breakdown is 20,573 .22-caliber rifles, 13,152 M-1s and 5,576 .45-caliber pistols.

Under the new rules announced yesterday, only M-1s will continue to be sold. Only the .22-caliber bullets will be furnished free—and these only to junior clubs (members aged 12 through 18) or to junior divisions of senior clubs.

The reasoning is that this government resource should be conserved in tight-budget times for boys who are young enough to be called into the service.

Clubs will still be able to buy .22-caliber bullets at discount, and new clubs will continue to be issued the .22 rifle.

But all handguns on loan to the clubs are being recalled immediately. No one knows how long it will take to collect the 5,576 sidearms, or if all will be accounted.

By the end of this year, senior clubs will have to return the rifles issued to them unless the older men are sponsoring a junior club. Officials say they hope this edict will prove an incentive for organizing new junior rifle clubs.

On the sale of arms to NRA members, board policy has been to hold off delivery for 45 days until enforcement people check out the purchaser.

On the issue of firearms to the clubs, no check is made. A new system is about to be adopted under which a few leaders of each club will be given security clearance—but not the rest of the members.

A program of fingerprinting the club leaders got under way in the spring of 1967. The prints have been collected on cards, and the cards have been stacked up.

So far, no use has been made of them. This will await inauguration of the limited security program.

[From the Plain Dealer, June 23, 1968]

ARMY CLAIMS "ACCOMPLISHMENTS" IN NRA GUN SUBSIDY

(By Sanford Watzman)

WASHINGTON.—The Army's director of civilian marksmanship yesterday sought to answer criticism of the government's policy of subsidizing private civilian rifle clubs.

One criticism has been that there is no security check made by these clubs, notably the National Rifle Association, of prospective members.

The Army official, Col. LeRoy Strong, a professional soldier for 25 years, said the cost of checking police and FBI records against club membership lists would be prohibitive. The colonel heads the National Board for the Promotion of Rifle Practice, which provides firearms and ammunition to the civilian organizations.

He is leaving his post soon to join the faculty of the Army War College. Earlier, he was an intelligence officer. He said in a Plain Dealer interview yesterday:

"I know you'll write some negative things about our program. I have no objection, but I'm concerned that you might omit our positive accomplishments. I think you ought to point out that the clubs have helped defend the nation, and only a couple of them—out of thousands—have been known to be bad ones."

Replying directly to all questions, Strong said he personally favored legislation to regulate mailorder sales of weapons. He added he might yet advocate gun registration as well, but he was not certain about this point.

He said yes when asked if a security clearance program would be worth the effort in the interests of the nation, but he was doubtful taxpayers would want to foot the bill.

A spokesman for the NRA, which has close ties with Strong's board, also contended that police record searches are costly.

"We don't have any machinery for that sort of thing," the spokesman said. "But we do have a procedure that we follow when someone wants to join NRA.

"We ask him for a loyalty oath and we require that his application be sponsored by two other persons who are either NRA members, military officers or government officials."

Of the 23 members on Strong's board, 13 belong also to NRA. The 13 include the president, past president and executive vice president of NRA, as well as Strong himself. Thirteen of the 23 members are military men, the rest civilians.

"I see a conflict of interest in that situation," asserted J. Elliott Corbett, secretary of the National Council for a Responsible Firearms Policy—NRA's lobbying opponent.

Corbett explained that "the NRA members sitting on the national board are bound to swing their weight toward the development of programs that strengthen the NRA as an organization . . .

"It's really kind of silly. You have one government agency—the board—subsidizing an organization—the NRA—whose policies are opposed to what is being recommended (gun control bills) by another government agency—the Justice Department.

"In my opinion, the marksmanship program should be mustered out. But if the country does need it, then the Army should take it over completely and run it for its own benefit and the nation's benefit, rather than to enhance the prestige of the NRA."

ATTORNEY GENERAL CLARK IGNORES GUN PROGRAM

(By Sanford Watzman)

WASHINGTON.—For more than a year, U.S. Atty. Gen. Ramsey Clark has ignored an Army letter asking him to send a representative to the government guns-to-people program.

Nor has the Army ever received a reply from John W. Gardner, former U.S. Secretary of Health, Education and Welfare (HEW), or from Gardner's successor, Wilbur J. Cohen.

This was established yesterday as The Plain Dealer pressed on with inquiries about the National Board for the Promotion of Rifle Practice.

This military-civilian agency, an adjunct of the Army, supervises the sale of GI firearms to civilians and the issue of weapons to civilian marksmanship clubs.

Plain Dealer articles last weekend disclosed:

There is no requirement for a police record search on persons given access to firearms at the clubs. A program to check out club leaders is just getting started.

There are two vacant seats on the 25-member rifle practice board, reserved for representatives of HEW and the U.S. Justice Department, which is headed by Atty. Gen. Clark.

The two slots were created in any Army reorganization of the board March 29, 1967.

Col. Thomas H. Tackaberry, military aide to Army Undersecretary David E. McGiffert, who presides over the board, said yesterday:

"We asked the Justice Department to have someone sit in on our meetings because we thought there should be some law enforcement representation on the board. We also invited HEW because some rifle clubs are connected with schools and colleges."

A spokesman for Clark said the attorney general would not be available for an interview.

"Yes, the Army letter was brought to his attention personally," the aide said. "But we just decided not to take any action on the request."

He added: "We've never given any reason for this and we have none to announce now. I don't know whether we intend to reconsider."

A spokesman for Secretary Cohen said: "We're already on so many interdepartmental boards and committees that, when this request came from the Army, we just decided that the subject was too peripheral to our field of interest for us to send a representative."

J. Elliott Corbett, secretary of the National Council for a Responsible Firearms Policy, called on Clark and Cohen to act quickly to claim the seats on the rifle board.

"It would be in the public interest to have some outsiders participate," Corbett said. "But the board should be broadened even more. It should also have members representing local law enforcement agencies, safety groups and the public."

Of the 23 members, 13 are military personnel. A majority of the board members belong to the National Rifle Association (NRA), which has successfuly opposed gun control legislation over the years.

Col. Tackaberry said the Army would soon renew its invitation to HEW and the Justice Department.

[From the Plain Dealer, June 23, 1968]

TIGHTEN CONTROL OF ARMY GUNS

Tightened control over use of surplus Army guns by civilians are in effect, but it is apparent more remains to be done in that area.

To the point is the report by The Plain Dealer's Sanford Watzman on sales and loans of government weapons and ammunition to National Rifle Association (NRA) members.

Watzman, of this newspaper's Washington Bureau, noted that while the Army, through the National Board for the Promotion of Rifle Practice, has for the past year required a police check and a 45-day waiting period of NRA members who seek to buy government firearms, there is no such close check on individuals who might use guns loaned to NRA-affiliated gun clubs.

Several thousand handguns out on loan are being recalled by the government. But the scheduled recall of many more thousands of rifles will apply only to gun clubs which do not sponsor clubs for junior marksmen.

It is conceivable that under this arrangement a person denied ownership of a government gun might still find it possible to use one. It is therefore reasonable to suggest that the government should request fitness be shown for potential borrowers as well as potential buyers of its guns.

That persons considered unfit to possess guns exist even in the NRA membership is acknowledged by the Defense Department's director of civilian marksmanship. On the basis of police checks, he reported last fall, weapons were withheld from 80 of 13,400 persons who applied for purchase of government guns over a six-month period.

There is no quarrel here with the civilian marksmanship program which aims to serve a worthwhile national defense purpose. There is a question, however, of better control over weapons used in that program.

To make the control as tight as possible should be as much in the national interest as the marksmanship program itself.

THE OUTSTANDING WORK OF THE OPPORTUNITIES INDUSTRIALIZATION CENTER

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, having long been interested in providing increased job opportunities to all who are willing to work, I am impressed by the efforts of a group known as Opportunities Industrialization Center.

The members of this group are largely leaders of business and industry and they recognize the role which private industry can play. They are not content to sit back and watch the Government carry the ball.

In the area which I represent, we are particularly fortunate in the leadership provided the Opportunities Industrialization Center by T. Roland Berner, chairman and president of Curtiss-Wright Corp. and Norman Brassler, chairman of the board of the New Jersey Bank & Trust Co. They both deserve the gratitude of all persons of good will who want to help people to help themselves.

These are realistic and practical men and it is encouraging to know that they believe that disadvantaged people can be assisted in obtaining the employment which is essential for them to better their conditions.

I think that the old saying "If you want something done, give the task to a busy man" is proven true by the way that these extremely busy gentlemen are now tackling the problem. I am advised that "Ted" Berner not only is working on the problem himself, but has committed key personnel of Curtiss-Wright to it.

I quote with strong approval the following excerpt from an editorial of the Paterson Evening News, of June 17, 1968:

> If the freedom to starve and live in subhuman dwellings is to be forever discarded . . . people will rally around men like Berner and back OIC programs to the limit.

AIR SAFETY

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, in the last 2 days two more commercial aircraft have been hijacked out of the skies. The latest, 2 minutes out of Miami, had more than 80 persons onboard. Both were skyjacked with the use of firearms, and both again involved invasions of the pilots' operating compartment.

More than a year and a half ago, on the first day of the 90th Congress, I introduced H.R. 1469, a bill to provide operational security for the flightcrew and to protect against concealed firearms onboard commercial aircraft. Since then I have repeatedly spoken on the floor of the House in behalf of this bill, requesting publicly that the Commerce Committee set the bill down for hearing. I have also written Secretary of Transportation Alan Boyd seeking the support of the Department of Transportation for this measure.

Despite a series of skyjackings of American aircraft the chairman of the Commerce Committee to which the bill has been referred since January of 1967, has failed to even set it down for hearing despite the fact that had this bill been enacted into law most of these plane hijackings could not have occurred. As recently as March 25 of this year, the House Republican Task Force on Crime unanimously called for hearings on H.R. 1469 "as soon as possible" in the interest of public protection.

I urge that this legislation be acted on at this session of Congress before adjournment. The traveling public is entitled to such a law.

The bill provides that the door between the pilots compartment and the passenger deck shall be bulletproof; that the lock shall be capable of being operated only from the flight deck; that continuous observation of the passenger compartment from the flight deck shall be possible; that a built-in warning system shall warn the crew of any attempt to force the passenger side of the flight deck door; and that no person other than a member of the flight crew shall be permitted on the flight deck while any engine of the aircraft is in operation. The bill also provides that it shall be a felony to carry firearms aboard a commercial aircraft without first obtaining the permission of the carrier and gives the carrier or any member of its crew the right to search both the person and baggage as required.

FEDERAL-AID HIGHWAY BILL

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, I intend to vote for certain amendments to the Federal-Aid Highway Act of 1968, H.R. 17134.

I very much agree with the gentleman from New York [Mr. McCarthy] and I believe it is of vital importance to the people of this country that we conserve and maintain our natural resources and historical sites.

We are in the process of losing the last bit of our natural woodlands unless this amendment is adopted.

Unless amendments are enacted to strike sections 17 and 22 of H.R. 17134, the Secretary of Transportation will be given increased authority to approve construction of freeways through parks, recreational and historical areas.

By eliminating this threat, the proposed amendments would maintain for citizens at the local level a needed measure of control over construction of freeways affecting their community.

ADJOURNMENT UNTIL TOMORROW, JULY 3, 1968, AT 11 O'CLOCK A.M.

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today that it adjourn to meet at 11 a.m. tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

A HARD LOOK AT GUN-CONTROL LAWS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. SAYLOR] is recognized for 15 minutes.

Mr. SAYLOR. Mr. Speaker, the time has come for Congress to clear away the smokescreen of emotion surrounding firearms-control legislation. Concern over recent violence has given way to uncontrolled trembling. Hysteria has replaced rationality in our approach toward the growing crime rate. Wise men who should know better have leaped aboard a naive bandwagon campaign to restrict Americans' constitutional right to keep and bear arms. Where will it all stop? How can we clear the air of passion and view our problems with perspective?

Mr. Speaker, crime is one of our Nation's great domestic dilemmas, and we must act with all deliberate speed to protect every law-abiding American citizen from the prevalence of violence in this land today. But let us clearly understand our mandate. In our haste to curb crime we must not overlook veiled, insidious threats to the rights guaranteed to every citizen by the U.S. Constitution. I see in the firearms legislation pending before us now just such a threat. The perspective of two centuries of world history shows us why.

Four decades after the ratification of the U.S. Bill of Rights, Supreme Court Justice Story made the following observation:

> The right of the citizen to keep and bear arms has justly been considered as the palladium of the liberties of a republic, since it offers a strong moral check against the usurpation and arbitrary power of rulers; and will generally, even if these are successful in the first instance, enable the people to resist and triumph over them.

To Justice Story, the second amendment to the Constitution appeared as an essential safeguard to our other precious liberties. He decried the growing apathy with which Americans regarded the amendment, and he knew their indifference could lead to oversight "and thus gradually undermine all the protection intended by this clause of our national bill of rights."

God forbid that such a situation should come to pass in this free land of ours. Yet with the spotlight on recent outrageous acts of violence across the country, the eyes of many leaders and citizens have been blinded to the threats facing our constitutional rights. As Justice Douglas aptly noted after the death of President Kennedy:

> Fear of assassination often produces restraints compatible with dictatorship, not democracy.

Contemporary history verifies the wisdom of that remark. The international chronicle of firearms control laws is laden with accounts of tyranny and dictatorship. Germany's first gun restriction law was brought into effect early in 1938, just a few short months before Hitler initiated his attacks on the minority groups of neighboring countries. One of the first and most strictly enforced of the Bolshevik laws was the decree of December 12, 1924, sharply limiting the possession of firearms in the Soviet Union. Moreover, every Eastern European country taken over by the Communists during and after World War II saw immediate enactment of rigidly restrictive firearms laws. Such legislation inevitably led to confiscation of guns from virtually every citizen.

The examples I have cited involve nations not protected as we are by a powerful bill of rights. The Constitution and its amendments have served us well for nearly 2 centuries, but we must not shrug off the threats that noble document has faced before and will face again. It can happen here. The Communists know only too well the consequences of complete governmental control over the tools of potential resistance. There is nothing they would like better to see in the United States than the abuse of constitutional rights, for American resistance to the Communist plan of international domination rests entirely on firm, constitutionally guaranteed freedoms.

As Members of Congress we must constantly seek to curb all threats to public safety by zealously safeguarding our constitutional rights. Rather than the firearm, it is the lawless individual—the unrepenitant criminal freed from jail, the draft dodger, the Communist rabblerouser—who provides that threat. These are the people who would truly benefit from restrictions on the Constitution. But the laws exist to protect the law-abiders from such lawless encroachment on their rights.

In his award-winning essay on the right to bear arms, Robert A. Sprecher concludes:

> The Second Amendment differs from the first eight amendments in that it is not a right which people enjoy per se—that is, the average person does not derive any inherent satisfaction from the mere keeping of a firearm and perhaps most people would rather not keep one—but it is a right which tends to insure, protect and guarantee the other and fundamental rights to life, liberty and property. If we can always be certain that the law will enforce the fundamental rights, the Second Amendment becomes superfluous.

Mr. Speaker, as long as there are those who would act to deprive us of our constitutional rights and who would threaten our safety as we walk the streets of our cities and towns, as long as the Communists vow to bury us and pompous dictators try to embarrass us, as long as the American citizen sees his freedoms in jeopardy, we, the Congress of the United States, must uphold the second amendment to the Constitution. It is with the best interests of every American at heart that I reject the principle of gun-control legislation in this country. I will not support what are plainly the wrong measures to deal with the wrong problem at the wrong time.

PRESIDENT JOHNSON'S MOVE TOWARD PEACE

Mr. NEDZI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. NEDZI. Mr. Speaker, it is clear that the most cherished goal of President Lyndon B. Johnson is to leave the office of the Presidency with the world a little safer from global war than it was when he came into office.

On Monday I was privileged to witness two important steps taken toward this goal—the signing by the President of the Nuclear Nonproliferation Treaty, and his announcement that Russia and the United States have agreed to open talks on the limitation and reduction of nuclear missile and antimissile sytems.

Everyone knows that vast sums are spent by the nations of the world on arms, but overlooked in our appraisal of costs is the incalculable value of our brainpower. If ever we could turn the brainpower involved to works of peace rather than works of war, great, peaceful, man-helping things could be accomplished.

A "thin" ABM system would cost the United States at least $5 billion. A "thick" ABM defense would cost up to $50 billion. The protection offered would be temporary at best. Since a "balance of terror" has already been achieved, this is the moment of history when statesmen might well agree at last to scale down the arms race.

If the war in Vietnam can be ended, if the Soviet Union and the United States can agree on significant control of armaments, then history will reserve an even higher place for Lyndon B. Johnson.

NEW CAUSE FOR HOPE ON NUCLEAR DISARMAMENT

Mr. ROONEY of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ROONEY of Pennsylvania. Mr. Speaker, yesterday, at the White House, the United States joined with scores of other countries in signing the Nuclear Nonproliferation Treaty.

President Johnson used this occasion to announce that the United States will soon be meeting with representatives of the Soviet Union to discuss possibilities of future deescalation of missile systems, both offensive and defensive.

This is welcome news. For with proper safeguards and inspection, a new agreement limiting these costly and dangerous systems will offer all mankind a less dangerous existence. It will also allow both sides to spend money more creatively for peaceful purposes and fulfill the needs of their own people more effectively.

I think the RECORD should show that the Johnson administration has worked hard and long in the field of disarmament and under the leadership of the President has pledged itself to achieving practical and meaningful alternatives to the present costly, irrational and dangerous escalation of deadly weapons.

I commend the President for these efforts. And I completely support his efforts to bring a new era of peace and stability to this troubled and dangerous world.

NEW HAMPSHIRE'S SANDERS ASSOCIATES

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, some of the best advice this country ever received was to keep our powder dry.

And, today it is more timely than ever.

That phrase means that in a world of envious nations, our philosophy is, "with malice toward none," but that when threatened we must be ready and willing to defend ourselves.

Today the cry for peace echoes from every corner of the Nation.

We await each peace-negotiating session in Paris with prayers that it will produce agreements that will silence the guns in Vietnam.

But we must not forget that peace means one thing to us, and something different to Communist nations.

To us, peace means living together to promote the general welfare.

They have proven that peace to them often means that they have decided not to fight any longer at a particular place or time, often because we have made it unprofitable for them.

So, keeping our powder dry will continue to be good advice in the future.

There was a day when you could determine a nation's security by totaling up the number of guns or tanks or battleships it had.

That is not so any more.

The defense capability of this Nation today means guns, tanks and planes, plus the ingenuity of industry.

That vital plus is what keeps us free—because the forces in the world that are constantly probing our defenses and testing our national will to survive, use every ounce of ingenuity at their command to marshall the resources of science and technology to give them an edge over us.

Fortunately for us, they do not have the edge.

The same materials and basic knowledge are available to us and to our potential enemies.

How is it then, that we are able to keep the edge?

Basically, Mr. Speaker, the reason goes right back to the explanation for many of our strengths—the free-enterprise system which gives dedicated men the room to follow their inspiration and curiosity in looking for new and better ways of achieving the goals of a democratic society.

This spirit, and its results in terms of technological programs are clearly illustrated by the largest employer in my State of New Hampshire—Sanders Associates, Inc.

In the Queen City of the Granite State, Manchester, N.H., Sanders Associates has two of its major divisions—the Flexprint and Instrument Divisions.

The names do not begin to describe the intriguing products these divisions produce for our Nation's defense, and for commercial use.

I think the best way that one can describe Flexprint to one who like myself is not trained in technology, is to draw this contrast—if you remember looking at the bottom of a radio or televiesion set, you recall a maze of wires and cables which seemed to criss-cross with bewildering confusion. Now, imagine that the wires were replaced with neat, orderly, wafer-thin strips of copper and sandwiched into thin flexible plastic that can be rolled up, bent, and twisted to fit odd shapes. That is Flexprint—a big manufacturing convenience. And it is a development of Sanders Associates.

It means lower installation costs, greater design freedom, and reduced size and weight problems.

Using it in complex circuits, space can be reduced up to 70 percent weight reduced 75 percent with 100 percent reliability.

Flexprint has a direct relationship to national defense: in this electronic age, increasing the reliability of vital equipment, while saving on weight, space and complexity, are ways of keeping our powder dry.

In the same manufacturing complex at Manchester, Sanders Associates' Instrument Division carries on the tradition of being among the leading designers and producers of advanced gyros, accelerometers, servo valves, and electrical components.

As an example of Sanders Associates' pacesetting tradition in this field, the company designed and produced the first subminiature rate gyro 3 years before any other manufacturer, and this led to many further advances in the gyro field.

Rather than attempting an engineering description of this fascinating division, let me describe some of the uses of its many products:

Control components for helicopter autopilot systems; aircraft carrier steam catapults; research wind tunnels; servo valves for nuclear submarine steering, diving, and control systems; speed control of the B–52 turbo alternator drive; and fuel jet nozzle control of the J93 engine on B–70 aircraft.

Valves have also been designed for demanding application in steel mills and fast response valves for operation in nuclear reactor environments.

Sanders Instrument Division has supplied products used in over 14 missile and space vehicle programs, more than 10 military and commercial aircraft, seven helicopter configurations, four surface ship types, and over 34 nuclear submarines.

Sanders' Manchester facilities employ about 1,150 men and women and occupy about a quarter of a million square feet of plant space.

Those facilities complement the many varied activities of this forward-looking company.

Systems is the key word for Sanders' approach to new challenges. The company designs and manufactures electronic countermeasures systems, antisubmarine warfare systems and systems which detect low-flying aircraft in forward battlefield areas, radar training systems to evaluate the effective of missile systems, and has designed a completely new system for air traffic control.

For the swiftly growing commercial electronics markets, Sanders has developed efficient work, and time-saving computer display systems for use by hospitals, banks, police departments, airlines, and other parts of the economy which need to handle vast amounts of information quickly. Sanders integrated data management systems, tailored to the varying administrative needs of government and industry have the added capability of updating or correcting information easily and positively.

An example of a government use of Sanders display systems came during the computerized prelaunch checkout of Saturn V launch vehicles, and during the April 4 Saturn V test launch at NASA Space Center in Florida.

The Sanders systems displayed on television-like screens information from the ground support computer system so personnel could view the complex, computerized countdown procedures. Typewriter-like keyboards attached to the displays enabled operators to add, delete, edit, and update computer-stored information while viewing it on the screen.

Mr. Speaker, as I have said, we Americans have an edge over other countries in keeping our powder dry because of the free enterprise system.

Our advantage is that companies like Sanders stress the basic ingredient of respect for individuality and creativity, and provide an environment which encourages men to set new goals and attain them.

Further, Sanders Associates illustrates the community spirit of American industry. The communities in five States in which Sanders has facilities are enriched by the many contributions of time and effort made by Sanders employees.

The company's devotion to the philosophy that almost everyone has skills which can be utilized, and should have a chance to use them, is shown by the case of Bernie Morrisette, a machinist at Sanders Manchester facility.

Mr. Morrisette is blind. But he is a skilled machinist, and by using braille tapes he performs the delicate work required in Sanders Associates' highly sophisticated machine shop. He is a valued member of the team with a production record any skilled machinist would be proud of.

This same attitude of helping people realize their potential is behind Sanders' extensive education and training program—providing the opportunity for individuals to develop and then use their skills.

People make the difference in keeping the edge over alien societies whose demonstrated envy of our system makes it necessary to guard the Nation's security.

In the years ahead whether they act against us or not will depend in large part upon whether we maintain defense systems which will discourage them.

So long as creative companies such as Sanders Associates continue to encourage men to work toward the potentials of tomorrow those forces will be discouraged.

That is the way to keep our powder dry in the electronic age.

BILL TO INCREASE PENALTIES FOR USE OF A GUN IN ATTEMPT OR COMMISSION OF CERTAIN FEDERAL CRIMES

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, I am today introducing legislation which would impose a mandatory 5-year prison sentence on a criminal who is convicted of certain Federal crimes, or attempting to commit certain crimes, wherein a gun was used by the convicted person.

This bill would not permit any court discretion in the application of the sentence. The 5-year sentence would be added to that which the court imposes for the commission of a Federal crime, or the attempted commission.

I am sure that my colleagues in the House are aware that other countries have similar laws. For instance, Great Britain imposes a mandatory imprisonment of up to 7 years for the use of a gun in the commission or attempt of certain crimes.

FBI statistics on the use of guns in the commission of crimes are appalling. Of the 10,920 murders committed in 1966, 60 percent, or about 6,500 were committed with the use of firearms: 44 percent with handguns; 7 percent with rifles, and 9 percent with shotguns.

Another 100,000 were victims of other crimes, ranging from rape and assault to robbery, all committed with persons armed with guns.

Of the 57 police officers in the United States killed in 1966, 55 of them were killed with guns: 44 with handguns, eight with shotguns, and six with rifles.

Since 1960, 96 percent of all police officers killed were killed with guns.

Committees in the Congress are currently considering legislation to regulate the sale and transportation of firearms.

Many citizens are concerned that additional Federal legislation will not prevent a criminal from obtaining a gun. I share that concern.

But, this legislation that I am introducing today tells the criminal that if he uses a gun, regardless of how he got it, he will serve 5 years in prison. There will be no parole. There will be no suspended sentence. He will not serve less than 5 years, regardless of the time he may serve for the crime committed.

THE ALARMING INCREASE OF VIOLENCE IN OUR SOCIETY

Mr. MURPHY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MURPHY of New York. Mr. Speaker, we are experiencing an alarming increase of violence in our society; it may be seen in the increase in our crime rate, particularly the increase in crimes of violence, and it may be seen in the violence in our streets—the rioting and looting which has hit many of our cities.

Some seek to dismiss such violence as something that has been part of our culture since the days of the Old West, when violence and survival often went hand in hand. But we do not live in the Old West any more. While violence may have been necessary to those pioneers who crossed the Plains in covered wagons or to those who settled new and unknown areas of our Nation, it can no longer be justified in our modern society. The day of the gunfight has passed, although many seem to yearn for its simple solution and final judgment.

The increase in acts of violence in our society is not the only problem, however, even more alarming is the corresponding increase in the acceptance of violence by the American people—not acceptance in the sense of approval, but in the sense of being blunted or immune to its often tragic consequences.

This attitude may be seen in the faces of a crowd watching an assault in broad daylight without offering assistance to the victim or even calling the police; it may be heard in the voices of those who shout "jump, you coward, jump" to the sick person on a bridge who has been driven to suicide by some unknown impulse.

As a society we are justifiably concerned with preventing and punishing the physical acts of violence; we seek to understand and alleviate the causes of such violence, we seek to protect our people and our property from violence, and we punish those who are guilty of violent acts.

It is obvious, however, that we have followed too narrow a path in our concern for preventing violence. At the same time we condemn violence, we buy our children toy tanks and machineguns and grenades, we support—by buying tickets—movies which portray the most violent stories conceivable, and we allow ourselves to be bombarded by television programs saturated with every possible violent act, all in living color. Are we to believe that such constant exposure to violence in our personal lives is having no effect on our thinking, attitudes, and behavior, particularly that of our children? I think it is obvious that there is a distinct and growing relationship between the increase in cruelty and violence which we are exposed to every day and the alarming rise in acts and philosophies of violence throughout our society.

Television, as our most powerful communications medium, is particularly influential in this respect. During the prime viewing hours millions are watching their television sets, and a high percentage of them are under 18 years of age.

Television's ability to influence the viewer can hardly be disputed; the firms paying the extremely high costs of television advertising would not do so unless they believed they could influence the public to buy their product. Are we to think that hours and hours of violence and crime, shown every night of the week, is not having a similar impact?

One argument, of course, is that television does not cause people to be violent, that violence is the product of many factors. This sounds like a similar argument advanced by the National Rifle Association in opposition to strong firearms legislation, that guns do not kill people, people kill people.

Televised violence may not cause people to commit a violent act, but it can arouse a lust for violence, it can reinforce it when it is present, it can show a way to carry it out, it can teach the best method to get away with it, or it can blunt the viewer's awareness of its wrongness. It can have a particularly strong influence on young people, who do not always make a clear distinction between fantasy and reality.

The Senate Juvenile Delinquency Subcommittee, chaired by Senator THOMAS DODD, has conducted a number of studies on this project and has held many days of hearings over a period of years. They monitored television programs in 1954 and 1961, and found in that 7-year period that televised crime and violence had increased significantly. A third survey, made in 1964, found no decrease in the level of televised violence and crime.

The subcommittee recessed its hearings in 1965 subject to recall by the chairman, and released an interim report which drew the following general conclusion:

> A relationship has been conclusively established between televised crime and violence and antisocial attitudes and behavior among juvenile viewers. Television programs which feature excessive violence can and do adversely influence children. Further, such adverse effects may be experienced by normal as well as by the emotionally disturbed viewers.

The subcommittee went on to make five recommendations: first, networks should work together to provide more prime viewing time for good children's programs of a cultural and educational nature; second, the FCC and the broadcasting industry should work on a revision of the FCC licensing application and renewal form to include realistic standards for programing in the public interest; third, the National Association of Broadcaster's television code should be made more effective, specifically in the area of providing sanctions for use against violators; fourth, a system should be worked out to enable community leaders and groups to express their views on the contents of television programs shown in their communities; fifth, a coordinated, large-scale research attack should be launched to develop more precise information as to the impact of television on juvenile attitudes and behavior and as to the interaction of television and other forces affecting such behavior.

The first three recommendations relate to voluntary efforts on the part of the broadcasting industry. It has been 3 years since those recommendations were made, however, and that should have been ample time for the industry to make whatever reforms it so desired to make.

Therefore, last week I wrote to Senator DODD urging him to reconvene his hearings with the expressed purpose of determining whether the industry has done an adequate job of self-regulation. If adequate self-regulation has not been accomplished by the industry after 3 years, it is up to the Congress to do the job through legislation.

I am aware of the sensitive nature of this issue, which involves the fundamental question of freedom of speech. At the same time, however, it must be recognized that the channels used by the television industry are owned by the public, and they must be utilized in the public interest. Certainly the nature and quality of television programs are relevant criteria of how well the broadcaster is serving the public interest. The courts have recognized the authority of the Federal Communications Commission to consider the program policies and performance of broadcast licensees in connection with the renewal of their licenses. Therefore, I see no reason why we should not be able to find a course of action which will safeguard both the rights of the public and our constitutional right of freedom of speech. The censorship of individual programs is not at issue here; we are concerned with the overall programing policy of the television broadcast industry.

In addition to calling on Senator Dodd to reconvene his hearings, I am today introducing a joint resolution to direct the Federal Communications Commission "to conduct a comprehensive study and investigation of the effects of the display of violence in television on the viewing audience."

As the 1965 interim report pointed out, research has already demonstrated conclusively that televised violence can inculcate antisocial attitudes and motivate delinquent behavior in young viewers. But much remains to be learned about the relationship between television and human behavior.

We need to know more about the process by which televised violence interacts with other environmental forces in producing antisocial attitudes and behavior. We need to know more about the specific process through which televised violence adversly affects our children. We need to define better standards for the development of children's programs.

These and other gaps in our research knowledge require further study. Much is being done today by private foundations, universities, and the industry itself, but much more needs to be done. The study authorized by my joint resolution would meet this need. It would provide a means of coordinating the existing research efforts and it would define new areas for research to be initiated. Most important of all, it would make the sum of all of our research knowledge open to the scrutiny of the general public and to the Congress.

Mr. Speaker, as is so often the case, our technology develops before we are able to give it proper direction, and before we fully understand the consequences of its contribution to our way of life. Certainly few inventions have had the impact on our lives that television has had. Generations of Americans are literally raised in front of a television set. Television can be either an educational force or a destructive one, and today it is certainly both. Given this fact, and the fact that television is so influential, I think it is of critical national importance that we take positive steps to define public policy in this area.

I am greatly encouraged to announce that 44 of my colleagues from both sides of the aisle have joined me in sponsoring this legislation, and I hope more will see fit to add their support.

JACK WILLIAMS

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I greatly regret to learn of the death of my friend, John "Jack" Williams, veteran Washington correspondent for the Kansas City Star.

Jack was of the old school of newsmen who believed in the public's right to know and to that end he worked hard to obtain the news and to reveal manipulation and corruption wherever it could be found.

Only recently did he retire and it was the hope of his friends that he would live long to enjoy the fruits of his labors. Unfortunately, this was not to be.

To his widow and members of his family, I extend my heartfelt sympathy.

REAFFIRMATION OF FRIENDSHIP BETWEEN THE UNITED STATES AND MEXICO

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. McCormack] may extend his remarks at this point in the Record and include extraneous material.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I include in the Record a letter addressed to me by the President under today's date:

The White House,
Washington, D.C., July 2, 1968.

Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: Congress now has an opportunity to reaffirm the abiding friendship that is maintained between the United States and her neighboring sister republic, Mexico.

Prompt action will also encourage and stimulate the efforts of the two nations to improve the opportunities of the people living on both sides of the 2,000-mile long border.

The bill would establish the United States Section of the United States-Mexico Commission for Border Development and Friendship.

This bill would give Congressional recognition and endorsement to the April 1966 decision of the President of the United States and the President of Mexico to set up the joint Commission and would also provide a statutory foundation for the activities of the United States Section of that Commission. The United States Section now includes representatives at the Assistant Secretary level or above of nine Federal Agencies and the Chairman of the Interagency Committee on Mexican-American Affairs.

I met with President Gustavo Diaz Ordaz in Mexico City in April 1966 to review the problems along our border. We decided then to establish a Commission to study ways and means of improving relations between border communities and of elevating the economic, social and cultural life of the people in the entire border area. Our decision was formalized through an exchange of notes on November 30 and December 3, 1966.

The first session of the Commission was held in Mexico City in October 1967. Fourteen working groups were established to explore and find solutions for the primary problems facing both countries in the border area. Another meeting of the Commission was held in Washington, D.C., in May of this year to review progress of the working groups and give them further directions.

Already there have been concrete results from this effort. Some of these are as follows:

1. A formal mechanism for cooperative action has been created to deal with future emergencies or natural disasters in the border area.

2. Pilot joint community service centers are being established on both sides of the border to provide basic community services, including mobile out-reach services, to the lower income groups of both countries.

3. Agreement was reached to establish a joint demonstration skill training center to assist the unemployed and underemployed on both sides of the border and improve their capability to obtain employment.

4. An industrialization study is now underway to determine the possibility of creating new industries and jobs on the U.S. side of the border in order to relieve unemployment and to help expand the tax base of border communities.

5. The already excellent working relationships in the field of health are being further strengthened, especially in the fields of mother and child nutrition and of training auxiliary health personnel.

6. A joint workshop was held in Laredo-Nuevo Laredo to discuss mutual urban problems and to seek mutual solutions. Similar workshops are planned for other twin cities on the California, Arizona, New Mexico, and Texas border with Mexico.

These are a few examples of the accomplishments of the Commission, which has provided a focal point for the interested agencies of both governments in coordinating their efforts to solve the problems of the border area.

When the Commission was first formed, the United States suggested it carry the name "Border Development Commission." Mexico accepted this, but suggested that the word "Friendship" be included in the title. Indeed, the strengthening of friendly ties not only between the officials and technicians of the two governments, but also between the people of our two countries, has been a primary aim and achievement of the Commissions' activities to date.

The passage of this bill will be a concrete indication to the Mexican Government of the full backing for this endeavor by the United States Government. I urge prompt action by the Congress on this legislation.

Sincerely,

Lyndon B. Johnson.

FEDERAL-AID HIGHWAY BILL

Mr. HALEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HALEY. Mr. Speaker, I rise to support the Federal-aid highway bill as reported by the Committee on Public Works. I commend the able committee chairman, the gentleman from Maryland

[Mr. Fallon] and his distinguished colleague, the gentleman from Illinois [Mr. Kluczynski], chairman of the Subcommittee on Public Roads, for the excellent job they have performed here in providing for our Nation's road needs.

The bill before us will increase the authorized mileage in the Interstate Highway System from 41,000 miles to 44,000 miles. This additional mileage will allow us to fill in the missing links in the Interstate System—to connect the loose ends that now exist in the authorized system.

In recommending the increased mileage, the committee recognized the gaps that do exist and gave specific examples of some of the missing links. It recognized also that some of our major metropolitan areas of today were not considered to be such when the original act was passed in 1947; there is no doubt that they are major metropolitan areas today and some were so in 1956 when the present program was established.

A vivid example of the type of missing links the committee seeks to remedy exists in my own part of Florida. Our second largest area, Tampa-St. Petersburg, has no interstate link with our largest metropolitan area, Miami-Dade County. Since 1957 I have introduced legislation to close this missing link.

This gap in the system could be and should be remedied from the 3,000 mile addition contained in the present bill. Interstate 75, which now ends at Tampa, could be extended to Miami, and even south to Homestead, Fla. Not only would this provide easier access for motorists to Tampa-St. Petersburg, Miami, and the intermediate points, but also it would provide a safer road for the tremendous volume of traffic moving between these areas.

These urban sections of Florida are now connected only by U.S. 41, a notoriously dangerous road—antiquated, mainly two-laned, narrow, with many bridge abutments, narrow shoulders, and lined in many sections by deep canals on either side.

This is only one example of the missing links in the present highway system. Other States have similar problems. Some have different problems.

I believe that this addition of mileage to the Interstate Highway System is vital to our Nation. I hope it will have the support of every Member of the House of Representatives.

Again, I commend the committee for its efforts to solve these serious road problems. I know that the people of Florida, and particularly those residing in the areas extending from south and southeast of Tampa-St. Petersburg to Miami and all of Dade and Monroe Counties are grateful for the recognition the committee has given to our highway problems.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Hosmer, for July 3 and July 8, on account of official business.

Mr. Mathias of Maryland (at the request of Mr. Gerald R. Ford), for today, on account of illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Saylor, for 15 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. Fountain (at the request of Mr. Marsh), to revise and extend his remarks and to include extraneous matter, for 60 minutes, on July 16.

Mr. Andrews of Alabama (at the request of Mr. Marsh), to revise and extend his remarks and to include extraneous matter, for 60 minutes, on July 17.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Tenzer during general debate on the bill H.R. 17134 during the time of the consideration of the Moss amendment.

Mr. Halpern to extend his remarks during the debate on Mr. Addabbo's amendment to S. 1166 and to have his remarks appear immediately before the vote on that amendment.

Mr. Kupferman to include extraneous material tomorrow during debate on H.R. 17134.

Mr. Don H. Clausen to revise and extend remarks and include extraneous matter immediately following his remarks during debate on H.R. 17134 in Committee of the Whole.

Mr. Hechler of West Virginia to extend remarks made during debate on the bill (H.R. 17134) in Committee of the Whole.

Mr. Hechler of West Virginia to extend his remarks immediately following the Speaker's remarks on Hon. Robert L. Bacon in Committee of the Whole.

(The following Members (at the request of Mr. Miller of Ohio) and to include extraneous matter:)

Mr. Bush.
Mr. Lipscomb.
Mr. Curtis in three instances.
Mr. Scherle.
Mr. Berry.
Mr. Wyman.
Mr. Dickinson.
Mr. Pettis.
Mr. Bray in three instances.
Mr. Morse of Massachusetts in two instances.
Mr. Ayres.
Mr. Fino.
Mr. Cunningham in two instances.
Mr. Bob Wilson.
Mr. Ashbrook in two instances.
Mr. Nelsen.
Mr. Broomfield.
Mr. Gurney.
Mr. Kleppe.
Mr. Halpern.
Mr. Mize.
Mr. Broyhill of Virginia in two instances.
Mr. Blackburn.
Mr. Michel.
Mr. Shriver.
Mr. Watson.
Mr. Lukens in two instances.
Mr. Derwinski in three instances.
Mr. Moore.
Mr. Keith.
Mr. O'Konski.

(The following Members (at the request of Mr. Marsh) and to include extraneous matter:)

Mr. Charles H. Wilson.
Mr. Hanna in five instances.
Mr. Rees.
Mr. Fulton of Tennessee in three instances.
Mr. Henderson in two instances.
Mr. Rarick in eight instances.
Mr. Adams.
Mr. Gonzalez in three instances.
Mr. Rivers in two instances.
Mr. Leggett in two instances.
Mr. Vanik.
Mr. Ottinger.
Mr. Dorn.
Mr. Gallagher.
Mr. Eilberg in two instances.
Mr. Vigorito.
Mr. Aspinall in two instances.
Mr. Friedel.
Mr. Willis in two instances.
Mr. Kornegay in three instances.
Mr. Edwards of Louisiana.
Mr. Whitener in two instances.
Mr. Rogers of Florida in five instances.
Mr. Gettys in two instances.
Mr. Matsunaga.
Mr. Hungate.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 827. An act to establish a nationwide system of trails, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3514. An act to authorize the use of the vessel *Mouette* in the coastwise trade; to the Committee on Merchant Marine and Fisheries.

S.J. Res. 181. Joint resolution to authorize the President to designate the week of August 4 through August 10, 1968, as "Professional Photography Week"; to the Committee on the Judiciary.

ENROLLED JOINT RESOLUTIONS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H.J. Res. 1111. Joint resolution granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri; and

H.J. Res. 1302. Joint resolution to authorize the President to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week."

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 102. An act to authorize the Secretary of the Interior to consider a petition re reinstatement of an oil and gas lease (Wyoming 0310090);

S. 203. An act to amend sections 13(b) of the acts of October 3, 1962 (76 Stat. 698, 704), and for other purposes;

S. 443. An act to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0280122);

S. 823. An act to authorize the Secretary of the Interior to reinstate oil and gas lease Las Cruces 063610;

S. 1059. An act to amend the act relating to the leasing of lands in Alaska for grazing in order to make certain improvements in such act;

S. 2047. An act to exempt certain vessels engaged in the fishing industry from the requirements of certain laws; and

S. 2837. An act to authorize the Secretary of Agriculture to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on July 1, 1968 present to the President, for his approval, a bill of the House of the following title:

H.R. 17268. An act to amend the Defense Production Act of 1950, and for other purposes.

ADJOURNMENT

Mr. MARSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 35 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 3, 1968, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1999. A communication from the President of the United States, transmitting proposed legislation establishing the U.S. section of the United States-Mexico Commission for Border Development and Friendship (H. Doc. No. 344); to the Committee on Foreign Affairs and ordered to be printed.

2000. A letter from the Acting Secretary of Transportation, transmitting a copy of the revised apportionment factor table for Interstate Highway System funds among the States, pursuant to 23 U.S.C. 104(b)5 (H. Doc. No. 345); to the Committee on Public Works and ordered to be printed.

2001. A letter from the Secretary, Export-Import Bank of the United States, transmitting a list of the amount of Export-Import Bank insurance and guarantees issued in April and May 1968 for certain countries, pursuant to the provisions of title III of the Foreign Assistance and Related Agencies Appropriation Act of 1968 and the Export-Import Bank Act of 1945, as amended; to the Committee on Foreign Affairs.

2002. A letter from the Comptroller General of the United States, transmitting a report on the need for improvements in internal auditing, Federal Aviation Administration, Department of Transportation; to the Committee on Government Operations.

2003. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on smoking and health, pursuant to the provisions of section 5(d)(1) of Public Law 89–92; to the Committee on Interstate and Foreign Commerce.

2004. A letter from the Chairman, Federal Trade Commission, transmitting a report concerning cigarette labeling, advertising, and promotion, pursuant to the provisions of section 5(d)(2) of the Federal Cigarette Labeling and Advertising Act; to the Committee on Interstate and Foreign Commerce.

2005. A letter from the Commissioner Immigration and Naturalization Service, U.S. Department of Justice, transmitting reports concerning visa petitions approved according the beneficiaries third and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2006. A letter from the executive director, the Military Chaplains Association of the U.S.A., transmitting an interim report on progress of the audit of the association for the year 1967, pursuant to the provisions of law; to the Committee on the Judiciary.

2007. A letter from the Secretary of Commerce, transmitting the annual report on the relative cost of shipbuilding in the various coastal districts of the United States, pursuant to the provisions of section 213(c) of the Merchant Marine Act of 1936, as amended; to the Committee on Merchant Marine and Fisheries.

2008. A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to amend the Internal Revenue Code of 1954 to modify the provisions relating to taxes on wagering to insure the constitutional rights of taxpayers, to facilitate the collection of such taxes, and for other purposes; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. H.R. 5117. A bill to authorize the Secretary of the Interior to construct, operate, and maintain stage 1 of the Palmetto Bend reclamation project, Texas, and for other purposes; with amendment (Rept. No. 1610). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. H.R. 9362. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Mountain Park reclamation project, Oklahoma, and for other purposes; with amendment (Rept. No. 1611). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON of California: Committee on Interior and Insular Affairs. S. 6. An act to authorize the Secretary of the Interior to construct, operate, and maintain the initial stage of the Oahe unit, James division, Missouri River Basin project, South Dakota, and for other purposes; with amendment (Rept. No. 1612). Referred to the Committee of the Whole House on the State of the Union.

Mr. KASTENMEIER. Committee on the Judiciary, Senate Joint Resolution 172, joint resolution extending the duration of copyright protection in certain cases (Rept. No. 1613). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 17752. A bill to provide indemnity payments to dairy farmers (Rept. No. 1614). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on Foreign Affairs. H.R. 18065. A bill to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations (Rept. No. 1615). Referred to the Committee of the Whole House on the State of the Union.

Mr. PEPPER: Committee on Rules. House Resolution 1240. Resolution providing for the consideration of H.R. 15263, a bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes (Rept. No. 1616). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 1241. Resolution providing for the consideration of H.R. 17682, a bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes (Rept. No. 1617). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 1242. Resolution providing for the consideration of S. 2269, an act to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries (Rept. No. 1618). Referred to the House Calendar.

Mr. POAGE: Committee on Agriculture. H.R. 18249. A bill to amend the Food Stamp Act of 1964, as amended (Rept. No. 1619). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 2511. An act to maintain and improve the income of producers of crude pine gum, to stabilize production of crude pine gum, and for other purposes (Rept. No. 1620). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 3143. An act to amend the Commodity Exchange Act, as amended, to make frozen concentrated orange juice subject to the provisions of such act (Rept. No. 1621). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 13940. A bill to amend the Merchant Marine Act, 1936, and other statutes to provide a new maritime program; with amendment (Rept. No. 1622). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BATTIN:

H.R. 18282. A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. FULTON of Pennsylvania:

H.R. 18283. A bill to amend subchapter III of chapter 83 of title 5, United States Code, relating to civil service retirement, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. HOWARD:

H.R. 18284. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. KEE:

H.R. 18285. A bill to amend section 13(a) of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PODELL:

H.R. 18286. A bill to amend the Federal Employees Health Benefits Act of 1959 to provide that the entire cost of health benefits under such act shall be paid by the Government; to the Committee on Post Office and Civil Service.

By Mr. ROGERS of Florida:

H.R. 18287. A bill to amend chapter 227 of title 18, United States Code, to provide that any person convicted of the possession of a firearm during the commission or attempted commission of certain crimes shall be sentenced to an additional 5 years' imprisonment; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 18288. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. SCHEUER (for himself, Mr. Leggett, Mr. Schadeberg, Mr. Miller of California, Mr. Wright, Mr. Vander Jagt, Mr. Holland, Mrs. Heckler of Massachusetts, Mr. Pepper, Mr. Tiernan, Mr. St. Onge, Mr. Matsunaga, Mr. Helstoski, Mrs. Mink, Mr. Long of Maryland, Mr. Dulski, Mr. Edwards of California, Mr. William D. Ford, Mr. Reid of New York, Mr. Podell, Mr. Bingham, Mr. Hungate, Mr. McClory, and Mr. O'Neill of Massachusetts):

H.R. 18289. A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. TUNNEY (for himself, Mr. Gallagher, and Mr. Dickinson):

H.R. 18290. A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHNEEBELI:

H.R. 18291. A bill to amend the definition of "metal bearing ores" in the tariff schedules of the United States; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 18292. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. AYRES (for himself, Mr. Erlenborn, Mr. Dellenback, Mr. Esch, Mr. Eshleman, and Mr. Steiger of Wisconsin):

H.R. 18293. A bill to amend the Vocational Education Act of 1963, and for other purposes; to the Committee on Education and Labor.

By Mr. BIESTER:

H.R. 18294. A bill to amend the Public Health Service Act to provide assistance to certain non-Federal institutions, agencies, and organizations for the establishment and operation of regional and community programs for patients with kidney disease and for the conduct of training related to such programs, and for other purposes; to the Committee on Ways and Means.

By Mr. CORMAN:

H.R. 18295. A bill to amend title 18 of the United States Code to prohibit enterprises of gambling; to the Committee on the Judiciary.

By Mr. FINDLEY:

H.R. 18296. A bill to amend the Employment Act of 1946; to the Committee on Government Operations.

By Mr. HAGAN:

H.R. 18297. A bill to provide continuing authority for maintaining farm income, stabilization of prices, and assuring adequate supplies of peanuts; to the Committee on Agriculture.

By Mr. LATTA:

H.R. 18298. A bill to amend title 18, United States Code, to prohibit the use in commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 18299. A bill to carry out the obligations of the United States under the International Coffee Agreement, 1968, signed at New York on March 21, 1968, and for other purposes; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 18300. A bill to amend the Internal Revenue Code of 1954 to extend the head of household benefits to unremarried widows and widowers and single persons who have attained age 30 and maintain their own households; to the Committee on Ways and Means.

By Mr. MURPHY of New York (for himself, Mr. Hungate, Mr. Rhodes of Pennsylvania, Mr. Bob Wilson, Mr. Hechler of West Virginia, Mr. Biester, Mr. Riegle, Mr. Pickle, Mr. Byrne of Pennsylvania, Mr. Garmatz, Mr. Zwach, Mr. Ashley, Mr. Diggs, Mr. Pepper, Mr. Corman, Mr. Wyman, Mr. Brasco, Mr. Ottinger, Mr. Helstoski, Mr. Addabbo, Mr. Sisk, Mr. Kyros, Mr. Podell, Mr. Adams, and Mr. Halpern):

H.J. Res. 1379. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foregn Commerce.

By Mr. MURPHY of New York (for himself, Mr. Leggett, Mr. Grover, Mr. Derwinski, Mr. Tierman, Mr. Slack, Mr. Daniels, Mr. Gallagher, Mr. Rees, Mr. Miller of California, Mr. Fallon, Mr. Hathaway, Mr. Kornegay, Mr. Nedzi, Mr. Farbstein, Mr. Winn, Mrs. Mink, Mr. Matsunaga, Mr. Eilberg, Mr. Hanley, Mr. Brown of Califronia, Mr. Dellenback, Mr. Railsback, Mr. Vigorito, and Mr. Kastenmeier):

H.J. Res. 1380. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of New York (for himself, Mr. Button, and Mr. Dow):

H.J. Res. 1381. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STRATTON:

H.J. Res. 1382. Joint resolution proposing an amendment to the Constitution of the United States relating to the right to vote of citizens who have attained the age of 18 years; to the Committee on the Judiciary.

By Mr. TALCOTT:

H.J. Res. 1383. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GERALD R. FORD:

H. Res. 1243. Resolution that it is the sense of the House of Representatives that the United States enter into an agreement with the Government of Israel for the sale of military planes, commonly known as Phantom jet fighters, necessary for Israel's defense to an amount which shall be adequate to provide Israel with a deterrent force capable of preventing future Arab aggression by offsetting sophisticated weapons received by the Arab States, and on order for future delivery, and to replace losses suffered by Israel in the 1967 conflict; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAMS (by request):

H.R. 18301. A bill for the relief of Julian M. Castillo; to the Committee on the Judiciary.

By Mr. ADDABBO:

H.R. 18302. A bill for the relief of Rosario Corrao; to the Committee on the Judiciary.

H.R. 18303. A bill for the relief of Antonio Maida; to the Committee on the Judiciary.

By Mr. ANDERSON of Illinois:

H.R. 18304. A bill for the relief of Maria Likourinou; to the Committee on the Judiciary.

By Mr. CORBETT:

H.R. 18305. A bill for the relief of Morris and Lenke Gelb; to the Committee on the Judiciary.

By Mr. CRAMER:

H.R. 18306. A bill for the relief of Mercedes Arcangeli; to the Committee on the Judiciary.

By Mr. DELANEY:

H.R. 18307. A bill for the relief of Felix Angelis Kempadoo, Virginia Kempadoo, and Sharon Virginia and Randolph Raymond Kempadoo; to the Committee on the Judiciary.

By Mr. EDWARDS of California:

H.R. 18308. A bill for the relief of Carmen Maria Pena-Garcano; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 18309. A bill for the relief of Carlo Bassini; to the Committee on the Judiciary.

H.R. 18310. A bill for the relief of Nicola Cianci; to the Committee on the Judiciary.

By Mr. GUDE:

H.R. 18311. A bill for the relief of Luciano Di Salvo; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 18312. A bill for the relief of Alfio Lagalia; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 18313. A bill for the relief of Andres Comel di Socebran; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 18314. A bill for the relief of Ivo Lopes Mendes Brandao and Jose Mendes Brandao, Jr.; to the Committee on the Judiciary.

By Mr. MINSHALL:

H.R. 18315. A bill for the relief of Jerry G. Perko; to the Committee on the Judiciary.

By Mr. MOORE:

H.R. 18316. A bill for the relief of Dr. Esteban G. Friera; to the Committee on the Judiciary.

By Mr. MURPHY of New York:

H.R. 18317. A bill for the relief of Eliyahu Dolms; to the Committee on the Judiciary.

By Mr. NIX:

H.R. 18318. A bill for the relief of Maria La Valle Arrigo; to the Committee on the Judiciary.

H.R. 18319. A bill for the relief of Oscar P. DeCastro, Jr.; to the Committee on the Judiciary.

H.R. 18320. A bill for the relief of Gaetano Nazzareno Pellicciotta and his wife, Teresa Pellicciotta; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 18321. A bill for the relief of Vito Vavallo; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 18322. A bill for the relief of Andonios Merkouris; to the Committee on the Judiciary.

H.R. 18323. A bill for the relief of Marina Merkouris; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 18324. A bill for the relief of Fred Fawzi Kahale; to the Committee on the Judiciary.

By Mr. WOLFF:

H.R. 18325. A bill for the relief of Dr. Chao Hung Chan; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

365. The SPEAKER presented a petition of Henry Stoner, Portland, Oreg., relative to providing health care to Americans with low income, which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

ABOUT TREES: AN OPEN LETTER TO CERTAIN UTILITIES

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. REUSS. Mr. Speaker, the Steuben Society of America has long had a deep interest in the conservation of our natural resources. In the July–August issue of the Steuben News appears a timely and interesting article by Mrs. Ernestine Arnold Meyer on the destruction of trees by utility companies.

The article follows:

ABOUT TREES: AN OPEN LETTER TO CERTAIN UTILITIES

(By Ernestine Arnold Meyer)

For the past four years, since I have made my home in a modest and attractive borough in New Jersey, I have been increasingly dismayed to see the havoc wrought by crews of your workmen, among the shade trees lining our streets.

TREES SACRIFICED

In some instances these trees sound and beautiful, may easily have been 30, 40, even 50 or more years old. Each was the result of a slow building-up process, cell by cell, year after year, of marvelously complex yet efficient tissue structures, to create an imposing masterwork of nature. A miraculous achievement, which man may emulate, but never recreate; grown through long years from a tiny acorn or winged maple seed only to be destroyed in a day.

This letter was triggered by two instances of such imperceptive operation, which I have recently witnessed. One is near the new power substation, where a great swathe was cut through an adjacent wooded area, next to Beaver Dam Brook to make way for poles and wires. The second occurred near one of our sewage disposal plants: four fine trees were cut down, as they seemed to pose a possible threat to the new lines. They were actually at some distance from them and when I inspected their sorry stumps, I found them to be sound, healthy wood. What an uncalled for sacrifice!

TREES CONDITION AIR

A tree is a living thing, which, from the human point of view, we might say, returns good for evil: for, note well, with the help of the sun and the chlorophyll in its leaves, it not only transforms elements obtained from the soil into food for itself, but in the process takes carbon-dioxide out of the atmosphere and changes it into oxygen. Without this element, our life on earth would be impossible.

As we all learned in school, combustion consumes oxygen and one of its end-products is carbon-dioxide. The fuel consumption of the ever growing numbers of automobiles, jet planes, industrial facilities and homes, is increasing, at a tremendous and shocking rate, the amount of carbon-dioxide released into the atmosphere each day. Yet, daily, in this country alone, man destroys (by paving over) thousands of acres of trees and other green plants on land (as well as, by pollution, oxygen-producing micro-organism in the sea),—the very means by which the balance of gases in the air, his "life insurance" so to speak, is maintained.

I have the privilege of serving on the Flood Control and Water Pollution Commission of L * * * P * * * No doubt, my appointment was partly due to cognizance of my profound interest in the conservation of our natural resources. In this connection, one of the first things to be emphasized is the value of trees in our ecology. I shall limit myself, here, to the non-commercial aspects of their usefulness.

A living tree is, for instance, one of the best air conditioners we know: from deep in the earth it raises a column of water many feet high, up into its leaves, whence a portion thereof is transpired into the surrounding air. On a hot summer's day, a good-sized, leafy tree will dissipate several hundred gallons of water into the atmosphere about it. Part of this vapor, as it descends to earth under the trees, refreshes us, who seek its shade, with greater coolness than shade alone could produce.

Another part, together with water vapor from manifold other sources, rises upward to form clouds. These eventually discharge their condensed moisture as rain, to fall on and be received once more, into earth and sea.

FURTHER USES OF LEAVES

A further role is played by the leaves. While on the tree, they serve to break up large raindrops into droplets, which then fall more gently on the earth below. A pelting rain, falling unhindered onto bare land, pounds it into almost the hardness of cement! From such a surface, rain runs off, instead of being absorbed, thus becoming one of the factors responsible for floods and soil erosion.

Leaves that have fallen and accumulated on the ground, likewise break the impact of a heavy rain and, in addition, act as a sponge which absorbs and holds water, releasing it gradually into the soil underneath. By this process erosion is prevented and all-important ground water replenished. (N.B. to gardeners: mulch performs a similar salutary function). Moreover, when left undisturbed, the bottom layer of leaves is continuously being transformed into leaf-mold and humus. This organic substance contains much of the nourishment which all green, rooted plants need for their existence and growth. Once again, a cycle has been completed, by which matter, having first been raised high above earth, descends to return to its origins.

TREES BEAUTIFY LANDSCAPE

I will admit, that along paved streets, some of these tree functions may be curtailed or lost. But they can still provide us with oxygen, while the green and the shade of their foliage in summer and the tracery of bare branches against the sky in winter, delights the eye and refreshes the spirit.

Some members of the lumbering industry—with Weyerhaeuser at the head—have gradually come around to the viewpoint, that to cut over a forest and abandon it, leaving a scene of mutilation and destruction, barrenness, ugliness and desolation is, indeed, a shortsighted and indescribably wasteful policy.

We deplore the sins committed in the name of charity, but what of those commited against nature for the sake of money or expediency?

UNDERGROUND WIRING FOR TOWNS

In this day and age, when tools and equipment, materials and "know-how" are so readily available, there appears to be no cogent reason for stringing utility wires overhead—at least not within urban and suburban boundaries. Perhaps the initial costs are somewhat higher when deploying them underground, but if the compensation money paid out for many fine trees, which are then felled without regard to their ecological and aesthetic value—were totaled; plus the wages and equipment of crews, who go about "pruning" (more often "mutilating") trees, for the sake of overhead wires, it would already come to a tidy sum. Add to this the cost of the present system of removing tree trunks and limbs that have damaged wires in a storm, plus the repair or replacement of wires and poles, and I'm willing to wager that the combined amounts would closely approximate the present cost of overhead wiring. It certainly seems to me to be a subject worthy of further "in depth" study.

It goes without saying, that we value highly, the many excellences of modern utilities, such as electricity, telephone, gas, and so on. We would, indeed, be fools, if we did not appreciate the benefits we derive from them in time, comfort, convenience and release from laborious and tedious work. But, I believe, a stage has been reached, when one may expect utility companies to raise their sights a little above the dollar level, for the sake of less material, but even more vital, long-range benefits.

After all, producer and consumer live in a reciprocal relationship: one cannot exist without the other. Since being an integral part of of an organized community entails a regard for the common weal, the utilities in this instance might happily go beyond the exchange of services for money.

What price the efforts of tree-planting commissions, Green Acre advocates, landscape architects, or city planners, if their efforts to create verdant, living beauty in our surroundings are heedlessly and needlessly nullified?

We need not go so far out as the universe to search for wonders nor to the Bible to look for miracles: we behold such a one each time we look upon a tree, whether it be the modest sapling on someone's front lawn, or a high-crowned monarch of the forest.

Through aeons of time, earth's green vegetation, in fantastic variety has performed its inherent chemical function of producing oxygen. Ultimately, natural forces have established a certain stability in the proportion of gases composing our atmosphere. Will Man's lack of foresight imperil this balance? Will we continue to permeate the air more and more with CO_2, while the number of trees, our "counter agents", grows less day by day? At this rate, how long will it be before we reach the point of no return?

TREES NOT EXPENDABLE

As I conclude this appeal on behalf of our trees, another one of our resources, gravely threatened by ignorance or indifference comes to mind, namely: water. Lulled by the siren song of "Superabundance" and "Endless Supply", we have unconcernedly polluted it and wasted it. Yet, here is the amazing fact about water, that while—up to a point—it may be used and re-used time and again, its total quantity on earth has not diminished in millions of years.

In the case of our trees, however, we are dealing with quite a different situation, for to cut down a tree is to annihilate a living entity which "all the king's horses and all the king's men" can never put together again. Its unique contributions as a live organism, beneficial and essential to most of life as we know it on earth, will be lost to us, forever. From times immemorial, great individual trees—real and imagined—or sacred groves have played symbolical roles in man's religious belief. The ancient Greeks, the Celtic Druids, the Norse peoples, the Persians, and many others used such symbolism. Our Bible, too, speaks of the "Tree of Life" and the poet calls our planet "God's green footstool." It appears to me, that as beings endowed with intelligence, reason and sensibility, it behooves us to be vigilant guardians, not wanton destroyers of trees, which form so wonderful a part of our natural heritage.

THE NEW TEWKSBURY STATE HOSPITAL

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, in the articles I am presenting below, the Lowell Sun has described the dedication ceremonies for the new Tewksbury State Hospital, in which I had the honor to participate. It points out that the new facilities make the hospital one of the most modern chronic disease hospitals in the country today, and stresses the future that the new structure represents.

The Boston Herald-Traveler has described the past and the traditions of self-sufficiency, low rates, and dedication to difficult and "unwanted" cases which are consciously being maintained despite the vast modernization that has taken place.

No small part of this progress is due to the 18 years of dedicated service by Thomas J. Saunders, superintendent of the Tewksbury Hospital. The hospital was accredited for the first time in the 1950's and has remained accredited ever since.

It is an honor and privilege to bring this example of progress and development in the hospital field to the attention of my colleagues:

[From the Boston Herald-Traveler, June 17, 1968]

TEWKSBURY STATE HOSPITAL "CITY" OF MANY SURPRISES

Tewksbury State Hospital, "a city in itself, is an institution of contrast and surprises.

Its sprawling 960 acres include a modern, $10.4 million hospital, almost ready for occupancy is just a short walk from medical facilities built in the last century.

Not the least of the surprises is the cost to patients. In this day of skyrocketing room rates, Tewksbury charges $7.28 a day (although 90 per cent of the patients are covered by Medicaid and Medicare).

The token cost and the old buildings remind visitors that this state hospital first opened its doors as an almshouse on May 1, 1854.

A historian noted that the institution "in the first 19 days admitted 800 persons, including infants and children, maternity cases, tubercular and other infectious persons, the mentally sick, the acutely and chronically ill and the indigent poor."

Then, as it does today, the facility took the difficult cases, in many cases "the unwanted."

For many decades the hospital struggled to provide livable facilities for its patients, and it now appears the struggle has paid off. Over the past 25 years, officials note, the hospital has been moving steadily uphill.

Tewksbury was accredited for the first time in the 1950s by the Joint Commission on Accreditation and has remained accredited ever since.

Supt. Thomas J. Saunders, who has headed the institution for the past 18 years, is looking forward to better things.

He noted that the $10.4 million hospital, scheduled for occupancy this fall, will take in 400 of the total patient population of about 1150. The building program calls for two more hospitals to serve 300 patients.

The construction will allow the demolition of long-outdated buildings on the grounds.

Asked why Tewksbury charged such a low daily rate, Saunders listed several reasons.

"This is a city in itself—completely self-sufficient," said Saunders.

He explained that one in 12 patients are capable of work and maintain the grounds. The hospital's farm provides milk (1700 quarts a day) for all the patients and employes. The farm also produces 90 dozen eggs a day from 6000 chickens as well as some of the meat and vegetables.

High on Saunder's list of reasons for the low cost of running the institution was "a stable work force." For example, 146 nurses at Tewksbury have been on the job there for more than 10 years, with two 40-year veterans and 10 others with more than 30 years.

Saunders said that generations of Tewksbury area families have worked at the hospital and have "taken pride" in their work.

Obviously, the fact that the hospital is state-run and the capital costs of new construction are not reflected in the patients costs have much to do with the low rate.

OPERATE IN RED

While Tewksbury operates at a far lower cost than any of Massachusetts six other state hospitals, it runs at a deficit, as an institution of this type naturally would.

Saunders figures that the actual cost-per-patient-per-day is about $16, which is still only a fraction of the costs borne by most private hospitals.

Heartening as it is to see a hospital with low cost in this day of high prices, apparently the state is losing federal funds by keeping rates low. A move is underway at the State House now to put rates more in line with costs.

A rate hike would be made on the theory that in modern America, anyone who needs hospital care will be tended through use of government funds if they cannot afford it themselves.

And Tewksbury, as it has in the past, stands ready to care for those in need—and with ever-improving facilities.

[From the Lowell (Mass.) Sun, June 16, 1968]

HIGH PRAISE FOR NEW TEWKSBURY HOSPITAL

(By Patricia M. Wagner)

TEWKSBURY.—The new Tewksbury Hospital was dedicated Friday afternoon in ceremonies in which many state and local dignitaries participated.

The massive $14 million structure which was started two years ago was dedicated in a program which began with the national anthem and ended with a light buffet.

Thomas J. Saunders, superintendent of Tewksbury Hospital, opened the program with a speech welcoming speakers, government officials, clergy, dignitaries, employees, friends, and all who attended. He then asked all to rise while the 18th Army Band from Fort Devens played the Star Bangled Banner.

Mr. Saunders then introduced Ernest C. Sullivan, chairman of the Board of Trustees and master of ceremonies, who in turn introduced Rabbi Abraham Halbfinger, secretary of the Rabbinical Council, who led in prayer.

The guest speaker of the program, John H. Knowles, M.D., general director of the Massachusetts General Hospital, highlighted the event with his speech commending the work of all involved with the building of the new hospital. He stressed the importance of the magnificent structure for not only its need but also as a symbol of society's concern for the aged and sick. Dr. Knowles also talked in defense of the nation's youth, citing that they are more honest and noteworthy than any other generation.

The ceremony also had remarks by Alfred L. Frechette, M.D., Mass. Commissioner of Public Health, who explained how the public health department has grown in recent years and how this particular hospital has advanced with the culmination of the present structure. He also stated that perhaps this will pave the way for the building of similar hospitals throughout the country.

Rep. Bradford F. Morse, member of the Congress, in a short speech welcomed and thanked all who attended.

Lieutenant Governor Francis W. Sargent delivered a message from Gov. John Volpe, who was unable to attend. The message traced the birth of the complex under the administration of Gov. Foster Furcolo, its planning stages, to the reality of dedication today.

Following the addresses, benediction was given by Rev. Howard T. Joslyn, followed by a tour of the new hospital, and a light buffet.

Chief Steward Leonard McElroy told the Sunday Sun that the new complex will house 400 patients. He also stated that within the next few years two wings will be added, each wing comprising 300 beds. The cost of both these wings is estimated at $8,250,000.

The new Tewksbury hospital is the most modern chronic disease hospital in the country today and has all the latest hospital mechanizations: It houses all the administrative offices, is the center point for all hospital services including medical, ancillary, nursing school, auditorium, as well as the Northeastern Regional Health Office. Also contained are three chapels which will provide places of worship for Catholic, Protestant and Jewish denominations.

The new structure is not as yet occupied since more internal work has to be done, but it will not be long before it will be staffed and in complete operation.

Steward McElroy said the move would be made slowly and the patients would be transferred in groups until the present 400 beds are filled. Later when the two proposed new wings are completed the remainder of the patients will move, and old buildings presumably will be demolished. The old hospital now holds approximately 1000 patients.

The present staff now contains 12 doctors and 250 nurses, McElroy says and the new hospital will require an extension of personnel. There are wards containing as many as 30 beds, wards with eight beds, some with two and still others with only one.

Among those attending yesterday's festivities were: Steward Leonard McElroy and his wife, Charles Stacy, chief engineer of the new Tewksbury Hospital power plant; Rep. Cornelius Kiernan, Rep. Raymond Rourke, John Padden of the Department of Personal Administration and Finance at the State House, Elliot T. Jordan, chief architect of the W. Chester Brown firm which planned the building, W. Chester Brown, John Sullivan, Tewksbury police chief, Kevin Sullivan and Frank Cristalello, both Tewksbury selectmen George Cook, assistant supt. of Lemuel Shattuck Hospital in Boston, Eleanor Gaffney, superintendent of nurses at Lemuel Shattuck, State Senator James DeNormandie and Rep. Felix Perrault.

Also present were Rev. Allan McCartin, OMI, chaplain of Tewksbury Hospital; Rev. Garrett Barry, OMI, pastor of St. William's Church, in Tewksbury, Rev. and Mrs. Oscar Phillips, the former Protestant minister of Tewksbury Hospital, Rabbi Abraham Halbfinger, secretary, Rabbinical Council and Jewish pastor of the hospital, Rev. Thomas Scanlon, OMI, pastor of the Sacred Heart Church in Lowell, present and retired employees, alumni, department heads, social workers, and various town organizations.

The future is expected to bring further extension of the existing structure and proposed wings, and hospital officials are certain Tewksbury hospital will be one of the largest and most modernized of the chronic disease hospitals in the country.

VOCATIONAL EDUCATION

HON. PHIL M. LANDRUM

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. LANDRUM. Mr. Speaker, many of us feel that vocational-technical education may be the key that will solve many of our economic and social problems. A good vocational education program can offer opportunity to boys and girls who find that traditional academic education is irrelevant to their abilities and needs.

Vocational education curriculums are not the same as they were 15, 10, or 5 years ago. The emphasis today is on teaching skills that will provide a range of occupational opportunities, and on preparing young men and women to be better citizens in our rapidly changing society.

Through its support of vocational education, Congress has played an important role in upgrading programs and in providing for modern teaching facilities.

I believe that it is of the utmost importance that the public know what is now available. A series of seven articles recently appeared in the Atlanta, Ga., Constitution, which I think cover the subject unusually well.

I include these articles by Mary Kay Murphy in the RECORD at this point:

[From the Atlanta (Ga.) Journal and Constitution, Mar. 31, 1968]

FINDING A LIFE'S WORK NUMBER ONE: JOB REVOLUTION—SCHOOL CHALLENGE

(By Mary Kay Murphy)

"Help Wanted: 1968," reads the want ad.

"E.P.D. Key Man."

"Systems Test Manager."

"Electromagnetic Progragationist."

"Unique Opportunity for Diffractionist."

How will the "Help Wanted" ads read in 1969? In 1985? In 1997? Who knows?

What kind of jobs will students now being educated in Georgia's public schools be able to fill as they leave the classrooms of the state's schools today and try to find their niches in the world of work?

What kinds of jobs will they be able to fill five years from now or even 25 years from now?

And what about the adult citizens now employed in Georgia? What kinds of jobs will they be able to fill this year, next year, in all the years during the last 33 years of the 20th century and into the 21st century? What kinds of re-education will they need to help them find their way to work?

"Ten years ago," reports Virgil M. Rogers, director of the Project on the Educational Implications of Automation, "many of the job titles on this page did not exist."

"Ten years from now, these and other titles may themselves be superseded by new occupational patterns and new words to describe them."

The trend toward automated, technological fluid, mobile and urban life and work is complex, involving much more than trying to imagaine the titles of jobs in the want ads of the future.

This trend demands bridging the gap between under-education for under-employment and visionary planning of education opportunities for today's and tomorrow's jobs.

It calls for a realistic look at where Georgia is in terms of education related to existing and emerging jobs.

It calls for a careful education-manpower-economic appraisal by those involved in any way in man's work and his preparation for that work; labor department specialists; occupational forecasters; economists; sociologists; statisticians; phychologists; urban planners; vocational educators; business executives; elected representatives; labor union representatives; public school administrators and curriculum developers; high school counselors.

And this trend calls for careful planning to insure that the education, manpower and economic development of Georgia—of the Southeast—is related, one part to the other, as much in projection as these parts are in fact.

"Technological change will continue as a master of all or as a servant of all," reports Dr. Grant Venn, associate commissioner for Adult and Vocational Education, U.S. Office of Education.

"Education, although not the sole means, is the best means by which the individual and society can adjust to technological change.

"The real task is to make education the driving force in the equipping of all youth and adults to meet the technological explosion already so far advanced."

According to Dr. Martin Essex, adviser to President Johnson on the Vocational Education Act of 1963, "The unskilled and the unschooled have become a prime concern throughout our nation."

As do many in Georgia, Dr. Essex recognizes that, in this age of technology, unless a man or a youth is skilled, he is not employable. And his unemployment is a cause of concern to many, to those interested in developing both economic and human resources.

"Education is a bridge between what we are and what we may become—as individuals, as a nation, as a world."

Education has done much to shape the current social, political and economic face of Georgia—and of America.

According to Dr. Essex, America has had three education revolutions. And he senses that the country is on the verge of a fourth.

In Horace Mann's day, the first of these great revolutions in American education took place with the idea of making a free public school—the common school—available to every man's child.

The second revolution in American education came with the Kalamazoo Decision, opening the American high school to the masses.

Then came the third revolution in American education—the G.I. Bill—made higher education available to unprecedented new numbers of people, more than had ever been offered such education before.

And, predicts Dr. Essex, America is now on the threshold of a fourth revolution in education, resulting in part from passage of the Vocational Education Act of 1963.

That revolution? To provide for all students in America's public schools—and to all adults not enrolled in public school but desiring such education—a comprehensive program of job education ranging from occupational to vocational to technical training, thus closing the ranks of the "unskilled" and of the "unschooled," and developing to the fullest America's economic and human resources.

Before this fourth revolution can take place, optimum conditions for crossing over the bridge from the present to the future, from study for employment to entry into employment in modern industry, must be created.

In developing these optimum conditions, the need for making the best decision about work and education related to that work will become even more crucial.

From 1965 to 1970, the number of persons 20 to 24 years old in the Georgia labor market will be increasing by close to 120,000 annually in Georgia.

By 1970, there will be close to 395,000 of these young adult workers in Georgia, representing about 10 per cent of the total labor force, compared with 7 per cent in 1960.

Over-all in Georgia, the number of teenage and young adult workers aged 14 to 24 is expected to increase by almost 218,000.

Of the 93,224 students enrolled in fifth grade in Georgia in 1958, 45 per cent dropped out of school before graduating in June of 1966. Of the 51,842 who did graduate, 40 per cent went on to post-high school education. Nationally, it is estimated that approximately 80 per cent of those who enter college drop out before graduation.

A large number of these students will not receive the education or training which will prepare them to adapt to the jobs available ten to 20 years from now.

None of these figures represents the number of adults who will require training in job skills, nor do these figures represent the number of existing jobs which will become obsolete and the number of new jobs which will emerge in the last 33 years of the 20th Century.

"Education is a bridge between man and his work," reports Dr. Venn.

One form of education—vocational education—is ideally suited to help man—and woman—cross the bridge from school to work, from preparation for work to entry into work.

As Georgians move from casual preparation for "any job that comes along" to intensive matching of preparation of vocational and technical specialties of today—and who can imagine what kinds of jobs for tomorrow—vocational education, too, is changing its trust, developing secondary post-secondary, and adult level programs to match people and jobs, education and employment, needs and opportunities.

What types of vocational and occupational education will be needed for the jobs which will fill the newspaper want ads of 1968? Of 1985? Of 1997?

"No one knows for sure," reports Virgil Rogers.

"But we do know that if we are to serve our students, we must educate them for receptivity to change and constantly reeducate ourselves to the revolutionary changes around us."

[From the Atlanta (Ga.) Constitution, Apr. 1, 1968]

FINDING A LIFE'S WORK: VARIED VOCATIONAL COURSES APPEAL OVER WIDE RANGE

(By Mary Kay Murphy)

Stephen Varner, a 1961 graduate of New Mexico Military Institute, Roswell, N.M., is enrolled as an electronics technology student at North Georgia Technical and Vocational School in Clarkesville, one of the two Georgia technical boarding schools.

"This course will place me among those people industry needs," Varner said. "It will serve as a foundation upon which to build a secure future."

Vicki Graves is married, recently located in Georgia from Arizona, and a student in an 11-month drafting class at Marietta-Cobb Area Vocational-Technical School.

"My husband is an engineer," Mrs. Graves said. "I wanted to develop a skill so that I could work in the same field he is in. This course is a beginning for me. It's like being reborn. I'm spending 11 months learning the drafting craft. Look at the new life I'm giving myself."

Jacquilla Anderson is a junior at Howard High School in Atlanta, enrolled in the occupational home economics program with emphasis on child development. "I plan to further my study in child care so I can work in a nursery school or in some other job where I will be with children," Jacquilla said.

"First I plan to work in a day care center and later I plan to attend college and medical school."

These Georgia students represent the many faces of vocational education in the state's varied vocational education network.

They also represent the 214,495 Georgians who in 1966–67 participated in vocational education and occupational training courses—ranging from the part-time extension courses of one week to the full-time in-residence courses of two years—offered in public high schools, comprehensive high schools, area vocational-technical schools and wide-reaching adult programs.

Their motivations are many. Their interests are broad. Their ambitions are a mixture of short-range practicality and long-range projection.

"Vocational education offers a means for developing a bridge between school and work," says George Mulling, state director of vocational education in Georgia.

"Students in Georgia's many vocational courses seem to be seizing this opportunity to get the kinds of education they need to qualify them for the jobs they want.

"Our goal is to make more students aware of the occupational education opportunities available to them and, as time goes on, to make more and different vocational education opportunities available."

What are these students like? What will they be like as a result of their vocational education experience in Georgia's vocational education programs? What difference will this training make in their occupational futures?

They are planning ahead for a promising future.

"I'm aiming at qualifying for three jobs in my field," reports Scipio Jackson, mechanical drawing student at DeKalb Technical Manpower Training Center. "Draftsman. Designer. Supervisor."

SKY IS LIMIT

"The sky is the limit after this training," says Gene Callaway, sheet metal student at North Georgia. "I aim for the top. I have one year down and three to go (plus experience) to become a mechanic, a foreman, or to go as high as I can go."

They are realistic.

"I expect to change jobs in my adult life as many times as is necessary to reach my goal—probably 10 times," says industrial arts student Jimmy Ryles of Tucker High School, DeKalb County.

They are using vocational education as a means to achieve both short and long-range education and career goals.

"In high school I was enrolled in DCT and worked part-time at Anderson Motors," reports Gary Gentry, 19, a graduate of Marietta High School. "Now I'm enrolled in auto mechanics at Marietta-Cobb Area school. It's a perfect way to ge the education I need for the job I want."

They are, above all, students aware of their own worth. They are secure.

"It feels so great to have found myself and to find something I can do well," says Marietta-Cobb Gary Gentry.

At the post-secondary level, vocational-technical students in Georgia's 23 area schools have the following characteristics: the student body in day classes is 90 per cent under 21; 67 per cent male; 33 per cent female; 15 per cent formerly enrolled in college.

A nationwide survey undertaken by the American Institute for Research develops a striking profile of vocational education graduates.

The study checked the post-high school occupational and educational experiences of 10,000 vocational and 30,000 academic graduates from 100 high schools in 38 states.

1. Vocational graduates get their first full-time job after graduation much quicker than academic graduates. Fifty per cent get their first job within two weeks after graduation. (In Georgia, 91.7 per ceht of the graduates of the state's area schools in 1965 were employed full-time five weeks after graduation.)

2. Vocational graduates enjoy substantially greater employment security than do academic course graduates without college education.

3. Vocational graduates have greater accumulated earnings over the 11-year period covered by the survey than do academic course graduates with no college education.

4. About 50 per cent of the vocational graduates enter into the fields for which trained or highly related occupations. (In Georgia in 1965, 70.8 per cent of the graduates entered fields for which they trained, or related fields.) In the national survey, another 15 per cent enter occupations that are somewhat related to a trade studied in high school.

5. There is very little mobility among vocational course graduates. Less than three per cent obtained their first full-time job by moving to another city. Eleven years after graduation, 87 per cent still reside and work in the city in which they went to school. (In Georgia in 1965, 71 per cent of the graduates of area schools accepted jobs within 25 miles of their homes.)

6. A comparison of vocational and academic graduates without a college education reveals no difference in conversational interests, leisure time activities, and affiliation with community organizations.

"The findings of this AIR study contradict the contention that vocational graduates are more poorly educated than are academic graduates, from the standpoint of education of the whole person," a report abstract concludes.

What about the income of vocational graduates once they are out on the job? Can they ever hope to compete with college-trained employes in earning and accumulating money?

Because they complete their formal post-secondary education two to three years earlier than most college graduates do, they are able to start earning years ahead of the college student who is still in school, still not employed full-time, and still paying tuition and room and board costs.

"There is good pay in non-college occupations," reports Changing Times magazine. You read a great deal about the higher incomes that go to college graduates. As a matter of statistics, that's true. But the picture is often quite different when you compare average pay in specific occupations:

Bachelor's degree:	
Meteorologist	$6, 650
Oceanographer	6, 650
Schoolteacher	5, 800
Astronomer	6, 650
Geologist	6, 500
Anthropologist	5, 600
Social worker	5, 000
Librarian	5, 000
Economist	6, 000
No degree:	
Asbestos worker	8, 650
Plumber	8, 950
Programer	6, 500
Photographer	5, 900
Operating engineer	8, 450
Secretary	4, 200
Truckdriver	8, 300
Office machine operator	4, 500
Electrician	7, 700

"Here are some other fields, not requiring a bachelor's degree, in which job and pay prospects are good," the magazine continues. "Draftsman, tool and die maker, mechanic, offset pressman, auto body repairman, appliance and equipment repairman, electronics trainee, engineering aide, stenographer, typist, beauty operator, hospital attendant, salesman, sewing machine operator, X-ray technician, nurse, carpenter, pipefitter, bricklayer, sheet metal worker, purchasing agent, bookkeeper, cashier."

Georgia offers training in all of these occupations in its network of vocational and technical programs, plus many others for emerging occupations and industry needs.

[From the Atlanta (Ga.) Constitution, Apr. 2, 1968]

FINDING A LIFE'S WORK: MANY PARENTS USE THEIR CHILDREN AS PAWNS IN STATUS-SEEKING GAME

(By Mary Kay Murphy)

"Thousands of American parents today are condemning their children to a lifetime of menial jobs interrupted by long stretches of unemployment," say Judge Mary Conway of New York and her colleague, Andre Fontaine.

"Does this sound like too harsh a charge, in view of the fact that almost every parent wants his child to have a better chance than he did?

"It's true all the same.

"Why? Partly because many well-intentioned parents use their children as pawns in the adult game of status-seeking. And partly because they don't understand that the world has changed since they themselves were growing up and that children today don't automatically acquire, as they did, the basic skills needed to hold down any job."

More than anything else, America is a fluid, mobile, changing industralized society where a man is known by the work he does.

"In some countries and at different periods in history," says C. Gilbert Wrenn of the University of Minnesota, "this identification was achieved by asking 'Who is he?' (meaning his family)."

"In America," he says, "These inquiries do not help because we are a geographically mobile people and because the object of inquiry may be in a quite different occupational and social category from that of his parents."

"Whiting Williams is cited as having said that in England the inquiry 'Who is that man?' might be answered, 'He's a Percy from Northumberland," whereas in America the reply would more probably be, 'He's an engineer with the Standard Oil Co.' "

Parents of children in America—and in Georgia—children faced with making vocational choices generally do not overlook what D. E. Super says about identity in America.

"In a fluid, industrial society, occupation is the principal determinant of social status."

Whether parents verbalize it or not, their educational and occupational goals for their children often involve goals associated with "status," "prestige," "getting the best," "attaining the highest possible level."

Especially is this true of parents whose aspirations for their children could be termed "upward-bound." And this "upward boundedness" could include aspirations for the intellectual and social aura associated with Harvard undergraduate and Radcliff, or it could be for the status associated with schools which train for the traditional "professions," at the expense of other types of post-secondary education which train for occupational competence and job-earning power.

"The goal of elementary, secondary and post-high-school education has always been to develop the talent of the student to the highest possible level," reports Jack P. Nix, superintendent of Georgia's public schools.

"Too often the concept of the 'highest possible level' is interpreted as highest possible level of academic and formal education. Too often, B students at the high school level are guided into engineering rather than a technical-education program," said Mr. Nix.

The problem comes, of course, when parents' aspirations are too high, too anxiety-ridden, or too unrealistic for their children. Such aspirations, if thwarted, may keep a graduating student from seeking meaningful post-secondary vocational education — in which he might meet with a series of success experiences—and being forced instead into education for "prestige" occupations at the college level where he might meet with only frustration, anxiety, failure.

"Parents often keep their children from getting meaningful post-secondary occupational education," reports a Georgia education researcher, "because they aspire to educational experiences linked with associated status either from the school preparing the student or from the field in which the student is in training.

"And this is as it should be, so long as parents, in their search for the best for their children, don't put on blinders and keep their children from quality educational opportunity—such as those offered in Georgia's 23 area vocational-technical schools; so long as they don't undereducate them for underemployment; so long as they don't deny them entry into meaningful and challenging vocational and technical occupations."

Such undereducation for underemployment is a concern of Mr. Nix, who says, "While there is a great concern for the unemployed, perhaps there should be a greater concern for the underemployed. Often college dropouts (possibly directed into the wrong post-secondary education experiences by well-intentioned but mismotivated parents) fit into this category."

Another kind of parent—a parent with negative attitudes toward work and preparation for work—can also, possibly unwittingly, condemn his children to a lifetime of also holding negative attitudes toward work, with the result that they may be ineffective and under-educated employes.

"Childhood experiences strongly affect the basic attitudes, interests and capacities which an individual develops and which are expressed later in broad vocational choices," reports Cecil H. Patterson of the University of Illinois.

In a family where parents haven't achieved success in work and felt pleasure associated with their work—especially where the absent father of a male child is concerned—negative attitudes and thus limited motivation are likely to result on the part of the children.

Such children won't want to work and won't be able, by themselves and in their family circle, to plan meaningful education experiences to help them qualify for the jobs they might want.

In addition, according to Lauren Wispe, research psychologist, Office of Manpower, Automation and Training, "in many cases (in such families) there is no real awareness of what is required to attain vocational goals, nor is there any preparation in the home for the sacrifices and frustrations which children may encounter in their struggle to achieve vocational goals—if, in fact, they can verbalize these goals."

What can educators and parents in Georgia do to insure that the vocational choices of students in Georgia's schools are far-reaching yet realistic, optimistic yet practical, challenging yet closely related to the vocational education opportunities available to them—free—in Georgia?

First, educators and parents will want to remember, as Dr. Patterson points out, that the vocational choice process is a continuous, developmental process.

"There is no one point at which the vocational choice is made. Various choices are made at different points in the process.

"Also, the process begins very early in life. The child forms the basis for his occupational choice from birth, shaping his vocational life by the many choices he makes in expending his energies, developing his abilities, expressing his interests.

"The specific choice of a key job or occupation is only one choice, although it may be the most important one. There is no specific age or particular time this choice is to be made, nor should it be forced on a student at a particular time."

Second, educators and parents will want to remember that, as Dr. Robert E. Garren, head of the sociology department at Georgia State College, points out, "Whenever educators touch parents, involve them in the vocational choice process, they strengthen their programs."

Parents, in turn, should remember that their attitudes toward work are easily transmitted to their children. If parents have never had pleasurable experiences related with work, they should do what they can—and the schools and other institutions and agencies should be willing to help them in this endeavor—to introduce their children to people who do like their jobs, to people who do find pleasure in work, to people who can tell students what steps they can take in getting the education they need for the jobs they want.

Third, educators and parents in Georgia should objectively identify and weigh the contribution of vocational education to the total development of Georgia's students and inform them carefully and well of the availability of these vocational education opportunities at the high school level, at the post-high school level and, for many parents themselves, at the adult level.

"The great rush into four-year colleges has obscured the value of the kind of education that points toward a job," reports Changing Times magazine.

"Educators and parents must be certain youngsters are familiar with the many different ways in which they might pursue their education. Students should be led to realize that, no matter what their field, they'll have to spend the equivalent of at least one full year out of 10 learning new job skills.

"It is important that a young person have a particular, saleable competence that will help get him started in the economic world. Getting this first job may turn out to be the most important single event in his working life."

And getting the education they need for the jobs they want may be the single most important step Georgia students take in finding their way to work, work which is pleasurable, meaningful, important to them—and to society.

In helping students find the education they need for the jobs they want, parents take on their most important role in their partnership in the education-employment matrix.

[From the Atlanta (Ga.) Constitution, Apr. 3, 1968]

FINDING LIFE'S WORK: KNOWLEDGE OF FUTURE JOBS MAY MAKE BETTER STUDENTS

(By Mary Kay Murphy)

"How young people apply their effort in school may depend largely upon what they know about employment needs," reports Dr. Robert E. Garren, head of the sociology department at Georgia State College, Atlanta.

"How well employment needs are learned by young potential employes depends to a considerable extent upon guidance counselors in high schools."

And from the University of California comes Professor of Education Dr. J. Chester Swainson's statement that "American high schools ought to do as much for students who are preparing to go to work as they do for the ones who are getting ready for college."

Since advising and counseling are part of the high school guidance counselor's role in the public school setting, he is in an ideal position to intensify his role as liaison between high school students planning education experiences to prepare them for eventual employment and employers seeking employes for existing and emerging jobs.

In this role of liaison between industry and students, the counselor is asked to familiarize students with the world of work and with their preparation for that work, interpreting industry's needs to students, reporting on occupational trends, economic climate, availability of present and emerging jobs.

"The counselor is the most important nexus between the world of work, the schools and students," says Dr. Garren. "If the counselor doesn't know industry's needs, students generally won't."

A brand new day in the history of education in Georgia came in 1961 with the emergence of the first of the state's 23 vocational-technical schools.

And with this emergence, the counselor—at both the high schools and post-high school level—became the single most important key to the education-employment matrix which helps a student get the education he needs for the job he wants and for the job which is—or will be—available to him.

What are some of the important steps which Georgia has taken to help counselors develop in their new and emerging role as liaison between industry's communication of its employment needs and students' education preparation for those needs?

Two innovative programs in the area of vocational counseling have developed in Atlanta since 1965. The first is a series of seminars held at Georgia State College to acquaint high school counselors first hand with industry's employment needs. The second is a series of seminars sponsored by the State Department of Education to identify ways in which the high school guidance counselor and the area school guidance counselor can—and do—work together.

Sponsored by nine industries in Atlanta's metropolitan area, the Georgia State seminar in 1965 and again in 1966, gave approximately 35 guidance counselors and some principals and classroom teachers in the Atlanta area a two- or three-week period to hear industry's representatives tell them of employment needs.

PARTNERS WITH INDUSTRY

"This seminar approach has helped counselors create lasting friendships in industry, to feel partners with industry," Dr. Garren, director of the Georgia State seminars, reported. "More specifically, it has given counselors a contact with someone in industry to call if they want a speaker for an assembly or if they want students in their school to tour an industry."

The 1967 Georgia State seminar was sponsored by a newly formed, 75-member Merit Employment Association and was broadened to include counselors in Fulton, DeKalb, Cobb, Clayton, Gwinnett counties and the Decatur City system.

"Once we establish this seminar on a permanent basis in the Metropolitan Atlanta area," reports Dr. Garren, "we would like to operate it for counselors across the state."

In this seminar, counselors are acquainted with job openings in Atlanta, with the qualifications needed to fill them and with the type of people who could logically move into them. It also includes a tour of metropolitan Atlanta job sites.

"With my new insight from the seminar," says Claude George, an Atlanta school system counselor, "I feel I can help parents, teachers, and students see the students can make a wonderful contribution to themselves and to their communities if they prepare in high course is a beginning for me. It's like being reborn. I'm spending 11 months learning the drafting craft. Look at the new life I'm giving myself."

Jacquilla Anderson is a junior at Howard High School in Atlanta, enrolled in the occupational home economics program with emphasis on child development. "I plan to further my study in child care so I can work in a nursery school or in some other job where I will be with children," Jacquilla said.

"First I plan to work in a day care center and later I plan to attend college and medical school."

These Georgia students represent the many faces of vocational education in the state's varied vocational education network.

They also represent the 214,495 Georgians who in 1966–67 participated in vocational education and occupational training courses—ranging from the part-time extension courses of one week to the full-time in-residence courses of two years—offered in public high schools, comprehensive high schools, area vocational-technical schools and wide-reaching adult programs.

Their motivations are many. Their interests are broad. Their ambitions are a mixture of short-range practicality and long-range projection.

"Vocational education offers a means for developing a bridge between school and work," says George Mulling, state director of vocational education in Georgia.

"Students in Georgia's many vocational courses seem to be seizing this opportunity to get the kinds of education they need to qualify them for the jobs they want.

"Our goal is to make more students aware of the occupational education opportunities available to them and, as time goes on, to make more and different vocational education opportunities available."

What are these students like? What will they be like as a result of their vocational education experience in Georgia's vocational education programs? What difference will this training make in their occupational futures?

They are planning ahead for a promising future.

"I'm aiming at qualifying for three jobs in my field," reports Scipio Jackson, mechanical drawing student at DeKalb Technical Manpower Training Center. "Draftsman. Designer. Supervisor."

SKY IS LIMIT

"The sky is the limit after this training," says Gene Callaway, sheet metal student at North Georgia. "I aim for the top. I have one year down and three to go (plus experience) to become a mechanic, a foreman, or to go as high as I can go."

They are realistic.

"I expect to change jobs in my adult life as many times as is necessary to reach my goal—probably 10 times," says industrial arts student Jimmy Ryles of Tucker High School, DeKalb County.

They are using vocational education as a means to achieve both short and long-range education and career goals.

"In high school I was enrolled in DCT and worked part-time at Anderson Motors," reports Gary Gentry, 19, a graduate of Marietta High School. "Now I'm enrolled in auto mechanics at Marietta-Cobb Area school. It's a perfect way to ge the education I need for the job I want."

They are, above all, students aware of their own worth. They are secure.

"It feels so great to have found myself and to find something I can do well," says Marietta-Cobb Gary Gentry.

At the post-secondary level, vocational-technical students in Georgia's 23 area schools have the following characteristics: the student body in day classes is 90 per cent under 21; 67 per cent male; 33 per cent female; 15 per cent formerly enrolled in college.

A nationwide survey undertaken by the American Institute for Research develops a striking profile of vocational education graduates.

The study checked the post-high school occupational and educational experiences of 10,000 vocational and 30,000 academic graduates from 100 high schools in 38 states.

1. Vocational graduates get their first full-time job after graduation much quicker than academic graduates. Fifty per cent get their first job within two weeks after graduation. (In Georgia, 91.7 per cent of the graduates of the state's area schools in 1965 were employed full-time five weeks after graduation.)

2. Vocational graduates enjoy substantially greater employment security than do academic course graduates without college education.

3. Vocational graduates have greater accumulated earnings over the 11-year period covered by the survey than do academic course graduates with no college education.

4. About 50 per cent of the vocational graduates enter into the fields for which trained or highly related occupations. (In Georgia in 1965, 70.8 per cent of the graduates entered fields for which they trained, or related fields.) In the national survey, another 15 per cent enter occupations that are somewhat related to a trade studied in high school.

5. There is very little mobility among vocational course graduates. Less than three per cent obtained their first full-time job by moving to another city. Eleven years after graduation, 87 per cent still reside and work in the city in which they went to school. (In Georgia in 1965, 71 per cent of the graduates of area schools accepted jobs within 25 miles of their homes.)

6. A comparison of vocational and academic graduates without a college education reveals no difference in conversational interests, leisure time activities, and affiliation with community organizations.

"The findings of this AIR study contradict the contention that vocational graduates are more poorly educated than are academic graduates, from the standpoint of education of the whole person," a report abstract concludes.

What about the income of vocational graduates once they are out on the job? Can they ever hope to compete with college-trained employes in earning and accumulating money?

Because they complete their formal post-secondary education two to three years earlier than most college graduates do, they are able to start earning years ahead of the college student who is still in school, still not employed full-time, and still paying tuition and room and board costs.

"There is good pay in non-college occupations," reports Changing Times magazine. You read a great deal about the higher incomes that go to college graduates. As a matter of statistics, that's true. But the picture is often quite different when you compare average pay in specific occupations:

Bachelor's degree:	
Meteorologist	$6, 650
Oceanographer	6, 650
Schoolteacher	5, 800
Astronomer	6, 650
Geologist	6, 500
Anthropologist	5, 600
Social worker	5, 000
Librarian	5, 000
Economist	6, 000
No degree:	
Asbestos worker	8, 650
Plumber	8, 950
Programer	6, 500
Photographer	5, 900
Operating engineer	8, 450
Secretary	4, 200
Truckdriver	8, 300
Office machine operator	4, 500
Electrician	7, 700

"Here are some other fields, not requiring a bachelor's degree, in which job and pay prospects are good," the magazine continues. "Draftsman, tool and die maker, mechanic, offset pressman, auto body repairman, appliance and equipment repairman, electronics trainee, engineering aide, stenographer, typist, beauty operator, hospital attendant, salesman, sewing machine operator, X-ray technician, nurse, carpenter, pipefitter, bricklayer, sheet metal worker, purchasing agent, bookkeeper, cashier."

Georgia offers training in all of these occupations in its network of vocational and technical programs, plus many others for emerging occupations and industry needs.

[From the Atlanta (Ga.) Constitution, Apr. 2, 1968]

Finding a Life's Work: Many Parents Use Their Children as Pawns in Status-Seeking Game

(By Mary Kay Murphy)

"Thousands of American parents today are condemning their children to a lifetime of menial jobs interrupted by long stretches of unemployment," say Judge Mary Conway of New York and her colleague, Andre Fontaine.

"Does this sound like too harsh a charge, in view of the fact that almost every parent wants his child to have a better chance than he did?

"It's true all the same.

"Why? Partly because many well-intentioned parents use their children as pawns in the adult game of status-seeking. And partly because they don't understand that the world has changed since they themselves were growing up and that children today don't automatically acquire, as they did, the basic skills needed to hold down any job."

More than anything else, America is a fluid, mobile, changing industralized society where a man is known by the work he does.

"In some countries and at different periods in history," says C. Gilbert Wrenn of the University of Minnesota, "this identification was achieved by asking 'Who is he?' (meaning his family)."

"In America," he says, "These inquiries do not help because we are a geographically mobile people and because the object of inquiry may be in a quite different occupational and social category from that of his parents."

"Whiting Williams is cited as having said that in England the inquiry 'Who is that man?' might be answered, 'He's a Percy from Northumberland," whereas in America the reply would more probably be, 'He's an engineer with the Standard Oil Co.' "

Parents of children in America—and in Georgia—children faced with making vocational choices generally do not overlook what D. E. Super says about identity in America.

"In a fluid, industrial society, occupation is the principal determinant of social status."

Whether parents verbalize it or not, their educational and occupational goals for their children often involve goals associated with "status," "prestige," "getting the best," "attaining the highest possible level."

Especially is this true of parents whose aspirations for their children could be termed "upward-bound." And this "upward boundedness" could include aspirations for the intellectual and social aura associated with Harvard undergraduate and Radcliff, or it could be for the status associated with schools which train for the traditional "professions," at the expense of other types of post-secondary education which train for occupational competence and job-earning power.

"The goal of elementary, secondary and post-high-school education has always been to develop the talent of the student to the highest possible level," reports Jack P. Nix, superintendent of Georgia's public schools.

"Too often the concept of the 'highest possible level' is interpreted as highest possible level of academic and formal education. Too often, B students at the high school level are guided into engineering rather than a technical-education program," said Mr. Nix.

The problem comes, of course, when parents' aspirations are too high, too anxiety-ridden, or too unrealistic for their children. Such aspirations, if thwarted, may keep a graduating student from seeking meaningful post-secondary vocational education — in which he might meet with a series of success experiences—and being forced instead into education for "prestige" occupations at the college level where he might meet with only frustration, anxiety, failure.

"Parents often keep their children from getting meaningful post-secondary occupational education," reports a Georgia education researcher, "because they aspire to educational experiences linked with associated status either from the school preparing the student or from the field in which the student is in training.

"And this is as it should be, so long as parents, in their search for the best for their children, don't put on blinders and keep their children from quality educational opportunity—such as those offered in Georgia's 23 area vocational-technical schools; so long as they don't undereducate them for underemployment; so long as they don't deny them entry into meaningful and challenging vocational and technical occupations."

Such undereducation for underemployment is a concern of Mr. Nix, who says, "While there is a great concern for the unemployed, perhaps there should be a greater concern for the underemployed. Often college dropouts (possibly directed into the wrong post-secondary education experiences by well-intentioned but mismotivated parents) fit into this category."

Another kind of parent—a parent with negative attitudes toward work and preparation for work—can also, possibly unwittingly, condemn his children to a lifetime of also holding negative attitudes toward work, with the result that they may be ineffective and under-educated employes.

"Childhood experiences strongly affect the basic attitudes, interests and capacities which an individual develops and which are expressed later in broad vocational choices," reports Cecil H. Patterson of the University of Illinois.

In a family where parents haven't achieved success in work and felt pleasure associated with their work—especially where the absent father of a male child is concerned—negative attitudes and thus limited motivation are likely to result on the part of the children.

Such children won't want to work and won't be able, by themselves and in their family circle, to plan meaningful education experiences to help them qualify for the jobs they might want.

In addition, according to Lauren Wispe, research psychologist, Office of Manpower, Automation and Training, "in many cases (in such families) there is no real awareness of what is required to attain vocational goals, nor is there any preparation in the home for the sacrifices and frustrations which children may encounter in their struggle to achieve vocational goals—if, in fact, they can verbalize these goals."

What can educators and parents in Georgia do to insure that the vocational choices of students in Georgia's schools are far-reaching yet realistic, optimistic yet practical, challenging yet closely related to the vocational education opportunities available to them—free—in Georgia?

First, educators and parents will want to remember, as Dr. Patterson points out, that the vocational choice process is a continuous, developmental process.

"There is no one point at which the vocational choice is made. Various choices are made at different points in the process.

"Also, the process begins very early in life. The child forms the basis for his occupational choice from birth, shaping his vocational life by the many choices he makes in expending his energies, developing his abilities, expressing his interests.

"The specific choice of a key job or occupation is only one choice, although it may be the most important one. There is no specific age or particular time this choice is to be made, nor should it be forced on a student at a particular time."

Second, educators and parents will want to remember that, as Dr. Robert E. Garren, head of the sociology department at Georgia State College, points out, "Whenever educators touch parents, involve them in the vocational choice process, they strengthen their programs."

Parents, in turn, should remember that their attitudes toward work are easily transmitted to their children. If parents have never had pleasurable experiences related with work, they should do what they can—and the schools and other institutions and agencies should be willing to help them in this endeavor—to introduce their children to people who do like their jobs, to people who do find pleasure in work, to people who can tell students what steps they can take in getting the education they need for the jobs they want.

Third, educators and parents in Georgia should objectively identify and weigh the contribution of vocational education to the total development of Georgia's students and inform them carefully and well of the availability of these vocational education opportunities at the high school level, at the post-high school level and, for many parents themselves, at the adult level.

"The great rush into four-year colleges has obscured the value of the kind of education that points toward a job," reports Changing Times magazine.

"Educators and parents must be certain youngsters are familiar with the many different ways in which they might pursue their education. Students should be led to realize that, no matter what their field, they'll have to spend the equivalent of at least one full year out of 10 learning new job skills.

"It is important that a young person have a particular, saleable competence that will help get him started in the economic world. Getting this first job may turn out to be the most important single event in his working life."

And getting the education they need for the jobs they want may be the single most important step Georgia students take in finding their way to work, work which is pleasurable, meaningful, important to them—and to society.

In helping students find the education they need for the jobs they want, parents take on their most important role in their partnership in the education-employment matrix.

[From the Atlanta (Ga.) Constitution, Apr. 3, 1968]

Finding Life's Work: Knowledge of Future Jobs May Make Better Students

(By Mary Kay Murphy)

"How young people apply their effort in school may depend largely upon what they know about employment needs," reports Dr. Robert E. Garren, head of the sociology department at Georgia State College, Atlanta.

"How well employment needs are learned by young potential employes depends to a considerable extent upon guidance counselors in high schools."

And from the University of California comes Professor of Education Dr. J. Chester Swainson's statement that "American high schools ought to do as much for students who are preparing to go to work as they do for the ones who are getting ready for college."

Since advising and counseling are part of the high school guidance counselor's role in the public school setting, he is in an ideal position to intensify his role as liaison between high school students planning education experiences to prepare them for eventual employment and employers seeking employes for existing and emerging jobs.

In this role of liaison between industry and students, the counselor is asked to familiarize students with the world of work and with their preparation for that work, interpreting industry's needs to students, reporting on occupational trends, economic climate, availability of present and emerging jobs.

"The counselor is the most important nexus between the world of work, the schools and students," says Dr. Garren. "If the counselor doesn't know industry's needs, students generally won't."

A brand new day in the history of education in Georgia came in 1961 with the emergence of the first of the state's 23 vocational-technical schools.

And with this emergence, the counselor—at both the high schools and post-high school level—became the single most important key to the education-employment matrix which helps a student get the education he needs for the job he wants and for the job which is—or will be—available to him.

What are some of the important steps which Georgia has taken to help counselors develop in their new and emerging role as liaison between industry's communication of its employment needs and students' education preparation for those needs?

Two innovative programs in the area of vocational counseling have developed in Atlanta since 1965. The first is a series of seminars held at Georgia State College to acquaint high school counselors first hand with industry's employment needs. The second is a series of seminars sponsored by the State Department of Education to identify ways in which the high school guidance counselor and the area school guidance counselor can—and do—work together.

Sponsored by nine industries in Atlanta's metropolitan area, the Georgia State seminar in 1965 and again in 1966, gave approximately 35 guidance counselors and some principals and classroom teachers in the Atlanta area a two- or three-week period to hear industry's representatives tell them of employment needs.

PARTNERS WITH INDUSTRY

"This seminar approach has helped counselors create lasting friendships in industry, to feel partners with industry," Dr. Garren, director of the Georgia State seminars, reported. "More specifically, it has given counselors a contact with someone in industry to call if they want a speaker for an assembly or if they want students in their school to tour an industry."

The 1967 Georgia State seminar was sponsored by a newly formed, 75-member Merit Employment Association and was broadened to include counselors in Fulton, DeKalb, Cobb, Clayton, Gwinnett counties and the Decatur City system.

"Once we establish this seminar on a permanent basis in the Metropolitan Atlanta area," reports Dr. Garren, "we would like to operate it for counselors across the state."

In this seminar, counselors are acquainted with job openings in Atlanta, with the qualifications needed to fill them and with the type of people who could logically move into them. It also includes a tour of metropolitan Atlanta job sites.

"With my new insight from the seminar," says Claude George, an Atlanta school system counselor, "I feel I can help parents, teachers, and students see the students can make a wonderful contribution to themselves and to their communities if they prepare in high school and after high school for meaningful work which carries with it the dignity every man seeks from work."

MORE SEMINARS

The second of these innovative programs in vocational counseling is another series of seminars, one held in 1966 and another held in June 1967, and sponsored by the State Department of Education. The 1966 seminar looked at ways the high school counselor and the area school counselor can work together. The 1967 seminar involved 50 high school counselors in Georgia State Department of Education, the seminar reviewed and discussed the "Practical Approaches to the Career Development of Youth."

Sponsored jointly by the Guidance, Counseling and Testing Unit and the Vocational Guidance Unit of the Georgia State Department of Education, the seminar reviewed ways the high school counselor can use occupational information and community resources, develop a job placement program, and use test results in student career development.

What are some of the identified ways in which counselors at the high school level and counselors at the post high school level can work together to help students in Georgia's public schools most affectively use these schools to prepare for Georgia's jobs?

"In our seminar, we found that counselors across the state are already doing a splendid job in helping students secure the education they need for the jobs they want," reports Dr. James E. Bottoms, associate state director of vocational guidance.

"They are bringing students in from local high schools to tour the area schools and to become familiar with the offerings of the area schools. They are sponsoring meetings for counselors to learn more about vocational education and their role in interpreting industry's needs to their students.

"Many school systems such as the DeKalb County system have brought their high school counselors to the area schools to work with area school personnel workers, thus familiarizing counselors with curriculum, entrance requirements, career possibilities."

BETTER OPPORTUNITY

What are some of the other ways in which contact between area school administrators and public school counselors can improve the counselors' opportunity to best direct Georgia's students to preparation for Georgia's jobs?

L. L. Leverette, director of the Marietta-Cobb Area Vocational-Technical School believes "It is vital for an area school director to attend every one of the public school counselors' staff meetings to inform them effectively of class opening, curricular offerings."

"In the summer of 1965 we had 22 openings in an electronic technology class. Not one student had signed up for the course. For one reason or another, students didn't know the class was being offered.

"I contacted the local high schol counselor, Mrs. Edna Lee of Marietta High School. She identified an entire class of 22 for me in three days.

What are some of the steps which high school counselors take in defining their role as liaison between industry and students?

EFFECTIVE COUNSELING

According to Miss Vivian Arnold, counselor at Therrell High School in Altanta—she also holds an undergraduate degree in industrial arts—there are many steps which the effective counselor takes to make himself aware of industry's and students' needs.

"The high school counselor, acting as a liaison between industry and students, looks at the want ads and in the yellow pages of the local phone book to see what kinds of jobs are presently available in the community," Miss Arnold reported.

"He also calls the Labor department and state and private employment agencies to see what kinds of jobs are now available.

"And, most important of all, in the counseling session he sifts through all this information, reporting on it objectively and fairly to the student he counsels, looking at the student's test scores, asking him what he wants to do with his life, leading him indirectly to alternate goals and trying to understand his attitudes—and his family's attitudes—toward work and his preparation for that work."

[From the Atlanta (Ga.) Constitution, Apr. 4. 1968]

FINDING LIFE'S WORK: THEY CAN'T KEEP 'EM DOWN ON THE FARM NOW

(By Mary Kay Murphy)

One hundred years ago nine Americans out of 10 were chained to the soil, working to feed one person in the city.

Today, one American of 10 tills the soil, feeding nine in the city.

Perhaps no other feature of life in America so dramatically illustrates the need for public education to shift gears, to change its thrust as do the changes resulting from America's moving from an agrarian economy to an urban economy, from a farm-centered nation to a city-structured nation.

"America is the only country to conceive a new plan of education for the world, a plan using education to serve the needs of people," reports Dr. Martin Essex, committee member of a panel to determine the effects of the Vocational Education Act of 1963.

"Americans developed this type of education to improve the lot of mankind. Starting 100 years ago with the land-grant colleges, education was designed to train Americans for improvement of an agricultural economy ravaged by war.

"But this education process didn't end there. These colleges established departments of education where feed and seed research could be done.

"Still the process didn't end. It was extended outside the colleges to experimental farms where seed and feed researchers tested their theories.

"Women were then brought into the education process and taught to preserve food, to utilize results of experimental farm research.

"And finally, a county agent brought the fruits of these education methods and techniques into all county homes, thus bringing full circle the process of education benefiting the people it was designed to serve."

But the needs of America's people have changed in 100 years. The thrust and the scope of this educational process—the vocational educational process—have also changed. America and Georgia are now largely industrial, a complex blend of the rural, suburban, urban. They are being challenged to redevelop, to remold to restructure the education process once so well-suited to meet the people's needs.

CHANGING NEEDS

They are being asked to relate education to the complex, changing industrial and technological needs of their people, to build education bridges between people and the work experiences they will have during the last 33 years of the 20th century. They are being asked to build education bridges related to work skills which will carry over far into the 21st century.

"Vocational education must change with the times," reports Loyal F. Harris, director of the Cobb Vocational High School in Marietta. "The needs of the people today are not the same as the needs of people of another day. In 1917, it was the 1917 Essex and the Smith-Hughes Vocational Act. But the cars and the roads of today are different. So must vocational education be different."

What has sparked the change in emphasis scope, and thrust of vocational education opportunities now available in Georgia?

"One thing, mainly," reports George Mulling, Georgia director of vocational education, "the Vocational Education Act of 1963. It challenged us to reidentify the purposes of vocational education, the audiences we were trying to serve, the programs we were trying to develop for them. Before this act, we weren't financially able to offer the programs and the research and guidance services we wanted to offer."

EVOLUTION OF PROGRAMS

How have vocational education programs at the high school level changed to reflect the movement of Georgians away from the farm and into the service occupations of small and large cities across the state?

"Because of the history of our state, because of the occupational structure and employment pattern," reports J. G. Bryant, associate state director of local vocational programs, "our schools have traditionally offered two vocational courses at the high school level: Agriculture and home economics."

Two concepts in program development are responsible for this change of educational emphasis: The comprehensive high school and the cooperative work-study program.

In order to qualify for status as a comprehensive high school," Bryant reported, "the student enrollment must be over 1,000 and school administrators must design six vocational courses for students, no particular standard six, but at least six.

"A comprehensive high school offers a wide array of vocational courses which will prepare students for existing and emerging jobs in their home communities or in other places where they want to work," reports Cobb Vocational High School's Loyal Harris.

"During the two years, students earn four of their 18 credits for high school graduation and receive, on program completion, a regular high school diploma. Here at Cobb, we offer drafting, printing, vocational office training, electrical maintenance and construction, sheet metal operations and radio and television repair."

Why do students enroll in the comprehensive high school program?

"I plan to start my own printing shop after I graduate from high school," says Jerry Barnes, a senior at Cobb. "My brother is specializing in the photography part of this course and he and I will be going into the printing business together when we graduate."

"We enrolled 355 students in our six schools in operation in 1966–67," Bryant reports. "But we expect an additional 1,020 students with expansion of these programs and with completion of three more by September 1967."

COOPERATIVE PROGRAMS

Also at the high school level, vocational education students can enroll in cooperative programs to meet the changing needs of Georgia's industries and of Georgia's occupational employment patterns.

"A cooperative program offers Georgia's juniors and seniors who are 16 years old an opportunity to enroll in work-study programs during their last two years of high school, Bryant reports. "These programs can be designed in the areas of agriculture, home economics, distributive education, diversified cooperative training and vocational office training, VOT, of course, is the only exception, for only seniors can enroll in that program."

In cooperative programs, the student attends school half a day in his junior and senior years, and works in a business related to his vocational education training half a day. His teacher visits him on the job, meets his employer and the three—student, coordinator and employer—plan and evaluate the student's job training.

"The most important part of our work as coordinators," reports Tommy Proctor, DCT coordinator at Therrell High School in Atlanta, "is to match the student to the job and the job to the student.

VERY SATISFYING

"There is something very satisfying about working with students in these cooperative programs," Proctor continued, "for we have more opportunity to help students learn what they can do and to find a way to help them do it."

Bryant reports that innovative programs on a cooperative basis are offering wage-earning programs in home economics. "Programs like the one at Howard High School where we are teaching junior and senior girls how to be day care center workers while also offering children in the neighborhood an opportunity to attend a nursery school where the girls learn in laboratory setting are very exciting. As is the program in ornamental horticulture at Douglasville."

[From the Atlanta (Ga.) Constitution, Apr. 5, 1968]

Life's Work: Strong Backs Cannot Find Jobs

(By Mary Kay Murphy)

"A strong back was once marketable," Dr. Martin Essex, superintendent of Ohio's public schools, recently told members of the Georgia Vocational Association. "From the sixth century to the twentieth, a strong back was the means a man used to earn his living. But suddenly a new world of automation and technology has wiped out the use of a strong back.

"Ours is now an age when muscle power has become obsolete. The solution to finding substitute methods of work—work freed from muscle power—has been put to education."

What are Georgia educators, program designers and program administrators doing to keep pace with this change in structure from jobs which once required muscle power but which now require highly complex technological skills?

At the post-secondary level in Georgia, many emerging vocational and occupational opportunities are available.

"There isn't a better place in the state to go for technical education after high school than Georgia's area vocational-technical schools," reports Ed Bodenhamer, associate state director for vocational area programs.

VALUABLE COURSES

"We're adding courses that industry wants and that our graduates will profit from taking, courses like pulpwood harvesting, optical technology, dietetics, food service, distributive education. Such courses are a key in the state's plan to train Georgia's people for Georgia's present and emerging jobs."

How do employers in the state feel about graduates of the state's area schools? Are they pleased with them as employes?

"We at Georgia Power Co. have been delighted with the products of Georgia's vocational programs," reports W. H. Joiner, manager of industrial relations for Georgia Power. "We have employed graduates of area schools in service skills, four this year, and we have employed over 100 graduates of the two-year technology program, as well as many graduates of the stenography programs. We are delighted with these graduates and we look to them to perform the tremendous job of filling very important places in our industry."

SCHOOLS DEFINED

What are area vocational-technical schools?

They are tuition-free, post-secondary schools, open to high school graduates and selected others—who want to get the education they need for the jobs they want. Since 1961, when the first area school was built in Augusta, the program has had rapid growth.

By 1966, 17 percent of the graduates of Georgia's high schools were entering area schools for their post-secondary education.

And by 1970, vocational education officials expect the area school enrollment to include 33 per cent of the state's high school graduates.

"In our 23 area schools in 1965–66," Bodenhamer reported, "we enrolled 12,386, full-time students and 17,240 part-time students to prepare them with the educational experiences they needed for the jobs they wanted.

"An additional 69,059 Georgians were enrolled in adult level vocational education programs that year," he added.

GROWTH FORESEEN

He also reported that officials of the vocational education division anticipate an enrollment of 45,000 in the state's area schools by 1969–70, with a total investment in buildings of $28,173,492 and a total equipment investment of over $20 million by 1970.

"We're offering Georgia's young people another place to go after high school," reports Dr. James E. Bottoms, associate state director for vocational leadership services.

"We're designing programs which fit the needs of Georgia's economic and industrial growth and expansion. With the aid of occupational research, we're designing programs which industry needs and which students want."

What happens to graduates of Georgia's area schools?

According to a recent survey of 1965 area school graduates, a report on the status of 1,522 graduates, 70.8 per cent were employed in the field for which they trained or in a related field; 11.6 went into the armed forces; 6.4 were employed in a field for which they had not trained; 5.2 were enrolled in school full-time; 3.1 were not in the labor force by their own choosing; 1.7 were employed but seeking other employment; and 1.2 were employed part-time.

REPAY THEIR COST

During their first year of employment after graduation graduates of these tuition-free area schools return the investment Georgia has made in them in the form of state and federal taxes, according to one area school assistant program director.

"North Georgia's graduates in 1966 averaged $4,500 annually on their first jobs after graduation," reported Jim Higdon, assistant director at one of Georgia's two vocational boarding schools.

Ultimately, vocational education at the post-secondary level in Georgia is a combination of three types of cooperative ventures.

First, it is a cooperative venture between local programs, the State Department of Education and industries in Georgia to design programs which jointly meet industry's and education's needs.

"We at Georgia Power have worked actively with area schools in sponsoring courses in appliance repair," W. J. Joiner points out. "When industry helps educators plan training courses as we have done, it can then have a chance to be as delighted with the results obtained in the young men trained in these courses as we are."

COOPERATION

Second, vocational education at the post-secondary level is a cooperative venture at state and federal levels, as in the manpower training programs.

"In our manpower programs, resulting from passage of the Manpower Development Training Act of 1962," reports Linus Nichols, State Supervisor of Manpower Development and Training, "the federal government, providing 90 per cent of the financial support, and the state government, providing 10 per cent, to train both younger and older Georgians for jobs identified by the Labor department as being needed and important."

Thus, vocational education programs at the post-secondary level such as the manpower programs are a third type of cooperative venture. The state agencies of education and labor pool efforts to identify job areas and develop training programs to best maximize time, money and manpower invested.

"We are reaching people who haven't been touched by other forms of education," reports L. E. Nichols.

"We are training those who couldn't be, or weren't, trained before. We are taking people with fourth, fifth and sixth grade educations and after one year's training finding them able to pass the GED equivalency test for high school diploma certification. We're also taking people with more education but with obsolete job skills and through our program making them employable."

Certainly, because of his age, he's not a typical MDTA program graduate. But Thomas J. Mathews brings to the program the optimistic spirit and insight characteristic of the 10,000 MDTA students trained in Georgia since 1964.

SCHOOLED AT AGE 73

"All Mr. Mathews knew how to do before training in radio according to Nichols, "was work with his back. He had spent a lifetime as a railroad laborer and as he grew older, he could not keep that job. Yet, he had not trained for other types of employment."

After two years of steady unemployment, Thomas J. Mathews of Marietta enrolled in an MDTA training program. In 1965, he completed his radio and TV appliance repair course at DeKalb Technical Manpower Center and on his 73rd birthday, in 1965, passed the GED test.

In January 1966, he was employed in Atlanta in an appliance repair shop and is, of course, still employed there.

"Before this course, I was a nobody," Mathews reported.

"Now I am Mister Mathews, technician.

"I find that I have gained something at school that I could never afford in my youth," he said. "This education has become a boon in my later days. It has caused me to want to go on trying, surmounting the obstacles of growing old and of changing vocations."

[From the Atlanta (Ga.) Constitution, Apr. 6, 1968]

Finding a Life's Work: Vocational Education Linked to Economic Progress of All

(By Mary Kay Murphy)

"The greater the pace of change in the world, the more urgent it becomes for us to develop efficiency in the way our young people learn," reports Commissioner of Education Harold Howe II.

"This is true because education is a bridge between man and his work; it is a bridge between the present and the future; it is a bridge between what we are and what we may become—as individuals, as a nation, as a world.

"In reality, the way young people learn to learn determines to a large extent the advances we can make from such elements as capital, natural resources and trade."

Thus, education in Georgia is much more than an experience to keep boys and girls off the streets or to keep them busy—at public expense—between their sixth and their 21st years.

Education—general education vocationalized and vocational education generalized—is directly linked to the economic development of one man—and of all men; of Georgia—and of the world.

"Entirely too many youngsters of fine potentiality in the Southeast are being flushed down society's sewers to oblivion each years" reports Dr. Felix Robb, director of the Southern Association of Colleges and Schools.

"They are being aided and abetted by schools and colleges that in the past hundred years have not learned how to follow a graduate or a drop-out until he is meaningfully connected with the world of work and satisfactorily on his way as a lifetime contributing member of society."

ASSOCIATED GROUPS

In bringing efficiency to the way young people learn and in educating students and following them until they are meaningfully employed, many groups must work together for efficient change, for developing fully the economic, education, and manpower resources of Georgia.

First, vocational education program administrators must continue working to develop programs to meet industry's changing and coming needs.

Leaders of business and industry have long recognized the value of locating their sites in areas where there is access to a network of potential trained employes.

Much of the future economic and manpower development of Georgia rests on the ability of vocational education program designers to meet industry's needs, and, in turn, to meet students' needs in finding their way to work in industry's jobs.

In 1965, according to the Georgia Board of Industry and Trade, 134 new manufacturing firms were developed in Georgia, employing 7,649 people, while 178 firms expanded manufacturing operations, creating 6,899 new jobs.

JOBS INCREASED

Between 1964 and 1965, according to the Georgia State Chamber of Commerce, service trades in Georgia added 8,900 jobs; retail employment jumped 17,900; transportation and utilities workers gained 9,000 jobs; government employes grew 36,800 in number.

Many Georgia employers look to Georgia's network of 23 area vocational-technical schools to provide the technical and skilled training potential which employes will need in addition to their high school diplomas.

"Just as there are many kinds of employment," reports Edward D. Smith, president of the First National Bank of Atlanta, "there are many different kinds of education. Technical education is one of the most important routes to greater opportunity, to the better life. I cannot recommend too strongly this route to success."

"Aerospace work offers many opportunities to young men and women," reports W. A. Pulver, former president of Lockheed-Georgia. "But to take advantage of these opportunities, high school graduates must be prepared. So I cannot stress too strongly the absolute necessity of continuing technical and vocational training beyond the high school level for a rewarding career in aerospace."

FORD OFFICIAL

"Vocational training upon completion of high school is an excellent start towards a bright future," reports S. K. Cannon, plant manager, automotive assembly division, Ford Motor Co.

Because the armed forces are often the first employers of vocational education graduates, their representatives can speak with some authority for the contribution a technically trained young man can make during his tour of duty.

"Vocational-technical schools are of great value to the armed forces," reports Atlanta area Army recruiter Sgt. Harold Taylor. "For they help their graduates advance in service programs by giving them a specialty which gives us a chance to match that specialty to our offerings."

Thus, Georgia's vocational education program administrators have a great responsibility in designing programs to meet industry and student needs.

Dr. David S. Bushnell of the Bureau of Research, U.S. Office of Education, has outlined the Office of Education's curriculum development effort viewpoint which, he pointed out, represents the views of individuals, not of a government agency.

In designing vocational education curricula, Dr. Bushnell outlined the following as possible guidelines:

1. We cannot expect youngsters to respond adequately if they are trained narrowly.
2. Youngsters need cognitive skills such as communication study as well as manipulative skills.
3. Youngsters need more than entry level skills.
4. Administrators must not separate vocational education from general education.

"We need vocationally trained students with an academic orientation," Dr. Bushnell said. For curriculum revision, Dr. Bushnell suggested:

1. Integration of academic and vocational education.
2. Exposure of students to the real world, (possibly with work experiences for every student and with orientation to the World of work for every student in elementary school as Dr. Grant Venn, USOE, has suggested).
3. Letting students train for a core of skills, as well as for entry level skills.
4. Orienting students to the ingredients for getting along on their jobs.
5. Providing information to students concerning their place in politics and society.

In addition, vocational education program administrators will want to consider educating students for increased use of leisure time as businesses and industries move toward giving longer vacations and sabbaticals every three or four years.

"Sociologists are pressing for a change in the education system to meet the challenge of leisure," a UPI report of Oct. 9, 1966, stated.

INCREASED LEISURE

" 'Unless we teach our children how to cope with increased leisure,' their argument goes on, 'the next generation will turn out to be an army of loafers and delinquents.' "

In working to develop the programs Georgia needs for vocational education opportunities related to Georiga's present and emerging job opportunities, program administrators are taking many steps.

"In June 1966 Georgia received a federal grant to establish an occupational research coordinating unit," reports George Mulling, director of vocational education in the state.

"This unit, one of 44 in the nation, is doing much to bring the tools of research to development of vocational education programs based on need and change. One of the projects of the unit, 'The Development of a Master Plan for Vocational Education in Georgia for the Next 5 to 10 Years,' will do much to focus the aims of our program on the needs of our people," Mulling stated.

In addition to vocational education program administrators, many others are involved in planning for occupational program needs.

GROUP OF AGENCIES

A complex of agencies, such as the Census Bureau and the Labor Department, have related information which is of much use to program planneers. The Board of Industry and Trade is a sensitive barometer concerning types of industry considering Georgia as a location. The Georgia Chamber of Commerce is also involved in such evaluating and predicting.

In addition, a wide array of observers of the scene are involved in vocational program planning. The skills of educators, both academic and vocational, are involved in bringing about program changes to help Georgia's students find their way to work. Community members are also involved. And the abilities of a professional corps of sociologists, statisticians, psychologists, economists and researchers can contribute much to the accurate and forward focus of methods and means for helping Georiga's people—her young people and her older people—find their way to meaningful work in this state.

HUMAN RESOURCES

Thus, with assistance from many diversely related sources, vocational education program administrators in Georgia have the responsibility of cutting out a new kind of education for Georgians who will need new and emerging occupational training for the jobs they hope to hold in the last 33 years of the 20th century and in the early part of the 21st century.

Much is being done to reshape, restructure, remold vocational education to meet the changing needs of Georgia's people as they seek ways to find their way to work in a highly industrialized and technological age.

The strongest nations in the world look to their human resources as the well-spring from which to tap cultural, economic, educational and social contributions.

America—and Georgia—can be no different.

"Human resources are more important than natural resources," Dr. Martin Essex, superintendent of public schools in Ohio reported. "We must take a lesson from Japan. We must not follow the lead of some of the European countries which have denied higher education, technical education, to 90 per cent of their people, thus crippling their economic development."

With her network of vocational education program opportunities, Georgia is doing much to build an education bridge between the present and the future, between Georgians and their work.

This bridge is the key, the link, to the economic development of Georgia.

More importantly, it is the key, the link, to the human resource development of Georgia, now and far into the 21st century.

BETTER HEALTH CARE FOR THE NATION

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. HORTON. Mr. Speaker, just 3 short years ago, we in Congress helped to launch a major assault on the Nation's three major killing diseases: heart disease, cancer, and stroke.

We did this by establishing regional programs of cooperation in research, training, education, and demonstration activities in patient care among medical schools, clinical research institutions, and hospitals.

In so doing, we helped set in motion the means to achieve significant advances in the prevention, diagnosis, and treatment of these three disease groups which exact such a staggering toll on human life and suffering.

I rise today to support a bill I am introducing as an endorsement to an identical bill which the Interstate and Foreign Commerce Committee recently reported out. Extending for another 2 years the regional and migrant medical programs and allowing community mental health centers to treat alcoholics and narcotics addicts is the essence of this legislation.

There is no doubt in my mind that regional medical programs offer the most promising approach to federally assisted health care in the Nation today. That is one reason I am so enthusiastic about this bill and the promise it offers to better the health and well-being of countless thousands of Americans.

Extending the program another 2 years by supporting this legislation is a vote to improve further the health, medical education, and distribution of medical care that is presently being given to our citizens.

Perhaps one of the most pressing health care needs met by this legislation is the extension of the regional medical programs to migrant workers. I can say, without hesitation, that without the clinics provided under this program, migrant workers would be without any health care at all.

Yet, their health care needs are proven to be greater than that of the general populace.

I do not see how we can deny this often neglected segment of our laboring population the medical attention they deserve. That is why we cannot, and must not, fail to support the 2-year extension of grants providing clinical care for migrant laborers that this bill extends.

Another important section found in the legislation is innovative and long overdue.

To me it makes a lot of sense to extend the facilities and services of the community mental health center to alcoholics and narcotics addicts, as this bill does.

At a time when institutions are overcrowded, and doctors overtaxed, the extension of personalized and more individual treatment in a friendly, not a foreign environment, may mean the difference between a recovered individual who can rejoin society as a balanced human being or a sick person who cannot find help.

Enactment of my bill would also mean a systematized attack on the treatment and cure of alcoholism and drug addiction throughout the United States. I can think of no better way to bring this serious problem to the attention of our citizens than by enlisting their support in helping these people rejoin society. By discovering the cure, we may also discover and wipe out the root causes, in time, of alcoholism and drug addiction by extending the facilities and services of community mental health centers to those who suffer from alcoholism and drug addiction.

The provisions of this legislation that I am introducing today is clearly important to the health and well-being of American citizens from all walks of life.

If the regional medical programs have established any accomplishment besides providing the added health care they were designed to accomplish, I would add only one element that makes these programs so important to all of us. That ingredient is cooperation.

Dr. Dwight L. Wilbur, recently installed as president of the American Medical Association, summed it up well at his inauguration ceremony when he said:

> Clearly, RMP has stimulated a healthy atmosphere of voluntary cooperative review of current health programs and a refreshing willingness to express self criticism of a constructive type.

He further emphasized:

> The medical profession, at the beginning of 1968, is probably more deeply involved in the planning process to determine the nature of the Regional Medical programs than it has been in the planning of any previous Federal program.

Mr. Speaker, all the ingredients to provide our citizens valuable health care are offered in the legislation I am introducing today.

Together, the ingredients make this legislation an important answer to the health care needs of our Nation, and I urge your support for its immediate passage.

BUILDING FRIENDSHIPS IN THE AMERICAS

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FASCELL. Mr. Speaker, on June 26, the World Affairs Council of Pittsburgh, Pa., sponsored a daylong forum on Latin America, at which Ambassador Sol M. Linowitz, U.S. representative of the Organization of American States, was the principal speaker.

In his address, Ambassador Linowitz outlined the principal objectives of our policies in Latin America, and gave a progress report on the programs and efforts to promote rapid economic growth in the area and a better life for its people.

I feel that this excellent statement, delivered before this very important conference of business, industrial, and civic leaders, deserves our attention:

BUILDING FRIENDSHIPS IN THE AMERICAS

(Address by Ambassador Sol M. Linowitz, U.S. representative, Organization of American States, before 14th World Affairs Forum, sponsored by the World Affairs Council of Pittsburgh, June 26, 1968)

I am grateful for your invitation, and pleased to have this opportunity to report to you about the United States policy in Latin America. I do so at a time when the foreign affairs spotlight is focused not on this hemisphere, but on events in Southeast Asia and, of course, on the talks relating to them that are underway in Paris. But I speak to you out of a deep conviction that our stake in Latin America is vital to our future, and that what happens there is directly related to the overriding challenge of our day—the attainment of a lasting peace with justice everywhere.

There was a period not too long ago when Latin American policy was a makeshift affair, when our chief foreign policy interests focused on virtually every area of the world except the one closest to us geographically, historically and traditionally. Today, under President Johnson, we are facing up to the harsh reality that Latin America literally stands at the crossroads. Either it will yield its poverty and underdevelopment to the constructive forces of peaceful revolution and change or they will ignite the violent revolution and chaos that are their inevitable successors.

The Johnson Policy in Latin America is no stop-gap action, no hurried response to an explosive situation, but one that has taken its place among this nation's most vital commitments. For we know that by helping Latin America to modernize and become economically stable and viable, we help ourselves, too, and the entire cause of freedom and democracy. Latin America is our testing ground not for tomorrow but today, and it is my conviction that we are now in the right place, at the right time, and with the right program.

But precisely what is our policy in Latin America? I can think of no better answer to that question than to read to you the Charter of the Organization of American States. Its goals, its hopes for the present, its aspirations for the future express fully all we strive for today in the Americas—a hemisphere in which all people respect their neighbors and share in the blessing of plenty that is the heritage of the New World.

This is the aim, too, of the Alliance for Progress, and OAS Charter Amendments to which the United States recently subscribed make it possible for the OAS to work more effectively for the attainment of its goals and aspirations. In so doing the OAS will advance the entire cause of international cooperation—peaceful cooperation and change—and a better life for all men and nations no matter what their hemisphere.

It is here that I believe the OAS has its greatest role to play in the building of friendships among all nations in the inter-American system. And as President Johnson has pointed out, the inter-American system "has always been a trail blazer in the quest for a better world."

It has pioneered procedures for the peaceful settlement of disputes; and there have been no armed conflicts between members of the American community for more than 30 years.

It has developed the modern concept of collective security.

It is pursuing the goal of representative democracy.

It has inspired the countries of Latin America to present to the world a model for preventing the proliferation of nuclear weapons.

It is demonstrating that nations can put aside historic fears and sectional rivalries to work together for their common good.

The Alliance for Progress has its roots in this work and in the yearnings of the Latin American people for economic and social justice. And in the final analysis, as the President has said, our policy in Latin America will be judged by how closely and successfully we identify ourselves with these yearnings of a people seeking to live in freedom and with dignity.

This is what we seek, too, and in pursuit of it the Johnson' Policy has developed certain fundamental guide lines:

It places us at the side of the people of Latin America as they take the leadership in building a new society.

It recognizes that the problems faced by the people of New York, Chicago and Los Angeles differ only in degree from those confronting the people of the large cities of Latin America; and that the Alliance must, therefore, be part of a continent-wide effort in which the people of all the countries—North and South alike—learn from each other even as they help each other.

It emphasizes multilateral cooperation, such as reflected in our work with the OAS' Inter-American Committee of the Alliance for Progress, or CIAP (as it is known from its initials in Spanish) in laying down criteria for the allocation of Alliance funds, including our own.

It seeks to resolve disputes by peaceful means, and to find a way that will avoid unnecessary military expenditures which divert resources from urgent social and economic purposes.

In the words of President Johnson, we are now following a policy which "calls for revolutionary change—within a democratic framework—of economic, social and political institutions to permit the full participation of the people in all aspects of national life."

Fourteen months ago he met with the Presidents of the other American Republics at Punta del Este to chart new directions for the Alliance. It is essential, I believe, to look at these 14 months to gain the proper perspective of what the Alliance is accomplishing. I would not wish to overwhelm you with facts and figures, but there are a few that, I believe, contribute to this perspective.

Food production in Latin America during 1967 showed an overall increase of 6 percent over 1966, with farms producing food at twice the rate of new mouths to feed.

The Inter-American Cultural Council has approved a program and Special Fund to modernize teaching methods in Latin America, and to forge regional cooperation in science and technology for development; overall since the Alliance, central and federal government outlays for education in Latin America have increased by more than 50 percent.

Additional resources for the Inter-American Development Bank and the Central American Bank for Economic Integration have enabled these institutions to finance more roads, power projects and telecommunications to draw the people of Latin America closer together. And just recently five nations agreed to work together to develop the vast area drained by the Rio de la Plata, an agreement of vast importance and implications for the future.

With the organization of the Andean Development Corporation, the Governments of Bolivia, Chile, Colombia, Ecuador, Peru and Venezuela have taken an important step toward a Common Market for all of Latin America.

The Central American Common Market and the Latin American Free Trade Area have established a consultative mechanism looking toward gradual combination of the two trading areas into the Latin American Common Market.

The International Coffee Agreement, further strengthened by the creation of a Coffee Diversification Fund, holds the promise of protection against disastrous price fluctuations.

The Inter-American Export Promotion Center, by stimulating the sale of Latin American manufactured products, will increase foreign-trade earnings and thus provide more jobs and higher income for more people.

In addition:

Since 1961 the United States has put $7 billion, 700 million at the service of the Alliance or 6.7 percent of the total Alliance investment of $115 billion. Of this amount, 88 percent has been invested by the Latin Americans themselves, with the rest being divided between the United States and other sources, a statistic that points up the least known fact about the Alliance—that its self-help feature is stronger than any program of assistance anywhere in the world.

In the past four years also, the average per capita growth rate in Latin America has more than doubled, from nine-tenths of one percent to two and two-tenths percent.

Enrollment in primary schools has increased by almost 12 million students, a 50 percent increase over pre-Alliance days; in secondary school enrollment it is up by 100 percent, or close to 2 million students.

Nearly half a million land titles have been distributed and about 700,000 families have been settled or resettled since 1961 in colonization or land titling programs.

Tax collections, which rose $489 million in the 1961 through 1963 period, increased from $489 million to nearly $3 billion during the 1964 to 1967 period.

There is no question, of course, that the Alliance has a long way to go before it accomplishes its goals of providing a better life for Latin America's growing population—that much more must be done to meet the needs of education of the young and to eliminate adult illiteracy—that progress in agrarian reform has been mixed and that there must be greater accomplishments in agricultural production to keep up with the population increase—that there is a dire need for more housing units to cope with urban blight. Here and in so many more areas, needs keep growing and the people of Latin America, as they know, must intensify their efforts to meet them.

But our studies show that Alliance member governments are spending much more today on such items as education, housing and social services. And the facts here—as some of the figures I have cited—are impressive. There have been more tax reforms, more land reforms, more schools built, more students trained, more roads built, more new institutions created in Latin America in the past 7 years under the Alliance for Progress than during any previous decade. In land tenure, tax reform, and administrative reform there has been greater progress during the past six and a half years than in the previous twenty-five.

While such investments in the human sector do not, of course, produce the spectacular results infrastructure investments do, and while they are not reflected in present gross national product growth figures, they are, I believe, the surest guarantee of continued development in the years to come. And they do reinforce the deeply significant fact that the development of Latin America is greater than its growth.

This, then, is the perspective with which the Alliance must be viewed—one which bluntly recognizes that potential for violent revolution still exists in the sordid slums and in the backward villages of Latin America where neglect remains greater than the effort to overcome it. It is a perspective that understands the Alliance is no miracle worker but rather one of history's great social experiments designed to telescope years of development and create worthwhile lives for people whose hopes and aspirations merit every assistance we are capable of rendering. And it is a perspective that takes the long view and will not be discouraged by the magnitude of the task.

Its magnitude is best exemplified, perhaps, by the distance yet to be traversed from the neighborhood of the average citizen—the man who will ultimately decide the future of the Alliance and of the continent—to the Common Market that the Latin American Presidents agreed to establish when they met at Punta del Este, I believe it is the shortest way to the better life he seeks. I believe therefore, that the agreement to press forward with the economic integration of the continent, the Latin American Common Market, was not only historic in every sense of the word, but that it will yet be remembered as one of the most important international developments in the decade of the sixties.

Before a Latin American Common Market becomes reality, however, there are roads that must be built, rivers tamed, transport unified, basic industries constructed. All this and so much more remains to be done before the physical and economic integration of the continent is an accomplished fact. Indeed, as the President pointed out recently, high in the Andes and deep in the forest and jungles and deserts of the continent, vast resources remain to be tapped and more to be discovered.

Accordingly, he has proposed that "the time is here and the time is now for us to prepare a plan, a specific blue print for carrying forward this gigantic enterprise—an enterprise that is capable of uniting the continent with roads and river systems, with power grids and pipelines, and with transport and telephone communications."

And he has suggested to the other Presidents of the Latin American Republics that they establish a high level task force "the finest collection of planners that we can bring together, under the leadership of a distinguished Latin American, to prepare a five-year plan for speeding up the physical integration of our own hemisphere."

This suggestion of the President is now in the process of being implemented and when it is, it will add another dimension to our policy of friendship for Latin America—a policy for multilateral action unequalled, I believe, since the establishment of the United Nations.

A Common Market . . . road and harbor and telecommunications projects . . . regional programs in education, science and technology . . . a Latin American educational television network . . . new approaches to old population problems . . . plioneering agricultural programs . . . all these and more are now the manifestation not only of our multilateral approach, but perhaps even more important, of the multilateral approach of our sister republics in the hemisphere. It has strengthened old friendships, lessened old grievances, and it is the promise of new progress to come.

In this connection I would stress that the Charter of the Alliance for Progress states it is established "on the basic principle that free men working through the institution of representative democracy can best satisfy man's aspiration." It is not going too far to say that the future of the Alliance will, to a large extent, therefore, depend on the effort of progressive democratic governments and their leaders to realize the full potential of this historic development in multilateral cooperation.

It is an effort that demands searching social and economic changes—changes that may create temporary dislocations. We must learn not only to live with this kind of change—peaceful change—but to encourage it to its fullest expression. Only as its tempo increases will the potential for violence decrease.

But when all is said and done, the future of the Alliance will depend not on the politicians or government officials from North or South America. It will depend on the little man, particularly the young man and the young woman. Three-fifths of the people of the Latin America are under 24 years of age, and their numbers keep growing. They are intensely proud of their countries and they do not need to be told how important it is for them to build democratic societies that insure their people the greatest degree of freedom, individual dignity and opportunity. They are determined to do so—with or without us—for these are the people who are searching to express themselves in a revolution for social justice. The Alliance must take root in their hearts and in their minds. It must become their personal revolution.

We owe it to them and to ourselves therefore to strengthen the cultural ties between us—ties leading to the better understanding that is so essential, in my judgment, to the ultimate success of the Alliance. And this understanding, incidentally, must include recognition that if the Alliance is, finally, to succeed, it must be not the symbol of any hand-out from a rich neighbor to a poor one but the symbol of friendship between equals, the unfurled banner of our mutual aspiration for human worth.

I think we have learned in our country in such fields as race relations and tolerance among religious groups that sympathy and understanding—and friendship—are the result of personal contact, of people rubbing shoulders, learning about each other in the heat of contact and discussion.

What we must learn then, about Latin America is that its people are dedicated to dignity and purpose. They in turn must learn that we stand with the men of vision in their hemisphere, with those who believe hunger, disease and illiteracy can be ended, with those who are certain the entrenchment of the oligarchies and the privileged few can be ended peacefully, with those who are striving for a unified continent in which the governments are committed to democracy, reform and progress. They must learn that their aims are our aims, their future our future.

This, I believe, is the only way to win the friendship of the Latin American university students, and indeed all the young people who have been and are such vital features of Latin American cultural, social and political development.

Time, however, is not on our side. Indeed, we see in our own cities of the United States how desperate citizens have by-passed the democratic process as they have sought other avenues to bring their plight to public attention and action. But there is hope, too, in the restlessness in America—North and South. There is the hope of people on the move to a better tomorrow, of people not satisfied with mere tolerance of one another but searching out new strength, new unity, new creativity and new friendships in their diversity.

And we do not sense here a good guide for the wider world we seek—a world not less but more diverse, a world in which the peace must be secured by justice and ruled by law?

Nations may work separately to send a man to the moon, but they must work collectively to attain peace, to send individual dignity into the lives of every person who shares the fragile crust of our world. And a world society that learns, finally, to conquer the inner space of its conflict and poverty will soar to the stars and beyond.

We are only at the beginning of the perilous journey. If we would complete it, our effort—the effort of all mankind—must not be one that intensifies in crisis and subsides in calm. It must be one that will press forward patiently and compassionately until the promise of individual freedom and equal dignity is fulfilled in a world of peace. It is to this end that the Johnson Policy in Latin America is dedicated. Success there will give freedom a new ring everywhere. We have the means and the resources. We must also have the will and the perspective to see it through.

TENTH ANNIVERSARY OF ACA

HON. JAMES V. SMITH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. SMITH of Oklahoma. Mr. Speaker, there is strong evidence of a concerted movement toward liberalism and the rejection of tried and proven principles throughout society today. This path is a dangerous one; it is necessary that we maintain a watchful eye on this situation, especially as it affects the issues confronting the Congress and our Nation.

The Americans for Constitutional Action, or ACA, as it is commonly referred to, has performed an outstanding service in keeping Americans informed of the leading issues and evaluating the records of those who serve in the Congress. The 10-year service record of ACA is esteemed by those who revere the Constitution of the United States as the second most precious document penned by the hand of man. I believe the contribution ACA has made has assisted greatly toward maintaining a more stable Government and helping to make known to the general public those who have socialistic tendencies and who are lacking in dedication toward those ideals that have made our Nation great.

I wish to express my sincere desire that this organization will have many more years of useful service as we labor together to return commonsense to our land and restore America to a position of respect in the remaining part of this third quarter of the 20th century.

SELECTIVE COLONIALISM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. DERWINSKI. Mr. Speaker, as the Soviet Union makes another questionable diplomatic overture to the United States, let us keep in mind the complete autocratic dictatorial nature of that regime, and especially the fact that the Soviet Union is the world's only major colonial power.

Therefore, I feel that the interview conducted in Chicago by Dean Manion, over the facilities of the Manion Forum, with Dr. Petras P. Dauzvardis, counsel general of Lithuania, and the Captive Nations Resolution, are of special significance at this time.

Selective Colonialism: U.N. Colonialism Commission Ignores Plight of Baltic States

Dean Manion. There is a large body of American opinion which is calling for our withdrawal from Viet Nam on whatever terms are possible. The consequences of such a withdrawal to us, we are told, would be very beneficial from many standpoints. All of these alleged benefits that would flow to us from pulling out are debatable, of course.

Without passing judgment on any one of them, however, another question arises: What would be the effect of our withdrawal on the people of South Viet Nam? It goes without the saying, I think, that if American forces were withdrawn now, South Viet Nam would very soon become a captive nation and be added to the 23 formerly independent nations of the world now occupied and centrally controlled by world Communism.

What is it like to be one of these captive nations? What happens to the population when a formerly free and formerly independent nation is taken over by the Communists? What kind of life could the people of South Viet Nam expect if we deserted them now?

With me here at the microphone is Dr. Petras P. Dauzvardis, the Counsel General of Lithuania, whose offices are in Chicago, Illinois. Lithuania, formerly independent, is now a Communist captive nation. I want Dr. Dauzvardis to tell us what changes this captivity has made in Lithuanian life.

Dr. Dauzvardis, welcome to the Manion Forum.

Dr. Dauzvardis. Thank you very much. I am very happy to be on the Manion Forum program.

Dean Manion. First of all, Doctor, tell us a little bit about Lithuania. You are celebrating now the 50th anniversary of your independence as a nation, is that it?

Dr. Dauzvardis. Yes, we are celebrating the 50th anniversary of the restoration of Lithuania's independence. Lithuania is much older than 50 years. As a matter of fact, the first King of Lithuania was crowned in 1253. Lithuania existed as an independent country for 500 years. The first time that Lithuania was occupied by the Russians, or Czarist Russia, was in 1795, and it was under Russian occupation for 120 years. But, as a result of the First World War Lithuania became an independent Republic and flourished during the brief period of time between the two world wars.

Dean Manion. When did we recognize the restored independence of your government?

Dr. Dauzvardis. Lithuania was recognized by the United States in 1922 and it also became a member of the League of Nations and other international organizations. Lithuania's 20 years of increasingly prosperous, independent life was cut short abruptly when, as a direct result of secret Soviet-Nazi agreements of August 23 and September 28, 1939, Lithuania was invaded and occupied by the Red army in June, 1940. It was then strictly and forcibly incorporated into the Soviet Union.

Dean Manion. And the Soviet Union has continued to occupy and subjugate Lithuania ever since?

Dr. Dauzvardis. With three years interruption. In 1941 Nazi Germany occupied Lithuania at the outbreak of their hostility with the Soviet Union, and held it until 1944. In 1944 Russia came back with all severity and nationalization and collectivization of farms. Lithuanians were very, very much opposed. They even took to arms to fight Russian suppression and oppression, and at that time there were additional mass deportations, particularly of farmers; the number varies from three to four hundred thousand Lithuanians—young people, old people and children—deported to Siberia and other parts of Russia. The major part of them perished there.

Dean Manion. What effect did the Russian occupation have upon the personal lives and property rights of the people of Lithuania?

LITHUANIA BECOMES SLAVE STATE

Dr. Dauzvardis. All their rights pertaining to property were abolished. The land was nationalized, made property of the state. Businesses also were nationalized and taken away from the people so that nothing was left to the people as far as property is concerned. Even human rights and freedoms were taken away. People were made virtual slaves of the state.

Dean Manion. Dr. Dauzvardis, what about interference with religion and religious practice in Lithuania? I understand that Lithuania is largely a Catholic country whereas the other Baltic States, Estonia and Latvia, are largely Protestant. Was there general interference with the practice of religion in all of the Baltic countries—Catholic and Protestant?

Dr. Dauzvardis. Yes, very much so, and they did not differentiate Catholic from Protestant or other religions. They treat every religion in the same way and they interfered very much with religion. Church properties were taken away and those properties were leased to the people and exorbitant rentals were assessed upon properties and on priests, etc. Now, many churches have been taken away or closed and converted into warehouses, movie houses, art galleries and even museums of atheism. So, religion is very, very much oppressed and considered as a crime against the state.

Dean Manion. The Russians maintain, whenever they are charged with this, that everybody is free to be religious if they want to. What's your answer to that?

Dr. Dauzvardis. They have a double talk with respect to everything. They say one thing but do an entirely different thing. There is a provision in the Constitution that religion is free, but actually it is not free. It is severely prosecuted and a young man working for the government, if it is ascertained that he goes to church, would be either discharged from his position or reduced to lower rank.

DEAN MANION. What is the difference in the status of the Baltic Nations which are captive nations and the so-called satellite states like Hungary and Poland and Rumania, etc.?

Dr. DAUZVARDIS. Well, Lithuania, Latvia and Estonia are incorporated into the Soviet Union and made part and parcel of the Soviet Union. They are actual colonies of Russia. They are controlled entirely by Moscow, and as far as Moscow or the Kremlin is concerned they are their territories. Lithuania and Latvia have no independent government, whereas satellites, at least nominally, are independent. They have their governments, they have their representation abroad—everything is Communist in reality, of course. The Baltic States and satellite states are ruled by Communist dictatorships and the Soviet Union but factually there is a difference.

Now Lithuania, Latvia and Estonia are in a weaker position because those Communist regimes have no representation abroad. Those states are represented by prewar representatives of independent countries, non-Communist. Whereas satellites are represented by the Communists. Furthermore satellites have representation in the U.N. but Lithuania and Latvia do not have. So as far as the present situation is concerned, I would say that the satellite states are going through the period similar to that through which Baltic States went from the date of occupation to the date of incorporation.

DEAN MANION. Now Doctor, you have explained very clearly that the Baltic States, including Lithuania, have been made colonies of the Soviet Union. You have no representation, for instance, in the United Nations. You have been wiped off the map for all practical purposes. What about the United Nations Colonialism Commission that investigates colonialism all over the world? Haven't they paid any attention to the Baltic States?

A PARADOX

Dr. DAUZVARDIS. Regardless of the fact that we, the Balts, have appealed to the United Nations, and free Lithuanians, Latvians and Estonians have appealed to the United Nations, asking it to investigate the situation of the Baltic States, they did not do anything. It is rather paradoxical that it is being talked so much about liberation of colonial peoples, restoring or making them independent states, when at the same time the independent states of Lithuania, Latvia and Estonia are being converted into Soviet colonies by the same people who are so loudly speaking about liberation of people.

DEAN MANION. Yes, Doctor, it is even more paradoxical when you realize that our United States Government recognizes the independence of Lithuania, Estonia and Latvia, and therefore denies that they are colonies of Russia, and therefore maintains for the record that this colonialism is wrong. But apparently our Government has done nothing to implement that recognition. Has it, to your knowledge?

Dr. DAUZVARDIS. No, as far as I know several statements have been made at the General Assembly of the United Nations. Quite many letters have been written to our Ambassador in Washington, stating and repeating that the Soviet forcible incorporation of Lithuania into the Soviet Union has not been recognized and that they hope that Lithuania will eventually become an independent state again.

We are trying to arouse the public opinion that the support would be against the occupation and for liberation, not only of Viet Nam but also the Baltic States, which are both countries with old and profound traditions and culture, etc. And, as a matter of fact, our activity, our action, our work, has the support of the Department of State. They always encourage us to do whatever we can for that cause.

May I at this point read one sentence from Secretary Dean Rusk's letter addressed to our Ambassador in Washington? "We fully support your continuing efforts to marshal world public opinion and to bring it to bear on the issue of self-determination for the people of Lithuania."

DEAN MANION. Thank you very much, Dr. Dauzvardis, for this explanation of the plight of Lithuania, one of 23 nations now held in captivity by Soviet Russia and Communist China.

Ladies and gentlemen, let me remind you that the third week of July is, by official declaration of the United States Congress, a resolution passed unanimously, Captive Nations Week. This is the time when we are all urged to think hard and to pray hard for the liberation of all of these countries, including Lithuania.

CAPTIVE NATIONS RESOLUTION

Whereas, the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious and ethnic backgrounds; and

Whereas, this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas, the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas, since 1918, the imperialistic and aggressive policies of Russian Communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas, the imperialistic policies of Communist Russia have led through direct and indirect aggression to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkistan, North Viet Nam and others; and

Whereas, these submerged nations look to the United States as the citadel of human freedom for leadership in bringing about their liberation and independence, and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist or other religious freedoms and of their individual liberties; and

Whereas, it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of the conquered nations should be steadfastly kept alive; and

Whereas, the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas, it is fitting that we clearly manifest to such peoples, through an appropriate and official means, the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence.

Now, therefore, be it resolved by the Senate and the House of Representatives of the United States of America, in Congress assembled, that the President of the United States is authorized and requested to issue a proclamation designating the third week in July, 1959, as 'Captive Nations Week' and inviting the people of the United States to observe such week with appropriate ceremonies and activities.

The President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

AN APPEAL FOR RESPONSIBLE DEBATES ON THE FIREARMS ISSUE

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. UDALL. Mr. Speaker, the current debate over firearms control is one of the most divisive of all the debates I have observed in my years in Congress. On the one hand is a large body of citizens demanding passage of new legislation and seeing all opponents of particular proposals as mortal enemies totally without redeeming virtues. On the other hand, we observe another large body of citizens who imagine that the passage of any new firearms bill will rob them of their constitutional freedoms and who see the advocates of such legislation as soft-headed, emotion-ridden, would-be traitors.

Some days ago an outdoor columnist for the Phoenix Gazette in Phoenix, Ariz., wrote a column appealing for more restraint in the firearms debate. Speaking to the many outdoorsmen who read his column regularly writer DeWayne Smith says:

> Gun advertising with the theme, "Protect Your Right to Keep and Bear Arms" is nothing more than a cheap, emotional appeal. To the uninformed it sounds like the government is coming around tomorrow to pick up all firearms.

At the same time, Mr. Smith notes that emotional appeals on both sides of the gun control are getting out of hand. He says:

> It's time for both factions to sit down and hash the problem over and come up with a workable solution.

Mr. Speaker, I heartily agree with this advice, because Mr. Smith has made a good case for responsible debate on the firearms issue I want to bring his column to the attention of my colleagues. Without objection, I will insert his column of June 21, 1968, at this point in the RECORD:

ENFORCEMENT KEY TO FIREARMS LAWS

(By DeWayne Smith)

If past performance means anything, Congress might just as well forget about the new firearms legislation it has passed and is expected to pass.

The Federal law enforcement agencies have treated existing firearms controls as step children and have admitted, under questioning by Congressmen at a 1965 hearing, that they are unable to enforce firearms laws due to a lack of manpower.

And all the time they are crying for more controls, obviously to make their jobs easier.

The lack of enforcement came to light last January when a United States attorney successfully obtained a federal grand jury indictment against a New York state firearms dealer for shipping guns to individuals in other states who had not produced the required state or local licenses or permits.

The Federal Firearms Act of 1938 spells out this mail order abuse in its provisions, and it took the justice department 30 years to enforce the law hard enough to get an indictment.

It appears that there could be a lot more done on the part of our Federal law enforcement groups to enforce the existing laws.

NEW BILL SIGNED

The bill that President Johnson signed on Wednesday prohibiting interstate mail-order sales of handguns and also their over-the-counter sale to nonresidents of a state and to people under 21 certainly doesn't prohibit firearms from the law abiding public.

And frankly I'm getting a little tired of reading letters to the editor written by people who emotionally denounce Congress and others for wanting to take their guns away from them.

To take guns away is not the question. It may be the point of debate someday, but at this point it is not.

BAD GUN ADVERTISING

Gun advertising with the theme, "Protect Your Right to Keep and Bear Arms" is nothing more than a cheap, emotional appeal. To the uninformed it sounds like the government is coming around tomorrow to pick up all firearms.

The ban on mail-order sales of handguns is now the law of the land and should be obeyed no matter how much one disagrees with it. Frankly I don't feel this will hamper the law abiding public very much if they want to purchase a handgun for either home protection or sporting purposes.

EMOTIONAL APPEALS

The emotional appeals on both sides of the gun question are getting a little tough to swallow. It's time for both factions to sit down and hash the problem over and come up with a workable solution.

The murder of three of our country's leaders during the last five years points even more to the fact that the lawless element in our society has grown and become more brazen.

Haphazard gun control laws are not going to solve the problem and gun owners should realize that firearms are too easily obtained by undesirables.

COWBOYS, INDIANS

Firearms and sheer determination founded this country and guns have been an integral part of America ever since. Most children have toy guns and worship gun-toting heros on television and in the movies.

As long as we have what we call a free and open society, firearms will be in evidence. And as long as they are in the hands of human beings, they will from time to time be used for something other than what they are intended.

Naturally I'm not condoning misuse of firearms. But as long as we have the free society of which we are so proud, we'll have such problems.

GUN LAWS WE CAN ENDORSE

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FISHER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include what I consider to be a splendid editorial which appeared in the New Braunsfels, Tex., Herald on June 27, 1968.

The editorial follows:

GUN LAWS WE CAN ENDORSE

We have finally been convinced that there are some reasonable Federal gun law provisions which we could honestly endorse.

They include:

Federal licensing of all manufacturing, importers, and dealers in firearms, handgun ammunition, and components.

Keeping of complete records of shipments and sale of all firearms by all licensed manufacturers, importers, and dealers.

Prohibition of buying, selling, pawning, or transporting interstate any stolen firearm or handgun ammunition.

Prohibition of transporting any firearm or handgun ammunition or receiving such firearm or ammunition in interstate or foreign commerce by any person who is under indictment or who has been convicted of a crime punishable by imprisonment for a term exceeding one year in any court in the United States.

Prohibition of transporting any firearm or handgun ammunition, or shipping or receiving such firearm or ammunition in interstate or foreign commerce by any fugitive from justice, including persons who have fled to avoid prosecution for a crime punishable by imprisonment for a term exceeding one year or to avoid giving testimony in any criminal proceeding.

Prohibition of receiving, possessing, or disposing of any firearm or ammunition stolen while moving in interstate or foreign commerce.

Making it illegal to receive, possess, or dispose of any firearm from which the serial number has been removed, altered, or obliterated.

Making it illegal for any dealer, including mail order dealers, to ship any firearm into any state which requires a permit to purchase such a firearm without receiving evidence of the possession of such permit by the prospective purchaser.

Registration and payment of a $200 tax on any fully automatic firearm, all rifles with barrels less than 16 inches long, all shotguns with barrels less than 18 inches long, all firearms made from a rifle or shotgun and having an overall length of less than 26 inches, all pistols with shoulder stocks and having barrels less than 16 inches in length, all firearms with combination rifle and shotgun barrels less than 12 inches in length, all mufflers and silencers.

Payment of a $5 tax on the transfer of any shot pistols or rifles, all firearms with combination rifle and shotgun barrels at least 12 but less than 18 inches in length, and all weapons or devices (except conventional pistols or revolvers) capable of firing a shot if such weapons or devices can be concealed on the person (Examples: all "handy guns," tip-ups, burglar guns, cane guns, pen guns, etc.).

Each of these federal laws should carry a maximum fine of $2,000 or imprisonment up to five years, or both for conviction of violation of any of their provisions.

We also endorse postal laws which would prohibit shipment of concealable firearms, such as pistols and revolvers, through the mails except to certain classes of persons, such as military, enforcement officers, and postal officers, with a $1,000 fine and two years in prison as the penalty for conviction of violation.

Carrying of a deadly or dangerous weapon aboard a commercial air carrier should be outlawed with a $1,000 fine and a year in prison as penalties for conviction.

Now that seems to just about cover every eventuality, doesn't it.

Well, all those laws are now on the books in the Federal Firearms Act of 1938 as amended and the National Firearms Act of 1934, and the Federal Aviation Act of 1958, as amended.

Should we pass some more laws or should we just get around to enforcing the laws we have?

MUST THINK OF WATER FOR FUTURE

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. BURTON of Utah. Mr. Speaker, as a member of the House Committee on Interior and Insular Affairs, I have a particularly great interest in the efficient utilization of the Nation's water resources.

In the semiarid West, we have known for some time that while water is a limited resource, a great deal more benefit can be derived from a given water supply through good management of storage and distribution systems.

Members of Congress from the Southwestern States have long since set aside partisan and parochial differences in the crusade to obtain maximum benefits from our water.

The spadework which resulted in passage of the Colorado River Basin Projects Act of 1968 by the 90th Congress was an excellent example of this spirit.

Another example involving two of our colleagues from Colorado [Mr. ASPINALL and Mr. BROTZMAN], occurred just last week. The Longmont, Colo., Daily Times-Call of June 20 carried an excellent summary of the actions by our distinguished colleagues, and so that all of the Members may be informed, I am reprinting the article in the RECORD:

AREA MUST THINK OF WATER FOR FUTURE

Two Colorado Congressmen who sit on opposite sides of political fence as well as on opposite sides of the topographical division of the nation have joined together in an effort to provide water resources for this section of the state.

Congressmen Don Brotzman, a Boulder Republican representing the Second Congressional District, and Wayne Aspinall, a West Slope Democrat, have introduced legislation to authorize the Bureau of Reclamation to conduct a feasibility study of new water resources for Northern Colorado.

The study would seek to augment the water resources of Boulder, Longmont, Fort Collins, Estes Park, Loveland, Broomfield, Lafayette and Louisville.

The success or failure of this legislation could drastically affect the success or failure of the future development of this area.

While many of the cities affected are spending large sums of money for the development of water resources available on the East Slope, the water demands of this area will someday outgrow the availability of the water.

Longmont is probably in the best shape of any of the cities as far as water development is concerned with the construction of the Button Rock Dam and related projects at a cost of more than $6 million.

Brotzman stated about the bill he and Aspinall introduced, "Despite the fact that most of these cities have invested heavily in water supply and distribution systems, the area's growth is so rapid that future needs can only be accommodated for an average of 10 to 15 years. Thus, the problem is critical. A feasibility study, hopefully followed by several Bureau of Reclamation dams and distribution projects—is of the utmost importance."

We see more and more emphasis on green spaces, beautiful landscaping and the basic clean appearance that makes this section of the country stand out from other areas.

charged from his position or reduced to lower rank.

Dean Manion. What is the difference in the status of the Baltic Nations which are captive nations and the so-called satellite states like Hungary and Poland and Rumania, etc.?

Dr. Dauzvardis. Well, Lithuania, Latvia and Estonia are incorporated into the Soviet Union and made part and parcel of the Soviet Union. They are actual colonies of Russia. They are controlled entirely by Moscow, and as far as Moscow or the Kremlin is concerned they are their territories. Lithuania and Latvia have no independent government, whereas satellites, at least nominally, are independent. They have their governments, they have their representation abroad—everything is Communist in reality, of course. The Baltic States and satellite states are ruled by Communist dictatorships and the Soviet Union but factually there is a difference.

Now Lithuania, Latvia and Estonia are in a weaker position because those Communist regimes have no representation abroad. Those states are represented by prewar representatives of independent countries, non-Communist. Whereas satellites are represented by the Communists. Furthermore satellites have representation in the U.N. but Lithuania and Latvia do not have. So as far as the present situation is concerned, I would say that the satellite states are going through the period similar to that through which Baltic States went from the date of occupation to the date of incorporation.

Dean Manion. Now Doctor, you have explained very clearly that the Baltic States, including Lithuania, have been made colonies of the Soviet Union. You have no representation, for instance, in the United Nations. You have been wiped off the map for all practical purposes. What about the United Nations Colonialism Commission that investigates colonialism all over the world? Haven't they paid any attention to the Baltic States?

A PARADOX

Dr. Dauzvardis. Regardless of the fact that we, the Balts, have appealed to the United Nations, and free Lithuanians, Latvians and Estonians have appealed to the United Nations, asking it to investigate the situation of the Baltic States, they did not do anything. It is rather paradoxical that it is being talked so much about liberation of colonial peoples, restoring or making them independent states, when at the same time the independent states of Lithuania, Latvia and Estonia are being converted into Soviet colonies by the same people who are so loudly speaking about liberation of people.

Dean Manion. Yes, Doctor, it is even more paradoxical when you realize that our United States Government recognizes the independence of Lithuania, Estonia and Latvia, and therefore denies that they are colonies of Russia, and therefore maintains for the record that this colonialism is wrong. But apparently our Government has done nothing to implement that recognition. Has it, to your knowledge?

Dr. Dauzvardis. No, as far as I know several statements have been made at the General Assembly of the United Nations. Quite many letters have been written to our Ambassador in Washington, stating and repeating that the Soviet forcible incorporation of Lithuania into the Soviet Union has not been recognized and that they hope that Lithuania will eventually become an independent state again.

We are trying to arouse the public opinion that the support would be against the occupation and for liberation, not only of Viet Nam but also the Baltic States, which are both countries with old and profound traditions and culture, etc. And, as a matter of fact, our activity, our action, our work, has the support of the Department of State. They always encourage us to do whatever we can for that cause.

May I at this point read one sentence from Secretary Dean Rusk's letter addressed to our Ambassador in Washington? "We fully support your continuing efforts to marshal world public opinion and to bring it to bear on the issue of self-determination for the people of Lithuania."

Dean Manion. Thank you very much, Dr. Dauzvardis, for this explanation of the plight of Lithuania, one of 23 nations now held in captivity by Soviet Russia and Communist China.

Ladies and gentlemen, let me remind you that the third week of July is, by official declaration of the United States Congress, a resolution passed unanimously, Captive Nations Week. This is the time when we are all urged to think hard and to pray hard for the liberation of all of these countries, including Lithuania.

CAPTIVE NATIONS RESOLUTION

Whereas, the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious and ethnic backgrounds; and

Whereas, this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas, the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas, since 1918, the imperialistic and aggressive policies of Russian Communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas, the imperialistic policies of Communist Russia have led through direct and indirect aggression to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkistan, North Viet Nam and others; and

Whereas, these submerged nations look to the United States as the citadel of human freedom for leadership in bringing about their liberation and independence, and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist or other religious freedoms and of their individual liberties; and

Whereas, it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of the conquered nations should be steadfastly kept alive; and

Whereas, the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas, it is fitting that we clearly manifest to such peoples, through an appropriate and official means, the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence.

Now, therefore, be it resolved by the Senate and the House of Representatives of the United States of America, in Congress assembled, that the President of the United States is authorized and requested to issue a proclamation designating the third week in July, 1959, as 'Captive Nations Week' and inviting the people of the United States to observe such week with appropriate ceremonies and activities.

The President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

AN APPEAL FOR RESPONSIBLE DEBATES ON THE FIREARMS ISSUE

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. UDALL. Mr. Speaker, the current debate over firearms control is one of the most divisive of all the debates I have observed in my years in Congress. On the one hand is a large body of citizens demanding passage of new legislation and seeing all opponents of particular proposals as mortal enemies totally without redeeming virtues. On the other hand, we observe another large body of citizens who imagine that the passage of any new firearms bill will rob them of their constitutional freedoms and who see the advocates of such legislation as soft-headed, emotion-ridden, would-be traitors.

Some days ago an outdoor columnist for the Phoenix Gazette in Phoenix, Ariz., wrote a column appealing for more restraint in the firearms debate. Speaking to the many outdoorsmen who read his column regularly writer DeWayne Smith says:

> Gun advertising with the theme, "Protect Your Right to Keep and Bear Arms" is nothing more than a cheap, emotional appeal. To the uninformed it sounds like the government is coming around tomorrow to pick up all firearms.

At the same time, Mr. Smith notes that emotional appeals on both sides of the gun control are getting out of hand. He says:

> It's time for both factions to sit down and hash the problem over and come up with a workable solution.

Mr. Speaker, I heartily agree with this advice, because Mr. Smith has made a good case for responsible debate on the firearms issue I want to bring his column to the attention of my colleagues. Without objection, I will insert his column of June 21, 1968, at this point in the Record:

ENFORCEMENT KEY TO FIREARMS LAWS

(By DeWayne Smith)

If past performance means anything, Congress might just as well forget about the new firearms legislation it has passed and is expected to pass.

The Federal law enforcement agencies have treated existing firearms controls as step children and have admitted, under questioning by Congressmen at a 1965 hearing, that they are unable to enforce firearms laws due to a lack of manpower.

And all the time they are crying for more controls, obviously to make their jobs easier.

The lack of enforcement came to light last January when a United States attorney successfully obtained a federal grand jury indictment against a New York state firearms dealer for shipping guns to individuals in other states who had not produced the required state or local licenses or permits.

The Federal Firearms Act of 1938 spells out this mail order abuse in its provisions, and it took the justice department 30 years to enforce the law hard enough to get an indictment.

It appears that there could be a lot more done on the part of our Federal law enforcement groups to enforce the existing laws.

NEW BILL SIGNED

The bill that President Johnson signed on Wednesday prohibiting interstate mail-order sales of handguns and also their over-the-counter sale to nonresidents of a state and to people under 21 certainly doesn't prohibit firearms from the law abiding public.

And frankly I'm getting a little tired of reading letters to the editor written by people who emotionally denounce Congress and others for wanting to take their guns away from them.

To take guns away is not the question. It may be the point of debate someday, but at this point it is not.

BAD GUN ADVERTISING

Gun advertising with the theme, "Protect Your Right to Keep and Bear Arms" is nothing more than a cheap, emotional appeal. To the uninformed it sounds like the government is coming around tomorrow to pick up all firearms.

The ban on mail-order sales of handguns is now the law of the land and should be obeyed no matter how much one disagrees with it. Frankly I don't feel this will hamper the law abiding public very much if they want to purchase a handgun for either home protection or sporting purposes.

EMOTIONAL APPEALS

The emotional appeals on both sides of the gun question are getting a little tough to swallow. It's time for both factions to sit down and hash the problem over and come up with a workable solution.

The murder of three of our country's leaders during the last five years points even more to the fact that the lawless element in our society has grown and become more brazen.

Haphazard gun control laws are not going to solve the problem and gun owners should realize that firearms are too easily obtained by undesirables.

COWBOYS, INDIANS

Firearms and sheer determination founded this country and guns have been an integral part of America ever since. Most children have toy guns and worship gun-toting heros on television and in the movies.

As long as we have what we call a free and open society, firearms will be in evidence. And as long as they are in the hands of human beings, they will from time to time be used for something other than what they are intended.

Naturally I'm not condoning misuse of firearms. But as long as we have the free society of which we are so proud, we'll have such problems.

GUN LAWS WE CAN ENDORSE

HON. O. C. FISHER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FISHER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include what I consider to be a splendid editorial which appeared in the New Braunsfels, Tex., Herald on June 27, 1968.

The editorial follows:

GUN LAWS WE CAN ENDORSE

We have finally been convinced that there are some reasonable Federal gun law provisions which we could honestly endorse.

They include:

Federal licensing of all manufacturing, importers, and dealers in firearms, handgun ammunition, and components.

Keeping of complete records of shipments and sale of all firearms by all licensed manufacturers, importers, and dealers.

Prohibition of buying, selling, pawning, or transporting interstate any stolen firearm or handgun ammunition.

Prohibition of transporting any firearm or handgun ammunition or receiving such firearm or ammunition in interstate or foreign commerce by any person who is under indictment or who has been convicted of a crime punishable by imprisonment for a term exceeding one year in any court in the United States.

Prohibition of transporting any firearm or handgun ammunition, or shipping or receiving such firearm or ammunition in interstate or foreign commerce by any fugitive from justice, including persons who have fled to avoid prosecution for a crime punishable by imprisonment for a term exceeding one year or to avoid giving testimony in any criminal proceeding.

Prohibition of receiving, possessing, or disposing of any firearm or ammunition stolen while moving in interstate or foreign commerce.

Making it illegal to receive, possess, or dispose of any firearm from which the serial number has been removed, altered, or obliterated.

Making it illegal for any dealer, including mail order dealers, to ship any firearm into any state which requires a permit to purchase such a firearm without receiving evidence of the possession of such permit by the prospective purchaser.

Registration and payment of a $200 tax on any fully automatic firearm, all rifles with barrels less than 16 inches long, all shotguns with barrels less than 18 inches long, all firearms made from a rifle or shotgun and having an overall length of less than 26 inches, all pistols with shoulder stocks and having barrels less than 16 inches in length, all firearms with combination rifle and shotgun barrels less than 12 inches in length, all mufflers and silencers.

Payment of a $5 tax on the transfer of any shot pistols or rifles, all firearms with combination rifle and shotgun barrels at least 12 but less than 18 inches in length, and all weapons or devices (except conventional pistols or revolvers) capable of firing a shot if such weapons or devices can be concealed on the person (Examples: all "handy guns," tip-ups, burglar guns, cane guns, pen guns, etc.).

Each of these federal laws should carry a maximum fine of $2,000 or imprisonment up to five years, or both for conviction of violation of any of their provisions.

We also endorse postal laws which would prohibit shipment of concealable firearms, such as pistols and revolvers, through the mails except to certain classes of persons, such as military, enforcement officers, and postal officers, with a $1,000 fine and two years in prison as the penalty for conviction of violation.

Carrying of a deadly or dangerous weapon aboard a commercial air carrier should be outlawed with a $1,000 fine and a year in prison as penalties for conviction.

Now that seems to just about cover every eventuality, doesn't it.

Well, all those laws are now on the books in the Federal Firearms Act of 1938 as amended and the National Firearms Act of 1934, and the Federal Aviation Act of 1958, as amended.

Should we pass some more laws or should we just get around to enforcing the laws we have?

MUST THINK OF WATER FOR FUTURE

HON. LAURENCE J. BURTON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. BURTON of Utah. Mr. Speaker, as a member of the House Committee on Interior and Insular Affairs, I have a particularly great interest in the efficient utilization of the Nation's water resources.

In the semiarid West, we have known for some time that while water is a limited resource, a great deal more benefit can be derived from a given water supply through good management of storage and distribution systems.

Members of Congress from the Southwestern States have long since set aside partisan and parochial differences in the crusade to obtain maximum benefits from our water.

The spadework which resulted in passage of the Colorado River Basin Projects Act of 1968 by the 90th Congress was an excellent example of this spirit.

Another example involving two of our colleagues from Colorado [Mr. ASPINALL and Mr. BROTZMAN], occurred just last week. The Longmont, Colo., Daily Times-Call of June 20 carried an excellent summary of the actions by our distinguished colleagues, and so that all of the Members may be informed, I am reprinting the article in the RECORD:

AREA MUST THINK OF WATER FOR FUTURE

Two Colorado Congressmen who sit on opposite sides of political fence as well as on opposite sides of the topographical division of the nation have joined together in an effort to provide water resources for this section of the state.

Congressmen Don Brotzman, a Boulder Republican representing the Second Congressional District, and Wayne Aspinall, a West Slope Democrat, have introduced legislation to authorize the Bureau of Reclamation to conduct a feasibility study of new water resources for Northern Colorado.

The study would seek to augment the water resources of Boulder, Longmont, Fort Collins, Estes Park, Loveland, Broomfield, Lafayette and Louisville.

The success or failure of this legislation could drastically affect the success or failure of the future development of this area.

While many of the cities affected are spending large sums of money for the development of water resources available on the East Slope, the water demands of this area will someday outgrow the availability of the water.

Longmont is probably in the best shape of any of the cities as far as water development is concerned with the construction of the Button Rock Dam and related projects at a cost of more than $6 million.

Brotzman stated about the bill he and Aspinall introduced, "Despite the fact that most of these cities have invested heavily in water supply and distribution systems, the area's growth is so rapid that future needs can only be accommodated for an average of 10 to 15 years. Thus, the problem is critical. A feasibility study, hopefully followed by several Bureau of Reclamation dams and distribution projects—is of the utmost importance."

We see more and more emphasis on green spaces, beautiful landscaping and the basic clean appearance that makes this section of the country stand out from other areas.

In order to maintain this "oasis," we must have water. Just last week Longmont used 14 million gallons of water in one day. Obviously, all this water wasn't used for drinking and bathing. Nor does industry increase its water consumption greatly during the summer. In fact, in the St. Vrain Valley industrial water useage probably drops in summer months.

This means the water was used for watering lawns, shrubs and trees to keep Longmont beautiful.

Also each year we find the per capita consumption of water rising as we use more dishwashers, automatic washers and other water using appliances. Water is a necessity today.

Coupled with this is the creeping movement of the government in any project. Even if the study is authorized, it will take years for it to be made and any projects implemented.

The water will probably come from the Colorado River Basin, which means the federal government is automatically involved. The wide scope of the study would prohibit the individual cities doing the work.

While water is not a pressing problem in the St. Vrain Valley today, especially with the Button Rock Dam nearing completion, there will come a time when the entire area must seek additional water resources. By that time the water available on the East Slope will have been utilized completely.

This means we must begin to think in terms of going many miles for our water—a slow tedious process. Brotzman and Aspinall have started the ball rolling with the introduction of the legislation to authorize the feasibility study.

The study—and the implementations of its findings—may be the determining factor in the future of this section of the country.

THREE MARYLANDERS DIE IN VIETNAM

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. LONG of Maryland. Mr. Speaker, Sp4c. Ronald Saunders, 1st Lt. Charles A. Bedsole, and Sp4c. David L. Stockman, three fine young men from Maryland, were killed recently in Vietnam.

I wish to honor their memory and commend their bravery by including the following article in the RECORD:

THREE VIET DEAD INCLUDE YOUTH PLANNING TO BE MINISTER

A Baltimore boy who did not want to kill because he planned to be a Methodist minister but went to Vietnam feeling that it was his duty was among three Marylanders killed in action recently, the Defense Department announced yesterday.

Spec. 4 David L. Stockman, 20, who graduated from Baltimore Junior College in June, 1967, and was drafted the next month while hoping to get into theological school, was listed as missing in action last Thursday.

SEVERNA PARK MAN

Another Maryland soldier, 1st Lt. Charles A. Bedsole, 20, of Severna Park, had been listed as missing in action since June 17, exactly three years after he enlisted in the Army.

Army Spec. 4 Ronald Saunders, a graduate of City College, was killed while serving with the medics of 1st Cavalry Division.

Franklin K. Stockman, Sr., of the 6200 block McClean boulevard, said his son "didn't believe in the war because he didn't want to kill and wanted to be a Methodist minister. But he thought it was his duty, so he went."

Young Stockman was a radio operator and cannoneer on a half-track vehicle in the 25th Infantry Division, Mr. Stockman said.

A graduate of Poly, Specialist Stockman was engaged to Miss Karen Pontier, 22, of Baltimore, his father said.

Besides his parents, he is survived by two brothers, Earl E. Stockman, of Chicago and Franklin K. Stockman, Jr., of Baltimore; a sister, Miss Rachael Stockman, a foster sister, Miss Jean Evans and a grandmother, Mrs. Dorothy Bowers, all of Baltimore.

Lieutenant Bedsole was active in sports at Severna Park High School and graduated in June, 1965, said his aunt, Mrs. Mae Kroh. He wanted to go to West Point but an ear injury prevented that, she said.

He volunteered for officer candidate school and then received Special Forces training at Fort Bragg, N.C., she said.

His letters home indicated he was killed while serving as an artillery forward observer in the Central Highlands of South Vietnam, she said.

Besides his parents, Mr. and Mrs. Charles R. Bedsole, of Severna Park, and his aunt, he is survived by a brother, Daniel Bedsole 3d, of Severna Park; sisters, Mrs. Crystal Hall, of Massachusetts, and Miss Charlotte Ann Bedsole, of Severna Park; a grandfather, Daniel J. Bedsole of Baltimore, and a grandmother, Mrs. Daniel P. Bedsole, of Reisterstown.

ATTENDED MORGAN STATE

The third Marylander killed, Specialist Saunders, 21, saw action from Hue in the North to the Mekong Delta in the South. According to his father, Oliver Saunders, of the 4900 block Ivanhoe road. He apparently was killed in the Quang Tri-Hue area, Mr. Saunders said.

Specialist Saunders graduated from City College in 1965 and then attended Morgan State College. He dropped out a short time before he was drafted into the Army last August, his father said.

Besides his parents, he is survived by a brother, Mark S.; a sister, Miss Sharon P. Saunders; a grandfather, William Saunders, and a grandmother, Mrs. Dorothy Cannon, all of Baltimore.

NONPROLIFERATION TREATY

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. PATTEN. Mr. Speaker, on the last day of his great life—April 12, 1945—Franklin D. Roosevelt wrote a warning to America and to the world.

President Roosevelt never delivered the speech containing the admonition, because death intervened. But that warning—that challenge—made over 23 years ago, is even more significant today than it was when he wrote:

> Today we are faced with the preeminent fact that if civilization is to survive, we must cultivate the science of human relationships—the ability of all peoples, of all kinds, to live together and work together in the same world at peace.

Less than 4 months later—August 6, 1945—an atomic bomb exploded over the city of Hiroshima, Japan, killing over 70,000 persons and a new and terrifying era dawned on the world.

Since then, man has developed and expanded his diabolical talents to destroy.

A large megaton bomb, for instance, could kill many millions of persons and also virtually demolish a major city. The Pentagon also estimates that a nuclear war between Russia and the United States would probably result in at least 220 million deaths. And both the Soviet Union and America are in the process of building an anti-ballistic-missile system.

Mr. Speaker, I believe that the nuclear arms race is a grave threat to world peace—a race that can lead to disaster for all nations.

So when Secretary of State Dean Rusk signed the United Nations treaty today to ban the spread of nuclear weapons, I was extremely pleased, because I believe the treaty is one of the most notable victories for peace since the end of World War II.

I was also deeply gratified by today's announcement by President Johnson that the United States and the Soviet Union have agreed to enter into discussions on limiting and reducing both offensive nuclear weapons delivery systems and defensive anti-ballistic-missile systems.

I hope that these signs of peace will start a new era—a period in which reason will replace power and that the world will finally enjoy real security instead of suffering fear.

Mr. Speaker, I share the dream and hope of "the ability of all peoples, of all kinds, to live together and work together in the same world at peace," but we must also make certain that despite these encouraging signs, the United States remains strong and alert, for unrealistic trust could lead to America's destruction.

LEGISLATION ESTABLISHING AN ADVISORY COMMISSION TO STUDY FREIGHT FOR FARM PRODUCTS

HON. WRIGHT PATMAN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. PATMAN. Mr. Speaker, I am introducing a bill today directed at a terrible problem which plagues the farmers of this Nation. For years excessive and sometimes discriminatory freight rates for farm products have resulted in paper-thin profits and unfair competition for thousands of American farmers and ranchers. The freight rate inequities for transportation of bulk grains are especially severe. As just one example of what has been allowed to develop, a broiler grower can buy grain in St. Louis and have it delivered to his plant in Hattiesburg, Miss.—a distance of 967 railroad miles—at a freight cost of $4.23 per ton. Another farmer in Bronson, Tex., can order grain from the same St. Louis elevator and have it delivered—a distance of 652 railroad miles—for $10.91 per ton. When one man must pay over twice as much as his competitor for less service, his plight is disastrous.

I have attended dozens of meetings on this problem, and in 1966 joined with 25 other members of the Texas and Louisiana congressional delegations in appealing to the Secretary of Agriculture to take action under authority granted by the Agricultural Adjustment Act of 1938 to correct this vicious rate system. I ask that the letter sent to the Secretary be printed in its entirety at this point in the Record:

U.S. Senate,
May 23, 1966.

Hon. **Orville Freeman**,
Secretary of Agriculture,
Washington, D.C.

Dear Mr. Secretary: We, the undersigned members of the Texas and Louisiana Congressional delegations appeal to you to support the petition of the representatives of the poultry and livestock industries of our respective states in their formal application requesting that the Secretary of Agriculture file an official complaint with the Interstate Commerce Commission as authorized by the Agricultural Adjustment Act of 1938.

This petition, under date of May 23, 1966, seeks relief from discriminatory rates, charges, tariffs, and practices relating to transportation of coarse grains which place this industry in dire circumstances.

We feel that the high rates on the shipment of coarse grains from the midwest to Texas and Louisiana are discriminatory and burdensome, that they have no valid economic justification, that they are depressing the agricultural economy of the Southwestern area, and that relief of the type requested would strenghten competition and contribute to the long-run strength of American agriculture.

Congress has given the Secretary of Agriculture the authority to file complaints in cases just like this one, where a small agriculture industry, which does not have sufficient economic resources to engage in a long and expensive law suit, is the victim of unfair freight rates. We feel that this Congressionally granted authority should be used as it was intended to be.

Sincerely yours,

Ralph W. Yarborough, Russell B. Long, Allen J. Ellender, John G. Tower, Jack Brooks, Earle Cabell, Wright Patman, W. R. Poage, Graham Purcell, Richard White, J. J. Pickle, Ray Roberts.

John Young, George Mahon, Jim Wright, Bob Casey, Lera Thomas, Walter Rogers, Omar Burleson, Henry B. Gonzalez, John Dowdy, Speedy O. Long, Otto E. Passman, E. "Kika" de la Garza, Joe D. Waggonner, Jr., Jimmy Morrison.

Despite this and other urgent appeals, no administrative remedy has been accomplished. Only last week I received word from the Department of Agriculture that proceedings of the railroads in ex parte 259 before the Interstate Commerce Commission threaten to further worsen the already oppressive inequities which exist.

The bill I am introducing today is a very simple and, I think, very fair measure. In summary, it provides for the formation of a nine-member Presidential Commission to investigate the freight rate situation for farm products. The Commission would be required to report its findings within 2 years and would then be dissolved. The bill also provides for a moratorium on all proposed freight-rate increases until 1 year after the Commission report is filed.

I urge all Members of the House to give this matter careful consideration as it affects many areas besides the Southwest. It is my understanding that States such as Montana, Idaho, and North Dakota suffer more from inequitable rates than Texas or Louisiana. Excess freight rates are also burdensome to grain-producing States where farmers find that costs for transportation are deducted from what the producer gets for his product. In addition, the U.S. Government stands to benefit, since it is involved in shipping large amounts of grain to ports along our coasts. It is conservatively estimated that the Federal Government may be paying as much as $10 to $20 million each year in excess freight rates on bulk grain shipments.

Even seemingly minor excesses or inequities in freight rates on feed grains can cause tremendous hardships for poultry and livestock producers who are so directly affected by feed costs. Poultry growers, for example, know that 60 to 70 percent of the cost of raising a broiler goes for feeds, and transportation of feed ingredients makes up an average of 25 percent of the total cost of poultry and livestock feed production.

This situation has been allowed to continue for much too long. We simply must take a long and hard look at freight rates on all farm products. I hope that this Congress will give prompt and favorable consideration to this measure. Delay will only aggravate the problem.

TIME TO GO HOME—PART II

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. PELLY. Mr. Speaker, June 24, 1968, I commended the Department of the Interior's decision not to renew the permit for Resurrection City and pointed up the difference between the aims and objectives of the Poor People's Campaign as compared to the lawlessness and violence which followed Solidarity Day.

Today, there appeared in the Washington Post a news analysis which emphasized my position that a militant and criminal element is undermining the expressed purpose of the campaign. This apparent, fresh realization by the leaders of the Poor People's Campaign of trouble in their ranks reinforces my belief that, with their story told and their objectives made known, it is time for the Poor People's Campaign to close shop and go home.

Mr. Speaker, I include today's newspaper analysis of "Challenge of 14th Street Confronts SCLC Leaders" in the Record:

Challenge of 14th Street Confronts SCLC Leaders

(By Robert C. Maynard)

When the Southern Christian Leadership Conference decided to have a Poor People's Campaign, it decided the Rev. Andrew J. Young said recently, to tell the poor to come. "Not just the clean poor, not just the well poor, but the poor poor."

Mr. Young, executive vice president of SCLC and now the pro tem leader while the Rev. Ralph David Abernathy is in jail for unlawful assembly on the Capitol grounds, was describing some of the problems that afflicted the late Resurrection City.

Those problems, he said, are the problems of the poor all over America, and they are problems created by an exploiting and uncaring society.

The place in Washington that typifies the urban variety of those problems—hunger, stealing, violence, dope addiction and prostitution—is the intersection of 14th and U Streets nw.

And it was there, months ago, that SCLC placed its headquarters for the Poor People's Campaign. On Monday, when the Metropolitan Police cleared Resurrection City, the problems for the police and SCLC did not disappear.

The refugees, the hangers on, the curious and the committed flocked to 1401 U st. nw., once a bank with high ceilings and tile floors and now the collecting place for what Mr. Young called the "poor poor."

Hosea Williams, SCLC's goateed and perennially hoarse director of political education, arrested once on Monday for overstaying his time at Resurrection City and again on Friday for overstaying his time at the Capitol, dropped by 1401 U st. nw. Saturday shortly before midnight.

Fresh from jail and haggard from meetings and discussions, Williams was stunned by what he found. He listened while aides such as Joseph Phipps from Mississippi described violent types who had come to the building in search of a free meal and stayed on to provoke incidents among the campaigners.

Twice within the week there were reports of guns on the premises and several times police have responded to calls of disorder on the corner.

It looked as though the problems of Resurrection City had moved into the community to join black urbanism at its most pathological.

Across from the corner on which Williams stood, the hookers were doing a flourishing business; south from U Street on the east side, the girls and female impersonators were running an open flesh market. South of U Street on the west side, less than fifty yards from SCLC headquarters, the addicts, spaced out and nodding, were leaning against riot-gutted storefronts.

Uniformed and plainclothes police wandered in and out of the scene with an eye out for fugitives wanted for more violent crimes than prostitution and drug holding.

Phipps and another aide, incensed over the conditions at SCLC, wanted advice.

"Close it down," said Williams after watching and listening for 20 minutes. "Don't mess with it anymore, just close it down."

Williams said he thought the answer was to scatter the administrative functions of SCLC into several small offices in various sections of the city, a plan that would be consistent with SCLC's intention of organizing the Washington community.

He said he thought the place could be reopened after a week or so, after the people with nothing better to do had found some place else to hang out, or had returned to wherever they had been before the Poor People's Campaign made the corner attractive.

But such a decision poses a dilemma for SCLC, a religion-oriented organization with a social and political mission to bring its resources to the core of the cities.

For SCLC's mission is to spread the gospel of nonviolence among the very people who congregate at 14th and U Streets, and to make them a politically potent force, capable of bringing about solutions to their basic problems.

To close the headquarters is to retreat from that challenge, even if temporarily. To stay is to drain manpower from the battle against hunger being fought at the Federal level downtown.

"It's just too tense a corner," Mr. Young said yesterday. "It is too tense a neighborhood. Any little crowd is a potential incident . . . And the police are so jumpy up there."

Nonetheless, he said, a firm decision to close the headquarters has not been made.

Mr. Young has said SCLC and the Poor People's Campaign are facing a "dark and trying hours." As with Resurrection City until a week ago, the office at 14th and U Streets is becoming a new example of those trials.

MORNING LINE: IF THEY DON'T CALL, POLICE DO

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FASCELL. Mr. Speaker, a sense of security and safety are vital ingredients in the making of a full and happy life for our senior citizens. The Federal Government, through its social security programs and medicare, has done much to contribute to a sense of financial security.

Local and State governments and many private organizations have contributed much also to an even wider concept of security, often in imaginative and creative ways. The city of North Miami Beach, Fla., has initiated just such a fresh approach to insure the well-being of our senior citizens.

The new program was originated by the North Miami Beach police department and the city's senior citizens director. It is designed to look after the health of Miami's older residents as well as to reassure each senior citizen that someone close by is interested in, and alert to, his or her welfare.

I am sure that my colleagues in the House of Representatives will enjoy and benefit from the article about North Miami Beach's program which appeared in the Miami Herald on June 12:

Morning Line: If They Don't Call, Police Do

(By Susan Miller)

"Good morning. I'm alive. I just put out the flag and I'm going back to bed," a cheerful woman's voice informed a North Miami Beach Police dispatcher.

"Have a good day," answered the policeman.

The woman is one of thirteen North Miami Beach residents who starts each day by calling the police.

"And if they don't call us, we call them," explains North Miami Beach Police Chief Albert E. DuBois.

The morning "party line", as one subscriber dubbed it, has been working for a month. Police refer to the service as the North Miami Beach Reassurance Program Its members call it a "blessing."

Members of the reassurance program all live alone. They are all over 65 years old. They all have families who live many miles away.

"The aim of the program is to give reassurance to elderly citizens who live alone, should they become disabled in their home or need assistance which could properly be provided by the police department," DuBois says.

The program centers on the daily telephone calls.

If one of the senior citizens hasn't phoned the police department by 9 a.m., police call the person's home. If no one answers, a city rescue vehicle is sent immediately to the house or apartment.

"It's a wonderful thing for anyone who lives alone and hasn't a family down here," says one program member, a widow of 10 months whose nearest relatives live in New Jersey.

"I live in a house by myself and I have wonderful peace of mind knowing I have someone to call in case something happens to me, or that I won't be lying here sick or injured without anyone to check on me," she adds.

In addition to the telephone contact, North Miami Beach police also keep files of each reassurance participant's health records and vital statistics to aid them in giving emergency treatment if needed.

"I had a stroke and a couple of blackouts before this program began. I was alone and it was a terrible experience," recalls the 71-year-old flag-raiser, a widow who still maintains a seven-room home. "The police bend over backwards to be cheerful, which gives you a lift for the day. I think this program is a terrific idea."

So do DuBois and David Harris, the city's Senior Citizen Program director. Harris was the originator of the program and recruited its first members.

"I'd like to see other cities pick this up and establish their own programs," Harris says. He expects the number of North Miami Beach participants to "expand quite a bit" with the arrival of the city's winter residents. Police say they can handle as many as 60 persons on the present system.

LORD MAYOR OF ASMARA VISITS WASHINGTON

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. O'HARA of Illinois. Mr. Speaker, Ethiopia is the oldest independent nation in Africa, and its Emperor is one of the great world figures of our times.

Asmara is the second largest city in the Empire of Ethiopia and is the site of the large American base known as the Kagnew Station, a vital point of our communications system.

The Honorable Haregot Abbai, lord mayor of Asmara, is now on a visit to the United States and on Thursday last met at an executive session with the Subcommittee on Africa and later conferred with Speaker McCORMACK and Chairman MORGAN of the full Committee on Foreign Affairs. The lord mayor is accompanied on his travels in the United States by one of his daughters, the charming Miss Ethiopia, named after her country, who is now a student in an American college.

The friendship of the United States and Ethiopia, always a warm friendship, has been augmented by the lord mayor's visit.

Asmara is the capital city of the Eritrea Province located on the upper North of Ethiopia along the Red Sea.

It is a neat and nice city of 200,000 inhabitants, of which 185,000 are Ethiopian nationals and 15,000 foreigners.

Asmara by the local language means "they talked and reached an agreement," and like many other ancient cities has its own legend which goes on like this:

In the place where the City of Asmara now stands there were four villages. These villages, which were placed separately, were often subject to the attacks of wild beasts and outlaws. All the women of the said four villages, in order to put an end to this unsafe state of affairs, met in a conference when their men were out for their daily work. They talked and decided to force their men to build a new large village so that they could get better protection against their enemies.

The city of Asmara stands on the edge of a plateau at an altitude of 2,400 meters above sea level. The nearest seaport—Massawa—linked by a highway and by railway.

The sewer system develops for a total length of 76 kilometers.

The water supply is potable and in reasonable supply—80 liters per head daily. A new dam now under construction will increase the availability of fresh water by five times.

Industries are a large cotton mill, three textile factories, brewery, two plastic works, two tanneries, jute bag factory, four canned meat plants, three canned vegetable factories, three shoe factories, aluminium housewares factory, and many others.

Cost of living is really on the cheap side. Meat, poultries, eggs, and cheeses are cheap priced. Fruits and vegetables available all the year round because of the favorable climatic conditions. Large quantities of fruits and vegetables are exported to Europe particularly in wintertime.

There is a large availability of hotel accommodations in any class; from the luxury Imperial Hotel, Nyala Hotel, and CIAAO Hotel, new and modern, down to popular hotels and boardinghouses.

Tourisim in Asmara may offer large opportunities in many fields: historical, unique panoramas, mild climate and 13 months of blue sky and shining sun—the Ethiopian calendar comprises 13 months.

The municipality of Asmara was established in April 1932, though municipal services existed since many years before.

The lord mayor of Asmara is appointed to office by His Majesty the Emperor.

The lord mayor is the chief executive of the municipality and enjoys extensive powers.

On special and urgent occasions, particularly when the public safety is involved, the lord mayor may pass an "order" which shall be immediately executed.

All municipal services are entirely financed through the municipality budget, which provides a flow in each direction—income and expenditure—of about Ethiopian $3,500,000 yearly—Ethiopian $1 is equal to U.S. $0.40.

CANADA'S 101ST BIRTHDAY

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mrs. KELLY. Mr. Speaker, Canada falls within the jurisdiction of the Subcommittee on Europe. When I became chairman of the Subcommittee on Europe in 1955, I became increasingly aware both of the importance and the neglect of our northern neighbor—Canada.

In Janaury 1959 I was one of the eight Members of the U.S. Congress who met with nine members of the Canadian Parliament, including the Speaker of the House of Commons and the Speaker of the Senate. We discussed the establishment of an interparliamentary group and the procedure it should follow. As a result of that meeting, I introduced a joint resolution in February 1959 that ultimately became Public Law 42 of the 86th Congress. The Canadian Parliament passed a similar authorization.

From that modest beginning have grown the annual meetings between the legislators of our two countries. I became the first chairman of the House delegation in 1959 and served in that capacity again in 1960, after which I resigned the chairmanship. But I have continued my membership in the delegation and I know that many among the Members of this House have shared with me the rich experiences and greater understanding that characterize these meetings.

As Canada celebrates this year the 101st anniversary of its Dominion Day, July 1, the United States is proud to share in the tribute to the past, present, and future of our great neighbor and close friend. The United States and Canada are hereditary partners in geography, in language, in early history. Today our two countries are partners officially in defense and consultation, financially in investment and development, culturally in interests, tastes, and concrete evidence of the arts and social media in its various forms.

Canada and the United States share, in a friendly and congenial way, an inescapable interdependence. Representative of this mutual dependence is the actual, cooperative use in multiple ways of the extensive and valuable water resources that stretch from sea to sea along the more than 4,000-mile common boundary. Control of this use through the oldest of our joint bodies—the International Joint Commission—United States and Canada has been eminently satisfactory.

The enormity of Canada and the marvelous accomplishment of the Canadian people in bringing its wealth of resources under human control, making its vast potential useful to mankind in past fact and in the promise of the future, is typified in time and extent from the first fishing boats off the coast of Nova Scotia to the gigantic Kitimat undertaking west of the Rockies. That enormous hydroelectric complex, where even the course of a river has been reversed across the Rocky Mountains, is a monument to engineering and ingenuity. It evidences the determination, resourcefulness, industry, skill, and perseverence of the Canadian people, who have conquered water, land, mountains, and prairies, to put them to good use, for themselves and to the benefit of people around the globe.

Since its Dominion Day last year, Canada has taken on new dimensions. The summer-long gala, centennial celebration at "Expo '67", which was opened on that occasion, brought to the world, more than even before—and particularly to the people of the United States—an appreciation of what Canada is, what it has achieved, of its great promise, and of its important place in the world today, and in the world of the future. The continuation of much of "Expo '67", on the same site, as a permanent annual exhibition, under the name of "Man and His World", will be welcomed by many of Canada's people and her friends.

Canada's very vastness bespeaks achievement and promise. On a national scale, fabulous progress has been made, despite the small population, stretching across Canada's nearly 6,000 miles from east to west, and recently to the north, some 3,000 miles beyond the southern U.S. border. Boundless opportunity awaits the further development of this gigantic land with its untold wealth of natural resources.

Internationally, Canada shares her great wealth. Both materially and idealistically she has contributed, perhaps more than any other nation, to the maintenance of peace in the world. May the century which this birthday ushers in be a match for her first 100 years, in which Canada has proved to be an excellent neighbor and a friend to all the world.

CONGRESSMAN CLAUDE PEPPER INTRODUCES LEGISLATION TO ALLOW THAT CUBAN IMMIGRANTS WILL NOT BE CHARGED TO THE WESTERN HEMISPHERE IMMIGRATION QUOTA

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. PEPPER. Mr. Speaker, today, July 1, for the first time, our Nation will impose a numerical limit on immigration to this country from other nations in the Western Hemisphere. As a longtime supporter of free immigration from these friendly nations, I opposed the change in our historic policy of putting no barriers on immigration. We have had a special relationship with the nations of the Western Hemisphere, and imposing on them such a quota is, in my opinion, a sad mistake.

Nonetheless, Mr. Speaker, Congress did choose to say that as of July 1, only 120,000 immigrants from the Western Hemisphere will be admitted each year. This provision was included in the Immigration Reform Act of 1965. Like it or not, I must accept this policy.

On the other hand, Mr. Speaker, we do not have to accept the policy that immigrants from Cuba—who are essentially political refugees—will be counted in the overall quota. The Select Commission on Western Hemisphere Immigration recently pointed out that Cubans are currently being admitted at the rate of about 40,000 a year.

Thus, counting the Cubans seeking freedom will reduce the quota of other Western Hemisphere immigration by one-third. We cannot allow this to happen.

When Congress was considering the immigration act it did not know that the flow of Cuban refugees would reach its present large extent. Consequently, it did not allow for such a number when deciding on the quota for all nations which would be allowed. I might add that we were assured prior to passage of the bill that Cubans would not be counted.

Certainly we do not wish to deny the privilege of freedom to those who desire it strongly enough to leave their native country for our own Nation. Neither do we wish to restrict immigration from other Western Hemisphere nations by fully one-third of the quota.

Accordingly, I am introducing today legislation which would provide that Cuban immigrants be admitted without being charged to the quota. This bill is recommended by the Select Commission on Western Hemisphere Immigration, and I believe it deserves serious consideration by the Congress.

MEDICARE

HON. GEORGE M. RHODES

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. RHODES of Pennsylvania. Mr. Speaker, just 2 years ago, medicare was only a promise and a dream. Today it is a promise fulfilled through the cooperative efforts of the Federal Government, State governments and literally scores of private organizations that under the law participate in the administration of medicare.

In the beginning, effective working relationships were established among Federal and State agencies, medical institutions, insurance companies, Blue Cross and Blue Shield plans, doctors, and more than 19 million elderly Americans. The various and sundry participants in this vast program with its complex relationships have performed their parts in an unparalleled spirit of cooperation and understanding. Each has been directly involved in making medicare a success.

And one of those successes has been an accomplishment which affects not only the elderly but patients of all ages—the upgrading of health care that is taking place as the result of the quality standards that institutions must meet in order to participate in the medicare program. The participation in medicare of all but 2 or 3 percent of the acute-care hospitals in the country, the participation of over 4,700 extended care facilities representing more than half of all the skilled nursing home beds in the country, and the participation of some 2,100 home health agencies is conditioned upon the institution's meeting quality-care capabilities in respect to physical facilities, personnel, and patient-care policy.

A substantial upgrading has already taken place in many institutions while others are upgrading further as a condition of continuance in the program. Another important way in which medicare has improved the quality of health care in that conformity with title VI of the Civil Rights Act by participating institutions has meant that services in these hospitals and related health facilities are available to all patients, on a basis of equality, regardless of race, color, or national origin. In many communities, because of this program, minority group members often barred in the past have access for the first time to the best care available.

In addition, care in participating institutions is being upgraded by the utilization review requirement of the medicare law under which a committee looks into the various elements of utilization—admissions, services provided, and length of stay—from the standpoint of their medical necessity and for the purposes of promoting the most efficient use of services and equipment. The concept of utilization review did not come into being with the advent of medicare—many institutions had already inaugurated, either formally or informally, similar programs for appraising the medical aspects of patient care in institutional settings. What medicare is doing, however, is extending this practice to all participating institutions. Studies have shown that utilization review leads to shorter hospital stays, less use of unnecessary services and treatment procedures, and more use of the less costly alternatives to hospitalization. This means, in essence, high-quality care appropriate to the individual patient's needs but at lower costs.

And, all of this has been accomplished within the letter, spirit, and framework of the medicare law, which makes it plain that it authorizes no Federal officer or employee to exercise "any supervision or control over the practice of medicine or the manner in which medical services are provided."

Mr. Speaker, I am pleased, not only with the medicare law, but also of the way in which it is being administered.

SMALL FIRM WIELDS BIG CONSCIENCE

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FASCELL. Mr. Speaker, on April 2, 1968, I stated in the CONGRESSIONAL RECORD that the need for corporate involvement in the problems of housing and urban renewal was crucial. I discussed an outstanding example of this involvement, the Warner & Swasey Co., of Cleveland, Ohio. This company bought, renovated, and sold an apartment building in the inner-city slum area of Cleveland. The project was organized by and later turned over to the members of the inner-city community.

This approach—helping others to help themselves—has been executed successfully and inexpensively again by the Smith, Kline & French Laboratories of Philadelphia. I hope that my colleagues in the House of Representatives will be interested in and benefit by an article from the Christian Science Monitor which outlines the Smith, Kline & French program and its overwhelming success:

The article follows:

[From the Christian Science Monitor, June 21, 1968]

SMALL FIRM WIELDS BIG CONSCIENCE

(By Kenneth G. Gehret)

PHILADELPHIA.—What can the smaller company do to help solve current inner-city problems?

Most news of corporate involvement in urban housing or related social problems focuses on the role of industrial giants. It takes large-scale financing to underwrite mammoth projects.

But the experiences of Smith, Kline & French Laboratories illustrates the kinds of things a company of more modest means can undertake.

SK&F's most dramatic program has cost so little that management is almost embarrassed to quote the figure. To date 42 large houses have been rehabilitated and converted into 116 apartments (nine more are in process) at a cost of about $4,000 to the company.

The method is surprisingly simple.

SK&F is concerned about the deterioration of its immediate neighborhood in North Philadelphia, several blocks above the business district and City Hall. The substantially built Victorian houses of the area are showing their near-100 years of wear, compounded by recent neglect.

DEVELOPER ENLISTED

The company approached a local developer and proposed a rehabilitation program. The developer would buy certain houses, remodel them according to a predetermined plan and price, then sell the made-over houses to the Philadelphia Housing Authority for use as low-cost-rentals.

SK&F offered to cover 40 percent of the interest charges sustained by the developer, thereby increasing his profits and making the proposition more attractive to him.

The company also provided night watchmen on the building site during the first weeks of the project. These were soon withdrawn without incident, except for the pilfering of three cans of paint—promptly used to redecorate a house across the street. The loss was charged off to community pride.

In the interest of community stability, SK&F insisted that neighborhood residents be given first choice on the renovated rentals. The housing authority agreed.

The pharmaceutical firm's community involvement predated the housing program. In the early '60's the company decided to underwrite a social worker in the neighborhood through a citywide agency. There were at that time no social agencies active in the area and few city services readily available in this community of 17,000 residents.

Thomas M. Rauch, president, sums up the results.

"After three frustrating years, we found that just giving money away won't do the job, at least not the way it could and should be done. People often need administrative support as much as they need financial help. They need to be shown how to organize their affairs and how to get things done."

CITY REPRESENTED

This conclusion led in April, 1966, to the opening of an Information Services Center in the middle of the district. The company rented the basement of a former church building and staffed the center with four full-time people, two Negroes and two others who speak Spanish. The neighborhood is half black, 40 percent Puerto Rican.

"We found there was a tremendous lack of knowledge of what services were available to these families, and how and where to get them," explains Roger Celler, SK&F's civil-affairs administrator. "The center was set up as the place to go for this information and for assistance in obtaining help from both city and private agencies."

People come in with a variety of problems: health, legal, financial, food, and clothing needs, etc. If the center can't resolve the difficulty, it refers the case to the appropriate agency.

The city government now is cooperating to the extent of placing departmental representatives at the center, one from each of five bureaus on a different day each week.

Although only four calls were made on the center during its first month of operation, that many inquiries now are received in a typical hour.

Mr. Celler and his associates are pleased with the center's impact on the neighborhood in its first two years. They see a drawing together, more of a community spirit, and developing pride. Block organizations have been formed; the streets are cleaner; crime and violence have dropped off.

PLAYLOT OPENED

SK&F has had a hand in the cleanup, though officials emphasize the "do-it-yourself" approach. They want residents to take the initiative, organize the project, and do the work. The company furnishes the mops, brooms, paint, and brushes when a cleanup is planned.

When the company saw there were no after-hours recreational facilities in the district, a vacant lot was rented for $1 a year and residents were aided in making it into a playlot. SK&F donated some materials and helped publicize the grand opening, with the Mayor and other officials on hand.

The company also turned part of its parking lot into a recreational area. When the day shift leaves by 5 p.m., this half of the lot converts into basketball courts, a softball diamond, and other play areas. Company-installed illumination permits play to continue until 10 p.m.

"We haven't gone along with the traditional methods of community action." Mr. Celler states. "The massive approach doesn't work. We want to keep our programs small, close to the people. And, frankly, we're playing it by ear. We'll have to learn what works.

"One thing we're sure of already," he adds. "We want to stay in the background and let people realize that they can do most of the improving themselves."

SECOND ANNIVERSARY OF MEDICARE

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FRIEDEL. Mr. Speaker, we are all cognizant of the wonderful progress medical science has made in recent years. For example, in past months we have been amazed by the successes of the heart transplant operations. Yet, would it not be a tragic irony if the citizens of our country were not able to benefit from the advances of medical science because of their high cost? Fortunately, the passage of medicare in 1965 has reduced the likelihood of that misfortune occuring. It is, therefore, appropriate at this time, the second anniversary of the initiation of medicare, to review the statistical highlights of the program. Under the hospital insurance provisions 19.7 million persons 65 and over are participating, of whom 95 percent are covered by the voluntary supplementary medical insurance plan for doctors' fees and special services. Without the medicare program the lives of many of these people might have been shortened. Furthermore, since health institutions must conform with title VI of the Civil Rights Act in order to participate in medicare, many members of minority groups have been given access to quality care for the first time.

There have been 10.6 million inpatient hospital admissions, 640,000 admissions to extended care facilities, and 485,000 starts of home health services in the past 2 years. Nearly 72.5 million medical bills have been paid under the various provisions of the 1965 legislation.

President Johnson cogently summed up the meaning of the medicare program when he said:

> Two years after the dream became reality we can say this of Medicare: By honoring the fundamental humanity which is the spirit of democracy, it is a triumph of rightness in America.

THE CREDIBILITY GAP

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. RUMSFELD. Mr. Speaker, a most interesting and well-documented account of the credibility gap has been written by two veteran Washington correspondents, William McGaffin, deputy chief of the Chicago Daily News' Washington bureau, and Erwin Knoll, White House correspondent of the Newhouse National News Service.

The McGaffin-Knoll book, entitled "Anything But the Truth: The Credibility Gap—How the News Is Managed in Washington," was reviewed by Norman Isaacs, executive editor of the Louisville Courier-Journal, in the June 29, 1968, edition of the Chicago Daily News.

I insert the Daily News' review at this point in the RECORD:

[From the Chicago Daily News, June 29, 1968]

DECEPTION FROM WASHINGTON

("Anything But the Truth: The Credibility Gap—How the News Is Managed in Washington," by William McGaffin and Erwin Knoll (Putnam, $5.95).)

(By Norman E. Isaacs)

Mention "credibility gap" and the phrase is usually associated with Lyndon Johnson. But while the President has certainly been the prime violator in lying to the American public the past few years, he hasn't been alone. He has been abetted by a bureaucracy that costs the people somewhere between $425 millions a year and a round billion.

The core of this often shocking mess has been laid out in the open in one of the best books on Washington reporting in many years—"Anything But the Truth."

The authors are William McGaffin, deputy chief of the Chicago Daily News' Washington bureau, and Erwin Knoll, White House correspondent of the Newhouse papers' service. I know both men, admire their work, respect them for restraint and integrity.

They've produced a tough-minded, hard-hitting, detailed document that reveals the extent of the executive branch's persistent and wilful deception of both public and Congress. If congressmen alone were to read it, it could prove to be one of the most important books published in a long time.

For one thing, they would find out that there are at least 6,858 federal employees occupied in the public information role—too much of it racket, not role. An Associated Press estimate last year put the government's cost for its propaganda machinery at $425 millions. But the authors include Theodore White's report of LBJ's statement that the government was spending almost a billion dollars on the army of federal publicists.

Messrs. McGaffin and Knoll use a case-history method of buttressing their case. It's done so deftly the average reader may be unaware of the technique. But the over-all impact is devastating.

There is the disclosure of the Defense Department making plans for massive escalation in Vietnam even while LBJ was out campaigning, pledging precisely the opposite. There is the case of the Liberty, the United States warship attacked by the Israelis in the Mediterranean; and the Pueblo; the Dominican fiasco, the almost unbelievable foulups in Vietnam, on and on the chapters and verses go.

There are dissecting operations on many aspects of executive operations, including the shabby hocus-pocus of agencies like OEO, which spent millions in press agentry "conceived and executed as much to impress Congress as to mislead the public."

One of the tragic parts of all this is that what Messrs. McGaffin and Knoll have exposed so expertly on the Washington level is being copied increasingly in the cities and the states. It might be calculated that the press agentry of all the branches of government around the country are now costing amounts sufficient to have solved at least a good portion of our current headaches over poverty in both slums and the rural areas.

But until the legislative branches of governments, local, state and federal, reach out to assume their proper share of responsibility, we will continue to go downhill with a governmental system "attuned to falsehood as a routine way of conducting affairs."

HEMISFAIR'S U.S. EXHIBIT

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. GONZALEZ. Mr. Speaker, the film being shown at the U.S. pavilion at HemisFair is titled "U.S." and it is a blunt and honest look at ourselves. Many people have said that they did not like the film—but many more have said that it is a great film, and that its message is one that everyone should heed. In general, those who are genuinely concerned about the problems of our country and want to do something about them, have enthusiastically praised the film. On the other hand, those who tend to be complacent and negative in attitude, dislike it.

Major reviewers of the film "U.S." have agreed that it is a great one, and one that is well worth seeing. The most recent praise comes from Life magazine, which finds that "U.S." is, in fact, a "testament of faith."

I believe that my colleagues will find Life's review of special interest, and insert it in the RECORD at this point:

A BLUNT AND HONEST LOOK AT US

(By Richard Schickel)

U S, the movie they are showing in the United States pavilion at San Antonio's HemisFair '68, is virtually without precedent in that new, highly specialized branch of cinema devoted to the creation of exposition attractions. Two qualities give it a special distinction. The first is that, unlike the films at Expo '67 and at the New York World's Fair, the *content* of this work is much more interesting than the technological inventiveness of its presentation—which is considerable. The other is that it is one of the very few films of any sort sponsored by a government—any government—that dares to criticize the nation whose taxpayers underwrote it. *U S* very frankly says that distressingly large number of our national dreams and goals are unfulfilled, even perverted, and it has been heavily criticized for this bluntness.

How wrong the critics are. It is precisely, and paradoxically, because the film is so studiously honest in portraying the look and feel of contemporary America that I feel it is one of the most hopeful films presently on view.

This is all the more remarkable in that the film was created expressly for showing in a unique auditorium, the form of which clearly imposed both limits and directions on the producers. The house, as you perhaps have read, is divided into three 400-seat sections by solid-seeming walls, and the first five minutes of *U S* is projected separately and simultaneously in each of these small theaters. Then, as the put-put-put of an early airplane in hesitant flight modulates into the scream of a modern jet and we go soaring through a cloud bank, the dividing wals and small screens disappear into the ceiling and the previously separated audiences suddenly become one (symbolizing HemisFair's "confluence" theme). Clearly, the chance to see this mechanical marvel would have been enough to bring the people in. There was no need, beyond the artist's age-old one of making a personal statement, to project anything but some postcard views.

Happily, however, the Department of Commerce, which controls the pavilion, engaged the team of Francis Thompson and Alexander Hammid to fill its empty spaces. They were responsible for *To Be Alive!* the highly regarded Johnson's Wax presentation at the New York Fair, and they decided to attempt nothing less than a summary of the nation's frustrations in this troubled historical moment. Before the picture was finished they learned firsthand how deep and dangerous is our disaffection with our ideals. Their partner, Hugh O'Connor, was shot and killed, in one of those acts of senseless and gratuitous violence in which we seem to specialize, while making a sequence on poverty in Appalachia. The film is dedicated to him and I have no doubt that this tragedy sharpened Thompson and Hammid's sensibilities, helped to create the tone of passionate, yet subdued intensity.

In 23 minutes it is, of course, impossible to go into detail about our afflictions. You will not see in U.S. anything you have not seen or thought about before—poverty both rural and urban, the pollution of air and water, the destruction of privacy, the sheer ugliness of man-made America and the deeper ugliness of racial prejudice. No, the film's virtue does not lie in intellectual novelty any more than it does in technical novelty. It has, rather, the merit of a short, highly compressed poem, the business of which is to make just one point unhysterically but memorably: the contrast between the innocent beauty of the unspoiled land we found here (and still occasionally glimpse) and the brutal process by which we have subjugated it—mass rape endlessly repeated.

Since only a poet knows when not to be overly poetic, W. H. Auden was engaged to write a very simple narration and he has been content merely to direct our attention to our deficiencies in a firm, quiet voice, trusting us to supply our own moral interpretation of what we have seen.

The film-makers have made their point well. Various Congressmen are snorting and pawing the ground over their presumption, someone has got up a letter-writing campaign to ban the film, the pavilion commissioner, Edward Clark, claims, "They'd have to pass up a thousand good things in America to find each of the things they put in the show."

This is preposterous. The best thing about the picture is precisely the feeling of hope it engenders. Its makers have used the latest technologies to indict technology: the disease may carry the cure. They have displayed their faith in this nation by making a movie that assumes we can stand to see the truth about ourselves and will rise to the challenge of reordering our environment. In short, they have given us a testament of faith.

THE POWERS OF A LAME DUCK

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. CORMAN. Mr. Speaker, those who question President Johnson's right to name a successor to Chief Justice Warren and to fill a vacancy on the Supreme Court have no basis for their questions other than to inject politics into a situation and create an issue that can only be damaging to the Senate itself.

The only one who has the right of appointment to the Court is the person currently holding the office of the President.

President Johnson is still the President, with all the duties and responsibilities of the Office. They are his to discharge until he turns them over to his successor on January 20, 1969.

The nominations of Justice Fortas as Chief Justice and of Judge Thornberry as a Justice in the Court are, in my opinion, good choices. They may be friends of the President's; they are also men of proven ability and experience and will serve the Court and country well.

Speaking to this issue, the Los Angeles Times, in an editorial on June 28, believes that the nominations deserve Senate approval or rejection on merit, not political timing.

This editorial makes good sense, and I call it to the attention of my colleagues:

THE POWERS OF A LAME DUCK

No sooner had it become known last week that Earl Warren would retire as chief justice of the United States than voices were heard in Congress and elsewhere urging President Johnson to abstain from naming a successor or filling any vacancy on the Supreme Court.

The argument was made, chiefly by some Republicans, including California's Sen. George Murphy, that Mr. Johnson as a lame duck President should permit his successor to nominate a new chief justice and/or a new associate justice. The wish that was father to this thought is that if a Republican were elected President in November his nominees, once he took office, would be more acceptable to Republicans.

Mr. Johnson's choices on Wednesday of Associate Justice Abe Fortas to be chief justice and U.S. Circuit Court Judge Homer Thornberry to be the new associate justice have rekindled the fire under the argument about an outgoing President's appointive powers. They have even led to a move in the Senate to block the nominations.

Those who oppose Presidential action at this time stand on shaky ground.

For one thing there is no effort being made by the President to make recess appointments which the Senate might later find hard to reject. The Senate is still in session, fully able to give or withhold its advice and consent on the nominations. It has in the past held hearings on and confirmed both nominees, so extensive probing should not be required.

Additionally the Supreme Court is scheduled to sit for some months before a new President takes office next Jan. 20. It should if at all possible be a full court, not one of only eight justices without a leader.

Finally, there is the question of when does a President become "outgoing"? Under the 22nd Amendment, as soon as a President is elected for a second four-year term, he automatically becomes a lame duck. Are his appointive powers to be curbed throughout this entire period? Obviously not.

The appointive powers vested in the President under Article II, Section 2 of the Constitution are limited by the right of Senate review—of "advice and consent"—and nothing else. Legally, Mr. Johnson has acted properly.

In the case of Justice Fortas, who is recognized as a distinguished legal scholar and level-headed jurist, substantive objections to his elevation are unlikely. Judge Thornberry, an old political friend of the President's, may arouse more intense discussion. Few would disagree, after all, that better qualified men are available for the job, though in fairness the same can be said about virtually every appointment a President makes to the high court.

The Senate in any event is free to pursue its constitutional right to approve or block the President's nominations. But it is on the matter of quality, not timing, that action should be taken.

LULAC CONVENTION IN SAN ANTONIO

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. BUSH. Mr. Speaker, this past weekend the League of United Latin American Citizens—LULAC—held a most successful national convention in San Antonio.

Under this year's national president, Robert Ornelas, LULAC worked hard in many fields, particularly in the areas of job opportunity and education.

The more I contemplate the problems of fairplay and opportunity in this country, the more convinced I am that in LULAC and similar independent sector associations we have the real hope for the future, for they appear much more effective than Government programs in getting out where the people are.

Tom Guardia, convention chairman, and Albert Fuentes, program chairman, put on a first rate and productive convention. Our distinguished colleague, DICK WHITE, was honored at the convention and presented a constructive talk.

At the banquet Commissioner Albert Pena introduced Governor Rockefeller of New York, who gave a stirring speech on the critical need for the elimination of the last vestages of prejudice. The Governor met the hunger problem head on and offered some first-rate answers.

I put these comments in the RECORD for two reasons: first, to demonstrate that LULAC is bigtime. It runs worthwhile programs to help Latin American citizens and it can attract top national leadership to its meetings.

Second, to urge all my colleagues interested in helping the people of Mexican-American or Latin-American descent that they study the LULAC program, and that they encourage the growth of LULAC and other such independent-sector organizations. We all talk about involvement—LULAC is involved.

ANOTHER VIEW OF THE NONPROLIFERATION TREATY

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. HOSMER. Mr. Speaker, those who wish to disregard the tremendous buildup by the Soviet Union during the past 5 years of ICBM's, FOB's, a nuclear submarine fleet which Vice Admiral Rickover says he would pick over our own, and other strategic nuclear armaments may do so.

They may even do so despite the fact that all this has been done while the Soviets have been negotiating so-called arms control agreements and despite the fact that many believe these agreements are full of loopholes.

They may also seize on a few dozen words in a long Gromyko speech as evidence that the Kremlin seriously wants a detente, despite its constant efforts to debilitate NATO, to maneuver West Germany into its sphere of influence, and to assist North Vietnam.

They may really believe that Soviet intentions are peaceful despite the fact that the strategic nuclear balance during the Johnson-Humphrey administration has been constantly getting heavier on the Soviet side due to two influences: First, to their active armaments buildup, and, second, to our passive refusal to maintain superiority, to wit, the freeze on ICBM's and SAC bombers, the freeze on Polaris submarines, and the reluctance to acquire the protection of an ABM system.

These people may even believe that a new era of good will has descended because Communists have abandoned their goal of world domination. They may do so, and are doing so, at the very moment the U.S.S.R. has captured a U.S. commercial aircraft carrying 214 U.S. citizens and holds them incommunicado in the Kurile Islands.

They may be satisfied that the peace pact pledges have become a more certain guarantee of U.S. national security than military muscle.

And, a capability for wishful thinking and an ability to disregard unpleasant facts of international life plainly can assist them considerably in achieving that satisfaction.

But there is an inevitable price for all this. It is the stark possibility that at any moment the position of Soviet negotiators at the conference tables may turn from offering proposals to issuing frightful ultimatums backed up by an overwhelming military superiority.

My own evaluation is that the sovereignty and independence of this country depends on turning out the Johnson and Humphrey wishful thinking by next inauguration day and getting a new President who will face the harsh realities of international power politics.

The following article by David Lawrence appeared in the June 24 issue of U.S. News & World Report, and is pertinent to the subject at hand:

SOVIET INTRIGUE?

(By David Lawrence)

Treaties are being signed by the United States with the Soviet Union. The impression is being given that suddenly a new stage of friendly relations with the Soviets has emerged. Yet in the midst of this—and while the United States is earnestly negotiating at Paris with the Hanoi Government—word comes that one of the biggest bombardments of the city of Saigon, with Soviet-made rockets, is to start at almost any moment. Also, a new crisis has been provoked at the West Berlin border in total defiance of the agreements made at the end of World War II.

Why, then, is there a breath of optimism?

For nearly four years the United States has been urging the Soviet Union to sign a treaty which would prevent the "proliferation" of nuclear weapons throughout the world. This has just been approved by 95 members of the United Nations.

Under the treaty, each signatory which does not possess nuclear weapons would agree not to develop a nuclear arsenal on its own, and the U.N. Security Council promises to protect countries which do not have such lethal armament. None of the five nuclear powers—the United States, the Soviet Union, France, Great Britain, and Red China—would, by signing the treaty, be prohibited from continuing to make nuclear weapons. They would, however, be required not to transfer nuclear weapons or control over them to any nation, or to help any state acquire such weapons.

The main purpose of the treaty is to prevent more nations from getting nuclear bombs. The attempt is being made to persuade them that they will be protected by the United States and other powers against nuclear attack, and that it is better for them to receive the benefits of the peaceful users of nuclear energy rather than engage in making bombs.

There doesn't seem to be any sure way to keep a nation, even though it signs the treaty, from building nuclear weapons. Certain safeguards against "proliferation" are contained in the treaty, but it is not known whether these can be enforced. Also, four nations voted in the U.N. General Assembly against approval of the treaty, with 21 others abstaining.

What is particularly surprising is that it took nearly four years for the Russians to decide to sign a treaty of this kind. In their hands, it could be an instrument of Soviet intrigue against the United States, and could be a means of placing restraints, through world opinion, on another Soviet enemy, the Peking Government. Time alone will tell whether any influence will be exerted by the treaty on Red China or on France—a second nuclear power that refuses to have anything to do with the new agreement.

Coincidentally, in order to make it appear that relations with Washington are suddenly becoming very friendly, Moscow has consented to the signing of a treaty permitting the United States and the Soviet Union to open up consulates in each other's countries under certain regulations. This, of course, a big advantage to the Russians, as their skill in infiltrating subversives through consulates has reached a high point of perfection.

So what can the average American think of all these maneuvers which on their face are for peaceful purposes, while the Soviet Union not only continues to supply the weapons causing great loss of life to American troops in Vietnam but proclaims that it will provide "all the necessary moral and materiel aid" Hanoi may request?

The truth is that the Soviet Union is engaged in a "proliferation" of trouble for the United States—in Vietnam, in West Berlin, and in the Middle East.

Hopefully, no serious harm will be done by the American signature either to the consular treaty or the one which urges that there be no further spread of nuclear weapons. But the chance of curtailing nuclear developments in countries which do not now possess such weapons is much more related to financial and scientific capacity than to any so-called treaty obligation. What is there to prevent any country from finding ways and means of building its own nuclear arsenal?

The treaty does nothing to stop the arms race between the nuclear powers. Sooner or later, "nuclear blackmail" by one or more of these could well play a part in world diplomacy. While the new treaty would seem to limit the opportunities for blackmail by the countries which do not now possess nuclear weapons, it is by no means certain that this will not eventually happen. There may be as many as 20 smaller countries in the world which will refuse to sign the new treaty. There is no assurance that they will not develop the "know-how" and make just a few bombs which can be used as a threat against other nations.

What's lacking today, of course, is mutual trust in the world. This is especially true of relations between the Soviet Union and the United States and between Red China and other countries. Only when there is sincerity and confidence among nations will all the treaties of today become meaningful. As of now, they serve as instruments for Soviet trouble-making and intrigue.

NUCLEAR NONPROLIFERATION TREATY

HON. PETER H. B. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FRELINGHUYSEN. Mr. Speaker, today I attended the signing at the White House of the nuclear nonproliferation treaty. Both as an adviser to the 18-nation Disarmament Conference and as a member of the House Foreign Affairs Committee, I have had the opportunity to follow the course of negotiations on this treaty.

I believe it could well be one of the most momentous agreements which has been reached in recent history.

For over two decades, the United States has striven for the day when the destructive force of the atom would be restricted and nuclear energy would be used exclusively for peaceful purposes. The nonproliferation treaty represents a step toward meeting these goals by providing that parties not possessing nuclear weapons will not receive or develop them.

Although American efforts to stem the spread of national nuclear weapons capabilities throughout the world reach back to the Baruch plan in 1946, it was during the Eisenhower administration, in 1957, that Britain, Canada, and France joined the United States in submitting a package proposal to the United Nations Disarmament Commission—a proposal which included the principle of nontranfer of nuclear weapons.

Secretary of State Dulles expressed the motivation behind our nonproliferation policy in that year when he said:

> Already large nuclear weapons are so plentiful that their use in general war could threaten life anywhere on the globe. And as matters are going the time will come when the pettiest and most irresponsible dictator could get hold of weapons with which to threaten immense harm . . . Your government believes that this situation can be and should be remedied.

The treaty is another important step toward nuclear arms limitation; it obligates nuclear weapon powers to pursue good faith negotiations to halt the nuclear arms race. The announced willingness of the two principal nuclear powers, the United States and U.S.S.R., to engage in discussions on strategic missile limitation is a most welcome development; it accords with the spirit of the nonproliferation treaty and the persistent striving of nations to make the world more secure from the threat of nuclear destruction.

THE FUTURE LIES WITH DEMOCRACY

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. MINSHALL. Mr. Speaker, the changes taking place in Czechoslovakia and their relationship to the Hungarian minority in that country, are proving some basic truths.

The spirit of freedom cannot be defeated by tanks and evil propaganda. Just as the Hungarian Revolution of 1956 has demonstrated, so also the events of the last 6 months in Czechoslovakia show that the indefatigable spirit of men for freedom from totalitarianism cannot be erased even by 20 years of police terror and ideological indoctrination. The demands uttered by the Czech, Slovak and Hungarian writers in that country show that the future lies not with communism but with democracy. In this fermenting atmosphere the abuses of the past and the need for new solutions to national and nationality questions are debated through lip service to Moscow lest the Hungarian example be repeated in Prague.

The almost 1 million Hungarian minority in Czechoslovakia also is making its voice heard. Deprived of their citizenship, forced into declaring themselves of Slovak nationality, partially expelled or deported to the Sudeten area in 1946, the minority retained its humanistic leanings and self-respect despite the years of terror and oppression.

They call for recognition of their group status in the new constitution, freely elected nationality representation in State agencies and assemblies, and educational and scientific institutions to be led by their own leadership. They also call for cultural autonomy and self-administration of the districts with Hungarian majority. Most, however, want the discredited leaders to leave the limelight and let the true representatives of the minority to enter the political life of the country.

May I also insert at this time an article on the latter issue by Mihaly Toth, "Hungarian Carousel in Czechoslovakia" published in the Bratislava Hungarian daily Uj Szo—New Word—which certainly is supposed to be Communist, but in no uncertain terms denounces the abuses of old and the efforts of the old leadership to remain on top even amid the changes.

MIHALY TOTH: HUNGARIAN CARROUSEL IN CZECHOSLOVAKIA

A dialogue between two Hungarian intellectuals from Czechoslovakia in March 1968.

"Why have you not asked for your rehabilitation? Years ago, you were treated illegally . . ."

To which the other person replies: "And why have you not offered your resignation? . . ."

At this, the face of the intellectual who put the question (a leading man in public education) went red, and he seemed sorry to have started on such a delicate subject. He gave the following answer:

"But . . . I have not done . . . anything in all those years . . ."

An attitude among Hungarians in Czechoslovakia, worth noting and occurring frequently. I have not done anything . . .

We may cast a glance beyond the boundaries of the Hungarian areas in Czechoslovakia. What is happening on the Slovak and Czech side? How is public life purified? How is democratization carried out, and how are the personalities changed in leading posts? By what standard do people give their confidence to the leading officials? Which deeds and attitudes are those, for which this confidence is withdrawn? What forces and factors play a role in this process?

DISCREDITED LEADERS

Among the special features of Hungarians in Czechoslovakia, the number of strongly compromised leaders is comparatively small. We did not have leaders operating on a large scale, who would have dirtied themselves by handing over to the hangman their political foes. At least Hungarian public opinion does not know about such men in Czechoslovakia. Our objective conditions were such, that the Hungarian leaders could not even have carried on a large-scale policy—or nationwide villainy. We had unimportant yes-men, whose chief occupation was to adapt themselves to the current political barometer. Our only politician, who had conceptions and was important also by a national standard, who was well qualified and remained honest during the complicated 20 years, had no "reserves" of suitably trained, efficient middle cadres.

The carrying out of the action program of the Czechoslovak CP requires considerable effort from Csemadok as well. In my opinion, here is an excellent chance for the activation of the Hungarian masses in the solution of social problems and in the solving of their own problems. The territorial corrections proposed by Csemadok, the real democratic preparation of the elections, the choice and recommendation of qualified people for selected positions will set Csemadok an extremely difficult task. The proposal of the CC has to be included in a detailed organizational framework which is quite a task, and, because of this, the best brains have to be mobilized, and the elite of our intellectual life should participate in this work. We Hungarians should come forward with a thoroughly considered and prepared concept. And this is quite a task because we cannot work today on the basis of general observations and obscure requirements, because, for example, if we demand the establishment of a nationality committee within the Slovak National Council, it would be just as right if we made a proposal concerning the meaning of its work as well. I know that there is hard work in the Csemadok CC, the comrades are racking their brains to bring about the best proposal. But, in my opinion, the members, too, have to be included in this work and this is why I have written of my ideas.

I have the feeling—on the basis of personal conversations and discussions that, instead of keeping to the beaten path (cultural autonomy, complete autonomy) the practical picture of a new nationality model is quite obscure under the concrete conditions in Czechoslovakia. For a number of factors have not yet been clarified even in the federation. The important thing is that the leaders of the Czechoslovak CP and the Slovak CP should realize that Csemadok fully supports the new settlement and its goal is rapprochement instead of isolation. The most important thing is that they should have confidence in us and that we should prove that we are mature enough for the realization of the nationality features of democratization.

In my opinion, the work of Csemadok should acquire new meaning. The complete revision of the statutes should be considered and at the general assembly the word "cultural" should be omitted from the name of the organization; the word "cultural" limits the sphere of activity of the organization and is associated too much with the "eyewash" practice of cultural autonomy.

While reading the proposal of Csemadok and the letters sent by the district management to our editorial office and recalling the activities in the leadership of Csemadok, I have considered it my duty to write about this matter.

When public life is purged, it is far from sufficient to remove the leaders, who obviously discredited themselves.

We can learn much from the Czechs and Slovaks about how the purge in public life must be carried out consistently. People who read the Hungarian language press in Czechoslovakia only a little may have noticed that for remaining in one's post it is not enough if one argued with "I have not done anything." The majority of Hungarian leaders in Czechoslovakia—officials in lower or higher posts—have discredited themselves just by "not having done anything" in a given case. People who watch developments in their entity, must also notice, that in addition to the Party officials who abused their power, chiefly the heads of social organizations (such as the trade unions, the women's association, youth organizations) who pleaded "not having done anything" were relieved of their posts.

ACTIVITY—BUT NOT ONLY ON ORDERS

Another Hungarian peculiarity in Czechoslovakia is, that the great majority of leaders were not given a position on their merit, but were appointed by decree. During the last two decades, this had been characteristic for the whole Czechoslovak society, but was chiefly noticeable in Hungarian relationships. We may look at one among the many places of work. Who was appointed to positions managing the Hungarian press? Unfortunately not the best journalists, but very often people who before being appointed, had nothing at all to do with writing for a newspaper. And the most astounding thing was, that after a comparatively brief period, they became chief editors.

This was the situation in the press, and if we also take the other areas of public life into account, we find similar phenomena. Though the district Csemadok secretary struggled with cultural problems, he could nonetheless manage for decades the Hungarian cultural life of tens of thousands of Hungarians in Czechoslovakia. Because he was "reliable."

In short: there are many people who may state that they have not done anything. They are right in that, because they did not do anything. They deserved to be relieved of office, at least such as the former head of the trade union, the former head of the Youth Association, some high ranking officials, and the other discredited officials.

THE HUNGARIAN PRESS WORKS AT HALF SPEED

It was not incidental that I mentioned first the problems of the Hungarian press. The fact that on the Hungarian line, the yes-men of the past can still travel—and mostly first class—on the band-wagon of the new spirit, democratization and renewal, can be best explained by the unsatisfactory work done by the Hungarian press.

At this point too, we may refer to the Czech and Slovak examples.

Along with the fact, that most of the top-Party officials were relieved of their posts or told to resign by the Central Committee, several other officials who argued "I have not done anything" were forced by the press to resign. The press is now: public opinion.

This is the best proof of true democracy. It is not only evidence, that a new spirit prevails in the Party CC, but that through the hundreds of critical articles, the masses too have a say in the purification of public life. The Czechs and the Slovaks are denouncing discredited judges and prosecutors, officials of various status, who are spineless. The best evidence of the democratization process is, that the articles published in the Czech and Slovak language press, are not only written by official politicians and journalists, but by the representatives of every stratum of the population.

This is what is missing in the Hungarian press in Czechoslovakia. Though two or three discredited names were recently in the papers, we fear, that after the consolidation of the situation, the activation process will be carried out by the same people who in the past acquired merit by their passivity. And there can be no question, that a sensible man does not believe in the sincerity of such people.

YOUNG, COURAGEOUS PEOPLE MUST BE ON TOP

In 20 years, a hierarchy has developed on the Hungarian side in Czechoslovakia, which seems to be unchangeable. When the leading posts were distributed, almost the same names were mentioned as before. The names of persons "who are in." A chief editor must resign, and many people believe that the matter is settled by this. No leader has ever been publicly asked: why did you not do anything? Why did you say "yes," when the issue was the liquidation of the Hungarian schools? When you were forced into deeds contrary to your opinion, why did you not say "no"—even if your well paid job was at stake?

It is not fashionable nowadays to look for ideals. In spite of this, I declare that courageous men are my ideal. People who dare take risks in the interest of what is good. People who dare state their opinion in the Party CC, the local national councils or in the presence of their boss.

I know about the arguments of our leaders in Czechoslovakia: we cannot carry out a general policy.

A STORY ABOUT OUR FLAG

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, I am happy to insert in the RECORD an essay written by a fifth grader from Andover, Mass., a winner in the Central Elementary School Flag Day contest.

Miss Elizabeth Kavanagh has eloquently described the flag as a synonym of the United States. I think it well that we reflect on our heritage through her "Story."

A STORY ABOUT OUR FLAG

(By Elizabeth Kavanagh)

It flies with torn stripes on many foreign battle fields, carried by brave men, a symbol to the land they loved. First thirteen stars, then forty-eight, now fifty. A heritage of sacrifice, a dream of freedom, a call to arms, a challenge to us. Our flag, our country, our brave men.

This flag of ours, this nation dear, may it be our source of strength. May it be for those born not in freedom, a challenge to bring to them, a nation striving as we did for the privilege of democracy. This my flag means to me.

THE 100TH ANNIVERSARY OF THE OSHKOSH DAILY NORTHWESTERN

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, this year marks the 100th anniversary of one of Wisconsin's great daily newspapers, the Oshkosh Daily Northwestern.

I am taking advantage of the anniversary issue of this newspaper to better acquaint my colleagues with Oshkosh. Delivered to each congressional office will be the anniversary issue of the Oshkosh Daily Northwestern.

Included as part of my remarks is a letter that I sent to each office today, as well as several articles and editorials from the anniversary issue:

HOUSE OF REPRESENTATIVES,
Washington, D.C. June 29, 1968.

DEAR COLLEAGUE: Less than 100 years ago, in July 1877, the *New York Times* was suggesting that the town of Oshkosh was, no doubt, mythical.

"In order to ridicule the unpardonable names of the Wild West," the *Times* averred, "some western editor invented an imaginary town, and conferred upon it the unspeakable name of Oshkosh."

This month, although our city is well over 100 years old, one of the Oshkosh daily papers—the Daily Northwestern—is celebrating her 100th anniversary with this centennial edition. I am delighted to note that the 180 pages handily rival even a Sunday edition of New York's Grand Old Lady herself.

Yes, there is an Oshkosh. In fact, it is, as the *U.S. News and World Report* has said, one of the most pleasant places to live in all of the United States.

I hope you will enjoy this piece of authentic Americana. This edition marks the end of 100 years of outstanding service to OshKosh and the beginning of a second century of comprehensive chronicling of the news.

With kindest personal regards,

Sincerely yours,

WILLIAM A. STEIGER.

FRIENDLY COMPETITORS

In an editorial on Thursday, the Post-Crescent of Appleton spoke in recognition of the centennial of the Daily Northwestern, referring to us as "good neighbors" and "friendly competitors." We appreciate the sentiment.

Under the headline, "100 Years as a Daily." Editor John Torinus wrote as follows:

"The Post-Crescent congratulates our good neighbors and friendly competitors of the Oshkosh Daily Northwestern today on the observance of its 100th anniversary as a daily newspaper. Only three other newspapers in the state can claim a longer record of continuous publication.

"It may be an interesting historical note that these two newspapers had a close community of interest in their early beginnings. John Hicks and A. J. Reid were fellow students at Lawrence in 1866, working their way through college by corresponding for various state newspapers. They became the co-founders of The Lawrence Collegian, predecessor of The Lawrentian. And both left college before graduation to go into the newspaper business. Hicks with the Oshkosh Northwestern, and Reid with the Appleton Post.

"Hicks was with the Northwestern when it began daily publication in 1868, and soon afterward became its publisher, a position he held for almost 50 years. The Northwestern has had only two publishers since, Oscar J. Hardy, who came up through the ranks under Col. Hicks, and now Hardy's sons-in-law as co-publishers, Samuel W. Heaney and A. Thomas Schwalm.

"Reid started working for the Post when he was a freshman at Lawrence, and by his junior year was a part owner. The Post converted from weekly to daily publication in 1883. Its rival, the Crescent, became a daily in 1890, and the two merged in 1920.

"The files of the newspapers of those early days reveal that the Appleton and Oshkosh newspapers were intense rivals from the start. But such rivalry only goes to prove that each publication was doing the job which is the reason for existing in the newspaper business. A newspaper's prime task is to serve its community, and in so doing there were bound to be frequent occasions upon which the interests of the Appleton and Oshkosh papers differed.

"The competition between the Northwestern and the Post-Crescent has been good for both of us and has benefitted all of our readers.

"We wish the Northwestern another century of service to its community."

GREAT NUMBER OF YEARS

Under the headline "Best wishes, Daily Northwestern," The Paper took note of our centennial observance with an editorial in the Friday edition. Editor Dean H. Schoelkopf wrote as follows:

"Today the Oshkosh Daily Northwestern celebrates its centennial with a special edition. We of The Paper offer our sincere congratulations and wish the Northwestern continued success.

"We look with respect at the great number of years the Northwestern has served Oshkosh and with pride at the way the community has grown and progressed.

"And we look forward to sharing in the events of the future and hope that they bring the people of Oshkosh prosperity, dignity, peace and brotherhood."

One hundred years ago the Daily Northwestern introduced itself with the promise that it would be published "in the interest of Oshkosh, and the surrounding towns and country, whose welfare is, of course, identical with our own."

While much has transpired in the intervening century and much has changed, that resolve remains immutable.

We invite our readers, in the succeeding pages of this special edition, to go back over those 100 years and share with us the pride we feel, not alone in attaining this venerable age, but in chronicling the triumphs and tragedies of Oshkosh and the surrounding towns and country for a century.

SAMUEL W. HEANEY,
A. THOMAS SCHWALM,
Co-Publishers.

ONE HUNDRED YEARS OF SERVICE

We defer today to the two men who preceded us—that is the editorial plural—as writers for this editorial page of the Oshkosh Daily Northwestern, now well along in its second century of newspaper service.

Their combined service was well over 100 years and between them they served as editorialists for more than 35 years, well over one-third of the century that this newspaper has been issued as a daily reporter to its thousands of readers.

We thought you would like to hear from them again as "old friends" whose interpretations and analysis of the happenings of the day—in their day—you followed with interest.

The grand old man of the newspaper profession in this area, Louis H. Torreyson—"Louie" to his many friends, and they are legion—was 90-years-old last Nov. 14 when he was the spryest and most talkative man at his birthday party at which former co-workers gathered. Sixty-one years of newspaper service, until his retirement in 1958, made him the dean of journalists and provided him with an intimate knowledge of much of the century that the Daily Northwestern has been serving its readers. He lives in Oshkosh and typical of the "printer's ink" that runs in his veins invites young people of today to become interested in journalism and carry on into the second century.

A. J. Mace retired on Dec. 31, 1961 after 43 years in the newspaper business and now lives in St. Petersburg, Fla., where he still keeps an avid—and by force of long association—critical eye on the news.

We are in our own 42nd year of affiliation with the Northwestern and in the seventh as editorial writer after a stint as associate editor, 13 years as city editor, eight as sports editor, and the time before that as a reporter from "cub" on. It's been interesting all the way.

LOUIS H. TORREYSON SAYS: "IT'S THE BIGGEST, BEST"

Invited by Editor Gilbert Labudde to type off a few paragraphs regarding the 100th birthday anniversary of the Oshkosh Daily Northwestern, founded on Jan. 6, 1868, I am pleased to contribute several thoughts.

To begin with, what I have heard and seen about today's Centennial Edition is that it is the biggest and best product in number of pages and in size and quality of its contents ever prepared and printed by this newspaper. The reader will find it has to do, intimately, with a whole century of industry, business, social life, sports, home environment, and innumerable other phases of local, state, national and world news.

I feel sure that this splendid and accurate edition that spans the major events and interests of the period will be read thoroughly and with deep feeling and will be saved and treasured for years to come by a large majority of the people living within the circle of the Northwestern's efforts to increase the knowledge and the entertainment of those who peruse its pages. The edition should be preserved by families so that those who are growing up in the second century of the newspaper's progress will have occasion to look back with pride upon the Oshkosh newspaper's first century of publication and look ahead into making the second century of its career even more outstanding than in its first hundred years.

Starting as a "cub" right after graduation from the Oshkosh Normal School, (now Wisconsin State University-Oshkosh) I was a reporter for many years beginning in June, limelight and let the true representatives of the minority to enter the political life of the country.

May I also insert at this time an article on the latter issue by Mihaly Toth, "Hungarian Carousel in Czechoslovakia" published in the Bratislava Hungarian daily Uj Szo—New Word—which certainly is supposed to be Communist, but in no uncertain terms denounces the abuses of old and the efforts of the old leadership to remain on top even amid the changes.

MIHALY TOTH: HUNGARIAN CARROUSEL IN CZECHOSLOVAKIA

A dialogue between two Hungarian intellectuals from Czechoslovakia in March 1968.

"Why have you not asked for your rehabilitation? Years ago, you were treated illegally . . ."

To which the other person replies: "And why have you not offered your resignation? . . ."

At this, the face of the intellectual who put the question (a leading man in public education) went red, and he seemed sorry to have started on such a delicate subject. He gave the following answer:

"But . . . I have not done . . . anything in all those years . . ."

An attitude among Hungarians in Czechoslovakia, worth noting and occurring frequently. I have not done anything . . .

We may cast a glance beyond the boundaries of the Hungarian areas in Czechoslovakia. What is happening on the Slovak and Czech side? How is public life purified? How is democratization carried out, and how are the personalities changed in leading posts? By what standard do people give their confidence to the leading officials? Which deeds and attitudes are those, for which this confidence is withdrawn? What forces and factors play a role in this process?

DISCREDITED LEADERS

Among the special features of Hungarians in Czechoslovakia, the number of strongly compromised leaders is comparatively small. We did not have leaders operating on a large scale, who would have dirtied themselves by handing over to the hangman their political foes. At least Hungarian public opinion does not know about such men in Czechoslovakia. Our objective conditions were such, that the Hungarian leaders could not even have carried on a large-scale policy—or nationwide villainy. We had unimportant yes-men, whose chief occupation was to adapt themselves to the current political barometer. Our only politician, who had conceptions and was important also by a national standard, who was well qualified and remained honest during the complicated 20 years, had no "reserves" of suitably trained, efficient middle cadres.

The carrying out of the action program of the Czechoslovak CP requires considerable effort from Csemadok as well. In my opinion, here is an excellent chance for the activation of the Hungarian masses in the solution of social problems and in the solving of their own problems. The territorial corrections proposed by Csemadok, the real democratic preparation of the elections, the choice and recommendation of qualified people for selected positions will set Csemadok an extremely difficult task. The proposal of the CC has to be included in a detailed organizational framework which is quite a task, and, because of this, the best brains have to be mobilized, and the elite of our intellectual life should participate in this work. We Hungarians should come forward with a thoroughly considered and prepared concept. And this is quite a task because we cannot work today on the basis of general observations and obscure requirements, because, for example, if we demand the establishment of a nationality committee within the Slovak National Council, it would be just as right if we made a proposal concerning the meaning of its work as well. I know that there is hard work in the Csemadok CC, the comrades are racking their brains to bring about the best proposal. But, in my opinion, the members, too, have to be included in this work and this is why I have written of my ideas.

I have the feeling—on the basis of personal conversations and discussions that, instead of keeping to the beaten path (cultural autonomy, complete autonomy) the practical picture of a new nationality model is quite obscure under the concrete conditions in Czechoslovakia. For a number of factors have not yet been clarified even in the federation. The important thing is that the leaders of the Czechoslovak CP and the Slovak CP should realize that Csemadok fully supports the new settlement and its goal is rapprochement instead of isolation. The most important thing is that they should have confidence in us and that we should prove that we are mature enough for the realization of the nationality features of democratization.

In my opinion, the work of Csemadok should acquire new meaning. The complete revision of the statutes should be considered and at the general assembly the word "cultural" should be omitted from the name of the organization; the word "cultural" limits the sphere of activity of the organization and is associated too much with the "eyewash" practice of cultural autonomy.

While reading the proposal of Csemadok and the letters sent by the district management to our editorial office and recalling the activities in the leadership of Csemadok, I have considered it my duty to write about this matter.

When public life is purged, it is far from sufficient to remove the leaders, who obviously discredited themselves.

We can learn much from the Czechs and Slovaks about how the purge in public life must be carried out consistently. People who read the Hungarian language press in Czechoslovakia only a little may have noticed that for remaining in one's post it is not enough if one argued with "I have not done anything." The majority of Hungarian leaders in Czechoslovakia—officials in lower or higher posts—have discredited themselves just by "not having done anything" in a given case. People who watch developments in their entity, must also notice, that in addition to the Party officials who abused their power, chiefly the heads of social organizations (such as the trade unions, the women's association, youth organizations) who pleaded "not having done anything" were relieved of their posts.

ACTIVITY—BUT NOT ONLY ON ORDERS

Another Hungarian peculiarity in Czechoslovakia is, that the great majority of leaders were not given a position on their merit, but were appointed by decree. During the last two decades, this had been characteristic for the whole Czechoslovak society, but was chiefly noticeable in Hungarian relationships. We may look at one among the many places of work. Who was appointed to positions managing the Hungarian press? Unfortunately not the best journalists, but very often people who before being appointed, had nothing at all to do with writing for a newspaper. And the most astounding thing was, that after a comparatively brief period, they became chief editors.

This was the situation in the press, and if we also take the other areas of public life into account, we find similar phenomena. Though the district Csemadok secretary struggled with cultural problems, he could nonetheless manage for decades the Hungarian cultural life of tens of thousands of Hungarians in Czechoslovakia. Because he was "reliable."

In short: there are many people who may state that they have not done anything. They are right in that, because they did not do anything. They deserved to be relieved of office, at least such as the former head of the trade union, the former head of the Youth Association, some high ranking officials, and the other discredited officials.

THE HUNGARIAN PRESS WORKS AT HALF SPEED

It was not incidental that I mentioned first the problems of the Hungarian press. The fact that on the Hungarian line, the yes-men of the past can still travel—and mostly first class—on the band-wagon of the new spirit, democratization and renewal, can be best explained by the unsatisfactory work done by the Hungarian press.

At this point too, we may refer to the Czech and Slovak examples.

Along with the fact, that most of the top-Party officials were relieved of their posts or told to resign by the Central Committee, several other officials who argued "I have not done anything" were forced by the press to resign. The press is now: public opinion.

This is the best proof of true democracy. It is not only evidence, that a new spirit prevails in the Party CC, but that through the hundreds of critical articles, the masses too have a say in the purification of public life. The Czechs and the Slovaks are denouncing discredited judges and prosecutors, officials of various status, who are spineless. The best evidence of the democratization process is, that the articles published in the Czech and Slovak language press, are not only written by official politicians and journalists, but by the representatives of every stratum of the population.

This is what is missing in the Hungarian press in Czechoslovakia. Though two or three discredited names were recently in the papers, we fear, that after the consolidation of the situation, the activation process will be carried out by the same people who in the past acquired merit by their passivity. And there can be no question, that a sensible man does not believe in the sincerity of such people.

YOUNG, COURAGEOUS PEOPLE MUST BE ON TOP

In 20 years, a hierarchy has developed on the Hungarian side in Czechoslovakia, which seems to be unchangeable. When the leading posts were distributed, almost the same names were mentioned as before. The names of persons "who are in." A chief editor must resign, and many people believe that the matter is settled by this. No leader has ever been publicly asked: why did you not do anything? Why did you say "yes," when the issue was the liquidation of the Hungarian schools? When you were forced into deeds contrary to your opinion, why did you not say "no"—even if your well paid job was at stake?

It is not fashionable nowadays to look for ideals. In spite of this, I declare that courageous men are my ideal. People who dare take risks in the interest of what is good. People who dare state their opinion in the Party CC, the local national councils or in the presence of their boss.

I know about the arguments of our leaders in Czechoslovakia: we cannot carry out a general policy.

A STORY ABOUT OUR FLAG

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, I am happy to insert in the RECORD an essay written by a fifth grader from Andover, Mass., a winner in the Central Elementary School Flag Day contest.

Miss Elizabeth Kavanagh has eloquently described the flag as a synonym of the United States. I think it well that we reflect on our heritage through her "Story."

A Story About Our Flag

(By Elizabeth Kavanagh)

It flies with torn stripes on many foreign battle fields, carried by brave men, a symbol to the land they loved. First thirteen stars, then forty-eight, now fifty. A heritage of sacrifice, a dream of freedom, a call to arms, a challenge to us. Our flag, our country, our brave men.

This flag of ours, this nation dear, may it be our source of strength. May it be for those born not in freedom, a challenge to bring to them, a nation striving as we did for the privilege of democracy. This my flag means to me.

THE 100TH ANNIVERSARY OF THE OSHKOSH DAILY NORTHWESTERN

HON. WILLIAM A. STEIGER

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. STEIGER of Wisconsin. Mr. Speaker, this year marks the 100th anniversary of one of Wisconsin's great daily newspapers, the Oshkosh Daily Northwestern.

I am taking advantage of the anniversary issue of this newspaper to better acquaint my colleagues with Oshkosh. Delivered to each congressional office will be the anniversary issue of the Oshkosh Daily Northwestern.

Included as part of my remarks is a letter that I sent to each office today, as well as several articles and editorials from the anniversary issue:

House of Representatives,
Washington, D.C. June 29, 1968.

Dear Colleague: Less than 100 years ago, in July 1877, the *New York Times* was suggesting that the town of Oshkosh was, no doubt, mythical.

"In order to ridicule the unpardonable names of the Wild West," the *Times* averred, "some western editor invented an imaginary town, and conferred upon it the unspeakable name of Oshkosh."

This month, although our city is well over 100 years old, one of the Oshkosh daily papers—the Daily Northwestern—is celebrating her 100th anniversary with this centennial edition. I am delighted to note that the 180 pages handily rival even a Sunday edition of New York's Grand Old Lady herself.

Yes, there is an Oshkosh. In fact, it is, as the *U.S. News and World Report* has said, one of the most pleasant places to live in all of the United States.

I hope you will enjoy this piece of authentic Americana. This edition marks the end of 100 years of outstanding service to Osh-Kosh and the beginning of a second century of comprehensive chronicling of the news.

With kindest personal regards,

Sincerely yours,

William A. Steiger.

Friendly Competitors

In an editorial on Thursday, the Post-Crescent of Appleton spoke in recognition of the centennial of the Daily Northwestern, referring to us as "good neighbors" and "friendly competitors." We appreciate the sentiment.

Under the headline, "100 Years as a Daily." Editor John Torinus wrote as follows:

"The Post-Crescent congratulates our good neighbors and friendly competitors of the Oshkosh Daily Northwestern today on the observance of its 100th anniversary as a daily newspaper. Only three other newspapers in the state can claim a longer record of continuous publication.

"It may be an interesting historical note that these two newspapers had a close community of interest in their early beginnings. John Hicks and A. J. Reid were fellow students at Lawrence in 1866, working their way through college by corresponding for various state newspapers. They became the co-founders of The Lawrence Collegian, predecessor of The Lawrentian. And both left college before graduation to go into the newspaper business. Hicks with the Oshkosh Northwestern, and Reid with the Appleton Post.

"Hicks was with the Northwestern when it began daily publication in 1868, and soon afterward became its publisher, a position he held for almost 50 years. The Northwestern has had only two publishers since, Oscar J. Hardy, who came up through the ranks under Col. Hicks, and now Hardy's sons-in-law as co-publishers, Samuel W. Heaney and A. Thomas Schwalm.

"Reid started working for the Post when he was a freshman at Lawrence, and by his junior year was a part owner. The Post converted from weekly to daily publication in 1883. Its rival, the Crescent, became a daily in 1890, and the two merged in 1920.

"The files of the newspapers of those early days reveal that the Appleton and Oshkosh newspapers were intense rivals from the start. But such rivalry only goes to prove that each publication was doing the job which is the reason for existing in the newspaper business. A newspaper's prime task is to serve its community, and in so doing there were bound to be frequent occasions upon which the interests of the Appleton and Oshkosh papers differed.

"The competition between the Northwestern and the Post-Crescent has been good for both of us and has benefitted all of our readers.

"We wish the Northwestern another century of service to its community."

Great Number of Years

Under the headline "Best wishes, Daily Northwestern," The Paper took note of our centennial observance with an editorial in the Friday edition. Editor Dean H. Schoelkopf wrote as follows:

"Today the Oshkosh Daily Northwestern celebrates its centennial with a special edition. We of The Paper offer our sincere congratulations and wish the Northwestern continued success.

"We look with respect at the great number of years the Northwestern has served Oshkosh and with pride at the way the community has grown and progressed.

"And we look forward to sharing in the events of the future and hope that they bring the people of Oshkosh prosperity, dignity, peace and brotherhood."

One hundred years ago the Daily Northwestern introduced itself with the promise that it would be published "in the interest of Oshkosh, and the surrounding towns and country, whose welfare is, of course, identical with our own."

While much has transpired in the intervening century and much has changed, that resolve remains immutable.

We invite our readers, in the succeeding pages of this special edition, to go back over those 100 years and share with us the pride we feel, not alone in attaining this venerable age, but in chronicling the triumphs and tragedies of Oshkosh and the surrounding towns and country for a century.

Samuel W. Heaney,
A. Thomas Schwalm,
Co-Publishers.

One Hundred Years of Service

We defer today to the two men who preceded us—that is the editorial plural—as writers for this editorial page of the Oshkosh Daily Northwestern, now well along in its second century of newspaper service.

Their combined service was well over 100 years and between them they served as editorialists for more than 35 years, well over one-third of the century that this newspaper has been issued as a daily reporter to its thousands of readers.

We thought you would like to hear from them again as "old friends" whose interpretations and analysis of the happenings of the day—in their day—you followed with interest.

The grand old man of the newspaper profession in this area, Louis H. Torreyson—"Louie" to his many friends, and they are legion—was 90-years-old last Nov. 14 when he was the spryest and most talkative man at his birthday party at which former coworkers gathered. Sixty-one years of newspaper service, until his retirement in 1958, made him the dean of journalists and provided him with an intimate knowledge of much of the century that the Daily Northwestern has been serving its readers. He lives in Oshkosh and typical of the "printer's ink" that runs in his veins invites young people of today to become interested in journalism and carry on into the second century.

A. J. Mace retired on Dec. 31, 1961 after 43 years in the newspaper business and now lives in St. Petersburg, Fla., where he still keeps an avid—and by force of long association—critical eye on the news.

We are in our own 42nd year of affiliation with the Northwestern and in the seventh as editorial writer after a stint as associate editor, 13 years as city editor, eight as sports editor, and the time before that as a reporter from "cub" on. It's been interesting all the way.

Louis H. Torreyson Says: "It's the Biggest, Best"

Invited by Editor Gilbert Labudde to type off a few paragraphs regarding the 100th birthday anniversary of the Oshkosh Daily Northwestern, founded on Jan. 6, 1868, I am pleased to contribute several thoughts.

To begin with, what I have heard and seen about today's Centennial Edition is that it is the biggest and best product in number of pages and in size and quality of its contents ever prepared and printed by this newspaper. The reader will find it has to do, intimately, with a whole century of industry, business, social life, sports, home environment, and innumerable other phases of local, state, national and world news.

I feel sure that this splendid and accurate edition that spans the major events and interests of the period will be read thoroughly and with deep feeling and will be saved and treasured for years to come by a large majority of the people living within the circle of the Northwestern's efforts to increase the knowledge and the entertainment of those who peruse its pages. The edition should be preserved by families so that those who are growing up in the second century of the newspaper's progress will have occasion to look back with pride upon the Oshkosh newspaper's first century of publication and look ahead into making the second century of its career even more outstanding than in its first hundred years.

Starting as a "cub" right after graduation from the Oshkosh Normal School, (now Wisconsin State University-Oshkosh) I was a reporter for many years beginning in June,

1897. I was then city editor, followed by appointment as managing editor and finally becoming editor of the editorial page, resigning in March of 1958 and retiring. So I have to my credit a total of 61 years of typewriting—first as a reporter and then as an editor. I learned much from Col. John Hicks, owner and editor in the early days of the Daily Northwestern. He introduced many innovations that other newspapers later adopted. I learned much also from Oscar J. Hardy, successor to Colonel Hicks, and from the present publishers, Samuel W. Heaney and A. Thomas Schwalm, who, like their predecessors, have put back into this large and substantial business large sums of money to provide the best possible facilities and personnel for printing a modern and attractive newspaper.

Finally, in closing, I would like to urge more high school and university students, both male and female, to study the science and art of journalism and upon graduation seek positions as writers of news and advertising on newspapers. It is truly a fascinating and exacting business, even starting out as a "cub" reporter. You can become a good writer on a newspaper if you have a fair education, learn to be a good speller, be honest and use common sense, have good health and a capacity for hard work.

A. J. Mace Says: "A Moment of Infinity"

One hundred years: 1868–1968!

Only a moment in infinity but a period that encompasses five generations; one that brought us from the era of the horse and buggy, the kerosene lamp, the wood-burning stove and the Saturday night bath in a wash tub in the kitchen to the era of nuclear fission, superjets and manned satellites.

It is a period that has seen the rise and diminution of the railroad as a means of travel, the invention and development of the automobile and airplane; the telephone, the radio and television, as media of communication. In the same years, this astounding nation has grown from 36 to 50 states despite its participation in five major wars. In war and peace, prosperity and depression, the United States has marched on. And the Oshkosh Daily Northwestern, too, has marched on, chronicling the daily events—large and small—that were part of America.

Great newspapers in metropolitan cities have risen and fallen and in Oshkosh, itself, innumerable newspapers have been launched. Some flourished briefly and then closed down. But the Northwestern has kept on, in good times and bad, increasing in size and readership and quality of equipment and staff.

It was our pleasure and privilege for 43 years to be associated with this newspaper—more if one includes those years when we "carried" the paper as a newsboy. Starting as a cub reporter in 1919, just after our discharge from the Army in World War I—"the war to end war"—where we had our baptism as an Army newsman, we held nearly every news post on the paper--cub to editor. In all those years it was drummed into us that the Northwestern was a "family newspaper," one that covered the news comprehensively and fairly; not sensationally, but in such fashion that it could be brought into the home for all to read.

In all those years, as no doubt it has today, it had its critics and detractors. It could not be otherwise if it truly performed its function as a newspaper. Newspaper people are humans first of all so, naturally, we made mistakes from time to time but they were mistakes of judgment, not of intent.

This is an age of turmoil and ferment not only in the United States, but throughout the world. The tragic events of the last few weeks have brought this turmoil into focus. President Johnson said that "200 million Americans did not fire the shots that killed Senator Kennedy." That is true. But the fact that his assassination, following that of Dr. Martin Luther King Jr., Medger Evers, other civil rights leaders and—still earlier—President John F. Kennedy, must make the American people realize we are traveling down a hazardous road that can lead only to self-destruction.

We must not permit extremists of left or right to rule and deprive coming generations of the God-given rights our forefathers won for us. This is not a partisan matter. We must not have riots, arson and killing. Law and order must prevail. But we must go deeper. We must seek out and eliminate the causes. Only then can this be an America for All Americans, regardless of race, creed, or color.

Although our association with the Northwestern ended six years ago, we are confident that its policies of truth, integrity and fairness have not changed. We are certain that this newspaper will go on, seeking always to achieve its full potential of the responsible press, without which this nation could not have attained its greatness.

With that we wish the Northwestern, its publishers and all those associated with it Godspeed.

"Northwestern" Signified Great Northwest

It never occurred to the first publishers of the Northwestern to explain why they named the paper as they did. The 1860 "Prospectus" stated flatly, "We shall begin, on or about the 18th of the present month, (May) the publication, in this city, of a newspaper, to be called The Northwestern."

The title seemed eminently appropriate at the time. To everyone, that is, except a rival publisher.

OTHER PAPERS

Other Oshkosh papers had already staked claims on such traditional titles as Democrat, True Democrat, Republican, Delegate, Courier, Telegraph, Transcript, Times, and Phoenix, besides five others in German. Actually, there had been a previous Northwestern, too, in 1852-54, but it was in German—Anzeiger des Nordwesterns.

It may seem incongruous, for a newspaper to be called the Northwestern, when it is published at a city in eastern Wisconsin, in the central U.S. time zone. But nobody thought of this locality in those terms when the newspaper was christened.

The Northwestern was a title with special local significance—especially during the months leading up to the newspaper's first issue, May 18, 1860. In the same decade, Oshkosh had a Northwestern Telegraph Co., a Northwestern Business College, a Northwestern Stave Co., and a Northwestern Billiard Room.

Wisconsin was the most northwestern state in the union from 1848 to 1858. It had been part of the original Northwest Territory, defined in 1787, and its earliest explorers had come in search of a Northwest Passage.

ON WESTERN SHORE

Oshkosh, though east of the state's midpoint, was founded on the western shore of Lake Winnebago. The city's location formed a natural funnel for traffic flowing in and out of the northwest. In that direction seemed an endless potential for expansion, and Oshkosh by 1860 was fast becoming the "second city in Wisconsin."

To the northwest stretched a vast wilderness of rich timber forests and unsettled farmland. The frontier had receded past Minnesota, and Oregon had just become a state, but in between lay a third of a continent, hardly explored. The Northwest could still spur men's dreams.

What vistas opened up when the Chicago, St. Paul and Fond du Lac Railroad was renamed the Chicago and North Western!

Oshkosh had Northwestern fever, when the first Chicago and North Western passenger train arrived, Oct. 13, 1859, "This was an event hailed with much joy," said an 1880 county history.

"The county now, for the first time, had railroad connections and a new outlet for the products of its farms and manufactories." Railway accessibility brought new prosperity, and on its heels came the first issue of the Northwestern.

The railroad's advent was a major topic for more than one reason when the Northwestern was first issued the following spring. Scarcely had the new service been inaugurated when an excursion train was wrecked, killing five people from Oshkosh and injuring many more. It was a disaster which "plunged our community in the deepest grief." The new paper's title paid tribute, indirectly, to the victims of that tragedy.

The editor of a rival newspaper had no quarrel with the Northwestern's title as such, but he expected it to be modified when he agreed to a merger. George Gary sold his newspaper, The Democrat, to C. R. Nevitt, publisher of the Northwestern, on Oct. 3, 1860.

"It was Mr. Gary's understanding at the sale that the name should be retained and that the consolidated publication should be called the Northwestern Democrat," reported the Northwestern, Nov. 24, 1894, "but Mr. Nevitt did not so understand it and the name Democrat was dropped altogether."

Gary reasoned that the Democrat should be continued by name because it had been Oshkosh's first newspaper, beginning Feb. 9, 1849. But the name was anathema to Nevitt, a firm supporter of the new Republican party, and not a little annoyed by previous clashes with the rival paper.

Gary had a chance to change the title as he wished, in 1864, when he and his associates bought the Northwestern back from Nevitt. But political lines were now more clearly drawn and Gary too supported the party of Lincoln. It was thought best to leave the newspaper's title undisturbed.

The Northwestern it had become, and the Northwestern it remained. Long after the American frontier dissolved in the space age, the Northwestern would stand firmly established as the newspaper of Oshkosh and all its encompassing area.

[From the Oshkosh (Wis.) Daily Northwestern, June 14, 1968]

Today's 180-Page Edition Hails Century of Publication

Today the Daily Northwestern stretches back for a handshake with the little crew that published Vol. I No. 1, Jan. 6, 1868. From that date to this, the Daily Northwestern has never ceased continuous publication.

That first crew would have fainted straight away at the magnitude of today's Centennial Edition.

It is, in fact, the largest single edition ever published by this newspaper. It totals 180 pages, in eight sections. There are six sections entirely devoted to Centennial material, and two sections in the regular edition, liberally sprinkled with additional Centennial information.

The total heft? Two pounds, five ounces.

The size of the thing required 300 extra mail sacks just to cart copies to the post office for regular mail customers (including 60 servicemen overseas).

The six Centennial sections alone contain nearly 350 illustrations. There are some 500 major stories plus hundreds of smaller items, in those six sections.

There are 230 display ads in the centennial sections and 94 display ads in the regular paper, plus 397 classified ads. The total representation numbers 721 advertisers.

Supplies ordered for this edition alone included approximately 84,000 pounds of newsprint, or paper, according to Duane "Doc" Brasch, Mechanical Superintendent. Also required were approximately 2,160 pounds of black ink, approximately 130 pounds of gold ink, and approximately 600 pounds of zinc and other metal, approximately 18 rolls of paper tape, for transferring newscopy into lead type, via linotype machines—and untold reams of typing paper.

The Northwestern plant fairly burst at the seams as the time neared for publication of the gargantuan edition.

It became an exercise in logistics, for James Ramsdell, manager of the circulation department.

The six Centennial sections were preprinted and "stuffed" together by hand, four times at the newspaper plant and once in advance by the carrier boys. With the arrival of today's regular paper, the carriers went through the process again, making a total of six separate stuffings.

More than 20 additional part-time workers were needed to stuff and distribute the edition, supervised by Dave Seidl, Lee LaLond, and Jerry Hansen.

Delivery trucks circled the usual, 900-mile route three times with portions of the edition, at intervals during the past week. The distance traveled—nearly 2,700 miles.

The machinery normally used by the mail room couldn't cope with the out-sized needs of today's edition. Special wrappers were required, to encircle the fat, 180-page cylinder for out-of-state mailings. Double the usual staff worked most of the week to cut, tie up, and hand-paste the labels and wrappers.

Pre-printed sections, protected by sheets of plastic, filled every available space in the mail room. No sooner were Sections B, C and D delivered to the carriers, than Sections E, F and G took their places, stacked from floor to ceiling around the walls. The surplus was stored in the garage, and delivery vehicles spent the night parked outdoors by the loading ramps. The pre-printed sections for Neenah-Menasha were sent to the bureau office, to be stuffed and stored there.

Preparations for the edition went into high gear shortly after Easter.

The display advertising staff, under Walter Ellegard, mailed hundreds of letters, made thousands of telephone calls, personally called on dozens of prospective advertisers, and sketched the lay-outs for the majority of display advertising. This in addition to their usual tasks for the regular daily editions. Members of the staff include Jack Skoglind, Bob Bunke, Rune Oberg, Bob Haase, Bob Leary, Phil Young, Berhard Petersen, and Norbert Smits, who "dummied" every one of the 180 pages.

"Benny" Petersen also devoted a week-end or two to the art work for the cover of Page One, Section B, launching the Centennial edition proper.

James Swanke, head of the engraving department, and James Koch, assistant, performed the herculean task of engraving or etching all the news pictures as well as the advertising lay-outs, many in color.

They set up folding tables, just to accommodate the stacks of pictures and books from which illustrations were needed. One by one, Swanke and Koch made their way through the pile that seemed to replenish itself like the proverbial pitcher of milk.

Irving Stone took a bumpy airplane ride, to photograph the aerial views in many of today's advertisements.

Carl Plotz helped sort through dusty newspapers stored in a warehouse, in order to photograph early-day mastheads and advertisements. And Norm Getchel put down his camera to swat a bat, in the course of an assignment for the edition.

Research and writing began some 20 months in advance, with the addition of a part-time assistant, Mrs. Patricia D. Gregg. An unused room, near the newsroom, was turned into a special office, and soon filled with reference volumes, a bulletin board, charts, maps, and early newspaper editions.

When the scope of the edition was enlarged, about a year ago, Mrs. Gregg was hired on a full-time basis. College students who helped on the project were Miss Carol Laabs, in the summer, and Gary Lee, during the holiday season.

During the final month, copy poured in from the bureaus and correspondents. Mrs. Ruth Westover, in Berlin, Miss Kitty Worzala, in Neenah-Menasha, Mrs. Louise Arndt, in Ripon, and Mrs. Fran Hotveldt in Wautoma, marshaled dozens of contributions from their local areas.

Managing Editor Arthur Techlow Jr. and City Editor James I. Metz returned to the office nearly every night in the month preceding publication date, to arrange page lay-outs, write headlines, and assist with the other myriad details.

Long before a single story was set in type, page space had to be measured and allocated. "The girls in the punch room," headed by Mrs. Ida Raatz, helped eliminate the guess-work by keeping a tally of the number of lines in a story, recorded on the computer which processed the perforated tape.

Printers in the composing room uncomplainingly dodged gallies, "trucks" and shelves full of extra type for nearly six weeks before publication date. Though pre-printing made it possible to produce the edition without acquiring extra supplies of type, it took a good deal of juggling. Composing room foreman, William Gibson, used nearly "every pot in the kitchen to prepare the feast."

Gibson tends to view the accomplishment with detachment, claiming "It's all part of the job." The fact is that the crew turned out a daily paper along with seasonal printing jobs, and produced six special editions—without missing a single deadline!

They never would have believed it, back on Jan. 6, 1868. Matter of fact, it seems a little hard to believe in 1968.

MEANING LOST IN TRANSLATION

Early explorers owe Wisconsin apology. The first thing they named in Wisconsin was Lake Winnebago, literally translated as "the great and of the Stinkings!"

French map-makers chose the wrong meaning of the word, Ouinipeg, by which the Winnebago Indians were known to their neighbors. Ever since then, Wisconsinites have insisted, with Shakespeare, "A rose by any name would smell as sweet."

The "History of Winnebago County," edited by Publius V. Lawson in 1908, states: "Two years before any white man had been within several miles of the region, Governor Champlain, founder of the log cabin village of Quebec, had in 1632 drafted a map of the region from the narratives of savages and placed thereon a lake, which he named 'Lac des Puans,' which is French for Lake of the Winnebago. This lake discharged through a river which he named 'R. des Puans' . . . which has since been changed to Fox River."

MEN OF THE SEA

"Puans," meaning filthy or ill-smelling, was the literal translation of Ouinipeg. But the Algonquin word also signified the sea, filled with salt water, or "stinking water." The Winnebago were "men of the sea," for they dwelled beyond the great sea now known as Lake Michigan. Father Vimont pointed out the error right away, in the Jesuit Relation of 1640: "Some Frenchmen call them the Nation of Stinkards, because the Algonquin word Ouinipeg signifies 'stinking water.' Now they thus call the water of the sea; therefore these people call themselves 'Ouinipigou,' because they come from the shores of a sea, of which we have no knowledge, and consequently we must not call them the Nation of Stinkards, but the Nation of the Sea."

The Jesuit father might just as well have saved his ink. Later explorers, failing to find a salt sea or even salt springs, accepted "Puans" as the true meaning.

Father Marquette explained it, "on account of the quantity of slime and mud there."

Charlevoix, in 1720, wrote, "I judge it was there that living on fish which they got in the lake in great plenty, they were given the name of Puans, because all along the shore where their cabins were built one saw nothing but stinking fish, which infected the air."

Augustine Grignon, in the next century, said that Win-ne-ba-go meant filthy, in the Menomonee tongue. There may have been some basis in fact, since the early writers invariably referred to the filthy habits of the Winnebago.

GARLIC ISLAND

Lake Winnebago, the "stinking water," has only one sizable island—was it more than a coincidence that it was named Garlic Island? No reason is given for the name, which replaced the Indian word, Pecheu, after the War of 1812.

Mrs. John Kinzie described Garlic Island in 1830 as "a lovely spot, deserving of a more attractive name." Later residents agreed, and changed it to Island Park.

The Winnebago Indians have long since departed, and Puans is a name lost in antiquity. Wisconsinites now prefer the description of Lake Winnebago that appears in an 1880 county history: "Its waters modify the heat of summer, and purify the air, which is delightfully exhilarating and healthful."

CONGRESSWOMAN SULLIVAN ADDRESSES INTERNATIONAL ORGANIZATION OF CONSUMERS UNIONS ON CONSUMER LEGISLATION IN THE U.S. HOUSE OF REPRESENTATIVES

HON. LEONOR K. SULLIVAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mrs. SULLIVAN. Mr. Speaker, the International Organization of Consumers Unions, composed of representatives of consumer groups in 31 countries, is now holding its fifth biennial conference in the United States, the first time since its founding that it has met in this country. The head of the international organization is Dr. Colston E. Warne of Amherst College, president for more than 30 years of Consumers Union of U.S., Inc., publishers of Consumer Reports.

I was invited, along with Senator PHILIP A. HART, of Michigan, chairman of the Senate Judiciary Subcommittee on Anti-Trust and Monopoly, to speak at a luncheon meeting of the conference today on consumer issues in the Congress. However, because of the scheduling early this afternoon of important legislation in the House, I attended the morning session of the conference instead, and talked at that time about the problems of passing good consumer legislation in the House.

On the assumption that most of the delegates are not specialists in the study of the American legislative system, I devoted much of my talk to a description of how the House actually functions on consumer and other legislation, in order to explain why it is much easier for the House not to act than to pass controversial legislation. I hope my colleagues will find my remarks of interest, and reasonably objective.

The address follows:

Remarks by Congresswoman Leonor K. Sullivan, Democrat, of St. Louis, Mo., Chairman, Subcommittee on Consumer Affairs, U.S. House of Representatives Committee on Banking and Currency, at Meeting of Fifth Biennial Conference of the International Organization of Consumers Unions, Interdepartmental Auditorium, Washington, D.C., July 1, 1968

I am indeed happy to join in welcoming to the capital of the United States this distinguished group of international leaders of the consumer movement. The president of your organization, Dr. Colston E. Warne, through his more than 30 years as President of the Consumers Union, has influenced the course of the consumer movement in the United States in innumerable ways, and I frankly believe that the strength of the consumer cause in the United States has had a direct relationship at all times to the size of the membership of Dr. Warne's organization and of the readership of the magazine *Consumer Reports*.

I have been serving in the United States House of Representatives for 16 years, and—during all of that time—I have tried to specialize in issues of consumer interest and concern. Sixteen years ago, the Members of Congress who were primarily interested in consumer issues could have held a caucus in one of the elevators in the Capitol building—there were so few of us then. Today, the situation is much different; there are now a great many members of both the House and the Senate demonstrating great interest in this field, including, particularly, the outstanding United States Senator appearing here today, Senator Philip A. Hart of Michigan. Senator Hart was more responsible than any other Member of Congress for ending the intolerable confusion which the housewife encountered in trying to make price and quantity comparisons among competing products, or even among different sizes of the same product, on the shelves of our supermarkets.

I assume that few of you are political scientists specializing in the study of the American legislative system, so, even at the risk of telling you some things which you may already know, I would like to begin my discussion today of the role of the House of Representatives in consumer legislation by describing how the House actually functions. So far as I know, it is like no other legislative body in the world, and it is important to know *how* things happen in the House of Representatives in order to understand *why* they happen, or why they do *not* happen. So, with your indulgence, I would like to explain why it is much easier for the House of Representatives *not* to pass legislation than it is *for* it to accomplish the goals we have in mind for the American people.

RULES OF U.S. HOUSE OF REPRESENTATIVES INTRICATE

The Honorable Lewis Deschler, Parliamentarian of the House of Representatives, has described our Rules as probably the most finely adjusted scientifically balanced and highly technical of any parliamentary body in the world. These Rules are extremely effective in preventing *hasty* action; they can also be utilized by skillful Members to delay action to a snail's pace. But, despite the difficulties inherent in our Rules, the House can proceed to do anything it *wants* to, within its constitutional powers, *if* a clear majority of the Members is *determined* to act.

Actually, much of the legislation we pass is put through by unanimous consent, under procedures by which a single Member's objections could force a postponement for at least that day, or for an extended period. It is only when we get into real controversies involving divergent economic or political interests, or matters of grave national concern, that delay and obstructionism are seriously attempted. But the majority *can* always prevail.

The majority I refer to, however, is not necessarily the political Party nominally in control. The make-up of the working majority varies according to issues, and sometimes it is the Minority party, with some help from individuals on the majority side of the center aisle, which determines the final outcome of some legislation.

PARTY DIFFERENCES BLUR ON ISSUES

We do not have the Party discipline which is characteristic of so many other parliamentary bodies in the world's democracies. Nevertheless, our Committees—in which the bulk of the legislative work is accomplished—are structured on a Party basis, with the Majority political Party holding a proportionate preponderance of seats in each Committee. But once a Committee begins to work on a bill, the party differences blur, according to the views of the individual Members, and according, also, to the character of the Congressional Districts these Members represent in the House. Members from urban areas tend toward the liberal side on social and economic legislation, regardless of party; similarly, those whose constituencies are largely rural usually lean heavily on the conservative side.

Committee assignments are made by the two political parties, largely on the basis of seniority and personal preference, and thus Members who have been re-elected several times gravitate toward the Committees which have jurisdiction over legislation of special interest to the individual Member or to his District. As a result, some Committees acquire a strong liberal majority; others, with the same division of Republicans and Democrats, are overwhelmingly conservative. And this reflects itself in the kind of legislation those committees report.

The House cannot, except under very unusual circumstances, take up a measure which has not already been cleared by the standing committee which has jurisdiction in that field. And under our procedures, it is extremely difficult to overturn a Committee's recommendations—mostly because it is so hard to attract uncommitted Members to the House Floor to listen to the debates and become familiar with the details of the complex bills, and to participate in the non-recorded preliminary votes which *actually shape* the bills in form for final passage.

Our system has many faults—we all recognize them when we are involved in hard legislative battles. But, with all of its faults, it works when it *has* to. We could do much better, of course, and we are constantly striving to improve procedures to expedite action. But progress is slow because there are so many built-in advantages to those who have mastered the system to keep things as they are.

CONSUMER LEGISLATION HANDLED BY MANY COMMITTEES

On the other hand, when you have strong leadership in a Committee, and the Committee itself has a working majority of Members willing to fight hard for a cause, strong bills can be passed with reasonable speed. That cuts in both directions—the bills may be good or they may be bad, depending upon the outlook of those who constitute the majority of the Committees handling the legislation.

In the consumer field, no one Committee of the House has sole responsibility for legislation of importance to consumers. Almost every Committee has *some* responsibility in this field—just as our Governmental departments nearly all administer consumer programs of various kinds. Thus, while one Committee may be moving vigorously to improve one important law relating to consumers, a different committee may be moving just as vigorously to undermine another consumer program.

Usually, however, each Committee has to be prodded to act—and some do not prod very well. They sit tight and let the matter rest for yet another year or another two-year Term of Congress, when all legislation must start all over again from the very beginning.

STRONG LEADERSHIP BY CHAIRMAN WRIGHT PATMAN

I am proud of the major Committee on which I serve, the Committee on Banking and Currency, which has jurisdiction in a number of areas of consumer concern, including credit, housing, bank insurance, inflation danger, and others. It was entirely because of the make-up of this Committee that I was able to get through the House, and ultimately through both Houses, one of the landmark consumer measures of this or any other Congress. We are fortunate in having as our Committee Chairman a man who has worked for consumer causes and for consumer interests for nearly 40 years as a Member of the House of Representatives, Congressman Wright Patman of Texas. When my bill, a broad and comprehensive measure to protect the consumer in the use of credit, was blocked in the 12-member Subcommittee by a tie vote of 6 to 6, Chairman Patman called it before the parent 33-member Committee and we proceeded to approve in the full Committee nearly all the provisions of this far-reaching measure, but with some weakening amendments. Then, on the House Floor, we were able to defeat the several Committee amendments which would have weakened the consumer protections of the legislation. But, when we got into Conference with the Senate, it took six long weeks to persuade the five Senators on that Conference Committee to agree to *any* of the improvements in the legislation made in the House. Finally, we prevailed on most of the major points of difference between the two co-equal legislative bodies, although we had to make some concessions to the Senate's position.

PROTECTING CONSUMERS IN THE USE OF CREDIT

This legislation, for the first time, will require stores and banks and lending instituions of all kinds to tell their customers all of the essential details of the cost of every consumer credit transaction, not only in terms of the dollars-and-cents cost of the credit, but in terms of an annual percentage rate, so the customer can shop for credit in the same way he shops for merchandise by price. We also included regulation of the advertising of credit in the newspapers and magazines and over radio and television, so that the misleading terminology which now confuses Americans about the real cost of credit will be prohibited. We wrote into the law a very strong provision against the racketeering element engaging in loan-sharking—extortionate extensions of credit—when the Customer or debtor knows he is in danger of life or limb if he fails to repay the unconscionable, usurious rates which are charged. This is a most serious situation in many of our large cities, as a result of the activities of criminal elements using usurious loan-sharking activities as a way of victimizing small businessmen and others who need cash to meet obligations and cannot obtain loans from legitimate sources. We also included for the first time in Federal law, restrictions on the methods of collecting debts through the attachment of workers' wages.

The Consumer Credit Protection Act is a very strong law, compared to the measure which originally passed the Senate. The reason we could get through a strong bill, at a time when consumer legislation generally was not faring well in the Congress, was that on this issue, the Members of the Committee which handled the legislation in the House were nearly all in favor of a truth-in-lending law; the need for the legislation had been widely publicized by the press and other media; and the public was finally aroused—after many years of academic discussion on this issue—and demanded effective action, as called for 8 years ago by former U.S. Senator Paul H. Douglas of Illinois.

USUALLY, CRISIS OR TRAGEDY SIMULATES ACTION

Unfortunately, we do not usually get that degree of consumer interest and of public demand for legislation, except in periods of crisis or of tragedy. The Food, Drug & Cosmetic Act of 1938—now very much out of date after 30 years—was enacted as a *very good law for its time* only because more than a hundred men, women and children in this country had been poisoned and died from taking a prescription drug which had not been tested for safety—and which never should have been placed on sale. Similarly, the Drug Safety Act of 1962 was passed, after long effort by the late Senator Estes Kefauver, and by me and by others who felt strongly about the need for this legislation—but it was passed only after the extent of the European tragedy of thalidomide became known to the American people. So we closed the door, we hope, on future thalidomide episodes in the United States. But we have not improved our cosmetic safety law since 1938, and I am deeply afraid that our efforts to pass a cosmetic law will not succeed until—and I dread such an event—until many women are painfully or tragically injured by an untested cosmetic placed on the market and sold widely before its harmfulness is determined. This, unfortunately, has been the pattern of our legislation dealing with the health and safety of the American people—there has to be an event which proves disastrous to enough people to impel the Congress to take the action our minds tell us should now be taken.

BIPARTISAN HELP ON CONSUMER LEGISLATION

Consumer legislation, like all good legislation, depends for passage on the kind of people who are elected to the Congress of the United States, and, as I said, party labels are not necessarily indicative of the manner in which a Member of Congress will vote on these issues. As a Democrat, I believe that the majority of my Party's Members in the House will generally support the consumer cause—the public interest—but I am quick to acknowledge the help that I know I have received from Republican Members, also, on many bills in which I have been interested. The Housing bills we enact in the Congress generally come out of the Banking and Currency Committee with broadly based support from both parties. One of the staunchest supporters of my consumer credit bill was a Republican Member of my Subcommittee, Congressman Seymour Halpern of New York, and in fact, the three Republican Members of our full committee who served on the Conference Committee on the Consumer Credit bill, stood solidly with the six Democratic Members during the entire six weeks of our negotiations, and worked with us very effectively in persuading the Senate Conferees to accept the basic principles of the House bill. The party labels are therefore not the determining factors that they are in most other parliaments, much more important is the attitude of the individual Member of Congress, and the extent of the pressures upon him from businessmen in his own District, as well as from consumers in his home district.

WHERE THE INFORMATION COMES FROM

We don't have a "rotten borough" system in the United States; each of the Members of Congress tries to be cognizant of the attitudes of the people in his own Congressional District, and most of these Districts now are of uniform size with diverse populations, and with full franchise assured to all citizens. But consumers are not usually well-organized and they are generally not very articulate in expressing their views on technical legislation. On the other hand, the business firms which would be affected by that legislation are usually very articulate, very visible, very influential, and they usually employ knowledgeable people to represent them in dealing with the Congress.

The information which a Member of Congress must have, in order to be able to consider technical aspects of a consumer measure with some degree of intelligence, must come to him from people who have that information; and usually that source is not the consumer, the individual housewife, or her husband. On the other hand, a letter to a Member of Congress from an individual citizen, no matter what his station in life, can often achieve results which are truly remarkable. I know that I read every letter which comes to me, and there are hundreds of them every week from people in my District. They write to me whenever they become aware of a consumer problem which they have encountered, or which a friend has encountered. They do not usually know what should be done about it. But they know that I will try to get the facts, and if legislation is indicated, that I will pursue the matter to the point of introducing a bill and then trying to get it through. All 435 Members of the House receive at least some letters of this nature, and many of the Members will, as I do, pursue the issue and try to find solutions for consumer problems which can be resolved either through legislation or by administrative action.

CONGRESSIONAL "OVERSIGHT" OF GOVERNMENT AGENCIES

Where there is an administrative remedy which is not being taken by the Agency which has responsibility in the field, we have machinery in the Congress for hearings by our standing Committees, or by special investigative Committees, to get at the facts and expose any official lethargy or negligence. And this frequently brings results!

Just last Monday, for instance, the Committee on Government Operations of the House—an investigative Committee which exercises surveillance over all agencies and departments—issued a report calling for an intensive study into the problem of assuring fair compensation to private citizens who are injured or damaged by contractors engaged in government work. It seems that we have no uniform requirements that such contractors carry any form of liability insurance to protect the public. The Committee's inquiry grew out of a letter I received from the mother of a sailor who was killed on a Florida highway by an uninsured truck engaged in hauling sand for a U.S. Government project, and owned by an irresponsible operator from whom no damages could be collected.

This is by no means a world-shattering issue, but the fact is that the Committee which investigated the problem found there were no facts, no statistics, no clear understanding of the extent of this problem. And that is the case in many instances which, after study, show the need for consumer protection legislation.

Once Congress has clear facts upon which it can legislate, the battle, as I indicated, is only beginning. It takes years to get good laws into being—years of public exposure of the problem and of determined legislative effort to translate a need into a law. We are never satisfied with the results, but we do progress—sometimes in spurts, but usually in slow, dogged action.

MUCH GOOD LEGISLATION ENACTED IN PAST DECADE

Senator Hart's truth-in-packaging bill enacted several years ago, the Automobile Safety Act of 1966, the Hazardous Products Act, the Food Additives Act, the Drug Safety Act of 1962, the Dangerous Drug Act of 1965, the Federal assistance program to encourage educational television, our many programs for aid to education from kindergarten through the postdoctoral level of our universities, are all recent enactments of the Congress—within the past ten years.

However, there is much yet to be done, and I am sure that every problem in the consumer field which we thought we had solved through the passage of legislation in these past ten years will emerge as a somewhat different problem in the future. Our consumer legislation tends to become out-of-date and obsolete, and we are not as prompt as we should be in correcting the damage which eventually begins to manifest itself in our consumer laws.

We are, therefore, very fortunate in the United States in having an organization like Consumers' Union, headed by Dr. Warne; we are fortunate in having a National Consumers Federation, headed by an outstanding Professor of Economics from Boston College, the Reverend Robert J. McEwen; and of which your chairman today, Mrs. Erma Angevine, is executive director; we are fortunate in having an increasing interest in each State in the establishment of consumer organizations. Fundamentally, the problem is to alert the American people, and get them excited enough about these problems so that they will, in turn, demand that their Representatives in the Congress pass the necessary legislation. It is never easy to accomplish.

I hope all of you will share with those of us in the United States interested in consumer legislation your own experience in your own countries; tell us about the solutions you have achieved for some of the problems we are still struggling with, and in return, I am sure you will derive a good deal of information from our consumer leaders here about the things we are accomplishing or trying to accomplish in the consumer field in the United States.

Thank you.

HUGO VIHLEN

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FASCELL. Mr. Speaker, stories of man against the sea have intrigued and inspired men everywhere for thousands of years. In our age of mechanization and increasing affluence, such exploits are few, yet they will capture the imagination of millions around the globe.

Homestead, Fla., which I have the honor to represent, is the home of the latest sailor to join the small elite of individuals who have taken up the challenge of the sea against immense odds and won. I refer, of course, to Mr. Hugo Vihlen who last week completed an 85-day voyage from Africa to Florida, a trip to 4,600 miles. Mr. Vihlen sailed alone in a boat whose small size, only 6 feet, further dramatizes the valor and skill of its captain.

Despite all the comforts of our modern world, Mr. Vihlen has shown us that the spirit of adventure is alive. In our enthusiastic reaction to his achievement we all have regained a little of that spirit for ourselves. Nowhere was excitement over Hugo Vihlen's adventurous voyage more intense than in his hometown of Homestead. The South Dade News Leader, Homestead's daily paper, published a series of articles which I believe capture much of the spirit of excitement that surrounded Vihlen's homecoming:

Waves, Wind: Hugo Hunted by Newsmen

The tub-like sailboat "April Fool" skippered by adventurer Hugo Vihlen, was hunted today by newsmen, a cute blonde, and the Coast Guard as it neared the end of a marathon trans-Atlantic voyage.

The six-foot boat, which set sail from Casablanca March 29, was last seen Monday morning 200 miles southeast of Miami when Vihlen's pert wife, Johnnie and their 11-year-old son chartered a plane to take a look.

Eager newsmen hoped to be the first to talk to the former airline pilot who believes no one has ever sailed from Africa to America in a craft that small. All but one in a flotilla of boats were turned back by seven-foot waves and winds up to 50 miles an hour in efforts to find Vihlen Wednesday in the Bahamas.

A twin-engine seaplane chartered by the Miami News was forced down by engine trouble at Anguilla Cay in the southwestern Bahamas, but returned safely to Miami after emergency repairs were made.

Still fighting the weather in the Cay Sal Bank area was a 57-foot vessel carrying Johnnie Vihlen, who met her husband while both were in the Marine Corps, and a Miami television station news team.

A submarine based at Key West spotted the April Fool Sunday just 15 miles off the northern coast of Cuba. Vihlen, sporting a two-inch beard and wearing only swimming trunks, took aboard fresh water and bread. He told the crew of the USS Grenadier he was doing fine and bobbed off on the last leg of the 4,150-mile voyage.

He may reach the Florida coast by the weekend.

News Leader Reporter Spots Hugo—A Tiny Speck in a Mighty Ocean Off Fort Lauderdale

(By Jeannette Thorn)

Hugo Vihlen and his sturdy little April Fool were just slightly larger than a speck of red and white on a staggeringly-huge expanse of rolling, dark green ocean when Don Doran and I spotted him just before dark last night.

Apparently ours was the last sighting of the day—at 8 p.m., two hours later than any other report.

And we found him so far north of where he was expected to be that officials were dubious for a while about the authenticity of our sighting and the accuracy of the position we radioed.

There he was, about seven miles offshore and about 10 miles north of Ft. Lauderdale, being pushed northward by the Gulf Stream at about 4½ to 5 knots according to an estimate by Doran, who's knowledgeable about such things.

On our first pass over the bobbing little April Fool, its skipper waved at our bronze-and-tan twin-engine Piper Apache, but I was too busy sighting and focusing the camera to wave back.

"Keep him in sight if you can," Doran advised me. "At this speed—140 miles per hour—we have to go 'way out to turn, and if we lose him, we may not pick him up again."

But we did. For four more passes, in fact; the last three at about 100 feet and off to Vihlen's left.

He appeared to be gesturing pointedly to the north, and on one pass, he clambered to the edge of the April Fool so that his orange-red nylon jacket would be silhouetted against the white sails.

At first we thought—knowing Hugo's independence and determination—that he might be waving us off . . . letting us know that he was all right and didn't want assistance.

But the more we watched, the more it seemed he was trying to tell us he was being carried north by the Gulf Stream.

It was obvious from the swells in the water and the April Fool's billowing sails that a strong west wind was battering him away from shore—keeping him in that determined northbound stream.

Doran, who'd been insisting during the whole flight that "people don't give that Gulf Stream credit for pushing a little boat as fast as it does" merely nodded and picked up the mike.

As we headed for Homestead General Airport and Homestead Air Terminal, Inc., which Doran heads, he notified Miami Air Radio of Vihlen's position, speed and direction, and asked that it be relayed to the Coast Guard.

Six or seven minutes later, the radio crackled to life, relaying a request from the Coast Guard to go back and circle over the little April Fool until a cutter could reach the area.

"They don't want to lose him now, and the nearest cutter is diverted to a distress call," the radio voice explained.

By that time the sun was almost past the horizon, the sea was hazy, and a thunderstorm had moved in and settled over the area where we'd sighted Vihlen and his little boat a quarter-hour earlier.

We circled again and again, first high and then, when we didn't sight him, lower and lower. But the rain, clouds only a few hundred feet above the water, and increasing darkness thwarted us.

We never did spot him again.

Finally the weather got too sticky for safety, so we got an okay from the Coast Guard and headed home.

But that wasn't the end . . . not by a lot of hours.

Before the propellers had stopped turning, somebody came bounding up to the plane to tell us "the press" wanted to talk to us on the phone.

While I was still fielding a Miami newspaperman's questions, Doran got a call from Air-Sea Rescue, wanting to verify the sighting and Vihlen's position. Both seemed reluctant to accept the fact that he was as far north as we had seen him.

About 10:40, I talked to two television newscasters. Shortly after 11, there was another.

The next call was from Frank Edge, head of the Miami Bureau of UPI. He wanted verification, too.

At 2:30 a.m., the phone shrilled me awake. It was Johnnie Vihlen, Hugo's pixie-like blond wife.

"Did you really see him? Did he look all right? Where was he?" she fired at me.

Then Channel 4 newsman Joe Abrell took over, to explain that a news crew, Johnnie and 11-year-old Dana Vihlen had been wandering around Cat Cay, off Cuba, since Tuesday, hunting Hugo.

They'd sailed back to the Florida coast Thursday, and were somewhere north of Miami, double-checking the last sighting before setting out again.

Unless somebody's gotten to Homestead's "maxi-sailor in the mini-boat" and is hiding him out while they get exclusive interviews, the sighting Doran and I reported last night is still the most recent as of 10 a.m.

We'd rather not have it that way.

Pilot Ends Epic Voyage—Parade Tonight Honors Homestead's Hero Hugo—Barbecue at Park

(By Jeannette Thorn)

A horn-blowing, streamer-bedecked motorcade, bearing "Welcome Home, Hugo" banners and led by the bearded, suntanned sailor and his mini-boat "April Fool" will parade through downtown Homestead at 6 p.m. today as residents turn out to salute him.

The parade will form on Washington Avenue, move south to Mowry Street, west to Krome Avenue, north to Eighth Street, and east to Harris Field, where it will disband for a big public barbecue.

Vihlen, his petite blond wife Johnnie and their son Dana, 11, will be guests of honor, and the "April Fool" will be on display at Harris Field during the barbecue.

The dinner is open to the public, with chicken barbecue for $1.50 and barbecued ribs at $1.75.

Chamber of Commerce president Zeke O'Farrell will preside as master of ceremonies, introducing county and city officials who'll present keys to the city, a plaque and several surprise gifts to Vihlen.

Then the intrepid voyager, whose 85-day solo sail from Africa disproves his nickname, "Sailing Fool," will talk with the hometown folks about some of his experiences at sea, and he'll hold a question and answer session.

Vihlen's return, at Homestead General Aviation Airport Friday night, was far different from the hero-worship accorded him when he landed at Fort Lauderdale about three hours earlier.

Most of the 100 people who got word of the arrival in time to get to the airport were longtime friends. Many of them had frankly told him they thought he was crazy to try such a voyage. All of them were quietly overjoyed at his return.

As he stepped from the plane, bearded, so lean that his clothes hung on his frame, and barefoot, there were warm chuckles and warmer applause.

For a few seconds, he stood there alone, as townspeople, perhaps a little in awe, held back. Then the rush forward was a general one, and hand after hand was outstretched to him.

Friends, some of them choked up, said things like, "Glad to have you back, boy," and "You had us worried there for a while," and, simply, "Welcome home."

Then the questions began. And Hugo talked.

And talked and talked and talked.

It was as though he'd starved for 85 days, waiting for listeners.

Since Friday night, the Vihlens have been at home, unable to leave even to go to dinner because of the constant stream of wellwishers and amateur photographers.

"It's unbelievable," says Hugo modestly. "This welcome—it's just unbelievable. The people of Homestead are great . . . simply great."

Sailor Honored by City—Hugo Gets "Huge" Hello—Hundreds See Mini-Boat at Celebration

(By Jeannette Thorn)

"What are you going to do with the April Fool, Hugo?"

The question came from one of the hundreds of hometowners clustered around Hugh Vihlen at the start of the motorcade with which Homestead saluted its daring sailor last night.

"Put it in my garage and just look at it," grinned the bearded hero. "For a while, anyway."

It was Vihlen's day in South Dade, proclaimed by the mayors of Homestead and Florida City and the Chamber of Commerce.

There were cheers and applause from several hundred persons who lined the sidewalks of downtown Homestead to see the welcoming motorcade with its police escort and the jeep-drawn trailer bearing the mini-boat that carried Vihlen across 4,600 miles of the Atlantic Ocean.

As it moved up Krome Avenue beneath fluttering red, white and blue banners that read "Welcome, Hugo," a mass of ticker tape thrown from the sidelines, came fluttering down around the shoulders of Vihlen, his wife Johnnie and their son, Dana, riding on a convertible behind the tiny boat.

At Harris Field, Vihlen was mobbed by autograph seekers, old friends and hundreds of people who wanted to meet the man whose daring voyage they'd followed closely through news items.

All evening, a steady stream of people packed the platform next to the April Fool, waiting for a look into the cramped interior of the boat that was Vihlen's home for 85 busy, lonely days at sea.

"You mean he sailed across the ocean in that?" gasped one woman. "My God!"

"Yes," observed a man nearby. "God must have been with him, all right."

A freckled youngster with his young father in tow danced excitedly, jiggling his dad's arm and chanting, "I want one—I want a boat like that."

A group of long-haired, jeans-clad teenagers lost their cool impassivity as they stood looking at the less-than-six-feet-long boat. Their faces mirrored a combination of awe and respect as they walked away, wordless.

There were tangible tributes for Homestead's hero, too . . . framed proclamations from Homestead and Florida City, a mahogany-and-gold plaque and a key to the city from Mayor Bill Dickinson, a gold platter from Military Affairs Committee chairman Merl Young, and a beautifully-executed gilt balsa model of the April Fool, scaled 1½ inches to the foot, made by Lance Cavagner and presented by the Chamber of Commerce.

There was an honorary membership in the South Dade Emergency Communications Club, a group of citizens-band radio operators represented by Bill Blackwell, "so you can keep in touch with us next time."

(Citizens' band operators from all over Dade, Broward and Monroe Counties and from San Juan and Guantanamo Bay monitored their radios almost around the clock for the last two weeks of Vihlen's trip, hoping to pick up a message from him, or news of a sighting.)

But the biggest tribute, and one that seemed to touch Vihlen most, was the standing ovation that came from his fellow citizens as he mounted the platform to speak.

Recalling the heartbreaking turn-back on his first attempt last year, and the arduous 85 days of this year's successful voyage, Vihlen's blue eyes shone as he looked out over the audience.

"Things like this—this welcome—I am really amazed and pleased beyond words," he said. "It makes the whole trip worthwhile."

L. B. J. IS A PRESIDENT WHO UNDERSTANDS YOUNG PEOPLE

HON. LUCIEN N. NEDZI

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. NEDZI. Mr. Speaker, President Johnson has acted in behalf of 10 million Americans—and spoken for millions of others in proposing a constitutional amendment to lower the voting age to include 18-year-olds.

This proposal deserves the prompt enactment of the 90th Congress. And I feel certain that my colleagues will vote overwhelmingly to pass this measure.

I can think of no proposal offered to the Congress in recent years which is more just and necessary in strengthening our democratic life.

The right to vote is an inherent right of all Americans. There can be no good reason for denying this right to young men and women who have demonstrated their citizenship by paying taxes, by their involvement in our Nation's affairs, and by their sacrifice in the defense of freedom around the world.

This constitutional amendment will allow some 10 million young Americans the right to vote. This right is currently being denied them by State laws which for some arbitrary reason have settled on age 21 as the age of reason.

I think we know better today.

I think we all realize that this youth generation is the best educated and the best informed in our history. If knowledge and concern about America and its problems entitle one to vote, then there is no question but that the overwhelming majority of our 18-year-olds deserve that right.

I commend the President for submitting this proposal to Congress. As he has done so often in the past, President Johnson has challenged the status quo that stands between progress and outmoded and no longer relevant laws. I urge my colleagues to support this constitutional amendment.

THE TRUE COST OF RESURRECTION CITY

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. WYMAN. Mr. Speaker, the actual cost of Resurrection City is an interesting question. Last week, it was commonly rumored to be in the vicinity of one-quarter of a million dollars to the taxpayers.

The Washington Sunday Star on June 30 places the total cost figure to the taxpayers and others at considerably more than $1 million. How this figure was arrived at is explained in the following article which I am including in the RECORD at this point as some indication of how much more could have been accomplished for poor people had this money been directed at more constructive efforts.

The article follows:

ADDING UP THE COSTS—TENT CITY AND CAMPAIGN INVOLVED MILLIONS

(By James Welsh)

Early in May, the week before the first of the Poor People's campaigners came to town, staff members of the Smithsonian Institution were in New York and Newport, R.I., huddling with officials of two foundations.

Their idea, conceived some time before at the Smithsonian, was to mount a cultural program at Resurrection City. It would have been designed not only to entertain the tent-city residents, but to stimulate what cultural talents they brought with them, especially in the field of music.

Approval of the idea was no problem. The Ford Foundation promptly made a grant of $30,000, to be used for installing a wide variety of facilities, from a "culture tent" to elaborate sound and lighting systems, and for tours to the Smithsonian by the children of Resurrection City.

In addition, the Newport Folk Foundation made a grant of $5,000 to subsidize the appearance at the encampment of a number of folk-music entertainers. This sum was matched by private contributions from Gregory Peck, Theodore Bikel, Mrs. Pete Seeger, Folkways Records and others.

All together, the Smithsonian's ambitious venture represents just one small part of that unique lobbying spectacle and experiment in living called the Poor People's Campaign. But it illustrates a number of significant elements that were present throughout: the good will that existed despite a mounting hostility toward the campaign; the large numbers and diversity of people drawn into what was going on; the frustration encountered by so many who tried to help; and, not least, the enormous mount of money involved.

Now Resurrection City has come and gone. Although Smithsonian officials are putting a good face on it, the results of the cultural program can generously be described as mixed.

The tent went up, and so did the stage facilities. That proved fairly easy.

As to what to do with them, confusion plagued the program. Seldom was there agreement among the Southern Christian Leadership Conference staffers or their followers as to what people wanted and what would be best for the whole group.

Only some of the performers on the Newport Folk Foundation list appeared. One who did not was Harry Belafonte. Others were canceled after conditions at the tent city continued to deteriorate.

Of those who did appear, the Georgia Sea Island Singers stayed for a month, not only performing but teaching some of the residents.

A high point was the performance of a Sioux Indian, Henry Crowdog, who talked with dignity of keeping cultural roots alive, sang for a largely Negro audience that joined in polyrhythmical handclapping, then beat a drum while one of the Sea Island group sang. Things clicked that night.

But there were low points. An Algonquin Indian delivered an anti-white harangue that was challenged by a white man and almost provoked a riot. Singer Pete Seeger was largely ignored by the camp's Negroes. Other performances were badly attended, at times because the camp's young people decided to hold rock 'n' roll sessions a short distance away.

FEW TOURS CONDUCTED

The Smithsonian tour program largely went awry. Only one trip from Resurrection City, plus a few more for the Indians at Hawthorne School, ever materialized, and it was on the Friday before the camp was closed. At other times, despite elaborate plans that included lunches prepared for the children, things fell apart because the encampment leaders failed to get the children together.

A bus costing about $50 a day stood idle until Smithsonian officials decided to bring children from Washington schools to the specially planned programs. Almost 100 volunteer guides had been mobilized.

The Smithsonian also had hoped to organize some of the residents to create a large exhibit demonstrating the roots and culture of poverty. That project, in the words of a Smithsonian official, remains "in the gestation period."

Currently about a third of the Ford grant and a couple of thousand dollars in the other fund remain unspent.

Now that the campaign is dwindling, the financial elements are coming into sharper focus. But only to a degree.

FIGURING THE COST

Consider the costs of the campaign. A precise tabulation is impossible. Trying to obtain one would drive the average accountant wild, even if he had full access to records, for some of these records are incomplete, while lines of financial responsibility were crisscrossed throughout.

In direct outlay, in what the SCLC spent to finance the campaign, in what the government spent and in what was spent by all people mostly Washingtonians, and all the agencies like the foundations that rallied around to help the people of Resurrection City, the cost of the campaign probably ran between $1.5 million to $2 million.

The indirect costs would include countless hours of time contributed by doctors, lawyers, churchmen, food executives and others.

If they can also be said to include the losses suffered by downtown business establishments, these indirect costs would soar.

"You can safely say that the loss in business, especially to the tourist-oriented businesses, like the hotels and restaurants, and to the downtown retail establishments, ran into the tens of millions of dollars," said William Calomiris, president of the Metropolitan Washington Board of Trade.

By far the biggest money mystery concerns the finances of the SCLC—what came in and what went ou* Like the iceberg, much remains invisible. Questions to SCLC staffers are regularly bucked along upstairs, where they are usually greeted with vagueness and comments like, "That distracts from what we are trying to do."

WHERE MONEY WENT

Contributions following the slaying of the Rev. Martin Luther King Jr. and throughout the campaign fattened the group's treasury, certainly running into the hundreds of thousands of dollars.

But it went basically in three directions: directly to the SCLC to be used for the campaign or any other purpose; to the tax-exempt Martin Luther King Memorial Fund; and a separate SCLC Foundation, also tax-exempt and separate from the direct efforts of the campaign.

Much of the big money went into the King memorial fund, established by Mrs. King and the Rev. Ralph David Abernathy, King's successor. For instance, one contribution given little publicity was a $275,000 grant from the Field Foundation of Chicago, part of a $1 million series of grants designed to forward the ideals and goals of the late SCLC leader.

Other sizable sums went to the SCL Foundation, it is understood, from people who wanted to contribute but wished to still write it off their taxes.

Together, these two funds represent a virtually untouched reserve from which the SCLC hopes to continue operating.

Contributions to the SCLC for the campaign itself came in from all over in large and small amounts. Conspicuous were such donations as $12,000 from singer Ethel Merman, a similar sum from the New York postal workers union and other gifts running into the thousands, plus promises of more, from show business personalities.

More modest donations continue to arrive at SCLC offices, many passed along via church organizations, labor unions and Negro leaders.

EXPENSES CONTINUE

But SCLC was spending money, too, its expenses mounting from the time the first bus rolled toward Washington. These expenses also continue.

The Rev. Andrew Young, executive vice president of SCLC, now running the show while Abernathy is in jail, said he has had no opportunity to add up the campaign's expenses. But he ventured some estimates.

Young said the last he heard, the seven-week campaign cost the SCLC about $50,000 a week. The cost of building tent city he said, ran about $100,000.

Although money continued to come in during the campaign, he said, the bills came in at an equal pace. "It was a day-to-day operation with the bills and money running neck and neck," he said.

One of the most significant expense items, Young believes, was transportation. Most of this represents the costs of bringing participants to Washington and sending many of them back, although it also includes a considerable amount for traveling by staff members.

The bus expenses varied from caravan to caravan. The first group to arrive came from the South with only a few brief stops, at a cost of about $11,000 for 11 buses. Another Southern caravan started in old buses from Edwards, Miss., at an initial cost of $2,500 but worked its way slowly through the South, stopping frequently to raise money for the next leg of the trip.

COST OF CONSTRUCTION

Some $10,000 was set aside for the mule train, but the cost probably ran higher to pay for shipping it from Atlanta to Washington. SCLC also paid for the major part of the buses that brought the delegation of Mexican-Americans from the Southwest.

Most of the money spent to build the encampment, about $70,000, went for plywood. That wood, carted away last week, belongs to SCLC, and one offer to buy it for $15,000 already has come in.

The wood was purchased through Hechinger Building materials. Officials of the firm say the SCLC was charged the lumber costs only, with the company absorbing about $10,000 in handling and overhead connected with getting the material to the tent city site.

John Hechinger, chairman of the District City Council and a member of the family that runs the building-supply firm, said he contributed a small amount directly to SCLC. He would not say how much.

Once the wood and other materials arrived at the site, a massive effort was required to put up the encampment. Here, as on a number of other fronts, volunteers from the Washington area, led by students and staff of Xaverian College in Silver Spring, got the job done. Dwellings for about 3,000 people and a number of large buildings quickly went up.

The Rev. John Adams, director of the National Council of Churches liaison office with the campaign, said his staff had filtered over $40,000 to SCLC through a special office in the Methodist Building.

This was only a small part of the donations that went into the campaign, he continued, because his office told most major donors to send their money directly to SCLC's Atlanta headquarters.

Making an estimate of the total amount he believes religious groups sent to the campaign, Adams placed the figure at $125,000. That, he added, is probably low."

Adams said he was not including the major $50,000 donation from the United Presbyterians, U.S.A., that Abernathy announced from the platform on Solidarity Day because Adams believes that contribution was earmarked for the Martin Luther King Memorial Fund to be used for work in slum rehabilitation.

Money for the campaign is continuing to come in—$4,000 came in over the week, Adams said.

Citing an increase in calls to his office, Adams said the closing of Resurrection City and the mass arrests of last week have given him the impression that "we are entering into a phase where there could be greater support (for the campaign) than earlier.

"I have the feeling," he continued, "that the dramatic way the closing took place with the overreaction of the power structure, and the beautiful nonviolent action has impressed the clergy."

COST TO TAXPAYER

Adams said the National Council of Churches has been working since February to raise funds and places a value of about $75,000 on the staff services expended.

What the campaign cost the taxpayer (irrespective of what gains the SCLC made in prying loose federal funds for social welfare programs) is falling into place. The total will be about $1 million, most of it charged to the District government budget.

On Friday, separate estimates came from the Distict budget office and the Interior Department on money spent during the campaign and estimates for restoring the 12-acre West Potomac Park site to its former condition.

Through last Sunday, what District budget officer D. Peter Herman calls "expenditures above normal" totaled close to $500,000, mostly for police overtime. Extra spending for last week probably will run more than $100,000. The Interior Department said extra spending by the National Park Service totaled about $160,000.

Restoration costs were computed separately, with the total for the park cleanup, mostly borne by Interior, put at $85,000. National Guard and other military-alert expenses have not yet been determined.

BYRD COMMENTS

A report of District expenditures from Herman's office Friday prompted Sen. Robert C. Byrd, D-W. Va., to comment to the Senate: "Had the campaign produced substantive results for the poor, these losses suffered might be somewhat less painful?"

Young expressed just the opposite reaction. Asked about the government figures, he said: "That is a very small cost to pay for the education of this nation."

No history of the campaign can be written without mention of the sustained contribution in money, material and volunteered time by the people, businesses and organizations in the Washington area. It was considerable.

"I think this community responded very well," said the Rev. Geno Baroni, director of the Washington Catholic Archdiocese's urban affairs office and one of a number of churchmen who labored night and day soliciting and coordinating all manner of support programs.

Once again, it would be impossible to measure precisely the scope of this support, partly because so much of it was intangible and partly because nobody, either at SCLC or in the community, was in central command.

HOW IT WORKED

It was instead a free-flowing, frequently hand-to-mouth operation, one emergency after another tackled as circumstances demanded. It worked something like this:

A call would come in from Hawthorne School to say that no paper plates and cups were available for the next day's meals, or from Resurrection City asking for drug and toilet articles. At any of a number of church oragnizations or other agencies, someone would get on a phone, calling department stores or drug firms. Somewhere along the line, a firm would agree to help, either through a direct contribution or through providing the supplies wholesale.

One operative phrase throughout the campaign was this: "Meeting human needs." It was used by those who were fully enthusiastic about the campaign, but also by those who had strong reservations about what was happening at Resurrection City but wanted to help the people involved.

Another theme constantly heard concerned the problem of coordinating with SCLC. "There was always a gap between the SCLC information and the facts," is the way one religious leader put it.

TAX CONSIDERATIONS

A Washington business executive put the situation this way: "There were always problems, trucks getting turned back from the camp or workmen stopped, and lots of time wasted. And toward the last, it was sort of like putting supplies into a sinking ship. But the need was always there."

Despite all the direct contributions to SCLC, many individuals and firms backed away from this route, both because it appeared unbusinesslike and because of tax considerations. They elected instead to earmark it for specific purposes and channel it through the churches or agencies such as the District's Health and Welfare Council.

Feeding the residents of Resurrection City represents the biggest single part, and one of the best organized parts, of Washington area's efforts.

Under the leadership of Giant Food's Joseph Danzansky, a committee put together a mass feeding program that cost an estimated $70,000. This was supplemented by the week of hundreds of volunteers, mostly at Howard University and at St. Stephen and the Incarnation Episcopal Church.

The church effort, much of it funneled through Father Baroni's office, the Protestant Council of Churches and the Jewish Community Council, concentrated largely on housing and feeding people outside Resurrection City.

MEDICAL COMMITTEE

According to the Rev. Philip Newell of the Council of Churches, money that came into the three big church organizations and was used for these programs totaled about $15,000.

But this sum, said Newell, represents "only a fraction, certainly less than half" of the money spent by upwards of 200 churches and synagogues in the metropolitan area, many of which operated their own programs and called central religious offices only when the demand for help outstripped their resources.

Another group that operated throughout the campaign was a medical committee headed by Dr. Edward C. Mazique. Without charge, about 500 persons, doctors and other medical personnel served the poor people. Drugs were contributed by major pharmaceutical houses. No attempt has been made to put a price tag on this.

Operation of Resurrection City required an incredible list of supplies, from sewer pipes to toothbrushes, some of it contributed, some purchased at cost, some paid for out of SCLC funds.

OTHER CONTRIBUTIONS

About $2,000 in plumbing hardware was paid for by SCLC, but a Chicago firm decided to contribute 25 $55 water heaters, some of which were found still uncrated when Resurrection City folded. Upon the request of the Union of American Hebrew Congregations, the Metropolitan Electric Company here contributed about $3,000 in electrical supplies.

Like the Smithsonian, a number of groups in Washington, including a separate recreation committee, tried to make life more pleasant for the tent city residents, especially the children. Many of these gave up in frustration.

Like the campaign itself, Washington's contribution is for the most part over. But some of the poor are still staying in churches, and until the campaign is officially wound up, area organizations will continue to help.

THE FUTURE OF AMERICA

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. SHIPLEY. Mr. Speaker, while attending the Midwest Institute of Junior College Presidents, Dr. George S. Reuter, Jr., spoke at the University of Illinois on "The Future of America." Under unanimous consent, I insert this interesting paper in the RECORD.

THE FUTURE OF AMERICA

(By Dr. and Mrs. George S. Reuter, Jr.)

INTRODUCTION

The shots that were fired for American freedom at Lexington and Concord have, indeed, been heard around the world. For out of the blessings of our freedom we have found the strength to foster freedom and to promote peace around the world. No nation in history has ever done so much for so many, so often, so unselfishly. One needs to recall the Marshall Plan as just one example to prove how great America is. Yes, the Plan stands as a monument to a nation that does not seek conquest or plot aggression, or covet a foot of another nation's soil.

This is a somber time. The buoyancy and hope which should mark our civilization are overwhelmed by the depression which envelops our nation. This depression is noticed in the areas of resistance, rebellion, and defiance. We have serious problems, but the morals and ethics of our national government have never been higher. The latter fact is because of our Christian heritage and good leadership under President Johnson. Being Christian, we have to begin with the teachings of Jesus and the application made by the New Testament saints, Peter and Paul. They would have been replaced during the past twenty critical centuries if they had not understood the will of God for us in this important area. Without continued faith, the aspiration of men to be free will perish.

To be sure there are plausible grounds for the gloomy views of the world which we are called upon to transform. Riots at home and wars abroad are not reasons for optimism. Poverty in every continent, injustice in every nation, social discord in every state; these are grim omens. They must be faced and they must be relieved. Yet those who see only these features of the terrain are as mistaken as those who wallow in a sea of personal euphoria. Both groups are equally deserving of Sir Francis Bacon's trenchant comment:

> "They are ill discoverers
> That think there is no land,
> When they see nothing but sea."

Yes, every American seems animated and buffeted by a deep awareness of the crisis in our nation. There is a crisis in the cities; a crisis on the campus; a crisis in poverty. Perhaps, one could suggest the Four Horsemen of the New Apocalypse—crime, poverty, anarchy, and indifference. The one recent event to cause additional depression was the assassination of Senator Robert Francis Kennedy of New York. Mere words cannot express the shock and horror that affected mankind upon learning of the fatal shooting of Senator Kennedy. No one will ever forget the depth of his feeling about the problems facing our nation and his determination to do something about it, but there are many other outstanding leaders who are equally concerned and dedicated. To guarantee a bright tomorrow, however, it is desirable to study a few guidelines.

A FEW GUIDELINES

If democracy is to continue in America and grow throughout the world, we must support a few positive guidelines. America is truly one nation with many nationalities. It is a nation dedicated to inspired principles, for which people have been willing to sacrifice and suffer; a democracy of cultures, as well as a free and tolerant association of individuals; a country in which there are present the values and the ideas, the arts and sciences, the laws and techniques of the people of every civilized tradition.

We must, therefore, build our future on a few fundamental guidelines. These are:

1. We must support the War in Vietnam to an honorable end. America must not surrender to the Communists. Our service personnel reflect the correct principle. "It is better to be dead than Red." All war presidents have been unpopular. President Johnson has his critics, but there is no thinking American who believes the 1968 election would have brought his defeat, because morally and ethically we are fighting a just war. The American people would have withstood the propaganda of the dissenters. Some dissenters are misinformed; others are disloyal.

Both Senator Robert Kennedy and Senator Eugene McCarthy are known as loyal Americans, but neither would have been as strong as the Democratic nominee in 1968 as President Johnson. The fact that polls would indicate otherwise is misleading. First, President Johnson was not campaigning. Second, many citizens vote in presidential primaries because of financial considerations rather than convictions. This has always been true in the history of the nation with minority groups, because it is a way to achieve recognition and to better one's financial status. In fact, these reasons are why we must never have a system of presidential primaries in the fifty states; otherwise, the office of president will go to the highest bidder each four years.

Mankind realizes the greatness of Robert Kennedy and Eugene McCarthy, but they probably made serious errors in seeking the presidency in 1968. Both reflect the concept of the isolationist in world affairs that died in 1940. Robert Kennedy received this from his father, and Eugene McCarthy received this from Minnesota. There is thus a tendency for the isolationists to rise again in the thinking of a powerful minority. Second, had both Kennedy and McCarthy supported President Johnson on Vietnam, the war would be over, Johnson would be unopposed in 1968, and Kennedy would have been nominated by a united Democratic Party in 1972 for President, and the Republicans would have continued out of power for another generation.

Then, there is student rebellion against the war and conditions in general. Rebellion has never succeeded in this country. Our government responds in time to prevent desperation from becoming disaster. Some students have become anarchists at Berkeley and Columbia, and they must be stopped by proper authority, because America does not want the political student who destroys government, society, and mankind with riots and revolutions. Until the great majority of students treat this minority as anarchists; dropouts of political life and civilzation; the voting age should not be lowered.

2. We must support both "butter and guns," but the latter must get first consideration until the war is over. Then, we must shift our efforts to "butter," because poverty must be defeated too. Remember, however, President Johnson is willing to provide both "butter and guns" now; it is the Congress that must be convinced. There must be the stimulation of continued economic growth and the expansion of jobs for the disadvantaged. One of the most significant developments of recent years has been the growing consensus that productive and satisfying jobs and income security should be assured all members of the labor force.

Also, our health care system is inadequate. There are serious deficiencies in the way health care is organized, financed, and delivered in the United States. We don't have enough trained health workers or enough facilities. We are not preventing all the diseases we know how to prevent, or reversing all the handicaps that can be reversed. We are not making health care available where it is needed most.

According to the law of civilization and decay, there are cyclic alterations between dispersion and centralization. At the beginning of a civilization, in a dispersed society, there is considerable freedom fostered by individualism with reverence for the unknown; there is virility; there is imagination. As the society prospers the nonproductive speculator and the usurer assert themselves and inevitably there develops a trend to centralization, with resultant economy of power, economy of production, and inferiority of quality. The ethics of the market place supersede those of the herdsman, the farmer and the artisan. The problems of debt and debtors, as well as those of creditors, intensify as money is manipulated and the coinage is debased. The individual is lost in the crowd and humanity falls into a new dark age from which there is emergence only with the infusion of new blood; new spirit, new virility to create a new dispersion to calm the passion for conformity and restore to the individual a new sense of pride and responsibility.

3. We must support plans to reduce anarchy. The bitterness and hate which is so ripe in this country today has once again found expression in the madness of an assassin. We must seriously ask ourselves what is the mission of America today. With all the privileges we enjoy as free people, what are our responsibilities? We should encourage rebels but oppose physical rebellion. We should encourage thoughtful challenge of the status quo but oppose overthrow of order by force. We should encourage peaceful rational protest but oppose violence. We have attempted through education, dedication to public service, commitment to business and professions, and fidelity to family and country to bring decency to mankind. But today we recognize, as never before, the truth in Aldous Huxley's statement that "the thin precarious crust of decency is all that separates any civilization, however, impressive, from the hells of anarchy or systematic tyranny which lie in wait beneath the surface."

Our country was built in struggle, and it exists now in the midst of struggle and tumult. But through it all there has been a faith in our system and mutual trust among our citizens. Most of us know people who are somehow desperate, but even these have hope for tomorrow and believe that they have a stake in this country. They do not listen to the odd voices of the politicians who would seize on desperation and make it a springboard to power.

4. We must support plans to reduce crime in our country. Statistics give some dramatic testimony to its existence. For example, at a time when the nation's population increased by 10% over the last seven years, crime was increasing by 88%. One out of every forty-seven people who walk our city streets today will be the victim of major crime this year. There is no end in sight.

5. We must support plans to reduce indifference by our citizens. We must guard against standing mute and uncommitted any longer. Concerned Americans have been buttoned up in a little starched coat of patriotic indifference. Yes, we see the Hippies calling our young people to the shores of rocky desolation and destruction. We must shake ourselves free from phlegmatic patriotism if we are to assure this country's existence.

Let us consider a few examples of personal indifference. Ethel DuPont divorced Franklin D. Roosevelt, Jr., because she didn't want to be a part of political life. She regretted her decision and was later to commit suicide. Dinah Shore divorced her husband and later married again only to get another divorce, and how she is a "crushed" personality who would like to return to her first husband, George Montgomery. Peter Lawford forced a divorce from Patricia Kennedy Lawford, and because she is Catholic this ruins her life and when she heard of her brother's death the other day, she said: "Why could it not have been me?" Former U.S. Senator Maurine Brown Neuberger of Oregon once said that her marriage to the late U.S. Senator Richard Neuberger was ideal, "but we didn't have money." Later, a doctor stepped forward with the offer of money and love, but there was no love on his part. She could have won reelection to the U.S. Senate in 1966 without difficulty, but she withdrew and married the doctor only to discover the facts of life. Now, this beautiful, talented, statesman is living a defeated life and the world is deprived of her great leadership. Other examples could be cited, but what is ever more tragic is the national indifference.

The late Mr. Chief Justice Hughes expressed it thus: ". . . our unity in fact is not racial and does not depend upon blood relationship, whether near or remote. It is the unity of a common national idea; it is the unity of a common conception of the dignity of manhood; it is the unity of a common recognition of equal civil rights; it is the unity of devotion to liberty expressed in institutions designed to give every man a fair opportunity for the exercise of his talents and to make the activities of each subordinate to the welfare of all . . . This is a common country. Whatever the abode of our ancestors, this is our home, and will be the home of our children, and in our love for our institutions, and in our desire to maintain the standards of civic conduct which are essential to their perpetuity, we recognize no difference in race or creed . . . we stand united, a contented people rejoicing in the privileges and determined to meet the responsibilities of American citizenship."

All would agree that further progress is needed in helping mankind during these critical years. A more complete national solution of racial inequality and discrimination is necessary.[1] Prejudices breed fear, hatred, and distrust. We must make equality of opportunity a reality. We must abolish the dual school system whether in the South or the North.[2] These are problems we are in the process of solving.

CONCLUSION

It was the older Oliver Wendell Holmes who wrote: "Age, like distance, lends a double charm." In this, he was borrowing from Diogenes Laertius, who, some 1,800 years ago said that: "The mountains too, at a distance appear airy masses and smooth, but seen near at hand they are rough." It is perhaps a far cry from mountains to current problems, but there may be something to the analogy. Things sometimes look better when, instead of focusing on immediate problems, we take the long view. Recent events may seem rough when examined close at hand. When viewed in perspective, over a longer range in time, they may take on a more attractive hue.

We are servants of a democratic society, accredited representatives of a system which has for its ultimate purpose the administration of justice in its highest sense. We must not let a few dissenters—students and adults—destroy our democracy in America and around the world. The future of America appears bright for 1968 with either Hubert H. Humphrey or Richard M. Nixon. The former is a true liberal and the latter is a conservative, but both would retain our foreign policy. This must be recognized as the most important issue in 1968. We would like to go further and support the domestic policies of Mr. Humphrey. The first step of retaining the current foreign policy is essential; the second step of helping humanity more is desirable.

---

[1] George S. Reuter, Jr., August M. Hintz, and Helen H. Reuter, *One Blood* (Exposition Press: New York, 1964).

[2] George S. Reuter, Jr. and Helen H. Reuter, *Democracy and Quality Education* (Educational Research Association of the U.S.A.: Cambridge, 1965).

CHANGES NEEDED AT OFFICE OF EDUCATION

HON. DONALD RUMSFELD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. RUMSFELD. Mr. Speaker, a recent report of the House Committee on Government Operations has revealed the existence of deficiencies in the manner in which the U.S. Office of Education has been expending public funds.

I refer to the report "Operations of the Office of Education—Hawaiian Seminars," which was prepared as a result of an investigation undertaken by the Subcommittee on Intergovernmental Relations under the leadership of Chairman L. H. Fountain. The report details various questionable aspects of week-long "education innovation" seminars cosponsored by the U.S. Office of Education in July 1967 for some 1,000 persons. The seminars were held in Hawaii and cost in excess of $250,000.

This report claims there was misuse of a substantial amount of Federal funds and illustrates the diversion of funds from the uses intended and authorized by the Congress.

The similarities between the Hawaiian seminars case and a situation which I first called to the attention of the House of Representatives on November 20, 1967, are interesting.

On November 20, 1967, I brought to the attention of the House a situation concerning the practice of the Office of Education to direct and control the operations of a private, youth organization, the Future Farmers of America—FFA—and the Future Farmers of America Foundation, Inc., the FFA's fundraising auxiliary.

In my remarks of November 20, I pointed out that the Office of Education has been subsidizing the FFA and the FFA Foundation by providing free office space in the Office of Education, office furnishings and supplies, telephone and postage facilities—including the use of the Department's penalty covers—the full- and part-time services of various Federal employees, and other facilities and services.

I stated that there exists an undesirable relationship between the Office of Education and a private youth-education organization—FFA—and that Office of Education assistance to the FFA Foundation appears to be illegal.

In response to my remarks, Office of Education officials denied that the Office of Education exercises unreasonable and undesirable influence over the FFA.

The facts indicate otherwise.

As long ago as 1949, the assistant general counsel of the Federal Security Agency—now the Department of Health, Education, and Welfare—opined:

> The corporation [FFA] . . . *is controlled* by the Office of Education through the personal influence of the staff members who serve as officers and advisers of the corporation. (Memorandum from A. D. Smith, Assistant General Counsel, to Rall I. Grigsby, Deputy Commissioner of Education. May 16, 1949.) (Emphasis added.)

Further, the Assistant General Counsel observed:

> As long as the Agency [Office of Education] publicly claims credit for the corporations [FFA and FFA Foundation] and as long as the personal relationships between the corporations and the Office of Education continue to be *so intimate* and the influence of the Office *so dominant*, it would not seem possible for the Office. . . . to disclaim responsibility for *any* of the activities of the corporations. It does not seem to us to be realistic to accept credit for the educational accomplishments of the corporations and disclaim responsibility for the supporting

> activities, such as the purchase and sale of various products and the *collection of donations* from manufacturing and merchandising interests.
>
> While the present situation exists, the Office is open to several types of criticism: (1) That the corporations are being used to avoid Congressional limitations, such as those on hiring of personnel, purchase and sale of property, acceptance of gifts, accounting procedures, and use of profits as a revolving fund. (2) That the corporations are being used to extend the activities of the Office into areas not authorized by Congress, such as creation of a foundation for the support of its program, operation of a program for the direct education of individuals in the States, and operation of commercial enterprises. (3) That government appropriations are being used in the interest of private corporations. (4) Should some irregularity in the operation of the corporations develop and be publicized, the Office could scarcely hope to avoid public charges of complicity. (Quoted from Smith-Grigsby memorandum.) (Emphasis added.)

Additional evidence of the Office of Education's unreasonable influence over the FFA and the FFA Foundation is the fact that one full-time employee of the Office of Education, Mr. H. N. Hunsicker, holds every position of ultimate authority in the FFA and the FFA Foundation. Mr. Hunsicker's positions include: First, adviser to the national board of student officers, FFA; second, chairman of the national FFA board of directors; third, chairman of the FFA governing committee; fourth, president of the board of trustees of the FFA Foundation; and, fifth, chairman of the FFA Foundation executive committee.

Thus, one Federal Government employee is almost single-handedly running the affairs of privately incorporated organizations which enjoy reputations for promoting individual initiative and self-reliance on the part of their members. In addition, Mr. Hunsicker devotes full time to FFA and FFA Foundation business, leaving little or no time for performing duties for the Office of Education, which pays his salary.

In a letter to former HEW Secretary John Gardner on November 27, 1967, I observed that an examination of Public Law 740, 81st Congress, second session, the law which allows the Office of Education to provide some assistance to the FFA, discloses no statutory authority for Office of Education assistance to the FFA Foundation, a corporation separate and apart from the FFA itself. I also pointed out that serious questions have been raised as to the propriety of the extent of control being exercised over the FFA by employees of the Office of Education.

On January 8, 1968, I received a letter in behalf of Secretary Gardner from the U.S. Commissioner of Education, Mr. Harold Howe II, along with a mimeographed statement entitled "Response to Views Expressed by Congressman RUMSFELD on November 20, 1967, Concerning 'Federal Influence Upon Operations of Private Voluntary Organizations.'"

Mr. Howe stated that it was his hope that "this material will provide satisfactory answers" to the assertions that I made on this matter. Mr. Howe stated further that it did not appear to him that "we have any real question of legality of the operation and those persons responsible for the administration of the program have been carrying out the intent of the Congress in passing Public Law 81-740."

Finally, Mr. Howe stated that he welcomed "this opportunity reaffirming our policy of a complete detachment of any fund-raising activities by Office of Education-housed personnel" and that "we shall take any action necessary to assure that detachment in the future."

On April 23, 1968, I wrote to the new Secretary of Health, Education, and Welfare, Mr. Wilbur J. Cohen, to advise him that Mr. Howe's letter of January 8 and the Department statement in response to my allegations were unsatisfactory and unresponsive to the problem at hand. I advised Mr. Cohen that there are serious questions as to the legality of the Office of Education's subsidization of the FFA Foundation, that fund raising had not been detached from the Office of Education, and that the Department statement contained erroneous and misleading information.

The main point involved here is whether or not it is proper, desirable, or wise—not to mention, legal—for the Office of Education to direct, shelter, control, and otherwise subsidize the FFA and the FFA Foundation. In view of the current demands upon the resources of the Federal Government for urgent human needs, it would seem that such subsidization is out of place and not in keeping with the national goals outlined by the President of the United States.

I reiterate my belief that the only answer is for the Office of Education to immediately sever its questionable relationships with the FFA and the FFA Foundation, and for these corporations to move their quarters. I am told that suitable quarters are available in the national FFA Center at Mount Vernon, Va.

Subsequent to my first remarks on this matter, it came to my attention that another private corporation, the Future Homemakers of America—FHA—is receiving assistance from the Office of Education similar to that being given to the FFA and the FFA Foundation. No fewer than 11 persons attached to the Future Homemakers of America are headquartered in the Office of Education in rooms 5640-B, 5640-D, and 5678.

There is no statutory authority for such assistance to the FHA.

It is of deep concern to me that the Office of Education is aware of the fact that it lacks authority to house the FHA. In a March 1968 memorandum to his superiors, an employee of the general counsel, Office of Education, advised:

> A decision on the part of the Secretary and the Commissioner to continue the present relationship between the Office of Education and the FHA . . . is open to challenge on the ground that, like the FFA in 1949 but unlike the FFA today, this relationship is *not specifically authorized by statute*. In view of Rep. Rumsfeld's recent charges of unauthorized Office of Education assistance to the Future Farmers of America Foundation, the possibility of this kind of challenge being made against the FHA is not inconceivable. (Memorandum from W. H. Metzger to Harry J. Chernock, Acting Assistant General Counsel. March 6, 1968.) (Emphasis added.)

The above-cited memorandum acknowledges that the Office of Education lacks the statutory authority to provide quarters for the FHA, and it even anticipates the question that I have raised.

I have formally requested that Secretary Cohen advise me as to the specific statutory authority upon which the Office of Education is relying in providing this assistance to the FHA.

The Office of Education's influence over these organizations is particularly confounding in view of the fact that other youth-oriented organizations seem to manage to operate successfully without benefit of Office of Education assistance. I refer to the National 4-H Clubs of America, Inc., the Distributive Education Clubs of America, Inc., the Vocational Industrial Clubs of America, Inc., and the Office Education Association.

Mr. Speaker, I have nothing but the highest regard and admiration for the FFA, the FFA Foundation, and the FHA, and for the work these organizations are doing. In fact, it is because of my interest in seeing that these organizations are strong, free, and independent that I have commented on what I see as an undesirable and unusual amount of influence being exercised over them by the Office of Education.

I have been joined by a number of my colleagues in protesting this situation. I am of the opinion that the number of concerned Members will continue to increase in the weeks ahead.

SUPPORT FOR THE PRESIDENT'S PROPOSAL TO LOWER VOTING AGE TO 18

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. McCARTHY. Mr. Speaker, I commend President Johnson for submitting to Congress a proposal that must be enacted promptly. I am, of course, referring to the President's proposal to lower the voting age in this country to include 18-year-olds.

There is no question about the fact that our young people today are better educated and better informed than our counterparts of a generation ago. They are the youth generation deeply concerned about the future of this country and about our ability to meet the challenges and opportunities of our time.

I believe in this youth.

I believe they can be trusted.

And I believe they have earned the right to full participation in our political process.

In short, I believe the President's proposal will strengthen our democracy. As the President pointed out, the Constitution itself makes no judgment as what a voter's age should be. Over the years the States individually set 21 as the voting age. There is nothing very mystical about the age of 21. But there is something very frustrating about having to be 21 in order to vote. The fact is that there are many hundreds of thousands of young men and women between the ages of 18 and 21 who pay taxes, are treated by courts as adults, and who serve their country in our Armed Forces. Yet, they cannot vote. This seems to me to be a great injustice—one that must be remedied by this session of Congress.

I am in full support with the President's proposals for a constitutional amendment. If this Congress really believes in the full participation of the American people in our political life, then we have no other alternative but to promptly and positively enact this important proposal.

"WANTED: A MAN—A MAN WHO WILL STAND"—BY FRANK CARLSON, U.S. SENATOR FROM KANSAS

HON. LARRY WINN, JR.

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. WINN. Mr. Speaker, David Lawrence recently paid a high tribute to our senior Senator from Kansas, FRANK CARLSON, by publishing as an editorial, Senator CARLSON's remarks at a recent meeting of the Senate Breakfast Group.

I respectfully direct the attention of my colleagues to the following excerpts from that speech:

"WANTED, A MAN—A MAN WHO WILL STAND"

(By FRANK CARLSON, U.S. Senator from Kansas)

(Frank Carlson is a member and frequent leader of the Senate Breakfast Group, which meets every Wednesday morning to pray together and ponder the issues of a spiritual heritage. About 20 Senators—of all denominations and from all parts of the country—usually are present. For 27 years this writer has attended as the only regular member outside the Senate. What is said at these gatherings is generally not for publication, but the talk made by Senator Carlson on June 19 so impressed his listeners that special permission was granted for this printing of excerpts from it. Senator Carlson is retiring at the end of the current session after 18 years in the Senate. Prior to that he served 12 years in the House of Representatives and four years as Governor of the State of Kansas.—DAVID LAWRENCE, editor.)

The subject of the text I am using is "Wanted a man—a man who will stand." We have had men in both ancient and modern history who have had the courage to take a stand and stand firm. . . .

In Ezekiel 22:30, the Prophet says:

"And I sought for a man among them who would build up the wall and stand in the breach before me for the land, that I should not destroy it."

God is searching for men who are unique, thoroughly saved, and filled to running over with His spirit. God and the world need men who will stand in the gap. . . .

Modern Americans have accepted and are tolerating conditions never before permitted by any generation of our ancestors.

Never have so many hated on such flimsy cause. Never have so many denounced so many with such little knowledge. Never has the dollar been as important as it is today. Never has wild pleasure or physical abandonment been considered fitting human behavior as it is today.

Never have public officials been so brazen and open in seeking the vote of the people through promises of things that are morally and spiritually wrong. Never have ministers of the Gospel turned their pulpits and their pastoral duties toward direction of the social order to the near exclusion of the salvational order as abounds in our time.

In that same 22nd chapter of Ezekiel, the Prophet speaks of Israel's religious leaders in these words:

"Her priests have done violence to my law and have profaned my holy things; they have made no distinction between the holy and the common, neither have they taught the difference between the unclean and the clean, and they have disregarded my Sabbaths, so that I am profaned among them."

Israel's religious leaders of that earlier time would be appalled to observe what is transpiring in the churches of God today. Even the daily press—notoriously indifferent to religious news—reports a few lines on the inner and back pages that tell us clearly how growing number of Americans treat holy things with irreverence and scared things with contempt.

Not only have vast numbers of Americans lost all sense of the sacred, the moral, and the ethical, but the spiritual leaders from both the laity and the priesthood are often found in the forefront of this irreligious pursuit of comfort rather than conviction—of accommodation rather than truth—of the pleasant life rather than the meaningful life.

If God is to have men who will stand in the gap and hold back the flood of destructive emotional and spiritual forces, we must first understand the nature of the problem and why things are the way they are.

There are three major forces that have brought about the chaos, frustration, and anti-Christian era in which we live. They touch both the philosophical and religious bases, were first voiced by few in number whose intensity deceived millions, and have been permitted to flourish by both the unwary and the fearful.

First, we live in this age of uncertainty because we have either accepted or endured a doctrine of universal conformity.

The forces that reduce the power of an influence of God and Christ in the lives of our people are seeking to become levelers of men. It is their conviction that only through lowering mankind to a dependency upon the ideas, ideals, and material judgments of superior people can we live together in harmony and peace.

Evidence is rampant that this kind of meddling and interference with God's natural law brings fearful conflict, death, destruction, riots, crime, and disregard of decency and principle among our people.

Today there is widespread devotion to the idea that nothing, absolutely nothing, can be allowed to remain the same. All things must change, and there is practically no consideration given as to whether the change is good or bad—right or wrong—easy or difficult—necessary or unnecessary.

The doctrine of change stands on just the precise idea that change is inevitable. That is absolutely true. Change of various kinds and sorts takes place every day everywhere. But irresponsible, erratic, violent change only for the sake of making things different is as illogical and as unreasonable as it is unspiritual.

No intelligent person argues against the necessity of using question marks after many of our inherited ideas and practices of the past. But when the question mark is turned into a totem pole or a marble altar on which the people are supposed to lay their sacrificial offerings, such people have escaped the general limits of common sense and sound judgment and have launched off into material idolatry and a rushing toward a degree of spiritual insanity.

If human reason has so totally lost its respectability and no one is allowed to go from a major and minor premise to some sort of orderly conclusion, then the welfare of our people is entrusted to the care of strange and weird people.

Great changes had to take place during these recent years, and even greater changes will have to take place in the future. But no safe and proper change seen in recent times—and certainly none of the irrational changes that outnumber the sane ones—can justify the wholesale abandonment of the safe and sure principles of God and this country which have brought us safely this far. In the face of great changes we Christians have to remember that we have a firm point of view and that we operate from certain unchanging foundations.

We believe in a God who does not change—in human nature which does not change except for its accommodation with and acceptance of God—in standards of right and wrong that do not change—in death and judgment which are inescapable—and we believe in a truth that is absolute, not relative, and which is forever settled in heaven and can never pass away.

The Christian today—even in the midst of the erratic and erotic commitments of irreligious leaders—does not follow the failing steps of the priests of Israel. Christians make a clear distinction between the holy and the common. They teach the difference between the clean and the unclean. They observe and keep the Sabbath and they do not profane either the name, the spirit, nor the power of God.

The third cause of our uncertainties in this time is the doctrine of universal criticism. Today man is taught not to accept anything until he has first put it under strong and critical examination. Trust nobody—believe nobody—have faith in nothing—and accept no truth until it has been proved to you with mathematical exactness and material demonstration. That is the agony of the hour when the doctrine of criticism has taken over our people.

You cannot pick up a paper, a magazine, or a book that is not in and of itself critical of something or somebody, even including among its victims almighty God Himself. In truth, the criticisms of God rank well above almost all other criticisms of the hour. More people—in more ways and on more occasions—cast doubt, hurl darts, and throw charges against God such as this country has never seen in all of its history.

To accept the doctrine of universal criticism leaves us with almost nothing that is sacred—almost nothing that is absolute—and nothing that is eternal. So real has our acceptance of the doctrine of criticism become that even the word "indoctrination" has been turned into an evil word that must be shunned like "discipline," "disciple," or "patriotism."

These three doctrines—universal conformity, universal change, and universal criticism—have left our nation without moorings or anchors. We are being tossed about in the sea of doubt and uncertainty that is about to sink the ship of God before our very eyes.

The world today is looking for:

Men who are not for sale;

Men who are honest, sound from center to circumference, true to the heart's core;

Men with consciences as steady as the needle to the pole;

Men who will stand for the right if the heavens totter and the earth reels;

Men who can tell the truth and look the world right in the eye;

Men who neither brag nor run;

Men who neither flag or flinch;

Men who can have courage without shouting it;

Men in whom the courage of everlasting life runs still, deep, and strong;

Men who know their message and tell it;

Men who know their place and fill it;

Men who know their business and attend to it;

Men who will not lie, shirk or dodge;

Men who are not too lazy to work, nor too proud to be poor;

Men who are willing to eat what they have earned and wear what they have paid for;

Men who are not ashamed to say "No" with emphasis and who are not ashamed to say "I can't afford it."

God is looking for men. He wants those who can unite together around a common faith—who can join hands in a common task—and who have come to the kingdom for such a time as this. God give us men.

TESTIMONIAL DINNER HELD FOR CONGRESSMAN STUCKEY

HON. PETER N. KYROS

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. KYROS. Mr. Speaker, I include in the RECORD an introduction which was made by Sheriff Jewel Futch of Congressman STUCKEY of the Eigthth District of Georgia, on May 25, 1968.

The introduction by Sheriff Futch follows:

On May 25th a Testimony Dinner was held for the purpose of raising funds for the operation of Congressman Stuckey's Congressional office. Sheriff Jewel Futch of Lowndes County who introduced Congressman Stuckey to the 8th District residents who attended the dinner had this to say:

Although Bill's only interest in Congress (or main interest) has been our 8th Congressional District, he has succeeded in bringing National Attention to our State and our District.

During his almost two years in Congress, Bill has voted in favor of responsible legislative measures which would benefit our country. He supported the Veterans Pension Readjustment Act which provided benefits for our Veterans of Vietnam who had previously been neglected by the people back here at home . . . the people they had given their lives for just like the fighting men of previous wars.

Bill supported the Social Security Amendments last year which provided for an increase in the benefits of our senior citizens and a liberalization of the amount of money which they could earn and still be entitled to their benefits. This measure helped to bring the social security benefits more in line with the present day cost of living. Also, believing that the bill did not allow our senior citizens enough of an increase in the amount of outside earnings before social security benefits were penalized, Bill has been determined to work even harder to get the bill which he introduced to allow Senior citizens to be able to earn up to 3000 dollars before their social security benefits were penalized passed in Congress. (The bill which passed allows senior citizens to earn up to 1680 dollars before social security benefits are penalized).

Bill's efforts in the area of Crime Control have been untiring. He supported the Crime bill last year, and he supported Anti-Riot legislation which was passed in the House, but opposed by the Administration. Now, this year, the Administration woke up and has proposed riot legislation. Bill has persistently called for more law enforcement powers to be restored to local law enforcement officials before we truly face a national crisis of crime running rampant in our streets.

Bill firmly opposed an increase in our taxes. His position, and I believe one which we all agree with, was that a tax increase should be the last resort, and it should not even be considered until federal spending was drastically cut, and it was shown that a tax increase was still needed in order to win the war in Vietnam, and save the lives of our fighting men.

Of course, Bill realized that you don't just go around arbitrarily slashing spending. Some programs need to be eliminated . . . others don't. Some need to be cut substantially . . . some don't. It was for this reason that he sponsored a bill last year which when it is passed, will provide for the establishment of a Government Programs Evaluation Commission. The purpose of this commission will be to evaluate present federal programs and let Congress know if these programs are effective and if they should be continued to give Congress a better idea of how much federal funds are needed to conduct each of these programs. As Bill has said, Congress presently must rely on the Departments and agencies for this information. And, naturally, since these agencies must justify their existence and spending, Congress cannot be sure that they are objective in their evaluations.

In working to help raise the income level of the people of our District, it was Bill's idea to establish the 8th District Development Council. This council which has received nationwide publicity has been getting organized and set up with a representative from each of the 24 counties and there is no doubt that it is going to be a big step toward attracting industry into our District.

Bill has established an outstanding record in securing or in working toward getting an unprecedented number of grants, loans and contracts for our District. These have included Post Office, planning assistance grants, FHA loans, SBA loans, EDA loans, etc.

The appropriations for the site selection for the new Federal Building to built here in Waycross can greatly be attributed to Bill's efforts. He worked hard to get those funds included in the original Independent Offices Appropriations Bill in the House. And, when he learned that these funds had been cut in the Senate Committee, he immediately went to work on the members of the House and Senate Conference Committee to have the funds restored in the Conference Report. And, his efforts were rewarded by the reinstatement of the funds and the ultimate passage of the bill with the funds for Waycross included.

Bill has done an outstanding job in standing firm against the federal government's acquisition of an additional 75,000 acres of the Okefenokee swamp for inclusion in the National Wilderness Act.

Bill has looked out for the interest of the tobacco growers of our District. Last year when the buyers were pulling out of our district, leaving our growers with an excessive amount of unsold tobacco and threatening to have a seriously damaging effect on our tobacco market and thus the economy of our district, Bill wasted no time in coming down to take a first hand look at this situation, and then his calling on the tobacco companies to leave their buyers in the district until our growers could get their tobacco on the market. Bill's action was instrumental in the decision of these companies not to pull all of their buyers out at the originally planned dates, but rather to extend their time.

This man that we are all here to honor has a deep commitment to the young people of our country and of our district. He believes that they should have every opportunity to achieve a fully responsible adult life. When he learned of the Intern program in Washington, he broke from the traditional method used by Congressmen of bringing the sons and daughters of good friends and political supporters to Washington for the summer to participate in this program. Instead, he established an intern selection board, comprised of the four college presidents in our district to make the selection on the basis of academic standing and extracurricular activities. When it came time for our Congressman to make nominations for appointments to the various Academies, again, he said that this was too important to the young people of our country and to the future of their development to be interferred with by politics. He set up an Academy selection board to screen the applicants and to make the recommendations.

Because of his desire to see every young person in the United States have an opportunity for further education, and because he recognized the financial strain of a college education or vocational education on the parents, Bill has introduced legislation which would allow parents an additional tax exemption while their children were in college or vocational training schools.

Realizing the importance of staying close to home in order to be constantly aware of the needs and the opinions of the people which he represents in the U.S. Congress, Bill has traveled back home more than any single Congressman in the history of our district . . . But, in doing this, he has not let it interfere with any of his duties in Washington. He has made his trips on weekends and during holidays. He hasn't taken a vacation or hardly a day's rest since being in Washington.

Last year, he realized that even though he was coming home almost every weekend, he still wasn't able to see nearly enough of the people who are scattered across this 24 county district (one of the largest geographically, east of the Mississippi). It was then that he called on Norman Dorminy to work part-time for him as his Field Representative. Norman has certain hours each week in Waycross at the Post Office; at the Post Office in Valdosta; the Douglas Post Office; and the Brunswick Post Office. People from the surrounding areas can go in and tell him of problems which their Congressman can help them with or they tell him of their opinions of certain legislation which is pending in the Congress.

Norman relays all of this to Bill in Washington and he is then able to take the necessary action.

In addition to Norman traveling around the district; Bill has a full-time district office in Eastman, which is manned by the capable Mrs. Jackie Cadwell who is always available to anyone who needs help. And, his Washington staff in addition to being on call 24 hours a day puts in at least 10 hours a day in the Washington office.

I could go on and on, but I'm going to sit down after just one more thing. We are gathered here this evening in this room and over here on my right is the flag of our great State of Georgia . . . a flag which has dignity and a flag which we all honor. The most recent act of courage that Bill Stuckey has performed was his defense of our flag before the world. I was in Washington when the incident came up—and, I can tell you, I have never seen a man as indignant and infuriated as Bill was. . . . And, I have never seen anybody take such immediate and effective action as he did.

One of our Georgia servicemen from here in the 8th District who is risking his life in Vietnam was ordered to remove his Georgia flag from above his bunk. The young man wrote to his mother and dad, telling them of the incident and telling them that he had refused to remove the flag.

The mother wrote to her Congressman, Bill Stuckey . . . and he took it from there. Bill let the Pentagon know in no uncertain terms that he would not tolerate such a ridiculous order.

The purpose of the order, as was stated by the boy's commanding officer, was that all flags with the symbol of the Confederate flag must come down, because of the recent racial tension in the United States.

On the Floor of the Congress, our Congressman said, "I am sure, Mr. Speaker, that our generals in Vietnam have great responsibilities in conducting this war. I am sure that they have a tremendous responsibility for their men. But, I am also sure that this responsibility, Mr. Speaker, does not extend to the point of trying to destroy a soldiers faith, pride, and loyalty to his state."

Bill was assured by the Pentagon, as a result of his action, that the soldier had been allowed to return his flag to its position above his bunk and that no such order would ever again be issued.

With this my friends . . . and I repeat, I could go on and on—I give you our Congressman . . . Bill Stuckey.

REDUCING U.S. TROOP STRENGTH IN EUROPE

HON. THOMAS S. KLEPPE

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. KLEPPE. Mr. Speaker, under leave to extend my remarks in the Record, I include the following statement urging reduction of U.S. military personnel in Western Europe as a means of reducing balance-of-payments position and effecting budget savings:

Today—nearly a quarter of a century after V-E Day—the United States still has about 340,000 military personnel in Western Europe. With them are more than 250,000 dependents.

I think the time has come to bring most of them home. Such a move would take much of the pressure off the precarious balance of payments position of the United States government. It would also result in tremendous budget savings.

Senator Majority Leader Mike Mansfield of Montana says, and I quote him:

"I understand on the basis of information furnished to me by someone who should know the facts that last year it cost $2.7 billion to maintain the U.S. establishment in Western Europe. That is an awful lot of money and goes far beyond the $800 million figure which is usually given to us by the Department of Defense and the Press. If we believe what we say, that expenditures should be cut, here is one way in which we can take a decisive step forward." End of Senator Mansfield's statement.

I agree completely with the Senator. In fact, for several months I have been urging that the United States withdraw at least half of the troops, along with their dependents, who are now stationed in Western Europe. On the basis of figures I had received earlier, I estimated this would save at least $1 billion a year. It now appears this was on the low side. The saving would be substantially more.

A pull-back of half of these U.S. troops would almost cut in two the U.S. balance of payments deficit which is running at the rate of about $3.5 billion a year. It is this balance of payments deficit—the expenditure of more dollars abroad than are returned to the United States by foreign purchases here—that has dangerously depleted America's gold stocks and shaken confidence in the dollar abroad.

It is perhaps understandable that the presence of 340,000 American troops in Western Europe lends some psychological strength to our Allies. But even a force of this size could not prevent Russia from overrunning Western Europe in a conventional ground war. Moreover, I think everyone, including the Russians, knows that if such a war erupted it would not be decided by ground troops but rather by nuclear weapons.

I believe the Administration should have undertaken a massive pullout of U.S. troops from Europe long ago. Since this has not been done, Congress should consider forcing such a move by refusing to appropriate funds for continuing maintenance of this huge garrison on foreign soil.

STRIKING THE SST

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. GALLAGHER. Mr. Speaker, I wish to congratulate the distinguished gentleman from Texas [Mr. Mahon] and the members of the House Appropriations Committee for their decision to strike from the fiscal 1969 budget all funds for supersonic transport development, and to ask that $30 million in unspent carryover money be returned to the U.S. Treasury.

Considering that we have just passed a tax increase which carries with it a $6 billion budget cut, it seems to me that taking funds from a project such as that of the SST is both necessary and correct. As I said in this body the other day, there is no reason to damage vital domestic social programs because of the required budgetary cut. The SST is not one of those vital domestic programs which should take priority in funding. In fact, there has been some serious question as to whether or not the SST project is even beneficial. Be that as it may, if we want to immediately develop progressive transportation systems, let us look to rapid transit systems for our overcrowded cities here on earth before we look for better ways to soar through the heavens.

Moreover, the SST program will not be damaged or destroyed by the decision of the Appropriations Committee. The Boeing Co. encountered such severe design problems with the plane this winter that the Federal Aviation Administration decided to move the project back to the drawing boards. Since this type of planning work is less expensive than the construction of the aircraft itself, the SST project can be continued during fiscal 1969 entirely with carryover money. However, even if more than this amount is required, would it be too much to suppose that the aircraft industry itself might pick up a bit of the burden for constructing the SST? The Federal Government now takes all the financial risks for this project which many citizens, in fact, oppose. If the aircraft industry truly feels that the SST will be both profitable and essential, then might not the industry plant its own financial stake in the development of the SST?

They tell us that a flight from New York to London will only take 2 hours in an SST. But how long does a "flight" from our city ghettoes take? A year? A decade? A lifetime? In the final analysis, the SST is a luxury item, one that we can ill afford to purchase while real needs go ignored.

Chairman Mahon and his committee have made a wise decision. It is a decision which the Congress and the American people must support.

MEDICARE

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. DINGELL. Mr. Speaker, I take the floor today, on the second anniversary of the medicare program, to join with my colleagues in recognizing the tremendous impact that this program has had upon the health and welfare of millions of our fellow citizens.

The widespread acceptance of this legislation providing hospital and medical insurance coverage for our citizens aged 65 and over has been nothing short of remarkable. This acceptance is significant, I submit, in light of the far-reaching effects of medicare upon the health care system of this Nation.

Rarely has such a comprehensive piece of social legislation been meshed more smoothly into our society. In the short space of 2 years we have seen an unparalleled cooperative effort by the Government and the public and private sectors, and the result is that medicare is working. Our elderly citizens are receiving the health care they need and they are receiving this care as an insured right, not through a charity program.

I am sure all of my colleagues on the floor have received mail from their elderly constituents concerning medicare. And I am just as sure that the tone of this correspondence has been of the same tenor as that which I have received. They write us of the care they received in participating hospitals, extended care facilities and through home health agencies. They relate the medical services they received from a doctor of their own choosing. And, invariably, they contrast their financial picture with what might have been had they not been covered by medicare. Many ask, as well, what took us so long to enact this legislation? In what limbo was medicare prior to July of 1966?

Mr. Speaker, this body is well aware of the years of debate that preceded the medicare legislation. It fell upon the 89th Congress to evaluate this debate, to compare the rosy predictions of some, to the ominous forecasts of others. The success of the program during these first 2 years and its acceptance—even by former opponents—is testimony to the diligence and wisdom of that Congress.

One of the main reasons for this success is that many former program antagonists have become program participants. I think the Federal Government, through its medicare administrative agency, the Social Security Administration, has demonstrated to the private health community that it has no intention of administering health care facilities or regulating the practice or medical judgment of physicians.

Medicare's purpose is to provide a financing mechanism for a broad spectrum of services. Earlier in my remarks, I mentioned that my constituents referred to their financial picture when writing me about medicare. This term has an affluent sound. What they were really referring to was financial survival. Because of medicare, countless thousands of older people who might have deferred or gone without care—and possibly died—have been able to afford treatment. Millions now have the security of knowing that serious illness is no longer a financial threat. This was not true prior to the passage of medicare.

As medicare enters its third year, some 19.7 million older people are covered under the basic hospital insurance plan and 95 percent of these, or 18.6 million, have enrolled in the voluntary medical insurance plan to help pay doctor bills and other medical expenses. These millions represent nearly 10 percent of our Nation's total population. This segment of the population—the aged—is one of America's most important assets. The respect which they are due and the dignity which they possess has been enhanced by the enactment and success of medicare.

LES ARENDS—A HALF CENTURY OF SERVICE

HON. DON H. CLAUSEN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DON H. CLAUSEN. Mr. Speaker, for the past several days there have been many kind and deserving tributes paid to the distinguished gentleman from Illinois, Mr. LESLIE ARENDS, on the occasion of his 25th year as the Republican whip of the House.

Today, I wish to join my many colleagues in paying tribute to a good man and a great American. LES ARENDS has served the Republican Members of this body for a quarter of a century with dedication, devotion and dependability. His leadership, wisdom, and understanding not only as whip, but as a senior Member of the House as well, have served us on this side of the aisle very well indeed.

As whip, his responsibilities are great and his rewards few. His tireless energy is a great source of pride and inspiration to those of us who have been "answering his call" these many years. In most instances, as we all know, his is a thankless job and I know I speak for many when I say that we are truly pleased and grateful that LES ARENDS will continue to be our whip, hopefully for another quarter century.

I am proud to know and have associated with this kindly man from the "Land of Lincoln" who has served his party and his Nation so faithfully and for so long.

Mr. Speaker, I believe you stated the case most eloquently last Thursday in describing LES ARENDS as one who performs his duties with dignity and strength. I know the feeling of respect and friendship for the gentleman from Illinois [Mr. ARENDS] is shared on both sides of the aisle and I join you and the many Members of the House of Representatives who have already congratulated this great American.

TIMOTHY STILL: NEWARK'S EFFECTIVE AND RESPONSIBLE MILITANT

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. RODINO. Mr. Speaker, in the summer of 1967 Newark, N.J., witnessed one of the most destructive and violent of the civil disturbances that have plagued our Nation in the last several years. Since that time and despite the two recent assassinations that occasioned renewed and widespread disorders in other cities, relative calm has prevailed in Newark. And in no small way Timothy Still has been responsible.

Mr. Still is president of the United Community Corp. of Newark, a community action agency actively involved in such areas as education and employment. A junior high school dropout, on May 29 he received an honorary doctorate of humane letters from Rutgers, the State university, in recognition of his contributions to a better Newark. Additionally, Mr. Still is a field secretary to my distinguished colleague, Congressman JOSEPH G. MINISH.

Mr. Speaker, I believe that all Members will be interested in learning more about Timothy Still, and I am therefore inserting in the RECORD an article which appeared in yesterday's New York Times Magazine. The author is Fred J. Cook, a resident of New Jersey and a well-known freelance writer who specializes in urban problems and politics.

The article follows:

NEWARK'S "RESPONSIBLE MILITANTS" SAY: "IT'S OUR CITY, DON'T DESTROY IT"

(By Fred J. Cook)

There is a new force at work in the Negro ghetto of Newark—the force of the "responsible militant." It saved Newark from another wholesale holocaust, 1967-style, in the days after Martin Luther King's assassination. It may just have a chance of damping this tinderbox of a city in the months ahead.

The spokesman and the symbol of the new force is a large, soft-spoken man named Timothy Still—a onetime national Golden Gloves heavyweight champion who still moves with the slow shuffle of a fighter entering the ring. In his person he combines the two essential elements of this special kind of black power: the organizational and the personal. Still, 48, is president of the United Community Corporation (U.C.C.) of Newark, a community-action agency that works in such areas as education and employment; the money comes from Federal, state and local governments—but the program is directed and staffed by ghetto residents themselves. And he is the point of contact, the unifier, for all those wildly diverse segments of the Newark ghetto pushing for Negro equality—from the old-line civil-rights leaders to the way-out militants. In many ways, he is what Newark's responsible militancy is all about.

Just how successful Tim Still's approach will be in the long run remains to be seen, but it passed its first test with flying colors. The testing started Thursday, April 4, when Dr. King was slain in Memphis. That night, Newark city officials and ghetto leaders hastily assembled at U.C.C. headquarters. Mayor Hugh J. Addonizio was there. So was Police Director Dominick A. Spina. And so were ghetto leaders representing all shades of opinion, from responsibles like Still to supermilitants like Willie Wright and playwright LeRoi Jones.

The atmosphere was tense and jittery. Next to Detroit, Newark had had the nation's worst race riot in the chaotic summer of 1967. Dr. King had been a hero to the city's Negroes—in fact, he had made his last appearance there only about a week before. Everyone realized that in the bitterness and passion of the moment Newark might go up in flames again. The conferees agreed upon a series of drastic steps.

Some 400 youths were given $5 apiece (the money supplied by the Chamber of Commerce) and sent out into the ghetto, wearing black armbands out of respect for Dr. King. "There were charges by some of the way-out guys that 'they're buying you again, you're selling out again,'" Tim Still recalls. But the effect was good. The youth recruits preached Dr. King's creed of nonviolence, and for the moment Newark remained calm.

Before the assassination, Willie Wright had planned a Sunday "Walk for Understanding" through ghetto streets to the Essex County Courthouse. The question at once arose: Should the walk be held? It was decided that it *must* be held. Some 25,000 persons, white and black alike, made the walk that Sunday, and all went well. It seemed that the crisis was past.

But Tim Still was not so sure. "I thought from the first that there would be two critical periods," he says, "the night right after the assassination and Tuesday, the day of the funeral."

Gov. Richard J. Hughes had asked Still to go to Atlanta as his representative at the funeral, but when Tim learned that the mid-afternoon services would prevent him from getting back to Newark before nightfall, he decided against it. About 100 Negro leaders flew to Atlanta; Still stayed behind, worrying about Newark.

"Tuesday was a nice calm day," he recalls, "and I thought for a time that my fears were unnecessary. The city seemed quiet, and I went home for lunch. And then, about 2:30 or 3 P.M., the first fires started."

Just who started them remains a mystery. Fire Director John P. Caulfield has since said he is "convinced" several fires were set by businessmen themselves "for insurance profit and blamed on Negro rioters." He has advocated that insurance companies hold up payments in suspicious fires to take "the profit out of fraud fires."

"When the fires first started," Still says, "everyone was in a jovial mood. The community people weren't hostile; they turned out and helped the firemen. But then about 6 or 7 P.M. crowds began to mass along Springfield Avenue [the scene of last summer's riots]. Most of them were young—the kind I'm always worried about—the winos, the junkies, the guys who have no jobs and are frustrated and hostile. These were the leaders and they had a lot of young kids from 8 or 9 years old through 14 or 15 ready to follow them, ready for a lark.

"We went out in the streets and tried to talk to them, to persuade them to go home. 'The Man has got automatic weapons, and all you've got is toothpicks,' I tried to tell them. 'If you march down to Broad and Market [the business center of Newark], the Man is going to kill you.' But they wouldn't listen."

A crowd of 500, spoiling for trouble, spilled down Springfield Avenue and invaded the heart of Newark. Tim Still, joined by the 100 community leaders who had flown back from Atlanta, went down to Broad and Market, harangued the marchers and finally, about 12:30 A.M., got them to disperse after marching harmlessly around the block. It had been a near thing. And everyone realized the trouble was not yet over.

Wednesday night was again tense. Teen-aged mobs gathered in the streets. Four or five stores were broken into, some fires set. Mayor Addonizio was ready to impose a curfew, but again the Negro leaders managed at the last minute to get the unruly to disperse. The city had another close call, but it was obvious these near misses could not go on forever.

"We felt that this rioting was not justified," Tim Still says. "We would not tolerate this, and we would stop it ourselves. We met, and we gave some of our adults $25 apiece, and we formed a trouble squad. And Thursday night we went out and busted some heads, and that stopped it. We didn't have too much trouble, really. Most of these mobs are followers. There are only a few agitators, and when they saw we meant business, they cooled off fast.

"But what I want to emphasize is that the Negro community did this. The Negro community felt that this effort was the only practical way of taking care of a situation that just a few hotheads were taking advantage of. If this had been a police-brutality issue [the kind of incident that touched off last summer's riots], we couldn't have stopped it."

Significantly, all factions in the Negro community joined in this put-down. LeRoi Jones, who had been quoted last summer as saying, "Kill Whitey and rape his daughter," an outrageously inflammatory statement Jones insists he never made, was just as active as any moderate in trying to cool Newark this time, and he even ended up shaking hands with Mayor Addonizio. The turn-about is startling. Tim Still explains it this way:

"Newark is a city that is 60 per cent colored, and we are going to inherit this city. And so we cannot let fools destroy the city we are going to inherit. The guys who were trying to start all this trouble were those who were lost, hopeless, those who had no chance. I can understand their feelings, but you can't destroy the whole city. It is our city, and we are not going to let you do that."

In all, those postassassination fires and a major blaze touched off later—allegedly by a 13-year-old Negro boy—left some 1,200 of Newark's Negro residents homeless. Most lost everything they had—clothing, furniture, household possessions. The old U.C.C. offices at 124 Branford Place (the new headquarters is at 449 Central Avenue) were piled high with clothing and furniture donated by residents from throughout the state.

Yet what Newark had experienced was only a warning rumble—a growl from the ghetto that said plainly that the potential for disaster remains. Though Newark had not suffered as had Washington, though its own "responsible militants" had saved it this time, the days-long chain of repeated narrow escapes from holocaust showed how delicate was the balance, how precariously Newark teetered on a precipice above disaster.

The assassination of Senator Robert F. Kennedy might have tipped that balance. The reason it did not may probably be summed up in two words: numbing shock. "There is no question that Senator Kennedy had a great deal of support in the Negro community," Tim Still says. "Negroes saw him as one who honestly felt and cared about the poor, and when he was killed so soon after Dr. King, there was a terrible sadness, shock, numbness—a feeling of 'No, no, it can't possibly be true; it can't possibly have happened again.' Now many are groping to see where we go from here. No one knows. But I'll tell you this: you can't convince the people in our community that this was just the work of one lone Arab; you can't convince them that there wasn't some collusion here, that there wasn't something more to it."

This is a city of 400,000 persons crammed into just 23 square miles of space—with a quarter of that taken up by Newark Airport, Port Newark and uninhabitable meadowlands. It has the smallest area of any major American city and a corresponding density of population. More than half of its people are Negro; another 10 per cent are Spanish-speaking—mainly Puerto Ricans and Cubans. Only 17 per cent of Newark's Negroes over 16 years of age were born in Newark; 40 per cent have moved into the city since the mid-fifties, mostly from the South—and most of these have no skills, if they are not, indeed, functional illiterates.

As the Negroes and Puerto Ricans moved in during the past decade, whites—and many middle-class Negroes, too—moved out to the suburbs. A lot of industry followed. "What is left is a racial and economic ghetto," Governor Hughes's Select Commission on Civil Disorder reported in February. The commission found one-third of all housing, 40,000 units, sub-standard or dilapidated. It found 14,500 unemployed; 17,000 households existing on incomes of less than $3,000 a year; another 22,000 households living on $3,000 to $4,999 a year.

The effects of such poverty and deprivation were summarized last year in Newark's Model Cities application to the Federal Government: Newark has had the highest crime rate, the highest tuberculosis and maternal mortality rates, the highest substandard housing rate of any city of its size in the nation. The dropout rate in the 9th to 12th grades in its public schools is 32 per cent; the unemployment rate among teen-aged Negroes sometimes runs as high as 40 per cent.

To change all this, to revivify Newark and give it hope, will require vast sums of money—and there isn't much chance that this money can be raised locally. The city today operates on an annual budget of about $120-million, the great bulk of it coming from the property tax. The Governor's Commission on Civil Disorder called this tax virtually "confiscatory" and pointed out that the owner of an $18,000 home pays nearly $1,400 a year in local property taxes. The commission also estimated that the city, to do what must be done, needs $200-million more a year—money it just doesn't have. "Newark is bankrupt," says Timothy Still. "It's going to be the first city in the nation that the Federal Government is going to have to take over."

Tim Still knows this city of tension and frustration as well as any man because it has been his life, because so many of the problems of the Negro ghetto are reflected in his own life experiences. He was only 3 years old when his family moved from Alabama to Newark, and he has lived there ever since.

Still never got beyond the eighth grade in school. "Some of the other kids would make fun of me," he says, "because I couldn't read very well and would stumble over a lot of the words. But I was big and strong, and I would take care of them after school."

After dropping out of school, he worked only sporadically. "For about two years," he says, "I mostly just hung around the poolrooms."

The turning point came when he joined the Civilian Conservation Corps during the Depression. "It was there that I learned how to work, that I learned good work habits," he says, "and I've worked ever since. I've always taken care of myself and my family."

Tim Still no longer stumbles over the big words as he did in the eighth grade. He credits Will Durant's "The Story of Philosophy" for working the transformation. "Once I got my hands on that book, I couldn't put it down," he says. "It took me about six months to get through it. When I couldn't understand some of the words, I got friends to interpret them for me, and I began to use the dictionary. After that, I began to read extensively, everything I could get my hands on."

Still has lived for years at 47 17th Avenue in the Hayes Housing Project in the heavily Negro Central Ward. It was here that he first became involved in a major way in community work. In the mid-1950's, youth gangs began to terrorize large parts of the city, and the Hayes Housing area was one of the worst hit.

He set up a boxing program for the neighborhood toughs, a program that he still directs for the Dukers Athletic Club, using a ring in the basement of his housing project. "When these kids first came in, they were big, arrogant and haughty," Still says. "They'd look at me and sneer and say, 'You're just an old fogey from another generation.'" He smiles a slow, deceptively soft smile. "So I took a couple of them in the ring and showed them I could still handle myself. After that, I had their respect.

"Once our program got going, once we began to really work with these kids, it got so that, whenever they got into trouble, we would be on the scene to see what we could do about it and help them out if we could. It reached the point finally where they would come to us with problems they wouldn't tell their parents. The majority have become solid citizens."

Out of these experiences Still emerged with a clear view of the ghetto's problems and a firm idea of what it will take to solve them. "There is no question," he says, "that the Negroes are frozen out of the economic life of the community. There is no question that they are frozen out of the jury system. We have no relationship, no input in the system—none. What the Negro wants—and all the Negro wants—is a piece of what everyone else has. Negroes never joined the Communist party in any numbers. It's amazing to me sometimes, considering all they have suffered. All they want is a piece of this country; all they want is to see it work for them as it does for everyone else."

Still's speech is usually slow and slurring; his manner, self-effacing and moderate. Yet underneath, sometimes bursting forth in rapid-fire volleys of speech, lies a passionate desire to right his people's wrongs, to claim for them their just due *in the framework of American society*. The emphasis with Still is always on those last words. His whole effort is keyed to the hope that he can make the white community see, actually *see*, and act, actually *act*, on the Negro's just demands before it is too late.

Still got a chance to put his theories to the test when he became president of U.C.C. last year. Under a concept developed by the U.S. Office of Economic Opportunity, the agency directly involves community people—they handle their own affairs and work out their own salvation, bypassing to a large extent the usual chain of political command. Newark's politicos, like those in other cities, have not been too happy with a system that puts the control of poverty dollars in other hands. But the Negroes of Newark look upon this ideal of community participation and involvement as one of O.E.O.'s greatest achievements—and many feel its salutary effects were felt in the crisis following Dr. King's murder.

The educational gap is one of the most crucial in the whole crisis-laden Newark situation and one that U.C.C. has moved to fill. "An educational system is no good if it doesn't turn out citizens who are equipped to fit some role in life," Still says. "If you don't get an education, you are not going to make it—and you become a statistic on the police blotter."

Two major U.C.C.-directed programs involve preschool and high school youngsters. Because of cutbacks in Federal funds, there were only 1,546 children in the preschool sessions this year, compared to 2,404 the year before. There has been a similar cutback (from 280 to 140) in the number of high school students participating in this year's Head Start summer program at Seton Hall University in nearby South Orange. The program also includes Saturday morning courses after school starts in the fall, to keep track of the pupils' progress.

The U.C.C. and the Board of Education have initiated an experiment aimed at disproving the all-too-pervasive feeling in the white-dominated school heirarchy that colored pupils are inferior. At the novel school facility that is being established in the Wilderotter Building at Springfield and 18th Avenues, in the heart of the ghetto, pupils will be organized in "units" of 27 each, with kindergarten, first-grade and second-grade pupils mixed in equal proportions in each unit. The idea is that the older children will stimulate and pull the younger ones along in the educational process. The teaching staff of 17 will also be supplemented by 17 teachers' aides, drawn from the community. This concept—that parents should be actively enlisted in the work of the school—raised some academic hackles; and in one of the public debates on the plan before it was adopted a school spokesman told community people bluntly that their children are "just too dumb to learn." A U.C.C. spokesman snorts angrily at the memory.

"These kids aren't dumb," he says. "I know one case—I could name you others—of a little Puerto Rican girl about 5 years old. Her mother is a deaf mute. This child speaks both Spanish and English, and she has learned sign language. When the mother goes to the welfare center, the child goes with her and interprets—at 5 years of age! Don't tell me these kids are dumb!"

Linked to the educational gap is the problem of jobs. Every study has shown that the frustration of joblessness is a key factor in riots. Official statistics indicate that unemployment in the Central Ward ghetto now runs at about 12 per cent, but such figures usually understate the case. "I say it is at least 16 to 20 percent," Timothy Still declares.

After last year's riots, a program was drawn up calling for the employment of 1,000 ghetto residents by the public sector and another 1,000 by private industry. But by the first of the year, the program was limping. The city and public agencies had hired about 700 men, but the business community had supplied fewer than 100 jobs. A conference was called between the U.C.C. and business leaders in early February, and since then there has been a substantial improvement. Major firms like Prudential Insurance, General Electric and Bell Telephone have been making strenuous efforts to train men and fit them into jobs.

Much of this activity is stimulated by the U.C.C.-managed Concentrated Employment Project. Three C.E.P centers have been set up in Newark. A unique feature of their activity is a program called Outreach—staffers go out into the ghettos, rounding up the drifters and getting them started on the road that leads to a job.

In C.E.P. Center 1 at 364 Springfield Avenue, Lee G. Davis, a stocky, vibrant Negro, runs the Outreach department. He has 14 men working under him—"the salesmen" of C.E.P. he calls them. "My men are from the community," Davis says. "They know the guys they are trying to reach. A guy who may think it's just a big bluff, not worth his time—well, he might not listen to you or me, but he will listen to a fellow he's known, who has come from the same area and the same circumstances."

One of Davis's "salesmen," Josiah Whitley, recently climbed the stairs of a crumbling old tenement, seeking out a particular job prospect. When he reached the head of the stairs, he found himself looking into the mouth of a shotgun, held by the prospect himself. A false move could easily have resulted in a gun blast, but Whitley made no false moves. He stood there calmly and delivered his pitch, urging the man to come and look for a job.

"It seems that this fellow's apartment had been broken into and looted a few days before," Davis explains, "and he was sitting there with the shotgun waiting for the next looter. If Whitley had turned and tried to run, he would probably have been peppered. But he didn't. And you know something? He brought that man in as a recruit in our program!"

Such recruits are interviewed when they first come into a C.E.P. center to determine their education, skills and job experience. They are then given training courses, either to improve their basic skills or to initiate them into the technique of getting and holding a job. Recently, two men came into C.E.P. Center 1 who could neither read nor write their own names; they had to be taught some rudimentary spelling—and they got jobs. So far, according to Still, the C.E.P. centers have placed 1,000 men in private industry; about 1,700 more are in training; new recruits are being processed at a rate of about 50 a week.

Less progress is being made on another business front. "There is one Negro in this entire city who hires as many as 65 people," Still says. "I don't know of any other Negro who hires as many as 15."

One day, driving up Springfield Avenue, he gestured toward the gaping storefronts which still stand empty a year after the riots. "How stupid they are," he said. "How much better it would have been last year if a lot of these businesses had been owned by Negroes. Then the rioters wouldn't have known what stores to hit; they wouldn't have had the same incentive. But, no, the Negro is frozen out of the business life of the community. He can't get credit to start a business the way a white man can. And if he does start one, the white store owners in the area gang up on him and cut their prices until they drive him out of business. It's happened time and time again."

Though the U.C.C. programs have gone well, there is great disillusionment because of the Federal cutbacks. "Last year," Still says, "we had a number of programs for nine months. This year we had to try to stretch the money for 12 months—a cutback of 25 per cent to begin with. And there were other cuts, too."

Newark's grants from the O.E.O. have been slashed $220,000, and the U.C.C. is now in the throes of cutting its own office staff. And the reduction in the preschool program has meant the elimination of 118 jobs, of which 106 were held by community people. "The effect is worse than if you had left these people alone in the first place," one supervisor says.

The most sensitive issue in the ghetto, however, remains the relationship between the community and the police.

"This has been bad in Newark, especially bad," Timothy Still says. "Let me stress this: the Negro community *wants* better police protection. But the attitude of the police toward the Negro community is not proper. There is just no question that the police sometimes beat up people.

"The feeling in the community is that the police can do anything they want—and nothing can be done about it. Until the Police Department begins to punish the police as they punish the Negro, we won't believe them; we won't put any faith in them."

Police Director Spina is now trying to give his department a different image. He has conferred with community people. He has called militants, both black and white, together in his office for face-to-face confrontations designed to get them to talk out their problems and avoid misunderstandings. "I can honestly say," Timothy Still avers, "that he is making a genuine effort now to work with community people. For the first time, he's shown an interest; he's really trying to cool it. It may well be that he'll get so much pressure from his own men that he can't do all he would like to do. Let's wait and see."

Certainly there are large segments of the white community taking a tough line toward the ghetto. In the North Ward, an estimated 1,000 white citizens are armed; they are regularly harangued with messages of racial hate—and they are ready for racial war. Television programs have shown them on the firing range, marching and drilling; leaflets are distributed telling them how to use their own Molotov cocktails if Negroes invade their streets.

Talk to white cab drivers in Newark, and you quickly get the message. "Anyone can get a job who wants one," a cabbie says. "These people don't want to work." Another, on the morning after Dr. King's assassination, said this: "It's been pretty quiet so far. But I just hope they start something. Let it come now. In another year, they'll be armed, and we won't have a chance."

Timothy Still, who still thinks there is a chance Newark can avoid a long hot summer ("I'm more optimistic than Commissioner Spina, but then maybe he has better information than I do"), knows just how hard it is to achieve understanding between two such opposite, polarized forces. This understanding gap was brought home to him vividly in a recent talk with his 18-year-old son, Vincent.

"He's way out, man," Still says. "And I never realized—I suppose I should have; it's my fault—but I never realized until I was talking to him the other day that he has never known in his whole life a white fellow he could call friend."

Timothy Still shakes his big head in distress at the thought. He can see the progress that has been made by his "responsible militants," but he knows how small a dent it has made. He feels the black agony in his bones, yet he understands better than most the white dilemma. "I would hate to think what would happen," he says, "if a real racial confrontation occurred." At this writing, no man can predict with any confidence where it will all lead.

NUCLEAR NONPROLIFERATION TREATY

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. FRASER. Mr. Speaker, the signing today of the nonproliferation treaty in Washington, Moscow, and London is a monumental achievement. The successful conclusion of this treaty is a testimony to what can be accomplished, even in the present international scene with its continuing tensions, when determined and persistent efforts are made to overcome obstacles and bring nations one step closer to sanity.

This Nation, and indeed all nations, are indebted to the efforts of President Johnson, Secretary Rusk, and Mr. Foster, for they have long sought this treaty and have conducted the lengthy and sensitive negotiation of this treaty.

The President has quite rightly pointed out today that this treaty, significant as it is, is but a beginning to further efforts to control the senseless arms race.

The President's announcement that agreement has been reached with the Soviet Union to begin discussions on the limitation and reduction of offensive and defensive strategic missile systems is a great step forward, and is the result of the President's long efforts to see such talks begin. From his call for a halt in the strategic race back in 1964 to his recent speech at the United Nations he has never deviated from this goal. Now at last these critical talks can begin, and in a better atmosphere because of the signing of the nonproliferation treaty. Man's hopes for the future rest with these talks. The support of the Congress will, I am sure, be with the President's efforts.

A MUSICAL TRIBUTE TO RICHARD RODGERS

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. KUPFERMAN. Mr. Speaker, my friend, Oscar Kanny, director of public relations for the New York City Housing Authority, has been good enough to call my attention to the specific activities which occurred in connection with the musical tribute to Richard Rodgers on Tuesday, June 11, 1968, in City Hall Plaza, New York City.

Unfortunately, congressional commitments kept me in Washington that day, which was a gala occasion in honor of the outstanding composer, Richard Rodgers, my constituent, under the auspices of the New York City Housing Authority of which Albert A. Walsh is chairman.

As I know that my colleagues will be very much interested in this outstanding event, there follows the program for the City Hall Festival and newspaper articles with respect thereto, of the New York Times of Wednesday, June 12, and the Chief of June 21, 1968, as well as the proclamation of Mayor John V. Lindsay in honor of the 66th birthday of Richard Rodgers on June 11:

City Hall Festival

(A musical tribute to Richard Rodgers, by the city of New York, June 11, 1968, City Hall Plaza—music by the All-City High School Orchestra, Band, and Chorus)

PROGRAM

Presiding: Albert A. Walsh, Chairman, N.Y.C. Housing Authority.

The Star Spangled Banner: Entire ensemble.

Remarks: John V. Lindsay, Mayor, the City of New York.

Master of Ceremonies: Ben Grauer, NBC Newscaster.

The Carousel Waltz: Band.

Selections from: Carousel, orchestra and chorus; the Sound of Music, band and chorus; The King and I, chorus; South Pacific, orchestra; and Oklahoma!, entire ensemble.

We wish to thank the New York City Board of Education and Dr. Bernard Donovan, Superintendent of Schools for allowing the very talented students of the All City High School Orchestra, Chorus and Band to perform for this occasion; Mr. Benjamin S. Chancy, Acting Director of Music and Conductor of the Orchestra; Mr. John L. Motley, Assistant to Mr. Chancy and Conductor of the Chorus; and Mr. Gabriel Kosakoff, Teacher of Music and Conductor of the Band.

Today's musical tribute to Mr. Richard Rodgers opens the season of the City Hall Festival, a program of lunch-hour entertainment for civil service employees and others who work in the area around City Hall. Similar programs will be presented during the summer.

Mayor Lindsay, who presented Mr. Rodgers with the City's Handel Medallion, New York's highest cultural award, last June 28 on his 65th birthday, commented:

"Richard Rodgers has enriched the lives of millions of people, young and old, for over 40 years.

"His music, his long list of hit songs, is a part of the American scene and it is especially fitting that the City should launch its program of summer lunch-hour musical programs with a tribute to him."

Last year, two pilot programs were presented: a musical tribute to George Gershwin on the 30th anniversary of his death and an appearance by the Esso-Trinidad Steel Band.

The City Hall Festival was organized and is produced by Oscar Kanny, Director of Public Information of the New York City Housing Authority. It is supported by private contributions from such community minded firms as:

The Bankers Trust Company, the Chase Manhattan Bank, N. A., the Chemical Bank New York Trust Company, Dun & Bradstreet, Inc., the First National City Bank, the Irving Trust Company, Modell's-Davega Stores, Serial Federal Savings and Loan Association of New York City and Chas. P. Young Company.

Cooperating city agencies include: the Departments of Parks, Public Events, Public Works and Sanitation; Municipal Broadcasting System (WNYC), the New York City Housing Authority, the Board of Education, the Civil Service Commission and the Police Department.

BIOGRAPHY OF RICHARD RODGERS

Richard Rodgers has said that he cannot remember a time when he did not want to be a musician. As he puts it, "What I am today is what I have wanted to be all my life." Life as a musician for Dick Rodgers may be said to have begun at fourteen with his first words-and-music composition, "Campfire Days." Now, a half-century later, his music is still enriching the world's lyric theatre, and he still cannot imagine life without music.

Rodgers is a native New Yorker, born June 28, 1902, the son of Dr. and Mrs. William A. Rodgers. He attended P. S. Number 10 and DeWitt Clinton High School, and entered Columbia University in 1920, a date made notable also for marking the beginning of his fabled collaboration with Lorenz Hart. Their personal and professional association lasted for almost a quarter century until Hart's death in 1942. Together they wrote 28 musicals for the stage, one for a nightclub and eight for the films.

The history-making team of Rodgers and Hammerstein was born with the milestone musical play, "Oklahoma!", which this year celebrates its 25th Anniversary. With his friend and partner, Oscar Hammerstein 2nd, Rodgers wrote nine stage musicals, one for television and one for films. He also composed the scores for two prize-winning television series, "Victory at Sea" and "Winston Churchill—The Valiant Years". After Hammerstein's death, Rodgers set his hands to the words as well as music for "No Strings".

In 1962 Richard Rodgers was named President and Producing Director of the Music Theater of Lincoln Center, a position which he still holds. He lives with his wife Dorothy in New York and Connecticut. They have two daughters and several grandchildren.

Last year, on the occasion of his 65th birthday, Richard Rodgers received from Mayor Lindsay New York City's highest cultural honor, the Handel Medallion.

[From The New York Times, June 12, 1968]

Rodgers Treated to Sound of Music—430 Students Sing and Play His Works at City Hall

(By McCandlish Phillips)

A boy from Public School 10 who grew up to be the fountainhead of much of the best music of the American theater sat in front of City Hall yesterday while 430 city high school students played half of his career back to him.

For sheer scale, Richard Rodgers said he had never seen or heard anything like it.

It took the hitherto unsuspected theatrical staging genius of the New York City Housing Authority to present Mr. Rodgers with a spectacle much bigger than anything Broadway has ever dreamed of mounting for him.

A HINT OF TANGLEWOOD

The occasion was the first program of the second season of Mayor Lindsay's summertime innovation, the City Hall festival, which bravely transforms the parking area in front of City Hall into a kind of asphalt Tanglewood.

Considering that everything in the festival has to be begged or borrowed, it is no mean achievement for it to be so grand. The program costs the city nothing.

When Mr. Rodgers and his wife Dorothy took folding chairs in the front row at 12:40 yesterday, facing City Hall, they saw spread before them:

The 200-voice All City High School Chorus occupying the steps, brightly attired in sky-blue robes with yellow scarves. The chorus stood under black and purple mourning bunting, stretched across the entrance columns of the hall for Senator Robert F. Kennedy.

A narrow aisle cut through the center of the chorus, as a passageway for Mayor Lindsay, and continued through the musicians on the broad walk at the base of the steps.

Sitting to the right of the aisle was the 110-piece All City High School Orchestra and to the left the 120-piece All City High School Band.

LANDMARK PERFORMANCE

"My music has been performed by a great number of symphony orchestras," Mr. Rodgers remarked after the 65-minute concert, "but never by a symphony orchestra, a band a 200-voice chorus and three conductors at the same time."

The City Hall Festival is produced by Oscar Kanny, director of information for the City Housing Authority, in his spare time.

Seven banks in the City Hall area and several stores contribute money for the incidental expenses of the festival, which is designed to provide summer lunch-hour diversion for civil servants and other workers there.

About 2,500 of them preferred "Carousel" to hot pastrami yesterday. Many stood for nearly the entire concert.

The band, the chorus and the orchestra combined their resources in a rousing recall of five Rodgers and Hammerstein musicals, written in the second half of Mr. Rodgers's 48-year Broadway career.

PRAISES .MUSICIANSHIP

Those who came anticipating that "The King and I" and South Pacific would be rendered in that not-quite-in-unison, whiny sound high school orchestras commonly achieve were pleased to hear what Mr. Rodgers called "an enormously high degree of musicianship.

'These hundreds of kids have been educated musically in the public school system, the composer said. "I'm just staggered by it."

The sky had the gray pallor of day-old oatmeal, and a threat of rain hung over the occasion, but the orchestra defied it all with "June Is Bustin' Out All Over" from the 1945 "Carousel."

Ben Grauer, the radio announcer, who is also a graduate of P.S. 10, was the master of ceremonies.

[From the Chief, June 21, 1968]

CITY HALL FESTIVAL CHARMS RODGERS AND VICE VERSA

New York on June 11 charmed Richard Rodgers, who for 48 years has charmed New York, the nation and the world.

In a City Hall tribute that brought the famed composer and his wife, Dorothy, to the verge of tears, the All-City High School Orchestra, Band, and Chorus regaled Mr. Rodgers and a lunch-hour audience of more than 3,000 city service employees and others who work in the lower Broadway area with a variety of tunes from five of his greatest Broadway hits.

Mr. Rodgers heard selections from his "Carousel," "The Sound of Music," "The King and I," "South Pacific," and "Oklahoma!," on which he collaborated with the late Lorenz Hart and the late Oscar Hammerstein II.

The 65-minute concert was the first in the second series of City Hall Summer Festivals, begun last year, and presented by Mayor Lindsay. The Mayor greeted Mr. Rodgers and the enthusiastic audience. The Festival was proposed and is produced by Oscar Kanny, Director of Public Information for the Housing Authority.

RODGERS LAUDS MUSICIANS

"My music," Mr. Rodgers said after the concert, "has been performed by many symphony orchestras but never by a symphony orchestra, a band, and a 200-voice chorus and three conductors all at the same time." He congratulated them on "their enormously high degree of musicianship."

The 110-piece orchestra was conducted by Benjamin S. Chancy, Board of Education Acting Director of Music, the 120-piece band was led by John L. Motley, Mr. Chancy's assistant, and the chorus was directed by Gabriel Kosakoff, a city Teacher of Music.

Ben Grauer, the radio announcer, who, like Mr. Rodgers is a native New Yorker and also was graduated from the old P.S. 10, Manhattan, where Mr. Rodgers began his schooling, was master of ceremonies. Albert A. Walsh, HA Chairman, chaired the first event in the 1968 City Hall Plaza series.

Six banks and loan associations and several stores and business firms in the environs of City Hall have made contributions to support the Festival.

RICHARD RODGERS RECEIVES CITY'S SCROLL FROM MAYOR LINDSAY

The City's Scroll for Distinguished and Exceptional Service will be presented to Richard Rodgers, noted composer, by Mayor John V. Lindsay at City Hall June 11th, 11:30 A.M. A concert will be held at that time in the City Hall Plaza honoring Mr. Rodgers' sixty-sixth birthday.

The inscription on the Scroll reads as follows:

City of New York, know all men by these presents that I, John V. Lindsay, mayor of the city of New York, do hereby cite for distinguished and exceptional service,

RICHARD RODGERS

Eminent and gifted composer, citizen of New York City, whose inspiring music and lyrics have enraptured the hearts of all people and won for him enduring fame. In behalf of all New Yorkers this public tribute is extended on the occasion of this City Hall Concert honoring his sixty-sixth birthday.

In witness whereof, I have hereunto set my hand and caused the seal of the city of New York to be affixed this eleventh day of June, 1968.

(Signed) JOHN V. LINDSAY.

THE NATION'S SHAME—OUR NEGLECT OF INDUSTRIAL HEALTH AND SAFETY

HON. RALPH YARBOROUGH

OF TEXAS

IN THE SENATE OF THE UNITED STATES

Tuesday, July 2, 1968

Mr. YARBOROUGH. Mr. President, last Friday, during the Labor Subcommittee's hearing on S. 2864, the Occupational Safety and Health Act, we heard from a number of very informative witnesses. Among these was Dr. Lorin Kerr, who discussed the problems of pneumonoconiosis or "black lung" disease, so prevalent in our coal mines.

Then, on Sunday, the New York Times published an article on the same subject, written by Joseph Loftus. I invite the attention of all Senators both to Dr. Kerr's statement and Mr. Loftus' article. We in this country have too long neglected industrial health problems. As Mr. Loftus states, Western European countries have done much to alleviate the dangerous health conditions in mines while we are standing still. My bill, S. 2864, would reverse this dangerous trend.

I ask unanimous consent that both Dr. Kerr's statement before the subcommittee and Mr. Loftus' article be printed in the RECORD.

There being no objection, the statement and article were ordered to be printed in the RECORD, as follows:

STATEMENT PRESENTED BY LORIN E. KERR, M.D., M.P.H., ON S. 2864 TO THE SUBCOMMITTEE ON LABOR, SENATE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. Chairman, Members of the Committee: I am Lorin E. Kerr, M.D. Assistant to the Executive Medical Officer of the United Mine Workers of America Welfare and Retirement Fund; Chairman of the Board of Directors and immediate past-President of the Group Health Association of America; a Diplomate of the American Board of Preventive Medicine; a member of the Governing Council of the American Public Health Association; Visiting Professor of Occupational Health at Howard University College of Medicine; and Co-Director of the Joint Committee on Occupational Safety and Health, an organization representing a broad range of civic, professional, labor, consumer and health organizations lending their support to the passage of the Occupational Safety and Health Act of 1968.

I list these affiliations as evidence of a longstanding active concern with public health problems in general and occupational health specifically. I appear before this Subcommittee today in support of a truly national effort in occupational health and safety which would be the result of the passage of the type of Federal legislation represented by both S. 2864 and H.R. 17748. Such a national endeavor would materially enhance the effectiveness of programs designed to meet total health needs which of necessity includes services for job-related sickness.

An outstanding example of this type of total health program is the UMWA Welfare and Retirement Fund. Since its inception in 1946, the Fund has been committed to a medical care program including preventive, diagnostic, therapeutic, and rehabilitative services for all eligible beneficiaries. More germane to the purposes of the hearing today, the Fund has also always encouraged and assisted the conduct of research designed to identify and prevent occupational diseases, particularly coal workers' pneumoconiosis. Over the years the Fund has:

1. Prepared, published and distributed summaries of available knowledge on coal workers' pneumoconiosis.
2. Arranged for the care and treatment of beneficiaries at teaching institutions concerned with the advancement of knowledge in respiratory dust diseases.
3. Distributed current information to physicians as received from authoritative sources.
4. Stimulated and assisted practicing physicians and research scientists in recording and publishing their reports.
5. Provided drugs, oxygen, oxygen equipment and other therapeutic measures for hospital and ambulatory patients suffering from dust diseases.
6. Assisted in the planning and execution of numerous conferences with physicians and other interested professional personnel.
7. Arranged for national and international authorities to meet with the physicians in coal mining areas to acquaint them with the latest research and findings in this field.
8. Encouraged and assisted the U.S. Public Health Service and the U.S. Bureau of Mines in their efforts to determine the prevalence of occupational dust diseases among coal miners.
9. Assisted in the formulation of state and Federal disability policies relative to these disease entities.
10. Utilized clinical research developed in former Miners Memorial Hospitals to hasten the provision of adequate medical care for these diseases.
11. Encouraged and assisted Federal and state surveys and studies of dust diseases occurring among coal miners.
12. Introduced and encouraged utilization of the "International X-Ray Classification of Coal Workers' Pneumoconiosis" for the diagnosis and treatment of this disease.

While the Fund is proud of this record, it would be the first to admit that its efforts fall far short of what is needed in an occupational health problem of such magnitude. For example, an estimated 100,000 American coal miners have x-ray evidence of this coal workers' pneumoconiosis and we have no idea of how many others have impaired pulmonary function without any damage visible on x-ray. I would add that the Fund took action on this disease because there was no action being taken otherwise. Unfortunately, much of the activity the Fund has been able to stimulate so far is exceedingly limited in scope and results. The Federal Government should be playing the leadership role in the entire field of occupational health and safety supported by both organized labor and industry.

This is the specific reason for my support of the proposed legislation. Not only coal miners but every American worker will benefit from the type of national research and training program which would result from the proposed Federal legislation. Every worker would also benefit from improved occupational health and safety programs in the States.

In coal workers' pneumoconiosis, a greatly expanded research effort is needed to help solve such fundamental questions as the precise etiological role of coal dust, the cause and correct assessment of the respiratory disability, the efficacy of various therapeutic measures, and the safe limit of coal dust exposure. The truth of the matter is that we need to answer these questions for practically every occupational respiratory disease and the list is long.

To those who suggest that a study or a commission should determine the actual need for this type of legislation, I would extend an invitation to accompany me to hospitals in mining areas where hundreds of miners are looking to the medical profession for answers we do not have. These men are respiratory cripples. They cannot work because they cannot breathe. Coal workers' pneumoconiosis is a preventable disease and every day that action is delayed more miners will be affected.

My personal concern with occupational health goes back to 1939 and I have been vitally interested ever since. Based on my personal experience in the field, rewarding at times and discouraging far more often, I would like to address myself to some specifics of the legislation which I feel would help in the development of a realistic national effort to protect the health of all American workers.

First, I feel very strongly that only the Federal Government can conduct and support the in-depth, unbiased research necessary for the development of realistic health standards. I do not mean to denigrate the considerable work done by our large corporations and the health activities which they support, but organized labor will question the objectivity of their studies just as business will question those of labor. Further, the Department of Health, Education, and Welfare is the agency of the government which should be solely responsible for conducting this research either in its own facilities or through grants and contracts.

S. 2864 moves in this direction by giving HEW specific responsibility for producing "criteria enabling the Secretary (of Labor) to meet his responsibility for the formulation of safety and health standards under this Act." I do not think that this goes far enough. The Secretary of Labor should be required to use these criteria or secure HEW's concurrance before a standard is promulgated.

The new House bill, unfortunately, rather than giving HEW a role proportionate to its scientific responsibilities, throws the responsibility for developing recommendations which I interpret to mean "criteria", to advisory committees with no mention of HEW. I submit that no advisory committee, no matter how expert its members, can do the kind of scientific research necessary to develop either valid criteria or standards. All they can do is review research done to date which, in most cases, will not be enough. I further submit, without intention to criticize, that the Secretary of Labor does not have available in his Department, nor should he try to develop, the expertise necessary to review the recommendations of advisory committees, especially in the occupational health field.

I referred earlier in my testimony to the research needs in coal workers' pneumoconiosis which are not greatly different from those in most of the occupational respiratory diseases. All that an advisory committee could do is argue whether a problem does indeed exist, or agree that there is a need for more research. Neither result would contribute much toward getting on with the research that is so desperately needed.

My recommendations do not and should not preclude the use of advisory committees to help set priorities, review on-going research activities, and help the Secretary of Labor in reviewing HEW-developed criteria. I am, however, talking about Federal standards. The ultimate responsibilities for them should rest with the two Federal agencies involved—the Department of Labor and the Department of Health, Education, and Welfare.

To assure, in turn, that HEW lives up to its responsibilities, I further recommend that the Secretary of Health, Education, and Welfare be directed to establish a national research and training program with all functions within an identifiable organizational unit comparable in status to that established for the control of air pollution. All activities in HEW relating to occupational health and safety should be contained in this unit. Specifically, I refer to the occupational health program, the segments of the accident prevention and radiological health programs that relate to the industrial environment, the environmental health sciences research unit and the Federal employees occupational health program. And finally, I suggest that the Congress join with the interested professional health organizations to do everything in its power to assure that such an important unit be led and manned by professionals of the highest calibre.

The type of national effort envisioned by the bills under your consideration is long overdue recognition of the need to resolve the occupational health and safety problems confronting the nation today. The passage of this legislation is an essential step in assuring the prevention and early detection of job-related sickness. The combination of these activities with the medical care programs secured by collectively bargained wage agreements will for the first time provide the mechanism to meet the total health needs of America's employed citizens. The 20-year experience of the UMWA Welfare and Retirement Fund in providing high quality comprehensive medical care clearly indicates the need for a national program to clarify and establish diagnostic and preventive criteria for occupational illnesses. This would be of immeasurable assistance in containing or moderating the rising costs of medical care experienced by all union-sponsored health programs. Current national programs are unfortunately limited to providing care for existing illnesses and injuries. Of equal magnitude is the need to develop programs and provide funds essential for the prevention and eradication of occupational hazards, the effects of which are frequently related to the development and aggravation of an unknown number of chronic diseases.

We who are deeply concerned with occupational health are acutely aware that earlier programs were limited and ineffectual. It is a sorry worrisome reality for example, that the silicosis control program advocated in 1937 by the First National Conference on Silicosis was, in the main, never implemented. Many words were spoken and some good concepts were developed, but little action has ensued. Today, the coal miner is disturbed and fearful that these patterns of the past will continue for another 30 years.

Thank you for this opportunity to express my views on this essential legislation.

[From the New York Times, June 30, 1968]

"BLACK LUNG" PLAGUES MINERS IN SOFT COAL INDUSTRY

(By Joseph A. Loftus)

WASHINGTON, June 29.—The booming soft coal industry is recruiting young miners while "black lung," a preventable disease caused by coal dust inhalation, is disabling and killing thousands in its work force.

This is known to the Government, to the coal operators, and to the United Mine Workers. But practically nothing has been done about it.

The United States Public Health Service completed a study of the disease's prevalence among miners two years ago and referred its findings to the Department of Interior, which includes the Department of Mines.

But the department remained silent until Ralph Nader, best known for his interest in automobile safety, opened the issue recently.

Secretary Stewart L. Udall then acknowledged that although the disease had been "recognized for many years as a serious health problem in the coal mining industry, we have moved very slowly toward corrective measures. It is clear that the demonstrated incidence of this insidious and irreversible malady warrants most serious concern."

TIMING IS CRITICAL

X-rays do not always reveal the early presence of coal miner's pneumoconiosis, the medical term for black lung. If the victim discovers the ailment in time, and withdraws from the dust hazard, he can be saved.

Continued exposure brings on emphysema or heart failure or both, and the victim gasps for air after slight exertion. He may develop psychological and gastrointestinal disturbances, or pneumonia, or tuberculosis. A fatal heart attack may mercifully save him from asphyxia.

Dr. I. E. Buff, a Charleston, W. Va., cardiologist, said that as many as 80 per cent of the nation's 120,000 soft coal miners might have black lung to some degree.

He said the Social Security disability retirement records in West Virginia showed a ratio of one case of emphysema to one of heart disease. Black lung is not a compensable occupational disease except in Pennsylvania and Alabama.

The Federal Mine Safety Act restricts dust only if it is an explosion hazard. The law is not concerned with the medical aspect, but the United Mine Workers Union and the operators, by agreement, could write dust restrictions into the mine safety code.

Dr. Buff said his inquiries among manufacturers indicated that a miner could be equipped with an oxygen tank and mask for about $130. The operators, he said, have spurned his suggestion as too costly. The union appears to share that view.

At a recent Charleston hearing held by the state's Anti-Pollution Commission, Charles A. Tutwiler, a coal company witness, told Dr. Buff, a member of the commission: "You have not told these people that, as far as medical science is concerned, the causes of the disease emphysema is unknown."

Dr. Buff replied: "This is because a great many people have the PBP's, which is called pocket abook persuasion, and these people cannot see anything but the economy. But scientists, sir, will say when a man works in a coal mine at dust 100 times the pollution of the Kanawha (Charleston) Valley, that his chances of developing emphysema are tremendous."

Michael Widman, of the United Mine Workers' marketing staff, told the same hearing: "It may seem easy to say to a coal operator, do this or do not do that; it may be easy to pass regulations and edicts, to dictate what can and cannot be done, but it will not be quite so appealing to face the human debris that a declining coal industry will leave in its wake."

Dr. Buff said a booming coal industry was leaving human debris in its wake. He said the industry had been recruiting miners in some high schools not far from Charleston, and he asked for permission to tell the students about the health hazards of mining.

The worst dust hazard occurs at the face of the coal, where a powerful machine cuts into the vein. Water sprays on the coal face, and forced ventilation of the mines reduces the dust concentration and explosion hazard. But medical sources say these precautions do not overcome health hazards.

"We are experimenting all the time with better sprays," said George C. Trevorrow, safety director of the Bituminous Coal Operators Association.

He insists that conditions are far better than they were when the miner and his laborer shoveled coal and debris aboard mine cars. But Dr. Buff, born and bred in Charleston, said that "dust in the mines is the same as 30 years ago."

Dr. Murray C. Brown, who directed the Public Health Service's prevalence study, said: At this point in the progress of the study of coal workers' pneumoconiosis, we cannot say with absolute certainty what all the factors are which may have a bearing on this disease process. However, the findings here in the United States and the European experience demonstrate that exposure to coal dust is closely associated with the disease."

"According to the study, then, years underground is probably the crucial factor in the development of coal workers' pneumoconiosis. The longer a miner has been exposed to coal dust, the more likely he is to develop the disease."

Dr. Lorin E. Kerr, assistant to the medical officer of the United Mine Workers' Welfare and Retirement Fund, said in a paper about a year ago that the coal workers' lung disease could be prevented and "with the application of adequate control measures could be eliminated."

PRESIDENT JOHNSON—A GREAT CONSERVATION PRESIDENT

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. FULTON of Tennessee. Mr. Speaker, last Saturday, President Johnson traveled to Nashville, Tenn., to speak at the dedication of the J. Percy Priest project, a great work of conservation in my State. This project will provide flood protection, electric power, a reliable water supply, and 18,000 acres of natural beauty for the use and enjoyment of millions of people.

The President's address was a fervent plea to save America the beautiful for future generations. He closed his remarks with these words:

> . . . let us use our time—use it to build a nation; use it to heal the wounds; use it to help establish a world of peace, beauty, pleasure, order and opportunity for every boy and girl in the world.

I insert the President's inspiring remarks in the RECORD:

REMARKS OF THE PRESIDENT AT THE DEDICATION OF THE J. PERCY PRIEST PROJECT, NASHVILLE, TENN.

Governor Ellington, Senator Gore, Congressman Fulton, Congressman Anderson, Congressman Blanton, Mayor Briley, my dear friend Mrs. Priest, her daughter, ladies and gentlemen:

Of my old and dear friend, Governor Ellington, may I say that you have one of the most able, loyal and dedicated public servants that I have ever known.

On the platform is my long-time colleague in the United States Senate, Albert Gore. We have been through a great deal together, and he has always represented his State, his Nation, and served his country with a great ability, honor and distinction.

Mayor Briley, the first mayor of the Greater Nashville Metropolitan Government, is nationally recognized amongst the city governments throughout this land.

Congressman Richard Fulton has so well represented this District since 1963, and has been a wonderful and fine successor to the Congressional seat once held by beloved Percy Priest.

In Washington, we have some arm twisters, and Dick Fulton did a little arm twisting of his own to get us down here today.

He said, "Mr. President, I know that you have a heavy schedule, but I want you to see for yourself a living example of the new conservation that we have been working so hard for in the Nation. I want you to come to Tennessee to see it."

Congressman Bill Anderson is with us today. He has served his country as warrior and statesman in the fine tradition of Tennessee.

In Congressman Blanton, Tennessee has sent to the 90th Congress a young man who has rapidly gained the respect and admiration of his colleagues. We know he has a fine future before him.

To Mrs. Priest, I want to say how much the country has missed the solid wisdom of her late and her great husband.

I wanted to be here today because this dam was named for him. I served with him for many years, and I had great respect and affection for Percy Priest.

I want also to pay tribute to three outstanding former Governors of Tennessee who honor us with their presence.

TVA could not have become a reality without the dedicated efforts of Governor Browning, Governor Cooper, and Governor Clements.

Also here on the platform is my dear, old friend Hub Walters, with whom I served in the United States Senate when he represented Tennessee.

Though this is not a political affair, I trust no one will demand equal time if I happen to mention that Hub is presently doing a fine job as a Democratic National Committeeman from Tennessee.

Though our friend Joe Evins could not be here today—we are sorry he is ill—he has sent his lovely daughter Mary to represent him.

His state and his country are proud of Congressman Evins' service as Chairman of the House Select Committee on Small Business.

Finally, I would like to introduce another Tennessean.

All of you should be very proud of him. All Tennessee should be proud of him. I brought him with me from Washington today. He doesn't know what I am about to say.

I am now naming a native son of Tennessee, Marine Lieutenant Colonel Haywood Smith, of Memphis, as the Armed Forces Aide to the President of the United States.

Colonel Smith will succeed Colonel James U. Cross, recently promoted to General and assigned to a fighter squadron.

Colonel Smith has been a Marine Aide since 1964. He has served with the United States Marines since 1953, and he has distinguished himself as a fighter pilot and as a most able administrator during his military career.

He is a graduate of Memphis State University.

His President and his country are very proud of him.

The project we are dedicating has many purposes.

It will protect your homes and your families against the ravages of flood.

It will provide the additional electric power that the growing, historic city of Nashville needs in order to prosper and to attract new industries.

It will store water for periods of drought.

But most important—to me, at least—it will create a beautiful new recreation area within ten miles of the very center of this historic city of Nashville. It is a perfect example of the new conservation: 18,000 acres of unspoiled nature, within easy driving distance of a half-million people, for boating, camping, hiking and swimming.

Natural beauty is a priceless asset—and it has become harder and more costly to preserve with each passing year.

The great conservationists of another generation did preserve for us some of the scenic wonders of the American West. President Theodore Roosevelt and Gifford Pinchot fought with all of their strength to save just a small portion of those open spaces and those untouched forests.

But today, most Americans do not live near those great Western parks out yonder, and not everyone can afford to travel across half a continent to visit Wyoming, Montana and other Western States.

The New Conservation, therefore, must concern itself with all the people of all America. We can no longer go in search of far horizons while we neglect the land that is under our feet.

We can no longer accept the unsightly and destructive scars of modern civilization.

This is not a question of coming to terms with civilization. It is a question of controlling and directing its spread, so that ultimate values are not lost in satisfying immediate needs for land.

We can have a new conservation in our land—a conservation which preserves the pleasures but avoids the pitfalls and pollutions of modern society.

Our New Conservation must build on a new principle: bringing nature closer to the people.

That has been my goal since I became President. Along with peace in the world and progress at home, there is no legacy that I would rather leave than a permanent program of real conservation for this Nation.

That is not just my dream. It is happening. It is happening right here today in Tennessee. It is coming true all over this Nation. In my time as President, we have had three of the most conservation-minded Congresses of any time in our history.

The Tennessee Delegation, led by your Senior Senator, Albert Gore, has been in the forefront of all conservation legislation.

We have already passed 138 bills to restore and preserve the beauty of America. That is an average of more than two and one-half conservation bills for every month of my Presidency. And we have 42 more conservation bills awaiting action in the Congress right now.

We need to pass all of these 42 bills. Six of them are in the balance. The Congress is today considering six major legislative measures that can bring new beauty and new pleasure to our people—as well as bring new riches to our Nation.

The Congress should pass these six bills now, without delay:

The Redwood National Park Bill.

The Scenic Rivers Bill.

The Lower Colorado River Basin Bill.

The amendments to the Land and Water Conservation Fund Act.

The Northern Cascades National Park Bill.

And, finally, the bill to establish a real National Water Commission.

The Congress has already recognized the importance and urgency of these bills. Each of them is in a stage of final action now.

So I ask the Congress today—in the name of you, and in the name of our people—to proceed to final passage of this legislation without delay.

When I took office, we were losing hundreds of thousands of acres every year to the bulldozers.

Today, we are actually reclaiming more land than we are losing.

1.1 million acres were reclaimed in 1965.

1.2 million acres in 1966.

1.7 million acres in 1967.

That is a little over 4 million acres. That is more than the combined areas of Yellowstone, Yosemite and Glacier National Parks.

Those 4 million acres will all be within an easy day's drive of tens of millions of our people.

But providing seashores, lakeshores and parks is not enough. The land that we use for living and working is in danger, too.

Rivers that were once carriers of commerce are now carriers of disease.

Lakes that have served every generation of Americans are now being destroyed in a lifetime.

The air that gives life to us all now threatens our health and it chokes our cities with pollution.

Our search for minerals continues to scar and ravage the surface of the earth.

These are the sordid by-products of civilization that we must correct.

You know the problem better than most people know it, here in Tennessee. Flying here this morning I saw the ravages of progress—in the midst of the most beautiful scenery that any nation could ever boast. I saw the strip mines . . . the slag and the rusted cars in the streams . . . the naked and the ugly hillsides.

But I have seen something else that gives me great hope. I have seen what the people of Tennessee have done, what they are doing, and what they can do in the future.

It was just four years ago last month that I first came to Tennessee at the suggestion of your great Governor—Buford Ellington—as President of the United States. I saw for myself the plight of a proud and a productive people.

In 1964, Eastern Tennessee—an area just a stone's throw from here—was the symbol of the Appalachian problem. Today, it is the symbol of Appalachian progress.

Since I signed the Appalachian Act in 1965, employment in Eastern Tennessee has gone up nearly seven percent—6.8 percent. Compare that to the national rate. In the national rate as a whole, employment has gone up not seven percent, but up about five percent—5.1. You have gone up seven percent and the rest of the Nation has gone up only five percent.

But the important part of this story is not told by statistics or by laws passed in Washington. It is measured by the energy and the hope of the people who live here.

I appeal to all of you today to help us save what is best and most beautiful in our lives—and our country. I ask you to set an example for the entire Nation. And I have faith that you will do this because you understand so well that—as President Theodore Roosevelt once said, "It is not what we have that will make us a great nation, but the way in which we use what we have."

Years of stubborn, dedicated effort lie behind our great achievements in conservation. This is the case, for example, in education, in health, in housing, in race relations.

The same is true of foreign policy.

The non-proliferation treaty, which will be signed in the White House on Monday and sent to the Senate, is such an achievement. We have been working towards that treaty for more than four years. Along with the Atmospheric Test Ban Treaty, it stands as a monument to the proposition that men are determined to control the dangers of the nuclear age—instead of being destroyed by them.

But more is required. We must now turn to a task at least equally complex and difficult: to bring under control in this world the nuclear arms race—offensive and defensive weapons—in ways which do not endanger the security of the United States, our allies, or others.

It would be easy for the United States and the Soviet Union to continue on the present course of piling weapon system on weapon system, diverting billions upon billions of dollars, while adding nothing to the security of either country.

The time is now at hand to find security in a more rational way.

I hope to have you join me when I say more to the Nation and to the world on this important subject Monday morning, next.

You and I, my friends, live in a time of peril as well as a time of hope. But that has always been true of this land—this land which was really conceived in hope and peril.

We have never been satisfied and we have never rested.

More than a century ago, Emerson, said of our young land: "This time, like every other time, is a good one if we but know how to use it."

So, my friends, of Tennessee, I would close by saying let us use our time—use it to build a nation; use it to heal the wounds, use it to help establish a world of peace, beauty, pleasure, order and opportunity for every boy and girl in the world.

Thank you.

PUBLIC TEACHING SERVICE OF MISS HANNA PEARLSTINE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 2, 1968

Mr. THURMOND. Mr. President, the teaching profession is one of the highest callings a person can follow. As a former teacher and school superintendent, it is my honor today to invite the attention of the Senate to the distinguished career of Miss Hanna Pearlstine, of Columbia, S.C., who retired last May after 40 years of service to Columbia High School.

Miss Pearlstine is one of those gifted people who has the ability to challenge and inspire young people. Her excellence as a teacher is well known throughout the State of South Carolina and thousands of students she has influenced down through the years are better citizens today because of her deep dedication.

There are also other outstanding teachers in Columbia, the State of South Carolina, and throughout the Nation. In fact, at Columbia High School, Miss Alice Carter is retiring after many years in our public schools and she, like Miss Pearlstine, has rendered a wonderful service to her students. Many of our teachers deserve more recognition for their efforts.

The high esteem in which Miss Pearlstine, Miss Carter, and other teachers are held is reflected in several editorials and articles which I ask unanimous consent to have printed in the Extensions of Remarks.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

[From the Columbia (S.C.) High School Hi Life, May 29, 1968]

GRATITUDE

We students never realize until after a course how much teachers mean to us and how much they work and sacrifice to give us the best of themselves. Sometimes as much as we'd like to, going to a teacher to say "Thank you" seems like the end of the world. The fear is overwhelming. And yet who deserves to be thanked more than the woman or man who really made you learn that science or math or English? Two Columbia High School teachers who have dedicated themselves to teenagers rate a very special expression of gratitude at this time, for they are retiring from the teaching profession.

Miss Hannah Pearlstine, history teacher, has been a unique experience for everyone who has attended one of her classes. Her wit is as sharp as a razor's edge, and combined with her infallible knowledge of history, makes every class enjoyable. The "checkups" she gives are hard, but difficulty is necessary for challenge. Initiative is Miss Pearlstine's middle name. She gives her students history as she gives joy.

Miss Alice B. Carter's Senior English course has been dreaded by many students. Those who survive her class—and most do—feel within themselves an emotion of deepest respect for Miss Carter, however. They see through her tests and term papers to the wonderful woman who cares for each of her students. She has the talent to instill a love of literature into almost anyone.

And so, to these two very good women, we, the students of Columbia High, gratefully give our love and respect. We know that this school term does not mark the end of their influence on us, for friends never forget each other. Miss Carter and Miss Pearlstine, we thank you for your guidance and teaching. May you always remain in our memories. God bless and keep you.

[From the Columbia (S.C.) High School Hi Life, May 29, 1968]

MISSES CARTER, PEARLSTINE HONORED FOR SERVICE

Miss Alice B. Carter has received the second annual Key Club Teacher of the Year Award.

This Award is based solely on the teacher's performance and ability as a classroom instructor.

Miss Carter received her bachelor of arts degree from Randolph-Macon, and she completed a master's degree at the University of South Carolina.

Of her philosophy of education, Miss Carter has said: I try to help each pupil to develop to his full potential and to make each one feel that I am his friend. On the other hand, I have little patience with pupils who waste time and expect all honors and grades simply to fall into their laps. I want my pupils to have pride in doing things well, and to feel that they are making progress in every line of endeavor.

I feel that teachers and pupils should plan together and that usually an informal classroom attitude is more conducive to learning than strict formality. Whenever possible, I encourage pupils to engage in at least a few activities as well as to do reasonably well on their school work. Most of all, though I want my pupils to *like* me, I am much more concerned that they should feel that I am *fair*."

Besides teaching English, Miss Carter has been a member of the National Honor Society advisory board, and has been advisor of both the *Columbian* and *Hi-Life*.

Miss Carter was given a silver tray and a $25 certificate by the CHS Key Club.

NHS HONORARIUM

Miss Hannah Pearlstine has been named as an Honorary Member of the Estelle W. Parrott Chapter of the National Honor Society.

Awarding honorary membership for the first time, the chapter cited Miss Pearlstine for her service to the school and for her help as a member of the NHS advisory board.

Miss Pearlstine received a B.A. from Converse College and an M.A. from the University of South Carolina. She has done further graduate work at Columbia University.

Miss Pearlstine received the Key Club Teacher of the Year Award last year.

The Honor Society gave Miss Pearlstine an NHS charm to commemorate her honorary membership.

FOR SERVICE

Miss Pearlstine has taught history and has served as advisor of both the International Relations and Palmetto Trails Clubs.

Executive Council has honored both Miss Carter and Miss Pearlstine for giving forty years of service to Columbia High School. Both of these teachers will be retiring from the CHS faculty at the end of this school year.

In recognition of their accomplishments, the Council presented each teacher with a plaque bearing an Old English C and the inscription: With appreciation for many years of devoted service to Columbia High School, presented by the Student Body, May 28, 1968."

[From the Columbia (S.C.) Record, June 1, 1968]

Columbia Teachers Get "English C's"

Two Columbia High School teachers have been presented Old English C's for their contributions to the school.

The two are Miss Alice B. Carter and Miss Hannah Pearlstine, both of whom are retiring this year after more than 40 years of service in education.

They were presented the awards along with flowers given by former students in an awards ceremony at the school this week.

Awards and scholarships were also presented to students.

The awards are: Carolyn Wooten, home economics and Future Homemakers of America sterling silver homemaking award; James R. Clamp, Key Club Scholarship; Charmaine Jacobs, National Honor Society scholarship; Sarah Derrick, William Thurmond Dreher Memorial Scholarship and nursing scholarship given by Tuberculosis Association and Forest Lake Woman's Club; Vicki Taylor, Anchor Club scholarship; David Smith, Alice C. Babcock Mathematics Award.

Also, Richard Harry Green, Bausch and Lomb honorary science award; Mike Shell, National Merit Scholarship to Cornell; Mike Shell, Emily Zeigler, Jimmy Gleaton, National Merit finalists; David Smith and Jimmy Gleaton grant-loans from the University of South Carolina; David Smith, two Elks-scholarships; Donnie Brazell and Carleen Regal, University of South Carolina distributive education scholarship in marketing; Ray Martin, baseball grant-in-aid Spartanburg Junior College; Rudy Ritchie, half scholarship in basketball, Spartanburg Junior College.

Also, Rudy Ritchie and Sarah Derrick, American Legion scholarship medal; Charmaine Jacobs, outstanding business student and Elks Club leadership award; Richard Green, Elks scholarship.

RIOT INSURANCE AND LAW ENFORCEMENT

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. BUSH. Mr. Speaker, J. H. Blades, of Houston, Tex., delivered a remarkable address before the Special Conference on Government and Insurance, sponsored by the American Management Association, at New York City on May 14, 1968. Mr. Blades pointed up very clearly the interrelationship of two false premises—false premises which have wide currency in our country today. First, Mr. Blades lays to rest for all of us, any notion that some new Federal measures will make it possible to insure financial losses from riots at reasonable rates. Insuring against the results without dealing with the problem makes no real sense.

Second, Mr. Blades points out how the desire not to commit some cruel or difficult actions in order to quell civil disturbances has guided us falsely. No matter how unpleasant, firmness is, in the long run, the only sure way to save both lives and property. Never have I seen this latter point made so movingly and so well.

Mr. Speaker, I commend Mr. Blades' fine speech to my colleagues:

Riot Insurance and Law Enforcement

I have had the privilege of appearing before the American Management Association on several occasions but never have I had a desire to put over a feeling as I do today.

As many of you probably know, when you fly the ocean you have a tendency to get your days and nights mixed up. I couldn't sleep too well last night and I began to think about this conference and its theme, "Government and Insurance," and our particular topic this afternoon on non-admitted and surplus lines insurance, also the fact that I have been asked to report to you on the London insurance market. The warp and woof of the wool is intricately interwoven and it's an interesting pattern, for you cannot separate the London insurance market from our insurance industry and it now appears that we cannot separate problems of government and insurance.

As I thought about my assignment last night in bed, my mind began to wander and I soon realized that this was the twentieth time that I had returned across the Atlantic to this country. The first trips were when I had the privilege of serving in the United States Marine Corps, attached to the Navy on a Navy troop ship, during World War II, and I couldn't help but compare last night's return with another entry to this great city that I will never forget. I had the privilege of being on the first troop ship to enter the New York Harbor after World War II in Europe was over. We received a radio message a few days out from port instructing us to dress ship and there were only a few old Chiefs that even knew what it meant. We strung signal flags from bow to stern. Sailors and soldiers lined our decks and we took the salute of a grateful people. I will never forget the small, little boats that came out to meet us, with their bands and signs. I will never forget when we sailed past the Statue of Liberty, a gift from the people of France, a symbol of freedom and America itself. There was not a dry eye on the ship that day and as we steamed on in every ship, big or little, blew its horn. Confetti flew from the windows and there was a band on the pier as we entered our slip. It was great being an American that day!

The reception last night was a bit different. My wife and I crawled into a cab at Kennedy Airport and we headed for the city. You know, you can learn a lot from a New York taxi driver. Their English may be poor but their logic and predictions are sometimes astounding. I told the cabbie we had been out of the country for about three weeks and I asked him about the Presidential election. His fast retort was that "We've got six no-goods. Who could trust young Bobby Kennedy? Nixon, he's a loser. Now, Rockefeller—his father certainly taught those boys how to count their money and if he gets in they would tax us to death—and Reagan, who wants a movie star in the White House? And Humphrey, he has had his nose in the public trough too long. McCarthy—who is he? His observations were interesting. I then asked him about riots and race relations. We touched on the problems at Columbia and the aftermath of the Martin Luther King murder. He shrugged his shoulders, a bit in disgust and shame, "What are we going to do? We seem to be letting hate and minority groups run all over us." You could see bewilderment on his face. Gentlemen, we are taking too much for granted today. Those of you who have the privilege of traveling and returning know without a shadow of a doubt that we have today the greatest country in the world. I think too many of us must think the last words of the National Anthem are "Play Ball."

A lot of people have asked me just what is the London insurance market. This marketplace could be in New York, Boston, Philadelphia, Houston, Geneva or elsewhere, but it's not and London is the center for insurance. In that center we find Lloyd's as the hub and around Lloyd's is the companies' market, not only composed of British companies but American and European companies as well and some of you may be surprised to know that on many of our large oil placements in this country fine Japanese insurance companies participate through the London market with the rest of the companies. It is truly the center.

The condition of the London insurance market is serious. London Underwriters are now unable to complete insurance coverages that they could do a few years ago and companies all over the world are being sought to help complete the orders.

London has taken a terrible beating! They have survived many hurricanes but nothing like "Betsy." They have been hit with the Alaskan earthquake, the large City Service loss, the Shell loss in Rotterdam, the loss of large offshore drilling units in the North Sea and elsewhere, the McCormick fire, the large department store in Brussels, the *"Torrey Canyon"* and other large hulls, and a number of unfortunate aviation losses. True, London Underwriters do not stand these losses alone but they have been involved in all of them and a large percentage of the losses have trickled back to the London market. Never in history have so many big losses taken place in such a short period of time.

A few years ago a $20,000,000 loss seemed impossible. Now we know this is not true and they are happening with some regularity.

PML's (possible maximum losses) must be reviewed. Underwriters now realize that when they take a 10% line on a $50,000,000 exposure they may have a $5,000,000 loss. Many rates have been too low. I know that it may not be wise for me to stand before a group of insurance managers and buyers and say this but in some cases conditions have been too broad and insurance has been used for maintenance.

The big question is, "Where are we?!"

Last week while I was in London many names (members of Lloyd's Syndicates) got their notices on the results for the 1965 year. With rare exceptions, because of hurricane "Betsy," all of them are having to put up more money. This means that most names suffered a loss in 1964. They are now paying their losses for 1965 and the estimate for the 1966 year, which will be closed next year, also indicates a loss. The only ray of sunshine is the fact that a small profit is predicted for most underwriters on their 1967 figures. With this background and to use a London expression, the market is nearly "inundated" with business. Although the London market is definitely tight, the American market and others are also tight and this is forcing more business to London. The channels are clogged, as they have been in our stock market lately. To further complicate the picture, London Underwriters are extremely concerned as to what to do about riots and restricting legislation in various states as well as state and Federal competition in insurance and reinsurance coverages.

Now, with these conditions as a backdrop, I would like to touch on a few of the highlights that have been happening the last few weeks in the London market.

London Underwriters have been severely criticized in this country for putting up a flat 9¾% rate for offshore drilling units. They have been condemned as class underwriters when they refused to give credit for the many variables that normally make up a rate. The truth is London Underwriters had their backs against the wall. A few years ago I saw their penciled worksheets; they were far in the red. The only answer to hold a market together was a flat rate and a high one. Last week London Underwriters agreed to change the rating formula. They are now prepared, as in the past, to give a credit for the record, the size of the fleet and also to vary the rate based on the area, giving credits off the coast of California, Texas and Louisiana but with a substantial surcharge in the North Sea. They are also prepared now to write coverage with a dual valuation clause, insuring the unit for the appraised value but paying a lesser agreed amount on a total loss. This, of course, will help alleviate the capacity problem and still satisfy drilling contractors' requirements. London Underwriters weathered the storm.

The Chairman of Lloyd's is in New York today. I think in many ways this is a symbol of the great interest which this market has in America and our insurance industry.

Lloyd's has now opened the doors so that Americans can become names at Lloyd's. This was done in the hope that it would bolster London's capacity. It is my understanding that 28 people have made application, far less than was hoped for. Many Americans are dubious about taking on the unlimited liability associated with a name at Lloyd's.

To discuss the highlights of the London insurance market the last few weeks, no one could be fair with you without trying to give you the complete picture of the concern on the riot exposure in our country. To understand this concern you first must try to grasp the feeling and the mood of these Underwriters and in a way I think the feeling and the mood of the people all over the world that are now so desperately looking to this country for leadership.

From my travelings and my conversations with people in all walks of life and in various countries, I don't think over two or three percent of the people outside of this country really believe the Warren report. They are mystified by our Presidential primary elections. They are following our Presidential election probably almost as closely as we are and they are extremely curious.

By the use of Telstar and the TV systems, the riots and looting that have run rampant in our country in the last few weeks have been flashed all over the world. I could see that the English people particularly were concerned and amazed as they reported to me pictures of policemen standing by while looters walked off with stolen goods and their amazement at seeing National Guard troops with a commentator's note that they were without ammunition and instructed not to take action.

As various Underwriters explained to me, their names who have lost money over the last few years are calling, some for the first time, and they are asking, "What are you going to do about riot insurance in America?" My underwriting friends are quick to point out that they write riot insurance in various countries all over the world, some that have a history of riots far worse than we have ever had in America or that we could really expect in America; however, they write riot insurance at a rate! It is now obvious to all of us that American insurance companies and London Underwriters can no longer provide riot insurance in cores of many of our major cities at the same price that it has been provided in the past. The American companies seem to have no voice. Time is running out. If something is not done and done soon, I think you may find many London Underwriters pulling out of America, and I know in their hearts they would like to stand by our country as they have by the oil industry. If they pull out, it will be both on direct and reinsurance business as respects physical damage insurance with any type of riot exposure whatsoever. Gentlemen, you cannot insure a social problem when a government makes only a negligible effort to control it. Let me speak bluntly and fairly with you, for you, as American buyers of insurance, have a lot at stake in seeing that a fair and free American insurance market continues to exist with access to the reinsurance markets of the world.

Without the support of the London market, direct and as reinsurance, our capacity in this country to insure physical damage risks will be severely hampered and the government will move into the vacuum.

I would now like to make a point of personal privilege. I mentioned to you earlier that I had the privilege in World War II of serving on a troop ship. In this capacity I was trained for riot duty; I was trained in the handling of people and situations. I can recall one time when brigs in California were emptied into our ship and we kept the men locked in the holds until we were twenty miles at sea and these men were taken over to New Guinea to prepare for amphibious landings. I can recall that we kept Thompson submachine guns on each wing of the bridge to protect our Captain from attempted mutiny by some of our 4,000 passengers. I can recall sending the troops below deck preparing them for possible air attacks and on one occasion when a U.S. Army Major tried to come up the companionway with his troops back of him. I can recall standing there with my bayonet an inch or two from his throat and how he finally turned and went back in the hold. I can recall when threats were made to break prisoners out of our brig. Yes, and I can recall one occasion when our Chaplain came to me in the Sergeant of the Guard's office complaining that they had threatened to kill him if he did not get some men out of the brig. I can recall when some unhappy passengers tried to take over our mess hall and we had to back them down. I can recall bringing German prisoners back from Europe, the SS troops and their hardened criminals. I can recall in the invasion of southern France when it became our despicable duty to have to force men to the landing nets who had marched through North Africa who should not have been forced back into another campaign. Some left their rifles, their ammunition, their bedrolls, some went to pieces, and we were ashamed that night as we sat in our marine compartment, for we would have preferred to have gone instead of them or at least with them. I recall when our First Sergeant, John Michael Murphy, taught us how to give an order, never argue, and to turn our back and walk off knowing that it would be obeyed.

I remember the torture the men went through mentally, returning from war, trying to prepare their minds to meet their mothers, wives and girl friends. I can recall one incident when a man went berserk and terrorized everyone on a darkened ship under the pressure of the return and he finally jumped overboard. I can recall bringing various North African troops back from the Italian campaign to Africa with their sacks of gold teeth, rings, ears and watches off the Germans they had killed. We had to keep various tribes separated, for they hated each other as much as the common enemy. Yes, gentlemen, I have worked on Goat Island in San Francisco Bay at a general court martial brig; I've been a turnkey and a guard and I have learned a little about the psychology of a crowd and riot duty. I tell you these stories today not as a war hero—I was in the rear echelon—but, gentlemen, because as I thought about these experiences last night as I prepared my thoughts for this talk, I could not help but think of the fact that during all of these experiences not once was a shot fired, not once was a bayonet used, but, gentlemen, we were never without live ammunition. There was never any doubt in our minds that we would use the force at our disposal to do the job and I don't think there was ever any doubt on the part of the men we worked with that we would take whatever steps were necessary to enforce law and order.

Gentlemen, we must call insurrection, insurrection. Government subsidy to insurance companies is no answer, whether it be tax relief, a direct dole or as Federal reinsurance. We must return to law and order! You, as American corporate buyers of insurance, must alert the people to another freedom and industry that we are about to lose by default.

Some people in the world love us; some hate us, but all look to us for leadership. The London insurance market, as well as all the world, is pondering and waiting to see if America has the guts to right our ship and return to law and order.

CONGRESSIONAL REFORM: AN ANALYSIS BY CONGRESSMAN MARVIN ESCH

HON. ROBERT P. GRIFFIN

OF MICHIGAN

IN THE SENATE OF THE UNITED STATES

Tuesday, July 2, 1968

Mr. GRIFFIN. Mr. President, I invite the attention of the Senate to a thoughtful and persuasive argument for congressional reform, written by a distinguished Member of the House of Representatives, Hon. Marvin Esch.

Representative Esch's views appear in the new book, "Republican Papers," to be published this week by Doubleday & Co. Representative Esch is one of 14 Members of Congress and 14 scholars and experts asked to contribute to "Republican Papers," which will cover the Republican point of view on a wide variety of issues. Marv Esch was the only freshman Member of Congress to be included in this compendium—an honor which emphasizes the respect with which he is held among fellow Members of the House of Representatives.

I commend Marv Esch for his perceptive understanding of the role that Congress must play in American government. I ask unanimous consent that his article, entitled "The Need for Reform," be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Need for Reform

(By U.S. Representative Marvin L. Esch, as printed in "Republican Papers," edited by Representative Melvin R. Laird, published by Anchor Books, Doubleday & Co., Garden City, N.Y., July 1968)

The need for Congressional Reform has been clearly established by scholars and others including importantly, however belatedly, Members of Congress themselves. It is a need not based on any great fear of rising Presidential power, for while I agree the power of the executive has grown, it has not necessarily grown at the expense of the Congress. Congress has not lost any power; its basic influence remains intact. But it is guilty of neglecting some of its essential functions and is in danger of finding itself structurally unable to cope with the problems of modern America.

If Congress is going to remain a viable force in our federal system, then it must squarely face the need for change. It must fill the void left by its failure to exercise effectively its oversight obligation. It must adopt reforms which make it physically and structurally possible to review what administrators have done with the laws it has passed. It must be willing to withstand the consequences of great public oversight of its own affairs. It must be willing to take a long hard look at its rules and traditions to determine which ones are inconsistent with the times and then be willing to adopt the necessary changes. And it must do all of this in such a way as to insure public confidence and ward off what is rapidly becoming a crisis of neglect.

The last major reform of Congress was accomplished more than 20 years ago. It is clear to every student of the American political scene that, since that time, the federal government and the problems which it must handle has grown tremendously. The structure set up in the 1940s is inadequate to meet the demands of the '60s and '70s.

Republicans in Congress have strongly supported new attempts to reform the Congress. The latest effort is collecting dust in the House Rules Committee where the Democratic leadership has been unwilling to give it a hearing. The Legislative Reorganization Act of 1967, which has the endorsement of the House Republican Policy Committee, represents a big step toward a modern Congress and deserves a better fate than it has so far experienced in the House.

Congressional reform cannot stop with the ultimate passage of this bill. As Minority Leader Gerald R. Ford pointed out—

"The extent to which Congress was willing to clean out its closets was, however, sharply limited by the language of the resolution (setting up the Joint Committee on the Reorganization) 'Provided that nothing in this concurrent resolution shall be construed to authorize the Committee to make any recommendations with respect to the rules, parliamentary procedures, practices and/or precedents of either House.' "[1]

If the Congress is to meet its responsibilities in the years ahead it must take its reforms much farther, even to the point of altering its basic structure.

START WITH THE COMMITTEES

"If the Committees are properly structured, if they are adequately staffed and are ably and fairly directed, if the rules of the Committees are so written as to assure full participation by all Members, and if all Members recognize their duty to serve as an effective check upon the Executive Branch and to represent the individual citizen in organized society, then the House will properly serve its historic function as the co-equal branch of government closest to the people."[2]

This ideal, so ably expressed by U.S. Senator Robert P. Griffin, must serve as a guideline for Congressional reform. Effective oversight and legislative processes require power and the most powerful influence in our legislative branch rests in the Committee structure. Thus it is here that reform must begin.

The oversight role, the "duty to serve as an effective check upon the Executive Branch," is probably the most neglected role of the Committee system and one which must be strengthened. If we are to have effective oversight, then Congress must have the professional competence and specialized knowledge needed to analyze the effectiveness of ongoing programs. The establishment of permanent oversight subcommittees in each of the major standing Committees would be an excellent first step in that direction. Such a structure must be developed on a bi-partisan basis and have adequate staffing to carry out the investigations and analyses. While recognizing that the legitimate and ultimate power rests with the Congressmen themselves, the degree to which they can have adequate and effective supporting staff to carry out the investigating inquiries and analysis will be a crucial factor in delivering their effectiveness. Indeed, in comparison with the personnel which departments and agencies utilize to inform Congress of their activities, it seems somewhat inconceivable that Congress has not availed itself of a larger percentage of the personnel in this area.

A parallel need of these subcommittees is to utilize the competence of professionals and specialists on a consultant basis to aid them in their work. Whereas now Committee investigation largely reflects the views of administrative agencies and/or special interest groups, such consultants would tend to identify with the subcommittees and would serve the role of affirmative devil's advocates.

FILL THE INFORMATION GAP

Dr. Philip Donham and Robert J. Fahey in their study of Congress emphasized the need for more and better information.

"Congressional Committees constantly make decisions without having all the relevant facts about them. There is obviously a point at which the line must be drawn in studying a proposed bill, but for lack of staff resources and lack of time, Congress makes its decisions in an absence of hard fact."[3]

Among measures to correct this startling situation would be regular and detailed briefing sessions by administrative agencies regarding their policies. Sufficient notice should be given prior to such sessions so that searching and in-depth questioning can be developed. Administrative agencies must be required to furnish the Committees with complete information on their activities, plans, proposed programs, and proposed administrative ruling before those administrative decisions have the force of law.

Another important avenue to full information and improved oversight is expanded use of the General Accounting Office. This completely nonpartisan and professional organization is exceptionally well qualified to provide the Congress with detailed information regarding administrative actions. The Congress has largely ignored the valuable work this office performs. Further efforts should be made to bring G.A.O. critiques into the decision-making process and to familiarize Members of Congress with their analyses. The loan of G.A.O. specialists to Committees for limited periods of time should also be encouraged.

It is almost unbelievable that the Congress has not taken advantage of the great expansion in computer technology. The need for a comprehensive computer system on Capitol Hill is self-evident. Without a rapid, accurate and independent source of information with which to review administrative claims, the Congress is completely at a loss to judge executive credibility. Computer capability should be established in the Legislative Reference Service of the Library of Congress with the computers available on a priority basis to the Committees in their legislative and oversight functions.

Congress should also begin to employ the blue ribbon study commission approach on specific problems of major national importance. The Executive Branch has long used this device to tap the talents and abilities of experts within government and from the private sector on the most pressing problems of our society.

Unfortunately, the results of the studies conducted by such Executive blue ribbon commissions have frequently been unavailable for Congressional or public scrutiny. An excellent example of this was the Defense Department Commission on the subject of draft inequities appointed by the President in 1964. That study was never released despite repeated requests from Members of the Armed Services Committees of the House and Senate and other Congressmen. Then, in 1966, the President appointed another commission. This commission reported on a small part of its findings but the controversial portions of their study were sent to still another commission—with the conclusions of the first two commissions still unavailable. In the meantime, it was incumbent on the Congress to enact an extension of the Selective Service System during 1967. It was forced to do so without the expert advice of the commissions which had been formed to provide that information.

It is clear that the Congress must take action to prevent future repetitions of this fiasco. First, it must make provisions in the law which require that Presidential Commission findings be made available to Members of Congress—if not on a public basis, at least in executive session. Second, the Congress must make use of blue ribbon commissions of its own which are responsible solely to it and which can provide it with independent information on which to base its judgments.

CLARIFY JURISDICTION AND RIGHTS

These reforms could easily be established without significantly changing the basic structure of the Congress and are thus susceptible to early acceptance. While such changes are essential and would vastly improve the ability of the Congress to fulfill its Constitutional role, attention must also be given to more basic and far-reaching reforms within the Congress, and its committee structure.

Incredibly, there are eight different committees in the House which are vitally concerned with the problems of urban life. Coordination between them is practically nonexistent. Not only is it therefore difficult to consider and enact a well balanced and coordinated program and oversee the administration of that program, but frequently one discovers that the Committees, and the agencies which they direct, are working at cross purposes. As Congressman F. Bradford Morse of Massachusetts so accurately pointed out in *We Propose: A Modern Congress*, ". . . while the Public Works Committee is considering legislation to build new highways to bring more cars into the central city, the Housing Subcommittee of the Banking and Currency Committee may be working on legislation to improve mass transit facilities in an effort to keep the cars out."[4]

Similar confusion is caused by the overlapping of the same two committees in regard to water treatment facilities. While Banking and Currency controls programs funded by the Community Facilities Administration of the Department of Housing and Urban Development for new sewage systems, the Public Works Committee controls the Water Pollution Control Administration which funds water treatment facilities.

Clearly, these examples highlight the need for Congress to give careful attention to the reorganization of its Committees along jurisdictional lines. Specific committees should be able to coordinate all the programs dealing with a given problem. Obviously, such basic reorganization would not only simplify the legislative process, but would also increase the ability of the Congress to judge the progress of the administrative agencies guiding those programs.

Attention must also be devoted to the internal operation of the Committees themselves. The arbitrary power of the chairman must be curtailed and the right of a majority of the Committee to consider and report bills must be clarified. The rights of minority party members should be spelled out, including provision for adequate minority staff, the right to call witnesses and adequate time for the preparation of minority reports.

---

[1] Gerald R. Ford, Introduction to We Propose: A Modern Congress, p. xi.

[2] Robert P. Griffin, "Rules and Procedure of the Standing Committees" in We Propose: A Modern Congress, p. 37.

[3] Dr. Philip Donham and Robert J. Fahey, Congress Needs Help, p. 117.

[4] F. Bradford Morse, M.C., "Strengthening the Committee Structure: The Problem of Overlapping Jurisdiction" in We Propose: A Modern Congress, p. 59.

CHANGE THE SENIORITY SYSTEM

"It is a little difficult to say with pride that ours is a government of laws and not of men when power and prestige in Congress are not won, as they should be, through diligent, intelligent achievement, but are rather 'awarded' to the winners of the continuing race against time." [5]

This point, made by Mayor John Lindsay, a former member of the House, is well taken. To make a man a committee chairman simply because he has more years of service than his colleagues does not make sense. Length of service is not necessarily directly proportional to qualification (nor, I hasten to add, does being old disqualify one from leadership). The seniority system is basically antithetical to the democratic system and it should no longer be allowed to encumber the processes of the Congress by placing long-lived but incompetent or senile men in positions of highest power. The Congress should be able freely to elect its chairmen and choose the most able person for that job. Numerous proposals have been put forward as the appropriate method of conducting that election and several are deserving of full consideration. This article is not the proper vehicle for a discussion of those alternatives; it is simply to indicate that those alternatives must be discussed and must be given the attention they deserve.

OPEN THE DOORS

The Congress has devoted much energy to hiding certain facets of its operations from the public eye. This is done not necessarily because they are engaged in dishonest or unethical practices, but more because of a false fear that total disclosure will show an individual and/or a party in something less than a favorable light. This secrecy and planned confusion actually provide more avenues for unscrupulous activities and lead to further public suspicion, district and disrespect for the Congress. Congress has everything to gain from opening its doors and should take action to do so.

Committees, except those of a top security nature, should be open to the public and committee voting and attendance records should be readily available to anyone. Radio and television should be allowed to cover committee and floor proceedings within reasonable limits.

Republicans were influential in the establishment recently of the Committee on Standards of Official Conduct. This Committee should establish a code of ethics for Congressmen which will require disclosure of campaign and personal finances and define the conditions under which travel at public expense can be authorized. Conflicts of interest should be clearly defined and Members who indulge in them should be subject to censure or removal from office. Qualifications for staff, and requirements that staff actually work on the business of Congress, should be laid out and the "basic rate scale" of employees pay should be changed so that actual wage figures are readily available to the public.

UNTANGLE THE BUDGET MESS

No greater challenge faces the new legislator than attempting to understand the budgetary process and be conversant enough with appropriations particulars to cast an intelligent vote on money bills and amendments. The challenge becomes greater with the realization that Members with many years of seniority find themselves in the same dilemma.

Cornelius P. Cotter tells us that upward of nine tenths of Congressional consideration is concerned with spending issues. This means, he points out, that "the greatest potential for Congressional oversight of administration lies in the appropriations process." [6]

He also succinctly condemns the antiquated and inefficient structure which the Congress employs in this vital function.

"We have gradually come to the realization that the budget document is 'the work plan of the nation.' We must belatedly come to an awareness that the process of reviewing that work plan and putting it on the path to realization, is assigned to a Model-T appropriations process operating in an age of digital computers and space missiles." [7]

No better illustration of the inadequacy of the present budget document can be found than the 90th Congress. On July 1 when the 1968 fiscal year began, only three of the seventeen major appropriations bills had cleared the Congress and two of those were Supplemental appropriations. Over half (9 out of 17) were passed after November 1 when four months of the fiscal year had already elapsed. Two major appropriations, the Foreign Assistance and Economic Opportunity bills, were still undecided when the final week of the Congressional Session began and were pushed through in the last-minute haste to adjourn the Congress.

Such delay makes for neither a thoughtful legislative process nor efficient program administration. The Congress can hardly expect an agency to show good results when that agency was unable to conduct its business or make concrete plans and commitments for half of the fiscal year because its funds were not approved.

The Legislative Reorganization Act of 1967 contains several major reforms which much be promptly instituted:

"First, it enlarges the scope and functions of the Government Accounting Office to enable it to supply a variety of budgetary and fiscal data to Congress, its Committees and its Members. Second, it attempts to involve Congress in the evolution of the Program-Budgeting System now under way in the Executive Branch. Third, it requires the Executive Branch to supply more detailed fiscal data and forecasts. Fourth, it repeals the moribund fiscal portions of the 1964 Legislative Reorganizations Act and substitutes new appropriations procedures for considering the overall budget and for the review of multi-agency programs. Fifth, it commands the substantive legislative committees to estimate the projected five-year costs of new programs, to review systematically grant-in-aid programs, and wherever possible to authorize new programs on, and transfer old ones to, an annual appropriations basis." [8]

It is also clear that appropriations measures must be considered well in advance of the fiscal year they are to take effect. This must be done to avoid the payless paydays and program suspensions which occurred in 1967.

Dr. Paul McCracken, distinguished economist of the University of Michigan, has urged the establishment of a blue ribbon commission to examine expenditure decision-making and seek ways to coordinate the activities of the Congress and the administration in this important regard. Certainly such a commission would be useful.

RESTORE THE CONGRESS

The oversight function is the key to the revitalization of Congress and the object of most reforms. Recommendations including those I have highlighted propose to arm Congress with more information, more expertise and more time to review the administration of its programs. While the expansive nature of the executive branch makes it increasingly difficult to achieve effective oversight, Congress still have the power. The failure to exercise it constitutes a real threat to the natural and necessary position of the Congress in our form of government.

A realization that modern times deserve a modern Congress is needed to meet this threat. This realization must grow into wide-ranging reforms. In a practical vein some will take years to enact, but many are realistic immediately. Nothing short of a continuing and intensive introspection will restore and retain Congress as a dynamic force in the progress of our nation.

---

[5] Honorable John V. Lindsay, "The Seniority System" in We Propose: A Modern Congress, p. 32.

[6] Cornelius P. Cotter, "Legislative Oversight" in Congress: The First Branch of Government, p. 46.

[7] Cotter, op. cit. p. 53.

[8] Walter Kravitz, Congressional Reform: Proposed Legislative Reorganization Act of 1967, The Library of Congress, Legislative Reference Service, pp. 7–8.

GEN. HAROLD K. JOHNSON, CHIEF OF STAFF OF THE U.S. ARMY

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. BRAY. Mr. Speaker, Gen. Harold K. Johnson, Chief of Staff of the U.S. Army, has retired from active duty after 35 years of unselfish, gallant and distinguished service to his country. He leaves a record of courage, dedication, patriotism, success and inspiration to the officers and men of the U.S. Army that has seldom been equaled. The road of this professional soldier, that began with his graduation from West Point in 1933 as a second lieutenant of Infantry, includes the infamous Bataan Death March and years of Japanese imprisonment during World War II. It led him to one of the very highest posts that a soldier could hope to attain.

What have been his duties during the 4 years he has served—4 of the most crucial and important in our Nation's history? What responsibilities fell upon the shoulders of this man sitting in the Pentagon's prestigious "E" ring?

Napoleon I, in his "Maxims of War," had this to say:

> The leading qualifications which should distinguish an officer for the head of the staff are, to know the country thoroughly; to be able to conduct a reconnaissance with skill; to superintend the transmissions of orders promptly; to lay down the most complicated movements intelligibly, but in a few words and with simplicity.

Elihu Root, U.S. Secretary of War from 1899 to 1904, put it this way:

> . . . Chief of Staff . . . denotes a duty to advise, inform, and assist a superior officer who has command and to represent him, acting in his name and by his authority in carrying out his policies and securing the execution of his commands . . . (the Chief of Staff is) the directing brain which every army must have, to work successfully . . .

Title 10 of the United States Code spells it out:

> The Chief of Staff shall—
>
> (1) Preside over the Army Staff;
>
> (2) Send the plans and recommendations of the Army Staff to the Secretary, and advise him with regard thereto;
>
> (3) After approval of the plans or recommendations of the Army Staff by the Secretary, act as agent of the Secretary in carrying them into effect . . .

The following covers the duties of the Army Staff itself; again, from title 10:

> (1) Prepare for such employment of the Army, and for such recruiting, organizing, supplying, equipping, training, serving, mobilizing and demobilizing of the Army, as will assist in the execution of any power, duty or function of the Secretary of Chief of Staff;
>
> (2) Investigate and report upon the efficiency of the Army and its preparations for military operations;
>
> (3) Prepare detailed instructions for the execution of approved plans and supervise the execution of those plans and instructions . . .

Gebhardt von Bluecher, speaking of Gneisenau, his Chief of Staff, summed it up neatly:

> Gneisenau makes the pills which I administer.

General Johnson has that rare combination of being a superb and courageous leader in battle together with the understanding of strategy and organization so essential to the heavy responsibilities of staff and high command.

As an officer and Christian gentleman, he is an inspiration to his fellow countrymen. It is fortunate that General Johnson is being succeeded by a great soldier and leader, but I hope that our country will be able to continue to have the benefit of his advice, counsel and leadership in the future.

General Johnson's biography speaks for itself. As this man, one of America's finest soldiers, goes into honored retirement from his service to his country, let us wish him well, and let him reflect upon Shakespeare's words from Othello:

> I have done the state some service, and they know't.

He knows, and his country knows.

And a grateful country will never forget the strong and courageous soldier upon whom it depended and with whom it put its trust.

General Johnson's biography follows:

BIOGRAPHY OF GEN. HAROLD K. JOHNSON

Harold K. Johnson was born in Bowesmont, North Dakota, on 22 February 1912. He was graduated from high school in Grafton, North Dakota, in 1929, and from the United States Military Academy, West Point, New York, in 1933 as a second lieutenant of Infantry.

General Johnson's service includes a tour of duty with the 3rd (Old Guard) Infantry Regiment, at Fort Sneeling, Minnesota; the 28th Infantry at Fort Niagara, New York; and the 57th Infantry, Philippine Scouts, at Fort McKinley, Philippine Islands. Upon the fall of Bataan in Apirl 1942, he participated in the death march from Bataan and later was imprisioned by the Japanese at Camp O'Donnell, Camp Cabanatuan, and Bilibid Prison in the Philippine Islands.

He was moved to Japan from the Philippine Islands in the winter of 1944–45 after the Americans had landed on Leyte. The ships on which he was moved was twice subjected to air attack by allied aircraft. In April 1945, he was moved from Japan to Korea, where he was liberated by the 7th Division when they made their occupational landing in Inchon on 8 September 1945.

Upon his return to the United States, he attended the Command and General Staff College at Fort Leavenworth, Kansas, and served for two years on the faculty. After attending the Armed Forces Staff College at Norfolk, Virginia, he commanded the 3rd Battalion, 7th Infantry Regiment stationed at Fort Devens, Massachusetts.

He took the 1st Provisional Infantry Battalion to Korea in August 1950, where he joined the 1st Cavalry Division in the defense of the Pusan Perimeter, later participating in the pursuit to the north, the encounter with the Chinese in late 1950, and the subsequent withdrawal to South Korea. During this period, he commanded both the 5th and 8th Cavalry Regiments of the 1st Cavalry Division.

In February 1951, he joined the I Corps in Korea where he served until October 1951 as Assistant Chief of Staff, G3.

Upon his return to the United States, he was assigned to the Office of the Chief of the Army Field Forces at Fort Monroe, Virginia. He attended The National War College, graduating with the Class of 1953. He then was assigned to the Office of the Assistant Chief of Staff, G3, of the Department of the Army, where he served as Chief of the Joint War Plans Branch, Assistant Chief of Plans Division, and as G3 Executive Officer until his departure for Fort Carson, Colorado, in January 1956 to serve as Assistant Division Commander of the 8th Infantry Division. The division gyroscoped to Germany in the late summer and fall of 1956. After serving 20 months as Assistant Division Commander, 8th Division, he was assigned to Seventh Army Headquarters in Stuttgart-Vaihingen as Chief of Staff. Then, in April 1959, he was moved to Headquarters, United States Army, Europe, as Assistant Chief of Staff, G3. In December 1959, he was assigned as Chief of Staff of the Central Army Group, a NATO Headquarters concerned with planning for the employment of French, German, and United States troop operations in Central Europe in peacetime and for the control of these forces in the event of an armed conflict. In August 1960, he returned to the United States and assumed the position of Commandant, United States Army Command and General Staff College, Fort Leavenworth, Kansas, where he served until February 1963. Upon reassignment to the Army General Staff in Washington, D.C., he served successively as Assistant Deputy Chief of Staff for Military Operations and as Acting Deputy Chief of Staff for Military Operations, and was appointed Deputy Chief of Staff for Military Operations on 1 July 1963. In the latter two positions he also served as the Army Operations Deputy, Joints Chiefs of Staff, in which capacity he, in conjunction with the other Service Operations Deputies, acted on matters for the Joint Chiefs of Staff.

He was appointed Chief of Staff of the United States Army on 3 July 1964, the 24th in line of succession since the inauguration of Army General Staff in 1903, and the youngest Chief of Staff since General MacArthur.

General Johnson has been awarded the Combat Infantryman's Badge with Star, the Distinguished Service Cross, the Distinguished Service Medal, the Legion of Merit with three Oak Leaf Clusters, and the Bronze Star Medal. He is also the recipient of decorations from Brazil, the Philippines, Venezuela, Thailand, and Korea.

PERSONAL DATA

Date and Place of Birth: 22 February 1912, Bowesmont, North Dakota.

Parents: Deceased.

Marriage—Date: 13 April 1935; Wife: Dorothy Rennix of Aberdeen, South Dakota; Children: Harold K., Jr., Ellen Kay (married to Captain James C. Kern, USA), Robert James.

Official Home Address: Box 225, Pembina, North Dakota.

EDUCATION

The United States Military Academy, 1933.

The Infantry School, Regular Infantry Officers Advanced Course, 1938.

The Command and General Staff College, Fort Leavenworth, General Staff Course, 1947.

The Armed Forces Staff College at Norfolk, Virginia, 1950.

The National War College, 1953.

CHRONOLOGICAL LIST OF PROMOTIONS

Second Lieutenant, regular, 13 June 1933.

First Lieutenant, regular, 13 June 1936.

Captain, temporary, 9 September 1940 regular, 13 June 1943.

Major, temporary, 19 September 1941, regular, 15 June 1948.

Lieutenant Colonel, temporary, 7 April 1942, regular, 28 July 1950.

Colonel, temporary, 2 September 1945.

Lieutenant Colonel, temporary 1 May 1946.

Colonel, temporary, 30 December 1950, regular, 1 February 1956.

Brigadier General, temporary, 1 January 1956, regular, 21 June 1960.

Major General, temporary, 1 October 1959, regular, 1 April 1963.

Lieutenant General, temporary, 1 July 1963.

General, temporary, 3 July 1964.

CITATIONS AND DECORATIONS

Distinguished Service Cross.

Distinguished Service Medal.

Legion of Merit (with three Oak Leaf Clusters).

Bronze Star Medal.

Combat Infantryman's Badge with Star.

Distinguished Unit Citation (with two Oak Leaf Clusters).

Presidential Unit Citation (Philippine Islands).

Presidential Unit Citation (Republic of Korea).

Legion of Honor, Rank of Officer (France).

Order of Military Merit, Degree of Grand Official (Brazil).

Legion of Honor, Degree of Commander (Philippines).

Cross of the Venezuelan Ground Forces, First Class (Venezuela).

Knight Grand Cross of the Most Exalted Order of the White Elephant (Thailand).

Ulchi Distinguished Military Service Medal (Korea).

Order of Military Merit Taeguk (Korea).

White Cross for Military Merit and Greatest Grade (Spain).

National Order, Second Class (Republic of Vietnam).

HONORARY DEGREES

Hon. Doctor of Laws, Yankton College, Yankton, S.D. (9 June 1963).

Hon. Doctor of Education, Park College, Parkville, Mo. (18 Dec 1962).

Hon. Doctor of Laws, Illinois College, Jacksonville, Ill. (8 June 1965).

Hon. Doctor of Humanities, North Dakota State University, Fargo, N.D. (15 Dec 66).

PERSONAL BACKGROUND MATERIAL

Civic activities

In 1945 he joined Crescent Lodge No. 11, AF&AM, Grafton, North Dakota, and has maintained his affiliation with that Masonic Lodge. The 33rd Degree was conferred on 22 October 1965.

He has been active in the Protestant Men of the Chapel and is a Past President of the Organization in Europe.

General Johnson has been active for years in Boy Scout Activities. He received the Silver Beaver Award on 8 February 1962 and the Silver Buffalo on 13 April 1967.

CHRONOLOGICAL LIST OF ASSIGNMENTS

Regimental S3, 57th Infantry (Philippine Scouts), from 1941 to 1942.

Commanding Officer, 3d Battalion, 57th Infantry (Philippine Scouts), from 1941 to 1942.

Prisoner of War, from Apr 42 to Sep 45.

Ground Force School Tour, from Feb 46 to Jul 46.

Student, Command & General Staff College, from Aug 46 to Jul 47.

Instructor, Command & General Staff College, from Jul 47 to Aug 49.

Student, Armed Forces Staff College, from Aug 49 to Feb 50.

Commanding Officer, 3d Battalion, 7th Infantry, from Feb 50 to Aug 50.

Commanding Officer, 1st Provisional Infantry Battalion, from Aug 50 to Sep 50.

Cavalry, Far East Command, from Sep 50 to Oct 50.

Commanding Officer, 5th Cavalry Regiment, Far East Command, from Oct 50 to Dec 50.

Commanding Officer, 8th Cavalary Regiment, Far East Command, from Dec 50 to Feb 51.

Assistant Chief of Staff, G3, I Corps, Far East Command, from Feb 51 to Oct 51.

Staff Officer, G3 Division, Office of the Chief of Army Field Forces, from Dec 51 to Aug 52.

Student, The National War College, from Aug 52 to Jun 53.

Chief, Joint War Plans Branch, Plans Division, Office of Assistant Chief of Staff, G3, Washington, DC, from Jun 53 to Jan 54.

Assistant Chief, Plans Division, Office of Assistant Chief of Staff, G3, Washington, DC, from Jan 54 to Jul 55.

Executive Officer, Office of the Assistant Chief of Staff, G3, Washington, D.C., from Jul 55 to Jan 56.

Assistant Division Commander, 8th Infantry Division, from Jan 56 to Sep 57.

Chief of Staff, Headquarters, Seventh Army, United States Army, Europe, from Sep 57 to Mar 59.

Assistant Chief of Staff, G3, United States Army, Europe, from Apr 59 to Dec 59.

Chief of Staff, Central Army Group (NATO) Germany, from Dec 59 to Aug 60.

Commandant, United States Army Command and General Staff College, Fort Leavenworth, Kansas, from Aug 60 to Feb 63.

Assistant Deputy Chief of Staff for Military Operations for Plans and Operations, Department of the Army, Washington, D.C., from Feb 63.

Acting Deputy Chief of Staff for Military Operations, Department of the Army, Washington, D.C., from May 63 to June 63.

Deputy Chief of Staff for Military Operations Department of the Army, Washington, D.C., from Jul 63 to Jul 64.

Chief of Staff, United States Army, Washington, D.C., from Jul 64.

POVERTY ON THE INDIAN RESERVATIONS

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. BERRY. Mr. Speaker, the time has come for Congress to reexamine the real pockets of poverty in this country. They are not in the west end of the Mall. They have never been at the west end of the Mall—they are and have been down through the years on the Indian reservations of the United States.

Puerto Rico lifted itself up by its bootstraps through a tax incentive program. They give any industry which comes to their shores a 10-year tax exemption and industry flocks to Puerto Rico.

These are permanent industries. They have continued to lift Puerto Rico and the people of Puerto Rico up by their bootstraps and today Puerto Rico has the highest individual income of any of the Latin American countries.

Mr. Speaker, this same program can work and will work on every Indian reservation in the country. It will lift these people up by their moccasin straps.

It is time the Bureau of Indian Affairs abandoned their old philosophy of trying to make farmers and ranchers out of every Indian simply because they were found on the land. It is time that they were given an opportunity to work and earn a salary, and be given an opportunity to build up their own self-respect.

COURT GIVES CONGRESS POLICE POWER

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 2, 1968

Mr. THURMOND. Mr. President, the Greenville, S.C., News, of June 21, contains an excellent editorial which deserves widespread attention.

The article, entitled "Court Gives Congress Police Power," explains how individuals' rights have been destroyed by the recent Supreme Court's banning of racial considerations in housing sales and rentals.

Our country was founded on the principle of guaranteeing individuals certain rights to make their own decisions in matters of personal relations. Certainly there is a no more basic personal relation than that of an individual disposing of his own property to another individual.

Congress recently enacted an "open-housing" law but exempted the sale by an individual of his own house when the homeowner handles the sale personally. Although this law is a definite infringement on constitutionally guaranteed liberties, Congress realized it could not abolish a specific constitutional provision—an individual's freedom of choice in personal relations.

As the editor says:

> The new decision is a long step in the process of applying federal power to individual citizens in the regulation of strictly private affairs.

The Constitution provides for individual actions to be regulated by the States, but this decision is but another "move toward Federal control of individual action."

Moreover, when individual actions are regulated, the States are primarily vested with the power to enforce these regulations, but now "the Supreme Court majority has created a new national police power, vested in Congress and directed at the individual citizen."

The Supreme Court was established to protect individuals' rights, but in this decision, as in similar ones, the Court is attempting to play the role of social reformer and in "legislating" these reforms has forgotten its purpose and gone beyond its limits by abolishing one of the basic rights it is supposed to uphold

The editor excellently summarizes the situation by concluding:

> It is tragic that this country's failure to solve the race problem gives the excuse for the possible destruction of cherished American liberties.

Mr. President, I ask unanimous consent that the editorial be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

COURT GIVES CONGRESS POLICE POWER

The Supreme Court's ban on racial considerations in housing sales and rentals comes as no surprise. The stage was well set by previous decisions and recent passage of a federal open housing law.

However, the Court has gone far beyond outlawing racial discrimination. It has given Congress police power over private citizens in matters of personal relationships. This is a field previously reserved under the Constitution to the states, and until now jealously guarded by a nation fearful of a national police state.

Truly a startling landmark is this sentence in the recent housing decision written by Justice Potter Stewart and accepted by six other members of the Court:

"If Congress has power under the 13th Amendment (banning slavery) to eradicate conditions that prevent Negroes from buying and renting property because of their race or color, then no federal statute calculated to achieve that objective can be thought to exceed the constitutional power of Congress because it reaches beyond state action to regulate the conduct of private individuals."

This is drastic in two respects:

—It is an extension or application of federal power to the people. Originally federal power was limited to federal functions. Gradually the Supreme Court extended it to cover official actions of states and their subdivisions. The new decision is a long step in the process of applying federal power to individual citizens in the regulation of strictly private affairs.

—The 13th Amendment says nothing about housing or anything else. It merely abolishes slavery in these simple words:

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

"Congress shall have power to enforce this article by appropritae legislation."

Despite this, the Supreme Court majority has created a new national police power, vested in Congress and directed at the individual citizen, in the name of "abolishing slavery" in the United States. It is difficult to establish a connection between housing and slavery, yet the Supreme Court has done it.

Justice Stewart argues the point in these words:

"When racial discrimination herds men into ghettos and makes their ability to buy property turn on the color of their skin, then it . . . is a relic of slavery.

"Negro citizens, north and south, who saw in the 13th Amendment a promise of freedom—freedom to go and come at pleasure and to buy and sell where they please—would be left with a mere paper guarantee if Congress were powerless to assure that a dollar in the hands of a Negro will purchase the same thing as a dollar in the hands of a white man."

Having often deplored the growth of racial slums in big cities; having advocated better housing for Negroes, as well as for many underprivileged white people, we still ask the question:

How can Congress know the motives of individual citizens as they buy and sell property, and how can those motives be regulated by statute without destroying individual liberties of all citizens regardless of race?

It cannot be done, because enforcement will make necessary the creation of a national bureaucracy with a form of police power to regulate private transactions of individual citizens all over the country. Law-abiding people will be exposed to capricious complaints brought by disgruntled would-be purchasers on little or no grounds. Disruption will be widespread.

Only two of the nine Supreme Court Justices dissented from the Steward opinion. Justices John Harland and Byron White held that applying federal power to private action "is almost surely wrong, and at least is open to serious doubt."

The move toward federal control of individual action has been coming slowly over the past few years. Congress took a limited step toward police power by including in the 1965 voting rights act a provision to punish individuals attempting to interfere with persons voting in national elections.

This was done under constitutional powers of Congress over national elections. Federal power is generally limited to interstate matters.

The housing decision is something else again, because nowhere in the Constitution does Congress have power over homes or over actions of individuals in buying, selling or renting houses—or in any other otherwise lawful private exchanges. The Supreme Court has created this new power out of thin air.

Even more ominous is the prospect of future extension of federal power over individuals in other matters of personal relationships. For instance, extension of the 14th Amendment to cover people as well as states would give Congress police power to act against murders and robberies.

Perhaps that is far-fetched. But if the 13th Amendment can be stretched to cover both housing and individual actions, the 14th can, too. That amendment prohibits the states from depriving any person of life, liberty or property without due process of law.

This illustrates the danger that arises when the courts begin to stretch the Constitution. Once the stretching starts it does not stop and the law eventually is warped beyond recognition.

The Constitution was written to protect the people of the United States from a national police state. Now its guarantees of individual liberty are being twisted by the Court and used to create the fearful central powers it was designed to prevent.

It is tragic that this country's failure to solve the race problem gives the excuse for the possible destruction of cherished American liberties.

CIGARETTE ADVERTISING ON TV AND RADIO

HON. JOSEPH P. VIGORITO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. VIGORITO. Mr. Speaker, I wish to praise the Federal Trade Commission for its forecful and courageous move this week to recommend that all cigarette advertising be banned from both television and radio.

At the same time I think the House should compliment Secretary Wilbur J. Cohen of the Department of Health, Education, and Welfare for suggesting that the label on cigarette packages be more strongly worded to bring to the attention of all citizens the reaffirmed danger cigarette smoking causes to our health.

The present warning label on cigarette packages is, as I have pointed out before, meaningless. It should be made stronger and more definite. I have introduced a bill in the House, H.R. 12055, which would beef up the present wording of the label. I agree with Secretary Cohen that this warning should be extended not only to the cigarette package itself, but to all advertising of cigarettes in print or on the air.

Even better, I hope that we will be able to carry out the foresighted recommendation of the FTC and ban cigarette advertising completely on radio and TV. Or, as an alternate, we should put limits on the hours that these ads can be shown so that our Nation's children will not be brought up to think a cigarette is as pleasurable as a lollipop.

OVERPROMISING

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. CURTIS. Mr. Speaker, one of my basic criticisms of this administration and the war on poverty relates to their tendency to oversimplify problems and over promote the results of its programs. Governmental programs now in existence and many being proposed make easy promises to the discontended of easing their burdens—promises which continually go unfulfilled. The result of this easy promising is, quite naturally, the increasing frustration of the promisees; a frustration which, as we have seen, often lends itself to disobedient acts and violence. Another negative result of this policy is the channeling of energy away from the means which could be effective in relieving the burden. The poor want an end to their poverty; the Nation seeks this same end. However, doles and handouts have never aided in relieving that burden in a positive, permanent way. At best, and this best is good. "Relief" is to help people—in an interim period to get on their economic feet. To use the words of John S. Knight, editor of the Akron Beacon Journal:

> The vitality of the United States rests as it always has, upon a productive economy in terms of jobs and earnings.

In a recent article appearing in the editor's notebook section of the Akron Beacon Journal, Mr. Knight discuses in greater depth, the danger of directing resources away from this positive means of ending "relative" poverty. Mr. Knight makes reference to the economic trends of the past cenutry noting the effect of past administrations' fiscal policies upon these trends. Mr. Knight underlines the danger inherent in the present administration's habit of "unduly raising the expectations of the poor."

The editorial which appeared in the Journal on Sunday, May 19, 1968, is worthy of the attention of the Members of this body.

TO STIR FALSE HOPE WON'T END POVERTY

DETROIT.—The march of the obviously well-fed poor on their way to Washington prompts a few thoughts about the American economic system.

The great upward surge in this nation's development began at the turn of this century. In 1900 the automobile was a curiosity with less than 8,000 in the United States. By 1925, there were more than 17 million.

The average age of people who died in 1900 was 49 years, by 1925 it was 55 years. It was not known in 1900 that yellow fever is transmitted by a mosquito, typhus by a louse, bubonic plague by a flea. Typhoid and cholera were scourges since we did not know they came from germs in unclean water and milk; insulin, vaccination, emetin for dysentery, adrenalin were unknown. Radium has not yet been used in the treatment of cancer.

As related by author Mark Sullivan in "Our Times." the 1920–25 period brought the telephone into common use, President Harding's speech at the burial of the Unknown Soldier in 1921 was carried to a wider audience by the DeForest tube, farmers began to use tractors, generating plants increased 50 fold.

The list of inventions and discoveries through medical science in this golden era is much too lengthy to be set forth here. It comprises an amazing story of American research, ingenuity and resourcefulness.

It was not government which achieved these tremendous advances but the private sector of our economy. The surge of competition—involving risk-taking and the urge for financial gain—brought to our people the highest living standard in the world.

Admittedly, there were abuses of the then almost unregulated areas of competition. Huge trusts in oil and steel became inimical to the public interest. Swindles on Wall Street and combinations of economic power designed to diminish competition resulted in legislation to prevent corrupt practices.

These laws, unlike the punitive regulations of today's Washington bureaucracy, were intended to foster competition, and not to destroy it.

So America grew in gross national product and higher rewards to the individual even as older and more sophisticated nations were sewing the seeds of their own economic decline.

Our own social revolution began with the great depression of the early 1930s. Franklin D. Roosevelt, a patrician politician who ran on a conservative platform in 1932, was soon prating about the "money changers" and the "malefactors of great wealth." They alone, he charged, were responsible for the country's economic ills.

Roosevelt, a non-working inheritor of a sizable fortune, wanted a $25,000 limit on what a man could earn in a single year. His demagogic appeal was to the millions of Americans adversely affected by the depression. Yet he could think of no better remedy than government-sponsored "make work" projects which contributed nothing to re-establishment of a sound economy.

In fact, no sizable inroads on unemployment were made until the United States began making war materiel for Great Britain prior to our entrance into World War II.

A war time economy solved President Roosevelt's problem. And, excepting most of the Eisenhower years, we have been on a war footing ever since.

The Kennedy era unveiled a new breed of economists who believed that our nation could escape future depressions by the judicious use of federal taxing power and regulatory authority possessed by the Federal Reserve Board.

This is a theory which works well when a national administration knows when and how to apply it.

President Kennedy was often unjustly accused of being "anti-business" because of his clash with Roger Blough of United States Steel when Kennedy thought he had a gentleman's agreement with Blough that steel prices would not be raised.

Actually, both corporate and individual income taxes were lower under Kennedy than in the Eisenhower administration and they have remained so.

When Lyndon Baines Johnson came into the Presidency, he was quick to assure labor and reassure the business community that both would be his partners in providing a stable economy.

The President, as you will recall, talked of reducing government costs and boasted privately of how his budgets were "tighter" than Kennedy's.

A combination of President Johnson's stubbornness and the Vietnam war now have the United States in a financial bind described recently by Federal Reserve Board Chairman William McChesney Martin as "the worst financial crisis in our history."

Only a last minute concession by the President to reduce federal expenditures may convince Congress to vote for higher taxes.

The need was clearly apparent several years ago. But Johnson had deluded himself into thinking that since "we are the richest nation in the world," we could afford both the war and the Great Society programs.

Now all of this sophomoric approach to our economic problems has had its damaging side effects.

The poor are on the march. Ambitious politicians and even a few conservative economics find merit in a guaranteed annual income just a notch or two above what has come to be known as the "poverty level."

The poor, we can understand. One can't watch television for hours in Marks, Mississippi, and not crave the luxuries depicted thereon.

Welfare programs, which admittedly are no cure for poverty, need to be restructured or replaced by a more workable system. For poverty, as stated by the Miami Herald, "saps the nation of potential strength."

The question, as we see it, is what effect a guaranteed annual income would have on the nation's economy. If it began at $3,500 a year, what will prevent it from becoming $10,000 in five years?

And then, what happens to incentive? Or pride in accomplishment? And who provides the money other than the working taxpayers?

Government produces no wealth. It operates on your money.

In short, the Rev. Abernathy is misleading his followers. The wealth of this nation was not created by doles and handouts. Yet the marchers and dwellers in Resurrection City cannot possibly grasp the economic factors involved. Quite humanly, they are thinking only of their own plight.

The vitality of the United States rests, as it always has, upon a productive economy in terms of jobs and earnings.

Without the incentive of a competitive system, no free society can long endure.

Father James E. Groppi told an Akron audience that "We're going to Washington and tell them that either all Americans shall sit at the table of affluence or we're going to kick the legs from under the table."

Threats of violence or civil disobedience are not the answer to a war on poverty. Radicals such as Fr. Groppi are doing the poor a disservice by playing upon their emotions.

Such an approach to the problems of poverty will retard, not advance the desired goals.

There is no substitute for steady employment at good wages. And jobs, it seems, are more plentiful in the prosperous areas than people willing or qualified to hold them.

This is cold comfort to the poor who live in depressed sections of the United States where there is neither employment opportunity nor hope. Theirs is indeed a tragic way of life.

Given time, we may yet find the answers and alleviate their condition.

But when demagogues of the march mislead these people by unduly raising their expectations, there can likewise be disastrous consequences.

It is often observed that patience is no longer a virtue.

But what can be said of the easy promise for which there is no fulfillment?

KIDNEY MACHINES

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. BLACKBURN. Mr. Speaker, last session I introduced H.R. 13419, a bill to allow the free entry of a certain cellophane membrane, cuprophane.

This product is used exclusively in artificial kidney machines and it is vitally necessary that patients with chronic kidney failure obtain this material at the lowest possible price. At the present time, there is a 23-percent tariff on this product. I find it morally incomprehensible how this Nation can possibly tax a vitally needed medical product. Certainly, our Treasury does not need to be maintained by taxes levied upon chronically ill people.

The Atlanta Journal is running a series of articles by Christina Bledsoe concerning kidney machines. For the interest of my colleagues, I am inserting these articles in the RECORD, as follows:

[From the Atlanta (Ga.) Journal and Constitution, June 9, 1968]

UMBILICAL LIVING: MACHINE GIVES THEM LIFE—I

(By Christena Bledsoe)

Umbilical living.

Depending on a machine to keep you alive today.

And tomorrow.

And next year.

A handful of Atlantans lead this existence—and manage to have their todays and tomorrows.

They depend on a strange-looking machine with alternating layers of rubber and cellophane to separate life and death.

Through these layers flows a patient's blood and a chemical bath that removes impurities from the blood since his own body cannot do this.

The machine is an artificial kidney. It takes over when human kidneys break down.

It functions as the real kidneys would, except it is located outside the body and requires two eight-hour sessions a week to do the job the human kidneys normally would.

The time-consuming, blood-rinsing routine of the artificial kidney quickly becomes "just like a job," says one whose life is tied to the machine.

"It's no beauty treatment but it keeps me alive," said another.

Without it, "we'd all be out of luck," comments a third.

If the machine were not available—and it has become available only in recent years—patients who depend on it would be apt to die within two weeks.

In the United States close to 100,000 persons a year die of kidney illness. Between 6,000 to 10,000 would benefit from an artificial kidney machine. Facilities are available for only 1,000.

Those who gain access to the life-sustaining machines are fortunate—and know it.

In the past 2½ years, close to 30 persons have experienced this form of umbilical living at the Atlanta Artificial Kidney Center.

The center is located in the basement of old Grady Memorial Hospital, less than a block from the present towering structure.

Established by a grant from the U.S. Public Health Services, the center is run by Emory University doctors.

Umbilical living—being attached to a kidney machine via long plastic tubes connected to a tiny loop surgically implanted in the arm—is not an easy way of life. None who experiences it would pretend it is.

But, says one patient: "When you consider the alternatives. . . ." She doesn't need to expound. Those five words tell the story.

The alternatives for a person who suffers complete kidney failure are three: the artificial kidney; a transplant, which some patients do not consider a "sure" thing; or death.

Before coming to the center, recalls one patient, she was skinny, pale and had no energy at all.

Now the same woman is up and about, cooking, cleaning and caring for her family.

Another patient came to the center late in the progression of kidney disease.

When the kidneys fail to eliminate waste from the body, the entire system eventually becomes poisoned.

The poisoning has stricken this patient's legs so he cannot walk. It is now affecting his fingers so that he can hardly open a letter.

"It makes me feel helpless, knowing there's nothing I can do for him," his wife says.

The sympathetic wife does help however, through her morale-lending support.

And while that support is giving him something to live for, doctors and the artificial kidney are treating his illness.

With time, dialysis—the blood-cleansing process of the artificial kidney—may regulate his body chemistry so he can again walk, hold a job, lead a normal life.

When a patient enters the center, a small silicone and Teflon loop, about five inches long, is surgically implanted in his arm just a few inches above the wrist.

One end connects to an artery under the skin, the other to a vein. On the outside the two ends join together in a loop.

During the five days a week the patient is not on dialysis, the loop—or shunt—is merely wrapped in a bandage and the patient goes about his daily life.

After becoming accustomed to the shunt, patients say it isn't uncomfortable at all. They hardly notice its presence unless the shunt is accidentally bumped.

Then, says one patient, it aches for awhile the "way your finger does if you catch it in a car door."

When the two days a week for dialysis arrive, the external segments of the loop are separated (with clamps holding back the blood flow) and a five-foot line of plastic tubing is quickly attached to each segment. The tubing leads to the bedside kidney.

As a patient stretches back in bed, his blood flows through an artery, outside his body and through tubing to the machine where it is cleaned and returned to his body through the venous line.

The blood flows silently. The machine works silently—but the process takes time.

Once back in the body, the blood picks up more waste products and again circulates through the machine.

To eliminate waste products that have accumulated in the patient's body for several days, the blood must be transported again and again to the machine for cleansing trips—about 20 trips in all.

When the human kidneys work, they routinely do this job without commotion. The twin glands, located in the small of the back on either side of the backbone measure only four inches long.

In a single day these active four-inch organs give off and take back about a half pound of sugar and three ounces of table salt from the blood, in addition to giving off about a quart and a half of urine.

One healthy kidney can do the job of two if the other is impaired or donated for a kidney transplant.

But, as cases at the center, if functioning of both begins to slow down, or completely ceases, a person would die without medical intervention.

Being dependent on an artificial kidney means a strictly regimented diet to guard against building up large amounts of sugars, salts and acids the body can't remove of its own accord.

It means giving up three cups of coffee in the morning.

"It took away my hot dogs," one patient says.

Another's fondness of chocolate cake and icing had to be denied.

Spicy and salty foods are out, as is beer drinking. Liquids are limited to one pint a day if the condition is severe. Some patients are allowed a little extra.

Using an artificial kidney also entails taking anti-coagulants twice a week. Clotting is a constant danger since dialysis causes abnormal turbulence in the blood.

And for the artificial kidney patient, swimming and bike riding and skiing are out, for fear the shunt may be damaged.

Because of these restrictions, center director Dr. John Sadler tells patients: "Until the disease is worse than the treatment" they shouldn't begin using the bedside kidney.

But when they do want it—badly enough to cope with the inconveniences—they can be sufficiently rehabilitated to return to work, to be with their families, to lead fairly normal lives.

Many center patients have adapted to living day after day with a chronic condition. They vary from a farm owner to a doctor, from a retired Army man to a teacher's aide.

"If I were writing this story," one center doctor noted, "I'd write about the tremendous adaptability of the human being and a little thing called spirit."

[From the Atlanta (Ga.) Journal, June 10, 1968]

UMBILICAL LIVING: IT'S ROUTINE, LIKE COOKING—II

(By Christena Bledsoe)

She sat upright on the hospital bed, still alert after lying on the same bed for eight hours while a life-saving artificial kidney machine cleansed her blood.

Her dark eyes shining from a small, gently lined face fringed by light brown hair, darted back and forth across the basement room turned clinic.

As alert as she is now after a chronic illness, she must have been quite a tomboy when she was growing up, is the first impression.

But she wasn't.

Ruby Lee Hightower never climbed trees or played softball. She was inside resting when the other kids were playing.

All her life she has suffered from a kidney disease that ebbed her strength.

"It was kinda hard," she recalls, never being able to play like the others.

But, she quickly adds so as to not complain, she did get to play a little basketball in the seventh grade.

At age 12 she had a first kidney operation which temporarily alleviated her condition. Through the years her illness steadily worsened.

She came to the center for life-saving help a year ago February. Before she came she had blood transfusions at a hospital once or twice a month. Each stay was two or three days.

She was real skinny, she says, small, pale and her eyes were yellow looking.

Now her weight is up 11 pounds and she feels so good that she frequently goes shopping downtown after eight hours of dialysis, the blood-rinsing process of the machine.

"I have had days but I reckon we're all going to have that," she philosophically said.

Most of the time she goes and goes, though, rarely stopping for a nap. "If I take a notion to I do, if not, I don't."

She has the energy to clean and cook and keep house for her husband and teen-age daughter. The only thing she can't do is iron.

The small plastic loop implanted in her arm to which tubing from the bedside kidney is attached, a shunt, is in her right arm. She can't manage the iron with her left hand.

Originally the shunt was in her left arm. It was changed to the right after complications developed. At Christmas, she recalls, she had both arms bandaged with the new shunt in, and the old opening healing.

"I was helpless for a week."

Mrs. Hightower vividly remembers her first day at the center. She was nervous and unsure of what would happen when she walked in the renovated basement area of the old Grady Memorial Hospital that serves as the artificial kidney center.

Her fears long past, coming to the center has become a routine "just like cooking."

Fears upon entering the center have been shared by most patients. A compassionate staff at the center understands their fear of the unknown and works to counteract it.

The artificial kidney machine has brought strength to another patient at the center who has an inherited kidney disease that killed her father and brother.

With machine aid she now feels well enough to work in a drugstore two nights a week.

Not all patients have responded as well to treatment. Many who haven't are patients whose disease was not diagnosed until it reached a severe state.

George Willis lies on his hospital bed and yearns for the old days when he felt good enough to work, when he could walk and when he had dreams for life.

About three and one-half years ago, Mr. Willis moved from Atlanta to Griffin, where he bought a 102-acre farm, realizing a lifelong ambition.

He began treatment for high blood pressure a few years back but never suspected he had a kidney problem until he felt ill and went in for a checkup.

The seriousness of his disease hit him as a total surprise.

For awhile he was too ill to walk. "Then when I could, I found, I couldn't stand up straight," he said. (When the kidneys do not function, waste products poison the whole system.)

Mr. Willis has been commuting to the center for one and one-half years. On his twice weekly dialysis days he rides a bus to Atlanta, stays at the center all day and then catches another bus home, sometimes not getting there until midnight.

He hasn't the money necessary to buy a home kidney machine, he says, so he is dependent on the center's help.

No one in his family is able to donate a kidney to him for a transplant operation. The easier, less-time consuming life of a transplant patient appeals to him, though.

His eventual hope, he slowly says, is a cadaver transplant, even while knowing the odds are lower for a successful transplant when the kidney is taken from a non-relative.

When Cecil Logan arrived at the center four months ago he, too, was in critical condition.

Time drags for him. He is too ill to work, his legs have been crippled, he is confined to bed for twice weekly, eight-hour dialysis sessions and must leave his home in Rome at 5 a.m. to arrive at the center on time.

After being at the center for three months, he admitted it seemed more like three years.

"He's at a difficult point right now," one staff member conceded. But a disease that took years to build will take more than a few months to counter effect.

His illness was discovered in 1954 when he was discharged from the Air Force. Doctors hospitalized him and later let him go as "cured."

The disease progressed. Eventually doctors told his wife his condition was so serious it could take his life.

For a year, as he grew more ill, this information was withheld from him. He never liked to go to doctors anyway, his wife said, and they were afraid he would just give up if he knew.

"When we first see them (patients), the family is in a state of crisis," says the center's social worker, Mrs. Lydia Whatley.

"The impact of the irreversable nature of the disease has hit them and they are adjusting to the fact that without treatment the person would die."

The families are "anxiety ridden," Mrs. Whatley says. "Every facet of their lives has been affected."

Loss of job, which accompanies severe illness, is very hard for male patients, Mrs. Whatley says. It hurts their self-esteem. The situation is hard for a wife to cope with too, because all the family burdens suddenly are dumped on her.

But the patients rally to each other's support with an attitude of "don't give up, I've been through that."

As their physical condition improves, their mental outlook brightens also. They live with hope for that day.

"It's an up and down world," one woman reflected. "Hope is about all you live on."

[From the Atlanta (Ga.) Journal, June 11, 1968]

UMBILICAL LIVING: FAMILY PLAYS BIG ROLE—III

(By Christena Bledsoe)

At 25, Don Lamb has faced and overcome the threat of death from a chronic illness.

At a point in life when most persons are in the prime of health, he found himself succumbing to a progressively worsening kidney disease, nephritis.

If it were not for a machine called an artificial kidney, he would not be alive today.

He knows this and that knowledge is bound to have a sobering effect on a man's life.

Or does it?

The Atlanta Artificial Kidney Center considers him one of their most rehabilitated patients. He feels the same way.

It's easy to see why.

Mr. Lamb is a home treatment patient. He is one of 11 persons weaned away from the downtown center to return to their homes and normal lives, with the aid of a small, bedside kidney machine that rinses waste products from the blood.

Last October, Mr. Lamb returned home to the South Georgia town of Dublin after months of living in Atlanta so he could get help from the artificial kidney center here.

On Mondays and Thursdays he takes the afternoon off from work, changes into pajamas after lunch and hops into bed at 1:30 p.m. for an eight-hour stretch.

With his mother at the controls, the kidney machine is hooked up and his blood begins the arduous task of flowing through a machine that separates the impurities.

At 9:30 p.m., when the machine has finished purifying his blood, his father helps disconnect the machinery and clean up.

"It's a family affair," Mr. Lamb laughs. "My mother is the nurse, my father is the orderly and I'm the patient."

The word patient is not a word or a feeling that dominates his life.

Other than a bandage on his wrist that protects a surgically implanted loop necessary for the machine hookup, no one would ever know the darkhaired man in the neat, checked business suit was not 100 per cent healthy.

His color is good, he indulges in sports such as fishing and he works full-time as industrial relations manager of a new furniture plant opening in Dublin in July. The plant will employ 300 persons; hiring personnel is one of his major duties.

But it has not always been this easy.

Doctors first discovered he had a kidney condition eight years ago when he was having a physical checkup prior to going to college.

Unalarmed, he went off to school at the University of Georgia and had little trouble for most of his college career.

About three years ago, his condition flared to an acute state and he was temporarily blinded. Doctors put him on a special diet which sustained him for 18 months, during which time his eyesight cleared.

Doctors at Emory University kept close tabs on his case and hoped to get him into the kidney center, also run by Emory doctors, when his condition became crucial.

When admitted to the center, his kidney functioning was less than 3 per cent, Mr. Lamb recalls, and his coloring was so pale "you couldn't even see I had a mouth."

"I realized I needed it," he said about the artificial kidney, but accepting it forced him to realize how serious his disease was.

He wondered whether the machine would hurt or not, and soon found it didn't. Actually he had more difficulty adjusting to the home machine—which he wanted badly so his life would be more flexible.

At home his blood pressure shot up and he became sick every time he used the machine. He found he couldn't stand the chemical odors.

"Finally I realized it was a subconscious thing. It worried me that I was the only one that knew anything about that machine from here to Atlanta," he said.

After recognizing he could always call the center for help, his adjustment speeded. Within a three and one-half month period he became used to the process.

Center director Dr. John Sadler calls it normal for patients to need two to three months before feeling comfortable at home with the machine.

"I used to break out in a cold sweat," another man admitted when he first manned the machine. "It's a tremendous responsibility—you're dealing with a patient's vital bloodstream."

Because of this responsibility the center thoroughly trains the patient and persons manning the machine before allowing them to go home.

"I tell patients that home dialysis isn't very difficult but that a minimum passing score is 100," Dr. Sadler said.

The home machine comes complete with alarms that buzz if something is wrong with the machine. If something happens, which isn't frequent, the operator simply disconnects the patient, gets the machine fixed and resumes dialysis the next day.

"Right now if I had time I could fix just about anything," patient Kerry Maughon says about his home machine.

The 26-year-old Chamble resident is a service engineer for X-ray equipment. Working with machines as his occupation boosts his confidence toward the home kidney.

Tuesdays at 5:30 p.m. Mr. Maughon leaves his Atlanta job and heads home in rush traffic. After a quick dinner he retires to a bedroom for the evening to begin dialysis.

His wife runs the machine. They usually finish dialysis about 3:30 a.m. They've arranged the other dialysis period over the week end as being more convenient for their schedule.

"You have to make it as easy on yourself as you can," Mr. Maughon says. And they have. They go out about twice a week, take weekend trips on occasion, and plan a vacation to South Carolina this summer.

During this time they will use a home machine of another former center patient.

When Mr. Maughon was 15, doctors removed a kidney that had been deformed at birth, in an attempt to stabilize his high blood pressure.

After the operation he felt "real normal" and rarely had checkups. Last Thanksgiving, again ill, he was amazed to hear a doctor tell him he needed a transplant or dialysis if he were to live.

"I thought the doctor had the wrong person," Mr. Maughon recalls, "That he had gone in the wrong room."

Even though his mother wanted to donate a kidney, he refused a transplant because of "running the risk of hurting someone else."

Dependence upon the machine doesn't bother him. He believes he can survive indefinitely with it, or at least until cadaver transplants are perfected.

"There are lots of things there's no machine for," he philosophizes.

The artificial kidney, home patients will tell you, isn't an easy way of life—but it assures life.

"I haven't had any insurmountable problems," Mr. Lamb concludes, "and I don't expect to have any."

[From the Atlanta (Ga.) Journal, June 12, 1968]

UMBILICAL LIVING: DEJECTION, THEN SMILES—IV

(By Christena Bledsoe)

Last November a severely ill patient received a new kidney donated by her sister in a transplant operation in Atlanta.

"I was so sure it would work," recalls Mrs. Claudell Walker.

She even dreamed of the book she was going to write about her new active life made possible by her sister.

At first all seemed well. Then slowly, her body began to reject the kidney.

The transplant—meant to give her new life—failed. One out of every three or four kidney transplants in the nation fail.

Three weeks after the operation, in the middle of the night, doctors again operated on her. This time they removed the new kidney that wouldn't adjust to her body.

Only one alternative was left if the patient were to live, doctors knew. The artificial kidney machine.

A shunt, a small plastic loop that permits blood to leave the body through plastic tubing to be cleaned by an artificial kidney machine and returned, was implanted in her arm.

But to the 50-year-old patient lying in the hospital bed, a machine that weekly would require two full days' time to keep her alive the other five seemed a poor substitute to a real kidney.

She was depressed.

So depressed in fact, that she now admits she once had a dream in which she considered "cutting off the shunt."

Then as the blood rapidly flowed from her body, she explains, "it would all be over in three or four minutes."

The path to emotional healing has been as steep as Mt. Everest, but she has made it to the top.

Now, seven months later, she is up and about. She and her husband have even been on camping excursions.

She claims her recovery was prompted by concern.

Back in those dreary days after the transplant failed, she couldn't let go, she says. "There were too many people that cared.

"I had friends helping, praying, coming to see me."

A social worker recalls friends giving Mrs. Walker a wedding anniversary party in the hospital, complete with cake.

Letters poured in from people she hadn't heard from in years. After a Jacksonville radio station broadcast her story more cards poured in—this time from strangers.

A sister-in-law quit her job so that Mrs. Walker, a Pensacola resident, could stay in her home and be taken care of. Starting with medical tests run before the transplant, Mrs. Walker was forced to stay in Atlanta 10 months.

Her husband, a tall man with a gray-streaked crewcut, for months has commuted back and forth between Pensacola and Atlanta to see her.

Her 19-year-old daughter, Shirley, an only child, dropped out of college, came home to attend school there and care for her father.

And through it all, the sister who donated the kidney stood by to give comfort.

While family and friends rallied to give her the emotional support to live, the artificial kidney gave her the physical strength necessary.

Before she had the transplant, as a backup precaution, doctors routinely showed her the artificial kidney center at Grady Memorial Hospital. These patients without functioning kidneys continue to live through a blood-rinsing process that removes waste products from the body.

She didn't pay much attention though. She didn't think the center's activities affected her.

Circumstances change. She now feels fortunate that Atlanta has an artificial kidney center. Many cities don't. Many transplant failure cases are not apt to be as lucky.

Because the Walkers live in Pensacola, doctors immediately decided a home model of the artificial kidney would be best for them.

Normally home dialysis training only requires three months. But in Mrs. Walker's case she had to first regain physical and emotional strength. This took time.

Two weeks ago as she readied to leave she was a different person from the silent woman who first entered the center, the other patients say.

She came bouncing in from a shopping trip in a flowered shift, or lay in bed, decked in bright red pajamas, chatting and smiling.

She can talk about her illness without depression. She knows that others someday will be faced with her problems.

Kidney illness began for Mrs. Walker 24 years ago on her honeymoon.

It was during World War II. She and her husband, Jim, who both grew up in Atlanta, were headed to Williams Air Force Base in Arizona, where he was to be stationed.

She caught a cold, felt bad and soon became weak and had severe backaches.

"It never dawned on me it was kidney disease or anything," she says.

The first doctor to treat her thought she had flu. He gave her a shot of morphine. She was allergic to it and began constant vomiting.

When she finally was rushed to a hospital she remembers how upset her husband was, "3,000 miles away from home and friends, with a young bride that was so sick."

After a routine urine analysis, the doctor told her she has something very wrong with her kidneys.

More tests followed. On a cheerless Christmas Eve—when she had only been married 10 days—she was told she would always be a semi-invalid, would have to strictly watch her diet and could never have children.

At a Phoenix hospital later an investigative operation was performed and cysts covering her kidneys were removed. "Right away I began to get better," she says.

Months afterward, when she and her husband were back in Atlanta, she started working full-time for the State Health Department as a nurse.

Occasionally she had small flareups but nothing serious. She managed to have one child, the 19-year-old girl who also hopes to be a nurse. After moving to Pensacola she worked for several years.

Two years ago her condition became worse and the nightmare began.

A year ago April she ended up a stroke victim, near death, in a Pensacola hospital. (High blood pressure which accompanies kidney disease often leads to heart attacks.)

In August she came to Atlanta to make plans for a transplant at Emory University, the nearest hospital to perform the operation.

What would she tell other persons who consider having a kidney transplant?

"It's hard to know what to tell them," she concedes. It has been "discouraging" but "I think it's worth the try."

Someday, she and her husband agree, she might even consider having another transplant.

"It's a little soon now. But I would think about it."

But she would only consider a cadaver kidney, she says. She won't take a relative's kidney again because she keeps remembering her sister now is left with only one kidney.

She also insists she wouldn't try another transplant unless a grant covers the cost. Her husband stresses that if the opportunity arises, the money will come from somewhere—even if it means a bigger mortgage on their house.

Their bills within the last year, including hospital costs in Pensacola, a transplant that failed, treatment at the artificial-kidney center and the purchase of a home machine, have mounted to between $30,000 and $35,000.

Insurance covered little of it. Vocational rehabilitation helped defray the cost of the home machine on the principle that Mrs. Walker again will work someday—and that rehabilitating her would be less costly than disability payments.

The annual cost of continuing home care will be about $2,500. Somehow they will manage that, says Mr. Walker, who is an assistant county agricultural agent.

"It's like a rabbit running with a fox chasing," he explains, "with the rabbit saying 'man, I've got to make it . . .' "

In his view they are lucky the disease took so many years to progress to a chronic condition.

"She could have reached this stage 10 or 12 years ago. Then nothing was available to help her. She just hung on long enough for them to perfect the artificial kidney."

[From the Atlanta (Ga.) Journal, June 13, 1968]

UMBILICAL LIVING: HIGH STANDARDS IMPOSED—V

(By Christena Bledsoe)

Atlanta's artificial kidney center has room for only 20 patients.

If you are single and your kidneys stop functioning you probably couldn't gain lifesaving access to the center.

If you are over 50, your chances of being admitted are also slim.

If you are a high school student or have additional serious health problems you probably couldn't get in.

If your financial resources are limited you might find a shut door.

Tight space limitations—and a tight budget—set the limitations on who can enter.

Critics of kidney centers accuse doctors of "playing God"—of deciding who can live and who will die.

"We have taken on some bad-risk patients—and most have died," center director Dr. John Sadler says.

Of eight older persons taken in, for instance, four have died, a one-in-two ratio. Of the center's other 21 patients, only four more have died, a one-in-five ratio.

The purpose of extensive screening, Dr. Sadler argues, is to pick candidates who can return to useful and productive lives with treatment.

If it appears a person can't return to a useful life, he's apt to be turned down in favor of another.

High standards are set in picking candidates. A 14-page questionnaire probes his case history, his family life, his job and financial stability.

A social worker interviews each candidate. Then his fate hangs with a board of doctors considering the case.

A "yes"—or a "no" is final.

Twenty-nine patients have been admitted to the center in its 2½ years. Dr. Sadler places the number of serious candidates as between 40 to 50.

If informal candidates, such as requests by phone or mail were counted, the number of applications boosts to about 150.

Thus, many candidates have been refused.

How does the candidate cope with crisis? What has his past life been like? If the center shut down because of financial difficulty, could the patient continue his treatment?

These are among a multitude of questions the center is forced to weigh.

Take the case of the single person in Atlanta.

The center emphasizes preparing patients for home treatment. This is both more convenient for the patient and cuts the dollar cost of treatment by thousands a year.

But the care involved in the eight-hour blood-rinsing process needed twice a week to keep the patient living requires another person by the bedside . . . checking the patient's blood pressure, regulating machine temperature, pressure and flow gauges.

Who is to do this for the single Atlantan?

Not a roommate. Most roommates live together only briefly. Training to use the machine is expensive and takes about three months. Frequent training of a new person isn't practical.

Of more importance, a tremendous giving of self is involved. Home dialysis is exhausting for both persons. A close bond between the two persons is necessary.

For that reason, a husband-wife team usually works best, Dr. Sadler says.

To a couple who has faced the prospect that one partner might die, and has gained new hope through a machine, dialysis is "a quantitative measure of what their life together means."

Age is one of the more stringent entrance qualifications.

If a person is over 45 or 50 years and has a kidney disease, he's likely to have had it for some time, doctors say. It's almost impossible to reverse the disease process and restore the person to a normal life—the purpose of the center's existence.

Other health afflictions, diabetes, heart or lung trouble, also are likely to occur in the older person.

Doctor are reluctant to admit a patient who has another disease that will progress and destroy his life.

Sometimes dialysis appears to speed the destruction.

One diabetic patient at the center lies in bed, crippled in his legs and blind. Both conditions occurred after dialysis began.

The man may be able to see some day—if doctors are successful in removing a buildup of toxic fluids from behind the retina of the eye.

But some cases do not have a happy ending.

The basic issue becomes, Dr. Sadler says, "When do we quit abusing a dying life?"

Ask the patient for whom the machine only prolongs a bed-confined life, is it worth it? Dr. Sadler believes the usual answer would be "no."

These are difficult decisions, he says. "Yet they are the stuff that medicine will deal with in the next decade."

"We can work our way scientifically to answers," the center director notes. "Application is the problem."

A particular case where a doctor ponders what to do is the hypertensive patient.

High blood pressure both causes and accompanies kidney disease. Many patients end up stroke victims.

Dialysis can reduce hypertension—if there is time. Three persons at the center have died because of hypertension.

Dr. Sadler recalls one case where the patient died within a few months of his entrance.

The staff had put forth tremendous expenditures, both financially and emotionally working with the patient and his family.

After he died, they were sitting back with "an emotional broken arm" when a new patient came in.

Three to four times more effort might save the hypertensive patient. "But this effort is subtracted from other patients," Dr. Sadler points out. "Do we have this right?"

The case against a high school student is entirely different.

Age and otherwise good health are in his favor. Against him is something as simple as wanting to be like the other kids.

"Average high school students worry if their skirts are too long or short . . . if their shoes are the right brand . . . and they want to have a hot dog and Coke with the other kids."

It would be hard, Dr. Sadler says, for the teen-ager to adapt to a rigidly regimented diet, to not be able to swim, ski or ride a bike.

For most it would seem the end of life, not new hope. Few would have the necessary motivation.

For all candidates, dialysis is a hard road, an inconvenient, expensive, time-consuming readjustment to life.

"It's either worth it or it isn't," Dr. Sadler says. It depends on how much the person values life.

One center doctor recalls Dr. Sadler bluntly telling an older candidate, "we can only promise you a year."

The man sat back, thinking for a moment. Then he replied, "You know doctor, I haven't had a bad one yet."

But many persons—the type who always want to discuss their operation—would get so preoccupied with the dialysis treatment that it would absorb their whole life.

Treatment, Dr. Sadler argues, "is not a goal in life—it is just a means of meeting a goal."

One patient at the center is a teacher's aide. She wears long-sleeved dresses to hide her shunt and goes on about her life. Few know she is a patient.

"She doesn't want their sympathy. . . . This as far as I am concerned is the ultimate rehabilitation."

[From the Atlanta (Ga.) Journal, June 14, 1968]

UMBILICAL LIVING: CADAVER TRANSPLANT NEXT?—VI

(By Christena Bledsoe)

A cadaver transplant.

This is the long range goal of many patients at the Atlanta Artificial Kidney Center who don't have a close relative able to donate a kidney.

They enthusiastically view a cadaver transplant—if it works—as an easier way of life.

Fewer diet restrictions . . . an end to the time-consuming dialysis process that cleans the blood . . . less expensive in the coming years.

The procedure—taking a live kidney out of a dead body—isn't done locally.

Few places attempt it. The risks with cadaver transplants are higher than with regular kidney transplants. But in the coming transplant era, it will be an accepted reality.

Center Director Dr. John Sadler wants to see the procedure done here—as soon as next fall.

His patients do, too.

Doing the job properly would mean setting up facilities at Grady Memorial Hospital, gathering a trained surgical team, using advanced techniques and giving close nursing care.

The cost would be $250,000.

He doubts that he can get the money.

Federal health funds are limited because of Vietnam. As for local support, he is having trouble getting aid to keep the artificial kidney center open, let alone seek more funds.

"We'll probably do it with nothing," Dr. Sadler said.

He points out a fund squeeze means cutting corners which might hurt the odds of successful transplants.

The need to take these chances is increasing.

He estimates 600 persons in the Atlanta area yearly die from kidney disease.

Not all could be helped by kidney replacement, or be able to physically and emotionally cope with it, but about 120 could.

About half of these could be good candidates for the artificial kidney but the center can't handle that many patients.

The majority of those facing death caused by kidney failure have nowhere else to turn.

The cost of a cadaver transplant would run about $6,000. Care after the operation would make the bill total nearly $10,000.

Without funds to underwrite this expensive operation, most of the operating costs would be dumped on Grady. Hamstrung by their own strict budgets, the hospital can only absorb so much.

"We'll do them one at a time as long as we can until the hospital authority or someone screams we can't afford it," Dr. Sadler said.

The risks involved with cadaver transplants makes doctors normally prefer to transplant a kidney from a living, related donor.

Nationwide, cadaver transplants are about 30 to 40 per cent successful. Some patients have had two, three or even four transplants over several years time.

One reason for relatively low success rates is that tissue typing information, needed to match a kidney with a new body, is inadequate.

"We can identify about seven major tissue types," Dr. Sadler explained.

Red blood cells alone have 32 components. "It's reasonable then that there are other tissue types not yet identified."

Where a kidney from a close relative is used this lack of information is partially compensated for since the two persons have similar genetic compositions.

Best results occur when the kidney is donated by an identical twin. "But how many identical twins are there?" he wryly asks.

Another difficulty is keeping the kidney alive long enough so that it does not have to be removed and transplanted in an urgent rush.

A kidney now has to be removed from a body within 35 to 40 minutes after death. It then can only be kept four to six hours before being transplanted.

With a cadaver kidney, it takes three to four weeks before the kidney adapts to the new body and either begins functioning or is rejected.

During this interval the patient must be kept on dialysis, the process that removes toxic waste products from his body.

Thus, a good dialysis center is a prerequisite for a cadaver transplant program. Atlanta's center would be a boon.

Dr. Sadler anticipates that the center's work can increase the incidence of successful transplants.

Many transplant failures occur because of the body's generally weakened condition prior to the operation.

First put this same person on an artificial kidney for a few months, Dr. Sadler reasons, and you can regulate his body chemistry and boost his strength, giving his body higher odds for successfully accepting a transplanted kidney.

In addition to medical battles, doctors might have to clear legal hurdles before transplants are accepted by the public.

A person now can't legally will any part of his body for a transplant, Dr. Sadler explains, because after death the family officially owns the body.

If they say no to donating an organ—even if the deceased person had wished to donate it—doctors can't proceed with the operation.

If a husband or wife dies, the living spouse must give permission. If it is a child who dies, usually the consent of both parents is needed.

It is a hard spot to put a family in now, Dr. Sadler notes. When already facing the crisis of death, it is a strain for a family to consider donating an organ of the dying person.

"My family knows my wishes because I've repeated them over and over," Dr. Sadler said.

"When I don't live in it, it's no good to anyone—use all the good parts."

But most families don't know the wishes of a member struck by death.

Or if the dying person has expressed a wish to donate part of his body to medicine, how does the family know it wasn't a passing fancy?

A Georgia law allowing a person, if he so desired, to will part of his body to science would clear many hassles.

Dr. Sadler hopes to see such a law introduced into the General Assembly next session.

Some problem cases will still remain . . . the man killed in a car wreck . . . the person lying in a coma in a terminal illness.

How do doctors approach these situations?

If the person is dying and nothing the doctor can do will save him, this is explained to the family of a potential donor. Their permission is sought to perform an emergency operation after death.

The issue of when death occurs increasingly is coming to public attention. Does death occur when the heart stops beating? When the brain stops functioning? When?

For all practical purposes, "You are dead when your doctor says you are dead," Dr. Sadler points out, "whatever criteria he uses."

People are going to question this, he believes.

Some will be reluctant to go to a hospital with a serious illness. They may say "My God, they're going to let me die so they can get my organs."

Nothing could be more wrong, he insists. The doctor's first responsibility is to keep a patient alive and healthy as long as possible, even if he is a potential donor.

But the issue will arise just the same. So will the need for transplants. The hope that a transplant will mean new life continues.

At the artificial kidney center, a patient lay on his bed, idly talking of the day a transplant would give him new energy and the ability to work again. He is one of 120 Atlantans who could use a transplant this year.

[From the Atlanta (Ga.) Journal and Constitution, June 16, 1968]

UMBILICAL LIVING: MONEY ZERO HOUR NEARS FOR KIDNEY CENTER HERE—VII

(By Christena Bledsoe)

A threatening question mark hangs over operations of the Atlanta Artificial Kidney Center where lives of chronically ill patients are saved, salvaged and repaired.

"We have to run the center now as if we were going to close in January," director Dr. John Sadler commented.

Federal funds supporting the Atlanta center run out the last day of December 1968.

Whether the center will exist in 1969 is a grim mystery that means the difference between life and death for some.

The center's help has kept 21 persons alive who otherwise would have died.

Six patients have no financial resources to turn to if the center does not gain new support. Their lives are completely dependent on the center's ability to find funds.

A patient's treatment costs $110 a time . . . two times a week . . . 104 times a year, or $11,400.

The center now has room for five more patients but the uneasy funds plight is making doctors back off from accepting new patients, unless assured each can assume his own bills.

While room sits available at the center, there are at least 60 persons in the Atlanta area this year who need the center's facilities to keep alive.

Fortunately at the moment there is not a backlog of patients who have applied to get help at the center.

But backlogs have occurred at times.

Once two patients were accepted pending available space when two others finished home dialysis training and left.

"We thought we could hold them until then," Dr. Sadler recalls.

One man suddenly died while waiting to get to the center's life-saving help.

The Atlanta center opened in 1965 as a three-year demonstration project, financed by a U.S. Public Health Service grant to Emory University.

The theory was that in three years time the center would become firmly lodged in the community. Local support would supplant federal grants.

The zero hour is approaching, though, and adequate local support has not yet come forth.

A few groups have made significant contributions (Georgia State Department of Health, Fulton County Medical Society, Lockheed Buck of the Month Club, Georgia Heart Association and the Florence C. and Harry L. English Foundation) but more help is needed.

The center needs $250,000 a year to continue operating.

Patient fees could contribute as much as $100,000 a year if 30 patients were trained for home treatment, and if all 30 could afford their training bill.

Even if the center collects $100,000 in fees, where will the other $150,000 come from?

The center hopes to get local foundations and businesses with organized charities to pledge money to support the center. But obtaining funds will be a continuous battle, Dr. Sadler predicts.

Dramatic appeal—knowing that lives hinge on the artificial kidney—does not necessarily mean that aid will appear.

The public hears of too many needs to be long concerned, the center director says realistically.

In his view, it's like a man seeing a bad car wreck over the television screen and saying, "My, isn't that terrible? . . . bring me another beer."

That isn't to pass judgment, he hastily adds. There is no reason why the "man on the street" should care about the center.

"Centers like this won't be as important in 10 years," one center doctor says.

In 10 years, sweeping changes are apt to have occurred. More patients will receive home treatment and the center will then work with short-term patients. Transplants will be more feasible.

Efforts toward developing less expensive artificial kidney machines probably will have paid off.

Until those 10 years have passed, though, keeping the center open is crucial for Atlantans who become afflicted by severe kidney disease.

The odds are stacked against the average person digging up enough resources if a really major illness such as a chronic kidney disease flares up.

A standard hospitalization plan an individual might have will not pay anything toward continued treatment at a kidney center.

If a person has a major medical policy, it usually will pay up to $10,000 but once that $10,000 is used up, that's all.

If the artificial kidney patient receives treatment at the center the cost is $11,400 a year. If he receives treatment at home it will cost between $2,000 to $2,500 a year but the first year, when the home machine is bought, it will cost $10,000.

Six major insurance companies now will help pay for home machines but others still refuse, not seeing it in their role.

Many government agencies refuse aid to a person with a stable income, $8,000 for instance, since this person presumably can take care of himself.

"But when it takes $10,000 to keep you alive till tomorrow, then you're medically indigent," Dr. Sadler argues.

While the arguments and search for funds continue, six patients at the center, whose lives depend on finding funds, seem unconcerned by the clamor.

"We have an obligation to these people," Dr. Sadler says. He believes this so strongly that the patients appear never to question where the funds will come from.

"They think the community is obligated to help them," another doctor says. "Wouldn't you?"

THE UPHEAVAL IN FRANCE

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 2, 1968

Mr. THURMOND. Mr. President, the recent revolutionary strife in France with a return of the commune has startled many people of the United States and some are pondering its significance and the lessons to be derived. Despite the fact that a semblance of normalcy has returned, the fact remains that France was on the brink of the greatest crisis since World War II. The stunning defeat of the Communists in the recent elections serves to underscore the danger of allowing an organized minority to dictate to the people. The question is: Why did France let it happen? How did it start?

The answers to such questions are to be found in an article by Anthony Harrigan, a recognized authority in geopolitics, and associate editor of the Charleston News and Courier, published in a recent issue of the American Security Council Washington Report.

Because of the relevance of the article to the United States, I ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Report, June 3, 1968]

THE UPHEAVAL IN FRANCE: REVOLUTIONARY WAR FROM WITHIN

The unexpected reappearance in France of the revolutionary commune marks a return to the chronic instability that has marred the French republic for more than a century. Under the facade of Gaullist order, the world now knows, were the makings of turmoil. Foreign policies set by President Charles de Gaulle helped create the mood that made possible the student violence and the wave of strikes.

France, to be sure, has a tradition of revolutionary action. As far back as 1383, Paris was the scene of bloody insurrections. The French Revolution of 1789 precipitated upheavals throughout the 19th century and served as a model for the Bolshevik Revolution. Communes—revolutionary collectives—ruled Paris in 1848 and 1871 until ousted by armed force. Despite the prosperity of the last decade, Marxist mythology still has a strong hold on the minds of French workers and intellectuals. University students in France, increasing in numbers from 200,000 to 515,000 since 1961, have been proletarianized in outlook. Meanwhile, the French Communist Party has maintained its strength at almost 500,000 members, a very hard core in a country of 50 million.

Thus all the elements existed for an underground explosion—for days and weeks of revolutionary terror. Reports from Paris have told of an orgy of anarchy. Neal Ascherson, writing in the *Observer* (London), capsuled revolutionary rites in this description:

"At the Sorbonne, the great solemn courtyard has been taken over by a bedraggled, wildeyed mob. Decorated with portraits of Mao, Lenin and Marx, Trotsky, Castro and Guevera, festooned with Marxist, anarchist and Viet Cong flags, it is a sort of bazaar for trafficking in revolutionary ideas."

Paralleling the student upheaval in Paris are the sit-ins at industrial plants and the strikes, called by the communist-led Confederation Generale du Travail (CGT), that paralyzed railways, halted collection of garbage, stopped air traffic, and shut down banks. The occupation of factories brought back memories of the era of the Popular Front government of Leon Blum in the 1930s, which found itself unable to deal firmly with sit-ins. The Blum government resulted in a drastic weakening of France and, thereby, eased the way of conquest for Adolf Hitler a few years later. Thus it is impossible to view the revolutionary disturbances in the France of 1968 without an awareness that they may be smoothing the path for direct Soviet intervention within a few years.

The immediate political goal of the anarchistic revolutionary elements is the goal of the communists: a new popular front government—a government of weakness and chaos. It is significant that late in 1966 the communist-run Maurice Thorez Institute held an international conference in Paris on the theme of "The Popular Front of 1935."

The strife in France clearly illustrates the folly of believing that anarchists and Trotskyites are harmless because they are not under direct Communist Party control and discipline. Pluralism of revolutionary movements was no protection to the French Republic. On the contrary, misunderstanding of the role and significance of the revolutionary splinter groups apparently contributed to the outbreak of violence.

Since the student riots began, the Sorbonne has been overrun by scores of hastily organized protest groups and committees, each competing for student support. Another network of worker councils or "soviets" has sprung up in the industrial suburbs. The most important student conflict organization is the Jeunesse Communiste Revolutionnaire, the French branch of the Trotskyist movement. This group reportedly has provided major direction of the insurrectionary activities. With approximately 1,000 members, it occupies a key position. Its members dominate the student committees. The JCR also is the link with the German League of Socialist Students that has called for "smashing the institutions of the state." It was a German SDS group at the Naterre annex of the University of Paris that indoctrinated Daniel Cohn-Bendt, the German-born student whose "22 March Movement" spearheaded the French disorders.

The regular Communist Party organization quickly took over the nationwide strikes after the student revolt. Thus the Communist Party apparatus found the Trotskyists to be useful proxies. This is not surprising, for the regular communist establishment no longer wars against the undisciplined splinter groups but, instead, orchestrates their efforts in a grand strategy of promoting chaos in the Western countries.

Ironically, the government of President de Gaulle is believed to have encouraged the development of anarchist, Maoist and Trotskyist splinter groups as part of an effort to curb the power of the main Communist Party in France. Apparently the official French thinking was that a polycentric communist-anarchist movement was not a menace. This attitude is in keeping with the assertions of many writers on foreign policy in the U.S. and Europe that polycentric communism on the international scene is less dangerous than a monolithic international communist structure. The disorders in France should be accepted as a lesson in the true disruptive potential of polycentricism.

The de Gaulle government also paid a heavy price for its toleration of disorders aimed at the United States in connection with the Vietnam war. The burning of the Stars and Stripes by anti-Vietnam war protesters in Paris set an ugly precedent for the burning of the Tricolor by students at the Sorbonne. It is evident that anti-American organizations, such as the French National Committee for Vietnam, served as a breeding ground for the students who have engaged in orgies of street violence. General de Gaulle's pronouncements on the Vietnam war and his condemnation of the United States, plus his increasingly friendly attitude towards communist states in Europe and Asia, created a political condition that backfired on the French state.

The entire apparatus of the French government has been directed at the downgrading of the United States and the NATO alliance. General de Gaulle has promoted solidarity with the communist states and the revolutionary Arab countries, and even invited Soviet Marshal M. V. Zaharov to watch French Army maneuvers and to send a detachment of Soviet paratroopers to jump with French airborne forces. As Raymond Aron wrote for *Le Figaro* (Paris), France under de Gaulle has tried to be "more Soviet than the Soviets in order to disassociate itself from American policy in Vietnam." It has shifted from Western solidarity in the NATO alliance to pro-Russianism. No wonder, therefore, that a new generation of students has turned to militant revolutionary action at home.

Apparently the French government was taken completely by surprise, though it should not have been caught unaware. For years, it tolerated a large pro-Hanoi Vietnamese population in Paris. In the fall of 1967 there were serious disturbances, indicating that political discontent was growing. Communist front groups and extremist groups in Brittany created a virtual insurrection in some towns in that province. The separatist movement in Brittany has been shrewdly harnessed by the Communist Party. The Bretons' traditional desire for autonomy from France plays into the hands of the anarchists.

The shaking of the foundations of France has implications for other Western countries. Other stable governments may come to grief because they have inadequate intelligence concerning revolutionary cadres in their society and incomplete understanding of the total onslaught on modern society that is planned by these cadres. In the United States, for example, Columbia University apparently had no conception of the seriousness of the challenge to its academic and administrative order that would be posed by the small but dangerous organization of the Students for a Democratic Society.

It is imperative, therefore, that a lesson be learned from the French experience, namely that apparently strong structures of established government can be wrecked by mushrooming agitation and action groups if constituted government lacks adequate surveillance of the organizations and is unwilling to use all the instruments of law and legal force as its command in a timely fashion.

Skilled professional revolutionaries undoubtedly were at work in the French disorders from the very beginning. But the disaster to French society was not just a product of these militant organizations. Basic to the failure of the French government was a failure of understanding and a failure of nerve. The idea has grown up in many Western societies in recent years that the student is a citizen with special privileges and that the academy is a privileged sanctuary for dissent from the values of society.

The French revolution of 1968 had its roots in the upheaval on the Berkeley campus of the University of California in 1964. Failure of the Berkeley authorities to deal firmly with the revolutionary cadres on that campus was a direct inspiration to the student protest committees at the Sorbonne in Paris.

All revolutions require a social base as well as an organizational structure. Colleges and universities have proven to be the ideal social base area for the new anarchist movements. They guarantee food, lodging, articulate defenders, a physical position of strength and even legal help. Not only are campuses a base of operations but they are also a communications center, with lines into wider sectors of society. Opposing elements inside these bases of operations are squeezed out or subjected to intimidation in one form or another, as in the case of the history professor at Columbia University who opposed the campus strikers and had a lifetime of research material burned by the revolutionaries.

The lesson of the new French revolution is that colleges and universities need to be restructured, but not as student terrorists demand. Reforms should be aimed at recapturing the institutions from the hands of the small, militant groups that have gained control of events on so many campuses. Responsible Americans should not forget that Cabinet officers, including former Secretary of Defense McNamara and Agriculture Secretary Freeman, have been besieged on campuses or shouted down at university assemblies.

No Western countries would allow its military bases, research installations, or communications centers to be seized and controlled by revolutionary elements, but many such countries have allowed their facilities for higher education to be taken over from within and used as springboards for destructive action against the whole of society.

It is characteristic of all varieties of communism and anarchism to view every area of community and national life as a war theater and to think of political action in terms of guerrilla war. Western societies, if they are to deal effectively with such warmakers within, must develop a battlefield consciousness with respect to campus and street disorders. Perhaps the most disturbing aspect of the chaos in France is the failure of the mass of white-collar and blue-collar people, who at heart have traditional values and who prefer evolution to revolution. They stood by in passivity while rampaging mobs of students burned automobiles and used pneumatic drills to dig up paving stones to throw at the police—the guardians of public order. This negative reaction by the supposedly stable elements in French society indicates they have been psychologically disarmed so that they cannot resist aggression committed by revolutionary forces within.

ANTHONY HARRIGAN,
Managing Editor.

A LETTER I WOULD LIKE TO WRITE

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. DORN. Mr. Speaker, Dr. James L. Sullivan is executive secretary-treasurer, Baptist Sunday School Board, of the Southern Baptist Convention. I commend this letter to the attention of my colleagues:

A LETTER I WOULD LIKE TO WRITE

(By James L. Sullivan)

DEAR JOHN: I was not eavesdropping when I heard you express such indignation to your dad. In your anger and excitement you spoke so loudly that I could not help overhearing.

What amazed me was your rash accusation that your dad's generation is wholly responsible for the grand mess the world is in today. You proceeded to say that you are leaving home and repudiating both your family and the church in which you have been reared because of the things they have let happen in the world.

Someday you will come to yourself and see the foolishness of your statement and intended action. You would not blame the soap manufacturers for all the dirty faces in the world, would you? Nor would you suggest that the medical profession is responsible for the prevalence of heart disease!

You should not in a similar way accuse your devoted and devout father who has struggled so hard as a Christian to build a better world in which you might live.

It is true that your dad as a citizen may bear a small part of the blame for the sad state of the world. Remember that each citizen, including yourself, must bear a part of that responsibility, but not all. Doing his utmost, your father could not alone have rid our world of the attitudes and actions that filled it with bombs and bombers, hate and haters, riots and rioters, crime and criminals.

When you get a bit older and have settled some, you will begin to take interest in history. It is then that you will see that every generation has been born and reared in trying times, just in different ways. Some generations have had it worse than others, but none has had an ideal situation.

Have you really sought to discover the kind of world into which your dad was born, and the world his father lived in before him? Two world wars were fought in their lifetimes, and these two men have undergone trials you have never dreamed of.

Millions of men were brutally killed from the Atlantic to the Pacific. Hunger stalked the earth clothed in garb unrecognized by modern eyes. Depressions were rampant and banks were closed. Cash was almost a thing of the past. Credit was not extended to the mature person, much less the preteen, who has a charge account today.

Unless your dad and granddad were of the unusually privileged class, they went without meals at times. Maybe they were evicted from their homes for nonpayment of rent, taxes, or instalments. Perhaps they lost the family car because repairs and payments could not be financed. Teeth may have gone unattended because there was no money for dental bills. These are hardships that you have never known. but you do not know of your parents' sufferings because they determined not to complain. They learned how to live with empty purses and empty stomachs a long time ago.

You never heard your father or your grandfather blame their ancestors, not once. They knuckled down, worked overtime, lived in tired bodies, struggled for a better day for themselves and for you. When you consider where they began and the obstacles they have overcome, they have done remarkably well.

In your father's youth, lynchings were rampant. Social injustices were far worse than today. Laboring men were burdened, and their families were continuously underfed and underprivileged.

What you seem to forget is that the world is in this fix because Satan, God's adversary, is bent on its destruction and is doing everything within his power to warp it to his will.

Man has not done it alone, not any man. And yet, because the masses of men live selfish ungodly lives, the devil is having his heyday. This is the basis of the trouble in our time.

Your dad, a dedicated, committed Christian, has lived in this sort of world and has resisted evil all about him, but his lone voice has been almost a voice in the wilderness.

Have you ever wondered how much worse the world would have been had it not been for men like your dad and homes like the one in which you were reared where the Christian witness and Christian love prevailed?

Unless you do likewise, frankly, your legacy to your children when you begin a home will be even worse than the sin-ridden world you and your father have seen.

Our thinking has been thrown out of kilter when we have assumed that better houses, fuller barns, more horsepower, and better clothes would lead to better men. We should know better, but this is a human oversight. We should remember that if environment alone could have worked this miracle, the garden of Eden would have transformed Adam and Eve into saints. Environment didn't deify them then, and it won't sanctify us now.

Whatever difference exists lies within the people. This must be the beginning point in building a better world.

This leads me to say, John, that the thing that really matters is leading men into the transforming power of the God of heaven. Do you really know that God yourself as your Father and Lord? If you do, the first step has been taken in the course upward, and that one fact makes all the difference in the world. Without it nothing else will do much toward building a better place where men can live.

Will you begin a sweep toward a new era by trying to lead your generation to a true Christian experience and to love the truth of heaven which can come only from the Lord of truth?

God does make a difference, but he must live in the hearts of men if there is to be a difference in the world.

These words are said in love and concern by one who is interested in you and has faith that you will measure up to your dad's highest expectations in spite of the thoughtless words I overheard.

THE "PUEBLO"—HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. SCHERLE. Mr. Speaker, this is the 162d day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

THE WIRE OUTLOOK

HON. BOB WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. BOB WILSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

THE WIRE OUTLOOK

The legendary Roman hero of the 6th Century B.C., Gaius Marcius Scaevola, is recorded as having said or written, "I watch . . . the steady decline of my country. Who can oppose it? Who can restore it? No one. When a nation becomes corrupt and cynical and prefers the rule of man and not the rule of law, it has entered upon destruction, notably its own."

This observation might have been written as a comment upon the decadence of our own moral fiber. We see it in government, where men in high places decide what to do on the basis of their own personal political interests; we see it in the law enforcement agencies—police and courts—where the police can function only partially and the courts often appear to be unwilling or afraid to punish criminal offenses; and we see it in the people who fail in the training and control of their offspring. Not all in any category are corrupt, but the voices of the few cannot be heard above the hubbub of the venal many.

At the moment, we are entering upon peace conversations in Paris, the duration of which will be long and the outcome uncertain, knowing the ideology (in this case, lack of ideals) of the opposing side of the negotiations. Businesses whose present prosperity depends largely upon a continuation of this or another war, need not fear a sudden cessation of our military activities and a cancellation of orders, as a consequence.

Since the House and Senate have agreed upon a $10 billion tax rise and a $6 billion spending cut, the latter against the Administration's wishes, it is likely that these two measures to curb inflation will be enacted before this editorial appears in print. Although the spending cuts should be doubled, it probably was quite an achievement to get politicians to agree to the $6 billion cut in an election year. The thing to be watched is that new spending by our many bureaus does not bulge out in unsuspected and innocent-appearing places. Our dollar is still shaky and is being looked upon abroad with declining favor, a fact that appears not to concern the Administration. Hence, whether inflation will be curbed by high interest rates, too high taxes and curtailment of outlays, or whether these measures will precipitate a recession, remains to be seen. Wages are advancing more rapidly than productivity, with no end in sight. Here, too, there is no discernible evidence of patriotism and statesmanship in the leadership of the majority of the big unions.

Very largely, the electric wire and cable business is slow, awaiting the complete restoration of domestic copper mine production levels. Profits, except for the smaller specialty wire mills, showed up very poorly in recent periods due to the high prices—often double—that were paid for copper during the strike. The big copper producers are struggling to fill in the void—and will have done this before long.

Aluminum wire somewhat took up the slack as a substitute for copper wire, since there are places where this is practicable. Some of this will become a fixed habit, although there are many industries where substitution is not possible. Use of aluminum wire has grown in many other places also, especially in its alloy forms, for mechanical applications.

Steel wire and wire markets have been strong, in spite of the growing competition of the foreign-made stuff. Merchant wire and wire products are generally available out of stock, spring wire sales are good, and manufacturer's wire is moving well, with a lead time of three to six weeks on deliveries.

Some types and sizes of welded wire fabric are unavailable out of stock and lead times up to five weeks are necessary for delivery. Nails, as for some years, can be shipped off the shelf for the common sizes. The home building outlook is going to hold domestic nail sales down, especially in view of the fact that more than 50% of the nails used now are imported.

If the country wants less violence, more law and order, and a sense of fiscal responsibility, it is time to make radical changes via the polls next November—and then ride herd on the new people who are sent to Washington to administer the affairs of the nation.

EDMUND D. SICKELS,
Editor.

NATIONAL ASSOCIATION OF RAILROAD PASSENGERS FAVORS ICC PASSENGER SERVICE RECOMMENDATIONS

HON. BROCK ADAMS

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. ADAMS. Mr. Speaker, the ICC recommended to the Congress last week prompt enactment of legislation which would strengthen the power of the ICC to protect the public interest in train discontinuance cases. In a letter to Chairman STAGGERS of the House Commerce Committee, the National Association of Railroad Passengers expressed its strong support for the substance of these proposals. The association speaks for the often forgotten rider of passenger trains, and I think that this letter, from its executive director, Anthony Haswell, will be of interest to other Members:

NATIONAL ASSOCIATION OF
RAILROAD PASSENGERS,
Chicago, Ill., June 28, 1968.

Hon. HARLEY STAGGERS,
Chairman, House Committee on Interstate Commerce, Rayburn House Office Building, Washington, D.C.

DEAR MR. CHAIRMAN: The National Association of Railroad Passengers strongly supports the legislative proposals on rail passenger service which the Interstate Commerce Commission has recommended to your Committee.

The legislation if enacted would be helpful for the following reasons in preserving and improving needed rail passenger service:

The Commission would have more time to consider and to decide individual discontinuance cases.

The burden of proof that individual passenger trains were not necessary would be placed squarely on the railroads.

The Commission would be given specific authority to set standards of service on the last pair of trains between two points.

As you know, the Senate Subcommittee on Transportation considered the ICC recommendations on June 27th. The Senate bill as reported to the full Commerce Committee would give the ICC power to set standards of service for all passenger trains proposed to be discontinued rather than only for the last trains between two points. The NARP urges the adoption by your Committee of similar language broadening the ICC's authority.

We wish to commend the Commission for its excellent report on passenger service. We fully support its call for an overall study of rail passenger problems by the Department of Transportation. However, we believe that such a study should be accompanied by a moratorium on passenger train discontinuance.

Although NARP believes that the ICC has not fully utilized all of its presently conferred authority to regulate passenger train operations, we feel it imperative that Congress give prompt and favorable consideration to the new proposals.

Very truly yours,
ANTHONY HASWELL.

THOUGHTS ON INDEPENDENCE DAY

HON. CHESTER L. MIZE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. MIZE. Mr. Speaker, as this Nation prepares to observe another birthday, it is appropriate, I feel, to reflect on the importance of that first birthday, 192 years ago. An editorial broadcast on the facilities of WIBW-TV, radio-FM, Topeka, Kans., brings out some of the facts about that hard beginning which many of us tend to overlook. Under leave to extend my remarks, I bring this editorial to the attention of my colleagues. I hope all of us can do some of the soul searching which this statement proposes. The editorial follows:

This coming Thursday is Independence Day. One hundred ninety two years ago our forefathers declared their independence from British rule after fighting for and winning their freedom to govern themselves. The date of July 4th was declared a National Holiday to celebrate the memory of that historic occasion of 1776, but alas—the memory of our heritage has diminished through the years.

Now, we Americans have another opportunity to demonstrate respect for the basic freedoms our forefathers won for us in these United States. On this 4th of July, 1968, it seems to us more fitting than ever for patriotic Americans to show their colors and to reflect upon the sacrifices made for our heritage of freedom.

When the "Extremists" who wrote the Declaration of Independence assembled in Philadelphia from over the 13 colonies, the first thing to greet them was an anonymous note found on the speaker's table: "Take care," it said. "A plot is framed for your destruction and all of you shall be destroyed."

When the final vote was taken in Independence Hall in Philadelphia, every man who signed the Declaration took his life in his hands. If Washington's ragged, outnumbered army could not repulse the British, every signer would be tried for treason to the British Crown.

Have you ever wondered what happened to the 56 men who signed the Declaration of Independence, pledging their lives, fortunes, and their sacred honor that this nation, under God would not perish from the earth?

Five were captured and tortured by the British. Nine fought and died from wounds or hardships of war. Twelve had their homes pillaged and burned. Two lost their sons in battle. Another had two sons captured.

John Hart was driven from his wife's bedside as she lay dying. For more than a year he lived in forests and caves. He returned home to find his wife dead and his 13 children gone. He died from exhaustion and heartbreak. Norris and Livingstone suffered similar fates.

Carter Braxton of Virginia, a wealthy planter and trader, saw his ships swept from the seas by the British Navy.

At the battle of Yorktown, Thomas Nelson, Jr., urged General Washington to open fire on Nelson's home which had been taken over by British General Cornwallis for his headquarters. The home was ultimately destroyed and Nelson died broke.

Who were these "super-patriots"? Twenty-four were lawyers and judges. Eleven were merchants. Nine were farmers. They all signed the Declaration of Independence knowing that the penalty would be death if they were captured. What they did was solely for the cause of freedom.

It is unfortunate for our generations of Americans that the years have eroded away vivid memories of these causes of freedom. We do not cherish what is ours. Our history books have even eliminated most of their references to patriots of the past.

As an example, in 1963 This Week Magazine made a survey of school history books issued before 1920 compared with those issued since that time. Patrick Henry's statement that "As for me, give me liberty or give me death" appeared in 12 of the 14 earlier texts and in only 3 of the 45 recent ones. Nathan Hale's utterance that he regretted that he had only one life to give for his country appeared in 11 of the prior texts and only one of the recent ones.

In view of our sacred history, we today must pledge anew our dedication to freedom. In so doing we must unanimously condemn those who, inebriated by their American freedom, disturb the peace, disobey the law, disrupt the lawful activity of others, defame our fight for freedom in Vietnam and, in some instances, openly preach disloyalty to our country. They are traitors to the American ideals of orderly freedom.

This 4th of July is a day for soul-searching as to whether we are preserving our love of patriotism. It seems to us that patriotic America has a challenging opportunity in 1968 to display allegiance to the memories of our heritage. Let's be proud to display our flag of stars and stripes. Let's remind our children and others around us of the real significance of Independence Day.

We shall continue as a nation only to the extent we repudiate those who blaspheme the patriots of the past. We shall enjoy freedom in America only to the extent our own generation is worthy of it, and fights to preserve it.

Close: This has been a WIBW editorial. WIBW invites responsible groups and individuals to express their views in answer to our editorials. Copies of this editorial are available by written request.

SEC "NO ACTION" LETTERS REGARDING QUESTIONABLE SECURITIES SALES

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. FINO. Mr. Speaker, I would like to bring to the attention of this House an excellent editorial which appeared in the Wall Street Transcript of July 1, 1968.

I share this concern over the SEC practice of "No Action" letters and I hope that Congress can look into this bureaucratic complicity with dubious securities sales:

ACTION NEEDED ON SEC "NO ACTION" LETTERS

We have heretofore adverted to the secrecy with which the Securities and Exchange Commission surrounds its "no action" letters and the dangers inherent in such secrecy. This bureaucratic curtain, woven silently and without sanction in law, has also sharply curtailed the public's right to know.

In our lifetime we have been subjected to the Iron Curtain and the Bamboo Curtain. The Bureaucratic Curtain may well have more lasting and damaging effect upon the public and this nation than either of them.

The scope and damaging effect of this Bureaucratic Curtain are impossible to limn—but the damaging effect cannot be denied. What is worse, the Commission seeks to justify the bureaucratic curtain by half-truths and disingenuous evasions. And we can be sure that the Commission will do nothing to lift that curtain.

Through the medium of secret "no-action" letters granted by the Commission, corporate insiders and other large stockholders may be given practical freedom to sell large quantities of unregistered shares to an unknowing and unsuspecting public. And all of this can be done with what realistically amounts to the "approval" of the Commission. It is neither the duty nor the responsibility of the individual seeking a "no-action" letter to make officially public the granting of such a letter. This, we feel, should clearly be the duty and responsibility of the Securities and Exchange Commission. Like the "lettres de cachet" and the "letters of marque" of old, "no-action" letters should be either eliminated or made public.

It is time for the Congress to act—investigation of the Commission and its bureaucratic curtain is in order; and legislation forcing full disclosure of "no action" letters is urgently called for.

WHY SHOULD TOBACCO BE THE WHIPPING BOY?

HON. DAVID N. HENDERSON

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. HENDERSON. Mr. Speaker, the Federal Trade Commission and the Public Health Service have again attacked their favorite whipping boy, tobacco.

Yesterday, the Commission recommended an end to all cigarette advertising on television and radio and a new label on cigarette packages to read: "Cigarette smoking is dangerous to health and may cause death from cancer and other diseases."

There is not a single shred of evidence to support this latest recommendation by the FTC which was not available in 1965 when Congress enacted the present labeling law. There still is no cause-and-effect-type proof that cigarette smoking is responsible for any disease.

Congress, in its wisdom, in 1965, concluded that a label stating simply: "Caution, cigarette smoking may be hazardous to your health," was sufficient warning and was the only language which could be justified in the face of tenuous statistical assumptions.

Every dietitian, physician, nurse, and anyone else with commonsense knows that obesity is a leading cause of early death, but the FTC does not propose to label high-calorie foods as health hazards. Why not prohibit beer commercials? Beer is not only alcoholic, but a high-calorie substance as well. And how about that little old winemaker? Automobiles kill more people than lung cancer even if a link between cigarette smoking and lung cancer were proven, which it is not. Why not label automobiles or prohibit their advertisement?

Does this sound asinine? Of course, but no more asinine than doing the same for cigarette smoking. Intelligent Americans certainly know the potential danger of autos, alcohol, overeating, and the ballyhoo over cigarette smoking. It is neither right nor necessary to treat cigarette smoking any differently from other practices engaged in by millions of Americans.

FOREIGN AID: IS IT MAKING US GO BROKE?

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. CURTIS. Mr. Speaker, in the light of the foreign aid bill, H.R. 15263, pending action before the House, I would like to call to the attention of my colleagues an article I wrote for the St. Louis Globe-Democrat, dated June 11, 1968.

I have insisted that trade should be the basis of our efforts to assist developing nations. The history of our foreign aid program records too many instances in which we have been making permanent charity cases of other countries rather than enabling them to pursue an independent and nonsubservient economic program.

Mr. Speaker, the text of the article follows:

THE AID THEORY IS EXCELLENT BUT THE APPLICATION (?)—CURTIS

(The purpose of foreign aid is to put nations on their economic feet, not keep them in perpetual welfare.—Representative THOMAS CURTIS)

(By U.S. Representative THOMAS B. CURTIS)

Foreign aid has a very definite and important part in our foreign policy. Spent wisely as part of properly planned and effectively administered programs, it can promote peace and world development. The theory of foreign aid is excellent. But the application of this theory has been justifiably questioned.

For example, it has been developed that we could spend $1.8 billion a year effectively in helping nations get on their economic feet. However, it has also been developed that the actual five to six billion dollars we have been spending per year has included ineffective expenditures, actually wasteful and damaging to the very objectives sought. We must constantly review our programs to see that they actually help developing countries get on their economic feet.

It has been demonstrated that far from getting nations on their economic feet, in many instances we have been making permanent charity cases out of them. Neither people or nations appreciate aid which keeps them in subservient dependence to the source. A key example is the growing recognition among leaders in India that our wheat program, sent in the guise of helping the starving people, has seldom reached the hungry and by selling far below market prices has discouraged the building of an agricultural system there.

Another example of misconceived aid is found in building steel mills in less-developed countries with American capital. Often these have proven to be an economic drain, not an economic asset. Although the initial investment capital is supplied through foreign aid, additional capital and skilled human resources both of which are in short supply are required from within the country to keep the mill going even when they might be more productively employed elsewhere. The mill becomes a source of pride to the country's government, perhaps, but does really little to provide a sound economic base for the well-being of the people.

We best move forward to help nations and undeveloped countries by example. We move forward to correct our own errors in our own social structure. To the extent that we recognize and correct social injustices here, we best encourage others to correct their errors. It is in this way we best maintain our prestige. Other nations and peoples are just like ourselves—they want to stand on their own feet as a self-sustaining country.

Second, we best move forward through programs of people to people as opposed to programs of government to government. This is particularly important where there are governments which do not represent the will of the people and which can exist in office only through misuse of our support which we send for the good of the country at large.

A third way to move ahead is through developing foreign trade. Trade should be the base upon which we rest our effort to assist developing countries. The phrase "trade not aid" is an oftstated principle of our foreign economic policy. But do we mean it? If trade not aid is to be more than a slogan we must let developing countries sell what they can produce and grant them access to the markets of the developed countries for these products.

The fourth way to move ahead is through loans as opposed to grants. If in developing trade and the market mechanism in underdeveloped countries there is a need for interim aid, let it be loaned not granted. Loans are more apt to be bottomed upon proper economic expenditure policy. If it is to be loans, let these loans be private rather than governmental. The expenditure of the private loans funds requires economic decisions directly subject to the discipline of the market place and only indirectly to the discipline of the political ballot box.

The fifth way is through grants. There are areas in which grants are the only way we can get the job done. If grants are to be used then they should be unrestricted grants not grants tied to U.S. domestic, political, or economic policy, U.S. balance of payments problems, or anything else.

Recently, more and more members of Congress are insisting that greater emphasis on private enterprise be put into our foreign aid programs by giving our private businesses a greater role to play. Here again, we can best aid others by making available our examples of success. Specific suggestions have included informing underdeveloped countries about the private enterprise system by means of lectures, fairs, seminars, literature and films. Second, arranging exchanges of personnel to promote understanding and develop techniques and know-how. Third, to establish schools within U.S. business and industrial enterprises which business leaders in underdeveloped countries can attend. Progress is being made in these areas.

It is clear that Congress has not been doing its proper job in the area of our aid programs. Namely, Congress must examine our foreign aid programs instead of being a rubber stamp for the President. We must bring out into the open many of the underlying causes of world poverty and in the process, identify the correct course of action to alleviate them. This is an affirmative policy . . . it is the way to set back international Communism. In so doing, it must be understood that our own future and that of all nations is served when we establish programs through private initiative and government where necessary which enable developing nations to build their own resources to an extent which permits them to live with dignity.

SBANE'S PROPOSALS FOR CONGRESSIONAL ACTION

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, yesterday I presented a portion of the Smaller Business Association of New England—SBANE—proposals for congressional action. SBANE is a private, nonprofit, nonpartisan association of small businessmen from New England which attempts to educate small businessmen in their common problems and to promote legislation favorable to small business. In the yearly SBANE proposals to the Congress, there were many recommendations which I should like to call to my colleagues' attention. Today, I would like to present two final proposals, the first dealing with problems of small business and organized labor, and the second dealing with existing hindrances to small business arising under the present systems of Federal and State taxation.

LABOR

1. ESTARLISH LABOR COURTS TO RESOLVE CRITICAL LABOR DISPUTES

Strikes against the public interest such as the frequent labor stoppages in the transportation field, are not only crippling to the economy, but indicate that present procedures for preventing such occurrences are outmoded and inadequate.

SBANE recommends that appropriate legislation be enacted to curtail the possibility of such strikes against the public interest, and that Federal Labor Courts be established, staffed by life tenure judges who are empowered, through legislation to settle such problems before they reach the strike stage.

2. REQUIRE SECRET BALLOT FOR UNION RECOGNITION

In the original statute creating NLRB procedures, Congress set forth the use of the secret ballot. Since that time, their intent has been ignored as evidenced by the number of cases in which the NLRB has held that employers must recognize and bargain with unions based only on employee signatures on union authorization cards. These signatures do not necessarily show the same results that would be obtained by use of a secret ballot.

It is the hope of many in small business that the use of secret ballots will be reestablished in all cases.

3. RETAIN SECTION 14(B) OF THE TAFT-HARTLEY ACT

As in the past, our members are strongly opposed to all attempts to repeal Section 14(b) of the Taft-Hartley Act. In the prolonged debate on right-to-work versus union security, we found no adequate justification for requiring any employee to join a union against his will in order to obtain or keep a job.

We know of no better statement of the fundamental reasons for keeping Section 14(b) than that of Justice Louis D. Brandeis when he said:

"The union attains success when it reaches the ideal condition, and the ideal condition for a union is to be strong and stable and yet to have in the trade outside its own ranks an appreciable number of men who are non-unionists. Such a nucleus of unorganized labor will check oppression by the union as the union checks oppression by the employer."

4. OPPOSE "COMMON SITUS PICKETING" BILL

SBANE is opposed to legislation entitled the "Common Situs Picketing" Bill which would permit a union in the construction industry to picket an entire construction project in furtherance of any dispute which it might have with one of the subcontractors at a project.

Secondary boycotts bring substantial harm to parties neutral to a labor dispute and were outlawed by the Congress in the Taft-Hartley Act and in the Landrum-Griffin Act of 1959. The proposed legislation would permit unrestricted picketing which would shut down an entire project over one dispute. This would not only be harmful to the general public, but small business contractors in particular.

We ask you to support our opposition to H.R. 100, the bill that would allow "Common Situs Picketing".

TAXATION

1. EXTEND CARRYOVER FOR NEW BUSINESSES

A business in operation for three or more years can apply the net operating loss from any given year to eight taxable years under the present carryback and carryover provisions of the Internal Revenue Code.

A new business cannot use this eight-year period because if there is a loss in the first year, and this is not unusual with a beginning business, there is no previous year to which the loss can be applied as a carryback. Instead, it is limited to the five-year carryover period in which to recoup losses as an offset against taxable income of other years.

To make the present law more equitable, we recommend all corporations have an opportunity to apply a given loss against the income of eight other taxable years by proposing:

(*a*) If a new corporation suffers a loss in its first year of existence, it would be entitled to an eight-year carryover period.

(*b*) If a new corporation suffers a loss in its second year of existence, it would be entitled to a one-year carryback and a seven-year carryover period.

(*c*) If a new corporation suffers a loss in the third year of its existence, it would be entitled to a two-year carryback period and a six-year carryover period.

(*d*) After the corporation has been in existence for three taxable years, the application of any loss arising thereafter would be pursuant to the present three-year carryback and five-year carryover provisions of the code.

This is not a new proposal. According to Business Week, (March 4, 1967), a blue-ribbon panel of big business executives recommended that "corporate losses should be allowed as a carry-over against profits for 10 years instead of only five . . ." They recognize, that especially in small companies, the first five years are usually without profits against which the tax credit could be applied.

A similar discrimination against new corporations is found in the three-year carryback and seven-year carryover of an unused Investment Credit. The established corporation has ten other taxable years to use this credit while a new corporation which has an unused credit in its first year has but seven years. Therefore, we also recommend similar extensions of the investment credit carryover period for new corporations.

2. SIMPLIFY STATE TAXATION OF INTERSTATE BUSINESS

Most small businesses begin interstate or multistate operations on a modest scale. In a short time, many have serious doubts that such an undertaking is worth the problems inherent in complying with the regulations of interstate taxation. Even in cases where the actual tax is relatively small—the cost of compliance and the uncertainty of determining the correct amount creates serious difficulties.

Once it is determined that a corporation's activity in a particular state is sufficient to entitle that state to collect a tax, the taxpayer is confronted with many technical accounting problems in order to determine the amount of the income or capital on which it must pay taxes to a state. These apportionment rules vary widely throughout the various states.

In order to illustrate the dilemma confronting small corporations, consider the case of Corporation M which does business in States A, B and C. In its accounting records, all of M's tangible property is segregated by locations. This is sufficient for determining its tangible property allocation required by State A, its home state, but when it attempts to determine its tangible property deemed to be located in States B and C, it has to resort to two new sets of rules. State B requires it to capitalize rentals it pays for sales office quarters while State C also requires it to capitalize rentals it pays for warehouse space, automobiles, etc.

While the tangible property in the various states presents a burdensome chore, it is not nearly so onerous as the problem confronting M when it attempts to determine its "gross receipts" assignable to the various states. State A requires M to determine its gross receipts from sales on an "office of solicitation" basis while State B requires a determination on a "destination of shipment" basis. In addition, State C requires a determination on a combination of the two methods.

It is not uncommon for the aggregate of the allocation factors for all states in which a corporation does business to add up to more than 100%. Accordingly, many corporations pay state taxes on more than their entire income or capital.

The dilemmas of multi-state corporations was first recognized by the Congress in 1959 when PL 86–272 was enacted. This law only defined what activities were necessary before the state was entitled to collect income taxes. It does not deal with taxes on capital or sales. At the time Congress enacted PL 86–272, it provided for an extensive study of the overall state taxation problem by the Judiciary Committee. That Committee has introduced H.R. 2158 and we believe that the Uniform Jurisdictional Standards proposed therein are a good starting point for boiling down the confusion that exists in the multi-state business area.

3. OPPOSE ACCELERATION OF ADVANCE TAX PAYMENTS AND LOWERING OF PRESENT EXEMPTION FROM ESTIMATED INCOME TAX PAYMENTS

When an employer's withholding taxes for his employees exceeds $2,500 a month, he must now pay and report these taxes twice a month. Prior to February 1 of last year, this requirement was only necessary if the withholding was $4,000 or more. There are indications that the Internal Revenue Service would like to further lower this requirement all the way down to $100 of withholding.

This move has imposed a serious, additional burden on the small business community by further draining the valuable resources of time and personnel to comply with government paperwork. Adding to the frustrations of small business, is that these recent changes have been allowed to occur despite the extensive hearings on "The Federal Paperwork Jungle" by the Committee on Post Office and Civil Service in 1964 which concluded that "paperwork controls, as currently administered by the Bureau of the Budget, are largely ineffective."

Another requirement which should be changed is that corporations whose income taxes exceed $100,000 must now make quarterly payments on that portion of the tax which exceeds $100,000. Once an advance payment is made, it is impossible for the taxpayer to receive a refund until the taxable year to which it is related is completed and its tax return showing a lesser amount of tax due for such year is filed. The filing starts the running of a ninety-day period during which the refund is made.

If the $100,000 exemption from estimated tax prepayment is decreased, many small businesses will be exposed to an undue and inequitable hardship. In order to prevent the imposition of a penalty for a substantial under-estimate, small business corporations would be required to take physical inventories quarterly or monthly and to revise their declarations quarterly in order to prevent the build-up of a pre-payment of taxes which might not be owed. Most small businesses must be operated on tighter cash flow requirements than are present in larger corporations.

Consider a small business corporation which has prepaid $20,000 of its estimated income taxes for 1967 in the first half of the year. Such pre-payments were based upon its actual tax liability for 1966. Unfortunately, however, it runs into a series of financial reverses during the latter half of 1967 and finds itself short of working capital in a year in which it is going to incur an operating loss. Not only does it not owe the $20,000 already paid in 1967, but it is entitled to a refund of prior years taxes due to the loss carryback provisions. During the latter half of 1967 and the early part of 1968, the period when it most needs the money to continue operating its business, it is unable to obtain a refund of tax money rightfully due it and may face severe credit restrictions by borrowing, if possible, such funds from other sources.

In order to prevent the imposition of this hardship on small business, we urge you to resist any lowering of the $100,000 advance payment exemption and oppose any legislation which would increase the present 70% pre-payment requirements. Also, we urge you to oppose any legislation which would accelerate the frequency of estimated tax prepayments.

4. CARRYBACK OR CARRYOVER OF SURTAX CREDITS

Our present tax structure penalizes small businesses when their earnings vary widely from year to year. Because their products and services normally are not well-diversified, their earnings are extremely susceptible to the ups and downs of the market place; they may exceed $25,000 one year and be nonexistent the next. Under the current provisions of the Internal Revenue Code, serious inequities are common.

As an example, let's take the case of two companies that we shall call Company "A" and Company "B". (Figure—32). In a four-year period, Company "A" earns $25,000 per year, so it pays only the normal tax of 22%. Its tax bill is $22,000 on total earnings of $100,000.

On the other hand, Company "B's" earnings vary from year to year. In 1965 and 1966, it pays the normal tax of 22%; but in 1967 it pays a 26% surtax on $5,000 and in 1968 pays a 26% surtax on $15,000. As a result, although the two companies' earnings are identical for the four-year, Company "B" is penalized by a tax inequity of $5,200.

PRESENT LAW

Calendar year	Earned	Company A normal tax (22 percent)	Earned	Company B normal tax (22 percent)	Surtax (26 percent)
1965	$25,000	$5,500	$10,000	$2,200	None
1966	25,000	5,500	20,000	4,400	None
1967	25,000	5,500	30,000	6,600	$1,300
1968	25,000	5,500	40,000	8,800	3,900
	100,000	22,000	100,000	22,000	5,200

Note: Tax inequity, $5,200.

PROPOSED LAW

Year	Company B surtax credit				
	Earned	Unused for year	Applied as carryover	Normal tax	Surtax
1965	$10,000	$15,000	($15,000)	$2,200	None
1966	20,000	5,000	(5,000)	4,400	None
1967	30,000		5,000	6,600	None
1968	40,000		15,000	8,800	None
	100,000		0	22,000	None

Note: Tax inequity, none.

In 1964, individuals were granted relief by the income averaging provisions. Companies as well as individuals, are subject to fluctuations in income from year to year. A method of income averaging would be both equitable and beneficial to them, particularly to small businesses and new firms. We propose that the Internal Revenue Code be amended to permit corporations to average unused surtax credits, through a carryback for three years and a carryover for five years or some other averaging technique which will eliminate the inequity illustrated.

Under the terms of our proposal, this is how Company "B" would compute its tax:

It would carryover $15,000 in unused surtax credits from 1965, and another $5,000 from 1966, for a total of $20,000. It would then use $5,000 of these carryover surtax credits in 1967, and would pay no surtax; $15,000 in surtax credits would be left to apply against earnings above $25,000 in 1968. As a result, it would pay normal taxes of only $22,000 for the four-year period thus incurring the same tax liability for the period as that incurred on the same aggregate income by Company "A".

CONCLUSION

This concludes our 1968 Washington Presentation. It was prepared by several committees spending months in studying major areas of interest and concern by small business. It is our sincere hope that you will find these proposals useful when considering legislation affecting small business.

We also ask your support in action on those bills to which we have made specific reference here today.

Thank you for your interest and support of small business.

CRIMINAL VIOLENCE: NO ALTERNATIVE TO PROGRESS

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. LEGGETT. Mr. Speaker, since the death of Martin Luther King, 2 months ago, the movement for civil rights has, unfortunately, transformed itself from a righteous cause to obtain equal opportunity for black and white to an amorphous broad-scale attack of alleged have-nots against established government.

Liberal Congressmen have been frustrated for years in efforts to accomplish many progressive objectives by the Southern and conservative Republican coalition to preserve the status quo. After the 1963 stalemate that ended only on the death of President Kennedy, the country made real progress in the 88th and 89th Congress. We passed civil rights, education, health, and hunger aid in abundance. Welfare programs were improved, as was housing and food stamp legislation. We pioneered a poverty program that, unfortunately, inflamed the dark-skinned and failed to catch the popular support of the whites. This, undoubtedly, is an understatement. The war persevered in an ineffective way, and as a result, the country rebelled against the leadership in the 1966 elections.

The effect of the 1966 liberal catastrophy was to enhance the Southern conservative Republican leadership of the Congress. The effect was to exacerbate our participation and mismanagement of the war effort, where today politics is in complete charge. Programs for the underprivileged in need of much reform, were not reformed so much as they were dissected in the current Congress.

The underprivileged rebelled in what I call a sort of no-nothing, ask for everything at the wrong time and in the wrong way, type of campaign, which today has all the earmarks of potential bloodshed.

It is possible to start at the bottom and unravel the abomination of history over the past 2 years, but it is going to take leadership. Walt Lippmann, who I am sure is as distressed as I am, points up, this week in Newsweek magazine, his views on maintaining the establishment so that order and justice will have a framework within which to operate:

ORDER AND JUSTICE

(By Walter Lippmann)

Violence is a vicious circle, breeding violence and feeding upon itself. Just because guns are so easy to get, many crimes are done with guns. And because there is so much criminal violence more and more people want to buy guns to protect themselves. If we are not careful, arguments about the responsibility for a crime and a description of the causes of the crime become circular and therefore futile.

Thus it is necessary to know all that it is possible to find out about why this criminal became a criminal. When we do know what we can know there will be much to reform in our own way of life. But what has to be done in the long run is not a reason for failing to deal with the suppression of violence now, for the failure to deal promptly, efficiently and justly with modern violence produces that feeling of insecurity and fear in which more violence is bred.

VITAL POINT

There is nothing more sinister in American life today than the fear of criminal violence which has become so prevalent among our people. This is the vital point from which we must start in order to restore confidence in our society. It will not be easy. We are, among the professedly advanced nations, by far the most violently disordered, and the demand for security and internal peace, which is rising rapidly, will quite often result in violence itself. We need to be ruled justly and firmly, and the ordinary politicians we turn out are not likely to be men who will be more just and more firm than the polls and the elections and the legislative majorities will allow them to be.

Our difficulty in finding just and firm rulers is that in the actual world, and especially in so disordered a world as ours, there is no time to be wholly just and there is not enough power to be sufficiently firm. This is sad, but on the whole, as history shows, men have always lived with tragedy. It is not for us, caught as we are in the vicissitudes of living, to pretend to absolute justice to act on the rule that if we know all we would forgive all. That may be true for the Eternal and the Omniscient but it is not possible for us. Long before we can know how to deal with the general causes of criminality we must deal with partial justice and some firmness in order to restore order, being primarily concerned to make people feel safer in their homes, in their shops, on their jobs and in the streets. For the first priority of our contemporary life is to break the vicious circle of violence.

ESSENTIAL FACT

We must also become clear in our minds about the relation between the restoration of confidence in security and the reform and the reconstruction of our society which are so undeniably necessary. The essential fact is that the great reforms take a long time. But escalating violence is quickly intolerable. The violence has to be dealt with first, and we are lost in our confusion if we accept violence as normal because we are fascinated and concerned about the deeper and greater causes of the disorders. Most probably, for example, one of the many contributing causes to our trouble is the permissiveness of family life and of education. But changing the permissiveness of our era is like trying to change the climate of our continent instead of putting a roof over our heads and finding a stove to keep us warm. And if we look deeply enough, we shall probably find that permissiveness itself has causes in the evolution and the progress of our era.

And so I would say to my fellow liberals: do not shirk the imperative priority of the restoration of security in a time of violence. Do not leave the task of dealing with violence to those who do not believe in the liberal and compassionate reforms of our society. For as violence mounts, the restoration of order becomes the first necessity of a civilization.

GROW UP AND GO HOME

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. DULSKI. Mr. Speaker, WGR-TV, channel 2 in Buffalo, N.Y., aired an editorial again this summer at the request of thousands of listeners. Following is the text:

JOIN THE HUMAN RACE—YOU MIGHT EVEN LIKE IT

At the request of a concerned parent, we are pleased to present an editorial comment again as we move into summer, which addresses itself to an internal problem, and which quotes the words of Denver Juvenile Court Judge, Philip B. Gillam:

"Always we hear the plaintive cry of a teenager: 'What can we do? Where can we go?' The answer is: Go Home!

"Hang the screens, paint the woodwork, rake the leaves, mow the lawn, wash the car, learn to cook, scrub some floors, repair the sink, build a boat, get a job. Help the minister or priest or rabbi, the Red Cross, The Salvation Army, visit the sick, assist the poor, study your lessons . . . and when you are through . . . and not too tired . . . read a book.

"Your parents do not owe you entertainment. Your city or village does not owe you recreational facilities. The world does not owe you a living. You owe the world something. You owe it your time and energy and your talents so that no one will be at war, in poverty, or sick, or lonely again.

"In plain, simple words: Grow Up! Quit being a cry-baby. Get out of your dream world and develop a backbone, not a wishbone, and start acting like a man or lady.

"You're supposed to be mature enough to accept some of the responsibilities your parents have carried for years. They have nursed, protected, helped, appealed, begged, excused, tolerated and denied themselves needed comforts so that you could have every benefit. You have no right to expect them to bow to every whim and fancy. In heaven's name, grow up and go home!"

FLEXIBLE RESPONSE—AN UNCERTAIN TRUMPET

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. BRAY. Mr. Speaker, it is both intriguing and helpful to speculate on what some of the country's great statesmen of the past would have done if and when they were to be confronted with the problems we have today. John Foster Dulles was one of our all-time great Secretaries of State and his advice and counsel is sorely missed.

What would Dulles have done about the Vietnam situation? The following article, written for the American Security Council's Washington Report of May 27, 1968, tells the story. The author, Mr. Louis Jefferson, a congressional staff member and foreign affairs writer, is eminently well qualified, as he spent over 4 years and traveled some 300,000 miles as Personal Security Officer to the late Secretary Dulles. The article follows:

FLEXIBLE RESPONSE—AN UNCERTAIN TRUMPET

(By Louis Jefferson, guest editor)

"For if the trumpet give an uncertain sound, who shall prepare himself to the battle?"—I Corinthians 14: 8.

On to Paris and peace is the rallying cry of many and the hope of most Americans as the Vietnam "peace negotiations" get underway. A floor on which the peace table can rest has finally been found and, under the not always so benevolent eye of General de Gaulle, the procedural wrangling—preliminary to any negotiation with Communists—has commenced in the venerable old Majestic Hotel. Meanwhile the rice paddies of Vietnam continue to be watered with American blood, and Messrs. Harriman and Vance might be well advised to pause a moment in the Paris sunshine and examine how we went over the brink in that unfortunate land in the first place.

American negotiators these days are far too reminiscent of the Arab in his interminable trek from nowhere to nowhere, whereas Communist negotiators are always going somewhere—however long and tedious the journey.

In the present instance of Vietnam, the men from Hanoi, judging from opening statements, have arrived in Paris to win at the peace table what they have thus far been unable to win elsewhere. But what of the United States? What besides a peace clothed in fine rhetoric, which is no real peace at all, are we aiming for? The uncertain trumpet of the strange doctrine of "flexible response" which, during the Kennedy-Johnson years, has led us from a minor military commitment to a major war, has already been sounded in Paris. And the faults in our foreign policy which have brought us to our present battlefield dilemma in Vietnam could raise even greater problems at the negotiating table.

This whole question of how we happened to go over the Vietnam brink in the sixties, rather than in the so-called "brinkmanship" years of the fifties, came to my mind recently when a friend asked:

"Lou, what would your old chief, John Foster Dulles, have done with this Vietnam mess—it's become a major war?

My instant and instinctive reply was: "If he had been around, it never would have happened."

The same might be said of the Berlin Wall, and perhaps of the recent Pueblo affair.

Why?

Because Dulles would have been prepared to move swiftly and in force, and the Communists believed in his will to do so. He felt, and said time and again, that the best way to keep peace was to be willing to fight, and he despised communism to such a degree that his very convictions gave him credibility.

After the 1955 Geneva Summit with the Soviets, Dulles told me: "We didn't lose anything. They know we are willing to talk—but they also know we still have our *will to act* if necessary." With Dulles that was the heart of the matter.

As to Vietnam, unlike some of his predecessors, Dulles was fascinated by both the potential and the dangers of Asia. He believed that "Asia will be the battleground with communism in the years ahead," and frequently remarked that "for the Soviets the road to Paris has always run that way." At his death in 1959, he felt that we were holding the line in Asia. Alliances were intact, and positions of strength were being built—not on American military power alone, but on her will to use that power.

Total militarization of our Vietnam involvement, which, in 1960, six years after Dienbienphu, consisted of less than 700 military advisers, did not start with Eisenhower and Dulles. Nor did it really start in 1961 when President Kennedy found it necessary to up our troop ante in Vietnam to over 10,000, and commit them to combat. It started in 1960 when the new Kennedy-Johnson Administration arrived on the scene with its doctrine of flexible response to Communist aggression, and a concomitant disavowal of the harsh talking but credible Dulles with his policy of deterrence by inspiring belief in your will to act with whatever force necessary. Faced with what they conceived to be the impotence of absolute power, the New Frontiersmen flinched. Adoption of flexible response was one result.

Flexible response furnished a screen for no response. At best it seemed to be a license for indecision. Kremlin strategists were quick to grasp this, and to test it. Indeed, the intense and much publicized interest of key Kennedy advisers such as Maxwell Taylor and Walt Rostow—not to speak of Defense Secretary McNamara—in guerrilla warfare as the ultimate in flexibility combined with the down-grading of Dulles, signaled to the Communists a willingness to meet them on a favorite battleground. Vietnam filled the bill.

A month after Kennedy's election the National Liberation Front was formed. Shortly after his inauguration Radio Hanoi publically recognized it. In 1961, the first American soldier was killed in open combat.

Further, specific events such as the Bay of Pigs gave the Communists cause, with their integrated view of world conflict, to question our resolution everywhere. And, talk of detente with a Communist conspriacy—however fractured—still bent on our destruction could only inspire skepticism about our willingness to face hard challenges and stand the road.

Dulles had understood that truth to the Communists is merely a bourgeois inhibition, that the old system of trust in diplomacy was dead. His successors apparently did not.

Then there were President Johnson's election year denunciations of Senator Goldwater for his advocacy of firmer action in Vietnam, followed almost immediately by a Johnson jump in the "flexible" spectrum—a massive infusion of military personnel with limited and unclear objectives. This was hardly a contribution to Communist confidence in U.S. credibility.

Indeed, by 1965, when President Johnson, the election over, finally concluded that we were in trouble in Vietnam—that guerrilla warfare, strategic hamlets, and the like just weren't doing the job—flexible response in Communist eyes had become little more than a cloak for cowardice. The hard-won credibility of the Dulles years had been eroded away, and we were left tied to a land war in Asia—against which Dulles had counseled—and saddled with a policy of flexible response which seemed only to result in raids by Vietcong to which we responded with regiments of Americans, followed by more raids, followed by more regiments, and on and on.

The Pueblo incident gave a dramatic illustration of just how flexible our response has become. U.S. aircraft were not sent to protect the Pueblo because, according to one report, the jet fighter-bombers closest to the scene carried only nuclear pay loads. So, we lacked not only the credibility of purpose to prevent such an attack in the first place, but also the ability as well as the will to respond meaningfully after the attack.

Looking back, I find myself wryly, if somewhat sadly, amused at the horror with which some in power today regarded Dulles for his "inflexibility."

Leaving a Senate Foreign Relations Committee hearing on Red Chinese attempts to take the off-shore islands of Quemoy and Matsu away from the Formosa-based Nationalist Chinese of Chiang Kai-shek, Dulles told me: "We faced down the Red Chinese again," and, peering at me through those heavy, silver rimmed spectacles, added, "Some of those fellows in there call me inflexible, but that's what's saving those islands."

Dulles' "inflexibility" was more of purpose than power. But he never lost sight of the relation between the two. One foggy London night, in a fine house with the feel of weathered mahogany and silver and port wine all about us, Dulles exploded on the subject of the then British Prime Minister, the elegant Sir Anthony Eden, saying: "He thinks of compromises when there are no compromises, of deals when there are no deals. But then, he has little power left to command. That is not the case with us, and if we thought like he does, we might end up having to use it."

I watched him "face down" the Communists time after time on the off-shore islands issue, and practically lived with him during the tense time of the Lebanon landings. His "inflexibility" kept, to use the melancholy jargon of our age, the apocalyptic nuclear confrontation at one remove—and American soldiers out of combat.

A night in Alaska when we learned that the Communists had made Quemoy and Matsu a personal matter between themselves and Dulles stands out in my memory.

We were flying over the North Pole in a Jet Tanker, enroute to Formosa from the final rites in Rome for Pope Pius XII. During a fueling stop at an Air Force base near Fairbanks, Dulles got word that the Red Chinese had *just* resumed bombardment of the islands. Soviet MIGS had simultaneously appeared over the Bering Straight—near our projected flight pattern.

Surrounded by the anonymous furnishings of an Air Force VIP suite, Dulles, after some thought, and a bowl of salted peanuts, decided that he should call President Eisenhower. There was no question of his going on—he knew he had to. But he felt that he should advise the Preident of the renewed bombardment, and perhaps issue a statement.

It was then about two in the morning Alaska time. President Eisenhower was in Denver where it was five the same morning.

The Air Force put the call through to Denver and, with a Secret Service Agent on the other end, Dulles took the phone, saying "Hello, hello, . . . yes, this is Secretary Dulles . . . Dulles! Secretary Dulles . . . That's right, Dulles, yes, I'd like to speak with the President . . . Yes, that's right, the President . . . Yes, you'd better wake him up . . . Yes, I said wake him up . . . Thank you . . . Hello, Mr. President, this is Foster . . . I'm in Alaska . . . Alaska! (laughter) . . . Yes, it's pretty cold; how are you? . . . Good! You know I'm flying on to Formosa to see Chiang, but I've just learned that the Red Chinese have just started firing at the off-shore islands again, apparently in my honor . . . Yes, I feel that I should go on, no question about it . . . Yes definitely, I must—but I've got a statement here . . . Yes, I'd like to read it to you . . ."

We went on with MIGs buzzing around us, but without mishap.

Governed by the doctrine of flexible response, a similar conversation between Dean Rusk and President Johnson migh well wind up something like this: "Yes, Mr. President, I could, of course, go right on to Formosa, but, even though we can't, of course back down in the face of this obvious provocation, an all-out response, an over-reaction on our part, could well be dangerous and perhaps even unwarranted . . . Yes, that's right, we have a number of options and we must stay loose, be flexible . . . Yes, we *could* fly Chiang to Alaska, but I feel that *some* personal demonstration on my part is a necessary component in our response, so I propose to stay here for 24 hours, issue a press release saying I won't be bullied but on the other hand that we want to be conciliatory and consider our options, and then, after 24 hours, I could issue another press release and fly on to Hawaii and meet with Chiang there—announcing my intentions beforehand, of course . . . Yes, that seems to me to be the balanced approach—after all, they obviously feel strongly about this, and we must give them some room for movement too . . . Yes, I have the first press release right here . . ."

If we negotiate in Paris with a "flexibility" which amounts to fear of standing fast for the principles and people for which over 24,000 Americans have sacrificed their lives, more concerned as some Administration spokesmen might put it, with the "other fella's interest" than our own, we shall surely lose all that we and our South Vietnamese allies have fought for, and the final nail will have been driven into the coffin of American credibility.

The Red road to Paris will be clear, and it will lead considerably farther than the Majestic Hotel.

FIREARMS CONTROL

HON. WAYNE N. ASPINALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. ASPINALL. Mr. Speaker, among the many letters that I have received on the subject of gun-control legislation, there have been a number of constituents who have been able to spend a little extra time in developing the position which they hold. An example of that kind of letter is the one written to me by Mr. David Wood, Jr., of Montrose, Colo., who suggests that a study commission, made up of the public and private sector, be appointed to examine and make recommendations concerning firearms control legislation. The letter follows:

JUNE 26, 1968.

Hon. WAYNE N. ASPINALL,
House of Representatives,
Washington, D.C.

DEAR MR. ASPINALL: I have delayed writing to you concerning gun control until I could come up with something constructive.

Helen and I are gun collectors. I have used guns as tools all my life, first as a farmer and rancher, then as a law enforcement officer and, after retirement, as a sportsman. We would not object to any gun-control measure that gave any promise of effectiveness in reducing crime. I can see no such potential in any of the measures so far proposed. Rather, it appears to me that much of the clamor for gun control stems from the desire of honest people to see crime controlled and they simply do not know what else to suggest.

One thing that the United States does not need at this time is an unpopular, unworkable and, in all probability, an unenforceable firearms-control law. National prohibition was a good example of what such a law can do to break down respect for all law and order. I went through that era as a law-enforcement officer in the Indian Service.

The Congress has passed and the President has signed the Anti-Crime Act curtailing the sale of hand guns. I would suggest that before any more Federal gun-control laws are passed that the Congress authorize the appointment of a commission to study the specific problem of firearms control and make specific recommendations for appropriate legislation. Such a commission should be non-partisan. It should be non-salaried, but should be amply funded to provide for staff, travel, and other necessary expenses. It should report to Congress not later than July 1, 1969. I would suggest that the membership be approximately as follows:

Three Senators and three House Members.

The Director of the Federal Bureau of Investigation and top officials from two other law-enforcement organizations—perhaps a Chief of Police from a large city and a Sheriff from a western State.

One official of the National Rifle Association.

Two representatives from the firearms manufacturing industry.

Six private citizens, including representatives from each of the three principal minority groups (Negroes, Indians and Spanish-Americans), and perhaps one recognized gun collector.

I hope that the action I have suggested could accomplish a realistic solution, without the taint of hysteria, emotion or political motivation.

Sincerely,

DAVID WOOD, Jr.

MONTROSE, COLO.

"HARD-CORE" UNEMPLOYED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. RARICK. Mr. Speaker, typical of the reaction from many sources of employment to the overpublicized "hard-core" unemployed situation is a recent letter from a Baton Rouge employer, who lives in the district I represent.

Perhaps the "hard-core" unemployed are "hard-core" hidden. How can there be alleged starvation and malnutrition where employment opportunities go unanswered?

Surely our people are not so overly brainwashed by unkept promises that they would starve before they would go to work?

I include a letter of Mr. T. W. Anthony of Schuylkill Products Co., P.O. Box 73916, Baton Rouge, and a copy of their employment advertisement as follow:

SCHUYLKILL PRODUCTS CO., INC.,
Baton Rouge, La., June 24, 1968.

Hon. JOHN R. RARICK,
House of Representatives,
Washington, D.C.

DEAR SIR: There has been much written and broadcast in recent months about the so-called "hard core" unemployed. Louisiana, of course, is one of those states frequently mentioned as suffering from this malady.

It has been our experience that there is no such unemployed—or, at least if there is—they do not want to work. We have, for the past few years, continuously advertised in various parishes surrounding East Baton Rouge, and even in southwest Mississippi, for labor. Enclosed is a typical ad used in this search—this particular one is from *The Woodville* (Miss.) *Republican*. Similar ads have been placed in newspapers at Baker, Zachary, Port Allen, Plaquemine, New Roads and Clinton. In addition to placing these ads, we also registered with the local Division of Employment Security.

Congressman Rarick, our results to say the least, have been extremely disappointing, not only because of the relatively small quantity and generally low quality of respondents but also because of the tremendous turnover caused, as near as we can determine, by a complete lack of desire for permanent employment. This is, of course, very expensive, as well as hard on plant operations, morale and motivation.

We realize that you cannot offer us any assistance in this matter, but we feel that you would like to know the results of the efforts of one of your constituents in its attempt to help with the "War on Poverty" and alleviate the tremendous drain of money caused by Welfare Programs, while at the same time providing itself with sorely needed labor.

Yours very truly,

T. W. ANTHONY,
Vice President and Plant Manager.

Laborers Wanted. Rain or Shine, 40 Hours Per Week Minimum. Time and a half for overtime. We furnish and launder work clothes. Free Hospitalization, Retirement Plan, and other Fringe Benefits. No Education Needed. $1.60 Per Hour to Start. Equal Opportunity Employment.

Apply at Schuylkill Products Co., Brooklawn Drive off Scenic Highway, Baton Rouge, La. Phone 775-3040.

THE VOTE FOR 18-YEAR-OLDS

HON. EDNA F. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mrs. KELLY. Mr. Speaker, on June 27, 1968, President Johnson proposed a constitutional amendment to lower the voting age to 18 years. At that time, he stated:

> Reason does not permit us to ignore any longer the reality that 18-year-old Americans are prepared—by education, by experience, by exposure to public affairs of their own land and all the world—to assume and exercise the privilege of voting.

Mr. Speaker, earlier this year, I introduced House Joint Resolution 1137, "proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older." This resolution was referred to the Committee on the Judiciary. However, that committee has neither held, nor scheduled any hearings on my bill or on similar legislation. My question, Mr. Speaker, is why has the Committee on the Judiciary waited so long before having action on this legislation? In the meantime, the other body has taken the lead and had hearings, at which they were able to afford those in favor and those opposed the opportunity to present their views.

For as long as I have served in this House, I have continuously supported legislation to remove discrimination regarding race, religion, sex, and national origin. Only last year, a bill which I had sponsored, the Age Discrimination Act of 1967, which prohibits discriminatory practices against workers between the ages of 40 and 65, was signed into law by President Johnson.

Age has never been the sign of maturity, and some of our country's most outstanding leaders have been young in age but mature in the sense of their responsibilities to themselves, their families and their Nation. Therefore, I applaud President Johnson's very recent message to this Congress in which he asked the Congress to extend the franchise in National, State, and local elections to more than 10 million citizens between the ages of 18 and 21. I believe, Mr. Speaker, the more people we can involve in a personal way in our great electoral process, the more fortunate our Government and country will be. Therefore, I urge that the chairman of the House Committee on the Judiciary schedule early hearings, so that this body may have an opportunity to vote on this measure before this Congress adjourns.

WHAT MY COUNTRY MEANS TO ME

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. FULTON of Tennessee. Mr. Speaker, nothing is more refreshing in these days and during these times than the clear and patriotic voice of youth. When we are constantly reminded that the shortcomings and failures of young America today, a picture which is presented in great distortion, we are negligent if we do not fail to give these voices the attention which they deserve.

The spokesman for these young people is a Mr. Frank Rudy, Jr., a 12-year-old member of one of the 4–H Clubs of Metropolitan Nashville-Davidson County.

Recently, young Mr. Rudy received first place for his essay on "What My Country Means to Me," which was presented before the 4–H Club meeting held at the Pennington Bend Club House on February 20 of this year.

Mr. Speaker, this is a very plain and simple but heartfelt statement by this young man for which under unanimous consent I submit for inclusion in the RECORD at this point and commend it to the consideration of my colleagues:

WHAT MY COUNTRY MEANS TO ME

(By Frank Rudy, Jr., presented before the 4–H Club meeting held in the Pennington Bend club house, February 20, 1968)

Ladies, gentlemen, and fellow 4–H members: I would like to tell you what my country means to me. As I have studied the history of my country, I have learned why the first settlers came to America. They wanted to find freedom that they didn't have in their homeland. They wanted to worship God as they wished. They wanted a country where they could have a part in their government.

Even though it has been many years since the first settlers came, we are still enjoying the freedoms they fought for. Many Americans have given their lives for the freedom that we now have in America.

In America I have the opportunity to go to school regardless of how much money I have. All I need is a sound mind. But in other countries, you have to pay a certain sum of money for a subject you take and some don't even have the right to go to school.

In America, I have the right to get up on a Sunday morning and go to the church of my choice. I can participate in church activities or just sit and listen to God's word. I am not required to pay to go to church, but I realize I should tithe.

In America we have the privilege to select a person as president, it may be man or woman because both have equal rights. We can cast a vote for anyone in the running of a political race.

In some countries, if a man says something that displeases his leaders, they may have him executed or put in prison. But in America, we have the freedom of speech; we can say what we want—when we want.

We can do the type of work we want. Every man has equal rights to make a success of his life. But in other countries, you are assigned a job to do. A poor man can never be anything but a poor man.

Although I am a young boy, I have a great responsibility to my country. I must honor my flag. Many men have died fighting for our flag and we should fly it. But very few people do. My aunt, who lives across the street, flys her flag every day. She puts it up as soon as she gets up and takes it down before dark. I think other should follow this this example.

We should fight for our country, whether we are asked or not. We shouldn't wait for a draft notice, and above all, not burn it; because it is an honor to fight for a country like America.

If we are not careful, we will lose this wonderful freedom. My country means very much to me and I am proud to be called an American!

VIEWS ON CONDITIONS IN THE UNITED STATES

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. WHITENER. Mr. Speaker, Chief Justice R. Hunt Parker, of the Supreme Court of North Carolina, in an address at the convention of the North Carolina Bar Association on June 19, 1968, set forth in an excellent manner his views on conditions in the United States today. At my request Justice Parker furnished a copy of his address.

It is my judgment that the views expressed by the distinguished North Carolinian should be read by all of our colleagues and by other Americans who read the pages of the CONGRESSIONAL RECORD. I, therefore, include Justice Parker's address at this point in the RECORD:

ADDRESS OF CHIEF JUSTICE R. HUNT PARKER, OF THE SUPREME COURT OF NORTH CAROLINA, BEFORE THE NORTH CAROLINA BAR ASSOCIATION, MYRTLE BEACH, S.C., JUNE 19, 1968

The world is traveling under formidable omens into a new era, an era no man can foresee, no man foretell. France, suddenly torn apart by Communist-led unions and student strikes who have raised the black flag of anarchy and the red flag of revolution, is verging on anarchy and civil war. If General de Gaulle is overthrown, the Communists will come into power and they will take over the eight billion dollars in gold reserves belonging to the French government. If that happens it is almost certain that Italy will become engulfed in Communism, and Spain will be in danger of serious civil disorders. Germany is divided. Britain is accepting the role of a third grade power. Japan shies away from any responsibility other than making money. Soviet Russia is stirring up trouble all over the world. A united Europe is but a dream. We are engaged in a bloody war in Vietnam.

This country is undergoing more crime and violence than ever before in our history. I quote from an article in the Wall Street Journal of June 12, 1968 about conditions in the Nation's Capital: "Gangs of teen-age delinquents demanding protection payments from local merchants; a rash of arson attempts; shopkeepers shot and killed during brazen daylight holdups; insurance cancellations throughout much of the central-city ghetto; mounting fear of trouble as the Poor People's Campaign plans a mass demonstration of public support here on June 19." Racial tension permeates the country. We see the flower children, alias hippies and beatniks, a small minority in this Nation, creating disorder and turmoil, and trying to take over our universities and colleges. When Senator Eugene McCarthy attempted to speak at the University of California at Berkeley, he was interrupted and heckled to such a degree by "peace" and "freedom" representatives in the audience that his meeting was very unsatisfactory to the majority who had a right to hear Senator McCarthy speak.

When the late Senator Robert F. Kennedy spoke at the University of San Francisco, a Catholic institution, he was heckled so vigorously that he had to give up his speech and start answering questions that were thrown at him. Dr. Max Rafferty, Republican candidate for the Senate from California, having unseated Senator Kuchel in the recent primary, had this to say about the hippies and beatniks in California:

"The worst of our youngsters (are) growing up to become booted, sideburned, duck-tailed, unwashed, leather-jacketed slobs whose favorite sport is ravaging little girls and stomping polio victims to death; the best of our youth (are) coming into maturity for all the world like young people fresh from a dizzying roller-coaster ride with everything blurred, nothing clear, with no positive standards, with everything in doubt."

In the rioting that went on in Washington following the assassination of Dr. Martin Luther King, millions of people all over the United States saw on television hundreds of soldiers and policemen, rifles and billy clubs in hands, standing by idle while the most expensive stores in Washington City were being broken into and entered and the looters were carrying outside and away expensive furs, clothes, and jewelry, and the Federal government from the President of the United States to Ramsey Clark, the Attorney General, did not lift their hands to prevent this looting. Federal troops and police were told to disregard looting and destruction of property in order to save human lives.

The same Wall Street Journal mentioned above states that in the recent riots in Washington three hundred homes and a thousand businesses were damaged or destroyed, and the cost of reconstruction could total one hundred million dollars.

What on earth are young people to think except that this is something you can get away with whenever you want to. That was pure anarchy. As Plato pointed out more than two thousand years ago, when liberty and license are carried to the point of anarchy, it is always brought to heel by tyranny and dictatorship. That means the end of order and liberty as we know it. As Reinhold Neibuhr, the noted theologian, pointed out long ago, the "liberal" temperament, which believes that you can solve everything by good will and right reasoning, is unable to cope with situations where force is involved. Certainly, such instances as we have stated above on a broad scale are the road to anarchy, to the complete ruin of everything human society seeks for itself in the way of justice and order. We simply cannot live as human beings in a world that is helpless to deal with disorders of this kind.

David Lawrence, the noted writer, had an article a few days ago entitled "Terror Over Washington." It is common knowledge that conditions in the Capital City have become so dangerous that women are in danger of being raped and murdered if they appear on the streets at night and that men who go on the streets at night go armed. It is a generally known fact that tourists are staying away from the Nation's Capital because they think it is unsafe to go there because of the crime and lawlessness in the Nation's Capital. A serious question is raised: Can civilization as we know it survive in this kind of situation for long unless law and order are enforced?

The Nation is witnessing the so-called "Poor People's March to Washington" and camping on government property. When the Poor People's March spent the night in Greensboro, I am informed that people seeking to employ labor were there and talked to some of the able-bodied Negroes and offered employment at the rate of two dollars an hour. None accepted. They said the Federal government would take care of them. The leaders of the Poor People's March, as reported in the papers, have threatened to disrupt the proceedings of Congress until they receive what they demand. In the face of those threats to Congress, the President of the United States and the Attorney General, so far as I know, have not raised a finger. Holmes Alexander, a writer whose articles are syndicated all over the country in the papers, wrote that the morning after Senator Robert F. Kennedy was shot: "It was also the morning after three men, self-identified as Poor People, had killed two white Marine Corps officers, wounded a white girl, in a Georgetown, D.C. restaurant."

People engaged in rioting and disorder, looting and arson, are encouraged by those who piously preach nonviolence, but by incendiary words, sow the wind that reaps the whirlwind which fans the flame of lawlessness and disorder and mass destruction of property rights which we have witnessed in the great Northern cities.

One of the gravest problems affecting the United States today is the ascendancy of the criminal with the help of the institutions to which the public look for protection. Under our present United States Supreme Court decisions, it seems to many judges and lawyers, including myself, that the search for truth is not the primary objective. Rather the principal concern in recent years has been the protection of the criminal suspect. As pointed out last year by the President's Crime Commission, which included among its members the Virginia attorney, the Honorable Lewis F. Powell, Jr., a former President of the American Bar Association, some of the evidence banned by recent Supreme Court decisions may be the most relevant, the most truthful, the most reliable that could be obtained.

To the Supreme Court of the United States the basic question has not been guilt or innocence, but whether technical requirements to protect the accused against self-incrimination have been complied with. What is happening—with the acquiescence of the people and their legislative representatives—is that step by step, one legal technicality after another are being brought forth to surround the criminal with protections never conceived by the originators of our basic system of justice. Where will it end? How many more innocent people will fall victims to criminals who themselves go scot-free before society wakes up to the dangerous unbalance of the scales of justice. In the President's Crime Commission report of last year it was said:

"There is a serious question, now being increasingly posed by jurists and scholars, whether some of these rights have been interpreted and enlarged by court decisions to the point where they now seriously affect the delicate balance between the rights of the individual and those of society. Or, putting the question differently, whether the scales have tilted in favor of the accused and against law enforcement and the public further than the best interests of the country permits. We know of no other system of criminal justice which subjects law enforcement to limitations as severe and rigid as those we have discussed."

Many judges and lawyers, including myself, believe a great deal of the lawlessness and crime in this country today is caused by some unfortunate decisions which a sharply divided Supreme Court of the United States has rendered. Conspicuous cases of self-confessed rapists and murderers turned loose upon the public are the cases of Mallory v. United States, 354 U.S. 449, and Miranda v. United States, 384 U.S. 436. Distinguished legal giants have sat upon the Supreme Court of the United States. They are gone. A new day has arrived. Recent decisions of the Supreme Court of the United States have expanded the purposes of the writ of habeas corpus and the writ for post-conviction review to unreasonable lengths. By means of those writs, years after the original trial a defendant can bring up new points never mentioned in the record of his original trial and obtain a new trial. For instance, the case of S. V. Crawford. Crawford, an escaped Negro convict, was convicted of murder in the first degree for having raped and choked to death an eight-year-old Negro girl. The Supreme Court affirmed his conviction November 27, 1963, 260 N.C. 548.

Five years after he was tried he was awarded a new trial by the Fourth Circuit Court of Appeals upon a point never presented in the original record. To reach that decision that Court refused to follow the decisions in 35 states and three Circuit Courts. There is now no finality to criminal cases until a defendant serves his sentence or dies. As long as he lives, he can file petitions for a writ of habeas corpus and for post-conviction review. It is becoming usual after a court-appointed lawyer has exhausted all efforts to obtain a new trial to receive as his thanks from his indigent client a charge in a State or Federal court that his lawyer was ignorant and incompetent. In most of all these cases the charge is absurd. The result is that the lawyer is placed on trial instead of the defendant. I know of nothing that creates more disrespect for law and order and contempt for its administration. I receive frequently letters from prisoners seeking a writ of habeas corpus or post-conviction review asserting that their lawyer was ignorant and incompetent, and also that the judge who tried them was biased, prejudiced, and ignorant.

I wonder what the Supreme Court of the United States would say if an indigent filed such an accusation against them in their Court. Another thing which in my opinion creates disrespect for law and order is to permit a United States District Court to overrule the Supreme Court of the State. As most of us know, a large number of the United States District Judges are appointed by senators to pay a political debt or to procure future political support with scant regard for their professional qualifications. To permit such a judge to overrule the Supreme Court of a state like New York or California with over sixteen and a half million people does not tend to create respect for law and order.

In *Miranda* v. *Arizona*, 384 U.S. 436, the Court in an opinion written by Chief Justice Warren and expressing the views of five members of the Court held that as a constitutional prerequisite to the admission of statements by a defendant the suspect must, in the absence of a clear, intelligent waiver of the constitutional rights involved, be warned prior to questioning that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the presence of an attorney, either retained or appointed.

Mr. Justice Harlan, with whom Mr. Justice Stewart and Mr. Justice White joined, said in a dissenting opinion: "I believe the decision of the Court represents poor constitutional law and entails harmful consequences for the country at large. How serious these consequences may prove to be only time can tell. . . . How much harm this decision will inflict on law enforcement cannot fairly be predicted with accuracy." Mr. Justice White in a dissenting opinion, with whom Mr. Justice Stewart and Mr. Justice Harlan joined, said "The rule announced today will measurably weaken the ability of the criminal law to perform these tasks. It is a deliberate calculus to prevent interrogations, to reduce the incidence of confessions and pleas of guilty and to increase the number of trials. . . . There is, in my view, every reason to believe that a good many criminal defendants who otherwise would have been convicted on what this Court has previously thought to be the most satisfactory kind of evidence will now, under this new version of the Fifth Amendment, either not be tried at all or will be acquitted if the State's evidence, minus the confession, is put to the test of litigation.

"I have no desire whatsoever to share the responsibility for any such impact on the present criminal process. In some unknown number of cases the Court's rule will return a killer, a rapist or other criminal to the streets and to the environment which produced him, to repeat his crime whenever it pleases him. As a consequence, there will not be a gain, but a loss, in human dignity. The real concern is not the unfortunate consequence of this new decision on the criminal law as an abstract, disembodied series of authoritative proscriptions, but the impact on those who rely on the public authority for protection and who without it can only engage in violent self-help with guns, knives and the help of their neighbors similarly inclined. There is, of course, a saving factor: the next victims are uncertain, unnamed and unrepresented in this case."

Mr. Justice Clark dissenting, said: "Moreover, the examples of police brutality mentioned by the Court are rare exceptions to the thousands of cases that appear every year in the law reports. The police agencies—all the way from municipal and state forces to the federal bureaus—are responsible for law enforcement and public safety in this country. I am proud of their efforts, which in my view are not fairly characterized by the Court's opinion."

In my opinion, another major cause of the crime and lawlessness in this country today is the work of the Communist Party. Some of us who have studied Communism have attempted to awaken our people to the danger and menace of this world-wide revolutionary movement, which from the writings, the speeches, and the activities of its leaders is, beyond the peradventure of a reasonable doubt, the avowed mortal enemy of the United States.

It is at long last recognized in this country, first by the people and finally by some of its political leaders, some union leaders and some courts, that the major policy and goal of the Communist Party is to undermine, overthrow and destroy our Government by sabotage, force and violence. However, it is not as clearly realized that the plans, the policies and the tactics by which the Communists attempt to achieve their great goal is to promote assaults and fighting, to instigate strikes and labor disputes, to cause riots, to arouse class, creed and color passions, and to oppose by every means including force, the police and other agents and employees of local, state and national government while, among other things, charging police brutality. Many patriotic Americans still remain naive and blind to the practices of and the methods employed by the communists, and their ofttimes unwitting agents, especially in cases arising out of picketing, strikes or labor disputes and civil disorders, sabotage and looting.

It is common knowledge that riots and disorders, particularly in the large cities of the North, have broken out in America because of a widely held belief that people are justified in using violence to express their dissent. College professors, clergymen and others who are well educated have openly proclaimed that disobedience of any law which is disliked is morally right.

On this point, it is significant to note an address which has just been delivered by Erwin N. Griswold, the solicitor general of the United States—the man who has to prosecute cases in court on behalf of the Department of Justice. He was formerly Dean of the Harvard Law School. Mr. Griswold pointed out in a speech before the Tulane University Law School at New Orleans, Louisiana, that in recent years America "has become increasingly tolerant of the mischievous attempts to excuse deliberate violations of the law" committed by individuals in furtherance of what they personally regard as a "lofty cause." He analyzed various examples of "civil disobedience," and said that the latest manifestation of "grim, mindless destruction" in more than 100 cities in this Nation indicates that the national temperament has become "too much acclimated to violence as a method of social protest." He also said: "To permit factions the resort to force when they feel—however correctly—that a particular law or policy is wrong could be to renounce our own experience and that of the founders.

I have suggested that it is illicit to violate otherwise valid laws either as a symbol of protest or in the course of protest, and secondly that I regard it as indefensible to attempt to promote a viewpoint either by flagrant violence or by organized coercion." He further says in this illuminating address: "In determining whether and when to exercise the moral right to disobey the dictates of the law, it must also be recognized that society not only does not, but cannot, recognize this determination as entitled to legal privilege." In America today there is need for differentiation between a moral conviction that a law ought to be amended or repealed, and a deliberate attempt to encourage an individual to violate any law which he may dislike.

The Attorney General of the United States recently voiced the astounding observation that law enforcement officers do not have the right to use deadly force except in self-defense or in defense of the lives of others. It should not be employed, he has observed, to deter or prevent looting or arson. I am astounded that the first law enforcement officer in our Federal government, the Attorney General of the United States, would make it so clear to those who would riot, loot, and burn that insofar as the Federal officials are concerned it is an open season.

I also think that judicial activism is a cause for bringing the law in contempt and disrepute. Judicial activism means that judges strive for what they deem a just result in a case in the light of their own philosophies and social economic values with settled legal principles being accorded little or no weight. Judicial activism had its genesis in the Supreme Court of the United States about twenty-five years ago, when some of the Justices began to abandon the age-old principle of *stare decisis* upon which English and American law and had been based for centuries. Thus, decisions turn more and more upon who are the judges than upon what is the law. As a result, law is rapidly losing its certainty, stability, and continunity. Jurisprudence is becoming the handmaiden of sociology. Chief Justice John Marshall, our greatest Chief Justice, declared bluntly in a landmark case: "Judicial power is never exercised for the purpose of giving effect to the will of the judge, always for the purpose of giving effect to the will of the law."

Mr. Justice Oliver Wendell Holmes, a learned legal scholar and for thirty years a Supreme Court Justice, maintained that, "judges should keep their own social and economic view out of decision making." Sir Frederick Pollock, probably the chief authority in modern times on Anglo-American jurisprudence repeatedly cautioned that judges should follow established precedents and legislative intent, not their personal views, in reaching decisions. Judicial activism is rank judicial legislation. No such powers are given to judges by the United States Constitution. The law-making prerogative of the government belongs to the legislative bodies. Upon what meat have these Caesars practicing judicial activism with a lifelong tenure of office fed that they have become so great?

A great many of the bleeding-heart liberals, and this includes college professors, lawyers, and other people with education, who are responsible for the mess that this country is in today, throw up their hands in horror and widely proclaim that a basic illness is spreading across the United States and despair of where the growing violence will end. Apparently, these bleeding-heart liberals think that the only way to solve the lawlessness and disorder in our country today is to soak the rich and give it to the poor, to increase taxation, to spend billions of dollars in slum clearance, and to squander billions of dollars on foreign nations who do not stand with us in a crisis, and this in the face of the attack on the dollar and our dwindling gold reserve. A great many politicians have adopted that view in order to obtain support at the polls from labor unions and minority groups and to continue to hold office.

I read in the papers Sunday an article written by a writer for the New York Times asking college students to be active in defeating experienced Congressmen because they will not go along with the extreme views of the bleeding-heart liberals. In my opinion the above views are abhorrent to the vast majority of the working, law-abiding American people, particularly those between the age of thirty and fifty, who believe in law enforcement, who are attempting to pay for their homes and educate their children, and make ends meet.

I am confident that the large majority of Americans are basically sound in their views and believe in the preservation of law and order. I do not suggest for a moment that law enforcement will be destroyed by unfortunate Federal decisions, by riots on the college and university campuses by pampered hippies and beatniks who are seeking to take over our colleges and universities and run them according to their wishes, and by lawless mobs in the big cities. The need for peace and order is too insistent for that. I am convinced that the sound judgment of the vast majority of the American people has been aroused to the situation existing and they will put in office in the next election men who will see that law and order are preserved in this country. There is no safety for rich or poor, white or black, without enforcement of law and order, for, as Edmund Burke, the great English statesman, said—"Obedience to law is what makes government."

Five million people live in the State of North Carolina—about four million white people and about one million Negroes. I indulge the belief that the vast majority of North Carolinians, both white and black, believe in law enforcement.

North Carolina is fortunate in having as its present Governor an eminent lawyer and a former erudite judge of the Superior Court, who has stated time after time that he will call out such forces as are necessary to prevent looting and arson as occurred on Watts Street, in Los Angeles, in Detroit, in Chicago, in Cleveland, and in Newark, and he has called out troops in performance of his pledge. I am confident that our next Governor, Robert Scott, will also prevent wholesale violence in this State by such efforts as are necessary. Whatever may happen elsewhere in the Nation, I am confident that law and order will be preserved in the confines of our native State.

NEW LAW UNFAIR

HON. WILLIAM L. HUNGATE

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. HUNGATE. Mr. Speaker, I would call the attention of the House to another blow that has struck the arts and humanities:

NEW LAW UNFAIR

Governor Reagan has signed a bill making it impossible to count write-in votes for cartoon characters in California elections.

We can understand why some politicians are nervous about the competition from cartoon characters. But this legislation is hardly fair.

Take Dagwood, for example. For years he has taken abuse as a hapless spouse and father. A lot of men can really identify with Dagwood. Yet if they vote for him it doesn't count.

Little Orphan Annie, although she has been wandering around for about 40 years, is too young to run for office. But a lot of people like her political philosophy.

There is Snoopy, a veteran of 30 or 40 combat missions over Europe. Why shouldn't he enjoy the same opportunities as other war heroes to be considered for office?

We can imagine that a lot of cartoon people, and their admirers, will not look kindly upon Governor Reagan. The next step may be to introduce legislation to disqualify write-in votes for movies actors.—Boise (Idaho) Statesman.

FEDERAL CONTROL OF FIREARMS

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. DORN. Mr. Speaker, Congress has been swamped with letters, telegrams, phone calls, and petitions concerning Federal control of firearms.

I personally oppose any law passed in Washington forcing every citizen to register with the Federal Government firearms for defense of their homes and their hunting guns. I oppose any law passed in Washington forcing every citizen to get a permit from the Federal Government before a gun can be purchased for the defense of his home or for hunting.

I do favor Federal laws which would prevent guns from being shipped across State lines to minors, the mentally ill, or those with criminal records. I do favor a Federal law outlawing the shipment of bazookas, antitank guns, machineguns, grenades, and high explosives across State lines to unauthorized persons.

Communist and Fascist dictatorships always require registration of firearms. Red China and Castro's Cuba prohibit any ownership of firearms by the people. Many Kings and Crown Princes of Europe at the time of George III did not permit the people to own firearms or to hunt on the "King's land." The Founding Fathers of our country in creating a free nation wrote into the Constitution the right to bear arms. We must preserve this right of a free people.

I do believe State laws requiring some gun regulation are necessary and desirable. When I purchased a firearm in Virginia, I was required by Virginia law to wait 3 days before I could go back to the store and pick up this gun. This is a good State law because it prevents someone who might be mad, temporarily insane, under the influence, or with a criminal record from immediately buying a gun. This type of legislation should be considered at the local and State level. Federal registration of guns and Federal permits to own firearms will only harass and burden the good citizens. The criminal and the assassin will get a gun through the bootleg route. A Federal law will encourage illegal bootleg traffic in guns which will make the situation worse.

The principal responsibility for law enforcement and law and order should be in the hands of local and State law-enforcement authorities. The Federal Government could support these local and State authorities with equipment, technology, training, and with the very efficient FBI.

Our law-enforcement officials should have better salaries, equipment, and training to cope with the present crime wave. We should not be stampeded through hysteria and emotionalism into creating a Federal police state. This is the road of no return.

MEDICARE ANNIVERSARY

HON. LIONEL VAN DEERLIN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. VAN DEERLIN. Mr. Speaker, this week we are celebrating, on Thursday, the 192d anniversary of the founding of our Nation. Today, Monday, we are observing another anniversary—the second birthday of medicare—which will pass with far less fanfare than the Fourth of July.

Actually, both these anniversaries have something in common in that they both recall declarations of freedom and independence. For nearly 200 years now, we have been enjoying the pleasures of independence secured for us by our Founding Fathers in 1776. The Medicare Act of 1965, which took effect on July 1, 1966, also was a blow for liberation; it freed nearly 20 million of our senior citizens from the financial threat of illness.

Since its birth 2 years ago, medicare has paid for 10.6 million hospital stays and 45 million other medical bills. In the first year of the program, some $17 million in benefits were awarded to residents of my own county of San Diego, Calif. Through these payments, medicare has restored self-respect to a large number of the elderly who would otherwise have been charity or ward patients. In addition, it has guaranteed them the quality care required by medicare's high standards.

At the same time, medicare's voluntary medical insurance plan has enabled the physician to choose the kind of medical care most appropriate to his elderly patients. It has broadened the scope of health protection by providing payment for treatment in extended care facilities, outpatient diagnostic services, and home care.

But most important, medicare has given older Americans the opportunity to enjoy rights which our forefathers called inalienable: Life, liberty, and the pursuit of happiness. For it is much easier to enjoy these rights when the fear of becoming a burden to society is reduced by the sort of assurance provided by medicare.

That is why we can be happy and proud to celebrate two anniversaries this week: The 192d anniversary of the Declaration of Independence and the second anniversary of medicare.

VIETNAM POLICY REVISITED

HON. ROBERT L. LEGGETT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. LEGGETT. Mr. Speaker, Elizabeth Pond, a staff correspondent of the Christian Science Monitor, has prepared a hard-hitting historical analysis of the Vietnam situation which I would like to share with my colleagues. Her article points out with clarity the attitudes and options with which the United States entered the conflict in Vietnam and also the diminishing options which remain for us now.

Miss Pond reviews the critical political and psychological intricacies of our role in Vietnam as well as the history of the military movement of force and counterforce.

This article reinforces my own previously expressed conclusion that we must understand the probable consequences of our actions before we undertake them, and that we cannot continue with our fictional analysis of the intelligence reports that are available:

CAN THE UNITED STATES EASE OUT OF VIETNAM?

(NOTE.—A correspondent who has covered both military and political events in South Vietnam says the United States has grim alternatives in the battle-weary country.)

(By Elizabeth Pond)

The traffic was incredibly clogged, even for Saigon. And to make matters worse, there was an end-of-the-monsoon downpour. It was just before South Vietnam's National Day last fall, and downtown Saigon, the site of the coming parade, was cordoned off by sawhorses, barbed-wire, and the ubiquitous White Mice, as the gray-and-white uniformed police are dubbed.

It was a favorite time for a Viet Cong attack, Ong Thuong, my Vietnamese friend informed me. This was because, as an anti-coup preventive, government troops sent into the capital for the celebration are deprived of their ammunition.

With the main avenues sealed off, the peripheral streets assumed an insupportable burden of motorcycles, pedicabs, bicycles, and jeeps. What was normally no more than a 15-minute ride in the 15-year-old Renault Thuong nursed along with bailing wire, sheer faith, and forced affection, prolonged itself into two hours.

In this rainy capsule of time Thuong talked, as one always does in Vietnam about Vietnam. He talked about the "phantom troops" so named because it is so easy for draftees to buy their way out of the Army. He went on to tell about one operation in the delta where doubting American newsmen had challenged the Viet Cong body count claimed by the South Vietnamese commander. The following day, he said, the irate commander had indeed displayed an impressive number of corpses for the cynics to look at—by hauling some civilian suspects out of jail and shooting them.

After a while Thuong speculated as to when (not if) the Viet Cong would launch an attack on Saigon.

His detailed description of his war- and corruption-distorted land threw me into one of those moments of despair that periodically hit even the most iron-clad journalists in Vietnam.

VIVIDLY RECALLED BY PARIS TALKS

The traffic jam and Thuong's commentary came back to haunt me when the Viet Cong did carry out their Tet offensive. And now they come back again with the ongoing Vietnam negotiations in Paris. They suggest that with the Tet offensive a turning point was reached beyond which the United States position could only deteriorate; that the United States must now settle for considerably less than it would like if many more lives—Vietnamese and American—are not to be lost to no achievable end.

They support the contention of Roger Hilsman, Director, Bureau of Intelligence and Research, State Department in the Kennedy administration, that the only thing worse than negotiating an interim settlement in Vietnam at this point would be negotiating an interim settlement a year or two hence.

Originally—following Dien Bien Phu, that is—the United States took over the role of the French in Vietnam for one key reason—to promote stability in Southeast Asia (in the inter-country, not the internal, sense).

At that time communism was viewed as monolithic; the Sino-Soviet split was a still-unforeseen development of the future. In the immediate aftermath of the Korean war, this communism was seen as an aggressively expansionist force that had to be stopped with fire-brigade measures sooner if it was not to ignite another world confrontation later.

With the advent of the Kennedy administration the general trend was reinforced by the faith that a limited crisis management was possible, that creation of a flexible response capability, including specifically helicopter and guerrilla units, would enable the United States to deal precisely and cleanly with insurgency threats. The number of United States advisers was increased from President Eisenhower's 800 to 18,000, though it remained for President Johnson to send in combat troops in 1965.

MORE THAN A LOSS OF FACE

In any case, once the initial steps of commitment were made, they developed their own momentum. Indochina in itself had no crucial military, economic, or geographic value. But the American investment in dollars, men, and national attention increasingly became its own strategic imperative. As the United States became more enmeshed, it became more difficult to pull back without serious consequences for the overall stability both of the local area and of the world—the very objective the United States was trying to promote.

It was much more than a question of a superficial loss of face. A major retreat by a superpower, on which hangs the balance of a world, is potentially dangerous in a way that a reversal by a waning colonial power—such as France in Algeria—is not. The United States had learned this lesson all too thoroughly in the Bay of Pigs fiasco and the subsequent Cuban missile crisis.

Thus, Ho Chi Minh in control of all of Indochina in 1946—or even in 1954—would have been one thing—and, in retrospect, would have admirably served the United States purpose of preventing Chinese expansion, despite the State Department reading to the contrary at the time. But Ho in control of Indochina in the 1960's, after a bitter, dirty war, with the concomitant elevation of the militant Chinese brand of communism, would have been quite another.

As long as Washington saw a possibility of victory, then, it did not see how it could extricate itself from Vietnam without worse consequences in the area—not only for client states, but also, as time went on, for scrupulously independent countries like Singapore, Indonesia, and even Cambodia.

As the war escalated, the ramifications of American involvement far outstripped—and in some ways worked against—Washington's original intentions. The United States itself risked a much wider war—or at least took highly provocative action—in bombing to within seven miles of the Chinese border.

The United States strained relations, too, with a Soviet Union which it had spent long years trying to educate to the virtues of restraint if the world was to survive the atomic era. Specifically, on two occasions the United States bombed Hanoi at delicate moments when Moscow reportedly was encouraging North Vietnam to come to peace talks.

The whole strategic bombing campaign of North Vietnam, in fact, while of marginal effect on the war in the south, pushed a Moscow which had at long last come around to a partial test ban and support of the international status quo in Asia, into military support of a fellow socialist state that was under attack. (The bombing also, incidentally, quickly unified the North Vietnamese behind Ho Chi Minh in a Battle-of-Britain psychology.)

U.S. INITIATIVE INHIBITED

In addition, Vietnam severely inhibited possible American action elsewhere in the world as it drained off United States planes, pilots, reserves, and gold. As it dragged on, finally, it alienated an important segment of intellectuals, then began to cleave deep fissures in a wide range of American society. And it diverted American attention and money from the urban and racial crisis at home.

It would perhaps be simplistic to label the developing American policy in Vietnam as strictly governed by a military over a political mentality.

The original training of President Diem's army by American advisers, to be sure, built a top-heavy military organization geared to counter a frontal attack from the north rather than more relevant home-grown insurgency. And the bombing of North Vietnam begun in 1965 gave northern infiltration of the South an importance to the war that it didn't really develop until 1966/7.

Nevertheless, a major aim of American intervention was political—to buy time in which a viable governmental and social structure might be developed in South Vietnam, one that could stand of its own strength.

In practice, though, the very elements of the United States intervention served to prolong the weaknesses and dependence of the Saigon government and frustrate the very reforms the United States sought.

The South Vietnamese army (with the exception of some elite units) could continue to evade fighting and leave the battles to the incoming Americans. The generals in the government, shored up by a tacit American guarantee, could put off the day of political bargaining with the Buddhists and other civilian groups.

PROSPERITY TOO MUCH FOR SAIGON

South Vietnam thus became increasingly weighted down with the vast amounts of money, materials, and American advisers that poured into the country. A modest prosperity may have spread out to the farmers from the cities, but corruption, long familiar to Vietnamese society, now burgeoned to a degree that skewed society.

And the large numbers of refugees generated by the war—generated specifically, for the most part, by United States military operations and bombing—shredded the social fabric far beyond government capacities to cope with the situation—this without any compensatingly large-scale military gain.

All told, it was a classic illustration of the axiom that in developing countries an outside nation can shore up a nationalist regime but cannot very well create one or substitute itself as an administration where the national prerequisites do not already exist.

As the political situation got worse, the United States came to rely more and more on military accomplishments in measuring progress, both in its public proclamations and in its private calculations.

In theory, for example, the semicivilian pacification program was meant to build political participation through health and education programs, projects decided on by villagers, and organized self-defense. But political participation was impossible without security for those participating (as, indeed, the important intelligence and defense aspects of security were impossible without some basic political commitment). In this symbolic relationship, the element of security was, it appeared, the easier to establish.

SECURITY GOALS MASSIVE

And security, in the view of the prevailing American military strategy, required first a crushing of the Viet Cong and North Vietnamese main force units. Spoiling search-and-destroy operations were launched, backed by massive air support and firepower. Great value was placed on kill ratios, which ran four or five to one in favor of the United States and South Vietnam. Bombing was frequently substituted for more thorough—and more discriminating—ground assaults, as this saved American lives and the bad publicity of American casualty figures in the United States.

To be sure, the Americans inflicted heavy punishment on the Viet Cong and the expanding number of North Vietnamese troops in the south. But this punishment simply was not discriminating enough. The infrastructure of political cadres was never really touched—and it was in political organization that the NLF excelled. Nor were enough enemy officers killed off to damage the military leadership significantly. Time after time main force battalions were decimated, only to spring back rebuilt and operational in a remarkably short three months.

Most important, perhaps, the reduction in uncontestedly NLF-controlled territory—which United States military force did achieve—proved to be somewhat tangential to the real source of NLF strength. As this territory decreased, so, to be sure, did voluntary peasant support for the NLF. The NLF then resorted to forcible conscription, higher rice taxes, and less discriminating terror (such as the mass executions in Hue during the three weeks the North Vietnamese held the city). All this further alienated the traditionally anarchy minded South Vietnamese, even while it compelled compliance with NLF demands.

Still, in contested areas, for the most part, the NLF kept its taxes under required government payments, whether for rent to landlords or for business payoffs. And even with heavy forced conscription, United States intelligence sources in the embattled northern I Corps reported, Viet Cong draftees came out with essentially the same attitude as volunteers after six months of training.

NFL REQUIREMENTS DIFFERENT

In any case, the strength of the NLF was not based on the same territorial control the government depended on, and territory was therefore a somewhat misleading measure of relative positions. The cohesive element of the NLF, rather, was the social role it offered peasants on merit—something the government never did, despite the efforts of a few dedicated Vietnamese leaders and American advisers.

This social role could be an underground as well as an administrative one. It meant that the NLF could lose territory and still carry on almost indefinitely in a way the Americans could not. The Viet Cong could fade away, if they chose (as they did, for example, throughout the summer and fall of 1967) and still not lose their momentum.

Now success in the United States strategy depended on a crucial time factor. The critical breaking point of the NLF had to be passed in a limited time span, for the United States could not afford to keep half a million troops in Vietnam indefinitely. If the NLF and North Vietnamese didn't crack within a bearable period—and if the Saigon government didn't jack itself up—the United States had lost.

Thus it was the first few months after the 1965 entry into the war of American combat troops and the terror-striking B–52s that worried Gen. Vo Nguyen Giap, North Vietnam's master strategist of the war. But NLF and North Vietnamese morale did survive this critical period, and after that the high number of enemy casualties referred essentially to cannon-fodder infantrymen who were easily replaced by the birth rate.

Furthermore, deterioration of peasant support for the NLF was not matched by any essential political improvement on the government side. Ho Chi Minh still held a near-monopoly on the claim to nationalism. If in the post-World War II period his Viet Minh murdered large numbers of competing nationalist leaders with ruthless efficiency, still they did defeat the French—while the overwhelming majority of the generals in the Saigon government and army held commissions in the French army. The NLF still held near-monopoly, as well, on any claim to land reform or other steps of social justice.

COMPARISON OF CADRES SHARP

Nor did government officials and soldiers come out well in comparison with NLF cadres, for the latter have a universal reputation for honesty (as well as toughness) among Vietnamese peasants, while the former are all too well known for their shakedowns and chicken stealing.

The Tet offensive, then, sent a shudder through the working levels of the United States State Department. To many it showed that the time had run out in which the United States might be able to accomplish what it had set out to do. The military strength and coordinated planning that the NLF exhibited was the least of it.

The crux of the Tet offensive, rather, was the abandonment by the government of large stretches of the countryside to the Viet Cong, as government troops and pacification cadres were pulled into the attacked cities. Thus the very element that the whole military strategy was predicated on—spreading security—was the chief victim of Tet. The pacification program in the countryside—at best a long, slow process of building villagers' willingness to take political and self-defense responsibility—was thoroughly undermined.

The political situation in South Vietnam, then, is that the NLF, while it has the allegiance only of a minority, is still the one cohesive organization in a fragmented society. In the absence of American troops, any emerging coalition would more than likely be taken over by the Front.

HANOI CONTROL CLEAR ENOUGH

And the organizational control of the NLF by the southern branch of the Vietnamese Communist Party and the responsiveness of this core to Hanoi's direction is clearly documented. Hopes of developing differences between the NLF and Hanoi, therefore, at least at this point in history, seem illusory, certainly so long as the Ho-Giap leadership remains, and probably longer.

This in turn implies that once Hanoi

took over all of Vietnam it would automatically take over hegemony of Laos and eventually—depending on the success of delaying tactics of the very skillful Prince Sihanouk—Cambodia as well.

What the United States can try for at this point—if it is not so burned by Vietnam and so preoccupied by its domestic crises that it goes into a neo-isolationism—is to delay Hanoi's rule of Vietnam and its hegemony of Indochina by gradualness in the phasing out of its troops in Vietnam. Ho's successors may not possess his same strength—and a delay of a few years in any case should mean a calming down of present war passions and momentum. This could provide a little time also for a strengthening of neighboring Southeast Asian countries—if these countries and the United States have gained any applicable insights from the mistakes in Vietnam—against what will undoubtedly be a rough period of more attempted insurgencies.

The implications of this conclusion are grim. But if there is to be an end to the bloodletting in Vietnam, the United States will have to face up to them. And they may represent the least objectionable of the alternatives now open.

CBS'S "THE CITIES": AN OUTSTANDING PUBLIC SERVICE

HON. CHARLES H. WILSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. CHARLES H. WILSON. Mr. Speaker, last week CBS television featured an excellent three-part broadcast on the cities: their problems and their prospects. Part 2 of this fascinating survey, entitled "Dilemma in Black and White," focused on integration problems in three cities: Los Angeles, Rochester, and New York City.

One of the most illuminating and inspiring portions of this fine broadcast highlighted the Crenshaw section of Los Angeles, which I am proud to say lies within my 31st Congressional District. Crenshaw is a "new society" to the extent that its racial mix has undergone a quiet upheaval in the last 10 years. During this time of change, the white population has dropped from 93 percent to 56 percent while the Negro population has risen from 8 percent to 33 percent. Simultaneously, Orientals—in 1958 only 1 percent of the populace—now comprise about 10 percent.

Since Crenshaw was formerly heavily dominated by the white middle class, it is not surprising that, with the entrance of a large number of Negro families, many whites moved away. But a great many others decided to stay and to work within the ever-changing framework to build a productive society. A group of them formed an association, Crenshaw Neighbors, to further their goals of peaceful and fruitful integration, both in social and in business life. This organization, together with the Crenshaw Chamber of Commerce, has made an outstanding contribution to the community; for, beyond giving mere lipservice to the ideal of integration, their hard work has successfully forged a dynamic society out of disparate elements. Crenshaw is a microcosm of what the United States can eventually become—what it must become if we hope to fulfill our destiny as a great nation.

At this time also, I would like to single out those Crenshaw residents—Mrs. David Post, Mrs. William Mitchell, Mrs. Woodrow Irwin, and Mr. Peter Mann—who participated in the CBS program. Their personal insights and observations about their community were invaluable in giving the viewing public a real understanding of the kind of people who have made Crenshaw such a success.

I congratulate CBS and the Institute of Life Insurance, the sponsor, for the public service they have performed in presenting "The Cities." And I congratulate the people of Crenshaw for giving CBS an opportunity for optimism in what otherwise has truly been, for our Nation's cities, a "dilemma in black and white."

STATISTICS MISUSED CAN PREVENT PROBLEMS FROM BEING SOLVED AND LEAD TO TRAGIC CONSEQUENCES

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. CURTIS. Mr. Speaker, an article in the June 30, 1968, Washington Post, on the use and misuse of statistics is of vital importance. The author, Arthur M. Ross, former Commissioner of Labor Statistics, states that Government officials are prone to take their statistics too literally, ignore their limitations, and confuse partial truths with the whole truth.

Statistics try to help us understand problems but at the cost of great oversimplification. Danger results in this process because immeasurable aspects of the problem may be vastly more important than the measurable. Second, the validity of a particular statistical measure may have been undermined by economic and social changes. Thus attention may be focused on charts or tables which bear no relationship to reality.

Mr. Ross points out several areas where statistics deceive:

First, poverty. OEO defines poverty by which is meant "relative poverty" not "subsistence poverty," as family income less than $3,300 and says relative poverty will be completely abolished by 1976. But relative poverty is more than an income statistic—it is primarily a mental attitude which encompasses relative lack of education and many other factors.

Second, Vietnam, the most statistically reported war in history. The United States is winning the statistical war handily, but in the immeasurable factor we are not doing too well.

Third, full employment, by definition we have full employment since that has meant an unemployment rate of 4 percent. But yet there are people without work. To talk about full employment does not help them.

Mr. Ross' conclusions:

First. We need better statistics.

Second. Statistics must be interpreted more carefully.

Third. Qualitative issues should not be quantified.

Fourth. There is no substitute for the intuitive feel of a problem resulting from firsthand exposure to it. This is especially true of Washington, a city insulated from much that goes on in the world.

Statistics are indispensable, but they cannot remedy the isolation from reality which besets official Washington.

The article follows:

OVERBLOWN AFFINITY FOR NUMBERS—ROSS HITS STATISTICS MISUSE, SAYS OFFICIALS FOOL THEMSELVES

(By Arthur M. Ross, former Commissioner of Labor Statistics)

(NOTE.—Having left the Government Friday to become a vice president of the University of Michigan, Ross responded to The Washington Post's invitation to set down his impressions after two years in office.)

The position of statistics in Washington is curiously ambivalent. On the other hand, the statistical agencies are starved for money and personnel. For the cost of few miles of interstate highway they could provide information potentially worth billions in terms of more intelligent policy choices. Unfortunately, as veteran budget officers like to say "statistics don't vote."

On the other hand, statistics have extraordinary prestige among men of affairs.

Unlike the British, who appoint another Royal Commission when they wish to evade a problem, Americans launch another statistical survey.

Public men become known by the statistics they keep. Before he decided not to seek another term, the President was wont to regale his visitors with the latest opinion polls. His predecessor's attack on the Eisenhower administration was centered on statistical comparisons of economic growth and missile stockpiles. Many moons will pass before Robert McNamara lives down the image of a human computer. Sargent Shriver, while head of the OEO, would unfailingly report on the number of families "rescued from poverty."

VALUE OF STATISTICS

The distinguished secretary of HEW has gone so far as to assert that the chief statistician of the department and his staff "do more to determine future HEW programs than all the other officials in the department." (Up to now, however, Wilbur has stopped short of promoting himself to chief statistician.)

I, myself, coming from the obscurity of academic life, was startled to discover that I was "good copy" because I had jurisdiction over the figures on inflation, unemployment, etc. I obtained more mileage from the stale and mediocre ideas, presumably backed with statistics, than I ever had derived from fresh and brilliant ideas when I was younger. To the amusement of my colleagues and the gratification of my wife, I was often described as "the nation's leading expert" on subjects where, in fact, I had little expertise. Because of a strong passion for anonymity, known best to my immediate superior, I strove manfully to keep my name out of the public print. It was, I confess, a losing struggle.

If this overblown affinity for statistics were only amusing, it would not deserve much comment in a city replete with absurdities. But the phenomenon has a more sober aspect. Government officials are prone to take statistics too literally, to ignore their limitations, and to confuse partial truths with the whole truth about complex realities. This propensity can lead to serious, even tragic, consequences.

DISTRICT OF COLUMBIA ISSUES VAST

I think I can explain the peculiar function of statistics in the Washington milieu. The issues which come here are vast, intricate, ambiguous, intractable. Statistics enable us to grasp and describe these many-sided problems at the cost of heroic oversimplification. One or two dimensions, which happen to be measurable, serve as a shadow representation of something with numerous, perhaps innumerable, dimensions.

No harm is done if a quantitative measure is seen for what it really is. But trouble sets in when the statistical abstraction is confused with the more complex underlying reality. There are two principal dangers in this process. First, immeasurable aspects of the problem may be vastly more important than the measurable. Second, the validity of a particular measure may have been undermined by economic and social changes.

Meanwhile, bemused by the appearance of objectivity and precision, the policy maker keeps his eye fixed on charts and tables which are sadly incomplete, increasing obsolescent, or both. Eventually he comes to believe that poverty really is a condition of having less than $3300 income; that war in Vietnam really is a matter of body counts and kill ratios; and that full employment really is a situation where the national unemployment rate is 4 per cent or less.

OFFICIALS FOOL THEMSELVES

This shadow replaces substance. The ultimate hazard is not that the officials fool the public, but that they fool themselves. After all, they are more inclined to swallow their own rhetoric than the public is.

I should like to dwell briefly on the three examples just noted.

Poverty. Statistics tell us there is less poverty in America than ever before. The number of poor families has fallen from 8.3 million in 1960 to 5.2 million in 1967. OEO has said that we can look forward to the complete abolition of poverty by the year 1976. Imagine that—a country with no poverty. Truly an historic "first" in the history of social statistics.

With the poverty problem well on its way toward solution, no wonder Secretary Freeman was so irritated by the CBS documentary on "Hunger in America." No wonder the government has been taken aback and caught unprepared by the increasing militancy of the poor. The shock becomes greater when it is realized that only one group among the poor, the urban Negroes, has yet become radicalized to any significant extent. Rural whites and Negroes, Mexican-Americans, Puerto Ricans, and Indians are still relatively apathetic.

The trouble is that the government claims to measure poverty by the number of families with incomes of less than $3300 in current purchasing power, adjusted for differences in family size and urban or rural location. An income cutoff is a useful statistic for many purposes, but a terribly simple-minded definition of poverty. Poverty is shame, guilt and despair; lack of access to good schools or decent housing; being preyed on by criminals; and many other conditions not necessarily cured by family incomes over $3300. Remember that the bulk of families in Harlem are "non-poor."

Vietnam. For many months we were winning the war in Vietnam—not as quickly as originally hoped, but steadily and inexorably. All the statistics told us so—the body counts, kill ratios, infiltration estimates, bombing data, captured weapons, content analysis of captured documents, and so on. Then it appeared we were not winning.

Is it a coincidence that the most elaborately measured war in American history is also the least successful?

I do not think so. On the contrary, the egregious abuse of statistics contributed directly and substantially to the outcome. Some of the statistics were pulled out of the air, it is true, and some of the interpretations were palpably absurd, e.g., the claim that 2,000,000 refugees had "voted for freedom with their feet." But the major vice was the assumption that the basic elements in the war were those incidents of military might which could be counted, calculated, and computerized.

Had this calculus of force not yielded such ample and comforting food for thought, would it have been possible to disregard so flagrantly all the crucial factors which could not be computerized? Science has worked many wonders, but has not yet put history on the computer, nor ideology, religion, color, colonialism, nationalism, sectionalism, cynicism. Since these could not be quantified, they never found their way into the accounts.

Full Employment. We have been enjoying full employment for two and a half years. We know this because a national unemployment rate of 4 per cent is the official definition of full employment. The rate has been running below 4 per cent except for a brief period in 1967, and currently stands at 3.5 per cent.

And yet it appears that the most important social problem is that of jobs. If we have full employment, how come we need more jobs?

The short answer is that rising expectations have rendered the old measures obsolete.

The full employment concept is related to the scope of the government's responsibility under the Employment Act. Until recently, full employment of primary breadwinners, especially married men, was viewed as the principal obligation. At an overall rate of 4 per cent, most married men do have jobs.

Today the bulk of unemployment is concentrated among women, teenagers, and unmarried men, and the responsibility is broadening to include them. Surely there is no need to belabor the importance of Negro unemployment, though it has only a marginal effect on the national rate.

This misuse of statistics leads to results ranging from the comical to the tragic. What practical lessons are to be learned?

First, of course, we need more and better statistics in order to illuminate the problems more adequately.

Second, statistics must be interpreted with greater skill and discretion. Administrators should not be permitted to confuse them with complex, elusive realities or regard them as significant entities in their own right.

Third, extreme care must be taken lest program budgeting became a Procrustean bed and cost-benefit analysis a crown of thorns. Specious quantification of the unquantifiable can be as mischievous as ignoring it. The peculiar genius of the human brain is that, unlike the present generation of computers, it can deal with qualitative issues in their own right.

Finally, there is no substitute for the intuitive feel of a problem resulting from first-hand exposure to it. This is particularly true for people in Washington, a governmental company town insulated from much that goes on in the world.

Statistics are indispensable, but they cannot remedy the isolation from reality which has beset rulers in all times and places.

MARXISM CALLED DEAD AS ECONOMIC SYSTEM

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. DERWINSKI. Mr. Speaker, one of the most penetrating observers of the international scene is Dumitru Danielopol, renown columnist of the Copley Press. Mr. Danielopol is an experienced economist-diplomat intimately knowledgeable of the basic defects of Marxist economic theory and practice. His comments, which appeared in the May 21, Joliet, Ill., Herald-News, I believe are extremely significant.

The column follows:

MARXISM CALLED DEAD AS ECONOMIC SYSTEM

(By Dumitru Danielopol)

LONDON.—"The Soviet Union lives on credit," said the British banker. "Her economy is at a standstill."

If one wants information about Soviet affairs, London is the place to get it. The British banking circles have been Moscow's brokers for decades. They handle the Soviet gold and other metals and they know more about what is going on than the Soviet people themselves.

The view this spring is almost startling.

"Marxism as an economic system is dead," said the banker. "The Russians know it, but they are incapable of doing anything about it. Everywhere they turn they run into vested interests."

At Christie's in London the Soviets are selling some of the art treasures they had stolen from the czars.

London bankers estimate that the gold stock of the Soviet Union is much lower than Moscow likes the world to believe and they are very short of hard currencies.

The losses suffered in the Middle East war by the Arabs, the rearmament of Nasser, plus the expense of the Vietnam war which is largely financed by Russia have also taxed the Soviet Union's financial resources.

The recent events in Eastern Europe, say the British, only confirm the plight of the USSR.

Romania served as a catalyst for other satellites.

The Ceausescu regime, in order to gain some kind of support from the population played a "nationalist" line. Some people believe that Ceausescu went beyond the limits acceptable to Moscow, but the Kremlin leaders didn't react.

This silence encouraged the Romanians to go further and further and further. Other satellities began to get ideas.

The extent to which Romania has gone is illustrated here.

Colored pamphlets printed in London have been widely distributed showing the Bessarabia, now under the Soviets, is a Romanian province. This would have been inconceivable a few years ago.

Travelers in bankrupt Romania frequently hear Romanians complain that it was the Russians who exploited their country ruthlessly for more than 20 years.

Now events have transpired in Czechoslovakia which can be very explosive. That country swept up in a wave of liberalization and economic reorganization is in dire need of billions in hard currency to modernize its obsolete industry.

Russia has dipped into her own currency reserves in an effort to buy off the Czechs. But she also is rattling her tanks and she has ordered an anti-Czech, anti-Romanian propaganda campaign. The meaning is obvious.

Far from enhancing Soviet prestige among its satellites and among the Communist parties of Western Europe, Moscow faces the unpleasant choice: either spend money she hasn't got, or resort to Stalinist terror tactics.

In fact according to French and British observers, workers in Western Europe have already begun to shun the promises of Marxism.

In Italy for instance, though many people vote Communist, the general trend rejects any Communist society. The Italian worker prefers the free enterprise system.

Recognizing this, the Soviet propaganda machine has switched its main effort to the young, especially students on campuses.

"They find it easier to sway hotheaded youths on campuses than the workers, who have now become bourgeois," said Rene Massip of the Paris Le Figaro.

"But it would be foolish and premature to believe that the Communists in general and Russia in particular are no longer dangerous."

"Behind it all is the traditional Russian imperialism, now evident in the Mediterranean and the Middle East. This is a policy which goes back to the czars."

A good many people have long argued that communism was essentially the weapon of Russian imperialism.

CONGRESSMAN NELSEN OBJECTS TO PROPOSED CHANGES IN ST. LOUIS MILK MARKETING ORDER

HON. ANCHER NELSEN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. NELSEN. Mr. Speaker, recently a proposed milk marketing order came to my attention. The proposal is highly discriminatory against Minnesota dairy farmers and I see no reason for its enactment.

It seems that the St. Louis milk marketing order may be changed to eliminate the $1,000,000 worth of Minnesota milk that is now being sold in that area annually. If the order is enacted, it will mean a great loss of income to Minnesota dairymen who are now facing record high costs and the lowest milk price in the Nation.

The proposal itself is of doubtful legality. The attorney general of Minnesota, the Honorable Douglas Head, has filed a formal objection to the order pointing out that it violates a 1962 Supreme Court decision.

I agree with Attorney General Head that this regulation will create a barrier to free trade. As the Federal Milk Order Study Committee pointed out:

> Federal orders should be designated and administered to function as closely interrelated parts of a national system of price stabilization rather than to create or preserve special advantages for local groups to the detriment of others.

I have sent a letter to Mr. Rodney E. Leonard, Administrator of the Consumer and Marketing Service of the Department of Agriculture in an effort to point out the error in the proposed marketing order. I am including it now, as part of my remarks.

House of Representatives,
Washington, D.C., July 1, 1968.

Mr. Rodney E. Leonard,
Administrator, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C.

Dear Mr. Leonard: I understand that the Consumer and Marketing Service is now considering a revision of the St. Louis Milk Marketing Order which would place a "compensatory payment" on all milk produced outside the Order, but sold in the St. Louis area.

The effect of this Order as proposed, would be to exclude milk from Minnesota from sale in the St. Louis Marketing Order area.

The Second Congressional District of Minnesota produces over 72,000,000 pounds of milk annually. Although production per cow has risen in past years, dairymen have been hit by skyrocketing costs. In addition, farmers are confronted with reduced per capita consumption of dairy products and low milk prices in Minnesota. The approval of this order would compound the economic hardships of the already hardpressed dairy farmers of Minnesota.

I strongly urge the disapproval of the proposed St. Louis Milk Marketing Order.

Sincerely yours,

Ancher Nelsen,
Member of Congress.

SECOND ANNIVERSARY OF MEDICARE

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. GILBERT. Mr. Speaker, we are constantly reminded these days that America is the land of the young. Our young people today have more money, are better informed, and speak out more than youngsters of previous generations. And we are told by statisticians that by 1970 one-half of our population will be 25 years of age or younger.

In the midst of this emphasis on youth, let us hope that we will not forget about the people at the other end of our age scale—the senior citizens who have passed their 65th birthdays. These people are the young men and women of yesterday. There are 19.7 million of them today. That is roughly the population of our 20 smallest States. These older Americans have seen our Nation through good times and bad. They have helped shape the America of today.

As we celebrate the second anniversary of medicare, let us salute our older Americans and let us also salute the program that has made their later years more pleasant and less worrisome. Medicare has helped free many older people from the severe financial threat of illness. Medicare has paid out over $8 billion in hospital and medical costs since its birth on July 1, 1966. Those payments covered 10.6 million hospital stays and 45 million other medical bills for Americans 65 and over.

By giving them the ability to pay, medicare has given the elderly the gift of self-respect. No longer must they worry about becoming charity or ward patients. Instead, they are assured adequate care as private patients in hospitals or as outpatients.

Mr. Speaker, medicare is a significant start in showing our senior citizens that they are an important part of our society. Let no one ever be able to apply to this country the words of the Irish poet William Butler Yeats: "That is no country for old men." The United States of America is a country for old men and for young men—and women. And through medicare we are showing our older men and women that this is their country and that their fellow Americans care about them.

A FATHER SPEAKS

HON. GLENN CUNNINGHAM

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. CUNNINGHAM. Mr. Speaker, I would like to share with my colleagues the following newspaper article which recently appeared in the Omaha World-Herald:

A Father Speaks

(By Max S. Caldwell)

On May 21, I buried my 21-year-old son, Larry G. Caldwell. Today, I attended the funeral of his buddy, Jim Fous.

These boys stood in line together at the induction center, and their serial numbers were one number apart. Larry, my only son, died from a wound acquired due to an ambush. Jim died from a mine. Larry spent six weeks in Vietnam, Jim only two weeks. They were in the Ninth Infantry.

Only a father knows the love a father has for his son, and only a father who has lost his son understands the grief in my heart and the sickness in my stomach. Each day, no doubt, will be a little easier, but the nightmare we have gone through will never be forgotten.

Nothing will bring my son back. I have nothing to gain, I want nothing from anybody or the Government, but maybe I can help you save your son and America.

First of all, it is to be understood I consider myself an American without exception. They tell me my family has been in this country 159 years, and all have been loyal, patriotic citizens. Tears come to my eyes every time our national anthem is played and our flag passes by. I am a World War II veteran and spent two years overseas. Now, I'd like to sound off!

Why do we put up with this nonsense in Vietnam? We are the strongest country in the world, but we're going down the drain, both our wealth and our finest boys.

This business our newscasters give us that the enemy lost one thousand men and we lost only two hundred, with the notion we won, is nonsense. We won what? How can you fight a limited war? It wasn't limited for us. We gave our son, and you may give yours, too!

If we're out to stop communism, let's get on with it. If our political leaders do not have the courage to make a decision, they should resign. An immediate decision should be made whether we should stay there or not. If we are to stay, full authority should be given the military to win! If they think invasion or bombing of the North is the answer to winning, let's do it!

Too many good Americans are so content with status quo that they'd rather have their son chance being killed than to rock the boat. After this happens, you'll wish you had stood up to be counted among those who disagree with what's going on.

Our President, if he had the wisdom and courage, should offer an ultimatum to the Commies at the peace talks to get out of South Vietnam by a given time, or we're going to bomb Hanoi for keeps.

Every interested American should carefully investigate the candidates in the coming election and find out exactly what they plan to do in Vietnam if they're elected. Watch out for a rubber stamp of what we have now!

Right now, some Americans are living high on the hog without inconvenience in any way due to the war in Vietnam, while others live like animals and are being killed. This isn't fair!

If we are at war, all should share and suffer in it together. A 100 per cent effort should be made by all of us to bring the conflict to a conclusion.

Why do we let a pip-squeak nation like Vietnam make a clown out of us? Sure I'm bitter, and you had better be too! There is a limit to how much even America can stand.

SOVIET SEA POWER

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. RARICK. Mr. Speaker, while we of the Western governments are attacked as aggressive and imperialist, the Soviets continue to develop weapons and develop their Navy and merchant marine.

With the seas churning with Communist ships, we can anticipate the loss of more of our eastern allies, and await the day when our outdated fleet will not be welcome in Mediterranean waters.

Perhaps this explains why the Bolshevik now talks disarmament—ours, of course—he feels confident his merchant ships are the most modern on the seas. Congress must reactivate a strong, modern U.S. merchant marine at once. We need a reappraisal of our Naval strategy.

I have a column titled "Moscow Letter" by Dev Murorka from the Indian Express of Bombay, India, on June 26, 1968, which illustrates the opinion shift of a frightened divided people. I include the report, "The Rise of Soviet Sea Power":

THE RISE OF SOVIET SEA POWER—I

(By Dev Murarka)

Silent revolutions are often the more lasting ones. Such a revolution is the spectacular debut of the Soviet Navy in the Indian Ocean and in other seas of the world. The Soviet Navy's impressive presence in the Mediterranean has already attracted attention of Western Naval experts and caused not inconsiderable heartburning among them at this challenge to long established and accepted supremacy of their fleets.

Although the presence of the Soviet Navy in the Mediterranean has attracted attention only after the successful Israeli blitzkrieg against the Arabs last year, evidence of its growing strength and range has been building up for some years. The Soviet merchant fleet had already made its mark a decade ago and in the interval it has been expanding at a fast rate. The programme of Soviet naval expansion, however, dates from the Cuban missile crisis of 1962 when the Russians learned that without enough naval power of their own, they were effectively checkmated by the Americans and had to climb down.

CATCHING UP

While the Soviet Navy has yet to go a long way to catch up with the U.S. Navy and it lags behind in almost all classes of ships except non-nuclear submarines, the rate of its expansion suggests that it will catch up in a few years. The Soviet merchant fleet is larger in numbers than the American one, but in tonnage capacity it is behind. The rate of its expansion is such, however, that it will overtake the United States in about five years.

There are three aspects of the Soviet naval expansion which deserve attention. Its significance for the Soviet Union, its significance for America and the West and its significance for world naval strategy and its effect on other countries.

For the Russians, its historic importance lies in the fulfillment of an old national dream. Bound by Asian land frontiers on the south and, for the most of the year, frozen seas on the north, Russia has always hankered after outlets to the sea, which have been mostly denied her. With the advent of air power, the Soviet Union was content for a while to think that navy was an outmoded form of national requirement. But this was a mistaken view which has been given up since and for the first time in its long history Russia has a navy capable of reaching out to the lands beyond the open seas of the world. Its psychological effect on Soviet thinking cannot be overestimated.

NEW IMAGE

The practical result of this breakthrough for the Soviet Union will be to enable it to project its power image in a new form. The visit of a Soviet naval squadron to India, Pakistan, Iraq and Iran in recent weeks is a demonstration of this. But apart from such gestures, the more concrete benefit of this newly acquired strength has been felt in Vietnam and West Asia.

It is due mainly to this naval power that Moscow has been able to maintain the supply of war materials to Hanoi and thus overcome the tremendous obstacles put in the way by China. It is also knowledge of this aspect of the Soviet power which has prevented America from attempting a blockade of North Vietnamese ports.

In West Asia, the UAR is the most direct beneficiary of Soviet naval presence in its ports, which acts as a deterrent to Israel. There is little reason to doubt that the Soviet Navy will not only continue to provide support to the UAR but also obstruct American naval movements by its very presence. It is inconceivable, for instance, that the Americans can now land their marines in any country of the region with such swiftness and rapidity as they did in Lebanon about a decade ago.

CHALLENGE

A French naval expert in the 19th century, defining the purpose of naval power, wrote, "Naval strategy has for its end to found, support and increase, as well in peace as in war, the sea power of a country." By this definition, the Russians are following the correct naval strategy, and its advantages to them are already apparent.

This brings us to the second aspect of the Soviet naval breakthrough—its challenge to the West. It has been a commonplace to observe for decades that the real Western Power was based on its naval supremacy. Throughout the 19th century, the British fought to maintain their naval supremacy because it enabled them to maintain their empire and prosperous trade.

After the First World War, the American naval power supplanted the British. But its only effect was to transfer the centre of power from Europe to America. As far as the rest of the world was concerned, it made little difference. The seas remained for all practical purposes, a vast Western lake. The Western Powers could and did employ their naval power with impunity to impose their own political views on dissenting States and, if necessary, to force them to change their Governments.

The spirit in which Palmerston used to dispatch warships with such aplomb in the 19th century was no different in substance to the spirit in which the United States landed its marines in various countries during the period following the Second World War.

Such action was based on the secure knowledge that it could not be challenged. The American Navy was also keeping up constant patrolling of the world and in the Mediterranean the Sixth Fleet and permanent bases to make its presence felt.

The arrival of the Soviet Navy means that for the first time since Vasco da Gama, Western Naval supremacy is faced with a serious challenge. This uncomfortable feeling is behind such of the attention being given to the Soviet Navy. It has also brought in responses of a nature which can be best described as a hangover of the Cold War, such as the British decision to make greater contribution of ships to the NATO command in the Mediterranean. This in return is irritating the Russians who consider that unnecessary adverse conclusions are being drawn about their intentions.

Therefore, it is necessary to take a more objective view of the situation, and to consider what the Russians themselves seek by demonstrating their naval power, to begin with, in the Mediterranean which touches 17 independent States. In any case, preliminary diplomatic salvos have already been fired to determine what happens in the Mediterranean.

THE RISE OF SOVIET SEAPOWER—II

(By Dev Murarka)

What do the Russians seek? As long ago as April, 1967 the Soviet leader, Mr. Brezhnev, gave a clear indication of the Soviet outlook. Speaking at the Karlovy Vary conference of the European Communist Parties, he said, "There is no justification whatever for the constant presence of the U.S. fleet in waters washing the shores of Southern Europe. One would like to ask: What are the grounds, twenty years after the end of the Second World War, for the U.S. Sixth Fleet to cruise the Mediterranean and to use military bases, ports and supply bases in a number of Mediterranean countries? This poses a serious threat to the independence of all coastal countries. The time has come to demand the complete withdrawal of the U.S. Sixth Fleet from the Mediterranean."

NATO DECISION

In other words, the Russians are now prepared to bargain with the Americans to eliminate or at least to reduce to a minimum the presence of the U.S. Sixth Fleet in the Mediterranean. While the matter was not taken up in the wake of the West Asian crisis, it was not forgotten.

In December, 1967, the Ministerial Council of NATO, meeting in Brussels, passed a resolution to take the "necessary measures" to parry the "Soviet threat," as reflected in the "penetration of the Soviet fleet into the Mediterranean region." This has led a Yugoslav commentator to ask: "Whom were the U.S. and NATO parrying for a full two decades when there was no Soviet fleet in the Mediterranean?"

In fact, as a Mediterranean country, Yugoslavia is deeply interested in the issue and taking a leading part in mobilizing opinion against the presence of the U.S. Fleet in the region. In two conferences attended by 16 progressive movements from the Mediterranean region, including some of the Communist Parties, held in Rome in January and April, this year, and specifically summoned to discuss the Mediterranean question, it was decided to seek withdrawal of the Americans from the Mediterranean. There were some differences of approach but there was unanimity on preventing the Mediterranean from continuing as an American base.

WORLD STRATEGY

Although no immediate results can be expected from all these moves, in the long run there can be only two consequences. Either the Americans and the NATO Powers will have to be resigned to the Soviet presence, or they will have to agree to simultaneous withdrawal of the American and Soviet fleets. Whichever way the solution goes, it will be a conspicuous triumph of Soviet naval diplomacy.

There still remains the third aspect of the matter, the effect of Soviet naval power on world strategy and other countries. Some of the short-term effects, on the Vietnam war and on West Asia, have been indicated earlier in this article. The long-term effect will be to establish a parity between the Soviet Union and the United States in naval power and thus provide a counterpoint to uninhibited American power on sea. For the non-naval Powers it means that both super-Powers will cancel each other out, so far as the naval power goes.

There will, however, be a profounder revolution in world military strategy since by deciding to expand their navy the Russians have taken a fundamental decision to create strategic mobility. In any future crisis the Soviet Union will not remain as muscle-bound as in the past.

This means that the Soviet Union is being transformed into a super-Power, with a capacity to deploy its strength to places of its own choice, whenever it wants to. Also, for technical and financial reasons, it is apparent that the Soviet naval strategy is on defensive lines and is not as yet concerned with creating an offensive capacity which will need combined sea-air power of high quality. The Russians are not developing it at the moment. For instance, there are no signs that the Russians are building aircraft carriers, and only two old ships are being converted into helicopter carriers.

As for the Soviet Union being a regional power, neither the voyage of the Soviet ships to the Indian Ocean ports nor its growing interest in South-East Asia and Latin America will support this formulation. Moreover, in West Asia, in spite of the American victory through Israel during last year's conflict, in retrospect it has become clear that it is the Soviet Union which has gained most politically, and its influence can now be felt directly in Mediterranean ports like Alexandria.

SELF-SUFFICIENT

It not only makes the naval squadrons self-sufficient but it saves them from being dependent on other countries. The Russians, of all people, know how unreliable foreign bases are in the long run, considering that they themselves have waged a not wholly unsuccessful campaign American bases around their frontiers.

What is of greater interest from the Indian viewpoint is the effect Soviet naval strength may have on South-East Asia. A study of Soviet policy towards that region will easily reveal that till now Soviet interest in the area has been a fluctuating one. There were many reasons for it but one consideration was that the Russians had no effective means of reaching the area.

The emergence of the Soviet Navy has changed this. It is not accidental that for the first time the Russians are now engaged in systematic improvement of relations with all the countries of South-East Asia, and not only with a few selected countries. The development of their relations with Malaysia, establishment of diplomatic relations with Singapore and other activities suggest that they are now confident of being able to make their presence felt there in the event of a crisis.

For India it may well mean that she will be simultaneously relieved of the pressures of the American fleet in the Indian Ocean, and the threat of Chinese naval expansion in future. It is a very long-term development, but worth remembering for pursuing any naval strategy of her own.

On the western flank of India, too, the Soviet Navy's appearance will have incalculable effect on the Persian Gulf. Already, the Russians have made it plain that after the British withdrawal from the area, they do not want American Navy to take it over. In this they are supported by many countries of the region, notably Iran.

It is now a symbol of their natural power status, and not an imperial occupation. The strangled cries of Lord Curzon's ghost are lost in the festivities which follow the arrival of the Soviet ships in the region, and if symbols have any meaning, it means that the Russians are at last taking their due place as Asia's powerful neighbours. A revolution, indeed.

PATRIOTISM

HON. GEORGE BUSH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. BUSH. Mr. Speaker, soon it will be July 4 and the annual editorial debate on patriotism will be with us.

Today we get so many conflicting views that some are embarrassed to use the word. Many jump on certain churchmen for helping kill off patriotism. I think today we are inclined to mistake the disproportionately loud voice of the radical for the voice of the people.

I want to call to the attention of the House this well documented sermon by the Reverend J. T. Bagby, of St. Martin's Episcopal Church in Houston, Tex. It makes a lot of sense:

PATRIOTISM

(By the Reverend J. T. Bagby)

Patriotism is defined as "the love for and devotion to one's country". With many people within our country patriotism seems to have a bad reputation today. There are those who argue patriotism is out-of-date, something to be played down or pushed aside. There are those who cannot display love for and devotion to our country because they place their personal minds and wills above this or that policy of our government. Shall we play down patriotism?

I. THE BIBLE AND PATRIOTISM

Pure and passionate patriotism is portrayed by an exiled psalmist of Israelite in Babylon. Hear the longings of a patriot for the land he loved.

> "By the rivers of Babylon, there we sat down, yea we wept, when we remembered Zion.
>
> We hanged our harps upon the willows in the midst thereof.
>
> How shall we sing the Lord's song in a strange land?
>
> If I do not remember thee, let my tongue cleave to the roof of my mouth; if I prefer not Jerusalem above my chief joy." (Psalm 137: 1, 2, 4, 6)

Jesus declared that the person who receives the privileges of government has a responsibility to fulfill to that government. "Render therefore to Caesar the things that are Caesar's, and to God the things that are God's." (Matthew 22:21)

St. Paul was a patriotic Roman citizen and proud of it. In his classic comments in Romans 13:1-7, he points out the relation of the Christian to the state.

There has always been a strain in Christian thought which needs little provocation to repudiate the authority of the temporal rulers and claim that Christians owe their sole allegiance to Christ.

There may be a time when a Christian must state that it is his duty to serve God rather than the state, but normally it is the Christian's responsibility to the state to accept his obligations and conscientiously to discharge them. Since it is the danger of failing at the latter point which causes St. Paul concern, it is with this that he is exclusively preoccupied. As an example: 13:1—"Let every person be subject to the governing authorities." "Let every man"—the emphasis is clear. No one can claim that special privilege gives him exemption from civil obedience, nor can he insist that special insight puts him beyond the reach of the state's demands. In short, do not plead a religious right in order to evade your duties as citizens. Are you more concerned with immunity than responsibility?

If any man does not have love for and devotion to his country, he cannot build his case on the Bible.

II. OUR FOUNDING FATHERS AND PATRIOTISM

The founders of our nation were Bible-reading, praying, churchgoing, God-honoring men and women.

The very foundation on which this nation was built was the underlying faith in the overruling Providence of God.

Religion permeated every facet of life during the early years of this nation's formation.

(1) Religion was part of home life. Bible reading and family prayer was a way of life in nearly every home.

(2) Bible reading and prayer were taught in our schools.

(3) The early colleges were Church schools, and many of the college presidents were clergymen.

(4) The legislative bodies of the colonies opened their sessions with prayer, and in some instances, with a sermon.

(5) A number of clergymen served in the early Congresses.

(6) Many sermons of early Colonial days were published, and for many people it was their only source of information.

Belief in God permeates two great documents given to us by our forefathers.

Hear the words of the Mayflower Compact: "In ye name of God. Amen. . . . by ye grace of God . . . for ye glorie of God, and advancemente of ye Christian faith . . . do by these presents solemnly & mutualy in ye presence of God . . ."

Hear the words of The Declaration of Independence: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights . . . . And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor."

Blessed Lord, who hast given us the Mayflower Compact and the Declaration of Independence for our heritage; Grant that we may in such wise hear them, read, mark, learn, and inwardly digest them, that we may embrace, and ever hold fast, the blessed faith in the overruling Providence of God.

Incidentally, two-thirds of those who drew up the Declaration of Independence and two-thirds of those who signed the Constitution of the United States were Episcopalians. George Washington was a communicant and vestryman. Francis Scott Key, author of the "Star-Spangled Banner", was an Episcopalian.

Let me repeat, the foundation on which the nation was built was an underlying faith in God. The founders were Bible-reading, praying, Church-going, God-honoring men and women. Before you become negative and critical about the state and spirit of patriotism within our nation, check your own attitudes and actions with those of our founding fathers.

Your patriotism and my patriotism are of little value unless they are based on a faith in God.

Irving Berlin wrote a beautiful prayer: "God bless America, land that I love!" This IS a land that I love! And I don't care who knows it! But there is a greater prayer each patriot should pray: "I love Thee, O God! I praise Thee, O God! May we always prove ourselves a people mindful of thy favour and glad to do thy will . . . . fill our hearts with thankfulness . . . . suffer not our trust in thee to fail!"

If we can help other people to immerse themselves in the great heritage which is ours, we shall lead them in a renaissance of patriotism.

III. THE ROLE OF A PATRIOT TODAY

It is easy to criticize our nation. Let us remember there are no perfect governments, and there will be none because people—like you and me—are not perfect. So, we cannot wait for a perfect order with perfect people to begin to participate as good patriots. Let us consider what we *can do* as good patriots. Here are some suggestions:

1. Make your home a stronghold of religion. The New Testament speaks at least four times about the Church which meets in houses. (Romans 16:5; I Corinthians 16:19, Colossians 4:15; Philemon 2.) Before you become critical of the elimination of prayers in public schools, legislative assemblies, and public functions; make certain that Bible reading and family prayer is a way of life in your home. Until and unless your family life is based on faith in God, you have not met the first prerequisite of an American patriot.

2. Be as concerned with the religion of young people, especially your own children, as you are with their education. Most Americans do not know that this twentieth century is experiencing something that has never before existed in any country, in any age, among any people, or in any culture. That something is education without religion. The only two countries which have it now are Russia and the United States. Never before in the history of the world has a country attempted education without religion. It is easy to understand why Russia has education without religion, but it is impossible to understand why Americans can allow our leaders to impose the same philosophy on us. How dangerous becomes the educated person who believes that God does not exist, that man is not the child of God and the brother of every other man, that the universe was not created by God, and that this world is not controlled by His moral laws. Education without religion will lead to anarchy, terrorism, license, tyranny, despotism, and nihilism. Until and unless you are as concerned with the religion of our young people as you are with their education, you have not met a prime prerequisite of an American patriot.

3. Elect the best men as our leaders. It matters little to me to what political party a leader may be related, but it matters a lot how related a leader is to God. Religion and politics should mix. God save us from the politician without religion. We should elect leaders who will attempt to do the will of God. Men in public office should think of their responsibilities as a special "realm of grace".

We should elect only those men who know and agree with St. Paul that "there is no authority except from God". (Romans 13:11)

Let us remember the words of the "Book of the Wisdom of Solomon": "Hear therefore, O ye kings, and understand; learn, ye that be judges of the ends of the earth. Give ear, ye that rule the people, and glory in the multitude of nations. For power is given you of the Lord, and sovereignty from the Highest, who shall try your works, and search out your counsels." (Wisdom of Solomon 6:1–3)

Elect as our leaders those men who accept no authority except from God.

4. Hold to the truth stated in the Declaration of Independence "that all men are created equal, that they are endowed by their Creator with certain unalienable Rights". Treat each individual person as a child of the Heavenly Father, as a person of infinite value for whom Christ died on the Cross. "For ye all are the children of God by faith in Christ Jesus." (Galatians 3:26)

There can be no realization of a sense of brotherhood in our country until and unless we build it on a belief and practice of the Fatherhood of God. Heed the teachings of both the Declaration of Independence and the Bible as to how to live with all men as patriots and as Christians.

5. Carry out the American Creed, which says: "I therefore believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies."

"Blessed is the nation whose God is the Lord, the people whom he has chosen as his heritage!" (Psalm 33:12)

"Lord God of Hosts, be with us yet
Lest we forget, lest we forget!"

Kipling's "The Recessional."

DAVID MOFFATT McCONNELL

HON. TOM S. GETTYS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. GETTYS. Mr. Speaker, an old friend of mine, the Honorable David Moffatt McConnell, a native of Chester County, S.C., in my congressional district, has been recognized by the President as a man with great ability and extremely suitable temperament to contribute his talents to the cause of world peace. Mr. McConnell as been appointed by the President as Special Adviser on the U.S. Delegation to the 45th Session of the United Nations Economic and Social Council, which convenes in Geneva, Switzerland, and occasionally sits in New York. Mr. McConnell has been appointed to serve with the rank and appointment of Ambassador of the United States and I compliment the President upon his discernment and wisdom in entrusting these important duties to my esteemed friend.

Mr. McConnell was formerly Special Counsel to the U.S. Commissioner of Internal Revenue, and was a counsel to the U.S. Senate Committee on Government Reorganization, and an Administrative Assistant to U.S. Senator James F. Byrnes of South Carolina, who was later Secretary of State. He has served for the past 2 years as a member of the North Carolina Tax Study Commission.

He has a broad background in international affairs. He served as provost marshal and protocol officer with the Nationalist Chinese Army under Gen. Joseph W. Stilwell in China, Burma, and India. He was chairman of the international conference at Ramgarh, Bihar Province, India, in 1942, which conference prepared Treaties of Military Command and Criminal Jurisdiction of Forces for China, Burma, and India, for which he was awarded the U.S. Legion of Merit and awarded the Order of the Cloud and Banner by Chiang Kai-shek.

Served as Acting Chief, Legislative Branch, War Department General Staff G-1 under Gen. George C. Marshall, and ended his war services as a colonel, General Staff Corps at the age of 32, starting as a lieutenant in the infantry. He was a codraftsman of the Declaration of Nuremberg and the Post-War Treaty with the Republic of the Philippines.

He assisted in the drafting of tax conventions with the Kingdom of Denmark and the Republic of Colombia.

Active in civic and political affairs, he served as chairman of the North Carolina State Board of Elections; served as a delegate to many Democratic National Conventions and was a member of the nine-man executive committee which formulated the Democratic Platform of 1964. He personally drafted the civil rights plank in this platform.

Member of State Department Mission to West Germany to celebrate the 20th anniversary of the Marshall Plan and the Declaration of Nuremberg, 1964.

Liaison Official for War Department General Staff with UNRRA and UNICEF in 1944–46.

He was awarded the Legion of Merit and Oak Leaf Cluster for outstanding services on the U.S. General Staff.

Member of the bar of North Carolina, South Carolina, District of Columbia, and the U.S. Supreme Court, and Tax Section, American Bar Association. He is active in corporate affairs as general counsel, Belk Stores, and a director of the Bank of Charlotte. He received his B.S. Summa Cum Laude, Davidson College, N.C. and was a member of Phi Beta Kappa and Kappa Alpha Order. He was Rumrill Award Scholar at Harvard Graduate Business School; Ll.B, Ll.M in Federal Taxation, Georgetown University, and has received his doctorate in law from Georgetown University.

We in North and South Carolina are honored by this wise appointment of the President and know that his trust in David McConnell will be fulfilled in high measure in the councils of the United Nations.

COMMENT ON SIGNING OF NUCLEAR NONPROLIFERATION TREATY

HON. CORNELIUS E. GALLAGHER

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. GALLAGHER. Mr. Speaker, today, I witnessed two hopeful signs for a world free from the constant threat of nuclear destruction.

The signing of the nuclear nonproliferation treaty signals both a beginning and an end; the beginning of quiet control of spreading destruction and the end of years of intense negotiations among the nations of the world. President Johnson deserves this country's highest praise for he took this particular treaty, and its acceptance, as a very personal task. His success is our success. We have made a long stride towards bringing the world one more step back from the brink of nuclear holocaust.

The signing of the nuclear nonproliferation treaty also gives me special pride for I have been privileged to serve for the last 4 years as a congressional adviser to the Geneva peace talks, as a member of the U.S. arms control and disarmament team, and I have had the unique opportunity of participating in and observing the critical and delicate maneuvers and discussions that led to this historic treaty. Standing today at the White House gave me concrete evidence of the security that can come with peace and stability.

The other hopeful sign is the announcement by President Johnson that, 4½ years after his first proposal, the Soviet Union and the United States have now agreed to hold talks aimed at limiting the vast strategic weapons systems that both of our countries either possess now or plan for the future. I hope that these talks will be fruitful for the only end that escalation of these weapons of terror can have is the total and complete obliteration of the human race.

Mr. Speaker, in 1961, I introduced the original legislation establishing the U.S. Arms Control and Disarmament Agency. The subsequent passage of that bill marked the beginning of this Nation's active pursuit of stability in the world through a policy of encouraging disarmament, rather than arms; encouraging rational judgment, rather than rash judgment; encouraging peace, rather than war. At that time, and today, I agree with President Kennedy's statement that, "Peace in this world is the work of all nations."

A CAREFUL AND INFORMED LOOK AT THE MIDDLE EAST

HON. WILLIAM S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. BROOMFIELD. Mr. Speaker, as we are all aware, the security of the State of Israel is not all that is at stake in the Middle East. Our adversaries' long-range goals undoubtedly include the domination of the entire region and 60 percent of the world's oil resources. Ultimately, it involves the neutralization of Europe and possibly the fate of Africa and even the future of South America. All of this is illustrated and documented in a most extraordinarily eloquent manner in a speech delivered by our distinguished minority leader, the Honorable GERALD R. FORD, before the Jewish Men's Club at East Rockaway, N.Y. I commend Representative FORD's remarks to the attention of my colleagues:

AN ADDRESS BY REPRESENTATIVE GERALD R. FORD, REPUBLICAN OF MICHIGAN, BEFORE THE JEWISH MEN'S CLUB AT EAST ROCKAWAY, N.Y.

Tonight I would like to share with you some of my thoughts on developments in the Middle East.

While our Government has been preoccupied with events in the Far East, the Soviet Union has turned the massive setback of last June's Six-Day War into a victory in terms of regional penetration.

The Administration has developed no definitive policy to meet the problems of this region. There has been talk of "five points", and so forth, but mainly we have drifted.

Tonight there is talk of United Nations sponsored peace talks. But the details are obscure. I feel that the State of Israel would be well-advised to retain territories presently occupied and not budge until such time as appropriate mutual arrangements are made in face-to-face talks agreeable to both sides. Previous experiences with the United Nations would indicate the need for caution.

The fluctuations of United States policy are such that I frankly have been unable to determine just what our wavering policy is. I think it is a non-policy. It is so lacking in reality that it is like an Arabian desert mirage. The harder one looks at it, the less one sees.

In terms of United States policy, we are looking at a vacuum in the Middle East—a very dangerous vacuum. The power and influence of the Soviet Union is flowing into it.

Yet President Johnson did not even mention in his recent State of the Union message that a new power structure, very hazardous to freedom, had developed during the last year in the Middle East and Mediterranean. He did not call attention to the dramatic and aggressive Russian moves in that region.

But the President used *many* words to explain and justify his position on Vietnam. He has said many times that we are in Vietnam to draw a line against Communist aggression.

I cannot understand how we are keeping faith with our brave men in Vietnam, who are holding the line, when we are so mysteriously silent about the end run the Russians are taking through the Middle East and into the Mediterranean!

The Soviet Union sought to exploit American preoccupation in Vietnam last Spring by instigating and aiding the Arab move against Israel. Yet an authorized spokesman for the Johnson Administration announced, when the outcome was in doubt, that we were "neutral in thought, word and deed".

The heart-warming six-day victory achieved by Israel was the only reassuring triumph of free men against Communism and aggression in a long time. But I have yet to hear our President publicly voice gratification that Israel, a free nation, has defeated aggression.

The Russians, of course, are using the radical Arab regimes by proxy just as the Nazi used Spain in the 1930's—to test their new weapons. And, more important, to test the will of the democracies.

Let us recall that the first time in history a surface-to-surface missile was used to sink a ship it was a Soviet "Styx" missile. The victim was an Israeli destroyer.

The Soviet navy was operating in the area where an Israeli submarine mysteriously disappeared, suddenly and without trace, only a few weeks ago.

The Russians have embarked on a dangerous game in the Mediterranean and Middle East. They are playing for high stakes. Britain has withdrawn from commitments East of Suez. France has deserted NATO. The Kremlin is using the Arabs to turn the Mediterranean into a Russian lake.

Last year there were a scant half-dozen Russian naval ships in the Mediterranean. Now there are about 50, almost on a par with the U.S. Sixth Fleet.

The Russians are moving to outflank NATO's land-based defenses. In the north, the Russians made the Baltic a virtual Red Sea. Their warships in the Baltic now outnumber NATO forces 5 to 1.

A massive Soviet naval program is under way. The Johnson Administration is failing to keep pace. We just heard a warning from the Joint Congressional Committee on Atomic Energy that the United States might be "unable to counter the rapidly increasing Soviet submarine threat" unless the Administration changes its policies on construction of nuclear submarines. Admiral Hyman Rickover has long been making this very point.

Indeed, the Russians already have 55 nuclear submarines to our 75 while possessing 305 conventional submarines to our 80.

There are also the questions of deficiencies in Administration planning to meet the new Mach 3 Soviet jet interceptor which flies over 1800 miles per hour.

And now we hear that the Russians are rapidly closing the missile gap with a mobile ICBM.

Russia has the world's fastest growing merchant fleet. Its tonnage will surpass our own by the early 1970's. Sixty percent of U.S. naval warships are 25 years old or older. The Russian navy is sleek and modern.

The new challenge of Russian seapower and penetration of the Mediterranean may haunt us long after we finish with Ho Chi Minh. Soviet ships and submarines boldly shadow every unit of the Sixth Fleet. Now we learn that the Russian navy is shadowing even Israeli merchant vessels.

The Russians have built two aircraft carriers, the "Moscow" and "Leningrad", similar to our Iwo Jima-type carriers used off Vietnam. The Soviet aim is to use such vessels for amphibious support in areas like the Middle East.

We know that Russia is moving a newly formed marine landing force, called the "black berets," into the Mediterranean. They are aboard special landing craft that carry amphibious tanks.

Meanwhile, Arab terrorists are talking of themselves as the "Viet Cong of the Middle East." The Israelis could be hit along the cease-fire lines by terrorists who retreat behind a privileged sanctuary if the Russians moved in their aircraft carriers and amphibious forces as a screen to defend Arab territory.

The Soviet Union has made it very clear that she actually supports the most militant Arabs. The Red Navy is operating out of the ports of Alexandria and Port Said in Egypt; Latakia in Syria; and perhaps soon from Yemen and Aden on the Red Sea, menacing the Indian Ocean; and from Mers-el-Kebir in Algeria, within range of Gibraltar.

Is all this build-up solely to eradicate Israel? The objectives are far greater. It is the dominance of the entire region and 60 per cent of world's oil resources. It is the neutralization of Europe. It is the fate of Africa. It is even the future of South America.

Already we see Russian gains. Three members of the Central Treaty Organization—Turkey, Iran, and Pakistan—are pursuing closer relations with Moscow. The Turks are building stronger economic ties with Russia. Iran and Pakistan, which received much aid from the U.S. taxpayer, are buying Russian arms. India is buying Soviet submarines.

The Russians have resupplied the Arabs with even more modern weapons than those lost in the war last June. Soviet military officers are to be found advising at every echelon of command in the Egyptian armed forces. Russian heavy bombers, manned by Soviet Air Force crews, have flown from Egyptian air bases.

The Chinese Communist radio broadcast from Peking in Arabic on February 18 that Arab terrorists were inspired by the Viet Cong. A spokesman for the Arab terrorist group stated in Damascus that "our battles in the occupied territory enjoy increasing support from the Arab masses there. We have thoroughly understood Chairman Mao's teachings about the relations between the popular army and the people, which are similar to the relations between the fish and the water."

A few days later, the Chairman of the Egyptian National Assembly, Anwar Sadat, Nasser's right-hand man, cabled North Vietnam and North Korea of Arab support in the "struggle against aggression" and expressed "solidarity in the struggle against the racists."

Mr. Sadat was in Washington last year as a guest of the Administration. The Arab press and radio also voiced hope that such persons as H. Rap Brown and Stokely Carmichael provide American cities with a "Viet Cong" summer.

The official radio of Jordan broadcast a defense of Soviet naval operations in the region. The Jordanians said this was merely a move to defend the Arabs against Israel.

What was President Johnson's response to all this? The Administration announced that tanks, artillery, and even F-104 Starfighter supersonic jets were being provided to Jordan. The Jordanian armed forces are still linked with a unified Arab high command advised by Russian generals. The Arab terrorists, known as the "El Fatah", operate from Jordanian territory frequently with the assistance of the Jordanian army.

On the very day that the announcement of arms for Jordan was published in Washington, the terrorist attacks from Jordan reached such intensity that Israeli armed forces were forced to bomb bases of aggression on the east bank of the river that serves as the cease-fire line.

The Arab terrorists are already using Russian and Chinese machine-guns and mines of types used in Vietnam. Now they will have heavy weapons—financed no doubt, by our taxpayers.

The Administration maintained that supplying arms to Jordan was necessary to maintain the throne of King Hussein. If he goes, they say, the extremists might come. It seems to me that the extremists are already there.

The least that the Administration could have asked from Jordan in exchange for the arms is that she make peace with Israel. That seems a reasonable enough condition. There is also the very real danger that arms shipped to the shaky Hussein regime may end up in other thanks. It is like sending our F-104's "to whom it may concern."

If the Soviet military experts need any of these arms for testing, to perfect methods for destroying our forces in Vietnam, they need only apply to their Arab friends.

I must note that President Johnson, while he has authorized supersonic jet fighters for the Arabs, has agreed only to sell some subsonic Douglas Skyhawks to Israel. The transaction with Israel was signed two years ago. The planes are, for the greatest part, as yet undelivered. They are allowed to trickle out, one by one. It will be 1969 before Israel gets all of them.

Israel meanwhile noted the Soviet escalation in the region against a background of French cancellation of all supersonic jets ordered by the Israelis.

An application was made by Israel to buy 50 supersonic Phantom jets from the United States to meet current needs because of the new situation. President Johnson has deferred action. It has been hinted that the planes may be sold next Autumn, at the time of the election.

Those Phantom jets should be on their way *now*. They are vital to Israel's deterrent capacity. It takes time to train pilots, technicians, and mechanics for such sophisticated equipment.

Can Israel's friends really believe the Johnson Administration's promises?

The 1964 plank on the Middle East in the Democratic Platform solemnly promised to guard "against the dangers of a military imbalance resulting from Soviet arms shipments". Is the Administration doing this by shipping U.S. arms to some Arabs to balance the Russian arms received by other Arabs—with all the guns pointing against Israel?

Let me pause here to ask: Where is our national self-respect? The Egyptians have burned down our consulates, spit on the American flag, abused U.S. citizens, severed diplomatic relations, lied about our role in the six-day war, collaborated with the Communists, praised North Korea for seizing the *Pueblo*, congratulated the Viet Cong for the Tet offensive—and yet the Administration still insists that we buy Egyptian cotton.

Are we to impose a travel tax on Americans visiting, for instance, in Israel—but permit dollars to go to Egypt to support the Russian munitions industry?

I have heard reports in Washington that the Administration is eager to resume relations with Egypt in hopes of wooing Nasser by resuming aid to his government.

We would do much better to spend such sums for the strengthening of the Sixth Fleet.

If it is desirable to draw a line in Vietnam, why permit the Arab "Viet Cong" to rampage across the cease-fire lines in the Middle East?

Why is President Johnson still training 25 Arab pilots, from Jordan, at U.S. airbases in Texas? It is ironic that while Prime Minister Eshkol of Israel was a guest at the LBJ Ranch, Arab pilots were flying over his head in Star-fighter jets.

Let us now leave the Middle East to discuss a related and timely issue involving the Soviet Union.

The conscience of the world was not aroused until too late when Nazi genocide liquidated over six million Jewish people in Europe. Today we find a cruel irony. Some of the survivors of Nazism, those who reside in the Soviet Union, find themselves again subjected to discriminatory treatment because of their religious faith.

The Government of the Soviet Union has embarked on a subtle campaign of *cultural genocide*, to destroy the Jews as a people and Judaism as a religion. I have heard that there are only four rabbis, all very elderly men, left in the entire Soviet Union which has a Jewish population of over three million. This is because Soviet authorities have liquidated Jewish education, religious schools, seminaries, and so forth, to the extent that no new rabbis or religious teachers are being trained.

Jews in Russia are denied even the meager religious facilities permitted *non-Jewish* minority groups. Pressures against the Jewish people have been intensified following the defeat by Israel of the Russian-backed Arab aggression. When the USSR severed diplomatic relations with Israel last June, all exit visas for Jews were abruptly cancelled.

It should be a matter of deep concern to all humanity that the Russians are scapegoating the Jews—in effect, holding those innocent people hostages for the behavior of the State of Israel.

A wave of propaganda, reminiscent of the Nazi era of cruel caricatures, has flooded the state-controlled Soviet press.

A number of the young Russian writers recently sent to jail for publishing ideas challenging the totalitarian concept were Jewish.

Some of America's most eminent citizens are persons of Jewish faith who still have relatives in Russia. There is a terrible anguish in realizing that another generation of oppression and systematic cultural genocide may finally liquidate the once-flourishing Russian Jewish community.

At times in the past, once when Taft was president and even as far back as the presidency of General U.S. Grant, the United States Government used its influence to ameliorate anti-Jewish pressures abroad. Our Government has expressed itself on the racial policies of the Union of South Africa and Rhodesia. I do not understand why more cannot be done in Washington to let the rulers of the Soviet Union know that the Government of the United States cares about what happens to the Russians of Jewish faith.

Some say that it is all too easy for an opposition political party to oppose policies of the Administration. In this instance I want very sincerely to propose a policy to help Russian Jews. No such policy exists in the Johnson Administration!

I believe that Russia is responsive, within certain limits, to the pressure of world public opinion. I believe there are things that the Kremlin wants from the United States. Last year the Russians were very eager for the agreement to permit the Soviet airline, Aeroflot, to have landing rights at Kennedy Airport. An agreement was made to exchange landing rights. The Russians remain extremely anxious to expand East-West trade.

It seems to me that the time has come to take affirmative action to dramatize to the Russians that we mean business on the issue of their treatment of minorities. When the next measure comes before the Congress involving East-West trade or a similar appropriate bill, I will advocate an amendment, I hope with bi-partisan support, to express the sense of the Congress that the Soviet Union should display concern for American opinion in Soviet policies affecting the Jews.

Our Federal laws now require that all business concerns trading with the Government treat employees on a non-discriminatory basis. I do not see why we cannot make such a request of the foreign nations which we trade, with special reference to the Soviet Union. The notorious anti-religious policies of the Soviet Union might be ameliorated if the Kremlin comes to realize that such bias is simply bad business in terms of world trade and commerce.

I am confident that a Republican Congress would enact such an amendment.

It would keep the faith with the six million Jews who died during World War II. We grieve that some of those brutal murders could have been averted by more affirmative action by free people of other lands at that time.

EXCERPTS FROM BIBLIOGRAPHICAL SOURCES IN "THE VULNERABLE RUSSIANS"

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. DERWINSKI. Mr. Speaker, issues such as the nuclear test ban treaty, the consular treaty, the nonproliferation treaty, and missilry restriction measures cannot be fully assessed without a firm and working background of Soviet Russian cold war tactics. The subject matters may be different, but the objectives of net advantage to Moscow's aggressive, imperialist designs and of strategic timing for the long run are no different from the cold war calculations of Russia's past czars who plodded to create an empire over the course of 500 years. The technological items are, of course, different, but the framework of diplomatic gesture and deceptive advantage is by nature the same. To view these calculated maneuvers as sincere steps toward world peace, justice, and freedom is the acme of naivete, and, unfortunately, for obvious political and intellectual reasons such naivete is being shown by some of our leaders today. The heavy price of this repeated behavior is characteristically paid in the future.

Perspective, sober insight, and penetrating logic are always necessary to evaluate sensibly the character of these instrumental, diplomatic steps. Such requisites are amply provided in the current work, "The Vulnerable Russians." Authored by Dr. Lev E. Dobriansky of Georgetown University, this popular book furnishes the necessary background for the avoidance of this piecemeal naivete and the generation of numerous illusions concerning imperio-colonialist Moscow's peaceful gestures. The contents of the book themselves are based on extensive documentation and supporting works.

The work is now available at the Georgetown University Bookstore, White Gravenor, Georgetown University, Washington, D.C. However, some bibliographical excerpts from the book will give the reader an indication of the sources supporting this novel work.

The excerpts follow:

SELECTED BIBLIOGRAPHY

BOOKS

Adams, Arthur E. *Bolsheviks in the Ukraine: The Second Campaign*, 1918–1919. New Haven, Conn.: Yale University Press, 1963.

Allen, W. E. D. *The Ukraine: A History.* Cambridge, England: University Press, 1940.

Armstrong, J. A. *The Soviet Bureaucratic Elite.* New York: Praeger, 1959.

Armstrong, John A. *A Case Study of the Ukrainian Apparatus.* New York: Praeger, 1959.

———. *Ukrainian Nationalism,* 1939–1945. 2d ed. New York: Columbia University Press, 1963.

Aspaturian, Vernon V. *The Union Republics in Soviet Departments: A Study of Soviet Federalism on the Survey of Soviet Foreign Policy.* Geneva: Droz, 1960.

Blunden, Godfrey. *Time of the Assassins.* Philadelphia: Lippincott, 1954.

Borys, Jurij. *The Russian Communist Party and the Sovietization of Ukraine.* Stockholm, 1960.

Bray, William G. *Russian Frontiers: From Muscovy to Khrushchev.* New York: The Bobbs-Merrill Co., 1963.

Byron, Lord. *Mazeppa.* London: Murray, 1818.

Caroe, Olaf K. *Soviet Empire: The Turks of Central Asia and Stalinism.* London: Macmillan, 1953.

Chamberlin, William Henry. *The Ukraine: A Submerged Nation.* New York: Macmillan, 1944.

Chekalin, M. V. *The National Question in the Soviet Union.* New York: Workers Library Publishers, 1941.

Chirovsky, Nicholas L. *Economic Factors in the Growth of Russia.* New York: Philosophical Library, 1957.

Coleman, Arthur Prudden. *Brief Survey of Ukrainian Literature.* New York: Ukrainian University Society, 1936.

Derrick, Michael. *Eastern Catholics Under Soviet Rule.* London: Sword of the Spirit and Tablet House, 1946.

Dmytryshyn, Basil. *Moscow and the Ukraine,* 1918–1953: *A Study of Russian Bolshevik National Policy.* New York: Bookman Associates, 1956.

Dobriansky, Lev E., ed. *Captive Nations Week: Red Nightmare, Freedom's Hope.* Washington, D.C.: U.S. Government Printing Office, 1966.

Doerig, J. A. ed. *Marx vs. Russia.* New York: Frederick Ungar, 1962.

Doroshenko, Dmytro. *History of the Ukraine.* 2d ed. Edmonton: Institute Press, 1941.

Dushnyck, Walter. *In Quest of Freedom,* 1918–1958. New York: Ukrainian Congress Committee of America, 1958.

Eichenbaum. V. M. *The Unknown Revolution: Ukraine,* 1918–1921. New York: Libertarian Book Club, 1956.

Farmer, Donald Raymond. *The Theory and Practice of Soviet Nationality Policy.* Ann Arbor: University Mirofilm, 1955.

First Victims of Communism: White Book on the Religious Persecution in Ukraine. Rome, 1953.

Goodman, Elliott R. *The Soviet Design for a World State.* New York: Columbia University Press, 1960.

Hostler, Charles Warren. *Turkism and the Soviets.* New York: Praeger, 1957.

Hrushevsky, Michael. *A History of Ukraine.* New Haven, Conn.: Yale University Press, 1941.

Hryshko, Vasyli. *Experience With Russia.* New York: Ukrainian Congress Committee of America, 1956.

Humeyko, S. S. *The Ukrainian National Movement.* New York, 1939.

Hungarian National Council. *Black Book Concerning the Mass Deportations in Hungary.* Munich: ed. Hungaria, 1951.

Hunter, Alexander Jardine. *Taras Shevchenko,* 1814–1861: *The Kobzar of the Ukraine.* Teulon, 1922.

Jewish Minorities Research New York. *The Soviet Press Campaign Against the Jewish Religion: Themes and Texts.* New York, 1962.

Kaelas, Aleksander. *Human Rights and Genocide in the Baltic States.* Stockholm: Estonian Information Center, 1950.

Kohn, Hans. *Nationalism in the Soviet Union.* London: Routledge, 1933.

Kolarz, Walter. *Islam in the Soviet Union,* 1917-1960. Karachi-Dacca: Pakistan Committee for Cultural Freedom, 1960.

———. *The Peoples of the Soviet Far East.* New York: Praeger, 1954.

———. *Race Relations in the Soviet Union.* Honolulu: University of Hawaii Press, 1955.

———. *Russia and Her Colonies.* New York: Praeger, 1952.

Kononenko, Konstantin. *Ukraine and Russia: A History of the Economic Relations Between Ukraine and Russia,* 1654–1947. Milwaukee: Marquette University Press, 1958.

———. *Colonial Disfranchisement and Exploitation of Ukraine by Moscow.* 1958.

Korbel, Josef. *The Communist Subversion of Czechoslovakia,* 1938–1948. Princeton, N.J.: Princeton University Press, 1959.

Lang, David. *A Modern History of Soviet Georgia.* New York: Grove Press, 1962.

Lawton, Lancelot. *Ukraine: Europe's Greatest Problem.* London: East Europe and Contemporary Russia, 1939.

Lias, Godfrey. *Kazak Exodus.* London: Evans, 1956.

Lichtheim, George. *Marxism, A Historical and Critical Study.* New York: Frederick A. Praeger, 1961.

Loewenthal, Rudolf. *The Fate of the Kalmuks and of the Kalmuk ASSR: A Case Study in the Treatment of Minorities in the Soviet Union.* Washington, D.C.: External Research Staff, Office of Intelligence Research, Department of State, 1952.

Majstrenko, Ivan. *A History of Ukranian Communism.* New York: Research Program on the U.S.S.R., 1954.

Manning, Clarence A. *Hetman of Ukraine: Ivan Mazepa.* New York: Bookman Associates, 1957.

———. *History of Slavic Studies in the United States.* Milwaukee: Marquette University Press, 1957.

———. *Outline of Ukrainian History.* Winnipeg: Ukrainian Canadian Committee, 1949.

Martovych, Oleh R. *National Problems in the USSR.* Edinburgh: The Scottish League for European Freedom, 1953.

Marx, Karl and Engels, Friedrich. *The Russian Menace to Europe.* Glencoe, Illinois: The Free Press, 1952.

Nahayewsky, Isidore. *History of Ukraine,* Philadelphia: America Publishing House of the Providence Association of Ukrainian Catholics in America, 1962.

Nixon, Richard M. *Six Crises.* New York: Doubleday & Co., 1962.

Pipes, Richard E. *The Formation of the Soviet Union.* Cambridge, Mass.: Harvard University Press, 1954.

Prychodko, Nicholas. *Communism in Reality.* Toronto: New Canada Publishing Co., 1950.

Radzinski, John M. *Masks of Moscow: A History of Russian Behavior Patterns.* Chicago: Regent House, 1960.

Reshetar, John Stephen. *The Ukrainian Revolution,* 1917– 1920. Princeton: Princeton University Press, 1952.

Senyshyn, Ambrose. *Catholics of the Byzantine-Slavonic Rite and Their Divine Liturgy.* Stamford, Conn.: Ukrainian Catholic Seminary, 1946.

Seton-Watson, Hugh. *The New Imperialism.* London: Bodley Head, 1961.

Shandruk, Pavlo. *Arms of Valour.* New York: Robert Speller & Sons, 1959.

Shimkin. D. B. *Demographic Changes and Socio-Economic Forces Within the Soviet Union,* 1939–1959, *in Population Trends in Eastern Europe, the U.S.S.R. and Mainland China.* New York: Milban Memorial Fund, 1960.

Shuster, George N. *Religion Behind the Iron Curtain.* New York: Macmillan, 1954.

Smal-Stocki, Roman. *The Captive Nations: Nationalism of the Non-Russian Nations in the Soviet Union.* New York: Bookman Associates, 1960.

———. *The Nationality Problem of the Soviet Union and Russian Communist Imperialism.* Milwaukee: Bruce, 1952.

Sullivant, Robert S. *Soviet Politics and the Ukraine,* 1917–1957. New York: Columbia University Press, 1962.

Tarulis, Albert. *Soviet Policy Toward the Baltic States,* 1918–1940. Notre Dame, Ind.: Notre Dame University Press, 1959.

Tsamerian, Ivan. *Equality of Rights Between Races and Nationalities in the U.S.S.R.* Paris: UNESCO, 1962.

Ulam, Adam. *The New Face of Soviet Totalitarianism.* London: Oxford University Press, 1963.

U.S. Department of State. *Papers Relating to the Foreign Relations of the United States,* 1919: *The Paris Peace Conference.* Washington, D.C.: USGPO, 1942.

———. *Papers Relating to the Foreign Relations of the United States,* 1919; *Russia.* Washington, D.C.: USGPO, 1937.

———. *Papers Relating to the Foreign Relations of the United States,* 1918: *Russia.* Washington, D.C.: USGPO, 1932.

———. *Papers Relating to the Foreign Relations of the United States,* 1918: *The World War.* Washington, D.C.: USGPO, 1933.

ARTICLES AND PERIODICALS

Adams, E. E. "Bolshevik Administration in the Ukraine—-1918," *Review of Politics,* XX, No. 3 (July 1958).

Arendt, Hannah. "Totalitarian Imperialism," *Journal of Politics,* XX (February 1958).

Azrael, Jeremy R. "Is Coercion Withering Away?" *Problems of Communism,* XI (Nov.–Dec. 1962).

Bala, Mirza. "Soviet Nationality Policy in Azerbedzhan," *Caucasian Review,* IV (Munich 1957).

Barton, Paul. "An End to Concentration Camps?" *Problems of Communism,* XI (March-April, 1962).

———. "Russian Colonialism Within the U.S.S.R.," *Military Review,* XLII (February 1962).

Bedriy, Anathole, "Communists Exploit UNESCO as Propaganda Forum of Russian Colonialism," *Ukrainian Quarterly,* XVIII (Winter, 1962).

Bennigsen, Alexandre. "The Muslim Peoples of the Soviet Union and the Soviets," *The Islamic Review,* XLIII (July, 1955).

Bohkounikoff, Sophy. "Muslims in Russia," *The Moslem World,* I (1912).

Bower, F. "Genocide: Crime of Destroying Nations or Ethnic Groups," *Nineteenth Century,* CXXXVIII.

Boynton, John. "Russia's Empire is Crises: Colonialism is the Key Word in International Politics; What of Russian Imperialism, Which the Hungarian Tragedy Has Spotlighted?" *New Commonwealth,* XXXIII (Jan. 7, 1957).

Brannen, P. B. "Conquest by Chicanery: Introduction to Soviet Technique," *United States Naval Institute Proceedings,* LXXVII.

Brugel, J. W. "The Crime of Genocide," *Central European Observer,* XXIV (Oct. 17, 1947).

Caroe, Olaf Sir. "Soviet Colonialism in Central Asia," *Foreign Affairs,* XXXII (October 1953).

Cherot, Romeo A. "Nativization of Government and Party Structure in Kazakhstan, 1920–1930," *American Slavic and East European Review,* XIV (February 1955).

Dobriansky, Lev E. "A History of Communist Aggression," *Vital Speeches of the Day,* XXVII (Sept. 15, 1961).

———. "Lands and Nations in the USSR," *Ukrainian Quarterly,* XIV (March 1958).

———. "Non-Russian Nations in the USSR, Focal Points in American Policy of National Liberation," extension of Remarks of Hon. Brian McMahon of Connecticut (USGPO, Washington, D.C., 1952).

———. "The Roots of Russia," *United States Naval Institute Proceedings,* LXXXIX (April 1963).

———. "Western Psychological Strategy Toward USSR: The Weapon of Enlightened Nationalism," Remarks of Hon. John F. Kennedy of Massachusetts (USGPO, Washington, D.C., 1953).

Evans, Rowland. "The Kremlin's Persecution of Jews," *Saturday Evening Post,* CCXXXV (June 16, 1962).

"Fall of Beria and the Nationalities Question in the USSR," *World Today,* IX (November 1953).

Lemkin, Raphael. "Genocide as a Crime Under International Law," *United Nations Bulletin,* IV (January 15, 1948).

Mentz, G. F. "The Great Stalin Myth: The Solution of the Nationality Problems in the USSR," *Ukranian Quarterly,* IX, No. 4 (Autumn 1953).

"Missing Millions," *Economist,* CXCI (May 16, 1959).

Olynyk, Roman. "The Emergence of a Submerged Nation in the Soviet Union," *International Journal,* XVII (Winter 1961–1962).

Pakstas, Kazys. "Colonialism and Genocide in Lithuania," *Lithuanus,* VI (December 1960).

"The Peoples of the U.S.S.R. and Turkestan," *Problems of the Peoples of the USSR,* XVI (December 1962).

Roucek, Joseph. "Classes in the Classless Soviet Society," *Ukrainian Quarterly,* XVIII (Summer 1962).

———. "Nationalism and the European Satellites of the U.S.S.R.," *Journal of Human Relations,* IX (Winter 1961).

"Selected List of Books on the Ukraine Published in English, French, German and Italian," compiled by Sergius Jacobson and Francis J. Whitfield (U.S. Library of Congress, Washington, D.C. 1941).

Seton-Watson, Hugh. "Moscow's Imperialism," *Problems of Communism,* XIII (January–February 1964).

"Soviet Colonialism: Practice and Propaganda," *British Survey,* Main Series (N.S.) (July 1956).

Sweet, J. V. "The Problem of Nationalities in Soviet Asia," *Ukrainian Quarterly,* IX (Summer 1953).

Tohokaev, M. "Fifteen Years of Bolshevik Rule in Turkestan," *Journal of the Royal Central Asian Society,* XX (1933).

U.S. GOVERNMENT DOCUMENTS

U.S. Congress. *Celebration of 43rd Anniversary of Ukraine's Independence.* Washington, D.C.: Government Printing Office, 1961.

U.S. Congress. *Celebration of 42nd Anniversary of Ukraine's Independence.* Washington, D.C.: Government Printing Office, 1960.

U.S. Congress. House. *Communist Takeover and Occupation of Ukraine.* Special Report No. 4, of the Select Committee on Communist Aggression. December 31, 1954. House Report No. 2684, Part 7. Washington, D.C.: Government Printing Office, 1955.

U.S. Congress. House. *Europe's Freedom Fighter: Taras Shevchenko,* 1814–1861. House Document No. 445. Washington, D.C.: Government Printing Office, 1960.

U.S. Congress. House. *Interim and Final Reports by the Select Committee to Conduct Investigations and Study of Facts, Evidence and Circumstances of Katyn Forest Massacre.* Washington, D.C.: Government Printing Office, 1952.

U.S. Congress. House. *Investigation of Communist Takeover and Occupation of the Non-Russian Nations of the USSR.* Eight interim reports of Hearings before Select Committee on Communist Aggression, Washington, D.C.: Government Printing Office, 1954.

U.S. Congress. House. *Second Interim Report.* Washington, D.C.: Government Printing Office, 1954.

———. *Third Interim Report.* Washington, D.C. Government Printing Office, 1954.

———. Fourth Interim Report. *Communist Aggression Investigation.* Hearings. Washington, D.C.: Government Printing Office, 1954.

———. Fifth Interim Report. *Investigation of Communist Takeover and Occupation of Hungary.* Hearings. Washington, D.C.: Government Printing Office, 1954.

———. Sixth Interim Report. *Investigation of Communist Takeover and Occupation of Poland, Lithuania and Slovakia.* Hearings. Washington, D.C.: Government Printing Office, 1954.

———. Eighth Interim Report *Investigation of Communist Takeover and Occupation of the Non-Russian Nations of the U.S.S.R.* Hearings. Washington, D.C.: Government Printing Office, 1954.

U.S. Congress. Select Committee to Investigate Communist Aggression and the Incorporation of the Baltic States into the U.S.S.R. *Treatment of the Jews Under Communism.* Special Report No. 2. Washington, D.C.: Government Printing Office, 1954.

———. *Communist Takeover and Occupation of Estonia.* Special Report No. 3. Washington, D.C.: Government Printing Office, 1954.

———. *Communist Takeover and Occupation of Ukraine.* Special Report No. 4. Washington, D.C.: Government Printing Office, 1954.

———. *Communist Takeover and Occupation of Armenia.* Special Report No. 5. Washington, D.C.: Government Printing Office, 1954.

———. *Communist Takeover and Occupation of Georgia.* Special Report No. 6. Washington, D.C.: Government Printing Office, 1954.

———. *Communist Takeover and Occupation of Bulgaria.* Special Report No. 7. Washington, D.C.: Government Printing Office, 1954.

———. *Communist Takeover and Occupation of Czechoslovakia.* Special Report No. 8. Washington, D.C.: Government Printing Office, 1954.

U.S. Congress. House. Select Committee to Investigate Communist Aggression and the Incorporation of the Baltic States into the U.S.S.R. *Report of the Subcommittee to Investigate Communist Aggression in Latin America.* Washington, D.C.: Government Printing Office, 1954.

U.S. Congress. House. Select Committee to Investigate Communist Aggression and the Incorporation of the Baltic States into the U.S.S.R. *Appendix to Committee Report on the Communist Takeover and Occupation of Poland.* Washington, D.C.: Government Printing Office, 1954.

U.S. Congress. Senate. Committee on Foreign Relations. *Consular Convention With The Soviet Union.* Washington, D.C.: Government Printing Office, 1967.

U.S. Congress. Senate. Committee on Foreign Relations. *The Genocide Convention: Hearings Before a Subcommittee, January 23-February 9, 1950, on Executive Order,* Washington, D.C.: Government Printing Office, 1950.

U.S. Congress. Senate Committee on Judiciary. *The Soviet Empire: A Study in Discrimination and Abuse of Power.* Washington, D.C.: Government Printing Office, 1965.

U.S. Congress. Senate. Committee on Judiciary. *Soviet Empire: Prison House of Nations and Races.* Washington, D.C.: Government Printing Office, 1958.

U.S. Congress. Senate. Committee on Judiciary. *The Soviet Empire: A study in Genocide, Discrimination and Abuse of Power.* Washington, D.C.: Government Printing Office, 1958.

H.R. 17735

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. EILBERG. Mr. Speaker, as we work long and arduous hours toward adjournment, I fear we may not have the opportunity to act on a matter on which the American people have demanded immediate and decisive action—effective gun control.

The Judiciary Committee, of which I have the honor of being a member, took decisive action last week in reporting out H.R. 17735 by the vote of 29 to 6. But now I have fears that this measure will languish in the Rules Committee until the 90th Congress passes into history.

To avoid this possibility, I have today written to the distinguished chairman of the House Committee on Rules, urging expeditious action on this gun control legislation. The letter follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 2, 1968.

Hon. WILLIAM M. COLMER,
Chairman, Committee on Rules,
House of Representatives.

DEAR MR. CHAIRMAN: As a member of the Judiciary Committee, as a Congressman and as a concerned human being may I add my voice to those who already doubtlessly have urged you to use your good offices in granting an immediate rule on pending gun control legislation, H.R. 17735.

By its action last week, with a 29 to 6 vote, the Judiciary Committee reported out this legislation. Clearly, it is the will of the majority that action be taken in this sphere of legislation and taken in this session of the Congress.

I believe it is likewise the will of the majority of the House that this action is needed now. Those who oppose it should and would have ample time and opportunity to make their stands known and heard on the House floor.

I think you will agree that as leaders it is incumbent upon us to lead. As representatives, it is incumbent upon us to execute the will of our constituents. The overwhelming quantity of my mail from my constituents leaves no room for doubt on where the people stand.

Trusting you will take the required action to bring this legislation before the House for consideration. I am,

Sincerely yours,

JOSHUA EILBERG.

Mr. Speaker, I believe it is necessary to bring this measure on the floor so that the House cannot only exercise its right, but also that we can dispel some of the rumors and fallacies which seem widespread concerning this measure.

One of the best analyses I have seen, one which seeks to separate fact from fancy, was executed by my old colleagues, Representative Herbert Fineman, minority leader of the Pennsylvania House of Representatives, in preparations of a strong State law on gun control.

In order that my colleagues may share in the astute research and presentation of Representative Fineman, I would like to offer some excerpts from this study for insertion in the CONGRESSIONAL RECORD at this time. First, I will list the position taken on various phases of gun control legislation by the National Rifle Association and its partisans, followed by a logical refutation of these positions:

1. Weapon control legislation is unconstitutional. It violates the "right to keep and bear arms" from the second amendment, which states, "A well regulated milita being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed."

Answer. Consistently the Federal and State courts have interpreted this amendment to mean that the States may maintain organized and regulated militia. The U.S. Supreme Court has never overturned any local, State, or Federal law regulating firearms, except for part of the 1934 Federal law, which it faulted on grounds of the fifth amendment.

In a 1939 case, the United States against Miller, the Supreme Court held that the second amendment applies only to those arms which have a "reasonable relationship to the preservation or efficiency of a well-regulated militia."

2. Guns don't kill people; people kill people. If you are going to regulate guns, why not regulate knives, hammers, ball bats, pokers, etc.

Answer. More than half of all the murders committed in this country are perpetrated by firearms. While all other instruments which have been used in homicides have legitimate purposes, firearms have the sole purpose of destruction—be it a target, a clay pigeon, an animal, or a human being.

True, in our modern society, automobiles kill many; but automobiles are not designed to destroy; we regulate automobiles; and we are constantly and consistently seeking to cut traffic deaths.

3. Harsh penalties are the answer to crimes committed with firearms. Since people kill and wound people, then the action should be against people and not against weapons.

Answer. Most experienced criminologists disagree with this conclusion. The most probable effect, they say, would be the tendency of the armed criminal to kill rather than let a witness to his crime testify against him.

4. Gun control laws would disarm law-abiding citizens but not criminals.

Answer. Effective gun control laws, as presently proposed, will neither disarm law-abiding citizens nor will they prevent entirely hardened criminals from obtaining firearms.

What these proposed laws do seek is to prevent arms from going to the insane, the drunk, the drug addict or the youngster without parental consent. It would make it difficult but not impossible for the criminal to get firearms.

Further, the sorting out of "law-abiding citizens" and "criminals" is no easy task; FBI figures show that 82 percent of all murders are committed within the family or among acquaintances—generally by people who, until the time of the murder, were "law-abiding."

5. Most guns used by criminals are stolen anyhow.

Answer. Statistics submitted to the U.S. Senate and those developed by a number of States would tend to believe this position.

In 1965, a study made by the Massachusetts Department of Public Safety showed that only six guns of 4,500 recovered from criminals in that State during the previous 8 years were stolen.

It also showed the trend was for criminals in Massachusetts, which has stronger gun control laws, to purchase their weapons in nearby States with less stringent legislation. Of the total of 4,500 weapons, 87 percent had been purchased legally in Maine, Vermont, and New Hampshire.

Newark, N.J., police reported that 80 percent of the guns confiscated from criminals in that city had been purchased legally outside of New Jersey.

6. Even if firearms should be restricted from criminals, the general availability of firearms has a great deal to do with the volume of crime.

The National Rifle Association relies on an argument made by Prof. Marvin E. Wolfgang, professor of sociology at the University of Pennsylvania, in the book "Patterns in Criminal Homicide," when he stated that he thought that few homicides would be avoided if guns were not immediately present.

However, Wolfgang has since repudiated this argument. In 1964, he said:

> I am one of those persons who believe that violence and instruments of violence breed violence. Legislation which makes more restrictive the manufacturing, sale and distribution and licensing of firearms is, I think desirable in any form. If pursued to the wall, I would probably support the Japanese ruling that no one except a police officer should be allowed to possess or carry a pistol.

The NRA also relies upon the FBI annual Uniform Crime Reports, which does not list the availability of guns among the factors continuing to the crime rate.

However, J. Edgar Hoover, director of the FBI, has stated time and time again, in various manners, that this is an important factor. Samples of Hoover's position include:

> "The easy accessibility of firearms and the lethal nature of the gun are clearly apparent in these murder figures."
>
> "Those who claim that the availability of firearms is not a factor in murders in this country are not facing reality."
>
> "A review of the motives for murder suggests that a readily accessible gun enables the perpetrator to kill on impulse."
>
> "The spotlight of public attention should be focused on the easy accessibility of firearms and its influences on willful killings."

7. The gun law would be used to disarm the populace for a Communist takeover; the files would be turned over to foreign powers, etc.

Answer. The proposed law disarms no responsible citizen. Further, under present conditions, the best possible source of lists of gun owners is the files of the National Rifle Association.

8. Police would have unrestricted power to grant or withhold the right to own guns.

Answer. No guns would be taken away from any qualified citizen who wants a gun for any lawful purpose. The proposals seek to deny guns for only specifically outlined reasons—such as conviction of crimes, drug or alcoholic addiction, and so forth. Full appeal rights are preserved.

9. Mail order purchase of guns is not a significant factor in crime.

Answer. The staff of Nicholas deB. Katzenbach, when he was Attorney General, found that of the slightly more than 4,000 guns shipped by two mail-order firms in Los Angeles to buyers in Chicago, one-quarter went to persons with criminal records. Although Chicago law required a permit for handguns, 95 percent of those who purchased handguns by mail did not have permits.

A similar check in the District of Columbia disclosed that 25 percent of all buyers of mail-order guns had criminal records and in some areas with high crime rates, this figure rose to 80 percent.

10. The gun control proposals would place harsh, unreasonable restrictions on law-abiding citizens.

Answer. Inconvenience would be minimal. For hunters and sportsmen, all they would have to do is list their guns on hunting license applications.

11. The general public is against gun control bills.

Answer. While the National Rifle Association claims to represent 14 million licensed hunters, 4 or 5 million gun club members and about a million gun collectors, 63 percent of its annual income of $5 million comes from dues paid by 850,000 members and 26 percent comes from arms and sporting equipment manufacturers who buy advertising in the American Rifleman.

In contrast, the most recent national public opinion polls show that 75 percent of the American people favor weapons control legislation.

PENALTY FOR USE OF FIREARMS IN CRIME

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. GURNEY. Mr. Speaker, today I am introducing legislation to set a stiff, mandatory Federal penalty for the use or possession of firearms during the commission of major crimes of violence: robbery, assault, murder, rape, burglary, kidnaping, or homicide. The penalty would be 10 years imprisonment of first offense, and 25 years on the second or subsequent offenses.

According to the Attorney General 6,500 murders, 43,000 aggravated assaults, and 60,000 robberies are committed each year with firearms. Crime statistics show that the bulk of these crimes are being committed by professional criminals—repeat offenders. This bill would strike hard at the 115,000 hardened offenders who use firearms in a continuing career of crime. It would strike hard at lax prosecution, the soft sentencing, the loose parole boards who repeatedly turn loose those who continue preying on our society.

I believe that the best way to check and turn back the rising tide of crime in our Nation is to crack down hard on the criminal. Swift, mandatory sentences swiftly meted out to the guilty are the best deterrent to crime known to man.

I certainly support efforts in Congress to tighten the laws and regulate the sale of firearms to juveniles, narcotics addicts, and mental incompetents. However, we should be careful not to pass rigid firearms legislation that ignores

the criminal and, instead, makes it more difficult for law-abiding citizens to buy, sell, own, use, or service firearms.

The heart of our national firearms problem is the criminal. The problem is caused by those who use a gun to rob, rape, or murder as they prey on the innocent. It is here that the Congress should seek the solution. With our crime rate increasing at eight times the rate of growth of our population, our citizens have every right to expect swift action from the Congress.

CRIME APPEASEMENT

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. QUILLEN. Mr. Speaker, as I have often stated, creating false images can only lead to frustration and violence.

We cannot afford to continue to mislead the people of this country, nor can we continue to tolerate mob action.

In an editorial in the Knoxville News-Sentinel on Sunday, June 30, 1968, it was pointed out that political appeasement of crime and riots does not make minority rights any more secure. The editorial was appropriately headed "Crime Appeasement"—and I pass it along to the readers of the Record:

Crime Appeasement

In a Washington address last week, the new president of the Chamber of Commerce of the United States, William M. Blount offered an appraisal of the nation's crime and riot problem well worth thinking about.

His theme was that "mob action as a tolerated instrument for political, social and economic change" is self-defeating, because it simply leads to anarchy, which frustrates progress.

"Human rights," he said, "cannot exist in a chaotic society."

Of course not.

Political appeasement of crime and riots does not make minority rights any more secure. It does not improve the moral tone of the country, purge prejudice, or produce more brotherly love among the races. On the contrary.

"Riots are not started by innocent bystanders or children." Blount correctly asserted. "They are started by lawless hoodlums and the disruptive elements of our society. If we have a policy of letting the arsonists burn and the looters steal, then you can be certain that, seeing this example, the surrounding community will join in."

The Washington riots of early April illustrated this point.

Prompt and firm police action in Washington last week, when incidents broke out after the Poor People's shantytown was closed down, forestalled real trouble—and proved the point.

In Blount's opinion, one of the basic causes of riots has been the careless promises of politicians, promises they knew couldn't be fulfilled, "because when these hopes are bashed on the rocks of reality frustration sets in and the extremist takes over."

This, he said, "is a callous and tragic way to treat innocent people who deserve better."

If Government cannot defend the population against "pillage masquerading as protest," as Blount called it, how can it defend the other human rights guaranteed by the Constitution? It is a crucial question these days, and those who aspire to high public office had better have some answers.

ARMY TIMES AND GENERAL SOSNKOWSKI

HON. ALVIN E. O'KONSKI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. O'KONSKI. Mr. Speaker, under leave to extend my remarks in the Record, I include the following article from the Polish Daily of April 3, 1968:

[From the Polish Daily (Dziennik Polski) London, No. 81, April 3, 1968]

Army Times and General Sosnkowski

(By Waclaw Jedrzejewicz)

Among Poles in the United States, probably only a few are familiar with the American weekly "Army Times"—most likely just those who have served in the army. It is a large magazine, numbering some sixty pages published in newsprint in three editions: the American in Washington, European in Frankfurt and the Far Eastern in Tokyo. The editors stress that "this paper is not an official publication of the U.S. Army," but nevertheless the periodical contains a full list of military casualties in Vietnam, all military promotions, nominations, transfers, decorations and communiques. We would not be wrong in calling the weekly "Army Times" a semi-official organ of the Pentagon, intended primarily for the military.

Besides the magazine, the Army Times Publishing Company also puts out books dealing with war, intelligence, etc. They are prepared by anonymous "editors of the Army Times." It is among these publications that there appeared last year a 150-page book entitled "Heroes of the Resistance." It contains ten short sketches on the resistance movement during the Second World War, in France (a chapter entitled "Agent Christine" describes the activities of Krystyna Gizycka-Skarbek), in Germany, the Baltic, Yugoslavia, Italy and, what interests us most, Poland.

The anonymous "editor" devotes to the Polish underground army ("Poland fights back") 17 pages of print, one photograph and one small map of the Warsaw Uprising. With regard to the information provided, the compilation is a rather weak, chaotic and clumsily written condensation, which gives no synthesis of the underground struggle in Poland which lasted for five years. The matter of Katyn is presented most unclearly, although it is demonstrated that the Polish officers were murdered by the Bolsheviks; it would seem from the text that the Warsaw uprising erupted in the summer of 1943 (instead of 1944) and there are more inaccuracies of this kind. Among the Polish names mentioned, there is the glaring oversight of the name of General Stefan Rowecki (Grot). Supreme Commander of the Union of Armed Resistance and of the Home Army during the long and so difficult years of 1939-43. There is no mention of his arrest and execution during the summer of 1944. Quite a bit of space is devoted to General Bor-Komorowski, who was Supreme Commander of the Home Army after Rowecki for a year and a half. It is evident that the author drew his information from the book of General Bor, published in English. Stefan Korbonski is mentioned in a few sentences.

Another name is also mentioned: that of General Kazimierz Sosnkowski. The unknown author calls General Sosnkowski a "Moscow puppet leader," writes that he was in the Lublin Committee for National Liberation and that he accused Bor of being a "criminal," believing the Warsaw uprising to be premature.

It is difficult to believe one's eyes when reading these words. General Sosnkowski, the creator of the underground army and its commander from Paris and London, supreme commander of the Polish army fighting alongside the allies, the superior of Bor-Komorowski—in the opinion of the editor of the "Army Times" was a puppet of the Lublin Committee! How could such a falsehood appear in a publication which is undoubtedly under the care of the Pentagon? What ignoramus wrote such nonsense about the colleague and comrade of such generals as Eisenhower, Alexander, Clark, Leese, Brooke and others? Did he have no sources to check that this "Moscow puppet leader" was General Rola-Zymierski, a communist who years earlier had sold out to Moscow? To confuse Zymierski with Sosnkowski—that is really too much; such mistakes cannot be made, they impugn the honor of an outstanding Polish general who has spent all of his life working for Poland. From the fighting organization of the Polish Socialist Party, through the Union of Active Struggle, which he created, through the Polish Legions, free Poland, where he held the highest positions, through the battles with Germany during the September 1939 campaign—to the position of Supreme Commander of the Polish Army in exile—this is the state of the service of General Sosnkowski.

If an incompetent "editor" wrote a falsehood of this kind, should not a respectable institution, such as the "Army Times Publishing Company" purports to be, check the information it reports in its book? For twenty five years there has existed in New York, so close to Washington, the Jozef Pilsudski Historical Institute, which is studying precisely the modern history of Poland. The "Army Times" should have known of this, just as the Library of Congress and hundreds of universities throughout the United States know of it.

The Pilsudski Institute has already published a great many works in English and in Polish on the history of Poland, and someone who is writing about General Sosnkowski should know that it was precisely this Institute that published a 700-page book two years ago by this same General Sosnkowski, "Materialy historyezne" ("Historical Materials".) There, the "editor of the Army Times" would have found everything he needed. If he does not speak Polish, he could have asked for help.

This outrageous error, slandering the good name of a great Pole is and will remain a great blot on the reputation of the Army Times Publishing Co. and its protectors at the Pentagon.

They should correct their error as soon as possible, giving full satisfaction to General Sosnkowski, who has been so grievously wronged by them.

GORDON McDONOUGH

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. CORMAN. Mr. Speaker, I would like to join my colleagues in the House in paying tribute to a former colleague, the Honorable Gordon L. McDonough, whose untimely death last week brings sadness to all of us who knew him.

Gordon McDonough was one of the

senior members of the California congressional delegation when I was elected to the House in 1960. Although I had the privilege of serving with him for only one short term, I came to know and respect his abilities and his untiring efforts for the constituents of his district. Since we were both from Los Angeles County, we had occasion to work together on many mutual problems.

Congressman McDonough was a conscientious and hardworking Representative and a dedicated American. His legislative record is a distinguished one of which his family can justifiably be proud. He served the people of the then 15th Congressional District honorably and well for 18 years, and he has left his mark in Washington.

Mrs. Corman and I extend to his widow, his five sons and two daughters, our heartfelt sympathy on the passing of their husband and father.

OUR YOUNG PEOPLE SHOULD HAVE THE RIGHT TO VOTE

HON. HENRY B. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. GONZALEZ. Mr. Speaker, I wholeheartedly support President Johnson's proposed constitutional amendment to lower the voting age to 18.

Shortly after I was first elected to the 87th Congress I introduced legislation to amend the Constitution to permit 18-year-olds to vote. I have reintroduced this proposal in every succeeding Congress. The President's leadership is warmly welcomed.

The President first brought up the idea in his speech at Texas Christian University. Immediate endorsement for the concept came from the Washington Post which stated, editorially:

> In the midst of great ferment on the country's campuses, the President has reiterated his faith in youth and in the ability of the great majority of young people to cope with the problems which beset our society.

As the President has pointed out, our young people today are better qualified to vote than any generation before them. Furthermore, we expect them to shoulder the burdens of citizenship. It is only fair and right, therefore, that they should enjoy the privilege of the ballot. As part of my remarks, I insert at this point the editorial from the Washington Post, and the text of the President's message to Congress in behalf of prompt action on lowering the voting age:

[From the Washington (D.C.) Post, May 30, 1968]

YOUTH AT THE POLLS

President Johnson's forthright call for lowering the voting age to 18 years will give a significant boost to a movement already well under way. Four states have broken away from the formerly uniform voting age of 21. Others are talking of doing so, and only two weeks ago the Senate Subcommittee on Constitutional Amendments conducted hearings on a resolution that would fix a minimum voting age of 18 for all Federal elections.

The President, in addressing Fort Worth's Texas Christian University, did not specifically come out for this proposed constitutional amendment. But he gave warm endorsement to the idea of voting by 18-years-olds as a means of extending "the range of young people's participation in public life." In the midst of great ferment on the country's campuses, the President has reiterated his faith in youth and in the ability of the great majority of young people to cope with the problems which beset our society.

The interest which the President manifested in a lower voting age may bring it into the 1968 campaigns as a vital issue. It is not, of course, a partisan matter, but it may well be widely discussed in the campaigns as a means of fixing the national purpose. Our own view is that state action to lower the voting age should not be encouraged but that Congress should move full steam ahead with a constitutional amendment adjusted to the new era in which the people will doubtless be choosing the President by direct popular vote.

TO VOTE AT 18—DEMOCRACY FULFILLED AND ENRICHED

To the Congress of the United States:

The ballot box is the great anvil of democracy, where government is shaped by the will of the people. It is through the ballot that democracy draws its strength, renews its processes, and assures its survival.

Throughout the life of our republic, no single, enduring question has so engaged generation after generation of Americans as this: Who among our citizens shall be eligible to participate as voters in determining the course of our public affairs?

On four occasions we have amended our Constituiton to enlarge or to protect that participation. In recent years, Congress itself has been attentive to sheltering and assuring the free exercise of the right to vote.

Such a concern is altogether fitting. Under a government of, by and for the people, the right to vote is the most basic right of all. It is the right on which all others finally stand.

Such a right is not to be idly conferred or blindly withheld. But the stability of our Republic from the beginning has been served—well and faithfully—by the willingness of Americans to lay aside the constraints of custom and tradition and heed the appeals of reason and reality to welcome into the American electorate those of our citizens fitted by the precepts of our society's values to participate in the exercise of the ultimate right of citizenship.

At the inception of the Republic, the promise of the new Nation was strengthened because our forefathers cast aside tests of religion and property.

At midpassage, America's moral strength was fortified when the test of color was removed by the Fifteenth Amendment. The Voting Rights Act of 1965 has reinforced this principle for all time.

At the beginning of the modern era in this twentieth century, reason and reality wisely prevailed when the women of America—through the Nineteenth Amendment to the Constitution—were granted the equality of citizenship so long denied them.

In 1961, the Twenty-Third Amendment to the Constitution gave citizens of the Nation's capital the right to vote for President and Vice President.

Four years ago, the Twenty-Fourth Amendment struck down the tests of the poll tax which had for almost a century disenfranchised thousands of Americans.

ENLARGING THE AMERICAN FRANCHISE

In all these instances time has affirmed the wisdom and the right of these decisions to enlarge participation in the Nation's affairs. Time, too, has already affirmed the wisdom and justice of our continuing efforts in the last decade to perfect, protect and shelter the right of all citizens to vote and to put an end to the unconscionable techniques of studied discrimination.

Today, I believe it is time once more for Americans to measure the constraints of custom and tradition against the compelling force of reason and reality in regard to the test of age. The hour has come to take the next great step in the march of democracy. We should now extend the right to vote to more than ten million citizens unjustly denied that right. They are the young men and women of America between the ages of 18 and 21.

The practice of admitting young Americans to the electorate at the age of twenty-one has its roots in the dim and distant mists of medieval England—but it is a practice and limitation without roots in the American experience.

Throughout our history as a young Nation, young people have been called upon by the age of eighteen to shoulder family responsibilities and civic duties identical with their elders.

At the age of eighteen, young Americans are called upon to bear arms.

At the age of eighteen, young Americans are treated as adults before many courts of law and are held responsible for their acts.

The age of eighteen, far more than the age of twenty-one, has been and is the age of maturity in America—and never more than now.

Reason does not permit us to ignore any longer the reality that eighteen-year-old young Americans are prepared—by education, by experience, by exposure to public affairs of their own land and all the world—to assume and exercise the privilege of voting.

The essential stability of our system is not served, the moral integrity of our cause is not strengthened, the value we place on the worth of the individual is not honored by denying to more than ten million citizens—solely because of their age—the right to full participation in determining our country's course.

This denial of the right to vote limits our democracy. It diminishes every modern concept of citizenship.

The young people of America in this decade are far more ready, far better qualified, far more able to discharge the highest duty of citizenship than any generations of the past.

We know—and the young men and women know also—that this is so.

They are better educated than their counterparts of a generation ago. They graduate from high school and enter college in greater proportions. Already this group—although many have not yet completed their schooling—have a higher education level than the general electorate.

Mass communication and greater opportunities for travel expose them earlier and more frequently to the issues of the day than the young men and women of the 1940's, or even the 1950's.

The young men of today serve their Nation in uniform with the same devotion as their fathers and brothers of earlier days showed. But duties unknown a decade ago have summoned the devotion of young men and women alike, by the tens of thousands. Their participation in the Peace Corps, in VISTA, and in other community ventures has elevated our national life and brought new meaning to the concept of service.

For myself, I deeply believe that America can only prosper from the infusion of youthful energy, initiative, vigor and intelligence into our political processes.

We live in a world that is young and growing younger each year. Of all nations, none has more generously invested in preparing its young people for constructive citizenship and none has been more faithfully served by its young than has America.

Today, the young people of America are

asking the opportunity to give of their talents and abilities, their energies and enthusiasms, to the greater tasks of their times. I believe their proper request can and must be properly answered by a national affirmation of our faith in them. For a nation without faith in its sons and daughters is a nation without faith in itself.

WHAT I PROPOSE

I accordingly propose that the Congress of the United States approve and submit for ratification of the legislatures of three-fourths of the States an amendment to the Constitution of the United States to provide, as follows:

"The right of any citizen of the United States to vote shall not be denied or abridged by the United States or by any State on account of age if a citizen is eighteen years of age or older."

In proposing submission of such an amendment I am mindful that:

The State of Georgia since 1943, and the State of Kentucky, since 1955, have permitted eighteen year old residents to vote.

The two new States of Alaska and Hawaii have permitted nineteen and twenty year old residents, respectively, to vote.

The first proposal for such an amendment was advanced in 1942 by Senator Arthur Vandenberg.

President Dwight D. Eisenhower, in his 1954 State of the Union Address, urged an Amendment to lower the voting age to eighteen.

In the 90th Congress, more than fifty proposed Constitutional Amendments to extend voting rights to eighteen year old citizens have been introduced, and many of these measures have broad bi-partisan support.

The concept has been tried and tested. Its merit has been established. Its rightness is now beyond dispute.

FULL PARTICIPATION IN OUR AMERICAN DEMOCRACY

The time has come to grant our youth what we ask of them but still deny to them—full and responsible participation in our American democracy.

In this year of national decision, as Americans in every State prepare to choose their leadership for the decisive and fateful years before us, the Congress has a rare opportunity through the submission of this amendment to signify to our young people that they are respected, that they are trusted, that their commitment to America is honored and that the day is soon to come when they are to be participants, not spectators, in the adventure of self-government.

Every time before, when America has extended the vote to citizens whose hour has come, new vitality has been infused into the lifestream of the Nation, and America has emerged the richer.

Now the hour has come again to take another step in Democracy's great journey.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *June 27, 1968*.

LES ARENDS

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DERWINSKI. Mr. Speaker, I am especially pleased to join in the salute the many Members have given to our great Republican whip, LES ARENDS, on the occasion of 25 years of service as Republican whip of the House of Representatives.

Certainly in the annals of the Congress, this will be a record almost unsurmountable in its magnitude. However, the reason for the longevity and effectiveness of LES ARENDS as whip are obvious.

Citizens of the 17th District of Illinois recognize the outstanding representation they receive from LES and by reelecting him with substantial majority in each election give evidence of his stature as an outstanding public official.

His service to the Republican Party and to the Nation during his 25 years in a position of leadership has earned for him the respect of Members of the House, executive branch officials who have known him, Presidents Eisenhower, Roosevelt, Truman, Kennedy, and Johnson who have all benefited from the sound counsel and dedication of LES ARENDS.

Mr. Speaker, we certainly recognize the outstanding talents of the Republican Whip and we can appreciate the Members on this side of the aisle looking forward to having LES ARENDS serve in the 91st Congress as the Majority Whip in the House.

COMMENCEMENT ADDRESS

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. BROYHILL of Virginia. Mr. Speaker, Mrs. Jewel M. Babcock of Alexandria, Va., in my congressional district, attended a commencement at Manassas High School in Manassas, Va., recently and was so favorably impressed by the commencement address she heard there that she asked that I include it in the CONGRESSIONAL RECORD.

The speaker, Mr. George W. Passage, is an associate editor of the Newport News, Va., Daily Press and Times Herald.

As I agree with Mrs. Babcock that Mr. Passage's sound advice to these Virginia young people merits a far wider audience, I welcome this opportunity to include his commencement address, in full, at this point in the RECORD:

COMMENCEMENT REMARKS, GEORGE W. PASSAGE, MANASSAS HIGH SCHOOL, JUNE 13, 1968

Happy seniors, proud parents, tired and relieved teachers; in short, distinguished everybody! This is my favorite time of the year, because I have an opportunity to renew friendships made earlier in the season. And there is a coincidence, now and then. Last weekend, I stood before the seniors of Prince Edward Academy down at Longwood College, and as I drove to Farmville, I saw a dozen of those Virginia Historical Society Markers noting that this was the route of General Lee's retreat toward Appomattox, and here I am tonight where it all started at Manassas. Or Bull Run—the way the Yankees called it. I didn't know until the Civil War Centennial celebration that Northerners liked to name their battles after the nearest body of water, while Confederates identified their campaigns with the nearest settlement. Of course, since the Feds were sent flying toward Washington, they had no reason to claim this battle for their records.

Certainly, on a commencement occasion, any speaker would say it was an honor to be on hand. Then he would say some nice things about you, and you would all go to sleep. Then, awakening refreshed about 20 minutes later, you would get a piece of paper from the school officials here while the speaker, in his turn, took a short nap. Then he would drive home, hoping that none of you would run him down when you get in your own cars an hour from now. I would like to think that I am here—not because I have some nice things to say, because you would forget them anyway.

I would like to think I am here because, somewhere along the line, we established a line of communication between us. To you fathers and mothers here, this is a funny thing. I am here simply because I fussed rather sharply with some of these young men last summer at Boys State. Others may have heard me at Charlottesville say that the SCA convention ought to throw away their program and start over because few would pay much attention to it, anyway.

Dr. Hargrove was most gracious in setting forth certain credentials why I dare stand here and fuss a bit. May I add two other items that lend authority to my presence here tonight. My wife is the principal of our largest high school in Newport News, and she is the only woman principal in the State. My daughter is just home from college. Last year Mrs. Passage was asked to make the commencement remarks for her senior ceremonies, and my daughter was elected commencement speaker for her own graduation. So, fathers and mothers, if I don't speak the language, I surely do listen to it at home!

Commencement speakers are supposed to congratulate you and tell you about the world you're entering.

I am reminded that Bob Hope once made a commencement speech that must be one of the shortest on record. He told the graduates to take a look around the world they were about to enter and he said: "For gosh sakes, don't go!" Well, you cannot stay at home much longer, young friends.

I would certainly want to congratulate you here tonight, as exactly half of the Class of 1968, for making it to this point in your lives. That's right. Half of the Class of 1968. The State Board of Education in Richmond tells us that when the Class of 1968 started out in the first grade, there were twice as many of you on hand. Not necessarily here, but throughout the state, half of your classmates quit before they finished high school. Our fifty per cent dropout rate is nothing to be proud of. But let us extend those figures. In the state as a whole, of the original 100 in the first grade, 50 finish high school. Nineteen of them go on the college. Ten drop out of college. Only nine of the original 100 in your first grade class will finish a college education. This seems to disprove those who say there's no room at the top!

Commencement speakers are supposed to give advice, but I think it is bad to give advice of any kind, and a major error to give good advice. I would ask you, "When was the last time you ever listened to advice of any kind, good or bad?"

I would say, though, that you are, on the average, eighteen years of age. You are about to jump from being the oldest, and the cleverest of the high school set, to being the youngest and the least important of the older set. Having just patted yourselves on the back for heading across the foothills, you will realize, perhaps with a very rude jolt, that the roughest mountains lie ahead. To be eighteen is to have a mind barely old enough to pick out the faults and foolishness of the older folks, but still too young to understand that these are the people who made it possible for you to sit here tonight. I wonder how many of you have tried a simple "Thank you!" recently.

At this age you are free: you have a hundred roads to choose from. That's very wonderful in theory, but when you have to make the choice, as you will very shortly, it will be a hard choice. I would be willing to bet that half of you sitting here tonight have no idea what you will be doing five years from tonight.

Many of you will choose higher education. You will go to college, where it appears that students have become the self-appointed destroyers. They are aware of injustice; they want to take action; and action without knowledge or experience simply means destruction. Having learned to destroy, they feel that's all it takes. Destroy! And like Phoenix rising from the ashes, the good will arise.

Because of their youth they haven't yet learned how to build. It takes the best of the best men to build, for it is the stamp of greatness to contribute something of positive worth. This man we call a genius.

These college students have not yet learned a very simple truth, so simple, according to Robert Ruark, that even the Basuto tribes of Africa know it well.

"If a man does away with his traditional ways of living and throws away his good customs, he had better first make certain that he has something of value to replace them. Something of value to replace them. That's the key. And I wonder what it is that the young people have to replace, for their destruction of property, their lack of personal discipline, and worst of all, because it cannot be replaced, their loss of time.

Do not misunderstand me. We must commend these young people for their zeal, their concern, and their inquiry. We must criticize them for their blind tagging along behind campus leaders who may not have a part of college life. But I would say this: that colleges are run for the purpose of education, nothing more, nothing less. They are not supposed to be exercises in political democracy. The word "democracy" applies to the functions and procedures of government. It defines the individual relationship between a citizen and those who hold the power over his person and his property; it has no proper application to the educational process. Universities cannot fulfill their true educational function other than in an atmosphere of respect for the authority of the teacher and the institution. They have no business operating under conditions under which that respect and authority is absent.

The American student of this day has the finest educational facilities over offered to any student at any time in any place in world history. You will not pay even half of the actual costs of what is offered you in our colleges and universities. The rest is given to you by that very American society, the Establishment, if you prefer, for which these demonstrators are professing such contempt. Higher education is not an absolute right, nor is the enjoyment of this privilege without certain responsibilities. It is the student who is under obligation to the college, not vice versa. There is no reason why anyone should be tolerated as a student on one of those campuses who is not prepared to give the university his respect and whose presence there disrupts the education of other students.

Perhaps I have talked overmuch to the senior who is going to college. I hope you are going—not because your parents went, or because they did not go. These are two of the biggest reasons why so many young people are jammed into colleges these days, there to be filled with a lot of mental mush from incompetents who really do not care so long as they have the numbers for their IBM cards. I do hate to see a youngster who is gloriously happy taking a carburetor apart, or a young girl who is a simply dreamy cook and home-maker, hauled off to college simply because Ol' Dad was a member of the Class of '38 and Mom was very active in her chapter of Phi Beta Gamma. They end up spending totally unhappy lives, though they will have more money than they know what to do with.

As you look about yourself tomorrow morning, free of the responsibilities of a nine o'clock class, perhaps you can put your finger on some of these things. I said a moment ago we have lost some of the fundamentals. The Supreme Court has discarded much of the Constitution. Your parents—and you, too, have erased the Ten Commandments. When have you last heard, or read of, the Sermon on the Mount. Has it ever occurred to you that the Scout Oath would be a fine rule and guide for your personal conduct. There are few young men who are man enough to live by it.

Some years ago, I was a teacher of mathematics. It was perhaps the happiest period of my life, because I would meet new challenges from day to day instead of new wars from week to week. I was content, satisfied, because I could watch 8th-grade youngsters come into school and pound away at their books until they reached the point where you are tonight. Mathematics are, at best, only a tool for calculation, like a plow for the farmer, a net or a boat for the fisherman, and so, in my classes, I covered the necessary work in basic terms. We enjoyed classes, and I protected myself by giving the tough New York State Regent examinations.

But I tried to instill in all my students the curiosity, the "Tell-me-why" of a young lady or gentlemen who doesn't want the brain to get rusty. I would say to my students: "No matter where you go from this classroom, no matter what you do, don't forget that word, 'Why!' If you can keep that word 'Why?' high on your list of favorite words, your brain will never grow rusty and stale."

Many of you breathed a great sigh of relief when you closed your books for the last time and checked them in. Some of you will go on to higher, more extensive and specialized learning. But for those of you whose formal education ends tonight, let me say again my plea to those math students of mine. . . . Don't ever forget the word "Why." If you can answer that question about every question that comes before you forthwith, your brain will never grow rusty, your friends will never grow bored with you, and your books will never gather dust. The challenge is up to you now, for no more will teachers mark in their little pocket grade books and no more will you think of the masterpieces as something "I've gotta read by Monday morning." It's the other way round now. You can keep the thinking machinery polished and running smoothly, or you can let it get rusty and stop.

One word of warning, though. If you let your brain get rusty, you will slow down, your self-respect will leave you, and your friends will desert you as a dull clod. It is up to each of you to maintain the standard that you have reached this evening. Many of you know more about more things, right now, than you will ever know again. For those of you going back to classrooms in the fall, this will happen again at the end of your sophomore year in college. After that, you will begin to specialize, and you will forget much of what you learned during the broad exposure to areas of culture during your freshman and sophomore years.

You may be satisfied tonight. But remember the difference between being satisfied, and being content. Be content. But never be satisfied. Don't ever decide to become one of those common people we hear about all the time. Who, in God's name, wants to be common?

Let me conclude with a very personal word to each of you. Those of you sitting here have earned this honor by hard work, or by cheating, or by the indifference of your teachers. Only YOU know for sure. Every one of you have had a good break, and not a single one of you paid your own way, all of the way.

As a matter of fact, you had $18 billion to spend last year as 18-year-olds, and the biggest adjustment many of you will have to make is what to do when Daddy takes back the credit card, and you have to make sure there's a bottle of milk on the porch in the morning. Further, in four years, when your kid brother is here, he will spend twice as much as you did in this affluent society.

No matter how wealthy your parents, no matter how exclusive your backgrounds, your neighbors paid part of your education and you are in their debt. This diploma will not get a job for you. It will not hold a job for you. It does not guarantee your personal profit at the expense of your neighbor who made possible your superior intellectual training. Maybe you will have been taught to think—we will know more about that in ten years, perhaps less. But somewhere along the line you must have picked up some idea about the dignity of your neighbor, about his freedom, about his right to be wrong according to your lights, and about his rights under law.

You are finishing your education at a time of uncertainty. Of turmoil and unrest. Of unprecedented change. Do you agree? Well, I first said these very words twenty years ago this week, in the first commencement remarks I ever made. So what's new?

Don't expand your instincts for being unhappy, for never before have so many young people had it so good. You might take a minute to see why things are so good for you. Don't knock the system that made it possible for you to sit here tonight. If you don't like what you read, you're still free to go write a book yourself. You didn't like the music you were hearing, so the last five years you've been writing your own. Some of it lasted more than a month, at that! If you don't like the people in public office, come back in three or four years and try it yourself. You are the at-least-partially-educated brood of the most powerful, most luxurious nation on Earth. Would you trade places with anyone anyplace else on earth?

I mentioned Bob Hope's commencement remarks a few moments ago: may I end with a paragraph from a German philosopher named Goethe, who listed nine requisites for contented living.

Health enough to make work a pleasure; wealth enough to support your needs; strength enough to battle with difficulties and overcome them; grace enough to confess your sins and forsake them; patience enough to toil until some good is accomplished; charity enough to see some good in your neighbor; love enough to move you to be useful and helpful to your neighbor; faith enough to make real the things of God, and hope enough to remove all anxious fears concerning the future.

Maybe you do have fears of the future. But look around the world and compare your lot with that of young people elsewhere in the community of nations.

And then go to church on Sunday and sing out—sing out that old hymn . . . the one that goes "Count Your Many Blessings, Name Them One By One".

I thank you.

ONE OF OUR FRIENDS SPEAKS OUT

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. LUKENS. Mr. Speaker, it is with a great deal of pride and personal joy that

I am able to bring to the attention of this body and the American people a very thought-provoking letter written by a friend of mine, who is a member of the German Bundestag. Dr. Walter Becher has been a longtime political associate and recently close friend through our many associations commencing with the 1963 meeting of the Atlantic Association of Young Political Leaders, sometimes referred to as the NATO youth.

Through the AAYPL our acquaintance developed into an association and from an association into a friendship. I have always respected Dr. Becher's views and his sound thinking, but I am particularly proud to point out to my fellow Americans that at a point in history when our country is plagued with troubles, another of our millions of friends cares enough to speak out.

Mr. Speaker, I insert the following in the RECORD at this point:

53 BONN,
June 28, 1968.

HON. DONALD E. LUKENS,
U.S. Representative,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE LUKENS: On July 4, the American National Independence Day, I should like to send you my best congratulations. In a time when the world speaks about an American crisis, I should like—out of my knowledge of your country and people—to express my conviction that America's spirit is unbroken and will lead your country to a new greatness in the future.

America can and will remain the center of freedom—not only for herself, but also for other nations of our world.

I should like to send you my best and most sincere wishes for your country, for your people, for you and for your political work.

DR. WALTER BECHER,
Member of the German Bundestag.

SECOND ANNIVERSARY OF MEDICARE

HON. JOSHUA EILBERG

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. EILBERG. Mr. Speaker, it is with great pride that I call attention to this second anniversary of medicare. This program, enacted after so many years of controversy, by virtue of its unquestionable success, has won over untold numbers of its foes and delighted the hearts of its advocates.

It has brought much needed medical care and a feeling of added security into the lives of almost 20 million of our older citizens; it has brought the promise of a brighter future to all of our citizens.

One only has to glance at the news clippings or letters from constituents to see that medicare beneficiaries have received help and hope from this program.

Medicare has covered 10.6 million hospital stays during the past 2 years—any one of which might have destroyed financially the beneficiary and his children.

It has paid 45 million bills under the supplementary medical insurance program, primarily for physicians' services, thus enabling millions, who might have postponed seeking care until it was too late, to receive such care promptly and with dignity.

While this program has brought improved health care to those over 65, through its unparalleled efforts to upgrade the quality of care rendered by all types of covered medical facilities, it is also bringing improved health care to all persons who must seek medical attention from these facilities.

The impact of medicare in improving health care for all people and throughout the Nation has been outstanding.

GROSS NATIONAL PRODUCT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. RARICK. Mr. Speaker, the average American has been "educated" to accept the phrase "gross national product" as an infallible guideline by so-called expert economists to establish national wealth and prosperity.

Politically, as long as the GNP increases, it is used as a quick yardstick to sell industrial success, good business, and the "you never had it so good" philosophy.

But is the GNP accurate? Can it be manipulated? Does it consider inflation and Government subsidization?

An interesting thought paper, "Gross National Product: A Phony Statistic," has been prepared by Mr. C. S. Reed, of North Carolina.

I include Mr. Reed's treatise in the RECORD followed by clippings from the Evening Star, June 28 through June 30, with the question as to how these grants were considered in GNP, as follows:

GNP: A PHONY STATISTIC

How dare criticize that Ne Plus Ultra, Sacro Sanct, Sine Qua Non, Little Tin God of almost all the great economists of the country. At the recent meeting of the "12 Top Forecasters" of the National Industrial Conference Board (as reported by U.S. News and World Report) four of the twelve listed G.N.P. first in their predictions and others gave it considerable prominence. Had one of them dared to question its sanctity I fear it would have disrupted the lovely first name basis on which these boys operate. Terrible to contemplate. Worse than telling Virginia that there aint no Santa Claus.

Not so long ago I wrote three of these top twelve, calling attention to some errors in G.N.P. Of course all statistical standards have errors, fixed errors that do not disturb the validity of comparisons, but these were large variable errors in a changing sector, and therefore important. One of the twelve made no reply, the second gave me the "brush-off", and the third, while admitting the validity of my key illustration, did not agree with the basic claim that—All taxes paid by all corporations, Income, Property, License, etc.; Federal, State and Local, are in G.N.P. twice. Every time Government spends a dollar, it ups G.N.P. two dollars to the extent that the money is either collected by a corporate tax or sales tax, or put into a deficit to be thusly collected in the future. Failure to recognize this error inclines me to think that a lot of our distinguished economists are:

1. Afraid to further disturb the delicate balance of our troubled economy by admitting the inaccuracy of a pet statistic that "So graphically portrays increasing prosperity" (?)

2. Ashamed to admit gullibility in having swallowed the stuff put out by the Department of Commerce these many years.

3. Unwilling to change a standard that has been in use for so long, even if it has bad errors in it.

4. Incredibly stupid.

First I think we should recognize that Government is supposed to be the agent of the taxpayers, not a servant nor a master, although some of its employees talk as if it were one of these and act as if it were the other.

To go a long ways back in history, the old barons each had his own army. To operate more efficiently, they organized governments to which each contributed and which handled the army, etc. Surely no one would claim the cost of operating the army, which would have been a large part of the G.N.P. of those days, equalled the sum of what the barons paid to their agent, government, PLUS what government paid the troops.

Next we should agree that all taxes are ultimately paid by the ultimate consumer. Business is merely a collection agency and must pass on taxes, as well as other costs, if it is to continue to stay in business. We had an illustration of this a few years ago when the income tax on corporations was reduced from 52% to 48%. Our company, a public utility, was immediately asked to give the reduction to our customers. We were able to do even better without cutting our earnings, giving the customers almost two dollars for each dollar estimated tax cut. Sounds odd, but an illustration should make it clear, using round numbers, not our actual figures.

Old basis:

Income before income tax	$25,000
Income tax, 52%	13,000
Company share	12,000

New basis, a cut to 48% would presumably give the company 4% of $25,000, or $1,000, but let's make the cut $1,900 and we would have:

Net before income tax	$23,100
Tax at 48%	11,088
Company share	12,012

This principle works both ways. If the 52% tax is restored, as suggested in some quarters, and we were compelled to ask for a rate increase to restore our credit and earnings, we would have to ask for almost two dollars for every dollar of tax increase. They say this tax increase is necessary to prevent inflation. As far as corporate taxes are concerned, inflation will be augmented, for corporate taxes must ultimately be passed on, and corporations must ask for more than the actual increase in order to give Uncle Sam his cut.

Next let us have a more modern illustration. Here in the South we once had a large number of mill villages where practically the entire economy was handled by the mills. Each paid police and firemen, etc. and included the cost thereof in its cost of production and therefore G.N.P. This practice has been largely done away with and municipal operation has taken over the police and other city functions and, of course, this cost has been added to G.N.P. However, the mills pay most of the taxes to support the city operations and include these taxes as part of their costs of operations and therefore as part of G.N.P. Thus we have a duplication to the extent of the taxes paid by the mills.

Conversely, if a mill decides the city is not doing a good job of police protection and offers to take over in exchange for an equivalent tax reduction, we have a segment of G.N.P. vanishing into thin air. Why? Because it had no business being in there in the first place.

This small example applies to all corporate taxes. Personal income taxes are not included twice, but I fear that personal property taxes get in a second time when the calculation is made, according to the Department of Commerce booklet, "Your Economic ABCs": "on the interesting assumption that home ownership is a business which produces housing services which accrue to the homeowner".

Of this I am not sure, merely suspicious.

My "Top 12" correspondent said:

"Although your mill villages example is an excellent and I believe completely correct illustration of one type of inaccuracy that distorts our GNP accounts, I don't think it illustrates that taxes are counted on the product side of GNP. The output of your company is of course included in GNP. If we assume for the moment that all of it goes to individual home owners, then it would show up in the consumers services component. On the income side there would be an equivalent total dollar value, broken down into wages and salaries, interest, taxes and after-tax profits. Thus your sales represent the contribution of your company to the Gross National *Product* and your costs go to make up Gross National *Income*."

This puzzled me. Was it just some "gobble-de-gook" supplied by the Washington boys? How, for example, could the cost of coal, our second largest item of expense, be a contribution to *income?* And do we buy coal without paying part of the taxes and the profits of the coal company? However, on further study, I think we find the key to the whole situation:

Coal is a cost to us, but income to the coal company. Right!

Wages paid to an employee are income to him and he is free to spend it and become a purchaser of GNP. Right!

Taxes paid to Government are Income to Government and it is free to spend it as a purchaser of GNP. Wrong!

Taxes are not Income, merely money turned over to Government to be used in buying things for the taxpayers.

An automobile or truck purchased by Government is just as much a National Product as a similar item purchased by an individual. Of course. But in determining the cost of that government auto we should not add what we give the government to buy it to what government pays for it. The situation becomes crystal clear when we go back to the mill village. Before the municipality was created the purchase of a police car went into GNP as part of the cost of production. After the establishment of the municipality, the purchase of the car went into GNP once when the mill gave the money as taxes and again when the city bought the car, acting merely as the agent of the taxpayers.

This reminds me of another illustration and possibly, although I am not sure, of another duplication in GNP. Our utility company used to do all of its own line construction and repair work. The construction cost went into new plant investment and GNP. The repair work was paid for by customers as part of their electric bills and included in GNP as consumers purchases. In recent years most of this work has been farmed out to independent contractors. We allocate the bills between construction and maintenance, but surely no one would claim the cost of the lines equals what we pay the contractors plus what they pay out for materials. If the Department of Commerce, in getting up its GNP figures, includes the contractors income or expenses, there is a definite duplication. But, regardless of that, the real point is that Government is not a producer, merely a contractor or agent of the taxpayers, and we should not figure the cost of the war in Vietnam, for example, at what corporate taxpayers pay to Government *plus* what the Government pays troops, etc.

Government produces nothing except in cases of doubtful legality like the Tennessee Valley Authority and, incidently, that furnishes another illustration, since power supplied by TVA goes into GNP at a lower figure than power supplied by investor-owned utilities largely because TVA pays no income taxes.

2. Another item of duplication—Sales Taxes. A letter from the Department of Commerce advises these are included in GNP as part of the cost of goods purchased. They get into GNP again when Government spends the money. (Note both items are on the same side of the purchase ledger.) If a sales tax is paid by a corporation, it is same as any other tax. If it is paid by the consumer, why should it be added to consumers purchases when the same amount of money, collected as a personal income tax, would be subtracted from income and therefore subtracted from consumer purchases, or from savings. The item of sales taxes is not a small one but according to the Department of Commerce booklet amounts to $62 billion, compared to $65 billion total personal taxes federal and state combined.

3. A third duplication comes to mind when we consider the recent increase in postal rates. That increase goes into GNP when Government spends the money. It goes into GNP a second time when consumers and businessmen buy stamps. And part of it goes into GNP a third time when municipalities and state governments have to increase taxes to pay increased postal costs. Of course, the business increases are delayed but they get there just the same. Come to think of it, it is not such a small item, since all postal charges are a form of taxation included in the cost of everything we buy, as well as personal expense.

4. What will be the effect on GNP of the proposed tax increase? They say it is needed to prevent further inflation. Let us consider three ways of taxation:

a. Put all of the increase on personal incomes.

b. Use a sales tax.

c. Put part of the tax on corporate incomes and the rest on personal.

a. Under this method all of the tax would come out of Personal Income and to the extent it was not taken out of Savings, would decrease Consumer Purchases of GNP. Government would of course spend the money, so GNP would go up by the amount of the tax less the drop in Consumers purchases. Prices would remain the same, except for cuts that might be made in the scramble to get a greater share of the lessened supply of money available.

b. With a sales tax, which is added immediately to GNP, prices would be increased, sales would go down except to the extent to which the public dipped into its savings. GNP would go up both to the extent of Government spending and the sales tax, but True GNP would not increase as much due to the drop in dollar value. Comparing a. with b. it would appear that in the one case we cut down on the economy by giving people less money to spend, while in the other we boom the economy by giving them less product for the same money or higher prices for the same product.

c. This method, which will probably be the one adopted, will have part of the effect of a. and part of b., except that inflation will be delayed by the length of time it takes for business to increase prices to absorb the increased taxes. If, for example, rates for electric power are increased, municipalities with large pumping and sewage plants will have to ask for more tax money.

This tax increase is a puzzler. If the Internal Revenue agent collects the increase before the tax payer leaves home, by means of an income tax, the result will be deflationary, so they say. But if the same agent waits until the tax payer gets to the supermarket and then takes exactly the same amount of money via a sales tax, we will have inflation, as well as a greater increase in GNP, both actual and real. Will somebody please explain.

In case a. above, the citizen dips into his savings to pay the increased tax, so he can make a down payment on a new color TV.

In case b. above, the citizen dips into the savings to pay the increased down payment on his TV due to the sales tax.

In case c., above, the citizen dips a little less into his savings now, but has to dig a little more later on when business increases prices to pay the increased corporate tax. As Franklin D. Roosevelt said, when he was first running for office, not after he arrived: "Taxes are paid in the sweat of him who labors."

[From the Washington (D.C.) Evening Star, June 28, 1968]

Grant Allows Poverty Law Study at GW

The National Law Center of George Washington University will receive a $92,066 demonstration grant to conduct a master of laws program in law and poverty as part of a new venture announced today by the Office of Economic Opportunity.

OEO, sponsoring the nation's first law school programs for an advanced degree in poverty law, also announced an $86,058 demonstration grant to the New York University School of Law to conduct a similar master of laws program in urban affairs and poverty law.

VISTA lawyers will combine field work with slum organizations and classroom study under the programs, to begin in the fall.

Mrs. Jean Camper Cahn, a pioneer in the field of legal services and poverty law, has been named director of the Washington project. She is executive director of the Institute for Political Services to Society, which is making a study of the District government's response to citizen grievances.

Twenty VISTA volunteer lawyers here will be assigned to the supervision of the Neighborhood Legal Services Project, which operates 10 neighborhood law offices in low-income areas. They will add to the project the services of lawyers working full time with slum groups and organizations, helping them to find ways to solve problems.

[From the Washington (D.C.) Sunday Star, June 30, 1968]

Foundation Aids Environmental Crises Program

New York.—The Ford Foundation announced grants totaling $4 million last night to eight organizations to study "how man can prevent crisis in his environment instead of constantly being surprised and overtaken by them."

The grants ranged from $62,000 to Colorado State University for a study of the impact of weather on grasslands to $909,655 to Yale University for a program in the management of the terrestrial environment.

Other grants were $470,000 to Stanford University for a study on the biology of human populations; $174,000 to the University of California for a case study of the social costs of increasing population growth in California; $587,695 to the University of Washington for a program of studies in quantitative ecology; $858,000 to Johns Hopkins University for a graduate program in environmental management; $420,000 to the Missouri Botanical Garden for a program in biophysical ecology, and $483,200 to the University of British Columbia for a new program of resource science.

[From the Washington (D.C.) Evening Star,
June 29, 1968]

Firms Joining To Train 448 Under Grants

Washington area businesses will train 448 hard-core unemployed—mostly young people—this summer in jobs ranging from selling phonograph records to laying bricks, it was announced today.

Ten firms and a consortium of eight businesses are undertaking the training under the program called JOBS (Job Opportunities in the Business Sector).

The firms will split federal grants of $1.1 million to help finance the training. The grants were announced today by the Labor Department.

The largest program will be operated by the consortium, Southwest Management Associates, Inc., which will train 100 persons under a $298,876 grant.

Firms in the consortium are Surveys and Research Corp; Berens Companies; Capitol Park Apartments, Inc.; River Park Mutual Homes, Inc.; Shannon and Luchs; Southwest Construction Corp.; Town Center Management Corp. and H. G. Smithe Co.

The consortium will train the unemployed in construction work and building service operations in Washington's Southwest area.

Other companies participating in the program are:

Giant Food, Inc., 100 trainees in grocery and carpet-laying occupations, $142,534; Bayside Graphic Arts, Inc. (Beltsville), 16 trainees in graphic arts and other occupations, $47,978; National Detective Agencies, Inc., 50 guards, $59,200; URS Corp. (Alexandria), six clerk-typists, $15,828; Macke Co., 10 bakery and service work trainees, $20,600; David Muirhead & Associates, Inc. (Wheaton), 50 construction and maintenance work trainees, $217,500.

Also: Cleaning Services, Inc., 76 hotels and motel service work trainees, $142,880; Amatucci Rambler, Inc. (Hillcrest Heights, Md.), 20 auto mechanic trainees, $99,346, and Educational Consultants, division of Haggis Associates, Inc. (Bethesda), four computer and office worker trainees, $10,847.

In another JOBS venture, Labor Secretary Willard Wirtz announced that American Airlines Inc. would train 350 in 10 cities, including Washington, in a two-year project calling for a federal expenditure of $839,076. Washington is slated for 18 trainees at a cost of about $43,000.

Participants will get 20 weeks of training as fleet service clerks, aircraft cleaners, building cleaners and parts washers. After training, they will have full-time employment and earn an average $2.82 an hour. The Transport Workers Union, AFL–CIO, has endorsed the program, the announcement said.

JOBS is a nation-wide effort sponsored by the Johnson administration to provide training for the jobless in 50 large cities. The goal is to hire and train 500,000 persons by June, 1971.

Under the program's format, trainees will receive counseling and will work under a "buddy" system with present employes of their host companies.

At the same time, managers and supervisors will receive special training in the problems involved in working with the hard-core disadvantaged.

[From the Washington (D.C.) Evening Star,
June 29, 1968]

Police-Citizen Project Wins Federal Grant

(By Ronald Sarro)

Mayor Walter E. Washington conducted an unusual press conference yesterday as he invited a vehement opponent of a model police precinct plan to speak out during announcement of a $1.1 million federal grant to finance it.

The mayor's offer was promptly taken up by the opponent, Thomas Payne, acting executive director of the Metropolitan Citizens Advisory Council of the United Planning Organization, who called the plan a "Nazi-like program."

Payne's charges startled the 11 persons the mayor's office had assembled to articulate their support for the grant, which was announced by Theodore M. Berry, director of the Office of Economic Opportunity's Community Action Program.

With the pilot precinct yet to be selected, the program calls for establishment of storefront neighborhood centers in ghetto areas where police, public health, welfare, legal and other services can be provided. Neighborhoods would select advisory committees.

CHARGES SPY NETWORK

Payne, whose council formally voted to reject the proposal last week, charged that the program "will create a neighborhood-based spy network" through which information on "everyone" would be fed into new police department computers.

Charging this would result in a "totalitarian police state," Payne, who had requested the opportunity to speak, said the program was part of a "mass hysteria" sweeping the nation.

Mayor Washington did not reply to Payne, who also serves on the chief executive's Urban Coalition Board of Directors. But OEO's Theodore Berry did reply.

Saying that for 32 years he had fought for justice, Berry said: "I would be the last to approve totalitarianism or the proposed establishment of a police state." He urged citizens to keep an open mind on the precinct concept and steer away from the "various misconceptions" circulated.

OPPOSED BY COUNCIL

UPO's board has tentatively approved the precinct plan. It must take final action on the proposal, considering the strong opposition of its advisory council, which contended citizens were not advised when the plan was being developed.

The grant would go directly to the office of Public Safety Director Patrick V. Murphy. The program would be run by Robert Shellow, former staff member of the National Crime Commission and adviser to the Office of Law Enforcement Assistance.

Berry said the grant could be made in 30 days if the UPO board takes no action, and that OEO also could award it if the UPO board rejects the plan.

"The key is, there will not be any unilateral or superimposed opinions forced upon the residents," Berry said. He told the reporters that Murphy and Shellow had presented the proposal to OEO four months ago.

After Payne issued his blast, however, Gurson Green, OEO's chief of research and demonstrations who was sitting next to Mayor Washington, "clarified" the situation by saying the OEO had approached the D.C. government with the pilot project.

Berry emphasized that the project, first under a proposal made to Congress by President Johnson this year, followed recommendations of the National Crime Commission, Riots Commission, Title I of the Safe Streets Act and recommendations of the Community Relations Service of the Justice Department and Office of Law Enforcement Assistance.

CALLS CITIZEN AID VITAL

Among those who spoke on the plan were Washington, Murphy and Police Chief John B. Layton. Murphy said the program would help get neighborhood young people working closely with policemen.

He also emphasized: "Police just do not prevent crime and maintain the peace without receiving information from citizens." Murphy said: "Police prevent crime by knowing as much as possible about their beats."

RESOLUTION OF THE WICHITA, KANS., JAYCEES ON GUN CONTROL

HON. GARNER E. SHRIVER

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. SHRIVER. Mr. Speaker, many citizens and organizations are taking the time to present their views pro and con regarding gun-control legislation which is being considered at the Federal level. I want to call attention of the Members of the House to a resolution adopted by the general membership of the Wichita Jaycees in Wichita, Kans., in my congressional district. The resolution was forwarded to me and other Members of the House by Marvin Nye, president of the Wichita Jaycees.

The resolution follows:

Resolution of the Wichita Jaycees, Wichita, Kans.

Be it hereby resolved that the Wichita Jaycees believe that a government of the people should represent those people with the exercise of reason and prudence toward the end of preserving freedom. Be it further resolved that we believe that no single event or series of events, of the type that has brought the question of gun control before the American people, should stimulate a governing body to take away any constitutional right of its citizenry. We believe that the Second Amendment to the Constitution guarantees the right of the "people" to keep and bear arms and that this provision was intended as a safeguard against loss of our constitutional form of government.

We believe that felonious use of firearms should be controlled by stronger and mandatory penalties for their unlawful use. This, along with the present Federal Firearms Act (June 30, 1938) and the National Firearms Act (September 3, 1958),[1] we believe to be a more than adequate solution to the problem of gun control.

Any licensing or registration beyond that already contained in the Federal and National Firearms Acts mentioned above we diametrically oppose as ineffective in controlling felonious use of firearms. Such an approach to gun control on the surface may seem plausible to some persons. However, in the final analysis this approach can only bring harassment and restriction of the constitutional rights of law-abiding citizens, and in particular, sportsmen. Any infringement of the constitutional right of the "people" to keep and bear arms can only make the preservation of freedom more difficult in America.

We cite two cases in point against universal registration of firearms: *First:* During Hitler's reign in Germany, complete registration of firearms was brought about under a pretext other than confiscation. Perhaps to the surprise of people still living today, confiscation, however, came. The German populace, not totally dedicated to Hitler, was left helpless against a tyrant who then continued, unabated, his hideous crimes against humanity. Our own United States military forces used captured German lists of registered firearms owners to further disarm the German populace during American occupation. *Second:* The Communist rules for revolution, as captured in Dusseldorf May,

---

[1] See: USCA Title 15, Chapter 18, Sec. 901 et. seq.; USCA Title 26, Chapter 53, Sec. 5801 et. seq.; Code of Federal Regulations, Title 26, Parts 177 and 179, Revision of January 1, 1967.

1919, by the allied forces, contains as Item C "Cause the registration of all firearms on some pretext, with a view to confiscating them and leaving the population helpless." Mr. George A. Brautigam, State Attorney for the State of Florida, obtained acknowledgement from a known member of the Communist party that this rule is still a part of the Communist program for overthrowing governments.

We, as members of the Wichita Jaycees, feel an obligation to make our position known on the matter of gun control. The freedom of a free people seems to be threatened daily. Many of us have been asked to serve in our country's military forces and to die, if necessary, to preserve freedom for the American people. Our position on the question of gun control is that a constitutional right and freedom is being threatened. We would only hope to do as much at home to preserve freedom and our American heritage as our friends are doing in Viet Nam today.

Adopted this 24th day of June, 1968, at a regular meeting of the general membership.

WICHITA JAYCEES,
MARVIN NYE,
President.

Attested:

ROBERT HESTON,
Secretary.

MY COUNTRY 'TIS OF THEE

HON. ARCH A. MOORE, JR.

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. MOORE. Mr. Speaker, on Sunday evening, June 30, I was very pleased to join a number of my colleagues in West Virginia to participate in a very inspiring program which gave special emphasis to Christian patriotism.

The affair was sponsored by the South Charleston Ministerial Association and its presiding officer was the Reverend Father McDonald. The speaker of the evening was the Reverend Dorsey D. Ellis, minister of Rock Lake Presbyterian Church, and he gave a most provacative address respecting our country's birth, its present and its future.

I would like to share this stirring address with my colleagues, and, under unanimous consent, include it in my remarks in the RECORD.

MY COUNTRY 'TIS OF THEE—RECAPTURING OUR PATRIOTISM

Senator Jennings Randolph, in an address recently given before Senate and published in the *Congressional Record* quoted in its entirety an editorial from the St. Louis *Globe-Democrat* entitled, "In Praise of the United States."

The editorial starts with the question, "Who will say a good word for the United States of America?" and answers, "We will and we are sure that nearly all Americans will if they can get the microphone away from the professional hate mongers, the political opportunists, and the 'Let's All Kick America' crowd."

Both Senator Randolph and the *Globe-Democrat* have sounded a note which I not only desire to sound but wish that I could blast from the housetops on this the eve of the anniversary of our national independence. I, who have been given the privilege of speaking tonight, am a resident of South Charleston, I take pride in the place of my residence. I have taken and I will take advantage of every opportunity to express my civic pride.

I am a citizen of the Commonwealth of West Virginia. I am proud to be a West Virginian. How I love these West Virginia hills and its scenic spots.

I am not ashamed of the sentiment I have for this majestic land. I am a citizen of the United States of America, "The land of the free and the home of the brave." How I thank God that He permitted me to be born a citizen of the United States of America.

Is there not something of a tingle within our breasts as we sing,

"America! America! God shed His Grace on thee;
And crowned thy good with brotherhood,
From sea to shining sea"?

Let none be ashamed of the tear which comes to his eye, the tremble within his voice, or the thrill which comes to his heart as he pledges allegiance to the flag of the United States of America.

How appropriate are the words of Sir Walter Scott, which he spoke concerning the land of his love:

"Breathes there a man with soul so dead,
Who never to himself has said,
'This is my own, my native land.'
Whose heart has ne'er within him burned,
As homeward his footsteps he has turned,
From wandering on a foreign strand.
If such there be, go mark him well,
For him no minstrel raptures swell,
Though high his titles, proud his name;
Boundless his wealth as wish can claim,
Despite those titles, power and pelf,
The wretch concentrated all in self,
Living, shall forfeit fair renown,
And doubly dying, shall go down,
To the vile dust from whence he sprung,
Unwept, unhonored, and unsung."*

I suggest to you today that if there are wrongs to be righted, and there are—if there are errors to be corrected, and there are—if there are injustices to be rectified, and there are the place to begin is by saying, "I'm so proud to be an American that I'm not going to let my America fall short."

Let us recapture our note of patriotism.

CHRISTIANS AS PATRIOTS

If this message tonight sounds more like a patriotic address than a sermon, I answer by simply saying, Suppose it does!"

If I, a Christian minister, speak with conviction on matters of state, I have some good company.

There have been no more vocal patriots through the centuries than have been the prophets and preachers—all the way from the Prophet Isaiah to the Rev. Gordon Battelle of West Virginia.

When more than one hundred, four score and seven years ago our fathers brought forth on this continent a new nation as the delegates were gathered to sign the document that has made today's celebration possible, one member took his pen in hand, turned toward his fellow delegates, paused for a minute and said:

"There is a tide in the affairs of men, a nick of time. We perceive it now before us. To hesitate is to consent to slavery. That noble instrument upon your table, that insures immortality to its author, should be subscribed this very morning by every pen in this house. He that will not respond to its accents, and strain every nerve to carry into effect its provisions, is unworthy of the name of free man . . . For my part, of property, I have some; of reputation, more. That reputation is staked, that property is pledged on the issue of this contest; and although these grey hairs must soon descend into the sepculchre, I would infinitely rather that they descend thither by the hand of the executioner than desert at this crisis the sacred cause of this country."

The man who so spoke was the Rev. John Witherspoon.

Let me make myself unmistakably clear—I am a Christian. If I am a Christian, God alone is supreme. My allegiance to God must be put above every other allegiance. God and country are not one. Christianity and patriotism are not identical.

The Christian is first a Christian and then an American. If there is a conflict between God and government—God must be obeyed; if there is conflict between Christ and country—Christ must take precedence; if there is conflict between conscience and constitution—the Christian must be true to his conscience.

Every Christian, who is a Christian, must take his stand here—he cannot do otherwise. This position of the Christian is honored by the very political system under which we live. This system holds in similar respect the corresponding position which adherents to other religions must take. While Christianity and patriotism are not to be identified being unpatriotic does not make one more of a Christian nor does defiance of civil law make one more obedient to God. According to Paul, God has established human governments for human good "And therefore he who resists the authorities resists what God has appointed. . . ." (Rom. 13: 12).

Christians are also citizens and are to practice their Christianity as citizens. The emphasis we make tonight is therefore very much in line with the instructions given by the Apostle Paul. We are hearing much today about making Christianity relevant—is there not a need in these times of crisis to make our faith relevant as patriots?

We are made keenly aware today—and this weighs heavily upon our conscience—of how far we are from realizing our own principles with respect to race. We have gone on making first and second class Christians, and first and second class citizens of our nation, when Christianity has taught that "God has made of one blood all nations of men for to dwell upon the face of the earth," and our Declaration of Independence states that "We hold these truths to be self-evident: that all men are created equal. . . ."

We have written a shameful story in our treatment of the American Indians and we are doing very little to rectify the abuse we have brought upon them. Many people seem to have been born to the wrong parents or the wrong race while others of us gloat over the fact that we were born to the right parents and to the right race.

This day calls us to a discovery of what is inherent to our Christian faith and what is inherent to our system of government. Sadly, some are seeking what is inherent to Christianity by forsaking it, and some are seeking to obtain what is inherent to our system of government by rebelling against it and actually seeking to destroy it.

Many well-meaning people, in their zeal to bring about social justice are cutting off the very limb on which they stand. Are we seeking the right thing in the wrong way? Will we lose the very prize we seek by blowing up the bridge over which we must cross to reach it? By all means let us press on with zeal for the realization of Martin Luther King's dream—that we must do—But these times call us to give serious consideration to the havoc we are making in the pursuit of that goal. It seems to me that the time has come for us to be aroused. If we are not aroused now, where will we be tomorrow?

RESPECT FOR LAW AND ORDER

I am not by nature an alarmist. I am not given to crying, "Wolf! Wolf!" Neither was Noah an alarmist, but then the waters started rising about him. I submit to you today that the waters are rising about us. It is later than we think. We are facing a crisis; possibly the greatest crisis our nation has ever faced.

We have had a series of assassinations. Others may follow; we do not know where

---

*From *Lay of The Last Minstrel.*

the bloody hand of the assassin may strike next. For the first time in American history the President has found it necessary to give every candidate for the presidency a security guard.

We have all been confessing the sins which are felt to have made us party to these crimes, but are we confessing the right sins? Possibly well-meaning people have helped create a frame of mind that makes some malcontented person feel he is doing a noble thing by such a violent act.

When the gospel is preached that people don't have to obey the law if the law gets in their way. When violence is said to be justifiable if you can't get what you are after any other way, the wrong people are inevitably the ones to take the advice. When policemen arrest persons caught in criminal acts and the violators are commended and the policemen accused some mentally deranged person is bound to assume that he will be canonized for the assassination of some prominent man.

Granted there have been incidents of police brutality. Is it not time that we stop blaming law enforcement officers for the crime they are trying to prevent? I ask you candidates today, "What are you going to do about this?"

Doesn't it seem strange to us that the main argument against a candidate for political office is that he has declared himself in favor of law and order? Isn't it somewhat strange to us that disrespect for law has come to be a virtue, and defiance of constituted authority a commendable procedure? Are we to expect disrespect for law and order to usher in a day of social justice?

What do people expect to gain by demonstrating for the passage of certain laws while, in their efforts to obtain passage of these laws, they trample under their feet laws we now have? What assurance do they have that some other group will not feel just as justified in trampling under feet the law they seek?

Wholesale disrespect for law can lead in but one of two directions—either to a "police state," or anarchy. R. N.-Usher-Wilson said of a certain demonstration. "Such demonstration ceases to be one against injustice and becomes instead a demonstration of contempt for law. The end is anarchy."

The *U.S. News & World Report* had an article sometime ago on "Is the U.S. Drifting toward Anarchy?" Even if this is a conservative magazine raising this question hasn't the time come that we had better frankly face it and begin to do something about it?

RIOTS AND VIOLENCE

Isn't it high time for us to quit pussyfooting about this violence movement and start to doing something about it? No one questions the right and privilege of people to protest. No one questions the fact that there are conditions concerning which protests are rightfully made, but our nation cannot afford to continue to permit what is going on amongst us today, and what is destined to get worse before the summer is over.

Of the New Jersey riots Governor Hughes said, "This is not a Negro rebellion; This is criminal insurrection." Carmichael has suggested the outline of a program for the disruption of American cities. Fred H. Brooks holds that the black people should get their rights by any means, that he would approve of shooting Mrs. Johnson "if she were my enemy," and of the President himself "as a last resort." The avowed aim of Rap Brown is to destroy "this capitalist system of the United States." The aim of the militant leaders is not a correction of the wrongs within our system, but the destruction of the system itself.

The tragedy of it all is that many well-meaning, respected leaders, are urging these riots on, encouraging the rioters and cheering them on. Typical of such encouragement to violence is this: "There are situations where Christians may become involved in violence . . . ," and this: "The refusal to resort to revolutionary violence on the grounds that it is contrary to Christian faith is an act of hyprocrisy by those who fear that any fundamental change may compel them to lower their standard of living."

Over against such attitudes we may set the words of the late Dr. Martin Luther King:

"Killing, arson, looting are criminal acts and should be dealt with as such. Equally guilty are those who incite, provoke and call specifically for such action. There is no injustice which jusitifies the present destruction of the Negro community and its people."

The question arises today: Have we passed the point of no return?

If we destroy our system what have we to put into its place. A student organization is at work now to unite their movement with labor organizations as has been done in France. Their spoken purpose is to destroy existing institutions, but they say they do not know what they expect to put in their place.

Already high government officials who have gone to educational institutions to speak have had to be ushered out of the back door to keep from being killed. Just the other day a group moved into a television studio and took over the program. Another group smashed the windows of the U.S. Supreme Court Building while policemen stood helplessly by. Are we to expect next that a group will march into the White House, and say, "Move out, Mr. President! We are taking over!"

If you think that not possible, how do you read the handwriting on the wall?

RECAPTURING LOST VALUES

Governor Romney of Michigan has made this observation:

"The danger today is that the American dream is losing hold. . . . Cynicism and debauchery are widespread . . . People are giving up hope and taking up hatchets."

Following the tragic assassination of Robert Kennedy one statesman after another rose up to assert that we must recapture our lost values. It is to this I call you tonight. I do not advocate turning back the clock—we must live today, but I do believe that we have within our system all that is needed to meet the needs of these changing times. I believe that we can go forward without destroying our heritage.

Unashamedly I stand before you saying, "I Love America!"

Let us rise today to a new dedication to the tasks that are before us. Let us rise to a new sense of love for country. Let us rise up to recapture the values which make for a strong people and a strong nation. Let us rise to a reaffirmation of the pledge given yonder in Gettysburg a century ago, as a great American sought to assure the future of the nation amidst the crisis then existing, and say with him, ". . . that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people and for the people, shall not perish from the earth."

Now, in a spirit of rededication let us rise and give our pledge of allegiance to the flag of the United States of America.

EFFECT OF TV ON CRIME RATE

HON. HORACE R. KORNEGAY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. KORNEGAY. Mr. Speaker, I am pleased to join with the gentleman from New York, the Honorable JOHN M. MURPHY, and 33 other Members of the House in the introduction of a joint resolution which would direct the Federal Communications Commission to investigate the effect of television programs on the increasing tendency toward violence in our Nation.

There can be no doubt that violence is increasing in America today. The crime rate is rising rapidly and rioting and looting have occurred in too many of our cities. This is a critical problem of national concern.

There is also every indication that there is a corresponding increase in the acceptance of violence on the part of some segments of the American people. The resolution which I am proud to cosponsor would help discover what role television plays in shaping a climate which breeds further violence.

This resolution would direct the FCC to conduct a comprehensive study and investigation of the effects of violence in television programs on the viewing audience. There has been much discussion about the role television plays in initiating violence. This resolution would help us to find the true answer to the question of whether or not television is, in fact, responsible.

"LEST WE FORGET"—BY LOUIS V. FUCCI

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. KUPFERMAN. Mr. Speaker, we will adjourn tomorrow for the Fourth of July weekend, and it is only fitting that we acknowledge that historic date with and updated reference.

My old friend Louis V. Fucci has written a poem "Lest We Forget" which deserves to be brought to the attention of my colleagues and especially on this important American anniversary. The poem follows.

LEST WE FORGET

(By Louis V. Fucci, historian, Harold G. Dagner Post, Elks, American Legion)

Here they are—all stars
They fought for liberty for you and me
In World Wars I, II, Korea and Vietnam.

All fighting for peace and brotherly love
Heroes all to the core who were at the fore.

Thousands returning echoed the wish;
"Peace to men of good will"
Hoping to melt swords,
Make mighter the pen!

Over the top and from the foxholes they stormed
"They came, they saw, they conquered."
And for some . . .
No greater love nor sacrifice does man degree
Than from those who fought to the last
That you and I might enjoy liberty.

Here, there, under grassy mounds,
Or buried in the sea,
Our men repose
To them our love, a rose.

Lest we forget, let's say a prayer
That they may enjoy God's peace
And in their hearts petition for us
World peace.

"THE LIBERTY TREE"

HON. ALBERT W. WATSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. WATSON. Mr. Speaker, as a prelude to the celebration of the tricentennial anniversary of the State of South Carolina, public-spirited citizens have worked long and hard to produce an outdoor historical drama entitled "The Liberty Tree."

Just recently, this production had its premiere showing, and by all accounts it was an instant success. In telling the story of the invaluable role that South Carolina played in the American Revolution, this historical drama is a must for all Americans. Similar outdoor productions in other States have been very successful, and I believe that "The Liberty Tree" will take its place among their number.

Mr. Speaker, as a part of my remarks I include an editorial from the Orangeburg, S.C., Times and Democrat and a story from the Columbia, S.C., State which describe the premiere of "The Liberty Tree."

The articles follow:

[From the Columbia (S.C.) State, June 28, 1968]

LIVING HISTORY PRESENTED

(By Adger Brown)

The results of five years of hard work and planning, of hoping and dreaming reached fruition Thursday night with the gala premiere of "The Liberty Tree," by Kermit Hunter produced by the Palmetto Outdoor Historical Drama Association.

Excitement and a profound sense of triumph were evident in the fashionably dressed audience of first-nighters, composed of state and municipal officials, members of the South Carolina General Assembly, supporters and other VIP's.

WELCOME

In pre-performance ceremonies, with Dr. George Curry, vice president of the drama association serving as master of ceremonies, the audience was welcomed by President Allan C. Mustard, who read a telegram of congratulations from the absent Gov. Robert E. McNair. The invocation was pronounced by Dr. George Meetze, chaplain of the South Carolina Senate.

Also singled out for special recognition were Columbia Mayor Lester L. Bates and mayors of other South Carolina cities and constitutional officers of the state, Mrs. Francis C. Jones, widow of the late president of the drama organization, Mrs. Robert E. McNair, and Mrs. John Benz, chairman of arrangements for the premiere.

Mrs. O. T. Smith, first president of the drama Association member of the Springdale Women's Club of Lexington County, which first began the move for a historical drama, was presented a handsome silver tray by the board of the Palmetto Historical Drama Association, in appreciation for her work in both the inception and continuing development of the project. Mrs. Smith received a standing ovation from the audience, which filled the 1200 seat amphitheater.

OPENING SCENE

With the opening scene of "The Liberty Tree" it was immediately obvious that this auspicious premiere marked the culmination of herculean efforts on the part of countless people in many and varied fields: fund raising, promotion, building, management and the various arts of the theater.

First, it must be reported that the amphitheater in Sesqui Centennial State Park is as comfortable a theater as any reasonable person could imagine. The plastic seats have a "give" which insures comfort throughout the two-hour running time of the show and both acoustically and visually, the theater is first-rate.

REVOLUTION

"The Liberty Tree" centers about the role of South Carolina in the days of the American Revolution. The Kermit Hunter script is an amalgam of fact and fiction, of historical personages and purely imaginative characters. History purists insisting upon accuracy and authenticity in every detail will probably take umbrage at the liberties taken with fact by Dr. Hunter.

The author, himself, is frank to admit that where history collides with entertainment, the nod is given to entertainment. Pre-view audiences as well as premiere spectators indicated that they favored Hunter's point of view.

Heading the cast for "The Liberty Tree" is Harlan Foss, who enacts the fictitious role of Claudius Cinnamon, as well as playing such heroic figures as General Pickens and Marion and other South Carolina leaders. Foss is an actor of outstanding talent, possessed of both speaking and singing vocal qualities of singular beauty and a magnificent stage presence. He is a joy to watch and hear.

VILLIANS

The villian—or villians—of the piece is played by Bill E. Noone, another actor of far above average abilities. Kathy M. O'Mera Noone makes a charming "Polly Patridge," and Robert Byrd is outstanding for his role of "Abner Wilkinson."

Perry Silvey merits special praise for his interpretation of Hans Geiger, and Columbia actor Don Devet contributes some engaging tomfoolery in his role of "Tom Trupenny."

To single out these particular actors for special praise is not to imply that the rest of the cast did not come up to snuff. They are all excellent, thanks in great part to the skillful and fast-moving direction of Burnet M. Hobgood.

"The Liberty Tree," has been given a most handsome mounting.

Settings designed by Clayton Karkosh are simple—which means that they can be changed with dispatch and without holding up the action of the play.

REAL STAR

For my money, the real "star" of the entire show is the costuming by Lucille Baillie, obviously a "designing woman" of tremendous talent. From the standpoint of both sheer beauty and authenticity, her costumes are breath-taking.

"The Liberty Tree" will play nightly except Mondays until Labor Day. Performances are at 8:30 p.m.

[From the Orangeburg (S.C.) Times and Democrat, June 29, 1968]

"THE LIBERTY TREE"

South Carolinians who have perhaps had inward fears that perhaps the state's first major outdoor drama, "The Liberty Tree," which opened to a reserved-seat audience only Thursday night would be an amateurish and cheap imitation of the well established outdoor specatcles such as "The Lost Colony" at Manteo, N.C., and "Unto These Hills" at Cherokee, N.C., and others, have had their secret fears allayed.

Those who attended "The Liberty Tree," presented in a beautiful and easily accessible amphitheater at Sesqui-Centennial State Park, near Columbia, for its initial performance give enthusiastic reports as to its success in every phase of theatrical productions.

The movement for an outdoor historical drama was begun in 1964 when a group of women from Lexington County attended the Cherokee performance of "Unto These Hills" and returned home inspired and enthused and with plans to promote a similar spectacle featuring this state's part in this country's history.

They began the long and arduous campaign for funds over the state and were successful in raising over $150,000, some $3,000 of which was contributed by Orangeburg County citizens. Additional sums were obtained from an appropriation by the General Assembly and from other sources.

Fortunately, the sponsors of the plan decided to go first class and all-out in obtaining a staff well versed in presenting such outdoor dramas. They obtained the services of Kermit Hunter, who wrote the plot for "Unto These Hills," and other such plays. And the remainder of the staff is composed of artists and technicians equally as well experienced and qualified, perhaps, as the author.

Kermit Hunter chose as his subject this state's part in the revolutionary War, the period from 1776 to 1783. He chose to portray historical events in all parts of the state, each as authentic in the historical sense as is possible, with the individual instances tied together by a plot which, in itself, is not too important but which serves to provide the continuity.

Those who saw Thursday's performance were impressed not only with the drama itself, but with the professional skill shown in handling the props and scenery, the casting and the acting, the choreography and the authentic period music which added a light operatic touch, the costuming, the lighting and the other stage effects which, they report, add up to an instructive and delightful evening.

And they were equally impressed with the setting, the comfort and the perfect acoustics of the Sesqui-Centennial amphitheater. Although no loudspeaker or public address systems are used to amplify the voices of the on-stage characters, every word, every nuance, can be clearly heard.

The Times and Democrat wishes to be among the first to congratulate the Palmetto Outdoor Historical Drama Association and Kermit Hunter for "The Liberty Tree." It should prove not only to be a source of clean and wholesome instructive entertainment, but should attract tourists from all parts of the nation who would like to see authentic portrayals of historic events that led to the founding of this great country of ours.

BOB BAUMAN: A DEDICATED YOUNG MAN

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. DOLE. Mr. Speaker, I regret not being present on Thursday, June 27, to participate in the special order of the gentleman from Ohio [Mr. ASHBROOK] paying tribute to Robert Edmund Bauman, a friend of mine, of every Republican Congressman, and a tireless worker in the Republican Party.

Bob Bauman's assistance during my years in Congress has been invaluable. His prompt, efficient, and courteous service will always be remembered. Bob's service as manager of the House Republican cloakroom and his previous service in the House and Senate will be an inspiration to countless young men who, in the future, may be privileged to be employed in the Congress of the United States.

I extend my congrautlations to Mr. Bauman as he enters the practice of law and wish him, and his family, every success in the months and years ahead.

EXTENSION OF REMARKS OF CONGRESSMAN SEYMOUR HALPERN ON TELEVISION VIOLENCE

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. HALPERN. Mr. Speaker, I support the joint resolution introduced by my distinguished colleague from New York, and add my earnest hope that the Federal Communications Commission will conduct its study in a thorough and prompt manner.

The recent tragic assassinations of public figures, combined with the outbreaks of violence in our streets, have caused all of us to engage in profound, reflective thinking about the possible root causes in the changes in conduct, thought, outlook, and attitude on the part of all too many of our younger people.

For a generation now television has spewed forth one violence-ridden murder mystery series after another; one violence-ridden western after another; one violence-ridden cops-and-robbers series after another. The time has now come to evaluate the total effect of this type programing upon the generation that has grown up in this environment.

I am most confident that the Federal Communications Commission will properly discharge its responsibilities in this area. Commissioner Nicholas Johnson has already demonstrated his clear concern with the problem in an article that appeared only last Sunday, June 30, in the Long Island Press, stating:

> Radio and television mold minds, 200 million of them, every day in numerous ways. It is long past time that we find out just what it is these potters are making out of the clay they knead inside our heads—and through their exported films and programming, what they are doing to the minds throughout the rest of the world as well.
>
> Violence on television there may be. But there is much more. And, whatever the human mentality and emotions of America are today they are in some measure the product of radio and television programming. Precisely what its effect has been, and is, is open to question. That its impact on every facet of our lives is immense there appears to be little doubt. We have long since passed the time for a "call to conscience" to American broadcasters, urging them as well as the academic community and government, to learn more about all the effects of this endless outpouring into the heads of all of us.
>
> Until we do, we shall never understand the small part of this problem that is "violence on television." If Robert Kennedy's assassination can provide some impetus to such understanding it will be but one example of the many useful ways in which his example, his spirit and his service can long outlive his brief physical presence among us.

Mr. Speaker, I believe that Commissioner Johnson's remarks indicate that an awareness of this problem exists at the Federal Communications Commission, and that we may reasonably expect their full cooperation. I urge prompt passage of this joint resolution.

TRIBUTE TO MRS. CARL PFORZHEIMER, JR.

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. OTTINGER. Mr. Speaker, on June 24 Mrs. Carl Pforzheimer, Jr., celebrated the end of her 7th year as president of the Westchester Council of Social Agencies. The Reporter Dispatch of White Plains, N.Y., took that occasion to pay editorial tribute to this remarkable and dedicated woman.

It would be impossible to list Carol Pforzheimer's many contributions to the well-being of the citizens of Westchester County or to describe her warmth of heart and creative mind. The Reporter Dispatch's editorial is excellent, and I will have it printed in the CONGRESSIONAL RECORD at the conclusion of my remarks.

The editorial follows:

ANOTHER WAY TO DEMONSTRATE

> With quiet effectiveness, the Westchester Council of Social Agencies has been demonstrating, for 47 years, its practical concern for the social, physical and mental well-being of all the people of Westchester County.
>
> Nor is the term "all the people" used lightly. For the fact is, the council has supplemented its multifaceted devotion to the well-being of the unfortunate or disadvantaged by providing, for the fortunate and the advantaged among us, countless opportunities for enrichment of their own lives through service to others.
>
> Nor, in all the years of the council's actively enlightened existence, has it had a more dedicated and useful leadership than that provided as its president during the past seven years by Mrs. Carol Pforzheimer—Mrs. Carl H. Pforzheimer Jr.
>
> The Pforzheimer name has been illustrious in the governmental, social welfare and educational fields of Westchester for almost a half century. But Carol Pforzheimer has, in her own right, brought it added, and very special, distinction in and through her work for our nationally respected and admired Council of Social Agencies.
>
> It would be futile here to attempt a more cogently expressed, or more precisely justified, tribute to Carol Pforzheimer than that paid to her at the annual dinner of the council by Dr. Edward J. Mortola, president of Pace College. Dr. Mortola with amplifying statements in the same vein, quoted from the citation in support of the honorary degree of Doctor of Humane Letters recently conferred on Mrs. Pforzheimer by Pace:
>
> When in one person, there may be found efficiency, drive and dedication, along with charm, good humor and gentility, there is a very good chance that the seeker has found Carol Pforzheimer. Omnipresent in Westchester County in pursuit of a better way of life for all its citizens, deeply concerned that the homeless may be sheltered, the sick healed, the poor sustained, Carol Pforzheimer has given untold quantities of time and talent, labor and love to her fellow men. As president for seven years of the Westchester Council of Social Agencies, her hand has touched and influenced every area of social service . . ."
>
> To which, if anything could be added, it might be this: Mrs. Pforzheimer's devotion to the good of Westchester has arisen at least as much out of the instinctive promptings of a warm heart as out of the conscious urging of her creative and constructive mind.

SECURITY IN PRESIDENTIAL CAMPAIGNS

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. LIPSCOMB. Mr. Speaker, under leave to extend my remarks, I submit for inclusion in the RECORD the text of a letter I have received from Mr. Fred W. Sharp, city administrator of Pomona, Calif. Pomona is located in the 24th Congressional District which it is my privilege to represent in Congress.

In his letter Mr. Sharp discusses the problems encountered by cities and communities in providing adequate protection to visiting dignitaries such as presidential candidates. He stresses the need for the establishment of guidelines and a self-imposed code of responsibility during campaigns to minimize the possibility in the future of tragedies such as the assassination of Senator Kennedy. I believe he offers a significant contribution to the current dialog on this problem and offers recommendations worthy of thoughtful consideration.

Because of the timeliness and relevance of this communication I brought it to the attention of the chairmen of both the Republican and Democratic National Committees. I also invite the attention of my colleagues in the Congress to the letter.

POMONA, CALIF.,
June 10, 1968.

Hon. GLENARD P. LIPSCOMB,
24th Congressional District, House of Representatives, House Office Building, Washington, D.C.

DEAR GLEN: This letter is written in the wake of the California Primary election and the untimely death of Senator Robert Kennedy. The tragic event has overshadowed any feeling of jubilance by the victors at the Primary election and has made us all sick at heart. His death by a demented or designing assassin can't be interpolated as anything except that every society down through the years breeds some dregs and scum that can't be readily disposed of by screening, filtering or skimming.

My reason for writing this letter does relate to Senator Kennedy's visit to Pomona on May 20th and the protection and security problems relating to it, as well as security problems arising from visits of other dignitaries in the past. It is also written with the hope that the Congress of the United States or the political parties, after reflection and investigation, will agree on some general safety guidelines for campaigners of national prominence, particularly those running for the office of President. Guidelines and a self-imposed code of responsibility during campaigns are needed to minimize the possibility in the future of such tragedies and calamities as we have just witnessed.

We in Pomona are, and always have been, happy and honored to host visits by prominent national or world figures, regardless of party or affiliation. In fact we welcome the opportunity to give them the red carpet treatment. The Pomona Mall and the Los Angeles County Fair Grounds are ideal forums for candidates to be seen and heard by thousands of our own people, as well as receive maximum exposure on a regional or national basis. It does throw a burden on our local resources, particularly our police department, but we are equipped and organized for this purpose in cooperation with other law enforcement entities.

When exposing ourselves as a city in this fashion we want to make a good and lasting impression on the candidate as well as create a "plus applause" among the people of the nation. That a national figure would come to Pomona in the first place builds community pride, which is very important these days. But more than that, we want the world to know we are a good and progressive city among cities.

Visits by dignitaries require reasonable advance preparation to handle crowds, map itineraries, and take security precautions. These are often not carefully worked out in advance with local authorities. In fact such advance preparations are often frowned upon by the political organization in charge. And to maintain reasonable security measures we in cities are often put in the position of arguing with campaign managers and campaign front men who don't, by training and experience, understand the possible consequences of their requests.

In Senator Kennedy's situation, his headquarters called the Pomona Police Department two and one-half hours before his estimated time of arrival on the Mall in Pomona and requested that no uniformed police officers be in evidence along his itinerary. When our Chief of Police, Ralph Parker, discussed this request, I cautioned him not to lessen any force he felt necessary for security. There was a certain resentment that such a request would be made when we realized the hazard involved.

In spite of campaign strategies and Madison Avenue, I don't think that the presence of local police in full uniform detract from a candidate's public image. In fact, I think people expect the police officer to be in evidence. Freedom under law and order is our nation's major premise and the police officer does symbolize this. In large crowds the services of a police officer are often needed just because of the magnitude of the crowds, the hysteria and the emotion of the occasion. Moreover a uniformed police officer is present to render services most of the time—not just prevent lawlessness. When an officer is in plain clothes, a citizen wouldn't know to whom to report a suspicious incident or person.

During Senator Kennedy's visit crowds of people and school children were mingled and jam-packed together as they followed him on the Mall. The excitement was heightened by television cameramen and newsmen who vied for position, both following his procession and setting up equipment in advance along his itinerary. The situation was hazardous at best.

By the grace of God or by historic accident, nothing happened in Pomona, but it easily could have if one reflects on the events of the day.

In the restaurant in which Senator Kennedy spoke, the maximum seating capacity was allowed, but then, in spite of this, tables were quickly moved after the meal and another hundred or hundred and fifty people, among them many young people who did not have luncheon tickets, were jammed into the second floor of the establishment to hear Senator Kennedy's talk which made the crowd a "crush" and made it absolutely impossible to handle any emergency situation. For our fire inspectors to try to enforce the occupancy load with the emotionally charged crowd would have created an "incident" in itself, and made us look like "bad guys". We shouldn't be put in this position in the first place, when so much is at stake nationwide as well as the ever-lasting stigma that is attached to a community when a fatal incident occurs. This is not taking into consideration the grief and suffering and loss to family and personal friends. The police, fire inspectors, etc. were all there but could have been nothing more than spectators, under the circumstances, if some one had fired a shot or even let loose a stink bomb. When it was all over in Pomona we breathed a sigh of relief, and the Fire Mashal remarked, "We were lucky to get by this one."

In the past we have had examples of excellent advance preparation. We have been called into Los Angeles by the officials of the Treasury Department and the FBI. Plans were carefully discussed and procedures set up that would insure maximum protection. In one case, it was necesasry to stop trains at the depot to avoid the possibility of crowd casualty. I recite this to illustrate that local, State and Federal entities can all work together for common protection and good without dampening ardor or destroying a campaigner's image in any way. I might add parenthetically, I'm a little tired of placing image, theatrics, the counterfeit and cosmetics ahead of intelligence, good judgment and prudence, just to satisfy the whims of public relations advisors and the irresponsibility of some communication media.

Of course we need color and enthusiasm among our people during the political season, and I for one don't want to suggest that political campaigns be watered down, be made drab or void of spirit. There is plenty of built-in excitement at election-time, without going to extremes and throw protection and caution to the wind. After all a candidate for the Presidency is not just another person. He is involved in a dead-serious situation and involves himself in the voting choice of millions of people who actually lose their vote in a national leadership decision if the candidate is not here or able to assume the role expressed collectively by the electorate. Even a fatalist should be cautious and prudent under the circumstances.

Again I repeat, my plea is for responsibility and reasonable precaution on any matter involving our nation's future. If the Congress or each political party would agree on guidelines for major political candidates to follow when exposing themselves, it would go a long way in helping the protective forces at the State, Federal and local levels to do their job. The local governments in particular must bear the major brunt of "protective responsibility" as well as the anathemas if anything goes wrong. They wouldn't be accused of being uncooperative if they were following and administering guidelines, promulgated in advance by the political parties or following informal expressions set forth by Congress.

We all know we are in a revolutionary situation, or a series of revolutionary situations—internally and externally. We have to face up to hostility and the brutalized elements in our society that will tax our courage, ingenuity and our pocketbooks to the limit. While I don't expect miracles in our lifetime, I do have confidence that if we all apply good American principle, precepts, and reason to each situation as it arises, we'll come out a stronger, a wiser and more capable nation, than if we just follow the whims of the moment with little regard to the future consequences.

My good wishes to you.

Sincerely yours,

F. W. SHARP,
City Administrator.

BAN ON CIGARETTE ADVERTISING

HON. HORACE R. KORNEGAY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. KORNEGAY. Mr. Speaker, once again the favorite "whipping boy" of several Government agencies, as well as of a number of organizations and individuals, has been taken to the "woodshed."

I refer, Mr. Speaker, to the cigarette industry, which has become a favorite target for many. The cigarette manufacturers and those in the tobacco industry, for a number of years now, have become accustomed to attacks from those within and without the Government.

But, now, they are singled out by both the Federal Trade Commission and the Department of Health, Education, and Welfare for unprecedented abuse. Both of these agencies of the Government, which was built on the foundation-stone of equal treatment for all, have engaged in the most discriminatory attack on a legitimate and honest industry since the founding of our Republic.

The manufacture and sale of cigarettes comprise a legitimate enterprise; and the tobacco industry remains one of the oldest and most honorable examples of free enterprise in this Nation.

Yet, agencies of the Government would go to the jugular vein of this industry with a singularly discriminatory thrust. They would place a moratorium on the advertising of this legitimate product, cigarettes, by the broadcast medium. They would not allow cigarettes to be advertised for sale on radio or television.

What could be more discriminatory? Are cigarettes still considered legitimate products in this country? This suggested advertising ban, Mr. Speaker, constitutes discrimination not only among products, but also among the mass media. It would allow cigarettes to be advertised in the printed media, although with certain self-defeating limitations, but would outlaw the sale of cigarettes through the broadcast media.

If the FTC and HEW consider cigarettes so harmful, so bad for the consumer who wants them, why do they not suggest a moratorium on all cigarette advertising? It is my understanding, as a member of the House Committee on Interstate and Foreign Commerce, which has legislative jurisdiction over the activities of the FTC, an arm of the Congress, that this agency has a responsibility to see that all advertising, oral, visual, and printed, is fair and free from fraud. Why then does the FTC single out broadcasting? Why not ask to have the cigarette advertising ban extended to all forms of advertising? Perhaps they will, eventually, if they can delude the Congress into taking this giant step.

It is interesting to note from the published accounts of this latest onslaught against cigarettes that two of the five Trade Commission members dissented from this exercise in discrimination, including the Chairman, the Honorable Paul Rand Dixon. Another Commissioner, Everette MacIntyre, very properly questioned the extension of the FTC into matters which are the responsibility of another Government agency, the Federal Communications Commission.

In the interest of the traditional American philosophy of fair play and the American ideal of equal treatment, I appeal to every Member of the Congress, in both Houses and on both sides of the aisles, to reject summarily this high-handed and unprecedented suggested treatment of a legitimate American industry.

The American people obviously find cigarettes to be enjoyable, for more than 344 billion cigarettes were sold during the past year. This indicates that the American people have a desire for tobacco products, which have been a part of our lives even before we became a nation.

That cigarettes may be harmful or even death dealing is still a matter of great question and controversy among the most imminent researchers of our time. That they are still considered legitimate products in the American market is unquestioned.

Until a product is removed from the channels of commerce by legislative action or judicial fiat, it should be allowed to be marketed and promoted as would any other legitimate product offered in the marketplace. And, it should be permitted to do so without discriminatory encumbrances imposed by a small group of well-meaning but misdirected bureaucrats.

LETTER FROM CONSTITUENT

HON. EDWIN W. EDWARDS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. EDWARDS of Louisiana. Mr. Speaker, the following is an excellent and representative example of the correspondence I am getting from alarmed citizens from my district on the controversial proposed gun control regulations. I insert the following letter verbatim in the RECORD:

JUNE 27, 1968.

Congressman EDWIN EDWARDS,
House Office Building,
Washington, D.C.

DEAR SIR: Having just heard the stand you take on the President's "gun-control" law recommendations, I want to commend you for your stand for the rights of the people in keeping with article 2 of the amendments to the U.S. Constitution, known as the "Bill of Rights" which says, ". . . the right of the people to *keep and bear arms,* shall not be infringed."

It is sad, but certainly true, that some Members of the body known as Congress, (the representatives of the people?) go into a state of hysteria, similar to the panic of sheep when they hear the sound of thunder, without getting the thinking of the people they are supposed to represent.

As my Representative from the Seventh (7th) District of the great State of Louisiana, I will greatly appreciate your placing this letter to you in the "Extensions of Remarks" in the Congressional Record, which is supposed to reflect the thinking of your constituents.

With all good wishes to you, Mr. Edwards, I am, a voter.

JACK BRADY.

LAKE CHARLES, LA.

MEDICARE PROGRAM ANNIVERSARY

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. FULTON of Tennessee. Mr. Speaker, this week, while most of America goes about its normal pursuits, we have come to an important anniversary. It is a date that would go largely unnoticed by a great many people. But with the passage of time, its importance will loom larger to each of us. And its significance to 19½ million elderly citizens cannot be overemphasized. On Monday, July 1 the medicare program, enacted by the 89th Congress, improved and simplified by this Congress, begins its third year of operation.

Medicare is not just another program. It is a program vital to the health of these senior citizens who have contributed so much to this great land of ours. And it is also a program that protects their pride and dignity as the time almost inevitably comes when earnings are restricted because of age and the problems of illness loom so much larger. So much larger because of the gnawing concern for the individual's ability to pay for the life-saving and life-sustaining health care that has been developed by the dedicated professional men and women of modern medicine.

But today that concern—more than concern, real fear—of not being able to pay for adequate care has been greatly eased for nearly 20 million people by the medicare program. It is no longer necessary for these elderly citizens to watch savings, built up over a lifetime of productive work, go down the drain with just one serious illness.

Today we can take justifiable satisfaction in the fact that the Congress of the United States can say to the elderly of our Nation—and these people are not just some statistical figure, they are our mothers and fathers, grandmothers and grandfathers, and even perhaps an occasional tyrannical maiden aunt who has meddled in family affairs of several generations—that they can and should seek the very best in medical care that this Nation has to offer. And we can say to them, "Seek this care with pride. You won't have to take hat in hand. You are now part of a health insurance program that protects virtually every American who has or will attain the age of 65."

I know many of us have had a letter from some elderly and valued constituent who wrote that he would have been wiped out financially had it not been for the coverage provided by medicare during a recent illness.

I can think of absolutely no logical reason why any American should be deprived of the very best that the health profession can provide in the way of needed care. And the modern miracle of health insurance that has been extended to virtually all elderly citizens—not just the half that had been able to purchase very limited protection before the enactment of medicare—allows these citizens to obtain this care on a paid-for basis, rather than as charity patients.

ARE WE WILLING?

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. LUKENS. Mr. Speaker, it is my pleasure to present a letter and an essay concerning America today, written by a sophomore student in West Alexandria, Ohio. This Preble County American is concerned, interested, and loyal to her country.

This article should be a source of inspiration and real joy to those who read it. To have ideals such as these would make our country a better place to live in. If we can only remember that we are not having a war of race, class, nor a war of religion, but a war of character, we could all be Americans like Joyce Buckner.

I include in the RECORD this letter to the editor and enclosed essay from Miss Buckner as it appeared in the June 9 edition of the Register-Herald in Eaton, Ohio:

LETTER TO THE EDITOR

MR. EDITOR: Recently my sophomore English teacher assigned an essay to be written about a subject of our choice. My brother had just returned, wounded, from Vietnam, and his obvious belief in our country's policies inspired me to choose patriotism as my topic.

My only hope in submitting this essay to you is that someone who has lost faith in our nation's policies might gain back the confidence that we are fighting for freedom. Our nation may make a few mistakes, but she is our nation. We elect the government, so we should be willing to back her up, whether we believe her to be right or wrong. Are we willing?

Respectfully,

JOYCE BUCKNER.

WEST ALEXANDRIA, OHIO.

ARE WE WILLING?

(By Joyce Buckner)

All around us we hear the sounds of protest. There are protests against hate, racism, even love. However, the main object of today's criticism is the war in Vietnam.

Every day one hears about students rioting on America's college campuses. The front pages of our city newspapers display pictures of young men burning their draft cards. How often do we hear about the boys who enlist to fight for the freedom of our country and others? How often do we read about the boys who gladly answer their draft call? This sort of thing just doesn't make the front pages!

Freedom is a big word. It means everything from the right to get an education to the right to buy a home through a finance company; everything from freedom of religion to freedom of speech. When are we going to realize that we must protect these rights if we are to continue to have them? Are we willing?

All our political leaders are waging a war of their own over the policies of our president and our nation. They constantly degrade him for what he believes in, and yet they admit that they could probably do no better under the same circumstances. They do a lot of talking about action, but what about the follow-up? We all spend too much of our time debating the issues. When are we going to start backing up our strong words with a little noticeable action? Let's stop this constant bickering among ourselves. If we are so anxious to take advantage of the luxuries, let's also be willing to take the responsibilities that come with them!

The article I am about to quote was written by a nineteen year old Navy medic. Think about its message as you read it:

"Having recently returned from Vietnam it came to me as quite a shock to find that there is so much dissent over the Vietnam war in the United States. Doesn't the public realize that freedom isn't free?

"In order to keep the benefits of freedom one must give of himself. When I think of the men whose lives have been lost fighting for this cause I feel greatly indebted to them because where else will one find braver men fighting for freedom than in the United States of America?

"Our men in Vietnam need your support. Even more so now that the Vietnamese 'spring offensive' has started. It isn't much fun wading through muddy rice paddies, crawling along jungle paths and dodging enemy bullets. Sometimes the loneliness and heartache of being away from their loved ones is almost too much for them to endure.

"To many of our servicemen the only payment asked is that you give them your support.

"Draft card burning solves nothing. It proves only one thing that is how immature the holder is. Don't uphold such an action, but give our men your support and prayers.

"In conclusion I leave with you this thought: Freedom stands as a wanted light to all oppressed nations of the world and freedom isn't free. If we don't advance its cause in Vietnam, where will the fight be next? Maybe in the United States of America."

The story behind the writing of this article is even more inspiring. The author had been wounded severely before returning from Vietnam. Yet, as soon as he has recovered sufficiently, he has considered going back to Vietnam.

If a nineteen-year-old veteran has this much faith in what he's fighting for, how much more you and I should have!

We all say that we're proud of our country. Let's stand up and show it! No one wants war, but since it is a fact, let's defend what our country stands for. Let's show our love for our nation!

NEED FOR NUCLEAR REACTOR BUILT FOR A SPACE ROCKET

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. PETTIS. Mr. Speaker, I would like to use this opportunity to again urge this body to consider seriously the tremendous need this country has for a nuclear reactor built for a space rocket.

This Congress has treated this idea a little bit as it treated the concept of the Polaris submarine some years ago when it was first suggested. I hope that our negligence will not lead us into a second-place position with any other country in the world, because this could lead to disaster.

The fact that we have built a reactor which has now produced more power than any other rocket reactor yet tested, is significant. This reactor is the Phoebus 2A, designed for the NERVA 2 space engine. Although Congress has refused to finance the project, the Atomic Energy Commission went ahead last week and tested the reactor.

Phoebus 2A ground out 4,200 megawatts of energy in 12 minutes. One magawatt is a million watts.

Though the 200,000-pound-thrust NERVA 2 engine is out the window for this session of the Congress, there is still a possibility that NERVA 1, its 75,000-pound-thrust junior, will be funded.

AUTOMATION NO MONSTER: NIXON

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. MICHEL. Mr. Speaker, the word "automation" has become a "scare" word to a great many people throughout the country, and especially among those citizens who work for a living in our manufacturing industry and related industries.

An article written by Mr. Richard Nixon, former Vice President of the United States, appeared recently in the nationally syndicated column of Mr. Victor Riesel, discussing the effects of automation on our economy, and I include the article at this point in the Record:

Automation No Monster: Nixon

(By Victor Riesel)

A side of Dick Nixon rarely seen by the citizenry is his activity on the labor and sociological fronts.

He served on the House labor committee. As vice-president he settled labor crises. There are many labor leaders whom he cordially calls by their first names, and vice versa.

It is to this sector of the American scene that I asked him to turn and analyze. I asked what he thought was the most significant development of the decade for the people who work for a living.

Here is his reply, written exclusively for this column:

"(By Richard Nixon, former Vice President of the United States)

New York.—Many of the great thinkers of the last hundred years have dealt with the theme of man vs. the machine. The rise of progressive technology which has contributed so much to the material wealth of the world has been seen by some writers and philosophers as a dehumanizing process which ironically would destroy man's spirit as it fed and clothed and sheltered his body.

"In the field of literature, Aldous Huxley's 'Brave New World' and George Orwell's '1984' offered a fictional but terrifying view of the future, a future in which men were to be stripped of their individuality and made slaves to the tyranny of technology ('Brave New World') or to a technological tyranny ('1984').

"We have been asked to choose between two seemingly antagonistic ways of life, the way of humanity or the way of technology. Will it be man or will it be the machine?

"But I think that this is not the question of our times. I think the question must be: why can't we have both man and the machine, humanity and technology, spiritual and material well-being?

"Is man so helpless before his technological creations that he has no alternative but to flee from them or destroy them? On how we answer this question will depend the future of this civilization and the future of mankind.

"My answer is that, despite the very real problems which come with advanced technology, man has very much to gain from the age of the computer.

"Indeed, in my opinion, the theme of the last third of this century will not be man vs. the machine, but instead man and the machine as partners, not adversaries.

"But how can we begin to demonstrate to the workers and those who seek work that computer technology is not a Frankenstein's monster but really a horn of plenty out of which can flow a better life for them and their families?

"We can begin, I think, by showing that computers can help men to find jobs, not only jobs for the unemployed, but jobs for the underemployed. We know that despite the fears of mass unemployment which greeted the age of the computer, in the long run computer technology has created more jobs than it has destroyed.

"But it is not enough to create a job. What must be done is to find a way in which an unemployed or underemployed man is made aware of the new job.

"And it is precisely here that the computer can help.

"I propose that we use existing computer technology to match the unemployed and underemployed with available jobs. Such computer job-matching systems have been used for years in industry to match professional workers to professional job opportunities.

"Harvard students have had a good measure of success in matching male and female on a both temporary and permanent basis through the use of computers.

"There seems to me to be no real barrier to using computers to matching those seeking jobs to the jobs available.

"How would it work? One approach could be the establishment of a major computer center in this country with branches in the areas of high unemployment within our cities.

"A person could walk in off the street and give all the essential facts to a computer operator—what kind of training he had, what educational background, whether he could move to a new area, what kind of income he needed, etc. This information could then be fed into the computer which would have been previously stockpiled with job opportunities in private business and industry, in non-profit organizations and government.

"The computer could then provide the applicant with a printout of the opportunities available in the community, the region, or the country.

"A man with no job could learn almost instantaneously of opportunities he never would have known about without the computer. A man already working but qualified to work at a better job could discover new employment worlds to explore.

"I can envisage a time when we could program the computer to provide people with information about available services of which they are now unaware. The supportive services would include legal aid, medical aid, economic help and training, and social and spiritual counseling.

"The year 1984 is only 16 years away. The cluding the Chairman, the Honorable Paul Rand Dixon. Another Commissioner, Everette MacIntyre, very properly questioned the extension of the FTC into matters which are the responsibility of another Government agency, the Federal Communications Commission.

In the interest of the traditional American philosophy of fair play and the American ideal of equal treatment, I appeal to every Member of the Congress, in both Houses and on both sides of the aisles, to reject summarily this high-handed and unprecedented suggested treatment of a legitimate American industry.

The American people obviously find cigarettes to be enjoyable, for more than 344 billion cigarettes were sold during the past year. This indicates that the American people have a desire for tobacco products, which have been a part of our lives even before we became a nation.

That cigarettes may be harmful or even death dealing is still a matter of great question and controversy among the most imminent researchers of our time. That they are still considered legitimate products in the American market is unquestioned.

Until a product is removed from the channels of commerce by legislative action or judicial fiat, it should be allowed to be marketed and promoted as would any other legitimate product offered in the marketplace. And, it should be permitted to do so without discriminatory encumbrances imposed by a small group of well-meaning but misdirected bureaucrats.

LETTER FROM CONSTITUENT

HON. EDWIN W. EDWARDS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. EDWARDS of Louisiana. Mr. Speaker, the following is an excellent and representative example of the correspondence I am getting from alarmed citizens from my district on the controversial proposed gun control regulations. I insert the following letter verbatim in the RECORD:

JUNE 27, 1968.

Congressman EDWIN EDWARDS,
House Office Building,
Washington, D.C.

DEAR SIR: Having just heard the stand you take on the President's "gun-control" law recommendations, I want to commend you for your stand for the rights of the people in keeping with article 2 of the amendments to the U.S. Constitution, known as the "Bill of Rights" which says, ". . . the right of the people to *keep and bear arms*, shall not be infringed."

It is sad, but certainly true, that some Members of the body known as Congress, (the representatives of the people?) go into a state of hysteria, similar to the panic of sheep when they hear the sound of thunder, without getting the thinking of the people they are supposed to represent.

As my Representative from the Seventh (7th) District of the great State of Louisiana, I will greatly appreciate your placing this letter to you in the "Extensions of Remarks" in the Congressional Record, which is supposed to reflect the thinking of your constituents.

With all good wishes to you, Mr. Edwards, I am, a voter.

JACK BRADY.

LAKE CHARLES, LA.

MEDICARE PROGRAM ANNIVERSARY

HON. RICHARD FULTON

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. FULTON of Tennessee. Mr. Speaker, this week, while most of America goes about its normal pursuits, we have come to an important anniversary. It is a date that would go largely unnoticed by a great many people. But with the passage of time, its importance will loom larger to each of us. And its significance to 19½ million elderly citizens cannot be overemphasized. On Monday, July 1 the medicare program, enacted by the 89th Congress, improved and simplified by this Congress, begins its third year of operation.

Medicare is not just another program. It is a program vital to the health of these senior citizens who have contributed so much to this great land of ours. And it is also a program that protects their pride and dignity as the time almost inevitably comes when earnings are restricted because of age and the problems of illness loom so much larger. So much larger because of the gnawing concern for the individual's ability to pay for the life-saving and life-sustaining health care that has been developed by the dedicated professional men and women of modern medicine.

But today that concern—more than concern, real fear—of not being able to pay for adequate care has been greatly eased for nearly 20 million people by the medicare program. It is no longer necessary for these elderly citizens to watch savings, built up over a lifetime of productive work, go down the drain with just one serious illness.

Today we can take justifiable satisfaction in the fact that the Congress of the United States can say to the elderly of our Nation—and these people are not just some statistical figure, they are our mothers and fathers, grandmothers and grandfathers, and even perhaps an occasional tyrannical maiden aunt who has meddled in family affairs of several generations—that they can and should seek the very best in medical care that this Nation has to offer. And we can say to them, "Seek this care with pride. You won't have to take hat in hand. You are now part of a health insurance program that protects virtually every American who has or will attain the age of 65."

I know many of us have had a letter from some elderly and valued constituent who wrote that he would have been wiped out financially had it not been for the coverage provided by medicare during a recent illness.

I can think of absolutely no logical reason why any American should be deprived of the very best that the health profession can provide in the way of needed care. And the modern miracle of health insurance that has been extended to virtually all elderly citizens—not just the half that had been able to purchase very limited protection before the enactment of medicare—allows these citizens to obtain this care on a paid-for basis, rather than as charity patients.

ARE WE WILLING?

HON. DONALD E. LUKENS

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. LUKENS. Mr. Speaker, it is my pleasure to present a letter and an essay concerning America today, written by a sophomore student in West Alexandria, Ohio. This Preble County American is concerned, interested, and loyal to her country.

This article should be a source of inspiration and real joy to those who read it. To have ideals such as these would make our country a better place to live in. If we can only remember that we are not having a war of race, class, nor a war of religion, but a war of character, we could all be Americans like Joyce Buckner.

I include in the RECORD this letter to the editor and enclosed essay from Miss Buckner as it appeared in the June 9 edition of the Register-Herald in Eaton, Ohio:

LETTER TO THE EDITOR

MR. EDITOR: Recently my sophomore English teacher assigned an essay to be written about a subject of our choice. My brother had just returned, wounded, from Vietnam, and his obvious belief in our country's policies inspired me to choose patriotism as my topic.

My only hope in submitting this essay to you is that someone who has lost faith in our nation's policies might gain back the confidence that we are fighting for freedom. Our nation may make a few mistakes, but she is our nation. We elect the government, so we should be willing to back her up, whether we believe her to be right or wrong. Are we willing?

Respectfully,

JOYCE BUCKNER.

WEST ALEXANDRIA, OHIO.

ARE WE WILLING?

(By Joyce Buckner)

All around us we hear the sounds of protest. There are protests against hate, racism, even love. However, the main object of today's criticism is the war in Vietnam.

Every day one hears about students rioting on America's college campuses. The front pages of our city newspapers display pictures of young men burning their draft cards. How often do we hear about the boys who enlist to fight for the freedom of our country and others? How often do we read about the boys who gladly answer their draft call? This sort of thing just doesn't make the front pages!

Freedom is a big word. It means everything from the right to get an education to the right to buy a home through a finance company; everything from freedom of religion to freedom of speech. When are we going to realize that we must protect these rights if we are to continue to have them? Are we willing?

All our political leaders are waging a war of their own over the policies of our president and our nation. They constantly degrade him for what he believes in, and yet they admit that they could probably do no better under the same circumstances. They do a lot of talking about action, but what about the follow-up? We all spend too much of our time debating the issues. When are we going to start backing up our strong words with a little noticeable action? Let's stop this constant bickering among ourselves. If we are so anxious to take advantage of the luxuries, let's also be willing to take the responsibilities that come with them!

The article I am about to quote was written by a nineteen year old Navy medic. Think about its message as you read it:

"Having recently returned from Vietnam it came to me as quite a shock to find that there is so much dissent over the Vietnam war in the United States. Doesn't the public realize that freedom isn't free?

"In order to keep the benefits of freedom one must give of himself. When I think of the men whose lives have been lost fighting for this cause I feel greatly indebted to them because where else will one find braver men fighting for freedom than in the United States of America?

"Our men in Vietnam need your support. Even more so now that the Vietnamese 'spring offensive' has started. It isn't much fun wading through muddy rice paddies, crawling along jungle paths and dodging enemy bullets. Sometimes the loneliness and heartache of being away from their loved ones is almost too much for them to endure.

"To many of our servicemen the only payment asked is that you give them your support.

"Draft card burning solves nothing. It proves only one thing that is how immature the holder is. Don't uphold such an action, but give our men your support and prayers.

"In conclusion I leave with you this thought: Freedom stands as a wanted light to all oppressed nations of the world and freedom isn't free. If we don't advance its cause in Vietnam, where will the fight be next? Maybe in the United States of America."

The story behind the writing of this article is even more inspiring. The author had been wounded severely before returning from Vietnam. Yet, as soon as he has recovered sufficiently, he has considered going back to Vietnam.

If a nineteen-year-old veteran has this much faith in what he's fighting for, how much more you and I should have!

We all say that we're proud of our country. Let's stand up and show it! No one wants war, but since it is a fact, let's defend what our country stands for. Let's show our love for our nation!

NEED FOR NUCLEAR REACTOR BUILT FOR A SPACE ROCKET

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. PETTIS. Mr. Speaker, I would like to use this opportunity to again urge this body to consider seriously the tremendous need this country has for a nuclear reactor built for a space rocket.

This Congress has treated this idea a little bit as it treated the concept of the Polaris submarine some years ago when it was first suggested. I hope that our negligence will not lead us into a second-place position with any other country in the world, because this could lead to disaster.

The fact that we have built a reactor which has now produced more power than any other rocket reactor yet tested, is significant. This reactor is the Phoebus 2A, designed for the NERVA 2 space engine. Although Congress has refused to finance the project, the Atomic Energy Commission went ahead last week and tested the reactor.

Phoebus 2A ground out 4,200 megawatts of energy in 12 minutes. One magawatt is a million watts.

Though the 200,000-pound-thrust NERVA 2 engine is out the window for this session of the Congress, there is still a possibility that NERVA 1, its 75,000-pound-thrust junior, will be funded.

AUTOMATION NO MONSTER: NIXON

HON. ROBERT H. MICHEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. MICHEL. Mr. Speaker, the word "automation" has become a "scare" word to a great many people throughout the country, and especially among those citizens who work for a living in our manufacturing industry and related industries.

An article written by Mr. Richard Nixon, former Vice President of the United States, appeared recently in the nationally syndicated column of Mr. Victor Riesel, discussing the effects of automation on our economy, and I include the article at this point in the RECORD:

AUTOMATION NO MONSTER: NIXON

(By Victor Riesel)

A side of Dick Nixon rarely seen by the citizenry is his activity on the labor and sociological fronts.

He served on the House labor committee. As vice-president he settled labor crises. There are many labor leaders whom he cordially calls by their first names, and vice versa.

It is to this sector of the American scene that I asked him to turn and analyze. I asked what he thought was the most significant development of the decade for the people who work for a living.

Here is his reply, written exclusively for this column:

"(By Richard Nixon, former Vice President of the United States)

NEW YORK.—Many of the great thinkers of the last hundred years have dealt with the theme of man vs. the machine. The rise of progressive technology which has contributed so much to the material wealth of the world has been seen by some writers and philosophers as a dehumanizing process which ironically would destroy man's spirit as it fed and clothed and sheltered his body.

"In the field of literature, Aldous Huxley's 'Brave New World' and George Orwell's '1984' offered a fictional but terrifying view of the future, a future in which men were to be stripped of their individuality and made slaves to the tyranny of technology ('Brave New World') or to a technological tyranny ('1984').

"We have been asked to choose between two seemingly antagonistic ways of life, the way of humanity or the way of technology. Will it be man or will it be the machine?

"But I think that this is not the question of our times. I think the question must be: why can't we have both man and the machine, humanity and technology, spiritual and material well-being?

"Is man so helpless before his technological creations that he has no alternative but to flee from them or destroy them? On how we answer this question will depend the future of this civilization and the future of mankind.

"My answer is that, despite the very real problems which come with advanced technology, man has very much to gain from the age of the computer.

"Indeed, in my opinion, the theme of the last third of this century will not be man vs. the machine, but instead man and the machine as partners, not adversaries.

"But how can we begin to demonstrate to the workers and those who seek work that computer technology is not a Frankenstein's monster but really a horn of plenty out of which can flow a better life for them and their families?

"We can begin, I think, by showing that computers can help men to find jobs, not only jobs for the unemployed, but jobs for the underemployed. We know that despite the fears of mass unemployment which greeted the age of the computer, in the long run computer technology has created more jobs than it has destroyed.

"But it is not enough to create a job. What must be done is to find a way in which an unemployed or underemployed man is made aware of the new job.

"And it is precisely here that the computer can help.

"I propose that we use existing computer technology to match the unemployed and underemployed with available jobs. Such computer job-matching systems have been used for years in industry to match professional workers to professional job opportunities.

"Harvard students have had a good measure of success in matching male and female on a both temporary and permanent basis through the use of computers.

"There seems to me to be no real barrier to using computers to matching those seeking jobs to the jobs available.

"How would it work? One approach could be the establishment of a major computer center in this country with branches in the areas of high unemployment within our cities.

"A person could walk in off the street and give all the essential facts to a computer operator—what kind of training he had, what educational background, whether he could move to a new area, what kind of income he needed, etc. This information could then be fed into the computer which would have been previously stockpiled with job opportunities in private business and industry, in non-profit organizations and government.

"The computer could then provide the applicant with a printout of the opportunities available in the community, the region, or the country.

"A man with no job could learn almost instantaneously of opportunities he never would have known about without the computer. A man already working but qualified to work at a better job could discover new employment worlds to explore.

"I can envisage a time when we could program the computer to provide people with information about available services of which they are now unaware. The supportive services would include legal aid, medical aid, economic help and training, and social and spiritual counseling.

"The year 1984 is only 16 years away. The greatest tribute we can pay Orwell and the other men who have warned us of the possibilities of technological tyranny is to see to it that we heed their warning. We can make 1984 a year of promise instead of a symbol of fear."

THE GRAHAM CRUSADE

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. REES. Mr. Speaker, few problems faced by our society today are more urgent than the need to give direction to the lives of the young people living in city ghettoes.

Programs have been instituted, laws passed, and many brave words spoken, but the tragic truth is that a "nothing can be done" attitude continues to prevail in most of these minority areas.

One notable exception is the Fillmore district of San Francisco. Although it had many of the potential problems that led to the Watts holocaust, the Fillmore area contains a mecca for tourists instead of a charcoal alley.

The man responsible for this unusual turn of events is Bill Graham, who ignored the advice of others and staked his future on an old auditorium that was to become the showcase for the young musical talent of the west coast.

In a little more than 2 years, the Fillmore Auditorium has become world famous as the homebase for the musical groups identified with the San Francisco sound. The Doors, the Who, the Jefferson Airplane, and the Cream may not be familiar names to all of us in this Chamber, but they are the pied pipers of America's youth.

The Fillmore also serves as the stage for the earlier years of music. Artists such as Count Basie perform there, and poetry readings have proved popular. Most important of all, Graham proved that people would indeed come into the Fillmore area and give it the economic support it needs to survive as a neighborhood.

During its first 2 years, the Fillmore was the scene of 63 benefit performances, ranging from the YMCA Big Brother program to summer camp campaigns for underprivileged children.

Graham has even managed to convince the businessmen in the area to contribute 1 percent of their annual gross to establish a San Francisco Art Festival to be held every summer.

Not content with the success of the Fillmore Auditorium, Graham bought and rehabilitated two other major showplaces, the larger Winterland Auditorium and the 400-seat Geary Temple. Here the community will have a meeting place and a theater to hear the artists of today without a rental charge or tickets for admission.

Still not satisfied, Graham recently opened the Fillmore East in New York City to bring the same leadership to Gotham that he brought to San Francisco. He turned a dilapidated old movie theater into a bustling community center for New York's young people.

Perhaps some of Graham's dedication can be explained by the fact that he survived the Nazi camps of Europe during World War II. He became an American citizen in 1949 and earned the Bronze Star for valor in Korea.

Graham did not ask for public funds to launch his enterprise. He moved ahead with confidence in himself and in the people around him. During his early days, the authorities were skeptical of his motives, but these same authorities later became his supporters when they observed the strict ban on alcohol and drugs established at the ballrooms.

While the press and the eyes of the Nation tended to focus on the hippies of Haight-Ashbury and the dropouts, Graham moved quietly in the opposite direction. Today the hippie world has all but disappeared, but the Graham crusade continues to bring new life to the Fillmore district.

With so many cities facing racial violence, we can hope that other Bill Grahams will come forward to take over the leadership in these troubled areas and win the respect of whites and Negroes alike. The need is great, the time is short.

LET'S TAKE THE PLEDGE

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. RHODES of Arizona. Mr. Speaker, at a time when our country is being tormented by crime and violence on the streets of our cities, and by some misled youth who show no respect for our democratic institutions, it is reassuring to learn of those who are manifestly proud of their American heritage. One of these persons, Mr. Paul C. Peck, is a resident of my congressional district. Mr. Peck has put his feelings into words for all to read. Mr. Peck's "Pledge of Good Citizenship" appeared in an article in the Youngtown, Ariz., Record, of June 20, 1968, and I am inserting the article herewith for the benefit of others who might find in the pledge a means of reaffirming their belief in the American way of life:

LET'S TAKE THE PLEDGE

Youngtown writer Paul Peck recently wrote a Pledge of Good Citizenship after hearing of "the increasing violence and unrest in the United States, and the horrible acts perpetrated against prominent citizens in recent years."

Peck said, "I believe that if every citizen of the United States would sign such a pledge, and live up to it, our country would soon return to normalcy, because the people's thinking would be along the lines expressed in the pledge, instead of along such violent and disruptive lines as those espoused by many in the past few years."

Here is Paul Peck's pledge:

"In order that I may do my bit to help the United States of America stand proud and tall among the several nations of the world, and to help my beloved country forever remain the best place in the world in which to live, I hereby voluntarily enter into the following Pledge of Good Citizenship;"

"I promise that I will be a good citizen of the United States of America; that I will obey its laws; that I will not become a party to rioting, looting, arson or other acts of violence; that I will never desecrate the flag of my country, but will rather defend its honor against every enemy by word of mouth, or by actual physical means if necessary."

"I further promise that in all my dealings with men, I will be observant of the rights and liberties of others; that I will never attempt to usurp those rights and liberties nor try to impose any foreign ideology upon my country which is in anyway contrary to our constitutional form of government."

"I further promise that I will never, by any act of mine, voluntarily do harm to any American citizen or to his property, but that I will, rather, endeavor to warn him of any danger which I may know to threaten him or his family, and that I will aid him, to the best of my ability, whenever I am convinced that he is in need".

"I enter into this Pledge of Good Citizenship willingly and gladly, with a firm and steadfast resolution to fully abide by it as long as I shall live."

PETITIONS FILED UNDER PROVISIONS OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

HON. EDWIN E. WILLIS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. WILLIS. Mr. Speaker, yesterday, the Attorney General filed with the Subversive Activities Control Board petitions that it hold hearings for the purpose of finding seven persons to be members of the Communist Party under the provisions of the Subversive Activities Control Act of 1950.

The Congress has been very much concerned about past Department of Justice inactivity in this area and I am sure that yesterday's action is welcome news, not only to the great majority of its Members, but to the American people.

I made a point of calling the Attorney General yesterday to express my appreciation for his action. By filing these petitions, he has guaranteed the preservation of the Subversive Activities Control Board which is our Government's official clearinghouse on the subject of Communist subversion and the means whereby the individual and organizational peddlers of Communist poison can be properly labeled for the information and protection of our citizens and Nation.

It is my hope that the filing of these petitions is the first step in what will be a well-rounded program for the fullest possible disclosure of key Communist operatives in this country, and that it also means that, in the near future, the Attorney General will file with the Board petitions that it find certain organizations to be Communist fronts.

Both individual and organizational Communist activities are on the upswing today and it is most important that the Department of Justice do its part to see that the truth about these activities is placed before the American people. Individual Communist activity is poison, but organizational Communist activity is an even stronger, more effective and deadly poison. This is why it is so important that the SACB be given the opportunity to proceed against some of the major fronts that are operating today.

It has given me great pleasure to learn that in the forthcoming hearings before the Board on the petitions filed by the Attorney General yesterday, advantage will be taken of some of the provisions of the bill, H.R. 12601, I introduced last year to strengthen the SACB and expedite its proceedings. That bill became law on January 2 of this year—Public Law 90-237.

The Committee on Un-American Activities and I, as its chairman, will continue to do all we can to strengthen the SACB and the Internal Security Act and to make them more effective instruments for the preservation of our Nation's security.

Under unanimous consent I submit for inclusion in the RECORD at this point Attorney General Ramsey Clark's letter of July 1 to the Speaker informing him of his action in filing the petitions with the Board:

JULY 1, 1968.

Hon. JOHN W. MCCORMACK,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the requirements of the Subversive Activities Control Act of 1950, as amended, I hereby report on the proceedings I have instituted before the Subversive Activities Control Board since January 2, 1968.

Seven petitions are being filed with the Board today for separate determinations by the Board that each of the individual subjects of these petitions is a member of the Communist Party of the United States of America, an organization which has been determined by final order of the Board to be a communist-action organization.

The respondents in these petitions are:

Wayne Dallas Holley of Mapleton, Utah, Chairman of the Communist Party of the State of Utah.

Robert Archuleta of Salt Lake City, Utah, Secretary-Treasurer of the Communist Party of the State of Utah.

Scarlett Ann Patrick of Newark, New Jersey, a member of the National Committee of the Communist Party of the United States of America and a member of the State Board of the Communist Party of the State of New Jersey.

Anna Pastor Laconich of Franklin Township, New Jersey, a member of the State Board of the Communist Party of the State of New Jersey.

Ruth Beer of Paterson, New Jersey, a member of the State Board of the Communist Party of the State of New Jersey.

Sargeant Caulfield, Baton Rouge, Louisiana, Acting Chairman of the Communist Party for the State of Louisiana.

Simon Boorda, South Bend, Indiana, Chairman of the Communist Party of the State of Indiana.

Sincerely,

———— ————,
Attorney General.

"FOR BETTER OR FOR WORSE" BY FORMER HOUSE PAGE, ANDREW BECKER

HON. SAMUEL N. FRIEDEL

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. FRIEDEL. Mr. Speaker, no doubt many of my colleagues in the House remember a very personable young man from Baltimore, Andrew Becker, who served as a page the summer of 1966. He is the son of one of Baltimore's energetic realtors and during his work here made a most favorable impression upon all Members of Congress by his intelligence and earnestness.

Out of sorrow and deep emotion following the recent assasinations, he expressed his despair of the current world situation. Since the future is hidden from all men, it does no good to rage at destiny for things take their course with no regard for us.

Believing that the poem written by former House Page Andrew Becker is worthy of publication, I insert it at this point in the CONGRESSIONAL RECORD.

The poem follows:

FOR BETTER OR FOR WORSE

I ask myself time and again,
  How could it be and why does it happen?
For I, being nothing, see it as a senseless curse,
  And I, being helpless, must assume it happened "for better or for worse."

I ask myself time and again,
  How could it be and how might it end?
In this great country people say to me
  That I should see men in harmony,
But for several reasons that I have never accepted,
  Things don't work out as I have expected.

For how can six million be slaughtered like beasts,
  In a world, I thought, that covets love and peace?
And how, already, can my young life be so smeared,
  By bigotry and hate causing overwhelming fear?
For how can good men as Kennedy and King,
  Be taken from us when we need them more than anything?

Oh, God, I hope you have some reasons for all this,
  For to me the world seems to be amiss.
I want to believe that it's better this way,
  But, my God, it always seem such a high price to pay—
And what, I demand, am I paying for?
  The answer, of course, is the same as before:
For I, being nothing, will never see
  Why it did happen and how it could be.
For I, being nothing, see it as a senseless curse,
  And I, being helpless, can only assume it happened "for better or for worse."

BOB BAUMAN LEAVES AS MANAGER OF REPUBLICAN CLOAKROOM TO START CAREER AS MEMBER OF THE MARYLAND BAR

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. HORTON. Mr. Speaker, on June 30 the House Republicans lost an able and well liked cloakroom manager when Bob Bauman resigned his post to begin a law practice in his home State of Maryland. It is hard to believe that Bob has been employed by the House of Representatives for 15 years. Since beginning as a page in 1953 Bob Bauman has been employed in the House and has, at the same time, graduated from Page School, graduated from Georgetown University School of Foreign Service and Georgetown University Law Center.

Bob's determination and ability scholastically has been matched by his ability to serve in whatever task he was assigned with enthusiasm and capability. The fact that he was appointed, in 1965, as manager of the House Republican cloakroom is testimony to courtesy, efficiency, and his willingness to serve all the Republican Members with equal vigor and loyalty. It is a responsible job that requires trust and character. Bob Bauman fulfilled these requirements.

I will miss Bob Bauman's friendliness and courtesy, as I am sure every other Member of Congress will. At the same time I wish him every success in the career he has chosen as a member of the Maryland bar.

EXPLOITATION OF POOR PEOPLE

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. RARICK. Mr. Speaker, reviewing the cost and donations of funds to the few leaders of the so-called Poor Peoples' Campaign one cannot but consider all the good that could have come from the money had it been used constructively to help poor people.

But again, the poor people were exploited and a few of the affluent leaders—as usual—gained.

I insert a story from the Sunday Star for June 30 and related clippings, as follow:

[From the Washington Sunday Star, June 30, 1968]

ADDING UP THE COSTS—TENT CITY AND CAMPAIGN INVOLVED MILLIONS

Early in May, the week before the first of the Poor People's campaigners came to town, staff members of the Smithsonian Institution were in New York and Newport, R.I., huddling with officials of two foundations.

Their idea, conceived some time before at the Smithsonian, was to mount a cultural program at Resurrection City. It would have been designed not only to entertain the tent-city residents, but to stimulate what cultural talents they brought with them, especially in the field of music.

Approval of the idea was no problem. The Ford Foundation promptly made a grant of $30,000, to be used for installing a wide variety of facilities, from a "culture tent" to elaborate sound and lighting systems, and for tours to the Smithsonian by the children of Resurrection City.

In addition, the Newport Folk Foundation made a grant of $5,000 to subsidize the appearance at the encampment of a number of folk-music entertainers. This sum was matched by private contributions from Gregory Peck, Theodore Bikel, Mrs. Pete Seeger, Folkways Record and others.

All together, the Smithsonian's ambitious venture represents just one small part of that unique lobbying spectacle and experiment in living called the Poor People's Campaign. But it illustrates a number of significant elements that were present throughout: the good will that existed despite a mounting hostility toward the campaign; the large numbers and diversity of people drawn into what was going on; the frustration encountered by so many who tried to help; and, not least, the enormous amount of money involved.

Now Resurrection City has come and gone. Although Smithsonian officials are putting a good face on it, the results of the cultural program can generously be described as mixed.

The tent went up, and so did the stage facilities. That proved fairly easy.

As to what to do with them, confusion plagued the program. Seldom was there agreement among the Southern Christian Leadership Conference staffers or their followers as to what people wanted and what would be best for the whole group.

Only some of the performers on the Newport Folk Foundation list appeared. One who did not was Harry Belafonte. Others were canceled after conditions at the tent city continued to deteriorate.

Of those who did appear, the Georgia Sea Island Singers stayed for a month, not only performing but teaching some of the residents.

A high point was the performance of a Sioux Indian, Henry Crowdog, who talked with dignity of keeping cultural roots alive, sang for a largely Negro audience that joined in polyrhythmical handclapping, then beat a drum while one of the Sea Island group sang. Things clicked that night.

But there were low points. An Algonquin Indian delivered an anti-white harangue that was challenged by a white man and almost provoked a riot. Singer Pete Seeger was largely ignored by the camp's Negroes. Other performances were badly attended, at times because the camp's young people decided to hold rock 'n' roll sessions a short distance away.

FEW TOURS CONDUCTED

The Smithsonian tour program largely went awry. Only one trip from Resurrection City, plus a few more for the Indians at Hawthorne School, ever materialized, and it was on the Friday before the camp was closed. At other times, despite elaborate plans that included lunches prepared for the children, things fell apart because the encampment leaders failed to get the children together.

A bus costing about $50 a day stood idle until Smithsonian officials decided to bring children from Washington schools to the specially planned programs. Almost 100 volunteer guides had been mobilized.

The Smithsonian also had hoped to organize some of the residents to create a large exhibit demonstrating the roots and culture of poverty. That project, in the words of a Smithsonian official, remains "in the gestation period."

Currently about a third of the Ford grant and a couple of thousand dollars in the other fund remain unspent.

Now that the campaign is dwindling, the financial elements are coming into sharper focus. But only to a degree.

FIGURING THE COST

Consider the costs of the campaign. A precise tabulation is impossible. Trying to obtain one would drive the average accountant wild, even if he had full access to records, for some of these records are incomplete, while lines of financial responsibility were criss-crossed throughout.

In direct financial outlay, in what the SCLC spent to finance the campaign, in what the government spent and in what was spent by all the people, mostly Washingtonians, and all the agencies like the foundations that rallied around to help the people of Resurrection City, the cost of the campaign probably ran between $1.5 million to $2 million.

The indirect costs would include countless hours of time contributed by doctors, lawyers, churchmen, food executives and others. If they can be said also to include the losses suffered by downtown business establishments, these indirect costs would soar.

"You can safely say that the loss in business, especially to the tourist-oriented businesses like the hotels and restaurants, and to the downtown retail establishments, ran into the tens of millions of dollars," said William Calomiris, president of the Metropolitan Washington Board of Trade.

By far the biggest money mystery concerns the finances of the SCLC—what came in and what went out. Like the iceberg, much remains invisible. Questions to SCLC staffers are regularly bucked along upstairs, where they are usually greeted with vagueness and comments like, "That distracts from what we are trying to do."

WHERE MONEY WENT

Contributions following the slaying of the Rev. Martin Luther King Jr. and throughout the campaign fattened the group's treasury, certainly running into the hundreds of thousands of dollars.

But it went basically in three directions: directly to the SCLC to be used for the campaign or any other purpose; to the tax-exempt Martin Luther King Memorial Fund; and a separate SCL Foundation, also tax-exempt and separate from the direct efforts of the campaign.

Much of the big money went into the King memorial fund, established by Mrs. King and the Rev. Ralph David Abernathy, King's successor. For instance, one contribution given little publicity was a $275,000 grant from the Field Foundation of Chicago, part of a $1 million series of grants designed to forward the ideals and goals of the late SCLC leader.

Other sizable sums went to the SCL Foundation, it is understood, from people who wanted to contribute but wished to still write it off their taxes.

Together, these two funds represent a virtually untouched reserve from which the SCLC hopes to continue operating.

Contributions to the SCLC for the campaign itself came in from all over in large and small amounts. Conspicuous were such donations as $12,000 from singer Ethel Merman, a similar sum from the New York postal workers union and other gifts running into the thousands, plus promises of more, from show business personalities.

More modest donations continue to arrive at SCLC offices, many passed along via church organizations, labor unions and Negro leaders.

EXPENSES CONTINUE

But SCLC was spending money, too, its expenses mounting from the time the first bus rolled toward Washington. These expenses also continue.

The Rev. Andrew Young, executive vice president of SCLC, now running the show while Abernathy is in jail, said he has had no opportunity to add up the campaign's expenses. But he ventured some estimates.

Young said the last he heard, the seven-week campaign cost the SCLC about $50,000 a week. The cost of building tent city, he said, ran about $100,000.

Although money continued to come in during the campaign, he said, the bills came in at an equal pace. "It was a day-to-day operation with the bills and money running neck and neck," he said.

One of the most significant expense items, Young believes, was transportation. Most of this represents the costs of bringing participants to Washington and sending many of them back, although it also includes a considerable amount for traveling by staff members.

The bus expenses varied from caravan to caravan. The first group to arrive came from the South with only a few brief stops, at a cost of about $11,000 for 11 buses. Another Southern caravan started in old buses from Edwards, Miss., at an initial cost of $2,500 but worked its way slowly through the South, stopping frequently to raise money for the next leg of the trip.

COST OF CONSTRUCTION

Some $10,000 was set aside for the mule train, but the cost probably ran higher to pay for shipping it from Atlanta to Washington. SCLC also paid for the major part of the buses that brought the delegation of Mexican-Americans from the Southwest.

Most of the money spent to build the encampment, about $70,000, went for plywood. That wood, carted away last week, belongs to SCLC, and one offer to buy it for $15,000 already has come in.

The wood was purchased through Hechinger Building Materials. Officials of the firm say the SCLC was charged the lumber costs only, with the company absorbing about $10,000 in handling and overhead connected with getting the material to the tent city site.

John Hechinger, chairman of the District City Council and a member of the family that runs the building-supply firm, said he contributed a small amount directly to SCLC. He would not say how much.

Once the wood and other materials arrived at the site, a massive effort was required to put up the encampment. Here, as on a number of other fronts, volunteers from the Washington area, led by students and staff of Xaverian College in Silver Spring, got the job done. Dwellings for about 3,000 people and a number of large buildings quickly went up.

The Rev. John Adams, director of the National Council of Churches liaison office with the campaign, said his staff had filtered over $40,000 to SCLC through a special office in the Methodist Building.

This was only a small part of the donations that went into the campaign, he continued, because his office told most major donors to send their money directly to SCLC's Atlanta headquarters.

Making an estimate of the total amount he believes religious groups sent to the campaign, Adams placed the figure at $125,000. That, he added, "is probably low."

Adams said he was not including the major $50,000 donation from the United Presbyterians, U.S.A., that Abernathy announced from the platform on Solidarity Day because Adams believes that contribution was earmarked for the Martin Luther King Memorial Fund to be used for work in slum rehabilitation.

Money for the campaign is continuing to come in—$4,000 came in over the week, Adams said.

Citing an increase in calls to his office, Adams said the closing of Resurrection City and the mass arrests of last week have given him the impression that "we are entering into a phase where there could be greater support (for the campaign) than earlier.

"I have the feeling," he continued, "that the dramatic way the closing took place with the overreaction of the power structure, and the beautiful nonviolent action has impressed the clergy."

COST TO TAXPAYER

Adams said the National Council of Churches has been working since February to raise funds and places a value of about $75,000 on the staff services expended.

What the campaign cost the taxpayer (irrespective of what gains the SCLC made in prying loose federal funds for social welfare programs) is falling into place. The total will be about $1 million, most of it charged to the District government budget.

On Friday, separate estimates came from the District budget office and the Interior Department on money spent during the campaign and estimates for restoring the 12-acre West Potomac Park site to its former condition.

Through last Sunday, what District budget officer D. Peter Herman calls "expenditures above normal" totaled close to $500,000, mostly for police overtime. Extra spending for last week probably will run more than $100,000. The Interior Department said extra spending by the National Park Service totaled about $160,000.

Restoration costs were computed separately, with the total for the park cleanup, mostly borne by Interior, put at $85,000. National Guard and other military-alert expenses have not yet been determined.

BYRD COMMENTS

A report of District expenditures from Herman's office Friday prompted Sen. Robert C. Byrd, D-W. Va., to comment to the Senate: "Had the campaign produced substantive results for the poor, these losses suffered might be somewhat less painful."

Young expressed just the opposite reaction. Asked about the government figures, he said: "That is a very small cost to pay for the education of this nation."

No history of the campaign can be written without mention of the sustained contribution in money, material and volunteered time by the people, businesses and organizations in the Washington area. It was considerable.

"I think this community responded very well," said the Rev. Geno Baroni, director of the Washington Catholic Archdiocese's urban affairs office and one of a number of churchmen who labored night and day soliciting and coordinating all manner of support programs.

Once again, it would be impossible to measure precisely the scope of this support, partly because so much of it was intangible and partly because nobody, either at SCLC or in the community, was in central command.

HOW IT WORKED

It was instead a free-flowing, frequently hand-to-mouth operation, one emergency after another tackled as circumstances demanded. It worked something like this:

A call would come in from Hawthorne School to say that no paper plates and cups were available for the next day's meals, or from Resurrection City asking for drug and toilet articles. At any of a number of church organizations or other agencies, someone would get on a phone, calling department stores or drug firms. Somewhere along the line, a firm would agree to help, either through a direct contribution or through providing the supplies wholesale.

One operative phrase throughout the campaign was this: "Meeting human needs." It was used by those who were fully enthusiastic about the campaign, but also by those who had strong reservations about what was happening at Resurrection City but wanted to help the people involved.

Another theme constantly heard concerned the problem of coordinating with SCLC. "There was always a gap between the SCLC information and the facts," is the way one religious leader put it.

TAX CONSIDERATIONS

A Washington business executive put the situation this way: "There were always problems, trucks getting turned back from the camp or workmen stopped, and lots of time wasted. And toward the last, it was sort of like putting supplies into a sinking ship. But the need was always there."

Despite all the direct contributions to SCLC, many individuals and firms backed away from this route, both because it appeared unbusinesslike and because of tax considerations. They elected instead to earmark it for specific purposes and channel it through the churches or agencies such as the District's Health and Welfare Council.

Feeding the residents of Resurrection City represents the biggest single part, and one of the best organized parts, of the Washington area's efforts.

Under the leadership of Giant Food's Joseph Danzansky, a committee put together a mass feeding program that cost an estimated $70,000. This was supplemented by the week of hundreds of volunteers, mostly at Howard University and at St. Stephen and the Incarnation Episcopal Church.

The church effort, much of it funneled through Father Baroni's office, the Protestant Council of Churches and the Jewish Community Council, concentrated largely on housing and feeding people outside Resurrection City.

MEDICAL COMMITTEE

According to the Rev. Philip Newell of the Council of Churches, money that came into the three big church organizations and was used for these programs totaled about $15,000.

But this sum, said Newell, represents "only a fraction, certainly less than half" of the money spent by upwards of 200 churches and synagogues in the metropolitan area, many of which operated their own programs and called central religious offices only when the demand for help outstripped their resources.

Another group that operated throughout the campaign was a medical committee headed by Dr. Edward C. Mazique. Without charge, about 500 persons, doctors and other medical personnel served the poor people. Drugs were contributed by major pharmaceutical houses. No attempt has been made to put a price tag on this.

Operation of Resurrection City required an incredible list of supplies, from sewer pipes to toothbrushes, some of it contributed, some purchased at cost, some paid for out of SCLC funds.

OTHER CONTRIBUTIONS

About $2,000 in plumbing hardware was paid for by SCLC, but a Chicago firm decided to contribute 25 $55 water heaters, some of which were found still uncrated when Resurrection City folded. Upon the request of the Union of American Hebrew Congregations, the Metropolitan Electric Company here contributed about $3,000 in electrical supplies.

Like the Smithsonian, a number of groups in Washington, including a separate recreation committee, tried to make life more pleasant for the tent city residents, especially the children. Many of these gave up in frustration.

Like the campaign itself, Washington's contribution is for the most part over. But some of the poor are still staying in churches, and until the campaign is officially wound up, area organizations will continue to help.

[From the Evening Star, Washington, D.C., July 1, 1968]

TRAVELERS AID: DISTRICT OF COLUMBIA TO PAY $11,000 IN BUS FARES FOR POOR

(By William Delaney)

The District government has promised to reimburse the Travelers' Aid Society for the more than $11,000 it spent last week in providing Poor People's Campaign participants with free bus tickets home.

In acknowledging the pledge of funds, Deputy Mayor Thomas W. Fletcher said over the weekend that the District in turn may be reimbursed in part by "anonymous private funds."

He would not elaborate, and emphasized that it was too early to determine precisely the cost of the long-distance transportation effort, which followed the closing of Resurrection City last Monday.

However, the executive director of Travelers Aid said yesterday that her agency had spent "$11,000 plus" on bus tickets for Poor People's marchers since June 21, the Friday before the campaign's tent city was closed. The society has emphasized that none of this was from United Givers Fund money.

During the week that followed, some 800 to 1,000 persons who identified themselves as campaign participants were issued free bus tickets through Travelers Aid, according to executive director Catherine C. Hiatt.

"That figure may be a bit high," added Miss Hiatt, "but it's as near as I can get." She said about 600 travel vouchers were distributed, some of these to groups bound for the same destination.

She said her agency, which is supported by the United Givers Fund, was asked June 21 by the mayor's office to "fulfill an emergency need" and arrange transportation for any marchers who wanted to return home. The District government agreed to reimburse Travelers Aid for the cost of tickets, she said.

"We've had money available for years for helping needy people in such situations," Fletcher said. He said contingency funds in the Welfare Department budget had in the past occasionally been used to reimburse Travelers Aid for travel arrangements in needy cases.

"There was a strong desire by many (campaigners) to go home, and without money or any other arrangements, the logical thing to do seemed to be for us to use our standing arrangement with Travelers Aid," Fletcher said.

The deputy mayor added that the allocation of funds had been cleared by both the corporation counsel's office and with Welfare Commissioner Winifred Thompson.

Travelers Aid ended its city-sponsored transportation program on Friday, turning future travel arrangements over to the Southern Christian Leadership Conference.

Miss Hiatt said that although her small staff had voluntarily worked long hours with volunteer help from the Welfare Department, Family and Child Services, and the Red Cross, there were continuing problems of verifying the identities and hometowns of ticket applicants.

Applicants were required to show SCLC identification papers and Resurrection City identification wristbands, she said, "but we have no authority or capability to control or verify that these people were from where they were going."

SCLC officials acknowledged Friday the existence of ticket scalping among "a few persons." Because of this, they said, SCLC marshals would henceforth handle ticket distribution.

[From the Evening Star, Washington, D.C., July 2, 1968]

SELL TENT CITY LUMBER, SET UP TRUST, UNITED STATES ASKS

(By Roberta Hornig)

Federal officials today proposed sale of the lumber used in constructing Resurrection City and placement of the money in a trust account "pending settlement on the costs of restoring the site" in West Potomac Park.

The proposal was made by the Justice and Interior departments in a letter to the Rev. Walter E. Fauntroy, vice chairman of the District City Council and a top official of the Southern Christian Leadership Conference, sponsor of the Poor People's campaign.

The letter, one official said, was to test the response of the campaign leaders concerning willingness to help pay the bill for restoring the 15-acre site along the Reflecting Pool.

The total cost of restoration is estimated at $85,000.

The only money SCLC has put up so far is a $5,000 cash bond required before the camping permit was issued by the National Park Service.

A top SCLC spokesman indicated, however, that the civil rights organization expects the $5,000 to be returned and has even considered taking court action aimed at recovering the money.

Preliminary estimates of the value of the plywood and other lumber used in some 600 units built in Resurrection City range from $18,000 to $20,000.

The units were dismantled by federal and District construction crews and the lumber is being stored at Ft. Belvoir, Va.

Federal officials feel that whatever money can be gained from the lumber salvage should go to the government, which must resod the site, regrade some of it and restore damaged plants and bushes.

Interior Secretary Stewart L. Udall at a press conference yesterday hinted at the government's attempt to get SCLC to share some of the cost.

Udall said Interior and Justice department lawyers were trying to figure out the best way to go about it.

The decision to try a soft approach, by letter, to SCLC officials was reached after a meeting late yesterday. There is some indication, however, that the government is also discussing the possibility of a suit should SCLC show reluctance toward the idea of a trust fund.

UDALL EXPECTS BAN

Udall also said he expects Congress to approve legislation that would prohibit any more camps like Resurrection City on federal parklands.

After the closed hearings by the House Interior Committee, headed by Rep. Wayne Aspinall of Colorado, Udall said the members had asked "penetrating questions" and that "it is obvious many members of the committee are anxious for legislation.

Udall, whose agency was prominent in permit negotiations, added, "It will not surprise me if Congress limits the use of parklands" for any other Resurrection City. But he also said the land would be used for demonstrations and marches, which he called a form of free speech.

At the first of four city rallies scheduled this week, the Rev. Andrew Young, executive vice president of SCLC, told a racially mixed group last night that people should be willing to go to jail for a cause they believe in. He also bitterly criticized the Vietnam war.

Speaking at Lincoln Memorial Temple at 11th and R Streets NW, Young—leading the Poor People's Campaign while the Rev. Ralph David Abernathy is serving a 20-day jail sentence begun one week ago—pointed to some youths in the audience and said solemnly:

"I want to say to all young black men, I have been in jail. But you have the choice to go (to jail) now with pride and dignity, or to go five years from now after being caught on the corner with no job.

"One way or another, you're going to go. This society is so structured that white boys go to college and black boys go to jail."

[From the Sunday Star, Washington, D.C., June 30, 1968]

JUDGE PLEDGES STIFFER TERMS FOR MARCHERS

Stiffer sentences for demonstrators arrested in connection with the Poor People's Campaign were promised yesterday by a judge in the Court of General Sessions as 69 of 78 arrested Friday on Capitol Hill appeared in court.

Judge Alfred Burka said, "This has got to stop and I'm going to do my share . . . I am not going to have this entire city threatened for no reason at all . . ."

Campaign officials, meanwhile, scheduled a demonstration today on Capitol Hill by some 250 sympathetic area clergymen, who do not plan to seek arrest.

FOUR RALLIES PLANNED

The Southern Christian Leadership Conference also has planned four rallies this week, one in each quadrant of the city. Generally, however, SCLC officials said there would be little activity until after Congress returns from the July 4 recess a week from tomorrow.

Burka, sharing the cases with Chief Judge Harold Greene and Judge William Pryor, handed out the stiffest sentences. He gave two 30-day terms and one 20-day jail sentence, all to white persons who joined the SCLC demonstration Friday.

Of the 69 who appeared in court, one was found to be a juvenile. Eight others arrested Friday were juveniles. Two persons were not prosecuted because one was blind and the other blind and partially deaf.

Hosea Williams, a top SCLC official who was arrested for the second time in the campaign, was released Friday on $250 bond. His case, and nine others, were continued until tomorrow. All those in court yesterday were charged with unlawful assembly, which carries a maximum sentence of $250 or 90 days in jail.

Five SCLC officials with the campaign's symbolic mule train pleaded not guilty and went on trial before Judge Pryor, and their cases were also among the 10 continued.

Thirty-six of the defendants received jail sentences ranging from 3 to 30 days. Among them were many Quakers who came here yesterday from a Society of Friends Conference in New Jersey to express their support.

Twenty persons received suspended sentences or no sentences when they promised they either would leave town or would not participate again in illegal demonstrations.

WITHIN THE LAW

The three judges generally were lenient on those who promised to limit their demonstrations within the law and hard on those who said they might continue unlawful demonstrations.

The three judges showed a respect for the 32 Quakers arrested and handed down sentences with obvious reluctance. The Quakers were well-dressed, polite, many of them were women. They thanked the judges when their attorneys were appointed. Many of them wore Poor People's Campaign buttons.

One of them, Nelson Pusen, a professor of physics at the University of Tennessee, received a 10-day sentence from Judge Burka. He told the judge that he had been aware that the demonstration was illegal, but added:

"I would like to stress my feeling that the calling to a meeting of this kind, is a serious thing which one does not do without careful consideration. I'm ready to take what the sentence is but I did what I felt I had to do."

Burka replied as he imposed sentences, "There are few groups in this country that I respect as much as the Society of Friends, and its individual members," but he pointed out that Pusen said he was aware the demonstration was illegal.

Burka also said, "I am not going to tolerate this sheep-like attitude of people following the leadership of Hosea Williams," he said, differentiating between the Quakers and the SCLC campaigners. He said the sentences were intended as a deterrent.

The five SCLC officials whose trials began yesterday were: Willie Bolden, 33-year-old wagon master of the mule train, from Savannah, Ga.; Tyron Brooks, 25, Sparta, Ga.; Bobby Nelson, 28, Savannah; Walter Justice, 30, Atlanta, Ga., and Jimmy Welles, 28, also of Savannah.

The court began processing the cases shortly after 1 p.m. yesterday, and ended at 4:30 in the afternoon.

HUNGER IN AMERICA

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. HANNA. Mr. Speaker, in the decades following the depression years of the thirties our country experienced unprecedented economic growth and development. Individual prosperity reached new heights. However, our sense of awareness of this growth and prosperity developed at a far slower pace. Conditioned as we were by depression hardships and preoccupied by two costly wars, we Americans did not become fully conscious of our steadily increasing affluence until this period.

Today it seems natural for us to take for granted our position as the world's wealthiest nation. We call ourselves the "affluent society" and surround ourselves with the material symbols of our exalted status. Yet, in the midst of apparent plenty, we have again failed to gain a sense of awareness; an awareness of the 10 million Americans who suffer daily from hunger and malnutrition.

Although two citizens groups recently submitted reports on the status of hunger and malnutrition in this country, I suppose it took the shocking CBS documentary report "Hunger in America" to bring this situation fully to the attention of the American public. I have received a flood of letters and telegrams from my constituents expressing their shock and amazement that this appalling condition should exist in our Nation today. I am sure all of my colleagues have experienced a similar response.

For a number of years I have been aware of the increasing problem of hunger and malnutrition in our country and throughout the world. I have spoken of the dire need for a world farm center which could provide needed assistance in education and technology to increase the world food supply. I have spoken of the various private sector organizations, such as Meals for Millions, whose goals are to provide wholesome nourishment in the form of food supplements and foodstuffs to hungry people at home and abroad.

Although the major effort of Meals for Millions has been in other lands where the need was known, this nonprofit foundation has, since 1948, sent some 245,000 pounds of multipurpose food—a high-protein flour supplement, fortified with vitamins and minerals—to American Indians, migrant workers, Negro relief, and school and institutional projects. It is now preparing to train graduating university nutritionists in the use of high-protein food supplement so they can instruct people in needy areas of our country in its use in their local foods.

I have also spoken of the promise and potential of aquaculture—the application of the largely untapped protein-rich resources of the sea to alleviate the world protein deficit.

I am pleased to report that fish protein concentrate, known as FPC, is being mass produced for the first time by private industry to serve in the war on hunger. FPC is a tasteless, odorless, low-cost fish meal manufactured under a totally sterile process which reduces fish to its basic constituents.

Unfortunately, however, the Food and Drug Administration has been most reluctant to give full approval to FPC for human consumption. The FDA has consistently taken the position that anything made from whole fish is repugnant to the public's esthetic sense; sardines, clams, and oysters notwithstanding. Consequently, in February of this year the FDA ruled that FPC could be marketed in packages no larger than 1 pound and marked for "household use only."

This has had the effect of shutting off bulk marketing to major food producing agencies and to domestic surplus food programs where it might compete with milk. By thus frustrating wholesale distribution of FPC, the FDA has seriously impaired the development of an economic base for this most beneficial product.

In a more optimistic vein, I am pleased to note the very serious concern shown by Members of the House in seeking ways and means of eliminating the blight of hunger and malnutrition in America.

A number of my distinguished colleagues from both sides of the aisle recently formed a bipartisan "coalition to help malnourished Americans." I have added my support to their efforts in attacking the causes of poverty and malnutrition on a broad front.

The House Education and Labor Committee has now completed hearings to see what can be done without delay within the framework of existing programs to solve this problem. In addition the committee is considering legislation which would establish a Commission on Hunger, comparable in size, mission, and urgency to the Commission of Civil Disorders. The Commission would complete its studies on an emergency basis and report its findings to each House of the Congress and to the President by January 1, 1969.

Notwithstanding needed improvements in their administration, I am hopeful that the Congress will commit adequate funding to the major Government food assistance programs presently under consideration in both Houses. Every dollar spent to combat malnutrition serves a double purpose by helping to eliminate resultant physical and mental retardation which so plagues the impoverished. We can never break the cycle of poverty until the initial problem of hunger and malnutrition is finally resolved.

It is evident Federal programs cannot alone provide for the needy. It is also clear that many State and local governments are not carrying their share of the load to make existing Federal programs work.

Last year many millions of dollars went unused because of the inability of Federal, State, and local officials to integrate efforts to overcome the problem. The active efforts of an aroused public to prompt affirmative action by individual State legislatures would go far to insure more expeditious congressional action.

The problem is immediate. We can no longer placate our collective consciences with empty expressions of concern and indignation. All Americans must pledge themselves to do whatever is required to eliminate hunger in America without delay.

NEW YORK STATE BACKS WILCOX HOUSE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. DULSKI. Mr. Speaker, my home city of Buffalo, N.Y., is making important progress in its communitywide effort to preserve the Ansley Wilcox House as a national historic site.

Governor Rockefeller has signed legislation to permit the State of New York to share in up to 50 percent of the non-Federal cost of restoring the home in downtown Buffalo, where Theodore Roosevelt took the oath of office as President in 1901.

The Theodore Roosevelt Inaugural Site Foundation, a group of business and community leaders, has organized in Buffalo to raise remaining funds and to coordinate the project.

The 89th Congress approved my bill to acquire the Wilcox property for a national historic site.

Mr. Speaker, following are articles dealing with progress on the project:

[From the Buffalo (N.Y.) Evening News, June 26, 1968]

ROCKY SIGNS BILL CLEARING WAY FOR AID TO WILCOX HOUSE

ALBANY, June 26.—Gov. Rockefeller has announced the signing of a bill to permit the state to share in the cost of restoration of the Ansley Wilcox house, now a national historic site, at Buffalo.

The bill approved by the governor was introduced by Assemblyman Stephen R. Greco (D., Buffalo) and Sen. William E. Adams (R. Tonawanda).

The bill permits the state to provide up to 50 per cent of the cost of restoration, exclusive of federal funds. No money was appropriated in the measure, meaning that it would be next April 1 before the state funds would be forthcoming.

The governor vetoed another bill by Mr. Greco, saying it would have accomplished virtually the same thing. It was somewhat broader in scope referring to state financial participation in historic site projects, generally, rather than specifically to the Wilcox House, on Delaware Ave., where Theodore Roosevelt took the oath of office as President after the death of William McKinley.

Assemblyman Greco said in Buffalo Tuesday that Gov. Rockefeller's approval makes the project eligible to receive federal funds.

Despite help from both levels of government, he said, some money will have to be provided locally.

[From the Buffalo (N.Y.) Courier-Express, June 27, 1968]

WILCOX MANSION FUND BILL SIGNED BY ROCKY

Gov. Rockefeller announced Wednesday the signing of a bill to permit the state to share in the cost of the restoration of the Ansley Wilcox Mansion which has been designated as a national shrine by the federal government.

The bill permits the state to provide up to 50 per cent of the money still needed for the cost of restoration.

Congress has authorized $250,000 to purchase the mansion, located on Delaware near North, and another $50,000 toward restoration. The U.S. Parks Service has estimated the cost of restoration $257,000. The Junior League of Buffalo has pledged $50,000 toward the fund, leaving $157,000 still to be raised.

The state bill was introduced by Assembly Stephen R. Greco, D-Buffalo, and Sen. William E. Adams, R-Tonawanda.

Greco said that the moneys would come from the State Historic Trust Fund.

The Theodore Roosevelt Inaugural Site Foundation, a group of business and community leaders, has been set up to raise the rest of the necessary funds for restoration.

Roosevelt was sworn in as president in the Wilcox Mansion in September 1901, following the assassination of President William McKinley.

THE HUNGRY: TOO PROUD TO ASK FOR HELP

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 26, 1968

Mr. HORTON. Mr. Speaker, in my remarks Monday dealing with the two school lunch program measures we passed, I put into the RECORD a moving article on hunger in nondepressed areas, by Mike Power of the Rochester, N.Y., Democrat & Chronicle. I would now like to take the opportunity to share with my colleagues the second half of the series which demonstrates that we do have a long way to go before we reach the end of our goal of providing a sufficient diet for Americans who cannot provide for themselves.

THE HUNGRY: TOO PROUD TO ASK FOR HELP—"THEY'LL LIE ABOUT IT"

(By Mike Power)

The poor and the old in Rochester are undernourished for a lot of reasons.

They don't know what they're doing at the grocery store.

They don't know what is available to them. Or they believe it when someone tells them nothing is.

They can't budget their money. Or they have so little a "budget" is ludicrous.

They are too proud to admit their hunger and ask for help. "They'll lie about it," says one civil rights worker.

"They'll say, 'Sure, I'm getting along fine.' "

At the grocery, the hungry or poorly nourished may fill up their cart and spend all their money, but the food will run out before the end of the week.

Hungry or malnourished people often don't know the county passes out free staples at a food surplus distribution warehouse in Wadsworth Street.

Many have never heard of the program. Or if they have, someone has told them they can't take part.

Or poor people, like rich people, can't budget their money.

Mrs. Adie Walker knows about these problems. She sees them every day in her work. She got her education on the slum streets, not in the classroom.

Mrs. Walker, 114 Weld St., is employed by the lame-duck federal Work-Education Training Program. The program may be abandoned because it has no more U.S. funds.

Her job is to keep in close touch with more than 20 families in the poorest parts of the city.

"They just don't come out and tell you they're hungry. But if you sit there awhile you can tell. You can tell they do need some food," Mrs. Walker said.

She, too, doubts that masses of people are going hungry in Rochester. But she knows some are.

She knows about a 17-year-old unwed

mother of one on Troup Street who eats every two days and gets by without gas and electricity because it's shut off so often.

She knows of a teen-aged epileptic living with a sick father who gets $68 a month from welfare to pay $70 in rent. The son tries to make ends meet with a job through the Neighborhood Youth Corps.

"When I found him, he was just sitting there eating dry bread and peanut butter. He said he got turned down for welfare," she said.

"Some days they have food and some days they don't."

The Rev. Johnnie Monroe, executive vice president of FIGHT, sees hunger and malnutrition, too. Through FIGHT and the Southeast Loop-Atlantic Avenue Ministries, he knows about 1,000 poor people.

"Rochester lives in a dream world," he says.

"Rochester is proud of its history, of its wealth. But it still hasn't faced up to the problems that surround it—the problems of unemployment, poor housing, inadequate welfare that causes malnutrition."

"When they get finished getting the bare necessities and paying the bills, there's not enough left for food," he said.

The most direct attack on the problems of nourishment here is the county's welfare and food surplus distribution program.

Anyone on welfare can get free staples provided by the U.S. Department of Agriculture from the warehouse at 11 Wadsworth St.

The younger poor get it every month; the aged every two months.

The program is not restricted to welfare cases. Working people, if their income is below specified limits, qualify, too.

If a person with no family earns a net income under $150 a month, he may get surplus food. For a family of four, income must be under $325 a month.

A family of five may earn up to $365 a month and still qualify, and a family of 10, $565.

The School Board, with its school lunch program, mounts only a token attack on hunger in the slum.

It serves lunches, at a price, in five of Rochester's poorer elementary schools—29, 9, 14, 39 and 15. Of 43,000 children in the city's public schools, 678 get lunch at school.

A breakfast program to feed pupils who leave home hungry was dropped at three slum schools last year—schools 6, 9 and 14.

Rochester tries to operate on the neighborhood school concept: children should go to school in their own neighborhoods and go home for lunch.

But mother might not be at home to fix lunch. She might be cleaning someone's house or doing some other type of work. Or if she is home, there may be no food to fix.

There is another way to fight hunger and malnutrition besides food surplus distribution. It is a federal food stamp plan. Monroe County, however, doesn't offer it.

Where stamp programs operate, a needy family can buy stamps which are worth more than they paid at the grocery. A family of four, for example, can get $66 in stamps for $18.50.

But a county cannot have both a surplus program and a stamp program. It must take one or the other.

Monroe toyed with the idea of a food stamp plan a year and a half ago, but abandoned the idea. It was too expensive and required too many administrators, Social Services Director William B. Woods said then.

The food stamp plan, experts agree, is no cure-all. It has advantages and disadvantages.

Some of the advantages are:

Families could get more food at the grocery than at the surplus warehouse.

The variety would be greater, providing not just a partial, supplementary diet, but a full diet.

Participants can't buy liquor with food stamps, as they often can with welfare money.

The glaring disadvantage to a food stamp program, besides the added cost to counties, is that it compels a poor family to spend a certain portion of a meager income. Surplus food is free.

The Citizens Board of Inquiry into Hunger and Malnutrition in the U.S. recently recommended the government pass out free food stamps to needy families.

After a controversial CBS–TV report on hunger the Department of Agriculture issued its own report on what is being done now and what it hopes to do in the future.

It promised federal aid to help schools in low-income areas establish breakfast and lunch programs, and buy equipment necessary to operate them.

But Rochester is not a low-income area. It likes to brag that its average family income is more than $10,600 a year.

The report cites a handful of proposals to improve the plight of the hungry. Among them are:

Consumer education programs to teach people how to best spend their money at the supermarket.

Free and reduced price lunches for every needy school child.

The extent of hunger here is supposed to be studied this summer by a team of U.S. Public Health officials. Welfare Director Woods said he doesn't know when it will begin.

Local officials do not expect the surveyors to find a severe problem.

The study also will delve into nutrition among the aged. Of more than 66,500 persons in Monroe County over 65, 52 per cent have incomes less than $3,000 a year.

About 7 per cent of those make less than $1,000.

"The only area in which they can really keep their costs down is in food," said Garson Meyer, a member of the advisory committee of the State Office for the Aging.

"They cheat themselves. There's no question about it."

Old people, Meyer said, don't eat enough for two reasons: they don't have enough money and get little pleasure from eating alone.

"So they'll have a cup of coffee and a hard piece of toast instead of a meal," he said.

Meyer would like to see a program developed allowing oldsters to gather at school cafeterias for their evening meals.

Now, they may have two meals a day—one hot and one cold—delivered to their homes by the Visiting Nurse Service of Rochester and Monroe County. It costs $2.75 a day.

Little is known about hunger in the U.S. Never, in this rich, overfed nation, has there been a study on it.

Experts will hazard only gueses. Some malnutrition exists, they concede, but little real hunger. No one really knows enough about hunger. Except the hungry.

THE DISTORTED CONCEPT OF VIETNAM WAR

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. DERWINSKI. Mr. Speaker, the Monday, Chicago Tribune contained a very interesting commentary on the distorted concept of Vietnam war which prevailed at a recent conference at the University of Chicago.

The contribution a conference such as this makes to the cause of peace is dubious in that it is encouraging to officials in Moscow and produces increased Communist aggression rather than legitimate termination of hostilities.

The article follows:

ACADEMIC BUGLERS SOUNDING RETREAT

The University of Chicago recently held a conference on "Viet Nam: Lessons and Mislessons."

A reporter who had examined the list of some 30 participants and read some of the "papers" asked a spokesman for the conference whether there would be any representation for the official United States position on Viet Nam or any intimation that there is another view of the war besides Hanoi's. The spokesman seemed hurt by the question. Yes, he said, there would be rebuttals by several participants.

Despite this pretense of objectivity, the conference was loaded with notorious Viet Nam defeatists, anti-anti-communists, and sellers of birthrights, mainly from Harvard and other universities, but with a sprinkling of journalists.

Stanley Hoffman, professor of government at Harvard, ascribed the guerrilla war in South Viet Nam to the policies of the late President Ngo Dinh Diem and said it bore little resemblance to invasion from the north. He completely ignored the fact that as early as June, 1962, the legal committee of the International Control commission reported that "armed and unarmed personnel, arms, munitions, and other supplies" had been sent from the north with the object of carrying out "armed attacks" against the government and forces of South Viet Nam.

Altho conceding that the communist Viet Cong "constitutes only a minority" in South Viet Nam, Prof. Hoffman called it "the only national movement that cuts across religious and social lines." He regretted that by pressing for military victory in Viet Nam "we left ourselves no room for maneuver or for the sort of retreat that does not look like an admission of failure."

Samuel P. Huntington, also of Harvard, described Ho Chi Minh's government as "probably the most stable" one in southeast Asia. He attributed this to "the fact that in the north the organization of the Communist party reaches out into the rural areas and provides a channel of communication of rural grievances to the center and for the control of the countryside by the government." Contrast this idyllic vision with what Gen. Vo Nguyen Giap said [Nhan Dan, Oct. 31, 1953]: "We . . . executed too many honest people . . . Terror became far too widespread. . . . Worse still, torture came to be regarded as a normal practice during party organization."

Still another Harvard prodigy, Adam Yarmolinsky, said "the first major obstacle to negotiations in Viet Nam was the strategic bombing of North Vietnamese territory." Yarmolinsky was a chief lieutenant of Defense Secretary Robert S. McNamara when [according to Gen. Curtis E. LeMay] we "permitted our general war capability to rust."

Prof. Roger Hilsman of Columbia was another participant in the conference. As assistant secretary of state for far eastern affairs in the Kennedy administration, Hilsman was the principal author of a directive to Ambassador Henry Cabot Lodge in Saigon, stating in effect that Diem must go. When the president and his brother, Ngo Dinh Nhu, were assassinated in a coup d'etat, the late Marguerite Higgins, a redoubtable journalnist, roused Hilsman at 2 a.m. and said: "Congratulations, Roger. How does it feel to have blood on your hands?"

This is a representative sample of participants chosen for a conference on Viet Nam when, as its sponsors conceded, "the Paris peace negotiations" are under way. It was a shabby enterprise.

A TRUE SPIRIT

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, as the following article from the Lowell Sun of June 17 states: "Not charity but a chance" is the motto of the Goodwill Industries of America. Mrs. Rena Davis, of North Chelmsford, Mass., is an outstanding example not only of the implementation of that motto, but especially of the ability, spirit, and dignity of which a great number of our citizens over the retirement age are capable.

The self-respect and confidence Mrs. Davis has gained by her own achievement, through the opportunity provided by the Merrimack Valley Goodwill Industry, is an extremely important example for the entire Nation. It is both my responsibility and my privilege to present it to my colleagues for their most careful consideration and reflection:

A TRUE SPIRIT: AT 86, A DEDICATED WORKER AND MEMBER OF THE COMMUNITY

(By Charlotte Costello)

LOWELL.—"Not charity . . . but a chance" is the motto expressed by the Goodwill Industries of America, " a non-profit enterprise with a heart." The Merrimack Valley Goodwill Industry is just one of the 136 autonomous such organizations operating in the U.S. today . . . and one member, Mrs. Rena Davis of the Merrimack branch, is one out of over 25,000 handicapped persons employed by Goodwill Industries throughout the country, who want such a chance . . . not charity.

Mrs. Davis, who resides with her husband George M. Davis and their son, Austin, at 5 Holmes St., North Chelmsford, does not fall into the category of the physically handicapped, yet as of last May 28 Mrs. Davis celebrated her 86th birthday. Not many people at the age of 86 can boast of the stamina to work both in and out of the home. Actually, Mrs. Davis pointed out, throughout most of her life her main duties have been those of a housewife and mother. It was not until her husband retired from work, about 11 years ago, did she find it necessary to go out and earn a little extra money. Having had no real experience in a trade other than homemaking, Mrs. Davis sought work at the Goodwill Industries at 99 Willie St., which offered the kind of program suitable to her needs. Her many years as a homemaker proved to be a valuable asset to Mrs. Davis, as she settled in quickly to her new occupation as a textile sorter. At first she worked full time, five days a week, but found she had to slow down a little and only work part time in order to keep up her strength.

Goodwill Industries is designed to serve both handicapped persons, mentally, physically, socially and emotionally and elderly people over the retirement age who still want to work, to aid financial matters, and make use of their idle hours, like Mrs. Davis. Thus, Goodwill offers people a chance to learn and earn, and to become contributing members of a community, rather than tax burdens.

The basic program consists of employment and training through repairing and reconditioning usable clothing and household articles contributed by the public. Many Goodwill Industries also offer work opportunities in assembling, sorting, repairing, and other such work contracted with business firms. Workers are encouraged and helped to find jobs in business and industry. Besides the vocational services, Goodwill Industries provide such services as counseling, evaluation, religious guidance, recreation, medical help and, in some cases, occupational and physical therapy.

Also, as Mrs. Davis has found, most important is the untold value of self confidence and self respect acquired by people who were previously unemployable, or for those getting a late start on an occupation, like Mrs. Davis. Besides, she added, "at the age of 86 I find working helps me stay younger!"

SALUTE TO BATH, OHIO

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. AYRES. Mr. Speaker, on July 13, Bath Township, of Summit County, Ohio, will celebrate its sesquicentennial. The people of that outstanding community will participate in a gala parade on the evening of that date.

Just recently, I—under assignment by the Speaker of the U.S. House of Representatives—attended a very important international conference in Geneva, Switzerland. Among the representatives of the 110 nations of the world who participated, I found many who had received a truly false conception of our Nation. The headline stories of the recent riots and of the strife in a few of our universities had convinced them that we were not a truly democratic nation with a great concern for our people.

I wish that it were possible to bring these dignitaries to Bath Township on July 13. There they would see a true segment of the real United States of America. There they would see unity of purpose. There they would see a citizenry with a deep concern for their neighbors without regard for their station in life. There they would see public officials whose only interest is the improvement of services to its citizens.

If only the international media would bring the story of Bath Township to the world, I know that the false image of the United States that I perceived abroad would disappear and once more our country would become the envy of people everywhere.

During the week following July 13, people from all over northern Ohio will visit the Bath Township Sesquicentennial. In doing so, they will renew their faith in the America of today. If only the U.S. Information Agency could present this picture of this fine community and its citizenry to the world, I know that the international doubters and dissenters would, too, learn that their faith in us would not be misplaced.

Bath Township makes no claims to exceptional greatness. Statistically, it does not rank amongst the great industrial or population centers of our Nation, but, as a place in which man can pridefully call home, it knows no superior. Its accelerated growth bears full proof of this.

As I stated earlier, I claim no great uniqueness for Bath Township. I am certain that my colleagues in the U.S. Congress have similar communities in their districts in which they take the same pride that I assume in Bath Township. I do know, however, that no man could find a better place to raise a family. No greater tribute can be paid to any community than that.

Those who participate in the Bath Township Sesquicentennial will be indebted to the dedicated committee who has made all of the arrangements for the event. Mrs. Alleen Stein is chairman of that fine group of leaders. She has been aided by Vice Chairman Ted Steiner; secretary, Mrs. Marian Brock; treasurer, James E. McKibben; and coordinator, David M. Darst. Mrs. Wallace K. Meek is the parade chairman. I wish to pay my personal tribute to all of these most capable citizens.

Just recently I reviewed the historical background of Bath Township by reading four very fine books. I commend them to all interested parties. The most recent by Karl H. Grismer was published by the Summit County Historical Society. The others were the "History of Summit County," by William Henry Perrin, published in 1881; "50 Years of Akron and Summit County," by Minnie W. Franz, 1911. The following historical facts were drawn from those excellent sources.

What is now known as Bath Township was first surveyed by Rial McArthur in 1806. He simply designated it as town 3, range 12. This was shortly after the treaty of Fort Industry, which for the first time legally permitted non-Indians to settle in lands west of the Cuyahoga River.

All of these lands were owned by the Connecticut Land Co. The first known sales were made to Ezekial Williams and Thomas Bull. Jonathan Hale bought a segment of the Bull Estate and came as the first official settler on July 13, 1810. However, he found that squatters Aaron Miller, Gibson Gates, Hezekiah Burdit, Aaron and Mose Decka and Moses Latta had already made a small settlement there.

After the War of 1812, many more settlers followed and within a few years it was officially organized under the name of Wheatfield. Shortly thereafter, the first industry came there—it was the illegal business of counterfeiting. Soon after such legitimate industries as sawmills, distilleries, and flour mills followed.

Many men of this district participated in the War of 1812. The cannonading during the Battle of Lake Erie on September 10, 1813, in which Commodore Oliver Hazard Perry won such a splendid victory over the great British fleet, could be heard within the confines of what is now Bath Township.

Historian Samuel Lane in his book published by the Akron Beacon—the predecessor of our Akron Beacon Journal—gives us a good picture of the community as it then existed. It follows:

When first opened for settlement, remnants of the several tribes of Indians, who had originally inhabited the neighborhood, still lingered in the vicinity, mingling quite freely among the whites, and there exists to this day, within the limits of Bath, the remains of mounds, forts, villages, altars, etc.; while flint spear and arrow heads, stone hammers and axes, mortars, pestles, potteryware, etc., are still occasionally found on the hills and in the valleys of the township. It does not appear that there were any of those deadly feuds between the Indians and the whites of Bath, that were experienced by the early settlers of many of the contiguous townships, though, after the breaking out of the war, the Indians generally fraternizing with the British, there was very great anxiety, and some very narrow escapes from collision and disaster. After the battle upon Lake Erie, and the subsequent capitulation of Detroit, however, the "Noble Red Man" was no more seen within the limits of the township.

Every species of wild beast was also very plenty on the advent of the earlier white settlers of the township, many of whom proved to be very expert hunters, and many thrilling "hair breadth scapes" were formerly, and perhaps, are still to be found in the traditionary lore of the township. Wolves, bears and catamounts were sufficiently numerous to keep the inhabitants constantly on the qui vive for the safety of both their stock and themselves. The writer has often listened with the most intense interest to the graphic stories of the late venerable William Cogswell, and other old timers, of their encounters with the denizens of the forest, which, if they could be correctly put in print, would make mighty interesting reading.

ORGANIZATION, NAME, ET CETERA

The township was not organized until 1818, eight years after the first regular settlement was made, having previously been attached to Northampton. There is no record, or even authentic tradition, of the organization now available, other than that Dr. Henry Hutson was elected justice of the peace, and Eleazer Rice, constable. An undated tally-sheet in the possession of Mr. James M. Hale, announcing Jonathan Hale as a trustee, and Jason Hammond as supervisor. At this first regular "Town Meeting," as, following the good old New England custom, local elections were called, the question of a permanent name for the township was considered. As before stated, by reason of the Hammond element and influence, the original name of "Wheatfield" had gradually been superseded by that of "Hammondsburgh." This was distasteful to many, both on account of its length, and on personal grounds, and quite a number of other names were mooted and urged with considerable spirit, until Mr. Jonathan Hale, really the first regular settler in the township, getting out of patience, and being a little waggish, withal, exclaimed: "O, call it Jersusalem, Jericho, Bath, or anything but Hammondsburgh!" A motion was thereupon immediately made to call it Bath, which was carried by a large majority, and Bath it has remained to the present day, and is, alphabetically, the leading township of the county, being first upon the roll-call at all political and other conventions of Summit county.

Where now rests modern Bath Township, once rested only deerskin wigwams occupied by Indians. These were followed by white settlers with their primitive small bark shanties. Their food was venison, turkey, or bear. Their hardships seemed insurmountable but their courage was great.

With hardly more tools than their bare hands they carved out of this great wilderness a place where they could raise their families. To them, as to the Bath Township citizen of today, the welfare of the family was paramount. These pioneers united for the common good.

Early they adopted the Indian phrase "Do not criticize thy brother unless you walk a mile in his moccasins." In these days of verbal strife, we of this age might well pay heed to that ancient Indian phrase.

Yes, the present occupants may well take a true pride in the pioneers who first brought the tastes of civilization to our beloved community.

It is no more than just that all of northern Ohio join in paying tribute to these hardy men and women.

Bath Township and its sister communities are truly the basis on which we shall build an even greater United States of America. We salute them.

U.N. GLOBAL POVERTY PROGRAM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. RARICK. Mr. Speaker, the United Nations considers it a threat that the U.S. Congress might curtail foreign aid and take some of the load off our taxpayers.

Few Americans are aware that they have been paying for a "global effort to eliminate poverty." See New York Times story below.

Looks like the Poor People's Campaign marched on the wrong capital last month. They should have marched against the U.N. protesting for keeping our tax dollars in the United States to take care of our own poor.

Mr. Speaker, I include a New York Times account of May 30, an Evening Star story of July 2, and a Times of India report of June 26, as follows:

[From the New York Times, May 30, 1968]

RELUCTANCE IN UNITED STATES ON FOREIGN AID WORRIES U.N.—MAJOR AGENCIES SAID TO FEAR SETBACK FOR GLOBAL EFFORT TO ELIMINATE POVERTY

UNITED NATIONS, N.Y., May 29.—Champions of a global war on poverty through the United Nations are increasingly disturbed by signs that the United States is turning away from foreign aid.

The refusal by the Senate Foreign Relations Committee Monday to authorize $200-million for the Asian Development Bank and $140-million to replenish the funds of the International Development Association had a sharp impact here. The senators indicated concern over budgetary and balance-of-payments problems.

Secretary General Thant and the heads of the major United Nations economic agencies have been declaring that the "poverty gap" between the industrialized and developing countries is a growing threat to peaceful coexistence.

"Since the end of the Second World War the rich countries have become richer and the poor countries have become poorer," Mr. Thant said last week. "This widening gulf is, in my view, the most potent and most important source of tensions in the world today."

This judgment is based on a series of recent reports prepared by the Economic and Social Council's Secretariat and the staff of the United Nations Development Program, as well as on a report on the second session of the United Nations Conference on Trade and Development have leveled off at about $9-billion.

These agencies are in the process of assessing the First United Nations Development Decade. This was launched in 1961 by a General Assembly resolution calling on the wealthy countries to contribute 1 percent a year of their gross national product to finance development programs.

Actually, the transfers have averaged three-quarters of 1 per cent a year, and the burden of loan repayments by developing countries has begun to grow so sharply that net transfers of financial resources for development are shrinking.

The World Economic Survey for 1967, issued this week, said that balance-of-payment difficulties in the United States and Britain and growing protectionism in industrial markets against competitive imports from developing countries were casting "a darkening shadow over the foreign-aid scene."

Paul Hoffman, administrator of the United Nations Development Program, which disbursed $144-million for projects and technical assistance last year, is preparing to ask the program's Governing Council to increase annual resources to $350-million by 1970.

This is based on the judgment that "recipient countries require a far greater amount of technical and pre-investment assistance than they have been receiving" as well as on a growing list of worthwhile projects.

The goal of the first Development Decade for some 80 countries was that they should increase their gross national product—the total output of goods and services—by 5 per cent a year.

Until 1966 the average was 4.5 per cent. Only 19 countries exceeded 5 per cent over the period. The high levels of population growth in many of the countries, averaging more than 2 per cent a year, mean that real per capita growth rates are 1 to 2 per cent.

The United States has been the major supplier of foreign aid, both directly and through international institutions.

Many Western countries that had pledged funds to the International Development Association conditioned their contributions on the United States' agreement to do its part.

[From the Washington (D.C.) Evening Star, July 2, 1968]

DRIVE FOR QUOTAS TO CURB IMPORTS STALLED IN HOUSE

(By Lee M. Cohn)

The drive for quota legislation to curb imports of steel and other products has stalled, key members of the House Ways and Means Committee said today.

If the committee approved a general trade bill, they predicted, it will follow the broad outlines of President Johnson's recommendations—and will not include quota provisions.

In a month of hearings ending today, the committee has listened to pleas for import quotas by spokesman for the American steel, textile, dairy and many other industries.

Despite the administration's opposition, the massive campaign for protection against imports has lined up strong congressional support. Nevertheless, the industries demanding quotas apparently have failed to persuade the Ways and Means Committee, which initiates trade legislation.

CLOSED SESSION HINTED

Chairman Wilbur D. Mills, D-Ark., probably will call the committee into closed session late next week to consider its course.

If Congress adjourns for the year by Aug. 3, as the leadership hopes, the committee plans to defer action on trade legislation until 1969. But if Congress returns after a break for the presidential nominating conventions, Mills may try to pass a trade bill.

Although sentiment on the committee has not jelled, key members predict any general trade bill approved this year would conform with Johnson's three major recommendations:

1. Extension of the President's tariff-cutting authority until July 1, 1970. No major

tariff reductions are contemplated beyond those negotiated in the Kennedy Round bargaining concluded last year. But the administration wants "housekeeping" authority to adjust tariffs. The authority expired a year ago.

SELLING PRICE ISSUE

2. Repeal of the "American selling price" system of valuation for imports of benzenoid chemicals and a few other products. This system bases tariffs on the prices charged by American producers of equivalent products, rather than the lower import prices. The result often is much higher tariffs than the purported rates.

If the American selling price system is repealed, foreign countries have agreed to reduce their tariffs on U.S. chemicals below the unconditional cuts negotiated in the Kennedy Round. They also would lower barriers against imports of American autos and tobacco.

3. Liberalization of existing standards for "adjustment assistance," making it easier for Americal companies and workers to qualify for government help when they are injured by imports.

In addition to these three main points, the committee probably will consider loosening standards for "escape clause" relief when import competition hurts American industries. Such an amendment of Johnson's recommendations would make it easier for companies and workers to petition for tariff increases.

CURB FORMULA

Many industries have urged quota legislation to restrain imports, generally by limiting import increases above a base period to some share of the expanding U.S. market.

Sharply rising imports imperil the American economy and the U.S. balance of payments, these industries argue. The administration warns that quotas would provoke foreign retaliation against U.S. exports.

Although the Ways and Means Committee is expected to reject proposals to attach import quotas to the administration's trade bill, it may approve a separate bill for textile quotas. Textile spokesmen apparently have been more persuasive than the steel and other industries.

Johnson almost certainly would veto a separate textile quota bill.

Any trade bill cleared by the Ways and Means Committee would be debated in the House under procedures barring floor amendments to attach import quotas. There would be efforts to add quota amendments in the Senate, however.

[From the Times of India, June 26, 1968]

CUT IN U.S. AID WILL MEAN INDIA'S SHARING WAR COST

WASHINGTON, June 25.—India will soon share the cost of the U.S. military operations in Viet Nam. She will not know it. She will not be consulted. And the exaction will be totally against her wishes.

This is one way of looking at the U.S. decision to reduce her budget expenditure by six billion dollars. Anything between $600 million and one billion dollars will represent a cut in aid of which India has been the biggest recipient.

Now the biggest cut will fall upon her as a part of the economy Congress is introducing to pay for the Viet Nam war. This will represent India's contribution to the war. The only way she can escape is to find a new aid giver to fill the gap. Such a contributor is nowhere in sight.

The rest of the U.S. cut will fall on domestic programmes, including space, education, supersonic transport and highway building.

INCOME TAX SURCHARGE

This is not the only way the U.S. is beginning to finance the war, the cost of which this year will approach $30 billion. The other is a flat ten per cent surcharge on income tax, which is expected to fetch $10 billion.

Americans are beginning to feel the financial pinch of the war, which adds to its unpopularity. So far they have paid for the war through inflation and the steadily rising cost of living. The hope is that the reductions in expenditure and the tax increase will stave off a possible grave financial emergency here and abroad. This could have resulted in a recession at home and a weakening of the dollar abroad.

The impact of the war on the economy began about 1965, when defense spending grew rapidly.

Between early 1965 and the first quarter of 1967 the increase was about 50 per cent in money value, and about 40 per cent in real value. Defence spending rose from seven per cent to about 9.5 per cent of the gross national product.

The defence build-up has accentuated inflationary tendencies. In 1965 total purchases rose by $47 billion. In 1966 they rose by $61 billion. A large part of the rise was due directly to the defence programme.

Even though real output continued to rise at a substantial rate it could not keep up with the acceleration of spending. Naturally, prices jumped. They rose at the rate of four per cent per annum.

Economists generally hold that until now the response to the inflationary upsurge has been slow.

BITTER STRUGGLE

The increase in income-tax has been won through Congress by President Johnson only by yielding to reduce the expenditure. His struggle with Congress, just ended, has been long and bitter.

Failure to take these steps could inevitably have resulted in squeezing investment in housing and net exports. The impact on net exports was already beginning to be felt. The booming economy attracted more imports. The rising costs of manufacture discouraged exports. Net exports declined from $8.2 billion in the second quarter of 1965 to $5.4 billion in the second quarter of 1967.

This, in turn, hurt the balance of payments position. It was in face of this situation that President Johnson announced on January 1 his emergency programme. He imposed mandatory controls on direct investments abroad and other restrictive measures which run counter to the established U.S. policy of free trade and capital movement.

The question now is whether these restrictions will be lifted.

Several results are expected from the fiscal measures. The boom will slow down. The economy will recede from its hectic pace. The balance of payments will show a definite improvement. The dollar will be stronger.

No wonder the markets here and abroad have been heartened by the tax action.

But, for India and the other aid receiving countries there seems no escaping an aid cut.

CONGRESSMAN HORTON FILES NONLETHAL RIOT CONTROL MEASURE

HON. FRANK HORTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 1, 1968

Mr. HORTON. Mr. Speaker, there is an immediate need to strengthen provisions in the Omnibus Crime Control and Safe Street Act of 1968. As pointed out by the President when he signed the measure into law, much more needs to be done.

The present section covering research and development of effective law enforcement tools lacks emphasis on crowd and riot-control methods.

I am today submitting legislation which would earmark $5 million to get nonlethal methods and devices for crowd and riot control into the hands of local law enforcement officials.

The bulk of these funds will go to help the State and local agencies to purchase nonlethal devices and train their men in their use.

The Federal Government would be empowered to contract with public agencies, institutions of higher learning or private organizations to develop these nonlethal methods and devices.

The experience here in Washington last week shows what can be done with nonlethal police weapons to quell an outbreak. The quick use of tear gas by Washington Metropolitan Police forestalled possible serious violence 1 week ago today.

Tear gas is but one of the nonlethal methods which could be used. Little or no recent research has contributed new devices which would incapacitate rioters temporarily, giving police time to restore order without inflicting serious injuries.

There is too much reliance today on firearms to stop disturbances. And it is firearms which have often given the added push to make a riot out of a minor disturbance. Police reliance on lethal weapons increased the use of guns and homemade explosives by lawbreakers.

Police agencies must have the tools to quickly and effectively quell disturbances without bloodshed.

This bill is a call to the scientific and industrial community to use their resources to bring about human answers to the problem of riot control.

We cannot tolerate disturbances, but we also cannot permit the bloodshed that has been prevalent in the disorders which have faced communities for the past 5 years.

Under my proposed Humane Law Enforcement and Riot Control Act special emphasis is put on the safeguarding of nonlethal devices. No State or local agency would be permitted to sell or give any device developed under the act to any person not engaged in official law enforcement activity.

CECIL WEBSTER DAY

HON. HORACE R. KORNEGAY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. KORNEGAY. Mr. Speaker, on June 24, many residents of Alamance County, N.C., and other citizens of North Carolina paid honor to a friend, a constitutent, and fellow member of the Loyal Order of the Moose.

I have had the privilege to know Cecil D. Webster for a number of years. After many years of dedicated service to the fraternity, Cecil Webster was chosen to be the supreme governor of Moose. So, in celebration of this significant achievement and in honor of Cecil Webster, thousands of fellow townsmen and others helped make June 24 an historic day in Burlington.

Because official duties of the Congress

caused me to be out of the country on that day, I was not privileged to share in the festive occasion. Yet, I was there in spirit. My good friend, the editor of the Burlington Daily Times-News, Howard White, has sent me clippings from his paper which describe the happenings on Cecil Webster Day.

I would like at this point to insert copies of these articles in the Congressional Record, so that those who read the journal of these proceedings might also share in that event.

The articles follow:

Local, State Leaders Pay Tribute: Webster Gets Honors on Election to Top Moose Post

(By Jack Holmes)

In response to an outpouring of congratulations and expressions of confidence in him, the Supreme Governor of the Loyal Order of Moose, Cecil D. Webster of the Burlington Moose Lodge, yesterday pledged himself "to do everything in my power to make fraternalism a part of everyday life."

Mr. Webster, who was elected as top officer of the 1.5 million member fraternity last Thursday in Chicago, was honored here yesterday as the day was proclaimed Cecil D. Webster Day by Mayor W. L. Beamon.

Following an 11 a.m. parade in downtown Burlington to officially welcome him back home, Mr. Webster was honored at a luncheon at the Moose Lodge, attended by more than 125 top local leaders from many fields, state officials and outstanding Moose from throughout the state.

Gov. Dan K. Moore, a member of the local lodge, was unable to attend due to other commitments, but he sent a letter of congratulations and his top administrative aid, Charles Dunn.

Mr. Dunn called Mr. Webster's election to his fraternity's highest office "not just an honor, but also a recognition of Cecil's years of hard work and service.'

He said, "Gov. Moore has a program he calls his Total Development Program, and I can think of no organization that contributes more to this program, which is one to make possible a better life for every man, woman and child in the state."

STATE OFFICIAL HERE

Mr. Dunn cited the many services the Moose fraternity does for communities in the state and the state as a whole. He concluded by noting that the supreme governor, the first ever from North Carolina and the South as a whole, had more members of the council of State of North Carolina present than Gov. Moore had in a meeting of the Council of State yesterday morning.

Present from the Council of State were State Treasurer Edwin Gill, Commissioner of Insurance Edwin Lanier, Attorney General Wade Bruton, and Commissioner of Labor Frank Crane.

Mayor W. L. Beamon congratulated Mr. Webster on behalf of the City of Burlington and called "organizations such as the Moose, which do so much for the community, a nucleus of strength for Burlington and Alamance County."

"All of Burlington and Alamance County feel proud that one of our citizens has been elected to this high office," the mayor concluded.

In a unique amplified Southern Bell telephone hookup, Sen. B. Everett Jordan in Washington, D.C., James K. Seymour in New York, and Oliver Twist of Philadelphia congratulated Mr. Webster and the Burlington lodge for the honors they have received.

Sen. Jordan who pointed to his own membership in the local lodge, said he couldn't be present because he was working on a federal highway bill "trying to get more and better roads for North Carolina."

"Cecil will make a great contribution to the Moose Order," said the senator, as he expressed his own pride in a local lodge member being so honored.

The senator also cited the local, state and national programs of the order, which he said do a tremendous job in providing a better life for men, women and children throughout the United States and much of the world.

Mr. Seymour, president of Associated Transport, for which Mr. Webster is supervisor of security, said, "Cecil, I want you to know that you make a lot of people proud. Those with Associated at the terminal in Burlington are undoubtedly proud. Those of us in New York are proud. Those who are with us all over our network are proud."

Mr. Seymour said that Mr. Webster's mission as supreme governor "is to serve as a leader for thousands upon thousands of people as they serve their lodges and as the lodges serve their communities and as the communities come together to serve our nation."

Mr. Twist, who was supreme governor of the Loyal Order of Moose when the local lodge was instituted in 1950, said, "Little did I know 18 years ago that you, Cecil, would one day be one in a million men to receive this high honor.

"The Moose fraternity will be the gainer during your term in office," he said as he also reviewed the progress which Mr. Webster and the local lodge have made during the years.

LETTERS RECEIVED

Several dignitaries who could not attend yesterday's events here sent letters of congratulations. Some of these were from Will Sparks of President Lyndon B. Johnson's office, Lt. Gov. Robert W. Scott, Sen. Ralph Scott, and Rep. Horace R. Kornegay, and from William I. Fayle, director of the Transportation Division of Burlington Industries.

Governor of the Burlington Moose Lodge Robert Sexton presented a scrapbook to Mr. Webster, which contains mementoes of Cecil D. Webster Day and of the past two weeks when he was elected Supreme governor and honored nationally. Included, also, is an authographed photo which President Johnson sent in his message of congratulations.

Mr. Webster, in his remarks to the gathering in his honor, gave credit for his accomplishments to people in Alamance County, and particularly to people with whom he works at Associated and the members of the local Moose Lodge.

HONORED LAST NIGHT

He was also honored last night at a Family night Dinner, when members of the lodge met with him in further tribute.

Indicative of the type of leadership that has supported him in his fraternal career, he noted, are honors received by other members of the local lodge this year.

John K. Blanchard received the Pilgrim Degree, the highest degree of the order, at the international convention last week in Chicago.

Edgar Poteat received the Fellowship Degree, second highest degree; and Bonnie Colarusso of the Women of the Moose here received the College of Regents Degree, highest Degree of the Women of the Moose.

Also, the local lodge's Ritual Degree Team three times in the past 18 years has been the international champion of the order, and is currently the state champion team. Jack Wells of the degree team received second place in the individual ritual competition in Chicago this year.

Times-News Editor A. Howard White was master-of-ceremonies for the luncheon yesterday. Dr. J. Earl Danieley, president of Elon College, gave the invocation.

Immediate past governor of the local lodge, Glenn Cartner, introduced visiting Moose dignitaries from throughout the state.

Cecil D. Webster and the Moose—A High and Worthy Recognition

A worthy tribute, made through Cecil D. Webster Day here yesterday, stretches now beyond the recognition given to one of our citizens. It also reflects the spirit of our area in appreciating those who serve us and whose efforts build into a better community.

It is a significant honor which the Loyal Order of the Moose has given to Mr. Webster, placing him at the helm of an international membership of 1.5 million. It is his responsibility during the coming year to see that the highest possible potential develops into reality from the more than 1,000 lodges and from their members as they express themselves to fraternal and community needs.

Through the program which will be recorded in the lodge's history, Supreme Gov. Webster will place his mark on the interests and the welfare of the children at Mooseheart, as well as the elderly at Moosehaven. Top-level decisions and suggestions also will move to the local levels of the nation and abroad as projects are explored for what they can mean in meeting needs. Week by week these many efforts will record a response beyond themselves, meaning that whole communities, not just a lodge, will benefit.

How many children, for instance, have known a new pair of shoes when no shoes were available before the Moose became interested? How many homes have known the response of a local lodge when a member, even a non-member, needed help because of misfortune or reversal? How many people have known the inner satisfaction of expanded citizenship because a Moose Lodge opened opportunities that stretched in service to others?

It is in this area of interest and dedication that Cecil Webster decided many years ago that he would give of himself, and he, in turn, has never yielded. He has had a responsible position to fill at Associated Transport, but he also has found time to fill responsible positions in the local lodge, in the state and regional associations, and later on the national and international level. His leadership, in turn, has been registered strongly, and now the fraternity has come to him and has found him willing to be its spokesman and leader for this year.

Certainly the local lodge is proud.

But so are Burlington, Alamance County and North Carolina proud. In the long history of the Moose, no other member from our state and our Southern region has been so signally honored by those who accept from Moose its spirit of service and, in turn, give themselves to it.

Let our area, then, join those who were permitted to respond in their own ways at Cecil D. Webster Day yesterday. As his home city and county, we join in an expression of pride in him and pride in the organization which he now heads, reflected directly upon us and in its far-reaching lodges. Dedication in service to help others is an inspiration of the Moose. It also serves as an influence to others in building for better tomorrows.

Faces Heavy Schedule: Webster Views Year Ahead

(By Jack Holmes)

He was tired, and he was glad to see a hectic two-week schedule coming to an end.

Cecil D. Webster, settled back on a sofa at Burlington Moose Lodge No. 649, recalled the past two weeks, a high point of which was his election to the post of supreme governor of the Loyal Order of the Moose and its 1.5 million members.

The lull that he was enjoying is to be shortlived, though, because beginning this weekend he will assume his official duties as the top elected official of the international fraternity.

He spoke of the activities in Burlington yesterday honoring him for his accomplishments as a "grand finale for all the events of the past several days."

People from throughout Alamance County honored the local man, who is also chief security officer for Associated Transport, yesterday with a parade in his honor, and a luncheon at the local lodge, Mr. Webster's home lodge, which drew officials and dignitaries from throughout Alamance County, the state and the nation.

"I really appreciate this outpouring from the citizens of Burlington and all of Alamance County and their many expressions of confidence in me" he said.

"I would like to take this opportunity to express my gratitude for being allowed to be a part of this community for the past 18 years," he added, "and to say it has been the concern and cooperation of the community, my employer, and especialy the members of the Burlington lodge that have made all this possible for me."

Mr. Webster was instrumental in organizing the local Moose Lodge in 1950 after moving here from Roanoke, Va., where he had long been active in the Moose activities there.

Returning from Chicago, the site of the annual international convention of the order, Mr. Webster stopped in his former home, Roanoke, where he was also honored for his accomplishments.

The high point of events there came Sunday when he was surprised by a "This Is Your Life" program, in which many of his relatives and friends participated to help him relive his past and many fond memories.

Mrs. Webster was with him in Chicago, at the Roanoke program, and was with him throughout yesterday's activities here.

Ed Webster of the N.C. State Bureau of Investigation, a resident of Burlington, and Mrs. Catherine Ann Crouse, two of his children, were in Roanoke to be with Mr. Webster during the unique program and were present for the program here yesterday.

A third child, Mrs. Danielle Wilson who lives in Okinawa, where her husband is in the U.S. Air Force, could not be in Roanoke, but she did the next best thing.

She spoke to her father on the occasion via a taped message flown from Okinawa.

For the next three days, Mr. Webster plans to try to sandwich some rest in between catching up on his work with Associated Transport and answering a big stack of mail that has piled up here during the past two weeks.

Then on Friday, he will begin his official duties as supreme governor in earnest—making an official visit to Wichita, Kansas.

He does not know just how much he will be away from Burlington during the coming year as supreme governor, but indications are that it will be more than he is here.

He already knows he will be in Rochester, N.Y., in August for the State Moose Association meeting there; in Pennsylvania in September, as well as in Canada; then back to Canada in October as well as in most of the northwestern states of the U.S.; then in California and Florida in December.

He will preside over the Supreme Council of the Loyal Order of Moose during the visit to the Northwestern states in December, as the board of directors of the international organization handles business and affairs that affect members of the huge fraternity.

These are just a few of the commitments he knows he has now, and he was only installed less than five days ago in Chicago.

The theme of the international order during his one-year term, which runs through June 30, 1969, is "Total Energy," a program that will be directed at producing maximum effort of all local lodges and the international fraternity as a whole to advance the lodges, the communities of which they are a part and to promote the "practice of fraternalism" among men.

Also, the order will undertake a massive project to furnish the children at Mooseheart, Fla., the order's "Child City", with the best possible opportunities.

Specific projects at Mooseheart will be replacement of heating, air conditioning and maintenance facilities there to insure comfort and well-being of the wards of the order.

Last year's emphasis was on Moosehaven, the fraternity's city for their aged—where a modern, new hospital was completed and pressed into service.

Mr. Webster's role for the coming year will be many things—but one of his major roles will be that of "voice of the order," in addition to the one as a working leader.

IT SOLVED PROBLEMS: VISITING SPEAKERS—BY TELEPHONE

The development of electronic communications and the change it can bring in the future has been a favorite topic for forecasters over a period of several years.

The Cecil D. Webster Day luncheon here, however, showed that some areas of earlier forecasting have moved into reality, as equipment and talent from Southern Bell through George Mullen and Keith McNeil allowed three guests to come into the Moose Lodge hall by amplified telephone when it was not possible for them to attend in person.

Moose officials had invited Sen. B. Everett Jordan, President James K. Seymour of Associated Transport and Oliver Twist of Philadelphia, supreme governor of the Moose when the local lodge was instituted in 1951, to attend the luncheon to add to the tribute being paid to the new Moose supreme governor, Cecil Webster.

Neither could attend because of prior commitments, though each was trying to rearrange schedules to be here when the amplified telephone was arranged with Manager George Mullen of the local Southern Bell office. This, in turn, solved conflicts, for each could be here by telephone which brought their greetings and remarks of tribute to Cecil over a loud speaker.

George arranged for an operator to be assigned to the calls, after each of the telephone guests had been asked to stand by between 1 and 1:30 p.m.

Just as Mayor W. L. Beamon had completed his remarks on Burlington's pride in the honor which has come to Cecil, the operator had Sen. Jordan on the phone, then had Jim Seymour standing by for his call, and then moved to Mr. Twist. Each of the telephonic visitors came in clear and each, too, added a great deal to the program and the scope of the expressions given to Cecil.

Those who are trained in such technicalities possibly describe the amplified telephone and the details that are a part of making it work as relatively simple.

Yet, there was, in effect, a new type of program arrangement for Cecil that undoubtedly will grow in time to come.

We also can see through the equipment used at the lodge how electronic engineers actually forecast the changes that will come in business conferences and other such affairs when we were able to witness how conversations can be carried by long distance with such effectiveness.

Rep. Horace Kornegay also would have been a part of the telephone lineup, except that a connection at a convenient hour could not be made in Belgium, where he is this week on congressional assignment.

It was a significant luncheon, of course, with much tribute on the scene from Mayor Beamon and Charles Dunn, representing Gov. Moore. Thanks to Southern Bell's George Mullen and Keith McNeil, however, a big problem also was solved in having three men here for the program but who could not have been had the telephone not been available.

HE HAS THE HIGHEST TRIBUTE

There were many comments being made throughout the area yesterday about the way the many people had come together to make the Cecil W. Webster Day the success it was.

There was one point that went unquestioned: Cecil can know that as he now moves to his vast assignment, he has a tribute from his home area that rises to be the most honored that ever has been given to a single individual in current history.

And as we look back, what seems to stand out?

We simply recall hearing the several times Cecil mentioned how President James K. Seymour of Associated Transport had joined the program by letter and by telephone and by having James A. Barnwell of Burlington, an Associated director, at the luncheon as his representative. Mr. Barnwell was seated at the head table with him.

Cecil showed that this was something he felt in special appreciation—among the many appreciations he expressed for the day for those of the local lodge and all others who were a part of it. Associated in working closely with Cecil to make sure he can meet his Moose commitments.

SPECIAL TRIBUTE

Charles Dunn, as Gov. Moore's chief administrative assistant, added a special tribute that he had not planned as he took the floor.

He told that Gov. Moore had a Council of State meeting three hours earlier.

But then he cited the presence at the speaker's table of Attorney Gen. Wade Bruton, Commissioners of Labor Frank Crane, State Treasurer Edwin Gill, and Commissioner of Insurance Edwin Lanier.

"Supreme Gov. Webster," he said, "you have more members of our Council of State with you today than the Gov. Moore had with him this morning."

SENATE—*Wednesday, July 3, 1968*

The Senate met at 9 a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God, author of liberty, as our Nation comes once more to the birthday of its daring advent among the established governments of the world, may the vivid remembrance of the dark and doubtful days of its beginnings stir the citizens of the Republic to mighty resolves as dangers threaten, more formidable than the founding patriots ever knew.

May this latest natal day of the state find in the hearts of all true Americans a vow, registered in Heaven, that no sacrifice will be avoided as too costly to defend and preserve our freedoms, as diabolical forces that have not Thee in awe plot their destruction.

We would solemnly reaffirm the reverent declaration of those who so long ago, with intrepid faith, stepped upon the shores of this promised land with the motto "in the name of God. Amen."

With the sound of that great amen as

caused me to be out of the country on that day, I was not privileged to share in the festive occasion. Yet, I was there in spirit. My good friend, the editor of the Burlington Daily Times-News, Howard White, has sent me clippings from his paper which describe the happenings on Cecil Webster Day.

I would like at this point to insert copies of these articles in the Congressional Record, so that those who read the journal of these proceedings might also share in that event.

The articles follow:

Local, State Leaders Pay Tribute: Webster Gets Honors on Election to Top Moose Post

(By Jack Holmes)

In response to an outpouring of congratulations and expressions of confidence in him, the Supreme Governor of the Loyal Order of Moose, Cecil D. Webster of the Burlington Moose Lodge, yesterday pledged himself "to do everything in my power to make fraternalism a part of everyday life."

Mr. Webster, who was elected as top officer of the 1.5 million member fraternity last Thursday in Chicago, was honored here yesterday as the day was proclaimed Cecil D. Webster Day by Mayor W. L. Beamon.

Following an 11 a.m. parade in downtown Burlington to officially welcome him back home, Mr. Webster was honored at a luncheon at the Moose Lodge, attended by more than 125 top local leaders from many fields, state officials and outstanding Moose from throughout the state.

Gov. Dan K. Moore, a member of the local lodge, was unable to attend due to other commitments, but he sent a letter of congratulations and his top administrative aid, Charles Dunn.

Mr. Dunn called Mr. Webster's election to his fraternity's highest office "not just an honor, but also a recognition of Cecil's years of hard work and service."

He said, "Gov. Moore has a program he calls his Total Development Program, and I can think of no organization that contributes more to this program, which is one to make possible a better life for every man, woman and child in the state."

STATE OFFICIAL HERE

Mr. Dunn cited the many services the Moose fraternity does for communities in the state and the state as a whole. He concluded by noting that the supreme governor, the first ever from North Carolina and the South as a whole, had more members of the council of State of North Carolina present than Gov. Moore had in a meeting of the Council of State yesterday morning.

Present from the Council of State were State Treasurer Edwin Gill, Commissioner of Insurance Edwin Lanier, Attorney General Wade Bruton, and Commissioner of Labor Frank Crane.

Mayor W. L. Beamon congratulated Mr. Webster on behalf of the City of Burlington and called "organizations such as the Moose, which do so much for the community, a nucleus of strength for Burlington and Alamance County."

"All of Burlington and Alamance County feel proud that one of our citizens has been elected to this high office," the mayor concluded.

In a unique amplified Southern Bell telephone hookup, Sen. B. Everett Jordan in Washington, D.C., James K. Seymour in New York, and Oliver Twist of Philadelphia congratulated Mr. Webster and the Burlington lodge for the honors they have received.

Sen. Jordan who pointed to his own membership in the local lodge, said he couldn't be present because he was working on a federal highway bill "trying to get more and better roads for North Carolina."

"Cecil will make a great contribution to the Moose Order," said the senator, as he expressed his own pride in a local lodge member being so honored.

The senator also cited the local, state and national programs of the order, which he said do a tremendous job in providing a better life for men, women and children throughout the United States and much of the world.

Mr. Seymour, president of Associated Transport, for which Mr. Webster is supervisor of security, said, "Cecil, I want you to know that you make a lot of people proud. Those with Associated at the terminal in Burlington are undoubtedly proud. Those of us in New York are proud. Those who are with us all over our network are proud."

Mr. Seymour said that Mr. Webster's mission as supreme governor "is to serve as a leader for thousands upon thousands of people as they serve their lodges and as the lodges serve their communities and as the communities come together to serve our nation."

Mr. Twist, who was supreme governor of the Loyal Order of Moose when the local lodge was instituted in 1950, said, "Little did I know 18 years ago that you, Cecil, would one day be one in a million men to receive this high honor.

"The Moose fraternity will be the gainer during your term in office," he said as he also reviewed the progress which Mr. Webster and the local lodge have made during the years.

LETTERS RECEIVED

Several dignitaries who could not attend yesterday's events here sent letters of congratulations. Some of these were from Will Sparks of President Lyndon B. Johnson's office, Lt. Gov. Robert W. Scott, Sen. Ralph Scott, and Rep. Horace R. Kornegay, and from William I. Fayle, director of the Transportation Division of Burlington Industries.

Governor of the Burlington Moose Lodge Robert Sexton presented a scrapbook to Mr. Webster, which contains mementoes of Cecil D. Webster Day and of the past two weeks when he was elected Supreme governor and honored nationally. Included, also, is an authographed photo which President Johnson sent in his message of congratulations.

Mr. Webster, in his remarks to the gathering in his honor, gave credit for his accomplishments to people in Alamance County, and particularly to people with whom he works at Associated and the members of the local Moose Lodge.

HONORED LAST NIGHT

He was also honored last night at a Family night Dinner, when members of the lodge met with him in further tribute.

Indicative of the type of leadership that has supported him in his fraternal career, he noted, are honors received by other members of the local lodge this year.

John K. Blanchard received the Pilgrim Degree, the highest degree of the order, at the international convention last week in Chicago.

Edgar Poteat received the Fellowship Degree, second highest degree; and Bonnie Colarusso of the Women of the Moose here received the College of Regents Degree, highest Degree of the Women of the Moose.

Also, the local lodge's Ritual Degree Team three times in the past 18 years has been the international champion of the order, and is currently the state champion team. Jack Wells of the degree team received second place in the individual ritual competition in Chicago this year.

Times-News Editor A. Howard White was master-of-ceremonies for the luncheon yesterday. Dr. J. Earl Danieley, president of Elon College, gave the invocation.

Immediate past governor of the local lodge, Glenn Cartner, introduced visiting Moose dignitaries from throughout the state.

Cecil D. Webster and the Moose—A High and Worthy Recognition

A worthy tribute, made through Cecil D. Webster Day here yesterday, stretches now beyond the recognition given to one of our citizens. It also reflects the spirit of our area in appreciating those who serve us and whose efforts build into a better community.

It is a significant honor which the Loyal Order of the Moose has given to Mr. Webster, placing him at the helm of an international membership of 1.5 million. It is his responsibility during the coming year to see that the highest possible potential develops into reality from the more than 1,000 lodges and from their members as they express themselves to fraternal and community needs.

Through the program which will be recorded in the lodge's history, Supreme Gov. Webster will place his mark on the interests and the welfare of the children at Mooseheart, as well as the elderly at Moosehaven. Top-level decisions and suggestions also will move to the local levels of the nation and abroad as projects are explored for what they can mean in meeting needs. Week by week these many efforts will record a response beyond themselves, meaning that whole communities, not just a lodge, will benefit.

How many children, for instance, have known a new pair of shoes when no shoes were available before the Moose became interested? How many homes have known the response of a local lodge when a member, even a non-member, needed help because of misfortune or reversal? How many people have known the inner satisfaction of expanded citizenship because a Moose Lodge opened opportunities that stretched in service to others?

It is in this area of interest and dedication that Cecil Webster decided many years ago that he would give of himself, and he, in turn, has never yielded. He has had a responsible position to fill at Associated Transport, but he also has found time to fill responsible positions in the local lodge, in the state and regional associations, and later on the national and international level. His leadership, in turn, has been registered strongly, and now the fraternity has come to him and has found him willing to be its spokesman and leader for this year.

Certainly the local lodge is proud.

But so are Burlington, Alamance County and North Carolina proud. In the long history of the Moose, no other member from our state and our Southern region has been so signally honored by those who accept from Moose its spirit of service and, in turn, give themselves to it.

Let our area, then, join those who were permitted to respond in their own ways at Cecil D. Webster Day yesterday. As his home city and county, we join in an expression of pride in him and pride in the organization which he now heads, reflected directly upon us and in its far-reaching lodges. Dedication in service to help others is an inspiration of the Moose. It also serves as an influence to others in building for better tomorrows.

Faces Heavy Schedule: Webster Views Year Ahead

(By Jack Holmes)

He was tired, and he was glad to see a hectic two-week schedule coming to an end.

Cecil D. Webster, settled back on a sofa at Burlington Moose Lodge No. 649, recalled the past two weeks, a high point of which was his election to the post of supreme governor of the Loyal Order of the Moose and its 1.5 million members.

The lull that he was enjoying is to be shortlived, though, because beginning this weekend he will assume his official duties as the top elected official of the international fraternity.

He spoke of the activities in Burlington yesterday honoring him for his accomplishments as a "grand finale for all the events of the past several days."

People from throughout Alamance County honored the local man, who is also chief security officer for Associated Transport, yesterday with a parade in his honor, and a luncheon at the local lodge, Mr. Webster's home lodge, which drew officials and dignitaries from throughout Alamance County, the state and the nation.

"I really appreciate this outpouring from the citizens of Burlington and all of Alamance County and their many expressions of confidence in me" he said.

"I would like to take this opportunity to express my gratitude for being allowed to be a part of this community for the past 18 years," he added, "and to say it has been the concern and cooperation of the community, my employer, and especialy the members of the Burlington lodge that have made all this possible for me."

Mr. Webster was instrumental in organizing the local Moose Lodge in 1950 after moving here from Roanoke, Va., where he had long been active in the Moose activities there.

Returning from Chicago, the site of the annual international convention of the order, Mr. Webster stopped in his former home, Roanoke, where he was also honored for his accomplishments.

The high point of events there came Sunday when he was surprised by a "This Is Your Life" program, in which many of his relatives and friends participated to help him relive his past and many fond memories.

Mrs. Webster was with him in Chicago, at the Roanoke program, and was with him throughout yesterday's activities here.

Ed Webster of the N.C. State Bureau of Investigation, a resident of Burlington, and Mrs. Catherine Ann Crouse, two of his children, were in Roanoke to be with Mr. Webster during the unique program and were present for the program here yesterday.

A third child, Mrs. Danielle Wilson who lives in Okinawa, where her husband is in the U.S. Air Force, could not be in Roanoke, but she did the next best thing.

She spoke to her father on the occasion via a taped message flown from Okinawa.

For the next three days, Mr. Webster plans to try to sandwich some rest in between catching up on his work with Associated Transport and answering a big stack of mail that has piled up here during the past two weeks.

Then on Friday, he will begin his official duties as supreme governor in earnest—making an official visit to Wichita, Kansas.

He does not know just how much he will be away from Burlington during the coming year as supreme governor, but indications are that it will be more than he is here.

He already knows he will be in Rochester, N.Y., in August for the State Moose Association meeting there; in Pennsylvania in September, as well as in Canada; then back to Canada in October as well as in most of the northwestern states of the U.S.; then in California and Florida in December.

He will preside over the Supreme Council of the Loyal Order of Moose during the visit to the Northwestern states in December, as the board of directors of the international organization handles business and affairs that affect members of the huge fraternity.

These are just a few of the commitments he knows he has now, and he was only installed less than five days ago in Chicago.

The theme of the international order during his one-year term, which runs through June 30, 1969, is "Total Energy," a program that will be directed at producing maximum effort of all local lodges and the international fraternity as a whole to advance the lodges, the communities of which they are a part and to promote the "practice of fraternalism" among men.

Also, the order will undertake a massive project to furnish the children at Mooseheart, Fla., the order's "Child City", with the best possible opportunities.

Specific projects at Mooseheart will be replacement of heating, air conditioning and maintenance facilities there to insure comfort and well-being of the wards of the order.

Last year's emphasis was on Moosehaven, the fraternity's city for their aged—where a modern, new hospital was completed and pressed into service.

Mr. Webster's role for the coming year will be many things—but one of his major roles will be that of "voice of the order," in addition to the one as a working leader.

IT SOLVED PROBLEMS: VISITING SPEAKERS—BY TELEPHONE

The development of electronic communications and the change it can bring in the future has been a favorite topic for forecasters over a period of several years.

The Cecil D. Webster Day luncheon here, however, showed that some areas of earlier forecasting have moved into reality, as equipment and talent from Southern Bell through George Mullen and Keith McNeil allowed three guests to come into the Moose Lodge hall by amplified telephone when it was not possible for them to attend in person.

Moose officials had invited Sen. B. Everett Jordan, President James K. Seymour of Associated Transport and Oliver Twist of Philadelphia, supreme governor of the Moose when the local lodge was instituted in 1951, to attend the luncheon to add to the tribute being paid to the new Moose supreme governor, Cecil Webster.

Neither could attend because of prior commitments, though each was trying to rearrange schedules to be here when the amplified telephone was arranged with Manager George Mullen of the local Southern Bell office. This, in turn, solved conflicts, for each could be here by telephone which brought their greetings and remarks of tribute to Cecil over a loud speaker.

George arranged for an operator to be assigned to the calls, after each of the telephone guests had been asked to stand by between 1 and 1:30 p.m.

Just as Mayor W. L. Beamon had completed his remarks on Burlington's pride in the honor which has come to Cecil, the operator had Sen. Jordan on the phone, then had Jim Seymour standing by for his call, and then moved to Mr. Twist. Each of the telephonic visitors came in clear and each, too, added a great deal to the program and the scope of the expressions given to Cecil.

Those who are trained in such technicalities possibly describe the amplified telephone and the details that are a part of making it work as relatively simple.

Yet, there was, in effect, a new type of program arrangement for Cecil that undoubtedly will grow in time to come.

We also can see through the equipment used at the lodge how electronic engineers actually forecast the changes that will come in business conferences and other such affairs when we were able to witness how conversations can be carried by long distance with such effectiveness.

Rep. Horace Kornegay also would have been a part of the telephone lineup, except that a connection at a convenient hour could not be made in Belgium, where he is this week on congressional assignment.

It was a significant luncheon, of course, with much tribute on the scene from Mayor Beamon and Charles Dunn, representing Gov. Moore. Thanks to Southern Bell's George Mullen and Keith McNeil, however, a big problem also was solved in having three men here for the program but who could not have been had the telephone not been available.

HE HAS THE HIGHEST TRIBUTE

There were many comments being made throughout the area yesterday about the way the many people had come together to make the Cecil W. Webster Day the success it was.

There was one point that went unquestioned: Cecil can know that as he now moves to his vast assignment, he has a tribute from his home area that rises to be the most honored that ever has been given to a single individual in current history.

And as we look back, what seems to stand out?

We simply recall hearing the several times Cecil mentioned how President James K. Seymour of Associated Transport had joined the program by letter and by telephone and by having James A. Barnwell of Burlington, an Associated director, at the luncheon as his representative. Mr. Barnwell was seated at the head table with him.

Cecil showed that this was something he felt in special appreciation—among the many appreciations he expressed for the day for those of the local lodge and all others who were a part of it. Associated in working closely with Cecil to make sure he can meet his Moose commitments.

SPECIAL TRIBUTE

Charles Dunn, as Gov. Moore's chief administrative assistant, added a special tribute that he had not planned as he took the floor.

He told that Gov. Moore had a Council of State meeting three hours earlier.

But then he cited the presence at the speaker's table of Attorney Gen. Wade Bruton, Commissioners of Labor Frank Crane, State Treasurer Edwin Gill, and Commissioner of Insurance Edwin Lanier.

"Supreme Gov. Webster," he said, "you have more members of our Council of State with you today than the Gov. Moore had with him this morning."

SENATE—*Wednesday, July 3, 1968*

The Senate met at 9 a.m., and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God, author of liberty, as our Nation comes once more to the birthday of its daring advent among the established governments of the world, may the vivid remembrance of the dark and doubtful days of its beginnings stir the citizens of the Republic to mighty resolves as dangers threaten, more formidable than the founding patriots ever knew.

May this latest natal day of the state find in the hearts of all true Americans a vow, registered in Heaven, that no sacrifice will be avoided as too costly to defend and preserve our freedoms, as diabolical forces that have not Thee in awe plot their destruction.

We would solemnly reaffirm the reverent declaration of those who so long ago, with intrepid faith, stepped upon the shores of this promised land with the motto "in the name of God. Amen."

With the sound of that great amen as

our summons in these stirring new days, we would be true to the vision splendid of a redeemed earth. For this cause we set up our banners in this, Thy glorious day.

We ask it in the name of the Christ whose saving truth is marching on. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Tuesday, July 2, 1968, be dispensed with.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1313, 1318, 1324, and 1325.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

AMENDMENT OF THE ACT OF JUNE 19, 1968

The bill (S. 3679) to amend the act of June 19, 1968, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3679

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clauses (1), (2), and (3) of section 520(b) of the Act of June 19, 1968 (Public Law 351, Ninetieth Congress), are amended by striking out "302" each time it appears and inserting in lieu thereof "301".

SEC. 2. The caption of title II of the Act of June 19, 1968 (Public Law 351, Ninetieth Congress), immediately preceding section 701 thereof is amended to read as follows:

"TITLE II—ADMISSIBILITY OF CONFESSIONS AND ADMISSIBILITY OF EYEWITNESS TESTIMONY"

SEC. 3. Section 1401(a) of the Act of June 19, 1968 (Public Law 351, Ninetieth Congress), is amended by striking out "Chapter 204" and inserting in lieu thereof "Chapter 205".

EMPLOYMENT OPPORTUNITIES FOR RETURNING VETERANS

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 705) to assist veterans of the Armed Forces of the United States who have served in Vietnam or elsewhere in obtaining suitable employment, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 2, line 8, after the word "or" strike out "elsewhere during the Vietnam era;" and insert "elsewhere;"; and in line 13, after the word "such" where it appears the second time, strike out "action, through the process of procurement for the Government of material, supplies, services, and equipment from private industry and through other means," and insert "lawful action."

The amendments were agreed to.

The concurrent resolution, as amended, was agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1337), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of House Concurrent Resolution 705 is to express the sense of the Congress that employment opportunities should be made available to veterans who return from military service in Vietnam and elsewhere, and that every possible effort should be made by the Government and private enterprise to give priority in their employment programs to such veterans.

STATEMENT

This Nation deeply appreciates and gratefully acknowledges the sacrifices made by members of our Armed Forces in Vietnam and elsewhere—sacrifices which give them a place of high honor in our history. And it recognizes a fundamental obligation to offer appropriate assistance on their return to civilian life.

Each month more than 70,000 servicemen are discharged from the Armed Forces. In many cases, in Vietnam and elsewhere, these men and women have risked their lives daily and borne extreme hardship. In all cases, they have contributed to the national security and the national welfare. Moreover, they have sacrificed personal comfort and gain for the service of the Nation—passing up opportunities and interrupting their careers to serve their country in time of need.

For their work on active duty these men have earned the admiration and respect of a grateful Nation. They have earned also the right to our attention and assistance on their return.

They deserve this attention not just in appreciation for sacrifices they have made on the battlefield and elsewhere, although this would be reason enough.

They deserve this attention also because they represent a resource which society can utilize to the best advantage of all concerned. These men and women have acquired wisdom and judgment by having handled responsibility in critical situations. They have demonstrated discipline and ability.

With these qualities and background, returning veterans can be among our most constructive and valuable citizens, if only they are given the chance to channel their talents in a productive way. They are promising and responsible employee prospects anxious to get started in a career.

The Federal Government and private industry have a great opportunity to express both appreciation for services rendered on active duty and recognition of potential contribution as civilians. They can help to meet the most immediate and tangible need of a majority of returning servicemen—the need to secure a job consistent with their ability.

Enactment of House Concurrent Resolution 705 will place the Congress on record in support of granting employment priorities to facilitate the transition and readjustment to civilian life of veterans returning from Vietnam and elsewhere. The committee believes that this expression of support—aimed at giving returning servicemen a fair chance to resume their careers after interruption to serve the Nation—reflects the grateful sentiments and desires of all Americans.

While the provisions of House Concurrent Resolution 705 will not be mandatory upon either the Government or private industry, the committee feels that this expression of the sense of Congress will be a powerful force, both in bringing the problem of the returning veterans to the attention of employers, and in enlisting their aid to make suitable employment promptly available.

In considering House Concurrent Resolution 705, the committee also recognizes the importance of an effective program, coordinated by the Veterans' Administration, the U.S. Civil Service Commission, and the Department of Labor, to locate employment opportunities in the public and private sectors and channel returning veterans to appropriate positions.

COST

Since the objectives and purposes of House Concurrent Resolution 705 will be carried out for the Government primarily through the existing facilities of the Veterans' Administration, the U.S. Civil Service Commission, and the Department of Labor, any increased cost to the Government will not be material.

The preamble was agreed to.

RECLAMATION PROJECT FEASIBILITY STUDIES

The bill (S. 3575) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3575

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to engage in feasibility studies of the following proposals:

(1) Missouri River Basin project, Longs Peak division, Front Range unit, in Cache la Poudre River and Saint Vrain Creek Basins and adjacent areas in the general vicinity of Boulder, Colorado;

(2) Missouri River Basin project, Upper Republican division, Armel unit, on the South Fork of the Republican River in the vicinity of Hale, Colorado; and

(3) Willamette River project, Calapooia division, in the Calapooia River Basin in Linn County, Oregon.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1347), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE MEASURE

The purpose of this measure is to authorize the Secretary of the Interior to undertake feasibility investigations of three Federal reclamation projects. This authority is required to permit the orderly continuation of the Bureau of Reclamation's program of investigations leading to recommendations for authorization of water resource development projects.

BACKGROUND OF MEASURE

Section 8 of Federal Water Project Recreation Act (Public Law 89–72, 79 Stat. 213) provides:

"SEC. 8. Effective on and after July 1, 1966, neither the Secretary of the Interior nor any Bureau nor any person acting under his authority shall engage in the preparation of any feasibility report under reclamation law with respect to any water resource project unless the preparation of such feasibility report has been specifically authorized by law, any other provision of law to the contrary notwithstanding."

The first measure to authorize such feasibility projects was enacted on September 7, 1966, and became (Public Law 89–561, 80 Stat. 707). Because it was the first legislation submitted under the new requirement found in the Federal Water Project Recreation Act set out above, it involved a very extensive list of projects. The list included a number of new planning starts as well as authority to continue feasibility studies which were already underway at that time.

A second measure was enacted on February 13, 1968, and became Public Law 90–254 (82 Stat. 5). It authorized six additional studies to provide for the continuation of the Bureau's investigation program. Additional measures will be necessary from time to time as projects are identified by reconnaissance studies and feasibility studies are found to be warranted.

PRESENT LEGISLATION

The present bill was submitted to the Congress by the Department of the Interior by letter of May 24, 1968, and was introduced by Senator Jackson, by request, on June 3, 1968, and became S. 3575. It will authorize feasibility studies of three projects as follows:

(1) Missouri River Basin project, Longs Peak division, Front Range unit, in Cache la Poudre River and Saint Vrain Creek Basins and adjacent areas in the general vicinity of Boulder, Colo.;

(2) Missouri River Basin project, Upper Republican division, Armel unit, in the South Fork of the Republican River in the vicinity of Hale, Colo.; and

(3) Willamette River project, Calapooia division, in the Calapooia River Basin in Linn County, Oreg.

Feasibility studies of all three projects have been shown to be warranted by favorable reconnaissance reports.

The Bureau of the Budget has expressed no objection to enactment of the measure.

COMMITTEE RECOMMENDATIONS

The Interior and Insular Affairs Committee recommends S. 3575 as introduced, be enacted.

CHICKASAW NATION OR TRIBE OF OKLAHOMA

The bill (S. 2715) to provide for the disposition of funds appropriated to pay a judgment in favor of the Chickasaw Nation or Tribe of Oklahoma, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States that were appropriated by the Act of March 31, 1961, to pay a judgment by the Indian Claims Commission in docket numbered 269 and any interest thereon, less payment of attorney fees and expenses, and any other funds heretofore or hereafter deposited in the United States Treasury to the credit of the Chickasaw Nation or Tribe of Oklahoma from sources other than claims may be used, advanced, expended, deposited, invested, or reinvested for any purpose that is authorized by the Governor of the Chickasaw Nation and approved by the Secretary of the Interior.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1344), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The principal purpose of S. 2715 is to provide for the disposition of an award to the Chickasaw Nation by the Indian Claims Commission. Funds to cover the award, in the amount of $190,934.78, were appropriated by the act of March 31, 1961 (75 Stat. 20, 40).

S. 2715 provides for the disposition of any other funds, exclusive of claims moneys, heretofore or hereafter deposited in the U.S. Treasury to the credit of the Chickasaw Nation. Under the provisions of the bill these funds, together with the current judgment funds, may be used, advanced, expended, deposited, invested, or reinvested for any purpose that is authorized by the governor of the Chickasaw Nation and approved by the Secretary of the Interior. Precedence for this provision is found in the act of October 9, 1962 (76 Stat. 776), whereby authority was granted to expend residual tribal funds of the Cherokee Tribe. Such expenditures to be authorized by the principal chief and approved by the Secretary.

The net amount of the Chickasaw judgment, including accrued interest as of December 28, 1967, less $19,093.47 in attorney fees, is $214,598.63. That amount includes a balance of $45.60 from an old judgment fund. Other funds deposited in the U.S. Treasury to the credit of the Chickasaw Nation consist almost entirely of proceeds of lands and interest thereon; currently, these funds amount to $145,125.24. The grand total available to the Chickasaw Nation is $359,723.87.

A tribal roll, totaling 6,304 was completed in 1907. Approximately two-thirds of the enrollees are deceased. The total number of unenrolled descendants of enrollees is unknown. An estimated 5,000 Chickasaws live in the "Chickasaw Nation area," many of whom are not enrolled but are descendants of enrolled members. An estimated 750 people of Chickasaw blood live adjacent to the "Chickasaw Nation area." The large number of Chickasaw Indians and the limited amount of tribal funds do not make a per capita distribution feasible.

The Chickasaw people are in need of improved housing and would benefit substantially from a stimulated industrial environment in which more and better jobs would be available to these Indians. The committee understands that the Chickasaw Nation plans to utilize a major portion of its funds in housing, sanitation, education, and industrial programs.

COST

Enactment of S. 2715 will not involve the expenditure of any additional Federal funds.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, in sequence, beginning with Calendar No. 1326, to and including Calendar No. 1329.

The **PRESIDENT** pro tempore. Without objection, it is so ordered.

QUECHAN TRIBE OF THE FORT YUMA RESERVATION, CALIF.

The bill (S. 3620) to provide for the disposition of judgment funds on deposit to the credit of the Quechan Tribe of the Fort Yuma Reservation, Calif., in Indian Claims Commission docket No. 319, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3620

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Quechan Tribe of Indians that were appropriated by the Act of October 31, 1965 (79 Stat. 1152), to pay a judgment granted by the Indian Claims Commission in docket numbered 319, and the interest thereon, less payment of attorney fees and expenses, may be advanced, expended, invested, or reinvested for any purpose that is authorized by the Quechan Tribal Council and approved by the Secretary of the Interior.

SEC. 2. Any part of such funds that may be distributed to the members of the tribe shall not be subject to Federal or State income tax

SEC. 3. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

MUCKLESHOOT TRIBE OF INDIANS

The bill (S. 3621) to provide for the disposition of funds appropriated to pay a judgment in favor of the Muckleshoot Tribe of Indians in Indian Claims Commission docket No. 98, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3621

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended balance of funds on deposit in the Treasury of the United States to the credit of the Muckleshoot Tribe of Indians that were appropriated by the Act of May 29, 1967 (81 Stat. 30, 42), to pay a judgment by the Indian Claims Commission in docket numbered 98, and the interest thereon, less attorneys' fees and expenses, may be advanced, expended, invested, or reinvested for any purpose that is authorized by the tribal governing body and approved by the Secretary of the Interior. Any part of such funds that may be distributed to the individual members of the tribe shall not be subject to Federal or State income taxes.

SEC. 2. The Secretary of the Interior is authorized to prescribe rules and regulations to carry out the provisions of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1346), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 3621, introduced by Senator Jackson as a result of an executive communication from the Department of the Interior, is to provide for the disposition of a judgment in the amount of $80,377 awarded to the Muckleshoot Tribe of Washington by the Indian Claims Commission.

The award represents compensation for 101,620 acres of land in the State of Washington, taken on January 22, 1855. The Indian Claims Commission allowed attorney fees in the amount of $8,037.70, and approved expenses in the amount of $3,649.49. This reduced the fund to $68,690 which is now on deposit in the U.S. Treasury.

The Muckleshoot Tribe adopted a constitution and ratified a charter in 1936 under the Indian Reorganization Act. A tribal roll approved by the Associate Commissioner of Indian Affairs, showing the membership as of January 13, 1965, contained the names of 253 persons. At present the tribe is working to bring its roll current as of January 1, 1968.

The tribal council considered various methods of distribution of the judgment fund and adopted a resolution on March 22, 1967, contemplating the use of the fund for such purposes as acquisition of land for housing, educational expenses of tribal members, tribal council expenses, investment in local depositories, and a limited per capita payment.

COST

Enactment of S. 3621 will involve no expenditure of Federal funds.

THE YAKIMA TRIBES—REPEAL OF SECTION 7 OF THE ACT OF AUGUST 9, 1964

The Senate proceeded to consider the bill (S. 1764) to repeal section 7 of the act of August 9, 1964 (60 Stat. 968), which had been reported from the Committee on Interior and Insular Affairs with an amendment, in line 9, after the word "died" strike out "prior to this date." and insert "prior to the date of the enactment of this Act."; so as to make the bill read:

S. 1764

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 7 of the Act of August 9, 1946 (60 Stat. 968), which limits inheritance or devise of restricted or trust property of deceased members of the Yakima Tribes to enrolled members of those tribes of one-fourth or more degree of Indian blood, is hereby repealed, but such repeal shall have no effect on the estates of Yakima Indians who died prior to the date of the enactment of this Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1348), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 1764, introduced by Senators Morse and Hatfield, is to repeal section 7 of the act of August 9, 1946 (60 Stat. 968) providing for the preparation of a membership roll of the Indians of the Yakima Reservation.

Section 7 of the 1946 act deals with the subject of inheritance of restricted or trust property belonging to individual Yakima Indians. The section reads as follows:

"SEC. 7. Hereafter only enrolled members of the Yakima Tribes of one-fourth or more blood of such tribes shall take by inheritance or by will any interest in that part of the restricted or trust estate of a deceased member of such tribes which came to the decedent through his membership in such tribes or which consists of any interest in or the rents, issues, or profits from an allotment of land within the Yakima Reservation or within the area ceded by the treaty of June 9, 1855 (12 Stat. 951), except that a surviving spouse of less than one-fourth of the blood of the Yakima Tribes may receive by inheritance or devise the use for life of one-half of the restricted or trust lands of the decedent located within the Yakima Reservation or within the area ceded by the said treaty of June 9, 1855."

The results of this section are unjust and work a hardship on certain members of the family of a deceased Yakima Indian by denying them the right to inherit or take by will any part of the trust or restricted estate of the spouse, parent, or relative. Of 794 estates probated through June 30, 1966, under that section of the act, 287 enrolled Yakimas, including husbands, wives, children, grandchildren, and other relatives, were excluded from sharing in estates because they did not have the required quantum of Yakima blood; 494 persons, including husbands, wives, children, etc., were excluded from sharing in estates because they were not enrolled members of the tribe; and 83 spouses, being unenrolled persons, were limited to a lie estate in one-half of the real property of the decedent. Such a pattern of inheritance and denial of the right of the spouse, children, and others to share in the estate of the decedent is the result solely of Federal legislation and is not to be found in the laws relating to other Indian tribes or to non-Indians. In the committee's judgment, the record of the March 4, 1968, hearing clearly establishes the injustice imposed by the existing provision of law and is strong justification for its repeal.

The repeal of section 7 will leave in full force and effect the provisions of the acts of February 8, 1887 (24 Stat. 338), as amended, and June 25, 1910 (36 Stat. 855), as amended, which authorize the Secretary of the Interior to approve wills and determine the heirs of Indians owning restricted property in accordance with the State laws of descent and distribution. The 1887 and 1910 acts are now being applied to the estates of deceased Yakima Indians, except as limited by section 7 of the 1946 act.

It should be noted that section 7 has resulted in retaliatory proposals by the Umatilla Tribe whose members are precluded from inheriting land on the Yakima Reservation.

COST

No cost is involved in the enactment of S. 1764.

BADLANDS NATIONAL MONUMENT

The Senate proceeded to consider the bill (H.R. 9098) "to revise the boundaries of the Badlands National Monument in the State of South Dakota, to authorize exchange of land mutually beneficial to the Oglala Sioux Tribe and the United States, and for other purposes," which had been reported from the Committee on Interior and Insular Affairs, with an amendment on page 4, line 9, after the word "former" strike out "Indian."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1349), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 9098 is to provide for a disposition of lands located within the boundaries of the Pine Ridge Indian Reservation that were purchased by the Air Force in the early years of World War II for use as a gunnery range. Most of the lands are now excess to the needs of the Air Force.

NEED

There are conflicting requests for these lands.

First, the former Indian owners want an opportunity to repurchase their land. When they sold their land to the Air Force in the early 1940's, they were led to believe that when the war was over and the land was no longer needed for defense purposes they could get their land back.

Second, the tribe wants to acquire any of the excess gunnery range land that is not repurchased by the former owners. The land is within the boundaries of the reservation, and tribal acquisition would be in furtherance of a program to block up Indian holdings.

Third, the Department of the Interior wants part, but not all, of the excess gunnery range lands for inclusion in a proposed enlargement of the Badlands National Monument, which lies immediately north of the reservation. The enlarged monument would also require Federal use of some tribal land, which the tribe is unwilling to sell but which it is willing to exchange.

Fourth, the Air Force would like to exchange some of the excess gunnery range land for a small acreage of tribal land which is now being leased by the Air Force.

H.R. 9098 is the result of extended negotiations between the Federal agencies involved and the Indians, and it provides for a reasonable accommodation of the needs of all parties as part of a single package.

EXPLANATION OF BILL

The bill provides for transfer to the Secretary of the Interior of all gunnery range lands heretofore or hereafter declared excess. About 253,000 acres are involved.

The bill enlarges the boundaries of the Badlands National Monument to include approximately 133,300 acres of additional land, all within the Pine Ridge Indian Reservation. The additional land consists of 47,000 acres of excess gunnerv range land, 76,200 acres of tribal land, and 10,100 acres of private land. The 47,000 acres of excess gunnery range land may be transferred to the Secretary of the Interior. The Secretary may acquire from the tribe the right to use the 76,000 acres of tribal land for monument purposes in exchange for a conveyance to the tribe of certain gunnery range lands as described below. Easements on the 10,100 acres of private land would need to be purchased by the Secretary.

Approximately 161,000 acres of excess gunnery range land are located outside the boundaries of the enlarged national monument. They consist of 124,000 acres originally purchased from individual Indians, 31,000 purchased from non-Indians, and 6,000 acres purchased for the submarginal land program in the 1930's. All of the land is within the Pine Ridge Indian Reservation. The former owners of the excess gunnery range land outside the enlarged monument may purchase their land, if they wish to do so, for the price originally paid by the United States, plus interest. The purchase price may be paid in installments over a 20-year period, plus interest. The former Indian owners of excess gunnery range land inside the enlarged monument may not repurchase their land, but they may accept a free life estate in the land that will permit uses that are not inconsistent with national monument use. If they do not accept a free life estate, they may purchase an equivalent value of excess gunnery range land outside the monument that is not repurchased by former owners, or purchase an equivalent value of submarginal land in the reservation. Submarginal lands are included in order to make certain that all former owners of gunnery range land will have an opportunity to repurchase their land or lieu land.

The former Indian owners of gunnery range land that is not excess to the needs of the Air Force (about 45,000 acres) may repurchase their land when it is declared excess, or they may elect to purchase other gunnery range land that is now excess and not repurchased by the former owner, or submarginal land.

All gunnery range land heretofore or hereafter declared excess, both inside and outside the enlarged monument, that is not repurchased by former owners may be conveyed to the tribe. The 47,000 acres inside the enlarged monument will be subject to any life estates granted and subject to restrictions on uses that are incompatible with monument. The acreage outside the monument, which could be as much as 155,000 acres or as little as 0 acres, depending on the acreage repurchased by former owners, will not be subject to restrictions on use. In return, the Secretary of the Interior will get an easement on the 76,000 acres of tribal land within the enlarged monument, permitting use of the tribal land in perpetuity for monument purposes, and the Secretary of Defense will get unrestricted title to the 3,115 acres of tribal land located in the part of the gunnery range that is retained by the Air Force. Both parties to the agreement will retain mineral rights in their own lands. No minerals of commercial value are believed to be present.

If the tribe does not make the foregoing exchange, the remaining gunnery range land will be subject to disposal under surplus property procedures.

The tribe is also authorized to convey to the Secretary of the Interior not to exceed 40 acres of tribal land outside the enlarged monument for the construction of interpretation facilities.

The committee believes the bill adequately accommodates the interests of all parties. The former owners will have an opportunity to reacquire their land or substitute submarginal land. Although repayment of the original purchase price paid by the Government when it acquired the land, plus interest, will be less than present market value, the circumstances under which the land was acquired and the need to protect the Indian reservation land base warrant a resale on these special terms. The special Indian interest involved should not warrant reliance on this case as a precedent for other surplus property disposals. The monument boundaries will be enlarged to include an additional area of spectacular badlands, and the tribal lands within the enlarged monument boundaries will be managed for monument purposes. The Air Force will get title to the tribal land it needs. The tribe will get the excess gunnery range land that is not repurchased by former owners in order to block up the reservation area.

Although the inclusion of tribal land within the monument on the basis of an easement for monument use, rather than outright purchase of the land, is a departure from usual policy, departure is warranted by the circumstances. The tribal lands within the monument cannot be acquired with the consent of the tribe, because the tribe is unwilling to sell, and the desired protection of the badlands can be assured by the acquisition of use rights. Substantially the same arrangement has worked successfully at the Canyon De Chelly National Monument on the Navajo Reservation under the act of February 14, 1931.

COMMITTEE AMENDMENT

The committee adopted one amendment, the effect of which is to permit all previous owners of lands taken for the Badlands Gunnery Range, whether Indian or non-Indian, to purchase lands which they previously held, or substitute lands if their previous holdings are not available for acquisition.

COST

The land transactions authorized by this bill will require no Federal appropriation, except for the acquisition of easements for the monument on 10,100 acres of land outside the gunnery range. The easements are needed primarily for the construction of a road. Development costs for the enlarged monument area are estimated at approximately $9 million for a 5-year period.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore (Mr. METCALF). Without objection, it is so ordered.

SALE OR EXCHANGE OF CERTAIN LANDS ON FLATHEAD RESERVATION, MONT.

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 2701, it having passed the House with an amendment.

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2701) to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont., which was, strike out all after the enacting clause, and insert:

That upon request of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana, acting through their governing body, the Secretary of the Interior is authorized to dispose of the following described tribal lands within the exterior boundaries of the reservation by sale at not less than fair market value or by exchange: *Provided*, That the values of any lands so exchanged either shall be approximately equal in fair market value, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require:

Township 17 north, range 20 west, M.P.M., section 6, lots 2, 3, 4, containing 118.53 acres.

Township 18 north, range 21 west, M.P.M., section 20, north half north half northwest quarter southeast quarter, containing 10.00 acres.

Township 19 north, range 21 west, M.P.M., section 28 south half northeast quarter, containing 80.00 acres.

Township 20 north, range 21 west, M.P.M., section 1 northeast quarter southwest quarter, containing 40.00 acres.

Township 22 north, range 22 west, M.P.M., section 3 north half southeast quarter, containing 80.00 acres.

Township 19 north, range 23 west, M.P.M., section 5 northeast quarter southwest quarter, containing 40.00 acres; section 35 south half northeast quarter, southeast quarter northwest quarter, northeast quarter southeast quarter, containing 160.00 acres.

Township 20 north, range 23 west, M.P.M., section 15 northeast quarter, southeast quarter northwest quarter, containing 200.00 acres; section 17 west half southwest quarter, containing 80.00 acres; section 18 southeast quarter northeast quarter, east half southeast quarter, containing 120.00 acres; section 29 northwest quarter southwest quarter, containing 40.00 acres; section 30 northeast quarter southeast quarter, containing 40.00 acres; section 29 west half southwest quarter southwest quarter southwest quarter, containing 5.00 acres; section 32 northwest quarter northwest quarter northwest quarter northwest quarter, containing 2.50 acres.

Township 22 north, range 23 west, M.P.M., section 9 southwest quarter northeast quarter, southeast quarter northwest quarter, east half southwest quarter, west half southeast quarter, containing 240.00 acres.

Township 23 north, range 23 west, M.P.M., section 3 southwest quarter northeast quarter, containing 40.00 acres; section 5 west half southeast quarter northwest quarter, southwest quarter northwest quarter, containing 60.00 acres; section 17 southeast quarter southeast quarter, containing 40.00 acres; section 19 lots 2 and 4, southeast quarter northwest quarter, containing 103.21 acres.

Township 24 north, range 23 west, M.P.M., section 19, southwest quarter, northeast quarter, northeast quarter southwest quarter, east half southeast quarter, containing 160.00 acres; section 20, southwest quarter southwest quarter, containing 40.00 acres; section 30, northeast quarter northeast quarter, containing 40.00 acres.

Township 23 north, range 24 west, M.P.M., section 1, northeast quarter southwest quarter, containing 40.00 acres; section 3, northwest quarter southeast quarter, containing 40.00 acres; section 24, northeast quarter southeast quarter northeast quarter, south half southeast quarter northeast quarter, southeast quarter southeast quarter southeast quarter, containing 40.00 acres.

Township 24 north, range 24 west, M.P.M., section 1, lot 2, containing 26.10 acres; section 35, northwest quarter northeast quarter, containing 40.00 acres.

The net proceeds from the sale or exchange or lands pursuant to this section shall be used to acquire within a reasonable time additional lands within the reservation boundaries in accordance with section 2 of this Act.

SEC. 2. Upon request of the Confederated Salish and Kootenai Tribes, the Secretary of the Interior is authorized to acquire Indian- or non-Indian-owned lands within the reservation boundaries for such tribes, and such lands may be held for tribal use or for sale to tribal members. Title to lands acquired pursuant to this authority shall be taken in the name of the United States in trust for the tribes or the tribal member to whom the land is sold.

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the amendment of the House.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nomination on the Executive Calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CALIFORNIA DEBRIS COMMISSION

The assistant legislative clerk read the nomination of Brig. Gen. William M. Glasgow, Jr., U.S. Army, to be a member of the California Debris Commission under the provisions of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507; 33 U.S.C. 661).

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. AIR FORCE

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. ARMY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

U.S. NAVY

The assistant legislative clerk proceeded to read sundry nominations in the U.S. Navy.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate resume the consideration of legislative business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PROPOSED AMENDMENT TO THE BUDGET, 1969, FOR THE LEGISLATIVE BRANCH, SENATE

A communication from the President of the United States, transmitting an amendment to the budget for the fiscal year 1969, in the amount of $1,430,305, for the legislative branch, Senate (with an accompanying paper); to the Committee on Appropriations, and ordered to be printed.

UNITED STATES-MEXICO COMMISSION FOR BORDER DEVELOPMENT AND FRIENDSHIP

A communication from the President of the United States, urging the enactment of a bill to establish the United States Section of the United States-Mexico Commission for Border Development and Friendship; to the Committee on Foreign Relations.

REPORT ON SMOKING AND HEALTH

A letter from the Secretary of Health, Education, and Welfare, transmitting, pursuant to law, his report on smoking and health, which includes the Surgeon General's Report to the Secretary on The Health Consequences of Smoking, 1968 Supplement (with an accompanying report); to the Committee on Commerce.

WAGERING TAX AMENDMENTS OF 1968

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to modify the provisions of the Internal Revenue Code of 1954 relating to wagering taxes (with accompanying papers); to the Committee on Finance.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need for improvements in internal auditing, Federal Aviation Administration, Department of Transportation dated July 2, 1968 (with an accompanying report); to the Committee on Government Operations.

INTERIM REPORT ON MODEL CODE TO GOVERN THE ADMINISTRATION OF JUSTICE BY COURTS OF INDIAN OFFENSES ON INDIAN RESERVATIONS

A letter from the Secretary of the Interior, reporting, pursuant to law, that it will not be possible to complete preparations for drafting the model code to govern the administration of justice by courts of Indian offenses on Indian reservations in time to permit its submission to Congress by the date specified in the act; to the Committee on Interior and Insular Affairs.

REPORT OF SUBVERSIVE ACTIVITIES CONTROL BOARD

A letter from the Attorney General of the United States, reporting, pursuant to law, on the proceedings he has instituted before the Subversive Activities Control Board since January 2, 1968 to the Committee on the Judiciary.

RANDOLPH-SHEPPARD ACT AMENDMENTS OF 1968

A letter from the Secretary, Department of Health, Education, and Welfare, transmitting a draft of proposed legislation to amend the Randolph-Sheppard vending stand for the blind law so as to make certain improvements therein (with an accompanying paper); to the Committee on Labor and Public Welfare.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, with amendments:

S. 2159. A bill to establish the Fort Point National Historic Site in San Francisco, Calif., and for other purposes (Rept. No. 1362).

BILL INTRODUCED

A bill was introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. BREWSTER:

S. 3733. A bill for the relief of Yuk Kwun Lam; to the Committee on the Judiciary.

SENATE RESOLUTION 313—RESOLUTION URGING SUSPENSION OF MOST-FAVORED-NATION TREATMENT FOR POLAND

Mr. DODD. Mr. President, I submit, for reference to committee, a resolution urging the suspension of most-favored-nation treatment for the Polish Communist Government "so long as the Polish Government continues its present campaign against Polish intellectuals and students and religious institutions and the Jewish minority in Poland, and so long as it continues to conduct itself as a total satellite of Moscow in the sphere of foreign policy."

I am pleased to be joined in sponsoring this resolution by the junior Senator from Connecticut [Mr. RIBICOFF] and the junior Senator from South Carolina [Mr. HOLLINGS].

The resolution points out that most-favored-nation treatment was predicated on the belief "that there would be a progressive development in the direction of greater religious, cultural and political freedom for the Polish people," and that "Poland was moving in the direction of increasing independence from Moscow in the conduct of its foreign affairs."

Since the conditions on which most-favored-nation treatment were predicated no longer exist, since the Polish Government has indeed for several years now been moving backward instead of forward, I believe it makes sense to let the Polish people know that we strongly disapprove of the drift back to Stalinist rule on the part of the Polish Communist Government, and that we also share their unhappiness over their Government's slavish obedience to Moscow in the field of foreign policy.

The hopes we have entertained in recent years were not without foundation. The great Poznan revolt of 1956 produced a condition in Poland that was aptly described by some writers as "the frozen revolution."

The Communist regime still remained. But in the immediate aftermath of the Poznan revolt there was a truly remarkable liberalization in many spheres.

The peasants abandoned the collective farms and began to farm their own plots of land. The church was granted a degree of freedom unequalled in any other Communist country. And while the regime essentially remained a one-party dictatorship, Poland's intellectuals and students were able to show a degree of independence which would have been unthinkable under the old regime.

Moreover, certain actions taken by the Polish Government during this period created reasonable ground for hoping that in the field of foreign policy Moscow's control was no longer as absolute as it had previously been.

Over the last few years, however, the Polish Communist regime, apparently alarmed by the demands for even more freedom, has been clamping down progressively on its restless intellectuals.

As early as November 1964, the Polish security police arrested a group of lecturers and students at Warsaw University, on the charge that they had circulated a paper criticizing the Communist system in Poland. Among the arrested lecturers was Karol Modzelewski, the son of a prominent father and a leader of the pro-Gomulka student movement in 1956.

Instead of being intimidated by their arrest, Modzelewski and a friend by the name of Jacek Kuron circulated an open letter to party members, attacking the Communist system and calling for revolution. Not very surprisingly they were immediately rearrested. Tried behind closed doors, they were sentenced to long terms in prison. But this was only the beginning of the trouble for the Polish Communist regime. Prominent intellectuals, including long-time Communists, rallied to the defense of the imprisoned men. Among them was Leszek Kolakowski, Poland's leading Marxist philosopher.

Kolakowski soon became the leader and the symbol of the intellectual revolt, a revolt that continued to spread like wildfire despite the repressive measures of the Communist regime. Called before the Communist Party Control Commission of March 1966, he refused to give ground before the inquisition to which he was subjected. On October 21, 1966, the 10th anniversary of the Poznan revolt, Kolakowski, in a speech before the history department of Warsaw University, made a scathing indictment of the Communist regime, charging that there was no democracy, no responsible government, no freedom of assembly, and that there was nothing to celebrate.

Two resolutions were moved at this meeting, one demanding freedom of speech and the abolition of censorship and political repression and the other calling for the immediate release of Modzelewski and Kuron.

The next day Professor Kolakowski was expelled from the party.

On November 25, 15 writers, all of them party members, sent a letter to the central party committee declaring their support for Professor Kolakowski and demanding his reinstatement. As a result of their protests, six resigned from the party and seven were suspended.

Again, these limited repressions failed to solve the problem for the Polish Communist regime. Throughout 1967, there were repeated outcroppings of intellectual ferment. On the other hand, the influence of the Stalinist elements within the party leadership became progressively stronger. The situation was aggravated by the blatantly anti-Semitic reaction of the Communist government after the Arab-Israeli war of June 1967.

The government had sided openly with the Arab extremists against Israel. The sympathy of the Polish Jews, not very surprisingly, lay on the side of the State of Israel. The government responded, first, by attacking the Jews for being "Zionists," then by expelling them en masse from positions in the party and the government and in the universities.

The early months of 1968 witnessed the most massive public revolt since 1956; and they also witnessed a merciless intensification of political repression and anti-Jewish measures.

On January 30 of this year the Communist government ordered the closing of the poetical play "Forefathers Eve," by the renowned 19th century poet Adam Michkiewicz. This action triggered an epidemic of protests over the next several months. Let me quote only a few of the newspaper headlines for the purpose of telling this story as briefly as possible.

On February 18, the New York Times carried a story headlined "Writers Dispute Party in Poland: Showdown Appears at Hand Over Rule of Regime." The article told the story of an extraordinary session of the Polish Writers Union which petitioned against the closing of Michkiewicz' play.

On February 20, the headline in the Baltimore Sun read: "Writer Jailed as Poland Steps Up Stalinist Purge."

On March 8, 4,000 students assembled at Warsaw University to demand the reopening of the closed play. When the militia was sent against the students, rioting spread to the streets of Warsaw and sympathy demonstrations took place in eight major universities.

On March 10, the headline in the New York Times read: "Polish Students in Second Day of Riots; Tear Gas and Clubs Are Used by Police." According to the article the students shouted "More democracy," "Down with censorship," "Down with the lying press."

The New York Times of March 12 read: "Thousands in Poland Fight Police as Protest Mounts."

On March 20, the New York Times reported on a protest sit-in by the students at Cracow University.

On March 22, there came reports of a student sit-in at Warsaw University.

The revolt, which began in February and continued through the end of March, was brought under control during April and May by stern repressive measures. Any pretense at moderation was completely discarded by the Communist government; and within the Government, according to all reports, the real power passed into the hands of the Stalinist Minister of the Interior, General Moczar.

In cracking down on the intellectuals and the students, the Communist government, following the example set by the Czarist government in the first part of the century, decided to make the harassed Jews of Poland the scapegoat once again. The Government-controlled press charged that the student demonstration and the entire intellectual protest movement was instigated by the "Zionists," a term which they have consistently used in seeking to disguise their anti-Semitism.

Hundreds of Jewish intellectuals who had survived the 1967 purge, now were dismissed from the universities and government offices.

To their everlasting credit, it should be said that Poland's students and intellectuals understand only too well that the present anti-Semitic campaign is part of a wider reaction affecting the entire Polish nation. They have not merely refused to go along with the new Communist campaign against the Jews, but they have openly opposed it. Demonstrating students have carried placards which read: "We are against cultural repression and against anti-Semitism."

At this moment, the Communist reaction is triumphant in Poland. But this triumph, I am certain, is a transient one. The Polish people, who have never compromised with tyranny, will not for long remain quiescent under the intensified tyranny that has now been imposed on them.

It is my belief that by approving the resolution which I have today submitted, we can demonstrate our support for the Polish people in their continuing struggle for freedom and for independence from Moscow's control.

I want to make it clear that I am not proposing economic sanctions. Most-favored-nation treatment is not a right; it is a privilege. And it is a privilege which we have granted to Poland at a heavy cost in terms of our own balance-of-payments deficits.

As the senior Senator from Virginia, Mr. HARRY F. BYRD, JR., has pointed out, in 1959, the year before most-favored-nation treatment was accorded to Poland, Polish exports to the United States totaled $31 million, while her imports ran to $75 million.

At that time, therefore, we had a favorable trade balance of more than $43 million a year with Poland.

The trade advantages Poland has gained as a result of most favored nation treatment has now reversed the situation so that in 1967 Poland's exports to the United States totaled $91 million, while her imports had declined to $61 million. This meant a deficit of another $30 million a year added to our already pressing balance-of-payments problem.

If Poland had continued to evolve in the direction of greater independence from Moscow and greater internal freedom for her people, a solid argument could be made for continuing to accord her the privilege of most favored nation treatment, even at some cost to ourselves. But as matters stand today I can think of no argument to justify continuation.

I ask unanimous consent to insert at this point in the RECORD the complete text of my resolution.

I also ask unanimous consent to insert into the RECORD at this point an article by Tibor Szamuely which appeared in the Reporter magazine for June 1, 1967, and which tells the story of the intellectual revolt in Poland from 1960 until the first part of 1967.

I also ask unanimous consent to insert into the RECORD a number of newspaper articles which deal with the events of last year and this year in Poland.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, the resolution and articles will be printed in the RECORD.

The resolution (S. Res. 313) was referred to the Committee on Finance, as follows:

S. Res. 313

Whereas the most favored nation treatment which the government of Poland today enjoys was predicated on the belief that this government had turned its back on the worst abuses of the past, and on the hope that there would be a progressive development in the direction of greater religious, cultural and political freedom for the Polish people;

Whereas the Polish Communist government over the past year has completely reversed the earlier trend toward liberalization, has embarked on an open campaign against intellectuals and students and freedom of speech, has sought to reimpose new restrictions on religion, and has engaged in a virulently anti-Semitic propaganda reminiscent of the worst of Hitler and Stalin;

Whereas, as President Johnson made clear in his statement of March 24, 1964, announcing the extension of most favored nation treatment for Poland, this policy was also predicated on the assumption that Poland was moving in the direction of increasing independence from Moscow in the conduct of its foreign affairs; and

Whereas the Polish Communist government has instead over the past two years slavishly followed the Moscow line in foreign policy, as is evident from its unconditional support of the Arab extremists in the Mideast crisis from its militant opposition to the current expansion of freedom in Czechoslovakia, and from the fact that it is, after Moscow, one of the principal sources of supply for North Vietnam: Therefore be it

Resolved, That it is the sense of the Senate that the government of the United States should manifest its support for the aspirations of the Polish people for more freedom by suspending most favored nation treatment for Poland so long as the Polish government continues its present campaign against Polish intellectuals and students and religious institutions and the Jewish minority in Poland, and so long as it continues to conduct itself as a total satellite of Moscow in the sphere of foreign policy.

The articles, presented by Mr. Dodd, are as follows:

[From the Reporter, June 11, 1967]

The Intellectual Revolt in Poland

(By Tibor Szamuely)

On January 8, Peter Raina, a young Indian leftist scholar, was expelled from Poland, where he had lived and worked for more than four years. It was a harrowing experience: Raina was held at the East German border for almost twelve hours while Polish guards methodically went through his belongings, reading every scrap of paper. Finally they let him go after confiscating a three-hundred-page manuscript of a biography of Communist Party Secretary Wladyslaw Gomulka on which he had been working, with official encouragement and help, for about two years.

Raina had come to Poland full of sympathy for the Gomulka regime. He learned to love the country, its language and culture. Warsaw University gave him a doctorate. Wanting to see only the best, for a long time he resolutely dismissed all western criticisms as propaganda. He wrote letters to the foreign press attacking western correspondents for their lack of understanding of Poland and accusing them, among other things, of slandering the Ministry of Interior Affairs. Thus it came as a shock to be called an enemy of the state by that very ministry and to be ordered by it to leave the country within forty-eight hours.

When he finally reached West Germany, Dr. Raina unburdened his disillusionment to the press, broadcast to Poland on Radio Free Europe, and made public a scathing letter he had written to the Polish Minister of Interior Affairs. His story is informative, for it shed light on some little-known aspects of what is probably the most important process at present taking place in Poland: the new ferment among the intellectuals.

LAMENT FOR OCTOBER

Since about 1960, Warsaw University, and particularly its departments of the humanities and social sciences, has become the center of disaffection, spreading among the younger generation of intellectuals. In November, 1964, the security police arrested a group of the university's young lecturers and students. One of the lecturers was Karol Modzelewski, a stepson of the late Polish Communist Foreign Minister and a leader of the pro-Gomulka student movement of 1956. They were all accused of having circulated a paper criticizing the Communist system in Poland. Although soon released, five of them were expelled from the party.

Administrative sanctions, usually an effective warning, didn't work this time. Modzelewski and a friend, Jacek Kuron, composed an open letter to the party. When they distributed it in March, 1965, they were immediately rearrested. No one was surprised, for the document was a devastating indictment—couched in impeccable Marxist terms—of Poland under Gomulka: "To whom does power belong in our state?" the authors asked. "To one monopolistic party—The Polish United Workers' Party . . . The decisions of the elite are independent, free of any control on the part of the working class and of the remaining classes and social strata."

The Poland which Modzelewski and Kuron described and analyzed with a wealth of statistical and other evidence is, in fact, the familiar Stalinist system—which Communist leaders and wishful thinkers in the West insist was swept away in the cleansing aftermath of the 1956 Twentieth Congress of the Soviet Communist Party. But it was the authors' conclusion that was intolerable to the authorities: "In view of the impossibility of overcoming the economic and social crisis within the framework of the bureaucratic system, revolution is inevitable." Modzelewski and Kuron were tried in July, 1965, behind closed doors, with the courthouse surrounded by a tense crowd of students. They were sentenced to three and a half and three years respectively.

This, however, was far from the end of the affair. Modzelewski and Kuron had been voluntarily defended in court by some of the most esteemed figures of Polish intellectual life: Antoni Slonimski, the dean of Polish writers, and Professors Tadeusz Kotarbinski, Leopold Infeld, and Leszek Kolakowski. It was Kolakowski who occupied the center of the stage. His reputation and popularity as a champion of intellectual and political freedom—and as Poland's leading Marxist philosopher—was established in the "Polish October" of 1956. He was one who rallied the intellectuals and students behind Gomulka and the ideal of rebuilding Polish Communism on an ethical, libertarian, and humanistic foundation.

Today his fiery declarations of ten years ago may well seem naive—not least to Kolakowski himself—but at the time they conveyed hope. In his ideological credo, published in 1957, Kolakowski argued that the true Communist's place was on the side of the oppressed and the persecuted: "No one is exempt from the moral duty to fight against a system or rule, a doctrine or social conditions which he considers to be vile and inhuman, by resorting to the argument that he considers them historically necessary." Through the sad years of Gomulka's gradual repudiation of all that he seemed to represent in 1956, Professor Kolakowski had retreated into semi-passivity. The case of Modzelewski and Kuron forced him again to face up to the dilemma of the idealistic Communist in a repressive Communist state.

It is at this point that young Peter Raina enters the story. Dr. Raina was a devoted admirer of Kolakowski, and he unhesitatingly joined his professor in protesting the sentences given the two teachers.

Last year, the party leadership decided to stamp out student unrest and began a series of repressive measures directed against Warsaw University; a number of students were expelled, new disciplinary rules were introduced, party control was tightened. The restrictions brought a wave of even more vociferous indignation. Protest meetings were held, delegations dispatched, signatures collected. There were noisy scenes at the 1966 May Day demonstration.

In the meantime, ever-increasing pressure was being applied to Leszek Kolakowski. In March, 1966, he was summoned before the party Control Commission and called upon to submit a declaration retracting his views. Despite a grueling interrogation, he remained obdurate. The climax came on October 21, the tenth anniversary of the uprising that had swept Gomulka to power. A commemorative meeting was held in the history department of the university, at which Kolakowski spoke for about half an hour. His message, as reported in a Polish paper in London, was on the order of an obituary of freedom in his country:

"Genuine democracy is lacking here. There is very little public choice of the leaders. Thus, the leadership, which is not really elected, becomes conceited, self-assured. There is no opposition; hence there is no confrontation between those who are in power and those who are without. . . .

"The Government does not feel responsible to the nation. The system of privileges is prevalent. These privileges exist for a few outside the law. . . . Public criticism is lacking. Free assembly is nonexistent. Censorship is extremely severe. . . .

"All this has weakened society, for there is no perspective, no hope. The state, the party, the society are the victims of stagnation. There is therefore nothing to celebrate."

Speaker after speaker rose to reiterate the main points of this comprehensive indictment. Among them was Peter Raina. Two resolutions were moved: one demanding the introduction of freedom of speech and the abolition of censorship and political repression, the other calling for the immediate release of Modzelewski and Kuron. Although the motions were not allowed to be put to a vote, the thunderous acclaim with which they were received spoke for itself.

UNITY IN PROTEST

Next day Professor Kolakowski was summarily expelled from the party. In the following few days his assistant was also expelled, six students were suspended, and seven others were sent before the university's disciplinary commission. A systematic campaign of calumny was mounted with the object of discrediting Kolakowski, who was accused of being "a tool in the hands of the imperialists."

On November 15, the university organization of the Communist Party held a general meeting; it was addressed by Zenon Kliszko—the secretary of the Central Committee, the chief party theoretician, and Gomulka's second-in-command—and by Stanislaw Kociolek, first secretary of the Warsaw committee of the party. Kliszko trotted out all the cliches about the perils of revisionism; Kociolek went straight to the point: "I am against discussions, dialogues, and seminars. The unity of the party is supreme. Discipline is the cardinal principle of the life of the party." Instead of giving the expected dutiful assent, the assembled university Communists launched an attack on the party's leadership. Kliszko, driven into a corner, protested: "I didn't come to this meeting to present any explanations. I came to listen to them." Similar stormy scenes were repeated at party meetings held in other leading cultural institutions. The intelligentsia clearly was getting out of hand.

The conflict spread fast. On November 25, fifteen writers, all active members of the party and regular contributors to official periodicals, sent a letter to the Central Committee expressing their solidarity with Professor Kolakowski and demanding his reinstatement. The response of the party bureaucracy remaind doctrinaire—and ineffectual. The writers were summoned to the Central Committee, where, one by one, they refused to withdraw their protest. Six of them, including prewar Communists, driven at length into rebellion against the beliefs of a lifetime, resigned from the party. Seven others were suspended. Nor was the party leadership any more successful in its dealings with the Writers' Union as a whole. At a special meeting of the party organization of the union's Warsaw sections (numbering about a hundred members) that was convened to condemn the actions of Kolakowski and his supporters, only one speaker supported the official line.

It would be wrong to assume that all those who joined this broad front of intellectual dissent necessarily subscribe to Modzelewski's or Kolakowski's views. The principle that unites them is opposition to the stifling system of Communist conformity, to the totalitarian controls over thought and speech and writing, to the subjugation of the intellect and the prostitution of culture. Yet as the history of Communism—whether in Poland, the Soviet Union, or any other "socialist" state—has shown, the party cannot afford to compromise this control. The result it has achieved in Poland has been the successive alienation of the intellectual community, and with every new purge the area of revolt grows wider.

Peter Raina's letter to the Minister of Interior Affairs summed up the sense of betrayal.

"A few days ago," he wrote, "when I went to the militia headquarters in order to have my visa extended, I was greatly surprised by the decision of the militia not to extend my stay in Poland. I was aghast at the motivation of this decision, namely that I have a hostile attitude toward Poland. . . .

"For the first time in my life I came against a case when the control of university life was exercised by secret agents of the Ministry of Interior Affairs. . . .

"I never had any treacherous intentions towards Poland. I always defended Polish interests. I published abroad letters which criticized foreign correspondents for their lack of understanding of Poland. I endeavored within the limits of my possibilities to spread Polish culture through numerous translations of Polish literature. I feel, therefore, greatly injured by the mendacious accusations formulated against me by the Ministry of Interior Affairs. I am writing to you that thanks to the activity of agents of the Ministry of Interior Affairs at the university, everybody is governed by fear and one cannot behave normally and calmly at seminars and meetings. I am ashamed for the university and its leadership that things have come to such a pass that low and dirty methods are applied to students, methods that recall the times of fascism and its terror. Methods applied to me during the last few days at the militia headquarters (to wit, the denial of any possibility of explaining things) recall to my mind the methods of Stalinism.

". . . the events of the last days convinced me that all the ministries, the university, the whole cultural life, the political parties, the parliament, were subject to orders of the Ministry of the Interior Affairs from which there was no appeal and that nobody had the courage to dare even to make a rightful protest against unjust treatment."

A fair description of a country which was only recently being advertised as a showplace of "liberal" Communism—and a melancholy epitaph to the illusions of an idealist who learned about Communism the hard way.

[From the Baltimore Sun, May 22, 1968]

POLISH ANTI-SEMITISM CALLED COVERUP FOR STATE CRISIS

(By Stuart S. Smith)

PRAGUE, May 21.—Polish Communist party leaders are deliberately promoting anti-semitic agitation in the guise of a fight against Zionism to cover up a "serious crisis" that threatens to destroy the State according to a responsible Czechoslovak journal.

The Gomulka regime seems to be incapable of mastering the nation's deep divisions, it added, and there is a grave danger that police oppression used to silence the increasing dissatisfaction will cause an explosion.

The comment was contained in the third and final part of a lengthy analysis of the current Warsaw malaise published in the latest issue of *Literarni Listy*, the Czechoslovak Writers' Union weekly.

The piece appeared despite an earlier formal Polish protest that Czechoslovak journalists have been slandering Poland by accusing it of anti-Semitism. The Poles charged, too, that the Czechoslovak newspapers had been relying too heavily on Western media for their reports.

The article's author, Jiri Lederer, visited Poland earlier this year and talked extensively with numerous journalists and other persons familiar with public life there.

He said all those who are participating in the campaign against Zionism swear that it has nothing to do with anti-Semitism. In practice, however, "it looks quite different," Lederer asserted.

Whether the party leaders wanted it or not, a wave of anti-Semitism has appeared and made many Poles ashamed of their country.

Among the Polish "citizens of Jewish origin," the agitation prompted a wave of fear for their existence—in the very nation in which the Nazi extermination policy had been the most successful, he said.

PROPAGANDA FOSTERED

Lederer charged that anti-Zionist propaganda is being particularly vigorously fostered by Pax, a Government-sponsored Catholic organization whose chairman, Boleslav Pisecki, was active in the National Radical Camp, a pre-World War II nationalist and anti-Semitic political organization.

Fortunately, however, the Polish population has stayed aloof from the anti-Zionist campaign, Lederer reported. He attributed this to widespread hatred of the regime and its Police-state terrorist tactics.

Two months ago five members of the Polish Parliament challenged the Government to put a stop to its degrading brutality. The five deputies, who are members of Znak, a twelve-year-old Catholic organization which has nothing to do with Pax, accused the Gomulka regime's security forces of abusing numerous persons arrested during the March student demonstrations and "torturing" many people, including young girls.

With a certain irony, Lederer recalled that a dozen years ago Wladislaw Gomulka, who had just taken over as the Polish party leader, was accused of being a traitor to socialism, much as Gomulka's followers now cite the new Czechoslovak leaders on the same charge.

None the less, Lederer said, after they assumed power in 1956, Gomulka and his associates took over the old political traditions left over from the Stalinist days instead of reforming the system, and by now a "profound degeneration" has developed and the "ruling party is undergoing a crisis."

LACK OF FREEDOMS

"There is a great lack of democratic freedoms," and a "modern democratic conception of a Socialist society" does not exist in Poland today, he charged.

The Government's use of Zionism as the alleged inspirer of the dissatisfaction among the people is a substitute for a real analysis of the country's political and social problems and "distracts attention," from the real issues at hand, Lederer commented.

What is more, he asserted, Gomulka "is losing his authority of the party apparatus" to Mieczyslaw Moczar, the Interior Minister, whom Lederer accused of trying to solve all the nation's difficulties by the use of terror.

"Such a policy, however, cannot remove all the dissatisfaction," he stated. "It can only silence it temporarily. Then a serious danger could arise that this discontent could reappear in a more explosive form."

[From the New York Times, Feb. 18, 1968]

WRITERS DISPUTE PARTY IN POLAND—SHOWDOWN APPEARS AT HAND OVER RULE OF REGIME

WARSAW, February 17.—Recent interference by the Communist party in Polish cultural life appears to be provoking a showdown between the normally complacent intellectual community and an increasingly nervous party leadership.

Indicative of the intellectuals' new mood of militance was a decision this week by the Warsaw section of the Polish Writers Union to hold, before the end of this month, the first extraordinary meeting in its 48-year history.

More than 230 Communist and non-Communist writers overcame their political differences to sign a petition requesting the meeting to protest the party's decision that ended performances of a classic anti-Russian play by the 19th-century romantic poet Adam Mickiewicz.

Major importance is attached to the meeting because, if past performance is any guide, it should provide a rare semipublic forum for airing the intellectual community's accumulated complaints.

AUDIENCE PROTESTED

Both before and after "Dziady" ("The Forefathers") was closed amid angry audience protests on Jan. 30, the party showed its nervousness in dealing with the intellectuals.

Last week, party censors abruptly canceled performances of a prewar avant-garde play, "Gyubal Wahazar," the day before it was scheduled to open at the Nardowy Theater, where "Dziady" had also been performed.

The play, by the late Stanislas Ignacy Witkiewicz, was described in an official theater publication as a "protest against all tyrannies." It ends with the secret police chief assassinating the dictator.

Censors are reported to be insisting that the name of the Nardowy production now in rehearsal be changed before it can open. The original title of the play, a nonpolitical turn-of-the-century comedy, is "Ciezkie Czasy," or "Oppressive Times."

TRIAL IS CLOSED

Observers also credit party nervousness with the current trial of the literary critic Janusz Szpotanski; who is accused of harming state interests by writing and privately performing a satiric operetta, Cisi i Gegagze, ("The Silent and the Honkers.")

Some Communist sources are worried that the writers union will stray from complaints about censorship to political polemics, which could further estrange the party and the intellectual community.

A number of leading Polish intellectuals, many of them Jews, have resigned from the Communist party since the Middle Eastern conflict last June amid charges that the leadership used the war as a pretext to shut off discussion.

Other signs of intellectual unrest are reflected in reports that actors and Warsaw University students have signed petitions condemning the closing of "Dziady." But both Communist and non-Communist writers are chary about predicting that the Writers

Union meeting will produce any significant liberalization of party attitudes.

[From the Baltimore Sun, Feb. 20, 1968]

Writer Jailed as Poland Steps Up Stalinist Purge—Opera Spoof

WARSAW, February 19.—A 34-year-old literary critic was sentenced today to three years in prison for writing a comic opera spoofing leading Polish personalities ranging from politicians to cardinals.

Janusz Szpotanski was found guilty of "preparing and disseminating false or derogatory writings or other materials deemed detrimental to the interests of the state."

The verdict and sentencing were read in open court, but the motivation for the decision was given after the courtroom had been cleared of spectators.

SECRET SESSIONS

The trial began February 5 and was open to the public. In the six sessions that followed until the conclusion today, the trial was held behind closed doors.

Szpotanski's opera tapes had been making the rounds of private parties for a few years.

[From the Baltimore Sun, Feb. 20, 1968]

Writer Jailed as Poland Steps Up Stalinist Purge—Police State

(By Stuart S. Smith)

BONN, February 19.—Poland has fallen back into the status of a reactionary police state, Western observers said today.

The once liberal Gomulka regime has in recent months made use of threats, arrests and political trials to harass both the party rank and file and the population at large, they say.

The principal instigator of this repression is said to be Mieczyslaw Moczar, the Polish Interior Minister and head of the secret police. Moczar is, at the same time, leader of a Stalinist party faction called the Partisans, which for years has been trying to undermine the position of the liberals who helped bring Wladislaw Gomulka, the Polish Communist party secretary to power in 1956.

The fact that anti-Partisan elements have been the chief losers in the recent reshuffles and have been replaced by men close to Moczar indicates the Interior Minister is getting the upper hand.

For sometime now the Polish press, radio and television have been conducting a propaganda campaign, warning the population against contacts with the "imperialist" West. Regular denunciations of not only the United States but also West Germany are standard fare.

This contrasts with the attitudes of Yugoslavia, Romania and Bulgaria, which now have good relations with West Germany. Also Hungary and Czechoslovakia are taking slow but positive steps toward improving communications with the Federal Republic and other Western Nations.

ANTI-SEMITISM

The Polish propaganda, which contains a considerable amount of anti-Semitism, is being supported by a series of spy trials, which have been given wide publicity in an obvious effort to scare the citizenry.

Western journalists encounter great difficulty in entering Poland, although they may travel freely throughout Hungary, Chechoslovakia and Romania and do not even need visas to enter Yugoslavia and Bulgaria.

Polish censors, who once tolerated much Government criticism, are now among the harshest in Communist Europe.

Numerous theater pieces have been canceled and books and magazine pieces banned in the past few months. Only the most obedient writers have been able to obtain good commissions.

MIDEAST WAR

Moczar's purges have been directed against all liberal groups, but last summer's Arab-Israel confrontation provided him with an excellent weapon to use against Communist party Jews, most of whom opposed Moczar's Partisan movement.

Although Jews have for many decades played an important role in Polish party affairs today there are few if any left in responsible positions.

The Polish leadership's ever closer relationship to Soviet policy runs against the trend among other European Communist nations, with the exception of East Germany, which are seeking as independent a political status as their economic dependency upon Russia will allow.

Why the Polish leadership feels so insecure that it must turn back the clock and reapply terrorist methods is difficult to say, but new acts of oppression or even the continuation of the present conditions can only further embarrass the country's more liberal Communist allies in Southeast Europe.

TWO JAILED IN POLAND

WARSAW, February 19.—A West German was sentenced to 6½ years in prison and a Pole to 9 years in Szczecin, northwest Poland, today for alleged hostile political activity on orders from two West German religious organizations.

Eugan Schrabtke, a West German, and Alfred Kipper, a Pole from Szczecin, carried out their activities in areas Poland took from Germany after the World War II, the provincial court said.

In its judgment, the court stressed the men's full consciousness of their activities against the Polish state and in the interest of the West German "revisionist" church organizations Kirchendianst Ost and Evengelishes Hilfswerk, according to the Polish news agency Pap.

The court said the regret Schrabatke expressed during the trial mitigated his offense.

The indictment said that under the guise of helping German nationals still living in the former German areas the two organizations aimed at encouraging the belief that the present Polish-German frontier was not permanent.

The accused were alleged to have slandered Poland while pretending to help German nationalists of evangelical faith in northwest Poland.

They were charged with collecting and sending information to West Berlin, and West Germany about life and people in the western Pomeranian region around Szczecia, including lists of persons supposed to be needing help.

They were also charged with illegal currency manipulations and other financial offenses.

[From the New York Times, Mar. 10, 1968]

Polish Students in 2d Day of Riots—Tear Gas and Clubs Are Used by Police To Combat Bricks—Two Arrests Reported

(By Jonathan Randal)

WARSAW, March 9.—Polish students shouting "Long live Czechoslovakia!" fought steel-helmeted police here today for the second day.

The fighting began when students threw bricks and bottles. The police replied by lobbing tear gas shells. Some students were beaten with rubber truncheons.

The students' shouts apparently alluded to the promises for greater democracy that have been made by the new Czechoslovak leadership since Alexander Dubcek replaced Antonin Novotny as First Secretary Jan. 5.

Spokesmen for the police and the Polish Government said they had "no information" on the number of students that have been arrested during the two days of rioting at Warsaw University and the Polytechnic school.

Informed sources said the police arrested Jcek Kuron and Karol Modzelewski last night. They are teaching assistants at Warsaw University, who in 1965 were imprisoned for having distributed pamphlets that criticized the lack of democracy for the Communist party here.

Unlike the rioting yesterday, which was limited to the Warsaw University campus, the clashes spilled directly into the streets, which were littered with bricks, broken glass, stones and newspapers.

POLICE ACTION PROTESTED

The rioting, which saw policemen and civilian auxiliaries hunt down students in apartment houses, doorways and on church steps, began today when Polytechnic students marched out of school grounds after a protest meeting.

At the meeting the students condemned the violation of the university's traditional autonomy by policemen and civilian auxiliaries yesterday and demanded the release of students arrested earlier.

Tonight the state-controlled Warsaw television network broadcast a statement that denied persistent rumors that a girl student had died from injuries received in the clash with the police yesterday.

The rioting started when Warsaw University students met to demand the reinstatement of two students expelled after being arrested last Jan. 31 for demonstrating against the closing of a classic Polish play by Adam Mickiewicz, a 19th-century poet. The play, depicting Polish suffering, contains lines that could be interpreted as criticism of the Soviet Union today.

The students also expressed their solidarity with the Warsaw branch of the Writers' Union which last week condemned the closing of the play, "Dziady" ("The Forefathers"), and called for a relaxation of censorship.

MARCH ON NEWSPAPER

Today, led by a student carrying a red and white Polish flag, some 3,000 students marched in the direction of the offices of Zycie Warszawy, a Government-controlled newspaper that had criticized them as "scum." Near Workers Unity Square, the students were met by policemen who demanded that they disperse.

Among the slogans the students shouted were "More democracy!" "Down with censorship!" "Gestapo!" "Down with the lying press!" and "Down with Moczar!" Gen. Mieczyslaw Moczar is the Interior Minister and chief of the secret police.

Later, some two miles away, police auxiliaries used truncheons to beat students who were standing on the steps of the Church of the Holy Cross, across the street from the main university entrance. Other students sought sanctuary inside the church, where composer Frederic Chopin's heart is buried.

The police and auxiliaries were brought in by the truckload. Traffic patrolmen cordoned off streets for several hours to contain the rioting near the Polytechnic School.

The student rioting was the most serious clash with authority since October 1957, when the Polytechnic School and university students fought police for three days to protest against the closing of an outspoken student magazine, Po Prostu.

[From the New York Times, Mar. 12, 1968]

Thousands in Poland Fight Police as Protest Mounts

(By Jonathan Randal)

WARSAW, March 11.—Tens of thousands of Poles clashed with policemen in front of Communist party headquarters and at the statue of the national poet, Adam Mickiewicz, today.

For the first time adults joined university students and teen-agers in the wave of protests against stringent Communist party control of cultural affairs. The participation of adults altered the character of the demonstrations, which began last Friday.

The disturbances sought to protest, among other things, the closing of Mickiewicz's classic anti-czarist play, "Dziady" ("The Forefathers").

[Demonstrators sacked a building of the Culture Ministry in the central section of the capital and fought policemen with debris and broken furniture, Reuters reported. Militiamen battling demonstrators outside Warsaw University were met with chants of "Gestapo! Gestapo!" as they waded forward with flailing clubs.]

For almost eight hours, policemen, worker militiamen and civilian police auxiliaries fought with the demonstrators in the third day of violence unequaled since 1957. Then serious rioting followed the closing of the liberal student magazine Po Prostu.

Stefan Cardinal Wyszynski, Roman Catholic Primate of Poland, canceled a schedule sermon "to avoid worsening the situation." The cancellation was announced to an overflow crowd in St. Ann's Cathedral, which reeked of tear-gas grenades tossed by the police.

Workers and militiamen used rubber truncheons to beat churchgoers on the cathedral's steps, which, like many Warsaw streets, were littered with tear-gas canisters, broken glass, bricks and paving stones.

Meanwhile, Slowo Powszechne, newspaper of Pax, the pro-Communist Roman Catholic lay movement, suggested that the demonstrations had been led by Zionists. It listed the names of some of the students arrested, almost all of whom are Jews.

P.A.P., the Polish press agency, reported that one sign carried at a Communist party meeting at the Zeran automobile factory read, "Clean the Zionists out of the party"

During most of the day and early evening, demonstrators seemingly ranged at will, shouting "Gestapo!" "Democracy!" "Constitution!" "Warsaw with us!" and "Moczar's valets!" at the police, Mieczyslaw's Moczar is the Interior Minister and chief of the secret police.

The demonstrators threw paving stones and bricks at the helmeted policemen, who charged with truncheons and fired tear-gas grenades and, for the first time in the current outbreak, used a truck armed with a water gun to disperse them.

Time and time again demonstrators slipped through side streets and emerged red-eyed and weeping to taunt the police.

Most of the fighting took place along Novy Swiat and its continuation, Krakowskie Przedmescie, which for more than a mile forms one of Warsaw's main thoroughfares.

Shortly before 4 P.M., when most Warsaw offices and factories had closed for the day, tens of thousands of people suddenly gathered in Novy Swiat. Virtually unopposed by small detachments of policemen and large numbers of worker's militiamen, they surged along the street.

On their way they burned copies of the principal newspapers, which had continued their denunciations of the student demonstrators, characterizing them as hooligans and "Well-to-do youths with political ambitions."

Only when the crowd neared the gray, forbidding building that, since its erection during the Stalin era, has housed the United Worker's party Central Committee did the police make serious attempts to stop it.

There the fighting, which lasted for more than two hours, was watched by a dozen men and women standing on the party's sixth-floor terrace.

The crowd finally dispersed—and the main streets were partly opened.

[From the New York Times, Mar. 12, 1968]

Prague Party Chief Denies He Issued Statements

Prague, March 11.—The head of the Communist party in Prague, Martin Vaculik, expressed his regrets that antiliberal statements by his organization had been "imprecise" and "misunderstood."

He asserted on television that he was a progressive but acknowledged that in the party power struggle early this year he supported President Antonin Novotny.

A few hours earlier, the Ministry of Interior apologized to students in Prague for the police violence employed against them last Oct. 31, during a demonstration against living conditions in dormitories.

Placing full responsibility on the police for the incident and promising that seven policemen would be punished, the Ministry insisted that neither the Communist party nor state officials bore any responsibility for the mistreatment of the students.

The Prague city Communist organization was criticized at weekend meetings of several of Prague's borough organizations. The attacks were aimed at the city leaders' statement last Friday warning against overhasty changes in Communist party policy and against alleged "one-sidedness" of the communications media, which were accused of having disseminated radical ideas and even of mocking fundamental Communist concepts.

At one meeting, the city leaders were accused of having tried to dictate the line to be taken by the local conferences, having waited until the local organizations expressed their own opinions before issuing a citywide statement.

At another borough, a resolution was adopted condemning the city organization's statement, while at a meeting of Communists of Prague universities, disagreement was voiced with the city groups' charge that the communications media were one-sided.

Tonight, Mr. Vaculik pleaded that the prevailing opinion that his leadership was conservative was mistaken, and that the widespread belief that his organization's statement was against freedom of the press was wrong. He argued that he was opposed to radical and extreme statements.

[From the Baltimore (Md.) Sun,
Mar. 12, 1968]

Youths Riot at Poland's Party Office—Students Yell "Gestapo" During 7-Hour Fight Over Censorship

Warsaw, March 11.—Students shouting "freedom" and "democracy" marched on Communist party headquarters in Warsaw today and battled police for more than seven hours in the worst rioting in Poland in eleven years.

Student taunts of "Gestapo, Gestapo" rang out repeatedly as several thousand demonstrators clashed with truncheon-wielding police in running battles on downtown streets. The Gestapo was the secret police in Nazi Germany.

The unrest, which flared into weekend riots, had smouldered since early in January when censors construed lines in a play as anti-Soviet.

FROM WINDOWS

Communist party members and workers watched from the windows of the headquarters building as the riot surged below.

Tear gas cylinders soared through the air and often were tossed back at the police. Rocks, sticks, bottles and bricks were sent flying toward the police ringing the building.

Stefan Cardinal Wyszynsky, Poland's Catholic primate and long an opponent of the Communist regime, canceled a sermon at St. Ann's Church near the university because of the violence outside the church doors.

The cardinal said he would not speak, to "avoid worsening the situation."

WORST SINCE 1957

The disorders were the worst since 1957 when protests over the closing of a student magazine erupted into three days of disturbances.

The press today blamed all the trouble on Zionists working for an "alliance between West Germany and Israel" by undermining "the authority of Poland's leadership."

Packed streetcars and buses were brought to a halt by the action today. The acrid blue smoke from the tear gas filled the jammed intersection where the building is located. The scene resembled a battlefield.

Women screamed insults at police clubbing youths with truncheons. Other passers-by rubbed eyes made red by the tear gas.

Police finally managed to disperse the shouting crowd.

It was the third outbreak of violence in Warsaw since student demonstrations began last Friday at the downtown campus of Warsaw University. On Saturday, police and youths clashed again near the Polytechnic University.

As on Saturday, the harsh police measures appeared to have been set off by rock-throwing youths.

Friday's violence began after a protest against expulsion of two Warsaw University students on the ground they took part in a demonstration January 1 protesting forced closure of the popular play which had some lines construed as anti-Soviet. Saturday's demonstrations protested police measures used the day before.

[From the Evening Star, March 14, 1968]

Protest of Students in Poland Spreads

(By Bernard Gwertzman)

Poland's student-led demonstrations have spread to at least eight cities outside of Warsaw and have picked up moral support from Czechoslovakia's newly liberalized student organizations.

The demonstrations, many of which have led to clashes with police, began as a simple protest meeting in Warsaw last week but have escalated steadily, due in part to the way Polish authorities have handled the matter.

Almost from the start, the Communist party press and radio blamed the demonstrations on Jews, international Zionism, liberals and anti-socialist elements.

And the media have refused to acknowledge the students' major grievance—the expulsion of two students from Warsaw University for participating in a protest against the forced closing of a popular, if somewhat anti-Russian play.

WARSAW TENSE

The situation in Warsaw, where steel-helmeted police are on the ready, has remained quiet but tense for the past two days, diplomatic sources report. This is in contrast to the open clashes on some of the Polish capital's downtown streets last Friday and Saturday.

But student groups in other important Polish cities have been protesting in support of the Warsaw demonstrations.

Many of these marches have been aimed at the rather crude way the authorities have handled the situation. The protesters have carried posters saying such things as "The Press Lies," "Down With Censorship" and "Warsaw Is Not Alone."

At last report, demonstrations have been held in Krakow, the ancient capital of Poland and the nation's leading college town; Gliwice, Gdlansk (Danzig), Lublin, Wroclaw (Breslau), Lodz, Poznan and Szczeczin (Stettin).

KRAKOW PROTEST

Unconfirmed reports say that in Krakow, where Poland's oldest university Jagiellonian, is located, force was used to disperse some 3,000 marchers.

In Poznan, where riots in 1956 touched off Poland's liberalizing revolution, there were reports that police also used force to break up a smaller demonstration.

According to UPI, a meeting of 8,000 students was held yesterday in Warsaw to air grievances, and one of Warsaw University's officials, Prof. Dionizy Smolenski, reportedly agreed that the police actions and press coverage were "two sad things" and he admitted that "sometimes the militia exceeds the limits of their power."

Among the complaints aired were that more than 200 students still are being detained by police—another 150 were released.

At the meeting, the students also demanded freedom of assembly and speech, punishment of the university official who summoned police to the university last Friday and guarantees against future police invasion of the grounds.

WIDE PUBLICITY

The student resolution also said that the students were in favor of socialism and declared that they were not allied with either Zionist or Semitic causes.

In Prague, where a change in party leadership has brought rapid liberalization, the press is giving wide publicity to the Polish demonstrations, and indicating support for the Polish liberals.

The student organization at Charles University in Prague has sent a message of support to Warsaw for the student demands.

The immediate cause of the unrest was a well-known Polish play, "Dziady" ("The Forefathers' Eve"), written by the 19th century romantic poet Adam Mickiewicz who is something of a national hero in Poland.

PLAY STIRS UNREST

On Nov. 25, Kazimierz Dejmek, one of Warsaw's most talented directors, put on a new version of the play in the National Theater. Audiences began to pay special note to the political aspects of the play, which depicts, in part, oppression of Poles by Tsarist police and officials.

There were laughs and applause at such lines as "The only things Moscow sends us are jackasses, idiots and spies."

For reasons still unknown, the Polish authorities, who generally are fairly lenient in theatrical censorship, closed the play on Jan. 30.

News about the suspension was widely known in Poland and top cultural figures as well as many students attended the last performance. After the final curtain, there was a demonstration against censorship. About 200 students marched to a Mickiewicz monument and about 50 were arrested.

Two Jewish students were expelled for their role in the march.

Three weeks ago, the Warsaw chapter of the Polish Writers Union held a meeting, and despite efforts by hardliners to prevent it, the majority passed a resolution asking for restoration of Dejmek's production and an end to censorship.

WARSAW UNIVERSITY

Last Friday, a meeting was called on the campus of Warsaw University to protest the expulsion of the two students and this led to police efforts to disperse the crowds, fights and injuries. For the next three days, Warsaw underwent a series of incidents, with many injuries.

Prominent in the official response has been the emphasis put on "Zionist sympathizers." The attack on Zionists has been going on with little letup since the Arab-Israel war last June. In the aftermath, almost all of Warsaw's intellectuals have been at odds with the party leadership decision to break relations with Israel.

As a result of the disputes over the war, party hardliners, apparently led by Interior Minister Mieczyslaw Moczar, have been purging party liberals who show any sympathy with Israel or who are Jewish. There are only about 20,000 Jews in Poland, but many are in middle levels of the party.

[From the New York Times, Mar. 20, 1968]

CRACOW STUDENTS STAGE A SIT-IN; CZECH PRIVATE DEFIES A GENERAL—GOMULKA SPEECH IGNORED

(By Jonathan Randal)

WARSAW, March 20.—Students in Cracow pointedly ignored today an appeal by the Communist leader, Wladyslaw Gomulka, for an immediate return to classes. They staged a sit-in at Jagiellonian University.

In a further indication that the students were not satisfied with Mr. Gomulka's promise yesterday of eventual consideration of their grievances, 3,000 of them at the Warsaw Polytechnic School voted to begin a 48-hour sit-in tomorrow morning.

Warsaw University students will join the sit-in, according to a student delegate at the strike meeting held this afternoon at the Polytechnic School.

The Warsaw sit-in reflected warnings by the students that they would take other defiant measures unless the regime published their 15-point resolution and corrected "slanderous" press accounts of previous demonstrations by Tuesday midnight.

The Polytechnic meeting demanded that students be allowed to discuss their problems on the radio and television, controlled by the regime.

Symptomatic of the student's mood at the meeting was the tearing up of newspapers. The newspapers' main interest today was the text of Mr. Gomulka's speech to Warsaw party members.

Some student sources suggested that a factor in the students' renewed defiance was Mr. Gomulka's criticism of "revisionist" liberal professors at Warsaw University as the "spiritual instigators" of the student unrest. Many professors named are Jews.

Mr. Gomulka dropped similar charges against Zionists and former Stalinists, apparently in an effort to keep within bounds the anti-Zionist campaign that he obliquely conceded had anti-semitic overtones.

The Polish party has applied the name "Zionists" to instigators of the student demonstrations.

Although Mr. Gomulka stressed that no professors had lost tenure because of their "academic views," he indicated that changes might be under consideration. He said the regime "displayed considerable—and as experience has shown, unfortunately, too great—restraint and caution in interfering for political reasons with the life of academic circles."

In Cracow, the sit-in involved students sitting in corridors and not attending lectures, informed sources said. It followed a five-day classroom boycott during which some parents had been warned that their children would be expelled unless they returned to school, the informants added.

At the Polytechnic meeting, a message was read from workers at a rolling-stock factory in Wroclaw, the sources said. The message expressed solidarity with student demands.

In Wroclaw, newspapers disclosed that classroom boycotts or sit-ins took place at all eight institutions of higher learning there last Thursday and Friday. Only students of the School of Plastic Arts did not return to classes normally on Saturday, according to the newspapers, which added that "hooligans" had been responsible for violence there on Friday.

Meanwhile, the anti-Zionist campaign evaporated today in the wake of Mr. Gomulka's speech, which sought to moderate a 10-day campaign that apparently had the party's blessing.

In its place, there were pledges of support for "Comrade Wieslaw," as Mr. Gomulka is affectionately called, as well as confusion among many Poles who were surprised at the moderate tone of his remarks.

In some quarters the excited shouts that accompanied Mr. Gomulka's remarks on Polish Jews and the chanting of the name of Edward Gierek were interpreted as reflecting the popularity of the anti-Zionist campaign.

Mr. Gierek, the party secretary in industrial Silesia, had made a strongly anti-Zionist day and is sometimes mentioned as a possible successor to Mr. Gomulka.

[From the New York Times, Mar. 22, 1968]

STUDENTS' SIT-IN OPENS IN WARSAW—MOVEMENT SPREADS DESPITE EXPULSION WARNINGS

(By Jonathan Randal)

WARSAW, March 21.—Warsaw students today joined a sit-in movement underway at Cracow despite threats of expulsion unless they resumed normal studies.

Students took up quarters at the Polytechnic School at 8 A.M. at the start of a 48-hour sit-in. Tonight as many as 5,000 were playing cards listening to Chopin on tape recorders and preparing to bed down with blankets brought to the school premises, student sources said.

At Warsaw University all gates were locked, apparently by order of the university authorities. Nonetheless, several hundred students were milling around the grounds and some scaled spiked fences to enter university property. Many hundred other students, some wearing white student caps and carrying bundles, were seen leaving the university area, apparently because of the lockout.

The sit-in took place despite printed official posters on the doors of the university and the Polytechnic School doors warning of "serious consequences," including expulsion unless the students stopped disorganizing school work.

SIGNED BY RECTORS

The posters were signed by the institutions' respective rectors, Stanislaw Turski and Dionizy Smolenski.

For the first time since the student unrest began two weeks ago, the state-controlled television network reported the new developments promptly.

"A small group of political troublemakers incited students not to attend classes at the Polytechnic School," a news bulletin said at 11 P.M. "Unhappily a certain number of students listened to them."

Informed sources said the Government was considering closing the Polytechnic School for two weeks and drafting male students into the armed forces if the rector's appeal went unheeded.

In Cracow, where students boycotted classes at Jagiellonian University last Thursday, the sit-in completed its second day. Students remained in the hallways of university buildings and did not attend lectures.

The sit-ins are being held to protest against the regime's refusal to answer students' grievances quickly. These grievances focus on charges of police brutality, insistence on rectification of "slanderous" Polish press accounts and demands to free arrested students.

Wladyslaw Gomulka, the Communist party leader, appealed to students two days ago to return to work immediately and promised eventual consideration of their grievances once calm had been restored.

COLLECTION TAKEN UP

Tonight adults passed food and cigarettes to Polytechnic students across an iron fence. Student leaders have organized a kitty of 5,000 zlotys ($200) to supply blankets, food and even candles should the school's lights be turned off.

In the school, students gathered around a Dixieland pianist who was playing in the main auditorium. They also listened to Western news broadcasts.

Although the warnings from the rector of the Polytechnic school had been stern, one of his assistants simply asked them not to cause trouble.

Student leaders issued orders against bringing vodka or any other hard liquor to the Polytechnic sit-in, sources said. Some students were seen drinking beer.

The state-controlled television network tonight announced the arrest of the son of Mieczyslaw Lesz, the former Internal Commerce Minister, who is now deputy chairman of the Committee for Science and Technology.

Officially charged with spreading false information, his son, Aleksander, was attacked in a newspaper article last week for allegedly having smashed an official car while drunk. The newspaper, Walka Mlodych, charged that his father had hushed up the accident.

At the Polytechnic School, windows were thrown wide open on this first warm day, which coincided with the beginning of spring.

Chalked on a classroom blackboard was a sign announcing "night resident." On the statute of a woman on the facade of the main building hung an enormous sign that read "strajk okupacyjny," the closest equivalent to "sit-in" in Polish.

[From the Baltimore Sun, March 25, 1968]

STUDENT AIM IS FREEDOM, POLAND'S EPISCOPATE SAYS

WARSAW, March 24.—The Catholic episcopate of Poland attributed student unrest in the country today to a "striving for truth and freedom."

In a message read in Sunday masses throughout the country, the church leadership suggested that the regime of Wladyslaw Gomulka acknowledge the desires of youth and adopt more progressive policies.

DIALOGUE URGED

"Pope Paul VI has written that the new name for peace is 'progress.' That is why we pray for this peace and we ask all to pray for this," the message said.

It added that "penetrating dialogue" should be employed instead of physical force to solve matters dividing people.

The message, drafted at a March 21 meeting of the episcopate, is to be read in all academic towns and "in the soonest possible time thereafter in all towns of Poland." The nation's population is about 85 per cent Catholic.

Students have been demonstrating practically non-stop since March 8. Their protests include charges of police brutality against demonstrators, false accounts in the state-controlled press, demands for release from jail of arrested student leaders and respect for the freedom to assemble and demonstrate as guaranteed in the Polish Constitution.

The church message said Polish bishops felt "obliged to make their voice heard in this matter."

FORCE IS CONDEMNED

It condemned the "brutal use of force" and said the church has "addressed in this matter . . . the Government of our state."

Three student sit-in demonstrations in defiance of school and Government authorities ended yesterday in Warsaw.

In the biggest one at Polytechnic College, about 4,000 students were persuaded by school officials to leave campus buildings during the night instead of carrying on to a planned morning conclusion.

[From the Christian Science Monitor, Mar. 13, 1968]

WARSAW RIOTING SPREADS

(By Paul Wohl)

Broken bottles, stones, and bricks litter the streets of Warsaw. Three days of student riots have been put down with tear gas and rubber truncheons. One student was so badly hurt that the government felt the need to report that he was still alive.

"Gestapo!" the students cried defiantly as the police charged. "Down with obscurantism," "Long Live Czechoslovakia," "Democracy," "Freedom," and "Constitution" were other cries heard during the demonstration.

Writers, students, actors, the old generation of intellectuals, and the new educated middle class of workers and peasant origin are tense. A mood of insurgency is rising in the capital.

[Several thousand demonstrators fought running battles with police on downtown streets for seven hours Monday, the Associated Press reported, and smashed the windows of a Culture Ministry building. The party headquarters was also a target of the demonstrations.

[The Polish news agency PAP said the militia seized about 300 persons during Monday's disturbances, according to Reuters. It said an identity check revealed that only about 30 of those held were students.

RESOLUTION PASSED

[Informed sources told the Associated Press that at a meeting at Warsaw University, about 3,000 students and a number of professors passed a resolution demanding freedom for students arrested after Friday's demonstration. The resolution, informants said, also carried an appeal to other Polish universities to support the Warsaw cause.

[The resolution was said to demand in addition that the state-controlled press publish the students' accounts and explanation for their protest actions. The press said the trouble was caused by Zionists working for an "alliance between West Germany and Israel" by undermining "the authority of Poland's leadership."]

Wladyslaw Gomulka, the aging party chief whom Poland hailed 10 years ago as a symbol of renewal, never has been more unpopular. "He could have become Poland's Tito," this writer was told not so long ago; "he could have become Poland's de Gaulle; instead he has become Moscow's proconsul, a fear-ridden, heavyhanded bureaucrat."

Even those who see Mr. Gomulka's good sides, his evenness, his quiet insistence on orderly progress, on economy, sobriety, and order—characteristics which in the past were seldom associated with the Polish national temperament—feel that it is time for a change.

PUBLIC WELL INFORMED

The issue is not merely a personal one. In his obstinate resistance to change and his defense of the most pro-Soviet policy in the bloc, Mr. Gomulka was forced to lean on the support of hard-liners and cynical careerists, regardless of public opinion.

Polish public opinion today is better informed than it was in 1956 when the Stalinists were thrown out and Mr. Gomulka was swept into power. Sources of information have kept step with the progress of electronics. Today everyone in Poland listens to foreign radio stations. Radio Free Europe in Munich, which formerly was shunned by many Poles as biased, now has its largest audience ever. Poles call it "Warsaw Four." (The capital has three broadcasting stations.)

"Warsaw Four's" sources of information are stupendous, showing that discontent and a spirit of insurgency (Fronda) has spread among the highest officials and their auxiliaries.

The Polish press has been almost completely silent about developments in Czechoslovakia. Yet the public knows what is going on. Czech and Slovak broadcasts can be heard. (Slovak is so similiar to Polish that any Pole can understand it.) Then there is the popular BBC and the Voice of America.

DANGER SIGNAL

The Western press is accessible in some 60 press and book clubs in all major cities. Scores of Poles are constantly returning from missions abroad. What they have to tell spreads and is frequently embellished.

The tense and desperate mood in the Polish capital is a danger signal for the ruling bureaucrats throughout the bloc. The rebellions of 1956 started in Poland. Polish intellectual and artistic life is the hope of reformers in all of Eastern Europe's Communist-ruled countries.

Poland with its 32 million inhabitants is the second-largest country of the bloc. It has actively participated in European history and in the continent's great cultural movements (the Reform, the Renaissance). Its people are known for their fighting spirit.

The mood of insurgency which has come to the fore in Warsaw these days has developed slowly and from many causes which all have their counterparts in other bloc countries.

OFFICIALS CLOSE PLAY

In contrast to 1956–57, economic reasons have little to do with the protest movement. There are no starvation wages; even the apartment shortage has eased. Except for pensioners without a family and some of the very old without pension, there is no misery in Poland. As a whole the common people live better than they did in the past. There is less inequality than in any other bloc country.

The immediate cause of the protest movement was the closing of the play "Dziady" by the Polish 19th-century classic writer Adam Mickiewicz. "Dziady," meaning the old men or the beggars, is a very long play which has to be shortened selectively in order to be performed. The new version, which was closed, highlighted certain anti-Russian passages which are out of line with the author's friendly approval of Russian revolutionists elsewhere.

The anti-Russian lines caught on and were greeted with wild applause by part of the audience. One reason for this may have been the residue of the old anti-Russian bias, which actually is disappearing among the intellectuals. More likely, the public enthusiasm reflected in indirect protest against the government's unfailing allegiance to Moscow. Rumors that last year's meat shortage, which led to a substantial rise in meat prices, was caused by excessive exports to the Soviet Union have fueled resentment on this score.

Be this as it may, the government closed the play, and the students protested. The Warsaw Writers Union joined in the protest. An extraordinary meeting of the Warsaw writers, called at the demand of 250 members (one-quarter of all the members of the Polish Writers Union), was held from Feb. 29 to March 1.

A resolution adopted by a large majority requested the reopening of the play and condemned the government's interference in cultural affairs. The meeting, which closed on March 1 at 2 a.m., was dramatic.

"ESCALATION OF CENSORSHIP"

Jerzy Andrzejewski, one of the most famous Polish writers, who had never spoken at any previous writers congress in the past 10 years, protested against "the escalation of censorship." The popular Roman Catholic writer, Steran Kiezelewski, complained that literature and history were being "falsified by the obscurantism" of the leaders.

Prof. Leszek Kolakowski, who was ousted from the party in 1966, spoke of the smothering of criticism and debate in every field." Professor Kolakowski is the idol of the students. "Is this really socialism?" he asked.

The extraordinary congress also adopted a resolution demanding that the results of the meeting be published in the press. Not a word was printed, but what had been said, made the rounds of Warsaw with lightning speed and added to the tension.

No one can say whether those in power will be able to restore the artificial calm which has reigned in Poland for the past few years, or whether the insurgency of the intellectuals will shake up the government and the country. But even if calm is restored, the experiences and the bitter feelings of the past few weeks will not be forgotten.

[From the New York Times, Mar. 28, 1968]

WRITERS' PROTEST SCORED IN POLAND—OPPOSITION TERMED PLEASING TO NATION'S FOES ABROAD

(By Jonathan Randal)

WARSAW, March 27.—The Communist party newspaper, Trybuna Ludu, today printed a long attack on the extraordinary meeting of the Warsaw writers union held last month.

Wladyslaw Gomulka, the party leader, accused the writers in a speech March 19 of having played an active role in organizing the student demonstrations against Communist cultural controls.

The newspaper said the meeting of Feb. 29 "was probably the only forum in Poland where it was possible to express such slanders with impunity."

The meeting adopted a resolution condemning the regime's cultural policy, particularly the closing of Adam Mickiewicz's 19th-century play "Dziady" ("The Forefathers") in the Narodowy Theater. The Polish Government considered the production to have anti-Russian overtones.

Trybuna Ludu quoted various speeches, including one said to have been made by Leszek Kolakowski, a Marxist philosopher who was one of six Warsaw University professors dismissed Monday.

He was quoted as having said that "the national culture is being dwarfed under innumerable blows."

OPPOSITION IS NOTED

"The huge mass of unavoidable opposition has consolidated feelings of bitterness, frustrated hopes, caused the hopelessness of the situation and proved the incompetence and lack of ability in the cultural leadership," he added.

He was said to have rejected a draft resolution condemning the tightening of cultural controls because it "did not reflect fully enough the protest and bitterness provoked by the present-day administration of Polish culture."

The newspaper charged that the speeches at the meeting had served the political purposes of "antisocialist forces" abroad.

These forces "look for every opportunity to set the names of writers well known to masses of readers against the people's authority," the newspaper added, and "hostile propaganda centers have been going into ecstasies in commenting" on the writers' meeting.

Meanwhile, the newspaper Gazeta Krakowska denied rumors that one of its articles last week had suggested that police dogs had been used against rioters in Cracow.

The original article, dated one week ago, read: "Yesterday the surgical out-patient clinic of the ambulance service in Siemraidzki Street gave first aid to 112 patients. Those hurt were mainly people who had suffered injuries at their place of work. Many had been bitten by dogs."

[From the New York Times, Mar. 29, 1968]

WARSAW STUDENTS MEET AGAIN, DEFYING REGIME—DEMAND THE REINSTATEMENT OF HUMANITIES PROFESSORS AND LEGAL REFORMS

(By Jonathan Randal)

WARSAW, March 28.—Warsaw University students today defied new warnings from the Polish Government and met to demand the reinstatement of six dismissed humanities professors, according to informed sources.

The unauthorized meeting of 2,000 students constituted the first overt act of student defiance since three Warsaw sitins ended last Saturday.

Held despite serious warnings in two newspapers today, the meeting was apparently prompted by the dismissal of professors Monday.

Wladyslaw Gomulka, the party leader, had foreshadowed the dismissals in a speech 10 days ago in which he said the professors were the "spiritual instigators" of the now three-week-old student unrest against Communist cultural controls.

Fragmentary reports about today's meeting said the students also denounced censorship and demanded the release of students arrested or drafted into the armed service because of their participation in demonstrations.

LEGAL REFORM DEMANDED

Another student demand was said to have been reform of the legal code, especially the so-called Small Penal Code.

Originally adopted in 1946 to deal with armed anti-Communist guerrillas who then disputed the government's authority, the Small Penal Code has often been invoked to punish dissident intellectuals.

The meeting today took place despite a series of warnings from the regime. Two days ago a message from Rector Stanislaw Turski warned that any further student disobedience would entail expulsions and the closing of the university.

PARTY PAPER WARNS

Today, Trybuna Ludu, the party newspaper, said student troublemakers "must be told with all seriousness, determinely and decisively, stop, put an end to trouble mongering, provocations and misleading your colleagues."

"All of us have had enough of mass meetings," it warned. "There will be and there can be no tolerance of trouble-mongers and people of ill will," the statement said.

Zycie Warszawy, another newspaper, warned "only firmness remains when all means of discussion and discreet persuasion become exhausted."

Backing up the stern warnings, police and plainclothesmen patrolled Krakowskie Przedmiescie, a main street, which passes in front of the university in the center of Warsaw.

The university gates were closed at 4:15 P.M. after the rector was reported to have exercised his privilege and canceled late afternoon classes. The gates were reopened more than three hours later and hundreds were seen leaving the university grounds.

While the gates were closed, hundreds of students were seen milling around inside the university grounds and adjacent streets. Many wore white caps, which have become the symbol of student defiance since the demonstrations began.

Meanwhile, observers noted a discrepancy in the party's handling of a principal student grievance—the use of security forces inside the university grounds despite traditional extraterritorially enjoyed by Polish institutions of higher learning.

While Polish newspapers have printed articles stressing that no legislation or tradition exists on this score, Czeslaw Domagala, the party secretary in Cracow, said just the opposite.

Addressing a recent party rally, Mr. Domagala conceded that "an unfortunate incident occurred, namely the entry of a group of police and workers' militia, while chasing students, into the grounds of Jagiellonian University."

He added: "Obviously, as a result of this unintentional incident by the police command—a violation of the traditional right of extraterritoriality of an institution of higher learning which no one approves of—an extraordinary outcry ensued."

[From the Christian Science Monitor, Apr. 11, 1968]

POLES PRESS REFORM DRIVE

(By Paul Wohl)

Poland's political crisis is deepening. The country is in the middle of a political purge encompassing state, party, and the military. Veiled criticism has been addressed to the Politburo, the pinnacle of power.

The partisans of Gen. Mieczyslaw Moczar, Minister of the Interior, are advancing all along the line. Writers and students no longer hold the center of the stage. First Secretary Wladyslaw Gomulka's call for moderation has been discarded.

The anti-Zionist campaign continues unabated. Other slogans used by the regime's critics stress calls for a radical rènewal of cadres, for rejuvenation of party and state, for an end to corruption, slothfulness, and incompetence, for "true collective leadership." The last slogan hits at the present-day domination of the leadership by Mr. Gomulka, assisted by party Secretary Zenon Kliszko, at least until his resignation offer this week, and President Edward Ochab. All three, incidentally, have Jewish wives, which makes them vulnerable to the anti-Zionist campaign.

No one knows exactly what General Moczar is seeking, except that it entails a radical overhaul of party apparatus and administration in which his supporters would occupy strategic posts. Most of the several hundred thousand young workers recently admitted to the party are supposed to be Moczar supporters.

CAUSES TRACED

"The era of mistakes, hypocrisy, double-dealing, messiness, egotism, and undiscipline is coming to an end," wrote a spokesman of the general, Kazimierz Kakol, editor of the weekly Prawo i Zycie (Law and Life) recently.

Faulty planning and economic disproportions are at the bottom of much of the present trouble.

The economic records of 1967 and of the first months of this year were uneven. Consumer interests are being neglected. On the other hand, several new industrial projects have been completed including the big aluminium factory in Konin with a capacity of 100,000 tons and the nitrate fertilizer plant at Pulawi. Both projects have been in the works for several years.

Critics of the regime say that once planning is overhauled and management given the necessary leeway, Poland with its steadily increasing power capacity, its copper and sulphur processing facilities, its steel production of 10 million tons (half that of France), its booming shipyards, and its petrochemical industry may outstrip East Germany in industrial importance.

As industry expands and agriculture continues to do its share, shortages should begin to disappear and living standards increase.

POLITICAL REPERCUSSIONS

Last year's uneven economic record may be one of the reasons for the political advance of the partisans and for the popularity of Upper Silesian party Secretary Edward Gierek, who is identified with the demand for a thorough modernization of the Polish economy.

Facts and figures are spelled out in the United Nations economic survey of Europe in 1967. This carefully documented survey shows that Poland lagged behind the other countries of the bloc, especially in the realm of consumer interest.

The growth of labor productivity was much slower than elsewhere. Production increases in industry were achieved largely through an expansion of the labor force in excess of plans.

The industrial growth rate was below the average of the 1960's. Production of consumer goods decelerated while heavy industry exceeded its targets.

Agriculture is hamstrung by all kinds of contradictions. Although meat consumption is still higher than in the past, meat deliveries last year increased by only 3.5 percent. In the second half of the year there was practically no increase at all. Yet according to the plan meat deliveries, should have risen by at least 7 percent to keep step with purchasing power.

FODDER SUPPLY CUT

The reason for the shortage of meat, especially pork, was insufficient fodder. The feed shortage, in turn, was a consequence of the decision to reduce imports of grain to save hard currency.

Ultimately, officials hope, domestic food supply will suffice. Such hopes, even if well founded, have been dished out to the Polish people for years instead of tangible accomplishments. What happened on the "meat front" is typical of the abstract character in much of Polish planning.

In November meat prices were raised by an average of 16.7 percent. Since the price rise varied according to kind and cut, better qualities of meat, according to the United Nations survey, were placed "virtually beyond the reach of lower income groups."

The government's purpose in raising meat prices was to curtail purchasing power and to reduce the subsidy on meat. No attempt was made to pass on the price increase to the peasants.

Because there was neither enough meat nor a sufficient quantity of attractive consumer goods, savings and cash holdings went up by nearly 46 percent, accounting for about one-sixth of the people's total income.

Such disproportions have become increasingly characteristic of Polish planning. According to the regime's critics, methods of robbing Peter to pay Paul, of opening one bottleneck and causing two new ones, may have been justified during the reconstruction period when there were shortages all around.

Today, partisan economists say, this is unnecessary and harmful. The economic disproportions of the past few years are attributed to incompetence and the exercise of unimaginative personal power.

No one can say what the outcome will be, but there may be a change even before the next party congress in November. General Moczar's anti-Zionist followers are becoming more and more outspoken in press and television. Whatever changes do occur in the party, then, the Defense Minister is certain to have a hand in them.

[From the New York Times, Apr. 28, 1968]

Tight Polish Curb on Writers Urged—Union Aide Asks Greater Regulation by Party

(By Jonathan Randal)

Warsaw, April 27.—The Communist party newspaper demanded today that measures insuring tighter party control of the writers' union be distributed. The measures could prevent many of Poland's better known writers from earning a living.

The demands for greather control, published in the newspaper Trybuna Ludu, were also addressed to party organizations dealing with artists, musicians and actors.

Ireneusz G. Kaminski, chairman of the Szczecin branch of the writers' union, urged that party organizations be empowered to expel members who are "enemies of our country," choose new ones and decide on scholarship policy and foreign travel.

Expulsion from the union is tantamount to prevent a writer from publishing new works or benefiting from financial advantages accorded intellectuals.

The article reflected the regime's growing annoyance with the intellectual community, which has been held responsible for fomenting student unrest.

SELECTIVITY IS URGED

Mr. Kaminski complained that the writers' union and other similar associations "admit new members only on the basis of the artistic value of their work without considering the moral and political attitudes of candidates."

He also noted that the writers' union had no provision for expelling members, a shortcoming that so far has frustrated the regime's plan to oust Antoni Slonimski, Pawel Jasiemca and Stefan Kisielewski. All three have been under attack from critics ranging from Wladyslav Gomulka, the party leader, down.

Expulsions are mandatory, Mr. Kaminski contended, to "get rid of the whole ballast of two-faced persons and of those who, in practice, have long strayed into the revisionist and Zionist wilderness."

"Let us stop at long last being coquettish toward political opponents lest we persuade them that they are worthy partners of the rulers of this country," he said.

He advocated new statutes to make ideological loyalty to Communism mandatory for membership and also setting up a party umbrella organization to oversee the activities in all the branches of the writers union.

CRITICISM IS DEFENDED

Such far-reaching criticism as Mr. Kaminski's was defended today in an editorial, titled "Criticism The Party's Most Efficient Weapon," in Tryduma Mazowiecka. The newspaper is closely associated with Maj. Gen. Mieczyslaw Moczar, the Interior Minister, who is believed to be a major force behind both the "anti-Zionist" campaign and the power struggle challenging Mr. Gomulka's authority.

"No progress is possible without criticism," the editorial proclaimed. "No one has succeeded or will succeed in snatching from the hand of the party its principal weapon—criticism."

The editorial was regarded as a warning from General Moczar and other advocates of change that the current purge would continue despite Mr. Gomulka's reiterated efforts to moderate its tone, especially toward Poland's 30,000 Jews. Many of the hundreds of Poles purged from job or party in the last seven weeks have been Jews.

PENSIONED OFF EARLY

The latest Jewish victim was Prof. Juliusz Katz-Suchy, a former representative at the United Nations and Ambassador to India. The 56-year-old professor of history and international relations at the Warsaw University Law School was pensioned off today by order of the Education Ministry although the normal retirement age is 65.

He was criticized last month by Trybuna Ludu for an alleged "politically ambiguous attitude" toward student demonstrations.

In another development, the editor of the weekly newspaper Polityka indirectly criticized Czechoslovakia's peaceful revolution and Rumania's independent foreign policy as "too far-reaching and inconsistent with reality." The editor, Mieczyslaw F. Rakowski has often reflected Mr. Gomulka's thinking on problems of the international Communist movement in the past.

Although events in eastern Europe reflected "rejection of what is obsolete and destructive," Mr. Rakowski said, some developments "should be recognized as extreme, unfavorable for the consolidation of Socialism or too far-reaching and inconsistent with reality."

He wrote that "any centrifugal tendencies dictated by narrowly understood national interests, losing the common interest by the wayside, are dangerous because they push back the nations of the Socialist world from the path along which they have been progressing for more than 20 years."

[From the New York Times, Apr. 29, 1968]

Polish Writers Given a Warning—Union Told To Bar Dissidents or Risk New Controls

Warsaw, April 26.—The leading Communists in the Warsaw Writers' Union pleaded with his nonparty colleagues today to expel some writers as the price of avoiding tighter government control of the association.

Jerzy Putrament, first secretary of the party organization in the union's Warsaw branch, said "the union would be forced to undergo changes of one kind or another" unless critics of the regime were expelled. He did not specify how many critics were involved.

Mr. Putrament's plea, in the newspaper Zycie Warszawy, followed by a day a much sterner call for purges and vastly increased party control of the writers' union. Most union members do not belong to the party.

Expulsion of "politicos who have chosen the union as a field of action transcending literature and aimed against the people's authority," Mr. Putrament said, might "provide a chance of preserving the union's specific organization."

A WARNING ON "LOYALTY"

The writer—a member of the Central Committee and a former Ambassador to France—warned union members against being swayed by "political blindness, twisted interpretations of the union's very imperfect statutory framework or falsely understood loyalty to colleagues."

"The writers' union will no longer tolerate the activities of enemies of the system, particularly within the union itself," he said.

Mr. Putrament did not mention by names the union members he wanted expelled. But it is known that the Government, increasingly impatient with its intellectual critics, has asked the union to expel the writers January Grzedsinsky, Pawel Jasiencia and Stefan Kisielewski.

So far nothing has been done, and union's statutes include no provisions for expelling members.

DRIVE PRESSED ON TV

Writers critical of the party line were also attacked tonight in a television commentary by Josef Ozga-Michalski, a poet and member of Parliament. In remarks that reflected the Government's "anti-zionist" campaign, he said, "it should be stated that those who fraternized with and lived behind the table with Jehovah had a special inclination toward forbidden fruit."

"In many of these personalities forcing themselves forward," he added, "patriotism has drained into foreign seas and other rivers."

At the same time, the official press agency, R.A.P., accused a number of New York politicians of "more or less rabid anti-Polish attacks" in connection with the "anti-Zionist" campaign here.

Senator Jacob K. Javits "deemed it necessary to express the 'profound anxiety' of the United States because, as he untruthfully maintained, of the 'intensifying anti-Semistic incidents in Poland,' " the agency's Washington correspondence reported.

Representatives Jacob H. Gilbert, Joseph P. Addabbo and Seymour Halpern "also put forward crude insinuations," the agency said.

[From the New York Times, Apr. 29, 1968]

Purge Bewilders Jews in Poland—"What Went Wrong?" Asks Victim of "Anti-Zionism"

(By Jonathan Randal)

Warsaw, April 25.—"Recently it's better to be called Radziwill than Rabinowicz," remarked a Pole in commenting on the official "anti-Zionist" campaign, which the regime has conceded is getting out of hand.

The remark was not without a peculiar form of Polish compansion for, in an earlier period, the regime had also attacked former landowning families like the Razdiwills, some of whom remained in Poland under Communist rule.

Love of country had been as much a deciding factor in their staying as it was for the Jewish survivors of Hitler's "final solution."

That love, and often a long commitment to Communism have prompted questioning by some of the Jewish victims of the current purge that is strangely similar to that Arthur Hoestler described in "Darkness at Noon." That novel described the Stalinist purge trials of the nineteen thirties in the Soviet Union.

ONCE A HAVEN

"What went wrong?" one purged Jew asked. His dismay was genuine, for if Poland has an anti-Semitic tradition, so does most of Eastern Europe. Indeed, the Warsaw regime is on solid ground in pointing out that Jews from the rest of Europe fled to Poland as a haven of tolerance in past centuries.

The current campaign has its roots as much in recent history as in ancient history. Many Polish Jews fled to the Soviet Union as the Germans advanced, and returned with the liberating Red Army to high positions in the new Communist regime here a quarter of a century ago.

A substantial number of them held important posts in the much-hated secret police in the Stalinist period and were regarded by Poles more as Soviet Stalinists than as fellow Polish citizens.

Vladyslaw Gomulka, the Communist party's First Secretary, has offered Poland's remaining 30,000 Jews passports for Israel and has tried to moderate the "anti-Zionist" campaign, the popularity of which constitutes a threat to his leadership.

But for many Polish Jews the harm has been done. They had a chance to emigrate earlier and remained.

After telling themselves for years that Poland was their homeland, they are now being told that their loyalty is suspect.

A recently purged Jew—one of hundreds dismissed from job or from the party in the last seven weeks—bewailed his fate: "Fifty years in the movement, kicked out of the party, lost my job and my son in jail."

Even those who have been pensioned off, rather than dismissed, find little solace in the pensions. "They won't have to pay those pensions for long," said a man who knows many important Jewish party members. "A lot of them are going to die of broken hearts."

CONVERSATION IN POINT

Just how far the "anti-Zionist" campaign has taken root in the Polish people was illustrated recently in a conversation between a Westerner and a customs official.

"You Westerners don't understand because your press lies about Poland," the customs official said. "Of the 30,000 Jews in Poland, at least occupy important posts, especially in the ministries, and it's quite natural that we want to get rid of them because they don't work, they only work for themselves and have no national spirit."

"What do you reproach the Jews with, with being ministers or Jews?" asked the Westerner.

"You don't understand," the customs official said. "They didn't work and we will replace them with people who work for the nation and not for themselves.

"In any case, they should be happy—we've not take away their apartments or their cars or imprisoned them."

Nonetheless, persistent rumors suggest that some purge victims have been forced out of their apartments, and an atmosphere of uneasiness has been created that appears difficult to dispel.

A current Warsaw story sums up this atmosphere as well as anything.

"Is that you, Jaworski?" a tense voice on the telephone asks, "This is Kowalski."

"But which Kowalski? I know dozens of them."

"Israel Kowalski, the one you hid in the closet during the Occupation."

"Oh, yes, how are you? Haven't heard from you in 20 years."

"Let's cut things short. Do you still have that closet?"

The number of Jews asking to emigrate to Israel has increased considerably since the "anti-Zionist" campaign began last month.

[From the New York Times, May 5, 1968]

PRAGUE'S REFORM SCORED BY POLES—WARSAW NEWSPAPERS OPENLY CRITICIZE "NEUTRALIST AND ANTI-SOVIET" TRENDS

(By Jonathan Randal)

WARSAW, May 4.—The controlled Polish press directly attacked today the growing liberalization movement in Czechoslovakia.

Departing from past veiled criticism of Czechslovak developments, which have been reported here only in part, Warsaw newspapers published a dispatch today criticizing "neutralist and anti-Soviet tendencies" in Czechoslovakia.

[Amid increasing criticism from the Soviet Union and its allies, four Czechoslovak leaders conferred Saturday in the Kremlin after a surprise nighttime flight to Moscow.]

The article, signed by Wlodzimeriz Zralek, Prague correspondent of the Polish Workers Agency, a press service, also decried Czechoslovakia's rapprochement with West Germany, the "dictatorship of the intelligentsia" and the growth of non-Communist parties.

The overt Polish criticism of the Czechoslovak reforms was published in Zycie Warszawy, a mass-circulation newspaper; Zolnierz Wolnosci, the army newspaper, and Sztandar Mlodych, the Communist youth paper.

Political analysts suggested that it reflected support for the Old Guard elements in Czechoslovakia associated with the ousted President Antonin Novotny, and was a clear warning that Poland would not tolerate any similar liberalization.

Mr. Zralek said his dispatch was based not on "conversations in which antisocialist tendencies occasionally became apparent," but on statements at the Czechoslovak Central Committee meeting last month "expressing anxiety about the further evolution of events."

Those doubts were expressed generally by Mr. Novotny's supporters, who are in a distinct minority, observers noted. Mr. Novotny was ousted from the leadership on January.

Mr. Zralek did not mention the relative strength of the liberal and Old Guard wings of the party. Rather he sought to convey the impression that the conservatives had the upper hand by quoting Alexander Dubcek, the Czechoslovak party leader.

"We would have been shortsighted," Mr. Dubcek was quoted as having told the Central Committee meeting, if we did not notice one more phenomenon after January: The revival of certain antisocialist tendencies.

The Polish dispatch said that at the Czechoslovak party meeting "critical comments were caused by the tendencies to introduce a 'dictatorship of the intelligensia' and to minimize the role of the working class."

The observers noted that many Polish intellectuals had been purged from job and party in the last two months as the Polish regime has stressed the primacy of the working class in tones that sometime recall the Stalinist period.

Mr. Zralek also said that some speakers at the Czechoslovak Central Committee session were apprehensive that developments might push Czechoslovak off the path of socialist development.

FREE PLAY OF FORCES

Causing this anxiety, Mr. Zralek noted, were "voices advocating the return to the free play of political forces as a means of forcing the Czechoslovak Communist party to give up its guiding role."

"Attention was drawn to the massive growth of the Catholic People's party and the Socialist party, a growth which may be only partly explained by lifting the previously binding administrative prohibition on admitting new members," he added.

"If we decided to express our apprehension over the current events in Poland, it is only to repay our debt," they added. "We are doing so without any feeling of superiority, aware that we also have to overcome the past."

The endeavor to spread [anti-Soviet] feelings, "is still more perfidious since it is generally known what position was taken by Brezhnev during his visit to Prague in the critical days," the article said. It said Leonid I. Brezhnev, the Soviet party leader, had stated "that the Soviet Union did not intend to interfere in Czechoslovakia's internal affairs."

Turning to student unrest in Warsaw, the writers asked the Polish leaders "not to confuse the natural criticism of the young generation with hostile subversion, and not to drive Polish citizens by harsh sanctions to positions that are inherently alien to them."

[From the New York Times, May 5, 1968]

CZECHS CRITICIZE POLAND

PRAGUE, May 4.—Three Czechoslovak writers appealed to Polish leaders today "to put an end to the shameful anti-Semitism threatening to stain the common fight of the Poles and the Jews against Hitler's fascism."

JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT OF 1968—AMENDMENTS

AMENDMENT NO. 875

Mr. DODD submitted amendments, intended to be proposed by him, to the bill (H.R. 12120) to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes, which were ordered to lie on the table and to be printed.

REQUIREMENT OF AIRCRAFT NOISE ABATEMENT REGULATION—AMENDMENTS

AMENDMENT NO. 876

Mr. CASE. Mr. President, on behalf of the Senator from Wisconsin [Mr. PROXMIRE] and myself, I submit an amendment to H.R. 3400, an act providing for control and abatement of aircraft noise and sonic boom, and ask that it be printed.

When H.R. 3400 is taken up on the floor after the 4th of July recess, I intend to call up my amendment which would add to H.R. 3400 the provisions of my own sonic boom control bill (S. 3399).

Mr. President, I ask that the text of my amendment to H.R. 3400 be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The amendments will be received, printed, and will lie on the table; and, without objection, the amendments will be printed in the RECORD.

The amendment (No. 876) is as follows:

On the first page, line 10, strike out "and sonic boom."

On page 2, line—strike out "and sonic boom".

On page 2, line 5, strike out "and sonic boom".

On page 2, line 12, strike out "and sonic boom".

On page 3, lines 9 and 10, strike out "or sonic boom standards, rules, or regulations" and insert in lieu thereof "standards, rules, or regulations issued pursuant to subsection (a)".

On page 3, line 15, strike out "or sonic boom".

On page 3, line 18, strike out the quotation marks and between such line and line 19 insert the following:

"(d) The Administrator shall (1) prohibit nonmilitary aircraft, singly or in any combination thereof, from being operated over the United States (including territories and possessions thereof) in such a way as to produce sonic booms, but such prohibition shall not apply to aircraft used in the investigation and study herein authorized; (2) conduct a full and complete investigation and study for the purpose of determining what exposures to sonic booms (amount and frequency) are detrimental to the health and welfare of any persons, and such investigation and study shall include (A) consultation with the Secretary of Health, Education, and Welfare, the Secretary of Defense, the Secretary of Housing and Urban Development, the Secretary of the Interior, the Secretary of Commerce, the Administrator of the National Aeronautics and Space Administration, and the President of the National Academy of Sciences, and (B) such research as may be necessary, which shall include, but not be limited to, the startle effect and physiological or psychological problems that result from sonic booms and the possible detrimental effects on preservation of natural beauty and historic shrines; (3) within one year from the date of enactment of this subsection make a report to the Congress on his findings as of that time, together with the written comments of the abovementioned officials; and (4) no later than two years from the date of enactment of this subsection, report to Congress on the final results of his findings, together with the final written comments of such Federal officials."

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **ACTING PRESIDENT** pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

THE 192D ANNIVERSARY OF THE DECLARATION OF INDEPENDENCE

Mr. PERCY. Mr. President, we live in a time of revolution. In all the nations of the world, including ours, there are increasingly frequent scenes of disorder, disruption, violence, pitched battle in the streets, and—in many forms—attacks on the properly constituted authorities of government, from police officers to political leaders.

In this vast scene of turmoil and turbulence, there are many who fear for the safety of the United States and for the preservation of our great institutions of freedom. On this occasion, the 192d anniversary of the Declaration of Independence, I think it is important to state why we must not be fearful in these revolutionary times. In fact, these revolutionary times offer us opportunities for accomplishment quite as grand as any that have heretofore existed.

If it is true that these are revolutionary times, it also is true that we are a revolutionary nation.

The United States was born in revolution and our founding principle—the principle that made us the special Nation we are—is a revolutionary principle. That principle is stated elegantly and for all times in our Declaration of Independence:

> We hold these truths to be self-evident, that all men are created equal and are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness.

The American Revolution was the greatest political revolution in history because it established government, for the first time, on the principle of the equality of all men in their rights to live their own lives in freedom, with their own happiness as their goal.

Those powerful words, and that principle, made Americans one people. And the Constitution they wrote a decade or so later, based on the principle of the equality of all men in their rights to life and liberty, made Americans into a special kind of nation—a stable and law-abiding nation based on a revolutionary principle.

That paradox—of stability and revolution—is what makes me confident, not fearful, that America is well-suited to survive and even thrive in a revolutionary age. What makes our Nation strong is the principle of equality. What will make us stronger and stronger is progress in equality.

The revolutionary demands that endanger other nations should not endanger our Nation if we keep in mind our revolutionary founding principle.

Whoever among us demands his full share of equality in human rights is fully in accord with American principles, and in granting those rights we help him become more fully an American citizen. What might tend to tear down and threaten in other countries not founded on equality as we are, tends in the United States to build up, to strengthen, to advance us toward our goal of full equality in the rights of men.

Let me add one word of caution. Not all demands are legitimate, not all actions accompanying demands should be tolerated. Equality of rights to life and liberty exist only under strong institutions of law and justice.

Revolutionary actions that tend to destroy authority under our Constitution tend to destroy the protection of equality. Such action, in the guise of revolution, is in reality against the American Revolution.

We Americans who believe in the Declaration and adhere to the Constitution which embodies its principles of equality and liberty are, to this day, true revolutionaries in a reactionary world. Let us pursue, with renewed dedication, all policies that will spread equality of rights to all of our fellow citizens. In so doing, we strengthen America as we carry forward the most noble and authentic revolution of this time.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for a few additional minutes beyond the norm during the morning hour.

The **ACTING PRESIDENT** pro tempore. Without objection, the Senator may proceed for a few additional minutes.

FIREARMS LEGISLATION

Mr. MANSFIELD. Mr. President, over two centuries ago Edmund Burke in the British Parliament said:

> Your representative owes you not his industry only but his judgment.

I cite the quotation in connection with the position in which I find myself relative to firearms legislation.

Mail on this subject is the heaviest to reach my office in 26 years as a Member of the Congress of the United States. The division is overwhelmingly against control legislation. That such is the case is not surprising since my State is one in which guns are widely held and widely used for recreational purposes. I am frank to state, however, that, while I anticipated widespread opposition to my position, I did not expect that it would be expressed with the vehemence which characterizes some of the letters which I have received.

Notwithstanding considerations of popularity, I have made my decision to support and sponsor the bill which was introduced by my distinguished colleague, the Senator from Maryland [Mr. TYDINGS], on June 12, 1968. I have made my decision because I believe a Senator owes the people of his State not merely an echo but also a judgment. And in my judgment, dangerous and disturbing trends have developed in gun traffic and gun usage in this Nation. Guns as such are not the source of the difficulty, but these trends in irresponsible handling are part and parcel of the rising tide of violence that has come to plague the land. In these circumstances, I can no longer accept the position that the best response is no response. In my judgment, that is not an acceptable answer in view of the spread of murder and mayhem by firearms. It is not an answer in view of the dangerous traffic in machineguns, bazookas, recoilless rifles, or whatever, which the Congress has faced up to. It is not an answer in view of the easy access to deadly weapons which is open to maniacs and madmen. It is not an answer in view of the problems of maintaining law and order which confront the hard-pressed police in the Nation's cities. To leave things as they are, in short, is not an adequate answer to one of the highest rates of gun killings and maimings—accidental or deliberate—in the world.

In my judgment, the issue as it now confronts the Congress is no longer one of control or no control. Rather the fundamental issue is whether or not the States themselves will face up to their legislative responsibilities. If the State governments will recognize that a do-nothing attitude is not acceptable, then the form of control will not be left to the Federal Government. That is the approach that is contained in the Tydings bill. It is the approach which I will continue to support.

Mr. President, I have not come easily to this position. I have come to it only after a great deal of soul searching. It was, I believe, the senseless gun murder of a young Montanan here in Washington a few weeks ago which was finally decisive in persuading me to the need for adequate firearms control legislation. That, and an exchange of letters with Mrs. Leo Lesnik of Fishtail, Mont., helped to clarify my feelings on this point. Mrs. Lesnik wrote me a deeply moving letter which I shall read to the Senate:

FISHTAIL, MONT.,
June 20, 1968.

Senator MIKE MANSFIELD,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MANSFIELD: Our Billings Gazette has just been delivered and I see the headlines are about Montana's reaction of your stand on gun legislation. As the mother of Thad Lesnik who was recently killed in Washington by a gun in the hands of some sort of an irresponsible idiot, I would like to say a few words.

Thad was one of seven children but he was very dear to us, and we were extremely proud of him. We have received letters from all over the nation from people who knew him and who speak in glowing terms of him. A week after his death his college diploma came in the mail. The thought of his great potential being wasted almost breaks our hearts.

I have lived with guns in the house all my life. However, I was taught to respect them and, I have tried to teach my children the same lesson. My mother would not allow us to point a toy gun, or, for that matter, not even a wooden stick at one another. We were also taught to respect the life of others.

As to registering or licensing guns, I do not know the answer. But it does seem to me that if handguns in particular were licensed and stiff license fees charged then there might be fewer people who would have them. Surely the events of the past three months make some sort of action a necessity.

I wish to congratulate you on the stand you are taking in this matter.

Sincerely yours,
MRS. LEO LESNIK.

On June 26, I replied to Mrs. Lesnik, as follows:

JUNE 26, 1968.

Mrs. LEO LESNIK,
Fishtail, Mont.

DEAR MRS. LESNIK: There are times when another's word say best what we are thinking. Your letter of June 20th has done that for me. I appreciate more than I can say your sharing with me your thoughts and feelings in the aftermath of the tragedy which was suffered by your son at the hands of a gunman in Washington, D.C., a short time ago.

May I say to you that I had been deeply shocked by similar tragedies which befell two close personal friends and colleagues, John F. Kennedy and Robert F. Kennedy. Yet, it was the death of your son, Thad Lesnik, which was decisive in bringing me to a soul-searching reexamination of the question of gun-control.

I did not know your son and I have not had the pleasure of knowing you. Thad Lesnik, however, was a Montanan and my constituent even as you are a Montanan and my constituent. He was a young man with many years of living and giving ahead and, in an instant, his life was cut short by a bullet. His needless death compelled me to search my conscience for a better answer to the question of the irresponsible gun than the often reiterated reply of "no controls."

May I say that I am not unaware of traditional Montanan attitudes on guns. Controls have been generally repugnant to those who, like your family, and many others in Montana, have been taught and adhere to the responsible use of firearms. Nor was I unaware of the adverse reactions which were to be anticipated if I took a position in support of controls. After your son was killed, however, I reached the conviction that my duty to the people of the State, as Montanans and as Americans, impelled me, in good conscience, to support the Tydings bill.

I say, frankly, I do not expect that it is any sort of cure-all of the problem. Nevertheless, I have taken this course in the hope and belief that there can be some mitigation in the rising level of the violence of the gun which has come to plague our land, especially the cities of the nation.

May I say to you, Mrs. Lesnik, if I ever had any doubts as to the course which I have chosen, your deeply moving letter has disspelled them. Thank you for writing me.

Sincerely,
MIKE MANSFIELD.

Mr. President, a second letter, well written and thoughtful—from a 14-year-old boy, Mr. Steve Rapkoch, of Bozeman, Mont.—prompted me to try to clarify some misconceptions about gun controls which are reflected in letters to me. I ask unanimous consent that the letter from Steve Rapkoch, of Bozeman, Mont., and my reply to him, together with an excerpt from the CONGRESSIONAL RECORD of June 12, 1968, to be incorporated in the RECORD at the conclusion of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. MANSFIELD. In common with many other boys of his age in my State, Steve Rapkoch has earned certification as a responsible hunter. These Montana youngsters have learned, as their fathers before them, to have respect for firearms and responsibility in their usage. The gun which was once a necessity for survival is a respected part of the tradition of Montana. Its possession by individuals and its use in hunting and for other recreational purposes is practical and commonplace in my State and I expect that that situation will continue. Any legislation contemplated by me will not change that situation. Certainly, the Tydings bill will not change it.

At this point, Mr. President, I ask unanimous consent that a comparative analysis of the significant features of the Tydings bill and the bill proposed by the administration be printed in the RECORD.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

COMPARATIVE ANALYSIS OF ADMINISTRATION AND TYDINGS BILLS ON GUN CONTROL

ADMINISTRATION BILL	TYDINGS BILL
1. Mandatory Federal registration.	1. Adoption of State registration preempts Federal provisions.
2. Licensing provision requires: (a) fingerprints; (b) photograph; (c) police statement on record and identification; (d) doctor's certificate on mental competency.	2. No similar requirements.
3. Permits cutoff of Federal wildlife conservation funds in event of noncompliance by State.	3. No cutoff of wildlife or any other funds under any circumstances is permitted.
4. No provision for minors under 18 to use firearms.	4. Permits minors under 18 to use firearms for recreational purposes.
5. Provides for occasional periods of amnesty during which unregistered firearms may be registered without penalty.	5. Same.

Mr. MANSFIELD. On the basis of the above comparison, Mr. President, I have concluded that I cannot support the administration's bill. My reasons are much the same as those which led me to oppose the Dodd bill when it was presented to the Senate. Both of these measures, in my judgment, constitute an excessive and unwarranted Federal intrusion into individual and State responsibilities.

I remain attached to the Tydings bill because it recognizes in the first instance the responsibilities of the States. It gives the States the opportunity to face up to their responsibilities, to act adequately, and by so doing to preempt the need for Federal regulation.

That has been my position. That is my position. It is a position which I take on the basis of a deep concern. I take it because I believe the people of Montana sent me to Washington to use my best judgment in representing them. I have tried to do that in this matter as in all others during the years that I have been in Congress. That I will continue to do in the days, months, and years ahead. I will exercise the responsibilities on behalf of all the people of the State as, in good conscience, I see those responsibilities.

EXHIBIT 1

JUNE 17, 1968.

DEAR SENATOR MANSFIELD: Montana, the state you represent, is traditionally a hunting state. Our family moved from California to Montana for this reason.

In Montana we have an excellent hunter safety program. When I turned thirteen I took and passed my "hunter safety", which entitled me to purchase and hunt with a shotgun or rifle. I purchased a shotgun and a rifle by myself, by working hard on my paper route.

Now you are advocating the taking away of my right to hunt in the state of Montana. This right I earned by obeying the hunting law of the state of Montana.

Further, Senator Mansfield, you are among the foremost sponsors of legislation of lowering the voting age. How can I be old enough to vote intelligently and yet not be allowed to own and use a rifle for the purpose of hunting?

In addition, since this type of gun law legislation seems to be a product of panic, following several assassinations, let me point out that President Lincoln was assassinated by a southern nut—over 21 years old; President Garfield, who was killed by a deranged lawyer—over 21 years old; President McKinley, by an anarchist—over 21 years old; President Kennedy was killed by a communist—over 21 years old; Dr. King, by a man—over 21 years old, who is a felon and Senator Kennedy, by a man—over 21 years old and not a United States citizen. Doesn't this suggest a message directed to you people over 21 years old?

My third point Mr. Senator is this—If I am old enough to vote at 18 and to be drafted to serve my country during war time, and required to use rifles of various descriptions; bayonets; grenades; bombs; hand to hand combat and hand guns, it seems to me the height of contradiction for me to be denied, because I'm under 21, the right to use rifles for hunting in Montana.

Senator Mansfield, if you can explain your stand, in an open letter to the young people, *under* 21 years old, who live in the state you represent, please do so. I will await your reply.

Sincerely,

Steve Rapkoch,
14 years old,
Responsible hunter.

(Copies to: Bozeman Chronicle, Billings Gazette, Missoulian, Butte Standard, Great Falls Tribune.)

Bozeman, Mont.

June 27, 1968.

Mr. Steve Rapkoch,
Bozeman, Mont.

Dear Steve: Thank you very much for your letter of June 17. It is indeed refreshing to hear from young people so interested in the workings of their government, so willing to study an issue, so eager to express a viewpoint. Your youth belies your thoughtful analysis of gun legislation and the pertinent questions you raised.

In response let me first say that when strong public emotion becomes attached to any issue, the arguments on both sides—those for and against—become at times distorted in the emotion-charged atmosphere. Those in favor exaggerate their reasons just as strongly and with as much sincerity as do those opposed. In such an atmosphere the meaning of the underlying proposal is at times lost or even changed to meet or refute the arguments of one side or the other. This has often been the case on such issues raised during my entire 25 years in the Congress.

Unfortunately this is the case on the issue of gun legislation.

For my part, in recent weeks I voiced my support of a limited approach to gun legislation, preferably on the state level; one that, contrary to the information you received, assures your continued opportunity to shoot and hunt. I endorsed the so-called Tydings bill, introduced in the Senate by Senator Joseph Tydings of Maryland, on June 12. That bill carefully preserves the right of anyone to use a gun for any lawful purpose—even 14 year old boys. It is true that under its provisions an individual could not obtain a license and own outright a gun until he reaches the age of 18 (not 21, as you have apparently been informed). Nonetheless, you and others your age may use a gun to hunt and shoot and the license for the gun need only be in the name of a friend or relative. I have enclosed a copy of the section of this bill underscoring the provision that covers your specific problem together with Senator Tydings' remarks on the subject from the Congressional Record for June 12, 1968. Note that he says "a boy (*even under 18*) would be able to shoot, his parents would be able to let him shoot at home and on hunting trips, he would be able to learn to shoot and to develop marksmanship skills."

So instead of urging that your "right to hunt" be taken from you—I advocate that you and all young people learn to shoot and to hunt, that you have access to weapons and the proper guidance and direction that will enable your continued enjoyment of the right.

You are indeed fortunate, Steve, that you have this opportunity, this guidance and this direction. We in Montana seldom experience the use of weapons by the irresponsible. We assume the proper use of a weapon is taught to each person prior to any access to any gun. Unfortunately, some young boys of your age simply do not have the training and supervision that is so commonplace in Montana. I am reminded of some Senate hearings now in progress where the witnesses have described the lawless and reckless use of guns and ammunition by a band of ghetto teenagers who call themselves the "Blackstone Rangers." They have no notion of responsible use of guns. Yet the laws do not prohibit possession by them.

I am also reminded too of a boy named Thad Lesnick. Thad was not unlike yourself, I imagine. He lived in Fishtail, just 100 miles or so from your home, and I understand he also was taught the proper respect and responsible use of guns at an early age. Thad's young life, as you might already know, was snuffed out with a gun held by another boy of his age as he sat in a restaurant here in Washington three short weeks ago. The other boy had no training with guns, knew nothing of responsibility, but a gun was readily available to him however irresponsible was his background.

May I say that the needless death of Thad, so young with so much ahead, played no small part in compelling me to search my conscience for a better answer to the question of the use of the gun by those totally untrained and irresponsible. I found the answer of no controls inadequate. Proper safeguards to attempt to keep guns in the hands of the responsible will not be totally effective, but the small sacrifice may save the life of a future Thad Lesnick.

I was not in a panic, as you suggest, when I came to the decision to support some form of legislation. I reached the conviction after Thad was killed—after so many Thads have been killed—not as any sort of cure-all for the problem, but simply in the honest belief that there can be some reduction in the drastically rising level of gun violence that has come to plague our land—especially the cities of the nation.

Nor do I agree that there is an inconsistency in my wishing to lower the voting age to 18. This is the age when I feel that the vast majority of young people today are ready, willing and able to assume enormous responsibilities. Young men are eligible to be drafted (as you wisely pointed out) to serve their country and at the same time learn (if they have not already) the proper use of weapons. Eighteen is the age in the Tydings bill when a young man himself can purchase and own a weapon (though he may use it and hunt with it long before as I have pointed out). It is the age when in some states young people are first permitted auto licenses, though they often must wait even until they are 21 before they are permitted to own cars.

Let me say finally that I too love Montana. I love the land and her people. I also know that Montanans in the past have abhorred the suggestion of gun control; perhaps because most of us, like you and your family, learn early to use firearms responsibly. I was not unaware when I took a position favoring a limited approach that would make it more difficult for the lawless and untrained and even the ghetto youth gangs to obtain weapons as instruments of violence it would be met with adverse reaction and even grave misunderstanding. I took the position, nonetheless. I took it perhaps because there will be another boy from Montana or another state who one day soon will be sitting at a restaurant counter in another city. I took it because his life may depend then on it being a little more difficult to obtain a gun.

Many thanks again, Steve. Your thoughtful letter has reinforced my belief that young people would indeed handle wisely the right to vote—as they do the right to hunt. I have written this letter in hopes of clarifying for you some of your questions and dispelling some of your apprehension. I have not forwarded copies of this letter to anyone. You certainly have my permission, though, to use it as you see fit.

Sincerely,

Mike Mansfield.

Exhibit 2

Mr. Holland. Mr. President, I again express the hope that the Senator has offered an effective bill.

I wish to say that in the part of the country from which I come, and particularly in the small town—and the Senator from Florida happens to live in a small county seat town—it is the custom for this kind of procedure to apply. When a boy reaches the age of 10 to 12 years, he becomes the proud owner of a little .22 rifle. Perhaps he is first supplied with only BB's or caps, and later with more effective ammunition. Later he may become the proud possessor of a .410 single-barreled shotgun. Then, a little further along he possesses something a little larger in the field of shotguns. I am sure the Senator is familiar with this tradition because he comes from a relatively small town in his State, and I am sure he knows this is the situation found in literally millions of American homes.

I would not want to see anything done here by way of passage of a law which would make it completely impossible for normal development of acquaintance with handling of arms by our boys and as they grow older, our young men, because I think that would be in the nature of a tragedy to our country. It is in the interest of our country for boys and young men to become familiar, in a safe way, with the use of firearms in the progressive method I have indicated.

I hope that the distinguished Senator has a bill which in its original form or by reasonable modification can be adjusted to these reasonable habits of families throughout our Nation from one border to the other.

I simply express again the hope that the distinguished Senator is finally pointing us to a course which can be used effectively so far as crime prevention is concerned and accident prevention is concerned, but at the same time will not disturb too greatly the practices of our Nation which have developed throughout all the years of our national existence.

Mr. Tydings. Mr. President, again, the point which the Senator has raised is one to which I have personally given consideration, because I was given a shotgun at a relatively early age and learned to shoot.

The Presiding Officer. The time of the Senator has expired.

Mr. Mansfield. Mr. President, I ask unanimous consent that the Senator may proceed for an additional 10 minutes.

The Presiding Officer. Without objection, it is so ordered.

Mr. Tydings. This legislation was drafted with the problem in mind which the Senator has raised. Under the bill, a license for gun ownership could not be given to the son of the family until he reaches the age of 18. This is similar to State laws regarding to age at which a boy may obtain a license to drive a car. But, under the bill, a boy would be able to shoot, his parents would be able to let him shoot at home and on hunting trips, he would be able to learn to shoot and to develop marksmanship skills. But he simply would not be able to own firearms until he had reached the age of 18. We drafted the definition of the term "transfer" in title II of the bill with this point in mind.

Mr. PERCY. Mr. President, I should like to comment on the remarks of our distinguished majority leader because I know that this is an exceedingly difficult subject for a Senator from a Western State. I know that my own constituents, some 11 million people, see problems quite differently sometimes from those people from Western States.

In this respect, we are deeply divided in the State of Illinois over the need for Federal gun legislation. Mail on this subject has been higher than on any other single subject in my experience. In one mail delivery alone, we opened 10,000 pieces of mail, 80 percent of it relating to gun control legislation. Last week we attempted to answer 40,000 pieces of mail from the State of Illinois, most of it on this single subject.

The pros and cons have swayed back and forth as the promotion of one position or another has been encouraged by newspapers in Illinois, who are deeply concerned about the problem, and by the National Rifle Association.

I have made it perfectly clear that I have made my own determination in the case. And I have decided quite independently exactly as has the majority leader. I intend to support the Tydings bill. I think that as it is conceived, it fits in particularly well with the initiative that has been taken in the State of Illinois.

I have analyzed the situation and communicated it to the heads of our State legislature. I refer to the minor modifications that would be required in Illinois law in order to have it accord with what I hope will be the Federal legislation in this field. There certainly is need for such legislation now to regulate and control more closely the ownership and use of firearms.

In Washington, D.C., we are well aware of the problems of crime. However, it was dramatically illustrated to me when several weeks ago in the Seventh Police Precinct—considered to be one of the safer areas of Washington—on a Monday night, just a block and a half from my home, a youth was murdered.

The next night, six blocks from my home and five blocks from the police station, two young marines were murdered as they were eating at a hamburger stand.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. MANSFIELD. Mr. President, one of those boys that was murdered was a boy from Fishtail, Mont. He had just graduated from Montana State University at Bozeman the week previously and from officers' training school at Quantico the night before. He was 20 years of age. His mother did not receive his diploma until a week after he was murdered.

It was the death of that young man, Thad Lesnik, that made me stop and reflect upon my position.

As the Senator has indicated, it is not an easy position for anyone to take. However, there comes a time when we have to face up to a situation--not avoid it.

Mr. BYRD of West Virginia. Mr. President, will the Senator yield?

Mr. PERCY. I yield.

Mr. BYRD of West Virginia. Mr. President, the lady who was wounded in that same incident was from Logan County, W. Va.

Mr. PERCY. Mr. President, I am gratified to report to the Senator from West Virginia that my daughter, a resident of Charleston, W. Va., and her distinguished young husband have agreed to assist in campaigning in Charleston, headed by John Glenn, to educate the public as to the need for gun legislation at this time.

Murder is something that occurs in my own city of Chicago virtually every night. I cannot help thinking every night that families all over Chicago experience terror because of what might happen to their children who are out on the streets.

The hearings being conducted now by the distinguished Senator from Arkansas [Mr. McCLELLAN], chairman of the Permanent Subcommittee on Investigations, are day by day revealing to the entire American public what is well known to those of us who have lived and been raised in the city of Chicago—that the streets of Chicago and other urban areas are streets of terror for most of the residents of those communities.

Armed youths in great numbers are prowling the streets with firearms and switchblades, and they have turned the city of Chicago and other urban areas into areas that sometimes make me feel that we would be safer walking down the streets of Saigon than down the streets of South or West Chicago after dark.

For this reason I believe that a gun law and registration for the city of Chicago is absolutely necessary. Gun control legislation is absolutely necessary in the State of Illinois, and that legislation needs to be strengthened. We need the passage of a bill along the lines of the Tydings bill, which I intend to support strongly to see if we cannot take at least this small step toward bringing a degree of law and order into our American society.

Mr. President, to the proponents, as well as to the opponents, of gun control legislation, I send the same reply. That reply reads as follows:

DEAR FRIEND: Thank you for your recent communication regarding federal firearms control. I agree with those who favor comprehensive and effective federal legislation to control firearms.

The dramatic rise in crimes of violence committed by persons with firearms, and the recent murder of Senator Robert Kennedy, following the earlier assassinations of Dr. Martin Luther King, Jr., and of President John F. Kennedy, have made more urgent the need for such legislation.

The recently enacted "Omnibus Crime Control and Safe Streets Act of 1968" prohibits interstate mail-order sales of hand-guns, sales of hand-guns to out-of-state residents or to any person under 21, and dealer sales of all firearms to fugitives, felons, or persons under indictment. This is a move in the right direction, but it is not enough; the bill essentially controls *hand-gun* sales and does little to control the sale of *rifles* and *shotguns*. Sears Roebuck and Montgomery Ward together with several other large companies on their own initiative announced restrictions on the sale and advertising of rifles and shotguns. We should as a minimum embody in law the voluntary actions of these firms.

On May 16 I strongly supported Senator Edward Kennedy's amendment to the Crime Control bill which would have restricted mail-order sales of rifles and shotguns. I also supported additional restrictions on the interstate sale of ammunition. Today, thanks to the increased concern of citizens everywhere, the Congress may at last be ready to consider more stringent controls of firearms. I am presently working with other Senators to have just such controls enacted into law in such a way as to fully protect the reasonable interests of hunters and others who have legitimate reason for possessing firearms.

Gun laws are by no means the only answer to the current eruption of violence in our society. But through enactment of firearms laws at all levels of government, we may keep these weapons from some of the people who are most likely to misuse them, and we will encourage a more responsible attitude in our nation toward the possession and use of firearms.

I appreciate your sharing your views with me. In the interest of a prompt reply I am sending this same letter to the tens of thousands of citizens who have recently written me both opposing and supporting further federal gun control legislation.

Sincerely,

CHARLES H. PERCY,
U.S. Senator.

THE "PUEBLO" INCIDENT

Mr. PERCY. Mr. President, I have communicated many times with the family of a boy who was seized in the *Pueblo* incident.

I received a deeply anguished letter from the father last week. Yesterday, I talked with the Secretary of State for the second time on this matter.

I was happy to be able personally to reassure this family last night that every conceivable step is being taken by the U.S. Government to negotiate the release of these young men. Certainly the prompt release by the Soviet Union of the airline crew and its passengers who had been seized when the plane strayed off course is a step in the right direction.

I hope that this will serve as an example of what could and should be done by the North Koreans to ease the tensions existing in the world today. However, no step should be taken by our Government that would in any way endanger the lives or the safety of our young men.

Most assuredly, the Secretary of State of our Nation has paramount in his mind the anguish and grief existing in the hearts and minds of American parents who are deprived on the 192d anniversary of the Declaration of Independence of the presence of their young sons at their sides.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE CONGRESSIONAL QUARTERLY FINDS DEFENSE BUDGET CUTS OF $10.8 BILLION FEASIBLE

Mr. **PROXMIRE**. Mr. President, one of the most responsible and most respected publications in this country, the Congressional Quarterly Weekly Report, has published in its most recent edition a fact sheet which makes clear beyond doubt that the fiscal 1969 defense budget can be cut by at least $10.8 billion without impairing in the slightest way our level of national defense.

Not only, say Congressional Quarterly editors, would such a cut not impair our current level of national defense, but it would even improve it. Combat effectiveness, the report shows, may indeed be held down by "extraneous equipment and a sluggish logistical tail."

The Congressional Quarterly report outlines in specific and definite detail where the cuts can be made.

The report states:

> Highly placed sources in the Pentagon and industry told CQ that cuts totaling at least $10.8 billion could be made in areas they classified as "fat." None of the cuts would affect U.S. combat capabilities, they said. Instead, only logistical elements they view as excessive and weapon systems they consider overlapping, unnecessary or of doubtful combat effectiveness would be cut back.
>
> In addition to the logistical support, the major areas cited by sources as "fat" include the new antiballistic missile system (ABM), "unnecessarily sophisticated" equipment in both Air Force and Navy aircraft, an expensive air defense system deployed against what sources see as "weak and outmoded" Soviet bomber forces, the Army's helicopter program and antisubmarine carrier task forces of high cost and, sources said, "dubious" combat effectiveness.

Congressional Quarterly's editors have built an unanswerable case for cutting in definite and specific places in the defense budget for sound and logical reasons. There is no reason why those cuts should not be made.

As the Congressional Quarterly report shows, combat effectiveness demands it. The report states:

> One Pentagon civilian said these areas (of "fat") tied down "fantastic amounts of manpower despite the generally low level of combat effectiveness they afford. Cutting them back in many cases actually would improve the nation's defense. Not only would additional manpower be freed for direct combat needs, but the mobility of U.S. forces would be enhanced by the lack of extraneous equipment and a sluggish logistical tail." By "de-escalating sophistication," he concluded, "we could escalate combat effectiveness."

Mr. President, at a time when all of us are deeply concerned with the budget and anxious to responsibly reduce it and to conform with what a majority of the Senate decided we should do, cut back expenditures by $6 billion—the staff of the Appropriations Committee tells me that means to cut appropriations by $12 to $13 billion—it seems to me that this offers a promising, responsible, and sensible area in which we have the opportunity to make appropriate reductions.

Mr. President, I ask unanimous consent that the Congressional Quarterly report from which I have quoted be printed in full at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ON DEFENSE SPENDING CUTS: DEFENSE BUDGET CUTS OF $10.8 BILLION SEEN FEASIBLE

Defense experts both in and outside the Government have told Congressional Quarterly that huge cuts can be made in the defense budget while retaining or even improving the current level of the nation's defense.

Highly placed sources in the Pentagon and industry told CQ that cuts totaling at least $10.8 billion could be made in areas they classified as "fat." None of the cuts would affect U.S. combat capabilities, they said. Instead, only logistical elements they view as excessive and weapon systems they consider overlapping, unnecessary or of doubtful combat effectiveness would be cut back.

Although numerous officials in the Pentagon favor the massive cuts, the actual decisionmakers remain unconvinced. Defense Secretary Clark M. Clifford told a June 20 press conference that the Administration probably would impose defense spending cuts of $2 to $3 billion as part of the $6-billion reduction ordered by Congress as the price of enactment of President Johnson's coveted tax increase. One Pentagon source who favors the higher cuts told CQ it was surprising that Clifford would accept any reductions at all, in view of "pressures from the military and defense industries to keep the budget intact."

In addition to the logistical support, the major areas cited by sources as "fat" include the new antiballistic missile system (ABM), "unnecessarily sophisticated" equipment in both Air Force and Navy aircraft, an expensive air defense system deployed against what sources see as "weak and outmoded" Soviet bomber forces, the Army's helicopter program and antisubmarine carrier task forces of high cost and, sources said, "dubious" combat effectiveness.

One Pentagon civilian said these areas tied down "fantastic amounts of manpower despite the generally low level of combat effectiveness they afford. Cutting them back in many cases actually would improve the nation's defense. Not only would additional manpower be freed for direct combat needs, but the mobility of U.S. forces would be enhanced by the lack of extraneous equipment and a sluggish logistical tail." By "de-escalating sophistication," he concluded, "we could escalate combat effectiveness."

In view of the Government's financial crisis, another official said, it would "border on the irresponsible if these programs are not cut back. These areas should be cut anyway, but in view of the nation's other pressing needs, the case is overwhelming."

Another Pentagon civilian said other funds might be saved by deferring desirable projects until later fiscal years. The source said there were "a lot of nice things the military would like to have and probably should have under normal circumstances. But with the dollar under attack, we can't just go on with business as usual. For the next year, at the very least, we've got to drive a Volkswagen instead of a Cadillac."

Sources emphasized that the cuts not only would mean dollar savings but also balance-of-payments gains. Cuts affecting overseas forces would be worth direct payments savings of almost $1 billion. As the spending cuts cool the economy, they said, there would be further payments savings due to returns of capital which had flowed abroad to escape the U.S. inflation.

Clifford has not yet spelled out which areas will be cut to make up the planned reductions of $2 to $3 billion. Sources told CQ, however, that the most likely action will be deferral of weapon systems rather than stripping programs they consider "fat." Some of the items Clifford reportedly is considering include the Navy's $1.7 billion shipbuilding program, the Air Force's military space project, formation of a new 6th Army division, and new air defense missiles.

What follows is a compilation of major areas in which substantial cuts are thought feasible without reduction in the country's military strength; it is the result of detailed interviews in each area with numerous defense industry experts, civilian and military officials. The Administration's justification for funding each program also is presented.

BREAKDOWN OF PROPOSED CUTS

Following is a compilation of cuts that a consensus of CQ's sources feel could be made in the fiscal 1969 defense budget without diminishing U.S. combat capabilities (*for details and Administration justifications, see text*). Figures in parentheses are subtotals.

Suggested cut

[In millions]

Anti-ballistic-missile system (ABM)	$1,100
Bomber defense system (SAGE)	1,000
Surface-to-air missiles	850
Manpower	(4,200)
Army	2,200
Navy	900
Air Force	675
Marine Corps	400
Tactical aircraft programs	(1,800)
Army	510
Navy	635
Air Force	700
Antisubmarine carrier forces	400
Attack carrier forces	360
Amphibious forces and fast deployment logistics ships (FDL's)	500
Manned orbiting laboratory	600
Total	10,800

STRATEGIC FORCES

ABM system

Probably one of the most clear-cut items of "fat," in the view of most CQ's sources, was the ABM system, designed to protect the nation against an intercontinental ballistic missile attack. Currently programmed for a "thin" deployment (termed "Sentinel") to defend against a small attack, the ABM employs nuclear-tipped missiles to seek out and destroy enemy missiles in the upper atmosphere. CQ's sources doubt the system will have any chance of working against a realistic attack; consequently, they would cut the fiscal 1969 request figure of $1.2 billion for ABM deployment and development down to $100 million for further development work. In addition, they would cut back some $200 million more that was appropriated for ABM deployment in previous fiscal years but not yet spent. (About $200 million more in previously appropriated deployment money already is obligated.) The funds were the first installment on a total installation cost of $5 to $7 billion for the "thin" ABM deployment; subsequent expansion of the system to a "heavy" shield would cost an estimated $40 to $50 billion.

The sources listed several reasons for opposing the system: (1) because of the nuclear test ban treaty, the ABM has not yet been tested in the atmosphere; thus, they said, there is no assurance that the system's radars or its tracking and guidance systems will survive the first blast the ABM sets off; (2) counter-measures on the part of an enemy would be relatively simple; there are many devices to confuse a radar system, particularly the use of a number of dummy targets; and (3) thus far, the United States has been unable to attain acceptable reliability with far simpler missile systems designed for antiaircraft use. In simulated combat tests, these missiles have shown both a low level of readiness and a poor "kill" ratio. "With missile technology in its current state," one Pentagon civilian said, "an effective ABM would be worth almost any price we would have to pay for it. But for the present we can make greater strides in that direction by spending small sums of money to advance technology until we have a really useful capability, rather than spending a lot to produce hardware that we know won't work."

Administration Position

After opposing ABM deployment for years, then Defense Secretary Robert S. McNamara late in 1967 gave in to pressures by Congress, the military and industry, and ordered the system deployed. In his speech announcing the deployment, McNamara said there were "marginal grounds for concluding that a light deployment of U.S. ABMs against (Red China) is prudent." McNamara warned, however, that "if we . . . opt for heavy ABM deployment—at whatever price—we can be certain that the Soviets will react to offset the advantage we would hope to gain." McNamara concluded that the nation must "resist that temptation firmly," because the "greatest deterrent against such a strike is not a massive, costly, but highly penetrable ABM shield, but rather a fully credible offensive assured destruction capability." (*For McNamara statement, see 1967 Almanac p. 966.*)

In recent weeks, McNamara's successor, Clark Clifford, has argued far more vigorously than McNamara for installing the ABM. Clifford June 19 sent a letter to Senate Armed Services Committee Chairman Richard B. Russell (D Ga.) warning that it would be a "serious mistake" for the Senate to turn down the Sentinel deployment. Clifford's letter placed new emphasis on the potential of the system to protect U.S. offensive missile sites from Soviet attack or to limit damage from an accidental Soviet firing.

In a press conference, the following day, Clifford said the system now had "real significance" vis-a-vis the Soviet Union. Citing U.S. intelligence reports that the Soviets were installing such a system, Clifford said the United States would be "in a better position to reach agreement with them on an ultimate step toward disarming if we also go about the deployment of a system." Clifford did not spell out, however, whether that would involve escalation to the level of a "heavy" ABM.

SENATE ABM HASSLE

The year's first skirmish over the ABM came in the Senate in April during consideration of the fiscal 1969 defense procurement bill (S 3293). By a 17-41 roll-call vote, the Senate April 18 rejected an amendment by Gaylord Nelson (D Wis.) to drop the bill's $342.7 million in Sentinel procurement funds. Later in the day, by a 28-31 roll-call vote, the Senate rejected an amendment by John Sherman Cooper (R Ky.) to prohibit deployment of an ABM system until the Defense Secretary certified that it was "practicable" and that its cost was known "with reasonable accuracy." (*See votes 81-82, Weekly Report p. 963; for story see p. 904.*)

Opponents of the system were encouraged several weeks later by press reports that the Administration intended to drop the ABM system as part of the $6-billion economy cut. The reports proved wrong, however, as Clifford launched his vigorous defense of the system. On June 24, the Senate by a 34-52 roll-call vote rejected an amendment by Cooper and Philip A. Hart (D Mich.) to add language to the defense construction authorization bill (HR 16703) prohibiting expenditure of any ABM funds authorized by the bill before July 1, 1969. The Senate then went on to reject, by a 12-72 roll-call vote, an amendment by Stephen M. Young (D Ohio) to delete the bill's authorization of $227.3 million in ABM construction money. It was expected that the anti-ABM group would renew its attacks on the system when the program later was considered in the appropriations stage.

At one point in debate, Sen. Henry M. Jackson (D.-Wash.), the bill's floor manager, went beyond Clifford's statement in praising the anti-Soviet capability of the system. Jackson June 19 said some Senators apparently had "taken too literally the public rationale for the system previously given by officials of the Defense Department. As a result, these Senators have missed the most significant feature of the system: it will have definite capabilities for defense against the Soviet missile threat." Not only would the system defend U.S. missile sites against that threat, Jackson said, but it would also "provide a limited degree of protection of American cities and other strategic forces from Soviet attack, as well as improve our capacity to detect and assess any missile attack."

Bomber defense system

Another big item CQ's sources view as unnecessary is the complex warning and intercept system designed for defense against long-range bomber attack. Called SAGE for Semiautomatic Ground Environment, the system employs elaborate radars both to detect incoming bombers and to guide interceptors to shoot them down.

Sources said it was widely accepted in the Pentagon that the Soviet Union no longer could muster an appreciable bomber threat. "Despite intelligence reports that the Soviets have dropped their long-range bomber development effort," one military source told CQ, "we retain the SAGE system as a hedge that they might again shift course. It would make more sense to phase out the SAGE system now and then build up our air defense fighter forces later if the threat should reappear."

As in the case of the ABM system, CQ's technical sources in this area fear SAGE would be subject to a wide range of countermeasures which would render it ineffective against an enemy attack. A higher degree of effectiveness can be attained, these sources said, by phasing out the SAGE system and relying solely on Federal Aviation Administration (FAA) surveillance capabilities and normal U.S.-based fighter squadrons, combat training squadrons and the Air National Guard. One source said this would be a system "based on weapons and detection equipment that maximize kills, not automation." Savings from such a move would be an estimated $1 billion a year.

Despite the $18 billion cost of installing the SAGE system, one Pentagon civilian said, the Air Force had been aware of "crippling flaws" in the system ever since the outset of installation in the mid-1950s. "The Air Force apparently felt it should get the system first and then make it work," he said. "A number of costly modifications have failed, and so we're right back where we started." The source noted that the Air Force was about to embark on another costly modification program but predicted it would be no better than previous efforts. Designated AWACS for Airborne Warning and Control System, the project envisions an improved radar system that is claimed to track incoming aircraft at levels far below the present capability. CQ's sources said the AWACS radars would be just as unreliable and vulnerable to countermeasures as are those in the current SAGE system.

Administration Position

McNamara in his 1968 defense posture statement said the Defense Department had conducted extensive studies of the anti-bomber defense problem and that in all the alternative force structures examined, the "indispensible element" was AWACS. If perfected, McNamara said, AWACS would be important for several reasons: (1) its ability to track aircraft at low altitudes; (2) its ability to provide detection at greater distances from the United States; and (3) its low vulnerability to missile attack compared with the SAGE system.

McNamara conceded, however, that the feasibility of AWACS depended upon the successful deployment of a "downward-looking" airborne radar. Although McNamara said the required technology was "within our reach," he did not comment on the over-all need for a bomber defense system or on the present level of effectiveness.

Surface-to-air missiles

CQ's sources said $850 million per year could be saved by phasing out "ineffective air defense missiles and deferring heavy hardware development on new missiles. Sources said there was little reason to believe these missiles would work any better in combat than Soviet missiles used by the North Vietnamese, stated in the May 6 issue of *Aviation Week* to have attained a kill ratio of less than 1 percent. According to one military source, "the North Vietnamese have apparently learned much more quickly than we have that their real defense against bombing rests on anti-aircraft guns." The source said the current and planned antiaircraft gun units would be "more than enough" for good air defense.

The U.S. missiles, called Hawk, Nike-Hercules and Bomarc, are deployed heavily around U.S. forces in Vietnam, Korea, Europe, Alaska and the continental United States. Like the SAGE system, their performance tests have been so unsatisfactory that they have required constant programs of modification and improvement. Commenting on both the SAGE and the missile programs, one source said "large get-well programs are always a symptom of a basic blunder."

Administration Position

Administration analyses indicate that the "get-well" programs should yield substantial reliability improvements. Furthermore, it is felt that the guidance technology of at least the newer U.S. missiles is considerably more sophisticated and advanced than that of the Soviet missiles, even though the U.S. missiles have not yet been demonstrated in combat.

GENERAL PURPOSE FORCES

Manpower

Sources indicated that sums totaling a minimum of $4.2 billion could be saved by paring "fat" from logistical elements of all the services. (The cost savings of the manpower cuts were figured on the basis of an average annual cost of $10,000 per serviceman. The figure included the serviceman's salary and allowances, medical care, pension, food, billeting, training, supervision and other supporting expenses.) For each of the services, CQ's sources recommended cuts ranging from 10 to 20 percent, but among most sources, recommendations tended to cluster around the lower figure. For purposes of this study, CQ assumed the lower cut.

One Pentagon civilian told CQ that "anyone who's ever been in the service is aware of the tremendous wastage of manpower—the vast number of support troops who sit around with little or nothing to do. Beyond that, there are tremendous overlapping areas even in functions that keep people busy. By sensible reorganization, massive cuts could be made in the support areas and we'd have a better, more streamlined force."

Army

Of the total Army strength of 1,550,000, about 360,000 are in combat units (divisions, brigades, artillery and missile units), 110,000 are transients (men en route between assignments) and 1,080,000 are in additional support roles beyond those already provided in the combat units. Sources agreed that the Army should not be allowed to carry the large transient category but, as a well-placed civilian put it, should have to "take it out of their hide just like a corporation would." Elimination of the transient figure plus a 10-percent cut in support would yield a reduction of 218,000 troops, worth estimated savings of almost $2.2 billion.

Navy

The Navy lists a total strength of 775,000, including 330,000 assigned to combat units, vessels or air wings, 50,000 transients and 395,000 in support. A reduction of 90,000 including, as a minimum, the elimination of the transient category and a 10-percent cut in support, would mean cost savings of $900 million.

Air Force

Of total Air Force strength of 900,000, the breakdown includes 270,000 in combat air or missile units, 5,000 transients and 625,000 in the support function. The minimum cut recommended by CQ's sources would mean reductions of 67,500 and savings of $675 million.

Marines

Current Marine strength is 300,000, with 120,000 in combat ground or air units, 25,000 transients and 155,000 in support. The minimum cut would amount to about 40,000 and savings of $400 million.

NATO Forces

CQ's sources said it would be desirable to cut back the U.S. commitment to the North Atlantic Treaty Organization (NATO), but most of the sources agreed that as long as the commitment remained, U.S. forces located in Europe added far more strength to the West's posture than they would if brought home and kept in reserve for possible redeployment. One former high-ranking Pentagon civilian told CQ, however, that the United States should press West Germany to provide full logistical support for the U.S. combat forces deployed on German soil. The source said this should be more desirable to the Germans than the present arrangement of German offset purchases of U.S. weapons and probably would mean an even greater balance-of-payments savings for the United States. The source estimated that such an arrangement would enable the United States to pull out an additional 95,000 troops (above the standard 10-percent cut discussed above) and would amount to cost savings of almost $1 billion a year and $600 million in balance-of-payments gains. (CQ did not include this item in the value of over-all cuts, however, because it would necessitate an agreement with a foreign government while the other cuts could be undertaken by unilateral Pentagon or Congressional action.)

Administration Position

The Administration has contended that manpower allotments are the results of intensive studies on the requirements of all the forces. Present strength levels, it contends, provide optium combat support.

Tactical aircraft

Aviation experts interviewed by CQ said cuts totaling $1.8 billion could be made in the next fiscal year's aircraft procurement programs, primarily by dropping "elaborate and impractical" electronics systems and buying more austere versions of the craft.

Air Force

Cuts of at least $700 million could be made in the Air Force program, sources said, by purchasing simpler versions of the $2.5 million F–4E, the $8 million F–111D, and dropping production of the $2.6 million A–7D in favor of the A–37, which costs only $350,000. Despite their high costs, sources said, the F–4 had failed to provide clear superiority over Soviet fighters and the F–111 was too vulnerable to enemy fighters and anti-aircraft defenses to be useful; consequently, these aircraft should be prime candidates for further cuts. One civilian expert said the A–7 was "neither accurate nor maneuverable enough to be effective in its assigned role of close air support." In the interim, he said, the highly maneuverable, combat-proven A–37 could serve effectively in the close-support role until a new generation of attack aircraft more appropriately tailored to the mission could be built.

Shifting from production of the A–7D to the A–37 would save about $210 million if the same number of aircraft budgeted for fiscal 1969 were bought. Sources said an additional $30 million could be saved by dropping the F–4E's "long list of combat-inessential" equipment such as sophisticated navigation and fire control systems. Another $350 million or more in research and procurement money could be saved, they said, by dropping the $2 million Mark II electronics system in the F–111D (thus leaving the plane in effect an F–111A). One civilian official said the sophisticated electronics gear in each of the two latter craft would be "highly unreliable, contribute little or nothing to combat effectiveness, and decrease aircraft performance and daily utilization rates." Likewise, $110 million could be saved by continuing A–7A production rather than introducing the substantially more expensive A–7E, an aircraft termed by one civilian source as "90-percent goldplate."

Several sources also emphasized that great scrutiny should be placed on the F–111A program, which has encountered extensive problems in recent combat tests in Vietnam. Unless the plane begins showing "marked improvement," they said, the program should be cut back until a better aircraft can be developed.

Navy

By applying the above austerity program to the even more complex Navy F–4J electronics systems, sources said fiscal 1969 savings of $50 million could be attained. They applauded the Senate Armed Services Committee's recent action in denying a $585 million authorization request for the controversial F–111B program, but they said the Committee committed "the worst possible error" in providing $287 million for accelerated development of a substitute craft, the VFX–1. A military source termed the VFX a "warmed-over version" of the F–111 which will cost substantially more and perform only slightly better than the plane it would replace. (*For story on the VFX and F–111B, see Weekly Report, p. 1007.*)

Army

An area of increasing "fat," sources said, was the Army's helicopter program, and particularly the Hueys and Chinooks that are prevalent in Vietnam. "There are so many of those things in Vietnam," one military source said, "that even a sergeant complains if he has to ride in a truck." Sources recommended that the approximately $600 million request for helicopters in fiscal 1969 (excluding the Cheyenne helicopter which they would drop) should be scaled back to attrition levels—an approximately buy of 650 helicopters. Savings would be an estimated $360 million, including $300 million on the helicopter buy and $60 million in helicopter operating costs.

Several civilian and military sources said the helicopters had presented a "tremendous logistical burden in Vietnam in terms of fuel, ammunition, spares and manpower." One Pentagon source said the limitations of helicopters had "influenced us heavily toward short one- or several-day operations to the extent that the Army in Vietnam has largely abandoned the mission of holding and patrolling territory."

Sources also recommended dropping the new Cheyenne helicopter—an advanced craft based on a complex missile/gun fire control system, which they say is now slipping badly. One former Pentagon official said the Cheyenne, which costs $3.1 million, was "the biggest boondoggle the Army ever got dragged into—a complete waste." In a close support attack, he said, it would take the helicopter a minimum of 16 seconds to home in and guide its missile to target. In the meantime, he said, "you'll be blasted out of the sky by every weapon from small arms to tank or antiaircraft fire. This concept might work if you were up against a single tank in the desert. But if you're in the midst of a Soviet division, there's just too much around that they can throw back at you." Dropping the Cheyenne program would mean fiscal 1969 savings of about $150 million in costs of procurement and continuing R and D.

Administration Position

Aircraft Electronics Gear: A military spokesman told CQ that in every case, the aircraft under discussion were equipped with gear "necessary for them to meet their assigned combat roles. Sure, you might gain a maneuverability advantage by removing gear from a plane. But you also pay a penalty. And in these cases, the penalty would far offset the gains."

Helicopters: The administration has maintained that more helicopters are necessary to increase U.S. mobility in the war in Vietnam. In the months ahead, it is estimated that helicopter sorties in the war will double to the level of almost 1 million a month.

With regard to the new Cheyenne helicopter, studies have shown that the predicted accuracy of the craft's gun and missile guidance systems add so much to combat effectiveness that they more than compensate for the cost and logistics burdens. Despite the slips, the Administration argues that over-all program risk is so low that the recent production go-ahead is justified.

Antisubmarine forces

Another area where a consensus of CQ's sources would make substantial cuts is in the Navys' antisubmarine warfare (ASW) force. Sources said they would eliminate the entire fleet of eight ASW aircraft carriers, whose planes have never been effective in locating or destroying modern submarines in simulated combat exercises. The sources would leave the job to existing attack submarines, destroyers and high-endurance land-based patrol aircraft. These forces, one military source said, "should be more than enough to carry the full load."

Mothballing the entire ASW carrier force, sources said, would mean savings of at least $400 million, including $160 million in carrier operating costs, $110 million on the 32 other ships associated with the ASW carrier fleet, $100 million in operating expenses of the ASW aircraft and a large classified allotment for development of a new ASW plane of unprecedented complexity and sophistication—the VSX. (Eventual costs of the VSX program have been estimated at $2.5 billion.)

Administration Position

McNamara in his defense posture statement conceded that the present ASW carrier force was a "relatively high-cost system in relationship to its effectiveness." McNamara added, however, that intensive studies had determined that "the advantages and flexibility inherent in such a force would marginally warrant is continuation in the 1970s—provided that its effectiveness could be greatly improved." To make these improvements, McNamara said, would entail "a very expensive undertaking"—the development of "a new and much more capable aircraft," the VSX.

Attack carrier forces

Another large sum of money could be saved, CQ's sources said, by changing the concept of deployment of attack carrier forces. Sources said that by counting on carriers only for quick reaction and an initial power surge, then substituting land-based aircraft for the long haul, it would be possible to mothball three of the 15 carriers currently in use and still meet all the nation's worldwide commitments. The sources added that cutting the force down to 12 carriers also would mean that construction could be deferred on three expensive nuclear-powered carriers programmed for construction over the next six years (estimated total cost: $2 billion) and that two air wings of the oldest aircraft could be phased out. Savings would amount to $360 million for the 1969 fiscal year, including

$120 million in carrier operating costs, $130 million in costs of operating escort ships, $27 million in air wing operating costs, and about $85 million in fiscal 1969 advance funding toward the first of the three additional nuclear carriers (plus an unexpended $50 million for this purpose from fiscal 1968).

CQ's sources said one illustration of "irrationality" in carrier deployment was the current stationing of three carriers in the waters off North Vietnam. One Pentagon source said that "no other aircraft deployment could be more expensive, because we have to keep two carriers in support for every one on line—a total of nine attack carriers tied up in the war. We could phase out six of those carriers by pulling only two out of Vietnam, leaving one there for the purpose of keeping Naval Air current in combat experience. Then, at far less cost, we could achieve the same aircraft strength by redeploying land-based aircraft from areas throughout the Pacific."

Since the role of the carrier is to support rapid force buildups rather than sustained operations, another source told CQ, proper utilization would mean "instant availability" of the entire carrier force. "If you keep your carriers ready for quick reaction rather than long deployments," he explained, "you can put almost all of them in action because there's no requirement for support." Noting that chances were "remote" that the United States might invade Russia or China, the source said it was "impossible to dream up enough other contingencies to justify retention of all 15 carriers."

Administration Position

The Administration has not evolved any specific justification for carrier employment concepts or Naval Air force levels. The last change in position was in 1962, when the 15 wings attached to the 15 carriers were reduced to 12, since three carriers were normally in overhaul at any one time.

Amphibious forces

Because of the lack of real or potential island powers, officials interview by CQ think substantial cuts should be made in the number of amphibious assault vessels. One official said "the Soviets are no amphibious power to speak of and neither are the Chinese. Who else could you be fighting that would necessitate a World War II-type landing operation? Although it is clear that our concept of employing the Marines has changed radically, we still maintain a huge amphibious fleet."

Of a total amphibious force of 142 ships, CQ's sources recommended mothballing 50 of the most obsolete, without making any change in the composition of Marine combat forces. Savings would be worth about $100 million. In addition, they were agreed on dropping $216 million in the fiscal 1969 budget for a new type of assault ship—the LHA.

In a related matter, sources said they also would drop a new procurement request for fast deployment logistic ships (FDLs)—a mammoth military warehouse designed for deployment off potential trouble spots for possible fast deployment of heavy combat equipment. (Unlike the LHA, the FDL was not an assault vessel but a type of cargo ship. It was designed to support Army forces, whereas the LHA was for the Marines.) Fiscal 1969 savings from eliminating the FDLs would be $184 million.

Sources said the cuts envisioned in amphibious force strength would leave the capability of simultaneously assaulting with one division team in the Pacific and one brigade in the Atlantic. The lower level of strength, one source said, would be sufficient to stage "a strong show of landing assault force in any island crisis or even a good-sized war."

Administration Position

As in the case of carrier force levels, there appears to be no specific set of situations which form a basis for assault transport requirements. There has only been a general increase in assault shipping to improve the mobility of the Marines.

Mol

A final area deemed ripe for cuts is the Manned Orbiting Laboratory project (MOL)—The Air Force's probe into the military uses of space. One Defense Department official said the Air Force at this stage "has no more idea what they'll do with men floating around in space than NASA (the National Aeronautics and Space Administration) does with its Apollo Applications program. This is one activity that can wait." Postponing MOL would mean fiscal 1969 savings of $600 million.

Administration Position

The Administration maintains that possibilities still are strong that space may be put to military advantage. McNamara in his defense posture statement said he had insisted that space projects undertaken by the Defense Department "must hold the distinct promise of enhancing our military power and effectiveness" and that they "mesh in all vital areas" with those undertaken by NASA.

OUTLOOK

Sources emphasized that the areas probed by CQ were only the "most glaring examples" of Defense Department "fat." According to one Pentagon source, "A really detailed probe by the Congressional Appropriations Committees would reveal millions if not billions in other possible savings."

Because of political realities, however, most of CQ's Capitol Hill sources thought the defense budget cutters faced a stiff uphill fight. This theme was sounded by Republican Presidential candidate Richard M. Nixon June 23 when he warned it would be "irresponsible and potentially dangerous" for the Administration to consider any defense budget cuts.

Congress' hesitance to question major Pentagon programs was seen June 24 when the Senate voted to proceed with full funding of the ABM. In doing so it went against the advice of Majority Leader Mike Mansfield (D-Mont.), among others. Mansfield told his colleagues before the vote, "I think it is up to this institution (Congress) to fulfill its responsibilities to check, to recheck, and not be taken in by what the Joint Chiefs of Staff or the Secretary of Defense . . . say they must have, because we never can satisfy them."

ORDER OF BUSINESS

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BAYH in the chair). Without objection, it is so ordered.

THE FEDERAL CITY

Mr. BYRD of West Virgina. Mr. President, last Saturday I spoke at the annual convention of the Washington Board of Realtors, Inc., at Bedford Springs, Pa. The title of my address was "The Federal City."

Mr. President, I ask unanimous consent that the address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE FEDERAL CITY

(By ROBERT C. BYRD, U.S. Senator from the State of West Virginia, Washington Board of Realtors, Inc., annual convention, Bedford Springs, Pa., June 29, 1968)

The jurisdiction of the United States over the District of Columbia vested on the first Monday of December 1800.

During the ensuing 168 years Washington has been the Federal City, a city *sui generis*, the seat of the Government of the United States.

As Circuit Judge William Howard Taft, later Chief Justice, said in an 1896 case:

"The objective of the grant of exclusive legislation over the District was national in the highest sense, and the city organized under the grant became the city, not of a state, not of a district, but of a Nation."

The city "of a Nation," about which Taft spoke, commands a prestigious position unequalled by any other American city and, in many respects, by any other city in the world.

Named for the first President, who died a year before it became the seat of the National government, Washington today is one of the most beautiful and impressive of the world's centers of government.

When Thomas Jefferson rode horseback to his inauguration as President in 1800, the Nation's Capital was little more than a village. He rode down muddy lanes and tied his horse to a log fence before the uncompleted Capitol. Today, Presidents ride down Pennsylvania Avenue, one of the most famous streets in the world.

It is a city of beautiful parks, museums, and art galleries; a city of memorials and monuments; a capital of 50 states but not located in any of them.

On occasions, Washington has been likened to Rome, one of the richest cities in the world in history and art, and one of its greatest in religious, cultural, and intellectual attainments. It has been pointed out that Rome also rose from an insignificant pastoral settlement to be the capital of perhaps one of the world's most successful empires, supreme as a law giver and as a symbol of European civilization.

The Federal City has at other times been likened to Paris because of its pleasing physical attributes and its similarity in planning. It has been compared to Palmyra, ancient Syrian city of Palms and magnificent temples, because of the beautiful trees and the likeness of many public buildings to Palmyra's distinctive architecture. It has been compared to ancient Carthage, because it too was the seat of a council of law makers and a popular assembly of representatives of the people.

It is a city where kings and shahs and princes, presidents and senators, the great and the near-great leave their footprints on the sands of history—

The city which influences the daily lives of the people of the United States and many of the peoples of the world—

The city in which the three great equal and coordinate branches of government have their situs—

The city in which the laws of the Nation are enacted, because it is the locus of the Federal legislature.

It is the city in which the Nation's laws are interpreted, because it is there that we find the Nation's highest tribunal.

And it is there that the execution of the federal laws has its genesis and its ultimate power, because the Chief Executive is there.

So, as all roads once led "to Rome," the

Federal City is today the alpha and the omega of our government of laws.

One would expect, therefore, the Federal City to be a model to which all other cities could look for citizen respect for law and order. One would expect that a government of laws and not of men—as it was referred to in the famous Massachusetts Compact—could point pridefully to its Federal City as a model of law enforcement.

But alas! The converse is true. The Federal City, during the past decade, has experienced a most dramatic increase in the commission of serious crimes. Anent the crime rate, Washington has risen from 12th place in 1957 among 16 cities of comparable size to third place as of now.

There has been a great deal of talk in the District of Columbia, both before the April riots and after, concerning the question of whether the city of Washington is a safe city for those who live in it, for those who do business in it, and for those who visit it.

I have been among those who have lately characterized our Nation's Capital as a city of fear. I have not done so lightly or without thought of what I was saying. I am as well aware as anyone of the power of the spoken and the written word, of the power of rumor and inference and innuendo. I would not carelessly characterize this or any city in a way that would bring undeserved harm to it.

There have been others in the Congress who have taken the position that there has been too much unfavorable comment about conditions in the District of Columbia, that the situation as regards crime and rioting has been exaggerated beyond its true significance and importance.

To some degree at least, this has been the position of District Government officials who have spoken publicly or commented on the question of law enforcement or the absence of it. They, perhaps because of the very nature of their positions, have tended to play down the allegations of fear. They have sought to get others likewise to softpedal criticisms, importuning them to the effect that a false impression was being created in the minds of citizens in this country and elsewhere.

I impute to no one a deliberate effort to mislead others about the nature of the situation that exists today in the city of Washington.

I do not pose as the ultimate authority on the crime situation in the District of Columbia—but I think I know who the ultimate authority is. The ultimate authority is the person who has experienced crime and suffered its effects in the District of Columbia firsthand—and there are literally thousands of such persons in the troubled Federal City.

In my capacity as Chairman of the Senate Appropriations Subcommittee on the District of Columbia, I have undertaken since the April riots to apprise myself of all the pertinent facts that I can obtain in this connection. To this end, I have in recent weeks invited many Washington business men and women to come to my office in the evenings—when they could come with the least fear of being recognized or followed or molested—and I have taken from them 1,418 pages of testimony concerning their personal knowledge of the crime situation in the District.

I have guaranteed these people anonymity, for if I had not done so they would not have felt either free or safe in coming to me to tell their stories. They must remain incognito to protect their lives, the lives of members of their families, and to protect their businesses—or, in many cases, what may be left of the businesses they operated before the riots. I will not identify them. They all gave their testimony willingly and freely, and, I may say, in many instances with an appearance of relief at the fact that at last someone was actually listening to what they had to say.

In these pages of testimony, I believe, is to be found the answer to the question of whether Washington is a safe city or a city of crime and fear. The testimony speaks for itself.

Almost uniformly these people told a story of a situation that one can hardly believe could exist in any supposedly civilized urban community and especially the Federal City. It is a story of a breakdown in police protection, a breakdown in court responsibility, and a giving way to gang rule by street hoodlums and thugs. It is a story that ought to anger and outrage every citizen of this Republic who understands the elemental fact that no society can exist except by the rule of law. That rule has gone down the drain in many areas of the city of Washington.

Repeatedly I asked the question, "What do you consider to be the single most pressing problem confronting the businessman in the District of Columbia?"

The answers almost invariably brought up the subject of law enforcement.

Here are examples:

Mr. A: "The lack of police protection, and the lack and utter disrespect for law and order."

Mr. B: "I think the most pressing problem, not only with the businessman, (but) with the employee, (is) I am scared and everybody is scared. We have a country of fear."

Mr. C: "Mentally, to be able to go back to work. I find if I had to go to work now, mentally I just can't do it. I am not up to it."

Mr. D: "The most serious thing is we cannot get help. The next most serious problem is fear."

Mr. E: "Protection. It is the main thing we need today. Any businessman needs protection against the hoodlums on the street."

Mr. F: "My immediate problem at this moment would be the need for protection . . . so that I can operate my business and give the necessary feeling of security to all of my employees."

Mrs. G: "The fact that I have no protection, no police protection, no protection at all. I feel no security in my business."

Mrs. H: "You have no protection here. If they tried to protect you, they are not given backing from anyone."

Mr. I: "My problem is this, Senator, I can't be in business without the fear of being looted and possibly killed because of the lack of protection I derive from the police department."

Mr. J: "Fear."

Mr. K: "The threat of new violence."

Mr. L: "Personal fear."

Mr. M: "Actually, the lack of police protection and the fact that the police seem to be handcuffed in order to help us, to keep order in the streets."

Mr. N: "The hoodlums in the streets. They won't let us do any business. They come into the stores and demand merchandise without money. They come in in groups. One makes believe he does the purchasing, asking lots of questions, while the others are picking up from the shelves and walking out, using threatening language, very abusive language, such as 'I'll bust your mouth. I'll hit your head'."

Mr. O: "Law and order. There is absolutely none of it. I feel that the government has failed in its obligations to its citizens."

Mr. P: "The most important problem we have right now is the problem of controlling the youths who harass our business."

Mr. Q: "The fear that my store will be demolished."

Mrs. R: "The problem is certainly nonenforcement of the law."

Mr. S: "Well, confronting me, mostly, I would say is the thieves and the violent types of people that don't work and don't want to work."

Mr. T: "I think the restoration of a climate in which normal, peaceable life can be carried on."

Mr. U: "Protection."

Mr. V: "Crime."

Mr. W: "The riot was the most pressing problem."

Mr. X: "I would say restoration of law and order. I think that has to be No. 1. I think this is one of the reasons that much of the business community went to the suburbs, and they are going to go more and more."

Mr. Y: "My main problem is the lack of financial capital."

Mr. Z: "The problem is police protection. My place has been broken into a number of times by teen-agers and kids in the neighborhood."

So, as there are 26 letters in the alphabet, I have quoted the first 26 merchants who testified. You will note that I did not select a chosen few, but I have taken them in their order, from A through Z, and 23 out of 26 stated that the most serious question facing businessmen in Washington is lawlessness. Of course, this is perhaps the most serious domestic problem facing the country today.

And, unless something is done to halt the spiralling crime rate in the Federal City and in the Nation, both will be overtaken with disaster. For, in the words of a former Supreme Court Justice:

"Lawlessness, if not checked, is the precursor of anarchy."

Many and varied are the suggestions advanced regarding the causes of crime.

Some say poverty. Yet, there is probably less real poverty today in America than ever before, but crime is more rampant.

Some say joblessness is the cause of crime, but the unemployment statistics of today—which are at a record low—pale into insignificance when one remembers the soup kitchens of the early 1930's. Yet, crime has skyrocketed.

Some say racial discrimination is the cause of crime. However, more steps have been taken in the past 15 years to erase discrimination than at any time since the adoption of the 13th, 14th, and 15th Amendments to the Federal Constitution. Yet, the crime rate continues to soar.

Some say the crime rate is up because there are simply more people today than ever before. True. But the crime rate is increasing seven times faster than is the population.

If I may again quote Mr. Frankfurter, to whom I referred a moment ago:

"He must be a bold man indeed who is confident that he knows what causes crime. Those whose lives are devoted to an understanding of the problem are certain only that they are uncertain regarding the role of the various alleged 'causes' of crime."

Many circumstances may contribute to the environment most conducive to crime, but one key factor will always be present—the individual himself, his temperament, his attitude, his level of mentality.

Some people argue that criminals are made, not born; others maintain that the reverse is true. But, one thing is sure: something must be done to restore respect for authority and to renew a sense of individual responsibility in the Federal City and throughout the land or this Republic will be destroyed.

Look at the Federal City!

There has been a 316 percent increase in serious crimes in the District in the past 11 years—going back to April 1957. During this same period, the rate of solution of Part I offenses has decreased from 49 to 19 percent.

In the 12-month period ending in April 1968, there were 41,111 serious crimes committed as against 9,868 11 years ago. Robberies increased 885 percent. Homicides increased 177 percent. Burglaries increased 418 percent.

Merchants have been shot to death in their stores. Bus drivers have been beaten, robbed, and murdered.

Women are raped in their homes, in government buildings, and have even been criminally assaulted in churches.

Looting, arson, and other property destruction rocked the City during the April disorders, and only this past week there were further disorders.

Federal property at the base of monuments to two of our greatest presidents has been desecrated.

Resurrection City, a virulent abscess of hooliganism and infectious disorder, was closed down on Monday of this week and the inhabitants thereof, many of whom were thugs, hoodlums, and members of militant street gangs from other cities were evicted and arrested.

Federal agencies have been subjected to harassment, and more civil disobedience—which is but another name for lawlessness—has been promised.

One would not have thought, a decade ago, that this would be the story of our Federal City in 1968.

What are the answers to this situation of an unprecedented and unacceptable rise in violent and other serious crimes which threaten our whole Federal City and, indeed, our whole law enforcement system? What is to be done about congested court dockets and the delay of a year or more between the commission of a crime and the trial of the accused? What is the answer to chronic repeaters, or recidivists, who continue to roam the streets, committing a series of new grave offenses while awaiting trial on some previous charge? What is to be done about the host of juveniles who are almost encouraged into a career of crime by the namby-pamby manner in which they are handled at this critical period in their lives? What can be done about low morale and a high vacancy rate in our police departments? Are we to allow the criminal elements to take the law into their own hands and defy all constituted authority?

It is obvious that there is no single answer, or simple solution, to this crisis of lawlessness. But it is equally obvious that there is no reason why the people—the law-abiding public—must accept such conditions. Such conditions do not have to be tolerated.

So, let us examine some of the things which must be done to swing the pendulum back to where the rights of the victims of crime and the public are given equitable consideration with the rights of criminal offenders.

It is easy to catalog a number of major improvements in our law enforcement machinery which are necessary to wage this war against crime if the outcome is to be successful.

(1) We need on our United States Supreme Court—and I place this at the head of the list—a better balance of Justices who have a greater objective concern for law and order and what is occurring in this country with respect to lawlessness, instead of an exaggerated concern for the technical rights of the accused. This surely also applies to a number of our U.S. Circuit Courts of Appeals. We need more trial judges who will hand out sentences commensurate with the viciousness of the crime, and stop giving continuances almost automatically and honoring motions which are patently made primarily to delay and frustrate the system.

(2) We need speedy trials. This may necessitate more judges and supporting personnel, but even more importantly, far better administration of the courts, including better records systems, better calendaring procedures, and improved procedures for cutting through inconsequential red tape which makes for delay.

(3) We need bail reform laws which will permit the courts to take into consideration the danger of a proven criminal to public safety in setting bail or determining whether he should be released to the street.

(4) We need police departments at full complement, with high morale, as proficient in community relations as they are in enforcing the law, and with the know-how and sufficient authority to take speedy action before matters get out of hand. And our police officers need the full backing of their superiors, of the press, and of the community.

(5) We need parole and probation systems which act promptly, through due process, to revoke the parole and probation of those parolees and probationers, who, by the commission of new crimes, etc., have substantially violated the conditions of their release.

(6) Most of all, I am convinced, if we are to effectively govern ourselves as a democratic society and bring about the respect for law and order which is so necessary, but which to too great an extent seems to have been lost, there needs to be a change of attitude, a greater sense of urgency, on the part of the overwhelming percentage of the people—the law-abiding, responsible segment. There should be far less tolerance of the nonsense and license permitted under various labels to the relatively few who have no regard for law and order and who, if allowed to, would destroy us. The weight of opinion of the responsible majority of all people, whether they be judge, law officer, legislator, or part of the general public, must be expressed to a degree that it will be felt by those who would take some disruptive or negative course.

Groups such as yours can help a great deal—more, perhaps, than you realize. The Congress is sympathetic and interested, and now is the time, with the experience of the riots and the disorders accompanying the so-called poor people's campaign fresh in mind, for citizens' groups to make their feelings known.

The firmness displayed by the District government when new riots threatened after Resurrection City was closed, contrasted with the policy of "restraint" in the April riots, is evidence enough of the changes that public opinion can bring.

There was widespread dissatisfaction with the leniency with which rioters and looters were treated in the April outbreak—and officials of the District government got the message. When trouble threatened a second time, they acted swiftly, and I think commendably, to head off a June repetition of what happened in April.

"The people are the city," said Shakespeare. So, what is needed is for every concerned group in Washington to dedicate itself to the task of helping to bring about the eradication of the blight of crime.

The Federal City, I am convinced, can be made a safe city again, as well as a beautiful city.

It can be made that, if citizens and government, spurred by the disgrace of riots and spiralling crime, determine now that they will settle for nothing less. You and I and all Americans have a tremendous stake in the outcome.

Let each of us, then, strive within his own means and in his own way to emulate Caesar Augustus, who, in the words of Suftonious, "found a city built of brick; he left it built of marble."

HUMAN RIGHTS CONVENTIONS A TIME OF REDEDICATION

Mr. PROXMIRE. Mr. President, tomorrow we celebrate the 192d anniversary of the Declaration of Independence. At this time of rededication to the ideals upon which this great Nation was founded, the Senate's failure to ratify the human rights conventions sounds as an even more strident discord to these high ideals. In 1776 the founders of the United States dedicated themselves to the self-evident truths—"that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness."

Yet today the Senate still has failed to ratify the Human Rights Conventions on Genocide, Political Rights of Women, and Forced Labor. It is our responsibility as Members of the U.S. Senate to live up to the example of our forefathers who fought for those basic, inalienable human rights. I have pleaded and shall continue to plead the cause of world peace through the ratification of the human rights conventions.

THE NUCLEAR NONPROLIFERATION TREATY SUPREME ACHIEVEMENT OF PRESIDENT JOHNSON

Mr. YOUNG of Ohio. Mr. President, on Monday of this week I was privileged to be in the East Room at the White House witnessing the signing of the Nuclear Nonproliferation Treaty by representatives of 40 nations including the Soviet Union, Great Britain, Korea, Australia, and the Philippines. While the treaty does not contain an absolute guarantee that nuclear weapons will never be used in war, it clearly represents a milestone in the long journey toward world peace.

This was a historic occasion. The treaty was signed by Dean Rusk for the United States; Ambassador Patrick Dean for the United Kingdom; Ambassador Anatoly Dobrynin for the Soviet Union; Ambassador Salvador P. Lopez for the Philippines; and Ambassador Dong Jo Kim for Korea. We sensed the historic significance and hope of the occasion as in silence with perhaps 200 looking on. leaders of 40 nations signed the treaty.

The limited nuclear test ban treaty entered into in 1963 showed that controls could be imposed on the nuclear arms race. It limited the environment where nuclear bombs could be tested. The outer space agreement subsequently entered into with the Soviet Union limited the environment where they could be stationed. Now, the nonproliferation treaty limits the spread of nuclear weapons.

Today, the United States and the Soviet Union are the only two nations in the world with the power of mutual destruction. However, other nations—Great Britain, France, and China—also possess nuclear weapons to some extent. China could become a major nuclear power within a decade. Even more dangerous is the fact that by spending approximately $200 million any mature industrial country can readily produce one or two atomic bombs. Any industrial society can develop a 20-kiloton bomb, the size of the one dropped on Hiroshima, and accomplish this probably with 5 to 8 years. With each passing year more nations will be able to do so, and the possibility of nuclear war increases. Therefore, the nuclear nonproliferation treaty is of the utmost importance in curtailing what former Secretary of Defense, Robert McNamara, termed the "mad momentum" of the arms race.

Mr. President, the recent announcement by leaders of the Soviet Union of their willingness to enter into negotiations with the United States on limiting both offensive and defensive nuclear weapons is another giant step forward in the cause of peace. After 20 years of the nuclear arms race, it is obvious that the only defense against a nuclear attack is to make sure that it never happens. The present situation in which the Soviet Union has the power to destroy us and we have the power to destroy them, even after absorbing a first strike, is far from ideal. In the great nuclear poker game being played by the world's only two real nuclear powers, the stakes are becoming fantastically high. Mankind can breathe a little more freely today knowing that at long last a serious effort will be made toward arms control. President Johnson deserves the gratitude of all citizens for his perseverance in bringing the Soviet Union to the conference table for a meaningful discussion of the need for freeing the world from the awful threat of nuclear war. On June 30, 1968, there appeared in the Plain Dealer of Cleveland, Ohio, an excellent editorial entitled "Nuclear Talks Credit to L. B. J." I commend the editorial to Senators and ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NUCLEAR TALKS CREDIT TO L. B. J.

Russia's announced willingness to enter into talks with the United States on the subject of limiting both offensive and defensive nuclear weapons is a personal triumph for the perseverance of President Lyndon B. Johnson.

Getting the Soviet Union into a meaningful discussion of the need of freeing the world from the awful threat of nuclear war could become one of the greatest accomplishments of Mr. Johnson's administration.

Mr. Johnson will have more to say on the disarmament situation at the nuclear nonproliferation treaty-signing ceremony tomorrow in Washington.

The President, early in his career in the White House, was firm in his belief that the two giant nuclear powers must cooperate—despite other trying differences—in keeping peace in the human family. Ambassadors and state secretaries worked toward this meeting of minds but nothing much happened. Still, the President persisted in his efforts and the real groundwork finally was laid at Glassboro, N.J., a little over a year ago during his famous confrontation with Soviet Premier Alexei Kosygin.

The process of bringing along the Russians to a point where they would seriously take a long look at the great expenditure of money for a defensive nuclear system—money that could be more productive in social progress—necessarily was delicate. The attitudes and the incidents that lined the path to the eventual decision to hold talks on the nuclear missiles of attack and defense are well delineated today by John P. Leacacos, chief of The Plain Dealer Washington Bureau, in his weekly column in this section of the newspaper.

Statesmanship, to a large degree, is akin to salesmanship and President Johnson, by everlastingly holding the thought that the Soviet Union eventually could be sold on the wisdom of missile prudence, should get credit for his determination in a cause which often seemed hopeless.

Mr. **YOUNG** of Ohio. Mr. President, Congress recently authorized more than $227 million for construction of the Sentinel ABM system. This, in addition to hundreds of millions of dollars previously authorized and appropriated for this so-called thin antiballistic missile system to ring some cities of our Nation. The Senate rejected my amendment to strike the entire Sentinel authorization from the military construction bill, and then my vote was cast against the bill. It is now obvious that to continue with this boondoggle, which will cost a minimum of $5 billion and eventually as much as $60 billion, would be a great disservice not only to the taxpayers of this Nation, but, more important, to the cause of world peace and to the. future security of our Nation.

It seems unthinkable that President Johnson would embark on this great escalation of the arms race at a time when there is a possibility that a workable arms control agreement can be reached. This proposal should now be "frozen." Five billion dollars would thereby be saved. I urge the President to announce publicly that his administration will not spend 1 cent of any moneys appropriated for the ABM system, at least so long as the leaders of the Soviet Union continue to negotiate in good faith toward arms control.

The President has shown great statesmanship in his efforts to bring about these negotiations. His announcement that our Nation would forego construction of an ABM system would be a further act of great statesmanship, an act for which he would earn the gratitude of all mankind and which would bring a sense of relief and renewal to people the world over who have become discouraged about the prospects for peace.

Mr. President, let us hope that every effort will be made by men of good will everywhere toward bringing about an end to the arms race and a workable arms control agreement. If they accomplish that, they will make a tremendous contribution to peace for all time.

HAPPY NEW FISCAL YEAR—AND THE DEFENSE BUDGET

Mr. SYMINGTON. Mr. President, in a six-page article on defense spending cuts in the Congressional Quarterly Weekly Report of June 23, entitled "Defense Budget Cuts of $10.8 Billion Seen Feasible," the first two paragraphs of this article read as follows:

Defense experts both in and outside the Government have told Congressional Quarterly that huge cuts can be made in the defense budget while retaining or even improving the current level of the nation's defense.

Highly placed sources in the Pentagon and industry told CQ that cuts totaling at least $10.8 billion could be made in areas they classified as "fat." None of the cuts would affect U.S. combat capabilities, they said. Instead, only logistical elements they view as excessive and weapon systems they consider overlapping, unnecessary or of doubtful combat effectiveness would be cut back.

There was also an article in the St. Louis Post-Dispatch last Saturday, June 29, entitled "Happy New Fiscal Year," by Richard Spong from Editorial Research Reports, the last two paragraphs of which read as follows:

The direct prediction for the future comes from the brilliant and pseudonymous financial writer, "Adam Smith." He raises the question, quoting a perhaps mythical Gnome of Zurich (Swiss banker): "Would you believe government bonds yielding 10 percent? Mortgages at 12 percent? Would you believe the Dow-Jones Average down 500 points?"

Not in the next fiscal year, Adam Smith seems to say. But sooner or later, if we don't fail to meet completely our monetary crisis.

In this connection, and in further effort to arouse interest in the preservation of a sound dollar, I ask unanimous consent that this article be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HAPPY NEW FISCAL YEAR: CONGRESS IS IN GOOD SHAPE AT THE END OF FISCAL YEAR, BUT MONETARY CRISIS CONTINUES

(By Richard Spong)

The beginning of a new fiscal year on Monday is a time of reckoning for Congress, the Administration, and trend-watchers everywhere.

An odd euphoria pervades Capitol Hill. Senate Republican Leader Everett McK. Dirksen says there is "more than a 50–50 chance" that Congress can adjourn by its Aug. 1 target date. Some in the press gallery think he is not overly optimistic.

The Congress approaches the end of the fiscal year in pretty good shape. Many of the basic authorization bills have been signed into law or are well along. Appropriations bills may be cleared—most unusually—by the end of July. The tax surcharge and crime bills are out of the way; the major housing bill is more than half way through. The big hangup could be the foreign aid bill. It has been ordered reported in the House. The Senate Foreign Relations Committee is considering marking up the bill this week.

Downtown the aura is a trifle less heady. Treasury is planning on borrowing about $10 billion to $12 billion in the first half of the year beginning July 1. The total would be less than the $16.3 billion of borrowing in the year-earlier period. The surtax bill will keep the Government from seeking an extra $4 billion or $5 billion in the marketplace.

But the public debt will be about $357 billion on July 1, perilously close to the $358 billion ceiling. And tight periods lie ahead. Treasury has its way of finagling to keep under the ceiling—one, suggests The Wall Street Journal, is stalling on paying federal employees and contractors—but these are only temporary expedients.

But even Downtown the outlook is not completely murky. Enactment of the tax bill will pare the $25 billion budget deficit for fiscal 1968 which Administration sources had been suggesting. And the deficit for budgetary 1969 may be only about $3.5 billion as against the $8 billion President Johnson had predicted.

As for business, a sharp jump in wages and salaries in the first three months pushed up consumer purchases in real terms as well as in current dollars. But the Federal Reserve Bulletin suggests that "continuation of the Vietnam conflict, rising prices, and the large stock of relatively new goods in consumers' hands may continue to retard consumer demands."

Of metalworking managers sampled by Steel magazine, 63.4 per cent look to stagnant or declining profits in the second half of calendar 1968. Impact, a business letter distributed by banks, suggests that tight money and the tax increase will slow down the breakneck accumulation of manufacturers inventories. A long steel strike after contracts expire Aug. 1 would "chew up stocks rapidly, paving the way for a quick bounceback once the steel men return."

The direst predictions for the future comes from the brilliant and pseudonymous financial writer, "Adam Smith." He raises the question, quoting a perhaps mythical Gnome of Zurich (Swiss banker): "Would you believe government bonds yielding 10 per cent? Mortgages at 12 per cent? Would you believe the Dow-Jones Average down 500 points?"

Not in the next fiscal year, Adam Smith seems to say. But sooner or later, if we don't fail to meet completely our monetary crisis.

BROAD-BASED SUPPORT FOR PRESIDENT'S SUPREME COURT APPOINTMENTS

Mr. BAYH. Mr. President, editorial reaction from all parts of the country supports the two appointments by President Johnson to the Supreme Court.

Typical of the widespread approval are the following excerpts from newspaper editorials:

From the South Carolina Independent, Anderson:

President makes an Excellent Choice in Naming Fortas as Chief Justice.

From the St. Louis Post-Dispatch:

Congress has no serious reason to reject the nominations, however, for they are good ones.

From the Harrisburg, Pa., Patriot:

L. B. J. Appointments are Justified.

From the Hartford Courant:

Both appointees have distinguished judicial records behind them, although Justice Fortas has only served three years.

From the Cleveland Plain Dealer:

The Senate's obligation is to confirm or deny the nominations on the basis of the character and ability of the nominees.

There is opposition to the nominations in some quarters. It is incumbent upon the opposition, however, to demonstrate its good faith by arguing the issue on the qualities of the nominees and on valid constitutional questions.

Mr. President, I ask unanimous consent that the following editorials be printed in full in the RECORD at the conclusion of my remarks.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Anderson (S.C.) Independent, June 28, 1968]

PRESIDENT MAKES AN EXCELLENT CHOICE IN NAMING FORTAS AS CHIEF JUSTICE

President Johnson's nomination of Justice Abe Fortas to be Chief Justice of the U.S. Supreme Court will meet with widespread approval.

An individual of unquestionable integrity, Justice Fortas has long been recognized by the legal fraternity as one of the most able minds in the profession.

A native of Tennessee, the son of an immigrant English cabinet maker, Abe Fortas has won his way in this world by hard work and earnest application of his talents.

For more than 30 years President Johnson and Justice Fortas have known each other, and the President's nomination bespeaks the admiration he holds for a truly dedicated American.

Republican voices already have been raised and they promise to fight confirmation in the Senate on the very shaky and unsound ground that a "lame duck" President should not be allowed to fill an important vacancy on the Supreme Court.

If any be needed—and there is no need—there is ample precedent. Former President Eisenhower named justices during his second or "lame duck" term of office without the Republicans raising opposition.

And one of the great Chief Justices of all, John Marshall of Virginia, was appointed by President John Adams when the latter had only a month left in his term of office.

Republican opposition to Abe Fortas as Chief Justice is so obviously political as to be self-defeating and we trust that will be its fate.

Justice Fortas deserves swift confirmation as Chief Justice of the U.S. Supreme Court.

[From the St. Louis Post-Dispatch, June 27, 1968]

THE CONTINUITY OF THE COURT

The most significant aspect of President Johnson's proposed changes in the Supreme Court is that they should not alter the vitality and progressive attitude of the Warren court. Yet the element of personal and political association involved could make confirmation more difficult.

Justice Abe Fortas named to succeed Earl Warren as Chief Justice, is a man of nearly impeccable credentials for the post. A Yale Law School faculty member, a government servant of long experience and recognized as one of the most astute private attorneys in Washington, Mr. Fortas has proved himself on the high bench.

His record in the recent session, including dissents in the cases allowing state textbook aid to parochial schools and permitting continued arrests of alcoholics, mark him as, if anything, more "libertarian" than Chief Justice Warren. Still, it was the humanitarian view of the retiring Chief Justice that will be hard to match.

Judge Homer Thornberry, nominated to the Supreme Court vacancy, has also made a judge in the liberal tradition. This was not surprising. The former Congressman was nominated to the federal district bench by the late President Kennedy, after championing the latter's programs through difficult days in the House Rules Committee.

When President Johnson placed him on the critical Fifth Circuit Court of Appeals, Judge Thornberry quickly made his mark there. He provided the margin for a major 2-1 decision requiring total desegregation of all public schools in the Deep South. The decision accepted the controversial guidelines of the Department of Health, Education and Welfare for integration. When this judgment was confirmed by the full appeals court, it replaced the doctrine of "all deliberate speed" with one of urgency.

A Supreme Court under the leadership of a Justice Fortas, and with the addition of Judge Thornberry, seems most unlikely to turn away from the Warren court's great achievements toward equality of opportunity, representative government, fair trial procedures and individual liberties. That is the main thing.

Nevertheless, President Johnson must expect his critics to raise the charge of cronyism. Justice Fortas was one of his most intimate friends and political advisers for years. Congress was not deterred by that from confirming a sound court appointment, but now the President has chosen another old friend and a fellow-Texan in Judge Thornberry. Mr. Johnson could have avoided criticism had be made a clearly objective choice from a list of distinguished judges and constitutional authorities which, in this country, would be considerable.

Congress has no serious reason to reject the nominations, however, for they are good ones. A President has a right to make Supreme Court nominations as they occur, and whether or not he may soon leave office. President Johnson has at the very least supported the continuity of the Warren court and what the President rightly termed its "capacity to meet with vigor and strength the challenge of changing times."

[From the Harrisburg (Pa.) Patriot, June 28, 1968]

SUPREME COURT: L. B. J. APPOINTMENTS ARE JUSTIFIED

The 18 Republican senators who are threatening a filibuster to block President Johnson's nominees to the Supreme Court would be well advised to back off while the backing's good. "A lot has to do with the country's reaction," says a leader of the effort, the "moderate" Sen. Robert Griffin of Michigan. "I think a lot of people feel that a new President with a November vote behind him should make the Supreme Court appointments."

We do not pretend to know what the country's reaction is or will be, but we feel, and we suspect that many people will agree, that this is a transparent political maneuver which cannot be justified.

The Supreme Court is a political force, but it ought not to be made a political football. This is June. President Johnson will be in the White House for another six months. He is, technically, a "lame duck," but then so was President Eisenhower for all four years of his second term.

Would the country really react favorably to a filibuster, of all things, designed to keep the Senate from voting to fill a vacancy on the most important court in the country, and for purely partisan motives.

So long as Mr. Johnson is President, just so long must he execute the responsibilities of his office. In nominating Associate Justice Abe Fortas to succeed Chief Justice Earl Warren, and Federal Judge William H. Thornberry to succeed Justice Fortas, Mr. Johnson has executed his responsibilities; he would be guilty of negligence if he did not. Now the Senate must exercise its responsibilities, but in a responsible way.

That Justice Fortas is a friend for 30 years of the President is common knowledge; that he is one of the most brilliant lawyers in the nation, a man of breadth and depth, courage and compassion, is also a matter of public record.

The appointment of Judge Thornberry, a former congressman who represented Mr. Johnson's former district, is less distinguished but by no means unjustifiable. Judge Thornberry is a liberal Texan, which is not a conflict in terms, and he is well-regarded on the federal bench, not only for his carefully reasoned decisions but for his dedication to equal justice under the law for all men, white and black.

In general approach, Justice Fortas is close to Chief Justice Warren. The continuity will be good for the country, for in the 15 years during which Earl Warren has presided over it the Supreme Court has produced landmark decisions to maintain individual liberty against government, to compel government to be responsive to the people, to strike down segregation and to uphold free speech.

Those have been years upon which—as former Pennsylvania Bar Association President Gilbert Nurick of Harrisburg has declared—historians will look and conclude that the Supreme Court has made meaningful and long-needed contributions "toward the accommodation of our great Constitution to the present and future needs of our nation."

[From the Hartford, (Conn.) Courant, June 28, 1968]

THE SUPREME COURT APPOINTMENTS

When Earl Warren was appointed Chief Justice in 1953, it was widely predicted that he would follow a middle-of-the-road course on the Supreme Court. The 15 years since provide vivid testimony of how wrong that prediction was. And so it has proved in many cases that a man's record before his appointment does not offer a firm basis for judgment on how he will conduct himself once he is on the bench.

Further, as the record of the Chief Justice himself demonstrates, a man may change and grow during his service on the Supreme Court. The Chief Justice who wrote his last opinion as the Court recessed last week was a wiser and more mature man than the one who wrote his first opinion in 1953. So it is dangerous to speculate on what effect the elevation of Justice Abe Fortas to be Chief Justice and the appointment of Judge Homer Thornberry to the Court will be.

In this case, however, the prophet has an advantage that he did not have when Chief Justice Warren was appointed. Both appointees have distinguished judicial records behind them, although Justice Fortas has only served three years. During that period he has in general followed the "Warren line," although he has not hesitated to dissent, most recently in the 5-to-4 opinion that denied that a common drunk is a sick man who should be hospitalized rather than jailed.

Those close to the Court report that Justice Fortas' personality is more abrasive than is that of the present Chief Justice, and that he lacks the qualities of leadership and persuasiveness which enabled Mr. Warren to come up with unanimous opinions on so many of the critical issues it decided. But a man leans and grows as Chief Justice as well as when he is only an Associate Justice, and Mr. Fortas is a wise and knowing man.

Judge Thornberry's independent leanings were clear when, as a Texas Congressman, he was one of the few Southerners who worked and voted with the liberal wing of his party. As District Judge, and later as Judge of the Fifth Circuit Court of Appeals, he has indicated a concern for the rights of minorities that in a least one case went farther than the Warren Court was willing to go. That both men are close personal and political friends of the President does not affect their qualifications, although those who are trying to block their confirmation by the Senate will doubtless not hesitate to try to use it against them.

The nominations are also being assailed as "lame-duck" appointments, as if the President should have left the posts vacant for six months so that his successor could make them. So was President John Adams a "lame duck" when he named the greatest Chief Justice of them all, John Marshall, who did more to make the Constitution what it is today than any other man before or after him.

[From the Cleveland (Ohio) Plain Dealer, June 27, 1968]

Court Would Keep Liberal Tag

The liberal tag usually attached to the United States Supreme Court presumably will remain if President Lyndon B. Johnson's nominations affecting that body are confirmed by the Senate.

Abe Fortas, associate justice who has been nominated to succeed retiring Chief Justice Earl Warren, has been on the libertarian side of things, a member of the five-man majority that sometimes has troubled certain members of Congress, strong for civil rights and the right to dissent.

Justice Homer Thornberry of the Fifth Circuit Court of Appeals, was a member of the Texas legislature who succeeded Mr. Johnson in the United States House of Representatives when Mr. Johnson went to the Senate. Thornberry first was appointed to the federal bench by President John F. Kennedy. On his way up to nomination to the Supreme Court, Thornberry—like Fortas—has worn the "liberal" label.

The Senate's obligation is to confirm or deny the nominations on the basis of the character and ability of the nominees. While some senators have spoken out against President Johnson's filling places on the Supreme Court in the closing months of his administration, it is hoped that consideration of the nominations will not be unduly delayed.

In almost three years as an associate justice, since he succeeded Arthur J. Goldberg, Judge Fortas slowly has emerged as one of the stronger men of the court. At 58, his prospects of a long career are excellent; Thornberry, if age is a prime factor, is but one year older.

The liberal appellation attached to Judge Fortas conveniently can be reexamined by senators through perusal of a pamphlet he published this month, "Concerning Dissent and Civil Disobedience." Nowhere does Fortas contend that disobedience to the state is necessarily evil, yet he argues that "violence never has succeeded in securing massive reform in an open society where there were alternative methods of winning the minds of others to one's cause."

Both Justice Fortas and Judge Thornberry have been close to Mr. Johnson. The Senate now must set them apart for its judgment.

THE STAR FIGHTS THE BOOM

Mr. PROXMIRE. Mr. President, the Washington Evening Star has been a consistently eloquent opponent of the Government's supersonic transport project and the serenity-shattering sonic boom it would leave in its wake. It has on its editorial page pleaded repeatedly for an injection of sanity into the decisionmaking on this project which threatens the peace and well-being of millions for the benefit of the world's handful of privileged jet-setters.

In an excellent editorial published on July 2, the Star concluded:

> There comes a time when the convenience of the few and the profit of the even fewer simply have to be made secondary to the sanity of the many. That time is arriving in the sonic boom business. There is no imaginable excuse for unleashing the boom against defenseless citizens.

I ask unanimous consent that the Star editorial be printed in the RECORD.

Columnist James J. Kilpatrick also wrote a perceptive essay recently on the subject of the SST which I commend to the attention of the Senators. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Washington Star, July 2, 1968]

Ban the Boom

The National Academy of Sciences has completed an extensive research project on sonic boom caused by supersonic airplanes and concludes that people don't like it.

The report, by a panel of distinguished boomers in psychology, sociology and, for some reason, the Harvard Business School, says more work is needed on individual, group and communal reactions to the big boom and to lesser booms. "Community reactions," it claims, "cannot be predicted with certainty."

Yes, they can. Any community subjected to the boom will be appalled at what human greed—remember the man from the business school—can inflict upon human beings.

The report seems to be a shoehorn in the door of booming for all. Noting that the first supersonic flights are scheduled for over water, the scientists, in a note of "optimism," said that overland flights could be developed if engineers had more solid data on the "levels of acceptability" of booms. "We can only speak in terms of the probability of effective organized reaction. This will increase as the annoyance of the individuals increases. The effective expression may depend on some dramatic trigger incident or the emergence of a vocal leader of public opinion."

For a dramatic trigger, try the first flight over the Washington area. For a vocal leader of opinion against the whole idea—here we are.

There comes a time when the convenience of the few and the profit of the even fewer simply have to be made secondary to the sanity of the many. That time is arriving in the sonic boom business. There is no imaginable excuse for unleashing the boom against defenseless citizens.

[From the Washington Star, June 23, 1968]

The SST: Another Very Gloomy Milestone

(By James J. Kilpatrick)

Winston Churchill once remarked upon the replacement of the horse by the internal combustion engine. The event, he said, "marked a very gloomy milestone in the progress of mankind."

The observation may be applied emphatically to development of the SST—the supersonic transport airplane. If this project represents progress in any sense, it is progress to the rear; it is a false progress, purchased largely by tax dollars taken from persons who never will fly in the aircraft and will only be irritated by it. It is a particularly arrogant manifestation of man's obsession with hurry-hurry-hurry.

Within the next few weeks, a decision will have to be made in Congress on an appropriation for the SST in the coming fiscal year. The administration has asked $223 million. At a time of massive federal deficits, the budgetary crisis alone should demand that the item be deleted.

Yet budgetary considerations are the least of the considerations. The matter involves questions of political principle and public philosophy that never have received sufficient thought. It is high time, while the White House request is actively pending, to give these questions a closer look.

If the armed services could expect some truly useful fall-out from research and development on the SST, perhaps the appropriation—and the prospective public nuisance—could be justified. This is not the case. The SST is a commercial proposition, pure and simple. It is an airliner intended for private use and private profit.

Why should the taxpayers be compelled to finance such a venture? Congressmen Bow of Ohio and MacGregor of Minnesota have asked the question repeatedly. They have never received a sensible answer. Of the roughly $700 million already plowed into the SST, private capital has provided barely $50 million. In theory—in very doubtful and speculative theory—the taxpayers may recover their investment some time in the next century out of royalties on sales of the SST. The prospect is pie in the sky. Through the fog of hocus-pocus, the plump, impassive face of state socialism is clearly to be seen.

But it is said, by proponents of the SST, that the United States must plunge ahead or risk the loss of world aircraft markets to the Anglo-French "Concorde" or to the Soviet Union's TU-144. The argument is getting weaker all the time. Recent reports from London and Paris indicate that the Concorde is in deep trouble; costs are skyrocketing, orders are few, and the Anglo-French plane—a small one by today's standards—is far behind schedule. The Soviet version offers no significant competition.

Philosophical objections are more compelling still. The SST would carry 280 passengers at a cruising speed of 1,800 miles per hour. Revenue projections are based upon a load factor of 58 per cent, or about 162 passengers. That is all we are talking about. The object is to get these particular hurry-hurry travelers from, say, Chicago to London in three hours instead of seven. Big deal.

The SST would fly at 64,000 feet. At that altitude, it would create a sonic boom path 64 miles wide. What is contemplated, in brief, is that perhaps ten million persons on earth would be subjected to the irritation and property damage caused by sonic booms, in order to serve the convenience of these few humans up above.

Those who defend the SST make the feeble defense that (1) sonic booms are really not so bad, (2) some way may yet be devised to reduce this thunderclap effect, and (3) maybe the plane would be restricted to subsonic speeds over land. Don't believe it. The booms are in fact an irritating nuisance; they are an unavoidable aspect of supersonic flight; and the sole advantage of the SST is its speed. Take that away, and the SST offers nothing that the jumbo jets of 1970 will not provide.

What price progress? How much time really would be saved? What value would it have? The House Appropriations Committee, pondering the whole picture, might boil the issue down to the old wartime question: Is this trip necessary? The answer is, plainly, no.

JULY 4

Mr. MOSS. Mr. President, tomorrow is the Fourth of July. If we listen to the apostles of despair in our midst, we would be ready to believe that this Nation which was founded so gloriously 192 years ago, has had it. That this great democratic experience is over. These doomsayers say that our Nation is rent with dissension. Our youth is alienated. Our leaders are corrupt. We are torn by violence. We can only weep over our past and bury our future.

It is true that the American way of life is being sorely tried. But it has been tried before, and we did not despair. We will not despair now.

Eric Sevareid has written an eloquent summary of the state of the Nation on this Fourth of July 1968, which should be read by every American who doubts our ability to survive these anxious times. The Sevareid article appears in the current issue of Look magazine, and it is called "The World Still Moves Our Way." I ask unanimous consent that it be carried in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE WORLD STILL MOVES OUR WAY

(By Eric Sevareid)

There are those who say the dream is dead or dying, poisoned by self-interest, rotted by surfeit and indifference, maimed by violence. The great aspiration is ended, they tell us, and America is now only another crowded nation, not even able to maintain order; a Power, but not a society, not a culture. We have gone, almost directly, they would have us believe, from primitiveness to decadence, a far poorer record than that of Rome.

The fireworks of this July 4—which may well illuminate the scene, again, of whole urban blocks consumed by flames, from the Molotov cocktail, not the holiday sparkler—will give further force to this cry of the Cassandras.

But the cry is as old as the nation. It was sounded in Jefferson's time, when the states seemed ready to drift apart; in Lincoln's time, when they split apart; in Roosevelt's time, when, by the millions, husbands shuffled in soup lines; in Truman's time, when the Russians and Chinese were supposedly reordering the earth and Communist traitors were supposedly infesting the Government.

But this is not It—this is not our Armageddon, not the great day of judgment on America. For America is change, and the changes have come, often enough, in convulsive spasms. This country is the vast experimental laboratory in human relations for the twentieth century; it is, in a sense, defining and creating the twentieth century for much of the world.

Unless it is seen in this light, America cannot be understood at all. If many of our contemporary intellectuals, especially those communing with one another in New York City, almost a separate nation in spirit, do not understand it, this is partly because they do not understand themselves. As they attest in innumerable books, they do not know who they are. It may be news to them that the overwhelming majority of Americans *do* know who they are, do *not* feel alienated from their country or their generation.

This is not a "sick society." It is a deeply unsettled and bewildered society, and the reason is not merely the extraordinary changes in this last generation but the speed of these changes. It is the *rate* of change that is new. The life of Americans today resembles that of, say, Grant's time, less than life in Grant's time resembled life in ancient China. The nation is not overpopulated, but the population has shifted out of balance. In the last 20 years alone, 18 million people, including, of course, the Negroes, have moved into the urban centers. This second industrial-scientific revolution has jammed us together, polluted much of our air and waters, smeared ugliness over much of our countryside, obliged us to work within greater economic units and increased the tensions of daily living.

Two other revolutions have been taking place in concert with the new industrial-scientific revolution. One is the communications revolution, which brings every social evil, every human tragedy and conflict immediately and intimately within everyone's ken. The other is the educational revolution, which adds millions every year to the ranks of those moved to add their investigation, articulation or actions to the processes of problem-solving and problem-creating.

We are not becoming less democratic but more democratic. It is not our individual freedom that is in jeopardy, in the first instance, but our public order. It could be argued that we are moving away from representative government in the direction, at least, of direct democracy, by no means an unmixed blessing. For the immediate future, the problem is not only the indifference or "apathy" of the much-abused middle class or any other group. It is also the problem of too many untrained cooks in the kitchen.

Many current phenomena to the contrary notwithstanding, Americans are the most natural workers-together in the world. We say we live by the system of individual enterprise, while we are the supreme cooperative society. Totalitarian countries say they are cooperative societies, while their regimes must coerce their people to work. It is absurd to believe that the races of men who turned an empty, forbidding continent into the most efficient engine of production and distribution ever seen, who created the first *mass* democracy with essential order and essential freedom will not solve the problems of crowding, poverty, pollution and ugliness. The solutions will create new problems, after which there will be new solutions, then new problems, and so our life will go on. Time is life. Were human problems ever totally solved, change would come to a stop, and we would begin to die.

American cynics and Cassandras see neither their own history nor the rest of the world with clarity. Violence? We have *always* had a high tolerance level for violence. Abraham Lincoln worried about what he called "the increasing disregard for law which pervades the country; the growing disposition to substitute the wild and furious passions, in lieu of the sober judgment of courts; and the worse than savage mobs, for the executive ministers of justice."

It is even to be doubted that crime is more prevalent than it was in the nineteenth century. Historian Arthur Schlesinger, Jr., reminds us that a century ago, every tenth person in New York City had a police record.

Alienated and irreverent youth? To a degree, youth is always alienated and to a degree ought to be. More than 2,000 years ago, Plato wrote that in a democracy, the father "accustoms himself to become like his child and to fear his sons. . . . The schoolmaster fears and flatters his pupils . . . the young act like their seniors, and compete with them in speech and action, while the old men condescend to the young. . . ." This happens because democratic life carries the in-built impulse to wish to please and accommodate to others.

The alarm over drug-taking is also exaggerated. There is far less use of dangerous drugs today than a half century ago, before narcotics control, when about one American in every four hundred was an addict of some harmful drug, ten times the present rate.

Americans, of course, are not spiritually geared to the past but to the future. It is a reflection of what John Steinbeck, speaking of the onpushing, haggard "Okies" in the dust-bowl years, called the "terrible faith," that we are constantly seized with concern for our children more than for ourselves. Yet it is not possible to see our society in perspective without these backward glances to what we once were, with the consequent realization that we are using different scales of measuring well-being today.

At the turn of the century, a newborn could expect to live about to the age of 50; today, the expectancy is about 70. Once, a mother had sound reason to fear giving birth; today, death in child-birth is regarded as intolerable. Once, a full high school education was the best achievement of a minority; today, it is the barest minimum for decent employment and self-respect. Once, the timber and mining barons stripped away the forests and topsoil wholesale; today, these companies are confronted by their communities at every other move.

One could cite hundreds of similar examples of how our standards of expectancy have risen, as they should, along with our standard of life. The truth is that we Americans are perfectionists, which simply means that we were not, are not and never will be satisfied either with the quantities or the qualities in our life.

By the year 2000, we will look back upon these present years not only as one of America's periodic convulsions but as a rather backward period. By then, the typical American family will have an income of around $20,000 a year or more; the typical American adult will have had at least two years of college, with far broader intellectual and aesthetic horizons. By then, the old urban centers will have been rebuilt, and many millions will live in satellite "new cities," part-urban, part-rural. The incurable diseases like cancer and arthritis will be under far better control.

The present explosion in books, theater, music and art will have transformed tastes and comprehension to an enormous degree. And already, according to the Englishman C. P. Snow, something like 80 percent of the advanced study of science in the Western world is going on in the United States of America. This is the heart reason for the "brain drain" from abroad to the U.S., not merely the higher pay. The facilities, the action, the creative excitement are increasingly here. None of this guarantees a single new Shakespeare, Rembrandt, Beethoven or Einstein, because genius is not developed (though even this may occur one day through selective breeding and cell transplant).

What it does guarantee is a great lifting of the massive center, of the "ordinary" people. This is the premise and the point about America—ours is the first organized dedication to *massive* improvement, to the development of a *mass* culture, the first attempt to educate *everyone* to the limit of his capacities. We have known for a long time that this can be done only through the chemistry of individual freedom. Soviet Russia is just now beginning to discover this for itself. I am unable to understand the thrust of the sufferings and strivings of Western man over the last thousand years save in terms of this kind of achievement.

The popular passion of Americans is not politics, baseball, money or material things. It is education. Education is now our biggest industry, involving more people even than national defense. The percentage of children in kindergarten has doubled in a rather short period; the percentage of youth in college climbs steeply upward. Today, even a Negro boy in the South has a better statistical chance of getting into college than an English youth. And there are about 44 million full- and part-time *adult* students pursuing some kind of formalized learning on their own!

Intelligent foreigners nearly everywhere understand the mountainous meaning of all this for the world as well as for America. They know that much of the world will be transformed in the American image, culturally if not politically. They know that struggle is really all over—it is the Western way of living and doing, our way and the way of Europe combined, that the word wants. It is North America and West Europe that make up the "in" world; Russia and China are still the outsiders trying to enter.

Communism already appears irrelevant, essentially passé. The more the Communist regimes educate their people, the more complex their life will become. They will struggle with the complexities the Western world confronts already, and they will discover that authoritarian direction from the top cannot cope with them. Only the essentially liberal society can manage twentieth-century life, even in practical terms. They will learn, as we have always known, that the effective, the lasting revolution lies in the West, particularly in America.

Why, then, are we in such a state of uproar in this year of Our Lord, and why is much of the world upset about the America of today? Because, as a philosopher once said, "nothing that is vast enters into the life of mortals without a curse," and America is struggling to rid itself of one old curse and one new one. The old curse is the Negro slavery Europeans fastened upon this land long ago, which continues in a hundred psychological, social and economic, if not legal, forms. The Negro Passion of today is a revolution within the continuing American revolution, and the one absolute certainty about it is that it is going to succeed, however long and distracting the agony for everyone. It will succeed not only because it has justice with it (justice has been suppressed before) but because there is a deep evangelical streak in the American people, a true collective conscience, and it has been aroused.

Racism exists in almost all societies on this globe, virulently so, incidentally, in Black Africa. It may be that race prejudice—the psychologists' "stranger hatred"—is an instinct tracing from our animal origins, and therefore ineradicable. Yet man is the only animal *aware* of his instincts; the only animal, therefore, capable of controlling, if not eliminating, his instincts. New law, enforced, compels new behavior. Behavior repeated daily comes to seem normal, and attitudes change. Illusions tend to vanish. The idea that a difference in skin color is an essential difference is an illusion. I am struck by an observation of McGeorge Bundy of the Ford Foundation. He said discrimination will end, partly because this college generation regards racial equality as natural, whereas the older generation regards it only as logical.

The twentieth-century war over racial injustice is now in its virulent stage. The nineteenth-century war in its virulent stage lasted four years. This one will last much longer because it is fought on a thousand narrow fronts, like guerrilla war, and because no grand climacteric is possible. But it is not going to "tear this country apart" or "burn America down" or anything of the sort. A tiny percentage of extremists among only 12 percent of the American population can do much, but they cannot do that.

The new curse has come with America's new military power. A form of Parkinson's Law operates here. The greater the power, the more the men who associate with it, extoll it and find needs, real or sophistical, for its use. The use of available, flexible force becomes easier than hard thought; and the worst aspect of the curse is the gradual, almost unconscious identification of power with virtue. John Adams said, "Power always thinks it has a great soul and vast views beyond the comprehension of the weak. . . . "

We have fallen into this trap with the Vietnam intervention. For the first time, we have misused our power on a massive scale. But it does not mean that we are a "Fascist" or aggressive people, any more than the racial mess means that we are a hating or oppressive people. Vietnam is not typical; it is a mistake, now recognized as such by most serious thinkers in this country. If millions of people in Europe (every province of which is soaked in blood) stand aghast at what we have done and reproach us bitterly, one unarticulated reason is that they *expect* the United States to act with humaneness and common sense. They do not shout advice to Russia and China, whatever their misdeeds, for the same reason that the crowd in the bullring does not shout advice to the bull but to the bullfighter.

The reassuring thing is not merely that we will get out of this trap and undo the damage as best we can but that we will do so because our own people demand it, not because the enemy is too strong, not because of foreign criticism. We could, if we would, lay North Vietnam totally waste. The American conscience will not permit it. We may not win a military victory in Vietnam, but we will win a victory in our own soul.

No—the humaneness of the Amercan people is still here. The new problems have piled up too rapidly for our brains and our institutions to cope with at anything like the same rate, but the will for justice is as strong as ever—stronger, in my own belief, because thought and expression are freer today than ever before. This is why the Negro revolution has come now—not because conditions of life became worse, save for some, but because of a climate of free expression. In just such periods of great intellectual freedom have nearly all revolutions been generated.

It is a remarkable fact that great numbers of very ordinary people in distant lands understand all this about America better than some of our own intellectuals. If, by some magic, all barriers to emigration and immigration around the world were lifted tomorrow, by far the single biggest human caravan would start moving in one direction—our way.

One day recently, I asked a Cuban refugee why most Cubans like himself wanted to come to the United States rather than go to Latin American countries with the same language and the same general culture. Was it just the thought of greater economic opportunity?

"No," he said, "many of us would have an easier time, economically, in a Latin country. It's just that we feel better here. We can feel like a human being. There seems to be something universal about this country."

This is living testimony, not abstract argument, from men who know the meaning of America in their bones and marrow. Of course, it is the truth. Of course, the dream lives on.

Let those who wish compare America with Rome. Rome lasted around a thousand years.

ADDRESS BY SENATOR BYRD OF WEST VIRGINIA TO KIWANIS INTERNATIONAL

Mr. HANSEN. Mr. President, the distinguished Senator from West Virginia [Mr. Byrd] addressed Kiwanis International on June 30, 1968.

Our colleague delivered a most thought-provoking message regarding the relationship between our secular institutions and our religious beliefs. Speaking in Toronto, Ontario, Senator Byrd complimented this international service organization for its statements on law and order and individual initiative. He called attention to the "operation law and order program," pointing to the preamble of this resolution adopted in Houston last year, which reads as follows:

> In these days, certain groups have inflamed the uninformed and discontented, promised them the utopia of something for nothing, encouraged them to want democracy and freedom without responsibility, and confused license with liberty. Such activity has undermined the respect for law which is necessary if an orderly civilization is to be maintained.

Praising "Kiwanis in Action" which declares "individual initiative and action is the soul of a free society," Byrd goes on to observe:

> The basic idea implicit in both quotations, that of individual responsibility and individual accountability, is fundamental and essential to the continued viability of free government and free institutions.

Mr. President, I ask unanimous consent that this important message be printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

A Layman Speaks

(By Robert C. Byrd, U.S. Senator from the State of West Virginia, to Kiwanis International Toronto, Ontario, June 30, 1968)

Dr. Moler, members of Kiwanis International, my fellow West Virginians—there being many West Virginians in the audience this evening—ladies and gentlemen. First, let me express my gratitude to Dr. James Moler for his kindness in inviting me to participate in tonight's program. Secondly, I would want to state my gratitude to the Honorable E. A. Horton, Mayor of the Borough of Etobicoke, for the warm hospitality which has been accorded to me and my traveling companion, Mr. H. B. Brown, by the Mayor and Mrs. Horton during the afternoon. Mayor Horton and his wife met us at the airport and they have helped so much to make our brief stay a pleasant one. Then, too, I would want to express not only my appreciation but the compliments of everyone present this evening to the Belleville High School Band and to the St. George Youth Choir for the delightful musical selections which they have rendered for our enjoyment. Paticularly, I want to commend the St. George Youth Choir on its splendid rendition of one of my favorite selections—The Battle Hymn of the Republic.

Ladies and gentlemen, I am mindful of the honor you have done me in asking me to participate in the opening session of your convention. I hope that this and the sessions that will follow, as you meet in this vital Canadian City, will prove to be fruitful for the members of this inspiring service organization, the influence of which is so widely and so beneficially felt.

We meet in a time of worldwide ferment and uncertainty. It is a revolutionary time, the end of which is not in sight. I would address myself then, on this Sunday evening, to matters in this connection that I believe to be pertinent, and that I hope will be of interest.

I understand that this spot on your program is often, perhaps generally, occupied by a clergyman, and that matters pertaining to spiritual growth are usually discussed. I make no pretense nor claim to any especial knowledge or competence in religious matters, but speaking only as a layman, I would like to bring you some thoughts of mine regarding the relationship between our secular institutions and our religious beliefs.

We hear a great deal these days about people who say they are "concerned" about our social problems. Often these are persons who demonstrate or commit acts of so-called civil disobedience or otherwise protest. Well, I am concerned, and I believe that you are concerned. And my primary concern is over some of the attitudes that we have allowed to develop in our over-permissive societies on the part of our governments and some of our churches. I am constrained to believe, indeed, that some of these attitudes have contributed to many of the ills with which we are afflicted and have helped to precipitate many of the problems which we face.

It was because of this that I was struck by two things I read in material published by Kiwanis International which was sent to me in connection with the invitation to speak here.

The first is in the folder describing your "Operation Law and Order" program, an undertaking of which I heartily approve. It is the preamble, I believe, to the resolution your organization adopted at Houston last year. It reads as follows:

"In these days, certain groups have inflamed the uninformed and discontented, promised them the utopia of something for nothing, encouraged them to want democracy and freedom without responsibility, and confused license with liberty. Such activity has undermined the respect for law which is necessary if an orderly civilization is to be maintained."

I consider the second statement to be equally compelling. Taken from your brochure, "Kiwanis In Action," it says:

"Individual initiative and action is the soul of a free society."

I could not improve upon that statement as a central theme for these remarks. The basic idea implicit in both quotations, that of individual responsibility and individual accountability, is fundamental and essential to the continued viability of free government and free institutions."

But, my friends, I am afraid that you and I are not doing the job we should be doing in selling that idea in the contemporary world.

Our world has made astonishing strides in science and technology, in increasing material prosperity and in bringing about widespread affluence. We have made progress in innumerable other ways, but somewhere along the line we have allowed the emphasis to be shifted from the individual and his responsibility to the mistaken concept that society, government, the state, has somehow become responsible for everything; as a result the individual has, in all too many instances, felt progressively less responsible for his own life and welfare, to his own and to society's detriment.

This doctrine is in sharp conflict with the philosophy by which free nations, building upon the religious concept of the importance and worth of the individual, have risen to positions of power and influence in the world. It is an enervating, stultifying doctrine that will penalize any nation or society that embraces it—the negation of the inward, driving urge that carries individuals and social structures to the top.

Do not misunderstand me. I am not advocating the principle of individual responsibility for those at the lower end of the economic scale as differentiated from others, although I may say that the evidence strongly suggests that many such persons remain at the bottom of the ladder for want of the effort to climb it. But I am thinking in broader terms here.

St. Paul, in his Second Epistle to the Thessalonians, said:

"For even when we were with you, this we commanded you, that if any would not work, neither should he eat."

Jesus said:

"For unto whomsoever much is given, of him shall be much required: and to whom men have committed much, of him they will ask the more."

If society is the sum total of all the individuals who make it up, as it most assuredly is, then it goes without saying that society is diminished by the failure of any individual to utilize his talents, and it is most diminished by the failure of the most talented.

I do not wish to indulge in the casuistry of using ecclesiastical means to make secular points. Perhaps I should turn, instead, to a nonreligious writer to bolster the point about individual responsibility. The great industrialist Charles M. Schwab said:

"The man who has done his best, has done everything. The man who has done less than his best, has done nothing."

In recent years, to the injury of our society, it has become the fashion to downgrade the importance of religion. Its influence in contemporary affairs has waned to a degree that is dangerous for us as individuals and for our civilization. Some think we have grown too scientific or two sophisticated to bother about spiritual things, a feeling which I cannot share.

For, all of us, I think, grope for spiritual help and hope. As Adlai Stevenson once said, "some of us worship in churches, some in synagogues, and some on golf courses."

But how one worships, or does not worship, is not my point. The inescapable fact is that the basic concepts of free governments have come to us from religious sources. The relationship may be all too little understood, but we lose sight of it only at our peril. To try to downgrade the importance of religion in a civilized society is to display a lack of sophistication and to show ignorance rather than learning.

As the great English essayist Francis Bacon said:

"A little philosophy inclineth a man's mind to atheism, but depth in philosophy bringeth men's minds about to religion."

Man has never lived by bread alone, and perhaps the pre-eminent authority who has traced the dependence of political systems upon the religious systems that preceded and undergirded them is the historian Arnold Toynbee.

The casual reader may think of history, in Toynbee's phrase, as "just one damned thing after another." But Toynbee, one of the most erudite men to write in the English language, sees in the record of civilization not only a pattern but also a meaning.

All through his lengthy and remarkable historical works runs the connecting theme that the real story of mankind's development as a social being is to be found most significantly in his religious history. Civilizations, he holds, are essentially stepping stones in man's progress toward a deeper and truer spiritual insight.

In his *Historian's Approach to Religion*, Toynbee tells how he stood before the mountain cave in Italy where St. Benedict worked and studied as a recluse before he launched the order that carried Christianity so dynamically forward, and, speaking of himself in the third person, he records what he felt:

"Here was the primal germ of Western Christendom; and as the pilgrim read the names of all the lands stretching away to the ends of the earth that have been evangelized by a spiritual impetus issuing from this hallowed spot, he prayed that the spirit which once had created a Western Civilization out of the Dark Ages might return. . ."

And well he might pray, for 19 of the 21 major civilizations into whose records he has delved and whose story he tells died from within because religion became meaningless and because people no longer cared.

Why do I mention this? Not necessarily to make dire predictions about our own society and Western civilization, but because I believe that the close relationship between the institutions of free governments and the religious backgrounds from which they have sprung needs to be re-examined and stressed anew.

In the United States we are familiar with the wall of separation that is supposed to exist between church and state. "Congress," the First Amendment says, "shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

But, said columnist James J. Kilpatrick in a nationally-syndicated column a few months ago:

" 'No law' has become a thousand laws. By act of Congress, the national motto affirms religious faith: 'In God We Trust.' Our pledge of allegiance is to a Republic 'under God.' Chaplains pray daily over House and Senate. . . . Public officers, hand upon the Bible, take their public oaths. . . A postage stamp commemorates the birth of Christ . . . The list could be extended. Property laws depend upon church-sanctioned marriages. Businesses fix their hours by Sunday closing laws. Ministers and conscientious objectors occupy a preferred position in the draft. The 'wall of separation,' in brief, is a sieve, a permeable membrane, a myth, Conservatives, at least, would not have it any other way."

This accommodation between church and state, about which Mr. Kilpatrick wrote, this often-adjusted relationship that exists in the United States, is evidence, it seems to me, of flexibility. Yet we are told by those who are defiant, by those who seek to uproot society as you and I have known it, that Western institutions springing from the Judaic-Christian background to which we are heirs, are now "irrelevant," and that the ills and problems of the times in which we live cannot be solved within the framework that Western civilization has erected.

But are the Ten Commandments irrelevant? Is the Sermon on the Mount irrelevant? Are free governments—which rest upon the choice of free men—irrelevant?

These are not merely rhetorical questions. Even those who raise the issue of the relevancy of our institutions to contemporary needs must know the obvious answers.

Our problem is that somehow we, in our generation, have failed to articulate and communicate, to those who raise the questions, the true relevance and the adaptability of our society to human needs.

I suggest that what is irrelevant—in bringing about a better society and a better world—is the throw-back to violence and revolution, the rejection of the principle of individual responsibility and accountability, the preaching of intolerance and hate, and the promise of "the utopia of something for nothing."

I cannot leave the church blameless for some of the attitudes that have brought on and encouraged disorder, lawlessness and violence. A minority of radical, activist clergymen who have made the altar of the church secondary to the political soapbox have done a disservice in many cases not only to the secular causes which they have espoused (which have had other clergymen arrayed on the opposite side of the issue), but also to their own parishioners, whose church and spiritual needs may have been neglected.

I shall not tarry long with this point, except to say that the activist clergyman who, in response to his or someone else's personal opinions, goes charging into a secular demonstration or a picket line crying "God wills it," seriously weakens his own authority and effectiveness in religious matters. What human being can dare call down God's support for his own position on temporal things, contending that only evil lies in opposing positions?

Only a quick reference to such a situation as Vietnam underscores the point. While some members of the clergy have denounced that conflict as if they had divine revelation on their side, other clergymen, just as dedicated, have gone onto the battlefield not only to minister to our men but also to support our cause as right and just. Dr. Paul Ramsey, Professor of Theology at Princeton University (in his book *Who Speaks for the Church?*), writes of ecumenical social pronouncements which have presumed to encompass the prudence of churchmen in their capacities as citizens:

"Thus does the church," he writes, "blur the distinction between itself and all other groups in the society which in any measure participate in the formation of public opinion; and it inordinately seeks to assume in the name of the church decisions that belong in the realm of the state. * * *

"Christians should be speaking more about order as a terminal political value along with justice, without the naive assumption that these are bound to go together without weight given to both. More about the need for the rule of law as well as revolutionary change. Of serving human liberty as well as the war on poverty, without the presumption that there is an 'invisible hand' that links these together in the absence of specific attention to each. About the individual and community values at stake in destroying the illusion that government will provide a solution for every irritant or distress, as well as what government can and should do. Of the responsible use of political power as well as the limits upon it. * * *

"Let the church be the church and let the magistrate be the magistrate. Let both keep their distances. May there be less confusion of these roles. Let the President advance policies without playing priest-king to the people in exercising his ruling under God's overruling. Let the churches advise the magistrates under their care in less specific terms, while always renewing in them the perspectives—all the perspectives—upon the political order that Christianity affords. And let us pray more for those in authority who must shape the future by what they decree, and who in doing so must step creatively into an uncertain future beyond the range of any light that has been or can ever be thrown upon their pathway."

I mean no offense to any clergymen who may be in this audience—for I have the highest respect for the men of the cloth. But I am constrained to say that the challenge to religion in our time goes far beyond the taking on of political activism.

A recent Time Magazine essay put the matter in sharp focus, I think. Said Time:

"The question thus posed (by church activism) but left unanswered is what in this scheme of things is to distinguish a Christian from any other humanistic do-gooder. The simplistic solution of some new activists seems to be to talk about Jesus as the original good Joe out to organize the underdogs into getting a decent shake from the Establishment."

I submit that if religion has no higher function than that, then the church might just as well be reconstituted as an arm of the Federal Government or a super-duper social agency and be done with the matter. But I am thankful that that is not the case, and that my remarks here are meant to apply only to the extremists who are in the minority.

And so, in conclusion, I would compliment you as members of Kiwanis International for being concerned persons, and for the religious orientation of your organization and your efforts.

I know that you believe, as I do, in the fundamental thesis of the Judaic-Christian concept—that man is a responsible being, created in the image of God, accountable to Him, with the will to make his own decisions and the capacity to grow. Our religious heritage may well outlive our political institutions because of its emphasis upon man's unique relationship to the universe in which he dwells and to his Creator. The religious ethic which is our legacy is viable and strong not only because it treats of man's chance for eternal salvation, but also because it deals with human nature as it really is in the here and now.

Men and Nations in these challenging but perilous and frustrating times may take heart in the knowledge that just as a strong spiritual awareness has inspired and strengthened the human race throughout its long journey in the course of unnumbered centuries, this unseverable affinity and relationship with an omnipotent God can and will lead and guide us in the fulfillment of His divine purpose if we will but listen to His voice through prayer and meditation, not attempting to substitute our will for His will, but always ready to do His service.

God lives! His strength is ours. His wisdom is ours, if we but wait upon Him with faith.

"Man comes a pilgrim of the universe,
Out of the mystery that was before
The world, out of the wonder of old stars.
Far roads have felt his feet; forgotten wells
Have glassed his beauty bending down to drink.

At alter-fires anterior to Earth
His soul was lighted, and it will burn on
After the suns have wasted on the void.
His feet have felt the pressure of old worlds,
And are to tread on others yet unnamed—
Worlds sleeping yet in some new dream of God."

AWARD OF DISTINGUISHED SERVICE MEDAL TO GEN. HAROLD K. JOHNSON

Mr. YOUNG of North Dakota. Mr. President, North Dakota and our Nation are very proud of the most unusual and distinguished Army career of the just retired Chief of Staff of the Army, Gen. Harold K. Johnson.

Through all of the more than 35 years General Johnson has spent in the Army, he has maintained his voting residence and his lodge membership in his hometown of Grafton, N. Dak. Our people in North Dakota are tremendously proud of this great military leader.

Mr. President, I attended a ceremony at the White House yesterday at which President Johnson presented the Distinguished Service Medal to Gen. Harold K. Johnson. I don't know of a single soul who would not be deeply impressed by the wonderful tribute paid by President Johnson to this patriotic warrior.

Secretary Resor's brief résumé of General Johnson's career in the Army and the reasons for his winning this high award are most impressive, too. Unfortunately, I do not have a copy of this.

Mr. President, there were gathered at this ceremony all of the top military officials of our country—both present and retired—and a great many other distinguished people. There was hardly a dry eye in the audience when President Johnson made his presentation and when General Johnson responded in a most humble, sincere inspiring Christian spirit. One could not help but be impressed with the depth of thinking and the patriotic dedication of this great man.

Mr. President, I ask unanimous consent to have President Johnson's remarks when he presented the Distinguished Service Medal to Gen. Harold K. Johnson and General Johnson's response printed in the body of the Record as a part of my remarks.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of the President Presentation of Distinguished Service Medal to Gen. Harold K. Johnson, July 2, 1968

General and Mrs. Johnson, Secretary Clifford, Distinguished Members of the Congress, Members of the Joint Chiefs of Staff, General Bradley, and Distinguished Guests:

It is not an easy task to award a medal to Johnny Johnson. He already has most of the medals that this country can bestow upon any man. He has been honored by no less than eight foreign countries.

When I finally decided to present him with the highest award that we are allowed to give a man for noncombat service, I found that he already had one of those, too. So this morning we are giving him the Distinguished Service Medal in the form of a First Oak Leaf Cluster.

All the adjectives of honor hardly do justice to Johnny Johnson.

Can "courageous" or "brave" describe a man who held off an overwhelming enemy force at Bataan and then survived the terrible Death March?

Is it enough to call a man "strong" when the doctors in the prison camp said that from a medical standpoint Harold Johnson should not be alive?

Other adjectives might sound strange when applied to a military man. But they really fit General Johnson very well. Words like these: "gentle, faithful, loyal, wise," and—as thousands of men who have served under him will all testify—"beloved".

Harold Johnson has served this country for 35 long years with a dedication and a strength of character that no adversity could ever weaken.

When he was ordered to bow before his Japanese captors, he replied, "Americans do not bow. They salute, but they do not bow."

General Johnson has been much more than just a battlefield hero. When he took over as Chief of Staff of the Army, he was faced with an awesome task—the task of directing the logistical build-up that has had few parallels in all the history of warfare. What he accomplished in 1965 literally—literally—saved South Vietnam from being cut in two by the enemy. Still he met higher demands for forces in other areas of the world all the time, as well as within the United States.

He built and maintained a strong, flexible, ever ready service. He never took any situation for granted. His famous phrase, "Challenge the assertion" has become a catchword throughout the Army.

The Army from which he retires today is a stronger, a more responsive and a much more humane service because Johnny Johnson was its leader.

I have great faith that General Westmoreland, who will succeed General Johnson, will continue to provide this same inspired leadership.

General Johnson, your country thanks you. Your country is in your debt. You have given us your best, and it was more than good enough. It was the best that any man could have given.

With you every step of the way has been a loyal and a devoted wife to whom we are indebted, too.

(Secretary Resor read the citation.)

General JOHNSON. Mr. President, Members of Congress, Mr. Secretary, my colleagues on the Joint Chiefs of Staff and the former members of the Joint Chiefs of Staff, Distinguished Guests and Friends:

Four years ago tomorrow I entered the office that I will depart today with a promise and a prayer upon my lips. I promised then that I would do my best to do my duty to God and my country. I have done that. I have been charged by some with having approached my tasks from the point of view of a Boy Scout. I accept the charge and I am honored by it because I have seen no Boy Scouts tear down the flag of our country, nor attack the values and the standards that have made our country great.

When my best was not good enough, I turned to prayer, and this was frequent.

From my office window, as I swing my chair, on the distant horizon there are the lofty spires of the Washington Cathedral reminding us, in the symbol of stone, of God's presence among us always.

Then our Government provides to its Chief of Staff a home at Fort Myer that looks out upon, in almost a direct row, the Lincoln Memorial, the Washington Monument, and the great dome of our Nation's Capitol. When there have been foreign guests in our home, I have taken them to one of the windows that looks out upon that scene and I have said to them:

"There is the great strength of our country, the compassion and the humility and the understanding of Lincoln; the courage, the perseverance, the dedication of Washington; and then under that great dome, an opportunity for debate and dissent and ultimate reconciliation that leads to cohesion."

I think, Mr. President, that the Army is like that. It is a courageous, a persevering and a dedicated Army. It is a compassionate Army. It is an understanding Army. And it is dedicated to the service of this country.

It is presumptuous of me to say that you have chosen wisely in my successor, but I say it nonetheless. I know that the Army will give to General Westmoreland the same kind of unstinting support and devotion that it has given to me.

I thank you from the bottom of my heart for this opportunity that I have had in these past years to serve my country.

MAURICE FORGOTSON, PARLIN, N.J., AWARDED ELOY ALFARO GRAND CROSS AND DIPLOMA

Mr. CASE. Mr. President, on May 18 one of my constituents was honored by the Eloy International Foundation of the Republic of Panama. On that date, in Hamden, Conn., Mr. Maurice Forgotson, of Parlin, N.J., grand patron of the Order of the Golden Chain, was awarded the Eloy Alfaro Grand Cross and Diploma in recognition of his outstanding service to mankind in the fields of education, national and international relations.

Mr. Forgotson has worked with and for the youth of America all his life, has been active in Scouting since his early childhood. He helped support a Scout troop as chairman of the Kilmer Job Corps Center in Edison, N.J., where he is employed by the Federal Electric Corp. Mr. Forgotson teaches auto mechanics to disadvantaged youths. High among his accomplishments he ranks the fact that many of "his boys" are acquiring their high school diploma or its equivalency—in fact, some are continuing into college.

He is active in the order of the Golden Chain, where he is grand patron. He is most proud of the Golden Chain Camp for Underprivileged Children. Last year a group of carpentry-painting students from the Kilmer Job Corps Center volunteered their services to put the camp in condition. They, too, were proud to work for the underprivileged.

Mr. Forgotson served actively in World War II in Europe. He is the recipient of two Silver Stars, the Bronze Star, and the Croix de Guerre of France, the latter having been presented to him by France's last Marshal, Marshal Juin, on the order of Charles de Gaulle.

Mr. Forgotson devotes all his available time to the betterment of today's youth. He has done much to prepare the young men of America to become better citizens. Many of his former students are now serving our country in the Armed Forces. He is firmly convinced that the peace and future of the world will lie in the youths of today—the adults of tomorrow.

The Eloy Alfaro International Foundation, named after the soldier-patriot-statesman—1842–1912—and former President of Ecuador, is for the perpetuation of the principles of justice, truth and friendship among peoples and nations, and seeks to promote moral values and personal integrity, for which General Alfaro devoted his life.

In conferring the Grand Cross to Mr. Forgotson, Dr. Herman A. Bayern, of Hartsdale, American provost of the Eloy Alfaro International Foundation, stated:

> The philosophy of General Alfaro was based principally on service to his fellow human beings and to the cause and promotion of international peace. The public and private activities of our distinguished guest of honor, Mr. Forgotson, comes within the framework of this kind of service to humanity. In recognition of this fact, and that you are a great humanitarian, the Ruling Body of the Foundation grants you, Mr. Forgotson, its highest honor, the Eloy Alfaro Grand Cross and Diploma.

In accepting the award, Mr. Forgotson said:

> I am extremely proud to be the recipient of so great an award. It is doubly remarkable that I am honored on May 18th; 54 years ago today the United States and Panama mutually opened the great Panama Canal, uniting sea to sea, country to country. I am proud, also, to receive this great honor here, at the Convention of the Girls of the Golden Court. I pray that the unity of your order remains forever as free and as honorable as it is this weekend.

Mr. President, I am pleased to learn of this award to a resident of New Jersey. Certainly he is to be congratulated for his fine work with the youth of our State.

CHURCH OF THE BRETHREN OFFICIALLY SUPPORTS GUN CONTROL

Mr. HARTKE. Mr. President, the Church of the Brethren is an old and respected Protestant denomination, although its membership is relatively small in comparison with many other religious bodies.

Recently this denomination held its annual conference, which is the governing body of the organization, at Ocean Grove, where a thousand delegates considered a variety of matters. Following the conference and earlier this week, a group of about 20 Brethren members from Indiana who had been in attendance came to my office. They left with me a document called "A Statement to Leaders of the U.S. Government From the Church of the Brethren." Included are its judgments on poverty, racism, and war, reflecting in the latter the position of the Brethren as a historic "peace" church.

But the question of gun control was one of such significance that these conscientious Christians felt the necessity for a separate statement, prepared by the general brotherhood board and adopted on June 24. Because it is an important pronouncement by responsible church leaders of 200,000 Americans, I ask unanimous consent that it may appear in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON FIREARMS CONTROL

(By the Church of the Brethren General Brotherhood Board)

BACKGROUND

The assassinations of John F. Kennedy, Martin Luther King, Jr., and Robert F. Kennedy, the riots in our major cities, and a growing climate of violence call attention to the critical need in our nation for more effective firearms control.

Every day, fifty people in our nation are killed because of the misuse of firearms. As a church which has long opposed war because it destroys life, we cannot be unmindful that the death toll for Americans has been much greater from guns in our own country than from all the battles in which we have engaged since the Revolution. Taking one year as an example, in 1966, 5,008 Americans were killed in combat in Vietnam. In that same year, guns killed more than 17,000 persons of the 100,000 actually shot in America.

Nearly a million guns are imported and two million more are made and sold in this country each year. One study found that forty-two per cent of male senior high school students in a selected sampling, owned a shotgun or rifle. As a church which has long advocated disarmament in international affairs we now declare that it is also time for arms control in domestic life. The effectiveness of such control is affirmed by studies in the Federal Bureau of Investigation showing that the percentage of gun murders in states having gun controls is substantially less than in states having minimal or no controls.

The degree of violence in this country is directly related to the abundance of bullet weapons. With the exception of the United States, most highly developed and urbanized countries have laws which make private ownership of firearms illegal without a special permit. Few guns are permitted in England; even policemen are not ordinarily armed. In 1962, only 29 persons were killed by guns in all of England and Wales. The Netherlands with similar restrictions had not a single firearms homicide in the three years 1960, 1961, 1962. Other European countries have carefully developed firearms control. In Japan, the private ownership of handguns is completely outlawed. Surely the experience of these countries and our own testify to the need to take legal steps to preserve life by controlling firearms.

RESOLUTION

The General Brotherhood Board of the Church of the Brethren, believing in the sacredness of human life and the obligation of the state for the safety of its citizens:

1. Calls for much stronger federal and state legislation in controlling the sale, ownership and use of firearms and ammunition;

2. Encourages our members and the general public to support such legislation;

3. Endorses the guidelines for legislation suggested by the General Board of the National Council of Churches on September 15, 1967 and again on June 7, 1968 as follows:

A. Federal legislation to restrict the shipment and sale of firearms so as to eliminate mail-order sale to individual purchasers, (shotguns and rifles as well as pistols).

B. Federal legislation to prohibit individual importation of all firearms with the exception of collectors' antique items.

C. Federal legislation to limit purchases of pistols to those persons over 21 years of age and of rifles to those over 18.

D. Federal and state legislation to outlaw private possession and transportation of destructive devices such as bombs, fire bombs, bazookas, mortars and anti-tank guns.

E. Federal legislation to require permits (where states have not taken appropriate action) for the purchase, ownership, possession and use of firearms, entail

a. Reliable identification of permit applicant (by fingerprint method if possible).

b. Waiting period prior to issuance; allowing for verification of age, absence of mental illness, lack of a felony record.

4. Recognizes the need for ultimate total disarmament of the citizenry and discontinuance of arms bearing in normal police activity.

While control of firearms will not eliminate the causes of crime and social disorganization, it will prevent much tragic loss of life. All the private and government resources at our command must be used to rid our society of lethal violence. Our faith demands it; our citizens expect it; America needs it.

RESIGNATION OF GENERAL McKEE

Mr. HARTKE. Mr. President, the resignation of Gen. William McKee as Federal Aviation Administration Administrator has been announced. In a letter regretfully accepting General McKee's decision, President Johnson expressed strongly his appreciation for the leadership he has given for the past 3 years in a post of demanding and complex responsibility.

I join in the general commendation being expressed on this occasion. I particularly commend the foresight and effort General McKee has exercised in pushing toward much needed airport modernization, with particular emphasis upon elements providing increased safety for all who travel by air.

At the time of General McKee's nomination, as a member of the Commerce Committee I strongly expressed my dissent, not to General McKee as an individual but to the distortion of proper procedure in the case of his nomination. At that time, I tried to make it clear that in attacking the procedure surrounding the nomination, I was speaking for the necessity of holding to established precedent, principle, and law and that I was ready to concede the probability, based on his excellent record, that General McKee might well be the kind of FAA Administrator he has since shown himself to be.

The fact of the matter was that the Federal Aviation Administration under the law is required to have a civilian as its head. General McKee was unwilling to relinquish, quite understandably, the position and emoluments accruing to him only if he maintained his situation within the Military Establishment. In order to hurdle that obstacle, because the President so specifically wanted General McKee in the post, the Congress was asked for, and passed, a statutory exemption in this one instance and only for the term of General McKee's occupancy of the post. In the past, a military man has been the second in charge, with the head of the agency a civilian.

While I am happy to commend the work General McKee has done, in none of which has there come to my knowledge anything discriminatory in favor of military rather than civil aviation, I am still of the opinion that the basic law on this appointment is correct, that in our democracy we must at every point preserve the principle of civilian supremacy in the direction of our basic civilian institutions.

There will be coming to us soon, I presume, another nomination. Since we are now reverting to the prior situation upon expiration of General McKee's service by special dispensation, I assume the name presented to us will be that of a civilian aviation expert. We made a special exception for a special nominee, Gen. William F. McKee, and it worked out well. Perhaps it was the exception that proves the rule, or perhaps just that General McKee is an exceptional man. But I still hold to my position of 3 years ago, that we should observe rather than rescind, even temporarily, the requirement of civilian supremacy in the FAA.

As for General McKee, I have never opposed him in a personal way, but rather have an admiration for him and his achievements. I trust that in whatever work he may undertake hereafter he will continue to be a valuable leader in this Nation.

BOMBING BLOCKS THE PARIS TALKS, SAYS BAGGS

Mr. HARTKE. Mr. President, one of this Nation's daily newspaper editors who stands close to the top of his profession is Bill Baggs of the Miami News. Few American journalists have had the opportunity during the Vietnam conflict to visit North Vietnam and interview leaders of the Hanoi regime. Bill Baggs has done so not once but twice, both in 1967 and again in 1968. Consequently it would seem that his judgment on the attitudes of those who are negotiating in Paris today is one that should be noted.

In his column in the Miami News of June 25 Mr. Baggs speaks very strongly of his belief that there is one essential element of concession on our part if North Vietnam's negotiators are to take up such questions as prisoner exchange or other steps toward settlement. That essential element is to completely cease our bombing of the North—which, in view of high-level American admissions that that bombing has been ineffective, might not be a very difficult concession for us to make.

Mr. Baggs stresses that he was told this by Van Lau, one of the two leaders now in the Paris negotiations, and by Ho Chi Minh himself, on both of his visits. He also makes the sound observation that undertaking a war is supposedly done in order to promote the country's national interest—but in this case, no rationalizations have been able to show that the jungle war in Vietnam is actually in the national interest.

I ask unanimous consent, Mr. President, that this piece may be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

POOR BARGAIN

(By Bill Baggs)

It is all so very depressing.

Day after day, you see snitches of type in the newspaper, only two or three inches long, relating the death of another young man from Dade or elsewhere in South Florida.

The more impersonal statistics now tell us that more than 25,000 young men have been killed in Vietnam and that the ugly and unrewarding conflict there has become the longest war in our history.

Meanwhile, the Paris talks have become a kind of lazy and indifferent minuet—nothing happens and the prospects are that nothing is going to happen until the United States makes one concession.

NOT BEFORE

The writer recalls the determined sentiment of Col. Ha Van Lau on a visit to Hanoi in January, 1967. He is on the high command of the military in North Vietnam, and three times in a morning conversation, he emphasized with the same language:

"You stop the bombing of our country and we can begin negotiations. But not before."

Van Lau is now one of the two leaders in the negotiations in Paris . . . the bombing has not stopped . . . and the negotiations are getting nowhere.

Ho Chi Minh, Hoang Tung, and other ministers in North Vietnam told, in strident tones, the same thing to the writer both in 1967 and in 1968. The message was clear. Serious negotiations were not possible until the bombing of all North Vietnamese territory ceased. The bombing was the single matter which was not negotiable.

Now our government was very much aware of this condition when the Hanoi leaders said in writing they were willing to confer with the United States. The policymakers in Washington knew or should have known, that questions of prisoner exchange and the nature of a coalition government in the South were not possible for examination until the aerial bombardment stopped.

So, you wonder why we sent diplomats to Paris in the first place.

You also wonder why we don't stop the bombing . . . if indeed such an act would start meaningful talks.

The policy of bombing hasn't worked, so what do you lose if you change the policy? In February, three years ago, President Johnson announced the bombing would start and said the ambition of it was to discourage the flow of men and war goods from the North into South Vietnam.

Well, in these three years, we have bombed North Vietnam harder than we bombed Germany in World War II, and the flow from the North to the South is much greater now than when the bombing started.

Indeed, you could restrict the bombing to lines just south of the North Viet territory and comply with the single demand of Hanoi, and get serious talks begun. Why not try that.

It is all very puzzling and dismaying to one who has been involved in this tragedy.

Too much talk about hawks and doves, about liberals and conservatives, has fuzzed up the reality of the war. A war is undertaken to promote the national interest of the country. No man in Washington yet has made a convincing brief that this war in the jungles is in the national interest of the United States of America.

To the contrary, the only country which seems to prosper from it is mainland China. Weighed on the scale of geopolitics, we have invested more than half a million young Americans and are spending more than $30 billion a year . . . while China sends down a few trains of rice, small arms and cloth. In brutal terms, it is a poor bargain for our country.

ROLL CALL

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk called the roll; and the following Senators answered to their names:

[No. 206 Leg.]

Bayh
Byrd, Va.
Byrd, W Va.
Cotton
Dirksen
Hansen
Hart
Mansfield
Metcalf
Murphy
Percy
Prouty
Proxmire
Randolph
Stennis
Williams, Del.
Young, Ohio

Mr. BYRD of West Virginia. I announce that the Senator from Nevada [Mr. BIBLE], the Senator from Hawaii [Mr. INOUYE], the Senator from Washington [Mr. MAGNUSON], the Senator from Rhode Island [Mr. PELL], and the Senator from Maryland [Mr. TYDINGS] are absent on official business.

I also announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Maryland [Mr. BREWSTER], the Senator from North Dakota [Mr. BURDICK], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. HOLLINGS], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Wyoming [Mr. MCGEE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from New Mexico [Mr. MONTOYA], the Senator from Oregon [Mr. MORSE], the Senator from Maine [Mr. MUSKIE], the Senator from Connecticut [Mr. RIBICOFF], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], and the Senator from New Jersey [Mr. WILLIAMS] are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the Senator from Tennessee [Mr. BAKER], the Senator from Utah [Mr. BENNETT], the Senator from Kansas [Mr. CARLSON], the Senator from Kentucky [Mr. COOPER], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Colorado [Mr. DOMINICK], the Senator from Arizona [Mr. FANNIN], the Senator from Hawaii [Mr. FONG], the Senator from New York [Mr. JAVITS] and the Senator from Texas [Mr. TOWER] are necessarily absent.

I further announce that the Senator from Colorado [Mr. ALLOTT], the Senator from Massachusetts [Mr. BROOKE], the Senator from Michigan [Mr. GRIFFIN], the Senator from Oregon [Mr. HATFIELD], the Senators from Iowa [Mr. HICKENLOOPER and Mr. MILLER], the Senator from Pennsylvania [Mr. SCOTT], the Senator from Maine [Mrs. SMITH], and the Senator from South Carolina [Mr. THURMOND] are detained on official business.

The PRESIDING OFFICER. A quorum is not present.

Mr. BYRD of West Virginia. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Anderson
Boggs
Case
Clark
Dodd
Ellender
Harris
Hartke
Hill
Holland
Jackson
Jordan, N.C.
Jordan, Idaho
Kuchel
McClellan
McIntyre
Mondale
Morton
Moss
Mundt
Nelson
Pastore
Pearson
Russell
Spong
Symington
Talmadge
Yarborough
Young, N. Dak.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). A quorum is not present.

ADJOURNMENT UNTIL MONDAY, JULY 8, 1968

Mr. BYRD of West Virginia. Mr. President, I move, in accordance with the provisions of House Concurrent Resolution 792, that the Senate stand in adjournment until 12 noon on Monday next.

The PRESIDING OFFICER. The question is on agreeing to the motion.

Mr. CLARK. Mr. President, may I be heard briefly?

The PRESIDING OFFICER. No. Debate is not in order.

The question is on agreeing to the motion of the Senator from West Virginia. [Putting the question.]

The motion was agreed to; and (at 11 o'clock and 19 minutes a.m.) the Senate adjourned until Monday, July 8, 1968, at 12 noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 3, 1968:

CALIFORNIA DEBRIS COMMISSION

Brig. Gen. William M. Glasgow, Jr., U.S. Army, to be a member of the California Debris Commission, under the provisions of section 1 of the act of Congress approved March 1, 1893 (27 Stat. 507; 33 U.S.C. 661).

IN THE AIR FORCE

Gen. John P. McConnell, FR611 (major general, Regular Air Force), U.S. Air Force, to be reappointed as Chief of Staff, U.S. Air Force, for a period of 1 year beginning August 1, 1968, under the provisions of section 8034, title 10, of the United States Code.

Maj. Gen. Bertram C. Harrison, FR1425, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general, under the provisions of section 8066, title 10, of the United States Code.

Maj. Gen. Robert H. Warren, FR1987, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general, under the provisions of section 8066, title 10, of the United States Code.

IN THE ARMY

The following-named officer under the provisions to title 10, United States Code, section 3066, to be assigned to a position of importance and responsibiliy designated by the President, under subsection (a) of section 3066, in grade as follows:

To be general

Lt. Gen. Ben Harrell, O19276, Army of the United States (major general, U.S. Army).

Lt. Gen. Ferdinand Joseph Chesarek, O21177, Army of the United States (major general, U.S. Army), for appointment as senior U.S. Army member of the Military Staff Committee of the United Nations, under the provisions of title 10, United States Code, section 711.

IN THE NAVY

Rear Adm. Ralph W. Cousins, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

The following-named officers of the Navy for temporary promotion to the grade of rear admiral in the staff corps indicated, subject to qualification therefor as provided by law:

MEDICAL CORPS

John H. Cheffey
Ralph E. Faucett

SUPPLY CORPS

Douglas H. Lyness
Wallace R. Dowd, Jr.

CIVIL ENGINEER CORPS

Henry J. Johnson
John G. Dillon

DENTAL CORPS

Myron G. Turner

HOUSE OF REPRESENTATIVES—*Wednesday, July 3, 1968*

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

I will keep Thy law continually, forever and ever; and I shall walk at liberty, for I have sought Thy precepts.—Psalm 119: 44, 45.

God of our fathers, in whose name our Nation was conceived, under whose banner it was born and by whose spirit it continues to live in liberty under law, we pray that we may be worthy of the blessings so abundantly bestowed upon us.

In this difficult day and through these turbulent times may our faith in Thee and our faithfulness to our country reveal the superiority of our way of life. More than ever before may we be loyal to the truth, may we stand firm in honesty and at all times be deeply and sincerely compassionate.

May every lover of liberty, every citizen of our country, pledge his life and his honor to keep the laws of our land and to support the Constitution. May reverence for law and order be breathed into our children, be taught in our schools and universities, be proclaimed from our pulpits and be enforced by our courts of justice.

As we remember the signing of the Declaration of Independence let us again sing and pray:

> "Our fathers' God, to thee,
> Author of liberty,
> To thee we sing;
> Long may our land be bright
> With freedom's holy light;
> Protect us by Thy might,
> Great God, our King."

Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 792. Concurrent resolution providing for the adjournment of the two Houses from Wednesday, July 3, 1968, to July 8, 1968.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 322. An act to restrict the disposition of lands acquired as part of the national wildlife refuge system;

S. 1251. An act to make certain reclamation project expenses nonreimbursable; and

S. 2701. An act to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1401) entitled "An act to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes."

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3710. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. MONRONEY and Mr. CARLSON members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 68–15.

GOVERNOR ROCKEFELLER SHOULD APPOINT A SUCCESSOR NOW TO THE LATE SENATOR KENNEDY, NOT AFTER THE CONVENTIONS ARE OVER

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, I am sure we have all been reading in the papers the latest "thriller-diller." Will Governor Rockefeller or will he not appoint Mayor Lindsay to the U.S. Senate?

All of this is very interesting, but I believe it is time the Governor stopped playing silly, sophomoric games with Mayor Lindsay over the appointment of a successor to the late Senator Robert F. Kennedy and paid some attention to the needs of the people of New York.

Now we hear the Governor will not name a successor until after the Republican convention, because it might lose him votes.

But the power to name a Senator was not given to the Governor to enhance his own political ambitions; it was given to protect the interests of New York State. And as long as the Governor fails to act, New York is short one-half of its proper representation in the Senate. If the Governor waits until August 5, important legislation will be up in the Senate in the meantime, much of it of great interest to New York—gun control, antipoverty, aid to education—much of it dear to the heart of the late Senator. Any one of these issues may well be decided by a single vote.

It would be tragic, indeed, if legislation of concern to the people of New York were to be lost in the next 5 weeks simply because the Governor, for purely partisan and personal reasons, failed to fill New York's important Senate vacancy. I also think he should name a Democrat.

IN SUPPORT OF PRESIDENT JOHNSON'S SUPREME COURT NOMINATIONS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I want to go firmly on record to announce my full and complete confidence and support for President Johnson's recent nominations to the Supreme Court.

I believe the President has chosen wisely and well. In selecting Justice Abe Fortas to be Chief Justice, he has nominated one of the most brilliant and able jurists in the land, a man who has won the wide respect of his colleagues on the Court and the trust and admiration of literally thousands of persons in the Federal Establishment.

The President's nomination of Judge Homer Thornberry will bring to the Court a solid and able jurist, whose long career in public service embraces both the judicial and legislative branches of the Government.

I am fully aware, however, that a small group of political opponents are trying with no valid arguments to embarrass the administration and to deny the President his constitutional right. I am shocked and saddened by their tactics.

There is absolutely no question that President Johnson has the constitutional right to select appointees to the Federal and judicial branches for as long as he remains President of the United States. In fact, Mr. Speaker, had the President decided to do otherwise, to act as a kind of caretaker President for his remaining months in office, I think the American people would be justified in criticizing.

These are difficult and dangerous times for the Nation and the world. America deserves—and must have—a full-time President who is in absolute command of his office and who can fully utilize his constitutional prerogatives. President Johnson is doing just that, and he is right.

I believe the President has brought new wisdom and strength to the Supreme Court of the United States in his excellent nominations. This Nation is about to lose the services of one of the great Chief Justices in our history, the Honorable Earl Warren. I have no doubt that Justice Fortas is fully capable of continuing in the splendid traditions of our retiring Chief Justice. And further, I am fully confident that Judge Thornberry will bring new energy and vision to the Court during the momentous years that lie ahead for us all.

I commend the President of the United States for his dedication to the welfare and vitality of the Supreme Court. He has acted unselfishly and with vision in nominating two distinguished Americans.

I hope—and expect—that the Senate, in its wisdom, will promptly consent to these nominations.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Iowa.

Mr. GROSS. When is it expected that the resignation of Chief Justice Warren will be made? He has not resigned.

Mr. CELLER. I believe the statements between the President and Chief Justice Warren are tantamount to a resignation.

Mr. GROSS. That is the gentleman's opinion.

Mr. CELLER. That is my opinion.

HEMISFAIR, SAN ANTONIO

Mr. PEPPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PEPPER. Mr. Speaker, on the weekend of June 21 my wife and I enjoyed one of the most delightful and interesting weekends we have ever known as guests at HemisFair in the beautiful city of San Antonio of our distinguished colleague HENRY B. GONZALEZ and his lovely wife Bertha whose most gracious hospitality we shall always remember.

We had looked forward to seeing HemisFair commemorating the confluence of the varied cultures of the world into the United States and our own culture. We saw at HemisFair a splendid exhibition of what the various cultures of the world mean to our country as they found their confluence here like a mighty stream within our own borders.

The State of Texas has also adopted as its theme at HemisFair the various people who make up the population of the great State of Texas. We were proud of the U.S. exhibit. It reflects honor and credit on our great country. HemisFair with many Latin American and European participants is a magnificent reflection of the vision and faith of the forward-looking people of San Antonio and the State of Texas.

However, the greatest satisfaction we derived was in seeing the recognition which the people of San Antonio gave to our beloved and distinguished colleague, HENRY B. GONZALEZ. When he walked into a nightclub throbbing with beautiful Mexican music, the people all rose and gave him a great ovation—"Viva HENRY B. GONZALEZ."

They had a HENRY B. GONZALEZ Day at HemisFair on Sunday when the distinguished Governor of Texas presented an award to our colleague HENRY B. GONZALEZ for his great leadership in making possible this outstanding exhibition with all that it means to America.

I am delighted, Mr. Speaker, to inform my colleagues of this happy event which my wife and I, together with several of my colleagues here so much enjoyed. I hope all of you will have an opportunity to visit HemisFair.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERMISSION FOR COMMITTEE ON MERCHANT MARINE AND FISHERIES TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FEDERAL-AID HIGHWAY ACT OF 1968

Mr. KLUCZYNSKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 17134) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 226]

Anderson, Tenn.
Andrews, N. Dak.
Ashley
Ashmore
Baring
Bell
Berry
Bingham
Blanton
Bow
Brown, Calif.
Burke, Fla.
Chamberlain
Clawson, Del
Colmer
Conyers
Corman
Culver
Cunningham
Dawson
Dickinson
Diggs
Dorn
Dow
Dwyer
Edwards, Calif.
Evans, Colo.
Evins, Tenn.
Ford, William D.
Gettys
Griffiths
Hagan
Hall
Halleck
Hamilton
Hanna
Hansen, Idaho
Hardy
Harvey
Holland
Hosmer
Ichord
Jones, Mo.
Karsten
Kornegay
Latta
Leggett
Lloyd
Long, La.
Long, Md.
Madden
Mathias, Calif.
Mathias, Md.
Miller, Calif.
Minish
Nichols
Passman
Patman
Pool
Pryor
Purcell
Reinecke
Resnick
Rooney, N.Y.
Roush
Roybal
Ruppe
Shriver
Sikes
Stephens
Taft
Thompson, N.J.
Ullman
Van Deerlin
Vander Jagt
Waldie
Walker
Wiggins
Willis
Wolff

The SPEAKER. On this rollcall 351 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON FOREIGN AFFAIRS TO FILE REPORTS ON S. 633 AND S. 1418 UNTIL MIDNIGHT, JULY 6

Mr. HAYS. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight July 6 to file reports on the bills S. 633 and S. 1418.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask what is the nature of those bills?

Mr. HAYS. One of them is a bill on passports and the other is a bill on the USIA.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO FILE REPORT ON H.R. 15067 UNTIL MIDNIGHT, JULY 6

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight July 6 to file a report on H.R. 15067, the higher education amendments for 1968.

The SPEAKER. Is there objection to the request of the gentlewoman from Oregon?

There was no objection.

JOHN L. WILLIAMS

Mr. DOLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. DOLE. Mr. Speaker, on Sunday, June 30, providence claimed the life of John L. "Jack" Williams, who in 1949 came to Washington as the bureau chief of the Kansas City Star.

When I came to Washington as a Member of the House in January 1961, one of the first to greet me was Jack. From that time until his retirement in 1964 I was privileged to have many pleasant associations with this fine gentleman.

Mr. Williams established a reputation for hard, factual reporting, and he was unrelenting in exposing graft and redtape in the Federal Government.

His dry wit and humor endeared him to many. Those of us on the Hill whose offices Jack frequented for stories truly enjoyed his visits.

It is with deep sorrow the news of his passing reached me. Journalism has lost a splendid member, the Nation a fine citizen, and I have lost a good friend.

My heartfelt sympathy is extended to his wife, Blanche, and their children, Richard, Joan, and Nancy.

SHIPPING

Mr. CHAMBERLAIN. Mr. Speaker, I ask unanimous consent to address the

House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, 17 more free-world-flag ships sailed into North Vietnam this past June, and still we hear no word of protest from the administration.

The total number of free world arrivals for the first half of 1968 stands at 78, or exactly the very same number for the entire year of 1967. In other words, this aid and comfort to the enemy is now just double what it was a year ago.

The volume of this trade is up 60 percent since the President announced the bombing restrictions on March 31, from an average of 10 per month for the first 3 months of 1968 to an average of 16 per month during the second quarter of the year, and yet the administration expresses no concern.

So far this year the cargo capability of these free world ships has amounted to over a half million tons, and this includes six tankers. We are not supposed to talk about what these tankers carry, but one does not have to speculate very long to conclude that strategic goods are involved, and still the administration makes no effort to let the American people know about this.

This war is kept going only by supplies—without them the enemy cannot continue to fight—certainly, with our casualties now double what they were a year ago, this is no time to concede the enemy anything.

When the possibility of a negotiated peace depends so much on the free world standing firm, we cannot continue to ignore this problem of free world aid to the enemy without paying for it later with the lives of American boys. Frankly, I have about concluded that the administration simply does not care and is not even trying.

THE ADMINISTRATION PROTESTS

Mr. DENT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DENT. Mr. Speaker, I just heard the previous speaker say that there were 78 free world ships delivering goods to North Vietnam and that he has not heard a protest from the administration. As a member of the administration, I want him not to be able to make that statement again. I do protest.

THE FEDERAL-AID HIGHWAY ACT OF 1968 AS IT AFFECTS THE DISTRICT OF COLUMBIA

Mr. GUDE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. GUDE. Mr. Speaker, today we will be debating the highway bill. However, the time allotted for debating the various amendments will be very short. Thus, I would like to call to the attention of my colleagues in the House the fact that I on Monday inserted in the Record two editorials, one from the Washington Star and one from the Washington Post, both old and reputable newspapers in the Washington area.

They are in full support of the projects for the District of Columbia and have stated very precisely the reasons why we should enact a highway system for the District of Columbia as proposed by this legislation.

Mr. McCARTHY. Mr. Speaker, will the gentleman yield?

Mr. GUDE. I yield to the gentleman from New York.

Mr. McCARTHY. Would the gentleman accept the idea that these newspapers are not completely disinterested in this matter? As a former newspaperman, I can state that they are interested in the District of Columbia and the newspapers which they sell and which are delivered by truck.

While I certainly respect both of these newspapers, I do not think one can say that they are completely disinterested in this matter. They are publications which are printed here in the District of Columbia and which must be moved by truck.

THE FEDERAL-AID HIGHWAY ACT OF 1968 AS IT AFFECTS THE DISTRICT OF COLUMBIA

Mr. MacGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GUDE. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from Maryland.

Mr. GUDE. I thank the gentleman from Minnesota for yielding to me at this time.

I would like to point out to the Members of the House that in regard to the two newspapers to which I alluded, they both have a great compassion and interest for the inner city of Washington and for the problems which exist in this area.

Mr. Speaker, insofar as special interests goes, I think you can find it in every field of endeavor. Some people may have an interest in the highway program because of the profit involved and that same interest would be manifested as I would like to point out by the financial interests through the construction of rail facilities and the construction of underground facilities for mass transit.

Therefore, Mr. Speaker, it is my opinion that a great deal of this depends upon whose ox is being gored.

I believe when two respected national newspapers support this program as indicated by their editorials it merits our most careful consideration. I would suggest to the Members that they look at page 19411 of the Congressional Record and read those editorials.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. MacGREGOR. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Speaker, the fact of the matter is that the District of Columbia does not come under the provisions of interstate operations with respect to interstate highways because of the Federal law.

Mr. Speaker, if the District of Columbia does not construct these highways within the period of 3 years, they will lose the money and the District of Columbia will be without interstate highways, being one of the few areas in the country without the benefit of the highway program.

PERSONAL EXPLANATION

Mr. KEITH. Mr. Speaker, on rollcall No. 225 on yesterday I was unable to be present. Had I been present I would have voted "yea" and I would like the Record to so indicate.

FEDERAL-AID HIGHWAY ACT OF 1968 AS IT AFFECTS THE DISTRICT OF COLUMBIA

Mr. MACHEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MACHEN. Mr. Speaker, I take this time to also speak on the omnibus Federal-aid highway bill that we will be considering today. Unfortunately, due to the pressure of time, the gag rule has been put into effect, and time to speak on the various amendments almost eliminated, we will not be able to speak as long as we would like on some of the very important amendments that are to be considered.

Thus, Mr. Speaker, I would like to point out to the Members of the House how important section 22 of this bill is to the residents of the Washington area. I wish to compliment the subcommittee and the full committee upon putting section 22 in this bill, which contains mandatory provisions for completing a balanced transportation for the District of Columbia.

Mr. Speaker, it is my opinion that it is important that we adopt section 22 of this bill in order to break this logjam and obtain a balanced transportation system for the city of Washington, D.C., before it is too late.

We, the four Congressmen representing areas adjacent to the District of Columbia, ask that all of you support this section on a bipartisan basis. As a group we met with all interested parties in Maryland, Virginia, and the District of Columbia, to resolve the question that arose after the Secretary of Transportation stopped a freeway program that had been approved by all agencies responsible for the highway program, including those in Maryland and Virginia. These plans cost untold millions of extra dollars because they were revised and re-revised so many times.

We need a balanced transportation system including highways; thus, let us not strike section 22.

I do ask the support of the Members on section 22 of this bill, so that it will remain as has been proposed by the committee.

The SPEAKER. The time of the gentleman from Maryland has expired.

WE SHOULD REEVALUATE OUR FOREIGN POLICY

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, there has been a great deal of talk about the need for this Nation to reevaluate its foreign policy. This has come about for numerous reasons over the past several years.

The concern is bipartisan and, I feel, merited. The proposition of evaluating our position abroad is a vast and, indeed, an ambitious one, but one which is needed. I feel that we can begin this task by looking at our foreign aid program.

For that reason, I hope you will join me in calling for and voting for a 1-year moratorium on the foreign aid program.

It should be pointed out that a 1-year halt in foreign aid appropriations would not mean a sudden and complete halt to all avenues of aid. There presently is an estimated $4.5 billion in the "pipeline." The World Bank has $2.2 billion available for lending; the Export-Import Bank, $13.5 billion. The Inter-American Development Bank has $175 million per year under the International Development Bank and is expected to have $1.2 billion in the fund for special operations; the International Development Association, $1.2 billion; the Asian Bank, $188.5 million.

If this plan to invoke a 1-year moratorium is successful, then we can give the entire program a thorough examination and better determine what position would be in the best interest of the Nation.

The foreign aid bill will be brought before the House in the near future. We have an opportunity to cut the budget, as we have voted to do, and at the same time start in the process of reevaluating our position among the nations of the world.

A 1-year moratorium on the foreign aid bill would accomplish both goals. I hope you will give this your consideration and join with me to halt for 1 year the foreign aid authorization.

FEDERAL-AID HIGHWAY ACT OF 1968

Mr. KLUCZYNSKI. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 17134) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Illinois.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 17134, with Mr. ROSTENKOWSKI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday there was pending the amendment of the gentleman from New York [Mr. McCARTHY]. If there is no objection, the Clerk will again report the amendment offered by the gentleman from New York [Mr. McCARTHY].

There was no objection.

The Clerk read as follows:

> Amendment offered by Mr. McCARTHY: On page 41, strike out lines 9 through 18, inclusive.
>
> Renumber succeeding sections and references thereto accordingly.

The CHAIRMAN. Before rising on yesterday, the Committee had agreed to limit debate on the bill and all amendments thereto 1½ hours. The Chair on yesterday read off the names of 43 Members that the Chair observed seeking recognition under the limitation. Each Member so listed is entitled to recognition for 2 minutes.

Does any Member on the list desire to speak to the McCarthy amendment?

Mr. HOLIFIELD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. HOLIFIELD. The limitation of debate applies to all amendments to the bill?

The CHAIRMAN. The Chair will state that that is correct.

Mr. HOLIFIELD. Mr. Chairman, I understand that there are at least two amendments which are major amendments, one being as to section 17, and the other on section 22.

Section 17 is now being considered in the amendment offered by the gentleman from New York [Mr. McCARTHY].

The CHAIRMAN. The Chair will state that that amendment is now pending.

Mr. HOLIFIELD. Those gentlemen who wish to speak on that amendment must speak at this time, and they will be precluded from speaking on the section 22 amendment; is that correct?

The CHAIRMAN. The Chair will state that if they so speak on the McCarthy amendment, that is correct.

Mr. HOLIFIELD. I thank the Chairman.

Mr. GROSS. Mr. Chairman, a further parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. GROSS. That would be true if they exhaust their time?

The CHAIRMAN. The Chair will state that that is correct.

Mr. GROSS. And only in the event that they exhaust their time will they not be permitted to speak on another matter?

The CHAIRMAN. The Chair will state that that is correct.

Mr. HARSHA. Mr. Chairman, I ask unanimous consent that I may yield my time to the gentleman from Florida on this particular amendment.

The CHAIRMAN. Only on the amendment pending?

Mr. HARSHA. On the amendment pending.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. STRATTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. STRATTON. Mr. Chairman, there is an amendment pending at the desk to strike out money for the highway beautification program.

My inquiry is under what procedure would it be possible for Members to address themselves to that issue under this rule that we entered into last night.

The CHAIRMAN. When that amendment is reported, Members who want to address themselves to the amendment will be recognized.

Mr. STRATTON. A further parliamentary inquiry, Mr. Chairman, it is my understanding that there are other Members who also wish to address themselves to that amendment and I wonder how they would be advised as to when the amendment would be called up.

The CHAIRMAN. The Chair has already advised the House as to how they could be recognized.

Mr. STRATTON. I thought that the Chairman only advised the House with regard to two amendments. Is my understanding of that correct, Mr. Chairman?

The CHAIRMAN. The statement of the Chair was with reference to all amendments.

Mr. STRATTON. I thank the Chair.

SUBSTITUTE AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, pursuant to the unanimous-consent request of the gentleman from Ohio [Mr. HARSHA], I offer a substitute amendment for the amendment of the gentleman from New York [Mr. McCARTHY] relating to Section 17.

The Clerk read as follows:

> Amendment offered by Mr. CRAMER as a substitute for the amendment offered by Mr. McCARTHY: On page 41, strike out lines 10 through 18, inclusive and insert in lieu thereof the following:
>
> "SEC. 17. Section 4(f) of the Department of Transportation Act (80 Stat. 931; P.L. 89-670) is amended by inserting 'federally owned' immediately after 'the use of any' in the last sentence of such subsection and by striking out '(1)' in such sentence and all that follows down through and including the period at the end thereof and inserting in lieu thereof the following: 'such program or project includes all possible planning, including feasible and prudent alternatives to

the use of such land, to minimize any harm to such park, recreation area, wildlife and waterfowl refuge, or historic site resulting from such use.' "

Mr. CRAMER (during the reading). Mr. Chairman, I ask unanimous consent that the substitute amendment be considered as read.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Florida?

Mr. FRASER. Mr. Chairman, reserving the right to object, is it a long amendment?

Mr. CRAMER. A copy of the amendment is on the table there and, in view of the fact that the time was coming out of my 2 minutes, I thought it better to handle it this way.

Mr. DINGELL. Mr. Chairman, with all due respect to the gentleman's intention, most regrettably and as much affection and respect as I have for my good friend, the gentleman from Florida, I think in view of the length and the complexity, it would be well to have the amendment read. Therefore, Mr. Chairman, I object.

The **CHAIRMAN**. Objection is heard.

The Clerk concluded the reading of the amendment.

The **CHAIRMAN**. The Chair recognizes the gentleman from Florida [Mr. Cramer].

Mr. CLEVELAND. Mr. Chairman, a parliamentary inquiry.

The **CHAIRMAN**. Does the gentleman from Florida yield to the gentleman from New Hampshire for a parliamentary inquiry?

Mr. CRAMER. No, I do not yield, Mr. Chairman.

Mr. Chairman, if the gentleman will bear with me, I think I will answer the question.

Mr. Chairman, I recognize the concern that many have expressed with regard to this 4(f) section in the bill—and I am as dedicated to adequate parks as anyone is and to adequate recreation areas as anyone is. For that reason I am offering this amendment, which really can be considered a home rule, States rights amendment. I do not think Members fully appreciate that as the Department of Transportation Act was enacted, and as the language presently appears in this bill, this language which I have offered is adopted, with reference to every county, city, and local community, park, recreation area, fishing area, estuarine area, and so forth, the Secretary of the Interior and the Secretary of Transportation can say, "I do not care what you think locally—we are going to overrule you because we do not think this road should go through that area even though you do."

I cited as an example San Antonio, Tex., where by a vote of 2 to 1 the people of that city agreed that it was better to put a road through a city park than to say—tear down 494 private homes. The people voted there by a referendum to provide funds for the route through the park.

I say my amendment will prevent Federal control over local parks and recreation areas in the future, and I would like to ask the gentleman from Illinois if he will not accept the amendment.

Mr. KLUCZYNSKI. Mr. Chairman, I am happy to accept the amendment as a substitute, the amendment offered by the gentleman from Florida [Mr. Cramer].

The **CHAIRMAN**. Does the gentleman from California desire to be heard on the pending amendment?

Mr. MAILLIARD. Mr. Chairman, I am sure the amendment offered by the gentleman from Florida is some improvement over what is in the bill. Nevertheless, I would urge the members of the Committee to vote down the amendment of the gentleman from Florida and support the amendment of the gentleman from New York.

Highway engineers and highway departments are notoriously indifferent to what they run over when they plan their highways. They like the straight path, which is the easiest and cheapest way for them to do their job. But I know of three instances in my State, none of them in my own district, where arguments have developed between local communities and the people and the decisions of the State highway department.

I think this Congress ought to reiterate its position that it has taken in the past, that we are not going to make Federal contributions to highways that destroy historic sites, recreation areas, wildlife refuges, and that kind of use, and I would urge that the McCarthy amendment be adopted.

Mr. FRASER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the Record.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FRASER. Mr. Chairman, I want to add my support to the amendment which deletes section 17 from H.R. 17134, the Federal-Aid Highway Act of 1968.

Section 17 needlessly weakens current controls over the encroachment of highways on parks, recreation areas, and wildlife preserves. Strict controls against encroachment were established in section 4(f) of the earlier Department of Transportation Act. Section 4(f) prohibits construction of a transportation facility through a natural area unless there is no feasible or prudent alternative. Section 17 replaces this specific language with a more permissive statement allowing park disruption provided merely that other alternatives have been considered.

My district, Minneapolis, is fortunate enough to have one of the finest park systems in the country. Due in part to the foresight of early civic leaders, Minneapolis residents are able to enjoy a system which includes 22 lakes and thousands of acres of park land. In recent years, however, this system has been gradually eaten away by other public projects—mainly highway construction. A total of 148 acres of park land have recently been taken or are expected to be taken soon for highway purposes. Major new freeways are being proposed which could seriously disrupt the most scenic areas of our city.

I know that my district and most other major urban centers need vastly expanded transportation systems. But these systems must not be allowed to develop at the expense of our irreplacable park and recreation facilities. Section 4(f) carefully balances the need for more highways with the need for park preservation. If we approve section 17 today, I am afraid that we may be destroying this careful balance.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the substitute amendment and to support the amendment offered by the gentleman from New York [Mr. McCarthy]. The additional language added by the gentleman from Florida still is controlled by the word "consideration." In other words, the language of the committee bill places only a requirement that the Secretary consider. It makes it permissive for him to consider 1 minute, 5 minutes, or any number of minutes, and then he can reject.

The original language of the Department of Transportation bill which this Congress adopted provided that the Secretary must refrain from routing a highway through park recreation areas, wildlife recreation areas, and historic sites if there was a feasible and prudent alternative. This is the difference, and it is a very important difference. If there is a feasible and prudent alternative, in my opinion that meant that the Secretary should take it. If there is no feasible and prudent alternative, then, of course, the Secretary could exercise his right to go through the park lands.

Those two words have definite meanings. "Feasible" means engineeringly feasible. "Prudent" means to exercise prudence in making the evaluated judgment. Therefore, if the original language as contained in the Department of Transportation bill—and it considered not only highways but also airports, recreation areas, and maritime rights, as the gentleman from California [Mr. Mailliard] very well knows—and the reason the committee had to get a waiver of points of order from the Committee on Rules was because the highway bill as written encroached upon the jurisdiction of at least three standing committees of the House, that is, Interstate and Foreign Commerce, Banking and Currency, and the Merchant Marine Committee.

Mr. Chairman, I predict that the language of the Public Works Committee in section 17 will be changed in conference if it prevails today.

As author and floor leader of the Department of Transportation Act Public Law 89-670, which became law on October 15, 1966, I believe that I should give the House some background information on the events leading to the adoption of section 4(f) of that act, as well as express my concern about section 17 of the proposed Federal-Aid Highway Act of 1968, which in effect repeals or at least drastically changes section 4(f) of Public Law 89-670.

In 1966, when we were considering the Department of Transportation Act, the Committee on Government Operations was faced with a formidable task. We were pulling together into one department the Federal Government's functions and responsibilities in all modes of transportation and in connection with all types of transportation projects—air transportation, including air traffic control and airports, railroads and rail research, highways and highway transportation, oil pipelines, the Coast Guard, the St. Lawrence Seaway, the Alaska Railway, and only this year we added urban mass transportation.

In dealing with this broad array of subjects, the Committee on Government Operations, both in the House and in the conference, had to consider literally hundreds of interests and subinterests, both public and private. For example, we had to consider all types of transportation safety and all types of standards for the investment of Federal funds in all types of transportation projects.

We were not considering only highways, only airports, and air traffic control sites, only rail lines or only Coast Guard facilities. We had to consider the impact of these projects on parks, recreation areas, waterfowl and wildlife refuges and historic sites. Even though these matters might not be within the normal day-to-day jurisdiction of the Committee on Government Operations, we were, when we created the Transportation Department, required to take a broad look at the relationship between conservation and transportation facilities. Where other committees may consider conservation and highways or conservation and rail lines or conservation and airports or conservation and Coast Guard stations, we had to take all of these in account in defining the powers of the new Secretary of Transportation.

As a result of this broad consideration by both the House and Senate Government Operations Committee and by the House and Senate themselves, section 4(f) of the Transportation Department Act was carefully drafted. Some extremely stringent Senate language was reworked in conference to provide an effective safeguard for our parks, recreation areas and wildlife refuges and at the same time to not make it impossible to place highways, airports, air traffic facilities, rail lines or Coast Guard stations in these areas when no feasible and prudent alternative exists.

I think we must all agree that our expanding population, our expanding industrialization, our increasing needs for food and fiber and the related transportation requirments will cause ever-increasing pressures on our relatively sparse areas devoted to recreation and conservation values and to our Nation's history. These pressures must be resisted if the national interest is to prevail and if our future generations are to be protected.

Section 17 of H.R. 17134, the proposed Federal Aid Highway Act of 1968, would nullify the language we put into the Transportation Act. In this bill, purporting to deal with highways, we have language completely surrendering conservation and historic values to the highway interests, to the airline interests, to the maritime interests and to the railroad interests.

In 1966 a dedicated Congress told these interests: "You may go so far and no farther."

I am sure that we Members of the 90th Congress are no less dedicated to our Nation's health and to our wonderful natural and historic heritage.

I strongly urge that we reaffirm this dedication by deleting section 17 of the bill now before us.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBERTS. Mr. Chairman, I rise in opposition to the original amendment and in support of the Cramer substitute. I oppose the amendment offered by my friend from New York [Mr. McCarthy].

I must concede to the gentleman from California [Mr. Mailliard], that if the Secretary would rule as the gentleman from California [Mr. Holifield] wrote the original language, we would have no problem. But the Secretary takes the gentleman's language, which is discretionary and beautifully done and says, "This is an absolute prohibition against going across any park."

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. ROBERTS. I yield to the gentleman from California.

Mr. HOLIFIELD. Mr. Chairman, it was the intent of that language that it should be discretionary and it should not be mandatory upon the Secretary.

I appreciate the comment of the gentleman and I hope this will make the legislative history on that.

Mr. ROBERTS. I hope it will, too.

Will the gentleman from California give me his attention for the few minutes I have left? In the San Antonio case, the city voted to give a right-of-way across Breckinridge Park, but the Secretary said he was prohibited by the law from authorizing a highway across the park. Was he correct as you wrote the language?

Mr. HOLIFIELD. In my opinion the Secretary misinterpreted the intent of the Department of Transportation Act on this point.

Mr. ROBERTS. I think he did too, but we are given no choice or discretion. In one other case, the Colorado case, we had a chance to go across a corner of the wilderness area. That would have cost about $11 million. The Secretary said it could not be authorized and the highway department had to tunnel through the mountains at a cost of $27 million.

If the Secretary had interpreted the language the gentleman from California wrote, as it is written, we would have no problem, but under the existing circumstances we have no chance to amend the law.

I ask the Members to vote for the Cramer substitute in order that we may require the Secretary of Transportation to use prudent judgment and restrict his activities. At least tell him we are writing no such prohibition in the law. If it is reasonable and prudent, then put the road through. Avoid parks when reasonably possible—exactly as the gentleman from California wrote the law.

Mr. DINGELL. Mr. Chairman, I rise in support of the McCarthy amendment and in opposition to the Cramer substitute.

Mr. Chairman, it is unfortunate that we have such limited time to explore matters as important as this. I rise in support of the amendment offered by the gentleman from New York [Mr. McCarthy], and in opposition to the Cramer substitute. I know the area just referred to by my colleague from Texas. The language we are seeking to amend was not used in that decision. The decision was not made by the Secretary of Transportation. It was made by the Secretary of Agriculture, protecting a wilderness area. That is one of the finest wilderness areas in this Nation.

But let us talk about the amendment. I want to express affection for the distinguished members of the Public Works Committee and those who have worked so hard on this amendment. I recognize there may be some problems in connection with the language and in connection with the discretion given the Secretary of Transportation.

Let me make it plain this amendment offered by the gentleman from New York should be adopted and the committee language should be rejected. This goes far beyond the subject of roads. It goes into things which my Subcommittee on Fisheries and Wildlife Conservation has worked a long time to protect the wildlife refuges of the Nation. It goes contrary to the policy of preserving our fish and wildlife refuges inviolate, and intrudes directly into the jurisdiction of the Interstate and Foreign Commerce Committee and goes into mass transit and airports and airlines and into navigational aids and into an abundance of things which are not properly within the jurisdiction of the able and distinguished Committee on Public Works. This is a bad amendment. It knocks down the fences around the parks and recreational areas. We should remember that when we build 1 mile of interstate road, we take up 55 acres of public domain. The roads do not only vitiate and impair the integrity of refuges, parks and historic sites. They often eliminate them as viable, usable, and enjoyable entities.

Mr. HALEY. Mr. Chairman, I rise in support of the Cramer substitute amendment.

(By unanimous consent, Mr. Haley yielded his time to Mr. Cramer.)

Mr. CRAMER. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, to make certain this amendment is fully understood, I think this is a fair and reasonable approach for us, fully recognizing the position of the committee and the opponents. This amendment would make certain that if a local community like San Antonio, Tex., says, "We believe we would rather have a portion of our parks—not the Federal parks, but our city parks—used for highways," and, by a vote of 2 to 1, the people back the city council, as they did in San Antonio, the decision of those people ought to stand. The Secretary of Transportation or the Secretary of Interior could not overrule it.

I offer this amendment as a substitute to clearly make the secretarial discretion applicable to all federally owned lands. I do not object to that. It should be that way, but I do not like to see the

Secretary make the decision for the local communities.

Second, there has been some suggestion with regard to the language "no feasible and reasonable alternative." I wrote that into our amendment as one of the considerations, but it is discretionary, and it has to pertain to Federal lands, not to local park property.

I believe anyone interested in local government ought to support the substitute amendment.

I thank the gentleman for yielding.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Florida [Mr. Cramer] for the amendment offered by the gentleman from New York [Mr. McCarthy].

The question was taken; and on a division (demanded by Mr. Saylor) there were—ayes 62, noes 32.

Mr. McCARTHY. Mr. Chairman, I demand tellers.

Tellers were refused.

So the substitute amendment was agreed to.

The CHAIRMAN. The question now occurs on the amendment offered by the gentleman from New York, as amended by the substitute amendment offered by the gentleman from Florida.

The amendment, as amended, was agreed to.

AMENDMENTS OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer a series of amendments and ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. Cramer: On page 25, strike out line 11 and all that follows through and including line 23, and insert in lieu thereof the following:

"'(b) The Secretary shall encourage and assist the States to provide for effective control of the erection and maintenance of outdoor advertising signs, displays, and devices along the Interstate System and the Federal-aid primary system which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the systems.'

"(b) The first sentence of subsection (1) of section 131, title 23, United States Code, is amended by striking out 'under subsection (b) of this section, or to do so' and the seventh sentence of such subsection is amended by striking out 'under subsection (b) of this section or'."

And reletter succeeding subsections and references thereto accordingly.

On page 26, strike out line 11 and all that follows through and including line 25.

And reletter succeeding subsections and references thereto accordingly.

On page 27, strike out line 22 and all that follows through and including line 12 on page 28.

And reletter succeeding subsections and references thereto accordingly.

On page 28, strike out line 13 and all that follows through and including line 5 on page 29.

And reletter succeeding subsections and references thereto accordingly.

Mr. CRAMER (during the reading). Mr. Chairman, in an effort to conserve time for other Members, I ask unanimous consent that the amendments be considered as read.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

(By unanimous consent, Mr. Gross, Mr. Zion, Mr. Miller of Ohio, and Mr. McCloskey yielded their time to Mr. Cramer.)

Mr. STRATTON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STRATTON. Mr. Chairman, the gentleman from Florida offered what he described as a series of amendments. Only one was even referred to with respect to a page number. Are we now deliberating on that amendment alone, or are other amendments, not read, being considered, on which we are being asked to vote?

The CHAIRMAN. The gentleman from Florida stated his request for consideration of the amendments. He asked for unanimous consent, and there was no objection.

The Chair recognizes the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, I will be glad to explain to the gentleman what the amendments do and answer any questions he may have.

What they do very simply is what this House has done before; namely, it takes out the authorizations for beautification, with the exception of administrative money, amounting to $1.25 million, which is needed to carry out the study written into this bill. That is No. 1.

An amendment was offered on our side, and adopted, which requires a report to be made in January of next year to the Congress with regard to where we are going in these programs and how we will get there. Frankly, no one knows. The States do not know and the Bureau of Public Roads does not know. Therefore, we have to find out what can be done, if anything, with regard to highway beautification, billboard control, the screening of junkyards, and so forth. We have to do that because all of those programs have been proved to be totally ineffective. So we are not ignoring the problem. We are saying: Come up with a plan that works and we can afford to pay for, and we will give some consideration to it next year.

However, now is not the time to do it. I just read the other day that the deficit for this fiscal year is $25 billion—$25 billion. Yet we have people saying, "Well, we had better give that beautification highway priority. We have to have that highway beautification program." Well, the funny thing is, you know, they planted a lot of trees a little while ago and now they have cut them down because they turned out to be safety hazards. So it is obvious we do not know where we are going and we should wait for the study on this subject to find out.

This amendment strikes out $1.5 million for 3 years authorization for billboard control. It strikes out the $21 million for 3 years authorization for the off-right-of-way beautification, and it strikes out the $3 million for 3 years authorization for the junk-year screening or junkyard control.

For those Members who say, "For goodness sake, we should not take out all of the money for highway beautification on the right-of-way," my answer to them is at the present time, unfortunately, in the manner in which the regulations have been established, according to their own regulations, the money spent for on-the-highway beautification, the median strips and the right-of-way and for the picnic areas along the right-of-way, this money is being spent out of construction funds. This amendment does not affect that whatsoever. That is spent out of construction money.

Now, Mr. Chairman, there is one other aspect to my amendment. Present law prescribes a 10-percent penalty of all highway money if a State does not go ahead with the beautification program on billboards and junkyard control. That is 10 percent apiece. The committee, in its wisdom, decided that this does not make good sense. This program is not working and there is not enough money for it. Therefore, we should take out the penalty. So they took out the 10-percent penalty and took out a similar 10-percent penalty with regard to safety. And look at what the committee then did. Look at the priorities. Safety is not important enough to have a penalty of some kind remaining in it. We struck it out. But you take that high priority item known as highway beautification, and they threw a penalty into that. They said if you will have off-right-of-way beautification money within the States for the purposes of buying up rock outcroppings—and that is their own definition—rock outcroppings and the beautiful agricultural landscapes and the beautiful forest areas along the highways beyond the right-of-way—if you are going to spend money for that purpose under 319 (b), then you are going to have to have billboard controls and you are going to have to have junkyard controls.

And, you are going to have to have some control of the situation. Unfortunately, we are not getting any money for it. We are not authorizing any money and are not appropriating any money, but you are going to have this control.

Mr. Chairman, this amendment strikes out that money. It should be stricken in entirety. Money is short and interest rates are high. So why should we even have in here $1 for a project which is a peacetime program.

Mr. Chairman, we have heard dozens of times about this question of priorites and cutting back, and the tremendous deficit with which we are confronted, along with the increased cost of living and inflation.

Mr. Chairman, here is an opportunity to bring about some economy.

No one would claim that beautification is a high-priority item. Certainly, we will not accomplish beautification by this means.

Mr. Chairman, they talk about billboard control and that the billboards had to be constructed at least 660 feet from the highway. So, as a result thereof, they are building bigger billboards, located farther away. This is being done today by the big combines, by the big motel chains and restaurant chains which can afford to do so. But the little fellow who has a family-type operation or a small operation cannot afford to do so.

Mr. CLEVELAND. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I thank the gentleman for yielding. The time limits are such that debate is difficult. Having introduced a somewhat similar amendment 2 years ago, I hope this amendment is successful. Having introduced the amendment in committee that calls for a report by the Secretary by January 1, 1969, I feel any authorization before that report would be unwise. In addition, I would like to ask a question: Is it not true that last September the Public Works Committee passed a Senate bill authorizing funds for the highway beautification program and that that bill, in view of the fact that the entire situation is so totally confused has been languishing in the Committee on Rules and there has been no attempt to get it out of the Rules Committee since that time?

Mr. CRAMER. The gentleman from New Hampshire is correct. They propose to use this program unless some people who are interested in this program who would like to obtain funds for this purpose from other provisions of the bill. They feel this is a way of getting it in the bill by placing it in a bad section in the hope of getting that section adopted.

Mr. Chairman, I would like to see some fiscal responsibility exercised in regard to this matter.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, there are many of use who support highway beautification, but who have been concerned about the implementation of the program, and I share some of the views of the gentleman. At the same time, will not the gentleman agree that the committee already has cut the authorization for beautification far more severely than any other item before the committee this year? There is very little money left in program authorization, is there?

Mr. CRAMER. Mr. Chairman, recognizing the economy requirements and the allocation for this fiscal year for the control of billboards, a program of control which is most severe which was carried out in the Public Works Committee this year, I do not think we should be spending $29 million, or even $1 million, for beautification in the next 3 years when we have so many things we have to do, and especially after voting a 10-percent surtax on the people and after cutting funds for the purpose of fighting rats and poverty. I believe our efforts should not be directed toward the planting of posies along the highway.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Iowa.

Mr. GROSS. How much money does the gentleman's amendment leave for this purpose in the bill? Any at all?

Mr. CRAMER. All that is left is $1.25 million a year for administrative costs, and the reason for that is that they have to have a study for next year with reference to the question of the control of billboards. That does make some sense. But if you did not put some authorization in, they would end up taking money out of other facets of the highway program.

Mr. GROSS. I commend the gentleman from Florida for his amendment, and I only wish he had cut all of the money for that purpose out of the bill.

Mr. KARTH. Mr Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Minnesota.

Mr. KARTH. I suppose it is a matter of record that the gentleman from Florida and I do not too often agree, but I want the Record to show that this is one time we do agree.

Mr. Chairman, so long as we have priorities to deal with, and as long as we have such a critical budgetary situation, my yardstick is that any item ought to be deleted which is not absolutely necessary, and use those moneys for the purposes of education, for the purposes of on-the-job training and retraining of persons to become productive citizens, and I am in full support of the gentleman's amendment.

Mr. CRAMER. I thank the gentleman very much, and hope my usual supporters will not be affected in any way by the new coalition that is now being formed.

Mr. STRATTON. Mr. Chairman, I rise in support of the amendment which has been offered by the gentleman from Florida [Mr. Cramer]. I had intended to offer a somewhat similar amendment, eliminating the funds for billboard removal.

Like the gentleman from Iowa, I am sorry that money has been left in for more studies, because I believe right now if any Member is disposed to wonder whether he should support the amendment of the gentleman from Florida, the best thing he could do would be through one study that has already been produced on that very issue of billboard control. I put it into the Record on page 19408 of the Record for July 1, because the Department of Transportation has not been publicizing its conclusions very widely these past few months. This is a study prepared at the direction of the Department of Transportation of New York State by Rensselaer Polytechnic Institute of Troy, N. Y., and paid for by the Federal Government. This study, which every Member ought to read, demonstrates that the real effect of the billboard program would be to force about 25 to 35 percent of the small restaurants and motels serving local tourist areas to the wall, and replace them by big chains, located not in our local tourist areas, but right at the exits and the intersections of the Interstate Highway System or the big, limited-access routes. Just read the study as it appears in the Record.

I do not believe any of us would want to do that. I do not believe that we would really want to drive these people out of business, yet that is the reasoned conclusion of experts paid for by the Federal Government—college professors from Rensselaer Polytechnic Institute of Troy, N.Y.—if we begin to implement this highway billboard program.

That is the reason I voted against the highway bill when it first came up back in 1965, when we were kept here until 12 o'clock at night—not because I was in favor of billboards, but when you say that the only sign a tourist businessman can erect is one big enough to be seen some 660 feet away from a highway—and in upstate New York, in the Finger Lakes area, this could well mean putting it behind the second ridge, or in the middle of the lake—then you are driving the small businessman out of business, and we certainly should not do that. I urge the elimination of this money until we act to protect small tourist businesses.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. Wright].

(By unanimous consent, Mr. Pickle and Mr. Nix yielded their time to Mr. Wright.)

The CHAIRMAN. The gentleman from Texas [Mr. Wright] is recognized.

Mr. WRIGHT. Mr. Chairman, I want to thank my colleagues for yielding their time to me, in order that I may try to put in some perspective this entire question of beautification. To accomplish that in 2 minutes would be impossible. To attempt it in 6 is challenge enough.

To begin, the committee fully recognizes that in a time of austere budgets, a war in Asia, and unrest in our cities, the ideals of conservation and beautification do not command an immediate high priority for spending. Recognizing that fact, the committee has made a more drastic cut in the authorization for our highway beautification program than we have made in any other program that has been approved by the Committee on Public Works in the last 10 years.

Listen to this: The present bill cuts this program to only one-tenth of the amount requested by the administration. We have reduced the annual funding authority to a mere 2.5 percent of the authorization for the fiscal year just ended. If that is not economy, if that is not a prudent recognition of priorities, I do not know what it is. And yet, Mr. Chairman, the gentleman from Florida would take away even that bare-bones remnant and leave the entire program and its dream of scenic highways utterly bereft of oxygen, strangling for breath and doomed to die.

The committee asks only a truly minimum program merely to keep the dream alive against the day when its momentum may be properly resumed. The Cramer amendment would kill the program outright.

Admittedly the present priorities, there has to be some rightful place in this ever-more-crowded and ever-more-cluttered American environment for the recognition of scenic beauty, some brief moment for serene reflection, some small consideration for the inspiration of nature and the unmarred grandeur of its open spaces. For this, too, is a part of the American legacy. And it is being sacrificed upon the pagan altar of our sometimes ruthless progress and our seemingly insatiable pursuit of profit.

And so we ask you to preserve just a remnant, a bare, bare remnant to protect the beauty of our land. The Vietnam war cannot last forever.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. WRIGHT. I cannot yield, as much as I would like to. I do not have sufficient time to yield to any Member at this moment.

Consider how small indeed is the annual authorization we request.

We are asking you to preserve only $500,000 to fund the entire billboard control section, only $1 million for the total Nation to help screen the junkyards that scar and obliterate the view, only $7 million for the entire scenic enhancement program to develop the potential of soothing scenic highway vistas throughout the entire United States.

This represents in each of these features a 90-percent reduction in the administrative request. The committee asks "How much more blood do you demand?" And the opposition replies, "We want it all."

The suggestion has been made by my distinguished friend from New York [Mr. STRATTON], and well I recognize the situation, that the committee should be assiduous in protecting the rights of the States, of the outdoor advertising industry, and of all of the enterprises served by that industry.

Mr. Chairman, I believe this committee has bent over backward to protect the States and every element of American commerce from any unwarranted intrusion or invasive injury by the administration or by any overly zealous administrator.

Simply look at what we have done in the bill. Look at the guarantees we give.

We guarantee in this bill that any State or any local zoning authority may of its own volition determine what constitutes customary practice—and that this determination will be accepted by the Federal authorities for purposes of compliance.

We guarantee in this bill that any State may of its own volition zone an area for commercial or industrial purposes, in which signboards will be permitted along the highways, and that this will be accepted by the administrator.

We guarantee in this bill that no individual may be required to remove a sign or an outdoor display until such time as public moneys are available to pay him a just and fair compensation.

I am advised that the gentleman from Missouri [Mr. RANDALL] will offer an additional amendment which I think the majority of the committee will accept, to allow any State or local zoning authority the further unrestricted freedom to determine those unzoned commercial areas that exist in the State and in which billboards should be permitted.

We are not determined to destroy billboards. We are not out to eradicate an industry. Quite the contrary. We have been at great pains to protect that legitimate industry and its customers. We ask merely that it demonstrate reasonable self-restraint. We seek only a minimal means to restrain the more grotesque and unrepresentative examples of unsightly and cluttered proliferation of billboards and junkyards that rise here and there like patches of weeds to obliterate our view along certain segments of the public highways.

And in the more significant feature of this program which is often obscured in the fog of controversy, we seek a minimum means to preserve and protect a few of the remaining vestiges of natural beauty for the enjoyment of future generations.

On other occasions when this program has been discussed, there have been semihumorous attempts to laugh it aside as a frivolous frill and a woman's whim. Facetious comment has referred to it as "Lady Bird's bill."

Permit me to address myself very briefly to this thought. The concept of preserving a modicum of graciousness and beauty in the American landscape is indeed a legacy which Mrs. Lyndon Johnson would bequeath to the country. For this unselfish desire she deserves profound respect and gratitude.

Mrs. Johnson is, in every fiber of her being, precisely what the title implies. She is a lady, a great and gracious lady—the First Lady of our land, in thought, word and deed. She has conducted herself in every instance, both public and private, so as to reflect credit upon the great man who calls her his wife and upon the Nation that honors her with the title of First Lady.

Mrs. Johnson has never coveted a personal spotlight. She has not sought the glitter and glamor of public applause. She has not presumed to set new styles, either in the world of fashion or in political ideology. It has been enough for her to love her husband and help him, to love her land and serve it—by quiet deed and gentle example.

For a third of a century, she has dwelt gracefully and with dignity in this "goldfish bowl" which is American public life. She has neither hastened after the butterflies of popularity nor clamored to be heard. Buffeted at times by the outrageous slings and arrows of sometimes unthinking and occasionally unkind comment, she has refrained from answering in kind. She knows what it is to turn the other cheek, and hers is the soft voice that turneth away wrath.

God love her, she is a wonderful lady. She is, in her own right, a person of splendid intellect, a great heart and exemplary manners.

That Lady Bird Johnson would wish to leave her Nation, as a legacy of her being here, a reverence for graciousness and kindness and beauty is only natural. For it is precisely these qualities that she so well exemplifies in her life.

And so I plead with you to recognize that in our quest for quantity we need also to think of quality. There is room in America for commerce and for conservation. There is room both for business and for beauty. We need not sacrifice the one and dare not sacrifice the other.

The amount we ask is so little. The war in Vietnam cannot last forever. One day it will be over. Then we can resume the more normal priorities. Then again we can promote all the good things in our American life.

Meanwhile, let us not snuff the very life from this laudable effort by hasty action. Let us keep it at least alive. In our crowded, burgeoning cities and throughout the land, there arises a new generation which deserves a better birthright than smog and slums and cluttered roadsides. Part of the American birthright is what is left of our natural beauty, of our purple mountain majesties and amber waves of grain.

So let us preserve at least the remnant of this highway beautification program and preserve for the future an America that is still beautiful, still kind, and still gracious.

Mr. CRAMER. Mr. Chairman, I believe I have 1 minute remaining.

The CHAIRMAN. The gentleman from Florida [Mr. CRAMER] is recognized.

Mr. CRAMER. Mr. Chairman, no one has more respect for the First Lady than I. The gentleman from Texas is the only one, I think, who has mentioned her name on the floor of the House. I certainly did not.

Mr. ZION. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. ZION. Mr. Chairman, I think we are all moved by the impassioned plea of the gentleman from Texas.

But I have before me pictures of two highway obstructions built in the name of beautification in my district. They are called flower planters. They consist of heavy concrete ovals that obstruct the entrance to a restaurant and a service station, resulting in a 50-percent loss of business.

They also can reduce an automobile from 60 miles per hour to zero in 1 second. I doubt if the survivors of people who end their lives on these bunkers take comfort in the fact that they died in beautiful surroundings.

Mr. CRAMER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. CRAMER and Mr. WRIGHT.

The Committee again divided, and the tellers reported that there were—ayes 92, noes 54.

So the amendments were agreed to.

AMENDMENT OFFERED BY M'CARTHY

Mr. McCARTHY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCARTHY: On page 47, strike out line 16 and all that follows down to (but not including) line 14 on page 48.

Redesignate the succeeding sections of the bill accordingly.

The CHAIRMAN. The Chair recognizes the gentleman from New York, in support of his amendment.

(By unanimous consent, Mr. HECHLER of West Virginia yielded his time to Mr. McCARTHY.)

Mr. McCARTHY. Mr. Chairman, this is a very simple amendment. It would strike section 22 from the bill before you. Section 22 would force the District of Columbia to build the disputed highway network despite the opposition of the District government and an overwhelming number of citizens of the District of Columbia.

Rich and poor, black and white, from every quarter of the District they came before our committee—and the hearings are printed—to oppose these highways. Georgetown, Cleveland Park, Cathedral Park, Capitol Hill, Foxhall Village, American University, Kalorama, Spring Valley—name it, and all over the District they are against it.

We feel this would be a dangerous precedent. If we can force these highways to be built here, why not all over the United States where we have identical situations? Take Brooklyn, where the dean of the House called the proposed highway the rape of Brooklyn. In Cambridge, Mass., in New Orleans, in Buffalo, in Memphis, in Nashville, in San Antonio, in San Francisco, in Seattle, and in Cleveland, and in many more places, we may have these situations.

This would rupture the partnership we have laboriously built over the years between local government and the Federal Government. The Federal Government puts up the money and sets the criteria and the local government does the planning.

This would overrule the U.S. court of appeals' decision which ordered the suspension of construction until they had met the requirements in the District law for hearings, and until they conform to the L'Enfant plan, and that the people participate, and for 14 days before the hearings take place that the plans be published for public scruntiny. They never were.

The President tried to settle this dispute. It is a long dispute. They hired one of the Nation's most distinguished research firms, the Arthur D. Little Co., of Cambridge, Mass., A. D. Little issued a scathing indictment of the lack of imagination in these plans and urged all highway plans in the District of Columbia be shelved and restudied in the light of modern planning concepts. The Arthur D. Little report said the District had failed to take into full consideration the impact of the mass transit system this House has authorized.

They said it was excessively destructive. Let me list a few of the things it will destroy. It will go through Rock Creek Park, and destroy the Philips Gallery, the Boy Scout headquarters, the Cosmos Club, the Indonesian Embassy, go under the Lincoln Memorial and Tidal Basin and go through Glover-Archbold Park, destroy the Landon Golf Course, and Fort Totten Park. In all it would destroy 180 acres of land in residential use and displace 15,000 residents, it will destroy 225 acres in commercial use, and it will destroy 245 acres of park, monumental and other government-owned lands, and destroy 24 acres of land in use for education. It will involve a tax loss of over $6 million. We are going to have a District revenue bill before us today.

These plans have been severely criticized by the Secretary of Transportation. He held them up, particularly as they relate to the Three Sisters Bridge. We are going to destroy the partnership we have built and establish a very dangerous precedent that could be used to force these highways in other cities.

Mr. McDONALD of Michigan. Mr. Chairman, I rise in opposition to the amendment.

(By unanimous consent, Mr. McDonald of Michigan yielded his time to Mr. Fallon.)

Mr. FALLON. Mr. Chairman, the argument that the preceding speaker just used has been used throughout this country by people who are just against construction of the highways. They believe in other modes of transportation rather than the highway system, so that is their argument and it has been their argument since the inception of the Interstate Highway System.

Mr. Chairman, I rise in support of section 22 and urge that this provision be retained in H.R. 17134. The matter of construction of the Interstate System within the District has been the subject of extensive hearings by the Committee on Public Works Subcommittee on Roads.

Not only is the interstate program at a complete stalemate in the District but furthermore a cloud has been placed over the entire highway program in our Nation's Capital. Although a recent court decision only enjoined the Highway Department from proceeding with four specific projects, this legal decision has, in reality, stopped all highway construction in the District. This legal action, relating to a technicality included in an outdated 1893 law, actually dates back to before the birth of the motor vehicle.

Sufficient safeguards do exist within the District of Columbia governmental structure, and will, of course, have to be followed before certain undecided provisions of the highway program can be resolved. Section 22 is strongly supported by the Washington Board of Trade, and many segments of the business community and city.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

(By unanimous consent, Mr. Machen yielded his time to Mr. Fallon.)

Mr. FALLON. Mr. Chairman, ample precedent has been established for passage of this type legislation in the earlier congressional action taken to construct the Woodrow Wilson Bridge, the Theodore Roosevelt Bridge, and the new 14th Street SW. Bridge.

Rather than destroy our Nation's Capital, this sorely needed interstate highway program in the District will enhance this city's transportation system. Only 11 out of 29 miles of the safe efficient freeways which earlier congressional action has authorized for the District are open to traffic today. I strongly urge inclusion of section 22 in H.R. 17134.

Mr. MACHEN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MACHEN. Mr. Chairman, I am pleased to support H.R. 17134, the Omnibus Federal-Aid Highway Act of 1968. Aside from its other benefits, this legislative package would guarantee that the District of Columbia will have a balanced transportation system of freeways and rapid rail transit.

At this point I would like to commend the chairman of the Subcommittee on Roads, and his colleagues, for their forthright action on the District of Columbia freeway system and to especially commend my colleague from Maryland, the chairman of the full House Public Works Committee.

The need for a balanced transportation system in the District and its environs has been amply demonstrated over the years. There has been no change in this need, and if anything, it is greater today than previously. Last year the four Washington metropolitan area Congressmen held a series of public hearings and meetings on problems of area concern. The need for a balanced transportation system was foremost among them.

Our attempts to find out the position of the Department of Transportation were completely rebuffed, and we received little if any cooperation from the Department. On the other hand, top officials from the District, Maryland, and Virginia Highway Departments spoke out in favor of the balanced system and they emphasized the great need for the completion of the District of Columbia freeway system as planned. In fact, they pointed out that many freeway projects in the suburban areas are being help up because of the continuing controversy and agonizing among some District citizens over the freeway system.

Mr. Chairman, as I testified before the Subcommittee on Roads during the pletion of the District of Columbia freeway system, this balanced transportation system had the approval and reapproval of the majority of agencies involved: that is, until the Department of Transportation was established. It took only one unilateral action by the Secretary of Transportation to cause the chaos that we are now attempting to correct. It is unfortunate that this public official listened to a handful of vociferous critics, and not to the broad spectrum of community interests who, in a responsible manner, have approved the balanced system. This public official has flown in the face of the responsible and responsive leaders of this community, including the major daily newspapers which have editorially spoken out for the balanced system.

As I stated when I cosponsored H.R. 16000 with the chairman of the distinguished Subcommittee on Roads, it is time for Congress to break the logjam on the District of Columbia freeway system. It is a tragedy that this problem has reached the point of congressional intervention, but we are acting on it and the District of Columbia freeway system shall be completed as planned so the balanced transportation system can become a reality as soon as possible.

THE FORT WASHINGTON PARKWAY

Mr. Chairman, the other section of the Omnibus Federal-Aid Highway Act of 1968 that concerns me is that dealing with the Fort Washington Parkway.

Originally, this project was known as the George Washington Memorial Parkway and was first authorized by the Capper-Cramton Act of 1930. The Prince Georges County segment is the last one to be completed. I have introduced about three bills on the parkway, all the result of a decision by the House Appropriations Committee in 1965 that the Capper-Cramton Act was not sufficient authorization for an appropriation to complete the parkway in Prince Georges County. I believe, and I feel my colleagues will concur, the section in H.R. 17134 on the Fort Washington Parkway, upon enactment, will be sufficient authorization for appropriation.

The parkway is designed to protect the Potomac River shoreline in Prince Georges County; to maintain it in a state of natural beauty. This has been a long-range goal of mine, one that I worked toward as a member of the Maryland House of Delegates. I have continued my deep interest in this conservation project as a Member of the 89th and 90th Congresses. It would be impossible for me to express my delight and gratitude to the Public Works Committee for including this project in the Omnibus Highway Act.

All Members of Congress are well aware of the fantastic growth of this area. The increasing tempo of such growth must be accompanied by increasing efforts for proper and planned development, for intelligent zoning policies, and by comprehensive preservation of open spaces and scenic beauty for the enjoyment of the residents of the urban and suburban areas. Rapid development brings with it much higher costs in land and parkland acquisition. It exerts great pressure for the development of all underdeveloped spaces. As I have been stating time and time, somewhere we must draw the line and hold back development so we will have a significant degree of open spaces, parkland and scenic values. It is along the Potomac River shoreline in Prince Georges County that such a line should be drawn.

We have accomplished this in Piscataway Park, which I cosponsored last year and which now stands as a prime example of large-acreage protection of open spaces through a joint effort of private landowners and the Government. In such a cooperative effort the cost to the taxpayers is minimal. At Piscataway Park we have saved the view from Mount Vernon and we have protected a large portion of the Potomac River shoreline.

Now, under the provisions of H.R. 17134, we will move upstream to continue our preservation work. The Fort Washington Parkway is first, an elongated parkland project to preserve the Potomac River shoreline from density development. We shall acquire what open spaces are available and protect the remaining areas under scenic easements. It is my sincere hope that the private landowners will follow the lead of their neighbors at Piscataway Park and donate a large number of easements to the Government. Upon so doing, they will be eligible for a Federal income tax credit, and a credit of up to 50 percent on their county real estate taxes each year.

I also wish to emphasize that no private homes or businesses will be acquired under this legislation. They will be permitted to remain as before. What we are offering them is protection, in perpetuity, from high density development of any form—apartments, or industrial or commercial uses. This is a protection that cannot be provided now because of the ever-present possibility of rezoning by the county commissioners. Under the Fort Washington Parkway project, the private homeowners will be safe from capricious rezonings and the scenic beauty of the area in which they live will be permanent.

With the ultimate completion of the Fort Washington Parkway project, the entire Potomac River shoreline of Prince Georges County—from the Charles County line across from Mount Vernon up to the Capital Beltway—will be preserved for today's generations and for future generations to come.

Mr. Chairman, I urge my colleagues to support this parkway and parkland preservation project.

(By unanimous consent, Mr. SPRINGER yielded his time to Mr. CRAMER.)

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in opposition to the amendment.

(By unanimous consent, Mr. BLACKBURN yielded his time to Mr. BROYHILL of Virginia.)

Mr. BROYHILL of Virginia. Mr. Chairman, I want to commend the committee, and particularly the gentleman from Illinois [Mr. KLUCZYNSKI] and the gentleman from Florida [Mr. CRAMER] for their interest in and concern about the transportation problems in our Nation's Capital and for including the language in section 22 of the bill.

I regret that it was necessary for the committee to take action on this particular problem. It is not desirable for a legislative committee to become involved in the engineering details of highway design and location. But the committee had no choice. With all the procrastination and delay concerning the highway construction programs in the Nation's Capital and the surrounding area for so many years, some action on the part of the Congress has become imperative.

This is the Nation's Capital, and Congress is charged by the Constitution of the United States with responsibility for the Nation's Capital. We may delegate some of our authority and some of our responsibility, but in the final analysis if those to whom we delegate responsibility fail to do the job properly, we must take over and see to it that the job is done.

These programs and projects have been delayed for 22 years. We have had more than 26 separate studies, costing more than $20 million of the highway system in the National Capital area.

The Three Sisters Bridge was mentioned here just a moment ago. I pointed out to the committee during its hearings last December a newspaper article which appeared in the Washington Evening Star on the 30th of April 1959, 9 years ago, which stated that the Three Sisters Islands area was being studied as a bridge site, and that the District of Columbia Highway Department was then beginning to prepare preliminary designs and construction plans for the bridge.

Four years later, when no action had been taken, the District of Columbia Committee authorized a special hearing to find out what was the matter. The District of Columbia Engineering Commissioner said on December 11, 1963, at that hearing, that his department had entered into an agreement with the Highway Department of Virginia to hire another consultant to decide on the bridge location, and that they would accept the findings of that consultant. Today, after another 5 years this project and many others are being delayed for more study by the Secretary of Transportation. This project is holding up many other projects. A domino theory is involved here.

A few years ago we authorized a $100 million airport to be constructed at Dulles, and a $7 million access road. That airport was completed back in 1961, and it was planned that this access road would tie in with Route 66, in northern Virginia, the Interstate System tying in with the West. Route 66 has been held up for several years because we cannot come to an agreement on where the river crossing is to be.

So it will be impossible to get proper and full utilization of Dulles Airport until we can use the Dulles access road. This cannot be accomplished until either the Three Sisters Bridge is constructed or some bridge is constructed for Route 66 to tie into.

Mr. Chairman, we have a lot of difficulties here in the District of Columbia that make it practically impossible to get together to arrive at a decision. One thing is we have too many chiefs. We have two different States involved as well as the District government. They can generally get together. But we also have the National Capital Park and Planning Commission, the Fine Arts Commission, and the Park Service of the Department of the Interior. All of these agencies have a finger in the pie. Most of them are not concerned one iota with the problem of the movement of people and goods. The Park Service particularly would like to preserve all of the scenic trails and boulevards for the tourists.

The situation seems to boil down to a conflict between the dreamer-planners who envision tree-lined boulevards for Washington with only a few sightseeing minibuses or even horse-drawn carriages in sight, as opposed to the practical people who must provide for movement of people and goods. I am afraid our new Department of Transportation has too many of the former group on its staff.

The disturbing part of this situation, Mr. Chairman, is that each time the highway people, who are responsible for movement of people and goods, are able to modify their plans to make them acceptable to all the many boards and commissions whose approval must be obtained, some new group presents a new set of dreams and we are back where we started.

Mr. Chairman, the Congress should not be required to concern itself with the engineering aspects of highway design and construction. But if the executive branch charged with the building of highways places greater emphasis on the esthetic values than on the movement of people and goods, we may have to consider hiring highway builders as staff assistants and building the highways ourselves.

The urgent need for a quick solution to the transportation problem in the District of Columbia is such that we have no choice, Mr. Chairman. This vitally needed 29 miles of freeway with the necessary bridges and approaches, must be constructed without further delay.

Mr. Chairman, I urge adoption of H.R. 17134 as reported.

The **CHAIRMAN**. The time of the gentleman from Virginia has expired.

Mr. **EDMONDSON**. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I am impressed by the fact that the area Congressmen, the Congressmen who represent the thousands and thousands of people who work in the capital city or live in the capital area are unanimously opposed to this particular amendment. I certainly believe it should be defeated.

Mr. Chairman, at this time I yield to the distinguished chairman of the subcommittee, the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. **KLUCZYNSKI**. Mr. Chairman, I want to thank the gentleman from Oklahoma for yielding me this time.

Mr. Chairman, with all due respect to the people who are opposing section 22 of this bill, its enactment is absolutely essential to the future well-being of the Nation's Capital.

These links of the Interstate System, which are designed to connect with major national corridors entering and leaving Washington in Maryland and Virginia, will not displace 15,000 people.

Most of the land to be acquired that involves displacement of people has already been acquired. On the much-publicized north-central freeway, for example, fewer than 500 people—not more than 122 families—remain to be relocated.

The opponents would have you believe that the court of appeals opposed these highway projects. The fact is the court very emphatically stated that they did not take issue with any of the projects involved, but only with the procedures. This system has been planned and planned again, for 20 years, and at a cost of more $20 million in planning alone. The proposed system has been approved by the National Capital Planning Commission, the Fine Arts Commission, the National Park Service, and various other agencies who have an interest in specific segments of it.

Congress has not rejected this system. On the contrary, Congress has appropriated money for it every year for years.

This system is based on the assumption that the mass transit system will come into being. Without a mass transit system, the highway plans would have to be substantially more extensive.

The people who oppose this system would have you believe that every family that moves leaves the District, and that every business that moves leaves the District, and that is not true.

What is true—and this is the most important part of this whole controversy—is that if these highways are not built, both families and business, and particularly business, will be moving out, and Washington as a living, operating city will cease to exist. The Corporation Counsel for the District has told citizens in writing that the District is without authority to act to resolve this problem. If the Congress does not act, and approve section 22, we will have for all intents and purposes destroyed Washington, because as I understand the situation, the construction of the mass transit system is dependent upon progress in constructing a truly comprehensive transportation system for the District, including its highways.

I do not believe this Congress is prepared to say that Washington is not essential to the Nation, and I do not believe that this Congress is prepared to say that adequate transportation is not essential to Washington.

I believe in this country, and in the magnificent Capital City we have. I would like to keep it living and growing and moving ahead, and I think that is what my fellow Members want, too.

The **CHAIRMAN**. The time of the gentleman from Illinois has expired.

The Chair recognizes the gentleman from Minnesota [Mr. FRASER].

Mr. **FRASER**. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, what we see in section 22 of this bill from the Committee on Public Works is an illustration of the tragedy that faces the people of the District of Columbia. The 700,000 or 800,000 people who live in the District practically without exception oppose the present designs and plans for this freeway program.

They went to court on the basis that they had not had a fair hearing. It was the court's decision that they had not had a fair hearing within the meaning of the law. So, today we are being asked to override the courts. The District of Columbia and the residents thereof are being forced to build freeways which they do not want, under a mandate of this Congress.

Mr. **McCARTHY**. Mr. Chairman, will the gentleman yield?

Mr. **FRASER**. I yield to the gentleman from New York.

Mr. **McCARTHY**. Will the gentleman from Minnesota agree that what really is at stake is a much broader concept than even the District of Columbia faces, a much broader concept which is at stake here during the consideration of this legislation. So, the question arises as to what are we going to do about transportation in the 20 or 30 biggest cities in the United States of America. This is the important question. These people do not understand the rather difficult problems which are involved. The problem is made more difficult by the surrounding users of the highways, but they are restricted, the people of the District of Columbia, to having their own highways overloaded by commuters from outside this community.

Mr. Chairman, I think we ought to address ourselves to the broader question of what we are to do in the future with respect to the larger cities of the United States.

The **CHAIRMAN**. The time of the gentleman from Minnesota has expired.

The Chair recognizes the gentleman from Maryland [Mr. GUDE].

Mr. **GUDE**. Mr. Chairman, we have heard more alarming freeway statements here today with reference to such areas as Archbold Park and Rock Creek Park to the effect that they will be inundated by a great avalanche of concrete. This is not true. Those two parks are not involved in this legislation at all. However, a very real transportation problem has become such that many, many commuters from the State of Maryland have to use the system of "double-crossing." For instance, the people from Montgomery County cross over into Virginia and come down the Virginia side of the Potomac and ultimately cross the river again to the District of Columbia.

There is another aspect to this problem which should be noted, and steps should be taken to firmly establish the long planned balanced transportation system through mass transit, rapid rail transit and freeways. This is the reason we should put this proposal into effect. For the past 10 or 15 years we have been overloading the residential streets in the District of Columbia and an already bad condition is being made worse and more dangerous by the delay in this program.

We are making these neighborhoods more dangerous with the commuter and the truck traffic passing through the streets of the District of Columbia in increasing volumes. Under these conditions in many instances the highway engineers can do nothing except to widen the streets, chop down trees and tear up the lawns. Now, is that making for a more beautiful and finer Washington? What we need to do is to have a certain amount of this commercial and commuter traffic channeled from residential streets to the freeways which have been well planned.

I commend the work of the committee in taking the lead to properly treat the serious problems of dislocation of citizens from their homes or places of business because of public construction; namely, in highway construction. While such dislocation by public construction is not limited in any way to that caused by highway construction, the completion of our Interstate System into the urban centers has highlighted this problem. The committee has taken cognizance of this by establishing in this act a system of higher relocation payments for those displaced by the freeways.

I have been concerned with this problem and have sponsored legislation in the House which would provide for air rights construction, another way to alleviate the problems of dislocation. Such construction permits the use of the space over and around freeways, just as it can with rail transit, for the location of parking, public buildings, railroad right-of-way, housing, or businesses. Similar techniques of design have been planned for the north-central corridor in the District of Columbia freeway system. And to that point I am hopeful that the gentleman from Florida will speak as far as what the committee did in planning this freeway system as to the selection of routes.

The CHAIRMAN. The Chair recognizes the gentleman from Nebraska [Mr. DENNEY].

Mr. DENNEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to yield the balance of my time to the distinguished gentleman from Florida [Mr. CRAMER].

The CHAIRMAN. To speak on this amendment?

Mr. DENNEY. To speak on this amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. SCHWENGEL].

Mr. SCHWENGEL. Mr. Chairman, I ask unanimous consent that my time be allotted to the gentleman from Florida. I would also ask permission to ask the gentleman a question.

The CHAIRMAN. For the purpose of speaking on this amendment?

Mr. SCHWENGEL. Yes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. SCHWENGEL. Mr. Chairman, will the gentleman from Florida yield for the purpose of a question?

Mr. CRAMER. Mr. Chairman, I will be glad to yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Chairman, I am sure the gentleman knows, and that the Members of the House know of my great and abiding interest in the problems of the District of Columbia ever since I have been here, and I am concerned about the problem involved in this section.

But I also would like to state that as I read this bill, and after having consulted with people in authority, we have not closed all of the doors relative to the routes or possible changes in the routes of this system leading into the District of Columbia.

So I would ask the gentleman from Florida to comment on that.

Mr. CRAMER. Mr. Chairman, I will say to the gentleman from Iowa that what the committee did was say that the traffic corridors, as have been now determined after 20 years of study and hearings, shall be recognized and that we will get on with the business of building roads.

I further want to say to the gentleman from Iowa that if we do not do this, under the present law highway funds apportioned to the District of Columbia are available for expenditure for the fiscal year for which they are apportioned and the two following years—then the funds lapse. So, after a 3-year period the District of Columbia is going to lose the money unless it uses it to build the highways.

Now, what kind of a position would we be in as the governing authority of the District of Columbia—the Congress of the United States, the basic governing authority of the District of Columbia—if this is the only place in America where we do not finish the Interstate Highway System, and permit the local people to lose the money because of the 3-year lapse requirement?

Mr. SCHWENGEL. I again would say to the gentleman: Is it true or is it not true that there still can be changes in that route?

Mr. CRAMER. There still can be changes in that route within the traffic corridor. At the same time there can be hearings. We have heard much with regard to the court decision with regard to hearings.

Here is what the language in the bill says: It does not preclude hearings. As far as I am concerned, let the City Council hold hearings, let them decide which location within the traffic corridor should be finally approved pursuant to the section of the bill. The language of this section contemplates that they will have plenty of time to hold any hearings needed and plenty of time to make decisions.

The term "routes" as used in section 22 of H.R. 17134, section 313, title 23, United States Code, refers to the traffic corridors included in the District of Columbia's 1968 estimate of the cost of completing the Interstate System and is not intended to prescribe a specific location for any of the interstate highways to be constructed.

In accordance with the policy of the Bureau of Public Roads at the time the 1968 cost estimate was prepared, the least expensive of all alternative alinements which had been considered for the location of highways within each corridor were required to be used as a basis for the dollar estimate. Thus, the map—figure 8—on page 15 of the District of Columbia 1968 cost estimate and the map showing Interstate Route 70S in the Maryland 1968 cost estimate show that the North-Central Freeway would depart from its alinement along the B. & O. railway track at a point near Kansas Avenue in the District of Columbia and follow a line generally parallel to, and easterly of, but some distance from the B. & O. railway track to a point southerly of the B. & O. station in Silver Spring, Md., where the North-Central Freeway would again follow the alinement of the B. & O. railway track.

This route, which goes through Takoma Park, Md., was required by the Bureau of Public Roads to be used as the basis of the dollar estimate, since it is less expensive, but more disruptive, than the route preferred by the District of Columbia and the Maryland Highway Departments, which would continue to follow the alinement of the B. & O. railway track the entire distance within the District of Columbia and through Silver Spring, Md.

The District of Columbia Highway Department has included its preferred alinement for the North-Central Freeway, along the B. & O. railway track, in table E-2 on page 45 of the District of Columbia interstate cost estimate.

The North-Central Freeway on the alinement that the Bureau of Public Roads required to be included in the estimate was estimated to cost $55,754,000, and the route preferred by the District of Columbia Highway Department, and also included in the estimate, is estimated to cost $116 million.

Thus, both of these alinements, which are within the same general traffic corridors, are included in the District of Columbia 1968 cost estimate. During hearings held on the District of Columbia highway problems, the committee clearly indicated that it preferred that the North-Central Freeway be constructed on the alinement along the B. & O. railway track, rather than the alinement that went through a portion of the developed area of Takoma Park, and it is clearly within the intent of section 22 of H.R. 17134 that construction of the North-Central highway be on the alinement that follows the B. & O. railway track.

The preferred location along the B. & O. railway track within the District of Columbia and Maryland is favored by both the District of Columbia and Maryland Highway Departments and has been approved by the Takoma Park City Council, the former District of Columbia government—District of Columbia Commissioners—and by the Planning Commission in October 1966. This route has been formally presented to the Bureau of Public Roads for location approval, but has not yet been approved. However, Mr. Frank Turner, Director of Public Roads, approved this preferred alinement as a member of the National Capital Planning Commission.

But I say to the Members that if we do not get on with the job of making the decisions, then this Nation's Capital is not going to be the showplace of our country insofar as it relates to highways. It is going to be on the bottom of the totem pole as compared with other cities, and these localities are going to point to the District of Columbia and say "Look, the Federal Government cannot solve this problem within the District of Columbia, so then why should we be expected to solve the problems we have in our own areas?"

The question of dislocation also admittedly is a serious problem. What do you do? Now that we have built the highways in the affluent areas, and did not receive all these protests, and all these court cases and all this holdup, we now have to build highways in some of the less fortunate areas, and now we are getting all the delays and all the holdups. Well, we should recognize the problems in the ghettos, and we have language in section 23 of this bill on relocation, and that says that where you have somebody who has to be moved out of one of those downtrodden areas that he considers to be his home, and they have to move to another place—and hopefully it will be a fairly decent place—then the Federal Government can give them a bonus to help accomplish that.

Now that is the way to handle it—with a heart—and to get the job done.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. EDMONDSON. I want to commend the gentleman on his excellent statement and also to stress, as the gentleman just did, the very generous relocation provision that has been provided in this bill—something that has been needed for a long time but is now assured in this bill.

What in essence we have done is recognize that there is a national congressional responsibility for the Nation's capital city and that we have to move as a committee of the Congress to see that that responsibility is met.

Mr. CRAMER. I would hope that this will be a beacon that shows the way to other big communities in this Nation in solving their problems. We ought to take the leadership in the District of Columbia and not be the last to do these things.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. FRASER. I would like to make just one observation.

When the freeway was proposed to go through Northwest Washington, it was successfully defeated and there is no freeway planned through Washington. So when you say the freeway has been designed to go through the more affluent parts of Washington, D.C., the fact is that it is just the opposite.

But I would ask the gentleman this question. There is a serious professional concern as to whether the inner ring concept is any longer a valid and useful design feature of the freeway system.

Is it the gentleman's opinion under section 20 that if the professional people should decide the inner ring should not be used, but some other design substituted for it, then would it be possible under the section in the bill?

Mr. CRAMER. I personally support the inner ring concept.

Mr. FRASER. I am not asking the gentleman that question.

Mr. CRAMER. I think there should be an inner ring under that system—that is what the legislation says. If there is a difference of opinion, they can come back for an amendment at a later date.

Mr. MACHEN. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. MACHEN. I would like to compliment the gentleman, and the members of the committee.

It is, indeed, tragic that we in the Congress, as area Congressmen, have to come down here and ask all of you to break a logjam, where millions of dollars have been spent, and roads stop at the District line. It is tragic that we cannot complete this balanced transportation system that would help all of us.

Mr. CRAMER. I will say that I am delighted to be here to support the bill that the gentleman from Illinois [Mr. KLUCZYNSKI] has brought before the House and I hope it is adopted. I am glad to work with him and to try to get it approved.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MCCARTHY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. RANDALL

Mr. RANDALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. RANDALL: On page 26, at line 4, strike the comma following the word "use," and insert in lieu thereof "or what constitutes unzoned commercial or industrial,".

Mr. RANDALL. Mr. Chairman, this amendment is to the section of the bill relating to highway beautification.

The amendment which has been offered simply adds the words "or what constitutes unzoned commercial or industrial areas" to section 6 of H.R. 17134.

It should be recalled that the committee print of the bill at page 26 contained an amendment to the 1965 act which provided that whenever State authority or appropriate local zoning authority has made a determination of customary use, then such determination will be recognized in lieu of controls by agreement in the zoned or unzoned commercial or industrial areas within the areas of such authority. However, after mentioning what is called customary use, there was an omission to include the unzoned commercial or industrial areas. That is the purpose of this amendment. It is to make sure that the State authority is empowered by this bill to make a determination of what constitutes such unzoned commercial or industrial areas.

My amendment is simply to insure that the new sentence put in the bill at page 26, commencing on line 2, being in section 6(b) will coincide with the committee's intention as stated on page 8 of the accompanying report where the committee said:

> Two of the most difficult, and most widely criticized requirements of the 1965 act are those relating to the definitions of "customary use" and "unzoned commercial and industrial areas" as those terms were applied to billboard control. Section 6(b) amends the 1965 act by placing responsibility for making both determinations where the Congress intended it to be and where it belongs, entirely in the hands of the states or the appropriate local jurisdictions.

May I suggest to my colleagues that all this amendment progress to do or accomplish is simply to provide the same prerogative or rights to the States as to unzoned commercial or industrial areas, as the State authority or bona fide local zoning authority has as to the customary use of zoned areas.

In my opinion the effect of my amendment would be to grant some latitude to the States who have thus far conformed to all of the requirements of the 1965 act except a determination of unzoned areas. This amendment could well allow a quick and early implementation within certain States of the 1965 act by providing means of quick conformation between those States and the Bureau of Public Roads. In other words this amendment could serve to knock out existing roadblocks.

Actually my amendment is very simple or low keyed. It does not strike off on a new course but goes hand in hand with the Committee on Public Works because it simply seeks to further strengthen State authority.

It should be remembered that in the original act of 1965 off-premise outdoor advertising signs could be erected in only two kinds of areas: First, those areas actually zoned commercial; second, so-called unzoned commercial or industrial areas as determined by agreement. Several of the States have been trying to reach an agreement with the Bureau of Public Roads. My amendment should hasten the process of conformation by the States to the requirements of the Bureau of Public Roads.

Repeating, the sole and simple purpose of my amendment is to give the States the right to determine where outdoor advertising can be erected in those actual and existing commercial and industrial areas which may at the present time be unzoned. It would seem that the amendment is reasonable. It would serve a useful purpose. I urge its adoption.

Mr. KLUCZYNSKI. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman.

Mr. KLUCZYNSKI. Mr. Chairman, we accept the amendment.

The committee thinks this is a very good amendment.

Mr. RANDALL. I thank the gentleman.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman.

Mr. CRAMER. Mr. Chairman, first I ask unanimous consent to revise and extend my remarks just made on the previous amendment.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CRAMER. Second, Mr. Chairman, I wish to say to the gentleman, I too support his amendment.

Mr. RANDALL. I thank the gentleman very much.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. RANDALL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PODELL

Mr. PODELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. PODELL: On page 20, line 21, strike out the quotation marks and insert in lieu thereof the following: "Nothing in this subsection or in any other provision of law shall be construed to authorize the appropriation of any sums for the planning or construction as a part of the Interstate System, or any other Federal-aid system, of the Cross Brooklyn Expressway in New York State."

Mr. KUPFERMAN. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from New York is recognized in support of his amendment.

Mr. PODELL. Mr. Chairman, this amendment addresses itself to a very expensive highway in the Borough of Brooklyn called the Cross-Brooklyn Expressway. It probably is the most expensive expressway in the entire country at $25 million per mile. This proposed highway would destroy Brooklyn, destroy its colleges, and drive a Berlin wall through the heart of Brooklyn,

However, yesterday we contacted Secretary Boyd, and the distinguished gentleman from New York, Congressman Celler, received a communication from Secretary Boyd that there has been no thoroughfare decided upon as yet; no route has been selected for the highway, and that proper hearings shall be held in connection with this highway before a route is selected.

For that reason, and for probably the reason again that the point of order may be well taken, I shall withdraw my amendment at this time and yield the balance of my time to the chairman of the subcommittee.

Mr. KLUCZYNSKI. Mr. Chairman, I wish to thank the gentleman from New York.

The CHAIRMAN. Is there objection to the request made by the gentleman from New York to withdraw his amendment?

There was no objection.

Mr. CELLER. Mr. Chairman, I move to strike the last word.

Reference has been made to a statement by Alan S. Boyd, Secretary of Transportation. I shall read a brief statement which I received from him. He says:

> Attached is statement I discussed with you on the telephone and I subscribe to this position.

This is the statement. It is my statement:

> Yesterday afternoon I discussed with Secretary of Transportation Alan S. Boyd his announcement of June 28 concerning a major revision of the Interstate highway system in the New York City area. Secretary Boyd stated to me that the Department's approval of the request by the State of New York for including the Cross Brooklyn and Queens Interborough Expressways on the Interstate system was only approval of a general transportation corridor and that no final route location has been selected.
>
> The Secretary assured me that before specific route location approval for this Interstate corridor is given, the State Department of Transportation must hold public hearings required under Federal-aid highway law.
>
> The Secretary advised me that he will be happy to meet with the Congressional Delegation (and anyone else) to discuss this matter.

Under those circumstances, I think it was very proper for the gentleman from New York who has just addressed the Committee to withdraw his amendment.

Mr. MURPHY of New York. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New York.

Mr. MURPHY of New York. I would like to compliment the dean of the New York delegation on his awareness of the critical issue in the routing of the Cross-Brooklyn Expressway, and also to state for the record that for over a year he has been interested in the routing and has been in contact with the Secretary of Transportation, as has the gentlewoman from New York [Mrs. Kelly], the gentleman from New York [Mr. Podell], and myself, because this road goes through the heart of our four districts. We have been very careful in following this development with the Secretary of Transportation. I wish to associate myself with the remarks of the distinguished chairman.

The CHAIRMAN. The Chair recognizes the gentlewoman from New York [Mrs. Kelly].

Mrs. KELLY. Mr. Chairman, I regret the joint action of three Federal departments: the Department of Transportation, the Department of Housing and Urban Development, and the Department of Health, Education, and Welfare, and the Ford Foundation to join with the governments of the State of New York and the city of New York to finance the planning and design of New York's "linear city."

The first step in their joint action was to grant over $500,000 to assist in the design and the planning of this community facility which is in opposition to the wishes of the entire community of Brooklyn where this project would be located and must be stopped.

The linear-city concept involves the following:

Designation of the Cross-Brooklyn Expressway as an interstate highway facility will close the critical southern link in the outer circumferential loop for New York City.

The "linear-city" concept involves planning for construction of housing, commercial, industrial, and educational projects, including the possible use of air rights over the highway, along the freeway corridor.

The Department of Transportation will make available, through the highway program, 90 percent funding for the engineering design. This will amount to millions of dollars.

This community facilities complex would be an integral part of the expressway concentrated primarily in a 6-mile section east of Brooklyn College to Broadway Junction over the right-of-way of the Penn Central Railroad. Located where the Bedford-Stuyvesant, Brownsville, and the East New York communities meet, "linear city" would be closely related to HUD's model cities programs for central Brooklyn.

Among the facilities proposed for linear city are 20,000 school spaces at the intermediate and high school level; 6,000 housing units; a new community college and a regional shopping center for the Broadway Junction area. The project will also provide additional multistory industrial space and stimulate job opportunities.

The city intends to hire disadvantaged residents of the area to work on the design and other aspects of the study. Technicians of the three Federal departments are now meeting to develop the initial phases of the study in cooperation with the New York City Planning Commission and Mayor Lindsay's Washington office.

The entire community is opposed to this project and I have files of letters to substantiate this fact, including letters from the community action committee, whose president is Mr. Patrick J. Curran; the East Flatbush Association; and the Hyde Park Community Association of Flatbush, whose president is Mr. J. Vincent Gallagher.

For years I have addressed their meetings and was the only Congressman from Brooklyn who carried on this opposition. I am now glad to have a few of the Brooklyn delegation raise their voices in protest and represent the wishes of the people of Brooklyn. I warn them again that unless they link and reject the entire "linear city" project along with their opposition to the proposed Brooklyn Expressway being constructed along the Long Island-Pennsylvania Railroad, then they will fail to represent their constituents.

I received the following letter from Mr. Alan S. Boyd, Secretary of the Department of Transportation, on May 22, 1968, which is proof of the fact that the present plan is "under careful study":

> The Secretary of Transportation,
> *Washington, D.C., May 22, 1968.*
> Hon. Edna F. Kelly,
> *House of Representatives,*
> *Washington, D.C.*
>
> Dear Mrs. Kelly: I have your letter of May 6 concerning the proposal by the New York State Department of Transportation to include the proposed Cross Brooklyn Expressway as a part of the Interstate Highway System. You state your emphatic opposition to the construction of the Cross Brooklyn facility and ask that I direct the Federal Highway Administration to conduct public hearings in the communities through which the line would pass.
>
> The request now before the Federal Highway Administration is for addition to the Interstate System of a Cross Brooklyn Expressway. This would make the facility eligible for financing with 90 percent Federal-aid monies, but would not constitute a commitment to a specific location or to a specific design for the facility. Such commitments are made only after public hearings have been held. It is anticipated that in the very near future our requirements will include two such hearings on a new routing such as the Cross Brooklyn; one on the location itself and one on the design proposed for the highway. It is anticipated also that in an area as heavily populated as Brooklyn there will be several hearings covering individual segments of the highway. All of these hearings will be held by the State highway organization, in this case the New York State Department of Transportation, in close cooperation with local borough governments. There is no provision in the law for hearings by the Federal Highway Administration.
>
> The Federal Highway Administration now has the proposal for addition of the highway to the Interstate System under careful study and your opposition to its approval as a part of the System will be given full consideration.
>
> Sincerely,
> Alan S. Boyd.

Mr. KUPFERMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to commend the gentleman from New York [Mr. Podell] for his judicious approval to this question. The point of order against his proposed amendment was clearly valid under rule XI subsection 15(a), as indicated during general debate on the rule on this bill. See pages 19390 and 19391 of the Record of Monday, July 1.

On the merits, I think the Record should show that Mayor John V. Lindsay, in conjunction with the Department of Transportation, has made an historic proposal for highway construction in Brooklyn, N.Y., that will help keep additional traffic out of the center of Manhattan and, for a change, not—I repeat "not"—wreak havoc with the area and population involved.

This proposal called "inner city" provides for schools, housing, and shopping alongside the proposed highway.

While no one is wedded to the specific area, the proposal, as explained in the New York Times of Saturday, June 29, certainly deserves consideration.

By unanimous consent of the House, I am including in the RECORD the New York Times reference to Mayor Lindsay's inner city proposal.

UNITED STATES AGREES TO AID LINDSAY PROPOSAL FOR A LINEAR CITY—BROOKLYN EXPRESSWAY TO BE "BASE" FOR URBAN COMPLEX—QUEENS TO BENEFIT, TOO

(By Richard L. Madden)

WASHINGTON, JUNE 28.—After 16 months of negotiations, three Federal departments announced agreement today to finance the planning of Mayor Lindsay's proposed linear city through Brooklyn.

As part of the project, the Department of Transportation approved the inclusion of the proposed Cross-Brooklyn Expressway and the Queens Interborough Expressway in the interstate highway system for New York City.

The Cross-Brooklyn Expressway, providing a link from near the Verrazano-Narrows Bridge to the new Nassau Expressway near the Aqueduct Race Track, is to be the "base" for the linear city of schools, housing and other community facilities to be built over part of the highway.

A NORTH-SOUTH LINK

The Queens Interborough Expressway will provide a north-south link between the Cross-Brooklyn and the Long Island Expressways through west-central Queens.

Federal officials put the cost of the completed linear city project at more than $500-million. The complex of community facilities—schools for 20,000 intermediate and high-school pupils, 6,000 housing units, a community college, a regional shopping center and space for industry—will be built in the air space over a six-mile section of the Cross-Brooklyn Expressway running east of Brooklyn College.

Because they will be part of the interstate system, the Federal Government will pay 90 per cent of the cost of the two new expressways, estimated at nearly $400-million, with New York State paying the remaining 10 per cent.

In adding the Cross-Brooklyn and Queens Interborough Expressways to the interstate system, transportation secretary Alan S. Boyd announced that he had deleted four other previously approved city highway projects from the interstate system.

The deleted projects, most of which have been dormant since the beginning of the Lindsay administration in 1966, were the following:

The Mid-Manhattan Expressway, a proposed elevated structure across midtown near 30th Street; the Bushwich Expressway, a route through northern Brooklyn that had been favored over the Cross-Brooklyn Expressway by many Brooklyn officials; an Astoria Boulevard Expresway in Queens, and an extension of the Arthur Sheridan Expressway in the Bronx.

Approval of the Cross-Brooklyn and Queens Expressways as interstate highways was the key element in putting together the linear city proposal.

Federal officials said it was the first time that three Federal departments—in this case Transportation, Housing and Urban Development, and Health, Education and Welfare—had joined to help plan a major urban highway development.

In addition, the Ford Foundation will provide a $100,000 grant for special planning and design studies for the linear city.

"This is our biggest project to develop a team approach to do a complete job of community planning instead of just running a highway through some area," one Federal official said.

FUND ALLOCATIONS

The Department of Housing and Urban Development will make a $250,000 grant to help plan community facilities. The Department of Health, Education and Welfare will provide $259,000 to study educational needs for the linear city.

The Transportation Department said it would make available "several million dollars" to pay 90 per cent of the cost of the engineering designs for the Cross-Brooklyn Expressway and linear city.

Mayor Lindsay first announced plans for the linear city on Feb. 26, 1967, and called it "a radically new concept in community development."

In New York, Mayor Lindsay praised the Federal Government's action as "a breakthrough of sweeping significance for the future of our nation's cities."

"Linear City will mean that for the first time a highway will become a unifying force in the community—that it will meet social and commercial needs rather than just transportation requirements," Mr. Lindsay said.

The Mayor said that placing the Cross-Brooklyn Expressway and the Queens Interboro Expressway in the interstate system, and deleting the Bushwick and Mid-Manhattan Expressways, means that existing rights-of-way will be used for construction and there will be no need for sweeping dislocation of businesses and families.

The plans call for the Cross-Brooklyn expressway to follow part of the existing right-of-way of the little-used Bay Bridge division of the Long Island Rail Road. The railroad right-of-way, which is now a cut running through the area, would be acquired for the expressway.

City officials have urged approval of the expressway on the ground that it would complete a southern bypass for traffic between New Jersey and Brooklyn, Queens and the rest of Long Islands and would help divert through traffic from Manhattan.

Brooklyn, the Department of Transportation noted, is "the largest urban jurisdiction in the nation not now served by an interstate system freeway."

Federal officials said the 10.5-mile Cross-Brooklyn Expressway would connect with the existing Brooklyn-Queens Expressway northeast of the Verrazano-Narrows Bridge and would extend along the railroad south of Fort Hamilton Parkway and Linden Boulevard to a junction with the Nassau Expressway near Aqueduct.

The announcement said the 6.7-mile Queens Interborough Expressway would extend northward from the Cross-Brooklyn near Pennsylvania Avenue to the Long Island Expressway and would "provide a much needed major north-south route through the west-central portion of Queens."

Last year Federal authorities rejected plans for the Cross-Brooklyn Expressway, but city officials contended that the rejection was on procedural grounds.

Putting the project together to win approval required numerous meetings by Mayor Lindsay and his aides with state officials—whose approval was required for the expressway—and officials of the three Federal departments, with different procedures and jurisdictions.

"It was the toughest thing I've ever negotiated," Peter F. Tufo, director of the New York City office in Washington, said today.

Mr. Chairman, I ask unanimous consent that the remainder of my time be yielded to the gentleman from Florida [Mr. CRAMER] on any matter during the proceedings to continue on this bill.

The CHAIRMAN. The Chair will state that the manner in which the gentleman can yield his time is on a pending amendment.

Mr. KUPFERMAN. Mr. Chairman, other Members have yielded the balance of their time for other purposes.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, the gentleman from Florida does not wish to be recognized at this time and reserves the balance of his time.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 25, after line 7, insert the following:

"USE OF CERTAIN FUNDS FOR URBAN MASS TRANSPORTATION PURPOSES

"SEC. 6 (a) The Governor of a State may elect to have any funds apportioned to such State after the date of enactment of this Act under section 104 of title 23, United States Code, made available, in a manner prescribed by regulations of the Secretary of Transportation, for urban mass transportation purposes within such State, under section 3 of the Urban Mass Transportation Act of 1964.

"(b) For purposes of this section:

"(1) the term 'State' includes the District of Columbia and Puerto Rico, and

"(2) the term 'Governor' means the chief executive officer of a State."

And renumber the succeeding sections and references thereto accordingly.

Mr. FALLON. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from New York.

Mr. RYAN. Mr. Chairman, will the gentleman reserve his point of order?

Mr. FALLON. Mr. Chairman, I reserve a point of order against the amendment offered by the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, this amendment is addressed to the broader issue which was mentioned a number of times during debate on this bill, mass transportation versus highways, and to the question of how during the next 10, 20, or 30 years a balanced transportation system is to be achieved.

This amendment does not compel any State to use its allotment of Federal-aid highway funds for mass transit. What it does is to allow the Governor of each State to decide how he wants to improve the transportation system within his own State. In those parts of a State where a Governor finds that additional highways are desirable, he will be free to build more highways. But under my amendment, in those areas where the Governor sees that the most efficient way to strengthen the highway system is to clear the existing arteries of most of the deluge of daily commuters, he would then be permitted to use funds under this act for mass transit.

This amendment is in keeping with the spirit and the intent of the Federal-aid highway program. If our cities are going to be saved in the next 10 or 20 or 30 years, then a way must be developed to get hundreds of thousands of commuters out of their cars and into mass transportation.

We are pouring millions of dollars into highways and comparatively little into achieving a balanced mass transportation system. This would permit the Governor to start to balance the transportation system within his own State.

The value to this country of a modern efficient highway system is unquestioned. I speak not only of the convenience it affords the traveler, but of the vital economic role it plays by making possible economical overland shipping. Indeed, it is difficult to imagine how this country would function if carriers were not able to move quickly, smoothly, and directly over the highways which tie coast to coast and city to country.

However, the time has come for a more sophisticated approach to the problem of the overcrowded highways which now feed our cities. In the past, our answer to one jammed freeway has been to build another freeway, and another, and then another. But the fact of the matter is that we cannot build new freeways fast enough to match the increase in the number of automobiles pouring into our cities each day. Despite the hundreds of miles of highways which have been built in the last decade, almost without exception, the congestion on urban highways is worse than it was 10 years ago. From the city of New York, it now takes many commuters as long as 2 or 3 hours to make a 20-mile trip home from work—despite the widening of many of the arteries around New York City in the past 15 years, as well as the opening of the six-lane Long Island Expressway. The situation is not peculiar to New York City, however, as my colleagues from Los Angeles, Detroit, or any other large city know.

Every new highway further aggravates the problem as more commuters use automobiles. Within a few years, the new highway is congested, and once again traffic to the city is crawling.

Yet, even if highways could be constructed fast enough to hold the ever increasing flood of commuters streaming into and out of our cities each workday, this would not increase the capacity of our city streets which are already so crowded that at times traffic comes to a virtual standstill.

The fact of the matter is that cities cannot absorb an infinite number of motor vehicles, and it is ludicrous to continue to plan our highway systems as if they could.

The original Federal-Aid Highway Act—23 United States Code 101—states that it is "the intent that local needs, to the extent, practicable, suitable, and feasible, shall be given equal consideration with the needs of interstate commerce." Yet to build more highways to the city would be diametrically opposed to local needs and, in weakening the city, would ultimately be detrimental to interstate commerce. Besides further adding to the congestion in the city streets, which makes truck delivery a slow and painful process, added highways hurt the cities in other ways.

For one, they eat up huge chunks of land formerly on the city tax rolls. There is hardly a city in the Nation which can afford to contract its tax base. It should be noted that not only does this strike at the city, where a main source of revenue is usually the property tax, but it also costs State and Federal Government the extra tax receipts which would have been earned by a firm which could have operated more profitably closer to the heart of the city.

Another undesirable effect of building more highways is that more middle-class families are induced to leave the cities to become suburban commuters. Our cities need these people both as a tax base, and as a socializing force, bridging the gap between the very rich and the very poor.

Some shortsightedly say that these are strictly city problems, and that it is up to the individual cities to come up with the type of transportation programs which will deal with them. I would remind them that the bill we have before us subsidizes highways built by State governments. One of the chief justifications for the Federal Government's involvement in the area of highways is that it is in the interest of the whole Nation that every State be tied to every other State—so that potatoes from Idaho can reach families in New Jersey and tractors from Detroit may reach farmers in Louisiana—in short it is that interstate commerce is in the interest of all. But if this is so, it must be quite clear that our cities perform much the same type of function as our highways. It is in our cities that businessmen meet to discuss the agreements that will send computers to Nevada or oranges to New York City. The ties of commerce formed in our great commercial centers are just as real and just as vital to this Nation as the physical ties, the highways, which bind this Nation together. Should the cities slowly grind to a halt, should the commercial centers be gradually strangled by the automobiles of its workers, should the city lose its tax base as the middle class flees, it will be more than the city which will be destroyed. It will be the whole Nation which will crumble. The time has come for a more sophisticated approach to this country's urban highway needs. The Federal-aid highway program is necessary to the economic welfare of this Nation.

But to build more urban highways would only compound the traffic miseries of our cities. The best way to improve the Interstate System in our urban areas is to get the vast majority of commuters out of their cars and into mass transit. This means into buses which carry 40 passengers while occupying the space of two automobiles. This means into subways which allow thousands of commuters to get to work without taking a bit of space away from commercial vehicles, this means into commuter railroads to keep the Long Island Expressway from turning every morning into the world's largest parking lot.

A mass transit system is a major investment, much larger than most cities can afford to construct and operate. Just as each State needs Federal help in building highways which will ultimately benefit the entire Nation, large cities need help in building mass transit systems which will ultimately benefit all Americans.

The amendment which I have offered will make it possible for additional funds to become available to meet this urgent need.

Mr. FALLON. Mr. Chairman, I insist upon the point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. FALLON. Mr. Chairman, the point of order is that this is the same amendment which was offered by the gentleman in 1966 in the Highway Act, which will use moneys from the highway trust fund for other modes of transportation. The law of 1956 prevents any moneys from being used for other than highway building purposes.

The CHAIRMAN. Does the gentleman from New York wish to be heard on the point of order?

Mr. RYAN. Mr. Chairman, on the point of order, on August 11, 1966, I offered a similar amendment. At that time, it was ruled out of order on the ground that it related to mass transportation and not highways, and it was suggested by the chairman of the committee that this issue should be raised when the mass transportation bill was before the House. So on August 16, 1966, I offered it as an amendment to the mass transit bill; and it was ruled out of order, on the ground that it related to highways and not to mass transportation.

We cannot have it both ways. It must be in order in one place or another. The problem is how to get this issue before the House. It seems to me the only way to bring it before the House is to deal with the subject matter with which the bill presently pending deals; that is, the fund out of which money is appropriated to highways. Otherwise there is no way of bringing this issue before the House.

I have introduced a bill, H.R. 34, to accomplish my purpose, which was referred to the Public Works Committee. Therefore, it is within the jurisdiction of the committee.

I did not offer this amendment last year, but I do not see any other way to do it since the Committee on Public Works did not see fit to hold hearings on H.R. 34 or to report it out.

Mr. FALLON. It starts out, in the amendment, to use certain funds. The gentleman is talking about the funds in the bill before us. I make the point of order because those funds cannot be used for anything other than highway construction, according to law.

Mr. RYAN. I am suggesting an amendment to the law.

The CHAIRMAN (Mr. ROSTENKOWSKI). The Chair is ready to rule.

On August 11, 1966, the present occupant of the chair presiding at that time, in respect to a bill authorizing funds to Federal aid highways held that an amendment permitting the diversion of funds apportioned to a State from highway construction to urban mass transportation was not germane.

To a bill providing for the construction of highways, an amendment providing for grants for urban mass transportation was ruled out as not germane.

The Chair, following those precedents, sustains the point of order.

Mr. DON H. CLAUSEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wish to take this opportunity here today to address myself to the magnitude and national significance of the Federal-Aid Highway Act of 1968 that has just been passed by the House in its collective wisdom.

In my judgment, history will record this particular highway legislation as one of the most significant of our time because it represents a "benchmark" proposal designed to yield maximum benefits for the overwhelming majority of our citizens. In many ways, Mr. Chairman, it comes close to matching the Interstate and Defense Highway Systems Act of 1956 in this significant regard.

As such, I am proud to have been in a key position on the Roads Subcommittee during the deliberation, debate, and drafting of this important and much-needed highway proposal. I am proud to be able to associate myself with legislation that contains not only provisions and money for better highways in the future, but also the vision and wisdom that is so necessary in considering the needs and wishes of our people—both those who will be convenienced by better roads and those who will be inconvenienced by their construction.

In recognizing our Roads Subcommittee as one of the key building organizations in the Congress, I would be remiss if I did not extend special recognition to our distinguished chairman, the gentleman from Illinois [Mr. KLUCZYNSKI]. Specifically, I refer to his keen sense of fairness, his patience, his understanding, and his willingness to give full consideration to the road problems of the entire country. This is particularly praiseworthy when you consider the fact that the gentleman comes from one of the largest metropolitan centers in America—Chicago. This, in my opinion, makes his contribution and unique leadership all the more significant.

Since my assignment to the subcommittee, the gentleman from Illinois [Mr. KLUCZYNSKI] has consistently shared many of his points of view and his treasure of knowledge with me on how to improve our national highway system. I am deeply indebted to the gentleman for this and I know I speak for many, if not all, of the members of our subcommittee in this regard.

I am indeed pleased to advise my colleagues here that the chairman and I agree on how to resolve many of the problems before our subcommittee. One of these that I believe is deserving of mention, is that we share the same concern for the serious problems of the larger cities of America. And, we also agree that one of the ways our subcommittee and this Congress can help resolve these problems is to improve our overall highway and transportation system throughout the entire country.

In actuality, we can and must seek ways and means for improving the ability of people to move out of, rather than bringing more into, the already overcrowded urban centers of our country.

With this in mind, I hasten to add that the gentleman from Illinois [Mr. KLUCZYNSKI], in my judgment, has become a champion of those road proposals in the United States that will contribute to accomplishing that end.

The people in rural America who many of us represent from communities dependent on agricultural and forestry products, will be eternally grateful to this dedicated and unselfish man for taking the time to go out and "visit the countryside" in order to observe at firsthand the problems and potentials associated with our private and public land management programs.

During our subcommittee hearings, as a matter of fact, I referred to the gentleman from Illinois, our able chairman, as the "champion of our forest development roads and trails." So, once again Mr. Chairman, the gentleman from Illinois [Mr. KLUCZYNSKI] has demonstrated that if he gives you his word—you can count on him to keep his word "hell or high water."

Next, I wish to say a few words in recognition of the ranking minority member of our committee—Congressman CRAMER, of Florida. I believe, in all sincerity, that the gentleman from Florida is respected by members of the subcommittee as much or possibly more than any other Member on either side of the aisle. Certainly, no one has been a better student, become more knowledgeable, or demonstrated the ability to articulate our road and highway message to the Congress or the Nation, than the ranking Republican on the Public Works Committee—BILL CRAMER.

I am sure that future generations of Americans will come to appreciate the work he has done and the contributions he has made to our Nation's road and highway system. The entire Congress, in my judgment, owes the gentleman from Florida a deep debt of gratitude for the extraordinary leadership and statesmanship that he has provided in representing his position and his points of view in committee and here on the floor of the House.

I was sitting at the desk during the debate on this bill and I heard our distinguished Speaker, the gentleman from Massachusetts [Mr. McCORMACK], as he personally visited the minority desk on the floor, say: "Bill, this has been one of the most statesmanlike presentations that I have observed since coming to the Congress." I believe these words, coming from our highly respected Speaker of the House, best describe why we have been so successful in presenting this Federal highway "package" to the Congress.

I only wish it was possible for all concerned Americans to observe this dynamic southern gentleman from Florida in action. I may be personally prejudiced, but I honestly feel that BILL CRAMER must be regarded as one of the most articulate spokesman in the Congress for better and safer highways in America. I feel we are indeed fortunate to have a man such as the gentleman from Florida serving this cause since Americans will surely benefit for years to come as a result.

The relocation assistance provisions which he guided through the subcommittee and presented so eloquently here on the floor, certainly demonstrate in particular that here is a man not only with ability—but with compassion and a genuine concern for people as well. While many of us played a role in advancing this much-needed concept. I for one, feel that BILL CRAMER deserves the credit for having shepherded inclusion of these provisions in the final draft of the Federal-Aid Highway Act of 1968.

As a Californian, I am proud to point out that our own division of highways has taken the lead in advancing the relocation assistance concept at the State level. Therefore, I am doubly pleased that our subcommittee, the Public Works Committee, and the Congress have now followed through with legislation that will enable other States to follow suit.

As has been pointed out, many property owners throughout the country have been forced to move or relocate due to route selections for new highways. In offering compensation, these people have been treated unfairly in the past due to archaic laws based on fair market value as criteria for compensation. This was totally unrealistic and inadequate. Many small businessmen, senior citizens, and families found they just could not acquire comparable housing, business or farm facilities simply because the cost of acquisition was substantially higher than what they gave up. This, of course, was cruel and inhuman treatment and should have been corrected long ago because many people suffered a financial loss as a result.

While I have credited the gentlemen from Illinois and Florida for their leadership and superb management of this precedent-setting highway legislation, I believe the entire committee deserves an equal share of credit. I am especially grateful for the staff work that accompanied the formulation of this bill because I believe this congressional record would not be complete unless we recognized the superhuman effort of one of the most capable staffs on Capitol Hill.

In this regard, special recognition and appreciation is extended to Public Works Committee staffers Dick Sullivan, Clif Enfield, Les Edeleman, Bob May, Sheldon Gilbert, Walt May, Audrey Warren, and Paul Yates, just to mention a few. These valuable people have all worked under extreme pressure in order to accommodate our Roads Subcommittee members with their multitude of questions, recommendations for bill content, various suggested amendments, and innumerable questions and the need for answers from constituents and interested people.

Needless to say, all of these dedicated staff members performed brilliantly under conditions approaching a nearly impossible burden for any human being to carry. But, without their help, counsel, and guidance, we would not have this "monument to highway building" that has come before us for adoption.

I am sure I speak for the entire committee in saying that we shall forever remain in their debt for their extraordinary efforts and a job well done.

In conclusion, Mr. Chairman, I wish to say for the record that I believe this legislation will "help us turn the corner" in redirecting the human and financial resources available in this great Nation toward building a vastly improved and more diversified highway and transportation system in America.

Personally, I am gratified for the privilege of offering an amendment in the subcommittee relating to the TOPICS program and for additional funds for primary and secondary roads over and above those designated under the ABC formula. And, I am pleased that the committee accepted this amendment.

In addition, Mr. Chairman, I am particularly pleased and optimistic over the progress made in advancing the concept of decentralization of which I spoke earlier. Here is a concept that I personally believe has substantive and qualitative meaning for both our major metropolitan centers and for rural America as well.

Today marks a milestone for effective highway building and for the future of America. Some of us here today may never see these provisions and concepts carried through to ultimate fruition, but I submit that future generations of Americans will recognize and long remember what benefits were derived from the Federal-Aid Highway Act of 1968.

Mr. CLEVELAND. Mr. Chairman, I move to strike the requisite number of words, and I yield to the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. I thank the gentleman.

Mr. Chairman, apparently this is the termination of debate on the legislation. We have no additional amendments on our side.

I hope this bill will pass overwhelmingly, as I am convinced it will. I believe it is truly a product both of the majority and the minority working as a team to get the best possible highway legislation passed.

We have probably the most historic and significant highway authorization bill to come before this House since the Interstate Defense Highway System bill in 1956.

It is wisely that the Congress has seen fit to try to solve some of these monumental problems relating to the highway system, which have not been resolved to date and which are obviously in evidence. I for one felt that when we had this matter up for consideration and the administration's basic approach was to authorize it for 2 more years and to sweep under the rug the rest of the problems, we could not do that and act responsibly.

I believe we have a bill at the present time which is a responsible bill, which fully accepts the responsibility of the Congress in helping to solve some of these problems relating to relocation and some of the other numerous problems we face; for instance, additional miles on the Interstate System, so badly needed, which cannot wait until 1976 or 1978 in order to be accomplished, in the form of missing links and in the form of needed additional mileage within the urban areas.

This is a very good bill and should be supported by the Members of the House.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. GRAY].

Mr. GRAY. Mr. Chairman, as we close the debate on this most important piece of legislation I should like to commend the distinguished subcommittee chairman, the gentleman from Illinois [Mr. KLUCZYNSKI], the distinguished full committee chairman, the gentleman from Maryland [Mr. FALLON], and the ranking minority member of the Committee on Public Works, the gentleman from Florida [Mr. CRAMER], as well as all members of the Committee of the Whole for the excellent manner in which they have discussed this most important piece of legislation.

Mr. Chairman, we remember the old model T Ford, which did not have a starter. One had to get out in front and crank it to start it.

I remember a fellow, going up main street in my hometown one day, who had a Cadillac go around him so fast that he thought the motor had died on that old Ford.

He got out to crank it and it ran over him and broke his arm. That is exactly where we are in America today. We have a lot of model T Ford planners and a fast-moving transportation system. We are not keeping up with the needs of our highways in America.

Mr. Chairman, I would like to recite briefly some information you will get from the National Safety Council next week; 53,100 people lost their lives on the highways of America last year; 1.9 million people were injured. Please listen to this; $10.7 billion worth of property damage was caused by accidents on our highways in America last year. This is deplorable.

The District of Columbia, as an example, is not keeping pace with the needs for better highways. Since I have been in Congress, for 14 years, traffic has increased 300 percent in the District of Columbia. The number of visitors to Washington is expected to rise to 30 million per year by 1980. This legislation has many new features. It is a good bill, so let us all vote yes on final passage and get on with the work of building bigger and better highways and cutting down on fatalities and this tremendous loss which occurs from property damage throughout the country. If we do we know our children and generations yet unborn will say that the 90th Congress did a job well done.

Mrs. DWYER. Mr. Chairman, I would like to call the attention of our colleagues to section 19 of the committee bill which would authorize the State of New Jersey to repay to the Federal Government the amount of all Federal-aid highway funds paid on account of approximately 21 miles of the Garden State Parkway, a substantial portion of which is located in the 12th Congressional District, which I have the honor to represent. Following negotiations with the State house commission, as the agent of the State, these Federal-aid sections would become the property of the New Jersey Highway Authority and would be fully incorporated in the parkway system. The parkway is a privately owned toll road.

Before this can be accomplished, however—and this is the crucial point—the legislation specifies that the authority "shall have constructed toll-free highway facilities in the vicinity of said sections of the Garden State Parkway in accordance with a general plan approved by the Secretary of Transportation as adequate to service local traffic."

In other words, free parallel lanes must be constructed along the federally aided sections of the parkway for the use of local traffic before the authority can take title to those sections and impose tolls for their use. Thus, under this legislation, the rights of local residents to adequate toll-free highway facilities will be fully protected, just as they are under similar legislation already passed by the Senate.

I am grateful, Mr. Chairman, to the chairman and members of the Committee on Public Works and to its very able staff for the cooperation we have received in seeking language in the legislation which will be legally binding on the highway authority and, therefore, guarantee local residents against a situation which might have cost them several hundred dollars in unnecessary and inequitable fees.

This issue has been in dispute for too long and I am pleased that the provisions of section 19 will resolve the issue in a way that will accomplish everyone's principal objectives: Improvement of the capacity and safety of the Garden State Parkway and protection of the rights of those for whom the original Federal-aid sections of the highway were constructed.

Mr. GIBBONS. Mr. Chairman, I support this legislation for many reasons, but the primary reason is because I believe it will make it possible to build the major missing link in the Interstate System between Tampa and Miami.

Interstate I–75 now terminates in Tampa. It seems to me to be logical to extend this highway to Miami, thereby connecting the two largest areas of population in the State of Florida.

It is now impossible to travel between these two areas except by using a combination of State and Federal highways, none of which are at interstate requirements for use. There is a great deal of vehicular travel between these two cities even though they are about 250 miles apart. The completion of the missing link, I–75, from Tampa to Miami will serve commercial needs as well as the needs of traveling Americans. Without a doubt, this link could be very vital in times of national emergency as well as in times of peace. It is my belief that this link, connecting the Tampa Bay area and Miami, will be one of the first projects approved as a result of this legislation.

The Florida Road Board long ago, by formal resolution, approved and urged the building of the Tampa-Miami link of the Interstate System and expressed its willingness to cooperate in any manner to see that it is accomplished in the shortest possible time. After this bill becomes law, I shall urge the State Road Board of Florida to submit a priority request for the completion of I–75 to the Department of Transportation.

Mr. ADDABBO. Mr. Chairman, I believe the time has come to reassess the aims and goals of our Federal-aid highway program and, for this reason, I find myself compelled to oppose H.R. 17134.

As presently written, this bill legislates an interstate highway through the District of Columbia. If we can do this, will our next step be to tell a State where the highways are to be placed.

In my congressional district there is proposed a portion of the Interstate System known as the Clearview Expressway. The location of this expressway has been the subject of controversy for many months, and it has been proposed that a route will be taken which will completely divide a community which has existed for many, many years and uproot hundreds of families. Our communities must be protected. We are told that the location of the route that highway will take is the primary responsibility of the States, but State authorities use many excuses for "bulldozing" their way through, regardless of the wishes of the people.

My colleagues from Brooklyn have spoken of the wrongs that will be created by the Brooklyn Cross-County Expressway and its proposed route which has long been in controversy. The arguments as to the Clearview Expressway are similar and I daresay there are many other federally funded projects that have been "hashed and rehashed" and "starts and restarts," with great waste of taxpayers' dollars. I believe, Mr. Chairman, in this period of austerity that this is as good a time as any to stop and study our road systems and really see whether or not they are leading to the best for the future.

Our refusal to pass H.R. 17134 will not bring a halt to roadbuilding in this Nation. Present contracts and those projects which have been fully approved and accepted would continue under present authority. We would simply be saying that the program needs reappraisal and further study.

Mr. DONOHUE. Mr. Chairman, I earnestly hope that the House will carefully review and overwhelmingly approve this bill, H.R. 17134, the Federal-Aid Highway Act of 1968 because I am firmly convinced that, although not perfect in every respect, it will, nevertheless, add a great many desirable adjustments and improvements to our existing Federal-aid highway program.

The distinguished chairman and members of the committee have, I think, presented this House with one of the best bipartisan highway aid bills in modern time.

As you know, this measure provides the authorization of funds to continue the Nation's network of commerce and travel, and equally important, it spells out new policies designed to make that network increasingly efficient and responsive to the needs of the American people.

The 1968 Interstate System cost estimate is $56½ billion, an increase of $9,700 million over 1965. Financing and construction of the system are therefore extended through 1974.

Three thousand miles are added to the system, to make it possible for the States to program, if they wish, those obvious and serious missing links in the system; $1,250 million is authorized for the ABC system, our primary, secondary, and urban roads; $125 million is earmarked for the rural areas and $125 million is earmarked for traffic improvement programs in urban areas. This additional $250 million is new authorization, recognizing the great need to improve and expand our primary and secondary roads and to aid the cities in dealing with traffic congestion.

It is earnestly hoped that, through the provisions of this bill, the States and the Department of Transportation will, in planning all our Federal-aid highways, use a truly comprehensive planning approach, that they will try to bring together the planning for new highways, new airports, and new forms of mass transportation, and that in the cities, particularly, they will recognize in our new highways the very real opportunities to redesign and redevelop many areas of the cities. One of the new programs the bill included for this purpose is fringe parking, an optional, experimental program to be jointly supported by the States and the Federal Government, and intended to join together in a practical manner our highways and our mass transportation systems.

Perhaps the most important of the new programs, however, is relocation assistance, which will substantially lessen the housing and financial problems people will face when they are forced to move because of highway construction. The program is mandatory, and it covers individuals and families, businesses and farms, homeowners, and people who rent. It is, I believe, the best thought out and potentially the most effective relocation program the Federal Government has ever proposed.

The bill also makes some other essential changes in the law. It eliminates the penalty provision of the Safety Act.

It provides a revolving fund for advance acquisition of right-of-way, which should make it possible to save substantial amounts of money in this part of the highway program all over the Nation.

It prohibits future cutbacks or freezes on trust funds apportioned to the States.

The bill also strengthens the competitive bidding requirements of existing law which certainly should encourage a more economic and efficient program in the taxpayer's interest.

Mr. Chairman, this measure is truly a commendable example of a bipartisan legislative effort in the national interest and it merits overwhelming support.

Mr. VANIK. Mr. Chairman, I want to urge support of Representative McCARTHY's amendment to conserve and protect public parks and recreation areas from destruction through highway relocation or construction.

Under the present law, the Secretary of Transportation is precluded from approving any highway, rail, rapid transit, or other transportation project which requires the use of any public park, recreation area, wildlife or waterfowl refuge, or historical site unless there is no safe or prudent alternative.

The bill, in its present form, would strike out the protection to public parks and resources provided under existing law. The McCarthy amendment strikes this objectionable language and continues the present law on this point to insure that public lands would not be violated unless there was no safe or prudent alternative.

The Cramer amendment is unsatisfactory because it would apply only to federally owned parklands which exist principally in sparsely populated areas.

While it is essential and important to build freeways and modern highways, this construction must not destroy the few remaining open spaces in urban America which are equally as essential to modern, urban life.

The public park or parkway is usually a likely target for highway acquisition, not because it is the most direct or safe route, but more often because it is the easier route. The land has already been acquired for public purposes. No one has to be displaced or moved—except an irreplaceable natural resource which cannot cry out or fight back.

If life in urban America is to be kept tolerable and worthwhile, we must protect every open space in our inventory whether it is owned by the Federal Government or by a local community. There is no engineering task too difficult in the building of a road or highway—but no amount of engineering can quickly create a park, a lake, or a glen on which nature has been laboring for hundreds of years. These precious places must be protected before they are all destroyed. America is rich in parks and natural resources—but it is the park or parkway that we see every day that makes living really worthwhile.

Mr. BLACKBURN. Mr. Chairman, today the House is considering H.R. 17134, a bill to authorize appropriations for the fiscal years 1970 to 1971 for the construction of certain highways in accordance with title 23 of the United States Code.

While the Subcommittee on Roads of the House Public Works Committee was holding hearings on this measure, I appeared before the committee to urge them to consider placing some restrictions on the President's power to impound or freeze appropriate funds. At that time, I presented the case in which I felt that the President's action was in violation of many sections of the Federal Aid to Highways Act of 1956. I am glad to note that the committee in section 14 of this bill prohibits the President from impounding appropriated funds from the highway trust fund.

The language of section 14 is identical to that found in a bill which was introduced by Congressman ED GURNEY, of Florida and which I had the pleasure of introducing a companion measure.

For the information of my colleagues, I would like to insert a copy of my testimony before the subcommittee concerning this matter, and the text of House Resolution 961 and H.R. 14953:

STATEMENT ON H.R. 17134

(Statement of the Honorable BEN B. BLACKBURN, Republican, of Georgia, before the Subcommittee on Roads of the House Public Works Committee, Wednesday, June 5, 10 a.m., during public hearings on H.R. 16994 and H.R. 17134 (Federal Aid Highway Act of 1968))

Mr. Chairman: Today, I have come before your subcommittee to discuss the practical and legal implications of the President's "freeze" of Highway Trust Funds.

On January 22, 1968, Secretary of Transportation, Alan S. Boyd announced that Federal-Aid Highway Program obligations during the calendar year 1968 will be held to a level approximately five percent below the 1967 level. This meant that approximately $350 million would be cut from planned levels in the first half of the present calendar year and $250 million in the second half.

On October 31, 1968, I introduced H. Res. 961, which is a resolution urging the President to cease and desist from any further freezing or cutbacks relative to the Highway Trust Fund. Six companion resolutions were introduced by other Members of the House. On January 30, 1968, I introduced H.R. 14953, a bill which would not allow any part of sums authorized to be appropriated for expenditure upon any Federal-aid system, which has been apportioned pursuant to the provisions of this section, impounded or withheld from obligation.

On January 25, 1968, I wrote to Secretary of Transportation, Alan S. Boyd, to inform him of my concern over the 600 million dollar reduction in highway funds. My letter contained four main points, as follows:

"(1) In 1956, when the Congress decided to adopt the Highway Trust Fund, it stated, 'It is hereby declared to be essential to the national interest to provide for the early completion of the Interestate Highways as authorized and designated in accordance with Section 7 of the Federal Aid-Highway Act of 1944. It is the *intent* of Congress that the interstate system be completed as nearly as practicable over a 13-year period, and that the entire system in all states be brought to a simultaneous completion'.

"(2) Furthermore, the Congress stated through Sec. 108(b) of the Federal Aid Highway Act of 1956 that 'any sums apportioned to any state under the provisions of this section should be available for expenditures in that state for two years after the close of the fiscal year for which such sums are authorized'.

"(3) I would like to point out that the taxes raised to fund the construction are raised from taxes imposed upon those who use the highways. The Congress intended those funds to be held in 'trust' for the benefit of those who pay for the highways. I feel that the trust has been violated by the action of yourself.

"(4) My last point is one concerning the practicality of cutting back the funds when we see that the cost of highway construction has been steadily rising for the past 10 years and will probably continue to do so in the future."

I would like to discuss these arguments further with this committee. First, I would like to discuss the legality of impounding funds appropriated for the Highway Trust Fund. The basic problem facing Congress in this matter is whether the President, notwithstanding Congressional expression of dissatisfaction with this practice of impounding funds, is constitutionally authorized to act in defiance of the will of the Legislative Branch, and to persist in impounding appropriations. Furthermore, are any remedies available to Congress which, when employed by it, will prove effective in terminating this practice.

Before going any further, I would like to state that I am in complete accord with the objectives stated in the Anti-Deficiency Acts of 1905–1906. These acts encourage the President to try to effect savings and provide for contingencies. However, the Bureau of the Budget has stated many times that these acts do not embrace impounding, but do sanction apportionment as proper Presidential authority. It is definitely desirable to encourage the Executive establishment to effectuate savings in government as well as be prepared to meet every contingency.

The President cannot exercise any power unless it is first granted to him by the Constitution or the Congress. President William H. Taft stated, "The true view of the Executive function is that the President can exercise no power which cannot be fairly and reasonably traced to some specific grant of power as proper and necessary to it's exercise." The President is directly dependent upon Congress for the authority to raise revenue and then to spend these funds. Even in times of national emergency, the power to appropriate lies exclusively with the Congress. It would be direct contradiction of our basic constitutional principles to contend that the President has the power to finance or direct any activities in utter disregard of the legislative and fiscal powers vested in the Congress by Article I of the Constitution. Article II of the Constitution instructs the President to "take care that the Laws be faithfully executed."

When the President decides to impound funds which have been appropriated by the Congress, there is very little recourse for the Congress.

For the interest of my colleagues, I would like to insert the following material:

"If Congress were unable to compel adherence to its demands for increased spending, no restraints, prior or otherwise, would exist upon executive concentration upon one specific arm or service. In the absence of such authority, Congress might be able to criticize the Executive and arouse public opinion, but it would be unable to apply the ultimate sanction. Consequently, the constitutional issue as to whether Congress can compel the Executive to spend money which it appropriates assumes considerable significance. . . Few people, and certainly no one in Congress would challenge the power of the President to refrain from spending money if he found that programs could be implemented with less funds than previously thought necessary. Congress is all in favor of administrative savings and reductions. But, it draws a sharp distinction between these and a refusal to carry out a congressional policy decision.

"The merits of this argument are definitely with Congress. If the President has the power to sign an appropriations statute into law and then nullify a major policy embodied in that statute by refusing to spend a substantial portion of the funds appropriated, he has in effect an Item Veto. More than that, he has an Absolute Veto exercised without danger of being overridden by a two-thirds vote of Congress. Neither the Commander-in-Chief clause nor any other clause in the Constitution gives him an Item Veto or an Absolute Veto. Congress, not the President has the final authority to determine the size and composition of the armed forces. The powers of Congress to raise and support armies and to 'provide and maintain a Navy' are positive powers not limited to establishing a ceiling on the services. The constitutional authority of Congress to provide funds for the military and other executive departments necessarily implies the constitutional power to compel the funds to be expended.

"*The Hoover Commission was of the opinion that the authority should be vested in the President:* 'We recommend . . . that the President should have authority to reduce expenditures under appropriations, *if the purposes intended by the Congress are still carried out*'. (Emphasis supplied.) There seems little doubt that the Commission presumed that the Budget Bureau would make most of the decisions for the President.[1]

"*Since the appropriation was made by act of law, it may be that only Congress should decide whether any part of it should revert to the Treasury.* We want Congress to keep its hands on the money. The President has no time to decide any issues in dispute except those of very high political significance, but he has close working relations with and direction over the administrative force that will do the work of detailed review. *Congress has no staff* of its own for such an inquiry and has shown little inclination to use the Budget Bureau for its purposes.

"But, the members of a congressional committee can spare far more time for determination of the hard cases than the President can. . . . If final authority is to rest in Congress, the Bureau or some other agency will study and recommend, but any of its recommendations that are opposed will get a pretty thorough examination at the hands of one or more committee members."[2] (Emphasis supplied.)

I would now like to delve into the legality of the present cut, impounding, or freeze of Highway Trust Funds by the Secretary of Transportation. The five percent cut-back ordered by the President froze approximately 600 million dollars in Highway Trust Funds.

My main contention in this matter is that funds appropriated by Congress cannot be impounded or frozen by Administrative action. The Congress has the sole power to decide whether the funds should be spent. First I feel that the legislative intent of Congress has been violated by the recent actions of the Secretary of Transportation.

When reviewing the legislative intent of the Federal Aid to Highways Act of 1956, one finds that Congress was very explicit in stating its intent on this matter:

"*It is the intent of the Congress that the Interstate System be completed as nearly as practicable over a thirteen-year period* (now fifteen-years as a result of an amendment effected by Pub. L. 88–4237) *and that the entire system in all the states be brought to simultaneous completion.*" (Emphasis supplied).[3]

The Congress was very clear in setting forth its intention that the Interstate System be completed by 1971. There are no provisions in this Act that can be construed to mean anything else.

There are two additional sections of the Act which express that Congressional desire that the Interstate system be completed with maximum speed. Specifically, Section 108(b) authorizes the appropriations of funds for fiscal years 1956 through 1969, indicating that the early authorization is "for the purpose of expediting the construction, reconstruction, or improvement inclusive of necessary bridges and tunnels of the Interstate System, including extension thereof through urban areas designated in accordance with the provisions of Section 7 of the Federal Aid to Highways Act of 1944". Furthermore, the Act allows States to construct certain portions of the Interstate System before they receive the funds. The Congress has allowed advance acquisition of right-of-ways in the interest of completion in the "most expeditious and economical manner." In short, Congress has granted broad authority to the Administration and the States to implement its desire for speedy action.

In establishing the Highway Trust Fund, an apportionment formula for the distribution of funds was established. This formula gives specific directions on how the funds are to be divided between the states. The recent cut-backs seriously disrupt this formula. There are no provisions in this act to provide for the suspension of allocations to the states as funds accumulate. Any changes in the apportionment formula cannot be made subject to Executive or Administrative Order, which would result in its suspension. The statute specifically states: "Any sums apportioned to any state under the provisions of the section shall be available for expenditure in that state for two years after the close of the fiscal year for which such sums are authorized".

---

[1] *Budgeting and Accounting; A Report to the Congress by the Commission on Organization of the Executive Branch of the Government (1949), p. 17.*

[2] *Charles S. Hyneman, Bureaucracy in a Democracy (1950)*, pp. 224–250.

[3] 23 U.S.C. Sec. 101 CA.

Congress thus provided the Highway Trust Funds to be apportioned for a two-year period. The so-called "freeze" placed upon authorized amounts is directly in conflict with statutory provisions of this act.

Prior to 1956, all funds derived from the Federal Excise Tax on motor fuels, motor vehicles, and associated products were placed in the general fund of the United States Treasury.

In 1956, Congress augmented the federal aid to state highway programs in order to establish a National System of Interstate Highways. To pay for these programs, the Congress increased the excise tax and created new taxes. For the information of my colleagues, I insert the following chart showing how these taxes are imposed:

FEDERAL HIGHWAY-RELATED EXCISE TAXES AND THE HIGHWAY TRUST FUND

Tax and rate basis	Tax rate[1]										
	Before July 1, 1956	From July 1, 1956	From Oct. 1, 1959	From July 1, 1961	From Jan. 1, 1966	From Mar. 15, 1966	From Jan. 1, 1970	From Jan. 1, 1971	From Jan. 1, 1972	From Oct. 1, 1972	From Jan. 1, 1973
Dedicated to highway trust fund:											
Motor fuel, cents per gallon	2	3	4	4	4	4	4	4	4	1½	1½
Rubber:											
Tires,[2] cents per pound	5	8	8	10	10	10	10	10	10	5	5
Tubes, cents per pound	9	9	9	10	10	10	10	10	10	9	9
Retread, cents per pound	None	3	3	5	5	5	5	5	5	None	None
New trucks, buses, and trailers,[3] percent of manufacturer's sales price	8	10	10	10	10	10	10	10	10	5	5
Annual heavy vehicle use tax,[4] per 1,000 pounds per year	None	$1.50	$1.50	$3.00	$3.00	$3.00	$3.00	$3.00	$3.00	None	None
Lubricating oil,[5] cents per gallon	(5)	(5)	(5)	(5)	6	6	6	6	6	6	6
Truck and bus parts and accessories,[6] percent of manufacturer's sales price	(6)	(6)	(6)	(6)	8	8	8	8	8	5	5
Other highway-related excise taxes:											
Lubricating oil,[5] cents per gallon	6	6	6	6	(5)	(5)	(5)	(5)	(5)	(5)	(5)
New automobiles,[7] percent of manufacturer's sales price	10	10	10	10	6	7	5	3	1	1	None
Motor-vehicle parts and accessories,[6] percent of manufacturer's sales price	8	8	8	8	(6)	(6)	(6)	(6)	(6)	(6)	(6)

[1] "Before July 1, 1956" rates are those in effect just prior to passage of the 1956 legislation. "From Oct. 1, 1972" rates are those to which the taxes revert under existing (July 1965) law. Some changes in the "From Jan. 1, 1966" column became effective on different dates, as indicated in footnotes 3 and 7. (Legislation in 1959 called for portions of the taxes on new automobiles and parts to go to the trust fund during fiscal years 1962–64, and the fuel tax to revert to 3 cents during the same period, but legislation of 1961 nullified these provisions.)

[2] The tax rate on tires other than for highway use has remained at 5 cents per pound.

[3] From July 1, 1956 to July 1, 1962 only ½ the tax on new trucks, buses, and trailers was dedicated to the trust fund. Beginning June 21, 1965 the following are tax exempt: bodies for camper coaches and self-propelled mobile homes; house trailers; bodies designed for seed, feed, and fertilizer; small 3-wheeled trucks; and school buses.

[4] Annual use tax on vehicles over 26,000 pounds gross weight (vehicle plus load); levied on total weight, not just on excess over 26,000 pounds.

[5] Prior to Jan. 1, 1966, the lubricating oil tax went to the general fund. Beginning Jan. 1, 1966 this tax (excluding cutting oil) was dedicated to the trust fund, and refunds can be claimed for nonhighway use (applicable to motor fuel also).

[6] The 8 percent tax on motor vehicle parts and accessories, in effect prior to July 1, 1956, continued thereafter with revenue going to the general fund. Effective Jan. 1, 1966, the tax on automobile parts and accessories was repealed; the tax on truck and bus parts and accessories remains in effect, with revenue dedicated to the trust fund.

[7] The tax rate on new automobiles, 10 percent until May 14, 1965, was scheduled to gradually decrease over a period of years under a provision of the Excise Tax Reduction Act of 1965. Under later amendments, however, the tax rate schedule will be 7 percent until Jan. 1, 1970, 5 percent until Jan. 1, 1971, 3 percent until Jan. 1, 1972, and 1 percent until Jan. 1, 1973, when it falls to zero.

These funds are placed in a special trust fund for the use of highway construction only. All the funds for the interstate system come from this trust fund. Unfortunately, a trust in the legal sense has not been created.

If the Administration feels that it is essential to the economy that a reduction in highway spending be achieved, it would make that recommendation to Congress. The ultimate authority to decide how funds for highway construction should be spent lies with the Legislative Branch.

I would like to read, for the members of the Committee, the following Declaration of Purpose as found in the 1956 Act:

"It is hereby declared to be in the national interest to accelerate the construction of the Federal-aid highway systems, including the Interstate System, since many of such highways, or portions thereof, are, in fact, inadequate to meet the needs of local and interstate commerce, the national and civil defense . . . It is further declared that one of the most important objectives of this Act is the prompt completion of the Interstate System . . .".

The appropriation of money and decision with respect to its use, is the responsibility of Congress. This responsibility cannot be abdicated by Congress, nor should it be usurped by the Executive Branch. Nor can the court be relied upon to protest that Congressional prerogative for litigation begun by the states would be long and complex.

It is the duty of the Congress to call the Executive to task on this matter, and I hope that the Committee will rise to the challenge.

H. Res. 961

Whereas the ever-increasing, tragic loss of life in automobile accidents could certainly be reduced by prompt completion of a modern and safe system of interstate highways.

Whereas the cost of highway construction has increased substantially during the past decade and consequently, the deferment of essential highway construction will inevitably result not only in substantial construction cost increases, but also in additional engineering, design, and administrative expenses.

Whereas there is no doubt of Congress' intent as reflected by its statement in 1956 concerning the adoption of the highway trust fund: "It is hereby declared to be essential to the national interest to provide for the early completion of the interstate highways as authorized and designated in accordance with section 7 of the Federal-Aid Highway Act of 1944. It is the intent of Congress that the Interstate System be completed as nearly as practicable over a thirteen-year period and that the entire system in all States be brought to simultaneous completion."

Whereas Congress further stated its intent by giving specific direction with respect to the availability of highway funds for expenditures through section 108(b) of the Federal-Aid Highway Act of 1956. "Any sums apportioned to any State under the provisions of this section shall be available for expenditure in that State for two years after the close of the fiscal year for which such sums are authorized."

Whereas the funds which are to be apportioned and expended for highway construction are raised by taxes and fees imposed upon those who make use of highways the income derived from such taxes and fees has been intended by Congress to be held in "trust" for the benefit of the highway program, a "trust" in the normal legal sense has not been created:

Resolved, That it is the sense of Congress that it is the sole prerogative of Congress to designate the use of all funds which fall under the highway trust fund.

Furthermore, the appropriation of money, and decision with respect to its use, are the responsibility of Congress. This responsibility cannot be abdicated by Congress, nor should it be usurped by the President.

Therefore, Congress hereby urges the President to cease and desist from any further freezing or cutbacks of funds relative to the highway trust fund

H.R. 14953

A bill to amend title 23, United States Code, in regard to the obligation of Federal-aid highway funds apportioned to the States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) No part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this section shall be impounded or withheld from obligation, for the purposes and projects as provided in this title, by any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund."

Mr. MILLER of Ohio. Mr. Chairman, I rise in support of the amendment to strike the authorization to carry out the provisions of the Highway Beautification Act of 1965.

This program is a nonessential one that this country can ill afford at this time. The United States faces serious financial problems at home and abroad. We are experiencing runaway inflation and a war that becomes more expensive each day.

Furthermore, someone—namely, the American people—must pay for these costs. We should not make the burden greater by investing money in cosmetic treatment of highways at this time.

With the income surtax now effective and the national debt growing each day, this is the time to set priorities in their proper prospective. The highway beautification program is a low-priority item and should be deferred until a later date.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ROSTENKOWSKI, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 17134) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, pursuant to House Resolution 1237, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment adopted in the Committee of the Whole?

Mr. GERALD R. FORD. Mr. Speaker, I demand a separate vote on the so-called Cramer beautification amendment.

The SPEAKER. Is a separate vote demanded on any other amendment?

If not, the Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

Amendment:

On page 25, strike out line 11 and all that follows through and including line 23, and insert in lieu thereof the following:

"'(b) The Secretary shall encourage and assist the States to provide for effective control of the erection and maintenance of outdoor advertising signs, displays, and devices along the Interstate System and the Federal-aid primary system which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the systems.'

"(b) The first sentence of subsection (1) of section 131, title 23, United States Code, is amended by striking out 'under subsection (b) of this section, or to do so' and the seventh sentence of such subsection is amended by striking out 'under subsection (b) of this section or'."

And reletter succeeding subsections and references thereto accordingly.

On page 26, strike out line 11 and all that follows through and including line 25.

And reletter succeeding subsections and references thereto accordingly.

On page 27, strike out line 22 and all that follows through and including line 12 on page 28.

And reletter succeeding subsections and references thereto accordingly.

On page 28, strike out line 13 and all that follows through and including line 5 on page 29.

And reletter succeeding subsections and references thereto accordingly.

Mr. GERALD R. FORD (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The question is on the amendment to the committee amendment.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 211, nays 145, not voting 77, as follows:

[Roll No. 227]

YEAS—211

Abbitt
Abernethy
Adair
Addabbo
Anderson, Ill.
Andrews, Ala
Arends
Ashbrook
Ayres
Bates
Battin
Belcher
Bennett
Betts
Bevill
Biester
Blackburn
Bolton
Bray
Brinkley
Brock
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Bush
Byrnes, Wis.
Cabell
Cahill
Carter
Casey
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Cleveland
Collier
Conable
Cowger
Cramer
Curtis
Davis, Ga.
Davis, Wis.
Delaney
Dellenback
Denney
Derwinski
Devine
Dickinson
Dole
Dowdy
Downing
Dulski
Duncan
Edwards, Ala.
Edwards, La.
Erlenborn
Esch
Eshleman
Evans, Colo.
Findley
Fino
Fisher
Flynt
Ford, Gerald R.
Fountain
Frelinghuysen
Fuqua
Galifianakis
Gardner
Gathings
Goodell
Goodling
Griffin
Gross
Grover
Gubser
Gude
Gurney
Hagan
Haley
Hammerschmidt
Hanley
Harrison
Harsha
Henderson
Herlong
Hicks
Horton
Hull
Hungate
Hunt
Hutchinson
Jacobs
Jarman
Johnson, Pa.
Jonas
Jones, N.C.
Karth
Keith
King, N.Y.
Kleppe
Kuykendall
Kyl
Laird
Landrum
Langen
Lennon
Lipscomb
Lukens
McClure
McCulloch
McDade
McDonald, Mich.
McEwen
McMillan
Macdonald, Mass.
Mailliard
Marsh
Martin
May
Mayne
Meskill
Miller, Ohio
Mills
Minshall
Mize
Monagan
Montgomery
Moore
Morris, N. Mex.
Morton
Mosher
Myers
Natcher
Nelsen
O'Neal, Ga.
Pelly
Pettis
Pike
Pirnie
Poage
Pollock
Price, Tex.
Quie
Quillen
Railsback
Randall
Rarick
Reid, Ill.
Reifel
Rhodes, Ariz.
Riegle
Robison
Rogers, Fla.
Rooney, Pa.
Roth
Roudebush
Rumsfeld
Satterfield
Schadeberg
Scherle
Schneebeli
Schweiker
Schwengel
Scott
Selden
Shipley
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Smith, Okla.
Snyder
Springer
Stanton
Steiger, Ariz.
Steiger, Wis.
Stratton
Stubblefield
Stuckey
Talcott
Thompson, Ga.
Thomson, Wis.
Tuck
Utt
Vigorito
Wampler
Watkins
Watson
Watts
Whalen
Whalley
White
Whitener
Whitten
Williams, Pa.
Wilson, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Zion
Zwach

NAYS—145

Adams
Albert
Annunzio
Ashley
Aspinall
Barrett
Blatnik
Boggs
Boland
Bolling
Brademas
Brasco
Brooks
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Celler
Clark
Cohelan
Conte
Corbett
Daddario
Daniels
Dawson
de la Garza
Dent
Dingell
Donohue
Dow
Eckhardt
Edmondson
Edwards, Calif.
Eilberg
Everett
Fallon
Farbstein
Fascell
Feighan
Flood
Foley
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Gray
Green, Oreg.
Green, Pa.
Halpern
Hansen, Wash.
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Heckler, Mass.
Helstoski
Holifield
Howard
Irwin
Joelson
Johnson, Calif.
Jones, Ala.
Kastenmeier
Kazen
Kee
Kelly
Kluczynski
Kupferman
Kyros
Leggett
McCarthy
McClory
McCloskey
McFall
Machen
Mahon
Matsunaga
Meeds
Mink
Moorhead
Morgan
Morse, Mass.
Moss
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Hara, Mich.
O'Konski
Olsen
O'Neill, Mass.
Ottinger
Patten
Pepper
Perkins
Philbin
Pickle
Podell
Price, Ill.
Pucinski
Purcell
Rees
Reid, N.Y.
Reuss
Rhodes, Pa.
Rivers
Roberts
Rodino
Rogers, Colo.
Ronan
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Sandman
Saylor
Scheuer
Sisk
Stafford
Staggers
Steed
Sullivan
Taylor
Teague, Calif.
Teague, Tex.
Tenzer
Tiernan
Tunney
Udall
Vanik
Waggonner
Wilson, Charles H.
Wright
Yates
Young
Zablocki

NOT VOTING—77

Anderson, Tenn.
Andrews, N. Dak
Ashmore
Baring
Bell
Berry
Bingham
Blanton
Bow
Brown, Calif.
Burke, Fla.
Carey
Clawson, Del
Colmer
Conyers
Corman
Culver
Cunningham
Diggs
Dorn
Dwyer
Evins, Tenn.
Ford, William D.
Gettys
Griffiths
Hall
Halleck
Hamilton
Hanna
Hansen, Idaho
Hardy
Harvey
Holland
Hosmer
Ichord
Jones, Mo.
Karsten
King, Calif.
Kirwan
Kornegay
Latta
Lloyd
Long, La.
Long, Md.
MacGregor
Madden
Mathias, Calif.
Mathias, Md.
Michel
Miller, Calif.
Minish
Nichols
O'Hara, Ill.
Passman
Patman
Poff
Pool
Pryor
Reinecke
Resnick
Rooney, N.Y.
Roush
Ruppe
Shriver
Sikes
Stephens
Taft
Thompson, N.J.
Ullman
Van Deerlin
Vander Jagt
Waldie
Walker
Widnall
Wiggins
Willis
Wolff

So the amendment to the committee amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hamilton for, with Mr. Rooney of New York against.

Mr. Burke of Florida for, with Mr. Kirwan against.

Mr. Mathias of California for, with Mr. Wolff against.

Mr. Colmer for, with Mr. Willis against.

Mr. Bow for, with Mr. Hanna against.

Mr. Hall for, with Mr. Carey against.

Mr. Shriver for, with Mr. William D. Ford against.

Mr. Poff for, with Mr. Minish against.

Mr. Berry for, with Mr. Madden against.

Mr. Latta for, with Mr. Miller of California against.

Mr. Hosmer for, with Mr. Waldie against.

Mr. MacGregor for, with Mr. King of California against.

Mr. Del Clawson for, with Mr. Thompson of New Jersey against.

Mr. Andrews of North Dakota for, with Mr. Van Deerlin against.

Mr. Michel for, with Mr. Brown of California against.

Mr. Vander Jagt for, with Mrs. Griffiths against.

Mr. Cunningham for, with Mr. O'Hara of Illinois against.

Mr. Lloyd for, with Mr. Bingham against.

Mr. Harvey for, with Mr. Conyers against

Mr. Reinecke for, with Mr. Corman against.

Mr. Ruppe for, with Mr. Diggs against.

Mr. Halleck for, with Mr. Holland against.

Mr. Hansen of Idaho for, with Mr. Patman against.

Mr. Blanton for, with Mr. Resnick against.

Until further notice:

Mr. Ashmore with Mr. Wiggins.

Mr. Ichord with Mrs. Dwyer.

Mr. Anderson of Tennessee with Mr. Mathias of Maryland.

Mr. Pryor with Mr. Taft.

Mr. Nichols with Mr. Bell.

Mr. Dorn with Mr. Hardy.

Mr. Evins of Tennessee with Mr. Long or Louisiana.

Mr. Culver with Mr. Long of Maryland.

Mr. Gettys with Mr. Kornegay.

Mr. Ullman with Mr. Baring.

Mr. Karsten with Mr. Passman.

Mr. Walker with Mr. Roush.

Mr. Sikes with Mr. Stephens.

Messrs. **BOLAND** and **BURKE** of Massachusetts changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The **SPEAKER**. The question now occurs on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The **SPEAKER**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. SCHWENGEL

Mr. **SCHWENGEL**. Mr. Speaker, I offer a motion to recommit.

The **SPEAKER**. Is the gentleman opposed to the bill?

Mr. **SCHWENGEL**. I am in its present form, Mr. Speaker.

The **SPEAKER**. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. SCHWENGEL moves to recommit the bill H.R. 17134, to the Committee on Public Works with instructions to report it back forthwith with the following amendments: On page 47, strike out line 16 and all that follows down to (but not including) line 14 on page 48.

Renumber the succeeding sections of the bill accordingly.

Mr. **KLUCZYNSKI**. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The **SPEAKER**. The question is on the motion to recommit.

The motion to recommit was rejected.

The **SPEAKER**. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. **KLUCZYNSKI**. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill (S. 3418) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purpose.

The Clerk read the title of the Senate bill.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3418

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—FEDERAL-AID HIGHWAY ACT OF 1968

SHORT TITLE

SECTION 101. This title may be cited as the "Federal-Aid Highway Act of 1968".

AUTHORIZATION OF USE OF COST ESTIMATE FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 102. (a) The Secretary of Transportation is authorized to make the apportionment for the fiscal years ending June 30, 1970, and 1971, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in revised table 5 of House Document Numbered 199, Ninetieth Congress.

(b) Section 104(b)(5) of title 23, United States Code, is amended by striking the three sentences preceding the last sentence and inserting the following: "Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1970, and June 30, 1971. The Secretary shall make a revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1970. Upon the approval by the Congress the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal year ending June 30, 1972."

AUTHORIZATIONS

SEC. 103. For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, from the Highway Trust Fund, $1,200,000,000 for the fiscal year ending June 30, 1970, and $1,400,000,000 for the fiscal year ending June 30, 1971. Nothing in this paragraph shall be construed to authorize the appropriation of any sums to carry out sections 131, 136, or 319(b) of title 23, United States Code, or any provision of law relating to highway safety enacted after May 1, 1966. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 percentum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For traffic operation projects in urban areas as authorized in section 135 of title 23, United States Code, from the Highway Trust Fund, the additional sum of $250,000,000 for the fiscal year ending June 30, 1970, the additional sum of $250,000,000 for the fiscal year ending June 30, 1971.

(3) For forest highways, $33,000,000 for the fiscal year ending June 30, 1970, and $33,000,000 for the fiscal year ending June 30, 1971.

(4) For public lands highways $16,000,000 for the fiscal year ending June 30, 1970, and $16,000,000 for the fiscal year ending June 30, 1971.

(5) For forest development roads and trails, $170,000,000 for the fiscal year ending June 30, 1970, and $170,000,000 for the fiscal year ending June 30, 1971.

(6) For public lands development roads and trails, $3,500,000 for the fiscal year ending June 30, 1970, and $5,000,000 for the fiscal year ending June 30, 1971.

(7) For park roads and trails, $30,000,000 for the fiscal year ending June 30, 1971.

(8) For parkways, $11,000,000 for the fiscal year ending June 30, 1971.

(9) For Indian reservation roads and bridges, $30,000,000 for the fiscal year ending June 30, 1970, and $30,000,000 for the fiscal year ending June 30, 1971.

AUTHORIZATION FOR STATE AND COMMUNITY HIGHWAY SAFETY PROGRAMS

SEC. 104. For the purpose of carrying out section 402 of title 23, United States Code, there is hereby authorized to be appropriated, from the Highway Trust Fund, the sum of $50,000,000 for the fiscal year ending June 30, 1970, and $75,000,000 for the fiscal year ending June 30, 1971.

AUTHORIZATION FOR HIGHWAY SAFETY RESEARCH AND DEVELOPMENT PROGRAMS

SEC. 105. For the purpose of carrying out sections 307(a) and 403 of title 23, United States Code, there is hereby authorized to be appropriated to remain available until expended the additional sum of $30,000,000 for the fiscal year ending June 30, 1970, and the additional sum of $40,000,000 for the fiscal year ending June 30, 1971.

AUTHORIZATIONS FOR HIGHWAY BEAUTIFICATION

SEC. 106. (a) Section 131(m) of title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, not to exceed $5,000,000 for the fiscal year ending June 30, 1969, not to exceed $5,000,000 for the fiscal year ending June 30, 1970, and not to exceed $5,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(b) Section 136(m), title 23, United States Code, is amended to read as follows:

"(m) There is authorized to be appropriated to carry out this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, not to exceed $10,000,000 for the fiscal year ending June 30, 1969, not to exceed $10,000,000 for the fiscal year ending June 30, 1970, and not to exceed $10,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967."

(c) Section 319(b) of title 23, United States Code, is amended by striking the last two sentences and inserting in lieu thereof the following: "There is authorized to be appropriated to carry out this subsection, out of any money in the Treasury not otherwise appropriated, not to exceed $120,000,000 for the fiscal year ending June 30, 1966, not to exceed $120,000,000 for the fiscal year ending

June 30, 1967, not to exceed $70,000,000 for the fiscal year ending June 30, 1969, not to exceed $70,000,000 for the fiscal year ending June 30, 1970, and not to exceed $70,000,000 for the fiscal year ending June 30, 1971. The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this subsection after June 30, 1967."

(d) Funds authorized to be appropriated by this section to carry out the provisions of sections 131, 136, and 319(b) shall be subject to a deduction for necessary administrative expenses which shall not exceed 5 per centum of the aggregate total of amounts authorized for any fiscal year.

ADVANCE ACQUISITION OF RIGHTS-OF-WAY

SEC. 107. (a) Section 108 of title 23, United States Code, is amended to read as follows:

"(a) For the purpose of facilitating the acquisition of rights-of-way on any of the Federal-aid highway systems, including the Interstate System, in the most expeditious and economical manner, and recognizing that the acquisition of rights-of-way requires lengthy planning and negotiations if it is to be done at reasonable cost; to facilitate the orderly relocation of persons, businesses, farms, and other existing users of property; to minimize right-of-way costs by forestalling development of land ultimately required for highway purposes, and to achieve a rational development of communities, the Secretary, upon the request of the State highway department, is authorized to make available the funds apportioned to any State for expenditure on any of the Federal-aid highways systems, including the Interstate System, for acquisition of rights-of-way in anticipation of construction and under such rules and regulations as the Secretary may prescribe.

"(b) In addition to funds available under subsection (a) of this section, the Secretary is authorized to allocate to each State, subject to the provisions of section 124(b) of this title, an additional amount equivalent to 2 per centum of the aggregate sums apportioned to it under section 104 of this title for any fiscal year. Within six months subsequent to the allocation to a State of funds under this subsection the State shall demonstrate to the satisfaction of the Secretary that it will obligate such funds for the purposes of this section. Any funds made available under this subsection with respect to which a State has not made the demonstration required by the preceding sentence shall automatically revert to the Secretary who may, in his discretion, make such reverted funds available for the purposes of this subsection and on the basis of need to any other State requesting such funds and making the requisite demonstration.

"(c) Before any funds may be made available to a State pursuant to this section, the State highway department shall enter into an agreement with the Secretary which shall provide (1) for the reimbursement of the costs of such rights-of-way, and (2) for the actual construction of a road on such rights-of-way, both within a period not exceeding seven years following the fiscal year in which such request is made or by the terminal date of the Highway Trust Fund, whichever occurs first.

"(d) Federal participation in the cost of rights-of-way acquired under subsection (a) of this section shall not exceed the Federal pro rata share applicable to the class of funds from which Federal reimbursement is made except for advance payments that are to be repaid under the provisions of section 124(c) of this title."

(b) That section 124 of title 23, United States Code, is amended by relettering the first paragraph as subsection "(a)", substituting the word "subsection" for the word "section" in the third sentence of such subsection "(a)" and adding at the end thereof the following new subsections:

"(b) For the purpose of carrying out the provisions of section 108(b) of this title relating to the allocation of additional amounts to the States for the advance acquisition of rights-of-way, there is hereby authorized to be appropriated from the Highway Trust Fund such moneys, not to exceed $100,000,000, as may be necessary for the initial establishment of a fund and for its replenishment on an annual basis, which may be used by the Secretary, upon the request of any State, for payment of the total cost of rights-of-way acquired in advance of construction, including any net expenses of property management, on any of the Federal-aid systems. Pending such appropriation, the Secretary may advance from any cash heretofore or hereafter appropriated from the Highway Trust Fund to Federal-aid highways (Trust Fund) for liquidation of contract authority, such sums as may be necessary for payments to the States for the rights-of-way acquired in advance of construction, that appropriation to be reimbursed from the appropriations herein authorized when made.

"(c) Before any funds are made available to a State under subsection (b) of this section, the respective State highway department shall enter into an agreement with the Secretary which shall provide for repayment by the State of its pro rata share of funds made available under section 108 of this title. Before actual construction commences on rights-of-way acquired under section 108 of this title, repayment by the State of its pro rata share of the costs applicable to such project shall be credited to the Highway Trust Fund and the Federal pro rata share of the costs applicable to such project shall be charged to the unobligated balance of regularly apportioned funds available to the State for improvement of the Federal-aid system for which the right-of-way was purchased.

"(d) The provisions of subsections (d), (f), and (g) of section 209 of the Highway Revenue Act of 1956 (70 Stat. 374) shall be applicable to section 108(b) of this title and to subsection (b) of this section."

DEFINITIONS OF FOREST ROADS OR TRAIL AND FOREST DEVELOPMENT ROADS AND TRAILS

SEC. 108. The fourth and fifth paragraphs in section 101(a) of title 23, United States Code, are amended to read as follows:

"The term 'forest road or trail' means a road or trail wholly or partly within or adjacent to and serving the national forests and other areas under Forest Service administration.

"The term 'forest development roads and trails' means those forest roads or trails of primary importance for the protection, administration, and utilization of the national forest and other areas under Forest Service administration or where necessary, for the use and development of the resources upon which communities within or adjacent to the national forest and other areas administered by the Forest Service are dependent."

FOREST DEVELOPMENT ROADS AND TRAILS

SEC. 109. The first two sentences of subsection (c) of section 205 of title 23, United States Code, are amended to read as follows:

"(c) Construction estimated to cost $15,000 or more per mile or $15,000 or more per project for projects with a length of less than one mile, exclusive of bridges and engineering, shall be advertised and let to contract. If such estimated cost is less than $15,000 per mile or $15,000 per project for projects with a length of less than one mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account."

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

SEC. 110. Chapter 1 of title 23, United States Code, is hereby amended by adding the following new section 135 thereto:

"§ 135. Urban area traffic operations improvement programs

"(a) The Congress hereby finds and declares it to be in the national interest that each State should have a continuing program within the designated boundaries of urban areas of the State designed to reduce traffic congestion and accidents and to facilitate the flow of traffic in the urban areas.

"(b) To accomplish this objective the sums available for expenditure for the purposes of this section shall be used for projects which include but are not limited to those which directly facilitate and control traffic flow.

"(c) The sums available for expenditure for the purposes of this section shall be apportioned in accordance with 104(b)(3).

"(d) The Federal share payable on account of any project authorized by this section shall be that provided for in section 120(a) of this title. Sums available for expenditure for the purposes of this section shall be used to finance the Federal share payable under this section.

"(e) The provisions of chapter 1 of this title relating to the obligation, period of availability, and expenditure of Federal-aid primary highway funds shall apply to the sums available for expenditure for purposes of this section.

"(f) The urban area traffic operations improvement program shall be developed and carried out in accordance with the comprehensive urban plans developed pursuant to section 134 of this title."

SEC. 111. The analysis of chapter 1 of title 23, United States Code, is hereby amended by adding thereto, in the appropriate numerical order, the following:

"135. Urban area traffic operations improvement programs".

FRINGE PARKING FACILITIES

SEC. 112. Chapter 1 of title 23, United States Code, is hereby amended by adding the following new section 139 thereto:

"§ 139. Fringe parking

"(a) It is hereby declared to be in the national interest, in furtherance of the orderly development of balanced transportation systems based on a continuing comprehensive transportation planning process, to encourage and assist the States in the development of publicly owned parking facilities outside central business districts to reduce traffic volume and increase the mobility and safe flow of traffic on highways and streets within urban areas of more than fifty thousand population.

"(b) The Secretary may approve, as a project under this title, the acquisition of land adjacent to the right-of-way on any Federal-aid highway system outside a central business district, as defined by the Secretary, and the construction of publicly owned parking facilities thereon or within such right-of-way, including the use of the airspace above and below the established gradeline of the highway, to serve an urban area of more than fifty thousand population. Such parking facility shall be located and designed to permit its use in conjunction with existing or planned mass transportation facilities. In the event fees are charged for the use of any such facility, the rate thereof shall not be in excess of that required for maintenance and operation.

"(c) The Federal share payable on account of any project authorized by this section shall be 50 per centum. Sums apportioned in accordance with section 104(b)(3) and section 135 of this title shall be used to finance the Federal share payable under this section.

"(d) The Secretary shall not approve any project under this section until the following conditions have been satisfied:

"(1) The State highway department has provided assurances satisfactory to the Secretary that the State, or a political subdivision thereof has the authority and is capable of providing for the construction, maintenance, and operation of the facility;

"(2) The design standards for construction of the facility have been concurred in by the Secretary, which shall be developed in cooperation with the State highway department;

"(3) The Secretary and the State highway department or other appropriate public agency have entered into an agreement governing the financing, maintenance, and operation of the facility; and

"(4) The fringe parking facilities must be based on the comprehensive urban planning process required by section 134 of this article.

"(e) The term 'parking facilities', for purposes of this section, shall include access roads, buildings, structures, equipment, improvements and interests in lands.

"(f) The Secretary shall not approve any project under this section unless he determines that it is needed for carrying out a plan, completed or under active preparation, for a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area."

SEC. 113. The analysis of chapter 1 of title 23, United States Code, is hereby amended by adding thereto, in the appropriate numerical order, the following:

"139. Fringe parking".

URBAN IMPACT AMENDMENTS

SEC. 114. (a) The second paragraph in section 101(a) of title 23, United States Code, is amended by striking the period at the end thereof, inserting a comma and adding the following: "and the costs of adjustments to reduce adverse economic, social, environmental and other impact caused by a project."

(b) Clause (2) of subsection (a) of section 109 of title 23, United States Code, is amended by adding after the word "particular" the following: "economic, social, environmental, and other".

(c) The first sentence of subsection (a) of section 128 of title 23, United States Code, is amended by striking everything after the word "economic" and adding the following: "and social effects of such a location, its impact on the environment, and its consistency with the goals and objectives of the community.".

(d) The third sentence of section 134 of title 23, United States Code, is amended by striking the word "transportation" and inserting the word "urban" in lieu thereof.

CONSTRUCTION BY STATES IN ADVANCE OF APPORTIONMENT

SEC. 115. (a) Subsection (a) of section 115 of title 23, United States Code, is amended to read as follows:

"(a) When a State has obligated all funds for any of the Federal-aid systems, including the Interstate System, apportioned to it under section 104 of this title, and proceeds to construct any project without the aid of Federal funds, including one or more parts of any project, on any of the Federal-aid systems in such State, including the Interstate System, as any of those systems may be designated at that time, in accordance with all procedures and all requirements applicable to projects on any such system, except insofar as such procedures and requirements limit a State to the construction of projects with the aid of Federal funds previously apportioned to it, the Secretary, upon application by such State and his approval of such application, is authorized to pay to such State the Federal share of the costs of construction of such project when additional funds are apportioned to such State under section 104 of this title if—

"(1) prior to the construction of the project the Secretary approves the plans and specifications therefor in the same manner as other projects on the Federal-aid system involved, and

"(2) the project conforms to the applicable standards adopted under section 109 of this title;

"*Provided*, the Secretary may not approve an application under this section unless an authorization is in effect for the fiscal year for which the application is sought beyond the currently authorized funds for such State and that no application may be approved which will exceed the State's expected apportionment of such authorizations."

(b) Subsection (b) of section 115 of title 23, United States Code, is amended by striking the following: "of subsection (b)(5)".

(c) The analysis of chapter 1 of title 23, United States Code, is hereby amended to read as follows:

"115. Construction by States in advance of apportionment."

BRIDGE INSPECTION

SEC. 116. Section 116 of title 23, United States Code, is amended by adding a new subsection (d):

"(d) The Secretary in consultation with the State highway departments and interested and knowledgeable private organizations and individuals shall as soon as possible establish national bridge inspection standards in order to provide for the proper safety inspection of bridges on any of the Federal-aid highway system. Such standards shall specify in detail the method by which inspections shall be conducted, the maximum time lapse between inspections and the qualifications for those charged with the responsibility for carrying out such inspections. Each State shall be required to maintain written reports to be available to the Secretary pursuant to such inspections together with a notation of the action taken pursuant to the findings of such inspections. Each State shall be required to maintain a current inventory of all bridges on the Federal-aid system."

SEC. 117. The Secretary shall establish in cooperation with the State highway departments a program designed to train those employees of the Federal Government and the State governments charged with the responsibility for carrying out bridge inspections. Such a program shall be revised from time to time in light of new or improved techniques. For the purposes of this section the Secretary may use funds made available pursuant to the provisions of section 104(a) and section 307(a) of title 23, United States Code.

EMERGENCY RELIEF

SEC. 118. (a) The first sentence of section 125 of title 23, United States Code, is amended to read as follows: "An emergency fund is authorized for expenditure by the Secretary, subject to the provisions of this section and section 120, for the repair or reconstruction of highways, roads, and trails which he shall find have suffered serious damage as the result of (1) natural disaster over a wide area such as by floods, hurricanes, tidal waves, earthquakes, severe storms, or landslides, or (2) catastrophic failures from any cause, in any part of the United States."

(b) The first sentence of section 120(f) of title 23, United States Code, is amended by inserting before the period the following: "*And provided further*, That the Secretary may increase the Federal share payable on account of any repair or reconstruction under this section up to 100 per centum of the replacement cost of a comparable facility if he determines it is in the public interest".

TOLL ROADS

SEC. 119. Section 129 of title 23 of the United States Code is amended by adding to subsection (b) thereof the following language:

"After June 30, 1968, all agreements between the Secretary and a State highway department for the construction of projects on the Interstate System shall contain a clause providing that no toll highway will be constructed on the interstate highway route involved without the official concurrence of the Secretary. The Secretary shall not concur in any such construction unless he makes an affirmative finding that, under the particular circumstances existing, the construction of such highway as a toll facility rather than a toll-free facility is in the public interest."

GUAM

SEC. 120. (a) Effective for fiscal years beginning after June 30, 1969, section 101(a) of title 23 of the United States Code is amended in the clause relating to the definition of the term "State" by inserting "Guam," after "District of Columbia,".

(b) Section 103 of title 23 of the United States Code is amended by inserting at the end thereof a new subsection as follows:

"(f) The system or systems of highways in Guam on which Federal-aid funds may be expended under this chapter shall be determined and agreed upon by the Governor of Guam and the Secretary.".

PREVAILING RATE OF WAGE

SEC. 121. Section 113 of title 23, United States Code, is amended by (1) striking subsection (a) and (b) thereof and inserting, in lieu thereof, the following:

"(a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the Federal-aid systems, the primary and secondary, as well as their extensions in urban areas, and the Interstate System, authorized under the highway laws providing for the expenditure of Federal funds upon the Federal-aid systems, shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the Act of August 30, 1935, known as the Davis-Bacon Act (40 U.S.C. 267a).

"(b) In carrying out the duties of subsection (a) of this section, the Secretary shall consult with the highway department of the State in which a project on any of the Federal-aid systems is to be performed. After giving due regard to the information thus obtained, he shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of subsection (a) of this section which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

"(c) the provision of the section shall not be applicable to employment pursuant to apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting equal employment opportunity in connection with federal-aid highway construction programs."

(d) The analysis of chapter 1 of title 23, United States Code, is hereby amended to read as follows:

"113. Prevailing rate of wage."

EQUAL EMPLOYMENT OPPORTUNITY

SEC. 122. Section 105 of title 23, United States Code, is amended by adding a new subsection (e) at the end thereof:

"(e) Prior to approving any programs for projects as provided for in subsection (a) of this section, the Secretary in consultation with the Secretary of Labor shall receive assurances that employment in connection with proposed projects will be open to all qualified applicants. He shall require that each State shall notify all prospective bidders of their equal employment opportunity responsibilities. In approving programs for projects on any of the Federal-aid systems, the Secretary shall require certification by any State desiring to avail itself of the benefits of this chapter that there are in existence and available on an areawide or statewide basis, apprentice and skill improvement programs, registered with the Department of Labor appropriate State apprentice council, to insure equal employment opportunity to all persons without regard to race, color, creed or national origin; and that such persons are being given full opportunity to achieve employment on any projects approved for construction under this chapter. The Secretary shall periodically receive from the Secretary of Labor and the respective State highway departments information which will enable him to judge compliance with the requirements of this subsection and the Secretary of Labor shall render to the Secretary such assistance and information as he shall deem necessary to carry out the equal employment opportunity program required hereunder. Acceptance by the Secretary of the program or programs submitted by any State shall be in lieu of any other preaward of preconstruction requirement of law or regulation concerning equal employment opportunity."

SEC. 123. Section 15 of the Federal-Aid Highway Act of 1966 (80 Stat. 766; P.L. 89-574, Act of September 13, 1966) is hereby amended by striking all of subsection (a) and inserting in lieu thereof a new subsection as follows:

"(a) Chapter 1 of title 23 of the United States Code is amended by inserting at the end thereof a new section as follows:

"§ 138. Preservation of parklands

"It is hereby declared to be the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. The Secretary of Transportation shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. After the effective date of this Act, the Secretary shall not approve any program or project which requires the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use."

SEC. 124. (a) The Commissioner of the District of Columbia is authorized to acquire by purchase, donation, condemnation or otherwise, real property for transfer to the Secretary of the Interior in exchange or as replacement for park, parkway, and playground lands transferred to the District of Columbia for a public purpose pursuant to section 1 of the Act of May 20, 1932 (47 Stat. 161; D.C. Code, sec. 8-115) and the Commissioner is further authorized to transfer to the United States title to property so acquired.

(b) Payments are authorized to be made by the Commissioner, and received by the Secretary of Interior, in lieu of or in addition to property transferred pursuant to subsection (a) of this section. The amount of such payment shall represent the cost to the Secretary of Interior of acquiring real property suitable for replacement of the property so transferred as agreed upon between the Commissioner and the head of said agency and shall be available for the acquiring of the replacement property.

TITLE II—RELOCATION ASSISTANCE AND LAND ACQUISITION PRACTICES

SEC. 201. This title may be cited as the "Highway Relocation Assistance and Land Acquisition Practices Act of 1968".

SEC. 202. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

"Chapter 5.—HIGHWAY RELOCATION ASSISTANCE

"Sec.
"501. Declaration of policy.
"502. Assurances of adequate relocation assistance program.
"503. Administration of relocation assistance program.
"504. Federal reimbursement.
"505. Relocation payments.
"506. Rent adjustment expenses.
"507. Replacement housing.
"508. Expenses incidental to transfer of property.
"509. Relocation services.
"510. Relocation assistance programs on Federal highway projects.
"511. Authority of Secretary.
"512. Definitions.

"§ 501. Declaration of policy

"Congress hereby declares that the prompt and equitable relocation and reestablishment of persons, business concerns, farmers, and nonprofit organizations displaced as a result of the construction of Federal-aid highways are necessary to insure that a few individuals do not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole. Therefore, Congress determines that relocation payments and advisory assistance should be provided to all persons so displaced in accordance with the provisions of this Act.

"§ 502. Assurances of adequate relocation assistance program

"The Secretary shall not approve any project under section 106 or section 117 of this title which will cause the displacement of any person, business, or farm operation unless he receives satisfactory assurances from the State highway department or any agency designated by a State highway department that:

"(a) fair and reasonable relocation and other payments shall be afforded to displaced persons in accordance with sections 505, 506, 507, and 508 of this title: *Provided*, That no State need agree to make any payment in excess of $25,000 to any displaced person in order to receive the assistance authorized by this Act.

"(b) relocation assistance programs offering the services described in section 509 of this title shall be afforded to displaced persons; and

"(c) within a reasonable period of time prior to displacement from real property in (1) an urban area, and (2) nonurban areas in any State to the extent practicable as designated by the Secretary, after consultation with the Governor, there will be available in areas not generally less desirable in regard to public utilities and public and commercial facilities and as rents or prices within the financial means of the families and individuals displaced, decent, safe and sanitary dwellings, as defined by the Secretary, equal in number to the number of and available to such displaced families and individuals and reasonably accessible to their places of employment.

"§ 503. Administration of relocation assistance program

"In order to prevent unnecessary expenses and duplication of functions, a State highway department may make relocation payments or provide relocation assistance or otherwise carry out the functions required under this chapter by utilizing the facilities, personnel, and services of any other Federal, State, or local governmental agency having an established organization for conducting relocation assistance programs.

"§ 504. Federal reimbursement

"(a) The Secretary shall approve, as a part of the cost of construction of a project under any Federal-aid highway program which he administers, the cost of providing the payments and services described in section 502: *Provided*, That, notwithstanding any other law, the Federal share of the first $25,000 of such payments to any person, on account of any real property acquisition or displacement occurring prior to July 1, 1971, shall be increased to 100 per centum of such cost.

"(b) Any agreement with a State highway department executed before the date of this Act for a project for which property has not been acquired as of the date of enactment of this Act under any such program shall be amended to include the cost of providing the payments and services described in section 502.

"§ 505. Relocation payments

"(a) Payments for Actual Expenses.—Upon application approved by the State agency, a person displaced by any highway project approved under section 106 or section 117 of this title may elect to receive:

"(1) his reasonable actual expenses in moving himself, his family, his business, farm operation, or other personal property, and for his actual and reasonable expenses in searching for a replacement property;

"(2) if he disposes of personal property on moving his business or farm operation and replaces such property at the new location at a price exceeding the sale price, the amount of the difference between such prices, not to exceed, however, the estimated cost of moving the property or its market value, whichever is less; and

"(3) such other expenses as may be provided for in regulations issued by the Secretary; or

"(b) Optional Payments—Dwellings.—Any displaced person who moves from a dwelling who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section may receive:

"(1) a moving expense allowance, determined according to a schedule established by the Secretary, not to exceed $200;

"(2) a dislocation allowance of $100; and

"(3) an additional payment of $400 if the displaced person purchases a dwelling for the purpose of residence within one year from the date of actual displacement, except that such displaced person shall only be eligible for payment under this subparagraph when the dwelling purchased is situated upon real estate in which such person acquires fee title, life estate, ninety-nine-year lease, or other type of long-term lease equivalent to a proprietary interest.

"(c) Additional Payments—Farm Operations.—Any displaced person who moves or discontinues a farm operation shall receive, in addition to the payment authorized by subsection (a) of this section, a fixed relocation payment in the amount of $1,000: *Provided*, That, in the case where the entire farm operation is not acquired by the State, the payment authorized by this subparagraph shall be made only if the State agency determines that the remainder property is no longer an economic unit.

"(d) Additional Payments Businesses.—Any displaced person who moves or discontinues his business shall receive, in addition to the payment authorized by subsection (a) of this section, a fixed relocation payment in an amount equal to the average annual net earnings of the business or $5,000, whichever is the lesser. No payment shall be made under this subsection unless the State agency is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not part of a commercial enterprise having at least one other establishment, not being acquired by the State or by the United States, which is engaged in the same or similar business. For purposes of this subsection, the term 'average annual net savings' means one-half of any net earnings of the business, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business moves from the real property acquired for such project, or such other reasonable period and basis as the Secretary may approve, and includes any compensation paid by the business to the owner, his spouse, or his dependent children during such two-year period. Such earnings and compensation shall be established by Federal income tax returns filed by such business and its owner and his spouse and dependent children for such taxable period.

"§ 506. Rent adjustment expenses

"(a) In addition to amounts otherwise authorized by this title, the State agency may pay to or on behalf of any displaced family, displaced elderly individual, or displaced handicapped individual monthly payments over a period not to exceed twenty-four months an amount not to exceed $500 in the first twelve months and $500 in the second twelve months to assist such displaced family or individual to secure a dwelling determined, in accordance with standards established by the Secretary, to be decent, safe, and sanitary. Subject to the limitation imposed by the preceding sentence, the additional payment shall be an amount which, when added to 20 per centum of the annual income of the displaced individual or family at the time of displacement, equals the average annual rental required for such a decent, safe, and sanitary dwelling of modest standards adequate in size to accommodate the displaced individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities: *Provided*, That such payment shall be made only to an individual or family who is unable to secure a dwelling unit in a low-rent housing project assisted under the United States Housing Act of 1937, or under a State or local program found by the Secretary of Housing and Urban Development to have the same general purposes as the Federal program under such Act, or a dwelling unit assisted under section 101 of the Housing and Urban Development Act of 1965.

"(b) The Secretary shall make the determinations under this section on the amount of assistance according to family size, family or individual income, average rents required, or similar considerations.

"(c) The additional payments under this section may be paid on a basis other than monthly in cases in which the small size of the payments that would otherwise be required does not warrant a number of separate payments or in other cases in which other than monthly payments are determined warranted by the Secretary.

"(d) No payment received under this section shall be considered as income for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal Act.

"§ 507. Replacement housing

"(a) In addition to amounts otherwise authorized by this title, the State agency may make a payment to the owner of real property acquired for a project which is improved by a single-, two-, or three-family dwelling actually occupied by the owner for not less than one year prior to the initiation of negotiations for the acquisition of such property. Such payment shall be (1) the amount, if any, not to exceed $5,000, which, when added to the acquisition payment, equals the average price required for a comparable dwelling determined, in accordance with standards established by the Secretary, to be a decent, safe, and sanitary dwelling adequate in size to accommodate the displaced owner, reasonably accessible to public services and places of employment, and available on the private market and (2) an amount determined by the Secretary to be necessary to compensate such owner for any loss of favorable financing due to such acquisition: *Provided*, That such payment shall be made only to a displaced owner who purchases and occupies a dwelling within one year subsequent to the date on which he is required to move from the dwelling acquired for the project: *And provided further*, That no such payment shall be required or included as a project cost under section 504 of this title if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the Secretary to have substantially the same purpose and effect as this section and to be part of the cost of the project for which Federal financial assistance is available.

"(b) Subject to the approval of the Secretary, the State agency shall determine the prices prevailing in the locality for dwellings meeting the requirements of subsection (a) of this section.

"§ 508. Expenses incidental to transfer of property

"In addition to amounts otherwise authorized by this title, the State shall reimburse the owner of real property acquired for a project for reasonable and necessary expenses incurred for (a) recording fees, transfer taxes, and similar expenses incidental to conveying such property; (b) penalty costs for prepayment of any mortgage encumbering such real property: *Provided*, That such mortgage shall be on record as required by law on the date of official announcement of such project; and (c) the pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting of title in the State, or the effective date of the possession of such real property by the State, whichever is earlier.

"§ 509. Relocation services

"(a) Each State shall provide a relocation assistance program which shall include such measures, facilities, or services as may be necessary or appropriate in order:

"(1) to determine the needs of displaced families, individuals, business concerns, and farm operators for relocation assistance;

"(2) to assure a feasible method for the temporary relocation of families and individuals displaced from the property acquired;

"(3) to assure that, within a reasonable period of time prior to displacement from real property in (i) an urban area, or (ii) any other area of a State designated by the Secretary, after consultation with the Governor, there will be available, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, housing meeting the standards established by the Secretary for decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment;

"(4) to assist owners of displaced businesses and displaced farm operators in obtaining and becoming established in suitable business locations;

"(5) to supply information concerning the Federal Housing Administration home acquisition program under section 221(d)(2) of the National Housing Act, the small business disaster loan program under section 7(b)(3) of the Small Business Act, and other State or Federal programs offering assistance to displaced persons;

"(6) to assist in minimizing hardships to displaced persons in adjusting to relocation; and

"(7) to assure, to the greatest extent practicable, the coordination of relocation activities with other project activities and other planned or proposed governmental actions in the community or nearby areas which may affect the carrying out of the relocation program.

"(b) Any State may offer relocation services under such program to other persons occupying property abutting any real property acquired for a Federal-aid highway project who it determines are caused substantial economic injury because of such project.

"§ 510. Relocation assistance programs on Federal highway projects

"Notwithstanding any other provision of law, on and after the effective date of this Act any Federal agency which acquires real property for use in connection with a highway project authorized by chapter 2 of this title or any other Federal law shall, in accordance with regulations issued by the Secretary, provide the payments and services described in sections 502, 505, 506, 507, 508, and 509, of this Act. When real property is acquired by a State or local governmental agency for such a Federal project, for purposes of this chapter, the acquisition shall be deemed an acquisition by the Federal agency having authority over such project. Funds appropriated or otherwise available to any Federal agency for such project shall be available also for obligation and expenditure to carry out the provisions of this chapter.

"§ 511. Authority of the Secretary

"(a) To carry into effect the provisions of this chapter, the Secretary is authorized to make such rules and regulations as he may determine to be necessary to assure:

"(1) that the payments authorized by this chapter shall be fair and reasonable and as uniform as practicable;

"(2) that a displaced person who makes proper application for a payment authorized for such person by this Act shall be paid promptly after a move or, in certain hardship cases, the Secretary may, by regulation, authorize advance payment of certain relocation costs;

"(3) that any person aggrieved by a determination as to eligibility for a payment authorized by this chapter, or the amount of a payment, may have his application reviewed by the head of the State or Federal agency making such determination; and

"(4) that a displaced person shall have a reasonable time in which to apply for a payment authorized by this Act.

"(b) The Secretary may make such other rules and regulations consistent with the provisions of this chapter as he deems necessary or appropriate to carry out this chapter.

"§ 512. Definitions

"Unless the context requires otherwise, as used in this chapter—

"(1) The term 'displaced person' means—

"(a) any person who is the owner of a business which moves from real property or is discontinued on or after the effective date of this Act as result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway;

"(b) any person who is the farm operator of a farm operation which moves from real property or is discontinued on or after the effective date of this Act as a result of the acquisition or the reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway;

"(c) any individual who is the head of a family which moves from real property occupied as a dwelling on or after the effective date of this Act, as a result of the acquisition or reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway, or which moves from such dwelling as a result of the acquisition or reasonable expectation of acquisition of other real property, later acquired, for such highway on which such family conducts a business or farm operation;

"(d) any individual, not a member of a family, who moves from real property occupied as a dwelling on or after the effective date of this Act as the result of the acquisition or the reasonable expectation of acquisition of such real property, in whole or in part, for a Federal-aid highway, or who moves from such dwelling as a result of the acquisition, or reasonable expectation of other real property, on which such individual conducts a business or farm operation; or

"(e) any individual not described in paragraph (a), (b), (c), or (d) of this subsection who moves his personal property from real property on or after the effective date of this Act as a result of the acquisition or reasonable expectation of acquisition of such real property for a Federal-aid highway: *Provided*, That this shall not include the owner of property on the premises of another under a lease or licensing arrangement where such owner is required pursuant to such a lease or license to move such property at his own expense.

"(2) The term 'business' means any lawful activity conducted primarily—

"(a) for the purchase and resale of products, commodities, or any other personal property;

"(b) for the manufacture, processing, or marketing of any such property;

"(c) for the cultivation, processing, or marketing of timber;

"(d) for the sale of services to the public; or

"(e) by a nonprofit organization.

"(3) The term 'farm operation' means any activity conducted solely or primarily for the production of one or more agricultural products or commodities other than timber for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

"(4) The term 'farm operator' means any owner, part owner, tenant, or sharecropper who operates a farm.

"(5) The term 'elderly individual' means a person not a member of a family who is sixty-two years of age or over.

"(6) The term 'handicapped individual' means a person not a member of a family who is handicapped within the meaning of section 202 of the Housing Act of 1959.

"(7) The terms 'owner' and 'person' means any individual, partnership, corporation, or association.

"(8) The term 'Federal agency' means any department, agency, or instrumentality in the executive branch of the Government and any corporation wholly owned by the Government.

"(9) The term 'State agency' means a State highway department or any agency designated by a State highway department to administer the relocation assistance program authorized by this chapter."

SEC. 203. Paragraph (3) of section 7(b) of the Small Business Act is amended to read as follows:

"(3) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in continuing in business at its existing location, in reestablishing its business, in purchasing a business, or in establishing a new business, if the Administration determines that such concern has suffered substantial economic injury as the result of its displacement by, or location in, adjacent to, or near, a highway project constructed by the Federal Government or any State government; and the purpose of a loan made pursuant to such project or program may, in the discretion of the Administration, include the purchase or construction of other premises whether or not the borrower owned the premises occupied by the business and,".

SEC. 204. Section 106 of title 23, United States Code, is amended by adding new subsections (d) and (e) at the end thereof as follows:

"(d) Before approving projects under this chapter, the Secretary shall obtain from the State highway department the following assurances:

"(1) that every reasonable effort shall be made to acquire the real property by negotiated purchase;

"(2) That the construction of projects shall be so scheduled that to the greatest extent practicable no person lawfully occupying the real property shall be required to move from his home, farm, or business location without at least ninety days written notice from the State of the date by which possession of such real property is required; and

"(3) that it will be the policy of the State, before initiating negotiations for real property, to establish a price which it believed to be a fair and reasonable consideration therefor, such price not to be less than the appraised value of the property as approved by such State, and to make a prompt offer to acquire the property for the full amount so established.

"(e) Before approving any project under this chapter after the date of enactment of this Act, the Secretary shall obtain from the State highway department the following assurances:

"(1) that no owner will be required to surrender possession of real property before the State (A) pays the agreed purchase price, (B) makes available for the benefit of the owner, by court deposit or otherwise, an amount equal to the appraised fair values of such property, as approved by such State, without prejudice to the right of the owner to contest the amount of compensation due for the property, or (C) deposits or pays the final award of compensation in the condemnation proceeding for such property;

"(2) that any decrease in the value of real property prior to the date of valuation caused by the project for which such property is acquired, or by the likelihood that the property would be acquired for the proposed project, other than that due to physical deterioration within the reasonable control of the owner, will be disregarded in determining the compensation for the property; and

"(3) that for the purpose of determining the extent of the acquisition of real property and the valuation thereof, no building, structure, or other improvement will be deemed to be other than a part of the real property solely because of the right or obligation of a tenant, as against the owner of any other interest in the real property, to remove such building, structure, or improvement at the expiration of his term, and the head of the State agency shall pay to the tenant the fair value of the building, structure, or improvement, which fair value shall be determined by such agency head as the greatest of (1) the contributive value of the improvement to the present use of the entirety, (2) the current cost of the reproduction less depreciation of the improvement, or (3) the value of the improvement for removal from the property: *Provided*, That (1) payment hereunder will not result in duplication of any payments otherwise authorized by law; (2) that the fee owner of the land involved disclaims any interest in the improvements of the lessee; and (3) the lessee in consideration for such payment shall assign, transfer, and release to the State agency all his right, title, and interest in and to such improvements. *Provided further*, That no provision of this section shall be construed to deprive the lessee of his right to reject the payments hereunder and to obtain payment for this property interests of just compensation as otherwise defined by law."

SEC. 205. No provision of this title shall be construed to give any person a cause of action in any court, nor may any violation of this title be raised as a defense by such person in any action.

SEC. 206. If any provision of this title, or the application thereof to any person or circumstance is held invalid, the remainder of this title and the application of the provision to other persons or circumstances shall not be affected thereby.

SEC. 207. Section 133 of title 23, United States Code, is hereby repealed. Any rights or liabilities now existing under such section shall not be affected by the repeal thereof under this section.

SEC. 208. The government of the District of Columbia is authorized to participate in the Highway Relocation Assistance Program pursuant to chapter 5 of title 23 of the United States Code.

SEC. 209. EFFECTIVE DATE.—This Act shall take effect on the date of enactment.

TITLE III—ESTABLISHMENT OF PARKING FACILITIES IN THE DISTRICT OF COLUMBIA

FINDINGS OF FACT: SHORT TITLE

SEC. 301. (a) The Congress finds that—

(1) the growth and development of the National Capital area has been accompanied by an ever-increasing number of persons entering the District of Columbia by motor vehicle which has resulted in serious traffic congestion;

(2) this congestion restricts the interchange of goods, services, and people between the District of Columbia and the surrounding suburbs, to the detriment of both; imposes hardships and inconvenience on residents, employers, employees, and tourists in the National Capital area; impedes the efficient conduct of the United States and the District of Columbia government; and interferes with the rapid and effective disposition of police and firefighting equipment.

(3) the orderly growth and development of the National Capital area requires a balanced transportation system which provides residents of and visitors to the National Capital area a variety of economic and efficient means of travel into and through the District of Columbia;

(4) a balanced transportation system requires adequate highways, rapid rail transit, buses, and off-street parking facilities for motor vehicles;

(5) off-street parking facilities in sufficient numbers and at rates and locations adequate to meet the needs of the National Capital area have not been provided; and

(6) the establishment of a parking authority to supplement existing parking with additional off-street parking facilities is necessary to maintain and improve the economic well-being of the National Capital area, the safety, convenience, and welfare of the residents thereof and the visitors thereto, and the efficiency of the United States and District of Columbia governments.

(b) This Act may be cited as the "District of Columbia Parking Facility Act".

CREATION OF PARKING BOARD

SEC. 302. (a) There is hereby created and established a body politic and corporate of perpetual duration, to be known as the "District of Columbia Parking Board" (herein called the "Parking Board"). The Parking Board shall consist of three members, who shall be the Commissioner of the District of Columbia and the Chairman and the Vice Chairman of the District of Columbia Council. The term of office of any member of the Parking Board shall be the same as his term of office as such Commissioner, such Chairman, or such Vice Chairman. Two members of the Parking Board shall constitute a quorum. The members of the Parking Board shall select from among their number a chairman and a vice chairman of the Parking Board.

(b) The Parking Board shall appoint, subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, an Administrator. The Parking Board may delegate to the Administrator such authority as may be necessary or convenient to carry out the purposes of this Act.

PARKING ADVISORY COUNCIL

SEC. 303. (a) There is hereby established a Parking Advisory Council (herein called the

"Advisory Council"). The Advisory Council shall be composed of eleven members, consisting of the Secretary of the Interior or his designee, the Director of the District of Columbia Department of Highways and Traffic or his designee, the Administrator of General Services or his designee, the Chairman of the National Capital Planning Commission or his designee, the Administrator of the Washington Metropolitan Area Transit Authority or his designee, all ex officio, and six members from private life appointed by the Parking Board of whom one shall be designated biennially by the Parking Board to serve as chairman. The members from private life shall be chosen to reflect a range of experience in such fields as architecture, engineering, retail trade, real estate, financing, law, motor vehicle parking, and transportation.

(b) The members of the Advisory Council appointed by the Parking Board shall be appointed for a term of four years, except that with respect to the first appointments made after this Act becomes effective, one member shall be appointed for a one-year term, one member shall be appointed for a two-year term, two members shall be appointed for a three-year term, and two members shall be appointed for a four-year term. Any member appointed to fill a vacancy shall serve only for the unexpired term of the member he is replacing. Any member shall be eligible for reappointment.

(c)(1) Members of the Advisory Council who are officers or employees of the United States or of the District of Columbia shall serve without compensation in addition to that received in their regular public employment, but shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Council.

(2) Members of the Advisory Council, other than those to whom paragraph (1) is applicable, shall receive compensation at the rate of $50 per day for each day they are engaged in the performance of their duties as members of such Council and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Council.

(d) It shall be the duty of the Advisory Council to advise and assist the Parking Board in carrying out its functions under this Act, including the overall planning of parking facilities, the acquisition, construction, design, and operation of such facilities and such other matters as the Parking Board shall request or the Advisory Council shall determine. The Parking Board shall request the views of the Advisory Council on each matter made subject to a public hearing by this Act, and shall include the report of the Council, if any, in the Parking Board's record.

(e) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board and subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, to appoint an executive secretary. Subject to reimbursement by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, the ex officio members of the Advisory Council and the Commissioners of the District of Columbia shall make available to the executive secretary such staff, information, and technical assistance as he shall require to enable the Advisory Council to carry out its responsibilities under this Act.

(f) The Advisory Council is authorized, within the limits of funds authorized by the Parking Board, in accordance with the provisions of section 20(a)(11) of this Act to hire independent consultants to assist it in carrying out its responsibilities under ths Act.

COMPREHENSIVE PARKING STUDY

SEC. 304. (a) The Advisory Council shall, within one year following the date of enactment of this Act, and not less than once each five years thereafter, prepare and distribute a comprehensive report on parking in the District of Columbia metropolitan area. Such report shall include—

(1) an inventory of existing parking facilities in the District of Columbia, both public and private, and an analysis of the manner and extent to which they are utilized;

(2) an inventory of the existing and reasonably anticipated transportation facilities in the National Capital area, including roads, highways, buses, and rapid rail transit, and an analysis of the manner and extent to which they are utilized;

(3) an analysis of the extent, type, and location of all parking facilities and on-street parking which are necessary or desirable for achieving balanced transportation and an efficient flow of traffic in the National Capital area together with recommendations as to the need, if any, for additional public parking facilities and the areas within which such facilities should be located; and

(4) any other information or recommendations that the Advisory Council determines to be useful to the Parking Board in carrying out its duties under this Act.

(b) The Advisory Council shall refer the parking report to all interested agencies in the National Capital area for their information and comments. The parking report and all relevant data used to compile the report shall be made available to owners and operators of private parking facilities in the District of Columbia in order to enable them more effectively to plan the operation and expansion of their facilities.

ACQUISITIONS OF PARKING FACILITIES

SEC. 305. (a) The Parking Board is authorized to acquire, in its own name, by purchase, lease, gift exchange condemnation or otherwise, such property, real or personal in the District of Columbia, including any rights or interests therein, as the Parking Board may require to carry out the provisions of this Act; except that in no case shall the Parking Board acquire by condemnation any real property on which there is located a parking facility, unless the Parking Board intends substantially to increase the number of vehicles which can be parked on such property: *Provided*, That if within thirty days after the Board institutes a condemnation proceeding to acquire land on which there is located a parking facility the owners of such property file with the court a signed statement to the effect that they plan to undertake such construction as is necessary to cause to be located thereon a parking facility equal in capacity to that proposed to be constructed thereon by the Board and that they will cause such construction to be commenced within one year after the date such statement is filed, the condemnation proceeding shall be stayed pending the completion of such construction. Upon such completion, the court shall enter an order dismissing the condemnation proceeding. If such construction does not commence within such one-year period and proceed expeditiously thereafter, the Board may proceed with the condemnation proceeding.

(b) The Commissioner of the District of Columbia is authorized to make available to the Parking Board, without consideration, air and subsurface rights in areas consisting principally of land in street, highway, railway, or subway rights-of-way, bridges, and other lands under his jurisdiction and control in the District of Columbia for use by the Parking Board in carrying out its duties under this Act. The Commissioner to the extent feasible, shall exercise this authority to enable the Parking Board to locate parking facilities in such manner as to coordinate parking with any future highway or subway construction in the District of Columbia. Nothing in this Act shall be construed as modifying or superseding title 23, United States Code.

(c) The Secretary of the Interior and the Administrator of General Services are authorized, subject to such terms and conditions as they may prescribe, to make available to the Parking Board, without consideration, subsurface rights in lands in the District of Columbia under their respective jurisdiction and control for use by the Parking Board in carrying out its duties under this Act.

(d) The Parking Board shall take no final action with respect to the acquisition of a parking facility or the acquisition of any real property for the purpose of establishing thereon a parking facility (other than the taking of options) until the Parking Board has—

(1) obtained a study of such proposed facility from an independent expert qualified to evaluate the feasibility of any such facility, and

(2) held a public hearing to obtain views on the need for such facility, its proposed size, and its economic feasibility. The Board shall publish notice of any such hearing in at least one newspaper of general circulation in the District of Columbia at least twenty days prior to such hearing.

(e) No condemnation proceeding shall be instituted under this Act unless the Commissioner, acting in his capacity as Commissioner, shall have approved the filing of such proceedings. Condemnation proceedings brought pursuant to this section shall be brought in the name of the Parking Board. Such proceedings shall be instituted and conducted in the United States District Court for the District of Columbia, which court shall have jurisdiction of such proceedings, and shall be prosecuted in accordance with the procedure in proceedings instituted and conducted under the authority of sections 1311 through 1321 of title 16 of the District of Columbia Code, except that (1) wherever in such sections the term "Board of Commissioners" or "Board" appear, such terms shall be deemed, for the purposes of this Act, to mean the Parking Board, (2) wherever in such sections provision is made for property to be taken in the name of the District of Columbia, such provisions shall, for the purposes of this Act, be construed to mean the Parking Board, (3) wherever in such sections reference is made to the District of Columbia (as a party to a proceeding instituted or conducted under the authority of such sections), such terms shall be deemed to refer to the Parking Board, and (4) wherever in such sections any payment is required by any of such sections to be made from appropriated funds, such payment is authorized to be made from any moneys of the Parking Board which are available for such purpose.

(f) The acquisition, by condemnation, of real property for use by the Parking Board under this Act shall be authorized only if, prior to the initiation of proceedings to condemn such property, the Parking Board shall have taken the following actions:

(1) Retained at least two qualified, independent real estate appraisers to assist it in establishing the fair market value of the property, and such appraisers have advised the Parking Board, in writing, of such value;

(2) Established a fair market value for the property based on such appraisal;

(3) Certified that it has been unable to purchase the property at such fair market value;

(4) Initiated condemnation proceedings within ninety days from the date of the certification required by paragraph (3): *Provided*, That in the event the Parking Board shall fail to initiate such proceedings within the prescribed period, the Parking Board shall be foreclosed from initiating any such proceeding against said real property for a period of at least five years from the expiration of said ninety-day period;

(5) Certified that decent, safe, and sanitary housing can reasonably be expected to be available to any families which may be displaced by such condemnation action at rentals or prices they can reasonably afford; and

(6) Certified that, barring acts of God or other unforeseeable circumstances, it will commence, or cause to be commenced, construction of a parking facility upon such property within one year following the date of acquisition.

(g) In addition to any payments required by the preceding subsection, the Parking Board is hereby authorized to make relocation payments to persons displayed by reason of its acquisition of property under the authority of this section to the same extent as such persons would have been entitled to have received if such displacements had been within the purview of section 114 of title I of the Housing Act of 1949, as amended. The Parking Board and the District of Columbia Redevelopment Land Agency are authorized to enter into an agreement under which such Agency shall undertake to administer the payments authorized to be made by this subsection, and provide the Parking Board with relocation services in like manner as such Agency provides such services to the Commissioner.

(h) No parking facility shall be established under this Act upon any property zoned residential without the approval of the Zoning Commission of the District, which may grant such approval only after public notice and hearing in accordance with the provisions of section 3 of the Act of June 20, 1938 (52 Stat. (1938); D.C. Code, sec 5–415).

PARKING BOARD AUTHORIZED TO CONSTRUCT AND OPERATE FACILITIES

SEC. 306. (a) The Parking Board is authorized to undertake, by contract or otherwise, the clearance and improvement of any property acquired by it under this Act as well as the construction, establishment, reconstruction, alteration, repair, and maintenance thereon of parking facilities. The Parking Board shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended. The Secretary of Labor shall have, with respect to the labor standards specified herein, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15) and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)).

(b) The Parking Board may, with respect to any facility acquired or constructed pursuant to this Act,

(1) lease space in such facility at or below the level of the street on which such facility fronts or abuts for commercial purposes, and

(2) lease or sell air rights above any parking structure of four or more stories for commercial purposes.

if the Parking Board determines that the utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development and zoning of the vicinity in which such facility is located: *Provided*, That no petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the rental or sales price of any real property or facility leased or sold pursuant to sections 7 and 8.

(c) The Parking Board shall, as soon as practicable, lease or sell, pursuant to sections 7 and 8 hereof, any facility acquired or constructed under this Act unless the Parking Board determines that the public interest would best be served if it operated such facility itself, and includes in its record of the matter a statement as to its reasons therefor. Each such determination so made shall be reviewed by the Parking Board not less than every three years following the date on which such determination is made. The Parking Board shall extend to all qualified persons experienced in the business of motor vehicle parking who owned a parking facility on any land acquired by condemnation pursuant to section 5 the right of first refusal with respect to any sale, or the right to meet the high bid, with respect to the leasing, of any parking facility constructed on such land.

(d) In operating any such facility, the Board shall, to the extent feasible, provide, by contract or otherwise, for such operation of its parking facilities by any person or management firm competent to manage the operation. Any such contract shall be subject to the Service Contract Act of 1965 (79 Stat. 1034).

PARKING BOARD AUTHORIZED TO LEASE FACILITIES

SEC. 307. (a) The Parking Board is authorized to lease any parking facility acquired or constructed by it for such period of time, as the Board may determine, except that a lease which is used as security for permanent financing shall not exceed forty years in duration and any other lease shall not exceed five years in duration. The Parking Board shall invite competitive bids for the lease of any parking facility, but may, whenever it determines it to be in the public interest, negotiate the lease of any such facility. The Parking Board shall include in its record of the matter a statement as to its reason for so negotiating any such lease.

(b) The Parking Board shall not lease any such facility for an annual rental in an amount less than that which is necessary to amortize, within a forty-year period, the cost of acquiring or constructing such facility and to provide a reasonable reserve for such purpose; to meet the Parking Board's obligations, if any, under the lease including any obligation to repair, maintain, or insure the facility, to make payments in lieu of taxes; and to meet all administrative expenses and other charges in connection therewith; except that the Parking Board may, for good cause, accept for such number of years as the Parking Board may determine is necessary, a lower rental than the minimum hereinabove prescribed, subject to the repayment to the Parking Board of the difference between such lower rental and such minimum rental prior to the termination of the period for which the parking facility is leased.

(c) The lease of a parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained, during the term of the lease, for the parking of motor vehicles by the general public in accordance with rates, hours of service, methods of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

PARKING BOARD AUTHORIZED TO SELL FACILITIES

SEC. 308. (a) The Parking Board is authorized to sell any parking facility other than any facility constructed on land owned by or acquired from the governments of the United States or the District of Columbia. The Parking Board shall invite competitive bids for the sale of any such parking facility, but may, whenever it determines it to be in the public interest, negotiate the sale of such facility. The Parking Board shall include in its record of the matter a statement as to its reason for so negotiating any such sale.

(b) The sale of any such parking facility shall be upon terms and conditions requiring that such parking facility shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the purchaser.

(c) The Parking Board is authorized, in connection with the sale of a parking facility acquired or constructed by it, to include in the deed for such property a covenant, running with the land, whereby the purchaser agrees, for himself and his successors in interest, that the property purchased from the Parking Board will be used as a parking facility for such period of time as the Parking Board shall specify in said covenant. The Parking Board is authorized to agree, subject to the requirements of the preceding subsection (b), to the release or modification of any such covenant whenever the Parking Board shall find, after public hearing, that the operation of a parking facility no longer is in the public interest, or the development of the vicinity in which such parking facility is located is or will be of such a character as to make such facility incompatible with such vicinity.

LEASING PROPERTY FOR DEVELOPMENT

SEC. 309. (a) The Parking Board is authorized to lease for terms not exceeding forty years, any real property acquired pursuant to this Act, and to stipulate in such lease that the lessee shall erect at his or its expense a structure or structures on the land leased, which structure or structures and property shall be primarily used, maintained, and operated as a parking facility. Every such lease shall be entered into upon such terms and conditions as the Parking Board shall impose including, but not limited to, requirements that such structure or structures shall conform with the plans and specifications approved by the Board; that such structure or structures shall become the property of the District, or in the case of a facility constructed on land under the control and jurisdiction of the United States, such structure shall become the property of the United States, upon termination or expiration of any such lease; that the lessee shall furnish security in the form of a penal bond, or otherwise, to guarantee fulfillment of his or its obligations; that the lessee shall take such action as may be necessary to insure that all laborers and mechanics employed in the performance of such construction, alteration, and/or repair shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor, in accordance with the Davis-Bacon Act, as amended, and any other requirements which, in the judgment of the Parking Board, shall be related to the accomplishments of the purposes of this Act.

(b) The lessee may, with the consent of the Parking Board—

(1) sublease space in such facility at or below the level of the street upon which such facility fronts or abuts for commercial purposes; or

(2) sublease air rights above any parking structure of four or more stories for commercial purposes;

if the Parking Board determines that the utilization of such space or air rights for commercial purposes is expedient for the financing of such parking facility and is compatible with the development of the vicinity in which such facility is located: *Provided*, That no petroleum products shall be sold or offered for sale in any entrance to or exit from any parking facility constructed or acquired under this Act. The rentals so generated shall be taken into account in fixing the sales price of any real property sold pursuant to this section and the approval of rates for the parking of motor vehicles in the parking facility constructed thereon.

(c) Any such lease made pursuant to this section shall be upon such terms and conditions as the Parking Board shall determine, and shall include requirements that any parking facility constructed on the land so leased shall be operated and maintained for the parking of motor vehicles by the general public in accordance with rates, hours of service, method of operation, rules, and regulations established or approved by the Parking Board and posted in such parking facility by the lessee.

RATES

SEC. 310. (a) The Parking Board shall establish and, from time to time, revise, with or without public hearings, schedules of rates to be charged for use of space in each parking facility established pursuant to this Act. In establishing such rates, the Parking Board shall (i) consider, among other factors, the existing rates charged by privately operated parking facilities serving the same vicinity; and (ii) consider, in light of the overall transportation needs and problems of the District of Columbia metropolitan area, the extent ot which long-term and short-term parking is desirable at each location and shall fix a schedule of rates for each location which is designed to encourage the types of use that are desired at such locations. The Parking Board is authorized to provide rate differentials for such reasons as the amount of space occupied, the location of the facility, and other reasonable differences.

(b) The rates to be charged for the parking of motor vehicles within the parking facilities operated by the Parking Board shall be fixed at the lowest rates that will defray the cost of maintaining, operating, and administering such parking facilities; amortize, within a forty-year period, the cost of acquiring or constructing such facilites; pay all charges, fees, and payments in lieu of taxes attributable to such facilities.

(c) The rates to be charged for the parking of motor vehicles within any parking facilities leased pursuant to this Act shall be fixed at the lowest rates that will enable the lessee to meet all his obligations under his lease or leases; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

(d) The rates to be charged for the parking of motor vehicles within any parking faciliites sold by the Parking Board pursuant to this Act, or constructed on any unimproved real property leased pursuant to section 9 of this Act, shall be fixed at the lowest rates that will enable the purchaser or lessee, as the case may be, to meet all his obligations under the purchase or lease agreement or agreements to amortize his investment over a reasonable period; to defray all reasonable and necessary operating expenses; and to earn a fair and reasonable profit or return on his investment.

AUTHORITY TO ISSUE OBLIGATIONS

SEC. 311. (a) The Parking Board is authorized to issue and sell, upon such terms and conditions as it shall by resolution prescribe, its obligations having such maturities and bearing such rate or rates of interest as may be determined by the Parking Board: *Provided*, That not more than $50,000,000 in such obligations shall be outstanding at any time. Obligations issued under this Act shall be offered at public sale to the lowest responsible bidder. Such obligations may be made redeemable at the option of the Parking Board before maturity in such manner as may be stipulated in such obligations. The principal of and the interest on any such obligations so issued shall be payable out of any moneys or revenues of the Parking Board available under the provisions of this Act. The obligations issued under this Act, together with the interest thereon, shall not constitute a debt or obligation of the United States or of the District of Columbia, and the obligations issued by the Parking Board shall clearly so state.

Obligations authorized hereunder may be issued by the Parking Board in the form of temporary, interim, or definitive bonds, at one time or from time to time, for any of its corporate purposes, including acquiring necessary cash working funds, constructing, reconstructing, extending, or improving a parking facility or facilities or any part thereof and acquiring any property, real or personal, useful for the construction, reconstruction, extension, improvement, or operation of a parking facility or part thereof. The Parking Board shall also have power from time to time to refund any bonds by the issuance of refunding bonds, whether the bonds to be refunded shall have or have not matured, and may issue bonds partly to refund bonds outstanding and partly for any other of its corporate purposes. To the extent feasible, the provisions of this Act governing the issuance and securing of other obligations shall govern refunding bonds. All bonds issued under the provisions of this Act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under article 3 of the Uniform Commercial Code of the District of Columbia. The Parking Board shall determine the date, the price or prices, and the terms of redemption, and the form and the manner of execution of the bonds, including any interest coupons to be attached thereto, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the District of Columbia. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery, and any bond may bear the facsimile signature of, or may be signed by, such person as at the actual time of the execution of such bond shall be duly authorized to sign such bond although at the date of such bond such person may not have been such officer. The bonds may be issued in coupon or in registered form, or both, as the Parking Board may determine, and provisions may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, for the reconversion into coupon bonds of any bonds registered as to both principal and interest, and for the exchange of either coupon bonds or registered bonds without coupons for an equal aggregate principal amount of other coupon bonds or registered bonds without coupons, or both, of any denomination or denominations.

In the discretion of the Parking Board, bonds may be secured by a trust agreement by and between the Parking Board and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the District of Columbia. Such trust agreement may contain provisions for protecting and enforcing the rights and remedies of the bondholders, including covenants setting forth the duties of the Parking Board in relation to the acquisition of property and the construction of parking facilities and the improvement, maintenance, operation, repair, and insurance of parking facilities, the rates to be charged and the custody, safeguarding, and application of all moneys; shall set forth the rights and remedies of the bondholders and of the trustees; may restrict the individual right of action by bondholders; and may contain such other provisions as the Parking Board may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of operation.

In order to secure the payment of its bonds, the Parking Board shall have power, in the resolution authorizing the issuance thereof or in the trust agreement securing such bonds (which shall constitute a contract with the holders thereof): to pledge all or any part of its revenues, including future revenues, the proceeds of bonds and any other moneys available to the Parking Board; to covenant with respect to pledges of revenues, liens, mortgages, sales, leases, any property then owned or thereafter acquired, or against permitting or suffering any lien on such revenues or property; to covenant with respect to limitations on any right to sell, lease, or otherwise dispose of any parking facility or part thereof, or any property of any kind; to covenant with respect to the terms of any bonds to be issued, the custody, application, investment, and disposition of the proceeds thereof, the issuance of additional bonds, the incurring of any other obligations by it, the payment of the principal of and the interest on the bonds or any other obligations, the sources and method of such payment, the rank or priority of any such bonds or other obligations with respect to any lien or security or as to the acceleration of the maturity of any such bonds or other obligations; and to covenant with respect to the replacement of lost, destroyed, or mutilated bonds. The Parking Board is further authorized to pledge as security for revenue bonds, the revenues of parking meters, and to covenant with respect to the installation, relocation, operation, and maintenance of parking meters; the maintenance of its real and personal property, the replacement thereof; the insurance to be carried thereon and use and disposition of insurance money; the rates and other charges to be established and charged by the Parking Board under the authority of this Act; the amount to be raised each year or other period of time by rentals, sales, fees, rates, or other charges, and as to the use and disposition to be made thereof; and for the creation of special funds and accounts, including reasonable reserves.

(b) Obligations issued by the Parking Board, their transfer and the income therefrom (including any profit made on the sale thereof), shall be exempt from all taxation now or hereafter imposed by the United States or the District of Columbia, and by any State, territory, or possession, or by any county, municipality, or other municipal subdivision or taxing authority of any State, territory, or possession of the United States, with the exception of estate, inheritance, and gift taxes.

(c) Notwithstanding any restrictions on investment contained in any other laws, all domestic insurance companies, and domestic insurance associations, and all executors, administrators, guardians, trustees, and other fiduciaries within the District of Columbia, may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued pursuant to this Act, it being the purpose of this section to authorize the investment in such bonds, or other obligations of all sinking, insurance, retirement, compensation, pension, and trust funds; except that nothing contained in this section shall be construed as relieving any person, firm, or corporation from any duty of exercising reasonable care in selecting securities for purchase or investment.

(d) No trustee or receiver of any property of the Parking Board shall assign, mortgage, or otherwise dispose of all or part of any parking facility established under this Act, except in the manner and to the extent permitted under any trust or other agreement securing an obligation of the Parking Board. A trustee under any trust or other agreement securing an obligation of the Parking Board may be authorized in the event of default under any such trust or agreement to seek the appointment of a receiver who may enter and take possession of any parking facility of the Parking Board, operate and maintain such facility, collect all revenues arising therefrom, perform all duties required by this Act or by any trust or other agreement securing an obligation of the Parking Board to be performed by the Parking Board or any officer thereof, and take possession of the revenues from parking meters applicable to the payment of any obligations of the Parking Board.

PARKING METERS

SEC. 312. (a) The Parking Board shall, subject to the approval of the Commissioner install, maintain, repair, relocate, and remove parking meters at such locations on the streets, rights-of-way, avenues, roads, highways, and other public open spaces under the jurisdiction and control of the Commissioner as the Parking Board may determine as an aid to the regulation and control of the movement and parking of motor vehicles. In carrying out the aforementioned duties, the Parking Board shall, from time to time, consult with the Director of the District of Columbia Department of Highways and Traffic. The Parking Board is authorized to prescribe fees for the parking of vehicles where parking meters are now or hereafter installed and to utilize its own personnel to collect such fees. Such fees shall be collected by the Parking Board and shall be accounted for and disposed of in like manner as other revenues of the Parking Board.

(b) The Parking Board is authorized to pledge, in addition to its other revenues, the revenues of parking meters as security for its obligations, except that no such pledge shall extend to more than 75 per centum of the revenues of the meters in existence at the time such pledge is made. No covenant or agreement entered into by the Parking Board shall prohibit it from relocating parking meters.

EXEMPTIONS FROM TAXATION

SEC. 313. The Parking Board shall not be required to pay any taxes or assessments upon any parking facilities or any part thereof, or upon the income thereof: *Provided*, That in lieu of such taxes or assessments the Parking Board may pay to the District of Columbia an amount equal to the taxes or assessments that would have been levied against the property of the Parking Board were the Parking Board not exempt from taxation. The exemption from taxes and assessments hereunder shall not be extended to any interest in a parking facility conveyed by the Parking Board to a grantee or lessee. The authority to make payments in lieu of taxes shall be subordinate to the obligations of the Parking Board under any bond, mortgage, obligation, other evidence of indebtedness, or contract.

FRINGE LOTS

SEC. 314. (a) Notwithstanding any other provision of this Act, the Parking Board is authorized, after consultation and coordination with the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, and the Washington Metropolitan Area Transit Commission, to establish fringe lots in the National Capital area. The head of any Federal or District of Columbia government agency or department is authorized to make lands in the National Capital area under his jurisdiction and control available, on such terms and conditions as he shall determine, to the Parking Board for use by it in establishing fringe lots under this section. No fringe lot shall be established outside the District of Columbia, except on land owned by the United States, or any department or agency thereof, unless the Parking Board has first obtained approval therefor from the local governing body of the jurisdiction in which such fringe lot may be located.

(b) The Parking Board is authorized to operate any fringe lot established by the Board under this section, or to lease any such fringe lot pursuant to such terms and conditions as the Board may determine. The Parking Board is further authorized to operate or arrange for the operation of such fringe lots either with or without charge to the persons patronizing such lots, or at such rate as the Parking Board may from time to time establish.

(c) As used in this section, the term "fringe lot" shall mean a parking lot primarily open to public use for the long-term parking of motor vehicles, located at or beyond the fringe of the central business district of the District of Columbia served by buses, rail transit, or other mode of mass transportation.

NATIONAL CAPITAL PLANNING COMMISSION

SEC. 315. (a) The Parking Board shall submit to the National Capital Planning Commission for its review and recommendations thereon its plans for the acquisition of existing parking facilities, construction of new parking facilities, and lease of properties for use as parking facilities: *Provided*, That the recommendations of the Commission shall be advisory in nature, and shall not be binding upon the Parking Board.

(b) The National Capital Planning Commission is authorized, whenever such plans and programs are forwarded to it in accordance with the requirements of this Act, to study such plans and programs and make such report thereon to the Parking Board as the Commission, in its discretion, determines is necessary: *Provided*, That if no such report on such plans and programs is submitted by the Commission within sixty days from the date the Parking Board forwards them to the Commission, the Commission's approval of such plans and programs shall be assumed.

COMMISSION OF FINE ARTS TO REVIEW PLANS

SEC. 316. (a) The Parking Board shall, in accordance with the provisions of the Act of May 16, 1930 (46 Stat. 366, as amended; 40 U.S.C. 121 (1964)), submit to the Commission of Fine Arts the plans for each parking facility which the Parking Board proposes to construct or which is to be constructed on land leased by the Parking Board.

PRIVATE PARKING STRUCTURES

SEC. 317. (a) On and after the date of the enactment of this Act, the District of Columbia shall not issue a building permit to construct any parking garage or substantially to expand any existing garage in the District of Columbia without the approval of the Director of the District of Columbia Department of Highways and Traffic (herein called "the Director") and the National Capital Planning Commission. This section shall not apply to parking garages constructed pursuant to this Act.

(b) Upon receiving a request for the approvals required in subsection (a), together with any plans or data they may by regulation require, the Director and the National Capital Planning Commission shall render a decision within sixty days. The Director shall approve any request unless he finds that the size, design, or location of such parking structure would interfere with the efficient flow of traffic. The National Capital Planning Commission shall approve any such request unless it finds that the size, design, or location of such parking structure would be incompatible with the plans and recommendations of the Commission made pursuant to law. The Director and the National Capital Planning Commission may make their approvals subject to such conditions as they deem necessary to protect the public interest.

(c) If either the Director or the National Capital Planning Commission deny such request, or approve such request subject to any conditions, the party aggrieved may obtain review of any such decision by filing in the United States Court of Appeals for the District of Columbia Circuit, and serving upon the Director and/or the National Capital Planning Commission, within sixty days after the entry of such decision, a written petition praying that the decision of the Director and/or the National Capital Planning Commission be modified or set aside in whole or in part. Upon receipt of any such petition, the Director and/or the National Capital Planning Commission shall file in such court a full, true, and correct copy of the transcript of the proceedings upon which the order complained of was entered. Upon the filing of such petition and receipt of such transcript, such court shall have jurisdiction to affirm, modify, or set aside, in whole or in part, any such decision. In any such review, the findings of fact of the Director and the National Capital Planning Commission shall not be set aside if supported by substantial evidence. The order of the court affirming, modifying, or setting aside, or enforcing, in whole or in part, any such decision shall be final, subject to review as provided in section 1254 of title 28 of the United States Code.

(d) Nothing in this section shall be construed as superseding any existing law or provision of law relating, directly or indirectly, to the construction, establishment, expansion, operation, or location of parking structures in the District of Columbia.

NOTICE TO PARKING BOARD OF SCHEDULE OF RATES TO BE CHARGED BY PRIVATE PARKING FACILITIES

SEC. 318. Every person owning or operating a parking facility in the District of Columbia shall, pursuant to such rules and regulations as shall be established by the Parking Board, file in writing a complete schedule of the rates charged by such person for the storing or parking of motor vehicles in such facility, and in no case shall such person, following the filing of such schedule of rates, make any charge for such storing or parking in excess of that set forth in such schedule so filed until forty-eight hours after he has notified the Parking Board in writing of the new schedule of rates which he intends to charge. Nothing herein shall be construed as authorizing the Parking Board to fix or regulate such rates. The provisions of this section shall not be applicable with respect to any parking facility the rates of which are subject to the control and regulation of the Parking Board under this Act. Any person who shall violate this section shall be subject to a fine of not less than $100 and not to exceed $500.

AUDITS AND REPORTS

SEC. 319. (a) All receipts and expenditures of funds by the Parking Board pursuant to the provisions of this Act shall be made and accounted for under the direction and control of the Commissioner in like manner as is provided by law in the case of expenditures made by the government of the District of Columbia: *Provided*, That nothing herein contained shall be construed as preventing the Parking Board from providing, by covenant or otherwise, for such other audits as it may consider necessary or desirable.

(b) A report of any audit required under subsection (a) shall be made by the Parking Board to the Congress not later than one hundred and twenty days after the close of the Parking Board's fiscal year. The report shall set forth the scope of the audit and shall include a verification by the person conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expenses, (5) sources and application of funds, and (6) a separate income and expense statement for each facility, including as an expense item a payment in lieu of taxes.

(c) The Parking Board shall submit together with the audit report, a comprehensive report to the Congress summarizing the activities of the Parking Board for the preceding fiscal year.

POWERS OF PARKING BOARD

SEC. 320. (a) The Parking Board, in performing the duties imposed upon it by this Act, shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this Act, including the following powers in addition to others herein granted:

(1) To sue and be sued, to compromise and settle suits and claims of or against it, to complain and defend in its own name in any court of competent jurisdiction, State, Federal, or municipal;

(2) To adopt, alter, and use a corporate seal which shall be judicially noticed;

(3) To adopt, prescribe, amend, repeal, and enforce bylaws, rules, and regulations for the exercise of its powers under this Act or governing the manner in which its business may be conducted and the powers granted to it by this Act may be exercised and enjoyed;

(4) To make, deliver, and receive deeds, leases, and other instruments and to acquire easements, rights-of-way, licenses, and other interests in land, and to take title to real and other property in its own name;

(5) To construct and equip parking facilities in the District of Columbia and to exercise all powers necessary or convenient in connection therewith;

(6) To borrow money; to mortgage or hypothecate its property, or any interest therein; pledge its revenues; and to issue and sell its obligations;

(7) To appoint and employ, subject to the provisions of the Classification Act of 1949, as amended, and other applicable laws relating to employees of the District of Columbia, such officers, agents, engineers, accountants, appraisers, and other personnel for such periods as may be necessary in its judgment, and to determine the services to be performed by them on behalf of the Parking Board;

(8) To procure and enter into contracts for any types of insurance and indemnity against loss or damage to property from any cause, including loss of use or occupancy, against death or injury of any person, against employers' liability, against any act of any director, officer, or employee of the Parking Board in the performance of the duties of his office or employment, or any other insurable risk;

(9) To deposit its moneys and other revenues in any bank incorporated under the laws of the United States;

(10) To spend its revenues, or any funds appropriated to carry out the purposes of this Act;

(11) To employ, or to enter into contracts with, consulting engineers, architects, accountants, legal counsel, construction and financial consultants, managers, superintendents, and such other consultants and technical experts as in the opinion of the Parking Board may be necessary or desirable, without regard to section 3709 of the Revised Statutes, the civil service, classification and pay laws, and section 3109 of title 5, United States Code;

(12) To enter into all contracts and agreements, in addition to those otherwise mentioned herein, necessary or incidental to the performance of the functions of the Parking Board and the execution of its powers under this Act. Except as otherwise provided in this Act, all such contracts or agreements shall be subject to competitive bidding unless the value thereof does not exceed $2,500;

(13) To sell, exchange, transfer, or assign any property, real or personal, or any interest therein, acquired under the authority of this Act, whether or not improved: *Provided*, That such action shall be in accordance with the general law covering the disposal of such property by the District: *Provided further*, That the Parking Board shall have first determined, after public hearing that any such real property is no longer necessary for the purposes of this Act;

(14) To obtain from the United States, or any agency thereof, loans, grants or other assistance on the same basis as would be available to the District of Columbia.

(b) Notwithstanding the provisions of paragraph 13 of subsection (a) of this section, the Parking Board shall not have the authority to exchange any real property acquired by condemnation within one year following such acquisition unless the owners of such property at the time of its acquisition by the Parking Board shall first have been afforded a reasonable opportunity to reacquire such property for an amount equal to that paid to them by the Parking Board plus the cost of improvements made by the Parking Board to such property, if any.

COMMISSIONER AUTHORIZED TO PROVIDE ASSISTANCE TO PARKING BOARD

SEC. 321. (a) The Commissioner is authorized to aid and cooperate in the planning, undertaking, construction, reconstruction, extension, improvement, maintenance, or operation of any parking facility established pursuant to this Act by providing, subject to reimbursement, such services, assistance, or facilities as the Parking Board may request.

(b) Subject to the reimbursement to the District of Columbia by the Parking Board for the salaries, retirement, health benefits, and similar costs for such employees, there shall be made available to the Parking Board such number of employees of the District of Columbia as the Parking Board certifies are necessary to the proper discharge of its duties in carrying out the purposes of this Act, which employees shall be subject to the Classification Act of 1949, as amended.

(c) The provisions of the second paragraph under the caption "For Metropolitan Police" in the first section of the Act entitled "An Act making appropriations to provide for the expenses of the Government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred, and for other purposes", approved March 3, 1899 (30 Stat. 1045, 1057, ch. 422; sec. 4–115, D.C. Code, 1961 edition), authorizing appointment of special policemen for duty in connection with the property of corporations and individuals, shall be applicable with respect to the property of the Parking Board.

(d) The Corporation Counsel of the District of Columbia is authorized and directed in all matters to act as counsel for the Parking Board, except insofar as the Parking Board may find it necessary or convenient to retain outside legal counsel.

PARKING FACILITIES IN CONNECTION WITH NEW CONSTRUCTION

SEC. 322. The first section of the Act entitled "An Act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes", approved June 20, 1938 (52 Stat. 797), as amended, is amended (1) by striking out "That to promote" and inserting in lieu thereof "that (a) to promote", and (2) by adding at the end thereof the following new subsection:

"(b) The Zoning Commission shall, after consultation with the District of Columbia Parking Board, issue regulations to require, with respect to buildings erected in the central business district of the District of Columbia after the expiration of the one hundred and twenty day period following the effective date of the District of Columbia Parking Facility Act, that reasonable facilities on the premises or off the premises be provided for the offstreet parking of motor vehicles of the owners, occupants, tenants, patrons, and customers of such buildings, and of the businesses, trades, and professions conducted therein. The Commission may, however, provide by regulation for waiver of such requirement when, in its judgment, or, if the Commission so delegates, in the judgment of the Board of Zoning Adjustment, the building site is too small reasonably to accommodate parking facilities on the premises to be erected, or when, in the judgment of the Director of the District of Columbia Department of Highways and Traffic, provision of parking facilities on or off the premises would interfere with the efficient flow of pedestrian or vehicular traffic, or when, in the judgment of the National Capital Planning Commission, provision of parking facilities on or off the premises would be incompatible with the plans and recommendations of the Commission made pursuant to law. Where such waiver is granted, the owner of the building to be erected shall agree to pay to the District of Columbia Parking Board a sum of money which represents an equitable contribution toward the costs of providing parking facilities under the provisions of this Act. The District of Columbia Parking Board, with the advice and assistance of the Parking Advisory Council, shall establish general regulations to govern the computation of such contribution."

DEFINITIONS

SEC. 323. As used in this Act, the term—

(1) "District" means the District of Columbia;

(2) "Commissioner" means the Commissioner of the District of Columbia;

(3) "Person" means an individual, firm, copartnership, association, or corporation (including a nonprofit corporation);

(4) "Revenues" means all payments received by the Parking Board from the sale or lease of parking facilities, all moneys received from the operation of parking meters, authorized to be pledged, and all income and other moneys received by the Parking Board from any other source;

(5) "Parking facility" means a parking lot, parking garage, or other structure (either single- or multi-level and either at, above, or below the surface) primarily for the offstreet parking of motor vehicles, open to public use for a fee, and all property, rights, easements, and interests relating thereto which are deemed necessary for the efficient and economical construction or the operation thereof;

(6) "Parking garage" means any structure (either single- or multi-level and either at, above, or below the surface) which is open to public use for a fee and which is primarily used for the offstreet parking of motor vehicles; and

(7) "National Capital area" means the District of Columbia and all surrounding jurisdictions which are commonly recognized as part of the District of Columbia metropolitan area.

ABOLITION OF THE DISTRICT OF COLUMBIA MOTOR VEHICLE PARKING AGENCY AND TRANSFER OF FUNDS AND PROPERTY TO PARKING BOARD

SEC. 324. (a) The Motor Vehicle Parking Agency created by Reorganization Order Numbered 54 and reconstituted under Organization Order Numbered 106 (title 1, appendix, D.C. Code), predicated upon authority contained in Reorganization Plan Numbered 5 of 1952 (66 Stat. 824), is hereby abolished. The functions, positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the Motor Vehicle Parking Agency are hereby transferred to the Parking Board.

(b) All positions, personnel, equipment, property, records, and unexpended balances of appropriations, allocations, and other funds, available or to be made available relating to the function of installing, repairing, replacing, and removing parking meters on the public streets of the District of Columbia are hereby transferred to the Parking Board from the Department of Highways and Traffic.

(c) Section 11 of the Act approved April 4, 1938 (52 Stat. 156, 192; sec. 40–616, D.C. Code 1961 edition), is hereby repealed.

COORDINATION OF FACT WITH PROVISIONS OF REORGANIZATION PLAN NUMBERED 3 OF 1967

SEC. 325. The performance of any function vested by this Act in the Commissioner or in any office or agency under the jurisdiction and control of said Commissioner or in the District of Columbia Council may be delegated by said Commissioner or Council in accordance with section 305 and section 205 of the Reorganization Plan Numbered 3 of 1967.

REPEAL

SEC. 326. The District of Columbia Parking Facilities Act of 1942 is hereby repealed.

EFFECTIVE DATE

SEC. 327. This Act shall take effect on the first day of the first month which begins more than ninety days after the date of its enactment.

AMENDMENT OFFERED BY MR. KLUCZYNSKI

Mr. KLUCZYNSKI. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KLUCZYNSKI: Strike out all after the enacting clause of S. 3418 and insert in lieu thereof the provisions of H.R. 17134, as passed, as follows:

SHORT TITLE

SECTION 1. This Act may be cited as the "Federal-Aid Highway Act of 1968".

REVISION OF AUTHORIZATION OF APPROPRIATIONS FOR INTERSTATE SYSTEM

SEC. 2. Subsection (b) of section 108 of the Federal-Aid Highway Act of 1956, as amended, is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of expediting the construction, reconstruction, or improvement, inclusive of necessary bridges and tunnels, of the Interstate System, including extensions thereof through urban areas, designated in accordance with the provisions of subsection (d) of section 103 of title 23, United States Code, there is hereby authorized to be appropriated the additional sum of $1,000,000,000 for the fiscal year ending June 30, 1957, which sum shall be in addition to the authorization heretofore made for that year, the additional sum of $1,700,000,000 for the fiscal year ending June 30, 1958, the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1959, the additional sum of $2,500,000,000 for the fiscal year ending June 30, 1960, the additional sum of $1,800,000,000 for the fiscal year ending June 30, 1961, the additional sum of $2,200,000,000 for the fiscal year ending June 30, 1962, the additional sum of $2,400,000,000 for the fiscal year ending June 30, 1963, the additional sum of $2,600,000,000 for the fiscal year ending June 30, 1963, the additional sum of $2,600,000,000 for the fiscal year ending June 30, 1964, the additional sum of $2,700,000,000 for the fiscal year ending June 30, 1965, the additional sum of $2,800,000,000 for the fiscal year ending June 30, 1959, the additional sum of $2,500,000,000 for the fiscal year ending June 30, 1967, the additional sum of $3,400,000,000 for the fiscal year ending June 30, 1968, the additional sum of $3,800,000,000 for the fiscal year ending June 30, 1969, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1970, the additional sum of $4,000,000,000 for the fiscal year ending June 3, 1971, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1972, the additional sum of $4,000,000,000 for the fiscal year ending June 30, 1973, and the additional sum of $2,225,000,000 for the fiscal year ending June 30, 1974. Nothing in this subsection shall be construed to authorize the appropriation of any sums to carry out sections 131, 136, or 319(b) of title 23, United States Code, or any provision of law relating to highway safety enacted after May 1, 1966."

AUTHORIZATION OF USE OF COST ESTIMATE FOR APPORTIONMENT OF INTERSTATE FUNDS

SEC. 3. The Secretary of Transportation is authorized to make the apportionment for the fiscal years ending June 30, 1970, and 1971, of the sums authorized to be appropriated for such years for expenditures on the National System of Interstate and Defense Highways, using the apportionment factors contained in table 5A, a revision of table 5 of House Document Numbered 199, Ninetieth Congress, submitted to Congress on June 14, 1968.

EXTENSION OF TIME FOR COMPLETION OF SYSTEM

SEC. 4. (a) The second paragraph of section 101(b) of title 23, United States Code, is amended by striking out "sixteen years'" and inserting in lieu thereof "eighteen years'" and by striking out "June 30, 1972", and inserting in lieu thereof "June 30, 1974".

(b) The introductory phrase and the second and third sentences of section 104(b)(5) of title 23, United States Code, are amended by striking out "1972" where it appears and inserting in lieu thereof "1974", and such section 104(b)(5) is further amended by striking the three sentences preceding the last sentence and inserting in lieu thereof the following: "Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1970, and June 30, 1971. The Secretary shall make a final revised estimate of the cost of completing the then designated Interstate System after taking into account all previous apportionments made under this section, in the same manner as stated above, and transmit the same to the Senate and the House of Representatives within ten days subsequent to January 2, 1970. Upon the approval by the Congress, the Secretary shall use the Federal share of such approved estimate in making apportionments for the fiscal years ending June 30, 1972, June 30, 1973, and June 30, 1974."

AUTHORIZATIONS

SEC. 5. For the purpose of carrying out the provisions of title 23, United States Code, the following sums are hereby authorized to be appropriated:

(1) For the Federal-aid primary system and the Federal-aid secondary system and for their extension within urban areas, out of the Highway Trust Fund, $1,000,000,000 for the fiscal year ending June 30, 1970, and $1,000,000,000 for the fiscal year ending June 30, 1971. Nothing in this paragraph shall be construed to authorize the appropriation of any sums to carry out section 131, 136, 319 (b) or chapter 4 of title 23, United States Code. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 45 per centum for projects on the Federal-aid primary highway system;

(B) 30 per centum for projects on the Federal-aid secondary highway system; and

(C) 25 per centum for projects on extensions of the Federal-aid primary and Federal-aid secondary highway systems in urban areas.

(2) For traffic operation projects in urban areas as authorized in section 135 of title 23, United States Code, out of the Highway Trust Fund, $125,000,000 for the fiscal year ending June 30, 1970, and $125,000,000 for the fiscal year ending June 30, 1971.

(3) For forest highways, $33,000,000 for the fiscal year ending June 30, 1970, and $33,000,000 for the fiscal year ending June 30, 1971.

(4) For public lands highways, $16,000,000 for the fiscal year ending June 30, 1970, and $16,000,000 for the fiscal year ending June 30, 1971.

(5) For forest development roads and trails, $170,000,000 for the fiscal year ending June 30, 1970, and $170,000,000 for the fiscal year ending June 30, 1971.

(6) For public lands development roads and trails, $3,500,000 for the fiscal year ending June 30, 1970, and $5,000,000 for the fiscal year ending June 30, 1971.

(7) For park roads and trails, $30,000,000 for the fiscal year ending June 30, 1971.

(8) For parkways, $11,000,000 for the fiscal year ending June 30, 1971.

(9) For Indian reservation roads and bridges, $30,000,000 for the fiscal year ending June 30, 1970, and $30,000,000 for the fiscal year ending June 30, 1971.

(10) For carrying out section 402 of title 23, United States Code (relating to highway safety programs), $75,000,000 for the fiscal year ending June 30, 1970, and $100,000,000 for the fiscal year ending June 30, 1971. Sums for carrying out section 402 of title 23, United States Code, authorized by this paragraph shall not be apportioned until Congress, by law enacted after the date of enactment of this Act, shall provide for such apportionment.

(11) For carrying out sections 307(a) and 403 of title 23, United States Code (relating to highway safety research and development), the additional sum of $30,000,000 for the fiscal year ending June 30, 1970, and the additional sum of $35,000,000 for the fiscal year ending June 30, 1971.

(12) For the Federal-aid primary system and the Federal-aid secondary system, exclusive of their extensions in urban areas, out of the Highway Trust Fund, $125,000,000 for the fiscal year ending June 30, 1970 and $125,000,000 for the fiscal year ending June 30, 1971, such sums to be in addition to the sums authorized in paragraph (1) of this subsection. The sums authorized in this paragraph for each fiscal year shall be available for expenditure as follows:

(A) 60 per centum for projects on the Federal-aid primary highway system; and

(B) 40 per centum for projects on the Federal-aid secondary system.

HIGHWAY BEAUTIFICATION

SEC. 6. (a) Section 131(b) of title 23, United States Code, is amended to read as follows:

"(b) The Secretary shall encourage and assist the states to provide for effective control of the erection and maintenance of outdoor advertising signs, displays, and devices along the Interstate System and the Federal-aid primary system which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the systems."

(b) The first sentence of subsection (1) of section 131, title 23, United States Code, is amended by striking out "under subsection (b) of this section, or to do so" and the seventh sentence of such subsection is amended by striking out "under subsection (b) of this section or".

(c) Section 131(d) of title 23, United States Code, is amended by inserting the following sentence between the second and third sentences of the subsection: "Whenever the State authority of a bona fide local zoning authority has made a determination of customary use or what constitutes unzoned commercial or industrial areas, such determination will be accepted in lieu of controls by agreement in the zoned and unzoned commercial and industrial areas within the geographical jurisdiction of such authority."

(d) The first sentence of section 131(j) of title 23, United States Code, is amended by striking out ", but not such State" down through and including "stricter".

(e) Section 131 of title 23, United States

Code, is amended by adding at the end thereof the following new subsection:

"(n) No sign, display, or device shall be required to be removed under this section if the Federal share of the just compensation to be paid upon removal of such sign, display, or device is not available to make such payment."

(f) Section 136(b) of title 23, United States Code, is amended to read as follows:

"(b) No State which the Secretary determines has not made provision for effective control of the establishment and maintenance along the Interstate System and the primary system of outdoor junkyards, which are within one thousand feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, shall receive any allocation made after the date of enactment of the Federal Aid Highway Act of 1968 under section 319(b) of this title, until such time as such State shall provide for such effective control. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State."

(g) There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for necessary administrative expenses in carrying out sections 131, 136, and 319(b) of title 23, United States Code, not to exceed $1,250,000 for the fiscal year ending June 30, 1969, $1,250,000 for the fiscal year ending June 30, 1970, and $1,250,000 for the fiscal year ending June 30, 1971.

(h) The Secretary of Transportation shall submit to Congress on or before January 1, 1969, a full and complete report of past administration of sections 131, 136, and 319 of title 23 of the United States Code, together with a report of expected future administration of such sections, and his recommendations with respect thereto.

ADVANCE ACQUISITION OF RIGHTS-OF-WAY

Sec. 7. (a) Subsection (b) of section 108 of title 23, United States Code, is amended by striking out "this section" and inserting in lieu thereof "subsection (a) of this section".

(b) Section 108 of title 23, United States Code, is amended by adding at the end thereof the following new subsection:

"(c)(1) There is hereby established in the Treasury of the United States a revolving fund to be known as the right-of-way revolving fund which shall be administered by the Secretary in carrying out the provisions of this subsection. Sums authorized to be appropriated to the right-of-way revolving fund shall be available for expenditure without regard to the fiscal year for which such sums are authorized.

"(2) For the purpose of acquiring rights-of-way for future construction of highways on any Federal-aid system and for making payments for the moving or relocation of persons, businesses, farms, and other existing uses of real property caused by the acquisition of such rights-of-way, in addition to the authority contained in subsection (a) of this section, the Secretary, upon request of a State highway department, is authorized to advance funds, without interest, to the State from amounts available in the right-of-way revolving fund, in accordance with rules and regulations prescribed by the Secretary. Funds so advanced may be used to pay the entire costs of projects for the acquisition of rights-of-way, including the net cost to the State of property management, if any, and related moving and relocation payments made pursuant to section 133 or chapter 5 of this title.

"(3) Actual construction of a highway on rights-of-way, with respect to which funds are advanced under this subsection, shall be commenced within a period of not less than two years nor more than seven years following the end of the fiscal year in which the Secretary approves such advance of funds, unless the Secretary, in his discretion, shall provide for an earlier termination date. Immediately upon the termination of the period of time within which actual construction must be commenced, in the case of any project where such construction is not commemenced before such termination, or upon approval by the Secretary of the plans, specifications, and estimates for such project for the actual construction of a highway on rights-of-way with respect to which funds are advanced under this subsection, whichever shall occur first, the right-of-way revolving fund shall be credited with an amount equal to the Federal share of the funds advanced, as provided in section 120 of this title, out of any Federal-aid highway funds apportioned to the State in which such project is located and available for obligation for projects on the Federal-aid system of which such project is to be a part, and the State shall reimburse the Secretary in an amount equal to the non-Federal share of the funds advanced for deposit in, and credit to, the right-of-way revolving fund."

(c) There is authorized to be appropriated, out of the highway trust fund, to the right-of-way revolving fund established by subsection (c) of section 108 of title 23, United States Code, $100,000,000 for the fiscal year ending June 30, 1970, $100,000,000 for the fiscal year ending June 30, 1971, and $100,000,000 for the fiscal year ending June 30, 1972.

(d) On or before January 1 next preceeding the commencement of each fiscal year for which funds are authorized to be appropriated to the right-of-way revolving fund by subsection (c) of this section, the Secretary shall apportion the funds so authorized for such fiscal year to the States. Each State shall be apportioned for such fiscal year an amount which bears the same percentage relationship to the total amount being apportioned under this subsection as the total of all apportionments made to such State for such fiscal year under paragraphs (1), (2), (3), and (5), of subsection (b) of section 104 of title 23, United States Code, bears to the total of all amounts apportioned under such paragraphs to all States for such fiscal year. Amounts apportioned under this subsection shall not be construed to be authorizations of appropriations for the construction, reconstruction, or improvement of the Interstate System for the purposes of subsection (g) of section 209 of the Highway Revenue Act of 1956.

(e) Funds apportioned to a State under this subsection (d) of this section shall remain available for obligation for advances to such State until October 1 of the fiscal year for which such apportionment is made. All amounts not advanced or obligated for advancement before such date shall revert to the right-of-way revolving fund and together with all other amounts credited and reimbursed to such funds shall be available for advances to the States to carry out subsection (c) of section 108 of title 23, United States Code, in an equitable manner, taking into consideration each State's need for, and ability to use, such advances, in accordance with such rules and regulations as the Secretary of Transportation shall establish.

DEFINITIONS OF FOREST ROAD OR TRAIL AND FOREST DEVELOPMENT ROADS AND TRAILS

Sec. 8. The fourth and fifth paragraphs in section 101(a) of title 23, United States Code, are amended to read as follows:

"The term 'forest road or trail' means a road or trail wholly or partly within or adjacent to and serving the national forests and other areas administered by the Forest Service.

"The term 'forest development roads and trails' means those forest roads or trails of primary importance for the protection, administration, and utilization of the national forest and other areas administered by the Forest Service or, where necessary, for the use and development of the resources upon which communities within or adjacent to the national forest and other areas administered by the Forest Service are dependent."

FOREST DEVELOPMENT ROADS AND TRAILS

Sec. 9. Subsection (c) of section 205 of title 23, United States Code, is amended to read as follows:

"(c) Construction estimated to cost $15,000 or more per mile or $15,000 or more per project for projects with a length of less than one mile, exclusive of bridges and engineering, shall be advertised and let to contract. If such estimated cost is less than $15,000 per mile or $15,000 per project for projects with a length of less than one mile or if, after proper advertising, no acceptable bid is received or the bids are deemed excessive, the work may be done by the Secretary of Agriculture on his own account."

URBAN AREA TRAFFIC OPERATIONS IMPROVEMENT PROGRAMS

Sec. 10. (a) Chapter 1 of title 23, United States Code, is amended by adding immediately after section 134 the following new section 135:

"§ 135. Urban area traffic operations improvement programs

"(a) The Congress hereby finds and declares it to be in the national interest that each State should have a continuing program within the designated boundaries of urban areas of the State designed to reduce traffic congestion and to facilitate the flow of traffic in the urban areas

"(b) The Secretary may approve under this section any project on an extension of the Federal-aid primary or secondary system in urban areas for capital improvements which directly facilitate and control traffic flow, such as grade separation of intersections, widening of lanes, channelization of traffic, traffic control systems, and loading and unloading ramps, if such project is based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of this title.

"(c) The sums authorized to carry out this section shall be apportioned in accordance with section 104(b)(3) of this title.

"(d) The Secretary shall report annually on projects approved under this section with any recommendations he may have for further improvement of traffic operations in accordance with this section."

(b) The analysis of chapter 1 of title 23, United States Code, is hereby amended by adding thereto, immediately after the catchline for section 134, the following:

"135. Urban area traffic operations improvements programs."

FRINGE PARKING FACILITIES

Sec. 11. (a) The Secretary may, until June 30, 1971, approve as a project under title 23, United States Code, for demonstration purposes, the acquisition of land adjacent to the right-of-way on any Federal-aid highway system outside a central business district, as defined by the Secretary, and the construction of publicly owned parking facilities thereon or within such right-of-way, including the use of the air space above and below the established grade line of the highway pavement, to serve an urban area of more than fifty thousand population. Such parking facility shall be located and designed to permit its use in conjunction with existing or planned public transportation facilities. In the event fees are charged for the use of any such facility, the rate thereof shall not be in excess of that required for maintenance and operation (including compensation to any person for operating such facility).

(b) The Federal share payable on account of any project authorized by this section shall be 75 per centum. Not to exceed 5 per centum of the sums apportioned in accordance with section 104(b) (1), (2), and (3) of title 23, United States Code, shall be available to finance the Federal share payable under this section.

(c) The Secretary shall not approve any project under this section until—

(1) he has determined that the State, or the political subdivision thereof, where such project is to be located, or an agency or instrumentality of such State or political subdivision, has the authority and capability of constructing, maintaining, and operating the facility;

(2) he has entered into an agreement governing the financing, maintenance, and operation of the parking facility with such State, political subdivision, agency, or instrumentality, including necessary requirements to insure that adequate public transportation services will be available to persons using such facility and;

(3) he has approved design standards for constructing such facility developed in cooperation with the State highway department.

(d) The term "parking facilities", for purposes of this section, shall include access roads, buildings, structures, equipment, improvements, and interests in lands.

(e) Nothing in this section, or in any rule or regulation issued under this section, or in any agreement required by this section, shall prohibit (1) any State, political subdivision, or agency or instrumentality thereof, from contracting with any person to operate any parking facility constructed under this section, or (2) any such person from so operating such facility.

(f) The Secretary shall not approve any project under this section unless he determines that it is based on a continuing comprehensive transportation planning process carried on in accordance with section 134 of title 23, United States Code.

(g) The Secretary shall submit to Congress annually a report of the demonstration projects approved under this section together with his recommendations with respect to the future operation of these projects including, but not limited to, the possible sale of such projects to private enterprise and the possibility of future construction of projects of this type by private enterprise.

PREVAILING RATE OF WAGE

SEC. 12. Section 113 of title 23, United States Code, is amended by (1) striking subsection (a) and (b) thereof and inserting, in lieu thereof, the following:

"(a) The Secretary shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors on the initial construction work performed on highway projects on the Federal-aid systems, the primary and secondary, as well as their extensions in urban areas, and the Interstate System, authorized under the highway laws providing for the expenditure of Federal funds upon the Federal-aid systems, shall be paid wages at rates not less than those prevailing on the same type of work on similar construction in the immediate locality as determined by the Secretary of Labor in accordance with the Act of August 30, 1935, known as the Davis-Bacon Act (40 U.S.C. 267a).

"(b) In carrying out the duties of subsection (a) of this section, the Secretary shall consult with the highway department of the State in which a project on any of the Federal-aid systems is to be performed. After giving due regard to the information thus obtained, he shall make a predetermination of the minimum wages to be paid laborers and mechanics in accordance with the provisions of subsection (a) of this section which shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project.

"(c) The provisions of the section shall not be applicable to employment pursuant to apprenticeship and skill training programs which have been certified by the Secretary of Transportation as promoting equal employment opportunity in connection with federal-aid highway construction programs."

(d) The analysis of chapter 1 of title 23, United States Code, is hereby amended by striking out

"113. Prevailing rate of wage—Interstate System."

and inserting in lieu thereof:

"113. Prevailing rate of wage."

HIGHWAY SAFETY PROGRAM

SEC. 13. Section 402(c) of title 23, United States Code, is amended by striking out the last three sentences thereof.

INTERSTATE SYSTEM ADJUSTMENTS

SEC. 14. The first sentence of subsection (d) of section 103 of title 23, United States Code, is amended by striking out "forty-one thousand miles" and inserting in lieu thereof "forty-four thousand miles".

PROHIBITION OF IMPOUNDMENT OF APPORTIONMENTS AND DIVERSION OF FUNDS

SEC. 15. Section 104 of title 23, United States Code, is amended by adding at the end thereof the following new subsections:

"(f) No part of any sums authorized to be appropriated for expenditure upon any Federal-aid system which has been apportioned pursuant to the provisions of this section shall be impounded or withheld from obligation, for purposes and projects as provided in this title, by any officer or employee of any department, agency, or instrumentality of the executive branch of the Federal Government, except such specific sums as may be determined by the Secretary of the Treasury, after consultation with the Secretary of Transportation, are necessary to be withheld from obligation for specific periods of time to assure that sufficient amounts will be available in the highway trust fund to defray the expenditures which will be required to be made from such fund.

"(g) No funds authorized to be appropriated from the Highway Trust Fund shall be used to pay the administrative expenses of any Federal department, agency, or instrumentality other than the Bureau of Public Roads, or any other department, agency, or instrumentality established by law, Executive Order, or otherwise, either by transfer of funds, reassignment of personnel or activities, contract, or otherwise, unless funds for such expenditure are identified and included as a line item in an appropriation Act and are to meet obligations of the United States heretofore or hereafter incurred under title 23 of the United States Code which are attributable to the construction of Federal-aid highways or planning, research, or development in connection therewith."

ADDITIONS TO THE INTERSTATE SYSTEM

SEC. 16. (a) Chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 140. Additions to Interstate System

"Whenever the Secretary determines that a highway on the Federal-aid primary system meets all of the standards of a highway on the Interstate System and that such highway is a logical addition or connection to the Interstate System, he may, upon the affirmative recommendation of the State or States involved, designate such highway as a part of the Interstate System. The mileage of any highway designated as part of the Interstate System under this section shall not be charged against the limitation established by the first sentence of section 103(d) of this title. The designation of a highway as part of the Interstate System under this section shall create no Federal financial responsibility with respect to such highway."

(b) The analysis of chapter 1 of title 23, United States Code, is amended by adding at the end thereof the following:

"§ 140. Additions to Interstate System."

FUNCTIONAL HIGHWAY CLASSIFICATION STUDY

SEC. 17. The Secretary of Transportation shall, in the report to Congress required to be submitted by January 1970 by section 3 of the Act of August 28, 1965 (79 Stat. 578; Public Law 89-139), include the results of a systmatic nationwide functional highway classification study to be made in cooperation with the State highway departments and local governments with particular attention to the establishment of highway system categories, rural and urban, according to the functional importance of routes, desirable as one of the bases for realining Federal highway programs to better meet future needs and priorities.

PRESERVATION OF PARK LANDS

SEC. 18. Section 4(f) of the Department of Transportation Act (80 Stat. 931; Public Law 89-670) is amended by inserting "federally owned" immediately after "the use of any" in the last sentence of such subsection and by striking out "(1)" in such sentence and all that follows down through and including the period at the end thereof and inserting in lieu thereof the following: "such program or project includes all possible planning, including feasible and prudent alternatives to the use of such land, to minimize any harm to such park, recreation area, wildlife and waterfowl refuge, or historic site resulting from such use."

FORT WASHINGTON PARKWAY

SEC. 19. (a) The Secretary of the Interior is authorized to acquire by (1) donation, (2) purchase with donated funds, (3) purchase with funds appropriated to him under subsection (c) of this section, (4) transfer from any other Federal department, agency, or instrumentality (including the government of the District of Columbia), or (5) exchange, lands and interests in lands in Prince Georges County, Maryland, within the boundary depicted on drawing NCR 117.4—186 which is on file and available for public inspection in the offices of the National Park Service, Department of the Interior. Notwithstanding any other provision of law, any property of the United States within the boundary depicted on such drawing may, with the concurrence of the head of the department, agency, or instrumentality having jurisdiction thereof, be transferred without reimbursement to the Secretary of the Interior to carry out this section.

(b)(1) With respect to those lands which are identified on the map by the legend "Fee simple acquisition to be acquired", striped green, the Secretary of the Interior is authorized to acquire the fee simple absolute title to such property.

(2) With respect to lands which are identified on the map by the legend "Private development areas" striped blue, the Secretary of the Interior is authorized to acquire only such easements and other interests in lands less than fee simple title as may be necessary to protect the natural scenery and shoreline of such property, and to prohibit the use of such property for industrial or commercial purposes or for residential purposes, other than low density single family detached dwellings, except that any such property which on the date of enactment of this section is lawfully used for any purposes thereafter prohibited by this paragraph may continue to be used for such purpose until such time as it ceases to be so used.

(c) No money shall be expended by the Secretary of the Interior under this section until he shall have received definite commitments from the State of Maryland or from political subdivisions thereof, for one-half the cost of acquiring land easements or interests in lands under subsection (b) of this section, other than lands belonging to

the United States on the date of enactment of this section or donated to the United States to carry out this section. In the discretion of the Secretary he may advance the State of Maryland, or any political subdivision thereof, the full amount of the funds necessary for the acquisition of lands under subsection (b) of this section on the condition that the State or political subdivision reimburse the United States one-half the cost of such acquisition, without interest, within a period of not to exceed eight years from the date such funds are so advanced.

(d) There is authorized to be appropriated to the Secretary of the Interior to carry out this section an amount equal to the unappropriated balance of the amount authorized to be appropriated in subsection (a) of the first section of the Act of May 29, 1930 (46 Stat. 482), as amended, for acquiring and developing the George Washington Memorial Parkway, and the authorization contained in such first section of such Act of May 29, 1930, is reduced by such amount.

(e) Upon the completion of the acquisition of all of the real property and interests in real property authorized by this section, the Secretary of the Interior shall report to Congress his recommendations (including any necessary legislation) on the construction of the Fort Washington Parkway through the portion of Prince Georges County, Maryland, authorized to be acquired under this section. Such report shall include cost estimates and other information as may be necessary for the authorization of construction of such parkway by Congress.

GARDEN STATE PARKWAY

Sec. 20. (a) The amount of all Federal-aid highway funds paid on account of those sections of the Garden State Parkway in the State of New Jersey referred to in subsection (c) of this section shall, prior to the collection of any tolls thereon, be repaid to the Treasurer of the United States. The amount so repaid shall be deposited to the credit of the appropriation for "Federal-Aid Highways (Trust Fund)". At the time of such repayment the Federal-aid projects with respect to which such funds have been repaid and any other Federal-aid project located on said sections of such parkway and programed for expenditure on any such project, shall be credited to the unprogramed balance of Federal-aid highways funds of the same class last apportioned to the State of New Jersey. The amount so credited shall be in addition to all other funds then apportioned to said State and shall be available for expenditure in accordance with the provisions of title 23, United States Code, as amended or supplemented.

(b) When the New Jersey Highway Authority shall have constructed toll-free highway facilities in the vicinity of said sections of the Garden State Parkway in accordance with a general plan approved by the Secretary of Transportation as adequate to service local traffic, and pursuant to an agreement between the Authority and the State of New Jersey, acting by and through its State House Commission concerning the financing and construction of such facilities, then upon the repayment of Federal-aid highway funds and the cancellation and withdrawal from the Federal-aid highway program of all projects on such sections of the Garden State Parkway, as provided in subsection (a) of this section, such sections shall become and be free of any and all restrictions contained in title 23, United States Code, as amended or supplemented, or in any regulation thereunder, with respect to the imposition and collection of tolls or other charges thereon or for the use thereof.

(c) The provisions of this section shall apply to the following sections of the Garden State Parkway.

(1) That section of the parkway near Cape May Court House from interchange numbered 8 to interchange numbered 12 at route United States 9—a distance of approximately four and twenty one-hundredths center line miles.

(2) That section of the parkway from a point near its connection with route United States 9 north of Toms River to Dover Road in South Toms River—a distance of approximately two and fifty one-hundredths centerline miles.

(3) That section of the parkway from route United States 9 in Woodbridge to the Middlesex-Union County line—a distance of approximately six and thirty-seven one-hundredths centerline miles.

(4) That section of the parkway from a point near its connection with the Middlesex-Union County line to a point near its connection with route United States 22 in Union Township—a distance of approximately seven and ninety-two one-hundredths centerline miles.

SECTION 103, TITLE 23, UNITED STATES CODE

Sec. 21. Paragraph (2) of subsection (d) of section 103 of title 23, United States Code, is amended by striking out "1965 Interstate System cost estimate set forth in House Document Numbered 42, Eighty-ninth Congress" and inserting in lieu thereof "1968 Interstate System cost estimate set forth in House Document Numbered 199, Ninetieth Congress, as revised".

CONSTRUCTION CONTRACTS

Sec. 22. Subsection (b) of section 112 of title 23, United States Code, is amended by adding at the end thereof the following: "Contracts for the construction of each project shall be awarded only on the basis of the low responsive bid submitted by a bidder meeting established criteria of responsibility. No requirement or obligation shall be imposed as a condition precedent to the Secretary's concurrence in the award of a contract to such bidder, unless such requirement or obligation is specifically set forth in the advertised specifications."

DISTRICT OF COLUMBIA

Sec. 23. (a) Chapter 3 of title 23 of the United States Code is amended by inserting immediately following section 312 the following new section:

"§ 313. Interstate routes in the District of Columbia.

"Notwithstanding any other provision of law, or any court decision or administrative action to the contrary, the Secretary of Transportation and the government of the District of Columbia shall, as soon as possible after the enactment of this section, construct all routes on the Interstate System within the District of Columbia as set forth in the document entitled '1968 Estimate of the Cost of Completion of the National System of Interstate and Defense Highways in the District of Columbia' submitted to Congress by the Secretary of Transportation with, and as a part of, 'The 1968 Interstate System Cost Estimate' printed as House Document Numbered 199, Ninetieth Congress. Such construction shall be carried out in accordance with all other applicable provisions of this title."

(b) The analysis of chapter 3 of title 23, United States Code, is hereby amended by inserting immediately following:

"312. Detail of Army, Navy, and Air Force officers."

the following:

"313. Interstate routes in the District of Columbia."

RELOCATION ASSISTANCE

Sec. 24. Title 23, United States Code, is hereby amended by adding at the end thereof a new chapter:

"Chapter 5.—HIGHWAY RELOCATION ASSISTANCE

"Sec.
"501. Declaration of policy.
"502. Assurances of adequate relocation assistance program.
"503. Administration of relocation assistance program.
"504. Federal reimbursement.
"505. Relocation payments.
"506. Replacement housing.
"507. Expenses incidental to transfer of property.
"508. Relocation services.
"509. Relocation assistance programs on Federal highway projects.
"510. Authority of Secretary.
"511. Definitions.

§ 501. Declaration of policy

"Congress hereby declares that the prompt and equitable relocation and reestablishment of persons, businesses, and farmers displaced as a result of the Federal highway programs and the construction of Federal-aid highways is necessary to insure that a few individuals do not suffer disproportionate injuries as a result of programs designed for the benefit of the public as a whole. Therefore, Congress determines that relocation payments and advisory assistance should be provided to all persons so displaced in accordance with the provisions of this title.

"§ 502. Assurances of adequate relocation assistance program

"The Secretary shall not approve any project under section 106 or section 117 of this title which will cause the displacement of any person, business, or farm operation unless he receives satisfactory assurances from the State highway department that—

"(1) fair and reasonable relocation and other payments shall be afforded to displaced persons in accordance with sections 505, 506, and 507 of this title;

"(2) relocation assistance programs offering the services described in section 508 of this title shall be afforded to displaced persons; and

"(3) within a reasonable period of time prior to displacement there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, decent, safe, and sanitary dwellings, as defined by the Secretary, equal in number to the number of and available to such displaced families and individuals and reasonably accessible to their places of employment.

"§ 503. Administration of relocation assistance program

"In order to prevent unnecessary expenses and duplication of functions, a State highway department may make relocation payments or provide relocation assistance or otherwise carry out the functions required under this chapter by utilizing the facilities, personnel, and services of any other Federal, State, or local governmental agency having an established organization for conducting relocation assistance programs.

"§ 504. Federal reimbursement

"The Secretary shall approve, as a part of the cost of construction of a project under any Federal-aid highway program which he administers, the cost of providing the payments and services described in section 502.

"§ 505. Relocation payments

"(a) PAYMENTS FOR ACTUAL EXPENSES.—Upon application approved by the State agency, a person displaced by any highway project approved under section 106 or section 117 of this title may elect to receive actual reasonable expenses in moving himself, his family, his business, or his farm operation, including personal property.

"(b) OPTIONAL PAYMENTS—DWELLINGS.—

Any displaced person who moves from a dwelling who elects to accept the payments authorized by this subsection in lieu of the payments authorized by subsection (a) of this section may receive—

"(1) a moving expense allowance, determined according to a schedule established by the Secretary, not to exceed $200; and

"(2) a dislocation allowance of $100.

"(c) OPTIONAL PAYMENTS—BUSINESSES AND FARM OPERATIONS.—Any displaced person who moves or discontinues his business or farm operation who elects to accept the payment authorized by this section in lieu of the payment authorized by subsection (a) of this section, may receive a fixed relocation payment in an amount equal to the average annual net earnings of the business or farm operation, or $5,000, whichever is the lesser. In the case of a business, no payment shall be made under this subsection unless the State agency is satisfied that the business (1) cannot be relocated without a substantial loss of its existing patronage, and (2) is not part of a commercial enterprise having at least one other establishment, not being acquired by the State or by the United States, which is engaged in the same or similar business. For purposes of this subsection, the term 'average annual net earnings' means one-half of any net earnings of the business or farm operation, before Federal, State, and local income taxes, during the two taxable years immediately preceding the taxable year in which such business or farm operation moves from the real property acquired for such project, and includes any compensation paid by the business or farm operation to the owner, his spouse, or his dependents during such two-year period.

"§ 506. Replacement housing

"(a) In addition to amounts otherwise authorized by this title, the State agency shall make a payment to the owner of real property acquired for a project which is improved by a single-, two-, or three-family dwelling actually owned and occupied by the owner for not less than one year prior to the initiation of negotiations for the acquisition of such property. Such payment, not to exceed $5,000, shall be the amount, if any, which, when added to the acquisition payment, equals the average price required for a comparable dwelling determined, in accordance with standards established by the Secretary, to be a decent, safe, and sanitary dwelling adequate to accommodate the displaced owner, reasonably accessible to public services and places of employment and available on the private market. Such payment shall be made only to a displaced owner who purchases and occupies a dwelling within one year subsequent to the date on which he is required to move from the dwelling acquired for the project. No such payment shall be required or included as a project cost under section 504 of this title if the owner-occupant receives a payment required by the State law of eminent domain which is determined by the Secretary to have substantially the same purpose and effect as this section and to be part of the cost of the project for which Federal financial assistance is available.

"(b) In addition to amounts otherwise authorized by this title, the State agency shall make a payment to any individual or family displaced from any dwelling not eligible to receive a payment under subsection (a) of this section which dwelling was actually and lawfully occupied by such individual or family for not less than 90 days prior to the initiation of negotiations for acquisition of such property. Such payment, not to exceed $1,500, shall be the amount which is necessary to enable such person to lease or rent for a period not to exceed 2 years, or to make the down payment on the purchase of, a decent, safe, and sanitary dwelling of standards adequate to accommodate such individual or family in areas not generally less desirable in regard to public utilities and public and commercial facilities.

"§ 507. Expenses incidental to transfer of property

"(a) In addition to amounts otherwise authorized by this title, the State shall reimburse the owner of real property acquired for a project for reasonable and necessary expenses incurred for (1) recording fees, transfer taxes, and similar expenses incidental to conveying such property; (2) penalty costs for prepayment of any mortgage entered into in good faith encumbering such real property if such mortgage is on record or has been filed for record under applicable State law on the date of final approval by the State of the location of such project; and (3) the pro rata portion of real property taxes paid which are allocable to a period subsequent to the date of vesting of title in the State, or the effective date of the possession of such real property by the State, whichever is earlier.

"(b) No payment received under this chapter shall be considered as income for the purposes of the Internal Revenue Code of 1954 or for the purpose of determining the eligibility or the extent of eligibility of any person for assistance under the Social Security Act or any other Federal law.

"§ 508. Relocation services

"(a) Each State shall provide a relocation advisory assistance program which shall include such measures, facilities, or services as may be necessary or appropriate in order—

"(1) to determine the needs, if any, of displaced families, individuals, business concerns, and farm operators for relocation assistance;

"(2) to assure that, within a reasonable period of time, prior to displacement there will be available, to the extent that can reasonably be accomplished, in areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and individuals displaced, housing meeting the standards established by the Secretary for decent, safe, and sanitary dwellings, equal in number to the number of, and available to, such displaced families and individuals and reasonably accessible to their places of employment;

"(3) to assist owners of displaced businesses and displaced farm operators in obtaining and becoming established in suitable locations; and

"(4) to supply information concerning the Federal Housing Administration home acquisition program under section 221(d)(2) of the National Housing Act, the small business disaster loan program under section 7(b)(3) of the Small Business Act, and other State or Federal programs offering assistance to displaced persons.

"(b) Nothing in this chapter shall be construed to prohibit any person from exercising any right or remedy available to him under State law with respect to any action of a State agency in carrying out this chapter.

"§ 509. Relocation assistance programs on Federal highway projects

"Notwithstanding any other provision of law, on and after the effective date of this Act any Federal agency which acquires real property for use in connection with a highway project authorized by section 107 and chapter 2 of this title or any other Federal law shall, in accordance with regulations issued by the Secretary, provide the payments and services described in sections 502, 505, 506, 507, and 508 of this Act. When real property is acquired by a State or local governmental agency for such a Federal project for purposes of this chapter, the acquisition shall be deemed an acquisition by the Federal agency having authority over such project.

"§ 510. Authority of the Secretary

"(a) To carry into effect the provisions of this chapter, the Secretary is authorized to make such rules and regulations as he may determine to be necessary to assure—

"(1) that the payments authorized by this chapter shall be fair and reasonable and as uniform as practicable;

"(2) that a displaced person who makes proper application for a payment authorized for such person by this chapter shall be paid promptly after a move or, in hardship cases, be paid in advance; and

"(3) that any person aggrieved by a determination as to eligibility for a payment authorized by this chapter, or the amount of a payment, may have his application reviewed by the head of the State agency making such determination.

"(b) The Secretary may make such other rules and regulations consistent with the provisions of this chapter as he deems necessary or appropriate to carry out this chapter.

"§ 511. Definitions

"As used in this chapter—

"(1) The term 'person' means—

"(A) any individual, partnership, corporation, or association which is the owner of a business;

"(B) any owner, part owner, tenant, or sharecropper who operates a farm;

"(C) an individual who is the head of a family; or

"(D) an individual not a member of a family.

"(2) The term 'family' means two or more individuals living together in the same dwelling unit who are related to each other by blood, marriage, adoption or legal guardianship.

"(3) The term 'displaced person' means any person who moves from real property on or after the effective date of this chapter as a result of the acquisition or reasonable expectation of acquisition of such real property, which is subsequently acquired, in whole or in part, for a Federal-aid highway, or as the result of the acquisition for a Federal-aid highway of other real property on which such person conducts a business or farm operation.

"(4) The term 'business' means any lawful activity conducted primarily—

"(A) for the purchase and resale, manufacture, processing, or marketing of products, commodities, or any other personal property;

"(B) for the sale of services to the public; or

"(C) by a nonprofit organization.

"(5) The terms 'farm operation' means any activity conducted solely or primarily for the production of one or more agricultural products or commodities for sale and home use, and customarily producing such products or commodities in sufficient quantity to be capable of contributing materially to the operator's support.

"(6) The term 'Federal agency' means any department, agency, or instrumentality in the executive branch of the Government and any corporation wholly owned by the Government.

"(7) The term 'State agency' means a State highway department or any agency designated by a State highway department to administer the relocation assistance program authorized by this chapter."

SMALL BUSINESS ACT

SEC. 25. Paragraph (3) of section 7(b) of the Small Business Act (15 U.S.C. 636(b)(3)) is amended to read as follows:

"(3) to make such loans (either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis) as the Administration may determine to be necessary or appropriate to assist any small business concern in continuing in business at its existing location, in reestablishing its business, in purchasing a business, or in establishing a new business, if the Administration determines that such concern has suffered substantial economic injury as the result of its displacement by, or location in, adjacent to, or near, a federally aided urban renewal program or a highway project or any other construction constructed by or with funds provided in whole or in part by the Federal Government; and the purpose of a loan made pursuant to such project or program may, in the discretion of the Administration, include the purchase or construction of other premises whether or not the borrower owned the premises occupied by the business; and".

EMINENT DOMAIN

Sec. 26. Nothing contained in chapter 5 of title 23, United States Code, shall be construed as creating in any condemnation proceedings brought under the power of eminent domain, any element of damages not in existence on the date of enactment of such chapter 5.

ANNUAL REPORT

Sec. 27. The Secretary of Transportation shall report annually to Congress, but no later than January 15 of each year, concerning his administration of chapter 5 of title 23, United States Code, together with his recommendations, including any necessary legislation with respect to such chapter.

FEDERAL SHARE

Sec. 28. Section 120(a) of title 23, United States Code, is hereby amended to read as follows:

"(a) Subject to the provisions of subsection (d) of this section, the Federal share payable on account of any project financed with primary, secondary, or urban funds, on the Federal-aid primary system and the Federal-aid secondary system, shall not exceed 50 per centum of the cost of construction, except that in the case of any State containing non-taxable Indian lands, individual and tribal, public domain lands (both reserved and unreserved), and national forests and national parks and monuments, the Federal share shall be increased by a percentage of the remaining cost equal to the percentage that the area of all such lands in such State is of its total area, except that the Federal share payable on any project in any State shall not exceed 95 per centum of the total cost of any such project."

EFFECTIVE DATE

Sec. 29. This Act and the amendments made by this Act shall take effect on the date of its enactment, except that for the first three years after such date of enactment sections 502, 505, 506, 507, and 508 of title 23, United States Code, as added by this Act, shall be applicable to a State only to the extent that such State is able under its laws to comply with such sections. After such three-year period such sections shall be completely applicable to all States. Section 133 of title 23, United States Code, shall not apply to any State if sections 502, 505, 506, 507, and 508 of title 23, United States Code, are applicable in that State.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 17134) was laid on the table.

GENERAL LEAVE

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed, H.R. 17134.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

DEPARTMENT OF TRANSPORTATION APPROPRIATION BILL—1969

Mr. BOLAND. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18188) making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to 90 minutes, the time to be equally divided and controlled by the gentleman from Ohio [Mr. MINSHALL] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. The question is on the motion by the gentleman from Massachusetts.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 18188, with Mr. JONES of Alabama in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Pursuant to the unanimous-consent request, the gentleman from Massachusetts [Mr. BOLAND] will be recognized for 45 minutes, and the gentleman from Ohio [Mr. MINSHALL] will be recognized for 45 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. BOLAND].

Mr. BOLAND. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I trust that we can expedite the business of the moment. The gentleman from Ohio [Mr. MINSHALL] and myself purposely asked for only 90 minutes of general debate on this bill so that Members can prepare to get away early this afternoon. I am sure that if we can have the attention of the Members in the Chamber we can complete the consideration of this bill in a relatively short period of time.

Mr. Chairman, this is the second Department of Transportation appropriation bill to be brought before this committee. The Department has now been in operation for a full year. Generally, the subcommittee feels that the new Department is doing a good job. They are feeling their way slowly and carefully, and this is the way we think they should proceed. We told them last year, both in the hearings and in the report, that this is the procedure which seemed best to follow; that early small mistakes would grow in time to become matters of considerable difficulty, and that caution and care in the formative years was most important. I believe this admonition is being followed, and that the Department of Transportation will make great contributions to the improvement of transportation in our country.

We have been appropriately tightfisted in recommending appropriations for fiscal year 1969. Last year the subcommittee recommended to the full committee and the full committee adopted the recommendation of a reduction of 11 percent in the requested new obligational authority. Our recommendation this year is for a reduction in new obligational authority of 16.5 percent. Much of this reduction is in the supersonic transport or SST program.

A total of $1,353,391,000 in new obligational authority is recommended. This is a reduction of $267,441,000 in the estimates and is $179,313,772 below appropriations for 1968 and $367,926,500 below comparable appropriations for 1967. In addition, reductions of $32.4 million are recommended in funds to liquidate contract authority. Limitations on contract authority will reduce obligations by another $99.3 million and a $30 million rescission is recommended.

The new organizations within the Department, such as the Office of the Secretary of Transportation and the Federal Railroad Administration requested large percentage increases for fiscal year 1969. Since they just started their programs during fiscal year 1968, the normal annualization costs of the personnel and programs which were building up throughout fiscal year 1968 require substantial increases to carry them through a whole year. In addition, there are the mandatory pay increase requirements which all departments share.

OFFICE OF THE SECRETARY

The request for the Office of the Secretary for salaries and expenses was $11.3 million and we recommend $9.8 million, a reduction of $1.5 million. The Office of the Secretary has 470 positions authorized in 1968; they requested an additional 60, proposing a new total of 530. We have allowed 15 of the 60 new positions and denied the remaining 45, a 75-percent reduction.

Also under the Office of the Secretary, in "Transportation research," the subcommittee recommends the appropriation of $6 million rather than the $7 million requested. Included in this $6 million is $1.6 million to begin the automobile insurance study which was recently authorized by law. Many Members have been interested in this study and even though a specific request for funding for this program has not come to Congress, we believe that it is of sufficient importance, and that there is sufficient interest and urgency in this effort, that we should fund it in this bill within available resources. We reduced transportation research in effect by $2.6 million and then added $1.6 million back for the automobile insurance study, which seems to be far more urgent a matter than some of the studies proposed by the Department. We recommend language in the bill which will make this sum of $1.6 million available only for the automobile insurance study. As you will recall, the study is to be completed in 2 years and we thought that it would be good to give the Department as early an opportunity to get started as possible.

COAST GUARD

We made a few reductions in the Coast Guard. The Coast Guard is a very fine organization. It has a lean, tight budget. Even so, we think we can make about a one and a half percent reduction in the operating expenses of the Coast Guard and provide $362 million instead of $366,536,000.

The subcommittee held very detailed hearings on the acquisition, construction, and improvements program of the Coast Guard and we found that there are some items in the program which might be considered desirable in a less stringent fiscal atmosphere but which can be deferred until a later date without seriously hampering the programs of the Coast Guard. We recommend the appropriation of $90 million for acquisition, construction, and improvements, instead of the $107 million requested in the budget. The reduction will require deferral of some improvements at shore installations and deferral modifications of certain ships.

We have not cut out any major new ships requested by the Coast Guard. We are recommending provision of the new oceanographic cutter that was deleted from the bill last year. We cut the oceanographic cutter last year when they had requested $12 million, and its price has now gone up to $14.5 million. We are afraid that if we do not provide it this year, the price may be $16 million or more next year.

Seriously, we have made those reductions that we think are possible in the Coast Guard without hampering its effectiveness, but we have provided all of the new ships requested in the budget.

Once again, it is recommended that Reserve training be funded separately. We recommend $25 million for Reserve training, a reduction of $24.000.

Retired pay for the Coast Guard is increasing, just as retired pay is increasing everywhere due to increased benefits and increased numbers of people on the roll, and $51 million is provided for retired pay, substantially all that was requested.

This year, for the first time, the Coast Guard has a research, development, test, and evaluation appropriation. Heretofore, sums for this purpose have been included in operating expenses. The request was for $9 million and we recommend an appropriation of $4 million. The entire $5 million reduction is based on deferral of the initiation of a new national data buoy system, a part of the oceanography program, which it is believed can be postponed until a later date. A substantial increase in oceanography is provided in the provision of the oceanographic cutter.

FEDERAL AVIATION ADMINISTRATION

The subcommittee recommends the appropriation of the full amount requested in the budget for the operations appropriation of the FAA, $663,079,000. This increase will provide 1,631 new positions, of which 1,213 are directly involved in the operation of the air traffic control facilities. The aviation industry is growing rapidly in this country, both commercial aviation and general aviation. There are more planes every month and more congestion at airports and more workload on the air traffic control system.

A study was made at the request of the President as to what might be done in the way of providing adequate facilities to meet the anticipated growth in aviation. It was recommended that FAA costs related to most of this future growth be paid for out of user charges levied on the aviation industry, rather than out of the general funds of the Treasury. The budget reflects this decision. The budgeted amount and the amount recommended is not all that the aviation industry would like to see FAA have, but the subcommittee is of the opinion that it is all that should be provided until a reasonable package of user charges is enacted.

This is the way in which the growth of aviation should be accommodated. The aviation industry is not a sick industry. It is a very healthy industry. It makes good profits, it pays good wages, and it is fully able to be weaned from the Public Treasury to this extent.

For new facilities and equipment for the FAA we recommend $65,000,000, $5,000,000 less than the request of $70,000,000. The FAA follows the full funding principal in its procurement and has substantial unobligated balances in this account. They also, as do other procurement programs, have slippages and changes throughout the year and we feel that the $5,000,000 reduction will not hurt the program.

For research and development, we recommend the same amount, $27,000,000, as was provided for 1968. This is a reduction of $1,000,000 in the budget estimate.

For operation and maintenance of the National Capital Airports, that is Washington National and Dulles Airports, we recommend $8,900,000, a reduction of $119,000 in the amount requested. The reductions are specific and are listed in the report. The largest reduction is the denial of the requested $60,000 for the repainting and reupholstering of six mobile lounges at Dulles Airport at a cost of $10,000 apiece. We think we can do without this work at the present time.

Under "Construction, National Capital Airports," there is a request of $1,000,000, all of which is for Dulles Airport. We recommend the appropriation of $700,000 of this amount. The entire $700,000 is involved with providing additional facilities for customs and other inspections of incoming international passengers. The international passenger business is growing at Dulles, and airline schedules indicate that in the not too distant future many more international flights will be using Dulles. With the advent of the new large jet aircraft, the present international passenger facilities will be overwhelmed. We believe that the expenditure of these funds will help Dulles reach the financial break-even point and are a good investment.

The budget requested $65,000,000 for fiscal 1970 for grants-in-aid to airports. We have deferred the entire amount since legislation is pending on a new aid-to-airport plan which basically involves Government loans rather than the matching grants we have now. We think there is enough time between now and the beginning of fiscal 1970 that we can wait and see what the results are of the proposed legislative changes in the program. We did not wish to appropriate for a program which might not be carried out. There is large dissatisfaction with the present program and we hope that a better program will come out of the new proposals.

Earlier, I mentioned that the SST program provided a good part of the total reduction in the bill. The budget asked $223,000,000 for further development of the SST in fiscal year 1969. Since the budget was submitted, the program has been slowed down. There has been a year's delay in the program while a new design effort takes place. None of the requested $223,000,000 will be required in 1969.

We did not stop there. We looked at the unobligated balances available for the SST program and found that $216,000,000 in funds appropriated in previous years remained unobligated. FAA estimates that they will need $186,000,000 to carry over the program this year and we recommend the rescission of the $30,000,000 which will not be required.

On next January the 15th, the Boeing Co. will submit its new design for the SST. At that time a decision will have to be made as to whether or not to continue with the program. If that design is not satisfactory, it may be that the program will be terminated. FAA personnel closest to the program believe that the redesigned effort will be successful and that we will have an American SST which will be a worthwhile aircraft and will provide jobs in many areas of the country and will help keep the aircraft manufacturing business in the United States one of our healthiest industries.

So far, Congress has appropriated $653,000,000 for the SST program. This is about one-half of the total estimated cost of the development. We propose to keep a close watch over the program to see that costs are kept at a minimum and I think the recommended actions bear this out.

GENERAL M'KEE'S ANNOUNCED RESIGNATION

President Johnson's announcement this week of the retirement of Gen. William F. McKee, Administrator for the Federal Aviation Administration, signals a severe loss of active productive leadership to all segments of our Nation's aviation industry.

During the 3 years of his administration, General McKee has brought to the FAA the exceptional management skills and the problem-solving expertise which characterized his 35-year career as an outstanding Air Force officer. Under his direction, the FAA has taken bold and progressive steps to expand and modernize the Nation's airports and airways, the supersonic transport program has been advanced, and the interests of air safety and service to the flying public have been visibly enhanced.

Unquestionably his unique qualifications as Administrator and leader of FAA have made a mark on American aviation which will not be easily surpassed.

General McKee has always demonstrated a talent for putting on the other man's hat and seeing a problem from that viewpoint. This capacity for broad and fair perspective, coupled with his conviction that at the highest levels of authority, an administrator should operate without fear or favoritism, has earned Bozo McKee the respect of the

Congress, the acclaim of his fellows, the admiration of the aviation community, and the lasting friendship of all who have the privilege of knowing him.

As chairman of the Subcommittee on Transportation, it has been a pleasure to work with General McKee. We regret his retirement, but we are grateful for the service he has given the Nation. We wish him well in the future.

I will include in the RECORD at this point General McKee's letter of resignation which went to the President and the President's reply:

THE WHITE HOUSE,
Washington, June 25, 1968.

Gen. WILLIAM F. MCKEE,
Administrator, Federal Aviation Administration, Washington, D.C.

DEAR BOZO: It is with genuine regret that I accept your resignation as Administrator of the Federal Aviation Agency.

During your three years with the Agency, you have provided outstanding leadership to a large and complex organization. You have applied great wisdom to the problems of today, and great foresight to the problems of tomorrow.

Under your leadership, the FAA helped the Nation recognize the need for expanded and modernized airport and airways systems. You applied new regulations to improve greatly our air safety record. And you brought wise and prudent management to our supersonic transport program.

Your friends in government will miss you. We all owe you a great debt of thanks.

Sincerely,
LYNDON B. JOHNSON.

JUNE 22, 1968.

The PRESIDENT,
The White House.

DEAR MR. PRESIDENT: On Saturday morning, April 24, 1965, you called me to the White House and asked me to accept the position as Administrator of the Federal Aviation Agency.

You stated that you would like me to take the job for a period of two or three years.

On July 1, 1968, I will have completed three years as Administrator—the most demanding three years of my long career.

Also on July 1st, I will have completed more than 39 years of Government service, 35 of them in the military. I think the time has come for me to give more consideration to my family.

I respectfully request that you accept my resignation to be effective on July 31, 1968.

Working for you, Mr. President, has been a challenge, a privilege and an honor. I have never had a finer Boss.

The people in the Federal Aviation Administration are the hardest working and most dedicated group I have ever known and, as President, I know you are proud of the contribution they have made to the country.

Respectfully,
WILLIAM F. MCKEE,
Administrator.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the distinguished gentleman from North Carolina.

Mr. JONAS. I would like to take this opportunity to associate myself with the remarks of the gentleman from Massachusetts concerning the retiring head of the Federal Aviation Administration, General "Bozo" McKee.

We have had a cordial working relationship with him in the committee. We have come to respect his ability and his judgment. While I hate to see him retire, I hope he will have a very happy life in retirement.

Mr. BOLAND. I appreciate the remarks of the gentleman from North Carolina and I know that these feelings are shared by all the members of the subcommittee and all the Members of the Congress who have come to know General McKee in the years. He has been such a very dedicated and brilliant public official.

FEDERAL HIGHWAY ADMINISTRATION

The Federal Highway Administration and the Bureau of Public Roads are, for the most part, funded through a limitation on general expenses on administrative funds taken from the highway trust fund. The budget proposed that $68,186,000 be provided for such activities in fiscal 1969. We recommend $65,556,000, a reduction of $2,630,000.

Other than the reduction reflected in the amount for administrative expenses I just referred to, no further reductions are recommended in the liquidating cash requested for the Federal-aid highways program. A total of $4,155,370,000 is provided in the bill for this purpose.

The budget requested $1,508,000 for the continued administration of funds previously appropriated for highway beautification. No new program funds for highway beautification are proposed or recommended since authorization on that program has expired. There is authorization for the continuation of the administration of funds previously appropriated. Instead of the $1.5 million requested, we recommend $1 million for this purpose.

Under "Traffic and highway safety," which provides the appropriation for the National Highway Safety Bureau, we recommend a reduction of $3,805,000. The appropriation of $26,500,000 is recommended instead of $30,305,000 as proposed in the budget. Most of the reduction is in the research program of the National Traffic Safety Institute.

Dr. Haddon and his associates at the National Highway Safety Bureau have done a good job in many ways in establishing standards for passenger motor vehicles that have made new cars safer than ever before. The Bureau has a wide-ranging program, and we have provided a substantial increase, approximately $5½ million, above the amount for fiscal 1968. This still is a relatively new program and great improvement in its administration can be made, but we feel that they are doing much good work and the increase is justified.

The second part of the highway safety program, State and community highway safety, is more troublesome. This is a grants-to-the-States program. Under it, the Federal Government matches State funds on a 50–50 basis for a wide variety of highway safety programs. This is the program all of you have received letters from your State highway people on, and letters from the National Safety Council and auto insurance companies and others. This is the big money program. We do not feel that it is as well thought out as it could be, and we are not as sure that it will contribute greatly to highway safety as we are of the other part of the program I just discussed.

The State community highway safety program has contract authority—back-door financing. Last year, we closed the back door by placing a limitation on obligations in the program. We propose to do the same thing again this year. Last year, the budget asked for $100 million based on their contract authority and we limited obligations at $25 million. This year, the budget estimates that $140 million will be obligated, and we limit the obligations to $60 million and provide $50 million of liquidating cash.

This is about twice as much as they got last year and half as much as the budget proposes in the way of obligations.

In the report, we set out ways in which we think the program might be improved. There are too many areas of activity under this program and we feel that the funds may be dissipated without any real improvement in highway safety resulting therefrom. We call on the Bureau to streamline the program and to try to concentrate on a few selected areas and show some real results. Of course, as is true of most grants to States, as this program gets started, the States will count on this money as part of their State budgets, and if we ever try to cut the program back, we will receive plenty of mail. We have tried to start them off slowly. We have tried to stimulate their thinking. We have tried to do what we could to see that this is a useful program and a wise expenditure of funds. Only time will tell.

Under "Motor carrier safety," we provide the entire $2,012,000 requested for the Bureau of Motor Carrier Safety. This Bureau has a very large job involving the regulation of commercial trucks and buses and very little in the way of legislative authority or funds with which to accomplish it. This is an area in which probably there will be increases in future years.

The subcommittee recommends that the forest highways program be slowed down. The budget proposed $33 million for the liquidation of contract authorization for forest highways. We recommend $26 million, and also place a limitation of $26 million on obligations for this program in fiscal 1969. We are trying to close another back-door financing procedure. The legislative committee will probably not be happy with this action. It seems that at a time when $6 billion in expenditures must be saved, items such as highways in the areas of national forests can be curtailed.

The same thing is true in the public lands highways program. We recommend provision of $6.2 million rather than the $9.0 million requested for liquidation of contract authorization in this program. We also recommend a limitation of $9 million in obligational authority for this program instead of the $16 million estimated. We are proposing to reduce obligations in fiscal 1969 by about one-third in each of these programs, and we are trying to bring these programs under the control of the Appropriations Committee.

The $2 million requested for the Inter-American Highway is provided. This $2 million will complete funding of the Inter-American Highway. No further requests for funding of this highway are anticipated.

None of the $4 million requested for the Chamizal Memorial Highway are provided. This program has been slowed down and we do not believe that the $4 million requested will be required during fiscal 1969.

FEDERAL RAILROAD ADMINISTRATION

For the Federal Railroad Administration, under "Salaries and expenses," we recommend the provision of $900,000 instead of the $1,032,000 requested. The committee is considerably concerned that the Federal Railroad Administration has no real power with which to cope with the many problems facing American railroads today. Most of their authority lies in the field of safety, and the testimony was that 97 percent of the wrecks on railroads are attributable to causes not under the jurisdiction of the Federal Railroad Administration. Unless legislation is enacted to give some real authority to this organization, it is not likely that much will be done to improve the railroad situation through the Department of Transportation.

For the Bureau of Railroad Safety, $3.7 million is recommended instead of the $3,820,000 requested.

The high-speed ground transportation program is not included in the bill since pending required authorization has not yet been enacted. We will have to include this program in a supplemental later, if authorization is forthcoming in time for Senate action.

The sum of $300,000 is provided for railroad research, a reduction of $100,000 in the estimate and an increase of $100,000 in the amount provided last year. Most of the money will go to a study of rail-highway grade-crossing accidents.

The St. Lawrence Seaway has a limitation on administrative expenses for which $550,000 is recommended instead of the $560,000 requested. One new position which was requested is denied.

For the National Transportation Safety Board, which is an independent Board which makes studies of catastrophic or major accidents in all fields of transportation, an appropriation of $4.5 million is provided. This is $206,000 less than the budget request and $4 million more than the amount provided for fiscal 1968. Sixteen new positions were requested and five are provided. Most of the increase is due to annualization cost and pay increases.

I believe the bill is a good one. I believe the recommended reductions, while they cut deeply in some instances, are not severe enough to prevent the essential functions of the Department being carried out. We marked up this bill and we held our hearings with an eye on the Government's overall fiscal picture. The tax increase and the $6 billion reduction were in our minds, and we made reductions where we thought we reasonably could. We made reductions which might not have been made if the financial picture were better. I think this is a bill that all Members can support and hope we will get that support on the floor.

HIGHWAY SAFETY

Since there is much interest on the part of the Members concerning highway safety, I would like to amplify my remarks on this subject.

The intent of the highway safety legislation enacted 2 years ago is being carried out. Progress is being made. Recruitment of personnel knowledgeable in the field is proceeding. Much of the groundwork which must be laid before any new program can be effective, has been laid.

Under the Highway Safety Act of 1966, each State is required to implement an approved, comprehensive highway safety program by December 31 of this year. Work toward this objective is going forward in the States.

The bill provides $26,500,000 for the National Highway Safety Bureau. This is the Bureau which has established safety standards for new automobiles and tires. Additional standards are being developed. This is an increase of $5.5 million more than the fiscal 1968 appropriation. It is not all that was requested. The budget estimate is $30,305,000, so a reduction of $3.8 million is recommended. Much of the increase is in research; $21.2 million is provided for the National Traffic Safety Institute as compared with $18.3 in 1968. We need sound scientific research upon which to base highway safety programs.

As Dr. William Haddon, the Director of the National Highway Safety Bureau, told the committee, over the past six decades, highway safety efforts have been less than effective due to the absence of objective facts of known reliability. Without sound facts upon which to base our highway safety programs, we cannot expect a reasonable return on our money and our efforts. So research funds have been increased.

The highway safety program about which most of us receive letters is the State and community highway safety program, under which matching grants are made to the States. The bill provides for obligations of $60 million in fiscal year 1969 as compared with the $25 million provided in 1968. This is more than a 100-percent increase. Once again, the sum provided is not all that was asked. The budget estimates that $140 million would be obligated in fiscal year 1969.

The committee feels that this program could be improved. There are 16 separate activities, in addition to administrative expenses, for which matching funds are available. If the Bureau would reduce the number of different activities and concentrate effort on a few program areas for a time period, we feel that more positive results would ensue.

The Members of the House are extremely interested in all areas of safety, including highway safety. The members of the Transportation Appropriations Subcommittee are well aware of the needs in this area and strongly support highway safety. I think the large increases granted in the face of our present financial problems is ample evidence of this interest.

There are many fine individuals and great organizations dedicated to highway safety. Some of them appeared before the subcommittee. They thought the entire sum budgeted should be appropriated. This has not been done. There is not enough money to provide for all of the Nation's wants. Priorities must be set. Choices must be made. We in Congress have the responsibility for making many of these choices. But while we did not provide everything requested, we did provide large increases for the highway safety programs. I think that those who have knowledge of our fiscal situation will believe that all that can reasonably be done for highway safety by way of appropriations is being done. As the chairman of the Appropriations Committee, the gentleman from Texas [Mr. MAHON], said last week with reference to other programs, I hope Congress gets some credit for the large sums provided for highway safety and is not just criticized for not providing everything asked.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I am delighted to yield to my friend from Illinois, a member of the subcommittee.

Mr. YATES. On the point of the SST, as the gentleman knows, I propose to offer an amendment to recapture another $100 million in the program, because I think that amount will not be necessary until next year in the event a design approved by the administration is achieved.

Mr. BOLAND. I appreciate the position of the gentleman from Illinois. As he knows, I will oppose the amendment.

Mr. SLACK. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from West Virginia.

Mr. SLACK. Mr. Chairman, I commend the distinguished chairman of the subcommittee for his detailed and comprehensive explanation of this appropriation bill.

It is my understanding that Federal aid for airport construction is funded a year in advance. Is that correct?

Mr. BOLAND. Yes.

Mr. SLACK. Mr. Chairman, I note there are no appropriations in this fiscal 1969 bill for fiscal 1970 funding for airport construction. I am wondering whether or not the distinguished chairman of the subcommittee would explain the outlook briefly as to major airport construction, from the conclusions that have been reached in that committee.

Mr. BOLAND. I appreciate the gentleman's question and the concern he has long shown for this particular program, the Federal aid-to-airports program. What the gentleman says is correct. This program is funded a year in advance to allow those communities that make application for funding under the program time to plan in advance. It gives the FAA an opportunity to determine precisely what its plans are and how much money will be needed.

There is a budget request of $65 million for fiscal 1970, and, as the gentleman indicated, it was deferred. It was not considered because there is $70 million available for fiscal year 1969. This was funded in the 1968 bill and those communities that have applied to FAA know precisely the amount of money that will be available to them.

The chief reason for the committee's action in this area is that proposals have been made by the administration to the Congress for a major change in this program.

As the gentleman knows, this is a 50–50 matching program. A new program has been reported out by one of the Senate committee, indicating they are recommending a change in the program.

If that bill does not become law, I can say to the gentleman we will be back here in the early part of next year for a supplemental appropriation to provide forward funding for fiscal 1970. It is our hope a new program will be established because it is our judgment that there ought to be a different manner of funding this program. In part, the new program will include loans rather than grants. This is the recommendation, I believe, that will be before the Senate in the not-too-distant future, and it is tied to user charges. A bill has been ordered reported by the committee headed by the distinguished Senator from Oklahoma [Mr. MONRONEY].

Mr. SLACK. Mr. Chairman, I thank the gentleman for his explanation.

We all know that the country needs a complete new system of expanded and enlarged airports, and this will cost a great deal of money. The situation is comparable to what we faced in 1956 in the highway field, and it simply cannot be approached successfully with the present system of small, piecemeal grants of direct Treasury funds. A much more comprehensive program, projected over a longer span of years is in order, involving forward-looking planning and realistic estimates of airways traffic to be anticipated.

I believe we all realize that no program of such size can be financed without user taxes in various forms to create a specific fund of sufficient size to get the required airports built or expanded to the desired size and in the right locations. And I know many of you have heard, as I have from my constituents, that the local property owners will not bond themselves for years in advance to establish matching funds adequate to meet the guidelines of the present program.

I believe therefore that the subcommittee has performed a service to aviation generally by recognizing the condition that exists, and acting to eliminate any doubt about the immediate need for a new aviation facility construction program, funded on a new basis. The elimination of these funds should stimulate both House and Senate to take very early action on a new program financed by specific user taxes as soon as possible.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. Mr. Chairman, I yield to the gentleman from Connecticut.

Mr. MONAGAN. Mr. Chairman, I compliment the gentleman from Massachusetts for the manner in which he has set forth the main details of this bill and, more importantly, what the results of this bill are.

Last year I rose and complimented the gentleman from Massachusetts and the committee because of the fact that the appropriation was less than the appropriated funds for the preceding fiscal year. Once again, if I read the figures correctly, the bill is $209 million below the new budget authority for fiscal year 1968, and $329 million below the budget estimates for fiscal year 1969. This is a remarkable and noteworthy achievement, and at the same time the committee has stimulated these programs that are of such vital importance to the future of the Nation. I believe the gentleman should take pride in a job well done.

Mr. BOLAND. Mr. Chairman, I appreciate the remarks of the gentleman from Connecticut. What the gentleman says is correct.

I would call to the attention of Members of the House that, as they know, this is a new department, and under the able leadership of the Secretary of Transportation, Alan Boyd, it is moving cautiously. We applaud the Secretary for it. I do think that as the years go on the expenditures for this Department will grow. I do not think there is any question about that. But, be that as it may, if it does grow, we will see that it grows cautiously and carefully.

Second, Members are pleased with the manner in which the Department is being directed, and we are pleased with the staff the Secretary has pulled together for activities within his Department.

Mr. Chairman, I thank the gentleman for his contribution.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. Mr. Chairman, I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, in line with the questioning by the gentleman from West Virginia, I would like to ask some questions on my own thinking regarding the financing of airports. As I understand it, the financing in advance will permit those projects that have been receiving the regular allocations to receive those funds out of the pipeline now in effect.

They will receive their funds out of those funds in the pipeline now, is that correct?

Mr. BOLAND. That is my understanding.

Mr. DON H. CLAUSEN. Under no circumstances is this cutting back of the recommended $65 million intended by the Subcommittee on Appropriations on the Transportation Department as putting the subcommittee on record as being opposed to that kind of improvement in our airport system. If I correctly understand, the subcommittee actually is awaiting a final resolution from the authorizing committee on the new proposal from the administration before entering into a method of financing. Is this essentially the position?

Mr. BOLAND. The gentleman from California is correct.

Let me read from page 15 of the report, with respect to "Grants-in-aid for airports," the two sentences which concern this program:

> When the new program is enacted, and funds are requested, consideration will be given to the program at that time. If no new authorization is enacted within a reasonable period of time, further consideration will be given to the pending request prior to fiscal 1970.

So if the new program which might be considered by both branches, does not become law, I believe I can assure the gentleman from California that there will be a provision made for a continuation of the grants-in-aid program as we now know it.

Mr. DON H. CLAUSEN. In effect, this could be considered in a supplemental appropriation bill, if that is required?

Mr. BOLAND. The gentleman is correct. We have done this before with grants-in-aid, as the gentleman from California well knows.

Mr. DON H. CLAUSEN. I do want to extend my appreciation to the gentleman for his comments, and particularly I wish to compliment the committee for giving recognition to the tremendous needs for navigation and traffic control requirements of this country. You have done a very commendable job in the light of the fiscal situation we have, and I want to compliment you for it.

Mr. BOLAND. The gentleman from Massachusetts, and I am sure the Subcommittee on Appropriations, appreciates the accolade.

Mr. McFALL. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to a member of the committee, the gentleman from California [Mr. McFALL].

Mr. McFALL. Mr. Chairman, I want to compliment my colleague, the chairman of the subcommittee, for the presentation he has made here today on the Department of Transportation appropriation bill.

I want to tell the Members of the House what a privilege it is to work with the gentleman. He leads the committee so that our deliberations are always concise, intelligent, and with humor.

I believe that we have presented a bill to the House which will be meaningful in coping with the problems of transportation for the people of this country. I believe the gentleman in the well is the one who is mainly responsible for the way this bill is being presented and for the good it will do for the country.

The gentleman has had long experience, and is well fitted for the job he does. On the subcommittee which deals with the independent offices he has had long experience with some of the problems we have in transportation. Through his long experience on the Committee on Public Works, he also presents to the country the basis for building America, just as he does here in this report on transportation. I commend the gentleman.

Mr. BOLAND. I appreciate the remarks made by the gentleman from California. Let me say that I am sure all other Members of Congress appreciate what has been done by the other subcommittee members: the gentleman from California [Mr. McFALL], the gentleman from Illinois [Mr. YATES], the gentleman from Ohio, the ranking minority member [Mr. MINSHALL], and the distinguished gentleman from North Carolina [Mr. JONAS]. I believe that all of us have worked together to put this bill together, and the credit does not really belong to me, but belongs to all five of us.

I express my appreciation, and I am sure for all the committee.

It is especially gratifying to work with as able a man as the gentleman from Ohio [Mr. MINSHALL]. As ranking minority member of the subcommittee, he makes a great contribution to good government. We leave political considerations out of our committee work and try to do the best job we can for the country on a nonpartisan basis. His hard work and sound judgment contribute mightily to our efforts.

In saying this I do not mean to slight any of the other members of the committee, for we truly work together as a team and each one has done a magnificent job.

Mr. BURKE of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Massachusetts, my colleague Mr. Burke.

Mr. BURKE of Massachusetts. Mr. Chairman, I wish to commend my colleague from Massachusetts for his presentation of the facts with reference to the Department of Transportation appropriation bill for 1969.

After studying the report, I note many reductions below the estimates for 1969 have been made. I understand there is a savings of $329,871,000 below the budget estimates for 1969.

I further understand that the appropriations are $209 million below last year. We in Massachusetts are very proud of our colleague from Massachusetts, Mr. Boland, not only for his great dedication and devotion to his work but because of the great accomplishments he has made down through the years. So I wish to join those others who have risen here to say a word of commendation to him, not only to commend the great chairman of the subcommittee but also all of his colleagues on both sides of the aisle for the fine work they have done.

Mr. BOLAND. I appreciate those kind remarks by the gentleman from Massachusetts.

Now, Mr. Chairman, I yield to the gentleman from Washington [Mr. Pelly].

Mr. PELLY. Mr. Chairman, I appreciate the gentleman from Massachusetts yielding to me.

As the gentleman from Massachusetts knows, I have long been an enthusiastic supporter of research in the field of supersonic transport planes in order to maintain our superiority in the field of air transport. However, I want to say as one who has supported this program that I fully concur in the action of the committee in declining, and in fact, rescinding the funds this year. I do hope that we will not have any ill-advised amendments adopted, however, which might in turn result in the tragic killing of this program of research in this field. I fully intend to support the committee.

Mr. BOLAND. I appreciate the gentleman's remarks.

I know in the years that I have been here when we have had this matter before us the gentleman from Washington has always been one of those who has been a great advocate of the program, recognizing what it does for the economy of our Nation, the aircraft industry of our Nation, as well as maintaining the leadership of the United States in the field of aviation around the world.

Now, Mr. Chairman, I yield to the gentleman from West Virginia [Mr. Hechler].

Mr. HECHLER of West Virginia. Mr. Chairman, I thank the distinguished chairman of the subcommittee for yielding to me. He has done his usual outstanding job in presenting this complex bill to the Committee of the Whole.

I am glad that the gentleman from Massachusetts so fully set forth the dimensions of the crisis which confronts the airports of the Nation today. I appreciate the assurance of the gentleman that we will have a supplemental early next year in case there is a gap between the passage of the administration proposal or a modification thereof, including user charges, and the running out of the Federal aid-to-airports program. The gentleman from Massachusetts will recall last year when we discussed the grant-in-aid-to-airports program he made what I thought was an extremely wise observation, namely, that we ought to turn more to larger regional airports instead of yielding to the political, parochial and provincial pressures of many local communities desiring airports in every one of the communities. I wonder if the gentleman from Massachusetts shares this same opinion, particularly in view of the tight budget crisis which we are facing in this country today?

Mr. BOLAND. I do indeed. I remember the gentleman from West Virginia raising this point last year. At that time we had a discussion on the advisability of having more regional airports rather than having one in every community. Obviously, each community would like to have one. They would all like to have the facilities and the towers and everything that goes along with them in providing air traffic safety. This just cannot be done, though, for every hamlet in the United States. So there has been a directive by the Federal Aviation Administration to regionalize the airports, and they have been doing it.

Mr. HECHLER of West Virginia. I appreciate what the gentleman said about General McKee and his administration of the FAA without fear or favoritism. I think he has moved boldly in the direction of more regional airports, as the gentleman from Massachusetts outlined and deserves the commendation of the Nation for his courage in administering his office.

Mr. BOLAND. He does indeed. Before the new Department of Transportation was created, I was on the subcommittee that funded the Federal Aviation Agency, and I must say that he has been as good an administrator as that agency has ever had. He is one of the finest men who ever testified before any of the committees I have been on. Interestingly enough, he has been one of the best liked administrators of the Government by the personnel who back him up, which is a pretty good indication that he is a good administrator and does the job and does it well.

Mr. HECHLER of West Virginia. Mr. Chairman, there may be some misgivings by those who are deeply concerned about the congestion of the Nation's airports and why, in the face of this crisis, the pending bill contains no appropriations for the grants-in-aid to airports. But I am pleased with the explanation which has been given this afternoon by the gentleman from Massachusetts. I personally do not feel it is possible to get either the administration proposal or a variation thereof through the Congress during the current session. The pressure for some action will certainly be increased by reason of the zero funds in the pending appropriation bill. But it is simply good commonsense and fairplay for those who use our airports and fly planes to help pay for the building of airports.

Perhaps it is just as well to put an end to grants-in-aid for airports out of general Treasury revenues. Those who never ride planes should not be taxed to support those who do. I would be strongly in favor of higher taxes of aviation fuel and other facilities, higher taxes on airplane tickets, and similar means to raise the public funds necessary to build airports. That is why I favor the efforts of Senators Jennings Randolph and Mike Monroney to set up a trust fund out of user taxes to finance the building of airports.

In the midst of this airport congestion crisis, we need these funds from those who will benefit the most from the new and expanded airports—those who ride the planes. And the funds for airports should be doubled—far beyond the $65 to $75 million rate at which we have been appropriating annually in the past. Last year, I offered an amendment to raise the appropriation from the $65 million voted by the committee up to the budgeted amount of $75 million, but the move was unsuccessful.

Mr. Chairman, I would again like to comment on the courage and decisiveness of General McKee as the FAA Administrator. On May 15, 1967, he made a landmark decision on the location of a regional airport to be built midway between West Virginia's two largest cities. This decision was a breath of fresh air, and has provided inspiration and hope for all the people of West Virginia eagerly searching for means to work together for the benefit of all sections of the State. This is such an important decision that I will secure permission when we return to the House to have it included at this point in the Record:

Official Text of the May 15 Decision of the Federal Aviation Administration on Future Airport Requirements of Southern West Virginia

The Federal Aviation Administration has completed an extensive study of the airport needs of Charleston-Huntington. To serve that area, our recommendation is to proceed with development of a new regional airport at the "Midway" site, slightly northeast of the town of Hurricane.

Careful consideration has been given to the three most feasible alternatives for solving the area's future airport needs. Namely, the expansion of both existing airports, Kanawha and Tri-State; the construction of a new airport at the Guthrie site, and expansion of Tri-State; and, the construction of a new airport at the Midway site with retention of both existing airports for general aviation usage.

In the first alternative, our findings support prior determinations that it is impractical to develop the mountain-top Kanawha facility to meet the long-range needs of the Charleston metropolitan area.

With respect to the Guthrie alternative, we find that two, and possibly three, factors interact to result in construction costs which

> are considerably in excess of the costs of the Midway alternative. First, the Guthrie Airport costs will exceed those of a comparable airport constructed at the Midway site by about $3.3 million; second, the Guthrie alternative requires simultaneous development of Huntington's Tri-State Airport at a further cost of about $4.9 million; and third, if closure of the Kanawha Airport is contemplated, the cost burden may be further aggravated by a possible need to construct an additional runway at the Guthrie site to safely accommodate Charleston's general aviation requirements.
>
> Accordingly, the Federal Aviation Administration believes that the long-range airport requirements of the people of Southern West Virginia are best met, and the public interest best served, by the least-cost development of a midway regional airport. Moreover, development of a single regional facility affords the opportunity for spreading the development cost over the widest possible user base and holds the greater promise of better scheduled transportation service to the benefit of the entire area of Southern West Virginia.
>
> The Federal Aviation Administration believes this recommendation warrants consideration for grant-in-aid assistance, within the limits of available Federal resources. The FAA, therefore, urges immediate consideration and unified support by all state and involved local officials to build a regional airport at the Midway site.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I am glad to yield to the gentleman from Virginia.

Mr. SCOTT. I thank the gentleman for yielding.

Mr. Chairman, I would like to ask something further with regard to page 15 of the report. As I understand it, no funds are available for the expansion of the Washington National Airport in this bill. Is that correct?

Mr. BOLAND. For expansion of it?

Mr. SCOTT. Yes.

Mr. BOLAND. There was no request for any funds for expansion. There is a study underway, however, to determine what should be done at the Washington National Airport, and many things should be done. However, there was no request for expanding the facilities of the National Airport at this time, and I think wisely so.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, if the gentleman from Massachusetts will refresh my recollection, did we not approve a reprograming during the year at the Washington National Airport concerning a parking lot?

Mr. BOLAND. It is my recollection that that is the only reprograming that was done.

Mr. JONAS. That was a reprograming, was it not?

Mr. BOLAND. Yes. We did reprogram some funds for the purpose of providing more space for the public in parking areas by moving employees out of spaces that are more desirable to the public.

Mr. SCOTT. Mr. Chairman, will the gentleman yield further?

Mr. BOLAND. I yield further to the gentleman from Virginia.

Mr. SCOTT. Can the chairman of the subcommittee tell me when a report of this nature might be expected or whether the gentleman is knowledgeable with respect to that particular item?

Mr. BOLAND. I am sorry, but I cannot give the gentleman a specific date. However, I do know that we have instructed them to come in with a report as soon as possible. We are concerned about it, however, there are some problems involved here. Perhaps the distinguished gentleman from California [Mr. McFALL] could elaborate upon that problem.

Mr. McFALL. Mr. Chairman, the chairman of the subcommittee is exactly correct. This was gone into by the subcommittee during the course of our hearings. In our statement which appears on page 15, to which the gentleman referred, we have asked them to hurry and complete the study.

Mr. BOLAND. Mr. Chairman, as the gentleman from Virginia knows, it is not an easy matter to make dramatic changes at the Washington National Airport. There are a number of agencies involved. For instance, there is the National Capital Planning Commission, there is the FAA, as well as others. If the National Capital Planning Commission turns down a proposal and if the FAA says we have some real problems, then some trouble may develop.

Mr. SCOTT. Mr. Chairman, if the gentleman will yield further, let me assure the gentleman and the other Members of the House that my primary interest in this field lies with Dulles Airport, although I am interested in the National Airport.

Mr. BOLAND. I thank the gentleman.

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman from Florida.

Mr. ROGERS of Florida. Mr. Chairman, I am very much concerned by the report that has been issued by the Department of Transportation just recently, within the past few days, with reference to the type of safety to be employed for used cars.

It was my understanding of the provisions contained in the authorizing legislation to provide that a study would be made of all types of safety standards which should be used or encouraged to be used on used automobiles.

I am amazed to find in this report that has been made as a result of this authorization the funding that was given to it by this distinguished committee. They have gone off on a tangent in the final report by talking about plans which they are going to make as a result of the study of safety for used cars, for free transportation, and for subsidizing spare parts and repair work.

I just want to make it clear and in discussing the matter with the chairman of the Committee on Appropriations, I wanted to make clear that first of all this was not the intent. There was to be a lot of research on the matter, but no one ever talked about free transportation and subsidizing automobiles for repair work. This was never the intent of the amendment. They should not undertake this type of research under this provision of the law. It should be confined to what we intended, and I am sure all of us in Congress never intended that we should determine and require certain types of brakes, seat belts, and so forth on used cars but intended it to be used for realistic purposes.

And I just want to make that point very clear in the colloquy we are engaging in.

Mr. BOLAND. I am glad the gentleman has taken the time to make it crystal clear as to the intent of the authorization.

The CHAIRMAN. The gentleman from Massachusetts has consumed 35 minutes.

Mr. BOLAND. I would appreciate it if the Members would permit me to yield to other members of the committee, and then they can continue to ask questions of those members.

Mr. MINSHALL. Mr. Chairman, I yield the gentleman from Massachusetts 5 additional minutes.

Mr. BOLAND. I thank the gentleman.

Mr. JONAS. Mr. Chairman, while we are on this discussion raised by the gentleman from Florida [Mr. ROGERS], I believe some legislative history should be made on it.

I do not understand that there is any money in this bill that could be used for the purpose of providing free transportation for anybody, and I would like to inquire if the distinguished chairman of the subcommittee agrees with me.

Mr. BOLAND. I do agree with the gentleman from North Carolina. I do not recall any testimony with respect to the items about which the gentleman from Florida [Mr. ROGERS] has raised a question. We had very full and complete hearings with Dr. Hadden, and I do not recall any requests submitted to the committee indicating that this was a part of any program.

Mr. McFALL. Mr. Chairman, if the gentleman would yield, just so we could have all of the details in the report before us, and see this in its proper perspective, what the gentleman from Florida [Mr. ROGERS] is properly discussing is from the conclusions in the report. I would like to read the conclusions so that we will know exactly what they are:

> The Department of Transportation will accelerate detailed investigations of means of providing adequate—perhaps free—public transportation programs that will afford people with low income a meaningful choice between private vehicles and public transportation.

Then in another paragraph:

> The Department of Transportation will undertake preliminary feasibility investigations on national programs of subsidized automotive repair and equipment replacement assistance for population groups who, in the absence of adequate public transportation, have no meaningful alternative to reliance on old vehicles requiring costly safety-related repairs.

They have statistics on page 77 of the report showing the age of the car, the problems that will result, and the economic aspects of the repairs of used cars.

And the purpose, according to the report, and I have not read the report completely but have merely checked through it recently as the chairman knows, was to place in the report these economic impact aspects involving the poor people who do not have the wherewithal to make proper auto repairs. They plan, as I understand the study, to study free public transportation or some kind of subsidization of repairs.

There is no money in the bill for any kind of repairs. This Bureau was funded, previously, as the gentleman knows, for this particular study, and this is the result that they came up with.

Mr. BOLAND. I wonder if the gentleman from California would give an indication as to the date of the report?

Mr. McFALL. The date is June 1968. June 24. And the letter from Alan Boyd transmitting it to the Speaker of the House and also to the Honorable HUBERT H. HUMPHREY, President of the Senate.

Mr. ROGERS of Florida. Mr. Chairman, if the gentleman will yield further, the point I want to make is that under the authorization we have language for which this report was given in response that these items of planning are entirely off base, and were never contemplated, and this type of planning under this authorization should not be conducted. That is what I want to make clear. I appreciate what the gentleman has said of this committee, that there is no funding for a program of free transportation, or subsidizing of repair work nationwide. I realize that.

But I want to make it clear, Mr. Chairman, that there is no money, I hope, for planning that type of program, because it is not authorized in the authorizing legislation in the program to which this report was addressed.

Mr. BOLAND. Again, I say there is no money in the bill for such planning. I am sure the gentleman from Florida will commend the Department of Transportation for issuing the report on used cars and making it available.

Mr. ROGERS of Florida. Yes, I am glad to have this report, and certain portions of it, which is 8 months late. But, nevertheless, this portion may be why it is late. I hope they will get off on this right now completely and I thank the gentleman for yielding, he has been most kind.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman.

Mr. KYL. At the appropriate time I intend to offer an amendment which would prohibit the use of funds appropriated in this act for free auto repair work, or for transportation and I would hope the committee would go along with the amendment.

Mr. BOLAND. The committee will look at it, and I am sure the committee will be glad to cooperate in any way that we can.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOLAND. Mr. Chairman, I yield 1 minute to the gentlewoman from Washington [Mrs. HANSEN].

Mrs. HANSEN of Washington. Mr. Chairman, I rise in support of the bill, H.R. 18188, and commend the very distinguished gentleman from Massachusetts on his extremely able leadership in the field of transportation.

However, I am greatly concerned about the proposed reduction in obligating authority for forest highways as provided in section 204 of the bill before the House. The committee report intimates that these highways are relatively unimportant. The report also indicates that many of these highways are on the Federal-aid system and can be financed from that source. This does not always represent the true situation in many areas.

Forest highways are the main trunk routes through national forests. As such, they are extremely important in bringing timber to the mills as well as making other resources available to the public.

It is true that many of these forest highways are on the Federal-aid system. However, the natural tendency in programing Federal-aid funds is to eliminate pressures generated by public travel from place to place, rather than opening up national forests. Traffic volume usually is a Federal-aid criteria; therefore, forest highways do not always rate the place their economies contributed should command.

For the past 8 fiscal years there has been no increase in authorizations for forest highways. Instead, the authorization has remained constant at $33 million, which actually constitutes a decrease in program of about 20 percent due to the decreased purchasing power of the dollar. At this rate of financing, it would take over 150 years to complete the system. I do not believe we can wait that long. The rural economy will be weakened unless substantial increases are made in this program. Both, those dependent upon the health of the timber industry and small businesses dependent on recreation travel, will be retarded.

Forest highways through the rugged national forests of the West are expensive. One project in my district in the State of Washington now under construction is Forest Highway 13 between Randle and Yakima, an important timber and recreation highway. At present 1.3 miles are under construction at a cost of $750,000. The route is highly important in getting the timber of the Randle Ranger District to market. This route also, when finished, will be an important scenic highway.

Wood and wood products are an integral part of American economic life.

Reduction of forest highway funds can mean in many areas a reduction in timber sales. Relative to the impact of this upon our economy, let me read the following from page 920 part 3 of our Interior Subcommittee appropriations hearings when I asked the U.S. Forest Service what would happen if the cut of timber was reduced:

> Mr. NELSON. As you know, in connection with our road business the roads have to be built in advance and that is the only reason this is not going to have any material effect on our cut of timber in 1969.
>
> Mrs. HANSEN. But there will be a material effect in 1970 and 1971?
>
> Mr. NELSON. That is right.
>
> Mrs. HANSEN. It really is piling up the days of depression.
>
> Mr. NELSON. That is very true. We cannot continue to have this type of cut without beginning, one day, to have a serious effect upon our ability to harvest timber.
>
> Earlier this morning I told you, Mrs. Hansen, we had made a study with our road people and our timber people in one region. That region, in 1969, with a sustained program of roads, would have had about $16 million available for roads. They will have about $11 million. They took a cut of $750,000 in 1968, and their proportionate share of the cut in the 1969 budget.
>
> Mrs. HANSEN. What will that do to that region?
>
> Mr. NELSON. That causes them to build five less major bridges and 90 miles less road, and that causes them to realine their timber sale program.
>
> It is indicated from this realinement that they will have to cut down their timber sale program by 15 million board feet in 1969. That is the new sales, not the harvest cut.
>
> Mr. HANSEN. Which is going to reduce our receipts in the next year?
>
> Mr. NELSON. Yes. In 1970 they will have to reduce their sales by 25 million. In 1971 by 22 million. In 1972 by 47 million. So over the 4 years the effect of this particular cutback for these 2 fiscal years will have an effect of their not being able to put up for sale 109 million feet that they would have otherwise. It will mean on some forests in that region that the sales program will almost have to come to a standstill.
>
> Mrs. HANSEN. Some of these communities are almost totally dependent on forest timber. You have now said to these communities, "You cannot survive upon your present economy."
>
> Mr. NELSON. That is right, Mrs. Hansen, and some of them are. In that region, because of the nature of the region, we don't have as much volume of timber per acre as we do out in your district in Washington and it becomes even more critical whether or not the roads are built. It just means we won't be able to get into some drainages. If this continue, there will be some forests where the timber sale program will eventually come to a standstill.
>
> Mrs. HANSEN. It will result in an increase in the size of the poverty program. We take a proud industry and people who would rather work than be on relief and, by our operations this year, we make the judgment that their survival will depend not on their healthy economy, but on handouts. That is a very expensive philosophy.

Although we were speaking of forest access roads, the forest roads are also deeply meshed into this total picture of the forest economy's health.

I do urge that budget holdbacks and cuts be restrained in this area and I close with another group of figures and the mileage on the national forest system.

A $1 million reduction in the timber sale activity would reduce revenues to the Government by $4 million. This would also mean the loss of 5,500 man-years of job opportunity in the lumber industry, and $12 million value of goods and services associated with such timber harvest would not materialize.

Mr. MINSHALL. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, the new Department of Transportation has just completed its first full year in operation. Our Subcommittee on Department of Transportation Appropriations has had an opportunity to evaluate the work this new Department is doing. In general, we agree that its performance is good. With great pleasure I want to extend my compliments to the distinguished chairman of our subcommittee and to the membership. We worked as a team and I am proud of our accomplishments in helping launch the new Department on a sound basis.

MILEAGE OF THE NATIONAL FOREST HIGHWAY SYSTEM, BY FOREST ROAD CLASS AND BY STATES, AS OF DECEMBER 31, 1967

State	Miles			
	Total	Class 1 [1]	Class 2 [2]	Class 3 [3]
West:				
Alaska	564.2	137.9	252.4	173.9
Arizona	1,036.3	441.6	532.8	61.9
California	2,640.2	1,159.6	846.9	633.7
Colorado	1,476.7	567.8	591.5	317.4
Idaho	1,225.4	660.3	450.3	114.8
Montana	1,257.4	677.0	322.6	257.8
Nevada	334.6	134.8	199.2	0.6
New Mexico	666.7	131.2	465.8	69.7
Oregon	1,495.6	705.0	754.9	35.7
South Dakota	292.6	181.9	100.8	9.9
Utah	762.9	224.2	271.3	267.4
Washington	765.3	479.1	238.3	47.9
Wyoming	564.6	376.4	152.7	35.5
Total, West	13,082.5	5,876.8	5,179.5	2,026.2
East:				
Alabama	374.4	82.3	276.8	15.3
Arkansas	668.1	104.0	550.4	13.7
Florida	338.6	32.7	272.6	33.3
Georgia	399.0	176.2	198.1	24.7
Illinois	446.8	240.8	98.4	107.6
Indiana	101.2	53.6	47.6	
Kentucky	354.9	128.5	217.3	9.1
East—Continued				
Louisiana	421.7	87.3	186.1	148.3
Maine	36.2	8.6	5.4	22.2
Michigan	1,253.0	565.5	669.7	17.8
Minnesota	778.5	259.5	453.3	65.7
Mississippi	599.8	325.2	274.6	
Missouri	913.2	310.1	590.9	12.2
Nebraska	39.0		23.5	15.5
New Hampshire	155.4	60.4	52.0	43.0
North Carolina	801.0	238.9	523.6	38.5
Ohio	131.2	67.4	52.5	11.3
Oklahoma	115.3	45.1	70.2	
Pennsylvania	350.3	118.4	85.9	146.0
South Carolina	827.6	226.5	506.6	94.5
Tennessee	568.6	202.7	308.1	57.8
Texas	414.7	128.3	234.3	52.1
Vermont	111.0	30.4	57.4	23.2
Virginia	1,418.0	378.4	930.2	109.4
West Virginia	494.5	78.3	375.2	41.0
Wisconsin	460.1	75.1	385.0	
Puerto Rico	31.5		31.5	
Total, East	12,603.6	4,024.2	7,477.2	1,102.2
Grand total	25,686.1	9,901.0	12,656.7	3,128.4

[1] Forest roads which are on the Federal-aid primary system.

[2] Forest roads which are on the Federal-aid secondary system.

[3] Other forest highways.

As the gentleman from Massachusetts [Mr. BOLAND] has so capably detailed for the House, we have been tight-fisted in recommending appropriations for fiscal 1969. The urgency of reducing Federal expenditures has been so much discussed this year that further argument in behalf of economizing almost belabors the point. The announced $25 billion deficit at the end of fiscal 1968 certainly speaks for itself.

Our bill today represents a great deal of thoughtful pruning and we have succeeded in reducing the new budget authority request by 19 percent. This is a reduction of $267,441,000 less than the $1,620,832,000 presented to us by the administration. The $1,353,391,000 we recommend in the bill is $179,813,722 less than the $1,533,204,772 appropriated in fiscal year 1968. After 1 year in operation, the subcommittee is able to see and eliminate unnecessary and costly frills.

The cuts we have made have been presented with great clarity by our chairman, but I very much wish to underscore my conviction that they involve no sacrifice of safety or essential services.

Last year when we brought the first Transportation appropriations bill to the floor, I remarked:

> I am encouraged to believe that with careful congressional control the Department can launch a new era in expansion of our national transportation network and in improving safety standards which will save millions of lives and dollars. Consolidation of our varied transportation agencies under one roof makes good sense in the interest of efficiency. Efficiency usually goes hand-in-hand with economy. It is up to us in Congress to keep a tight grip on the financial reins of the agency.

In my opinion, those words of a year ago are proving out. The committee has not attacked the budget with a broad-ax, but has carefully eliminated those sections of fat from the budget request which impose unnecessary demands on the Treasury. Programs which can wisely be deferred have been put off until the fiscal house is in better shape, job requests have been denied when it is apparent that there was no compelling need for new positions.

On a section-by-section basis, let me quickly telescope the committee's action.

The Office of Secretary salary and expenses request was reduced by $1,535,000, from $11,335,000 to $9,800,000. The bulk of this reduction—$1,048,500—stems from our subcommittee's denial of 60 new positions for the Office, which we limited to 15. Large increases for travel, transportation, and other supporting services also were reduced by a substantial $486,500.

Funds for transportation research were cut from $7 to $6 million, but it is important to point out that this will not defer the study of the automobile insurance industry authorized by Public Law 90-313. The committee earmarked $1.6 million in the bill as available only for this study.

Typically, the Coast Guard runs a good tight budgetary ship. But even so the committee found that it could reduce operating expenses from a requested $366,536,000 to $362 million without jeopardizing any needed services. After extensive study the committee cut $17 million from acquisition, construction, and improvements. This will postpone some shore installation improvements and modifications of certain ships, but will not eliminate any major new ships requested by the Coast Guard. It is our view that the cuts will not affect the efficiency which marks the Coast Guard's splendid service at home and throughout the world. The very small reduction in the Reserve training program, $24,000, will permit it to be carried out as budgeted by the Coast Guard; retired pay was reduced by only $56,000. We did cut $5 million from research and development, postponing thereby initiation of a national data buoy system.

Traffic and highway safety are of key concern to us all and the committee this year recommends $5,466,000 more than the fiscal 1968 appropriation. When we hear the National Safety Council predict a highway death toll approaching 700 this coming holiday weekend and realize that more than 50,000 Americans are killed in automobile accidents annually, the committee's recommendation of $26,500,000 for the National Highway Safety Bureau certainly is within reason. As our report states:

> The committee feels that in spite of the critical budgetary situation the government faces, the importance of the highway safety program is such that the sizeable increase recommended should be enacted. There are very few programs which the committee feels have high enough priority to warrant a 25 percent funding increase in this fiscal year. The committee feels that the National Highway Safety Bureau should be given sufficient support to enable the Bureau to show whether or not sizeable reductions in accidents, fatalities and injuries on the highways can be made through its efforts.

Overall, the Federal Highway Administration and Bureau of Public Roads budget of $65,556,000 reflects a committee limitation on expenditures cutting $2,630,000 from the original request of $68,186,000 for fiscal 1969. No new program funds were proposed for the highway beautification program and the request for $1,508,000 for continued administration of funds previously appropriated for beautification was cut to $1 million. The committee, again with fiscal retrenchment in mind, chose to slow down on both the forest highways and public lands highways programs. The $2 million request for the Inter-American Highway was approved and completes funding for this project. None of the $4 million requested for the Chamizal Memorial Highway was granted.

Funds for the Federal Railroad Administration were reduced from $1,032,000 to $900,000. As stated in our report, we are greatly concerned that the FRA has so little real power to deal with the numerous complex problems facing America's railroads. Most of the Administration's authority is involved in railroad safety, and testimony discloses that only about 3 percent of all railroad wrecks are attributable to causes which fall under FRA's jurisdiction.

High-speed ground transportation is not included in the bill before us today, since the required authorization has not been passed and funds for this program would have to be included in a later supplemental.

The appropriation for the National

Transportation Safety Board was cut by $206,000 from the estimate of $4,706,000. More than half this reduction of $110,000 represents 11 new positions denied by the committee. The balance of the cut, $96,000, is associated with annualization and other cost adjustments. The amount approved by the committee, $4.5 million, represents an increase of $443,000 more than was appropriated in fiscal 1968.

At the outset of my remarks I emphasized that safety was not sacrificed in the name of economy and the appropriation for the Federal Aviation Administration illustrates our concern. We approved the full amount of $663,079,000 requested for FAA operations. This will provide for a net increase of 1,631 positions, including 1,213 for the operation of air traffic control facilities, air route traffic control centers, and air traffic control towers; 188 for maintenance and logistic support of the air traffic control and navigation facilities, and 230 for the flight standards program.

FAA flight services have doubled in the past 5 years although, as Deputy Administrator David D. Thomas testified before the subcommittee, FAA has been essentially static in its flight service personnel and number of stations. The problem is becoming progressively more severe and the hazards immeasurably increasing as the airways become more crowded. FAA's air safety record is remarkable and particularly so in view of the tremendous workload versus the manpower involved. At the rapid rate the skies are filling up with commercial and private planes we are heading toward conditions which could rival the carnage on our highways. The committee carefully reviewed FAA's request with this in mind and I think no one will quarrel with full funding in this area. We did determine that a $5 million reduction in the new facilities and equipment program could be borne by the Administration and accordingly cut that request to $65 million. We recommend $27 million for research and development, the same amount provided in 1968, and $1 million less than the budget request.

Funding for the supersonic transport program was suspended during fiscal year 1969, pending a year's delay in development of the SST while a new design effort takes place. The requested $223 million for fiscal 1969 was eliminated. The committee took further action and recommends rescission of $30 million prior-year unobligated funds of $216 million. FAA agreed that it could carry over the program on the balance of those unobligated funds, totaling $186 million.

Funds for grants-in-aid to airports were deleted by the committee. The $65 million requested by FAA were to be obligated for fiscal 1970. In view of hearings already underway on legislation to change the present matching system to a Government loan program, it was the committee's opinion that these funds could be safely deferred until a decision is reached on the new proposal. At that time appropriations could be considered. If no new authorizing legislation is enacted within a reasonable length of time, further consideration would be given to FAA's matching grants request.

Regardless of which program is decided upon, this Nation has got to get going on the airport construction program. Here is one of the most alarming and hazardous bottlenecks in air safety. Airport congestion is on a sharp upswing and we have to start planning for the future, for 10 years from now when our skies will be dense with air traffic. Every one of you in this Chamber has experienced the delays and inconveniences of our crowded airports, the incredible conditions which now exist during peak traffic hours. I cannot overemphasize the urgent priority we must give to long-range planning for airports in the interest of public service and safety.

This, in capsule form, is the Department of Transportation appropriations bill for fiscal 1969.

I am pleased with the reductions we have achieved. I am equally proud of the manner in which the committee has accomplished these savings. We have done our best to give the taxpayers the most mileage possible for their tax dollar without canceling out what amounts to their life insurance policies in air and highway safety.

The CHAIRMAN. The gentleman from Ohio yields back 2 minutes.

Mr. MINSHALL. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, I have asked for this time to discuss with the chairman of the subcommittee and the members of the subcommittee a matter which I think has considerable importance to the Committee, and that is the appropriation of $1,600,000 to conduct the study of the existing motor vehicle accident compensation system authorized by Public Law 90–313.

There are a limited number of Members on the floor, but I believe those who are here will recall that I opposed the reference of this matter to the Transportation Department in the first instance, believing that the appropriate body to make the investigation was a committee of the House and/or a committee of the Senate.

As we are discussing this appropriation, a subcommittee of the Judiciary Committee of the other body, headed by Senator HART of Michigan, is conducting an investigation of the automobile liability insurance industry.

It was urged by all of the representatives of the insurance industry and a great many members of the Committee on Interstate and Foreign Commerce that we of the Judiciary Committee really did not have the expertise—did not have the staff and did not have the time to conduct what had to be a study in depth. It was argued with great vigor that the Transportation Department had the great expertise to do this job, and that they had estimated to the dollar what it would cost. It would cost $2 million, and it could be completed in 2 years.

I realize that rumor is not fact, but I have heard rumors to the effect that the Department of Transportation is not going to conduct this study, but that it is going to contract with private companies to do the entire job. Some of the names have already been mentioned. One is the Arthur D. Little Co. The rumor is that the Transportation Department is going to assign this investigation to that private organization, to collect all the statistics and to do all the work that could be done right now on the other side of the Capitol by an appropriate Senate committee and which could be done by the Judiciary Committee of this House at an estimated cost of $300,000.

So I have a question I should like to direct to any Member who would like to answer, and specifically to the Chairman. What did the Secretary tell the committee he was going to do with the $1.6 million? How was he going to spend it? How, specifically, was he going to use it in 1 year?

Mr. McFALL. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I am happy to yield to the gentleman from California.

Mr. McFALL. We do have some information, some written information sent to us by the Department of Transportation.

I believe the key to this entire problem is the scope of the study. The gentleman is correct. They would hire someone. We have not been advised—we could be, if the gentleman would like us to get the information—concerning the firm that would do the job. They would hire some firm on a contract basis to do this study. They do not have the people or the time there in the Department of Transportation to do this kind of work. The scope of the study is a rather large one.

I can read a paragraph or two on this.

Mr. CAHILL. I am fully aware of the scope of it. I realize that the scope of it is rather vast.

Am I correct that this study will be contracted out and that it will not be done per se by the employees of the Department of Transportation?

Mr. McFALL. Yes; the gentleman is absolutely correct.

Mr. CAHILL. I would say to the gentleman, then, there was a complete misrepresentation made to this House at the time the authorization was approved. There was never any inference directly or indirectly that such would be the case.

Mr. McFALL. Will the gentleman yield further for a question? How could this be done by employees of the Department of Transportation in an efficient way? We have cut them down.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. JONAS. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. McFALL. We have cut them down, so that the people working there are doing the jobs assigned to them.

Mr. CAHILL. What is the question the gentleman would like to ask? I do not have much time.

Mr. McFALL. They do not have personnel to do this. How would the gentleman suggest that we do this study?

Mr. CAHILL. I will be happy to answer that question. I would suggest that the Department of Transportation develop a liaison with the staff of the Senate investigating committee and that they utilize that staff to develop a great number of the statistics that can be obtained merely through the medium of questionnaires directed to the insurance industry of the country, the various State commissioners and various ratemaking bureaus of the country.

I would also say to you that contracting it out is merely awarding a statistical investigative assignment to someone in private industry which would be done, in my judgment, equally well and at less cost by the staff of any one of the committees of this House.

Mr. McFALL. Does the gentleman see any dangers involved here?

Mr. CAHILL. I see danger. That is why I think now I will propose an amendment. I see a great danger. I see danger of the Transportation Department coming back here next year and saying that this study was so vast that this authorization was inadequate and instead of $2 million they need $5 million. Now, we already have given them $1.6 million of the $2 million. I do not see how it is possible, if it is going to take $2 million for 2 years, they can justifiably say that they will need $1.6 million the first year.

It seems to me $1.6 million would be more necessary the second year, because it will take time to acquire the staff, to set up the ground rules, and do the preliminary investigation. I think if we give them half of it in the first year as a maximum and then evaluate what they have done in order to see where they are going and put on the brakes if we do not like what they are doing—and I do predict that we will not like it—then I say, if we like what they are doing, we can give them the $1 million next year.

However, I am afraid $1.6 million is going to be an initial payment on a bill that will get bigger and bigger. I am afraid the study will never be completed. I am afraid that we will go on and on and on, we will have study programs on study programs, and we will have no appropriate legislation, which is so vital if we are going to do anything about the abuses of the automobile liability insurance industry in this country.

Mr. BOLAND. Mr. Chairman, I yield myself 1 minute to respond to the gentleman from New Jersey.

Mr. Chairman, I do recall the fine job he did on the floor on May 7 when this bill was being considered, but, as I have reread the RECORD for that date, it does say that, in order to carry out the functions of the Secretary under the resolution, the Secretary is given authority, first, to appoint and fix the compensation of employees; second, to hire the services of experts and consultants; and, third, to enter into contracts; and, fourth, to appoint an advisory committee. So I think that debate clearly indicates that he is given authority to do it.

Mr. CAHILL. Will the gentleman yield?

Mr. BOLAND. I am glad to yield to the gentleman.

Mr. CAHILL. It is my understanding now, I say to the distinguished chairman of the subcommittee, that the entire investigation is to be contracted out. I can understand where it might be very helpful and necessary for the Secretary to hire some experts in the field of highway safety or some financial experts for the purpose of evaluating rates. However, my objection is that if it is sent out on a contractual basis entirely, it is being done entirely in the field.

Mr. JONAS. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, I take this time to ask the chairman of the subcommittee how much has been saved by the creation of this Department of Transportation. We were told when the bill creating the Department was before the House that it would result in efficiency and economy. How much has been saved? Is there any way we can get at the savings as a result of this new Department?

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I shall be glad to yield to the gentleman from Massachusetts.

Mr. BOLAND. I am sorry that I cannot give the gentleman from Iowa any specific figures on how much has been saved. I think a lot more has been spent since the creation of the Department than has been saved. There was a lot of money spent by the FAA as well as other agencies which are encompassed within the Department, such as the National Transportation Safety Standards in an effort to bring about new safety measures.

So I would say nothing has been saved but that a lot more has been spent.

Mr. GROSS. So, it did not result in any economy and whether it resulted in any efficiency we do not know, although it was undertaken. But the study did not result in any economy?

Mr. BOLAND. I would have to agree with the gentleman from Iowa on that point.

I note that the cost of administration is $2.5 million more than was spent last year?

And that is principally because of the annualization cost. And, as the gentleman from Iowa will recall that was only there for a specific number of maintenance employees. Now we are funding them for the entire year. That is the reason for the increase.

Mr. GROSS. I would say to my friend the gentleman from Massachusetts [Mr. BOLAND] that the Assistant Secretary in the Transportation Department by the name of Dean has a job, among other things, of issuing an order telling his underlings who can hang what size picture of the President in his office. It seems that there are two sizes of pictures of the President and of Mr. Boyd. The big shots get a picture 17 by 22 inches and the underlings get an 11 by 14. Also they are told whether they are to be put in the inner office or the outer office.

Why should the taxpayers pay the salary of an Assistant Secretary to put out directives of this kind and then someone to follow up—either the Assistant Secretary or someone else—to follow up and find out whether everybody is observing the rules, whether the big shots have their 17-by-22-inch pictures properly displayed, and whether the little shots have their 11-by-14-inch pictures properly displayed?

Would the gentleman from Massachusetts think it is necessary for the department to carry on a program of this kind?

Mr. BOLAND. I would think that the Assistant Secretary does more than that, as I believe the gentleman from Iowa knows.

Mr. GROSS. He does a lot more than that?

Mr. BOLAND. Yes, he does a lot more than just put out photographs.

Mr. GROSS. I hope he does. With respect to the FAA, how much money does it have in the pipeline now and unexpended?

Mr. BOLAND. In the facilities and equipment area there would probably be around $70 million.

Mr. GROSS. That would be the total in the FAA pipeline?

Mr. BOLAND. Yes, and all the other involves operations and would, of course, have been obligated.

Mr. GROSS. This is unobligated?

Mr. BOLAND. This is just for the purchase of equipment and facilities that are coming on the line. The money is in the pipeline and it is obligated. As the gentleman knows, the purchase of this equipment is done on a quantity basis and not on an incremental basis as some other departments of the Government operate.

Mr. GROSS. I notice that the gentleman from California [Mr. McFALL] had some trouble obtaining information during the course of the hearings and accused the Department of being inaccurate as to the unobligated balance in the pipeline.

So there is about $74 million, is that correct?

The CHAIRMAN. The time of the gentleman from Iowa has expired.

THE APPROPRIATIONS BUSINESS OF THE SESSION

GENERAL RÉSUMÉ FOR FISCAL 1969

Mr. MINSHALL. Mr. Chairman, I yield 5 minutes to the chairman of the Committee on Appropriations, the distinguished gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, this being the final appropriation bill to be considered by the House prior to the July 4 week-end, I thought it appropriate to make some general comments about what we have accomplished thus far and what work remains to be done on appropriation bills before we hopefully can adjourn about the second day of August.

With this transportation bill, we have considered nine appropriation bills for fiscal 1969. We have reduced appropriation or budget authority requests in these bills by $6.4 billion. This amounts to about a $2 billion cut in actual expenditures, according to our best approximations. That is about one-third of the way we must travel if we are to achieve a $6 billion cut in expenditures, and about two-thirds of the distance toward the goal prescribed in the Revenue-Expenditure Control Act of a $10 billion cut in appropriations, or, more precisely, new budget authority.

It seems evident that we will probably accomplish the $10 billion cut. Of course, I would point out if we do not make the $10 billion cut in new budget authority, and the $6 billion cut in expenditures, that the law requires the President to make those reductions. I would hope that we in the House and in the other body would exercise our own responsibilities in accordance with the law which we passed, and make the reductions ourselves.

Now, roughly 60 percent of the budget requests for 1969 that require action by Congress at this session has not been considered. The figure seems large, but it is large because we have not yet passed the defense appropriation bill. The authorization bill is scheduled for consideration next week, I believe, and then we can come forward with the appropriation bill.

Of course, Congress acts upon only about $141.5 billion of the President's budget requests of about $201 billion in new budget authority for 1969. As I shall elaborate for the record, the $201 billion is on a net basis. On a gross basis, it is about $214 billion. Of the $214 billion, some $73 billion is for permanent appropriations, appropriations such as funds for the payment of the interest on the national debt and social security, and so on. Some $88 billion yet remains to be considered by the House, of which about $84 billion is involved in five appropriation bills as follows:

For Defense, the budget request is $77.1 billion.

Military construction, $2 billion.

Foreign aid, $3.4 billion.

District of Columbia, the Federal contribution, about $177 million.

We will have a cleanup supplemental in which we will consider appropriation requests of about $1.5 billion that were deferred from earlier bills for lack of legislative authorization.

So I would say to the House that if we put our shoulders to the wheel after the July 4 holiday, and push forward, that certainly the House will be able to enact these bills, especially if we get the authorization for foreign aid next week as is planned, and the authorization for the defense program next week as planned.

Mr. Chairman, when we go back into the House permission will be sought to place in the RECORD certain tables and explanatory notes which will make available to all of us a recitation of the principal things we have done in this session from the standpoint of appropriations and expenditures.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Iowa.

Mr. GROSS. Speaking of expediting the legislative program, I was shocked to learn earlier today that the other body failed to get together a quorum this morning and, therefore, has caused the supplemental appropriation bill to be put over for signing until next Monday, thereby slowing down, if not depriving, some employees of the Federal Government of their paychecks.

This is to me is unconscionable. The House expedited passage of the bill yesterday, but the other body failed today to obtain a quorum and therefore the bill could not be signed by the Vice President and sent to the President.

I simply want the RECORD to show the House is not responsible for this kind of business.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MINSHALL. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I share the gentleman's disappointment that the supplemental bill has not been cleared to the President.

Of the 13 appropriation bills for 1969 which must be cleared, that is, the regular bills, the other body has cleared three of them, and has another on its calendar. I believe, unless there is an entanglement involving a filibuster or a delay, that they will be able to clear those bills.

Of course, I am not authorized to speak for or against the other body.

Mr. GROSS. Let me point out to the distinguished chairman of the House Committee on Appropriations that the Senate majority leader had no compunction about going to the press last night to tell the House what it should do by way of enacting a District of Columbia revenue bill.

I have no compunction whatever in referring to the shocking action of the other body in failing today to put through the supplemental appropriation bill and thereby jeopardizing the receipt by Federal employees of their paychecks.

Mr. MAHON. I do not want to speak personally, but I believe the rules of the House really prohibit critical references to the other body.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from Georgia.

Mr. THOMPSON of Georgia. I do not desire to make any criticism of the other body. However, I too have had some calls for people in my district, the Government workers union officials who are very concerned that their paychecks are not forthcoming because the other body did adjourn for the weekend prior to completing this particular appropriation bill. I certainly feel there is a great concern among people who need these checks in order to make payments on their bills and meet other expenses.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAHON. Under leave granted, I am appending a more detailed statement on the appropriations business of the session. I have touched a few of the highlights in these brief remarks.

THE APPROPRIATION BILLS OF THE SESSION

Mr. Chairman, with the clearance on yesterday of the last of the fiscal 1968 bills, and the approval by the House today of the Transportation appropriation bill for fiscal 1969, the remaining appropriation business of the session, insofar as the House is concerned, centers principally on five bills yet to be reported from the Committee on Appropriations. These are:

First. The Defense appropriation bill, involving $77.1 billion of budget requests.

Second. The foreign assistance appropriation bill, involving some $3.4 billion.

Third. The military construction appropriation bill, involving some $2 billion.

Fourth. The District of Columbia appropriation bill, involving $177 million of Federal funds; and,

Fifth. The closing supplemental, involving, at the moment, some $1.5 billion of specific requests for a number of items that had to be deferred from the regular bills for lack of legislative authorization.

All of these bills are either wholly or in significant part dependent on annual authorization bills. Appropriation hearings are completed on the four regular bills.

ACTIONS ON FISCAL 1968 APPROPRIATION BILLS

Mr. Chairman, as to fiscal 1968 appropriation bills of this session, Congress considered five measures.

The five measures for fiscal 1968 involved requests of $6,818 million of new budget—obligational—authority and requests for release of $2,976 million of reserves under Public Law 90–218 of last December. As finally enacted, the amounts approved are $6,375 million in new budget—obligational—authority, a net total reduction of $443 million from the budget requests. In addition, approved releases of $2,675 million of reserves established under Public Law 90–218 compare with requests for releases of $2,976 million, a reduction of $301 million.

ACTION ON FISCAL 1969 APPROPRIATION BILLS

Mr. Chairman, the House has acted upon nine of the 13 regular appropriation bills for the fiscal year 1969. In the nine bills, the House has made reductions of $6,445 million in new budget—obligational—authority. In addition, $242 million was cut from the $1,200 million advance fiscal 1970 request for elementary and secondary education. The totals involved on this basis are: Requests, $54,060 million; approved, $47,-373 million; reduction, $6,687 million: $242 million against the 1970 item, and $6,445 million against the 1969 requests, the latter amount including $2,685 million relating to participation sales authorization and $126 million—committee bill, $256 million—stricken on a floor point of order.

EXPENDITURE CONTROL PROVISIONS

It is easy to make a precise comparison of House actions on new budget—obligational—authority in the nine appropriation bills for 1969 in relation to the "not less than" $10 billion reduction figure in title II of the Revenue and Expenditure Control Act of 1968, since the budget requests and the bills are stated on the basis of "new budget authority." But for several reasons it is virtually impossible to make a precise translation of the effects of those actions on the budget estimates—not "requests"—of 1969 outlays—expenditures and net lending. There are several imponderables not within the scope of the bills that can and do affect expenditure—disbursement—rates and timing. Carryover balances are involved. Uncertainties of deliveries; unforeseeable administrative changes; construction schedule changes; lag of expenditures behind obligations for various research and other grants; and so on. All that can be done is to undertake reasonable approximations of the expenditure reductions.

But specifically, Mr. Chairman, as to House actions in the nine appropriation bills for 1969:

First, $6,445 million of the $10 billion new budget authority reduction figure has been achieved.

Second, based on tentative approximations, some $2,036 million of the $6 billion outlay—expenditure—reduction figure has been achieved. In addition, reductions in expenditures that would have been made in 1969 from obligating authority requested in, but cut by the House from the second supplemental bill, 1968, may roughly approximate perhaps another $210 million or so.

The last two amounts reflect actions in the appropriation bills. There are a few actions outside the appropriations bills that will have a relatively slight impact on the budget. For example, House action earlier this week on the school lunch bill will not affect new budget—obligational—authority but could result in increased expenditures.

It may be of interest to call attention to the periodic budget "scorekeeping" reports now being issued by the staff of the Joint Committee on Reduction of Federal Expenditures. These reports are designed to keep tabs, currently, on what is happening in the legislative process to the budget recommendations of the President, both appropriation-wise and expenditure-wise, and on the revenue, recommendations, and not only from actions in the revenue and appropriation bills but also in legislative bills that affect budget authority and expenditures—backdoor bills, bills that mandate expenditures, and so on.

1969 NEW BUDGET—OBLIGATIONAL—AUTHORITY TOTALS TO BE CONSIDERED

Under the new unified budget basis, the tentatively estimated total new budget—obligational—authority proposed in the 1969 budget, and relating to fiscal 1969, is $214,581,000,000, gross, and $201,723,000,000 net of certain transactions treated as offsets for budget summary presentation purposes only—the latter figure is the one used in title II of the Revenue and Expenditure Control Act of 1968. Most of this would be in the technical form of what has always been known as appropriations.

The 1969 budget also proposes $2,895,000,000 in advance new budget—obligational—authority for fiscal 1970 for title I elementary and secondary education grants, for urban renewal grants, for mass transit grants, and for airport aid grants.

The $214.6 billion gross budget request for 1969 breaks out as follows:

Category	Budget amounts
1. Grand total, gross amount	$214, 581, 000, 000
2. Deduct amounts that arise from previous permanent-type legislation that does not require action in bills this session (interest, social security and other trust funds, etc.)	−73, 085, 000, 000
3. Portion requiring action in bills this year	141, 496, 000, 000
4. Amount acted upon by House in the 9 appropriation bills	−52, 860, 000, 000
5. Remainder to be considered	88, 636, 000, 000
6. Amounts presently involved in specific budget requests, not yet considered	−84, 311, 000, 000
7. Remainder	4, 325, 000, 000
Consisting of:	
(a) Amounts relating to backdoor-type legislative bills (mostly contract authorities in highways)	1, 248, 000, 000
(b) Amounts shown in the budget as being for "later transmittal" (the $1,600,000,000 July 1968 pay cost item; contingencies allowance; etc.)	3, 077, 000, 000

SENATE ACTION ON 1969 APPROPRIATION BILLS

The Senate has passed three of the appropriation bills for 1969. In the three bills, amounts of new budget (obligational) authority approved were below the budget requests for 1969 by $1,710 million. They were $23 million above the House totals.

FINAL ACTIONS ON 1969 APPROPRIATION BILLS

One appropriation bill—Treasury-Post Office—has been sent to the President, totaling $1,780 million in new budget—obligational—authority, a cut of $179 million from the budget requests.

A summary of the totals of new budget—obligational—authority on the bills to date follows:

ACTIONS ON BUDGET ESTIMATES OF NEW BUDGET (OBLIGATIONAL) AUTHORITY IN APPROPRIATION BILLS, 90TH CONG., 2D SESS., AS OF JULY 3, 1968

[Does not, of course, include any "back-door" type budget authority; or any permanent (Federal or trust) authority under earlier, or "permanent" law [1] without further, or annual action by the Congress]

Bill and fiscal year	House actions		Senate actions		Enacted	(+) or (−), latest action compared to budget requests
	Budget requests considered	Approved	Budget requests considered	Approved		
Bills for fiscal 1969:						
1. Treasury-Post Office (net of estimated postal revenues appropriated)	$1, 959, 535, 000	$1, 777, 800, 000	$1, 959, 885, 000	$1, 781, 053, 000	$1, 780, 653, 000	−$179, 232, 000
(Memoranda: Total, including authorizations out of postal funds) [2]	(8, 337, 359, 000)	(8, 155, 624, 000)	(8, 337, 709, 000)	(8, 158, 877, 000)	(8, 158, 477, 000)	(−179, 232, 000)
2. Agriculture	6, 923, 979, 800	5, 523, 635, 500	6, 923, 979, 800	5, 540, 550, 300		−1, 383, 429, 500
3. Independent offices-HUD	16, 570, 580, 300	13, 670, 636, 000				−2, 899, 944, 300
4. Interior	1, 410, 342, 300	1, 280, 880, 300	1, 432, 342, 300	1, 284, 372, 800		−147, 969, 500
5. State, Justice, Commerce, and Judiciary	2, 203, 820, 900	1, 794, 981, 500				−408, 839, 400
6. Public works (and AEC)	4, 908, 657, 000	4, 499, 223, 000				−409, 434, 000
7. Labor-HEW (including fiscal year 1970 advance)	18, 205, 261, 000	17, 224, 771, 000				−980, 490, 000
(Fiscal year 1969 amounts only)	(17, 005, 261, 000)	(16, 267, 057, 000)				(−738, 204, 000)
8. Legislative	257, 162, 531	247, 497, 349				−9, 665, 182
9. Transportation	1, 620, 832, 000	1, 353, 391, 000				−267, 441, 000
Total, these bills—						
As to fiscal 1969	52, 860, 170, 831	46, 415, 101, 649	10, 316, 207, 100	8, 605, 976, 100	1, 780, 653, 000	[3] −6, 444, 158, 882
As to fiscal 1970	1, 200, 000, 000	957, 714, 000				−242, 286, 000
Total, 1969 bills	54, 060, 170, 831	47, 372, 815, 649	10, 316, 207, 100	8, 605, 976, 100	1, 780, 653, 000	[3] −6, 686, 444, 882
Bills for fiscal 1968:						
1. Urgent supplemental	[4] (1, 216, 020, 863)	[4] (1, 214, 780, 863)	[4] (1, 216, 020, 863)	[4] (1, 405, 445, 863)	(4)	(4)
2. Unemployment compensation (H.J. Res. 1229)	28, 800, 000	28, 800, 000	28, 800, 000	28, 000, 000	28, 000, 000	−800, 000
3. Claims and judgments (H.J. Res. 1268, which also carried $400,000,000 highway "liquidation cash")	50, 980, 863	50, 980, 863	50, 980, 863	50, 980, 863	50, 980, 863	
4. Secret Service (H.J. Res. 1292)		400, 000		400, 000	400, 000	+400, 000
5. 2d supplemental	6, 716, 514, 679	6, 346, 283, 924	6, 738, 311, 393	6, 373, 735, 498	6, 295, 831, 498	−442, 479, 895
Release of reserves (under Public Law 90-218)	(2, 976, 051, 100)	(2, 674, 902, 800)	(2, 976, 051, 100)	(2, 687, 902, 800)	(2, 674, 902, 800)	(−301, 148, 300)
Total, 1968 bills	6, 796, 295, 542	6, 426, 464, 787	6, 818, 092, 256	6, 453, 116, 361	6, 375, 212, 361	−442, 879, 895
Cumulative totals for the session:						
House	60, 856, 466, 373	53, 799, 280, 436				[3] −7, 057, 185, 937
Senate			17, 134, 299, 356	15, 059, 092, 461		[5] −2, 075, 206, 895
Enacted			8, 777, 977, 256		8, 155, 865, 361	−622, 111, 895

---

[1] In round amounts, the January budget—for fiscal 1969—tentatively estimated total new budget (obligational) authority for 1969 at $214,581,000,000 ($201,723,000,000 net of certain offsets made for budget summary purposes only), of which $73,085,000,000 would become available without further action by Congress and $141,496,000,000 would require "current" action by Congress.

[2] These figures assume the January budget estimate of 1969 postal revenues will hold.

[3] Includes $2,685,000,000 related to participation sales authorizations (Agriculture, $425,000,000; VA and HUD, $2,110,000,000; State-Justice bill, $150,000,000); also includes $126,500,000 (committee bill, $256,000,000) deleted on floor point of order on State-Justice bill.

[4] Not added in totals because every budget request and every item otherwise involved have been dealt with in other supplementals for 1968 listed herein.

[5] Includes $425,000,000 related to participation sales authorizations (Agriculture).

Prepared July 3, 1968, in the House Committee on Appropriations.

Mr. BOLAND. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. YATES], a member of the committee.

Mr. YATES. Mr. Chairman, I want to pay my tribute to the other members of the committee with whom I went over this bill in the course of the hearings.

I want particularly to pay my respects to the distinguished chairman of our subcommittee, the gentleman from Massachusetts.

I have worked with Congressman BOLAND for almost 20 years now in close association and I consider him to be one of the most able Members of the House. He is one of the most conscientious people I know. He studies his work. He is well prepared. He knows his subject and he covers the ground thoroughly. He presents his arguments forcefully and articulately. He attacks every problem that the committee faces with understanding and with good commonsense.

As chairman of our subcommittee, he has been completely fair to the members and to the witnesses who have appeared before us although I must say he expects and he demands from the witnesses that they know what they are talking about. He is satisfied with nothing less than the full facts.

Mr. Chairman, with all of these traits and personal qualifications, our good friend is genial, he is well humored, and he is considerate. He is a real gentleman and it has been a pleasure to work with him and to be with him during all these years.

It is rare that he and I disagree, but we do find ourselves in disagreement on one matter in this appropriation bill and that relates to the SST.

I do not think that our disagreement is great. It is a question of degree. The committee was unanimous in recapturing $30 million of the $216 million that the SST program has not yet obligated. I propose to go further than the subcommittee in an amendment which would freeze another $100 million of the SST program. And I say to the able gentleman from Washington [Mr. PELLY] that this amendment will not kill the program.

I say to the gentleman, as I say to my good friends from Washington—and they are my good friends—that my amendment will not kill the program, nor will my amendment take any jobs away from any of the companies engaged in working on the SST program. We are not near the production phase. A design has not yet been approved; the original one has been rejected.

Now he has entered into a contract with the contractor under which a new deadline has been established under the terms of which the contractor must meet the requirements of the original goals by January 15.

I say this is a fortunate circumstance because this will enable the new President, whoever he may be, and the new Congress to take a look at the program. Shall we go forward with the SST in view of all the stringent budgetary requirements that we have?

As the House knows, I voted against the SST program last year. I am still opposed to it, although I repeat what I said, that I do not propose to kill it by this amendment. My own view is that there are other programs in this list of priorities to which we must look which have a much higher demand upon our funds than does the SST.

The other day I introduced an amendment in the HEW appropriation bill to try to obtain $135 million for the education of children in underprivileged areas.

The House chose not to vote those funds. The $100 million recaptured from the SST program could very well be used for that purpose. Personally, I have other priorities than the SST. I prefer to see appropriations for housing. I prefer appropriations for job opportunity programs for the underprivileged.

But the funds that remain will let the program continue. The deadline is in January. This will permit sufficient time for the new President and the new Congress to consider the decision as to whether the program will continue.

Mr. MINSHALL. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland [Mr. GUDE].

Mr. GUDE. Mr. Chairman, I share the concern of my colleague from Virginia about plans for National Airport. The facilities at National are overcrowded, while Dulles Airport, built with the taxpayers' money, is operated at much less than half capacity.

There is little doubt in my mind that commercial carriers could shift substantial portions of the traffic to Dulles without hardship to anyone. In fact, many who live in the metropolitan area of Washington could more quickly and conveniently utilize the Dulles Airport. They will find no long waits or overcrowded facilities.

I hope that the FAA will take a long, hard look at any proposals concerning National Airport and will keep in mind the facilities at Dulles as well as Friendship.

I am also happy to hear that there will be steps to further reduce authorization for the SST, as mentioned by the gentleman from Illinois; I think we have much higher priorities in our national life, aside from the intrusion of more jet noise into our cities and countryside. I think his mention of the Elementary and Secondary Education Act as a place to invest this money was a very prudent one.

Mr. MINSHALL. Mr. Chairman, I yield 4 minutes to the gentleman from Georgia [Mr. THOMPSON].

Mr. THOMPSON of Georgia. Mr. Chairman, I asked for this time because I want to bring to the attention of this body a matter which I consider to be a devious method by which the FAA is acquiring new aircraft, a matter which I fear is bypassing the normal authority for acquiring new purchases.

Some time ago I had a friend of mine in the aviation industry tell me that North American Rockwell Corp. were going to sell about five new jets to the FAA and they had made a very good deal out of it. So I asked the General Accounting Office to check into this matter for me.

The General Accounting Office reveals that North American is entering not into a straight purchase agreement, because a straight purchase agreement would have to be approved by this body and this Congress, but the FAA has entered into what I consider to be a very devious lease-purchase agreement.

The FAA is leasing actually four additional aircraft. The aircraft will cost about $1,300,000 apiece and of the lease payments that are made, in the first year 50 percent will be credited toward purchase, in the second year 52.5 percent will be credited toward purchase, and in the third year 55 percent will be credited toward purchase.

So we see that North American Rockwell in selling these aircraft to the FAA by means of a lease-purchase arrangement—whereby Federal Aviation can use operating funds to acquire physical assets—is not only going to be making its full list price on these aircraft, but it is going to have a bonus. The bonus payment will be the approximately 50 percent of the lease payments the company is keeping each and every year.

Mr. Chairman, I would like to offer an amendment, and I will offer an amendment at the proper time, to prohibit the acquisition of these aircraft. The proposed delivery dates are one in January 1969, the second in February 1969, the third in March 1969, and the fourth in April 1969.

Mr. CAHILL. Mr. Chairman, will the gentleman yield for a question?

Mr. THOMPSON of Georgia. I yield to the gentleman from New Jersey.

Mr. CAHILL. Mr. Chairman, can the gentleman tell us what use FAA is going to make of these jet aircraft?

Mr. THOMPSON of Georgia. Mr. Chairman, according to the General Accounting Office, the FAA plans to use these aircraft primarily in their overseas operations, basing one in Japan, one in Hawaii, and I believe one in Alaska. They will be used for checking navigational facilities.

Let me say, it may very well be that the FAA can justify the need of these aircraft. The aircraft will replace some propeller-driven aircraft now being used for this purpose, such as Lockheed Constellations and other aircraft which are being used for this purpose. But my concern is simply this: That at a time when we are trying our very best to keep expenditures down and to keep from spending money, perhaps the FAA can make do with what they have for another year, until our budgetary problems are not quite as severe as they are today.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON of Georgia. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I think it might be placing them under considerable strain. They have only about 100 aircraft.

Mr. THOMPSON of Georgia. This is true. They have a fleet of aircraft which is approximately the size of the fifth or sixth largest airline in the United States. Of course, not all these aircraft are the large four-engine jets, but they do have a number of these aircraft.

The point I am trying to make is simply this: It is possible the FAA can justify the need for these aircraft, but if they are going to purchase the aircraft, if they are going to buy aircraft, they should go through the regular process in buying the aircraft. The FAA should go before the Appropriations Committee and justify the individual purchase of the aircraft. The FAA should not enter into a lease purchase arrangement.

Mr. BOLAND. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. Vanik].

Mr. VANIK. Mr. Chairman, I should like to ask the distinguished chairman of the subcommittee a question.

I understand that the West Virginia turnpike is either applying for or receiving Federal funds to pay current interest charges on the West Virginia turnpike. Can the gentleman tell me whether or not there is any money to be appropriated under this bill to pay current funding charges on the West Virginia turnpike?

Mr. BOLAND. Mr. Chairman, if the gentleman will yield, my understanding is there is not any money in this particular bill to pay what the gentleman has described. This was explored, as shown on page 373 of the hearings. The Federal Highway Administrator, Mr. Bridwell, in response to a question by me, said:

> There is no proposal for the Federal Government to either purchase or participate in the purchase of the toll road itself. The plan is for the State of West Virginia to assume the sole jurisidiction for settling the debt with the security holders, the bondholders, that the Federal Government will participate in the acquisition of the right-of-way and the improvements thereon and participate in the cost of upgrading it to Interstate System standards.

This is improving from a two-lane highway to a four-lane highway. That is the only area the Federal Government is going to become involved in, acquiring the land for that purpose.

Mr. VANIK. I thank the gentleman.

Mr. PEPPER. Mr. Chairman, certainly one of the most difficult tasks facing this Congress is the need for continuing the essential operations of Government at the same time that a substantial reduction is made in the requested level of funding. On the one hand, we know that the reduction must be made as part of the overall effort to check inflation, improve our balance of payments, and protect the integrity of the dollar. Nontheless, it is particularly disheartening to see valuable programs drastically reduced, deferred, or cut out altogether. It may require the wisdom of Job to decide which expenditures are most essential in this time of necessary fiscal austerity.

Today as we take up the Department of Transportation appropriation bill for fiscal year 1969, I must oppose certain reductions made in the budget requests, although I fully support the goal of holding down expenses as much as possible in these crucial times. While the measure does provide more than $1.3 billion in new budget authority, it is one of the few appropriation measures which we will consider which actually reduces a department's budget below the current level. The recommended amount is some $267 million less than the $1.620 billion requested in the budget, $179 million less than the $1.533 billion appropriated for fiscal year 1968, and even $367 million less than the comparable appropriations of $1.721 billion for fiscal 1967.

Included among the reductions is a deferment of the $16.2 million requested for high speed ground transportation research and development. The committee noted that the required extension of legislative authority for this program has not yet been enacted. I believe that research work in this area is one of the most fruitful tasks of our entire government, since the millions of urban commuters in our Nation and the additional millions who travel and visit in distant cities can all benefit by the new technology and resources discovered under the program. In my own area, for example, some $266,180 in Federal funds is pending for 1968–69 on urban mass transportation, technical studies. These studies should provide most useful information for an area with so much visitor travel. It seems to me that more consideration should have been given to funding of the high speed ground transportation studies program, and I strongly oppose any reduction in the program in Dade County, Fla.

Mr. Chairman, I am delighted to find that full funding is included in the Federal Aviation Administration portion of this appropriation bill for aviation safety at our Nation's airports. The committee recommended the full amount of the budget estimate for the FAA, including $12.9 million in increased funds for new personnel positions needed to handle the increasing workload in the air traffic control system. The committee report said in no uncertain terms:

> The Committee insists that the FAA use all of its authority to see that safety is maintained even at the expense of the growth of aviation or anything else.

While I hardly expect to see the growth of aviation do anything but continue, this certainly states the congressional mandate that safety at the Miami airport and other airports across the Nation be kept at the highest possible level. I believe this offers assurance to all travelers that they may fly to their destination in complete security and comfort.

There are other sections of this bill where strong arguments could be made for more funding than is granted. But overall, with the instances I have noted, I support the goal of holding expenditures as low as we can in this time of fiscal difficulty.

Mr. HATHAWAY. Mr. Chairman, today we have witnessed our distinguished colleague [Mr. Boland], of Massachusetts, exhibit the grand manner of legislative management which enables this body to function effectively under conditions which are not optimum. He has demonstrated the energy, organization, fortitude, and articulation which represent the highest form of leadership and he has done so at the time and in the place where thoughtful and courageous and skillful leadership—is mandatory.

Those of us who know Ed Boland—also respect him—and we are not surprised by the characteristics so admirably contributed by him to the legislative process.

Ralph Waldo Emerson put it this way:

> The true test of civilization is not the census, nor the size of cities, not the crops—no, but the kind of man the country turns out.

The country, New England, and particularly the Second Congressional District of Massachusetts, can take a bow in the name of this man, Ed Boland.

Mr. DADDARIO. Mr. Chairman, the gentleman from Massachusetts [Mr. Boland], the chairman of this subcommittee, has done a superb job today, as he always does, in the management of this bill covering appropriations for the Department of Transportation. The future of our transportation industry depends in great part on the various programs included in this bill. One of the great problems our country faces is in our ability to transport people and goods—economically, efficiently, and expeditiously. We are finally facing these issues with force and effectiveness.

Mr. Boland has shown himself to be an outstanding leader as the chairman of this important subcommittee. He is to be commended, and we in the House are fortunate to have him in charge of these activities during this important period of transportation development.

Mr. O'NEILL of Massachusetts. Mr. Chairman, I would like to commend my colleague and good friend, the gentleman from Massachusetts, on the excellent job he and his subcommittee have done.

The Department of Transportation Subcommittee of the Committee on Appropriations, under the able and conscientious leadership of Eddy Boland, has written a comprehensive and clear report on H.R. 18188.

Chairman Boland and his committee were faced with the difficult task of attempting to fill the requirements for funds of the Department of Transportation while recognizing the need to reduce Federal expenditures.

They have achieved this careful balance by economizing in the least essential areas while providing funds for necessary programs that will encourage the growth of a more efficient and modern transportation system in the United States.

Eddy Boland has also contributed to the efficiency of this new Department by making comprehensive suggestions for changes in administrative techniques and organizational structure.

I wish to compliment my very good friend for recognizing the possibilities for greatly improving our transportation system and for his determined efforts to decrease Federal spending. His work will benefit the people of the United States, by providing them with programs necessary for improved transportation and by limiting expenditures for all but the most essential programs.

Mr. DONOHUE. Mr. Chairman, I hope that this House will speedily and overwhelmingly accept and approve this bill before us, H.R. 18188, the Department of Transportation appropriations bill for fiscal year 1969.

Although various Members may have some differences about some aspects of the committee recommendations it is difficult to see how there could be any very serious question or disagreement with the substance and purpose of the bill's provisions, particularly in the light of the extraordinary clear, complete and persuasive presentation and explanation of the bill by the most eloquent and distinguished Appropriations Subcommittee chairman, the gentleman from Massachusetts.

It is apparent that the very important problems and services with which this bill is concerned were diligently and exhaustively studied and analyzed by the chairman and he has certainly made one of the most outstanding presentations this House has received in many a long year. I know that every one of my colleagues join in their congratulatory appreciation of a legislative endeavor that discloses the highest degree of public responsibility. We are grateful indeed to the eloquent chairman and, of course, to his dedicated committee associates.

After the brilliant explanation that we have heard there is no point in unnecessarily reviewing the various provisions of the bill.

In totality it is apparent that the committee attempted to achieve and did achieve the best possible balance between the financial requirements of the Department and the imperative necessity to prudently reduce Federal Government spending in responsible concern about the inflationary pressures which large deficits have helped to produce. The committee standard of action was to reduce departmental estimates wherever a compelling need could not be demonstrated and the rule of careful evaluation of priorities was rigidly and wisely applied.

I am particularly pleased that the committee recorded its intention that a very minimal part of the reduction recommended for transportation research funding be applied to the Northeast Corridor project which is designed to develop plans for alternative transportation systems to serve the densely populated corridor from Boston to Washington. I am further impressed that the committee recognized and responded to requests that I and other Members have made to instruct the Department to exercise a concerted effort to conclude their study as early as possible in 1969. The problems affecting this project are ever-increasing in intensity and a plan of action is needed for initiation at the earliest moment.

The attention given in the appropriations recommended is concern for traffic and highway safety, the operation of the Bureau of Railroad Safety and the extension of the authority of the Federal Railroad Administration to try to cope with the challenge of protecting the lives of the American people and the employees of railroads reflects the importance which the committee rightfully attributed to improving the capabilities of these units to adequately meet the intensifying pressures in these areas of Federal public interest.

Mr. Chairman, by any standards of legislative measurement that is a meritorious bill that should, and I hope will, be resoundingly adopted without prolonged delay.

Mr. PHILBIN. Mr. Chairman, I want to commend and compliment the distinguished gentleman from Massachusetts, my valued friend [Mr. BOLAND], and his colleagues on the Transportation Appropriations Subcommittee, for their outstanding work in bringing this most important bill to the floor today.

Mr. BOLAND and the subcommittee has worked hard and long, especially during this period of great fiscal pressure, to present to the House a bill designed to give the country a well balanced and sound transportation program.

In such areas as the supersonic transport, the subcommittee, under the able chairmanship of Mr. BOLAND, has acted prudently and wisely in finding areas in the budget request where judicious reductions could be made without seriously jeopardizing this vital national program, and I commend them highly for their outstanding work and speedy results.

Recently, I had occasion to bring to the attention of Maj. Gen. J. C. Maxwell, USAF, Director of Supersonic Transport Development, Federal Aviation Administration, an article from the noted Manchester Guardian of Manchester, England, which cited certain problems, particularly weight, surrounding the supersonic program.

This article and General Maxwell's comments may be of interest to my colleagues and I include this material at this point in the RECORD:

[From the Manchester Guardian, Apr. 18, 1968]

BOEING-2707 FACES CRISIS OVER WEIGHT PROBLEM

The men building the Anglo-French supersonic air liner have enough problems of their own without gloating over other people's; but they would probably admit to a feeling of relief if nothing more, that their American rivals are now sweating over the same daunting arithmetic that faced them a few years ago.

The Boeing-2707 is going through a technical crisis of which the official token is the announcement of a year's delay in the programme. And the trouble can be summed up in one word—weight.

Rumour has it that the Boeing team has even been tempted to abandon its variable-sweep wing configuration and adopt the slender delta used for Concorde. But not only is this denied by the company; it would raise formidable political complications because Lockheed (the American manufacturer building a Rolls-Royce powered airbus) proposed a delta-winged supersonic air liner which was rejected in favour of Boeing's design during the United States Government competition.

All aircraft designs tend to put on weight, just as all jet engines tend to acquire more thrust; but where subsonic air liner designs simply worry about it, those of supersonic ones are obsessed. Take, for example, the fuel multiplier. Fuel represents a higher proportion of total weight in a supersonic air liner than in today's subsonic jets.

In Concorde the payload amounts to no more than 13 per cent of its fuel capacity, so if the designers make a 10 per cent error in the fuel requirement they have lost two thirds of their passenger total. Supposing the weight goes up for some structural reason; more fuel is burned to lift the heavier aircraft off the ground and push it at a given speed; the range falls back, but since this is critical it has to be regained by carrying more fuel still.

This is as much an American problem now as it has been—and will continue to be—an Anglo-French one. But Boeing is trying to juggle with a lot more factors than our people. It has to work in metals like titanium because aluminium alloys could not stand the heat generated at 27 times the speed of sound. And it faces in exaggerated form the stiffness problem that any long slender aircraft encounters.

If you ever watched a swan thundering across a pond struggling to heave its long, sagging neck clear of the water, you will appreciate something of the 2707's difficulty. It does not have Concorde's full delta wing to stiffen the fuselage tube, although the variable-sweep wing roots stretch for a surprising distance. So when the pilot sitting, as it were, on the swan's head, deflects his controls to lift it into the air, the first effect is simply to bend the whole structure like a bow. Increased stiffness means weight.

Not that Concorde has necessarily finished with its own weight problem. A current dilemma is the tendency to run out of undercarriage, in terms of the pressure the wheels exert on the runway. As the aircraft stands now this poses a problem at airports like Tehran and Delhi, where the runway strengths are below American and European standards. But several possible cures are being studied, including tyres which can be inflated to a lower pressure to spread the load.

One of the things which worried the American air-worthiness authorities some time ago when I was in Washington was Concorde's dependence on fuel transfer to retain its correct centre of gravity at supersonic speed.

But since then the British Aircraft Corporation, which is responsible for the air liner's fuel system development at Bristol, has halved the amount of fuel that has to be transferred—for example by feeding the engines from the forward tanks during the early part of the flight—and satisfied the American authorities that they could transfer fuel back again quickly enough in the extreme event of total engine failure at cruising altitude.

DEPARTMENT OF TRANSPORTATION,
FEDERAL AVIATION ADMINISTRATION,
Washington, D.C., June 27, 1968.

Hon. PHILIP J. PHILBIN,
House of Representatives,
Washington, D.C.

DEAR MR. PHILBIN: Your note to General McKee, enclosing a copy of a news article from the Manchester Guardian of April 18, 1968, has been referred to me for reply. Mr. Fairhall's analysis of the present SST situation regarding both the Concorde and the U.S. supersonic transport is essentially correct. I would like to go a little further though and give you some specific information concerning the status of both our SST program and the Anglo-French Concorde.

When we reviewed the performance of the SST prototype airplane design submitted by Boeing in January 1968, there was, in our judgment as well as that of Boeing and the airlines, too large a gap between its performance and the objectives we have set for an SST commercial airliner. Although the prototype airplane need not fully meet the commercial airliner objectives, it must demonstrate that the production design can meet them. The basic problem centered around an overweight of about 50,000 pounds in the airplane's structure.

In February 1968, the Government directed Boeing to conduct further design and development work before beginning construction of the airplane. This decision, which will delay the SST approximately one year, allows Boeing time to make revisions to evolve a viable airplane design. First flight of the prototype is now expected to occur during the first quarter of 1972.

We expect to receive complete substantiation for the revised Boeing design by mid-January, 1969, and if the design is satisfactory, we plan to proceed with construction by the end of February, 1969.

The SST program is based on the premise that because of the sonic boom the

SST's supersonic operation will be limited to the overocean routes. Our economic studies show an adequate market even under those conditions. According to the reports we have heard, the Concorde continues to make progress. The first protoype is being readied for flight at Toulouse, France, and should fly this year. The second Concorde prototype is being built in England and is nearly complete. The British and French Governments have committed over $2 billion to the Concorde program in the form of subsidies, loans and guarantees of commercial loans. It is possible that the Concorde will enter into commercial service in the early 1970's—3 to 4 years ahead of our U.S. SST.

I hope this information will be of value to you. If you have any further questions, please don't hesitate to call on me.

Sincerely,

J. C. MAXWELL,
Major General, USAF Director, Supersonic Transport Development.

Mr. **MINSHALL**. Mr. Chairman, I have no further requests for time.

Mr. **BOLAND**. Mr. Chairman, I have no further requests for time, and I ask that the Clerk read.

The **CHAIRMAN**. All time has expired. The Clerk will read.

The Clerk proceeded to read the bill.

Mr. **BOLAND** (during the reading). Mr. Chairman, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The **CHAIRMAN**. Are there any points of order to be made against the provisions in the bill? If not, the Chair will receive amendments to the bill.

AMENDMENT OFFERED BY MR. YATES

Mr. **YATES**. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YATES: On page 16, after line 6, insert the following:

"SEC. 203. None of the funds provided under this Act shall be available for any expense in connection with the execution of programs, the obligations for which are in excess of $86,000,000 in fiscal year 1969 for 'Civil Supersonic Aircraft Development.'"

Mr. **YATES**. Mr. Chairman, the purpose of this amendment is to limit expenditures during the current fiscal year for the program to develop the SST.

The SST program now has approximately $216 million of unobligated funds. By this bill we would take away $30 million of the unobligated funds, leaving $186 million. My amendment proposes to take away another $100 million, leaving the program with $86 million, which will be enough to permit the contractor to meet its commitments on a good design.

Why should we do this? We should do this because the design of the SST has been found to be inadequate by the Secretary of Transportation. A new contract has been entered into under the terms of which the contractor is required to submit a new design next January, a design which will incorporate the goals for which the program was inaugurated.

Next January, Mr. Chairman, will bring to this country a new President and a new Congress. Should we not give the opportunity to the new President and to the new Congress to decide, in view of our tight budget, whether there should be appropriated an additional $600 million to complete the prototype airplane. The further decision must be considered for what to do about the additional $3.5 billion which will be needed to develop the first production plane.

We are fortunate that we can take a second look at this program next year. As a matter of fact, Mr. Chairman, it will give the Congress a chance to take its first look at the program, because no committee of this Congress has ever approved the SST program. Its authorization came as a result of a little-known section of the FAA law. The Committee on Appropriations of the House did consider the question of making funds available, but that was the only hearing had on the SST. I think we ought to stop and take a second look.

Mr. Chairman, I urge the adoption of my amendment.

Mr. **BOLAND**. Mr. Chairman, I rise in opposition to the amendment.

We have already rescinded $30 million from this program. There was a request in the President's budget in January for $223 million. This was sent up to the Congress. The reaction of the committee a few months later was that it was not necessary because of a change in design. In January 1969, we will arrive at the time where the new design will be submitted. There was also an indication that there was $216 million unobligated, but that the program would require only $186 million in fiscal year 1969. So we rescinded the $30 million that was not necessary for obligation in fiscal year 1969.

Mr. Chairman, the amendment offered by the gentleman from Illinois would fund it only some $26 million beyond that point in January when the new design concept would be filed and there would be a determination as to whether or not we would continue with the SST.

There is no question in my mind, just as there is no question in the minds of the people in the FAA—and General Maxwell is one of the most brilliant Administrators of any Government program that I know of—that the Boeing Co. will come up with a design concept which will be feasible and will be approved in January. If that is so—and I believe it will be so—it will be necessary at that moment to fund the SST program in that month of January 1969 by $55 million or $56 million. Then in February by $250,000 and in March $250,000 and in April next year by $75 million. Then, in May by $250,000 and in June by $250,000. That is the way the program has been outlined to the subcommittee. The total amount necessary for funding the SST in 1969 is $186 million.

The gentleman from Illinois is my good friend. I have served with him for a long period of time. I think he is one of the hardest-working Members and one of the most knowledgeable Members in Congress. However, we do share a difference on this program. He is opposed to the SST program itself. I happen to be for it. I am for it because I believe it is necessary if the United States is to maintain its leadership in the aviation industry. This program alone provides or will provide 50,000 jobs. The SST program will provide jobs for that many people just in the aviation industry alone. The multiplier effect of this program is probably four or five times that.

This is a program which the Federal Government is involved in through the prototype stage. We are committed to the expenditure of about $1.2 billion. We have already obligated over $400 million and have appropriated over $600 million on the SST program.

We have been up the hill and down the hill in this program. You are either for the SST program or you are against it. If you are for the SST program, you should vote against the amendment which has been offered by the gentleman from Illinois [Mr. YATES], who opposes the program.

Mr. Chairman, as the members of this Committee are aware, the countries of Great Britain and France are making headway on the Concorde SST. They have encountered some problems, but probably it will be flying in November of this year. Soviet Russia is involved in an SST program also.

Mr. Chairman, if the amendment which has been offered by the gentleman from Illinois [Mr. YATES] is adopted it will slow down this program. If the design concept is approved in January, it will mean that we will have to come back here during the early part of next year and get the money with which to fund the program in 1969.

Mr. Chairman, I feel that such a delay would be unconscionable.

It is my opinion that we should all applaud the FAA, the Boeing Co., the Department of Transportation, and others who have been connected with this program. Such delay could be devastating.

Mr. Chairman, it is my opinion that the Boeing Co., engineers and all others who are working with this program are cooperating with the FAA today in an effort to get a plane in the air that will be the kind of plane which all of the people of the United States of America can be proud.

The **CHAIRMAN**. The time of the gentleman from Massachusetts has expired.

Mr. **PELLY**. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, I rise to oppose the Yates amendment.

This past February the decision was made to delay the SST program for 1 year for technical reasons. This decision reflects a tough and prudent management, and resulted in substantially reduced expenditure levels until the technical problems are solved.

Right now all the work at Boeing is being paid for by Boeing money and airlines' money. Airlines' money has been used at Boeing in lieu of Government money since the middle of January. The airlines have put up $58½ million of risk money and this will carry the Boeing program into the fall of this year. This is another example of how the SST program management has been effective in minimizing Government costs during this redesign period.

Let us not forget our European competition. The British-French Concorde is a supersonic transport scheduled to fly this year and for which there are 72 orders placed by the world's airlines. Within the past year the British Government has committed funds to begin production of Concordes for the commercial airlines. A total of over $2 billion has been committed by the two countries in the form of direct subsidies, loans, and loan guarantees. Certainly this country should meet the competitive challenge particularly when our manufacturers and our airlines are willing to share the costs and the risks.

This amendment would place uncertainty in the manufacturers' planning, scheduling, and facilities expansion program currently underway. Thus, its impact on the SST program office and on the manufacturers could have such a harmful effect that it is virtually a vote to cancel the program. This amendment could put the SST in a position of being without funds at the very time when the manufacturers would need funds to proceed into the construction phase. A lack of funds at such a crucial time could easily result in the program being terminated with an accompanying great loss to the taxpayer.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. PELLY. I yield to the gentleman from Illinois.

Mr. YATES. The gentleman from Washington assumes that the design upon which the Boeing Co. is now working will be approved in January. The fact is that there is no assurance that that design will be approved in January. It may be extended beyond that.

Second, may I point out to the gentleman the fact that the Concorde, which is the plane under construction by France and England, was rolled out of the hangar in February, presumably for its maiden flight, and rolled back into the hangar after that flight.

Mr. PELLY. May I say to the gentleman from Illinois, I assume that the design will be satisfactory and will meet the approval of the FAA. Then it will be necessary to have these funds. However, on the other hand, if the design is not approved, then, at that time, will be the time to recover any unneeded funds.

Mr. YATES. Mr. Chairman, I made the point in the course of my initial presentation that we are at a watershed of decision, and that the next President should decide whether we should expend another $600 million for a prototype, and $3.5 billion to put the first plane in production. And that is a pretty good figure.

Mr. PELLY. I would say to the gentleman from Illinois that the gentleman is a very brilliant lawyer, and I certainly admire him, but I do not believe he has fully understood the problem of management in being concerned with the programing ahead and with future planning.

The Boeing Co. must know in what direction it is going, and plan for it in the event that this design is approved, which I believe it will be.

Mr. BOLAND. Mr. Chairman, if the gentleman will yield, we are not committing this Government to any expenditure of $3 billion in this area. The only commitment that the U.S. Government has is through the prototype stage, and some flight hours after the two prototypes have been developed. That is all. That amounts to $1.2 billion.

Now, in France and England it is a total Government subsidy, as it is in Russia. When we get to the end of the prototype stage then we can take a look at whether or not the Government ought to further subsidize the program, and whether or not it ought to be financed through private interests. That is exactly what is going to happen.

So there is no question about the fact that we are not spending $3 billion, it is $1.2 billion.

Let me say this further—and I appreciate the gentleman yielding—much has been said by people and by Members who oppose spending, that we ought to establish priorities, that we ought to take care of the people who live in the ghettos, that we ought to provide for all the poverty programs——

The CHAIRMAN. The time of the gentleman from Washington has expired.

(By unanimous consent, Mr. PELLY was allowed to proceed for 1 additional minute.)

Mr. BOLAND. If the gentleman will yield further, they say we ought to provide for all these programs that have been set up by the administration.

A lot of the Members on both sides of the aisle are interested in these programs, and I am interested in them also. There ought to be priorities for the elementary and secondary educational programs, and for the higher educational programs, and I have voted for all the programs, but how in the world are we going to get the money for these programs if we do not build the national economy of this country? That is exactly what the automobile industry has done, and that is exactly what the steel industry has done, and that is exactly what the aviation industry has done.

This program in years to come means billions and billions to our national economy, and then we can afford the priorities and we can afford all of the great programs that all of us want, but we will never be able to pay for them if you knock this kind of program out.

Mr. PELLY. I thank the gentleman from Massachusetts for his comments.

Mr. DON H. CLAUSEN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I do not believe I will take all of the 5 minutes allotted to me, but I do want to take just a few minutes to associate myself with the remarks of the gentleman that just preceded me, the gentleman from Washington [Mr. PELLY], and also the chairman of this subcommittee, the gentleman from Massachusetts [Mr. BOLAND].

Mr. Chairman, I believe that Congress is going to have to take a broader look at what we are dealing with here. I believe that what is at stake is the question of whether or not we can stay abreast in the technological field of supersonic development, and actually consider what is going to be the yield over the long haul in years to come in the way of international balance-of-payments benefits.

Mr. Chairman, I believe all of the comments that have been made by the chairman of the Transportation Subcommittee of the Committee on Appropriations have been very cogent, and I want to associate myself with those remarks.

We cannot afford to be shortsighted on the important program. While we have spent billions of dollars for the development of aircraft for defense purposes, I look upon this program as an expenditure of dollars for an offense program. I am talking in terms of an economic offensive that is definitely needed if we are going to solve some of the problems related to the cold war.

In this nuclear age, a defense posture, by itself, will not provide or guarantee our security in the future as it has in the past. We will need to move free people into those developing countries who desire to build free public and private sector institutions to build a better world.

To me, that country which maintains the leadership in the supersonic field will direct the ultimate destiny of man and the political systems that prevail. We cannot afford to be second best. That is why I support the supersonic program.

This is one of the ways to avoid future Vietnams. This is an action program—not a reaction program.

I believe this is the issue and the reason I have taken the floor to oppose this amendment.

Ten years from now, the American people will be thanking us for this effort and the vision displayed by this Appropriations Committee.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from Illinois [Mr. YATES].

Why not let the British and the French build an experimental plane and take the chance of failure that goes with it? Why do we not let someone else experiment with some of these things?

The colloquy here this afternoon with respect to the SST reminds me of the famous fiasco known as the F-111. This Government has spent hundreds of millions on the F-111, which was supposed to be a dual-purpose plane, but the Navy has rejected it and the Air Force has lost three or four of these planes in Thailand. There is no proof that the Air Force version will fly in combat, and there is no new plane for the Navy.

So, Mr. Chairman, I would like to see some of these foreign countries build a plane, a supersonic plane, and take the losses that go with the experimentation. Let them demonstrate whether they can build a plane or not, and if successful let us copy it.

As far as the international balance of payments is concerned, if we do develop a successful plane, a successful SST, I do not know whom we are going to sell it to abroad, and get paid for it.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. YATES. I am sure the gentleman and I share the ambition of the distinguished gentleman from Massachusetts in wanting the United States to be predominant in this field, in the air.

The fact remains that we do not know yet whether we have a design for the SST. It has been sent back to the drawing boards and they are supposed to come up with a design by January. With respect to the production of the aircraft, the chairman of the committee, the gentleman from Massachusetts [Mr. BOLAND], asked General Maxwell this question:

> General Maxwell, is it your opinion that the Government will end its investment in the SST program at the end of the prototype development effort?
>
> General MAXWELL. Mr. Chairman, let me be perfectly candid on what we now foresee the situation to be. We have conducted some preliminary studies of the possible means of financing future phases as a basis for planning. Based on our current projections of the ability and projected financial position of the manufacturers and the airlines in, say, 1971, in that time period what we think they could be expected to invest in this program. Using the 747 program as a sort of base line, it would appear that between what the Boeing Co. and General Electric can raise and what the airlines would be able to advance there is a gap of about a billion dollars. Whether they can solve that problem on their own, I do not know. Certainly there may be ways to solve this problem without the use of appropriated funds. That is our objective.

That is why I say we ought to stop and take a look next year and see whether we can do it through the use of private funds.

Mr. GROSS. I agree with the gentleman. We have had a costly flop of hundreds of millions of dollars in the F-111. Let us not duplicate that if we can avoid it in this SST business.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. BOLAND. We can stop to take a look at this after the prototype is developed as we expect to do.

Mr. GROSS. How much money are you going to spend before you take another look?

Mr. BOLAND. We have almost $700 million now and there is no question about the fact that it will be a successful plane. At least all of the people involved in this will say so. This is not the F-111.

Mr. GROSS. Let us not pile one aviation fiasco on top of another.

Mr. BOLAND. There is no indication that this is going to be a fiasco. All indications point to the fact that it is going to be a very successful plane.

Mr. GROSS. It may look that way to the gentleman, but I have not been able to reach that conclusion.

Mr. YATES. I wonder at the gentleman's optimism because if everything did go as smoothly as he says it did, why then did we have this design change? The fact is that we have the design change because the contractor was not able to come up with a plan to meet the goals. That is the reason we had this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. YATES].

The question was taken; and on a division (demanded by Mr. YATES), there were—ayes 22, noes 47.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. JONAS

Mr. JONAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. JONAS: On page 17 after line 5, insert a new section as follows:
>
> "SEC. 208. Excluding expenditures from highway trust funds and from corporate funds of the St. Lawrence Seaway Development Corporation, money appropriated in this Act shall be available for expenditure in the fiscal year ending June 30, 1969, only to the extent that expenditure thereof shall not result in the net aggregate expenditure of Federal funds by all agencies provided for herein beyond $1,863,000,000."

The CHAIRMAN. The gentleman from North Carolina is recognized.

Mr. JONAS. Mr. Chairman, I shall take only a minute, for time is running out on us. This is the usual type of Bow amendment that has been accepted on most of the bills this year. I hope the distinguished chairman of the committee will see fit to accept and, we can proceed.

Mr. BOLAND. Mr. Chairman, I move to strike the last three words.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. BOLAND. Mr. Chairman, I wish the gentleman would withdraw his amendment. It seems to me to be meaningless. The tax bill package which has been enacted into law provides for an overall expenditure limitation and an expenditure reduction of $6 billion. It will probably be more restrictive on the Department than the gentleman's amendment would be. The personnel limitations in the tax bill package will be more restrictive than the gentleman's amendment will be. The Members of the House have voted for real economy and fiscal stability.

I shall not oppose the gentleman's amendment, if he insists on it. The amounts in his amendment are based on the actions on the bill recommended by the committee. I will remind the gentleman that expenditure estimates are difficult to make, are never precise, and change with circumstances. I would prefer not to complicate the fiscal problems of the Department with an amendment which seems to be harmless now but which might prove to be too restrictive.

New legislation being considered may lead to supplemental appropriations and increased expenditures. The pipeline safety bill passed yesterday is an example. Requirements for aviation safety might possibly be such that increased, presently unforeseen expenditures will be needed.

I am glad to note that expenditures from the highway trust fund would not be affected by the amendment.

The amendment will do no good, as I see it, since we have made sufficient reductions to require the expenditure reduction which the gentleman desires. But, if my friend insists on his amendment, I will accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KYL

Mr. KYL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. KYL: On page 17, following line 5, insert a new section as follows:
>
> "SEC. 209. None of the funds in this Act shall be available either for planning for, or provision of, subsidized automobile repair or free transportation services."

The CHAIRMAN. The gentleman from Iowa is recognized for 5 minutes in support of his amendment.

Mr. KYL. Mr. Chairman, I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I appreciate the gentleman yielding. I assume the amendment was offered as a result of a study which was reported to the Congress and the Secretary in June of 1968. There was considerable discussion on the floor with respect to one phase of this study. There is no money in this bill to provide for planning or provision for subsidization of automobile repair or free transportation services. But I see no harm in the amendment, as far as I am concerned, and the members on this side are willing to accept it.

I wonder if the gentleman from Ohio is willing to accept the amendment?

Mr. MINSHALL. Mr. Chairman, I have no objection to the amendment.

Mr. KYL. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POLLOCK

Mr. POLLOCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. POLLOCK: On page 12 between lines 19 and 20 insert the following:
>
> "ALASKAN ASSISTANCE
>
> "For necessary expenses for construction and maintenance of highways in the State of Alaska, as authorized by the Federal-Aid Highway Act of 1966 (80 Stat. 768), $5,000,000, to remain available until expended."

The CHAIRMAN. The gentleman from Alaska is recognized for 5 minutes in support of his amendment.

Mr. POLLOCK. Mr. Chairman, my amendment would provide for the appropriation of $5 million for construction of access and development roads and for maintenance of highways in the State of Alaska, pursuant to the authorization provided under section 7 of the Federal-Aid Highway Act of 1966 (80 Stat. 768). The $5 million, incidentally, is identical to the amount appropriated by Congress for the current fiscal year. Mr. Chairman, words are inadequate to convey the very real and urgent need Alaska has for this appropriation. The authorization of this vital Alaskan program is not open ended, nor does it permit any adjustment at some future date for appropriations not now made. Again, as last year, the administration did not request any of the $14 million authorized annually for Alaskan assistance for the 5-year period of the authorization, fiscal year 1968 through fiscal year 1972. This is the second year of the authorization. When the period is over, the authorization will lapse, whether or not any funds are appropriated for any year. Last year the appropriations committee added $5 million of the $14 million annual authorization, notwithstanding the administration's refusal to budget the amount. This year they have not done so.

Since the inception of the Federal-aid A-B-C highway program in 1916, Alaska never received an equal or appropriate share of the funds for this program, and Alaska has never participated in nor benefited from the financing of the Interstate System of Highways enjoyed by the other 49 States. This special Alaska assistance section of the Federal-Aid Highway Act of 1966 was a recognition by Congress of a situation which exists in Alaska that is significantly different than that of the other 49 States—that it is a unique situation meriting special treatment. It was also in recognition of the neglect, discrimination, and inequitable treatment given to Alaska in the past.

I would also emphasize that if Alaska had been a full partner in the Federal-aid highway program from its inception it would have received more than $575 million in additional highway funds to build roads so desperately needed. It is not only imperative, but is just and equitable that the Alaskan assistance highway program be again funded this next fiscal year.

State and local highway revenues are double that of the average State on a per vehicle basis, and exceed the average on a per capita basis by more than two-thirds. Despite this heavy road user taxation, revenues are not out of line with other States on a mileage basis. Alaska's general fund appropriations for highways equal about one-eighth of the total State budget.

Imagine the complete dismay and shock of Alaskans when the Secretary of Transportation arbitrarily froze the entire sum appropriated last year for this special Alaskan assistance. Members of Congress are all too aware of the results of the Secretary of Transportation's decision to freeze the 1968 appropriations for all highway construction at 95 percent of the actual construction during the preceding year. But I would remind you that at least that freeze was on a uniform percentage basis; whereas, 100 percent, that is, the total appropriation for Alaskan assistance has been withheld.

The moneys appropriated last year for Alaskan assistance will remain available until expended. However, the arbitrary freeze of all moneys appropriated last year for Alaskan assistance has done considerably more than simply delay many vital highway projects in Alaska for 1 year. It costs twice as much to construct a given unit of highway in Alaska as it does in other States. This combined with sharply spiralling costs of construction and increasing land costs have caused a severe loss in purchasing power which, fortunately for other States, is not matched elsewhere.

Again, the administration has ignored the intent of Congress in resolving the special and urgent highway problems in Alaska which were the basis for the 1966 authorization and the $5 million appropriation last year. Again, as last year, the President's budget for fiscal year 1969 does not include even one penny for the highway programs covered by section 7 of the 1966 Federal-Aid Highway Act. Alaska has an area of 586,400 square miles—about 16 percent of the total land area of the United States. At the same time there are less than 7,000 miles of roads of all classes. Our rich resources lie undeveloped because they cannot be reached.

About 20 percent of Alaska's total population living in some cities and remote areas are not now connected to any highway system. The only means of transportation available to these people is by air or water. Imagine such a deplorable situation in your own congressional district.

Clearly, failure to appropriate the funds desperately needed by Alaska as authorized in the 1966 Federal-Aid Highway Act will severely and unjustly penalize Alaska and adversely affect the Nation. It is only through expansion of Alaska's total highway network that the State will be able to grow and prosper and contribute in larger measure to the Nation's economy.

Mr. Chairman, in the interest of fairness and equity, I urge that my amendment be adopted.

Mr. BOLAND. Mr. Chairman, I rise reluctantly in opposition to the amendment offered by the gentleman from Alaska.

No one is a more persuasive advocate for his State than the gentleman who proposed the amendment.

If it were not for the very tight budgetary restrictions that face the Congress and the Nation, I would have been quite willing to accept this amendment—and I am sure other Members would too—but there is a compelling reason for rejecting it now. This is an unbudgeted item. The committee this year did not in any instance exceed the budget.

It would not be fair to provide for this particular item and not the others. The committee had many requests for other items which were not budgeted, and the committee did not provide for those items. I do not believe we ought to do it here.

Because of the persuasiveness of the gentleman from Alaska, last year the committee did put in $5 million, which was not budgeted, for this very item. Alaska does need help and ought to get help in this area. The committee has no problem on that. We did provide $5 million in the budget last year, as a result of conferences with the gentleman from Alaska, but the $5 million remains unobligated. It is resting in the Treasury. It is not being used. A freeze has been put on it by the executive branch.

I am sure that if we provide $5 million again this year the same thing would happen.

The $5 million already provided, if it were unfrozen, would be sufficient money to go ahead in fiscal year 1969 with the program the gentleman is interested in. So on that basis, Mr. Chairman, I ask that the amendment be defeated.

Mr. POLLOCK. Mr. Chairman, will the distinguished gentleman yield?

Mr. BOLAND. I am delighted to yield to the gentleman from Alaska.

Mr. POLLOCK. I appreciate very much the comments of the chairman. The committee has been very fair with me.

I have certain problems with this. It was an unbudgeted item last year, and the committee did see fit to see the need. I believe it was the only unbudgeted item in the measure last year.

Mr. BOLAND. The gentleman is correct.

Mr. POLLOCK. The problem of the Secretary of the Interior not allowing any of the funds to be unfrozen or made available really is tantamount to this body giving the Secretary the right of line item veto power against any State, because it only mitigates against the State of Alaska and no other.

I reiterate, Mr. Chairman, we do not participate in the interstate highway program, and every other State does.

Mr. BOLAND. That is true.

Mr. POLLOCK. It is only a matter of a quid pro quo. We probably need help more desperately than any other State of the Union. Under the special Alaska program the money is fully programed for the 5-year life of the authorization. It was supposed to be a $70 million program, at $14 million a year. Last year we got, out of the $14 million authorization, only $5 million. This means we lost $9 million. If we should lose another $14 million this year, that will mean we shall have lost already $23 million which we desperatey need ,and this at a time when every other State enjoys participation in the $4.2 billion interstate highway program to which Alaska is excluded.

This is the point I am trying to make. It is a matter of equity, fairness and justice.

There is one other point, Mr. Chairman. Last year there were only about four Members in the entire body who opposed the inclusion of this unbudgeted item, the only one in the appropriation bill last year. I very much appreciated that. I believe it was on the basis of the understanding of the Members of this body of the situation which prevails in this particular unique instance.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alaska.

The amendment was rejected.

AMENDMENT OFFERED BY MR. CAHILL

Mr. CAHILL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CAHILL: On page 2, line 19, after the word statistics, strike out "$6,000,000" and insert "$5,400,000" and on the same line after the word "which", strike out "$1,600,000" and insert "$1,000,000".

Mr. CAHILL. Mr. Chairman, I shall try to be brief.

The appropriation subject to my amendment is for $1.6 million in order for the Department of Transportation to conduct a study of the automobile liability insurance industry. The Department of Transportation estimates it will cost $2 million and take 2 years.

My amendment will give them $1 million for the first year. I would merely summarize this case by saying that if any of you were going to build a home and the contractor told you it would cost $200,000, would take 2 years to construct and then asked you to give him $160,000 in cash to be used during the first year, I suggest not many of you would do it. My prediction is that if we do not adopt this amendment and give only $1 million the first year, they will spend the entire $1.6 million during the first year. Then they will come back and say, as the contractor would, "Well, there are certain extras that we did not anticipate and we will need some extra money." So, if you want to hold this study to a 2-year, $2 million cost, in my opinion, the only way to do it is to appropriate only $1 million in the first year and then evaluate what they do. If the job they have done is satisfactory, give them the other $1 million in the second year. Then you will have the study kept within the costs and within the time limit.

Mr. Chairman, I yield back the balance of my time.

Mr. YATES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the gentleman from New Jersey is my good friend and is one of the most able lawyers in the House. I was a little surprised by his amendment, because, as a distinguished member of the Committee on the Judiciary, he knows a great deal about automobile insurance and the importance of this study. That committee has looked into that question. Knowing that, I would have expected the gentleman to have offered an amendment which would have increased the amount of money that would be available for this study. If there is one investigation in which the people of America are interested, it is the cost of automobile insurance. I know in connection with my own policy I am constantly amazed as I pay my insurance bills year by year to see the way in which the premiums are mounting. Every year they go up. I for one want a good study to be made by the Secretary of Transportation. The President signed Public Law 90–13 on May 22. By its terms this law requires a report be submitted to the Congress not more than 2 years from that date. However, since no money has been previously made available for this study, no work of consequence has yet been undertaken on it.

Mr. Chairman, the clock is already running. We have to get started on this study. Let me point out this is not new money that we are making available. This is money we have taken from other research programs of the Transportation Department and made available for this very vital study. If we limit it right at its inception, I think it will be unfortunate. This promises to be a very important investigation and one in which the public is very much interested.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. YATES. I am pleased to yield to the gentleman.

Mr. CAHILL. If the argument advanced by the gentleman is sound, why do you not give them the entire $2 million?

Mr. YATES. We are giving them $1.6 million because of the justification that they presented to the committee that this is the amount necessary in order to conduct the study in the way in which it should be conducted.

Mr. CAHILL. I have read the testimony and find no justification whatsoever except that this is an estimate of what they think. I am sure the gentleman did not mean to imply even indirectly that the gentleman in the well is opposed to an insurance investigation.

Mr. YATES. The gentleman from Illinois did not mean to imply that at all.

As I said, the able gentleman from New Jersey [Mr. CAHILL] is one of the most competent lawyers in the House. The gentleman has studied this important problem. But we, too, have studied the question. We believe the cost of conducting this study should not be cut. I would further state to the gentleman from New Jersey [Mr. CAHILL], with due respect, we sat throughout the hearings, we conferred with the people of the Department of Transportation. I think that we are in a more advantageous position to appraise the intent and purpose of that study.

Mr. CAHILL. Mr. Chairman, if the gentleman will yield further, I do not argue that point with the gentleman. I hope to see $1 million for the first year on a program that is estimated to cost $2 million and a study which will take 2 years to complete, I feel that the sum of $1 million is a fair allotment at this time for this study, I do not believe the additional $600,000 in appropriations will do any more than entice, if you will, the Department to spend that much more during the first year.

Mr. YATES. I will say to the gentleman from New Jersey that the members of the committee who made this amount available were very economy minded. We did not believe that the full amount of $2 million should be made available because of the vast scope of the study.

Mr. CAHILL. Mr. Chairman, if the gentleman will yield further; if the committee believed more money was essential to success, you would have given them the entire $2 million instead of the $1.6 million. I am not saying that they should not receive $2 million. I am saying they ought to get the $2 million but that it should be spread over 2 years.

If your argument is sound, that $1.6 million will do a better job than $1 million, you would have given them the entire $2 million rather than $1.6 million in this bill.

Mr. YATES. The committee felt that the full amount would not be required at this time; that the $1.6 million, that was the amount voted upon by the members of the committee, was the proper and necessary amount with which to carry out this study.

Mr. CAHILL. Mr. Chairman, it is my considered opinion that the $1 million is sufficiently adequate for the first year.

Mr. YATES. I thank the gentleman for his opinion. I point out that all of the members were unanimous in voting for the $1.6 million.

Mr. CAHILL. I shall follow the investigation with great interest and the way the money is spent with even greater interest. We shall then see who is right.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. CAHILL].

The amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

I shall try to take only a minute or two during which to ask the chairman of the subcommittee, since I have not heard any discussion of the subject, the status of this high-speed train business between New York and Washington or wherever the terminal points.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. GROSS. Of course, I yield to the gentleman from Massachusetts.

Mr. BOLAND. That is not my description of the program. I have ridden on the train. It is coming on but has been delayed to some extent. It was supposed to have made its maiden voyage in October but it did not do it.

I have ridden on the demonstration train which traveled between Boston to New York, but the other one has been delayed considerably, and I really cannot tell the gentleman when it will be placed into operation.

Mr. GROSS. How much money do we have in this proposition now?

Mr. BOLAND. There is no money in this bill for it.

Mr. GROSS. But how much has been invested up to this point?

Mr. BOLAND. There has been an estimate of the authorization but I forget the amount of the authorization. However, I shall supply it to the gentleman.

Mr. GROSS. There are, I understand, many, many miles of track between New York and Boston where trains cannot exceed the speed of 80 miles an hour thus making it impossible to operate 110 mile-per-hour trains.

Mr. BOLAND. Yes, there are many, many miles in that condition. That is due, however, to the condition of the roadbed It is my opinion that the only thing you can do in order to bring about this accomplishment is to improve the roadbed and that is going to cost many millions of dollars.

Mr. GROSS. What would the gentleman from Massachusetts estimate the cost to be to provide a roadbed which would accommodate really high-speed trains?

Mr. BOLAND. Hundreds of millions of dollars.

Mr. GROSS. Perhaps $3 billion to $6 billion?

Mr. BOLAND. It could run into the billions of dollars; yes.

AMENDMENT OFFERED BY MR. THOMPSON OF GEORGIA

Mr. THOMPSON of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. THOMPSON of Georgia: On page 17, after line 5, insert a new section to read:
>
> "None of the money appropriated hereby shall be used to make any payment on any lease-purchase contract for jet airplanes to be used by the Federal Aviation Administration wherein the total cost of these payments plus the amount needed to exercise the purchase option exceeds the purchase price of the aircraft (which would have been paid were the aircraft to be purchased by normal appropriations) by more than 20 percent."

Mr. THOMPSON of Georgia. Mr. Chairman, I am offering this amendment which does not absolutely prohibit the Federal Aviation Administration from carrying out this lease contract, but which does require that if they do acquire these aircraft other than by a straight appropriation and through the normal procedure for acquiring physical assets, that the amount that they pay shall not exceed 20 percent more than the purchase price.

The reason that I do this is that the General Accounting Office reported to me—and I would like to read this to the Members:

> The lease amount specified in the contract is $200,000 a year for each aircraft, not including the cost of fuel, oil and maintenance. If the option to purchase the four aircraft is exercised, a portion of the lease payments and the amount paid for the special avionics equipment will be credited against the purchase price. The total credit consists of 50 percent the first year, 52.5 percent the second year, and 55 percent the third and subsequent years.

If you look at this, we will lose 50 percent of $200,000 the first year, we will lose 47.5 percent the second year, and we will lose 45 percent the third year. The total cost of one contract would be $285,000 more than the normal purchase price. If we grant them a 20-percent markup over the period of this 3-year lease, it would be about $220,000.

So basically I am saying that they would have to rewrite this contract and bring it down to a basis where the amount that the company would receive for these aircraft would not be as excessive as it is now.

This is a darned good deal and anybody selling something would like to sell it on this basis.

I urge support of the amendment.

Mr. BOLAND. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment that has been offered by the gentleman from Georgia sounds very reasonable. I am reluctant to oppose it. I have consulted with one of my committee members here, and he also considers it to be reasonable.

We have not had an opportunity to consult the GAO or the FAA on it, but I have the inclination to accept the amendment.

I would disagree with some of the remarks made by the gentleman during general debate that this lease was made deviously. I have great respect for the FAA Administrator and the people who operate that administration. I know there are some great differences of opinion between the operators of airlines and airline pilots and all of the organizations that go to make up the aviation industry, and oftentimes they are highly critical of the activities and regulations and rules of the FAA. Be that as it may, this amendment appears to me, at least on the face of it, to be reasonable, and I would be inclined to accept it.

Mr. MINSHALL. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield.

Mr. MINSHALL. In view of the remarks made by my distinguished chairman of the subcommittee, the gentleman from Massachusetts [Mr. Boland], I would like to point out in reply to some of the remarks that the gentleman from Georgia [Mr. Thompson] made that we did go into this in our committee. I would like to quote very quickly from the record of the committee hearings appearing on page 835 of those hearings, in response to the query as to the leasing of these aircraft, and I will read only a part of the answer that was given, in the interest of saving time, by Mr. Moore of the FAA in response to the inquiry made by the gentleman from California [Mr. McFall].

He said:

> Inasmuch as these light aircraft are of a fast, jet-type aircraft, we cannot only reduce the fleet by four airplanes, but we reduced the flying hours by 2,200 so there is a tremendous savings in this lease in our aircraft program.

If the Chairman wishes to go along with this, I will take it under advisement until such time as we can further consult with the GAO and then we can discuss it further in the conference.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman.

Mr. HOLIFIELD. I was going to ask the gentleman if it is not true that this method of leasing planes is a customary business practice among the airlines.

Mr. BOLAND. Absolutely, it is a customary business practice.

Mr. HOLIFIELD. Then I cannot see why there is opposition to it, looking at it from the standpoint of normal business procedure.

Mr. THOMPSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. BOLAND. I yield to the gentleman.

Mr. THOMPSON of Georgia. Mr. Chairman, I would like to say this. It is a practice among the airlines where there is a tax advantage that can be obtained as a result of leasing aircraft. But there is no tax advantage that accrues to the Federal Government.

I would also like to direct my remarks to the gentleman from Ohio. I have not tried to prohibit acquisition of these aircraft because I recognize in the operation of these aircraft it may well be that the FAA can make a very good case as to why they should go to the jet aircraft rather than the propeller aircraft such as the Constellations and so forth that they have.

It may be after a period of time and a certain number of flying hours that there will be a savings.

My objection to this goes not to any operational savings or expense but rather goes to the purchase of aircraft and whether it is cheaper for the U.S. Government to purchase these through the normal appropriations procedure or whether we should use this lease purchase basis which frankly is loaded in favor of the seller and at the expense of the Government.

Mr. HOLIFIELD. As to lease-purchase arrangements which we have adopted in the building of post offices and other Federal buildings, anybody knows who studies it that it is more expensive than outright appropriation. But the lease-purchase program under the Eisenhower administration was adopted just for the very purpose of keeping down the budget on capital investments.

Mr. BOLAND. Mr. Chairman, in view of the discussion that has been had, I am perfectly willing to take the amendment to conference. Of course, I do not know what the other body will do, but we can take it to conference and learn a little more about it in the meantime.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. Thompson].

The amendment was agreed to.

The CHAIRMAN. There being no further amendments, the Chair recognizes the gentleman from Massachusetts [Mr. Boland].

Mr. BOLAND. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Jones of Alabama, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 18188) making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BOLAND. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. GROSS. In its present form I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. Gross moves to recommit the bill, H.R. 18188, to the Committee on Appropriations with instructions to report the bill back to the House forthwith with the following amendment: On page 16, after line 6, insert the following:
>
> "Sec. 203. None of the funds provided under this Act shall be available for any expense in connection with the execution of programs, the obligations for which are in excess of $60,000,000 in fiscal year 1969 for 'Civil Supersonic Aircraft Development.' "

Mr. BOLAND. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BOLAND. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on H.R. 17134, making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and to include additional pertinent material.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISTRICT OF COLUMBIA REVENUE ACT OF 1968

Mr. McMILLAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 16361) to provide additional revenue for the District of Columbia, and for other purposes, and pending that motion I ask unanimous consent that debate be limited to 40 minutes thereon, 20 minutes to be allotted to each side.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The **SPEAKER.** The question is on the motion offered by the gentleman from South Carolina.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 16361, with Mr. GIBBONS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The **CHAIRMAN.** Under the unanimous-consent agreement the gentleman from South Carolina will be recognized for 20 minutes and the gentleman from Minnesota [Mr. NELSEN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. McMILLAN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, at the request of the majority of the members of the House District Committee, I am presenting to you today H.R. 16361, the best revenue bill that we could get reported out of our committee. No one, I am certain, enjoys adding additional taxes to the already overburdened taxpayers of the United States. However, it seems that the expense of operating the government here in the Nation's Capital continues to go up and up every year. Only 2 years ago we enacted a revenue bill making available millions of dollars of additional revenue for operating the District government. Only 2 years prior to that time we enacted another revenue bill which made approximately $30 million revenue available for operating the District government. During the past 6 months I have been pressured from every side and mostly through the news media here in the city of Washington to increase taxes and give the District officials more money to spend.

In my opinion, every time we add additional taxes in the District of Columbia we run at least 1,000 taxpayers out of the city.

The main complaint I have seen expressed in the newspapers during the past few days in opposition to the revenue bill under consideration today is the fact that we increased the sales tax by 1 percent and extended the coverage to all items, including medicine. The other complaint is the fact that we are providing the District with an additional $10 million Federal payment, amounting to a total of $80 million payment directly out of the U.S. Treasury. The opponents of this bill, including some of the District officials and certain Members of Congress, seem to be of the opinion that Congress should relinquish its constitutional duties entirely so far as the District is concerned and adopt a formula, which would mean exactly that the Federal Government would pick up the tab on practically every new function that would be created here in the Nation's Capital.

Virginia, our neighboring State, has a 4-percent sales tax, including medicine and groceries. My own State has a 3-percent sales tax and it is supposed to be increased to 4 percent January 1, which includes medicine and all retail groceries. I have never had one complaint registered with me concerning the tax we have in South Carolina, as it is the most painless tax we have in the United States.

I cannot make myself believe that anyone in the District of Columbia who has children attending the public schools and are depending on the police for protection would object to paying a 4-percent sales tax when they are not paying any other tax to keep up the District government. I understand approximately 75 percent of the people who have children in the Washington city schools pay very little, if any, taxes other than the sales tax. The time has come that we cannot continue to expect the businessmen in Washington to carry the entire load when the riots that happened in the city of Washington during the month of April has reduced the revenue from hotels and restaurants approximately 50 percent.

I hope the House will accept the revenue package as it was reported from the District Committee without any amendments. We certainly stand a good chance of not having a revenue bill enacted into law this year if this bill is emasculated by numerous amendments. There is nothing in this bill that will harm any person and since the income tax is being increased in the amount of $8 million and property taxes increased by at least $5 or $6 million, there is no reason the people who are using the facilities here in the Nation's Capital should not be willing to assist in paying some of the expenses for education and police protection. By not requiring these people to pay some kind of tax, we are encouraging the poor people in my State and every other State to come to Washington where the news has already spread that they can come to Washington, get free meals, get on the public welfare and pay no taxes.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. McMILLAN. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Chairman, the gentleman referred to the sales tax as painless. Can the gentleman believe that a tax on food is really painless for people who just manage to get by?

Mr. McMILLAN. Yes, sir, it must be. I have not had any complaint from any one citizen in my State on a comparable tax in South Carolina. They have been paying it on all food and medicine.

Mr. JOELSON. On food?

Mr. McMILLAN. On food and medicine.

Mr. JOELSON. Whether the gentleman has had any complaint or not, I believe it must be very difficult for people to pay a tax on food when they have difficulty in paying for their food.

Mr. McMILLAN. No one dislikes levying any tax more than I, but we must pay for our government in some manner. If we do not accept this proposal that has been presented here today, I do not know of any better method we can suggest to collect money to pay the expenses that the government in the District has incurred.

I include the following table at this point.

STATES TAXING GROCERIES AND MEDICINES

[In percent]

	Sales tax on groceries[1]	Medicine[2]	
		All	Nonprescription
Alabama	4	4	
Arizona	3	3	
Arkansas	3	3	
California[3]			4
Colorado	3		3
Connecticut			3½
Georgia	3	3	
Hawaii[3]	4	4	
Idaho	3		
Illinois	4¼		[2]4¼
Indiana[3]	2		2
Iowa	3	3	
Kansas	3	3	
Kentucky	5	5	
Louisiana	2	2	
Maine			4½
Michigan	4		[2]4
Massachusetts			3
Mississippi	4	4	
Missouri	3		
Nebraska[3]	2½		2½
Nevada	3	3	
New Mexico	3	3	
North Carolina	3		3
North Dakota	3		3
Ohio			4
Oklahoma	2	2	
Pennsylvania			6
South Carolina	3	3	
South Dakota	3	3	
Tennessee	3	3	
Texas			2
Utah	3	3	
Virginia	4		4
Washington	4½	4½	
West Virginia	3	3	
Wyoming	3	3	
District of Columbia	1		

[1] Rate of tax on groceries and medicine is the same as the general sales tax rate except in District of Columbia.

[2] Illinois and Michigan only partially exempt prescription medicine.

[3] State grants personal income tax credits. Flat credits of $7 per personal exemption in Colorado and Nebraska and $8 per dependent in Indiana. Hawaii and Iowa grant graduated credits based on income levels which increase as the income level falls.

Mr. NELSEN. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I am reminded of a story of the two robins who flew to the Southland. The Daddy Robin came back 3 days late and his wingfeathers were all beat up and the tailfeathers were beat up. Mama Robin looked at Daddy Robin with a little critical eye. Daddy Robin said, "I know what you are thinking, but it is not so. The truth of the matter is I was flying low and got caught in a badminton game."

I want to say, serving on the District of Columbia Committee, I do not see how one can win. We do our best to try to come out with a bill that provides some answers for the problems which are here, and we are always subjected to criticism, no matter what we do, to the degree that one wonders if he can politically exist serving on the District of Columbia Committee, where he is subject to attack no matter how he turns.

There is one additional point I want to make. I am one of those who believes our Nation's Capital should be the model city of the United States of America. I am often disappointed on the floor when I see those who make their annual economy speech that is about the District of Columbia, and then I see those way over on the other side who go overboard.

I believe the Congress of the United States, which assumes responsibility or assumes authority, should also exercise responsibility in meeting the needs of the District of Columbia.

Likewise, I believe the city government here should respect the fact that the Congress is trying to help, and should be a little bit discreet and look carefully before sounding off, because, after all, we are making only the first step in this bill by action in our committee. We still will have to go to conference, and there are bound to be some changes which ought to be made.

As the old saying goes, let us look at the RECORD. Sometimes one would think, by reading what we see in the papers, that we have been niggardly to the District of Columbia. I want to say that in the past several years we can be proud of what has been done. The chairman of the committee [Mr. MCMILLAN] and I have worked carefully together, and I believe we have made greater progress in the past several years than in the history of the District of Columbia in many areas.

I refer to the Federal City College, the Washington Technical Institute the Land-Grant Extension to apply to the District of Columbia, the bill to assist the handicaped in rehabilitation, the Children's Hospital, and the rapid transit bill.

There are $185 million in Federal grants going to the District of Columbia. The Federal payment will up from $32 million in 1959 to $80 million in 1969.

What about the bill which is before us? As has been pointed out, there are several features in the bill. For example, we have had some discussion about low income and the income tax.

Actually, the income taxes in the low brackets were reduced under this bill, going from 2½ percent down to 2 percent on the first $1,000 of net income. At the same time, there is an exemption of $1,000 for single persons, $2,000 for married people, and a $500 exemption for each dependent. But there is a reduction of ½ percent on the first $1,000 of net income. On the next $2,000 of income it remains at 3 percent, and then it steps up, going from there on, which gives some relief, we believe, in the area where needed the most.

This will yield $8.2 million.

Corporation taxes are increased.

Overall, we believe, there will be an additional $47 million, by virtue of the $10 million of Federal payment and the additional taxes that are covered in this bill. We also believe that that District will need this money.

There has been a good deal of discussion about some of the sales taxes involved. If they are stricken from the bill we will lose about $11.5 million. If a formula were to be adopted, it would involve an additional $3 million, or we would be losing $14 million if this were changed.

We must keep in mind that in no area of the United States do we have as many good Federal jobs as there are here in the District of Columbia.

Without question any tax hurts some people, but at the same time the long view must be taken. We are trying to give better education. We are trying to provide technical training, so that people will have the qualifications necessary to hold jobs.

I think the long view must be observed when we consider this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. NELSEN. Mr. Chairman, I yield myself an additional 2 minutes.

Mr. Chairman, I want to make this one comment relative to the action of the committee. I supported the formula in the committee. I believe the formula has merit. I believe that under the formula the city government would have a better opportunity to plan its future. I believe sometimes the Committee on Appropriations has its difficulties because they want to know early in the session how much they have to work with. So, I voted for the formula in the committee. I may say that I did not vote the proxies which I could have voted because I had never specifically discussed some items in this bill and I felt I was taking advantage of the situation, which I did not want to do, feeling that if a formula were to be adopted on this floor, every member of our committee and every Member on our side would have a chance to vote and make their own decision on it and not put me in a position of speaking for them perhaps in a manner which they might later change their minds on.

So, I want to say this bill, I think, is a good proposition. As I have stated, I voted for the formula in the committee and I will vote for it on the floor. At the same time I do want to say this: If the items are cut, as some will suggest, and if the 25-percent formula is to be applied, then you will have less money than you would have under the terms of this bill. I may say that I understand the formula that will be proposed will expire in 2 years. In other words, the application of the formula will then stop and the figure we are at that point remaining, looking to the future, expires at the same time as the borrowing authority, which means if there is abuse, it will be lost. That is a good way to put it, because Congress then will have to reinstate it.

I want to say to the chairman of the committee that I believe the committee has a good bill. I think the District of Columbia will be well taken care of under its provisions if this bill is to pass.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. NELSEN. Mr. Chairman, I yield myself half a minute and I yield to the gentleman from New Jersey.

Mr. JOELSON. The gentleman said that the sales tax provisions of the bill would bring in revenue of about $11 million a year.

Mr. NELSEN. Yes.

Mr. JOELSON. Do we have any estimate of how much of that would be a sales tax on food and medicine?

Mr. NELSEN. This is the item of food and medicine—the $11 million.

Mr. JOELSON. The whole $11 million?

Mr. NELSEN. Yes. $26 million for the total additional change in sales tax in all items, but $11 million of that would be in the items you mentioned.

Mr. MCMILLAN. Mr. Chairman, I have no further requests for time.

Mr. NELSEN. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. BROYHILL].

Mr. BROYHILL of Virginia. Mr. Chairman, the bill we have before us will provide approximately $47 million in additional revenue for the District of Columbia. Now, this bill is a compromise at best. It is not 100 percent a satisfactory bill insofar as everyone is concerned. What revenue bill is ever 100 percent satisfactory to all concerned? It is never a pleasant assignment to deal with legislation that increases taxes for any of our citizens. I feel that, in spite of all the problems which we are confronted with, the committee did a very fine job to come up with a bill that will raise $47 million per year in additional revenue. We are told that it is necessary to have additional revenue in this amount in order for the District of Columbia to continue to function. If any Member is not satisfied with the way we are raising taxes in this bill, then he should offer alternative proposals so that we can at least raise revenue in an equivalent amount.

There are always two points that we must bear in mind in providing the financing for the Nation's Capital.

First of all, this is the Nation's Capital and we do have a Federal financial responsibility whenever there is a deficit, regardless of the cause of the deficit. In other words, the Federal Government has the obligation to make it up.

Certainly, we should require the citizens of the District of Columbia to pay taxes at least comparable to those which are paid by the other citizens of the United States, and particularly taxes which are paid by citizens who live in the suburban area of the Washington metropolitan area.

As I have stated, the bill is estimated to provide approximately $47 million of additional revenues for the District in a full fiscal year. The principal revenue-producing provisions are as follows:

First. An increase in the authorization for the annual Federal payment to the

District of Columbia from $70 million to $80 million. This authorization has increased in the past decade from $32 million per year to the present level of $70 million in fiscal year 1968. In view of the present financial picture in the Nation's Capital, I feel that the increase of $10 million proposed in this bill is both justified and realistic.

For the past several years, the District of Columbia government has requested that the Federal payment authorization be established as a fixed percentage of the city's revenues to the general fund. This year, the requested percentage was raised from 25 percent to 30 percent while the bill was under consideration. Also, between April 25 and June 5 of this year, the District's estimate of the general fund revenues for fiscal year 1969 decreased by $4 million. In view of this uncertainty surrounding the actual return which might be expected if the formula were adopted, I feel that the District is in a far sounder position with the set maximum of $80 million which the bill provides.

Second. An increase in personal income taxes for all but the lowest levels of taxable income. This is accomplished by revising the scale by which the tax is determined, and it is estimated that the measure will produce some $8.2 million of additional revenue per year. This provision of the bill was requested by the District of Columbia Commissioner.

This new scale for personal income taxes will place the income tax for most District citizens a little above those levied in Virginia, but they will be substantially lower than those now prevailing in both Montgomery County and Prince Georges County in Maryland.

Third. Several adjustments are made to the District of Columbia Sales and Use Tax Act. The first of these will raise the present levy of 3 percent on most retail sales to 4 percent. This will include the tax on the sale of restaurant meals and alcoholic beverages. The District of Columbia Commissioner asked that the tax on these latter items be increased to 5 percent, but it was the feeling of the committee that this would be discriminatory and unfair to this type of business. It is my strong feeling that the present plight of the restaurant business in the District of Columbia is a grim one indeed, and certainly could not withstand such a tax increase. The rate of 4 percent on their business therefore seems both fair and reasonable.

The bill also provides for an increase in the tax on the sale of food for consumption off the premises from 1 percent to 4 percent, and removes the exemption presently existing on the sale of medicines and of fertilizers and other garden preparations. Both the latter will be taxed at the rate of 4 percent also.

The sales tax rate of 4 percent will also apply for the first time to local telephone service in the District of Columbia. With reference to this item, my own home county of Arlington, Va., has recently imposed a tax of 14 percent on all utilities, including local telephone service.

These amendments to the Sales Tax Act, collectively, are estimated to provide some $26.5 million of new revenues per full fiscal year.

I cannot agree with the statement that any part of these amendments to the Sales Tax Act are in any way unfair. As of July 1 of this year, the State and local sales tax in virtually every part of the State of Virginia amounts to 4 percent, and it applies to retail sales of all items including groceries and medicines. Further, such broad-based sales taxes are in force in 32 States, with 31 of these maintaining such a tax on food for consumption off the premises. I believe that the citizens of the District of Columbia, with a per capita income higher than that in nearly every large city in the country, are as able to carry such a tax load as are the residents of the majority of our States. Furthermore, the sales tax is the only significant means by which the millions of visitors to the Nation's Capital each year will contribute to the services which they use to a degree while in the city.

Fourth. An increase is provided in the tax on incomes of corporations and businesses, from the present rate of 5 to 6 percent of the taxable income. I and my colleagues on the committee agree that this increase is quite fair and justified, in view of the provision for an increase in personal income taxes.

This provision is estimated to afford an additional $2.5 million per year of revenue.

It is my earnest conviction that these provisions for increasing the District of Columbia's revenues are reasonable and fully justified at this time. However, I wish to point out that I and a number of my colleagues on the District of Columbia Committee are growing increasingly fearful that the trend of spending in the District in recent years, if not curbed by some prudent and realistic action on the part of the city's government, will create in the near future a financial crisis of the most serious proportions. The District of Columbia government's budget has doubled in the past 5 years, and it is obvious that the taxpayers of the District simply cannot afford a continuation of this trend, nor should the citizens of the rest of the country be expected to pay the bill for what appears to be a policy of reckless and wasteful spending. The Congress recently approved legislation requiring a substantial cut in Federal Government expenditures, and I see no reason why the District of Columbia could not and should not adopt such a program of economy and austerity as well. The vast number of "do-gooders" programs seems to mushroom each year, with no concern either for the welfare of the taxpayers or for the actual benefit to be derived from the projects themselves. I wish to take this occasion to express my strong conviction that this new government in the District of Columbia has an obligation to reverse this trend toward financial bankruptcy, and to pursue a course of fiscal responsibility.

In addition to the above-cited revenue provisions, the bill contains two sections which are designed to forbid the expenditure of District of Columbia funds in two specific areas, both of which I regard as prime examples of the wasteful practices which have become so prevalent in the city's government in recent years.

The first of these provisions will forbid the use of District of Columbia appropriate funds to promote or further demonstrations of any kind. While no figures have been released as to the cost to the District of Columbia government of the recent Poor People's Campaign centered around the so-called Resurrection City, I feel confident that it was a very considerable sum, and that such expenditure of public funds in their connection probably has not yet reached its conclusion. There can be no rational defense for any such expenditures.

The second of these items is a ban on the expenditure of District of Columbia funds for the transportation of schoolchildren within the city to accomplish better racial balance in any schools, and also for the expense of sending District schoolchildren to suburban schools.

As a consequence of the Judge Wright decision, in which this eminent jurist ordered an end to de facto segregation in the District of Columbia public school system, the District of Columbia Board of Education has initiated an extensive system of sending children by bus to schools far from their homes simply to achieve a better mixture of races in the schools. While I have never been able to comprehend how Judge Wright expected any board of education to accomplish racial balance in the schools of a system in which 93 percent of the students are Negro and only 7 percent are white, I resent the entire effort which involves sending young children miles from their homes to school each day and completely contravenes the time-honored precept of neighborhood schools upon which the public educational system of this country was founded. I maintain that such a practice is harmful to the children themselves, and that the money spent on such a project is a flagrant waste.

I understand that there is a plan afoot to send some District of Columbia schoolchildren into Maryland suburban public schools next September, with the District paying the out-of-State tuition and other expenses involved. I am quite certain that whatever benefits such a scheme is supposed to achieve for the District students involved can as well be afforded in the city's own public schools, on which a prodigious amount of money has been spent in the past 10 years. I cannot recall a proposal which more fully deserved to be labeled an outrageous misspending of the taxpayer's money, and I cannot express too strongly my support for this and the other money-saving measures in this bill.

I wish to point out that this provision does not apply in the case of handicapped children for whom there are not adequate educational facilities in the District of Columbia system. These children are sent to suburban schools of a specialized nature, and the expenditures of District funds for this purpose is fully justified.

In conclusion, I wish to state that I regard H.R. 16361 as a good bill, providing adequate revenues for the proper operation of the District of Columbia government and at the same time spelling out a few very proper areas in which District funds are not to be wasted. My own greatest concern for the District of Columbia is in the area of law enforcement, and I am convinced that this bill will provide sufficient money for a very considerable strengthening of the war on crime in the Nation's Capital. I am completely unimpressed by the fact that these revenues will not support a budget with enough money for the hiring of 1,000 new police officers during the coming year, for I realize that it will be completely impossible for the city to recruit and secure the services of more than a small part of this number of qualified police officers in a year's time. To date, they have not been able to fill the present minimum authorization of 3,100 men. Hence, any talk of acquiring a force of 4,100 men in the next year is utterly ridiculous.

Mr. Chairman, I urge favorable action on this bill.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. NELSEN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I now yield to the gentleman from Washington.

Mr. ADAMS. Mr. Chairman, I appreciate the gentleman indicating that this was a compromise, but I want to go through three or four items in the hearings which in my opinion, show that is not the correct situation.

Mr. Chairman, some of us felt that the sales tax increase was not in the proper amount or that it should not have been increased unless there had been an extension of the unincorporated franchise tax on doctors, lawyers, dentists, architects, and other professionals where 80 percent of their income is derived from the business which they conduct in the District of Columbia. We backed off from that proposal did we not?

Mr. BROYHILL of Virginia. That is right.

Mr. ADAMS. And there was also an increase in the sales tax generally from 3 to 4 percent, and we went along with that.

Mr. BROYHILL of Virginia. That is correct.

Mr. ADAMS. Also that there was a proposal that the cloakrooms of the House be excluded from the sales tax on food and on beverages, and we went along with that.

What I am asking is why we did not receive something on the other side, either the formula of 25 percent, or leaving the food at 1 percent rather than going to 4 percent, or to leave the tax off of drugs.

When the gentleman from Virginia says it was a compromise, I believe the gentleman does not quite clearly state what happened.

Mr. BROYHILL of Virginia. I would say to the gentleman from Washington that the committee did not rubber stamp the proposal that was made by the District Government, and I do not believe that we should have rubber stamped that proposal. We clearly worked the will of the majority. It just so happens that the gentleman was in the minority in the compromise. I would say that that happens frequently. I happen to be in the minority in many cases, but in this particular case the gentleman from Washington was in the minority.

Mr. ADAMS. I am asking whether it is not true that we did remove taxes from the people that you might say could afford them better, such as the doctors, dentists, and lawyers, and those of us who eat in the cloakrooms, in calling for the sales tax on food, those taxes we let go up, the taxes on the others——

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. NELSEN. I yield 1 additional minute to the gentleman from Virginia.

Mr. BROYHILL of Virginia. Mr. Chairman, let me say to the gentleman that he is most compassionate when it comes to certain groups—but as to the professional people, the doctors, dentists, and lawyers, the gentleman is not so compassionate.

Mr. ADAMS. I am sure that they should be excluded, I would say to the gentleman. I believe that they should be excluded. I believe a good argument was made for that, and therefore we backed off.

I have no quarrel with having excluded them.

Mr. BROYHILL of Virginia. And the gentleman agreed that we would not have received any additional income by trying to tax these professional people.

Mr. ADAMS. We would have received $1.6 million.

Mr. BROYHILL of Virginia. This was a compromise that the gentleman agreed to.

Mr. ADAMS. That is what I say—that we agreed that these people should be excluded. All we are asking the gentleman from Virginia is for a little agreement and a little compassion at the other end on food and drugs, and perhaps on the Federal formula. I agree that we may have many differences of opinion on the Federal formula, but particularly with food and drugs, and it just seems to me that——

Mr. BROYHILL of Virginia. Mr. Chairman, let me say to the gentleman from Washington that he does not dislike the tax on food and on drugs any more so than does the gentleman from Virginia. I do not like any sales tax. But we have to find some way of raising revenues, and if we eliminate the tax on food we are going to have to raise the Federal share.

Mr. ADAMS. I would say to the gentleman from Virginia that we had a proposal to raise the tax on restaurant meals, and for alcoholic beverages from 3 to 5 percent, which would have raised $6.6 million. We did not raise that to 5 percent. We only went to 4 percent on it. Now, if it were in terms of raising revenue, we could have raised revenue in that area. But again I agree with the gentleman from Virginia that a reasonable compromise might be not to raise the tax on restaurant meals and alcoholic beverages because it might injure the merchants here.

But I do not believe we can put a triple tax on the food that is consumed out of the grocery stores, and not go the other way and still call it a compromise. I believe it should be called something else.

Mr. BROYHILL of Virginia. I am still saying that it was a compromise because, if the gentleman remembers—and I am sure that it was discussed in executive session—at least a number of the members of the committee were concerned about the law of diminishing returns, and we considered that.

Mr. ADAMS. That is right.

Mr. BROYHILL of Virginia. And if there is any business in the District of Columbia which has been injured and has lost money in the last few months, it has been the restaurant business. You cannot look to that source for additional revenue, so we thought that 4 percent was about as far as we dared go.

But the gentleman believes we could get more from that source.

Mr. ADAMS. That is why we are asking the question that if we are going to be compassionate on the professional businessmen, and for their problems, we should also look at the problems of the poor as well.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. McMILLAN. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. BROYHILL of Virginia. I thank the gentleman.

Mr. NELSEN. If the gentleman would yield, I would like to point out something in connection with the tax on doctors, dentists, and lawyers. We were told that there would be reciprocity for this particular segment if they were taxed, that there would be reciprocal compensation in the area, if you like it, outside of the District. However, it came to our attention that the way it was drafted actually there would not be reciprocity because all that we were doing in the provision was to take a dollar figure that they paid in taxes as an expense item against the tax in their own areas.

It is my understanding that the detail was not properly worked out and the difficulty about it so far as I am concerned was the fact that we are running into almost the same situation as in dealing with foreign corporations where they move their offices out of the District as the result of a tax that was imposed. We clarified it, I think, a year ago in the Congress of the United States.

I am not an expert on details but this is as it was explained to me by the people who were involved and who should know.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. JOELSON. The gentleman stated that the tax should be comparable in the District and in the suburbs. Does not the gentleman concede it is much more onerous for a poor person to pay a 1-percent tax on food that it would be for a well-to-do person in the suburbs? Is that really comparable—even though it is 1 percent?

Mr. BROYHILL of Virginia. I will not permit the gentleman to put words in my mouth or to put his interpretation on my words. I said the taxes were comparable to those in the suburbs, as closely as we could make them so in the committee.

So far as anybody wanting to tax the poor people is concerned, this was not and is not the desire of any member of this committee.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. WHITENER. I associate myself with the gentleman's statement. None of us like to see a sales tax on food or on medicine. But the fact remains according to the information that we have that there are 31 States that have a sales tax on groceries; 20 States have a sales tax on all medicine and 15 States have a sales tax on nonprescription medicine.

I think it is rather singular that our good friend, the gentleman from Washington, is complaining so about it when his State has the highest sales tax on food of any State in the Union—4.5 percent.

I might also say that in his State there is a 4.5-percent tax on all medicines.

I feel sorry for the people of the State of Washington who have to pay that 4.5-percent tax.

But in Washington, D.C., the people only pay 4-percent tax, which is a half percent less than the people of the State of Washington have to pay.

Mr. BROYHILL of Virginia. I do not think we have to take sides on who is most concerned for the poor. That would only be something that would come from a demagog, and we hear it all the time. But I am concerned about the middle-income group. They are the ones who are carrying the tax load in this country today, and they are carrying the load in the District of Columbia. Yet, we do not hear anyone making a plea for them.

But we always have this little minority over here who have their hands out for something, and who are arrogantly demanding more.

This is a question of helping those who are poor and deprived and I think we should do even more than what we are doing for those who cannot help themselves. Our problem has been how can we keep the chiselers and people who will not work off the welfare rolls.

Mr. WHITENER. Mr. Chariman, will the gentleman yield further?

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. WHITENER. I would not want anyone to think that I am unfairly pointing out the State of Washington because in my State the legislature imposes a 3-percent sales tax on all foods bought in grocery stores and elsewhere and I am sure the gentleman from Virginia would not mind if I mention his State imposes a 4-percent tax. So I would not want to be understood as needling the gentleman from Washington. I just say that if this is such a great inequity here in the District of Columbia to have a 4-percent tax on food and medicines, it is a much greater inequity on his people in his own State.

Mr. ADAMS. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I yield to the gentleman.

Mr. ADAMS. I am very glad that the gentleman brought up the point about the problems that we have with the regressive tax system.

I might say two things. First, in our area we have tried for many years to substitute an income tax as a balance to the sales tax but because of the constitutional provision which requires a two-thirds vote by both houses of the State legislature, we are unable to have that changed.

The whole thrust in America in recent years has been to try to establish a fair tax system. The sales tax does have a part in it. But the progressive and alive States are trying to take this tax off food. We will try again in our State to take this off food and drugs because we cannot help the fact that in America we have a strata of people, those who earn a lot of money and some who do not earn very much.

I would say to the gentleman from North Carolina and the gentleman in the well that when you have a 4-percent tax on someone who is taking home only $50, that tax on him is $2 out of his total take-home pay, whereas someone who is taking home $1,000 for that period of time, the tax on him does not hurt him as much. Therefore, that is what I am saying about this bill. I am not trying to point to one or to the other, but asking that we have a fair tax.

Mr. NELSEN. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. GUDE].

Mr. GUDE. Mr. Chairman, I thank the gentleman for yielding.

I believe the colloquy that we have had on the floor today well points up the need for a formula. The gentleman from Iowa [Mr. SCHWENGEL] and I have introduced legislation which would provide for a study to develop some type of formula as to exactly what the Federal contribution would be.

For example, you speak about police services and the police force in the District of Columbia. Did anyone ever stop to think about the amount of time that the police department devotes to taking care of embassies when they have parties and receptions? What about the time they put in on inaugural parades and other functions of state? There is a great deal of expense associated with the functions of the Federal Government here that are above and beyond the normal government functions of taking care of the citizens of a municipality. I think this attempt to establish a percentage formula is a step toward developing a logical fiscal base for the District of Columbia government with equitable contributions from the District and Federal Goverments.

Mr. McMILLAN. Mr. Chairman, will the gentleman yield?

Mr. GUDE. I am glad to yield to the chairman of the District of Columbia Committee.

Mr. McMILLAN. I would like to have the gentleman's opinion as to why he thinks certain people who are against the present procedures are so anxious to apply a formula. They have been trying to do so for about 15 years. Is it not your opinion, as I am certain it is the majority opinion of those Members present, that the only reason for the requested formula is to try to bypass the Appropriations Committee of this House and bypass Congress so they can get the money without even going to the Congress?

Mr. GUDE. In response to the gentleman, I would not want to read the motives in someone else's mind. But my motivation is that I believe by developing a formula we can arrive at some figure by which we could determine exactly the cost to the District for such services that I have mentioned and what is involved in tax loss from Federal land besides what might be set aside for several of the major monumental buildings such as the Capitol, the Monument and the White House. I think with a formula we would know where we are headed. We would know whether we were asking too large or too small a Federal contribution from Congress. The way we are doing it now is like adding a little sugar on one side of a scale, putting a little more on, and taking a little off, and when the process ends we seem to say, "This looks like what it ought to be."

I think we ought to try to arrive at something that is based on figures instead of emotion.

Mr. McMILLAN. I should like to ask the gentleman whether he does not think the Appropriations Committee could check over the proposed expenses of the District and appropriate a lump sum with no questions asked?

Mr. GUDE. Under a formula, in reply to the chairman, we would better know whether the Federal Government was contributing more or less than it should to the District.

Mr. NELSEN. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I take this time to ask the chairman a couple of questions. I have never heard a real discussion of real estate taxes in the District of Columbia. When I see houses being sold in Georgetown for $60,000 to $70,000 on which "peanuts" in taxes are paid, and when I consider the real estate taxes in my own State of New Jersey, which bear the burden of education and the running of government in the State of New Jersey, I wonder why we are paying two, three, and four times as much as is paid on the values out in Georgetown? Has any study been made of that situation?

Mr. McMILLAN. Mr. Chairman, I am happy the gentleman brought that question up. I would like to state that real estate taxes are not under the jurisdiction of my committee. It seems, by some prior law or other where the District Commissioners and the Council have the authority to increase taxes on property. That is not under the District of Columbia Committee's jurisdiction.

Mr. WIDNALL. As I understand it, the gentleman would have no jurisdiction over this?

Mr. McMILLAN. That is correct.

Mr. WIDNALL. Does the gentleman have power to make recommendations with respect to this? The gentleman does, does he not?

Mr. McMILLAN. I guess we could, however I understand they are increasing the real estate tax by several million dollars this year.

Mr. WIDNALL. It seems to me this is one source of revenue that could easily be picked up in the District of Columbia.

It would be a tax against those people who can really afford it. In many, many instances they are getting a practically free ride right now.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Chairman, I think the gentleman raises a good question. May I say also I know for a fact in many instances the real estate taxes in the District of Columbia have been raised about 260 percent in the last 6 years. They have gone up quite rapidly. In most instances—I will not say in all—they probably have reached the saturation point.

I know there are those who disagree with me, but the fact remains that the jurisdiction for the assessments, and the real estate tax levy wholly lies with the government of the District of Columbia, and not within the Congress or the District Committee.

With all due deference to what has been said by some, when the District government feels it needs more money, then it and the Washington press start howling and growling about the Federal payment. Just since I have been in this Congress, I have seen this payment grow from $2 million to $70 million. It must be remembered that this is the best money mill in the world—Washington, D.C. They have never known a depression in this town. During the 1930's they had glorified prosperity here, and they have had it ever since, because of the large salaries of those who work for this Government.

We have means of providing additional revenue if they need it. But as the gentleman has pointed out, they do not use the sources they have available. They ought to use those before they come crying on the shoulders of the Congress about the Federal payment.

Mr. McMILLAN. Mr. Chairman, I have no further requests for time.

Mr. NELSEN. Mr. Chairman, I have no further requests for time.

The **CHAIRMAN.** The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Revenue Act of 1968."

COMMITTEE AMENDMENT

The **CHAIRMAN.** The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That this Act may be cited as the 'District of Columbia Revenue Act of 1968'.

"TITLE I—FEDERAL PAYMENT AUTHORIZATION

"Sec. 101. Section 1 of article VI of the District of Columbia Revenue Act of 1947 (D.C. Code, sec. 47–2501a) is amended (1) by striking out 'June 30, 1968', and inserting in lieu thereof 'June 30, 1969', and (2) by striking out '$70,000,000' and inserting in lieu thereof '$80,000,000'.

"TITLE II—AMENDMENTS TO THE DISTRICT OF COLUMBIA INCOME AND FRANCHISE TAX ACT OF 1947

"Sec. 201. Section 3 of title VI of the District of Columbia Income and Franchise Tax Act of 1947 (D.C. Code, sec. 47–1567b(a)) is amended to read as follows:

" 'Sec. 3. Imposition and Rates of Tax.—In the case of a taxable year beginning after December 31, 1967, there is hereby imposed on the taxable income of every resident a tax determined in accordance with the following table:

" 'If the taxable income is:	The tax is:.
Not over $1,000	2% of the taxable income.
Over $1,000 but not over $3,000	$20 plus 3% of excess over $1,000.
Over $3,000 but not over $5,000	$80 plus 4% of excess over $3,000.
Over $5,000 but not over $10,000	$160 plus 5% of excess over $5,000.
Over $10,000	$410 plus 6% of excess over $10,000.'

"Sec. 202. (a) Section 2 of title VII of such Act (D.C. Code, sec. 47–1571a) is amended by striking out '5 per centum' and inserting in lieu thereof '6 per centum'.

"(b) Section 3 of title VIII of such Act (D.C. Code, sec. 47–1574b) is amended by striking out '5 per centum' and inserting in lieu thereof '6 per centum'.

"Sec. 203. (a) Section 7(a)(4) of title XII of such Act (D.C. Code, sec. 47–1586f(a)(4)) is amended to read as follows:

" '(4) Employers.—Every employer required to deduct and withhold tax under this article shall make a return of, and pay to the District, the tax required to be withheld under this article for such periods and at such times as the District of Columbia Council may prescribe.'

"(b) Section 1(b) of title XIII of such Act (D.C. Code, sec. 47–1589(b)) is amended to read as follows:

" '(b) Failure To File Employer's Return.—In the case of any employer—

" '(1) who pursuant to this article is required to withhold taxes on wages, make a return of such taxes, and pay to the District the taxes required to be withheld pursuant to this article, and

" '(2) who fails to withhold such taxes, make such return, or pay to the District the taxes required to be withheld pursuant to this article,

there shall be imposed on such employer a civil penalty (in addition to any criminal penalty provided for in this article) of 5 per centum of the amount required to be shown as tax on such return if the failure is for not more than one month, with an additional 5 per centum for each additional month or fraction thereof during which such failure continues, not exceeding 25 per centum in the aggregate.'

"Sec. 204. (a) The repeal or amendment of any provision of the District of Columbia Income and Franchise Tax Act of 1947 shall not affect any act done or any right accruing or accrued, or any suit or proceeding had or commenced in any civil cause before such repeal or amendment; but all rights and liabilities under such Act shall continue, and may be enforced in the same manner and to the same extent, as if such repeal or amendment had not been made.

(b) All offenses committed, and all penalties incurred, under any provision of law hereby repealed or amended, may be prosecuted and punished in the same manner and with the same effect as if this title had not been enacted.

"Sec. 205. The amendments made by sections 201 and 202 of this title shall be applicable to taxable years beginning after December 31, 1967. The amendments made by section 203 of this title shall take effect on the date of enactment of this Act.

"TITLE III—AMENDMENTS TO THE DISTRICT OF COLUMBIA SALES TAX ACT AND THE DISTRICT OF COLUMBIA USE TAX ACT

"Sec. 301. Section 107 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2601, par. 7) is amended by striking out ': *Provided, however,* That the word "food" shall not include spiritous or malt liquors and beer'.

"Sec. 302. Subsection (a) of section 114 of the District of Columbia Sales Tax Act (D.C. Code, sec. 47–2601, par. 14(a)) is amended by adding at the end thereof the following new paragraph:

" '(7)(A) The sale of or charges to subscribers for local telephone service. The inclusion of such sales and charges in the definition of the terms "retail trade" and "sale at retail" shall not authorize any tax to be imposed under this title on so much of any amount paid for the installation of any instrument, wire, pole, switchboard, apparatus, or equipment as is properly attributable to such installation.

" '(B) The term "local telephone service" means—

" '(i) the access to a local telephone system, and the privilege of telephonic quality communication with substantially all persons having telephone or radio telephone stations constituting a part of such local telephone system, and

" '(ii) any facility or service provided in connection with a service described in paragraph (i).

The term "local telephone service" does not include any service which is a "toll telephone service" or a "private communication service" as defined in subparagraphs (C) and (D).

" 'The term "toll telephone service" means—

" '(i) a telephonic quality communication for which (a) there is a toll charge which varies in amount with the distance and elapsed transmission time of each individual communication and (b) the charge is paid within the United States, and

" '(ii) a service which entitles the subscriber, upon payment of a periodic charge (determined as a flat amount or upon the basis of total elapsed transmission time), to the privilege of an unlimited number of telephonic communications to or from all or a substantial portion of the persons having telephone or radio telephone stations in a specified area which is outside the local telephone system area in which the station provided with this service is located.

" '(D) The term "private communication service" means—

" '(i) the communication service furnished to a subscriber which entitles the subscriber—

" '(a) to exclusive or priority use of any communication channel or groups of channels, or

" '(b) to the use of intercommunication system for the subscriber's stations,

regardless of whether such channel, groups of channels, or intercommunication system may be connected through switching with a service described in subparagraph (B) or (C),

" '(ii) switching capacity, extension lines and stations, or other associated services which are provided in connection with, and are necessary or unique to the use of, channels, or systems described in paragraph (i) of this subparagraph, and

" '(iii) the channel mileage which connects a telephone station located outside a local telephone system area with a central office in such local telephone system.

except that such term does not include any communication service unless a separate charge is made for such service.'

"Sec. 303. Section 114(b)(2) of such Act (D.C. Code, sec. 47–2601, par. 14(b)(2)) is amended to read as follows:

" '(2)(A) Sales of transportation and communication services other than sales of local telephone service.

" '(B) Sales of local telephone service rendered by means of a coin-operated telephone available to the public; except that where such coin-operated telephone service is furnished for a guaranteed amount, the amounts paid under such guarantee plus any fixed monthly or other periodic charge shall be subject to the tax imposed on local telephone service by this title.'

"Sec. 304. Section 125 of such Act (D.C. Code, sec. 47-2602) is amended to read as follows:

"'Sec. 125. A tax is imposed upon all vendors for the privilege of selling at retail certain tangible personal property and for the privilege of selling certain selected services (defined as sales at retail in this title). The rate of such tax shall be 4 per centum of the vendor's gross receipts from the sale of such tangible personal property and services, except that the rate of tax with respect to sales or charges for any room or rooms, lodgings, or accommodations, furnished to transients by any hotel, inn, tourist camp, tourist cabin, or any other place in which rooms, lodgings, or accommodations are regularly furnished to transients, shall be 5 per centum of the gross receipts from such sales or charges.'

"Sec. 305. Section 127 of such Act (D.C. Code, sec. 47-2604) is amended—

"(1) by striking out in paragraph (a) "other than sales of food for human consumption off the premises where such food is sold, and"; and

"(2) by striking out paragraph (b) and redesignating paragraph (c) as paragraph (b).

"Sec. 306. (a) Section 128 of title I of such Act (D.C. Code, sec 47-2605) is amended—

"(1) by adding after paragraph (c) the following new paragraph:

"'(d) Sales of materials and services to the printing clerks of the majority and minority rooms of the House of Representatives for use in the operation of such rooms, and sales of materials and services made by such clerks in connection with the operation of such rooms';

"(2) by amending paragraph (i) to read as follows:

"'(i) Sales of food, beverages, and other goods made to any person for use in the operation of the majority and minority cloakrooms of the House of Representatives and sales of such food, beverages, and other goods made by such person in connection with the operation of such cloakrooms.';

"(3) by striking out paragraph (o); and

"(4) by redesignating paragraphs (p) and (r) as paragraphs (o) and (p), respectively.

"(b) Paragraph (d) of such section 128, added by paragraph (1) of subsection (a) of this section, shall apply with respect to the sale of materials and services made on or after January 1, 1961.

"Sec. 307. Section 201(b)(2) of the District of Columbia Use Tax Act (D.C. Code, sec. 47-2701, par. 1(b)(2)) is amended to read as follows:

"'(2) Sales of transportation and communications services other than sales of local telephone service.'

"Sec. 308. The last sentence of section 212 of the District of Columbia Use Tax Act (D.C. Code, sec. 47-2702) is amended to read as follows: 'The rate of the tax imposed by this section shall be 4 per centum of the sales price of the tangible personal property or services rendered or sold.'

"Sec. 309. Except as provided in section 306, the amendments made by this title shall take effect on the first day of the first month which begins on or after the thirtieth day after the date of enactment of this Act. The imposition of sales tax on local telephone service shall be applicable to the sales price or charge made by a vendor for local telephone service as stated on the bills rendered to the purchaser by the vendor on and after such effective date.

"TITLE IV—GENERAL PROVISIONS

"Sec. 401. No funds appropriated for the government of the District of Columbia may be used—

"(1) to provide transportation for students enrolled in the public schools of the District of Columbia if the transportation is provided solely to change the racial balance in any public school in the District of Columbia, or

"(2) for the cost of education (including the cost of transportation) of any individual in an elementary or secondary school located outside the District of Columbia, except handicapped individuals for whose education facilities do not exist in the public school system of the District of Columbia.

"Sec. 402. No funds appropriated for the government of the District of Columbia may be used to furnish materials or services to promote or further any demonstration in the District of Columbia undertaken for the purpose of influencing legislation or other governmental actions of the United States Government or the government of the District of Columbia."

Mr. McMILLAN (during the reading). Mr. Chairman, I ask unanimous consent that the committee amendment be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. ADAMS

Mr. ADAMS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. Adams: On page 13, strike out lines 13 through 17 and insert in lieu thereof the following:

"Sec. 101. Article VI of the District of Columbia Revenue Act of 1947 (D.C. Code, secs. 47-2501a, 47-2501b) is amended to read as follows:

"'ARTICLE VI—FEDERAL PAYMENT

"'Sec. 1. In recognition of the unique character of the District of Columbia as the Nation's Capital City, a regular annual payment (hereafter in this article referred to as the "Federal payment") is authorized to be appropriated from revenues of the United States to cover the proper Federal share of the expenses of the government of the District of Columbia. The Federal payment, when appropriated, shall be paid into the general fund. The Federal payment authorized by this article for each of the fiscal years ending June 30, 1969, and June 30, 1970, shall be an amount equal to 25 per centum of the amount of District of Columbia fees and tax revenues which the Commissioner estimates will be credited to the general fund in such fiscal year. Subject to any adjustments required under section 3 for overpayments or underpayments, the Federal payment authorized by this article for the fiscal year ending June 30, 1971, and each fiscal year thereafter shall be an amount equal to 25 per centum of the amount of District of Columbia fees and tax revenues credited to the general fund in the fiscal year ending June 30, 1970.

"'Sec. 2. The Commissioner shall estimate the amount of District of Columbia fees and tax revenues that will be credited to the general fund during the fiscal years ending June 30, 1969, and June 30, 1970. He shall submit such amount to the Bureau of the Budget with the regular budget of the District of Columbia for such fiscal years. The amount of such revenues and fees which is approved by the Director of the Bureau of the Budget shall be submitted to the Congress.

"'Sec. 3. If the amount of the Federal payment appropriated in the fiscal year ending June 30, 1969, or June 30, 1970, does not equal 25 per centum of the amount of District of Columbia fees and tax revenues credited to the general fund in such fiscal year, the amount of the Federal payment authorization for the second fiscal year beginning after such fiscal year shall—

"'(1) if such Federal payment appropriation exceeded 25 per centum of such fees and tax revenues, be reduced by the amount of such excess; or

"'(2) if such Federal payment appropriation was less than 25 per centum of such fees and tax revenues, be increased by the amount by which such appropriation was lower.

"'Sec. 4. For purposes of this title—

"'(1) The term "District of Columbia fees and tax revenues" means the sum of—

"'(A) the proceeds from the motor vehicle registration fees collected under section 3 of title IV of the District of Columbia Revenue Act of 1937 (D.C. Code, sec. 40-103); and

"'(B) the tax revenues (including penalties and interest) of the District of Columbia, including revenues derived from the following taxes: (i) taxes imposed on real and tangible personal property, (ii) sales and gross receipt taxes, (iii) taxes on the incomes of individuals, corporations, and unincorporated businesses, (iv) real estate deed recordation taxes, and (v) inheritance and estate taxes.

"'(2) The term "general fund" means the general fund of the District of Columbia in the Treasury of the United States.

"'(3) The term "Commissioner" means the Commissioner of the District of Columbia.'

"Sec. 102. This title may be cited as the 'District of Columbia Federal Payment Authorization Act of 1968'."

Mr. ADAMS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. Mr. Chairman, this is the amendment that was offered in the District of Columbia Committee, and it lost by a 10-to-10 vote.

Not having prevailed in the majority, the amendment was not adopted.

This is the amendment which would provide that there be a 25-percent formula established, 25 percent of the District of Columbia tax revenues and fees. This would be established only for 2 years, fiscal year 1969 and fiscal year 1970. At the end of that period of time the Congress would consider what had occurred under the formula and would decide whether or not to continue forward with it.

This matches the formula on borrowing which was established by the gentleman from Minnesota in this Congress a few months ago. In other words, the borrowing formula, which allows the District of Columbia to borrow based upon 6 percent of the revenues of the District, and this tax payment formula would run out at the same time, in the middle of the next Congress, so that the Congress would have an opportunity to determine whether it wanted to change the system.

There were some remarks made that this would bypass the Appropriations Committee. That is not correct. The appropriations for the District of Columbia under this formula, under the bonding formula, and under all the rules of this House would continue to be made by the Appropriations Committee.

What this is is a revenue bill to determine how the District of Columbia will raise its revenues.

I am pleased that one of the gentlemen on the other side of the aisle asked the question about property taxes, because he is correct. As shown on page 29 of the hearings, the property tax rate in 1954 in the District of Columbia was $2.15, and in 1968 the property tax rate is $2.90. During that period of time, it is true, the assessed valuation in the District has gone up, but the assessed valuation has gone up because the property in this District has become incredibly valuable.

What we are talking about in this tax bill—and this is why I asked the questions of the gentleman from Virginia and some other Members who spoke—is, obviously any time one raises taxes it is difficult, but to raise taxes one must try to be fair. This is the thing a number of us have objected to in this bill. We have tried to compromise, and we are in support of raising additional revenue, but we do not believe we should raise revenue on the food that people eat, with a tax going from 1 percent to 4 percent. This is not food in restaurants or any fancy eating places. This is what the man goes to the grocery store and buys, if he can, and takes home.

We do not believe one should raise the tax on drugs when, with all of the new drugs, as we know, whenever a person is sick he just goes out to buy drugs, no matter what they cost, from zero percent to four percent, while at the same time we have not raised the amount we are going to require to be paid in certain fields.

I mentioned unincorporated business. I do not have an objection to excluding them, but I believe we should not exclude them while we are raising the sales tax.

The same is true with regard to the formula. There is a reason for the formula. The Federal Government owns an incredible amount of property in the District—an incredible amount. It requires all the services of the District.

What we try to do with a formula is to say, "This is in effect a payment in lieu of taxes." We can argue about the percentage. I do not mind saying 25 or 30 or 26 or 27 percent. We can compromise on this figure. But we should pay, as the Federal Government, a fair amount if we are going to try to put a tax on food and on drugs. We should pay a fair amount for the property of the Federal Government. That is why the formula is here. That is why we have recommended it.

If we did adopt a 25-percent formula, and passed the taxes in this bill, which would raise about another $47 million, we would have raised as much revenue as would be raised under the package that has been proposed.

I am also worried, just from the standpoint of the reputation of the House, that we should exclude the cloakrooms from the sales tax on food while we are raising everybody else's taxes. Again I think the cloakrooms should be excluded, but I do not think we should be excluding them at the same time as we are taxing the man who goes to buy his food in the grocery store, raising his taxes from 1 to 4 percent and putting a 4-percent tax on drugs and not raising the tax on beverages and restaurants more than from 3 percent to 4 percent.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAMS. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ADAMS. I will conclude my remarks by saying I hope that the gentlemen on both sides of the aisle will support this formula proposal. I want to compliment the gentleman from Minnesota who has suggested this formula. There are other Members, such as the gentleman from Maryland [Mr. GUDE] and others who have worked on this for years. I hope my offering it does not prejudice it in any way, because it is a bipartisan matter and something we all have thought about for many years. I hope the House will adopt the amendment.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. Yes. I am glad to yield to the gentleman.

Mr. NELSEN. I mentioned earlier that I supported the formula, but I want to make it very clear to the Members here under the formula the Appropriations Committee still will have complete authority as to the amount of money they will appropriate. They do not necessarily go to the level that the formula would set up. I want to make that very clear.

Mr. ADAMS. I thank the gentleman. I think he has made that clear, and I hope I made it clear in my remarks, because that is the case.

Mr. BROYHILL of Virginia. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I am glad to yield to the gentleman.

Mr. BROYHILL of Virginia. The pending amendment does not exclude the sales tax on food; does it?

Mr. ADAMS. No, sir. This is strictly the formula.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I stated before that the Federal Government certainly does have a financial responsibility to the Nation's Capital. In that position, I do not think I have any quarrel from the gentleman proposing this amendment. However, I think we have a right and a duty to know the extent of that financial responsibility and that Federal payment. There is no magic formula that we can adopt that will bypass that responsibility. It is ridiculous to think we can discharge it merely by saying we owe to the people of the District of Columbia 25 percent of whatever revenue is raised from other sources, or 30 percent, as the case may be. As a matter of fact, early this year the District of Columbia government did ask for a formula of 25 percent Federal payment, but as recently as June they changed that and stated that 25 percent will not give them enough revenue. It now has to be 30 percent. So it makes no difference what figure we come up with. If it does not bring out enough revenue, they will surely come up and ask us to change the formula, exactly the same as they will come up and ask to increase the $80 million Federal payment if this is not enough.

Mr. ABERNETHY. Mr. Chairman, will the gentleman yield?

Mr. BROYHILL of Virginia. I am glad to yield to the gentleman.

Mr. ABERNETHY. There are many Federal grants made all over the country from the Federal Government. I would like to point out that none of these are based on a formula. They are based on a determination by the Federal agencies involved and on a dollars-and-cents figure in the statutes.

Mr. BROYHILL of Virginia. I would like to point out that the formula proposed of 25 percent will not bring in any more revenue for the District of Columbia at the present time than we provide for in the bill, but if the formula proves to be excessive and to produce more revenue than is necessary, this will be used as an excuse to justify high spending and high appropriations. However, if the formula is insufficient and will not provide enough revenue, they will surely come up here and say we should increase the formula or the payment. In other words, it will be a one-way train. I question the constitutionality of this approach. Of course, I hesitate to say that because no one knows nowadays what the Constitution actually means. But here we have already delegated to the District government the authority to raise real property taxes, and this source brings in approximately $111 million per year.

So, since they have control over that, they will have control over all the Federal payment because they control the source of approximately one-third of the revenue.

However, if certain incidents should again occur here in the District of Columbia such as the recent incidents of civil disobedience, rioting, looting, and other acts of civil disorder, the formula will not supply enough money because the city's general fund revenues will continue to decrease. Therefore, Mr. Chairman, the formula will not work. We will be asked for a higher Federal payment and, therefore, the Committee on Appropriations would play the final role in this matter. I have no question about how the Committee on Appropriations will handle it. But I do not feel that there is any excuse or any reason why we should abdicate our responsibilities in this field. Further, I do not know why the gentleman has suggested a 2-year formula. After 2 years pass, we will have to take a look at it again. Why not keep the figure at $80 million? If that should not be sufficient, then we will have to do something about it. It is a serious matter to think that we can avoid our responsibility for this problem by any simple formula of 25 percent or 30 percent.

So, Mr. Chairman, I suggest that this amendment be voted down and that the Committee on the District of Columbia maintain its responsibilities to the District of Columbia, as we have always maintained them in the past.

Mr. HARSHA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

As was pointed out by the distinguished gentleman from Virginia who preceded me in the well of the House, there is going to be a continual effort to come up here and change this formula, even if you approve it from year to year and, there would be a great deal of pressure to increase the formula.

Mr. Chairman, under this amendment the total amount of taxes at best is an estimate or a guesstimate, designed and intended solely to enable the District of Columbia government to obtain, each year, more Federal funds out of the U.S. Treasury.

However, the estimate is to be based upon the amount of taxes or tax revenue collected that year and then there would have to be an adjustment in the following year's budget, and the guess for the next year is repeated.

Mr. Chairman, the advantage of a lump-sum payment, as approved by your committee and the Congress, for all the years, is that the District knows the amount of the authorized Federal payment each year. It is not based upon any slide rule figure, or guess, as to which adjustments must thereafter be made because the experts were wrong in their estimates.

Mr. Chairman, until this year, proponents of the formula have always argued it would make budgeting so much simpler for the District, because once the formula were adopted it would not be necessary for the District to come to Congress each year to increase the Federal payment. Under the formula, the Federal payment would automatically increase because the total taxes collected each year would normally increase. But this year the experts ran into a snag and had to change their argument.

Mr. Chairman, the District of Columbia government came before the District Committee on April 25 with its revenue proposals including this formula providing for Federal payment authorization of 25 percent of the taxes collected as above. The District of Columbia officials estimated that in 1969 taxes collected would be $331.6 million, 25 percent of which would produce a Federal payment of $82.9 million.

Because of the April disorders, the revenue estimates were changed, and after the hearings, but before the committee could write up the revenue bill, the District government sent down a revision of the formula raising it to 30 percent rather than 25 percent of the taxes collected. The District government also revised downward its estimate of taxes to be collected as $327.6 million rather than $331.6 million, 30 percent of which would produce a Federal payment of $98.3 million. So, Mr. Chairman, the fallacy of the argument originally presented to the Congress—that a formula once adopted would suffice thereafter, to meet the District needs each year without returning to the Congress for further Federal payment authorization—is evident.

If this formula is adopted as the proposed amendment provides, it is almost a foregone conclusion based on our experiences in recent years, that the District government will be back before our committee next year and the year after, and so on, requesting an increase in the percentage. The incentive there will be to increase taxes upon which the percentage is based, or the formula is based.

Now, one thing I want the committee to understand is that in 1963 the Federal payment was $32 million. In 1967 the Federal payment was $60 million. Last year alone we raised it an additional $10 million, to make it what it is now, $70 million. And we again this year propose to increase it another $10 million, to make it $80 million.

In that short span of time we have almost tripled the Federal contribution to the District of Columbia government.

Let me also point out to the Members that in the very brief period from 1964 to 1969, the total District of Columbia annual budget has doubled from $358.5 million in fiscal 1964 to almost $714 million in fiscal 1969. This year alone it is $100 million over last year.

Why does the rest of the country have to economize, why do we have to cut down spending for the rest of the country, imposing a surtax on the rest of the country and ask the rest of the country to tighten its belt and then come in here and increase the District of Columbia budget by $100 million in 1 year?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

(By unanimous consent, Mr. HARSHA was allowed to proceed for 2 additional minutes.)

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I will be glad to yield to the gentleman from Iowa in just a moment, but first let me finish this statement:

Yet, significantly enough, while the demands upon the Federal Treasury and the tax revenues of the District of Columbia have increased in an unproportionate amount as to the rest of the government, the services have greatly expanded, the employment has greatly expanded, yet the population of the District of Columbia during this period of time in most years has declined, or in other years has held at its present level?

This burgeoning of the District of Columbia budget must be halted, and the only way we can do it is to hold to this Federal payment, to the lump sum plan.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I now yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, I would ask the gentleman from Ohio how officials of the so-called government of the District of Columbia explain the tremendous increases in their costs of operations.

Mr. HARSHA. I will reply to the gentleman from Iowa, there are arguments on both sides of that, but to my satisfaction they never have explained it.

Mr. ADAMS. Mr. Chairman, would the gentleman yield for an answer to the question posed by the gentleman from Iowa?

Mr. HARSHA. I yield to the gentleman from Washington.

Mr. ADAMS. Mr. Chairman, I would point out that the two biggest expenses are, No. 1, for education and, No. 2, for additional police protection.

Mr. HARSHA. While we are on the subject of police protection, let me tell the Members that last year there were 357 vacancies on the police force, and it took them the whole year to bring in 227 new policemen. We are still 128 policemen under the authorized 3,100 police officers.

Now they have asked for an additional 1,000 police officers, which will call for $16.5 million to do it. But they cannot possibly hire another 1,000 police officers in 1 year's time.

We have provided in this bill almost $7 million to take care of that possibility.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

(By unanimous consent, Mr. HARSHA was allowed to proceed for 1 additional minute.)

Mr. HARSHA. If they are successful in hiring 1,000 more police officers, I certainly will approve it, or consent, at least as far as I personally am concerned, to receive a request for a supplemental expenditure on that item.

Let me point this out: That this amendment calls for a formula payment for a 2-year period, and at the end of the 2-year period it will then again become a fixed-sum payment. The same thing we are trying to provide for here, and the gentleman from Washington pointed out, there has been this formula applied on the borrowing authority. As it is, we have increased the borrowing authority a tremendous amount, and we are now trying the formula method for that part of the District of Columbia budget.

Would it not be better judgment to proceed with that innovation, and see how it works, see whether or not it is successful, and if it is successful we then have some experience upon which to base an effort to try the formula method for the Federal payment. But let us not go into two avenues that have previously been unexplored or untried at the same time.

Mr. Chairman, I hope the amendment is defeated.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Washington [Mr. ADAMS].

The question was taken; and on a division (demanded by Mr. ADAMS), there were—ayes 36, noes 43.

Mr. ADAMS. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment to the committee amendment was rejected.

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. ADAMS

Mr. ADAMS. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. ADAMS: On page 16, line 14, insert the following immediately before the period: "and inserting after the period at the end of such section the following new sentence: 'The word "food" shall not include spiritous or malt liquors, beer, or wines.' "

On page 19, line 25, insert immediately before the period the following: ", and the rate of tax with respect to sales of food for human consumption off the premises where such food is sold shall be 1 per centum of the gross receipts from such sales".

On page 20, strike out lines 1 through 7 and redesignate the succeeding sections in title III and all references thereto accordingly.

On page 20, insert "and" at the end of line 22 and strike out line 23, and on page 21, strike out lines 1 and 2 and insert in lieu thereof the following:

"(3) by redesignating paragraph (r) as paragraph (q)."

On page 21, line 16, insert immediately before the period ", except that the rate of tax with respect to sales of food for human consumption off the premises where such food is sold shall be 1 per centum of the sales price of such sales".

Mr. ADAMS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment may be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

The CHAIRMAN. The gentleman from Washington is recognized for 5 minutes.

Mr. ADAMS. Mr. Chairman, this is the amendment that was indicated earlier would be presented to return the situation of taxation on food and drugs to the original position that they were in. In other words, the committee increased the tax on food taken from a grocery store from 1 percent to 4 percent. The amendment would restore the amount to be taken from a man's salary when he goes in to buy his food at the grocery store to an amount of only 1 percent.

With regard to drugs, the amendment provides that there would be no sales tax on drugs.

What the committee has done in this case is to put a very regressive tax on food and on drugs, which are absolute necessaries for life.

I would like to point out what the effect of this type of tax is as compared to an income tax or as compared to property tax or as compared to all the other taxes we have had. If you are a man who takes home only $50 a week, you probably spend close to half your budget on food, maybe more. You have to in order to stay alive. So when you pay a 4 percent tax on food, you are paying a tax on a major portion of your earnings.

A man who will earn $500 a week or $400 a week spends only $50, $60, maybe close even to $100 on food. The percentage of his income that you take is much less than that taken on the poor. We do have a number of people in this city who are poor or who are on welfare. I wish we did not.

I wish that we could correct this, and we are trying to do so. That is part of the reason why the budget has gone up, as has been mentioned by some of the earlier speakers. This city has been neglected for years, and starting a few years ago we have tried to correct this, and there have been corrections. We have a long way to go on education so that our people can support themselves and can become taxpayers across the full spectrum. We have some incredible problems of protection of the public safety in this city. They apply not only because this city suffers from the problems of every city in America, and the central district is going downhill because we have not determined how to bring it back up, but also we have the problem in the central area of patrolling the streets. Therefore, we have one bad set of problems. We have a second set of problems.

This is the Federal City. We do a lot of things of a Federal nature in this city that are not done in any other city in America. So we need more police protection. We need more public services than we have elsewhere. We have to have more firemen, more reserves, more protection, because, yes, you and I as Congressmen are here, and yes, the Federal Government is here and, yes, the Federal Government must be protected and things have to be done for it. We have to try to make this a model city. We are not doing it and we know it.

So many of us have voted for proposals in this bill. We went along. We compromised. As I mentioned before, we took out some of the professional people. We went along with increasing the sales tax generally from 3 to 4 percent. We went along with increasing the income tax, even at the level of a $2,000 income. We have gone along with the whole spectrum of propositions. All we are asking is that this be fair, and, yes, what we are saying here is that this is a very regressive tax. So we are asking that the tax on food taken out of a grocery store be removed, and that the tax on drugs be removed.

If this carries, then I will favor an amendment to raise the tax on beverages and on restaurant meals from 3 to 4 percent to bring back part of the income.

I know that this is a difficult thing. Taxes are difficult on all of us. But we have got to put this city back together. We have got to have some protection.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ADAMS. I yield to the gentleman from Iowa.

Mr. GROSS. Is the gentleman aware that last summer, just last year, young vandals rocked out $170,000 worth of window glass in the schools in this city?

Mr. ADAMS. I am aware of that, and I would say to the gentleman that if we would spend, and if we do spend the money that is necessary on education, and if we could bring the Police Department up to strength, which we are attempting to do by new recruiting techniques and by new increases in salary, we can deal with this problem, and that is what we are trying to do.

Mr. BROYHILL of Virginia. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think we can all agree that a food tax is most undesirable. In fact, I think all sales taxes are regressive, and all excise taxes are regressive. Many Members will recall that the Ways and Means Committee worked for many years in an effort to get the excise tax, which is a form of sales tax, eliminated from ladies' jewelry, cosmetics, handbags, and luggage, and from admission taxes. We actually had a formula whereby the excise taxes on telephone service and automobiles would eventually be eliminated, and we had to postpone that elimination.

If there was any other way whereby we could raise the necessary revenue to finance the District of Columbia government, there would not be any sales tax, much less a sales tax on food.

I might say—and I have said this before in my remarks—all of us are concerned about the plight of the poor. I do not think anyone among us has a monopoly on concern for those who are poor and downtrodden. I also said a few moments ago that we must do more for those who cannot help themselves. We spend billions of dollars in trying to eliminate poverty and human suffering and unemployment, but we have found that there has been a lot of slippage and waste, and that the benefits have not gotten down to those we have tried to help, so I think we should look for better ways and better formulas for helping those who cannot help themselves.

But I think also we should think about the middle-income group, the fellow who gets out of bed and goes to work every day, goes to church, sends his children to school, and pays he taxes. He is the backbone of this Nation, and he represents the majority of American people, the majority of those who pay all sales taxes—on food and all other sales. Actually, we reduced the taxes on the poor or low-income people as far as the income tax is concerned, when the bill was reported out of the committee.

Mr. Chairman, I think there are five factors we should consider in discussing this amendment. I mentioned a moment ago that we are trying to make existing taxes comparable to those in the suburbs, and we have done that insofar as the State of Virginia is concerned, and very close to comparability with the State of Maryland.

Second, most people in the District of Columbia are transient, and many of these people never get on the city's income tax roll. Actually, the only way we can really get these people to pay taxes is through some form of sales tax, including a tax on the sale of groceries.

Third, the income per capita in the District of Columbia—recognizing that we do have our share of poor people—is among the highest in the entire United States, so why should the people in the District of Columbia be exempted from a form of taxation that 31 of our States already have on their statute books—and that includes the State of the gentleman who offered the amendment to eliminate the tax?

Also, if this amendment is adopted, we are going to lose $8.5 million in potential revenue. The amendment being discussed will reduce the revenues provided by the committee's bill by $11.1 million. And by increasing taxes on restaurant meals and alcoholic beverages to 5 percent instead of 4 percent as the committee has recommended, we will only bring in $2.6 million in additional revenue. Hence, the net loss will be $8.5 million.

If the amendment of the gentleman from Washington is adopted, we will lose another $8.5 million of potential revenues, and I am going to predict that even the estimates in the report itself are going to fall short, because we have lost millions and millions of dollars in business and revenues in the District of Columbia because of the Poor People's March and the riots and other civil disturbances that have occurred here in recent months.

So we will be back here asking the rest of the people of the United States to finance by additional money the District of Columbia, and certainly we should not be asked to reduce the revenue proposed in this bill by another $8.5 million.

Mr. MOSS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I must confess I find it rather difficult to believe that this Committee is going to impose a price increase on food and drugs for the vast majority of people in the District of Columbia who are in very low-income categories.

I do not live in the District of Columbia. I have no property here. It is not going to affect me.

But I walked out to the telephone, and I phoned to my county assessor's office out in Sacramento, Calif.

I believe it is quite obvious why there is a problem here. It is very obvious. The District of Columbia assessed value of taxable property in 1968 is $3,369,209,000. The tax rate is $2.90. It is going up to $3 this time.

I learned that the combined tax rate in my county is $10.48 per $100 of assessed valuation.

I believe that if the rest of the Members would go to their telephones and make comparable calls they would find that the underlying cause of the lack of adequate finances remains as it has always been in the District of Columbia, a lack of fair and equitable levy on real property.

I remember going back quite a number of years ago, when we took the trouble to compare taxes in a number of cities around this Nation, and in case after case after case the same pattern of inequality of taxation of real property existed.

This is a unique enclave of privilege insofar as property ownership is concerned here in the District of Columbia. I do know why that it, but I know this House, this Congress, has the power to reach it. But it does not do so.

So we adopt, if the committee prevails, a highly regressive tax, a highly unfair tax.

My State, with all its problems of growth and its need for new revenues, has not felt compelled to place on the backs of the poorest of its citizens a tax on their groceries and their medicines.

Mr. NELSEN. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I am happy to yield to the gentleman from Minnesota.

Mr. NELSEN. I want the gentleman to know that the city government has the authority to levy the tax on real property in the District of Columbia. We gave them that authority about 3 years ago.

Mr. MOSS. Yes, I know they have; and I know that the committee has the authority to direct them to increase that levy. I cannot for the life of me understand why year after year after year that authority is not exercised.

I think that the tax being proposed today, the sales levy, is an outrage. I think it is an affront to the people who are denied representation here in this body.

Mr. PUCINSKI. Mr. Chairman, will the gentleman yield?

Mr. MOSS. I am happy to yield to the gentleman from Illinois.

Mr. PUCINSKI. The gentleman from Virginia talked about the need for a sales tax on food. I wonder if I may have the gentleman's attention.

What is the gentleman's attitude on a payroll tax or a commuter tax, to have all of these fine people who come here every morning, who earn their living in the District and who leave in the evening, who leave no significant contribution to the city, who get the benefit of police protection and fire protection and all the other services, pay such a tax?

I wonder what the gentleman's attitude would be toward getting a proper solution to the financial needs of this city through a payroll or commuter tax.

Mr. BROYHILL of Virginia. In the first place, I wish they would get some more police protection. Then we would have more of them coming here to shop.

Mr. PUCINSKI. Forget about the shopping. What about the working. They come here to work.

What about putting a tax on earnings?

Mr. BROYHILL of Virginia. Everyone who comes to the District of Columbia and buys anything in the District of Columbia must pay the sales tax and all the other taxes.

Mr. PUCINSKI. I asked you about an earnings tax. Forget about that sales tax. They do not do any buying here to amount to anything.

Mr. BROYHILL of Virginia. I do not believe that anyone should pay a premium for the right to work for the Federal Government.

Mr. GUDE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I merely rise to associate myself with the remarks of the gentleman from Washington [Mr. ADAMS] in opposition to this excessive 4-percent tax on food. I think this comes at a very unfortunate time, particularly when this House has been passing legislation such as the school lunch program and showing its awareness of the importance of nutrition in our national war against poverty.

Mr. JOELSON. Mr. Chairman, I rise in support of the amendment.

I think it is incredible in this day and age that this Congress should be asked to increase a sales tax on food in the District of Columbia. It displays an appalling insensitivity to the needs of the times and to the mood of the times. We are told day after day that men and women do not have enough bread. Our answer today is to add to the tax on bread. We are told that children do not have enough milk. Our answer is to increase the tax on milk.

Mr. Chairman, I agree completely with the gentleman from California that if we want to get the revenue, we should get it from people who have the ability to pay. When you tax a poor man for food at a rate of 4 percent, it is a much greater sacrifice than when you tax a well-to-do man 4 percent. That well-to-do man is just going to buy as much food as he always did, but it is conceivable and in fact it is likely that a poor person will be deprived of food because of the tax.

Mr. Chairman, I urge the acceptance of this amendment.

Mr. ABERNETHY. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know how this sort of a tax aggrieves and concerns the members of this committee. It concerns me.

I do not like to advertise or comment on it—and I seldom do—but the average income of the people in my State is the lowest in the Nation. Now, I do not say that with any degree of pride. It is a very sad thing. The sources of revenue available to that State reached the bottom of the barrel. So, we had to go to this kind of a tax. My State was the first in the Union to enact a sales tax. Whether it was enacted upon food or whatnot, all other States thought we were wrong; but most of them eventually enacted such themselves. And this is what the District is going to have to do.

Now, Mr. Chairman, as in all States there is some poverty in the District of Columbia. Those who are going to suffer if you adopt this amendment are those who are very poor, because most of the revenue we are trying to raise will go directly to those on welfare. If you do not want that other large segment of the District population, which is probably 95 percent or more, who can afford to pay this tax and who can afford to make that additional contribution to those who need it for welfare, for dependent children, and so on—if you do not want them to pay such, then you vote for this amendment, and the poor people will not get the money they need.

If we adopt this amendment, I know who will suffer. It will not be those who can pay the tax. It will be those on welfare who are to be the recipients of this revenue.

Mr. Chairman, unfortunately the State of our good friend, the gentleman from Washington [Mr. ADAMS] who proposed this amendment, why his State levies a 4.5-percent sales tax on food and a 4.5-percent tax on medicine. Mr. Chairman, I know this hurts. I know they would rather this would not have to be. But evidently a majority of the Legislature of the State of Washington and the gentleman's Governor found that they had to do so to meet the needs of the people of that great State. In addition, Mr. Chairman, there are 30 other States which levy similar taxes, a list of which I have in my hand and which my chairman will place in the RECORD.

Mr. Chairman, even in the great State of Illinois from which my good friend, the gentleman from Illinois [Mr. PUCINSKI] comes—and I am not being critical and I want to agree with some of the criticisms and recommendations he offered—even his State levies a 4.5-percent sales tax on food. There are many poor people in the city of Chicago as well as throughout the State of Illinois. Regrettably, Illinois had to go to resort to this tax to meet the needs of all of its people, including the poor.

Mr. Chairman, the State of Kentucky, a State with many poor people, just a few days ago raised its sales tax from 3 percent to 5 percent, and they levied it across the board on food and medicine. I know it hurt. I know they did not want to do it. But they had to.

It serves one no great pleasure or credit, Mr. Chairman, to serve on this committee. It is a tough job. Maybe I should get off. But someone has to do this job. About all I get out of it is some kicking around, particularly from some of those people—some woodpeckers—sitting in the press galleries. They constantly ride the chairman and other members of this committee as they did in this morning's papers. The reward for doing this job is terribly light, if there is any reward at all.

Mr. Chairman, we have been through this year after year after year after year. We have come to the point that you either take a sales tax or these poor people who need the welfare money are going to be the ones that suffer the most.

Mr. ADAMS. Mr. Chairman, will the gentleman yield for a question?

I would like to ask one question and make one comment.

Mr. ABERNETHY. I yield to the gentleman for a question.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

(By unanimous consent Mr. ABERNETHY was allowed to proceed for 1 additional minute.)

Mr. ADAMS. I just want to ask the gentleman from Mississippi if he thinks the fact that the State of Kentucky and other places as well as his State are doing this is something——

Mr. ABERNETHY. And your State——

Mr. ADAMS. And my State, that should be done. I do not.

Therefore, I ask the gentleman whether he thinks this is a good thing.

The second thing is serving on the Committee on the District of Columbia which is a difficult assignment. However, so long as the Congress persists and insists that they are going to take over the District some of us are supposed to serve on this committee and to do the job for which it is designed.

If the gentleman from Mississippi does not like it, I am sure some of our fellow colleagues will fill in for him if he wants to leave the committee.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

(By unanimous consent Mr. ABERNETHY was allowed to proceed for 1 additional minute.)

Mr. ABERNETHY. With all deference, I really would like to say to the gentleman if he has any criticism of this kind of tax, he ought to start at home. We are not proposing to lift the sales tax to the level that you have in your State of Washington. We are being more temperate and modest with this tax than are the authorities in your great State. I do not say this to needle the gentleman.

Mr. ADAMS. I will state to the gentleman that it is not a question of needling me——

Mr. ABERNETHY. Regretably, I cannot yield any further to the gentleman from Washington.

If they needed additional revenue in the State of Washington, and I am sure they did, instead of a food tax why did they not levy a tax on income? That would appear to me to be what should have been done. I understand that Washington State has no income tax. On the other hand I recognize that you people in Washington State have a right to levy what ever tax suits you. That is your privilege. But don't make such a levy and then criticize others for attempting to do the same thing.

Mr. CEDERBERG. Mr. Chairman, if the gentleman will yield, is it not true that if we lose the revenue by not putting this tax on—and we do not like taxes, none of us do—then the loss will have to be made up by the taxpayers throughout the whole country?

Mr. ABERNETHY. I am not so sure. The District may just have to do with less. I am not too sure the Congress will enlarge the grant. I can tell you the Members of this House are getting a little sick of this so-called Federal payment business, and so are the Nation's taxpayers. The Federal grant has grown in 5 years from $32 to $80 million as carried in this bill. That is traveling pretty fast. And it started at $2 million, then on up to $32 million. I repeat, in the last 5 years it has grown from that $32 to $80 million.

No one likes taxes. No one likes to levy taxes. Levies must be made in keeping with the sources of revenue. We have studied this question for years. We have now reached the bottom of the barrel. We either levy the sales taxes included in this revenue bill, or else the people of the District must give up something; and those who will be hurt the most are the poor people.

The CHAIRMAN. The time of the gentleman from Mississippi has again expired.

Mr. JACOBS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the theory of a sales tax is very simple: "never hit a man when he is up." A sales tax should be the very last resort for raising revenue in any situation, but if you do enact a sales tax, putting it on take home food should be the very, very last resort.

Now, it may not be the first resort in this revenue measure, but it certainly is not the last resort, either, because the plain fact of the matter is that $3 is the rate on real estate taxes in the District of Columbia. Back home in Indiana I pay $11 per $100 rate on my real estate.

Who is going to make up for it if the poor people of this community are not taxed while the coaches ride by to the restaurants?

Well, maybe the people who have property in the District of Columbia can start paying their fair share. We just passed a 10-percent surcharge the other day for the whole country, or part of the whole country, while some people bask in exemptions and depletion allowances, and that kind of thing, and do not bear their fair share.

Now, here we go again.

Mr. Chairman, I have detected a note of some retribution in some remarks that have been made here today—talking about riots and "what those people have done." Well, who are those people? Is it every person who is poor in this community who has participated in riots and broken windows in schools? Or do you want to talk about those who have been law-abiding citizens who have huddled in the doorways while the riots were raging and who have spoken out in their churches for law and order? A person pays sales tax when he buys something, not when he steals something. When a poor person goes down to buy food he has only $10 or maybe $9.20 in his pocket for the whole week to buy food. He would not pay 3 percent more. His babies would eat 3 percent less.

These are the kinds of things we are talking about. And that is the kind of thing that has led to the downfall of civilizations in this world—those who are well off and do not understand those who are far below "not well off." And if communication breaks again with an act of this Congress today, then we are more closer to the failure of the experiment in democracy where self-discipline is required of all citizens, and self-discipline is required of the Members of this Chamber.

That is the kind of thing we object to.

I am not talking about bleeding hearts. It may be funny to some people. The rat control bill was funny to some people. I am talking about the sort of thing that occurred to the czar of Russia when his troops were freezing at the front, and he laughed in warmth on the Baltic.

I hope Members will bear this in mind when they vote on whether they want to increase by 300 percent the tax on that person who in a week's time digs up $10 to go down to the grocery store. He should pay some tax, all right. One percent is some tax. And for him it is enough. Go tax those who have houses out in Georgetown and then come back, so that person who did not participate in the riots can be treated fairly by the government with which he has kept faith.

If we were going to treat the draft law in this country the way it is proposed we tax the poor people who buy food in the District of Columbia, then no matter how much you weighed or how old you are, you would be drafted. Because the draft law would no longer be on the basis of the ability to serve. The draft law is based on the ability to serve. The tax law should be based on the ability to pay.

That is what we are concerned about, and I hope Members will bear it in mind when they vote.

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from Washington [Mr. ADAMS].

Mr. ADAMS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ADAMS and Mr. MCMILLAN.

The Committee divided, and the tellers reported that there were—ayes 69, noes 50.

So the amendment to the committee amendment was agreed to.

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. FRASER

Mr. FRASER. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. FRASER: On page 22, strike lines 11 through 16 inclusive.

Mr. FRASER. Mr. Chairman, this amendment does not deal with the question of revenue.

It does deal with an effort written into this bill to insert the Congress of the United States into the educational practices of the District of Columbia.

About 2 years ago an energetic group of citizens in a Maryland county decided that they would like to help bridge the gap between the District of Columbia with respect to its educational problems and this community out at Bannockburn. The people out at Bannockburn offered to take some of the elementary school children from one of the schools in the District of Columbia, some of the children from a school known as the Agnes Meyer School, an elementary school at 11th and Clifton Streets in Northwest Washington. They offered to take 21 young children in grades 1, 2, and 3, and permit these children from the center of Washington, D.C., to fill in some of the vacancies that they had in their elementary school out in Montgomery County.

The PTA was very interested in this project. In fact, it had a vote of the families involved in that school, and by a vote of 2 to 1 they voted that they would like to take some of these children from the District of Columbia out in Montgomery County.

What we have proposed to do in this bill is to say that that arrangement is not going to be permitted. The great, mighty power of the U.S. Congress is being inserted between the elementary school in the center of Washington, D.C., and this community group out in Bannockburn who have indicated their interest in having these children come out.

In this bill we are trying to say that these 21 young elementary school children may not attend this school out in Montgomery County, despite the interest of the school in Montgomery County to have them.

I do not see why it is that we have to insert ourselves into the educational policy of the District of Columbia. I do not know why it is we have to write a provision in here which would prevent these children from accepting this offer and having a chance to be educated in this elementary school in Montgomery County.

So my amendment would strike this language. My amendment would take this language out so that this arrangement could proceed, so that these young children could have the advantage of this experiment of having education in this school in Montgomery County.

Mr. Chairman, it is a very simple amendment. It would simply take out this prohibitory language, and in effect says that the Congress will not involve itself in the educational policy of the District of Columbia, but instead will leave this up to the school boards of the respective schools involved.

Mr. WHITENER. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman from North Carolina.

Mr. WHITENER. Will the gentleman restate the matter which would be stricken by his amendment from the bill?

Mr. FRASER. Yes. The amendment would strike lines 11 through 16 on page 22.

Mr. WHITENER. Mr. Chairman, will the gentleman yield further?

Mr. FRASER. I am glad to yield to the gentleman from North Carolina.

Mr. WHITENER. The gentleman has mentioned these 21 students. Dr. Carroll, who I believe is Assistant Superintendent of Education, testified that the proposed action would cost the taxpayers, if the District of Columbia paid for it, something like $700 per student per year. Does the gentleman feel that the children should be transported to another jurisdiction when there are adequate schools within the District of Columbia at this additional cost to the Government?

Mr. FRASER. I think, if the gentleman would consider for a moment, that the general view of this Congress is that these questions should be left to the local school boards, that they should decide what is best for the children in the school district, and that we should not impose ourselves in making an educational judgment in the Congress. We should instead leave it to the staffs and the school boards and those who have the best knowledge of what would be best for the children.

So my view would be that, if it would be helpful to the children involved, it would be worth trying. I do not want to be a party to writing a full prohibition against them.

Mr. WHITENER. Mr. Chairman, will the gentleman yield further?

Mr. FRASER. Yes; I am glad to yield to the gentleman from North Carolina.

Mr. WHITENER. Would the gentleman agree that if his amendment were adopted and if his philosophy were followed, then the Congress would abdicate its responsibility for expenditures and in effect say to the District school authorities that if, instead of sending these children to Montgomery County, Md., they could send them to Minneapolis, Minn., or San Francisco, Calif., and not only pay their transportation and their tuition, but also pay the cost of their board and lodging? That is the logical conclusion one could reach, is it not?

Mr. FRASER. As the gentleman clearly knows, there is no such suggestion being made and there is no such proposal before the school board. All there is, is this effort to build a bridge between two communities, one in the center of Washington and one in a suburb which is very close to and which has an interest in the District of Columbia. That is the only proposal we are dealing with, and it is a proposal which by this language we would bar.

Mr. WHITENER. Mr. Chairman, I rise in opposition to the amendment.

I understand, Mr. Chairman, the motivation of my friend from Minnesota, but I cannot accept his philosophy that the Congress has no proper role to play in determining how the taxpayers' money shall be spent by the Board of Education or any other governmental body.

If we follow the reasoning of the gentleman from Minnesota, there would be no limitation upon the expenditure of appropriated funds by the Board of Education for the transportation and tuition and even the lodging of public school-age students anywhere in the United States.

This language which the gentleman seeks to strike merely says that no funds appropriated for the District of Columbia may be used "for the cost of education—including the cost of transportation—of any individual in an elementary or secondary school located outside the District of Columbia, except handicapped individuals for whose education facilities do not exist in the public school system of the District of Columbia."

It would be unfortunate to follow the suggestion of the gentleman and authorize in effect the use of the taxpayers' money in the District of Columbia to send children abroad for education in other school systems.

Mr. GUDE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know the hour runs late. These amendments were brought to the attention of the committee the last day we met so we really did not have the opportunity to give them careful study.

Just as one example, without going into all the ramifications of this, we checked with the welfare department of our county and the District of Columbia. There is a certain welfare program—and we did not have the time to get all the details on it, in which there are 72 District of Columbia children enrolled in Montgomery County elementary and secondary schools, whose tuition is being paid by the District of Columbia. I imagine these children are in foster homes or some similar situation in our county.

This program is already in effect and these children could no longer go to school under this program if this section is not remedied by the amendment of the gentleman from Minnesota [Mr. FRASER]. This welfare program is an attempt to help some deprived children get straightened out in a better home environment.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. GUDE. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Chairman, is the gentleman telling us that if we do not adopt the amendment which I proposed, we would cut off some children already provided for because of some problem arising out of the welfare problems?

Mr. GUDE. Yes. This is District of Columbia money paid through the District of Columbia Welfare Department. I do not know all the details, but for some reason or other, these children are living in Montgomery County and are going to Montgomery County schools. As I see it this bill could force the discontinuance of this program. I would not be surprised if there are not a number of deprived District of Columbia children who are living and going to school in the same program in Prince Georges County and Virginia.

Mr. **FRASER**. So I understand the gentleman feels, in order to protect the status of these children, we ought to strike the language my amendment would strike?

Mr. **GUDE**. That is correct.

Mr. **FRASER**. I thank the gentleman.

The **CHAIRMAN**. The question is on the amendment to the committee amendment offered by the gentleman from Minnesota [Mr. FRASER].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. **FRASER**. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. FRASER and Mr. MCMILLAN.

The Committee divided, and the tellers reported that there were—ayes, 48, noes 64.

So the amendment to the committee amendment was rejected.

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. ADAMS

Mr. **ADAMS**. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment to the committee amendment offered by Mr. ADAMS: On page 19, line 25, strike out the period and insert in lieu thereof the following: ", and the rate of tax with respect to sales of spiritous or malt liquors, beer, and wines, and to sales of food for human consumption (other than off the premises where such food is sold), shall be 5 per centum of the gross receipts from such sales."
>
> On page 21, line 16, strike out the period and insert in lieu thereof the following: ", and the rate of tax with respect to sales of spiritous or malt liquors, beer, and wines, and to sales of food for human consumption (other than off the premises where such food is sold), shall be 5 per centum."

Mr. **ADAMS**. Mr. Chairman, this is the amendment I indicated earlier I would offer if the amendment removing the tax on food sold in grocery stores was adopted.

That amendment was adopted, and I therefore offer this one. This would have raised $3.3 million and replaced a portion of the revenue to be lost by the reduction of the tax on food bought in grocery stores.

One of the gentlemen mentioned a little earlier about the value of the sales tax and mentioned that people who came into the District and left the District and were protected by the Police and Fire Departments never paid any taxes here. The primary person involved in that is a person—and I must confess that I am a part of this, because when I have guests I bring them into town, guests from out of the city, as well as the rest of us do, and I bring them to these restaurants downtown. These people have cocktails before dinner or malt liquors, as they say in the bill, and buy food. It was recommended by the committee to the District government that they raise the tax from 3 to 5 percent, but it was only raised from 3 to 4 percent, the committee says. Mr. Chairman, I am offering this amendment to see that the tax goes to 5 percent. If this amendment is adopted, as I hope the minority will accept it in their motion to recommit, I hope that this will go into the formula. If that formula is applied to the tax revenues now plus the revenues that we will raise in this bill, then I believe, together with this amendment, it will raise the same amount of revenue that we originally suggested should be raised. The reason for this is the revenue figures contained in the formula as reported out as $12.9 million—if you add in the $40 million, not the amount of the Federal payment but the $40 million otherwise—and apply the 25 percent to it, together with this amendment it will balance the budget.

Mr. Chairman, I know that the hour is late. I will not take any more time. This is the amendment that I mentioned previously, and I am offering it now.

Mr. **BUCHANAN**. Mr. Chairman, will the gentleman yield?

Mr. **ADAMS**. I yield to the gentleman.

Mr. **BUCHANAN**. Mr. Chairman, I want to register my support for the removal of the tax on food and for this amendment. It seems to me to be the right place to raise revenue. If the people of this city want to drink themselves blind, this is their privilege, but this is the place to raise revenue, together with increased real estate taxes.

Mr. **McMILLAN**. Mr. Chairman, I rise in opposition to the amendment.

I would like to say to the Committee that we gave serious consideration to this amendment and to an increase in the dining room service, also to the service in hotels, we increase by 1 percent. We had figures from the hotels and restaurants showing that they had lost 50 percent of their trade this year on account of the law-enforcement problem in the Nation's Capital. If you want to run people out of business and send them to Virginia, this is a good way to do it.

Thank you.

Mr. **NELSEN**. Mr. Chairman, I move to strike the last word.

Mr. Chairman, my concern on this is a recollection of what happened on our cigarette tax. We increased it and we lost revenue. I do know that we will be out of line with Virginia and Maryland, and it means those in business in the District of Columbia will find themselves at a disadvantage over those who may be in business outside the District of Columbia. I think this should be taken into account. I believe the record will show we are way out of line with Maryland and Virginia on the tax level. This is something we should consider when we consider this amendment, I believe.

The **CHAIRMAN**. The question is on the amendment to the committee amendment offered by the gentleman from Washington.

The question was taken; and on a division (demanded by Mr. MCMILLAN) there were—ayes 73, noes 22.

So the amendment to the committee amendment was agreed to.

The **CHAIRMAN**. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

Mr. **McMILLAN**. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with a recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GIBBONS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 16361) to provide additional revenue for the District of Columbia, and for other purposes, had directed him to report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The **SPEAKER**. Without objection, the previous question is ordered.

There was no objection.

The **SPEAKER**. The question is on the amendment.

The amendment was agreed to.

The **SPEAKER**. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HARSHA

Mr. **HARSHA**. Mr. Speaker, I offer a motion to recommit.

The **SPEAKER**. Is the gentleman opposed to the bill?

Mr. **HARSHA**. I am, Mr. Speaker, in its present form.

The **SPEAKER**. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. HARSHA moves to recommit the bill H.R. 16361 to the Committee on the District of Columbia.

The **SPEAKER**. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The **SPEAKER**. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. **GERALD R. FORD**. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 102, nays 122, not voting 209, as follows:

[Roll No. 228]

YEAS—102

Abernethy
Andrews, Ala.
Arends
Ashbrook
Battin
Belcher
Betts
Bevill
Bolton
Bray
Brinkley
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Burleson
Bush
Carter
Cederberg
Clancy
Cowger
Curtis
Davis, Ga.
Derwinski
Dole
Dowdy
Downing
Duncan
Edwards, Ala.
Edwards, La.
Eshleman
Everett
Fisher
Flynt
Ford, Gerald R.
Fountain
Galifianakis
Gathings
Goodling
Griffin
Gross
Gubser
Gurney
Hagan
Haley
Harsha
Henderson
Hunt
Jarman

Johnson, Pa.
King, N.Y.
Kleppe
Kyl
Laird
Langen
Lennon
McDade
McDonald, Mich.
McEwen
McMillan
Mailliard
Marsh
Martin
May
Miller, Ohio
Minshall
Montgomery
Moore
Morton
Myers
Nelsen
O'Neal, Ga.
Price, Tex.
Randall
Reid, Ill.
Reifel
Rhodes, Ariz.
Rivers
Roberts
Roth
Satterfield
Schadeberg
Scherle
Schneebeli
Scott
Selden
Skubitz
Smith, Calif.
Smith, Okla.
Snyder
Steed
Stuckey
Talcott
Taylor
Thomson, Wis.
Watson
Watts
Whalley
Whitener
Whitten
Williams, Pa.
Wydler
Zion

NAYS—122

Adams
Albert
Annunzio
Ashley
Aspinall
Bennett
Biester
Blatnik
Boggs
Brasco
Buchanan
Burke, Mass.
Burton, Calif.
Button
Byrne, Pa.
Byrnes, Wis.
Cahill
Casey
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Conable
Conte
Daniels
Dawson
Dingell
Donohue
Edmondson
Edwards, Calif.
Eilberg
Erlenborn
Feighan
Foley
Fraser
Frelinghuysen
Friedel
Gallagher
Giaimo
Gibbons
Gonzalez
Goodell
Green, Oreg.
Green, Pa.
Gude
Halpern
Hanley
Hansen, Wash.
Hathaway
Hechler, W. Va.
Heckler, Mass.
Helstoski
Hicks
Holifield
Horton
Irwin
Jacobs
Joelson
Jones, Ala.
Karth
Kee
Kyros
Long, Md.
McCarthy
McCulloch
Machen
Mahon
Matsunaga
Meskill
Mink
Moorhead
Morgan
Morris, N Mex.
Morse, Mass.
Moss
Murphy, Ill.
Natcher
Nedzi
O'Hara, Mich.
O'Konski
O'Neill, Mass.
Ottinger
Patten
Pelly
Perkins
Philbin
Pike
Pirnie
Price, Ill.
Pucinski
Quie
Rees
Rhodes, Pa.
Riegle
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Rumsfeld
Ryan
Saylor
Schweiker
Sisk
Slack
Stafford
Staggers
Steiger, Wis.
Sullivan
Teague, Calif.
Vanik
Vigorito
Whalen
Widnall
Wilson, Charles H.
Wright
Wyatt
Wyman

NOT VOTING—209

Abbitt
Adair
Addabbo
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashmore
Ayres
Baring
Barrett
Bates
Bell
Berry
Bingham
Blackburn
Blanton
Boland
Bolling
Bow
Brademas
Brock
Brooks
Broomfield
Brotzman
Brown, Calif.
Brown, Mich.
Burke, Fla.
Burton, Utah
Cabell
Carey
Celler
Chamberlain
Clawson, Del
Colmer
Conyers
Corbett
Corman
Cramer
Culver
Cunningham
Daddario
Davis, Wis.
de la Garza
Delaney
Dellenback
Denney
Dent
Devine
Dickinson
Diggs
Dorn
Dow
Dulski
Dwyer
Eckhardt
Esch
Evans, Colo.
Evins, Tenn.
Fallon
Farbstein
Fascell
Findley
Fino
Flood
Ford, William D.
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gardner
Garmatz
Gettys
Gilbert
Gray
Griffiths
Grover
Hall
Halleck
Hamilton
Hammerschmidt
Hanna
Hansen, Idaho
Hardy
Harrison
Harvey
Hawkins
Hays
Hébert
Herlong
Holland
Hosmer
Howard
Hull
Hungate
Hutchinson
Ichord
Johnson, Calif.
Jonas
Jones, Mo.
Jones, N.C.
Karsten
Kastenmeier
Kazen
Keith
Kelly
King, Calif.
Kirwan
Kluczynski
Kornegay
Kupferman
Kuykendall
Landrum
Latta
Leggett
Lipscomb
Lloyd
Long, La.
Lukens
McClory
McCloskey
McClure
McFall
Macdonald, Mass.
MacGregor
Madden
Mathias, Calif.
Mathias, Md.
Mayne
Meeds
Michel
Miller, Calif.
Mills
Minish
Mize
Monagan
Mosher
Murphy, N.Y.
Nichols
Nix
O'Hara, Ill.
Olsen
Passman
Patman
Pepper
Pettis
Pickle
Poage
Podell
Poff
Pollock
Pool
Pryor
Purcell
Quillen
Railsback
Rarick
Reid, N.Y.
Reinecke
Resnick
Reuss
Rooney, Pa.
Roudebush
Roush
Roybal
Ruppe
St Germain
St. Onge
Sandman
Scheuer
Schwengel
Shipley
Shriver
Sikes
Smith, Iowa
Smith, N.Y.
Springer
Stanton
Steiger, Ariz.
Stephens
Stratton
Stubblefield
Taft
Teague, Tex.
Tenzer
Thompson, Ga.
Thompson, N.J.
Tiernan
Tuck
Tunney
Udall
Ullman
Utt
Van Deerlin
Vander Jagt
Waggonner
Waldie
Walker
Wampler
Watkins
White
Wiggins
Willis
Wilson, Bob
Winn
Wolff
Wylie
Yates
Young
Zablocki
Zwach

So the motion to recommit was rejected.

Messrs. CONABLE, BYRNES of Wisconsin, FRELINGHUYSEN, and FEIGHAN changed their votes from "yea" to "nay."

Messrs. ABERNETHY and BURLESON and Mrs. MAY changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

INDEPENDENCE DAY AND THE CREW OF THE "PUEBLO"

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHERLE. Mr. Speaker, tomorrow is a day on which we celebrate the anniversary of our Declaration of Independence. It is a day on which Americans gather in cities and towns across the country to remember that time when our forefathers pledged their fortunes and their sacred honor to the proposition that man was meant to be free.

This proposition is no less important today, and today another generation of Americans are making that supreme sacrifice on the faraway battlefield of Vietnam. Eternal vigilance has always been the price of freedom, and in our history thus far, America has maintained that vigilance.

But July 4 also marks the 164th day in which the crew of the U.S.S. *Pueblo* remain in the hands of the North Korean Communist Government. And for these men, the rights and privileges of American citizenship must today seem quite remote.

We have heard no word from these men. We have heard no word from our Government about when they will return. Mrs. Lloyd M. Bucher, the wife of the captain of the *Pueblo* stated that "they—the crew—took an oath as military men—to protect and die for their country. But it is a one-way ticket. The country does not do the same thing."

On the occasion of July 4 we must ask ourselves about the responsibility we have to the 82 American servicemen who are today held prisoners in North Korea. We must ask ourselves how our Government has handled this matter, and we must ask our Government when some action will be taken.

Recent reports have been disturbing and contradictory. On June 12, it was reported from Poznan, Poland, that North Korea displayed photographs of the crew of the *Pueblo* at the Poznan international trade fair, which is supposed to be nonpolitical. The U.S. Consulate protested and asked that the pictures be removed.

On June 20, the State Department disclosed that the United States had made "certain proposals" to North Korea to gain the release of the captured intelligence ship. The press officer, Robert J. McCloskey, declined to give details of the proposals, saying only that they were offered at the last session of United States and North Korean representatives May 28 at Panmunjom.

On June 21, State Department officials denied that the United States has proposed to North Korea that the crew of the U.S.S. *Pueblo* be turned over to the neutral nations' supervisory commission in Korea pending an investigation.

This type of meaningless report is all we now receive from an administration which 5½ months ago said that this act of piracy would not be tolerated and that the American crew should be immediately returned.

Needless to say, we are left confused. The wives, mothers, fathers, and friends of the imprisoned servicemen are also left confused.

One of the latest reports, on June 28, indicates that United States and North Korean negotiators met again to discuss the fate of the captured crewmen but "there was no breakthrough."

There have been 18 sessions between the two sides since the *Pueblo* was captured on January 23. The Americans remain in prison. At this point, there is no indication that our Government has spoken to these men. There is not even any indication that it has requested to speak to these men. When queried on this subject, the response is one of "No comment."

How can we celebrate July 4 and hold our heads high while these Americans languish in Communist prisons? How can we look at our flag, the Statue of Liberty, or any of the various monuments to our Nation's heroes and not feel that our country is welching on its promise? Has our national honor in 1968 deteriorated to the point where such affronts no longer concern us? Are we indifferent to the fate of these men, or are we dedicated at this time and in this place once again to pledge our fortunes and our sacred honor that they may once again be free?

The American people are concerned

and it is the responsibility of our Government to show by both word and deed that it shares this concern. July 4 marks the date on which we initiated this great adventure in self-government. It is a fitting day for rededicating ourselves to those principles and for remembering those brave Americans who are imprisoned as a result of their own faith in a government which they believed would protect them. Let us now restore this faith.

CAPITAL PUNISHMENT AND FEDERAL LAW

Mr. WYMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. WYMAN. Mr. Speaker, it is unfortunate that the U.S. Attorney General should publicly urge abolition of capital punishment under Federal law. Such a position is inconsistent with the function and responsibilities of the office of Attorney General and a marked disservice to the cause of law enforcement in these troubled times.

The Attorney General's position would spare from the death penalty such murderers as Presidential assassins, aircraft exploders, kidnap killers, traitors, saboteurs, deliberate cop killers or deliberate wife poisoners, and more. For him to describe capital punishment for such offenses as these as "barbarism" is to engage in demagogy at the expense of the law-abiding public. This is a curious role for the Nation's chief law-enforcement officer. Instead of standing firm for deterrents to vicious and deliberate criminal conduct of the most horrible type, he is attempting to weaken Federal laws against crime.

Capital punishment is, more probably than not, a deterrent to most deliberate premeditated murder. At least deliberate murderers should think about paying for their crime with their lives if they do it and if convicted. While the measure of this is incapable of mathematical proof, there is no question but that in our system of law he who deliberately and intentionally takes the life of another with malice aforethought, should know in advance that he will pay for his crime with his life.

Law-abiding citizens are entitled to the continuance of this protection against first degree murder in the arsenal of Federal criminal law. For the U.S. Attorney General to urge its removal is to weaken still further the criminal laws of the land and is a disservice to the cause of law enforcement.

A YOUNG AMERICAN'S FAITH IN HER LAND

Mr. MORSE of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, a number of days ago, I had lunch with our distinguished and respected colleague, Bill Widnall of New Jersey. Over coffee, Bill told me of a letter that he had recently received from his daughter, Mrs. Barbara Williams, a graduate of Middlebury College, who, with her husband—a young officer in the U.S. Army—and their two young children, is now residing in Venezuela.

The press, radio, and television tell us daily of the alienation of American youth, of the rejection by our younger citizens of the values and institutions upon which our Nation was constructed and has prospered. Congressman Widnall, at my request, shared his daughter's letter with me, and although some might disagree with some of the points which she makes, it struck me at once as an eloquent statement of a young American's faith in her land. But I think that it is more than that: it is an anguished plea to those of us who have the high responsibility for guiding our country's course to commit ourselves again to the traditional virtues which have given full meaning to the American adventure, and to the noble and majestic standards which have given our Nation strength and vitality for almost two centuries.

In order to share a young American's deep feelings about her country with my colleagues, I insert Mrs. Williams' letter at this point in the Record:

May 20, 1968

Dear Dad: This is the first letter that I have written to my Congressman.

What is going on in our nation? I have read and read, and listened and talked and cannot find anything for which we Americans can be proud. Please tell me what I can do, as an American who loves her country, to help our nation.

Living overseas is an experience which I have found very enlightening. Recently we have been exposed to increasing doses of overseas Americans who live very well and who do not pay taxes but who very vociferously denounce and criticize everything our country is doing. We are also constantly questioned by Venezuelan acquaintances about what is going on in our nation and what will happen. Many Venezulean people I know are extremely concerned about our problems. It seems that they like us and want us to be strong but are not interested in siding with weakness.

We have not displayed strength within our nation nor in our foreign dealings. No one has ever respected weakness. I am appalled at the magnitude of the campus problems. I am aghast at the lack of carried out authority by the Administrations. Every child on this earth, be he 5 or 25 or 45, needs a firm discipline of self learned by operating within a sound set of standards. No one can be effective if he is undisciplined. One only learns to take and take and expect more for having done absolutely nothing constructive. It seems to me that most of these troublemakers in our schools and cities are asking for a firm hand and a sense of direction and they would respect such. Just as a small child does not really want his own way all the time.

For many years I have been thinking of having a "Mothers' March on Washington." I have been bothered by many things. One of these is that as the wife of a military man I cannot speak out freely on many subjects. I can vote and I have voted in every election. At this point I do not believe that voting is enough. I want to do more for my country, which I love so dearly.

Tomorrow evening my husband and I will be attending the memorial service for a friend of ours, Lt. Col. Fred Hampton. He was shot down in Vietnam earlier this year, when he was piloting many young Marines into Khe Sanh. This whole planeload of men was lost. For what? It would seem worthwhile to die for the saving of a nation. But to die when we do not have a policy of trying to win!? This we wives and mothers do not understand.

I am also sure that if I planned my "Mothers' March on Washington", that I would not be given permission to pitch my tent by the Lincoln Memorial. Where on this earth has our Yankee common sense vanished to?

Dear Congressman of mine, I know I have said enough but yet not enough. I feel so strongly that time is running out and we must all think beyond ourselves to the future and stop this selfish thinking for the moment. Somehow I pray I can find a way to help my country.

Your most loyal and devoted constituent.

Bobbi.

FEDERAL BUREAU OF INVESTIGATION SHOULD BE KEPT APART FROM PARTISAN POLITICS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, operations of the Federal Bureau of Investigation and of its Director have for many years been kept apart from partisan politics. Yet this year one of the candidates aspiring for the high office of President has chosen to call openly and unashamedly for replacement of the FBI Director, J. Edgar Hoover.

Mr. Hoover is one of the outstanding public servants of this or any other day. His consistent dedication to duty, as acknowledged by leaders of both political parties over a period of many years, is unquestioned.

His insight and wisdom, at times when sophistry penetrates deep into other offices of American Government, will be valued and better understood even in the future than it is today.

His courage and strength of character have become respected in a day when these qualities are perhaps most needed of all others.

J. Edgar Hoover merits the high praise of all Americans. Our country needs him today as much as we have needed him in the past; perhaps more. I know that our people in overwhelming numbers are thankful for his service to America, and join in prayer that it will continue.

PERMISSION TO COMMITTEE ON AGRICULTURE TO FILE CONFERENCE REPORT ON S. 2986—TO EXTEND PUBLIC LAW 480

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a conference report on S. 2986 to extend Public Law 480.

The **SPEAKER.** Is there objection to

the request of the gentleman from South Carolina?

There was no objection.

LEGISLATIVE PROGRAM FOR NEXT WEEK

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I have requested this time in order to inquire of the distinguished majority leader as to the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished gentleman from Michigan yield?

Mr. GERALD R. FORD. I yield to the gentleman from Oklahoma.

Mr. ALBERT. Mr. Speaker, in response to the distinguished minority leader's inquiry, we will adjourn over until Monday, pursuant to the resolution heretofore agreed to.

The program for the House of Representatives for the week of July 8, 1968, is as follows:

Monday is District day. There are two bills scheduled for consideration:

H.R. 16288 to amend the District of Columbia Alcoholic Beverage Control Act to permit certain clubs to hold licenses, and

H.R. 18248 to amend acts of 1955 and 1956 relating to certain common carrier operations in the District of Columbia. Also, H.R. 17989, the Housing and Urban Development Act of 1968 under an open rule with 4 hours of general debate, waiving points of order and general debate on the bill only on Monday.

Mr. Speaker, for Tuesday and the balance of the week the program is as follows:

Continued consideration of H.R. 17989, the Housing and Urban Development Act of 1968;

H.R. 15263, the Foreign Assistance Act of 1968 under an open rule with 3 hours of debate, waiving points of order against the committee amendments;

H.R. 17735, the State Firearms Control Assistance Act of 1968, subject to a rule being granted;

S. 3293, the Defense Procurement Authorization for fiscal year 1969, subject also to a rule being granted;

H.R. 15758, to amend the Public Health Service Act, with an open rule, with 2 hours of debate;

House Joint Resolution 1, creating a Joint Committee To Investigate Crime; and

H.R. 16903, Foreign Service Retirement and Disability Fund Annuities, with an open rule, 1 hour of debate.

Mr. Speaker, this is made subject to the usual reservation that conference reports may be brought up at any time, and any further program may be announced later.

Mr. GERALD R. FORD. I thank the gentleman.

The SPEAKER. The time of the gentleman from Michigan has expired.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY NEXT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule may be dispensed with on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE 200-BEV. ACCELERATOR

The SPEAKER. Under a previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 15 minutes.

Mr. HOLIFIELD. Mr. Speaker, I have from time to time over the past several years, reported to the Congress on progress on the planned 200-Bev. accelerator. This accelerator, or atom smasher, would be the most powerful accelerator in the world. Recently my colleague on the Joint Committee and the chairman of the Joint Committee's Subcommittee on Research, Development, and Radiation, MELVIN PRICE, initiated a study of what effect recent congressional appropriations actions would have on the 200-Bev. accelerator project.

As usual, Mr. PRICE has come up with some important points which, if they are not recognized, will result in incurring additional costs and delays in carrying out this project. I ask unanimous consent to include in the RECORD the study which my esteemed colleague, Congressman PRICE, initiated and a copy of his letter which submitted the report and summarized the principal findings to Chairman PASTORE and the Senate and House Appropriations Committees for their use.

CONGRESS OF THE UNITED STATES,
JOINT COMMITTEE ON ATOMIC ENERGY,
Washington, D.C., June 28, 1968.

Hon. JOHN O. PASTORE,
Chairman, Joint Committee on Atomic Energy, U.S. Congress, Washington, D.C.

DEAR MR. CHAIRMAN: As you will recall, when the Public Works-Atomic Energy Commission fiscal year 1969 appropriations bill (H.R. 17903) was considered in the House of Representatives on June 19, 1968, I informed my colleagues that I planned to ask the staff of my Subcommittee on Research, Development, and Radiation to review the probable effects upon the National Accelerator Laboratory of H.R. 17903 as reported by the House Appropriations Committee. I also indicated that the report of the staff would be forwarded for their consideration to my Joint Committee colleagues in the Senate who are members or ex-officio members of the Senate Committee on Appropriations, and to you and the other members of the Subcommittee on Public Works of the House Committee on Appropriations.

The Subcommittee staff has now completed its review. The report thereon, copies of which are enclosed herewith for use by the members of your committee and its staff, is based on detailed discussions with the scientific and engineering staff of the National Accelerator Laboratory. The report stresses the adverse effect on the project of the preclusion of certain limited but critical construction activities and the extent of the reduction in funds for FY 1969. According to the report, the most serious specific effects of the House action are these: (1) Disruption of the closely interlocked design and construction schedule of this highly technical facility with resultant inefficiency and increased costs up to $10 million; (2) probable loss of key staff members; and (3) further delay in recapturing the energy lead in high energy physics, long held by the United States but now held by the U.S.S.R. Another related consequence which the staff has noted and which gives me great personal concern is the serious damage that will result to already initiated training programs designed to improve employment opportunities on the project for members of minority groups.

The Subcommittee on Research, Development, and Radiation has reviewed the staff report and is in full agreement with the appraisal of the impact of such action on this major national facility. When one considers all of the history and factors relating to this project, it becomes clear that at least a minimal construction program should be undertaken during FY 1969.

In transmitting this report to you there are several considerations which I particularly would like to commend to your attention. First, the project has been under active consideration by the Atomic Energy Commission since early 1963 when the Lawrence Radiation Laboratory began an extensive design study on an accelerator in the 150–300 Bev range. Then came the March 1965 hearings before my Subcommittee, the long and careful process of selecting the site and the establishment of the initial design group at Oak Brook, Illinois, under Dr. R. R. Wilson. The Laboratory has just completed a full year of design work on the facility. All of the above has taken 5 years. The Laboratory is now ready to proceed with a full program and, in my earnest opinion, should be permitted to undertake at least a minimal program involving additional design work, a small amount of crucial construction, and some long-lead-time component procurement.

Second, the project is of major national and international importance in the field of fundamental science and will return the energy lead in this important field to the United States.

Finally, I should like to emphasize that a staff of uniquely qualified and motivated scientists has been carefully assembled and is ready to move ahead now. The retention of these people with a meaningful and efficient use of their talents is critical to the success of this project. In order to retain them, it is essential to permit at least limited construction in FY 1969.

I am confident that you will give the enclosed report your serious consideration in connection with further review of the AEC's FY 1969 appropriations legislation.

Sincerely yours,

MELVIN PRICE,
Chairman, Subcommittee on Research, Development, and Radiation.

JCAE STAFF ANALYSIS, 200-BEV ACCELERATOR—EFFECT OF HOUSE APPROPRIATIONS COMMITTEE ACTION, JUNE 28, 1968

(Reduction FY '69 Funding from $25 million to $7.1 million and restricting work to A-E only.)

(DUSAF—Daniel, Mann, Johnson & Mendenhall, The Office of Max O. Urbahn Architects, Seelye Stevenson Value and Knecht, Inc., George A. Fuller Co.)

BACKGROUND

In March 1965 the Subcommittee on Research, Development and Radiation of the Joint Committee on Atomic Energy held a week-long series of hearings on the whole field of high energy physics. Those hearings included an extensive review of the report "High Energy Physics Program: Report on National Policy and Background Information," which had been prepared by the Atomic Energy Commission and other Federal agencies with a program interest, in response to a request of the Joint Committee. It was the consensus of these hearings that high energy physics was of great importance to the scientific leadership of the nation and the next step most needed to be taken in this field was the construction of an accelerator in the 200-Bev range. A design study which had been in progress at Lawrence Radiation Laboratory (LRL) since 1963 had already developed the technical and scientific groundwork for such a machine.

A national search was made for a site for such a machine in 1965 and 1966. A select committee appointed by the National Academy of Sciences reviewed all proposals meeting the basic criteria and forwarded their recommendation of the six best sites to the Atomic Energy Commission for final consideration. The Commission, after some ninety-nine meetings during 1965–66 on this matter, selected a site in DuPage and Kane Counties, Illinois.

For budgetary reasons the project scope was reduced by the Administration in the President's 1968 budget request for project authorization. Senator Pastore, Chairman of the Joint Committee on Atomic Energy, in 1967 assigned the Subcommittee on Research, Development, and Radiation to review the reduced scope as well as the management proposed for this facility. Additional hearings were held in February 1967, and in April 1967 the Subcommittee recommended that the project should not be reduced in scope.

During this period the Director for the proposed national laboratory had been selected—Dr. Robert R. Wilson, then at Cornell University. The Committee has met with Dr. Wilson on a number of occasions and has the greatest respect for his ability and talent to lead the team necessary to design and construct this unique facility for fundamental physics research.

The Subcommittee and the full Joint Committee concluded that the 200-Bev accelerator should not be reduced in its initial scope, but should instead be built with a full-scope design intensity of 3 x 10^{13} protons per pulse as had been originally contemplated. Furthermore the Committee recommended that the AEC give careful study to the possibility of building into the machine an additional capability, i.e., the option of going to an even higher energy than 200 Bev. In connection with the AEC's FY 1968 budget the Congress authorized and appropriated funds in the amount of $7,333,000 for design of the project.

During the Joint Committee's authorization hearings on the AEC FY 1969 Budget, the Committee was pleased to hear that Dr. Wilson and his key staff had not only carried out the Committee's request that this machine be designed to meet its original intensity goal but had also managed to incorporate into the design an option to go to a higher energy at some later date. It should be stressed that Dr. Wilson has accomplished both of these objectives essentially within the budgetary restrictions that had been established for the reduced-scope facility—some $60 million less than the original estimated cost of the project. It is important to note that Dr. Wilson, in doing so, was following both the Executive Branch guidance and the Congressional recommendations.

Meanwhile, in the summer of 1967, the National Accelerator Laboratory (NAL), managed by Universities Research Association (URA), had launched a year of intensive design. NAL and the architect-engineer consortium DUSAF* moved into temporary quarters in an office building in Oak Brook, Illinois, and, under the leadership of Dr. Wilson, set about establishing the working design of the Laboratory.

The year of design effort resulted in a project with a total estimated cost of $243.6 million with construction to be completed in FY 1973. The schedule called for new obligational authority of $77 million in FY 1969 with estimated FY 1969 costs of $25 million.

Due to budgetary pressures, a strong effort was made within the Executive Branch to reduce FY 1969 project costs. Dr. Wilson responded by rearranging the construction schedule of the facility, but it became clear that, owing to the highly technical nature of the Laboratory and the need to build some components early in the construction cycle in order to test others later, a severe economic penalty would be paid for postponing the commencement of construction of those essential components and their housings. Consequently, Dr. Wilson chose to begin only those items in FY 1969 and to delay construction starts on the more conventional support buildings and facilities until later years. This decision implied that little or no on-site laboratory or office space for the NAL staff would become available until late in the construction schedule. To meet this problem plans were developed to house the staff in an AE camp consisting of the existing frame houses of the Village of Weston and a few temporary buildings. These plans, while assuring that money will be saved, do require expenditures of construction funds in FY 1969.

With these accommodations to the restrictive fiscal climate, Dr. Wilson was able to reduce planned FY 1969 obligations from $77 million to $25 million while maintaining a viable project. However, as a result of this reduction in planned FY 1969 obligations, the total estimated project cost necessarily increased by $6.7 million to the currently estimated project cost of $250 million.

During the course of FY 1968, a year of design was completed and several other efforts took shape in preparation for beginning construction in FY 1969.

Dr. Wilson has succeeded in assembling an excellent staff of high-energy-accelerator physicists and engineers. Many of these research scientists were attracted by the efficiency and expeditiousness of the construction schedule and consequent promise of early research results as well as by the ingenuity of the design. It is clear to the Subcommittee staff that there is no overabundance of these scientists; it is equally clear that they were drawn to the 200-Bev project in substantial part by Dr. Wilson's reputation for building high-performance accelerators rapidly, economically and efficiently. (A list of the principal NAL staff members appears in Appendix A.)

Also during FY 1968, the State of Illinois began acquiring the site property in the expectation that construction would begin in October 1968. At present, the State has negotiated the purchase of 102 of the 105 houses in the Village of Weston at a cost to the State of approximately $1.7 million.

Another important development during FY 1968 has been the initiation by the laboratory, with the full support and encouragement of the AEC, of a strong affirmative action program to improve employment opportunities for members of minority groups. Pre-apprenticeship and apprentice programs are presently in being.

Also noteworthy is the fact that the U.S.S.R. has, during this last year, brought into operation a new accelerator which is now running at 84 Bev, an energy about two and a half times higher than that of the highest energy accelerator in the U.S. or anywhere else.

In the June 14, 1968 report of the House Committee on Appropriations (H. Rept. 1549) on H.R. 17903, the AEC's FY 1969 appropriations bill, the Committee, while recommending disallowance of $17,900,000 of the $25,000,000 requested during fiscal year 1969 for the project, went on to state that it ". . . fully supports the need for the project. . . ." As these words amply indicate, the Appropriations Committee had no intention of causing any termination of the facility or slowing it down unduly.

On June 19, 1968, during House consideration of the FY 1969 Public Works-AEC Appropriation Bill, Chairman Price of the Subcommittee on Research, Development, and Radiation and other members indicated their concern with the potentially serious adverse consequences of the restrictions imposed on this project. At that time Chairman Price indicated that he had instructed the staff of his Subcommittee to review the effect of these restrictions on the project and to report to him on this matter. Copies of this report were made available to the relevant committees of the Congress for their further consideration.

EFFECTS OF HOUSE ACTION

The Subcommittee staff has reviewed with the scientists and technical personnel responsible for the design of the 200-Bev accelerator facility the effects of the House bill on the project. In the course of this review it has become quite clear that major inefficiencies to the project would result from the restriction of activities solely to AE work in FY 1969. These inefficiencies will cause significant increases in the total costs of the accelerator estimated to be as high as $10 million.

The NAL staff members are highly trained scientists who have committed their careers to research. They have been attracted to the 200-Bev project on the basis of an efficient, challenging schedule leading to early research results. To continue for a second year the restriction to AE work alone on this project would be wasteful of their distinctive talents and highly discouraging to them. The lack of any concrete indication that this project is in fact going to move forward into the construction stage will unquestionably have a demoralizing effect upon them. The Subcommittee staff has therefore concluded that there would be a very real danger of losing key technical personnel under the provisions of the House bill. Without question their loss would jeopardize the entire project.

The 200-Bev machine is a complex scientific instrument comprising four successive accelerators. The economy of the design is intimately dependent upon an efficient well-paced schedule employing closely interlocked engineering and construction efforts to arrive at an up-to-date facility. The disruption of this schedule would result in project cost increases due both to escalation and to inefficiencies. Design and development work has proceeded to the point where construction of facilities critical to succeeding phases of the project can now be started. Experimental data from these initial facilities is needed to provide firm technical guidance for succeeding phases. The delay in construction of the initial facilities will defer the availability of critical experimental data and will require an increase in analytical work and extend project effort in general. No reduction in FY 1969 expenditures (as contrasted with obligations) is anticipated as a result of the House action, while the increase in estimated project cost is approximately $10,000,000. This increase reflects a slippage of the completion date of about one year.

The scientists and engineers directly involved in the project have indicated to the Subcommittee staff that it is extremely important that the project proceed with a balanced effort among all three important phases: design, initiation of the most critical construction items, and procurement of long-lead-time components. The injection system, for example, must be started early to assure its availability for the testing of other critical accelerator components. The principal laboratory staff is fully aware of the serious fiscal crisis faced by the nation and, in discussions with the Subcommittee staff, was asked to develop an austere program consistent with these somewhat opposing requirements.

During the past year, a program has been underway to train a number of Negro and other individuals in the use of heavy construction equipment. If no construction is permitted at the site in FY 1969, the promising start that has been made in improving employment opportunities for members of minority groups will be retarded.

The Subcommittee staff, after consulting with the laboratory and the AEC and completing its own deliberations [1] concludes that in order to insure the viability of the project it is necessary that the restriction to AE only work be removed and that $20 million in obligational authority (an increase of $12.9 million over the amount recommended by the House Appropriations Committee) be approved for FY 1969.

The detail setting forth the austere program recommended is as follows:

[Dollars in thousands]

(1) Salaries, wages, services (NAL & AEM)	$7,400
Subtotal	7,400
(2) Procurement of engineering equipment, prototype components and long-leadtime materials	1,500
Contingency on (2)	300
Subtotal	1,800
(3) Long-leadtime electric utility equipment	1,600
(4) Development of AE camp	700
(5) Injection system housing and associated facilities	8,700
(6) Site work	700
Contingency on (3) through (6)	1,800
Subtotal	13,500
Total	*22,700

*This figure includes $2.7 million in obligational authority carried over from the AEC's FY 1968 appropriation.

It is the Subcommittee staff's firm belief that the FY 1969 obligational authority recommended above without restriction to design use only would permit the National Accelerator Laboratory to progress in an admittedly austere but nevertheless meaningful fashion; by the same token, anything substantially less will jeopardize this important national facility.

APPENDIX A

NATIONAL ACCELERATOR LABORATORY, PRINCIPAL STAFF MEMBERS, JUNE 24, 1968

Robert R. Wilson, Director. B. 3/4/14. B.A. (1936), Ph.D. (1940), Berkeley under E. O. Lawrence. 1940–43 head of Princeton University atomic energy project. 1943–46 directed Cyclotron Group, Los Alamos Laboratory of the Manhattan Project. 1947 Harvard University—cyclotron design. 1948–1967 Director, Laboratory of Nuclear Studies, Cornell University engaged in the design and construction of a series of accelerators culminating with the 10 BeV electron synchrotron.

Edwin L. Goldwasser, Deputy Director. B. 3/9/19. B. A. (1940) Harvard University, Ph. D. (1950) University of California, Berkeley. 1951–67 Assistant Professor, Associate Professor and Professor of Physics, University of Illinois, Urbana. Member, Board of Directors, Midwestern Universities Research Association (MURA); University of Illinois delegate to the Argonne Universities Association and member of the High Energy Physics Board Committee; member of the General Advisory Committee, USAEC; Chairman, Division of Physical Sciences, National Research Council.

M. Stanley Livingston, Associate Director. B. 5/5/05. A.B. Pomona College (1926), Ph.D. University of California, Berkeley (1941). 1938–1956, Massachusetts Institute of Technology, design and development of 16 MeV cyclotron, and 3 BeV cosmotron and other accelerators at BNL. 1956–1967, Director, Cambridge Electron Accelerator. Coinventor of the Alternating-gradient Principle on which all large circular accelerators are based.

Francis T. Cole, Assistant Director for Technical Affairs. B. 10/6/25. B.A. Oberlin 1947, Ph.D. Cornell (1953). 1953–1964 Midwestern Universities Research Association (MURA), development and construction of fixed-field alternating gradient accelerators. 1964–67 Lawrence Radiation Laboratory, Berkeley, design of 200 BeV accelerator and Omnitron. Editor of design studies for each accelerator.

Donald R. Getz, Assistant Director. B. 2/20/30. B.A. (1956), M.S. (1959) University of Chicago. 1959 to 1965, Assistant to Associate Director for High Energy Physics, Argonne National Laboratory; 1965–1967 Administrative Officer for Special Scientific Programs, University of Chicago; Staff Consultant, Argonne Universities Association Board of Trustees Committee on High Energy Physics.

Thomas L. Collins, Accelerator Division Associate Director and Head, Engineering Services. B. 3/27/21. B.A. (1942), M.A. (1943), Ph.D. (1950), University of British Columbia. 1957–68 Assistant Director, Cambridge Electron Accelerator.

Miguel Awschalom, Radiation Physics Section Head. B. 12/20/27. B.A. Rutgers (1950), Ph.D. Rochester (1955). 1955–57 Louisiana State University. 1957–68 Princeton-Penn Accelerator, Head, Health Physics Group. Member AEC Advisory Panel on Accelerator Radiation Safety.

Quentin A. Kerns, R.F. Section Head. B. 6/16/24. B.A. University of California, Berkeley, 1951, 1942–1967 Lawrence Radiation Laboratory, Berkeley, r.f. accelerator systems for 184″ cyclotron, Bevatron, 200 BeV study group.

Alfred W. Maschke, Beam Targeting Section Head. B. 11/14/32. A.B. (1956) Yankton, University of Nebraska 1956–61. 1961–67, Brookhaven National Laboratory AGS Deputy Division Head and Acting Operations Manager.

A. Lincoln Read, Research Facilities Section Acting Head. B.Sc. (1957), Ph.D. (1960) University College, London. 1960–65 Brookhaven National Laboratory AGS. 1965–67 Assistant Professor of Physics, Cornell University, and consultant BNL–AGS Division.

Frank C. Shoemaker, Main Ring Section Head. A.B. Whitman College (1943), Ph.D. University of Wisconsin (1949). 1949–1951 Massachusetts Institute of Technology. 1951–68, Professor of Physics, Princeton University and Associate Director, Princeton-Pennsylvania Accelerator.

Lee C. Teng, Accelerator Theory Section Head. M.S. (1948), Ph.D. (1951) University of Chicago, 1955–67 Argonne National Laboratory ZGS becoming Director of the Particle Accelerator Division in 1962.

Donald E. Young, Linac Section Head. B. 6/13/22. B.A. (1946) Ripon College, Ph.D. (1959) Minnesota. 1960, Professor of Nuclear Engineering University of Wisconsin and staff member, Midwestern Universities Research Association. Consultant, Argonne National Laboratory ZGS.

Z. J. J. Stekly, Director Superconductivity and Cryogenic Operations. B. 10/11/33. S.M. (1955), Sc. D. (1959) Massachusetts Institute of Technology. 1956–1960 Dynatech, Inc. 1960–1968 AVCO-Everett Research Laboratory.

Philip V. Livdahl, Experimental Planning and Operations. B. 2/1/23. B.A. (1948) St. Olaf College, M.S. (1952) University of Washington. 1953–1957, Lawrence Radiation Laboratory, Berkeley, California. 1957–1967 Argonne National Laboratory ZGS.

Lloyd Smith, Senior Accelerator Physicist. B. 2/28/22. B.A. (1943) University of Illinois, Ph. D. (1946) Ohio State University. 1946–1948 University of Chicago. 1948–1950 Lawrence Radiation Laboratory, Berkeley, California. 1950–1952 Carnegie Institute of Technology, Pittsburgh, Pennsylvania. 1952–1967 Lawrence Radiation Laboratory, Berkeley, California.

Stanley C. Snowden, Senior Accelerator Physicist. B. 3/19/18. B.S. (1940) Massachusetts Institute of Technology, Ph. D. (1943) California Institute of Technology. 1943–1946 California Institute of Technology. 1946–1949 University of Wisconsin. 1949–1959 Bartol Research Foundation. 1959–1967 Midwestern Universities Research Association (MURA). 1967—Professor of Nuclear Engineering, University of Wisconsin.

Kennard Williams, Equal Opportunity and Community Relations Officer. B. 7/29/22. 1948–1963 Heinz Veterans Hospital, Chicago. 1963–1967 Veterans Administration Hospital, Chicago, Personal Property Management Administration. 1967 Dupage County Branch NAACP, President.

APPENDIX B

UNIVERSITIES RESEARCH ASSOCIATION, INC.,
Washington, D.C. June 14, 1968.

Mr. JOHN T. CONWAY,
Executive Director, Joint Committee on Atomic Energy, U.S. Capitol, Washington, D.C.

DEAR MR. CONWAY: I have been told there is a danger that the House Appropriations Committee may insert the words "for architect-engineering only" in the appropriation bill for the 200 BeV accelerator. I am convinced that these words would have a disastrous effect upon the project and I would appreciate your doing everything possible to have them eliminated.

There are a number of reasons for which this limitation would be especially harmful to this particular project. These include the following:

(A) The technical nature of the project is such that the urgent current need is for the procurement and test of certain of the long-lead-time items and for the construction of portions of the accelerator which must be placed in operation early so that they may be used in testing other components. Likewise, construction is required at an early date on the part of the tunnel that will house these portions of the accelerator.

(B) The efficiency and economy of the work would be seriously impaired by the restriction on expenditure to architect-engineering. We know from experience that the difficulties are real and not imagined; even during the present year this limitation has caused real problems to the orderly and efficient development of the project. If this artificial restriction is continued an additional year it will lead to major inefficiencies and increased costs.

(C) Dr. Wilson has been successful in assembling around him an outstanding team of scientists and engineers at the National Accelerator Laboratory. He and they came to the project, as they have emphasized before, on the basis that the accelerator was now really going to be built. They are now prepared to move forward to construction and would feel that they would be wasting their time if their work were totally limited to architect-engineering. One of the greatest attractions to these scientists has been the imaginative and economical design and the determination of the Laboratory to produce a scientifically exciting machine at a low cost and in a short time period. With the reduced efficiency and the increased time scale and cost caused by a restriction to architect-engineering only, there is a real danger we will lose some of the most valuable members of the Laboratory including the Director, Dr. Wilson, who takes particular professional pride in directing rapid, economical and efficient projects. If the present highly effective team is dispersed by interruption or excessive delays in the project, it will be more difficult after an initial false start to reassemble a comparable team.

---

[1] In this connection see App. B hereto, letter report from President of URA dated June 14, 1968.

(D) The limitation to architect-engineering only is incompatible with the reprogramming that has been done to accommodate the severe budget reductions contemplated for next year. As you know, the original laboratory request was for $77 million for next fiscal year. When this was reduced to $25 million the laboratory undertook a major rescheduling of its planned operations to minimize the harmful effects of the reduction. One of the most effective steps was a postponement by several years of the start of the central laboratory building and a plan to utilize the vacant existing houses on the site instead of renting more expensive space during the accelerator construction period. Although this plan significantly reduces the total cost and diminishes the delays caused by the budget cut, it does require some prompt expenditure of construction funds for suitably modifying and supplementing the existing houses.

(E) The start of the accelerator construction is correlated to the acquisition of the site. To prevent the site acquisition from being the bottleneck following the passage of the accelerator construction authorization bill by Congress this year, the State of Illinois in good faith has already started acquiring the site.

(F) The delays that have already occurred in the accelerator project make it difficult to catch up with the now successfully operating Russian 70 BeV accelerator. However, with the design improvements last year that make possible an option later to increase the energy from 200 to 400 BeV, the accelerator, despite the past delays, will be still the right machine at the right time. Every effort should be made from now on to follow a time schedule which will retain for the accelerator the added value that comes from timeliness.

(G) The Canadian National Research Council has already appropriated $35,000 for a study of means by which the Canadian Government might contribute financially to the accelerator, perhaps by supplying an additional experimental area from Canadian funds. The added discouragement and uncertainty of a U.S. delay in starting the accelerator construction will markedly diminish the chances of obtaining a major contribution from Canada.

(H) In many respects the accelerator is more a continuation of an old project than the start of a new one. The initial hearings by the Joint Committee on Atomic Energy on the desirability of such an accelerator took place in 1965, the laboratory site was selected in 1966, and detailed architect-engineering was authorized and funded by Congress in 1967. The limitation of the first year's funds to architect-engineering provided an opportunity for an additional Congressional review of the design. It will be unfortunate if this added design review unintentionally places the accelerator in the category of a new project and thereby leads to an additional delay.

In view of the above I earnestly hope that you and the Joint Committee members will make every effort to remove the restriction to architect-engineering in the accelerator appropriation.

Sincerely yours,

Norman F. Ramsey,
President.

MEDICARE OBSERVES SECOND BIRTHDAY

The **SPEAKER**. Under a previous order of the House, the gentlewoman from Ohio [Mrs. Bolton] is recognized for 5 minutes.

Mrs. **BOLTON**. Mr. Speaker, my constituent, Mr. N. R. Calvo, has written a very thought-provoking letter to the editor which appeared in the Cleveland Plain Dealer of June 28, 1968. This concerns the second anniversary of the medicare program. Believing it will be of interest to my colleagues and other readers of the Record, I include it herewith:

Readers' Forum: Medicare Observes Second Birthday

Medicare will be two years old Monday. It's a good plan, but it could be better. It should be extended to include others who need it, such as the disabled under age 65. There are about 1½ million persons in this country receiving disability compensation under Social Security. Through no fault of their own, these individuals no longer have earning power, which creates a greater need for them for medical care and treatment. Private health insurance is difficult for them to obtain. Their needs are no less than those now covered by Medicare.

Bills are now pending before Congress to include this benefit. Letters to our representatives in Washington—congressmen, senators, and even the President—might bring this vital issue forward and make a proposal a reality.

No doubt Medicare has its faults—maybe it demands too much paper work, but this is a small worry considering that millions of deserving persons are being taken care of at the time of greatest need.

N. R. Calvo.

Cleveland.

PERMISSION FOR THE COMMITTEE ON MERCHANT MARINE AND FISHERIES TO FILE CERTAIN REPORTS

Mr. **PATTEN**. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight tonight to file certain reports.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

TELEVISION VIOLENCE

The **SPEAKER**. Under a previous order of the House, the gentleman from West Virginia [Mr. Staggers] is recognized for 5 minutes.

Mr. **STAGGERS**. Mr. Speaker, President Frank Stanton of CBS proposes a comprehensive study of violence on television, including its effect on viewers. The proposal should be applauded and encouraged. Other reports indicate an industrywide disposition to eliminate some of the more gruesome killings from TV serials.

Fictional violence is a more or less logical outgrowth of TV westerns. From concerned parents, churches, and schools comes increasing complaints, that children learn the how and the thrill of crime, drug addiction, and other forms of vice from constant viewing of the "tube."

Real life violence on the screen may have begun with the murder of Lee Harvey Oswald, assassin of President Kennedy. Practically a whole nation was witness to an actual murder, and the impact was terrific. So far as the television industry was concerned, broadcasting of this crime was accidental. But its effect could not be ignored when our cities were struck by riots and civil disorders. There was always the possibility of other murders. The situation has been described as equivalent to throwing gasoline on the fire.

Even more than its rival news medium, the television industry needs to acquire maturity. Only those newspapers which earn public confidence and support by responsible reporting can survive. Television channels are few in number, and are controlled by Government. If they are not used as the public has a right to expect, the public will insist that something be done. That something could be denial of right to use the airwaves, or excessive regulation, or even Government takeover. All of these ideas are repugnant to popular notions of the free-enterprise system. Hence careful consideration of where television is heading may be a reasonable purpose of the whole industry.

POLAND'S ANTI-JEWISH CAMPAIGN

Mr. **FARBSTEIN**. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and to include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. **FARBSTEIN**. Mr. Speaker, never have I seen more poignantly expressed the plight of the Jews who live in Poland today than a letter written by the eminent pianist, Arthur Rubinstein, to the editor of the New York Times. This letter, published in the Times of April 28, 1968, and cosigned by 1,000 professors from 100 universities portrays with magnificent sensitivity a description of contemporary Jewish life in Poland. I insert, at this point in the Record, Mr. Rubinstein's letter:

To the Editor:

Some days ago the world observed the 25th anniversary of the Warsaw ghetto uprising, when 40,000 Jews took up arms in a doomed effort to combat the Nazi forces. This was surely one of the glorious chapters in the annals of martyrdom and heroic resistance to tyranny. What irony and tragedy that at this moment virulent anti-Semitism is being revived on Polish soil soaked with the blood of millions of Jews. The wave of anti-Jewish hysteria in Poland is being whipped up by potent reactionary forces in the regime and exploited as a weapon in a power struggle, a scapegoat for popular discontent, a smokescreen for economic and political ills, an instrument to stifle progressive reforms demanded by the intelligentsia and students. The close link between anti-intellectualism, antiliberalism and anti-Semitism is once again tragically demonstrated.

On March 8 thousands of Warsaw University students demonstrated for freedom of expression, fair trials and an end to censorship. These demonstrations spread swiftly to other universities throughout the country, and were met by police violence and arrests.

PLAY SUPPRESSED

It is universal knowledge that the outbreak of students' demonstrations was due to the suppression by the authorities of public performances of "Dziady," the masterpiece of Mickiewicz, Poland's greatest poet. Will the music of Chopin be next to be prohibited from being heard in public? The political ideology of Chopin and his friend Mickiewicz was identical.

Since then Poland has been undergoing a massive systematic course of purge and propaganda whose central feature has been its undisguised anti-Semitism. The Jewish community of 18,000, many elderly or ill, is accused of disloyalty and browbeaten into self-abasement. Dozens of distinguished Jewish academics, artists, writers and intellectuals of international repute are called alien to Poland, charged with being spiritual instigators of the student movement, expelled from the Communist party and dismissed from their positions.

PURGE OF INTELLECTUALS

Scores of students are arrested. All intellectuals and students alike, are named and are pointed out as Jews. Many hundreds of others less prominent are also being purged more quietly but not less efficiently.

Most shocking is that all this is being done to the accompaniment of a vast propaganda campaign which has charged the country's atmosphere fearfully. Jews are accused of being "cosmopolitans, national nihilists, members of an international Zionist conspiracy, Zionist lackeys of Western imperialism." Jewish philantrophic organizations which have poured millions of dollars into the economic and social rehabilitation of war-torn Poland are accused of conspiracy, sabotage and espionage at the behest of international Zionism and Western imperialism.

The moral nadir of this campaign is the falsification and distortion of the facts of Jewish martyrdom at the hands of the Nazis, the obscene denigration of the Jewish victims of mass murder.

This is the brutal lexicon used by Stalin and his anti-Semitic purges of 1948–52 and in the infamous doctors' plot he concocted in January 1953. It is, tragically, the very language that has been revived in the Soviet Union since the Arab-Israel War last June, in an ominous propaganda campaign against the Jewish people. This is the policy and the propaganda now taken over and carried further by the Polish authorities.

I appeal to the leaders of Poland to cease this outrage. I appeal to world public opinion to rally to the defense of the Polish intelligentsia and Polish Jewry.

ARTHUR RUBINSTEIN.

PARIS, *April 16, 1968*.

(The writer is the well-known concert pianist.)

Yesterday, on the floor of this body I indicated my intention to seek to amend the foreign aid bill to deny Poland most-favored-nation privileges. Mr. Rubinstein's letter makes me even more determined to carry out out my intentions.

MacGREGOR WINS SST ROUND

Mr. LANGEN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, one of the bright young men serving in this House over the past 8 years is my colleague from Minnesota, the Honorable CLARK MACGREGOR. He has worked diligently for his district, State, and entire Nation, always stressing the importance of sound fiscal management in the Federal Government and never hesitating to point out instances when the long-suffering taxpayer is being taken for a ride.

It is gratifying that one of Minnesota's great newspapers, the St. Paul Dispatch, has recognized CLARK MACGREGOR'S efforts in a recent lead editorial. I would like to share those remarks with you and, without objection, include the editorial at this point in the RECORD:

MACGREGOR WINS SST ROUND

Cong. Clark MacGregor of Minnesota won a tentative but significant victory for taxpayers last week when the House Appropriations Committee voted to delete from the 1969 fiscal budget an item of $223 million for the supersonic transport plane (SST) program.

For two years he has fought to prevent the public from being saddled with the cost of this purely commercial venture. Beaten in the past by lobbying efforts of the aviation industry, MacGregor is now making headway. If the House approves the Appropriations Committee action in a vote expected to be taken Tuesday, it will be a long step towards forcing re-examination of the whole SST project.

In addition to rejecting the $223 million item for the new fiscal year, the Committee also voted to rescind $30 million of still uncommitted funds which were authorized last year. Hundreds of millions of public money already have been sunk in SST development, and the total will eventually go into the billions unless Congress calls a halt.

MacGregor and Cong. Frank Bow of Ohio are backing a bill to switch the SST program out of the public treasury and have it financed by private investors interested in the aviation industry. They propose a government corporation publicly controlled but privately financed, the approach which was followed on the communications satellite project.

"There is absolutely no need for the SST to be financed solely or even primarily by the federal government," said MacGregor. "This is a commercial endeavor. It offers no known prospect of military significance. It will not contribute to national security. It is designed to carry passengers on commercial airlines for commercial profit."

For the past two years or more, MacGregor has led SST opposition forces in the House. In May, 1966 he moved to kill an appropriation of $280 million, but was defeated. In July, 1967, he tried to delete an item of $142 million, but lost on an 80–30 vote. In October, 1967, he again moved to strike this item. He nearly succeeded, losing by only 8 votes. Continuing the fight in the Appropriations Committee last week, he won rejection of the entire $223 million included in the 1969 budget.

This Committee action should by all means be upheld by the House of Representatives in the coming vote. There is no justification for using taxpayer funds to carry out the commercial profits venture of the SST promoters.

A CONDEMNATION OF THE PROPOSED FOOD TAX HIKE AND INCREASED CONGRESSIONAL PENSIONS

Mr. WIDNALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WIDNALL. Mr. Speaker, this Congress has taken a strong stand in favor of Federal expenditure control, in favor of stronger police action to combat crime, and in favor of controlling inflationary food costs while assisting the hungry. Today, however, we are asked to support a bill which would raise the District of Columbia sales tax on food from 1 to 4 percent, raising costs for all citizens, and hurting the poor the most. We are being asked to short change the District's efforts to increase police protection for its citizens, and for our own constituents who come to the Nation's Capital. Shortly, we will be asked to dip into the Federal till to fatten our own pensions.

It is bad enough that any of these unsupportable moves could be seriously considered. It is beyond my comprehension, however, as to why any Member of Congress would deliberately move to downgrade this body before the eyes of the American public. We are in a period of time when distrust and cynicism toward our governmental system is growing in seriousness. Action such as this, if approved by Congress, simply makes it that much more difficult for any American to believe that he should have faith in the democratic process.

I hope that the section advocating the 300-percent increase, from 1 to 4 percent, in the sales tax on food in the District will be eliminated today, and that sufficient funding for adequate police protection will be supplied.

As for the pension proposal, which would increase the Federal contribution by 2½ percent, and make some Members eligible for 80 percent of their full salary, or $24,000, upon retirement, no doubt when it comes up for House action, an attempt will be made to avoid a record vote. I serve notice right now that I will not be a party to such a move, that I will fight to gain a record vote, and that I will vote against this unconscionable proposal which has been tacked onto the bill, H.R. 16903, dealing with Foreign Service annuities. I hope the press will fully record the proceedings on both measures.

Mr. Speaker, I have been in Congress for 19 years and I cannot recall a more audacious set of proposals for congressional action. Triple the tax on food, cut the funds for police protection, and raise your own pension at the taxpayers expense. What a combination. It condemns itself just by being stated. I am just telling it like it is.

DECLARATION OF CHAMBER OF DEPUTIES OF NATIONAL CONGRESS OF REPUBLIC OF PARAGUAY

Mr. HAYS. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is my privilege to call to the attention of the Members of the House—and to Mrs. Robert F. Kennedy and her loved ones, and to the people of our country, a declaration of the Chamber of Deputies of the National Congress of the Republic of Paraguay, delivered to our Ambassador at Asunción.

This declaration, dated the 5th day of June, echoes the shock felt by the world at the assassination of Senator Robert F. Kennedy. It expresses deepest sympathy at the Senator's untimely death, and condemns the act of violence which caused it.

I am pleased to express the appreciation of this body for the act of four colleagues of the Chamber of Deputies of Paraguay. I shall see to it that Mrs. Ethel Kennedy, the widow of the late Senator, learns of their expression of sympathy and of this action here today.

I include a translation of the declaration as follows:

DECLARATION No. 1

Whereas: The world was shocked by the most tragic announcement of the attack that later cost the life of a leader of American Democracy, the United States Senator and possible presidential candidate, Robert Kennedy;

Whereas: The people of Paraguay mourn the death of such an illustrious champion of democracy and vehemently and unanimously condemn such an attack, not only because of its direct and indirect consequences, but also because of its meaning as an act of repudiation of all human and social values;

Therefore, the Chamber of Deputies, expressing the feelings of all the citizens of Paraguay,

Declares: Art. 1 Its deepest sympathy at the untimely death of Robert Kennedy, a Senator and possible presidential candidate. Art 2 Its vigorous condemnation of the act of violence itself and of all systems or doctrines that lead to such acts, and

Resolves: To render tribute to the memory of Senator Kennedy by observing one minute of silence and to appoint a committee to convey the condolences of this Chamber to the people of the United States of America, through their Ambassador at Asunción.

Art. 4 This Declaration is to be made known to the pertinent officials and filed in the National Archives.

Given at the Assembly Hall of the Chamber of Deputies, on this sixth day of June in the year nineteen hundred and sixty-eight.

BONIFACIO IRALA AMARILLA,
Parliamentary Secretary.
J. AUGUSTO SALDÍVAR,
President of the Chamber.

TEXTILE INDUSTRY SHOULD BE PROTECTED NOW

Mr. LANDRUM. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LANDRUM. Mr. Speaker, as a Representative of a district where we have a large and important textile payroll, I am greatly concerned over the future course of this great industry. At this point in its history we need to take a careful look at where the industry is today and where it is headed.

Textiles, of course, is one of the basic and most essential industries of our Nation. Nearly 1 million Americans are employed directly in the manufacturing of textiles, and another 3 million people are engaged in supplying raw materials—cotton, wool, and manmade fibers—transporting fiber and materials and manufacturing apparel and household furnishings and selling goods. Textiles supply two of the basic needs of mankind—clothing and shelter. The textile industry makes some 20,000 items for our Armed Forces, and the industry has been classified as second only to steel in essentiality.

While many people think of the textile industry as something which is concentrated in a few States of the Southeast and the New England area, mills are located in 42 States. Every State except Hawaii produces wool for the textile industry, and 19 States grow cotton. The apparel industry has some 25,000 plants located in every State of the Union.

It has been estimated that 4 million Americans depend upon the textile industry to some degree for a livelihood. These include the more than a quarter of a million people on sheep ranches and 500,000 on cotton farms who receive more than $1 billion from the sale of their products to the textile industry.

Approximately 975,000 people are employed directly by the textile industry and an additional 1.4 million work for the apparel industry. Their combined payroll is about $10 billion annually. In addition, the manmade fiber producing industry employs 90,000 people with an annual payroll of $650 million.

All in all, the textile industrial complex spends about $30 billion annually for the products and services of the various industries which supply it and provide the transportation for its products.

In my own State of Georgia, and particularly in the Ninth District, textile manufacturing is a basic industry; the source of most of our manufacturing employment. Textiles provide the largest manufacturing payroll in my home State, some 110,000 jobs with an annual payroll of more than $475 million. In addition, the apparel industry provides another 65,000 jobs. Georgia textile mills last year consumed more than 1.5 million bales of cotton, providing our farmers with an income of $47 million.

The Committee on Ways and Means, on which it is my pleasure to serve, has been conducting hearings on foreign trade for the past 3 weeks. We recently heard testimony by the president of the American Textile Manufacturers Institute, Mr. Frederick B. Dent, who discussed an extremely important aspect of the textile industry—its unique role in combating unemployment in the underdeveloped areas of our country.

Mr. Dent pointed out that the textile industry offers unusual opportunities to workers in areas such as Appalachia and in the overcrowded cities where apparel manufacturing is a major employer.

More than 450,000 people are employed by the textile industry in the Appalachia development region. In many of these counties, more than three-quarters of the people are engaged in textile manufacturing. The national average for employment in the textile industry is 13 percent of all manufacturing jobs. But in the Appalachian region 26 percent—better than one out of every four manufacturing jobs—are in the textile industry.

Over the years since the Appalachia development program was developed, Congress has been asked to appropriate millions of dollars to build highways and provide other services and assistance to stimulate the economy of this badly underdeveloped area. Certainly this program has been helpful. Thousands of jobs have been created, and the economy of this area has been started on the long road to equity with the rest of the country.

Mr. Dent also pointed out the importance of the textile industry in areas like New York City. Now, most of us think of New York City in terms of skyscrapers and executive offices. But it is also the largest manufacturing city in the Nation. And, more than one-third of its manufacturing employment is in the textile and apparel industry. Textile and apparel manufacturing provides jobs for 298,000 in New York City with an annual payroll of $1.3 billion. Incidentally, I am told that the $1.3 billion is just about equivalent to the welfare payments in that city, so New York's welfare payments could be double what they are today were it not for the tremendous payroll of the textile and apparel industries.

Now, Mr. Speaker, without belaboring the point any further, I think all of us can see that our textile industry is important. It is important to the people of the Ninth District of Georgia; to our entire State. But beyond that, its economic energy stimulates the economies of New York City, Texas, Arkansas, California, the entire New England area, the Midwest, and even Alaska.

In spite of the tremendous importance of this industry to our entire country, our Government is embarked on a course which is endangering the very existence of the textile industry as we know it today. These policies have cast a dark shadow over the future prospects of one of our oldest and most important industries.

I am referring, of course, to our reckless textile trade policies which are permitting an ever-increasing flood of imports to undermine and disrupt our domestic industry. Textile imports have reached an alarming level and the buildup is continuing. The time is long overdue for this country to reappraise and reevaluate its textile trade policies. That is what our Ways and Means Committee currently is doing, and I want all of my colleagues and the general public to be aware of some of the facts which have been brought up in our hearings.

First of all, just how acute is the textile import problem? How has it come about? What is the impact of imports on the domestic industry and the hundreds of thousands of people it employs?

The growth of textile imports has been unrelenting. During the past 6 years, imports of cotton textiles, including yarn, fabrics, made-up goods, and apparel have more than doubled. They have risen from 720 million equivalent square yards in 1961 to 1.485 million square yards in 1967. Woolen textile imports have nearly doubled, from 85 million square yards to 150 million square yards. While this growth has had a heavy impact on the domestic textile industry, the really devastating assault has been in the area of manmade fiber textiles where imports have increased nearly fivefold. In 1961, we imported only

149 million square yards of manmade fiber textiles, but the buildup has continued until it reached the level of 934 million square yards in 1967.

Now we are told by some that the textile import problem is letting up because there was some reduction in imports in 1967. It is true that imports fell slightly below the alltime record level of 2.8 billion square yards in 1966 to 2.6 billion square yards in 1967.

But they are moving right back up to new record levels already. During the first quarter of this year, according to figures compiled by the U.S. Department of Commerce, imports of all textile products were 780.7 million square yards. This was the highest first quarter on record. Projected at an annual rate, we can reasonably expect that the 1968 level of imports will be in excess of 3 billion square yards. This is better than three times what they were in 1961.

Increases were recorded in all fiber categories, but once again, the unregulated area of manmade fiber products presents a frightening picture. Our manmade fiber imports during the first quarter of 1968 were 22 percent above the first 3 months of 1967. In order to give a clear picture of how this buildup is taking place, I submit for the RECORD at this point a copy of a chart prepared by the U.S. Department of Commerce which shows imports during the first quarter from 1964 through 1968:

U.S. GENERAL IMPORTS OF COTTON, WOOL, AND MADEMADE FIBER TEXTILES, CALENDAR YEARS 1964-68, BY MONTH

[Total in million square yards]

	Cotton					Wool					Manmade fiber					Total				
	1964	1965	1966	1967	1968	1964	1965	1966	1967	1968	1964	1965	1966	1967	1968	1964	1965	1966	1967	1968
January	110.2	52.3	155.3	160.3	160.1	7.9	5.2	13.7	9.9	12.0	24.8	27.9	64.0	79.6	119.1	142.9	85.4	233.0	249.8	291.2
February	74.9	108.7	132.0	116.4	143.6	6.5	9.2	12.0	7.7	11.6	16.1	42.2	45.9	86.9	85.2	97.4	160.1	189.9	211.0	240.4
Cumulative	185.1	161.0	287.3	276.7	303.6	14.4	14.4	25.7	17.6	23.7	40.9	70.2	109.9	166.5	204.3	240.4	245.6	422.9	460.8	531.6
March	86.1	150.7	147.1	146.6	135.4	8.5	13.2	14.4	12.1	12.6	22.6	44.1	53.6	83.4	101.2	117.2	208.0	215.2	242.1	249.2
Cumulative	271.1	311.7	434.4	423.3	439.0	22.9	27.6	40.1	29.7	36.2	63.5	114.2	163.5	249.9	305.5	257.5	453.6	638.1	702.9	780.7

Source: Office of Textiles, U.S. Department of Commerce.

The chart clearly illustrates that the buildup is steady, it is unrelenting. It is happening with all of the fibers.

At the present rate, imports will double by 1974 unless something is done to reverse the trend.

The import problem is not going to go away unless Congress acts to give the President and his trade negotiators the incentive and the tools to bring about orderly trade. The answer to the problem lies in passage of legislation along lines of H.R. 11579, which I have introduced along with 195 of my colleagues. H.R. 11579 authorizes and directs the President of the United States to negotiate agreements providing for orderly trade in textile articles. The agreements would limit imports by product categories and provide for growth of imports when domestic market conditions permit.

It has been charged that my bill is restrictive and that it would invite retaliation from abroad. Mr. Speaker, I want to state categorically that H.R. 11579 is a most reasonable and generous approach to textile trade which provides importers with an opportunity to participate in a reasonable share of the growth of our domestic market. At the same time, however, it protects the interests of the millions of Americans who earn a living in the textile and related industries.

This legislation would not enjoy the widespread support it has in the Congress unless it were something which is in the best interest of all of the American people. The 196 sponsors of this legislation represent a broad segment of our country—certainly the textile-producing States, and also farm areas, the cities where the apparel and manmade fibers are produced, and organized labor.

It might be well at this point to go into some of the background which led to the introduction of this legislation.

At the beginning of the current session of Congress, it became evident to those who represent textile-producing States that the textile industry was going to be faced with some critical problems. It was decided that the informal textile committee should be reconstituted. This group is comprised of Members of this body who have substantial textile operations included in their district and whose constituents depend on the textile and related business for their livelihood. This group was activated in March of last year, and I was honored when my colleagues elected me to serve as their chairman.

When it became clear in March of 1967 that our trade negotiators in Geneva were about to agree to substantial tariff reductions on textile products, a meeting of the committee was called. Following the meeting, a number of us spoke out on the floor and warned that any tariff reductions would have a serious impact on textile employment. We hoped that while we still had time, we could impress upon our representatives in Geneva the serious nature of the textile import problem. But our warnings had only limited results. While we are told that some last-minute adjustments were made in our textile tariff offers, the United States still agreed to substantial reductions. We believed at that time, and still believe, that it was not in the best interest of this country to reduce tariffs when imports were moving toward the 3-billion-square-yard level and taking away some 10 percent of the domestic market.

Immediately after the new tariff agreements were reached in Geneva, we invited Secretary of State Rusk and our chief trade negotiator, Ambassador William Roth, to appear before our group and explain what the new tariffs would mean to the textile industry and its employees. Although they assured us that all was well and that the textile industry would not be hurt, we did not agree. We knew that a further liberalization of our textile trade could only result in more problems. The record level of imports during the first quarter of this year certainly proves that we were right.

Because the textile import situation is completely out of hand, and there seems to be little or no disposition on the part of our trade negotiators to do anything to correct the situation, it became clear that legislation was the only route left open to us.

It was against this background that the Mills-Landrum-Dorn bill was introduced, and as my colleagues know, the measure is being discussed in connection with the broad international trade hearings being conducted now by the Ways and Means Committee. I hope the bill will be reported and I am urging this action by the House Committee on Ways and Means.

Last week, during our trade hearings, the committee heard foreign importing interests claim that the textile industry was just "crying wolf"—that there was no real threat being posed by imports. They said the American textile industry should not be afraid of competition from countries which pay their workers as little as 8 cents an hour because the American textile industry is the most efficient in the world. I would agree that the American textile industry is the most efficient in the world. During the past 10 years, textile manufacturers in this country have invested nearly $7 billion for new plants and equipment to make certain that they remain the most efficient in the world.

No textile industry in the world spends as much money on modernization and research. The low-wage manufacturing countries cannot hold a candle to the American textile industry when it comes to product innovations and new processing techniques. However, these new developments do not remain the property of the United States for very long. Technology spreads with lightning speed in the world's textile industries. The markets developed by American manufacturers soon become vulnerable to countries which have little to offer but cheaper products made under working conditions which would be illegal in this country.

How in the world can an American manufacturer using the same raw materials, the same machinery, and similar processing techniques and paying $2.27 an hour expect to compete with products made by people earning 8, 25, or 36 cents an hour as is the case with Korea, Hong Kong, and Japan, respectively? The answer is that all the technological know-how and modern machinery cannot indefinitely compete with sweatshop wage scales. The textile wage increases in this country since 1966 are more than the entire hourly wage paid a textile worker in Japan.

Even with this tremendous wage differential, American textile manufacturers do manage to remain competitive in some product categories and under certain market conditions. So, our foreign friends go one step further and offer subsidies to their exporters to help them undercut our manufacturers. Let me cite just two examples of how widespread this practice is.

The Japanese Government provides exporters with special forms of export insurance. Exporters are permitted to reserve up to 5 percent of their income from exports for foreign market development, and this is tax deductible even if it is not spent. In addition, special depreciation rates for plant and equipment are given to those companies engaged in exporting.

In Mexico, the Government provides subsidies, sales tax rebates, and special financing assistance to companies in the export business. Because of proximity to the market, Mexico's heavily subsidized exports are enjoying a field day in the United States. Those who advocate free trade should ask themselves if there should not be some element of fair trade in free trade.

The textile importing interest who appeared before our committee admitted that these subsidies exist and suggested that if and when the American textile industry is hurt by imports, it can seek some sort of help.

At the very moment these importing interests were appearing before our committee, the American Apparel Manufacturers Association was holding its annual meeting in Atlantic City. A panel discussion was being held on the subject of moving production facilities overseas. According to a news account of the meeting in the June 20 New York Times, Mr. Thomas N. Roboz, president of the Apparel Corp. of America, said, and I quote:

> We have no choice in publicly owned companies but to go offshore (overseas) sooner or later. We are, whether we like it or not, regarded by our government as an expendable industry. Mr. Stuart H. Green, vice president of the Phillips-Van Heusen Corporation, was quoted as saying: "My company will not build any more expansion plants for shirts and sportswear until we get some clarification."

This is no idle threat. This is not something which might happen down the road 10 or 15 years from now. It is happening today. These are responsible executives of major American businesses, employing thousands of people in this country, stating pointblank that they and their employees are being forced out of their own country. Mr. Speaker, I include the entire story in the June 20 New York Times to be printed in the RECORD at this point:

APPAREL MAKERS TO BUILD ABROAD

(By Leonard Sloane)

ATLANTIC CITY, June 19.—The nation's apparel industry is preparing to establish its own production facilities overseas and reduce its domestic capital expenditures if no government action is taken to limit imports of textile articles.

At the annual meeting here of the American Apparel Manufacturers Association—the trade group whose members sell over $6-billion worth of clothing each year—producers strongly denounced the delays in taking either multilateral, bilateral or unilateral action to cut down the flow of garments from abroad, particularly those made with synthetic fibers which are not covered by the Long-Term Arrangement for Cottons.

"We have no choice in publicly owned companies but to go offshore [overseas] sooner or later," said Thomas N. Roboz, president of the Apparel Corporation of America. "We are, whether we like it or not, regarded by our government as an expendable industry."

EXPANSION IS CURBED

"My company will not build any more expansion plants for shirts and sportshirts until we get some clarification," added Stuart H. Green, vice president and secretary of Phillips-Van Heusen Corporation. "We are going overseas for contract production and I think other branded people are going to go."

Ironically, while these statements were being made during a seminar at Convention Hall, Lawrence S. Phillips—the president of Phillips-Van Heusen who was scheduled to be a panelist—was presenting the industry's point of view at a House Ways and Means Committee hearing in Washington.

This threat by American producers to build their own plants in foreign countries in order to compete effectively with overseas manufacturers of such merchandise as shirts and lingerie comes at a time when imports of apparel made with synthetic fibers has soared drastically.

For example, American imports of man-made fiber apparel advanced over 700 per cent in the seven years through 1968. Imports of synthetic dress and sport shirts jumped more than 2,000 per cent in the five years through 1968.

"We have been forced in our industry to leave the low-priced items like $2.99 and $3.99 shirts," said Mr. Green. "What's going to happen is we're going to have a 25 per cent share of the market in imports, covering the shirts sold by the mass marketers and discount houses."

Stanley Nehmer, Deputy Assistant Secretary of Commerce for Resources, walked in this lions' den of angry manufacturers to explain the Administration's position. He noted that while "overseas manufacture and procurement of apparel are not entirely new phenomena in the American market . . . the implication of a substantial overseas movement are serious both for your industry and for the country."

Asserting that any such movement would adversely affect America's balance of payments, employment levels, national security and other industries, Mr. Nehmer pointed out a number of favorable situations that apparel markers currently enjoy. After citing the high employment in apparel plants and the companies' 15.5 per cent return on invested capital in the last quarter of 1967, he said, "these are not the signs of a sick industry."

The apparel manufacturers do not want to move overseas. They know how important it is to maintain a strong, growing work force in this country. But the trade policies of our Government are forcing them into a untenable position. It does not require much imagination to see what the next move will be. It will be a mass exodus of apparel manufacturers, and they will be followed by textile manufacturers who will find that this is the only way they can compete. If the current trend is not reversed, I am afraid no other course will be open to our domestic industry.

The shirt industry is a prime example of how our outmoded, piecemeal approach to textile trade simply is not working. I am told that in 1960, 92 percent of the men's dress shirts used in this country were all cotton and 8 percent blends of cotton with manmade fiber. Therefore, it would seem logical that the quotas on cotton textiles negotiated under the long-term arrangement would provide some restraint when imports of men's shirts become excessive. However, because of a change in the types of shirts used by the American consumer, today we find that only 8 percent of the men's shirts are cotton and 92 percent are blends. The limitations of the long-term arrangement apply only to those items which are at least 50 percent cotton by value, and so most of the blend shirts fall outside the controls. The same story is repeated over and over again with other products. We simply do not have meaningful controls over textile imports.

Our current approach to textile trade cannot be condoned or tolerated any longer. The Mills-Landrum-Dorn bill will bring about orderly trade. In the time that this bill has been pending in the Congress it has been charged repeatedly that it is overly restrictive and protectionist. It is anything but overly restrictive, but you might say it is protectionist—in the best sense of the word.

It is protectionist in that it will protect the interests of the exporting nations by making available to them a fair share of our market as it grows. It is protectionist in that it will, at the same time enable our domestic industry and its workers to participate in the future growth of our market, too. It is protectionist in that it preserves the time-honored principle of bilateral negotiations. What could be more reasonable? What could be more equitable? How can we better restore a true spirit of reciprocity in international textile trade?

Since this legislation was first introduced, we also have heard a great deal of comment that its passage would invite retaliation from other nations against our products.

Certainly, they are not talking about any retaliation where textile products are concerned. There is very little for anyone to retaliate against. Countries throughout the world have erected so many trade barriers against American textile products that this country has not had a favorable trade position with textiles since 1957. The current deficit—our imports over our exports—amounts to some $766 million, and this deficit is growing all the time.

Try as they might—and some textile firms are working aggressively in this area—it is a frustrating experience to try to develop an export market for textiles. Countries throughout the world have erected an impenetrable wall around their textile markets through a rash of border taxes, licensing requirements, quotas, tariffs, and special financing requirements.

These countries certainly are not talking retaliation against our exports of raw cotton. It can be documented that the textile-producing countries of the world buy their raw cotton where and when they can get the best prices without regard for whether or not the cotton-producing country buys any of their textiles. We have seen our raw cotton market in Japan decline in recent years, because she is buying cotton all over the world. But at the same time her purchases of our cotton have declined, Japan's share of our textile import market has grown steadily.

Instead of shaking in our boots every time a foreign country mentions "retaliation," the United States should be asking why our own Government does not use some form of retaliation against those countries which are discriminating against our textile products.

There is no reciprocity in our textile trade today. Reciprocity is a word which has slipped from the vocabulary of our trade negotiators. They are so imbued with the idea of "free trade" that they have lost sight of the fact that free trade must also be free and fair for all involved. Other countries are not being fair with the United States, and the U.S. Government is not being fair to its hundreds of thousands of textile employees as long as it continues on its current course.

But, Mr. Speaker, lest I sound entirely negative on this subject, permit me to take just a moment to look at the positive contribution this great textile industry of ours can make to the future economic well-being of our economy if given a chance. This, after all, is the reason for my great concern. A great opportunity is before us and we must not permit it to slip from our grasp.

I have already touched on the economic importance of this industry to the underdeveloped area of Appalachia.

The textile industry offers a variety of job opportunities. The mill doors are open to those with limited skills. The mills also are seeking more and more semiskilled and skilled workers. The research facilities of the industry offer an opportunity for scientists, chemists, engineers, and marketing experts to put their special skills to work in a highly competitive and progressive industry. The doors of the mills are open to women and to Negroes. Negro employment in the textile industry has increased by 270 percent since 1960, creating 52,000 new jobs at a time when overall employment in the industry increased by only 2.8 percent.

The opportunity to continue providing large numbers of jobs throughout the textile-fiber-apparel industrial complex will be nullified unless textile imports are brought under reasonable control.

The time for action is now; not next session; not next year, but right now! And the way to act now is to report and enact into law the bill H.R. 11758 introduced by Chairman MILLS—myself—Congressman DORN and 195 other Members of this House.

MISSIONARIES FROM ABROAD

Mr. MORSE of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, in two deeply troubled lands at the southern end of Africa, missionaries from abroad, as well as local churchmen, strive to carry the message of the Christian gospel and do what they can to alleviate the suffering of the African peoples. But ministering to these unfortunate Africans has become increasingly difficult under apartheid. That cruel system governs all human life in the Republic of South Africa and in the international Mandated Territory of South West Africa which South Africa rules and refuses to turn over to the jurisdiction of the United Nations. In recent years, foreign missions find it steadily more difficult to work in South West Africa as well as in South Africa. In particular, churchman after churchman has been required by the South African Government to leave South Africa and South West Africa.

The month of June 1968 marks the termination of one more fine and selfless mission to South West Africa. For the South African Government has ordered the departure of a distinguished American humanitarian, churchman, and missionary, Bishop Robert H. Mize.

Bishop of Damaraland since 1960, Mr. Mize is a graduate of the University of Kansas and of the Union Theological Seminary. He served his home State of Kansas for many years before entering upon his work in Africa. The St. Francis Boys' Home, which he founded in Salina, Kans., stands as a continuing monument to this good man who has been so brusquely forced out of the international Mandated Territory he had come to think of as "home". In South Africa, as well as South West Africa, both church and press have protested the Bishop's ouster for which no reason has been given. All to no avail. So the peoples of South West Africa must lose a beloved counselor and pastor, and a fine career must be prematurely terminated, or at the least directed at this late date into other paths.

I read into the RECORD three examples of reactions in South Africa and South West Africa to the Bishop's ouster. First a letter to the Cathedral parish by the Very Reverend C. Winter, Dean of St. George's Cathedral in Windhoek, the capital of South West Africa; second, a letter to the editor of the Cape Argus of Cape Town, Republic of South Africa; and third an editorial, entitled "Bishop Mize," published by the Cape Times, also of Cape Town, South Africa, as follows:

BISHOP'S APPLICATION FOR PERMANENT RESIDENCE REFUSED

In a letter from the Secretary of the Interior our Bishop has been informed that he may not stay in South West Africa or the Republic beyond the 26th July, and that he must make arrangements to leave the Territory on or before that date. After the shock comes the question—Why?

NO REASONS GIVEN

No reasons have been given him. No reason was given in the case of Father Garrison, head of the seminary in Ovamboland which trained African priests. And yet this is done in a country which claims to uphold Western standards of Christian civilisation. As has been pointed out time and time again by legal experts in this country and elsewhere, the basic Western standard of law rests on the right of the individual to know what he is accused of, to be tried in open court, and then to be given the chance to defend himself of the charges laid against him. In the case of a Christian Bishop, one would have thought that this would have been the least that could be granted to him. Experience today teaches us that Bishops are not men who go about plotting the overthrow of states or planning bloody insurrection. To dismiss a Bishop is no trivial thing. It means that the whole Church is under attack, because the Bishop represents and speaks on behalf of the whole Church. How else can one construe this but as an attempt to intimidate and frighten the Anglican Church in South West Africa?

APPLAUSE OR HEARTBREAK?

There will be those in Windhoek, and some of them will be Anglicans, who will applaud the Government's action and will wholeheartedly support the policy that anyone who in any way differs or disagrees with National Party Politics should be treated in the same way. But there will also be many—and let it be known—these will include many who are not of our Church, who will be shocked and who will grieve over the expulsion from this country of a man who was totally committed to the gospel of love, and who served humbly and faithfully all men in need in this great land. When one takes the trouble to know the man, the whole action assumes the aspect of folly, calculated in the long run to damage the name and reputation of this country in the eyes of all people in the world who value the basic rights of man and human freedom.

THE MAN

Bishop Mize brought many great gifts to his work as Bishop. The son of a Bishop himself he grew up with a deep feeling of compassion for lonely and suffering people. His work as the founder and head of the St. Francis Boys' Home in America was enough for him to win acclaim in his native land. Here was a priest who offered all that he had in love to those who were cast-off by modern society. Hundreds of delinquent boys have a future today because of him. He worked wonders of healing with these lads and restored them to good citizenship because he loved them and went all out to take care of them. There is no other single Bishop in the Church of the Province today who has a greater detailed knowledge of the names, condition and problems of all his people than does our own Bishop.

HIS CARE FOR OTHERS

Many is the Anglican farmer who has been amazed and deeply touched to see the Bishop arriving at his lonely farm, having gone two hundred or so miles out of his way to pay him a visit and to bring the Sacraments to him. A Roman Catholic nun in a local hospital was staggered when she saw the Bishop leaving the hospital after visiting a patient from out of town. She kept on repeating: "But he is a Bishop!" Yes, a Bishop indeed—knowing, loving and caring for all God's children whatever their need, whatever their colour!

[From the Cape Argus, May 13, 1968]

FRIENDS CALL HIM A SAINT: THE BISHOP WHO HAS BEEN TOLD TO GO

To the EDITOR, THE ARGUS

SIR: Those of us so greatly privileged to be among the friends of Bishop Mize, and to know and love him for his tremendous personality and his unselfish work in the face of persistent ill-health, will remain convinced for ever that he lives—and has, for most of his life of service—as closely to the life of Jesus as an ordinary mortal can.

I wonder how many people have any knowledge of the Bishop's life in America before he came to spread the Gospel in South West Africa?

They should read "Father Bob and His Boys" by Emily Gardiner Neal which tells the remarkable story of a remarkable man.

Even as a very young child he gave away all his possessions and clothes, and this he still does today except for the bare—and often very threadbare—essentials needed to live and carry out his work.

After he became a priest he created the dream of his heart—a home for adolescent boys in trouble with the law; juvenile delinquents whom nobody wanted and for whom there was no place to go except jails or corrective institutions.

He had no money, but as always his faith was rewarded and "the Lord provided."

REHABILITATION

His home for embryonic or fully-fledged criminals had no fences, nor was it segregated in any way from the community or the schools where it was situated.

It was a real "home" where he lived with the youngsters as head of the "family" and he was, by title and image, "Father" to each one in his care.

His method of rehabilitation was simply "therapy in Christ"—his home's contribution to each child was to give them Christ as their closest friend and constant companion, and thus his erring boys learned to be youngsters responsible to themselves, to others and to the community.

"Father Bob" was heartbreakingly alone pioneering a great Christian experiment, but he persisted in the face of others' doubts and scoffing, and frequent setbacks with his "children," and in the end had almost 100 per cent rehabilitation.

And so there came to be founded the St. Francis Boys' Homes in western Kansas—a unique programme of Christ-centered therapy and a living demonstration of the perseverance, vision, infinite patience, forgiveness and understanding, and the great faith of one man devoted to God.

He has always practiced as he preached and so he lives the life of a saint.

No person in trouble has ever been refused; his revulsion from any form of violence is deep and genuine; his deep dislike of every form of injustice has only served to make him more saintly.

THE OTHER CHEEK

His advice has always been to turn the other cheek, to persuade all those with whom he came into contact—and this is an experience dynamically awakening and rewarding—never to allow themselves to be degraded by the sins of bitterness or hatred but to pray hard for those who suffer from injustice that they should remain calm, steadfast and peaceful, trusting only in God and prayer, and to pray even harder for those who perpetrate injustice so they will not feel so bad when their time comes to face the tribunal of the only real judge—Christ.

I shall continue to believe utterly in Bishop Mize's innocence and the Gospel he teaches and lives, and I ask the 43,000 Anglicans in Damaraland and every other Christian to pray harder for those who have thought fit to prevent a saintly man from continuing, in the land of his choice, the work of God.

I know there will be no bitterness or hatred in the heart of Bishop Mize, only a deep distress at the interruption of his work, and I know his prayer will be to forgive them.

Let all of us who profess Christianity make this our constant prayer, too, so that he can leave this country assured that his teachings of tolerance and forgiveness will never die.

(Mrs.) BARBARA D. WILLIS.

Simonstown.

[From the Cape Times, May 7, 1968]

BISHOP MIZE

Kicking out clerics is a crude sport usually reserved for hard-line communist countries and young statelets with less sense than sensitivity. But South Africa is fairly active in the league. Last year it deported Bishop Edward Crowther; now comes the refusal to renew the visa of Bishop Robert Mize. Exactly why this American has to be denied his bishopric in South West Africa after eight years is unclear. The highly respected Archbishop of Cape Town has found it necessary to condemn the move as one which "offends the conscience of Christians both here and oversea". And we have it from Bishop Mize that, though opposed to *apartheid*, he has tried to move in purely religious channels and avoid making an issue of *apartheid*, and that any contacts with persons who left SWA without passports have been pastoral. He describes himself as being anti-violence, anti-terrorist—an out-and-out pacifist. What more could a Government want, short of a PRO for *apartheid* under a mitre.

So we have one side of the story, convincingly advanced. But what is the Government's, if any? Surely it knows an unexplained ejectment would seriously damage the country's reputation abroad, particularly in the United States. This is a time when the Government is supposedly keen to convince the world that the loose "police state" tag does not fit the *verligte* Republic. Yet with actions of this sort it undermines its own diplomacy.

If Bishop Mize is suspected of some serious offence, he should be charged. That's what courts are for. If he is "undesirable" for reasons that the Government fears will not stand up in court, it should at least reveal them. And in a country professing Christianity, the elementary justice of a right to reply should surely be extended to Bishop Mize.

THOMAS HALL COLLINSON

Mr. RANDALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RANDALL. Mr. Speaker, it is with a heavy heart that I announce the passing of Thomas Hall Collinson, the editor and general manager of the Examiner, the old and respected newspaper in my home city of Independence, Mo.

By no standard was Hall Collinson an old man. Yet at the age of 54 he had already lived a long and most productive life. He came into the newspaper field after he had established three broadcasting stations for the Stauffer publications, a Kansas-based chain of newspapers, magazines, and broadcasting stations.

Our departed friend came to the Examiner in 1951. He came to the paper with a wide and rich background of experience not only in the newspaper and broadcasting field but as a member of the Oklahoma and Missouri bar. He had at one time served as general attorney for the Federal Land Bank at Wichita, Kans. He could point with pride to an outstanding career in World War II as the commanding officer of a submarine chaser in the South Pacific.

In the 17 years he was a resident of Independence, Mo., he made many substantial contributions to the civic affairs and the business community not only of Independence but Metropolitan Kansas City, Mo. He served as president of the Rotary Club. He was vice president of the chamber of commerce. He was a member of the board of governors of the American Royal. He was on the board of directors of the Kansas City Chiefs. He had served as a trustee on the Kansas City Council on Alcoholism. He was director of the World Trade Information Center. He was on the board of directors of the Kansas City Osteopathic Hospital. He was a participant and a leader in several other civic enterprises. In fact he was identified with just about every major civic activity of the area in which he lived which includes Kansas City and Metropolitan Jackson County, Mo.

In his chosen profession of journalism he had served as president of the Associated Daily Newspapers. He was a member of the Missouri Press Association and of the American Newspaper Publishers Association.

Our friend may not have been known nationally but he was well and most favorably acclaimed throughout the midlands of Missouri, Kansas, and Oklahoma because there he had achieved a stature which earned for him the great respect, and high regard by his fellow man not only in the field of journalism and law but by the general public because of his many contributions in wide and varied fields to the betterment of the way of life of his citizens.

He was more than just another lawyer or another journalist. Mr. Collinson was a tireless, unselfish worker in the vineyard of all of those civic enterprises which would improve the well-being of the less fortunate or the underprivileged. With his editorial pen he stood fast for those causes which he believed were in the best interest of the entire area and against those things which he determined were against the general welfare and for the benefit of only a special few.

He seemed to have the knack for distributing his time and efforts in a wide variety of enterprises. These included city improvement through urban renewal, hospital construction, new recreation projects, low-cost housing, new college construction, veterans' affairs, and support of a strengthened chamber of commerce. He was a busy man. Yet in his busy life he always seemed to have time to befriend the friendless and to crusade for just causes. West-central Missouri has lost an outspoken advocate. Journalism in the Middle West has lost a courageous crusader. Metropolitan Jackson County has lost a civic-spirited citizen. Independence has lost a great leader.

CHANGING WAR REPORTS

Mr. EDWARDS of Alabama. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. EDWARDS of Alabama. Mr. Speaker, it is mighty hard for anyone to know what is really going on.

A few days ago there were reports from the demilitarized zone that our men had sighted North Vietnamese helicopters. If this were true it would be important because the Communists have not had helicopters before.

If they have them now the character of the war can be changed very greatly.

But the official word came down that there was no solid evidence of any Communist helicopters. The reports were said to be due to mistakes in reading the radar signals. Maybe they were boats, or just somebody's imagination.

However, at least one American GI was later quoted as saying that he definitely had seen Communist helicopters; not on radar, but the real thing, and not once, but many times recently.

And then there is the situation in Paris where our diplomats and the North Vietnamese are supposed to be settling the war. They have been at it since May 10, and it is really hard to know what they are doing.

The official U.S. line is that signs are encouraging because the North Vietnamese have agreed to longer coffeebreaks. But the Communist boss at the talks says this does not mean anything. He said all they talk about at the coffeebreaks is the weather and the noise in Paris streets.

One of President Johnson's Cabinet officials says the talks are making progress and then another says no; no progress is in sight. I would guess that we do not have much to be happy about if the best signs are longer coffeebreaks.

Meanwhile, a North Vietnamese delegation has just gone to Moscow to ask for more military and economic help from the Russians and other Communist nations.

They already are getting more than a billion dollars worth annually of Russian airplanes, antiaircraft guns, artillery, and other vital help.

With all this going on Senator EUGENE MCCARTHY, who is seeking the Democratic presidential nomination, says he is going to Paris to talk with the North Vietnamese Communists. It is awfully hard to know how this is going to help things any.

And while the Vietcong is firing rockets into Saigon and killing civilians elsewhere around South Vietnam the cities of North Vietnam are immune from U.S. planes because of the President's decision announced last March 31 to halt the bombing of Hanoi.

In my opinion, Mr. Speaker, we cannot indefinitely tolerate the buildup of Vietcong strength in South Vietnam while we limit bombing in the north. We are only giving Ho Chi Minh a big military advantage in the war and greater leverage in Paris.

President Johnson should take affirmative action. He should announce a date a short time in the future—a date on which major Vietcong attacks in South Vietnam will bring an American response.

After that date, for every Vietcong rocket fired into Saigon, U.S. planes would drop a bomb on a military target in the Hanoi-Haiphong area. For every attack on United States or South Vietnamese troops in South Vietnam, U.S. planes would go after key airfield and transportation targets in the north.

Continued U.S. restraint plays right straight into the hands of the Communists. But firm U.S. action, with adequate explanation to the world, would go far to give us the negotiating strength at Paris which is essential if any sense at all is to be made of the talks going on there.

Let us say the longer coffeebreaks at Paris are really a good sign for ending the bombing limitation, and I will bet we will see the coffeebreaks getting longer and longer.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ROONEY of New York (at the request of Mr. CELLER), for Wednesday, July 3, to 4 o'clock p.m., on account of attending a funeral.

Mr. BURKE of Florida (at the request of Mr. ARENDS), for the week of July 1, 1968, on account of official business.

Mr. NICHOLS (at the request of Mr. ALBERT), for the week of July 1, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOLIFIELD, for 15 minutes, today; and to include extraneous material.

(The following Members (at the request of Mr. PATTEN) to revise and extend their remarks and include extraneous matter:)

Mr. STAGGERS, for 5 minutes, today.

Mr. DENT, for 30 minutes, July 8, 1968.

Mrs. BOLTON (at the request of Mr. BUSH), for 5 minutes, today; to revise and extend her remarks and to include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. FARBSTEIN and to include extraneous matter.

Mr. CORBETT and to include extraneous matter.

Mr. DULSKI in two instances and to include extraneous matter.

Mr. HOLIFIELD to extend his remarks and to include extraneous material on the McCarthy amendment to S. 1166.

Mr. HECHLER of West Virginia during general debate on H.R. 18188 and to include extraneous matter.

(The following Members (at the request of Mr. BUSH), and to include extraneous matter:)

Mr. CONTE.
Mr. BELL in two instances.
Mr. BERRY.
Mr. SCHERLE.
Mr. CURTIS in two instances.
Mr. THOMPSON of Georgia.
Mr. BROWN of Ohio.
Mr. ASHBROOK in two instances.
Mr. MORSE of Massachusetts in three instances.
Mr. ARENDS.
Mr. MINSHALL.
Mr. DUNCAN in two instances.
Mr. LIPSCOMB.
Mr. MCCLORY.
Mr. ESCH.
Mr. KING of New York in three instances.
Mr. BATTIN.
Mr. MCDONALD of Michigan.
Mr. BLACKBURN in two instances.
Mr. MCCLURE in four instances.
Mr. WYMAN.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mr. COLMER in two instances.
Mr. HOWARD.
Mr. BOLLING in two instances.
Mr. WILLIAM D. FORD in two instances.
Mr. NIX.
Mr. ANDREWS of Alabama.
Mr. ANNUNZIO in two instances.
Mr. KING of California.
Mr. PATTEN.
Mr. FRASER in three instances.
Mr. STAGGERS.
Mr. RODINO.
Mr. FASCELL in two instances.
Mr. RIVERS in three instances.
Mr. REES.
Mr. BOGGS in three instances.
Mr. JONES of North Carolina in two instances.
Mr. GONZALEZ in three instances.
Mr. DOW.
Mr. BRADEMAS in six instances.
Mr. RARICK in six instances.
Mr. CONYERS in three instances.
Mr. BURTON of California.
Mr. ST. ONGE in two instances.
Mr. BRASCO.
Mr. PURCELL in two instances.
Mr. KORNEGAY in two instances.
Mr. EVINS of Tennessee in two instances.
Mr. WAGGONNER.
Mr. TIERNAN.
Mr. GATHINGS.
Mr. GRIFFIN.

SENATE BILLS REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3710. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; to the Committee on Public Works.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that the committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3639. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; and

H.R. 17734. An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 322. An act to restrict the disposition of lands acquired as part of the National Wildlife Refuge System; and

S. 1251. An act to make certain reclamation project expenses nonreimbursable.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER. In accordance with House Concurrent Resolution 792, 90th Congress, the Chair declares the House adjourned until 12 o'clock noon on Monday, July 8, 1968.

Thereupon (at 7 o'clock and 32 minutes p.m.), pursuant to House Concurrent Resolution 792, the House adjourned until Monday, July 8, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2009. A communication from the President of the United States, transmitting a proposal to amend the 1969 budget for the District of Columbia (H. Doc. No. 346); to the Committee on Appropriations and ordered to be printed.

2010. A communication from the President of the United States, transmitting proposals to increase public safety in the District of Columbia (H. Doc. No. 347); to the Committee on the District of Columbia and ordered to be printed.

2011. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and illustrations, on an interim report on the Mississippi River from Cassville, Wis., to mile 300, in partial response to two resolutions of the Committee on Flood Control, House of Representatives, both adopted September 18, 1944, and also in full response to a resolution of the Committee on Public Works, U.S. Senate, adopted June 23, 1965 (H. Doc. No. 348); to the Committee on Public Works and ordered to be printed with illustrations.

2012. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 19, 1968, submitting a report, together with accompanying papers and illustrations, on a review of the report on Papillion Creek and tributaries, Nebraska, requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted June 22, 1964, and September 3, 1964 (H. Doc. No. 349); to the Committee on Public Works and ordered to be printed with illustrations.

2013. A letter from the Comptroller General of the United States, transmitting a report on the opportunity for savings in space programs by reevaluating needs before buying facilities, Department of the Air Force; to the Committee on Government Operations.

2014. A letter from the Secretary of the Interior, transmitting notification of a delay in the transmission of the report due on or before July 1, 1968, concerning a model code to govern the administration of justice by courts of Indian offenses on Indian reservations, pursuant to 82 Stat. 73; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 18260. A bill to provide for a national scenic rivers system, and for other purposes (Report No. 1623). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. S. 1260. An act to amend the Northwest Atlantic Fisheries Act of 1950 (Public Law 81–845) (Rept. No. 1624). Referred to the Committee of the Whole House on the State of the Union.

Mr. WILLIS. Committee on Un-American Activities. H.R. 15626. A bill to amend the Subversive Activities Control Act of 1950 to authorize the Federal Government to deny employment in defense facilities to certain individuals, to protect classified information released to U.S. industry, and for other purposes; with amendment (Rept. No. 1625). Referred to the Committee of the Whole House on the State of the Union.

Mr. PEPPER: Committee on Rules. House Resolution 1244. Resolution providing for the consideration of H.R. 11618, a bill to prevent the importation of endangered species of fish or wildlife into the United States, to prevent the interstate shipment of reptiles, amphibians, and other wildlife taken contrary to State law, and for other purposes (Rept. No. 1626). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 1245. Resolution providing for the consideration of H.R. 16024, a bill to extend for 1 year the act of September 30, 1965, relating to high-speed ground transportation (Rept. No. 1627). Referred to the House Calendar.

Mr. MATSUNAGA: Committee on Rules. House Resolution 1246. Resolution providing for the consideration of H.R. 16824, a bill to extend for an additional year the authorization of appropriations under the State Technical Services Act of 1965 (Rept. No. 1628). Referred to the House Calendar.

Mr. ROGERS of Colorado: Committee on the Judiciary. S. 945, an act to abolish the office of U.S. commissioner, to establish in place thereof within the judicial branch of the Government the office of U.S. magistrate, and for other purposes; with amendment (Rept. No. 1629). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPINALL: Committee on Interior and Insular Affairs. S. 2515. An act to authorize the establishment of the Redwood National Park in the State of California, and for other purposes; with amendment (Rept. No. 1630). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAYLOR: Committee on Interior and Insular Affairs. H.R. 4865. A bill to establish a nationwide system of trails, and for other purposes; with amendment (Rept. No. 1631). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on Foreign Affairs. S. 633. An act to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps; with amendment (Rept. No. 1632). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on Foreign Affairs. S. 1418. An act to make several changes in the passport laws presently in force; with amendment (Rept. No. 1633). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 15757. A bill to amend the Public Health Service Act to extend and improve the programs relating to the training of nursing and other health professions and allied health professions personnel, the programs relating to student aid for such personnel, and the program relating to health research facilities, and for other purposes; with amendment (Rept. No. 1634). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 18209. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans to supplement farm income and to provide for additional recreation loans, extend the period for water and sewer grants prior to completion of a comprehensive plan, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, remove the annual ceiling on insured loans, and for other purposes; with amendment (Rept. No. 1635). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. S. 2658. An act to amend section 127 of title 23 of the United States Code relating to vehicle weight and width limitations on the Interstate System, in order to make certain increases in such limitations; with amendment (Rept. No. 1636). Referred to the Committee of the Whole House on the State of the Union.

Mr. TEAGUE of Texas: Committee on Veterans' Affairs. H.R. 12801. A bill to amend title 38 of the United States Code in order to establish in the Veterans' Administration a national cemetery system consisting of all cemeteries of the United States in which veterans of any war or conflict or of service in the Armed Forces are or may be buried, and for other purposes; with amendment (Rept. No. 1637). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. S. 1752. An act to amend the act prohibiting fishing in the territorial water of the United States and in certain other areas by vessels other than vessels of the United States and by persons in charge of such vessels (Rept. No. 1638). Referred to the House Calendar.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 17685. A bill to amend the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation," and for other purposes; with amendment (Rept. No. 1639). Referred to the Committee of the Whole House on the State of the Union.

Mr. ZABLOCKI: Committee on Foreign Affairs. S. 660. An act granting the consent of Congress to a Great Lakes Basin compact, and for other purposes (Rept. No. 1640). Referred to the Committee of the Whole House on the State of the Union.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 15681. A bill to consolidate and revise foreign assistance legislation relating to reimbursable military exports (Rept. No. 1641). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee of conference. S. 2986. An act to extend Public Law 480, 83d Congress, for 3 years, and for other purposes (Rept. No. 1642). Ordered to be printed.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 12698. A bill to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised; with amendment (Rept. No. 1643). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 12843. A bill to amend the Public Health Service Act to provide for the establishment of a National Eye Institute in the National Institutes of Health; with amendment (Rept. No. 1644). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By **Mr. ADDABBO:**

H.R. 18326. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. CURTIS:

H.R. 18327. A bill to amend the Internal Revenue Code of 1954 to increase the credit against tax for retirement income; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 18328. A bill to require that any recording of any song or other verbal material set to music which is sold in interstate commerce be accompanied by a printed copy of the words thereto; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H.R. 18329. A bill to amend the act of October 3, 1965; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H.R. 18330. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. FUQUA:

H.R. 18331. A bill to amend section 4356 of title 39, United States Code, relating to certain mailings of State departments of agriculture; to the Committee on Post Office and Civil Service.

By Mr. GURNEY:

H.R. 18332. A bill to amend title 18, United States Code, to prohibit the use in commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

By Mr. KYL:

H.R. 18333. A bill to authorize the Secretary of the Interior to study the feasibility and desirability of establishing an Upper Mississippi Valley National Recreation Area between Wood River, Ill., and Minneapolis, Minn., and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ST. ONGE:

H.R. 18334. A bill to amend the Immigration and Nationality Act; to the Committee on the Judiciary.

By Mr. SAYLOR:

H.R. 18335. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SKUBITZ:

H.R. 18336. A bill to amend section 13a of the Interstate Commerce Act, to authorize a study of essential railroad passenger service by the Secretary of Transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT:

H.R. 18337. A bill to amend subsection (c) of section 406 of the Omnibus Crime Control and Safe Streets Act of 1968 to aid law-enforcement officers taking courses through correspondence schools; to the Committee on the Judiciary.

By Mr. EVANS of Colorado:

H.R. 18338. A bill to amend title VI of the Public Health Service Act to improve the existing program for assistance for construction and modernization of hospitals and other medical facilities and to provide for the making of loans for such modernization; to the Committee on Interstate and Foreign Commerce.

By Mr. FRASER (for himself, and Mr. KARTH):

H.R. 18339. A bill to permit a State to continue in effect the earnings tests presently being applied under certain other programs for purposes of aid to families with dependent children under title IV of the Social Security Act until it has placed in effect the new earnings exemption provisions required by the Social Security Amendments of 1967; to the Committee on Ways and Means.

By Mr. GARMATZ:

H.R. 18340. A bill to amend section 212(B) of the Merchant Marine Act, 1936, as amended, to provide for the continuation of authority to develop American-flag carriers and promote the foreign commerce of the United States through the use of mobile trade fairs; to the Committee on Merchant Marine and Fisheries.

By Mr. HERLONG (for himself, Mr. ASHMORE, Mr. BERRY, Mr. BETTS, Mr. BRAY, Mr. BROYHILL of North Carolina, Mr. BURLESON, Mr. DENT, Mr. FISHER, Mr. HALEY, Mr. HECHLER of West Virginia, Mr. KORNEGAY, Mr. LENNON, Mr. MOORE, Mr. O'KONSKI, Mr. PELLY, Mr. RHODES of Pennsylvania, Mr. RIVERS, Mr. SAYLOR, Mr. THOMSON of Wisconsin, Mr. UTT, Mr. WALKER, Mr. WATSON, Mr. WHALLEY, and Mr. WHITENER):

H.R. 18341. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. McDONALD of Michigan:

H.R. 18342. A bill to amend section 2312 of title 18, United States Code, to permit a person enforcing that section to stop a motor vehicle to inspect the serial number of its body and motor if he has reason to suspect that the motor vehicle has been stolen; to the Committee on the Judiciary.

H.R. 18343. A bill to amend 3109 of title 18, United States Code, to permit an officer to execute certain search warrants without giving notice of his authority or purpose; to the Committee on the Judiciary.

H.R. 18344. A bill to amend the Sherman Act to prohibit the investment of certain income in any business enterprise affecting interstate or foreign commerce; to the Committee on the Judiciary.

H.R. 18345. A bill to prohibit the investment of income derived from certain criminal activities in any business enterprise affecting interstate or foreign commerce, and for other purposes; to the Committee on the Judiciary.

H.R. 18346. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

H.R. 18347. A bill to establish a Joint Committee on Organized Crime; to the Committee on rules.

By Mr. PUCINSKI:

H.R. 18348. A bill to establish a commission to be known as the Commission on Air Traffic Control; to the Committee on Interstate and Foreign Commerce.

By Mr. SAYLOR:

H.R. 18349. A bill to amend section 723, title 38, United States Code, to provide for the payment of dividends on certain national service life insurance issued on the term plan between April 25, 1951, and December 31, 1956, or thereafter converted; to the Committee on Veterans' Affairs.

By Mr. ASPINALL (for himself, Mr. SAYLOR, Mr. HALEY, Mr. SKUBITZ, Mr. EDMONDSON, Mr. BURTON of Utah, Mr. TAYLOR, Mr. MORTON, Mr. JOHNSON of California, Mr. WYATT, Mr. UDALL, Mr. KUPFERMAN, Mr. FOLEY, Mr. KYL, Mr. WHITE, Mr. STEIGER of Arizona, Mr. KAZEN, Mr. McCLURE, and Mr. KEE):

H.J. Res. 1384. Joint resolution relating to the administration of the national park system; to the Committee on Interior and Insular Affairs.

By FULTON of Tennessee:

H.J. Res. 1385. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMPSON of Georgia:

H.J. Res. 1386. Joint resolution proposing an amendment to the Constitution of the United States to provide qualifications of Associate Justices and Chief Justices of the Supreme Court of the United States and to provide that no person shall serve as a Justice of that Court after having attained the age of 75 years; to the Committee on the Judiciary.

By Mr. GURNEY:

H. Con. Res. 793. Concurrent resolution expressing the sense of the Congress with respect to the nomination of Homer Thornberry and Abe Fortas; to the Committee on the Judiciary.

By Mr. PURCELL:

H. Con. Res. 794. Concurrent resolution to create a delegation to a convention of North Atlantic nations; to the Committee on Foreign Affairs.

By Mr. FALLON:

H. Res. 1247. Resolution to grant additional travel authority to the Committee on Public Works; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

359. By the SPEAKER: Memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to holding public hearings prior to enactment of legislation affecting the tax-exempt status of securities issued by State and local governments; to the Committee on Ways and Means.

360. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to the Massachusetts Industrial Finance Authority Act concerning shipbuilding industries; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BRASCO:

H.R. 18350. A bill for the relief of Vito Di Giovanni, Caterina Di Giovanni, and their children, Antonino and Vittorio Di Giovanni; to the Committee on the Judiciary.

H.R. 18351. A bill for the relief of Loreto Mancino and Gennaro Mancino; to the Committee on the Judiciary.

H.R. 18352. A bill for the relief of Diego Melodia, Maria Mamschalchi Melodia, and Ignazio Melodia; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 18353. A bill for the relief of Claude Marc Moreau; to the Committee on the Judiciary.

H.R. 18354. A bill for the relief of Antonino Piazza; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 18355. A bill for the relief of Manuel Benzer; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 18356. A bill for the relief of Estrella B. Cleto; to the Committee on the Judiciary.

By Mr. PUCINSKI:

H.R. 18357. A bill for the relief of Mr. Ross Butterall Poore; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 18358. A bill for the relief of Yuen Fo Wing; to the Committee on the Judiciary.

By Mr. RIEGLE:

H.R. 18359. A bill for the relief of Chi Ho An; to the Committee on the Judiciary.

By Mr. ROSENTHAL:

H.R. 18360. A bill for the relief of Mrs. Maria Gigante; to the Committee on the Judiciary.

By Mr. ROSTENKOWSKI:

H.R. 18361. A bill for the relief of Mr. and Mrs. Carlo Montello; to the Committee on the Judiciary.

By Mr. SCHWEIKER:

H.R. 18362. A bill for the relief of Kasumi Nakandakari; to the Committee on the Judiciary.

By Mr. TUNNEY:

H.R. 18363. A bill for the relief of Jaime G.

Avecilla, Jr.; to the Committee on the Judiciary.

By Mr. WHITTEN:

H.R. 18364. A bill for the relief of Prabhakar G. Chitnis; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 18365. A bill for the relief of Bernward Karl Paulke and Winfried Paulke; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

366. The SPEAKER presented a petition of the board of supervisors, Contra Costa County, Calif., relative to legislation reimposing or permitting imposition of residence requirements for welfare benefits, which was referred to the Committee on Ways and Means.

EXTENSIONS OF REMARKS

TRIBUTE TO TRINI LOPEZ

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. REES. Mr. Speaker, in these troubled times it gives me pleasure to call to your attention, a man of most humble origin, who has traveled the world over making friends for the United States. This man is Trini Lopez, known to you as an actor and singer, but also known to the people of Asia, Africa, Australia, South America, and Europe as a friendly ambassador of good will.

One week he may be in Brussels making a charity appearance with Marlene Dietrich. The next week could find him in Austin, Tex., taking part in a program sponsored by the National Council for the Arts. But regardless of his schedule, he makes it a point to make new friends wherever he goes. In every concert he sings the song from "West Side Story" with the lyric "I like to be in America," and nothing pleases him so much as having the audience join in the singing. This frequently happens in countries where English is seldom spoken, but people learn the song from records.

On a recent tour he performed before an integrated audience in Rhodesia, the integration taking place only after he threatened to cancel the concert. Regardless of his schedule, he always makes it a point to find free time for worthy causes. He has been known to cancel commercial performances to appear at events such as the Red Cross gala in Monte Carlo. Regardless of what areas he visits, he has no trouble reaching across the language barriers. The one experience that has eluded him is playing behind the Iron Curtain, and he is anxiously waiting for the Cultural Exchange Committee to complete the arrangements.

Had these activities been the work of a person born with the advantages of our affluent society, the efforts on behalf of the less-fortunate people could be attributed to some need for self-justification and social consciousness. Mr. Lopez, however, was offered the very minimum of the material benefits during his formative years. Born in the Little Mexico district of Dallas, he and his family lived eight to a room as they struggled for survival. Only the music of his father's guitar brightened the dismal world around them. By the age of 11, the son knew that music was to be his life. By the age of 15, he had his own musical group and started the harsh one-night stands that are the training ground for many musicians. Eventually the trail led him to California, where Frank Sinatra helped him break through to stardom. Now wealthy and famous, Mr. Lopez associates with the glamorous figures of the international set, but he has not overlooked his responsibility to the multitudes of less-fortunate people. Nothing pleases him more than the salute from the Mexican newspaper Novedades, which hailed him as "the greatest U.S. export since Coca-Cola."

Thank you.

QUESTIONNAIRE

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. WILLIAM D. FORD. Mr. Speaker, earlier this year, I sent questionnaires to each of the more than 130,000 homes in my congressional district, seeking my constituents' viewpoints on some of the major issues facing this Congress and the Nation.

This was the fourth year that I had conducted such a poll, and the response was the largest ever. More than 15,000 persons responded, and many expanded their views in letters.

With the thought that many of my colleagues might be interested in the results of my survey, I, under unanimous consent, include them in the RECORD, as follows:

Following is a breakdown of the replies to each of the questions asked:

1. Do you favor a 10-percent surcharge (10 percent of the tax now paid) on individual and corporate income taxes to help combat inflation?

Total replies	14,697
Yes (34 percent)	4,997
No (66 percent)	9,700

2. Do you favor a tax on tourist travel abroad to help solve this nation's balance-of-payments problem?

Total replies	16,263
Yes (60 percent)	9,757
No (40 percent)	6,506

3. Do you favor stricter penalties for producing, selling, or possessing LSD, marijuana, and similar drugs?

Total replies	16,398
Yes (81 percent)	13,283
No (19 percent)	3,115

4. Do you favor increased use of Federal funds to help provide long-term loans for middle-income college students?

Total replies	14,868
Yes (62 percent)	9,218
No (38 percent)	5,650

5. Do you favor stronger Federal action to help solve the problems of air and water pollution?

Total replies	14,834
Yes (93 percent)	13,796
No (7 percent)	1,038

6. Do you favor enactment of an all-out national program to train the hard-core unemployed and put them in jobs?

Total replies	14,570
Yes (64 percent)	9,324
No (36 percent)	5,246

7. Do you favor increased Federal aid to municipal, county and state police for salaries, equipment and training?

Total replies	14,683
Yes (58 percent)	8,517
No (42 percent)	6,166

7a. Would you favor a similar program for fire departments?

Total replies	14,267
Yes (48 percent)	6,849
No (52 percent)	7,418

8. Do you favor Federal legislation to regulate and control the sale of firearms?

Total replies	14,913
Yes (54 percent)	8,053
No (46 percent)	6,860

9. Do you approve of the present United States policy in Vietnam and Southeast Asia?[1]

Total replies	14,152
Yes (28 percent)	3,963
No (72 percent)	10,189

Those who indicated that they did not favor the then apparent U.S. policy in Vietnam and Southeast Asia were asked what alternative course of action they would suggest. The replies show a broad spectrum of opinion. The most common suggestions are listed below, with the percentage of votes they received:

	Percent
a. Escalate the War	24
b. Withdraw from Vietnam	21
c. De-escalate the War	8
d. Either fight to win or get out	19
e. Make the Vietnamese do more	14

The final question in the poll asked, *"What, in your opinion, are the most vital problems facing our nation today?"* The most common replies are listed below in order of the number of people suggesting them:

1. Vietnam.

---

[1] It should be noted that some persons answered the question before and some after President Johnson's March 31 speech and the subsequent Preliminary Peace talks.

2. Civil Rights.
3. Crime.
4. Inflation.
5. Riots.
6. Balance of payments.
7. Disrespect for authority.
8. High Taxes.
9. Education.
10. Air and Water Pollution.
11. Unemployment.
12. Narcotics.
13. Foreign Policy.

SENATOR RANDOLPH CITES EDITORIAL IN FAIRMONT, W. VA., TIMES ON APPROVAL OF SUPREME COURT APPOINTMENTS

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 3, 1968

Mr. RANDOLPH. Mr. President, last Friday, I stated that "the President has the right and the responsibility to fill vacancies on the Nation's highest court during his entire term." This contention cannot be reasonably disputed. I reiterate my support for the appointments of Justice Abe Fortas to be Chief Justice and Judge Homer Thornberry to be Associate Justice of the U.S. Supreme Court.

The argument that President Johnson should not take this action because he is a "lameduck" Chief Executive begs the issue. The charge of cronyism is not worth answering.

Mr. President, a distinguished West Virginia journalist, William D. "Bill" Evans, in an editorial, "The Pettiest Kind of Politics," in the June 29, 1968, Fairmont Times calls the threat of a filibuster to block confirmation of the two nominations a "sordid maneuver." I agree.

I ask unanimous consent, Mr. President, to have this well-reasoned comment by Mr. Evans inserted in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

> The Pettiest Kind of Politics
>
> Motivated entirely by sheer partisan malice, some 18 Republican members of the Senate are attempting to thwart the Constitution by trying to block the confirmation of Justice Abe Fortas to be chief justice of the United States and Judge Homer Thornberry to be an associate justice of the Supreme Court. If they fail to halt approval within the Senate Judiciary Committee, they are prepared to filibuster against confirmation until the end of the present session.
>
> Behind this sordid maneuver is the desire of the GOP bloc to delay the selection of the two high court members until after the November election, hoping that it will be a Republican President who will then have the opportunity to make the appointments after his inauguration in January.
>
> Because President Johnson, last March 31, took himself out of the 1968 campaign, he is described by the Republican senators as a "lame duck." They know full well that this is a total distortion of facts.
>
> The 22nd Amendment which prohibits the election of a President more than twice makes the holder of that office a "lame duck" in his second term. This has been true since March 1, 1951, and Dwight D. Eisenhower was the first to come under the ban that had been launched by Republicans who never forgave Franklin D. Roosevelt for winning four terms.
>
> But Lyndon Baines Johnson is President of the United States until Jan. 20, 1969, with the full powers and privileges of his office. Since he would still be eligible to run for another term, having come to the presidency with less than two years of the late John F. Kennedy's tenure to serve, if that was his wish, he can in no way be considered a "lame duck" in the common acceptation of the term.
>
> Many other Presidents have made appointments to the Supreme Court with far less of their terms remaining than Jonnson has of his. He acted not only constitutionally but with the precedents to support him in nominating Mr. Justice Fortas and Judge Thornberry.
>
> The other excuse offered by the Republican opposition is that the President sent up the names of two "cronies" to fill the high judicial posts. This attack on two jurists whose nominations have been generally acclaimed and to which approval was given by the American Bar Association's committee on the federal judiciary is even more reprehensible than the cry of "lame duck."
>
> It is quite unlikely that a president would name a personal enemy or a political opponent to the Supreme Court. The history of this country is full of examples where the sole criterion has been political expediency, which is surely not true in the Fortas-Thornberry case.
>
> Even if it were true that "cronyism" had entered into the nominations, the Republicans might well recall how Eisenhower, when President, surrounded himself with high ranking officers and executives of big defense contractors. They did not rise to cry "cronyism" then and they have no reason for doing so now.
>
> Flimsiest of all the objections is the question of whether a vacancy for chief justice actually exists. Chief Justice Earl Warren was asked to stay on until his successor had qualified, a perfectly natural request to insure continuity of the court and one to which he was glad to accede. To say that no one can be chosen to take Warren's place until he has actually stepped down is nit-picking in its purest form.
>
> As a matter of practical politics, too, the recalcitrant Republicans may be taking exactly the wrong tack. A lot of people already have the idea that Chief Justice Warren submitted his resignation to avoid any chance that Richard Nixon, as President, would name his successor. If the Republicans are able to block the Fortas-Thornberry confirmations, a majority of voters may concur with Warren and make absolutely sure that Nixon doesn't get the opportunity to appoint anyone.
>
> Curiously enough, it is always the Republicans who are crying "petty politics." Their own conduct in the Senate with respect to the pending nominations is a precise example of what this expression means and they are certainly not going to win any awards for statesmanship by it.

IN MEMORY OF GORDON McDONOUGH

HON. CHARLES M. TEAGUE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. TEAGUE of California. Mr. Speaker, my respect and admiration for Gordon McDonough grew every day during the many years we served together in the House. He was indeed a fine American in every sense of the word, a most conscientious and effective legislator, and a devoted husband and father. He contributed immeasurably to the betterment of our country. I extend to Mrs. McDonough and to the other members of his family my deep sympathy.

KATY JO LANCIANESE, ST. MARYS, W. VA., HIGH SCHOOL STUDENT, STRESSED AMERICANISM IN WINNING ESSAY

HON. JENNINGS RANDOLPH

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Wednesday, July 3, 1968

Mr. RANDOLPH. Mr. President, we will celebrate tomorrow our Fourth of July. And there is a need—a compelling need—to rededicate ourselves to citizenship responsibilities.

People are inclined to be critical of youth. There are, however, evidences of genuine patriotism by high school students, as evidenced by Miss Katy Jo Lancianese. She participated in the essay contest sponsored by the American Legion Auxiliary Post 79, St. Marys, W. Va. Katy Jo received the first prize.

Her father, George Lancianese, wrote me, under date of July 1:

> The deep meaning of Americanism expressed by my daughter during these critical times, when youth have been accused of lacking in the meaning of Americanism, touched me to the extent that I have taken the liberty of sharing the essay with you. It reinforces my feelings of long standing that young people have not lost their sense of values, that they are responsible and trustworthy Americans and, if given an opportunity they will respond to and defend the true meaning of Americanism. There are many thousands of young people who share Katy Jo's deep feelings for America. She firmly believes that youth is dedicated to the democratic principles established by our forefathers.

Mr. President, I ask unanimous consent to have the winning essay, "America, the Land of Hope," by Katy Jo Lancianese, printed at this point in the Record.

There being no objection, the essay was ordered to be printed in the Record as follows:

> America, the Land of Hope
>
> (By Katy Jo Lancianese)
>
> As we look backward along the pathway of human progress, we can be proud of the many gains made by the American nation.
>
> During the critical period at the end of the Revolution, our forefathers were faced with the difficult problem of bringing diverse people and conflicting interests into a unified body. In the face of serious difficulties their efforts were successful. The new government emphasized the individual and gave him more liberty than had been given to the people of any other nation. It kindled hope in the hearts of the citizens and this burning torch was passed on to future generations.
>
> In the years between 1860–65, when ties of brotherhood and loyalty to the nation were sharply severed and Americans began to fear that never again would the Stars and Stripes reign from sea to sea, the people

were looking for an answer. Under the leadership of a great president, Abraham Lincoln, the answer was found: we stood united again. Although the flames had sputtered momentarily, the fire again rose up.

The next century found Americans appalled by the ravages of two terrible wars yet determined to protect their rights and those of men around the world, no matter what the cost. The seemingly ill-wind strengthened the flames of hope and courage.

Today there are serious problems which must be solved; we are faced with the challenge of substituting for war the settlement of conflicts by peaceful, orderly, reasonable means. The fulfillment of our hopes for a better world will depend upon the willingness and ability of the people of all countries to rise above selfish nationalistic ambitions and attempt to settle the differences by international cooperation. The history of our great nation would serve as a beacon for the rest of the world.

The discoveries and achievements made by Americans in the past decade should brighten the hopes for a world of peace, happiness, and freedom. Medicine, technology, economics, sciences, and scientific exploration are but a few of the fields into which our people have ventured and have been slowly advancing. Americans are now far better equipped with the means for improving mankind than were the patriots of old. Yet our accomplishments are being covered by blankets of unrest and insecurity. Daily, new problems emerge; however, we cannot be discouraged. We *must* take the lead in the great search for peace and freedom; let us be guided by the example of our forefathers when they brought order out of chaos in the face of seemingly insuperable odds. In this way our blazing spirit of hope and accomplishment will be branded on the face of time, and future generations will carry on our great tradition.

"O Land, the measure of our prayers, Hope of the world in grief and wrong, Be thine the blessing of the years: The gift of faith—the crown of song." (Julia Ward Howe.)

POVERTY ON THE INDIAN RESERVATIONS

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. BERRY. Mr. Speaker, the time has come for Congress to take a good hard look at the bureaucracy down in the Department of the Interior.

The taxpayers are spending a lot of money on what is known as the Poor People's March—the real poor, however, are not here—the real poor are on Indian reservations. They are waiting for Congress to help them.

The way Congress can help them is providing a tax incentive for industry to locate on Indian reservations, providing employment, salaries and dignity.

This program has been successful wherever it has been tried. It lifted Puerto Rico from a slum area to a country with the highest per capita income in Latin America, but the Indian Department is opposed to trying it on Indian reservations. They are opposed to trying to help these people lift themselves by their own bootstraps. The Department had the audacity to recommend against passage of H.R. 10218.

Possibly, Mr. Speaker, they would rather maintain the Indian reservations with their poverty and their squalor and have jobs for those in the Bureau.

THE NEED FOR FLOOD INSURANCE

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. BOGGS. Mr. Speaker, next week the House will consider the Housing and Urban Development Act of 1968, which, among other things, seeks to establish a nationwide system of flood insurance. I would like to discuss this for a moment.

Three separate disasters in June dramatized the need for flood insurance in this country. Early last month heavy rains brought flooding to northern New Jersey. The damage to property was estimated to total more than $140 million. A few days later, a small but ominous hurricane named Abby slammed into the west coast of Florida, causing flooding there. Finally, June 23, tropical storm Candy—the third storm of this early season—moved inland near Corpus Christi, Tex., bringing high tides and flooding to that area.

Fortunately, the death toll from these incidents has been minimal. Property losses, however, will be high. In the coming months, there will be more severe storms. I know from personal experience the terrible price in human life and human misery these storms exact. I know people who have lost their homes or their places of business to flooding and with them their hope.

I submit that we can and should do something to help people who will be the victims of floods in the future. That something, Mr. Speaker, is a national system of flood insurance, made available at a reasonable cost through private companies.

Congress authorized such a system of national flood insurance in 1956, but unfortunately that legislation was never implemented.

After Hurricane Betsy devastated a large section of the Southern United States, the Congress authorized a study of alternative methods of making flood insurance available.

The Department of Housing and Urban Development conducted an exhaustive study of flood insurance and recommended an excellent system by which the National Government would join with private insurance companies to make this insurance available.

The concept of flood insurance was overwhelmingly approved by both the House and Senate but differences arose over financing provisions.

These differences still exist. Likewise, the problem still exists.

The growing need for flood insurance is painfully dramatized each spring, when the rains come, and in the fall, with the arrival of hurricanes.

Between 1945 and 1967, flood losses exceeded $100 million in 15 of the 22 years, and in two of these years the loss was about $1 billion.

Local, State, and National Governments and private relief agencies have performed well during natural disasters. But their efforts have been piecemeal and insufficient. What is needed is a program of flood insurance on a nationwide basis through the cooperative efforts of the National Government and the private insurance industry.

In the long run, such a system would be less expensive than present ad hoc disaster relief efforts.

Flood insurance is not a panacea—we will still need emergency aid for the victims of natural disasters—but it is a promising start. It is needed; it has the support of the people, and I hope it will be passed into law soon.

Under unanimous consent I submit several news articles for inclusion in the CONGRESSIONAL RECORD, as follows:

TROPICAL STORM RIPS TEXAS COAST—CANDY BLASTS AUSTWELL WITH WINDS, RAIN

(By Gary Garrison)

CORPUS CHRISTI, TEX.—Tropical storm Candy smashed into the Texas coast early Sunday night, lashing the Austwell area with 62-mile-an-hour winds and threatening to bring high tides, torrential rains and flooding.

The storm, which developed suddenly in the Gulf of Mexico off Brownsville at midday Sunday, was due to bring as much as six inches of rain to the eastern part of Texas as it moved inland.

The center of the storm which was expected to hit Corpus Christi, veered slightly to the east and moved toward the San Patricio Bay and Matagordo Bay areas early Sunday night.

High tides accompanying the storm washed out two bridges on Mustang Island and police put up a barricade to halt traffic on the John F. Kennedy Causeway from Corpus Christi to Padre Island.

Tornado warnings were issued for more than 30 counties in South Central and Southeast Texas by mid-afternoon Sunday as twisters developed ahead of the approaching tropical storm.

Tornadoes were spotted along the coast from Corpus Christi to Bay City and as far inland as Victoria and Cameron as the turbulence developed. One twister southeast of El Campo overturned several trailers and damaged several buildings but no injuries were reported.

All small craft along the Texas Coast were warned to remain in port and persons were warned to leave the south part of Padre Island because of expected tides of two to four feet.

At Austin the Texas Department of Public Safety partially activated its emergency operations center in anticipation of needs to coordinate relief activities in case of major flooding along the coastal area. Personnel of the department's division of disaster relief and the state Health Department were manning the center.

All state agencies belonging to the state Disaster Council, federal agencies and local governments in the coastal area from Kingsville to Beaumont were on a standby basis.

Gov. John Connally was in constant touch with the emergency operations center.

[From the New York Times, June 4, 1968]

HURRICANE PICKS UP SPEED AND HEADS FOR TAMPA—GULF COAST BATTENING DOWN—TIDES CAUSE GIRL'S DEATH—FIVE ARE MISSING AT SEA

TAMPA, FLA., June 3.—Hurricane Abby indirectly caused the death of a small child today and left five other persons missing at sea. The storm then picked up speed and took aim at the populous Tampa Bay area.

A one-year-old girl, April Geans, was swept away in storm tides when she broke away from her grandmother at Key West as the fringes of the season's first hurricane lashed at the beach.

Abby, building in intensity as it moved toward land, stalled in midafternoon in the Gulf of Mexico, setting back its predicted arrival at the Florida coast until dawn tomorrow.

In addition to the threat of the Hurricane's 75-mile-an-hour winds, Weather Bureau forecasters said there was a possibility of a tornado in an area from Fort Lauderdale to Tampa. Torrential rains preceded the storm.

At 6 P.M., a Weather Bureau advisory said the storm was located near Lat. 26 degrees N., Long. 83.5 degrees W.—directly west of Marco Island and about 145 miles south-southwest of Tampa.

The hurricane tracking Center predicted that it would resume its 10-mile-an-hour movement to the north-northeast with the possibility of some intensification. The forecasters said, however, that the season's first hurricane was expected to be a minimal one.

HIGH TIDES EXPECTED

Tides were expected to be two to four feet above normal in the Tampa area in advance of the storm. Gale force winds extended outward 150 miles to the north and east over water.

Hurricane warning flags were flying from Marco Island, 170 miles north, to Tarpon Springs.

Gulf Coast residents waited until nearly noon to begin storm preparations. Then they pitched in with plans worked from years of hurricane experience.

At Fort Myers, in the middle of the warning area. Red Cross and civil defense officials planned to open five hurricane shelters in schools.

Motels began filling with persons who had left their beach homes on resort islands strung along the coast, including Sanibel, Cautiva, Anna Maria and Longboat Key.

Homestead Air Force Base south of Miami began flying out F–4D jet fighter planes to the Columbus (Miss.) Air Force Base. MacDill Air Force Base at Tampa began evacuating its 95 F–4C fighter-bombers to Columbus and the Birmingham, Ala., municipal airport.

The storm forced postponement of the Coast Guard's search for the sloop Celerity with two couples aboard and the commercial fishing boat Sandy, carrying John Adamic, 61 years old, of Marathon in the Flordia Keys.

The northeast edge of the storm dropped heavy rains across the Florida Keys and on the heavily populated Miami area, already soaked by a record May rainfall of more than 18 inches.

The storm crossed western Cuba last night and started moving up the Gulf of Mexico, hitting the Dry Tortugas this morning.

The Cuban radio reported that the hurricane had forced the evacuation of 700 persons in low-lying areas of Pinar del Rio Province in the west. No casualties were reported, but several houses were reported blown down and one concrete bridge washed out.

Near-Hurricane Batters Texas—Candy Causes $1 Million Damage

Corpus Christi.—Tropical storm Candy caused $1 million damage, the Weather Bureau estimated today after she boiled out of the Gulf of Mexico yesterday.

Damage came from winds of near-hurricane force and from rains, said Russell Mozeney, chief of the Corpus Christi Weather Bureau office, who made the loss estimate.

Mozeney also said eight barges were beached and damaged and a drilling rig was sunk.

One man reported rains of more than 12 inches.

Other sources reported boats and a fishing pier damaged.

Most of the wreckage was up the coast from Corpus Christi, largely in the Austwell area.

Residents of Corpus Christi, however, hardened by the wide-spread destruction of Hurricane Beulah a year ago, paid little attention to the storm. It did almost no damage to Corpus Christi.

The unexpected storm headed through the heartland of Texas and was causing weather upsets as far north as Oklahoma by dawn.

One tornado spawned by the storm unroofed two houses and destroyed a barn at Lindale, near Tyler, but caused no injuries.

The center of the storm reached land at Austwell, 60 miles up the coast from Corpus Christi.

Bob Hopper, owner of Hopper's Landing on San Antonio Bay five miles south of Austwell, said he emptied 12 inches of rain from his gauge and that more rain fell.

Hopper said he clocked winds of 72 miles an hour—three miles less than hurricane force—before his equipment was blown away.

Mozeney said most of the crop damage was to cotton and grain sorghums although some rice suffered damage.

The weather official said a drilling rig sank a mile off the shore and tides of four feet beached eight barges, one loaded with iron.

Hopper said 10 towboats and barges and a few other vessels suffered damage at his harbor.

A 740-foot public fishing pier at Port O'Connor was severely damaged by winds clocked at 65 m.p.h.

The Red Cross opened an emergency shelter in a high school to care for some families whose homes were flooded.

One of the heavier rains was 7.20 inches at Dime Box, between Houston and Austin.

Brenda Moving Away From Bermuda Area

Miami.—Hurricane Brenda moved away from Bermuda today, spending her 75-mile-an-hour wind fury on open ocean.

Brenda was traveling east-northeastward from her midnight position 275 miles from Bermuda at an estimated rate of 20 miles an hour, the Miami Weather Bureau reported.

The hurricane was to slow up later today, but little change in size or intensity was forecast.

Highest winds in the hurricane were estimated at 75 m.p.h. in the center with gales extending out 150 miles to the southeast and 75 miles to the northwest of the center.

Floods in Jersey Cost $140 Million—Federal Estimate Covers Six Stricken Counties

Trenton, June 3.—The Federal Government estimated today that floods had caused $140-million worth of damage in six counties of northern New Jersey, according to the State Commissioner of Conservation and Development.

The Commissioner, Robert A. Roe, said the figure had been presented by the Federal Office of Emergency Planning and the Small Business Administration at a meeting here with state officials, but the Federal agencies made no statement on the proceedings.

The meeting, which Gov. Richard J. Hughes attended, was called by the White House after the Governor had requested that the President declare the region a disaster area so that grants and low-interest loans can be given to victims.

That request will be acted upon, Mr. Roe said at a meeting next Monday, after there is more detailed investigation by various Federal agencies in cooperation with their counterparts in the state.

The State Legislature, meanwhile, approved and sent to the Governor a $5-million emergency-aid bill designed to repair public facilities, which Mr. Roe said accounted for $10-million of the $140-million estimate.

The remaining $130-million in damage was suffered by private businesses and private homeowners. The figure includes only structural damage to houses, not items such as furniture and clothing.

The flood levels continued to drop today, and scores of families moved back into their homes.

The police in Little Falls reported that everyone had returned to his house. The Lincoln Park police, who had said yesterday that 150 people were isolated from their homes, reported today that almost everyone was back.

Wayne appeared to be drying out more slowly than other towns. Oscar Aquino, director of health, said that while about 65 families returned, another 160 people were still unable to live in their houses.

Despite a brief downpour in the afternoon, and threatening skies during most of the day, the flood levels quickened their pace of retreat.

RED CROSS PROVIDES FOOD

Mr. Roe said the Red Cross was providing food in stricken areas and was considering the possibility of distributing blankets and clothing to residents whose possessions were destroyed by muddy water.

The flood waters, which began with six to seven inches of rain last Wednesday, were considered the worst in the state since 1903. Two thousand people were evacuated, factories were closed and eight persons, including seven children, were killed.

Among the eight were two boys, one 12 years old and one 13, whose canoe went over a dam on the Pompton River Saturday evening. Search operations continued today without success, and they were presumed to have drowned.

Mr. Roe also said that he would soon present to towns in the regions a proposal for a $500-million flood-control program.

SOME OPPOSITION CITED

The plan, the 19th to be recommended since 1888, would include a complex of dikes and dams along the Passaic, and a huge lake at the confluence of the Pompton and Passaic Rivers.

Municipalities and other local interests have blocked past flood-control proposals, according to Mr. Roe, principally because of of the loss of land.

TRIBUTE TO ROBERT E. BAUMAN

HON. CHARLOTTE T. REID

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mrs. REID of Illinois. Mr. Speaker, it is a pleasure to join with my colleagues in the House in saluting one of our most conscientious and dedicated assistants, Bob Bauman, as he leaves his post this week after 15 years of outstanding service to begin the practice of law in Maryland.

I personally have been grateful for the many courtesies which Bob has extended to me during my 6 years in the House. As manager of the telephones in the Republican cloakroom, he has brought efficiency and good humor to a most difficult task. Let me also say that I have always had deep admiration for his devotion to the principles of constitutional government and the splendid example he has set as a leader in youth groups interested in good government.

While we shall miss Bob in the days ahead, we recognize that he is moving ahead to new opportunities and greater challenges—and we are happy for him. Certainly he approaches the practice of law with a unique background and a higher respect for the legislative process and the legal profession in general—and I predict a brilliant future for him.

America needs more young men of his caliber—and I wish him success and happiness in all his future endeavors.

ASTRONAUT CHARLES DUKE ADDRESSES AMERICAN LEGION IN CHARLESTON, S.C.

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. RIVERS. Mr. Speaker, it is a special privilege for me to place in the RECORD at this time a very thoughtful and important address by Astronaut Charles Duke delivered to the convention of the South Carolina Department of the American Legion in Charleston on June 29, 1968.

Charles Duke is a distinguished son of South Carolina who has rendered great service to his country. He has performed another worthy service with this address.

Speaking of the place of freedom and patriotism in our lives Astronaut Duke said:

> The challenge of the Constitution is to seek and earn its privileges by living up to the responsibilities of free citizens. Today, so many people forget this. They ignore their responsibilities and concentrate on getting their rights regardless of how this affects the rights of others.

The astronaut reminded us of something many people forget—that the space effort has made and will continue to make enormous contributions to the society that supports it. His address lists just some of these important contributions. He points out, for example, that the annual saving that could be realized from a truly accurate 5-day forecast of weather conditions over the United States could provide an estimated annual saving of over $6 billion, or more than the cost of the space program for any single year. Such a forecast should be possible as an eventual result of our space program.

Mr. Speaker, I urge all of my colleagues to read this vital speech.

The address follows:

INTRODUCTION

Congressman Rivers, Sen. Thurmond, Sen. Kollings, Congressman Dorn, Cmd. Horton, Mr. Keesee, Chaplain James, distinguished guests, fellow Legionnaires, ladies and gentlemen, it is indeed an honor and a pleasure for me to be here today and have this opportunity to address your convention celebrating the 50th anniversary of the founding of the American Legion. I don't believe I have ever had the experience of appearing before such a distinguished group. I am really quite flattered that you would want to listen to me what with all these outstanding public speakers on the platform with me. With so many of the S.C. congressional delegation present, I cannot pass by this opportunity to thank them for their continuing staunch support of this country's armed forces. In this day when it is supposedly fashionable to discredit the military, when it is encouraged to evade the draft, when it is "in" to support the enemy, your words and deeds in our behalf give courage and hope to all patriotic men who serve their country. As one member of the armed forces who appreciates your dedication to this country and for thousands of others like me, I salute you.

To me, the American Legion is a unique organization. You foster and support two of the finest principles that man can strive for. These principles are freedom and patriotism. These words have a particular significance for me and I would like to give you some of my feelings about them. I am quite certain that unless we can foster a strong love of country in our citizenry, then we will pass on into oblivion like other civilizations before us.

Freedom is a relative thing. We say we are a free nation. Yet the citizens of the United States, like the citizens of any other nation, are limited by the laws that govern the land. We are not free, for example, to kill or to steal or to break the speed limits on the highways or to slander the good name of others. We experience more freedom than any other nation in the world because our laws are made by those whom we have elected—we have the freedom to vote—we have the freedom to speak our minds and help to change that which we do not like. Our Government was created of, by, and for its people. That is the greatest freedom we can have, for we know all too well that a country without laws would be a country governed by "survival of the fittest". Many of our freedoms are so obvious that we forget we have them. You can board a plane to Miami or Anchorage without a passport or police protection. You can write your congressman, tell him off, and sign your name, but he doesn't have to listen to you. You can put your money in the bank or throw it away. You can spend your evenings watching TV or discussing the world situation.

All these and other freedoms we enjoy are backed up by the Constitution of the United States, a document that also makes demands that are the most difficult and the most rewarding. It calls for discussion, moderation, and united effort among informed citizens. When it was written and accepted it amounted to a revolution in political thought, introducing as it did for the first time the principle of equality in representative Government, and uniting the divergent views and interests of thirteen independent States under the executive, legislative, and judicial power of one Government.

The challenge of the Constitution is to seek and earn its privileges by living up to the responsibilities of free citizens. Today, so many people forget this. They ignore their responsibilities and concentrate on getting their rights regardless of how this affects the rights of others.

The opportunity is ours to create and continue to cultivate an informed citizenry—to be clear in our minds about what makes a good candidate, what the major issues facing the public are, how legislation is introduced, how our own local, State, and National Governments are run—to know more exactly what we're doing when we go to the polls and to participate more fully in running our own affairs. These opportunities are our heritage and their fulfillment our obligation as American citizens.

Just as we talked of "freedom," in the same breath we must talk of "patriotism"—an asset we must never lose. Too often we try to base our patriotism on things apart from ourselves, but, for all practical purposes, our country is only as strong as its individual citizens.

Our patriotism can be inspired by the beautiful "piece of geography" that we call the United States; our patriotism can be inspired by the star-spangled beauty of Old Glory; and our patriotism can be inspired by the recollection of those Americans who have "sacrificed their lives and fortunes" to make our country great. But as we gaze at the beauty of our land and stand in reverence of our flag and recall the stories of the great men and women whose efforts have helped to fashion our American way of life, we come to that searching question—what can I, an average American citizen, do for my country? I believe that each individual is innately blessed with certain talents and capabilities, and it is up to each of us to determine how and where we are going to use these talents.

The truly patriotic persons of today are the ones, like yourselves, who not only appreciate our heritage but who are endeavoring individually to do something in the present to lay a better foundation for America's future.

We at NASA like to think that we are helping to lay a better foundation for America's future through our space program. Those of us in the NASA Astronaut Office properly have but one major professional concern; that is to help to develop and to learn to fly, to the best of our ability, the spacecraft that we are provided from public funds.

However, we would be quite naive if we were to suppose that the American people would continue to support an expensive program that does not provide the promise of tangible benefit and economic return to the society which fostered it.

Just as I have a parochial concern for the success of the space effort, many others must also have "tuned vision" if they are to perform their tasks properly. The scientist explaining the nature of the universe tends to think that the accumulation of knowledge for knowledge sake is sufficient justification for the vast expenditure on space exploration (provided, of course, the exploration is in his field of endeavor);

The corporate executive is satisfied if the technological development provides new products and processes which will reflect in corporate profits. The economist will applaud if the program expenditures provide the proper level of stimuli to keep the GNP increasing at the proper rate. The social scientist will be mortified if the expenditures result in decreasing unemployment and the attainment of other social objectives. And so forth—and so on.

This is obviously a vast over-simplification of the motivation of different influential professional groups and I'm sure each of them could cite examples of where public funds could be better used to satisfy his own worthwhile objectives.

The major point to be made, however, is that the space effort to date has made and will continue to make enormous contributions in many areas to the society that supports it. But often these contributions are difficult to measure in terms of dollars and cents of immediate return. But a certain measure of risk-taking is involved in order to insure future return.

The current space effort is basically a research program, and as both industry and government have dramatically discovered in the last 20 years, research can and does pay handsome dividends. In fact, a survey of many of our most important companies shows that a majority of the products they are currently offering on the market were not in their product lines 10–15 years ago.

Even though the space program has been going strong for only 10 years, there are many areas where research for the space program has generated products and techniques of benefit to our society.

Let me list a few of the items that have come from space sponsored research.

1. Your television sets and radios are op-

erating longer and more reliably because of research in heat-proof electronic systems for spacecraft. This research has almost eliminated the old vacuum tube in favor of transistor circuits.

2. Teflon has become a household word centered in the kitchen because of its applications as a non-stick device to cookware. Teflon is a derivative of the national space program.

In industrial applications, companies are using new lightweight plastics and metals developed by space researchers. It is now possible to fabricate in space higher quality metal and optical equipment. This is because the absence of gravity creates a better environment for the processes involved. New energy sources such as the solar cell which were developed for satellites have also found their way into industrial applications. The solar cell by the way is a device which converts sunshine energy into electrical energy.

One of the most gratifying aspects of the space program has been its impact on medical technology. In many hospitals throughout the country, patients in the intensive care units have biomedical sensors attached to them which monitor all vital body functions. These sensor readings can be patched into a large computer console which gives one nurse the capability of adequately taking care of a large number of patients. Medical technology is also taking advantage of the microminiaturization of instruments and components which was pioneered by the space program.

By the time the first of my compatriots steps onto the moon, men will have spent almost 10 years learning how to survive in the environment lying just beyond this planet's blanket of atmosphere. The cost of making that important step has been great. But studies indicate that the direct economic benefit to the world of maintaining and extending this effort could mean a tangible return of billions of dollars a year, for, in addition to "spin off" products for the consumer, we are learning how to combat some of the problems plaguing our planet.

In this regard, an accurate five-day forecast of weather conditions over the U.S. alone could provide an estimated annual savings of 6.75 billion dollars when applied to agriculture, lumber business, surface transportation, retail marketing, and water resources management. Keep in mind that the $6.75 billion is an annual saving—*more than any single year cost of the national space program.*

This accurate forecast is possible through the use of our weather satellites which give almost constant coverage of the weather situation around the globe. Satellites also are providing vehicle orbital navigation and communications systems.

It is apparent then that the space program and space research has created basic new industries for our economy and is creating many thousands of productive, useful jobs for our people. And these are jobs for people of every skill in every kind of work.

Now I'd like to go on to the program which is near and dear to my heart. This is Project Apollo. Of course, Project Apollo is this country's effort directed at landing a man on the moon. This is one of the most complex and exciting tasks ever undertaken by man. It has been in work for almost ten years and has required the efforts of thousands of dedicated men and women. We are on the verge of our first manned flight using the Apollo hardware. This flight will be in earth orbit and is designed to check out the command and service modules prior to the lunar mission. Succeeding missions will also be in earth orbit to verify and refine rendezvous procedures. The first attempt at a lunar landing should come late in 1969.

I would now like to show some slides and a short movie of a launching of the 2nd Saturn V. The Saturn V will be the launch vehicle that will boost the spacecraft onto the lunar trajectory.

Thank you for your attention, ladies and gentlemen. It has been great getting back home again. I would like to conclude by saying I feel the progress we have made so far—from the manned spaceships to planetary probes—from past achievements to the adventures of tomorrow—demonstrates that our space program will continue to serve us well and will be a tremendous asset to this country.

FORGOTTEN MAN

HON. LESLIE C. ARENDS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. ARENDS. Mr. Speaker, basic to our having a sound economy is our having a sound national farm program.

I have many times said—and I repeat it again—the farmer has been the "forgotten man." There does not seem to be an awareness of the plight of our farmers and the economic dilemma facing them.

No organization more extensively reflects the views of the farmers of Illinois than the Illinois Agricultural Association. That there may be a more widespread understanding of the farm problem and consideration given to the proposals of the farmers themselves for dealing with the problem, I am inserting a letter I received from the Illinois Agricultural Association under date of June 25, 1968, and a copy of their news release of June 27, 1968, which emphasizes the points raised in the letter, as follows:

ILLINOIS AGRICULTURAL ASSOCIATION,
Bloomington, Ill., June 26, 1968.

This Board of Directors is deeply concerned about the current economic situation in agriculture and a number of recent developments that have an influence on farmers.

At a time when most of the nation's peoples are sharing in record economic well being, farmers are faced with difficult and severe economic problems. Current prices for many commodities relative to the prices that farmers must pay for production items and living costs are at depression levels. Illinois net realized income per farm reflecting these price levels dropped by about 20% last year. Many of the current prices lend little encouragement to farmers that this situation is likely to improve in the near future.

At the same time that farmers are confronted with sagging prices for their products, they see the costs of the items that they must buy to produce the food and fiber for a growing nation increasing at an alarming rate. Many of these cost increases have been stimulated and perpetuated by irresponsible fiscal and monetary policies of our government which have fanned the flames of inflation. We commend the Congress for taking a necessary first step in ordering a reduction in spending and an increase in taxes to slow down this inflationary spiral.

Farmers are not only concerned about the current economic situation but about the lack of public understanding of the significance of the production capability of American farms. Americans are the best fed and the best clothed people in the world. Americans spend a smaller portion of their income for their food than any other people. The American farmer has made a tremendous contribution to feeding the hungry people of the nation and of the world, not only through his production but through the sharing of his know-how. Even in view of this contribution to the economic strength of our nation, there are those who, either by direct accusation or implication, say that agriculture is to blame for those who remain hungry in the United States or that farmers are unconcerned about the plight of these people.

Agriculture is ready, willing and able to efficiently produce an abundant supply of quality foods and fibers for a growing nation and world. We have demonstrated our ability to produce for both our current and future markets. American farmers can produce for the future if they are permitted to change as the needs of consumers direct. Farmers should not be inhibited by bureaucratic red tape administered by those who wish to make agriculture some type of public utility. Those who worry about hunger at home and abroad would do well to concern themselves with the problems of distribution of this bountiful production rather than point accusing fingers at those who produce it. To create a climate in which solutions to these problems can be found, we urge the following action:

1. CONTROL OF INFLATION

a. We urge the Congress to demand that the cuts in spending which have been directed by recent congressional action be accomplished.

b. We further urge the Congress to continue to critically appraise all government spending in an effort to bring the current inflationary surge under control. Such effort should set an example which all American business, labor and agriculture should follow.

2. EXPANDING MARKETS

a. We urge the Congress to authorize an extensive study of U.S. trade policies which should be designed to achieve a dynamic U.S. trade program. Such a study should include: (1) Methods of removing non-tariff trade barriers that have been erected against U.S. products, (2) the possibilities of special trade relations with our neighbors in North America, our Atlantic allies, and our trading partners of the South Pacific, and (3) reconstituting the Tariff Commission so that it could take prompt and appropriate action when industries, including agriculture, are experiencing expanded imports which are injuring that industry.

b. We urge Congress to oppose efforts to impose import restrictions on individual industrial and agricultural products which would bring retaliatory restrictions against U.S. products.

c. We urge Congress to oppose all efforts to divide markets or legitimize trade restrictions through international commodity agreements. We are deeply concerned that the Wheat Trade Convention recently ratified by the U.S. Senate will encourage expanded foreign wheat production and mean a loss of U.S. wheat export markets affecting not only the farmers but the U.S. balance of trade and thus the entire nation.

d. We urge the Congress to insist that the Food for Freedom Program be aggressively administered and pursued in an effort to help less fortunate nations and as a means of developing sound mutually advantageous trade between nations.

e. We urge the Congress to insist that aggressive negotiations be continued with other nations in an effort to reduce trade restrictions around the world.

3. FARM PROGRAMS

a. We urge the Congress *not* to extend the Agricultural Act of 1965. It is under this Act that agriculture finds itself facing the most depressed level since the depression. It was at the encouragement of those who administer this program that farmers expanded production in 1967 which in large part has brought the current price problems in agriculture. We believe it would be indeed a mistake to perpetuate a program under which such conditions have developed.

b. We urge the Congress to begin consideration now of sound legislation which would assist in bringing about the necessary adjustments in agriculture in line with the long term needs for food and fiber and consistent with the need to conserve our natural resources. We believe this can best be done through a voluntary land retirement program based on total cropland and not on the histories of individual crop production which is both unfair and unsuccessful in bringing about needed long term adjustment.

4. PUBLIC UNDERSTANDING OF THE PROBLEMS OF AGRICULTURE

a. For many years the Illinois Agricultural Association and the American Farm Bureau Federation have tried to gain widespread public understanding of the vital role agriculture plays in the nation's economy. We will continue our efforts in this regard. We are deeply concerned about the recent Columbia Broadcasting System "documentary" titled "Hunger in America" and a recent report on Hunger which cast the farmer in a very unreal and unfavorable light. The vitality of agriculture as well as the whole economy is being jeopardized by today's economic and social problems. We respectfully request your assistance in doing what you can to get widespread understanding among other members of Congress of the need for a healthy agriculture and soundness of any legislation which might affect it.

Sincerely,

William J. Kuhfuss, President, Mackinaw; H. E. Hartley, Vice President, Centralia; James P. Cannell, Capron; Perry O. Keltner, Lena; Morris E. Nelson, Altona; John K. Freebairn, Utica; Clair J. Hemphill, Elwood; Howard R. Stuckey, Piper City; Harry Iliff, Minonk; Roger Carr, Avon; Vernal C. Brown, Vermont; Gilbert Fricke, Tallula; Paul S. Ives, Wapella; Lyle E. Grace, Urbana; Lyman F. Crumrin, Marshall; K. W. Klarman, Shumway; Wilbert Engelke, Granite City; Carl E. Guebert, Red Bud; Carleton Apple, Enfield; William H. Sauer, Murphysboro, Board of Directors.

IAA URGES ACTION TO EASE FARMER'S ECONOMIC DILEMMA

The Illinois Agricultural Association board of directors has urged Congress to act on legislation that would help ease the economic dilemma facing farmers.

In a letter to all Illinois members of Congress, the IAA board requested support of legislation aimed at controlling inflation, expanding markets, and establishing a sound national farm program.

The board also requested the Illinois legislators' help in getting "widespread understanding among other members of Congress of the need for a healthy agriculture and soundness of any legislation which might affect it."

The IAA board's letter pointed out that farmers are faced with difficult and severe economic problems at a time when most of the nation's people are sharing in record economic well being. The board pointed out that current prices for most commodities, relative to the price that farmers must pay for production items and living costs, are at depression levels.

The IAA board expressed concern about the lack of public understanding of the significance of America's agricultural production capability. The board pointed out that the Americans are the best fed people in the world and that they spend a smaller portion of their income for food than any other people.

"Even in view of this contribution to the economic strength of our nation, there are those who, either by direct accusation or implication, say that agriculture is to blame for those who remain hungry in the United States or that farmers are unconcerned about the plight of these people. . . .

"American farmers can produce for the future if they are permitted to change as the needs of consumers direct. Farmers should not be inhibited by bureaucratic red tape administered by those who wish to make agriculture some type of public utility. Those who worry about hunger at home and abroad would do well to concern themselves with the problems distribution of this bountiful production rather than point accusing fingers at those who produce it."

The IAA board urged the Congress to take action in four areas:

1. *Control of inflation*—To demand that the cuts in spending directed by recent congressional action be accomplished and to continue to critically appraise all government spending.

2. *Expanding markets*—To authorize an extensive study of U.S. trade policies designed to achieve a dynamic U.S. trade program. The Congress was urged to oppose efforts to impose import restrictions on individual industrial and agricultural products which would bring retaliatory restrictions against U.S. products. They further urged Congress to oppose international commodity agreements and to work for a reduction in trade restrictions. The IAA board called for aggressive administration of the U.S. Food For Freedom program to help less fortunate nations and to develop sound, mutually advantageous trade between nations.

3. *Farm programs*—Urged the Congress not to extend the Agricultural Act of 1965 but instead to begin consideration of sound legislation which would assist in bringing about the necessary adjustments in agriculture in line with long-term food needs and consistent with the need to conserve natural resources. The IAA board suggested that a voluntary land retirement program offers the best method of bringing about adjustment.

4. *Public understanding of the problems of agriculture*—Decried the recent Columbia Broadcasting System program, "Hunger in America," as portraying the farmer in a very unreal and unfavorable light. The IAA board urged Illinois members of Congress "to get widespread understanding among other members of Congress of the need for a healthy agriculture and soundness of any legislation which might affect it."

ACT OF NATIONAL SERVICE

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. DUNCAN. Mr. Speaker, my good colleague from Tennessee's First Congressional District, the Honorable JAMES H. "JIMMY" QUILLEN, was appropriately recognized in the Knoxville, Tenn., Journal of June 27 for his work on legislation protecting our flag. I would like to share this editorial statement with the readers of the RECORD:

ACT OF NATIONAL SERVICE

Rep. James H. Quillen, of the First Congressional District, is to be congratulated upon a bill originated and sponsored by him which has now been passed by both houses of Congress and sent to the President for signing.

In essence the bill provides that: "Whoever knowingly casts contempt upon any Flag of the United States by publicly mutilating, defacing, defiling, burning or trampling upon it shall be fined not more than $1000 or imprisoned for not more than one year, or both."

It is a good thing to have this legislation on the books, primarily because it affirms the viewpoint of both houses of Congress to the effect that this revered symbol of the nation shall be entitled to respect, regardless of the views of individuals or even groups who find themselves critical of some phases of our current society.

In other words, regardless of the things which will be generally conceded to be wrong with the country, the Flag continues to be the symbol of all that is good about it.

In drawing this bill and getting it passed by his colleagues in both houses, Representative Quillen has added to his record of public service during his tenure in Congress. In an era when in some circles it is fashionable to downgrade and belittle patriotism and love of country the Quillen measure catches the mood of an overwhelming majority of Americans, who continue to be dedicated to the preservation of the best in American life even while they labor for changes in parts of it which well may be considered the worst.

A BILL TO AMEND THE INTERNAL REVENUE CODE TO INCREASE THE CREDIT AGAINST TAX FOR RETIREMENT INCOME

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. CURTIS. Mr. Speaker, I am introducing a bill today which would increase the maximum allowable credit against the tax imposed upon retirement income from the present $1,524 to $1,872 under section 37 of the Internal Revenue Code. The retirement income credit provision, section 37 of the IRC, was originally drafted in 1954 with the intent to provide comparable treatment of beneficiaries of funded retirement programs to the tax-free treatment social security beneficiaries received. Recent social security increases have created an inequality of tax treatment of the two types of retirement beneficiaries. As an original sponsor of the 1954 retirement income credit, my purpose in introducing this bill today is to update that section and maintain its original purpose.

There are two fundamental reasons behind my sponsorship of this bill today: the first is basic fairness and the second is basic economics.

As a matter of fairness and equity our tax laws should not favor beneficiaries under the pay-as-you-go social security system over beneficiaries of private funded programs and other public retirement systems. Those who may not qualify for social security benefits, or those who may have chosen to provide for their retirement years through other means, deserve comparable tax treatment. There are many employer-employee funded private pension plans and many public retirement programs—which are distinct from social security—which merit equal treatment.

Persons under the many public retirement programs that would be restored to equal tax treatment under this bill are, for example, the bulk of our civil servants, our teachers, our librarians, and our policemen and firemen.

As a matter of sound economics we should provide at least comparable tax treatment to retirees under funded retirement programs as we do social security beneficiaries. Funded retirement programs form the base of a great portion of the retirement plans of many Americans. This fact distinguishes the economy of the United States from that of most other Western nations, and much of our growth and vitality can be traced to this difference.

Today social security is certainly an important part of the retirement plans of most Americans. But it is only a part and when it was initiated it was never proposed as the sole source of retirement income for our people. The discussion today should be around how much of a part it should be.

Now that over 90 percent of all Americans are covered by social security, as their standard of living increases with additional discretionary income available to them, should they and their employers put that money into increasing social security benefits or into increasing the benefits they might obtain through private savings plans and the employer-employee pension systems?

I argue that there are three basic reasons today that the increase of retirement benefits for our people should come from further emphasis on funded retirement programs rather than pay-as-you-go retirement systems such as governmental social security.

First. Funded retirement programs can pay larger benefits than a pay-as-you-go system, because over 50 percent of the benefits paid out to the retiree come from the earnings on the investment of the fund. Our private pension plans today have over $90 billion in their funds. The annual earnings run over $4.5 billion. These funded plans are being extended to cover more and more people. About 25 million workers are presently covered in a program which was effectively started almost 10 years after social security. It was not until last year that the Congress effectively extended the tax treatment for corporate pension plans to self-employed and their employees. In a few years 50 million or 75 percent of the workers should be covered and the funds should be well over $200 billion.

The social security system on the other hand, is a pay-as-you-go system which does not contemplate paying benefits out of the earnings of the trust fund. The social security trusts consist of only $22 billion and is called a contingent fund—to protect the system against unanticipated contingencies such as serious recession. It barely equals the benefit paid out in 1 year, yet it covers over 65 million workers. If the social security system were funded in the same sense that corporate and other private pension plans are required to be funded by our tax and insurance laws, the fund would have to have $350 billion in it.

In other words, instead of increasing the payroll tax by say $200 a year—$100 from the employee and $100 from the employer by increasing the wage base on which the social security tax is paid from $6,800 to $7,800 and increasing the rate of tax, and if that same $200 a year were paid into a funded pension plan, the benefits could be increased two to three times the increase provided in the social security pay-as-you-go system.

The second reason which requires us to be cautious about increasing the social security system by having it compete for the same funds which finance private retirement plans is the economic limitations of the payroll tax, which is the method of financing not only social security but unemployment insurance and, in reality, workman's compensation. Many economists have argued that getting the social security tax above 10 percent of payroll endangers the basic system. It is certainly true that all taxes have a point of diminishing returns.

The third reason for increasing the retirement benefits for our people through the funded systems rather than through pay-as-you-go systems lies in the need of any society for capital to finance its economic growth and increased standard of living. The Western European countries, particularly the ones that have been acclaimed for paying higher social security benefits than does the U.S. social security system, constantly look with envious eyes to the great U.S. capital market, because they do not have the capital to finance their growth. Americans through their tripartite retirement systems have much greater retirement benefits per person than these same countries because Americans do rely heavily on funded retirement systems in addition to social security. In the process, Americans have created great savings which are available through the savings and loan institutions—$150 billion—through the pension plans—$90 billion—through the insurance companies—$200 billion—and savings in banks—$100 billion—to finance the expansion of industry and their own living standards. If a society does not finance a large part of the retirement of its people through savings, it creates serious difficulties for itself.

So when we allow a discrepancy to develop among the various tax treatments of retirement programs, as we have with regard to the Retirement Income Credit we discourage to that extent the use of private funded and other public retirement programs. This may have adverse effects on retirees, as well as cut back on the capital that otherwise would be available to finance the Nation's growth which provides the jobs and living standards of our people.

TRIBUTE TO ROBERT E. BAUMAN

HON. CLARENCE J. BROWN, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 27, 1968

Mr. BROWN of Ohio. Mr. Speaker, as Bob Bauman leaves Capitol Hill after more than 15 years of service to House and Senate Republicans, I wish him well in his new career as a lawyer. Bob will be greatly missed in the Republican cloakroom, where he has rendered such able service.

I understand that in his early days on Capitol Hill Bob was a great admirer of the late Ohio Senator Robert A. Taft. As the son of a Taft Republican, I feel a special kinship with him. I hope the good Republican convictions formed in his early years will continue with him in his future endeavors.

A TIME OF TRIBUTE

HON. GLENARD P. LIPSCOMB

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. LIPSCOMB. Mr. Speaker, under leave to extend my remarks I submit for inclusion in the RECORD a statement by FBI Director J. Edgar Hoover paying tribute to those who serve their fellow man as peace officers.

His comments, concerning Peace Officers Memorial Day and Police Week, were given to the 81st session of the FBI National Academy and appeared in the July 1968 Law Enforcement Bulletin.

Mr. Hoover's remarks, entitled "A Time of Tribute," I am sure will be of interest to Members of the Congress and the public:

A TIME OF TRIBUTE

GENTLEMEN: Almost 6 years have passed since the President of the United States signed a public law relating to our profession. That law authorizes and requests the President to issue annual proclamations designating May 15th of each year as Peace Officers Memorial Day. It also authorizes the requests a Presidential proclamation each year designating the week in which May 15th occurs as Police Week.

The purpose of Peace Officers Memorial Day is apparent in the name. It is a time of tribute—an occasion on which, through ceremonies and activities, we remember those who, in the line of duty, have been disabled and those who, in Lincoln's words, have given "the last full measure of devotion."

A year ago, in speaking of those known to us and unknown, whose commitment was complete and whose sacrifice was total, I indicated my belief that your presence here—your advancement of our mutual profession through the process of training—is the type of testimonial, such men would most desire. This living memorial grows in strength and dignity with each forward step which assures that our law enforcement representatives today are better trained, better equipped, and better prepared than their predecessors.

It gives me great pleasure to advise that we will now be able to place something more substantial than a floral wreath at the feet of at least some of those who sacrifice themselves in behalf of the public safety.

On April 19, 1968, the President of these United States signed a bill authorizing the payment of compensation in behalf of local officers who are killed or disabled in the course of enforcing Federal law.

This initial step is an indication of increasing awareness on the part of the public that the life of the law enforcement officer is in constant and increasing peril. Bitter testimony to this danger is implicit in the fact that in the course of 1966, our comrades-in-arms who died at the hands of felons numbered 57, while the incomplete total of law enforcement officers murdered in 1967 has reached an all-time high of 74. This may rise still higher as all records from reporting agencies have not yet been received.

We pause in our labors on this spring day to honor the men of our profession who have made the ultimate sacrifice, as well as those who must face the future from a wheelchair or a hospital bed. We pledge that they shall not be forgotten and that their sacrifices shall not have been in vain. I thank you.

MEDICARE

HON. CECIL R. KING

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. **KING** of California. Mr. Speaker, medicare—a word still not found in most dictionaries—in 2 short years has become one of the most important words in our everyday language.

Certainly, it looms strong, bright, and full of promise in the lives of the nearly 20 million aged Americans enrolled under its broad health cost protective cover.

Certainly, the word medicare has real meaning for millions of younger Americans who have been relieved of the responsibility and concern over an aged parent without financial resources becoming bedridden for many months while the young person's college bills piled up—or, even worse, that they will have to drop out of college altogether.

On June 30, 1966, just 1 day before medicare became a part of the American way of life, only a little over one-half of Americans aged 65 or over had any type of hospital insurance. And, few among these had comprehensive coverage of hospital bills; even fewer had insurance covering any part of their surgical and out-of-hospital physicians' costs.

Now, under medicare, 19.7 million older Americans have hospital insurance which, after the first $40, pays all costs—except for personal-convenience items—for the first 60 days and all but $10 a day for the 61st through the 90th day in each spell of illness or benefit period. Statistically, I am happy to be able to report, the program experience has shown that a very small proportion of beneficiaries have to be hospitalized for anywhere near 60 days in any one illness. As a matter of fact, the average length of stay in a hospital has been slightly less than 14 days.

With hospital charges across the Nation averaging around $50 per day, the impact of medicare on the financial resources of the aged has been of substantial proportions. To be precise, program statistics show the average reimbursement per hospital claim to be $527.

When this figure of $527 is applied to the 10.6 million medicare inpatient hospital admissions since July 1, 1966, what is happening health-cost-wise in the lives of older Americans becomes evident, and gives justification for pride to those of us who fought for passage of the medicare legislation.

But, the hospital insurance part of medicare is not all the story. All but about 1 million of the aged who have medicare hospital coverage are also signed up for supplemental medical insurance, which helps pay doctor bills regardless of where the service is rendered—in the hospital, the physicians' office or the patient's home.

It has been reported to me that since inception of the program some 45 million medical bills—not including hospital insurance bills—most of them for doctor services, have been paid in the amount of more than $2 billion.

That is quite a sizable amount, as is the $6.3 billion that has been paid out under the hospital insurance part of medicare—but, 19.7 million people, the program beneficiaries, also is quite a sizable figure.

In this connection, I would remind my colleagues that as we observe the second anniversary of medicare, we should keep in mind that the program is a program for people and that the dollar figures we quote are just yardsticks to measure the length and breadth of the health services received by millions of aged Americans during the first 2 years the program has been in operation.

Medicare is a good word to have in the dictionary.

EQUAL-TIME PROVISIONS

HON. HARLEY O. STAGGERS

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. **STAGGERS**. Mr. Speaker, an editorial in the June 24 New York Times dealing with suggestions for giving presidential candidates opportunities to present their views over television has come to my attention. The writer argues that they should have such opportunities before the party conventions. Section 315 of the Communications Act, now at issue in this session of Congress, deals only with "equal time" after the conventions. The editorial seems important enough to justify consideration by all Members interested in the campaigns now under way, and I include it in the RECORD:

PRESIDENTIAL TV DEBATES BEFORE THE CONVENTIONS

(By Herbert Mitgang)[1]

About a century ago, in September of 1960, Richard M. Nixon and John F. Kennedy met in the first of a series of Presidential debates that showed the American people their personalities, styles and programs. This remarkable confrontation, seen each time by an estimated 65 million television viewers, took place *after* the nominating conventions.

It's a different political ball game—not to mention a different United States and world—less than eight years later. The state primaries have left no doubt that large numbers of Americans are outraged at the whole course of foreign and domestic policy. They will be even more outraged if the national conventions strip them of any real opportunity to force a change by their votes next November.

The real question now is: Shall the months of July and August up to each party's convention be filled only with paid political commercials and dead political air? Will prime evening time be devoted to the usual TV stuff or will the public get a chance to see the real contenders of both parties—Nixon vs. Rockefeller and Humphrey vs. McCarthy—debate before the conventions? Watchmen (and women), what of the night?

At this stage of the game, whom the convention delegates will vote for rather than whom the country will vote for is all-important. The delegates can be convinced by the pollsters, whose educated guess work is based on samplings of a few thousand "weighted" opinions that profess to speak for tens of millions of unclassifiable Americans.

They can be convinced by the regular politicians who can control the machinery so effectively that any effort to open the convention will be frustrated.

PRIME TIME DEBATES

Or, they can be convinced by a series of major prime time debates that it is their obligation to study the candidates in close-up, respond to the reaction of the national constituency, and do what the conventions do not always do—choose the best man for party and country.

The decision is up to the networks and the candidates, not Congress and the Federal Communications Commission. All three networks have expressed a willingness to provide free political time for debates between Labor Day and Election Day, as they did in 1960. Since they are always interested in underscoring the fact that they come within the First Amendment freedom despite F.C.C. licensing of stations, they might well be willing in the public interest to extend the offer for debates to include the period between Independence Day and convention time.

The Senate, by a voice vote on May 29, suspended the equal-time requirement (to be accurate, Section 315 of the Communications Act calls it "equal opportunities," which is more flexible), meaning that no-hope candidates like Harold Stassen would not have to be given free reply hours on the air. The Senate resolution was sent to the House Committee on Interstate and Foreign Commerce, where it now is. The committee chairman, Representative Staggers, holds the key to that lock.

Whether or not he turns it, this joint resolution to suspend in 1968 would not take effect until Aug. 31—after the candidates have been picked and too late to have any effect on the delegates. Ideally, the joint resolution necessary to defuse Section 315 would open the airwaves right after the Fourth of July.

But even if the ideal is too much to hope for, the three networks can proceed boldly on their own to exercise journalistic initiative and courage. A precedent was established before the California primary when Senators Kennedy and McCarthy appeared jointly on A.B.C.'s "Issues and Answers." Although it was not a full-fledged debate, it was an enlightening confrontation that could be amplified without breaching the present law.

For there are several exceptions allowed under Section 315 even if Congress does not suspend at all. Equal opportunities need not be given to minor candidates if the major candidates appear on "bona fide news interview" broadcasts. That is what occurred on "Issues and Answers." The other networks also have similar regularly scheduled "bona fide new interview" programs—C.B.S.'s "Face the Nation" and N.B.C.'s "Meet the Press."

LET THE CANDIDATES APPEAR

Between July 4 and the conventions, the three networks could invite Vice President Humphrey and Senator McCarthy to appear with each other and Mr. Nixon and Governor Rockefeller to appear with each other. The format could be worked out by the networks and the candidates, to include statements, cross talk, and the normal "bona fide" questioning by newsmen.

Governor Rockefeller and Senator McCarthy are willing to debate their rivals on television. The front runners have only to say yes. If the word "debates" makes the networks queasy, call them "joint discussions." That was good enough for Lincoln and Douglas, before pancake make-up and inglorious living color, over a century ago.

---

[1] Herbert Mitgang is a member of the editorial board of The Times.

MR. BUFORD BIBLE

HON. JOHN J. DUNCAN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. DUNCAN. Mr. Speaker, a good teacher is one of the most respected persons in our society. He is appreciated by his students, their parents, his coteachers, and indeed the entire community. His reward lasts through generations as his influence is passed from parent to child.

I would like to point out one such teacher, Mr. Buford Bible, who is now in the process of closing his office as principal of East High School, Knoxville, Tenn. He has gone beyond his prescriped duty to help young people in securing a better educational foundation. He also instilled in his students a rare sense of duty, character, and determination.

One of the best tributes to Mr. Bible was a surprise "This Is Your Life" program staged by his senior class. I would like to include in the RECORD excerpts from that occasion:

> On January 15, 1905, the silence of a home in Briar Thicket, Tennessee, was broken by the loud wails of a tiny baby boy. Although this birth might have seemed insignificant, the infant born there has since risen to many positions of influence and respect. He has achieved noted successes in the fields of teaching and athletics. All of us here today know and admire this man who has probably touched our lives in more ways than we know.
>
> Because he plans to retire this year, we would like to take this opportunity to extend to him our deepest gratitude and perhaps better acquaint you with some of the people and events with which he has been associated—Buford Alexander Bible, This Is Your Life.

Thus, with these words the audience gave an enthusiastic standing ovation as the startled and shaken principal was escorted to the stage by Bob Richards, senior class president, and Stanley Pippin, senior class treasurer. Mr. Bible was seated on stage after Carol Beeler, senior class secretary, pinned a boutonniere on his lapel and congratulated him with a kiss.

When everyone was seated, Linda Powell began the story of Mr. Bible's early life. His parents, Mr. and Mrs. A. S. Bible, passed away some years ago, but his sister Chlorice now Mrs. S. H. Rankin; his sister Cecile, now Mrs. Rue Bettis; and his brother, Marshall Bible, South High School basketball coach, were present with amusing memories of their childhood. Jim Bible, Mr. Bible's nephew and a student at East High, represented his father, Homer Bible. Homer Bible and Lyman Bible, brothers of the honoree, were unable to be in Knoxville for the program.

Mr. Bible grew up in Jefferson City, Tenn., and graduated in 1927 from Carson-Newman College in the same city. He did graduate work at the University of North Carolina.

His wife is the former Reba Norman with whom he taught school at Lake City High School.

He received his master's degree from the University of Tennessee and continued his career in education in Knoxville schools in 1936. In 1942 Mr. Bible was commissioned in the Army Air Corps and served until 1946.

Returning to Knoxville High School, Mr. Bible had several successful basketball teams, and his 1950–51 team won still another State championship. In 1951 he went to the new East High School and while there coached the City All-Stars, earned a Distinguished Teacher Award for Mathematics and other honors, and became principal.

In addition to his duties as principal, Mr. Bible taught mathematics part time at the University of Tennessee and will continue on the university faculty now that his days are over at East.

MEDICARE

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. HOWARD. Mr. Speaker, in January 1967, in a message to Congress, Lyndon Johnson said:

> One of the tests of a great civilization is the compassion and respect shown to its elders.

Two years ago this Nation's compassion and respect for its elders was clearly illustrated. On that date, July 1, 1966, medicare began.

Today 19.7 million Americans 65 and over are eligible for help under medicare. Ninety-five percent of them have enrolled in the voluntary medical insurance part of medicare and can expect help in paying doctor bills in or out of the hospital.

Each month $300 million in benefits is paid under the hospital insurance plan. An additional $100 million is paid monthly under the medical insurance plan. These statistics clearly indicate that medicare is doing a great deal to reduce the financial threat of illness for the aged. Older Americans now have far more protection against hospital and medical costs than ever before—and this is as it should be.

As President Johnson has said:

> America is a young nation. But each year a larger proportion of our population joins the ranks of the senior citizens.
>
> * * * * *
>
> We should look upon the growing number of older citizens not as a problem or a burden for our democracy but as an opportunity to enrich their lives and, through them, the lives of us all.

As we celebrate the second anniversary of medicare, we are really celebrating the enrichment of many lives: the elderly who are already served by medicare, those who will be served in the coming years, and the rest of us, whose lives are enriched daily as we watch our elders lead more productive lives.

EIGHTEEN: OLD ENOUGH TO VOTE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. DULSKI. Mr. Speaker, for a long time now I have supported action to permit 18-year-olds to vote.

There has been considerable support for lowering the voting age and there are compelling arguments for action.

Now, President Johnson has asked Congress for a constitutional amendment to lower the voting age in the United States to 18.

I hope that the new Presidential support will spark action—and promptly.

I recognize that the process for amending the Constitution is properly a slow one—all the more reason that now is none too soon to begin at the legislative level.

Following is the text of a supporting editorial from the June 29 edition of the Buffalo, N.Y., Evening News:

EIGHTEEN: OLD ENOUGH TO VOTE

> Nearly 15 years ago, President Eisenhower asked Congress for a constitutional amendment to lower the voting age in America to 18, but nothing came of it. Now President Johnson has formally renewed the request. The amendment he wants is 39 words of sweet simplicity: No citizen's right to vote may be denied or abridged on account of age if he is 18 or over.
>
> We say, as we have for years, that it should be adopted. The reasons, in our view, are many and compelling; the objections have all been considered and rejected. The case is strong enough to stand extended analysis, but we suspect that it is weakened by trying to reduce it to oversimplified slogans like "old enough to be drafted is old enough to vote."
>
> What is involved, in any case, is a fundamental perquisite of citizenship that has increasingly been regarded in this country as a right belonging to all and not, as originally, a privilege for those expected to exercise it wisely. The whole trend of our history has been toward universalizing the franchise by eliminating or reducing restrictions based first on property, then on race, then on sex, then on literacy and now, hopefully, on age.
>
> In making his case for the amendment, the President argues that "the age of 18, far more than the age of 21, has been and is the age of maturity in America—and never more than now." We're not so sure that he could prove that, for there are many tests of legal maturity that still apply in many states, not least New York, at 21. But we would share his conviction that the voting right is basic enough so that it should apply at the youngest rather than the oldest point on the maturity yardstick.
>
> But should we go to a nationally uniform voting age of 18 before the vast majority of our states have been willing to do so in their own voting laws? If it's right, we say why not. But there is a practical problem: For an amendment to be adopted, it will need a two-thirds vote in each house of Congress followed by ratification by three-fourths of the state legislatures. Will the 47 states that still maintain a 21-year voting age at home ratify an amendment lowering it to 18 nationally? Perhaps not. But we'd like to see

Congress at least start the ball rolling, for at least it will do no harm to confront every state with the issue as directly as possible, and let it be debated and decided on its merits.

Meanwhile, there is nothing to prevent any state from acting on its own to make 18 the voting age and we herewith renew our plea that New York be among the first to do so.

QUALIFICATIONS FOR THE SUPREME COURT

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. THOMPSON of Georgia. Mr. Speaker, the wisdom of our Founding Fathers in removing the Supreme Court Justices from political actions has been proven a number of times throughout our history. However, criticism of the High Court and its actions continues from time to time. Part of the criticism is unwarranted, part justified.

Mr. Speaker, I am one who feels that it would be a mistake to subject the Justices of the Supreme Court to any form of political review or review by a politically elected body. I am thoroughly convinced of the wisdom exercised by our Founding Fathers in not making the Justices subject to such review.

However, Mr. Speaker, the realm of politics may still be injected through the appointment process in that there is no requirement for prior judicial experience or even that a person be a lawyer to be so appointed.

At my request, Mr. Speaker, the Library of Congress researched the question of requiring of certain qualifications for judgeships in our State courts and I think that it is interesting to note that a large number of our State courts have found it desirable to include an article in their State constitutions setting forth certain minimum requirements in the practice of law before one is eligible for appointment even to one of the lower trial courts.

Mr. Speaker, the office of Chief Justice is of course the most important office held by any of the Justices and here again we have in the past seen appointments made to this high office wherein the person appointed has not only not had prior judicial experience but no prior experience as an Associate Justice of the Supreme Court.

Ours is a young country, yet we recognize the wisdom that can only be obtained by age, however, Mr. Speaker, I feel that there are certain age limits within which the members of the Court should fall. Particularly is this true with regard to retirement age and after reviewing objective evidence, it is my considered opinion that age 75 should be the limit upon which retirement would be mandatory.

Mr. Speaker, I am today introducing a constitutional amendment which proposes that prior to appointment, the persons so appointed must have prior judicial experience. It further provides that the Chief Justice must be selected from one of the Justices who has prior experience on the Supreme Court and further provides that all Justices must retire at the age of 75 if they have not sooner retired.

SEARCH YOUR CONSCIENCE?

HON. WILLIAM M. COLMER

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. COLMER. Mr. Speaker, under leave to extend my remarks, I insert in the Record an editorial from the June 27 edition of the Wayne County News, Waynesboro, Miss., on riots and crime. Editor W. Harvey Hurt is noted for his strong convictions and for his ability to give clear expression to them.

We share his conclusion that we need not more laws but enforcement of those already on the books.

The editorial follows:

SEARCH YOUR CONSCIENCE?

We are getting a little bored with leaders such as our President who recently appeared on TV asking the American public to search its soul as to why we are having assassinations, riots, sit-ins, college turmoil, draft card burnings, and such.

The public, generally speaking, has been protesting to its Congress and President for years that what was being done in Washington by the executive, legislative and judicial branches of the government would lead to a breakdown of law and order as well as economic chaos . . . and the public still protests. But to no avail, for the ears of government only listen to what they want to hear.

Soul searching by the American public will not stop assassinations. Passing gun-control laws will not do any good. It isn't hard for a man to find a gun to kill another with, no matter what laws are passed. And adding more Secret Service men to the protection of high officials will not prevent these assassinations. Any man, willing to sacrifice his own life, can kill a President.

And don't misunderstand us. We are not being sacrilegious with reference to the terms soul-searching and conscience. We only mean that there are people in this nation whose souls belong to the devil and who have no conscience. Soul-searching by Christian people has little effect on these perverted humans.

As to riots, everyone knows they can be stopped . . . but not by legislation and honeyed TV commentators. Armed troops can easily stop law-defying mobs. The first time that a law-defying mob is dealt with firmly and with bloodshed if necessary, it will definitely stop the murders, burnings, and lootings in cities all over the nation. Convictions and sentences without parole also deter lawbreakers.

Those who advocate civil disorder know full well that if and when the government comes to its senses, arms the police and national guard with "loaded" guns and gives instructions to stop uncontrolled mobs by using any force necessary, these civil disorders can be stopped. If the government wants to, it can do it.

There is no place in our society for mobs to burn, pillage, kill, loot and maim citizens. And both white and colored people want to be protected from such insane demonstrations. Please, Mr. President, no more laws and no more speeches. Just enforce those laws we already have.

LEE LOEVINGER WILL BE MISSED AT FCC

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. TIERNAN. Mr. Speaker, 2 days ago, a distinguished and diligent member of the Federal Communications Commission stepped out of public life to return to the private practice of law. I speak of Judge Lee Loevinger, a former Assistant Attorney General in charge of the Justice Department's Antitrust Division.

Judge Loevinger has compiled an outstanding record as a public official. His comprehension of the structure of our bureaucracy is unique. Undoubtedly, he shares some of the frustrations that many of us in Congress experience from day to day in dealing with the executive branch of Government.

Recently, Commissioner Loevinger came to my assistance in a matter involving a constituent and the Federal Communications Commission. I found him to be an extremely understanding and considerate public official. I think all of us should be grateful for his contribution to the Federal Government over the last 7½ years.

A scholarly defender of constitutional rights, Judge Loevinger will be greatly missed by those of us who are concerned about the quality and the viability of the broadcasting industry.

Mr. Speaker, in yesterday's Washington Post, TV critic Laurence Laurent comments on Judge Loevinger's departure. I include this article in the Record so that our colleagues may read an objective appraisal of Judge Loevinger's work as a member of the FCC:

LEE LOEVINGER WILL BE MISSED AT FCC

(By Lawrence Laurent)

Lee Loevinger is going to be missed at the Federal Communications Commission. He's going to be missed for wildly different reasons by his admirers and his detractors.

His short, five-year term ran out last Sunday. He'd been appointed to fill the unexpired term of Newton N. Minow and rarely has a successor been so different from the man he replaced.

Sen. Norris Cotton (R., N.H.) spotted this difference right after Loevinger had been chosen to move from the Antitrust Division of the Justice Department to the FCC. At Loevinger's confirmation hearing before the Senate Commerce Committee, Cotton remarked: "I almost feel you are the antithesis of your predecessor."

Loevinger's response was a promise, ". . . If I'm going to err, I'd rather err on the side of restraint." He added his belief in "diversity" and "multiplicity of program sources" as the best cure for any ills of broadcasting.

Loevinger proved to be the most prolific scholar in the FCC's history. One of his papers argued against any regulation of religion broadcasting. He said this violates the First Amendment to the Constitution and he supported his argument with 108 footnotes.

Last month, when he received the "Outstanding Achievement Award" from his alma mater, the University of Minnesota, Loevinger addressed himself to mankind's search for utopia. He took in such authors as Plato, Sir Thomas More, Francis Bacon, Johann

V. Andreae, James Harrington, Samuel Butler and Edward Bellamy. He even included Aldous Huxley and George Orwell, explaining these envisioned a "contra-utopia" or a "dystopia."

His review convinced him that "virtually all utopian visions involve more, rather than less, government control than we are accustomed to."

His final speech before leaving the FCC was on "The Sociology of Bureaucracy."

He said: "It seems to me that at this point in our social development bureaucracy is the problem, not the answer." He compared bureacracy to "a passionless mob which can capture and conquer man unless he is wise enough to subdue it and shape it to his own purposes."

Broadcasters, who usually admired Loevinger for his consistent voting with the conservative members of the seven-man FCC, were frequently mystified by his lack of love for their product. He preferred reading to listening to the radio. He preferred radio to looking at TV shows.

When questioned about excessive crime, shooting and sex on television, Loevinger had a quick answer: "My own private solution is just not to watch the darn things."

And broadcasters are still puzzling over Loevinger's remark that television is "the literature of the illiterate." He added that radio is "the opiate of the middle class." Few could decide whether he was praising or condemning them.

In one paper, he went through the major theories about communications and came up with his own. He called his the "Reflective-Projective Theory" and declared that mass media's most important role is "promoting national unity, social cohesion and a larger concept of community."

Lee Loevinger loves an argument and he doesn't lose many. At the University of Minnesota, he was captain of the varsity debate team and winner of the Forensic Medal.

At the FCC he found a worthy opponent in Commissioner Kenneth A. Cox, who—like Loevinger—is a former law school professor. Their clashes were so frequent that Commissioner Robert E. Lee announced at one FCC meeting that his physician had given him a prescription for "two tranquilizers—one for Loevinger and one for Cox."

Loevinger leaves government at age 55 to take up private law practice in Washington. He declared: "Business is where much of the action is and offers the possibility for great social progress, as it has been largely responsible for bringing us to our present state of technological and economic advance."

He takes from the FCC the "golden rule" that he brought with him: "Do not seek for yourself power you would deny to others."

AUTO-CAID FOR NONAFFLUENT

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. RARICK. Mr. Speaker, rather than repair the unsafe auto's for the poor, why not tax the workers and give each of the poor a Cadillac at production cost—no profit.

I ask that a Daily News account of the plan of the Transportation Department follow:

[From the Washington (D.C.) Daily News, July 2, 1968]

FREE AUTO REPAIR FOR POOR IS EYED

The Transportation Department, in a lengthy report, announced yesterday it plans to study free auto repair and free public transportation service for poor people forced to drive aging, unsafe cars to hold a job.

The Department pointed out that many unsafe and aging cars are owned by low-income wage earners.

The Department would offset this situation by giving the poor wage earner a choice between private and public transportation in getting to work. One of the points to be weighed is free auto repair for the low salary earner.

SUPPORT FOR FOREIGN AID

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. BOLLING. Mr. Speaker, from time to time, Members of Congress are asked to explain why this Government maintains its foreign aid program. Our colleague, Mr. WILLIAM ANDERSON, of Tennessee, has been kind enough to let fellow Members see letters he has written on that subject to people who live in his district. He puts the case so well that I include in the RECORD copies of two of Mr. ANDERSON's letters on the subject. They follow:

(NOTE.—Letter to a constituent who supports Foreign A.I.D. and who has asked the Congressman for his reasons for voting for the A.I.D. Program.)

DEAR ———: I am in receipt of your recent letter requesting explanatory materials on the United States foreign aid program. I am deeply appreciative both of your effort to bring light to this area where misinformation is so prevalent, and of your difficulty in doing so in the face of general antipathy. I am happy to respond with several items which I believe you will find useful being sent under separate cover.

I fear that for a decade and more appeals to the altruism and the generous nature of the American people have been over-stressed in attempts to gain the requisite support for the foreign aid program; the all too rational and legitimately self-interested basis of the program has been under-stressed for reasons of diplomacy (among others).

In fact, the foreign aid program is an integral part of American international strategic practice. Stated in the broadest terms, a useful concept in understanding the A.I.D. program is as follows: The United States is a "satisfied power"; we prosper with ample natural resources; we trade profitably in every quarter of the globe and are everywhere influential; in short, we desire to avoid major upheavals that would substantially change the structure of world power. We know, however, that in a world in which two-thirds live in underdeveloped nations and over one-half live in malnutrition, there must be rapid *evolutionary* progress if waves of revolutionary, totalitarian fanaticism and desperate, military wealth-grabbing are to be avoided. We know also that there are "unsatisfied powers" who would welcome and stimulate what has been called a "revolutionary fire-storm to sweep the countryside of the world and isolate its cities." Thus, we go about applying United States aid to stimulate that progress, diffuse revolutionary fervor, render totalitarian economic organization unnecessary, and to maintain substantial influence in the three under developed continents.

The goal then is growing world political stability sought by means of underwriting reasonable rates of economic and social progress. Certainly this is not foolish or reprehensible, but neither is it really a matter of disinterested altruism. We are not through A.I.D. seeking gratitude, good will, and good conscience so much as we are seeking a world in which the United States may continue to prosper in security and strength.

One is tempted to observe here that we are, perhaps, bargain-hunting. On an average we spend about $3 billion yearly on A.I.D. out of a gross national output of $830 billion (less than one-half of one percent). Certain other nations, including France, spend more on foreign aid *per taxpayer* than the United States. And it is worth noting that where our efforts at stabilization fail and violent totalitarian revolutionaries capture substantial support as in South Vietnam, we may spend over $25 billion yearly on war, not to mention the cost in lives and human suffering. The A.I.D. program shares many of the difficulties of any effort in preventative medicine; when it succeeds, nothing dramatic happens and very probably dreadful occurrences drift into the speculative realm of history's "might have beens."

Our expenditures in the A.I.D. program are largely "tied" to United States purchases. That is to say that the United States grants foreign credits, for example, to buy 50 tractors from American firms. The tractors are delivered abroad, the United States Government pays the U.S. manufacturer who pays his employees, etc. This money does not leave the nation, and our own economy is stimulated in the transaction. There is further information on this spending pattern in Chapter VI of A.I.D. Program Presentation which I am sending to you. Another item outlines the Tennessee share of A.I.D.-financed business.

None of the foregoing is meant to excuse blunders that have been made in the program; no one had ever attempted a program of this sort before and we had to make our own mistakes in the learning process. And none of the foregoing is intended to denigrate the splendid and spontaneous warmth of the American people who have poured roughly $120 billion (loans and grants) worth of medicines, machinery, food, items for the common defense, fertilizers, books, training and clothing into needy nations since 1945. This is indeed an unprecedented sustained performance. But it has not been a "giveaway program," and in the crucial realm of international relations, it is pretty clearly not a matter of disinterested charity.

I hope the selected items and these comments will be of use to you in your excellent work. Please call on me again whenever you feel I might be of service.

With kindest regards and very best wishes.

Yours sincerely,

WILLIAM R. ANDERSON.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 1968.

(NOTE.—Letter to a constituent who opposed foreign aid and who has asked the Congressman for his reasons for voting for the A.I.D. program.)

DEAR ———: Thank you for your recent message concerning the A.I.D. program and its 1969 funding authorization bill, which will soon come before the House.

I appreciate your thought and effort in giving me a forthright statement of your position and I feel that it would be less than a fair exchange if I failed to respond in kind.

I do not intend to oppose the entire Foreign Aid Bill because parts of that program save us both lives and money in the long run. Our aid to Thailand, and South Korea, for example, has brought us very substantial military support from those countries in the Vietnamese war (Korea has sent 50,000 excellent troops). Our past aid to Nationalist China has enabled the world—including the Chinese Communists—to see how much more prosperously non-communist systems in the western maritime world can fare. Because of this latter aid, the Communist Chinese leaders have not been able to complete their victory over all China—there remains an alternative Government of Chinese, strong and prosperous, though small, forever reminding the mainlanders that there is another road. We were recently able to terminate that economic aid program because it is no longer needed. So I will continue to support some elements of the Foreign Aid Bill while opposing sections that appear wasteful and even counter-productive. As you know, last year's Foreign Aid Bill was cut to its lowest total in more than a decade. This year's appropriation should be cut even more.

Contrary to a great deal of political rhetoric that one hears, the A.I.D. Program is not really a matter of disinterested charity. The all too rational and legitimately self-interested basis of the program has been understressed for reasons of displomacy (among others). In fact, the foreign aid program is an integral part of American international strategic practice. Very frankly, we exercise substantial and sometimes crucial influence in every populated continent through the combination of coordinated aid, trade, and alliance policy operations.

It is unsatisfying, but nonetheless worthwhile, to note that where A.I.D. is effective no headlines appear and nothing visibly dramatic happens. Where the cabinet or legislature of a developing nation is influenced in a policy decision (on, say birth control measures, the scope of private enterprise regulation, international initiatives, U.S. bases, etc.) by A.I.D. operations and considerations neither they nor we publicize the fact. Where we are successful in stimulating solid rates of economic progress (Iran, Chile, Peru, Turkey, South Korea, Colombia, Nationalist China, etc.) revolutionary rage gradually dissolves, people eat more and go to school longer, stable institutions begin to evolve—in short, nothing news worthy occurs.

Often there is a misunderstanding where this money is spent. Our expenditures in the A.I.D. program are largely "titled" to United States purchases. That is to say that the United States grants foreign credits, for example, to buy 50 tractors for American firms. The tractors are delivered abroad, the United States Government pays the U.S. manufacturer who pays his employees, etc. This money does not leave the nation, and our own economy absorbs the transaction. The Tennessee share of this business in Fiscal Year 1967 was, for example, $6,900,000.

None of the foregoing is meant to excuse blunders that have been made in the program, and some of them have been little short of ridiculous. The program bears constant critical examination: incompetent officials and ineffective programs must be terminated in regular re-evaluations. Certainly the deferrable A.I.D. programs must be set aside in times of U.S. economic squeeze such as the present. But it strikes me that to cancel the A.I.D. Program altogether would be to relinquish leverage and bargaining power in several important sectors of the globe, and hand our Communist adversaries a golden opportunity, occurrences for which the cost can be astronomical in subsequent defense budgets.

Please continue to let me know your views and reasoning on matters of national legislation, and do not hesitate to let me know whenever you feel that I might be of service.

With best wishes.

Yours sincerely,

WILLIAM R. ANDERSON.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. SHERLE. Mr. Speaker, this is the 163d day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

MASS STARVATION IN BIAFRA

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. DOW. Mr. Speaker, no one who is concerned for the condition of men in the world today can pass by the accounts of mass starvation in Biafra. The recent civil warfare between the Nigerian Government and the Biafrans has brought the likelihood of starvation to the doorstep of 2 or 3 million people.

Our Nation has of late found it necessary to involve itself in many parts of the world on the justification that misery and wrongdoing must be prevented. Nowhere, I judge from the articles shown below, has misery reached so deep in the world today as it has in Biafra.

So far, it would appear that the woefully small efforts to help are in the hands of private persons, and do not represent in any case a national or international commitment.

I am today asking the State Department of the United States to concern itself with this hideous situation. I am asking them to take up the matter in the United Nations.

In order to give you a 'better idea about the problem in Biafra, I submit below two news items that appeared together in the June 30, 1968, issue of the New York Times, as follows:

BLOCKADED BIAFRA FACING STARVATION

EMEKUKU, BIAFRA, June 27.—Hundreds of thousands of Biafrans face death from starvation in the next several months. Some independent authorities expect the toll to reach more than a million unless emergency food shipments soon reach the area, the secessionist former Eastern Region of Nigeria.

Leslie Kirkley, director of the Oxford Committee for Famine Relief, or Oxfam, a well-known nongovernmental and nonsectarian British relief organization, assessed the situation this way:

"Unless we pull out all the stops in Britain and other countries, we will have a terrifying disaster in Biafra before the end of August. By then, two million may have died."

Mr. Kirkley's organization spends about £3.25-million ($7.8 million) a year in relief efforts in 84 countries.

His conclusion was confirmed by physicians, priests and nursing sisters interviewed during a week's tour of refugee camps and villages in Biafra.

Mr. Kirkley, who is on an inspection visit, estimated that the current death toll from malnutrition was 200 a day. There was an especially urgent need, he said, for proteinous food for children under five and for pregnant and nursing mothers.

Blockaded by sea and surrounded by federal Nigerian forces on land, Biafra's only link to the outside world is a tenuous airlift to nearby Spanish and Portuguese islands in the Gulf of Guinea.

WAR STARTED IN JULY

The former Eastern Region, which has a population of nearly 13 million, seceded in May 1967 and declared itself an autonomous republic. On July 7, federal Nigerian troops invaded Biafra and civil war broke cut.

The secession was preceded by a massacre of 30,000 Ibos, the dominant tribal group in the East, in September 1966. Odumegwu Ojukwu, the Eastern leader, has asserted that "sovereignty in the absolute" was essential to protect the region from a bloodbath. The Biafrans have fared poorly in the war, and have lost Enugu, the capital, and other major cities, to the federal forces.

"I fear that between two million and three million people are going to die," Sister Mary Lorcan of the Holy Rosary Sisters said at Emekuku Hospital, near Owerri in western Biafra. "Even if the war stopped tomorrow hundreds of thousands are condemned to death now. I go out to the Odube camps every fortnight to look for severe malnutrition cases among the children. Last week there were 700 to 800 cases." The Odube refugee camps have about 2,500 people.

SISTERS RUN HOSPITAL

At the hospital, which is run by the sisters, Dr. Alfred Ikeme, a 36-year-old Biafran physician trained at Edinburgh and London stated: "I see 60 to 80 women a day, and one out of three of them has severe protein malnutrition."

The Biafran pediatrician at Emekuku is Dr. Aaron Ifekwunigwe, 32. He explained that the medical term for the condition is "protein calorie malnutrition." It is known in Africa as "kwashiorkor," a Ghanaian word meaning, "red man" or "deprived one." The term refers to the reddish-yellow hair color that is a prominent symptom of the disease.

Dr. Ifekwunigwe led an inspection tour around the children's wards. All the children had yellowish, almost golden hair, scaling skin, body sores, swollen ankles and legs, diarrhea, lack of appetite and an apathetic lethargic look.

Dr. Ifekwunigwe said: "When the child's body gets swollen and the child won't eat and has diarrhea, it is almost an irreversible cycle. The only proper help is protein, nothing else."

TEN CHILDREN DIE IN 2 WEEKS

"In one compound nearby, we've lost 10 out of 30 children in the past two weeks," said the Rev. Frederick Fullen, an Irish priest at Azaraegbelu. "All of the joy has gone out of life. In the old days, you used to drive with the right hand and wave with the left. Now, the children don't even have the energy to wave."

Of the priests and nuns at Emekuku, half are Biafran and half are Irish from the Holy Ghost congregation and the Holy Rosary sisters. There are at least half a million refugees living in camps in Biafra, about half of them Ibo and half minority tribes from areas now in federal hands.

The priests and sisters say of the village compounds near their parishes that the villages are as badly off as the camps, or worse.

At the Odube camps, at Izombe where there are thousands of Calabar and Ibibio people, at Umuagwu with Ogoni people around Origwe where tens of thousands of refugees who were at Awgu gathered after a Nigerian advance, at Imerienwe, Ogbeke and Nbutu-Ngwa—all in western Biafra—the situation is the same.

About half of the children under 12 seen in the tour appeared to have the signs of kwashiorkor. The same proportion is seen among old people and mothers nursing babies.

At Owerri, reports from the parish priests are sent to the Rev. Patrick Devine, 36, of the Holy Ghost congregation, a large man with a sharp nose and a shy smile. He has worked out with the International Red Cross representative in Biafra, Henry Jaggi, the minimum daily amount of protein food that would have to be brought into Biafra to arrest the crisis.

"We need 200 tons of protein food per day as a minimum and 300 to 400 tons per day would probably be more accurate," Father Devine said. "The planes in the Biafran airlift can only handle 10 tons each. Port Harcourt must be opened to ships right away, either by a breaking of the blockade of by a ceasefire."

"The death rate is an upward sloping curve," said Mr. Jaggi. "In a month there will be more than a million dead here, before the end of August, two million are likely to die.

and either we sit still and watch six million people go down the drain within six months or we pressure for a cease-fire."

A cease-fire was also stressed by Dr. Herman Middlekoop, a specialist in rural health who was appointed in March to supervise the help coming in from the World Council of Churches.

"Our present goal, 40 tons a day, will only postpone the death of a few people," he said. "It is like giving a drip feed to a person with a stroke. The catastrophe cannot be averted without a complete cease-fire within a month, opening up all transportation into and within Biafra. The figure of several million people likely to be dead by the end of August is quite correct, and that six million people will die in the next six motnhs without a cease-fire and massive help, I have no doubt."

UNICEF EFFORTS THWARTED

UNITED NATIONS, N.Y., June 29.—A spokesman for the United Nations Children's Fund said this week that it had been trying "desperately" to reach the victims of the Biafran-Nigerian war and that supplies were "in position and available."

He added that both UNICEF and the International Red Cross had been trying repeatedly to bring the condition to the attention of the Nigerian Government without success and that their representatives had not been able to obtain permission to reach the victims.

VIETNAM NEGOTIATIONS

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. FARBSTEIN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

JUNE 27, 1968.

The EDITOR,
The New York Times.

TO THE EDITOR: I am hopeful that this will not be regarded as the shrill cry of a hawk since I am as desirous of ending the war in Vietnam as anyone.

However, I am disturbed by Senator McCarthy's statement that he will speak to Hanoi's representatives in Paris when he visits there shortly.

Though I value our right of dissent as one of the basic rights of our democratic society, I do, as an individual, question the propriety of such an action by Senator McCarthy, even though I am sure his motives are unquestionably sincere. It seems evident to me that there exists a wide gulf between expressing dissent within the framework of our own society and seeking out a meeting with representatives of Hanoi whom we are opposing in the field.

Surely Senator McCarthy should realize that this nation has formal representatives in Paris working toward bringing this unfortunate war to a conclusion honorable to all concerned. From all news media reports, Hanoi's representatives seem quite capable of handling any negotiations.

It must seem to millions of Americans that the Senator is embarked on a course that could be inimicable and possibly dangerous to the efforts now going on in Paris. A single, unguarded statement or overzealous remark in the "informal" discussions he proposes could upset the most careful efforts now being made to reach an agreement acceptable to both sides.

As one with a fairly comprehensive knowledge of American history, I cannot recall another such plan seriously made by a legislator or citizen.

A simple extension to what Senator McCarthy proposes to do could open the door to a whole flood of meetings by other members of the Congress and presumably even to private citizens who might claim the same privileges as those of members of the Congress, acting on their own.

I sincerely hope that Senator McCarthy will reconsider this proposed step, the advantages of which will seem dubious, to say the least, to so many of our citizens.

EUGENE P. CONNOLLY.

CONGRESSMAN ANNUNZIO COMMENDS LOUIS P. FARINA FOR OUTSTANDING PUBLIC SERVICE

HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. ANNUNZIO. Mr. Speaker, I would like to call to the attention of my colleagues in the Congress an outstanding public service rendered by my good friend of many years, Mr. Louis P. Farina, deputy commissioner, Bureau of Parking, Chicago Department of Streets and Sanitation.

Mr. Farina, as chairman of the Special Task Force Committee on Flip Top Rings of the International Municipal Parking Congress, has succeeded in finding a solution to the alarming problem of beverage can ring tab top usage in parking meters and other receptacles designed for operation by lawful coins.

The unlawful use of ring tab tops has recently reached unprecedented rates and caused millions of dollars of damage in jammed meter mechanisms and lost public revenues, not only in the United States, but in Canada and other countries as well.

The special task force committee headed by Mr. Farina held meetings in secret session so as not to alarm the public. Treasury Department representatives, major can companies, major parking meter companies, and officials representing local cities and municipalities participated in this all-out effort to solve the serious ring tab top problem.

As a result, major can companies have pledged to change the form and shape of the ring tab tops; the major meter companies have agreed to correct slot sizes to more nearly conform with lawful coinage; and desensitized mechanisms designed to reject all ring tab tops and foreign objects are being installed.

I want to congratulate Louis Farina for the initiative he has taken, for the fine leadership he has provided for the task force committee, and for the major contribution he has made to solving this vexatious problem.

It is dedicated public servants like Mr. Farina who insure that the needs and wants of the American people are met and that their best interests are always protected.

Mr. Farina, who is 44 years old, has spent the better part of his lifetime serving the people. He attended De Paul University and John Marshall Law School in Chicago, and subsequently served as a special investigator for the Illinois Department of Revenue during the administration of Gov. Adlai Stevenson. Additionally, Mr. Farina has served as city field director of Mayor Daley's Citizens Committee for a Cleaner Chicago. He has been associated with many civic and fraternal organizations, is past commander of the American Legion Advertising Men's Post No. 38 of Illinois, and is present commander of the Disabled American War Veterans Business and Professional Men's Chapter.

Commissioner Farina was recently awarded the Star of Solidarity and appointed caviliere by the Republic of Italy for his interest in Italo-American affairs. He was also made a Knight of Malta by former King Peter of Yugoslavia and Knight of the Templar by Franz Joseph of Austria for his civic contributions to local, national, and international affairs.

During World War II, he served as a medic in the Armed Forces of the United States, and received the Purple Heart, the Bronze Star, and three major battle stars.

Presently, as deputy commissioner of Parking, Lou Farina oversees the operation of 76 municipally owned parking facilities, the parking enforcement patrol of the bureau of parking meter maids, and the 35,000 off-street parking meter plant.

I am proud of Mr. Farina's contribution as chairman of the special task force committee, and I congratulate him and all of his committee members for their distinguished public service. It is particularly commendable that many, many citizens from the United States have served on this committee, including the following from Illinois:

Mr. James V. Fitzpatrick, commissioner, Department of Streets and Sanitation, Chicago, Ill.

Mr. James J. McDonough, first deputy commissioner, Department of Streets and Sanitation, Chicago, Ill.

Mr. Michael Robinson, deputy commissioner, Department of Streets and Sanitation, Chicago, Ill.

Mr. Lilburn Boggs, U.S. Secret Service, Chicago, Ill.

Mr. William R. McConochie, De Leuw Cather & Co., 165 West Wacker Drive, Chicago, Ill.

Mr. C. H. Grube, treasurer, Chicago Transit Authority, Chicago, Ill.

Mr. Ralph Johnson, 113 North Euclid Avenue, Oak Park, Ill.

Mr. Gerald B. Morrow, city treasurer, Aurora, Ill.

Mr. Edwin F. Whiteside, traffic engineer aide and housing inspector, Village Hall, Wilmette, Ill.

Mr. H. A. Guthrie, city clerk, City Hall, Waukegan, Ill.

Mr. Dean A. Porter, finance director, City Hall, Evanston, Ill.

Mr. Francis Whitcomb, City Hall, Elgin, Ill.

For his outstanding contribution to solving the ring-tab-top problem, Lou Farina received a letter of commendation from the Director of the U.S. Secret Service, Mr. James J. Rowley. This letter, as well as a press release issued by the International Municipal Parking Congress, follow:

TREASURY DEPARTMENT,
U.S. SECRET SERVICE,
Washington, D.C., June 18, 1968.

Mr. LOUIS P. FARINA,
Deputy Commissioner, Department of Streets and Sanitation, Bureau of Parking, Chicago, Ill.

DEAR MR. FARINA: Reference is made to your letter dated June 3, 1968, advising me that the major can companies have altered the shape of the ring tab tops used on beverage cans to prohibit their further use in parking meters and other receptacles designed to be operated by lawful coins.

In that connection, I wish to commend you for the excellent job you have done in bringing all the interested parties together and instituting action which will help to solve the problem of insertion of these rings into parking meters and other coin operated receptacles. Your action and that of the business interest concerned is a fine example of mutual cooperation between business and local government in searching for a solution to a problem of vital concern to all municipalities throughout the country that rely on revenues obtained by the use of parking meters.

Without the initiative taken by you and the IMPC's Special Task Force Committee in bringing the interested parties together, the resolution of this problem would have been extremely difficult. I extend to you and members of your organization the commendation and congratulations of the Secret Service for resolving this very vexatious problem. The Secret Service continues to be interested in this matter and is anxious to cooperate with you and your organization in any way possible.

Very truly yours,

JAMES J. ROWLEY.

PRESS RELEASE OF THE INTERNATIONAL MUNICIPAL PARKING CONGRESS WORKSHOP, TORONTO, CANADA, JUNE 15 TO JUNE 20, 1968

President Harry Orr of the International Municipal Parking Congress, in a meeting in Toronto, Canada, issued to the membership June 19, a final report from the Special Task Force Committee on flip top rings.

This committee was organized in the summer of 1966 after a report by the members of the Executive Committee on the alarming increase in the usage of flip top ring tabs in parking meters throughout the United States and Canada as well as other parts of the world. A new innovation in ring tabs, while a boom to the major can companies, was an acute hazard not only to the Municipal parking meter industry but to other related agencies threatened with the use of foreign coins or objects which are not legal U.S. currency.

This committee conducted meetings in several major cities throughout the United States under the Chairmanship of Louis P. Farina, Deputy Commissioner of Streets and Sanitation and Director of Chicago's Municipal Parking Program. Co-chairman of the Committee was Merritt A. Neale, Director of the Pittsburgh Parking Authority.

The purpose and objective of this committee was to have private discussions with major can companies, major parking meter companies, and representatives of the U.S. Treasury Department, who are responsible for the enforcement of the law covering use of objects in lieu of U.S. currency. Meetings were held in secret session so as not to alarm the public and cause further usage of these ring tabs in parking meters.

Director James J. Rowley of the Secret Service Division of the U.S. Treasury Department commended Mr. Louis P. Farina, chairman of this Special Task Force Committee, and the International Municipal Parking Congress membership on the cooperative venture of all concerned in helping to solve this most acute problem.

This committee, after discussion and investigation of this problem, conducted tests and inquiries throughout the United States, and this cooperative spirit of the International Municipal Parking Congress helped to solve this problem which was causing the industry a potential loss of $25-million a year. The most important results attained were:

1. A pledge was given by the representatives of the major can companies to change the form and shape of the tab to the extent that it would not hamper its production and usefulness in the industry but would solve the problem of their being used in meters. Ring tabs are to be of such design as will not allow them to enter a meter to give free time.

Although the use of the flip top rings did not always permit free time, the most significant damage being the jamming of the meter mechanism which caused extensive expense for repair and replacement. The major can companies have stated that the change of their dies and the adding of more material to compensate for the change-over is causing approximate expenditure of $15-million over a period of several years. Some of the major can companies who participated and have agreed to this new arrangement are: American Can Company, Continental Can Company, Crown Cork and Seal Co., National Can Co., Reynolds Aluminum Co.

Others are being encouraged to follow the same line so as to conform to this change-over. This change-over was pledged in a spirit of cooperation and public relations and solely on a moral issue. Chairman Louis P. Farina commends the efforts of the major can companies and extends to them congratulations on this spirit in helping to alleviate this serious problem which confronted all municipalities throughout the world. For without their uniting efforts, expense and cooperation, this problem would not have been solved.

2. The major meter companies have agreed to correct their slot sizes so as to more nearly conform to the U.S. currency as well as to the currency which affects other machines and usage of meters. The slot openings as well as new mechanisms developed by the major meter companies will help also to alleviate not only the problem of ring tabs but other foreign objects. The membership of the International Municipal Parking Congress was encouraged to reevaluate their meter plants for this purpose.

Two of the major meter and maintenance companies have invented desensitized mechanisms which now will reject all ring tabs and foreign objects used in lieu of U.S. currency in giving time. These mechanisms are now being installed in some of the major cities in the United States. Chicago is one of the cities. Desensitized units are installed and made part of the present existing meters. However, this jamming of parking meters until the new tabs are manufactured and distributed is still of concern.

These meter companies also contributed to the effort to solve the problem, and they too were commended by President Harry Orr and Chairman Louis P. Farina. The results of these new innovations are presently being shown on the convention floor for the International Municipal Parking Congress membership so they may avail themselves of these preventative measures.

3. Many municipalities as a result of their problems, now have stricter enforcement of the law and stiffer penalties for use of foreign coins in meters. This law has been brought to the attention of the public and citizens have been asked for their cooperation. The Federal Government, U.S. Treasury Department, informs us that the following law now in effect will be used in the prosecution of all offenders

USE OF SLUGS

"Section 491, Title 18, United States Code make the use of slugs or foreign coins in this machine a Federal offense punishable by a fine of not more than $1,000 or imprisonment of not more than one year, or both. Local municipal laws are now being evaluated to help enforce stiffer penalties."

In conclusion, the entire membership of the International Municipal Parking Congress is indebted for this breakthru, and we along with Mr. James J. Rowley, Director of the U.S. Treasury Department commend the efforts of this Special Task Force Committee of the International Municipal Parking Congress and its member cities who participated in the discussions and tests have led to the basic solution of this problem.

Listed below are the members of this most important committee:

Mr. Merritt A. Neale, Co-chairman of Committee, Public Parking Authority, 200 Ross St., Pittsburgh, Pa. 15219.

Mr. Arthur Lomax, Deputy Director, Department of Traffic, 620 Lister Building, Hamilton, Ont., Canada.

Mr. C. E. Ward, Metropolitan Traffic & Parking Committee, 802 Second Avenue S, Nashville 10, Tennessee.

Mr. Francis May, Traffic Engineer, City of Fort Lauderdale, P.O. Box 1181, Fort Lauderdale, Florida.

Mr. Theodore G. Lorenzen, City Treasurer, Davenport, Iowa.

Mr. Harry F. Orr, President of International, Municipal Parking Congress, Director of Parking, 100 West Madison St., Tampa, Fla. 33602.

Mr. William D. Heath, Executive Director, D.C. Motor Vehicle Parking Agency, 499 Pennsylvania Ave. N.W., Washington, D.C. 20001.

Mr. Thomas J Coyle, Director, Parking Operations, 910 Municipal Services Building, Philadelphia, Pa. 19017.

Mr. Edward J. Conroy, Executive Secretary, White Plains Parking Authority, 225 Main Street, White Plains, N.Y.

Mr. Francis Whitcomb, City Hall, Elgin, Illinois.

Mr. William R. McConochie, De Leuw Cather & Company, 165 West Wacker Drive, Chicago, Ill. 60601.

Mr. Richard A. LaBaw, Director, Department of Off-Street Parking, City of Miami, 40 N.W. Third Street, Miami, Florida 33128.

Mr. Robert Develle, City Hall, New Orleans, La.

Mr. John S. Hyle, Manager, Office of Metered Parking System, 250 Alton Road, Miami Beach, Fla.

Mr. Bruno Verducci, Executive Secretary, Parking Authority of the City of Newark, 605 Broad Street, Newark 2, N.J.

Mr. Matthew R. Corey, Chief, Bureau of Enforcement, Department of Traffic, City of New York, 28011 Bridge Plaza North, Long Island City, N.Y. 11101.

Mr. Ralph G. Lewis, Jr., City Traffic Engineer, Chattanooga 2, Tenn.

Mr. Lilburn Boggs, U.S. Secret Service, P.O. Box 1077, Chicago, Ill. 60690.

Mr. James V. Fitzpatrick, Commisisoner, Department of Streets and Sanitation, Room 707—City Hall, Chicago, Ill. 60690.

Mr. James J. McDonough, First Deputy Commissioner, Department of Streets and Sanitation, Room 707—City Hall, Chicago, Ill. 60690.

Mr. Michael Robinson, Deputy Commissioner, Department of Streets and Sanitation, Room 709—City Hall, Chicago, Ill. 60690.

Mr. Dennis Gately, City Hall, Gary, Ind.

Mr. C. H. Grube, Treasurer, Chicago Transit Authority, Merchandise Mart, P.O. Box 3555, Chicago, Ill. 60654.

Mr. Gerald B. Morrow, City Treasurer, Aurora, Ill.

Mr. Gerald E. Longo, Spt. Parking Authority, Stamford, Conn.

Mr. Robert G. Bundy, General Manager Parking Authority, City Hall, Toronto, Ontario, Canada.

Mr. Edwin F. Whiteside, Traffic Engineer Aide & Housing Inspector, Village Hall, 1200 Wilmette Avenue, Wilmette, Illinois 60091.

Mr. Alvin A. Acton, Traffic Engineer, 824 Newark Street, West Palm Beach, Florida.

Mr. H. A. Guthrie, City Clerk, City Hall, Waukegan, Illinois.

Mr. Ralph Johnson, 113 N. Euclid Avenue, Oak Park, Illinois.

Mr. Dean A. Porter, Finance Director, City Hall, Evanston, Illinois.

Mr. Charles D. Fayling, Manager, Parking Meters, Rockwell Manufacturing Co., The Rockwell Bldg., Pittsburgh, Pa. 15208.

Mr. Louis P. Farina, Chairman of Committee, Deputy Commissioner, Department of Streets & Sanitation, Bureau of Parking, 54 West Hubbard St., Chicago, Illinois 60610.

Issued by Harry Orr, President, International Municipal Parking Congress.

RECOGNITION OF RED CHINA WOULD BE A TRAGIC BLUNDER

HON. JOE D. WAGGONNER, JR.

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. WAGGONNER. Mr. Speaker, I think it is appropriate as we prepare to adjourn for the Fourth of July period that the House pause for just a moment to give thought to the independence of others in this troubled world. It is appropriate, too, to consider the total absence of independence and freedom that exists on the vast portion of the Asian mainland that is now Communist China.

I know that the Members have been following closely the trickle of reports that are coming out of Communist China in the past few weeks, reports that indicate hopeless chaos, turmoil, and revolt among the people of China struggling against their Communist oppressors. It is all the more disturbing to me to note that the administration is once again floating trial balloons to test the resolve of the people of the United States; to ascertain if they can, whether or not Americans will tolerate diplomatic recognition of the insane, paranoic regime of Mao Tse-tung or acquiesce in the admission of that despotic government to the United Nations.

I, for one, would like to make it positively clear that it is my opinion that any slight step toward accommodating this war-bent regime would be a tragic blunder on the part of the United States. There are indications that the Mao regime is on the brink of total collapse; may already have collapsed for all we know. What kind of government will follow, no one has the slightest idea. No one in our State Department can possibly hazard an intelligent guess. So, to think of asking Communist China into the U.N. or to consider having diplomatic contact with the Peking regime is out of all reason.

The few, relatively free nations still existing in Asia look to the United States for support in their cool relations with Peking. We dare not undermine those nations by even hinting that we are seriously considering overt, friendly gestures to the butcher regime of Peking.

Senator GEORGE MURPHY recently made a statement on this subject which deals with this sub rosa effort of the administration to "build a bridge" to Communist China and the Senator's statement is worthy of our attention. I hope every Member will read it before we adjourn here today.

The statement follows:

WHAT IS THE ADMINISTRATION'S POLICY ON COMMUNIST CHINA?

(A statement and question by U.S. Senator GEORGE MURPHY)

I am increasingly concerned over indications that the Administration may be subtlely attempting to alter established U.S. policy toward Communist China. Many news reporters have described a recent speech on Communist China by Under Secretary of State Katzenbach as a "trial balloon" designed to test public sentiment on the possibility of changing America's policy toward Communist China.

However, Mr. Katzenbach's speech is not the first so-called "trial balloon" on the subject. Since the beginning of this year several high Administration officials have been making strangely conciliatory comments about Communist China.

I think it might be useful to review this series of Administration statements to determine if a pattern is indeed developing, a pattern indicating that a change in America's posture toward Communist China is in the offing.

In his State of the Union Message in January, President Johnson said:

"Turmoil continues on the mainland of China after a year of violent disruption. The radical extremism of their government has isolated the Chinese people behind their own borders. The United States, however, remains willing to permit the travel of journalists to both of our countries to undertake cultural and educational exchanges; and to talk about the exchange of basic food crop materials."

As far as I have been able to find out, this is the first statement in which anyone in the Administration discussed the possibility of "exchanging food crop materials." I wonder exactly what the President meant by that statement? What sort of food crop materials would the United States, the greatest agricultural nation in the world, need from Communist China? The only agricultural product of China which is known to be in surplus and in great demand in the rest of the world is opium—and we certainly don't need any of that.

I am confident that the President's State of the Union Message is an accurate statement of the Administration's intent—even though I do not see what agricultural products China will trade to us. I certainly hope the President's statement is not the forerunner of a request for the shipment of American surplus agricultural products to mainland China. The past two Democratic Administrations have made a habit of bailing out such troublemakers as Sukarno, Nasser, Toure and Nkrumah with loans and gifts of America's surplus agricultural products. I certainly hope the Administration is not now thinking of extending this foolish policy to our self-appointed enemies in Communist China. I certainly hope we will be sure our own people all have adequate diets—and I note some people have wildly suggested 20 percent of our people go to bed hungry—before we attempt to feed the Chinese Communists.

The next indication of the possible change in Administration thinking on China was the Vice President's unequivocal statement in April of this year, extending the Administration's "bridge building" theory—which had previously been applied primarily to Eastern Europe—to Communist China. This was rather an amazing about face, for only six months before the Vice President was issuing warnings about "militant, aggressive, Asian Communism, with its headquarters in Peking, China." Following his change of heart, the Vice President said:

"I look forward to the day when the great Chinese people no longer victimized from within, take their place in the modern world. Surely one of the most exciting and enriching experiences to which we can look forward is the building of peaceful bridges to the people of mainland China."

If the Vice President intends merely to express support for the idea that the Chinese people will eventually regain their freedom, then none could fault his statement. However, such statements must be considered in context of the events and policies of the day. "Bridge building," in the current Administration's vernacular connotes an attempt to increase trade with Communist goverments now in power. In my opinion, this is hardly the time to seek increased trade with Communist China. Although we may wish to reaffirm our traditional friendship for the Chinese people this is no time for U.S. initiative which might legitimate the current Chinese Communist rulers or help them overcome China's grave internal problems.

Finally, two top officials of the Department of State, Mr. Katzenbach and Mr. Eugene Rostow, made speeches on the same day elaborating on what the President and Vice President have already said about the possibility of improving our relations with Communist China.

The Under Secretary of State, Mr. Katzenbach, speaking at the National Press Club on May 21, 1968, hinted that this country might loosen its trade embargo against Communist China if Peking would ease its opposition to commerce with the United States. One recent example of America's "new flexibility" on trade and financial matters, I am told, was the granting of a license to the Radio Corporation of America permitting RCA to pay about $600,000 to the Chinese Communists for services rendered by the Peking authorities in accepting RCA messages from overseas customers primarily located in the Middle East. According to newspaper reports, this transfer of funds is the largest ever authorized under the Foreign Assets Control Act of 1950. I believe Members of Congress would be very interested in the details of this transaction and in an explanation as to why the Administration chose this particular moment to authorize payment of over half a million dollars to the Red Chinese when our balance of payments situation is so critical.

Mr. Katzenbach, the number two man in the State Department, further stated that the Administration would accept "just about any gesture" as an indication of Peking's interest in improving relations with the United States. I am amazed that such a statement would be made while the Administration is trying to negotiate an end to the Vietnamese war and when it is well-known that Peking is urging Hanoi to prosecute that war with renewed vigor. I am appalled that such a statement would be made when more Americans have been killed in Vietnam with the aid and support of the Red Chinese in the past four weeks than in any other previous four-week period during the entire Vietnamese conflict.

Mr. Katzenbach's speech contains some other rather remarkable language. He says for instance that: "The military threat posed by Peking can be, and perhaps at times has been, exaggerated." I am amazed to find Mr. Katzenbach making such a statement when his immediate superior, Mr. Rusk, has repeatedly stated that one of the main reasons for our intervention in Vietnam is to prevent Chinese Communist expansion into all of

Southeast Asia. I am amazed to hear such a statement from the Under Secretary of State just a few months after the Secretary of Defense justified the expenditure of $5 billion for an ABM (anti-ballistic missile) system designed to protect us from the growing Chinese Communist nuclear threat. Such glaring inconsistencies makes one wonder whether the right hand of the Administration knows what the left hand is doing.

Mr. Katzenbach further states that the Department of State understands Communist China's "legitimate needs for security and friendly relations with neighboring countries." This comment implies that Peking has a benign and peaceful record throughout the world. Mr. Katzenbach blithely overlooks the fact that since 1960 Communist China has made at least two open military attacks on India, created disturbances in Macao and Hong Kong, nearly conquered Indonesia from within, launched widespread subversion in Africa, continually probed the Taiwan Straits, and has encouraged both the disgraceful conduct of Chinese Communist diplomats abroad and the mistreatment of foreign diplomats and newsmen in Peking.

The Under Secretary's statement about Communist China's "friendly relations with her neighbors" seems to contradict many previous pronouncements made by both Democratic Administrations since 1960 in opposing the admission of Communist China to the United Nations. The U.S. has repeatedly, and I think rightly, pointed out that the government in Peking is not peace-loving. The Chinese Communists clearly do not concur in the obligations which the UN Charter imposes upon members. I would question whether Mr. Katzenbach's remarks are not most untimely, for during the past few years Communist China has aggressively attempted to put its openly stated theory of world revolution into effect. As a result a growing majority of United Nations members now oppose Communist China's entry into the world body, whereas previously the number of states voting with the United States against Communist China was decreasing. So once again this Administration appears to be wavering in its support for a policy which has finally won the enthusiastic backing of friendly states, a policy which the U.S. has firmly endorsed since the Chinese Communists attacked United Nations forces in Korea in 1950.

The Under Secretary of State for Political Affairs, Mr. Eugene Rostow, speaking in Cincinnati on the same date as Mr. Katzenbach, stated: "We have ourselves pushed aside barriers which once existed in our policy. . . . We have made clear our willingness to welcome Chinese scientists, scholars, and journalists to the United States, and have encouraged our own academics to establish contact with their counterparts on the mainland of China. To facilitate these contacts, we have eased restrictions on travel to Communist China. Few applications for the validation of passports for travel to Communist China have been refused in recent years. . . . We have taken other steps as well."

I think Members of Congress would like to knew what the "other steps" referred to by Mr. Rostow are. I would like to know the reasons behind the Administration's change in tactics toward the Chinese Communists. I would like to know what has prompted the Administration to begin thrown bouquets at the Chinese Communists. Is there some startling piece of news about Communist China which policymakers in the State Department and in the White House know which other Americans are not privy to? If there is, the Administration should share this news with the American people! If there is not, I suggest that this is a most peculiar time for America to begin courting the Chinese Communists.

As of a few months ago there was great uncertainty among China scholars as to who was actually in control in Peking. This Senator is still uncertain.

Does not the continuing conflict on the mainland make it impossible to predict now whether the Communists will be able to retain centralized control of that huge country? Is it not quite possible that China will disintegrate into regional rule by warlords? Is it not even possible that the Chinese people will regain their freedom to choose a better form of government? If so, this would hardly appear to be the time to alter our China policy. It would seem to be a time for continued watchful waiting.

Friendship is a two-way street. Have the Communist Chinese taken any initiatives indicating they wish to improve relations with the U.S.? Oddly enough, both Mr. Katzenbach and Mr. Rostow express doubt in their speeches that the Chinese Communists are interested in friendly relations with the United States. For instance, Mr. Katzenbach said: "Contact, exchange, detente—all threaten not only the objectives of Peking's foreign policy, but the whole ideological fabric which this generation of leaders has woven together . . . such a move—the desire for expanded and improved peaceful contacts between the two countries—appears still to be lacking on the Chinese side."

If Peking is interested in improved relations with the United States, it has an excellent opportunity to demonstrate good faith by helping us find a peaceful solution to the war in Vietnam. If, however, the Chinese Communists continue to withhold their cooperation on this question of life and death importance to all Americans I consider it most inappropriate for our government to extend America's hand of official friendship.

Certainly the American people are entitled to a clear statement of the Administration intention towards Communist China. I see no reason why we should be obliged to read the fine print of numerous speeches to gain an impression of Administration thinking on such a crucial issue. Unless the national security would be adversely affected, I call upon the Administration to issue a clear, comprehensive policy statement on Communist China.

REPORT ON CIGARETTES

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. JONES of North Carolina. Mr. Speaker, the Federal Trade Commission has made its annual report to Congress on cigarettes.

I am torn between two recommendations to my colleagues about this report. On the one hand, it would be a shame for them to waste their valuable time reading and from this standpoint, I should recommend against bothering with it. But on the other hand, it would be a shame for them to miss this prime example of what happens when bureaucrats meddle into areas where they haven't the least competence.

Aside from a recommendation to ban all broadcast advertising of cigarettes—a recommendation obviously calculated to grab headlines in newspapers—there is little new in this report to Congress. There are a lot of statistics and numbers. There are a lot of speculations. But there is no medical evidence, new or otherwise, that demonstrates that cigarettes harm smokers.

There are many statements that fail to state the full facts. For example, there is a table of how much advertising was spent on cigarettes in the years from 1963 to 1967. The implication of this table is that the industry has vastly increased its advertising. I do not have any figures to support it, but I would bet that a good part of this increase is in the simple rise in the cost of advertising.

Again, the FTC has put forward its peculiar logic that when an advertisement says the smoke of a particular brand of cigarette is milder, that this is a health statement.

On the basis of such logic, the Commission has recommended that television and radio advertising for cigarettes be banned. What the Commission has actually done is to single out a specific product—out of all the products in our economy—and said that although this product is a legal one, and legitimately advertised and marketed, it cannot be advertised on either radio or television.

The Commission has not stated what its criteria for selecting the product are. It has not demonstrated that cigarette smoking is, in scientific fact, harmful. Nor has it demonstrated that cigarette advertising on television or radio plays any significant role in getting people to start smoking cigarettes.

What about automobiles? Some 50,000 people a year are killed by automobile accidents, probably hundreds of thousands are permanently crippled. Yet I hear no hew and cry from the FTC to ban radio and television advertising of automobiles.

Who among us can estimate the physical and property damage caused by excessive use of alcoholic beverage, the broken homes, the impairment of morals. As of this date, I find no concern by FTC in this critical area of public health.

Tobacco is grown in 26 States and Puerto Rico by 650.000 farm families. There are 425 tobacco factories, located in 35 States, directly employing 75,000 men and women earning annual wages of $352,875,000. Farm income from tobacco is about $1.5 billion. State, Federal, and local taxes are running at the rate of $4 billion annually.

Make no mistake about it: The answers to smoking and health questions will come from such facilities as these. The answers will not be found in reports to Congress by a set of bureaucrats who are out of their depth.

That there is a lack of scientific evidence that cigarettes cause human disease is plain to those who study the question with an open mind. There is no doubt that much more research needs to be done, for it is only in the laboratory that questions about smoking and health will be resolved—not in bureaucratic propaganda reports.

The tobacco industry's contributions to independent research to establish the facts are well known. The research being conducted by the Department of Health, Education, and Welfare is also a long step in the right direction.

Much of this research is being done in the State of North Carolina, in the Research Triangle. This magnificent set of research facilities should be a source of pride to all Americans, as it is to North Carolinians. Here, thousands of the best scientific minds in the world are at work on many problems, as well as smoking and health.

IN SUPPORT OF GUN CONTROL LEGISLATION

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. NIX. Mr. Speaker, much of today's discussion about gun control legislation brings to mind similar discussions of yesterday about legislation to outlaw racial segregation in various areas of our national life.

"You cannot legislate morality," we were told. Passing a law against a practice which is an intimate component of people's lives will not necessarily compel them to change. And the failure of the 18th amendment with its attendant evils of bootlegging were cited as obiter dictum for substantiation.

Today, this same argument that we cannot legislate morality or a change in the entrenched habits of men is being offered again by the opponents of gun control legislation. They submit that the strict control of the sale and ownership of guns will not deter criminals or wipe out crime or put a brake to violence in this country.

To a limited extent, their argument possesses some merit. But the terrible need for some form of gun control law is not mitigated by its uncertain ability to overnight guarantee a totally peaceful society. As long as men are governed by the passions of racial extremism, as long as the pus of the criminal mentality festers in the body politic and as long as some men believe that the ultimate responsibility for protecting their family resides within their being, then the potential prospect for violence is one of awesome omnipresence.

But what gun control legislation is designed to do is precisely what the laws against murder, the laws against rape, laws against robbery and burglary, and the laws against aggravated assault are purposed to accomplish.

Laws do not stop criminal behavior. But they do regulate its expression.

In 1966, according to the Federal Bureau of Investigation, there were 10,920 murders. These 10,920 murders were part of the 3,243,000 violent crimes committed in that year—murder, forcible rape, robbery, aggravated assault, burglary, larceny, and auto theft.

Did laws against these crimes prevent their execution? They did not. But let us consider what a rapacious jungle of unbridled violence would have engulfed this Nation if there had been no such laws. Without those laws, we would have lived in a condition of unresolved conflict.

This is why we must appreciate that laws act as an educative force to mold young minds to accept law and order as the highest precept of society's existence. We do not achieve 100-percent compliance in this effort, but we have succeeded historically in maintaining a society more orderly than disorderly.

Society's inclination to obey its laws depends upon the moral commitment men themselves are willing to make toward the law's fulfillment. Laws are made by men for men—all men. There can never be any such thing as selective obedience of the law or society's temple of law and order will crumble into a Sahara of anarchy.

Mr. Speaker, I would also like to say a word about the Negro community which I represent to some extent and its relationship to gun control legislation.

It is fashionable in many circles of racial bigotry to subtly indict the Negro community for the rising "crime in the streets."

Along with the recent two horrible assassinations of our beloved Rev. Martin Luther King, Jr., and Senator Robert F. Kennedy, the rising tide of so-called black crime has been implicitly introduced into the arguments for gun control legislation. Hysteria has been whipped up and logic has suffered grievously.

Let me point out, however, that it is the Negro community which is most savagely victimized by crime. If, in some communities, a majority of the criminals are Negro, then it is equally true that an overwhelming majority of the victims are Negro. The highest crime rates in every major city in America are in the black ghettoes, not the white enclaves.

In New York City, for example, according to a report several months ago by that city's police department, six of that city's 80 police precincts—7 percent—commit one-third—33 percent—of all violent crimes in New York City.

And where are those six precincts located? In the ghetto slums of Harlem, Bedford-Stuyvesant, and the South Bronx.

And so ghetto black mothers and children who today are violently attacked by guns in their communities desperately need the identical protection of tough law enforcement and gun control legislation as much, we are told, as suburban mothers and children deserve these benefits.

Gun control legislation will not automatically prevent crime. But gun control legislation can make it more difficult for the convicted felon, the criminally insane, and the recidivist to buy or own a gun. Gun control legislation can stop the interstate commerce in gun traffic. Gun control legislation can limit the ability of organized crime to make a profit out of selling these purveyors of destruction. And gun control legislation will unquestionably help to reduce crime.

We must never delude ourselves into believing that a new law will ipso facto transform our society into a paradise of happy togetherness merely because we pass that law. The law's ultimate effectiveness depends upon its uncompromising enforcement and its hallowed obedience.

The law is only the matrix that can cement the powder and water of human behavior into a concrete foundation for social stability. This is why the passage of gun control legislation is mandatory in this Congress.

FOURTH OF JULY

HON. EDWARD J. PATTEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. PATTEN. Mr. Speaker, on this Fourth of July holiday I call on all Americans to join me in some old-fashioned flag waving and celebrating. It is Independence Day and it is a day to remember that our Government deserves the support of all of the people. This has been my attitude, regardless of whether the President is a Republican or a Democrat, whether I agree with all his policies or not. This holiday transcends parties and issues. It is a great day for a great country.

Three items in the news recently, I think, reflect the unique greatness of the country and reflect the spirit which shows that this land will continue to be great.

On July 1, the new Immigration Act went into effect, greatly liberalizing the quota system which has traditionally deprived thousands of an opportunity to come here. Why is this new act such a marvelous symbol of this country? Because it shows that America is, indeed, the land of opportunity, and that there are uncounted people in every country on the globe who affirmatively want to come here and live in America. If all manmade laws and barriers were to disappear, you would see the greatest avalanche of people from all over the world arriving at our shores.

A recent report in the Wall Street Journal by a team of respected social scientists shows that, in spite of all the recent domestic troubles, there is less strife in the country now than in past decades. Professors from Brandeis, Princeton, Pennsylvania, and California show demonstrably that civil violence and tension was indeed greater at almost any time in the last century than it is now.

We are not by nature a violent people nor do we support violent customs. On this anniversary of the founding of the Republic, we can proudly rededicate ourselves to nonviolence in our dealings with each other.

Finally, a news item in the Washington Star held my attention: it showed that Americans donated $14.6 billion last year in charity to worthy causes—to religion and to education, to the arts and to the poor. No other country has this tradition of giving, this tradition of generosity. Nowhere else is there such a spirit of philanthrophy among all the people.

Look at the sacrifices made by our young people who volunteer for the Peace Corps and for VISTA and for other social service agencies; look at what they do for the world and for all our people. We hear many complaints, but I am convinced the present generation is the best we have ever had. Generally, it is the most dignified, it has the most respect for itself, and it has genuinely done the most for others and itself.

With thoughts like this in mind, then, I approach July 4 enthusiastically. It is a day of celebration for all of us.

TABULATED RESULTS FOR POLL CONDUCTED JUNE 1968

HON. ROBERT J. CORBETT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. CORBETT. Mr. Speaker, I am submitting for the information and interest of my colleagues the results of my latest survey of public opinion in the 18th Congressional District of Pennsylvania.

To date more than 20,000 questionnaires have been tabulated. This is enough, we believe, to virtually constitute a referendum on the issues considered, and is a most effective antidote against pressure propaganda.

The above-mentioned information follows:

TABULATED RESULTS FOR POLL CONDUCTED JUNE 1968

1. Do you agree with those who advocate that the police should shoot at looters and arsonists who fail to desist when challenged? Yes, 93%; No, 7%.

Here is reflected the overwhelming popular resentment against law breakers and violence. The people of our district (and we can assume of the whole nation) want a speedy return to law and order and respect for proper authority. The rights of the offended are more important than the rights of the offenders.

2. In order to get peace in Vietnam, do you feel the United States should agree to the North Vietnamese demand that a coalition government to include Communists be set up in South Vietnam? Yes, 31%; No, 69%.

The majority seems to feel that we will have lost the war in Vietnam if we negotiate a settlement that allows the Communists a place in the government of South Vietnam and that all our sacrifices of men and money will have been in vain.

3. Should we cut off federal scholarship and loan funds to college students guilty of participating in campus rioting? Yes, 93%; No, 7%.

The public is quite willing to help students of needy families to secure educational advantages. But the great majority is fed up with subsidized students participating in riots and demonstrations which destroy property and interrupt orderly educational processes. If change is necessary, there exist proper and dignified methods of achieving such objectives. After all, one thing we are trying to do is to develop good citizens, not law scoffers.

4. Would you vote for a "negative income tax" (guaranteed annual income) for families regarded as poverty stricken? Yes, 17%; No, 83%.

Detailed plans of how the guaranteed annual income will work are not generally known and we cannot be sure if it would put an end to most other welfare programs. But a large majority revolts at the idea of mailing monthly checks to people simply because they can prove a lack of money. To most it is simply a fancy name for the dole.

5. Under the terms of the North Atlantic Treaty, member countries can withdraw from the NATO Alliance next year. Should the U.S. withdraw and bring its troops back from Europe? Yes, 43%; No, 57%.

In our previous poll 88% felt that the U.S. has over-extended itself on foreign commitments, but many of those apparently feel that NATO is so important in maintaining the balance of power against the Soviet Union that they are willing to keep our troops in Europe at either present or reduced force levels. This question provided the closest division of opinion on our poll.

6. Do you believe that a tax increase and decreased government spending are necessary to prevent more inflation and to strengthen the dollar? Yes, 62%; No, 38%.

In our February Poll 73% opposed the enactment of a 10% surcharge on personal and corporate income taxes. Most said taxes are high enough and that the main thrust should be towards reducing expenditures. In this poll when the two elements were combined, the majority voted for a tax hike coupled with a budget limitation to save the dollar. I voted for that package when the House passed it 268 to 150 on June 20. I found no one who wanted higher taxes, but even though it is an election year, a strong majority in the House felt that our fiscal fitness demanded responsible action.

7. Do you believe that definite and decisive action should be taken by the U.S. government to obtain the return of the USS Pueblo and its crew from North Korea? Yes, 87%; No, 13%.

The overwhelming majority apparently believes that the prestige of the U.S. was seriously impaired when we did not retaliate promptly to the seizure of the Pueblo. Likewise they say that the slogan of 1898, "Remember the Maine," has now become, "Forget the Pueblo."

8. Do you think that the election of our next President will be decided in the House of Representatives? Yes, 12%; No, 88%.

This question indirectly probed how seriously people regard the third party candidacy of George Wallace. According to our Constitution, if no candidate obtains a majority (over 50%) of the electoral votes, the House of Representatives will choose the President from among those three candidates who got the highest number of electoral votes. Many competent political observers believe that the contest between Republicans and Democrats will be so close that Wallace may get enough electoral votes to prevent either major party candidate from obtaining a majority of the electoral votes to prevent either major party candidate from obtaining a majority of the electoral votes, so that our next President could be elected by the House instead of the people.

9. Should our interstate highway program be curtailed to some degree until we have regained fiscal fitness? Yes, 63%; No, 37%.

Despite the fact that our federal highways are financed by special taxes on gasoline, oil, tires, etc., and not from the general treasury, we see here another example of the people's distaste for continued heavy spending. Such spending does add to the nation's boiling inflation, and many feel that highway construction could be reduced until unemployment becomes heavier.

10. Would you have permitted the Poor People's March to come into Washington, D.C.? Yes, 24%; No, 76%.

This question was poorly phrased. Some respondents had in mind the Solidarity March of June 19, while others were thinking of the Poor People's Encampment at Resurrection City. Had the question been only on the Solidarity March I think more would have approved it and less would have favored allowing the camp-in.

11. Should we sell up-to-date arms and aircraft to Israel? Yes, 60%; No, 40%.

Although most are sympathetic to Israel's future welfare and are alarmed over increasing Communist influence in the Arab world, a sizable minority fear that such sympathy could involve us in an arms race in the Near East with the Soviet Union.

12. Which do you think is the single most important problem facing the country today? (Please check just one.)

(a) War in Vietnam, 29%.
(b) High Cost of Living, 5%.
(c) Poverty, 3%.
(d) Crime and Lawlessness (including riots, looting, etc.), 63%.

These results support those of Question No. 1 and parallel the findings of many recent nation-wide public opinion polls: Crime is the major concern of the American public today.

13. If your present inclination is to vote Democratic in November, who would you prefer to be the nominee? (Please check just one.) Humphrey—; Kennedy—; McCarthy—.

This questionnaire had just gone into the mails when the late Senator Kennedy was tragically assassinated. Consequently the possible answers were so badly confused we decided to nullify the question and not publish any results.

14. If your present inclination is to vote Republican in November, who would you prefer to be the nominee? (Please check just one.) Nixon 51%; Reagan 15%; Rockefeller 34%.

On a question such as this, straight reporting and no commentary is about all that is in order.

RED CHINA

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. WYMAN. Mr. Speaker, in recent weeks there has been disturbing increase in the number of statements emanating from varying sources in the present administration hinting at a change of policy toward Red China. In this connection I commend the reading of an article by John D. Lofton, Jr., appearing in the Manchester Union Leader of June 29, 1968.

Interestingly, in a recent poll which I took in New Hampshire's first Congressional District, in more than 10,000 replies, 64 percent opposed the admission of Red China to the United Nations, 25 percent favored it, and 11 percent were undecided.

The article follows:

UNITED STATES CONSIDERING RED CHINA TIES?

(By John D. Lofton, Jr.)

Is the Johnson-Humphrey Administration considering the recognition of Red China?

Well, they just might be, but they haven't said anything official on it and that's made Sen. George Murphy (R.-Calif.) pretty hot under the collar.

The senator has noticed several high ranking administration officials sending up trial balloons on the subject and has asked Johnson and Company to issue a comprehensive policy statement on Communist China.

"I see no reason why we should be obliged to read the fine print of numerous speeches to gain an impression of administration thinking on such a crucial subject," the California Republican told his Senate colleagues recently.

The way Senator Murphy sees it, Balloon Number one was sent up by none other than LBJ himself in the State of the Union message last January when he told the Congress: "Turmoil continues on the mainland of China after a year of violent disruption. The radical extremism of their government has isolated the Chinese people behind their own borders. The United States, however, remains willing to permit the travel of journalists to both of our countries to undertake cultural and educational exchanges; and to talk about the exchange of basic food crop materials."

(What sort of food crop materials would the U.S., the greatest agricultural nation in the world, need from Red China, asked Senator Murphy in disbelief. "The only agricultural product of Red China which is known to be in surplus and in great demand in the rest of the world is opium—and we certainly don't need that," he quipped.)

HUMPHREY BALLOON

Balloon Number Two was sent aloft by Vice President Humphrey in April of this year when he said: "I look forward to the day when the great Chinese people no longer victimized from within, take their place in the modern world. Surely one of the most exciting and enriching experiences to which we can look forward is the building of peaceful bridges to the people of mainland China."

Balloons Number Three and Four were launched simultaneously on May 21 by Under Secretary of State Nicholas Katzenbach—and Eugene Rostow, under secretary of state for political affairs.

Katzenbach speaking to the National Press Club hinted, among other things, that the U.S. just might loosen its trade embargo against Red China if Peking would ease its opposition to commerce with this country.

One example cited by Senator Murphy of our "new flexibility" policy toward Red China was the granting of a license to the Radio Corporation of America to pay about $600,000 to the Chinese Reds for services rendered by Peking authorities in accepting RCA messages from overseas customers primarily located in the Middle East.

According to newspaper reports, this transfer of funds is the largest ever authorized under the Foreign Assets Control Act of 1950.

Under Secretary of State Katzenbach, the number two man at State, further stated that the administration was prepared to accept "just about any gesture" as an indication of Peking's interest in improving relations with the U.S. He also opined that "the military threat posed by Peking can be, and perhaps at times, has been exaggerated."

OVERLOOKS ATTACKS

This observation, Senator Murphy notes, blithely overlooks the fact that since 1960 Red China has made at least two open military attacks on India, created disturbances in Macao and Hong Kong, nearly conquered Indonesia from within, launched widespread subversion in Africa, continually probed the Taiwan straits, and has encouraged both the disgraceful conduct of Red Chinese diplomats abroad and the mistreatment of foreign diplomats and newsmen in Peking.

Speaking in Cincinnati the same day as Under Secretary Katzenbach spoke in Washington, Eugene Rostow was putting down a similar line: "We have ourselves pushed aside barriers which once existed in our policy . . . We have made clear our willingness to welcome Chinese scientists, scholars and journalists to the U.S., and have encouraged on our own academics to establish contact with their counterparts on the mainland of China. To facilitate the contacts, we have eased travel restriction on travel to Communist China. Few applications for the validation of passports for travel to Communist China have been refused in recent years . . . We have taken other steps as well."

MORE BALLOONS

With no real reaction to the first four balloons it looks as if the administration is starting to send them up again.

In an interview with the New York Times last Sunday (June 23), Vice President Humphrey, in responding to a question having nothing to do with our China policies, volunteered the notion that "we must initiate a constant, persistent effort to open up China, and to get away from the isolation of China to peaceful engagement with her . . . In trade, I don't just mean cultural exchanges, I don't mean 'just journalist exchanges, doctors and educators—I mean, commerce."

Senator Murphy summed up the whole idea of trade with Red China when he put it this way: "If Peking is interested in improved relations with the U.S., it has an excellent opportunity to demonstrate good faith by helping us find a peaceful solution to the war in Vietnam. If however, the Chinese Reds continue to withhold their cooperation on this question of life and death importance to all Americans I consider it most inappropriate for our government to extend America's hand of official friendship."

THEY GAVE US AN INDEPENDENT AMERICA—CAN WE KEEP IT?

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. GATHINGS. Mr. Speaker, today Mr. George J. Burger, Sr., vice president of the National Federation of Independent Business, gave me an article "The Price They Paid." This is an authentic résumé or abstract of the sacrifices made by the courageous men who signed the Declaration of Independence. The facts about the hardship and suffering of these patriots who subscribed their names to this document are little known to the American people today. It was common knowledge to these men at that time that they were risking everything they held dear by being a part of the leadership in this epochal movement.

At this time of unrest, with the Nation facing trouble from within, articles of this kind should be broadly distributed to our people. This one is made available with the compliments of the National Federation of Independent Business of San Mateo, Calif., an organization that is dedicated and devoted to the principles that have made America a strong and great Nation.

The pioneers who have gone before have left America a heritage of which we can be proud to perpetuate this freedom and independence is the legacy of all of us.

The text of "The Price They Paid" is included as a part of my remarks:

[Compliments of the National Federation of Independent Business, San Mateo, Calif.]

THE PRICE THEY PAID

Have you ever wondered what happened to those men who signed the Declaration of Independence?

Five signers were captured by the British as traitors, and tortured before they died. Twelve had their homes ransacked and burned. Two lost their sons in the Revolutionary Army, another had two sons captured. Nine of the 56 fought and died from wounds or the hardships of the Revolutionary War.

What kind of men were they? Twenty-four were lawyers and jurists. Eleven were merchants, nine were farmers and large plantation owners, men of means, well educated. But they signed the Declaration of Independence knowing full well that the penalty would be death if they were captured.

They signed and they pledged their lives, their fortunes, and their sacred honor.

Carter Braxton of Virginia, a wealthy planter and trader, saw his ships swept from the seas by the British navy. He sold his home and properties to pay his debts, and died in rags.

Thomas McKeam was so hounded by the British that he was forced to move his family almost constantly. He served in the Congress without pay, and his family was kept in hiding. His possessions were taken from him, and poverty was his reward.

Vandals or soldiers or both, looted the properties of Ellery, Clymer, Hall, Walton, Gwinnett, Heyward, Ruttledge, and Middleton.

At the Battle of Yorktown, Thomas Nelson Jr., noted that the British General Cornwallis, had taken over the Nelson home for his headquarters. The owner quietly urged General George Washington to open fire, which was done. The home was destroyed, and Nelson died bankrupt.

Francis Lewis had his home and properties destroyed. The enemy jailed his wife, and she died within a few months.

John Hart was driven from his wife's bedside as she was dying. Their 13 children fled for their lives. His fields and his grist mill were laid waste. For more than a year he lived in forests and caves, returning home after the war to find his wife dead, his children vanished. A few weeks later he died from exhaustion and a broken heart.

Norris and Livingston suffered similar fates.

Such were the stories and sacrifices of the American Revolution. These were not wild-eyed, rabble-rousing ruffians. They were soft spoken men of means and education. They had security, but they valued liberty more. Standing tall, straight, and unwavering, they pledged: "For the support of this declaration, with a firm reliance on the protection of the Divine Providence, we mutually pledge to each other, our lives, our fortunes, and our sacred honor."

They gave us an independent America. Can we keep it?

HON. BILL NICHOLS APPOINTED TO THE BOARD OF TRUSTEES AT AUBURN UNIVERSITY

HON. GEORGE W. ANDREWS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. ANDREWS of Alabama. Mr. Speaker, I am pleased to share with the Members of the House today the news that our colleague from Alabama [Mr. NICHOLS] has been appointed to the board of trustees at Auburn University. His appointment was made today by Governor Albert Brewer.

Our colleague holds two degrees from Auburn University, but in those days it was called Alabama Polytechnic Institute. He was also captain of the 1939 football team, and played on the 1937 team that beat Michigan State in the Orange Bowl. Since then, he has worked hard for Auburn and for education in general in Alabama. He served on his city board of education for 15 years, and championed the cause of education in his two terms in the state legislature.

Auburn University is a great land-grant university. It has a proud history and a promising future. I know it will become even greater under the able leadership of our colleague [Mr. NICHOLS] who has just been appointed to serve on Auburn's board of trustees.

OUR FOREMOST DOMESTIC PROBLEM IS CRIME

HON. JACK H. McDONALD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. McDONALD of Michigan. Mr. Speaker, it is appalling to observe that our foremost domestic problem is crime.

The national crime rate has risen by a fantastic 88 percent in the period between 1960 and 1967 while during the same period our population has increased only 10 percent.

The permissiveness in our society has resulted in a general air of defiance of the law on the part of many of our citizens, especially our young people.

The "cop on the beat"—once admired and respected—today is all too often the target of abuse.

Restrictions placed on law enforcement officers have made it far more difficult to present cases that will stand up in court. The recent Supreme Court decision upholding state "stop-and-frisk" laws is a step in the right direction, but only a small one.

Recent enactment of the omnibus crime bill of 1968 is another progressive step.

But much more must be done—and done quickly.

In an effort to do something to speed up the war on crime, I am introducing today a package of bills that, hopefully, Congress will act on quickly.

Gambling and narcotics convictions are made especially difficult because under present Federal law an officer must announce his intentions before entering premises to be searched. This gives a suspect plenty of time to dispose of evidence.

I am introducing a bill today that would allow a Federal agent to enter premises unannounced if he feared evidence was likely to be destroyed.

Narcotics and gambling are big business today, and those who run such enterprises have managed to wiggle their way into legitimate business.

I am introducing two bills dealing with this problem.

One would prohibit investment of income derived from criminal activities in any business enterprise involved in interstate or foreign commerce.

Another would prohibit investment of intentionally unreported income derived from one business in another.

Auto theft has become such a major racket that congressional action is imperative. Therefore, I am introducing a bill that would allow a Federal agent to stop a motor vehicle to inspect the serial number of its body and motor if he had reason to suspect it had been stolen.

In view of the Supreme Court's ruling on State "stop-and-frisk" laws, I am introducing a bill that would permit search and detention of persons suspected of involvement in or knowledge of a Federal crime.

Finally, Mr. Speaker, I believe it is incumbent upon Congress to maintain a continuing study and investigation of all aspects of organized crime. I am, therefore, introducing legislation to create a Joint Committee on Organized Crime whose duties would include continuing investigations, collection and distribution of information, and recommendations on legislation.

It is my earnest hope that these bills will receive the prompt and favorable consideration demanded by the urgency of the present situation.

A CHALLENGE TO OUR ABILITY TO PROPERLY UTILIZE OUR MANPOWER

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. BRASCO. Mr. Speaker, the "information explosion," the unrelenting drive to reach new horizons of technological advancement, and the very dynamism of our economy, have combined to pose a very distinct challenge to our ability to properly utilize our manpower resources.

Indeed, in many areas, our sophisticated technocracy has outdistanced our ability to fulfill manpower commitments, as reflected in a careful analysis of the problem by the Edward Warren Organization, a planning and consultant firm engaged in the recruitment and placement of financial, systems and planning professionals.

By the mid-1970's the male population between the ages of 35 and 45 will decline by more than 1 million. Yet growth projections indicate that the demand for executives in this age bracket will be one-third as great in the next decade as it is today.

Even now, there are definite shortages of skilled personnel. Industry is confronted with a shortage of 40,000 systems analysts, 50,000 programers and 20,000 systems managers. By 1970, the problem will be even more acute. In systems analysis alone, the shortage will increase to approximately 110,000.

Systems analysis, the Edward Warren Organization points out, is one of America's fastest growing professions. At present, there are some 60,000 excellent opportunities for qualified analysts, and it is anticipated that this demand will continue for the next 10 years.

Within the framework of the accounting-financial field, where there are some 500,000 accountants, there are normally about 24,000 job openings every year. However, due to attrition, the annual demand for qualified accountants is estimated at closer to 75,000.

In light of these highly revealing statistics, the need for proper utilization of professionals in these fields takes on profound significance. Firms such as the Edward Warren Organization therefore, are playing a key role in recruiting top-flight personnel for industry.

The leadership displayed by the Edward Warren Organization reflects the background, experience and capabilities of the principals of the firm, Leslie W. Stern and Edward H. Lubin.

Both are thoroughly schooled in personnel administration, general management, economics, finance, planning and information systems. They have represented some of this country's largest corporations, and have brought to their work a keen insight into these companies' special personnel requirements.

The Edward Warren Organization works closely with management to determine the precise requirements for a particular job, draws an accurate portrait of the best professional for the job, and then recommends those individuals the firm considers most suitable for the position.

By bringing to bear its excellent recruitment talents, the firm saves management the costly and time-consuming task of locating the right professional for the position. I submit that this is truly an invaluable service to industry.

PRESIDENT JOHNSON RECOMMENDS LOWERING OF VOTING AGE TO 18

HON. WILLIAM D. FORD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. WILLIAM D. FORD. Mr. Speaker, President Johnson has given this body a message setting forth, with clarity and force, the reasons for amending the Federal Constitution to lower the voting age from 21 to 18.

I have advocated this change for many years. While serving in the Michigan State Senate in 1964, I was the sponsor of a constitutional amendment, which if passed, would have changed the minimum voting age to 18.

In recent years, this Nation has witnessed a significant growth in the maturity of our younger citizens. The concern and enthusiasm of young people in national affairs is becoming more and more apparent. Young Democrats and Young Republicans are noticeably active in every election.

The work of young people in the Peace Corps, the VISTA program of the war on poverty, in operation Headstart, and other projects, has demonstrated an increasing eagerness and willingness to accept responsibility.

At the age of 18, most young people are fresh out of high school, and are richly endowed with a knowledge of and interest in civic affairs. This knowledge and enthusiasm too often stagnates and withers during the present 3-year period before they are allowed to vote.

The arbitrary age of 21 as the age of maturity dates back for many centuries. It is certainly outdated today, when young people at 18 can legally marry, drive a car, serve in the Armed Force, be tried as an adult for crimes, sign legal documents, and bear firearms.

An 18-year-old today is classified as an adult by life insurance companies, by Webster's Dictionary, and by the Federal Government in the child-labor provisions of the Fair Labor Standards Act.

Two States—Georgia and Kentucky—have already lowered the voting age to 18. Alaskans vote at 19 and Hawaiians at 20. The voting records of these younger persons is far superior to the general average, according to well-documented studies.

These are crucial times for our country. Our system of government is being subjected to tests of the utmost severity. I believe that we will greatly strengthen our Nation and our system of government by extending the franchise to those young citizens in the 18 to 21 age group.

For these reasons, I urge prompt action on the President's proposal.

DR. PALYI WARNS HUGE DEFICIT AFFECTS NATION'S MORAL FIBER

HON. ROBERT McCLORY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. McCLORY Mr. Speaker, the economic polices of the Johnson-Humphrey administration are endangering our entire national existence. In addition, these questionable policies may be contributing to the social unrest which is sweeping the country.

The eminent economist, Dr. Melchior Palyi, explains the dangers and ramifications inherent in a policy which results in a current national deficit of $25 billion. Dr. Palyi's article, which appeared in today's—July 3, 1968—Chicago Tribune, is reproduced as follows:

THE UNITED STATES SPENDS ITSELF INTO FANTASY LAND

(By Dr. Melchior Palyi, consulting economist)

Do people realize what a federal budget deficit of 25 billion dollars—the result of the government's overspending in fiscal 1967–68—means to each one personally?

People know, of course, that the treasury must fill the gap between expenditures and revenues by borrowing somewhere. It has borrowed 7 billions from the "printing press," called the federal reserve system. The rest, 18 billions, had to be taken out of the capital market. Its resources have been preempted accordingly and you will notice it soon, if you haven't yet.

If you need a mortgage loan to build a house, commercial credit to finance your business inventories, or an instalment loan to buy a car—write the politicians you have sent to Washington and tell them in well chosen words how "grateful" you are for the record high interest charges you have to pay. They have raised, and keep raising, your costs by depleting the nation's capital supply.

You think you gain by higher interest rates on savings accounts? Do not let yourself be hoodwinked by such rubbish. Ten years ago your savings account may have brought 3 per cent, while prices were rising at an annual rate of 1½ per cent, leaving you a real return of 1½ per cent. Now, a 4½ per cent rate on the same accounts means that you can barely keep your capital alive in view of the accelerated depreciation of the currency.

That brings us to the next point. Every one of the 7 billion dollars the government has, in effect, borrowed from the federal reserve banks is "high-powered money," the kind that serves as the credit base on which the super-structure of deposits is built. One dollar of "high-powered money" may carry six or more dollars of balances on which checks can be drawn. This overfilling of [privileged] pocketbooks well ahead of the growth of the national income is what drives up your cost of living. The currency's purchasing power declines. It is as simple as that and it all stems from the federal budget deficit.

The inflation process has many specious and vicious ramifications. It affects even the moral fiber of the nation, in addition to unbalancing the economy's wage-price structure, generating wild speculative excesses, and bringing the dollar ever closer to the threatening breakdown.

Rather naively, some people find consolation in the thought that the alternative—ever higher taxes—would be even worse than the defiit. In reality, the government is forced to raise taxes in order to restrain inflation. Well, a 10 per cent surtax became the law of the land on the same day on which the 25-billion-dollar deficit was announced. In other words, the average American family loses when the great-society-spenders are running amok, and loses again when they are running for cover.

A world of huge budget deficits is a world of illusions, of utopian expectations. Therein lies the ultimate root of the widespread disaffection alienation, and social unrest.

DESEGREGATION TAX

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. RARICK. Mr. Speaker, taxes are soaring on everything these days.

In St. Tammany Parish, La., the taxpayers must even pay a tax to desegregate their public school system by Federal court mandate.

The new progressive plan—since freedom of choice did not forcefully attain the desired race mixing—was to close the Negro schools and force all the children into the already overcrowded white schools.

The Slidell Times editorial for June 27 shows the taxpayers cost of this guinea pig experiment.

Maybe the schoolboard can recoup some of the tax loss by selling the buildings for a profit to the Federal Government?

Under unanimous consent I submit the editorial for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the Slidell-St. Tammany Times
(Slidell, La.) June 27, 1968]

HOT OFF THE PRESSES: HIGH COST OF DESEGREGATION

Desegregation bears a considerable price tag.

In order to accomplish a measure of it, federal district court in New Orleans has ordered the closure of five Negro schools in St. Tammany Parish.

Two of those schools do not belong to the school board, do not belong, that is, to the people of the parish.

But the other three represent what will now be an idle investment of some $607,000. They and the price tags are: Sun School $107,000; Mandeville Rosenwald $300,000; and Madisonville Rosenwald $200,000.

The Sun School has been in use for only two years.

EDUCATIONAL TV

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. RARICK. Mr. Speaker, the educational TV programing from the Honolulu, Hawaii, June 23 Star-Bulletin and Advertiser should cause supporters of public broadcasting, merely because of the appealing phrase "education," to sit up and take notice.

Education can be constructive or destructive—depends on whose running the show and the desired objective. In the case at hand it appears revolutionary.

I include the TV programing as follows:

FROM PROTEST TO RESISTANCE

On educational Channels 11, 10, and 4 "Net Journal charts the changing character of radical dissent in America, "From Protest to Resistance," Sunday night at 5 p.m.

The program focuses upon three advocates of dissent, among the original freedom riders in Mississippi eight years ago, who typify the movement's new direction:

Mario Savio, who led the Free Speech Movement at the University of California at Berkeley in 1964. He now contends that the issue is "political power" and is running for the California State Senate on the Peace and Freedom ticket.

Stokely Carmichael, former director of SNCC, who espouses Black Power and calls upon Negroes to oppose the draft reciting "hell no, we won't go."

David Harris, who has left Stanford University where he was student body president, to devote his complete efforts to the Resistance, an anti-draft group that counsels young men on their legal—and moral—rights with regard to Selective Service.

The pageantry and frustration of earlier dissent is framed during scenes from the Spring Mobilization, which drew 500,000 marchers in cities from New York to San Francisco in April, 1967; and scenes from Stop the Draft Week, a series of confrontations with draft boards during which civil disobedience was met by force from police and federal troops, especially at the Pentagon demonstration, which climaxed last October. Now feeling that these marches were merely "acting out impotence," young men such as David Harris are moving increasingly toward resistance, seeking, in Savio's words, "a movement for white liberation."

The radicals contend that the current political and social order lacks an outlet for dissent. Among Negroes, conversely, the Black Power Movement has imparted "community and cohesion," according to University of Wisconsin history professor William Appleman Williams. But some dissenting action involves members of both races: at present, the Peace and Freedom Party has both Negro and white candidates.

The new activists are contrasted with those youths who have recently emigrated to Canada. Interviewed in their new retreats, they contend that "radical politics is playing a silly game," and call Canada "a very nice jail." Harris argues, "if you're going to fight dragons, you might as well fight them where they live."

Cameras follow Savio, Harris, and Carmichael as they propound their views from lecterns, pass out leaflets, consult with friends, participate in demonstrations, and

relax during private moments. But the question which remains, according to Berkeley philosophy professor Herbert Marcuse, is "whether we're in a pre-revolutionary situation."

Hawaii ETV Network will rebroadcast "Net Journal: From Protest to Resistance Monday night at 8 o'clock.

Thursday night at 8 o'clock a different view of dissent is developed on the N.E.T. series "The Dissenters." Irving Howe, one of the leading American proponents of democratic socialism talks with Donald Fouser. Mister Howe, editor of Dissent magazine gives his opinions on a domestic Marshall Plan to aid the cities and the poor; the effect of the Vietnam War on domestic policy, democratic socialism as an alternative to capitalism, and the "New Left."

CRIME

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. ROGERS of Florida. Mr. Speaker, last week I read into the RECORD the sentences given in District court for the previous week for crimes committed with dangerous weapons. A new list is now available, and is just as shocking.

The sentences given in District courts last week are listed below. I hope that these disclosures will spotlight this major part of the crime problem. Only when criminals receive sentences equal to their criminal acts will we see any real decline in the incidence of crime.

These sentences all involve the use of dangerous weapons—a point which should be kept in mind as the Congress considers new gun legislation.

Judge John J. Sirica: An 18-month minimum sentence for second degree murder, and concealing a dangerous weapon.

Judge William B. Jones: A 20-year-old man committed under the Youth Corrections Act for assault with intent to kill, armed robbery, and concealing a dangerous weapon.

Judge Luther W. Youngdahl: A 2-year minimum sentence for robbery, assault with a dangerous weapon, and concealing a dangerous weapon; a 6-month minimum sentence for assault with intent to kill and concealing a dangerous weapon.

Judge George L. Hart: A 6-month minimum sentence for assault with intent to kill and assault with a dangerous weapon; another 6-month minimum sentence for assault with intent to kill and assault with a dangerous weapon; and a commitment of an 18-year-old under the Youth Corrections Act for rape and assault with a dangerous weapon.

Judge Joseph C. Waddy: A 3-year minimum sentence for robbery and assault with a dangerous weapon.

Judge Aubrey E. Robinson, Jr.: A 2-year minimum sentence for robbery and assault with a dangerous weapon; a suspended sentence for assault with a dangerous weapon and concealing a dangerous weapon; and a 3-year minimum sentence for assault with intent to commit robbery and assault with a dangerous weapon.

Judge Leonard P. Walsh: 8 months for concealing a dangerous weapon.

Judge Howard F. Corcoran: A sentence suspended for robbery, assault with a dangerous weapon; and a 19-year-old sentenced under the Youth Corrections Act for robbery, assault with a dangerous weapon, and concealing a dangerous weapon; another sentence of a minimum of 1 year for assault with a dangerous weapon and assault on a police officer; and another sentence under the Youth Corrections Act, this time for an 18-year-old, for robbery and concealing a dangerous weapon.

Judge William B. Bryant: A suspended sentence for robbery and assault with a dangerous weapon; 10 months minimum sentence for robbery and assault with a dangerous weapon; suspended sentence for robbery and assault with a dangerous weapon; a 1-year minimum sentence for second degree murder.

These were the sentence given out in District courts last week for serious crimes involving the use of weapons and murder. To recap, there were two cases of second degree murder. One murderer received a 1-year minimum sentence, the other 18 months. Four men were sentenced under the Youth Corrections Act in spite of the fact that they were 18, 19, and 20 years old and committed serious crimes with weapons—one being convicted of assault with intent to kill. There was one 6-month minimum sentence for assault with intent to kill, and the balance were mostly for robbery and assault with dangerous weapons.

Surely the judiciary of this Nation—and especially of this city of Washington—must come to realize the seriousness of the crime problem and the result of light sentencing. The FBI has for years reported the fact that repeaters account for most of the crime in the United States, and especially for the serious crimes. And any crime committed with a weapon is a serious crime which could and often does result in a death or injury to innocent people.

I have introduced legislation to require a mandatory 5-year sentence, not subject to parole, for any individual convicted of violating Federal law using a weapon. I am asking the members of the District Committee of the House to consider similar legislation for the District of Columbia. If there is any question of the need, one only has to review the sentences listed above, and the ones I reported in the RECORD last week.

OUR FLAG

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, the flag of our Nation is just 191 years old, but the spirit which it embodies is as old as the desire of men to live as free people in harmony.

I think that Leonard Young, a fifth grader at Central Elementary School in Andover, Mass., has captured this spirit in his contest-winning Flag Day essay. I include his words at this point in the RECORD:

OUR FLAG

Our flag stands for our whole country. It stands for all the government in Washington and different important people. But most of all it stands for everyone in the whole United States. It is a symbol of all the brave people who have fought and died for our country. It is a symbol of freedom, liberty, advancement, and glory. Everyone should respect it for these reasons. The flag should be honored and treasured above all other things. We should be proud of our flag and its nation.

Everyone played his part in making this nation. Every citizen has a special job that no one else can do. We want a country that is peaceful. So when we think of our flag, we should always, to the best of our ability, do all we can for everyone.

TRIBUTE AND COMMEMORATION OF THE BALTIC STATES

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. VANIK. Mr. Speaker, this year, 1968, marks the proud 15th anniversary of the founding of the independent Baltic States of Lithuania, Latvia, and Estonia. In 1918, the world saw the reestablishment of these three states after over 120 years of oppression by Czarist Russia. The period between World War I and World War II saw rapid economic and social development by these 800-year-old countries.

But 1968 also marks the sad 28th anniversary of the Soviet Union's aggression and subjugation of Lithuania, Latvia, and Estonia. In the bloody weeks of June and early July of 1940, the Soviet Union, given a free hand by its nonaggression pact with Nazi Germany, seized control of these three independent nations.

Spurred by mass arrests and deportations, the Lithuanians rose up in revolt against the Soviets during the German advance into Russia and established a free provisional government. But this freedom movement was crushed by the new horror of Nazi oppression and occupation. In 1944, the tides of war changed, and the Soviet armies returned to the Baltic States. Thus for the last 28 years these nations have been under the heel of tyrannies which have killed tens of thousands of their patriots and deported over 10 percent of Lithuania's population.

I join with the many Americans whose homeland lies in these Baltic States in marking these two anniversaries: one bright and one dark.

These Americans who are descendents of Lithuania, Latvia, and Estonia, many of whom reside in my area of Cleveland, Ohio, have become great citizens of this Republic. Through their spirit and heritage, they have contributed to the American democracy.

I join with free men everywhere in praying that the liberty of their homeland may soon be restored to them.

REPORT TO THE CONSTITUENCY OF THE FIRST DISTRICT OF MASSACHUSETTS

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. CONTE. Mr. Speaker, I will shortly be mailing my quarterly newsletter to my constituents, presenting the results of my questionnaire on current issues from Vietnam to gun control. This newsletter also discusses the tasks before us in the coming weeks. For the information of my colleagues, I am placing this newsletter and the results of the questionnaire in the RECORD:

YOUR CONGRESSMAN REPORTS

DEAR FRIEND: Many unexpected, dramatic and genuinely tragic events have occurred since I last wrote you. The most recent and most deeply disturbing of this succession of events was, of course, the assassination of Senator Robert F. Kennedy. I am sure that everyone joins with me in extending deepest sympathy to Senator Kennedy's family and in praying that our nation can overcome the terrible violence that has plagued us in recent years.

The turmoil of the past months has imparted even greater urgency to the task of governing the country. Crime control and gun legislation, budget cut and tax increase and other major legislation have all demanded a great amount of energy and attention. In addition, the regular press of correspondence and speaking engagements has been more hectic than ever before. This business has delayed publication of this newsletter and the results of the February questionnaire, which appear on the next page.

Response to the questionnaire was excellent. I want to thank everyone who has taken time to answer it, and I am especially grateful to the academicians who worked with me on the questions and the volunteers at the University of Massachusetts who tabulated the results.

The war in Vietnam still continues to influence every action of the Congress, and like every other American, I am hopeful that the peace talks now going on in Paris will bring a just and an honorable settlement of this conflict.

During this session the Congress has taken effective action in many areas, but a tremendous amount of work remains to be done. We must still come to grips with the major issues facing the nation; the disturbing increase of crime and disrespect for law, the uncertain state of the economy and the great unrest and divisiveness throughout the country.

This is going to take the honest and concerted effort of every member of Congress. You can be certain that I will continue to exert every possible effort to see that this work is carried out as efficiently and as economically as possible.

Corinne and the children have now left the bustle of Washington and will spend the summer months in the beautiful Berkshires. John has just graduated from Deerfield Academy and plans to attend Boston College this fall. Both Michelle and Sylvia, who are sophomores at the University of Massachusetts, have jobs in Pittsfield for the summer and Gayle will be helping her mother.

As I have done for the past several months, I will continue to maintain an active speaking schedule in the First District and I look forward to seeing you at some of these functions.

With best wishes, I am

Cordially years,

SILVIO O. CONTE,
Member of Congress.

Tabulation of results of February questionnaire sent to the First Congressional District

1. Which of the following explanations for our involvement in the war in Vietnam do you approve:

To prevent the spread of communism	3,775
To protect the security of the United States	2,628
There is no valid reason for our presence	2,523
To protect the people of South Vietnam from alien rule	1,778
To contain China	1,103
It is American aggression	555
None of the above	370

2. Which of the following courses of action in Vietnam would you recommend?

Step up military pressures	2,784
Gradually reduce military activities and withdraw troops	2,426
Stop the bombing of North Vietnam	1,278
Immediately withdraw U.S. troops	1,029
None of the above	529
Hold military activities at present level	527

3. Do you favor enactment of the Administration's tax proposals which would mean a 10 percent increase on the amount now paid in income taxes by individuals and corporations?

Yes	2,551
No	3,751
Undecided	1,817

4. Do you believe that a tax increase must be accompanied by a further reduction in Government spending in order to be effective?

Yes	5,261
No	950
Undecided	1,946

5. Would you support increased Government expenditures for domestic programs while paying for the war in Asia?

Yes	1,567
No	4,611
Undecided	1,946

6. Regardless of your answer to the above questions, given today's circumstances, in which areas, (if any) of Government spending would you impose reductions?

Space program	3,857
Public works	2,298
Poverty program	2,070
Urban rebuilding programs	1,919
Defense	1,522
Aid to education	861
Foreign aid	650
Water and air pollution	591
No reductions	344

7. Which of the following policies do you favor with respect to our relations with Russia and the countries of Eastern Europe?

Increased non-military trade and other reciprocal steps toward closer relations	5,670
A policy of minimum contact and relations with these countries	1,639
Neither of the above	309

8. Legislation passed by the House of Representatives proposes to fight the rising rate of crime in this country by providing federal grants to state and local governments for the development of programs to improve police, court and correctional systems. Do you feel this is an effective way for the Federal Government to fight crime?

Yes	3,434
No	840
Undecided	3,809

9. What is your opinion regarding laws pertaining to privately owned arms, such as rifles, shotguns, pistols and revolvers?

Present laws are not adequate for protection of the public	5,206
Present laws are adequate for protection of the public	2,318

10. If your answer to 9 above was that present laws are not adequate, please indicate any of the following additions to the law which you favor:

Prohibit purchase of such weapons through the mails	4,747
Require that all persons owning such weapons be required to register them with state or local authorities	4,468
Other	211

CRIME STATISTICS

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. RARICK. Mr. Speaker, Alan S. Krug, a former economist at Penn State, offers interesting statistics on crime which were reported in an editorial in the Baton Rouge, La., State-Times.

The editorial follows:

WHAT A CHAP NAMED KRUG FINDS

Alan S. Krug is a former economist at Penn State.

He also is a student of the statistics of crime and has done substantial research in the relationship between crime and firearms. His sources range all the way from the Uniform Crime Report of the FBI to confidential conversation with card-carrying criminals he would meet in the dark corners of sleazy bars, with way stops between for insurance company, research divisions of universities, state and local law enforcement divisions and other gatherers of data on crime.

The year 1966 is the last one for which comprehensive figures are complete and available. Mr. Krug says that the national tally sheet, from all sources he's taped, show there were recorded 3,243,370 serious crimes in the United States that year.

Of this total, 109,734 of these 3.2 million serious crimes (3.4 per cent) involved firearms, the weapons duly noted including zip guns, gangster weapons (mostly submachine guns are meant by this), toy guns and fake guns (carved from wood or soap to appear as guns). Mr. Krug adds that rifles and shotguns figured in less than half of 1 per cent of the 1966 total of 3,243,370 serious crimes in the U.S.A.

He goes on to say that the grand total of crimes in 1966, from trivial to petty to serious, was in excess of 31 million incidents.

Serious crimes involving firearms amounted to 35/000 of 1 per cent (0.0035) of the grand total of criminal acts that year. Of the grand total, crimes involving rifles or shotguns amounted to 0.005 per cent.

What Mr. Krug's findings show is that if firearms were to be utterly eliminated from human society and no substitute contrived by the lawless, the United States still would have 96.6 per cent of its serious crime and 99.6 per cent of its total crime.

Those who argue that stringent restrictions on firearms would reduce crime substantially are misleading those to whom they

address their words. Most of them know it, too. The facts and they are there to be found, contradict the position utterly.

Mr. Krug finds, too, and duly reports that statistically there is no significant difference in crime rates between those states having general firearms licensing laws and those that do not. He also duly reports a finding, putting all sources together, that the incidence of homicide is not related to the availability of firearms.

It hardly takes research to comprehend, on this latter point, that when human inhibitions against killing are overcome, whatever weapon is readily available will be used.

JIM BATTIN REPORTS FROM WASHINGTON

HON. JAMES F. BATTIN

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. BATTIN. Mr. Speaker, under leave to extend my remarks, I include the following newsletter:

YOUR CONGRESSMAN, JIM BATTIN, REPORTS FROM WASHINGTON

DEAR FRIENDS: The Excise Tax bill has now been approved by Congress and signed into law by the President. *The pinch on taxpayers will be felt in the next paycheck and in many more to come.* Before that bite starts coming out of your salary or profits, consider other areas that will feel the belt tightening and maybe the pinch won't be quite as bad. The taxpayer, of course, will bear the brunt of this legislation, as he does on every tax bill; but the freewheeling, big-spending federal government has to suffer through this one too. This fiscal legislation was approved by a wide majority of the Congress, but only because the ecoonmy had made it practically an emergency measure. It will raise personal and corporate taxes 10% and it will require the Johnson Administration to trim spending by $6 billion. The bill was unpopular in Congress last year and would never have passed, but this year skyrocketing inflation, soaring interest rates, mounting trade deficits, a serious gold drain and a dollar in serious jeopardy left little choice. At the time the President signed the bill, making it law, it was still unpopular with the Administration. *It was bitter medicine and the President and his Administration were reluctant to take the cure.* There was not much choice on their part either because without the tax increase the Johnson Administration would have faced history as the reign that devalued the dollar. *Things were that bad.*

Now Congress must be charged with seeing to it that the Administration's obligations are carried out to the letter of the law. The Internal Revenue Service will be sure to see that withholding rates are increased immediately. Those of us who voted for the tax increase and spending reductions, even though we didn't support the sepnding that made this legislation necessary, will be making certain that the President and federal Department heads make the required spending cuts.

Next week the Administration has a prime opportunity to make good the promises of fiscal responsibility. The foreign aid bill which would funnel almost two and a half billion dollars out of our country will be presented to Congress. It seems to me that this is the most likely area for cuts since we are already asking the citizens of the United States to pay their part in saving our economy. The other nations of the world which have benefited by our wealth should also sacrifice when times are bad. But from past experience, I don't really expect the Administration to make reductions in foreign aid. If the President refuses to cut expenses in this area, then Congress should act to do the job for him. *The Administration is asking too much for foreign aid to support a foreign policy that has been a proven, miserable failure.* This year foreign aid is in trouble.

There is a good chance that the bill could be outright defeated on the floor of the House. On the Senate side the Foreign Relations Committee is balking at the military aid section. Foreign aid passed last year by only an eight-vote margin and it isn't attracting any new boosters in this, an election year. This year there isn't just the traditional opposition in Congress. Many legislators who have previously voted for foreign aid in the hope that they could buy peace are looking around the world and seeing that we have wasted our money. The give-aways have amounted to $122 billion over the past 20 years. In that time we have had to borrow the money which the federal government spread around the world and that added an additional $52 billion in interest charges—a net of $174 billion.

Every year when the foreign aid bill comes up, I find examples in the Comptroller General's reports of some of the things this money is being spent for. This report is always a good argument for reducing the spending—in fact, for scrapping the entire program. Here are some recent examples: $11,000 to Canada for a study of fish odors; $15,000 to determine the geographical movement of mentally unstable persons in Norway; $33,000 to study Australian crickets; $40,000 for Australian scientists to discover why Aborigines perspire the way they do; $23,700 for a study of the life cycle and behavior of ostriches in Africa.

These examples may sound preposterous. They are unbelievable, but they were actually part of the Administration's budget and hidden in obscure parts of the many thousand pages until they were found this year by a research committee of Republicans. Now that Congress has given the President a mandate to cut spending, the budget should be returned to the Bureau of the Budget to give the Administration the opportunity to find all of the programs like these that should be eliminated.

Sincerely,

JIM BATTIN.

DAVID M. McCONNELL

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. BOGGS. Mr. Speaker, I would like to direct the attention of my colleagues for a moment to the recent appointment of David M. McConnell of Charlotte, N.C., as a member of the U.S. delegation to the 45th session of the United Nations Economic and Social Council convening this month in Geneva, Switzerland.

Mr. McConnell will serve not only as a member of our delegation, but also as a Special Advisor to the Council with the rank and appointment of Ambassador of the United States, and he is eminently qualified to do so. Allow me to review his credentials:

David McConnell is an attorney who possesses a broad background in the field of international affairs. Prior to World War II, he was counsel to the U.S. Senate Committee on Government Reorganization and an administrative assistant to U.S. Senator James F. Byrnes of South Carolina, who later became our Secretary of State.

During World War II, he served as provost marshal and protocol officer with the Nationalist Chinese Army under Gen. Joseph W. Stilwell in China, Burma, and India. He was Chairman of the International Conference at Ramgarh, Bihar Province, India, in 1942, which prepared the Treaties of Military Command and Criminal Jurisdiction of Forces in China, Burma, and India. For this service, he was later awarded the U.S. Legion of Merit and awarded the Order of Cloud and Banner by Chiang Kai-shek.

After World War II, he was chief of legislative branch of the War Department General Staff. Later, he was a co-draftsman of the Declaration of Nuremberg and the Post War Treaty with the Republic of the Philippines.

In closing, may I say that I think it is clear to everyone that we will have a capable, very qualified man representing us at this important Conference in Geneva this month.

CAUSE FOR SHAME

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. ASHBROOK. Mr. Speaker, for 14 years now Julius Epstein of the Hoover Institution at Stanford University has been seeking to gather information on the infamous forced repatriation to the Soviet Union of Russians who were in Allied hands at the end of World War II. Some accounts of this highly immoral operation have leaked out to the public, but the bulk of material on the tale of perfidy resides with our own Department of the Army. The seriousness of the tragedy can be judged from the fact that some of those to be returned to the Soviet Union committed suicide rather than face the tyranny of the Soviet leaders. As the Chicago Tribune in its lead editorial of June 30 indicates, the Army is reluctant to make public details of this transaction in which the United States and Britain backed down and acceded to the wishes of the tyrant Stalin.

As the Tribune also points out, millions of Germans were expelled from their homes in Poland, Czechoslovakia, Hungary, and other countries although they had resided in these areas for hundreds of years. Many men, women, and children died as a result of the expulsion.

Although this issue of forced repatriation took place over 20 years ago, it is still an issue which has pertinence today. It will be remembered that the Communists wanted the prisoners of war captured by the Allied forces in the Korean war returned to North Korea and Red China. When given the chance to make their choice, many thousands elected not to return to their Communist homelands. This issue might well be subject of debate during the present Vietnam war. Ho Chi Minh could demand that POW's from North Vietnam now in the hands of the South Vietnamese be sent back to North Vietnam. The one sure way to insure that there will never be a repetition of the tragedy of World War II is to have a complete airing of the scandalous policy pursued by the United States and Britain at that time. An investigation by a congressional committee publicizing this black mark in our foreign policy at that time would guarantee that our diplomats, if only from a selfish viewpoint, would shy away from being party to a future forced repatriation scandal. But if they can refer to the Yalta coverup and the successful shielding over these many years of those responsible, some of them might be tempted to try this policy again.

Under unanimous consent, I submit the editorial, "Cause for Shame," from the Chicago Tribune of June 30, 1968, for inclusion in the Congressional Record, as follows:

CAUSE FOR SHAME

Twenty-three years after the Yalta conference there are still some things about which the United States government finds it advisable to remain discreetly silent. One of these is slave labor after the end of World War II. Another is the forced repatriation of Russians rounded up after the defeat of Germany. A third is the mass expulsion of Germans from their ancestral homes in eastern and east central Europe.

Stanley Resor, secretary of the army, has been constrained to refuse the demand of a member of the research staff at the Hoover Institution on War, Revolution, and Peace for access to documents relating to the roundup of Russians and their transportation back to the Soviet Union.

The application, made by Julius Epstein, who hoped to include the material in a historical work, cited the "freedom of information" act which became effective last year. It permits documents to be declassified if there is no danger to national defense or security.

Resor had an excuse for dodging. The documents, he said, were an international compilation over which the United States did not have sole jurisdiction. The British, he said, would have to be consulted. Meanwhile, he suggested that Epstein "exhaust" other administrative procedures for getting a look at them. Epstein says he has been trying for 14 years.

Some 900,000 anti-communist Russians were shipped home from Germany after the war, with the certain prospect of becoming inmates of slave labor camps or facing a firing squad. President Franklin Roosevelt and Prime Minister Churchill of Britain countenanced this operation at Yalta.

They also agreed with the soviet dictator, Josef Stalin, that Russia was to have "the use of German labor" as a form of reparations. In deference to their own sensibilities, the two western humanitarians buried the provision in a secret protocol.

The stipulation that the western powers were to hand back to Stalin his runaway subjects placed American and British military authorities in the role of slave catchers, rounding up refugees from Soviet tyranny.

Hundreds of thousands of German soldiers taken prisoner after their country was defeated were transported to forced labor in the Soviet Union. Years after the end of the war broken survivors were still coming home to Germany. Britain and France also availed themselves of German forced labor. The British had at least 500,000 prisoners at work for them, and a third of these had been supplied from United States and Canadian prisoner-of-war camps.

Equally savage was the fate of the Great Germans who had been living for hundreds of years in Poland, Czechoslovakia, and Hungary, as well as the Germans of East Prussia, parceled out at Yalta to Poland and the Soviet Union, and of eastern Germany, handed over to Poland.

It has been estimated that 18 million Germans were forced out of their homes and set on the road westward. More than 2 million men, women, and children are believed to have died in the expulsion.

Churchill, who originally declared that "the expulsion of the Germans is the most satisfactory medium to liquidate the German East," changed his tune after shocked voices in England were heard to say that this uprooting of human beings was the most enormous official atrocity in the world's history. He then saw fit to describe the program which he had sanctioned as "tragedy on a prodigious scale."

None of this, of course, makes Hitler or the Nazis the more admirable. The sad fact is that in war nations which proclaim themselves moral often adopt the most evil practices of the enemy they condemn as immoral.

The thwarted Hoover Institution author concedes that the documents denied him could embarrass a lot of people, but argues that embarrassment is not a sufficient reason to continue suppressing them. History, after all, has been embarrassing rulers and statesmen and showing up their feet of clay since the beginning of recorded time.

FOREIGN AID IN VIETNAM

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. FRASER. Mr. Speaker, there appeared in the Congressional Record of May 6, 1968, a speech containing a number of allegations against the Agency for International Development in their Vietnam operation. I was concerned about these reports and took the time to look into each case individually. I would like to have the results of my investigation printed in the Record so that our colleagues may be acquainted with the facts in each instance.

To the allegation that 10,000 blacksmith anvils were ordered by AID for South Vietnam in 1965 and are now in storage in a Saigon warehouse, I found the following:

First. In 1962, AID purchased 500 toolkits for farmers to enable them to do simple repair and construction work. A small anvil was included in each kit. These kits were distributed and the contents used.

Second. In 1964, AID purchased another 1,168 toolkits, each containing one anvil. All have been distributed.

Third. These are the only anvils ordered by AID for Vietnam. And, according to the mission in Saigon, the only anvils on hand in Government warehouses are 100 belonging to CARE.

I also found the allegation that a huge quantity of winter flying suits was purchased with AID funds, was shipped to Saigon and is now in storage in warehouses to be unfounded. AID has not financed or provided any winter flying suits for Vietnam. AID did purchase from U.S. military excess stocks—and issued to Montagnards—some heavy field jackets and jumpers.

A third statement to the effect that AID has requested $1 billion in economic aid for Vietnam was, of course, a gross exaggeration. As can readily be seen from the President's foreign aid message and AID's summary presentation to Congress for fiscal year 1969, the request for economic aid for Vietnam is $480 million.

RUSSELL DOWNING: IN MEMORIAM

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. KUPFERMAN. Mr. Speaker, Russell Downing, my constituent and friend, was a very well-known member of the theatrical community in New York City.

While his forte was the business of the theater and motion picture industry and he had been appointed by Mayor John V. Lindsay, my predecessor as Congressman for the 17th Congressional District, to represent him in developing the film industry in New York, was also very active in community and civic matters.

He was probably best known as the managing director of the Radio City Music Hall, that great landmark of entertainment on the Avenue of the Americas at Rockefeller Center.

His passing leaves a void not only for his family and associates but for all those interested in wholesome entertainment.

The following obituary from the New York Times of Saturday, June 29, gives some measure of the man:

RUSSELL DOWNING OF RADIO CITY DIES—WAS PRESIDENT OF THE MUSIC HALL FROM 1952 TO 1966

Russell V. Downing, who retired in 1966 as president and managing director of Radio City Music Hall, died yesterday in his home at 424 East 52d Street. His age was 67.

Mr. Downing continued until his death as a member of the board of directors of the theater. He joined the Music Hall as treasurer in 1933 and became president in 1952.

Mr. Downing was appointed in 1966 by his friend Mayor Lindsay to represent him in developing the film industry in New York.

In an interview at his retirement, Mr. Downing estimated 200 million people had seen stage shows and films at the Music Hall. The average annual total in the 6,200-seat house, he said, was almost 6 million.

FACED WITH COMPETITION

The Music Hall, he said, had gained a large measure of its patronage as a result of its "family entertainment" policy. Maintaining that policy had become increasingly difficult, Mr. Downing said, as Hollywood, confronted with television competition, turned increasingly toward "adult" themes.

In an interview in 1964, Mr. Downing said, "Our aim at the Music Hall is to present clean shows, assembled for appeal to general audiences in attractive surroundings."

"Above all," he added, "we've held down admission prices, as expenses mounted and other theaters were dying everywhere."

"Our tourist trade," he went on, "centers on our traditional Christmas and Easter shows. Then in the summer it starts again as they pile in from all over—South America, Africa, local people and suburbanites, every state in the Union. Our local people from a radius of about 55 miles, come to us mainly during the in-between times."

Mr. Downing was born in Yonkers on Aug. 11, 1900, and attended the Wharton School of Finance at the University of Pennsylvania, and Columbia University. In World War I he was in the Officers Training School.

RISE IN HIERARCHY

He was treasurer for several Companies before becoming treasurer at the Music Hall shortly after its opening in 1932. In 1942 Mr. Downing was named vice president and in 1948 executive vice president. He also had been an officer of the Center Theater until its demolition in 1954.

He had been a member of the board of directors of Rockefeller Center, Inc., and was a member of the board of directors of Rugoff Theaters, Inc.

Mr. Downing, a friendly yet forceful 6-footer, was chairman of many benefits in recent years, particularly for the American Musical and Dramatic Academy, the National Hemophilia Foundation and New York Polyclinic Medical School and Hospital, of which he was a trustee.

Mr. Downing was active in the Kiwanis Club and the United Service Organizations, which presented its annual Armed Forces Day Award to him in 1964. He was a director of the New York Convention and Visitors Bureau and the Manhattan Kiwanis Foundation.

Surviving are his widow, the former Sally Rush, and a sister, Miss Elsie Downing.

Funeral arrangements were incomplete last night.

EULOGY FOR THE LATE SENATOR ROBERT KENNEDY

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. PUCINSKI. Mr. Speaker, on the 6th of June 1968, Auxiliary Bishop Thomas Grady of Chicago delivered the following address on Ed McElroy's newscast on WJJD radio in Chicago, following the death of Senator Robert Kennedy of New York.

WJJD radio is to be highly commended for the superb public service job they performed on the Senators death.

The text of the address delivered by the Most Reverend Thomas J. Grady, auxiliary bishop of Chicago, follows:

MacLean, Virginia, beyond town is a pleasant area along the Potomac River. It is wooded with tall, old trees whose leaves turn in the sun, flickering the light and shadows that fall below. On the gentle hills, between the trees there are green meadows and paddocks. White fences trace out estates; the homes are hidden. MacLean is a place for gracious living.

Robert Kennedy lived there with his wife and ten children and horses and ponies and dogs and pets. Robert Kennedy loved his wife and children. He loved life brimming and full. He loved the keen edge of life. He loved to roar down the Colorado River in a rubber raft—to climb the high white ski slope to take danger and the wind in his teeth as he flashed down the hill.

With his long hair flopping on his forehead, he was like a boy—a boy who had successfully managed a Presidential Campaign, who had been Attorney General of the United States, who was a United States Senator, who was bidding for his country's highest office.

He was a rich man, but he loved the Harlem Negro, the migrant worker of California, the Mid-West farmer, the Detroit factory worker, the Florida shrimp-fisher. He was able, and he was willing to serve them all.

The life he loved so much he wanted to share well and equally with all Americans; with the men of all the world.

Robert Kennedy is dead. America has dimmed a bit. Life has dimmed a bit.

MICHIGAN PARTICIPATION IN THE PEOPLE-TO-PEOPLE PROGRAM

HON. MARVIN L. ESCH

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. ESCH. Mr. Speaker, Michigan currently has a delegation of Boy Scouts from our cities affiliated through the Town Affiliation Association and People-to-People agency, living in homes in British Honduras, our partner state under the Alliance for Progress.

Last August, seven Scouts from British Honduras lived in the homes with Scouts in the Ann Arbor area, and now a slightly larger number of our Scouts went to this beautiful country to help teach crafts and skills to the growing Scout organization there. Our boys went there on June 29, and will move from one community to another until August 1, when they will participate in the national Scout camp for 2 weeks, again exchanging a knowledge of skills with the Central American Scouts who have been a part of the British Scouting movement for 51 years.

The National Association of the Partners of the Alliance hopes to organize town affiliations linking cities in States already affiliated with Central and South American States and nations through the Alliance for Progress. Michigan is pleased to pioneer new programs which can be helpful elsewhere.

Fourteen-year-old Alfredo Martinez is now attending a workship in creative writing at Olivet College in Michigan on a full scholarship provided by the college to the winner of a national essay contest the Michigan Partners recently conducted in British Honduras. He met all the Michigan Scouts now in Belize, as the nation will be called after it becomes independent, before they left their own homes, and our Scouts will visit his home in Orange Walk Town.

Exchanges of students and letters, as well as the development of the economy through investments, tourism, and so forth is important to Partners of the Alliance or any other international programs, since the future of every nation will depend upon the ability of future generations to understand each other and work together.

I would like to congratulate Alfredo Martinez for winning the essay contest, Jay Oakley, from Ann Arbor, for heading the Michigan delegation of Scouts, and all the Boy Scouts, Girl Guides, high school and college students participating in various exchanges of letters and people and scholarship programs.

We are pleased that Michigan already has about 20 sister-city affiliations with nations in various parts of the world and is currently starting additional people-to-people affiliations of this kind. We are especially pleased that Michigan, where the first State council of people-to-people was organized in November 1965 at the Ann Arbor City Hall, has developed a high degree of cooperation among communities in our own State even if their partner cities are in different nations and has developed a close cooperation between people-to-people, the Michigan Partners, and many other programs which deal in various ways with international friendship by means of citizen volunteer efforts.

MEMORIAL DAY REMARKS OF JACOB B. BERKSON

HON. CHARLES McC. MATHIAS, JR.

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. MATHIAS of Maryland. Mr. Speaker, on Memorial Day Mr. Jacob B. Berkson of Hagerstown, Md., was chosen to speak at ceremonies at the Washington County Courthouse as the representative of several county veterans' organizations.

Mr. Berkson is a former member of the Maryland House of Delegates, a former magistrate and former county attorney. His remarks on our current problems and American ideals are very interesting and challenging, and I would like to place them in the RECORD at this point:

LOOKING AT THE NATION ON THIS MEMORIAL DAY

(EDITOR'S NOTE.—The following is the text of a Memorial Day talk delivered by Jacob B Berkson in behalf of various county veterans' organizations in front of the Washington County Courthouse on Sunday. Berkson is a former member of the Maryland House of Delegates, a former magistrate and former county attorney.)

On Memorial Day 1968 we pause to honor our fathers, brothers, friends and neighbors who gave their lives that we and our government may live and prosper.

They whose names are inscribed in bronze before the Court House are remembered now because the American Legion, the VFW, and other patriotic Veterans organizations labor in the vineyard of good deeds, and the local newspaper takes the time to record the customs and traditions that have made this nation great.

Every citizen has a stake in his government. But government has become big and complex and impersonal and it is difficult for little people like you and me to be heard by our government and yet a man who is called upon to lay down his life for his country has a right to know the reason for his sacrifice. Those we honor today rest in peace. Their voices are stilled. We who are alive are not at peace. Our voices must not be still. Otherwise their sacrifice would have been in vain. So we shall speak for them today.

It seems to me we are living in an age of insanity.

We were raised to believe in honor, duty, and country. We were taught that honesty is the best policy, that our country is the greatest in the world, that here all people will have equal justice under law. And in exchange for the privileges of liberty and freedom each citizen has a responsibility to serve our country in war and in peace.

When we were children, our country was

at peace with China, Russia, France, Vietnam, and the rest of the world.

What has happened in this world since you and I were children?

You remember when we were school children, we collected money to save the Chinese people from starvation. We saved the Chinese from destruction by the Japanese in World War II. Now more than 500 million Chinese march to the verse of Communist dictators who have taught the Chinese people to hate us and to work to destroy us. What did we do to deserve this treatment?

Our fathers fought in World War I to save France from the Hun. Our brothers fought in World War II to save France from the Nazis. Thousands of American and British boys are buried in France. Yet the President of France has insulted us, and worked against us, and attempted to destroy the value of the U.S. dollar in recent years.

The U.S. saved Russia from German destruction by supplying her with war material in World War II and by fighting Germany on two fronts. Russia rewarded us after World War II by forcing us to fight a cold war around the world and at times a hot war. Still our government approves and permits trade with Russia. We still supply her with war material. Banks which we control lend Russia money to build factories. She uses factories to build tanks and guns which she ships to her allies who use the tanks against American boys. Surely it is insane to trade with Russia. Is there a distinction between strategic and nonstrategic material when trading with an enemy? Whatever we ship her enables her to use other resources for War purposes.

If those nations for whom we have done so much have treated us so badly, what have our own leaders done for us? During the last presidential campaign the successful candidate made a solemn commitment to the American people that he would not send American boys to Asia to fight in a war that should be fought by Asian boys. Contrary to this commitment American boys were sent to Vietnam in Asia. This was done in the name of a commitment to a foreign nation. It has proven to be a commitment to tragedy, death, destruction, and insanity. We have destroyed villages and people and our government says we do it to save them. We kill people to save them. It is insanity.

If our leaders have committed us to a land war in Asia, should they not commit themselves to winning it? Is it conceivable that this nation which went from near destruction at Pearl Harbor to victory in the South Pacific, to victory against fanatical Japanese dug into concrete bunkers and jungles at Saipan, Tinian, Guam, Okinawa, Iwo Jima, the Solomons, the Philippines and to victory over tough Germans and Italians in Europe and Africa—is it conceivable that we cannot defeat a tenth rate power like North Vietnam. Why did we win all our other wars, but the ones since World War II?

When we were in service we knew that our country would attempt to rescue us if we got captured. Yet the USS Pueblo was captured months ago by another tenth rate power—North Korea and her crew is still captive of the enemy. Was there an attempt at rescue? Why was this ship placed in such a position of peril without protection from other ships or from air defense? Could this have happened when Theodore Roosevelt was President of the U.S.? No nation would have dared capture a U.S. warship, whether it was in her own waters or not. America used to be respected by foreign governments. She was respected because she was strong, and was not afraid to use her strength. Because she had leaders who lived up to the American tradition.

We were taught to honor authority. But today we see a rebellion against authority all over the world. We see the hippie standing for filth, slovenliness, and lack of discipline, the draft dodger standing for no responsibility to our country and the corrupt politician interested in his own enrichment, and not in doing what is best for America.

The problems which face us today are enormous.

The colored in our nation have been exploited for generations. They have not been treated as equals. Now they tell us they want their freedom and now, or they will burn down our cities. We must recognize this is a problem and each of us must help to solve it, especially our leaders. It will not go away. It will not get better by itself, only worse. Those leaders who advocate the status quo and keeping the Negro in the ghetto do not understand the lessons of history. This is a revolution. Guns cannot destroy ideas. If we do not work to solve these problems we will live in an armed camp, and fear and anxiety will be with us every day of our lives. We must learn to live together as brothers or we shall all perish as fools.

There is a treatment for insanity. It is difficult, long, and expensive, but if we are to pass on to our children and our posterity the ideals for which America stands—Equality, Justice, Brotherhood, then we had better undergo some treatment. The inmates cannot run the asylum, the prisoners cannot take over the prisons, the students cannot run the universities, the spoilers cannot govern this nation.

America is beautiful. Our heritage, our schools, our mountains, our streams, our forests, our farms must be preserved, protected and developed, and our precious children must be permitted to enjoy the America we have fought and died to preserve.

Is it not clear that we are fighting a war for survival?

When you honor today those who died for our country, you bring honor also to yourselves. You say to the world. We have not forgotten. We shall not forget your sacrifice. You have not died in vain. Although the world may seem to have gone mad and we are living in an age of insanity, the memory of your supreme sacrifice has inspired us to keep alive the ideals of democracy and we shall pass on the torch of freedom to our children. God grant us the courage and wisdom to survive this age of insanity.

JACOB B. BERKSON.

DAVID MOFFATT McCONNELL

HON. HORACE R. KORNEGAY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. KORNEGAY. Mr. Speaker, the President has exercised great wisdom in his choice of David Moffatt McConnell, of North Carolina, to be a member of the U.S. delegation to the 45th session of the United Nations Economic and Social Council convening in Geneva, Switzerland, in July–August 1968.

It is my privilege to know Mr. McConnell, who will also be a special adviser to the Council, with the rank and appointment of Ambassador of the United States, as a personal friend of many years' standing.

David McConnell has distinguished himself in many fields of endeavor over the years, bringing great credit not only to himself but to all who have had the opportunity to be associated with him. His list of accomplishments is lengthy and noteworthy, both in civic and political affairs. Since his contributions will be enumerated by other colleagues, I will let it suffice to say that the President could not have chosen a more dedicated or a more able American citizen to represent the United States at this forthcoming United Nations Economic and Social Council session than my good friend, Dave McConnell, of Charlotte, N.C.

I applaud the President's wise selection.

BRITISH SOCIALISTS GO FASCIST

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. RARICK. Mr. Speaker, the action of the British Socialists in barring free speech in the Parliament only serves to show the free world the collapse of that once gallant empire.

Dictatorship is a nasty word—especially if it approaches the truth. And the rank and file Britisher does not realize yet he is under control of the Red-Black bloc of the United Nations and not the Queen.

Mr. Speaker, under unanimous consent, I submit a clipping from the New York Times for May 25 and a report by Mr. Gwynne-Evans for inclusion in the CONGRESSIONAL RECORD, as follows:

[From the New York Times, May 25, 1968]

COMMONS OUST A WOMAN M.P.—TORY, 72, IS BARRED AFTER SHOUTING AT HOUSE SPEAKER

LONDON, May 24.—For 15 minutes last night, Dame Irene Ward, a 72-year-old Conservative member of Parliament, stood in the House of Commons shouting, "Dictatorship!" at the speaker.

Finally the speaker, Dr. Horace King, ordered the sergeant-at-arms to escort Dame Irene from the chamber. The speaker barred her from the Commons for five days.

"I am striking a blow for freedom," Dame Irene told newsmen. "A free Parliament no longer exists in Britain. The British people, under the surface, are boiling."

She was protesting the Labor Government's tactics in attempting to put through a large amount of legislation, including attempts to limit debate on major bills, scheduling of a large number of simultaneous committee meetings and frequent all-night sessions.

COMPLAINT ON DRINKING

Twice this week Members of the Commons have been kept on the benches throughout the night in sessions lasting more than 17 hours. Laborites as well as Conservative legislators have been angered by the Government pressure.

The case of another woman Member of Parliament who complained that her colleagues spent too much time drinking was referred to a committee today.

Winifred Ewing, the Common's only Scottish nationalist member, had written in her local newspaper that "the customary stance of some M.P.'s while at the House is closer to the many bars than the bar [entrance] of the House."

William Hannan, a Labor M.P. from Scotland, said that the letter was a breach of parliamentary privilege and the Speaker, Horace King, referred the matter to the Committee on Privileges.

If the committee finds against Mrs. Ewing, it could have her publicly censured in the Commons.

GROWTH OF DICTATORSHIP IN BRITAIN

JANUARY 7, 1968

(By Mr. J. Gwynne-Evans)

"The resources of civilization are not yet exhausted" said Mr. Harold Wilson after his threats had failed to prevent the House of Lords from exercising their undoubted right and duty to revise and delay legislature of the Commons which they consider hasty or unwise. These dictatorial threats are especially abhorrent from a Party that has lost the majority support of the electorate, as indicated by a series of disastrous by-elections.

Hats off to the Lords who refused to bow to the Labour threats, the feeble left-wing advice given by many national newspapers and the anti-Rhodesian ravings of Peers like Lord Alport. Lord Salisbury acted with astuteness, courage and perserverence, and the fight goes on. The Labour Government may well be brought down before their threats against the second chamber take effect.

Lord Alport's heavy words, "If we are to help to prevent the tragedy for Rhodesia . . . we must . . . apply sanctions as whole heartedly and effectively as possible", are devoid of humanity and very foolish, for he is well aware that South Africa will send armed forces into Rhodesia should the desired economic disruption result in a breakdown of law and order in the country. Curious also that he contradicts Sir Alec Douglas-Home's statement after visiting Mr. Ian Smith that "negotiations with Rhodesia are possible and desirable". Lord Alport's broadcasts from Francistown against the Rhodesian Government, though seldom heard in Rhodesia, are well known. Is he going to defect to the Labour Party? I sent him a copy of the extremely moderate Rhodesian "Report of the Constitutional Commission" (Whalley Report) which advocates eventual parity between the races in Parliament. No acknowledgement or good word for this far-reaching compromise has reached me. Lord Alport told the Sunday Times that Mr. Smith has no power to guarantee any constitution. Even Hitler couldn't bind his successors. So what is the point of the statement?

Why did Lord Carrington, leader of the Conservatives in the Lords, whilst ably resisting threats from Mr. Wilson, go out of his way to antagonize Prime Minister Ian Smith, in his speech winding up the debate for the Tories? He said ". . . do well without the advice of Mr. Smith . . . I certainly do not wish to bring comfort to Mr. Smith". What is the point of giving something with one hand, viz. opposing mandatory sanctions, and then taking it back with the other, viz, insulting the chief elected representative of the Rhodesian people. The effect of this stupidity is to nullify the feelings of many Rhodesians that the advent of Conservative power in Britain would increase the overall chances of an agreement between the two countries and that it would be wise to go slow on all measures likely to bring about a complete break between them. Such statements are very frustrating to people like myself who are working to keep Rhodesian connections with Britain going, such as the retention of the Union Jack on the Rhodesian flag and the continuation of loyalty to the Queen—but as "Queen of Rhodesia" under an independent Rhodesian Government. If Lord Carrington would realize than sanctions are no more likely to bring down the Rhodesian Government than are Labour threats proving effective in muzzling the Lords, then he will have gone some way in helping to resolve the Rhodesian problem.

Conservatives are slowly but surely coming to realize that economic chaos in Rhodesia will not help one bit, Britain, Southern Africa or the Western World, in this vital strategic area. But too many of them are resisting the conclusion that sanctions are bound to fail to topple the Rhodesian Government whilst South Africa is economically strong. Their thinking is therefore inconsistent and muddled. A large increase in economic and other pressures might conceivably encourage the wholly undesirable (from Britain's view) result that the Rhodesian Front would aim to replace Mr. Smith and some of his front benchers with stronger right-wing men. Such a change would hardly promote the aims that these sanction-supporting Conservatives want for Rhodesia; on the contrary it would put finis to moderate solutions. So these sanction-supporting Conservatives are doing a grave disservice to the cause they espouse, which is presumably the "five-principles". The best way to foster these principles is to give encouragement to Mr. Ian Smith, who is a moderate in the Rhodesian Front, to believe that the advent of a Conservative return to power in Britain is likely to result in the abolition of sanctions and an agreed settlement. Less than this is clearly encouraging the Rhodesian Front to get rid of its more moderate elements. I don't know who your advisers are, but they are playing on a very sticky wicket indeed if they think that the continuation of sanctions is likely to put another Party in power in Rhodesia, other than the Rhodesian Front. Should sanctions be lifted, then such another party more in keeping with the desires of Conservatives, would have a chance to grow.

Sir John Hunt, M.P. was reported in the press a short time ago as saying "it would be a disaster if sanctions were removed from Rhodesia". This is a callous and stupid statement from a fine man. Would Sir John Hunt succumb to sanctions if he was a Rhodesian himself? He didn't give in to Everest, so he certainly would not. Nor will the Rhodesians.

The statements of sanction-supporting Conservatives like Lord Alport, Lord Carrington, Sir John Hunt and many others, have the effect of antagonizing further the embittered and strained feelings of the average Rhodesian for Britain and so act as a powerful hinderance to a negotiated settlement. Whilst sanctions are round their necks there is only one thing most Rhodesians worth their salt can do and that is to go on fighting them with a growing contempt for their British parents who have turned against them.

None of the pink "liberal"-minded politicians of any Party in Britain ever provide facts which in the general run, taking all the ex-colonies together, show that the ending of white rule in Africa has been for the benefit of the indigenous population. If they could prove that Nigeria, Southern Sudan, Ruanda, Congo, Ghana, Somaliland, Zambia, are better off today than under the white rule their case for trying to remove it from Rhodesia would be a lot stronger. Tanzania is now coming under Chinese Communist influence with the £87m. Zambia-Tanzania railway.

The arrogance of Lord Caradon!—"Our finest achievement," he said, "was not in making an Empire, but in ending it." House of Lords 25th January, 1968. So all the efforts and sacrifices of numerous past generations who in India built railways, roads, dams and irrigation canals, harbours and towns, medical services, hospitals, and who ended the terrible evils of thugee and suttee, and who gave India her civil service, army and parliamentary system and a common language, and above all peace; all these achievements spread over two hundred or so years are inferior in quality, according to Lord Caradon, to the process of handing over power. Shades of the two million, one hundred thousand British dead whose graves are now registered in India!

Except in the minds of "liberals" there is little to boast about in the handing over of power. Far more lives of the indigenous populations have been lost during and soon after the process, than during the long periods of British rule, probably even including the losses incurred during the two world wars. In 1947-48, the partition of India cost between three and a half to five million Indian lives. Not much to boast about here! In the Southern Sudan, Arabs have massacred one and a half million negroes since independence and the killing still goes on (unremarked upon of course by Anti-Empire types). In Ruanda one hundred thousand Watutsis were massacred in a short time after independence. The Nigerian civil war is nothing to boast about. Losses of one million dead is the estimate of one observer. In the neighbourhood of Dar Es Salaam the majority of Arabs were massacred by the negroes soon after Lord Caradon's "finest achievement."

With the marvellous reasoning power of the "Lib-Lab-Cons" indicated in the two paragraphs above, it is little wonder that sanctions are put upon Rhodesia by sanction-supporting types of all parties.

Time for conservatives to end sanctions.

CONGRESS SHOULD BAR FUNDS FOR PUBLICLY FINANCED SST

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. PUCINSKI. Mr. Speaker, the Chicago Daily News recently carried an excellent column by James J. Kilpatrick which concisely and accurately outlines by own feelings about the development of the supersonic transport in America.

As I have pointed out time and again in this Chamber, it would be tragic for Congress to place its approval on further development of the SST until we have more detailed information on the effects of this vehicle upon human beings. We also are in dire need of assurances from the appropriate agencies of Government that limitations will be placed on the designs of the SST so that we do not invite the reoccurrence of those tragedies we have witnessed in the testing stages of this aircraft.

It is my own feeling that Mr. Kilpatrick sums up, in an expert fashion, the thinking of a good number of people throughout the country today on this subject, and I should like to share his article with my colleagues.

Mr. Kilpatrick's article follows:

CONGRESS SHOULD BAR FUNDS FOR PUBLICLY FINANCED SST

(By James J. Kilpatrick)

WASHINGTON.—Winston Churchill once remarked that the replacement of the horse by the internal combustion engine "marked a very gloomy milestone in the progress of mankind."

The observation may be applied emphatically to development of the SST—the supersonic transport airplane. If this project represents progress in any sense, it is progress to the rear, purchased largely by tax dollars taken from persons who never will fly in the aircraft and will only be irritated by it. It is a particularly arrogant manifestation of man's obsession with hurry-hurry-hurry.

Within the next few weeks, a decision will have to be made in Congress on an appropriation for the SST in the coming fiscal year. The administration has asked $223 million. At a time of massive federal deficits, the budgetary crisis alone should demand that the item be deleted.

The SST is a commercial proposition, pure and simple. It is an airliner intended for private use and private profit. Why should the taxpayers be compelled to finance such a venture? Of the roughly $700,000,000 already plowed into the SST, private capital has provided barely $50,000,000.

In theory—in very doubtful and speculative theory—the taxpayers may recover their investment some time in the next century out of royalties on sales of the SST. The prospect is pie in the sky.

Proponents of the SST say that the United States must plunge ahead or risk the loss of world aircraft markets to the Anglo-French Concorde or to the Soviet Union's TU-144. The argument is getting weaker all the time. Recent reports indicate that the Concorde is in deep trouble; costs are skyrocketing, orders are few, and the plane—a small one by today's standards—is far behind schedule. The Soviet version offers no significant competition.

Philosophical objections are more compelling still. The SST would carry 280 passengers at a cruising speed of 1,800 miles per hour. Revenue projections are based upon a load factor of 58 percent, or about 162 passengers. The object is to get these particular hurry-hurry travelers from, say Chicago to London in three hours instead of seven. Big deal.

The SST would fly at 64,000 feet. At that altitude, it would create a sonic boom path 64 miles wide. What is contemplated, in brief, is that perhaps 10,000,000 persons on Earth would be subjected to the irritation and property damage caused by sonic booms, in order to serve the convenience of these few humans up above.

The booms are an unavoidable aspect of supersonic flight; and the sole advantage of the SST is its speed. Take that way, and the SST offers nothing that the jumbo jets of 1970 will not provide.

What price progress? How much time really would be saved? What value would it have? The House Appropriations Committee, pondering the whole picture, might boil the issue down to the old wartime question: Is this trip necessary? The answer is plainly, no.

POSTMASTER GENERAL CHAMPIONS CAUSE OF NATION'S POSTMEN

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. DULSKI. Mr. Speaker, Postmaster General W. Marvin Watson is convinced that there is no question about the capability of postal employees to give the Nation excellent mail delivery service—that is, if they are provided with the tools they need to do the job right.

General Watson bemoans the lack of recognition for our dedicated postal employees—and I quite agree with him.

The Postmaster General discussed postal affairs before the American Newspaper Women's Club. Following is an account of his remarks in the June 28 edition of the Washington, D.C., Evening Star:

WATSON CHAMPIONS CAUSE OF NATION'S POSTMEN

(By Jean Powell)

The nation's postmen have at least one champion—their boss, W. Marvin Watson. He came out and said so in front of an audience that could quote him nationwide.

Postmaster General Watson and his wife were guests of honor at last night's cocktail party given by the American Newspaper Women's Club at the 22nd Street clubhouse.

"You won't find me saying they can't do the work," he declared emphatically. "They can if they have the right tools."

The postmaster explained that if the number of postal employes were cut back to the 1966 level, the people in the new suburban areas which keep springing up around the country might have to come to the post office to pick up their mail.

The Texan who succeeded Lawrence O'Brien two months ago has traveled 20,000 miles, and "I've shook hands with more than 10,000 post office employees" since he took over the post.

"Postal employes get little recognition," Watson said. "See if you can remember when anyone said anything kind about postmen." He cited a survey, however, that shows that 95 percent of the people in the United States are satisfied with the mail service.

During a question-answer period, Watson told the group the one big problem in mail delivery is failure to use the ZIP code.

THE TRAVEL REVOLUTION

HON. L. MENDEL RIVERS

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. RIVERS. Mr. Speaker, my home city of Charleston, S.C., was greatly flattered when the Conference of Southern Governors convened there to discuss mutual problems and to hear some of our country's leaders share their thoughts and anxieties.

One of the leaders of our American business community present at the Charleston function was the new president of Pan American World Airways, Mr. Najeeb E. Halaby.

Mr. Speaker, I have just completed reading a copy of Mr. Halaby's talk, "The Travel Revolution," and I commend it to other American businessmen as an excellent prototype for their future involvements in public speaking.

It was only a few years ago, Mr. Speaker, that, as many of our colleagues will recall, "Jeeb" Halaby was the dynamic, forward-thinking Administrator of the Federal Aviation Agency. If we did not always agree with "Jeeb" in those days, at least we knew he was busy thinking of, or doing something, to make our airways safer and more secure.

The Government's loss was Pan Am's gain and today Mr. Halaby carries on in the pioneer tradition of Juan T. Trippe, recently retired as chairman of Pan Am's board after more than 40 years' service, and in the footsteps of Harold E. Gray, his predecessor as president and now chairman of Pan Am.

Mr. Speaker, under leave to revise and extend my remarks, I make Mr. Halaby's speech part of the RECORD:

THE TRAVEL REVOLUTION

(An address by Najeeb E. Halaby, President, Pan American World Airways, before the Conference of Southern Governors, June 18, 1968, Charleston, S.C.)

This seems to be a year for viewing with alarm rather than pointing with pride on the American scene. I plan to give you more good news than bad in briefly outlining the promise and the problems of American transportation during the years that lie just ahead.

In discussing these promises and problems I will limit my remarks for the most part to air transportation, for aeronautical technology is the leading edge of the mobility revolution which is so rapidly changing both the scale of our world and the relationship of its political units, both large and small.

The factors which characterize any mode of transportation are speed, comfort, reliability and availability. Let us see how the speed of air transportation has changed the scale of our world during one generation.

Just thirty-five years ago we were largely limited to surface travel and we measured the world on a time scale of weeks. This global scale represents your reach in terms of travel time. It is the time it will take you to travel as far as you can on earth before you start coming back to your point of departure. We calculate the scale by dividing half of a Great Circle trip, which is about 12,000 miles, by your average speed over the whole trip.

In 1935, the first Pam Am flying boat crossed the Pacific to the Philippines, cutting the surface travel time of 21 days to 60 flying hours. A few years later the Pan Am Yankee Clipper inaugurated scheduled trans-Atlantic service, cutting the travel time between Europe and the U.S. from six days to just under 24 hours. Meanwhile, domestic airlines had cut a five day transcontinental train journey to an 18 hour flight. We then had what amounted to a four-day world.

This gradual contraction of our travel time scale continued until 1958 when, with the introduction of the modern jets, we suddenly doubled our travel velocities and found ourselves with a twenty-four hour world. It is the remarkable achievement of the aeronautical industry that this phenomenal increase in vehicle speed was accompanied by comparable advances in comfort, in reliability and safety and in the availability of air transportation, in terms of both cost to the traveler and the proliferation of air routes around the world.

The observation that the jet revolutionized air transportation is by now a cliche. What is seldom recognized, however, is that the jet radically affected the standards of *all* transportation. Jet flight provided a completely new yardstick for man's movement across and around the earth.

If you doubt this, try to reserve a passage to England on the Queen Mary this summer. Or piece together a train journey from Charleston to, say, Dubuque, Iowa. Or agonize while you struggle through an hour of traffic to a big city airport ten miles out of town so that you can catch a jet which will carry you 500 miles during the next hour.

What has happened here is that aeronautical technology has outmoded many of yesterday's concepts of mobility. For long and intermediate-length journeys the competitive struggle was short and decisive. The airplane has in most cases replaced the surface vehicles. In the case of shorter journeys ranging from, say, a hundred miles to our trip out to the airport, the development phase is just beginning.

During the next ten or fifteen years we must completely reorganize our short haul transportation if we are to profit from the opportunities offered by aeronautical technology in the areas of trade, travel and tourism.

This reorganization poses three requirements. It demands continued technological advances. It needs short-term funding and long-term investment. And it requires that the planners and managers of our society—on the federal, state and city levels—the public sector—be aware of what they can expect from and what they must provide for an advanced technology transportation system.

What are the prospects for air transportation in the immediate future? More of everything—more speed, more travelers, more comfort, greater reliability and safety and a constantly expanding movement of cargo and freight by air. And, if we take proper care of this jet-propelled goose and its golden eggs, we should expect the continued dominance of the United States as the principle architect and builder of the world's air transportation systems.

This rosy prospect is not simply an enthusiast's dream. It is on the way to becoming a reality. Late next year Pan Am will introduce into commercial service the 747 Superjet, an advance technology airplane which is the product of four years of collaborative effort between Pan American and Boeing Aircraft. The 747, while still in the subsonic range, will offer a 10% increase in speed and give us a twenty-two hour world.

With a maximum capacity of 500 passengers and 16 tons of baggage or cargo or 110 tons as a freighter, the Superjet in the Pan Am configuration will carry 365 passengers. It will be the safest and most reliable airplane ever built and it will introduce a new order of comfort and luxury to air travel.

Just a note here. The Superjet is 226 feet long. This is almost twice the distance covered by man's first powered flight. Incredibly, if Wilbur Wright had taken off at the tail of the Superjet on that first flight, he would have landed before he reached the first class seats. I wonder if Wright, visionary that he was, could have looked back over that first airborne hop across the sands of Kittyhawk and possibly visualized that, within a man's lifetime, it would be dwarfed by the shadow of a passenger airplane capable of flying at the speed of sound.

This is not the end of air transportation's story, but simply one of the early chapters. For while we are preparing for the actual operation of the Superjet, with all its advantages, we are aware that even larger planes, capable of carrying as many as a thousand passengers, are well within the state of the art. And at Pan American we are actively planning for an eight-hour world.

This will be accomplished by the SST, which will give us a global time scale that will place all the world's major transportation hubs within the compass of a work day's flight.

This same-day world of the supersonic, in which you will be able to get anywhere you want to go between nine and five, is going to add a new dimension to business travel and a new attraction for the tourist whose goals have always been limited by the travel time involved. If you add to the supersonic's speed and the subsonic Superjet's capacity the availability of airline seats which will be provided by the short and intermediate range 250-passenger airbus now building, you will understand why the aeronautical industry looks upon the next decade or so as the period of the mobility revolution.

Will there be passengers and cargo to fill both these marvelous new vehicles and our present subsonic fleets? The airlines and the plane and equipment builders are investing billions of dollars in their faith that there will be. The predictions are that there will be at least three times as many people flying in 1980 as there are today. This will add up to 768 million air passengers a year. During this same period the air cargo lift will increase seven-fold, from the present 6 billion ton miles to about 41 billion ton miles annually.

These projections make air transportation, now our seventh largest and by far our fastest growing industry, a prime candidate for the role of the greatest single economic lever in this country's 20th Century pattern of development. For the passengers and the cargo carried, the fares and the freight bills paid, are simply one part of air transportation's contribution to our national economy.

First, air transportation will build foreign tourism in America. And international tourism, the largest single factor in world trade, is America's most neglected industry. We may not have any ancient history and our castles may be dedicated to hamburgers, but we have everything else the tourist could ask for in economy-sized packages. And the U.S. is the one place in the world where you can see this technologically-oriented century as it is. European tourism to the U.S., mostly by air, increased 35% last year. We should continue to encourage this profitable travel flow.

Secondly, air transportation contributes to our foreign trade and our balance of payments. The U.S. aerospace industry, which builds 84% of the civil aircraft flying the free worlds' airlines, now exports 2¼ billions of dollars worth of its products every year. That represents 7.2% of all our exports. It is estimated that foreign sales of the 747 Superjet alone will add 3½ billion to our balance of payments by 1975.

And finally, as an employer, the air transportation industry is a domestic social and economic force of major proportions. Between them, the airlines and the aircraft manufacturers now employ well over a million people. If you add to this the employees of all the suppliers and subcontractors and the supporting services such as airports, air traffic control and the communications facilities involved, air transportation obviously must be rated as one of this country's substantial wage and job producers. And as you can judge by our glimpse at the future, the employment growth rate should continue to expand for many years.

The private sector of our economy apparently believes that this is an enterprise which deserves encouragement. Using commercial resources, including the 85% of their own dollar profits which is now reinvested in equipment, the major U.S. trunk lines have projected a 10 billion dollar capital expenditure program in aircraft and supporting equipment between now and 1975.

There are, however, some alarmists in the public sector who apparently believe that you ought to plug the well when you have a small leak in the bucket. Penny wise and dollar foolish, they would restrain trade and discourage travel in order to affect a minor adjustment of scales which are already heavily weighted in our favor. They would abdicate the leadership of a technological revolution in transportation which is one of America's greatest contributions to our century.

The answer to such self-defeating measures is the third of my suggested requirements for the coming mobility revolution. It is the long view and the total view of what transportation can and should mean to the world's most progressive nation. We need, to paraphrase Nathan Bedwell Forrest, the fustest with the bestest to prosper. We need it to survive.

You will notice that we have not yet touched down in this survey of air transportation's promises and problems. We're still in the air and the airport is down there and Big City and its suburbs and industrial parks are just beyond it over there and the Little City is just visible on the horizon. It is at this point of our journey, gentlemen, that air transportation really needs your help.

For we may not get down on the ground for an hour or so. The last few thousand feet may take as long as the journey from a distant city. The reason—too many planes of every description waiting to use inadequate airport facilities.

And when we do land we will probably find that we have to fight traffic and intermodal delays and depend upon outmoded facilities to cover the last few miles of our journey. It is here, at the airport and over the short haul section of our transportation patchwork, that the jet age becomes stop-and-slow travel. The sudden change in the order of travel times is about 60 to 1 in favor of the aircraft. Even with today's subsonic jets, a New York to London traveler spends about one-third of his total trip time covering the less than 1% of his journey represented by surface transportation. With the advent of the supersonics, the traveler may spend more time getting to and from the airports than he does crossing the continent.

I believe the technology to remedy this short haul discrepancy is on the way. Some of it will be esoteric, like the VSTOL aircraft and the Metroplane busses now on the drawing boards. Some of it will be improved forms of present travel modes, such as high-speed trains and ground effect vehicles. The rest of the system to introduce true mobility to our urban agglomerations may simply be the knowledgable reorganization of what we have—the planning of freeways and subways and perhaps monorail systems to cut through the surface clutter of our cities.

In all this, the coming mobility revolution depends upon the positive thrust of the public sector—the planners and managers of our federal, state and local political units. Air transportation can do part of the job—just as Pan Am has established a prototype helicopter service from the Pan Am building in the center of New York to Kennedy airport. Large areas of our urban and inter-urban transportation network must be publicly planned and funded. Hopefully, any properly planned advance technology transportation system should eventually pay for itself.

This need for long-range planning is why every state and city should have its transportation board. Thoroughly acquainted with the present state and the future direction of the art, they should match public needs with available and prospective vehicles and systems for a period of as much as two decades in advance. Such an analysis and projection was begun in southern California while I was administrator of the FAA and that state is now coming up with many of the answers to some of the most involved short haul transportation problems in the country.

This same forward looking approach is needed to solve our airport problem. Here, the element of self-interest overrides every other consideration, for the city or area without proper ground facilities for air transportation will be practically isolated and immobilized in the near future. With the coming mobility revolution and the consequent proliferation of air travel and air freight service over both long and short haul routes, the city off the airlanes will be the city forgotten.

Recent studies have indicated that a big-city airport can be a largely self-liquidating project over a period of years through users' charges and concession fees. What is needed is long term planning, land acquisition, and financing. Since almost everyone will be an air traveler at one time or another during the years ahead, this would seem to be a logical field for matching federal investments.

I have spoken of the compression of travel time in the jet age. I wish I could point to a comparable compression of our planning time, particularly in the fields of short haul transportation and airport construction. For, there is an urgency here that few people outside the transportation industry recognize. We should be actively planning today for 1980 and the year 2,000. And we should be building tomorrow.

For by 1980 there will be an additional 50 million more Americans pressing their trade and travel demands upon a society which grows increasingly more urbanized. Meanwhile, our Gross National Product should continue to increase at a rate of about 4 per cent annually. Disposable income and the proportion of it spent on travel will increase.

Airline fares and cargo rates, in step with technological advances, will decrease relatively during a period of inflation if labor costs do not overrun productivity. The cumulative effect will be a constantly increasing demand for more mobility.

If this ascending rate of demand ever outstrips our supply of mobility, we will find ourselves facing a barrier to our national growth and progress. Limited transportation could change the very dynamics of our free enterprise system.

We have the technology to meet these demands of our future. The wealthiest nation in the world can surely provide the money. And, I am sure that, with the help of you, who are the ultimate activators of policy of our society, we will find the wisdom and the foresight to solve this major problem of our time.

EDUCATION SYSTEM HAS FAILED POOR PEOPLE

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. PUCINSKI. Mr. Speaker, I was recently honored by an invitation from the University of Nebraska, at Lincoln, to address the National Seminar for Selected College Deans on Monday, June 24, in Lincoln.

My prepared remarks for this engagement were entitled "Career Education—Key to Our Survival as a Free People," and delivered most eloquently in my absence by Dr. Elizabeth J. Simpson, acting director of the vocational-technical education department of the University of Illinois.

Mr. Lloyd MacDowell, education writer for the Lincoln Evening Journal and Nebraska State Journal covered the seminar, and performed an excellent public service in his interpretation of my remarks as they related to vocational education.

Mr. Speaker, I should like to call this article to the attention of my colleagues and congratulate Mr. MacDowell on this excellent review.

Mr. MacDowell's article follows:

PUCINSKI: EDUCATION SYSTEM HAS FAILED POOR PEOPLE

(By Lloyd MacDowell)

A root cause of the Poor People's March on Washington is that the nation's educational system has failed those people who are camped in Resurrection City, according to Congressman Roman C. Pucinski, D–Ill.

"It has provided them with no marketable skill—nothing with which to provide them a decent living wage, no sound notions of how to go about looking for a job, dressing for a job, acting on the job, or holding a job," the Congressman said.

"Unemployment is always a tragedy because it is a waste of human resources," he stated. Pucinski told his views in an address prepared for the National Seminar for College Deans and delivered by his consultant on vocational education, Dr. Elizabeth Simpson, acting head of the vocational-technical education department of the University of Illinois. The seminar is being held in Lincoln.

NATIONAL TRAGEDY

"But youth unemployment is a national tragedy."

Since the 1963 Vocational Education Act was passed, the federal contribution has increased from 16% to 26% of total expenditures for vocational education, Pucinski said, and high school enrolment in vocational education has jumped by 42%.

But students with special needs—the ones with the greatest unemployment—have been forgotten, he said. "Fully one-third of our local school districts have no program at all for these hardcore, youthful unemployed."

Only a quarter of the high school students take vocational education, he noted, but only 4% of the vocational students are training for technical fields while those fields are crying for manpower.

Schools call themselves comprehensive, he said, but they operate a shutout system that reroutes the majority of youth to the so-called general curriculum, "in reality the school's excuse for a second-rate education."

AN APPENDAGE

Comprehensive education is "supposed to mean amalgamation," the Congressman stated, "a blending of several diverse themes. Nevertheless, vocational education is treated as an appendage."

He proposed sweeping away the existing curriculum. "Then let's start building again, this time on the assumption that all youngsters will eventually work.

"Let's develop self-awareness in our youngsters, self-understanding of their own abilities, aptitudes and potential.

"This means introduction of guidance and counseling much earlier than at present, probably in the elementary grades."

OPEN LONGER

To serve the community, schools should be open more hours a day, six days a week and students should spend part of their time in the regular work force of the community as paid apprentices or unpaid volunteers, tutors, hospital aides and junior leaders, he said.

At the same time, he suggested, business and industry must come to the school on a regular daily basis as teachers, counselors, curriculum advisers, consultants and inspirational models for future working generations.

"Guidance counselors give detailed instructions on choosing a college, applying for admission or getting scholarships," he pointed out, but almost nothing on choosing a job, approaching an employer, taking IQ and aptitude tests and absolutely nothing about placing students or following them up on the job after graduation."

Congressman Pucinski described a bill, HR16460, which he introduced in April, to increase authorizations under the Vocational Education Act of 1963 to provide $325 million for 1969 with increases in succeeding years, reaching $600 million in 1972 and beyond.

Twenty-five per cent of the new money would be reserved for students with special needs—the academically, socially, economically, physically and culturally handicapped—the hard-to-employ.

Restrictive categories would be removed, enabling the schools to spend monies where they are needed most. States would be required to prepare 5-year plans of their objectives and programs.

LEE MORSE

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. RODINO. Mr. Speaker, Mr. Lee Morse, a very able young attorney who has served loyally and ably as chief counsel of the Banking and Currency Committee, is leaving that committee to open a private practice here in Washington and in Georgia.

I am familiar with the esteem in which Lee Morse was held by those on the Banking and Currency Committee. However, I would like to add that Lee was of great help and assistance to not only the members of his committee, but to all others in Congress who sought his advice and counsel. His services will be missed by me personally as well as his committee and the entire House. I am sure that this bright and able young man will meet with much success and I know I speak for other Members when I wish him the very best in the future.

BLACKBURN BLASTS ADMINISTRATION FISCAL IRRESPONSIBILITY FOR TAX INCREASE

HON. BENJAMIN B. BLACKBURN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. BLACKBURN. Mr. Speaker, on June 20, the House agreed to the conference report on H.R. 15414, the Revenue and Expenditure Control Act of 1968. When this measure was before the House, I cast my vote in favor of the conference report because I knew that it was essential to the preservation of our domestic economy that the $6 billion reduction in expenditures and 10 percent surtax be instituted.

Since that time, I have received many inquiries concerning my position on this measure. For the information of my colleagues and the people of the Fourth District of Georgia, I hereby insert a statement which I presented to the press on this issue:

[News Release from Congressman BEN B. BLACKBURN, June 21, 1968]

BLACKBURN BLASTS ADMINISTRATION FISCAL IRRESPONSIBILITY FOR TAX INCREASE

WASHINGTON, D.C.—Congressman Ben B. Blackburn (R-Ga.) today blasted a "fiscally irresponsible Administration and a 'doormat' 89th Congress which endorsed that irresponsibility" for creating a fiscal crisis in America, a crisis which "had to be resolved partially by a tax increase and a significant decrease in federal spending programs."

Blackburn pointed to the country's spiraling inflationary trend, a trend that will "cut deeply into the payrolls of every housewife, and work a cruel hardship on the elderly, the retired, and others with small fixed incomes.

"However, an inflationary trend, now approaching 5% a year, carries with it a much greater danger—that of forcing a devaluation of the dollar and the subsequent financial chaos this would work at home and abroad," Blackburn continued.

"Today, international financiers are holding dollar demands totaling in excess of 35 billion dollars (with our gold reserves now at only $10 billion and dropping steadily). These financiers are becoming increasingly unwilling to hold those dollar demands in view of inflationary trends in the United States.

"In addition, the federal deficit this year has been forecast to be as high as 31.5 billion dollars. Such a deficit would be intolerable and could increase inflationary pressures even more."

Commenting on the tax bill passed by Congress on Thursday by a vote of 268 to 150, Blackburn said that he "recognized that no one wants to have his taxes raised. I certainly do not. But, I think the people of this country fully understand that our fiscal affairs are in serious difficulty.

"The removal of the gold cover exposed the seriousness of our balance-of-payments problem—a problem that could best have been eased by cuts in foregin aid, troop outlays in Europe, and other spending by the government.

"But, the present Administration did not cut spending. It prevailed upon its allies to take temporary steps, such as the dual-price system of gold and the S.R.D.'s. These are only stop-gap measures."

The tax increase was tied to a $6 billion cut in spending programs. "After 18 months, the 90th Congress has forced the Administration to accept a significant cut in its spending," Blackburn affirmed.

"During that time, I have consistently stated that the Administration must cut back on the lavish spending programs which have led us to this crisis.

"This tax increase will absorb only a part of the huge deficit facing the country this year as the Administration continues, year after year, to pile error upon error and deficit upon deficit.

"Fiscal responsibility will be one of the major issues facing the country this year, and the Congress has shown it has the courage to do what is best for the country, buying valuable time until the American people can make their will known this November."

A CLEAR ASSESSMENT OF GREECE

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. FRASER. Mr. Speaker, one of the most complete, balanced, and accurate accounts of recent developments in Greece during recent years appears in the latest issue of the Atlantic Monthly. Since the coup of April 1967, much misinformation has been printed and many emotional words have been spoken in defense of the military dictatorship that now rules the country. The following analysis by Elizabeth B. Drew, Washington editor of the Atlantic, casts much light on what is happening in Greece today, and why it is happening:

Democracy on Ice: A Study of American Policy Toward Dictatorship in Greece

In March, 1947, President Truman sent to Congress a special message urging that the United States help Greece "to become a self-supporting and self-respecting democracy." The "Truman Doctrine" was followed by the Marshall Plan and another collective arrangement to secure Europe against Communism, the North Atlantic Treaty Organization, a partnership based on devotion to "the principles of democracy, individual liberty and the rule of law." Twenty years and one month after Mr. Truman's appeal for aid to Greece, a small group of colonels, using NATO arms and a NATO plan, overthrew the Greek parliamentary government. King Constantine protested to our ambassador that some "incredibly stupid, ultra-right-wing bastards" had "brought disaster to Greece." Our ambassador cabled Washington that it was "the rape of Greek democracy."

The U.S. government declined to denounce the coup, continued to arm the junta with all but the heaviest military equipment, and has been moving toward a resumption of more military aid and normal relations with a regime that has suspended constitutional government and is showing no haste in putting it back, jailed thousands and tortured some, and even purged the military force which the United States had built up at a highly visible and heavy U.S. presence—aside, for morality is an elusive and perhaps even dangerous basis for foreign policy, it is worth examining our Greek policy in the terms in which the policy-makers defend it: that we have had no choice, that it is realistic, that it is in our interests, especially our interest in preserving NATO. It is also instructive to see how we got to this point.

An objective statement of the history of the U.S. involvement in Greece inescapably has a ring of liberal paranoia. It is simply a fact, however, that from the time that the United States replaced Great Britain as, in effect, Greece's protector after World War II, a highly visible and heavy U.S. presence—the embassy, the military, and the CIA—cast its lot with Greek royalist-rightist-military circles. We approved prime ministers, interfered in elections, and passed upon military promotions. The CIA considered Greece of special importance for operations in the area, and in the post-war period it trained and controlled the Greek intelligence agency.

The palace and the military were the instruments for overcoming the Communist insurgency and general chaos that followed World War II. During the war, the resistance movement against the Nazi occupiers had been taken over by Communists; a full-scale civil war ensued after the invaders withdrew. An exhausted Great Britain was in no condition to restore order, so the United States, through the Truman Doctrine, moved to offset the real possibility of a Communist takeover. The royal family, returned to its unstable throne by a plebiscite after the war, was considered at the time, even by the substantial numbers of anti-royalists in Greece, as important for restoring unity. There was no center to speak of at that point. The palace secured its power through alliances with the military, the highly protected business oligarchy, and rightist politicians. It saw to it that no prime minister became too independent. The United States saw to it that whoever was prime minister viewed Greece's needs, particularly its need to arm for the cold war, as the United States did. The American ambassador hunted with the King; the embassy staff circulated with rightist politicians and businessmen; all were agreed that Greece must be protected from internal and external Communism; it all worked very well; it was all done in the name of democracy.

In the early 1960s, the growing centrist Center Union Party, headed by George Papandreou, who charged the Karamanlis government with protection of special interests and with failure to address Greece's deep economic and social problems, did increasingly well at the polls. In 1963, Karamanlis became too independent for the royal family's tastes, and he was eased out of office. Papandreou defeated Karamanlis in a 1963 election, but with an insufficient plurality to form a government. He refused a coalition with the Communist-front party, and early in 1964 won office on his own with the highest percentage in modern Greek history. Papandreou installed his son, Andreas, as Minister to the Prime Minister, one of the most powerful government positions. From that point on, Andreas Papandreou became the focus of Greek political upheavals and American participation in them.

Andreas Papandreou was born and educated in Greece, but while at the University of Athens during the 1930s, was imprisoned and exiled for participation in a left-wing student movement resisting the military dictatorship established by the royal family. For the next twenty years, he lived in the United States, married an American, and became an American citizen. He earned a Ph. D. in economics at Harvard, served in the U.S. Navy during World War II, was recognized as a distinguished economist through teaching at the University of Minnesota and heading the economics department at Berkeley, and was active in the campaigns of Hubert Humphrey and Adlai Stevenson. He returned to Greece to work on economic planning during the Karamanlis government, and then joined his father's government.

Brilliant, arrogant, charming, given to demagogy, and, particularly at the beginning, politically inept, Andreas Papandreou fought all his battles at once and thereby managed to antagonize concurrently the palace, the military, the conservative business circles, and the American establishment in Greece. He forced through a plan giving the Greek cabinet, rather than the CIA, direct control over the Greek intelligence agency. He called for social reform, for greater independence for Greece under NATO, for a reduction of palace dickering in military and political affairs. With the help of his American economist friends, he drew up the first comprehensive economic plan for Greece, and pushed a reform program similar to Western European social democratic programs. He played to Greek popular opinion on Cyprus, and with his father rejected the American proposal for a division of the island, a stand for which top State Department officials never forgave them. Suspected as he was by both right and left of actually being an American CIA agent, resented as he was for entering Greek politics at the top after a twenty-year absence, Andreas Papandreou played hard on the nationalistic chords and refused to compromise with the ruling circles. In time, he became the most popular political figure in Greece.

The response of the highly annoyed American Embassy staff was to drop him. On the whole, the staff never established the same diplomatic or social rapport with the Center Union party that it had had with Karamanlis' party. When the coming political crisis developed, only the American chargé d'affaires, Norbert Anschuetz, made it a point to keep in contact with Andreas Papandreou, and that was done on the quiet, in the private homes of Americans living in Athens.

Early in 1965, General George Grivas, the rightwing royalist commander of the Greek Army on Cyprus and rival of Archbishop Makarios, with whom Andreas had allied himself, reported to King Constantine that Andreas, a highly popular figure on Cyprus, had been plotting with some dissident troops there, who had formed a club called Aspida, to overthrow the government in a "Nasserite" coup. A few months after the sensational "Aspida plot" story broke, George Papandreou became locked in dispute with the King over Papandreou's desire to fire his defense minister, who had been dealing with the King and Grivas against Andreas, and appoint himself to the post. Over that issue, the Papandreou government was ousted in July, 1965. There were serious riots, which proved to some of the American Embassy staff that Andreas was dangerous.

The events of 1965 were the beginning of the end of Greek praliamentary democracy, and led directly to the current situation. In the confrontation between an unpopular royal family and popular political figures, American policy-makers were on the side of the palace.

For the next several months, there was political chaos. The King dared not call elections, for the Papandreous would have won. Anschuetz, now in charge of the embassy in the absence of a U.S. ambassador for several months, informed the King that the United States would not approve a dictatorship, which the King was considering, but that it would go along with moves that were technically constitutional. Whether the King's subsequent moves were or were not constitutional is subject to some debate. He made several attempts to establish a new government through the more palace-oriented minority of the Center Union party. His tactic was to stall for time, meanwhile working to destroy the Papandreous' popularity. Despite our official neutrality, some of the embassy's staff members helped him. Andreas, they had decided, was inimical to America's interests, and his return to power should be forestalled. If this meant forestalling elections, so be it. They assumed that the Papandreous' following was a passing phenomenon. American Embassy employees and military representatives circulated through Athens denouncing Andreas Papandreou. Americans were in the chambers of parliament urging deputies to cooperate with the King's attempts to form a rump government. Although Andreas Papandreou was not brought to trial for the Aspida plot, their position was that of course they couldn't be sure, but, you know, where there's smoke . . . One former American official who was in Athens at the time argues that we should have been using our extensive influence "to prevent the subversion of constitutional government. . . . We were extremely influential," he says. "But many people in Washington and the embassy and the military didn't like Andreas, and were happy. It wasn't just that we didn't protest; we cheered. We didn't look ahead one inch."

The State Department says that it was surprised by the coup of April 21, 1967, but the only surprise could have been that it was not the coup it was expecting. Elections had finally been scheduled for May, almost two years after the Papandreous were ousted. It was increasingly clear, however, that despite everyone's efforts, the Center Union party, with Andreas Papandreou now at the zenith of his popularity, would win. The United States knew that if that happened, a group of generals, with the cooperation of the King was planning to seize power. The CIA had suggested that in order to forestall the generals' coup, it set to work to win the election for the right, or at least strengthen the right to the point where the Center Union could not win. (The form of CIA interference would be the usual in such circumstances: money for publicity, for buying off election officials, for stuffing ballot boxes, and so on.)

Secretary of State Dean Rusk vetoed the suggestion for three reasons: it would be a messy business; it would place the United States squarely in opposition to a reform movement; and for what is known in government circles as the "Bay of Pigs reason," it was a shaky proposition in which the CIA could not guarantee the outcome. Which reason weighed most heavily in the decision is not clear. And so we waited for the inevitable. The American ambassador, Phillips Talbot, in several conversations with the King indicated that the United States hoped that Greece would not be taken over by a military junta, and that if the King did feel that he must suspend the constitution, he wouldn't do it for very long. We hoped, it was suggested—indirectly, of course, for one must be delicate in talking to a monarch about his plans for a coup—that he would be just as constitutional about it as he could. But, as one official in Washington puts it, "We were ready for the generals."

Exactly why the colonels stole the coup from the generals is not known. It may be that they feared that the King, who after all had been contemplating his coup for some time, was temporizing once again. It may be that they knew know the Americans felt about the Papanddreous, and believed that since the United States was at least implicitly concurring in the King's coup, it would not object to this change of personnel. It may have come from their own frustrations within the ranks, for these were "country boys" from the lower middle class who were never going to rise to the military top. Colonel Papadopoulos, the leader of the coup, at one point the contact man between the CIA and Greek intelligence, had a controversial reputation as a fanatic Communist-hunter. Their reasons may simply have been what they said they were: their desires to "purify" Greece politically and morally and to save it from Communism. It is their literal carrying out of this program which has given the junta its comic-opera overtones: the banishment of beards and miniskirts, the forbidding of the playing of music of suspected Communists. And also its ominous ones: the widespread arrests, continuing on a smaller scale today, the apparent resort to torture, the prohibition of gatherings of more than five persons, and so on.

In any event, on April 21, a triumvirate of relatively low ranking officers—Colonel Papadopoulos, Brigadier Patakos, and Colonel Makarezos—took from the drawer the "Prometheus Plan," a NATO contingency plan for a military coup in the event of a Communist take-over, rolled out the NATO tanks, and seized Greece.

As it happened, they didn't have very much of it at first. The Navy, the Air Force, and the Army in the north, which outnumbered the southern army ten to one, were not with them. Therefore, what happened in the early hours of the coup made the difference. Since the colonels acted in the King's name, there was some confusion in Athens and in Washington at first as to just whose coup this was. Then, when Talbot made his way to the palace, he found that King Constantine was quite beside himself. Condemning the "incredibly stupid, ultra-right-wing bastards" who had stolen his coup, he asked if the United States might send marines to help him and the generals regain control, and requested that we try to convince the junta to take his orders, and that we land Sixth Fleet helicopters to evacuate his family if necessary. Talbot, by this time identifying our fortunes with those of the King, was deeply upset and sent his cable decrying "the rape of Greek democracy."

Sending the marines was never seriously considered. The Sixth Fleet cruised closer to the Greek shore, in case evacuation of Americans and the royal family became necessary, as it did not. The real issues in Washington in the immediate aftermath of the coup were the usual ones in such a situation—that is, a coup from the right, not the left: how soon and how strongly does the United States react, in terms of denouncing the action, suspending diplomatic contacts, and terminating economic and military assistance? A quick, strong, negative reaction on the part of the United States might have various levels of effects: at most, it might unhorse a new, if shaky, junta; in between it can give us a strong bargaining position with a new government; at the least, it keeps the United States from being identified from the outset with a new regime of doubtful capacities and intentions.

Thus, when there was a military coup in Peru in 1962, the United States denounced it and removed the ambassador and suspended the aid programs until the junta set a date for elections and guaranteed a return to civil government; in 1964, there was a free election. Our language can be quite strong. In 1963, Secretary Rusk responded to right-wing coups in the Dominican Republic and Honduras: the United States views the situation "with utmost gravity. . . . Under existing conditions . . . there is no opportunity for effective collaboration . . . or for normalization of diplomatic relations. We have stopped all economic and military aid to these countries."

Ambassador Talbot pleaded with Washington for an early, very strong statement denouncing the Greek coup. His request was not granted. The explanation of this and everything that has followed lies essentially in who were the policy-makers in Washington, and how they were doing it.

Lucius D. Battle, the Assistant Secretary of State for Near Eastern and South Asian Affairs, an able diplomat who had served in various State Department posts during three Administrations, most recently as Ambassador to the United Arab Republic, had been installed in his new job for only six days when the colonels struck. He was essentially unfamiliar with the Greek situation, and he was and has remained deeply absorbed in other problems in the vast region of his responsibility. In his first days in office, a crisis in Yemen was budding, and the events which led to the June war in the Middle East were in train.

Battle, therefore, had to rely on his assistants: Stuart Rockwell, his deputy, and Daniel Brewster, director of Greek affairs, both career Foreign Service Officers. Rockwell's predilection throughout has been for an accommodation with the colonels. Brewster came at the problem with decided views of his own. He is *the* Greek hand at the State Department, not simply because of his formal position but also because he was born and educated in Greece, and served in Greece from 1947 through 1952, when the United States was establishing its ties there, and again from 1961 through most of 1965 when the embassy staff was deciding that the Papandreous, particularly Andreas, would not do. As the Greek policy went up the line: Rockwell was inclined to agree; Battle was inclined to defer; and when the policy questions went from the sixth floor of State to the seventh, Secretary Rusk and Undersecretary Nicholas Katzenbach were preoccupied with other matters.

At the White House, in the National Security Council staff, Walt Rostow was as buried in Vietnam and other major crises as were the Secretary and Undersecretary. His staff was said to have had some reservations about Greek policy, but if so, they did not put up much fight. The only White House voice some State Department men recall hearing with any clarity was that of Mike Manatos, a presidential aide for congressional relations who was relaying the concern of the liberal elements of the essentially conservative Greek-American community. Recently, however, some Greek-American businessmen complained to the State Department about the junta's treatment of business in Greece, and their complaints made an impression.

The Pentagon's overriding concern was that nothing disrupt the military preparedness of Greece under NATO, or the ongoing operations of the military assistance program. The decisive group was the Joint Chiefs of Staff, whose traditional position has been that Greece is the "southern flank" of NATO, and it must be prepared at all times for an attack from Bulgaria. The Pentagon should not question the likelihood of an attack by the Bulgars, argue the Chiefs; it should be prepared for all eventualities; besides, who can read the mind of the Communist enemy? To the extent that Greece is not prepared, the argument goes, if the Bulgars do attack, the United States will have to make up the difference, so the more Greece is armed, the less likely it is that the United States would have to fight there. If, as the Greek junta did, a government dismisses 500 of the NATO-trained officers and purges many of the troops, that is unfortunate, and we shall just have to start from there.

There are some civilians in the Pentagon who question that Greece is a "flank" in classic military terms, and doubt Greece's strategic importance to NATO. But, says one of the doubters, "That concept was here when we got here, and it will be here when we leave." There is also some ambiguity as to whether the substantial Greek troops and weapons positioned in the Thracian plains in the north are poised against Bulgaria or against Turkey. The way in which the concept of Greece's military importance to NATO has reinforced the junta has been deplored by, among others, such a conservative as Mrs. Helen Vlachos, publisher of Greek newspapers and now in exile in London: "NATO is something we put our signature on when we were free and which was to keep us free.

At this moment NATO is protecting the junta." The junta survives "entirely because of NATO power—NATO money, NATO weaponry, NATO jam in the morning, NATO suits, NATO everything you see."

And while the United States focuses on the "Southern flank," other parts of NATO have fallen out with our Greek policy. Norway and Denmark have suspended diplomatic relations with Greece; the German government has suspended military assistance; and the American policy is highly unpopular with the European social democratic parties, and with the prestigious Council of Europe. Some high-level civilians in the Pentagon have had some concern about the policy decisions regarding Greece. But these have tended to be the same men who were offering strong objections within the government to the escalation of the Vietnam War; with no prodding from the State Department to counter the military impetus of Greek policy, they fought other battles.

The Defense Department's consequent emphasis on the primacy of NATO strategy in policy-making on Greece happened to suit the prevailing mood at State. For some time the central tension in our European policy, which does receive ongoing attention on the seventh floor, has been over whether NATO is outmoded, a bar to détente with Eastern Europe, and should slowly be dismantled, or whether NATO still represents a farsighted policy and our best hope for promoting European unity and therefore must be maintained. At this point in time, with General de Gaulle shaking the NATO foundations, the latter viewpoint prevailed.

Thus there were not great policy debates about Greece. The policy tended just to happen, on an *ad hoc* basis, according to routine bureaucratic procedure. From time to time, there came from outside the normal chain of command strong suggestions that the United States take a firmer line against the junta, but only rarely did these suggestions permeate the structure. Occasionally, an issue even came to the President's desk. When such issues concern countries not normally subject to presidential or seventh-floor attention, they tend to get settled, rather quickly, by a presumption in favor of the position of the Secretary of State.

Responding to Talbot's request for a strong denunciation of the coup, on April 23 Brewster and Battle had drafted at least a mild one regretting the action—"The U.S. by tradition is opposed to the change of democratic government by force"—but Rusk ruled against its issuance. His arguments were that this might impair future relations the United States might wish to have with the new regime, and there were political prisoners whose safety was of some concern to us. If the United States tried to unseat the junta, went the prevailing thought in Washington, the result might be fighting in the streets between royalist and rebellious armed forces; moreover, the junta might be secure enough to prevail, and then where would the United States be? Instead, Washington would work with the junta, trying to influence it to work with the King, to take steps to return to constitutional government, and to free the political prisoners. Therefore it would not be useful to suspend diplomatic relations.

As for arms (substantial economic assistance to Greece had ended in 1962), a major consideration of the moment was that Congress was upset already over the extent and use—as in the Indo-Pakistani and Arab-Israeli fighting—of U.S. military assistance. There was some concern, on the other hand, that if military aid to Greece were stopped, it might be difficult to get it resumed. In a split decision, shipments of tanks and jets were stopped, but light arms, including rifles and bullets, jeeps and trucks, and spare parts—what is known in policy circles as "the rinky-dink stuff"—continued to flow. The issue of the small arms was argued; the argument that cutting them off would be more difficult than it was worth prevailed.

"You end up dealing with what is in front of you," said one of the policy-makers of the first week after the coup.

So for seven days the United States kept its silence, and on April 28, Secretary Rusk issued a statement weaker still than the one Brewster and Battle had drafted. It did not deplore the coup, and it made no mention of military aid, not even that some of it was being suspended, because, explains one official, "It would have been interpreted as an anti-coup move." "We have followed closely the situation in Greece since the military take-over there last Friday," said Rusk's statement. "I am encouraged to see King Constantine . . . has called for an early return to parliamentary government. We are now awaiting concrete evidence that the new Greek government will make every effort to re-establish democratic institutions. . . . I am gratified that Greece will continue its strong support of NATO." The colonels had wasted no time in pledging that. They showed less dispatch about satisfying the other wishes.

The Secretary's statement also noted that Colonel Papadopoulos had said that the political prisoners rounded up during the coup would be set free "in a few days," and that he trusted "this step will indeed be taken." Andreas Papandreou was in prison. The pressure mounted quickly by his American friends, men with access to the highest levels of government, to prevent his assassination and secure his release probably has no recent equal. John Kenneth Galbraith from Harvard, Carl Kaysen from Princeton's Institute for Advanced Studies, Walter Heller from the University of Minnesota, and others were calling the President, the Vice President, the Secretary of Defense, and the Secretary and Undersecretary of State. President Johnson commented that this was the one issue economists were agreed upon. In his White House redoubt, Walt Rostow received more than 200 letters from professors. This pressure was responsible in some degree for what restraint Washington displayed to the junta during the first days—the memoranda that went back and forth referred repeatedly to the fact that the academic community was upset—and also for our more-than-usual concern for political prisoners. But, in the case of the prisoners, there was also the fact that the junta had rounded up and imprisoned several of the State Department officials' old friends from the right.

Perhaps it was his distaste for Andreas Papandreou, perhaps a weary reaction to the pressure from the academics, so many of them his tormentors on Vietnam, that led Dean Rusk to respond in effect to one domestic pleader for Papandreou that Andreas is no longer a professor of economics. He is now a politician, and it appears that he may have "a good deal to answer for."

Eight months after the coup, about one half of the some 6000 prisoners whom the junta had rounded up were released. Andreas Papandreou, who had been kept in solitary confinement all that time, was among them. Both the United States and the junta were interested in removing him from the Greek scene, and so he was released and allowed to leave the country.

Since the coup, the policy questions have arisen in terms of more cooperation with the junta. The policy-makers don't put it that way, of course. They point to Washington's "cool and correct" relations with the colonels, and our use of "carrots and sticks." They also point out how cooperative the junta has been in serving our global needs.

Two months after the coup, the June war broke out in the Middle East. The Greek government permitted the United States overflights, base rights, and blanket, rather than ship-by-ship, use of Crete's landing facilities for the Sixth Fleet. Thousands of American evacuees were landed in Athens, a fact which every Foreign Service Officer whose family has been abroad in a crisis appreciates. (Just why they had to be taken to Athens, as opposed to Rome or elsewhere, is not clear.)

Moreover, during the Middle East crisis, for the first time a Soviet fleet appeared in the Eastern Mediterranean. To the Navy, this made our entrée to Greek ports all the more essential, so that our sailors could have their "R and R" (rest and rehabilitation). Places of respite were diminishing: Arab ports were out. Spain does not like us to land at Gibraltar, Italy limits our landing rights, and Turkish ports do not suffice. Early this year, the Navy pressed for a port call at Athens by the U.S.S. *Franklin D. Roosevelt* to re-establish the fact that we considered Greece a port of call. The visit turned into a friendly shipboard gathering which included the Greek defense minister, Ambassador Talbot, and Colonel Papadopoulos. Cameramen recorded the event, and the story was widely printed in Greek newspapers (under such headlines as "Warm Handshake in Front of Franklin Roosevelt," and "Greece Believes in NATO"). The State Department says that it was all a matter of mixed signals somewhere along the way.

In November, the junta again earned the State Department's gratitude. Turkey was about to invade Cyprus. The United States sent a special negotiator, Cyrus Vance, to cool the crisis and persuade both the Greeks and the Turks to withdraw some troops from the island (in the process, cementing the fact that the United States was dealing government-to-government with the junta. Both sides agreed. The State Department likes to point to this act of statesmanship by the junta, and compare it to the "irresponsibility" of the Papandreous. Aside from the fact that one operated under martial law and the other under an open parliamentary system, it is also possible that the junta was motivated by the fact that if the Turks had invaded, the Greeks would have been overwhelmed.

One of the grounds on which the United States explained its continuing relationship with the junta was the technical one that our diplomatic accreditation was to the King, and since the King dealt with the junta, so did we. Moreover, we were doing what we could to work things out between the two. Therefore, there was a problem when, on December 13, the King decided to overthrow the junta. The United States knew that he had been mulling the action for some time, but officials say that the King did not inform Talbot of his decision to move until that very day. At that point he asked for our help. Talbot relayed the request and indicated that he was giving some thought to going north with the King, our last hope for Greece.

Within the U.S. government, the hope was that the King would succeed, and the betting was that he would—most of the troops were in the north and had not been with the junta. The United States did not, however, want to be caught on the wrong side in case he failed. Help was refused, and Talbot stayed in Athens. As it turned out, Contsantine's coup may set some sort of record for incompetence, and within twenty-four hours he and his family were on their way to safety in Rome. ("I find it insulting," one State Department official complained, "that the United States is accused of being associated with such a disorganized coup.") When the King left the country, our basis for dealing with the regime had disappeared, and for a few weeks Washington suspended normal diplomatic contacts. But later, because, it is said, the junta and the King were negotiating for the King's return to Greece, we resumed our dealings—albeit "cool and correct"—with the colonels.

"The purpose of our policy," said one high State Department official, "has been to influence these people to move in the direction of constitutional government, and it has had that effect." Thus the policy-makers are quite pleased to point out that in March the junta issued a draft constitution. The officials must have been counting on nobody's reading it, however ("the lawyers are studying it," was the reply of one whom I asked about it), for the draft constitution was a document straight out of *Catch-22*. "The press is free and exercises a social mission, that entails obligations . . . Confiscation is permitted . . . when it insults the Christian religion, insults the person of the King, the King's parents, the Queen, the crown prince, their children and wives, insults the honor and reputation of individuals holding public office or having held public office. . . ." And so on. The constitution was to be freely discussed ("the people are writing the articles of the constitution"), under martial law. The expectation was that a revised version would be issued—there was no way for it to go but up—showing the regime's receptivity to public opinion. A referendum on the constitution has been set for early September, but Colonel Papadopoulos has declined to set dates for the formation of political parties or for parliamentary elections. On the anniversary of the coup, one of the newspapers closest to the regime wrote that "the fingers of one hand are not enough to count the number of years it needs to accomplish its aims."

The method by which the United States achieved this policy success is one that State Department policy-makers talk about quite a bit: the use of carrots and sticks." The fact is, however, that diplomats usually prefer offering carrots to wielding sticks. And so by July, 1967, the embassy, having adjusted, as embassies do, to the new circumstances, suggested a gradual resumption of the remaining military aid. Having continued diplomatic contacts, having continued to ship small arms, having done nothing to discourage private investment, the United States had made the remaining weapons—minesweepers, tanks, jets—the last symbol of our attitude of reserve toward the junta. Nevertheless, the question did not cause much debate within the government. The embassy suggestion was approved by the State Department in July and forwarded to the White House. President Johnson concurred, provided that private soundings indicated that Congress would not object.

The soundings were not taken, however, as other planned soundings over the following year on resuming the aid were not, because each time they were about to take place, the junta made some particularly embarrassing move. For the anniversary of the coup, for instance, they put aged George Papandreou and Panayotis Kanellopoulos, the rightist prime minister at the time of the coup, under house arrest. (Around the State Department, this is seen as evidence of the colonels' "poor sense of public relations," as was the fact that only half of the political prisoners were released after eight months.) It was a bit awkward to push for increased arms aid under such circumstances, and it was important not to endanger further the entire controversial arms program by arousing Congress over Greece.

Arms aid to the junta would be increased, however, as soon as the congressional thicket could be negotiated. One State Department official explained (in the same interview) that this should be done because (a) this would be the way to nudge the junta toward a constitutional government and (b) the junta had no intention of stepping aside for some five years and we had better get along with them as best we could. The colonels have also passed along the word, persuasive to some of the policy-makers, that we had best help them further in order to offset the neutralist—the words "Nasserite" and "Gaullist" are used—inclinations of some of the younger officers associated with them.

The major reason for the planned resumption of arms aid, however, lay in the comparative strengths of the pressures brought to bear in Washington. The men who run the military assistance program were anxious to commit the remaining weapons for Greece which had been programmed for the past fiscal year, so that they could justify to Congress their request for still more weapons for Greece—close to $70 million worth of them—over the next fiscal year. The arms resumption was also vigorously championed by the Joint Chiefs of Staff and by the CIA, anxious to retain its base in Greece. Battle was said to have developed some doubts, but when State is only doubtful and the Pentagon and the CIA are enthusiastic, State loses, unless someone decides to take the fight to the White House.

The general view of those responsible for our Greek policy is that it has all worked out for the best. "They [the colonels] haven't done too badly," said one. "They've made some improvements on the Greek scene. They have brought into the government a sense of austerity and welcome probity, I would say. Although they are inept economically, they haven't brought about disaster. They do lack important things, obviously. They lack constitutionality, legality, experience, and a sense of public relations. But from their point of view, why should they step down?" Another suggested that the way to look at the situation was that order had been restored, Andreas Papandreou and the King, the two most exacerbating factors in Greek politics, were out of the country, and a constitution was on the way.

Despite these ideal circumstances, Washington has not run out of ideas about how to help Greece. The current thinking is that the thing to do is to nudge the colonels into inviting Karamanlis to return form Paris to head the government. Andreas Papandreou and others have suggested a coalition of center and right, and perhaps the United States would accept this, but it is assumed that the right is still the best hope for order in Greece. The embassy has reported, anyway, and it is the accepted wisdom among the policy-makers—despite evidence that the Americans in Greece have chronically and wishfully underrated the Papandreous' popularity—that Andreas Papandreou's popularity in Greece has plummeted to zero, and that his father's is down to 10 or 20 percent. It is also argued that the Greek people are "apathetic," even relieved to have been saved from the politicians, and, lo, the threat of leftist violence, which we and the right have been fearing and guarding against these many years, has seemingly disappeared.

Others do not think it has, and argue that the longer the colonels stay in power, the more likely it is to grow. It does not strain the imagination to consider, if there were Communist insurgency against a military government we have been arming, which side the United States might be on. The policy-makers assume that the Greeks have had their fill of civil war, but the lesson others draw from the 1930s and 1940s is that Greece has a history of violence in the face of repressive regimes. Yet even if the worst—"another Vietnam," for example—does not come to pass, there are other grounds for being disturbed about our Greek policy.

Much of foreign policy, one official says soothingly, is simply "buying time." In the Greek case, another way of putting that might be "mortgaging the future."

LAWLESSNESS MUST END

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. EVINS of Tennessee. Mr. Speaker, Columnist David Lawrence in a recent article in the Washington Star underlined the importance of restoring and maintaining law and order throughout our Nation. Mr. Lawrence deplores the violence and lawlessness which he describes as incredible and intolerable. Because of the interest of my colleagues and the Nation in this important matter of law and order, I herewith place this article in the RECORD:

IT'S TIME FOR LAWLESSNESS TO END

(By David Lawrence)

This is a strange era. Large numbers of the American people not only are being taught to misbehave but are being permitted to get away with it. Riots, looting, arson, vandalism and disturbances, which are normally punishable by law but which have been glossed over as permissible under the right of "free speech," have aroused throughout America a demand for an end to disorder and lawlessness.

Never has such timidity been shown by the national government as in the last several months. It's the same old story—it takes a crisis to get reform. Congress finally has enacted an anti-crime bill, including provisions for limited gun control, but it still is reluctant to pass stronger legislation that might keep guns out of the hands of madmen.

At last, however, the tide is turning. The courts are growing a little more sensible and are brushing aside some of the technicalities which have served to protect criminals and to hamper police in their efforts to enforce the law.

The Supreme Court of the United States, in a decision on June 10, affirmed the right of a police officer to "stop and frisk" individuals whose "unusual conduct" could reasonably lead him to believe that "his own life and that of others might be in danger."

In the federal district court in Boston, four prominent individuals who have been active in "peace demonstrations" have just been found guilty of conspiring to counsel young men to evade the draft. The jury brushed aside the argument that such activities were merely an exercise of the right of "free speech" and were "justified" because of the defendants; "moral concern" over the Vietnam war.

In the courts of the District of Columbia, some stern sentences have been given to persons arrested during the riots in the nation's capital in April. One judge took the occasion to criticize city officials sharply for their failure to order police to arrest looters and arsonists and for not publicizing beforehand that such persons would be prosecuted.

Despite these hopeful signs, the violence and lawlessness still are incredible. Candidates for the presidency cannot make public appearances without risking their lives and those of their families who may accompany them. Issues of importance have been lost sight of as the safety of persons seeking the presidential nomination has become the biggest concern of the campaign.

The assassination of Robert Kennedy was a most tragic episode in American political history. It will have a lasting effect on the American people, who are waking up to the fact that political campaigns are becoming an instrument of mobocracy instead of democracy. It matters little whether an assassination is motivated by a specific political issue or is merely incidentally identified with some of the questions involved in a campaign. The fact remains that not only the candidates but the people are not safe when they attend a mass meeting to discuss in democratic fashion the issues of the day.

Time was when the big fear was that a president of the United States might be assassinated. Now the anxiety has spread to the men who have offered themselves as candidates for the highest office in the land.

Only five months remain of the 1968 presidential and congressional campaigns. There are lot of important questions before the country—Vietnam, crime, education, inflation, food for the poor and sociological reforms. But all these become secondary if, in a country which boasts of the right of free people to govern themselves, it is dangerous for a campaign to be made by an individual who seeks to serve his country in the presidency.

Too many persons have been taught to believe that "civil rights" means the right to do as one pleases—to engage in "civil disobedience," to "demonstrate" in the streets, and to demand from the government whatever they feel is their due, irrespective of law.

The time has come to teach these people that they cannot expect to coerce the government to do their bidding by means of force or threats of force. They must recognize that this is still a democracy in which people believe that there must be debate on the current issues and that the majority decides what is best for the nation.

HON. DAVID M. McCONNELL

HON. WM. JENNINGS BRYAN DORN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. DORN. Mr. Speaker, the President has announced the appointment of the Honorable David M. McConnell of Charlotte, N.C., as a member of the U.S. delegation to the 45th session of the United Nations Economic and Social Council, Geneva, Switzerland, convening in July and August 1968.

Mr. McConnell will also be appointed as a special advisor to the Council, with the rank and appointment of Ambassador of the United States of America.

Mr. Speaker, I, join with Mr. McConnell's many friends on Capitol Hill in congratulating him on this important assignment. Mr. McConnell is a member of the board of trustees of Erskine College in Due West, S.C., in my congressional district, and I would like to extend congratulations and best wishes to him from his many friends in this part of South Carolina.

Mr. Speaker, I commend the following biographical sketch of this dedicated American to the attention of my colleagues and the people of the United States:

David Moffatt McConnell, an Attorney-at-Law of Charlotte, North Carolina, has served the past two years as a member of the North Carolina Tax Study Commission. He was formerly Special Counsel to the U.S. Commissioner of Internal Revenue, and was Counsel to the U.S. Senate Committee on Government Reorganization, and an Administrative Assistant to U.S. Senator James F. Byrnes of South Carolina, who was later Secretary of State.

He has a broad background in International affairs. He served as Provost Marshal and Protocol Officer with the Nationalist Chinese Army under General Joseph W. Stilwell in China, Burma, and India. He was Chairman of the International Conference at Ramgarh, Bihar Province, India, in 1942, which Conference prepared Treaties of Military Command and Criminal Jurisdiction of Forces for China, Burma and India, for which he was awarded the U.S. Legion of Merit and awarded Order of Cloud and Banner by Chiang-Kai-Shek.

Served as Chief, Legislative Branch, War Department General Staff G–1, as a Colonel, General Staff Corps. He was a co-draftsman of the Declaration of Nuremberg and the Post-War Treaty with the Republic of the Philippines.

Assisted in the drafting of Tax Conventions with the Kingdom of Denmark and the Republic of Colombia.

Active in Civic and Political Affairs, served as Chairman of the North Carolina State Board of Elections; served as a Delegate to many Democratic National Conventions and was a Member of the Nine-Man Executive Committee which formulated the Democratic Platform of 1964. He personally drafted the Civil Rights Plank in this Platform.

Members of State Department Mission to West Germany to celebrate the 20th Anniversary of the Marshall Plan and the Declaration of Nuremberg, 1964.

Liaison Official for War Department General Staff with U.N.R.R.A. and U.N.I.C.E.F., 1944–1946.

Awarded Legion of Merit with Oak Leaf Cluster for services on the General Staff.

Member of the Bar of North Carolina, South Carolina, District of Columbia and the U.S. Supreme Court, and Tax Section, American Bar Association. Active in corporate affairs as General Counsel, Belk Stores.

B. S. Summa Cum Laude, Davidson College, North Carolina—Phi Beta Kappa and Kappa Alpha Order; Rumrill Award Scholar, Harvard Graduate Business School; LL.B., LL.M. in Federal Taxation, Georgetown University; Juris Doctor, Federal Taxation, Georgetown University.

STRICT LAW ENFORCEMENT IS THE SENSIBLE APPROACH TO REDUCING THE ILLEGAL USE OF GUNS

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. GRIFFIN. Mr. Speaker, Louis P. Cashman, Jr., editor of the Pulitzer Prize-winning Vicksburg, Miss., Evening Post, recently published two extremely timely and thought-provoking editorials on proposed gun control legislation. I commend the editorials to my colleagues inasmuch as they constitute a most sensible and valid approach to this highly important subject:

[From the Vicksburg (Miss.) Evening Post]

THE PROPOSED GUN LAW

Acting under the hysteria created after the assassination of Senator Robert Kennedy, the drive is on for a strict gun law, in which every gun, of every description would have to be registered and it is proposed that on registration a photograph of the owner and his fingerprints be made a part of the registration. We do not believe this will check the criminal who is intent upon murder with a gun. Rather it would be only effective in putting another regulation on the honest and law-abiding citizen. The criminal will get his gun, even change the serial number if necessary and possible, and the net result will not improve matters.

So many laws have been passed under the pressure of emotion or passion, and this is another one. But we have contended that the very best way to meet the wave of violence in our country is through enforcement of the laws we have on our books, and through the full support of all our officials. When a criminal knows he will have to pay the full penalty for his murderous action, he will not be as quick to pull the trigger. But as matters now stand, he knows he has an excellent chance to get by with any action, as he has been so protected in his "constitutional rights," he doesn't worry too much. The nation is filled with criminals who have been made to pay the penalty for their misdeeds, and their crimes have mounted. In addition, because of their protection, many others who might have thought twice before indulging in a life of crime, now feel they, too, can get away with it.

The mere fact of a law requiring registration of guns will not get at the root of our problem. The one solution which will deter crime and criminals is strengthening the hand of our law enforcement officers and making it crystal clear to the criminal that he will pay for his crimes. Without this, registration of guns will affect the citizen who has no inclination to crime, but it will not make much impact upon the criminal. Only by tough enforcement of the laws we now have followed by conviction and penalty commensurate with the crime will we begin to see the ebb in the wave of violence.

[From the Vicksburg (Miss.) Evening Post]

GUN REGISTRATION AND LICENSING

The push is on by the Administration to add strict registration and licensing to any gun control law which might be passed. Every gun would have to be registered—every owner would have to be licensed. That means all guns—all owners—at least all law-abiding citizens. Under the proposal anyone wishing to purchase a shotgun for hunting, or a rifle for the same purpose, would have to apply for a license—a federal license—and register his gun, stating for what purpose he would use it. In short, complete and unadulterated federal control under which the average citizens would come.

But what of the criminal? What gangster, or criminal, or ex-con turned out on society by some of the famous judicial decisions, will register his gun, or apply for a license?

We believe there are two sides to a law so all-embracing as that which is being proposed. We believe that it is quite proper to have registration of pistols, and many states have such laws, but extending such stringent regulations as are proposed to sporting firearms is just another step towards the never-ending drive for complete and absolute federal domination in all phases of our lives.

Much has been said and written about the activities of the National Rifle Association, which vigorously opposes this type of federal control. Characteristically, the NRA is pictured as an enemy of law and order and as abetting crime. The NRA, in our opinion, is voicing the sentiments of the hundreds of thousands of sportsmen, and they are waging a valid and logical fight against extreme controls. Members of Congress are hearing from the folks back home, in a deluge of letters and telegrams opposing the measure.

The very best gun control we can accomplish is to give to the nation full law enforcement, unimpeded by decisions and directives which reduce the effectiveness of our law enforcement officers. Hardened criminals, with long and vicious records, have been turned loose and it is not unusual for some of them to have several murders on their record. But their "constitutional rights," effected through the invocation of technicalities and other loopholes, have been protected to the detriment of society in general.

Strict law enforcement, is the real answer. The law-abiding citizen should not be subjected to licensing, questioning and registration of his gun because of the inadequacy of law enforcement resulting from questionable decisions and the reluctance of politically-motivated officials to demand, and get, respect for law.

In Hitler's Germany, citizens were forced to register all guns and they were confiscated.

Why is it necessary for such extreme measures in the United States? Or is it part of the plan to create a situation which would follow the Hitler plan?

COLLAPSE OF THE WILL TO GOVERN

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 2, 1968

Mr. ASHBROOK. Mr. Speaker, American Security Council Editors Frank Johnson and Anthony Harrigan pose the questions "Where is the storm of indigation? Where is the outrage?" at the burning of our cities, the takeover of our universities, and the lawlessness in our streets?

They state, and it appears to be true, that the majority of Americans, and citizens of other nations under attack, are "outraged." But they are the followers of leaders who "have neither the ideological conviction nor the moral fortitude to fight back."

"They suffer the law to be broken in the name of 'freedom' and mobs to rampage unchallenged in the name of the sancity of human life."

And they fail to understand that they are condoning the "spirit and doctrine of nihilism."

The examples and arguments of these two editors are much too real to be passed off lightly and I submit "Collapse of the Will To Govern: The Impact of the Nihilist Revolution," at this point in the RECORD:

[From Washington Report, June 24, 1968]

COLLAPSE OF THE WILL TO GOVERN: THE IMPACT OF THE NIHILIST REVOLUTION

Nineteen sixty-eight is the year that the consequences of permissiveness in American education and public policy are illustrated by widening chaos at home and increasing weakness abroad. It also is the year in which an American President, bowing to noisy critics representing only a small minority of Americans, announced that he would not seek re-election because his policy of limited war in Vietnam had "divided" the American people. The exponents of withdrawal and appeasement rejoiced at their success. In this same year, many of America's great cities have been set afire and public streets have turned into battlegrounds. Meanwhile, in the universities there has been left-wing lawlessness similar to the book-burning on German campuses in the Nazi era.

Where is the storm of indignation? Where is the outrage? What is it that ails us? Why cannot the majority of our people make their feelings felt?

In the United States, France, Germany, Italy—in all the pillars of Western civilization—there is a spirit of revolution in the land. But this is no healthy rising of liberty against tyranny. Its aim is to overthrow law and authority and to substitute anarchy. Its methods, whether in the universities or the streets, require denial of the will of the majority and its replacement by a dictatorship of the militant few. The majority of law-abiding citizens is to be swept aside because it is no longer "with" history.

The great majority of Americans is indeed outraged by the arrogant posturing and ever-escalating, obviously insatiable demands of the revolutionaries. But this majority is largely silent. It does not fight back.

The reason is to be found in the leaders of the Establishment. They have neither the ideological conviction nor the moral fortitude to fight back. They offer platitudes and appeals instead of leadership and action. They suffer the law to be broken in the name of "freedom" and mobs to rampage unchallenged in the name of the sanctity of human life. They have lost, in short, the most essential quality of government—the will to govern. They don't understand what is at the root of anarchy—the spirit and doctrine of nihilism. This is the concept that all traditional beliefs and values are unfounded and must be destroyed. America must understand and counter-attack nihilism if it is to survive.

The term nihilism first became widely known in 1860 when the Russian novelist Ivan Tugeniev applied it to the concepts of the Hegelian Slavophiles whom he accused of a desire to destroy everything. The declared nihilist purpose was stated by Mikhail Bakunin in the 1868 manifesto of the International Democratic Socialist Alliance: "Brethren, I come to announce unto you a new gospel, which must penetrate to the very ends of the world. The old world must be destroyed and replaced by a new one . . . Our first work must be destruction and annihilation of everything as it now exists.

Exactly a century later, the zealous inheritors of Bakunin's nihilist vision are at work in the United States, France, West Germany and other free societies of the western world.

The extent to which nihilistic ideas and impulses have captured the minds and imagination of radical youth is revealed in the wave of riots and campus disturbances on both sides of the Atlantic. Like the Russian nihilists of the 1860's, the nihilists of today—the occupiers of Columbia University and the Sorbonne—profess to stand for honesty, justice and equality. But in all their operations they force their will upon others. When they raise the black flag of anarchy, close down universities and raise barricades in the streets, they deny to others exercise of free choice.

In examining the nihilist upheaval in our times, it is well to begin with the professed goals and objectives of the radicalized youth. They say that they desire to create a new state in which human relations are advanced in every sphere of state activity. They urge the break-up of monolithic state power. They demand that the gap be closed between the people and authority. They insist that they are in revolt against a consumer-oriented society that allegedly mutes the true interests of human beings. These ideas and demands are couched in the language of contemporary nihilism, the "newspeak," with its heavy use of such words as "involved," "engaged" and "committed."

How seriously can law and order-oriented Americans regard these and other demands for "direct democracy" or for "participatory politics," as the protesters sometimes say?

Certainly, a good measure of direct democracy is desirable. But the campus nihilists have no monopoly on faith in such procedures. The New England Town Meeting is an ancient, worthy institution. This does not mean, however, that the entire United States of America can be operated on the basis of a continuous town meeting.

"Participatory politics" is another concept to which the nihilists can't claim a patent. For decades, responsible community and national leaders have urged greater public participation in political affairs, including registration and voting. One reason America's political stability has suffered in recent years is that many responsible voters have stayed at home on election day and allowed the herded blocks of voters to be dispatched to the polls like sheep.

The new nihilists speak of the rigidity of conventional structures in the United States. Actually, the United States has a highly flexible, multi-layered political structure. Unlike France, which is tightly centralized, the United States is a union of fifty states, each with its own administrative structure. The American states constitute fifty laboratories in government. Thus, on examination, the nihilist complaints against the American "Power Structure" are invalid.

The maze of committees and collectives that thrive on campuses and in slum areas of big cities, both in the United States and Western Europe, mask their real objectives and intentions in their criticism of existing free societies. The West German nihilists, such as those who rioted after the shooting of "Red" Rudi Dutschke this spring, come close to revealing their goals when they refer to themselves as an "extra-parliamentary opposition." Obviously, the protest elements believe that parliaments and congresses are moribund and seek their destruction. Thus the real objective of the nihilists in the United States, for example, is not the control of a few campuses or any radical "restructuring" of university life but the end of representative government.

Direct sharing of decision making has a superficial appeal to some people who haven't considered the nature of the state or the history of self-government. Indeed this is a classic socialist goal—the establishment of myriad "soviets" or workers and student councils. The nihilists of today simply add to this old conception the new idea of utilizing computers to register the current will of the people on every piece of legislation and every policy, thereby eliminating the institutions of representative government.

The ancients, in their wisdom, rejected this type of direct democracy, not because of inadequate communications in classical times but because it would have turned government into an expression of transitory emotion. Yet this is what the New Left really wants in the United States and Europe: government by plebiscite, or plebiscitory democracy. If such a system were adopted in any free country, it would be the end of liberty under law.

Bertrand de Jouvenel, the French writer on government, has warned that such a system of extreme participatory politics would "become the expression of the passions of the moment." It is timely to bear in mind that one of the chief advocates of government by plebiscite in the 20th century was Adolf Hitler. Had the Weimar Republic possessed a "power structure" more solidly based in the rule of law, Hitler would not have been able to translate a state of unrest and a mood of rebellion into a regime of colossal tyranny.

In reading the comments made by leaders of the Students for Democratic Society and other nihilistic groups, it is not hard to understand that the demands for "participatory politics" are but a euphemism for minority dictatorship.

The demonstrators at Columbia University, for example, didn't seek to discover and implement the will of the entire student body. The majority of students wanted to continue their classwork. What happened at Columbia was that a small minority of militants, claiming to be the authentic voice of student power, declared war on the established order and seized positions of power. This is the classic pattern of all revolutions—control and domination by a ruthless minority in the name of the majority.

The behavior of the new nihilists exposes the emptiness of their professed idealism. A true idealist concerned with human relations does not throw stones at policemen or burn other people's automobiles to form a flaming barrier. One who is interested in liberating constructive energies does not use the office of a university president as a latrine. Those who are sincere in their complaints about "police brutality" do not engage in "student brutality" towards police. Those who say that they want an unexploited, creative society do not make heroes of Mao Tse-tung, "Che" Guevara and Ho Chi Minh—symbols of repressive regimes. And those who are honest when they urge tolerance of dissent are not likely to show complete intolerance for whose who assent to the values of a free society.

In the disorders of our era are several elements There is a form of revolutionary romanticism, a playing with extremism. These innocents surely will discover, as history shows, that revolution eats its children. There is intellectual deterioration, which shows up in the reliance on buttons, posters and slogans and in the cult of secondary personalities such as "Red" Danny Cohn-Bendit in France and Mark Rudd in the United States. But there also is a neurotic, poisoned atmosphere in the nihilist movement and organizations—a true darkness of the spirit such as characterized the Nazi movement. In the writings and speeches of the more extreme demonstrators, both on campus and in the streets, is the threat to lynch civilization. The campuses disturbances are only one component in the situation. Equally alarming are such situations as the recent one in which a rabble of shouting protesters from the camp-in at Washington abused and threatened the Attorney General of the United States.

The communists are not the originators of the nihilist revolution. They do, in most cases, control it. Moreover, the nihilists employ the communist vocabulary and tactics. And the communists are the ones who ultimately profit from the work of the nihilists.

The nihilist movement offers a dead end to America's free society. It asks for toleration so that it can engage in the wrecking of the country. Already excessive toleration has resulted in the burning of cities, the paralysis of universities and the necessary emplacement of machine guns on Capitol Hill. Tolerance is not the only desirable public virtue. Prudence also is a requisite of a civilized state. No matter what the cause or what the rationale offered for disorder, lawlessness cannot be permitted or condoned. The extremist behavior of demonstrators already has created an intolerable atmosphere in the United States. The American Republic is in process of demolition from within at the hands of small cadres of militant wreckers. If mobocracy is not to become the American form of government, a stop must be put to the work of the nihilists. And the United States must find a new leadership that is not afraid to exercise responsibility.

ANTHONY HARRIGAN,
Managing Editor.
FRANK J. JOHNSON,
Foreign Editor.

PRESIDENT JOHNSON SEEKS WORLD PEACE

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. McCARTHY. Mr. Speaker, of all the multifaceted activities and responsibilities of the American Presidency, perhaps the most important in recent years has been the search for world peace. It is clear from the words of former President Eisenhower and the late President Kennedy that world peace preoccupied their thinking and their energies. This condition also holds true for President Johnson.

Monday, then, must have been a day of real satisfaction for the President. He signed, on behalf of the American Government, the Nuclear Nonproliferation Treaty, and announced that the Soviet Union and the United States have agreed to hold talks aimed at reducing the spiraling levels of strategic weapons systems. Incidentally, the President first proposed such talks to the Soviet Union more than 4 years ago.

The hopeful news out of Washington, however, is not just a personal triumph for President Johnson. It is a day of hope for the entire world.

Instant peace is not likely to break out tomorrow morning all over the world. However, the groundwork laid Monday holds the solid promise of peace in the not-too-distant future for all the generations who will come after us.

RESOLUTION OF THE COEUR D'ALENE INDIAN TRIBE OF IDAHO

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. McCLURE. Mr. Speaker, seemingly few members of our minority groups today are petitioning the courts and Congress with their grievances through legitimate channels. Instead, we find pickets before the White House; poor people camped in our national parks; riots in our cities; and citizens desecrating the symbols of our freedom. Through civil disobedience they demand more food, better living conditions, and spontaneous brotherhood from their fellow Americans. In terms of destruction and law enforcement, the price we will pay for these improved conditions will indeed be high. More important, our Nation's moral fiber is quickly disintegrating in face of such irresponsible action.

It was with pride, therefore, that I recently received a resolution from the Coeur d'Alene Indian Tribe of northern Idaho, in which they outlined a responsible and direct approach to gaining the cooperation of the Federal Government in solving their problems. I have already had an opportunity to congratulate the leaders of the Coeur d'Alene Tribe, and I shall, at this time, bring their ideas to the attention of my colleagues in the House of Representatives:

RESOLUTION

Whereas, the Coeur d'Alene Tribe does not agree in principal with responsible tribal bodies participating in mass demonstrations such as the Poor People's March to Washington, and

Whereas, events during the march have in the opinion of the Coeur d'Alene Tribal Council substantiated the prudence of the Coeur d'Alene Tribe's point of view, now, therefore,

Be it resolved:

That the Coeur d'Alene Tribe adopts the following statement regarding the Poor People's March to Washington.

The Coeur d'Alene Tribal Council recognizes the right and, in some cases, the effectiveness of mass demonstrations in behalf of the poor and underprivileged of our nation. It is sympathetic to the black people, the Mexican Americans and all the other racial and economic minorities. It realizes that our nation still has much to achieve in the fields of social and economic justice. It also has much to achieve in the fields of law and order.

Despite our sympathy for these underprivileged groups and our support of them, we do not feel that that is the expedient and effective method for the Indian groups to follow. It is true that some of our Indian people are among the most poor, that some of our Indian associates have suffered from discrimination, segregation and social and economic deprivation exceeding that of the other poor people of America. We were the dispossessed and the alienated. We need not detail this. It is recognized as a black page in the history of our country.

But our organized tribes have learned to work through the legitimate channels of our courts, our government agencies and our Congress. We have emerged as responsible governmental entities. As such, we find ourselves a part of our nation politic—a part of the process of government. We, therefore, can express our wants and needs better through these proper channels than by "taking to the streets" and the highways.

Another thing—just as we as individuals, as a race and as a social and economic minority may have suffered more than others, our problems have been uniquely Indian. Therefore, our solutions must be uniquely Indian. We can achieve more by our own methods. As a relatively small segment of poor society, our special needs and solutions can be lost in the welter of the disorganized millions of poor people most of whom have little knowledge of our special problems and circumstances. The unrealistic, sometimes grossly inaccurate statements by representatives of the Poor People's March about the "Indian Problem" recently made in Washington, D.C. bear this out. We Indians and our chosen spokesmen can best speak for ourselves.

Let us hope that our Indian people will work as they wish in the activities and demonstrations in behalf of the poor people of our country. But may we and they, in working for our Indian poor, particularly those on our Reservations, avoid the use of public demonstrations and work through our regular governmental channels.

Certification: The foregoing resolution was adopted by the Coeur d'Alene Tribal Council at a meeting held June 3, 1968, at the Plummer Sub-Agency near Plummer, Idaho, with the required quorum present, by a vote of 5 for and 0 against.

OSWALD C. GEORGE,
Vice Chairman.
EVANGELINE ABRAHAM,
Secretary.

MAYOR ASKS THAT BELLS RING ON JULY 4

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. SHIPLEY. Mr. Speaker, recently an article appeared in the Benld, Ill., Enterprise whereby Mayor Tileo Bertagnolli, Benld, Ill., declared a citywide observance, "Bells on Independence Day" be designated for July 4, 1968. The ringing of bells on July 4 in observance of the birth of the United States is a very sound idea and I feel merits mention in the CONGRESSIONAL RECORD. Under unanimous consent, the article follows:

MAYOR ASKS THAT BELLS RING JULY 4

Whereas, Religious, civic and patriotic organizations will once again join in the annual July 4th celebration, "Bells On Independence Day," and

Whereas, the ringing of bells in schools, churches, village halls, carillons and other public places will be at 1 o'clock p.m. Thursday, July 4, 1968, and one full minute of bell ringing will be staged nationwide in observance of the birth of these United States, and

Whereas, the ringing of bells is to commemorate symbolically the ringing of the Liberty Bell in 1776 that proclaimed the signing of our Declaration of Independence, that historic document that marked the birth of our country as a free and independent nation, and

Whereas, it is altogether fitting and proper for us to encourage all our citizens to take part if at all possible in this national, patriotic event,

Now, therefore, I, Tileo Bertagnolli, mayor of the City of Benld, Illinois, do hereby declare the citywide observance, "Bells On Independence Day," be designated for July 4, 1968, ceremonies. I further call upon our citizens to take note of this observance by the planning of special programs that will consist of bell ringing ceremonies to remind us of our freedom and the high cost of that freedom.

Tileo Bertagnolli,
Mayor.

HON. CHARLES SILVER DELIVERS MEMORIAL TO SENATOR ROBERT F. KENNEDY

HON. HERBERT TENZER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. TENZER. Mr. Speaker, on June 7, 1968, the Honorable Charles H. Silver, consultant to the mayor of the city of New York and president of Beth Israel Medical Center delivered a memorial tribute to the late Senator Robert F. Kennedy.

This eloquent tribute from a distinguished resident of the city of New York is particularly appropriate at this time because Mr. Silver discusses patriotism, freedom and the price which Senator Kennedy paid for these cherished principles.

I am placing the full text of Mr. Silver's remarks in the Record at this point for the information of my colleagues in the House:

Address by Hon. Charles H. Silver, President, Beth Israel Medical Center, at Memorial Tribute for Senator Robert F. Kennedy—June 7, 1968

There is a scar in the heart of our people that has widened again like a wound reopened.

Its pain cannot be healed by any remedy but time—perhaps not even by time. Nor will it be eased except, perhaps, by a profound inventory of the demented forces that produce the unimaginable violence, chaos and tragedy that stalk our land.

Dark, indeed, is the glass through which we look back on the events of the past few days.

Senator Kennedy is dead. Even as we mourn the loss of this fine, young leader, we lament, as well, the loss of a very substantial part of our national self-respect.

All we have left are the bitter dregs of bereavement . . . a chance to examine the mistakes of yesterday . . . the sorrow of today . . . and out of these, we may somehow find the strength to build a brighter tomorrow.

But we must not forget. The nightmares—of President John Kennedy's death—of Dr. Martin Luther King's death—of Senator Robert Kennedy's death—are an anguished warning, thrice repeated, and a national shame, thrice endured.

We must remember . . . and resolve . . . to make amends, to seek the truth . . . and, with sanity, justice and mercy, to determine that no such further disgrace will blight the pages of our history.

It must seem that some of our two hundred million people have lost their minds. It may help us to keep our own if we remember that in a commonwealth of so many millions there may be some who do not belong here and do not deserve to stay.

It is not easy to single them out. It is no simple matter to spot the threat of danger beforehand—and there is always the risk of trapping the innocent, in the net of suspicion, along with the guilty.

Yet, are we not reaping the repulsive harvest of our own apathy? Are we not cultivating crime, encouraging social degenerates and enemies of decency and democracy? We are eliminating the death penalty, coddling criminals and freely putting guns into the hands of lunatics and idiots.

Why have we had 5600 deaths by violence in the United States in the last year while Great Britain, for example, had less than 30, France less than 20?

When are we going to learn? When will we come to care? When will we return to the legacy of our faith and the Law of God?

The first news came like a bolt from the sky. This, it truly was . . . shocking and numbing in its impact.

With moist eyes, unable to move from our television sets, we watched . . . stunned and confounded by a series of unbelievable scenes . . . consumed by a sense of horror and disbelief.

As the original fact of the cowardly attack struck home—and then struck again with the dreadful tidings of Senator Kennedy's death—our whole world came to a sudden, shuddering halt. The crowded streets froze into screaming silence.

Humanity held its breath. In every fearful heart there came a piercing grief, a pang of sorrow for Mrs. Kennedy and the children. From every far-flung land, even from behind the Iron Curtain, where compassion seemed to have fled, there came a sound of sobbing.

The bleeding flesh of our heroic dead became a symbol of mankind's shame that our enlightened civilization could breed the evil hand and eye that aimed those fatal shots.

Is this the terrible price of too much freedom?

Are the borders of constitutional protection too broad for those who despise our laws and desecrate our liberty?

Has our own lazy loyalty and indifferent Americanism played a part in this incredible pattern of events?

It is not easy to answer.

Our hearts are too heavy with the knowledge that a noble young warrior has been cut down in the prime of his days, in the very moment of his triumph, at the very beginning of his most notable achievements.

His was a bold, uncompromising call to truth . . . a call to arms against injustice and oppression and poverty that keeps ringing in our aching hearts.

We hear him yet. We see him as he stood before us . . . smiling . . . self-assured . . . and, oh, so tragically young He is there . . . head high . . . waving to cheering crowds . . . rushing forward to shake a friendly hand.

Such a man cannot be eliminated by a maniac with a gun . . . no . . . nor by the madness that walks abroad in the world.

Such a man lives as long as men dream of freedom. His influence grows with the growth of the great country he served . . . alive and indestructible in our memories. Time erects his monument, and history will build it high.

We weep at the loss of a cherished friend.

We are outraged at the disgrace that again and again has befallen our land.

Robert F. Kennedy paid a high price for his patriotism . . . but he *was* a patriot. Most of us don't even know the meaning of the word.

Perhaps we will think differently now.

Perhaps we will act differently.

On this day of mourning and remembrance, we honor the memory of his wisdom, wit and eloquence. Our spirit is warmed again by the fire that lighted his love of America. Our hope for democracy lives on—and, while it lives, those who love liberty cannot truly die. In his name, let us resolve to strengthen our national integrity, to protect the principles of justice and equality for which he gave his life.

That is the greatest tribute we can pay in eternal gratitude for his ultimate sacrifice.

While our hearts grieve, let us beseech eternal peace and the blessing of Almighty God, as we intone the ancient supplication of the Kaddish for the immortal soul of Senator Robert Francis Kennedy, friend of mankind.

"TOPICAL COMMENT: KENNEDY IN AFRICA—ONE MAN'S FAITH IN A CONTINENT," AN ARTICLE BY WAYNE FREDERICKS

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. BRADEMAS. Mr. Speaker, under unanimous consent I insert in the Record a most thoughtful article concerning the late Senator Robert F. Kennedy and Africa.

The article was written by a friend of the Senator's, Wayne Fredericks, who served with very great distinction from 1961 until 1967 as Deputy Assistant Secretary of State for African Affairs.

Mr. Fredericks, who holds the State Department's Superior Honor Award, is now with the Ford Foundation, working in the area of international programs.

The article, which appeared in the June 20, 1968, issue of the Los Angeles Times, follows:

Topical Comment: Kennedy in Africa—One Man's Faith in a Continent

(By Wayne Fredericks)

On June 6 two years ago, Sen. Robert Kennedy said to the students of the University of Cape Town in South Africa: "At the heart of Western freedom and democracy is the belief that the individual man, the child of God, is the touchstone of value—and all society, groups, the state, exist for his benefit. Therefore, the enlargement of liberty for individual human beings must be the supreme goal and the abiding practice of Western society." His speech was made in the course of a journey which took him and Mrs. Kennedy to the Republic of South Africa, Kenya, Tanzania, and Ethiopia.

Robert Kennedy's interest in Africa goes back at least as far as the "Kennedy airlift" of 1960, when the Kennedy Foundation provided charter flights for a number of students from East Africa who had scholarships at various American colleges but did not have funds to get to this country from Africa.

Robert Kennedy remained especially interested in the role of youth and students throughout the world, including Africa, and was conscious of the great impact which would be made in Africa as more and more young and increasingly better educated Africans assumed positions of responsibility.

When he reached Ethiopia on his 1966 African trip, he spoke to several thousand students in a hall normally holding one-third that number, and referred to youth and students as the elite of their country and told them it was their responsibility to strive for the betterment of their own people and "to promote a dialogue between young people of all nations."

His interest in Africa grew during his years as attorney general and as senator. He asked for and received regular briefings on African developments from State Department officials and others.

He had often expressed to me a desire to visit Africa and was pleased when he received an invitation in the autumn of 1965 from the president of the National Union of South African Students to speak to a student audience in Cape Town. Delays in obtaining visas and in finding a mutually acceptable time caused the trip to be postponed until June 1966, a time which was not convenient to Sen. Kennedy because of the political campaign of 1966. Nevertheless he proceeded.

An impressive amount of time and energy went into the preparation of the trip. Information was requested, not only from official sources, but from universities and a wide variety of private sources of knowledge on southern and eastern Africa. The senator held discussions with scholars, officials, businessmen, churchmen, journalists, authors, Africans, South Africans, representing a wide range of views on developments in Africa and on race relations.

Particularly useful were a series of Saturday morning discussions beginning with breakfast at the senator's home at Hickory Hill. During these and other discussions, Sen. Kennedy formulated and refined the principal themes of his speeches in the four countries he was to visit.

In the case of South Africa, whose policy of apartheid was repugnant to most of the world community and whose racial problems were very difficult, he was anxious to set forth for *all* South Africans, regardless of race, his own views of the basic values of Western democracy. (It was from a speech in South Africa that Sen. Edward Kennedy quoted in his eulogy to his brother in St. Patrick's Cathedral on June 8.)

Although he was ignored by South African officials his speeches, his visits to universities, to African townships, to the late Chief Albert Luthuli, and to industrial leaders were widely reported. And Kennedy, too, was impressed not only by modern technological achievements—but by Chief Luthuli, a modest African Nobel Peace Prize winner under restriction on his farm and of whom Sen. Kennedy said, "He is one of the most impressive men I have ever met. His compassion, understanding, and tolerance were most impressive."

As Kennedy departed, the Rand Daily Mail an English language Johannesburg paper, said "Sen. Robert Kennedy's visit is the best thing that has happened to South Africa for years. It is as if a window has been flung open and gust of fresh air has swept into a room."

Although the South African portion of the journey was controversial both inside and outside South Africa, the visits to Kenya, Tanzania, and Ethiopia took the form of a homecoming. President Kenyatta, President Nyerere, and His Majesty Haile Selassie and their people accorded him a reception usually reserved for a visiting chief of state. Both President Nyerere and the Emperor had met Robert Kennedy during their state visits to this country in 1963 when he was attorney general.

Robert Kennedy was one of those few American in high places who early felt the growing importance of Africa and who saw the importance of the issue of race and color for Africa, for the United States, and for the world. He saw danger in the minority regimes throughout Southern Africa based solely on race and in the potential opportunity they afforded communism. "The denial of freedom," he said in Africa, "in whatever name, only strengthens the very communism it claims to oppose."

He was concerned at the low level of U.S. economic assistance to Africa and called for an increased flow of economic aid and private investment from the richer to the poorer nations.

He had the ability to communicate with Africans—both about their problems and ours—and was always ready to receive African visitors when they came to Washington or New York on official or private visits. One African leader's comment to me was typical, "Sen. Kennedy certainly has an understanding of the problems of Africa."

I was in Kenya when the shattering news of the shooting and then the death of Sen. Robert Kennedy came. President Jomo Kenyatta of Kenya, who has led his people through periods of stress and difficulty to racial accommodation and tolerance summed it up for himself and for Africa when he said on June 6, 1968, "America and indeed the world has lost a courageous, liberal, and far-sighted personality. The ideals for which he strived will live on and inspire people the world over to live in understanding, respect, and love."

ENVOY OF FREEDOM

HON. GRAHAM PURCELL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. PURCELL. Mr. Speaker, I recently had the opportunity to meet a most disguished and unselfish American who has, through his own uncompenstated efforts, done more for America and several individual Americans, than the entire U.S. Government was able to accomplish.

I am referring to Mr. Maxwell Rabb, of New York City, who recently was successful in bringing his seventh detained American out of East German jails, purely through his personal efforts.

Although Mr. Rabb is presently an attorney, he has served in critical capacities for the Government almost continually since he graduated from Harvard Law School. His service to the Nation began when he was administrative assistant to my close friend, and a truly distinguished American, Henry Cabot Lodge, during his senatorial service. In World War II he served as a Navy lieutenant in the amphibious service, returning to civilian life to become legal and legislative consultant to Secretary of the Navy, James Forrestal. During the Eisenhower administration, Maxwell Rabb served as Presidential assistant, and secretary to the Cabinet. In 1958 and 1959 he was chairman of the American delegation to UNESCO in Paris. Only recently he has been appointed by President Johnson to the President's Commission on Income Maintenance Programs, studying aspects of welfare programs in the United States.

I point all this out, because Mr. Rabb's history of service to his country, crowned with his latest activities on behalf of individual Americans imprisoned in East Germany, seems to prove a point. There is a certain type of individual whom this Nation produces, who will continually and unselfishly utilize his natural talents for the greater good of the American people, without compensation, without hope of personal gain, or of individual recognition. Today, at least, I can help balance the books by attempting to provide some small recognition of what Maxwell Rabb has done for us; for I believe that he is such a man as I have mentioned. Accordingly, I would like the following newspaper item from the New York Daily News to be inserted in the CONGRESSIONAL RECORD at this point:

ENVOY OF FREEDOM

(By Sidney Fields)

It was all done so quietly no one knew that Maxwell Rabb got seven Americans out of East German jails until they were freed.

Six were tried and received sentences from 27 months to 15 years. The seventh, Ronald Wiedenhoeft served nine months, but was freed last June 3, without a trial, a triumph for Rabb. Wiendenhoeft, 31, with two small children, and an instructor of art history at Columbia, was arrested and charged with espionage while taking photos of East Berlin buildings for a Ph. D. thesis on German architecture.

When Rabb first met him and told him he was free, Wiedenhoeft stood there with a bewildered, unbelieving look.

"They all reacted that way," said Rabb recently in his office here. "Prisoners are never told anything."

Wiedenhoeft decided to remain in Germany and finish his thesis.

Last May Rabb negotiated the release of Peter Feinauer, 27, of Providence, R.I., a student. The Communists said he was in East Berlin photographing military maneuvers and sentenced him to 15 years. He spent a year in jail before his trial and nine months after it.

"He's still in Germany with his mother," Rabb said. "After 21 months in jail he needs some fattening up. He's ill."

Raab receives no compensation for these efforts; he pays all his own expenses.

WAS CABINET SECRETARY

He seems the most unlikely person to negotiate with Communists. A proper Bostonian from Harvard and the Harvard Law School, who served in the World War II Navy, Rabb has three daughters and a son who practice with him in the big Wall Street firm. President Johnson named him American conciliator on the Board of International Investment Disputes of the World Bank and last June 1 appointed him to the commission to study all aspects of welfare in America.

Earlier, when Henry Cabot Lodge was in the Senate, Rabb was his administrative assistant. He was secretary to President Eisenhower's cabinet, chairman of the American delegation to UNESCO and since 1960 president of the U.S. Refuge Committee. He speaks no German.

"That helped," said Rabb. "The East Germans thought I was less likely to pry or anticipate everything they thought or spoke."

On his very first trip he was startled to learn that they knew everything about him. But he never made any secret of his feelings for their ways and views or his own feelings about America's ways and views.

"They're suspicious and hostile because they're the seventh largest industrial nation and still unrecognized by the West," said Rabb. "You feel that East Germany is still the land of the spy who came in from the cold."

His mission began in 1965 when he went to the Leipzig Fair for a client who wanted to know if his European competitors were doing business with Iron Curtain countries. Allied firms were among the top exhibitors at the fair. West Germany was the second largest; the British, fourth; and the French, fifth. It was Lenin, who, observing capitalist cut-throat rivalry, remarked with savage sarcasm that when the Communists would be ready to hang them all they'd be bidding against each other over who'd sell the rope to the Reds.

Anyway, Rabb told the East Germans he met that he'd tell our State Department about Allied participation in the fair. He did. Four months later State asked him to go over and help John Van Altena Jr., of Milton Junction, Wis., a student in West Germany before he got an eight year sentence for helping East Germans escape.

"They didn't think I'd succeed, but wanted to try everything," Rabb said. "They also told me they couldn't pay me and had nothing to give the East Germans."

It took Rabb four trips to free Van Altena. He served 18 months, 11 of them in solitary. When he returned here to school he wrote a scathing book about East Germany called, "A Guest of the State." He's 23 now.

"He admitted to me that he did have a gun when caught," Rabb said, "and that he'd do it all over again."

SON TRIES TO EXPLAIN

Last year he was called on again and made four trips for four other Americans: Moses Herrin, 25, of Akron, Ohio; Frederick Matthews, 24, Elwood City, Pa., both restaurant workers; and Mary Ellen Battle, 26, an ex-Miss Tennessee, a student and now in Union Theological Seminary. The three were charged with helping East Germans escape. The fourth, William Lovette, 26, of San Francisco, was arrested for reckless driving after plowing into a group of people and injuring ten. He served 18 months; Matthews and Herrin, 30; and Miss Battle, 19, before Rabb freed them.

One by-product of his work: East Germany is now buying American oranges, textile machinery and West Virginia coal.

How did he do all this? Maybe because he denies the classic definition of the diplomat as "a man sent abroad to lie for his country." His son Bruce, who went along to see Wiedenhoeft released, tried to explain it:

"They were overwhelmed that an American could be human and speak to them directly, informally and with complete honesty about them and about us."

And Rabb added, "I hope it's all over. There are no more Americans in East German jails—as of now."

ESTABLISH DAYLIGHT SAVING TIME

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. MORSE of Massachusetts. Mr. Speaker, I wish to call to the attention of my colleagues a resolution memorializing the Congress of the United States to enact legislation to establish daylight saving time on a year long basis which was adopted on June 20, 1968, by the Massachusetts House of Representatives. The text is as follows:

Whereas, The question of establishing Daylight Saving Time on a uniform basis for twelve months of the year has long been the subject of debate; and

Whereas, Investigation and study of this question has resulted in a finding that some of the benefits to be derived from such system are: workers and many school childen would arrive home in Daylight between 51 and 85 more days than they do under the present system; a savings in fuel and electric bills; a reduction in motor vehicle accidents; more Daylight hours for leisure sports and recreational activities and greater personal safety for adults and children from criminal attack; therefore be it

Resolved, That the Massachusetts House of Representatives respectively urges the Congress of the United States to enact legislation establishing Daylight Saving Time on a year long basis; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and the members thereof from this Commonwealth.

CAMPAIGN AGAINST CRIME

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. FASCELL. Mr. Speaker, the upsurge of crime and violence in the cities of America is a startling commentary on the temper of the times. There are deep-seated causes to this violence which must be eliminated, but which will take years to accomplish. In the meantime, the cities are faced with a war against a dangerously rising crime rate.

In February of this year, I brought to the attention of my colleagues in the House of Representatives the campaign against crime initiated by Police Chief Walter Headley of Miami, Fla. Over the 1967 Christmas weekend, a severe wave of crimes prompted Chief Headley to react strongly against the thugs and criminals who threatened the safety of the streets of Miami. The effectiveness of Chief Headley's "get tough" campaign is now well known.

Recently, the National Observer reported on the progress of Walter Headley's program against crime. I think that other American cities could learn much from the policy and procedures of Chief Headley in their own fight against crime:

A Tough Cop Cuts Crime in Miami Crusade—Patrol Dogs Enrage Some Negroes, Others Cheer—"Lions Would Be Okay"

Miami.—Walter Headley, a tough cop, set out to start "an epidemic of law and order" in the sweltering and violent Negro neighborhoods of Miami. He armed patrolmen with shotguns and dogs, told them to use the city's new "stop and frisk" law lavishly, and warned hoodlums to beware.

"When the looting starts," the chief of Miami police said, "the shooting starts."

That was six months ago. Most of the results so far were easily predicted. Violent crimes in the three large Negro neighborhoods have dropped sharply. In the first month, strong-arm robberies diminished by 62 per cent in the Negro neighborhoods, 45 per cent Miami-wide. So far this year, not one merchant has been killed in a robbery attempt.

AN OBJECT OF ATTENTION

Miami's crackdown is, in a way, an experiment with hard-nosed law enforcement in a day when hard-nosed law enforcement is out of style if not beyond the letter of the law. The chief himself has become the object of attention, if not always adulation, of police chiefs, civil-rights groups, and citizen law-enforcement groups across the nation.

He has received more than 12,000 letters since his campaign began last Christmas Eve. In the first few days, in fact, he received, in addition to the sacks of mail and bundles of telegrams, a dozen roses, a potted poinsettia, and a dollar from a man in Ohio with instructions "to buy some slugs with this."

This reflects a growing national concern that at times and in certain places approaches fear if not panic. Nearly everyone agrees that "crime in the streets" will become a pivotal issue of the 1968 Presidential campaign; polls show most Americans worry more about crime than any other single problem.

Nowhere is this concern and fear more pervasive than in the cities. The Federal Bureau of Investigation last week reported that "serious crime" in the cities rose 17 per cent in the first three months of this year over last. Crimes of violence—murder, rape, and robbery—increased even more markedly.

Miami's Chief Headley is an old-time cop who thinks tough enforcement is the only way to fight crime. "There has been a policy of appeasement all over the country," he says, "and it isn't going to accomplish anything. The job of the police is to protect life and property, preserve the peace and enforce the law." He likes harsh solutions for harsh problems. Says he: "You can't bond a felon of the morgue."

Civil-rights groups were, predictably aghast at the chief's language, if not his intentions; some civil libertarians accused Mr. Headley of racist demagoguery. One NAACP official said the 62-year-old chief was simply asking for trouble.

NEGRO REACTION

What was not so easily predicted was the reaction of many Negroes in the three high-crime-rate neighborhoods. Many of them, either victims of hoodlums or neighbors of those who have suffered from the violence of black criminals, have urged Chief Headley to keep the pressure on.

"Some people criticize Headley for using shotguns and dogs," say one Negro minister, "but with a lot of my people it would be okay to use tanks and lions."

Another Negro man, the owner of a small appliance shop in the Liberty City area of northwest Miami, agrees. "What a lot of people don't realize is that black people are the biggest law-and-order fans in town. When there is no law and order, it is black people who suffer the most."

Even Chief Headley's critics usually temper their criticism with faint praise. When the Miami Times, a weekly aimed at Dade County's 170,000 Negroes, demanded that he resign, it carefully commended Mr. Headley's goal of cutting the crime rate in Miami's neighborhoods.

Fan and critic alike agree that there was, in fact, a frightening surge in violent crimes last last year and that Chief Headley's tactic of putting patrolmen into the "hot" neighborhoods has, in fact, cut out a lot of the trouble.

In the week end that snapped the city's patience, 58 stores were hit by robbers; three merchants were killed. One was Chinese, the others were white. One merchant, who was not physically hurt, was robbed for the 25th time.

"Some of them said I wouldn't have done anything if the merchants who were killed had been Negroes," Chief Headley recalled last week. "Well, how do they know I wouldn't have done anything?"

Chief Headley confesses he doesn't know why all this violence arrived with Christmas. "We noticed that the really bad crimes, the crimes against the person, started escalating last July. I can't explain it, unless it had something to do with all the riots."

The chief sprinkles his conversation with military terms, discussing the "escalation" of crime and how he "deploys" his "troops" against the "enemy." He scorns such things as civilian review boards and community-police relation boards as "fraternizing with the enemy." He plainly has no use for subtle, indirect, "criminal-coddling" crime-fighting.

THE POTENTIAL WAS THERE

"We had been averaging picking up 125 guns a week with our stop-and-frisk law. That's why I am so happy about the Supreme Court ruling upholding our law. We weren't surprised when the crime wave started. We knew the potential was there."

Miami has become a large city, with a population of almost 400,000. It has spread across the swampy lowlands, instead of growing vertically as many older cities did, and this often gives even the slums a sunny character.

Negroes live in three principal neighborhoods: the Central City, though this has been almost altogether taken over by Cuban refugees, and in two outlying communities called Liberty City and Coconut Grove.

The worst-looking is Central City, a rundown collection of dilapidated stucco buildings left over from the land-boom days of the 1920s. Whites began giving up these neighborhoods during World War II, and this is the area where assault, robbery, mugging, and rape are most common.

Liberty City is in the northwest part of town, beyond the airport, and included in Liberty City are streets with the neat pink or white concrete-block houses that most of Miami lives in. Some of the Negro homes in Coconut Grove, near Coral Gables, are quite plush.

In these three areas live the Negroes who make up 15 per cent of Miami's population, and who commit 85 per cent of the crime. "If they commit 85 per cent of the crime," says Chief Headley with a matter-of-fact simplicity that infuriates many Negroes, "that is their fault and not mine. But since that is where the crime is, that is where the enforcement has to be."

He set up a special division, which was inevitably called a task force, and armed them with shotguns and assigned Miami's 20 police dogs to this special shift. Three of the 20 dog handlers are Negroes.

"We put the dogs on leashes," the chief says, "because that is the way they are most effective." To set up this shift, he raided other departments. Several officers were taken off the vice squad—not, the chief explained, because he thinks prostitution is unimportant, "but crimes against people are the most important and after all, it takes two to tango."

Word got out quickly. "For two or three days," says the manager of a dimly lighted pool hall on Northwest 65th Street, "you couldn't even find anybody to shoot a game with. Some of them I never have seen again."

Garth Reeves, editor of the Miami Times, agrees.

"The word got around, and the hoodlums got out of town. There is a general feeling of relief in the Negro community about this. But where the danger lies is that some of the militants who are looking for a little action will read these tough things Headley is saying and decide to come in here and see for themselves how tough he really is."

WE ALL MAKE MISTAKES

Critics of the crackdown (and not all critics are black) charge that Chief Headley's men often take the order to stop and frisk with too much enthusiasm. In the early days of the campaign, several officers went into a Negro-owned bar and frisked every customer in the house. When this provoked a loud outcry among Negroes, the chief apologized, more or less. "We all make mistakes," he said.

A few weeks later, uneasiness quickly turned to rage when a 17-year-old Negro boy accused two white patrolmen of stripping him to his undershorts and dangling him, held only by his heels, from an expressway overpass.

The two officers said the boy abused them with sarcasm when they found a knife concealed in his shirt in a routine "shakedown" of suspects in a pool hall, but the chief fired them when they couldn't explain why they dangled the youth from the overpass.

Many Negroes criticized Mr. Headley for firing them rather than placing charges against them. By a bureaucratic irony, the officers were charged only with placing the boy under arrest without reason and, further provoking black rage, for "failing to complete the arrest procedure."

"I know there was some criticism," Chief Headley says, "but I turned over all my information to the FBI, and both men have been indicted for violating that suspect's civil rights."

One Negro businessman here insists, in fact, that most of the black resentment of Mr. Headley's crackdown is a misunderstanding of the chief's public statements rather than disapproval of what he is doing. The chief's bark is often worse than the bite of any of his 20 dogs.

Even when he attempts to mollify his critics, the assurance is less than overwhelming. "We haven't fired a shot or made a wrong bite yet," he replies, dismissing complaints that the dogs are meant to terrorize Negro neighborhoods into tranquility.

Mr. Headley is not one of the "new cops." He goes back to the sterner era of law enforcement. He is a policeman to his toes, and when he married (for the third time) a few weeks ago, he selected his bride from his own department. She was a policewoman whom he had courted for 11 years. He fired her and sent her home the day after they were married.

CRIMINALS, PLEASE NOTE

He parts his hair in the middle, wears dark suits decorated only by a Masonic lapel pin, and sits behind a polished mahogany desk decorated with plaques, citations, photographs, and other souvenirs of a long career. A corner of the desk is decorated by a small framed poster, which features a policeman and a smoking revolver with the message. "Notice to Criminals: Your police are armed and dangerous."

He was a U.S. cavalryman at 15, a shrewd and savvy lad who quickly learned to play polo, ingratiating himself with his superiors to win advancement in the ranks. He worked as a riding master on a Bernarr McFadden health spa in New York state before coming to Miami. He joined the police department here in 1937, hired to organize a horse patrol. He was assigned to walking a beat instead.

"He was a new kind of policeman then," an observer of the police of those days recalled not long ago. "He was even the department intellectual, because in those days the police were recruited from the corn fields of south Georgia and north Florida."

Miami was wide open then, a superswinging kind of place that looked on prostitution as a source of tax revenue and tolerated sidewalk bookies and "numbers" agents openly. Miami is quiet, if not altogether dull today, though there are occasional charges that Mr. Headley's department is not 100 per cent pure.

The chief likes to boast that he is a policeman and not a politician, but the survival instincts of a political professional have helped weather several attempts to replace him. He turns criticism aside with a politician's aplomb. When a citizens' committee charged that "numbers" rackets were pulling in $5,000,000 a year, the chief replied: "Aw, that's fantastic." On another occasion, when a reporter produced a "numbers" ticket he had purchased on the street, the chief whistled and said, "I'm amazed."

He cruises around Miami in either a new Lincoln Continental convertible of his own, or a city-owned, nine-year-old Buick. "The city offered me a new Ford or a Plymouth," he said, "and I told them, 'nothing doing.'" He keeps a listed telephone number and a policeman's whistle by the telephone. Crank callers, and he is bothered by them occasionally, get an eardrum-shattering blast.

Negro leaders here, on the other hand, concede that Mr. Headley has been something of a pioneer in civil rights—he hired Negro policeman as early as 1944, when to do so elsewhere in the South would have been career suicide.

TWO CATEGORIES OF OFFICERS

To get them, he says, Miami watered down an entrance examination for the police academy, a part of the University of Miami, and established two categories of officers: White would be called policemen, Negroes would be patrolmen.

The "patrolmen" were assigned to a special precinct station in the Central City district, and this station was abolished only a few years ago. Five years ago, at the urging of Negroes, the special exam was eliminated and only five Negroes have been recruited since then.

About 50 of the 590-man police department are Negroes, including the three in the dog corps, one lieutenant, four sergeants, two motorcycle patrolmen and 10 plainclothes detectives. "We're 50 men short right now," Chief Headley says, "and I'd like to fill every vacancy with a Negro man if I could find them."

Many of them would probably be assigned to the three Negro neighborhoods. "That," says the chief, "is where the crime is." This would please the Negro community.

"We don't need shotguns and dogs," says one Negro critic of the chief's, and a resident of crime-plagued Liberty City. "We just need more men up here."

WESLEY PRUDEN, Jr.

VIETNAM DISTASTEFUL, BUT NECESSARY

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. McCLURE. Mr. Speaker, an impressive Memorial Day ceremony at Kohlerlawn Cemetery in Nampa, Idaho, was highlighted by Tracy Coker's address on Vietnam. Mr. Coker is a teacher at Nampa High School. He is also past commander of the Nampa American Legion and Veterans of Foreign Wars. Because Mr. Coker's statement is the best one I have read recently on the subject of why we fight in Vietnam, I place it at this point in the RECORD, as it was reprinted in the Idaho Free Press and Caldwell News-Tribune:

VIETNAM DISTASTEFUL, BUT NECESSARY: "WE WILL NOT NEGATE THE SACRIFICE OF OUR DEAD"

As we pause in this moment to consider those, living and dead, who have served in the uniformed services, it is fitting that we think about the rightness and morality of their services.

Their cause, in all cases, was and is, essentially, to preserve our Republic and its institutions and processes, which were designed originally, and have since been molded, to achieve by orderly and democratic means justice, liberty, and progress for all. Sometimes service people have been called upon, not only to preserve these values at home, but to fight in foreign lands to protect us from invasion, and to protect and create law and order and freedom for us and for others of many nationalities.

It has been their part, only in the tiniest measure, to determine the issues and the policies, and the dread question of war or peace. Their task has been the simple act of doing their duty in all faith and confidence in the rightness of our causes as determined by our chosen leaders and the majorities that supported them. No service person can, or should, go much further than that.

This brings us to the fundamental question: Are war, force, and violence ever justified?

The question of where and when force should be used is too vast for our allotted speaking time today.

All must agree that war is an evil and carries with it many attendant evils. If it can be justified at all, it must be on the basis of the reasoning of Cicero, the ancient Roman orator, who said 2,000 years ago that war can be justified only to end or prevent worse evils, such as invasion, anarchy, tyranny, subversion, terrorism and slavery. Force and violence can be justified abroad on no other basis. At home it can be justified to protect life and property, law and order, and the freedom, rights, security and dignity of the individual.

Orderly society depends mainly upon sincere and law-abiding majorities, who, as individuals, seldom or never require coercion to make them respect the rights of others. But there are always a few overly-selfish individuals, and even some criminally-minded persons whose violence against society must be overcome with greater force and violence. The same is true on the international scene. That is partly why we have war.

Hence, all who believe in an orderly society, where people can be safe from criminal assault, must give full support to police power and force, democratically controlled by society.

The pacifist takes the view that all war and force is wrong, but he is anxious to enjoy an orderly society. We can respect his right to his view, we can honor his courage if he sticks to his view, we can deeply appreciate his goodness of heart, which, if shared by every human being would destroy war and make forever the use of force unnecessary.

But we can neither respect, or honor, or appreciate his realism or his logic.

Neither the world, nor everyone in our national society has his goodness of heart or purity of intention. While we may hope for that day of human perfection, we dare not sit down to await it.

There is evil and dangerous disorder in the world. These anti-social elements must be contained. When they turn aggressive, they must be fought. To complacently await the day when education and brotherly love shall have changed them, can lead to our non-survival.

Force never has been and perhaps never can be entirely absent from organized society. The only hope of safety, justice, freedom, and progress for all is that predominant force may be always kept in the hands of a just and kindly people.

To do this is not easy. Every good citizen must do his part and oppose with all his being and all his resources every ism, or doctrine, or ideology destructive to these ends. The cost of freedom and justice, and the preservation of our nation is high. It can be counted in the remembered and unremembered sweat and toil, suffering, sacrifice and endurance of millions—and in the graves of over a million Americans who have died for our country.

No matter what modern preachments or theories may be advocated, we will not negate the sacrifice of our dead. Nor will we cease to venerate their just causes. And whatever may be the doctrines or ideologies of others, while tolerating those beliefs in this land where their freedom was bought by the blood of better men, we will not fail to give low marks to those who refuse to assume their share of the burden.

The fact that to commit ourselves to force is so distasteful that we all wish for a better world where it is not necessary, must not deter us from the grim task of doing our duty in the real world.

None can view war with as much horror and loathing as those of us who have seen it close up; but we know that pacifism did not stop Hitler, nor is it likely to prevent the terrorism and slavery of Communism. While we should contest the spread and continuation of such evils as far as possible by moral persuasion, skilled diplomacy, and the propaganda of truth, we must not deny ourselves the ultimate weapon of power.

If there be talk of building bridges across the chasm that divides the world, let it not be bridges from us to tyrants, but rather bridges built directly to the plain people oppressed by those Red regimes. Let us build bridges of hope to them by standing fast for freedom, until Communism fades away or is destroyed.

It was not the plain people that made the war in Korea, or the one in Vietnam. They did not enslave Russia, or Red China, or Poland, or Czechoslovakia, or so many other peoples. It was the Communist Party. Let us not forget that.

Our fighting men did not make the war in Vietnam, nor did our national leaders. It, like others, is the result of communist drive to world conquest. Let us beware of our so-called leaders who go about the country saying the war can not be won, or that it is unjust, or immoral. Whatever their motives, they are simply undermining morale and helping the enemy. It is not immoral to defend freedom for ourselves or others. There is no battle for right which can not be won.

Let us beware of negotiations with Communists. Let us beware of those who insist on a coalition government in South Vietnam with the Viet Cong in it. Let us remember how we lost mainland China to the Reds by insisting that Mao Tse-tung be in a coalition with Chiang Kai Shek. Think of the dread consequences of that. Can we not remember such an experience and learn something from it?

Loathing war, as all good people must, we are now in a sad dilemma. We are trying to negotiate with a regime that will not even admit that it is in the war in South Vietnam. And the day we make peace with them, we lose the people of Cambodia, Laos, and perhaps those in Vietnam to slavery. Our bombing pause has already aided the enemy and caused more Americans and others to be killed.

Knowing was and hating and fearing it and all the evils that follow in its train, we will never cease to persevere in the effort to curb it and end it in the only feasible way that exists—that is by bringing liberty, justice, and democracy to men everywhere. But until assured of the preservation of these values, we must not, sorrowfully as may be, fail to hold fast to the sword of defense.

Those we honor today have stood in the breech and faced the foes of freedom. From those of us who were their friends or relatives, or their comrades and fought beside them, to all those who today must answer "Absent" to the roll call of life, there goes the pledge that we will stand and fight for the American values which their lives, and deaths, and services have preserved for us. We loved them. We miss them.

Let us all pledge that we shall forever hold in sacred memory both them and the great Republic which they cherished.

WHY OUR WATER SUPPLY IS FAILING

HON. DON. EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. EDWARDS of California. Mr. Speaker, I recently received a copy of a most interesting article from a constituent of mine from Fremont, Calif., Mr. Bill Gianella. This article raises a fundamental question of great import for both East and West—"Why Our Water Supply Is Failing," Mr. Gianella looks beyond the drought as a cause to the matters of watersheds and the variety and degree of vegetation surrounding watersheds. He sees far-ranging implications in brush depriving areas of water and destroying forests as the trees struggle for water and ultimately in hindering farming, industry, and urbanization in the region. The idea of using brush control techniques to gain a more usable, plentiful water supply is fascinating and full of potential. I, therefore, under unanimous consent, at this point include Mr. Gianella's article in the RECORD:

WHY OUR WATER SUPPLY IS FAILING

(By Bill Gianella)

For many years our streamflow and our ground-water levels have been getting lower and lower. Most people lay the blame to drought, completely overlooking the fact that for years when the wet part of the climatic cycle returned to follow the dry, our streams and our ground waters have not come back to their former normal levels.

This is not a recent phenomenon; it has been going on for generations; but only since water has become so scarce has the matter received any attention from the people of the lower country and of the cities. Most of these people (even the ones who should know better) will insist that the water levels should return to their former levels when the wet part of the climatic cycle returns. I grant the water levels should do that but for years they have not been doing it. This article is to explain why they do not; and it is to show how we can remedy the situation.

The reason the water levels do not come back to where they should is due to the fact that there has been a change in the kind of vegetation covering the watersheds, since the various Governmental Agencies instituted an attempt to completely keep fire out of the forests. This Fire Exclusion Policy has resulted in grass lands going to brush and in open forests turning into thickets. This change has been from wet-season growing shallow-rooted types of plants to summer-growing deep-rooted types.

An excessive amount of deep-rooted types that dry the soil to a greater depth. This water that has been transpired by the watershed cover must be replaced before any replenishment of the ground-water that feeds the wells, the springs, the lakes, and the streams can take place. So the more water used to maintain watershed cover, the less available for downstream users. The remedy lies in preventing the erosion of the watershed by protecting it with the least-water-demanding cover that will do the job.

On the average, it takes eight hundred to nine hundred pounds of transpired water to produce one pound of vegetal dry matter. So every pound produced sends about one hundred gallons of water into the air. This means that every unnecessary pound produced in the uplands precludes the production of a useful pound in the irrigated valleys below or that it deprives some industry or some city dweller of one hundred gallons of water.

Any thinking person knows that we must protect our watersheds from erosion; and that no water should be made available for folk downstream until that is done. But the forest protection efforts have not been directed towards this mark. They have kept out all fires (even controlled litter-consuming fires) that the forest needs.

In the old days the watershed cover consisted of grass and of scattered trees. The grasses were mostly wet-weather-growing and were shallow-rooted species that went dormant when the dry weather set in so they demanded no water in the dry season and at the worst dried only a couple feet deep of the surface soil. Trees and brush being deep-rooted and being summer-growing not only dried the soil deeper but took water at a time the skies were not supplying any.

If trees are not too closely spaced they do well and stay healthy but if crowded they not only so dry the soil that no streamflow can take place but they kill themselves in their struggle for water and leave a mess of forest litter that makes wildfires inevitable with all the attendant ills of erosion, silting up of streams, streams leaving their courses, etc. So we must make up our minds what we want most; deep-rooted stuff in the uplands or dry-weather streamflow. We cannot have a maximum of both. So each watershed should be treated as an individual district and the watershed cover tailored to give the results most beneficial to the people of that watershed. It has not been so looked at in the past; I ask that a start be made while we still have something worth saving.

In the days when the forests were healthy, the trees were scattered; with grasses and other shallow-rooted forage plants between. According to the soil and the climate of the district, the size and spacing of the trees varied but a good oldtime Yellow Pine forest or in a good Sugar Pine forest had trees some two rods apart; something like forty trees to the acre. When fire was excluded, a "population explosion" of young trees took place; where the young came in as close as a yard apart we have some forty-eight hundred to the acre; when they came in at less than a foot apart, we have over forty-three thousand to the acre. When one considers that a hundred trees or so is plenty for an irrigated and cultivated orchard, it is easy to see that the land and water is being asked to support too many forest trees. Many times what either the land or the water available can support. So under this Fire Exclusion Policy not only have the downstream people been deprived of their traditional water supply, but the very Forests the Foresters are supposed to protect are being killed off by the struggle for water and the Forests have been turned into an accumulation of flammable rubbish in which the prevention of Wildfire is impossible.

It is time for people to realize that the accumulation of surplus vegetation on the watersheds of parts of Wyoming, Utah, Colorado and New Mexico can limit the amount of hay or vegetables produced in Southern California and in Arizona; that the accumulation of surplus vegetation anywhere on the Sierras can limit agriculture of the Central Valley and it can limit the growth of practically all the populous districts of California. The same applies on any watershed; surplus vegetation by cutting off the water supply at the headwaters can limit all human endeavor clear to the sea. For example, surplus vegetation in Colorado, and in New Mexico can hamper farming, industry and city development as far away as Brownsville, Texas. Surplus vegetation will do the same to our Gulf Coast and to the Atlantic Seaboard. Of late they have been complaining of Drought but so far as I know no real study has been made to see if they are getting all that can be gotten of the waters that come from the sky. If they are letting brush and other excess vegetation transpire more than is necessary for watershed protection they are not. In this respect the East is now in the same boat as the West but they do not yet realize it. The only difference between East and West is that this brush hazard is slower in manifesting itself in humid districts. But the remedy for water shortage is the same; do not waste any water upstream by transpiration.

In addition to killing the forest and depriving the downstream people of their water supply, this forest policy of letting litter accumulate saddles the country with a still greater liability. This year after year of letting forest litter accumulate lays the country wide open to sabotage. A smart enemy could for the cost of about three dollars, put out a device in the fall, an incendiary device, that would not fire until the right temperature came in the summer. For the price of less than the price of one bomber, they could deal us a blow that would dwarf Pearl Harbor. The only preventive of such a hazard is to get rid of the forest rubbish by controlled burning.

As I see it the only thing that has saved us so far is that our enemies (like our friends) have Bureaucracies even more unwieldly, and with less vision and that are even less imaginative than ours. I grant this is some accomplishment but so far they have exceeded us in this respect. Nevertheless, we should not trust our National Security solely to the relative unwieldiness of Bureaucracies. Security itself demands that we reduce the fire hazard of forest litter.

PROTECTION FOR U.S. TEXTILE INDUSTRY

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. ST. ONGE. Mr. Speaker, the situation currently confronting America's textile industry is growing urgent. Increasingly, the tariffs which are supposed to protect American textile producers are being neutralized or circumvented by foreign concerns. The American firms are at a comparative disadvantage.

I believe it is essential that we pursue a tariff policy which will give protection to these industries and stimulate trade at the same time. Last week the Ways and Means Committee held hearings on H.R. 11626, a bill which will help protect this vital industry without discouraging trade. I submitted a statement at these hearings, and, under unanimous consent, I include my remarks in the RECORD at this point:

STATEMENT BY CONGRESSMAN WILLIAM L. ST. ONGE ON H.R. 11626, "TEXTILE TRADE ACT OF 1968," TO THE COMMITTEE ON WAYS AND MEANS, JUNE 28, 1968

Mr. Chairman and Members of the Committee, I appreciate this opportunity to present my views on H.R. 11626, known as the Textile Trade Act.

For the first time in six years, we have before us proposed legislation for the institution of a comprehensive program of import regulation. Although this nation has been moving toward the goal of free trade—and this trend was certainly obvious in the Kennedy Round negotiations—recent foreign trade practices have placed our textile industry in an untenable situation.

A 3-Year Short Term Agreement, which was concluded during the Kennedy Round talks and which extended the preceding 5-Year Long Term Agreement, provides only a moderate protection for domestic cotton. The areas that are particularly suffering from foreign competition, however, are those which are protected by nothing more than limited tariffs. These include the woolen industry and the man-made fiber and apparel industry.

Until the present, tariffs have been sufficient to shield these industries and to *stimulate trade simultaneously*. But, through export subsidies, border taxes, cartels in restraint of trade, dumping, import quotas, and a number of administrative procedures designed to thwart imported products, foreign textile producers have taken advantage of our liberal trade barriers. To cite a specific instance, man-made fiber and woolen imports have increased 256 percent in the last six years, and there is no indication that this volume will slacken in the future. Complementing this situation is the fact that textile exports are not increasing.

Two implications of the present balance of trade in the textiles are: (1) that tariffs are no longer operable because means have been found to neutralize or to circumvent them, and (2) that the present trend in textile imports can be identified as being based upon a competitive advantage possessed by foreign industries. The advantage may be considered an unfair one, since it is a result of the substitution of nontariff restrictions for the cuts in tariffs that have been attained in reciprocal trade agreements.

The most equitable solution to the problem would be to provide the basis for an orderly international trade. Legislation should ideally provide protection for the domestic industry, while it should not stifle trade. H.R. 11626 provides a certain flexibility that is directed towards the establishment of these two conditions. It authorizes the President to negotiate "with other governments for the purpose of consummating agreements to provide orderly trade in textile articles into the United States . . . based on the share of the United States consumption of such category supplied by imported textile articles during a representative period of not less than one calendar year prior to the year 1967, as determined by the President."

The President would also have the power to consider other factors that would affect trade, such as historical patterns and the interests of developing countries. Those countries that do not choose to negotiate would have their import trade restricted for any calendar year to the average annual quantity of textile articles which entered this country for consumption during the years 1961–66. Such agreements of a bilateral and a collective nature already exist for cotton and several other textiles.

The danger that faces the textile industry is very real and should not be considered as a hoax which is being used to benefit that industry. Textile imports have increased two and one-half times since 1961. Foreign trade regulations and low-cost production are supporting this trend. It has been estimated that the effect of the imports has been to deprive approximately 200,000 textile workers of employment. Senator Ernest F. Hollings, of South Carolina, has stated that the present handling of the situation will determine whether our textile industries move abroad in the future or remain in the United States. Furthermore, the production of textiles seriously affects areas which have been designated as low-income or poverty-level. In 373 counties in Appalachia, approximately 75 percent of the jobs are affiliated with some segment of the textile industry.

I am sure the Committee will consider what I have said judiciously. Thank you for extending this privilege to me.

OPENING OF LIBERTY PARK

HON. ALPHONZO BELL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. BELL. Mr. Speaker, residents of Los Angeles will have a very special celebration tomorrow honoring American Independence. Through the efforts of some of our most distinguished Californians, Los Angeles will witness the opening of Liberty Park, a permanent tribute to the freedom we all cherish. Special guest will be Mr. Willard Ridley, executive director of the U.S. Savings Bond Division of the Treasury Department, who will deliver the major July 4 address at the park's unveiling of a full-size replica of the Liberty Bell.

I have had the privilege of serving on the Liberty Park Advisory Council with Los Angeles Mayor Sam Yorty; Los Angeles Supervisors Ernest Debs and Kenneth Hahn; director of the California Museum of Science and Industry, William J. McCann; California State director of promotion for the Treasury's Savings Bond Division, R. Harry Washburne; John W. Luhring, banker; Capt. Michael Holsinger of the Air Force; Lt. Col. Charles W. Phillips of the Army; Adm. William M. McCloy, Armed Forces chairman of the Los Angeles Chamber of Commerce; Norman Kelly, Los Angeles County director of veterans and military affairs; Ferdinand Mendenhall, board member, California Newspaper Publishers Association; Donald A. Gary, secretary-treasurer of the Congressional Medal of Honor Society of America; Congressional Medal of Honor holders John Smith, Raymond Harvey, Louis M. Van Iersel, Thomas A. Pope; Bernard F. Kamins, executive board member, Southern California Industry-Education Council; and Alfred Bloomingdale, creator of a new marketing concept to sell U.S. savings bonds to credit-card holders.

The council and Los Angeles citizens owe special gratitude to Joseph N. Mitchell, president of Beneficial Standard Corp. Mr. Mitchell is devoting a very valuable parcel of land at 3700 Wilshire Boulevard fronting Beneficial Plaza as a permanent display location for patriotically significant artifacts. He and Mrs. Mitchell, with the research aid of British Consul General Andrew Franklin, succeeded in locating the same London foundry which cast the first Liberty Bell in 1751 for Philadelphia. At their own expense, the Mitchells traveled to London and arranged to obtain an exact counterpart of that bell which will be rung tomorrow by his father, Edward D. Mitchell, who first conceived the idea of Liberty Park as a public service.

Tomorrow's celebration will also honor five heroes of Vietnam, each recommended by his own branch of the service. They are: Capt. Michael Livengood of the Army; AT-1 Anthony C. Hanson of the Navy; Gunnery Sgt. Jordan A. Spahn of the Marines; Maj. Glenn P. York of the Air Force; and Lt. George H. Brown III of the Coast Guard. These outstanding young men will receive U.S. savings bonds and letters of appreciation from members of the Los Angeles City Council.

Recognizing the importance of U.S. savings bonds to the freedom of all Americans, the Liberty Park Advisory Council has for nearly 2 years provided speakers and forums on this subject, cooperated in payroll savings business-leader meetings, donated bonds as awards on television programs, assembled and disseminated bonds-promotion letters and established bonds exhibits. Of particular significance has been the contribution of Mr. Alfred Bloomingdale, chairman of the board of the Diners Club. Utilizing his mass merchandising talents, Mr. Bloomingdale created a program which has helped to sell a large portion of the $5 billion in bonds sold annually. Sponsoring advertising and order forms, Mr. Bloomingdale has spent more than $250,000 in postage as a public service.

Mr. Speaker, the favorable reaction to the efforts of these fine Americans is evidenced by a poem inspired by those efforts. "Liberty Bell," by a well-known southern California poetess, Mrs. Rosemary Breckler, will be read tomorrow by one of television's best loved stars, Bea Benaderet of "Petticoat Junction." The poem follows:

LIBERTY BELL

Stand tall and proud
Heart beating with the fervor
Of waves happily crashing on a shore
Pulses throbbing . . . Listen! *Listen!*
The Bell is pealing, proclaiming
Man shall be free to hold
His destiny in his own hands
Liberty, *Liberty for all,*
The Bell resounds.

No man too small,
Unless he chooses to hide
In the halls of silence . . .
No man too insignificant
That his plea shall not be heard.
A dream of millenniums
Joyously proclaimed . . .
Guard it well!
This liberty for all.

No shelter is too sound
For the fledgling hope of hopes
No nourishment too rich.
Guard it! *Guard it well!*
Help it grow!
No gold can ever it replace.
Let The Bell peal for endless centuries
Hailing that liberty has succeeded
Flourished in this land!

DR. WALTER BECHER HAILS UNITED STATES ON INDEPENDENCE DAY

HON. WILLIAM E. MINSHALL

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. MINSHALL. Mr. Speaker, I have today received a heartening letter from Dr. Walter Becher, distinguished member of the German Bundestag, expressing congratulations on our celebration of Independence Day. Dr. Becher's thoughtful letter is a welcome reminder of the confidence the free world has in America's determination to maintain its standard of greatness as a bastion of freedom.

Under leave to revise and extend my remarks, I would like to share Dr. Becher's correspondence wtih my congressional colleagues:

TRIFTSTR, GERMANY,
June 28, 1968.

HON. WILLIAM E. MINSHALL,
U.S. Representative,
House Office Building,
Washington, D.C.

DEAR REPRESENTATIVE MINSHALL: On July 4, the American National Independence Day, I should like to send you my best congratulations. In a time when the world speaks about an American crisis, I should like—out of my knowledge of your country and people—to express my conviction that America's spirit is unbroken and will lead your country to a new greatness in the future.

America can and will remain the center of freedom—not only for herself, but also for other nations of our world.

I should like to send you my best and most sincere wishes for your country, for your people, for you and for your political work.

With best personal regards,
Yours very sincerely,
DR. WALTER BECHER,
Member of the German Bundestag.

FIREARMS CONTROL

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. McCLURE. Mr. Speaker, a few days ago Postmaster General W. Marvin Watson directed local postmasters not to deliver firearms unless local law enforcement officers have first been notified.

Of all the hysteria that has followed in the wake of the Kennedy assassination, Mr. Watson's directive must surely rank as the most extreme. It is an insult to the law-abiding sportsmen in this country who evidently will now be accorded all of the indignities of the common criminal.

Where all of this will end, I do not know. Since practically every person living in my State owns firearms, I suppose they will all have to be mugged and fingerprinted.

Mr. Watson piously proclaims his directive to be in the national interest, as if that were his right to determine. There seems to be a question as to whether or not the Congress would agree. This week, the Rules Committee refused to report the President's firearms bill. So what constitutes the national interest on Capitol Hill is not always the same as what it is farther on down Pennsylvania Avenue.

It is a twisted kind of logic that sees more harm in firearms than in Communist propaganda.

It is a twisted kind of logic that inhibits the mailing of guns to sportsmen but ignores the flow of pornography to perverts.

A member of my staff inquired at the Department's legal office as to why the national interest, rather than some statutory authority, is cited as the basis for this directive. The reply was that such an invasion of privacy could only be based on the national interest.

Well, to say the least, this was an invasion of privacy. It is no business of the police or anyone else who is receiving legitimate mail. Mr. Watson's order can only be termed police state tactics of the worst sort.

While the Postmaster General was determining what was in the national interest as far as firearms are concerned, he was doing the same thing with respect to civil rights.

Henceforth, all postmasters in first-class post offices will be designated as deputy equal employment opportunity officers. They are directed to participate in local programs to eliminate bias from school systems, housing arrangements, and other institutions. The fact that many of these men might be motivated to do so as a matter of personal conscience never occurred to Mr. Watson. Now, they are under strict orders to become involved in the civil rights movement.

The Post Office Department is also hiring 23 contract compliance examiners to make absolutely certain that Government contractors doing business with the Department comply with the President's directive on equal opportunity. And there is to be a $1.5 million prepromotion supervisory training program attesting to the fact that the Post Office Department is not known for its devotion to economy. Since the training program is announced as part of the equal employment opportunity program, it can only be assumed that it is designed to insure the advancement of those who might not otherwise merit a promotion.

In the matter of gun controls, Watson freely admits that he is trying to facilitate passage of the President's firearms proposal. On equal employment, he has in effect set up a Federal propaganda corps. Perhaps the time has come for the Postmaster General to register as a lobbyist.

Meanwhile, the Department is sending around a recording to radio stations explaining the new postal rates. Listeners in Milford, Mass., will not have the benefit of the dramatic announcement, however, because the local station received theirs in the mail—broken.

All of which leads me to suggest that if Mr. Watson would pursue the responsibilities of his office with the same vigor that he tries to impose firearms curbs and promote the administration's civil rights program, mail service might be vastly improved.

A COMMONWEALTH OF MASSACHUSETTS RESOLUTION

HON. F. BRADFORD MORSE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. **MORSE** of Massachusetts. Mr. Speaker, on June 12, 1968, the House of Representatives of the Commonwealth of Massachusetts adopted a resolution memorializing the Congress of the United States to adopt "The Battle Hymn of the Republic" as the official hymn of the United States. I would like to call to my colleagues' attention this most fitting eulogy to Senator Robert F. Kennedy:

Whereas, The national life of our great country is weakened by disunity, distrust and assassination of our great leaders; and

Whereas, In recent days when America in paying final tribute to one of its great leaders, Robert F. Kennedy, the singing and playing of "The Battle Hymn of the Republic" renewed in all of us a new sense of allegiance to our flag, loyalty to our government and concern for our fellowman; therefore be it

Resolved, That the Massachusetts House of Representatives urges the Congress of the United States to adopt the hymn "The Battle Hymn of the Republic" as our national hymn; and be it further

Resolved, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and to each member thereof from this Commonwealth.

WATER NEEDS IN THE SNAKE RIVER BASIN

HON. JAMES A. McCLURE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. **McCLURE**. Mr. Speaker, last week I attended a meeting of the South Idaho Water Users Association in Burley, Idaho. At that meeting Dr. Robert R. Lee, director of Idaho Water Resource Board made a very fine speech which contained a detailed statement of water needs in the Snake River Basin. Later in the same program, Senator LEN B. JORDAN, one of the foremost authorities on water in the United States, drawing on his long experience which includes service to his State as Governor and service to the United States as a member of the International Joint Commission, underlined in dramatic terms the future critical needs for water in this river basin. Because there has been much talk of the water needs of the Colorado River Basin, and because there has been some poorly advised talk of the Snake River as a source of augmentation for the Colorado River, I commend the reading of both these talks to Members of this House. Only by having full information can we make sound decisions in the future.

The material follows:

WHITHER OUR WATER?

(By Robert R. Lee, Director, Idaho Water Resource Board, before the South Idaho Water Users Association Meeting, Burley, Idaho, June 29, 1968)

INTRODUCTION

We have a marvelous State, the quality of living is unparalleled, Idaho is a State of vast mountain ranges, hidden lakes, clear flowing streams and abundant fish and wildlife. Yet the State is 38th in per capita income. The State's most valuable resource, its youth, is our chief export. There is not enough opportunity to allow them to remain in the State. Our challenge is to provide economic opportunity while maintaining and enhancing the quality of the choice environment which we have. In addition to this challenge, our Snake River water is being attacked from two directions. First, there are projects being proposed on the Middle Snake which could conceivably irrevocably commit water from the Snake River for downstream purposes, and, at the same time, the threat of diversion from the Upper Snake River Basin is now before us.

THE DIVERSION THREAT

The threat of diversion is real. It is not a specter thrown to the people to win votes or to win appropriations. Other speakers will clarify this, I am sure.

The Idaho Water Resource Board was organized three years ago as a response to this threat. The Board was given powers to formulate a State Water Plan and to implement that plan through a program of development. It is fair to ask "What has the Board done?" "Is the State any better prepared to defend itself?" These are legitimate questions.

What would you do to thwart the effort to divert Idaho's water if you were in charge of the State's water program? I would submit that first of all you would need to recruit capable professionals in a variety of fields to act as the Water Board's experts in hydrology, engineering, economics, land classification, and related subjects. Only in this way could Board members be able to speak out from a solid, factual base. Otherwise, you would have a lot of breast-beating with very little impact. I would suggest that you would wish to embark upon a series of water inventory and needs studies which would identify Idaho's water and related land resources and project needs for various purposes for at least a hundred-year period. The State's ultimate defense against diversion is information derived from these needs studies.

I would suggest further that you would begin to formulate a State Water Plan, using the professional staff but working in cooperation with the local State and Federal agencies. This plan would serve as a framework for the development program.

I would suggest that you would investigate the possibility of the State embarking upon a development program to construct small projects as well as to participate in the construction of large multi-purpose projects. The possibility of tapping revenues from some of the large proposed multi-purpose projects on the Snake and elsewhere would undoubtedly be investigated as a source of funds for a State development program.

In addition, I would suggest that you would be active in maintaining interstate liaison, both through the Western States Water Council and the Pacific Northwest River Basins Commission, and to learn views and objectives of the other states and to work to protect Idaho's interests.

And I would suggest that you would take steps to maintain effective liaison with Idaho's Congressional Delegation and various Congressional staffs so that you would be informed on activities at that level and so that information could be contributed with respect to the State's viewpoint and findings relative to the diversion threat.

AN ACTION PROGRAM

All of the citizens of Idaho should know that the Board has taken appropriate steps to create a small but highly professional organization, contract for water inventory and needs studies, initiate a State water planning effort, investigate the possibility of a State development program, provide interstate liaison, and maintain effective Congressional liaison.

A year ago the Board had a staff of four with one professional. By July 1 we will have a staff of twenty with fifteen professionals. This is a capable group, including engineers, hydrologists, planners, soil scientists, an economist, an information officer, and a draftsman.

The staff is engaged in the first phase of our State Water Plan in the Bear River Basin in southeastern Idaho. In fiscal year 1970 the staff will embark upon an Upper Snake River Basin study in cooperation with Federal, State, and local agencies.

Water needs studies are underway primarily through contract with the University of Idaho and Idaho State University, although the Soil Conservation Service, the U.S. Bureau of Reclamation, and the U.S. Geological Survey are cooperating. These needs studies will identify our needs for all purposes to the year 2070 and should be completed by 1970. We are coordinating these studies with other northwest states and with the Pacific Northwest River Basin Commission so that they will be compatible. Our studies reveal that although there is about five million acre feet per year that flows past the Wyoming line into Idaho on the south fork of the Snake, nearly all of this is already committed under present-day development. Approximately 1.3 million acre feet per year is all that remains unconsumed at Milner Dam, and this includes a period of approximately 12 years during the Thirties when no flow would pass Milner except for water quality and power rights. The Lower Teton and Ririe dams now underway, plus the proposed Snake Plain Recharge and Lynn Crandall Dam, if feasible would develop all but 387,00 acre feet per year. These projects can only be made feasible by developing the groundwater aquifer to supply water during the dry period.

The water supply situation downstream below Thousand Springs is much better. With Teton, Ririe, and Lynn Crandall sites developed and with 248,000 acre feet of recharge into the Snake Plain Aquifer, there will still be approximately five million acre feet per year runoff at King Hill. At Murphy Gage there would be approximately eight million acre feet, and at Weiser approximately 12 million acre feet per year of runoff. On the need side we have preliminary estimates that show that approximately 3½ million acres of land is being irrigated in the Upper Snake River Basin and that there is another 8.5 million acres of potentially irrigable land in the Upper Snake, of which 5.9 million acres is in Idaho. If we consider a minimum estimate of 1½ acre feet per acre consumptive use, the potential demand for water for irrigation in the Upper Snake will exceed the 12 million acre feet available, assuming that it could be made available by complete regulation. Needs estimates for fish and wildlife, recreation, power, and water quality are not yet available. It is, therefore, evident that the Upper Snake River Basin is a water-short area at the present time above Milner Dam and that it will be at some point in the future in southwest Idaho. These are facts that anyone seeking to divert Idaho's water will have to face.

We have been maintaining effective interstate liaison with the Western States Water Council and the Pacific Northwest River Basins Commission, primarily through the efforts of Mr. William S. Holden. In addition, Mr. Holden has been the Board's key contact with the Congressional Delegation and Congressional staffs on the diversion question.

The Board has also initiated investigation of a State development program. International Engineering Consultants, Inc. has been employed to perform a preliminary review of existing feasibility studies by Federal agencies and other parties to see if some of them might be financed using State revenue bonds. Their preliminary report is scheduled to be available on July 15, 1968. The Board is convinced that without funding by the State, competition for Federal funds will slow the development of such large projects as the Lynn Crandall Dam and the Southwest Idaho Project and stretch them out for many, many years. We are hopeful that the review by International Engineering will show the use of revenue bonds to be feasible. We have also sent a letter to irrigation districts, canal companies, soil conservation districts, mayors, county commissioners, and other key water officials asking them to send in information on possible small projects that might be funded under a State Small Projects Program, such as that proposed during the last session of the Legislature. Once this information is received, the staff will tabulate it, and the Board, the Governor, and the Legislature will be in a much better position to evaluate whether the State can play a significant role in stimulating small project development.

We have also been involved in Middle Snake discussions relative to development of the HMS site or Apaloosa site in an effort to protect Idaho's interests and obtain a source of revenues for development.

DIVERSION PLANS

During recent months the news media have reported on a number of schemes for diversion of water from areas of so-called "surplus" in the United States and Canada to areas of so-called "shortage." The plans that have so far been proposed that directly affect Idaho are:

1. The Snake-Colorado Project: Samuel Nelson.

2. The Modified Snake-Colorado Project: William Dunn.

3. The Snake River-Green Diversion: John H. Fair.

4. NAWAPA Plan: Parsons Engineering.

5. Western States Water Augmentation Concept: Lewis Smith.

Other plans have been proposed by Roy Tinney and R. W. Beck and Associates which would take water from Central Canada into the Great Plains region of the United States and possibly into the Colorado Drainage. Undoubtedly, many more diversion schemes will be proposed in the future.

The vast, west-wide water diversion plans pose no immediate threat to Idaho because they involve Canada and are so complex. Moreover, both the NAWAPA Plan and the Smith Plan would require the use of the Salmon River for part of the diversion system, thereby destroying the salmon runs and the wild rivers nature of that stream. The conservationist movement alone would likely defeat such proposals. The more immediate threat to Idaho comes from the short-run plans to immediately augment the flow of the Colorado River. The three plans of limited scope affecting Idaho are the Dunn Plan, the Nelson Plan, and the Fair Plan. These will be briefly evaluated; however, it is impossible to give a thorough evaluation of them since the basic estimates and criteria are not available.

1. *Snake River-Colorado River Diversion Plan: Samuel Nelson.* Our staff's evaluation makes clear that the Nelson Plan is grossly inaccurate in terms of costs.

a. There is not a surplus of water in the Snake River near Hagerman as was assumed. The author of the Nelson Plan used estimated average annual flows to support a diversion of 3,450 cfs continuous flow, and this cannot be realized without additional storage, thereby adding additional costs to this scheme.

b. Idaho's ultimate water needs were not given consideration; instead, the plans for Federal development to the year 2000 were used to represent ultimate needs. These estimates disregard state and private activities to develop the water and land of Idaho, and they disregard current rates of development which have exceeded 50,000 acres per year.

c. The millage rate used to determine the value of power in the Columbia system was much lower than the market value. The cost of the Nelson Plan, therefore, would be significantly increased.

d. An evaluation of downstream water rights was overlooked in determining the water supply.

e. The Nelson Plan would definitely injure the State of Idaho by taking water that will be required to meet water requirements in the Upper Snake River Basin.

2. *Snake River-Green River Diversion: John H. Fair.* Like so many of the diversion plans, this is a hastily put together scheme for taking water from the Gros Ventre River of the Snake River Basin in Wyoming to the Green River of the Colorado River Basin. As proposed by Mr. Fair, it would consist of the transmountain diversion of 500,000 acre feet of water per year. The project would consist of a 12'6'' diameter concrete-lined circular tunnel 60 miles in length. The tunnel would have a maximum capacity of 1200 cfs of water. A power development of 42,000 kilowatts could be realized at the discharge end of the tunnel on the Green River. The cost of the diversion structure along the tunnel and power plant is estimated to be $140,000,000. On the basis of staff analysis of the hydrology of the Gros Ventre River system, we have concluded that the available water supply has been overestimated significantly.

This plan completely ignores the Snake River Compact between Wyoming and Idaho which allocates 96% of the flow of the Snake River to Idaho, and it ignores the fact that the Upper Snake River Basin above Milner Dam is a water-short area even today. Moreover, under the Compact, Wyoming must receive authorization by the State of Idaho before any out-of-basin diversion can take place.

Obviously, the Fair Plan would not only violate a compact but would also seriously injure the economic potential of the State of Idaho.

3. *Modified Snake-Colorado Project: Willian Dunn.* The Modified Snake-Colorado Project would divert up to 15,000,000 acre feet per year from the Columbia River at the mouth of the Snake River (elevation 340 feet). The water would be conveyed up the natural channel of the Snake River to Brownlee Reservoir (elevation 2,077 feet). It would then be pumped to elevation 5,150 feet and conveyed through a conduit 1,016 miles long that would take the water southerly through eastern Oregon and western Nevada. The water would be released into Lake Mead near Las Vegas after passing through five power plants with a total head of 3,660 feet. The project contemplates branch aqueducts delivering water into Idaho, Oregon, and California and would have a substantial number of reservoirs serving various purposes within the system.

It is estimated that a water demand of 15,000,000 acre feet per year could be developed in 11 western states over a period of 50–60 years. This would indicate the project should be constructed in three stages of five, ten, and fifteen million acre feet per year, respectively, at intervals of fifteen years. It then states that a review of all the uses for which water may be needed in the Pacific Northwest states shows that the project can be operated without adversely affecting any of these purposes. He estimates that the water can be diverted from the Snake and Columbia Rivers with average lifts ranging from 3,170 to 3,700 feet.

He suggests that Washington, Oregon, Idaho, and Montana would benefit from new and supplemental supplies of water made available to various areas in conjunction with project storage units where taken directly from the project aqueduct or its branches. It is proposed that a basin development fund be established to receive money paid as compensation for losses from power revenues. This fund would serve to assist financing of water developments in the Northwestern states. Arizona, Nevada, California, New Mexico, Colorado, and Wyoming would all receive water directly or indirectly from the Modified Snake-Colorado Project. A substantial quantity of water for Mexico would be provided from the project.

The estimated construction cost of the first stage of the main stem of the Modified Snake-Colorado Project is $3,612,000,000. It is then estimated that it would cost about $38 per acre foot to deliver 5,000,000 acre feet of water through this first stage of the main stem of the project into the Colorado River. These costs are now outdated and cannot be used for comparative purposes.

Dunn states that Idaho will be the recipient of a new water supply for thousands of acres in the high arid plain areas in the Owyhee River Basin. The supply could be extended easterly to serve other lands which have no other source of water. Idaho could also receive benefits for local projects from the proposed basin development funds. He states that fish and wildlife would not be injured by his plan; however, since he is contemplating pump-back storage from the mouth of the Snake to Brownlee, it is difficult to see how the problem of interference with the salmon runs could be avoided.

SUMMARY

It is not possible to evaluate in depth any of the plans that have been proposed which might immediately affect the State of Idaho by diversion of Snake River water. These plans are largely paperwork plans and have not been given any great study by their authors. Therefore, it is not appropriate to attempt to compare costs of water from one scheme versus another. The Board has recommended that the appropriate entity for reviewing and evaluating all of these water augmentation plans is the proposed National Water Commission. Only in this way will the full range of alternatives be investigated, thereby giving protection to the states of origin.

The Board's present program of identifying our water needs for all purposes to the year 2070, formulating a State development program, working with other states in the Western States Water Council and the Pacific Northwest River Basins Commissions, and maintaining liaison with our Congressional Delegation appears to be all that we can do given our present resources. The Board will need funds to spark a state development program, funds for project feasibility studies and possibly for a small project fund. The Board will need your support in obtaining this seed money.

The real test of the State's will to protect Idaho's water will come in the next few months as we learn what the costs will be to finance feasibility studies for State development and to fund a Small Projects Development fund.

SPEECH BY LEN B. JORDAN, REPUBLICAN OF IDAHO, BEFORE THE WATER RESOURCES CONFERENCE, BURLEY, IDAHO, JUNE 29, 1968

I am pleased to be invited here to talk with you about water. May I commend you for your interest in a subject so vital to our economy. On many occasions I have said that water is an indispensable key to Idaho's future and that Idaho has more thirsty acres to reclaim than our readily available water supplies can satisfy.

The economy of Southern Idaho is closely tied to and dependent on reclamation. Imagine, if you will, a disaster that overnight would reduce all of the buildings in the towns and cities of the Snake River Valley to ashes and rubble. Surely these towns and cities would rise again. But should disaster dry up the waters of the Snake River for all time, then the towns and cities would wither and die.

I think all of us recognize the need for a comprehensive state water plan—one that will inventory our water needs and our water supplies and then set up priorities for bringing the two together. Cognizance must be taken of the many uses for water including domestic, municipal, irrigation, industrial, navigation, fish and wildlife, and recreation. Likewise we must be concerned not only with water use but with quality control of the water we use.

My remarks today will be confined mostly to reclamation, which is by far the greatest consumptive user of water.

So if we are to proceed in an orderly fashion, we should examine first our needs for water and second how do we meet those needs. An economist would call it simply a demand and supply problem. The demand part can be divided into present and future.

From a compilation of records, we know that Idaho presently irrigates about 3,500,000 acres. What our future requirements will be is quite another matter.

Probably the most knowledgeable man with respect to Idaho's water needs is George Crookham, Chairman of the Idaho Water Resources Board. In April of 1967, George Crookham testified before the Senate Interior Committee on the Wild Rivers bill. He said then and I quote from those hearings (p. 165):

"Senator JORDAN. George, I would ask you, how far are you along with your inventory studies of the reclamation potential in Southern Idaho?

"Mr. CROOKHAM. Just more or less investigational but we show now some 20 million acres under surveillance, and the first draft, a very rough one indeed, shows 9 million of irrigable lands by known standards.

"Senator JORDAN. For the record, how much is currently irrigated?

"Mr. CROOKHAM. About 3 million acres.

"Senator JORDAN. And you are talking about an additional potential of how much?

"Mr. CROOKHAM. From 6 to 9 million acres, . . . Now the situation is this, Senator: It is much more advisable to irrigate land in proximity to the streams at low lifts than try to transport water 1,500 miles to the south and push it up to an elevation of 6,000 feet. With those kinds of standards as criteria, we could pull quite a bit of the 20,000,000 acres into the total picture, so it depends on what is the economics of food supply that we will face in this third of the century remaining before us.

"Senator JORDAN. I know we have discussed this before, and I think we are agreed that probably in the not too distant future we might be pumping back to the upper reaches of the river, so that we can meet the requirements for a vastly expanded irrigation acreage. I think that is a distinct possibility. Would you agree with me that this is possible?

"Mr. CROOKHAM. Yes, it is. If you look at the Snake River, we are a deficient stream, quite deficient at Milner Dam, and yet we have a surplus below there, and we have a pump-back situation there that is almost a must.

"Senator JORDAN. If we are to reclaim the land that you have indicated here—from 6 to 15 million acres of additional land—where are we going to get the water for it?

"Mr. CROOKHAM. There will be an overdraft on the Snake River, as we know it. The next choice, then, the most logical choice, is this Salmon River, available from both ends. The storage of 9 million acre-feet, or nearly 10 million is available from the lower end, and lots of water is available from the upper end. This is Idaho's storm cellar, you might say, for future development."

This gives us a pretty clear picture of our reclamation potential in Idaho.

The next problem is to examine our potential water supplies and their sources.

I am sure that depletion studies for potential reclamation development will show conclusively that the Snake River watershed will not supply enough water to irrigate the presently unwatered but economically feasible lands in the Snake River Basin.

With this fact established, the obvious next step is to first develop all upstream storage in order to better mold the seasonal runoff to irrigation needs and second to look elsewhere for water supplies that can be economically diverted from basin of origin to the Snake River drainage for beneficial use. Priorities should be set up to accomplish these objectives.

Priority number one should be earliest possible completion of the Lower Teton and Ririe projects now under construction. New starts should include Lynn Crandall project and such additional storage at American Falls site as can best compromise the interests in conflict. Construction of the Southwest Idaho project should go forward simultaneously with the development of more storage upstream. For the past decade or more, private capital has been developing in Idaho an average of 50,000 irrigated acres, a year. This program of sound steady growth should continue.

It is highly important to develop the maximum amount of headwater storage. The cheapest storage available is in the underground lava bed aquifer north of the Snake River. Studies have been made for diverting flood water by canals into this aquifer at several upstream points. These diversions should be a component of the overall resource development package. By providing additional underground supplies for lands north of the Snake River some surface water now used on these lands could be made available to other lands south of the river where the underground water supply is less reliable.

Priority number two should be concerned with the supplementation of Snake River water from other sources.

Before I get into water supplies, I want to speak of the danger of basing our planning on *average* flows. This can be very deceptive—in fact, reclamation planning based on average flows can be disastrous. Let me illustrate:

The average annual discharge of the Snake River at the Weiser gage is 11,000,000 acre-feet. We know that the 3,500,000 acres presently irrigated in the Snake River Basin will deplete the stream flow by about 7,000,000 acre-feet. By adding the two together we determine that, in an average year the Snake River watershed will yield about 18,000,000 acre-feet.

But how about a critical water year? Any irrigator knows he will go broke in the low water years if his operation is set up for average years.

In 1931, a critical water year, Snake River flows where only about 60% of average. In other words, instead of yielding 18,000,000 acre-feet, Snake River watersheds yielded only 10,800,000 acre-feet. If the land presently irrigated received its full water supply of 7,000,000 acre-feet, it becomes apparent that only 3,800,000 acre-feet would flow past the Weiser gage.

Under the terms of their FPC license, Idaho Power is required to release a minimum flow of 5,000 cubic feet per second which, if maintained, would discharge 3,620,000 acre-feet in a year.

Thus we see the sheer folly and the real danger of using average flows in our calculations. Unless sufficient headwater storage is available upstream to hold over water from the "wet" years for use in the "dry" years, no sound programming is possible unless it is based on critical year flows.

With storage equal to four times its annual runoff, the Colorado River can be molded to a much higher use of its watershed yield. With storage no greater than its annual runoff the Snake River cannot.

Without supplementation from another river basin, I firmly believe that Idaho reclamation is approaching the tolerable safe limits for further development of the fish and wildlife and navigation commitments are met downstream from the Middle Snake dams.

As we search for new sources of supply it is only natural that we turn to the Salmon, the longest river in the United States which is contained wholly within the boundaries of one state. If the thirsty Southwest had this river, they wouldn't sell it for all the gold in Fort Knox. Or perhaps I should say for all the gold that was in Fort Knox a few years ago.

But here we run head on into the dams versus fish controversy. Fortunately this is a decision we don't have to make now. The die may already have been cast. When the ten dams are built that will provide slackwater navigation from the mouth of the Salmon River to the ocean, we may have no more anadromous fish.

Or we may have learned by then to accommodate not only the upstream migrants but the downstream fingerlings over another dam. Under either possibility the air would be cleared for a re-examination of the Nez Perce site on the Snake.

Now before someone starts throwing something, let me repeat Nez Perce is one option we must not foreclose at this time. To say that it is our best option is an understatement. The truth is Nez Perce is the only project that will enable us to get the best multipurpose usage out of a wholly Idaho river that is entirely within our boundaries. I am not saying we should build it now, or five years from now. But about ten years from now we will have some of the answers about fish passage and about Idaho's reclamation potential. Until then no useful purpose will be served in choosing up sides or pressing for a showdown as to what we do with the Salmon River right now.

If we are to keep our options open on Nez Perce, it becomes quite obvious we cannot go for either Mountain Sheep or Appaloosa. Nez Perce is so far superior in every way that comparisons are striking.

As proposed in H.D. 531, Nez Perce Dam would be located on the Snake River at mile 186.1, 2.5 miles downstream from the mouth of the Salmon River.

The height from low-water to normal pool elevation, 1,510, would be 615 feet and the maximum height from foundation to top of roadway would be over 800 feet. The crest would be 1,410 feet in length.

The average annual runoff is estimated at 21,300,000 acre-feet at Nez Perce Dam site during the period since 1911; the maximum was 31,900,000 acre-feet in water year 1953; and the minimum was 12,500,000 acre-feet in water year 1931.

Nez Perce Reservoir would have a total capacity of 6,600,000 acre-feet, of which 3,650,000 acre-feet would be usable for flood control, power generation, and downstream regulation during low-water periods. The reservoir pool would extend up the Snake River 64 miles and up the Salmon River 63 miles.

Total annual power benefits associated with the project are estimated at $39,342,000 of which $33,217,000 would be for at-site power capability and $6,125,000 would be for incremental firm energy developed at downstream plants.

Benefits for flood control, navigation, and recreation would be substantial. Economically the Nez Perce project is undoubtedly the most attractive development in the Middle Snake River Basin.

Nez Perce Dam would not interfere with the thrilling boat trips on the renowned "River of No Return."

The power potential of this project is tremendous, especially if used for peaking with China Gardens Dam below for re-regulating purposes. But I am more interested in reclamation than power because kilowatts can be derived from many sources but the one element absolutely essential to make the desert bloom is water.

In 1955 the Corps of Engineers made a review of their review report on the Middle Snake River. I agree with the premise of the Corps as expressed in several places in the report that the anadromous fish runs are of sufficient importance to cause the postponement of construction of projects that would be seriously detrimental to them.

However, it may very well be that decisions that have already been made to build ten dams below the mouth of the Salmon River have already made the migration of anadromous fish impossible. I hope this is not true, but we have no firm evidence to prove otherwise—all we can do is wait and see and hope for the best.

On the contrary, studies which have been carried out at Bonneville Dam indicate that mortality occurs to downstream migrant fingerlings at that structure.

Studies of the Oregon Fish Commission have indicated a delay of adult salmon of 2½ days to 3 days at Bonneville Dam in the fall of the year, while apparently the most critical period occurs in the spring months. The cumulative effect of such a delay at a series of dams might very well prevent successful spawning. A delay of twelve days in the early part of the season and considerably less in the latter part on the Fraser River at Hells Gate was demonstrated to be sufficient to prevent successful spawning of sockeye salmon.

From my work as Chairman of the International Joint Commission, I know that the highway construction on Fraser River which filled the stream with huge boulders thus impeding the upstream progress of salmon enroute to the spawning beds was serious enough to destroy the run. The U.S. government provided funds to help remove these obstructions from the Fraser River—motivated in part, perhaps, because of a guilty conscience in destroying 1,000 miles of Canadian salmon spawning beds by our construction of Grand Coulee Dam without even discussing with our Canadian friends the havoc we wrought.

A little damage at one dam, when compounded by a little more at each of several dams, may well become the straw that breaks the camel's back.

John R. Woodworth, Director of the Idaho Fish and Game Department, has testified that Idaho contributes to the anadromous fish resources of the Columbia River system with 34% of the spring chinook run, 41% of the summer chinook run, and 55% of the summer steelhead.

He said the fall chinook run has already been destroyed by the dams. Bear in mind that only four of the ten dams are presently in use. Already Idaho sportsmen have had no salmon fishing for two years. What will happen when all ten dams below the mouth of the Salmon are built? Will the spring and summer chinook runs and the steelhead too be destroyed as the fall chinook have? Only time can tell.

Another threat that hangs over the continuance of the salmon runs is thermal generation. With most of the economically feasible hydro-generation projects either built or under construction, the Pacific Northwest will turn to thermal generation. A seven percent annual load growth compounds to doubling the generating capacity in a period of eleven years. Hence, by the year 2000, generation, either fossil fueled or nuclear, will provide ⅔ to ¾ of our electricity. Already the signs of trouble from this source are real.

Biologists are researching a major difficulty that has appeared in the Columbia River—the warm water temperatures that the fish are encountering at the Hanford atomic energy plant during the summer months. Scientists say the mighty salmon and steelhead runs may be doomed unless something can be done about reducing high water temperatures. What happens when our generation is mostly thermal? Are we to stop atomic research and forego nuclear fueled generation to accommodate King Salmon?

Because it deals with the other alternative a recent news release is of great interest.

On May 31, 1968, the Corps of Engineers announced it has made a major breakthrough in solving the serious problem of getting little fish downstream through hydroelectric generators. Engineers long ago solved most of the problems of getting adult salmon and other migrating fish upstream over dams to spawn. But for years the problem of getting the fingerlings back to the ocean without losing a large portion of them in generators has baffled scientists.

The Corps said the solution is "so simple and foolproof it has astounded Corps biologists with its overwhelming success." Fingerlings collect in the gatewells above the turbine intake gates. The transportation system resulting from the discovery which will move the fingerlings safely from the gatewells to the river below the dam has been built into all projects under construction in the district—John Day, Lower Monumental, and Little Goose. It will also be incorporated in future projects and will enable the downstream migrating fingerlings to pass over the dams with minimal losses.

Idaho is at the crossroads. Within five years Idaho must decide which direction to take—toward achieving high reclamation potential or settling for the status quo.

The stakes are high. Use of Salmon River water integrated with return flows from the Snake River by combination storage and pump back system could double the reclamation potential of Idaho.

Without Salmon River water, Idaho's reclamation will level off at less than 5 million acres. With supplemental water from the Salmon River in a fully "plumbed" system, Idaho's irrigated acreage could go as high as 10 million acres.

And now let me say I am proud to be associated with George Crookham in the integrated and coordinated "pumpback" concept of water planning. The people who thirst for our Idaho water have learned to use this and other schemes to husband their water resources. In defense of our own water we must do no less. So before we decide *now* that there shall be no dams on the Salmon River let us weigh carefully our decision.

I have already discussed two possibilities either of which could open the way for Nez Perce Dam—first, the possibility of no fish due to decisions that have already been made and, second, the possibility of a breakthrough in our ability to pass fingerlings downstream. Already the Corps of Engineers have exciting news indicating this goal is within striking distance.

My plea today, to all Idahoans whether their primary interest is reclamation, recreation, power, or a blend of all three, is simply this: let us not foreclose our options until the day of decision is closer at hand. We need time to develop the facts upon which we can make an intelligent decision.

The only legislation ever introduced in the Congress that would have forced Idaho to forego its planning for full reclamation potential is the Wild Rivers bill which would have guaranteed that annually 14½ million acre-feet in the Clearwater and Salmon Rivers flow out of Idaho undiminished.

Now if Idaho is willing to proclaim to whomever it may concern that we have no use for this 14½ million acre-feet of water—that it is surplus to our needs—then how can we object if our covetous neighbors take us at our word and come and get it. This is more water than the total annual runoff of the Colorado River and all of it originates in Idaho.

I have tried desperately to slow down this legislation until we knew what we were doing. The Jordan amendment which removes the main stem of the Salmon from the "instant" section of the bill and places it in the "study" section under a five year moratorium is only a stop-gap measure. All it does is borrow time for us to complete our inventory of water needs and water supplies.

I think you should know that it has not been easy to keep our options open. As originally proposed the Wild Rivers bill would have placed an unreasonable burden on Idaho's resources. With 3⁄10 of one percent of the nation's population Idaho was asked to contribute seventy percent of the mileage in the initial Wild River system.

In Idaho, we have a double loyalty in our great love for our vast forests, mountain meadows, open ranges, lakes, and streams. We are determined to protect our great wild life and recreation resources and we are equally determined to utilize the natural resources of these areas to help us grow and develop fully our industrial and agricultural potential. I believe that these objectives are not incompatible.

Lest someone lay down the challenge that recreation is being shortchanged by keeping our options open it is well to keep in mind that even with the main stem of the Salmon excluded from designation as a Wild River, Idaho still contributes fifty percent of the total mileage in the initial Wild Rivers system—the Selway, Lochsa, and Middle Fork of the Clearwater and the Middle Fork of the Salmon constitute this fifty percent. Moreover the St. Joe, Moyie, Priest, and Bruneau rivers have been placed under study thus proving that Idaho is not under-represented in this category.

How do we answer the charge that reclamationists want all the water and are blind to other uses? Well, let's look at the record.

About 39,000,000 acre-feet of water flows out of Idaho each year. An additional 7,000,000 acre-feet is used consumptively by Idaho irrigators. This represents about 15% of the total.

The Snake River upstream from the Weiser gage is a working river dedicating about 40% of its average flow to consumptive use. In contrast, the Columbia River discharges annually about 165,000,000 acre-feet into the Pacific Ocean after providing only about 15,000,000 acre-feet for consumptive use upstream, which is nine percent of the total.

Compare this with the overworked and overcommitted Colorado with an average annual flow of 14,000,000 acre-feet to meet adjudicated rights for 15,000,000 acre-feet and a treaty commitment to Mexico for an additional 1½ million acre-feet.

Sometimes reclamationists are charged with regarding every river as an irrigation ditch or a potential irrigation ditch and are warned that they must weigh in the balance the important new factor of recreation. From the statistics I have just recited, I don't think that anyone could reasonably argue that recreation is being shortchanged in water resources planning for Idaho or for the Columbia Basin. As a matter of fact, measured by actual visitor days, the man-made reservoirs on the Colorado such as Lake Mead and Lake Powell have increased the recreation use of that river by at least twenty times.

The point I wish to make is first, that most of Idaho's river mileage is likely to remain in its natural state for such recreation as free-flowing streams provide; and second, that man-made reservoirs are more likely to enhance than destroy recreation use. Jackson Lake and Lucky Peake illustrate this point.

Reclamation planners are under attack from four quarters:

1. Those who think any man-made obstruction in a free-flowing stream is a desecration of a natural resource.

2. Those outside government who would replace the doctrine of appropriation, upon which our western water rights are bottomed, with a nebulous and specious philosophy illustrated by this quotation from a Northwest Public Power Association newspaper in February 1961 voicing its rejection of a Columbia River Compact. I quote:

"The facts of life show that certain industrial uses of water will support a dozen jobs in industry to one job in irrigation farming. We hope that such a shift will not be necessary in the Pacific Northwest but we are beginning to see some disquieting evidence in the relative needs of pulp mills, plastic industries, steel plants, and others. A flexible, balanced, reasonable approach appears to be called for in our region. Let's not 'tie our hands' by means of the absolute irrevocable rights which this compact gives to irrigation against industry."

If this philosophy were to prevail it would mean that in a showdown the headgates would be lowered to make more water available for the turbines.

3. Those in government who would assert the reservation doctrine, with which you are all familiar. At the federal level, these advocates of federal supremacy form a solid barrier against the satisfactory resolution of the federal-state water rights controversy.

4. And finally, as if these other trouble makers are not enough, there are those who covet our water. I remember several years ago when I was Governor all of the western states were invited to the dedication of the great pumping plant at Grand Coulee which would pump water for the Columbia Basin project. Each governor was supposed to send or bring a gallon of water from his own state to mingle with the flows of the Columbia. All complied, except one—Arizona sent not a gallon but a pint.

The best way to protect our water is to use it. And that is what we propose to do. The important thing is to work together. Competition will increase—not only competition between the priorities for water use but geographical priorities that pit the "have not" areas against the "haves."

The time is near when no area of abundance can defend its right to waste water.

In our planning, time is of the essence. Idaho faces a bright future—what I would call a balanced development with something like ten million acres of irrigated land with the industry and people such an economy would attract. I think we can do this and more and still enhance our recreation potential at an even greater rate. Or we could settle for half that much and maintain the status quo but we couldn't be very proud of our effort.

I repeat—the stakes are high. Recent figures from the Idaho State Department of Commerce and Development tell the sad story that about 65% of the graduates from our four year universities are living outside the state, presumably for lack of opportunity at home. It is inconceivable that they are leaving because Idaho lacks recreational opportunity or all around "livability." Rather, I suspect that, if Idaho does not fully utilize its great land and water potential, we will find ourselves the unwilling exporters of water, power, and young people—a combination that would bring prosperity anywhere but not to the state of origin.

In planning as in other endeavors, our accomplishments will never be greater than our aims. Daniel H. Burnham said it this way:

"Make no little plans; they have no magic to stir men's blood and probably themselves will not be realized. Make big plans; aim high in hope and work, remembering that a noble logical diagram once recorded will never die, but long after we are gone will be a living thing, asserting itself with ever growing insistency."

THE RIGHT TO BEAR ARMS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. ASHBROOK. Mr. Speaker, Frank Meyer, writing in National Review, has turned his attention to the question—in the minds of some—of "The Right of the People To Bear Arms."

Before arriving at his conclusion that the present "campaign is a utopian assault upon the freedom of Americans" he covers ground that is not often seen through the haze of hysteria.

The "simple knee-jerk reactions" that pass for wisdom are leading to the situation where "An unarmed citizenry is potentially the victim, first of anarchy, then of tyranny and totalitarianism."

It is not bad enough that we ponder at such great and awful lengths the issue of arms, but so many, as the author shows, are more than willing to exhibit "political and intellectual bankruptcy" in the process.

I include the article at this point:

THE RIGHT OF THE PEOPLE TO BEAR ARMS

PRINCIPLES AND HERESIES

Since Adam ate the apple, the per capita quantum of violence and potential violence in human society has remained, century in and century out, reasonably constant. Indeed, the third person in the world killed the fourth—or, if you prefer more secular images, primitively there was always present "continual fear and danger of violent death; and the life of man, solitary, poor, nasty, brutish, and short."

What has made the difference between the quantum of potential violence and actual violence has been the power of the moral authority of civilizations to inspire the members of society, and the firmness with which force has been exerted in defense of civilizations against external and internal barbarians. Against external barbarians, sometimes the moral authority of a great civilization has played a part, but primarily it has been force which has held the *limes*. Against internal barbarians, the problem has been more mixed, since a civilization with sufficient moral authority tends to civilize its internal barbarians.

The abysmal ignorance of history, as of the elements of political philosophy, that characterizes so much of the political and intellectual leadership of the United States today is all that can explain, although it does not excuse, the torrent of nonsense about "violence" with which we have been assailed these past days and weeks and months. The simple knee-jerk reactions that pass for high political wisdom might be understandable in a local official of the League of Women voters; they are proclamations of bankruptcy when they come from men of supposed political or intellectual sophistication.

Violence is bad? Of course: then let us do away with it. Problem; solution: instant Utopia. Guns kill people? Put government control on guns: domestic peace in our time.

Despite its appealing simplicity, this enthymeme conceals a double fallacy. In the first place, violence is not always evil *per se*. In the public sphere it is morally legitimate when employed to resist or overthrow tyranny. In the private sphere it is equally legitimate when employed against criminal incursion upon life or property. For the latter purpose it may fall into desuetude in times when, unlike our own, the constituted authorities are able to keep crime and riot under control. But it is always a residual right, and in times like ours it becomes the citizen's duty to use violence when necessary in his own defense and the defense of his family.

The second fallacy is that weapons or the accessibility of weapons creates violence. Violence, for good or ill, arises from the souls of men. Gun control would have no more effect ultimately upon the quantum of domestic violence than disarmament agreements have had upon the prevalence of warfare. Indeed, in the one case as in the other, the logical effect is only to strengthen the bad guys and weaken the good guys. It was Nazi Germany that was armed, it was Britain and the United States that were disarmed, in 1939. If gun-control legislation at any level were to be enacted in this country, it would be the criminals, the rioters, the insurrectionists, who would find illegal means of procuring weapons; it would be the solid citizens who would be disarmed.

These are the considerations, derived from a philosophical understanding of the nature of man and from practical experience, that make nonsense of the hysterical clamor for gun control now emanating from the serried megaphones of the Establishment. It is a clamor that might be ignored if the basic law of the land were still respected by the judiciary, if the Constitution had not become a paper document to be manipulated into its opposite by the Warren Court. The Founding Fathers whose wisdom was based upon theory and experience, tried almost 200 years ago to defend the United States against such mischievous incitations to tyranny and crime as are invited by a disarmed citizenry. Boldly and unequivocally, the First Congress and the states, in the Second Amendment to the Constitution (Article II of the Bill of Rights), proclaimed that "the right of the people to keep and bear arms shall not be infringed."

The constitutional principle is strong and sweeping, so strong and sweeping that even the present Supreme Court, one hopes, will not be able to work its sinuous way around it—should Congress prove to be so subject to utopian pressure as to pass legislation defying it. The key word is "infringe," and there can be no doubt in common sense or in law that any proposals for registration are direct infringements of the free citizen's right to keep and bear arms. If I may paraphrase an old maxmim: the power to regulate is the power to destroy. The patently unconstitutional Sullivan Act in New York State has shown, in its administration over the years, that registration of firearms (in this case of concealable weapons) has made it next to impossible for anyone legally to possess such arms. Criminals and insurrectionists, of course, get hold of them easily. Even the prohibition of sales by mail, while it is less integrally objectionable than registration, seems to be of doubtful constitutionality.

An unarmed citizenry is potentially the victim, first of anarchy, then of tyranny and totalitarianism. The present campaign to infringe the right to keep and bear arms is a utopian assault upon the freedom of American citizens—an assault scornful of the testimony of history, the counsels of morality, and the express mandate of the Constitution.

THE FREEDOM SHRINE: ITS MEANING TO ME

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. FASCELL. Mr. Speaker, each year the Exchange Club of Miami sponsors a contest in which high school students are invited to express their thoughts in an essay entitled "The Freedom Shrine: Its Meaning to Me." The Freedom Shrine is an exhibit set up by the Exchange Club in the local schools. It contains 28 major U.S. documents including the Declaration of Independence, the Bill of Rights, and the Gettysburg Address.

This year's winning essays are a tribute to the interest of the Exchange Club in fostering knowledge of our Nation's heritage and love of country. They are also a tribute to the high school teachers who have used the Exchange exhibit and have interpreted its documents into meaningful lessons for the students of today.

Finally, and perhaps most importantly, the winning essays are a tribute to the students themselves. America has little to fear for its future with such fine citizens and students of government now preparing themselves for U.S. leadership.

I am anxious to bring to the attention of my colleagues the 1968 essays. They are written by Miss Judy Barnes, Citrus Grove Junior High School; Christopher Bronson, Miami Coral Park High School; Miss Janice Fay Cook, Thomas Jefferson Junior High School; Miss Rosemary Noga, Kinloch Park Junior High School; Miss Margarita Fausta Ruiz, Miami Senior High School; and Miss Ellin White, Rockaway Junior High School.

On the day before July 4, Independence Day, I think it fitting to congratulate the Exchange Club, the teachers, and students on this significant accomplishment.

The essays follow:

THE FREEDOM SHRINE: ITS MEANING TO ME

(By Judy Barnes, Citrus Grove Junior High School)

Those writings, documents and bills all very pretty in frames mean a lot more than just words to me. My life and every other Americans' life is built and led by those writings. My freedom to speak the way I feel is stated there. Mine and everyones freedom of press is also plainly stated. The right to work and worship the way that you wish is the happiest, freest feeling you can have.

The freedom to own, buy and sell property and other items is found here, in America, our country and not in many far off lands. We can live the poor way, live the rich way or just be inbetween, but your freedoms never vary, because some people, some very important people wrote these papers, and signed and resigned them. They passed and repassed them. They read and reread them, talked, made speeches, voted, argued, and fought over certain things so that today in the United States of America we, the citizens, could be free. Believe me, some people don't realize how free they really are.

There has to be law, and also restrictions. This is true everywhere. Some are for safety and others for the good of owners of personal property.

Some people still can't understand they are free to live a happy, rightful life on their own land, to worship, write, read, speak, work and listen however they wish. These are the ones who take this wonderful type of life for granted and go out to get more. Why can't they do it in a rightful manner instead of starting trouble. But why, why can't more people realize you can't get much more freedom and still remain organized. We have the freedom to vote however we wish so actually, we, the people of America put the President and other political leaders in their places of today.

One man or even two or three can't run an entire nation without any flaws, so realize your freedoms, recognize your rights, and use them both wisely before we have none of either one left.

The world all together is changing. The jobs are more complex, the education is harder and needed worse than ever before. But the natural things in life haven't really changed a bit, it's the people who are changing and try to put the blame, or whatever you wish to call it, on the world situation. If they could abide, obey, live and understand the old ways of life, such as when our first or even our sixteenth presidents were alive. Things could be the same, but too many people want to start over in the world. Why can't they see the true light, the light of the past that has led us to where we are today.

Some Americans today don't realize how lucky and safe we are. Without many freedoms they take for granted each day they might realize how tough life can really turn out to be.

Crime is now a serious problem but it was also a serious problem 200 years ago. Then there were also laws but not half as many people in the world. With so many people in the world today we have to be more conservative, more thoughtful and obey the rules and laws set by qualified officials and stop trying to run the world by ourselves.

Man has a brain and also the ability to use it. Why can't the people of the world recognize this problem all over our world today of crime, and not knowing rights and how to use them. Maybe if they could recognize it they would also try to learn to control their emotions and their behavior of everyday life.

Communism takes so much from living people, it's hard to have to see it happen. In my heart, I feel like one of the happiest people on this earth to know someone cared enough about the way I might have to live the days of my life, to sit down very seriously with many other people, just like us, to plan and write out the true and correct paths to a free and wonderfully happy life.

Although documents and bills can't tell you how to live and how to act as an American citizen they are true, written proof of how we should guide ourselves and how we are able to guide ourselves.

If the persons involved in crime could see the thousands of Americans who risked their lives and died for the meaning of these documents and bills, maybe deep inside it would hurt and tell them how much they missed in life.

I only hope the world realizes this before it's too late and takes the path to the better instead of the worse.

WHAT THE FREEDOM SHRINE MEANS TO ME

(By Chris Bronson, Miami Coral Park Senior High School)

The Freedom Shrine, to me, a symbol of America. A shrine dedicated to the expression of liberty in our country. It stands for many of the most illustrious moments in our proud history.

The shrine in itself is not important, nor are the papers it contains. The importance lays in the ideals the papers represent, the ideals held dear by some of the most distinguished patriots in our history. These ideals are devoted to freedom and equality; and the preservation of such. Some of the documents represent the promise of our country to uphold its ideals, for which no cost is too great.

These ideals are the mainstay of our country. Without them, our whole system of government and way of life would be changed. There would be no more freedom to do as you choose or live as you would like. Others would choose what your life would be like and gradually you would lose your sense of identity. You would become a tool of the state and the words freedom and liberty would become meaningless.

To defend ourselves against this fate, we must be willing to make sacrifices as great as those represented by the documents in the Freedom Shrine.

THE FREEDOM SHRINE: ITS MEANING TO ME

(By Janice Fay Cook, Thomas Jefferson Junior High School)

From the first moment you are born to the very last second that you live, in an indirect or direct way you are experiencing the freedoms, rights, and privileges that all citizens of the United States possess. Some take for granted these valuable freedoms or misuse them. Since we are born into this democracy with full liberties many do not realize the value and importance of these freedoms. The following question might arise in your mind. "Why should I bother to read meaningless words written on paper?" "I have rights guaranteed to me and that's all I'm concerned about!" But every alert citizen understands what the Freedom Shrine Documents represent. Although they appear to be a menagerie of words, the documents truly express the liberties, government, and laws of the United States. Just by reading these documents a foreigner can partially understand how life in our country is.

Can you imagine what your life would be like without these documents? First of all if not for the Declaration of Independence, the United States would not be a nation. Our country might still be a possession of England, of another nation, or our lives could've been controlled by a minority as in a communistic nation. Then there's the Constitution which contains our cherished freedoms and the outline which our government follows. Without the Constitution do you think the United States would be a world power today? Maybe some other type of government would've been constructed, who knows? Also think how America has played an important part in World Wars I and II. If the founders of America had not organized our Constitution as the basis for our government we might not have been able to defeat the enemy with our allies. Our government had to be well planned to supply the men and equipment needed to fight in the wars.

There are many "if" possibilities, so many that you begin to wonder how everything did end up as it is now. Before understanding the end of an item it is logical that you understand the beginning of it. How it was formed and who formed it. The reason everything turned out as it did may be stated as that the creators or authors of these documents had ideas which were put down in words in such a way that from these thoughts and ideas come a rule, freedom, or an outline. Many are responsible for the formation of our priceless documents. Great scholars the majority were not, but inside them rang the vigorous feeling of justice, freedom, and equality. They saw the need for a sound construction of our nation. Or in some cases to add or change any liberties according to our needs, such as an amendment. Some contributors may not be as well known as others, but their importance and value are the same as those who are well known for their outstanding deeds. You and I are equal as is every human being.

There will continue to be a fight for freedom in the United States. Even though we have documents which state laws by which we live there will always be those who purposely disobey the laws. Laws aren't made to deprive us of freedoms but to add to our freedoms. If one person decided to steal another's money for which that person had worked hard for and there was no law, the thief would get away with the crime unpunished. Living could possibly become dangerous. It could come to the point where you couldn't be sure that you'd be alive the next day. Law and order could get so out of hand without proper rules and enforcement.

Each document has its own separate meaning and was written for a special reason. You wouldn't declare the United States independent from England because an Englishman made a face at an American. There is a sound reason behind every idea and the individual idea was written down intelligently and legibly such as in a document.

To live in America is indeed a privilege made possible by documents. Documents are the basis of our lives in America. Although we may not obey laws word for word it is not wrong for no one is perfect and we all make mistakes.

I believe that without these documents, America would never have grown to be a powerful nation and our lives here, in America, would be extremely different. Our Freedom Shrine documents are indeed valuable and should not be taken for granted.

THE FREEDOM SHRINE: ITS MEANING TO ME

(By Rosemary Noga, Kinloch Park Junior High School)

Our American Bill of Rights is contained in the United States Constitution, and is probably one of our most precious documents. These first ten amendments to the Constitution guarantee our privileges as citizens of this country. We read in them many of the things which our government will do for us.

In reading, however, it is necessary for us to understand that none of these privileges come without responsibilities. These are the ways in which we prove ourselves worthy of the things we receive from our country.

As I look through the newspapers today, I am constantly reminded of the true meaning of this Bill of Rights. When I notice an article describing governmental oppression in another land, I say to myself, "That wouldn't be possible in America."

In history classes, we often study the cruelties of other governments, other leaders, and even our own government in past times, before any Constitution or Bill of Rights was conceived. From those times, it is easy to see what the ten amendments do for us.

In the days before the American Revolution and a Bill of Rights, the colonial government took great advantages of the people. A citizen had no privacy of property or life. He had few of the freedoms which we enjoy today. I am grateful for the fact that men were brave enough to stand up for what they knew was right and put down the tyrannical control. It is hard for us to see just what our lives would be like, had this courageous group shirked the duty which they clearly saw for themselves.

I hope that when I am of voting age and become an adult citizen in the United States, I can still appreciate what the Bill of Rights holds for me. It is my thought that when people wonder why they should bother to vote and take their part in our government, they should look up documents, such as the Declaration of Independence and the Constitution, with the Bill of Rights, and see just what our American heritage is founded upon.

I feel that if we, the people of this country, would think over what we get by just being born here in the United States, we would all be most greatly appreciative of what our forefathers did two centuries ago.

We all know how the Bill of Rights keeps us from any wrong on the part of the government, but, if we don't protect our freedoms, they may be taken from us, one by one. If we do not vote or show that we care about our government and officials, we may find our treasured freedoms slipping away. Any un-American individual might step in, without our knowing it, and eliminate even the last traces of the American freedom and way of life.

The amendments that make up the Bill of Rights guarantee us everything which we have grown to accept as part of everyday life. They cannot be stolen from us, except by our own apathy. I know that I would fare quite badly if I were suddenly plunged into life without the privileges of living in the United States. I doubt that I could exist under the terroristic governments about which I read.

These precious amendments to our Constitution protect us from evil government and an existence not unlike a herd of cattle or some experimental guinea pigs.

Each man, woman, and child in the United States is a separate individual, an essential to our country's welfare. Each person speaks, acts, and prays as he wishes, and when he wishes. No one is told what school to attend or what occupation to take up. It is doubtful to me that we could find such wonderful freedom anywhere else on earth.

This is the reason that I wonder about people in this country who despise our governmental set-up. I think to myself, "Could they possibly be real Americans?"

THE FREEDOM SHRINE: ITS MEANING TO ME

THE IDEAL THAT MUST NOT DIE

(By Miss Margarita Ruiz, Miami Senior High School)

The story is sometimes told of an old man who lived in the hill country of West Virginia. Every evening towards dusk, he would seat himself upon the crest of a hill overlooking the fertile farms and ribbons of highways below. For hours at a time he would sit in silence gazing into the distance. One day a boy asked him: "Old man what do you see down there?" The old man thought for a while and finally he said: "Down there I see a miracle. Yes, I see the miracle of freedom and what bountiful lives men can build for themselves when they are free." [1]

Truly what the old man saw was the eternal miracle of freedom at work in America—eternal only because our living Constitution makes it so.

Three hundred and sixty one years ago, a London Company, a joint stock company, sponsored a group of 104 men to travel to the New World. These men struggled against sickness, Indians, and other misfortunes which led to the permanent settlement of the Jamestown Colony. Two men saved the colony, they were: Captain John Smith, and John Rolfe, the former put the colony under severe military rule. By 1619, the settlers had their own legislature, the first representative assembly on the mainland of North America. Like the Jamestown Colony, more and more came, and by 1760 there were more than 1,500,000 persons living in the 13 colonies.

For years, the British government did not pay attention to the colonies and they grew in size as well as independently. All colonies had their own legislature and steadily the royal governor lost authority. The colonies had become strong individualists, and because of this, disagreements between colonial legislaturers and the royal government.

These colonists had come to America seeking freedom, religious rights, etc, etc., and so they didn't want any more of the British rule. The British government began to tax heavily the colonists, and they resented this because it injured American pride and independence. Because of a series of events in the colonies, the English Parliament passed what came to be called the "Intolerable Acts."

On the invitation of Virginia, all colonies sent representatives, except Georgia, to a meeting in Philadelphia. The First Continental Congress met on September 5, 1774, and resolved that they would resist the Intolerable Acts, and they sent the King of England, a petition that proclaimed a boycott of British goods.

The colonies first fought the British at the battles of Concord and Lexington, near Boston. The British routed them in what came to be known as the Battle of Bunker Hill in June, 1775, where the colonial troops had fortified Breed's Hill.

The colonists still felt a loyalty to the mother country, and hesitated to declare their independence. But in July 2, 1776, every colony in the Continental Congress except New York (which acted a week later) voted for independence. Two days later the Congress adopted The Declaration of Independence, written by a committee under Thomas Jefferson, and became one of the most important documents in the history of liberty.

The colonies won the Revolutionary War and set up the government under the Articles of Confederation, which Congress adopted in 1777. This government was weak and had no authority to impose taxes, control trade or stop quarrels among the states, also they couldn't raise money without the state's consent.

The new nation faced problems that demanded a strong government, and therefore in the summer of 1787, a group of 55 men from 12 states met in Philadelphia to frame a new government. These men worked intensively to create a more perfect union. The convention held many discussions and agreed to two main principles. The first principle declared that the powers of the central government should be carefully defined and that the states should keep all other powers. The second principle said that the central government should have carefully balanced legislative, executive, and judicial branches. Most delegates favored a strong national government, not a league of states.

---

[1] Not sure who first told the story. Heard this story once in a Social Studies course's filmstrip.

After the Constitution had been ratified, ten permanent amendments were added, that became the Bill of Rights, which safeguard freedom of speech, press, religion and petition, and guarantee trial by jury, protected life, liberty and property.

Steadily the nation grew in size and population to become the greatest democracy the world has ever known, and the ideal of the men who came to the land of opportunity.

The U.S. Constitution means a great deal to me. The Constitution is the greatest set of laws ever conceived. The Law of the Land, which has guided this country to be greatest nation on earth, has a deep place in my heart. I, myself, not being an American citizen know what it is to live under a great form of government, like a democracy, the Constitution being its backbone.

Let the words of Abraham Lincoln be inmortalized and instigated in all men's hearts, "That the government of the people, by the people and for the people shall not perish from this earth."

REFERENCES

Dates and other dates stated, were gotten from: *The Illustrated Library of the World's and Its People,* Volumes 1, 2, 3 dealing with the United States.

THE FREEDOM SHRINE: ITS MEANING TO ME

(By Ellin White, Rockway Junior High)

When God created this world He bestowed upon it many blessings, the greatest of which are generally forgotten, ignored, or taken for granted. Among these are nature's beauty, a family's love and, of course, freedom.

The Freedom Shrine, to me, represents a place where a mad, rushing society can stop and think about the wonderful gift of freedom so lavishly bestowed upon it. Towering skyscrapers, high-rise apartments, and the ever-flowing time seem to have forgotten the importance of freedom. But what if all society forget?

Mr. Wilkins awoke to the beauty of the new-fallen November snow and the cheery chorus of a few hardy birds willing to brave the coming winter. He was a newspaper reporter for an important paper in Washington, D.C. and he had to rush off to work. He glanced at the morning paper dated 2000 A.D. on the table beside him, to see what the results of yesterday's Presidential elections had been. He didn't really care, but he decided he might as well find out so he could tell anyone else who didn't know. The headlines momentarily surprised him, but he figured that someone would do something about the situation later so he forgot about it and went to get breakfast.

At the news building everything would have seemed quiet and normal to any casual onlooker, but in reality there was a continuous current of whispered questions rolling throughout the modern establishment. Phrases such as "Is it true?" and "Is he really a Communist?" found their way into everyone's ears. At 10:00 A.M. the editor's voice came booming over the speaker and announced that there would be a meeting of all employees in the auditorium following the lunch break. All personnel were to attend. Then the speaker went off. All was silent for a moment and then everyone started talking at once.

"What's it about?" asked one woman.

"You can bet it has something to do with that no-good president this country just elected!" said a young man.

"Did you vote, mister?" another woman snapped.

The young man could only answer meekly, "Well . . . you see . . . I didn't have time." After some thought he regained his pride and confidence and shouted out, "How many of you voted?" pointing to Mr. Wilkins.

"Me?" Mr. Wilkins asked.

"Yes, You!"

"Oh, I was going to but I just didn't get around to it. My wife was supposed to but I don't think she did either. She had shopping to do and the house to clean. You know how it is."

"Yes, I know how it is. The whole country is lazy, plain lazy!" shouted the young man.

"OK., OK. I agree," said someone else. "But who cares? That guy is just the president. We still have Congress and the Supreme Court."

"Well, it's time for lunch. I'm leaving," interrupted Mr. Wilkins. "See you all at the meeting."

The meeting started promptly at 1:00 p.m. A somewhat foreboding stranger stood on the stage with the microphone. All the murmuring stopped when he began to speak. "All right, I'm here just to tell you some new rules that are going to be *enforced* around here. Number one—You print only what is okayed by the state authorities. Number two—There will be no advertisements or editorials. And Number three—There will be no 'discussion groups.' "

"That isn't fair!" someone shouted. "It's unconstitutional. I'm going to report this to the Supreme Court!"

"Oh, yes, that reminds me. The morning paper tomorrow must include the following letter from the president:

"EXECUTIVE DEPARTMENT, OFFICE OF THE PRESIDENT OF THE UNITED STATES,
Washington, D.C., November 12, 2000.

"To: The people of the United States of America.

"Subject: U.S. Government.

"I would like to take this opportunity to announce to you that the 'rumors' you have been hearing concerning the communistic faith are true. I am a Communist and this is my country. You are my people. You will do as I say. Congress and the Supreme Court have been abolished and I have been installed as your dictator. Anyone opposing the policies set up by my cabinet and fellow comrades will be severely punished. This country will grow to new heights under the Communistic faith and all will profit from it. I hope you will all accept graciously the enormous opportunities for advancement that are being so generously given to you. Communism is by far the best form of government and it will reign supreme!

"CONRAD BATÓN,
"President of the United States."

The Auditorium was silent. Everyone was utterly stunned. Could this really have happened? During the afternoon, the grinding presses printed their alarming words. The papers came forth with increasing rapidity and each was inscribed with the letter that would shock the nation.

All over the country people gathered to discuss the surprising news and to devise a plan to defend themselves. But it was too late. Communism spread like a vast fire with each new flame leaping to greater heights. It spread until the flames were too numerous and fierce to be controlled. Those that refused to become part of the ferocious and mighty fire were destroyed by it.

Why had this happened? How had communism come to engulf the nation with its vicious claws? The whole reason lies in the minds of the people. Each man was too tired and busy to care about the other. The world dozed until something shook it awake. If today's American society is to keep alive the wonderful system of Democracy practiced here it must crawl out of its deep sleep and put into use some of the freedoms so generously given to it by the documents of the Freedom Shrine. The freedoms must be used wisely and not at random. They must be used so that they are effective, yet just. It was God that gave us our freedoms, but it is man himself that must guard them and see that they are kept alive for the sometimes indifferent, yet always freedom-loving descendants of American citizens.

FOREIGN AID PAYS DIVIDENDS

HON. DONALD M. FRASER

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. FRASER. Mr. Speaker, the following article from the July 1 Washington Post describes an outstanding success of the U.S. foreign aid program, described as "The Agricultural Revolution in Asia":

U.S. AID RESULTS ARE STANDING OUT

(By Carroll Kilpatrick)

Now that Congress is about to vote the biggest slashes in foreign aid in history, evidence is accumulating that aid is beginning to pay significant dividends. In the first months of the Marshall Plan, there were critics who said it would not work. Yet today there is no doubt anywhere outside the Communist world that it was an enormous success.

In the underdeveloped countries, the task is magnified many times over what it was in Western Europe. Yet there are successes even now to suggest that at some point in the future men may agree that the aid investment was a good one.

In the current *Foreign Affairs,* Lester R. Brown of the Department of Agriculture reports on what he calls "The Agricultural Revolution in Asia." It is a revolution that did not just happen. It was sparked by an army of men who believed that there was hope of development. These included countless local leaders as well as technicians and teachers from AID, the World Bank, the United Nations, the Peace Corps, the Rockefeller and Ford Foundations and other groups committed to the idea of development in areas of undevelopment.

A few years ago, Lester Brown received considerable attention because of his dire warnings that the underdeveloped world faced the threat of starvation.

In the 1930s, Brown wrote, Asia, Africa and Latin America exported some 11 million tons of grain annually to the industrial countries. But during the decade of the 1940s the flow was reversed, with the underdeveloped world importing some four million tons of grain annually to feed its growing population. By the early 1960s, the underdeveloped countries were importing 31 million tons of grain a year, and still they faced the constant threat of famine and starvation.

Today Brown finds reason for hope. In the *Foreign Affairs* article, he says that the change and ferment evident in the Asian countryside, from Turkey to the Philippines, cannot be described as anything less than revolutionary.

"This rural revolution, largely obscured in its early years by the two consecutive failures in the monsoons, is further advanced in some countries—Pakistan, the Philippines and India—than in others," he says, "but there is little prospect that it will abort, so powerful and pervasive are the forces behind it."

Several years ago, United States aid officials, and many officials in less developed countries, recognized that too much emphasis had been put on industrial development and too little on agricultural development. President Johnson and Secretary of Agriculture Orville L. Freeman were among the first to understand that the emphasis had to be shifted to agricultural development.

Public policies designed to encourage farmers were adopted in many countries. New seeds, fertilizer, irrigation and new farm practices became the objective of governments as well as those involved in development work.

By mid-1968, Brown says, "both the food situation and food production prospects in Asia have changed almost beyond belief." The Philippines is self-sufficient in rice for the first time since 1903. Iran has become a wheat exporter. Ceylon's rice production is up 13 per cent in a year. Pakistan's wheat crop harvested this spring was 30 per cent above the previous record.

"The total Indian foodgrain crop, officially estimated at 100 million tons, is up 32 per cent from last year's drought-depressed levels and, more importantly, up 12 per cent from the previous record," Brown reports.

"Good weather has helped boost the harvest on the Indian subcontinent this year, but increases above the previous record are largely the results of solid technological progress—more efficient varieties, more fertilizer and better farm practices."

Brown notes that 4000 Asian agriculturalists have been trained in the last decade by AID, the Department of Agriculture and the Land Grant Colleges. Fertilizer production has increased rapidly, but still not rapidly enough. But Brown thinks that "perhaps the new exciting development" is the new, high-yielding grain seeds, which thousands of Asian farmers are competing to obtain.

The population problem, of course, remains at the heart of the problem in nearly all the underdeveloped countries, and if unchecked could destroy all the good work accomplished.

A beginning has been made. But it is only a beginning, and, as Brown says, the need for capital for new machinery, seeds and fertilizer, is enormous. He believes that the requirement for technical assistance is likely to rise, Congress to the contrary notwithstanding, "as the problems generated by dynamic movement in agriculture increase."

SECOND ANNIVERSARY OF MEDICARE

HON. HALE BOGGS

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. BOGGS. Mr. Speaker, July 1, marked the second anniversary of the beginning of the medicare program. I find wide agreement that the medicare program has been a success from its inception and continues to prove responsive to the medical needs of our older fellow Americans. Very few pieces of legislation have, in my memory, so quickly proved their worth. Although the program is only 2 years old it has exceeded its expectations and has encountered none of the sad failures that many anticipated.

While a recitation of the statistical achievements of the program would no doubt prove both interesting and enlightening, medicare in its truest sense is more than statistical evidence, more than an explanation of expenditures; in its essence medicare is a program designed to serve our older Americans by enabling them to receive health care in a setting of their choice, because they can pay for private care, whereas many of them simply had no choice before medicare. Further, medicare has provided our older citizens with health insurance covering a wider range of health care services than private insurance has covered even for younger people—important services such as skilled nursing home care, home health care, physicians' services in the office and in the patient's home—and now, private insurance is beginning to cover these services in their policies for younger people, so great has been the influence of medicare in 2 short years.

I could go on and remind my fellow Members of how medicare is upgrading hospital care throughout the Nation by its requirements for meeting quality care standards as a condition of participation, how it has established utilization review mechanisms for every hospital and extended-care facility which is participating—a device that was talked about for years as a means of evaluating both necessity and quality of care but which medicare brought to most health care institutions. But I do not think I need to. I think we know how much medicare is achieving and how well it is being administered by the Social Security Administration and the insurance industry intermediaries and carriers who share the administration under contracts with the Government.

HOUSE OF REPRESENTATIVES—*Monday, July 8, 1968*

The House met at 12 o'clock noon.

Rabbi Solomon B. Shapiro, Congregation B'nai Abraham, Brooklyn, N.Y., offered the following prayer:

אבינו מלכנו!

Our Father, our King, receive our prayer in mercy and in favor.

We approach Thee in humility and with gratitude that by Thy grace we are fortunate to live in these blessed United States of America.

Thou grantest unto us great men who are Thy messengers to free us from spiritual and physical slavery, to lead us to a world in which man will live a meaningful and harmonious life.

Our thanksgiving, therefore, we offer unto Thee, for bestowing upon this great land legislators and statesmen who guide the destiny and stir the hearts of all inhabitants to serve their country in truth and loyalty. May Thy spirit dwell richly within them as they manifest abiding courage and sincere faith in the cherished traditions of our Founding Fathers, to work for justice and peace. Grant them loving kindness and patience, understanding and foresight, that they ever be warmed by Thy love and nurtured by Thy teachings to faithfully seek Thy guidance in pursuing the welfare and advancement, growth and security of our country.

Gracious Guardian, protect and bless our distinguished President, his family, and all the people of this great democracy, that freedom and tolerance increase, peace and prosperity endure throughout the length and breadth of our borders. Send Thy light and Thy truth unto all the peoples of the earth, so that the ideals of freedom and fraternity, of justice and equality forever be the heritage of all. Hasten, Thou, the era of universal peace, when all the families of the earth shall be blessed. Amen.

THE JOURNAL

The Journal of the proceedings of Wednesday, July 3, 1968, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill and concurrent resolution of the House of the following titles:

H.R. 9098. An act to revise the boundaries of the Badlands National Monument in the State of South Dakota, to authorize exchanges of land mutually beneficial to the Oglala Sioux Tribe and the United States, and for other purposes; and

H. Con. Res. 705. Concurrent resolution to assist veterans of the Armed Forces of the United States who have served in Vietnam or elsewhere in obtaining suitable employment.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1764. An act to repeal section 7 of the act of August 9, 1946 (60 Stat. 968);

S. 2715. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Chickasaw Nation or Tribe of Oklahoma, and for other purposes;

S. 3575. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments;

S. 3620. An act to provide for the disposition of judgment funds on deposit to the credit of the Quechan Tribe of the Fort Yuma Reservation, Calif., in Indian Claims Commission docket No. 319, and for other purposes;

S. 3621. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Muckleshoot Tribe of Indians in Indian Claims Commission docket No. 98, and for other purposes; and

S. 3679. An act to amend the act of June 19, 1968 (Public Law 351, 90th Cong).

THE PASSING OF HUBERT B. SCUDDER

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DON H. CLAUSEN. Mr. Speaker, it is with sadness and deep personal regret that I advise the House today of the passing last Thursday of our good friend and former colleague, Hubert B. Scudder. The funeral is being held today in the community of Sebastopol, his home community.

For 10 years, Hubert Scudder served the district I am now privileged to represent, the First Congressional District of California, from 1949 to 1958. He was a member of the House Public Works Committee and his many friends and associates in the Congress will recall his hard work, dedication, and devotion to the cause we all serve.

Prior to his service in the House, Mr. Scudder served in the California State Assembly for 16 years and, before that, was a city councilman and the mayor of his native Sebastopol, Calif. During World War I, Mr. Scudder served in the Army's coast artillery.

Recently, Mr. Speaker, I had the pleasure of dedicating a public park in Sebastopol in Hubert Scudder's name and honor. On reflection, I believe this to have been a fitting tribute to his memory, because Hubert Scudder was a builder.

The passing of this great American at age 79, leaves behind a legacy of faithful and loyal service to his community, Sonoma County, the First District of California, and the people he loved and served so long and so well.

I know I speak for all Members in extending the deepest sympathies of the House to his beloved wife, Helen.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. DON H. CLAUSEN. I am delighted to yield to the distinguished minority leader, the gentleman from Michigan [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, I remember well when Mr. Hubert Scudder came to the House of Representatives. He was immediately an effective and able legislator. He was a delightful individual who had many, many friends on both sides of the aisle. He left the House of Representatives with a fine constructive record and, I gather, he led a very fruitful and happy life since he left the Nation's Capital.

I join the gentleman from California in extending to his family our deepest condolences. Those who knew him will miss him greatly.

GENERAL LEAVE TO EXTEND

Mr. DON H. CLAUSEN. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks at this point in the RECORD on the life, character, and service of former Congressman Hubert B. Scudder.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SLAYING OF POLICE OFFICER NOT "JUSTIFIABLE HOMICIDE"

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Speaker, on last Tuesday night, a Washington policeman was killed and another critically wounded by three people who were resisting arrest on Columbia Road in Washington.

Over the weekend, a group calling itself the Black United Front issued a public statement in which it declared that the "slaying of this honky cop is justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide."

This is without question the most mindlessly stupid, malicious, and morally corrupt statement to be given currency in the Washington area newspapers in recent days.

Ordinarily so ridiculous, illogical, and vicious a statement would not deserve recognition or comment on the floor of the U.S. House of Representatives.

What does require comment, however, is the fact that the organization which issued this flammatory and senselessly irresponsible statement is reported to number among its membership certain area clergymen and other presumably intelligent people, including the Democratic national committeeman for the District of Columbia.

It is shocking that these people, according to press reports, have pointedly refused to repudiate so juvenile and morally unworthy a statement.

In a civilized land it is almost unbelievable that anyone would regard the slaying of a police officer by one resisting arrest as "justifiable homicide"—and apparently with no more attenuating circumstances than that he was, in the words of the resolution a "honky cop."

As one Member of Congress who has consistently supported the principle of home rule as a matter of simple democratic justice, I am appalled and deeply embarrassed that a group within the District of Columbia, numbering citizens of this type in its membership, would be able to issue so foolish a statement, describing it as a "unanimous statement of the group," with no greater show of public outrage and no apparent effort by other members of the group to repudiate it or to recognize how mischievous and potentially explosive a statement of this kind can be.

CALL OF THE HOUSE

Mr. PELLY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 229]

Abbitt
Adair
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashley
Baring
Bates
Bell
Blanton
Bolton
Bow
Brademas
Bray
Brock
Brown, Mich.
Carey
Casey
Cleveland
Collier
Conyers
Corbett
Corman
Cramer
Cunningham
de la Garza
Dellenback
Dent
Devine
Dickinson
Diggs
Dole
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Edwards, La.
Esch
Evins, Tenn.
Farbstein
Fascell
Fino
Flood
Ford, William D.
Fulton, Tenn.
Gardner
Gettys
Gibbons
Green, Oreg.
Grover
Gurney
Halleck
Hanna
Hansen, Idaho
Hardy
Harvey
Hathaway
Hawkins
Henderson
Herlong
Holland
Hosmer
Hungate
Jarman
Jonas
Jones, Mo.
Karsten
Keith
Kelly
Kluczynski
Kornegay
Kupferman
Kyros
Landrum
Lipscomb
Long, La.
Lukens
McCloskey
McMillan
Mathias, Md.
Michel
Mink
Mize
Nix
Passman
Pettis
Pickle
Pike
Podell
Pool
Pryor
Railsback
Rarick
Reinecke
Resnick
Ronan
Roybal
Ruppe
Satterfield
Scheuer
Shipley
Smith, Iowa
Smith, Okla.
Steed
Teague, Tex.
Thompson, N.J.
Tuck
Tunney
Van Deerlin
Waggonner
Watkins
Willis
Wolff

The SPEAKER. On this rollcall 317 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON EDUCATION AND LABOR TO FILE REPORT ON H.R. 15067, RELATING TO HIGHER EDUCATION

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight tonight to file a report on H.R. 15067, a bill relating to higher education.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

THE LATE HONORABLE LOUIS RAKOTOMALALA, AMBASSADOR OF THE MALAGASY REPUBLIC

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am shocked and grieved to learn of the tragic and unexpected death on July 1 of Ambassador of the Malagasy Republic, the Honorable Louis Rakotomalala, at the Ramapo General Hospital in Ramapo, N.Y. Ambassador Rakotomalala served as his country's Permanent Representative to the U.N.

and was dean of the African ambassadors here in Washington, having presented his credentials at the White House on December 5, 1960.

Ambassador Rakotomalala's death represents a loss not only for his distinguished family and his government and people, but for the American people as well. In the almost 8 years during which he served here, Ambassador Rakotomalala gained our respect and admiration as an untiring champion of good will and international understanding.

I personally had the opportunity of knowing the Ambassador during these fruitful years of his service, both in his role as his country's representative in Washington and at the United Nations. I found his a most admirable diplomat and a warm friend of the United States.

Ambassador Rakotomalala's rich and varied career in the service of his country inspired the American people. The example of his life will remain a lasting treasure.

DISTRICT OF COLUMBIA DAY

The SPEAKER. This is District of Columbia day.

The Chair recognizes the gentleman from Texas [Mr. DOWDY].

TO AMEND THE ACTS OF AUGUST 9, 1955, AND JULY 24, 1956, RELATING TO CERTAIN COMMON CARRIER OPERATIONS IN THE DICTRICT OF COLUMBIA

Mr. DOWDY. Mr. Speaker, I call up the bill (H.R. 18248) to amend the acts of August 9, 1955, and July 24, 1956, relating to certain common carrier operations in the District of Columbia, and for other purposes, and ask unanimous consent that the bill be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, reserving the right to object, is this the bill that came out of a subcommittee of the District of Columbia Committee at about 10:15 this morning and then went to the full committee?

Mr. DOWDY. No; it came out of the full committee at that time. It came out of the full committee between 11:15 and 11:30 this morning.

Mr. GROSS. Mr. Speaker, when did the subcommittee consider this bill?

Mr. DOWDY. It considered the bill the week before last.

Mr. GROSS. Did the subcommittee vote it out at that time, or vote it out this morning?

Mr. DOWDY. The subcommittee voted it out at that time.

Mr. GROSS. And the full committee voted it out somewhere between 11:15 and 11:30 this morning, and it is on the House floor with a makeshift report to accompany it. Is that correct?

Mr. DOWDY. That is about correct.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry. Under the rules of the House, may this bill be considered at this time without it having to lay over?

The SPEAKER. The Chair will state that in view of the fact that the committee filed its report, it is in order to call it up today.

Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Speaker, a further parliamentary inquiry. The request is to consider the bill in the House as in the Committee of the Whole?

The SPEAKER. That is correct.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 18248

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to provide for the regulation of fares for the transportation of schoolchildren in the District of Columbia", approved August 9, 1955 (D.C. Code, sec. 44–214a), is amended to read as follows:

"SEC. 2. In the case of any common carrier required to furnish transportation to schoolchildren at a reduced fare under this Act, the Washington Metropolitan Area Transit Commission shall, as soon as practicable after the end of the fiscal year ending June 30, 1968, and after the end of each fiscal year thereafter, certify to the Commissioner of the District of Columbia, with respect to that fiscal year, an amount which is the difference between the total of all reduced fares paid during that fiscal year to each such carrier by schoolchildren in accordance with this Act and the amount which would have been paid during that fiscal year to each such carrier if such fares had been paid at the lowest adult fare established by the Commission for regular route transportation in that fiscal year. In the case of the amount certified under this section for each such carrier for each of the fiscal years ending June 30, 1968, June 30, 1969, and June 30, 1970, the Commissioner of the District of Columbia shall, upon certification of that amount, pay to each such carrier the amount so certified for that fiscal year."

SEC. 2. (a) The last sentence of section 7 of title I of the Act entitled "An Act to grant a francise to D.C. Transit System, Inc., and for other purposes", approved July 24, 1956 (70 Stat. 598; Public Law 84–757), is amended by striking out the period at the end thereof and inserting in lieu thereof the following: "until January 1, 1968, and thereafter the entire cost of removal, regarding, and paving shall be the obligation of the government of the District of Columbia."

(b) Section 710 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901 (D.C. Code, sec. 44–211), is repealed.

With the following committee amendment:

On page 2, strike out line 16 and all that follows down through and including line 5 on page 3.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. DOWDY] for 5 minutes.

Mr. DOWDY. Mr. Speaker, this bill, as was introduced, contains two provisions. The amendment concerns one of them, and it has to do with track removal, which was involved in the franchise granted to the D.C. Transit System in 1956. This amendment merely strikes that portion of the bill.

Mr. Speaker, I urge its adoption.

Mr. GROSS. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, I take this time to find out something about the pending bill. As I said before, I have before me a proofsheet report, well doctored with pencil marks. This was made available to me about 10 or 15 minutes ago. I would like to hear someone explain the purpose of this bill, and why it must be considered today under these circumstances.

Mr. BROYHILL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Virginia.

Mr. BROYHILL of Virginia. The purpose of the bill is to eliminate the necessity for passing on to the riders of the public transportation system the cutrate fares or subsidies provided the schoolchildren in the District of Columbia. It has been the practice in the past for the schoolchildren to receive a fare not in excess of one-half of the lowest adult fare.

It might be all right to give the schoolchildren a cutrate bus fare, but it is not fair for the other riders of the transportation system to have to pay that subsidy.

The purpose of this bill is to place the responsibility of providing the cost of the subsidy on the school system itself.

The Congress has decided years ago to have a bus subsidy for schoolchildren. It is up to the Congress to determine whether it wants to abolish that or not. The purpose of this bill is to prevent the bus riders from having to pay the subsidy.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the minority leader.

Mr. GERALD R. FORD. I should like to ask the gentleman from Virginia: is there a committee report before the House in this Chamber today on this bill?

Mr. BROYHILL of Virginia. There is a report.

Mr. GERALD R. FORD. Is it published? Is it available for general distribution?

Mr. BROYHILL of Virginia. So far as I know, it is available. I have a copy before me.

Mr. GERALD R. FORD. Could any Member go up to the desk and get a copy? I appreciate the fact that there are three or four copies available, but could any one of the 435 Members go up to the usual place and get a copy of the report, so that he could read it and seek to understand what is in the bill?

Mr. BROYHILL of Virginia. I could not answer that question.

Mr. GERALD R. FORD. Could the gentleman from Texas tell me "yes" or "no"?

Mr. DOWDY. I believe that any Member who wants a copy of the report can get one.

Mr. GERALD R. FORD. That is not an answer to the question. Is there a committee report printed which is available to all the Members?

Mr. DOWDY. No; but a report is available to any Member who wants it, and it is printed.

Mr. GROSS. Well, it is in a galley

proof. It is not the usual report, and it is not to be found at the desk.

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from Minnesota.

Mr. FRASER. I will advise the gentleman that a few minutes ago I asked for a copy of the report, and there was none available.

The gentleman also is entitled to know that under this bill the D.C. Transit Co., as soon as the bill is passed, will get a million dollars, not prospectively, but a million dollars now paid into its treasury, and then prospectively it will give them a million dollars each year thereafter. It gives them a million dollars right out of the blue. I thought the gentleman would like to know that.

Mr. GROSS. That is indeed interesting. It would give them a million dollars for what? The gentleman is a member of the District Committee; is he not?

Mr. FRASER. Yes, sir, I am.

Mr. GROSS. It would give them a million dollars for what?

Mr. FRASER. I do not know. It may be because they made such a good impression when they came before the committee, or it may be that they looked as though they were part of the poverty program and needed help.

Mr. GROSS. Does the gentleman mean O. Roy Chalk?

Mr. FRASER. He is one of the principal shareholders.

Mr. GROSS. Yes. Is that the reason why this bill is coming here with such speed today, because of O. Roy Chalk? Does the gentleman have any idea as to who is putting on the pressure to ram a bill like this down our throats on such short notice?

Mr. FRASER. I would not want to make any inference, as the gentleman would understand, but it is the case that our committee did not report out any bills for quite a period of time. Then this was the first bill taken up after this lapse of time, and it has been pushed very rapidly; that is the case; yes, sir.

Mr. GROSS. It is difficult for me to understand why we should tolerate being put in this kind of legislative position, with, as the gentleman says, a million-dollar windfall for somebody in the bill. I do not like it at all.

What does the bill have to do with the street car tracks that have not been removed by O. Roy Chalk, that create a traffic hazard in this city and should have been removed years ago?

Mr. FRASER. As the bill originally came out of the subcommittee we would have relieved the transit company of that obligation. In an effort apparently to win wider acceptance, that provision was agreed to be stricken. That amendment is pending. It is an indication as to how much that bill was going to do for the D.C. Transit Co.; that was in the bill initially.

Mr. GROSS. The committee provided a million-dollar windfall for O. Roy Chalk, when it should have been telling him to get busy and get those tracks out of the streets of the city of Washington.

The SPEAKER. The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. GROSS was allowed to proceed for 3 additional minutes.)

Mr. GROSS. Now let me ask someone on this side of the aisle. Is it true that this bill provides for $1 million a year into the future?

Mr. NELSEN. Mr. Speaker, will the gentleman yield?

Mr. GROSS. Of course I yield to the gentleman.

Mr. NELSEN. There is a termination date that provides for 3 years of payment by the District of Columbia toward the bus fares of schoolchildren. The termination date of 3 years was my suggestion providing—providing that there was some language in the report that would require the transit people, O. Roy Chalk, to take care of the tracks and also to provide for the buses that his franchise provided for. It was not included in the report, as I requested, and I did not support that bill as a result of that.

Mr. GROSS. I thank the gentleman.

Mr. Speaker, this bill ought to be defeated out of hand here today.

Mr. DOWDY. Mr. Speaker, will the gentleman yield to me?

Mr. GROSS. I am glad to yield to the gentleman from Texas if he wishes me to do so.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that this bill be withdrawn, to be called up on the next District day.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

HOUSING AND URBAN DEVELOPMENT ACT OF 1968

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1238 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1238

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17989) to assist in the provision of housing for low and moderate income families, and to extend and amend laws relating to housing and urban development, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed four hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 17989, the Committee on Banking and Currency shall be discharged from the further consideration of the bill S. 3497, and it shall then be in order in the House to move to strike out all after the enacting clause of S. 3497 and insert in lieu thereof the provisions contained in H.R. 17989 as passed by the House.

The SPEAKER. The gentleman from Indiana is recognized for 1 hour.

Mr. MADDEN. Mr. Speaker, House Resolution 1238 provides an open rule with 4 hours of general debate for consideration of H.R. 17989 to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development.

Mr. Speaker, H.R. 17989, drawn from the proposals which President Johnson has said will mean a renewed charter of hope for the American city, is indeed a historic housing and urban development bill. Its provisions rank in importance with the pioneering housing legislation of the 1930's, and with the Housing Acts of 1949, 1954, 1961, and the more recent legislation authorizing programs of rent supplements and model cities.

One of the most important titles in the bill is title I which would establish a new program providing Federal assistance to help low- and moderate-income families achieve homeownership. Under the program, the Secretary of HUD could enter into contracts to make periodic payments to lenders who make FHA-insured home mortgage loans to low- and moderate-income families. The payments would be in the amount necessary to make up the difference between 20 percent of the family's monthly income and the required monthly payment under the market-rate mortgage. However, in no case could the amount of payment exceed the difference between the required monthly payment under the mortgage and the amount which would be required for principal and interest if the mortgage bore an interest rate of 1 percent. Provision is made for the recertification of an assisted family's income at least every 2 years with the amount of assistance payment being adjusted accordingly. This new homeownership program could also be used to help low- and moderate-income families obtain membership in a cooperative or a condominium.

There are also other provisions in this title aimed at encouraging home ownership for low- and moderate-income families. For example, a new FHA program of credit assistance for such families would be created; the mortgage insurance requirements for housing in declining urban areas where many of these families live would be relaxed; and a new special risk insurance fund would be established.

Title II is a companion title to title I dealing with rental housing for low- and moderate-income families rather than homeownership. Section 201 contains provisions similar to those found in the title I homeownership program. Periodic assistance payments would be made to a mortgagee in the amount necessary to reduce the mortgagor's interest costs on a market rate mortgage to that which would be required if the mortgage bore an interest rate of 1 percent. These interest reduction payments will allow the mortgagor to reduce his rentals to a basic charge—computed on the basis of his operating under a 1-percent mortgage—and the tenant or cooperative member would either pay the basic charge or such greater amount as represented 20 percent of his income.

In addition to this new rental program the authorization for the rent supplements and the low-rent public housing programs would be substantially increased under this title.

Title III would perfect and liberalize a number of existing FHA mortgage insurance programs. Among the changes would be inclusion of the cost of major nursing home equipment in an insured nursing home mortgage and the raising of the loan limits in the title I home improvement loan insurance program.

Title IV of the bill would establish an alternative form of urban renewal under which the Secretary of HUD would be authorized to provide financial assistance to "neighborhood development programs." Under such a program a community would carry out urban renewal projects on the basis of annual budgeting over the period required rather than on the basis of a lump-sum commitment for the entire project.

This title also extends the areas eligible for rehabilitation loans and grants and increases the maximum rehabilitation grant to low-income families of $3,000. A new program of interim assistance for blighted areas scheduled for eventual urban renewal or concentrated code enforcement would also be established.

Title V of the bill extensively revises the section 701 urban planning assistance program. Among other changes, districts in rural and other metropolitan areas would now be eligible for comprehensive planning grants. Authorization for the basic water and sewer program would be substantially increased.

Title VI deals with urban mass transportation. Appropriations authorized for the program would be increased; the defintion of mass transportation would be broadened to take account of new concepts and technology; and other perfecting changes are provided.

Title VII deals with the Federal National Mortgage Association. It would placed FNMA's secondary market operation in a new privately owned corporation. FNMA's special assistance and management and liquidating functions would be retained in a new Government National Mortgage Association within the Department of HUD.

Title VIII would authorize the creation of one or more federally chartered, privately funded corporations to mobilize private investment and the application of business skills in the job of creating low- and moderate-income housing in large volume.

Title IX concerns rural housing. It authorizes the Farmers Home Administration to make direct and insured loans available to low-income families in rural areas and small towns with interest rates as low as 1 percent. This would establish comparability with the other new programs proposed for HUD. It also authorizes a new program of grants and loans to aid self-help housing.

Title X would authorize a new program of Federal reinsurance for private insurance companies to encourage them to write property insurance in areas threatened by riots and civil commotion.

Title XI relates to flood insurance and authorizes a new program of Federal assistance to private insurance companies to encourage them to provide property insurance coverage for flood hazards.

Title XII authorizes a new program of FHA mortgage insurance to finance the construction and equipping of nonprofit hospitals.

In title XIII the Congress would reaffirm the national housing goal of "a decent home and suitable living environment for every American family" first set forth in the Housing Act of 1949. A definite goal of 26 million housing units within the next decade, including 6 million units for low- and moderate-income families, would be established and the Secretary of Housing and Urban Development would submit annual reports giving his assessment on whether the 10-year goal is being met.

Finally, title XIV contains miscellaneous provisions. Among the most important are the supplementing of the existing program of 3 percent direct college housing loans by a new program of interest subsidies for privately financed college housing and the authorization of an additional $1 billion for fiscal 1970 for the model cities program.

As can be seen by a review of its various titles, this bill is one of the most comprehensive pieces of housing legislation ever to be considered by this body. It addresses itself to the major domestic problems now facing this country, the health of our cities. There is no work more important for us than the adoption of House Resolution 1238 and the consideration and enactment of this bill.

WAIVER OF POINTS OF ORDER

The provision in the rule waiving points of order is usual in a bill of this size and complexity. Every major housing bill that I recall has had this kind of rule. Actually I know of nothing in the bill on which a point of order could be raised. This was discussed in the Rules Committee and no one could point out any provision in the housing bill where this might be a problem. It has been pointed out to us that there is a minor defect in the Ramseyer section in the committee report. The language beginning on page 211 which purports to change the name of the Federal Savings and Loan Insurance Corporation should not be in there and there is nothing in the bill on this point. The subject this deals with had been stricken from the bill in the Committee on Banking and Currency and it was only through an oversight that this language was left in. Other than that, we have found nothing which might be the subject of a point of order. However, it is a necessary safeguard on a bill of this size. Certainly, it would be tragic if consideration of this vital legislation were blocked because of a technicality.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding to me.

I want to ask the gentleman about line 7 of the resolution (H. Res. 1238), wherein "all points of order against said bill are hereby waived."

I understood it was the new policy of the Committee on Rules to announce when and why and for what reasons, and who requested points of order, and where they might be found in the bill.

I was listening carefully, and I do not believe the gentleman's comments went to this new policy of the Committee on Rules, or the new formula for waiver of points of order; which, of course, I am sure the gentleman will agree with me takes away one of the prerogatives of the individually elected Members of this House.

Mr. MADDEN. In answer to the question of the gentleman from Missouri, the legislation before us is highly involved and complex consisting of some 279 pages and possibly a few minor technical points might be questionable on a point of order. In further answer to the question raised by the gentleman from Missouri, this matter was taken up in the Committee on Rules in executive session and it was decided that in all legislation involving a complex housing bill the Committee on Rules formerly waived points of order. This policy applied to every major housing bill that I can recall during my service on the Rules Committee.

I do not know whether I could designate exactly what the members of the Banking and Currency Committee pointed out as being necessary for waiving points of order, but as I say it was discussed and it was unanimously agreed to grant a waiver of points of order.

The language beginning on page 211 which purports to change the name of the Federal Savings and Loan Insurance Corporation should not be in there, and there is nothing in the bill on this point. This deals with what has been stricken from the bill, and was only through oversight that this language was left in, according to what was told the Committee on Rules by the chairman of the Committee on Banking and Currency.

Other than that I do not know of anything that I could point out specifically. But in order to safeguard a bill of this size, that is so involved and complex so that something unforeseen might be questioned, it was the decision of the Committee on Rules to waive points of order.

Mr. MARTIN. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Nebraska.

Mr. MARTIN. Is it not true that in the discussion in our committee that the distinguished chairman of the Committee on Banking and Currency requested a waiver of points of order, and that the Committee on Rules now has a rule that if there is such a request to be made, that it has to be made in writing, setting forth reasons why points of order should be waived?

The chairman of the Committee on Banking and Currency did not have any reasons as to why points of order should be waived other than that it was a long bill of some 200 and some pages, and although he stated that he was quite certain that everything was in order, but because of the length of the bill he felt that perhaps we ought to waive points of order. And the Committee on Rules violated their own rules in doing so.

I would further state to the gentleman in the well that this was not done by a unanimous vote of all the Members. I would remind the distinguished gentleman in the well at the present time that several of us did not vote to report out this resolution waiving points of order because there were no adequate reasons given for waiving points of order on this legislation.

Mr. HALL. Mr. Speaker, will the gentleman yield further?

Mr. MADDEN. I yield further to the gentleman from Missouri.

Mr. HALL. That is my real interest. I have no fault with the rule except that it does waive points of order, which I always presume takes away one of the elected Representatives' prerogatives and duties as a Representative after having been elected to the House.

But, it has been announced and officially confirmed that the Committee on Rules is going to have this requirement and list the causes for a waiver, when granted.

I appreciate the statement the gentleman from Indiana made although I think any error as to the title of one section in the bill might have been changed by a unanimous consent request, without waiving of all points of order against the bill.

What I really want to know from the gentleman is, have we already broken down the Committee on Rules decision to advise the House, when points of order are waived according to a request in writing and listing them in the report on the House resolution, or can we still look forward to that—or must we nitpick at each individual bill, some of which certainly should have points of order against them waived perhaps. I am glad to know the decision in this case was not unanimous.

I had thought and it has been stated repeatedly on the floor of the House in this session when we have been making books on requests for waivers of points of order so to speak from all sources, that the Rules Committee was trying to tighten up on those, and we know that we have waivers of points of order on ways and means and tax bills for obvious reasons. Now are we going to waive our own rules in the Committee on Rules and, second, are we going to grant waviers of points of order willy-nilly on bills, whether they are appropriation bills or authorization bills? This is my question.

Mr. MADDEN. No, in answer to the gentleman, I will say that it is not the general practice of the Committee on Rules to willy-nilly waive points of order.

But in answer to what the gentleman from Nebraska [Mr. MARTIN] stated I can say that the chairman of the Committee on Banking and Currency did set out to me the statement I just related regarding the reason why points of order were waived on this particular bill and, particularly the fact that it is a highly involved and complex bill of 279 pages and it is too important a piece of legislation for the Congress to spend hours and hours debating or amending and then have some unforeseen situation involving a point of order, arise. So in the judgment of the Committee on Rules, they did waive points of order.

Mr. HALL. I, for one, have read the bill and the report, and I agree with the gentleman that it is a complex bill and some things badly need to be straightened out.

But, it makes it more difficult for the House to work its will as far as the individual Members are concerned, if the Committee on Rules comes closer and closer to waiving points of order on every bill before it. It looks to me as though this is what is happening.

Mr. MADDEN. In answer to the gentleman, I do not think the Committee on Rules will follow that policy, generally.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Iowa.

Mr. GROSS. Of course, there are many other bills that come before the House that are complex in nature on which points of order are not waived.

Even though there were a few lines in this bill subject to a point of order, the point of order would pertain only to those words and the section in which it was contained and no point of order would invalidate the whole bill unless it went to the title of the bill.

I just do not understand why the Committee on Rules rolls over and plays dead when the chairman of the legislative committee comes before the committee and, without justification, asks for a waiver of the rules.

I do not consider this nitpicking; I consider what I have said to be a defense of the Rules of the House of Representatives.

If we are going to waive points of orders on all bills, then let us abolish the rules of the House with respect to points of order.

Mr. MADDEN. I appreciate the gentleman's statement, but the committee did give every consideration to this bill in executive session and then decided to waive points of order.

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. QUILLEN].

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think that the gentleman from Indiana [Mr. MADDEN] has very eloquently summarized the many provisions contained in the Housing and Urban Development Act of 1968. House Resolution 1238 provides for an open rule with 4 hours of general debate, waiving points of order.

WAIVER OF POINTS OF ORDER

The provision in the rule waiving points of order is usual in a bill of this size and complexity. Every major housing bill that I recall has had this kind of rule. Actually I know of nothing in the bill on which a point of order could be raised. This was discussed in the Rules Committee and no one could point out any provision in the housing bill where this might be a problem. It has been pointed out to us that there is a minor defect in the ramseyer section in the committee report. The language beginning on page 211 which purports to change the name of the Federal Savings and Loan Insurance Corporation should not be in there and there is nothing in the bill on this point. The subject this deals with had been stricken from the bill in the Committee on Banking and Currency and it was only through an oversight that this language was left in. Other than that, we have found nothing which might be the subject of a point of order. However, it is a necessary safeguard on a bill of this size. Certainly, it would be tragic if consideration of this vital legislation were blocked because of a technicality.

I want to make just a few brief comments.

The bill is undeniably big. It is both long and complicated. The text of the bill itself runs 280 pages and the report is 359 pages long.

The bill is also costly. I understand that the total cost of the bill over a 3-year period is approximately $5.3 billion.

The impact on the fiscal 1969 budget will be minimal but fiscal 1970 and fiscal 1971 are coming.

Some of the minority members of the committee have said that parts of the bill are bad. We will have during the 4 hours of general debate at least some opportunity to discuss these and other provisions and hopefully to eliminate some of these "bad" provisions.

Mr. Speaker, there are parts of the bill, however, that I think many of us can and will support. A very substantial number of those of us on this side of the aisle have heretofore introduced the National Home Ownership Foundation Act, and there are parts of this bill which carry out provisions of the proposed Foundation Act.

Through the efforts of the ranking minority member of the committee, the gentleman from New Jersey [Mr. WIDNALL], there have been much-needed changes to the urban renewal program—directing that program into the area of low- and moderate-income housing wherever residential reuses are called for. This change has been a long time in coming and is one of the more salutary features of this very large bill.

The minority members of the committee have also been instrumental in substantially increasing the authorization for the water and sewer program. This is an extremely popular program and I can only hope that the incoming administration in January of 1969 will see to it that this program is fully funded.

Permit me, Mr. Speaker, to run over some of the other provisions in the bill very briefly.

In addition to the homeownership provisions there is a section of the bill that would authorize technical and financial assistance to nonprofit housing sponsors. There is specifically set up a national homeownership foundation to provide grants and loans to the sponsors of housing projects. There is a new rental housing program that we will undoubtedly want to look at very carefully.

The bill contains a new provision relating to the financing of renewal projects.

There are provisions that would place FNMA's secondary market operations in a new private corporation while the special assistance program and the management and liquidation functions would be placed in a wholly owned government corporation.

There are provisions, Mr. Speaker, to provide housing in the rural areas and it is my understanding that these provisions would be administered by the Secretary of Agriculture, presumably through the Farmers Home Administration.

There are two insurance sections in the bill—one, a program of reinsurance to cover riot areas and a second program of insurance for flood-prone areas.

Finally, Mr. Speaker, there are increases in the authorizations for existing programs, urban renewal, so-called model cities, public housing, rent supplements, and many more.

And section 1417 grants additional loan authority to the Nation's savings and loan institutions. Such financial institutions will be permitted to issue certificates of deposit as well as bonds, debentures and notes to the extent that regulation permits. In addition, savings and loan institutions are granted authority to make loans of up to $5,000 for the repair, alteration or improvement of any real property or for loans to finance the purchase of mobile homes.

Mr. Speaker, I urge the adoption of the rule so that we can begin debate on this very large and complicated bill and I hope through the debate process and by amendments we can perfect this legislation which many Members in the Congress feel is both necessary and worthwhile.

Mr. Speaker, I have no further requests for time, but I reserve the balance of my time.

Mr. MADDEN. Mr. Speaker, I have no further requests for time.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17989) to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 17989, with Mr. Price of Illinois in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. Patman] will be recognized for 2 hours, and the gentleman from New Jersey [Mr. Widnall] will be recognized for 2 hours.

The Chair recognizes the gentleman from Texas [Mr. Patman].

Mr. CONTE. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Seventy Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 230]

Abbitt
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak.
Ashley
Baring
Bates
Bell
Blanton
Bow
Brademas
Bray
Brock
Brown, Mich.
Carey
Cleveland
Collier
Conyers
Corman
Cramer
Cunningham
Davis, Wis.
Deilenback
Dent
Devine
Diggs
Dole
Dwyer
Eckhardt
Edmondson
Edwards, La.
Esch
Evins, Tenn.
Farbstein
Fascell
Fino
Flood
Fulton, Tenn.
Gardner
Gettys
Gibbons
Green, Oreg.
Grover
Gurney
Halleck
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Hawkins
Herlong
Holland
Hosmer
Howard
Hungate
Irwin
Jarman
Jones, Mo.
Karsten
Keith
Kelly
Kluczynski
Kornegay
Kupferman
Kyros
Landrum
Lipscomb
Long, La.
Lukens
McCloskey
McMillan
Mathias, Md.
Michel
Mink
Mize
Moore
Nix
Passman
Pettis
Pickle
Podell
Pool
Pryor
Railsback
Rarick
Rees
Reinecke
Resnick
Ronan
Roybal
Ruppe
Satterfield
Scheuer
Shipley
Smith, Iowa
Smith, Okla.
Springer
Stafford
Steed
Teague, Tex.
Thompson, N.J.
Tuck
Tunney
Van Deerlin
Waggonner
Watkins
Willis
Wolff

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 17989, and finding itself without a quorum, he had directed the roll to be called, when 319 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from Texas [Mr. Patman] is recognized.

Mr. PATMAN. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, today I urge my colleagues to join with the Banking and Currency Committee in support of H.R. 17989, the Housing and Urban Development Act of 1968. This legislation is an unprecedented national commitment to urban affairs:

A commitment to the big city ghetto and the small town, to the suburbs and rural countryside;

A commitment to the less fortunate who for decades have been forced to live in substandard, dilapidated housing; and

A renewed commitment to our national goal of a decent home for every American family.

Over the past few years this country has become painfully aware of the problems besieging our cities. We have lived through a period of needless and destructive violence.

It is important we recognize that these problems are not new. They were not the creation of four summers. They are the inheritance of 100 years of growth and neglect.

Since 1937 we have been trying to do something about providing decent homes for our citizens through public housing and various mortgage assistance programs. But the pace of our building has not been able to keep up with the growth of new families and with the deterioration of older structures. Current estimates that there are about 6 million substandard housing units in the Nation give some indication of the job that has got to be done.

If upgrading or replacing these substandard units were the extent of our problem, our work would still be cut out for us. As it is the problem is far greater: not only do we have to deal with inadequate housing built in the past; we have also got to provide adequate housing for the new urban Americans who will live in our cities in the future.

And that is a mammoth undertaking.

Current projections indicate that over 100 million new Americans will be living in our cities by the end of this century. To provide shelter for them as well as the new Americans in rural areas and small towns, 26 million new housing units must be constructed in the next decade. Among other things this means that our housing industry—which in its best years has produced approximately 1.6 million units per year—must lift its average annual production to 2.6 million units, and sustain this rate of production for 10 years.

Obviously the pace of our construction efforts—unless accelerated—will not enable us to meet the demand.

To meet this challenge on February 22 President Johnson called for a speedup in our production of decent housing. He set a far-reaching goal for the Nation—"the construction of 26 million new homes and apartments over the next 10 years—6 million of these to finally replace the shameful substandard units of misery where more than 20 million Americans still live."

H.R. 17989 responds to the President's call. Title XIII reaffirms our national goal set forth in the Housing Act of 1949 of "a decent home and a suitable living environment for every American." And it determines that this goal be met over the next decade with the construction or rehabilitation of 26 million units, 6 million of these for low- and moderate-income families.

There is no single program or approach that can embrace solutions to meet this far-reaching goal. Nor can the Federal Government provide all the answers. Solutions lie in the wise use of a series of urban programs—from the historic public housing program of 1937 to the urban renewal program of 1949 to the model cities program of 1966 and to this Housing and Urban Development Act of 1968. We have shaped and reshaped many of our older programs. We have added new programs. This we must continue.

And solutions lie in the concerted action of all levels of government—Federal, State, and local—as well as private enterprise. Mr. Chairman, I believe this 1968 act will provide the necessary tools that we might begin the massive task ahead.

Let us turn our attention to the provisions of H.R. 17989, the Housing and Urban Development Act of 1968.

HOMEOWNERSHIP

Title I is designed to help lower income Americans find decent housing through a program of homeownership. Families with incomes ranging in most cases from $3,000 to $7,500 would be eligible for Federal assistance that could reduce the cost of their mortgage to as low as 1 percent. A family would pay 20 percent of its income toward principal, interest, taxes, insurance, and mortgage insurance premiums on their home with a Federal payment made to the lender for the difference between that amount and the actual payment due.

Further, limits have been set on the amount of mortgage and as a general rule the mortgage cannot exceed $15,000. However, in high-cost areas and for large families the amount might be slightly greater. Now this does not allow a family to build an extravagant home. It simply means that a large family will require additional general living space, as well as additional bedrooms. And we must take into account the varying building costs from city to city.

The crucial need for additional housing units in the low- and moderate-income range is severe and although the Secretary may find existing houses eligible under this program, the committee assumes that the basic orientation of the homeownership program will be to provide new housing units. Certainly the program should not be used to inflate prices on existing housing within an already tight housing market.

Title I also makes changes in FHA requirements designed to encourage homeownership among lower income Americans. Formerly FHA turned down many low- and moderate-income families with poor credit histories or irregular income patterns. Under the provisions of this legislation, FHA is authorized to qualify those families who, with proper counseling, might be satisfactory credit risks and capable of bearing the responsibility of homeownership.

FHA would also be authorized to waive its requirements such as economic soundness to insure properties in older, declining neighborhoods of cities. This would alleviate charges frequently leveled at FHA of redlining or refusing insurance solely on the basis of location.

It is obvious that these two provisions coupled with the homeownership and rental program might expose the FHA to higher losses. Therefore, a special risk insurance fund would be established to pay these losses without endangering FHA mortgage insurance reserves.

Finally, to bring more new housing within the reach of low- and moderate-income families, title I provides assistance to nonprofit sponsors to help them in their efforts to build such housing through a program of technical assistance and 80-percent interest-free loans to cover the preconstructing costs of these sponsors in their federally assisted housing activities. A National Homeownership Foundation would also be established to provide technical and financial assistance to those private and public organizations wanting to organize for the purpose of providing rental and homeownership opportunities for lower income families.

Mr. Chairman, I believe the adoption of a homeownership program to be one of the most important issues to come before Congress. Pride of ownership is a subtle but powerful force. Past experience has shown us that families offered decent homes at prices they can afford have demonstrated a new dignity, a new attitude toward their jobs, and a sense of participation in their community. Incidents of vandalism in communities where residents were given the opportunity to purchase their own homes have declined markedly. It is only logical that people who own their homes will care more about what happens in a community than those that merely live there.

It is my conviction that by extending the opportunity for homeownership to low- and moderate-income families, we will give them a concrete incentive for striving to improve their own lives as well as the life of their community.

RENTAL HOUSING

Title II provides a new rental and cooperative housing program of Federal assistance for low- and moderate-income families. Assistance comes in the form of subsidies for privately sponsored rental and cooperative projects. This means that the private sector will make loans at market rates and the Government will make up the difference between the market rate of interest and 1 percent. This 1-percent mortgage would, in turn, allow reduction of rentals to a basic charge—with low- and moderate-income families paying the higher of 20 percent of their income or the rental necessary to operate the project at a mortgage interest of 1 percent.

Nonprofit organizations, cooperatives, limited dividend entities—as presently permitted under the 221(d)(3) program—and certain State-aided rental housing projects are eligible to participate in this program.

Also this program is replete with safeguards. Tenants' incomes would be reexamined at least every 2 years to adjust the rentals and any rents collected in excess of basic charges would be returned to a governmental revolving fund. And project owners must at all times meet the requirements set by the Secretary as to tenant eligibility and rents.

The advantages of subsidizing mortgage interest obligations rather than the present method of financing below-market interest rate mortgages are numerous:

First. Rentals can be reduced while increasing the participation of the private sector in financing these projects.

Second. With the same amount of Federal resources we can produce far more dramatic results in improving housing conditions.

Third. It permits a more equitable allocation of assistance with subsidies being reduced as tenants' needs diminish.

RENT SUPPLEMENTS

Mr. Chairman, the rent supplement program, just 2 years in operation, has admirably demonstrated its value. It has proven to be one of the most imaginative, flexible, and sound instruments for providing housing to poor people in the 30 years of legislation in this field. To mention but a few of the benefits:

Rent supplements filled a basic void in the tools America has for dealing with the desperate housing needs of low-income families.

Rent supplements eliminated the cost barrier which kept private enterprise from serving the low-income housing market directly.

Rent supplements provide incentive for poor families to improve their earning capacity by removing the specter of enforced dislocation back to slums when incomes exceed a fixed limit.

More importantly, it enables low-income families to obtain decent housing in a normal environment, and without identification or the implied label of a "project family."

The innovative feature embodied in the program is a supplement to make up the difference between the family's payment for housing, and the market rent for the unit needed.

The program is flexible. As family incomes go up, it pays a larger part of the rent and the supplement decreases. Eventually, the supplement ceases when the tenant is able to pay the full rental. Low-income families are able to continue to live in their apartments, and even purchase them.

The program is sound and gives the private sector its first effective vehicle for improving housing conditions of the very poor. This is in the best American tradition. The record so far clearly shows the willingness of private enterprise to respond to this challenge.

During 1966, Congress voted $32 million to get the rent supplement program underway. It was a modest amount, considering the need, but many felt it would form the basis for a test. The $32 million was exhausted in less than a year.

In 1967, Congress appropriated another $10 million for the program. This amount has been depleted.

Now title II provides for increased rent supplement contract authority of $40 million on July 1, 1969, and of $100 million on July 1, 1970. This amount is realistic. It will help us make substantial progress in meeting this well documented demand for decent housing.

PUBLIC HOUSING

Of special importance is the authorization of grants to finance a tenant services program for those families living in public housing. Under this program, $20 million in fiscal year 1969 and $40 million in fiscal 1970 would be made available to provide counseling and referral services to development residents so that they might take better advantage of job, health, and education opportunities. It would also help and encourage them to become involved, personally and responsibly in the day-to-day problems of the projects where their lives are spent. In this way, residents of public housing developments could begin to establish a sense of community spirit and pride in their neighborhood. They could shake off the shackles of isolation from their neighbors and the community that surrounds them. This proposal adds an important new dimension to our entire efforts to build better lives as well as better houses.

Also included in title II is a provision for increasing public housing authorization—by $100 million on enactment of this bill and by $150 million on July 1, 1969, and on July 1, 1970. Public housing has long been recognized as an essential tool for providing decent housing for low-income families at rents they can afford. This increase is crucial if we are to meet our long-range goal of six million federally assisted units in the next 10 years.

URBAN RENEWAL

Of tremendous significance in title IV is the provision for a neighborhood development program—a new financial approach for renewal projects. This would allow cities with large blighted residential neighborhoods that are to be renewed primarily for the benefit of existing residents to develop annual action programs. This is but a new way of carrying out urban renewal with basic difference being its emphasis on activities scheduled each year, rather than for the totality of the project.

This new program resulted from local complaints that the present urban renewal program—with its requirements for detailed planning before actual renewal activities can take place—does not lend itself to dealing with large residential areas where deterioration and blight are evenly distributed. With this new neighborhood development program a community can receive funds for activities in an urban renewal area on the basis of a broad plan specifying major land uses, density of development, and the public facilities proposed for the area. Detailed planning and scheduling of subsequent activities could proceed simultaneously with actual development in the area.

As I see it this new renewal approach would—

Enable local communities to take rapid, visible action to upgrade housing in urban renewal areas and provide psychological impetus to the project;

Provide good housing for low- and moderate-income families now living in substandard conditions in the least possible time; and

Help prevent further deterioration or decline in the neghborhood during the planning stage.

Also included in this title are increased authorizations of $1.4 billion in urban renewal grants for fiscal year 1970 and of $350 million in grants for urban renewal projects in model cities areas to be effective on enactment.

These increases are crucial in our efforts to rebuild our blighted areas of our cities. Over the years urban renewal has meant the rebuilding and revitalization of many downtown areas in the Nation's cities. It has resulted in the restoration of industrial and commercial complexes. It has brought about the public and private construction of new housing, as well as the rehabilitation of usable housing.

Finally, it has rejuvenated many ailing neighborhoods and put them on the road to good health.

We have found that urban renewal has a contagious effect. When a blighted neighborhood is improved, the positive effects are felt by adjoining areas, and the spirit of improvement spreads.

And the increased grants for urban renewal projects in model cities areas holds special importance in this new program.

Other improvements in the urban renewal program are included in title IV:

Rehabilitation grants are authorized for low-income homeowners wanting to make repairs and improvements on their homes in deteriorating neighborhoods but whose homes are located outside urban renewal and code enforcement areas. The bill also increases the maximum grant from $1,500 to $3,000.

Interim assistance is made available for alleviating harmful conditions in blighted areas where renewal or code enforcement is planned but immediate action is needed.

Increased emphasis is placed on providing housing for low- and moderate-income families through a requirement in the bill that a majority of all units provided in a community's future residential reuse urban renewal projects must be for these income groups, including at least 20 percent for low-income families and individuals.

COMPREHENSIVE PLANNING AND PLANNED AREAWIDE DEVELOPMENT

Title V provides for comprehensive planning and planned areawide development programs to encourage more systematic and coordinated planning by communities.

The comprehensive planning program is revised to remedy the present lack of planning assistance for rural areas by providing grants to district planning agencies that serve rural and other nonmetropolitan areas. These grants will be channeled through State planning agencies to assure maximum coordination with State programs.

Also comprehensive planning grants could be made directly to cities within metropolitan areas, to regional and district councils of government and to tribal planning councils and other tribal bodies for planning on Indian reservations.

Supplemental grants to encourage planned areawide development would be made available for federally assisted projects in all multijurisdictional areas—contrasted with metropolitan areas as at the present—that show public facilities are being provided in a planned, coordinated fashion. Supplementary grants can cover up to 20 percent of the cost of those projects now assisted under certain Federal grant programs for public facilities, but not in excess of 80 percent when added to those regular Federal grants.

These proposed amendments will close gaps in our planning assistance programs and will offer a number of important benefits. Rural areas now suffering serious problems of outmigration and underutilization of present resources will have available new sources of planning assistance. And a broadened definition of comprehensive planning will allow for full evaluation of human, as well as physical resources and needs. Also, multijurisdictional areas, not just metropolitan areas, are faced with the problem of accelerated growth and the need for proper planning for growth. Making incentive grants available to communities in all these areas will encourage proper planning and coordination for public facilities.

Local planning, local initiative is a prime goal if we are to achieve the kind of healthy, orderly growth that is the basis of national progress. That is the promise of both these programs.

I am especially pleased that the committee bill provides for a substantial increase in the grant funds available for the water and sewer program so vitally needed for cities and towns of all sizes. The bill would increase a grant authorization from $200 million to $500 million for each of the fiscal years 1968 and 1969, and also extends the program through fiscal year 1970.

FEDERAL NATIONAL MORTGAGE ASSOCIATION

Title VII of the bill would take an important step toward the realization of the intent of Congress in rechartering the FNMA in 1954. That act contemplated that eventually FNMA's secondary market operation would become wholly private. This bill provides for an end to the present mixed ownership of FNMA under which all of the stock would become privately held as soon as possible. Because some Government assistance would still be available to this privately owned FNMA, certain controls are retained in the Department of Housing and Urban Development under the bill.

The present special assistance and management and liquidating functions would be retained entirely within the Department in the new constituent agency—the Government National Mortgage Association.

Section 704 of the bill provides for the issuance and sale of securities backed by FHA-insured and VA-guaranteed mortgage loans by the Federal National Mortgage Association and issuers approved by GNMA. The purpose of this provision is to enlarge sources of mortgage funds. It is essential, therefore, that the terms of these new mortgage-backed securities be carefully designed so as not to compete directly with savings accounts of mortgage-oriented thrift institutions which already channel the bulk of their funds into the housing market. Rather, terms and conditions of these securities must be tailored to maximize competition with other capital market instruments typically purchased by pension funds, trust accounts, and other large investors which have not heretofore been mortgage-oriented in their investment policies.

Thus, it is extremely important that FNMA, which will guarantee the new securities as to principal and interest and will establish their terms, issue the securities only in large denominations suitable for institutional and other large securities-oriented investors. In addition, maturities and other terms of these securities should be designed by FNMA to minimize competition with savings accounts.

NATIONAL HOUSING PARTNERSHIPS

An important innovation in H.R. 17989 is the provision in title VIII for the creation of national housing partnerships. These privately funded national housing partnerships could mobilize private investment to begin producing low- and moderate-income housing in substantial volume—operating with and without Federal assistance.

They could serve as a catalyst for the formation of local organizations all across the country to provide needed sources of equity capital for management skills and technical expertise where necessary. And by devoting themselves solely to producing low- and moderate-income housing, the partnerships could recruit a top-flight staff who would make careers in the low- and moderate-income housing field. Another important advantage is that with nationwide markets these partnerships can realize the economies of scale inherent in volume construction and purchasing.

Some questions have been raised that this program might create monopolistic enterprises, confer special privileges, and compete with existing organizations. Such criticism is unfounded.

This program provides for the creation of as many national housing partnerships as may be necessary. No special privileges are conferred on the partnerships—they will receive no benefits from the Federal Government that are not already available to limited profit corporations and associations. Also included are provisions for maximum participation by local interests in these undertakings with the intention that partnerships will supplement and support, rather than compete with, existing organizations.

URBAN PROPERTY PROTECTION AND REINSURANCE

The establishment of a national insurance development fund is authorized in title X to carry out the urban property protection and reinsurance programs.

The urban property protection program encourages State insurance authorities and private property insurance industries to make available adequate property insurance against fire, crime, and other perils more readily available for residential, business, and other properties meeting reasonable underwriting standards.

Also it provides for a Federal program of reinsurance against abnormally high property insurance losses resulting from riots and other civil commotions.

Mr. Chairman, other Members will speak in more detail on this important title of the bill.

NATIONAL FLOOD INSURANCE

Title XI provides for a national flood insurance program to enable persons to purchase insurance against damage and loss of property arising from a flood.

A national flood insurance fund would be created for making payments authorized by the bill, including premium equalization payments and reinsurance for losses in excess of losses assumed by insurance company pools formed to provide flood insurance.

Also, State and local governments would be encouraged to adopt measures that would constrict the development of land which is exposed to flood damage, that would guide the development of proposed construction away from locations threatened by flood hazards, that would assist in reducing damage caused by floods, and that would otherwise improve land management and use of flood-prone areas.

MORTGAGE INSURANCE FOR NONPROFIT HOSPITALS

The bill would also authorize a new program of FHA mortgage insurance to encourage the construction of hospitals by nonprofit groups. Insured loans can cover the cost of major equipment and can be insured for 90 percent of replacement cost.

There is a serious shortage of hospital facilities in the Nation and the committee felt that this new program would help relieve the situation. The committee also made it very clear in its report that we have no intention of in any way undermining the very successful Hill-Burton grant program which has done an outstanding job but it unfortunately has never been given adequate funds by the Congress to provide the hospital facilities which are desperately needed in many communities.

MODEL CITIES

Finally, I want to briefly discuss the supplemental grants for model cities that would be increased under the provisions of title XV. One billion dollars is authorized for fiscal 1970, with an additional $12 million authorized in fiscal 1969 for planning grants to model cities.

Initially authorized in 1966, the model cities program holds great promise for becoming the most effective and flexible tool we have yet been able to give the cities for meeting their problems. Experience taught us that the series of single programs for single problems produced fragmented results that failed to meet the real needs of the city and the people that live there. The model cities program has allowed cities to blend these programs to best advantage and also has encouraged them to go beyond existing programs to find new solutions tailored to their own needs.

Since this program began, a large number of cities and counties have gone through the rigorous process of studying their problems and suggesting approaches for solving them. Unfortunately not all cities could be successful in their applications for model cities planning grants, but some 75 cities are now planning to improve the lives of some 4 million people that live in their target areas. These cities and the others that will follow will be able to demonstrate new techniques, and lead the way for other cities in their fight against poor housing, inadequate schools, unemployment, and sickness.

No one answer, no panacea, exists. A small town will have different ideas than a major metropolis, and the model cities program is flexible enough to accommodate a wide range of approaches. The result will be a rich store of experience from which other cities, not just large cities, but medium-sized and small, can learn.

The innovative qualities of the first and second round model cities indicate that our cities are not only willing to meet the challenge of the model cities program, but have the capability to succeed. We owe it to these cities to see that their potential becomes reality by authorizing the $1 billion and the additional $12 million for planning grants.

Mr. Chairman, I have but briefly sketched some of the provisions included in this massive legislative package. H.R. 17989 is one of the most comprehensive housing bills ever to be reported from the Banking and Currency Committee. I commend the committee members and especially the Housing Subcommittee that devoted many long hours in developing this legislation.

And I urge my colleagues to join with me in supporting this legislation. It is a unique opportunity for the 90th Congress to act favorably on a bill of far-reaching consequences. It provides this Nation with a blueprint for action—

A program for attacking the cycle of deprivation;

A program for directing the surge of urban growth; and

A program for providing every American with a decent home and a suitable living environment.

As President Johnson so eloquently noted:

> If the promise of the American city is to be recaptured—if our cities are to be saved from the blight of obsolescence and despair—we must now firmly set the course that America will travel.
>
> There is no time to lose.

This is the opportunity and the challenge before us today. We will have responded adequately to this challenge by acting favorably on the Housing and Urban Development Act of 1968.

Mr. Chairman, I reserve the remainder of my time.

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, I have previously announced my own support for H.R. 17989. My reasons for so doing are outlined in the supplemental view that is appended to the report that comes in with this bill. As I stated in submitting those views, I believe on balance that the bill is both necessary and worthwhile. My reasons are the same as those contained in the report, but because of its scarcity, I think it wise to repeat them now.

Before starting on those views I would like to commend the chairman of the subcommittee, the gentleman from Pennsylvania, Congressman Barrett, for the very energetic and dedicated work which he did in formulating this bill. He was a very fair chairman, and he gave every opportunity to the members of the minority as well as the majority to express their views and offer amendments and to have full discussion of the same.

In supporting H.R. 17989, I am not unmindful of the fact that reasonable men may differ over certain provisions, or that new programs authorized or old ones extended by the measure are open to constructive criticism relating to conception and execution. On balance, however, I believe the bill is both necessary and worthwhile. It has benefited from ideas and proposals offered by the minority, and I think it is appropriate to call particular attention to this fact.

Foremost among these minority suggestions has been the concept of fostering on a major scale homeownership among low- and moderate-income citizens. Homeownership as a desirable goal is an idea deeply rooted in American tradition. For the low- and moderate-income citizen, particularly the minority group citizen, this has become increasingly the impossible dream.

Statistics show that the percentage of existing one-family homes insured by FHA for families with incomes less than $4,000 fell from 42.8 percent of the total in 1950 to 1.3 percent in 1966. For new homes, the drop was from 56 percent to 1 percent in the same time period.

In order to reverse this trend, I introduced H.R. 8820, the National Home Ownership Foundation Act, on April 20, 1967. One hundred and thirteen other House Members, including eight members of the minority of the Banking and Currency Committee, joined in offering a similar bill at that time.

The proposal had as its basic goals the enlargement of housing opportunities and choice for our lower income families, both rural and urban. We propose to tap private capital, private management and technical experience, and private, community-oriented initiative. The Government role was to be limited to one of stimulus and reinforcement, rather than execution and control.

The National Home Ownership Foundation Act proposal, besides its basic change in policy advocating homeownership in contrast to traditional federally assisted renter-oriented projects, contained a number of innovative features. In summary they were as follows:

First. The establishment of the National Home Ownership Foundation, a congressionally authorized nonprofit corporation, with a board of directors drawn from the private sector. Besides making mortgage capital available, the Foundation was to conduct a technical assistance service to aid in the development and formation of low- and moderate-income homeownership programs, including interim planning loans, and the conduct of supporting programs in such fields as training, employment, credit counseling, and budget management to enable lower income families to assume the privileges and responsibilities of homeownership.

Second. Authority to the Foundation to raise $2 billion in mortgage loan funds through the sale of its debentures, guaranteed by the Federal Government to supplement available moneys from existing mortgage lending institutions. The object was to bring together in one coordinated effort, and one pool of funds, sufficient capital to carry out a major lower income homeownership program. It was expected that the federally guaranteed bonds, carrying a market rate of return, would attract new capital, for the mortgage market, from such sources as union pension funds.

Third. A market-interest-rate mortgage, with a direct subsidy paid by the Treasury to the holder of the mortgage, thus lowering the interest rate and monthly payments for the home buyer. The purpose was to avoid the major budget impact that accompanies the use of the below-market-interest-rate mortgage program involving Federal National Mortgage Association purchase of these mortgages, utilizing special assistance funds. Thus, each Federal dollar would have a multiplier effect many times greater than the BMIR mortgage purchase dollar, a major accomplishment in a time of expenditure curtailment. The interest subsidy would be repaid into a revolving fund, if and as the buyer reached an adequate income level, prescribed as 70 percent of existing 221(d)(3) program income limits.

Fourth. Maximum utilization of community-based or neighborhood nonprofit corporations, including technical assistance for their development and operation of lower income homeownership programs.

This would also provide an opportunity for the prospective home buyers in the area to have a voice in the conduct of the program. It would also enlist the aid, expertise, and financial backing of local community leaders in Government, business, labor, civic organizations, the professions and the like, to build a partnership within the private sector at the national and local levels.

Fifth. Authority to develop a program of mortgage equity payment insurance, to protect the home buyer from losses of income due to illness, death, unemployment, and other causes not within the home buyer's control. To the greatest extent possible, the Foundation was directed to work out the program with the private insurance industry, and report back to Congress.

Sixth. Utilization of the urban renewal program as a means of obtaining land and buildings at reasonable prices to lower the cost of construction, rehabilitation, or the use of existing housing for the homeownership program.

Seventh. Increase employment opportunities and the use of self-help for area low-income residents and prospective home buyers.

Although the Department of Housing and Urban Development greeted the NHOF proposal last year with skepticism both for its technical provisions and its goal of lower income homeownership, sufficient support from a variety of groups and individuals within the American public appear to have changed the administration's mind. The cumulative result can be seen in H.R. 17989. In summary, the similarities between the committee bill and the proposal outlined above are as follows:

First. The committee bill establishes, in title I, section 107, a National Home Ownership Foundation. Its purposes follow those suggested for the technical assistance service under the minority's NHOF bill of last year. The Foundation is directed to encourage and assist public and private bodies at the national, community, and neighborhood levels in initiating, developing, and conducting programs to expand low-income homeownership and housing opportunities. This includes arrangements for technical and managerial assistance and training, aid in finding mortgage financing, insurance, and the like, encouraging research and innovation, collecting and distributing information, and assistance in expanding job opportunities.

The Foundation may make loans or grants to cover organizational or administrative expenses for homeownership programs, necessary preconstruction costs including land options, architectural fees, and similar items, and the costs of providing counseling to lower income families in budget management, home maintenance, and home management. The bill authorizes $10 million in appropriations.

Second. The committee bill in title VII, authorizes the new Government National Mortgage Association to guarantee securities issued by FNMA or other private issuers, backed by a pool of FHA and VA loans or mortgages. The purpose is the same as that of the NHOF-guaranteed debentures suggested by the minority; namely, to increase the supply of mortgage funds and tap new sources such as pension funds. It is permissive only, limited in scope, and the funds raised would not be limited to use for lower income homeownership. The Department, in the hearings, admitted to not knowing what amount of additional funds this approach might attract.

As a result, it is unlikely that the massive attraction of new funds for lower income homeownership envisioned by the sponsors of the National Home Ownership Foundation Act last year will occur under this bill. The FHA insurance provisions in title I also depend upon existing lenders and mortgage money supply. This makes all the more important the direction in section 107(f)(2) to the Foundation to report to the Congress whenever insufficient funding is available for lower income homeownership purposes. The Foundation is also directed to make recommendations for alternate means of securing adequate financing.

Third. The committee bill, in title VIII, authorizes the establishment of a private corporation for profits which is designed to encourage a partnership approach among interests in the private sector at the national and local level, in order to encourage low-income housing. Part of the purpose of the National Home Ownership Foundation authorized by the bill is also to encourage private involvement, including the development of neighborhood organizations interested in homeownership programs, which would involve the citizens themselves from the area. Maximum utilization of area residents or the lower income families to be served by the program is not pronounced as a major goal in the committee bill, however, in contrast to the NHOF proposal of last year.

Fifth. By amendment to title I of section 109 offered by the gentleman from Michigan, Representative GARRY BROWN, the minority obtained inclusion in the bill of an authorization to the Secretary of HUD to develop, in cooperation with the private insurance industry, a plan of insurance to help homeowners meet mortgage payments in times of personal economic adversity.

The Secretary is directed to report back within 6 months on his actions. This provision was secured in the bill despite the objections of the Department of Housing and Urban Development, objections which, in turn, persisted, despite the evidence that such a plan was necessary and capable of being established, and despite a favorable report in the early 1960's, commissioned by the Housing and Home Finance Agency, forerunner of HUD.

Sixth. The committee bill, in section 405, amends the urban renewal law to permit land to be sold to qualified low-income mortgagors and nonprofit sponsors of homeownership program and, by an amendment I offered, private homebuilders acquiring land for subsequent resale to low- and moderate-income home buyers.

Seventh. By an amendment which I offered, section 3 was added to H.R. 17989 which requires, to the greatest extent feasible, the employment of lower income residents from the area served not only by homeownership activity but other federally assisted housing projects as well, in jobs created by these projects. The possibility of the home buyer contributing his own labor toward the cost of his housing has also been recognized in section 2 and in title I.

There is one question that I think should seriously be considered—Can HUD carry out the program?

One of the purposes behind establishing the National Home Ownership Foundation in the minds of its cosponsors last year, was to provide a quasi-public alternative to direct Federal bureaucratic control by the Department of Housing and Urban Development. The sponsors of the NHOF bill were not alone in questioning the capacity or will of the Department to carry out an expanded program of housing for low-income citizens. This presents a considerable challenge to the Department, in carrying out the proposals authorized in H.R. 17989.

While the Department's testimony before our committee has been reassuring, the continued opposition of HUD to my 1966 amendment requiring a substantial number of low- and moderate-income housing in each predominantly residential urban renewal project has had the opposite effect. As the committee report notes, the definition of substantial as only 20 percent of the project units is hardly in keeping with the dramatic need for more and better housing for our underprivileged citizens. The change contemplated by section 413 of this bill increases this percentage to 51 or better for the aggregate number of units in approved projects within a community; that is, projects which have had their plans approved by the Department, not those which are only in the planning stage.

Mr. LENNON. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Thirty-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 231]

Abbitt
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, N. Dak
Ashley
Baring
Bates
Bell
Blanton
Bow
Brademas
Bray
Brock
Carey
Cleveland
Collier
Conyers
Corman
Cramer
Cunningham
Dawson
Dellenback
Devine
Diggs
Dole
Eckhardt
Edmondson
Edwards, La.
Esch
Evins, Tenn.
Farbstein
Fino
Flood
Fulton, Tenn.
Gardner
Getty
Gibbons
Green, Oreg.
Grover
Gurney
Halleck
Hanna
Hansen, Idaho
Hansen, Wash.
Hardy
Hawkins
Holland
Hosmer
Howard
Hungate
Jarman
Jones, Mo.
Karsten
Keith
Kelly
Kluczynski
Kornegay
Kupferman
Landrum
Lipscomb
Long, La.
Lukens
McCloskey
McMillan
Mathias, Md.
Michel
Miller, Calif.
Mink
Mize
Moore
Passman
Pettis
Pickle
Podell
Pool
Pryor
Railsback
Rarick
Reinecke
Resnick
Ronan
Roybal
Satterfield
Scheuer
Smith, Okla.
Steed
Teague, Tex.
Thompson, N.J.
Tuck
Tunney
Van Deerlin
Waggonner
Watkins
Willis
Wolff

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 17989, and finding itself without a quorum, he had directed the roll to be called, when 338 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The gentleman from New Jersey [Mr. Widnall] will continue.

Mr. WIDNALL. Mr. Chairman, the new amendment to section 413 of the bill was worked out in conjunction with the gentleman from Wisconsin, Representative Henry Reuss, as a bipartisan statement of congressional intent, and it also contains a 20-percent minimum aggregate for low-income housing suggested by the gentleman from Tennessee, Representative William Brock. It is perhaps the best example I know of in the bill of bipartisan, congressional initiative in the legislative field. Certainly, all of the other low-cost housing programs will come to naught if land or structures are not assembled and made available at low cost, which is the major benefit of urban renewal use.

Two other amendments which I offered and which have been accepted in title I deserve mention, if only because of the opposition by HUD to their inclusion. The first opens the homeownership sections up to utilization of existing housing, as well as housing involving new construction or substantial rehabilitation. A survey made by my office among District of Columbia real estate agencies indicated the availability of houses selling for under $18,000 and needing little repair, if any. It also uncovered the potential availability of many more renter-occupied houses, which would come on the market if these very same renters had access to mortgage funds. Negro real estate brokers were particularly conscious of this opportunity. The use of existing housing will also mean, as the U.S. Civil Rights Commission has pointed out, the immediate implementation of the new homeownership program. Certainly in this time of tension and trouble within our cities, any tool that can provide an immediate impact, and thus new hope to the less fortunate, should be welcomed. Will the Department of Housing and Urban Development heed this opportunity? Only time will tell.

Another amendment makes nonprofit groups eligible for inclusion in the program for homeownership financing that wish to use existing housing instead of taking on the task of rehabilitation in a multiunit project. It is my expectation that as these nonprofit groups, whether church or labor union, or civic association sponsors, gain in confidence and experience, they will move on to the more demanding but no less important task of increasing the supply of standard housing for homeownership purposes.

THE RENT CERTIFICATE PROGRAM

In 1964, I, with other members of the Republican minority introduced the rent certificate plan. It became legislation in 1965 and has since made a great record for something that was opposed by the administration and generally not promoted by them. To date, it has far outstripped its companion legislation, rent supplements, in terms of people housed, having provided shelter for over 16,000 families while the rent supplement total is just over 2,500. This means that the rent certificate program is responsible for placing over 60,000 people in decent, safe, and sanitary housing that they did not have previously.

In the present bill there are three sections, 208, 209, and 210 which are perfecting amendments that I introduced to facilitate the operation of the program.

Where the Secretary had previously restricted the program in certain localities to rehabilitated housing, on the completely unjustified claim that it would cause rents to rise, section 208 makes clear that he can no longer impose such regulations unless it is specifically so provided in the act.

Where HUD had taken the position that it could not use the program unless in quantities of 10 or more units, section 209 makes clear that it can.

In section 210, we have acted to enable tenants to become purchasers of the homes they occupy through the medium of the local housing authority. This innovation was prompted by spontaneous offers from builders in all parts of the country, attracted by the economics of the operation, to build for leasing purposes.

Now where the housing authority deems it advisable, it may include in its lease an option to purchase to be exercised when desirable in behalf of the tenant.

This latter provision could be used even in multi-family structures where tenants, so desiring to act, occupy units having more than 80 percent of the total value of the structure.

WATER AND SEWER GRANTS

Section 505 ups the matching sewer and water grants from $200 million annually to $500 million annually. I do not particularly like to increase authorizations beyond the departmental recommendations. In the case of this program, however, I am quite ready to make an exception. This is a vital program. Upon it have depended at times, the question of whether or not a city would have to import water for drinking purposes.

The administration has not only given this program a low priority. It has asked for only half the funds which Congress authorized when appearing before the Appropriations Committee. This in the face of applications from needy communities which numbered over $4 billion. There is to my knowledge not a single congressional district that does not have an application for water-and-sewer funds and many are most desperate. Under the circumstances, I think the increase I have suggested is most modest and I know it is badly needed.

NATIONAL FLOOD INSURANCE

It was with a deep sense of personal satisfaction to me that the Committee on Banking and Currency adopted my amendment, in the form of a proposed title XI, national flood insurance.

Members of the House will recall that the proposed national flood insurance legislation passed the House—H.R. 11197—and the Senate in 1967 but because of far-reaching changes made by a House floor amendment in the financing mechanism in the House bill efforts to resolve the differences between the House and Senate versions in conference have been abandoned. In short, prior to inclusion of title XI in H.R. 17989, most observers conceded that flood insurance legislation had little if any chance of enactment in the 90th Congress.

As an original cosponsor of a national flood insurance program, the events leading up to the current legislative statement are indeed regrettable. Within the past month the State of New Jersey experienced its worst natural disaster of the 20th century sustaining more than $150 million in flood damage to private and public property. Having personally witnessed the human tragedy and widescale property damage in the wake of these devastating floods, my belief in the urgency of a national flood insurance program was further sustained.

When the House last November rejected the proposed financing through Treasury borrowing authority contained in the flood insurance bill, the circumstances surrounding that action were far different than those which prevail today. I refer to title X of the proposed housing bill where the Congress is being asked to approve Treasury borrowing authority in order to finance a national program of riot reinsurance. While I support title X, I think it would be uncharacteristically inconsistent for a majority of the House of Representatives to support Treasury borrowing authority for riot insurance, while rejecting this form of financing for a national flood insurance program of far more modest proportions.

In this regard, we should keep in mind that flood insurance proposals have been before the Congress for more than 10 years, long before any thought whatsoever was being given to the need for a Federal program of riot insurance.

Stated in its most candid terms, if the Congress of the United States can see its way clear to underwrite insurance protection against lawlessness in our cities, it can ill afford to turn a cold shoulder on the personal grief and tragedy of those of our law-abiding, taxpaying citizens who experience huge property losses caused by floods, or by what are said to be "acts of God."

I urge very serious consideration of this bill and any amendments that will be offered and I urge its passage.

Mr. STANTON. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Ohio.

Mr. STANTON. Mr. Chairman, I take this time to compliment the gentleman from New Jersey, the ranking minority member of the House Banking and Currency Committee, who is now in the well of the House. I am sure that most members of the committee realize that this distinguished gentleman is responsible, perhaps more than any other Member of the House, for many of the new titles that are in H.R. 17989. I refer specifically to the Home Ownership Act. The gentleman is also, as he stated, the author of title XI, the Flood Insurance Act. He was most responsible in our committee for the water and sewer increase in funds. The gentleman in the well was also originally responsible for the rent certificate program which, as he has stated, provides income housing for over 60,000 people in this country.

Mr. Chairman, I rise in support of H.R. 17989.

Mr. MESKILL. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Connecticut.

Mr. MESKILL. Mr. Chairman, because this measure contains a provision of vital importance to the Nation's businessmen and to the insurance industry—namely, Federal riot reinsurance—I would like to take a few minutes of time to stress the necessity of approving title X of the bill, as reported by committee.

The purpose of the bill is to provide Federal backing to enable the insurance industry to underwrite riot insurance in areas of potentially calamitous damage.

Many smaller companies could easily be wiped out by large-scale civil disorders such as we have already had in many cities. Consequently, policies are being canceled, or not renewed, or renewed at premium rates up to five times previous rates.

The economic and social consequences are obvious: without insurance, there can be no financing of businesses in riot-prone areas. The conditions which contributed to the social unrest thus are allowed to continue and would be made worse if not corrected.

There is another angle which leads to the Government's moral responsibility. This is the fact that, on occasion, the Government has taken a soft line in the matter of preventing riots and protecting property. Where the Government refuses to maintain law and order, it has an obligation to take other steps to permit the conduct of business and the improvement of communities.

The riot reinsurance provision has been carefully drawn to meet this problem. Here is how it would work:

The insurance industry would pay premiums into the national insurance development fund created by the bill. The amount of premiums would be negotiated with the Secretary of Housing and Urban Development.

The bill provides, however, that the fund is to be maintained at a level at least equal to the amount of the insurance losses from the 1967 riots, a minimum of $75 million. It is anticipated that during the first year of operation the fund would be built to at least $100 million.

In the event of riot damage the insurance company would pay up to an amount equal to 3 percent of premiums earned on reinsured lines plus 10 percent of the total losses in the State in which the riot occurred. Insurance companies thus would be liable for an amount in excess of the $75 million sustained in the riots of 1967. Any additional losses would be paid by the State in an amount up to 5 percent of the premiums earned in the State during the previous year on those lines of property insurance for which riot reinsurance is offered.

Each State, of course, would have to authorize its own participation. No difficulty is anticipated on this point, it being greatly to the interest of the States to participate.

A State may deduct from its 5-percent share the amount of premiums paid by the insurance industry within the State to the fund in those consecutive prior years in which there were no property losses or in which premiums so paid exceeded property losses. Thus, it is conceivable that a State would pay nothing.

After the companies have paid their initial retention and the State has paid its share, the fund would be used. If losses exceeded the resources of the fund, the balance would be paid by the Treasury, which would loan up to $150 million to the Secretary of HUD. Such borrowing by HUD would be repaid from future premium income to the fund. Authority to borrow more than $150 million would have to be authorized specifically by Congress. This financing feature is probably the most controversial part of the bill. I am convinced, however that this method of financing is not subject to abuse because it would apply only to very specific circumstances. By departmental estimate, losses would have to reach beyond $200 million before such financing would be needed. There seems to be no other practical solution to the problem.

It would provide the strong underpinning which is absolutely necessary to enable the private insurance industry to offer coverage in this area. Indeed, this solution offers the Government a very strong incentive for providing property protection and maintaining civil order.

My conversations with leaders of the insurance, banking and building industries leave me in no doubt about the need for swift passage of this legislation.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. Mr. Chairman, I rise today in support of the Housing and Urban Development Act of

1968 (H.R. 17989) and want to take this opportunity to commend the House Banking and Currency Committee for reporting out this unique and far-reaching legislation that has been described as "a test to determine whether or not America intends to meet its pressing national obligations."

In my judgment, this act goes a long way in "helping people to help themselves." It deals directly with some of the major problems in America today and it embodies principles and procedures that I have advocated and supported for many years. Namely, among these, is a Government program that combines federally backed private investment.

Certainly, the requirement provisions for low- and middle-income citizens to own their own homes is long overdue. Quite frankly, I am pleased to note that the Congress is now thinking in terms of homes—not just housing. I am pleased that the equity factor has been included in this legislation and that home building and home buying in rural areas has also been considered.

In April of 1967, I enthusiastically cosponsored the National Home Ownership Foundation Act which, as with this legislation, was designed to enhance the opportunity for low-income families, both rural and urban, to buy their own homes through a privately financed and privately managed Government underwritten program. It is truly encouraging to note that many of the more salient features of our National Home Ownership Foundation Act have been included in the Housing and Urban Development Act of 1968.

I have called this legislation unique and far-reaching. I do so because I believe it denotes America's determination to turn back the spread of slums and urban blight that, for too long, have prevented low-income citizens, impoverished minorities, senior citizens, and others of meager means from owning their own homes. Clearly, this legislation brings a decent home within the reach of every American family.

With nearly half of the substandard housing in this country and nearly half of the poor people in America living in rural areas, this dramatic new approach with its comprehensive planning and public participation, will open up vast, new opportunities for home ownership, and rental housing not now available to many rural areas and small towns.

Quite frankly, this legislation goes a long way in rejecting the myth underlying past housing programs that private industry cannot participate in providing decent homeownership for America's low and moderate income families. The bulwark of the American free enterprise system will rise to this challenge, as will organized labor. In particular, the AFL–CIO testimony in support of this legislation before both the House and Senate, makes indelibly clear the confidence and determination of America's workmen to meet the challenge of this new program.

There is also contained in this legislation, a positive program for college housing that I believe will greatly enhance educational institutions in keeping pace with present and future needs for available living space for students. This bill will supplement the present program of 3-percent direct loans for college housing with a new provision for interest subsidies for privately financed housing that will reduce the effective rate to the college to 3 percent.

Another much-needed provision in this Housing and Urban Development Act of 1968 is a new program of Federal assistance to private insurance companies which encourages them to write property insurance in areas threatened by high flood risks. This program has particular significance for my congressional district which has undergone some of the worst flash-flooding in America in recent years. As such, I have participated in the rebuilding effort that must follow every flood and I am acutely aware of the vital need for this insurance coverage that can now be made available and within the reach of those who are annually threatened by flooding.

This new flood insurance program is an outgrowth of the study done in the House Flood Control Subcommittee on which I serve as the ranking minority member and represents the culmination of more than 2 years of effort on our part to get a meaningful flood insurance bill through the Congress.

In closing, Mr. Chairman, I wish to briefly address myself to the only section of this legislation for which I have reservations. Title X of the Housing and Urban Development Act authorizes a program for Federal reinsurance in areas threatened by riots and civil commotion. While I fully appreciate the risks faced by the smaller insurance companies providing property coverage in urban riot areas, I would hope that this legislation does not, in the final analysis, have the effect of encouraging more rioting or more wanton destruction in any riots in the future.

In spite of this deep concern and my reservation regarding title X, Mr. Chairman, I am pleased to lend my support to this creative, innovative, and substantive legislation. It is my earnest hope that the Housing and Urban Development Act of 1968 will set the stage for similar legislation in the future. A significant and meaningful step has been made in this act toward "turning the corner" in the direction of greater emphasis on private initiative and renewed faith in the ability and desire of each and every citizen to enjoy the fruits of a richer participation in the American way of life.

I am one of those who believe that we can do better than we have done in the past, and I am convinced that this legislation is an excellent place to begin.

Mr. PATMAN. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. BARRETT].

Mr. BARRETT. Mr. Chairman, I rise to join my distinguished and able colleague from Texas, the chairman of the Committee on Banking and Currency, in urging enthusiastic support for this far-reaching and comprehensive bill which is now before the House.

This bill is the product of nearly 2 years' work on the part of the executive branch, the committees involved in both bodies of the Congress, and by countless experts in housing and urban affairs who helped shape the outlines of this great bill which is truly a "Magna Carta" for our cities, both large and small.

Mr. Chairman, I wish to take this opportunity to thank the gentleman from New Jersey [Mr. WIDNALL] for his very kind remarks on the chairman of the Housing Subcommittee. I certainly want to say that I agree almost in toto with the gentleman's remarks on the bill, and I wish to say in respect to the activities and the interest of the gentleman from New Jersey, at least since I have been a member of the Housing Subcommittee, that the gentleman has shown not only in relation to this bill but all housing bills, remarkable diligence and work. He is very fine in his splendid cooperation not only with the chairman of the Housing Subcommittee but in his response to and his cooperation with the gentleman from Texas [Mr. PATMAN], chairman of the full Committee on Banking and Currency.

There is a splendid relationship, Mr. Chairman, between the minority side and the majority side. One might say this indicates we never disagree. Certainly this is not true. We disagree quite often, but we disagree agreeably, and it is through the proper understanding and willingness to work together that we are able to bring to the floor of this House one of the finest housing bills ever to be reported by this Congress.

The bill extends and improves virtually every program we have in the field of housing and urban development. But, Mr. Chairman, it goes much further by proposing some new approaches which have almost limitless potential for providing housing for low- and moderate-income families and for meeting the staggering housing and urban development needs which face our Nation in the years ahead.

The bill addresses itself to one of the most urgent problems confronting us today—that of providing decent housing in wholesome neighborhoods for all of our citizens. Beyond that, the bill seeks to provide dignity and security to our underprivileged fellow citizens through homeownership, new job opportunities, and by doing a better job under our existing programs.

In 1949, the Congress stated our national housing goal as a "suitable home and a decent living environment for every American family." Since then, we have accomplished much through private enterprise and through Federal programs, but our problems have also grown. Today, the need for prompt, effective action is even more urgent than it was two decades ago. The ever-rising prosperity of most Americans has made the contrast of poverty and slums even more disturbing. This bill would attack these problems on many fronts.

Mr. Chairman, I would like to stress first what is perhaps the major new feature of the bill. It proposes a new program which for the first time will offer the hope of homeownership to millions of low- and moderate-income Americans whose present incomes bar the door of homeownership to them.

Under this new program, a low- or moderate-income home buyer would pay

20 percent of his income for the mortgage payment including principal, interest, real estate taxes, insurance, and mortgage insurance premiums. If this payment would not cover the full mortgage payment because his income is too low, the Government would make up the difference. However, there is a limit on the Government payment based on interest costs. The Federal subsidy could not exceed the difference between the monthly payment for principal, interest, and mortgage insurance premiums based on the market interest rate actually paid to the private lender and the payment that would be required for principal and interest if the mortgage bore an interest rate of 1 percent.

Let me give an example. Take a house with a mortgage of $12,000. The maximum subsidy which could be paid at current interest rates would be a little over $45 a month. If a family earning $3,000 a year wanted to purchase this house, they could receive the full subsidy and would pay a little over $50 a month out of their own pockets to make up the full payment. If this family's income rose to—say $4,200 a year—they would then be paying $70 a month and the subsidy would shrink to about $30. When the family's income got to around $6,000 a year, the subsidy would cease altogether and the payment would come entirely from the family.

Also, Mr. Chairman, a similar new program is proposed in the bill which will make decent rental and cooperative housing available to families in the general income range of $3,000 to $7,500. Under the new program, a nonprofit, limited dividend, or cooperative sponsor would receive a Federal subsidy that would lower the cost of the mortgage to as low as 1 percent, which of course would permit the sponsor to lower rents substantially to the occupants. As in the case of the homeownership program, the actual net subsidy would be flexible depending on the income of the occupant. He would pay one-fifth of his income toward the rent and to the extent needed, the interest subsidy could make up the difference. This would work by having the mortgagor pay back to the Government that portion of the rent collected in excess of the basic rental charge—established for each unit on the basis of operating the project with a 1-percent mortgage.

When fully operational, this new program would replace the present section 221(d)(3), below-market interest rate and section 202 direct loan programs and would serve more Americans with a lower budget cost.

Mr. Chairman, one aspect of the interest subsidies for rental and cooperative housing that cannot be overemphasized is its vital importance for senior citizens. Our present program of direct loans for the elderly has been one of the most successful ever undertaken and has always had powerful support in the Congress. This support should now be given to the new interest subsidy program, because of two important advantages it offers to the elderly. First, it can bring this housing within the reach of elderly families and individuals with incomes below those served by the present program. While the 3-percent interest rate on the direct loans provides a very significant benefit for this housing, the new section 236 can reduce the effective interest rate to as low as 1 percent if the occupants' income justifies it. In addition, it will make the Federal dollar go further by reducing the budget impact of this assistance.

We all recognize the heavy pressures on the Federal budget today and it is not practical to authorize as much direct loan money as our senior citizens need. By this new approach which stretches the impact on the budget out over the years, we can add substantially to the amount of housing produced.

Mr. Chairman, these two new housing programs are indeed a breakthrough in Federal assistance for low- and moderate-income families. Between them, they will provide funds over the next 3 years for almost 950,000 housing units, most of them newly constructed or substantially rehabilitated. This magnitude of production will be made possible by reliance on the private money market, with the Federal assistance being provided in a truly innovative manner—flexible interest subsidies based on the need of the assisted family.

Because of the newness of this approach, some question may come up about the treatment of this assistance with respect to the Federal income tax and Federal welfare programs. The fact that the assistance payments under the homeownership program are made on behalf of the homeowner would not, of course, render them includable in the homeowner's income for Federal tax purposes or for determining eligibility or the amount of benefits to be received under federally run or aided programs. Likewise, neither would interest reduction payments made pursuant to the new rental program or rent supplement payments be taxable to the tenants on whose behalf they are made or to the project owners. Similarly, these latter types of assistance would not be includable in income for the purpose of such welfare programs.

These two new programs will probably involve greater underwriting risks than mortgage insurance programs that are designed primarily for families in the medium and upper income brackets. Since they are designed to serve families of low and moderate income, such risks can be expected. In order to avoid jeopardizing FHA's existing insurance funds, a new special risk insurance fund will be established for these two programs as well as for three other new programs established in this bill which will entail higher than usual risks. This fund will not be expected to be actuarily sound and appropriations will be authorized to make up any losses, both anticipated and actual, that the fund may realize. Any insurance claims would be paid out of this fund and any property acquired by the Secretary of Housing and Urban Development as the result of such payments would become the assets of the fund. Naturally any such rental or cooperative property acquired by the Secretary through foreclosure or conveyance to him would continue to be operated by him at rental rates adjusted in accordance with tenants' incomes and consistent with the objectives of the program. Although not included in this new insurance fund, a similar policy is expected to be followed with respect to any rent supplement projects that might be acquired as the result of default.

Mr. Chairman, another innovation in the bill are the programs that seek to enlist the participation of private enterprise on a far larger scale than at present. It would establish a National Homeownership Foundation whose mission would be to encourage in every way possible the provision of low-cost housing by private enterprise groups. The bill also authorizes Housing and Urban Development to make interest-free advances to nonprofit housing sponsors which can cover up to four-fifths of preconstruction expenses. It would also, Mr. Chairman, authorize the creation of national housing partnerships to mobilize private investment and the application of business skills to the task of creating low- and moderate-income housing in large volume.

The bill would make important new changes to the Federal Housing Administration so that it can better serve low- and moderate-income families by making the credit tests less rigid and by authorizing FHA insurance in older neighborhoods which under present law the FHA has ruled out of bounds.

Mr. Chairman, the bill would point to new directions in public housing and urban renewal.

For the first time, Federal funds would be authorized to assist local housing authorities in providing desperately needed social services and counseling to tenants of low-rent public housing projects. It would recognize the problems of large families as well as those of unusually low income in public housing accommodations by authorizing an additional annual subsidy of $120 per unit.

These two provisions can make an extremely valuable contribution to the public housing program. To obtain the best advantage from the tremendous investment which this country has already made in public housing, it is essential that we make available this small additional assistance to meet the human needs of the occupants. Also, they should put an end once and for all to the problem that there are actually cases of people too poor to be admitted to public housing. This problem arises from the fact that, except in the case of the elderly, Federal assistance covers only the capital cost of the project and rental income must be sufficient to meet operating expenses. Because of this, some local authorities have had to turn some families in greatest need away because their rent paying ability was too low.

The urban renewal title of the bill would authorize a new approach to slum clearance through the neighborhood development program. This would not replace the present provisions in the law but would be an additional plan which a city could choose if it so desired. Under a neighborhood development program the commitment of Federal funds would be made annually as the project was carried out instead of requiring a large lump sum commitment at the outset which might not be needed for several years, as is the case in a regular urban renewal project. This approach will also have the advantage of retaining flexibility in the planning for later stages of the project.

Another important improvement in the urban renewal program, one which is designed to assure highest priority for urgently needed housing for low- and moderate-income groups, would require that a majority of the housing units provided in future residentially redeveloped projects in a community must be for low- and moderate-income families including at least 20 percent of the total for low-income families. This provision retains flexibility of local planning since it does not apply to each and every individual project but it does assure that the goal will be reached by applying it to a community's urban renewal program as a whole. In order for a city to meet this requirement, it is expected that projects emphasizing this housing generally will be undertaken first.

The mass transit title of the bill includes an urgently needed authorization of $190 million for these grants. It is necessary for us to act on this to carry out the budget request for this program for fiscal 1970. Because of the leadtime required for mass transit projects, the Committee on Appropriations has cooperated by providing funds a year in advance so that local authorities can make their plans. Therefore, these funds are needed now for fiscal 1970 to maintain the momentum that this important program has achieved. In addition, this title would extend for approximately 1 year the emergency authority for reduced grants—that is, 50-percent grants instead of two-thirds—in areas where planning is underway but not completed but the need is so urgent that they must receive some assistance right away.

Mr. Chairman, title VII of the bill would take a major step toward the long-sought goal of making FNMA's secondary market function a private operation. It would do this by retiring Treasury stock as soon as possible and transferring FNMA to private ownership. This will enable the new FNMA to carry out its responsibilities without present budgetary limitations. Naturally, the special assistance and management and liquidating functions will be retained in the Department as a newly established Government National Mortgage Association.

Another important provision in this title will enable us to tap new sources of funds for the mortgage market by authorizing the new FNMA and other lenders approved by the Association to issue securities against pools of mortgages. These securities will be guaranteed by GNMA which would establish the terms and conditions of the securities. The measure would, of course, be self-defeating in terms of its objective of increasing the flow of residential mortgage funds, if these securities compete directly with savings accounts in thrift institutions already channeling the bulk of these funds into the housing market. Such competition would simply shift the sources of mortgage credit, not enlarge them. Thus, it is essential that the new mortgage-backed securities be limited to denominations suitable for acquisition by institutions and other large securities-oriented investors. In addition, maturities, and other terms established by FNMA must be designed to minimize competition with savings accounts.

Two other new programs proposed in the bill deserve special mention, Mr. Chairman.

The new proposed urban insurance program, for the first time, recognizes and seeks to cope with the mounting insurance crisis that faces the property owner and the inner city businessman. Many of these people, although they have well maintained properties, are unable to acquire adequate insurance because they are located in a high risk area or are near deteriorating structures. Without insurance they cannot get financing for property improvements or business inventory. The result is further spiraling deterioration of the whole area.

Under H.R. 17989, the Secretary of Housing and Urban Development would provide reinsurance to insurance companies for losses paid by them as a result of riots and other civil disorders. Reinsurance losses would be shared among the insurance companies, the States, and the Federal Government.

To obtain this reinsurance the private insurance company would have to agree to make insurance available to all property owners through cooperation in a "FAIR" plan.

Another new program also would recognize for the first time our national responsibility to protect homeowners and small businesses from the damages of the floods which periodically ravage our rivers and coasts. The need for Federal assistance in this area is far too long overdue.

Mr. Chairman, another new program in the bill which I believe will have the hearty support of the House is additional aid for the very popular and important college housing program. The present direct loan program which provides 3-percent financing for college housing would be retained but a very substantial backlog of applications which cannot be met from this authorization has built up. As is recognized elsewhere in the bill, the direct loan approach cannot meet all of our needs because of its budget impact. Therefore, the committee has adopted a proposal to supplement the direct loan program with an interest subsidy approach that will make the same 3-percent financing available. Under this approach, the financing will be done by private lenders and the Federal aid will be limited to making up the difference between the market interest rate and the 3-percent rate now available on direct loans. This approach will make it possible to increase the production of college housing not only to meet our present backlog but to be prepared for the anticipated increase in future enrollment, particularly the needs of our returning Vietnam veterans.

Mr. Chairman, this bill is so broad and detailed, I have not attempted to cover all of its provisions. For example, there is substantially increased funding for the water and sewer grant program. These are provisions for improvements and additional funds for advance acquisition of land, neighborhood facilities, open space land, and there are many more important provisions which are completely discussed in the committee report.

In closing, Mr. Chairman, I would remind our colleagues that President Johnson has called this bill "a charter of renewed hope for the American city." I echo his opinion and I submit that we cannot, that we must not, go forward without making this charter a reality.

Mr. JONAS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Forty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 232]

Abbitt
Albert
Anderson, Ill.
Andrews, N. Dak.
Ashbrook
Ashley
Baring
Bates
Battin
Bell
Blanton
Boland
Bow
Brademas
Brock
Carey
Clancy
Clark
Cleveland
Cohelan
Collier
Conyers
Corman
Cramer
Culver
Cunningham
Dawson
Dellenback
Diggs
Dole
Donohue
Dow
Eckhardt
Edmondson
Edwards, La.
Esch
Evans, Colo.
Everett
Evins, Tenn.
Fallon
Farbstein
Fino
Flood
Foley
Fulton, Tenn.
Gallagher
Gardner
Gathings
Gettys
Gibbons
Gray
Green, Oreg.
Green, Pa.
Grover
Halleck
Hanna
Hansen, Idaho
Hardy
Harsha
Hathaway
Hawkins
Hays
Holland
Horton
Hosmer
Howard
Hungate
Jarman
Jones, Ala.
Jones, Mo.
Karsten
Kastenmeier
Keith
Kelly
King, Calif.
Kornegay
Landrum
Lipscomb
Long, La.
Lukens
McCloskey
McMillan
Mathias, Md.
Michel
Minish
Mink
Mize
Moore
Morton
Moss
O'Hara, Ill.
O'Hara, Mich.
Passman
Pettis
Philbin
Pickle
Podell
Pool
Pryor
Railsback
Rarick
Reinecke
Resnick
Ronan
Rooney, Pa.
Rosenthal
Roybal
Satterfield
St. Onge
Scheuer
Shipley
Slack
Smith, Okla.
Steed
Teague, Tex.
Tenzer
Thompson, N.J.
Tiernan
Tuck
Tunney
Utt
Van Deerlin
Waggonner
Watkins
Whalen
Willis
Wilson, Bob
Wolff

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 17989, and finding itself with a quorum, he had directed the roll to be called, when 299 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. WIDNALL. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Chairman, the housing bill, H.R. 17989, before us is undeniably a big and complicated bill. It is both lengthy and costly. There are parts of it that I enthusiastically endorse. There are parts of it that I do not favor.

To adopt the phrase used by the President in signing the omnibus crime control bill, I feel there is more good than bad, and on balance I agree with the distinguished ranking minority member of the committee, the gentleman from New Jersey [Mr. WIDNALL], that the concept of the bill is both necessary and worthwhile.

One of the things, Mr. Chairman, that has bothered me is the dollar authorization in this bill. It would authorize appropriations of approximately $5.3 billion, and that is a tremendous amount of money. It is about equal to the expenditure reduction in the recent tax bill.

The other side of the coin is that the problems of the cities, both the large and the small, are very substantial and very complex.

In this bill the committee proposes to utilize, perhaps more so than in the past, private capital and private management. If some of these programs were to be funded solely with Federal money, the cost to the taxpayer would be truly astronomical, and, frankly, a cost that we simply could not afford at this time.

Last year there were a number of us—114 to be exact—who cosponsored the National Home Ownership Foundation Act. Title I of the pending legislation contains many of the provisions originally in the proposed National Home Ownership Foundation Act.

I think that title I of this bill offers tremendous opportunities to the low- and moderate-income families of the country regardless of where they live—regardless of whether they live in rural areas, in small, or medium size, or large cities.

Homeownership can provide low-income and moderate-income families with a sense of dignity in themselves. These families can have a feeling of pride in their homes and we hope will provide an incentive to become more active participants in the life of their community.

I agree with the gentleman from New Jersey [Mr. WIDNALL] that homeownership as a desirable goal is an ideal deeply rooted in American tradition.

Title I further provides not only homeownership opportunities, but on-the-job training, practical assistance in household management, and will offer greater opportunities for the coordination of public and private programs.

I am also interested in section 104 of this bill, which establishes a special risk insurance fund. This provision had its antecedents in the National Home Ownership Foundation Act. Those of us who sponsored that bill believe that the experience of private pilot programs indicates that well-counseled low-income families are good mortgage risks.

I am also pleased that the bill incorporates self-help provisions and a program of technical assistance to the nonprofit sponsors of low- and moderate-income housing.

The new rental housing program in section 201, Mr. Chairman, has caused many of us some concern. As I understand it, the existing rental housing program under section 221(d)(3) of the National Housing Act will be phased out and replaced by section 201 of the pending bill.

I guess, Mr. Chairman, that my doubts have been resolved on a purely mathematical basis. Section 201 is designed to provide about 450,000 units of low- and moderate-income housing over a 3-year period. The bill would authorize, subject to appropriations, $300 million for this program. If this same volume of housing were to be built under the present (d)(3) program, we were told by Secretary Weaver the cost would run between $5 and $6 billion.

It is true that under the proposed program we are talking about a 40-year mortgage, but we are also talking about a 40-year mortgage under the existing (d)(3) program, and the income limits under both programs would be the same.

There may be other ways of providing low- and moderate-income housing without undertaking a 40-year commitment, but, if so, we are not now aware of them.

Title II of H.R. 17989 would add a sweeping new subsidized rental housing program to the National Housing Act more generous in scope than the existing 221(d)(3) below market interest rate program. While the proposed new section 236 program differs markedly from the 221(d)(3) concept in that subsidies would be in the form of direct payments of interest from the Secretary of Housing and Urban Development to the lender holding the project mortgage—as opposed to Government financing at below-market rates—the practical effect of the proposal would be to create a rental housing program with only an imaginary income ceiling and with subsidies far more generous than those possible under 221(d)(3).

Members of the House of Representatives will want to take a very close look at the provisions of this new program before making their decisions on whether to approve title II in its present form.

Since no income limitations would be imposed under the program, nothing would prevent the Secretary of Housing and Urban Development from increasing income eligibility substantially beyond present administrative ceilings.

It is essential that those charged with the ultimate responsibility of drafting the new rental housing program now contained in title II of H.R. 17989 realize that income ceilings would not exist. The Secretary of Housing and Urban Development is authorized to set limitations with no guidelines whatsoever. In the words of the proposed legislation—page 54, line 18:

> The Secretary is authorized to make . . . interest reduction payments on behalf of the owner of a rental housing project designed for occupancy by low and moderate income families.

A married couple with one child could have earned as much as $7,800 and still be qualified for a 221(d)(3) unit when income limitations were first established for Rockford, Ill., at the end of 1965. Less than a year and one-half later, in April of 1967, this limitation was raised $150 and such a family could earn $7,950 and still qualify. A family of five in Rockford can earn $9,150 and still be eligible for subsidized housing under this section. This is considerably above the national median income. Moreover, there is nothing to prevent the Secretary of Housing from increasing these limitations by any amount he desires. He could, if he felt that a family of three earning $12,000 annually was a moderate-income family, authorize that much of an increase. The Congress needs to exert greater control over levels of income eligibility if the new program is to achieve the goals for which it is intended.

In view of the national housing goals expressed in the bill and by the administration of 6 million units for low- and moderate-income families in the next 10 years, it is particularly dangerous to allow the administration to set its own levels of eligibility.

Obviously it costs a great deal more in the way of subsidy to house a family earning $3,500 annually than one earning more than twice that amount. In short, a given amount of dollars would subsidize far more moderate-income families than low-income families. In view of the bold goals set by this bill itself, it is not unreasonable to fear that the administration might seek to accomplish these goals by providing for far more moderate-income units than low-income units. Once goals are set there is a natural desire to see them achieved. It is not suggested that the formulation of specific goals is unwise, but only that Congress needs to regulate more carefully the levels of income eligibility to assure that the limited Federal funds available for housing subsidies go to families that cannot provide standard housing without assistance. This is far more important than meeting the goal itself.

I would like to compliment the distinguished ranking minority member of the Committee on Banking and Currency, the gentleman from New Jersey [Mr. WIDNALL]. The amendments which he proposes to offer will in my opinion greatly stregthen the present bill. I favor his amendment on the utilization of existing housing in the homeownership program which is carried under title I of the bill. As I understand it, this amendment is based upon the highly successful rent certificate program which he sponsored several years ago. Also, I support the amendment to provide more low- and moderate-income housing in urban renewal areas. This is long overdue and his amendment is a needed step in the right direction.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WIDNALL. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. WYLIE. Finally, Mr. Chairman, I support his amendment to expand the water and sewer program. In my district, the small community of Urbancrest is finding it very difficult and almost impossible even to provide its 50 percent of the cost of financing a much needed water and sewer project. This community has no hope at all until a larger program is authorized and until the administration requests adequate funds.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. WYLIE. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I was interested in the comment about the water and sewer grants. I believe the record will show that the administration is not asking for the amount of funds that heretofore have been authorized for this program, and I for one have never been able to understand why the administration will downgrade this important program that has the sponsorship and support of every congressional district in the United States.

Mr. WYLIE. I thank the gentleman for his comments.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. BARRETT. Mr. Chairman, I yield 10 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, I rise to join my distinguished and able colleagues, the chairman of the full Banking and Currency Committee and the chairman of the Subcommittee on Housing, in support of this comprehensive and farsighted bill which offers so much hope toward the solution of the grave problems that face our Nation's cities, both large and small. The distinguished gentlemen from Texas and Pennsylvania have ably explained the main features of the bill so I would like to confine my remarks to two special aspects in which I am deeply interested.

First, Mr. Chairman, I want to endorse in the strongest possible terms the homeownership title of the bill which strengthens existing law in this field and offers the first dawn of hope of homeownership for additional hundreds of thousands of low- and moderate-income families. Until 2 years ago, virtually all of the emphasis in providing housing for lower income families has been on rental housing. While it is true that for many families and elderly single persons rental housing is usually the appropriate solution, I wholeheartedly support any program which will help more lower income families to become homeowners and to be able to retain their homes.

The human and social benefits of homeownership are vital to a stable society. A home is the hub of the family's life. The owner feels a strong stake in the community, develops an interest in civic affairs, and enjoys a feeling of pride and security in the possession of his own home.

It was because of my deep interest in this subject that I sponsored the first pioneering effort to provide a Federal program of assistance for homeownership for low-income families in the 1966 Omnibus Housing Act. In that act we authorized what is called the section 221(h) program under which nonprofit groups, such as church groups, or civic organizations, can purchase low- and modest-cost housing, rehabilitate it, and sell the homes to low-income families in the same income brackets as those eligible for public housing. This was made possible by providing 3 percent mortgage loans to the homeowner through special assistance funds from the Federal National Mortgage Association.

Despite the initial misgivings of many who thought it was visionary and impractical, the section 221(h) program has caught hold and the benefits of homeownership are now being made available to low-income families in many of our Nation's cities. I am particularly proud of the eminent success of the program in my own city of St. Louis under the sponsorship of the Bicentennial Civic Improvement Corp., a nonprofit group formed by outstanding civic leaders in my city.

I hope my colleagues will not think me immodest in citing my great pride in this program as we now consider the greatly expanded program of homeownership for lower income families proposed in title I of the bill. The bill before us now would authorize subsidy payments in sufficient amount to bring homeownership within the grasp of an estimated one-half million low- and moderate-income families. Through its subsidy mechanism it would give the lower income homeowner a mortgage with an interest rate of only 1 percent. In this manner it would reach down into very low income levels so that they can meet the mortgage payments on their home.

Mr. Chairman, I hope the homeownership title will receive the overwhelming acclaim of the House.

I would like to point out to my colleagues that the bill and the committee report make it abundantly clear that the present successfully operating 3-percent mortgage finance homeownership program under section 221(h) will continue until the proposed new 1-percent homeownership subsidy payment program is adequately funded and fully operational. Until that time is reached, however, Mr. Chairman, I am pleased that the committee adopted liberalizing amendments which I offered to the present section 221(h) homeownership program, most important of which would reduce the 3-percent interest rate loan to 1 percent if the prospective homeowner cannot meet the monthly payments required at the higher rate.

Now, Mr. Chairman, I would like to turn to the second aspect of the bill in which I have a very special interest. While we all hope that these programs will lead to a great expansion of homeownership among low- and moderate-income families, we must still recognize that there are many families and individuals who are not prepared to undertake the burdens and obligations of homeownership, or who are simply too poor to afford it, even with this assistance. For many families, the low-rent housing program will continue to be the principal or only hope they have of obtaining decent housing. The increased authorizations for the public housing program included in the bill are vital if we are to provide decent housing for our lowest income families who would otherwise be condemned to live out their lives in the slums. The changes made in the rental housing program are particularly important if we are to fulfill our obligations to families displaced by Government action, and also the elderly and handicapped.

Apart from the dollar increases in the program, the bill would improve rental housing programs in several essential ways. First, the increased authorization will make it possible to modernize and improve existing housing projects, where needed. Many of these are now 30 years old and require rehabilitation and modernization. In some, original defects in design must be rectified. These units will continue to be an important part of our housing inventory and deserve to be brought up to current standards.

In this connection, I would like to call the attention of my colleagues, and also of the Department of HUD, to an amendment adopted in committee designed to prohibit high-rise projects for families with young children unless the Secretary finds that there is absolutely no other way to provide decent housing for them. While there may be cases in some larger cities where there is no practical alternative, the record is clear—elevator apartments are not suitable or desirable for families with young children, and every effort must be made to provide a more suitable home environment for them.

In addition our experience has shown that it is not enough for families who suffer serious social and economic disadvantages to simply improve their housing. They need other aid and encouragement to enable them to become contributing members of the community and to live in dignity. Some of this social upgrading work is being done now, but much more is needed. The additional assistance provided in section 204 of the bill for special community projects, can go far to achieve this goal. These projects involving tenant participation are intended to give them pride and interest in their homes and to improve morale and a sense of responsibility in the housing projects.

In addition to the group activities contemplated under this section, the bill also includes a provision, which I had the honor of sponsoring, to provide limited additional financial aid for the operation and management of public housing projects. At present the Federal contribution is limited to the amount necessary for annual debt service, and the local authority must raise enough money from rents to pay all operating expenses and upkeep. An exception was made to this rule in the case of housing for the elderly, in recognition that their reduced incomes and the fact that their rent paying ability is often so low that a project designed primarily, or entirely, for senior citizens could not operate under such financial restrictions. The Congress therefore authorized an additional payment of up to $120 per year per unit in the case of the elderly where this amount is necessary to maintain the solvency of the project. But we have found that this problem is not confined just to the elderly. As more and more public housing occupants are drawn from welfare rolls or represent broken homes, rental income in the projects, of necessity, has fallen behind the current operating costs.

This problem was thoroughly explored at a meeting held at my request earlier this year which brought together the heads of local housing authorities from all over the country. Their reports and comments were deeply disturbing. Not only has it become impossible for local authorities to do the job we expect from them in some cases, but it has even been necessary for some authorities to turn away families in greatest need simply because their rent paying ability would not cover operating costs. The housing officials who participated in that meeting unanimously urged that we must find some way to improve the financing of projects threatened with insolvency. The committee has done this by the adoption of my amendment to authorize the same $120 a year extra payment per unit, now available in projects for the elderly, to be available also for units occupied by large families—those with four or more minor children—and also for families with incomes so low that they cannot be housed without this additional aid.

Mr. Chairman, these are only a few of many vital subjects dealt with in this bill, which would provide for a broad attack on our many problems in the field of housing and urban development. I urge all of my colleagues to give it their support. We know the extent of the housing crisis in all of our cities; this bill will enable us to meet that crisis as no legislation previously enacted could do.

Mr. WIDNALL. Mr. Chairman, I yield to the gentleman from New York [Mr. Reid].

Mr. REID of New York. Mr. Chairman, I rise in support of H.R. 17989, the Housing and Urban Development Act of 1968.

In total, the bill would provide about 1.4 million new housing units for low- and moderate-income families over the next 3 years, at a cost of $3.76 billion, plus an additional $1.3 billion for related programs in the bill. This is progress but the inadequate authorizations hardly come close to meeting the need.

In addition to increasing the contract authority for rent supplements to provide 209,000 new rent supplemented units by 1971 and increasing the authorization for low-rent public housing to provide an additional 375,000 units, the bill establishes two important new programs for low- and moderate-income families.

A new section 235 of the Housing Act would authorize a new program of interest subsidies to low- and moderate-income families to purchase their own homes. It is expected that half a million new homeowners would be assisted by this program. This is an important Republican initiative led by Senator Percy and Congressman Widnall.

A new section 236 would authorize a new program of interest subsidies in behalf of low- and moderate-income occupants of rental and cooperative housing, thereby extending new assistance to 450,000 Americans.

Hopefully, these two programs will be effective as alternatives to the inadequate low-rent public housing that has neither met the need to the extent required nor been satisfactory as a social institution. Only about 30,000 units of low-rent public housing have been constructed annually over the last several years and only 680,000 units now exist, with another 55,000 under construction. Yet even these tend to perpetuate ghetto conditions rather than eliminate them.

The Senate bill contained a requirement that 80 percent of the funds for sections 235 and 236 be used for families whose incomes are less than 70 percent of the income limits prescribed by the Secretary. These are expected to be the same as those used in the 221(d)(3) program which go as high as $10,000 in some cities. The effect of the Senate provision is to reserve the bulk of these funds for genuinely low-income families. There are now 13,796,000 families with incomes of less than $5,000 per year, representing 28 percent of all American families. Our first obligation is to meet their housing needs. By eliminating the Senate restriction, the bill before us blunts this emphasis on low-income families and spreads these meager funds over a larger area. It is my understanding that necessary amendments will be offered to correct this situation, and I intend to support them.

Further, the bill establishes a program of Federal reinsurance for private insurance companies to encourage them to write property insurance in areas threatened by riots and civil commotion, thus implementing the recommendations of the President's National Advisory Panel on Insurance in Riot-Affected Areas.

The bill, in these and other particulars, represents the first implementation by the Congress of a portion of the Riot Commission report.

But the authorizations in the bill are at a level that is much too low, that is far short of the Nation's housing needs. Mayor Lindsay has testified that New York City alone needs $50 billion to begin to act on the recommendations of the Riot Commission report, of which $8 billion is needed for housing. Nationally, there are presently some 6 million substandard housing units, affecting 50 million Americans.

The President has proposed that these 6 million units be replaced over a 10-year period, and the Riot Commission has recommended that progress be at a rate that is twice as fast. Yet this bill anticipates construction of about 1.4 million units in the next 3 years, assuming full appropriations. At that rate, we would replace existing substandard units only in 1982—not to speak of those which will decay in the intervening years. This is clearly much too far in the future.

To spend $5 billion on housing over 3 years means that we spend $1.5 billion per year—or about as much as we expend monthly in Vietnam. I believe that this is a clear indication that our priorities are quite out of order, and not in line with the needs of this Nation at this time.

The housing goal of "a decent home and a suitable living environment for every American family," first set in the Housing Act of 1949, and reaffirmed in the bill before us, still remains more than a decade away under this bill. This is too long to wait. Even so, unless we enact this bill, and then vote for full appropriations instead of the 30 to 50 percent of the authorization that this Congress usually allots to urban programs, that goal will be relegated to a yet more distant future.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. Forty-eight Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 233]

Abbitt
Albert
Anderson, Ill.
Andrews, N. Dak.
Baring
Bates
Bell
Blanton
Bow
Brademas
Brock
Broomfield
Carey
Cleveland
Collier
Conyers
Corman
Cramer
Cunningham
Dellenback
Diggs
Dole
Donohue
Eckhardt
Edmondson
Edwards, La.
Esch
Everett
Evins, Tenn.
Farbstein
Fino
Flood
Fulton, Tenn.
Gardner
Gettys
Gibbons
Green, Oreg.
Grover
Halleck
Hanna
Hansen, Idaho
Hardy
Harsha
Hawkins
Henderson
Herlong
Holland
Horton
Hosmer
Hungate
Jarman
Jones, Mo.
Karsten
Keith
Kelly
Kornegay
Kuykendall
Landrum
Lipscomb
Long, La.
Lukens
McCloskey
McMillan
Michel
Mink
Minshall
Mize
Moore
Moss
O'Hara, Ill.
Passman
Pettis
Philbin
Pickle
Podell
Pool
Pryor
Railsback
Rarick
Reinecke
Resnick
Rivers
Roybal
Satterfield
Scheuer
Schweiker
Smith, Okla.
Steed
Stephens
Teague, Calif.
Teague, Tex.
Thompson, N.J.
Tuck
Tunney
Van Deerlin
Waggonner
Watkins
Willis
Wolff

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 17989, and finding itself without a quorum, he had directed the roll to be called, when 331 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. Brown].

Mr. BROWN of Michigan. Mr. Chairman, I yield 10 minutes to the gentlewoman from New Jersey [Mrs. Dwyer].

Mrs. DWYER. Mr. Chairman, by general agreement, this is the single most important piece of domestic legislation that will be considered by the Congress during this second session of the 90th Congress. In many ways, it would break new ground in the continuing effort to implement our national commitment—now nearly 20 years old—to assure a decent home and a suitable living environment for every American. Through the extension of existing housing programs and by means of new ones, it would invest more of our resources and provide for more new jobs than any recent legislation, and therefore it stands as a test of our willingness to pursue a constructive course in rebuilding cities and healing the lives of those who live in them.

For these reasons, I strongly support this housing bill—not blindly or automatically, but selectively and with qualifications. As a member of the Housing Subcommittee and the full Committee on Banking and Currency, I have participated in the development of this bill through many months of lengthy hearings and executive sessions. Like any omnibus bill, it has its good and bad features. It would not please everyone. In fact, because of its size and length and complexity, it could very well be a source of considerable frustration and a tempting target for those who want no housing bill at all. I appeal to our colleagues, Mr. Chairman, to resist this temptation, to consider each of the issues that will be raised on its merits, and to approach this legislation positively, in terms of how we can improve it, how we can make it better serve the people who need its help, and how we can obtain from it more of the results we desire.

I will not take the time of the House to discuss in detail the many provisions of this bill. Let me, instead, simply mention several features which I consider of special importance:

First, the emphasis throughout the bill on increasing home ownership opportunities for low- and moderate-income families, an idea and an accomplishment for which we are all indebted to the distinguished ranking minority member of the committee [Mr. WIDNALL] and the distinguished junior Senator from Illinois [Mr. PERCY];

Second, the use of new financing arrangements under which interest payments would be subsidized rather than entire mortgages, thereby attracting a potentially much larger scale of private investment in both sale and rental housing;

Third, the expanded use of a sliding scale as a basis for determining the amount of subsidy, with families contributing more toward the cost of their housing as their incomes increase;

Fourth, the insistence in the bill that in administering the major housing programs the Secretary of Housing and Urban Development shall require that opportunities in employment resulting from construction and rehabilitation be given to lower income persons residing in the area;

Fifth, the more flexible approach to urban renewal incorporated in the bill's neighborhood development program, which should help reduce the delay and frustration which have become hallmarks of urban renewal;

Sixth, the requirement that a greater proportion of housing units provided under the urban renewal program be designed for low- and moderate-income families;

Seventh, the stimulus given to rehabilitation as an effective means of restoring and preventing slums and improving the stability of declining neighborhoods;

Eighth, the expansion of the basic water and sewer facilities program, surely one of the most needed and popular efforts ever undertaken by the Federal Government for which the demand, especially in suburban areas, far outstrips the supply of available assistance;

Ninth, the recognition in the bill of the growing importance of the urban mass transportation program in the development of transportation systems serving both central cities and suburbs, and the improvements to the program contained in the bill which will make its assistance more useful;

Tenth, the improvements proposed in the so-called rent certificate program, another product of minority initiative within the committee, which will enlarge the utility of a program which has already proved itself to be one of the fastest and most effective ways of moving poor people into decent housing; and

Eleventh, the incorporation of the national flood insurance program in the bill, a step which I heartily welcome as a means of making this long-desired program a reality and of securing protection for millions of homeowners exposed to destruction by the elements; an unfortunately appropriate example of the need for such protection was the flood disaster which struck heavily populated areas of New Jersey this spring and caused more than $150 million in damage, the worst such disaster in our State during this century.

There are other aspects of this bill, Mr. Chairman, which also deserve support, and a number which I hope will be the subject of proposed amendments, for the legislation can stand considerable improvement. I refer our colleagues to the minority views and the views of the ranking minority member printed in the committee report.

In considering such amendments as may be proposed, I shall be guided by the following objectives:

First, to improve the efficiency, effectiveness, and coordination of specific programs;

Second, to assure a greater share of the benefits of housing and urban development programs to low-income families;

Third, to impose limitations and restrictions necessary to assure full responsibility and accountability in the administration of these programs; and

Fourth, to limit authorized expenditures to amounts which can actually be spent, and spent effectively, within the life of the authority.

I have become increasingly disturbed, Mr. Chairman, at three developments in the administration of housing and urban development programs to which I hope this House can give constructive attention. When all available information clearly indicates that the great bulk of substandard housing in the United States, which we are pledged to eliminate, is inhabited by the poor, I cannot understand how we can justify providing disproportionate assistance to middle-income people who, by definition, can afford in most cases to obtain adequate housing at going prices. Moreover, I believe we must take special care not to allow the benefits of housing and urban development programs to flow exclusively to those relatively few communities and organizations which possess the staffs of experts necessary to master the complexities of the programs. And finally, unless we are willing to continue wasting taxpayers' money and disillusioning the people who most need hope, we must take extraordinary measures to improve the management and operation of most housing and urban development programs.

Throughout the committee's hearings, a single theme recurred in the testimony of city and State officials, planners, builders, and financiers: redtape, excessive delays, and complex requirements are making a morass of the Federal Government's efforts to help the cities and the suburbs.

As a result, during the marking up of the bill, I proposed to our colleagues on the committee that we take official notice of this very difficult problem and urge the Department to redouble its efforts to correct these inadequacies. I was extremely pleased to receive substantial support from members of both parties, and so the committee report, on page 4, reflects our very real concern. While we recognize that HUD is not the only offender in the Federal bureaucracy, and that housing programs by their very nature are among the most difficult to administer efficiently, we also realize that things cannot go on as they now are and that the Department must place top priority on efforts to improve program management.

For these reasons, Mr. Chairman, I intend to offer an amendment at the appropriate time which would require the Secretary to report to the respective Committees on Banking and Currency each year, beginning with an interim report by January 15, 1969, on those areas of program administration which need improvement and on the steps he has taken and proposes to take to bring them about.

I have every reason to believe that officials at HUD are just as concerned about redtape as we are, but I have found that it is too easy simply to drift along on the tide of good intentions unless specific requirements have to be met. By requiring the Secretary to analyze his operation, identify its weaknesses, and propose corrective actions, we can at least initiate a systematic pattern of attention and action on these most elusive of problems.

Mr. Chairman, I believe that for the great majority of Members of Congress, our commitment to better housing, to more livable urban-suburban areas, and to greater opportunity for all our people is genuine and deep. Within the limits of our resources, and because those resources are limited, we must do more with what we have, we must make every dollar of investment pay off in results. Since we cannot do everything we might want to do, we must make certain that what we do is done well.

Mr. CARTER. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Seventy-three Members are present; not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 234]

Abbitt
Albert
Anderson, Ill.
Andrews,
  N. Dak.
Baring
Bell
Blanton
Bow
Brademas
Brock
Broomfield
Carey
Cleveland
Collier
Conyers
Corman
Cramer
Cunningham
Dellenback
Diggs
Dole
Donohue
Eckhardt
Edmondson
Edwards, La.
Esch
Everett
Evins, Tenn.
Farbstein
Fino
Flood
Fulton, Tenn.
Gardner
Gathings
Gettys
Gibbons
Green, Oreg.
Grover
Halleck
Hanna
Hansen, Idaho
Hardy
Hawkins
Holland
Horton
Hosmer
Hungate
Jarman
Jones, Mo.
Karsten
Keith
Kelly
Kornegay
Landrum
Lipscomb
Long, La.

Lukens
McCloskey
McMillan
Michel
Mink
Moore
Moss
Passman
Pettis
Philbin
Pickle
Podell
Pool
Pryor
Railsback
Rarick
Reinecke
Resnick
Rivers
Roybal
Satterfield
Scheuer
Schweiker
Smith, Okla.
Steed
Teague, Tex.
Thompson, N.J.
Tuck
Tunney
Ullman
Van Deerlin
Waggonner
Watkins
Willis
Wolff

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 17989, and finding itself without a quorum, he had directed the roll to be called, when 341 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. PATMAN. Mr. Chairman, may I make this brief announcement? After conferring with the gentleman from New Jersey [Mr. WIDNALL] on the minority side, it is my belief that if Members will remain in attendance for a quorum until 6 o'clock, we can finish by that time. Does not the gentleman agree with that statement?

Mr. WIDNALL. I agree with the chairman.

Mr. PATMAN. I hope it can be arranged.

Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Chairman, there is little dispute about the scope and extent of this Nation's housing needs. Nor is there any question that, if these needs are to be met, a massive and comprehensive attack on our housing problem will be required. In the last decade, we constructed in the neighborhood of 14 million housing units. In the next decade, we must almost double that total. This means that during the next 10 years we must build half as much housing as presently exists.

A most important element in this massive building effort will be the provision of adequate housing for low- and moderate-income families. If the housing goals projected by the President in his message on housing and cities are to be met, we must be prepared to assist in the neighborhood of 6 million low- and moderate-income families achieve decent housing at costs they can afford. Now assistance on such a scale cannot, and should not, be undertaken by Government alone. It will require the concerted efforts of Government and private industry, of neighborhood and nonprofit groups and, most important, of the low- and moderate-income families themselves.

The new homeownership program and the rental and cooperative housing assistance program found in titles I and II of this bill should not be considered as simply two more "housing programs." These new programs are carefully integrated into the larger framework of the bill.

They are parts of a larger, coordinated effort which can lead to important institutional changes and to a major breakthrough in housing low- and moderate-income families.

The homeownership program in title I of this bill has resulted from long and careful deliberation by the Banking and Currency Committee. The proposed interest rate subsidy is appropriately flexible; it is linked to the income of the recipient so that the subsidy is based on need. At the same time, the subsidy is administratively simple to operate, and there is a minimum of redtape from the lenders' point of view. The difference between 20 percent of the mortgagor's income and the total monthly payment due on the market rate mortgage is paid directly to the lender, with the maximum subsidy being the difference between the market rate charges and the amount due if the mortgage bore interest at 1 percent.

This lack of redtape, and the FHA insurance, should encourage investment by the private sector, especially since HUD would be authorized to reimburse the mortgagee for any additional costs incurred in handling the mortgage. The benefits of this subsidy are carefully limited to the real needs of the recipient, however, and the mortgagor's income will be periodically recertified, with the amount of subsidy adjusted accordingly.

The companion rental assistance program in title II also links the amount of subsidy to income, and is even simpler in administration from the lenders' point of view. This program is based on interest reduction payments that lower rentals in a project to a basic charge. The tenant or cooperative member either pays the basic charge or 20 percent of his income, if that is a greater amount. The nonprofit, limited dividend, or cooperative mortgagor would make payments as though the mortgage bore an interest rate of 1 percent, with HUD making up the difference between this and the market rate. Rental charges collected by the mortgagor in excess of the basic rental charge would be repaid to HUD for use in making assistance payments under the program.

These new programs are strengthened and supplemented by other parts of the bill. Section 103 of the bill would permit FHA mortgage insurance in older, declining urban areas, without regard to some of the more stringent requirements which normally govern such insurance, if it is determined that the area is "reasonably viable" and the property is an acceptable risk giving consideration to the need for providing adequate housing for low-and moderate-income families in the area. For low- and moderate-income families who cannot qualify for regular FHA homeownership programs because of their credit histories or irregular income patterns, a new experimental program would be established in section 102 of the bill.

This section authorizes the Secretary of HUD to insure mortgages where he finds a family to be a "reasonably satisfactory" credit risk and capable of homeownership with the help of budget, debt management, and related counseling.

Because the mortgages insured under the four new programs I have mentioned would entail greater risks than have been typical in the past, a new special risk insurance fund would be established by section 104 of the bill to handle any losses incurred under them. This fund would not be expected to be actuarially self-sustaining, and appropriations to the fund would be authorized, whenever necessary, to cover losses.

By themselves, these new programs represent a major new effort in the field of low- and moderate-income housing. They make up the most coherent and comprehensive attack on the problem of decently housing low- and moderate-income families ever made.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. Mr. Chairman, I rise today to express my support of the Housing and Urban Development Act of 1968 which I regard to be one of the most important pieces of social legislation which this Congress has been called upon to consider.

This massive and comprehensive housing bill stands as a milestone in our Nation's struggle to provide decent housing for every American and I, for one, am pleased to have been privileged to be intimately engaged in the drafting of this most significant legislative measure as a member of the Subcommittee on Housing.

H.R. 17989, Mr. Chairman, is the product of 2 years of extensive study and recommendations.

Since 1949, we have been saying that the national goal is a decent home and a decent environment for every American family. That goal is affirmed by this legislation which further emphasizes that the highest priority be given to meeting the housing needs of those families for whom the national goal has not become a reality.

Thus, our Nation will live up to its promise of equal opportunity for all our people.

Furthermore, I want to call your attention to the fact that the programs this legislation provides are designed so as to provide employment for lower income persons residing in areas where housing is built with its aids. This is important and timely in a period when jobs must be found for the unemployed—including our unemployed youth—in the core cities.

The main thrust of this legislation is to encourage the greatest possible involvement of the private sector in developing needed housing for the low- and moderate-income market. This is not a new concept. What is new is that for the first time we are with this legislation making it possible for private enterprise to meet the market on the scale that is needed.

Let me point out that this legislation comes at a most timely moment. There is a changed climate in this country; business leaders are also calling for greater involvement in social concerns. The insurance companies of America, are taking up arms against ghetto conditions with a billion-dollar pool to be used to provide housing and jobs.

Support has come from organizations representing every facet of the free enterprise system. For the first time, in our recent history, so far as I know, Americans of every background and all political alinements are in close agreement about the fact that something must be done.

H.R. 17989 points the way. It provides what the Federal Government can contribute to achieving the level of production and the broad and cohesive effort needed to provide American cities and American families with essential housing and facilities. The legislation encompasses:

Homeownership for low- and moderate-income families through a program of interest-rate subsidies. This program would be carried out with FHS mortgage insurance. The family would pay 20 percent of its income on the mortgage. The Federal subsidy would make up the difference between what the homeowner pays and the total cost of the mortgage down to a 1 percent interest.

With the help of a counseling service that would help families with budgeting of income and debt management, we hope and expect this program will make homeownership a reality and not a dream for many families.

Rental and cooperative housing for low- and moderate-income families, also through a subsidized interest rate. The volume of this housing would be increased by tapping a much broader array of private mortgage capital funds. In this housing, the family would pay 20 percent of income in rent; the subsidy would make up the rest down to a 1 percent mortgage interest rate.

This is a natural complement to the homeownership program. The rental program assist families not desiring, or prepared for, homeownership.

Assistance to nonprofit sponsors of low and moderate income housing would include technical assistance with respect to construction, rehabilitation, and operation of low- and moderate-income housing. Up to 80 percent interest-free loans would be available to cover preconstruction costs. Thus, many nonprofit organizations would be encouraged to contribute their services to the total effort to provide housing for needy families.

NATIONAL HOUSING PARTNERSHIPS

This would apply capital, business, and managerial skills to the problems of housing for families of low- and moderate-incomes. Private corporations organized for profit would provide housing and related facilities for families and individuals of low or moderate incomes, with or without the use of Federal assistance.

Let me emphasize that the national housing partnerships, privately administered under Federal charter, are directed toward bringing large-scale capital into the lower income housing field on a private basis. It meets our need to enable large business, with capital to invest, to move into this housing field, using the various Federal aids available, with certain tax protections and benefits to support such a risk for private capital, particularly during nonprofit development stages.

These are the new housing programs in this legislation. It also speaks for the full range of urban needs. It improves and expands public housing, and urban renewal. It expands access to mortgage funds. It extends assistance for supporting community facilities and services and substantial additional funds for the water and sewer program. It improves the effectiveness of housing rehabilitation. It assists in rehabilitating and preserving older neighborhoods, and provides for an essential riot reinsurance program to aid the homeowners and small businessmen to obtain the needed property insurance protection in order to stay in business.

While this bill reflects in large measure the recommendations of the administration with regard to housing and urban development programs, I wish to emphasize, Mr. Chairman, one of the very significant problems in this area to which the Committee on Banking and Currency was particularly responsive.

This concerns the need for rehabilitation money to assist people who are not within urban renewal or code enforcement areas. The homeowner of limited resources—perhaps a widow taking in roomers as a principal source of income—is often unable to obtain adequate financing from private sources when a new roof or new plumbing is needed. At present, such a homeowner is not eligible for Federal loan or grant assistance when the home is outside the renewal or code enforcement area. This problem had not been adequately treated by the administration bill. The committee realized that more was needed.

Accordingly, our proposal expands the section 115 rehabilitation grant program and the section 312 rehabilitation loan program to provide significant loan and grant assistance for the rehabilitation of properties which are not otherwise eligible for assistance under the existing programs. The expansion will serve to improve very substantially the range of needed assistance which we are making available.

We can, Mr. Chairman, by the passage of this bill, do much to provide for the well-being and improvement of our urban areas and for the furtherance of our announced and reaffirmed goal of "the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family."

Another important change in the administration bill adopted by the committee would expand the range of sponsors who could provide housing for the elderly and the handicapped under the 202 direct loan program. At my suggestion, the committee amended this program to permit limited profit sponsors to qualify for the 90-percent loans. Thus private, profit-motivated businessmen will be able, for the first time, to participate in this important program.

Mr. **ANNUNZIO**. Mr. Chairman, will the gentleman yield?

Mr. **REUSS**. I yield to the gentleman from Illinois.

Mr. **ANNUNZIO**. I thank my distinguished colleague from Wisconsin for yielding.

RIOT INSURANCE SECTION OF H.R. 17989

Mr. Chairman, I rise to express my particular support for title X, the Urban Property Protection and Reinsurance Act of 1968. This pioneer proposal aims to make essential property insurance more readily available in our inner city areas through the operation of FAIR plans. These FAIR plans will, if properly designed, eliminate the practice of "blacking-out" or "red-lining" whole geographical areas in our inner cities and others, excluding the residents, the businessmen and property owners in those areas from access to the insurance market. The workability of these FAIR plans is conditioned upon the goodwill and cooperation of the insurance industry and the various State insurance commissioners. The Federal Government adds additional incentive for the successful operation of the FAIR plans by requiring FAIR plan participation by the industry and the States as a condition of eligibility for the riot reinsurance proposed by the bill.

Mr. Chairman, I supported this legislation when it was introduced, during the hearings before the subcommittee and during the executive sessions of the full committee. Unfortunately, the proposal is deficient in one respect. I feel that it does not deal sufficiently with one of the major insurance problems in our cities today. I refer, Mr. Chairman, to the problem of obtaining crime insurance commensurate with the ability of the policyholder to pay.

At the full committee markup of the bill, I proposed several amendments. I wanted to make sure that the definition of "essential property insurance" as it appears in section 1203(a)(2) specifically included insurance against the perils of robbery, holdup, arson, and such other crimes as the Secretary would designate. My amendments also provided for a plan of direct writing of crime lines insurance in the event the private industry was unable or unwilling to provide such insurance at rates which the policyholder could afford to pay .

The committee did not accept my amendments because during the deliberations of the committee, it was pointed out to me that the terms "burglary and theft" and "fire and extended coverage," as they appeared in the bill, were intended to cover robbery, holdup, and arson insurance. It was explained by the staff that the terms "burglary and theft" and "fire and extended coverage" were not legal terms and, that in insurance company parlance, they included the types of crime insurance which were covered in my amendments. The committee agreed that report language should be written reflecting the committee's understanding that robbery, holdup and arson insurance are included in the definition of "essential property insurance" contained in section 1203 (a)(2).

Consequently, pages 79 and 80 of the House committee report contain the following language:

> During the executive session, amendments were offered to extend the definition of "essential property insurance" and "standard lines of property insurance" to include protection against arson, robbery, and such other lines of property insurance as the Secretary may determine. The amendments were not accepted because it was explained that the

> term "burglary and theft", as used in the bill, includes protection against robbery and holdup, and that the "fire" portion of the fire and extended coverage policy includes protection against arson. To make this point clear, it was unanimously agreed to incorporate in the report the committee's understanding that the term "fire and extended coverage" insurance includes insurance against arson. Similarly, the term "burglary and theft insurance", as used in this title, includes insurance against robbery, holdup, and similar crimes.

I want it to be made unmistakably clear to those who will be responsible for the administration and operation of title X that the committee report language means exactly what it says. It means that essential property insurance must be made available to our inner city residents at reasonable cost and this insurance includes insurance against losses from robbery, holdup, and arson.

Mr. Chairman, the action of the committee served only to verify the original intent of this legislation. As the Members of the House are aware, this bill emanated from the report of the President's National Advisory Panel on Insurance in Riot-Affected Areas. On page 10 of its report, the Panel stated its belief that the FAIR plans will, among other things, "secure for all property owners equitable access to all basic lines of property insurance."

The Panel was well aware of this problem of crime insurance. On page 20 of its report, it noted that reported and unreported crime losses to property had been estimated at almost $4 billion a year. The Panel quite rightly observed that "whatever the real magnitude of property losses from criminal activity, crime insurance is viewed by those exposed to loss as an essential protection."

This staggering figure of $4 billion a year losses from criminal activities almost pales into insignificance the $75 million or so 1967 losses from riots. From the very beginning, I have maintained that there is not a single argument in favor of reinsurance for riots that does not equally apply to affording protection from crime losses at reasonable cost. Crime insurance is just as important as riot insurance. Just as the industry tells us that riot losses can become catastrophically high, thereby posing a threat to the economic improvement of the community, we know that crime losses are already astronomically high and create the same problems for homeowners and small businessmen in the inner city as riot losses.

The panel also recognized that coverage under burglary and theft policies, as a rule, included coverage for crime losses. The Panel stated the terms "burglary and theft" were insurance company terms and included insurance against crime losses.

On page 89 of its report, the Panel recommended that the FAIR plans should assist property owners in obtaining burglary and theft insurance. In making its recommendation, the Panel stated:

> It may be necessary to redesign the crime policies—by appropriate use of deductibles, requirements for protective devices, and other underwriting controls—in order to make such policies economically sound from the point of view of the insurer and the insured.

The Panel recognized the need for more research and experience with crime insurance in the urban core but stressed that the FAIR plans should be able to offer at least a "basic opportunity to those wishing to purchase crime insurance."

The concept of crime insurance coverage under the FAIR plans was carried over from the recommendations of the President's Panel into title X of the present bill. Indeed, the findings and declaration of purpose set forth in section 1002 refer to the plight of responsible owners of well-maintained residential, business and other properties who cannot "obtain adequate property insurance against fire, crime and other perils; the lack of such insurance coverage accelerates the deterioration of these areas by discouraging private investment and restricting the availablility of credit to repair and improve the property therein; and this deterioration poses a serious threat to the economy." Section 1002(a)(4) states that the national interest demands urgent action by the Congress to assure that essential lines of property insurance, including lines providing for protection against riot and civil commotion damage be available to property owners at reasonable cost. Section 1002(b) holds the purpose of the title to encourage and assist the property insurance industry to develop and carry out statewide programs which will make necessary property insurance coverage against fire, crime, and other perils readily available. If the Federal Government, the States, and the industry enter into FAIR plans which do not make provision for the writing of crime lines insurance at a reasonable cost, they will be flouting the very purpose of the act.

I cannot emphasize too strongly that the crime lines insurance must be offered at reasonable cost. By reasonable cost, I mean a premium price which is commensurate with the ability of the property owner to pay. To me, there is no difference between the industry's refusal to write any insurance at all or their willingness to write the insurance rates so high as to be prohibitive.

I am aware that the premium cost of crime insurance presents special problems. Indeed, this is recognized by section 1235 of the bill which calls for special studies of reinsurance and other means to help assure an adequate market for burglary and theft and other property insurance in urban areas. But, if the FAIR plans are not providing crime lines insurance at reasonable cost, then the very structure of the whole act will be threatened. It makes no sense to afford riot reinsurance in order to make essential property insurance available and at the same time continue a situation where crime insurance is unavailable or is available only at extravagantly high rates.

During the last session of Congress, I supported a bill, H.R. 10409, which incorporated H.R. 5584 which I introduced in the House on February 16, 1967. I should like to point out to my colleagues in the House that this legislation was introduced prior to the riots that occurred in Detroit, Newark, Chicago, Washington, D.C., and many other cities all over our Nation. My bill, H.R. 5584, became title III on page 13 of H.R. 10409, which called upon the Small Business Administration to conduct a study and make appropriate recommendations to determine ways that small businesses could protect themselves from criminal activity. This bill was subsequently incorporated into S. 1862, which became law last October 1967. The results of that study are due this fall.

I am confident that the Small Business Administration will make positive and meaningful recommendations for legislation. Such legislation, coupled with effective operation of the FAIR plans, may well be one of the most effective benefits conferred upon small businessmen all over America in recent years.

Mr. KARTH. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Minnesota.

Mr. KARTH. Mr. Chairman, I rise in support of the Housing and Urban Development Act of 1968—H.R. 17989, a milestone in urban legislation. I am impressed by the scope of its programs directed toward meeting the Nation's growing housing and urban development problems. What is particularly significant, is the emphasis placed on increasing the supply of standard housing for the Nation's ill housed. For one thing, it proposes an entirely new program of homeownership, whereby the poor can become active partners in America and its future. Under this pioneering program, homeownership would be subsidized by a Federal payment to the mortgage lender which would reduce the homeowners monthly mortgage payment. In the field of rental housing for low- and moderate-income families, a companion prgram provides for rental housing with an interest subsidy as low as 1 percent and related to the tenant's income.

Other provisions are designed to increase the volume of housing for low-income families by continuing and expanding the 30-year public housing program, through involvement of private enterprise in construction and even management under the turnkey process. Still another provision in the bill intended to stimulate the private production of housing for low- and moderate-income families authorizes special FHA mortgage insurance for such families who cannot meet regular credit standards, but who are reasonably satisfactory risks with budget and related counseling. A new system of national housing partnerships is also proposed between private enterprise and the Federal Government, with tax incentives to help make the low- and moderate-income market more attractive to private investors.

In the field of urban renewal the bill makes possible the better utilization of funds into projects which will provide more new and rehabilitated lower-income housing.

The bill also expands and continues the new model cities program, which embodies innovative approaches to renewing slum and blighted neighborhoods.

In my opinion H.R. 17989 establishes the timetable if we are to meet the crisis of our cities.

President Johnson said in his message on the cities:

> If the promise of the American city is to be recaptured, if our cities are to be saved from the blight of obsolescence and despair—we must now firmly set the course that America will travel. There is no time to lose.

Your favorable vote on this vital and significant legislation will put America on that course.

Mr. TIERNAN. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Rhode Island.

Mr. TIERNAN. Mr. Chairman, I would also like to commend the gentleman for bringing this bill to the floor at this time.

Mr. PATTEN. Mr. Chairman, will the gentleman yield?

Mr. REUSS. Mr. Chairman, I yield to the gentleman from New Jersey.

Mr. PATTEN. Mr. Chairman, I rise to support the Housing and Urban Development Act of 1968.

I want to speak particularly about its property protection and reinsurance features which I consider excellent answers to two problems of critical proportions.

The insurance proposals substantially implement the principal recommendations of the President's National Advisory Panel on Insurance in Riot-Affected Areas. The Panel made a thorough study of the problems and of the possible solutions. Their conclusions seem to me to meet the case.

The great need for property insurance in our central cities—a need for fire and extended coverage, for insurance against vandalism and malicious mischief, coverage against burglary and theft; and

The critical need for reinsurance against property loss from riots and civil disorders in all standard lines of property insurance.

Householders and shopkeepers by the thousands in the urban cores of our older metropolitan areas are unable to purchase property insurance. Because these areas frequently have a large proportion of deteriorated, poorly maintained, and old housing and a large number of vacant buildings and stores, the exposure to fire hazard is generally greater. There are in these same areas many good homes and businesses with owners of high responsibility.

Many insurance companies and their agents have maintained maps outlining boundaries within which it is uneconomical to write property insurance policies. This amounts to a blanket ban on entire areas. Insurable risks are not distinguished from uninsurable risks.

The implications of such denials of insurance for an economically depressed area are indeed grave. The area of blight grows larger as homeowners and businessmen, for lack of insurance, leave the area. Without insurance, a homeowner and a businessman cannot get credit from a bank or other lender to repair a structure or carry an inventory.

The insurance proposal before us would remedy the present untenable situation. It would encourage the State commissioners of insurance to cooperate with the private insurance industry in developing statewide plans to make essential property insurance available.

Key features of the plans are inspection facilities and placement facilities which help greatly to surmount the property insurance problems of the many thousands of our citizens who are trying to maintain their homes and businesses in urban core areas.

The insurance companies would operate facilities for inspecting properties to establish whether they are insurable. No property would be denied insurance without an inspection, without cost to the owner, and a determination that the property is not insurable.

Placement facilities would help agents and brokers place insurance with companies after physical inspections establish that a property is insurable.

The other problem which this legislation meets is reinsurance against loss from riots and civil disorders. This is a problem which insurance companies have been encountering in recent years as a result of the riots and the threat of riots.

Most property insurers reinsure against losses from catastrophes with several large reinsurers. For a premium covering a wide range of catastrophe perils—explosions, hurricanes, and riots, among others—insurance companies purchase reinsurance for all their standard lines of property insurance. The property owner of a home, a business, or an industrial plant has coverage not only against loss from an isolated peril such as fire which may accidentally occur on his own premises but also from a catastrophic fire as a result of a riot which engulfs his as well as other property in the area.

Insured losses from riots and civil commotion in recent years—an estimated $60 million in 1967 and already as much as perhaps $75 million so far this year, and a threat of more to come—has impaired the reinsurance market. Reinsurance is becoming as unavailable for the insurance companies as property insurance is for the homeowner or businessman.

The problem of reinsurance is critical because entire metropolitan areas may be affected if insurance companies cannot purchase reinsurance. Policies in a variety of standard lines of insurances—fire and extended coverage, boiler and machinery, inland marine, plate glass, and burglary and theft, to mention only a few—may have to be canceled where there may be a threat of riots or civil disorders. Wholesale cancellations of policies can be a most serious matter for advances of credit by lending institutions which have an insurable interest in mortgages, raw materials, and business inventories. A credit crisis could threaten the economy if such cancellations were permitted to happen.

Title X of this act would meet this critical, national need for reinsurance through the sale of Federal reinsurance against riot and civil commotion losses. The insurance companies would pay for this reinsurance and would also share in the losses along with the States and the Federal Government. This availability of reinsurance from the Federal Government should provide the necessary incentives for the States and the insurance industry to cooperate in developing and operating the statewide plans to make property insurance more readily available.

I strongly urge the enactment of this title.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Massachusetts.

Mr. BOLAND. Mr. Chairman, I rise in support of H.R. 17989, the Housing and Urban Development Act of 1968. This is a bill which merits the support of all of us who are vitally concerned with the future of our American cities, regardless of size and geographical location. By passing this measure, we will be affirming a national goal first enunciated in 1949. That goal was "a decent home and a decent environment for every American family."

Almost two decades have passed since the enactment of the Housing Act of 1949. As a member of the House Appropriations Committee for 14 years, sitting on the subcommittee responsible for the funding of these housing programs, I am firmly convinced that the legislation we are considering today at long last puts us firmly on the road to realizing that goal.

True, there have been earlier housing bills addressed to the problems of our cities, and all of them have provided substantial assistance in building a better and stronger America.

Over the years we have been addressing ourselves to housing needs, and urban renewal; rehabilitation; public works; open space and recreation; transportation, and planning as well as other elements of urban growth.

In previous measures we were successful in putting on the books such innovative programs as water and sewer grants, grants for advance acquisition of land and new aids for code enforcement.

We enacted the rent supplement program, and just 2 years ago we passed the model cities program, a most innovative concept of Federal aid to help cities, both large and small, revitalize slum and blighted areas by a massive concentration of Federal aid, as well as State and local resources.

Today, we are considering a bill that extends and makes improvements in many of these earlier bills. H.R. 17989 represents the considered judgments of the respective committees of the Congress, as well as the views of the scores of citizens and organizations who have given these committees the benefits of their views and experience in the field of housing and urban development.

I am firm in my belief that this bill will provide the impetus the Nation needs to move forward in its battle against slums and blight. I am particularly impressed with the emphasis placed on providing a substantial volume of housing for the poor and disadvantaged. Further, I endorse the requirement that in the production of housing for low-income families, opportunities for employment will be given to lower income persons living in the areas where such housing will be built.

TITLE I—LOW- AND MODERATE-INCOME HOUSING

Now, I would like to address myself briefly to some of the more important portions of this bill. Title I provides a new program of homeownership for low- and moderate-income families, with the Federal Government making periodic payments to lenders who make FHA-insured home mortgage loans to these families. This new program would bring homeownership within the reach of thousands of families who otherwise would have to live in unsatisfactory housing. Other significant portions of this title provide special FHA mortgage insurance for low- and moderate-income families who cannot meet regular credit standards, but who are "reasonably satisfactory" risks with budget and related counseling. It also authorizes FHA mortgage insurance for the purchase, repair, rehabilitation, or construction of housing located in an older, declining urban area without regard to the normal requirements of a particular FHA mortgage insurance program, if FHA finds that the area is reasonably viable, and the property is an acceptable risk.

The title also sets up a new special risk insurance fund that would benefit the new special mortgage insurance programs for housing for low- and moderate-income families. It provides special technical assistance and interest-free loans to nonprofit sponsors for the construction, rehabilitation and operation of low- and moderate-income housing to cover certain preconstruction costs under federally assisted programs. A National Home Ownership Foundation would also be authorized to carry out a continuing program of encouraging private and public organizations to provide increased homeownership and housing opportunities in urban and rural areas for lower income families.

TITLE II—RENTAL HOUSING FOR LOW- AND MODERATE-INCOME HOUSING

Title II is especially deserving of your support. It would authorize a new program of Federal assistance to rental and cooperative housing for low- and moderate-income families. The assistance would be in the form of periodic payments to the mortgage financing the housing to reduce the mortgagors' interest costs on a market rate project mortgage. The rent supplement program would be expanded to meet the growing need for housing, and the 30-year-old public housing would be continued and expanded by increasing the authority for annual contributions by $100 million on enactment of the bill and by $150 million on July 1, 1969, and July 1, 1970. Title II also calls for grants to local housing authorities to help finance tenant services in public housing.

TITLE III—FHA MORTGAGE INSURANCE

Title III provides for a series of perfecting and liberalizing changes in existing FHA mortgage insurance programs. One change worth noting allows the cost of major nursing home equipment to be included in an insured nursing home mortgage. Another change increases the loan limitation in the FHA home improvement loan insurance program from $3,500 to $5,000, extends the maturity from 5 to 7 years and permits a small increase in financing charges.

TITLE IV—URBAN RENEWAL

Title IV deals with urban renewal program, and provides a significant change in the program by authorizing Federal financial assistance to neighborhood development programs. Such a program would consist of urban renewal project undertakings and activities in one or more urban renewal areas that are planned and carried out on the basis of annual increments. Financing would be based on the amount of loan and grant funds needed to carry out the activities planned during a 12-month period in each of the urban renewal areas included in a community's program.

The authorization for urban renewal grants would be increased by $1.4 billion on July 1, 1969, and in addition, the authorization for urban renewal grants for projects in model cities areas would be increased by $350 million on enactment. Rehabilitation loans and grants are continued. The title also provides that 20 percent of the housing built in predominantly residential reuse urban renewal areas be for low- and moderate-income families.

TITLE V—URBAN PLANNING AND FACILITIES

Title V would authorize Housing and Urban Development to make comprehensive planning grants to State planning agencies for assistance to district planning agencies for rural and other nonmetropolitan areas. A grant authorization of $20 million would be provided for these planning grants in fiscal 1969, and the Secretary of Agriculture would be given certain functions with respect to planning grants for districts, including a requirement that he be consulted before any such grant is made.

The Secretary of Housing and Urban Development would be authorized to make planning grants directly to cities within metropolitan areas—without population limit—and to Indian tribal planning councils or other bodies for planning on Indian reservations. Grants would also be authorized for regional and district councils of government, as well as those organized on a metropolitan basis.

Title V also provides for supplementary grants for planned areawide development; advance acquisition of land, and continuation of the interim planning requirements provision of the water and sewer facilities grant program from July 1, 1968 to October 1, 1969. The authorizations for appropriations for the water and sewer, neighborhood facilities, and advance acquisition of land programs would be extended.

TITLE VI—URBAN MASS TRANSPORTATION

The appropriations authorized for grants and other assistance to urban mass transportation would be increased by $190 million for fiscal year 1970, and the amount of funds which could be used for research, development, and demonstration projects commencing July 1, 1968, would be increased by $6 million, with the limit removed commencing July 1, 1969.

TITLE VII—SECONDARY MORTGAGE MARKET

FNMA's present secondary market operation would be turned over to a Government chartered private corporation known as the Government National Mortgage Association—GNMA. The present special assistance and management and liquidating functions would be operated by the new GNMA.

In the interests of time, I shall summarize the remaining titles in the bill, all of which are essential and merit your support.

TITLE VIII—NATIONAL HOUSING PARTNERSHIP—NHP

NHP would join with local investors to mobilize private capital and business skills to build low- and moderate-income housing. Investors as limited partnership have no liability beyond investment; and investors do have possible tax advantage on any partnership losses.

TITLE IX—RURAL HOUSING

Authorizes direct and insured loans in rural areas for low- and moderate-income families and to cooperatives for rental housing where title I or II assistance is not available. Interest supplements are available. Also authorized are grants and loans administered by the Secretary of Agriculture to assist mutual and self-help housing enterprises.

TITLE X—NATIONAL INSURANCE DEVELOPMENT PROGRAM

Authorizes a Federal program of reinsurance against property loss from riots to private insurance companies so as to continue regular line coverage againt extraordinary losses. Losses to be shared by companies, the State, and by the program fund. FAIR plans are also required to assure property owners fair access to property insurance. Rehabilitation loans and grants would be available to property owners to assist them in bringing their property up to insurable standards—amendment in title IV.

Mr. Chairman, drafted to answer a pressing need, the proposed national insurance development program would help provide adequate insurance and reasonable rates for property owners in urban districts highly vulnerable to riot damage. Many industries, businesses, and individuals cannot obtain the kind of insurance they need—or can obtain it only at prohibitively high rates—because their property is situated in areas the insurance companies deem "riot risks." This puts an onerous burden on the shoulders of urban property owners, forcing them to exist without insurance in neighborhoods simmering with social malaise or to pay astonishingly high rates for what insurance they can get.

Other problems—problems of major sociological significance—arise. Ghetto landlords, for example, are reluctant to rehabilitate uninsured or inadequately insured buildings for fear their investment may go up in smoke. And urban businesses—the kind of businesses that provide employment in the ghetto—are being driven out of our cities by soaring insurance rates and dwindling insurance coverage.

The insurance companies, of course, cannot be criticized for the problems I have just outlined. These companies merely set rates commensurate with risk. What is needed to attack these problems is the kind of Federal action proposed in this bill—a program of riot reinsurance.

TITLE XI—NATIONAL FLOOD INSURANCE

Mr. Chairman, Title XI of this legislation provides for a national flood insurance program, which I advocated many years ago following the disastrous and ruinous New England floods accompanying Hurricane Diane on August 19, 1955. The bill I filed in the 84th Congress was H.R. 9071. Congress authorized the establishment of the Federal Flood Indemnity Administration in the Housing and Home Finance Agency when it passed the Federal Flood Insurance Act of 1956.

As a member of the Independent Offices and Housing Appropriations Subcommittee, I led the fight on the floor of this House to appropriate funds for the Federal Flood Indemnity Administration. We from New England whose region had suffered so much in lives lost and property damage were not successful, and the flood insurance program died for lack of adequate appropriations. It took a series of natural disasters in all sections of this Nation during the ensuing 12 years to again underscore the urgency and need for this type of insurance.

The Secretary of Housing and Urban Development would be authorized to establish and carry out a national flood insurance program which would enable persons to purchase insurance against loss resulting from physical damage to or loss of real property or personal property arising from any flood occurring in the United States. He would be directed to encourage and arrange for maximum participation in the program by insurance companies and other insurers, and by related agents, brokers and organizations.

The Secretary would be authorized to borrow up to $150 million from the Treasury to carry out the insurance program. A national flood insurance fund would be established for making payments authorized by the bill, including premium equalization payments and reinsurance for losses in excess of losses assumed by insurance company pools formed to provide flood insurance.

TITLE XII—FHA MORTGAGE INSURANCE FOR NONPROFIT HOSPITALS

A new FHA mortgage insurance program would be authorized for nonprofit groups to build and rehabilitate hospitals. The maximum mortgage amount could not exceed $25 million nor 90 percent replacement cost.

TITLE XIII—HOUSING GOALS AND ANNUAL HOUSING REPORT

The Congress reaffirms the national housing goal stated in the Housing Act of 1949 and determines that it should be met within the next decade by the construction or rehabilitation of 26 million housing units, 6 million of these for low- and moderate-income families.

The Secretary of Housing and Urban Development would be required to submit annually to the President and to the Council of Economic Advisers a report of—

First, his estimate of the number of standard housing units produced through new construction and rehabilitation the preceding year;

Second, his estimate of the number of such units produced for low- and moderate-income families;

Third, his assessment of whether the 10-year housing goal is being met;

Fourth, his recommendation of the current annual goal to meet the 10-year goal; and

Fifth, his recommendations of the legislative and administrative actions necessary to achieve the 10-year goal.

TITLE XIV—MISCELLANEOUS

MODEL CITIES

The authorization for supplemental grants for model cities would be increased by $1 billion for fiscal 1970, and an additional $12 million would be authorized for fiscal 1969 for grants for planning model cities programs. Amounts authorized but not appropriated would be made available for appropriation for any succeeding fiscal year commencing prior to July 1, 1970.

URBAN RENEWAL DEMONSTRATION GRANTS

Urban renewal demonstration grants would be authorized to be made to nonprofit organizations. Under present law these grants are available only for public bodies.

The limit on the amount of urban renewal demonstration grants would be increased from two-thirds of the cost of the undertakings to 90 percent of the cost.

The amount of funds available for the grants would be increased from $10 million to $20 million.

URBAN INFORMATION AND TECHNICAL ASSISTANCE GRANTS

The authorization for grants to States to assist in the provision of urban information and technical assistance would be increased by $5 million for fiscal 1969, and by $15 million for fiscal year 1970.

Amounts authorized for these grants but not appropriated could be appropriated for any succeeding fiscal year commencing prior to July 1, 1970.

ADVANCES IN TECHNOLOGY IN HOUSING AND URBAN DEVELOPMENT

Such sums as may be necessary would be authorized to be appropriated, commencing with fiscal year 1969, for studies of new and improved techniques and methods of applying advances in technology to housing construction and rehabilitation, and to urban development. Three-year contracts would be authorized for such studies rather than 2-year contracts as presently authorized.

COLLEGE HOUSING

Annual grants would be authorized to be made by the Secretary of Housing and Urban Development for college housing. Under present law, the Secretary is only authorized to make loans. The grants would be made to reduce the cost of borrowing for college housing. The grants could be made over a period of not more than 40 years and could be in an amount equal to the difference between, first, the average annual debt service which would be required to be paid, during the life of a loan, on the amount borrowed from sources other than the Federal Government, and second, the average annual debt service which the educational institution would have been required to pay, during the life of the loan, on a Federal loan. The grant contracts could not aggregate an amount greater than authorized in appropriation acts, and the total amount of grants which would be paid in any year could not exceed $10 million, which amount would be increased by $10 million on July 1, 1969. Grants as well as loans would also be authorized to acquire existing facilities which are not in need of rehabilitation or renovation.

HOUSING FOR THE ELDERLY

Limited profit sponsors would be made eligible for Federal loans for housing for the elderly. Loans to such sponsors would be limited to 90 percent of development cost of the housing.

Mr. ROGERS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Colorado.

Mr. ROGERS of Colorado. Mr. Chairman, I understand there has been a great deal of discussion about the Financial Institution Act that has been reported from the committee on which the gentleman sits, the Banking and Currency Committee. That bill itself is not included in this particular bill, H.R. 17989?

Mr. REUSS. That is correct. It is excluded.

Mr. ROGERS of Colorado. Mr. Chairman, there are, however, some changes made in the Home Owners' Loan Act of 1933, as appears on page 275 of the bill. I direct the attention of the gentleman particularly to lines 16 to 18, which say: "and may issue such passbooks, time certificates of deposit, or other evidence of savings accounts as are so authorized."

Placing the emphasis on "savings accounts as are so authorized," could there be any authorization either by the association or otherwise of any accounts that are not savings accounts?

Mr. REUSS. No, there could not be. These refer entirely to so-called time or savings deposits, not demand deposits. That is, the relationship which banks have to their depositors are not permitted under this legislation.

Mr. ROGERS of Colorado. I take it from the answer of the gentleman that any evidence of savings banks, if so authorized, would not constitute what we commonly refer to as shares or stock of a company?

Mr. REUSS. That is correct. Stock is not included.

Mr. ROGERS of Colorado. On page 276, reference is made to the fact that a minimum term of not less than 30 days may be required before amounts can be withdrawn. May I inquire to what extent the building and loan association or its charter may require as a length of time in which an individual may give notice before he can withdraw the sums from the building and loan association?

Mr. REUSS. I would say to the gentleman from Colorado, this legislation allows the savings and loan association by its charter to place almost any length of time on its withdrawal requirement that it wishes. Obviously a savings and loan association would like to have as long term money coming in through the incoming window as it can, but it is only commonsense to point out that if it places too long a withdrawal time, it just is not going to get any money coming in.

Mr. ROGERS of Colorado. I take it they are authorized to put whatever limitation they want, and I assume it would have to meet with the requirement of the Board also.

Mr. REUSS. That is correct. The Board may by regulation prescribe.

Mr. ROGERS of Colorado. Directing the attention of the gentleman now to line 15 on page 276, where it says, "Savings accounts shall not be subject to check or to withdrawal or transfer on negotiable or transferable order or authorization to the association," does the gentleman envision the building and loan association will have the right to set up some system to require a means whereby savings accounts will be transferred back and forth?

Mr. REUSS. No, that would be prohibited. The sense of the sentence to which the gentleman from Colorado refers is that a demand deposit, the funding of which passes by check, is prohibited. A savings account may be transferred, but only on a nonnegotiable basis.

Thus, if there is devolution by death, let us say, of course the savings and loan association could provide that the widow succeed to the account.

Mr. ROGERS of Colorado. I direct the gentleman's attention to page 277, lines 14 to 16, authorizing the association to make loans not exceeding $5,000, for the repair, equipping, alteration, or improvement of any real property, including the construction of new structures related to residential use of the property.

My question is: Can this money be used for any kind of equipment in connection with that home?

Mr. REUSS. If it satisfies the statutory definition of equipping or improvement of any real property, I would think it could be, yes.

Mr. ROGERS of Colorado. Does the gentleman believe it is possible for the FHA to guarantee this loan the same as it would guarantee the other loan on the property itself?

Mr. REUSS. I would not think so. The FHA guarantees only real property; it does not guarantee consumer durable goods, for example. In fact, as the gentleman from Colorado undoubtedly knows, savings and loan associations by and large rely on conventional mortgage financing and do not much use FHA, so even on real estate, while FHA probably could be used, it would not in fact be used.

Mr. ROGERS of Colorado. I thank the gentleman for his explanation.

Mr. WIDNALL. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. HALPERN].

Mr. HALPERN. Mr. Chairman, in the introduction of the National Housing Act of 1949, the housing goal for America was spelled out in these words: "a decent home and suitable living environment for every American family."

While we have made some progress, we have sadly failed to reach anything like that goal in terms of today's needs. Our present housing problems sadly reflect the gap between the poverty-stricken families who live in substandard housing and the affluent majority.

A paradox exists in our great American cities today. As beautiful new buildings rise to the sky, old ones crumble and decay before our eyes. Today, 56 percent of the Nation's minority families live in central cities, and almost two-thirds of these live in neighborhoods of substandard housing and general decay. For these citizens who must live in the poverty areas of our cities, the goal of a decent home and suitable environment is still only a distant dream.

Because of this contrast, the problems of our cities require new solutions and the success of our housing and urban development programs becomes even more imperative.

I believe that H.R. 17989 offers us much hope. It is one of the boldest and most comprehensive bills in the field of housing and urban development ever proposed. I commend the subcommittee—both the majority and the minority—for their painstaking, productive efforts to offer highly enlightened and meaningful housing and urban programs. And I wish to compliment my colleagues on the full committee for their intelligent, careful scrutiny of the legislation and for their many contributions to the ultimate committee bill which we have before us. Its strengthening of existing programs and progressive new approaches sketches a design to build a new America for the poor citizen who has never known homeownership.

The basic ills of our central cities, large ghettos occupied by the disadvantaged minorities, must be cured. A big step in this direction is included in the provisions of H.R. 17989.

Especially important are those titles of the act which provide incentives for homeownership among low- and moderate-income families. The interest subsidies for home mortgages and the broadening of eligibility for FHA insurance plans will have effects which reach far beyond the provision of a suitable structure in which to live. Along with homeownership goes a real concern for the well-being of a community, and for the maintaining or upgrading of property values. Homeownership also leads to more stable residence patterns, combating the serious problem of student turnover having such a profound effect on urban school systems today. In all, homeownership, as encouraged by the act, offers a true stake in American society to those segments of the population for whom such a stake may not have been possible.

Another innovative section of the act worthy of special note is the jobs-in-housing program, which requires that the human resources of the local community be utilized in construction and rehabilitation of housing projects to the greatest extent feasible. This program directly attacks the problem of urban unemployment, and will involve the community itself in local improvement in a penetrating and meaningful way.

Also important is the urban reinsurance guarantee included in title X, as recommended by the President's National Advisory Panel on Insurance in Riot-Affected Areas earlier this year. This program, which in all probability will never cost the Government a cent, encourages private insurance companies to make insurance available to property owners in ghetto areas without any fear of disastrous consequences. Only by assuring that such insurance is available can we hope to attract business development to the ghetto and break the cycle of ghetto unemployment and low productivity.

An extremely important provision of the bill for turning the blighted ghettos into a decent place to live is the neighborhood development program. The bill would authorize an alternative form of urban renewal under which a community could elect to carry a project on the basis of annual budgeting over the period required for completion, in place of the current lump-sum commitment for the entire project. By freeing the flow of urban renewal funds, this should facilitate more rapid urban renewal development on an effective scale. Under present law the execution of a loan and grant contract often requires a detailed urban renewal plan which in some cases might cover 4 or 5 years' work. Under this new formula, detailed plans could simply be limited to the year ahead, thus allowing more flexibility for future work.

Serving as an aid to housing sponsors, the bill would authorize interest-free loans to cover preconstruction expenses of nonprofit housing sponsors. It would also establish a National Home Ownership Foundation to encourage private and public organizations at the national and local level to provide increased homeownership for lower income families. The foundation would be a central source of assistance designed to meet the needs of private local organizations engaged in developing housing programs for the poor.

Thus, the bill contains new ideas which can lead to a greater and far more effective involvement of the private sector in the solution of our country's housing and urban problems.

Today our domestic programs must be given top priority. The poor and the disadvantaged must be brought into the Nation's mainstream of abundance. Homeownership and decent environments would immeasurably brighten the lives of our ghetto dwellers. Consequently an increased standard of living and greater opportunities for homeownership, as outlined in H.R. 17989, will awaken the dormant values of individual and family pride, ownership, and civic responsibility.

I repeat, Mr. Chairman, this is the most bold and comprehensive legislation in the field of housing and urban development ever offered in the Congress. Naturally, there are some further provisions I would like to see included in the bill and there are some improvements I feel can be made.

I, for one, anticipate offering an amendment to clarify an inconsistency in the act which under present phrasing could prevent rehabilitation loans and grants from being given in those areas where they are most needed. I trust that this House in its wisdom will overwhelmingly approve this much needed and long overdue legislation.

Mr. PATMAN. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Ohio [Mr. ASHLEY].

Mr. ASHLEY. Mr. Chairman, the question is not whether or not the Nation is going to undergo enormous urban growth in the immediate years and decades ahead, but rather how well we are going to prepare for growth trends which are unmistakably clear.

The bill before us enlists the creativity and energy of government, both Federal and local, and of the private sector of our economy in this effort. It is a far-reaching, imaginative, and compassionate bill and one which I am confident this House will support.

On a measure of this scope and substance, it is not surprising that there are areas of conflicting opinion. What is surprising, in my view, is that so many of the components of the bill before us have commanded so much bipartisan agreement.

A reading of the minority views contained in the report on H.R. 1798, signed by nine of the 14 minority Members, reveals that they agree that there must be "a major attack on the problems of the poor in the field of housing" and that they "endorse the attempt to establish means of extending home ownership to the Nation's poor."

They also endorse the setting up of a National Homeownership Foundation which, of course, was originally sponsored by the distinguished ranking member of our committee [Mr. WIDNALL] and 108 House Members.

They approve new plans for an alternative form of urban renewal, the neighborhood development program, and they "applaud the emphasis in mass transit and particularly the means taken to implement the raising of the non-Federal share."

They also approve of the return of FNMA to private control and the establishment of a new Government National Mortgage Association.

They regard new urban riot and flood insurance programs as "matters of urgent priority" and they state their belief that mortgage insurance for nonprofit hospitals is most worthwhile.

The minority views also express agreement that expansion of the water and sewer program is long overdue.

What the minority appears to complain about is the idea that the Congress act now to meet the backlog of housing and related problems that now face us and which are certain to become greater in the days ahead. Their advice is to pursue this goal "whenever possible wihin reason" and to ignore both the Kerner Commission recommendation that six million units of housing be produced in 5 years and the administration proposal that the six million units be constructed in the next 10 years.

I cannot agree that the administration target is unrealistic or beyond the reach of our economic resources, taking into account the expected growth of the national economy.

If our gross national product grows as expected from $785 billion in 1967 to an estimated $1,445 billion in 1978, residential construction expenditures would account for less than 4 percent of GNP in the early years of the target decade and would range between 4½ percent and 5 percent of GNP in the latter part of the decade. Labor resources will be available as the labor force grows; materials production does not pose a problem in our highly industrialized society; there is ample land available; and additional savings will be generated by economic growth to provide the necessary financial capital.

The real hang-up in the bill before us, Mr. Chairman, relates to the new section 235 and 236 programs which seek to assist moderate-income families—those who earn too much to qualify for public housing and too little to obtain decent shelter on the private market—to buy or rent homes by permitting a subsidy equivalent to a reduction of the interest rate to 1 percent.

I can only say that this is a new and promising approach to a problem which neither public housing nor rent supplements nor the below-market 221(d)(3) program have been able to meet effectively.

I am sympathetic to the proposition that our efforts and resources should be directed primarily to the very poor in our society, but I find this no reason to be unresponsive to the varying needs for assistance of additional millions of American families whose incomes simply are not sufficient to provide decent shelter.

In response to those who protest that these programs would allow assistance to 7 out of every 10 American families, let me simply point out, first, that the aggregate amount of contracts to make payments could not exceed amounts approved in appropriation acts; that is, $75 million per year prior to July 1, 1969, $100 million following that date and $125 million on July 1, 1970, and, second, that preference would be required to be given to displaced families, families which include five or more children, or families occupying low-rent public housing.

My principal disappointment in the bill before us, Mr. Chairman, is that it does not provide for the limited Federal aid to developers of new communities written into the housing bill adopted by the other body. This proposal would authorize the Federal guarantee of bonds, debentures, notes, or other obligations issued by new community development projects which are so badly needed to relieve the growing densities within our core cities.

Certainly we must direct a massive effort to the rehabilitation of existing urban centers, but, if we are to avoid compounding these very problems in our suburbs and rural communities, we must encourage the kind of preventive planning and action adopted in the housing bill passed by the other body.

In closing, Mr. Chairman, let me make it clear that the bill before us carries with it no blank check and opens no Pandora's box. It authorizes the continued life of existing programs which we need to meet our housing needs and it provides new tools to help with this ongoing task.

Mr. PATMAN. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Chairman, I rise in support of title X the Urban Property Protection and Reinsurance Act of 1968.

Today the cities of this Nation—indeed the cities of all the world—are facing a crisis the proportions of which we are only beginning to see.

Mr. Chairman, the enactment of this bill or any title of it will not solve the urban crisis.

But, Mr. Chairman, the failure to enact title X of this bill will insure the doom of our cities.

Insurance cannot rebuild our cities but the lack of basic property insurance will insure that nobody will rebuild our cities.

For the past few years it has become increasingly difficult for homeowners and businessmen in center city areas to obtain and retain basic insurance protection.

In the rundown, blighted slum areas of some cities, private insurance companies have determined, in many instances, that it is not economically feasible to provide insurance protection. This determination has led to the practice of "redlining" entire neighborhoods, which results in an almost automatic denial of insurance for reasons of location alone, regardless of the condition of the property. Without insurance coverage against the perils of fire and crime, banks and other lenders cannot and will not extend credit for the purchase and improvement of real property or for the financing of business inventories. Thus, without insurance, property deteriorates and business, particularly small business, stagnates within the affected area. This, in turn, affects adjoining areas. The result of all of this is that the deterioration and stagnation within the area tends to accelerate and the area of blight tends to expand.

Recent civil disorders in many urban areas have aggravated even further the property insurance problem. Property insurance companies generally purchase reinsurance against abnormally high losses from various perils. The unusually large losses on riot and civil commotion coverage recently paid by the property insurance industry have raised the serious question of whether the same reinsurance arrangements will continue to be available. Without this reinsurance, underwriters say that they cannot continue to provide riot and civil commotion protection in the various lines of property insurance, and may seek to cancel policies currently in force or refuse to renew them when they expire.

A story in today's Wall Street Journal tells of a British insurance company that has ordered large-scale cancellations of property and business insurance in U.S. cities. Faced with an insurance crisis we in the Congress of the United States can react in one of three ways.

First. We can do nothing and I suppose that some of those who oppose title X would favor doing nothing. But, Mr. Chairman, failure to act will condemn our cities and ultimately our civilization to economic stagnation and deterioration;

Second. We could go to the opposite extreme of doing nothing and put the Federal Government into the regulation and operation of the insurance industry; and

Third. We could take those moderate steps which do not violate the traditional State regulatory authority over the insurance industry but which do supply the minimal Federal ingredient essential to insure that the industry and the States will do the job which needs to be done. Title X provides that minimal Federal ingredient.

Title X provides a carrot-and-stick approach to the problem.

It says to the States, "If you will set up plans which will guarantee everyone in your State a chance to get basic property insurance we—the Federal Government—will offer to sell riot reinsurance to those insurance companies which participate in these plans."

Today, theoretically, the States could outlaw "redlining" and require the companies to offer insurance in the uneconomic slum areas. Practically they cannot or will not because the companies point out that the potential that a riot could bankrupt them.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, does the gentleman not believe that law enforcement would have a very beneficial effect upon these losses that occur in the areas of which he speaks? Is there any provision in this bill to compel some reasonable law enforcement in some of these areas?

Mr. MOORHEAD. Not to compel it, but the fact that the Federal Government might have to come up with money if law enforcement were not carried out would be a strong inducement for there to be the strongest kind of law enforcement. So that the effect of the enactment of title X would be to encourage law enforcement.

Mr. GROSS. Of course, we had a pretty good example of what can happen right here in the city of Washington, much less any other area of the country when the laws were not properly enforced last April, when tremendous losses were suffered on the part of businessmen. Now, the gentleman says that the Federal Government is going to rush to their rescue.

Mr. MOORHEAD. I say the fact that the Federal Government gets to participate in this would be an inducement to calling out the Guard sooner than was done in this case.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. I thank the gentleman for yielding.

Does not the gentleman also say that the States will participate in this program so that there is further inducement to the States to make sure that enforcement of the law is maintained?

Mr. MOORHEAD. Yes. The thrust of this is to get the law enforcement agencies of the State government and the Federal Government to have a——

Mr. GROSS. If the gentleman will yield further, is this what the gentleman is saying, with the additional assurances of the gentleman from Michigan, that you have to spend Federal money, or offer Federal money, in order to get law enforcement in this country?

Mr. MOORHEAD. No. If the gentleman will bear with me, I am going to try to show how we have drafted this so that it makes the Federal participation a very remote contingency, so that the first burden of loss must be on the insurance industry, next on the States, and next on an insurance fund, and only very little—and in most unforeseen and unforeseeable situations would the Federal Government enter into it.

I hope the gentleman will bear with me until I complete my statement, and I will try to explain how we will do this. I know the gentleman and I share the idea that we do not want to have the taxpayers' money involved.

Mr. GROSS. But, first off, if the gentleman wants me to vote for this amendment, or whatever it is, I would suggest that he be awfully sure to tell me how remote this Federal money is.

Mr. MOORHEAD. I intend to do this by charts.

I believe perhaps the best way to explain this to the gentleman would be if I should take a typical or a hypothetical riot situation in a given State, and explain how the various layers of loss are inserted before the Federal taxpayers' money is involved.

We have two examples here, and I am not taking an easy one—I am taking the hardest one.

I say to the gentleman from Iowa that here is an example of a riot loss roughly in the Newark category—$10 million. Under the legislation and under the program the first bite in the loss would come from the insurers' retention of losses.

Title X, by providing Federal riot reinsurance would remove that reason or excuse of failure to act.

Representatives of the insurance industry have assured the Banking and Currency Committee that with the enactment of title X the industry will work to insure that every insurable property will be eligible for insurance.

Title X, therefore, will solve the urban insurance crisis and will do so at the cost of creating a contingent liability of the Federal Government which should mean no cost to the American taxpayers.

The first part of this program would require every insurance company reinsured by the Federal Government to cooperate with the State insurance authority in each State where it acquires reinsurance to establish and carry out statewide plans to assure fair access to insurance requirements, called "FAIR" plans.

The objective of these plans is to improve the market for the availability of essential property insurance—fire and extended coverage, vandalism and malicious mischief, and burglary and theft—for homeowners and businessmen who have had difficulties in buying much needed insurance. The plans should end the practice of denying insurance to property owners by reason of location alone—known in the industry as "redlining."

The purpose of the second part of the program is to give some inducement to encourage the insurance companies to participate in the FAIR plans.

The second part of the two-part program in title X is Federal reinsurance. The availability of this reinsurance should provide sufficient incentive for participation by the companies. The legislation would authorize the Secretary to sell reinsurance to an insurance company or a pool of insurance companies participating in the FAIR plans in a State. Reinsurance would be sold only for property losses resulting from riots or civil disorders. Reinsurance would be sold first only on a package of lines of insurance including fire and extended coverage, vandalism and malicious mischief, other allied lines of fire insurance, burglary and theft, and those portions of multiple peril policies covering perils similar to them. Companies acquiring reinsurance on these lines would then be eligible to purchase reinsurance against riot losses on any other standard line of property insurance such as inland marine, boiler and machinery, and aircraft physical damage.

The insurance companies, of course, would pay a premium to the Secretary of Housing and Urban Development for riot reinsurance. During the first year, premiums would be set at a level aimed at bringing in $75 million, which would have covered insured riot losses in 1967. The companies would also be expected to absorb at least 10 percent of insured riot losses before the reinsurance took effect. The legislation also provides for each State to assume a share of the reinsured losses in its jurisdiction if the State is participating in the reinsurance program. The maximum liability of a State for riot losses in a year would be 5 percent of the premiums earned by all companies doing business in that State from those lines of insurance reinsured by the Secretary.

The legislation would give the States sufficient time for their legislative bodies to authorize the States to pay their share of the riot losses but would also allow the Secretary to cancel reinsurance in those States that do not act within the prescribed time.

After the companies and States pay their shares, the share of losses would be paid out of, next, a national insurance development fund: Insurance premiums from all States and the reimbursements from the separate States would be deposited in this fund. Reinsurance claims as well as administrative expenses would be paid from this fund. If riot losses do not exceed $200 million it is estimated that they can be covered by company retentions, premium income, and State shares. If they are excessive in any year, the Secretary has authority to borrow up to $150 million from the Secretary of the

Treasury. Authority to borrow more than this amount would require action by the Congress.

It might be helpful to the Members of this body if I were to give one or two hypothetical examples of how Federal-State-industry sharing in riot-loss reinsurance would operate.

Let us suppose that the total annual premiums earned on reinsured lines by insurance companies operating in State X are $100 million a year. Let us further suppose that, in the first year of the urban property protection and reinsurance program, insured riot losses in State X amounted to, say, $45 million. The insurance companies would share in the losses two ways.

First, by the premiums they would have paid to the national insurance development fund. Let us say this amounts to 2 percent of the $100 million premiums they earned, or $2 million. The companies would also bear a share of the $45 million in insured riot losses. This could be about $7.2 million, if the retention formula for losses to be borne by the companies were, say, 3 percent of the same $100 million in premiums earned, or $3 million, plus an additional 10 percent of the balance of insured riot losses, or $4.2 million—10 percent of $42 million.

The balance of insured riot losses after premiums and retentions by the insurance companies then is $35.8 million—$45 million less $9.2 million.

In this hypothetical example, this balance is shared between State X and the Federal Government. The State comes in for a full share because this balance is greater than the 5 percent of the same $100 million in premiums, the State's maximum. This $5 million is paid by State X to reimburse the reinsurance fund.

There now remains $30.8 million in insured riot losses to be covered by the national insurance development fund. Premiums from 16 other States with the same amount of reinsured business as is written in State X could cover these.

I would like to give another example to show a situation where only the industry and the State shares in insured riot losses, and the national insurance development fund does not share. Let us suppose insured riot losses in the first year of the program in State X amount to $10 million. The industry's first share is the same $2 million in premiums. Retentions of insured losses now amount to $3.7 million: the same 3 percent of $100 million or $3 million plus 10 percent of $10 million less $3 million, or $700,000. Together the industry's share is $5.7 million. There remains to be paid $4.3 million from the $10 million in insured riot losses. Since this amount is less than the $5 million maximum which State X is liable for, the State's share is $4.3 million and there is no Federal sharing in insured riot losses.

Mr. Chairman, under permission I will seek in the House, I will include in the RECORD, at the end of my remarks six charts which show hypothetical riot losses of various sizes which might occur in a particular State during various years of the program.

We have now looked at how title X would operate in a particular State in the first year of operation. Let us now look at the picture nationwide.

This chart shows the national picture based on the assumption that 30 of the 50 States, with average annual premiums of $100 million each on which 2-percent reinsurance premiums are paid, are participating. This chart shows the various layers which must be swallowed up before any taxpayers' dollars would be involved. It also shows how large the losses must be before the funds authorized by this legislation would be exhausted.

If there were riots in one-third of the participating States losses would have to exceed $160 million before any taxpayers' dollars were involved, and would have to exceed $310 million before the total authorization would be exhausted. One hundred and sixty million dollars is more than twice the total losses of the year 1967 and $310 million is more than four times the losses of 1967.

If riot losses amount to this much the Federal Government will be involved financially whether or not we have enacted this title. We in Congress will be called upon for funds to feed, clothe, and shelter the innocent victims of rioting. The only difference is that without this program the Federal Government will be called upon to cover 100 percent of the loss rather than having the opportunity to share this burden on a preplanned, rational basis with the insurance industry and the various States as this program envisages.

Mr. Chairman, I know that the specter of catastrophic riot losses has been held up as a reason for opposing this program. If there were rioting on a broad scale across the Nation, total losses, as this chart shows, would have to exceed $340 million before any taxpayers' dollars would be involved and almost $500 million before the amount authorized by this bill would be exhausted.

Mr. Chairman, if rioting should ever reach this catastrophic level the Federal Government would be financially involved whether or not we enact this title because before this point is reached the United States would be faced with full-scale rebellion and insurrection which would make the issue of property insurance very unimportant by comparison.

Mr. Chairman, this is a carefully worked out program to permit the rebuilding of our cities by making available to homeowners and businessmen the property insurance that is an essential ingredient for such rebuilding.

It is a program designed to achieve this objective without involving the taxpayers' dollars. There are several layers of funds in the reinsurance program, and all of these must be exhausted before there is any taxpayer contribution.

Mr. Chairman, this is a piece of legislation of which all Members of this body can be proud. It originated in the House of Representatives last December. It was modified by the administration after the President's Panel published its report in January, and it was again modified by your Committee on Banking and Currency.

It is a 5-year program, and I am enough of an optimist to believe that in this 5-year period we can root out the causes of the violence that makes it necessary, and that the insurance industry will be able to fill on its own the void that has opened.

But at this time, the programs this title would authorize are essential if we are to give the residents of our inner cities the insurance protection and security in property that most of us take for granted and prevent a credit crisis in the areas of our cities where credit is most badly needed to stem deterioration.

I urge you to support title X of this legislation.

The article and charts referred to follow:

[From the Wall Street Journal, July 8, 1968]

ROYAL-GLOBE FACES QUIZ BY THREE STATES ON VOIDING OF RIOT-AREA POLICIES—KENTUCKY, MICHIGAN, NEW JERSEY REACT TO CANCELLATIONS—INSURER SUSTAINED 5 PERCENT LOSSES IN 1967

At least three states are opening examinations of the Royal-Globe group of insurance companies, following reports the British insurers ordered large-scale cancelations of property and business policies in U.S. cities that have suffered or may be hit by racial violence, the Associated Press said.

The state insurance departments of Michigan and Kentucky announced Friday they would undertake special examinations. In Kentucky, a hearing was ordered for July 17 at which Royal-Globe must show cause why its authority to operate there shouldn't be revoked.

In New Jersey, the state's banking and insurance commissioner, Charles Howell, said he summoned officials of Royal-Globe to a meeting tomorrow to discuss the cancelations and "work something out." Depending "on the cooperation," Mr. Howell added, "we'll have to decide then what the next move will be."

Mr. Howell said that although he "understands" the company's problems, the cancelations were "almost an irresponsible thing for them to be doing in the mass manner they are doing it."

The commissioner last week declared an insurance emergency in New Jersey. Under a new state law, this prohibits companies from canceling policies without 30 days notice to the department.

The British group, which controls Globe Indemnity Co. of New York, sustained sharp losses during the 1967 racial riots. The concern, which writes about 3% of all U.S. property insurance, sustained approximately 5% of the total riot losses, it's estimated.

Officials of Globe Indemnity weren't available for comment over the weekend, but in London, the AP reported, the parent company said it hadn't given specific instructions to refuse to renew a policy because the property is in an area of potential civil disorder. It said, however, that all British concerns are asking U.S. agents to review policies when they are due for renewal, and it added that the chance of riot damage would have to be considered in reassessing premiums.

According to the Michigan insurance department, the AP said, Royal-Globe canceled at least 318 property insurance policies in the Detroit area, where it was a heavy loser in last summer's riots. Russell Van Hooser, administrative assistant to Michigan's insurance commissioner, said Royal-Globe notified the state of the cancellations last Tuesday.

Mr. Van Hooser said the department hopes to find out this week exactly how many policies are involved, their values and the reasons for the cancellations. The examination "will determine what further action is called for," he said, adding, "I think there are some legal steps that could be taken, but I wouldn't want to speculate on that until we have all the facts in hand."

The Kentucky insurance department said Royal-Globe officials told the agency the cancellations were part of a nationwide effort to cut down high risks, the AP reported. Although only fire insurance is involved in the Kentucky examinations, all Royal-Globe business in the state would be affected if the group's certificate of authority is revoked.

In St. Louis, a local Royal-Globe agent said the company will cancel a $52.4 million fire insurance policy on five St. Louis public housing authority projects on Aug. 10 unless it can get other insurance companies to assume 80% of the policy.

William W. Fetner, chairman of Lawton Byrne Bruner Insurance Agency Co., which handles the policy for Royal-Globe, also said that company had "instructed us it has canceled all of its property insurance in East St. Louis (Ill.)," a predominantly Negro area. A local insurance expert estimates this coverage in excess of $50 million. Mr. Fetner said his agency had handled 10 Royal-Globe policies in East St. Louis totaling about $1 million.

Of 20 companies he had contacted to get them to pick up as much as 5% apiece of the St. Louis housing authority projects, Mr. Fetner said, "four or five have so far said they will do so and an equal number have declined."

Irvin Dagen, executive director of the St. Louis housing authority, called the threatened cancellation "shameful." "Insurance companies," he said, "are the only companies that can play around like this. The circumstances haven't changed from a year ago when Royal-Globe bid on the contract. They should have been aware of conditions then."

HOW INDUSTRY-STATE FEDERAL SHARING IN RIOT LOSS REINSURANCE WORKS

[In millions of dollars]

	If annual premiums earned on reinsured lines in State X are $100,000,000 and if total insured riot losses in State X during the 1st year of the NID program are—	
Total insured riot losses	45.0	10.0
Insurers' retention of losses [1]	−7.2	−3.7
Balance after retentions	37.8	6.3
Insurers' reinsurance premiums for 1st year [1]	−2.0	−2.0
Balance of losses to be shared by State-Federal Governments	35.8	4.3
State share of losses	[2] −5.0	[3] −4.3
Program share of losses	[4] 30.8	0

[1] The rates in the formulas for insurers' retentions of loss and reinsurance premiums paid are illustrative only.

[2] State sharing is at the maximum of $5,000,000 because the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid is greater than $5,000,000.

[3] State sharing is equal to the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid because this balance is less than the maximum of $5,000,000.

[4] Program share of losses in State X would be covered by reinsurance premiums paid by insurers operating in other States. Only when such premiums are exhausted would there be a need for Treasury borrowing.

HOW INDUSTRY-STATE-FEDERAL SHARING IN RIOT-LOSS REINSURANCE WORKS

[In millions of dollars]

	If annual premiums earned on reinsured ines in State X are $100,000,000, and if total insured riot losses in State X during the 1st year of the NID program are—			
Total insured riot losses	45.0	15.0	10.0	5.0
Insurers' retention of losses [1]	−7.2	−4.2	−3.7	−3.2
Balance after retentions	37.8	10.8	6.3	1.8
Insurers' reinsurance premiums for 1st year [1]	−2.0	−2.0	−2.0	−2.0
Balance of losses to be shared by State-Federal Governments	35.8	8.8	4.3	−.2
State share of losses	[2] −5.0	[2] −5.0	[3] −4.3	[4] −0
Program share of losses	[5] 30.8	[5] 3.8	0	0

[1] The rates in the formulas for insurers' retentions of loss and reinsurance premiums paid are illustrative only.

[2] State sharing is at the maximum of $5,000,000 because the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid is greater than $5,000 000.

[3] State sharing is equal to the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid because this balance is less than the maximum of $5,000,000.

[4] State sharing is zero because insurers' retention of loss and reinsurance premiums paid are greater than insured riot losses.

[5] Program share of losses in State X would be covered by reinsurance premiums paid by insurers operating in other States. Only when such premiums are exhausted would there be a need for Treasury borrowing.

HOW INDUSTRY-STATE-FEDERAL SHARING IN RIOT-LOSS REINSURANCE WORKS

[In millions of dollars]

	If annual premiums earned on reinsured lines in State X are $100,000,000, and if total insured riot losses in State X during the 2d year of the NID program are—			
Total insured riot losses	45.0	15.0	10.0	5.0
Insurers' retention of losses [1]	−7.2	−4.2	−3.7	−3.2
Balance after retentions	37.8	10.8	6.3	1.8
Insurers' reinsurance premiums for 1st 2 years [1]	−4.0	−4.0	−4.0	−4.0
Balance of losses to be shared by State-Federal Governments	33.8	6.8	2.3	−2.2
State share of losses	[2] −5.0	[2] −5.0	[3] −2.3	[4] −0
Program share of losses	[5] 28.8	[5] 1.8	0	0

[1] The rates in the formulas for insurers' retentions of loss and reinsurance premiums paid are illustrative only.

[2] State sharing is at the maximum of $5,000,000 because the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid is greater than $5,000,000.

[3] State sharing is equal to the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid because this balance is less than the max mum of $5,000,000.

[4] State sharing is zero because insurers' retention of loss and reinsurance premiums paid are greater than insured riot losses.

[5] Program share of losses in State X would be covered by reinsurance premiums paid by insurers operating in other States. Only when such premiums are exhausted would there be a need for Treasury borrowing.

HOW INDUSTRY STATE-FEDERAL SHARING IN RIOT LOSS REINSURANCE WORKS

[In millions of dollars]

	If annual premiums earned on reinsured lines in State X are $100,000,000, and if total insured riot losses n State X during the 3d year of the NID program are—			
Total insured riot losses	45.0	15.0	10.0	5.0
Insurers' retention of losses [1]	−7.2	−4.2	−3.7	−3.2
Balance after retentions	37.8	10.8	6.3	1.8
Insurers' reinsurance premiums for 1st 3 years [1]	−6.0	−6.0	−6.0	−6.0
Balance of losses to be shared by State-Federal Governments	31.8	4.8	.3	−4.2
State share of losses	[2] −5.0	[3] −4.8	[3] −.3	[4] −0
Program share of losses	[5] 26.8	0	0	0

[1] The rates in the formulas for insurers' retentions of loss and reinsurance premiums paid are illustrative only.

[2] State sharing is at the maximum of $5,000,000 because the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid is greater than $5,000,000.

[3] State sharing is equal to the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid because this balance is less than the maximum of $5,000,000.

[4] State sharing is zero because insurers' retention of loss and reinsurance premiums paid are greater than insured riot losses.

[5] Program share of losses in State X would be covered by reinsurance premiums paid by insurers operating in other States. Only when such premiums are exhausted would there be a need for Treasury borrowing.

HOW INDUSTRY-STATE-FEDERAL SHARING IN RIOT-LOSS REINSURANCE WORKS

[In millions of dollars]

	If annual premiums earned on reinsured lines in State X are $100,000,000, and if total insured riot losses in State X during the 4th year of the NID program are—			
Total insured riot losses	45.0	15.0	10.0	5.0
Insurers' retention of losses [1]	−7.2	−4.2	−3.7	−3.2
Balance after retentions	37.8	10.8	6.3	1.8
Insurers' reinsurance premiums for 1st 4 years [1]	−8.0	−8.0	−8.0	−8.0
Balance of losses to be shared by State-Federal Governments	29.8	2.8	−1.7	−6.2
State share of losses	[2] −5.0	[3] −2.8	(4)	(4)
Program share of losses	[5] 24.8	0	0	0

[1] The rates in the formulas for insurers' retentions of loss and reinsurance premiums paid are illustrative only.

[2] State sharing is at the maximum of $5,000,000 because the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid is greater than $5,000,000.

[3] State sharing is equal to the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid because this balance is less than the maximum of $5,000,000.

[4] State sharing is zero because insurers' retention of loss and reinsurance premiums paid are greater than insured riot losses.

[5] Program share of losses in State X would be covered by reinsurance premiums paid by insurers operating in other States. Only when such premiums are exhausted would there be a need for Treasury borrowing.

HOW INDUSTRY-STATE-FEDERAL SHARING IN RIOT-LOSS REINSURANCE WORKS

[In millions of dollars]

	If annual premiums earned on reinsured lines in State X are $100,000,000 and if total insured riot losses in State X during the 5th year of the NID Program are—			
Total insured riot losses	45.0	15.0	10.0	5.0
Insurers' retention of loses [1]	−7.2	−4.2	−3.7	−3.2
Balance after retentions	37.8	10.8	6.3	1.8
Insurers' reinsurance promiums for 1st 5 years [1]	−10.0	−10.0	−10.0	−10.0
Balance of losses to be shared by State-Federal Governments	27.8	0.8	−3.7	−8.2
State share of losses	[2] −5.0	[3] −0.8	[4] 0	[4] 0
Program share of losses	[5] 22.8	0	0	0

[1] The rates in the formulas for insurers' retentions of loss and reinsurance premiums paid are illustrative only.

[2] State sharing is at the maximum of $5,000,000 because the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid is greater than $5,000,000.

[3] State sharing is equal to the balance of insured riot losses after insurers' retentions of loss and reinsurance premiums paid because this balance is less than the maximum of $5,000,000.

[4] State sharing is zero because insurers' retention of loss and reinsurance premiums paid are greater than insured riot losses.

[5] Program share of losses in State X would be covered by reinsurance premiums paid by insurers operating in other States. Only when such premiums are exhausted would there be a need for Treasury borrowing.

Mr. PATMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I rise in strong support of this legislation, H.R. 17989. Almost 20 years have passed since Congress established, in the Housing Act of 1949, the goal of a decent, safe, and sanitary home for every American. We seem no closer to that goal today than we were then. The backlog of dilapidated housing has grown; in 1960, at the time of the last housing census it was estimated to be 15.5 million units; the housing shortage has not decreased. Especially in our large urban centers the scarcity of moderately priced, attractive housing is very great indeed.

Too many of our traditional housing programs, although enlightened in intent, have been reactionary in effect. Urban renewal too often has served as a boon to the real estate developers and a bane to the low-income communities it destroys and fails to replace. Too often public housing has been unimaginative and sterile.

In recent years the Congress has enacted new, creative housing legislation. The Housing Acts of 1961 and 1965 provided new now- and moderate-income programs. The rent supplement program offered a new approach to low-income housing. The model cities program enacted in 1966 provided the basis for the comprehensive regeneration of entire neighborhoods. Yet these programs are today starved for funds. In order to fulfill the pledge of 1949 it is necessary both to fully fund these important programs and to round them out by adopting the Housing and Urban Development Act of 1968, which is before us today. This is indeed landmark legislation which will complement the major housing legislative achievements which have already been enacted, and will stand in history along with the Housing Act of 1937 and the Housing Act of 1949.

I should like to commend the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. BARRETT], and the chairman of the full committee, the gentleman from Texas [Mr. PATMAN], and all members of the committee for having brought this legislation before us.

The heart of H.R. 17989 is in the two new programs authorized in new sections 235 and 236—sections 101 and 201 of H.R. 17989—will provide for interest reduction payments to be made with regard to private mortgages for moderate income individually owned, rental, and cooperative housing. The payments would reduce the effective mortgage interest rate to 1 percent. Beneficiaries of the programs would be required to pay the unsudsidized cost, or 20 percent of their income, whichever is less.

H.R. 17989 also increases the authorizations for model cities, urban renewal, public housing, rent supplements, mass transit, and several other existing programs.

In addition, it makes several policy changes, especially with regard to urban renewal, which are highly beneficial. It requires that at least 50 percent of housing units to be built in a residential urban renewal area be low- or moderate-income housing. Throughout my service in Congress I have introduced legislation to prohibit subsidized luxury housing under title I—H.R. 1224; however, the 50 percent requirement is a recognition of the need to reorient urban renewal toward low- and moderate-income families and a step in the right direction.

Another modification of the urban renewal program establishes a "neighborhood development program" which would afford a more rapid and efficient implementation of programs. The slow pace of urban renewal has been a failure of the existing program.

Also encouraging are the provisions which facilitate the use of rehabilitation in urban renewal areas. Section 311 provides mortgage insurance for housing in urban renewal areas rehabilitated by local public agencies. Section 403 increases the maximum rehabilitation grant from the present $1,500 to $3,000. And section 404 removes the current 5-percent ceiling on the use of urban renewal funds for rehabilitated housing.

As the sponsor of H.R. 14034, the Cooperative Rehabilitation Housing Act, I heartily endorse the various measures in this bill to facilitate the provision of urban homeownership through rehabilitated cooperative housing.

There are other sections of this bill not related to urban renewal, which also facilitate cooperative housing. The bill permits the sale of 221(d)(3) and section 236 rental housing to cooperatives; it also broadens the existing law to permit the sale of any suitable public housing unit to the tenants. For years I have made a similar proposal—H.R. 14561.

Section 303 also promotes the condominium form of ownership by authorizing FHA insurance for the purchase of individual units in a condominium of 11 units or less, regardless of whether the condominium was originally FHA insured. I have proposed a similar program in H.R. 1220 and H.R. 1223. Unfortunately, under the pending bill the size of the condominium is limited to 11 units, and no similar FHA insurance is made available for the acquisition of a cooperative apartment.

Another important provision to promote cooperative low-income housing is section 313 which would authorize FHA mortgage insurance for supplementary loans for cooperative housing where the housing was acquired from the Federal Government, such as the Parkchester cooperative in the District of Columbia, which was formed through the purchase from the Federal Government by the tenants of a section 608 wartime project on which the previous owner had defaulted.

These are welcome additions, which will do much to encourage the formation of low-income cooperatives and condominiums, which I believe hold out the best hope for the elimination of absentee landlordism and the opportunity for homeownership for the low-income city dweller.

It is highly pleasing that the Committee on Banking and Currency accepted my amendment which will make State and municipally financed housing such as as New York's Mitchell-Lama housing eligible for assistance under the new section 236 interest-subsidy program.

A similar amendment incorporating a proposal which I advanced as H.R. 1234 would make Mitchell-Lama type housing eligible for rent supplement tenants. This was also accepted in committee.

These amendments would be of benefit to Connecticut, Illinois, Massachusetts, Michigan, New Jersey, New York, and Pennsylvania which have direct-loan programs.

The New York State and City Mitchell-Lama programs have been stalemated because of the increasing spiral of site, construction, and interest costs. It has reached a point where recent Mitchell-Lamas can no longer truthfully be considered "moderate income." Recently, the New York City Board of Estimate approved a Mitchell-Lama project that will rent for $48 per room per month. Without some sort of subsidy, the program will continue to be priced out of the reach of low- and moderate-income New Yorkers.

My amendment will make it possible for new Mitchell-Lama housing to get 1-percent financing. The rates are now in the area of 5 percent. An interest-rate reduction to 1 percent will reduce rentals to about $30 per month. It should promote increased construction of Mitchell-Lama housing at lower rentals. I regret that existing Mitchell-Lama housing is not included in the interest subsidy amendment. Nevertheless, the interest subsidy amendment will be of great benefit to Mitchell-Lama projects which are not yet completed.

One such project of great interest is the East River urban renewal project, which has been sponsored by Local 1199 of the Drug and Hospital Workers Union. This union is fully interracial and has deep roots in Harlem. The developer-builder is the Douglass Development Corp., named after the great leader who rose from slavery, Frederick Douglass.

Many members of Local 1199 earn in the area of $100 per week. Today an unsubidized Mitchell-Lama project would require rentals of at least $40 per room per month and would thus be priced out of the reach of most members of the union. But the new section 236 program will make it possible for prospective tenants to afford this decent housing.

Section 3 of H.R. 17989, the "jobs in housing" provision, will be of enormous benefit to low- and moderate-income urban residents. With respect to new sections 235 and 236, public housing, 221(d)(3) and rent supplements programs it provides:

> The Secretary of Housing and Urban Development shall require that, to the greatest extent feasible, opportunities for employment arising in connection with the construction or rehabilitation of projects assisted under such programs be given to lower income persons residing in the area of such projects.

A similar requirement is already in force with respect to model cities programs.

This requirement at the annual level of new construction in H.R. 17989—600,000 units per year for 10 years—will generate some 500,000 new construction jobs for low-income persons, according to a study by the Department of Housing and Urban Development.

The credit for the "jobs-in-housing" proposal belongs to the National Committee for a Confrontation With Congress and its leaders, James Haughton, and Timothy Cooney. They generated a genuine grassroots lobby, which spent many hours with Members of Congress to promote the idea. As a cosponsor of H.R. 16266, the original "jobs-in-housing" bill, I can attest to their diligence.

Title X provides for urban property protection and reinsurance against fire, crime and civil disorders. One of the greatest factors contributing to the further decay of high crime neighborhoods is the general unavailability of insurance at reasonable rates. Following the civil disorders of last summer, I introduced H.R. 11896, to compensate insurers for losses due to major civil disorders. At that time, I spoke of the general need for reasonably priced insurance against all types of losses, and not solely losses due to riots. While I support title X, I regret that Federal liability has been limited to $150 million. The Senate figure of $600 million is much more realistic, and ideally, there should be no fixed ceiling.

Let me also note title VIII, national housing partnerships. This program will bring together the necessary capital with the necessary technical expertise to assemble the low- and moderate-income housing projects which can take advantage of these various subsidized programs. This will help overcome the redtape which has plagued too many Federal housing programs. There remains a need, to which the committee has wisely addressed itself, to generally simplify procedures and reduce the complexity which has frightened away many potential sponsors of low- and moderate-income housing projects.

While I am in general support of H.R. 17989, I regret that certain problems in the area of housing and urban development were not dealt with fully.

One excellent program which was eliminated in committee was the new program of guarantees for obligations incurred in the financing of new communities. This has been included in the Senate bill, and I hope it will be retained in conference.

Another proposal which I have proposed for years—H.R. 1232—and which was also proposed in the omnibus bill of Congressmen REUSS, MOOREHEAD, and ASHLEY, would prohibit a landlord who fails to adequately maintain his structure, or who is in violation of local health and safety codes, from benefiting from tax depreciation allowances. This was not included in the bill.

H.R. 17989 also fails to improve relocation procedures, which are presently inadequate with respect to both efficiency and size of relocation payments. I have introduced several bills to deal with this problem—H.R. 1225, H.R. 1226, H.R. 1227, H.R. 16953—the most comprehensive of which is H.R. 16953, the Relocation Assistance Act of 1968. This would establish in the Department of Housing and Urban Development a central Relocation Assistance Bureau, which would supervise relocation requirements and make payments to relocatees with respect to all Federal programs.

As important as sections 235 and 236 are, by subsidizing market interest rates down to 1 percent, they necessitate a subsidy equivalent to six points of interest on the principal. If, instead, as I have proposed in H.R. 1222, a revolving fund based on Treasury borrowings were established, with a rate of between 4 and 5 percent, the cost of subsidy would be substantially less, and subsidy funds would "stretch" much further.

Another proposal of mine, H.R. 16053, would permit a deduction of $200 per minor dependent from the income on which the rental for a rent supplement tenant is based. Although the $200 deduction has been accepted with respect to the sections 235 and 236 mortgage-subsidy programs, I believe it should apply to rent supplements as well.

I also believe the limitations on the funds which can go to any single State with respect to public housing and urban renewal should be repealed. These programs should be directed to the areas where the need is greatest—without artificial geographical limitations. I have introduced H.R. 1228 and H.R. 1233 to accomplish this.

Let me say in conclusion that, while I have cited certain omissions, I strongly support this legislation. It provides a goal of 6 million low- and moderate-income housing units over the next 10 years—10 times the rate of the previous decade. During the next 3 years, it would authorize 375,000 units of low-rent public housing, increased by 50 percent the total number of public housing units which have been constructed in the last 30 years.

It would provide an urban renewal authorization of $1.4 billion for fiscal year 1970, greatly reducing the backlog of applications which is now pending.

It would increase the model cities authorization by $362 million in fiscal year 1969 and $1 billion in fiscal year 1970.

It would increase mass transit authorizations by $190 million, a sum which is minimal when compared with our mass transportation needs.

It is urgent that this legislation not be destroyed with reductions in authorizations or crippling amendments. Having shortchanged the cities for so long, it is necessary to make up for lost time. The 600,000 units of low- and moderate-income housing per year specified in this bill is the level suggested by the report of the National Advisory Commission on Civil Disorders. To save our cities from continued decay and disorder, we must enact—and fully fund—massive programs to rebuild them and to provide decent, safe, and sanitary housing for all of our citizens, a goal which has languished for 20 years.

In order to set forth in greater detail my views on necessary housing legislation, I include the testimony which I presented on April 3, 1968, before the Subcommittee on Housing of the Committee on Banking and Currency:

STATEMENT OF HON. WILLIAM F. RYAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, APRIL 3, 1968

As the year 1949 recedes further into the past, the congressional declaration of the goal of a decent home and suitable living environment for every American family seems almost as remote as it did then.

In that declaration of the Housing Act of 1949, the Congress set forth on the task of eliminating the slums of this country. That act authorized the construction of 810,000 public housing units for low-income families. It established a slum clearance and community development program now known as the urban renewal program.

The proponents of the urban renewal program expressed strong feelings that the people in slum areas should be assured good housing. "Any slum clearance which fails to assure adequate housing for the families who presently live in slums would be merely forcing them into worse conditions. This applies with particular force to families of minority races for whom the problems of relocation are particularly difficult," the Housing subcommittee stated. (H. Rept. 590, p. 16.)

These were the good intentions and fine congressional declarations. But what has happened since 1949?

First, to this day the authorized 810,000 public housing units have not been built. Less than 700,000 units have been built since 1949. What Congress did with its authorizing hand it struck down with its appropriating hand. Even the widely acclaimed Housing and Urban Development Act of 1965 authorized only about 35,000 units a year. As I said to the Housing Subcommittee in 1965, "How will 35,000 units for 4 years make a dent in the need for new housing?"

The National Advisory Commission on Civil Disorders has recommended a level of 600,000 units of low- and moderate-income construction next year and a total of 6 million such units over the next 5 years. The Commission called for more public housing, more funds for rent supplements, and homeownership, which in urban centers means cooperative or condominium ownership; the Commission also called for a reorientation of urban renewal programs.

Second. Urban renewal has failed to

meet the goals of the 1949 act. It has not succeeded in providing adequate housing for those who live in the redevelopment areas. More than 200,000 persons have been displaced from urban renewal sites to make way for new housing and commercial developments. However, most of the new housing is at a cost clearly out of reach of most of the persons displaced.

The noble intentions of the Housing Act of 1949 have not been translated into an effective program of obliterating the slums

In fact, we face an unprecedented housing crisis, a housing crisis that lies at the roots of America's urban malaise. Substandard housing is surely one of the primary components in the picture of the bleak deprivation of our urban poor.

In 1960, the Census Bureau counted about 15.5 million substandard housing units in the United States. Sixty percent of the substandard rental units in 1960 were occupied by families earning less than $3,000. Thirty-four percent of the unsound owner-occupied units had families in them with incomes under $3,000.

Secretary Weaver of the Department of Housing and Urban Development testified before the Housing and Urban Affairs Subcommittee of the Senate Banking and Currency Committee that the demand for additional public housing units has been running at the rate of about 140,000 units per year.

With this indisputable connection of poverty and bad housing, is to certainly possible to make some correlation between the fact of living in poor housing and the social attitudes and behavior of the one-fifth of our citizens who are ill-housed.

First, reputable studies have confirmed that the education of badly housed children is impeded. Often these children are unable to study for lack of space and privacy. Frequently, parents are not there to give guidance. Doctors describe the high rates of illness and death. In New Orleans, a study found that 44 percent of the incidence of tuberculosis in that city was concentrated in slum sections covering only 25 percent of the residential area of the city.

The provision of decent and safe housing is a key requirement in our attack on urban poverty. One-fifth of our Nation is still ill-housed.

Major Federal housing programs administered by FHA have thus far benefited mostly upper-middle-income families. Commendable as is the Federal Government's record in stimulating the housing market by means of Government-insured mortgages, standard FHA insurance is not designed to meet the housing needs of poor families. The average cost of the FHA insured home is around $16,000.

The model cities program, which Congress passed in 1966, is insufficient to meet the critical housing problems of the poor.

The administration has requested appropriations of $500 million for fiscal year 1969 for the model cities program and proposed $1 billion additional for each of the fiscal years 1970 and 1971. As I remarked before the Housing Subcommittee in 1966: "We must think in bolder terms, in terms of larger amounts of Federal expenditures."

And the mayor of New York City told the subcommittee that perhaps $600 million would make a dent in a single neighborhood. With between 60 and 70 cities participating in the first round of the model cities program, New York City can reasonably expect to receive about $50 million a year.

It is estimated that more than 1.5 million persons in New York City live in poverty-stricken households. Furthermore, nearly 290,000 of the city's 3 million housing units are substandard. Since 1949, New York has been allocated only about $368 million in Federal funds for urban renewal, a program for which more than $5 billion has been spent nationwide. Incidentally, New York City has only used about $172 million.

Clearly, $50 million a year for the model cities program in New York City will not result in dramatic improvement in life in our slums.

During my service in Congress I have introduced a number of legislative proposals designed to fulfill the promises of the Housing Act of 1937 and the Housing Act of 1949. On past occasions I have testified concerning their specifics and will do so again today.

In this Congress, my housing package consists of some 18 bills, which are intended to provide a far more adequate housing program for all Americans. I believe the housing crisis, which was exacerbated by the catastrophic decline in housing starts in 1966, and the very slow recovery thus far, must be met head on with bold new programs to release the millions of low- and moderate-income families from deprivation and despair. We need new programs, and we need to redirect some present policies—and my bills will, if passed, open up new opportunities to many citizens locked in urban ghettos.

H.R. 15624—The administration bill:

Let me begin by making comments on H.R. 15624, the Housing and Urban Development Act of 1968, which is the administration's bill. In general, the administration's bill makes useful and necessary extensions and modifications of existing programs.

However, there remain pressing problems to which it is not addressed; and in many areas the increases in the rate of new construction will still not be sufficient to meet the need. Specifically:

There is a need to increase allocations for public housing and rent supplements beyond the levels proposed in H.R. 15624.

Relocation procedures must be improved and made more equitable.

There should be a uniform relocation statute providing for a central relocation bureau which would administer a uniform relocation policy for all direct Federal and federally assisted construction.

Housing construction in slum areas should be a means not only to build homes but to provide jobs to local residents. The provisions of the Model Cities Act—sections 101 and 103—which require model cities funds to generate employment of target-area people, should be extended to other federally assisted housing programs. Reports in the press last week suggest that the requirements of the Model Cities Act may not be fully carried out. This will require the continuing scrutiny of the Congress to insure that congressional intent is being followed.

More assistance should be provided to cooperative and condominium housing as the most feasible form of low- and moderate-income homeownership in urban areas.

Present FHA programs are only of benefit where an entire cooperative or condominium is constructed through an FHA loan. If an individual wishes to buy into a cooperative or condominium, there is no FHA program to benefit him. Nor is there any FHA loan program for persons acquiring non-FHA cooperatives or condominium houses.

Section 304 of H.R. 15624 would make available FHA insurance for loans to purchasers of condominium units in non-FHA projects of 11 units or less. This is a start, but it should be extended to all economically viable cooperative and condominium housing.

Section 204 of H.R. 15624 authorizes $20 million for management assistance and tenant services in public housing. This is a welcome initiative. However, it should emphasize transferring actual management functions to tenants, associations, and it should not be restricted to public housing, but should be available to all low- and moderate-income federally subsidized housing programs, including rent supplements. Also, the authorization should be larger.

The neighborhood development program proposed in section 501 of H.R. 15624 should make the operation of urban renewal more efficient. Instead of the present practice under which funds are backlogged in the pipeline for many years, the Secretary may allocate funds for only a year in advance. Although financing on an annual basis may streamline the operation of urban renewal, it does raise questions which I call to the attention of the Subcommittee on Housing:

First, will the workable program have to be in effect throughout the period of assistance or only during the first year? The workable program requirement should be utilized effectively and be in force throughout the period of assistance.

Secondly, the neighborhood development program proposes to accelerate processing time. How does the Department of Housing and Urban Development propose to reconcile this with the citizen-participation requirement?

Let me endorse section 504 of H.R. 15624, which would permit expanded acquisition of residential property by an urban renewal agency for rehabilitation purposes. This could provide the basis for cooperative resident ownership proposed in my bill, H.R. 14034.

Sections 101 and 201 of H.R. 15624 would provide a mortgage subsidy program for middle-income home ownership and rental housing. The rental housing program—new section 236—supersedes the 221(d)(3) below-market-interest-rate program and substitutes a direct subsidy of private market loans for FNMA takeout. This change has provoked much discussion.

There is a danger that, by agreeing to directly subsidize market loans, the program may push interest rates still higher.

Second, the differential between the subsidized rate and the market rate will always be greater than the differential between the subsidized rate and the Treasury borrowing rate or the participation certificate rate.

In effect, by directly subsidizing market loans, Federal subsidy funds do not stretch as far, and each loan is more costly to the taxpayer than the present system.

On the other hand, the administration claims that the direct subsidy approach has the advantage of permitting flexible degrees of subsidy, keyed to income. It is also claimed that direct subsidy obviates the growth of the FNMA portfolio unwieldy levels, and gets around paper budgetary problems.

I would agree that there are problems and benefits with both FNMA takeout and with direct subsidy. It seems to me that the clearest way to achieve the benefits of both is to establish a direct loan program with a revolving fund capitalized through Treasury borrowing. Where desired, rates keyed to income could be further subsidized through annual appropriation.

Direct Government loans could be offered where private mortgage funds are not available at reasonable rates. The existence of such a fund would result in a great easing of the credit squeeze. It would affect the supply and demand balance of the private mortgage market and lower rates generally. In a period of high rates, rents could be kept low by increased subsidies.

I do not promise unanimous support for this proposal from the fraternity of mortgage bankers, but it is the most economical and most direct means of financing moderate-income housing. I have proposed such a direct loan program in H.R. 1222 modeled on New York State's Mitchell Lama Law. A description of the bill follows:

MIDDLE-INCOME HOUSING

H.R. 1222 would establish a new revolving loan in the Department of Housing and Urban Development to assist in the construction and rehabilitation of middle-income housing. Although my bill pertains to rental housing, it could encompass moderate-income homeownership.

This bill would be a step forward in eliminating the gap between the prices on the private housing market and the rents established for public housing, which makes it difficult for middle-income families to live in decent housing.

A task force study on middle-income housing in the New York area concluded that rental housing constructed by unaided private enterprise, despite the best efforts of capable developers and builders, cannot be built at the present time at a rental rate of less than $30 to $40 per rental room, depending upon the type of construction and the location. Yet this same study found that New York's middle-income families need housing that costs no more than $17 to $29 per room a month.

Congress established the 221(d)(3) program in 1961 to grant loan insurance for the provision of housing for moderate-income families. But only a little over 40,000 units have been provided under this program in the entire country. And the fact is that the 221(d)(3) program has hardly helped in New York City. Land and construction costs are too high to keep the rents "moderate."

H.R. 1222 will go far toward relieving the deficiencies of the middle-income housing market and will create a program of long-term, low-interest, Federal loans for mortgages on rental or cooperative housing projects and for rehabilitation, giving private enterprise the necessary means and incentive to erect and repair housing that can be made available at a moderate cost.

This new loan program will be administered by the Secretary of Housing and Urban Development with a self-liquidating revolving trust fund. Annual appropriations by Congress will not be necessary since the funds for the revolving fund will be borrowed from the Treasury.

Loans extended to middle-income housing sponsors will be entirely repaid and the administrative costs of the program met by interest charges insofar as possible. This bill also requires that reasonable reserves be set aside for insurance purposes and will hold losses to a minimum by provisions which require that borrowers have adequate security and an acceptable credit rating in order to qualify for a loan.

The financial assistance proposed by this legislation can make a necessary and important contribution to the middle-income needs in the urban core of all American cities. Specifically, H.R. 1222 authorizes Federal mortgage loans to cover 90 percent of the certified development cost of a middle-income housing project.

This bill offers cooperatives, nonprofit housing associations, local public housing authorities, and limited dividend corporations loan funds for the conservation, repair, alteration, and rehabilitation of middle-income housing and housing for the elderly.

A home improvement loan under this program would be limited in amount to the actual cost of the work on that which, in the opinion of the Secretary, is needed to furnish suitable housing for middle-income and elderly persons.

Although borrowers under these programs may obtain part of the necessary funds from other public loan sources or private credit facilities, the total indebtedness acquired for either mortgage or home improvement loan purposes may not exceed the maximum limits established in this bill. This last provision will prevent undue speculation.

The terms for these loans have been made as reasonable as possible in order to give the most financial assistance to eligible developers of middle-income housing and, at the same time, keep the revolving loan fund on a self-supporting basis. The Secretary is authorized to set the interest rates for these mortgage and home improvement loans at levels no higher than necessary to cover the cost of the funds borrowed from the Treasury, and maintain reasonable reserves. One-half of 1 percent is added to this rate to cover the overhead administrative costs of the program.

H.R. 1222 also specifies long amortization periods for repayment of these loans in an effort to keep the costs of middle-income housing at the lowest possible level. Borrowers of mortgage funds under this program may take as long as 50 years to repay. A mortgage loan may also be refinanced for an additional period of no more than 10 years at the discretion of the Secretary, provided that such refinancing would not endanger the stability of the housing project by permitting an excessive income in the rents for its dwelling units.

The home improvement loans provided by H.R. 1222 may be amortized for periods of no more than 40 years or three-fourths of the remaining economic life of the structure, whichever is less. A borrower may extend this repayment period for 3 years.

To insure that this liberal financing will give assistance where it is most needed, my bill calls for an estimate by the Secretary of the need for middle-income housing in each market in the country. Appropriate shares of the loan funds are to be allocated on the basis of the findings. Furthermore, no loan will be given to a builder or housing sponsor who cannot show an existing need for middle-income housing or housing for the elderly in his area.

Legislation of this type is vitally needed to close the gap in the housing supply which exists between low-income public housing and high-rent luxury apartments.

It is time to admit that our low- and middle-income housing problems will not be solved by a strict adherence to the present FHA approach. It is understandable that Congress has been hesitant to endorse direct loans. However, the need for loans has not been met from private sources.

Congress recognized this when it provided for direct loans for senior citizens housing in 1959. This program was designed to house our senior citizens whose income is too low to participate in the private housing market, or even take advantage of liberal FHA insurance programs. Both the necessity and the popularity of this program speak for themselves. There are thousands of middle-income Americans without a decent home who have precisely the same need as the elderly whom we have rightly sought to help.

A program of low-interest, long-term Federal loans, such as I propose in H.R. 1222, is necessary if we really intend to meet the middle-income housing need in this country.

Another of my bills, H.R. 1223, would also benefit moderate income families—those who choose to live in cooperatives. H.R. 1223 would amend title II of the National Housing Act to provide FHA mortgage insurance for individuals acquiring dwelling units in cooperative housing projects in the same way that such insurance is provided for individuals purchasing other single-family residences.

This bill would heighten the probability of low-income public housing occupants and middle-income persons becoming homeowners. Through long-term, low-interest loans insured by FHA, cooperative apartments could be made available, thus promoting the concept of homeownership.

PUBLIC HOUSING

Let me turn to public housing. I have introduced seven bills to strengthen and improve the public housing program.

After years of inadequate funding of public housing, the administration has proposed H.R. 15624 to build 775,000 public housing units over a 5-year period. This is finally a realistic level of effort, although it is still not sufficient.

There are many in and out of Government who hope for a gradual demise of the low-rent public housing program. Some continue to have a sublime faith in the ability of private enterprise to build housing for low-income families. Others believe the rent supplement program will gradually replace public housing.

These supporting the private enterprise route are blind to the experience of the last 20 years—private builders go where the profit is, and that is in luxury housing. The rent supplement program could complement public housing—if Congress would appropriate sufficient funds and if the rentals could be adjusted to reflect more accurately the budgetary needs of low-income families.

The fact is that public housing remains the most effective means of reaching low-income families. It must be improved and expanded.

For a number of years I have introduced legislation amending the Housing Act of 1937 by removing the existing limit on the amount of annual contributions which may be contracted for by the Housing Assistance Administration.

In the 90th Congress, it is H.R. 1229. I have felt that this is a much better way to deal with public housing than through repeated efforts to increase the existing authority.

In the last analysis, the control of the amount of public housing that can be put into effect in any one year lies with the appropriation, not with the authorization. Would it not be better to let the Department of Housing and Urban Development gage the annual need for public housing by the number of applications it has processed?

Given the tremendous backlog—about 135,000 applications are pending in New York alone—I think the 300,000 annual figure over a period of 10 years, proposed by H.R. 14244, or the level of 500,000 a year for 4 years, proposed by H.R. 16266, represent a more appropriate order of magnitude. I have cosponsored both bills.

H.R. 16266 is significant in that it recognized the connection between an enlarged program of housing construction in slum areas and the generation of jobs for slum-dwellers. In this way, the circle of poverty is cut in two places simultaneously.

Another bill of mine, H.R. 1228, would remove the current 15-percent ceiling on the amount of assistance which may be provided for public housing in any one State. Public housing should be built where the need is greatest, and not on the basis of an artifical quota system.

I have introduced H.R. 1230 to raise the per-room limitations on public housing projects by $1,000. This is needed to counter the rising cost of housing construction, which will otherwise virtually eliminate the possibility of building adequate and attractive public housing. Since 1946, the consumer price index has increased by about 60 percent, but the residential construction cost index has gone up by more than 90 percent.

Clearly, we are experiencing an increase in this sector of the economy out of proportion to overall cost-of-living increases. If we fail to raise the cost limitation on public housing, we will be forever plagued by the argument against unattractive, institutional structures.

One additional point about the public housing cost limitation. Per-room construction limitations are established by statute. In addition, limitations on overall per-unit development costs have been established administratively. In a high-cost area, the only way projects can be built within the overall per-unit limitation is by restricting the number of rooms.

In effect, the act thereby induces local public housing authorities—especially in high-cost areas—to build units with few rooms. In this way, public housing fails to adequately provide for the needs of large families.

We should make it clear to HUD, either

through legislation or committee recommendation, the intent of Congress that a sizable proportion of low-rent public housing units should be constructed to accommodate large families and that any administrative per-unit limitation should take this objective into consideration.

I have introduced H.R. 1231 which will add the concept of due process of law to the procedures for the eviction or removal of a tenant from his home in a low-rent public housing project by providing that a tenant in a public housing project may not be evicted without a public hearing. This is consistent with American ideals of justice and asks only that a public hearing be given a tenant regarding his proposed eviction, that the decision of the public housing agency be based on the record of the hearing, and that such decision be subject to judicial review in the courts. It is hardly necessary to state that it is only fair that public housing tenants be accorded the same standards of justice that exists for those more fortunate.

Homeownership for low-income families is an idea whose time has come. For years, I have urged cooperative and condominium ownership as a means of offering homeownership to low- and middle-income urban families. One way to promote this concept is to permit public housing tenants to purchase the units in which they reside.

My bill, H.R. 14561, amends the Housing Act of 1937 to authorize occupants of dwelling units in low-rent public housing projects to purchase such units. It would also make possible for all or part of a public housing project to be converted to a nonprofit cooperative housing corporation or trust formed by occupants of the project. I have introduced legislation to accomplish this objective since my election to Congress. It is encouraging that the administration's bill, H.R. 15624, includes a provision—section 205—permitting local housing authorities to sell low-rent housing units to tenants.

EXTENSION OF RENT SUPPLEMENTS

The rent supplement program was presented as a major innovation designed to provide low-income housing through private enterprise. It will not have a fair test until it is adequately funded. Thus far, only $42 million has been appropriated for rent supplements. This translates into 42,773 units presently under contract, a pitifully small amount.

The administration bill proposed to increase the authorization for contract authority by $40 million for fiscal year 1970, and an additional $100 million in each of the fiscal years 1971, 1972, and 1973. This increase will provide a total increase of about 375,000 units over 4 years. By contrast, H.R. 14244 proposed an additional 200,000 rent supplements yearly for the next 10 years. I support the higher figure proposed in the Full Oportunity Act, H.R. 14244, which I have cosponsored.

One difficulty with rent supplements has been the fixed requirement that the tenant pay 25 percent of his income for rent. This may be equitable for a couple with one child; but, as one local housing administrator has expressed it, a family of six, in order to spend one-fourth of a $4,000 yearly income on rent, would virtually have to forego eating.

I have introduced legislation, H.R. 16053, which would amend the rent supplement program by providing a deduction of $200 for each minor or non-income-producing adult member of a family, other than the head of the family or his spouse, from the income upon which the 25 percent is computed.

A couple without children earning $4,000 per year would pay 25 percent, or $1,000. But a family with four children and an income, of $4,000 a year would be able to deduct $200 for each child, or $800. Its income base would therefore be $3,200, and 25 percent of that would be $800. So, instead of paying 25 percent of its real income, that family would be paying $800 out of an income of $4,000, or 20 percent.

Another bill of mine which would permit a more flexible rent supplements program is H.R. 1234. This bill would amend the Housing and Urban Development Act of 1965, to make eligible for the rent supplement program housing financed either directly or indirectly by States and municipalities.

President Johnson called the rent supplement program "the most crucial new instrument in our effort to improve the American city." But this program will never begin to meet the needs of our low-income families if it remains largely tied to the 221(e)(3) below-market-rate interest loan program.

Rent supplements could greatly stimulate housing financed by States and municipalities. If H.R. 1234 were adopted, Connecticut, Illinois, Massachusetts, New York, and Pennsylvania, for example, could use rent supplements for their State housing projects.

In New York State, projects financed under the limited-profit, middle-income, Mitchell-Lama program, which are privately constructed, owned, and operated exactly like those projects now eligible for rent supplements, are not eligible. They have direct loans from the city or the State. My bill would allow the 35,000 units built under this New York State program to have rent supplement tenants. This would be an important step toward making the rent supplement program truly a crucial new instrument.

THE COOPERATIVE REHABILITATION HOUSING ACT

I wish to bring to the special attention of the Subcommittee on Housing, H.R. 14034, the Cooperative Rehabilitation Housing Act, which I introduced last November 15. I believe this measure offers new approaches to attacking the syndrome of absentee-owned slum housing.

My bill recognizes that many urban buildings which have fallen into disrepair are structurally sound and capable of rehabilitation. The difficulty is that economic and psychological disincentives built into absentee ownership of slum buildings, where profits are high and investments marginal, discourage even careful maintenance, let alone efforts at rehabilitation.

H.R. 14034 would encourage the rehabilitation of such dwellings through their conversion to cooperative ownership by their residents. It provides a low-interest, revolving loan fund for acquisition and rehabilitation.

It enables the tenants to negotiate a sale directly with a private owner, or to acquire the dwelling from a municipality. There are also incentives for municipalities to acquire, through condemnation or otherwise, dwellings which are in repeated violation of local building and health codes, for the purpose of eventually transferring them to resident cooperatives.

I note that section 504 of the administration housing bill, H.R. 15624, would facilitate the acquisition of residential buildings by a local urban renewal agency, for purposes of rehabilitation, by removing the current limitation of 5 percent.

My bill also provides a technical assistance service in the Department of Housing and Urban Development to facilitate the organization and management of such cooperatives.

Existing Federal programs to promote rehabilitation of urban housing are limited to public housing, nonprofit sponsorship, or loans to private owners.

The economics of slum housing make it unlikely that absentee landlords will take advantage of rehabilitation loans. Similarly, the new section 221(h) nonprofit sponsor rehabilitation program has hardly begun and part of the difficulty is the scarcity of suitable nonprofit sponsors.

Rehabilitated public housing forms the greatest single category of successful rehabilitation efforts. Approximately 20,000 rehabilitated public housing units are currently under contract. The average development cost was $12,822 per unit in fiscal year 1966, substantially less than comparable new construction. As successful as the experience in rehabilitated public housing may have been, it has none of the advantages associated with ownership.

Cooperative ownership has numerous advantages. It gives an organizational focus for community action by the residents. The familiar effects of pride of ownership improve maintenance and reduce costs. One successful example of a rehabilitated housing cooperative is the Parkchester cooperative in Southeast Washington. This was formerly a 292-unit, badly deteriorated, section 608, wartime project which had reverted to FHA after its owners had defaulted on the mortgages.

With the assistance of the United Planning Organization, Southeast Neighborhood House, and the Cooperative Housing Service Corp., a cooperative was organized which arranged to purchase the Parkchester development. Many of the tenants assisted in the renovation work, and Parkchester now operates as a resident-owned cooperative with units costing about $80 monthly to coop members. The rehabilitation work is proceeding well, and it is estimated that the cost to tenants will be about 15 percent less after rehabilitation than comparable units cost when the project was privately owned.

After considerable negotiation with FHA, a loan was arranged under the 221(d)(3) program; however, it is recognized that 221(d)(3) is not an ideal vehicle for this kind of effort, since it is generally aimed at a higher income bracket, and many of its requirements were waived in this case under section 223, which permits the Commissioner to set the terms for disposing of FHA-held properties.

H.R. 14034, unlike the existing 221(d)(3) program, is directed specifically at the conversion of existing older units into cooperatives. The sections of the bill are summarized as follows:

"SUMMARY OF RYAN BILL, H.R. 14034, THE COOPERATIVE REHABILITATION HOUSING ACT

"SEC. 1: TITLE. Cooperative Rehabilitation Housing Act.

"SEC. 2: FINDING. That wider home ownership in low-income urban areas is highly desirable as a means of preventing or arresting urban decay. That absentee ownership encourages or perpetuates slums. That many existing buildings could be rehabilitated, but the economics and psychology of absentee ownership discourage it. Act encourages home ownership by low and moderate income multi-family housing dwellers.

"SEC. 3: LOAN AUTHORIZATION. Secretary of Housing and Urban Development authorized to make loans to tenants' groups for acquisition and rehabilitation of housing acquired either from present landlord or municipality after condemnation. 100% loans at a rate not higher than the current rate on the public debt, and not lower than 2%. Priority of membership in cooperative to be given to present residents of building. Average income of cooperators at the time of loan must be within 221(d)(3) limits, excluding the highest income one fourth. Average monthly payments to cooperative must not exceed 20% of average tenant income. The interest rate on the loan is adjusted to as low as 2% to comply with this condition. All inhabitants must be members of the cooperative; cooperative cannot sublet for profit.

"SEC. 4: INTERIM LOANS. A loan may be made to a municipality for acquisition and rehabilitation of a structure, if the building and the loan obligation will be transferred to a tenant cooperative at the earliest possible date following completion of the work.

"SEC. 5. GRANTS TO MUNICIPALITIES. Grants for up to 50% of the administrative costs to a municipality in acquiring title to a building and conveying it to a tenant cooperative.

"Sec. 6: Technical Assistance. Technical assistance service in the Department of Housing and Urban Development includes initial organization of tenants' groups, assistance in the acquisition of buildings, arranging the loans, contracting for the rehabilitation work, instructions in management. Certain of these functions may be contracted to non-profit groups which specialize in assisting cooperatives.

"Sec. 7: Revolving Fund Created on the Books of the Treasury.

"Sec. 8: Powers of the Secretary.

"Sec. 9: Labor Standards. Laborers, contractors and subcontractors must be paid at prevailing rates, but Secretary may give permission for members of the cooperative to help in the rehabilitation. In the awarding of contracts, the local contractors shall have priority. Local residents shall be employed to a maximum feasible extent in the rehabilitation work. Funds for necessary training.

"Sec. 10: Annual Appropriations. Annual appropriations to cover the subsidized interest rate, and other administrative costs."

Let me say to the distinguished members of the subcommittee that I am not committed to every last comma of this particular bill, but rather to the concept. I would hope that the subcommittee will carefully consider this proposal, and I would welcome the opportunity to work with the subcommittee on any modifications which the subcommittee deems desirable.

To note one area in particular, H.R. 14034 proposes a direct loan fund. I have long held the belief that direct loans are insufficiently utilized in Federal housing programs. The success of New York's Mitchell-Lama law demonstrates that direct loan programs are able to meet the needs of middle-income housing. Although I would prefer the direct loan approach, I am aware that this is the year for mortgage subsidy programs, and that mechanism of financing would not impair the basic purpose of my bill.

URBAN RENEWAL

Let me now discuss the major program which the Housing Act of 1949 established to help rescue the slumdweller—urban renewal.

A glance at title I of that act clearly shows that its authors conceived of it as a program of slum clearance and urban redevelopment—a program to uplift the poor and upgrade their housing.

Yet, too often, the bulldozer has come in and removed the residents—mostly minority groups—and then build costly luxury apartments or commercial structures.

The Renewal Assistance Administration reported that as of June 30, 1966, out of a total of 1,155 urban renewal projects with contracts authorized, only 497 were exclusively, or even primarily, residential, while 658 were exclusively or primarily nonresidential.

In New York City, for example, between January 1, 1960, and June 30, 1965, the Renewal Assistance Administration approved three residential projects totaling $25.4 million, and two nonresidential projects totaling $32.1 million. The conclusion is inescapable that urban renewal is not providing enough housing for the urban poor.

President Johnson has said that—

"The Federal program of urban renewal is today our principal instrument for restoring the hope and renewing the vitality of older cities and wornout neighborhoods."

But I second his stricture that—

"Despite existing programs assisting families and persons displaced by urban restoring the hope and renewing the vitality of older cities and wornout neighborhoods."

The human problems surrounding the urban renewal program must be resolved. Too often both the executive branch and the Congress seem only interested in how many units are produced—not what happens to the people.

Over 200,000 families have already been displaced by urban renewal projects. Who can say how many lives will be disrupted? Some estimates run as high as 1 million.

To put the urban renewal program on the right track—the track set by the Housing Act of 1949, I have introduced five bills:

1. H.R. 1224, to prohibit the construction of luxury housing in the redevelopment of urban renewal areas;
2. H.R. 1225, to require the establishment of more effective procedures for the relocation of individuals, families, and business concerns displaced from urban renewal areas;
3. H.R. 1226, to provide that individuals, families, and business concerns displaced by an urban renewal project shall have priority of opportunity to relocate in the project area after its redevelopment;
4. H.R. 1227, to provide more adequate relocation payments for individuals, families, and business concerns displaced from urban renewal areas; and
5. H.R. 1233, to remove the 12.5-percent limit on the amount of grant assistance which may be provided for urban renewal in any one State.

Many times during the last three Congresses, I have spoken about the construction of high-rise luxury apartments on land that formerly housed poverty-stricken slumdwellers. I have called attention to the Manhattan town scandal, where Webb & Knapp produced luxury housing on urban renewal land with rents beginning at $49 per room; the high profits the Zeckendorf companies have realized from New York urban renewal projects; and the Washington Square Village development where apartments rent for as much as $246 per room per month.

In addition to these New York projects, the Southwest Development in Washington, and the Capitol Hill project in Nashville offer concrete examples of the luxury type of housing that is often constructed on urban renewal sites. This practice must be stopped if the low-income housing problem in the urban core of our great cities is to be solved.

This land was cleared in order that slums might be eliminated and those formerly living in them be housed in decent quarters. The subsidization of high-rent property should not be sanctioned while thousands of middle- and low-income persons remain ill-housed.

A recent study by the Detroit City Planning Commission goes a long way toward explaining why more and more high-rent apartments are being built on urban renewal sites.

This study discloses that land formerly of mixed residential status, when turned into single-family dwellings, more than doubles in assessed value. This is impressive, but even more impressive is the further observation that, when the same land is used for apartment houses, the increase in assessed value jump more than fivefold.

This has an obvious appeal to city fathers who are often thinking about the future magnificence of their cities rather than the degradation of the unhoused. As the London Economist has pointed out, luxury apartments may "please city governments by yielding higher rates but they do not help the ejected slumdwellers."

In order to stop this neglect of the slumdweller, I hope the Congress will pass H.R. 1224.

Another failure in the urban renewal program —relocation—can be improved by the other bills of mine which I have listed.

H.R. 1225 protects site residents by requiring local public agencies to complete effective relocation in safe and sanitary housing before disposal of property within the urban renewal area. It also eliminates the present unsatisfactory practice of "farming out" relocation to some private organization. H.R. 1225 requires the local public agency to exercise this responsibility through a central relocation agency. In this way, the actions of the local public agency will remain under the scrutiny of the Renewal Projects Administration to insure that the stipulations of the Housing Act of 1949 regarding relocation are being carried out by the recipients of the grant.

H.R. 1226 will reduce the effects of the dislocation of businesses and the disruption of longstanding community relationships by requiring the local public agency to give priority of opportunity to relocate in the project area after its redevelopment to those displaced by the project. It is only fair that economic and social relationships be taken into consideration and that neighborhood characteristics be preserved as much as possible in order to minimize the social cost of progress.

H.R. 1227 provides more equitable relocation payments. Displaced people have more at stake than property. Many of them had lived in their familiar surroundings for most of their lives. They have friends, relatives, associations, and fond memories, that cannot be replaced in terms of money. Businessmen who have built up a regular trade over a period of many years cannot be compensated for the loss they suffer from relocation.

H.R. 1227 makes provision for payment of the difference in rent between prior quarters and the relocation site for one year. Under my proposal, the payment would be tied to existing rents rather than to income, and would cover the first year when the hardship is the greatest.

Recognizing the validity of compensation for loss of profit due to relocation, it provides for 1 year's payment of the amount of such loss. Finally, H.R. 1227 extends relocation protection to those businessmen who are unable to find a relocation site within 1 year by requiring payment for the fair and reasonable market value of their trade or business if they have not been granted a priority of opportunity to purchase or lease substitute facilities to be constructed or provided in connection with the development project.

Another inequity in the urban renewal program is the limitation of 12.5 percent grant assistance to any one State. New York City alone reported 2.6 million occupied housing units in the last complete census, 1960, of which approximately 550,000 were "deteriorated, dilapidated, or lacking in essential facilities."

A million and a half New Yorkers live in this substandard housing. Therefore, imposing an arbitrary limit is unjust, for it prevents urban renewal from reaching the urban centers of greatest need.

My bill, H.R. 1233, would remove the arbitrary limitation.

Adequate Maintenance of Low-Income Rental Property:

Another of my bills, H.R. 1232, is designed to take the profit out of slums—a proposal President Johnson made in the fall of 1966 in his speech at Syracuse. H.R. 1232 would remove the incentive that presently exists for slumlords to fail to adequately maintain their property. It would amend the Internal Revenue Code of 1954 to "require the owner of an apartment building or other multifamily structure to establish and utilize a repair, replacement, and maintenance reserve as a condition of the allowance of a depreciation deduction with respect to such structure."

The purpose is to eliminate the benefit that slumlords gain from depreciation of improperly maintained property. I am pleased that my colleagues on the Housing Subcommittee, Representatives Reuss, Moorhead, and Ashley, have advocated a similar provision in title XII of H.R. 12142.

My bill further requires demonstration by the taxpayer that the reserve fund is being used for the intended purpose. In this way, landlords will be discouraged from making a profit from permitting the deterioration of homes in which low-income people must live.

CONCLUSION

President John F. Kennedy once said:

"The cities—their needs, their future, their financing—these are the great unspoken, overlooked, underplayed problems of our times."

I propose that in 1968 we make the problems of the cities the great spoken issues of our times. If the American city is to achieve excellence, then we must not rest with the unfulfilled promise of 1949 or even with the most recently enacted program—for they are far too meager.

Rather, we must embark upon a massive housing program which will create both jobs and shelter for urban residents. One million low- and moderate-income housing units annually for the next 10 years, as proposed in the Full Opportunity Act, H.R. 14244, is an attainable goal which can be achieved by strengthening public housing, expanding the rent supplement program, promoting urban cooperative and condominium ownership, taking the profit out of slum landlordism, and a new direct loan program for the construction of middle-income housing.

Only then will we begin to solve this Nation's housing crisis.

Only then will the city, in Aristotle's words, exist for "the sake of the good life, and not for the sake of life only."

I believe that passage of my housing bills will be in part a redemption of the promise made by Congress in the Housing Act of 1949.

I want to thank all of you gentlemen for your patience in having listened to me, and I am happy to answer any questions which you may have.

I hope that with the assistance of committee counsel, all of these bills will be looked at very carefully in an attempt to enact into law my proposals which I think are of crucial importance in terms of the problems confronting us in our major urban centers.

Mr. PATMAN. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland [Mr. MACHEN].

Mr. MACHEN. Mr. Chairman, at the appropriate time I shall offer an amendment to the Omnibus Housing Act of 1968 in an effort to close a glaring loophole in the Federal mortgage insurance programs involving high-density development.

The existence of this loophole permits the Federal Government to assist in mortgage insurance for housing projects for low- and moderate-income persons—projects that in high density development have fantastic impact on schools and other local public services—without any consultation or cooperation with local governing bodies. The existence of this loophole is in direct conflict with many other Federal-aid housing programs, including at least two in this omnibus housing act, that require that local government be brought into the picture to prevent the national government from placing under hardship on local government in these housing projects.

Mr. Chairman, my amendment would require the Secretary of the Department of Housing and Urban Deveolpment to notify local government when an application is received for Federal insurance mortgage covering a housing project of more than five dwelling units per acre. This is not now required, nor practiced. My amendment then would have HUD request the local government where the project is to be located to provide a statement on the impact on schools and other public services of the proposed project and on its conformance with locally-adopted master plans. This is not now required.

The Secretary is then authorized to tentatively approve the application for Federal mortgage insurance, if it meets existing statutory requirements, after the Secretary receives the statement on impact and master planning. If tentative approval is granted, the Secretary must then notify the local government to that effect. From the date of notification, the local government has 90 days to either approve or disapprove the Secretary's tentative approval, and forward to him a statement of its reasons.

If, however, the local governing body disapproves, the Secretary may grant final approval to the application if he finds that the housing project is consistent with comprehensive planning and locally adopted master plans, and that the project will not cause an unreasonable burden on schools and other public services provided by local government. This is highly important.

Mr. Chairman, I will offer this amendment in order to involve local government in the process of Federal mortgage insurance where high-density housing projects are proposed. There is ample precedent for this requirement.

Many Federal housing programs such as urban renewal, model cities, and others require that local government be directly involved. There is good reason for this. It is the local government that must bear the burden of the impact of these projects. If a proposed project is going to require extra public services that local government cannot provide, then everybody loses and nothing is gained. At least two provisions in H.R. 17989 which we are considering—rehabilitation and neighborhood conservation housing insurance and the National Homeownership Foundation—require that local governing bodies be directly involved in order that necessary public services will be provided, or that the projects will not cause any undue hardship on existing public services.

There is another aspect of this problem that makes the loophole particularly acute. Local government is responsible for the orderly growth and development of private property. There is no way it can meet this responsibility if the Federal Government aids private developers in high-density developments without any cooperation with local government. The local government is left holding the bag, local public services get the extra burden and are, in many cases, strained beyond belief.

Mr. Chairman, section 221(d)(3) has no requirement for direct involvement by local government in federally insured mortgage housing projects. The lack of such a requirement is a license to build high-density development without any consideration for impact on schools and other local public services. It is a license my amendment will revoke.

Last week we had an excellent demonstration of the disastrous effect that this loophole can have. It was announced that a 2,000-person high-rise, high-density housing project for moderate-income people under section 221(d)(3) will be built at New Hampshire Avenue and Ray Road in Chillum, in my district. The newspaper announcement was the first I had heard of it, and the first our county school board had heard of it. When the property in question was rezoned for apartments in 1963 it was estimated that they would generate 30 to 40 new students. Now, 5 years later, the school board is estimating from 200 to 300 new students from this project. The two elementary schools in the neighborhood simply cannot accommodate this load. There is no land available for a new school. There is little available to expand the existing schools. Our school board and our county government have been left holding the bag in this situation, and who is going to bail them out?

They were not involved at all in this project. There was no consultation with the school board at all. But the school board has had a crisis dumped on it and I suspect that the Department of Housing and Urban Development, which approved this Federal mortgage insurance, could care less. They did not care enough to contact the appropriate county officials because the law does not require it in section 221(d)(3) projects.

That is why I am going to offer this amendment to simply bring the county government into the picture in Federal mortgage insurance for high-density projects. It is not too much to ask; it is being done already in most other Federal housing projects, and it is the least the Federal Government can do to insure that these projects will benefit all parties. I urge my colleagues to support my amendment when I offer it.

Mr. ROGERS of Colorado. Mr. Chairman, I rise today to discuss a recommendation contained in the Housing and Urban Development Act of 1968 which fills an existing vacuum in our urban legislation—a vacuum which results in untold hardship and financial loss to many of our citizens through no fault of their own. I refer to title X of H.R. 17989 entitled "the Urban Property Protection and Reinsurance Act of 1968"—popularly known as riot insurance.

President Johnson with great wisdom had this to say of the proposed legislation:

> Insurance protection is a basic necessity for the property owner. But for the resident of the city's inner core and the local businessman who serves him, protection has been difficult to obtain.
>
> This program will assist the insurance industry and the States to offer adequate property insurance for the inner cities. Through reinsurance, the program can help the States provide for the contingency of any large emergency losses.

Title X would authorize the Secretary of Housing and Urban Development to carry out a cooperative Federal-State-industry program for expanding the availability of essential property insurance coverage in the Nation's urban areas. This program would be directed toward encouraging private industry to write insurance in neighborhoods and sections of cities where it has been difficult to obtain. Companies participating in this program would be entitled to purchase reinsurance from the Secretary to protect them from extraordinary losses they might suffer from riot or civil commotion damage under their regular insurance contracts.

Enactment of this legislation will serve two important objectives: First, it will make basic property insurance—fire and extended coverage, vandalism and malicious mischief, burglary and theft—more readily available to homeowners and businessmen in the center core areas of the Nation's cities. Second, by making riot-loss reinsurance protection available to insurance companies themselves, it will help prevent any restriction of the insurance market in areas threatened by possible civil disorders.

This title before us has an impressive history and has all the elements of a good program. The bill has the benefit of a special study by a Presidential Commission, months of work by representatives of the Department of Housing and Urban Development, State insurance commissioners, and all segments of the property insurance industry. In addition it has benefited from the expertise of the distinguished gentleman from Pennsylvania who anticipated the major recommendations of the Commission's report in a bill he sponsored at the close of the first session of this Congress. Indeed, the substance of that bill, H.R. 14623, is strikingly similar to title X of the bill before us today. The distinguished gentlemen of the subcommittee and the full committee, and this body, owe a debt of gratitude to the gentleman from Pennsylvania, WILLIAM S. MOORHEAD, for his special help in making this legislation provide a practical solution to the complex problem of meeting the insurance crisis of our cities.

The problem was described in testimony before the subcommittee and it may be summarized as follows:

The rebuilding of our cities is being thwarted by the deterioration of their inner city areas. Responsible owners who want to maintain their properties and businesses are unable to obtain adequate property insurance against fire, crime, and other perils.

Many private insurance companies have found it uneconomic to continue to offer this protection. There has developed the practice of "red lining" whole areas within a city and an almost automatic denial of insurance to property owners there for reasons of location alone, regardless of the condition of the property.

Without insurance protection against the perils of fire and crime, banks and other lenders cannot be expected to extend credit for improvement or purchase of real property or to finance business inventories. Without insurance, property cannot be repaired or improved and business cannot operate. As a result, property deteriorates and business, particularly small business, stagnates.

Riots and civil disorders in our urban areas in the last few years have aggravated this property insurance problem. Property insurance companies customarily reinsure against abnormally high losses from various perils, including riots and civil commotion, with organizations specializing in reinsurance. The unusually high levels of losses which reinsurers have paid on riot and civil commotion claims has seriously impaired the market for this reinsurance. The implications of this situation are critical to the national economy. Without reinsurance, insurance companies cannot continue to provide riot and civil commotion protection in the various lines of property insurance. To protect themselves against the lack of reinsurance, they may seek to cancel policies currently in force, as some companies already have, or refuse to renew them when they expire. The consequences of the unavailability of reinsurance are as serious for the insurance company as is the unavailability of insurance for the homeowner and businessman. Without reinsurance our economy cannot properly function.

Insurance is vital to the rebuilding of our cities. This is of special concern to the Department of Housing and Urban Development in its efforts to stem the forces of deterioration and revitalize older areas. The ready availability of property insurance is not only crucial to the on-going programs of FHA mortgage insurance but also to those proposed in other titles of this legislation that would operate to rehabilitate housing for sale or rental for lower income families.

I sincerely urge that the House enact this title.

Mr. KYROS. Mr. Chairman, in 1949, the Congress established as a national goal, "a decent home and a suitable living environment for every American family." In February 1968 the President proposed legislation designed to mobilize both public and private resources to achieve that goal within the next decade. Without question, a bill designed to achieve such an enormous task can be considered nothing less than landmark legislation. Such a bill is worthy of our most careful consideration, not only because of the greatness of the goal it is designed to achieve, and the scope and comprehensiveness of the means it would use to reach that goal, but also because the national needs, and deficiencies, to which it addresses itself have become so critical.

I would like to address my remarks to the two new housing programs which this bill would create. Both are, in my view, soundly conceived programs which will be essential if we are to obtain the full participation of private enterprise and the involvement of the low- and moderate-income families we seek to assist. Without such participation and such involvement, I do not see how the promise made in the Housing Act of 1949 will ever become a reality.

Section 101 of this bill would establish a new program of homeownership assistance for low- and moderate-income families. The assistance would take the form of periodic payments on behalf of such families to mortgage lenders in an amount necessary to make up the difference between 20 percent of the family's monthly income and the required monthly payment under a market interest rate mortgage for principal, interest, taxes, insurance, and mortgage insurance premium. In no case, however, would this assistance payment exceed the difference between the required payment under the mortgage and the payment that would be required for principal and interest if the mortgage bore an interest rate of 1 percent. By making the maximum assistance payment authorized under this section, it would be possible for a family with an income as low as $3,600 a year to afford a home with a $12,000 mortgage.

Section 201 of the bill would authorize an approach in the area of rental and cooperative housing similar to that found in the homeownership program.

FHA insurance of market rate mortgages given by nonprofit, cooperative or limited dividend mortgagors would be authorized. To enable these mortgagors to provide housing for low- and moderate-income families, the mortgagor would make monthly payments of principal and interest, as if the mortgage bore an interest rate of 1 percent. The difference would be paid periodically by HUD to the mortgagee on behalf of the mortgagor.

The mortgagor would establish a basic rental charge for each unit based on the cost of operating the project with a 1-percent mortgage. Each tenant or cooperative member would then be required to make a monthly payment equivalent to 20 percent of his monthly income. This payment could not be less than the basic rental charge, nor more than the fair market rental for the unit, computed on the basis of operating the project of the market interest rate set out in the mortgage. Charges collected by the mortgagor in excess of the basic rental charge would be repaid to HUD for use in making assistance payments under the program.

This program is a natural complement to the new homeownership program. It provides rental housing for those families not desiring, or prepared for, homeownership. Both programs rely upon the private sector for mortgage financing, both have identical 1-percent interest floors for subsidy purposes—which means they should be able to supply reasonably equivalent housing costs for the families they serve—and both require the assisted family to pay a set percentage of its income toward the cost of the housing. Also, under each program there is a requirement that a family's income be periodically recertified with the amount of assistance payment adjusted accordingly. This recertification requirement means that the amount of a family's payment will increase as its income rises until, eventually, it is able to pay the full amount due.

I stated earlier that no major housing program can hope for success without the full participation of private enterprise and the active involvement of the low- and moderate-income families being assisted. These new programs meet both these criteria. The mortgage funds required for these programs will be drawn from the private sector rather than the Treasury and market interest rates and the availability of Federal mortgage insurance should make investment in these programs attractive to private business The families assisted will have an incentive to improve their economic status, they need not fear eviction from their dwelling as their income rises and, in the homeownership program, there is provision for their contributing their own labor as "sweat equity" toward the purchase of their own homes.

These programs have been well thought out. They are supported and strengthened by other provisions in the bill. Given sufficient funding and an effective administration, I believe they will prove a real breakthrough toward decently housing the 20 million Americans that now live in substandard dwellings.

Mr. BINGHAM. Mr. Chairman, the magnitude and seriousness of housing problems for low- and middle-income families in this country demand an immediate renewal and expansion of Federal assistance. The House Banking and Currency Committee, of which I am a member, conducted 4 weeks of open hearings and met in numerous executive sessions to consider the nature and extent of these problems, and to consider proposed legislation in this area. The Housing and Urban Development Act of 1968 now before the House as reported by the committee contains provisions and programs that will, I am confident, enable us finally to reverse the slow but steady downward trend in the supply of adequate housing for low- and moderate-income families, and in the deterioration in the conditions of our urban areas.

The Housing and Urban Development Act contains many provisions—each of which, as the Washington Post noted in its lead editorial today, "would stand on its own as major legislation."

The legislation will permit the construction of 300,000 new public and publicly assisted housing units in the first year. This is well below the 740,000 new units that I and several of my colleagues in the House have felt accurately reflects the immediate housing need and which we proposed in the "jobs in housing" legislation I introduced last March. Nevertheless, the 300,000 new units provided for in this legislation for fiscal year 1969 represents the largest housing assistance effort undertaken since the Congress announced its intention in the 1949 Housing Act to help "provide a decent home and a suitable living environment for all Americans."

The heart of the jobs-in-housing legislation was the idea that an extensive Federal commitment to provide better housing and urban conditions could also provide useful jobs for thousands of unemployed and underemployed persons—construction jobs which pay well and which do not exclude slum residents who have minimal educational attainment and technical training. I am gratified that the Housing and Urban Development Act now before the House contains language, already approved by the Senate, instructing the Secretary of Housing and Urban Development, to the greatest extent possible, to give opportunities for employment arising in connection with the construction or rehabilitation projects assisted under the programs contained in the legislation to "lower income persons residing in the area of such projects."

This legislation also substitutes a new and substantially better program of mortgage interest subsidies to replace existing programs like the article 221(d)(3) housing program for low- and moderate-income families, and the article 202 housing for the elderly program. These earlier programs, which will be gradually phased out, required the Federal Government to purchase mortgages which were then held at 3-percent interest rates. The new mortgage interest subsidy program contained in this legislation would permit the Government to subsidize interest payments rather than entire mortgages, greatly stretching available funds and stimulating more extensive private investment in the home mortgage market.

The legislation also establishes a National Homeownership Foundation to make loans and grants and give other assistance to private and public groups that wish to provide rental and homeownership opportunities for low income families. It seeks to stimulate private investment in housing through national housing partnerships that would pool public and private funds to build housing on a limited dividend basis.

In addition to these new programs, this legislation contains new authorizations for existing programs—the model cities program, the urban renewal program, the mass transportation program, and the water and sewer facilities program—all vital if we are to make our cities liveable again. Even with more and better housing, residents of our cities need an environment in which they can work and play near their homes away from blight and pollution.

I have long urged greatly increased Federal assistance to build and upgrade mass transportation facilities in our cities, and I have sponsored legislation that would permit the States to elect to use a portion of the funds they receive from the highway trust fund for mass transportation improvements instead of for roads. In the "jobs-in-housing" bill which I sponsored, I urged that a total of $5 billion be authorized over the next three fiscal years for mass transportation assistance. The housing and urban development legislation currently before us authorizes $190 million to be added to the $190 million already authorized for mass transportation in fiscal year 1970. While this $380 million in authorizations for 1970 does not approach the amount that could profitably be invested and that eventually must be invested in mass transportation, it does represent a significant increase in the funds available for this important aspect of urban development.

Finally, Mr. Chairman, this legislation contains critically needed provisions that will improve the insurance protection available to property owners in urban areas by providing for joint State-Federal reinsurance of risks taken by private insurance companies on property in blighted or ghetto areas. It contains incentives that will stimulate insurance companies to develop statewide plans to provide fair and equal access to property insurance for anyone, anywhere in the State, who wishes to be insured. I have received an increasing number of letters, as I am sure many of my colleagues have, from constituents who own or rent business places and dwellings in urban areas. They complain with justification that it is increasingly expensive and difficult—if not impossible—to obtain insurance on their property in certain parts of the city. The Federal-State reinsurance plan provided for in this legislation would permit these property holders to continue to obtain insurance essentially at current costs. If urban businessmen and residents cannot obtain insurance on their property at reasonable cost and without fear of cancellation, they will be forced either to assume the risk themselves or to abandon their holdings and move elsewhere—neither of which is an acceptable alternative.

This legislation marks the beginning of what the President has defined as a 10-year commitment to build and rehabilitate some 6 million living units to accommodate the estimated 20 million Americans who are now tolerating substandard housing. I view this bill as a creditable and impressive beginning to this longer range commitment. It provides somewhat less in new authorizations than some groups genuinely feel is needed to provide enough jobs and housing with sufficient speed. It comes before the Congress at a time when expenditures are being cut back to conform to the spending limitations passed by the Congress and signed into law by the President as part of the tax surcharge legislation, threatening many vital programs like this one. But it is far from a modest or half-hearted effort. It is designed to create housing in all forms at a rate 10 times faster than has ever been attempted in the past. We can afford to do no less than to approve this ambitious legislation.

Every effort must be made to oppose any attempts to weaken this legislation by restricting its coverage, reducing its authorizations, or removing any of its several programs. I wish to congratulate the distinguished chairman of the Banking and Currency Committee, the able chairman of the Housing Subcommittee, and my fellow Members of the Committee, for their dedicated work in bringing this valuable legislation to the floor.

Mr. GONZALEZ. Mr. Chairman, I am pleased to support H.R. 17989, one of the most significant bills recommended by the Committee on Banking and Currency in the last 20 years. I am especially pleased with the emphasis placed in the bill on housing for low and moderate income families. The bill contains a package of legislative provisions which, if adequately funded and effectively administered, can result in a true breakthrough toward the provision of decent housing for these families. I would like to describe briefly some of the major proposals in the bill directed toward the provision of low- and moderate-income housing.

Section 101 of the bill would allow the Government to help reduce the housing load on a low- and moderate-income family by paying up to a maximum of all but 1 percent of the interest charges on the mortgage loan on their home or cooperative dwelling unit. Only low- or moderate-income families would be eligible for this subsidy and each family would be required to pay 20 percent of its income for housing costs. The maximum mortgage amount that could be covered under this section would be $15,000, except that, in high cost areas, the maximum could go to $17,500. In addition, these ceilings could be raised to $17,500 and $20,000, respectively, in the case of a large family.

To further assist low- or moderate-income families become homeowners, section 102 of the bill would authorize the FHA to qualify for assistance under its home mortgage programs families that, under existing law, would be turned down because of marginal credit experience or irregular income patterns but who, it is found, are a satisfactory credit risk and would be capable of homeownership with proper counseling.

To make more low- and moderate-income housing available, section 103 of the bill would authorize the FHA to insure mortgages for families in the rundown neighborhoods of our cities without regard to economic soundness requirements and other limiting restrictions. FHA could insure such mortgages if it determines that the areas concerned are "reasonably viable," giving consideration to the need for providing adequate housing for families of low- and moderate-income in the area and that the properties are an acceptable risk in view of this consideration.

It is clear that these new programs will entail greater insurance risks than have been typical in past FHA programs. Recognizing this, the bill provides in section 104 for the establishment of a new "special risk insurance fund" out of which claims would be paid on mortgages insured under the three programs I have mentioned and also on the new section 236 program.

This section 236 rental and cooperative housing program is similar in approach to the new homeownership program found in section 101 of the bill. Instead of homeownership, it provides rental opportunity for low- and moderate-income families by providing interest subsidy assistance to rental projects for the benefit of such families. A nonprofit, cooperative, or limited dividend mortgagor would make payments on a market rate mortgage as though it bore interest at a rate of 1 percent with HUD making up the difference to the mortgagee. This would allow the mortgagor to establish a basic rental charge for each unit based on his cost of operating the project with a 1 percent mortgage. Each tenant or cooperative member would then be required to make a monthly payment equivalent to 20 percent of his monthly income except that this payment could not be less than the basic rental charge. As the tenant's income increases, so would his monthly payments until he is paying the full economic rent under the market rate mortgage. All rental charges collected by the mortgagor in excess of the basic rental charge would be returned to HUD for further use in the program.

Finally, but not least important, sections 202 and 203 of the bill include authorizations to extend the rent supplement and public housing programs through fiscal year 1971. These programs would benefit the very poorest families in our Nation whose incomes are so low that the new homeownership and rental assistance programs are not sufficient.

The only word to describe this legislative package is "comprehensive." Each of the legislative tools I have mentioned will be needed if the problem of providing decent housing for low- and moderate-income Americans is to be attacked effectively on a broad front. I congratulate the Banking and Currency Committee on presenting this body with a coherent and well thought out bill that accurately reflects the size and scope of the housing problems this Nation faces and provides an effective response to those problems.

Mr. HATHAWAY. Mr. Chairman, I wish to focus my remarks on one of the innovative features of the Housing and Urban Development Act of 1968; namely, the interest rate assistance for mortgages to finance both sales and rental housing for low- and moderate-income families.

Heretofore, the formulas for housing assistance have involved either below-market interest rates for privately owned housing or annual contribution contracts for public projects. Because these aproaches are locked into the Federal budget for financing the total capital investment, they necessarily limit the volume of housing that can be produced for low- and moderate-income families. However, the proposed interest rate assistance plan breaks these shackles by creating mortgages which will be attractive to private investors and by limiting Federal support to the difference between market and low-interest levels.

Market interest rates on mortgages necessarily respond to conditions in the capital markets, which in turn are influenced by both monetary and fiscal policy and the state of the economy at large. Through the years, capital market conditions have often moved from ease to tightness and back again, causing the yield requirements on both bonds and mortgages to rise and fall. While these cycles in the cost of money are attributes of economic growth and stabilization efforts, they play havoc with housing production. And the impact has been most severe on low- and moderate-income families.

In titles I and II of this bill we have a plan that will shelter the financing of low- and moderate-income housing from the vagaries of the capital markets by recognizing the public responsibility for the price of fiscal and monetary policies. Also, the bill goes one step further and recognizes that by further reduction in interest charges, the monthly payments or rents can be reduced to levels which low- and moderate-income families can realistically afford.

In comparison with other approaches to financing the volume of housing needed so desperately to supplant urban and rural slums, the budgetary cost of the interest assistance plan will be small—and it will be clearly measurable. This has not always been true in other assistance programs. The amount of assistance received by each family will be in proportion to its need, with increased house payments or rent as incomes rise.

The provision of good housing for a family living in a slum is often a kind of economic bootstrap, particularly for the young and upward mobile families. Pride, self-confidence, good health, and ambition stem from good housing. Higher incomes reduce the budget burden through smaller subsidies and at the same time increase the amount of tax collections, not alone from the aided families, but from the entire community as a result of the greater contribution made to national output.

We cannot make substantial headway in the attainment of our national housing goals until we unlock the private capital markets so that funds will flow into mortgages to finance housing for low- and moderate-income families. The key to this unlocking is interest rate assistance which makes the yield on such mortgages competitive with other investments.

By all past experience, the terms of titles I and II of this bill will usher in a new era in meeting the Nation's housing needs. I am confident that before another decade has past, our action on this bill will be viewed as having been a clear turning point and that we will have reached the goal, set by President Johnson in his housing messages of 1968, of eliminating substandard housing in this Nation.

Mr. BROWN of Michigan. Mr. Chairman, we have no further requests for time.

Mr. PATMAN. Mr. Chairman, we have no further requests for time.

Mr. Chairman, I ask that the Clerk read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Housing and Urban Development Act of 1968".

Mr. PATMAN. Mr. Chairman, under the rule, the bill is to be read by titles. I ask unanimous consent that the first title be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Clerk will read.

The Clerk read as follows:

DECLARATION OF POLICY

SEC. 2. The Congress affirms the national goal, as set forth in section 2 of the Housing Act of 1949, of "a decent home and a suitable living environment for every American family".

The Congress finds that this goal has not been fully realized for many of the Nation's lower income families; that this is a matter of grave national concern; and that there exist in the public and private sectors of the economy the resources and capabilities necessary to the full realization of this goal.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. PATMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 17989) to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill under consideration, H.R. 17989, and to include therein extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 9063, AMENDMENT TO INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill, H.R. 9063.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. HALL. Mr. Speaker, reserving the right to object, what is the bill in reference to?

Mr. ZABLOCKI. It is the bill amending the International Claims Settlement Act of 1949 to provide for the timely determination of certain claims of American nationals.

I may advise the gentleman from Missouri that all the Senate amendments are germane.

Mr. HALL. And the conference has acted and the committee is in fact ready to file and the report has been agreed upon?

Mr. ZABLOCKI. Yes.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

THE BLACK UNITED FRONT STATEMENT

Mr. SCHERLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SCHERLE. Mr. Speaker, the Reverend Walter E. Fauntroy, District of Columbia City Council Vice Chairman and board member of the extremist Black United Front, has balanced on the tightrope between violence and law and order long enough. It is time for him to choose between his membership in the District of Columbia City Council and his membership in the Black United Front.

By his silence, Reverend Fauntroy has in effect endorsed the flammatory, irresponsible, and outrageous statement issued Friday by the front, which describes the slaying of a District policeman attempting to arrest a robbery suspect Tuesday night as "justifiable homicide."

The statement continued to state:

> The methods of self-defense used by the family charged with the alleged slaying of the honky cop is justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide.

Reverend Fauntroy has refused to condemn the statement, he even refused to discuss it. The front adopted this statement unanimously. There was no disagreement.

Earlier this year, Reverend Fauntroy defended his membership in the front by saying that he was "unqualifiedly committed to the welfare of all the people of the District of Columbia and attendance at meetings of the Black United Front is part of that commitment."

His "commitment" as mediator, however, was of no apparent help to the law-abiding people of Washington when they most needed it—during the April riots and during the disorder that was part of the Poor Peoples' Campaign.

The Black United Front statement makes more clear than ever the fact that Reverend Fauntroy's membership in the front can only harm the welfare of District residents. It now is inconceivable that Reverend Fauntroy would continue his membership in an organization that advocates such lawlessness at the same time he serves as a member of the District of Columbia City Council.

Mayor Walter E. Washington and District of Columbia City Council Chairman John Hechinger both have condemned the front resolution as "inflammatory." Public Safety Director Patrick V. Murphy has called it "very dangerous." We compliment these responsible public officials for their statements.

But the fact is that as long as Reverend Fauntroy does not disassociate himself from the front, the city government is not united in deploring this call to violence against the District of Columbia Police.

A city government that cannot choose between law and violence, between order and disorder, cannot survive and cannot protect the honest citizens of the District.

Reverend Fauntroy cannot both be an officer in the city government and an officer in an organization pledged to disorder and violence.

He has an obligation to put an end to this intolerable situation by either resigning his post as Vice Chairman of the City Council or his post in the Black United Front.

Following is an editorial by the Washington Daily News:

NO EXCUSE FOR THIS BEHAVIOR

The clumsy, crass attempt by the Black United Front to justify the heartbreaking slaying of a young Washington policeman, who was trying to make an arrest on the street last Tuesday night, does unaccountable mischief to the advancement of understanding and sympathy between the races here.

"The methods of self-defense by the family charged with the alleged slaying of the honky cop is justifiable homicide," the black power coalition said, "in the same sense that police are allowed to kill black people and call it justifiable homicide."

These are half-cocked, irresponsible, and dangerous words. There can be no excuse for the slaying of a policeman in the performance of his duty and there is, at this writing, no evidence that Pvt. Stephen Williams and his partner, who was so grievously wounded in the same encounter, were not performing their duty at the time. Nor is there any doubt that Pvt. Williams was deliberately slain. (Are we to be asked to believe that he was shot accidentally six times with his or his partner's service revolver?)

Beyond the presumption of innocence which we grant those individuals charged with this homicide, what evidence is there that anyone, except the police, acted in self-defense? Defense against what? Is the Black United Front trying to say that it is all right to shoot policemen in defense against arrest? Apparently so.

It is true that some citizens have been shot by policemen under circumstances which raised doubts as to whether the use of such drastic force was necessary, and it is true that these doubts most often have been resolved in favor of the officers. But it is equally true that a policeman puts his life on the line every day he reports for duty and that the decision to use his gun is perhaps the quickest, most agonizing and important decision he will ever have to make.

The childishly cruel and insensitive statement of the BUF serves only to make the policeman's job more perilous here and the plight of all those who depend upon the protection of the law more pitiful.

It has been pointed out that the Rev. Walter Fauntroy, vice chairman of the D.C. City Council, is a member of the steering committee of the BUF, as is the Rev. Channing Phillips, Democratic National Committeeman for the District. Mr. Fauntroy apparently was absent when the "honky cop" statement was approved. Rev. Phillips was there, but he says the word "honky" was added after he left.

It makes little difference. Where is the reverence these Reverends should have for human life? When it finally appeared to dawn on them that these "honky cops" so sorely abused by their United Front had been brave and good men, their expressions of sorrow for the policemen's families had an empty sound. It was too late. The damage had been done.

When Mr. Fauntroy first joined the BUF we suggested that such membership might compromise his service to all District citizens. We think that conflict of interest has now become acute. He should resign from the Council right now.

As for Mr. Phillips, his display of immaturity in this matter must seriously embarrass the Democratic Party. We trust the voters will retire him at the first opportunity.

Mayor Walter Washington and John Hechinger, chairman of the D.C. City Council, have expressed grave concern about BUF's position in this case. We hope they have made their position crystal clear—especially to Mr. Fauntroy.

THE FAIR FARM PRICE ACHIEVEMENT ACT

Mr. LANGEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to

the request of the gentleman from Minnesota?

There was no objection.

Mr. LANGEN. Mr. Speaker, under present farm programs, commodity prices continue to drop. According to a conversation my office had with the Department of Agriculture during the last week, wheat prices are now at the lowest level in 26 years. The price drop in just the first 6 months of this year in wheat, corn, and soybeans alone will mean an additional loss of $620 million this year if these low prices continue. This comes on the heels of a $1.9 billion drop in realized net income experienced on the farm last year. Farm prices continue to drop, but farm expenses continue to rise at an alarming rate.

I am introducing a bill today that would return prices to parity levels while reducing Government expenditures at the same time. And it would assure the American people of an adequate supply of food in the future.

I call it the Fair Farm Price Achievement Act. It guarantees full parity to wheat and feed grain farmers in return for voluntarily withholding modest acreage from production. It gives the farmer bargaining power, would take the Federal Government out of much of his planning, and would provide a food reserve and necessary import controls.

Under my bill, it is estimated that farm income would increase by over $3 billion a year. At the same time, Federal costs of farm programs would be reduced by $2½ billion a year.

With the farmer falling to lower and lower positions on the economic ladder, it is time for an alternative in place of more of the same. I urge serious consideration of the Fair Farm Price Achievement Act.

Mr. Speaker, would the American people or their representatives in this Congress offer any objections to a new farm plan that would not only reduce Federal agricultural expenditures by $2½ billion a year, but would also give the farmers of the country an additional $3 billion in needed income? Would our farmers buy such a plan if it guaranteed them full parity in return for voluntarily withholding a modest acreage from production, gave him bargaining power to assure a fair market price, took the Federal Government out of much of his planning, and provided a food reserve and necessary import controls?

Before you call the headshrinkers and the padded wagon, permit me to elaborate. I am today introducing such a bill, that I hope will open the door to new ideas as we struggle to preserve the Nation's largest industry, agriculture. I would like to refer to my bill as the Fair Farm Price Achievement Act. It is a plan to give the farmer the opportunity to voluntarily deal with his problem, removing much of the Federal administration of the programs, to assure the farmer of increased gross and net income at full parity if he chooses. It would assure the consumer of a continuing supply of wholesome food at reasonable prices and offer relief to the American taxpayers who see deficit spending eroding their dollars and threatening the entire economy. It would offer the definite possibility of eventually adjusting supply to the market while still providing a floor during transition periods. Such a plan, in my estimation, would meet the needs and desires of all interested parties and overcome any objections.

I have calculated the costs of the present commodity programs and have weighed them against the costs of my bill, which mainly deals with wheat and feed grains. The figures are startling, and I have purposely kept them on the conservative side.

First of all, there would be a fair degree of compliance, and farm income in the United States would increase approximately $3 billion a year. This would provide the needed improvement in farm income, which compares to the $1.9 billion drop in realized net income experienced on the farm this past year.

Think of what such an increase in farm income would do for rural America. It would automatically revitalize the 256 counties in the United States identified as in poverty by a recent report by the Citizens' Board of Inquiry Into Hunger and Malnutrition. It could cut in half the number of rural Americans living in poverty, which has been identified as 14 million by the President's Commission on Rural Poverty. The impact on "Main Street, U.S.A.," would be tremendous as the added farm income found its way into local business establishments, school systems, local units of government, and the like. Even the metropolitan areas, as the producers of many of the products and services used by our farm population, would benefit with added income and the prospect of slowing the migration to the cities that would surely follow a revitalization of rural areas.

A $3 billion increase in farm income, when applied to the formula for calculating the gross national product, would result in a $21 billion increase in the GNP. That is about half of the GNP increase between 1966 and 1967, and it would represent real growth, not inflated growth.

COMPILATION OF ADDED INCOME TO FARMERS UNDER LANGEN BILL, USING 1967 CROP YEAR AS BASE

Commodity	Bushels (millions)	Price[1] (1967)	Price at full parity	Additional income to farmer
Wheat	1,524.0	$1.95	$2.60	$626,493,640
Corn	4,722.0	1.36	1.62	1,091,060,100
Rye	24.1	1.05	1.39	24,112,800
Oats	782.0	.668	.88	190,096,160
Barley	370.0	1.02	1.32	100,854,780
Soybeans	973.0	2.62	3.29	740,194,000
Flax	20.0	2.89	3.97	22,075,200
Sorghums	766.0	2.22	2.56	4,316,195
Total additional income to farmers				2,799,202,875
Less factor for slippage				—300,000,000
Net income increase				2,499,202,875

[1] Government payments included.

The need for a new approach to farm legislation is further emphasized by the continuing decline in commodity prices. That decline during the first 6 months of this year would result in a further loss of income of $620 million for wheat, corn and soybean crops alone. This legislation would not only restore those losses, but would increase farm income by well over $3 billion when compared to present prices.

To illustrate the depressed agricultural prices, the Department of Agriculture has calculated that wheat prices on the Chicago Board of Trade fell in June of this year to the lowest level in 26 years. In fact, wheat prices are so far below the world price that our exporters are actually paying the Government around 25 cents a bushel for the privilege of exporting, under provisions of the new international wheat agreement.

There are further benefits to all Americans under this bill. I have calculated that by subtracting the costs of the commodity programs under my proposed legislation from the costs of the present program for the same commodities, the American taxpayer would save around $2½ billion a year in the Agriculture Department budget. Think of what a saving of this magnitude would contribute toward strengthening the value of the dollar, reducing expenditures to help the deficit, and assisting in the current battle to put our fiscal house in order. With an increase in farm income of $3 billion and a similar reduction in Federal costs, the benefit to the economy would be in the neighborhood of $6 billion a year.

Agriculture Department budget savings under Fair Price Achievement Act (1967–68 fiscal years, average)

	Million
Wheat:	
Acreage diversion	-------
Certificates issued	$688.4
Export certificates	73.8
Loss on loans	198.8
Other	50.0
Total	1,011.0
Feed grains:	
Acreage diversion	588.0
Price support payments	562.4
Loss on loans	209.2
Other	71.5
Total	1,431.1
Total saving	2,442.1

Before I am accused of robbing Peter to pay Paul, let me state at this point that obtaining a fair price from the marketplace is far superior to pouring Federal tax dollars into programs that fail in the objective of providing adequate farm income.

The alternative I am proposing will prevent the further enactment of programs that have failed to lift agriculture out of the profitless rut. It should be no secret that, under existing farm legislation, the American farmer is not sharing in the economic rewards that should be his for the tremendous contributions he makes to the strength of our Nation. Our farmers represent the only group of citizens in our society which today earns less money than it did 20 years ago. The parity ratio is down to the level of the depression thirties. Our farmers took a $1.9 billion cut in income last year alone. The costs of production are up, and the latest "Farm Income Situation" report from the Department of Agriculture predicts that production expenses this year may be some $1½ billion higher. These production expenses, fed by Government-fanned inflation, continually work against the agricultural industry which finds its prices literally frozen. Ever-increasing farm mortgages give evidence that our farmers are existing on borrowed money.

That same "Farm Income Situation" report revealed other startling information. Capital expenditures, including farm buildings, vehicles and other machinery and equipment, rose 55 percent on a per acre basis between 1960 and 1967. Taxes payable per acre also rose 55 percent and interest payable per acre rose a whopping 110 percent since 1960. Compare such increases with the much smaller 5.7-percent increase in the per acre index on prices received for all commodities as reported in USDA's Agricultural Statistics publication, and you can readily understand why our farmers feel the ever-increasing pressures of the current pinch.

Inflation has hit rural America where it hurts the most. It not only contributes to the already tightening cost-price squeeze, but it hits the handlers and processors as well. The result is higher food prices, but lower prices to the farmer.

While the output per man-hour in manufacturing has increased 2.7 percent per year since 1948, the output in agriculture has increased by 5 percent per year. In 1948 one farmworker supplied about 14 others with food and fiber. Today he supplies 42 others. His successful production allows the American consumer to spend less of his income dollar for food than does the consumer in any other country of the world. In the United States we pay only 17.7 cents out of every consumer dollar for food, out of which the farmer gets only a nickel.

America's agricultural production is a tremendous success story, envied by the world. But it has been successful for everyone but the farmer, who finds himself the low man on the economic totem pole. As his income has dwindled during the sixties, 903,000 farms have vanished from the scene. There is ample evidence that the heralded programs currently in effect have not contributed to any well-being for rural America, and have instead contributed to the decline.

These programs are also costly to the American taxpayer at a time when Federal deficit spending has created a real financial crisis that threatens the value of the dollar at home and abroad. We are facing both a tax increase and some budget cutting in order to bring things closer to a balance. Even then we will not have the money demanded for the many requests for eliminating poverty, constructing new housing units, assisting the ghettos, and the like.

The Fair Farm Price Achievement Act deals particularly with wheat and other small grain crops. It offers and provides for the following goals:

First. It offers the opportunity for the farmer to achieve full parity prices and his rightful share of our national income.

Second. It offers less Government control for the farmer and provides him with the opportunity of voluntarily curtailing production to meet demands.

Third. It offers sufficient incentive to the farmer which will encourage a very high percentage of compliance. Experience has surely proven that no program will be effective to any greater degree than the extent to which we can expect to get compliance.

Fourth. It presents no problem of administration. All of the provisions of the bill can be successfully and effectively administered through the township, county, and State committees.

Fifth. It permits the laws of supply and demand to function within the provisions of the legislation so that acreage shifts from one crop to the other will be governed by prices as determined by supply and demand.

Sixth. It deals with the entire national productive unit of wheat and small grain feed crops, and reductions are required from actual planted acres, giving assurance that compliance will provide a reduced total production. Acres taken out of production will not be used in producing other crops.

Seventh. Compliance with this program will be less costly to the Government and so be beneficial to consumers and taxpayers as well as to farmers.

Eighth. It will permit the laws of supply and demand to again function, and will establish a reserve of food that will, by law, be kept out of the general market unless it is sold at 105 percent of parity.

The Fair Farm Price Achievement Act is based on a system of incremental price supports. It incorporates provisions dealing with a payment-in-kind, cross-compliance and the importation of foreign agricultural commodities. Under this proposal, a small grain farmer could voluntarily achieve a higher price support in proportion to his efforts in helping to hold down production of these crops, up to 20 percent reduction. The following table exemplifies the system:

If the percentage of his acreage withdrawn from production is not less than—	His level of price support in percentage of parity price shall be—
5	70
10	80
15	90
20	100

Farmers choosing not to participate in this incremental program would receive 60 percent of the parity price for their grain crops, or whatever the market reached.

The acreage-average would be used with regard to grains other than wheat, and is the average annual acreage which a farmer has devoted to the production of any combination of these crops during the past 3 years. The acreage allotment pertaining to wheat is also established from the history of the past 3 years, but cannot be used for small grain production.

To qualify for the incremental price supports under the bill, a farmer must reduce his acreage by at least 5 percent in both wheat and other small grain crops. This "cross-compliance" is necessary to effectuate the purpose of the bill, which is a real reduction in production, not just the retirement of the least productive acres on each farm.

The land which is taken out of production is not to be planted to any other crop or to be used for grazing, so as not to aggravate any other production problem. However, the farmer has great leeway in the planning of his remaining acreage.

The steps thus outlined will, in my estimation, go a long way toward providing the farmer with a more fair and just share of the national income, while at the same time controlling overproduction that affects the market price so drastically. Here we have farmer bargaining power at its best, with a relatively simple program of compliance and administration, giving him flexibility of operation and freedom from burdensome Federal interference with his operation. Under this program the farmer could achieve full parity of prices by his own choosing. He does not have to ask anybody about it, since the opportunity would be there for him to take or leave. The farmer would pick up the responsibility from the Government, and I believe he would welcome that responsibility. And we in Congress might hear a lot fewer complaints as the farmer effectively bargains for a fair price.

Another feature of this plan is that it does not pay anyone for not doing anything. The farmer must till the land and raise crops. He must work for what he gets, and he only receives a price for what he produces.

This bill also directs the Secretary of Agriculture to establish a reserve composed of one or more of the following crops: wheat, corn, barley, oats, rye, soybeans, flax, and grain sorghums. Crops placed in such a reserve shall remain the property of the Commodity Credit Corporation and may be sold for unrestricted use only to meet a need for increased supplies, and then at not less than 105 percent of the parity price. This, in essence, creates a reserve for future needs, but prevents the Government from using such reserves to drive commodity prices down by dumping on the open market at lower than parity prices.

I have on previous occasions through the years called to the attention of this body the effects which importation of foreign agricultural commodities have on our farm prices. The legislation which I propose today provides that the President shall institute an investigation whenever it would appear that agricultural commodities are being imported in such amounts as to interfere with the laws of price-support programs for those crops.

This, then, is the bill. It does, I believe, offer a solution to the two most pressing agricultural problems today—lowered farm income, and the problem of guaranteeing adequate and reasonable supplies of food in the future. This bill offers to the farmer the opportunity to achieve an increased gross and net income, and therefore assures his part in the development of our small towns and communities that depend on a strong and healthy agricultural economy. It offers rural America the opportunity of voluntarily achieving full return for value received, and it offers a great hope for the revitalization of the rural economy. The benefits to the consumer are great in that he, as a taxpayer, will be spared the costly billions now being spent on current farm programs. The migration to the cities will slow or stop as rural America rebuilds itself, leaving additional moneys to be directed to the metropolitan problems.

But we must deal with this situation now if we are to entertain the hope that our Nation will continue to offer agricultural stability and maintain its position as the best-fed Nation in the world. It would be well for us to remember that periods of prosperity have always been gained by tackling the most difficult problem and with persistence, accomplishing what seemed like almost impossible solution. To solve the farm problem would be to put us far on the road to national economic stability, a strengthening of the dollar, and new respect for American fiscal policies abroad. It is in this spirit that I offer the Fair Farm Price Achievement Act of 1968.

AN OUTRAGE

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, I am sure that the Members of the House who read the Washington newspaper on Saturday were shocked as I was to read that an organization calling itself the Black United Front has issued a statement describing the slaying of a Washington policeman as "justifiable homicide."

This incredible and outrageous statement actually referred to the police officer concerned as "the honky cop."

The slain policeman, Pvt. Stephen A. Williams, and his partner, Pvt. Frederick L. Matteson, were shot while attempting to make a lawful arrest of a robbery suspect. They struggled with the suspect, the suspect's son, and the suspect's wife. Private Williams' gun was taken from him and he was shot six times with his own revolver. Private Matteson was also shot with his own revolver and is in critical condition.

The Black United Front is apparently an organization of leaders of various Negro groups, none of which appear to represent a clear majority of Negro citizens. The front was organized by the irresponsible Stokely Carmichael. It is interesting to note that nowhere in its resolution does the BUF attempt to deny that the suspect who shot the officer was in fact a robbery suspect.

The resolution is clearly and simply a call for anarchy by an organization which includes in its membership what are alleged to be some responsible leaders of the community. If a Negro is justified in killing a white policeman in the performance of his duty because of alleged general wrongs of society, it is only a short step to saying that he would be justified in killing a Negro policeman who also represents the established order, and it is only a short step from that to saying that a white citizen would be justified in killing a white policeman; and at that point you have complete anarchy.

There can never be equal opportunity without equal responsibility.

I congratulate Mayor Walter E. Washington for attacking the BUF statement as "inflammatory, irresponsible, and unfortunate."

It is shocking, however, to discover that the Vice Chairman of the District of Columbia City Council, the Reverend Walter E. Fauntroy, is a member of the BUF steering committee. When first questioned by the press, he refused to condemn the statement or to make any comment of his own. Mr. Speaker, unless this man completely and unquivocably disavows this call to anarchy by the BUF, I think the President of the United States should summarily dismiss him from the District of Columbia City Council.

This has the most dangerous—most dangerous—possibilities of anything that has happened in the history of our Republic.

I know what will be assigned to me, and I am willing to take it, but we had better be worried, Mr. Speaker—every Member of this House and also the President of the United States.

As a part of my remarks, I would like to include at this point in the Record the following editorial from the July 6, 1968, edition of the Evening Star:

An Outrage

Mayor Washington had ample reason to condemn a Black United Front statement on the slaying of a District policeman as "inflammatory, irresponsible and unfortunate." He might have added that the statement was nothing less than outrageous.

In its key paragraph, the Front's statement said: "The methods of self-defense used by the family charged with the alleged slaying of the honky cop is justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide."

The "honky cop," Private Stephen A. Williams, was killed Tuesday while trying to make a lawful arrest in line of duty. He was shot six times with his own revolver, which had been snatched from its holster by one of his assailants. Williams' partner, Private Frederick L. Matteson, is in critical condition with bullet wounds in the chest and head. He also was shot with his own gun, which had been taken from him during the struggle.

What the Black United Front is saying is that a Negro, if facing arrest, is justified in killing the arresting officer, presumably if he is a white officer. That any group of citizens would take such a stand is almost incredible. But perhaps it is what one should expect from the BUF.

What one should not expect is acquiescence in or approval of such a statement by Negro leaders in this city.

Yet the Rev. Channing Phillips, a member of the Front's steering committee, apparently approves. He has said that he was present when the resolution embodying the statement was called up, and that the vote was unanimous. He is the Democratic National Committeeman from the District.

Another steering committee member, the Rev. Walter Fauntroy, did not attend the meeting. When called by The Star he refused to permit the statement to be read to him and refused to comment. It has been indicated that he may comment some time today. The Rev. Fauntroy is vice chairman of the District City Council, which functions as our local legislative body.

That these two men, the Rev. Phillips and the Rev. Fauntroy, have not seen fit to condemn this BUF statement, this incitement to violence in the community, deserves but one comment: Shocking!

TEXTILE APPAREL INDUSTRY TO WORLD: "OPEN THE DOOR"

Mr. ST GERMAIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, I was very disturbed, but not surprised, to learn that during the month of May the United States imported $32.2 million more in goods than it sold abroad. While imports rose 4 percent during the month of May to an alltime high of $2.7 billion—a 30-percent increase over the same month last year—our exports declined 6 percent.

In the month of March, we experienced a balance-of-trade deficit of $158 million. Our "exports" told us that this was just a "fluke" and would not happen again as the year progressed.

But it did happen again and will continue to plague us until we take sensible action to overcome this problem that threatens the very stability of the dollar and the welfare of our Nation.

I think that it is about time that we cast aside our blind emotions and open our rational eyes to the problem at hand and that is the ever-expanding flood of imports.

We seem to have become mesmerized by trade policies and proposals that will help the whole world at the fatal expense of the United States.

In 1967, the deficit in the balance of payments, which so seriously threatens the stability of the American dollar, amounted to approximately $3.5 billion. This is what we seek to correct. Yet, we seem to be oblivious to the great tidal wave which flows into our country each year in the form of imports that carry billions of U.S. dollars and many U.S. jobs with it when it recedes. We simply seem to ignore the fact that in many trade categories, our exports are substantially less than what is imported, leaving us in a very serious deficit position.

In scanning the 1967 trade scene we note that:

First. We imported $1.5 billion worth of automobiles but exported only $600 million worth, leaving a deficit of $950 million.

Second. In iron and steel, we imported $983 million more than we exported.

Third. In textiles and clothing, we imported nearly $1.5 billion worth but exported only $686 million, leaving a deficit of $768 million.

Fourth. If we combine the excess of imports over exports in footwear, alcoholic beverages, toys, sports goods, and meat products, a deficit of $1.3 billion emerges.

In other words, if we totaled the deficits noted in the aforementioned trade categories alone, they would exceed the total overall balance-of-payments deficit that we seek so ardently to remove.

Now it would indeed be foolish for us to put trade restrictions on all products or those products that show a deficit on the export side, but what is so foolish, or unwise if you will, to place restrictions on those trade categories that show a substantial deficit on the import side.

If we were to make the proper adjustments in our trade policies, it is quite conceivable that the balance-of-payments deficit could be removed. Now I ask you, What is so foolish about such a proposal when the basic value of the dollar itself is at stake?

In view of all that we have done for so many foreign nations, why can we not ask some of these nations to hold their exports to the United States at a reasonable level?

Why can we not enact legislation to provide orderly trade in those areas, such as textiles or automobiles, that most affect our trade balance?

The Executive Commission of the Common Market, in a statement released from Brussels on May 21, warned the United States that its balance of payments was in danger of further deterioration as a result of higher imports from the Common Market itself unless expeditious, remedial action was taken.

Is that not a different tune? The Common Market is warning us that if it continues to flood our Nation with imports, our balance of payments will continue to deteriorate. The Commission, according to newspaper accounts, recommended that the United States reduce purchases from abroad by the imposition of special import taxes. It noted that while the European Economic Community's imports from the outside world rose by 2.5 percent in the last quarter of last year, its purchases from the United States fell 5.5 percent during the same period.

In other words, they are pleading with us to get our house of trade in order because if it should come tumbling down it may fall on them.

Why, pray tell, can those with whom we trade see what is wrong with us so easily? If we are afraid to open our eyes, why do we not at least open our ears?

In the textile corner of our domestic market, we have watched imports increase threefold from 1 to 3 billion square yards during the past 5 years. In 1947, we enjoyed a trade surplus of over $1 billion in textiles. Our generosity and refusal to take sensible action has enabled us to watch this billion-dollar surplus turn into a $766 million deficit.

I, for one, have sought to correct this through the introduction of legislation to provide for orderly trade in textiles. It is anything but orderly at this time and in an effort to set the true scene I would like to insert a news article that appeared in the May 27 edition of the Daily News Record. The article, aptly titled "Open the Door," succinctly points out that—

> Reciprocity is a word that has little meaning in today's international textile-apparel arena.

We do all the "giving" and it's time that we strike an orderly balance of trade in textiles as well as all other areas.

I am particularly concerned with textiles because I have the privilege and honor of representing the First District of Rhode Island, which gave birth to the textile industry in these United States. It was in Pawtucket, R.I., in 1793 that cotton manufacturing was inaugurated in the United States and the textile industry began to assume its important role in the economy of our Nation. Presently, 26,000 Rhode Islanders depend upon this industry for their livelihood.

Another industry that accounts for the employment of many of my constituents and which is threatened by rising imports is the rubber footwear industry. Proposed unilateral tariff concessions by the United States will further aggravate an already poor trade condition.

As we review the trade policies of our Nation let us take a hard look at what present policies are doing to our Nation and not allow ourselves to become mesmerized by what they are designed to do internationally.

The article referred to follows:

TEXTILE-APPAREL INDUSTRY TO WORLD: "OPEN THE DOOR"

The relationship between the United States textile-apparel industry and the rest of the world is like a bad marriage. One partner does all the giving, the other just keeps taking.

While the shifting pattern of world textile trade brings an increase of imports into this country, it is estimated that no less than 70 nations restrict imports from the United States.

Much has been said in recent months about free trade—but free trade for whom?

Reciprocity is a word that has little real meaning in today's international textile-apparel arena. The countries of the world that have cried the loudest at United States efforts to set up controls over wool and man-made fiber fabric and apparel imports, have set up their own barriers in a secure network of quotas, tariffs and licensing procedures.

Those that have hinted darkly at retaliation have done so at a time when several large shippers to the United States are said to have virtual licensing blackouts in effect against American textiles.

Non-tariff barriers represent a threat to the growth of world trade, says President Johnson.

Undersecretary of Commerce for Resources Stanley Nehmer says "Many nations shelter their markets in this way. But our market, the world's largest, remains unprotected except for the Long Term Arrangement on cotton textiles."

The Hollings amendment that would have set up quotas on wool and man-made fiber goods has been killed. The industry charges pressure from the White House. There is a deep feeling of frustration in industry circles.

While imports into the United States are rising, exports are static at a relatively low level. In 1967, textile and apparel imports were valued at $1.461 billion compared with $695 million for exports. In the first quarter of 1968, imports were at a record $387.6 million while exports were at $169.3 million, according to the U.S. Dept. of Commerce.

Total United States balance of payments at the end of 1967 showed a deficit of $3 billion 569 million. For the first quarter of 1968, the total balance of payments had a deficit of $233 million.

The imbalance for the first three months of this year is slightly less than for the same 1967 period.

Exporters charge Taiwan, Colombia, Pakistan and India have an embargo in effect by simply refusing to grant licenses. Mexico, they say, is clamoring for a larger slice of this market yet refuses admission to American cloth. So tight is the lid on imports into Colombia and Venezuela, they add, that there is large-scale smuggling to feed the desires of the local population.

In all cases where restrictions are severe, local populations pay extremely high prices for textiles and apparel. This results in a pent-up demand that is met by smuggling, as is the case in many Latin-American areas.

Even in cases where countries have few limitations in the way of quotas or high tariffs, the use of import licenses is used to harass potential suppliers.

Exporters charge that Spain, for instance, follows a policy of waiting until the last possible moment before granting a license. This frequently means a potential exporter drops the idea of getting an order there because he has to make up the fabrics in advance and the risk of not getting the license is great.

Another means of harassment is to demand so much detailed information in advance that some mills here have to choose between forgetting about sales to that market or putting on additional clerical help. South Africa is in this category.

Philippines customs sets its own arbitrary valuations on American textiles, it is said, in most cases two or three times the actual value in the United States market. This makes it very difficult for American firms to compete there.

A common practice is to require the exporter to put up in advance the full value of the order. This must be done in local currency. It is not unusual for this sum to be on deposit for three or four months before the license is granted and the fabric or apparel arrive. This can tie up a lot of money and is a strain on smaller houses, it is claimed.

Another point of irritation among American firms is the cost of shipping. Estimated cost of shipping a dozen shirts from Yokohama to New York is $1.59. Yet the cost of shipping a dozen shirts from New York to Yokohama in the same vessel is said to be $3.30.

Following is a breakdown on the programs in effect in a number of countries:

Japan: Global quota on imports of woolen fabrics amounting to $22.8 million for the year ending March 31, 1968. Some countries fall under global quotas while others have quotas established through bi-lateral arrangements. Theoretically, the United States does not come under wool quota but actual imports of wool cloth into Japan are negligible.

Of the 14.8 million square yards of cotton fabrics imported into Japan in 1967, the United States accounted for 4.65 million yards.

United Kingdom: Imports of cotton and man-made fiber yarns and fabrics and made-up goods controlled by complex of quotas, tariffs and bilateral agreements. These cover both Commonwealth and non-Commonwealth countries. Yet imports reached 975 million square yards in 1967 against UK production of 1.4 billion square yards.

Commonwealth goods are duty free but volume is controlled by voluntary deals and by quotas. For the rest of world—excluding European Free Trade Association nations—the tariff on cotton goods is 17.5 per cent. It will be cut to 13 to 15 per cent under the Kennedy Round July 1. On man-made fiber fabrics, tariffs will be cut to 8 to 16 per cent. Bilaterals are in effect with China and Japan to control volume.

Argentina: An import tax of 140 per cent in effect on fabrics and 120 per cent on yarns. There are no licenses required. These taxes based on home market value. Imports represent less than 1 per cent of domestic consumption. There is a 10 per cent sales tax on duty paid value. Statistical tax on domestic goods is 0.3 per cent compared with 1½ per cent on imports.

Colombia: Ad valorem duty is 200 per cent of the CIF value. Other charges on imports: 3 per cent on the CIF value plus 1 per cent of the f.o.b. value. Importer required to deposit 120 per cent of the duty when seeking import permit.

Canada: No import or export licensing. But there are quota arrangements under bilaterals with many countries. In 1967, no less than 40 per cent of total Canadian market for textiles and apparel was supplied by imports. Low-wage countries shipped a mere 1 per cent of Canadian market in 1949 but this jumped to 17 per cent in 1967.

Annual quotas for Japan cover cotton and nylon piece goods, such products as pillow cases and bed sheets, elastic, man-made fiber knit goods and a wide range of blouses made of both cotton and synthetic fabrics, shirts, pants, coats, suits, skirts, jackets, underwear.

There are quota deals on cotton yarns with Colombia, China, United Arab Republic, Greece, Korea, Israel and Portugal. Hong Kong is restrained on apparel of 100 per cent polyester and polyester-cotton blends of major weight polyester. Shirts under this grouping are limited to 75,000 dozen, blouses to 40,000 dozen, trousers to 55,000 dozen. This applies to the period through September, 1968.

Common Market: The Common Market is free of trade restrictions but in the absence of a common commercial policy, individual nations have retained freedom to impose import limitations on non-EEC members. These third countries can be classified as follows:

1. No obstacles to exports by so-called industrialized nations.
2. State-economy countries: Import restrictions on basis of reciprocity, since all trade deals with these countries are bilateral and based on barter principle.
3. Developing nations—here imports based on LTA (which means quotas.)
4. Hong Kong, Taiwan: Tariffs and quotas for some textile and apparel products and voluntary agreements with the rest.
5. Japan—strict quantitative restrictions.

—HARRY JENKINS.

WRONGFUL USE OF GUNS

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Speaker, each of the three national television networks is pursuing a policy which seems to rail at guns—in their "news," commentary, and entertainment programs.

I applaud their patent objective to make society more safe. I deplore, however, many of their tactics—slanting and weighting the news, misusing statistics to support only their point of view, staging gun purchasing incidents, selecting and dramatizing deaths due to the use of guns—yet ignoring other deaths by other means—offering time to "proponents of guns" or killers to "defend their misrepresentations," and intentionally dodging the real issue, namely, minimizing the wrongful use of guns.

The principles and policies of the national networks are obscure except that their principles vacillate with the public whims and their "public service" policies appear to be determined almost entirely by the pecuniary profit to themselves.

The present antigun crusade of the national networks is a typical case in point. There is no profit for television in the advertising of guns, so the networks can assume a seeming highly principled, public-spirited antigun crusade. Yet television itself is popularly credited with contributing substantially to the meanness of the mood in the United States and to the increase of violence, especially by the wrongful use of guns.

When there was little public disapproval, the TV networks fed their viewers, especially youth, with huge doses of violence and gunplay. Along with their present new policy of railing at guns, all networks ought to ban all programs which glamorize violence and the wrongful use of guns and then invite the other media, businesses, and institutions to pursue or follow their forthright constructive example.

With a minimum of research, the policymakers of the national television networks could easily ascertain the facts to substantiate that smoking—especially of cigarettes—shortens more lives, causes more misery and destruction, and costs more money than guns. Yet the networks continue to glamorize smoking on their "news," commentary, entertainment, and advertising programs—a few antismoking spots to the contrary.

The obvious reason for this blatant inconsistency in policy, principle, and programing is pecuniary profit to the networks.

There is no profit in gun advertising, but there is an enormous profit in cigarette and tobacco advertising. Cigarette smoking kills and destroys more than guns. What is the rationale of the TV networks which permits them to rail at guns and glamorize smoking? Almost simultaneously? Until the networks can offer some other explanation, I believe the viewers can and must conclude that the public interest of the national networks is, in fact and principle, bottomed only upon their own balance sheets of profit and loss. This is a shameful criterion for "public service."

I mention this blatant inconsistency in principle, policy, and practice only because it is the most current example. Members of the Congress and all viewers ought to bear in mind the basic motivations for national TV crusades and self-styled public service programs—namely, pecuniary profit for themselves.

It can be fairly stated that cigarettes are more damaging, destructive, and lethal than guns. If the national electronic media wants to make a genuine contribution to the safety of the individual citizen and of society, it should begin with the greater culprit—the cigarette vis-a-vis the gun. The national television and radio networks could start by limiting cigarette advertising that appeals to youth.

CONSTITUTIONAL AMENDMENT ON VOTING AGE

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, the President has sent to the Congress a special message that is most relevant to this period during which we celebrate our freedom and independence. He has suggested a measure which like our acquisition of liberty and independence is also an act of political renewal through an extension of the franchise. Specifically he has proposed that we initiate a constitutional amendment to reduce the voting age from 21 years of age to 18 years.

After thoughtfully considering all of the evidence bearing on this issue I have decided to introduce a resolution in consonance with the President's request to reduce the legal voting age despite a recognition on my part that it could develop to be an issue highly charged with emotion.

This generation of young adults is more fully prepared to accept the responsibilities of citizenship than any previous generation. As President Johnson said in his message to the Congress:

> The young people of America in this decade are far more ready, far better qualified, far more able to discharge the highest duty of citizenship than any generations of the past.

Today's young adult is more mature, sophisticated, and politically aware than his brethren of a generation or two ago. He is highly mobile, better educated, and better read than his earlier counterpart. He can readily identify important national figures and issues through the magic medium of television, which he grew up with. And generally he also is more responsible for his own destiny and livelihood because he becomes more self-sufficient at an earlier age.

But let us not limit this discussion to the average young American who is well behaved and highly motivated to participate in our democratic system. Let us also face up to the serious problems posed by the young anarchists in our Nation's colleges, the so-called New Left, and also to the more serious challenge presented by the young black militants who are operating in the ghettoes of all of our cities.

To these people we must prove that our faith in the democratic electoral process is stronger and more productive than their belief in violence and civil disobedience as instruments for producing social change.

We must unclog the political channels of the "system" that they rail against. We must give the amateurs and the young a chance to partake of the sense of accomplishment that comes from victories for progress and sanity that are won at the ballot boxes and not in the streets.

In the last 24 months we have witnessed the development in this country of a small revolutionary cadre bent on destroying the so-called system that we live in and the "establishment" that runs it. We must challenge these young men and women to take their case for social change; an end to poverty, hunger, and ignorance; their calls for freedom and independence that echo ironically on this occasion of national independence to the ballot box.

Mr. Speaker, to sponsor this legislation was not an easy decision to make. But I am convinced that we must act to give to those among the young who have loyally served their country during the past few years a chance to direct this Nation's destiny and to those who have worked to upset the society and its cities an alternative to chaos and violence.

For both of these groups we must make the democratic system of government work more smoothly and responsively. I believe that this would soon result if the younger adults of this country had some say in the course it chooses to pursue during their era.

CONGRESSMAN BOB SIKES SETS NEW RECORD FOR SERVICE IN CONGRESS BY A FLORIDIAN

The SPEAKER. Under a previous order of the House, the gentleman from Florida [Mr. FUQUA] is recognized for 60 minutes.

GENERAL LEAVE

Mr. FUQUA. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks in tribute to the Honorable ROBERT L. F. "BOB" SIKES.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FUQUA. Mr. Speaker, the great State of Florida is proud of her ancient heritage and the contributions she has made to the United States of America since being admitted to the Union in 1845.

Since that time, 23 men have served in the U.S. Senate from Florida and 54 in the U.S. House of Representatives.

Today I speak to honor my friend and colleague, the Honorable ROBERT L. F. (BOB) SIKES, who has now served longer in the Congress of the United States than any other Member from Florida.

Friday, July 5, marked the day that BOB SIKES officially passed the mark of 27 years and 106 days set by the last U.S. Senator Duncan U. Fletcher in 1936. The passing of Senator Fletcher on that date marked the loss of a great Floridian and American.

BOB SIKES already held the record for length of service in the House of Representatives by a Member from Florida. That previous record had been set on the retirement in 1917 by the late Stephen M. Sparkman, of Tampa, after 11 terms and 22 years of service.

Congressman SIKES broke that record in 1963 in his 12th term and today he is serving his 14th. It is interesting to note that the House record stood for 45 years and that the record for service in the Congress stood for nearly 32.

It is a fine thing that his friends honor him on this occasion, but we honor him not because he has served so long, but because he has served so well.

I remember a statement I read which seems particularly appropriate:

> There is only one proof of ability—results. Men with ability in action get results.

If I might make a personal reference, BOB SIKES was my Congressman until I came to join him as a Member. It was the decision of the legislature to cut down on his fast-growing and sprawling district that helped create the new district from which I was elected.

I liked and respected him then, but can honestly say after having served with him for nearly 6 years—I like him more and respect him more.

BOB SIKES is a man who likes to get things done. As the dean of our delegation, he helps hold the delegation together and every project that will benefit our great State has his enthusiastic support. I say that few men in Florida's history have contributed as much.

I wanted to repeat something that I said about BOB in 1963, when I noted he had originally been elected to Congress in 1940 at the age of 33 when Florida had five congressional seats. Part of that district was my home county and I remember vividly as a boy of 7, hearing him speak during that first campaign for Congress. He told the people that even the Bob White Quails were on the bandwagon—having switched to singing, "BOB SIKES, BOB SIKES" instead of "Bob White."

The quail have been singing it that way ever since and the voters of his district have now elected him to 14 consecutive terms in the U.S. House of Representatives.

Another interesting sidelight is that he is generally referred to by Floridians as the "He coon of the Florida delegation." It is a mark of respect for the leadership he has given our great State.

It is interesting to note that our delegation has grown from the five seats in 1940 to 12 today. BOB SIKES became dean of the Florida delegation in 1951.

Of the 54 men to serve in the U.S. House of Representatives since Florida became a State, besides Congressman SIKES, only Representative Sparkman served as long as 11 terms. The late Frank Clark served 20 years, from 1905 to 1925. Two of our colleagues from Florida will have served 20 years at the end of this year—CHARLES E. BENNETT and A. SYDNEY HERLONG.

In computing congressional service, it is obvious that one must take into consideration both the Senate and the House. Four Floridians have served in both, with U.S. Senator GEORGE A. SMATHERS to complete 22 years of service in the Congress upon his retirement this year. He served two terms in the House before winning election to three terms in the Senate.

My colleague, Congressman CLAUDE PEPPER will complete 18 years at the end of this term, having served two terms in the Senate and now in his third term in the House.

David L. Yulee and Stephen R. Mallory are the other Floridians to have served in both Houses of Congress.

Senator Duncan U. Fletcher served only in the Senate, as Congressman SIKES has served only in the House. It is interesting to note that our beloved senior Senator, SPESSARD L. HOLLAND, will have served 22 years in the Senate at the end of this year.

Florida had only one Representative from 1845 to 1875, getting the second seat in 1875 and the third in 1907. In 1914 the delegation increased to four and in 1933 to five. A sixth member was added in 1943 and two additional seats were added in 1963. January 1963 saw the State add four new seats for a total of 12.

Congressman SIKES now represents Florida's First Congressional District, comprising eight northwest Florida counties—Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay, and Gulf. He had previously represented 16 counties until the district was split and eight went into the creation of the district I was first elected from.

In January, because of court rulings, Congressman SIKES will gain Jackson County as the ninth county in his district.

He makes his home in Crestview the short time that Congress is not in session.

Born in Isabella, Ga., in 1906, he was raised on a farm near Sylvester, Ga., with his father passing away when young BOB was 10, leaving a young lad and his mother to make the living on the family farm.

BOB SIKES continues today to point out his mother as the person who inspired him with her hard work and determination. She was determined that he should have a good education.

He attended the University of Georgia, receiving the bachelor of science degree in agriculture in 1927, and then went on to the University of Florida on a fellowship to earn his master's degree in 1929.

He worked for a time at the university, leaving to go to Okaloosa County in 1932 where he had purchased the Valpariso Star, a weekly newspaper, to begin a new career. Later he purchased the Okaloosa News-Journal and Okaloosa Messenger at Crestview, consolidating the papers in the Okaloosa News-Journal by 1940.

His newspaper days are remembered by other publishers for his hard hitting and progressive policies. He served as president of the Florida Press Association in 1937 as the newspapermen of his State recognized the ability of this aggressive young man.

He entered the political realm in 1936 when he sought election to, and was elected to, the Florida House of Representatives from Okaloosa County, and was then reelected to a second term. He served in the 1937 and 1939 sessions of the legislature.

It was at the end of the latter that Congressman Millard Caldwell announced he would not seek reelection. SIKES sought to succeed the gentleman who was to become Governor and later a justice of the Florida Supreme Court, and was elected. His district stretched from Escambia County in the west to Jefferson in the east.

Today he has 16 successful elections behind him—the 14 for his congressional seat and the two for the State legislature.

Coming to the Congress he served 2 years on the Foreign Affairs Committee and then 6 years on the Armed Services

Committee before gaining a seat on the powerful Appropriations Committee.

Today he is chairman of the Subcommittee on Military Construction and serves on the Subcommittee on Defense and the Subcommittee on State, Justice, Commerce, and the Judiciary.

It is interesting to note that he ranks 17th out of the 435 Members of the House in seniority.

He has been a powerful force in legislative matters from his seat on the Appropriations Committee which is doubly important since under the Constitution, tax and appropriations bills must originate in the House.

Perhaps his major field of interest has been the military preparedness of America and in this field he has written a large number of bills to improve the defense posture of the United States. A host of major forestry bills have been authored by Sikes along with national recreational bills. Many social security measures have been authored by him.

Waterways have been another prime interest. He has said many times that where waterways are improved, industry and trade are stimulated and these improvements pay for themselves many times over.

He retired from the Army Reserves this year as a major general after 36 years of service.

In 1956 and 1960, he was selected by the Florida delegation to the Democratic National Convention to serve as their chairman.

He currently serves as the grand orator of the Grand Lodge of Florida, Free and Accepted Masons, an organization to which he has given great service. He is a 33d degree Scottish Rite Mason and a member of the Red Cross of Constantine of York Rite Freemasonry.

In addition, he is a member of the Royal Order of Scotland, KCCH; Knights Templar, a Shriner, a member of the Grotto, and Sojourners. He was a charter member and first ambassador named for Hadji Temple of Pensacola.

He is a member of Kiwanis, having served as a lieutenant governor of the Florida District, honorary member of Rotary, Lions, and Civitans Clubs, Retired Officers Association, Fleet Reserve Association, National Association of Supervisors, American Federation of Government Employees, United Federation of Postal Clerks, the National Association of Master Mechanics and Foremen, and American Society of Gun Collectors.

He is a member of the Knights of Pythias, Moose, Elks, VFW, American Legion, 40 & 8, Military Order of World Wars, and ROA.

He holds membership in Phi Kappa Phi, Alpha Zeta, Sigma Delta Chi, Alpha Gamma Rho, and Blue Key, as well as being a life member of the National Rifle Association.

He is the recipient of the National Affairs League's Leadership Award, 1951; Distinguished Service Award of the Reserve Officers Association of the United States, 1958; American Gun Dealer's Leadership Award, 1959; Governor's Conservation Award, 1960; Recipient Guatemalan Order of Merit, 1961; Young Democratic Clubs' Florida Award, 1961; Recipient American Legion Distinguished Service Award, 1962; Navy Times Good Neighbor Award, 1962; Humanitarian Award from Children's Asthma Research Institute, 1963; Florida National Guard Outstanding Service Award, 1963; Reserve Officers Association "Minute Man Hall of Fame" Award, 1964; Distinguished Service Award of the ROA, 1966; George Washington Memorial Award, National Rivers & Harbors Congress, 1966; Good Government Award by Pensacola Realty Board, 1966; Defender of Free Enterprise Award by Life Underwriters, 1966; Reserve Officers Association "Man of the Year" Award for Contributions to National Defense, 1967; Honorary State Farmer Award by the Florida Association of the Future Farmers of America, 1967; Alpha Gamma Rho Alumni Award, 1968.

Member, board of trustees of the Naval Aviation Museum Association; member board of directors, Florida Historical Society; vice president, National Rivers and Harbors Congress, 1959–67.

He has served as delegate to Pan American Roads Conference, Caracas, Venezuela, 1954; delegate to Inter-Parliamentary Conference, Warsaw, Poland, 1959; and delegate to the 60 World Forestry Congress, Madrid, 1966.

Mrs. Sikes is the former Miss Inez Tyner, of Laurel Hill.

He has two children, Mrs. Bobbye S. Wicke, Oldsmar, and Robert K. Sikes, Orlando.

In 1963 I used as part of my statement honoring Congressman Sikes some remarks by Congressman Carl Vinson, of Georgia. The "admiral" has now retired to Georgia after a half-century of service to the U.S. House of Representatives. It would seem particularly appropriate to repeat them here today as a tribute from the man who served longer in the U.S. House of Representatives than any other—and had a particular affection for his fellow native Georgian. He said:

> Over a period of 49 years I have had the privilege of knowing literally hundreds of Members of Congress. Among those Members with whom I have associated for many years who early in his congressional career clearly demonstrated his ability is Bob Sikes, dean of the Florida delegation. Mr. Sikes became a member of the Armed Services Committee when it was first organized in 1947. From the outset, I was impressed with his tremendous grasp of military problems and his vast store of knowledge in areas affecting our national security.
>
> Mr. Sikes has fully justified my original impression of his outstanding ability. He is a tower of strength in the House of Representatives. He is unusually able, highly knowledgeable, loyal and determined, but always reasonable, and fully dedicated to his district, his State, and the Nation.
>
> Mr. Sikes is a Member of Congress whose capacity is more clearly demonstrated with each passing Congress. The people of the State of Florida can be very grateful that Mr. Sikes has represented his district and his state in the Congress of the United States for almost 28 years, and I sincerely hope that they can look forward to many more years of faithful service from Mr. Sikes.
>
> I consider him not only a personal friend and a dedicated American, but also one of the bulwarks of the democratic system.

I think I speak for all Floridians when I say we are proud of Bob Sikes. Few men have left as lasting imprint upon my State in the 120 years of its existence than has Robert L. F. (Bob) Sikes.

I take pride in saluting a great American.

Mr. Speaker, I am happy to yield at this time to the distinguished minority leader of the House.

Mr. GERALD R. FORD. Mr. Speaker, this is a wonderful occasion for a wonderful person—Bob Sikes. I am delighted to have the opportunity to honor my good friend, Bob Sikes, who has now served in the Congress longer than any other Member of the Congress—House or Senate—from the State of Florida. This is a great record of service not only in years but in accomplishment. I congratulate Bob and wish him the very best of health, happiness and success in the years ahead. Let me add Bob Sikes has been most fortunate to have a wonderful wife, Inez, who has helped him immeasurably during his years of service. My wife Betty joins me in extending to both our very best.

Mr. FUQUA. Mr. Speaker, I am very pleased at this time to yield to my distinguished colleague from Florida [Mr. Bennett] a friend of Bob Sikes.

Mr. BENNETT. Mr. Speaker, I wish to thank the gentleman very much for yielding.

Words are not adequate to express my high opinion of this fine statesman, Mr. Speaker. He is a man's man and a Congressman's Congressman. Bob Sikes is a man of action and of accomplishment.

Mr. Speaker, it is a real honor and pleasure for me to say a few words about our beloved colleague, Bob Sikes. His extraordinary accomplishment of having served in the U.S. Congress longer than anyone else in the history of the State of Florida is indeed outstanding. Even more outstanding is the high quality of his service during his many years here in Congress. He is in fact a national leader of great stature and Florida has every reason to be very honored and pleased because of his presence here in the U.S. Congress.

Our colleague has the qualities of real leadership and exerts himself in behalf of things which are for the public benefit of all of our country and all facets of our country. He has, of course, been primarily a leader in strengthening the national defense of our country. He has crusaded on such activity in Congress; and in his outside activities he has also been active in defense of our country, having served on active duty, and having achieved the rank of major general from which he has recently retired.

He and his beautiful and lovely wife have made a great contribution to many good things here in Washington and back at home in Florida. We are all extremely happy that this occurrence of his reaching such a high degree of seniority, and long service in Congress, has made it appropriate that we acknowledge his great works on this memorable occasion.

Mr. FUQUA. Mr. Speaker, I am happy now to yield to our distinguished colleague Syd Herlong, whom we are all very sorry to see leaving us.

Mr. HERLONG. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am happy to join with my colleagues today in paying tribute to the beloved and respected dean of our Florida delegation on the occasion of his having served in the Congress of the United States longer than any other Floridian in the history or our State.

Bob Sikes' record in Congress speaks for itself. He has not been reelected all these years just because he is a nice fellow, which he is, but because he has produced not only for the people of his own district and the State of Florida, but for the Nation as a whole. The late Speaker, Mr. Sam Rayburn, used to say that just about anybody could get elected to Congress once, but for a person to stay here year after year meant that he had something on the ball. Bob Sikes is living proof of this statement.

Not only has he been diligent in looking after the good people of his district and the State of Florida, but he has always been willing to go the extra mile in order to help his colleagues in time of trouble. How many times have I personally encountered problems that I did not know how to solve? I would always go to Bob Sikes for his advice, counsel, and help. He has never failed me.

His usefulness to the State of Florida and to the Nation grows with each succeeding year and it is a testimony to the wisdom of his people that they return him to Congress every 2 years either with no opposition or with only token opposition.

As I leave here at the end of 20 years' service, one of the real sad things about my departure is that I will not be so closely associated with this great man. However, knowing that he is here looking after the interests of our people is most comforting. It has been a most rewarding experience for me to be able to work with him so closely these 20 years and to always know that he had my interest and the interests of all the other Florida members at heart in whatever he did.

I wish for him and for the people in his district many more years of the same brilliantly dedicated service that has meant so much to Florida, the Nation, and the Congress during the past 28 years.

Mr. FUQUA. Mr. Speaker, I am now happy to yield to the distinguished gentleman from Alabama who served many years with Congressman Sikes.

Mr. ANDREWS of Alabama. Mr. Speaker, first I want to thank my colleague, the gentleman from Florida [Mr. Fuqua], for making it possible for Bob's friends to express their opinion of him and for yielding to me at this time.

When I came to the Congress 25 years ago one of the first men I met was Bob Sikes. He was a veteran at that time. His district and mine join, and through the years I have served in the House it has been a pleasure to work with him. We have had many matters which jointly affected our districts. I visited in his district and he visited in mine. I have spoken in his district and he has spoken in mine. I have never known a finer Member of this House than Bob Sikes. I have never known a finer neighbor than Bob Sikes. I have never known a harder worker than Bob Sikes. Many people think that Congressmen do not work too hard. Nothing could be further from the truth. Bob Sikes is in his office when he is in Washington for 10 to 12 hours a day. His district reflects the fruit of his work from one end to the other. I do not know of a district that has more public works, military establishments, than Bob Sikes' district. I wish many others had half the number of such installations located in their respective districts that he has.

Mr. Speaker, Bob Sikes has been and is a hard worker who has through all of the time of his service manifested his intense interest on behalf of the people of his district.

Mr. Speaker, I have talked to Bob on many, many occasions and it is my understanding that he still wears the same size of hat as he did when he came to Congress. He goes and talks to the lowest and the highest in his district. And they love him. They are a monument to Bob Sikes. All through that congressional district which it is his honor to represent and which he has represented so ably and well there are roads, bridges, and other public facilities named for Bob Sikes. In my opinion this shows the affection that the people feel for him, and the fact that they have kept him in Congress longer than any other Member of Congress from that State. He is an outstanding and key Member of Congress from the State of Florida, which further illustrates the fact that his people love him.

Mr. Speaker, it has been my experience to serve with the distinguished gentleman from Florida, Bob Sikes, on the Committee on Appropriations for many years. I sit right next to him on the committee.

Mr. Speaker, I think I can say without fear of contradiction that there is not a better qualified military expert in this Congress than Bob Sikes.

In addition to the work which he has done on the Committee on Appropriations, he has taken a personal interest in the military affairs of his country by starting from a private and through hard work and devotion to duty he has risen to the rank of major general. However, it is my understanding that he has retired from that position recently.

Mr. Speaker, Bob Sikes has for the last few years served as chairman of the Subcommittee on Military Construction or Public Works which are carried on by the Department of Defense. And, while serving in that assignment he has been responsible for the expenditure of billions of dollars throughout the world in behalf of maintaining our defense posture and defense readiness. He has done a grand job.

Now, Mr. Speaker, without the devotion of his sweet wife Inez, I doubt that Bob would have reached the heights that he has achieved. I have been out on political trips with him and she accompanies him and although he is well loved by the people of his district, I do not know but what the people of the district do not think more of her than they do of him.

And, Mr. Speaker, while we are praising Bob for staying in the Congress of the United States for a period longer than any other Member in the congressional history of the great State of Florida, I think I can say without contradiction that Inez has made a great contribution to that long period of illustrious service.

Mr. Speaker, to my friend, my neighbor, my colleague, the distinguished gentleman from Florida, Bob Sikes, he has rendered to his State and to his Nation service, dedication, and devotion which is unexcelled.

Mr. Speaker, it is my fervent hope that Bob will stay here as long as he wants to. I can say without fear of contradiction, knowing the way the pulse of his people beat, that there is not any man in the great State of Florida and particularly in the congressional district which he represents who can unseat him, be he Republican or Democrat.

So, Mr. Speaker, I hope that Bob has many more long years of useful service to his State and Nation in the House of Representatives.

Mr. FUQUA. I thank the distinguished gentleman from Alabama for his very fine contribution and for his remarks.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. FUQUA. I am happy to yield to my distinguished colleague the gentleman from Florida [Mr. Haley].

Mr. HALEY. Mr. Speaker, it gives me great pleasure to join my colleagues from Florida in rising here to pay tribute today to our distinguished friend and colleague, the Honorable Robert L. F. Sikes. Bob Sikes is one of Florida's finest sons—an adopted son, in whom Floridians justly take great pride.

Last Friday our friend Bob Sikes exceeded the record of the late Senator Duncan U. Fletcher and became the man to have served Florida longer in the U.S. Congress than any other man in the history of our State. On this day of July 8, 1968, Bob Sikes, has served in this august House of Representatives for 27 years and 110 days.

His active and effective representation of Florida's First Congressional District is so deeply appreciated by his own constituents that they have paid him the highest and most well deserved tribute of returning him to the Congress every 2 years with no opposition in either party or with mere token opposition.

The entire State of Florida has benefited from his distinguished leadership. He is in his 18th year of service as the dean of the Florida congressional delegation. We value highly his counsel and we know well the effectiveness of his assistance. No team could have a finer captain than the man we Floridians are privileged to have as our leader.

Bob Sikes is one of the most astute and efficient legislators this Nation has known. He has served our country well not only in the U.S. House of Representatives but also in the U.S. Army where he has earned the rank of major general in the Army Reserve.

As a ranking member of the House Appropriations Committee, he has rendered invaluable service to Florida and the Nation. As chairman of the Military Appropriations Subcommittee, he has been constantly alert and responsive to our defense needs.

It is appropriate that we pay tribute to Bob today, that we let him know of the deep respect and the deep appreciation we have for him and for his leadership. I wish for him many years of good health, continued service here, and accomplishments.

Mr. FUQUA. Mr. Speaker, I thank the gentleman very much for his comments.

At this time, Mr. Speaker, I yield the distinguished gentleman from Georgia [Mr. Flynt].

Mr. FLYNT. Mr. Speaker, I thank the gentleman from Florida for yielding to me at this time.

I also want to express my appreciation to the gentleman for taking this special order this afternoon so that those of us from outside the State of Florida might join the gentleman from Florida [Mr. Fuqua] and his Florida colleagues in paying tribute to a great American and a distinguished Member of the House of Representatives, Robert L. F. "Bob" Sikes, of Florida's First Congressional District.

I believe that we would all be in general accord that Bob Sikes is one of the most effective lawmakers in this country. His hours are long and arduous, and he is constantly about the business of his district, his State, and our Nation.

Bob Sikes is one of the best informed members of the Committee on Appropriations, particularly in the field of the subcommittees upon which he serves and upon the subcommittee on which he is the chairman. It is my pleasure and privilege to serve with Bob Sikes on the Subcommittee for the Departments of State, Justice, Commerce, the Federal Judiciary, and Related Agencies, and in serving with him on a committee of that type one has an opportunity to know whether he has done his homework and whether he is prepared when the witnesses appear before us.

I am sure he is equally well prepared and equally knowledgeable as a member of the other two subcommittees on which he serves.

Mr. Speaker, we in Georgia consider Bob Sikes the 11th member of the Georgia delegation. Bob Sikes was born in Worth County, Ga., in a town called Isabella which at one time was the county seat of Worth County.

I somehow feel that my friendship with Bob Sikes goes back at least a generation or more. Because a favorite uncle of his and my father were colleagues and friends when together they served in the General Assembly of the State of Georgia many years ago.

We in Georgia also feel especially close to Bob Sikes because he is a graduate of our State university and as an alumnus of the University of Georgia, I know I speak for many of the alumni and friends of that great institution of learning when we say that we are proud of the record and of the accomplishments of Bob Sikes, a Representative of the State of Florida.

I would say, Mr. Speaker, that it is a pleasure to participate in honoring Bob Sikes today. As I stated earlier, the gentleman from Florida [Mr. Fuqua] has done what many of us would have liked to have done, to have arranged for this ceremony today which marks the setting or the establishment of a record by Bob Sikes in having served longer as a Member of the Congress of the United States from the State of Florida than any Member, past or present, either in the House of Representatives or in the Senate.

My wife, Patty, joins me in extending to Bob and to Inez our congratulations on this milestone which together they have achieved, and to say that we wish for them many, many more years of happiness and service dedicated to the upbuilding and strengthening of their district, their State and our country.

I hope that if Bob wants to he can serve 27 years and 110 days more—and if that is not enough, when that time comes, we can turn the clock back, wind him up and start him all over again.

Mr. FUQUA. Mr. Speaker, I thank my colleague.

Mr. Speaker, I am very happy to yield to the distinguished gentleman from Texas [Mr. Burleson].

Mr. BURLESON. Mr. Speaker, it is indeed fitting and proper to pay special tribute to a distinguished Member of this body who has served with unique distinction his country, his State, and the people of his congressional district going on 28 years.

Mr. Speaker, our colleague, Syd Herlong, has made reference to former Speaker Sam Rayburn and how he judged men.

I recall Mr. Rayburn saying it does not take long for our associates to form opinions of one another. This does not mean we always agree. Of course, we do not, but the point is, we come to know and trust those who prove themselves. Bob Sikes is one of those we have all come to respect and admire for his character as well as his abilities.

Bob Sikes is, in my opinion, the sort of man any citizen should appreciate serving in the Congress. Aside from a deep personal friendship which I have had with him during our acquaintance of almost 22 years, I am glad to have him here from the standpoint of a citizen. I am glad to have him here because he stands for good government and is dedicated to it.

In his present position as chairman of the Subcommittee on Military Construction of the Appropriations Committee, he holds one of the most responsible positions in the entire Congress. In his position of seeing that we have adequate national defense, it seems to me there are three things that those of us not in the position Bob Sikes holds must determine when we vote on this appropriation of the magnitude he handles. The first is to realize the kind of world in which we live. The second is what it takes to defend ourselves and to be the strongest Nation in this world. The third and final point is what it takes in dollars and cents to procure it. In this regard, Bob Sikes is a man whose leadership can be followed and whose judgment trusted.

In addition to these attributes, he is also a man of integrity, coupled with ability to determine these highly complicated questions. With all this, he is a man who genuinely seeks to be of assistance to his colleagues and I know that all of us have found him as accommodating as any Member could possibly be.

I join with his many other friends and colleagues in paying tribute to him on this special occasion and to hope that he will see fit to render many more years of invaluable service to his people our Nation and to all of us who serve with him.

Mr. FUQUA. I thank the gentleman very much.

I am very pleased to yield to the gentleman from Georgia [Mr. Stephens].

Mr. STEPHENS. I thank the gentleman very much for yielding to me. I am so glad to have the opportunity to having a part in this program to honor Congressman Bob Sikes. As my colleague, Congressman Flynt, stated a moment ago, Bob Sikes is a native of Georgia and a graduate of the University of Georgia.

Because of the fact that the University of Georgia is in the 10th District, which I have the honor of representing, the Alumni Society of the University of Georgia has asked me to represent them today in paying honor to Bob Sikes. I appreciate his friendship. I appreciate the fact that he is a Georgian who has distinguished not only his own State by adoption, the State of Florida, but he has also brought credit to the State of Georgia in the long years that he has represented his State of Florida in the Congress.

When I was at the University of Georgia I had a Latin professor, and I am sure that Congressman Sikes had the same Latin professor that I did. In the works of Cicero he taught us concerning the measure of public office. Cicero stated that there are four cardinal virtues of a person who holds public office. The State of Georgia has made those into its motto, and Bob Sikes has lived up to that motto.

Cicero said the four cardinal virtues are wisdom, justice, moderation, and fortitude. I believe if you will review the record of Bob Sikes in the Congress of the United States, you will find that he has lived up to the highest ideals of what a public servant should live up to.

Thank you for letting me have a part in this program in honoring Bob Sikes.

Mr. FUQUA. Mr. Speaker, I am very pleased to yield to the distinguished chairman of the Appropriations Committee, the gentleman from Texas [Mr. Mahon].

Mr. MAHON. Mr. Speaker, I thank the gentleman for yielding. I speak from firsthand knowledge and experience when I salute Bob Sikes on this memorable occasion. Bob has meant a great deal to his district. He has been their pride and joy and strong right arm for many years. He has meant a great deal to Florida. But those two facts do not concern me so much now. When I think of Bob Sikes I think of him in terms of what he has done for the United States in his service in the House of Representatives. Bob and I have sat in the same committee room week after week, month after month, and year after year. I have observed this man through those experiences which we have had. I know of this devotion to his fellow men. I know of his devotion to his colleagues. I know of his devotion to our country. I know of his effective service in behalf of our country. I make special reference to his distinguished service in the field of national defense.

I could speak at great length about the

outstanding career of my friend and colleague, but I know that many others wish to join in this ceremony here today.

So let me then say, congratulations, Bob and Inez, on this wonderful occasion. We are glad that an opportunity has presented itself for us to give you this special salute. May God bless you in your continued service on behalf of your district, your State, and our country.

Mr. FUQUA. Mr. Speaker, I am very happy to yield to the very capable and distinguished chairman of the Committee on Armed Services of the House of Representatives, the gentleman from South Carolina [Mr. Rivers].

Mr. RIVERS. Mr. Speaker, the hour is late and it is really inconsiderate for one not to revise and extend remarks rather than say what is in his heart about one Robert L. F. Sikes. Only the Speaker and the great chairman of the Appropriations Committee were here when Bob Sikes and I came to Congress. We were freshmen in the 77th Congress, like everybody else trying to get along and minding our own business. Bob and I were assigned to the same committee, and I had the great privilege of working with this great and distinguished American.

I thank the distinguished gentleman in the well for giving us this opportunity to say some justified and meritorious and long-overdue encomiums about Bob Sikes.

One can know this man only by working with him. Our great Speaker—I think the greatest we have ever had—has time and time again referred to this House as a jury before which men must appear and which will judge men for what they are. Bob Sikes has been adjudged by the jury of the House of Representatives, and he has been acquitted in the highest manner which one can be accorded, for consideration, dedication, patriotism, motivation, and love of his fellow man.

Bob Sikes, as the chairman of the Appropriations Committee has said, is not a provincial man. He thinks of everything in America as his own. There is in his district the largest air training area, I suppose, anywhere in the world. All the Navy's helicopters, practically, and the air training is carried on in his own district. There is no district in America more vital to the Navy or to the Air Force than the area where the sun shines so long. The training is so necessary and the program is so indispensable to the training of our men and good weather is so indispensable, and Mr. Sikes looks after them all, because he knows it is expensive training. The training for Navy pilots is the most expensive because it is so difficult to train people to hit a bobbing aircraft carrier in the midst of a storm. Men have to be trained for that. I know whereof I speak.

But Bob Sikes has the same concern for Vietnam and the jungle of Thailand and the cold and frigid slopes of Greenland and Alaska, where Americans are serving their country.

Bob Sikes has a personal interest in the outdoors, and nobody knows more about the outdoors than this great American, and nobody is more dedicated to his task and the tasks before this country.

Because Bob Sikes is chairman of the Public Works Subcommittee of the Appropriations Committee, it is necessary that I work closely with this great American. The knowledge he has of the military is surpassed by no one of my acquaintance since I have been a Member of this House of Congress, or of any I had known before.

Mr. Sikes is a scholar and a student of the things to which he gives his time, and the military is his specialty.

Bob Sikes would have had service equal to that of mine and the gentleman from Louisiana [Mr. Hébert]—the only two uninterrupted service Members of that class—had it not been for his joining the colors in World War II and serving his country until President Roosevelt issued an order bringing him back to serve in this Congress.

It has been a privilege to know Bob Sikes and his charming and inspiring wife, who has been such an inspiration to him, as well as a motivation to him in his work. She is patient and long-suffering, like all of our wives, and she has contributed to his rise, which has been meteoric and magnificent.

If I might paraphrase Shakespeare, I should like to say of Bob Sikes, my friend: He is a humble man. He is a kind man. He is a gracious man. His life is gentle.

His life is gentle, Brother Pepper—one of the scholars who quotes authorities—and the elements are so mixed in him that you and I and all the world can with pride point to him and say, "There is a man."

Mr. FUQUA. Mr. Speaker, I am happy to yield to my colleague, the gentleman from Florida [Mr. Fascell].

Mr. FASCELL. Mr. Speaker, I thank the distinguished gentleman in the well for yielding to me.

Mr. Speaker, the Honorable Robert L. F. Sikes has served in Congress longer than has any Representative or Senator from our State of Florida. He is being honored today for longevity of service; but tribute is due him also for his outstanding efforts on behalf of the people of the First District of Florida, for his dedicated service to the people of America, and for his fine example of honesty, integrity, and devotion to duty.

For nearly 28 years, Congressman Sikes has honored this House with his presence. His constituents support him with wholehearted approval and gratitude. The United States of America is better for his service. I should like to add my voice to the many who are united in praise of Robert Sikes. I am proud to be his colleague and his friend.

As a member of the Florida delegation, I can testify to Bob Sike's helpfulness, his profound generosity, his wish to do everything he possibly can for his district, his State, and his country. When I came to the House of Representatives, it was Bob Sikes who introduced me to the responsibilities that were mine as a new Congressman. He was indeed the proper person to do this, since he had long been fulfilling those responsibilities himself to the very letter.

He has been an example to me and to many others of the way that a House Member's duties should be performed. May he continue to be such an example for many years to come. May he long be the senior Member of the Florida delegation. On this day of personal recognition, we salute him as a credit to the House, to the First District of Florida, and to the country he loves.

My wife, Jeanne-Marie, and I extend to Bob Sikes and his wife, Inez, our best wishes for continued success.

Mr. FUQUA. I thank the gentleman.

Mr. Speaker, I now yield to my colleague from Florida [Mr. Rogers]

Mr. ROGERS of Florida. Mr. Speaker, I thank the gentleman for yielding.

I welcome the opportunity to join with my colleagues in this salute to Bob Sikes, Florida's dean in the Congress.

His length of service to his country now gives him a unique place in Florida's history and indeed American history. His friendship and kindness to me—as well as his advice—have meant a great deal to me.

But those in the Congress realize that Bob's service is measured in quality and dedication rather than in years and months and days. His contributions come from his diligence and effectiveness—not from his longevity.

Since being sworn in as a Member of the House of Representatives on January 3, 1941, Bob has served well the people of the First Congressional District of Florida and the Nation. His dedication to country has resulted in numerous national awards and he has become one of the leaders in guiding this Nation's military programs.

His reasoned philosophy has lent balance to the Appropriations Committee and has meant that commonsense has tempered proposals coming from the committee and the Congress.

Although he is best known for his untiring work in assuring that our military posture is adequate at all times, he has worked hard in many other areas important to all areas of this Nation.

As we celebrate this milestone in Bob Sikes' service to country, my wife, Becky and I wish Bob and his lovely wife, Inez, our best wishes and congratulations.

Mr. FUQUA. Mr. Speaker, I am happy to yield now to my distinguished colleague from Florida [Mr. Pepper].

Mr. PEPPER. Mr. Speaker, I thank my distinguished colleague for yielding to me.

Mr. Speaker, I succeeded in the other body the Honorable Duncan U. Fletcher, one of the most venerated and beloved figures ever to serve in the public life of Florida. It was the general opinion of the citizenship of our State that probably no other public figure would ever equal the record of public service in the U.S. Congress of Senator Fletcher. I am very proud today to be able to join my colleagues of the Florida delegation and of this House of Representatives in paying the highest tribute to the dean of our delegation who has now through the esteem in which he has been held by the people of his great district exceeded the record of Senator Fletcher in years of service in the Congress of the United States from the State of Florida.

Mr. Speaker, I came to know Bob

Sikes in the early 1930's, prior to the year 1934. In 1934 I was looking for a campaign manager for Okaloosa County when I ran for the Senate for the first time. I had already come to know a very distinguished and progressive and outstanding newspaper publisher in Okaloosa County, Fla. I sought out that man—Bob Sikes—and took advantage of his immaturity and his indiscretion and persuaded him to become my campaign manager in his county that year. Mr. Speaker, I never thereafter got a vote equivalent to what I received in that fortunate year when he honored me by being my campaign manager. So I have observed with the greatest pride the progress up the ladder of distinction and success which has been made by our beloved and distinguished colleague Bob Sikes.

I remember when he served in the Florida House of Representatives for two terms in the years 1937 and 1939. I remember when he was honored by the press association of Florida by being made its president. I remember when he came to the Congress in the 1940 election. I recall with great delight the distinguished service which he rendered as chairman of the Florida delegation to the Democratic National Convention in 1956 and in 1960.

We in Florida have been proud of Bob Sikes and grateful in many ways that he has dedicated himself to the legislative branch of the Government. I think it is the opinion of most of the citizenry of our State that on numerous occasions Bob Sikes could have been elected Governor. I have been one of those who has attempted to induce him to run for Governor, but he has always said he preferred to remain in this great House of Representatives and continue his outstanding service to his district, to his State, and to his country.

He has achieved distinguished recognition from many civic and fraternal organizations. He has been honored by this body by having been named as its representative to a number of meetings of illustrious groups abroad.

But above anything else, Bob Sikes has been a great American. Not only is he a major general in the service of his country but he has devoted his heart and his great patriotic dedication to everything that is good and noble and high in the past for his country and I know that he will do so in the years ahead.

Mr. Speaker, it has been a distinct privilege and honor to have served with him as his colleague and to have continued my friendship with him that began in the early 1930's, a friendship which has deepened and warmed with the passing years.

Mr. Speaker, my wife joins with me in extending good wishes to Bob Sikes and his lovely wife Inez as we share the sense of pride which his constituents have taken in him during his period of service in this body.

Mr. Speaker, it is my sincere hope that the best years of Bob Sikes' life stretch out ahead of him, and I extend to him my most warm hearted good wishes on this occasion.

Mr. FUQUA. I thank the gentleman from Florida for his remarks in behalf of my colleague, Bob Sikes.

Mr. GURNEY. Mr. Speaker, will the gentleman yield?

Mr. FUQUA. I yield to the gentleman from Florida [Mr. Gurney].

Mr. GURNEY. Mr. Speaker, it is certainly a great privilege and pleasure to join with my colleagues here in this tribute to our colleague, Bob Sikes, on this very memorable occasion, an occasion upon which we are paying tribute to him as having served longer in the House of Representatives than any other man in the history of the State of Florida.

Mr. Speaker, there is little I can add to what has been said here already. My service in this House of Representatives has been for a short period of 6 years. Others of my colleagues who have spoken in such glowing and deserving terms of the service of my colleague, Bob Sikes, have served three or four times longer than I have and have known Bob Sikes so very much better. Thus, I shall confine my remarks to a few personal comments.

Mr. Speaker, to serve in the House of Representatives is a high honor and, certainly, it brings out the qualities of a man better than any organization or institution that I know of.

Mr. Speaker, I remember one of the first impressions I had in the House of Representatives was the first time I heard my friend, Bob Sikes, take the well and address the House of Representatives. As all of us know that Members of the House of Representatives listen to some of us and to some others they do not listen as we make our remarks, this is a better measure than any other of the esteem that the House has of another Member. As I recall, on this particular day I turned to a colleague of mine and said: "The House certainly listens to Representative Sikes when he speaks." He replied the House always listens to Bob Sikes. He said that they always do because Congressman Sikes has something to say and he speaks with such conviction and authority.

Mr. Speaker, I do not know of any finer tribute than to have one say this about his colleague.

Further, I would like to say that, as a young Member of Congress, Bob Sikes has always been very helpful to me. I have sought his advice when I had problems in my district and he always lent a helping hand when called upon.

He has been a leader to all of the members of the Florida delegation and we are all very grateful to him for this splendid leadership.

There is another thing also. Some of us in the House of Representatives, representing as we do rather small areas of our States, do not get widely known outside of our own districts. This is not true of our colleague Bob Sikes. He is as well known in the rest of Florida as he is in his own district. In the Extensions of Remarks of the Record today I have inserted some editorials and news columns from papers in my district—which is far removed from Bob Sikes in north Florida—and these pay a glowing tribute to our colleague and his leadership in handling and solving the problems of Florida.

But, Mr. Speaker, of course, his leadership extends way beyond the State of Florida. I will simply add to what others have said before me: that besides being an outstanding Floridian he is a superlative legislator and above all a great American. It does us all honor to serve in the House of Representatives with our colleague from Florida, Bob Sikes.

Mr. Speaker, I also want to extend my best wishes to Bob Sikes and to his wife, Inez, and to wish him another 27 years here in the House of Representatives as successful as the last 27 years have been.

Mr. FUQUA. Mr. Speaker, I thank the gentleman.

I am happy to yield at this time to the distinguished Speaker of the House of Representatives.

Mr. McCORMACK. Mr. Speaker, we in the House of Representatives are deeply grateful to the people of Bob Sikes' district for electing him years ago, and in continuing him as a Member of the National House of Representatives. We send a message to the people of his district of the deep respect, friendship, and esteem that the Members of the House of Representatives have for Congressman Sikes, and the additional message that Bob Sikes reflects great credit upon the people of his district.

We admire Bob Sikes and respect him for the rich qualities he possesses—the quality of understanding, the quality of dedication to service, the quality of loyalty, the quality of sincerity, the quality of love of country, and the intense patriotism that he has so frequently evidenced on many occasions on the floor of the House of Representatives.

I am not going to repeat what my colleagues have heretofore said, but I want to express my pleasure in being on the floor on this occasion to join with my colleagues in paying just tribute to a great American and to an outstanding legislator.

I have served in this body during a long period of trial and tension, not only in the history of our country, but in the history of the world. Bob Sikes has served for 28 years during this trying period in the world's history. He has been a bulwark of strength in defense of the United States of America. We have seen him on every occasion when the test came in the well of the House fighting for the passage of legislation and for appropriations that represented a strong America.

We have seen him as the true legislator taking the position that if he is going to err in judgment where the national interests of our country are concerned, then he would rather err on the side of strength than on the side of weakness.

How important this is, during this period of the world's history, to have Members of the greatest legislative body in the world recognizing the danger, recognizing the calculated risk of action, but also recognizing on the other side of the coin the calculated risk of inaction. Bob Sikes has always been on the side of strength and firmness, a symbol and an example for all of us to follow, and for all Americans to note and to pay attention to.

Bob Sikes is a human being, but he

has developed the gifts that God gave to him in his association with his fellow men, and in his service in the House of Representatives and in his contribution to American and to world history, to the finest extent humanly possible.

I am glad to join with my colleagues on this occasion to pay tribute to my dear friend, this great American, and as I have heretofore said, this outstanding legislator who has enriched the dignity and the strength of the national House of Representatives.

Mr. FUQUA. Mr. Speaker, we appreciate those wonderful remarks.

I am happy to yield to the gentleman from Hawaii [Mr. Matsunaga].

Mr. MATSUNAGA. Mr. Speaker, William Shakespeare immortalized the words:

> The evil that men do lives after them; the good is oft interred with their bones.

Bob Sikes has certainly proved that he will be marked as an exception to the general truth of that sage observation, for the good that he has done will be long remembered, and what has been said here today will help to preserve and perpetuate the good that Bob Sikes has done, and will yet continue to do for his fellow men and for generations of Americans yet unborn.

I rise, therefore, to join my colleagues who have preceded me in paying tribute to the dean of the Florida delegation, the Honorable Bob Sikes, who last week set a new record for length of service by a Member of Congress from Florida.

Now in his 14th term as a Member of this great body, Bob Sikes has achieved a record which is as long in worthy deeds as it is in days of service. The people of the First District of Florida are indeed fortunate to be represented by such an outstanding and dedicated lawmaker as Congressman Bob Sikes.

Personally, I owe much to the gentleman from Florida for his wise and generous counsel when I was a first-termer in this House. He has been a valued friend and colleague. His skill as a legislator and his dedication to his work will long be a source of inspiration to his colleagues.

The 50th State is America's bastion of defense in the broad expanse of the Pacific Ocean, and Bob Sikes, as chairman of the Subcommittee on Military Construction, has long recognized this. For his many contributions to our national defense, the people of Hawaii and of the Nation are truly grateful.

I congratulate Bob Sikes on his long and invaluable service to his Nation and his State and extend to him and his lovely wife, Inez, Hawaii's and my own fondest aloha.

Mr. FUQUA. I thank our distinguished colleague.

Mr. Speaker, I yield to the distinguished gentleman from Mississippi [Mr. Whitten].

Mr. WHITTEN. Mr. Speaker, I take far more than usual pleasure in the opportunity to say a few words on this "Bob Sikes Day." From time to time we have an opportunity to say nice things, about our colleagues when they retire. It is much better I think, to pay tribute to a most able and fine colleague while he is on the job, in harness, and rendering a real service to his country, a service which I trust will continue for many years to come.

It has been my privilege to serve with Bob Sikes for much of the time that he has been in the Congress. It has been my pleasure to be closely associated with him for many of those years on the Committee on Appropriations. I can say with all sincerity that I know of no Member who has greater balance, finer judgment, who has given to his assignment more hard work, or who has earned the admiration and support of his colleagues to a greater degree than has our colleague from Florida.

There are several qualities, which cause Bob to be ranked with the best Members of this body, one of which is that he does not speak except with preparation at the moment or overtime, always courteous to his colleagues, always temperate in his expressions, and always sincere in his beliefs, Bob Sikes' presentations are always accepted as representing a good and informed Member's honest opinions, and of course there is the wonderful support he has in Mrs. Sikes, Inez, who is such a fine person, whose support really is perhaps the basis of much of his strength.

I have not mentioned the many times Bob Sikes' counsel and help has meant much to me and to my efforts, but like many Members, I am truly indebted to him.

I could spend much time spelling out for the Record Bob Sikes' ability in legislative debate and his contributions to many legislative acts, not limited but across the board. I need go no further than last week to point out where once again Bob's standing, his forthrightness, and his presentation before his colleagues contributed greatly to legislation, which in my opinion will be of real benefit to the whole Nation.

Mr. Speaker, I thank my colleagues from Florida for arranging this day. I trust that for the good of his district, State and Nation, Bob Sikes' days in this House may continue for many, many years to come. The Nation needs him.

Mr. FUQUA. I thank our distinguished colleague from Mississippi.

Mr. Speaker, I yield to the gentleman from Ohio, our distinguished colleague [Mr. Feighan].

Mr. FEIGHAN. Mr. Speaker, it is a privilege to join with my colleagues to pay tribute and honor, so richly deserved, to a most outstanding, very able and distinguished colleague, the esteemed gentleman from Florida [Mr. Sikes].

Ability and forcefulness, coupled with a delicate concern for the opposing views of a colleague, is a hallmark of the gentleman from Florida [Mr. Sikes]. That Bob has served longer in Congress than any other Member from Florida is a distinction. It is not only a compliment to him, but it reflects sound judgment by his constituents and their knowledge that the interest of their district and the Nation are well and better served by Bob. It has been my good fortune to know Bob when I first came to Congress.

As a member of the Armed Services Committee and later in his key role as a member of the Appropriations Committee, his deep concern has been the security and welfare of our Nation. His judgments have proved sound and Members of Congress can rely upon his judgment in matters which touch the gravest concern of our Nation. Off the floor of Congress, Bob is very congenial and it is a pleasure to be in his company. I am certain that all Members who know Bob join with me in expressing the hope that the years ahead will bring him abundant good health and provide his district and the Nation with the continued highest quality of representation.

Mr. FUQUA. Mr. Speaker, I am happy to yield to the gentleman from Tennessee [Mr. Everett].

Mr. EVERETT. I thank the gentleman. I merely want to concur in what has been said on behalf of our good friend, Bob Sikes. For the little over 10 years that I have served as a Member of this body, I know of no other Member who has been as nice to me as he has, and throughout the years he certainly has been a friend of our congressional district, the State of Tennessee, and certainly has made a wonderful contribution not only to his home State of Florida, but to the Nation as well.

Mr. FUQUA. Mr. Speaker, I am happy to yield to the gentleman from Michigan [Mr. Dingell].

Mr. DINGELL. Mr. Speaker, I wish to join my many friends and colleagues in paying tribute to a great American and a distinguished Member of this body and a dear friend of mine. I wish to commend my dear friend and colleague from Florida [Mr. Fuqua], for having gotten this special order so that my colleagues might so do.

I have had the privilege of serving with Bob Sikes in this Chamber for 13 years. I have known him as an outstanding patriot and a great, effective and dedicated conservationist, one who has always been in the forefront of legislation to preserve and protect our natural resources and our great national heritage. I have observed his labors on behalf of his district, and I have marveled at the splendid, effective, and capable way in which he has served the people who honor him with the privilege of sitting in this great body. I also have observed the very effective way that he serves the people of his district and the Nation on the great Appropriations Committee, the remarkable grasp that he has of this Nation's defense and defense programs. I have watched his splendid efforts to prevent those who would seek to deny our law-abiding citizens of the right to possess and bear arms for sports purposes. The State of Florida is honored with his service. His district is uniquely represented. He is an outstanding and effective Member of this body. He has an abundance of friends among whom I am most pleased to number myself. I thank the gentleman for yielding.

Mr. FUQUA. Mr. Speaker, I am happy to yield to the gentleman from South Carolina [Mr. Dorn] who has waited so patiently.

Mr. DORN. Mr. Speaker, I wish to join my colleagues and the distinguished gentleman in the well in congratulating Bob Sikes for having served longer in the Congress of the United States than any other man in history from the great State of Florida. I rank my colleague Bob Sikes among the greatest in the history of Congress. When I think of national defense, I think of Carl Vinson, my distinguished chairman, Mendel Rivers, and Bob Sikes. The service that he has rendered for national defense is known throughout the world. Our men are standing guard on the ramparts of freedom all over the world. Bob Sikes has supported them in every instance. Our country is stronger and free people throughout the world more secure because of the energy, foresight, dedication, patriotism and leadership of Bob Sikes.

As a 20-year Member of this body and the Veterans' Affairs Committee, I have never asked Bob Sikes on a single occasion to help our veterans that he did not respond with enthusiasm and wholeheartedly in taking care of the veteran of this country, the man who wore a uniform in time of war, his widow, and his orphan.

Mr. Speaker, Bob Sikes as a Member of this body, this great institution, the most deliberative body in the world, has always manifested the utmost dignity, and wherever he has gone he has been a good advertisement, great ambassador, and an outstanding Representative of this, the world's greatest deliberative body.

I might say finally that my great colleague has helped us in protecting the jobs and security of those associated with the textile industry of this Nation. He realizes the importance of it in defense and he, along with the late President John F. Kennedy, did as much as any others to preserve the jobs of our people.

I congratulate and thank the people of Florida for having the good judgment to send Bob Sikes to the Congress as their representative and thus the Nation and the cause of freedom has benefited the world over. Bob, for the good of the country, I hope you and your lovely wife, Inez, will be with us here for another 28 years.

Mr. FUQUA. Mr. Speaker, at this time I yield to the gentleman from New Jersey [Mr. Patten].

Mr. PATTEN. Mr. Speaker, Bob Sikes conducts our Military Construction Subcommittee—Appropriations—with all the greatest qualities that we like to observe in our judges. He is temperate, dignified, considerate, and learned. He is so fair with all the members—he is always a gentleman.

While he is, in fact, chairman and the leader, he is also very considerate of each member's views and encourages every member to fully participate. I know he is happy when members develop their own reasoning even if contrary to his views. All meetings are thoroughly prepared and are conducted in a very businesslike manner. He never wastes a word. He encourages everyone to work hard and to think for himself. His long experience in Congress and his tremendous knowledge of our Defense Department make him an excellent chairman. The interest of the American people is always paramount with him.

Bob Sikes is proud of his district in Florida and the people he represents. He must be one of the best salesmen in Florida.

I respect and admire him as an able, fair, loyal American.

Mr. WHITENER. Mr. Speaker, I am delighted that the members of the Florida delegation are today taking note of the service of our good friend, Congressman Robert L. F. Sikes. His long service in the Congress and his many contributions to the public through his other activities deserve the tributes of all of us.

Bob Sikes is in every respect an outstanding man. His leadership in civic, military, and political affairs has brought him many awards. The mere listing of these awards constitutes a statement of efforts by Bob Sikes to make our country a finer place in which to live.

When I was first elected to this body, one of the first men to offer his assistance to me was Bob Sikes. Since that day, he has frequently been of great assistance to me in many, many ways. On this occasion, I express to him my deep gratitude for his many courtesies.

Florida has been well represented in the Congress during the approximately 28 years that Bob Sikes has been here. I wish for that State many more years of service from the outstanding citizen being honored here today.

Mr. RODINO. Mr. Speaker, it is with a great deal of pride that I join in paying tribute to our distinguished colleague and my good friend, Bob Sikes, who today sets a new record for length of service by a Member of Congress from Florida.

During his 14 terms, Bob has provided the House with a sterling example of true Southern graciousness. He is a gentleman through and through, and we are all the beneficiaries of his warmth, his consideration and his willingness to help.

It is a pleasure to extend my warmest congratulations to Bob upon the attainment of this milestone, and offer my very best wishes for many more years of service to the Congress and the Nation.

Mr. TALCOTT. Mr. Speaker, I thank the gentleman for yielding as it gives me an opportunity to join the many friends of the gentleman from Florida [Mr. Sikes] in saluting him for his extraordinary service to his congressional district and his State of Florida.

I have served only a short time with Bob Sikes—I trust he will forgive the impropriety of this familiarity—but my short service on his subcommittee has been a valuable and valued experience for me. He is a capable Congressman, exceptionally qualified for his various roles in the Congress and a dedicated patriot.

I commend him for his close attention to the problems of his district and his conscientious concern for the individual problems of his constituents, but I especially applaud his dedication to our national interest and the security of our Nation.

The record length of his service will never equal the record quality of his service. The length of his service is a fitting tribute to him by his constituency. The quality of his service here in the Congress has given him stature among his colleagues. The manner of his splendid service has made him a friend of all of his colleagues.

Mr. LONG of Maryland. Mr. Speaker, it is a pleasure to join in tribute to our distinguished colleague and friend, Representative Robert L. F. Sikes, whose recordbreaking 14 terms of outstanding service to State and Nation have earned him a place of the highest honor in the history of the United States and of the House of Representatives.

Bob Sikes is a truly patriotic American, whose great good sense, sound judgment, and wise counsel have played so vital a role in maintaining and strengthening the military security of our Nation. Bob Sikes has devoted many years of hard work to building up the military defenses of this country, both as a ranking member of the Defense Subcommittee of the Appropriations Committee, and as chairman of its Military Construction Subcommittee, on which I have the great good fortune to serve with him. He has also taken particularly keen interest in the living and working conditions of American servicemen, and has fought hard to win better housing for officers and enlisted men and their families.

Bob is a Major General in the Army Reserve, and his many awards for outstanding contributions to society—from the American Legion Distinguished Service Award to the State of Florida Governor's Conservation Award—attest to the fact that his service and devotion are recognized, not only in the halls of Congress, but throughout this Nation.

It is a pleasure to serve with Bob Sikes, a fine person, and, I might add, an excellent hunter whose fine game dinners with hominy grits endear him to every Member of Congress and every official who has enjoyed his warm hospitality.

Mr. KEITH. Mr. Speaker, paying tribute to a man of Bob Sikes' stature is not an easy thing to do, for his record of accomplishment throughout life is nothing short of awesome. In whatever task he has chosen to tackle, Bob has done it well, greatly inspiring those of us who have had the good fortune to work with and know him.

Perhaps the best description of Bob Sikes comes from the man himself, in his recent tribute to a disinguished colleague from the State of Florida—and another truly fine Member of this body—Syd Herlong. Bob Sikes' remarks on that occasion are no less apropos today:

> Certainly, there could be no more devoted, patriotic, or able representative of the people. . . . His record, since he first came to serve in these Halls, has been one of capable achievement and strong devotion to duty. He has served his constituency, our beloved State of Florida, and our great Nation with admirable ability and a spirit of dedication, patriotism, and a loyalty second to none. He has been a highly effective legislator; a leader in highly important fields of legislation, keenly aware of contemporary problems and ever zealous in pursuing viable solutions for them in the interests of the American people.

I have been truly honored with the pleasure of serving as one of Bob Sikes' many colleagues during the 10 years that I have been a Member of Congress. It is with especial happiness, therefore, that I join with them today, not to say goodbye, but to congratulate him for his extraordinary length of service to his district and to his Nation, and for his desire to continue to serve us all.

Though no man be indispensable, surely BOB SIKES would be missed far more than most. Certainly his colleagues on the Appropriations Committee will attest to that. Certainly his constituents will attest to that. Certainly his State and his Nation will attest to that. And I, for one, am glad that I will continue to have the opportunity to call on his wisdom and experience in the difficult times that lie ahead.

Mr. Speaker, 27 years is a very long time in man's life. It is no less long nor unimportant a time in the life of a country which has faced the crises and challenges of this country. And, I submit, it is because men like BOB SIKES have been here to represent the people of the United States that we have withstood those crises and have met those challenges. It is not unfitting, then, that we should honor him today.

May I once again extend to him my sincere congratulations, and wish him continued success in the future.

Mr. VAN DEERLIN. Mr. Speaker, I am happy to join today in a tribute to our good friend, BOB SIKES, who on Friday broke the Florida record for seniority in the U.S. Congress.

BOB's influence is felt far beyond the borders of his own beloved State, of course. As the fifth ranking majority member of the House Appropriations Committee, and as chairman of the Appropriations Subcommittee on Military Construction, he is practically a Congressman-at-Large for the entire Nation.

The residents of San Diego County, a portion of which I am honored to represent, are especially aware of BOB's splendid service on behalf of all Americans. San Diego is packed with Navy and Marine Corps bases, and San Diegans—especially the 170,000 who are members of the armed services—can see all around them the abundant evidence of BOB's devotion to the cause of keeping America first in military preparedness.

But the highly visible products of BOB's time and energy are less important for purposes of today's discussion than the how and why of his contributions.

He is a fighter without parallel for the principles in which he believes. We have been on the opposite sides of a few issues, and I must confess that I have been hard pressed at times to resist BOB's highly persuasive appeals for some of the things on which we disagree.

He is justly famed for his determination to do right as he sees it, to persevere in the face of all odds. He is an advocate of formidable abilities, whose talents have helped shape many of our laws dealing with forestry, conservation and national defense. As a policymaker, he is a Rock of Gibraltar, standing firm against what at times is a sea of turmoil swirling around him. His influence grows day by day, and now touches in some way virtually every one of his colleagues.

It is a pleasure indeed to join in a special order for such a distinguished American, who hopefully will be gracing this body for at least 27 more years.

Mr. WILLIAM D. FORD. Mr. Speaker, I am pleased to join today in paying tribute to my good friend and colleague, Congressman ROBERT L. F. SIKES, of Florida.

Congressman SIKES has now served in the U.S. Congress longer than any other Member who has represented the great State of Florida. For more than 27 years, he has represented his State and his district with devotion and dedication.

I join with my colleagues in expressing congratulations today to Congressman SIKES, offering best wishes for a continued long and successful career as Representative from Florida.

Mr. BOGGS. Mr. Speaker, permit me to join my colleagues in paying a brief but sincere tribute to our good friend and colleague, Congressman ROBERT F. SIKES of Florida.

Last Friday, BOB SIKES set a new record for length of service by a Member of Congress from Florida, when he exceeded the previous record of the late U.S. Senator Duncan U. Fletcher—27 years, 106 days. Congressman SIKES is now in his 14th term as a Member of the House. He has served longer than any other Member of Congress from Florida in history, a considerable achievement.

It has been pointed out, however, that we would honor BOB SIKES today not because he has served so long, but because he has served so well, and I think this is very true. BOB SIKES has served the people well, and they, in their good judgment, have sent him here on 14 separate occasions.

This is the heart of the matter: BOB SIKES has been here 27 years because BOB SIKES is a good Congressman.

I have had the pleasure of knowing and working with BOB SIKES since 1940. I know him to be a man of many talents and rare abilities. His talents, his abilities, and his warm disposition have won him the respect and admiration of every Member of this body.

Throughout his career, BOB SIKES has set an example to be followed by every Member of Congress, young and old. Through more than 27 years of public service, he has brought honor and credit not only to himself, but to his party, the Congress, and the American people.

I am, therefore, delighted to join my colleagues in paying this well deserved tribute to BOB SIKES and to wish him another 27 years in Congress.

Mr. MILLS. Mr. Speaker, it is a distinct privilege and real pleasure to join in paying tribute to a great legislator, our distinguished and very good friend from Florida, ROBERT LOUIS FULTON SIKES.

It is especially pleasing and gratifying to salute and extend warmest congratulations to BOB on attainment of yet another significant milestone in his long and brilliant career of very effective public service to his district, his State, and the Nation. On Friday of last week, over the 4th of July weekend, BOB SIKES set a new record for length of service by a Member of Congress from Florida. BOB had some 5 years ago surpassed the record of service in the House of Representatives by any Floridian, and on last Friday, July 5, he eclipsed the overall 27-year 106-day record previously held by the late U.S. Senator Duncan U. Fletcher of Florida.

Today, therefore, BOB SIKES has the distinct and high honor of having served longer in the Congress of the United States than any other Member or former Member from his State. Mr. Speaker, it has been my privilege, along with several other Members of Congress, to have served side by side with BOB SIKES during every one of those 27-plus years in this House, and I can say with conviction and with the unanimous concurrence of all of us who served with him over that period of time that the length of his record tenure is paralleled and matched in every respect by the quality of his devoted and distinguished service to his district, to Florida and to the United States.

Mr. Speaker, it is indeed with very great pleasure that I join in saluting BOB SIKES on this happy occasion, and to also extend my congratulations and express my appreciation to the people of his district for the good sense and extraordinarily good judgment they have manifested over the past nearly 3 decades in repeatedly sending BOB SIKES to Washington as their Representative. I wish for him, his district, his State, and our Nation many more terms of his excellent and effective representation and service in the Congress of the United States.

Mr. YOUNG. Mr. Speaker, it is a pleasure and honor for me to join my colleagues in this House on the occasion of honoring our distinguished colleague, Congressman BOB SIKES, in his serving in the Congress longer than any other Member from his great State of Florida.

There are many things that inspire a young Member in coming to Washington for service in the Congress, but I think that nothing has inspired me more than the caliber of the men who are serving here in the Congress. BOB SIKES is truly one of the outstanding Members of this body and he is truly an inspiration to all of us who have had the privilege of serving with him. Time would not permit me to attempt to chronicle his virtues, but let me say that included in all of the many fine attributes which have already been mentioned, nothing stands out more clearly than his sterling record of integrity and dignity in everything that he says or does. It has been said of honest folks that their word is as good as their bond. In the case of BOB SIKES there is no bond that could be written that would begin to be as reliable as his word.

Mr. Speaker, Mr. Sam Rayburn used to say in describing the success of Members of long tenure:

> The people picked him young, they picked him honest; they sent him there and they kept him there.

The people of BOB's district picked him young, they picked him honest, they sent him there, and they kept him there. He has served his district and the Nation well, and the wisdom of the people of his district in sending him to Congress and keeping him here has been a great credit to their judgment and a great service to our Nation.

Mr. Speaker, I want to associate myself with the many Members who have said so many fine and deserving things about our friend, Bob Sikes. I want to congratulate him on his many years of fine service and express the hope that he will see fit to remain for many, many more years to come. I know the people of his district will keep him here if it is his will and God's will.

Mr. PHILBIN. Mr. Speaker, I am very happy and proud to join in the highly merited tributes that are being paid by Members of the House today to my very dear, able and distinguished friend, Congressman Bob Sikes.

It is fitting that we should pay highest tribute to this great American and illustrious public servant, who has stood out for so many years in this House and this Congress for his great ability, his diligence, and effectiveness in discharging his duties, for his lofty patriotism and spirit of dedication to the people of his district, State, and Nation.

It has been my high and happy privilege to serve with Bob Sikes for many years, not only in this great deliberative body, but also in the House Military Affairs Committee, which some time ago was merged with the Naval Affairs Committee to become the present, distinguished House Armed Services Committee.

From the commencement of his service, Bob Sikes has been recognized as one of our most efficient and capable leaders, highly intelligent and thorough in his approach, and keenly aware of the problems facing the Nation today, endowed with superb power of evaluation and selectivity, and the ability to diagnose and analyze intricate, public problems and come up with the right answers.

This great son of Florida has been, is, and will continue to be a great tower of strength in this body.

He is, in truth, a great American, who has made exceptional contributions to our work, our deliberations, our legislative programs and in every other field of activity in which Members of this body are required to engage.

Mr. Speaker, if I may be permitted to strike a personal chord for a moment, I would like very much to pay tribute to the fine, sensitive, warm qualities, and capacity for true friendship and understanding that Bob Sikes has exemplified and practiced in all his relationships throughout his life and career.

He is a loyal, generous-hearted friend to many people, ever ready and willing to be helpful, and eager to do his best at all times for worthy causes and humane objectives.

He is spiritual minded and modest and anxious to serve in the best traditions of his district and State and this Congress and Government.

Serving with Bob Sikes, and having him as a valued colleague and friend, is an experience of enrichment and inspiration which I will always cherish.

I am pleased and honored to extend my heartiest congratulations and best wishes to my esteemed and dear friend Congressman Sikes, his gracious wife, and lovely family on this occasion, and I wish him and all his dear ones all choicest blessings of continued good health, success and achievement in all their endeavors, and real peace, contentment and happiness for many years to come.

Mr. FALLON. Mr. Speaker, I wish to add my voice to the veritable chorus of congratulations that Bob Sikes will receive as he breaks the record for length of service by a Member of the distinguished Florida delegation.

He has been the overwhelming favorite of his constituents ever since he was first elected to the House in 1940. His integrity and ability, his warmth and generosity, his devotion to his district and to the country—all of these attributes of personality and character have won him a secure place in the affection of everyone in the First Congressional District of Florida and the Congress.

As a member of the Appropriations Committee, he devotes long hours to the important matters that lie within his committee's jurisdiction. He is indefatigable in the performance of his congressional responsibilities. Yet, despite the heavy burden of work which he carries, he is never too busy to be helpful.

I take pride in his friendship. I attest my respect and admiration for this fine American and most able legislator. May he be the senior member of the Florida delegation for many years to come.

Mr. BROWN of Ohio. Mr. Speaker, while my service with Bob Sikes has been brief in relation to his total time in the House of Representatives, I am most pleased to join in paying tribute to him as he is honored today by his colleagues for the record 14-term service he has rendered as a Member from Florida in this body, to his district and to his country.

I was immediately aware of Bob Sikes' ability as a legislator in my early days in the House and my admiration and respect have only increased since that time. My predecessor's service roughly paralleled Bob Sikes', and I know of the respect and esteem they had for one another. Although they served on opposite sides of the aisle, they frequently saw eye to eye on the important issues before the House. It is my hope that Bob Sikes will continue to serve in the House of Representatives, for many, many years to come.

Mr. HALPERN. Mr. Speaker, I would like to extend my personal congratulations to the Honorable Robert L. F. Sikes of the Florida First District for establishing a new record for length of service in this Chamber by a Florida Congressman.

Throughout my own service in the Congress, I have had the pleasure of dealing with Bob Sikes on numerous occasions and, in every instance, have found him to be among the most sincere, able, and responsible Members of the House.

His reputation as an outstanding member of the Appropriations Committee is common knowledge to all of us. His longstanding experience in matters involving our country's international relations, and his firm, unwavering stand for law and order, at home and abroad, have won the admiration of everyone familiar with the facts.

No other Member of the current Congress has been honored as frequently, so far as I know, nor by more distinguished organizations, than this remarkable man.

Able, sagacious, and diligent to a fault, he is truly a credit to his State, and a credit to Congress itself.

Mr. RHODES of Arizona. Mr. Speaker, my colleague across the aisle, Hon. L. F. (Bob) Sikes, is justly deserving of the bipartisan tribute he is receiving today. He has my congratulations on having established the record for length of service by a Member of Congress from Florida. Fourteen terms in the House of Representatives is an enviable record of public service, and one for which his fellow Americans owe him a debt of gratitude.

Bob Sikes is a close personal friend of mine, as well as an esteemed colleague with whom I have served on the Defense Subcommittee of the House Appropriations Committee, and I readily verify that Bob is an outstanding authority on our Defense Establishment and posture. I respect and admire Bob Sikes for his statesmanship, astute judgment, and his dedication toward a better America.

Again, my sincere congratulations to Hon. Bob Sikes on the honors he is being accorded today.

Mr. PERKINS. Mr. Speaker, if anyone is wondering how Bob Sikes managed to serve longer in this House than any other Member from Florida has done, he can find the answer easily by checking the simple, factual record as it is presented in the cold prose of the Congressional Directory.

In that volume, we find that long before Bob Sikes became a commanding figure in National Government, he was doing the brick-and-mortar work of government at the city, county, and State level.

While this volume records that Bob Sikes has led the Florida delegation to the Democratic National Convention, that he has been a Democratic national committeeman, it also lets us know that he got his beginning at the local level, serving as county chairman for his party.

In local government, Bob Sikes engaged in the often thankless work of serving as chairman of the county planning commission.

It is not difficult to understand why Bob Sikes has managed, at 62, to survive election after election when we note that he first learned how to win in a successful contest for the State legislature.

As his colleagues in this House, we salute the good judgment of residents of the First District of Florida and we thank them for providing us with so fine a Member. We also salute Bob Sikes and wish him many more celebrations on the floor of this Chamber.

Mr. BOB WILSON. Mr. Speaker, I join my colleague in paying tribute to Bob Sikes' 28 years of service in the House of Representatives. I have served with him during 16 of those years, and have great respect for his judgment in military matters, and for his service on the House Committee on Appropriations. Bob Sikes has participated in a lot of historical decisions since coming to the House, having served longer than any other Member from the State of Florida. He has been a gentleman of the first order while serving the Nation and his home State. May I join my fellow House Members in saluting his nearly three decades of work in the Congress. The Nation is stronger and better for that service.

Mr. STUBBLEFIELD. Mr. Speaker, I would like to join my colleagues in paying tribute to Representative Bob Sikes of Florida for his years of loyal and distinguished service in the House. Representative Sikes was elected to the 77th Congress in 1940 and has served here longer than any other Floridian in history. On behalf of his country and his constituents, he has demonstrated the highest qualities of leadership and dedication to the public welfare.

As a senior member of the House Committee on Appropriations, Representative Sikes' contributions have been exceptionally outstanding. He is a member of three of its top-ranking subcommittees; chairman of the Subcommittee on Military Construction; vice chairman of the vital Defense Subcommittee; and vice chairman of the subcommittee charged with making appropriations for the important Departments of State, Justice, and Commerce.

Throughout his career in the House, Bob Sikes has been in the forefront of those who have fought for conservation measures to preserve our rapidly deteriorating environment. He is the author of numerous statutes dealing with forestry, and he played a major role in the work of establishing the present nationwide Federal-State forestry program. He has been a leader and constant supporter of soil and watershed conservation and the development of recreation facilities, and was a major influence in the passage of the Wilderness Act and the Land and Water Conservation Act.

As long as there are men who place duty and public service first, as long as there are those who willingly accept the heavy responsibilities inherent in a democracy, this country need have no fear of any other nation on earth. Bob Sikes is such a man, and I join with the Members of this House in honoring him today.

Mr. POLANCO-ABREU. Mr. Speaker, it is a great personal pleasure for me to join in honoring our colleague Robert L. F. "Bob" Sikes on this day on which he will establish a record in length of service in representing a district in Florida.

I am sure that Bob Sikes has also established a record in the quality of the service that he has rendered his people.

Representative Sikes has enjoyed a personal popularity here which he has earned through his courtesies, kindness, and personal magnetism, and he has also earned a reputation for integrity and unusual legislative ability.

The people of the First District of Florida are indeed fortunate in being represented in the Congress by such a dedicated and distinguished public servant.

Mr. McCLORY. Mr. Speaker, I am pleased to join in tribute today to my colleague from Florida, Congressman Bob Sikes.

All of us who have been in the Congress during a portion of Congressman Sikes' service are aware of his able and effective work on the floor of the House. As a Member of Congress whose district has two large military installations, I have become aware also of Bob Sikes' work as chairman of the Subcommittee on Appropriations for Military Construction as well as his capable work on the full Appropriations Committee in behalf of the needs of our Nation.

Congressman Sikes has performed his service in the best interests of the Nation without regard to narrow political considerations. He has fulfilled the obligations of a Representative in the Congress through careful study, thoughtful consideration, and responsible and courageous action.

The citizens of the First District of Florida may be justifiably proud of the commendable public service rendered by Congressman Bob Sikes. In addition, it is appropriate to observe today that a grateful nation has been benefited by his devotion to his country and his dedication to the tasks of leadership and responsibility.

Mr. Speaker, I am proud to have been associated with Congressman Bob Sikes during the 6 years which I have had the privilege of serving in the U.S. House of Representatives and I am happy to join with the many others who are paying tribute to him today.

Mr. PIRNIE. Mr. Speaker, although today we are happy to congratulate our distinguished colleague Bob Sikes upon the length of his service in Congress, we are mindful that his greatest contribution is in the quality of his representation. It is no mean accomplishment to have served longer in the Congress than any previous Congressman or Senator from the State of Florida and we all hope he will continue to build on this record. We want the benefit of his experience and judgment for years to come. Certainly the Nation has been faithfully served by this most able and vigorous legislator. The military strength of this Nation has been one of his greatest concerns and his judgments in this area have been sound and courageous. A qualified military leader in his own right, he has shown great understanding of the problems of the men in uniform whose respect he widely holds. He has countless friends in and out of Congress who join in this tribute. I congratulate the First District of Florida on its representation and wish for Bob continued health and happiness.

Mr. CEDERBERG. Mr. Speaker, it is with great pleasure that I join my fellow Members in honoring our colleague, Bob Sikes. This is a great occasion for the people of the State of Florida and for their Representative here in the Congress. To have achieved this length of service is a tribute to Bob Sikes and to the people of Florida for their recognition of his ability to meet their problems and the problems of this Nation over the last 28 years.

It seems that just about every civic, fraternal, and social organization of note has recognized in our colleague those virtues which have qualified him to sit in this Chamber for these years. The witness of his ability lies in the many distinguished service and leadership awards that he has received over the years from local, State, national, and international clubs, societies, and governments. The honesty, integrity, zeal, and devotion to the duties of his position in the House which this record of awards recognizes are a source of inspiration to those of us who are privileged to serve with Bob Sikes.

It has been a particular pleasure of mine to have served with my distinguished colleague as the ranking minority member of the military construction subcommittee of the Committee on Appropriations of which he is chairman. During the time we have worked together on this committee I have always been impressed by my friend from the other side of the aisle as he has gone about his work thoroughly and with a degree of interest and attention which are indicative of his dedication to the Congress and to the people whom we serve.

During these times, when national and international problems of an increasingly demanding and complex nature face us each day, it is reassuring to know that a man of the stature of Bob Sikes is here in the Congress. I look forward to the pleasure of working with my esteemed colleague for many more years and wish him well on this great day for himself and for the people of Florida.

Mr. ROSTENKOWSKI. Mr. Speaker, I want to congratulate Bob Sikes on setting the record for length of service as a Member of Congress from the great State of Florida. He is now in his 14th term as a Member of the House of Representatives and only 16 other Representatives from the House have greater seniority.

Bob commenced his tenure in the 77th Congress and has served consecutively ever since. He is a ranking member of the Appropriations Committee where he has served effectively since the 81st Congress.

Now, at the relatively young age of 63, he is still the outgoing, vigorous man that has amassed countless achievement awards and has been active in the democratic organization in Florida since the early 1930's.

I have known and worked with Bob Sikes and though I am a little younger than he and have been a member of this illustrious body for a much shorter period than Bob, I have always envied his tremendous drive and boundless energy, no doubt attributable to Florida orange juice.

It is my fondest hope that he will be here to shape and mould the course of the Congress for many more years to come.

Mr. GONZALEZ. Mr. Speaker, it is a pleasure indeed to express my sincere congratulations to the gentleman from Florida [Mr. Sikes], the most distinguished colleague from the great State of Florida. This is a memorable occasion, for Chairman Sikes has led a most brilliant and productive House career and it is my wish and desire he may serve us all many, many years.

We are all in his debt and acknowledge

at this time his tremendous help to us all.

Mr. LIPSCOMB. Mr. Speaker, it is a pleasure to join in expressing congratulations to our colleague, Congressman Robert Sikes, of Florida, on his record of service in the House of Representatives.

It has been my good fortune to have served with Bob Sikes for a number of years, since the 86th Congress, on the House Defense Appropriations Subcommittee.

Bob Sikes is a knowledgeable, effective, and dedicated public servant who has served his State and Nation with much distinction. I feel privileged to be able to consider him not only a colleague but a friend as well. May the future bring all the best to him.

Mr. LAIRD. Mr. Speaker, I would like to associate myself with the remarks of the gentleman from Florida [Mr. Fuqua] in paying a well-deserved tribute to Bob Sikes. It has been my privilege and my pleasure to know and work with Bob Sikes for many years on the House Appropriations Committee and especially in connection with his work on the Defense Appropriations Subcommittee.

Mr. Speaker, I congratulate my good friend and colleague for having attained the enviable distinction of serving the people of his district longer than any other Representative from his State in history.

Mrs. GREEN of Oregon. Mr. Speaker, I am pleased to join with the members of the Florida delegation and other Members of the House on this happy occasion of paying tribute to Bob Sikes. It is difficult enough to hold a job for 27½ years with only one employer to satisfy. When one is answerable to several thousand employers, as it true being a Member of Congress, the real accomplishment of being rehired 14 different times is evident. It can only mean, after nearly three decades in the spotlight, that Bob Sikes has served his constituency with unusual competency and industry. He has represented them well and they have responded with approval and affection.

It is not necessary to always agree in order to have respect for another person. Bob Sikes and I have not always shared the same views, but I have always found him to be courteous and able in his opposition, and a valued ally when we are on the same side. I am happy to have this opportunity to pay tribute to an able colleague and a charming friend.

Mr. EVINS of Tennessee. Mr. Speaker, I want to associate myself with remarks of my distinguished colleague in paying tribute to our friend and colleague, the gentleman from Florida, Robert L. F. (Bob) Sikes. I want to commend Bob Sikes for his dedicated record of distinguished service and also for his effectiveness as a legislator. Bob Sikes acts in the public interest in a way that is of great benefit to his district, State, and Nation.

In addition to his superior performance as a Congressman, Bob Sikes is a warm and friendly person whose friendship we all treasure.

Certainly I join my colleagues in wishing the gentleman from Florida many more years of outstanding success in the Congress.

Mr. DERWINSKI. Mr. Speaker, I am pleased to join other Members of the House in honoring our colleague and my good friend, Congressman Bob Sikes. As we recognize the fact that he has set a record for length of service by a Member of Congress from Florida, we should keep in mind that Bob Sikes has been a very effective Member and that his long record of service has been marked by effectiveness and dedication to sound principles of government.

On a personal basis, Bob is a most remarkable Member in that he combines knowledge of his subcommittee with a broad view of world affairs and a well-earned reputation for honesty and objectivity in legislative work.

I am pleased to find so many Members of the House participating in this special order congratulating Bob as he continues his record as Florida's longest serving Member and as he continues to effectively serve his district, State, and our Nation.

Mr. CRAMER. Mr. Speaker, I am delighted to join with my colleagues in this well deserved tribute to the Honorable Robert L. F. Sikes for his 27 years of conscientious and devoted service to the people of his district, his State, and his Nation.

Having been elected to Congress 14 consecutive times, Congressman Sikes on July 5, 1968, established a new record for length of service by a Member of Congress from the State of Florida.

These 27 years have been years of outstanding service during which time Bob Sikes has established a record of which all Americans can be justifiably proud.

I congratulate my colleague not only for establishing this new mark for length of service but also for the quality of service that he has rendered so faithfully and devotedly during these 27 years.

Mr. ROONEY of New York. Mr. Speaker, it is indeed a happy privilege today to join in the tribute being paid to my good friend and able colleague, the gentleman from Florida [Mr. Sikes]. I have known Bob for most of the more than 27 years that he has been representing the people of Florida's First Congressional District. We have also served together for many of those years on the House Committee on Appropriations and I can say without hesitation, Mr. Speaker, that that committee, this House, and the people of our Nation have all benefited greatly from the service of Bob Sikes. I know that I have benefited greatly, too, by having him for a friend. Mr. Speaker, I join my colleagues in saluting Bob Sikes and I hope that the people of Florida keep returning him here for another 27 years.

Mr. REUSS. Mr. Speaker, Florida and the Nation have more than ample reason to be proud of my good friend and colleague, Bob Sikes, as he reaches yet another milestone in a distinguished career.

Newspaperman, soldier, legislator—Bob has been all these things and more. For almost three decades now, he has rendered outstanding service to his district, to his State, and to the Nation. As dean of the Florida congressional delegation, senior member of the Committee on Appropriations, and chairman of the Subcommittee on Military Construction, the benefit of his wise counsel and vast knowledge has been—and will continue to be—much sought after by Members on both sides of the aisle.

Speaking personally, I have known Bob not only as a friend and counselor, but also as the able and energetic commanding officer of the Army Reserve unit in which I had the honor and privilege to serve for several years.

Congratulations, Bob, and may you continue to serve Florida and the Nation for many years to come.

Mr. O'NEILL of Massachusetts. Mr. Speaker, I would like to join with the gentleman from Florida in paying tribute to our friend and colleague, the Honorable Bob Sikes, of Florida. Bob has had a long distinguished record of service to both his State and our Nation. He is honest and dependable. He is a patriotic American, a dedicated Member of Congress, and an outstanding citizen of the United States. I would like to congratulate him now on setting a new record for length of service by a Member of Congress from Florida. I know that he will continue to serve his State and Nation for many years to come.

Mr. MORSE of Massachusetts. Mr. Speaker, it is a high honor for any Member of Congress to be chosen by his fellow citizens to represent them in the legislative branch of the Government. Bob Sikes has been so honored 14 times—longer than any other Member from the State of Florida, and much longer than most of us who are privileged to serve with him. It is a tribute to his dedication and his ability that Bob has so commanded the continued confidence and support of a growing and ever-changing electorate.

Since he was elected to the 77th Congress in 1940, he has participated in a vast number of vital decisions affecting the Nation and the world. In the past 28 years, he has gained a wisdom that is born only from experience, and I am proud to be able to join my colleagues in extending my high good wishes and warm congratulations.

Mr. GRIFFIN. Mr. Speaker, I wish to join my colleagues in paying tribute to Hon. Robert L. Sikes, whose distinguished career in this body has spanned more than 27 years—the longest period that a Member of Congress has served in the House from the great State of Florida.

In my brief service here, I have found his wise counsel invaluable, his reasoning sound and his devotion to the Republic unexcelled.

The mental and physical vigor of Bob Sikes is a constant source of inspiration, and the people of his district, State and Nation are fortunate to have in prospect his continued service for many years to come.

Mr. FISHER. Mr. Speaker, it is most fitting that his colleagues in the Congress pay tribute to the senior Representative from the State of Florida, Bob Sikes, honoring his long and distinguished service in this body. It is a great privilege to me to join in that recognition.

It has been through longevity of service that Bob Sikes has been enabled to gain the position of influence and stature which he enjoys today. His constituents are to me complimented for reelecting him, term after term, each time contributing to the enhancement of his value and usefulness not only to his district but also to the national good.

Bob Sikes is today recognized as one of the most respected and valuable Members of this body. When he speaks he does so with knowledge and authority, and his words are often decisive. His contribution to the cause of national defense stands as a monument to his service here.

Many of us who serve here are proud to claim Bob Sikes as a personal friend. His courage and his statesmanship are unexcelled. His high sense of responsibility is known to all and is appreciated by those who value good judgment, integrity, and devotion to duty.

So long as we have enough men like Bob Sikes in the Congress, the future of the Nation, its institutions, and its usefulness as a citadel of power, strength, and freedom will be secure, It is indeed an honor to me to join in this word of tribute to a truly great American.

Mr. KORNEGAY. Mr. Speaker, I want at this time to pay my respects to one of our most respected and revered colleagues, the gentleman from Florida—the Honorable Robert L. F. Sikes.

While the occasion for this tribute is triggered by the fact of his longevity of service in the Congress, I am sure that we all admire Bob Sikes not only for his stamina, but for the contribution he has made to the First District of Florida, his State, his Nation, and the entire world.

For we have all benefited from his participation in this body. And it is my hope that he will continue to lend us his wisdom, his fellowship, and his energies for another 28 years.

It has been a genuine pleasure and a rewarding experience for me to have had the privilege of sharing Bob Sikes' friendship for the past 8 years.

Mr. UDALL. Mr. Speaker, last week one of the most able Members of the House attained a new record for public service from the State of Florida. In establishing this mark of over 27 years in service to his State and the Nation. Bob Sikes has extended his knowledge and talents to helping his colleagues on many problems far beyond his immediate Florida interests.

Generations of Americans yet unborn will, I am convinced, enjoy a better quality of life because men like Bob Sikes were farsighted in their quest for preservation of the good things with which America was endowed.

I am personally grateful for the generous cooperation extended to me and my Arizona constituents by my good friend Bob Sikes and extend him my congratulations and gratitude for the many years he has ably served his country in Congress.

Mr. TUCK. Mr. Speaker, I am glad to join with my colleagues in paying tribute to the distinguished gentleman from Florida, the Honorable Robert L. F. Sikes, who has served his State in the Congress of the United States longer than any other person in the long and glorious history of his State.

I have known Bob Sikes ever since I became a Member of the House of Representatives nearly 16 years ago. He possesses sterling qualities of character and his heart is attuned to the highest public good. He has contributed much to enhance the betterment of his State and Nation.

While I have not had the privilege of serving on the same committee with him in the House of Representatives, I have observed his activities as a Member of Congress. His unflagging interest in matters pertaining to his constituents and which effect the people of the country generally has attracted widespread approval among his colleagues and others. Representative Sikes is a public servant in the highest and noblest sense of the word. It has been a privilege to serve here with him. While I am retiring at the expiration of my present term of service and am relinquishing the time-consuming and burdensome responsibilities of the office of Congressman, I will carry with me a proud recollection of our associations and of the fine example which he set for his colleagues and others to follow. I hope and trust he will continue in the Congress for many more useful years of service.

Mr. MURPHY of New York. Mr. Speaker, I want to join my colleagues in paying tribute to Bob Sikes on the occasion of his having served in the Congress of the United States longer than any other Floridian in the history of the State.

Last Friday, July 5, marked the day that Bob Sikes officially passed the mark of 27 years and 106 days which was a record for the longest service in Congress by a Floridian.

It is a pleasure to honor Bob Sikes for such a lengthy term of service to his district and to the Nation, but it is really the quality of that service that we honor today. As a member of the powerful House Appropriations Committee he has served with distinction; he is known for his dedication to sound fiscal policies and he has proved to be a trusty watchdog over the Federal Treasury.

In addition to his length of service and his valuable contribution to the legislative branch of our Government, Bob Sikes is a friendly and well-liked Congressman, one whose friendship is valued by all of his colleagues.

I would like to congratulate Bob Sikes on his first 27 years in Congress, and I look forward to the next 27 as well. His contribution to the House of Representatives cannot be praised enough, and we are fortunate to have a man of his ability and dedication.

Mr. ALBERT. Mr. Speaker, I appreciate having the opportunity to join with his many friends in congratulating our good friend, Bob Sikes, on achieving this great legislative milestone, not only in the history of congressional representation in the State of Florida but in the history of the U.S. House of Representatives.

Those of us who have had the great privilege of knowing Bob Sikes and working with him have long been aware of his great contributions not only to his district and his State, but to the entire country. He has worked tirelessly in the interest of our national defense. He is the friend of conservationists everywhere. He is the friend of every Member of this House.

I am proud to be Bob Sikes' colleague. I am grateful to the fine people he so ably represents for sending him here, year after year. And the fact that they continue to do so reflects their gratitude for his service.

Mr. Speaker, I look forward to many more years of service in the House of Representatives with my good friend, Bob Sikes. I trust his judgment; I know his integrity; I rely upon his counsel. He is a great servant of the people of his district and of his country.

Mrs. HANSEN of Washington. Mr. Speaker, I would like to join my distinguished colleagues in the House of Representatives in paying tribute to one of the finest Members of a legislative body it has ever been my privilege to serve with, the gentleman from Florida [Mr. Sikes].

He is astute, capable, hard-working and knowledgeable. He chairs the Committee on Military Construction and I am sure that he is probably the most knowledgeable American in this field that we have.

Mr. Sikes is more than an excellent chairman and an excellent Member. He is also a gentleman who always keeps his word, a great member of his State who never forgets his people and who serves intelligently and ably at any task before him.

Not long ago when the Interior bill was on the floor of the House, Mr. Sikes' influence and help were immeasurable that day for the welfare of the entire Nation.

Words cannot begin to express my appreciation as a fellow subcommittee chairman to this distinguished Member who so ably and unselfishly represents every American and the people of his district.

Mr. SIKES. Mr. Speaker, I am deeply grateful to my very good friend and my distinguished colleague Don Fuqua for his courtesy and thoughtfulness.

I think the most appropriate thing I can say is that this was worth waiting for. A period of 27½ years should seem like a long time. It really does not. There have been so many things happening, so many fantastic new developments that were undreamed of when I came here. There has been so much of history in the making. Looking backward, the world of 1940 seemed quite secure where we in the United States were concerned. The new idealogy called communism had not burst the bounds of Russia. Our principal preoccupation was overcoming the effects of the 1929 depression. It is almost inconceivable that there can be equally significant changes in the world in the next generation, yet we know now that they can even be more exciting; more productive of good for the human race and, hopefully, less devasting to it. Let us hope also that as a Nation we can find a way to meet these changes responsibly with less cost in blood and treasure, for the role of world leadership is now inescapably ours.

This is not my swan song. I am not retiring—at least not voluntarily—for a while. It is a time for a reaffirmation of my belief in our country, its ideals, its greatness, its fundamental promise, its basic soundness. It is a time to say I have been honored far more than I deserve by a wonderful and understanding people, in a great district, in a magnificient State.

It is a time to say, as so many others have said, that service in the Congress of the United States is one of the greatest privileges that can come to any person. It has its disappointments and its frustrations but also it has its rewards, and they are highly enduring. Here in truth is democracy, and here is where democracy is made and where it can be preserved. This may be the only place where it can be preserved for Congress is truly the voice of the people.

Accomplishments here are milestones of achievement. They should serve as a spur to progress, not a reason for complacency. The mistakes which we make should in themselves insure against a repetition of those mistakes.

And finally, the work which I do has always looked better because I have been privileged to be associated with the finest congressional delegation in the Nation. For Inez, who has stood by me, so steadfastly, and helped me so much, and for me, let me thank each of you with all sincerity, from the bottom of a grateful heart.

FREE TRADE POLICY

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. DENT] is recognized for 30 minutes.

Mr. **DENT**. Mr. Speaker, for some time now I have warned this House of the increasing dangers of our free trade policy. Not long ago, I pointed out the boldness of our free trade partners, and their apparent disregard for the welfare of our peoples to the advantage of their own.

The plight of other peoples is always a concern to Americans, individually and collectively. However, the rule of life both individually and nationally is positive and unchangeable. Man must do first things first. The health of his family, the welfare of his Nation take precedence.

It is only when these priorities are met that man can reach out to help those around him who are also struggling for survival and prosperity.

What good does it do us as a people to foster jobs across the border to help poor Mexican workers, Mexican industrialists, Mexican bankers, and the Mexican Government, if we have to face our own unemployed Mexican-Americans at the outskirts of Resurrection City in our National Capital?

The unrest amongst our Mexican-American citizens is real, it is serious and stems from unemployment, underemployment, and the most unrealistic free trade policy ever foisted upon a body politic.

How do we reconcile the Pronef program of Mexico with our own need for jobs. We talk a lot of gibberish about untrained, unskilled workers being unemployable. Right across the Rio Grande, the unskilled, the untrained, and in many cases the uneducated Mexican peasant, finds employment in American-owned plants without the benefit of Government training programs. The next thing our Government will sponsor, in all probability, will be "job training for Mexican Nationals to man our runaway industries."

The report by U.S. News & World Report, on July 1, 1968, gives the real reason for the runaway production facilities—low wages, tax forgiveness, tariff consideration. The end of U.S. industrial growth is in sight in spite of 20-million-share days on Wall Street.

The U.S. News & World Report story follows:

THINGS LOOK UP FOR MEXICO AS U.S. FIRMS CROSS THE BORDER

(NOTE.—American enterprise, operating just south of the border in Mexico, is giving that country a much-needed lift.

(Companies, producing there for the U.S. market, find abundant, low-cost labor. Problems, most firms feel, are outweighed by advantages.)

CIUDAD JUÁREZ, MEXICO.—Just south of the U.S.-Mexican border, in a frontier area familiar to American tourists for trinkets and tequila, a small but growing sector of U.S. private industry is springing up. The lure is cheap labor.

American tourists still are coming by the tens of thousands to this border region. But now you can also count about 60 new plants—the majority of them American-owned or controlled—operating in various border cities.

Most of the firms operating these factories have moved into Mexico under this country's Border Industrialization Program, now in its fourth year. In Mexicali, 105 miles east of San Diego, more than 20 factories were set up in 1967 alone.

There are nine new plants in Tijuana, just south of San Diego, and seven here in Ciudad Juárez. Others are going up in Nuevo Laredo, Matamoros, Tecate, Nogales and Piedras Negras.

Low-wage lure. The big attraction for this surge of U.S. business activity is cheap labor close to home markets. The minimum wage in Ciudad Juárez is $2.55 a day. In El Paso, Tex., across the Rio Grande, wages run about $7.50 a day—three times the Mexican rate.

Moving into the border area are U.S. firms such as the Kayser-Roth Corporation, maker of wearing apparel, Fairchild Camera and Instrument Corporation, Litton Industries, and the Raytheon Company.

Foreign ventures are no novelty to these firms. Some already have plants operating in Hong Kong, Taiwan and elsewhere in Asia. Now they're finding reasons to locate in their own back yard.

Actually, the wages along Mexico's border are higher than these same U.S. firms are paying most workers in Asia. But there are compensations in Mexico's location.

Mexico offers political tranquillity. Asia is becoming less attractive to American businessmen in the wake of some violence fomented by Communists.

The fact that Mexico is so close to the U.S. market—Tijuana is just 30 minutes by truck from San Diego—means a great saving in transportation costs. The short distances also make it easier for American executives to keep tabs on border operations.

Incentives in the law. Mexico, in addition, offers special incentives to foreign firms. Plants registered under the border-industrialization program are permitted to import, duty free, all raw materials, parts and machinery as long as the finished product is exported. The only duty an American manufacturer pays is on the value added to the finished goods as a result of Mexican labor.

So far, this labor is involved mainly with assembly, putting together components brought in from the U.S.

Most of these assembly plants are small, with 20 to 30 workers, mostly women. Capital investment is low, but it is rising as the border program appears to gain momentum.

Probably the worst impediment to this momentum is the opposition of organized labor in the U.S.

Union leaders see the American businessman's eagerness to move part of his operations to the border as simply a scheme to get around relatively high U.S. labor costs.

One such labor leader, James D. Givens, secretary general of the El Paso Central Labor Union (AFL–CIO) puts it this way:

"The program is just another dodge by American employers to continue their source of cheap labor."

At this point the operations are quite small, and a visitor often has to search for any sign of the new industries. The U.S. border plants often are found in unmarked sheds at the ends of dirt roads.

Mexican labor leaders are delighted with the movement. Mexico needs all the industry it can get in this region, where unemployment is the No. 1 problem.

The Mexican population is exploding at the rate of 3.6 per cent a year—highest of any major country in Latin America—and the cities along the U.S. border are especially overcrowded. For example:

Tijuana had 20,000 residents in 1940; now it has 366,000. Mexicali had 150,000 in 1950; now it has 367,000. Ciudad Juárez grew sevenfold in the last 30 years and now has about 442,000 inhabitants.

Still not enough. Even the rapid growth of the new industries has failed to open up enough jobs for these masses of people.

Right now, unemployment is estimated to be far higher along the Mexican side of the border than elsewhere in Mexico.

A large number of the jobless are those *braceros*, or day laborers, no longer permitted to cross the border to work on farms and orchards in the U.S.

Joining the *braceros* in the search for work are hundreds of peasants from the Mexican interior who still arrive daily at the border. The prospect of jobs enticed them. Most often, there are no jobs.

Mr. Speaker, at this point, I would comment on the strange logic of our Nation's free trade and foreign policy experts. We permit our industries to move into Mexico to give jobs to Mexican braceros and others who are refused jobs in the United States by congressional action. Why did Congress refuse to allow the migration of braceros into our Border States? Simply because we could not afford the loss of jobs.

Congress might as well have stayed at home. Our Government completely negated congressional action by letting the jobs migrate across the border, making it possible for the Mexican to save the cost of coming to the United States. We also lost the economic impact of the production facilities, loss of taxes, revenue to utilities, and revenue to our merchants as well as professional and other services necessary to service a production facility and its workers.

Our Government's answer, which follows, is even more damaging to our economy than the original decision to allow the migration of our jobs across the border.

The U.S. Government proposes relief for the workers, out of the Treasury, public facilities loans to the depreciated and injured communities, grants and loans to the educational system, and the final insult—job training programs for workers for jobs that will also be moved across the border if and when they are created.

How did this all start? Why did it start? the following analysis gives the answer. Mexicans needed jobs and we decided to give the jobs by allowing our industries to dodge the wage-and-hour laws passed by Congress. At the same time they can bring back their products to the United States to compete with American based producers complying with our laws to their disadvantage, with our higher cost labor based upon government mandated wage-and-hour standards.

We forbid the transportation of goods across State lines unless the fair labor standards laws are complied with. However, no restrictions are imposed on goods produced across the river and shipped into the United States.

Mr. Speaker, I shall introduce legislation forbidding the transportation of Pronef produced goods from being shipped from one State to another under the provisions of existing law.

The Mexican Government is looking after its own interest and so are the American runaway industries. American labor, American communities, and the American Treasury is paying the price. Maybe we can afford it. Personally, I do not believe we can, especially after hearing the testimony before our own committee recently by Mexican Americans from the U.S. side of the Rio Grande who were part of the Poor People's March to Washington.

The U.S. News & World Report story gives some light on the beginning of this program and certainly points out the future:

> To help relieve this unemployment, Mexico in May, 1965, announced its program to attract foreign industry to a 12-mile strip along the border. This is one of many steps Mexico has taken to develop industry in the region.
>
> Many U.S. food processors and other companies have moved into the border area, but are not licensed under the 1965 plan. That drive just now seems to be picking up impetus.
>
> "Even though the program is only just beginning," says Luis Bravo Aguilera, director general of industries for the Ministry of Industry and Commerce, "we consider it successful." He adds:
>
> "Other companies, not only in the U.S., are waiting to see how the pioneer industries make out. We are convinced that the experience of the pioneers will have the effect of bringing new industries into the program."

You will note that the Mexican birth rate is causing the border cities to explode with the influx of both children and adults from the interior. This of course will get worse and we can never hope to provide the jobs to meet the needs of the Mexican cities along the border. Three border cities alone. Tiajuana, Mexicali, and Ciudad Juarez, have grown from 235,000 population to over 1,175,000 persons.

How many American plants must move, how many American jobs will be exported, how many millions of dollars will it cost U.S. taxpayers to keep our people fed, our communities alive, and our industries competitive?

The Mexican program called Pronef has proven beyond a doubt that our double talk to our poor is just that—doubletalk. We tell our poor they cannot get jobs because they are unskilled, unprepared, uneducated, and yet, our industries take on the Mexican untrained workers without too much crying for Federal funds to cover their training costs.

To add insult to injury, we find that the Mexican Government forbids the sale of any of the products produced in the restricted Pronef territories within the Mexican borders. How can anybody in his right mind permit such a condition to exist?

Summed up, this is the program we are engaged in with the Mexican Government. We send our jobs and our industries across the river into Mexico. We give our industries a tax and low-labor-cost haven. We then accept the products back into this country to compete with our higher cost, higher taxed industries, and Mexico gets our jobs, gets our wages, gets our industry, and gets our taxes but refuses the products of their own labor, thereby protecting its own domestic industries against competition.

How can we win? And how can Mexico lose.

PENSION GRAB

Mr. GROSS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I regret to say that the Members of this body shortly will be called on to consider H.R. 16903, legislation that pads—and pads heavily—retirement benefits for Members of Congress.

Proponents of the bill are hoping fervently that it will slip by with as little notice or fuss as possible.

In order to shed light on this subject so that the people of this country have a chance to learn about this outrageous business, I am inserting in the RECORD my remarks before the Rules Committee during its consideration of the bill:

STATEMENT BY MR. GROSS

Mr. Chairman, it is difficult to describe the Congressional arrogance and affront to the American taxpayers that is represented by the Congressional retirement provisions of the bill, H.R. 16903, which your Committee has under consideration.

By any objective standards it should be denied a favorable rule. Coming as it does late in the final session of the 90th Congress, with its proponents apparently hoping that in the drive toward adjournment its implications will be overlooked, we are supposed to turn our heads while it passes silently with no record votes. Yet, every Member knows that this proposal, granting unconscionable increases in retirement benefits for Members of Congress, is inappropriate at this time.

There are so many reasons why the bill, H.R. 16903, should be rejected—at least those provisions related to Congressional retirement benefits—that it is difficult to know where to begin.

In the first place the bill is being brought to you from a Committee which has no experience or background with the Civil Service Retirement Fund of which the Congressional Retirement System is a part.

Under the Rules of the House, and based upon the Legislative Reorganization Act of 1946, legislation dealing with the Civil Service Retirement System should emanate from the Post Office and Civil Service Committee. The Post Office and Civil Service Committee has not yielded jurisdiction of this legislation to the House Committee on Foreign Affairs. While Chairman Dulski and Congressman Daniels, Chairman of the Retirement, Insurance and Health Benefits Subcommittee, did advise the Foreign Affairs Committee that they had no objection to the Foreign Affairs Committee considering amendments to the Civil Service retirement laws, the matter was not directed to the attention of the full Committee on Post Office and Civil Service, nor did our Committee of 26 members have an opportunity to vote on this matter.

Congressional retirement legislation should be referred to the Post Office and Civil Service Committee, and the approval of a bypassing move by two Members of the Committee is not sufficient to change the Rules of the House.

Furthermore, since the enactment of the Congressional Retirement laws, every amendment to those laws has been considered by and approved by the Post Office and Civil Service Committees of the Congress. It is therefore difficult to understand why, and so suddenly, Congressional procedure is being violated with respect to this particular legislation.

Another objection to this legislation is the precedent which it creates, from the standpoint of orderly Congressional procedure, as well as from the standpoint of enacting loose provisions to the Congressional retirement laws which may require equal treatment for all other Federal employees covered by the Civil Service Retirement Act.

If you approve the precedent established by H.R. 16903, are you saying: "In the future all amendments to the Civil Service Retirement Act related to Congressional retirement shall emanate from the Foreign Affairs Committee?"

If you approve the liberal provisions of this bill, are you saying: "The Post Office and Civil Service Committee shall, in the future, adopt similar provisions for all other participants in the Civil Service Retirement System?"

In my judgment, Mr. Chairman, and members of the Rules Committee, this is a serious matter which deserves more than passing consideration.

As a matter of fact, an almost identical situation arose in the Senate on June 4, of this year, when the Senate was considering S. 1316, a bill to amend the Bankruptcy Act and the civil service retirement law with respect to the tenure and retirement benefits of referees in bankruptcy.

I refer Members of the Rules Committee to pages 15942, 15943, and 15948 through 15952 of the CONGRESSIONAL RECORD dated June 4.

The bill, S. 1316, was reported by the Senate Judiciary Committee because a portion of it sought to amend the Bankruptcy Act, while the rest of the bill amended the Civil Service Retirement Act. Objection was raised on the Floor of the Senate by a number of Members on the basis that, while the Bankruptcy Act came under the jurisdiction of the Judiciary Committee, certainly the amendments to the Civil Service Retirement Act did not come under the jurisdiction of the Judiciary Committee.

Senator Carlson offered an amendment striking out language in S. 1316 relating to amendments to the Retirement Act. After some debate, Mr. Carlson's amendment was agreed to, by a Roll Call vote of 42 to 27, on the grounds that the jurisdiction of the Judiciary Committee did not extend to amendments of the Civil Service Retirement Act, and that such legislation properly belonged under the jurisdiction of the Post Office and Civil Service Committee.

Those who opposed striking the language, offered the same arguments for the bill that are being made here today by the proponents of this legislation; namely, that the impact on the retirement fund is minimal and that only several hundred Federal officials are involved. But, the other Body recognized the necessity of maintaining jurisdiction over the Civil Service Retirement Act and Fund by the Committee which knows it best; namely, the Post Office and Civil Service Committee.

Another reason this legislation should be refused a rule is that the Congressional retirement provisions of H.R. 16903 are not in the public interest. In the past few years there has been some effort exerted on the part of the Government to halt price increases and to hold down costs of spiraling wages and fringe benefits in order to prevent inflation. By providing excessive retirement benefits for Members of Congress we do not act in the public interest toward this objective. In fact, we say to management and labor throughout the Nation: "Come, follow us and grant higher fringe benefits to all of your top officials." This in turn creates pressures on labor unions to seek similar benefits. And Federal employee organizations will seek retirement benefits similar to those which are now proposed for Members of Congress.

Despite the attempts in the bill to keep the costs at the present levels, these liberal provisions for retiring Members of Congress will increase the deficit of the Retirement Fund.

Mr. Chairman, I say this will be creating a poor example for this Country. I say a veil cannot be pulled over this action in the hope the American people will not notice what is being done.

In view of the recent votes by Congress to cut $6 billion from expenditures and additional reductions in obligational authority, and in view of the fact that only yesterday the House approved a Health, Education, and Welfare appropriation bill of more than $3 billion above the spending for the same general purposes in this fiscal year, an increase in benefits to members of Congress cannot be justified.

It will readily be recalled, for a number of members of this Committee voted for it, that there was an increase yesterday of $100 million for the so-called underprivileged and poverty stricken. Under these circumstances, how many members of the House want to publicly make a case for the urgency and necessity of immediate enactment of H.R. 16903, giving themselves special benefits?

The merits of the Congressional retirement provisions of this bill are nonexistent. It is proposed to increase retirement benefits for Members of Congress by 33⅓ per cent, to increase survivorship benefits by nearly 20 per cent, and to compute a Member's annuity based upon his final month's pay rather than on his highest 5-year average pay.

While there is a token 2½ per cent increase in a Member's retirement deductions, the Civil Service Commission estimates that the cost of the foregoing provisions will be about $14 million.

It is ironical that for more than a year a subcommittee of the Post Office and Civil Service Committee has been engaged in a study of how to cope with the present $52 billion retirement fund deficit. Most proposals to liberalize civil service retirement benefits have been sidetracked until that problem is solved.

Yet, the Foreign Affairs Committee, by its action in approving H.R. 16903, seems unconcerned about the ever-increasing retirement fund deficit.

It is reasonable to inquire how the Post Office and Civil Service Committee can be expected to act effectively and equitably in the future with respect to any retirement legislation in the face of this proposal by the Foreign Affairs Committee.

Therefore, Mr. Chairman, this bill must be indicted on six counts.

The Rules of the House have been violated with respect to the jurisdiction of the appropriate Committee for its consideration.

It lacks merit.

It creates bad precedents.

It is not in the public interest.

Its presentation to the Rules Committee is untimely.

It is too costly and it is contemptuous of the taxpayers.

Under these conditions I urge the Committee on Rules to refuse a favorable rule with respect to this bill.

As I have stated before, in my opinion it is as much the responsibility of the Committee on Rules to withhold approval of poor legislation as it is to grant a favorable rule on desirable legislation.

And, Mr. Chairman, H.R. 16903 is an example of poor legislation.

HOUSING: 10-YEAR GOAL

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include an editorial from the Washington Post.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Speaker, under leave to extend my remarks in the Record, I would like to include the following article from the Washington Post for July 8, 1968, entitled "Housing: 10-Year Goal":

Housing: 10-Year Goal

The Administration's mamouth $5-billion omnibus housing bill, surely one of the most important pieces of social legislation to be considered by the 90th Congress, reaches its final and critical stage in the next two days on the floor of the House of Representatives. Designed to create housing in all forms at a rate ten times faster than has ever been attempted in the past, the bill is the first phase of what President Johnson promised in February as a ten-year effort to eliminate all substandard housing in the United States. The President, Secretary Weaver of Housing and Urban Development and others have said that if this country is to accommodate the housing needs of its growing population, construction and rehabilitation must reach two million new living units per year. According to the Census Bureau, only 1.1 million such units were finished in 1966; 1.3 million in 1967. This bill, if it is adopted as it was passed by the Senate in May and by the House Banking and Currency Committee last month, will signal the beginning of the massive upgrading in standards of living so badly needed in our cities and countryside.

The bill's major home-ownership and rent-supplement programs call for a new and unique financing arrangement by which the government would subsidize interest payments rather than entire mortgages. Those benefitting from the programs would pay, on a sliding scale basis, a certain percentage of their income for housing. Thus, as a low-income family's earnings increase, their share in the Federal program increases proportionately. By providing Federal subsidy at established market interest rates instead of the below-market rates of the present system, the programs should entice private enterprise to participate to a far more significant degree than under current mortgage operations.

Amendments to the housing bill are in the offing, however, which could effectively cripple the impact of this important legislation. One move brewing among House conservatives is to eliminate the rental program altogether. Another is to narrow the income levels to which the bill would apply. Both attempts must be defeated, and defeated soundly. To remove the rent supplement program would be to cut the entire housing program in half, in all probability doubling the time it will take to catch up with the country's housing needs. Equally dangerous is the plot to tamper with the eligibility scale, for to do so would effect the whole scale.

The Housing Bill is, as the Administration calls it, omnibus. Tucked away in the miscellany in the last of its fourteen titles is the billion dollar model cities program, critical if the original concept of that program is to be carried out. Seventy-five American cities have already been granted Federal planning funds for massive rehabilitation, and another 75 will qualify before the billion dollars is due to be spent in fiscal 1970.

The bill also encompasses comprehensive programs for riot re-insurance, for flood insurance, for urban mass transport, for urban planning activities, for mortgage insurance on non-profit hospitals, and for a private consortium to bring new involvement in the housing market from areas of private enterprise not traditionally involved. Had each of these items been introduced as individual bills, each would stand on its own as major legislation. Together, they represent a monumental undertaking.

So far, the omnibus bill has survived its journey through the legislative halls virtually intact. Now, however, it faces new and real dangers. Attempts will be made to cut down on its authorizations. Those attempts will be dealt with one way or another today, with a final vote from the full House Tuesday.

If the House follows the example of the Senate and its own committee, there will be little beyond technicalities to settle in a joint conference committee before the bill is sent to the President. If, on the other hand, the House deals this bill a mortal blow, the work which should begin in the Nation now will be postponed indefinitely.

INDEPENDENCE DAY GREETINGS TO MALAWI

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, for myself and as chairman of the African Subcommittee of the Committee on Foreign Affairs, I extend warm congratulations to President H. Kamuzu Banda and the people of Malawi on the occasion of the fourth anniversary of the Independence of Malawi and the second anniversary of the declaration of a republic.

Even before the independence of Malawi on July 6, 1964, the United States displayed its interest in that country with a small assistance program. Relations have grown closer since independence. President Banda, who received much of his medical and other education in the United States, has paid a number of visits to this country since assuming leadership of Malawi.

I wish to take advantage of this occasion to add a personal word of greeting to Dr. Banda, whose deep commitment to the steady advancement of his people is so well known to me personally from our several meetings and discussions in past years.

I hold Dr. Banda in the endearing folds of a long and a warm friendship and at the University of Chicago, which is in the district I have the honor to represent, he is justly placed among the most distinguished alumni of that great university and is fondly remembered by faculty members and fellow students of his college years.

NATIONAL COUNCIL FOR A RESPONSIBLE FIREARMS POLICY PRESENTS 1 MILLION SIGNATURES FOR STRICT GUN CONTROL LEGISLATION TO SPEAKER JOHN W. McCORMACK

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, this afternoon James V. Bennett, former Director of the U.S. Bureau of Prisons and currently president of the National Council for a Responsible Firearms Policy, presented to the Speaker of the House over 1 million signatures on petitions calling for controls on the sale, possession, and use of all firearms.

This petition campaign represents one of the most spontaneous, grassroots waves of national sentiment seen in many years. It is the result of a national feeling of revulsion and grief at the murders of our most inspired leaders. It is a demand only for the safeguards on lethal weapons common to other civilized nations.

This is a people's lobby. It speaks for no economic interest; it is not subsidized by the Federal Government. The petition calls simply for registration of the sale and transfer of firearms, licensing of possessors of firearms, and a ban on mail-order sales, sales to minors, and out-of-State purchases. This is essentially the Gun Crime Control Prevention Act which Senator TYDINGS introduced in the Senate and which I introduced in the House—H.R. 17879.

Later this week the House will debate one part of this proposal—H.R. 17735—subject to the granting of a rule. That measure provides for a ban on mail-order sales and sales to juveniles of rifles and other long guns. We must speedily enact this legislation, and the other parts of the Tydings-Ryan bill, which now carries the endorsement of the administration.

The National Council for a Responsible Firearms Policy deserves the gratitude of the Nation for coordinating this citizen campaign for effective gun controls. I include the statement made today by James V. Bennett to the Honorable JOHN W. McCORMACK, Speaker of the U.S. House of Representatives, as well as the petition which has been signed by over 1 million people.

STATEMENT OF JAMES V. BENNETT, PRESIDENT OF THE NATIONAL COUNCIL FOR A RESPONSIBLE FIREARMS POLICY, TO THE HONORABLE JOHN W. McCORMACK, SPEAKER OF THE U.S. HOUSE OF REPRESENTATIVES, JULY 8, 1968

I am James V. Bennett, President of the National Council for a Responsible Firearms Policy. In the year and a half since it was organized, the Council has been working vigorously for firearms policies that adequately serve the total public interest. On behalf of the Council, I today respectfully present to the Congress of the United States well over one million signatures on petitions circulated by members of our organization and by many others cooperating with us in support of strong and effective gun control measures.

The petitions come from virtually every state in the Union. Petitions were collected in various ways. Some secured signatures by placing them in elevators in their apartment buildings. Others set up booths in shopping centers. Some canvassed their neighborhoods house to house. Many churches made them available after worship services.

These are the signatures of deeply concerned Americans, dedicated to their country's best interests. They are deeply concerned over the dangerously permissive proliferation of guns into the hands of persons who are not technically or otherwise qualified to use them responsibly. The people who have signed these petitions want firearms policies that protect the overall public interest. They believe these policies should be strict, reasonable, and effective, embodying three basic principles:

1. the prohibition of interstate shipments of all kinds of guns except among Federally licensed dealers;

2. registration of all guns for better law enforcement; and

3. the licensing of all gun acquisitions, in accordance with basic Federal standards.

A huge majority of the public-at-large wants such controls. It wants them *now*. It wants essential Federal legislation along these lines before this Congress adjourns for the summer. A solid majority of responsible gun owners agree basically with this position. The massive expression of public opinion reflected in these petitions is tangible evidence of what reliable polls have shown over and over again—that over 80 percent of the American people, including nearly two-thirds of the legitimate gun owners, want strict gun control laws in the public interest.

The petitions are still coming to our office. Some are being sent directly to members of Congress. And a huge wave of supporting letters has not been far behind.

I want to emphasize that these signed petitions have all been secured in the less than a month since we organized this nationwide campaign. The overall outpouring of public sentiment on this issue may well turn out to the largest demonstration of public feeling in the shortest time on any issue in the history of our country.

I also want to emphasize that this massive demonstration is not a panic response to a widely and deeply felt national tragedy. It is the latest stage of a slowly growing national awareness of the rapidly rising number of murders and other crimes committed with firearms. Many of us associated with the National Council have devoted years of effort to awakening the American people to this growing menace.

Organizations that participated in our petition campaign include, for example: the National Council of Churches, the Episcopal Church, the United Methodist Church, the National Women's League of the United Synagogue of America, the Society for the Advancement of Judaism, the National Council of Catholic Men, the Transportation Workers Union, the United Steel Workers Union, the American Advertising Federation, the Kennedy Action Corps, the United World Federalists. Countless individuals from Massachusetts to California have worked very hard in this effort. The signatures cover the broadest imaginable spectrum of our population. Some random examples are the staff of a major national news magazine, the crew of a ship in New York harbor, many of the residents of Resurrection City, and the whole cast of the Broadway play "You Know I Can't hear You When the Water's Running."

I respectfully present to the Congress today a mountain of petition signatures to be added to the mounains of evidence the Congress has been accumulating for many years on a problem whose growing size has shocked and shamed the nation.

We respectfully urge this Congress to lead the way in enacting essential Federal legislation to help bring this escalating problem under the kind of responsible control that meets the needs of our country in the closing decades of the 20th century.

A PETITION FOR GUN CONTROL NOW

To: The President, Members of Congress, and state government officials.

We, the undersigned, favor immediate action to control the sale, possession and use of handguns, rifles and shotguns.

Such federal and state legislation should include the following:

1. Regarding rifles and shotguns, there should be a ban on mail-order sales to individuals, on sales to those under 18, and on out-of-state purchases.

2. All firearms possessed, sold, or transferred should be registered at the state and/or national level.

3. States should require that gun purchases be made only through permits calling for adequate identification and a waiting period for a police check.

This we urge in the name of President John F. Kennedy, Senator Robert F. Kennedy, Dr. Martin Luther King, the 6500 others killed annually, and in the name of a more civilized and less violent United States society.

(Name, street address, city, state)

1. --
2. --
3. --
4. --
5. --
6. --
7. --
8. --
9. --
10. --

Please return this petition immediately to the National Council for a Responsible Firearms Policy, 100 Maryland Avenue, N.E., Washington, D.C. 20002. As soon as sufficient petitions are on hand, they will be presented in a public ceremony to the appropriate officials.

JAMES V. BENNETT,
President, National Council for a Responsible Firearms Policy (and former Director of U.S. Bureau of Prisons).

"The right to life"

ELECTRONIC SURVEILLANCE VERSUS ORGANIZED CRIME

Mr. POFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there

objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, in 1965, the Justice Department began a sharp deemphasis of its efforts to combat organized crime. The results of that deemphasis are reflected now in statistics recently released by the Justice Department for fiscal year 1967.

According to figures furnished previously to a House committee by Assistant Attorney General Fred Vinson, organized crime convictions by the Federal Government reached an all-time high of 594 in 1964. There was a sharp drop to 410 in 1965 followed by a slight rise to 477 in 1966.

Now, according to the report of the Attorney General for 1967, convictions last year dropped further to 400, 19 percent less than 1966 and 32 percent lower than the peak year of 1964.

We believe that racketeer convictions are an accurate measure of the success of the Justice Department's program against organized crime. Attorney General Ramsey Clark has already stressed this success with the observation that more racketeers "are being hurt in auto accidents than by the Government" and now the figures bear him out.

Thus, the Johnson administration has admitted and has demonstrated substantially decreasing effectiveness in fighting organized crime. The President has said that he will not use the electronic surveillance provisions of the omnibus crime bill against organized crime. I find this "de facto" veto all the more bewildering and distressing in light of this new evidence that the Justice Department is losing ground against the racketeers. I urge the President to reconsider this very unwise decision.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. McMillan (at the request of Mr. Ashmore), for an indefinite period, on account of death in the family.

Mr. Resnick (at the request of Mr. Boggs), from today through the week of July 15, on account of illness.

Mr. Cederberg (at the request of Mr. Gerald R. Ford), for July 9 and 10, on account of official business.

Mr. Satterfield (at the request of Mr. Marsh), for today and tomorrow, on account of illness in the family.

Mr. Wolff (at the request of Mr. Gilbert) for Monday, July 8, 1968, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Findley (at the request of Mr. Myers), for 60 minutes, on July 10; and to revise and extend his remarks and include extraneous matter.

EXTENSIONS OF REMARKS

By unanimous consent, permission to extend remarks was granted to:

Mr. Perkins and to include extraneous matter in three instances.

(The following Members (at the request of Mr. Myers) and to include extraneous matter:)

Mr. Quillen in four instances.

Mr. Fulton of Pennsylvania in five instances.

Mr. Gubser.

Mr. Keith.

Mr. Scherle.

Mr. Rumsfeld in two instances.

Mr. Conte.

Mr. Snyder in two instances.

Mr. Zwach.

Mr. Wyman in two instances.

Mr. Harrison.

Mr. Ashbrook in two instances.

Mr. Berry.

Mrs. May.

Mr. Gurney in two instances.

Mr. Schneebeli.

Mr. Devine.

Mr. Ruppe.

Mr. Derwinski in three instances.

Mr. Miller of Ohio.

(The following Members (at the request of Mr. Patten) and to include extraneous matter:)

Mr. Matsunaga in two instances.

Mr. Hanna.

Mr. Bolling.

Mr. Corman.

Mr. Ottinger in two instances.

Mr. Podell.

Mr. Reuss in six instances.

Mr. Wright in two instances.

Mr. Dulski.

Mr. Gonzalez in three instances.

Mrs. Green of Oregon in six instances.

Mr. Brasco.

Mr. Teague of Texas in two instances.

Mr. Moorhead.

Mr. Rosenthal in two instances.

Mr. Evins of Tennessee in two instances.

Mr. Ullman in two instances.

Mr. Shipley in two instances.

Mr. Boggs.

Mr. Hébert.

Mr. Fascell.

Mr. Tiernan.

Mr. O'Neill of Massachusetts in two instances.

Mr. Everett.

Mr. Patten.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1764. An act to repeal section 7 of the act of August 9, 1946 (60 Stat. 968); to the Committee on Interior and Insular Affairs.

S. 2715. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Chickasaw Nation or Tribe of Oklahoma, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3575. An act to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; to the Committee on Interior and Insular Affairs.

S. 3620. An act to provide for the disposition of judgment funds on deposit to the credit of the Quechan Tribe of the Fort Yuma Reservation, Calif., in Indian Claims Commission docket No. 319, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3621. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Muckleshoot Tribe of Indians in Indian Claims Commission docket No. 98, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3679. An act to amend the act of June 19, 1968 (Public Law 351, 90th Cong.); to the Committee on the Judiciary.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1401. An act to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes; and

S. 2701. An act to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H.R. 3639. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes;

H.R.5404. An act to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes;

H.R. 6279. An act to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data;

H.R. 15979. An act to amend section 2 of the act of August 1, 1958, as amended, in order to prevent or minimize injury to fish and wildlife from the use of insecticides, herbicides, fungicides, and other pesticides;

H.R. 17734. An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes;

H.J. Res. 1111. Joint resolution granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri; and

H.J. Res. 1302. Joint resolution to authorize the President to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week."

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 11 minutes p.m.), the House adjourned until tomorrow, Tuesday, July 9, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2015. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 20, 1966, submitting a report, together with accompanying papers and illustrations, on Pecan Bayou watershed, Colorado River Basin, Tex., requested by a resolution of the Committee on Flood Control, House of Representatives, adopted October 8, 1945 (H. Doc. No. 350); to the Committee on Public Works and ordered to be printed with illustrations.

2016. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated March 8, 1968, submitting a report, together with accompanying papers and an illustration, on a survey of Clear Creek, Tex., authorized by the Flood Control Act approved October 23, 1962 (H. Doc. No. 351); to the Committee on Public Works and ordered to be printed with an illustration.

2017. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated June 3, 1968, submitting a report, together with accompanying papers and illustrations, on a review of the report on Brevard County, Fla., requested by resolutions of the Committees on Public Works, U.S. Senate and House of Representatives, adopted September 3, 1963, and April 14, 1964 (H. Doc. No. 352); to the Committee on Public Works and ordered to be printed with illustrations.

2018. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated April 11, 1968, submitting a report, together with accompanying papers and illustrations, on coasts of the Hawaiian Islands, harbors for light-draft vessels, in final response to authorizations contained in the River and Harbor Act approved May 17, 1950; is also responsive to an item in the River and Harbor Act approved March 2, 1945 (H. Doc. No. 353); to the Committee on Public Works and ordered to be printed with illustrations.

2019. A letter from the Assistant Secretary of Agriculture, transmitting plans for works of improvement prepared under the provisions of the Watershed Protection and Flood Prevention Act, as amended, involving structures of not more than 4,000 acre-feet of total capacity (Buttonwillow water management project, California; Darrs Creek, Tex.; Georgetown Creek, Idaho; head of Little Tennessee River (supplement), N.C. and Ga.; Hurley Creek, S. Dak.; lower Big Swamp Creek, Ala.; upper Big Swamp Creek, Ala.; Willow Creek, Wis.), pursuant to the provisions of 16 U.S.C. 1005; to the Committee on Agriculture.

2020. A letter from the Comptroller General of the United States, transmitting a report on the need to increase home mortgage insurance application fees, Department of Housing and Urban Development; to the Committee on Government Operations.

2021. A letter from the Assistant Secretary of the Interior, transmitting a draft of a proposed contract with the Kansas-Bostwick Irrigation District No. 2, Missouri River Basin project, Kansas, pursuant to the provisions of the Drainage and Minor Construction Act of June 13, 1956; to the Committee on Interior and Insular Affairs.

2022. A letter from the Deputy Assistant Secretary of the Interior, transmitting a copy of a proposed concession contract to continue services in Hawaii Volcanoes National Park through December 31, 1987, pursuant to the provisions of 67 Stat. 271 and 70 Stat. 543; to the Committee on Interior and Insular Affairs.

2023. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in the cases of certain aliens found admissible to the United States under the provisions of section 212(a)(28)(I)(ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

2024. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases in which the authority contained in section 212(d)(3) of the Immigration and Nationality Act was exercized in behalf of certain aliens, together with a list of persons involved, pursuant to the provisions of section 212(d)(6) of the act; to the Committee on the Judiciary.

2025. A letter from the executive vice president, American Society of International Law, transmitting the annual audit of the American Society of International Law for the period April 1, 1967, to March 31, 1968, pursuant to the provisions of 64 Stat. 869; to the Committee on the Judiciary.

2026. A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to improve the laws relating to the documentaion of seamen and for other purposes; to the Committee on Merchant Marine and Fisheries.

2027. A letter from the Assistant Secretary of Agriculture, transmitting plans for works of improvement prepared under the provisions of the Watershed Protection and Flood Prevention Act, as amended, involving structures of more than 4,000 acre-feet of total capacity (Aquilla-Hackberry Creek, Tex.; Beaver Creek, Mont.; Hudson River, Ga.; Jackson-Mill Creek, S.C.), pursuant to the provisions of 16 U.S.C. 1005; to the Committee on Public Works.

2028. A letter from the Chairman, Subversive Activities Control Board, transmitting a report giving the reasons that no hearings were conducted during the period January 2, 1968, at June 30, 1968, pursuant to section 12(i) of the Subversive Activities Control Act and section 9(b) of Public Law 90-237; to the Committee on Un-American Activities.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of July 1, 1968, the following bill was reported on July 5, 1968:

Mr. RIVERS: Committee on Armed Services. S. 3293. An act to authorize appropriations during the fiscal year 1969 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes; with amendment (Rept. No. 1645). Referred to the Committee of the Whole House on the State of the Union.

[*Submitted July 8, 1968*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. H.R. 18248. A bill to amend the acts of August 9, 1955, and July 24, 1956, relating to certain common carrier operations in the District of Columbia, and for other purposes; with amendment (Rept. No. 1646). Referred to the Committee of the Whole House on the State of the Union.

Mr. PERKINS: Committee on Education and Labor. H.R. 18366. A bill to amend the Vocational Education Act of 1963, and for other purposes (Rept. No. 1647). Referred to the Committee of the Whole House on the State of the Union.

Mrs. KELLY: Committee of Conference. H.R. 9063. An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes (Rept. No. 1648). Ordered to be printed.

Mr. PERKINS: Committee on Education and Labor. H.R. 15067. A bill to amend the Higher Education Act of 1965, the National Defense Education Act of 1958, the National Vocational Student Loan Insurance Act of 1965, the Higher Education Facilities Act of 1963, and related acts; with amendment (Rept. No. 1649). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PERKINS (for himself, Mr. AYRES, Mrs. GREEN of Oregon, Mr. QUIE, Mr. DENT, Mr. GOODELL, Mr. PUCINSKI, Mr. ASHBROOK, Mr. DANIELS, Mr. REID of New York, Mr. BRADEMAS, Mr. GURNEY, Mr. O'HARA of Michigan, Mr. ERLENBORN, Mr. CAREY, Mr. HAWKINS, Mr. GIBBONS, Mr. HATHAWAY, Mr. SCHEUER, Mr. MEEDS, Mr. ALBERT, Mr. SCHERLE, Mr. DELLENBACK, Mr. ESCH, and Mr. STEIGER of Wisconsin):

H.R. 18366. A bill to amend the Vocational Education Act of 1963, and for other purposes; to the Committee on Education and Labor.

By Mr. THOMPSON of New Jersey (for himself, Mr. HOLLAND, Mr. BELL, Mr. WILLIAM D. FORD, Mrs. MINK, Mr. BURTON of California, Mr. ESHLEMAN, Mr. GARDNER, Mr. FARBSTEIN, Mr. MATSUNAGA, Mr. PRICE of Illinois, Mr. VAN DEERLIN, Mr. ANNUNZIO, Mr. BLATNIK, Mr. SISK, Mr. RONAN, Mr. OLSEN, Mr. FOLEY, Mr. ADAMS, Mr. HICKS, Mr. VANIK, Mr. FRASER, Mr. MOORHEAD, Mr. KUPFERMAN, and Mr. SCHWEIKER):

H.R. 18367. A bill to amend the Vocational Education Act of 1963, and for other purposes; to the Committee on Education and Labor.

By Mr. KASTENMEIER (for himself, Mr. TUNNEY, and Mr. DON H. CLAUSEN):

H.R. 18368. A bill to amend the Vocational Education Act of 1963, and for other purposes; to the Committee on Education and Labor.

By Mr. FARBSTEIN:

H.R. 18369. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 18370. A bill to amend chapter 227 of title 18, United States Code, to provide that any person who possesses a firearm during the commission of certain crimes shall receive the maximum sentence prescribed for such crime; to the Committee on the Judiciary.

By Mr. MILLS:

H.R. 18371. A bill to amend the Internal Revenue Code of 1954 in relation to industrial development bonds; to the Committee on Ways and Means.

By Mr. BROYHILL of Virginia:

H.R. 18372. A bill to amend the law relating to obscenity in the District of Columbia to exempt certain motion picture projectionists in theaters from prosecution under the law; to the Committee on the District of Columbia.

By Mr. BURKE of Massachusetts:

H.R. 18373. A bill for implementing conventions for free admission of professional equipment and containers, and for ATA, ECS, and TIR carnets; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 18374. A bill to incorporate the Catholic War Veterans of the United States of America; to the Committee on the Judiciary.

By Mr. ESHLEMAN:

H.R. 18375. A bill to amend chapter 227 of title 18, United States Code, to increase the minimum and maximum penalties with respect to persons convicted of the possession of a firearm during the commission or attempted commission of certain crimes; to the Committee on the Judiciary.

By Mr. HAGAN:

H.R. 18376. A bill to provide continuing authority for maintaining farm income, stabilization of prices, and assuring adequate supplies of peanuts; to the Committee on Agriculture.

By Mr. LANGEN:

H.R. 18377. A bill to amend the Agricultural Act of 1949 to provide full parity price supports with respect to wheat, corn, barley, oats, rye, soybeans, flax, and grain sorghums, and reduced production of such crops by voluntary participation and for other purposes; to the Committee on Agriculture.

By Mr. MILLS:

H.R. 18378. A bill to amend the Federal Firearms Act to prohibit the use in the commission of certain crimes of firearms transported in interstate commerce; to the Committee on Ways and Means.

By Mrs. REID of Illinois:

H.R. 18379. A bill to provide for the investigative detention and search of persons suspected of involvement in, or knowledge of, Federal crimes; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 18380. A bill to amend the Immigration and Nationality Act to make additional immigrant visas available for immigrants from certain foreign countries, and for other purposes; to the Committee on the Judiciary.

By Mr. ADAIR:

H.J. Res. 1387. Joint resolution proposing an amendment to the Constitution of the United States relating to the confirmation and reconfirmation of Justices of the Supreme Court; to the Committee on the Judiciary.

By Mr. GARDNER:

H.J. Res. 1388. Joint resolution to direct the Federal Communications Commission to conduct a comprehensive study and investigation of the effects of the display of violence in television programs, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PRICE of Illinois:

H.J. Res. 1389. Joint resolution proposing an amendment to the Constitution of the United States making citizens who have attained 18 years of age eligible to vote in all elections; to the Committee on the Judiciary

By Mr. GURNEY:

H. Con. Res. 795. Concurrent resolution to create a joint congressional committee on hunger in the United States; to the Committee on Rules

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

361. By the SPEAKER: Memorial of the General Court of the Commonwealth of Massachusetts, relative to absorption by the Federal Government of the total cost of public welfare; to the Committee on Ways and Means.

362. Also, memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to selection of the site of the bicentennial celebration of the United States in 1976; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private private bills and resolutions were introduced and severally referred as follows:

By Mr ANNUNZIO:

H.R. 18381. A bill for the relief of Peter K. L. Tan; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 18382. A bill to authorize the Secretary of the Interior to convey certain real property to J. E. Bashor and Marie J. Bashor; to the Committee on Interior and Insular Affairs

By Mr. FARBSTEIN:

H.R. 18383. A bill for the relief of Fiorentino Meo; to the Committee on the Judiciary.

H.R. 18384. A bill for the relief of Carmine Mileo; to the Committee on the Judiciary.

H.R. 18385. A bill for the relief of Joseph Perez; to the Committee on the Judiciary.

By Mr. HICKS:

H.R. 18386. A bill for the relief of Mr. George Corwin, his wife, Mrs. Eileen Alexandra Corwin, and his two sons, Paul Dennis and Mark Anton Corwin; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H.R. 18387. A bill for the relief of Antonio Aiello; to the Committee on the Judiciary.

By Mr. MESKILL:

H.R. 18388. A bill for the relief of Luis Elkin Echavarria Quintero; to the Committee on the Judiciary.

By Mr. O'NEILL of Massachusetts:

H.R. 18389. A bill for the relief of Notalino Augusto de Sousa Dias; to the Committee on the Judiciary.

H.R. 18390. A bill for the relief of Chin Ming Yue; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 18391. A bill for the relief of Editha F. Dumo; to the Committee on the Judiciary.

By Mr. ROONEY of New York:

H.R. 18392. A bill for the relief of Mr. Gioacchino Maggio; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

367. By the SPEAKER: Petition of Charles G. Lucas, Washington, D.C., relative to an investigation of the Administrator of the Veterans' Administration; to the Committee on the Judiciary.

368. Also, petition of the commissioner, Department of Agriculture and Commerce, Commonwealth of Virginia, Richmond, Va., relative to consideration of various resolutions of the Southern Associations of State Departments of Agriculture; to the Committee on Ways and Means.

SENATE—*Monday, July 8, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

Rev. Edward B. Lewis, D.D., pastor, Capitol Hill United Methodist Church, Washington, D.C., offered the following prayer:

Dear God of all, we put our trust in You. We commend our lives to Your gracious keeping. Crossroads of life are daily before us. Good and evil face us in every decision. Be with us in our quest of right, truth, goodness, and love.

At this seat of the U.S. Senate, we pray for understanding in life's crises, inspiration with calmness and self-control, and leadership of Your spirit as we move into the unknown future.

Preserve these our leaders in their important tasks of the day. Give them confidence that the power and love of a Heavenly Father watches over His children and cares for them. Give to all who seek world peace new inspiration and enlightenment. Our hope is Your strength, dear Lord, working through men of good will. In the Master's name we pray. Amen.

CALL OF THE ROLL

The PRESIDENT pro tempore. The Senate having adjourned in the absence of a quorum on July 3, 1968, the Chair directs the clerk to call the roll to ascertain the presence of a quorum.

The bill clerk called the roll, and the following Senators answered to their names:

[No. 207 Leg.]

Baker
Bennett
Burdick
Byrd, Va.
Byrd, W. Va.
Clark
Dirksen
Ellender
Gore
Gruening
Hansen
Harris
Hayden
Hill
Holland
Hruska
Inouye
Jackson
Jordan, Idaho
Kuchel
Lausche
Mansfield
McGee
McIntyre
Metcalf
Morton
Murphy
Pastore
Pearson
Prouty
Proxmire
Randolph
Ribicoff
Stennis
Symington
Thurmond
Tydings
Williams, Del.
Young, N. Dak.
Young, Ohio

The PRESIDING OFFICER. A quorum is not present.

Mr. BYRD of West Virginia. I announce that the Senator from Rhode Island [Mr. PELL] is absent on official business.

Also I announce that the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. BIBLE], the Senator from Maryland [Mr. BREWSTER], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from North Carolina [Mr. ERVIN], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from North Carolina [Mr. JORDAN], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Missouri [Mr. LONG], the Senator from Louisiana [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Oregon [Mr. MORSE], the Senator from Utah, [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Wisconsin [Mr. NELSON], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH], are necessarily absent.

Mr. KUCHEL. I announce that the Senator from Vermont [Mr. AIKEN], the

Senator from Massachusetts [Mr. BROOKE], the Senator from Kansas [Mr. CARLSON], the Senator from Hawaii [Mr. FONG], the Senator from Michigan [Mr. GRIFFIN], and the Senator from Oregon [Mr. HATFIELD] are necessarily absent.

The Senator from Kentucky [Mr. COOPER] is absent because of illness.

The Senator from New York [Mr. JAVITS] is detained on official business.

Mr. MANSFIELD. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, the following Senators entered the Chamber and answered to their names:

Allott
Anderson
Boggs
Cannon
Case
Cotton
Curtis
Dodd
Dominick
Fannin
Hart
Hickenlooper
Hollings
Magnuson
McClellan
Miller
Mondale
Montoya
Mundt
Percy
Russell
Scott
Smith
Spong
Tower
Williams, N.J.

The PRESIDING OFFICER. A quorum is present.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Wednesday, July 3, 1968, be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER DISPENSING WITH CALL OF THE LEGISLATIVE CALENDAR UNDER RULE VIII

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the call of the legislative calendar under rule VIII be dispensed with.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

LIMITATIONS ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements during the transaction of routine morning business be limited to 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Fiscal Affairs of the Committee on the District of Columbia and the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Is there objection?

Mr. DIRKSEN. Mr. President, I have been asked to object to the meeting of the Committee on the Judiciary.

Mr. MANSFIELD. These requests have been cleared with the minority. The request is for a subcommittee of the Committee on the Judiciary.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

PROGRAM

Mr. DIRKSEN. Mr. President, in view of the difficulty we had in securing a quorum last Wednesday, which necessitated recessing the Senate, and the difficulty that ensued since the House of Representatives did not send over the papers on the second supplemental—and I am not sure what they finally did—in order to secure the opening of those funds so that they could be used for salary purposes, it seems to me that if we are going to meet the deadline set by the majority leader for the adjournment of the Senate, perhaps notice ought to be served on all Senators that there could be late hours every day, and that the Senate could be in session every Saturday, in order to achieve that objective.

I make that suggestion because I know how deeply the majority leader feels about this matter, and he has repeatedly assured the Senate that insofar as humanly possible, with the appropriation bills out of the way, we could meet an August 2 or August 3 deadline for adjournment.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. MANSFIELD. Mr. President, that statement has been made several times, and I may say, with the full concurrence of the distinguished minority leader. It has been discussed, I am told, in the Republican luncheon conference held every Tuesday. It has been discussed several times in policy committee meetings. It was our hope that we would be able to meet the deadline by that time.

It is still our hope that, if the Senate will cooperate—and that means most especially the committees—it will be possible to achieve an adjournment sine die by August 3. Again, I wish to say that is the desire, the hope, and the wish of the joint leadership; but we cannot succeed unless the Senate cooperates and does its part.

WHY THERE IS QUESTIONING OF THE SENTINEL ABM SYSTEM

Mr. SYMINGTON. Mr. President, in a recent editorial in the Washington Daily News, "Putting Sentinel On Guard," the last paragraph of the editorial reads as follows:

> For six or seven years now we've been told Russia is "deploying" an ABM around Moscow. Just how primitive or sophisticated is it? And China was supposed to test its first nuclear ICBM last fall, but apparently has not done so. Is Peking behind schedule? Before we go all out with Sentinel, the Government ought to answer those questions, and keep us up to date.

Based on coordinated intelligence information in this Government, those are pertinent questions; and I would earnestly hope they are answered before the United States commits itself to a program which will cost at least $50 billion, and probably a great deal more.

I ask unanimous consent that the editorial in question be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Daily News, June 26, 1968]

PUTTING SENTINEL ON GUARD

> In this crammed election-year summer, the Senate has just devoted three days to debating the Sentinel Anti-Ballistic Missile System. In the end senators voted 52-34 to authorize $227 million for preliminary construction.
>
> The Sentinel, also called the ABM, would consist of Spartan missiles with a 400-mile range, Sprint missiles with a 15–25 mile range, and complicated radars and computers designed to intercept and demolish incoming enemy nuclear missiles.
>
> The research and development costing $3 billion has gone on 12 years, the Sentinel's opponents mounted a strong attack this year. They argued the nation has more pressing needs; the ABM is a prime candidate for budget cutting; further Sentinel development would spur the arms race with Russia, and the system would be "obsolete" before it is fully installed.
>
> Against these arguments, the Johnson Administration maintains Russia already is "deploying" an ABM system, as well as rapidly increasing its arsenal of ICBMs, and China will be a significant nuclear threat by the late 1970s. Sentinel, the Pentagon says, would prevent a successful Chinese missile attack, limit damage from an accidental launch from any source, and be the basis for tighter defense for our land-based Minuteman ICBMs, if needed later.
>
> Who's right, and who's wrong?
>
> If it were purely a matter of sentiment and economy, we would side with the Sentinel's opponents. There is no delight in shelling out all that money (with billions still to come) in acquiring some new outer-space war machine.
>
> The decisive question, however, is: Can we afford not to go ahead? How can we take the risk of not putting Sentinel on guard, as an added defense and deterrent? The worst thing that could happen to our country is its destruction in a nuclear attack. Anything less than that we can handle. But we must take the minimal prudent steps to maintain the nation's safety against nuclear attack, even if it is expensive.
>
> Though some senators argued the Sentinel go-ahead would only make the Soviets pile up even more missiles, Defense Secretary Clark Clifford may have a point in hoping for just the reverse: that evidence of America's unwillingness to lag behind in the ABM department will prompt the Russians into taking up President Johnson's long-standing offer to negotiate a disarmament treaty applying to all kinds of nuclear missiles, offensive and defensive.
>
> One other point: Now that the Administration may get more money for the ABM, aren't the taxpayers entitled to a fuller report on what Russia and China are doing nuclearly?
>
> For six or seven years now we've been told Russia is "deploying" an ABM around Moscow. Just how primitive or sophisticated is it? And China was supposed to test its first nuclear ICBM last fall, but apparently has not done so. Is Peking behind schedule? Before we go all out with Sentinel, the Govern-

ment ought to answer those questions, and keep us up to date.

THERE IS NO JUSTIFICATION FOR TRIPLING IN THIS DECADE THE FEDERAL COST OF RESEARCH AND DEVELOPMENT—THE TOTAL NOW OVER $17 BILLION ANNUALLY

Mr. SYMINGTON. Mr. President, up to now there have been few reductions in appropriations designed to carry out recently passed legislation incident to the $6 billion reduction in Federal expenditures that was packaged with the tax increase.

One can only become increasingly worried about the great and growing cost of research and development. According to the Tax Foundation, research and development expenditures in the past decade have tripled—and have now reached an annual total in the Federal Government of over $17 billion.

One notes also that currently we are financing many millions of dollars of additional research and development going on in other countries, including developed countries.

I ask unanimous consent that an article entitled "Budget Shows R. & D. Spending Triples, 1959–69," and an editorial from the Wall Street Journal of July 1, entitled "Somebody's Not Listening," be inserted at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Tax Foundation's "Monthly Tax Features," June 1968]

BUDGET SHOWS R. & D. SPENDING TRIPLES, 1959–69

In fiscal 1969 which begins July 1, approximately $17 billion will be spent by the Federal government's departments and agencies for research and development, notes Tax Foundation.

Total spending for R. & D., as it is called, will be three times greater than the $5.8 billion spent in fiscal 1959, the research organization says. The spending total for the new fiscal year will be about $1 billion greater than for fiscal 1968. In 1969, $11 billion will be spent for development, $5.7 billion for research, and $665 million for R. & D. facilities.

About one-half of the total spending, $8.3 billion, will be by the Defense Department. Ten years ago the comparable figure was $4 billion.

Approximately one-fourth of total 1969 spending for reasearch and development will be done by the National Aeronautics and Space Administration, $4.6 billion. Ten years ago, a predecessor agency spent $145 million. Lesser expenditures in 1969 are listed for the Atomic Energy Commission, the Department of Health, Education and Welfare and the National Science Foundation.

There are few agencies or departments of government today that are not engaged in conducting some kind of basic or applied research, especially that basic research conducted in the nation's colleges and universities.

For example while the Defense Department is estimated to spend $1.6 billion for the conduct of research in fiscal 1969, the Justice Department is expected to spend $4 million.

[From the Wall Street Journal, July 1, 1968]

SOMEBODY'S NOT LISTENING

In fiscal 1966, the U.S. was spending about $27 million on research abroad. $20 million of which was going into developed countries, such as in Western Europe and Japan.

With some reason the House Government Operations Committee decided, in 1966, that such countries could afford to finance their own research. Moreover, it found many of these projects of dubious urgency or even value. And it asked the Budget Bureau to issue a directive limiting overseas research spending and cutting the costs of overseas science offices and their personnel.

However, the committee's current review of foreign research now reveals that no such directive ever was issued. One result has been that spending on projects of dubious urgency has been continuing at a relatively high level—despite the budget and balance-of-payments difficulties.

For instance, the National Institute of Dental Research is committed to pay $48,687 to Australian dental researchers to study the teeth, dental arches and jaws of Australian aborgines. This, the committee concedes, could be of interest and value but it notes pointedly that "interest and possible value do not constitute urgency."

It is also pretty hard to defend the urgency of an $11,000 grant to a French scientist for research on the effect of light on the nerve cells of sea slugs. Or of $15,700 paid to Japanese medical scientists for studies on the relation of air pollution and asthma attacks in the Tokyo-Yokohama area—especially when there surely is no shortage of air pollution in the U.S. or of U.S. scientists competent to make that kind of study.

Uncovering these and other equally non-urgent expenditures, the committee asks, not unreasonably, all Federal agencies to aid only the foreign research which is urgently needed by the U.S., cannot be carried on in the U.S. by either American or foreign scientists, and will not be financed by foreign countries despite U.S. efforts to obtain that financing. It further asks a report in 90 days of remedial action taken.

What's discouraging about the steady outflow of research dollars since 1966 is that although Congressional economizers have been saying what needs to be said, plainly somebody's not listening.

CURRENT PURCHASING POWER—THE GROWING DANGER OF INFLATION.

Mr. SYMINGTON. Mr. President, a study by the National Industrial Conference Board states that a married man with two children who earned $5,000 in 1939 has to earn $14,282 today in order to achieve the equivalent in purchasing power.

In this connection I ask unanimous consent that an article from the Christian Science Monitor of June 29, "That Elusive Purchasing Power" be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WAGES GROW, BUT OH—THAT ELUSIVE PURCHASING POWER

(By Richard A. Nenneman)

BOSTON.—The average married man with two children who earned $5,000 in 1939 paid $59 in federal income and social-security taxes. He took home $4,941. He was better off than you think.

To earn the equivalent of that $4,941 in purchasing power today, he would need to be earning $14,282, according to a study by the National Industrial Conference Board.

The NICB study adjusts wages for both increased taxes in the interval and the loss of purchasing power through inflation.

The longer the period involved, the less this writer trusts statistics of this kind. The things we are measuring—both the objects themselves, but even more the way we use them, the way we live—change too drastically.

EFFECTS OBSCURED

Yet even after making these allowances, the whopping increases in wages that one has to show just to keep even are too big to ignore entirely.

Of course, if you were earning $5,000 in 1939 and had two children, your situation has changed, too. The children are grown. You are either at the height of your earning power today or already retired. Yet these changes in our own living patterns partially obscure the effects of inflation on our lives.

One gets a job and gets an annual review. His pay goes up $500 or $1,000—that's great. The same thing happens the next year. That's great, too. But too often one doesn't stop to ask how much of that extra thousand dollars he requires just to keep even with where he was last year.

CATCH-UP PROCESS

To take a few more examples from the NICB report, a man earning $25,000 30 years ago kept $23,273 of it after taxes. To buy today what that $23,000 would have purchased then, he has to be earning $84,641 ($34,188 just to replace lost purchasing power and $27,180 for taxes on that high an income).

The NICB has also shown some results for the 20-year period since 1949. This omits the war and its inflationary effects, so the differences are not as marked. On the other hand, only 20 years instead of 30 years are being measured.

A man with the same theoretical family, earning $10,000 20 years ago, would need $15,000-plus today to have equivalent purchasing power. This is an increase of 50 percent in dollar income. The accompanying chart gives some other examples for the same 20-year period.

The very least these figures demonstrate is that a large part of the average salary increase or wage contract hike is a catchup process: it doesn't represent true economic gain.

What is sobering is that during much of the last 20 years the nation has had little inflation. the Korean period was inflationary, but from 1958–65 the nation had seven of its most stable years in terms of prices. If the experience of 1967 and 1968 is not corrected shortly, the catch-up part of wage increases will grow even larger.

INCREASE DISTORTED

There are several things wrong with catching up with inflation through higher wages:

It distorts the actual economic effect of a wage increase. This leads to future bickering at the conference table over how high an increase actually was.

Not everyone catches up. Retired people, widows on fixed incomes, etc. have no salaries that can be adjusted.

Exports become harder to increase, unless other nations are having an even faster rate of inflation.

Perhaps the biggest danger is that an attitude that accepts inflation as normal is destructive of savings patterns that underlie much of our economic and social system.

The present rush to buy stocks is damping the growth of fixed dollar savings. Yet a squeeze in savings will eventually hurt the individual the most. Governments can always borrow or tax. Corporations can issue new stock, or finance a lot of growth through retained earnings.

STABILITY AIDED

But an individual, who through most of his working years is paying off the mortgage on his house and paying for a succession of cars, is dependent on the availability of credit at moderate interest rates.

Any pronounced slackening in private savings in savings institutions would eventually be followed by an increase in public-sector activity in building to make up for the slack in private building. This would be a major social change.

For the past generation, the relative ease with which one could finance private home ownership has added to social stability in the United States. But this could become a luxury many could not afford if the notion grows that, because of inflation, fixed dollar savings (which finance home ownership) are not as safe as gambling in the stock market.

Inflation fears are not a conservative bogey. Price stability has been one of the four cornerstones of American economic policy since the Full Employment Act of 1946. As long as the other cornerstones are not ignored, price stability in its own right is as humane a policy as full employment.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Leonard, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The **PRESIDING OFFICER** laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day recieved, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1166) to authorize the Secretary of Transportation to prescribe safety standards for the transportation of natural and other gas by pipeline, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the bill (S. 3102) to postpone for 2 years the date on which passenger vessels operating solely on the inland rivers and waterways must comply with certain safety standards, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 2758. An act for the relief of Horace H. Easterday;

H.R. 5959. An act for the relief of Amalia P. Montero;

H.R. 11552. An act for the relief of certain property owners in Tate County, Miss.;

H.R. 11782. An act to authorize and direct the Secretary of the Interior to accept allotment relinquishments, approve a lieu allotment selection, and issue appropriate patents therefor to the heirs of Dolly McCovey;

H.R. 14654. An act for the relief of Dr. Olga Concepcion Perez de Lanio; and

H.R. 15633. An act for the relief of Robert J. Beas.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 322. An act to restrict the disposition of lands acquired as part of the National Wildlife Refuge System;

S. 1251. An act to make certain reclamation project expenses nonreimbursable;

S. 1401. An act to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes;

S. 2701. An act to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont.

H.R. 3639. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs, and for other purposes; and

H.R. 17734. An act making supplemental appropriations for the fiscal year ending June 30, 1968, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 2758. An act for the relief of Horace H. Easterday;

H.R. 5959. An act for the relief of Amalia P. Montero;

H.R. 14654. An act for the relief of Dr. Olga Concepcion Perez de Lanio; and

H.R. 15633. An act for the relief of Robert J. Beas; to the Committee on the Judiciary.

H.R. 11552. An act for the relief of certain property owners in Tate County, Miss., and

H.R. 11782. An act to authorize and direct the Secretary of the Interior to accept allotment relinquishments, approve a lieu allotment selection, and issue appropriate patents therefor to the heirs of Dolly McCovey; to the Committee on Interior and Insular Affairs.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The **PRESIDING OFFICER** announced that on today, July 8, 1968, the Vice President signed the following enrolled bills and joint resolutions, which had previously been signed by the Speaker of the House of Representatives:

S. 102. An act to authorize the Secretary of the Interior to consider a petition re reinstatement of an oil and gas lease (Wyoming 0310090);

S. 203. An act to amend sections 13(b) of the acts of October 3, 1962 (76 Stat. 698, 704), and for other purposes;

S. 443. An act to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0280122);

S. 823. An act to authorize the Secretary of the Interior to reinstate oil and gas lease (Las Cruces 063610);

S. 1059. An act to amend the act relating to the leasing of lands in Alaska for grazing in order to make certain improvements in such act;

S. 2047. An act to exempt certain vessels engaged in the fishing industry from the requirements of certain laws;

S. 2837. An act to authorize the Secretary of Agriculture to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina, and for other purposes;

H.R. 5404. An act to amend the National Science Foundation Act of 1950 to make changes and improvements in the organization and operation of the Foundation, and for other purposes;

H.R. 6279. An act to provide for the collection, compilation, critical evaluation, publication, and sale of standard reference data;

H.R. 15979. An act to amend section 2 of the act of Auugst 1, 1958, as amended, in order to prevent or minimize injury to fish and wildlife from the use of insesticides, herbicides, fungicides, and other pesticides;

S.J. Res. 165. Joint resolution authorizing the President to proclaim August 11, 1968, as "Family Reunion Day";

H.J. Res. 1111. Joint resolution granting the consent of Congress to certain additional powers conferred upon the Kansas City Area Transportation Authority by the States of Kansas and Missouri; and

H.J. Res. 1302. Joint resolution to authorize the President to issue a proclamation designating the week of October 13, 1968, as "Salute to Eisenhower Week."

EXECUTIVE COMMUNICATIONS, ETC.

The **PRESIDING OFFICER** laid before the Senate the following letters, which were referred as indicated:

Proposed District of Columbia Gun Control Regulations

A communication from the President of the United States, urging enactment of legislation to strengthen the authority of the District of Columbia City Council to issue gun regulations that will effectively protect the safety of the entire community—with penalties far stronger than prescribed by existing law; to the Committee on the District of Columbia.

Plans for Works of Improvement Under Watershed Protection and Flood Prevention Act, as Amended

A letter from the Assistant Secretary of Agriculture, transmitting, pursuant to law, plans for works of improvement which have been prepared under the provisions of the Watershed Protection and Flood Prevention Act, as amended (with accompanying papers); to the Committee on Agriculture and Forestry.

Report on Overobligation of Appropriations

A letter from the Acting Secretary of Agriculture, reporting, pursuant to law, on a violation by an officer of the Forest Service, Department of Agriculture, of section 3679 of the Revised Statutes, as amended, concerning the overobligation of appropriations; to the Committee on Appropriations.

Report of Export-Import Bank of the United States

A letter from the Secretary, Export-Import Bank of the United States, reporting, pursuant to law, the amount of Export-Import Bank insurance and guarantees issued in April and May 1968 in connection with U.S. exports, to Bulgaria, Czechoslovakia, Hungary, and Yugoslavia; to the Committee on Appropriations.

Annual Report on the Relative Cost of Shipbuilding in the Various Coastal Districts of the United States

A letter from the Secretary of Commerce, transmitting, pursuant to law, the annual report on the relative cost of shipbuilding in the various coastal districts of the United States, dated June 1968 (with an accompanying report); the Committee on Commerce.

Seamen's Act of 1968

A letter from the Secretary of Transportation, transmitting a draft of proposed legislation to improve the laws relating to the documentation of seamen and for other purposes (with accompanying papers); to the Committee on Commerce.

Reports of Comptroller General

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report of the opportunity for savings in space programs by reevaluating needs before buying facilities, Department of the Air Force, dated July 8, 1968 (with an accompanying report); to the Committee on Government Operations.

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the need to increase home mortgage insurance application fees, Department of Housing and Urban Development, dated July 8, 1968 (with an accompanying report); to the Committee on Government Operations.

Missouri River Basin Project, Kansas

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a draft of contract proposed with the Kansas-Bostwick Irrigation District No. 2, Missouri River Basin project, Kansas (with an accompanying paper); to the Committee on Interior and Insular Affairs.

Proposed Concession Contract in Hawaii Volcanoes National Park

A letter from the Deputy Assistant Secretary of the Interior, transmitting, pursuant to law, a proposed concession contract in the Hawaii Volcanoes National Park for a 20-year period from January 1, 1968, through December 31, 1987 (with accompanying papers); to the Committee on Interior and Insular Affairs.

Audit Report of Pacific Tropical Botanical Garden

A letter from the attorneys for Pacific Tropical Botanical Garden, transmitting, pursuant to law, a report of audit for the Corporation for the period from January 1, 1967, through December 31, 1967 (with an accompanying report); to the Committee on the Judiciary.

Report of Subversive Activities Control Board

A letter from the Chairman, Subversive Activities Control Board, transmitting pursuant to law, a report of the Board giving reasons that no hearings have been conducted by the Board during the period from January 2, 1968, to June 30, 1968; to the Committee on the Judiciary.

Proposed Constitutional Amendment Relating to Elective Franchise of Citizens Eighteen Years of Age or Older

A letter from the Attorney General of the United States, transmitting a draft of a proposed constitutional amendment relating to the elective franchise of citizens 18 years of age or older (with an accompanying paper); to the Committee on the Judiciary.

Third Preference and Sixth Preference Classifications for Certain Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classifications for certain aliens (with accompanying papers); to the Committee on the Judiciary.

Admission Into the United States of Certain Defector Aliens

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies or orders entered granting admission into the United States of certain defector aliens (with accompanying papers); to the Committee on the Judiciary.

Suspension of Deportation of Aliens

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertintent provisions of law pertaining to each alien, and the reasons for ordering such suspension (with accompanying paper); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:

A concurrent resolution of the Legislature of the State of Louisiana; to the Committee on Armed Services:

"House Concurrent Resolution 157

"Resolution to memorialize the Congress of the United States with respect to the status of Fort Polk

"Whereas, Fort Polk is the largest of three remaining active military installations in the state of Louisiana, and is the only remaining Army post in this state; and

"Whereas, Fort Polk covers approximately 199,032 acres of land, with current assets valued at $311,000,000.00; and

"Whereas, since this land was seized by expropriation some twenty-seven years ago, Fort Polk has been activated and de-activated numerous times, each time causing a tremendous economic and social upheaval in this area of the state of Louisiana; and

"Whereas, even though Fort Polk is assigned a so-called 'permanent' status as a training center for basic and advanced individual training, the slight appropriations for construction on this post and the fact that there are no permanent family quarters on the post give strong indications that so-called 'permanent' status is perhaps only temporary; and

"Whereas, off-base housing facilities are difficult to obtain due to the justifiable reluctance of the civilian population to construct housing in the absence of firm assurance that Fort Polk will remain on active status until such investments could be recouped; and

"Whereas, Fort Polk itself is in dire need of additional hospital facilities to replace the present facility which was constructed in 1941, as evidenced by the fact that yearly maintenance cost on this outmoded structure amounts to some $121,750.00, and as further evidenced by the inadequacy of space in accommodating and treating personnel on the post and Viet Nam casualties; and

"Whereas, the citizens of this area and of the entire state of Louisiana would welcome the establishment of Fort Polk on a truly permanent active status.

"Therefore, be it resolved by the House of Representatives of the Legislature of the state of Louisiana, the Senate thereof concurring, that the Legislature of the State of Louisiana hereby respectfully urges and requests the Congress of the United States and the Secretary of Defense to take appropriate measures to give firm assurances to the Louisiana residents in the Fort Polk area that the fort will remain on active status, particularly by taking steps to alleviate the present housing and hospital facility shortages by facilitating the construction of adequate housing facilities for the personnel at Fort Polk and the construction of a new hospital at Fort Polk.

"Be It Further Resolved that copies of this Resolution shall be transmitted to the Speaker of the United States House of Representatives and the President of the United States Senate and to the Secretary of Defense and to each member of the Louisiana Delegation in the Congress."

Resolutions of the House of Representatives, Commonwealth of Massachusetts; to the Committee on Commerce:

"Resolutions Memorializing the Congress of the United States To Enact Legislation To Establish Daylight Saving Time on a Year-Long Basis

"*Whereas,* The question of establishing Daylight Saving Time on a uniform basis for twelve months of the year has long been the subject of debate; and

"*Whereas,* Investigation and study of this question has resulted in a finding that some of the benefits to be derived from such system are: workers and many school children would arrive home in Daylight between 51 and 85 more days than they do under the present system; a savings in fuel and electric bills; a reduction in motor vehicle accidents; more Daylight hours for leisure sports and recreational activities and greater personal safety for adults and children from criminal attack; therefore be it

"*Resolved,* That the Massachusetts House of Representatives respectively urges the Congress of the United States to enact legislation establishing Daylight Saving Time on a year long basis; and be it further

"*Resolved,* That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and the members thereof from this Commonwealth."

Resolutions of the House of Representatives, Commonwealth of Massachusetts; to the Committee on Finance:

"Resolutions Memoralizing the Congress of the United States To Enact Legislation Providing for the Absorption by the Federal Government of the Total Cost of Public Welfare

"*Whereas,* The Kerner Commission, so-called, has recommended that the federal government absorb the total cost of public welfare; and

"*Whereas,* Public welfare currently comprises thirty-seven per cent of Massachusetts' annual budget; and

"*Whereas,* The present budget of the commonwealth for public welfare amounts to approximately four hundred and fifty million dollars; and

"*Whereas,* The increasing costs of Medicaid under present conditions will appreciably add to budgets of the commonwealth in the future; and

"*Whereas,* Medicaid is a valuable program for the people of Massachusetts and should be continued; and

"*Whereas,* The cost of welfare programs is basically a federal responsibility; and

"*Whereas,* Absorption of welfare costs by the federal government would release hundreds of millions of dollars for both property tax reduction and needed new progressive programs for the underprivileged at the state level; now, therefore, be it

"*Resolved,* That the general court of Massachusetts strongly urges the Congress of the United States to take early favorable action on the aforementioned Kerner Commission recommendation so that appropriate planning for property tax reduction and needed new programs for the underprivileged can be initiated in the commonwealth; and be it further

"*Resolved,* That copies of these resolutions be forwarded by the State Secretary to the President of the United States, to the presiding officer of each branch of the Congress and to each member thereof from the Commonwealth."

Resolutions of the House of Representatives, Commonwealth of Massachusetts; to the Committee on the Judiciary:

"Resolutions Memorializing the Congress of the United States To Adopt 'The Battle Hymn of the Republic' as the Official Hymn of the United States

"*Whereas,* The national life of our great country is weakened by disunity, distrust and assassination of our great leaders; and

"*Whereas,* In recent days when America in paying final tribute to one of its great leaders, Robert F. Kennedy, the singing and playing of 'The Battle Hymn of the Republic' renewed in all of us a new sense of allegiance to our flag, loyalty to our government and concern for our fellowman; therefore be it

"*Resolved,* That the Massachusetts House of Representatives urges the Congress of the United States to adopt the hymn 'The Battle Hymn of the Republic' as our national hymn; and be it further

"*Resolved*, That copies of these resolutions be transmitted forthwith by the Secretary of the Commonwealth to the presiding officer of each branch of Congress and to each member thereof from this Commonwealth."

A resolution adopted by the Board of Chosen Freeholders, Union County, Elizabeth, N.J., praying for the enactment of strict gun-control legislation; to the Committee on the Judiciary.

A petition, signed by Nettie DePalma, and sundry other members of the International Ladies' Garment Workers' Union, of Los Angeles, Calif., praying for the enactment of strict gun-control legislation; to the Committee on the Judiciary.

A resolution adopted by the National Board of Directors, Association of Oilwell Servicing Contractors, of Dallas, Tex., praying for the enactment of effective law enforcement legislation; to the Committee on the Judiciary.

A resolution adopted by the Lewis and Clark Trail Commission, Bismarck, N. Dak., favoring the enactment of legislation relating to land and water conservation; ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. **HOLLAND**, from the Committee on Agriculture and Forestry, without amendment:

S. 3638. A bill to extend for three years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers for milk required to be withheld from commercial markets because it contains residues of chemicals registered and approved for use by the Federal Government (Rept. No. 1363).

By Mr. **TALMADGE**, from the Committee on Agriculture and Forestry, without amendment;

H.R. 15562. An act to extend the expiration date of the act of September 19, 1966 (Rept. No. 1365);

By Mr. **JACKSON**, from the Committee on Interior and Insular Affairs, without amendment;

H.R. 4739. An act to authorize the Secretary of the Interior to grant long-term leases with respect to lands in the El Portal administrative site adjacent to Yosemite National Park, Calif., and for other purposes (Rept. No. 1364).

By Mr. **JACKSON**, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3343. A bill to designate certain lands in the Pelican Island National Wildlife Refuge, Indian River County, Fla., as wilderness (Rept. No. 1366);

S. 3379. A bill to designate certain lands in the Great Swamp National Wildlife Refuge, Morris County, N.J., as wilderness (Rept. No. 1367); and

S. 3425. A bill to designate certain lands in the Monomoy National Wildlife Refuge, Barnstable County, Mass., as wilderness (Rept. No. 1368).

By Mr. **NELSON**, from the Committee on Interior and Insular Affairs, with an amendment:

S. 3502. A bill to designate certain lands in the Seney, Huron Islands, and Michigan Islands National Wildlife Refuges in Michigan, the Gravel Island and Green Bay National Wildlife Refuges in Wisconsin, and the Moosehorn National Wildlife Refuge in Maine, as wilderness (Rept. No. 1369).

By Mr. **MUSKIE**, from the Committee on Public Works, with an amendment:

S. 3206. A bill to amend the Federal Water Pollution Control Act, as amended, relating to the construction of waste treatment works, and to the conduct of water pollution control research, and for other purposes (Rept. No. 1370).

By Mr. **MUSKIE**, from the Committee on Public Works, with amendments:

S. 2525. A bill to amend the Federal Water Pollution Control Act, as amended, to control pollution from vessels within the navigable waters of the United States (Rept. No. 1371).

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. **ELLENDER**, from the Committee on Agriculture and Forestry:

J. Homer Remsberg, of Maryland, and C. Everett Spangler, of Nebraska, to be members of the Federal Farm Credit Board, Farm Credit Administration.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CASE:

S. 3734. A bill for the relief of Nguyen Thi Huong and her minor child; to the Committee on the Judiciary.

By Mr. HOLLINGS:

S. 3735. A bill for the relief of Wolfang Osswald, his wife, Mary Murphy Osswald, and their daughter, Antoinette Maria Theresa Osswald; to the Committee on the Judiciary.

By Mr. MONTOYA:

S. 3736. A bill to authorize the Secretary of Agriculture to sell to the Village of Central, State of New Mexico, certain lands administered by him formerly part of the Fort Bayard Military Reservation, N. Mex.; to the Committee on Agriculture and Forestry.

By Mr. MANSFIELD (by request):

S. 3737. A bill to provide for Federal Government recognition of and participation in international expositions proposed to be held in the United States, and for other purposes; to the Committee on Foreign Relations.

(See the remarks of Mr. MANSFIELD when he introduced the above bill, which appear under a separate heading.)

By Mr. ERVIN:

S. 3738. A bill to amend the definition of "felony" in title IV (adding chapter 44 of title 18, United States Code) and title VII of the Omnibus Crime Control and Safe Streets Act of 1968; to the Committee on the Judiciary.

By Mr. HOLLAND:

S. 3739. A bill for the relief of Antonio Avila Gonzalez; to the Committee on the Judiciary.

By Mr. DOMINICK:

S. 3740. A bill for the relief of Chan Oi Tai Wong; to the Committee on the Judiciary.

By Mr. JACKSON:

S. 3741. A bill for the relief of Bartul Ivcevic; to the Committee on the Judiciary.

S. 3737—INTRODUCTION OF A BILL TO PROVIDE FOR FEDERAL GOVERNMENT RECOGNITION OF, AND PARTICIPATION IN, INTERNATIONAL EXPOSITIONS PROPOSED TO BE HELD IN THE UNITED STATES, AND FOR OTHER PURPOSES

Mr. MANSFIELD. Mr. President, by request, I introduce, for appropriate reference, a bill to provide for Federal Government recognition of, and participation in, international expositions proposed to be held in the United States, and for other purposes.

The proposed bill has been requested by the Secretary of Commerce, and I am introducing it in order that there may be a specific bill to which Members of the Senate and the public may direct their attention and comments.

I reserve my right to support or oppose this bill, as well as any suggested amendments to it, when the matter is considered by the Committee on Foreign Relations.

I ask unanimous consent that the bill may be printed in the RECORD at the conclusion of my remarks, together with the letter from the Secretary of Commerce to the Vice President dated June 24, 1968, and a statement of purpose and need in its support.

I regret to note that the Secretary of Commerce did not mention, either in his letter or the statement, the interest of the chairman of the Committee on Foreign Relations in this matter. Therefore, I would like to pay tribute to the junior Senator from Arkansas [Mr. FULBRIGHT] for stimulating executive branch interest in the formulation of a Federal policy toward domestic international fairs. I ask unanimous consent that the correspondence which initiated the action leading up to the introduction today of this bill be printed in the RECORD at this point.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., June 9, 1966.

Hon. J. WILLIAM FULBRIGHT,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of May 20, 1966, to Mr. Hughes in which you indicated your continuing interest in general legislation dealing with domestic international fairs and expositions.

We appreciate your understanding that this is a complicated subject in which several governmental agencies have an interest. We are continuing our attempt to arrive at a useful position on this matter. Nevertheless, because of the complications involved and the number of agencies which have more than a passing interest, we regretfully do not expect to be able to reach such a position for some time.

There can be little doubt that United States participation in international expositions will be, as you have noted, a recurring problem for both the Legislative and Executive Branches. We share your concern, and we want you to know that the absence of a position on this problem at this time in no way indicates a lack of interest on the part of the Executive Branch.

Sincerely yours,

WILFRED H. ROMMEL,
Assistant Director for Legislative Reference.

MAY 20, 1966.

Mr. PHILLIP S. HUGHES,
Assistant Director for Legislative Reference, Executive Office of the President, Bureau of the Budget, Washington, D.C.

DEAR MR. HUGHES: The recent submission by the Department of Commerce of the report on the Hemisfair and Interama expositions as required by law, recalled to me that there has been no substantive reply to my letters of October 28, 1965 and January 11, 1966, with respect to general legislation dealing with domestic international fairs and expositions.

I still realize that this is a complicated subject involving a number of agencies of the government. I merely want to express my continuing interest in this matter as it is going to be a recurring problem, to the Executive Branch as much as to the Legislative Branch.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
Washington, D.C., January 20, 1966.

Hon. J. W. FULBRIGHT,
Chairman, Committee on Foreign Relations, Washington, D.C.

DEAR MR. CHAIRMAN: Thank you for your letter of January 11, 1966, to the Director of the Bureau of the Budget concerning a draft bill dealing with United States participation in international expositions which you sent us for Executive Branch comments on October 28, 1965.

We agree that United States participation in international expositions is an important subject worthy of the best thought available. I regret, however, that we have not been able to give you an appropriately well-considered reply as soon as we had hoped we would.

We are continuing to work on the proposal and have asked the interested agencies which have not yet responded to our request for their views to expedite their replies. Please rest assured that we share your concern and that we will reply just as soon as possible.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

JANUARY 11, 1966.

Hon. CHARLES L. SCHULTZE,
Director, Bureau of the Budget,
Washington, D.C.

DEAR MR. SCHULTZE: I refer to my letter of October 28, 1965 and the enclosed draft bill dealing with United States participation in international expositions held within the U.S. I realize that it might be time-consuming to get a coordinated executive branch view on the approach set forth in the draft bill but I would appreciate anything that could be done to expedite a report since the Senate is likely to return to this subject this session.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

OCTOBER 28, 1965.

Hon. CHARLES L. SCHULTZE,
Director, Bureau of the Budget,
Washington, D.C.

DEAR MR. SCHULTZE: I write with respect to international expositions and similar projects planned to take place in the United States. As you no doubt are aware, the Senate and the Committee on Foreign Relations have had some difficulties with this subject during the past session and will be faced with this question again next January.

The problem, as I see it, is that Congress is not adequately equipped to judge the merits of the various proposals that have been presented this session and others that will unquestionably come up in the future. The only sound way by which a reasonable judgment could be formed would be for Senators to hold hearings in the communities involved, assure themselves of the adequacy of local and State interest, check financial records, feasibility reports, etc. You will agree, I am sure, that this is not a practical legislative function in the light of the Congressional workload.

The Executive Branch has taken a commendable step forward by issuing, on October 2, 1964 the "Rules Governing Official U. S. Government Assistance to Sponsors of International Expositions Held in the United States." The Committee commented favorably on these in its report on the HemisFair, a marked copy of which is enclosed. I wonder if it would not be feasible to broaden the limited purpose of these regulations and enact them into law so that henceforth the Congress would be presented with proposals for U. S. participation in domestic events only after they have been thoroughly examined by the Executive Branch and the latter's recommendations have been submitted to the Congress. A rough draft bill to this effect is enclosed which might stimulate alternative suggestions. It might even be possible to authorize the President to render such assistance as he deems appropriate, subject to certain criteria and limitations, to sponsors of these events and authorize such appropriations as may be necessary for this purpose. At any rate, I would welcome the comments of the Executive Branch on the general idea of dealing with this subject matter on a broad and permanent basis. It would be helpful to have your views before the Congress reconvenes in January.

Sincerely yours,

J. W. FULBRIGHT,
Chairman.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, letter, and statement will be printed in the RECORD.

The bill (S. 3737) to provide for Federal Government recognition of and participation in international expositions proposed to be held in the United States, and for other purposes, introduced by Mr. MANSFIELD, by request, was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 3737

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that:

(a) International expositions, when properly organized, financed, and executed have a significant impact on the economic growth of the region surrounding the exposition and under appropriate international sanction, are important instruments of national policy, particularly in the exchange of ideas and the demonstration of cultural achievements between people;

(b) In view of the widely varying circumstances under which international expositions have developed in the United States, the different degrees to which the Federal Government has assisted and participated in such expositions, and the increasing number of proposals for future expositions, the national interest requires that Federal action concerning such expositions be given orderly consideration; and

(c) Such orderly consideration is best achieved by the development of uniform standards, criteria, and procedures to establish the conditions under which the Government hereafter will (A) recognize international expositions proposed to be held in the United States, and (B) take part in such expositions.

SEC. 2. Federal recognition. (a) Any international exposition proposed to be held in the United States shall be eligible on application from its sponsors to receive the recognition of the Federal Government upon a finding of the President that recognition will be in the national interest. In making such a finding the President shall consider:

(1) a report by the Secretary of Commerce which shall include (A) an evaluation of purposes and reasons for the exposition, and (B) a determination that guaranteed financial and other support has been secured by the exposition from affected State and local governments and from business and civic leadership of the region and others, in amounts sufficient in his judgment to assure the successful development and progress of the exposition;

(2) a report by the Secretary of State that the proposed exposition qualifies for consideration of registration by the Bureau of International Expositions (hereafter referred to as BIE); and

(3) such other evidence as the President may consider to be appropriate.

(b) Upon a finding by the President that an international exposition is eligible for Federal recognition, the President may take such measures recognizing the exposition as he deems proper including, but not limited to:

(1) presenting of an official request by the United States for registration of the exposition by the BIE;

(2) providing for fulfillment of the requirements of the Convention of November 22, 1928, as amended, relating to international expositions; and

(3) extending invitations, by proclamation or by such other manner he deems proper, to the several States of the Union and to foreign governments to take part in the exposition, provided that he shall not extend such an invitation until he has been notified officially of BIE registration for the exposition.

(c) The President shall report his actions under this section promptly to the Congress.

SEC. 3. Federal Participation. The Federal Government may participate in an international exposition proposed to be held in the United States only upon the authorization of the Congress. If the President finds that Federal participation is in the national interest, he shall transmit to the Congress his proposal for such participation, which proposal shall include:

(a) evidence that the international exposition has met the criteria for Federal recognition and, pursuant to section 2 of this Act, it has been so recognized;

(b) a statement that the international exposition has been registered by the BIE; and

(c) a plan prepared by the Secretary of Commerce in cooperation with other interested departments and agencies of the Federal Government for Federal participation in the exposition. In developing such a plan, the Secretary shall give due consideration to whether or not the plan should include the construction of a Federal pavilion and, if so, whether or not the Government would have need for a permanent structure in the area of the exposition. In the event such need is established, the Secretary may include in his plan a recommendation that, as a condition of participation, the Government should be deeded a satisfactory site for the Federal pavilion, in fee simple and free of liens or other encumbrances. The Secretary shall seek the advice of the Administrator of the General Services Administration to the extent necessary in carrying out the provisions of this subsection.

SEC. 4. Establishment and Publication of Standards and Criteria.

(a) The Secretary of Commerce is hereby authorized and directed to establish and maintain standards, definitions, and criteria which are adequate to carry out the purposes of Sec. 2(a)(1) and Sec. 3(c) of this Act; and

(b) Standards, definitions, and criteria established by the Secretary and such revisions in them as he may make from time to time shall be published in the Federal Register.

SEC. 5. The President may withdraw Federal recognition or participation whenever he finds that continuing recognition or participation would be inconsistent with the national interest and with the purposes of this Act.

Sec. 6. Nothing in this Act shall affect or limit the authority of Federal Departments and Agencies to participate in international expositions or events otherwise authorized by law.

Sec. 7. Section 8 of Public Law 89–685 is hereby repealed.

Sec. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

The letter and statement, presented by Mr. Mansfield, are as follows:

The Secretary of Commerce,
Washington, D.C., June 24, 1968.

Hon. Hubert H. Humphrey,
President of the Senate,
U.S. Senate, Washington, D.C.

Dear Mr. President: Enclosed for Congressional consideration are four copies of a draft bill "To provide for Federal Government recognition of and participation in international expositions to be held in the United States, and for other purposes," and four copies of a statement of purpose and need in its support.

International expositions has traditionally played a role in commemorating major human achievements or in celebrating outstanding national events—current and historical. However, during the last several years there have been proposals for holding many such expositions in the United States and a concomitant increase in the frequency of requests by local sponsors for Federal recognition and participation.

The bill submitted to you today reflects the conclusion of the Executive Branch that a more orderly approach toward international expositions is necessary. Enactment of the bill will provide both the Congress and the Executive Branch a meaningful framework by which a rational assessment can be made of exposition proposals, whether Federal involvement would be in the national interest, and the extent and nature of such involvement.

The benefits of the bill would not, however, accrue solely to the Federal Government. Local sponsors would have available clear guidelines to be followed before their plans would be eligible for consideration by the Federal Government.

The objectives of the bill go hand in hand with, and are a necessary supplement to, the recent Senate-approved accession to the Paris Convention which provides for United States membership in the Bureau of International Expositions (BIE). While membership in this organization will subject the United States to regulations dealing with the organization, operation and frequency of international expositions, the BIE rules are not concerned with purely internal exposition procedures of member nations. The bill is directed towards establishing such internal procedures for the United States.

The Department of Commerce urges enactment of the draft bill.

We have been advised by the Bureau of the Budget that enactment of the draft bill would be consistent with the Administration's objectives.

Sincerely yours,

Howard J. Samuels,
Acting Secretary of Commerce.

Statement of Purpose and Need

Over the past several years there have been an increasing number of proposals by local sponsors for international expositions to be held in the United States. These proposals, for the most part, have included efforts by sponsoring authorities to obtain the recognition and participation of both the Federal Government and foreign governments. It is in the national interest for the Federal Government to recognize, endorse and/or participate in only the most worthy and viable of these projects. However, it has become apparent that some form of Federal action would become necessary so that proposals might be evaluated in the light of general criteria bearing on the national interest. To this end, the Executive Branch has concluded that (a) the United States should accede to the Paris Convention of 1928, which established the Bureau of International Expositions (B.I.E.), and (b) permanent legislation should be enacted which would establish basic criteria for Federal Government recognition and participation in future domestic expositions.

On April 30, 1968, the Senate agreed to the accession of the United States to the Paris Convention. The Senate Committee recognized during its hearings on this matter that United States membership in the B.I.E. was a necessary first step, but that accession should be supplemented by permanent legislation that would establish complementary standards and criteria governing recognition and participation by the Federal Government in any exposition held in the United States. The Department of Commerce has been the agency primarily responsible for Federal assistance to, and participation in, international expositions held within the United States, and we urge enactment of the draft bill.

While the B.I.E. provides discipline in the organization, operation and frequency of international expositions, it is not concerned with internal exposition procedures of a member nation. The bill is directed toward establishing internal procedures for the United States.

The bill would provide specific guidelines to prospective sponsors in the United States as to the terms and conditions under which the Federal Government will (a) recognize a given exposition, and (b) be an official participant in it. With respect to recognition, the bill would establish criteria under which the President could determine the national interest of an exposition before granting official recognition. The bill would provide that a recognition take the form of an official request by the President to the B.I.E. for international registration and an invitation to the several States of the Union and foreign governments to take part in the event.

The bill also would establish orderly procedures under which the Federal Government would consider becoming a participant in the proposed event. Basically, these procedures would provide that the President, after finding that Federal participation in an international exposition is in the national interest, transmit a proposal for such participation to the Congress for approval. The bill would require evidence that the event meets the criteria for, and has received, Federal recognition, a statement that the proposed event has received the sanction of the B.I.E., and an approved plan for the Federal participation prepared by the Secretary of Commerce.

The President is empowered by the bill to withdraw Federal recognition or participation in cases where subsequent events have shown that continued Federal interest in the exposition would no longer be in the national interest.

The bill would leave the ultimate authority to approve Federal participation in Congress while empowering the Executive Branch to give orderly preliminary consideration to proposed events.

ADDITIONAL COSPONSORS OF BILLS

Mr. MUSKIE. Mr. President, I ask unanimous consent that, at its next printing, the names of the Senator from Tennessee [Mr. Baker], the Senator from Delaware [Mr. Boggs], the Senator from Indiana [Mr. Bayh], the Senator from Wisconsin [Mr. Nelson], the Senator from West Virginia [Mr. Randolph], and the Senator from Maryland [Mr. Tydings] be added as cosponsors of the bill (S. 2525) to amend the Federal Water Pollution Control Act, as amended, to control pollution from vessels within the navigable waters of the United States.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MUSKIE. Mr. President, I also ask unanimous consent that, at its next printing, the names of the Senator from Tennessee [Mr. Baker], the Senator from Montana [Mr. Mansfield], and the Senator from Virginia [Mr. Spong] be added as cosponsors of the bill (S. 3206) to amend the Federal Water Pollution Act, as amended, relating to the construction of waste treatment works, and to the conduct of water pollution control research, and for other purposes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I ask unanimous consent that, at its next printing, the name of the distinguished senior Senator from Washington [Mr. Magnuson] be added as a cosponsor of the bill (S. 3685) to amend section 2(3), section 8c(2), and section 8c(6)(I) of the Agricultural Marketing Agreement Act of 1937, as amended.

The PRESIDING OFFICER. Without objection, it is so ordered.

OMNIBUS CRIME BILL—AMENDMENT

AMENDMENT NO. 877

Mr. DODD. Mr. President, 3 years ago, based on studies conducted by the Juvenile Delinquency Subcommittee, I stated that the United States was the dumping ground for the castoff military surplus arms of the world. I pointed to the fact that 1 million guns a year were being imported into the United States, including the vast numbers of "Saturday night specials" and the war surplus of the nations of the world.

Today only the numbers have changed. To date this year, the State Department has issued licenses which would allow 1,300,000 guns to be imported into the United States.

In addition, license requests for an additional 300,000 guns are pending.

The importers and their methods of importing are familiar to the subcommittee.

The importation of starter guns and parts of firearms appear to be as prevalent this year as was the case 3 years ago.

The "Saturday night specials" continue to rank among the favorite imports.

I believe that the recent enactment of the omnibus crime bill with its strict import controls on firearms in title IV have, as it were, spurred on the importers to cash in on a 6-month effective date on those import controls.

It appears that they intend to import just as many firearms as possible before December 15, 1968, the effective date of title IV of the crime bill.

It was certainly never my intention to create such a situation.

I do not believe that it was the intent of the Congress either.

I have written to the President and the Attorney General to see if some executive action might be taken to prevent the further development of a domestic civilian arsenal. I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks copies of letters I have written to the President and the Attorney General.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits 1 and 2.)

Mr. DODD. Mr. President, corrective action may pose a problem to the administration on those licenses already issued.

However, I feel the Congress can take steps to prevent the further unchecked flow of guns into this country in the coming months.

I will therefore introduce an amendment at this time to title IV of the omnibus crime bill to make immediate the effective date of the import controls in that act.

I hope that my distinguished colleagues will join me in stopping this obvious last-ditch attempt by certain gunrunners to flood the United States with 3 million lethal weapons. We should give the Government an opportunity to "tool up" so that it can efficiently administer the law. We certainly did not intend to allow gunrunners to flood the country with surplus military junk.

I think I should point out that the importers I am concerned with this morning are not the old-line established firms importing quality weapons that will still be importable under title IV. I am talking about the type of importer and "gun runner" that created the gun problem in this country by finding loopholes in the weakly drawn Federal Firearms Act and by selling guns in an irresponsible manner.

A review of those licenses issued and those pending at the Munitions Control Board reveals the same names and the same cheap handguns that have turned up in police precincts, high crime areas, and in the hands of criminals, muggers, and robbers all over the country.

One of the more illustrious members of this group is the man who sold a mail-order submachine gun to a student at the University of Mississippi in the middle of racial strife on that troubled campus. He claimed the weapons were inoperable but the subcommittee easily fired one fully automatic after 2½ minutes of tinkering.

He is the man who sold Lee Harvey Oswald a mail-order, surplus military .38 which Oswald used to kill Officer J. D. Tippett.

He is the man who sold 11-year-old Duane Kraft a cheap, defective pen gun that blew up in the boy's hand.

He is the man who sold thousands of mail-order guns to Chicago's citizens one-fourth of whom were criminals.

He is the man who sold a .38 caliber surplus foreign military weapon to a 16-year-old Arlington youth who killed his 14-year-old friend.

When we asked this importer and mail-order gun dealer how he felt about the deaths and tragedies that resulted from his indiscriminate sale of weapons, he said:

> If they have the money, I sell them the guns. It doesn't make any difference to me what they do with them.

It is this type of irresponsible importer and dealer that I am talking about today and it is this type of importer against whom I direct my amendment.

We did not pass the Omnibus Crime Control Act to give these gunrunners 6 months to flood the Nation with foreign-made and military surplus firearms and to put more guns into the hands of criminals.

We passed the bill to reduce crime and to stop the traffic of guns to the criminals.

I submit this amendment today to help achieve that purpose, and I ask that it be given immediate consideration both by the Senate and the House of Representatives.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment (No. 877) was referred to the Committee on the Judiciary.

Mr. MURPHY. Mr. President, will the Senator from Connecticut yield?

Mr. DODD. I yield.

Mr. MURPHY. This gunrunner the Senator speaks of, is he a licensed gun dealer?

Mr. DODD. Yes. As the Senator knows, as of now, all one has to do is pay $1 to obtain a license. So he has a license, and so have many other people who should not have them. The effect of this new law will be to tighten this procedure up and establish standards that will make it reasonably difficult for a man to obtain a license. I tried to make certain that we will get only responsible licensees.

Mr. MURPHY. Do I correctly understand that the distinguished Senator says there is no examination, there are no qualifications necessary, no studies made as to one's character, or anything else, for a man to obtain a license, that all he needs is $1?

Mr. DODD. The Senator is right.

Mr. MURPHY. I thank my distinguished colleague.

Mr. DODD. Mr. President, up to now, most of these licensees were not truly dealers at all but they obtained licenses in order to give themselves the opportunity to traffic in guns under the cover of a license which they never should have been given. Thus, Mr. President, I hope that the Senate will give my amendment quick consideration and stop the flooding of this country with these weapons which we thought we were stopping when we passed the omnibus crime bill. The strange thing about this situation is that in the countries from which they are imported, the government does not allow their own people to buy them. They dump them on us and the worst elements in our society get them and use them for the commission of crimes of all kinds.

I am sure that Senators will agree with me that this is the kind of thing we had better stop right away. If we do not stop it, then there will be millions of guns dumped upon us before the law can be made effective; and, thereafter, as I understand it, the Federal Government might well be in the position of offering to pay these importers to remove all this stuff from the market. So that in two ways we will be paying a dreadful price for the situation which we will have allowed to prevail.

By way of illustration I would point out that two of these importers who have applied for licenses to bring in these junk guns are convicted mail-order pornographers. They should not have licenses at all. But they go right on getting licenses to import these lethal weapons.

For these reasons, I hope the Senate will act promptly to plug up this loophole in the law.

EXHIBIT 1

JULY 5, 1968.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: As the Chairman of the Senate Subcommittee to Investigate Juvenile Delinquency, I have for the past 7 years been concerned over the misuse of inexpensive, foreign military surplus firearms which have been dumped into the United States and which contribute a great deal to the crime problem with which this country is presently faced. Under Title IV of the Omnibus Crime Control Bill, we will substantially dry up this massive flow of arms from overseas.

We now find that in anticipation of the passage of the import controls found in Title IV certain domestic importers since January 1, have obtained licenses that could result in the importation of over 1,300,000 foreign firearms. In addition, since you signed the Omnibus Crime Bill into law, new requests for import licenses have been made which could result in an additional 300,000 plus firearms being dumped into the United States. I am sure that by the time we reach the effective date of the Bill, December 16, the total will well pass the 3 million mark.

As you know, the effective date provision of Title IV of the Crime Bill was set up to allow the proper Federal agencies time to establish the machinery for enforcing the law. It was never my intention to give importers ample time to import millions of weapons that will be used to kill, maim and rob citizens of the United States during the years to come. I am sure this was not your intention either. I would, therefore, request that you issue an Executive Order that would properly circumscribe this last minute attempt of the Nation's gun runners to promote more crime and heartbreak for America's citizens in the future. I would be glad to cooperate with your office in working out the proper steps that should be taken to guarantee against making America more of an armed camp than it already is.

With kindest personal regards,

Sincerely yours,

THOMAS J. DODD,
Chairman.

EXHIBIT 2

JULY 5, 1968.

Hon. RAMSEY CLARK,
Attorney General of the United States, Department of Justice, Washington, D.C.

DEAR MR. ATTORNEY GENERAL: I have been informed that you are aware of the situation that exists relative to the Office of Munitions Control in the Department of State. I refer to the outstanding and pending import licenses in process in that office which could mean the dumping of literally millions of foreign made and foreign military surplus firearms into the United States.

I have, today, written President Johnson asking that he issue an Executive Order which would immediately effect a moratorium on the activities of domestic importers and the operations of the Office of Munitions Control until a determination can be made as to whether this massive movement of arms will have the effect of promoting lawlessness, criminal behavior and civil disorder in the United States.

To the extent that your office has the authority to take proper action to prevent the importation of several millions of these inexpensive "Saturday Night Specials" and "Man Stoppers" I am ready to do all I can to help you and I offer the help and the support of the Senate Subcommittee to Investigate Juvenile Delinquency.

The intent of Congress in providing a 6 month effective date in Title IV of the Omnibus Crime Bill was to allow for the establishment of the necessary machinery for the enforcement provisions of the Title. It certainly was never the intention of Congress to give a 6 month grace period to importers so that they could dump millions of these weapons into the country which I think you will agree will not promote the safety and welfare of our citizens.

I am sure you will agree based on the investigations of your own Department and the investigations of the Congress, that the existence of millions of these foreign surplus pistols, revolvers, rifles and shotguns presents a clear and present danger to the United States of America.

With kindest personal regards,

Sincerely yours,

THOMAS J. DODD,
Chairman.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENT TO LEGISLATIVE BRANCH APPROPRIATION BILL, 1969

AMENDMENT NO. 878

Mr. WILLIAMS of Delaware submitted the following notice in writing:

In accordance with rule XL of the standing rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes, the following amendment: On page 34, between lines 16 and 17, insert the following:

"SEC. 106 (a) The stationery allowance, as authorized by law, for each Senator shall hereafter be available only for (1) purchases made through the Senate stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation, within thirty days after the close of the fiscal year for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office supplies (excluding items not ordinarily available in the Senate stationery room) for use for official business in an office maintained by a Senator in his home State. Any part of the allowance for stationery which remains unobligated at the end of the fiscal year 1969 or any subsequent fiscal year shall be withdrawn from the revolving fund established by the Third Supplemental Appropriation Act, 1957 (71 Stat. 188; 2 U.S.C. 46a 1), and covered into the general fund of the Treasury.

"(b) The stationery allowance, as authorized by law, for each Member of the House of Representatives and each Resident Commissioner shall hereafter be available only for (1) purchases made through the House stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation, within thirty days after the close of the session for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office supplies (excluding items not ordinarily available in the House stationery room) for use for official business in an office maintained by a Member in his home State. Any part of the stationery allowance which remains unobligated at the end of the session for which it is available, beginning with the first session of the Ninety-first Congress, shall be withdrawn from the revolving fund established by the Legislative Branch Appropriation Act, 1948 (61 Stat. 366; 2 U.S.C. 46b 1), and covered into the general fund of the Treasury."

Mr. WILLIAMS of Delaware also submitted an amendment, intended to be proposed by him, to House bill 18038, making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes, which was ordered to lie on the table and to be printed.

(For the text of amendment referred to, see the foregoing notice.)

AMENDMENT NO. 879

Mr. WILLIAMS of Delaware submitted an amendment, intended to be proposed by him, to House bill 18038, supra, which was ordered to lie on the table and to be printed.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, July 8, 1968, he presented to the President of the United States the following enrolled bills and joint resolution:

S. 102. An act to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0310090);

S. 203. An act to amend sections 13(b) of the acts of October 3, 1962 (76 Stat. 698, 704) and for other purposes;

S. 322. An act to restrict the disposition of lands acquired as part of the National Wildlife Refuge System;

S. 443. An act to authorize the Secretary of the Interior to consider a petition for reinstatement of an oil and gas lease (Wyoming 0280122);

S. 823. An act to authorize the Secretary of the Interior to reinstate oil and gas lease Las Cruces 063610;

S. 1059. An act to amend the act relating to the leasing of lands in Alaska for grazing in order to make certain improvements in such act;

S. 1251. An act to make certain reclamation projects nonreimbursable;

S. 1401. An act to amend title I of the Land and Water Conservation Fund Act of 1965, and for other purposes;

S. 2047. An act to exempt certain vessels engaged in the fishing industry from the requirements of certain laws;

S. 2701. An act to provide for sale or exchange of isolated tracts of tribal lands on the Flathead Reservation, Mont.;

S. 2837. An act to authorize the Secretary of Agriculture to establish the Cradle of Forestry in America in the Pisgah National Forest in North Carolina, and for other purposes; and

S.J. Res. 165. Joint resolution authorizing the President to proclaim August 11, 1968, as "Family Reunion Day."

NOTICE OF HEARING ON NONPROLIFERATION TREATY

Mr. MANSFIELD. Mr. President, on behalf of the Senator from Alabama [Mr. SPARKMAN], acting chairman of the Committee on Foreign Relations, I wish to announce that a public hearing is expected to be held on the Nonproliferation Treaty on Wednesday, July 10, 1968, at 10 a.m., in the caucus room of the Old Senate Office Building.

Secretary of State Dean Rusk and Mr. William C. Foster, Director of the Arms Control and Disarmament Agency, will be the principal witnesses.

Although the treaty has not formally been received by the Senate as of today, it is anticipated that it will be formally received tomorrow. The text of the treaty has, of course, been available for some weeks.

NOTICE OF HEARING ON AIRCRAFT CRASH LITIGATION, S. 3305 AND S. 3306

Mr. TYDINGS. Mr. President, as chairman of the Senate Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce the continuation of hearings for the consideration of S. 3305 and S. 3306. These bills would improve the judicial machinery by providing for Federal jurisdiction and a body of uniform Federal law for cases arising out of certain operations of aircraft.

The hearing will be held on July 18, 1968, at 9:30 a.m., in room 6226, New Senate Office Building.

Any person who wishes to testify or submit a statement for inclusion in the record should communicate as soon as possible with the Subcommittee on Improvements in Judicial Machinery, room 6306, New Senate Office Building, Washington, D.C.

TRIBUTES TO SENATOR HILL

Mr. SYMINGTON. Mr. President, in the Senate there have been many outstanding Americans and renowned legislators; and it is a sad business that one of the greatest of them all, LISTER HILL, of Alabama, has announced that he is leaving us at the end of his present term.

In the House of Representatives where he began his career in 1923, Senator HILL served as chairman of the House Committee on Military Affairs; and because of his other superb accomplishments, how many remember that he was the author of the original bill which resulted in the unification of the Armed Services under the Defense Department?

LISTER HILL also was the author of such legislative landmarks as the TVA Act, the Rural Telephone Act, the Rural Housing Act, the GI bill of rights for World War II and Korean veterans, and the Vocational Education Act. In addition, he was coauthor of the National Defense Education Act of 1958.

I cite this broad range of other important legislation only because it should not be overshadowed by his preeminence in the field of health legislation.

The Hospital and Health Center Construction Act of 1946 bears his imprint. It was the Hill-Burton Act which brought some 9,200 general hospitals, health centers, and other health and medical facilities of all kinds to the Nation.

At times almost singlehandedly he

was instrumental in gaining greatly increased support for medical research at the National Institutes of Health, the Nation's medical schools and other research institutions—all designed to investigate the cause and cure of crippling and killing diseases.

Lister Hill is rightly known as the Nation's "statesman for health."

A citation from the University of Pennsylvania awarding him the honorary degree of doctor of laws, puts its well:

> The brilliant son of a distinguished surgeon, Lister Hill has advanced the cause of medicine through a series of extraordinary legislative enactments. It may be that, during his four decades in the Congress of the United States, he has done more for public health than any American.

Senator Hill has been the recipient of countless honorary degrees including one from Washington University, that outstanding medical school in my own State of Missouri. It was at the University of Alabama and Columbia University respectively that he earned academic and law degrees.

To the Nation's rare good fortune, personal charm and grace have combined with industry and wisdom to establish the character of the distinguished senior Senator from Alabama. His retirement is a loss to the Senate as well as a deep personal loss to my wife and myself, because he has been and is a beloved friend.

To his lovely wife Henrietta as well as to Lister himself, we wish many more years of happiness that have been so richly earned by this great public servant.

Mr. HILL. Mr. President, will the Senator yield?

Mr. SYMINGTON. Mr. President, I am delighted to yield to my beloved colleague, the distinguished Senator from Alabama.

Mr. HILL. Mr. President, I express my heartfelt and sincere appreciation to the distinguished senior Senator from Missouri for his most generous words, not only because they come from one of my dearest and best friends, but also because they come from one of America's outstanding statesmen.

I am deeply grateful to the Senator, and I am sure that my wife, Henrietta, will join with me in my words of appreciation to the Senator and his lovely wife.

Mr. SYMINGTON. Mr. President, I thank the distinguished Senator. He could have said my thoughts better than I, but not with greater sincerity.

Mr. GORE. Mr. President, will the Senator yield?

Mr. SYMINGTON. Mr. President, I yield to the distinguished senior Senator from Tennessee.

Mr. GORE. Mr. President, I concur in and associate myself with the eloquent statement made by the distinguished senior Senator from Missouri regarding the career and service of the able senior Senator from Alabama.

At an earlier testimonial dinner, I had the opportunity to speak in eulogy of the service and the record of the distinguished senior Senator from Alabama. I then spoke at greater length, if not with greater eloquence, than has the distinguished senior Senator from Missouri.

The service of the distinguished senior Senator from Alabama has encompassed not only his State and his Nation, but also the world. His service has been particularly appreciated and has been especially valuable to the people whom I have the honor, in part, to represent. The role he has played in the TVA Act, in health, in hospital construction, and in many other programs from which the people of my State have directly and multitudinously benefited, makes him a beloved character to all Tennesseans and, I am sure, to all other Americans.

Mr. SYMINGTON. Mr. President, I thank the able senior Senator from Tennessee for his remarks and concur in them without reservation. The way the people of Tennessee feel about Lister Hill is exactly the way the people of Missouri feel about Lister Hill.

Mr. HILL. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. HILL. Mr. President, I express to the distinguished senior Senator from Tennessee my heartfelt thanks and appreciation for his generous remarks. I deeply appreciate the remarks coming from a dear friend of mine and one with whom I have worked through the years in the advancement of these different programs to which the Senator has referred.

I am deeply grateful to him and thank him again and again.

Mr. GORE. Mr. President, upon the occasion of the testimonial dinner at which I delivered this speech, I pointed out that the senior Senator from Alabama in a very genial and generous way described my speech as the most eloquent of my career ,and then he added, "Because, of course, you had the best subject."

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield to the distinguished senior Senator from Florida.

Mr. HOLLAND. Mr. President, I add my voice to the eloquent words of tribute being paid to the distinguished senior Senator from Alabama.

Years ago I coined a term for him which I have used since, and if he resents it, he has not indicated that he does. I call him, "the Lord Chesterfield of the Senate," and I think very properly so, because of his generosity, his cordiality, and his always gentlemanly words on every occasion and toward every person.

Whenever I go to any health or hospital meeting or to any hospital in Florida, one of the first questions I am asked is, "How is Senator Hill, of Alabama?"

Then they go on to tell me that their hospital or their health center has been made possible in the size that it exists—or, perhaps, at all—by the generous help extended through the provisions of the Hill-Burton Act.

I believe that no other Member of Congress is better loved in my State. I hope he will come there more frequently than he has recently. I can assure him and the Senate that the people of Florida always will feel greatly indebted to Lister Hill, of Alabama.

The same applies with respect to his dear wife, Henrietta. My wife, Mary, thinks there is nobody quite like Henrietta. Some 2 or 3 years ago, when Henrietta sent us an autographed copy of a book she had written, it was understood that that was to be one of our treasured possessions, and it has so remained.

They are a remarkable pair, who have done great things, not only for their State and for their Nation but also in the field of bringing together the Senate and the House of Representatives in a relationship which otherwise would not have been so warm and so kindly and so generous as it has been because of the presence and the attitude of Lister Hill and his good wife, Henrietta.

I join in these expressions of tribute to Lister Hill.

Mr. HILL. Mr. President, will the Senator yield?

Mr. SYMINGTON. I yield.

Mr. HILL. I thank my good friend and neighbor, with whom I have worked in close cooperation in the Senate for some years, for his most generous remarks. I deeply appreciate them. I hope that in some way I may be worthy of the kind and generous remarks that have been made this morning.

Surely, I know that my good, sweet wife, Henrietta, will greatly appreciate the kind words that have been spoken about her today.

From the depths of my heart, I thank you.

Mr. HOLLAND. Mr. President, if it were necessary to do so, I believe the distinguished Senator from Alabama has shown why, for years now, I have chosen to call him "the Lord Chesterfield of the Senate." He is going to be the Lord Chesterfield of the Senate in my book always.

Mr. SYMINGTON. Mr. President, the able senior Senator from Florida, as usual, has put his fine mind on the core of the problem of recognition of this great man.

Millions of Americans who are or have been ill, or old, or crippled, or poor, have benefited by his magnificent efforts to ameliorate, if not to solve, their problems. To him it will all be an eternal monument.

In addition, I like the phrase "Lord Chesterfield," as used by the senior Senator from Florida, because surely no finer gentleman, in the true sense of that word, has ever been a Member of this body.

When the late John F. Kennedy left us, perhaps the finest article written about him, by one of his closest friends, was entitled "He Had That Special Grace." One of the reasons we all love and respect Lister Hill is that he has that special grace.

Mr. President, I yield the floor.

THE SUPREME COURT NOMINATIONS

Mr. GORE. Mr. President, earlier today, I listened to the colloquy between the distinguished majority leader and the distinguished minority leader with respect to the possible sine die adjournment of Congress.

I wish to express the view that the Senate should not adjourn or even consider sine die adjournment until action is had upon President Johnson's nomination of Justice Fortas for Chief Justice of the United States. To do so would set an unwise precedent; because the objection raised to the confirmation of the nomination of Justice Fortas has not been directed to the merits of the man, to the probity of the opinions rendered, or to the quality of the service he has rendered, but, rather, upon the ground that President Johnson, who submitted the nomination in June 1968, had announced that he will not seek reelection. In other words, the objection to action by the Senate now is based upon the caveat that President Johnson is a "lame-duck President."

Mr. President, the American people elected Lyndon Baines Johnson President of the United States not for 3½ years but for a constitutional term. It seems to me peculiarly groundless and illogical to take the position and to ask the Senate to endorse and sanction the position, by inaction on its own part, that though Mr. Johnson is President of the United States, he should not exercise the full powers, duties, and prerogatives of that high office. It would be equally illogical, equally groundless to suggest that President Johnson should not conclude a peaceful settlement of the Vietnam war on the grounds that such an important function should not be performed by the present President but be reserved or postponed for action by the next President.

So, for the Senate to refuse or to fail to come to a vote upon this nomination on such illogical and groundless terms would be a dangerous, an unworthy, and an unwise precedent.

I will not speak to the merits of this nomination at this time. I do raise the question of the advisability of adjourning or even considering adjournment before action is had upon this nomination. The President has exercised his constitutional responsibilities, performed his lawful duty. It is now for the Senate to consider the nomination. I do not maintain that the Senate has the duty to confirm. It does have the duty to consider and to take action upon the nomination. The performance of duty is more important than an early adjournment and, for that matter, more important than recesses for political conventions.

REPRESENTATIVE ROBERT L. F. SIKES, OF FLORIDA

Mr. HOLLAND. Mr. President, today, his colleagues in the House and the Senate are paying tribute, as I now am pleased to do, to Representative Robert L. F. Sikes, of Florida's First Congressional District, for setting a new mark for length of service in Congress of a Member from Florida.

On July 5, 1968, Representative Sikes exceeded the service of the former recordholder, the late Senator Duncan U. Fletcher, who ably served our State here for 27 years and 106 days. Also, in 1963 Bob Sikes surpassed the service mark in the House of Representatives of a Member from Florida which was set by the late Stephen M. Sparkman, of Tampa, who retired in 1917 after 22 years of service in that body. He would have attained both marks earlier had it not been for his resignation from the House near the end of the 78th Congress in October 1944, to perform commissioned service in the U.S. Army on an important overseas mission. Reelected in November of that year, he resumed his seat in the House for the 79th Congress in January 1945.

Bob Sikes began his long period of highly capable service to the people of Florida and to the Nation as a Member of the House of Representatives on January 3, 1941. He has been reelected to each succeeding Congress and bids fair to repeat that process in November.

It is not how long Bob Sikes has served that is of major importance, but the type of service he has rendered to the people of Florida and the United States forms the basis for the honor we pay our colleague on this occasion. His ability to go quickly and aggressively to the heart of problems, and his wisdom in arriving at their solutions have been a strong force in the House for many years and a bulwark to our close-knit delegation in Congress whose reputation for close cooperation is exceeded by no other. Bob has been a splendid representative of the people of his district and, on many occasions, the people of all of Florida.

I salute my colleague and friend, Bob Sikes, and wish him many more years of constructive service in the House.

Mr. SMATHERS. Mr. President, will the Senator yield?

Mr. HOLLAND. I am happy to yield to my colleague from Florida.

BOB SIKES GETS SERVICE RECORD

Mr. SMATHERS. Mr. President, I wish to concur in all that has been said by my distinguished senior colleague with respect to Bob Sikes.

Today there will be held in the Rayburn House Office Building a reception honoring the dean of the Florida congressional delegation, Robert L. F. Sikes, who has now served in the Congress longer than any Floridian has served. Bob Sikes, who has completed more than 27 years of service in the House of Representatives, has also demonstrated outstanding qualities of leadership during that period of service, not only among our own Florida congressional delegation but in the House itself. As a key member of the distinguished Committee on Appropriations, Bob Sikes, is acknowledged to be one of the most knowledgeable and hard-working Members of the House.

Bob Sikes, who has been elected to Congress 14 times, has now served Florida longer than the previous recordholder, the late Senator Duncan U. Fletcher, who had served 27 years and 106 days. We who serve with Bob Sikes from Florida are hoping that he will continue to add to his record of service, one which has been of benefit to his State and his Nation, for so long.

I join with the members of our Florida delegation, the Florida State Society, the University of Florida and Florida State Alumni Associations and with the University of Georgia Alumni Asosciation, all of whom are paying tribute to Bob Sikes today, in saluting this great American.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HOLLAND. I am glad to yield to the distinguished Senator from Georgia.

Mr. RUSSELL. Mr. President, as one who has known the able Representative from Florida, Robert Sikes, for practically all of his life, I desire to associate myself with the remarks made by both distinguished Senators from that State.

Under any standard that might be applied, Bob Sikes is an outstanding Member of the Congress of the United States. I have had the good fortune to be on the same side with him on a number of issues, in conference particularly; and I have had the misfortune to have him as an adversary on one or two occasions. He is a stout fighter who is always informed on the subject in which he is interested.

I am particularly proud of the fact that Bob Sikes was born in Georgia, is a native of Georgia, and is a graduate of the University of Georgia, as well as the University of Florida. We are very proud of him in Georgia and we share the feelings just expressed by the Senators from Florida.

Mr. HOLLAND. Mr. President, I thank my distinguished colleague from Georgia and also my distinguished colleague from Florida for their kind comments. Their comments are fully merited by the personality and record of Representative Bob Sikes.

DARTMOUTH COLLEGE MEDAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1339, S. 3671.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The Assistant Legislative Clerk. A bill (S. 3671) to provide for the striking of medals in commemoration of the 200th anniversary of the founding of Dartmouth College.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Their being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in commemoration of the two hundredth anniversary of the founding of Dartmouth College by the grant of a royal charter from King George III on December 13, 1769, the Secretary of the Treasury is authorized and directed to strike and furnish to Dartmouth College, Hanover, New Hampshire, not more than twenty-five thousand medals with suitable emblems, devices, and inscriptions to be determined by Dartmouth College subject to the approval of the Secretary of the Treasury. The medals shall be made and delivered at such times as may be required by Dartmouth College in quantities of not less than two thousand, but no medals shall be made after December 31, 1970. The medals shall be considered to be national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

Sec. 2. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for the full payment of such costs.

SEC. 3. The medals authorized to be issued pursuant to this Act shall be of such size or sizes and of such various metals as shall be determined by the Secretary of the Treasury in consultation with Dartmouth College.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1359), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

The bill would authorize the Secretary of the Treasury to strike and furnish to Dartmouth College, Hanover, N.H., no more than 25,000 national medals commemorating the 200th anniversary of the founding of Dartmouth College. The medals are to be produced at no cost to the United States. No medals will be produced after December 31, 1970. The design of the medals, including the emblems, devices, and inscriptions is to be determined by Dartmouth College subject to the approval of the Secretary of the Treasury. The medals will be of such size or sizes and of such various medals as shall be determined by the Secretary of the Treasury in consultation with Dartmouth College. They may be furnished in quantities of not less than 2,000 upon security satisfactory to the Director of the Mint to indemnify the United States for full payment of all costs, including the estimated cost of labor, materials, dies, use of machinery, and overhead expenses.

HISTORY OF DARTMOUTH COLLEGE

Dartmouth College, in Hanover, N.H., has a 200-year history that is rich in achievement, excitement, and distinction. It was founded by Eleazar Wheelock as an institution for "the education and instruction of youth of the Indian tribes * * * and also of English Youth and others." December 13, 1969, will mark the bicentennial anniversary of the granting of the charter by King George III, making it the last of the colonial colleges and ninth oldest institution for higher education in the United States.

In spite of the Revolutionary War and constant, inhibiting poverty, the early college gained strength. By the turn of the century the Dartmouth Medical School, one of the first of its kind in America, had been established. Just 20 years after its founding, Dartmouth was graduating more students than either Yale or Princeton.

A landmark in the early history of the college occurred in 1819 when Dartmouth survived an attempt to negate its charter in the famous *Dartmouth College* case argued before the Supreme Court. Thanks to the impassioned defense of Daniel Webster, one of the college's most distinguished graduates, the Court handed down a decision that established the sanctity of contracts and had far-reaching implications for the later development of American society.

In 1871, a grant from another Dartmouth graduate, Sylvanus Thayer, the "Father of the U.S. Military Academy," led to the establishment of the Thayer School of Engineering. Later, in 1899, the Amos Tuck School of Business Administration was founded, now the oldest graduate school of business administration in the United States. With the addition to the college of these associated schools, today Dartmouth is a university in all but name.

The innovative heritage of the early college is still evident in its academic life today. Dartmouth's three-term, three-course curriculum, for example, has given more scope to teaching and more emphasis to independence and depth in learning. The unique combination of a time-sharing computer system and the use of a simplified programing language called BASIC makes the resources of a multi-million-dollar computer instantly available to the entire college community; and remote terminals allow access by other universities hundreds of miles away.

Dartmouth's Baker Memorial Library and associated libraries offer students a selection of nearly 1 million volumes. The Hopkins Center for the Creative and Performing Arts offers every student opportunities to participate in a broad range of cultural and social activities. Outstanding among these is the internationally known "Congregation of the Arts," held during each summer term.

In addition to academic pursuits, Dartmouth encourages direct involvement with contemporary problems and issues in numerous ways: the Canadian Year (1967) to commemorate Canada's 100th anniversary; the ABC (a better chance) program, to prepare boys from disadvantaged backgrounds for greater educational opportunities; the many public affairs centers program, to encourage direct student participation in government and politics, in the problems of the cities, the poor, or civil rights; the foreign study program, to foster study abroad; the Talladega program, in which Dartmouth works closely with a predominantly Negro college in the South; as well as many on-campus activist groups.

By deliberately limiting its size to a combined undergraduate and graduate enrollment of 3,600 and a faculty of over 400, Dartmouth College has been able to maintain the highest standards of quality in its student body and faculty. In addition, the college is noted for its active alumni, who number more than 33,000 and reside in all 50 States, the District of Columbia, and nearly 100 foreign countries.

Shaped by its history, nourished by its tradition, vigorous and independent, the college approaches its third century with an opportunity given to few other American colleges or universities in these times. Because its size gives it leverage, because its students, faculty, and facilities are of high quality, because of its innovative spirit, because of its strong professional schools, Dartmouth has the strength and flexibility to shape a fresh response to the educational needs of the years ahead.

The U.S. Congress wishes to pay tribute to Dartmouth College, its distinction in the past and its hope for the future, symbolized in the bicentennial celebration of 1969–70.

DISORDERLY CONDUCT PROSECUTIONS IN THE DISTRICT OF COLUMBIA

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1340, S. 3456.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 3456) to provide that the prosecution of the offenses of disorderly conduct and lewd, indecent, or obscene acts shall be conducted in the name of and for the benefit of the District of Columbia.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3456

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 932 of the Act approved March 3, 1901 (31 Stat. 1340), as amended (D.C. Code, sec. 23–101), prosecutions for violations of sections 5 and 6 of the Act approved July 29, 1892 (27 Stat. 323), as amended by the Act approved July 8, 1898 (30 Stat. 723), and section 210 of the Act approved June 29, 1953 (67 Stat. 97; D.C. Code, sec. 22–1107), relating to disorderly conduct, and for violations of section 9 of such Act approved July 29, 1892, as amended by section 202 of such Act approved June 29, 1953 (67 Stat. 92; D.C. Code, sec. 22–1112), relating to lewd, indecent, or obscene acts, shall be conducted in the name of the District of Columbia by the Corporation Counsel or his assistants.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from report (No. 1360), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of S. 3456 is to authorize the Corporation Counsel of the District of Columbia to prosecute the offenses of disorderly conduct and lewd, indecent, or obscene acts under section 22–1107 of the District of Columbia Code.

BACKGROUND AND NEED FOR LEGISLATION

On March 28, 1968, the U.S. Court of Appeals for the District of Columbia Circuit in *District of Columbia* v. *Grimes*, D.C. Cir. No. 21,555, ruled that prosecution of charges of disorderly conduct in violation of section 22–1107, District of Columbia Code, must be carried on by the U.S. attorney rather than the corporation counsel for the District of Columbia, notwithstanding the fact that the Corporation Counsel has continuously prosecuted these offenses for the past 75 years.

Section 22–1107, District of Columbia Code, proscribes enumerated acts of disorderly conduct and is the present codification of those sections of "an act for the preservation of public peace and the protection of property in the District of Columbia," enacted by Congress in 1892 and which embraced the same enumerated acts of disorderly conduct. Another section of the 1892 act, codified in section 22–109, District of Columbia Code, provided specifically that all prosecutions for violations of the enumerated offenses shall be conducted in the name of and for the benefit of the District of Columbia.

Section 23–101, District of Columbia Code, enacted by Congress in 1901 when it promulgated the present code of laws of the District of Columbia, limits the prosecutive jurisdiction of the District of Columbia acting through its legal office, the corporation counsel, to cases where the maximum punishment is a fine only, *or* imprisonment not exceeding 1 year. This section has been construed to mean that where the maximum punishment permitted by statute is *both* fine and imprisonment, prosecution should be brought in the name of the United States by the U.S. attorney. Until 1953, the maximum punishment for a violation of section 22–1107 of the code was a fine of $25. In 1953, when Congress enacted the District of Columbia Law Enforcement Act (approved June 29, 1953; 67 Stat. 90), a new category of disorderly conduct proscriptions was created and codified in section 22–1121, District of Columbia Code, and a maximum punishment of a $250 fine or imprisonment for not more than 90 days, *or both*, was provided. Additionally, section 22–1121 was brought within the provisions of section 22–109 of the code, thereby vesting prosecutive jurisdiction in the corporation counsel. The 1953 act also eliminated th $25 fine provided for violation of section 22–1107 and substituted therefor $250 or imprisonment for not more than 90 days, *or both*.

Although the 1953 act did not, by its terms, refer by name to section 22–1107 and 22–1121 be enforced by different agencies. The legislative the provisions of section 22–109, neither the U.S. attorney nor the corporation counsel felt that Congress had intended that sections 22–1107 and 22–1121 be enforced by different agencies. The legislative history of each of the sections and the legal assumption that since section 22–1107, unlike section 22–1121, had been originally enacted as a provision of the 1892 act and was, therefore, already explicitly covered by section 22–109, led to this conclusion. Accordingly, the corporation counsel has since 1953, as he did for 60 years preceding that date, continued to prosecute offenses arising under section 22–1107.

However, the court of appeals in *Grimes, supra*, decided that if Congress had intended to place prosecutive jurisdiction for section 22–1107 with its increased penalties in the corporation counsel, Congress would have specifically so provided. The court referred to some 40 other statutory provisions of the District of Columbia Code, including section 22–109, authorizing the corporation counsel to prosecute crimes for which *both* a fine and imprisonment are provided. The court ruled therefore, that section 23–101, in the absence of any other specific provisions to the contrary, required that prosecutions for 22–1107 violations be carried on by the U.S. attorney.

The rationale of the court in the *Grimes* case would also require that prosecution for lewd, indecent, or obscene acts be conducted by the U.S. attorney. These offenses were defined by section 9 of the 1892 act and appear in District of Columbia Code, section 22–1112. They have been prosecuted by the corporation counsel.

PROVISIONS OF THE BILL

The effect of S. 3456 is to provide that prosecutions for violations of sections 5 and 6 of the act approved July 29, 1892 (27 Stat. 323), as amended by the act approved July 8, 1898 (30 Stat. 723) and section 210 of the act approved June 29, 1953 (67 Stat. 97; D.C. Code, sec. 22–1107), relating to disorderly conduct, and for violations of section 9 of such act approved July 29, 1892, as amended, relating to lewd, indecent, or obscene acts shall be conducted in the name of the District of Columbia by the corporation counsel or his assistants.

HEARING

A public hearing on the bill was held on May 29, 1968 before the Subcommittee on the Judiciary. The District of Columbia government and the U.S. attorney for the District urge enactment of the measure.

CONCLUSION

In the committee's judgment, it is desirable that all disorderly conduct violations and lewd, indecent, or obscene acts be prosecuted by the corporation counsel. S. 3456 would accomplish this objective, and the committee commend the bill to the Senate for favorable action.

FORT POINT NATIONAL HISTORIC SITE

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1341, S. 2159.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2159) to establish the Fort Point National Historic Site in San Francisco, Calif., and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Interior and Insular Affairs, with amendments on page 1, after line 2, strike out:

That, in order to preserve and interpret for future generations the historically significant Fort Point in the Presidio of San Francisco, California, the Fort Point National Historic Site is by this Act established upon such lands, not to exceed twenty-nine acres, as the Secretary of the Interior shall hereafter designate as being required to preserve the historical significance of Fort Point and to provide visitor services and facilities in connection therewith. Upon designation by the Secretary of the Interior, administrative jurisdiction of such lands shall thereupon be transferred to him from the Department of the Army without a transfer of funds.

And, in lieu thereof, insert:

That, in order to preserve and interpret for future generations the historical significance of Fort Point in the Presidio of San Francisco, California, the Fort Point National Historic Site is authorized to be established by the Secretary of the Interior when in his judgment sufficient lands within the boundaries depicted on boundary map number NHS–POI 20,001, dated January 1968, have been transferred to his administrative jurisdiction. All or any portion of such lands shall be transferred, subject to such terms and conditions as may be mutually agreed upon, to the administrative control and jurisdiction of the Secretary of the Interior by the Secretary of the Army, without a transfer of funds, and when so transferred shall become a part of the Fort Point National Historic Site. In the event the Fort Point National Historic Site is disestablished, control and jurisdiction over the property so transferred shall revert to the Department of the Army.

On page 2, line 25, after "August 25, 1916" strike out "(35 Stat. 535)" and insert "(39 Stat. 535)"; and on page 3, line 6, after the word "this" strike out "Act." and insert "Act, but not to exceed $2,700,000 for development during the five-year period beginning with the establishment of the Fort Point National Historic Site."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America assembled, That, in order to preserve and interpret for future generations the historical significance of Fort Point in the Presidio of San Francisco, California, the Fort Point National Historic Site is authorized to be established by the Secretary of the Interior when in his judgment sufficient lands within the boundaries depicted on boundary map number NHS–POI 20,001, dated January 1968, have been transferred to his administrative jurisdiction All or any portion of such lands shall be transferred, subject to such terms and conditions as may be mutually agreed upon, to the administrative control and jurisdiction of the Secretary of the Interior by the Secretary of the Army, without a transfer of funds and when so transferred shall become a part of the Fort Point National Historic Site In the event the Fort Point National Historic Site is disestablished, control and jurisdiction over the property so transferred shall revert to the Department of the Army

SEC. 2. The Secretary of the Interior shall administer the Fort Point National Historic Site in accordance with the Act of August 25, 1916 (39 Stat 535), as amended and supplemented (16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (49 Stat. 666; 16 U.S.C. 461–467).

SEC. 3. There is hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this Act, but not to exceed $2,700,000 for development during the five-year period beginning with the establishment of the Fort Point National Historic Site

Mr. KUCHEL. Mr. President, the Senate is about to consider and pass my bill, S. 2159, to authorize the establishment of the Fort Point National Historic Site in San Francisco, Calif. From the moment I introduced this legislation, I have received nothing but enthusiastic responses to this proposal from all who are familiar with it. For years this structure, located below the southern pylons of the Golden Gate Bridge, has been an inviting attraction to both residents and visitors of San Francisco. Unfortunately, the fort only rarely has been open to visitors and, so, the fort remained a historical attraction whose potential was far from realized. Today, we will take a giant step toward the development and restoration of this great structure for the use and enjoyment of all the people of this land.

Since the end of the 18th century, a fortification has guarded the entrance to San Francisco Bay. After their founding of the Presidio of San Francisco in 1776, the Spanish turned their attention to the protection of San Francisco Bay. In the 1790's they constructed a fort, Castillo de San Joaquin, on land above where Fort Point is now located. When what is now California came under United States jurisdiction in 1848, the Spanish fort was in ruin. Its site, however, was modified and used as the locale for the American fort completed in 1861. This was Fort Point. The fort stood ready to serve the Union cause during the Civil War, but was not called on to fire a shot in anger. The fort remains today a fascinating link with America's past. With restoration and development, it will be an exciting recreational attraction for America's future. The cost is small; no land acquisition expenses will be necessary since all of the needed land is now federally owned. Development costs will be $2.7 million over the first 5 years of development.

Mr. President, I ask to have appropriate sections of the committee report on this measure printed at this point in the RECORD.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of S. 2159 is to allow the transfer of Fort Point and a suitable surrounding area in the Presidio of San Francisco, San Francisco, Calif., from the Secretary of the Army to the Secretary of the Interior, without a transfer of funds, and to provide for the administration of the area so transferred as the Fort Point National Historic Site, a unit of the national park system.

DESCRIPTION

Fort Point, completed in 1861, is a classic example of a mid-19th century fortification, certainly the best such example on the west coast. It stands on the southern shore of the Golden Gate, the entrance to San Francisco Bay, between the southern pylons of the Golden Gate Bridge. It is constructed of granite and brick and remains in relatively good condition today. Replacement of its iron and brassworks will be necessary, as well as the replacement and repair of some masonry work. Reconstruction of a portion of the seawall surrounding the area will also be required. The fort is currently under lease from the Army to the Fort Point Museum Association, a civic group formed to encourage preservation of the fort. The association has assured the committee that it will surrender its lease should the fort be designated a national historic site.

BACKGROUND

In 1776 the Presidio of San Francisco was founded by Spanish settlers to serve the dual function of controlling the Indians, and serving as a base for the great Spanish expeditions that explored the interior and northern areas of the San Francisco Bay region. After 1792, the Presidio became the northernmost stronghold of the Spanish Empire, and the chief barrier against the British, Russian, and American expansion on the west coast.

The advances by the Russians, English, and Americans into the northern coast of California alarmed the Spanish; and, when Capt. George Vancouver, in the first non-Spanish ship to enter the San Francisco Bay, the *Discovery*, sailed through the Golden Gate on November 14, 1792, the Spanish began to realize how poorly the Golden Gate was being defended. This prompted the Spanish to construct a fort at the entrance to San Francisco Bay. It was located about 1⅓ miles northwest of the original Presidio, 100 feet above the shoreline of the Golden Gate, and named Castillo de San Joaquin.

With Mexico's independence from Spain, some 30 years after the completion of the Spanish fort, the Castillo de San Joaquin fell into disrepair. By the time the war between the United States and Mexico was concluded in 1848, the Castillo de San Joaquin was rubble.

The site of the Castillo de San Joaquin was ideal for a fortification designed to protect the entrance to San Francisco Bay. The U.S. Government, therefore, authorized construction of what was to become Fort Point on the bedrock below where the old Spanish fort had stood. Construction of Fort Point was essentially complete in 1861.

During the Civil War, the Presidio and Fort Point were standing by to meet any attacks which might come their way. However, the war ended without any of the bay's defensive works having fired a shot. Fort Point served its defensive mission simply by existing. After the Civil War, the old war guns in Fort Point were transferred to permanent Army posts for ornamental use. In 1905, the fort was declared obsolete and 9 years later was completely abandoned.

AMENDMENTS

The committee has rewritten section 1 of the bill to resolve the differences between the Secretary of the Interior and the Secretary of the Army concerning the legislation. The bill as introduced specified that the Fort Point National Historic Site was not to exceed 29 acres designated by the Secretary of the Interior. The Interior Department's report on the legislation indicated that an area of some 73 additional acres was desirable to add to the originally contemplated 29 acres, if any when the Army found that it did not need the additional acreage. The Secretary of the Army indicated that he desired that his consent be obtained to the terms and conditions of the transfer. The Army was also concerned about the disposition of the area should the national historic site ever be disestablished, and the use of the area, located below the Golden Gate Bridge, should a grave military emergency arise which required military use and protection of the locale.

The committee amendment seeks to specify that transfer of the land from Army to Interior jurisdiction will be on such terms and conditions as may be mutually agreeable to the respective Secretaries. While the committee is satisfied that any required military usage of the area during a critical national emergency would not be impeded by the designation of the national historic site, the committee feels that the details of such usage should be worked out between the concerned departments as a part of above-mentioned terms and conditions of transfer. The committee also has included language indicating that the property transferred to the Department of the Interior from the Department of the Army will revert to the Department of the Army should the Fort Point National Historic Site ever be disestablished. The committee realizes that a future Congress in disestablishing the site can dispose of the property as they see fit. In deference to the Department of the Army, however, the included reversion provision was included as notification to future Congresses of the Army's interest in the property should disestablishment be considered.

It should be noted that the establishment of the national historic site is authorized when the Secretary of the Interior determines that land within the proposed boundaries sufficient to allow meaningful development has been transferred to his jurisdiction. This allows establishment and development of the site even though there remain areas within the proposed boundaries which the Army desires to continue to use. It is contemplated that when the Army use of the areas so reserved is terminated, the Secretary of the Army will transfer the remaining land to the Secretary of the Interior for inclusion in the national historic site.

The committee also made an amendment to section 2 to correct an erroneous citation in the bill as introduced.

COST

Since all of the land proposed to be included in the Fort Point National Historic Site is presently in Federal ownership, there will be no land acquisition costs. The bill specifies that during the first 5 years after the establishment of the site, $2,700,000 is authorized to be used for development of the site.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The **PRESIDING OFFICER**. Without objection, the committee amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

AMENDMENT OF INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949—CONFERENCE REPORT

Mr. **LAUSCHE**. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9063) to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER**. The report will be read for the information of the Senate.

The assistant legislative clerk read the report, as follows:

Conference Report (H. Rept. No. 1648)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9063) to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(b) The Commission shall receive and determine, or redetermine, as the case may be, in accordance with applicable substantive law, including international law, the validity and amounts of claims owned by persons who were eligible to file claims under the first sentence of subsection (a) of this section on the date of enactment of this title, but failed to file such claims or, if they filed such claims, failed to file such claims within the limit of time required therefor: *Provided*, That no awards shall be made to persons who have received compensation in any amount pursuant to the treaty of peace with Italy, subsection (a) of this section, or section 202 of the War Claims Act of 1948, as amended."

And the Senate agree to the same.

John Sparkman,
(By Frank J. Lausche),
Wayne Morse,
(By Frank J. Lausche),
Frank J. Lausche,
Bourke B. Hickenlooper,
Clifford P. Case,
Managers on the Part of the Senate.

Edna F. Kelly,
Wayne L. Hays,
Peter H. B. Frelinghuysen,
Managers on the Part of the House.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. **LAUSCHE**. Mr. President, I ask unanimous consent to have printed in the Record an explanation of amendment No. 3 and amendment No. 8 of the conference report.

There being no objection, the explanation was ordered to be printed in the Record, as follows:

Amendment No. 3: This Senate amendment contained language intended to eliminate certain inequities in the present law by permitting the return to persecutees and non-enemy nationals of the proportionate share in the vested assets of corporations of Bulgaria, Hungary, and Rumania in which they hold interests. According to its legislative history, the amendment will affect four stockholders, or their heirs, of the Chinion Chemical & Pharmaceutical Works, Ltd., a Hungarian firm. The claimants dealt with here have never been American citizens but were persecuted by their own governments during World War II. Similar legislation was approved by the Senate on three occasions since 1960, and its enactment is supported by the Executive Branch.

The House recedes.

Amendment No. 8: This Senate amendment contained language proposing to reopen the Italian Claims Program to two groups of claimants: (1) persons who were American nationals at the time when their claims arose during World War II but who did not file timely claims under the original Italian Claims Program; and (2) persons who were not American nationals at the time of loss but became such nationals by August 9, 1955, and did not file claims under the Italian Claims Program.

The House recedes with an amendment substituting new language for the above-described provisions of the Senate amendment. The substitute language would authorize the reopening of the Italian Claims Program only to those persons who were American nationals at the time of loss and at the time of the enactment of Title II of the International Claims Settlement Act of 1949, and who did not file timely claims under that program. The new language further provides that no awards shall be made to persons who have received compensation in any amount pursuant to the Treaty of Peace with Italy, subsection (a) of section 304 of the International Claims Settlement Act of 1949, as amended, or section 202 of the War Claims Act of 1948, as amended.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SUBCOMMITTEE MEETING DURING SENATE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Subcommittee on Business and Commerce of the Committee on the District of Columbia be permitted to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE NEEDS OF THE HANDICAPPED

Mr. HART. Mr. President, the senior Senator from Alaska [Mr. BARTLETT], who is necessarily absent, has taken a long and active interest in the needs of the handicapped. In fact, his bill, S. 222, to provide for the accessibility of the handicapped to buildings constructed with Federal funds has passed both Houses of the Congress and is now in conference.

Mr. President, I ask unanimous consent that the Senator's latest statement on his bill and the problems of the handicapped and some requested insertions be printed in the RECORD.

There being no objection, the statement and insertions were ordered to be printed in the RECORD, as follows:

HOPE FOR THE HANDICAPPED BUT NO HAVEN

(Statement by Senator BARTLETT)

The physically handicapped were once a group which moved quietly in the shadows on the periphery of American life. Few people knew of their existence. Twenty-two million strong, they constituted a huge, neglected minority. Not many would have taken seriously a suggestion that people in wheelchairs had talents and skills which could be used and constructive contributions to make to American life. So pervasive was this belief that those suffering from handicaps themselves began to believe that for all practical purposes their lives were at an end.

This is now beginning to change, and the change gives cause for hope. Many groups composed of the handicapped or those working in their behalf have demonstrated the falsity of the assumption that physical handicap is tantamount to incapability. These groups have helped convince those suffering from physical handicaps that they do have an important role to play. They have helped condition the rest of the American public to the acceptance of the handicapped as full equals. They have helped educate us to the needs of the handicapped, needs which they share in common with the rest of humanity but which must be met in somewhat different ways.

One of the biggest obstacles to the gainful employment of handicapped people and to their enjoyment of the places and things that most of us take for granted is their inability to get in and out of buildings, or once in, to move about freely in them. Persons with coronary problems cannot climb steps, wheelchairs cannot move through revolving doors. A five or six inch curb presents an unnecessary obstacle to a man on crutches. Bathrooms are largely inaccessible to people in wheelchairs. These and dozens of other things are the products of thoughtlessness, of failure to heed the simple fact that conventional means of access and egress are far from universal in their applicability.

The bill I introduced in the Senate, S. 222, to help change this deplorable situation is now well on its way to becoming law. By unanimous vote, it has passed both the Senate and House. Only the differences between the House and Senate passed bills remain to be resolved, and I am hopeful that this will occur very soon.

Other problems remain, however. And last month, the Vice President, in addressing the President's Committee on Employment of the Handicapped, spoke of some of them. His is an eloquent statement which I think should be read by all Senators.

The full text of Mr. Humphrey's remarks appear at the conclusion of my comments.

Two problems discussed by the Vice President warrant special emphasis. He says:

"The phrase 'sheltered work shops' grates on me. That isn't the idea. And the practice of handicapped people gathering there every day to do dull, monotonous meaningless work—at pay rates fixed by what it would cost machines to do that work—comes out of another century."

The phrase grates on me too. Much more appropriately might we describe them as slave workshops. However noble their purposes may once have been, it is now becoming increasingly apparent that they are anachronisms. For too many years, these workshops have exploited the inability of the handicapped to find other gainful employment.

Let me make it clear that I am making no indictment of the people who run these workshops. Far from it. I have no doubt that they are sincerely trying to help, doing what they can within a system which is outmoded. It is the system I condemn. It is a system which is the product of the same attitudes of mind which once removed the mentally ill from our midst and hid them away forever in institutions so awful as to be unbelievable. It is a system which tells the disabled that their labor is worth less than the labor of others that I deplore. It is a system which demeans the disabled by assigning them dull, meaningless work that I oppose. Either these workshops should be abolished, or they should, at the very least, be required to pay minimum wages. Eventually, better training of handicapped people should make it possible for them to use their talents and skills in the competitive labor market and reduce the need for such artificial contrivances as sheltered workshops and lead ultimately to their demise. In the meantime, something must be done to bring these workshops into the twentieth century, to assure that those unfortunate people who must work in them are paid wages commensurate with their labor and are not discriminated against because of their physical disabilities.

Speaking not of the physically but the mentally handicapped, the Vice President had this to say:

"Eighty percent of those who look for employment after they leave a mental hospital—fully 'cured'—feel they have to leave that off their records if they want to get a job."

The meaning of the Vice President's remark is readily apparent: mental illness still carries a stigma which is virtually impossible to remove even after doctors agree that the patient is cured. It blocks employment both public and private. Even the federal government places obstacles in the path of those who have had mental illness. Far too often, the mere mention of mental illness on an employment application sounds the death knell. I will have more to say on this subject before long.

These are serious problems. They are problems which warrant attention and demand action. They are problems for which solutions must soon be found.

On the brighter side, I came upon an article in the May 26 issue of the New York Times which gives encouragement and hope. The article, entitled "Pleasure Travel Is Becoming Easier for the Handicapped," discusses some of the things being done to make travel easier for people who have physical handicaps.

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY AT THE ANNUAL MEETING OF THE PRESIDENT'S COMMITTEE ON EMPLOYMENT OF THE HANDICAPPED, WASHINGTON, D.C., MAY 2, 1968

You know how much these annual meetings of this Committee have come to mean to me.

This is one Vice Presidential function I discharge not from duty but from strong personal desire. I look forward, incidentally, to exercising it next year—on a slightly different basis.

I guess I think there is no more intensely human interest than the one this Committee serves.

I think, too, that there is no other area in which we are making faster progress toward realizing man's essential humanity to man. For a basic, powerful change is going on today in the whole idea of what "being handicapped" means.

It used to mean being *disqualified*—ruled out.

Today, almost suddenly in most people's thinking, it has come to mean *taking part in things*—even if on a little different basis.

There is all the difference in the world here—almost the difference for the handicapped person, between being and not being.

For the difference is between having a right to be helped and having the right and opportunity to contribute—to give as well as to get—which is a lot of what self-respect means—and having meaning as an individual instead of having to wonder what sense life makes.

Being *disqualified* was a retarded child's being denied an education if that child couldn't keep up with an educational system designed to prepare youngsters in 12 years to go to college.

It was being denied employment if you

had multiple sclerosis or cerebral palsy or had ever been in a mental hospital.

It was an epileptic's being denied a driver's license even though his seizures were controlled.

The meanest, most thoughtless *disqualification* was a man or woman in a wheel chair being denied entrance to a building—or a bathroom—because it had steps or because the door was too narrow.

Disqualification was a handicapped person's being denied the right to be useful because our whole system of mass transportation depended on being able to climb stairs.

The idea of *disqualification* is dead. It isn't the way we think anymore.

A lot of the architectural barriers—ruins of the old idea—still remain. A brilliant, attractive 18-year-old boy who came to Washington with his family for Easter vacation this year didn't get up into the Lincoln Memorial or as close as he wanted to John Kennedys' grave—because he must live on a litter and it couldn't be wheeled up the steps.

Eighty percent of those who look for employment after they leave a mental hospital—fully "cured"—feel they have to leave that off their records if they want to get a job.

Yet in a very real sense, the thinking about physically and mentally handicapped people today is that their right is not to be *disqualified* and then cared for, but to *participate*—to as full an extent of their capacity as anybody else.

The phrase "sheltered work shops" grates on me. That isn't the idea. And the practice of handicapped people gathering there every day to do dull, monotonous meaningless work—at pay rates fixed by what is would cost machines to do that work—comes out of another century.

Your Women's Committee's Project Earning Power is a great step away from that ugly human anachronism.

But a great deal more needs to be done.

Is it right to grant exemptions to the minimum wage law so that those who are employed in sheltered workshops labor at the meanest work at less than the statutory wage?

Don't they need the minimum *more* than most people?

Wouldn't it be better to subsidize those workshops, if necessary, so that a fair day's work there will result in a fair day's pay—like everyplace else?

This seems to me to make sense at least to the extent of government reimbursement for *training* costs for those men and women in these workshops who have the capacity to do so much more than they are doing.

The terms of President Johnson's JOBS program are sufficiently broad to permit the reimbursement of private employers for the special on-the-job training costs of those who are disadvantaged because of their twisted limbs as well as those who have been discriminated against because of their race.

I urge the further consideration of these possibilities—by the responsible offices in the Department of Labor and the Department of Health, Education, and Welfare—by the National Alliance of Businessmen—and, if necessary, by the Congress.

I urge even more strongly the recognition by people generally of all the ways in which we can implement the new realization that disqualification of those who are handicapped is wrong—that they are entitled to the right to take part.

Those of us who have been close to the fact of handicap, in ourselves or in our families, know how much tenderness can mean—but how empty and self-serving sympathy is—that it can sting more than it softens—weaken more than it strengthens.

Shake hands with Harold Russell—match your smile with his—and feel the smallness of being solicitous drain out of you.

Listen to Senator Dan Inouye's story of his gratitude to the nurse who made him light his own match and his own cigarette when he wakened in a battlefield hospital bed to find he had only one arm.

A lot can be done by doing what comes naturally.

But there is a lot more to do, too.

Suppose every businessman here today checked his hiring practices to see whether the forms ask about previous mental treatment—and if they do, what the reaction is to an affirmative answer.

Suppose, then, all job descriptions were checked to see whether there are less skilled elements in three or four jobs that could be combined into one that someone in a wheel chair could perform.

The Committee on Disabled Veterans advises me that among the largest barriers to the employment of men who come back from service having paid a higher price for it is that seniority clauses, pension plans, and workmen's compensation practices make an employer hesitate about taking them on. Suppose you here today who are union officials checked into this.

Suppose those here today who are builders or architects, or who are responsible for any new construction, were to check every blueprint to see whether there are ramps as well as steps.

Suppose every woman here who does her own shopping were to ask the local manager at the supermarket whether he hires the handicapped.

Suppose everybody here who owns a share of stock were to drop a note to the corporate headquarters asking what the company's policies are about hiring handicapped people.

There's something else:

Over 2 million American workers suffer disabling injuries every year. This means that 500 have been hurt badly just while I've been talking.

Many of these injuries are so serious that the person involved is going to be, from here on, a "handicapped person."

It is time for those of us who are concerned about employment of the handicapped to help out by cutting down the number of employed who *become* handicapped.

Suppose everyone in this room wrote his Senator and his Congressman asking him to support the Workers Safety Bill which President Johnson has sent to Congress and which it now has before it.

Meetings such as this aren't just for listening to speeches. They are for getting something done.

One of my purposes this year is going to be to try to make it clearer how people can take a more effective part in making this country of ours what we want it to be.

Harold Russell tells me we need more local Committees on Employment of the Handicapped. I add my urging to his.

Beyond this, my message to you today is that we can—not just as voters and taxpayers, but as individuals—do most for those we call "handicapped" by insisting that none of them be *disqualified*—that their right is to *participate*. For this—and nothing less—is what *living* means.

Now I have the privilege of presenting the President's trophy to a dear friend of mine, Max Rheinberger.

Max is not anybody's beneficiary. He is a full participant in this society—who lives more for others than for himself. He has reached out to others—with compassion—but even more with a mesage of honest hope—and most of all with the means to prepare themselves for equal opportunity.

We thank him—in the President's name—and on behalf of the nation.

[From the New York Times, May 26, 1968]

PLEASURE TRAVEL IS BECOMING EASIER FOR THE HANDICAPPED

(By Kent Ruth)

Physically handicapped people have been discarding their mental wheelchairs, braces and crutches in recent years, and getting out and doing things. And that includes traveling—near home, across the country and even overseas.

There are an estimated 250,000 persons in this country confined to wheelchairs, 200,000 who wear leg braces and 140,000 with artificial limbs. A growing number of these disabled people, convinced that enjoying new experiences and having fun are essential parts of living a wholly satisfying life, are finding such outlets through travel.

Next month, nearly 100 members of the Federation for the Handicapped here in New York will spend a weekend at a dude ranch in Walkill, N.Y. There, if they prove as adventurous as a similar group last year, all will ride a horse—most for the first time.

In August, another group of about 80 federation members will fly west for a two week vacation in San Francisco, Los Angeles and Las Vegas.

SERIES OF OUTINGS

Such trips are not unusual in the federation's group work and recreation program. For the last seven years, in a step-by-step process not unlike that involved in physical rehabilitation, federation members have participated in a series of trips designed not only to expand their horizons but also to accustom them to travel. Outings are scheduled once a week during the summer (mid-June to mid-October) and once a month during the rest of the year.

Some of these have been day-long visits to nearby parks and historical sites; others have been an evening out at a local restaurant, followed by a Broadway play, a concert or even a burlesque show.

Gradually building on their experiences, members of the federation have made weekend visits to such places as Washington, Williamsburg, Gettysburg, the Pennsylvania Dutch country, Atlantic City, the Catskills, Tanglewood, Cape Cod and Expo '67. The groups travel largely by train or chartered bus.

OVERSEAS JOURNEYS

Some members of the federation have gone even farther afield. In 1965, a group of 52 including six persons in wheelchairs, went on a two-week tour of London, Paris and Rome. In 1966, a group of 62 sailed to Nassau; last year, a group of 64 flew to Puerto Rico and St. Thomas.

The federation estimates that it has sponsored 200 trips. Nearly half of its members—424 out of 900—have participated in some way. Last year, a total of 1,748 persons took part.

A nonprofit, private agency, the federation draws its membership largely from the New York City area, but it also has members from Connecticut, Pennsylvania, Maryland, New Jersey and New York State. Membership is open to orthopedically handicapped persons, male and female, over 18. The annual fee is $2. For information, write or call the Federation for the Handicapped, 211 West 14th Street, New York, N.Y.

ACTIVE PROGRAM

A group headquartered in Indianapolis also carries on an active travel program for the handicapped, including those disabled by cerebral palsy, muscular dystrophy and polio. Called Handy-Cap Horizons, Inc., it has been sponsoring tours since 1957. Its membership is worldwide.

Forty-two members of Handy-Cap Horizons returned recently from a 21-day tour of Europe and the Holy Land. Among the group were 16 persons in wheelchairs and others on crutches or in braces. They represented seven states (from Oregon to Connecticut), the District of Columbia and the Canadian provinces of Alberta and Ontario.

The tour was the 19th sponsored by Handy-Cap Horizons. These have taken 1,010 members from Hawaii to Washington, D.C., and from Hollywood, Calif., to Sarasota, Fla.

The largest and least expensive trip: 123 members made a three-day bus tour of Indiana at a cost of only $1.50 a person. The price was kept low because transportation, lodging and most meals were provided free.

PEOPLE TO PEOPLE

Several of the Handy-Cap Horizons trips have emphasized "people-to-people" contacts; this has been accomplished with the cooperation of Federal agencies. In August, the group will help bring about 30 British members to Indiana for a vacation and tour with 30 handicapped persons from the United States and Canada.

People interested in joining Handy-Cap Horizons should write its president, Mrs. Dorothy Axsom, 3250 East Loretta Drive, Indianapolis, Ind., 46227. The annual membership fee, which includes a quarterly publication, is $1.50 for an individual or $2 for a family.

The handicapped are traveling not only in groups, but also on their own (although usually accompanied by a spouse or friend).

"IT CAN BE DONE"

One spokesman for this type of travel is Ernest M. Gutman, a lawyer-traveler-author confined to a wheelchair. His first books, "Cape to Cape by Wheelchair" and "Middle Europe by Wheelchair," demonstrated that "it can be done."

Mr. Gutman's most recent book, "A Travel Guide for the Disabled," tells "how to do it." Designed for the handicapped traveler going abroad, it offers detailed suggestions for pre-trip planning and for touring in Paris, Rome, four cities in Switzerland and London.

Increased travel by the handicapped reflects a growing awareness and acceptance of the physically restricted—and of their capabilities and needs—by those with whom they must deal or encounter on their travels.

Not all of these mental barriers have been overcome. The Federation for the Handicapped says it has found some tour operators reluctant or unwilling to accept the "risk" of mapping trips for the disabled or to make the effort required to check out the necessary accommodations. Some resort operators and restaurant managers, the federation adds, discourage the handicapped out of fear that the general non-disabled public will resent, or be made uncomfortable by, their adjacent presence.

However, federation personnel believe that these attitudes are being overcome.

CARRIERS COOPERATIVE

One of the most cooperative and experienced of the groups dealing with handicapped travelers are the carriers—airlines, ship lines, railroads and bus lines. Even here, as in all arrangements and accommodations, it is important to plan carefully, make reservations as far ahead as possible and to describe frankly and clearly the facilities and assistance needed. Transferring to taxis is usually no problem, and the leading car-rental agencies in most major cities now offer hand-controlled rental vehicles at no extra charge.

An important spur to travel by the handicapped is the lowering of physical barriers. It does not take a Grand Canyon to stop a wheelchair, or a Pikes Peak to slow down a man with a cane. A simple curb often can turn the trick, or a majestic flight of stairs, or a narrow door.

One of the most satisfying world's fairs ever staged, from the standpoint of the handicapped, was Montreal's popular Expo '67. It was virtually free of architectural barriers, and there were plenty of ramps and no curbs.

In San Antonio, Hemis-Fair '68 is attempting to do as well. "Our design and architectural department," reports Harold D. Robbins, director of visitor relations, "has been very sympathetic to the needs of handicapped travelers. I do not believe there will be any major inconveniences."

Guides and hostesses, as well as Sea and Explorer Scouts, are available to assist the disabled, and special guided tours for the handicapped are scheduled at 9:30 A.M. and 4 P.M. each Tuesday and Sunday. These tours originate at Gate 3, which can be approached from Commerce Street, Durango Street or Interstate 37.

On the Federal level, the General Services Administration has ordered all new construction contracts to specify doorways at least 28 inches wide (so as to accommodate wheelchairs) and to include other special means of accessibility, such as ramps and elevators.

FACILITIES SURVEYED

The National Park Service surveyed its vast facilities, and discovered most Visitor Centers "off limits" to the disabled because of steps, curbs, narrow doors and other barriers. It has ordered the elimination of these barriers in all new construction and, wherever "feasible," the modification of present facilities so as to make them accessible for the handicapped.

The President's Committee on Employment of the Handicapped has published "Guide to the National Parks and Monuments for Handicapped Tourists." It is available for 45 cents from the Government Printing Office, Washington, D.C. 20402.

This 81-page illustrated booklet provides detailed information on steps, door widths, trail gradients and other possible obstacles at more than 200 National Park Service facilities. The book is an extremely helpful trip-planning guide. Unfortunately, it does point up the limited number of facilities where the handicapped tourist can get about easily; these include the White House and Everglades, Yellowstone and Yosemite National Parks.

FOREST SERVICE POLICY

The United States Forest Service also has become concerned about making recreation easier for the disabled. Nolan O'Neal, assistant director of information and education, says it is now Forest Service policy to design all trails, visitor facilities and proposed orientation centers "with a view toward accommodating the handicapped wherever this is feasible."

An important "first" is the 600-foot-long Roaring Fork Braille Trail in White River National Forest, near Aspen, Colo. Nylon cords guide the blind safely along the specially designed nature trail. Twenty-three Braille markers along the way help the sightless visitor appreciate the flora and fauna and other features of the forest about him.

The Department of the Interior has issued a booklet, "Outdoor Recreation Planning for the Handicapped," and the Department of Transportation is financing studies on transportation facilities for the disabled.

GEORGIA PROJECT

The states are also taking action. For example, Georgia is creating a state park that will offer a broad complex of outdoor recreation facilities designed solely for the handicapped. The $1,300,000 project, which is being financed in part by a grant from the Department of the Interior, will be situated within Fort Yargo State Park, a 1,680-acre area of rolling woodland in north-central Georgia.

"All facilities will be constructed with convenience to disabled persons as a primary objective," says John Gordon, director of the Georgia Department of State Parks.

The area selected for the park adjoins a lake whose sloping beach makes possible the construction of walks and ramps of moderate incline. Boat docks will serve small, flat-bottomed fishing boats that can be boarded safely, and pontoon boats will be available for persons in wheelchairs. Planned recreation activities include organized residence camping, nature walks, swimming, picnicking, fishing and bicycling.

AIDS AT REST AREAS

The Michigan Highway Commission announced recently that new rest areas to be constructed along the state's freeway system will have special aids for disabled persons. Wider doors and sloping ramps, instead of steps, will permit easier access to rest rooms by the handicapped or elderly.

In New Jersey, a state-owned lake in Prospertown, deep in the heart of the state, now has a fishing pier that is connected to the parking lot by a runway. Oregon has a similar wheelchair fishing ramp beside the Deschutes, a dependable trout stream about 100 miles east of Portland and near the Columbia River, it was built largely through the efforts of a local sportsman's club.

ENCOURAGING RESPONSE

Minnesota's Society for Crippled Children and Adults is calling to the attention of oil company executives the inaccessibility of many service station rest rooms. The initial response has been encouraging—as well it might, for more than 400,000 physically disabled persons drive their own cars today.

Most handicapped travel by car, and the nation's lodging and restaurant chains are moving to accommodate them. Even independent operators in the travel field are responding. For example, Cypress Gardens in Florida offers tours on specially tailored boats, and a St. Petersburg steak house advertises "plenty of room for wheelchairs."

A number of local Easter Seal Societies and other groups have prepared guide books to their cities for use by the handicapped. A list of those now available can be obtained from the National Society for Crippled Children and Adults, 2023 Ogden Avenue, Chicago 60612.

CAPITAL A GOOD CHOICE

Disabled persons planning to visit the nation's capital can obtain from their Congressman a free copy of "Sites in Washington with Facilities for the Handicapped." The city is a particularly good choice for the handicapped traveler, for most Federal buildings are accessible.

Several national guidebooks for the handicapped also are available. One of the best is "Where Turning Wheels Stop," edited by Ernest M. Sawyer and published by the Paralyzed Veterans of America, Inc., 3636 Sixteenth Street, N.W., Washington, D.C. 20010. An 84-page directory, it lists accessible lodging and eating places in the United States (except Alaska), and it identifies those facilities having specially built paraplegic units. The 1968 edition, the third, sells for $1.

MORE THAN 900 LISTINGS

"The Wheelchair Traveler" by Douglass R. Annand, a paraplegic confined to a wheelchair, is a 60-page booklet with more than 900 hotel-motel and restaurant listings, sightseeing attractions and other helpful material for the handicapped traveler.

The booklet covers 49 states (not Alaska), plus Canada and Mexico. Revised regularly, it sells for $3 and is available from P.O. Box 169, Woodland Hills, Calif. 91364.

PRESIDENT CALLS FOR RESTORATION OF FUNDS FOR ADMINISTERING THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Mr. JAVITS. Mr. President, on July 1, 1968, the President issued an official statement commemorating the third anniversary of the Equal Employment Opportunity Commission. The President noted that the Commission has been making encouraging progress under title VII of the Civil Rights Act of 1964 but that "a good deal remains to be done if we are to assure minority group members and women the equal job opportunity which the Congress mandated."

In view of the task remaining to be done, the President appealed to the Senate to restore the cut in funds made by the House of Representatives for the Commission. I have previously called the attention of the Senate to the drastic cut—almost 50 percent; budget, $13,093,000, House $6,936,000—made by the House in the funds requested for the EEOC in the President's budget. It is most gratifying that the administration has decided to fight this action on the part of the House. As a member of the Committee on Appropriations and of the State-Justice-Commerce Subcommittee I shall do all that I can to bring about restoration of the funds cut by the House.

I ask unanimous consent that the text of the President's statement of July 1, 1968, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT, JULY 1, 1968

Three years ago today the U.S. Equal Employment Opportunity Commission opened its doors with the mandate from Congress to end discrimination in employment.

The doors of business and of labor had long been closed—barred by the color of a person's skin, or his national origin, or his religion, or barred just because the person was considered of the wrong sex.

The Equal Employment Opportunity Commission is making encouraging progress toward the goals set by the Congress under Title VII of the Civil Rights Act of 1964 which I signed into law.

But a good deal remains to be done if we are to assure minority group members and women the equal job opportunity which the Congress mandated.

That is why I am appealing to the U.S. Senate—as we mark this third anniversary of EEOC—to restore the cut in funds made by the House of Representatives for this vital agency in its dedicated efforts to carry forward the national purpose.

WHY I LOVE AMERICA

Mr. **BYRD** of West Virginia. Mr. President, last week radio station WWNR, in Beckley, W. Va., sponsored "I Love America Week."

Patriotic themes were discussed, and various persons were invited to give their views as to why they love America.

I was privileged to be among those so asked, and I was pleased to respond.

I ask unanimous consent that the text of my statement to WWNR be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WHY I LOVE AMERICA

Station WWNR is to be commended for its promotion of "I Love America Week." I am personally grateful to be able to share with you some of the reasons why I love America.

I love our land because of its rich history. I love America because of the great men and women whose names and actions are a part of that history. I love America because it is a Republic and because—to use the famous words in the Massachusetts Compact—"It is a government of laws and not of men."

Ours is a country in which even the poorest child may rise to the highest office, may achieve success in any field, and may go as far as his ambition and talents will take him. It is, as someone has said, "the land of beginning again." In other words, it is a land which has offered the immigrants from the old world an opportunity to start anew.

America is the strongest and greatest country on earth; yet it is a country which does not use its power for aggressive purposes. It only seeks to nurture and to protect liberty and freedom from totalitarian domination.

It is a land in which every man can enjoy the fruits of his own labor, can be free to worship or not to worship, and where he can belong to the political party of his choice.

America! The land of the free! The epitomization of the dream of statesmen, political thinkers, and lovers of justice and liberty under law.

I love America, the land of my birth, the land of rippling waters, snow-capped mountains, verdant valleys, western woodlands, northern lakes, eastern sinews of industry, and soft southern skies—my country, 'tis of thee I say, I love America!

REPORT ON 56TH ANNUAL MEETING, CHAMBER OF COMMERCE OF THE UNITED STATES

Mr. **PROXMIRE**. Mr. President, some 3 months ago the Chamber of Commerce of the United States held its 56th annual meeting in Washington, D.C. Mr. Peter P. Weidenbruch has prepared an excellent report on the meeting which emphatically points out many of the telling social and economic issues of our times.

Mr. Weidenbruch's astute selection of comments from speeches made at the meeting by leading men in government and the business community brings into dramatic focus vital problems facing our country today. Urban affairs, race relations, youth opportunities, and our balance of payments are spotlighted in the report.

I ask unanimous consent that Mr. Weidenbruch's introduction and the remarks of the Hon. Robert C. Weaver, Secretary of the Department of Housing and Urban Development be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD as follows:

REPORT ON THE 56TH ANNUAL MEETING OF THE CHAMBER OF COMMERCE OF THE UNITED STATES, WASHINGTON, D.C., APRIL 28, 29, 30, AND MAY 1, 1968

(By Mr. Peter P. Weidenbouch)

My previous Annual Reports for DFISA have emphasized the contribution of the business community to our national economy.

I devoted considerable space to the benefits and advantages derived from our Free Enterprise System and to the necessity of having businessmen participate in local and national politics.

In my 1965 report covering the 53rd annual meeting of the Chamber of Commerce of the United States, I stated:

"Our attention was called to the fact that we are going through a truly revolutionary social change in race relations—and it is nowhere more challenging than in the field of employment. Business and industry have their obligations in the reformation, and I honestly believe we are meeting them. Right now, however, we all need more understanding, more communication, more action and fewer profound statements."

I introduce this year's report with that quote because well-known speakers and representatives of the Chamber of Commerce 3 years ago called attention to the serious problems that face us today.

Principal discussions at this year's meeting pertained to existing social and economic problems and pinpointed the specific trouble spots which are seriously affecting the continued well-being of our country today.

I've selected the following excerpts from this year's speeches because I feel that the DFISA members will be interested in what some prominent men had to say.

REMARKS OF THE HON. ROBERT C. WEAVER, SECRETARY, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

As I review your program, it appears that others will speak to the issue in greater detail. I want to observe that there is no more crucial domestic problem than Negro-white relations. They are coming to a head at a time when we have the resources to resolve the basic economic issues of want and deprivation.

But we still lack the understanding, the commitment, and the techniques for bringing into the mainstream of American life those who have long been beyond the pale and of whom many are becoming disenchanted with society. This is serious in any nation. It is disastrous in a democracy.

Thus while we use our know-how to destroy poverty and extend opportunity, we must also involve our hearts and emotions in the quest for equality and unity. It is not enough to do things for neglected people; it is crucial to do things with them. It is not enough to dedicate resources to the task ahead, but we must also provide personal involvement in society for those now alienated from society.

When each one of you can answer honestly the question: How would you feel and how would you react were you hemmed in physically, economically and psychologically in a ghetto—then and only then are you in a position to meet the racial problem of America.

The central domestic question before our Nation remains not so much what to do about urban problems, but whether we will now make the national decisions necessary to move ahead in a massive way on what we know must be done.

These are decisions not only for business or government, or Congress, but for every American.

COMMENCEMENT ADDRESS BY LT. GEN. ROBERT N. SMITH TO 1968 CLASS OF FRYEBURG ACADEMY

Mrs. **SMITH**. Mr. President, a distinguished citizen of Maine recently made the commencement address to the 1968 graduating class of the Fryeburg, Maine, Academy. It was the address of Lt. Gen. Robert N. Smith, vice commander in chief of the U.S. Air Forces in Europe.

Because of the timeliness and excellence of the message in his address, I invite Senators to give it serious consideration. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COMMENCEMENT ADDRESS TO THE 1968 GRADUATING CLASS, FRYEBURG ACADEMY, FRYEBURG, MAINE, BY LT. GEN. ROBERT N. SMITH, VICE COMMANDER IN CHIEF, U.S. AIR FORCES IN EUROPE, JUNE 15, 1968

In this, the 175th year of Fryeburg Academy, it is fitting to recall for a moment the legacy of this school. It is fitting also to reflect on the simple but enduring goals for which the men and women of Fryeburg lived:

They worked and fought to secure the lives—the property—the welfare—and the hopes of their children and fellow men;

They struggled to secure the blessing of peace—not only for themselves but for their neighbors.

And they built a school:

That they and theirs might have a future;

That they might extend to others their legacy of freedom and security;

That they might train and educate the builders of tomorrow.

Today we are here to continue that process—to graduate young people who have distinguished themselves over a long period of intense study at Fryeburg. We are here just as we should be in the true American way to honor young people who have made sacrifices and have applied themselves to this task and have excelled. Their success is measured in their development of intellectual competence to better prepare them to face the adult years ahead.

Our school years provide us with an awareness of the events that are occurring—an awareness of the society we live in—an awareness of the people around us—their problems and how their lives impact on our lives.

A liberal education develops in each of us an appreciation and a concern for the human experiences that are history. It provides us with the hindsight—the ability to recall what has gone before us and to apply with wisdom those lessons learned to the issues now ahead.

And finally a liberal education develops in us a capacity for commitment—a capacity to visualize—to recognize—to accept our tasks—it readies us for a responsible place in our society—and to commit ourselves to better and greater positions as we mature. Commitment not only in terms of personal success but commitment to that extra something to make this a better country.

Along these lines I have chosen to discuss a subject that is of the greatest importance to our Nation today. I would mention at the outset that the way we choose to handle it will in large measure determine the future path of *America*—the America that we would like!!

I call this "Our American Vision." I would define American Vision not as a complex philosophy for intellectuals to debate, but as something so simple that every man can understand it. It is essentially those things that we stand for—the things that motivated our ancestors to come to a wild and unknown land and gamble everything, including their lives, to make it grow—it is what we read, without innuendoes, in the documents that a few visionary patriots wrote—our Declaration of Independence—our Constitution—the Bill of Rights. It is what we read in the court decisions—the treaties—the laws—and ordinances—duly recorded. We have seen *them* emerge in the Emancipation Proclamation, and again in the Charter of the United Nations.

Our American Vision encompasses fundamental, ethical and moral belief in the dignity of the individual and his society. It is our embrace of freedom—all kinds of freedom—righteousness—and justice. *These* things are far more valuable than wealth—than influence—than world power—or other transitory values. We started with these principles—we have stayed with these principles—and they have achieved for *us* the standard of living and the world eminence that we enjoy.

Almost without exception (including myself), senior officials who visit South Vietnam encounter openly expressed concern on the part of our men in uniform regarding what has been taking place back home. They understand why *they* are in Vietnam and what must be done over there. But they do *not* understand what is happening here at home. Our leaders do their best to explain, but they are compelled to tell our men honestly of the tragedies that have befallen this nation in recent months. One of these has been the sharp division of opinion over our actions in Vietnam. Another is the domestic turbulence which racks this nation. Debate in public and the privilege of seeking redress for grievances are rights that we teach our young to exercise. But the undisciplined spectacles that we have witnessed in our city streets and on many of our college campuses simply indicate a complete disrespect for law and order.

And yet the foundation of America—of any well-ordered society—is the rule of law. The security of this country, along with that of other nations rests upon the maintenance of law and order. If there must be change, it must *not* be change by *mob* rule. It must be change by due process. Without law and order, justice and freedom disappear.

It is against this backdrop that I raise the question: What is happening to the American Vision? Is it not as distinct to Americans today as it was when I was here at Fryeburg? Certainly, the level of criticism both at home and abroad is much higher now than it was then. But in view of the magnitude and complexities of this nation's worldwide responsibilities, is that really so surprising?

America has been criticized that economic gain motivates our every foreign policy decision—that we place a dollar sign on every treaty and agreement.

History proves these critics wrong—our relations with other countries have been based upon *our* ethical heritage and *not* on sterile economics. We are crticized that we create a dollar invasion—that United States capital is out to control foreign industry. But think back to the bleak years of 1945 to 1950 when virtually the entire Free World was prostate. We sent American capital by the billions to revive political and economic systems of people who desired to pursue their own visions—to permit them to resist an encroaching system in which the individual is nothing and the state is all. We were *not* vindictive—we helped to reconstruct the societies of our enemies as well as those of our allies—but we did this in accordance with the vision of a community of peaceful nations. It lifted nations from the depths of despair and ruin to national dignity.

Our enemies accuse us of being colonizers and neo-imperialists. Whom have we colonized? Hawaii—Alaska? We have decolonized the Philippines. Our policy since World War II has had the central theme of resisting the re-imposition of colonial regimes. We held to this policy despite our strong wartime bonds with former colonial powers. We insisted on a United Nations—that opopsed colonialism—and *this* is *our* policy in Southeast Asia today.

We have been accused of meddling in the internal affairs of other nations—which are none of our business. I answer that we have never attempted to impose our system on others. We attempt to demonstrate, by example, that our values and principles have application in other countries—that through local adaptation of what we know as justice—as personal liberty—as opportunity based on merit instead of birthright—and on respect for the individual—can achieve national cohesion and national purpose.

We as a nation are involved in other countries. We grant and lend dollars to open hospitals and build dams and lay new roads. And we are prepared to resist aggression with force, if called upon. But this nation has applied its tremendous power with more restraint and dignity than any nation in the history of mankind. The American Vision of humanitarianism and faith in the progress of the individual underlies our policies—*not* crass political or geographical gain or cold dollar value.

If this is imperialism, then *I* will live with it.

So much for our detractors abroad—But let me say that there are other voices in these foreign countries—perhaps less articulate—but no less real—which all too often escape our notice—these are the voices that say "Yes, Americans, your system—your values—are good. Let us share in your vision."

Of whom do I speak? I speak of the Hungarians who fled Budapest in 1956 when a dictatorship reimposed itself with tanks and machine guns. Many of those people—having tasted freedom—found their way to our shores and new opportunity. Ask *them* why *they* came.

Go to the docks in Miami and ask the Cuban refugee why he left Havana—in the open boat. Ask *our* immigration officials how *many* are on the waiting list to come *in* from every continent.

No, I do not worry about our critics across the oceans. There are too many foreigners who validate the American Vision. But every American should be troubled about our attitudes at home. If our principles are *so* attractive to those who *cannot* enjoy them—why are they in such disfavor with Americans who *can?*

I have been very closely involved in the events of the unfortunate *days* of 1967 and 1968. In a span of twelve months, Federal forces have been twice called upon by civil authority to clear the streets and restore order. Killing, arson, and looting broke out *even* in the Capital. It can't happen in America, we said—but it *did!*

We have a problem of very serious proportions. When our civil authority orders troops to assist in upholding the law, we have taken the last step for law enforcement. These troops then join in the final defense of order and the prevention of anarchy. How many more times must these forces be ordered out? Whom do we call upon next?

What has led *to this very obvious* decline in respect for law—for the rights of people *to pursue* their goals—Why have *our* ideals become a mockery and a target for cynics?

Is it because we *no longer have a* frontier—*no longer* a place where a man can match his wits and strength with the elements? Or is there too much affluence or are there no challenges. It is not so! There *is* a frontier—but not in a geographical sense and there are plenty of challenges.

I offer that the problem lies with the individual—many individuals—an entire aggregation of individuals making up the nation's population. The individual is central to the Amercan Vision. If our vision is fading, then it is because individuals will not be involved. When tragedy strikes, we hear the excuse "I don't want to be involved"—or "I wonder what *'they'* are going to do about it?" There should be no doubt in your minds—"they" are "we"—you and I. If we do not get involved, who will? *I'll tell you who.*—It will be the demonstrators who seek to get involved—those who think they have a purpose—a purpose that is very ambiguous and contrary to the American Vision.

This stark truth lies at the heart of campus dissent and violence in the streets. It grows *out of* the inability to recognize what is constructive—or the inability to identify meaningful objectives. Yes, the American Vision is not a reality to some. While the vision rings clear to most of us—that individual dignity and rights are paramount—and tells *us* that every American can go as far as *his* capabilities will take him the frustrated among us protest that this is not so—they protest that avenues are closed—that opportunity does not exist—that justice is the exclusive right of a few. Many seek other channels to vent this frustration—street violence—the takeover of universities—draft card burning—flight abroad to avoid military service—and the march on Washington—yes—and even assassination.

These *are* the people who get involved. However, they are attempting to create a different image of America. I submit that this is not the image we want!! Then how do *we* retard it—how do *we* halt it—how do *we* reverse this trend?

What we need now is the *re*creation of constructive goals—the use of brainpower—of energy—and resourcefulness to reopen the channels in our social order—we need to reaffirm the true Vision for everyone—we need confidence that freedom is in *truth*—in *justice*—in *dignity*—and in *righteousness* until mockery and cynicism have no soil in which to grow.

Now who is going to do it? It is easy to agree—"It must be done. But I am just one person and cannot do much." It is always easy to say "Let George do it"—or "That is why I elect Congressmen—to look out for the nation's problems." But these are not the nation's problems—they are our problems. We are the nation. If we, as individuals fail in our responsibilities, we truly face a dismal future. For, as surely as tomorrow comes, dissenters will get more involved.

If you share *my* interpretation of the *American Vision*, you must get involved—you have no choice. I cannot tell you what to do—the form of involvement that best suits *you* is what you must choose. Each of you has his own life—his own pursuits, strengths and problems apart from anyone else. But *I do know* that there are tasks enough for everyone—that each of *you* can leave here *today* and become constructively involved. You must match your personal obligations and capacities to the task at hand. Perhaps you are already involved—but is it enough? National issues are going to take *total* involvement by *many* Americans. Time is passing and so may be our chances.

Today *I* am calling *you* to arms—I am throwing down the gauntlet. Recall that your heritage and standards are nothing more than the story of men who became involved. General Frye, the founding father of Fryeburg, became involved—George Washington and Abraham Lincoln became involved—so did Franklin Roosevelt and John F. Kennedy. In two World Wars the entire population became involved. Millions of 20th Century immigrants from Europe and elsewhere became involved—they *sought* America and they *built* on foundations that others had started—and they built for *us*—have we not the same obligation to build for those who follow as well as for those who share America with us now? *That* is the challenge and it translates into *involvement*—into *commitment*—as individuals.

If *I* did not think that *you* could measure up, I would not issue the challenge. *You* are even *more* capable than those who have been involved before.

I become somewhat emotional when I speak of our country and for what it stands. It has personal meaning for me. I believe in it. I have been involved since I first put on my country's uniform and pledged to protect its flag from all enemies. I take comfort in the view that our fighting men share it. *They* are involved.

But not all Americans are. Now, however, we can no longer stand back if we intend to influence the course of American history that is consistent with the vision we hold.

The gauntlet is *there*—the challenge is *issued*—the stakes are high. Please do accept this challenge—do care for your country—do take your place with those who so bravely and proudly built this nation on solid rock. *Pick up* the gauntlet—*today*—and move forward building a stronger and better country—a stronger and more viable nation and *perhaps most important*—a society of *decent human beings*.

To the graduating class of 1968—I salute you!

DEPARTMENT OF AGRICULTURE SUPERIOR SERVICE AWARD TO EDWIN P. ROGERS, OF SOUTH CAROLINA

Mr. HOLLINGS. Mr. President, a few weeks ago a good friend of mine and one of South Carolina's most distinguished and able public servants, Edwin P. Rogers, received the U.S. Department of Agriculture's Superior Service Award for his "dynamic leadership in rural areas development" as our State director for the Farmers Home Administration.

Mr. Rogers has been a dedicated career employee with this agency for the past 33 years and has served as State director since 1958.

If anyone deserved such an award, Mr. Rogers did. He has made the Farmers Home Administration in South Carolina one of the most effective agencies in Federal Government in helping farm families and assisting rural communities in attracting business, providing jobs, and building new rural homes. As chairman of the State technical action panel—which is composed primarily of USDA field personnel in the State—he has established a strong team of Federal, State, and local people working to revitalize the economy of rural South Carolina.

Proof of this is contained in a recent issue of the Progressive Farmer—an article entitled "Working Together Sparks Progress," written by Romaine Smith. It relates the excellent progress being made in Lexington County, S.C., where population is growing, assessed valuation of land and property is increasing, and new business is coming in, because men like Mr. Rogers are helping rural communities to install water systems, recreation centers, and watershed projects which enable communities to expand and meet the needs of industry and business.

I ask unanimous consent that the article be printed in the Record so that others may know that real rural progress can be achieved and is being accomplished in many parts of rural America.

There being no objection, the article was ordered to be printed in the Record, as follows:

WORKING TOGETHER SPARKS PROGRESS

(By Romaine Smith)

Lexington County, S.C., is a good example of rural progress through group action. In less than 10 years its people, by working together locally, with and through county, state, and national officials and agencies, have been able to achieve much progress.

They have made a comprehensive countywide survey of water and sewage needs; have planned development of the Hollow Creek watershed, involving 89 acres of reservoir for additional water supplies; and have developed four rural water systems that serve 500 rural families, at a cost of over one-half million dollars. Much of this work has been financed through the Farmers Home Administration.

They have brought in 34 new industries, provided more than 10,000 new jobs (in new and expanded industries), and added $47 million to the county's annual payroll.

They have built over 3,000 new homes, with 90 of them financed through the Farmers Home Administration.

They have developed 47 new recreation centers, including 4 new golf courses (2 private and 2 public), 5 water sports areas, 30 public fishing areas, 2 family campgrounds, 2 hunting preserves, 4 horse riding stables, and helped to plan and develop the Palmetto Outdoor Historical Association in adjoining Richland County for handling a local historical commercial production.

This production has involved erecting a 1,200-seating-capacity building at a cost of over a quarter million dollars, with additional production costs of $27,000. The drama was written by Kermit Hunter of Southern Methodist University in Texas, who created the well known Cherokee, N.C., pageant "Unto These Hills" and other local historical dramas.

More people are staying in the county and more are coming in. In 1950 the county's population was 44,000. By 1960 it had moved up to almost 61,000. Today, according to local officials, 75,000 people live in this predominantly rural county.

With the coming of new jobs and industries (agricultural and nonagricultural), both industry and agriculture have prospered. Sale of livestock and livestock products makes up 65% of the county farm income. Lexington is now top broiler county in the state and ranks second in laying hens. These two enterprises have skyrocketed in recent years, and the $5.5 million annual income they produce accounts for about half of the county's total farm income.

In crop production, the acreage of soybeans, a relatively new crop in the county, has soared upward and now adds another $1 million to the county's annual farm income. Truck crops in the area are flourishing.

Cash farm receipts have more than tripled in the past 15 years, going from $3½ million to $11 million, which does not include almost a million dollars in ASCS payments to farmers. Both agriculture and industry have expanded and prospered; each of them has been good for the other.

Assessed property values in the county, another indicator of growth, rose from $37¼ million in 1966 to $40½ million in 1967.

Schools have improved their curriculum and quality of teaching. And more dollars have been invested in a quality educational program; monies spent for schools almost doubled from 1962 to 1967. Expenditures went from less than $5 million to more than $49½ million, while student enrollment climbed from 18,086 to 20,858 students. Richland Tech, a technical education center in adjoining Richland County, is easily accessible to students in Lexington County. And the University of South Carolina is only 14 miles away.

A new and modern airport, serving both Lexington and Richland counties, was built in Lexington County in 1965 at a cost of $5½ million. With the new airport and new four-lane highways close by, transportation facilities are adequate for continued growth.

How did all this (and much more) come about? The people worked together. County and municipal government leaders joined hands with civic leaders; school officials; county, state, and federal agencies; and rural community resource development groups.

Since 1957 one or two rural community development clubs have been organized annually in communities throughout the county. There are now 17 active clubs, with memberships ranging from 60 to 250. Presidents of the 17 clubs make up the County Community Development Committee. Each community club owns its own attractive community house, ranging in value from $15,000 to $50,000, where local meetings are held. The clubs meet regularly and have a business session followed by a social hour.

"The secret of our success with community resource development clubs lies in the fact that we have working committees," said Raymond Boozer, associate county agent. "Most of the work is done through committees." For instance, the physical fitness committee, both at county and community levels, plans and promotes an annual countywide physical fitness day. It is attended by 500 to 600 spectators and has 200 participants.

Similarly, a county and community civic

committee works with civic groups in promoting all kinds of civic projects. And there are committees that plan and provide industrial development, recreation and tourism, health, welfare, and safety. Still others work with youth, utilities, promotion, and publicity. In various ways the entire county leadership, with its total resources, is brought to bear on local projects.

The chairmen of each of some 18 committees plus the Technical Action Panel make up the total Resource Development Committee for the county. Fred Mathias, near Lexington, is the 1968 president. Over 140 county leaders are serving on various committees, all working to develop the entire resources of the county, including economic enterprises, community and human resources, and natural resources.

In addition to projects and programs already mentioned, others have been approved, and still others are in the planning stage.

For example, a group of about 50 farmers from the Swansea community have made application to FHA for assistance in establishing a farmer cooperative which would include a cotton gin and provide storage and marketing facilities for soybeans, cotton seed, fertilizers, insecticides, and other items.

"Every time we work on a project we gain valuable experience and know-how, which help us with our next one," said Robert Lindler, chairman of the Lexington County Community Development Committee. This is the general attitude of all committee members—and the reason they get things done.

A REPORTER'S VIEW

Mr. PERCY. Mr. President, Raymond R. Coffey, one of the distinguished foreign correspondents of the Chicago Daily News, recently returned to Chicago after covering the Vietnam war for 27 months. As a public service, the Daily News is publishing Mr. Coffey's answers to questions about the war from Daily News readers.

I ask unanimous consent that Mr. Coffey's first column of answers, published on June 29, 1968, be included in the Record so that his informed views may be available to my colleagues.

There being no objection, the article was ordered to be printed in the Record, as follows:

When Will the Viet War Be Over?

(By Raymond R. Coffey)

The first questions people asked me when I returned from Vietnam in 1965 were something like: "Are we winning the war? Can we win it? Why aren't we winning it?"

Nearly three years later, the first question—it often seems the only question—is: "When is the war going to end?"

I don't know, which isn't a very smashing way to start a question-and-answer article.

But the change in approach of the questioning strikes me as an indication that people may be more interested in getting the war over than in how it ends.

And the more impatient people get with the war, the sooner, I suppose, it will end.

Among the most frequently asked questions recently have been:

Q. Is Hanoi serious about talking peace in Paris?

A. My guess is that the peace, whenever it comes, will come out of the talks in Paris. For one thing, now that they've started talking, I doubt that either side can afford to walk out.

The North Vietnamese are in no hurry to strike a deal yet because, I think, they feel the war is going their way at the moment and their bargaining position is improving.

Gen. William C. Westmoreland says the current wave of attacks on Saigon, for example, are of no "military significance." But they are making a serious impression on the Vietnamese people who live in daily fear of death, and the people are losing confidence in their government's (and the Americans') ability to protect them.

I have had a letter only this week from a Vietnamese family I know very well. They have just been driven from their home in Cholon, by enemy rocket and mortar attacks, for the third time since the Tet offensive last February.

That is hardly the kind of experience that makes it easy to believe that the allies are winning and the enemy is hurting.

Q. Why are the news reports so critical of the South Vietnamese army?

A. Because it's a pretty sorry excuse for an army. However, it is getting better. And the improvement has been particularly conspicuous since Tet when the Vietnamese found they had to fight for their lives and couldn't sit around and watch the Americans do it.

Perhaps the best thing that ever happened to the Vietnamese army was the decision early this year to turn down Westmoreland's request for still more American troops. It seems to have made the Vietnamese realize that they have to start doing more for themselves.

In addition to their improving performance in combat, the Vietnamese recently also have begun to make some serious progress toward cracking down on draft dodging, reducing corruption in the army and taking the war seriously.

Q. Is the present Vietnamese government any good and does it have any better chance of surviving than all the previous ones?

A. President Thieu, I think, is making an honest effort and is a pretty good man. He's up against some tough problems.

To begin with, he has had to contend with a lot of "inside" sniping and undercutting from the entourage of Vice President Ky that, until recently at least, still held a lot of influence within the government and the army and which seemed more concerned with winning a political struggle against Thieu than with winning the war.

The major enemy offensives this year have also enormously complicated the government's refugee and other social welfare problems.

On one side the government is under pressure from hardliners, mainly refugees from North Vietnam who feel Thieu may be "soft" and too inclined to settle with the Viet Cong. On the other side, the increasing intensity of the war has created considerable feeling among people, already weary of war, for the government to look for a way out.

Also hanging over the government's head is the fear that the United States, anxious for a settlement, may sell them out.

Q. What about corruption in Vietnam?

A. There's a lot of it. But if there is more corruption in Vietnam than in Korea or Thailand or elsewhere in Asia, it's because there's just more money—billions of U.S. dollars—coming into Vietnam with which to be corrupt.

Q. What has happened to the pacification program?

A. Robert W. Komer, the program chief and the most unconquerable optimist in Saigon, says the program is still in business and making progress. But he's about the only one around who even talks about pacification—the "other war" to win hearts and minds—anymore. Since Tet, everyone else has had his hands full with the shooting war.

Q. What can we do for the refugees in Vietnam? Is it possible to adopt children orphaned by the war?

A. As a subcommittee headed by Sen. Edward M. Kennedy has reported, the U.S. and Vietnamese government programs for refugee relief have been woefully inadequate—and there's a lot that should be done for them.

There also are several private and religious agencies, however, such as Catholic Relief Services, that are helping the refugees and that can use help themselves.

The best thing to send is money. The agencies then can buy what the people need, money gets there faster than a boatload of clothing or blankets, and the refugees in tropical Vietnam don't wind up with someone's used mink coat and a lot of other things they can't use.

Adopting orphans is a pretty complicated procedure. The government, understandably enough, does not want to export its future.

It can be done, however, and adoptive agencies can provide the information on how to go about it.

Q. Why haven't we been able to win the war?

A. That's complicated. But for starters, there are just an awful lot of Viet Cong and North Vietnamese around and the U.S. military has been fighting what it calls a "war of attrition."

That means trying to inflict so many casualties and so much damage on the other side that it finally has to call it quits. But it also means that we are, in effect, doing battle with the birth rate of an Asian country where people are the one thing of which there's plenty.

Q. Aren't a lot of civilians being killed and wounded?

A. Yes, and that's one of the major tragedies of the war. But civilians have been killed in all wars. And in Vietnam it sometimes seems the only civilians that get worried about are the ones killed in accidental bombings and the like involving U.S. troops.

The Viet Cong, it should be remembered, use terror as a deliberate weapon and they have killed or kidnaped more than 50,000 civilians in the past nine years.

THE PRESIDENT HAS CHOSEN WISELY

Mr. PROXMIRE. Mr. President, once before, this body had before it the President's nomination of Abe Fortas to the Nation's highest Court. On that occasion, 3 years ago, we were wise in our confirmation. During the time he has served on the Court, Associate Justice Fortas has distinguished himself by contributing to decisions and giving opinions which show a real awareness of the various aspects of the problems facing the Nation.

Now the nomination of Abe Fortas is before us again. But now some people are not even looking at the evidence of his ability on the Court. Rather they are raising issues which should have no bearing on the confirmation of the nomination.

Qualification for the position is what should be considered. An editorial published in the New York Times of June 27, 1968, points out some of the qualities of Mr. Fortas which have been evidenced in private practice and on the Court. I believe that these are qualities that we need in a Chief Justice, and I hope for an early confirmation of his nomination.

I ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Fortas for Warren

When the Supreme Court reopens in the fall Associate Justice Abe Fortas will move up from the traditional junior seat at the far left to stage center as Chief Justice. The transition from the Warren Court to the

Fortas Court should be a smooth one in terms of judicial continuity. In opinions and dissents, the Associate Justice more often than not has sided with the Chief Justice. Indeed, the only rough spot in transition—and we hope it doesn't materialize—is the threat of some Senators to seek political capital by fighting confirmation.

That a distinguished lawyer and law professor now becomes Chief Justice is widely recognized. Mr. Fortas of Yale Law School and of the prestigious Washington firm of Arnold, Fortas & Porter excelled in the theory and practice of law. As one of the bright young lawyers in the Securities and Exchange Commission during the New Deal years, he coped with and often overwhelmed the intricacies of government. In private practice he combined immense success in representing corporate clients with an active concern for cases that significantly broadened legal safeguards for the impoverished and the unpopular.

When President Johnson named him to succeed Arthur J. Goldberg on the Supreme Court, Mr. Fortas was saying yes to a close friend. Exactly twenty years ago Abe Fortas had helped to extricate Lyndon B. Johnson from the legal political wars in Texas. But Mr. Fortas's record in three years on the bench has shown qualities that transcend political shrewdness and Presidential gratitude.

As an Associate Justice he has been pragmatic and idealistic—characteristics of the outstanding Chief Justice he replaces. He has lined up with the liberal majority in civil rights and civil liberties cases. He has shown an awareness of the problems of the country's economic growth. He has not feared to stand alone in dissent against the whole Court, as in his opinion holding that community antenna television operators should recognize the copyright ownership of the nation's creative elements.

Chief Justice Warren is a brilliant example of how a man of character can continue to grow in high office. There is every reason for optimism that Mr. Fortas will contribute another such lustrous example if he can add to his distinction of intellect the talent for intra-Court conciliation that helped make his predecessor so effective as Chief Justice.

Soon after he assumes the burdens of first judge of the land, the President who appointed him will leave the White House. That President's right to choose a Chief Justice is historically sound; the rightness of his choice is cause for high hopes.

JUSTICE ABE FORTAS, A MAN OF MODERATION

Mr. **MONTOYA**. Mr. President, several Senators have in recent days addressed themselves to the qualifications of Abe Fortas to be Chief Justice of the United States. Attention has, to some extent, focused upon the nominee's brilliant record as an advocate in the famous Durham and Gideon cases and upon his decisions and votes on the great constitutional and criminal law questions which have faced the Court during the past 3 years.

Although I do not subscribe to every vote and opinion in which Abe Fortas has participated during three busy terms, and know of no two lawyers who would agree on all of those issues, I join with those who view the Fortas record as one of moderation, of passionate devotion to legal principle informed and moderated by an extraordinary awareness of the actualities and complexities of real life.

But enough has been said on those subjects. I should like to address myself today to the extremely important role Abe Fortas has played in connection with the great economic issues which have confronted the Court since we confirmed his nomination 3 years ago.

It should come as no surprise that Abe Fortas has been influential in the Court's economic decisions, for his experience in the economic life of this country is equaled by no other member of the Court, with the possible exception of Mr. Justice Harlan, who came to the Court after a distinguished career as a Wall Street lawyer.

Abe Fortas first focused upon the great economic issues more than 30 years ago when he participated in the drafting of the securities and holding company legislation which has helped to keep this country free of economic instability all these years. During the thirties, he came to Washington to help to administer those laws which he had helped to draft. As Undersecretary of the Interior, Abe Fortas acquired an intimate knowledge of the resources of this country and of the problems associated with their development.

Two decades of practice with one of the Nation's great law firms immensely sharpened his sensitivity to and awareness of the problems of businessmen. Abe Fortas became a trusted counselor to businessmen, large and small, and their advocates in the courts and before the Government agencies.

Abe Fortas, perhaps more than any other lawyer in the country, knows the problems which businessmen face. The impact of the antitrust laws upon business decisions was his specialty, and he has guided many businessmen over the obstacle paths.

At the time of his appointment to the Court, Abe Fortas was a director of the great Federated Department Store chain and of the Greatamerica Corp., which controlled enterprises as diverse as Braniff Airlines and large insurance companies. The giant Unilever Co. of Europe entrusted to Abe Fortas the mighty task of steering their American subsidiaries, Lever Brothers and Thomas J. Lipton Co., through the complexities of American trade regulation law. And as adviser and counselor to the government of the Commonwealth of Puerto Rico, Abe Fortas, as much as any man, helped to fashion the economic miracle known as "Operation Bootstrap."

Abe Fortas carried his counseling activities into the courtroom, being principal attorney in the protracted all litigation and Supreme Court counsel for one of the parties in the famous Nashville Coal case.

Perhaps not since Charles Evans Hughes has a Justice been appointed who has had such intimate familiarity with such a variety of business, the problems, and the needs.

The lessons of a lifetime counseling American and foreign businessmen and in being their advocate before the courts and agencies have left their mark upon the Justice. Thus, it was not surprising that Abe Fortas brought a new approach to the Court's treatment of economic problems, that he declined to join some of the more sweeping economic decisions of the recent Court, and that he repeatedly differed with his brethren when their decisions were insensitive to business reality.

Allow me to review some of his economic decisions. Perhaps the most momentous was his decision for the Court last term approving the greatest railroad merger in history, the *Penn Central Merger Cases*, 389 U.S. 486. The term before, he had sharply dissented from the Court's temporary postponement of that merger, 386 U.S. 372. In that strong dissent, he agreed that the Court was allowing abstract considerations to jeopardize a transaction of substantial economic benefit to the Nation. He noted:

> The courts may be the principal guardians of the liberties of the people. They are not the chief administrators of its economic destiny.

This spirit so well expressed by Justice Fortas has been carried through in other major decisions as well.

In his opinions in the antitrust area, Abe Fortas has shown a sense of caution and awareness of the realities of economic life which have too often been absent from Court decisions in this area. For example, in *United States* v. *General Motors*, 384 U.S. 127, he rejected the Antitrust Division's plea that the Court break new ground in regulating the arrangements between manufacturers and distributors. Although he decided the case in favor of the Government, he rested his decision upon the classic and universally accepted conspiracy theory which the Antitrust Division had deemphasized. His opinion in that case was so tightly reasoned and well documented that the entire Court voted with him.

At the end of his second term Abe Fortas wrote for the Court in two important decisions dealing with distribution practices. In *United States* v. *Sealy*, 388 U.S. 350, although invalidating certain territorial restrictions which had been contaminated by price fixing, he carefully declined to pass upon other territorial arrangements not so contaminated. In *United States* v. *Arnold, Schwinn & Company*, 388 U.S. 365, while invalidating portions of a distribution arrangement, Abe Fortas carefully and precisely approved the right of businessmen to use genuine consignment and franchise arrangements to accomplish legitimate purposes. The response of the antitrust bar has acknowledged that the careful Fortas opinions in these cases have left open to business more alternatives and options than they had expected from the Court. See, for example, the recent article by Richard W. McLaren, chairman of the American Bar Association's section on antitrust law, in the latest issue of the Antitrust Law Journal.

But perhaps Abe Fortas has most earned the respect of businessmen and the antitrust bar by the manner in which he has disputed with his brethren over their frequent tendency to ignore business reality and to decide all antitrust cases in favor of the Government. The classic case is *Federal Trade Commission* v. *Dean Foods Company*, 384 U.S. 597, where in a truly brilliant opinion marshaling overwhelming evidence from legislative history and displaying a profound awareness of business reality, Abe Fortas rebutted the majority's argument which allowed the FTC to obtain from a Federal appellate court a preliminary injunction against a merger as to which the FTC had merely filed a complaint. Rarely have I seen a dissent which was so overwhelmingly right, and for the right reasons.

Abe Fortas, too, has sharply disputed his brethren's tendency to gerrymander the "relevant market" issue in antitrust cases so that the Government always wins. In *United States* v. *Grinnell Corporation,* 384 U.S. 563, he accused the majority of tailoring "the market to the dimensions of the defendants." And with ample justification, he accused the Court of creating a "strange, red-haired, bearded, one-eyed, man-with-a-limp classification."

So too in *United States* v. *Pabst Brewing Company,* 384 U.S. 546, he declined to join the Court on the ground that it had failed adequately to deal with the relevant market issue. Noting that the effort to define a relevant market "is not a snipe hunt," he wrote:

> Unless it can be shown that the effect [of a merger] may be "substantially to lessen competition, or to tend to create a monopoly" in a specific section of the country, courts are not authorized to condemn the acquisition. Congress has been specific in at least this respect, and I cannot agree that this standard should be denigrated. Unless both the product and the geographical market are carefully defined, neither analysis nor result in antitrust is likely to be of acceptable quality.

More examples could be supplied of the sophistication, subtlety and concern for the business realities which mark the economic opinions of Abe Fortas. But that should not be necessary. The fact is that Abe Fortas brought to the Court 3 years ago the economic experience and knowledge of a Charles Evans Hughes. Like Hughes, he will make a great Chief Justice, and not least because of his role in moderating and hopefully shaping the Court's economic decisions. Certainly on the basis of these decisions, Abe Fortas has earned his promotion. I, for one, look forward to his having greater influence than ever upon the work of the Court.

JOHN L. "JACK" WILLIAMS

Mr. SYMINGTON. Mr. President, in the death Sunday, June 30, of John L. "Jack" Williams, chief of the Kansas City Star's Washington Bureau until his retirement in 1964, many of us in the Senate lost a valued friend.

Born 72 years ago in a log cabin in Kentucky, Jack, except for short service in the Army including service overseas in World War I and work as public relations manager for the Chamber of Commerce of Excelsior Springs, Mo., spent all of his adult life in newspaper work. Starting on the Tulsa, Okla., Democrat, he later worked for the Daily Oklahoman, at Oklahoma City. After coming to Missouri, he worked on the old Journal-Post in Kansas City, and then joined the Kansas City Star staff in 1939. Ten years later he came to Washington as a member of the Star's bureau.

All of us who have been interviewed from time to time by this able and dedicated newsman knew that he had the ability as well as the energy to do his homework, and then ask penetrating questions, often cloaked with humor. One of the favorite stories his friends tell about him is that he once opened an interview with Chicago's Cardinal Mundelein by asking, "Do you wear pants under that robe?" The Cardinal laughed and said that he did.

Noted for his caustic wit and cynicism in conversation, Jack Williams was known to his close friends as a sentimentalist and always an honest newsman with a keen insight into the function and purpose of government.

An editorial published in the Kansas City Star of July 2 correctly describes him as "an outstanding newspaperman." I ask unanimous consent that the editorial be printed in the RECORD.

A member of the Gridiron Club, the National Press Club, and Sigma Delta Chi, national journalistic society, all who knew him in those organizations and in his professional work here in Washington extend deepest sympathy to his wife, Mrs. Blanche Williams, and to his family. Jack Williams of the Star will be missed by us all.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JACK WILLIAMS OF THE STAR

In both Washington and Kansas City, John L. (Jack) Williams came to be quoted by people who had never known him. Much of what Jack said either on or off his newsman's job was worth repeating. He was a quipster and needler extraordinary. Yet while Jack laid about him with a conversational rapier, sparing almost no one, he was never mean. The objects of his remarks laughed with him.

Although Jack relished this part of his every-day existence, it was much less than the main business of life for him. Jack Williams, above all, was a reporter—one of the best. He was somewhat disdainful of staged press conferences and put little or no stock in official press handouts, which he regarded as essentially self-serving. Around the nation's capital or at national political conventions, Jack did his own legwork up to the time he retired as chief of The Star's Washington bureau four years ago.

In retirement, Jack Williams kept track of the news as keenly as he had throughout more than 40 years of daily newspaper work. Otherwise content to have more time at least with his family, he would come in from his Virginia home perhaps once or twice a week to stop by The Star's office in downtown Washington or visit the National Press club. At the club word spread quickly that the incomparable Jack was in the building. Old friends and strangers gathered wherever Jack might be holding court. With a cigar in hand and a slightly wry look on his round Buddha's face, Jack had comments on everything.

In his active years as a Washington correspondent and a Kansas City reporter and political observer before that, Jack was used to hearing it said that he ought to write more the way he spoke. But Jack had an obsession with facts and the truth. That was how he wrote. The exaggeration of his repartee was for lighter moments away from the typewriter. Even then Jack was a tolerant man who could suffer just about anyone except a pompous bore. The Williams veneer was hard-boiled and scoffing, but underneath he was a sentimentalist. He was also an old-fashioned patriot with a special soft spot for any who ever served the country in uniform, as he once did.

Jack Williams, who has died at 72, was an outstanding newspaperman. His personality was authentically original. He served The Star and its readers with distinction of the highest order.

FOLLOW THE LEADER

Mr. PROXMIRE. Mr. President, in the area of human rights, the United States has historically been a leader of other nations. We have set the pace in religious freedom, in developing concepts of free speech and a free press, and in according the guarantees of due process of law. Many of the developing nations have followed our lead in drafting their constitutions and structuring their governments.

But where the human rights conventions are concerned, we have chosen to follow rather than lead. Why, Mr. President? Why does the Senate continue to delay on a question as vital as this one?

Mr. President, of the original members of the United Nations, only three stand out as having failed to ratify a single human rights convention. Two of these charter nations are Spain and the Union of South Africa. The other is the United States of America.

Yes, Mr. President, of the 40-odd nations that chartered the United Nations, the United States stands at the tail end in lining up for human rights. It is an unaccustomed role for us. We are not very adept at playing follow the leader.

Mr. President, we must ratify the human rights conventions now.

RESOLUTION PASSED BY THE BLACK UNITED FRONT

Mr. BYRD of Virginia. Mr. President, last Tuesday, two Washington policemen were shot down with their own guns while attempting to make an arrest on a city street. One of the officers—a young Vietnam veteran—was killed. The other was critically wounded.

In the aftermath of that tragedy, a unanimous resolution was passed by the Black United Front calling the slaying "justifiable homicide."

As reported in the Washington Post, the resolution said:

> The methods of self-defense by the family charged with the alleged slaying of the honky cop is justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide.

Seldom has this country seen such a brutal disregard of human life as is expressed in this resolution. Its justification of unprovoked violence and its mockery of law and order is an assault upon the sensibilities of all Americans of all races.

Yet this vicious and irresponsible statement was made by an organization which claims to speak for a cross section of civil rights organizations in the Washington community. The organization was founded last January by Stokely Carmichael as an alliance of militant and moderate civil rights groups.

One of its members, Mr. Channing Phillips, Democratic national committeeman for the District of Columbia, has defended the front's position and, indeed, said he helped to draft the statement.

Another member of the front is Walter E. Faunteroy, Vice Chairman of the

District City Council. He is a member of the front's board of directors. Mr. Faunteroy was not at the meeting when this resolution was passed. But neither has he repudiated the resolution, although he has been asked to make his position clear.

I think it is especially important that Mr. Faunteroy, as a member of the city administration, disassociate himself from the statement of the Black United Front. He owes that to the police officers of the District of Columbia who must serve under an administration of which he is a part.

Mr. Faunteroy should either promptly repudiate this vicious resolution or promptly resign as a member of the City Council.

APPOINTMENT OF DAVID MOFFATT McCONNELL AS A MEMBER OF U.S. DELEGATION TO 45TH SESSION OF UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL

Mr. HOLLINGS. Mr. President, recently Mr. David Moffatt McConnell was appointed by President Johnson as a member of the U.S. delegation to the 45th session of the United Nations Economic and Social Council to be held in July and August of 1968 in Geneva, Switzerland.

Mr. McConnell will also be appointed as a Special Adviser to the Council with the rank and appointment of Ambassador of the United States of America. He is a former Senate employee having served as counsel to the Committee on Government Reorganization and as administrative assistant to former Senator, Supreme Court Justice, and Secretary of State James F. Byrnes.

Mr. McConnell is currently a resident of Charlotte, N.C., and has served the past 2 years as a member of the North Carolina Tax Study Commission.

I ask unanimous consent that some brief biographical notes on the career of Mr. McConnell be printed in the RECORD so that the Senate may be acquainted with his unique qualifications.

There being no objection, the item was ordered to be printed in the RECORD, as follows:

BIOGRAPHICAL NOTES: DAVID MOFFATT McCONNELL

Member of the Delegation to the Federal Republic of West Germany, Commemorating the 20th Anniversary of the Marshall Plan, July 5–19th, 1964, including Conferences relating to the funding arrangements of the Marshall Plan.

Served as Colonel, General Staff Corps, U.S. Army, World War II. Started as Lt. in Infantry, 1940.

Served as Acting Chief, Legislative Branch, War Department, General Staff, G–1 with rank of Colonel, General Staff Corps, U.S. Army, 1944–46, and as such with two other Officers drafted the Declaration of Nuremburg, Post-War Treaty with the Republic of the Philippines and in various Treaties and Agreements relating to the Military Government of conquered areas.

Awarded Legion of Merit with Oak Leaf Cluster for same by General of the Armies, George C. Marshall, Chief of Staff.

Served as a Liaison Officer for the General Staff for U. N. R. R. A. and U. N. I. C. E. F. (through Hon. Maurice Pate, Director).

Served from time to time as Member of the State, War, Navy Departments Coordinating Committees on Military Government and Post-World War II Drafting of Treaties, 1945–46.

Special Attorney to the U.S. Commissioner of Internal Revenue and assisted in the drafting of Tax Conventions of the Kingdom of Denmark, the United Kingdom and the Republic of Colombia.

Served with General Joseph W. Stilwell in China-Burma-India Theatre, First and Second Burma Campaigns, 1942–44.

Provost Marshal and Protocol Officer, Chinese Training and Combat Command in India and Burma.

For outstanding service in this regard, was awarded the Order of the Cloud and Banner by Generalissimo Chiang-Kai-Shek.

Chairman, International Conference held at Ramgarh, Bihar Province, India, 1942, in the matter of formulation of treaties of Military Command and Criminal Jurisdiction for Forces for China, Burma and India.

Awarded Legion of Merit by General Joseph W. Stilwell for International Military Police Administration and Drafting of the aforesaid Treaties for China-Burma-India.

Served as Member of the Executive Committee (9 Members) of the Democratic National Convention, Atlantic City, New Jersey, 1964, to draft the Platform.

Delegate from North Carolina and Floor Leader of Platform Committee, Democratic Convention, 1964.

Chairman, Mecklenburg County, North Carolina, Democratic Executive Committee, 1952–1958.

Member of the North Carolina State Democratic Executive Committee.

Chairman and Member, North Carolina State Board of Elections, 1952–1962.

Member of North Carolina Judicial Council which revised the Rules of Court 1948–1952.

Attended: Davidson College, Davidson, North Carolina, Harvard Graduate School of Business Administration; Harvard Law School; Georgetown University Law School.

Degrees: B.S. Summa Cum Laude; LL.B.; LL.M.; J.D.

Served as Administrative Assistant to U.S. Senator James F. Byrnes of South Carolina.

Clerk, Audit and Control Committee, U.S. Senate, 1936–1937.

Special Counsel, U.S. Senate Committee on Government Reorganization, 1936–1937.

Lawyer in Charlotte, North Carolina; Vice-President and General Counsel, Belk Stores and Leggett Stores in Southeastern United States, with 402 stores in operation.

McGEE SENATE INTERNSHIP CONTEST

Mr. McGEE. Mr. President, for several years it has been my good fortune to be able to conduct, for high school students in my State of Wyoming, the McGee Senate internship contest, which brings to Washington one boy and one girl for a week of observing democracy in action—in the Senate itself and in Washington.

As a part of the contest, each student was required to complete an essay on the subject "What's a Fair Draft Policy?" This year, as I am each year, I was impressed with the depth of understanding and the dedication to our democratic principles displayed by these young people in their essays. This topic is one of vital interest to this age group, and their essays reflect sound reasoning which should be of interest to us all. For the participants, the topic took on added importance when it was subsequently chosen as the national high school debate topic.

Of course, it would be impossible for everyone to read all the essays, but I think that some of the most outstanding ones selected by an impartial panel of three judges should receive wider circulation. Therefore, I ask unanimous consent that two of these essays, one written by Miss Deborah Healy, of Worland, Wyo., the other by Robert Trierweiler, of Buffalo, Wyo., which received honorable mention in the McGee Senate internship contest, be printed in the RECORD.

There being no objection, the essays were ordered to be printed in the RECORD, as follows:

WHAT'S A FAIR DRAFT POLICY?

(By Deborah Healy, Worland, Wyo.)

Our lack of military preparedness for World War II and the continuation of the Cold War have forced our nation to maintain a sizable army. The draft is needed to supplement existing forces, and to indirectly influence the enlistment rate. With the amplification of our fight to stop the spread of Communism into the Vietnamese conflict, the fairness of our draft policy has been subject to heated debate.

Although the draft may be necessary, in its present form its disadvantages heavily outweigh its advantages. Our present system is inherently incapable of ever being just. It consists of a conglomeration of rules which have become so complicated that the process of reclassification alone can take as long as two to three years. Even the final classification may differ from place to place. Because there are no absolute standards, the interpretations of the rules vary greatly among the 4,000 local draft boards, causing a young man's future to be indefinite. His being drafted is possible at any time, depending on his local draft board. The greatest problem of our draft system, however, is its basic inequity. A man's socio-economic standing can greatly affect his chances of being drafted. That this type of injustice can be allowed to exist, when our government itself is based on equality, is inexcuseable.

The draft is necessary to provide needed manpower. Hopefully its basic inequities can be eliminated.

I feel the answer lies in a universal draft system that would involve opportunities for the draftees to work in either domestic or military services. Domestically the draftees could work in slum areas, urban renewal construction, as teacher's aides, or any work to help rebuild America. Education facilities would be available to train them. Militarily it would remain primarily the same except aptitude would play a determining factor in what area the draftee would be assigned. Also, clerical and mechanical jobs would not necessarily have to be performed by military personnel.

All high school graduates and 18 year olds who had dropped out of school would be required to serve one year in this service, allowing everyone the chance to help serve the country. The physical requirements would be a bare minimum. Registration would be handled on the local level, thereby utilizing the existing boards. Upon induction, tests, would be administered to the inductees. These tests would help determine the individuals' interests and aptitudes. The inductees would be allowed to list branch preferences and, if necessary, reasons for not entering either branch. They would then be placed in the section which would be best suited for their preferences and capabilities.

A universal draft system, such as I have proposed, would alleviate the inherent harms of our present system. It would consist of one set of rules, rather than the conglomeration that now exists. The administration would still be executed on the local level although the rules would be uniform throughout the country. The certainty of the men's futures would be definite concerning the draft. Be-

cause it is a universal draft, socio-economic injustice would be eliminated. Besides eliminating the harms of the present draft, numerous advantages can be derived from such a system.

First of all, the men that have been trained to do military work could do so. According to the Pentagon's own figures, only a small number of men are involved in actual combat. Over 50% are listed as "mechanics and repairmen, administrative, and clerical, crafts and services." Filling these jobs with civilians has already begun. As of June, 1966, Assistant Secretary of Defense, Thomas D. Morris, stated that the Pentagon had filled 74,000 such positions with civilians. It is unnecessarily wasteful to train soldiers for approximately 6,000 dollars each, and then have them work as typists. Through a universal draft, military men could be occupied with military functions and men from other branches could handle the additional jobs.

Through rapid economic growth, our country has been confronted with many social problems. In trying to alleviate these problems, we have created another, the cycle of poverty and dependency on welfare. Presently, only through education can the dependents of the cycle ever hope to be freed from its despair, but its general nature makes such freedom almost unattainable. Many of the young men of the lower socio-economic groups can either turn to a life of crime or become dependent upon our society. Through a universal draft we could educate these young men and enable them to obtain jobs. It would be possible to create useful and good citizens. Ultimately it would be less expensive than our present system.

The youth of today are moved with the idealism of "doing something for their country." What better opportunity for them than to dedicate a year of their lives helping to rebuild their nation internally! The draft is the perfect vehicle for such a dream.

The military's main function is national defense, but the attempt to defend ourselves must begin within our own country. Only through elimination of poverty and social injustice can we ever hope to build the nation of our dreams. Universal draft is our chance for personal and national growth.

What Is a Fair Draft Policy?

(By Robert Trierweiler, Buffalo, Wyo.)

The date is October 12, 1968. A young man is lying face down in the mud and slime of a Vietnamese rice paddy where he had fallen, killed by mortar fragments. Others had lost their lives that day; but this man, Richard Carr, was a special case. Richard had been inducted five months previously after the removal of advanced college degree deferments.

In high school Dick was at the top of his class and had received a full college scholarship to the Massachusetts Institute of Technology. He maintained an "A" average in college and had received his Bachelor of Science degree with honors. M.I.T. had gladly given him an assistantship so he could continue studying towards his master's and doctorate degrees. For his master's thesis he had been experimenting with a new technique for the desalination of sea water. His technique operated at one half the cost of any other known facility. Even at the age of 24, he had become well-known in the physics and chemistry circles across the nation. Nevertheless, his draft number had been called; and Richard Carr now lay cold and dead in the slop of the Vietnamese field.

In the small Iowa farming community where Richard had lived, the local board, which consisted primarily of farmers, could not see the importance of Dick's work. They knew only that General Hershey had issued a directive that removed all graduate deferments except in the medical and dental fields. Richard had been drafted and then sent to Vietnam with a chemical warfare unit. There he fell victim to our present efforts to formulate a fair draft policy.

The United States would do well to stop and determine the type of fairness it is seeking in the draft; namely, fairness to person or fairness to the nation. The present trend has been toward fairness to the individual. Robert Kennedy, for example, has proposed a lottery system wherein all college deferments would be abolished. Indeed, this would be a fair system for the individual, but was the Selective Service System founded for the benefit of the individual? History shows that the draft was founded for national interests. It had little concern for the convenience of the individual. It would seem then that ". . . to be consistent, the national draft policy should be the one that is fairest for this country."

Before the recent removal of graduate deferments, the United States had a system that was equitable to the national interest. It provided for the present military needs without neglecting the future. The validity of deferring students in advanced studies can be shown by the fact that in the Soviet Union, the best students in science and the study of humanities are kept in school to study in these areas. Through the full utilization of the scientific and industrial talents of these young people, the Soviet Union has progressed rapidly in many areas. They can now boast, for example, that they have the world's largest power plant. In the opinion of the Soviet government, these graduate students are more valuable serving in their technological capacities than they would be on the battlefield.

Forseeing the fact that in a free system such as ours many would continue in school just to avoid the draft, certain requirements would have to be set. Those maintaining an "A" or "B" average in graduate schools would be put at the bottom of the draft call list just above the 4-F deferments. Those maintaining a "C+" average would be given a position roughly equivalent to the very bottom of the reserve listings. Upon completion of graduate courses, those who received Master's degrees would continue in their prior deferment category. The holders of PhD's would be exempt from foreign military service. They would be available only for research projects in the United States and could, if they wished, maintain their civilian status. These tours of duty would be for three years. These research projects could also use a Master's degree holder, but they would still be in a deferment situation rather than exempt. Thus, these educated men could be used for research projects and in cases of great national emergencies, some such thing, the Master's degree holder could be called to combat after all other manpower supplies were depleted.

Although some would brand this system "discriminatory," it would be the fairest to the national interest. One asset to the nation would be that these better educated men would be making as much as $4000 to $5000 more in starting salaries. This would add to the money in circulation and bolster the United States' economy.

The other benefits cannot so readily be assigned a monetary value. In ten or fifteen years, the graduate students who were deferred would be the leaders, teachers, and scientists of their generation. To continue our present draft policy of drafting graduate students would be to deprive the United States of the learned leaders it will need in the difficult times ahead. If ever peace can be found, it must come from the increased understanding of other nations that future humanities; students can bring, and from more scientific achievements which will benefit the world as a whole.

The United States must necessarily change its graduate deferment policy to meet this forthcoming challenge. Without the responsible leadership that these graduate students can provide, the United States will fall behind the Soviet Union which has already recognized the value of this advanced education. Such a mistake could start an irreversible trend. Soon we would no longer be able to command respect in foreign affairs. In the interest of the preservation of the United States and the free world, we must insure our continued superiority by deferring graduate students. The only alternative is to sit back and suffer the impending consequences which would accompany any educational cutback on the part of the United States.

CLARIFICATION OF WILDLIFE STATUS NEEDED

Mr. FANNIN. Mr. President, a few days ago I testified before the Committee on Commerce on S. 3212, pertaining to the ownership of wildlife by the States. This is a very important question, especially to those States in which the Federal Government has large landholdings and recent rulings by Government agencies have put the status of wildlife on Federal lands in a gray area.

The bill which I introduced and which is cosponsored by several other Senators would simply clear up this question and make for more practical administration of this natural resource. An editorial published in the Phoenix Gazette states, quite aptly, I think, that a private landowner does not acquire preemptive rights to wildlife that may traverse his property when he purchases that property. Why should the Federal Government believe that its rights exceed those of its citizens?

Mr. President, I think that this is a most perceptive point in the debate and ask unanimous consent that the editorial be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

It Is Only Practical

Sen. Paul Fannin, in urging Congress last week to give the states power to manage fish and wildlife on federal lands within their borders, re-heats a question that has been debated over campfires and simmered in courtrooms for decades: Do fish and wildlife belong to the federal government or to the states in which they abound?

It was established in the 1896 court case of Geer vs. Connecticut—and since supported by other courts—that a state has full jurisdiction over fish and game on its own property. The legislation that Sen. Fannin seeks, however, would extend this jurisdiction over fish and game inhabiting federally owned property within a state's territory.

The problem did not exist prior to 1964. Until then, it was held that the federal government, like any private landowner, could protect its property from predation, but that it had no actual controls in relation to wildlife on these lands. But with the controversial Memorandum Opinion from the Department of Interior in 1964, all that was changed. It held that the federal government could indeed "enact laws and regulations . . . including those applying to resident species of wildlife on such land, and that this authority is superior to that of a state."

That is where the issue now stands. And we believe, as does Sen. Fannin, that control should be returned to the states. If John Q. buys land in a state, he does not purchase with his title the exclusive right to establish game and fish regulations for his property.

Why, then, should the federal government believe the terms of its ownership should exceed those of its citizens?

It is only practical that the states, which are more aware of their particular game and fish problems than Washington-based agencies, should have final say in intrastate wildlife regulations.

A PROPOSED COMMISSION ON HEALTH SCIENCE AND SOCIETY

Mr. MONDALE. Mr. President, in the months since I introduced Senate Joint Resolution 145, to create a Commission on Health Science and Society, the need for the Commission has escalated. Legal problems concerning the heart transplant have made headlines twice. And increasing numbers of people are raising ethical and public policy questions about tissue transplantation.

But the social implications of heart transplants are only one of the scientific breakthroughs the Commission would address. Behavior control is another area.

Mr. President, a fascinating article was published in yesterday's New York Times Magazine, describing the work of Dr. David Krech and others at the University of California. The article explains the implications of current brain research and stresses how close we are to the benefits—or costs—of that research. In 5 to 10 years a "Brave New World" may be here. It quotes from Dr. Krech's testimony at the hearings on Senate Joint Resolution 145, in which he argued for the creation of the Commission.

As Dr. Krech stresses:

> The issues . . . are much too pervasive and too profound to permit the physician to scribble the necessary social policy on his prescription pad. Here we, all of society, must provide our experts with political and moral and ethical guidance.

I ask unanimous consent to have printed in the RECORD the article entitled "The Search for the Memory Molecule." It is another piece of evidence demanding the creation of the Commission on Health Science and Society.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE SEARCH FOR THE MEMORY MOLECULE

(By David Perlman)

SAN FRANCISCO.—In the long parade of fish and flatworms, rats, cats and mice that have given their all for science, it is just possible that Rat No. 895—with the help of a bearded psychologist named David Krech—will hold a special significance for the education of our children's children. The rat is one of a group of animals whose life experience may eventually spell out the structural and biochemical nature of memory; he may help point the way to providing education meaningfully enriched—perhaps even chemically enhanced—for every child's unique, individual mind.

Rat No. 895 is a gentle, gray-brown creature with the sleek coat and well-fed look of an animal reared in privilege. He lives in the basement of Tolman Hall at the University of California at Berkeley, where Dr. Krech is a professor of psychology.

One recent afternoon, the professor looked on as the rat sat quietly in a white-walled smooth-floored chamber that was part of a tiny two-room suite in the Tolman Hall laboratories. It was a comfortable room for a rat, perhaps 8 inches square, with a light shining brightly down. In one white wall a small hole opened into the second room of the suite, and for the rat the hole was tempting: it led to an even more attractive room, of equal size but black-walled and dimly lighted. To a rat, darkness is far more inviting than light; dark rooms are where the action is.

Krech could not know it, because the experiment was being conducted in scientifically "blind" fashion, but Rat No. 895 was carrying inside his body an injection of homogenized fluid extracted from the minced-up brain of a late-lamented cousin who, just before death, had been trained to fear a black chamber as a source of a highly unpleasant electric shock from a wire-grid floor.

Krech had taught No. 895 to fear the shock in the black chamber, too, but that had been four weeks earlier; by now, any normal rat should have largely forgotten the shock and its lesson.

Inside the white chamber, No. 895 now hesitated. He poked his nose through the hole, whiskers twitching, and withdrew abruptly from the black room as his whiskers touched its floor. It was a different floor, not smooth like the white room's, but a grid of slender metal bars. The rat backed to a corner of its white room, licked a forepaw—a layman might have said reflectively—and stared again at the inviting entrance to the dark room. For 10 minutes the rat considered the matter, then tentatively slipped into the darkness, nose first, then rump, then tail. Nothing happened. The floor did not shock. The rat explored the room cautiously, then more actively and, finally, scampered back and forth between the two rooms 30 times within the next 20 minutes.

Now the rat's half-hour of testing was over; a white-coated lab technician, who had sat quietly by, recording every movement, lifted him from the suite and replaced him with another one. This rat behaved quite differently: he frisked about the white room for barely two minutes, poked his head into the dark chamber—an observer might have said insouciantly—then scampered through. For 28 minutes, he explored the dark half of his suite happily, just as if he had never received a shock in his life. Krech could not know it in this case, either, but this carefree animal also carried an injection of brain extract in his body—an extract from a wholly untrained rat, which had never been taught to fear the darkness that rats love.

These two rats in their two-room suite—displaying responses far less ambiguous than most of their rodent colleagues—are part of only a single experiment in a hotly debated new research area known as interanimal memory transfer. Psychologists in scores of laboratories are trying to prove that precise mechanisms of memory and learning lie within the chemistry and structure of the brain. Some hunt the chemicals by testing new compounds in animal brains; others analyze brain tissue from "educated" animals to look for new-formed molecules. In the most controversial current research scientists like Krech are hoping to establish that memory itself can be transferred, at least partly in chemical form, from one animal to another.

Did Rat No. 895 really pick up molecules of memory in his injection of trained brain extract? Krech himself believes the suggestion is there, but by no means established. Yet if the transfer phenomenon does in truth exist, it will be the most exciting discovery in the history of psychology. It will prove the molecular basis of learning, open the way for its identification, and mark the first step toward its precise control.

Krech has already pioneered in experiments showing how memory and learning can change the brain's own chemistry and physical form. Now he is deeply immersed in the jungle of memory transfer, where the evidence is conflicting, the pitfalls abound, but the possibilities are enormously exciting. He is cautious even on the tentatively encouraging results in his own lab. But if he and other workers succeed, Krech says with mock exuberance: "The world of the mind is ours!"

His most recent decade of laboratory work, most of it with a larger team of psychologists, biochemists and anatomists, has already helped develop remarkably original insights into the chemical workings of memory and learning. The day is very near Krech believes, when the intellectual capacity of human beings will be subject to the products of the chemical as well as the teaching laboratory—even if full theoretical understanding lags behind. Like Lewis Carroll, the unorthodox Krech likes to use portmanteau words: "psychoneurobiochemistry," he calls the present effort in brain research. He offers another, for the day when psychology, brain chemistry and the classroom all merge: "psychoneurobiochemeducation." Krech can even pronounce it.

In the explosive quest for the "memory molecule" there is scarcely a major psychology laboratory anywhere today that is not populated by colonies of animals industriously running mazes, scooting through shuttle boxes, dancing away from electrical shocking machines, or frisking about with microelectrodes implanted in their skulls to radio out brain-wave signals awake or asleep. In one lab an educated goldfish may have his memory cut short by an antibiotic; in another a dull-witted mouse may smarten up on pep drugs; a coup of brain tissue may or may not alter a cat's intelligence. Even the questions are still uncertain: Just what is learning? How and where do we store the remembrance of things past?

In human beings and rats alike each new day of fresh experience adds new knowledge somewhere within the brain. Much of that knowledge even the most intelligent person forgets almost instantly: the name of the dull guest just introduced at a cocktail party, for example. Some knowledge we remember for a few hours, no longer: who, since cramming for a geometry final, can recall pi beyond the first few decimal places? And then there are the memories that seem to last forever: the streetcar to the zoo in a city long since left behind; the facts and ideas transmitted by an inspired teacher.

The human brain, where learning and memory certainly reside, contains some 10 billion large, complex nerve cells called neurons, plus a vast number of smaller cells known as glias, which help nourish the neurons and may also synthesize some of the chemicals of memory. The neurons receive and transmit all the impulses that make up sensory inputs and responses, thoughts and emotions and memories. Each neuronal cell contains a single impulse-transmitting arm called an axon, whose multiple branches connect at their tips with the intricate tracery of receiving surfaces, known as dendrites, on other neurons.

The junction between the axon of one neuronal cell and the dendritic branch of another is known as the synapse: a point where transmission of the electrical nerve impulse is facilitated by chemicals such as acetylcholine, a neurotransmitter, and enzymes like acetylcholine esterase, which modify the chemical transmitters.

If a composite could be made of all the theoretical models for the brain's role in learning and memory it might go like this:

A new experience is perceived; it initiates some kind of reverberating electrical signal among a set, or web, of neurons. As the short-term memory signals leap across thousands of synapses they begin to activate chemical processes at the synaptic junctions. Within a few seconds or minutes, chemical changes begin—perhaps the synthesis of RNA (ribonucleic acid), perhaps the construction of complex molecules in the form of peptides or proteins. The chemical material forms a longer-lasting but still temporary memory trace, and perhaps in hours or days it induces profound anatomical changes in the cortex of the brain. Later, these physical-chemical changes become the soldered wiring of long-term memory. This entire memory process may take place step by step from the first act of perception, or all its stages may be activated independently, and proceed at varying speeds.

Today's blaze of activity in molecular memory research was largely ignited by a slender, soft-spoken Swedish scientist named Holger Hydén at the University of Gotenborg. On the basis of his extraordinarily delicate microscopic dissection of single brain cells, Hydén believes that RNA, which believes information for the synthesis of proteins, is a chemical key to memory.

Recently, he trained scores of right-pawed rats to perform unfamiliar left-pawed tasks, like reaching for food down a narrow-necked jar with a left paw. He taught scores of others to balance like circus performers on steeply tilted wires. When he sacrificed these trained animals and dissected their brain cells, Hydén found large increases in the RNA content of both neurons and glial cells. He also found surprising changes in the chemical composition of the RNA itself, which might indicate that the new memories were being laid down as newly synthesized and altered protein molecules.

At the University of Michigan, Dr. Bernard W. Agranoff uses schools of educated goldfish and the powerful antibiotic puromycin to test the relationship of RNA and memory. He trains his goldfish to swim back and forth across a barrier in their tank whenever a light flashes, a task they can remember for a month. Then he injects minute doses of puromycin through the skulls of the fish before, during and after training. Puromycin blocks the RNA-induced synthesis of protein and it also blocks a goldfish's memory. An injection of the antibiotic seconds after training will destroy memory at once. An injection before training does not prevent the fish from learning its task, but it does make it forget the lesson within a couple of days. An injection an hour after training has no effect at all.

Agranoff's work shows that short-term recall is extremely fragile, but that once it is consolidated into long-term memory it can withstand powerful chemical assaults. It does in goldfish, and recently other scientists have verified the fact in mice.

Many chemicals can enhance memory, rather than wipe it out, and these drugs also help zero in on memory's molecular aspects. At Irvine, near Los Angeles, Dr. James L. McGaugh and his colleagues of the University of California have found that drugs such as strychnine, picrotoxin and Metrazol, which stimulate the central nervous system, help maze-trained mice to consolidate short-term recall into long-term memories.

Oddly enough, McGaugh finds, these drugs work most effectively in strains of mice bred for their stupidity at running mazes. They are far less effective in genetically brighter mice.

Krech, who keeps an alert and imaginative eye on the research in this field, draws a lesson from McGaugh's work. "Here," he says, "we have a 'chemical memory pill' which not only improves memory and learning, but which can serve to make all mice equal when God—or genetics—hath created them unequal! It's most pregnant with social implications, and promises and forebodings for the future."

While some workers inject their animals with chemicals to strengthen memory and others study brain function by wiping memory out, a different experimental strategy has been explored for the past 15 years by a Berkeley team of many talents. It was originally led by Krech and Dr. Mark R. Rosenzweig, also a psychologist; Dr. Edward L. Bennett, biochemist, and Dr. Marian C. Diamond, neuroanatomist. Krech has recently focused his research on the memory-transfer controversy, but his colleagues are continuing the team's earlier work.

Experiments by this Berkeley group show that the memory-building experiences of an abundant, intellectually challenging life can enrich an animal's brain structure and chemistry—and that isolation and environmental impoverishment can impair it. Some of their experiments even indicate that rats in an "enriched" environment may learn to solve many kinds of problems more effectively than deprived ones, and that animals reared in isolation perform more poorly.

To seek out these physical, chemical and behavioral changes, the Berkeley researchers run a 24-hour-a-day rat nursery school that might well delight the Montessori movement. In the animal rooms of Tolman Hall on the University of California campus typical groups of Berkeley rats undergoing enrichment will romp in colonies of a dozen cousins from the time of weaning on.

Their roomy cages are filled with more toys, games and gym equipment than F. A. O. Schwartz: wheels to run in, boxes to clamber over and snuggle into, chains to swing on, ladders to climb, platforms to leap. For a half-hour every day, white-coated experimenters take the rats from their cages, run them through mazes and reward them with sugar pellets.

By contrast, in rooms nearby, other rats from the same genetic strain live in what the experimenters term the Impoverished Condition. They sit alone in tiers of isolated cages with blank metal side walls, in a quiet, dimly lighted room. They are fed well, but attendants come and go silently to replenish food and water. Only once a week, for weighing, are the rats handled; otherwise they have no companionship, no stimulation, no lively memories.

These rats may live their widely varied lives for weeks or months. For some, nursery school may last all day and night; for others, only a couple of hours a day. But ultimately, as it must to all rats, comes the end of the experiment and the moment of sacrifice: a swift, clean death by decapitation; surgical excision and meticulous weighing of brain tissue; chemical and anatomical analysis of cortex, neurons and glial cells; assay of enzyme levels at synaptic junctions; microscopic studies of the cells and structures.

From their experiments over the years, the Berkeley researchers feel certain of their evidence for anatomical and chemical change. Their behavioral findings are still ambiguous in many ways, and highly tentative, they believe.

Structurally, the cerebral cortex of a rat that leads an enriched life is likely to weigh about 6 per cent more than its isolated, impoverished littermate. This cortex, where some sophisticated learning and memory functions are probably localized, is also about 6 per cent thicker. It contains more protein and has 14 per cent more glial cells, which—according to researchers like Sweden's Hydén—play a major role in the consolidation of permanent memory. At the synapses, the enriched rat brain shows greater quantities of enzymes like acetylcholine esterase that facilitate the transmission of impulses from neuron to neuron. Finally, the enriched rat's neurons are larger, and may be more intricately and richly endowed with dendrite branches.

In its most recent experiments, the Berkeley group has discovered that some of these significant changes in brain physiology may show up after only 30 days of enrichment, and many occur with only two hours a day of stimulation, rather than 24. Impoverishment may be even more important than enrichment for some of the anatomical differences, the group believes.

For two years now, Dr. Rosenzweig and his colleagues have been testing the hypothesis that problem-solving abilities should improve along with the structural and chemical changes inside the brains of environmentally enriched rats. But as Dr. Rosenzweig says: "The work has turned out to be difficult and inconclusive thus far."

In one typical test, invented years ago by Krech, rats must learn to scoot down a series of four double alleys, choosing the correct path each time, to reach a food reward. Sometimes the correct paths are all illuminated by a light bulb; when a rat learns that pattern, the experimenters reverse the lights, and make all the correct alleys dark. On this kind of learning and problem-solving apparatus rats whose lives are enriched for many weeks are often significantly better performers than their deprived relatives. But a rat's I.Q. is not that simple. Under other conditions, when enrichment and deprivation start in adulthood rather than infancy, the impoverished rats mysteriously score better at the light-dark reversal test than their enriched brothers.

The years of experiments at Berkeley, with no fewer than 10,000 rats, certainly demonstrate the remarkable plasticity of the brain—how it can grow richer anatomically and chemically in an enriched, active environment, and how its growth may be stunted in an impoverished world without stimulus or challenge. Whether learning and memory can also be improved by enriching a rat's environment is still a puzzle.

It was during these Berkeley experiments that Krech and other brain researchers were first thrown into an uproar by the astonishing reports of a young, free-swinging psychologist named James V. McConnell at the University of Michigan. McConnell worked with planarians, the tiny spade-headed flatworms that abound in ponds and quiet streams. However lowly their intelligence, McConnell was able to train them to solve simple mazes. Then he minced up a batch of his trained worms, fed them to naive, uneducated planarians—and announced that the uneducated cannibals had apparently eaten an education! Their heady diet enabled them to "remember" the mazes which their newly digested cousins had acquired before being eaten. This was the first of the memory-transfer experiments. Since then there have been many more.

At Baylor University, for example, Dr. Georges Ungar claims he has moved up the evolutionary ladder from worms to mammals. He trains rats to become completely accustomed to a frightening, clanging noise; then he extracts from their brain tissue a broth containing proteinlike polypetide molecules, and injects the broth into the abdomens of Swiss mice. The mice would normally quiver and crouch in fear at Ungar's clanging noises, but given a shot of "trained" brain broth, they don't turn a hair, Ungar has reported.

Ungar sees polypeptide molecules as the possible chemical of memory. To Dr. Allan L. Jacobson, center of a recent scientific storm over interanimal memory transfer, the molecule is brain RNA.

At the University of California at Los Angeles, Jacobson and his colleagues have reported they can transfer specific skills from rat to rat by injections of "trained" RNA alone. In one experiment, for example, a group of rats is trained to press a lever for a food pellet whenever a light blinks. Another group learns to press the lever only when a click sounds. RNA injections from the brains of light-trained rats, according to Jacobson, will cause untrained rats to respond to the light signals but not to clicks. RNA injections from click-trained rat brains transfer the click response to untrained animals, but they will not respond to lights, Jacobson reported.

All this is highly debatable, and not long ago 22 scientists from nine different research institutes signed a joint report stating they had tried to duplicate the Jacobson results in 18 sets of virtually identical experiments—and that all had failed. But even there neither prosecution nor defense rests. A leading signer of the mass dissent was Dr. William L. Byrne of Duke University. Yet two months later, Byrne and David Samuel of Israel's Weizmann Institute reported they had accomplished a successful transfer experiment of their own, using brains of rats trained to press levers with their paws. "Memory transfer is a real phenomenon," Byrne now maintains.

But at Irvine, in California, McGaugh is far more cautious. "Despite recent reports of successful transfer effects," he says, "any conclusions and interpretations must be presented with extreme caution. The recipe for a successful transfer experiment has not yet been prepared. The memory molecule has not yet been found."

Now the story of "psychoneurobiochemistry" shifts back to Berkeley, where Krech, who has long held a posture of "stiff-necked disbelief" in the memory-transfer concept, has begun to change his mind. Today he flings caution aside and says: "Well, maybe—I don't believe it, but, well, maybe. . . ."

Krech is an eager intellectual speculator; he bubbles with ideas, conjectures, strong opinions. In his office, in debate or discussion, he juts his clipped, graying beard forward assertively; throws his head back; slants his eyes through dark-rimmed glasses beneath a high, broad forehead; tilts and sways in a wooden swivel chair at an ancient rolltop desk; scribbles sentences, words and diagrams on piles of pink scratch paper to punctuate his arguments, and litters the desk top with discarded paper scraps as he talks.

The implications of interanimal memory transfer are extraordinarily important, Krech feels, and that is why he has begun to discuss them publicly, and to devise key experiments to test new aspects of the theory. "If it should come to pass that they are right," he says of the True Believers in transfer, "then we will indeed have made a huge jump forward. For we would have a most effective behavioral assay method, with our available biochemical techniques, to zero in on this marvellous brain goulash which can transfer information from one brain to another. We will be able to isolate and identify in detail all the proteins, enzymes, RNA's or other macromolecules which constitute the so-called chemical memory pellets. After that. . . ."

To Krech, his recent efforts at memory transfer are far from definitive research, but rather a "quick, furtive hop" into an intriguingly significant new field. His own approach, as the experiments demonstrate, is not to try transferring entire memories, but rather to explore a theory that intense experiences which produce strong memories lay down both structural and chemical changes in the brain, and that both kinds of change are required for memory. The chemical changes may decay with time, but the structural changes should be permanent. And so, if Krech's furtive hop is successful, the experiments may establish that once the permanent structural changes of memory are fixed—in a rat at any rate—a fresh supply of undecayed "memory molecules" from another rat may act as a booster shot to revive the signals along the first rat's old, inactive memory circuits.

At this point Krech believes he has a "smidgeon of evidence" to support the theory. But Edward Bennett, the biochemist who has worked with him for years and is now doing the chemistry in the new transfer experiments, is more cautious about the meaning of their work. "Until other laboratories can routinely reproduce transfer effects in identical experiments," he insists, "reported positive results will be of little scientific value." Krech agrees that transfer has yet to be demonstrated, but he and Bennett are pushing on with their experiments.

In the laboratory, scientific caution may give Krech pause; in the arena, never. He is known, at Berkeley and at campus seminars across the country, as a contentious, independent advocate of varied controversial causes, and as a brilliant teacher. One of his former graduate students, now an outstanding brain researcher himself, says devotedly: "Krech is a kind of Talmudic scholar in psychology. He's an authoritarian father figure. He's tough, critical, impatient. Some people dislike him, many fight with him. But I think that if God had a sense of humor, He'd be a Krech."

Krech's colleagues sometimes criticize him for his candor and his willingness to extrapolate, to draw human, social and even political inferences from his work with lowly rats. More conservative members of the Faculty Club dispute his outspoken views on war, on the campus draft resistance, on Academic Senate meetings (he opposes the first, publicly supports the second, sometimes upsets the third). None of this bothers Krech a bit.

"Frankly," he says, "I'm not always considered too kosher among my colleagues because I'm concerned about the social problems that flow from our knowledge, and I say so publicly. I have fears about science; I feel that scientists can't be allowed to run the world, and if what I say weakens the awe so many people hold toward scientists, that's all right with me. There's too much awe toward science already, and the scientists have fallen victim to their own propaganda about the scientific method.

"Scientific reports almost never describe all the blind alleys, all the hunches that didn't work out, all the false starts and experimental errors. The tables and graphs are always nice and tidy, just as if nature itself handed out the data in tabular form. But nature doesn't give up its data easily; scientists have to seize it, and while they're grabbing they select and leave a lot behind. Biological science is largely hit-or-miss, not mathematics."

Earlier this year, a subcommittee of the United States Senate held hearings in Washington on a proposal by Senator Walter F. Mondale (D., Minn.) to create a new national commission on the social implications of advances in the health sciences. Among the advances cited were feats like heart transplants, the imminence of "genetic engineering" and the foreboding possibility of chemical controls over learning. While other distinguished scientists told the Senators that sciences needed only to be left alone with plenty of financial support, Krech testified far differently.

"Brain research," he declared, "is immeasurably more significant for the future of man than anything else now going on in science.

"It is my judgment that within 5 to 10 years there will be available a regimen combining psychological and chemical measures which will permit us to exercise a significant degree of control over the development of man's intellectual capacities."

This can mean, Krech has said many times, a future of enormous promise: chemical therapy for many of the mentally retarded and senile; chemical release for those who suffer from crippling memories of the past: teamwork among chemists, psychologists and educators for what Krech terms the "first business of society—the development of the mind of the child, the shaping of its strengths and weaknesses, the potentiation of its inherent possibilites."

But these models of brave new worlds, Krech feels, hold danger as well as promise. When man can raise or lower I.Q. and memory and learning capacity at will, when he can selectively strengthen clusters of special abilities like verbal skills, or mathematical reasoning, or artistic talent, disturbing questions will intrude.

"Who is to decide what happens to whom?" Krech asks. "The parent? The huckster? The pediatrician? The school board? And what will be the effects upon our society of either increasing the I.Q. level of all men, or of increasing the distance between the brighter and the duller? What new demands will these possibilities place upon our already inadequate educational facilities? What political changes will they lead to? Remember, the changes induced in the brain may be irreversible ones."

To Krech these questions demand thought-reflection and decisions by all citizens, not by scientists or politicians alone. Krech said it to the Senators, and he repeats the message whenever he can:

"The brain researcher, whether he be a psychologist or electrophysiologist or biochemist, has neither the wisdom nor experience nor knowledge to tell society: 'Don't worry your unscientific heads about this; *I* will save society from me!' "

And he adds: "The issues I raise are much too pervasive and too profound to permit the physician to scribble the necessary social policy on his prescription pad. Here we, *all* of society, must provide our experts with political and moral and ethical guidance."

Brain research, Krech feels, is a vital part of man's quest for basic knowledge about himself, and no one can halt that ancient drive, no matter where it leads. Its practical yield can be at least as promising as the present revolution in biochemical genetics, which is already pointing toward new therapies for hereditary disease and cancer. But, uncontrolled, the results of brain research could raise problems more harrowingly difficult than the ones that began with Hiroshima. They can be discerned right now in what is happening to the goldfish, rats and mice in today's laboratories. They will soon, within a very few years, face all citizens with decisions of almost unbelievable complexity. And citizens together, guided but not dominated by the experts, must decide for themselves how those problems will be solved.

DISTRICT OF COLUMBIA BANKERS ASSOCIATION SUPPORT FOR LAW AND ORDER IN THE NATION'S CAPITAL

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD a full-page advertisement which appeared in the Evening Star, Washington, D.C., today. The advertisement was paid for by the District of Columbia Bankers Association and outlines a series of resolutions adopted unanimously by the association at its annual convention on June 13 to 15, 1968.

There being no objection, the advertisement was ordered to be printed in the RECORD as follows:

RESOLUTIONS ON LAW AND ORDER BY THE DISTRICT OF COLUMBIA BANKERS ASSOCIATION AT ITS ANNUAL CONVENTION, JUNE 13, 14, 15, 1968

1. INCREASE IN THE AUTHORIZED STRENGTH OF THE METROPOLITAN POLICE DEPARTMENT

Whereas, there is no more sinister force in our society than that of the hundreds of thousands who are engaged, by day and by night, in the commission of felonies. Crime is accelerating at a rate so rapid in the Capital of the Nation as to approach emergency dimensions. Those who may doubt the seriousness of our crime need only refer to recent statistics released by the Federal Bureau of Investigation showing that "serious crime" in the District of Columbia for the period 1960–1966 increased 123%. If we limit our scope to that of "violent crime" the District of Columbia percentage increased 69% for the period 1960–1966. The District of Columbia over the four-year period from 1964 through 1967 showed crime percentage increases as follows:

Type of crime	Percentage of increase, 1964-67	Total cases, 1967
Murders	35	178
Forcible rape	79	172
Robbery	152	5,759
Aggravated assault	20	3,143
Burglary	65	14,702
Auto theft	57	8,507

During the first five months of 1967 there were 13 bank robbery violations in the District. This compares with 36 bank robbery violations, an increase of 177%, during the first five months of 1968.

Serious crimes: Murders, forcible rape, robbery, aggravated assault, burglary, larceny of over $50, and auto theft.

Violent crimes: Murder, forcible rape, robbery, and aggravated assault.

Whereas, experience has clearly proven that a dramatic rise in the number of policemen patrolling the streets is followed by an equally dramatic drop in the rate of crime;

Now, therefore, the District of Columbia Bankers Association does hereby give its unqualified support to the request made by the President of the United States to Congress for an increase of 1000 in the authorized strength of the D.C. Police Department; and further

Recognizing that there will be a time delay, of perhaps a year, before this increase in strength can be achieved through normal recruitment and training procedures, and recognizing that the needs of our community are so imperative that such a delay cannot be endured; we therefore request that the President of the United States take steps to secure the immediate release of 1000 men now serving on active duty in any of the branches of the armed services. As an inducement, all servicemen who have a remaining active duty obligation of not less than 12 or more than 14 months (not 90 days as presently provided) shall be eligible to voluntarily join the Metropolitan Police Department. Acceptance by the Department, however, will be conditioned upon applicants having military training or skills comparable to those of a graduate police trainee and upon applicants agreeing that they remain as members of the Department for a period of not less than their remaining active military obligation; and further

If, in the judgment of the President of the United States, this program should not be acceptable, then we request that necessary legislative action be sought so that not less than 1000 Federal troops may be ordered into the District of Columbia, our Nation's Federal City, to perform temporary and vitally needed police duty.

2. REVISION OF THE BAIL REFORM ACT

Whereas, the Bail Reform Act adopted in 1966 was an important advancement towards assuring that all persons, regardless of their financial status, shall not be needlessly detained pending their appearance to answer charges, there has now been shown in the light of two years experience that inequities are present from the standpoint of danger to the community from the release of certain accused persons; and

Whereas, a substantial factor in our rising crime rate is the habitual relapse into crime by the man, woman, or juvenile who has respect neither for his fellow citizens nor for law and order, who has fear neither of repeated arrests nor of successive imprisonments, and who look upon crime as a way of life, and

Whereas, the massive scale of criminal acts committed during civil disorders or riots justify suspension of the right to bail and justify detention of suspects for a cooling-off period of at least the duration of such officially declared emergencies;

Now, therefore, be it resolved that the DCBA recommends that the Bail Reform Act be amended to provide Judges with the discretionary power, after due hearing and a finding that release would present a substantial risk of danger to the community or to the individual concerned, to deny bail entirely pending trial for:

(a) persons who have been arrested for crimes of violence;

(b) persons who have a record of previous convictions for crimes of violence;

(c) persons who were out on bail at the time of a second arrest; and

(d) persons who during officially declared emergencies are arrested for riot-connected offenses.

Once detained under such procedures a suspect should be entitled to a periodic review of the denial of bail and to a priority on all steps in the judicial process, the most important being that of a speedy trial.

3. REQUEST FOR DISTRICT OF COLUMBIA SUPERIOR COURT OF CRIMINAL JURISDICTION, AND OTHER JUDICIAL MATTERS

Whereas, there is unquestioned truth and wisdom in the legal maxim "Justice delayed is justice denied." Do we have justice today in the District of Columbia when there is a serious and record high backlog of criminal cases—and the obvious potential for an even greater volume—at a time when our law and order requirements demand swift trials and swift punishment? Within the past few months there has been an intensified effort on the part of both the Bench and the Bar to bring to the attention of the Congress of the United States their recommendations toward restoring law and order in the Nation's Capital.

Whereas, the most effective deterrent to crime is the prompt apprehension, prosecution, and punishment of persons suspected and then convicted of crime.

Now, therefore, be it resolved that the District of Columbia Bankers Association wishes to endorse the recommendation recently advanced by the Honorable Edward M. Curran, Chief Judge of the United States District Court, for the establishment of a new court to be known as "District of Columbia Superior Court of Criminal Jurisdiction"; and the recommendation of the Honorable Harold H. Greene, Chief Judge of the Court of General Sessions, that favorable action be taken on S. 2439, a pending bill providing for a raise in salaries of, and an increase in the number of, Judges for the Court of General Sessions; and the recent proposal made by "The Committee on the Administration of Justice Appointed by the Judicial Council of the District of Columbia" providing that the Juvenile Court be transferred to and made a part of the Court of General Sessions.

These recommendations are a vital step towards achieving swift, certain, and impartial justice—the most important deterrents of crime.

Unanimously adopted.

(NOTE.—The above resolutions are of vital importance to the citizens of the District of Columbia and we pledge our complete support in the accomplishment of their objectives.)

TELEVISION INTERVIEW WITH SENATOR BYRD OF WEST VIRGINIA ON NUCLEAR PROLIFERATION, CENSUS, AND ELECTORAL COLLEGE.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a transcript of questions asked of me during a television interview on July 3, 1968, and of my answers thereto.

There being no objection the transcript was ordered to be printed in the RECORD, as follows:

NUCLEAR ARMS LIMITATION, 5-YEAR CENSUS AND ABOLITION OF THE ELECTORAL COLLEGE

Q: Senator Byrd, would you give us your views on the move for nuclear arms limitation between the United States and the Soviet Union?

A: I think it is a very important step in the right direction. The United States has been working toward this end for quite some time, but I believe the thing which really brought on the willingness of the Soviets to talk was the vote which was cast in the United States Senate a few days ago giving the green light to the installation of an anti-ballistic missile defense system. I think that this convinced the leaders of the Soviet Union that we are determined to do whatever is necessary to defend America. I believe that the United States Senate served notice on the leaders in the Kremlin that they cannot win an arms race. The installation of an ABM system would be very costly, of course, to the United States, but it would be just as costly to the Soviet Union.

Now, I think we have to keep in mind the fact that there can be many pitfalls in the way of a workable agreement on arms limitation, but I don't believe that this should deter us from doing every thing within our power to achieve mutually acceptable solutions to the problems that are involved. I have been encouraged by the recent Outer Space agreement and also by the non-proliferation accord. On balance, I think these are very heartening, but I hope that the old scars and frustrations in the past have taught us that impatience is not a virtue when it comes to dealing with the Soviet Union. I think that we must not be overly optimistic, I think we must be patient, we must be on our guard, but we must try.

Q: Senator Byrd, there seems to be quite a bit of interest in the proposal that a national census be taken every 5 years instead of every 10 years as at present. What is your view on that?

A: Well, our country has grown so rapidly and new developments are occurring so fast that I do not beileve that we can longer afford to base vital decisions on out-of-date statistics about the nation. The figures we are using this year, for example, were compiled 8 years ago. Not very long ago I received a letter from the head of a department in State government complaining that the figures they were using in their operations were obsolete and urging the Congress to enact legislation which would authorize a mid-decade census. The proposal that was recently passed by the House of Representatives authorizes a population, housing, and unemployment count to be taken in 1975 to update the figures that will be obtained in the 1970 census. The 1975 count will not affect the apportionment of the House of Representatives, which will continue to be based on the decennial census. I believe that this is a good proposal; I think that it is a progressive one because I think that if we are going to make up-to-date decisions we must have up-to-date information.

Q: Senator Byrd, you placed your support behind legislation which would pave the way for abolishing the electoral college system of choosing a President and for creating a nation-wide presidential primary. Would you explain that?

A: Well, this legislation would abolish the electoral system, as you have indicated, and it would also establish a presidential primary to be held throughout the country in every state on the same day. I joined the Majority Leader, Mr. Mansfield, in co-sponsoring this proposal, because I feel that the present electoral system is archaic. I think that it is unwise in that it constitutes a danger to the American system in that it may continue to deprive the American people of their popular choice of a President. This has happened at least three times under the electoral system—in 1824, 1876, and 1888—and I think that the people ought to be able to directly elect their President and Vice President and that the archaic system should be abolished and they should be able to do this very vital and important function through the instrumentalities of a presidential primary.

Interviewer: Thank you, Senator Byrd.

THE SECRET SEARCH FOR PEACE IN VIETNAM

Mr. BENNETT. Mr. President, on Sunday the New York Times book review section carried a very titillating review entitled "Behind the Credibility Gap." The review discusses a new book entitled "The Secret Search for Peace in Vietnam," written by David Kraslow and Stuart H. Loory.

The review deals with an excellent reporting job accomplished by Mr. Kraslow and Mr. Loory, two outstanding reporters of the Los Angeles Times, who traveled throughout the world digging for the facts and trying to get behind the truth in our Vietnam peace efforts and our peace drive. Unfortunately for the United States most of the U.S. efforts obviously have failed and the regrettable fact is that most of the problems trace back to bungling and bureaucratic redtape, according to the review.

I think that Mr. Kraslow and Mr. Loory have performed a valuable service in publishing their findings. Their book will give American citizens a valuable new and heretofore unknown insight of the highest levels of Government and its dealings with this war.

I think the review should receive the wide distribution which it can have in the CONGRESSIONAL RECORD, so I ask unanimous consent that it be printed in the RECORD.

There being no objection, the review was ordered to be printed in the RECORD, as follows:

BEHIND THE CREDIBILITY GAP

(By David Schoenbrun) [1]

Saturday, Dec. 3, 1966, was a quiet day in Foggy Bottom—just the right kind of day for the secret, technical preparations underway in the State Department, the culmination of five months' quiet diplomacy, leading to peace negotiations to end the war in Vietnam.

Sitting down to breakfast, looking forward to the last-minute arrangements of the day, a senior official in the national-security apparatus opened his morning paper and gasped as he read the headlines: U.S. Bombs Site 5 miles from Hanoi. "Oh my God," he muttered. "We lost control." The official's shock grew from the fact that a foreign capital had been bombed, and the President and his top civilian lieutenants had forgotten that they had authorized it.

With this vignette of life on the brink in Washington, two able, young reporters, David Kraslow, Washington News Bureau Editor of The Los Angeles Times, and Stuart H. Loory, that paper's White House correspondent, open up a Pandora's box of once locked-up secrets of State. What comes flying out of the box is a tangle of red tapes that have strangled the hopes for peace and are responsible for the wrecked lives of millions of people—Vietnamese, Americans and others killed, wounded or made homeless by a totally unnecessary, unplanned, unwinnable war.

Reporters Kraslow and Loory, indefatigable investigators, traveled through a dozen capitals in their own search for the secret story of peace maneuvers. They conducted hundreds of interviews with diplomats in Washington, New York at the United Nations, in London, Paris, Rome, Florence, Vatican City, Prague and Warsaw. They dredged thousands of pages of the public record to find grains of truth buried deeply in the muck of official pronouncements. They accumulated 150,000 words of notes, from which they sifted an exciting story that moves with the speed and drama of a spy thriller.

The secret moves are so intricate, the stakes so high, that the authors themselves do not completely perceive that they have found something far more valuable than even the important story of the search for peace in Vietnam. They have written a case history of grievous error on the highest levels of government. Their book might well have been entitled: "Stumbling and Bumbling on the Brink"—with "The Secret Search for Peace in Vietnam" as a subtitle.

The official who groaned, "Oh my God, we lost control," caught the essence of what happened in Washington. The executive power has built up global security and information systems so complex that no man, even including the President, can know at any moment everything important that is under way. When the President is himself a secretive, proud man who insists on running the whole show, with all the levers in his own hands, then catastrophe is inevitable.

Reporters Kraslow and Loory describe in detail every link in the decision-making machinery, what they call the "huge, power grid" of information that flows in and out of the Department of State from hundreds of agencies at home and abroad, to the White House, Defense and back again to State. Just "one errant slash" of a pen on a distribution list "can cause the information grid to collapse." This is what happened late in 1966, when an air attack on Hanoi blasted the delicately constructed plans for peace talks worked out by a Polish and an Italian diplomat in almost half-a-year of secret probing, with Washington's full knowledge and somewhat less than total encouragement.

These moves, coded by State as "Marigold," were known only to a handful of top officials. In the final phases of Marigold, the White House orders for secrecy—an obsession of the President's—were so stringent that the distribution list was cut down to only six men in State. Cut out of the circuit were "the functionaries who exercise day-to-day control over the political side of the war and set up coordination with the Defense Departmen on military actions."

Operations officials and officers charged with targeting of air strikes were not aware of peace moves being carried out by a different set of officials who themselves knew nothing of "forward targeting planning." The President, aware of both moving lines, was so snarled up in the details that he simply forgot on one critical day, on the eve of peace talks, that he had earlier authorized a series of targets, near Hanoi, that would be hit at the moment of burgeoning hopes for peace, and would be interpreted not only by Hanoi, but by almost every world capital as a phony double-play of talking peace but making war. A close associate of the President is quoted as telling the author, "You will never get this inside story. Because it makes our Government look so bad."

Even more terrifying than the bureaucratic snarls of Marigold is the story of U Thant's quiet effort to bring about American-Vietnamese peace contacts in the fall of 1964. U Thant told Adlai Stevenson, U.S. Ambassador to the U.N., there was a good chance for arranging a meeting secretly in Rangoon. Stevenson reported back that the President could not make a move during the Presidential election campaign. U Thant waited, then renewed the offer, with Hanoi's approval after Johnson won re-election, Stevenson, with anguished regrets, informed U Thant it could not be done. Instead, the President ordered the first massive raids on North Vietnam, while Secretary of State Dean Rusk publicly kept saying there was no sign the other side was willing to talk, that his "antennae" had not tuned in any "peace blips."

U Thant, furious, came very close to calling Washington officials liars. "I am sure that the great American people, if only they knew the true facts and the background to the developments in South Vietnam, will agree with me that further bloodshed is unnecessary. . . . As you know, in times of war and of hostilities, the first casualty is truth."

The authors then tell of U Thant's meeting with the President some time later, when the President shocked him by saying that he was not aware of the offer made to Stevenson. And they tell of another meeting much later with Rusk, who stupefied U Thant by telling him that Stevenson had not been authorized to turn down Thant's proposal for talks in Rangoon. "Thant and U.N. officials were stunned. They could not conceive that Stevenson would have taken it upon himself to cancel the Thant initiative." The Washington versions did not match versions put forward by close associates of Stevenson, or one version given by Stevenson himself to Eric Sevareid of C.B.S. and to this reviewer in a talk in Paris a few days before Stevenson's death.

It is now almost impossible for the leading officials of the United Nations to undertake any serious peace initiatives in secret. Only public moves can come close to being credited. Hanoi's leaders feel the same way. They do not trust Washington. Premier Pham Van Dong told this writer in Hanoi last summer that any peace talks would have to be largely on the record, with full public briefings. Not only the good will but the very efficiency of Washington's decision-making apparatus is considered to be untrustworthy.

"The Secret Search for Peace in Vietnam" documents a half-dozen examples similar to the Marigold and Thant affairs. Among them there is the shocking "bad mistake" of February, 1965, when the U.S. launched air attacks against North Vietnam at the very moment that Soviet leader Kosygin was in Hanoi. As a direct result of those raids the Soviets stepped up their military aid to Hanoi. The raids also made it impossible for Kosygin to "press Hanoi on peace talks," as Johnson had urged him to do. Johnson, therefore, blasted his own hopes for peace negotiations by his hasty, ill-timed air raids. "We caught hell from the Russians," a high official told the authors.

There is the extraordinary operation "Savonarola," the secret peace mission of the longtime Mayor of Florence, Giorgio La Pira, backed by Foreign Minister Amintore Fanfani, a mission wrecked by the bombing raids of Dec. 15, 1965, over the Haiphong-Hanoi complex. The authors then moved from that wreckage to the global "circus" of the so-called "peace offensive" of Christmas and New Year's, 1965–66, when Johnson sent envoys Harriman, Bundy, Goldberg, Mennen Williams and others winging around the world. The authors call it a Texas-style, diplomatic "fandangle." It is downright embarrassing for American citizens to read.

To cite one final example, there is the chapter entitled "Wilson Took It Like a Man." It recounts the negotiations that British Prime Minister Harold Wilson undertook with Premier Kosygin in London, in February 1967, based on information given Wilson by an authorized State Department envoy. The envoy acted in good faith, with instructions worked out in Washington before he flew to London. But his instructions were not completely correct, or rather, not completely in line with what President Johnson finally decided he wanted. The result was that the British Prime Minister unwittingly misrepresented American policy and had to apologize to Kosygin and retract what he had told him. A high official in Washington commented ruefully: "Americans were shamed. . . . Everyone who knew was embarrassed. It shouldn't have happened."

---

[1] Mr. Schoenbrun, author of "Vietnam—How We Got In, How to Get Out," is senior lecturer at the Graduate School of International Affairs at Columbia.

This is not a record of a true search for peace, as the title inadequately and not quite accurately promises. It is a story of diplomatic chess-moves but, much more important, a case-history of how decisions are made, not made or unmade in Washington under the Administration of Lyndon Baines Johnson. All Administrations suffer from bureaucratic bumbling and bottlenecks, but Johnson's more than most because of his obsession with secrecy and his insistence on not only making major decisions but carrying out the execution of the decisions himself, right down to his perusal of large-scale maps and personal selection of targets, to the level of warehouses and cross-roads.

This book answers a question that many Americans have been asking with anguish and with disbelief: How is it possible for our leaders, honorable men, intelligent men, experienced men, with all the information they need, to get us into such a terrible mess as this wretched war in Vietnam? Kraslow and Loory give a depressing answer: It is not only possible, it is almost inevitable, given the present complexities and secrecy shrouding war-and-peace decisions.

The moral to be drawn should be obvious to all citizens. Less secrecy and more public dialogue must accompany decisions of war and peace, both inside and outside the corridors of State, Defense and White House. And Americans must learn, as all maturing people must learn: the limits of power, the fallibility of leadership—even the best—and the responsibility of every citizen to keep himself informed and to take a part in the decisions that make his world. If war is too serious a business to leave to generals, then the search for peace is also too serious a business to leave exclusively to diplomats or Presidents. Reporters Kraslow and Loory have made a valuable contribution to this kind of positive, participatory democracy.

THE MICROWAVE OVEN: A BENEFIT AND A POTENTIAL HAZARD

Mr. HART. Mr. President, on July 1, I submitted on behalf of the senior Senator from Alaska [Mr. BARTLETT], a statement outlining amendments Senator BARTLETT has proposed to H.R. 10790, the Radiation Control for Health and Safety Act of 1967.

Senator BARTLETT explained that at later dates he would submit statements dealing with individual amendments and discussing in more detail the need for his proposals.

Today, I ask unanimous consent that Senator BARTLETT's statement on the need to establish performance standards for microwave ovens be printed in the RECORD. I also ask unanimous consent that a report of additional information on microwave ovens prepared for the Senate Commerce Committee, prepared at Senator BARTLETT's request by the Office of the Director of Defense Research and Engineering, Department of Defense, be printed in the RECORD.

There being no objection, the items were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR BARTLETT

Last week I outlined a series of amendments I have proposed to H.R. 10790, the Radiation Control for Health and Safety Act of 1967.

In that statement I said I would discuss at later dates the reasons why I proposed those amendments.

Today I would like to discuss my reasons for recommending that nonionizing radiation be included in the scope of the bill. This statement will deal specifically with health hazards created by microwave ovens.

My statement is divided into four sections; the first showing that the market for microwave ovens is likely to and should expand if the correct safety precautions are taken; the second showing that many microwave ovens now on the market emit microwaves in excess of voluntary industry and Department of Defense limits; the third, that exposure to excessive amounts of microwaves is a health hazard, and four, some suggestions about what can be done in addition to enacting H.R. 10790.

The Senate Commerce Committee always has been interested in the perfection of new products, for this is the way to progress to enhance our economy and improve the quality of our lives.

The microwave oven is one such product.

Let me show the expected benefits of microwave ovens for preparing foods by quoting from the operating manual of a leading manufacturer of this product:

"Microwave cooking is the fastest possible way to cook or heat with the least amount of power in the smallest amount of space. It is approximately 10 times faster than conventional methods.

"Microwave cooking is cooking without heat. Short electromagnetic waves, known as microwaves, pass virtually undiminished through many materials; such as glass, plastic, paper, and china. When these microwaves come in contact with food, they are absorbed, their energy is converted into heat, and they cook or heat the food inside and outside at the same time. Nothing but the food is heated. The interior of the oven as well as the food container remain at room temperature." The manual then goes on to list seven specific advantages of microwave cooking:

1. It improves food taste, appearance, and nutritive value.
2. It is easy cooking.
3. It is simple and efficient cooking.
4. It is inexpensive cooking.
5. It is versatile cooking.
6. It is clean cooking.
7. It is safe cooking.

Concerning safety, this manual says:

"There are no chances for burns from hot utensils or oven walls. The heating process doesn't begin until the oven door is closed and the timing mechanism initiated, and then takes place only in the food being heated."

Some of the advertising is more flamboyant.

"Can you imagine baking a potato in five minutes, a cherry pie in 28, or roasting a frozen turkey in 60 minutes? Now you can. *Electronically*.

"Hamburger? Cheeseburger? Bar-B-Q Beef? Here's an oven that can heat 'em all in seconds. So customers will come back for second helpings.

"Once upon a time all a customer could look forward to was a cold sandwich. But along came * * *, and you know how it is now.

"You put a * * * Microwave Oven next to the sandwiches you vend, and in less than a minute people pick their sandwich, heat it, and get over to the table where they eat.

"What takes the longest time now?

"Deciding whether to buy hamburger or bar-b-q beef.

"Which is the real beauty of * * * Microwave Ovens

"They work so fast customers have time for second helpings."

These words from an operating manual, from sales materials, clearly show that manufacturers of a new American product are moving quickly and forcefully to introduce microwave ovens into our homes, hospitals, places of business, snack bars and restaurants.

The industry has great expectations which we hope can be realized.

We asked James Terrill, director of the National Center for Radiological Health, to give us some information about the market for microwave ovens. He testified that a Bureau of the Census report for 1965 showed four firms making microwave ovens and that reliable estimates of sales to commercial and consumer use is approximately 40,000 units a year. If the unit price can be cut from about $500 to $250, then the sales could jump to 500,000 units a year. The Defense Department in its testimony mentioned seven firms in the business, and I understand that they have just found an eighth firm taking the plunge into this new field. However, from what we heard at the hearings, and from other independent reports, it appears that unless special care and attention are taken in design and manufacture, the great expectations for microwave ovens can result in a serious health hazard, for many units old and new, have been found to leak radiation.

Experience with other consumer goods indicates that such safety hazards can be eliminated if safety considerations are given adequate attention in designing the product.

This is what H.R. 10790 and my amendments to the bill are all about.

My intention is to present a bill which will ensure that microwave ovens sold in interstate commerce will be safe for the user, and that manufacturers who are sincerely interested in marketing a safe product are not undercut by less scrupulous manufacturers who would take short cuts with safety.

In deciding to bring products emitting microwaves under the provisions of legislation dealing with the control of radiation, I asked the following questions:

Are microwaves really hazardous?

Do we know enough about them to intelligently regulate design and manufacture of commercial and consumer products such as microwave ovens?

Would regulations put this new and vigorous industry out of business?

These are all legitimate questions.

The testimony of scientists, of experts working with microwave equipment clearly shows that microwaves in excessive amounts can injure and kill experimental animals. Fortunately measures already taken by the Department of Defense, which is probably the largest single user of microwave equipment, have prevented the replication of these experiments in man through accidental exposure. It is clear that we do know enough about them to set standards, or limits, for exposure. In fact, the Department of Defense already has done so for uses of microwave equipment under its control, and the industry has established similar voluntary exposure limits.

Unfortunately, these voluntary limits do not appear to be effective. During my May hearings, a representative of the Army Environmental Hygiene Agency testified that out of 30 microwave ovens surveyed at the Walter Reed Army Medical Center in Washington, D.C., 24 were rejected because they emitted microwaves in excess of the Department of Defense standard.

According to the witness, these ovens emitted "something on the order of 20 milliwatts per square centimeter. This is with the door closed."

To put that figure in perspective, I think it is safe to say that those emissions were at least twice the limit recommended by industry and the military.

Following up on the information supplied by the Army Environmental Hygiene Agency, I asked Gardiner L. Tucker, deputy director for Defense and Research Engineering, Department of Defense, to respond in writing to a series of questions about microwave ovens. The answers are not encouraging.

But again, in the interest of putting those answers in their correct perspective, I think it would be informative to know what limit the agency uses in deciding to accept or reject a new microwave oven.

I will quote directly from a report supplied by the agency:

"When a new oven has been received from the manufacturer, a maximum acceptable power density leakage level should be 1 mW/cm^2 or less. We have found that with the present day oven design, these ovens will produce more leakage after they have been in use for a period of time.

"If an oven which has been in service exceeds 5 mW/cm^2 but less than 10 mW/cm^2 at any point around the periphery of the door, then that oven should be routinely monitored and considered for future repair by competent repair personnel. If an oven exceeds a power density of 10 mW/cm^2 it is recommended that this oven be placed out of service immediately."

Keeping those figures in mind, one cannot help but be appalled to read that the agency found a microwave oven at Fort George G. Meade, Maryland, which emitted power densities in excess of 200 microwatts a square centimeter, more than 20 times the outer acceptable limit set by the agency.

One cannot be other than appalled to learn that in a survey of 14 microwave ovens in snack bars of the European Exchange Service, the agency found two ovens emitting more than 200 milliwatts a square centimeter; one oven emitting about 100 milliwatts a square centimeter; six ovens emitting from 17 to 70 milliwatts a square centimeter and only five that did not emit power densities greater than 10 milliwatts a square centimeter.

Apparently much of the excess microwaves escape through faulty designed doors, and apparently, the amount of excess radiation emitted increases with the age of the oven.

The agency sums up its findings on microwave ovens this way:

"Data obtained by The Army Environmental Hygiene Agency personnel on numerous surveys has shown that no one manufacturer continuously produces a particular model oven which can be considered to emit the least amount of microwave leakage. All models surveyed by AEHA do emit some leakage and their levels vary depending on the particular oven, the length of time it has been in use and the abuse it has received."

In addition, at least three other surveys of microwave ovens have come to the attention of the Senate Commerce Committee—one by the Public Health Service, one by a county health organization, and one by a state industrial hygienist.

All of them found instances of leakage above the accepted limits, and, unfortunately, the possibility of leakage is real rather than hypothetical.

I think these findings make quite clear that voluntary limits are not working and that apparently with a little effort in design, it should be possible to come up with doors that can allow microwave ovens to meet performance standards over a long period of time.

I have heard some persons argue that despite excesses of microwave emissions, H.R. 10790 should not authorize the setting of standards for such products because not enough is known about the health hazards created by this form of radiation.

Perhaps the best way to respond to that argument is to quote from the testimony which Dr. Herman P. Schwam, of the University of Pennsylvania, gave at my May hearings. Dr. Schwam, a professor of electrical engineering specializing in effects of nonionizing radiation on biological systems, told the Senate Committee on Commerce:

"We definitely know that microwaves can do harm. They can cause fever, eye cataracts, testicular damage and in sufficient intensity, tissue damage and even death."

The fact that industry and the military have adopted exposure standards indicates that many other persons also feel there is real cause for concern over the emission of microwaves.

I will not deny that there are gaps in our knowledge about the effects of nonionizing radiation on humans, but I contend that enough is known to warrant the setting of standards to safeguard the public. Certainly it makes good sense to act now on the knowledge we now possess rather than to wait until more devices using nonionizing radiation are in the hands of the public on the somewhat flimsy reason that we don't yet know all we should about the health hazards created by microwaves.

We know enough to act now.

We must act now to protect the public from a health hazard that can only grow as more of these devices are put on the market. For once in meeting its responsibility to protect the buying public, Congress has an opportunity to act before rather than after the fact, before rather than after many persons have been injured by a health hazard which can be avoided.

Let me return now to the literature of the microwave manufacturers, for there is an additional point which should be made.

The sales literature does not mention or inform the prospective buyer of microwave hazards. There is no mention of the scientific evidence that microwave radiation above certain levels may cause cataracts. There is no caution that microwaves which can cook a roast in minutes could also burn a person were they to bypass the interlocks and operate an open oven. One of the myths of the trade is the example of the sales demonstrator at a county fair who deliberately put the safety interlocks out of service so that prospective customers could put their hands into the oven.

The operating manual that I referred to earlier had a section on safety features. But not one word referred to microwave hazards.

A specification sheet for another microwave oven described the product as safe and said that it was approved by the Underwriters Laboratories, the Federal Communications Commission and the National Sanitation Foundation.

Thinking that radiation safety was implied, I wrote the Federal Communications Commission to ask if its approval extended to radiation safety. This is what the FCC replied:

"The Commission has no primary responsibility in matters of health and safety. Our regulations with a few exceptions are directed toward ensuring an efficient, reliable, and economic radio communications system. While I believe we could concern ourselves with the question of radiation hazards, we have not found it to be a problem in the area of our responsibilities, and it is one which would appear to be more appropriately dealt with by the Department of Health, Education, and Welfare."

So an FCC approval is no indication of safety.

Which is still another reason why I hope H.R. 10790 will be approved by the Senate.

There are other steps too that need not wait upon the enacting of this legislation and the setting up of a new program.

For example, the National Center for Radiological Health could join with the Environmental Health Agency of the Army and with the industry to quickly perfect and market an inexpensive monitor to determine whether a given microwave oven is leaking. I understand that one company already is marketing such a device and I hope its performance can be quickly checked by responsible federal agencies so that we can see whether it is adequate for reliable monitoring.

Another related step could be for the electrical utilities, as part of their public service functions, to buy such monitors and check out commercial and private installations upon request. I suggest the electrical utilities, for their men are well trained and are found throughout the nation. I have heard of ovens being repaired by TV servicemen who have no instruments to measure and check for leakage. Perhaps the microwave oven industry could work together with the organizations of TV servicemen with the thought of establishing a competence among the latter that will keep step with the increasing sales anticipated by the manufacturers.

The traditions of the Public Health Service would suggest that it act to inform state and local health agencies of potential microwave hazards and work with them to develop a supply of simple, inexpensive and reliable monitoring instruments so that the means will be at hand to check out present and future installations as may become desirable. In this connection, the local county survey to which I have already referred could only be made by borrowing instruments from the Air Force.

Microwave products, such as microwave ovens, open exciting new possibilities for new services. If radiation safety is built into such products now while the market is still young, we can head off potentially severe future problems.

We want technological progress. We want innovation and new products and new services. And federal assurance of radiation safety in microwave products through the Radiation Control for Health and Safety Act of 1967 will foster the health growth of these new innovations, these new products and services.

REPORT OF ADDITIONAL INFORMATION ON MICROWAVE OVENS PREPARED FOR SENATE COMMERCE COMMITTEE

The following additional information is submitted in connection with Hearings of the Senate Commerce Committee:

a. One microwave oven located at Fort George G. Meade, Maryland emitted power densities greater than 200 mW/cm^2. The area where this energy was emitted was at the top and bottom of the door seal. This leakage decreased to 10 mW/cm^2 at a distance of 30'' from the door. This oven was reconditioned then resurveyed one month later, the condition of the oven at this time was satisfactory. When the oven had been in service for six months after the reconditioning time, a resurvey indicated that leakage existed as high as 85 mW/cm^2 at a distance of 6'' from the door area. This decreased to 10 mW/cm^2 at a distance of 18''. The oven was then serviced once again to reduce the level of leakage. At the present time the oven has again been placed out of service because of excessive leakage and malfunctioning of safety interlocks.

b. During a recent survey of 14 microwave ovens located in snack bar facilities of the European Exchange Service, it was found that two ovens emitted power densities greater than 200 mW/cm^2 and one emitted a power density level of approximately 100 mW/cm^2. Of the remaining eleven ovens, six (6) had leakage from 17 to 70 mW/cm^2 and five (5) did not have any leakage greater than 10 mW/cm^2.

c. It should be noted that the instrumentation employed in determining the level of microwave radiation emitted from the above ovens was the Ramcor Densiometer, Model 1200 series. The maximum power density indicated by the metering system of this instrument is approximately 25 mW/cm^2.

However, its range can be extended with the use of suitable attenuators inserted between the instrument and antenna, to measure power densities above the 25 mW/cm^2 level.

d. Data obtained by The Army Environmental Hygiene Agency personnel on numerous surveys has shown that no one manufacturer continuously produces a particular model oven which can be considered to emit the least amount of microwave leakage. All models surveyed by AEHA do emit some leakage and their levels vary depending on the particular oven, the length of time it has been in use and the abuse it has received.

e. Assuming an oven does not leak when new, after extensive use the area where leakage usually occurs is around the periphery of the door seal. This is caused primarily by bent or loose door hinges, loose door latches and faulty or misaligned safety interlocks. The failures and/or malfunctions of these particular components are due primarily to poor mechanical engineering. In other words, these parts do not hold up under the constant and extensive use to which these ovens are subjected.

f. An example of what the Army does to control the development of microwave ovens used in the field can be seen from its control of the SPEED System. The Army is in the process of developing a completely self-contained field kitchen and baking unit. This unit (the SPEED System) utilizes four microwave cooking ovens. When the ovens were first constructed, personnel from AEHA evaluated the prototype at the factory, prior to acceptance. After the ovens had been placed in their respective units, a second survey by AEHA personnel was performed. The ovens have now been in service for nine months and a resurvey of these ovens by AEHA has been scheduled for 21 June 1968. Since this system has been placed in service, personnel operating the system have also been performing weekly checks to determine if microwave radiation is being emitted around the periphery of the door. In addition, whenever the service personnel are exposed to the microwave power source, tests are first conducted to determine the level of radiation in that area.

g. There are several design features of the present day microwave ovens which could be improved. Those features which are the main cause of excessive microwave radiation to be emitted from the cooking ovens are, poorly constructed doors and door seals, faulty door latches, improperly designed door hinges and malfunction of the safety interlocks. In order to effectively produce an oven which will not emit microwave radiation in excess of the maximum permissible level of leakage the faulty components mentioned above must be better designed and constructed.

h. Listed below is a brief description of typical problem areas and examples where that particular problem area has caused leakage and suggestions for corrective action in design (where possible):

(1) The door is the principal area of concern. If the door does not fit properly there may be spaces between the door and oven frame which would allow excessive leakage to exist. One of the faults associated with some of the ovens surveyed were warped doors. One improvement on oven door design would be to take into consideration the fact that the oven door will become loose after excessive use and design the door so that leakage does not increase.

(2) If the door latch does not operate properly it is possible to have the oven operating with door partially open. In one type of oven the door latch consists of three magnets mounted on a soft metal bracket which is secured to the oven door by two screws. After the ovens have been in use for a period of time the screws come loose or the soft metal bracket bends or distorts thus not allowing the door to close securely. A more positive type of door latch should be employed. Such a latch could possibly be a lever type with a spring loaded mechanical catch.

(3) The door hinge design on some ovens appears to be satisfactory, however one manufacturer has designated his hinge to be a continuation of the door material. This piece of extended metal is then wrapped around a shaft. This shaft is secured to the oven cabinet, at top and bottom, by a spring loaded rod inserted through cabinet walls. Whenever the door is opened or closed the wrap-around hinge rubs the cabinet placing a strain on the spring and also causing the wrap-around metal to wear and become loose. The results of this action allows the door to hang unevenly and fit loosely. In fact the door on several ovens employing this type of hinge had to be lifted to be closed.

(4) There are normally two safety interlocks on each oven, when these interlocks malfunction the oven may be operated with the door partially open. AEHA personnel have surveyed ovens where because of faulty interlocks the oven would continue to operate with the door open as far as six inches. When the interlocks are functioning properly, the oven will cut off as soon as the door latch is released. The location of interlocks and the type of construction are items which determine whether it is a good design or poor design. It is far better to have the interlocks separated, for instance; one activated by the door latch area and the second activated by the hinge area. It is very poor design to mount both interlocks on the same mounting bracket. How secure the interlocks are mounted and the type of material are also very important factors.

i. Due to the Agency's unique position of being recognized as the "experts" in this field it is frequently called upon by federal, state and local agencies for assistance. Although not actually within its mission scope, AEHA has strived to honor these requests for assistance and advice whenever it does not interfere with our primary mission. We have given formal training to 40 personnel of the USPHS, 13 AEC personnel, 12 NASA personnel, 2 state and local health department personnel and various personnel of the other military services (Navy and Air Force). Informal liaison is also maintained with numerous state and local health department personned. Advice and consultation in methods, instrumentation, and calibration have been given to these departments. Typical examples—D. C. Department of Health, New York Department of Labor, Pinellas County Health Department, Florida. Personnel of the Agency are also members of various bodies setting standards for microwave hazards, i.e., United States of America Standards Institute (C–95 Committee on Personnel Hazards from Radio Frequency Energy) and the American Conference of Governmental Industrial Hygienist (Committee on Physical Hazards).

Although not requested, it may be appropriate, to briefly state the Agency's policy on what determines if a new oven should be accepted or rejected.

"When a new oven has been received from the manufacturer, a maximum acceptable power density leakage level should be 1 mW/cm^2 or less. We have found that with the present day oven design, these ovens will produce more leakage after they have been in use for a period of time.

"If an oven which has been in service exceeds 5 mW/cm^2 but less than 10 mW/cm^2 at any point around the periphery of the door, then that oven should be routinely monitored and considered for future repair by competent repair personnel. If an oven exceeds a power density of 10 mW/cm^2 it is recommended that this oven be placed out of service immediately."

VACANCIES ON THE SUPREME COURT

Mr. THURMOND. Mr. President, Chief Justice Earl Warren held a rare news conference on Friday, July 5. Justice Warren's statements at this conference are noteworthy in their relevance to the current controversy over the confirmation of his successor.

First, it is clear from Mr. Warren's statements that no vacancy exists on the Supreme Court. The Chief Justice announced that he would continue to serve in the event that Justice Fortas' elevation to Chief Justice is not confirmed by the Senate.

Second, in spite of Mr. Warren's stated reluctance to discuss "politics," it is also clear that politics is very much involved in Warren's resignation. It is interesting to note that while the Chief Justice said he would remain in office if Mr. Fortas is not confirmed, he did not indicate when he would step down. He did not say, for example, that he would resubmit his resignation in January after a new President has taken office.

Mr. President, it is disturbing to me that Chief Justice Warren is attempting to use his resignation, or his refusal to resign, as a club to influence the Senate in the confirmation of his successor. Mr. Warren is saying—almost in so many words—"if the Senate does not confirm Justice Fortas, it will simply have to continue to put up with me." The Constitution provides for Presidential nomination of Supreme Court Justices "by and with the advice and consent of the Senate." There is no provision made for the Supreme Court Justices themselves to participate in the selection of their successors. Yet this is exactly what Chief Justice Warren is attempting to do.

Justice Abe Fortas is not only a close friend of President Johnson, he is also a protege of Earl Warren. In the 1966–67 term, Justice Fortas agreed with Warren on 97 out of a possible 112 decisions, a record of accord with Warren exceeded only by Justice Brennan. If the Senate confirms this appointment, we will be confirming an extraconstitutional arrangement by which the Supreme Court Justices can so arrange their resignations as to perpetuate their influence and their ideology on the Supreme Court.

The Supreme Court already exercises a profound influence on the lives of Americans. Very few checks are available to make this influence responsive to the will of the people. Let us not make the Supreme Court even further removed from the democratic process by confirming a patent attempt by the Chief Justice to insure perpetuation of his influence on the Court.

A COMMENTARY ON THE DRUG INDUSTRY HEARINGS

Mr. NELSON. Mr. President, Miss Judith Ann Miller, of Milwaukee, Wis., has written a thoughtful and comprehensive paper on the drug hearings now being held by the Senate Subcommittee on Monopoly of the Small Business Committee.

Miss Miller, a pharmacy student at the

University of Wisconsin, discusses some of the telling points of the hearings to date. Naturally, the very brevity of her paper prevents a complete and thorough discussion of all the issues, and I would hope that her explorations so far would encourage her to continue.

As feature editor of the Pharmacy School's publication, Mortar and Quill, her paper should have appeared in a recent issue. But because of a misunderstanding, she was denied this privilege.

I think the Senate would be interested in seeing her work in the RECORD, for it portrays an honest attempt to get at the truth.

For she says that the basic necessities of life include health, as well as food, clothing, and shelter, and that the American public does see the drug industry as a special contributor with social responsibilities.

In the final analysis, it is the fixing of this responsibility that the hearings are all about. What is the scope of this responsibility? Certainly the range of prices charged for drugs fits this definition.

I ask unanimous consent that Miss Miller's paper be printed in the RECORD.

There being no objection, the commentary was ordered to be printed in the RECORD, as follows:

A COMMENTARY ON THE DRUG INDUSTRY HEARINGS

As a relatively non-biased PH-2 student, I would like to offer my non-expert commentary on the recent Senate investigations into the drug industries, in particular that of the Monopoly Subcommittee of the Senate Select Committee on Small Business chaired by Senator Gaylord Nelson, Wisconsin. Citing *The Handbook of Prescription Drugs* by Richard Burack, M.D. as his reference source, Sen. Nelson on April 26, 1967, declared in the Senate, "At the very least, the full facts on this problem drug costs must be brought home to the American public, which I believe has every right to expect the best and finest drugs that American research can provide, and at the most competitive price." Subsequently, hearings began on May 15, 1967.

Senator Nelson's initial intent in conducting the hearings was to inquire into the nature and quality of drug advertising and the patenting system which seems to aid the preferential prescribing for brandname drugs rather than generic-name drugs, and consequently cost the consumer more money. The scope of the hearings has since been enlarged to include the question of discriminatory pricing against the community pharmacist and the generic versus tradename drug efficacy controversy.

Advertising is designed to sell products, namely those being produced by the company paying for the ad. It should therefore come as no surprise that it is not always objective, and in fact may be slightly misleading. But Sen. Nelson does not understand why the drug manufacturer does not tell physicians that there are identical compounds available at one-twentieth the cost of his product which are just as pure, just as potent, and just as safe. No other industry would use such "selling" techniques, so why should the drug industry which "does not look upon itself as a special contributor to the 'welfare' state with social responsibilities of a nature different from that let us say, of the food industry." (George S. Squibb)

But the American public does see the drug industry as a special contributor with social responsibilities. The basic necessities of life are food, shelter, clothing, and . . . health. Those in the health field should be providing a service rather than selling a product In this context, costly drug advertising of more than $600 million per year would seem better spent on research and product development.

"Dr. Burack bemoans the lack of comparative data and truthful comparison of drugs, of a source of authoritative information for the practicing physician, a justifiable criticism. He makes no mention of consulting the pharmacist as a source of this unbiased data, *Facts and Comparisons*, and ASHP's *Hospital Formulary Service*, all of which (among others) contribute some measure of information to the health team beyond that presented in the oft criticized *Physicians' Desk Reference*."[1]

As a corrective measure, Sen. Nelson has suggested the establishment of a drug compendium, which lists all drugs by generic names with cross indexes for trade-name equivalents, showing side effects, contraindications, prices, a therapeutic index, and any other pertinent information. I suggest that such a compendium would only be useful if it compared clinical efficacy of the most used drugs rather than merely being a fancy price index with generic headings. Such a therapeutic reference source could be compiled from the clinical testing results obtained by the FDA and the individual drug companies.

Comparative clinical tests of the most used drugs would resolve the therapeutic equivalence argument concerning generic and brandname drugs. "The inexact nature of the practice of medicine makes 'therapeutic equivalence' a question that is peculiarly well-adapted to the obfuscation—whether purposeful or accidental—and many of the people involved have pitched in with a will:

"PMA's Stetler to Sen. Long: 'The generic . . . name of a drug describes . . . only . . . the pharmacologically active ingredient of the drug product—not . . . the finished product itself. The finished drug product usually includes inactive ingredients affecting such crucial factors as dissolution and release of medication. Therefore, although a drug product may contain the prescribed amount of active ingredient and may meet USP or NF standards, there is no guarantee it will produce the same result in a patient as another product containing an active ingredient with same generic name.'

"FDA Commissioner James Goddard to Sen. Nelson: '. . . our feeling is that in only a limited number of drug categories will two drug products with the same active ingredients not produce clinically equivalent results . . . for most drug preparations, the identical dosage forms seem, for practical purposes, to perform the same.'"[2]

The issue in the therapeutic equivalence controversy is physiological availability which may be affected by several factors not covered by USP and NF testing procedures. Particle size, dissolution rate, the nature of the inactive ingredients and coloring and flavoring agents, and surface properties are among these factors which may affect clinical efficacy. But in fact, solid evidence for differences in therapeutic equivalence exists for only 17 drugs out of the approximately 3000 single entities used today.

Therapeutic equivalence is not always valid for these drugs:

Covered in the USP: Aminosalicyclic acid, Aspirin—especially coated tablets, Bishydroxycoumarin, Chloramphenical, Diphenylhydantoin, Enthryomycin (base), Griseofulvin, Prednisolone and like steroids, Riboflavin, Spinonolactone, Tolbutamide.

Covered in the NF: Acetaminophen, Al aspirin, Betamethasone, Ca Novobiocin (crystalline form), Indomethacin, Tetracycline.

Such drugs normally have at least one of these three properties:

1. The active ingredient is less than 1% water-soluble. 2. The final product has a ratio of inert material to active ingredient greater than or equal to 50 to 1.3. The crystal size of the active ingredient is critical in determining physiological availability.[3]

This does not prove that there are not more cases in which drug products which meet the USP or NF standard do not perform alike clinically. Rather the possibility does exist for therapeutic inequalities; and as the manufacturer has no responsibility to test the quality of competitive products, it is up to the FDA to require clinical results on drugs being produced after patent expirations showing their clinical equivalence to previously marketed drugs. Sen. Nelson's suggestion of FDA seals of approval in the form of registration numbers for each drug and each company could be well used for this purpose.

Senator Nelson has also recommended that all prescription medicine carry the "established" name of the active ingredient on the label except in specific cases in which the prescribing physician requested it to be deleted. His objective in such a law would be to prevent the confusion caused by the many brand-names for the same drug product. But I cannot understand how informing the patient of the generic name of his medicine will clarify the physician's prescribing muddle. The objective could be better met by requiring the physician to write only generic drug names.

"Under generic prescribing the pharmacist would be in the position of making a product selection from among the various brands of a given drug available. Today's pharmacy graduate, the product of an academic program of at least five years' duration, heavily based in physical and biological sciences, has the capability to fulfill this responsibility." (August P. Lemberger) With specific information in a therapeutic reference source, he would be very capable to make such a judgment.

Sen. Nelson, I believe mistakingly, has felt the price furor in the health industry is due to the great disparity existing between the prices of tradename and generic drugs. The problem is instead due to the archaic marketing structure of the pharmaceutical industry which charges the government one price, the hospital a different price, and the retail pharmacist a higher price for the same drug from the same supplier. These "current marketing practices which governmental agencies help foster have created an intolerable situation for patients who directly pay for their drugs and pharmaceutical services and for the pharmacists who serve this segment of our profession." (William S. Apple)

APhA Executive Director William S. Apple in testifying before the Dingell committee (House Subcommittee on Regulatory and Enforcement Agencies of the Select Committee on Small Business) on August 8, 1967, presented an overview of the problem. I repeat significant excerpts here to provide a better understanding of the problem.

"In the earliest days, the government was frequently a disfavored purchaser, its total demands relatively small and its effect in the market place slight. Since World War I and the advent of the 'miracle' drugs, government as a purchaser has become a significant force in the market place. Perhaps out of a laudable, patriotic spirit during the

---

[1] From a book review of *The Handbook of Prescription Drugs: Official Names, Prices and Sources for Patient and Doctor*, Richard Burack, M.D., *Journal of the American Pharmaceutical Ass'n.*, Vol. NS7, No. 7 (July, 1967), 398.

[2] Kenneth M. Reese, "Drug Prices," *Chemical and Engineering News*, XLVI (January 29, 1968), 76.

[3] *Ibid*. 77.

World Wars, the growing corps of pharmaceutical manufacturers made drugs available to government near or at incremental production costs. Sometimes this permitted the manufacturer to develop larger and more efficient plant capacity to meet the atypical demand of the war need.

"In previous decades the interactions of government demand and industry supply at incremental cost were assimilated without disturbing the public market because government purchases were for a relatively small and isolated segment of our society. In this decade both characteristics have changed dractisally. It is estimated that during the next decade government will be paying the pharmaceutical bill for approximately half of our citizens. Unless we accept the concept that patients who pay for their own pharmaceutical services must also totally bear the burden of subsidizing patients who are government beneficiaries, the marketing practice of selling to government at incremental cost is discriminatory.

"Economists point out that incremental pricing is appropriate where (1) there is excess plant capacity and (2) the different markets do not interact. The pharmaceutical industry in the United States has demonstrated no lack of production capacity. It has not demonstrated that it understands that its several different markets are not hermetically sealed and that with each passing day the interaction is becoming more intense. Special prices to government at or below incremental production costs move government to assume more of the drug supply function with a subsequent reduction of the private market. Similarly, special prices to institutions move drug distribution toward the institution and away from the private practicing pharmacist.

"We are alarmed by the trend we observe and by the experiences reported by our members. The current marketing practices of the pharmaceutical industry force the community pharmacist and his private-paying patients to pay the highest unit cost for drugs while government and institutions are subsidized with unearned and unjustified special prices. We think it is time for both the pharmaceutical industry and government to concern themselves publicly about the long-range effects of their actions." [4]

The Robinson-Patman amendment to the Clayton Act should prevent pharmaceutical manufacturers from selling drugs to a profit or nonprofit hospital for less than the price at which they sell them to retailers with whom the hospital competes. But there exists no precedent dealing squarely with today's institutional drug-price discrimination; thus, the situation continues.

Drug companies are unable to raise prices as a group because of price-fixing problems, and no one company wants to take the initial step. The situation seems to demand Federal Trade Commission sponsorship of an industry trade practice conference to assist the pharmaceutical industry. "The trade practice conference may consider all of an industry's trade practices that come under the laws enforced by the FTC. It concludes with the issuance of trade practice rules which set forth the Commission's interpretation of the law as it applies to these trade practices.

"Such rules serve to inform all members of an industry, as well as others, that a particular practice is considered by the Commission to be unlawful under the statutes it administers. Trade regulation rules are particularly suitable where an industry is beset by a widespread unlawful practice. The rule, when promulgated, would apply to all businessmen on the same terms and at the same time, the date the rule becomes effective." (Federal Trade Commission Business Advisory Service)

"It is clearly false and stupid to say that prescription drug prices cannot be reduced. It is to be hoped that industry will take the leadership to do it. If not, others will." (George S. Squibb)

In summation, I would like to say that I feel that impartial, objective hearings into any discriminatory practice are for the benefit of the American public. I hope that it is not true "that Mr. Nelson and his colleagues tend to ask leading—not to say loaded—questions and to more or less direct the course of the conversation." [5] This practice would seem to indicate using the drug industry as a source of publicity for the Senators during an election year. "Sensational, flamboyant and inaccurate public discussion of medical and pharmaceutical problems could create a serious health problem (perhaps more serious than the disease itself) by shattering the confidence of sick people in the integrity of the drugs and the professional services on which they depend for maintenance of life, cure of disease or relief of pain." [6]

(George S. Squibb quotes from testimony before Nelson Subcommittee in 1967.

(August P. Lemberger quote from Letter to the Editor in *C&EN* (February 26, 1968), 6.)

CRIME IN WASHINGTON

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to insert in the RECORD the following items from the Washington Daily News of Monday, July 8.

An editorial titled "No Excuse for This Behavior";

An article titled "Abernathy Set To Lead New March";

An article titled "Sorrow for Slain Officer's Family—Two Ministers Soften BUF Stand on Shooting"; and

An article titled "Woman, 66, Is Attacked."

There being no objection, the items were ordered to be printed in the RECORD as follows:

NO EXCUSE FOR THIS BEHAVIOR

The clumsy, crass attempt by the Black United Front to justify the heartbreaking slaying of a young Washington policeman, who was trying to make an arrest on the street last Tuesday night, does unaccountable mischief to the advancement of understanding and sympathy between the races here.

"The methods of self-defense by the family charged with the alleged slaying of the honky cop is justifiable homicide," the black power coalition said,"in the same sense that police are allowed to kill black people and call it justifiable homicide."

These are half-cocked, irresponsible, and dangerous words. There can be no excuse for the slaying of a policeman in the performance of his duty and there is, at this writing, no evidence that Pvt. Stephen Williams and his partner, who was so grievously wounded in the same encounter, were not performing their duty at the time. Nor is there any doubt that Pvt. Williams was deliberately slain. (Are we to be asked to believe that he was shot accidentally six times with his or his partner's service revolver?)

Beyond the presumption of innocence which we grant those individuals charged with this homicide, what evidence is there that anyone, except the police, acted in self-defense? Defense against what? Is the Black United Front trying to say that it is all right to shoot policemen in defense against arrest? Apparently so.

It is true that some citizens have been shot by policemen under circumstances which raised doubts as to whether the use of such drastic force was necessary, and it is true that these doubts most often have been resolved in favor of the officers. But it is equally true that a policeman puts his life on the line every day he reports for duty and that the decision to use his gun is perhaps the quickest, most agonizing and important decision he will ever have to make.

The childlishly cruel and insensitive statement of the BUF serves only to make the policeman's job more perilous here and the plight of all those who depend upon the protection of the law more pitiful.

It has been pointed out that the Rev. Walter Fauntroy, vice chairman of the D.C. City Council, is a member of the steering committee of the BUF, as is the Rev. Channing Phillips, Democratic National Committeeman for the District. Mr. Fauntroy apparently was absent when the "honky cop" statement was approved. Rev. Phillips was there, but he says the word "honky" was added after he left.

It makes little difference. Where is the reverence these Reverends should have for human life? When it finally appeared to dawn on them that these "honky cops" so sorely abused by their United Front had been brave and good men, their expressions of sorrow for the policemen's families had an empty sound. It was too late. The damage had been done.

When Mr. Fauntroy first joined the BUF we suggested that such membership might compromise his service to all District citizens. We think that conflict of interest has now become acute. He should resign from the Council right now.

As for Mr. Phillips, his display of immaturity in this matter must seriously embarrass the Democratic Party. We trust the voters will retire him at the first opportunity.

Mayor Walter Washington and John Hechinger, chairman of the D.C. City Council, have expressed grave concern about BUF's position in this case. We hope they have made their position crystal clear—especially to Mr. Fauntroy.

ABERNATHY SET TO LEAD NEW MARCH

Some 1000 poor campaigners, led by the Rev. Ralph D. Abernathy, who will be released from jail Saturday, are planning to march on Capitol Hill Sunday to push for Congressional enactment of bigger and better anti-poverty programs, Rev. Andrew Young said. About 300 marchers staged a similar demonstration yesterday.

Rev. Abernathy has been fasting on bread, water and medication for his ulcer while serving a jail sentence after he was arrested for trespassing at the Capitol last month.

Details of a mass demonstration will be announced later this week to "show our leader we're behind him all the way," the Southern Christian Leadership Conference said.

Yesterday's march was the second since Rev. Young announced the Capitol would be circled seven times in a symbolic re-enactment of Joshua's siege of Jericho before "the walls came tumblin' down." The demonstrators circled only once the first time, twice yesterday without incident. They marched in small clusters. At one point, behind the lavish Rayburn House Office Building, a midiskirted nun plunked down on the ground, took off her shoes and rubbed her feet. An Afro-garbed Negro passed and offered her a lick of his ice cream cone. She accepted.

The Rev. A. D. King, brother of the Rev.

---

[4] William S. Apple, quoted in "Industry's Disaster Course" by George B. Griffenhagen, *Journal of the American Pharmaceutical Association*, Vol. N27, No. 10 (October, 1967), 519.

[5] Reese, p. 64.

[6] George B. Griffenhagen, "Statesmen, not Sensationalists," *Journal of the American Pharmaceutical Association*, Vol. NS7, No. 7 (July 1967), 365.

Dr. Martin Luther King, Jr., helped lead the march.

In a guest sermon earlier in the day * * * [he told the] white congregation that "the prophets of doom are just looking for a way to do nothing.

"Our cities are in terror simply because men are hungry," he said. "I see that 78 per cent of the prisoners in the D.C. jails are black men under 30. These are not vicious men. They have been exploited by society, Washington society."

Meanwhile, about 175 "Poor People's Campaigners quartered at Hawthorne School since the closing of Resurrection City are scurrying for new homes before Wednesday, when the school closes for the summer and principal Alexander Orr and his wife leave to conduct a European tour for students.

"They are very understanding about it—I haven't had one complaint," Mrs. Orr said.

Rev. Young said new quarters would be found—but he didn't know where.

Sorrow for Slain Officer's Family—Two Ministers Soften BUF Stand on Shooting

Rev. Channing E. Phillips and Rev. Walter Fauntroy today have sought to soften the impact of a Black United Front resolution last week that declared the slaying of D.C. police Pvt. Stephen A. Williams, 23, "justifiable homicide."

Rev. Fauntroy said after attending the funeral Saturday of Pvt. Williams at National Cathedral, "No homicide by anyone is justifiable." He said he hadn't participated in drafting the Front resolution.

But he joined Rev. Phillips, D.C. Democratic national committeeman and one of the draftsmen of the resolution, in urging the community to "look beyond the rhetoric" of the resolution and "read between the lines."

Rev. Phillips also added that the original text of the resolution had referred to Pvt. Williams as "white" but when it came off the mimeograph machines, the word had been changed to "honky cop."

"I have great sorrow and regret for Officer Williams and his family," he said, adding the officer's death was even more tragic because he "was a good officer, learning to have a concern for human beings."

He called the need to use a tragic incident to "force an examination of police-community antagonisms" unfortunate, but said, "the Establishment doesn't react except in critical times."

"We must change a system that forces a decent officer like Williams to go into a hostile community and get killed," he said.

Rev. Phillips said he also had "sorrow and regret for the widow of John J. Edwards, a black man who was shot and killed by a white policeman on Sept. 23."

Mr. Edwards was shot by Pvt. Frederick L. Mattson, 38, when he lunged at the officer with a knife during the police investigation of a traffic accident, a coroner's jury said in ruling the case "justifiable homicide."

Pvt. Matteson, who was Pvt. Williams' partner when he was slain with either his or his partner's own service revolver, was wounded twice and remains in critical condition at Washington Hospital Center.

Man Poses as Army Investigator—Woman, 66, Is Attacked

A young white man posing as an investigator for the Army questioned a 66-year-old widow for a half hour thru the partially opened chained door or her apartment before he talked his way in and raped her, police said.

They said the woman, who is white and a retired hotel employe who lives in a sixth floor downtown apartment, heard a knock on her door about 3.30 a.m. today.

She asked who was there and a man answered, saying he was an Army investigator looking for an AWOL soldier. He showed her what he said was an "I.D. card" and the woman, who has a close relative in the army, talked with the man for a half-hour.

Finally, he asked if he could use her phone. The woman, convinced by then he was on a legitimate mission, took the chain off the door and let him in. Immediately when he stepped into the apartment, he struck her in the face with his fist several times, pushed her onto a daybed in the living room and assaulted her, police said.

The woman is hospitalized at D.C. General. Police described the man as young, with a blond crew-cut wearing a light colored shirt, and khaki trousers.

PROTECTION FROM FOREIGN IMPORTS

Mr. HANSEN. Mr. President, despite a negative balance of trade for a second month this year, there is no evidence to indicate that the administration yet sees the desirability, and indeed the necessity, of protecting American industries and American jobs from foreign imports.

But the record is clear. It is clear for steel. We imported 11 percent of our steel needs last year.

The story on autos is nearly the same. Indications are that more than 1 million units will be purchased from foreign manufacturers this year. The dairy producer is in trouble. We are losing the textile battle.

The cowman—symbol of rugged individualism—cannot keep fighting rising costs, rising taxes, ever higher wages and crushing imports which push livestock prices down to levels where they were 20 years ago.

Mr. President, I ask unanimous consent that a statement I prepared for the House Committee on Ways and Means be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The Case for Meat Import Restrictions

I welcome this opportunity to present a statement in favor of legislation to impose quotas on the import of meat and certain meat products. I represent a State that is heavily dependent upon the vitality and the well being of the livestock industry. In Wyoming livestock and agriculture are the second biggest income producers.

We are told of the rising prosperity of the Nation, of the fact that the gross national product is at record high levels. Not so often is it mentioned that the income of the farmer has lagged behind. While others have enjoyed rising standards of living, the farmer and livestock producer has been left out. While cost of living soars, the price of agricultural products has remained constant and in some instances has declined.

Domestic industries have increasingly sought the intervention of the Congress in recent years against the disruptive effects of rapidly increasing imports, and they have called attention to the balance of payments consequences to the Nation of the trends of increasing imports and declining exports. The situation of these industries, including several of the Nation's basic industries, may indicate that in the administration of the customs, tariffs, and trade agreements laws of the U.S., there has been a lack of balance and a one-sidedness in judgment which has reduced the protective effects of our domestic customs, tariff, and trade agreements legislation for domestic industries while exaggerating or liberalizing the administration of these laws for the benefit of importers of foreign produced goods. Certain domestic industries, like the livestock business, will not survive unless they are protected from excessive imports which glut American markets.

The main function of foreign trade should be to supply materials and products unavailable at home. However, U.S. imports have tended more and more to be goods with a high labor content, manufactured by cheap labor abroad. Imports of this sort help foreign economies, but take away American jobs.

During the past 4 years, while the trend in meat prices has gone down, meat imports have steadily increased. There is no question that the import volume is the largest single factor in the sagging effect on price levels in the cattle industry.

The U.S. Department of Agriculture in its May 1968 edition of the Livestock and Meat Situation, said: "Imports of red meat totaled 1,352 million pounds product weight in 1967. This was equivalent to 1,841 million pounds of carcass weight—7 percent above 1966 but 10 percent below the record volume of imports in 1963." On page 23 of the same edition, the Department of Agriculture said: "Imports of meat subject to restriction by quota totaled 895 million pounds (product weight) in 1967. This was about 9 percent larger than in 1966, but was below the quota level for the year."

The following Tables will give a better idea of the steady increase of imports and the apparent standstill of our exports:

TABLE I.—MEAT AND MEAT PRODUCTS, BEEF AND VEAL—VALUE OF IMPORTS AND EXPORTS IN UNITED STATES 1965–67

[In millions of dollars]

Imports for consumption			Exports		
1965	1966	1967	1965	1966	1967
241.7	353.9	403.9	22.6	17.8	20.2

TABLE 2.—U.S. IMPORTS AND EXPORTS OF BEEF AND VEAL IN RELATION TO DOMESTIC PRODUCTION, 1965–67

[In millions of pounds]

	Domestic production	Exports	Imports
1965	19.719	53.9	941.8
1966	20,604	39.1	1.204.2
1967	20,977	42.2	1,327.7

TABLE 3.—*Percentage of U.S. production*

Imports:	
1965	4.8
1966	5.8
1967	6.3
Exports:	
1965	0.3
1966	0.2
1967	0.2

(Information in tables found in Department of Agriculture May 1968 edition of the *Livestock and Meat Situation*, pages 24 and 29.)

The matter of meat imports fits within the category of a shortcoming in the applicable statutes in our international trade structure. In 1963, staff experts of the Department of Agriculture carried out an analytical study of the effect of imports on the U.S. price. The conclusion at that time was that for each increase in imports amounting to 180 million pounds of beef (carcass weight equivalent, including live cattle), the domestic price on choice steers would be knocked down about 30 cents a hundred. Any cutback in that volume resulting from a tighter application of quotas would have had an effect in proportion to the size of the cutback.

The present law, Public Law 88–842, outlining procedures for reviewing the meat import situation specifies conditions for proclaiming import quotas for certain meats—

primarily fresh or frozen beef and veal. The import quota level is related to the level of domestic production of these meats. The law provides that if estimated imports of fresh, chilled, or frozen cattle meat and meat of goats and sheep other than lamb equal or exceed 110 percent of the adjusted base quota for that year, the President is required to invoke a quota on imports of these meats. The adjusted base quota for 1968 is 950.3 million pounds (product weight). The amount of estimated imports which would trigger its imposition is 110 percent of the adjusted base quota, or 1,045.3 million pounds.

The formula by which the quota is derived is discretionary and too liberal. It has not solved the problem of depressed farm prices and it does not sufficiently discourage imports.

The base quota for a year is derived from adjusting the base of 725.4 million pounds specified in the law (approximately the 1959–63 average annual imports of these meats) by the percentage of increase or decrease since 1959–63 in domestic commercial production of these meats. In using the year 1963 in the average, the Department of Agriculture made the quota as high as possible. Thus the quota is not actually representative of a normal cycle of five years. Something must be done to provide a more accurate quota to prevent it from disrupting the market as it is at the present time. Canned, cured, and cooked meats are specifically exempted from the law. The quantity of these items, however, in our American market affects the price the farmer gets for his products. They should be included in the quota also.

Beginning in 1966, the U.S. balance-of-trade took a startling change: for the first time in recent history, our trade went into the red. The U.S. is now importing more goods than it exports. Until recently, the Commerce Department figures suggested that the U.S. has a trade surplus. But the truth is, a realistic accounting reduces the actual total of exports by 10 percent. The Commerce Department deliberately includes exports authorized under governmentally subsidized programs, such as Public Law 480 shipments of food. No reputable business accounting method would include free samples in reports of yearly sales. The Department reports import values on the basis of free-on-board (f.o.b.)—that is, the cost of goods when put on shipboard at a foreign port. Nearly every other country in the world realistically includes the insurance and freight charges that must be paid when the ship reaches the domestic port. When imports are figured on a true cost-insurance-freight basis (c.i.f.) the costs go at least 10 percent higher.

This discrepancy in the method of figuring imports is another example of the need for a strict, defined piece of legislation which would set a uniform basis for estimating import values as well as setting a specific, unadjustable limit on the amount of imports allowed.

Whenever any effort is made to provide reasonable protection against imports for the U.S. cattle industry, invariably we are met with the cry of alarm that nothing must be done, because it might endanger our export markets. The fact is, that we cannot compete, price-wise, with Australian or Argentine beef in the foreign markets of the world. Since 1966, our volume of exports has gone down, not up, and it was not very great to begin with. The home market, on the other hand, has been good to us. The foreign market has not. It does not make sense in a planet where half of the people are hungry and two-thirds need higher protein diets, to be shipping large quantities of meat into the one country where meat is already in such oversupply that markets are depressed and the producers are going broke. We must up-date the limitations in order to alleviate an already bad situation.

Careful steps must be taken through the passage of specific legislation, to introduce a meaningful relation between domestic and foreign production in order to eliminate the excessive amount of imports into the country and to protect the cattlemen.

DESECRATING THE FOURTH OF JULY

Mr. McGEE. Mr. President, during the past Fourth of July holiday, we have witnessed some unfortunate events which do not speak well for the present state of politics in America. These events occurred in Minneapolis, where a group of rowdies prevented George Wallace from speaking, bringing back his retort:

> A good crease in the skull would stop this.

All in all, it was a scandalous way to mark our Nation's 192d birthday, representing, as President Johnson remarked, "the antithesis of what we began 192 years ago."

Mr. President, the Washington Post commented upon this desecration of our national holiday in an excellent editorial published on Saturday. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DESECRATING THE FOURTH

At the height—or was it the depth?—of Senator Joseph McCarthy's rampage, a joke was going the rounds about how the Chinese had started locking up Americans and we were now going to show them that two could play that game—so we started locking up Americans too. This recollection of grimmer days was brought to mind by the extraordinary but unsurprising performance of George Wallace the other day in Minneapolis when a group of rowdy demonstrators prevented him from delivering an address. Mr. Wallace's remedy for the inexcusable violence he encountered was simply more of the same. "A good crease in the skull would stop this," the presidential candidate said. "I can assure you that if I'm elected President, I'll show you how to keep law and order."

For all his professing to possess a singularly star-spangled heart, Mr. Wallace once again indicated on the eve of Independence Day, how peculiar his brand of patriotism is and how shallow his understanding of the traditions he thinks he is defending. It was President Johnson commenting on the scandalous behavior of the demonstrators the following day who made the much needed point: "Americans of every viewpoint must be deeply concerned over the intolerance which prevented presidential candidate George Wallace from speaking . . . However ardently we may disagree with what a man says, we must stand with Voltaire in our defense of his right to say what he will . . . The conduct of a handful who interfere with the rights of others to speak is the antithesis of what we began 192 years ago today."

It was particularly appropriate that the President chose to make his remarks on behalf of Mr. Wallace's rights. One reason is that the Alabamian with his inflammatory message presents the toughest test of principle and will for many who may hear him. Another is that Mr. Wallace and his misguided version of democracy stand to profit from precisely this sort of act on the part of those who oppose him. We have had more than enough rowdyism, violence, and death attending our politics of late. Increasingly, speakers cannot speak and candidates cannot campaign. Does it take much imagination to perceive what school of political thought will be the beneficiary of the reaction all this must rouse in the American public? We think not. Despite what occasionally seem the determined efforts of public hall demonstrators to prove that, they and George Wallace deserve each other, reason—as expressed in Mr. Johnson's timely reproach—may prevent the match from taking place.

FIREARMS CONTROL

Mr. TYDINGS. Mr. President, on June 12, I introduced the National Gun Crime Prevention Act, S. 3634, which has been cosponsored by 18 Senators. I have subsequently revised this bill in order to reflect the improvements in it which other Senators and the administration have suggested. I ask that this revised version of S. 3634 be reprinted in the RECORD at the conclusion of these remarks for the information of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. TYDINGS. Mr. President, the National Gun Crime Prevention Act, as revised, incorporates technical changes suggested by a number of Senators and the administration. It is actually a committee work product, reflecting the changes suggested during the 4 days of hearing which have been held upon S. 3634 and its line-by-line consideration by the Judiciary Committee in two meetings on June 27. For example, the effective date of the act has been set at a year from its enactment rather than 6 months, as S. 3634 provided. At the suggestion of a number of Senators, the requirement of fingerprints and photographs as a prerequisite to obtaining a Federal or State firearms license has been deleted. However, the revised bill retains exactly the same concept for firearms control proposed by S. 3634 itself: a system of registration of firearms and licensing of firearms users and ammunition purchasers, with explicit provision that whenever any State enacts at least an equivalent law, the State law will control in that State, and the Federal law will be inapplicable.

After S. 3634 was introduced, the administration submitted a registration and licensing bill of its own. Many provisions of that bill are substantially identical to S. 3634, the so-called Tydings bill, but exhibit the drafting expertise of the Department of Justice. Therefore, the Justice Department language has been incorporated in this revised Tydings bill in those instances where the administration bill and the Tydings bill are substantially identical. However, the original concept of the Tydings bill has been preserved and all those new provisions of the administration bill which significantly differed from the Tydings bill have been excluded. Thus, the administration's proposals requiring police signatures and doctor's certificates are all excluded. In addition, the cutoff of Federal wildlife conservation funds to a State failing to enact a licensing law has been excluded from this revised bill.

Where the Tydings bill contained provision significantly more desirable than those of the administration bill, these improvements have been retained. For example, the Tydings provisions for State preemption of both the registration and the licensing provisions of Federal law have been retained. The administration provided for preemption by the States only in the case of licensing. Under the Tydings revision, any State which enacts its own registration or licensing law, equivalent to the Federal law, will exempt its citizens from the application of the comparable federal provision.

In short, this amendment represents a technically perfected S. 3634, providing a moderate system of interstate firearms registration and licensing, which the States can preempt and which can be executed entirely by mail whenever that is desirable or necessary.

EXHIBIT 1

S. 3634

A bill to amend title 18, United States Code, to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammuntion; and to encourage responsible State firearms laws, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Gun Crime Prevention Act of 1968."

TITLE I—FINDINGS AND DECLARATIONS

SEC. 101. The Congress hereby finds and declares—

(a) That crimes committed with guns threaten the peace and domestic tranquility of the citizens of the United States, and threaten the security and general welfare of this Nation and its people;

(b) That the unregistered and unregulated circulation of firearms in the United States increases the number of crimes committed with firearms;

(c) That firearms crimes—which amounted to more than six thousand five hundred murders, forty-three thousand five hundred firearms assaults, and sixty thousand firearms robberies in 1966 alone—have created a substantial burden on interstate commerce;

(d) That fear of firearms crimes discourages citizens from traveling between the States to conduct business or to visit national shrines and monuments, including the Nation's Capital;

(e) That, in view of the ease with which firearms may be concealed and transported across State lines, individual State action to regulate firearms is made ineffective by lax regulation in other States and, accordingly, national legislation establishing minimum standards for the registration and regulation of firearms is necessary to permit effective State action;

(f) That crimes committed with guns have disrupted our national political processes, and threaten the republican form of government within the States as guaranteed by article IV of the Constitution; and

(g) That officials of the Government of the United States, including four Presidents of the United States and candidates for national public office have been assassinated by use of firearms, and that the lives of national officials of the legislative, executive, and judicial branches are increasingly threatened by the unregistered and unregulated circulation of firearms in the United States.

TITLE II—REGISTRATION OF FIREARMS

SEC. 101. Title 18, United States Code, is amended by inserting after chapter 44 the following new chapter:

"CHAPTER 44A—REGISTRATION OF FIREARMS

"Sec.
"931. Definitions
"932. Registration
"933. State Preemption
"934. Sales of Firearms and Ammunition
"935. Penalties
"936. Disposition of Firearms to Secretary
"937. Rules and Regulations; Periods of Amnesty
"938. Disclosure of Information
"939. Assistance to Secretary

"§ 931. Definitions.

"As used in this chapter—

"(1) The term "firearm" means a weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, but shall not include a firearm as that term is defined in chapter 53 of the Internal Revenue Code of 1954 or an antique firearm as defined in section 921 of this title.

"(2) The term 'Secretary' means the Secretary of the Treasury.

"(3) The term 'licensed dealer' means any importer, manufacturer, or dealer licensed under the provisions of chapter 44 of this title.

"(4) The term 'ammunition' means ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm.

"(5) The term 'sell' means give, bequeath or otherwise transfer ownership.

"(6) The term 'possess' means asserting ownership or having custody and control not subject to termination by another or after a fixed period of time.

"§ 932. Registration.

"(a) It is unlawful for a person knowingly to possess a firearm not registered in accordance with the provisions of this section. This subsection shall not apply with respect to—

"(1) a firearm, previously unregistered, if such firearm is held by a licensed dealer for purposes of sale: *Provided*, records of such firearms are kept as may be required by the Secretary;

"(2) a firearm possessed by a person on the effective date of this Act and continuously by such person thereafter for a period not to exceed 180 days;

"(3) a firearm, previously unregistered, possessed by (A) the United States or any department or agency thereof, or (B) any State or political subdivision thereof.

"(b)(1) A licensed dealer who sells a firearm to a person in whose possession the firearm must be registered shall require from the purchaser a completed application for the registration of the firearm and shall file the application with the Secretary at the time of sale.

"(2) When a person other than a licensed dealer sells a firearm, the purchaser shall file an application for its registration with the Secretary prior to receipt of the firearm.

"(3) A person who possesses a firearm on the effective date of this Act shall, unless he sooner sells the firearm, file an application for registration of the firearm with the Secretary within 180 days.

"(c) An application for registration of a firearm shall be in a form to be prescribed by the Secretary, which shall include at least the following:

"(1) the name, address, date and place of birth, and social security or taxpayer identification number of the applicant;

"(2) the name of the manufacturer, the caliber or gage, the model and the type, and the serial number of the firearm; and

"(3) the date, the place, and the name and address of the person from whom the firearm was obtained, the number of such person's Certificate of Registration of such firearm, if any, and, if such person is a licensed dealer, his license number, if such license number is known.

"(d) An application for registration of a firearm shall be in duplicate. The original application shall be signed by the applicant and filed with the Secretary, together with a fee of $1, either in person or by certified mail, return receipt requested, in such place as the Secretary by regulation may provide. The duplicate shall be retained by the applicant as temporary evidence of registration. The Secretary, after receipt of a duly filed completed application for registration, shall send to the applicant a numbered Certificate of Registration identifying such persons as the registered owner of such firearms.

"(e) Registration of a firearm shall expire upon any change of the registrants' name or residence unless the registrant shall notify the Secretary within thirty days of such change.

"(f) It is unlawful for a person to carry a firearm required to be registered by this chapter without having with him a Certificate of Registration, or if such certificate has not been received, temporary evidence of registration, or to refuse to exhibit such certificate or temporary evidence upon demand of a law enforcement officer.

"§ 933. State Preemption.

"Subsection (a) of section 932 shall not apply with respect to a firearm possessed by a person which is registered with his State of residence pursuant to a registration system determined by the Secretary to be substantially equivalent to and compatible with the provisions of this chapter.

"§ 934. Sales of Firearms and Ammunition.

"(a) A registrant of a firearm who sells the firearm shall, within five days of the sale, return to the Secretary his Certificate of Registration, noting on it the name and residence address of the transferee, and the date of delivery.

"(b) Whoever acquires a firearm required to be registered by this chapter shall require the seller to exhibit a Certificate of Registration, and shall note the number of the certificate on his application for registration.

"(c) A licensed dealer shall not take or receive a firearm by way of pledge or pawn without also taking and retaining during the term of such pledge or pawn the Certificate of Registration. If such pledge or pawn is not redeemed the dealer shall return the Certificate of Registration to the Secretary and register the firearm in his own name.

"(d) The executor or administrator of an estate containing a registered firearm shall promptly notify the Secretary of the death of the registrant and shall, at the time of any transfer of the firearm, return the Certificate of Registration to the Secretary as provided in subsection (a). The executor or administrator of an estate containing an unregistered firearm shall promptly register the firearm, without penalty for any prior failure to register it.

"(e) Whoever possesses a firearm shall within 10 days notify the Secretary of a loss, theft or destruction of the firearm, and, after such notice, of any recovery.

"(f) A licensed dealer shall not sell ammunition to a person for use in a firearm required to be registered without requiring the purchaser to exhibit a Certificate of Registration or temporary evidence of registration of a firearm which uses such ammunition, and noting the certificate number or date of the temporary evidence of registration on the records required to be maintained by the dealer pursuant to section 923(d) of this title.

"§ 935. Penalties

"(a) Whoever violates a provision of § 932 or § 934 shall be punished by imprisonment not to exceed 2 years, or by a fine not to exceed $2,000, or both.

"(b) Whoever knowingly falsifies any information required to be filed with the Secretary pursuant to this chapter, or forges or alters any Certificate of Registration or temporary evidence of registration, shall be punished by imprisonment not to exceed 5 years or a fine not to exceed $10,000 or both.

"(c) Except as provided in subsection (b), no information or evidence obtained from an application or Certificate of Registration required to be submitted or retained by a natural person in order to comply with any provision of this chapter or regulations issued by the Secretary, shall be used as evidence against that person in a criminal proceeding with respect to a violation of law occurring prior to or concurrently with the filing of the application for registration containing the information or evidence.

"§ 936. Disposition of Firearms to Secretary.

"(a) The Secretary is authorized to pay reasonable value for firearms voluntarily relinquished to him.

"(b) A person who lawfully possessed a firearm prior to the operative effect of any provision of this title, and who becomes ineligible to possess such firearm by virtue of such provision, shall receive reasonable compensation for the firearm upon its surrender to the Secretary.

"§ 937. Rules and Regulations; Periods of Amnesty.

"The Secretary may prescribe such rules and regulations as he deems reasonably necessary to carry out the provisions of this chapter, including reasonable requirements for the marking of firearms that do not have serial numbers, and may declare periods of amnesty for the registration of firearms.

"§ 938. Disclosure of Information.

"Information contained on any Certificate of Registration or application therefor shall not be disclosed except to the National Crime Information Center established by the Federal Bureau of Investigation, and to law enforcement officers requiring such information in pursuit of their official duties.

"§ 939. Assistance to Secretary.

"When requested by the Secretary, Federal departments and agencies shall assist the Secretary in the administration of this title."

TITLE III—LICENSING

Sec. 301. Chapter 44 of title 18, United States Code is amended by inserting after section 923. the following new section:

"§ 923A. State Permit Systems; Federal Gun Licenses.

"(a) The Secretary shall determine which States or political subdivisions of States have enacted or adopted adequate permit systems for the possession of firearms and shall publish in the Federal Register the names of such States and political subdivisions.

"(b) An adequate permit system shall include provision for:

"(1) identification of the permit holder appearing on the permit, including name, address, age, and signature or photograph;

"(2) restrictions on issuance of a permit to a person who is under indictment or who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, or who is a fugitive from justice;

"(3) restrictions on issuance of a permit to a person who, by reason of age, mental condition, alcoholism, drug addiction or previous violations of firearms laws cannot be relied upon to possess or use firearms safely and responsibly;

"(4) means of investigation of applicants for permits to determine their eligibility under subparagraphs (2) and (3); and

"(5) prohibition of possession of firearms or ammunition by any person who has not been issued such a permit.

"(c) After September 1, 1970, it shall be unlawful for any person to sell or otherwise transfer any firearm or ammunition to any person (other than a licensed importer, licensed manufacturer, or licensed dealer) unless—

"(1) the sale or transfer is not prohibited by any other provision of this chapter; and

"(2) the purchaser or transferee exhibits a valid permit issued to him by a State or political subdivision having an adequate permit system, or the purchaser or transferee exhibits a valid Federal gun license issued in accordance with subsections (d) and (e).

"(d) A licensed dealer shall issue a Federal gun license to a person eighteen years of age or over upon presentation of—

"(1) a valid official document of identification (such as driver's permit or birth certificate issued by the United States, a State or political subdivision thereof;

"(2) a statement signed by the person in a form to be prescribed by the Secretary, that he is eighteen years of age or over, that he has never been committed to an institution by a court of the United States or a court of any State or political subdivision thereof on the ground that he was an alcoholic, a narcotics addict, or mentally incompetent, that he is not under indictment, has not been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, is not a fugitive from justice, and is not otherwise prohibited by any provision of Federal, State, or local law from possessing firearms and ammunition; such statement may include such additional information regarding the applicant, including without limitation, birth date and place, sex, height, weight, eye and hair color, and present and previous residences as the Secretary shall by regulation prescribe, and

"(3) a fee of $1 payable to the issuing dealer.

"(e) Federal gun licenses shall be issued in such form as the Secretary may prescribe, and shall be valid for a period not to exceed five years. A dealer shall maintain a record of all licenses issued by him as part of the records required to be maintained by section 923(d) of this chapter, and shall forward to the Secretary the documents described in subparagraphs (d) (2)–(d) (3).

"(f) Any person denied a Federal gun license under subsection (d) may apply directly to the Secretary, in the manner prescribed by regulation of the Secretary, for the issuance of a Federal gun license.

"(g) Unless otherwise prohibited by this chapter, a licensed dealer may ship a firearm or ammunition to a person only if the dealer confirms that the purchaser has been issued a valid permit pursuant to an adequate State permit system, a Federal gun license, or a Federal dealer's license, and notes the number of such permit or license in the records required to be kept by section 923 of this chapter.

"(h) After September 1, 1971, no person may possess a firearm or ammunition without a valid State or local permit, if he is a resident of a State or locality having an adequate permit system, or a Federal gun license, provided, a person, not a resident of a State or locality having an adequate permit system, who is ineligible for a Federal gun license solely by reason of age may receive a firearm or ammunition for occasional, brief, and lawful recreational uses.

"(i) Determinations of adequate permit systems under this section or adequate registration systems under section 933 and denials by the Secretary of Federal gun licenses shall not be subject to the provisions of chapter 5, title 5, United States Code, but actions of the Secretary shall be reviewable de novo pursuant to chapter 7, title 5, United States Code, in an action instituted by any person, State, or political subdivision adversely affected.

"(j) It shall be unlawful for any person willfully to fail to deliver a valid federal gun license to the Secretary if such person has been issued such license and subsequently is placed under indictment, convicted in any court of a crime punishable by imprisonment for a term exceeding one year, a fugitive from justice, committed to an institution by any court on the ground that he was an alcoholic, a narcotics addict, or mentally incompetent, or otherwise prohibited by any provision of federal, State, or local law from possessing firearms and ammunition.

"(k) It shall be unlawful for any person willfully to convey or otherwise furnish to another person a federal gun license which may have been issued to himself, or to a third person, in order to evade or obstruct the provisions of this chapter.

"(l) It shall be unlawful to knowingly and willfully make a false statement or representation in connection with any application for a federal gun license."

Sec. 302. The analysis of chapter 44 of title 18, United States Code, is amended by inserting immediately after "923. Licensing.", the following:

"923A. State Permit Systems; Federal Gun Licenses"

MEETING OF U.S. SENATOR ROBERT C. BYRD WITH WEST VIRGINIA CONSTITUENTS

Mr. BYRD of West Virginia. Mr. President, a group of my constitutents who participated in the Solidarity Day March visited me on June 20 to discuss various matters of interest. The meeting last 2 hours and 45 minutes. I ask unanimous consent that the transcript of that meeting be inserted in the Record.

There being no objection, the transcript was ordered to be printed in the Record, as follows:

MEETING OF SENATOR ROBERT C. BYRD OF WEST VIRGINIA, WITH CONSTITUENTS, ROOM 1202, NEW SENATE OFFICE BUILDING, JUNE 20, 1968

Senator Byrd. Ladies and gentlemen, if you will, at this time I would like for each of you, beginning at the left, to stand and state your name and then take your seat. Don't make any statement at this point. You will have an opportunity later.

Mrs. Saulters. I am Mrs. Mary Saulters, representative from Mercer County.

Senator Byrd. Mrs. Mary E. Saulters from Mercer County.

Mr. Millner. Frederick Millner—M-i-l-l-n-e-r.

Senator Byrd. Let us have your address.

Mrs. Saulters. From Crystal, West Virginia.

Senator Byrd. And you?

Mr. Millner. Princeton, West Virginia.

Mr. Lee. Lawrence Lee, Princeton, West Virginia.

Mr. Griffin. Jim Griffin, Raleigh County.

Mr. Pozeka. Mike Pozeka, Raleigh County.

Mrs. Woodruff. Mrs. Julia Woodruff, Keystone, McDowell County.

Mr. Jude. James Jude.

Mr. Donaldson. Wallace Donaldson, Logan County.

Mr. Ramsey. James R. Ramsey.

Mrs. Braun. Juanita Braun.

Reverend Lee. Reverend A. H. Lee, Logan, West Virginia.

Mr. Marcum. Howard Marcum from Bluefield.

Mrs. Thompson. Shelva Thompson, Racine.

Mr. Wiseman. Chester Wiseman, Whitesville, Boone County.

OPENING STATEMENT BY SENATOR ROBERT C. BYRD

Senator Byrd. Ladies and gentlemen, I am glad to have this opportunity to meet with you.

I was contacted on June 10th by a Miss Patricia Wilson, Mr. Frank Harris, and Mr. Thomas Conant. Miss Wilson indicated she had been asked to arrange an appointment for a larger group. She suggested a meeting for Tuesday, June 18th, the day before yesterday, to which I agreed. My office was later informed by Mr. Escasto that a meeting for today would be preferable inasmuch as most of you would not be getting into town for a Tuesday meeting.

I re-arranged my schedule accordingly. I confirmed the appointment for today's meeting by telegram to Mr. Robert Fulcher on June 13th.

I know that some of you, if not all of you, are aware of the fact that I have been critical of the so-called Poor People's Campaign. But, as I have tried heretofore to make clear, this does not mean that I am against poor people. Any criticism of the Poor People's Campaign is likely to be misunderstood by some individuals to mean that one is against helping poor people, but this is not the case with me.

I think at this point that I would be justified in calling your attention to actions which I have taken during my 22 years of public service in my efforts to be helpful to my constituents, many of whom are poor people. I shall attempt to do this as briefly as possible, after which I shall be glad to hear what you have to say in regard to legislative matters, and I shall attempt to answer any questions you may wish to ask and which may be pertinent to this discussion.

I suppose that some of you at least, particularly those of you from Raleigh County, know that I grew up in the home of a coal miner. That was during the depression of the early 1930's when all of us in the coal fields saw real poverty. I have a feeling that the experiences of those of you who have known poverty may have been similar to some of the experiences which, I, myself, have had.

I shall not belabor this point, but I do want you to know that poverty is not something that I have only read about but it is something with which, I, too, have lived. I am therefore by nature and by experience sympathetic with people who need help.

During all of my legislative career, I have supported programs to improve the condition of people who need help. For example, when I was a member of the West Virginia Legislature, I supported legislation to increase workmen's compensation payments to widows and orphans of men who were killed in the mines and in other industries.

We hear and read much these days about hunger and malnutrition in the United States and about the need for expanding the food stamp program. I fought this battle a long time ago. During my six years when I was a member of Congress representing the old Sixth District—which was comprised at that time, of Boone County, Logan County, Raleigh County and Kanawha County—I repeatedly urged the Executive Branch—the President and the people down at the Department of Agriculture—to increase the quantity and the variety of surplus food commodities to needy people.

Upon a number of occasions, I persuaded officials of the United States Department of Agriculture to go with me into the southern counties, which I represented—Logan, Boone, Raleigh and Kanawha—and to visit needy people in their homes. I did this on a number of occasions. The people of the Department of Agriculture went with me into those counties, went into the homes of the needy people, went to the surplus commodities distribution centers and so on, so that people in the Department of Agriculture could see for themselves the real need for additional food items for our needy people.

I have been a supporter of the food stamp program from its beginning. It was my bill which passed the Senate last year and which became the public law under which the food stamp program is now operating and which made possible the expansion of the food stamp program throughout all of West Virginia and to all of the 55 counties. That bill was amended, of course, on its legislative travels through the House and Senate, but it was my bill which was introduced into the Senate and which finally became law.

Several weeks ago, I introduced a new food stamp measure which would greatly expand the program throughout the country by removing the authorized ceiling on funding. In other words, my bill last year provided for a ceiling of $225 million. That was all that the Federal Government could spend on the food stamp program.

More recently, the Senate has lifted that ceiling temporarily to $245 million, and I supported the action. But the bill which I introduced a few weeks ago would remove the authorized ceiling on funding and would make Section 32 funds available to the Agriculture Department for the food stamp program.

This simply means that the Agriculture Department would be able to spend more money for food stamp programs; it would not have any ceiling on the amount it could spend; and it would have access to additional moneys—customs receipts—which it cannot spend now under the law, but which it could spend for the food stamp program to help needy people in the event that bill is passed.

My bill would also extend the program through 1972.

Moreover, I have consistently supported school milk programs and school lunch programs.

So, you can see that I have been trying to help hungry people in West Virginia for a period of many years.

Additionally, during my 16 years in the Congress, I have supported five increases in Social Security payments. I have never voted against a proposed increase in Social Security payments. And I have fought for a lower Social Security retirement age for men and women and particularly for widows.

I worked for the Medicare program.

The Senate has on a number of occasions adopted my amendment to lower the social security retirement age for men but the House has not agreed to the amendment.

Therefore, you can see that I have tried to help our elderly citizens. And, of course, any improvements in Social Security programs for elderly citizens automatically assist their children who might otherwise have to bear some of the burden of caring for the parents.

My legislative record will show I have been very concerned about the health and well-being of the working people. Specifically, the Federal Research Program dealing with pneumoconiosis and other chest diseases among coal miners was initiated by me through my membership on the Appropriations Committee. Considerable research has been conducted in various parts of West Virginia as a result of my efforts. This program should be very beneficial to the future health of the mining population.

I have consistently supported elementary and secondary education measures and other legislative programs calculated to provide opportunities for better education to deserving young students, many of whom come from poor families.

I have also given my support to the adult basic education program which has benefited poor people.

I have supported public housing legislation. When the Housing Bill recently passed the Senate, I offered an amendment allowing low-income families, through local public housing authorities, to purchase their own homes with Federal assistance.

I co-sponsored the Area Redevelopment Act and conducted hearings on the legislation throughout West Virginia—in Charleston, Beckley, and Morgantown.

I was co-sponsor of the Economic Development Act, Appalachian Development Act, and Accelerated Public Works Act, all of which have been beneficial to West Virginia and which have helped to reduce unemployment.

I have supported minimum wage legislation. I have supported efforts to increase the minimum wage. I have supported veterans' legislation, manpower training programs, and other programs calculated to improve the skills of men and women.

Moreover, through my membership on Senate Committees, I have brought many worthwhile research and other projects to West Virginia, projects which are today benefitting West Virginia.

I can speak in greater detail and at greater length concerning my record and my efforts in behalf of all the people of West Virginia, and this includes those who are poor and those who are not poor. But I shall not take the time for this. I believe the facts which I have already related in this regard are sufficient to convince any reasonable person that I have been a friend of the poor.

I have not enumerated the foregoing legislative measures here this morning just to impress you. I have referred to them because in fairness to my legislative record, I think they should be stated.

Now, I shall be pleased to listen to you or to attempt to answer questions.

I understand from Mr. Fulcher that the people on the front row will act as spokesmen for the group this morning.

I understand Mr. Fulcher wants to make a few remarks at this point, and after he has spoken I would suggest that we begin over here on the left with this lady and she can speak and she can ask questions if she wishes. Then we will come right on down the line from the left to the right so that each of you will be given an opportunity to speak whatever is on your mind and to ask me questions.

I would only state two things: One, that you speak as briefly as you can in the interest of time because we have 14 spokesmen. If each spokesman takes five minutes, that will be 70 minutes. That would be over an hour just for you people on the front row, aside from the time I would consume in my responses.

If you can, confine your remarks and your questions to five minutes or less and give me a chance after each person has spoken to respond, to answer any questions, so that you will know my viewpoints and I will know yours. In this way, I think we can have a good meeting.

I hope that everyone else will listen, because Mr. Fulcher tells me the people on the front row are the people who are going to do the talking. This will give everybody an opportunity to speak. If you all speak briefly and to the point, I think everybody else will hear what is said. We will then have a good meeting and a good exchange of viewpoints.

My second point is that I do need to leave at eleven forty-five. I hope we can have a good meeting and be able to adjourn at eleven forty-five. We will just have to see how it goes.

Mr. Fulcher, if you would like at this time, before we begin with this lady, you might wish to make your remarks.

Mr. Fulcher. I don't have anything to say. I think we had our session last night.

I would, though, even if it takes one person to take up the whole time, I want them to get their point across. I don't care whether they all speak or whether they don't. The idea is this:

These are people that have things on their minds. If one person takes up the whole hour, it is perfectly all right with me.

Another thing. Maybe you will start with the one on the end. Maybe one down here will have something a little more important to say. What you might get is a question from here and a question from there. I don't know if it will be in rotation in a machine type of way. These are the people.

As I told you last night, I don't want anything, what Fulcher said to Byrd and what Byrd said to Fulcher, but what West Virginia people said to Senator Byrd and what Senator Byrd said to the West Virginia people.

Senator Byrd. That is a good suggestion.

STATEMENT OF MRS. MARY SAULTERS

Mrs. Saulters. My name is Mrs. Mary Saulters from Mercer County.

We are aware of the fact of what you stated to us to be true, having been a citizen of West Virginia all my life. So, you know I love the hills and mountains and wasn't able to appreciate those beautiful hills and mountains until I left the State at one time and I found out how appealing they were that I came back to the State.

Of course, if I had listened to my children, I would still be upstate. I still admire those West Virginia hills.

I am here in the interest of Mercer County in the way of more funds for secondary roads. I know you are aware of the fact that there have been two issues, bond issues, sponsored within the last few years or few months, the last two and they were turned down. There were some of the things that we were against in the bond issue but the roads are the main problem because most of the children are transported by buses.

Being a West Virginian, yourself, you know, especially the southern part, I am talking about the southern part of West Virginia; I am speaking for Mercer County. We have very bad roads. You see, we have the type of school superintendent wherein no matter how inclement the weather is, he doesn't postpone having schools until it is the very last minute.

Knowing the school system of West Virginia, we feel when we go to our local leaders they say that they don't have the money. So, we thought by coming up here, talking to you as our representative and being so well pleased with what you have done since you have been in office, I wanted to add, is there anything that you can do to help us with our road system in southern West Virginia?

Senator **Byrd**. Thank you, Mrs. Saulters.

Having lived as a boy in Mercer County, I know something about those roads. I lived over at Wolf Creek when I was in the fifth grade and attended school up on the mountain there. Later, I attended Spanishburg High School. I had to walk 3.1 miles out of a hollow up above Fred Jennings' store at Wolf Creek and catch the school bus there and then ride four miles to school. So I know something about those roads.

I have always supported Federal appropriations for roads. I have upon many occasions expressed interest to the appropriate state road officials in behalf of various secondary roads and other roads in the State which need maintenance, improvement, repair and so on.

But when it comes to maintaining and improving the roads, of course, you know that the West Virginia State Road Commission has jurisdiction over that, has jurisdiction over determining where routes will run and so on.

So, all that I can do, when it comes to the practical problems of various constituents in various areas of West Virginia, is to refer their problems to the State Road Commission. I have done this thousands of times for people all over West Virginia. I refer the letters to the appropriate State Road Engineer who has a number of counties in his jurisdiction and who has jurisdiction over the particular road about which a constituent has written.

I state all that to say this, that there are only two things I can do, possibly three. One is to support legislation if any comes before the Congress dealing with our highway systems; and, secondly, to support appropriations for roads; and thirdly, to refer correspondence which comes to me from Mrs. Saulters or Mr. Fulcher, whomever it might be, to the West Virginia State Road Commission officials for their attention and let them report back to me as to what they might be able to do. In some instances, they say they can't do anything.

Those three things are the only alternatives I have. I have always given my support to the appropriations and to basic legislation. When I was a member of the West Virginia State Legislature, I did the same thing. I have always tried to accommodate constituents who write about their local road matters. I will continue to do that.

Mrs. **Saulters**. We are asking you to continue to use your influence and maybe make a little more impression.

We wouldn't criticize so severely if we could get better road improvement and not wait until election time and then they come around and do a little something to the roads.

Senator **Byrd**. I certainly appreciate the need for improving our road system in West Virginia. I think this would be conducive to the attraction of more industry into the State. I want to help bring this about. I certainly do support the idea. I do what I can in this regard, and have done so all through the years.

Senator Randolph is on the committee which has jurisdiction over roads. He has been working very hard only last week for restoration of Appalachian funds for roads. I have been supporting him in this endeavor.

STATEMENT OF MRS. JULIA M. WOODRUFF

Mrs. **Woodruff**. I have on several occasions met with the Tri-County Board for better roads. Money has been appropriated. But McDowell County has been left out. I want to know why it has been left out. The money has been appropriated.

Senator **Byrd**. I can't answer that question. You see, what we on the Federal level do here is appropriate certain moneys. We do not determine which counties get them.

Mrs. **Woodruff**. It is supposed to be for the three counties. Only two counties are getting it. I want to know why was McDowell County left out.

Senator **Byrd**. I think this is a determination that is made on the State level. I will be glad to write the State Road Commission and ask this question and then refer their report to you.

Would that be helpful?

Mrs. **Woodruff**. Yes.

Senator **Byrd**. I would suggest to Mrs. Morgan, a member of my staff, that you talk with this lady after the meeting, get some details on this particular problem. We will refer it to the State Road Commission.

Now, may I say at this point, Mr. Fulcher suggested I come down to this end.

Mr. **Fulcher**. Not necessarily this end.

STATEMENT OF HOWARD MARCUM

Mr. **Marcum**. One of the main purposes we came down is the poverty program, itself.

Senator Byrd, I was a candidate for the House of Delegates and a candidate for the State Senate and also I was one of your most staunch supporters last spring.

I have a basic problem in West Virginia. Our basic problem in West Virginia is the welfare authorities refuse to hear us. We go to the local county offices. We are treated in a very inhumanitarian way. We are taken out and, in some cases, some are thrown in mental institutions. We don't get any sanity trials. We go to the Welfare Commissioners' Office in Charleston. We are not heard in Charleston. In many cases, we can't get any justice through the press.

These are matters that I feel are bringing about the discord that we have in the State of West Virginia. I realize that these are State matters. But we have tried them locally and we can't seem to get anything done.

In my case, the politicians had it in for me so much they committed me to a mental institution without a sanity trial. I could not be heard in any board meetings. Up to this point, I still receive my welfare check through a county agent. We feel that this inhumanitarian way of treating us is not justice.

We would just like to ask your influence to try to straighten these matters out so that we can be treated like human beings when we go to the welfare office.

Another thing. There is the matter of medical assistance. We can't get medical assistance in many cases. We go to the local hospitals; they refuse to do anything for us. We go to the Health Department, which I have done on several occasions in Mercer County, and they ignore us. We feel that our tax money is being allocated to these things. Yet, we don't benefit from it and we can't be heard.

That is all I have to say, sir.

Senator **Byrd**. Thank you, Mr. Marcum.

As you, yourself, pointed out, this is a matter that rests with State officials and State departments responsible for administering welfare and health programs.

I can only say this. If this kind of treatment to which you have referred on the part of welfare officials is general throughout the State, I am not aware of it. In my 16 years in the Congress I have had many, many contacts with welfare officials throughout the State. In the great majority of instances, I have found them to be very cooperative in my efforts to assist people who write to me about their welfare problems.

Of course, you are going to find some people in any movement, in any organization, or in any program, who just do not conduct themselves properly. I will say this. First of all, if I were you and if I felt that I had a complaint which was general in nature, which applies to many welfare employees or most of them, I would bring this matter to the attention of, first, the Director of Welfare in West Virginia and, secondly, to the Governor.

Mr. **Marcum**. He won't hear us. I went to the Governor, to Mr. Crabtree and also to the Mental Health Director. So far as I know, they have not done anything. We can't get anything done locally. We don't feel it is a local matter.

When I was in the State Hospital in Huntington, I found they were from all over the district in the same shape. The Welfare Department had sent them down there. No sanity trial, court hearing or anything.

Senator **Byrd**. I think I have to state that I have absolutely no jurisdiction over the administration of the welfare program in West Virginia. I will be glad to bring the matter to the attention of the Director of Welfare in West Virginia if you wish to write to me about it. Put your complaint in writing, be specific in your complaint, tell me who wouldn't hear you, tell me when you went to the Welfare Department, and where.

Mr. **Marcum**. Mr. McKenzie is the gentleman that would not hear me. He is Welfare Commissioner.

Senator **Byrd**. If you will put this matter in writing, I will be glad to bring this to the attention of Mr. McKenzie or Mr. Lon Vincent.

STATEMENT OF JIM GRIFFIN

Mr. **Griffin**. You say this is all you can do but when people write you letters and then you in turn write letters back to certain people whom they have written you about, why can't you keep continually looking into this and find out what they are doing about this? If they are not doing what you consider to be the right thing, why can't you take their name?

When you send out your newsletters or Congressional Record to people, why can't you include it and tell the people that so and so is not doing this for the people and so and so is not doing this. I know that probably it would be impossible for you to do this but you could give it a good try.

Senator **Byrd**. I think you are expecting too much of a human being. You really do not understand that I can't personally, look into every case that comes to my attention. There are hundreds of them that come to my attention every month.

Secondly, I don't have any authority to step into a situation and direct the State officials to do this or that. I don't have the facts on which I could make a judgment. Even if I did have the facts, I have no authority to do that.

The Department official works in his sphere of responsibilities. I have a sphere of responsibilities. All I can do is contact him, bring a matter to his attention, ask that it be looked into, and they always cooperate with me in this and they have one of their case workers or other representatives go out to see this person or give me a report back, telling me what the facts are.

In many instances, as a result of the contact that comes to me and as a result of my referral of that contact to the particular department, good results have come about. So, there are many instances in which this has helped. In other cases, nothing could be done. It depends on the facts in each case.

Mr. GRIFFIN. Why is it we don't hear about it if good results come about?

Senator BYRD. You do. If you are the person who writes to me, you hear about it.

Mr. GRIFFIN. If this is something that concerns the general welfare—I don't understand your definition of general welfare—then why can't all people hear about it if it concerns general welfare?

Senator BYRD. In the first place, let us say you write to me about a welfare problem that concerns you; I don't feel that that is a matter which I should talk to this lady about. I don't think that is a matter which I should write her about. You might resent my revelation of your problem to the public. If this lady writes me about a problem that concerns her and her family, she might resent it if I broadcast it. She is the person who wants to be contacted.

Then there are other practical problems. If I send out a newsletter, I only have so much space in the newsletter and that newsletter costs money and I have to pay for a lot of that paper out of my own pocket in the run of a year. So, there are practical problems.

I think my responsibility is to you and you only, if you write to me about a personal problem. It is my responsibility to you to bring this to the attention of the appropriate authorities.

You know, Mr. Griffin, I get thousands of letters every year concerning problems over which I have absolutely no control. People say, "We know Senator Byrd. Let us write to him. If he can't do anything about this, he can at least bring it to the attention of people who do have jurisdiction."

So, I try to help people who write to me about their personal problems. But there is a procedure which one does have to follow.

I think that, over the years, there are thousands of West Virginians who would have to say, whether they like me or not, they would have to say that, "Senator Byrd has done something for me. I wrote him about this or I wrote to him about that. Maybe he could not be helpful but at least he tried."

STATEMENT OF WALLACE DONALDSON

Mr. DONALDSON. I made several trips to see you. I was always unable to get to see you on different things that I wanted to talk to you about.

I can answer this question for the young man and you very well. Now, the welfare business is in the hands of the local people. The local people do things to suit themselves. If they don't like your looks, they make it hard for you like this gentleman said over here. I know all of that is not in your hands to a certain extent but there is a certain amount you can do.

There is one thing we would like. We want it taken out of the hands of the local people and we want it in the hands of the Federal Government. I know the conditions of different states that I have been in and checked into. I know what I have done. I am sure you remember I am the one that walks the streets and eats out of garbage cans of the stores here on account of my Social Security; they refused to pay. That is something else I have to work on.

You did not exactly explain to him it is not in the Federal Government's hands which it should be, in the Federal Government's hands, to let them send the man out to see. If people have good jobs, they get their families in on these jobs and they get higher salaries and these higher salaries don't get around to the people who need them.

I know some who are millionaires, the people are millionaires, and the daughter has the job in charge of welfare and she is paying, she is in one certain State, she was paying the help for their home and giving them $40. She has a colored lady working for her. These were white. They were only getting $40 a month for him and his wife and three kids, and two children were deformed. When I went to him about it, they said there is nothing we can do.

I have so much to say; somebody else has something to say. Still, I would like to get an appointment with you and the rest of the Senators to talk on this stuff when you have time. I can't do all the talking today that I want to.

Some of the stuff has gotten back to you what I have said about you; even what I said about the President.

I have an eight dollar gas bill in Tennessee that I can't pay for. I am sick and disabled; I haven't worked for 12 years. This should be took out. That is one thing I want you to help talk about to the rest of the Senators and Congressmen. We should have nothing under $2,000 a month. I see where they are asking for $2,000 a month for you Senators and Congressmen as a pension. Now, they don't want to give $200 a month to the poor people.

The money will not be going to Vietnam to kill and destroy. I was in World War II. This is what I got out of it. What we should talk on is to try to see if we can't get a little of that money there that Johnson is asking for to send our young men to the slaughtering pen eight to 10,000 miles away to be killed. And they run a black market over there.

We are not fighting Communism. We are just fighting to get away from home and destroy. What do some of these airplanes cost to be shot down? If we had the right kind of Government, we would not have to be down in the mud. Of course, mud does not bother me. I used to go after mud turtles.

Thousands of people have families where children are under nourished, that I know of in different states, not only in West Virginia but other states. I am sure if you and the other Congressmen don't get together and see that there is something done—we are going to get behind and push. There is a lot of stuff I would like to talk about on the District but being we don't have time I won't talk about that, that I ran into.

Senator BYRD. Are you located in the District, Mr. Donaldson?

Mr. DONALDSON. I am now.

Senator BYRD. You say you have been to my office and haven't been able to see me. Of course, I am Chairman of the Appropriations Subcommittee on the District of Columbia. As a result of that position—which I did not seek—there are lots of people in the District of Columbia who want to see me. Obviously, I can't see all the people in the city——

Mr. DONALDSON. I understand very well.

Senator BYRD. Who want appointments with me. So, I tell my secretary—as much as she possibly can do it—to confine my appointments to people who are West Virginians. After all, I devote many, many hours and days to District problems during hearings and so on.

For example, I told Mr. Fulcher I would like to confine this meeting to West Virginians because, as I said, they are the people who elected me and the people to whom I am responsible and I feel I have a responsibility to meet with them. But I don't want to talk to people from New York, Kentucky and these other places. I just don't have that kind of time.

But I must take time to talk to my people from West Virginia. That is the reason you may not have had an opportunity to get an appointment with me.

As to the problem you have raised, that of having the Federal Government administer these many programs, I really don't believe that would be feasible. I think that the people at the local level can best administer these programs. They know the people with whom they have to deal every day. They are the people who are best qualified to do this kind of work.

Then, too, I feel that if the State is going to have to come up with its own moneys to match many of these programs, I think that the State should have this prerogative, if I might use the word, of administering the programs. I think it would really be unwieldy and unworkable to expect the Federal Government to move into the States and counties and administer the programs. Now, we may differ on this. You have your view point and I have expressed mine.

Mr. DONALDSON. The difference is this. I was talking to a lady from another state. There are two people working in the welfare. I know in another state where there are three working for the Federal Government. One is getting $12,000 a year. This is three in the same family, one getting $6,000 working for welfare and the other is getting $7,000.

Now, if the Federal Government is going to put this money up, a certain amount, which is from the taxpayers throughout the United States, I feel they should step in and have more say in this and still leave it in the hands of the local state. The Federal Government is putting up more money than the state.

Senator BYRD. In some instances, perhaps.

Mr. DONALDSON. Then they should have more say. I feel the Federal Government should have more say and see that this is carried out right and the right ones get what they are entitled to. Each state can set its program, how much it takes.

It costs more for a man to live in Washington or in Arlington than it does in West Virginia. If the Federal Government sets a standard for it, we know what to do. Then we will get these grafters out. When a dollar is appropriated, by the time it gets around to the people entitled to it, they only get two and a half to three per cent out of the dollar.

Senator BYRD. You have a point there. A lot of money that the Congress has appropriated for the poor has never really gotten down to the poor.

I think the lady is next. She wanted to speak, but I wanted this gentleman to finish his statement first.

STATEMENT OF MRS. SHELVA THOMPSON

Mrs. THOMPSON. My question is, in West Virginia why is it that the men on ADC don't have the proper training? What training they do have, there are no jobs for, and there is a law that states that if they get a job, if the Department of Welfare gives them a job out of state that people from West Virginia can be shipped off to other states. Unless they go, their checks are cut off at home. Why can't we have proper training at jobs in West Virginia for the people that are trained?

I would like to know what you can do about this problem.

Senator BYRD. I am not sure I really get the point of your question.

Mrs. THOMPSON. There is supposed to be a training program set up and under ADC in West Virginia but there are no jobs for these men. They find them a job out of state. They tell them to pack their families up and leave West Virginia to go to this job or else the check will be cut off in the State of West Virginia.

Why aren't there jobs to match the training that they get and why isn't there more training for the people?

Senator Byrd. I think you have touched on something that probably is not confined to West Virginia or to the AFDCUP program there. This has been a common complaint, to wit, that people are trained for jobs which don't exist. Once their training is completed, there are no jobs. This is a meritorious point you have raised. I think we just have to try to improve our manpower training programs and other programs that are calculated to improve and to develop and to diversify the skills of people, and we have to try to coordinate this somehow with the needs of the job market.

I think there is room for improvement here. We must try to train people for jobs that do exist.

Let me say that with regard to the AFDCUP program in West Virginia, I and Senator Randolph and Governor Barron met several years ago with the Secretary of Health, Education and Welfare—I believe it was Secretary Ribicoff at that time—in West Virginia, when the matter was under discussion as to whether or not we would have this job program in West Virginia. It was through our efforts that this program was brought to West Virginia.

I cannot answer your question specifically, Mrs. Thompson, as to the situation in Boone County. I don't know the facts. But I think that you have raised a point that is often talked about here in Congress, too, and among the Government agencies in Washington, and I think we are striving to improve training programs so that there will be a job slot into which the person can fit once he has completed his training.

STATEMENT OF JAMES JUDE

Mr. Jude. We had an understanding in 1966, $309,000 appropriation for the Manpower Development and Training Act. We had four schools in West Virginia. We had one in Boone County; 16 graduated. This is a maintenance mechanics school. At the same time they graduated, they needed five mechanics at Westmoreland Coal Company. They would not hire these guys that went through the manpower training because they say they were on welfare, ADC, there was a black list among the coal mines after we begun training, graduated from schools.

They said it was a waste of taxpayers' money, with which I agree, if you don't have guaranteed a job after you get the training, hydraulics, also welding. About 90 per cent of the men still are on welfare. They have to leave the state. There are no jobs there. They won't hire them in the mines because they worked on the ADC program.

I worked 13 months. They need mechanics. Now they won't hire us. I think we should be guaranteed jobs if we are going to spend all this Federal money to take training for 48 weeks and can't get jobs. I think what we need is guaranteed jobs after we take the manpower development training in West Virginia.

Senator Byrd. You have addressed yourself to the same point the lady raised.

STATEMENT OF MRS. JUANITA BRAUN

Mrs. Braun. I am wondering about these food stamps. The commodities are given free. We have to pay for these food stamps. The commodities that are given out now are going to people who really don't need them. Us poor people need them. But they put them in the city dumps. You see cornmeal and this powdered milk and all that stuff.

I would be glad to have it. These people who are getting it free, they don't appreciate it.

Senator Byrd. It is my understanding that a State cannot participate in both programs—the food stamp program and the commodity distribution program. We used to have the commodity distribution program in West Virginia. In 1961, we initiated the food stamp program and I believe four or five counties in West Virginia were participants in that program initially. Today it has spread to all 55 counties.

When a state participates throughout the boundaries thereof in one or the other program, it cannot participate in the second of the two programs. So, West Virginia is now participating in the food stamp program throughout the state.

I believe there must be some misunderstanding here as to surplus food commodities because I don't think that the state is still distributing these commodities except to schools.

Mrs. Braun. Yes; they are.

Senator Byrd. Of course, I can't dispute your word; I would not attempt to. You might want to check again on it.

I seriously doubt that the state would be permitted to distribute surplus commodities except to schools. It certainly would not be able to have the direct surplus commodities distribution program as it once had, now that it has the food stamp program.

Mrs. Braun. Why do they give commodities free to feed the children? We still have to raise money to pay for our kids' food. We have to pay for every little piece of paper and everything we get.

Senator Byrd. The school lunch program and the school breakfast program are operating in some communities, in some areas. They are not universal throughout West Virginia that is true. Under the law, if I understand it, this is a matching proposition. The states, counties, local communities, have to put up a certain amount of matching moneys in order to get the Federal money.

Now, I believe that in some counties, not only in West Virginia, but also in other states, the local contribution by the students constitutes all of the matching funds that are collected. In other words, County A may not be able to contribute matching money. School A, let us take the school, let us take Sophia; I don't know what the facts are concerning that school, but let us take the school at Sophia; let us say that it is an area that is hard hit; they don't have the money. Well, you are between a rock and a hard place, as they say. That is the area that needs the school lunch program the most. The people are poor. That is where they need it most.

Yet, the school can't come up with its contribution; the students can't come up with any money; therefore, there is no local matching fund. And the Federal program, as I understand it, would not be participated in at that school.

You have put your finger on a real problem. The Congress is aware of it. I think there should be legislation and there should be administrative action by the Department of Agriculture which would make it possible for all needy children to be able to participate in the school lunch program. I think the Congress is working toward this.

Mrs. Braun. Why can't they put the food stamps down cheaper for people to buy them?

Senator Byrd. I think they should.

Mrs. Braun. Because we can't get things such as soap after we get the stamps. We don't want to eat our food with dirty hands.

Senator Byrd. You have touched on two additional problems.

Mrs. Braun. They go out here and they can buy pop, they can buy candy, all kinds of cookies and stuff with food stamps. Why couldn't we reverse that?

Senator Byrd. You have touched on two problems. I think the price of the food stamps ought to be lower. You have also touched on the problem of confining the use of food stamps to the purchase of food stuff. Let us take the first point.

I think that the food stamps should be made available at a lower price because in many instances the poor person, having to work out of a small budget, perhaps having to pay a fairly high rent, does not have, in his judgment, the money to spend for food stamps and pay the rent and so on. I think this should be done and I have advocated that food stamps be made available at lower costs.

I was talking, in the Appropriations Subcommittee on the District of Columbia, just this week with the D.C. Director of Welfare. I suggested that one of the solutions, to this problem about which you have spoken, would be that the price of food stamps be lowered.

There is another problem involved here. How many people really know that there is a food stamp program available to them and how many people are really educated as to the benefits that can be derived from that food stamp program? I doubt that there are many members of Congress, even, who know that 50 cents can buy $14 worth of food stamps if the individual's income is between zero dollars and $19.99. I doubt if this is known.

I believe that in some areas, and maybe in West Virgina, this amount has been reduced so that an individual can buy the $14 worth of food stamps for 25 cents, depending on his income. It is an emergency program.

A moment ago, I referred to legislation in the Congress that would help treat this situation. I understand that there is legislation in the House which would provide $100 million annually especially for children from families with income under $3,000 throughout the nation. So there is the problem of education. There are too many people who don't know just what benefits would accrue to them as a result of their participation.

Now, as to the purchase of soap, let us say, I think we have to remember that this is a program which is dedicated to the provision of an adequate diet to needy people. If soap can be purchased, where do we stop? The next thing would be washing powder; the next thing would be Brillo pads; the next thing would be a wash cloth; then a broom and a mop. The first thing we know people would be buying everything with their food stamps except the food which they sorely need. This is the rationale behind the regulation.

I asked the Deputy Director of Welfare in the District the other day about this, as to whether or not he feels that it is wise to confine it to foods and whether there should be some charge for the stamps. He said yes.

I think I should state here that the fact that you can take "X" dollars, let us say $10, and you can buy $15 worth of stamps—and these are not standard figures at all; these are just figures I am using for our purposes here—you have been able to buy $15 worth of food with $10. Two years ago, you would have had to pay $15 for that food because there wasn't any food stamp program. Therefore, you have five dollars now, as a result of the food stamp program, which you don't have to spend for that same food and which you can use for a little soap and a mop, perhaps, and a box of washing powder.

So, I think we are missing the point when we say that, just because you can't use food stamps to buy soap, you are prohibited from buying soap. The food stamp funds free other funds with which you can buy soap.

Mrs. Thompson. I believe the welfare program and the AFDC program is funded by the Federal Government, is it not?

Senator Byrd. They are both funded with Federal funds and State funds.

Mrs. Thompson. Then why can't the Federal Government control? Instead of being controlled on a local level, why can't the Federal Government have some authority and some control over the system the way it is run?

Senator BYRD. It does have some control but the State also has some control.

Mrs. THOMPSON. Is there any way you can use your influence and power as a representative of West Virginia to get equal rights for the people on AFDCU? Like the gentleman said about the job training, is there any way you can use your office to get these problems solved within the State since you are an elected official by these people to help them?

Senator BYRD. I am afraid you are speaking in terms that are entirely too general. In the first place, I think you are asking me to do something that would not be feasible.

Mrs. THOMPSON. Why would it not be?

Senator BYRD. As I stated earlier, there must be some state control, some state requirements, some state guidelines.

Mrs. THOMPSON. What are you going to do? If you go to the state, they won't do anything. So, we come to our elected officials. If we can't get help from the people we elected and put in office, what are the poor people to do?

Senator BYRD. We went over this once a few minutes ago and I told the party I would be glad to refer any particular problem to the appropriate officials.

Getting back to your point about food stamps, I think I have just indicated that there is a great deal of room here for improvement of the program. I think I have already indicated that I am in favor of this. I have introduced legislation which I have already described. I have contacted the Department of Agriculture asking that certain administrative procedures, which can be altered, be altered.

Mrs. THOMPSON. I was not talking about this. The other lady was. I was talking about the AFDCU.

Senator BYRD. You cited her problem.

Mrs. THOMPSON. My problem was AFDCU. Why can't there be more training? Why can't there be more jobs?

Senator BYRD. I am not sure anybody can answer this type of question. I can't tell you why there can't be more jobs in your particular county.

Mrs. THOMPSON. I am talking about the whole state. I am not talking about your county.

Senator BYRD. These things are not all to be viewed as the responsibility of the Federal Government. Private industry helps to provide some of these jobs. I think you can only do so much with what you have to do with.

I indicated earlier that I felt that there was a recognition of the fact to which you have alluded—that there are not always slots in which to put people. There is a recognition of the need, and we must hope to treat the problem. That is all I can say to you in response to your question.

STATEMENT OF MIKE POZEKA

Mr. POZEKA. We have come here today representing the people of West Virginia. We have been ignored for many a year. We have been held down in education. We know just what they wanted to teach us. But we are wising up today and we are going to have a new West Virginia. We are going to have probably a new Senator to go with it, somebody who can identify himself with the State of West Virginia.

West Virginia is going to go on the move. We are tired of drinking powdered milk that causes us to have silicosis on the stomach like bug dust on our lungs. We are tired of eating cheese that has been mashed and pressed together as the rich would oppress the poor.

We need representation. We need a West Virginian in Congress, in the Senate. We need someone to stand and walk with West Virginia.

I am proud, Senator Byrd, of my home state. Mountaineers are always free but we have become slaves in our own state. We are emigrants that have to go to Ohio and work and send money back to the State of West Virginia and there the merchants feed upon the poor like leeches, and become high in society and the poor get poorer.

I am here with this body of West Virginians, my people, and I love my people. I am going to fight for West Virgina. We have become what we are today as we have been termed riffraff. I heard that it came directly from you; I don't know. But we don't want to be termed riffraff. We want to be termed and called West Virginians. We want to be free people in a free society so that we might be able to voice our opinion.

We want to be people who can work with our own hands in our own culture, in our own state and provide for our very own. We don't want to be leeches on the Federal Government but we do need help. We need programs to set up, something we can see and feel with our own eyes.

We have not been identified with you, Senator Byrd, for a while, it does not seem, only like through the Raleigh Register and Beckley Post-Herald, through Editor Hottle. There have been rebuttals back and forth and we don't understand them. We are at our wits' ends wondering why. We would like you to take sides, one side or the other. We want to know how you feel about the people of West Virginia and what are your intentions for the people of West Virginia and, if possible, if you can find enough time, to leave Washington, D.C. and the nice environment, that you might come down to the poor communities and see for yourself and tell the people how you feel about what you see and tell the rest of the nation.

All the money is going into Vietnam. They say the Federal Government pays too much to the people of West Virginia and the poor. They get money, send 24,000 men to be slaughtered, part of them are West Virginians. I don't know whether we call that justice or not while we look to our people being slaughtered. They say we are fighting Communists but yet I hear there are approximately 55,000 Communists in New York City alone.

I wonder why we don't fight Communists in our own country if they are so aggressive to our party and democratic way of life. We need to stand as Americans, and stand as West Virginians. We are going to move on.

I think with all of the God-giving ability that the Lord has given you we are looking for leadership. We expect to find that in you from your affiliation with the church of the living God that you so proclaim. God is being thrown out of public places so that we can't worship God in spirit and in truth.

We need a solid foundation and we are going to have it, Senator Byrd.

Thank you.

Senator BYRD. Thank you.

I am going to take your points and address myself to them. I think I owe this responsibility to you.

Mr. POZEKA. I would appreciate it.

Senator BYRD. I don't shirk my responsibility.

To begin with, you indicated that you probably would have a new Senator.

Mr. POZEKA. It is a possibility. It is in the wind.

Senator BYRD. You said probably. I wrote it down. Let me say to you, I cut pork chops and I worked in a service station and I worked in the ship yards as a welder before I became a United States Senator. And I can do it again.

Secondly, you say that you are tired of having surplus commodities. So am I. I have supported, I think—I have gone over this a number of times this morning—I supported the food stamp program. I want to improve the food stamp program. I fought for you to have more surplus commodities, a greater quantity of them and a greater variety of them.

I came to Raleigh County and visited homes there back when we only had the surplus commodities distribution program. So, you are not alone on hoping for something better than surplus commodities. You are not talking to deaf ears, and you are not telling me about something which I have not already known, and I have done something about it. You say you need someone to voice the problems of West Virginia.

Mr. POZEKA. Yes, sir.

Senator BYRD. I don't know where you could go and find better representation than you have had in your two present Senators. You may try to laugh about that but we have to be reasonable about these things and look at the record. The record will show. You have good representation from West Virginia. You have two Senators who speak up about the problems of West Virginia. You have members of the House of Representatives who do this. You will never have anyone, Mr. Pozeka, who works harder for the people of West Virginia, longer hours, than does Senator Byrd for his people. You will never improve on that.

I do not have to belabor this point because the people of West Virginia know it. You say you don't; that is all right. There are people who will never agree. There are people who come with closed minds and who don't want to listen. But other people, Senators here, people in the Government, in this city, they know that Senator Byrd from West Virginia is one of the hardest working Senators who ever came to this Senate. And I am working for you, and I have done a lot of good.

The lady is shaking her head. But that does not alter the facts.

You speak about merchants who feed upon the poor like leeches. There may be some merchants who do this but I don't think you can make a broad generalization that applies to merchants who feed upon the poor like leeches. I don't believe they all do this or that most or many of them do this.

I was once upon a time a little merchant, myself, in Sophia. I can remember, Mr. Pozeka, the strike in 1950. It was a long strike of several months' duration. I can remember the time when the coal miners in that area could not get food to feed their children. They came to me; the Lillybrook local union sent people to me who could not get credit anywhere else. They sent people to me who did not ordinarily trade with me. They were not my customers ordinarily.

But when times got hard and the going got rough, they came to me. Of course, I still had my own customers to take care of. I gave them credit with which they could buy groceries and feed their children. There are many of those people today in Raleigh County who can say, "Well, Senator Byrd fed me and my children when we couldn't get food elsewhere." Some of them never did pay me and never will. So, not all merchants try to feed upon the poor like leeches.

Now, you say you are going to fight for West Virginia. You are not by yourself. I have been fighting for West Virginia a long time.

Ladies and gentlemen, when a lot of you are sleeping, I am working for West Virginia.

Mr. POZEKA. Senator, could we have closer contact with you?

Senator BYRD. I am getting to that. You mentioned that. You said something to the effect that I won't take the time to go to West Virginia.

Mr. POZEKA. Would you take the time?

Senator BYRD. I do. In the first place, you elect me to do a job here. I am on the job. I am working for you. I can't be in two places at once. I can't be on the job here where I am supposed to be, voting for your programs, contacting the Federal departments in behalf of your problem; I can't be here and down in the State of West Virginia at the same time. I can't be in West Virginia and serve you here when vital issues are in the Senate to be voted on.

Last year, the Congress did not adjourn until December 15th. Now, this did not leave me any time to get into West Virginia. But, every year I get into every county in West Virginia, with the exception of last year—as I say, we were in session until the middle of December. The year before last, I went into every county. The year before that, every county. Even last year, when we were in session until December 15th I believe I went into some 20 counties out of 55.

So, I do get back into West Virginia. Maybe you don't know this but I have stated the facts; I do get back into the State of West Virginia.

You asked me to take sides. I do take sides. I take sides on difficult issues. I take sides when I know the facts. When I have been able to study the facts and reach a conclusion based on those facts, I take sides. I think most people, whether they like me or not in West Virginia, will have to say that.

STATEMENT OF FRED MILLNER

Mr. MILLNER. I speak as a black Appalachian in West Virginia. It seems that you have never represented us or the black man anywhere. The fact that you belonged to the Ku Klux Klan—I don't know what pretty words you will find to justify that.

The fact that right now, like a few weeks ago when you spoke at Princeton High School in Princeton, West Virginia, you told what I consider a lie about a plumber in Resurrection City where they don't have sewage and plumbing. I mean, like you talk about violence in the streets, you know, putting black people in jail and so forth. But there it would be a lot easier to prevent the things that cause this violence.

I have never heard you really publicly denounce the Klan. You are always talking about black Communists and so forth. So what? The Ku Klux Klan is subversive activity, too. You support the Vietnam War and then again you went into the Klan to keep from going to war, yourself. Like we consider you a hypocrite.

We want specific answers, not beating around the bush.

Senator BYRD. I will be glad to give you specific answers. I will be glad not to beat around the bush.

You said that at Mercer County I told what you consider a lie. I did not tell a lie. I quoted from Washington newspaper reports regarding the Negro plumber who went into Resurrection City, took his own equipment, dug the ditch, sought to lay the pipelines, so that the people there would have facilities and he couldn't get help from any of the people in the city to dig the ditch. Nobody wanted to pick up a shovel. One individual, according to the Washington newspapers, said, "Mr., I came down here to get away from shovels."

Now, I quoted the newspaper reports. If the newspaper reports were in error, if they were wrong, then don't blame me. But I think we have to——

Mr. MILLNER. You should not quote something you don't know about. The fact is that I have stayed in Resurrection City. Like they have chemical toilets; they are not putting down sewage pipe.

Senator BYRD. You read the story in the newspaper. This was in the Washington papers. This is not something I have conjured up. It was there. You read the story. You know I stated it as it was related. I think this is a very, very tenuous and artificial argument to bring up this and say that I lied. The newspaper reports are public and they speak for themselves.

Mr. MILLNER. It seems that if you were telling the truth——

Senator BYRD. Wait a minute. You interrupted me. You wanted me to respond and I am going to.

You spoke of the Ku Klux Klan. You said I hadn't denounced it. I belonged to the Klan before you were born.

How old are you?

Mr. MILLNER. I am 20 years old.

Senator BYRD. I belonged to it before you were born. I got out of it before you were born. But, yet, you want to continue to bring up the Klan. Every man makes mistakes. I made a mistake. I have said that a number of times. I don't see why I have to continue saying I made a mistake.

Jesus Christ came to save sinners of their past errors. I made a mistake. I have said this numerous times. How many more times do you want me to say I made a mistake?

You are a Johnny-come-lately. There are people who are older than you who know that I have faced this issue many times in West Virginia. The people of West Virginia have passed upon this issue time and time again. They have rendered their verdict. So, I think it is a little passe for you, someone who is 20 years old, to talk about my membership in the Klan well over two decades ago.

I have said time and time again that the Klan serves no good purpose. If I live to be 100, and still running for office, which I don't think is a likelihood, are you still going to point to that mistake that I made decades and decades ago? I don't think you ought to do that. I don't think that is right. If you want me to accord justice to you, then you should accord me justice.

Now, you say you consider me a hypocrite. I think you are a hypocrite. I have said all I can say about the Klan. I have said it over and over and over. I can't help what is in my past; I can't help that. But I have stated the facts and the people have made their judgment time and time again. Yet, you want to keep it alive.

You said I joined the Klan to stay out of war. Obviously, that is false on the surface because being in the Klan would not keep me out of the war. That shows just how incredibly wrong you can be. It shows that you don't know what you are talking about. You can look as you please, wear whatever smirk you wish on your face, but the facts can't be denied.

I really should not even spend time discussing this matter but I accorded you the courtesy of addressing myself to the point you raised.

STATEMENT OF WALLACE DONALDSON

Mr. DONALDSON. With reference to the Ku Klux Klan, I was born in a town where they did have the Ku Klux Klan. There were a lot of them. Senator Hugo Black belonged to them. There were a lot of time that if you had business you could not stay there if you did not belong to the Ku Klux Klan. The people would make it hard for you.

Here is a good friend of mine. I don't know him to do something to the colored. He was sheriff. He was a Ku Klux Klan. I never heard him hurt anybody. He had to join the Klan to get elected.

I know a businessman in a certain state that belonged to the Klan in order to get business. They told him if you don't join the Klan we are not going to trade with you. I said to him, "You know you have always worked for the colored in my place." I said, "To get the business, you go join them. You are not going to go hang anybody on account of that."

He said, "No."

I know a lot of towns I have been in they have never touched the colored.

There is another thing I would like to say. Senator Byrd and the rest of the Senators, they may understand but when these rules and things come up that they are talking about they have to take their orders from Wall Street. You bear that in mind. He may not know but it is handed down so and so. Just like I told about Mr. Clark; he is not going to see you today. He will see you when he finds out from Wall Street, which is run by the Bank of England, for your information. Twenty-five per cent of your wealth is run by London.

Senator BYRD. Let me say this. We have said enough about the Klan. It does not apply to the problem now. This gentleman is right. A lot of people who belonged to the Klan have never admitted it. But I admitted it.

Mr. DONALDSON. That is right.

Senator BYRD. That is right. Now, this young man here said something about my not representing blacks anywhere. When I support a program of improved food stamp distribution, that helps everybody. When I support a lower Social Security retirement age, that helps everybody, black and white. When I support and vote for increased Social Security payments, that helps everybody, black and white. When I vote for manpower training programs, veterans' programs, education programs, unemployment compensation, higher minimum wages—these things help everybody, black and white.

I have appointed Negroes to the military academies; I have employed Negroes on my staff. I have employed Negroes on my patronage. If you don't believe it, look at that policeman back yonder at the door. Stanley Horton from McDowell County has been one of my patronage personnel for a number of years.

Stanley, how long have you been serving as a policeman here on my patronage

Mr. HORTON. Five and a half years.

Senator BYRD. You see, I did not appoint him yesterday so that I could show him off to you here today.

I have tried to help colored people. There is not just every Senator who can say he has a Negro policeman, or Negroes on his staff, or has appointed Negroes to the academies. I have tried to help colored people. It is not all one-sided, ladies and gentlemen.

Now, I said we were going until eleven forty-five. We have already run over that time by 15 minutes. This young man here has been trying to speak for quite some time. He has been holding up his hand. I will have him. This gentleman right here held up his hand. This gentleman has been trying to talk for a long time.

I am going to go on until I hear these three because they have had their hands up continuously and haven't been able to speak.

STATEMENT OF LAWRENCE LEE

Mr. LEE. As you have stated while you were talking to us, you said that while you were up here that you have helped with certain bills, aid and all this, through the Legislature to help the people of West Virginia. Where are all these things? Where are they and when are they going to take effect in West Virginia, taking welfare as an example.

The last three to six months people in West Virginia have had their welfare salaries decreased. Even the people on welfare, they have schools for them to go to. If they don't go to the schools, they get cut off. Where is all this stuff that you are supposed to help? Where is it at? Where has it been put or has it been left back in the corner?

Senator BYRD. Yes. I think that is a good question.

When the great fire broke out in London in 1666, four-fifths of the city was destroyed before the flames were brought under control. The outstanding architect of that period was Christopher Wren. Christopher Wren is credited with restoring many of the churches and designing a new cathedral there in London with a manificent dome; I believe it is St. Paul's Cathedral——

Mr. DONALDSON. Yes; I have been in it.

Senator BYRD. Under that great dome, the design for which was drawn by Christopher Wren, he is buried beneath the inscription: "If you seek my monument, look about you."

So, young man, I don't know how old you

are but if you look about you, you will see my monument. You will see what I have done for West Virginia.

I have already mentioned the food stamp program. That was my bill that passed the Senate last year. That was my bill. Of course, someone else could have introduced it; that is true. But still it was introduced by your Senator Byrd.

You want to know what else I have done? I went into West Virginia, as I have said, a number of times when we were operating under the surplus commodity program to try to help get more commodities for our people. I have done this. I have supported numerous legislative measures which have been beneficial to the State of West Virginia; education programs, veterans' programs, Social Security programs, health programs, on and on.

Then through my Appropriations Committee and Armed Services Committee assignments, I have brought numerous projects to West Virginia. Let us take one.

Where are you from?

Mr. Lee. From Princeton, West Virginia.

Senator Byrd. In Mercer County, you have the Forest Products Marketing Laboratory. I brought that to West Virginia. I offered the amendment in the Appropriations Committee which brought that project to West Virginia.

I brought a new watershed management laboratory to Parsons, West Virginia.

I brought a Forest Engineering Sciences Laboratory to Morgantown.

I brought the National Training School for Boys to Morgantown, West Virginia.

I brought the National Environmental Health Station to Morgantown.

I brought the Weather Station to Beckley, West Virginia.

I brought the Naval Receiving Station to Sugar Grove, West Virginia, in Pendleton County.

I could go on and enumerate item after item beyond these that I have brought to West Virginia, and I can look any man in the eye and say that I brought them to West Virginia. These things have helped West Virginia.

Now, I don't know how much proof you want but whatever it takes it is a matter of record. If you have closed eyes, closed ears, closed minds, and closed hearts, I can never convince you that I have done anything. I can only state the record, and it is there for all to see who will read.

STATEMENT OF CHESTER WISEMAN

Mr. Wiseman. Mr. Johnson did say we need better Senators and better Congressmen.

Senator Byrd. I did not hear about that. A lot of people may say we need a better President.

Mr. Wiseman. The people of West Virginia elected Senator Byrd. We elected him. That is what we did. I am representing Appalachians, the poor people. We elected you. I was sent to talk to you.

We appeal to prevent county court officials from taking over our project. We need a system of cheap public transportation for the poor people. Now, this community action we have started. We are trying to help ourselves. We have supported you and we think you support us. That is why we are here, to talk to you.

In Boone County, we have started community action. We went to our county court and asked them to feed the children. They denied us. I don't have any children. My children have grown without education and I see what it means when a child doesn't have education. So, I goes to the Board. We went different places, had bake sales, collected enough money to pay for those children's lunch to feed the children. The county court denied us. They talked to committeemen about helping. They give us the run-around about it. So, I am sent to talk to you and Mr. Slack about the condition.

We had to escort the children from school to a drive-in restaurant to feed those children and go there and take them back to see that they weren't hurt.

We would like to have our community action. We want to get out and work and try to help ourselves, take the burden off you all. We are trying to help ourselves which I think would be a good job. We have worked hard on this thing, trying to get these people together, to have bake sales. The ladies sold them.

Our County court refused us, didn't want to help us. The principal of the school didn't want to take the children to the place to get their lunch.

Senator Byrd. I think I understand what you are talking about.

Let me say this: My office has contacted the state officials about this Boone County situation. I have received numerous letters from the people in Boone County about it. This is what I am told. This information was given to me by a state official in Charleston, by a lady who said that, until the trouble started there—talking about the Boone County program—the school officials in Boone County were doing a better job with the funds they had than any other counties. She said that the trouble there, and she referred to it as an altercation between VISTA workers, the school officials and various other people who did not agree as to whether the program was being operated correctly and to the best advantage. She said that the VISTA people maintained that the lunches that were being served were not balanced and that the principal objected to VISTA workers "wandering constantly through the schools checking into various matters."

She went on to state that some of the VISTA workers chose some of the children and took them down to the drive-in restaurant and so on. She stressed the importance of appropriating state-administrative funds. She said that many counties did not have a supervisor for the lunch program for lack of funds. She said this was one of the problems in Boone County, the lack of funds.

I think, Mr. Wiseman, that all I can say at this point in connection with Boone County, is that there needs to be more money appropriated for these lunch programs and for the food stamp programs, as I have indicated before. I would hope there could be some things done by the U.S. Department of Agriculture which might help.

For example, let me list just two or three. The Department of Agriculture could possibly consider a requirement that children of food stamp recipients be provided free or reduced lunches wherever the national school lunch programs are operated. I have already indicated that there is legislation which would provide for an emergency program for children from families with incomes under $3,000.

Just to sum it up in a general way, much needs to be done. I have always supported the school lunch program. You know, time after time, the Executive Branch has sent a budget request to the Congress cutting the school lunch program—I say cutting the school lunch program. Time after time.

A moment ago, some reference was made to what the President said. Someone, I believe, said the President had indicated there ought to be a change of Senators and Congressmen. I don't know that he said that. I said, well, maybe a lot of people think there ought to be a change of Presidents. I, personally, like President Johnson. I am a friend of his. We are just talking about what some people may have said. I think the record should be balanced.

But the Congress has, time after time, Mr. Wiseman, restored budget cuts for the school lunch program—cuts that were recommended by the Executive Branch. We in the Congress have restored them.

Mrs. Thompson. Senator, what are we supposed to do when Tuesday night the Boone County School Board refused a $75,000 grant that had been given to go to the schools in Boone County which our organization sent a proposal to OEO for? OEO is willing to give the money but the Boone County schools refused to use it. What are the people supposed to do?

Senator Byrd. All I can say is that you ought to go to your Boone County officials and talk to them about it.

Obviously, I can't respond to this question because I don't know the facts. I don't know what you are talking about, based on your statement. I do not mean to be critical of the question you have asked.

Mrs. Thompson. I will simplify it. There is $75,000 the School Board can put into the Boone County schools to be used for free lunches for needy children. The Boone County School Board refused to use this money. What are the poor people to do when they have the money and they refuse to use it? That is a simple question.

Senator Byrd. As I say, I can't answer the question except you ought to talk to the people who are responsible for the action that you are criticizing.

Mrs. Thompson. We have talked to them. We have been talking to everybody in the State of West Virginia, even down to the State Supervisor of Schools, about the hot lunch program.

Senator Byrd. I don't know what their reaction was. I don't think this is something that I can address myself to.

Mrs. Thompson. Is there some way you can talk to, get word to, the School Board to get both sides of it?

Senator Byrd. Let me make this suggestion. I hope this will meet with your approval. Why don't I ask a member of my staff to talk with you and try to get some details concerning the matter about which you are talking and let us contact the state people and see what it is all about and what the reasons are.

Mrs. Thompson. If they are contacted, would you send us a report?

Senator Byrd. I will be glad to follow through with a letter to you and with a copy to Mr. Fulcher.

Mr. Wiseman. What I was talking about, we are working very hard to try to help the situation. This Green Amendment, that we get the county court to take over. As far as community action, we don't think they should take our money over. It should be run right. I don't think it should be wasted.

We have people there that get the food stamps. There are eight miles, I believe, and we have one taxi between Charleston and Beckley. I think it is 40 miles, about three taxis in one town of Whitesville. They charge the people nine dollars to take them to get their food stamps. When they buy the stamps and get the groceries, they haven't got anything left. That is what I have to come to ask you about.

I thank you.

Senator Byrd. With regard to the Green Amendment, it is my understanding, as I recall, that this amendment was for the purpose of giving control of these programs to the county courts and other political entities. The rationale back of this amendment was, as I understand it, that control over these programs—which are costly programs—should be in the hands of people who are elected by the people.

For example, members of the county court. They have to stand for election and re-election by the people. It was felt that, as we have agreed here today, a lot of the money that is appropriated for these programs never really gets down to the poor people who need it.

As a result of some reports throughout the country concerning programs which were mal-administered, poorly administered, in which there was great waste, the Congress thought something ought to be done about this and put the control in the hands mainly of people who are responsible to the electorate for the positions which they hold.

As I understand it, the Green Amendment also provides for a certain portion of this control to be in the hands of the poor, themselves. I have explained the reasoning back of the amendment. It was an effort, as I say, to improve the administration of the program and to assure that moneys appropriated for poor people would get into their hands to help them.

Mr. **Wiseman**. Could there be somebody appointed over the county courts? The county courts won't give us anything.

Senator **Byrd**. I am told that the county courts will designate an official or an agency to administer the program. I think there is an attempt here to help the poor and to improve the administration of the program, not an attempt to make it more difficult for them to receive help.

Mr. **Wiseman**. If we could get this, this would give us a way to get transportation. They are paying nine dollars for eight miles. It is eight miles to the place and eight miles back. Nine dollars is a lot of money.

Senator **Byrd**. As to the matter of transportation, this is something that you have to work out on the local level.

I think there is one basic point that we have to remember along with others. That is that the money for these programs is the taxpayers' money. It is your money; it is my money; it is the money of all taxpayers. We owe a responsibility—those of us who are in Government, and who have been elected by the people—we owe a responsibility to the taxpayer to see that his money is spent wisely and that it is spent in accordance with the intent of the legislative body which provided it.

So, we have to do what we can to make sure that the taxpayers' money is spent wisely and frugally.

STATEMENT OF ROBERT E. FULCHER

Mr. **Fulcher**. Before we close, I think I should answer this because this is something very vital to us, all of us.

As I stated to you last night, these programs that are being initiated and offered to the different counties are placed in the hands of the wrong people. You people down here are not investigating before you place these programs into the hands you are placing them in. It has been proven and I have talked to you about the crookedness in the political mountains in the State of West Virginia.

If you place these matters within the county courts' hands, as it has been already stated and proven with affidavits that there is vote-buying, that we are constantly harassed to vote a certain way, it is Federal programs being used to buy votes, that they will go into the homes of families, especially the NCY program, National Youth Core program, "You vote and work this way and your child will work this summer."

You people are not investigating these things. You are not doing the job that we want you to do, that you should do, sir.

As it has been proven, especially in Mingo County, and as I stated last night, we have people that are being drawn to jury duty that have been dead, left 10 years before, people's names who should have been stricken from the list a long time ago.

So, in the hands of county courts, you are placing a weapon there, a weapon to use for political power. It is not for the poor people. The poor people are being intimidated. Under welfare, "If you don't vote this way, we will cut your check off."

Give us some investigation, sir. Give us some recognition as people that we can think for ourselves, that we can make decisions for ourselves. The county court because they are elected can't make our decisions. Why? Because they are elected with bought votes nine times out of 10. They are elected with intimidated votes nine times out of 10, by machines that organize to a degree that poor people can't do anything.

You are working against a machine, sir. These are the things we have to combat. So, what we ask of you, sir, use your office, which can be used, as pressure, and there is pressure being used by every Congressman and every Senator in certain categories.

We ask you, sir, to give us a recognition of crime in West Virginia, that it might cease, that the poor people might see a chance to have a voice in their representation and what might govern them in the State of West Virginia and in these counties.

The Green Amendment places power in our states in the hands of the local politicians. This, you say, is protecting the voters' money. I say and the people of West Virginia are saying that this is giving them a weapon to hold over our heads and work on us with, as the policeman might strike us on the heads with guns.

The food is being taken out of the mouths of families by intimidation. All we ask is some recognition of crime in West Virginia. Give us some recognition, sir.

Senator **Byrd**. Let me say in response to that, that I am not the law enforcement agency. I am a member of the Federal Legislature, a member of the Legislative Branch of the Government. I help to make the laws. I help to appropriate the monies but I do not enforce the laws. The Executive Branch enforces the law.

Now, I don't condone, as you don't condone, this business to which you have alluded—buying votes, voting dead people and so on. I don't condone that. Not for a moment. But I think if you have evidence of vote-buying or if you have evidence that people are being voted who have been dead, then you should bring this evidence to the attention of the law enforcement agency; you give it to the prosecuting attorney in your county. You go to the Secretary of State of West Virginia, or you go to the Justice Department of the United States if a Federal law is being violated. You have already done this. The Justice Department has conducted an investigation of these charges in Mingo County, which charges you have made. A report has been made. The inquiry is extant; the inquiry is still alive; it is still going on.

I make contacts with the Justice Department from time to time in regard to this very matter because there was a group that came to me back in February and talked about that. I have from time to time contacted the Justice Department about it. But it is the responsibility of the Justice Department. It has the facilities; it has the people who possess the expertise and who are experienced in the Federal statutes, who can and must determine whether or not a Federal law has been violated.

If a Federal law has been violated—and this first must be shown—then it is up to the Federal Government through the Justice Department to enforce that law. I have done all I can do by contacting the Justice Department and by renewing my contact from time to time and I intend to do this again.

I think you must understand that I can't enforce the law. That is not my prerogative. I don't have that authority.

You speak of investigating various things in the State of West Virginia. I am not on any investigating committee. I am not on committees which have investigative or legislative jurisdiction over some of the things to which you have just addressed your remarks. There are proper channels through which investigations can be brought about. But not all investigations need be made by a legislative committee. Not all investigations need to be or can be made by a Senator.

As I have indicated, the Justice Department is investigating this matter concerning alleged Mingo voting of people who are deceased.

So, it is easy, and I don't mean to decry what you have said, Mr. Fulcher, but it is one thing to say, "Senator, come down and investigate that, come down and investigate this". The Senator can't do everything; he is not God; he can't do everything. He is a human being. He can only do so much.

There are proper agencies to do the investigations. I have asked a number of my staff to include Mr. Fulcher's name on any further correspondence that I have from the Justice Department in connection with the Mingo County situation.

I think I can finish my response to your statement this way, Mr. Fulcher. You speak of these things being put in the hands of county courts. As I indicated earlier, no matter what procedures we devise, there is going to be some flaw found with that procedure, the best we can do. We try to do the best we can and when the Congress thinks when it considers putting this program under the control of a local governing body, I think the local governing body which most naturally lends itself to this kind of operation would be the county court because there is one in every county. In some situations, it may not work as well as it will in others but we constantly try to improve things and get the most for the taxpayers' money.

Ladies and gentlemen, we have gone over our agreed time by almost 40 minutes. I realize you could not get here on schedule. I have tried to allow for that. I think now that you have already had a good two hours or more.

STATEMENT OF REV. A. H. LEE

Reverend **Lee**. How are you on the race problem?

Senator **Byrd**. I stand for equal opportunity, equal justice, equal responsibility, and equal accountability on the part of all people, whether they are white or black.

Reverend **Lee**. Thank you.

Senator **Byrd**. I was asked by Mr. Fulcher to allow those on the front seat to speak. I have given as much of my time as I think I can today to listen to those on the front seats. I have heard you already, Mr. Wiseman.

If you will forgive me in this instance, I think with my limited time I would like to have this lady have a chance here.

STATEMENT OF MRS. JULIA M. WOODRUFF

Mrs. **Woodruff**. So far as reporting to the county courts, about their conduct during election, I work as an election officer and I have taken papers down to the proper authorities and they have torn them up or thrown them in the trash.

Now, when you can't get any action from your county court, then whom do you go to? I have done that, myself.

Senator **Byrd**. Go to your prosecuting attorney.

Mrs. **Woodruff**. All of them are doing the same thing. He is not going to do anything. I prepared it for them. They don't do a thing but throw them in the trash can.

Senator **Byrd**. Go to either your United States Attorney or your Attorney General. Go to the Attorney General's office in West Virginia. That office will determine whether a state law has been violated.

If you can't get anybody else to listen to you, you go to the United States Attorney in southern West Virginia.

Mrs. **Woodruff**. In Logan and McDowell Counties, they are just as corrupt as Mingo County. We have the same thing in McDowell County. You file these affidavits. You carry them down there and you put them in the hands of the proper authorities and they throw them in the trash can. I know that to be true.

Senator **Byrd**. I don't think that all authorities are going to handle them that way.

Mrs. **Woodruff**. Until you get that bunch out of McDowell County. You carry them to the same ones every year when you have an election.

Senator BYRD. There are new people.

Mrs. WOODRUFF. Not any new ones.

Senator BYRD. Yes; there are new ones in McDowell County. Those are people elected by you. You can vote for them or against them. Not all of them are going to be like that, if any of them are. I am not saying that they are or that they are not. If that is the way they react, that is wrong.

Mr. Jude, I told you I would give you a chance.

STATEMENT OF JAMES JUDE

Mr. JUDE. I would like to ask, would you favor repeal of this freeze under the 1967 enactment of the Social Security bill? Would you favor the amendment to repeal the freeze on the Social Welfare?

Senator BYRD. Are you on welfare?

Mr. JUDE. I have been. I was terminated for no reason. The people make them travel unreasonable distances to work. They terminate a man with a sick card in his pocket. We are in a world of trouble all the way through. They terminate a man for missing one day since this law has been passed.

Senator BYRD. Have you been terminated?

Mr. JUDE. Yes; I have. I have a doctor's certificate in my pocket right now.

Would you favor the repeal of the freeze amendment on the Social Security Act?

Senator BYRD. Of course, a lot of people who have problems, these are problems of their own making, you know. For example, there are a lot of men whose families are on welfare, a lot of men who won't provide for those families and who use whatever moneys that come in for whiskey. Is that right?

Mr. JUDE. That is true. That has happened.

Senator BYRD. There are a lot of men who use the money for whiskey and don't feed their children.

Mr. JUDE. That is true in a lot of cases.

Senator BYRD. Sometimes those same individuals are put in jail and the children are put in the hands of the welfare authorities because the father won't provide for them. Isn't that correct?

Mr. JUDE. That happens, sir.

Senator BYRD. So, it is not all the fault of the welfare system. It is not all the fault of the Government. In many instances, it is bad management on the part of the head of the household.

I think this ought to be said: There are many individuals who have no one to blame but themselves for the situations that they are in. And their poor little children have no one to look to but their fathers. If their fathers are going to spend all the money for booze, are in and out of jail, and won't try to help the children, why, whose fault is it?

In the main, it is the parents. If the father gets in jail repeatedly, then he should not be complaining about the welfare system. He ought to do something about himself, to straighten himself out. Is that right, Mr. Jude?

Mr. JUDE. Yes, sir.

Senator BYRD. Now, somebody in this audience today—at least if he is not here today he was a participant in the demonstration at my house. I know that. There was an individual who indicated in the press that he was under a doctor's care and that he had five children. He said he was on welfare. But he didn't tell all the facts. He didn't tell the whole story. He did not say that he had been in jail a number of times for drunkenness. He didn't say that his children had been taken away from him and put in the hands of the welfare people because he wouldn't provide for them. He did not say that. He has been arrested and put in jail since he visited my house, for being drunk.

I won't mention any names here, but there are some people who complain about the system, who complain about government, who complain about welfare, when, as Shakespeare said, "the fault is not in our stars, but in ourselves."

Now, you mentioned the freeze. This is a matter which originated in the House, on which I don't believe we voted in the Senate. It originated in the House. It came before the Senate, I believe, in the form of a conference report. We didn't have an opportunity in the Senate to vote for or against the freeze specifically.

We had to take the entire legislative package because in that package were increased Social Security payments for millions of people throughout this country. There was also a provision for additional coverage.

If we had turned this down because of the freeze, Mr. Jude, there would have been a lot of people on Social Security who would not have received an increase in Social Security. So, I am not saying at this point whether I would be for the freeze or against it. I am simply saying that it did not come to the Senate in an up or down vote precisely as to the freeze, itself. The Senate in acting on the tax bill passed an amendment to put off implementing this freeze. The best that is to be expected is a postponement of the freeze for one year. But I voted against that bill, the tax bill. I voted against it for a reason which I have explained a number of times to the public.

If the matter were to come to me for a vote, as to whether or not I would vote for the freeze or vote against the freeze, I think I would have to give this some consideration. I recognize the arguments pro and con. But as it did come before the Senate, it was not confined to this issue.

Mr. THOMPSON. Senator, I would like to make a comment.

You said that the man who marched in front of the house didn't give all the facts. Neither did you. The facts are he was called in to the Welfare Department while he was there. The Child Welfare representative went to his home, told his wife, "You sign this warrant to have your husband put in jail or else your children will be taken away from you."

So, you have your facts wrong, too. I know this to be the truth.

Senator BYRD. I don't have my facts wrong. I have the facts right in front of me.

Mr. THOMPSON. We talked a lot in Boone County about it.

Senator BYRD. You have made the point that I didn't have my facts. Let me give you the facts. I will not mention the person's name.

"At the January 1968 term of the Circuit Court of Boone County, Mr. "X" was charged with criminal neglect of his infant children. During the trial, the Child Welfare workers, Family Service workers and other Welfare employees testified that Mr. "X" 's home was unbearably filthy, that he did not furnish adequate food for his children nor did he furnish them with adequate clothing or give them proper housing. The case ended in a hung jury on February 17.

"Prior to the trial of the case, the Circuit Judge, upon the recommendation of the Child Welfare worker, had removed the children from the home. After the trial, physical custody was returned to the parent but under strict supervision of the Child Welfare worker and Family Service worker. This is where the matter now stands. I am enclosing a copy of the order returning physical custody to the parents and also a copy of a report made by the Child Welfare worker, copy of the indictment and copy of the order on the verdict."

Let me go further into this since there has been some question as to my not having the facts.

"Mrs. John Doe, Division of Family Service, reported to me the conditions existing in this home. I went to the house and I can say that the report was true. I have never seen a house more dirty, nor have I ever smelled a place that had as bad an odor as this one. The children were filthy and had little clothes on. The house was cold and the beds did not have enough blankets to keep them warm.

"When I got to the foster home, we had examined the baby and found that it was covered with sores from its waist down and even covering its feet. Also there were sores on the baby's knees which the doctor said appeared to be cigarette burns.

"All of the children appeared to be undernourished except the twins. The other children ate as if it were their last meal. They ate more than a normal child would eat in several meals.

"It is likely that Mr. and Mrs. 'X' did not feel the need of providing any better care for the children. Mr. 'X' allegedly sold his food stamps for money to buy whiskey. His jail record for drunkenness extends back several years. There is no doubt that he has a problem of alcoholism.

"I recommend that the children be placed in the care of the Boone County Department of Welfare and left in foster care until Mr. and Mrs. 'X' assume the responsibility of parents."

Now, I find that the last time this individual was put in jail was on a warrant obtained by the wife. This was an intoxication warrant. He was put in jail on June 4, which was three days after his visit to my house. The sentence was 10 days because he could not pay the fine. He got out on the seventh day because two VISTA workers paid the fine for him.

For the past two years, since October 1966, his record is as follows:

"October 3, 1966, put in jail for being drunk.

"December 22, 1966, arrested; kept over night; got out paying fine and costs.

"January 4, 1967, arrested. Out the next day by paying fine and costs.

"March 15, 1967, arrested. Out the next day by paying fine and costs.

"May 10, 1967, arrested. Out the next day by paying fine and costs.

"August 12, 1967, arrested. Out the next day by paying fine and costs.

"September 5, 1967, placed in jail on non-support warrant by the wife. Got out on bond on the 18th.

"January 10, 1968, arrested on a drunk charge; released on January 12 by paying fine and charges."

I merely bring this up to state, as I have already indicated, that there are some people who would like to put the blame on the system, on the Welfare Department, on their Government and on their elected representatives, when, in reality, they have not fulfilled their own responsibilities to their own little children.

One individual, as I say, was a demonstrator in front of my house. He made certain remarks about being on welfare, being under the doctor's care, about having five children, and he had to stand up for his rights. He said he had heard he would be taken off welfare if he came to Washington so he came to test the welfare people and to see if they would cut off his welfare. This is the case. This individual just didn't care for his children enough to straighten up and manage for them properly.

STATEMENT OF REV. JAMES SUMMERVILLE

Reverend SUMMERVILLE. My name is Jim Summerville, Minister of the Presbyterian Church. I live in Boone County. You probably have a dossier on me, also.

Senator BYRD. No; I don't. I wouldn't have had on this man except for the statement he made to the press in demonstrating in front of my house.

Reverend SUMMERVILLE. I think I would like to make a simple statement. The simple statement is this: It seems to me that you have attacked an individual—and I haven't been here during the course of the proceedings; I don't know whether the individuals have attacked you.

I understand, Senator, the whole concern in the community action program is that persons get together and use something that the Federal Government has been good enough to create, give them an opportunity to exercise some voice, some power, some influence in the whole social process.

Senator, the Poor People's Campaign, at least as far as the people of West Virginia's participation in it, has been a thing created by the people to get to the Federal Government. I, personally, appreciate your cooperation today in letting all these people come and speak.

It seems to me when we get to the business that when a man asks a question that has an answer to it, you turn that into an opportunity attack an individual in the group as has been done here; it seems to me that we are defeating the whole possibility of poor people, who, themselves, will admit a multitude of errors in their personal lives, getting to the place where they can be responsible.

The kind of thing which has been done here is to destroy whatever responsibility the man has. I don't want to argue about it but I simply want to make the point that it seems to me what the people are trying to say today is, like a man, a sinner stands up and says, "I am a sinner; I want to do better."

I think people are saying to you, you recognize them even though they have gone to jail, you try to have justice even though they might go to jail another time, will you be for them even though they are poor, old, crippled, uneducated?

Will you listen to them and will you be the kind of Senator that does not simply work slickly around the thing but really gives his heart to the poor people in a group, not just one by one, but in a group as they work to be a part of the whole thing?

Granted, when you get in a struggle with the Welfare Department, the Welfare Department is in part right and the individual is in part right. What we are after is that we recognize the right of the individuals to collect themselves together, to get into the business of dealing with the Department of Welfare.

Senator, I think all we are doing is appealing to you to be for this kind of thing, not to cut people up and not to preach sermons about moral responsibility on the part of individuals—you know we all do that—but to preach sermons about how good it is for people to do this and to hold your hand out to them. This is all we have been trying to do.

Senator BYRD. Mr. Summerville, let me say that you haven't been here all morning. You came in late. So let's don't preach sermons about what I ought to do and what I ought not to do and what I should say and not say when you have not been at this hearing long enough to be aware of what has been happening. You came in late.

I have listened to every question. I have addressed myself to every question and to the various statements as well as I could respond to them. The people have had their opportunity.

As to my working slickly around anything, I haven't worked slickly around anything. You are attempting to do a little slick work, yourself—exactly. I have said that Government has much to do and much to correct, and that these programs have much room for improvement, I made the point long before you came as to the problem. I am not the poor man's enemy. I am the poor man's friend.

The lady charged that I didn't have the facts about the man. That is why I opened the book and read the facts. I did not work slickly around anything. I haven't named anyone. But the facts are there. I was merely making the point that each individual has a responsibility, himself, to do something, that the Government can't do everything, that the Government can do some things, but that each individual has a responsibility, and that often the fault lies with the individual himself.

I related the facts, when the lady said I didn't have them. I would not have gone into the full details if she had not stated that. I didn't turn something into an opportunity to attack somebody, as you state. They were attacking me at my home. I merely made the point that should be made—since we are discussing this over-all question of welfare and Governmental assistance to the poor—that there are a lot of needy people who do all they can to help themselves and they need help and I want to help them, and I have tried to help people to help themselves, but there are some people who just don't have anybody to blame but themselves for their own predicament. This is not saying that all poor people are like that at all.

As to preaching sermons, I haven't preached any sermon today and I am not a preacher. Some people have cynically made the remark over the years that I was an "itinerant preacher." Well, they have done this, as I say, with a certain degree of cynicism. But an individual does not have to be a minister to read the Bible and to believe it and to be able to quote some of it.

I haven't preached any sermons but I do say this: I would bet you I can preach a better sermon than some of the people who claim to be ministers can preach. But that is neither here nor there. It is not important as to whether or not I can do that.

I am grateful for the good ministers that we have. I am grateful for their influence. I am grateful for their prayers and their help.

Reverend SUMMERVILLE. Senator, I am quite serious in saying that it seems to me that the intent of this group, and I may be wrong, the intent of his group was to somehow reflect to you something of how it feels, to gather and call for your support for the kind of things they are doing.

Senator BYRD. And they have done this.

Reverend SUMMERVILLE. I think there are not enough poor people in West Virginia who are willing to take this kind of step. Aside from the answers to all the particulars, what we are really asking you for is that the day come when Robert Byrd's name in a community action program being really for the poor in West Virginia be a name that brings applause instead of catcalls. I think there is a serious effort on the part of the people.

Senator BYRD. Mr. Summerville, before you came in, every individual on this front row, and some who have gone, with the exception of this man right here, had an opportunity to speak, to ask questions and in your own words they reflected to me their feelings and they called for my support and I have responded as frankly and as honestly as I know how. Some of the questions weren't pertinent. Some were meant to insult me. But the people who asked those questions have gone. They didn't insult me. They only hurt themselves, and they have left the room with their friends.

We have had a good meeting here today. These people when they go home will have to tell their friends that, "Senator Byrd took his time. He talked with us. He shook hands with us when we came into the door. He talked with Mr. Fulcher and Mrs. Jones in his office the evening before. Senator Byrd has responded to our questions. We may not all agree with everything he said but at least we had our chance to say what we wanted to say."

We have gone over this.

You say you would like to see the time come when in community action meetings the mention of my name would be met with applause rather than catcalls. Mr. Summerville, there have been catcalls here today of another type. They have been manifested by little things that have been said, little insolent smiles that have crept across faces, and by impudent questions that have been asked—only by a small minority, of course.

There have been catcalls here today. And there should not have been. I did not deserve this. A lot of the catcalls in your community action meetings may not be deserved. Perhaps I don't deserve this kind of treatment from some of the people there.

I voted for the original overall poverty legislation. I have voted to reduce appropriations for some programs. I have, more recently, wanted to eliminate VISTA and the Job Corps because of their poor performance. I voted for the legislation extending the poverty program last year. I criticized some of the programs and do today. I have applauded and supported some of the programs: adult basic education, Head Start, Neighborhood Youth Corps. There are some programs I do not now support: Job Corps, Community Action, and VISTA.

But I have stated that, in connection with Community Action, for example, a lot of good has probably been done in a lot of communities through this program, but I have said that the program has flaws. Right here in Washington, D.C., this program has been used in the past to foment unrest and trouble, in my judgment.

My criticism has been directed to the maladministration of the program, to the use of it for purposes that I don't think were ever intended by the Congress, and to those particular instances in which it was used to create strife and disorder and unrest.

My criticism has not been directed to the idea of helping the poor. My criticism has been in connection with those instances in which there have been waste, fraud, maladministration, disciplinary problems, and problems involving law and order.

So, I would answer your statement by saying that when the community action programs are administered properly and in accordance with the intent of the Congress and when the help that is intended for the poor gets to the poor, and when the programs are not misused, then I probably will be applauding those programs and I hope that there won't be any catcalls.

Mr. Summerville, I appreciate your presence. I wish you had been here at the very beginning. I don't mean to derogate what you have said except I think you walked into something cold; you didn't know what had been said before; and really I have attempted to accommodate myself today to receiving the message that these people have wanted to give me.

I hope you will forgive me if I have been a little sharp in my responses as I forgive what I think was a misimpression on your part in the beginning.

I want to compliment all of you, certainly, who have remained. There are one or two I could not compliment, but they have gone. But all who are now here, I think, have conducted themselves in a fine way today.

This lady over here set the tone for a good meeting by the way she started out. We had a good exchange of views. Each individual has talked; others have listened. You have been patient. I have tried to be patient. I think we understand each other a little better.

I hope you will feel that Senator Byrd is not that mean man who grows horns as you have been told. I grew up in a poor man's home. I am like Mr. Fulcher. His mother died when he was a baby. My mother died when I was a baby. I grew up in the years when we really had hard times. You say you have worn tennis shoes in the snow. I have worn tennis shoes in the snow. I have seen men with hemp sacks wrapped around their feet in the snow because they didn't have shoes.

I have seen veterans on the street corners selling pencils and apples for a little income. I grew up in the days when there was no public assistance, no food stamp plan, no surplus commodities, no unemployment compensation, no Social Security, no medicare, no minimum wage laws. I grew up in those days when we didn't have the Federal education programs that make it possible for poor children to go to school.

So, I know something about hard times. Mr. Fulcher grew up when I grew up. We saw the great depression. This colored gentleman over here saw the great depression of the 1930's when there was real poverty and everybody tasted it. And we didn't have all of these new Government programs. We didn't have the help that people have today. I have had to go from one end of the community at Stotesbury where my Dad worked in the mines. He worked six days a week. I sometimes did not see him but once a week. He went to work before I got up and he came home 10 or 11 o'clock because he had to clean up his place, to use the coal miner's vernacular. They told him if he didn't clean up his place, somebody else would get his job.

Those were the days when he took a dinner pail with cooked cabbage to work. I can remember the days when I ate lettuce and sugar and home-made butter or oleo three times a day. So, you talk about hard times. I know all about that subject. I know about the hard times.

I gathered scraps, Mr. Pozeka, at Stotesbury. I went from one end of the community to the other end of the community to pick up the scraps. When a new family moved into the community, I would take a coffee bucket or a lard bucket to the lady and I would say, "Lady, I would like you to save the scraps for me. I will be back every day, twice a week or once a week, whenever you say."

I gathered those scraps and carried them in large buckets and fed hogs with them. My Dad bought pigs. I raised his pigs for him. I raised them into hogs. How? By gathering the scraps from one end of the community to the other. You talk about humility and poverty. I know what it is to be poor.

So, I say all of this, not to impress you with the hard times I have seen but to say to you who feel that I don't know about your problems, that indeed I do know about them and that I have learned of them firsthand.

I hope that when you go back home you will not go back feeling that Senator Byrd is this devil that we have heard so much about, who is against the poor people, because he is not against the poor people.

Mrs. SAULTERS. Senator Byrd, we feel very grateful to you for accepting us today. I want you to know that I think I am voicing the sentiments of those who are still present here from West Virginia and also those who have been here but who have now left that we have a different attitude now since you met with us and counseled with us.

But, working in public life as you have, you expect to be intimidated. So, I think you accepted this very nicely.

Senator BYRD. Thank you very much.

Mrs. SAULTERS. So, we are going to forget about some of the other things that probably intimidated you and think about the pleasant things because it has been quite a source of pleasure——

Senator BYRD. It has been.

Mrs. SAULTERS. Being here with you in your presence.

So, now we can go back and say that we have seen our Senator from West Virginia and we talked with him and you have been like a father in a way in counseling us.

So, we hope that you won't have too much to say bad about West Virginians.

Senator BYRD. Mr. Saulters, I never have had anything to say bad about good West Virginians.

Mr. FULCHER. We have endeavored to form a coalition of the Appalachia states, sir. These are a few demands that the people have drawn up that we would like to present you that you might study.

Also, I would assume that Senator Cooper will be presented with one of those today.

There will be other Senators of the Appalachia area being contacted by their local people. We would like for our representatives to begin working together for the Appalachia regions and states as we try to work and form this coalition to forge a better understanding between the Appalachia states and the people.

Senator BYRD. Mr. Fulcher, in closing, I will say that you have raised some good points that should be taken fully into consideration in bringing about the changes in the laws and regulations that apply. I appreciate your courtesy and your patience. I am glad to have had this opportunity to be with you.

(Whereupon, at 1:05 p.m., the meeting adjourned.)

CONCLUSION OF MORNING BUSINESS

Mr. BYRD of West Virginia. Mr. President, is there further morning business?

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

AUTHORIZATION FOR THE VICE PRESIDENT TO SIGN BILLS AND JOINT RESOLUTIONS WHILE AWAY FROM THE CHAMBER

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Vice President be authorized to sign duly enrolled bills and joint resolutions away from the Senate Chamber today.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CLARK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUVENILE DELINQUENCY PREVENTION AND CONTROL ACT OF 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1312, H.R. 12120.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 12120) to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CLARK. Mr. President, the bill which is the pending business is for the purpose of continuing a program, which began in 1961 with legislation then sponsored by Senator HILL of Alabama and myself, to combat juvenile delinquency and control juvenile crime in this country.

I have a brief opening statement in connection with the bill, but at this point I shall be happy to yield, at his request, to the Senator from Connecticut [Mr. DODD] who, I believe has an amendment, which I also believe to be noncontroversial, which he would like to propose.

Mr. DODD. Mr. President, I am very grateful to the senior Senator from Pennsylvania, and I compliment him and the members of his committee on bringing a measure to the floor which is to their great credit. I had the privilege and opportunity of appearing before the Senator's committee. I think they have proposed a great piece of legislation, which ought to be adopted.

Mr. President, I introduced the proposed Juvenile Delinquency Prevention Act on March 10, 1967, and I am more than glad to see that finally it has reached the floor of the Senate.

More than any other anticrime legislation, this bill has a vital significance because it will help control crime at its source, among our youth, where prevention of further criminality is most necessary and easiest to achieve.

Delinquency has been growing rapidly for over a decade.

In 1966, the last year for which we have statistics, we saw a 7-percent increase in juvenile court cases over 1965.

The annual nationwide juvenile court statistic is rapidly approaching the 1 million mark.

The Uniform Crime Reports show that between 1960 and 1966 police arrests of young people increased 59 percent.

And what is most alarming, the greatest increase has been in juvenile arrests for crimes against the person, which are crimes of violence such as murder, robbery, and assault.

Arrests for these most destructive of all crimes have increased 78 percent in the last 6 years.

Experts in delinquency control agree that the mounting juvenile problem comes in large part from the failure of the families throughout the land. They agree that the problem grows from poverty, from lack of opportunity in education and employment.

They agree that the problem keeps growing because the courts, the correctional institutions, and law enforcement have been inadequate to control it.

But, most of all, delinquency, drug addiction, and juvenile violence keep growing because young people have lacked the guidance, the motivation, the encouragement, and the insight to start a constructive course through life, rather than one that leads to crime and disorganization.

However we look at the problem, I have estimated from the information in the files of the Juvenile Delinquency Subcommittee that there are close to 4 million children in the country who are either delinquent or in danger of becoming delinquent.

Many of these young people are trying to grow up under extreme handicaps.

They live in slums in poverty, amidst crime, and often amidst cruelty and discrimination.

Many of these children are infected with crime at age six or seven. And many of them have become defeated and distorted human beings before they have had a chance to comprehend the world around them.

The courts and the training schools come far too late in the game and are too inadequate to undo the harm that has been suffered.

For these reasons, I support the bill before us, which will create new community-based programs to keep children out of the training schools where today they learn more crime and violence.

However, I think these new programs are not enough.

I think they cannot and will not reach all children in need of help.

I think they will not find all children in time to help them.

Therefore, I think we need a broader base from which to launch a comprehensive delinquency prevention effort.

And the only such institution in this Nation that can reach all children in need of preventive help is the primary and secondary school system.

For this reason, I want to propose an amendment to make the public schools an essential part of the programs proposed in this bill.

I suggested the need for this amendment when I testified before Senator CLARK's subcommittee.

And I think this is an overdue proposal and an essential addition to this bill.

I have heard testimony at our drug hearings that in some high schools 75 percent of students have smoked marihuana.

And I have heard testimony as part of a drug study by the National Institute of Mental Health that the basic problem which plagues our youth today is alienation from their parents, from adults, and from the society at large.

The schools must have something to do with this. And if they do not now, they must be given a chance for the future.

The school is a normal extension of the family for the training of children. Yet it has failed badly in molding our young people into constructive, informed, and stable citizens.

We have racial disturbance, riots, and violence in this Nation. One answer to further destruction of our cities is in the classroom.

We have study upon study in the social sciences which show that the school discriminates against the potential delinquent. It discriminates against the child engulfed by poverty and against the child whose racial, ethnic, or cultural background is different from what we call the American middle class. These findings were reaffirmed by the President's National Advisory Commission on Civil Disorders.

Because the schools are run according to these so-called middle-class standards, by middle-class teachers, many children with different backgrounds cannot find a home there.

They cannot learn. They cannot be motivated to learn. They cannot keep up with their studies, and as a result some 30 percent of them drop out. This is tragic in our modern world, where the barest minimum requirement for any occupational and economic stability is a high school diploma.

Delinquency and crime are often the inescapable results of school failure.

But the school's own failure is only part of the story. Another part pertains to the failure of the family which the school should help counteract. Here again we have piled up studies which show that the Negro family, for one, for generations has trained its children to distrust the white world. Because of the injustices suffered by this ethnic group, it has taught its young to evade legitimate interactions with the white society and to be defensive against it.

This type of teaching has bred isolation. And beyond this it has prepared the ground for hatred of the police, for disrespect toward law and order, and for delinquency and riots and the other disturbances which today grip our cities. This is in part because the schools have failed to give young children a realistic understanding of the world they live in.

The schools have doubly failed because they have been blind and deaf both to their own inherent weaknesses in developing all young people, and because they have failed to go beyond the surface in understanding and answering the special needs of many children.

The modern world has become bewildering in its complexity, and no family, rich or poor, black or white, can alone interpret it to the satisfaction of the young.

The school, however, can do this. It can mobilize the scientific knowledge we have about human behavior and teach children how to escape the pitfalls of delinquency, drug addiction, and social disorganization. I believe the school must assume this responsibility.

The original intent of this bill was that delinquency prevention can be best achieved in the "normal environment of growing children and youths."

I agree with this statement. But I think it is the school rather than a halfway house or a diagnostic center that makes up the normal environment of youths. The school is hardly mentioned in this bill in that regard.

I ask that some of the funds authorized under this bill be given to the public school systems. These funds should go to develop teaching techniques and course material that can impart to the children in our schools the insights and understanding regarding the world around them to help them escape the pitfalls of crime, drug addiction and violence.

In concluding I want to express my support for this bill and to congratulate Senator CLARK for guiding it through the Senate.

I hope that this measure will receive speedy acceptance in the House-Senate conference and that it will become law in this session of Congress.

My amendment would simply add a provision to this act to include educational delinquency prevention programs in the public schools—both primary and secondary schools.

Through this amendment, all of our children could be taught in the public schools to avoid the pitfalls of crime, drug addiction, and violence.

This is a preventive measure.

I hope the Senator from Pennsylvania will see fit to accept the amendment. I think it will help our efforts.

The PRESIDING OFFICER. Does the Senator from Connecticut desire to call up his amendment?

Mr. DODD. Yes.

The PRESIDING OFFICER. The amendments offered by the Senator from Connecticut will be stated.

The assistant legislative clerk read the amendments, as follows:

> On page 29, line 18, after the word "services," insert the following: "including educational delinquency prevention programs in the public schools".
>
> On page 29, line 24, after the word "organization," insert the following: "including primary and secondary public school systems".

Mr. CLARK. Mr. President, the Senator from Connecticut is well known as probably the colleague who is better versed in the problems of dealing with juvenile delinquency than any of our other colleagues. He is the able and distinguished chairman of the Subcommittee on Juvenile Delinquency of the Judiciary Committee. His work throughout the years in this regard has been most helpful to those of us who have the legislative responsibility in the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare.

It is well known that juvenile delinquency is very much of a problem in our public and private schools. I think the emphasis which the Senator from Connecticut would like to see placed on the pending bill with respect to dealing with juvenile delinquency through the school systems, as well as other ways, is a helpful addition ot the committee bill; and, unless my friend from California has any particular objections, I shall be glad to accept the amendments.

Mr. President, I accept the amendments.

Mr. DODD. Mr. President, will the Senator yield?

Mr. CLARK. I yield.

Mr. DODD. I want to thank the Senator for his generous reference to me. As I said before, a great deal of credit goes to him for bringing out this bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut.

The amendment was agreed to.

Mr. CLARK. Mr. President, I shall continue with a brief explanation of the pending bill. Then I understand the Senator from California [Mr. MURPHY] has an amendment he would like to propose.

The committee held 7 days of hearings on this measure and took testimony from 22 expert witnesses. We also had the benefit of the report of the President's Commission on Law Enforcement and the Administration of Justice.

We discovered a number of interesting facts.

Four out of five felons had first been convicted of misdemeanors, generally as youths.

Last year, while the arrests of adults declined 1 percent, the arrests of juveniles increased 9 percent.

An average juvenile and adult career of crime costs the governmental system $11,000.

Juvenile delinquency costs this Nation an estimated $4 billion annually, which does not include the cost of the loss of human resources.

The bill, as I indicated, continues in effect the legislation first passed in 1961. Appropriations for the program ran out at the end of fiscal 1967 because the authorization, for various parliamentary reasons, was not renewed, and therefore no new projects have been undertaken for the last more than a year.

The committee bill is a complete revision of the House bill H.R. 12120, which is technically the bill before us. The committee proposal strikes out everything after the enacting clause and then sets forth the bill as developed within the subcommittee and the committee.

The bill calls for an authorization of $25 million for fiscal 1969, $50 million for fiscal 1970, $75 million for fiscal 1971, and $100 million for fiscal 1972—in other words, a 4-year authorization program. This is contrasted with the 5-year program called for by the administration bill, which included the budget figure of $25 million for the first fiscal year, to wit, 1969, and then open-end authorizations for the succeeding 4 years.

The statistics on juvenile delinquency are ominous. Last year, eight of every 10 automobile theft arrests, seven of every 10 arrests for burglary and larceny, and five of every 10 arrests for robbery were of persons under 21. Our 15- and 16-year-olds are arrested more frequently than any other age group. And it is among our young people that the crime rate is growing most rapidly. While the population under 18 years old grew by only 17 percent between 1960 and 1965, the number of arrests in that age bracket went up by 47 percent.

Clearly, something must be done to reverse this alarming trend. By 1970, more than one-half of our population will be under the age of 25. Yet recidivism among young people who have been institutionalized is 48 percent, and large numbers of young people placed on probation commit still further offenses.

The bill which the committee has reported is designed to help overcome these alarming trends. It deals with various factors involved in juvenile delinquency, as set forth in the committee report. It calls for an authorization for spending in the areas of planning, rehabilitative services, preventive services, construction, training, research, and demonstration, technical assistance, and evaluation.

There are limitations on the funding which provide, for example, that no more than 15 percent can be spent on construction, and no more than 15 percent of the total funds available may be spent in any one State. Each State is guaranteed a minimum of $100,000. The Federal share of the cost of the programs is also limited.

I ask unanimous consent that an excerpt from the committee report (No. 1332) which sets forth this information in greater detail be printed in the RECORD at this point.

There being no objection, the excerpt from the report was ordered to be printed in the RECORD, as follows:

As reported by the Committee, H.R. 12120 would authorize the following appropriations:

Fiscal year:	*Amount in millions*
1969	$25
1970	50
1971	75
1972	100

The bill would authorize the following programs and activities:

1. *Planning.*—(a) The development of comprehensive anti-delinquency plans by state and local public agencies. (Sec. 101)

(b) The planning of projects and programs by State and local public agencies and private non-profit organizations. (Sec. 102)

2. *Rehabilitative services.*—Rehabilitative services for the diagnosis, treatment and rehabilitation of delinquent youths (including probationers and parolees) conducted by public agencies such as courts, correctional institutions and law enforcement agencies. (Sections 120–124)

3. *Preventive services.*—Community-based prevention services for youths in danger of becoming delinquent by local public and private non-profit agencies. (Sections 140–144)

4. *Construction.*—Construction of rehabilitation and prevention facilities, but limited to community-based, unusual and special purpose facilities.

5. *Training.*—The training of personnel in juvenile delinquency fields, including the development of special programs to train youths and adults in career occupations in juvenile delinquency (sections 201–202).

6. *Research and demonstration.*—Research and demonstration to develop new techniques and practices in combating juvenile delinquency (sec. 301).

7. *Technical assistance.*—Technical assistance services to State and local public and nonprofit agencies (sections 302–303).

8. *Evaluation.*—Evaluation of all programs and activities under the act. The results of such evaluation are to be included in an annual report to Congress (section 405).

LIMITATIONS ON FUNDING

1. Of the total annual appropriations under the Act not more than 15% may be spent on construction; not more than 10% or $2 million (whichever is less) may be spent on research and demonstration; and not more than 1 percent may be spent on evaluation.

The total of the grants for planning or programs in any State may not exceed 15 percent of the funds available.

Each State is guaranteed $100,000.

2. The Federal share of the cost of the above-described programs and and activities is limited as follows:

Activity:	*Federal share (percent)*
Planning	90
Rehabilitation	60
Prevention	75
Construction for prevention and rehabilitation	50
Training	100
Research, demonstration, technical assistance, and evaluation	100

Mr. CLARK. I also ask unanimous consent that a table prepared by the Department of Health, Education, and Welfare, which administers the program, showing on a State-by-State basis for all fiscal years beginning with 1962 through fiscal 1967 the various projects in the areas of demonstration and training which have been undertaken, be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

DISTRIBUTION OF DEMONSTRATION FUNDS BY STATE, GRANTEE, AND FISCAL YEAR

Grantee (by State)	Fiscal year 1962		Fiscal year 1963		Fiscal year 1964		Fiscal year 1965		Fiscal year 1966		Fiscal year 1967		Total, fiscal years 1962–67	
	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount
Alabama	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Alaska	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arizona	0	0	0	0	0	0	2	116,935	2	82,985	0	0	4	199,920
Salt River Pima-Maricopa Community Council (Scottsdale)	0	0	0	0	0	0	1	53,276	1	31,471	0	0	2	84,747
Southern Arizona Mental Health Center (Tucson)	0	0	0	0	0	0	1	63,659	1	51,514	0	0	2	115,173
Arkansas	0	0	0	0	0	0	0	0	0	0	0	0	0	0
California	1	252,906	1	56,960	2	1,050,000	5	287,310	3	253,009	3	355,388	15	2,255,573
California, University of (Berkeley)	0	0	0	0	0	0	3	186,694	2	189,104	1	60,000	6	435,798
Community Alert Patrol, Inc., (Los Angeles)	0	0	0	0	0	0	0	0	0	0	1	238,429	1	238,429
San Francisco State College	0	0	0	0	0	0	1	15,648	0	0	0	0	1	15,638
Southern California, University of (Los Angeles)	0	0	0	0	0	0	0	0	1	63,905	1	56,959	2	120,864
United Community Fund of San Francisco	0	0	1	56,960	0	0	1	84,968	0	0	0	0	2	141,928
Youth Opportunities Board (Los Angeles)	1	256,906	0	0	2	1,050,000	0	0	0	0	0	0	3	1,302,906
Colorado	0	0	0	0	0	0	3	185,371	1	84,031	3	233,505	7	502,907
Colorado Department of Employment (Denver)	0	0	0	0	0	0	1	90,245	0	0	1	78,100	2	168,345
Denver Juvenile Court	0	0	0	0	0	0	1	57,451	0	0	1	44,923	2	102,374
Englewood School District No. 1	0	0	0	0	0	0	1	37,675	0	0	0	0	1	37,675
Juvenile Court, Boulder County	0	0	0	0	0	0	0	0	1	84,031	1	110,482	2	194,513

DISTRIBUTION OF DEMONSTRATION FUNDS BY STATE, GRANTEE, AND FISCAL YEAR—Continued

Grantee (by State)	Fiscal year 1962		Fiscal year 1963		Fiscal year 1964		Fiscal year 1965		Fiscal year 1966		Fiscal year 1967		Total, fiscal years 1962–67	
	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount
Connecticut	1	155,825	1	800,000	0	0	1	700,000	0	0	2	85,787	5	1,741,612
Community Progress Inc. (New Haven)	1	155,825	1	800,000	0	0	1	700,000	0	0	0	0	3	1,655,825
Enfield, Town of (Thompsonville)	0	0	0	0	0	0	0	0	0	0	2	85,787	2	85,787
Delaware	0	0	0	0	0	0	0	0	0	0	0	0	0	0
District of Columbia	0	0	1	285,204	2	139,041	1	1,500,000	5	1,750,000	1	1,750,000	10	5,424,245
United Planning Organization	0	0	1	285,204	2	139,041	1	1,500,000	5	1,750,000	1	1,750,000	10	5,424,245
Florida	0	0	0	0	0	0	1	69,487	0	0	1	80,500	2	149,987
YWCA of Miami	0	0	0	0	0	0	1	69,487	0	0	1	80,500	2	149,987
Georgia	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Idaho	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illinois	1	292,000	0	0	1	45,000	1	250,000	0	0	0	0	3	587,000
Joint Youth Development Committee (Chicago)	1	292,000	0	0	1	45,000	1	250,000	0	0	0	0	3	587,000
Indiana	0	0	0	0	0	0	0	0	1	166,227	1	37,500	2	203,727
Notre Dame, University of	0	0	0	0	0	0	0	0	1	166,227	1	37,500	2	203,727
Iowa	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kansas	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kentucky	0	0	0	0	0	0	1	99,551	1	93,135	0	0	2	192,686
Kentucky Child Welfare Research Foundation, Inc. (Frankfort)	0	0	0	0	0	0	1	99,551	1	93,135	0	0	2	192,686
Louisiana	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Maine	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Maryland	0	0	0	0	0	0	2	133,560	2	147,881	2	188,096	6	469,537
Friends of Psychiatric Research, Inc. (Baltimore)	0	0	0	0	0	0	1	101,904	0	0	1	60,889	2	162,793
Institute for Behavioral Research (Silver Spring)	0	0	0	0	0	0	1	31,656	2	147,881	1	127,207	4	306,744
Massachusetts	0	0	1	159,400	1	704,071	1	700,000	1	47,458	0	0	4	1,610,929
Action for Boston Community Development, Inc	0	0	1	159,400	1	704,071	1	700,000	0	0	0	0	3	1,563,471
Outward Bound, Inc. (Andover)	0	0	0	0	0	0	0	0	1	47,458	0	0	1	47,458
Michigan	1	202,200	0	0	0	0	1	148,920	0	0	1	127,515	3	478,635
Active Community Teams, Inc. (Detroit)		0	0	0	0	0	1	148,920	0	0	0	0	1	148,925
Detroit Committee on Children and Youth	1	202,200	0	0	0	0	0	0	0	0	0	0	1	202,200
Marquette County Probate Court (Marquette)	0	0	0	0	0	0	0	0	0	0	1	127,515	1	127,510
Minnesota	1	149,845	0	0	0	0	1	250,000	0	0	0	0	2	399,845
Community Health and Welfare Council (Minneapolis)	1	149,845	0	0	0	0	1	250,000	0	0	0	0	2	399,845
Mississippi	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Missouri	0	0	1	134,012	2	278,768	1	109,209	0	0	0	0	4	521,989
St. Louis Human Development Corporation	0	0	1	134,012	2	278,768	1	109,209	0	0	0	0	4	521,989
Montana	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nebraska	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nevada	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New Hampshire	0	0	0	0	0	0	1	41,870	0	0	0	0	1	41,870
Hampton Beach Chamber of Commerce, Inc	0	0	0	0	0	0	1	41,870	0	0	0	0	1	41,870
New Jersey	0	0	0	0	0	0	2	215,022	1	120,365	0	0	3	335,387
Rutgers, The State University (New Brunswick)	0	0	0	0	0	0	1	89,732	0	0	0	0	1	89,732
United Community Fund and Council of Essex and West Hudson Counties (Newark)	0	0	0	0	0	0	1	125,290	1	120,365	0	0	2	245,655
New Mexico	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New York	2	2,145,000	1	141,284	3	748,114	4	1,735,308	5	680,253	7	779,610	22	6,229,569
Crusade for Opportunity in Syracuse and Onondaga Counties (Syracuse)	0	0	1	141,284	2	694,114	0	0	0	0	0	0	3	835,398
Fordham University (Bronx)	0	0	0	0	0	0	0	0	1	130,477	1	121,503	2	251,980
Haryou-Act (New York City)	1	230,000	0	0	0	0	1	1,000,000	0	0	0	0	2	1,230,000
Lower Eastside Action Project (New York City)	0	0	0	0	0	0	0	0	1	80,019	1	30,000	2	110,019
Mobilization for Youth, Inc (New York City)	1	1,915,000	0	0	1	54,000	1	600,000	0	0	1	105,775	4	2,674,775
New School for Social Research, Inc (New York City)	0	0	0	0	0	0	0	0	1	188,543	0	0	1	188,543
Puerto Rican Community Development Project, Inc. (New York City)	0	0	0	0	0	0	0	0	0	0	1	160,000	1	160,000
St. Mark's Church-In-The-Bowery (New York City)	0	0	0	0	0	0	0	0	0	0	1	180,757	1	180,757
South Brooklyn Improvement Council	0	0	0	0	0	0	1	52,000	1	120,000	1	15,083	3	187,083
United Community Centers, Inc. (Brooklyn)	0	0	0	0	0	0	0	0	1	161,214	1	166,492	2	327,706
Vera Foundation, Inc. (New York City)	0	0	0	0	0	0	1	83,308	0	0	0	0	1	83,308
North Carolina	0	0	0	0	0	0	0	0	0	0	0	0	0	0
North Dakota	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio	1	124,228	1	1,000,000	0	0	2	749,109	1	126,619	1	113,355	6	2,113,311
Community Action for Youth, Inc. (Cleveland)	1	124,228	1	1,000,000	0	0	1	700,000	0	0	0	0	3	1,824,228
Community Chest and Council of the, Cincinnati Area	0	0	0	0	0	0	1	49,109	0	0	0	0	1	49,109
East Central Citizens Organization (Columbus)	0	0	0	0	0	0	0	0	1	126,619	1	113,355	2	239,974
Oklahoma	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Oregon	0	0	1	129,579	2	370,067	2	395,349	1	36,588	0	0	6	931,583
Lane County Youth Study Board (Eugene)	0	0	1	129,579	2	370,067	1	328,309	0	0	0	0	4	827,955
MacLaren School for Boys (Woodburn)	0	0	0	0	0	0	1	67,040	1	36,588	0	0	2	103,628
Pennsylvania	1	165,000	0	0	0	0	1	50,799	1	156,302	1	160,832	4	532,933
Friends Neighborhood Guild, Inc. (Philadelphia)	0	0	0	0	0	0	1	50,799	0	0	0	0	1	50,799
North City, Congress, Inc. (Philadelphia)	0	0	0	0	0	0	0	0	1	156,302	1	160,832	2	317,134
Philadelphia Council for Community Advancement	1	165,000	0	0	0	0	0	0	0	0	0	0	1	165,000
Rhode Island	0	0	1	137,024	1	72,663	1	285,000	0	0	1	95,167	4	589,854
Department of Social Welfare (Providence)	0	0	0	0	0	0	0	0	0	0	1	95,167	1	95,167
Progress for Providence, Inc	0	0	1	137,024	1	72,663	1	285,000	0	0	0	0	3	494,687
South Carolina	0	0	0	0	0	0	1	100,090	0	0	0	0	1	100,090
Sisters of Charity of Our Lady of Mercy (Charleston)	0	0	0	0	0	0	1	100,090	0	0	0	0	1	100,090
South Dakota	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Texas	1	260,582	0	0	1	200,000	1	51,618	0	0	2	343,521	5	855,721
El Paso Boys Clubs, Inc	0	0	0	0	0	0	1	51,618	0	0	2	343,521	3	395,136
Houston Action for Youth	1	260,582	0	0	1	200,000	0	0	0	0	0	0	2	460,582

DISTRIBUTION OF DEMONSTRATION FUNDS BY STATE, GRANTEE, AND FISCAL YEAR—Continued

Grantee (by State)	Fiscal year 1962		Fiscal year 1963		Fiscal year 1964		Fiscal year 1965		Fiscal year 1966		Fiscal year 1967		Total, fiscal years 1962-67	
	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount
Utah	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vermont	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Washington	0	0	0	0	0	0	0	0	0	0	0	0	0	0
West Virginia	0	0	1	131,091	2	392,108	1	325,000	0	0	0	0	4	848,199
Action for Appalachian Youth, Inc. (Charleston)	0	0	1	131,091	2	392,108	1	325,000	0	0	0	0	4	848,199
Wisconsin	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Wyoming	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Puerto Rico	0	0	0	0	0	0	0	0	1	92,711	1	39,945	2	132,656
Puerto Rico, University of (San Juan)	0	0	0	0	0	0	0	0	1	92,711	1	39,945	2	132,656
Total, United States	10	3,747,586	10	2,974,554	17	3,999,832	37	8,499,508	26	3,837,564	27	4,390,721	127	27,449,765

DISTRIBUTION OF TRAINING FUNDS BY STATE, GRANTEE AND FISCAL YEAR

Alabama	0	0	0	0	0	0	0	0	0	0	0	0	0	C
Alaska	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arizona	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arkansas	0	0	0	0	0	0	0	0	0	0	0	2	0	0
California	3	339,991	6	288,282	6	373,760	4	163,774	2	135,105	2	290,521	23	1,591,424
California Center for Community Development (Del Rey)	0	0	0	0	0	0	0	0	0	0	1	151,058	1	151,058
California State College (Los Angeles)	0	0	0	0	1	78,181	1	59,674	0	0	0	0	2	137,855
California, University of (Berkeley)	2	214,991	3	101.097	2	66,142	0	0	0	0	0	0	7	382,230
Institute for the Study of Crime and Delinquency (Sacramento)	0	0	1	130,583	0	0	2	58,349	0	0	0	0	3	188,932
San Francisco State College	0	0	0	0	0	0	0	0	1	107,094	1	139,454	2	246,548
Southern California, University of (Los Angeles)	1	125,000	2	56,602	2	151,144	1	45,751	1	28,011	0	0	7	406,508
Youth Opportunities Board (Los Angeles)	0	0	0	0	1	78,293	0	0	0	0	0	0	1	78,293
Colorado	0	0	1	35,191	0	0	2	40,373	0	0	0	0	3	75,564
Denver, University of	0	0	1	35,191	0	0	1	30,042	0	0	0	0	2	65,233
Western Interstate Commission for Higher Education (Boulder)	0	0	0	0	0	0	1	10,331	0	0	0	0	1	10,331
Connecticut	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Delaware	0	0	0	0	0	0	0	0	0	0	0	0	0	0
District of Columbia	2	150,767	5	314,656	4	203,187	3	182,900	2	294,633	5	411,145	21	1,657,288
Board of Commissioners	1	100,767	0	0	0	0	0	0	0	0	0	0	1	100,767
Compeers, Inc	0	0	0	0	0	0	0	0	0	0	1	75,000	1	75,000
Federal Bureau of Prisons	0	0	0	0	1	59,320	0	0	0	0	0	0	1	59,320
Greater Washington Educational Television Association, Inc	0	0	0	0	0	0	0	0	0	0	1	12,042	1	12,042
Howard University	0	0	1	108,108	2	64,630	2	202,886	1	147,056	0	0	6	522,580
International Association of Chiefs of Police	1	50,000	2	62,848	1	79,337	1	80,014	1	147,577	1	102,287	7	522,063
National Committee for Children and Youth	0	0	1	25,000	0	0	0	0	0	0	0	0	1	25,000
National Council of Negro Women, Inc	0	0	0	0	0	0	0	0	0	0	2	221,816	2	221,816
United Planning Organization	0	0	1	118,700	0	0	0	0	0	0	0	0	1	118,700
Florida	0	0	0	0	1	32,842	0	0	1	19,011	0	0	2	51,853
Dade County Sheriff's Office (Miami)	0	0	0	0		32,842	0	0	1	19,011	0	0	2	51,853
Georgia	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hawaii	0	0	0	0	1	50,216	1	22,190	1	113,414	2	85,953	5	271,773
Hawaii, University of (Honolulu)	0	0	0	0	1	50,216	1	22,190	1	113,414	2	85,953	5	271,773
Idaho	0	0	0	0	0	0	0	0	0	0	1	4,933	1	4,933
Idaho Department of Health (Boise)	0	0	0	0	0	0	0	0	0	0	1	4,933	1	4,933
Illinois	2	272,181	3	97,494	2	71,009	3	163,218	3	158,395	2	110,077	15	872,374
Chicago, University of	1	90,000	1	70,183	1	63,716	0	0	1	20,777	0	0	4	244,676
Joint Youth Development Committee (Chicago)	0	0	0	0	0	0	1	46,362	0	0	0	0	1	46,362
National Council of Juvenile Court Judges (Chicago)	0	0	0	0	0	0	1	18,898	0	0	0	0	1	18,898
Southern Illinois University (Edwardsville)	1	182,181	2	27,311	1	7,293	1	97,958	2	137,618	2	110,077	9	562,438
Indiana	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Iowa	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Kansas	0	0	0	0	1	21,743	0	0	0	0	0	0	1	21,743
Kansas Boys Industrial School (Topeka)	0	0	0	0	1	21,743	0	0	0	0	0	0	1	21,743
Kentucky	0	0	0	0	0	0	0	0	1	58,727	0	0	1	58,727
Kentucky Child Welfare Reserch Foundation, Inc. (Frankfort)	0	0	0	0	0	0	0	0	1	58,727	0	0	1	58,727
Louisiana	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Maine	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Maryland	0	0	0	0	0	0	0	0	1	73,894	0	0	1	73,894
Institute for Behavioral Research, Inc. (Silver Spring)	0	0	0	0	0	0	0	0	1	73,894	0	0	1	73,894
Massachusetts	1	68,892	2	77,621	2	154,393	2	164,088	3	133,930	4	269,235	14	868,159
Boston College (Chestnut Hill)	0	0	0	0	0	0	0	0	1	40,378	1	52,274	2	92,652
Boston University	0	0	1	51,953	1	147,913	2	164,088	1	15,496	2	173,030	7	552,480
Harvard University (Cambridge)	1	68,892	1	25,668	0	0	0	0	0	0	0	0	2	94,560
Massachusetts, University of (Amherst)	0	0	0	0	0	0	0	0	1	78,056	1	43,931	2	121,987
Tufts University (Medford)	0	0	0	0	1	6,480	0	0	0	0	0	0	1	6,480
Michigan	2	352,215	2	114,107	3	124,620	0	0	0	0	1	154,193	8	745,135
Michigan University of (Ann Arbor)	1	200,014	2	114,107	2	73,575	0	0	0	0	0	0	5	387,696
Wayne County Intermediate School District (Detroit)	0	0	0	0	0	0	0	0	0	0	1	154,193	1	154,193
Wayne State University (Detroit)	1	152,201	0	0	1	51,045	0	0	0	0	0	0	2	203,246
Minnesota	0	0	1	50,456	1	50,436	1	65,385	0	0	1	166,183	4	332,460
Minnesota, University of (Minneapolis)	0	0	1	50,456	1	50,436	1	65,385	0	0	1	166,183	4	332,460
Mississippi	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Missouri	1	84,975	1	49,874	0	0	1	43,224	2	132,555	1	103,188	6	413,816
St. Louis University	1	84,975	1	49,874	0	0	1	43,224	2	132,555	1	103,888	6	413,816
Montana	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nebraska	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nevada	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New Hampshire	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New Jersey	0	0	1	48,627	0	0	0	0	0	0	0	0	1	48,627
Rutgers, The State University (New Brunswick)	0	0	1	48,627	0	0	0	0	0	0	0	0	1	48,627
New Mexico	0	0	0	0	0	0	0	0	0	0	0	5	0	0

DISTRIBUTION OF TRAINING FUNDS BY STATE, GRANTEE AND FISCAL YEAR—Continued

Grantee (by State)	Fiscal year 1962		Fiscal year 1963		Fiscal year 1964		Fiscal year 1965		Fiscal year 1966		Fiscal year 1967		Total, fiscal years 1962–67	
	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount	Number of grants	Dollar amount
New York	9	341,102	10	665,012	11	643,431	13	829,283	7	507,862	11	1,049,523	61	4,036,213
Associated Community Teams, Inc. (New York City)	0	0	1	250,000	1	124,601	0	0	0	0	0	0	2	374,601
Bank Street College of Education (New York City)	0	0	1	32,446	1	51,027	0	0	0	0	0	0	2	83,473
Berkshire Farm Institute for Training and Research (Canaan)	0	0	0	0	0	0	0	0	0	0	1	60,000	1	60,000
Camp Fire Girls (New York City)	0	0	0	0	0	0	1	25,657	0	0	.0	0	1	25,657
Citizens Committee for Children of New York, Inc. (New York City)	1	15,125	0	0	0	0	0	0	0	0	0	0	1	15,120
Civic Center Clinic Inc. (New York City)	1	800	0	0	0	0	0	0	0	0	0	0	1	800
Columbia University (New York City)	0	0	1	45,765	0	0	1	40,770	0	0	2	175,500	4	262,035
Council on Social Work Education (New York City)	0	0	2	110,846	1	6,715	2	134,480	1	127,251	2	348,597	8	727,889
Fordham University (Bronx)	0	0	0	0	0	0	1	62,051	0	0	0	0	1	62,051
Hawthorne Cedar Knolls School	1	12,074	0	0	0	0	0	0	0	0	0	0	1	12,074
Hunter College (New York City)	2	176,140	0	0	1	86,602	1	128,746	1	85,726	0	0	5	477,214
Kings County Court (Brooklyn)	1	12,135	0	0	0	0	0	0	0	0	0	0	1	12,135
Mobilization for Youth (New York City)	0	0	0	0	0	0	0	0	0	0	2	201,522	2	201,522
National Association of Social Workers (New York City)	0	0	0	0	0	0	1	36,229	1	26,244	0	0	2	62,473
National Council on Crime and Delinquency (New York City)	1	80,373	1	79,505	1	76,296	2	153,157	2	138,691	3	125,888	10	653,910
National Federation of Settlements and Neighborhood Centers (New York City)	1	36,990	1	55,422	1	50,250	0	0	0	0	0	0	3	142,662
New York Medical College	0	0	0	0	1	29,808	1	28,755	0	0	0	0	2	58,563
New York University	1	7,465	1	11,691	2	82,732	2	171,308	2	129,950	1	138,016	9	541,162
United Community Centers, Inc. (Brooklyn)	0	0	0	0	0	0	1	48,130	0	0	0	0	1	48,130
Vera Foundation, Inc. (New York City)	0	0	1	24,457	1	89,682	0	0	0	0	0	0	2	114,139
Youth Research, Inc. (Albany)	0	0	1	54,880	.	45,718	0	0	0	0	0	0	2	100,598
North Carolina	1	153,744	0	0	0	0	0	0	0	0	2	90,697	3	244,441
North Carolina, Univ. of (Chapel Hill)	1	153,744	0	0	0	0	0	0	0	0	2	90,967	3	244,441
North Dakota	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ohio	1	151,500	2	56,008	2	19,786	1	5,230	0	0	0	0	6	232,524
Community Action for Youth, Inc. (Cleveland)	0	0	0	0	0	0	1	5,230	0	0	0	0	1	5,230
The Community Chest and Council of the Cincinnati Area, Inc	0	0	1	26,740	0	0	0	0	0	0	0	0	1	26,740
Ohio Legal Center (Columbus)	0	0	1	29,268	1	12,965	0	0	0	0	0	0	2	42,233
Western Reserve Univ. (Cleveland)	1	151,500	0	0	1	6,821	0	0	0	0	0	0	2	158,321
Oklahoma	0	0	0	0	0	0	0	0	1	77,527	1	92,920	2	170,447
Southeastern State College (Durant)	0	0	0	0	0	0	0	0	1	77,527	1	92,920	2	170,447
Oregon	0	0	0	0	1	31,548	0	0	1	59,602	0	0	2	91,150
Lane County Youth Study Board (Eugene)	0	0	0	0	1	31,548	0	0	1	59,602	0	0	2	91,150
Pennsylvania	0	0	1	39,268	1	39,268	1	39,268	1	128,670	1	150,605	5	397,079
Philadelphia Psychiatric Clinic	0	0	1	39,268	1	39,268	1	39,268	0	0	0	0	3	117,804
North City Congress, Inc. (Philadelphia)	0	0	0	0	0	0	0	0	1	128,670	1	150,605	2	279,275
Rhode Island	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Carolina	0	0	0	0	0	0	0	0	0	0	0	0	0	0
South Dakota	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tennessee	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Texas	0	0	1	49,975	1	54,826	2	99,989	1	4,810	0	0	5	209,600
Texas, University of (Austin)	0	0	1	49,975	1	54,826	2	99,989	1	4,810	0	0	5	209,600
Utah	1	150,000	1	29,845	3	69,824	0	0	0	0	0	0	5	249,669
Brigham Young University (Provo)	0	0	1	29,845	1	28,041	0	0	0	0	0	0	2	57,886
Utah, University of (Salt Lake City)	1	150,000	0	0	2	41,783	0	0	0	0	0	0	3	191,783
Vermont	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Virginia	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Washington	3	158,527	0	0	0	0	0	0	0	0	0	0	3	158,527
Department of Institutions (Olympia)	1	5,616	0	0	0	0	0	0	0	0	0	0	1	5,616
Washington State University (Pullman)	1	40,423	0	0	0	0	0	0	0	0	0	0	1	40,423
Washington, University of (Seattle)	1	111,488	0	0	0	0	0	0	0	0	0	0	1	112,488
West Virginia	0	0	0	0	1	60,000	0	0	0	0	0	0	1	60,000
Action for Appalachian Youth, Inc. (Charleston)	0	0	0	0	1	60,000	0	0	0	0	0	0	1	60,000
Wisconsin	0	0	1	38,593	1	30,659	1	43,373	1	99,336	0	0	4	211,961
Wisconsin, University of (Madison)	0	0	1	38,593	1	30,659	1	43,373	1	99,336	0	0	4	211,961
Wyoming	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Puerto Rico	0	0	0	0	0	0	0	0	0	0	1	20,006	1	20,006
Puerto Rico, University of (Rio Piedras)	0	0	0	0	0	0	0	0	0	0	1	20,006	1	20,006
Total, United States	26	2,223,894	38	1,955,009	41	2,000,000	36	1,993,843	28	1,997,471	35	2,999,170	204	13,169,387

Mr. CLARK. Mr. President, I yield the floor.

Mr. JAVITS. Mr. President, this is an important bill and it should not, because it comes up for consideration immediately after a holiday, be glossed over.

We have great problems in our cities which lead to riots and violence, and may involve young people—mainly young people who are disappointed in the operation of the social order because they do not have jobs or are underemployed; and this is especially true this summer—and notwithstanding the fact that it has been my sad duty to say this many times, I say again, Congress has made a ghastly mistake in failing to fund an adequate program of summer jobs for youth.

We have allowed money for, roughly speaking, a little more than 300,000 jobs. We needed to provide for twice that number. The least we could have done would have been to duplicate last year's program. We chose not to do it. Notwithstanding the strong position of the Senate, we finally allowed ourselves to be, as it were, overweaned by the other body. I am deeply concerned about the price we may have to pay, though I pray we will not have to pay it.

But that does not change the ghastly statistics on juvenile crime and juvenile delinquency, which somehow get mixed up in the riots and violence in the cities; though they predate it, they are now regarded as part of it. In short, however, we have two problems which, in terms of the conflagration they have caused during the last couple of years, have been merged into one: The problem of youthful delinquency and crime not committed directly in connection with riots and violence, and emanating from the general breakdown in various aspects of our society, and the problem of the young people who are rioting and being violent in order to demonstrate their anger or frustration with the system. These are two very different things, both extremely harmful to society, and they tend to get mixed up, in that youthful criminals also participate in riots and violence; but it is important to make the distinction, because this particular bill relates to the former, the long-standing but nonetheless burgeoning, as the Senator from Pennsylvania has already pointed out by stating figures, problems of youth crime and juvenile delinquency. This bill concentrates upon delinquent youth, or youth in danger of becoming delinquent, who have not been served effectively by social, educational, or judicial agencies.

The programs so far, since 1961, have been characterized by a considerable number of innovations and by a considerable amount of police cooperation. Nonetheless, the statistics continue to burgeon because of the breakdown, of which we all know, in family relationships in general, the revolt against slum and ghetto living conditions which is manifested in youth, and the general tendency toward violence attributable to the war in Vietnam and many other social causes in this country.

So this is, as it were, the ongoing juvenile delinquency program, not to be confused, though, as I say, it often eventuates into being a part of it, with the difficulty which is caused by the youthful demonstration against the failures of social and economic systems.

That said, Mr. President, I do not think there is much argument about the urgent necessity for this program or for Federal leadership, or about the fact that a great deal has been done which is extremely worthwhile, certainly considering what we have allowed in the way of funds.

But I think the main issue will be how these resources are to be administered, with my colleague from California [Mr. Murphy], for whom I have the greatest respect, feeling that the administration should be on the basis that we adopted in the Omnibus Crime Control and Safe Streets Act. I, on the other hand have the strong feelings, which are shared by the manager of the bill and also by my senior colleague on the committee, the Senator from Vermont [Mr. Prouty], who will of course speak for himself, though I believe that is his view, in favor of a more modified approach, giving an important role to the States. In view of what is involved here, in terms of ongoing programs, there is an urgent necessity for innovation. Moreover, there is relatively little money to be made available. Nor are we dealing with a time-honored State prerogative, such as we encounter when dealing with the police.

For purposes of this presentation, I wish only to underline what I consider to be the extremely important aspect of the bill: the reason why it is urgently required.

I invite the attention of Senators to the figures in the committee report, which estimate that juvenile crime costs the Nation $4 billion a year. That figure is to be laid side by side with the fantastic number of arrests, especially in the field of automobile thefts, burglary, and larceny, which bedevil all of us, in which the youth group, especially the 15- and 16-year-olds, are the main culprits. They are not amenable to the traditional processes of protection and punishment, because they may be, and often are, saved to be valuable members of society—even more valuable because of the dreadful trials through which they may have passed as teenaged youths. Incidentally, Mr. President, this is much a part of my own living experience. I actually spent my own years from childhood through the teenage period under the very circumstances in which we find so many of these teenaged criminals; so I think I know a little about it, as a basis on which to endorse and support the bill. I defer further remarks until Senator Murphy has had an opportunity to present his amendment.

Several Senators addressed the Chair.

Mr. JAVITS. I yield to the Senator from California.

Mr. MURPHY. Mr. President, I do not think the Senator meant his remarks to sound, as it did, as though he spent his early years as a delinquent.

I have known the Senator for many years, and I am sure that there has been no delinquency in his family and that there has been nothing but a great, courageous struggle against all the problems that beset most of us who start out with very little in life.

His accomplishments have been so bright, shining, and great that he is probably the best thought-of politician in his State, and I suppose that we could add several other States.

Mr. JAVITS. Mr. President, I am very grateful to the Senator.

I have no fear that anybody will assume that I was a juvenile delinquent. It would have been found out long ere this.

What I wished to point out in this case, and each of us has a contribution to make, is that I often listen with the greatest of respect to my colleague, the distinguished Senator from California when he relates his life and experience to the legislation which we enact here.

I always think with loving kindness of our farm boys, as I call them, who have had this great experience in rural America which I did not share. However, I did have the experience of living in communities with the kind of people who are the subject of the pending measure.

I wish only to emphasize a certain right to speak, as it were, with a little more than the result of the study and the introspection and information which all of us gather.

I thank my colleague, the Senator from California, for his remarks.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CLARK. Mr. President, I compliment the Senator from New York for the able statement he has just made in support of the pending bill.

The Senator from New York and the Senator from Vermont [Mr. Prouty] have been most useful members of the subcommittee which really rewrote the pending bill and brought to the floor the pending amendment. We felt it was important to make a number of changes in the bill as submitted by the administration. We are not too happy with the House bill which we felt went too far with regard to block grants to States without any adequate Federal standards.

Without the assistance of the distinguished Senators from New York and Vermont, it would have been difficult to bring to the floor an effective piece of legislation which I think, with excellent bipartisan cooperation, we have succeeded in doing.

Mr. JAVITS. Mr. President, I thank my colleague, the distinguished Senator from Pennsylvania.

Mr. President, I yield the floor.

Mr. PROUTY. Mr. President, I express my appreciation to my distinguished colleague, the senior Senator from Pennsylvania, for his very kind reference to the Senator from New York and me.

We have tried to cooperate and to work this legislation out on a strictly bipartisan basis. I think we have put together a measure which we can support, a measure which will do the job we are trying to achieve.

Mr. President, we have all been concerned about the increase in the incidence of crime in the United States. Consequently, we are all, I am sure, determined to give highest priority to consideration of programs which will aid in combating and preventing crime.

Unfortunately, Mr. President, we do not as yet have enough knowledge about the causes of crime to enable us to totally eradicate it. For this reason, we have continued to authorize funds in order to test experimental programs on a small scale. It will then be our task to determine which of these have been effective and should be implemented on a large scale. This can be difficult.

For example, we suspect that the major causes of crime are environmental. The climate of poverty, in particular, is favorable for the breeding of crime. We have enacted a multitude of programs to help remove the conditions of poverty—so many, in fact, that it is virtually impossible to ascertain which ones have been successful. In order to make this information available to us, I sponsored an amendment to the Economic Opportunity Act of 1967 authorizing the General Accounting Office to evaluate many of the poverty programs now in existence.

In the area of juvenile crime, Mr. President, we are more fortunate, because we have sufficient information about the extent of the problem, the nature of the problem and the means to take in order to combat and prevent the problem.

The President's Commission on Crime in 1960 recognized the need for immediate action to combat crime committed by juveniles through eradication of the causes of crime. The Commission strongly recommended the enactment of programs designed to give local communities and agencies the means to work with youth, to rehabilitate first offenders and to encourage the others to "go straight."

Congress responded to the need by enacting legislation in 1961 and renewing it in 1963 and 1965. Forty-seven million dollars has been expended since 1961 in the development of innovative techniques and programs designed to deal with the causes of juvenile crime at the local level. Sixteen highly successful small scale programs are currently being funded in several of our major cities, including Washington, D.C. The time has now come to make available both information and funds to all of our States and cities in order that they might combat juvenile delinquency on a large scale.

The need, if anything, Mr. President,

is greater than before. All crime, but particularly that committed by youthful offenders, is on the increase. In fact, the Attorney General of the United States noted the other day that over 50 percent of all unorganized crime in this country is committed by those aged under 16.

Mr. President, I should like to point out in the RECORD at this point some very alarming statistics with reference to juvenile delinquency in this country.

One out of every nine children will be referred to juvenile court for an act of delinquency before their 18th birthday.

Youths under 18 account for one-half of all serious crimes.

One-third of all narcotics offenders' arrests involve youth under 21.

A majority of arrests for all major crimes against property were of people under 21.

By 1970 more than one-half of the population will be under 25.

Detention and imprisonment are not the answer for recidivism among juvenile offenders is high. Forty-eight percent of youths institutionalized go on to commit additional crimes.

The costs of institutionalization run high—$3,070 for a year in a public training school.

We recognize the need, Mr. President. We have sufficient knowledge about the types of programs which are successful.

We have the means, Mr. President. It remains for us to act with alacrity to pass the Juvenile Delinquency Prevention and Control Act.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. PROUTY. I yield.

Mr. JAVITS. Mr. President, I welcome the Senator's statement very much. The Senator has been a very strong colleague in getting done what has been done in the pending bill. I am especially moved to speak by his statement that rehabilitation rather than punishment is the key to preventing recidivism, or the repetition of offenses by those juveniles who ultimately become hardened criminals.

I might comment to my colleague that when I was the attorney general of the State of New York, it was my direct finding with respect to the administration of the penal law in the State of New York that the rate of recidivism had a direct relationship to the rehabilitative circumstances and the rehabilitative techniques.

Thousands of disadvantaged youths could be saved if we were but to give them a chance. A sentence to the reformatory is not a chance.

I realize that the pending bill and the whole effort being made here is so far very small. However, I am sure that my colleague had in mind when he made his statement the need for using the proper techniques and rehabilitation and encouragement from the many organizations and States and cities and localities that will spend money in this effort.

I share the feeling of my distinguished colleague concerning the rightness of the finding that the rehabilitative circumstances bear a direct relationship to the extent of recidivism and, therefore, to the incidence of juvenile delinquency.

Mr. PROUTY. Mr. President, I thank my distinguished colleague for his contribution and remarks.

Certainly, it seems to me that we can very well follow the old adage that an ounce of prevention is worth a pound of cure.

If we can take care of the situations before they get out of hand, then we will save a good many young people in this country and enable them to become useful and productive citizens.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). The Senator from California is recognized.

Mr. MURPHY. Mr. President, I rise at this point to say that I also am a member of the subcommittee and feel that I have made some contribution to this effort.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MURPHY. I should like to complete my remarks first.

I should like to point out that in my background and experience, I have lived in some of the areas in New York City, including Hell's Kitchen, some 42 years ago. I have lived in areas in Philadelphia—in West Philadelphia—in the State which the distinguished chairman represents. I have also had some experience in rural America. So that my background, I believe, is as valid as that of any other member of the committee with regard to these matters.

As a matter of fact, I can relate how close I came—this may apply to some other Members of this body, also—to becoming a juvenile delinquent.

There was a priest in a school who had been at Sing Sing Prison for many years. I was approximately 15 years of age at the time he said to me one day:

> Murphy, it's about time you made up your mind which way you're going to go.
>
> With good luck and God's help, you may turn out to be an influence for good. Right now you're at the crossroads, and you better decide whether you want to be an influence for good or whether you want to get into further mischief.

I had great respect for this priest, and I thought a good deal about what he said. In the years since then, in my varied experience, I found that this had been the situation with innumerable successful people, many of them leaders in our communities.

That is why this bill is so important. That is why I know, from a practical standpoint, that this is one of the most important bills that will face the Senate this year or any other year, because it has to do with the future direction of this great Nation, based on the youth as they grow up. Very often, it is that one fine nudge at the right time that makes the entire difference.

I yield to the distinguished Senator from New York.

Mr. JAVITS. I wish to say, in fairness to the Senator from California, that he was tremendously helpful with respect to this bill, and that we should not miss the forest for the trees.

We do have a difference, which will come out, in respect to his amendment, in connection with administration and the role of the State. But I do not consider that as at all the major preponderant aspect of the bill. On the bill, in all its details, including the authorizations, I pay my tribute to the Senator from California for an indispensable contribution. I wanted that to be very clear, no matter how acute our differences might sound in a few minutes on a detail of administration.

Mr. MURPHY. I thank the distinguished Senator from New York.

It is true that there has not been the slightest question on my part as to the necessity of this bill; nor do I find fault generally with the setup. The purposes, of course, are proper, but I may find fault with the funding.

My point today, originally, was to explore the necessity. That has been done most capably by the distinguished Senator from Pennsylvania, the distinguished Senator from New York, and the distinguished Senator from Vermont. I will not bore the Senate with the figures. They speak for themselves.

I believe that the important figure is that juvenile delinquency costs the Nation an estimated $4 billion annually. If we could eliminate half of that, a great service would be performed. I am sure we can do so, with a diligent, determined and proper effort. There is no question about it. Furthermore, that cost does not include the cost in human resources that will be available once these fellows are put on the proper path.

The figure of expenditure is not large. It sounds important these days, when we are trying to find ways and means of balancing our budget, trying to find ways of reestablishing the confidence in our fiscal policy, both at home and abroad, trying to find ways to cut out all unnecessary duplication and all unnecessary waste.

However, the committee bill contains one feature that disturbs me. We come here to a point of difference which hurts me deeply, because I am very reluctant to disagree with my esteemed colleague, the Senator from Pennsylvania, and my long-time friend, the Senator from New York. This has to do with the manner—the machinery—in which we accomplish the goals of this bill.

We have heard it said that over a period of 6 or 7 years, $47 million has been allocated to this work. Obviously, the results have not been as successful as we had hoped. Otherwise, the rate of crime would not be rising at such a frightening pace in comparison with the expansion of the population. So something is still wrong. This is not a new condition so far as I am concerned. Senators have heard me on many occasions, both in committee and on the floor, say that something has been wrong in the poverty program.

Early in my service in the Senate, I said that we must get the politics out of the poverty program. I said then that we must get jobs into these underprivileged areas. This was the important thing.

Yet even at this moment, hearings are being conducted in Washington which indicate the misuse of poverty funds, the misuse of taxpayers' dollars, if you will, through the poverty program. At this late date, after the expenditure of some $6 billion, we still have not found out there may be a better way to do it.

My difference at this point with the other members of the committee stems not from the intent of the bill. It stems merely from the "modified bloc grant" proposal contained therein.

At this time, Mr. President, I call up my amendment No. 873 and ask that it be stated.

AMENDMENT NO. 873

The **PRESIDING OFFICER**. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. **MURPHY**. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The **PRESIDING OFFICER**. Without objection, it is so ordered; and, without objection, the amendment will be printed in the RECORD.

The amendment is as follows:

On page 18, line 18, strike the words "any State or local public agency" and insert in lieu thereof, the following words: "the States".

On page 18, line 19, beginning with the words "No such grant may" and continuing through line 10 on page 19, delete all language and insert in lieu thereof the following language:

"SEC. 102. The Secretary shall make grants to the States for the establishment and operation of State juvenile prevention and control planning agencies (hereinafter referred to in this title as 'State planning agencies') for the preparation, development, and revision of the State plans required under section 121 of this title. Any State may make application to the Secretary for such grants within six months of the date of enactment of this Act.

"SEC. 103. (a) A grant made under this part to a State shall be utilized by the State to establish and maintain a State planning agency. Such agency shall be created or designated by the chief executive of the State and shall be subject to his jurisdiction. The State planning agency shall be representative of juvenile delinquency prevention and control agencies of the State and of the units of general local government within the State.

"(b) The State planning agency shall—

"(1) develop a comprehensive statewide plan for the prevention and control of juvenile delinquency throughout the State;

"(2) define, develop, and correlate programs and projects for the State and the units of general local government in the State or combinations of States or units for prevention and control of juvenile delinquency; and

"(3) establish priorities for the prevention and control of juvenile delinquency throughout the State.

"(c) The State planning agency shall make such arrangements as such agency deems necessary to provide that at least 40 per centum of all Federal funds granted to such agency under this part for any fiscal year will be available to units of local government, combinations of such units, or public or private nonprofit agencies or organizations to enable such units to participate in the formulation of the comprehensive State plan required under this part. Any portion of such 40 per centum in any State for any fiscal year not required for the purpose set forth in the preceding sentence shall be available for expenditure by such State agency from time to time on dates during such year as the Secretary may fix, for the development by it of the State plan required under this part.

"SEC. 104. A Federal grant authorized under this part shall not exceed 90 per centum of the expenses of the establishment and operation of the State planning agency, including the preparation, development, and revision of the plans required. Where Federal grants under this part are made directly to units of local government or public or private nonprofit agencies or organizations as authorized by section 124, the grant shall not exceed 90 per centum of the expenses of local planning, including the preparation, development, and revision of the plans.

"SEC. 105. Funds appropriated to make grants under this part for a fiscal year shall be allocated by the Secretary among the States for use therein by the State planning agency, units of general local government or public or private nonprofit agencies or organizations as the case may be. The Secretary shall allocate $100,000 to each of the States, and shall then allocate the remainder of such funds available among the States according to their relative populations."

Beginning on page 20, line 10, and continuing through page 28, line 13, delete all language in sections 121, 122, and 123, and insert in lieu thereof the following new sections and language:

"SEC. 121. Any State desiring to participate in the grant program under this part shall establish a State planning agency as described in part A of this title and shall within six months after approval of a planning grant under part A submit to the Secretary through such State planning agency a comprehensive State plan formulated pursuant to part A of this title.

"SEC. 122. The Secretary shall make grants under this title to a State planning agency if such agency has on file with the Secretary an approved comprehensive State plan (not more than one year in age) which conforms with the purposes and requirements of this title. In the case of part B, no grant may exceed 60 per centum of the cost of the program. In the case of part C, no grant may exceed 75 per centum of the cost of the program. Each such plan shall—

"(1) provide for the administration of such grants by the State planning agency;

"(2) provide that at least 75 per centum of all Federal funds granted to the State planning agency under this part for any fiscal year will be available to units of local government, combinations of such units or public or private nonprofit agencies or organizations for the development and implementation of programs and projects for the prevention and control of juvenile delinquency;

"(3) adequately take into account the needs and requests of the units of local government in the State and encourage local initiative in the development of programs and projects for improvements in the prevention and control of juvenile delinquency and provide for an appropriately balanced allocation of funds between the State, the units of general local government, in the State and the public or private nonprofit agencies or organizations in the State;

"(4) include a description of the services for youths described in section 120 which are available in the State or community;

"(5) incorporate innovations and advanced techniques and contain a comprehensive outline of priorities for the improvement and coordination of all aspects of prevention and control of juvenile delinquency dealt with in the plan, including descriptions of: (A) general needs and problems; (B) existing systems; (C) available resources; (D) organizational systems and administrative machinery for implementing the plan; (E) the direction, scope, and general types of improvements to be made in the future; and (F) to the extent appropriate, the relationship of the plan to any other relevant State or local law enforcement plans and systems, or other related Acts;

"(6) provide to the extent feasible for coordinating, on a continuing basis, its operations with the operations of public agencies and private nonprofit organizations furnishing welfare, education, health, mental health, recreation, job training, job placement, correction, and other basic services in the community for youth;

"(7) include a statement of the method or methods of linking the agencies and organizations, public and private, providing these and other services;

"(8) make reasonable efforts to secure or provide any of such services which are necessary for diagnosing, treating, and rehabilitating youths referred to in section 120 and which are not otherwise being provided in the community, or if being provided are not adequate to meet its needs;

"(9) provide for research and development;

"(10) provide for (A) effective coordination of plans and programs developed and conducted by the State in fields related to juvenile delinquency, including programs under the Elementary and Secondary Education Act of 1965, the Social Security Act, the Manpower Development and Training Act of 1962, and programs for the prevention and detection of crime with plans and programs developed and conducted by the State, units of local government, and public and private nonprofit agencies and organizations under this Act, and (B) appropriate application of resources under such other plans and programs to support and reinforce plans and programs under this Act;

"(11) provide for the effective participation of persons representative of local and areawide public and private groups and organizations familiar with the field of juvenile delinquency and with associated fields in the development and implementation of the State plan, including persons representative of disadvantaged youth and of youth groups working these fields;

"(12) provide for appropriate review of procedures of actions taken by the State planning agency disapproving an application for which funds are available or terminating or refusing to continue financial assistance to units of general local government or combinations of such units;

"(13) demonstrate the willingness of the State and units of general local government to assume the costs of improvements funded under this part after a reasonable period of Federal assistance;

"(14) demonstrate the willingness of the State to contribute technical assistance or services for programs and projects contemplated by the statewide comprehensive plan and the programs and projects contemplated by units of general local government;

"(15) set forth policies and procedures designed to assure that Federal funds made available under this title will be so used as not to supplant State or local funds, but to increase the amounts of such funds that would in the absence of such Federal funds be made available for the prevention and control of juvenile delinquency;

"(16) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and account of funds received under this part;

"(17) provide that public and private agencies and organizations (including courts, law enforcement and other agencies involved in the youth correction process) providing the services referred to in paragraph (6) will be consulted in the formulation of the projects and programs contemplated in the State plan, taking into account the services and expertise of such agencies and organizations, with a view to adapting such services to the better fulfillment of the purposes of this Act;

"(18) provide for the submission of such reports in such form and containing such information as the Secretary may reasonably require, and for the dissemination of information useful to public agencies in the State operating in the field of juvenile delinquency or a related field;

Any portion of the 75 per centum to be made available pursuant to paragraph (2) of this section in any State in any fiscal year not required for the purposes set forth in such paragraph (2) shall be available for expenditure by such State agency from time to time on dates during such year as the Secretary may fix, for the development and implementation of programs and projects for the prevention and control of juvenile delinquency and in conformity with the State plan.

"Sec. 123. State planning agencies shall receive applications for financial assistance from units of general local government, combinations of such units, and public and private nonprofit agencies and organizations. When a State planning agency determines that such an application is in accordance with the purposes stated in section 120 and is in conformance with any existing statewide comprehensive juvenile delinquency prevention and control plan, the State planning agency is authorized to disburse funds to the applicant.

"Sec. 124. Where a State fails to make application for a grant to establish a State planning agency pursuant to part A of this title within six months after the date of enactment of this Act, or where a State fails to file a comprehensive plan pursuant to part B within six months after approval of a planning grant to establish a State planning agency, the Secretary may make grants under part A, part B, and part C of this title to units of local government, combinations of such units, or public or private nonprofit agencies and organizations: *Provided, however,* That any such unit or combination or such units must certify that it has submitted a copy of its application to the chief executive of the State in which such unit or combination of such units is located. The chief executive shall be given not more than sixty days from date of receipt of the application to submit to the Secretary in writing an evaluation of the project set forth in the application. Such evaluation shall include comments on the relationship of the application to other applications then pending, and to existing or proposed plans in the State for the development or new approaches to and improvements in the prevention and control of juvenile delinquency. If an application is submitted by a combination of units of local government or a public or private nonprofit agency or organization which is located in more than one State, such application must be submitted to the chief executive of each State in which the combination of such units is located. No grant under this section to a local unit of general government shall be for an amount in excess of 90 per centum in the case of part A, 60 per centum in the case of part B, or 75 per centum in the case of part C of the cost of the project or program with respect to which it was made.

"Sec. 125. Funds appropriated to make grants under parts B and C of title I, title II, and title III for a fiscal year shall be allocated by the Secretary among the States for use therein by the State planning agency or units of general local government, as the case may be. Of such funds 85 per centum shall be allocated among the States according to their respective populations and 15 per centum thereof shall be allocated as the Secretary may determine."

On page 28, line 16, strike "121, the Secretary or" and insert in lieu thereof "123".

On page 28, line 18, strike "State or".

On page 29, line 22, and continuing through page 37, line 18, strike all language in sections 141, 142, and 143, and insert in lieu thereof the following new language:

"Sec. 141. The Secretary is authorized to make grants under section 140 of this part directly to the State planning agency, established under section 102 of this Act. To be eligible for such a grant the State planning agency shall submit within six months after approval of a planning grant under part A of this Act a comprehensive State plan formulated pursuant to part A of this title, to accomplish the purposes of section 140.

"Sec. 142. Any State plan and State planning agency application submitted under section 122 shall be combined with any plan and application submitted under this part. Where there is also a State plan submitted under section 122, there shall be an appropriate balance of rehabilitation and preventive programs.

"Sec. 143. Grants under this part shall be made in accordance with the provisions set forth in sections 122, 123, 124, and 125 of this Act. In addition, the State plan, under this part, will have to include evidence that—

"(1) steps have been or will be taken toward provision, within a reasonable period of time, of a program of services in the area served which are necessary for the prevention of delinquency of youths, including diagnosis, treatment, and rehabilitation of youths in danger of becoming delinquent;

"(2) special efforts have been made for appropriate participation by youths in the formulation and operation of the projects and programs contemplated by the State plan; and

"(3) special efforts have been, or will be made, to assure that the services provided by the programs or projects contemplated by the State plan will be available to youths with serious behavioral problems."

On page 38, line 1, strike all language through line 21.

On page 3, line 23, renumber section 152, as section 151. After the word "any" add "State". Delete the words "or organization (whether directly or through a State agency)."

On page 39, line 1, strike the words "123 or 143" and insert in lieu thereof "122 or 143".

On page 40, line 4, and continuing through line 22, delete all language in section 153.

On page 41, line 21, delete the words "any Federal, State, or local public or nonprofit private agency or organization" and insert in lieu thereof the words "State agencies".

On page 42, line 17, delete the words "any State, local or other public or nonprofit private agency or organization" and insert in lieu thereof the words "State agencies".

On page 42, line 22, strike all language through line 24.

On page 43, line 4, and continuing through line 12, strike all of section 302 and renumber sections 303 and 304 accordingly.

On page 43, line 18, strike the words "123 or 143" and insert in lieu thereof "122, 123, or 143".

Mr. MURPHY. Mr. President, the committee bill contains what is termed "a modified bloc grant" proposal, allowing a State either first, to be the recipient of a bloc grant under which the State would distribute funds to local grantees, provided that the State plan has been submitted and approved by the Secretary, and provided, also, that the State is willing to "buy in"—that is, to pay 50 percent of the non-Federal matching share; or, second, compete equally with local applicants for funds to conduct rehabilitation and prevention programs.

Frankly, I do not believe that this approach is the practical approach because in either case the Secretary of Health, Education, and Welfare, as the good Lord knows, is already burdened down with so many problems that I do not know how he could take on any more. I think we would do him a great favor if we could find some help for him throughout the 50 States.

In this bill, the Secretary is specifically authorized to direct grants to localities, public or private nonprofit agencies, even though a State plan is in existence and has been approved. I see no reason why there should be a designed plan for Federal preemption. I do not believe that all of the talents and capabilities of this Nation are centered in Washington. I believe that spread around the 50 States of this great Union we will find men frequently who understand the problems of their particular States and localities much better than the Secretary of Health, Education, and Welfare, who has spent most of his time in Washington.

I think sometimes we have grown to the point where we have lost confidence in the States and the abilities of the people in the States, those who are directly responsible and directly receptive to the will and the wishes of the people of their States. The Governors are elected directly. I believe that possibly in the years of centralization of power in Washington, we have grown too far away from the original plan of this great federal system of ours which has worked so much better than any other system in the history of mankind that no comparison can be made properly.

In essence, the full discretion rests with the Secretary of Health, Education, and Welfare. I do not believe juvenile delinquency is a problem that can be properly and effectively handled only at the Federal level. I do not believe the Secretary should be able to bypass the States and make grants to local units of government and organizations. I think this is embarrassing. We had this situation in the poverty program. As Senators will recall, at the outset, in order to get the bill through, there was a State veto involved. The Governor of a State has the responsibility, right, and power to veto a program coming into his State with which he was in disagreement for a valid reason.

Now, there is confusion. The veto allegedly is still in existence but I can assure Senators, if they read the language carefully, the Governors of the States have no veto in the poverty program. The Director of the Office of Economic Opportunity can override the Governor's veto.

Therefore, here again, the complete responsibility and discretion lies in the Central Government in Washington. I think this was not the original intent. Experience has shown that possibly these programs could have been better handled in many instances. I shall not take the time of the Senate to cite instances, chapter, and verse, with regard to my State of California, where there have been some shocking examples of what not to do in order to help the so-called poor and underprivileged. There have been many good ideas to show what to do that have been overcome by some of the other programs.

Mr. President, I repeat that I do not believe the Secretary should be able to bypass the States in order to make grants to local units and other government and private nonprofit organizations. If the Secretary is permitted to do so, and if he does so, this bill will be little more than an extension of what we have at the present time. As the distinguished Senator from Pennsylvania said in his opening statement, that is exactly what it would be. I agree with him that it is the purpose of this bill to improve, to go a little further, to try to learn from the experience of the past so that we may be more effective in helping in this unfortunate condition that exists.

It will only result in a project here and a project there with no real comprehensive quality or bond tying them together in a carefully worked out master plan.

I strongly feel that we should encourage each State, and we should insist that each State be encouraged to look at its total juvenile delinquency program as it exists within that State and particularly to assume a leadership role in devising remedies and encouraging localities to help themselves and not to continue to look at the Central Government in Washington at all times.

This can best be accomplished by requiring that the States be funded in the first instance and that in turn, the States pass on a certain portion of the funds they receive to localities and organizations involved in the field so that they will lend expertise under comprehensive State plans and programs.

In this way the Secretary of Health, Education, and Welfare will have, hopefully, 50 State agencies working in conjunction with this effort. What a great benefit this could bring about. We might find that the great State of Pennsylvania might come up with the answers, or perhaps New York, Rhode Island, or even Wyoming. We do not know where proper answers will come from. The good Lord, in his wisdom, has spread intelligence to such a great degree and so broadly across this great land of ours that as I see it this is the best way a coordinated program recognizing the needs within a State can be formulated and made operational. I believe it is a more practical way and a more effective way.

Therefore, a project in a State plan would overcome problems within a Federal program to a substantial degree, as the State would provide a line of communication between interstate agencies and units of government, thereby enhancing the probability of practical programs elsewhere.

It is doubtful this can be accomplished in a relationship between the Federal Government and the cities across the land. It might set up what I think would be a very unhealthy and unnecessary competition for Federal funds.

I have watched this. I have watched this to such an extent that I hate to see no opportunity provided for. Once again, referring to the war on poverty, the OEO funds, I have the statement of my distinguished friend, the mayor of Los Angeles, who said that because of a disagreement among several Members of Congress as to who would have charge of the funds, nothing was done for a period of 18 months. In the meantime, the poor people are waiting for the promises which have been made here but political charlatanism took place and for 18 months, nothing beneficial happened to the poor people. Let us not set up a situation where that may happen again.

To this end, I propose that the State planning agency become the primary recipient of all funds, provided, however, that it applies within a reasonable time—6 months—to send a program to the Secretary; the Secretary must agree that the program is proper, practical, and in his judgment will fulfill the need, in which case the funding will go directly to the States and then would flow through on a prescribed formula to the localities.

Only 15 percent of the moneys expended can be released completely at the discretion of the Secretary; and that the rest must be distributed in such a way as to share the wisdom, knowledge, intent, and—hopefully—careful planning of the people within the States who pass on it. Then a portion must go from the States to the localities. Local initiatives must be encouraged.

To accomplish this, I believe that 40 percent of planning funds, and 75 percent of action program funds received by a State, must be redirected by the State to local government units, public, private, nonprofit agencies or organizations.

How much should each State receive? I would think that planning is essential to be done annually and, therefore, I believe that it is an absolute necessity that each State, regardless of its size, population, or condition, should receive the sum of $100,000 to begin the planning.

Safeguards, naturally, must be provided to insure the possibility of local action if the State fails to exercise its option. This is accomplished by requiring that State to make application for a planning grant within 6 months, and within 6 months approval of the grant to apply for rehabilitation or prevention projects, to be used under the plan; otherwise the State, if it becomes lax or neglectful, or if State leadership shirks its duty and obligation, then the Secretary will have the prerogative to fund local government units and bypass the State government.

I believe experience has shown that States in many cases are more capable and better able than the Federal Government to provide direction in this program such as proposed by H.R. 12120.

We do not have money to waste at this time. The funds available, obviously, are not sufficient to deal with a problem of this magnitude, and insure nationwide programing and coordination, unless we spend it most carefully, and unless we insist on the greatest cooperative effort that can be provided.

Thus, Mr. President, I stand before my colleagues in complete concurrence with the necessity for the program, and in complete concurrence with the program and desires of the program.

I should like to compliment my distinguished colleague from Pennsylvania for the way he has managed the inspiration which put together the bill. It is an excellent bill.

I disagree only on the one point, that I should like to see the States have an opportunity to do the job rather than allow complete control of this program to be placed within the discretion of the Secretary in Washington.

The question we face is not a new one. We faced it just a few weeks ago, when consideration was given to title I of the omnibus crime control and safe streets bill. Exactly the same circumstances faced us in the Senate, the question as to whether the entire control of the bill and the funding therein should reside in the Nation's Capital with the Secretary, or whether it should be made through the Secretary and reside with the individual States.

Mr. LAUSCHE. Mr. President, will the Senator from California yield?

The PRESIDING OFFICER (Mr. MILLER in the chair). Does the Senator from California yield to the Senator from Ohio?

Mr. MURPHY. I am happy to yield to the Senator from Ohio.

Mr. LAUSCHE. It is my understanding that the Senator's amendment will not at all affect the general objective and provisions of the bill but will only change the bill by giving the Governor of the State the primary right to determine what the program in the State shall be.

Mr. MURPHY. That is exactly right. Let me say that in the event the Governor is negligent after a period of 6 months, if he has not come forward with an acceptable plan—that is, a plan acceptable to the Secretary—then the Secretary may bypass the State government and, under those circumstances, go directly to the cities, to public agencies, or to nonprofit organizations.

Mr. LAUSCHE. I have looked through the report and also rather hurriedly examined the testimony taken, and I am unable to ascertain from either whether there was questioning directed at the number of programs the Federal Government now has which either directly or indirectly cope with the morality, juvenile delinquency, and criminal problems of this Nation.

Mr. CLARK. If the Senator from California will permit me to answer that——

Mr. MURPHY. Let me answer it. To the best of my knowledge and ability, from my research, I believe there are presently 35 programs. I believe that all together there have been some 200 programs, but presently there are 35 programs.

Mr. LAUSCHE. Thirty-five programs through the Federal Government dealing generally with this subject; is that the answer?

Mr. MURPHY. That is the answer; yes.

Mr. CLARK. Would the Senator from California permit me to elaborate

Mr. MURPHY. I am very happy to yield to the Senator from Pennsylvania for that purpose.

Mr. CLARK. I think that as chairman of the subcommittee, perhaps I may be in a better position to answer that question than the able Senator from California.

The Senator from Ohio was not here when I introduced into the RECORD a very elaborate tabulation, a few moments ago, which was preceded by my statement that the program ran out of money before the end of fiscal 1967. Consequently, no new projects have been initiated over the past year. However, this record—which I will be glad to make available to the Senator from Ohio—shows that in the area of demonstration projects, there have been 127 such projects, at a total cost of $27 million; and in the area of training projects, a very important part of the bill, in order to obtain adequately trained personnel to deal with juvenile delinquency, there have been 204 projects, at a total cost of $13 million.

If the Senator from Ohio would like to examine this statement, I will be very glad to make it available to him.

Mr. MURPHY. I thank my colleague from Pennsylvania for his most enlightening answer.

Mr. LAUSCHE. Now I am going a bit beyond these specific projects. I want to make inquiry of the Senator as to the extent to which the Federal Government has gone toward trying to build better character into the youth of this Nation. I am not talking only about the direct programs such as the one pending before us, but also the indirect programs.

Page 2 of the report mentions the following:

> It should not be just another categorical program that is administered in relative isolation from much larger efforts such as the community action program, model cities, and the Manpower Development and Training Act. Moreover, the committee amendment requirers effective coordination with the Justice Department . . .

My query again is, What is the tabulation of the number of programs that the Department of Health, Education, and Welfare, the Department of Labor, and the Department of Justice are now administering in trying to take care of juvenile delinquency?

Mr. MURPHY. That is a very good question. It is a question that this Senator has asked himself on many occasions. May I say that I have suggested that we here in the Senate may need a "Senate Bureau of Investigation" in order to find out exactly the answer to the most important query posed by my distinguished colleague from Ohio.

I have found overlapping and duplication. I am discovering all sorts of things as I go along as a Member of this distinguished body, and it is of great concern to me. That is another reason why I think, at this particular moment, with the experience of the past 2 years, when obviously the taxpayer has not been getting his money's worth and there have been all sorts of waste, the moneys being spent should be doing a much better job.

That is why I believe my amendment is important. It will try a new avenue. It does not do damage to the bill. I am completely and enthusiastically in favor of this bill, but I would like to see two things. I would like to see the States have a chance to operate in their own areas for a change, without any restrictions or Federal regimentation. Second, I would like to see those State programs coordinated in an intelligent manner, so we can say, "This is the proper program. This is the one that should be continued. That is the one that should be discontinued."

Let us cut out the duplication. Let us cut out the overlapping. Let us cut out, if you will, the competition which exists between many bureaus.

So I think maybe this method will work better.

Now I am glad to yield to my distinguished colleague from Ohio.

Mr. LAUSCHE. In the hearings was there any discussion of the money provided for the private agency in Chicago which the McClellan hearings disclosed committed abuses of a character that ought to cause every taxpayer to revolt against how his money is being spent?

Mr. MURPHY. To my knowledge, the McClellan hearings on that question had not taken place. Therefore, that most important disclosure was not brought out in the hearings. I will say, however, that disclosure has had an effect on the feelings of this Senator as to the way these programs should be administered.

What I am asking in the amendment is exactly what the Senate agreed to and passed in the crime and safe streets bill as a new approach, and a more practical approach, to the manner in which to administer important programs. They are all tied together. They are all related to the breakdown of the regard for law and order that has taken place in our country through some strange circumstance that no one seems to understand.

Since we have had this experience with one method of operation, I say, why not try another?

Mr. CLARK. Mr. President, will the Senator yield?

Mr. LAUSCHE. Mr. President, will the Senator yield for one more question?

It is the judgment of the Senator from California there will be less duplication and expenditures will be more effectively made if the Governor of a State is allowed to check on what is happening within his State and, in conformity with the overall program, will assure the very best and most efficient use of the money?

Mr. MURPHY. I believe it to be true. I have experienced it in my State. The Governor of California, unfortunately, has been accused of vetoing some of the poverty programs. As I stated earlier, he actually has no power to veto anything. To say that he has, is a distortion of the truth. He has a right to recommend that a program not be funded, and he has done so lately. He has been criticized lately because, I fear, people do not quite understand all the circumstances. He has been criticized because he has tried to stop, or to anticipate before it began, exactly the kind of organization that, unfortunately, as we have heard in the McClellan committee hearings, has existed in the city of Chicago.

There has been a misunderstanding, in some areas, of the values of the individuals concerned and a lack of knowledge of how to approach these problems.

That is why I think that instead of placing all the responsibility in the brain of one man, the Secretary of Health, Education, and Welfare, it might be placed in the bipartisan brains of the elected Governors of the 50 States.

I can think of no better time than this to place this important program in the hands of the States and to give them a chance to handle it. In the event that they do not do so, or if they present a plan that is believed not to be acceptable, the Secretary is not disarmed; he still has the right to act and to take control.

Mr. DOMINICK. Mr. President, will the Senator from California yield?

Mr. MURPHY. I am happy to yield to the Senator from Colorado.

Mr. DOMINICK. I note a paragraph in the supplemental views of the distinguished Senator from New York which I think poses one of the problems in this bill. It is a problem which perhaps can be aided in its solution by the amendment of the Senator from California. The paragraph to which I refer is found on page 23 of the report, and reads as follows:

> The major problem with this bill cannot be corrected in this legislation alone. It is the continuing problem of overlapping and duplicative Federal programs. Juvenile delinquency prevention and rehabilitation is really inherent in a number of different programs, including education, job training, and antipoverty efforts. In extending this particular program in the Department of Health, Education, and Welfare we may be adding to the coordination problem. Yet, there is no existing agency whose activities are focused on this particular problem—which is central to our rising crime rate and to the crisis of the cities—

Senator JAVITS concludes by saying:

> I must conclude that the need for a specific effort in this direction outweighs the administrative complexities which might be created.

I think this is an extremely good statement.

Mr. MURPHY. I thank my distinguished colleague. I read that statement with great interest, because it would appear from the statement, and I am sure it is a thoughtful statement, that the distinguished Senator from New York is completely in agreement with the need for a new approach, and I believe at least partially in agreement with the need for an approach on a statewide basis.

I submit to my friend from New York that there is a particular, specific, different set of problems in New York. There are problems in New York that occur nowhere else: certainly not in Colorado, Wyoming, Arizona, or California. That is why the Governor of New York should be responsible directly for those problems and their solution. If he does a good job and finds a solution, I am sure the people of New York will have the wisdom to return him to office. If he does not, they may give another man a chance. That is the proper method of operation under our federal system; and that is why ours is the greatest system of government.

Mr. DOMINICK. Will the Senator yield for a few more comments and questions?

Mr. MURPHY. I am happy to yield.

Mr. DOMINICK. My first point is I understand the language of the bill as reported to provide that although there is opportunity for the State to "buy in" in competition with the local communities, each specific project must be approved by HEW before it can move forward.

Mr. MURPHY. Yes.

Mr. **CLARK**. Will the Senator yield at that point? That is not an accurate statement.

Mr. **DOMINICK**. I thought it was. I will be happy to have it clarified.

Mr. **MURPHY**. Mr. President, may I read the Secretary's statement? My understanding as a member of the committee is the same as that of the Senator from Colorado.

The Senator will see, on page 6 of the committee report, on the bottom third of the page, the following language:

> The Secretary is specifically authorized to continue to make direct grants to localities despite the existence of an approved State plan;

That is the principal basis for my objection.

Mr. **CLARK**. Now will the Senator yield?

Mr. **MURPHY**. I am happy to yield.

Mr. **CLARK**. Mr. President, I say to my friend from Colorado that the bill contains an elaborate framework for a State plan, beginning on page 18, line 8, under the heading "Title I—Planning and Preventive and Rehabilitative Services."

If the Senator will leap over the next several pages, he will see that if a State comes up with a comprehensive State plan meeting the criteria in the act, from that time forward the State runs the show, with this sole exception: That the Secretary does retain a right to make direct grants to local governmental or local nonprofit civic groups for particular projects.

Mr. **MURPHY**. Mr. President, will the Senator yield?

Mr. **CLARK**. In just a moment.

With that one exception, if the Governor of Colorado, for example, comes up with a plan meeting the criteria, it is his ball game from then on in.

Mr. **MURPHY**. Will the Senator yield?

Mr. **CLARK**. The Senator from California has the floor.

Mr. **MURPHY**. I do not understand the bill to mean exactly what the distinguished chairman has said it does. I understand the bill to mean that any time and under any circumstances, the Secretary may decide to deal directly with the cities or the counties, or any other unit of government, and absolutely bypass the State, whether or not there is a State plan. It places the entire prerogative and power in the hands of the Secretary, and that is my objection to it. The language to which I object reads as follows:

> Notwithstanding the provisions of this section, the Secretary may make grants under this part directly to public agencies in a State for which he has approved a State plan and State agency application.

He may bypass the State plan completely.

Mr. **CLARK**. Mr. President, will the Senator yield?

Mr. **MURPHY**. I am happy to yield.

Mr. **CLARK**. I request that my friend from Colorado look at page 7 of the report, the last paragraph at the bottom of that page, which I think shows the congressional intent pretty clearly. It reads as follows:

> The Secretary retains the concurrent authority to fund directly local applicants in a State where a State plan is approved and in effect. It is expected that the Secretary would use this authority largely as a corrective device or sanction to improve on any shortcomings which may arise in the implementation of a State plan. For example, if the Secretary did not feel that an important innovative device was being tried under the State plan, or if traditional institutions were being overly favored by the State, or if funds were needed to link other federally assisted programs at the local level to delinquency programs, he could make a direct grant. Where the State was doing a satisfactory job, the committee expects that the Secretary would use his direct funding authority sparingly.

In other words, once you get a State plan approved, as I stated earlier, it is the Governor's ball game, with this one exception: That the Secretary does retain the right under the conditions I have just read, to make direct grants to either local nonprofit civic groups or local governmental agencies.

Several Senators addressed the Chair.

Mr. **MURPHY**. Mr. President, I believe I have the floor. I should like to comment that I believe there is a misunderstanding. As my distinguished colleague from Pennsylvania has pointed out, it is the Governor's ball game, unless the Secretary decides it is his ball game.

I think the time has come when we should stop concentrating all of this power in a few appointed individuals, and put more in the relationship between the elected representatives and the people. That is why I urge strongly that we pass the pending bill, but that we pass it with the inclusion of the pending amendment which will guarantee that it is the Governor's ball game as long as he plays it properly and efficiently and as long as he is doing a good job.

If he is not doing a good job, then, and then only, can it be preempted and taken away and become the ball game of the Secretary of Health, Education, and Welfare.

Mr. **DOMINICK**. Mr. President, will the Senator yield?

Mr. **MURPHY**. I yield.

The **PRESIDING OFFICER** (Mr. LAUSCHE in the chair). The Senator from Colorado is recognized.

Mr. **DOMINICK**. Mr. President, it is my understanding that the Senator's amendment is in fact almost identical to the House amendment which was agreed to on the House floor. If the chairman of the subcommittee is interested in making sure that the State has the primary power in this field, I cannot understand why he does not agree to the pending amendment because the pending amendment does exactly what he says the bill is trying to do and yet does not accomplish.

Mr. **MURPHY**. Mr. President, when the bill came out of the committee, I announced that this amendment would be offered and that it would be my hope that the proponents of the bill, the manager of the bill, and the sponsors of the bill, the Senator from Pennsylvania [Mr. CLARK], the Senator from New York [Mr. JAVITS], and the Senator from Vermont [Mr. PROUTY] would accept the amendment, because in their argument and discussion they are inclined toward giving the State a chance to use the money. However, I wish they would simply say, "Let us give it to them and see if they can do the job. If they cannot, the damage will not be irreparable."

Mr. **DOMINICK**. Mr. President, will the Senator yield?

Mr. **MURPHY**. In a moment.

I would therefore hope that the inclusion of the pending amendment in the bill would accomplish even more efficiently what they hope to do in their bill.

Mr. President, I yield to the Senator from Colorado.

Mr. **DOMINICK**. Mr. President, it is my understanding that the purpose of the bill is to cut down on juvenile delinquency, to rehabilitate previous offenders and to lower the level of the juvenile problems we have.

Mr. **MURPHY**. The Senator is exactly correct.

Mr. **DOMINICK**. I am worried about what seems to be a general practice in the Congress with relation to funding. Here we have a bill to control juvenile delinquency. Yet the authorization in terms of millions increases from $25 million the first year to $50 million the second year, $75 million the third year, and $100 million the fourth year. At the end of 4 years, we will be spending four times as much money as we will be spending in the beginning.

Mr. **MURPHY**. It would seem that we are retrogressing.

Mr. **DOMINICK**. The Senator is correct.

Mr. **MURPHY**. That is the second point of consideration that I intend to raise later.

Mr. President, I ask unanimous consent that the amendments be considered en bloc, because actually they would not change the operation of the bill in any way except in the manner we have discussed.

The **PRESIDING OFFICER**. Is there objection to the request of the Senator from California? The Chair hears none, and it is so ordered.

Mr. **MURPHY**. Mr. President, I ask for the yeas and nays on the pending amendments.

The yeas and nays were ordered.

Mr. **CLARK**. Mr. President, will the Senator yield the floor?

Mr. **MURPHY**. Mr. President, I will be glad to yield. I yield the floor to the Senator, but reserve my right to the floor. I yield to the Senator as much time as he desires.

Mr. **CLARK**. Mr. President, we are not on limited time. All I want to do at this point—but I want the floor in my own right a little later—is to assure the Senator from Colorado that if he studies carefully the House bill, the Murphy amendment, and the committee bill, he will find that all three of them are quite different.

The committee bill has a straight State bloc grant with virtually no criteria and no qualifications. The money would go to the State to spend in any way it sees fit.

Our committee thought this to be quite unwise, and on the very last day of our markup, the Senator from California came in with the pending amendment which is about halfway between the House bill and the committee bill.

I think the Senator from Colorado should realize that there is a great deal of difference between the amendment of the Senator from California and the committee bill.

Mr. MURPHY. Mr. President, the Senator from Pennsylvania has stated the case as usual with absolute clarity. That is the difference. However, the House bill, as the distinguished Senator from Pennsylvania has said, left no loophole and no chance for the Secretary to act in the event that the State was not acting or conforming.

The Murphy amendment takes care of that, and it makes it mandatory that the State apply within 6 months for planning money and then prepare its prevention or rehabilitation programs within the next 6 months. Furthermore, makes it mandatory that in the event the State lacks a program or has not fulfilled its obligation, then and then only may the Secretary come in and preempt the field.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. JAVITS. Mr. President, one of the main difficulties I find here is that each side has overstated its case, including, the side represented by the Senator from California, with all due respect to him.

I yield to no one in my effort to work out a role for the States. But I would like to call attention of the Senate and the attention of the Senator from California to the fact that the pending amendment on page 10, section 124, states:

> Where a State fails to make application for a grant to establish a State planning agency pursuant to part A of this section within 6 months after the date of enactment of this act, or where a State fails to file a comprehensive plan pursuant to part B within 6 months after approval of a planning grant to establish a State planning agency, the Secretary may make grants. . . .

This is a 4-year program. In this provision to which I have referred we have a year in which no action may be taken by the Secretary whatever. A State can "horse around" 6 months with planning grants. It then has an additional 6 months after the approval of the planning grants to submit some kind of a plan. Then it preempts the field. However, in the meantime, it has preempted the field.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. JAVITS. I will yield in a moment. If I am wrong, the Senator will correct me.

In the meantime, the State has preempted the field for well over a year in a 4-year program. What is the answer to that?

Mr. MURPHY. The answer is simply that every so often there is the assumption here that only the people in the Federal Government can accomplish anything and that only the Secretary of Health, Education, and Welfare is capable of coming up with a plan.

Every once in a while we should assume that, as the Senator from New York says, the State is not going to "horse around" and then come up with a plan. I do not think that the Governor of New York horses around. I do not think the Governor of California horses around. The former Governor of Illinois did not horse around.

These men, to my knowledge, are just as serious, just as intent, and just as hard working as are the Members of the U.S. Senate. And, I may say, in some instances they are possibly more experienced and wise in their decisions.

I think that the time has come when we ought to assume that maybe they will not horse around, but that maybe they will come to grips with this program.

I am sure, after all the effort, wisdom, and energy which my distinguished colleague from New York has put into the program over the years, that he will be most effective in being certain that there will be no more horsing around and that we will get down to cases and that hopefully we will find the wisdom and expertise existing within the States. If we do not, then the Secretary may come in. However, in the meantime I do not think it is proper for us to assume that the States are just arbitrarily going to waste a year of our time, 6 months here and 6 months there.

They can come in immediately. I would like to assume that many of the States will come in with a plan immediately. I hope that such action will serve as a good example and that other States will come in.

Mr. JAVITS. Mr. President, the committee bill allows many States to move in and work out plans and obtain the funds. However, the committee bill does not accommodate States which may not be too sympathetic to this program. This is the real deficiency in the Senator's amendment—the Senator's amendment freezes 85 percent of the funds, since they are distributed on the basis of population.

Mr. MURPHY. A very important point is made. It does not freeze it. At the end of 6 months, if the State has dragged its feet, the Secretary may move in immediately.

Mr. JAVITS. There are two 6-month periods, not one, because they must only submit an application for a planning grant in 6 months, and they have an additional 6 months after that to submit a definitive plan, so that is a year.

Mr. MURPHY. Will the Senator agree that if they do good planning in 6 months, it might be safe to assume that there would be good application of the plan in the next 6 months?

Mr. JAVITS. The Senator agrees. But there is nothing in the amendment which says the plan shall be good. A plan can be put in in 6 months, and then there is an additional 6-month period.

Mr. MURPHY. The plan must be approved by the Secretary, just as under the distinguished Senator's plan.

Mr. JAVITS. The amendment just requires a State to make an application, that is all—just make application. No approval is necessary.

If they make application within 6 months, then they have another 6 months to file a comprehensive plan after the approval of a planning grant. If the Secretary disapproves the planning grant, they can file another planning grant.

Mr. MURPHY. I invite the attention of the distinguished Senator to the fact that very often, in setting up the mechanics of these very complicated bills, the meaning and the intent are lost.

Mr. JAVITS. The Senator bawled out the Senator from Pennsylvania because he wrote about intent in the report. Is the Senator's intent not clear from his amendment?

Mr. MURPHY. I had no intent to bawl out anybody.

Mr. JAVITS. I am sorry. I meant "called him to task."

Mr. MURPHY. Nor do I intend to horse around. I am quite serious.

Mr. JAVITS. I am serious, also.

Mr. MURPHY. I refer to page 4, line 20, of the amendment:

> The Secretary shall make grants under this title to a State planning agency if such agency has on file with the Secretary an approved comprehensive State plan (not more than one year in age) which conforms with the purposes and requirements of this Title. In the case of part B, no grant may exceed 60 percentum of the cost of the program. In the case of part C, no grant may exceed 75 percentum of the program. Each such plan shall—

The amendment then lists 18 conditions in the plan. These are taken generally from the committee bill.

I had no intention to state anything that was not the case. These are all taken from the committee bill.

As I tried to point out, my only difference is that I believe the money should go to the States, and I do not believe the Federal Government should have the right to pre-empt where there is a good State plan, where it is operated in good order, where it is doing a good job. This bill should be used to encourage the States to get into this most necessary field.

Mr. JAVITS. Is it not a fact that if we adopt the Senator's amendment, no money may move out directly to local projects in the juvenile delinquency field in a State if the State puts in an application for a planning grant within 6 months.

Mr. MURPHY. That is correct.

Mr. JAVITS. Having put in an application for a planning grant, if that application is granted, then no money will move out beyond that planning grant to that State—to wit into the field of juvenile delinquency—for another 6 months, until they file a comprehensive plan, and, as the Senator now points out in another section of his amendment, it is approved?

Mr. MURPHY. That is correct.

Mr. JAVITS. That is what I object to. We have a 4-year plan, and it has been working with a certain amount of facility, and we will argue in respect of that on our own time.

I believe that we should agree on the facts, on the merits. I argue that the committee program accommodates a State plan very effectively, without blocking these funds for a period of time.

Mr. MURPHY. I point out that the conditions in the amendment, which I hope will be accepted, are exactly the same as those in the crime bill. There is no intent on my part to hold up the operation for 6 months or a year, and I am certain the distinguished Senator from New York realizes that.

Mr. JAVITS. I do not challenge that for a moment.

Mr. MURPHY. The basic point of difference is in the fact that under my amendment the States would have a right to set up their own plan.

I do not know how fast the Secretary can set up a plan. Does he guarantee to have one today or tomorrow or 2 years from now?

Obviously, many of these things are piled up in the Federal bureaucracy, with endless backlog and endless redtape.

I do not believe the Secretary will have a new plan. He can very easily go ahead and fund more money to the old plan. In fact, there really is no plan. I have just seen a copy of what has been done with the $47 million during the past 7 years.

Therefore, on principle, I should like at this time to give the States a chance at this time. If the Senator believes it would help, I would make it 3 months, or include any pressure he wants. On basic principle, I cannot change. I am certain this is right. I am certain it is in keeping with our Federal system and in keeping with the wishes of the people of this Nation. I believe that the States once more should be allowed to play an important part in settling their problems.

I do not believe it is proper to assume that we will waste a year. If this turns out to be the situation, the Senator from New York knows that the Senator from California will be one of the first to say, "Let us not waste 2 minutes, not 2 seconds."

This is an important matter. The Senator from New York knows of my enthusiasm for the bill.

I believe that here, again, is an assumption that might be unfair for us to make. I say we should try to do it the other way. I believe it is proper and will be well received and we might inspire the leadership of the individual States. I know that the Governor of New York, Governor Rockefeller, is very sensitive to this program. I know that the Governor of my State also is sensitive to the program. I know that the former Governor of Illinois was very sensitive to the program. I do not believe it will take too long to get the States started.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. JAVITS. I should like to mention two aspects of the matter.

First, we will argue on our own time, without allowing that to obscure in any way the Senator's argument, that under our plan, we have worked out a fair compromise; and we will demonstrate that it would accommodate very effectively States' plans and would give the States a very effective role, without blocking the program.

The second point is that the Senator has given the analogy of the Omnibus Crime Control and Safe Streets Act. We, ourselves, point out that there are different ways of treating this Federal-State relation in many acts—that in welfare, in general education, in vocational education, and in crime control, a State role has to be differently designed than it is for antipoverty, housing, urban renewal, model cities, on-the-job training, economic development, and small business.

We have had to adapt this plan to the exigencies of a program which is just getting underway and is just gathering some kind of history and some kind of experience, so that it may effectively go forward.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. JAVITS. I shall yield, but first I wish to finish this thought.

I do not think it is right to say this is to be characterized as simply following the precedent of the omnibus crime bill and, therefore, that makes it right. I have pointed out that there are different approaches involved and that the type of bill involved depends on its objective.

Mr. MURPHY. I agree with the Senator. I did not mean to say that simply because it followed the crime bill that it is right. I am not certain anything we ever do in this body is right or wrong. Certainly, imperfections exist in all of us, even though we extend our greatest efforts to find solutions and answers.

My point was that the reflection of the feeling of this body with regard to the crime bill would indicate that this body agreed with the Senator from California that the time might be present when we would once again give the States an opportunity to operate without forever being under the shadow of Federal control. If the State should fall down on the job, then and then only may the Secretary of Health, Education, and Welfare step in and say, "See here. You are not doing the job the way we think it should be done. We can do it better." Then, the Secretary could properly come in.

On the other hand, the State could come up with a comprehensive and workable solution to the problem, as is being experimented with in my State where, for once, we are trying to put all the different agencies that the Senator mentioned into one office so that at least we can have an understanding of who is doing what and who is using whose money, and how much. One of the great problems that exists is to find where the money is going, who is administering it, and the purpose.

I have read all sorts of reports. I find that not long ago the Secretary of Agriculture took a group of people around the world to study production of food at a time when we have so much food production in this country that we are cutting back on acreage. I do not understand this. If this were a junket or a trip, perhaps I could be for it. Everybody needs a vacation. I would like to have one. If this is what it is supposed to be, I must scrutinize it carefully.

As we asked in the Subcommittee on Education, where I serve with my beloved friend and colleague, the Senator from Massachusetts [Mr. KENNEDY], "What programs are ongoing? How long do you keep a program to decide if it is good or bad? When do you cut it off?" We got no answers. Finally, we said, "Gentlemen, next year when you come before this committee, we shall want to know what the programs are and what they are doing."

I know the Senator has heard me say on many occasions, "Please explain that so I can explain it to my constituents. Explain it to me in simple language so I will know exactly what is happening."

As a result of my 3½ years of experience in the Senate, I feel this is a most important amendment. I suggest that any misunderstanding the distinguished Senator from New York may have had in my purposes have been explained fully. I urge that the amendment be agreed to.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. PROUTY. Mr. President, the Senator will recall that on many occasions I have expressed deep concern with some of the questions he has just raised.

Mr. MURPHY. Perhaps the Senator is more concerned than I am because he has had more experience here and is more sensitive to the fact that very often it is difficult to find out what is happening, who is taking charge, and who is in charge of manpower training when it is split up.

I would like to have the matter clarified so I can go home and explain to my constituents what is happening. If what is taking place is not right, we can fix it.

Mr. PROUTY. Mr. President, I can assure the Senator that he could be here for many years and still not have much of the information we are still seeking.

Mr. MURPHY. While the Senator was away from the Chamber, I suggested we might have a Senate "Bureau of Investigation" to help us find out.

Mr. PROUTY. The Senator will recall that last year I offered an amendment which authorized the General Accounting Office to study many of the programs, particularly in the poverty area, to determine not only if the money was being spent properly, but also whether the objectives were being achieved.

Mr. MURPHY. This was at an added cost to the taxpayer; is that right?

Mr. PROUTY. No; as a matter of fact, it was not. I think the General Accounting Office did not ask for additional funds.

Mr. MURPHY. The General Accounting Office, operating under additional funds, had to spend added effort in order to obtain the information which we could not get from the OEO; is that right?

Mr. PROUTY. The Senator is correct. I shall discuss that in some detail when the legislative appropriation bill is taken up.

I wish to assure the Senator that I am deeply sympathetic with the objectives of his amendment. I agree with it in principle. I have offered similar amendments in the past.

My only reservation—and I shall explain it further on my own time—is that I think perhaps too many of the cities or States are not prepared at this time to assume this added responsibility. I foresee a considerable delay before any real progress can be made.

I told the Senator at lunch at noon that I thought he was a year or two ahead of his time.

Mr. MURPHY. I was very flattered. It is good to be ahead of my time in this period of life because I am on the "back nine" now.

Mr. PROUTY. I would not agree with that conclusion.

However, the reason I have stated is a principal reason why I cannot support the Senator's amendment and I think the provision worked out by the Senator from New York [Mr. JAVITS], the Senator from Pennsylvania [Mr. CLARK], and me represents a fair compromise to enable this program to get going and achieve the ends we are all seeking.

I hope that next year my distinguished friend from California will see fit to offer another amendment that is similar in nature, and perhaps he may convince me at that time that that is the proper procedure.

Mr. MURPHY. I thank the Senator. I am most pleased because from time to time I have been referred to as a conservative in this body. I am glad I am now in the position of being considered more progressive, more forward-looking, and more anticipatory than the Senators from New York, Vermont, and Pennsylvania together. I have always been a kind of idealistic fellow, a hopeful fellow. I have never believed in limited capabilities. I have never believed that the time is too soon for improvement. I think the time is now. If the Senator agrees in principle, I think this is the time possibly to give it a chance, and let us find out. It may be that next year I will be here saying, "These Governors are no good; they will not operate; and they will not take up their responsibility." However, until I know that and until I am sure of it—and may the Lord forgive me if I am ahead of my time—I think this is the time to let these questions become the concern of the people directly responsible to the electorate, and to the people of the country, and not the concern of an appointee whose only responsibility is to the man who appointed him to office. I think that this is the time to get a lot more done with the few dollars we are asking in this bill, and the Lord knows we are not asking for too much.

Mr. HANSEN. Mr. President, will the Senator yield?

Mr. MURPHY. I am delighted to yield to the distinguished Senator from the land of high snows and late blizzards.

Mr. HANSEN. I have been listening with a great deal of interest to the colloquy between my distinguished friends this afternoon on the matter of amendment to the bill on juvenile delinquency.

I should like to say that I support the Senator's amendment. I think it makes awfully good sense that under his amendment the State would be given the opportunity to apply some ingenuity to try different approaches to a problem which is becoming an increasingly serious one in this country.

Not only has crime increased in the last several years at a rate nearly nine times as fast as the population has increased, but a frightening and disturbing thing is the fact that offenders are becoming younger year after year after year.

I believe that the people of this country are determined now that we do not need more Government agencies and more Federal directives in order to try to do some of the things which we need so desperately to do. Perhaps the States and the chief executives of the several States are realizing that they are going to have to do some of these things themselves.

Mr. President, in my State of Wyoming, we have been doing some of those things ourselves. We have a high rate of recidivism that disturbs us all. Prior to 1963, 38 percent of all young men in Wyoming who were sentenced to indeterminate periods of time in the State reformatory graduated from that experience into a penitentiary either in Wyoming or some other State.

I have talked with a number of these men during the time I was Governor of Wyoming, and also with the superintendent of that institution, a man, incidentally, appointed to the job under a Democratic administration. We kept him on not because he was a Democrat but because we thought he was a good administrator. I think that his performance has justified our belief and concern that it makes good sense in State government to recognize ability, and to reward ability.

Not only was he kept on, we kept on several other persons in positions of authority and responsibility, not because they were Democratic appointees but because they were doing good jobs. I am proud of that record. The superintendent of the institute at Worland, believes that we can talk to all youthful offenders and almost without exception every one of them will tell us why he is in trouble, but the one thing we will rarely ever hear is that they did something wrong and that is why they are in trouble. They will tell us they come from broken homes, that they could not find work, that they got in with the wrong group, that they did not pull the deal off as adroitly or as smartly as they might have, or that something else went wrong, and that is why they got caught.

But they will not tell us—or they rarely do—that they are in the reformatory because they violated the law.

One of the things that they have to accomplish before they can leave the State industrial school for boys at Worland in Wyoming, is to persuade the superintendent of the institution and the board of charities and reform, that they are ready to go back into society. They must either do that or they must have reached the age of 21 years before they are released.

So, one of the first things they ask about, let me say to the Senator from California, at that industrial institution in Wyoming is, "How soon can I get out of this place?" The superintendent there believes in what we call "reality therapy" in Wyoming. He tells them this: "You can leave here just as quickly as you can convince me that you are willing to abide by the laws of this country, that you are willing to live according to the rules of society."

The surprising thing to some—not to me, and I am sure not to most of us here this afternoon—is that this system works. We have reduced the rate of recidivism in Wyoming from 38 percent to 26 percent in less than 4 years' time.

We must let the young people of this country know that they have to live according to the law. I am not sure, at this late date, but that the States do not understand that better than the Federal Government. I am getting a little bit fed up with those who try every way on earth to excuse offenders, to look at wrongdoers all across the broad sweep of American society, and try to explain why someone is in trouble and assume that we must not punish anyone, that we first have to bend over backward and try to understand what the problem is.

I would be misunderstood if anyone assumed that I am not sympathetic and not concerned about some of the things that are wrong in this country. I know, just as does the distinguished Senator from California, that there are lots of things wrong. But I also know that we are not going to make much progress in this country until we begin to recognize that everyone must obey and respect the laws of this country. I think that is the problem.

I say again that the States seem to understand that better than the Federal Government. I think it is too bad that the States have been overruled, that the lower courts in this country have been overruled when they have tried to enforce the law. I think that is one of the issues that comes to the forefront today in the confirmation of nominees for the U.S. Supreme Court.

What disturbs many people is that while there may be some basis to argue technicalities regarding a conviction, to be able to point out that a person's civil rights or constitutional rights were abrogated at some point along the line, I am convinced that at least 95 percent of the members of American society urge that we do a better job of law enforcement than we are doing now.

Mr. MURPHY. Mr. President, will the Senator from Wyoming yield at that point?

Mr. HANSEN. I yield.

Mr. MURPHY. The Senator brought up a point which does not affect this, but is has to do with a thing we hear a great deal about, the first and the fifth amendments. I should like to remind my distinguished colleagues that although I am not a lawyer, and was not in public life except on the motion picture screen around the world, I remember distinctly the origin of the Committee for a First Amendment. I can give the names of those involved. They flew from Hollywood to Washington. They began the old program of the Committee for the First Amendment.

I recall they rented an airplane from Mr. Howard Hughes and I think that some years later he was still complaining that he could not find out who the members of the committee were, so that he did not know who was going to pay the bill. So that I am not new to these matters. I have been around this track a long time. I am pleased that in the

State of Wyoming a good man was retained on the job because he did a good job and not because he was a Republican or a Democrat. I think that is completely in keeping with the best American principles of government. That has nothing to do with the individual. There are so many jobs that should be taken completely out of politics, including, may I say, the war on poverty and the treatment and rehabilitation of young men who are apt to become delinquents.

I am glad that the distinguished Senator feels he has had the experience of a very practical solution in his State. I also agree that the time has come when we have to break off with this continued national theory of experimentation which has been going on in so many fields. We have to get back, at least in some areas, to the practical application of rules, regulations, and laws that we know to be practical, workable, and feasible, and limit experimentation to a percentage; but in the meantime, we had better start rebuilding our society because through a lot of this blatant experimentation it is becoming obvious that our society is falling apart at the seams, and that is dangerous when the time is so late.

Mr. HANSEN. I appreciate very much the remarks of the distinguished Senator from California. I would like to make one other point.

UNANIMOUS-CONSENT ARGEEMENT

Mr. BYRD of West Virginia. Mr. President, will the Senator yield to me briefly?

Mr. HANSEN. I yield.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that all time on this amendment and on amendments thereto be limited to 1 hour, with the understanding that the distinguished Senator from Wyoming may be permitted to proceed for 5 minutes before the time under the hour starts, the time under the hour to be equally divided between the Senator from Pennsylvania [Mr. CLARK] and the Senator from California [Mr. MURPHY].

Mr. DOMINICK. Mr. President, reserving the right to object, is this just on the amendment pending, or on all amendments?

Mr. BYRD of West Virginia. Just the amendment pending and all amendments thereto.

The **PRESIDING OFFICER.** Is there objection?

Mr. HANSEN. Mr. President, reserving the right to object—and I think I shall not object—I would like to observe that I was engaged in this colloquy and I am very much interested in this subject. I hope I would be permitted, without transgressing on the time of other Senators who wish to speak, to take more than 5 minutes, if that is required. I do not think I would need much more time.

Mr. BYRD of West Virginia. The Senator will have no problem, I assure him.

The **PRESIDING OFFICER.** Is there objection? Without objection, it is so ordered. The Senator from California.

Mr. CLARK. Mr. President, I do not think the Chair ruled that the unanimous-consent agreement was effective immediately; did he?

The **PRESIDING OFFICER.** The unanimous-consent agreement is in effect 5 minutes from now.

Mr. MURPHY. Mr. President, a parliamentary inquiry.

The **PRESIDING OFFICER.** The Senator will state it.

Mr. MURPHY. The Senator from Wyoming has the floor. The time limitation of one-half hour on each side is to start after the Senator from Wyoming finishes his remarks. Is that correct?

The **PRESIDING OFFICER.** The time limitation starts in 5 minutes. The Senator from Wyoming is given 5 minutes.

Mr. MURPHY. It was my understanding there was no limitation. I distinctly heard the assistant majority leader say there would be no problem.

The **PRESIDING OFFICER.** He said there would be no problem, but he did not indicate a time.

Mr. MURPHY. He indicated there would be no problem. In the wide open spaces they have a song, "Don't Fence Me In." So I would ask unanimous consent to clarify the agreement, if I may, that the time limitation start whenever the Senator from Wyoming finishes his remarks.

The **PRESIDING OFFICER.** Is there objection?

Mr. BYRD of West Virginia. Mr. President, reserving the right to object, let me say to the Senator from California that the original request was that the Senator from Wyoming be permitted to continue for 5 minutes before the 1-hour limitation started. The Senator from Wyoming asked that, in the event the 5 minutes were not enough, he would get additional unanimous consent at that time for additional time.

Mr. MURPHY. I did not hear that. I merely heard the distinguished acting majority leader say there would be no problem. I think that was the exact language. That was an indication to me that if the Senator from Wyoming wanted more time, he would get it and that he would not be exposed to further unanimous-consent requests. I am sure my distinguished colleague is not going to talk too long, and I am just as sure and certain that whatever he has to say will be most enlightening and important for us to hear in this Chamber.

The **PRESIDING OFFICER.** Does the Senator from California insist on his request?

Mr. MURPHY. Will the Clerk read the request?

The **PRESIDING OFFICER.** The request is that the time limitation not commence until after the speech of the Senator from Wyoming.

Mr. MURPHY. I would insist on that, with the cooperation of my distinguished colleague.

The **PRESIDING OFFICER.** Is there objection? The Chair hears none, and it is so ordered.

Mr. HANSEN. Mr. President, the second point I wish to make is that concern has been expressed that delay in State plans might be formulated. I think the distinguished Senator from New York pointed out it could possibly take 3 years' time before a State plan could be devised and implemented so as to start to come to grips with the problem.

I do not believe that is the case. I think we will find the States are as equally and as vitally interested in law enforcement and in doing something about juvenile delinquency as are people in any other branch of Government. Because of that, I feel certain they will move; and I think we will be grateful indeed and beneficiaries of their interest and concern.

I do not think there is any monopoly of ability at all within the Federal Government to devise ways in which we can come to grips with these serious problems. I think the States have demonstrated an innovative ability and capacity to do a great job in hand tailoring programs to their specific needs and conditions.

The State of New York has a situation that I believe is entirely different from what we find in Wyoming. As a consequence, it is my firm conviction that the people of Wyoming, through the chief executive of that State, can devise a plan that will do a better job for Wyoming, just as I think the people in New York State can do a better job for their State under the ability and direction of the Governor and the State legislature and the interested and concerned officials than would be possible through having an overall plan devised by a Cabinet official to be imposed on all of the 50 States.

For those reasons, I intend to support the amendment of the distinguished Senator from California.

Mr. MURPHY. Mr. President, I thank my distinguished colleague. I am pleased that he has seen fit to bring us an actual example, having been Governor of the great State of Wyoming and having approached these problems at first hand. I am glad he brings that experience to this Chamber and believes, with the Senator from California, that there is a great capability and a great reserve of knowledge, expertise, and understanding in the States.

The **PRESIDING OFFICER.** Who yields time?

Mr. CLARK. Mr. President, the Senator from California will have to yield the floor before the agreement goes into effect.

Mr. MURPHY. Mr. President, I yield the floor.

Mr. CLARK. Mr. President, I yield myself 5 minutes.

First, let me thank the Senator from California for his kind comments about me and about the bill. I am delighted he will support it on final passage.

Next, let me point out that we are not talking here in connection with this bill about the poverty program, or model cities, or the safe streets and crime bill, or any of the other, manifold programs of the Federal Government dealing with crime and delinquency. We are talking about a modest program which has been in effect since 1961, originally sponsored by the distinguished Senator from Alabama [Mr. HILL] and myself. It deals in rather modest terms—although it has been expanded over what was done before—with the single subject of cutting down on juvenile delinquency.

None of us who support this bill are operating under the illusion that the bill is going to cure all juvenile delinquency, because we know it is not. We do believe—and here I believe to some extent I differ with the Senator from California—that the program which has been in effect since 1961 has been helpful. New techniques have been developed. Demonstration programs have shown the effectiveness of certain methods of handling juvenile delinquency. We have trained a good many people to become qualified teachers and practioners in the field.

I believe the amount of money spent—a very small amount when compared with the billions of dollars we spent on other programs—has been well spent, and that the programs which have been described in the insertion I placed in the RECORD earlier today have been worthwhile. Now I believe the time has come to expand what has been a very modest program, based on the solid results which have been achieved.

Now let me turn to the amendment of the Senator from California. I am glad that the Senator from Colorado is still in the room, because one of the difficulties which I find with the Murphy amendment is that it would spread this money so thin among the 50 States that no one State could expect to receive enough money to do a really effective job, even in a limited area.

For example, while we agreed in committee, at the urging of the Senator from Vermont—and I was happy to agree—that no one State should receive less than $100,000 out of this first $25 million; we did not take the suggestion of the Senator from California that the rest of the money be spent in proportion to the population. Rather, we left it to the discretion of the Secretary and to the Governors who created the State plans to determine where and how the money should be spent.

I say to my friend from Colorado that if he should be of the view, and I do not know whether he is or not, that it would be highly desirable to have a fairly large program in the city of Denver, he could not get it, because Colorado, under Senator MURPHY's bill, would not be eligible for enough money to make such a program possible.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. CLARK. I shall be happy to yield in a moment; but I would like to finish my argument.

In the next place, there has been much talk about State block grants. I assure my colleagues who have not had an opportunity to read the bill that there is a very elaborate State grant program set forth in this bill, which begins on page 18, at line 8, under the heading "Title 1—Planning and Preventive and Rehabilitative Services," and continues for the next 10 pages or more. The committee recommends rather substantial and, I think, excellent criteria as to what should be in a State plan in order to make it possible to give to the Governor the right-of-way to carry on, within his State, just what needs to be done in order to make this relatively small amount of money available to deal with juvenile delinquency in the State.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CLARK. I yield myself 3 additional minutes.

Next, let me say that the program of straight Federal and local grants is authorized in this bill because we found from experience that most juvenile delinquency problems are urban problems—not all of them, to be sure, but in terms of the number of people involved, a substantial majority of the youngsters who get into trouble live in the cities.

We found also that local police officers, local probation officers, and other law-enforcement and rehabilitative officers come largely, in terms of experience, from cities and urban areas.

Moreover, there are many States which do not have a State agency which would be competent or have jurisdiction to administer the provisions of this bill. Therefore, we feel it is most important to keep free that channel which has been in effect ever since 1961, not only in this but in many other programs, to permit direct Federal local funding. We feel quite strongly that to this extent, the provisions of Senator MURPHY's amendment are not sound.

Another point is that we found also that in terms of grants which have already been made, there are many private, nonprofit civic agencies which are the most effective sponsors for these types of programs.

I believe there are nine States which, under constitutional or legal prohibitions, are not empowered to make grants to local private, nonprofit organizations.

Therefore, we want to keep this channel open to make grants in situations where, under State law, it is either illegal or unconstitutional for the State government to deal with programs such as these.

Mr. President, I think those are the committee's major objections to the Murphy amendment, which I know is conceived in good will and has many good things about it; but in our opinion—and this must be a matter of opinion between Senators equally interested in the objectives of the act—and in the opinion of every member of the subcommittee, I believe, except the Senator from California, the proposal brought forth by the committee is superior to the Murphy amendment in terms of obtaining efficient and effective administration of the act in question.

Mr. President, I reserve the remainder of my time.

Mr. DOMINICK. Mr. President, will the Senator yield, inasmuch as he commented on Colorado?

Mr. CLARK. Yes, indeed.

The PRESIDING OFFICER. Who yields time?

Mr. CLARK. Mr. President, for the time being, for not too long, I will take it off my time.

Mr. DOMINICK. I wonder if the Senator can tell me how much money is being expended under this program at the present time in the State of Colorado?

Mr. CLARK. Yes, I can, if the Senator will indulge me for just a moment.

Under the various demonstration programs which have been funded since this program went into effect in fiscal 1962, Colorado has had a total of $502,907, which has been split between the Colorado Department of Employment in Denver, the Denver juvenile court, Englewood School District No. 1, and the juvenile court of Boulder County.

Mr. DOMINICK. That is for 6 years; is that correct?

Mr. CLARK. That is correct. Also, there are some training program funds going to Colorado, which I think I ought to mention.

Mr. DOMINICK. Are they under this act?

Mr. CLARK. Yes, indeed; they are.

We have had, over the past 6 years, a total of 204 training programs, at a cost of $13 million, and Colorado has received under the training programs, a modest sum, $75,564, which has gone in part to the University of Denver and in part to the Western Interstate Commission for Higher Education at Boulder.

Mr. DOMINICK. I wanted these figures in the RECORD. As a matter of fact, these Colorado programs have been doing a fine job on the limited funding available.

The point I am making is that if you add up all the money received over the 5½-year program, and then take Senator MURPHY's program of $100,000 per year per State——

Mr. CLARK. Senator PROUTY's program.

Mr. DOMINICK. That is also in Senator MURPHY's amendment; $100,000 to the State. What I am saying is we would get more money than we have under the program as it now exists; so I did not think the argument on that point was necessarily relevant.

Mr. CLARK. With all deference to the Senator from Colorado, I would doubt that. If you take $25 million, and, say that each State gets its first $100,000, and that takes $5 million out of the $25 million, because there are 50 States, that leaves $20 million; then if Colorado receives its share, on a pro rata population basis, of the other $20 million, divided among 200 million people, I do not think Colorado will receive very much.

Mr. DOMINICK. We will get the same amount as before; that is the point I am making. As a matter of fact, we will do better. We have not gotten over that $100,000 per year in 6 years; we will obviously get more than $100,000 under the Murphy amendment.

Mr. CLARK. Upon calculation, I find that Colorado would get $179,000 out of the first $25 million, and, as I pointed out, these grants have not been made since 1967; and Colorado received an award of $225,000 in fiscal 1967 alone. There was only $47 million spent over 6 years for the entire program.

Several Senators addressed the Chair.

Mr. CLARK. Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. LAUSCHE. Mr. President, will the Senator from California yield me 3 minutes to ask some questions?

Mr. MURPHY. I will be glad to yield

some time to the Senator from Ohio if I may ask one relevant question at this point.

How many programs under the funding are on-going in Colorado at the present time?

Mr. CLARK. It is almost impossible to tell from the figures I have whether they have been completed or not. However, I can make more or less of an educated guess. At last count, the figure for Colorado was for fiscal year 1967, and that was for $233,505 for three separate programs. I do not know whether they have been completed or not.

Mr. MURPHY. Mr. President, I think this is most pertinent and relevant. It should concern what is being done and what has been accomplished. Those are the points that I think are important.

Mr. DOMINICK. Mr. President, will the Senator yield?

Mr. MURPHY. I yield.

Mr. DOMINICK. Mr. President, it is my belief that the juvenile program in Denver is still going on and is being funded. However, it does not appear from the figures mentioned by the Senator from Pennsylvania that any funding was available in fiscal year 1968.

Under the Murphy amendment there will be some funding each year with which to continue the program.

The fact of the matter is that if we put this on the basis of $100,000 to each State we are hitting the portions of the country in which the problems are worse.

Mr. MURPHY. Mr. President, the only way to target this program is to realize that the rising rate of delinquency accompanies the rising figure of population; and, unfortunately, it outstrips it. But we can think of no other way by which to gage the percentage so that it would be fairly distributed and not left to the disposition of one man who might decide that he does not like Colorado.

I would think it would be better to do it on the population basis. Everybody would get $100,000, and the remainder would be distributed on the basis of population from there on.

I do not think that juvenile delinquency can be approached in any other way.

Mr. PROUTY. Mr. President, will the Senator yield?

Mr. MURPHY. Mr. President, I would be pleased to yield to the distinguished Senator from Vermont.

Mr. CLARK. Mr. President, I am happy to yield to the Senator from Vermont as much time as the Senator may require. How much time does the Senator desire?

Mr. PROUTY. About 6 minutes.

Mr. MURPHY. Mr. President, even though I know the Senator will oppose the pending amendment, I was going to yield him time. However, since the Senator from Pennsylvania has been so gracious, I will let the Senator from Pennsylvania yield from his time.

Mr. CLARK. Mr. President, far be it for me to deprive the Senator from using some of his time.

Mr. MURPHY. I already have.

Mr. PROUTY. Mr. President, I thank the Senator from California and do appreciate his generosity.

As the Federal Government has become increasingly involved in every aspect of American life, it has become more and more evident that what has resulted from the centralization of authority has not been the solution to the problems of our country but rather duplication, overlap, and inefficiency.

Mr. President, I have been in the forefront of those who have advocated a devolution of power wherever feasible and possible from the Federal to the State and local levels. Giving block grants to the States rather than having Federal agencies deal directly with municipal and local authorities is one way of achieving this devolution of power. The block grant approach is a suitable one, however, only if the States are capable of handling and distributing the funds and developing programs in a satisfactory manner. In many cases they are.

I favored the block grant approach in the safe streets and crime bill because I felt that the States had had years of experience with law-enforcement institutions and were capable of distributing funds throughout the State to develop means of bettering the administration of justice more efficiently than the Federal Government.

In the field of education, I favored a modified block grant approach. On the one hand, State educational agencies need to be built up and given increasing authority. On the other hand, some local educational problems are being handled very capably through Federal-local cooperation. Therefore, an elaborate formula was devised to provide for both contingenices.

What we should seek, I believe, as the Senator from New York [Mr. JAVITS] has very capably put it in his supplemental views to the committee report on H.R. 12120, is "a proper balance of responsibilities between Federal, State, and local governments." It is necessary to insure that the proper balance is struck for each and every legislative proposal. What is acceptable with regards to law-enforcement legislation might be completely unacceptable in the field of education. Each case must be considered separately.

It would be a mistake, I believe, for the problem of juvenile delinquency to be considered in the same light as law enforcement and the administration of justice. Over the past 6 years we have worked with youths predominantly through community organizations to develop more effective means of preventing juvenile delinquency. And, in the process of developing programs for this purpose, it has been the Federal Government which has been the instigator of ideas, the communicator between State and local agencies both public and private, and the benefactor.

While I firmly believe that it is time for the States to play a stronger role in dealing with localities and with developing their own long-range solutions to the problems of juvenile delinquency, I do not believe that all or even most of the States have the desire, the capability, or the apparatus to do so effectively at this moment. There are three main arguments in support of this position.

First, most States are unwilling, if unable, to effectively disburse funds for juvenile delinquency in such a way as to carry out the intent of the legislation.

Second, a block grant amendment would disrupt if not destroy the existing program and program approach.

Third, the proposed Dirksen-Murphy amendments are inadequate. I would like to consider each of these in turn.

I

Many States are unwilling or incapable of effectively disbursing funds for juvenile delinquency in such a way as to carry out the intent of the legislation.

First. The major emphasis of the juvenile delinquency bills since the Crime Commission's report was issued in 1961 has been to develop means of preventing juvenile delinquency and rehabilitating early offenders through community agencies. The States, have been and are primarily interested in concentrating funds for the improvement of traditional structures, such as halfway houses.

Second. The Murphy-Dirksen amendments require use of a single State agency for the dissemination of funds. Most States have several agencies concerned with the problems of youth, and it is likely that much infighting would occur before one was designated.

Third. It has been local community agencies and private nonprofit groups acting with the help of the Federal Government which have made progress in the area of juvenile delinquency prevention.

Fourth. HEW has access at the grassroots level. Many States have not developed successful mechanisms for communicating with their cities and means by which to equitably distribute funds. Nor have many cities been able to develop appeal mechanisms directly through to the State level.

Fifth. The States are more often concerned with fiscal accountability rather than with program quality and the needs in the States in the area of juvenile delinquency. Most research in the matter has been federally conducted. It might be noted that the Federal Government has had the most contact with universities.

Sixth. The States have not set priorities or coordinated programs bearing on juvenile delinquency prevention and control. Many States which have plans have outdated ones. Others already have complex ones and need no planning funds.

Seventh. Many States would need encouragement to become involved and guidelines in developing plans. The present bill provides an incentive—the requirement of a State buy-in, and stringent requirements for State plans before the award of a block grant.

II

A block grant amendment would disrupt if not destroy the existing program.

First. Currently there are 16 projects being funded under the Juvenile Delinquency Prevention and Control Act of 1961. Most of these are to metropolitan agencies or private nonprofit organizations in the Nation's largest cities—

New York, Boston, Houston, and Cleveland. The Murphy-Dirksen amendments provide for a single State agency to disburse funds. Private, nonprofit organizations will either not be able to compete with governmental agencies for funds or will not be permitted to continue to receive funds from the States. In fact, there are prohibiting laws in nine States.

Second. Research grants—so useful under existing law—are curtailed in the Murphy amendments. In addition, with distribution required among 50 States, allocations would be so small as to be meaningless.

Third. A $25 million allocation when split 50 ways would not leave sufficient funds to continue ongoing projects. While localities applied to the State for the continuation of funds, valuable time and effort would be lost.

III

The Murphy-Dicksen amendments are not adequate in several ways.

First. They do not require State participation or a buy-in as the Javits-Prouty provisions in the present bill do.

Second. No sanctions for nonperformance of State or for disinterest are included. The Javits-Prouty provisions of the present bill have stringent requirements which must be met by State plans and take performance into account.

Third. Population is the only criterion for the distribution of funds, regardless of the crime rate, school dropout rate, and so on.

Fourth. The Murphy-Dirksen amendments have inadequate provisions for funding:

First. The Murphy amendment states that the Secretary shall allocate $100,000 to each of the States for planning and the remainder of such funds according to their relative populations. This almost uniform allotment formula does not take in account some States such as California which already have done extensive planning. Other States would need more than $100,000 and would need longer than a 6-month period to develop a State plan. Likewise, the planning formula does not acount for any present or potential planning capacity developed within the State—either in a city, a metropolitan area or perhaps a region within or between States.

Second. The Murphy amendment would require the allocation of 85 percent of funds to the State according to population. In other words, less than $17 million would be spread thinly across the entire Nation. The State of Arizona, for example, would receive less than $150,000 and the share for the District of Columbia would be only $50,000. The dispersal of funds according to such a rigid formula would impair the effectiveness of many excellent programs already serving delinquents and potential delinquents and which deserve continued and expanded Federal support. If State agencies were given complete discretion over funds, it is likely that cities and local agencies would not get the amount of money they need.

For these reasons, I do not favor the Murphy-Dirksen "total immersion" block grant amendments. This would be tipping the scale too far toward the States. Rather, I believe that the present bill which embodies a modified block grant approach developed by Senator JAVITS and myself will strike the proper balance at this time between the Federal Government and the States.

I yield back the remainder of my time.

Mr. CLARK. Mr. President, does the Senator from New York desire recognition? If so, how much time does he desire?

Mr. JAVITS. I should like to have 5 minutes.

Mr. CLARK. I yield 5 minutes to the Senator from New York.

Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Pennsylvania has 7 minutes remaining.

Mr. MURPHY. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from California has 26 minutes remaining.

The Senator from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. President, the real difficulty with the amendment is the point which we have made time and again when the question of giving the States an opportunity to participate has arisen, namely, that the program would be locked in in a way which would be disadvantageous to the program itself.

In my judgment, we have in the bill a rather effective and important provision for State participation as a result of the collaborative work of the Senator from Vermont [Mr. PROUTY], the Senator from Pennsylvania [Mr. CLARK], and myself. In that provision, the State is required to match on a 50–50 basis the amount that is made available. This requirement is completely waived in the amendment of the Senator from California [Mr. MURPHY].

Yet, one of the very strong aspects of Federal-State cooperation is that there shall be contribution on both sides; and that is the use of the term "the States to buy in." If a State is going to run a program such as this, the program should be appreciably enlarged in scope thereby. That is why I feel so strongly about our own provision, which requires full matching by the State.

Second, we have already made it very clear in the discussion that if these resources are confined strictly to the State plan, there would be a delay of at least 6 months, and it could easily be a year or more in the case of States which are not as likely to move with alacrity as many others, such as those named—New York, Illinois, and California.

The worst part of the amendment is that it divides the available resources, which are meager enough, in a way which has no real direct relation to the incidence of juvenile delinquency or to the scope of the problem.

For example, our analysis indicates that a place such as the District of Columbia, which we all realize has a very challenging problem in this regard, will get approximately $50,000 as its participation. A State like Arizona will get about $150,000, because the money, under the 85-percent provision, is being spread according to population, in a very thin way, regardless of whether every one of the 50 States does or does not have a need proportionate to its population. That is not the way in which to fund most effectively with an experimental program.

Also, Mr. President, we are anxious to preserve the tremendous range of voluntary efforts by individual organizations—settlement houses, YMCA's and YWCA's, and many similar organizations.

If this program is stratified into the States, nine States, for example, have neither constitutional nor legislative provision to disburse these funds to private nonprofit agencies. That is the type of situation which caused us to develop the plan we have in the bill. The plan in the bill, it seems to me, is entitled to far more weight than has been given it in this debate.

The bill provides that the Secretary shall approve a State plan if he determines the plan for that fiscal year does various things in respect of this program, which, in my judgment, in every case are desirable, including the participation by local civic groups themselves in the development of what shall be done with this money.

A very important feature is that if the State is going to run it, the State has to put up money. That is why the buy-in provision, which will expand the program, by States which avail themselves of it effectively, becomes extremely important.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CLARK. How much more time does the Senator desire? We do not have much time remaining.

Mr. JAVITS. I am sure that Senator MURPHY will give me 2 minutes.

I believe that in a program which is relatively experimental, such as this one, this degree of flexibility, at the same time enabling the State to take it over if it wishes to contribute 50 percent of the non-Federal share, becomes a very feasible plan at this stage.

I should like to express my agreement with Senator PROUTY. I have fought many times for very strong State plans in respect, for example, of the Mine Safety Act and other acts. I feel strongly about it, and so does the Governor of my State.

I would feel, as does Senator PROUTY, that we may well come in, in a year or two, and work out a tighter channeling of these resources through the States. But I believe that if the plan of Senator MURPHY is adopted, a great deal of this money would be hung up and would be distributed so widely and so thinly as to dilute its real effect and purpose, that of reaching into the hard core centers of juvenile delinquency, and would defeat, in my judgment, the basic purpose of the bill.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. JAVITS. I ask that I may proceed for 1 additional minute.

I know that Senator MURPHY does not in any way intend that, and I do not challenge that he is just as devoted to the purposes of the bill as I am. But I deeply believe that the practical effect of diluting this money as much as it would be diluted, tying it up in long-delayed possibilities, the impossibility of dealing with voluntary organizations in many States, and so forth, would be counter-productive and, considering the small amount of money involved, would materially damage the program.

Therefore, I hope the Senate will sustain the committee and vote against this amendment.

The PRESIDING OFFICER. Who yields time?

Mr. MURPHY. I yield 3 minutes to the distinguished Senator from Mississippi.

Mr. STENNIS. I thank the distinguished Senator from California.

Mr. President, this is a subject in which I have had an interest for a long time. During World War II, on an emergency basis, some jurisdiction in juvenile delinquency was transferred for approximately 2 years to a court in which I had some responsibility.

Mr. President, allowing for the good faith to which all the members of the committee are entitled, I cannot escape the conclusion that the program will be better and the bill will be better if the amendment of the Senator from California is adopted. I do not believe there is any chance of achieving real results in connection with the program unless it is dealt with at the home level, at the family level, to start with—if there is any family at all—and the neighborhood and local community level, coming on into the larger community, the little town or village, or the rural community or city community, whatever the case may be. I trust that we will not vest all these funds in a group that operates from Washington.

I know that the Senator from New York is very sincere. He said we could try it on that basis and refer it to the States later. We know from experience that once these programs are started, the employees develop a vested interest in the program, as to their position; and instead of changing it back, more likely it would be enlarged and appropriate greater and greater sums.

I believe we are getting off on the right foot and the only right foot if we start this matter at the local level for the reasons I have given. There is the trial and error, there is the day-by-day checking up on the parent, the child, and on any facts that go with a particular case. Otherwise, I am afraid it would be just another case where we appropriate a lot of money and involve a lot of people who do not really understand the problem. Even though they are trying in good faith, they are going to fail in large part.

I believe in some departments—and I say this with all due respect—there is an inherent distrust of local authorities and local people. The agencies want to make a showing of their own, apart from any contribution on the local level.

Until we return to the basic idea of starting at the ground level and building with local help and responsibility, I do not believe we will achieve our purpose.

I yield the floor, and I thank the Senator for yielding.

Mr. MURPHY. I thank the Senator from Mississippi.

Mr. LAUSCHE. Mr. President, will the Senator yield me 3 minutes?

Mr. MURPHY. I yield to the Senator from Ohio for 3 minutes.

The PRESIDING OFFICER (Mr. Hollings in the chair). The Senator from Ohio is recognized for 3 minutes.

Mr. LAUSCHE. Mr. President, I will support the amendment of the Senator from California. I will do so primarily on the basis that I know of no governmental agency nor any private enterprise that has a greater skill in the mismanagement and misuse of money than the departments of the Federal Government.

I wish to repeat that the agencies of the Federal Government, because of their distant removal from the eyes and the hearing of the people of the United States, have developed an unprecedented faculty in spending money recklessly and extravagantly.

Mr. President, I have searched my mind trying to find where, within the country, there exists any governmental unit that has a greater propensity in the direction of spendthrift than the Federal Government. The Senator from California has offered an amendment giving the Governors of the States a bit of power in controlling how the money appropriated under the bill or authorized under the bill shall be spent. I do not care how weak the proposal might be. In placing some sort of limitation or control upon the Federal Government it will be better than what we have in the bill as it has been reported.

In the last 6 years there has been spent $47 million in this program. This bill contemplates spending $250 million in the next 4 years.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, will the Senator yield to me for 1 additional minute?

Mr. MURPHY. I yield.

The PRESIDING OFFICER. The Senator from Ohio is recognized.

Mr. LAUSCHE. Mr. President, I do not know whether I shall vote for the bill regardless of what happens on this amendment, but of one thing I am certain. I shall try to include in the bill provisions that will insure in some reasonable degree that the money will not be spent extravagantly.

I have witnessed entirely too many "donnybrooks" and "symposiums" by the Federal Government in the spending of the taxpayers' money. I am not going to join with that coterie that is advocating more and more spending of Federal money far removed from the eyes and the hearing of the taxpayers of the Nation.

Mr. MURPHY. Mr. President, I yield myself 4 minutes.

Mr. President, I thank the Senator from Ohio and the Senator from Mississippi. They stated the purpose of the amendment more eloquently than could I have done. The amendment would do no damage to the bill whatsoever. In my opinion, it would strengthen the bill because it would eliminate one of the things that is disturbing the American people.

President Johnson said not too long ago that there is a restlessness in the land. That was an understatement. There is more than restlessness. Many people are discouraged and disgusted. We have had a great argument about the cutting of $6 billion from the budget in order to help balance our budget.

The American people do not know all the details, but they do know that something has been wrong with our economic policy. This is my only disagreement with my distinguished colleagues, the Senators from Pennsylvania, New York, and Vermont. It is a disagreement of method. They think we must go along and continue the old way, and let an appointed Secretary of Health, Education, and Welfare, whoever he might be, take charge of this important program.

In my amendment, I believe this could be turned over to the intelligence, knowledge, and expertise of the elected representatives of the people of the several States so that they may have a chance at the problem for a change.

We do things that disturb me. We seem to get into difficulty, as we have during the past 25 or 30 years, and then we go back to the same people who got us into difficulty to give us advice on how to solve the problem. We have followed this course in foreign affairs and military affairs. We deal with theory, and we seem to hate to get down to practical problems. We have a similar case here.

The Senator from Wyoming spoke of his State. Earlier I spoke of direct plans underway in my State with respect to the use of the many programs so that there will be no overlap, duplication, or waste. That is all we are talking about in connection with this amendment.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. MURPHY. I yield 3 minutes to the Senator from South Carolina.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 12 minutes remaining, and after yielding 3 minutes to the Senator from South Carolina, he will have 9 minutes remaining.

Mr. MURPHY. I thank the Presiding Officer.

Mr. THURMOND. Mr. President, I rise in support of the amendment of the distinguished and able Senator from California. I do so for three reasons. The first reason is that the Constitution of the United States refers to only two levels of government, government at the Federal level and government at the State level.

In my opinion, the Federal Government should not deal with local communities, cities, towns, and other subdivisions of the State. Whatever aid is to be furnished to a State or its subdivisions, in my judgment, should go through the State.

The second reason I rise in favor of the amendment is that I am confident that the States will get more for their money than will the Federal Government dealing with each subdivision of a State.

It has been shown through experience that it costs the National Government much more to accomplish something than it does the State government. We will fare much better, in my judgment, if we provide for this money to go into block grants to the States and let them operate the programs.

A third reason I favor the Senator's amendment is that the States can coordinate their programs and we will not have each community running off in different directions. If the State operates an entire program under a grant for that purpose, we will have much better coordination of the entire program than if we have each community arranging for its own program.

For these three reasons, Mr. President, I strongly favor the amendment of the Senator from California.

Mr. MURPHY. I thank my distinguished colleague.

Mr. CLARK. Mr. President, I yield myself 4 minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 4 minutes.

Mr. CLARK. The Senator from Mississippi made a strong plea for the Murphy amendment but I think it should be noted that the State of Mississippi during the past 6 years has not received any money at all under the present programs and, so far, as I know, has not asked for any money either at the State or local level. I would suspect—although, of course, I cannot be sure—that there will not be too much chance that the State of Mississippi will apply for any money even if the Murphy amendment were to be adopted.

So far as my good friend from Ohio is concerned, I think he and perhaps some of the other Senators who have spoken this afternoon are under an inadvertent misapprehension. There seems to be some thought going around—I notice the Senator from South Carolina mentioned it—that the Federal Government is administering these programs. Nothing could be further from the facts.

Let us take the breakdown of the $2,115,000 which has been granted to the State of Ohio during the past 6 years. That money has been split among the Community Action for Youth, Inc., in Cleveland; the Community Chest in Cincinnati; and the East Central Citizens Organization in Columbus, Ohio. These civic agencies in Ohio have been administering the funds and spending the money. All the Federal Government does is to approve the plan and then funds the applications. It is all done at the local level.

Mr. LAUSCHE. Mr. President, will the Senator from Pennsylvania yield for a question at that point?

Mr. CLARK. I yield.

Mr. LAUSCHE. Is it not a fact that under the bill, discretion is vested in the Secretary of HEW how the money shall be distributed around the country; and does that not vest in the Secretary of HEW the ability to use political considerations in making the allocations?

Mr. CLARK. I think I would answer that double-barreled question with "No."

Mr. LAUSCHE. Answer the first half first, please.

Mr. CLARK. I will answer both halves by saying "No." The reason is that the bill makes a very great movement toward the Governors and toward the State block grant that was not in the bill during the past 6 years. We are not changing anything except moving toward State control. I do not know whether the Senator has criticism of those three grants in Ohio. Perhaps he has—if he will permit me to finish—but so far as the bill is concerned, we are getting away from control that the Secretary now has toward control by the Governors. We are not going so far as the Senator from California would like.

Mr. LAUSCHE. May I ask this question, if it is——

Mr. CLARK. I do not have much time left. Would the Senator from California yield some time to the Senator from Ohio, since he is supporting the Senator's amendment?

Mr. MURPHY. I yield 3 minutes to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio is recognized for 3 minutes.

Mr. LAUSCHE. If the States will not put up the 60 percent to qualify for the allocation and there are surplus moneys available, who will decide where the surplus moneys shall go?

Mr. CLARK. I really do not understand the Senator's question. I do not know what he is talking about when he says "60 percent." Let me explain it, as simply as I can, that, under the committee bill, the State has to buy in. It has to put up 50 percent of the money if it wants to have its plan approved.

Mr. LAUSCHE. If the State does not buy in, say, 20 States do not buy in, and what was intended for them becomes available for distribution, who determines how that distribution shall be made?

Mr. CLARK. Let me point out that there are some 27 States which have never applied under the current bill.

Mr. LAUSCHE. That still does not change my position. If there are States that do not ask for money, and that money therefore becomes available, who determines how it shall be allocated?

Mr. CLARK. Each State gets a minimum of $100,000 out of the first $25 million, and thereafter if the State does not apply—I am confident that there will be many more applications for the $20 million which will be left after we take the $5 million making up the $100,000—the Secretary would decide among the conflicting and overlapping applications who would get the money.

Mr. LAUSCHE. It took 5 minutes for the Senator from Pennsylvania to answer my question, but he finally answered it, that the Secretary of the Department of Health, Education, and Welfare will determine to whom the moneys will go. Let me ask the Senator now, is it not a fact that when there are moneys available which the States have not asked for, the Secretary of the Department of Health, Education, and Welfare will decide where they shall go?

Mr. CLARK. Just as he has done for the past 6 years. No change.

Mr. LAUSCHE. Then he can play politics if he wants to.

Mr. CLARK. He has not, for the past 6 years.

Mr. LAUSCHE. I am not so sure.

Mr. CLARK. I defy the Senator from Ohio to show me one instance where there was any politics in the three programs in Ohio, each of which was a success.

Mr. MURPHY. Mr. President, how much time remains to me?

The PRESIDING OFFICER. Eight minutes.

Mr. MURPHY. Mr. President, I think the question raised by the Senator from Ohio is a most interesting one. It is a question of whether the Members of this distinguished body should continue the practice of the past few years where we turned over all the funds, which means most of the control of the programs, to the appointees of the Secretary, or to the heads of bureaucracies, or whether we think that the time has come—and I believe it has, I believe that the great majority of the American people feel that it has—to take some of the programs and return them to the States.

Now I know how this whole thing got started and so do all my distinguished colleagues. It was found that we could bypass the States and give it to the big cities, and control the big cities with the funding of Federal money. Take the money away from all the taxpayers and send it back to the big cities, and that would add to a control of votes. I think we found out that that was not a good situation and certainly not a healthy one.

I think the time has come when we must reverse some of this and put it back to where the States will have an opportunity to set up its own programs. The Secretary looks it over and says it is a good program and then in 6 months they begin its operation.

My distinguished colleague from New York said that that might waste a year. I might suggest that in some of the programs that I have seen here over the past 3½ years, it might have been much better for all concerned—for the program, the recipients, the poor people, the people in the States, and the taxpayers—had they wasted a little time to set up a plan before they started pouring out public funds in great amounts. I think that this is a good, thoughtful period that might help the final effects of this most important bill.

Mr. CLARK. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Pennsylvania is recognized for 3 minutes.

Mr. CLARK. The Senator is a candid, forthright, and completely honorable man. I want to ask him this question:

Does the Senator agree with me that there is just as much chance of politics being played with this program if this matter is turned over to the Governors as there would be if left to the Federal Government?

Does not the Senator agree with me that there is just as much chance for politics being played inside Pennsylvania, or inside California, or inside Ohio, as there is from the Federal level down? I do not think the question of politics enters into the Senator's amendment at all. Does the Senator agree?

Mr. MURPHY. In the first place, there is always the danger of politics. I said there are certain things happening now in the Nation's Capital that I would object to, on a political basis, on the basis of philosophy, and not personality. There is always that danger. But I do think that the closer at home the politics is, the quicker the people may be able to find it out and the more discernible it is. I think sometimes when politics is 3,000 miles away, the people of a State do not catch onto it very quickly. I know that has been my experience. That is why, knowing the frailty of the human makeup, knowing that individual people may fall into the temptation of using certain things to their own advantage, when they should not, I think the built-in safety valve of our Government lies with the people. If it is done on a State basis, if it is done by their elected representatives, the people will have a chance to find out much quicker than if it is done by an appointee who is responsible only to the man who appoints him.

I think we are much safer in putting this kind of program in the hands of State governments.

It has been said that the money will be divided very thinly across the country. It will be divided in the same manner here. I can think of no other basis than population, because the incidence of juvenile delinquency, generally speaking, varies directly with the population.

I think I have stated as simply and as clearly as I know how the case for my amendment.

I think the acceptance of my amendment will not only do great service to this particular program, but will carry forward the theory reflected by those in this body that the time has come in the matter of juvenile delinquency, just as in the matter of crime in the streets, when the problem should be dealt with at the local and State level.

We hear a great deal of the importance of the grassroots when it comes to a political campaign, but sometimes I find, in this distinguished gathering, the grassroots are disregarded. One of my colleagues said one day that he did not come here to do what his constituents wanted; he came here to do what he thought was right. I know this is a moot question. I came here to do what I believe my constituents want. I believe that is the basic philosophy of our Federal system. Until it is actually changed by legislation or by the desire of the people, that is the way I will continue to act.

I think that the philosophy of bypassing the States has caused trouble. I think it was wrong. I think it was badly conceived and carried out. Most importantly, I do not believe the people of California want it to continue. I think we should put control back into the hands of the States, and we will find out once and for all whether that is the way to do it. It is true that some States do not have a program. That defect can be rectified. It is true that some States have dragged their feet. It is my feeling that this proposal will encourage them to act.

I sincerely urge the acceptance of my amendment. I think it will provide great help in the carrying out of the purpose of this bill.

I yield back the remainder of my time.

Mr. CLARK. Mr. President, how much time do I have left?

The **PRESIDING OFFICER.** The Senator from Pennsylvania has 2 minutes.

Mr. CLARK. I yield myself one minute, and then I shall yield to the Senator from New York.

I ask unanimous consent that a telegram I just received from former Secretary of HEW, John Gardner, expressing strong support for the committee version of the Juvenile Delinquency Prevention and Control Act, may be printed in the Record at this point in my remarks.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

Washington, D.C.,
July 8, 1968.

Senator Joseph Clark, Jr.,
Old Senate Office Building,
Washington, D.C.:

As former secretary of HEW I want to express my strong support for the Juvenile Delinquency Prevention and Control Act of 1968 as reported by the Senate Committee on Labor and Public Welfare. This legislation can make a major start toward dealing effectively and constructively with the problems of the Nation's troubled youth. When I was secretary I spent many hours on those problems and I am convinced that the committee bill is on exactly the right track in seeking to build increased competence in the States to meet youth problems. Most youth services and juvenile courts are now operated at the local level precipitate requirements at this juncture that all Federal funds be channeled through State agencies would seriously impair the effectiveness of the juvenile delinquency legislation and in my view would be a grave mistake.

John W. Gardner.

Mr. MURPHY. Mr. President, will the Senator allow me 10 seconds?

Mr. CLARK. If the Senator will allow me to finish my 1 minute, I shall be glad to yield 10 seconds to him.

Mr. President, I ask unanimous consent that a letter from the mayor of Portland, Mr. Terry D. Schrunk, president of the U.S. Conference of Mayors, endorsing the bill, may be printed in the Record at this point in my remarks.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Conference of Mayors,
Washington, D.C., July 8, 1968.

Hon. Joseph S. Clark,
Chairman, Senate Subcommittee on Employment, Manpower and Poverty,
Washington, D.C.

Dear Mr. Chairman: In behalf of the cities of this nation, as President of the U.S. Conference of Mayors, it gives me great pleasure to inform you of our support for the "Juvenile Delinquency Prevention and Control Act of 1968."

It appears all facets of the juvenile delinquency problem are covered by this bill. It is important that prevention of juvenile delinquency be treated along with rehabilitation of offenders. Additionally, appropriate planning and project development funds are available which will allow these endeavors to be accomplished more economically and better coordinated with other efforts.

Moreover, the requirements for review and evaluation by the governing bodies of local jurisdictions is a real step forward in establishing proper coordination and enhancing effectiveness of these programs. The provision allowing states to provide one-half of the local share has great merit. For too long local governments have been without adequate funds and this potential state assistance is certainly applauded. Finally, we strongly support the direct federal-local grants under the provisions set forth in the bill.

The U.S. Conference of Mayors appreciates the efforts expended by you and your committee in reporting out this bill.

Sincerely,

Terry D. Schrunk,
Mayor of Portland, Oregon.

Mr. CLARK. Mr. President, I yield 10 minutes to the Senator from California. Then I will yield the remainder of my time to the Senator from New York.

Mr. MURPHY. Mr. President, I want the Record to show that John Gardner, most capable, most distinguished, was just exactly the man I was talking about. He was an appointee, always bound by the feelings of the administration, rather than those directly expressed by the people through their duly elected representatives here in the Congress.

Mr. CLARK. Mr. President, I yield the remainder of my time to the Senator from New York [Mr. Javits].

Mr. JAVITS. Mr. President, one point needs to be made crystal clear. The committee proposal provides for State plans and the committee bill does give the States a full opportunity to administer this program provided they also put up some money. The real difference in the Murphy amendment is that it gives it to them free, whether they put up money or not, whether they are ready or not, whether they have programs or not. We do not do that. We say, "If you really mean business, put up half of the non-Federal share." That is the difference.

I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time on the amendment has expired. The question is on agreeing to the amendment of the Senator from California. The yeas and nays have been ordered, and the clerk will call the roll.

The bill clerk called the roll.

Mr. BYRD of West Virginia. I announce that the Senator from Rhode Island [Mr. Pell] is absent on official business.

I also announce that the Senator from Alaska [Mr. Bartlett], the Senator from Indiana [Mr. Bayh], the Senator from Nevada [Mr. Bible], the Senator from Maryland [Mr. Brewster], the Senator from Idaho [Mr. Church], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Michigan [Mr. Hart], the Senator from Indiana [Mr. Hartke], the Senator from North Carolina [Mr. Jordan], the Senator from Massachusetts [Mr. Kennedy], the Senator from Missouri [Mr. Long], the Senator from Louisiana [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Minnesota [Mr. McCarthy], the Senator from South Dakota [Mr. McGovern], the Senator from Oklahoma [Mr. Monroney], the Senator from Oregon [Mr. Morse], the Senator from Florida [Mr. Smathers], the Senator from Alabama [Mr. Sparkman], and the Senator from Texas [Mr. Yarborough] are necessarily absent.

I further announce that, if present and voting, the Senator from Alaska [Mr. BARTLETT], the Senator from Indiana [Mr. BAYH], the Senator from Michigan [Mr. HART], the Senator from Missouri [Mr. LONG], and the Senator from Oregon [Mr. MORSE] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Hawaii [Mr. FONG], the Senator from Michigan [Mr. GRIFFIN], the Senator from Oregon [Mr. HATFIELD], and the Senator from Kentucky [Mr. MORTON] are necessarily absent.

The Senator from Kentucky [Mr. COOPER] is absent because of illness.

If present and voting, the Senator from Oregon [Mr. HATFIELD] would vote "nay."

The result was announced—yeas 34, nays 38, as follows:

[No. 208 Leg.]

YEAS—34

Allott
Baker
Bennett
Boggs
Byrd, Va.
Carlson
Cotton
Curtis
Dirksen
Dominick
Ellender
Ervin
Fannin
Hansen
Hickenlooper
Holland
Hollings
Hruska
Jordan, Idaho
Kuchel
Lausche
McClellan
Miller
Mundt
Murphy
Pearson
Russell
Spong
Stennis
Talmadge
Thurmond
Tower
Williams, Del.
Young, N. Dak.

NAYS—38

Aiken
Anderson
Brooke
Burdick
Byrd, W. Va.
Cannon
Case
Clark
Dodd
Gore
Gruening
Harris
Hayden
Hill
Inouye
Jackson
Javits
Mansfield
McGee
McIntyre
Metcalf
Mondale
Montoya
Moss
Muskie
Nelson
Pastore
Percy
Prouty
Proxmire
Randolph
Ribicoff
Scott
Smith
Symington
Tydings
Williams, N.J.
Young, Ohio

NOT VOTING—27

Bartlett
Bayh
Bible
Brewster
Church
Cooper
Eastland
Fong
Fulbright
Griffin
Hart
Hartke
Hatfield
Jordan, N.C.
Kennedy
Long, Mo.
Long, La.
Magnuson
McCarthy
McGovern
Monroney
Morse
Morton
Pell
Smathers
Sparkman
Yarborough

So Mr. MURPHY's amendment was rejected.

Mr. CLARK. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DOMINICK. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The bill clerk read as follows:

> On page 49, line 16, after "1971" insert a period and strike out "and $100,000,000 for the fiscal year ending June 30, 1972."

Mr. DOMINICK. Mr. President, if I may have the attention of Senators, I shall not take very long on this matter.

Mr. LAUSCHE. Mr. President, I had sent to the desk an amendment identical with the amendment offered by the Senator from Colorado. I ask the Senator from Colorado to allow me to become a cosponsor of his amendment.

Mr. DOMINICK. I am honored. I ask unanimous consent that the Senator from Ohio be listed as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. DOMINICK. I yield.

Mr. MURPHY. Mr. President, had the Senator from Colorado not offered his amendment, I would have done so. I withhold my amendment and ask the Senator if I may be listed as a cosponsor of his amendment.

Mr. DOMINICK. I would be delighted. I ask unanimous consent that the Senator from California be listed as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOMINICK. Mr. President, my amendment would knock out the fourth year of the program and save $100 million. It does not sound like very much.

The House passed a 1-year bill. This bill is designed to be a 4-year bill. My amendment would make it a 3-year bill instead of a 4-year bill and would knock out the authorizations for $100 million.

It seems to me that we have plenty of time to move ahead with the programs and see whether they will be responsive to the needs of the country. If they are, we can come back with an authorization.

I understand that the Senator from Pennsylvania and the Senator from New York are both in agreement.

Mr. CLARK. Mr. President, with deep reluctance, I am prepared to accept the amendment of the able Senator from Colorado.

Mr. JAVITS. Mr. President, I hope the Senate will accept the amendment.

Mr. CLARK. Mr. President, may we have a vote on the pending amendment?

Mr. MURPHY. Mr. President, will the Senator yield?

Mr. CLARK. I am happy to yield to the Senator from California.

Mr. MURPHY. Mr. President, is it not necessary to have a vote on the amendment?

Mr. CLARK. That is just what I was trying to get.

Mr. MURPHY. Mr. President, I should have known that the distinguished Senator from Pennsylvania would have anticipated that.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado.

The amendment was agreed to.

Mr. NELSON. Mr. President, the seriousness of our juvenile delinquency problem has reached shocking dimensions—enormous numbers of our young people are involved in delinquent acts. The statistics on juvenile delinquency are ominous. Last year, eight of every 10 automobile theft arrests, seven of every 10 arrests for burglary and larceny, and five of every 10 arrests for robbery were of persons under 21. Our 15, and 16-year-olds are arrested more frequently than any other age group. And it is among our young people that the crime rate is growing most rapidly. While the population under 18 years old grew by only 17 percent between 1960 and 1965, the number of arrests in that age bracket went up by 47 percent. These figures show that America's youth is responsible for a substantial part of the national crime problem. Clearly, something must be done to reverse this alarming trend.

New programs for the prevention and control of delinquency must be initiated. Accordingly, I am supporting H.R. 12120, the Juvenile Delinquency Prevention and Control Act of 1968. This measure represents a significant step forward and ought to be enacted and put into operation as soon as possible. This bill would authorize the development of comprehensive antidelinquency plans by State and local agencies; it will provide for the construction of facilities and the training of needed personnel; and it will provide for preventive and rehabilitative services.

This measure is designed to give the States and localities a major responsibility in helping to combat the juvenile delinquency problem. Certainly, local people are best qualified to meet the challenges of their own community. In addition, the Federal Government will provide assistance to coordinate the many efforts being conducted across the Nation.

I am hopeful that H.R. 12120, an act to assist courts, correctional systems, and community agencies to prevent, treat and control juvenile delinquency, will pass the Senate.

Mr. RANDOLPH. Mr. President, there is an urgent need for enactment of the Juvenile Delinquency Prevention and Control Act. As a member of the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare, I have been privileged to participate in the formation of this measure. I earnestly support this legislation. Its purpose is to provide needed programs to increase services in preventing and combating juvenile delinquency. It is my firm belief that the authorization of the diagnosis, treatment, rehabilitative, and prevention programs will contribute significantly in assisting youths who are delinquent or who are on the road to delinquency.

I commend the able Senator from the Commonwealth of Pennsylvania [Mr. CLARK] for his handling of the Juvenile Delinquency Prevention and Control Act. I am gratified at the opportunity I have had in working under his persistent leadership.

The urgency for this legislation is underscored by recent reports on juvenile crime in one of our larger cities. In that area, it is reported that 16 teenagers have been killed so far this year in gang warfare and nearly 100 boys and girls have been seriously wounded. In this metropolis, 45 juveniles have been killed since 1962, including 12 last year. Records show that many of the same young persons are involved over and over again. This is a frightening situation and it is repeated again and again across America.

But ever more disturbing, Mr. President, is the testimony given by the Director of the Federal Bureau of Investigation, J. Edgar Hoover, before a House Subcommittee on Appropriations in February of this year. I quote from Mr. Hoover's statement on the number of young persons arrested in this country:

> Arrests of persons under 18 years of age made up 23 percent of the total police arrests throughout the Nation in 1966. Young people were involved in 33 percent of the arrests in suburban communities, in 23 percent of those in the cities and in 20 percent of the arrests in the rural areas.
>
> We find the arrests of persons under 18 years of ago increased 59 percent during the period 1960 to 1966. This figure takes on added significance when it is considered that the population in the 10- to 17-year age group has risen but 19 percent during this same 7-year period.
>
> With police arrests of persons under 18 years of age rising three times as fast as the population growth of this age group, we have a factor which is significantly influencing the progressive rise of crime in this country. Out of this emerges the grave prospect of a multiplying number of full-time adult criminals in the years immediately ahead.

This comment from the dedicated Director of the FBI stresses the scope of a critical national problem—a problem which we will meet in part by passage of the Juvenile Delinquency Prevention and Control Act.

Mr. **PERCY**. Mr. President, juvenile crime costs this Nation $4 billion a year. Since passage of the Juvenile Delinquency and Youth Offenses Control Act of 1961, $47 million in Federal funds have been spent on research, demonstration, and experimental approaches to reducing the incidence of juvenile delinquency and dealing with its impact on the lives of our young people. In addition, programs of the Labor Department, Office of Education, and the Office of Economic Opportunity have developed our understanding of the kinds of training, education, and community service programs that can be used to effectively confront this challenge to peace and safety in our streets.

Mr. Bertram Beck, executive director, Mobilization for Youth, in New York City, N.Y., testified before the Senate Subcommittee on Employment, Manpower, and Poverty that at no time has there been a substantial commitment of Federal resources to the prevention and control of delinquency, despite the multibillion-dollar cost to society.

The Juvenile Delinquency Prevention and Control Act of 1968 currently under consideration proposes such a commitment through a coordinated focus on prevention, control, and rehabilitation.

We are not without guidelines for such a commitment. Research and demonstration programs have pointed out directions that hold significant promise for success.

Mr. Louis Chappell, representing NOC-YOC, Brooklyn, N.Y., said:

> The only way that I feel that you can stop juvenile delinquency is to make sure that youth has a prospective role in everything that affects them. It has been proven in the past programs that every time youths are on a planning committee of this program or have an effective role where they can look up to themselves, they do a much better job and the job is quicker done.

The committee's response to this testimony, corroborated by many of the witnesses who are active in juvenile assistance programs was inclusion of specific provisions requiring "effective participation of persons representative of local and areawide public and private groups and organizations familiar with the field of juvenile delinquency and with associated fields in the development and implementation of the State plan, including persons representative of disadvantaged youth and of youth groups working in these fields."

Mr. President, in the hearing record on this bill, in addition to the foregoing, there is a wealth of material on the scope and nature of the problem of juvenile delinquency. There are many contributing factors to the conditions of widespread disregard for law and order among the youth of our cities. Perhaps no failure is so pervasive as the failure of educational institutions to reach core-city youth, command their interest and equip them to create their own place in the framework of our society.

In 1965, a Pulitzer Prize-winning journalist, Lois Wille, wrote a penetrating study of one school in Chicago, the Crane High School, a predominantly Negro school on Chicago's West Side. In the words of the editors of the Chicago Daily News in which the series appeared:

> Crane was selected not because it was considered the worst, but because we believe it would be typical. From the response we have received from parents, teachers, and PTA leaders, it seems the Crane problems described are duplicated throughout the system—in white as well as Negro schools.

I ask unanimous consent that the series by Mrs. Wille be printed at this point in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Chicago Daily News, Nov. 27, 1965]

"MAN, I CAN'T FIGHT CRANE"—INSIDE A SLUM HIGH SCHOOL

(NOTE.—For years the Chicago public school system has bristled under charges that it runs inferior schools in Negro neighborhoods.

(To look behind the statistics and studies, The Daily News assigned reporter Lois Wille to find out what goes on inside one of the city's big Negro schools—Crane High School. She observed classes and talked to students and teachers without the knowledge of the school administration. Here is the first in a series of compelling stories on what she saw.)

(By Lois Wille)

From the doorway of her classroom a young blond woman issues high-pitched, quivering commands.

"All right. Get in here. Now calm down. That's it. In here."

It's hard to hear her because of the roar at the head of the stairs. Squealing, shrieking teen-age youngsters are packed into a circle, like an oversized football huddle.

What happened? Did someone fall down the stairs?

"Just a minor riot," the teacher says. "Some boys fighting, I guess." Then, her voice rising again, she calls: "You get back in here."

The pack breaks up and tall husky boys trot in, grinning at her.

Now all thirty-five are here, squeezed behind little grade-school-style desks. And now class will begin.

Our lesson for today is How to Look Up Words in the Dictionary.

Or, when do you open the dictionary from the front, and when from the back?

Here we have the word "baby."

All right. Who knows what part of the dictionary "baby" is in?

Well, think now. What letter does it begin with? "B", right? And what part of the alphabet is "B" in?

Hector, take that match out of your mouth. No, don't throw it on the floor. Do something with it. Well, I don't know. Put it in your pocket.

No, no. Don't write in your workbooks. Write on paper. You know we don't write in our workbooks.

(But why not? Isn't that what workbooks are for? A pretty girl in a yellow sweater whispers, "We got to give them back when the bell rings. The next class uses them. Not enough for everybody.")

(But then how do you study at night? The girl shrugs and turns away.)

Now a change of pace: James, what are vowels?

James frowns, rubs his head, looks around the room. Girls giggle and he grins back. Then he says "Words?"

Welcome to Basic High School English, Chicago style.

MEET THE FRESHMEN

The dark skinned boys and girls squirming and dozing behind these little desks are freshmen at Richard T. Crane High School, a great grim block of a building looming over the Eisenhower Expressway near Western.

Last June each of them graduated from one of the two dozen jam-packed elementary schools scattered through this West Side ghetto.

But not one can read at the sixth grade level. And many are far, far below. ("The first time I saw a big tall boy struggling over 'this' and 'that,' I started to cry," says one Crane teacher.)

This year about half of Crane's freshmen are "basic" students, which means they have not yet reached sixth grade achievement.

Another 1,753 Crane students—freshmen through seniors—are in "essential" classes. That means they are somewhere between the beginning of the sixth grade and midway through the seventh grade in achievement.

In all, 2,153 of Crane's 3,502 students cannot do work beyond the first semester of the seventh grade.

Technically, 61 per cent of the school's enrollment shouldn't even be in high school.

It wasn't always like this. You hear that all the time from the handful of old-timers on the Crane staff.

They can walk through these dreary halls, with the streaked and spattered green walls and worn black-and-red tile floors, and remember the good old days.

Once this was "Crane Tech," the West Side's illustrious trade school, partner to Lane Tech on the North Side and Tilden Tech on the South Side.

But that was more than a decade ago. Or, as the old-timers put it, "Before the change."

"Before" means when the school was white. Now almost all of the white students are gone, and so are most of the technical courses.

The big lathes rust away in Crane's basement, unused and obsolete. The electrical shop is now a crowded study hall.

There is still a woodshop, where kids make trinkets and bookshelves, but it has to double as the chemistry laboratory. There is a "science laboratory" with an empty, dried-up fishbowl and a few plants, but its most talked-about items of equipment are the roaches and waterbugs that crawl around the sink.

"Sometimes when they head toward us we say to the teacher, 'Would you step on that, please?' " says one girl student.

Halls are noisy and packed because the school currently is 1,500 over its capacity—and in some classes you see students perched on windowsills because there are no seats for them.

And everything gets worse and worse.

A SMALL, DANK WASHROOM

At least, that's what the Negro cleaning woman says as she tries to squeeze into the small, dark, dank place that is the girl's washroom.

A mob of about two dozen girls swarms around a 2-foot by 3-foot mirror, struggling to see. It's hard, because the room is so dark. Most of the ceiling paint has chipped away, the plaster is falling, the walls are cracked and damp.

The two sinks have no soap and no paper towels.

"It's a rule," the cleaning woman says. "The fourth floor washroom has no mirror, either. How can a girl tell if she looks nice?"

"But put up a mirror, and the next day they break it."

She points to holes in the plaster where the soap and towel dispensers were removed. "We had to rip all these out so the kids wouldn't mess them up."

The woman watches the swarm of girls fly out at the sound of a buzzer and adds: "It's not their fault. Look how it is here. So crowded. And then they don't paint, they don't do anything to make it look nice.

"They just let the building stand and get worse.

"I've been here five years, and they never painted since I've been here. Look how rusty the toilets are. They were that way when I came.

"It wasn't always this way. Everybody says we've got a caliber of kids now that just don't care. I don't know who's to blame?"

SOUND OF A STAMPEDE

As she speaks, there's a roar outside the door and thunder like a stampede of wild animals rolls by.

Squeals, shouts, screams, thuds, booms. But all you can see at the end of the hall is another of those mammoth huddles, growing as more kids rush to see what's going on in the center.

There's no chance to find out, because suddenly the building vibrates with a strident buzzz-buzzz-buzzz.

Slowly, almost nonchalantly, all 3,502 drift into the streets and onto the porches and mud lawns of the broken old houses that ring Crane.

Nobody is excited, nobody is anxious. Not even when three fire trucks speed to the main doors.

"Don't think this happens every day," says a teacher. "Sometimes three or four days go by without a fire alarm.

"And then, of course, sometimes we have three or four in one day."

Crane's new $30,000 ultra-sensitive fire alarm system, it turns out, has become legendary. Everyone has a favorite story about it.

One recalls the day that smoke from chicken frying in the cooking class touched it off.

Another says a gust of wind stirring dust clouds can do it.

And, of course, they all say that any kid who doesn't want to take a test can light a few sheets of paper with a match, throw them in the washroom wastebasket, run off—and in a few seconds there's an alarm. Everybody in the street. No test.

MAN, I CAN'T FIGHT CRANE

Ten minutes later, after the all-clear, kids drift back into the building. But some have been lost. Clumps of four and five wander off. Others lean against the walls or flop down on the steps to stare at the houses across the street.

Won't they get into trouble for this—for cutting classes?

They back off, immediately suspicious. But one tall, thin boy in horn-rimmed glasses decides you really don't know what it's all about and begins:

"I'm not making an excuses for myself, but—man, I can't fight Crane. I can't make it.

"I can't explain it too much. But when I walk in there I feel . . . I don't care. What's the use? Something in the atmosphere, I guess."

He tries to think of something specific, and hits on history. He likes history, he says. But he had one year of American history at a Catholic school before he transferred, so now he can't take history any more.

But that doesn't make sense. Why not?

"Well, here you take American history when you're a junior. I had it when I was a freshman. So I can't take it here. Here, world history is freshman. But, see, I'm not a freshman anymore. So they say I can't take that.

"They say there's no other history I can take."

Is that what his counselor said?

Now the whole group laughs.

Well, OK. Maybe that was a dumb question. But what do counselors do?

"Put you out," says a husky boy in a plaid cap. They all laugh again. But the thin boy, the serious one, has more to say.

"My first impression when I got here, was kids laying around in class sleeping. The teachers, they don't care.

"Well, no. Some care. My English teacher, she has us read 'Black Boy' and 'Knock on Any Door,' We have discussions. She comes across to us. We wouldn't miss that class for nothing.

"But the others—they say. 'If you don't do right, I kick you out of school.'

"And they never know why you don't do right. They don't really know you at all."

A SLUM HIGH SCHOOL: NO BOOKS

(By Lois Wille)

She has long, swinging hair, lively dark eyes, a poised and confident manner. She's creative, she's intelligent.

Everything a bright young teacher should be.

But she doesn't have any books.

And here are 34 fidgety freshmen, come to this worn old room in Crane High School to learn how to read.

"I'm sorry," she began briskly, "but our books aren't here yet."

No one groaned. They just stretched, made themselves comfortable, gazed at her, gazed out the window. Two boys settled down to sleep, heads on desks.

"You remember yesterday when we were talking about the difference between a paragraph and a sentence?"

A dozen kids chorus, "No."

"William, are you paying attention?"

"No."

"You aren't? What are you doing?"

"Feeling lousy."

There are laughs, giggles, and somebody darts across the room and punches William. But the teacher is still poised, brisk. Maybe there are no books, but there's something she can do: They are going to learn the concept of communication.

"Now, look. If you don't feel good—if you feel lousy—is it easier to get this across to someone you know well, or someone you don't know at all?"

Vacant stares. Then a boy mumbles, "Someone you don't know."

For a second the teacher's bright intelligent face crumbles. "Someone you DON'T know? Now, why do you say that?"

The boy shrugs, looks away.

So she tries something else.

"If I say, 'Him and me, we seen our duty and we done did it,' what would you think of me? What's wrong with me?"

There are murmurs, self-conscious laughs, wriggling.

Suddenly one girl cries out: "What's your name?"

"Miss C———," says the teacher.

None of this makes sense. This is November. Why are there no books? How can anyone teach reading without books? And why don't they know their teacher's name?

"She's only here two days," says one boy. He has been sketching athletes playing basketball—remarkably good, almost surrealistic sketches—on a lined tablet.

Are they for an art class?

"Art class? Man I got no art class."

Did he try to get into an art class?

"I go where they put me."

A few weeks ago the class had books, he said. They were spellers that said "Grade Five." They were learning how to spell.

"But then our teacher, she got so mad one day she just walk out and she never come back.

"This one, she our fourth teacher since September."

He looks disgusted, and says—almost out loud—"How we supposed to learn?"

TEACHER MOBILITY AT A DIZZY PACE

Two days at Crane makes "our teacher" for the moment, the newest faculty member. But she may not be that for long, because teachers come and go at a dizzy pace.

Of the 139 on the faculty, 78 are uncertified teachers—called "substitutes" by the school system. They have either flunked their Board of Education examinations or have not taken them.

At Schurz, an all-white Northwest Side high school with an enrollment comparable to Crane's, 165 of the 201 teachers are certified—or 82 per cent. At Crane, less than 44 per cent are certified.

Each year from 30 to 50 per cent of the "subs" leave Crane. Another 10 to 15 per cent of the 61 certified teachers leave every summer, usually for what they call "outer fringe" white schools.

The Crane kids know this and make bitter jokes about it. The boy sized up the young woman and said, "She's smart.

"Senn High School? Why Senn?

"Next year she'll be at Senn."

"Because they got nobody there who look like me."

A LITTLE STORY ABOUT "AIN'T"

But at the front of the room the young woman is still trying, desperately hard. She begins a little story of the word "ain't," how it once was very proper among English noblemen. How the common people started using it. How the noblemen decided it was no good if the common people used it.

It's a clever little story. But a half dozen kids are dozing—completely out of it.

"All right, come on, let's sit up now.

"Oh, don't read that comic book now. That's not very polite, is it? Look, I'm sorry if this isn't very interesting—but, well, that's life."

She smiles and looks expectantly around the room, but there are no answering smiles. The kids just look at her.

"Melvin, don't go to sleep."

A girl reaches across the aisle and whops Melvin on the shoulder, and—at last—the class is alive, laughing.

Now we're learning how the Normans brought French into the English language. Why we say we eat "beef" and not "cow." Another bright little story.

But so many nodding heads.

"Cynthia, wake up Ernest."

Before Cynthia can move, a boy at the front of the room dashes to the back and bops Ernest on the head with his notebook. Ernest shoots up, raises a fist, and for a few seconds it looks as though there will be trouble.

But Ernest isn't that wide awake. He slumps down again.

The teacher never loses her cool, "Well, I think that was rather extreme," she says.

Ernest, remember what I told you yesterday about eating breakfast before you come to school? What did you have for breakfast today?"

"Beans," yell the kids, and roar and pound notebooks on their desks.

And so goes the English class—but, then, how do you teach when you don't have books?

And when the kids, according to one experienced Crane teacher, "are always on the verge of going to pieces."

TEACHER STAYS POISED, COOL

The young teacher is still poised, still cool, when the kids shuffle away. But when you ask her when she's getting books, she finally lets loose.

"I don't know," she snaps. "I don't even know what books they use. I haven't been able to find out yet."

Sitting down with her department chief, it seems, is almost impossible. When teachers have no classes, they have to stand guard in the halls. When they're not standing guard in the halls, they're policing the lunchroom. When they're not policing the lunchroom, they have "division"—a home-room class of 30 or 35 kids.

Even the department head must stand guard duty during his "free" time.

But she thinks that tomorrow she and the department chief will be able to arrange a few minutes to talk. Then she'll find out about the books.

"I taught in suburban schools before," she says. "So all this is new to me."

And then she adds, looking as if she's marching off to war:

"I wanted to come here. I asked for Crane. I want to stay.

"But I will say this: It's the most disorganized place I've seen. I don't know—maybe all Chicago schools are like this.

"As I said I've only taught in the suburbs. . . ."

She's too new to say "suburbs" the way other Crane teachers do—as if it were Shangri La.

"I have a friend who went out to Skokie," began one veteran teacher at lunch. "And she can get anything she wants—overhead projectors, unlimited use of slide transparencies, books, time to do her work, time to talk individually with kids and get to know them.

"No other duties. No hall duty, no lunchroom duty, no division room.

"Just teaching, teaching, teaching. It must be delightful."

Plea for Books at a Slum High

(By Lois Wille)

A clump of four youngsters huddled around a worn paperback book, straining to see and to read.

"But off-i-cer you've GOT to find the number. I tell you, someone is going to be murder-red, murdered."

"Yes, madam, and what is your . . . your add-dress?"

It was the play, "Sorry, Wrong Number," and the suspense was there, no matter how slow and halting the dramatics.

The audience of two dozen boys and girls could hardly stand it. They gasped, shrieked, covered their faces, pretended they were collapsing from fear and fright.

And they obviously loved every awful agonizing minute.

It takes a while before you believe it. These are freshmen at Crane High School, and no one is sleeping, no one is charging around the room, no one is staring out the window in a trance.

At the back of the room a young brunet teacher is mouthing the words with her students, looking as proud and anxious as a playwright.

"You see," she whispers," when they have something good, they're so appreciative."

But when the buzzer rings, there's trouble.

A dozen kids crowd her desk, clamoring for the two worn, precious paperback books.

"I promise I'll bring it back tomorrow," says the play's leading lady. "First period."

"Oh, please," wails another.

A third complains that Carrie had a book LAST week, and isn't it her turn now?

The teacher finally selects two girls who get to take the books home.

"But I'll need them until 4:15, for my other classes," she says. "What time are you through?"

"Ninth period, 2:45," one girl says. "But I'll come back for it. I'll be back here right at 4:15, OK?"

When they leave the teacher lets her anger show. "They love dramatics. Now, if we had books of plays. . ." Then she stops, mouth shut tight.

Others aren't quite so well controlled.

A Negro teacher with nine years at Crane takes a little black book from his pocket and points to a list of names.

"Mitchell—25 cents.

"Marshall—10 cents.

"Evans—45 cents.

"I go through this every time I want them to read something. I put on a three-week campaign and plead for their lunch money until we have enough to buy paperbacks for everybody.

"Now we've finished 'Cyrano de Bergerac.' But we can't read 'Old Man and the Sea' until the kids save enough for the books.

"That may take another three weeks.

Crane's students come from one of the poorest districts in the city. The median family income in this Near West Side area is under $3,900 a year. About 35 per cent of the Near West youngsters are supported by Aid to Dependent Children, which provides a food budget of less than 20 cents a meal.

Can't the school buy the books?

The teacher snapped his little black book shut and said:

"There are no books in this building that contain American novels. There are no books in this building of classic plays.

"It isn't that we ran out, or that the kids lost them.

In the nine years I've been here, we've never had them.

"For that matter, there's a lot I haven't seen in nine years here. I've never seen an experimental education project of any kind.

"Oh, I read about them in the newspapers all the time. It's like reading mythology.

"And our library—well, you could get all of its books into one of the side rooms off the Evanston High School library."

When his class finishes "Old Man and the Sea," he wants them to read "Eight Great Tragedies" a paperback that includes plays by Aeschylus, Ibsen, Shakespeare and O'Neill.

But that book costs 95 cents.

"I know it's a big chunk of money for these kids," he says. "Yet I feel I have to press them for it, because it's important for them to have the chance to know the best.

"Just because a kid is born in this neighborhood shouldn't mean he's doomed to mediocrity."

But can they handle Aeschylus and Ibsen?

"If we start by assuming they can't learn, then they won't. But I've found out something here. These kids have the same intelligence as anybody else, right here in the middle of the ghetto.

"All they need is somebody to believe it."

ALWAYS ROOM AT THE TOP

It was time for class to begin, a panel discussion of the psychological motivations of Cyrano.

A small class this time: only 18 students.

But these are upperclassmen who read at their grade level, and at Crane there is always room at the top. Senior classes are small because seniors are scarce.

Crane's freshmen, sophomore and junior classes all have more than 1,000 students. But there are only 464 seniors.

Once they turn 16 and can quit, nearly 60 per cent of them get out.

The teacher sat in the back row as the student moderator nodded to the first panel member, a tall, thin boy in a yellow button-down shirt.

"If he hadn't had such an inferiority complex, Cyrano would have walked right up to Roxanne and said, "You take me as I am, or don't take me at all'," the boy said.

" 'If you don't like my face the way it is—then I don't need you'."

A girl raised her hand and said softly, "Yes, but he knew people don't look at you for what you really are. They judge you by outside appearances. . . ."

NO OFFICES FOR TEACHERS

Two flights below this English class, in a small room labeled "Shop Supervisor" there are records that explain why teachers have to conduct fund drives to get good books.

This is the prized headquarters of the English department—prized because not every department has a headquarters. Teachers have no offices of their own so this little room cramped with filing cabinets and a mimeograph machine and two desks is as close as a teacher can come to seeing students alone.

It says Shop Supervisor on the door because a long time ago—some think it was 12 years, some say only 10—this was the shop supervisor's office.

In the looseleaf book that is the department's records, there is a mimeographed list of texts recommended for each high school by the Board of Education's English consultants.

An inventory of Crane books last spring showed the English department would need $16,196 to meet these board recommendations.

But in May, when schools are given their allotments for the coming year by School Supt. Benjamin C. Willis, Crane High School was given only $22,000 to cover all departments.

("We would have needed $60,000 to bring every department up to standards," one school official said.)

Crane administrators gave the English department $9,000 of that $22,000 allotment—considered a generous portion but $7,196 short of the board's textbook recommendations.

So books had to be chopped from the list, and for every one there were yelps from teachers who considered them absolutely essential to do a good job.

"Cavalcade of British Writing," a $3.62 upperclass text strongly recommended by the consultants was lopped off.

So was an order for sets of four great American novels.

So was "Art of Speaking" designed for youngsters not accustomed to self-expression.

So was an order for 661 grammar-and-composition books for "essential" students who read at 6th and 7th grade levels.

So was an $188 order for kits of remedial phonics for kids who can barely read at all.

"My junior class has only a book called 'Teen-age Tales' with stories about boys getting up enough nerve to ask girls for that first date," said one teacher.

"They're supposed to be contemporary stories, like television soap operas. That's OK, I suppose. But what about Chaucer? What about Tennyson? Why can't our kids have that, too?

"There is just no expectation that these kids are going to be serious students. That attitude is the bane of our existence."

Just then a young teacher interrupted with another request for equipment. Did anyone know where there was a typewriter that worked?

He wanted to put out a school newspaper—now that it was November, it seemed that the first issue should come out soon. But he had no typewriter.

The one available in the English department office skipped too badly to be legible.

"Write to the principal, and the assistant principal," advised the other teacher. "I can't think of anything else."

Slum High: Wild—And Pathetic

(By Lois Wille)

If you could look down through the ceiling of this room in Crane High School, you'd think you were watching a teen-age snakepit.

A girl wanders from desk to desk dangling a charm bracelet in the faces of kids sitting there.

Another empties her big purse on her desk, takes out a long necklace and methodically examines each bead.

A boy has just finished opening all of the windows. Now he begins closing them.

One girl in the back row is reading aloud—very loud—from a pamphlet labeled "Rat Control." No one is listening; no one is looking at her.

Some are busy. A tall, handsome boy in an ROTC uniform spreads a handkerchief on his desk, removes his brass insignia and starts to polish it.

Three girls hover over him, giggling and chatting, but he refuses to look at them.

A girl across the aisle has been bending over a notebook. A lesson, maybe? Now she passes it to a girl behind her. It's a skillful pencil drawing of a husky boy in a football uniform hugging a pretty gal who appears to have long, wavy blond hair. The girls says—in a balloon over her head—"Put me down." Above the boy's head is a balloon saying, "I can't help it. You're so sweet."

It takes a while to figure out what all this is supposed to be.

But there at the front of the room, with his back turned to the din and the action, is a pale young teacher writing figures on the blackboard.

He's saying something. You can catch, ". . . so 2 goes 3 times into 7, and then you take the one left over and . . ."

What you do with it is lost, because here at the back of the room he can't be heard.

Half a dozen kids seem to be straining hard to listen, copying his figures down in their notebooks. You wonder, watching them, how they can stand it—and what it is that makes them try.

Near the teacher's elbow is a thin little girl who imitates his every action, writing on the blackboard everything he writes. She hasn't moved 2 feet from his side since class started.

For some reason this infuriates two girls watching her.

"Hey, Carrie, you sit down," one of them yells.

"Make Carrie sit down. What she doing up there?"

A third girl, apparently inspired by Carrie, races to the front of the room, grabs some chalk and scribbles numbers on the blackboard.

Finally the young teacher turns around. He looks as though he wants to cry. A string of pleas pours out:

"Hey, Sylvia, don't chew your finger.

"Doris, put your jewelry away now.

"Hey, Raymond, sit down, will you?"

IT'S WILD, IT'S PATHETIC

But the noise—not a hum or a murmur, but a low, steady roar—keeps on. And so does the wandering and the emptying of purses, the opening and closing of windows, the combing of hair and the polishing of brass.

It's wild, it's pathetic, it's crazy—and, if you watch it long enough, it seems that all the troubles of this building have been distilled and packed into this one mad classroom.

And the maddest part of all is that when you ask the kids what they think of this class, they stop whatever it is they're doing and say, "I can't learn anything. He just don't make us work."

One girl who has spent 20 minutes chatting with a friend while creating an elaborate hairdo for herself, replies, "How can we supposed to learn with all this noise?"

But then why is she so noisy? Why doesn't she shut up, put away her comb and mirror, open her arithmetic book and try to follow her teacher?

She looks indignant.

"Learn to divide?" she asks. "I been knowing these things all my life. And he don't care what we do.

"See—he just let these children run all over him."

When Crane kids get together and complain about school, you rarely hear gripes about too much homework, or a teacher who's too rough, or too strict.

The most common complaint is a scornful, "He lets us do anything."

Or, "She don't make us work. She just sit there and read to us, like we're babies, and kids can do anything they want."

This girl added, "She thinks everybody at Crane too dumb to learn.

"Or, "When we get homework, kids can turn in anything. It can be all crumpled and messy, and everybody gets OK."

One girl, bright and articulate, says she has seen "a lot of good teachers and a lot of bad teachers" in her three years at Crane, and adds:

"Students act crazy because some teachers let them act that way. Or expect them to."

When these kids hand out compliments to teachers they like. It's not because he's a good guy or because he's easy on them.

Instead, it's, "He really made us learn."

They talk as though they crave order, structure, demands.

One girl who wears the narrow little glasses that are a Crane fad recalled an English teacher she had last year, and adored:

"We had to do so many book reports—oh, must have been one every week, and when she didn't like them, she just wrote 'F' and you had to do it over."

A boy talked about a history teacher "who was the best I ever had. He made us take a test every morning on a newspaper.

"He really worked us."

STUDENTS' VIEW OF TEACHERS

But these kids know their school and their classmates, and they think they also know why so many teachers "let us do anything."

"They're nervous," says one girl. "Can't you see that?"

A tall husky boy says, "They afraid they get knocked down if they talk back."

(In the wild math class a big girl with blazing angry eyes had been shouting for nearly a half hour. Finally the young teacher said. "Doris—I'm sending you downstairs."

(He took out a blue slip and began writing. "Don't you put my name down," the girl screamed. He glanced up but kept writing. The girl half-rose from he desk and yelled. "I tell you—don't you write my name."

(The teacher paused and then put the blue slip in a drawer. "All right, then—but just keep quiet." The girl, defiant and victorious, smiled.)

Some teachers, according to the kids, have an aura about them that automatically brings order.

They don't quite know exactly what it is, or how to describe it. They just know it's there.

The teacher can be a man or woman, old or young, black or white. They're the ones who "come across," who "make us learn," who "don't take any backtalk."

"If I could be a teacher just one day. I'd be like Miss M———," said a pretty Crane senior. "She's not 5 feet tall, but———ooooh, she got power."

Power? What does she do.

"She's got this real cool air about her. Real cool. And when she comes in, you can hear a pin drop.

"She can just whisper. 'So-and-so, you get out.' And he gets out. Because when she comes in that room, you going to study."

Drop in on almost any Crane classroom, and you can see what the kids mean.

In a freshman English class, a young woman teacher has no difficulty drawing rapt attention. Disgusted with the lack of good textbooks, she asked her class to write its own. And, with each contributing a segment, they are creating a story of two teen-age boys in rich dramatic, perceptive language far more imaginative than anything in their textbooks.

Another teacher has to shout for quiet while his class explodes around him and later blurts out, "Emotionally, they're stunted. There's nothing that can be done. They'll never develop."

THE TEACHERS COLLEGE PROBLEM

The first teacher admits that keeping order in a Crane classroom can be tough, but he insists that most discipline problems are rooted in a weak faculty. He says:

"One of our fundamental problems is that many of our teachers come from Chicago Teachers College. (Now Illinois Teachers College.)

"And when they come out of there, they're just plain ignorant. There's no other way to describe it."

He waved a reading list for an upper-level course. "We have some—a whole flock, not just a few—who are scared to death of this list because they haven't read most of it themselves and probably couldn't if they tried.

"A person who finishes at Chicago Teachers College is really in a different world from a person who graduates from a major university.

"And then we have teachers who just don't like the kids here. There's no other way to describe that, either.

"A small faction of teachers way down in the bottom of their hearts resents the fact that our student body is nearly all Negro."

A white woman who has taught 17 years in "inner city" schools adds: "When a teacher tells me he has to spend three-quarters of his day in discipline, I say there's something wrong with the teacher.

"The trouble is, so many of our teachers come out of nice middle-class homes and they don't know anything about our kids. Our kids know more about life than they do. Dope peddlers, prostitutes, hustlers, poverty, slums—they know it all.

"And our teachers are so protected, so naive.

"One more thing. We don't know how to handle creativity in our schools. It's the creative child who gets bored and jumps around in class. We don't know what to do with him. So we try to squelch him.

"We just haven't developed or emphasized good, creative teaching in Chicago schools."

Chaos in Slum Classroom: A Hopeless Kind of Fun

(By Lois Wille)

The racket coming from the Spanish class tucked away in a dark second floor room of Crane High School was headsplitting—even after your ears get used to the Crane din.

But look inside, and there's the answer. No teacher.

The kids hoot and roar when you ask where she is, or if she's expected.

"She's always late," shouted a boy. And a girl added: "Last week she didn't come at all for three days. Then when she got back she told us she'd been in Viet Nam."

Not all the kids are enjoying the fun-and-games. One skinny boy in glasses looks and sounds like a trapped little animal, and whispers:

"You a teacher? Can you get me out of here?"

Out of Crane?

"No, of Spanish. Can't I get history instead, or band, or anything? Why'd they put me in here?

"We're not learning anything. Mrs. M——— never gives us any work or teaches us any words. She just talks all the time."

If he wants to take history, why doesn't he talk to his counselor?

The boy moans. "Counselor? I never see any counselor. They're for kicking kids out."

This little boy, according to another of his teachers, is a bright 14-year-old who emerged in June from his ghetto grade school with high achievement scores, above his grade level.

"He wants to be a serious student," the teacher says.

"He comes to me all the time to complain about that Spanish class. A bright boy like that—and after more than two months of school he doesn't know a word of Spanish.

"You know, it's the kids with ability who get short-changed here. A boy like George should be singled out when he starts school—and then get the counseling he needs to prepare him for a college scholarship.

"But we let them get frustrated and drift away. . . ."

How many drift away isn't known, but one Crane counselor says that a few years ago, when he was "new and idealistic," he checked into the records of one week's dropouts.

"I was shaken," he says. "One girl had an IQ of 160. A boy who was being kicked out for truancy had an IQ of 155."

He quickly added: "I never knew these kids, I just saw their records."

And that may be Crane's problem, according to some teachers. No one really knows anybody else.

"Some kids just disappear," says one. "They stop coming to school and no one ever knows what becomes of them.

"They're swallowed up into the atmosphere, I guess."

Another told of a seventh grade boy transferring from one grade school to another. He erased the name of the new school and wrote in "Crane."

"He was here for a year and a half, making passing grades—and no one knew he wasn't supposed to be here. No one knew we had no records on him.

"And apparently the grade school didn't miss him, either."

In some Crane classes you see black-haired Puerto Rican children staring blankly into space. An English teacher pointed out one little girl and said:

"She doesn't speak a word of English, and we have no special program for her. No one has any time to help her."

And so they drift through, some finishing and some not finishing. One boy, sounding like James Baldwin, complains:

"Nobody even knows what my name is."

One reason for Crane's impersonal air may be the constant shifting of the man at the top.

In the last five years Crane has had four principals. The newest is Otho M. Robinson, a scholarly Negro with a gentle manner and a doctor's degree in education from Harvard University. He arrived in September—and no one expects him to be around by next September.

"He's a mellow man," said one senior boy. "We could go along with a man like that. But no one with a 'doctor' in front of his name stays here."

Why not?

"Crane's a second rate school—didn't you know? No, 'third rate.' The lowest."

TWO SUGGESTIONS TO KINDLE WARMTH

One department head has two suggestions that he thinks would inject some warmth into the school.

Free teachers for one hour a day, probably by eliminating a class from their schedules, to give them a chance to talk to kids.

Reorganize the counseling department to free some counselors to work with "serious, ambitious students who could then have access to adequate counseling at all times."

As it is now, Crane's eight counselors are little more than discipline clerks for the 3,500 students.

They sit in little glass-enclosed cubicles in a long narrow room on the first floor, behind desks stacked with tardy slips and absence excuses. Usually there is a silent, sullen boy or girl sitting next to them, and another dozen waiting on the row of chairs facing the cubicles.

They sit there listening to the babble rising from the booths.

"A toothache, huh." Someone knock it out? OK. Call your mother and we'll see if you can go home. . . ."

". . . Well, that's what you've got a lock on your locker for, so things won't get taken. It's not our fault. . . ."

". . . Are you sure your mother wrote this note?"

". . . If your schedule says you eat lunch at 10:20, then you eat lunch at 10:20. Look, you know how crowded we are. Some kids have to eat on the early shift. . . ."

It never lets up. One young counselor waved a fat stack of forms and said: "I'm this far behind in my bar letters. You try to squeeze in other things, but primarily it's this kind of work."

"Bar letters" are the forms sent to the counseling officer by a teacher who has barred a student from class—usually for cutting or for rowdiness.

No one gets back to class until he has brought his mother or father to see the counselor or the teacher.

Sometimes this means hours trying to find the parents' correct telephone number. Sometimes there is no telephone. Sometimes the address is wrong, and the kid can't be found again to get the right one.

No sick child can go home until someone in the family has been notified by telephone—and this, too, can take hours.

"Our counselors are so bogged down with trivia they have no time for the acute problems," said one teacher. "No time for the violent ones, the disturbed ones. No time for the bright ones who could make it with a little nurturing."

ONLY A FEW CAN MAKE IT

Pitifully few do "make it." Last June 279 boys and girls were graduated from Crane. Only 61 received scholarship funds that made it possible to go to college.

"And of those 61, only a dozen went to a real university," said a Crane department head.

The others went to Crane Junior College, stuffed into one end of the Crane building, or to the south side branch of Illinois Teachers College (formerly Chicago Teachers College).

"And they're not even good high schools," the department head said. "Kids come out of there not knowing how to structure a sentence."

Of those who made it to a real university, he says:

"Remember, a student can go through Crane with straight A's and still not get an education. Our standards are so low."

"We bamboozle them, and their parents too, into thinking we've prepared them for college. Then when they get there they call me in tears and say, 'Why can't I do the work?' "

The tragedy, he said, is that today great universities are loaded with scholarships to award to Negro high school students.

"But our counselors don't think in those terms," he said. "They have no imagination, no vision, no faith in our students."

One counselor says he is fully aware of available scholarships, and adds:

"Let's be realistic. Why set kids up for heartbreaks? Oh, there was a time when we sent kids to Harvard and MIT and the University of Chicago. But we can't do that today. They're just not prepared for the big time."

COUNSELING SETUP A STUDENT JOKE

To the kids, the whole counseling system is one of their bitter jokes.

A girl who left Crane last June after her junior year says: "You go in there with a problem and they say, 'I'm sorry for you. I really am. Have you ever thought of going to night school instead?' "

"And they sit you down and make out a program for you and the next thing you know—whoosh—you're out of school."

Another girl, a bright and articulate junior, was asked whether anyone had talked to her about what she wanted to do when she got out of school.

She laughed. "No. They don't care what you do—as long as you get out."

And so they get out, not reading or writing very well, not prepared to compete, not knowing much about the world beyond the West side.

"They have no conception of what they could have been," says a veteran Crane teacher, "until they get out there and start beating their heads against the wall. Then they know what's happening—maybe.

"Then they wonder, like Ralph Ellison says, 'Why am I so black and blue?' "

Fear Is Teacher at Crane School

(By Lois Wille)

Teachers aren't supposed to carry blackjacks to school.

"But I've got the next best thing," says a husky faculty member at Crane High School.

"It's a camera tripod, the kind that folds up small. It's the only thing I could think of that couldn't be classified as a concealed weapon."

And so, when his turn comes to stand guard in the hall near one of Crane's entrances, he is ready—tripod tucked away in an inside coat pocket.

"I'm not being melodramatic," he says. "Just practical. It's part of the life here."

Fear is very much a part of the life at Crane: Fear of an enraged boy or girl jumping a teacher, fear of getting sliced by a flying plate in the lunchroom, fear of being beaten by one of the weird wanderers from the West Side who drift in and out of the building.

Behind these is a second level of fear, even more difficult to deal with.

"Our whole school system is run by fear and intimidation," says a woman teacher in a high level position in an elementary school in the Crane district.

"Fear permeates from the general superintendent's office on down. Fear of reprisals if you say anything or do anything that might be considered critical of the system.

"Teachers are afraid to speak up on matters like the quality of teaching books, achievement scores, teaching methods.

"Teachers are afraid to work with community organizations or civil rights groups—afraid this will be reported downtown and they'll get a negative letter in their personnel files."

A "negative letter" could influence school officials who grade the teacher on oral certification examinations or oral principal examinations, she said.

This teacher insists that the fear of physical danger is greatly exaggerated.

"I've taught in poor neighborhoods for 17 years and the worst thing that ever happened to me was that my tires were slashed by a little boy who was slashing all the tires on the block," she says.

"If you're fair and honest with the kids, you don't have to worry."

But a Negro man who has taught at Crane for nine years says:

"When you're teaching at a place with boys bigger than you are, boys seething with rage and resentment, ready to explode at the wrong word or the wrong look—of course you have fear.

"We should have special training to learn how to handle them."

Six Crane teachers have been attacked by students since school opened in September. One small-scale riot broke out in the lunchroom with trays and plates flying. Three weeks ago principal Ortho M. Robinson ordered that plastic plates and plastic knives and forks be used "to insure the safety of every individual."

And, for any teacher who pulls guard duty on the first floor near an entrance, there is the added danger of attack by wanderers from off the street.

The teacher with the tripod says:

"The other day a fellow came in from outside—doped up, I think—and walked up to me and shouted in my face, "I'm a man I'm a man.'

"I was able to force him out—literally, shoving him through the door.

"The last I saw of him he was shouting that he would come back with friends and get me. That's when I started carrying the tripod."

Both teachers and students insist that classroom trouble comes from a few bad kids, and that the vast majority are not violent. But they say nobody does anything about those bad ones.

"A teacher should not have to look up and see in class a boy who knocked him flat a few months ago," says one teacher. "But that has happened here.

"We get kids coming out of jail with long police records for armed robbery and assault. I'm not sure what should be done with them. A different kind of school maybe. But they shouldn't come back to Crane."

When they do come back, they get no special attention. Counselors are too busy with attendance problems to work with them. A school psychologist visits Crane only once a week, time to give diagnostic tests to only two students. By the end of the semester he will have a long waiting list. Treatment is out of the question.

Last year Crane's big neighbor to the west, Marshall High School, tried to do something with its "returnees." About 400 students newly released from jails, state reformatories or social adjustment schools were lumped together in special classes, with a curriculum that included talks by Negro leaders and career planning.

"I knew them all—I had a file on each one," said a counselor who worked with the group. "I knew about his family, I knew what he had done.

"We had prostitutes, alcoholics, sex psychopaths. We knew who had been out to the wine shop the night before, or the girls who had been out hustling. We spotted them and talked to them.

"And when the police came looking for someone we knew where to find them."

He also found a girl with a 170 I.Q. and helped her get a scholarship to the University of Illinois. Other students with high potential were given special attention—and showed improvement.

But, despite these signs of success, the Marshall experiment was dropped this year. No explanation was given.

"Now the kids are dumped in with everyone else, and no one knows them," the counselor says.

At Crane, also, the "returnees" are dumped in with other students. Some faculty members would like to adopt the Marshall idea, but one said: "What we want doesn't matter. Decisions like that are made downtown, or in the district superintendent's office. We're slapped down if we try to make suggestions."

The students themselves think the solution to violence lies in only one direction: More policing.

"The evils of segregation strike you all of a sudden when you hear them," says a young brunet teacher beginning her first year at Crane.

"In home room today when I asked them how to prevent more violence, the kids said there should be more police in the cafeteria, police in the halls, locked doors.

"I said to them, 'You're talking as though there is no other way of control. As though it's hopeless.'

"I said, 'Do you know there are schools like New Trier and Evanston where there are no police, no hall guards, where students run study halls by themselves?'

"And the kids looked at me as though I had thrown cold water in their faces.

"They couldn't believe such a place existed."

This fall another idea was proposed for curbing violence. The Mile Square Federation a grass roots community organization on the Near West Side, offered to patrol the Crane halls.

"We had 50 men and women ready in September," says Mrs. Earline Lindsey, chairman of the federation's education committee.

"We also had some capable people willing to do typing and clerical work to free teachers to work with students.

"We thought it would be a good way to get parents involved in the schools, and good for our children to know we were involved. As it is, people in our community think of the school as they do the police station—a remote symbol of authority."

But Bernice Boye, superintendent of Crane's District 9, told Mrs. Lindsey parents are not permitted to work in Chicago schools.

"There are matters of medical examinations, legal responsibility in case of accidents and other technicalities that must be clarified by the (Board of Education) legal department and possibly by state legislation before the board can invite participation," she wrote.

The real reason the offer was rejected, according to some Crane teachers, lies in another layer of fear.

"Our leaders downtown are afraid to let a community group—parents—enter our tight little islands and find out what goes on," says one veteran woman teacher.

"For one thing, our administration thinks it has a corner on all the intelligence in the world. And letting the public in might mean that it would have to admit, for the first time, that our schools are in desperate shape.

"That's our trouble. No one downtown recognizes our critical problems. I suppose they refuse to recognize them because they are incapable of dealing with them."

Another woman teacher, a grandmother, knows Crane's problems well and says she's frightened—not for herself, but for her children and their children.

Crane and schools like it are creating a huge reservoir of hopeless, frustrated, illiterate young people, she says. And she asks:

"What does this mean to the future of Chicago? How can democratic institutions survive if we don't educate our children?

"I'm afraid that all we have to look forward to is anarchy."

REACTION, REBUTTAL—THE CRANE STORY: TWO VIEWS

(NOTE.—Beginning on Saturday, Nov. 27, and ending on Friday, Dec. 3, The Daily News published a series of articles on Crane High School. The series was written by Lois Wille of The Daily News staff and it was based on information and impressions gathered at Crane High School over a period of four days. Lois Wille is a careful, conscientious reporter.

(In this series it was our purpose to go behind the cold statistics and to describe in clinical detail conditions at Crane with respect to both students and faculty. Crane High School is located at 2245 W. Jackson Blvd., in the heart of a Negro ghetto.

(Mrs. Wille's articles zeroed in on the educational process in a Chicago slum-area school. In the wake of the series we have published outraged reactions from citizens who are interested in the quality of education in Chicago and we have sought (so far without success) official reactions from the Chicago school administration.

(This week we received a letter from Otho M. Robinson, principal of Crane High School. Mr. Robinson took sharp exception to much of what Mrs. Wille wrote. Today, to complete the record, we are publishing Mr. Robinson's letter with appropriate interpolations from The Daily News. The interpolations are clearly indicated as this newspaper's rebuttal to Mr. Robinson's charges.)

Editor, Chicago Daily News:

In a prize fight a blow below the belt is called a foul. Foul also has another meaning—odoriferous. For the sake of a dramatic story many canons of good reporting have been violated—for example, ethics, gross exaggerations, untruths, contrived photographs, maligning of the innocent, inaccurate facts, and questionable analysis.

By Mrs. Wille's own admission, her story was gathered without the knowledge of the local school administration. Through the ruse of subterfuge her "fact-finding" guided tour through Crane was launched and abetted by at least one faculty member who admits to deliberate misrepresentation, violating a trust and misusing a position of responsibility in support of the concept "the ends justify the means."

What these ends are is not entirely clear. The pictures taken were secured by a photographer under the guise that he represented the school yearbook. They were posed and contrived.

Rebuttal: It is regrettable that in public school tradition, duty to the general public is sometimes placed second to duty to one's superiors. Where this is true, teachers are not supposed to give newspapers unfavorable information about their schools. Officialdom discourages fault-finding as "negative" and seeks to pigeonhole critics as unworthy of advancement.

There was no "guided tour." Facts were gathered first-hand by observation in classrooms and from records compiled by Mr. Robinson's own staff. After Mr. Robinson distributed copies of this letter in faculty mailboxes, several concerned teachers called The Daily News to assure us that no one lied—and no one told Mr. Robinson he lied.

The photographs were neither posed nor contrived; the photographer wandered through the building taking candid shots through classroom doors, in corridors and outside the building. He did not break the window, nor ask students to pretend they were sleeping, nor ask students to sit on windowsills. This unfortunately, is what's happening inside Crane. (End rebuttal.)

THE DESK SITUATION

For the record there are no elementary desks at Crane, nor are there any classes in which students must stand for lack of seats. Admittedly, the school is crowded and for a variety of reasons—one being the temporary loss of five classrooms now in the process of being completely rehabilitated as science laboratories at a cost of $104,996.

Rebuttal: We did not say students were standing for lack of seats. We did see them sitting on a windowsill for lack of seats. We did not say Crane has "elementary desks," but noted that some students feel they're too big for the style used. However, this is certainly not important and was not a major thrust of any story. (End rebuttal.)

If Mrs. Wille had taken the time to make a careful investigation she could have secured through records in this school office a truer picture of the textbook situation. We do not have classes without texbooks. By the same token a teacher cannot always have the exact textbook that he desires or requests.

Few high schools in the United States are blessed with possessing the ideal. At Crane there are 30,669 textbooks, an average of 8.7 texts per pupil. In the past three years a total of $26,063.54 has been spent for textbooks in the English Department alone. Excessive losses of texts have been a strong mitigating factor against satisfying ideally of all of our needs.

And, for the record, the chairman of the English Department, along with the English teacher interviewed, who was quoted as saying Crane's book supply was entirely inadequate, both signed on Oct 11, 1965, a "Highlights of Instruction" report in which the following statement was made:

1. "Plan: Intensive remediation. At the Basic level (6.0 or below) Crane has instituted a double period of remedial work. A variety of materials has been provided. These include phonics kits, new readers, new spelling texts and SRA remedial laboratories.

2. "Children's Activities: Daily activities in the double period include oral language practice and correction phonics drill, SRA laboratory remedial work, basic literature interpretation, and grammar.

3. "Results: A statistically formulated evaluation is not yet available. However, most teachers are enthusiastic. Since the new material arrived only this semester, we will probably attempt to assess the results in January. The subjective evaluation is very encouraging at this point.

4. "Unusual features of this Instructional Activity: The double period is new to Crane. Also, the wide range of materials has never been available before."

Rebuttal: Mr. Robinson says Crane does not have classes without textbooks. We saw one. It was a freshman English class with its fourth teacher since September. The teacher explained she had not been able to find out what text was used—let alone where to get it. The students were plainly disgusted at the absence of textbooks.

Mr. Robinson suggests we get our textbook information from school records; this is exactly what we did. Records of the English department were obtained and reported, including the list of texts recommended by the Board of Education English consultants, the list prepared by the faculty to comply with this recommendation, and the list of what had to be dropped from the purchase order because of insufficient funds. The figure of 8.7 texts per pupil does not answer the key question: What kind of texts?

Specifically, this fall the English department was $7,196 short of the funds it needed to meet Board of Education textbook recommendations.

The four points refer to remedial reading material for one particular class, Basic English—for students who read below the 6th grade level. The teachers concerned about lack of textbooks were talking primarily about upper level students who have no texts with the great English classics: Chaucer, Tennyson, Shakespeare.

They also were concerned about the absence of texts with great plays and great American novels. As the teacher who was forced to conduct a fund drive for "Old Man and the Sea" said, "There is no expectation that these kids are going to be serious students. This is the bane of our existence."

However, some recommended material also had to be canceled from the remedial courses, including workbooks and phonics kits.

The head of the English Department, who prepared the report with these four points, notes that Mr. Robinson did not quote the second half of this report. The second half dealt with an upper-level class in which students had to buy texts with such classics as "Cyrano de Bergerac" because none was available at Crane.

Other faculty members, dedicated and understanding, have been frustrated by the school administration in their attempts to initiate teaching projects or extracurricular programs that could develop the potential of their students. (End rebuttal.)

REACTION AND RESPONSE

How does one respond to a blistering indictment of being a "blackboard jungle"? The first reaction is to retaliate with righteous indignation. Such an approach, however seldom if ever comes to grips with the real issues nor does it solve the real problems. Certainly to the inexperienced and uninitiated teacher, the black leather jacket, the hat atilt, the impressionable swagger, the obscene language, are menacing and frightening stimuli.

Basically these appearances are but symbols of a subculture as well as manifestations of attempts to adjust to a hostile society. Continuously rebuffed, rejected, bruised and battered, these youngsters strike back with an overwhelming vengeance. But beneath this ominous appearance and behavior there lies hungrily a warmth and strange kind of loyalty that cries out for identification, understanding, and acceptance.

Even though they may be a small minority, their overall effect is infectious. The net outcome is a proliferation of psychological, sociological and educational problems.

Both the experienced and inexperienced teacher and all the youngsters find themselves mutually involved. As in any enterprise, the weak do not survive. It is to the credit of that larger body of teachers at Crane that despite the fact that they were not trained either as professional psychologists or sociologists, but as educators, that empirically they have developed techniques, skills, and understandings that frequently enable them to attain incredible results in all three areas.

No one denies that at Crane one might find a few undesirable situations, but those certainly do not represent the complete or true picture.

Rebuttal: The Daily News never called the school a "blackboard jungle," either in stories or headlines. Mr. Robinson must be referring to a book that appeared several years ago. Also, there was no mention of black leather jackets, tilted hats, swaggers or obscene language. These, if they exist, would have had no relevance.

What Mr. Robinson is saying here is that he understands his students and is sympathetic to them; however, one of the main points in The Daily News stories was that many faculty members do not understand the students—and the students are painfully aware of this. This can be observed in classes, and in conversation with both teachers and students.

It would be good if Mr. Robinson's understanding could be transmitted to all of his faculty. But, since he has been at Crane only three months, he may not yet have had time to work on this problem—which is deep-seated and severe. (End rebuttal.)

FAIR TREATMENT PLEA

Crane with its well earned heritage of excellence surely deserves fair treatment. If the ultimate goal of your newspaper is to effect improvement in the educational program and process, it can best be achieved with a framework of objectivity and valid inquiry.

We stand ready to assist any one who is qualified to study our school in depth. Certainly those of us who willingly labor in the most challenging situations should not have as our reward the condemnation of a society which itself has yet to find the right answers.

Crane indeed has its share of difficult and knotty problems. Some have been solved, and some are in the process of being solved. For others, solutions are still being diligently sought. We do not cringe, however, in face of the challenge. "Snakepit" implied or otherwise. We are not!

There are many fine programs at Crane developed by a host of competent, sincere and dedicated teachers. These things too, should be seen and reported.

My foremost reason for writing this letter is to protect the integrity of Crane's staff, to resist use of our students as pawns in a game of subtle issues, and to provide balance to the distorted picture painted. The undisciplined "exposure" may well be more ravaging than the disease itself.

Sincerely,

OTHO M. ROBINSON, *Principal.*

Rebuttal: Crane did once have a fine reputation—as a topflight technical school. Now, many of the technical courses are gone. This is one of the school's tragedies.

Mr. Robinson did not comment on the major points of the Daily News series: The fact that 61 per cent of the students cannot read above the seventh grade level that nearly 60 per cent leave school before they graduate; that the counseling system is woefully inadequate for disturbed students and for college-bound students; that despair, apathy, and disorder prevail in so many classrooms.

The Daily News also described classrooms where students were attentive and enthusiastic. The contrast, according to both students and teachers, emphasizes the poor quality of many of the teaching methods—and the lack of faith in the ability of Crane's students.

Let us repeat what we said when the series began: This was an attempt to analyze the quality of education at a Chicago high school in a poor, largely Negro neighborhood, and to provide some answers to questions that have plagued the city for several years.

Crane was selected not because it was considered the worst, but because we believe it would be typical. From the response we have received from parents, teachers and PTA leaders, it seems that the Crane problems we described are duplicated throughout the system—in white as well as Negro schools. (End rebuttal.)

TEACHERS HIT FOR ISSUING GRIEVANCE LIST

Bernice Boye, superintendent of the Crane High School district, has accused 28 Crane teachers of violating school procedure by issuing a list of grievances.

She said the teachers should have notified her office or Principal Otho M. Robinson before taking action.

A list of 16 complaints against the school was sent to community organizations and Board of Education members in October. It was signed by 28 faculty members, including four department heads.

In a rebuttal statement, Miss Boye said there was no basis for the teachers' complaints.

She denied their contention that pupils in need of psychological treatment are allowed to remain in school, and added: "Every case for which a teacher submitted data is processed."

The Crane teachers also were mistaken in their charge that teachers who are physically attacked by students are criticized for wanting to bring court action, she said.

"Teachers are urged to sign complaints after physical attacks," Miss Boye said.

To the charge that "derogatory letters written in anger" by principals destroy a teacher's chance of advancement. Miss Boye replied:

"The allegation is simply not true."

She also denied the teachers' charge that there is a ceiling on the number of failing grades they can give, that they are required to police lunchrooms and that they are harassed for participation in civil rights and community organization activities.

Earlier this week the Mile Square Federation, a West Side community organization in the Crane area, demanded Miss Boye's resignation.

The group complained that she has refused to meet with them to discuss the 16 grievances.

Mrs. Earline Lindsey, chairman of the federation's education committee, said her group will bring new charges against Miss Boye and Crane High School at Monday's Board of Education budget hearing.

She said they also will offer recommendations to remedy "the academic deterioration" of Crane.

Mr. PERCY. Mr. President, a modern phenomenon in the juvenile delinquency field which has captured the center of popular attention is the youth gang found in ghetto areas of many of the Nation's cities. Chicago is the home of one of the prototypes of these gangs, the Blackstone Rangers, who—as every Senator probably knows—are the subject of hearings before the Permanent Investigations Subcommittee of the Committee on Government Operations, chaired by the able Senator from Arkansas [Mr. McCLELLAN].

Two years ago, in August 1966, Mrs. Wille wrote a series of articles on the Blackstone Rangers which appeared in the Chicago Daily News. It provides a penetrating inside picture of juvenile delinquency and the terror of youth gang warfare on Chicago's South Side. Because of the pertinence of this material to the Juvenile Delinquency Prevention and Control Act of 1968 up for consideration on the floor of the Senate today, I ask unanimous consent that the series be printed in the RECORD at this point.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Chicago Daily News, Aug. 1, 1966]

THESE ARE THE BLACKSTONE RANGERS

(NOTE.—ANATOMY OF A GANG: For eight months streetgang wars have terrorized Chicago's South Side. The leading combatants are the Blackstone Rangers and the Eastside Disciples—bigger, tougher and more disciplined than any teen-age gangs that have roamed Chicago's streets. Two weeks ago Police Supt. O. W. Wilson thought he had worked out a truce between the two, but the night after his peace conference there was gunfire again on 63d St. and before dawn six youths had been shot. Almost every night since then there has been more shooting. Long before Wilson announced the truce, Pulitzer Prize winning reporter Lois Wille had been working quietly with the Rangers. Here is the first of a series of articles on the anatomy of one of the city's supergangs.)

(By Lois Wille)

Outside a third floor office in Woodlawn's big graystone First Presbyterian Church is a hand-lettered cardboard sign that reads:

"We the People of Blackstone, in what we do we do the best."

Inside are two desks, a table, a telephone and a bulletin board with another sign: "Home of the Mighty Rangers."

The office, newly painted in lavender beige and dark brown is immaculate. Neatly stacked papers and pads are arranged on the heavy wood desks.

There are no nameplates, but words are faintly drawn on the sides of the desks with crayon: "Bop" on one, "Angel" on the other.

This is the headquarters of the Blackstone Rangers, currently the most powerful, most notorious, most feared streetgang in Chicago.

And the most misunderstood, according to its leaders and its few adult friends.

"It's the best organized group I've seen," says Fred Hubbard, for many years director of the YMCA's famed streetgang unit, the Detached Workers.

But that's about the only thing you can say of the Rangers that doesn't start an argument.

"Their slogan makes sense," says a police juvenile officer in the Grand Crossing district, where the Rangers roam.

"What they do best is shoot, stab, fight, intimidate, extort money from businesses and threaten little kids into paying them dues.

"In the past two months we've had 40 or 50 shootings involving Rangers—and we used to be able to go a whole year in this district without one single gang shooting."

Yet there they are in a fine old church, their hangout, and its pastor, the Rev. John R. Fry, says:

"The group has a lot of value . . . our future community leaders may come from it."

The Rev. Arthur M. Brazier, president of The Woodlawn Organization and the most respected leader in the community, thinks the Rangers "get blamed for everything bad that happens here."

"But when they do something constructive, they get no credit," he says.

"You'd be amazed at the pressure some West Siders brought on the Rangers to start something here during the West Side riots. But instead the Ranger leaders worked hard among their members to keep the lid on."

Two weeks ago Police Supt. O. W. Wilson met the Ranger leaders and their rivals, the Eastside Disciples, to proclaim a truce that lasted about seven hours. He lavished praise on the boys: They were "gentlemen," "responsible," "on the side of law and order."

But in Woodlawn there are many who agree with a Baptist minister who says, "The police are afraid of them, too."

Youth workers experienced in the ways of street gangs say the Rangers thrive on all this talk and all this publicity.

"We didn't have a gang problem here before everyone discovered them," says Donald Vincent, a police gang specialist in Grand Crossing.

"Now everyone wants to win their trust, give them recognition, status—civic leaders, television, newspapers, social agencies, churches."

The result, according to Vincent, has been more and more youngsters who want to be Rangers. He pointed to a map above his desk, jabbed at 63d St. and Greenwood, and said:

"Above that is Disciples. They are more or less in their last stand now. Below, all of this is Blackstone, down to 87th St. Some say to 115th. They've moved to South Shore, and they've got a northern branch at 44th St.

"Their grand strategy is to take over the entire Southeast Side."

The "grand strategists" themselves say they have other plans.

With an almost mystical fervor, the leaders of the Rangers talk of staying together forever, into middle age and old age.

They want to own businesses together in Woodlawn. They talk of running a restaurant, a food store, a furniture store.

They say they want to own apartment buildings, and live there in a communal arrangement, Rangers and brothers for life.

"I've studied why clubs break up," says the Rangers' organization expert, Jeff Fort, 19, a slender young man with a wife and two children.

"They have trouble over money and over girls. But we never do, and that's the reason we won't break up."

With money, they share. With girls, they don't share. That's the Ranger code.

An employed Ranger recently turned over his paycheck to help the mother of another Ranger because she was about to be evicted.

Last Monday, in a few hours, Jeff raised $200 bond money to free two Rangers from jail. A few weeks ago his troops paid the necessary 10 per cent on the $12,500 bond to get him out after his arrest for illegal use of a weapon.

A bond of $12,500 is extremely high for such a charge—but lately every arrested Ranger is hit with an enormous bond.

"They want to bleed us dry," complained Lamar Bell, 21, a handsome, well-dressed Ranger vice president with a thin mustache, a wife and three children. He is known as "Bop Daddy" among younger Rangers.

"The police found out we had a goodly bit of change in the bank," Bell says, "Now it's gone."

Rangers get bond money so easily because they're skilled extortionists, according to police. But Jeff insists extortion isn't necessary.

"We stick so close that we never have trouble getting money," he say. "When the group hears someone is in jail, they want to give whatever they can. You don't even have to ask."

Jeff and Lamar are two-thirds of the trio that runs the Rangers. The other is Eugene Hairston, 21, Rangers president now in Vandalia Penal Farm for being caught with a gun while on parole.

They are the group's founding fathers, or as Jeff puts it:

"That's us, the old fellows that started it all."

He is the organizer, always on the go, the one who travels up to 44th St. to settle a dispute with a northern affiliate or down to 83d St. to find out why the Rangers there haven't been attending meetings.

A youth worker at First Presbyterian Church who knows him well says with admiration. "He is damn creative, damn hard working.

"He is out on the street talking constantly. It's a tough business. He has to know when to make small concessions for bigger gains. He has to come up with right answers instantly to keep groups in line."

Another adult, an attorney, talks of Jeff's potential "for turning younger kids around," and adds: "If Jeff Fort would make heroes out of guys who get good grades, that would do more for Hyde Park High School than the entire school system can do."

Lamar Bell, articulate and good-looking, is the one who speaks at conferences such as the O. W. Wilson truce meeting, the one who talks and dreams of grand plans for the future.

Hairston, the president, is the man of prestige, the man to respect. "He's the one who keeps the older fellows in line, in the group," one Ranger said.

These three were only about 9 and 10 when they formed a club, the Mighty Blackstone Rangers.

They played ball and pitched pennies and got into fights with boys on the other blocks, the Border Patrol and the F.B.I. (for Federated Blackstone Investigators).

This is what children in every neighborhood do. But when the neighborhood is very poor, as Woodlawn is, something goes wrong with the childhood gangs. They don't fall apart when the boys get older.

Fred Hubbard explains why:

"A community with no organization, no political power, is left to itself—forgotten and exploited by the city.

"By the same token, the children in these communities are left to themselves. When their mothers and fathers and other adults don't form activities for them, the kids form their own.

"In a community like this they get double-dealing, broken promises, things they don't understand. The more this happens, the closer they draw within themselves, within the group.

"Gangs always develop in disorganized, powerless communities. If I were a stranger in town, I could tell from community statistics exactly where the gangs are. It's that inevitable."

The gang becomes far more influential than parents. "It's not that the parents don't want to counsel them," Hubbard says. "But they can't. They don't know how."

About 18 months ago the small Blackstone Ranger group began to grow and to fight. No one knows exactly why, or which started first.

Some say the trouble began when the Woodlawn police station at 63d St. and Harper was closed and consolidated with Grand Crossing, miles away at 75th St. and Maryland.

"Police were a deterrent when they were right here," said one prominent Woodlawn minister.

Others say the Englewood-Disciples began forays into Woodlawn and forced the Rangers to recruit and defend.

Once the original gang fights were publicized and talked about, according to youth workers, the Ranger recruitment drive zoomed. Neighborhood gangs clamored to get into the new Ranger federation.

Today, when you walk through Woodlawn, the painted scrawls on apartment walls tell you which Ranger group roams there: Apache Rangers, Maniac Rangers, Conservative Rangers, Cossack Rangers, Racketeer Rangers, Magnificent Rangers, Golden Rangers, Pharaoh Rangers and on and on.

Gang leaders say membership now totals more than 1,500, but police and youth workers say a more accurate figure would be 500.

"And of those, only about 150 or 200 are active," says Vincent.

Ranger leaders swear they fight only to defend. They say they want to stop, but the other side won't let them.

"The gangs are just like countries," says one experienced youth worker from the West Side. "They fight for the same reasons—to protect their prestige, their status, their power, their territory, their ideologies."

[From the Chicago Daily News, Aug. 2, 1966]

RANGERS HAVE OWN BRAND OF "JUSTICE"

(By Lois Wille)

The courtroom was the porch of a brick three-flat in Woodlawn. The judge, a gang leader called Geronimo, sat on the bannister, swinging a billy club.

He looked at the skinny 14-year-old cowering in front of him. "What is his offense?"

"Drunk and disorderly," replied the tall boy standing at Geronimo's right. "He was messing around at the church, and when we came up . . ."

The rest of the prosecution's case was lost, because seven shrieking, giggling little girls invaded the court, one of them holding her baby in one arm and his bottle in the other.

Geronimo pounded on the bannister with his club. "Order, order in the courtroom. Get the women back. No, not there—on the steps. Put out that match, no smoking in court."

Order was quickly restored.

Geronimo raised his eyes to the defendant and spoke in low, fatherly tones that could come only from numerous appearances before a Juvenile Court judge.

"I'm sorry to have to do this to you, son," he said, "but it's for your own good. For six months you can't get drunk."

The 14-year-old groaned.

"You can get high," the judge continued, "but you cannot get drunk. Next case."

Geronimo, a handsome 17-year-old who looks like a small Cassius Clay, is president of the Magnificent Rangers, one of the subgangs that make up the South Side's supergang, the Mighty Blackstone Rangers. His courtroom on the porch is a lower branch of the big court run by his superiors, the Blackstone leaders.

"They got a defense counsel," says Geronimo. "I don't need one because I am judge and defense and the chief, all in one."

The Ranger courts enforce Ranger laws.

"We got our own sweet little system," says Jeff Fort, 19, the thin, wiry organization chief of the Blackstone Rangers.

"We have a rule no boxing or fighting among ourselves.

"No beating up old ladies, robbing buses, rocking cabs, snatching purses.

"We got our policemen—the police of Blackstone, the Intruders, we call them. They go out at night, they have beats.

"If they catch someone breaking our laws, they get his number, the name of his group—like Maniac Rangers, or Racketeer Rangers—and we set up our own trial. He has a defender, his own lawyer, and he can have a jury."

"It all depends on what he do. Sometimes he's barred from parties, unless he pay bond.

"Its very strict."

A DEFINITE IDEA OF RIGHT, WRONG

Some of the punishment is a good deal rougher than being barred from parties, according to lower echelon Rangers.

"They tell of jaws broken for missing too many meetings, or heads busted for scrawling "Rangers" on school walls without leaders' permission.

One 15-year-old boy said his buddy was beaten by a top Ranger because he was not "sticking close." He was drifting away from the group.

Didn't this scare the 15-year-old, make him want to get out?

"No, why? When you're in a club, you got to have law and order."

These may be peculiar words coming from a young man who belongs to a gang blamed for hundreds of shootings, knifings, beatings, gun thefts, intimidation and extortion. But the Rangers have very definite ideas of what is right and what is wrong, and offenders are caught and punished.

It is right, for example, to cut down a Disciple if he ventures south of 63d St., into your territory.

"If those Ds come here, you got to be ready to wipe out those little boys," says a tall, thin 16-year-old named Edmund, a student at South Shore High School and a good athlete who talks of getting a college scholarship.

One evening while driving through the heart of Ranger territory, past the huge, gloomy, cavernous tenements on Blackstone, Edmund spotted a husky young man in a black T-shirt and yellow straw hat calling to boys across the street, "Yeah, I'm from 61st and Ellis."

The husky young man laughed, but Edmund almost collapsed.

"He get himself killed, joking like that. That's D territory he's talking about. You yell that here and someone's liable to take a shot from you out the window." He shook his head, solemn. "He get himself killed."

But, isn't it foolish—killing a man just because he lives a few blocks away and walks into your neighborhood?

Edmund looks at you as though you're mad. "But if we start letting the Ds come in, then they think we're babies—afraid to fight."

It is wrong to do anything to hurt a cab driver or a bus driver "because they never do anything to hurt us, and they work hard," as one Ranger put it.

But it is right to "slick" the people trying to "slick" you.

GANG LEADERS GO SOUR ON PROMISES

To a Ranger, almost everyone in the world is trying to "slick" him—to use him, exploit him. In particular, this is true of youth agencies and the local antipoverty agency, the Woodlawn Urban Progress Center. They have promised jobs and programs and so far haven't delivered.

Last week, after one of the top Rangers was shot by a Disciple and Rangers were restless and angry, word flashed that at 9:30 p.m. the Urban Progress Center would be "blown up."

It wasn't, but none of the boys seemed to think it was a bad idea, or wrong in any way.

The center, they said, had "slicked" them into thinking it would provide jobs and a recreation hall. It hadn't. Therefore it deserved to be punished.

By the same token, Rangers don't seem impressed with civil rights groups that have tried to win their allegiance, including Dr. Martin Luther King's Southern Christian Leadership Conference.

"Sure, they met with us," says Lamar Bell, 21, one of the Ranger brain trust. "Everyone wants to meet with us, running to us, make us promises.

"But what do they do for us? Nothing."

The Rangers are bitter because SCLC wouldn't let one of their group speak at the July 10 civil rights rally in Soldier Field. On orders of Jeff Fort, all 250 Rangers at the rally went home before the speeches began.

"Next time I march for Dr. King, he going to feed me, baby," says Geronimo.

Being "slicked" is something you guard against constantly, every day. But in the long run what you fear most is selling out.

Selling out means turning into wino, or winding up five years from now with a $1.25-an-hour job going no place.

ANTIDRUNK ACTION CALLED EXTREME

The fear of ending up like the dazed men who wander along 63d St. and offer to buy liquor for young boys in return for a swallow from the bottle is very real, and acute.

This doesn't mean the boys don't drink. They do—a lot. But they also respect moderation.

Younger Rangers get mad if they see their leaders drinking too much—partly because they're afraid they aren't taking care of Ranger business, but also because they simply don't like to see them drunk.

The "Intruders," the Ranger police, recently cleared out the alcoholics who hung out along the saloon strip on 67th St.

The men weren't doing anything to bother the Rangers, but as Lamar Bell says: "They were messing up the neighborhood. We didn't like to see them around. So we asked them to leave."

An adult youth worker at First Presbyterian Church, where the Rangers hang out, adds: "He's putting it very delicately. It was somewhat stronger than that."

Drunken Rangers are barred from attending Ranger meetings and dances at the church. The Intruders guard the doors and keep order. They do such a good job, according to the Rev. John R. Fry, that there has been no trouble since he turned over the church's third floor to the Rangers several months ago.

"They run a tight ship," says a church staff member. "They do have the leadership to exercise that kind of control."

Jeff Fort adds, "We keep out drunks, Disciples, people from welfare agencies and police."

Police, and some youth agency officials, think the Rev. Mr. Fry is making a mistake.

"What kind of radical operation is he running?" asks one executive of an old, established youth agency.

"You can't trust kids like that. If they ever get mad at him, they'll tear the place up."

Youth division police from Grand Crossing station complain that Rangers take guns into the church for meetings and dances, but the Rev. Mr. Fry won't let police in to inspect.

As far as the Rangers are concerned, the church and its staff are the only people they know who so far haven't tried to "slick" them.

"If they're convinced you're doing something in the group's interest, they will do anything to respect your trust," one of the church staff says.

But if they think you're trying to use them. . . ."

[From the Chicago Daily News, Aug. 3, 1966]

City Gang Afflicted by Betrayals

(By Lois Wille)

Last Monday was a black day for the Blackstone Rangers.

First their three top men lost their jobs at the Woodlawn Urban Progress Center, one of the South Side's antipoverty outposts.

Then, as the three left the center, they were ambushed by a gang of Eastside Disciples, their enemies.

One of the Disciples shot and seriously wounded Bernard (Droop) Green, 19, the Ranger war counselor.

"There were two police watching, hiding around the corner of a building," says Lamar Bell, 21, one of the three Rangers.

"About 40 Ds came at us and pulled guns on us. And what do the police do? They hide."

So within a few morning hours, the Rangers had fresh grievances against their three leading foes: the poverty program, the police and the Disciples.

Things didn't get much better the next day. Lamar Bell and Jeff Fort, 19, the chief Ranger organizer, appeared in Boys Court charged with unlawful use of a weapon.

The case was continued to Sept. 15, but the fact that it exists at all infuriates the Rangers. They say the police betrayed them, welching on a deal that involved Boys Court Judge Harry Comerford, Comdr. William Griffin of the Grand Crossing police district and U.S. Treasury Department investigators.

Several months ago the Rangers had a powerful arsenal of weapons, including a hand grenade and some sawed-off shotguns.

One day the police raided the apartment of a top Ranger and arrested all the leaders, including president Eugene Hairston, 21, who was carrying a shotgun. The charge was illegal use of a weapon.

Once they had them in jail, police and the Treasury men bargained with them: If the Rangers turned in their arsenal the charges would be dropped.

Police also promised to arrange a truce with the Deciples.

Jeff and the other Ranger leaders agreed to sell the idea to their members. At a stormy five-hour meeting with several hundred boys in First Presbyterian Church, Jeff argued eloquently that it was time to turn in the guns.

Some of the younger Rangers objected, accusing their aging leaders of making a deal with police to save their own skins.

Finally, though, the gang members agreed on a "trial" basis. The sawed-off shotguns were turned over to the federal men, because possesisng them is a federal offense.

About 100 other weapons, including the hand grenade, were locked in a vault on neutral ground—the headquarters of a community agency—with police consent.

TRUCE DRAWS GANG CRITICISM

Then something went wrong. Two weeks ago Hairston, the No. 1 Ranger, was sentenced to Vandalia Penal Farm for 60 days. The charges against the others were not dropped, either.

When Gene went to jail, the Rangers were ready for war.

"It was hard work telling the boys to keep cool," says Jeff.

A few days after Hairston was sentenced, Police Supt O. W. Wilson proclaimed a truce between Rangers and Disciples.

Again, the Rangers thought the police had given them a bad deal.

They said police hadn't done enough spadework with the Disciples. The ranking Disciple at the conference was Minjo Shead, 18, one of the gang's officers but not top man.

"Minjo doesn't speak for those boys, and the police know it,' said Jeff.

Seven hours aftei the truce a few renegade Disciples invaded Ranger territory, and for a week there was more gang gunfighting in Woodlawn that there had been for a month before the peace conference.

The Rangers still say they want a truce, but now they're talking about a new condition. Get Gene out of jail.

KORSHAK OFFERS ADVICE AND AID

Last week Jeff and Lamar called on Marshall Korshak, 5th Ward Democratic committeeman. Jeff told him, "If you want us to keep our boys in line, you got to get our leader out."

Korshak spent about two hours with them.

"I'd never met the young men before and when you look at them they look as though they wouldn't hurt a fly," he said. "They look like little angels.

"I talked to them about law and order, I talked like a priest and reverend and rabbi rolled into one.

"I tried to reach them. I don't know if I did."

In the end, Korshak promised to "explore the possibilities of a motion for a new trial" for Hairston, offered the use of his 5th Ward headquarters for Ranger meetings and said he might send 15 or 20 young Rangers to camp next summer.

He also got State Rep. Robert E. Mann (D-Chicago) to represent them in court.

Why was he so generous?

"Well, they struck me as having a sense of frustration that is pretty horrible," he says. "They have no trust or faith in anyone.

"The promises I made to them, I intend to keep."

One Ranger officer who heard about Korshak's pledges says, "That's just words. Nobody's kept a promise to me since I was 3 years old, and before that I don't remember."

That pretty well expresses the sentiment of the group. It would be hard to find a collection of young men who feel sorrier for themselves than these Mighty Blackstone Rangers.

A number of welfare agencies and civil rights groups have promised them job placement programs and recreation centers, but so far none has materialized.

Last spring, before they emptied their treasury baling their leaders out of jail, the Rangers tried to rent a storefront on Stony Island for a recreation center.

Neighboring merchants raised such a fuss that the owner decided not to rent.

"People all over Woodlawn are writing letters to churches telling ministers not to have anything to do with us, not to let us use their rooms," Jeff says.

"I'm not saying we never did anything, We're not angels. But they got to give us a chance to show we change."

CLUB ACCUSED OF BETRAYAL

The only youth agency in the area, the Woodlawn Chicago Boys Club, "slicked" them according to Jeff and Lamar. Last winter the Rangers gave the club several hundred dollars toward a phonograph, a television set and games. Then one night they saw strangers in the clubrooms using "their" equipment—strangers someone identified as Disciples.

They were furious. They had been betrayed.

Club officials explained that they can't bar any boys, and can't honor gang rivalries.

It wasn't long before the club was invaded and some of its furniture wrecked by persons unknown. Club officials assume it was Rangers.

"Oh yes, there was some talk that it was Rangers," says Jeff.

"I don't know who it was. Maybe somebody who yelled "Rangers."

At any rate, the Woodlawn Boys Club is now on their list of people who broke promises.

At the head of the list is the whole antipoverty program.

WHAT HAPPENS TO POVERTY FUNDS?

"Put this down," Lamar instructs. "A lot of agencies in Woodlawn are getting poverty money by saying they work with Rangers—and we never see anything. Nothing's done. And I know they're getting the money because I used to help make out the records."

Until last week three top Rangers had antipoverty jobs, running recreation programs for younger boys. But on Monday morning the Rangers were told by Frank C. Bacon, center director, that they would no longer be working with children.

Instead, he offered them jobs inside the center.

"He said he didn't want me working with kids any more because I was too much for the group, that was all I cared about," Lamar said.

"He told me, 'Get them out of your heart.'

"I said, 'I can't.'

"So I was given a choice—working indoors, sweeping floors and stacking books, or changing tires at the police station. I couldn't take that, but Bacon said it was that or nothing."

For Lamar and the other two, it had to be nothing. The leaders of the Mighty Blackstone Rangers do not sweep floors or stack books—not unless they want to lose face.

EXPLANATION OF TRANSFERS

Bacon says the transfer was necessary because the poverty program, in co-operation with Chicago Boys Clubs, is hiring professionals to work with Rangers. Little programs such as the one Lamar ran are no longer necessary.

He assigned the Rangers to routing jobs, he said, "in order to get them trained for employment situations," but added:

"They were not interested in supervision."

One experienced youth worker who calmed down the West Side street gangs for the YMCA thinks Bacon made a serious mistake.

"You want boys like Jeff Fort working for you out in the streets," said Fred Hubbard, former director of the Y's Detached Workers.

"This is where they're most effective.

"At this juncture, there is nothing you can offer someone like Jeff that is as rewarding as the status he has out in the streets. When he walks out there he's Jeff Fort, leader of the Blackstone Rangers.

"If you can use this leadership, then you've really got something going for you."

[From the Chicago Daily News, Aug. 4, 1966]

Street Gang Chieftain Has a Tense and Lonely Job

(By Lois Wille)

Few people know the terrible pressures of being chief of a gang.

"Sometimes I just get weary, real weary," sighed a slight, handsome 18-year-old. He took off his narrow, dark sunglasses, rubbed between his eyes and continued:

' I been thinking of giving it all up. Getting a steel company job.

"But then I worry. If I quit, what happens to my boys? They'll try to quit. And that means another group might attack."

He shook his head and put his glasses back on. "No, I got to see it through . . . for them."

The boy means it. In his world, he is a man of awesome responsibilities. They may seem strange, absurd, even criminal to the rest of mankind—but that doesn't make them any less real to him.

He is president of one of the dozens of subgangs that make up the South Side's supergang, the Mighty Blackstone Rangers.

He doesn't want his name used because he says there is too much danger of retaliation: From police, from his employer, from his Blackstone superiors. And, of all places, from his mother.

"She worries about me sometimes," he said. "She reads the newspapers and she thinks all we do is fight."

"But I tell her she doesn't understand. This group is based on protecting the neighborhood and our loved ones."

"ALWAYS THE CHIEF—BORN TO LEAD"

He dosen't look particularly strong, and his voice and manner are soft, not commanding. So how did he get to be a gang president?

"I have always been the chief," he says. "I was born to lead."

Like most of the Rangers, he is careful about clothes and grooming. His moss-green knit shirt was unbuttoned to show a long chain with a silver-and-turquoise pendant. He wore khakis, but explained that his slacks usually match his shirts.

His hair is cut very short at the sides and back and slopes up to a "bush" in front—the style made popular by Jeff Fort, a top man of the Blackstones.

He now has a $1.25-an-hour job running a recreation program for Sunday School children in a South Side church, but that will be over in the fall.

The steel mill job he heard about pays $3.70 an hour, but that would mean long hours and giving up "my work with the group," as he calls it.

Yet he says he is tired of fighting and of leading a gang.

"Fighting is square, not the hippest he says. What is hippest?

"To me, hip is my clothes, money, being cool—and a quart of beer.

"I don't want to die fighting, not in Viet Nam or here. When I die, I want it to be cancer or old age."

SCHOOL, MILITARY—DOORS CLOSED

Viet Nam probably is something he won't have to worry about. With his numerous arrests connected with gang fighting and his three tours in Illinois State Training School in St. Charles, it is unlikely the Army will take him.

Neither will Chicago public schools, which he says worries him. Hyde Park High School wouldn't take him back the last time he came out of St. Charles.

"How am I going to get a high school diploma?" he asks.

But then why did he keep on getting in trouble?

Like almost any Ranger, he cannot admit he has done anything wrong—not lately, anyway.

"I was no angel when I was a young boy," he says.

"Now when there's trouble in my area, police say I did it. They know I'm the chief. So they come after me."

He was 5 when he started his first little gang.

"We used to fight with the boys on University, on Cottage Grove, on 67th. Then I got them all together and worked out a peace treaty and we joined. I always led."

This is typical. Democratic elections are not part of the gang code. Leaders simply emerge and hang on by their wits until they get long jail sentences or get married, go to work and drift away.

"Usually the gang leader is a pretty shrewd character," says Fred Hubbard, former head of the YMCA's streetgang unit, the Detached Workers. "A manipulator of human beings—like the leader of any group

"It's very seldom that he's also a tremendous physical specimen.

"The old myth that the gang leader is the one who can whip everybody isn't true. He's the idea man."

About a year ago this sub-gang became affiliated with the Blackstone Rangers. It was the leader's decision, arrived at after several meetings with Blackstone leaders.

"Now we are brothers," he says.

But definitely little brothers. The Blackstone group, a core of about 30 to 40 who are older than most of the sub-gang members, keeps a fairly close reign on the activities of its affiliates.

Right now, for example, the Blackstones are worried because the Chicago Boys Clubs has assigned a gang worker to one of their sub-groups, the Magnificent Rangers.

"He carries them off someplace—camping, things like that—and doesn't even tell us," complains Lamar Bell, 21, one of the Blackstone chiefs.

"They're trying to split our group, make a separate group out of the Magnificents."

Most of the Ranger subgroups have gathering places where a member can always find friends and news. It may be a school playground or a park, but usually it's just the steps of a church or the area around a telephone booth on a streetcorner.

The 18-year-olds' group meets in a school yard. You can find a dozen or two of them there any evening, beginning about 7 and going on past midnight.

Joining is very informal. There is no ritual.

"All my friends did, so I did too," says a 14-year-old.

How much does it cost? "Oh, you pay what you can. I give 50 cents, 75." When? "When they ask."

The groups girls meet in the school yard, too. They also have a gang, but membership is contingent upon being the current girl friend of a ranger.

"The girls have a definite role," says Donald Vincent, juvenile officer at the Grand Crossing police district.

("They are great ones for rumors, for starting fights. They also spy. They get a date with a Discipline and find out things.")

The group's leader is almost always at the meeting place or nearby patrolling his territory.

He considers himself responsible for the looks, manners and conduct of his boys. He scolds someone whose T-shirt is torn or who is too drunk.

"I got to set an example for younger rangers," he says.

If a boy doesn't show up at the meeting place for a while, the leader sends one of his runners out to summon him and warns him not in start drifting.

He has several aides. "My deputies," he calls them. Recently he demoted one who was "talking out of both sides of his mouth."

"He was acting like a woman," he says. "Spreading stories and trying to stir up trouble in the group."

He and his boys show little concern for problems outside the group.

Asked how he would change the neighborhood—if he could do anything at all he wanted—one tall, thin 16-year-old replied:

"I would turn the whole community inside out."

How? What would he do?

"Well, South Shore YMCA charges $30 a year to join. I'd make it free, and not be so strict. They tell you when to turn the shower off, when you got to stop playing basketball—they watch you all the time."

The Y charges $15 a year, not $30. But one youth worker said, "Whenever they give you a figure, whether it's membership or whatever, you always cut it in half."

Another boy said if he could do anything he wanted he would "get us a pool table, a Ping-Pong table and a hall where we can have dances."

But then someone said, "And get rid of all Disciples." Everyone cheered.

Only one boy went beyond.

"You see those old buildings over on Blackstone?" he said. "They're rotten. When you live there, you got nothing to live for.

"People say, 'Why do Negroes fight?' Well, they fight because they don't care whether they live or die."

[From the Chicago Daily News, Aug. 5, 1966]

INSIDE THE RANGERS: GANG THRIVES ON THREATS, FEAR

(NOTE.—For eight months street-gang fighting has terrorized Chicago's South Side. One of the leading combatants has been the Blackstone Rangers—probably the biggest, toughest and best disciplined teenage gang Chicago has produced in a decade. In the past three months, according to police, the Rangers have been involved in more than 45 shootings. This is the last in a series describing the gang members—how they see themselves and the world around them.)

(By Lois Wille)

Donald Vincent, a husky, sandy-haired police juvenile officer, was talking about his big headache—the Blackstone Rangers—when a child's voice wailed in the next room.

"Listen," he said. "That's another one. They come in every day."

Next door, a father and a tearful 11-year-old boy were telling a familiar story to another Grand Crossing policeman.

"This boy from the Rangers says he'll beat me up if I don't pay dues," the child said.

The angry father wanted to know, "What are you going to do about it?"

The answer in this case, as in the others probably will be nothing. Vincent explained why.

"We ask for the name and description of the boy doing the intimidating," he says.

"Then we pick him up, and ask the parents and the child to go to court to identify him.

"Almost invariably, the parents say no. They're scared. I talk to the father, try to persuade him to go. I tell him, 'I would do it.'

"But you can't blame them for not going. There's fear among the children, fear among the parents, fear in the community. The parents know they can't have police parked in front of their house every night so their windows won't get smashed or their kids cut.

So, according to police, intimidation by Rangers continues and thrives.

The Rangers insist they are innocent. "People may do that using our name but it isn't us," says Jeff Fort, the Rangers chief organization man.

He points out that several weeks ago the Ranger "police," called The Intruders, tracked down a young man extorting money from Woodlawn businesses by saying the Rangers would blow up their stores if they didn't pay.

The Rangers gave the information to Capt. William Griffin of Grand Crossing station and the man was arrested.

Later, in his truce conference with gang leaders, Police Supt. O. W. Wilson told of "older men representing themselves as Rangers and attempting to extort money from businesses."

"They're giving us a bad image," said Lamar Bell, 21, the Ranger spokesman at the conference.

Whether the Rangers are guilty or innocent, Vincent is convinced that Woodlawn is fed up with them.

"They're at the peak now in status," he says. "From now on it'll go down because community tolerance finally is ending.

"Whenever there is a meeting of adults, the place is jammed with people asking, 'Who's going to run this neighborhood—the kids or us?'

"It's getting to the point where they won't tolerate any more. People are starting to stand up. So are the police and the courts.

"A few years ago, we used to send one boy to court for every 10 we released. Now we send one in three. And it's getting close to one in two."

The police crackdown already is forcing gang leaders to drop criminal activities, according to Vincent.

"When they start pondering 10 years in prison, it's not like a few months in a boys reformatory," he says.

Other youth workers agree that the Rangers will gradually fall part, but for different reasons.

They say Ranger leaders are getting too old for street-gang work—20, 21, 22. When these aging chiefs fade away, the gang will change. A group called the Blackstone Rangers may still exist, but it won't be the same old gang.

"No 24-year-old could stand the pace," says Fred Hubbard, one of the youth workers who pacificed the West Side's warring gangs, the Vice Lords and Cobras.

"He'd have to carry the weight for everything.

"The older he gets, the more heat he takes from police for everything the group does. The pressure gets too great. This, and the combination of being an adult, wipes out a gang."

Jobs change a gang, too. When older members of the Vice Lords began to find steady work through YMCA programs, they drifted away from the group.

"They may still be around but as respected elder statesmen," Hubbard says.

But the Vice Lords had something the Rangers don't have: Hubbard's crack street-gang force, the YMCA Detached Workers, and the facilities and resources of Sears YMCA, with its Jobs-for-Youth project.

The YMCA does not have a Woodlawn branch.

The community does have its Woodlawn Chicago Boys Club, but it closes at 5 p.m. on weekdays and doesn't open at all on Saturdays and Sundays.

"The club is interested in younger children," said one youth agency official. "It doesn't want to tangle with Rangers."

The city's youth agency, the Chicago Commission on Youth Welfare, has a Woodlawn branch office, but it has no gang workers assigned to the Rangers—by far the community's biggest youth problem.

JOBS PROGRAM TO CLOSE IN FALL

So far, the only jobs program for the Rangers is a small summer project financed by the Chicago Conference on Religion and Race through a U.S. Labor Department grant. Lessons in how to fill out job applications, how to act during a job interview and how to pass personnel tests are given every morning in First Presbyterian Church, the Ranger hangout.

About 25 Rangers have found work since the program began, but it closes in September.

Now, the Rangers are talking about applying for their own federal grant to run a job-training program.

"Nobody else is doing it," says Lamar Bell.

"A lot of the boys talk about getting into a trade."

The Chicago Boys Clubs has hired two men to work with two of many Ranger subgangs, but some veteran West Side gang workers think the agency should have started at the top instead.

"You can't work with any group of Rangers without first consulting with their leaders—Jeff Fort and the others," says Hubbard.

"They can help you so much or they can hinder you and make it impossible to do your job. But once you achieve rapport with them, they'll go through hell and high water for you."

"The tragedy is that Jeff and his friends can be such a constructive force in the community. They've only got to be turned that way. Right now nobody's doing it.

"Remember, the community left these boys to themselves to make their own rules. The gang is the way of life they have made.

"How could they make it otherwise? How else could they grow up there and become figures, people to deal with?

"They're out after status just as hard as anybody else."

Jeff Fort says he doesn't need professional social workers to turn him into a constructive force. He insists he and the other Ranger chiefs have done that on their own.

"Our power is big," says the slight, taciturn 19-year-old.

"We can get guns, if we want them. We can fight. We can wipe out little boys like the Disciples. Last week they shot our war counselor and we could have fought back. But we didn't.

"When there was that trouble on the West Side, and the boys were breaking stores, there was so much talk about us doing the same here. But we didn't."

Then as final proof that the Rangers have changed, Jeff added:

"We even stopped painting our name on the walls. We decided that was making us look bad."

Youth workers who know Jeff and the other Ranger officers think they are sincere in their attempts to change the gang's violent ways. But they doubt that these boys will be able to do it without the help of professional youth workers.

"Turning a gang around is a hard, demanding job that requires enormous skills in psychology and social work, and a lot of good mature judgment," said one youth agency executive.

"It also takes two or three years.

"But in Woodlawn, no one has even made a beginning. A program like the YMCA's Detached Workers is desperately needed. If the private agencies like the Y don't have the money to do it, the city's Commission on Youth Welfare should take on the job."

Fred Hubbard adds, "You can make that group a positive force in that community or you can ignore it and let it be a negative force.

"Either way, it's going to be a force for quite a while."

Mr. PERCY. Mr. President, I support the pending legislation, with high hopes for its promise in providing additional enlightened measures with which to cope with the grave national problems conected with juvenile delinquency.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment, as amended, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. LAUSCHE. Mr. President, I want to read briefly a statement that I had in my file on juvenile delinquency. I think it is quite apropos. I believe the Senate will find it of interest.

This statement goes back to the decade of the fifties. It was made by Dr. Carle E. Zimmerman.

This is what I found in my file. It reads:

THE FAMILY AS THE BASIS OF HUMAN SOCIETY

At about the same time, Dr. Carle Zimmerman, the noted Harvard sociologist, stated: "Evidence indicates that our middle class family system has reached its maximum demoralization. If left alone the family system will break up before the end of the century."

The family is not a biological necessity. Primitive man thought that birth was a matter of the seasons, and it was not until he became better informed that he assumed responsibility toward his offspring. Once he did so, the family became the basis of human society. And the metabolism of the family has measured the health of Western civilization ever since it began some 3,000 years ago. Professor Zimmerman points out that the Western family has collapsed twice before, in Greece about 300 B.C. and in Rome about 300 A.D., in each case marking the decline of those states. Both times the manifestations were the same: (1) almost universal corruption and disregard of the marriage agreement; (2) vanishing birthrate; (3) denigration of parents; (4) juvenile and adult delinquency.

Mr. President, if I may have the attention of the Senate, the committee, in recommending the pending bill is trying to reach a solution of the problem. I respectfully, however, say that it is dealing with the results and not with the causes. Not one word appears in the testimony given to the committee about trying to curb the moving picture operators in presenting licentious and lust-producing films. Nothing in the record indicates any effort on the part of the committee to ascertain what pornographic literature does to the morals of the people of the country.

Books of the most indecent sort are being sold. Gambling houses are flourishing everywhere. Within a stone's throw of the Capitol, slot machines are being played. The defense is now offered that such slot machines are proper because they are not paying off in coins, but in property.

Where is the effort to stop the cause? The effort is to spend more money in trying to cure the effect, and, in my opinion, that will not solve the problem.

In this morning's newspaper I read an article about a woman who was quoted by the Washington paper as saying that she is a widow; she meets with men and talks about marriage; but she does not believe in marriage. She says marriage is a defunct institution; it is an institution of the past.

In our schools, professors are advocating indiscreet cohabitation of students. What do we do about it? Nothing.

Finally, we resolve upon the proposition that if we spend $25 million in 1970, $50 million in 1971, and $75 million in 1972, we are going to solve the problem. I say to you, my colleagues, get to the root of the proposition. Get to the causes that are breaking down the moral fabric of the people of our country. We are not doing it. All we are doing is pouring out Federal taxpayers' money in trying to cure the effect, and we are completely unmindful of the cause of what has happened.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Several Senators asked for the yeas and nays.

The PRESIDING OFFICER. The request is not sufficiently seconded. The yeas and nays are not ordered.

The question is, Shall the bill pass?

The bill (H.R. 12120) was passed.

Mr. CLARK. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JAVITS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CLARK. Mr. President, I understand from the Parliamentarian that there is a defect in the title of the bill as a result of the adoption of the Dodd amendment, and that the title should be amended after passage of the bill.

I therefore ask unanimous consent that the title be amended as the Senator from Connecticut has requested. He is unable to be present on the floor at this time.

The **PRESIDING OFFICER.** The amendment of the title will be stated.

The assistant legislative clerk read the amended title, as follows:

> An Act to assist the courts, correctional systems, community agencies, and primary and secondary public school systems to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes.

The **PRESIDING OFFICER.** Without objection, the title will be so amended.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, while Senators are present on the floor, I thought I ought to query the distinguished majority leader about the program for tomorrow and possibly the next day if it can be disclosed at this time.

Mr. MANSFIELD. Mr. President, responding to the questions raised by my distinguished colleague, the minority leader, it is anticipated that we will next proceed to the consideration of Calendar No. 1330, H.R. 18038, the legislative appropriations bill.

Then, when that is disposed of, there are a number of bills, from the Commerce Committee especially, and others, which will be taken up in turn.

DEMETRA LANI ANGELOPOULOS

Mr. BYRD of West Virginia. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1129.

The **PRESIDING OFFICER** (Mr. Williams of New Jersey in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1129) for the relief of Demetra Lani Angelopoulos which was, on page 1, line 8, after "Act", insert: "*Provided*, That the brothers or sisters of the beneficiary shall not, by reason of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act".

Mr. BYRD of West Virginia. Mr. President, on October 19, 1967, the Senate passed S. 1129, to facilitate the admission into the United States of the adopted daughter of a U.S. citizen.

On May 21, 1968, the House of Representatives passed S. 1129 with an amendment to deny future benefits under the immigration laws to brothers and sisters of the beneficiary.

The amendment does not affect the benefits provided for the beneficiary, and I move that the Senate concur in the House amendment to S. 1129.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

MISS AMALIA SERESLY

Mr. **BYRD** of West Virginia. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1808.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 1808) for the relief of Miss Amalia Seresly, which was, on page 1, lines 7 and 8, strike out "no natural parent of the beneficiary, by virture of such parentage," and insert "the natural parents or brothers or sisters of the beneficiary, by virtue of such relationship,".

Mr. **BYRD** of West Virginia. Mr. President, on October 12, 1967, the Senate passed S. 1808, to enable the adopted daughter of a U.S. citizen to qualify for first-preference status, which is the status enjoyed by the natural-born alien sons and daughters of U.S. citizens.

On May 21, 1968, the House of Representatives passed S. 1808, with an amendment to deny future benefits under the immigration laws to the parents, brothers, or sisters of the beneficiary. However, the amendment, as passed, would actually confer the benefits it seeks to deny.

I, therefore, move that the Senate concur in the House amendment to S. 1808.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

SUPPLEMENT OF LAWS RELATING TO CERTAIN INDIAN LANDS

Mr. **BYRD** of West Virginia. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on Senate Joint Resolution 157.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the joint resolution (S.J. Res. 157) to supplement Public Law 87-734 and Public Law 87-735 which took title to certain lands in the Lower Brule and Crow Creek Indian Reservations, which was to strike out the preamble.

Mr. **BYRD** of West Virginia. Mr. President, the House has amended this joint resolution by striking from it all of the "whereas" clauses, which contained a recital of the actions leading up to the payments of Lower Brule and Crow Creek Indians for lands acquired for the Big Bend Dam and Reservoir. The amendment does not affect the operative provision of the resolution which authorizes the Secretary of the Interior to pay for certain non-Indian interests in the lands taken for the dam. There is no objection to the amendment since it is not substantive and is acceptable to the junior Senator from South Dakota who sponsored this proposal, which was submitted and recommended by the Department of the Interior.

Therefore, Mr. President, I move that the Senate concur in the amendment of the House to Senate Joint Resolution 157.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

LEGISLATIVE APPROPRIATIONS, 1969

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1330, H.R. 18038. I do this so that the bill will become the pending business.

The **PRESIDING OFFICER.** The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes.

The **PRESIDING OFFICER.** Is there objection to the present consideration of the bill?

The motion was agreed to and the Senate proceeded to consider the bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Committee on Labor and Public Welfare be authorized to meet during the session of the Senate tomorrow.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 7 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, July 9, 1968, at 12 noon.

NOMINATIONS

Executive nominations received by the Senate July 8, 1968:

NATIONAL LABOR RELATIONS BOARD

Howard Jenkins, Jr., of Colorado, to be a member of the National Labor Relations Board for the term of 5 years expiring August 27, 1973, reappointment.

POST OFFICE DEPARTMENT

Victor Frenkil, of Maryland, to be a member of the Advisory Board for the Post Office Department, vice Fred Gates, resigned.

IN THE AIR FORCE

The following persons for appointment in the Regular Air Force, in the grades indicated, under the provisions of section 8284, title 10, United States Code, with a view to designation under the provisions of section 8067, title 10, United States Code, to perform the duties indicated, and with dates of rank to be determined by the Secretary of the Air Force:

To be captain (Medical)

Williams, Robert X., FV3140939.

To be captains (Dental)

Jones, Thomas M.
Lee, Kenneth E.
Moskowicz, Donald G., FV3168411.
Noderer, William H.
Ryan, Doran E.
Wright, Gordon L.

To be first lieutenants (Dental)

Erickson, Leon H., FV3167804.
Staup, James C., Jr., FV3187996.
Toole, Ronald J.

Subject to medical qualification and subject to designation as distinguished graduates, the following students of the Air Force Reserve Officer Training Corps for appointment in the Regular Air Force, in the grade of second lieutenant, under the provisions of section 2106, title 10, United States Code, with dates of rank to be determined by the Secretary of the Air Force:

Blankenship, Douglas W.
Cardona, Ramon A.
Christensen, Peter K.
Colvin, Felix N., Jr.
Faust, Michael L.
Ferentchak, Gary L.
Groves, Anthony W.
Jennings, Richard D.
Mathers, James I.
McCracken, Michael S.
Minze, Lonnie C.
Moreland, Calvin L.
Nagel, Steven R.
Sanderson, John R.
Schell, John A.
Scobey, David L.
Shupe, Dwight A.
Starch, Michael W.
Thompson, James R.
Timko, Lawrence J.
Voss, Michael
Wamstad, Robert C.
Warner, George R.
White, Samuel S., Jr.
Zorn, Thomas O., Jr.

The following-named officers for promotion in the Regular Air Force, under the appropriate provisions of chapter 835, title 10, United States Code, as amended. All officers are subject to physical examination required by law:

IN THE AIR FORCE

LINE OF THE AIR FORCE

Lieutenant colonel to colonel

Arendhoff, Gerhard R., 22628.
Abraham, Jake L., 48769.
Abrams, Seymour, 48776.
Adams, Samuel B., Jr., 16867.
Adkins, George M., 35112.
Ahern, Timothy I., 17198.
Allen, Hubert E., 11549.
Alven, Harold F., 11965.
Anderson, Charles T., 52094.
Anderson, James E., 35775.
Anderson, James M., 16515.
Anding, Marvin E., 16026.
Andre, Daniel, 35425.
Andrews, Gordon J., 14431.
Anthony, Henry S. Jr., 35739.
Armstrong, Clyde W., 35714.
Ashworth, Kenton L., 12536.
Avery, Charles J., 16877.
Backman, Van N., 35127.
Badger, William D. Jr., 16004.
Bagley, James M. Jr., 35708.
Bailey, Bernard L., 34561.
Bailey, Clarence E., 35116.
Bailey, Robert L. Jr., 35188.
Baker, Paul Jr., 16795.
Baldwin, Richard A., 18262.
Barber, William E., 35164.
Barker, Dorsey G., 16151.
Barr, Thomas A., 14509.
Barry, Learned W., 15627.
Bauman, Ray W., 14721.
Baxter, James M., 15301.
Bayer, Ralph R., 33335.
Bean, James E., 35014.
Beardsley, Orville D., 34690.
Beaty, Herman S., 35380.
Behan, Frank J., 34483.
Bfinhorn, Leo J., 52000.
Bellamy, Jack 17089.
Bennett, Robert A.,15312.
Berger, George C., 18105.
Bergeson., Charles M., 52213.
Berthelsen, Alvin L., 20046.
Biely, William G., 35221.
Bifford, William F., 35496.
Black, David P., 12052.
Bledsoe, Willis H., 48734.
Blesse, Frederick C., 17010.
Blood, Kenneth T., Jr., 17037.
Blue, Alfred D., 17021.
Bogie, Woodrow W., 35807.
Bone, George W., Jr., 34933.
Boosembark, Franklin K., 16276.
Borchert, David W., 14407.
Botte, David A., 21799.
Bottomly, Heath, 15893.
Bourcy, Robert A., 35339.
Boutwell, Harold K., 15958.
Bowers, Bernice O., 16049.
Bowers, James B., 15707.
Bowman, Patrick, 35652.
Bozeman, Earl L., 21505.
Brackley, William L., 09062.
Bradley, Ernest E., Jr., 17177.
Brandt, George W. A., Jr., 14689.
Brett, Devol, 17000.
Brewer, Martin H., 16827.
Brice, Kenneth B., 52142.
Bridges, Hollon H., 16548.
Briery, Jack, 11513.
Briscoe, Francis J., 34721.
Brockman, Warren D., 11383.
Brockwell, Leslie W., 35128.
Brooks, Robert O., 16163.
Brown, Albert J., 15246.
Browne, Roy W., 51916.
Brunelle, Albert F., 52168.
Bryant, James A., 52178.
Bryant, Melvin H., 17125.
Buchholz, Donald G., 34936.
Buckley, Cornelius E., 14154.
Buckley, Robert S., 33964.
Buie, James C., 15442.
Buinicky, Stanley J., 16584.
Bumgarner, James M., 28162.
Burch, William M., III, 21449.
Burdick, Joseph B., 16328.
Burgess, John R., 22698.
Burke, John T., 15181.
Bush, Jesse C., Jr., 16701.
Buss, David H., 35493.
Byerley, Robert T., 34922.
Cahill, Joseph E., 23713.
Cameron, Louis J., Jr., 17075.
Camp, Kenneth B., 35695.
Campbell, Earl J., 14596.
Cardin, Philip G., 15257.
Carmell, Edwin E., 35843.
Casey, James F., 23729.
Castell, Carleton N., 52065.
Castle, Arnold C., 26681.
Caulfield, John J., 33725.
Chandler, Richard E, 35743.
Chapman, Andrew J., 16679.
Chapman, Harry M., 17164.
Chealander, Allan B., 51893.
Cheatham, Richard R., 12777.
Chinnock, Earl H., 13158.
Christopher, Richard S., 16406.
Clark, Charles V, 36523.
Clark, Roy E., 16166.
Clay, Richard L., 22647.
Clemmons, Billy, 35627.
Clifford, Paul V., 15678.
Clinkscale, Robert M., 35625.
Clugston, Gerald M., 51104.
Coble, Walter M., 12979.
Coe, Dewey E., 25784.
Coffee, Richard, J., 35839.
Coffin, Robert A., 35753.
Cofield, William B., 52225.
Collette, Robert W., 14612.
Collings, Kenneth L., 14939.
Collins, David C., 17193.
Collins, Harold E., 17200.
Collins, John D., Jr., 35720.
Combe, John, III, 12170.
Confer, Harold E., 35771.
Cooch, Robert L., 16229.
Cook, Archie L., 22695.
Cooley, Mack D., 48779.
Cooper, Dewey G., 18260.
Cooper, Joseph D., 25499.
Corbell, Ralph P., 35868.
Corcoran, Joseph B., 13126.
Corn, James T., 34470.
Costello, Benny L., 35234.
Cowin, Robert J., 34906.
Cowsert, John L., 34181.
Cox, George P., 34586.
Craig, Robert P., 20649.
Craig, William B., 16887.
Cramer, Darrell S., 22758.
Crampton, William C., 11087.
Craycraft, Ralph E., 19531.
Criscuolo, Antonio T., 34844.
Crowley, John M., 18217.
Crowley, Raymond K., 51937.
Croy, Roy R., Jr., 35495.
Cummings, Hand L., Jr., 16790.
Cunningham, Robert W., 28210.
Curry, Hayden C., 17111.
Curtis, Donald L., 35350.
Curtis, Thomas H., 17031.
Cutler, William M., 14481.
Cyzmoure, Robert N., 34451.
Dale, Howard H., 14987.
Dankof, Karl E., 15171.
Dannacher, Carlos E., 35053.
David, Norman T., 35783.
Davis, Charley L., 22701.
Davis, Ernest J., Jr., 16907.
Davis, Hubert R., 15696.
Davis, Paul A., 10960.
Davis, Richard L., 17209.
Deacy, John E., 49291.
Dean, Hubert N., 33753.
Dearing, Charles G., Jr., 33627.
Denning, Vaughn E., 16655.
Denny, Robert M., 16774.
Desandro, Louis J., 34396.
Dexter, Harry R., 32709.
Dick, James L., 17906.
Diefendorf, Allen J., 35319.
Diepenbrock, John R., 34574.
Dillard, Walter B., III, 16967.
Dillon, Robert W., 16286.
Dombrowski, Marion F., 34421.
Donnelly, Leonard F., 14743.
Dorgan, Harold K., 35490.
Dougan, William P., 11381.
Douglas, Clarence J., Jr., 16739.
Douglass, James R., 34155.
Doyle, William A., 16075.
Dreesen, Victor L., 14802.
Duffy, Bernard J., 35186.
Duncan, Kenneth R., 12098.
Dunlap, Glen R., 14932.
Durbin, Robert F., 34010.
Duvall, Robert E., 16826.
Dwyer, John J., Jr., 16221.
Dye, Thomas E., 33895.
Edens, Billy G., 15209.
Edgar, William R., 22665.
Edmonds, Edmund W., Jr., 17081.
Ehrlick, Harry, 48763.
Elliott, Frank W., Jr., 22664.
Elliott, Jack D., 16607.

Elrod, Erwin B., 12607.
Epperson, Lewis M., 35369.
Ercanbrack, Hal E., 35475.
Erickson, Earl P., 09453.
Erickson, Harry R., 35879.
Ettenson, Bernhard M., 35876.
Evans, Frank S., 35791.
Evans, Robert R., 08937.
Fallon, Patrick M., 34992.
Farris, Kelton M., 16828.
Fellows, Charles W., Jr., 17173.
Ferris, Paul V., Jr., 16336.
Feiler, Philip, 16628.
Fielder, James M , 21499.
Findell, Max, 16990.
First, David F., 23664.
Fish, William E., 16232.
Fishel, Martin D., 24698.
Fisher, James R., 13612.
Fisher, Thomas A., 35253.
Fitton, David E., Jr., 15926.
Fitzgerald, Gerald F., 16728.
Fitzpatrick, Hal L., 16791.
Flinn, Robert P., 35744.
Fodermaier, Fredric C., 15622.
Forbes, Walter B., 16564.
Ford, Ralph J., Jr. 16864.
Forman, Richard J., 14293.
Fountain, Ross M., 33556.
Fowler, James F., 13483.
Freaney, Thomas J., Jr., 35845.
Freeman, Eugene H., 35178.
Freesland, Wilson S., Jr., 50414.
Fritzen, Henry D., 35674.
Gallavan, Robert H., 52163.
Galligan, Walter T., 16923.
Gandy, Charles L., Jr., 16866.
Gardner, Robert D., 35384.
Gaskins, Leslie E., 49206.
Gaughan, Robert H., 35444.
Gentry, William T., 35309.
George, Amin, Jr., 15454.
George, Ellis P., 35369.
Germeraad, John H., 35809.
Giffin, George E., 32730.
Gilbreth, Bruce G., 52041.
Giles, James A., 16898.
Gillaspie, Mark W., 13305.
Gillette, Harvey W., 17077.
Glass, Lawrence S., 17218.
Gleason, Robert L., 14512.
Glenn, Robert C., 35120.
Glick, Gregg F., 15869.
Godwin, Johnie R., 34493.
Goers, Myron B., 16571.
Goldschlager, Carl, 21794.
Goodbread, Jonah E., 10825.
Grabhorn, Edgar A., 35573.
Gradel, George A.. 12991.
Graves, Grover C., Jr., 17228.
Gray, Ruffin W., 16616.
Grefne, Melvin L., 13364.
Greenhow, Harry F., 16605.
Gregory, William J., 35829.
Griffin, Claude K., 33616.
Grubbs, George L., 34477.
Grundmann, William J., 14198.
Grundy, Francis C., 25513.
Gsell, Albert R., Jr., 51967.
Guay, Georges R., 17187.
Guidera, Albert I., 16164.
Gunn, Charles D., Jr., 13929.
Guy, Roy E., 16495.
Haig, Thomas O., 35757.
Hallas, Gerald E., 15458.
Hamilton, Colin C., Jr., 35254.
Hamm, Paul J., 15938.
Hammond, George R., 16437.
Hanley, John W., 15964.
Hanlon, Alfred J., 35707.
Hartl, Gabriel A., 49270.
Hartley, Frank W., Jr., 13189.
Hearn, Lura E., 14483.
Heath, Oper M., 35564.
Heckel, Charles C., 17191.
Hedge, George E., 16551.
Hegenberger, Robert F., 16789.
Hempleman, Glen R., 15852.
Henderson, Paul R., Jr., 35063.
Henderson, Thomas W., 34048.
Henschel, Harold C., 028194.
Henshaw, Daniel S., 15441.
Hensz, Robert L., 17121.
Herbst, James T., 49287.
Hess, Dean E., 35194.
Hess, Neal A., 51861.
Hesse, Arthur W., 34941.
Hicks, Herman J., 35541.
Higdon, Robert T., 16672.
Hill, William H., 10888.
Hippert, Robert D., 17040.
Hodges, Charles B., Jr., 51042.
Hoffman, George E., Jr., 15943.
Hoffman, Leonard C., 34325.
Holder, Glendi C., 13138.
Holland, Ernest C., Jr., 52138.
Hollenbeck, Lauren B., 35362.
Holm, Jeanne M., 21395.
Holman, Averill F., 14798.
Holman, Jack W., 14287.
Holt, William H., 35483.
Hooker, Malcolm P., 20715.
Hornbuckle, Carl G., 35614.
Horschman, Robert L., 51713.
Horton, Charles E., 26831.
Horton, Malcus S., 35185.
House, Frank O., 48777.
Howard, Francis W., 28188.
Hughes, James M., 35760.
Hughes, Jonathan S., 33949.
Hunt, Donald E., 35583.
Hutchison, Joseph G., 34242.
Huyser, Robert E., 35502.
Inman, Arthur N., 35298.
Ireland, Alfred E., Jr., 15801.
Ivey, Thomas E., 16541.
Jabbour, Nicholas, 14175.
Jackson, Duard Y., 34083.
Jackson, Milburn D., 35215.
Jackson, Ralph F., Jr., 15496.
Jarrell, William R., Jr., 16821.
Jehl, Roland R., 33881.
Jensen, Sigurd L., Jr., 20651.
Johansen, Charles E., 49218.
Johnson, Bob M., 25809.
Johnson, Clayton J., 33952.
Johnson, Harold F., 35392.
Jones, Jerome J., 11255.
Joy, Frederick W., Jr., 16755.
Kaltenbacher, Robert F., 16681.
Kamp, Walter B., 17135.
Kaufman, Leo J., 52025.
Kearney, Lester T., Jr., 16497.
Keator, John E., 12830.
Kegley, Milton K., 16554.
Kelly, John R., Jr., 35737.
Kemper, Othmar A. J., 14526.
Kern, John R., Jr., 16509.
Key, Oran R., Jr., 22589.
Kirschman, Ivan P., 18258.
Klotz, Frank P., Jr., 34591.
Knapp, Frank A., 51908.
Knight, William K., 35687.
Knolle, Byron F., Jr., 16808.
Koncz, Carlton J., 35668.
Kovach, Michael M., 22683.
Krause, Paul, 35671.
Kregloh, Edwin R., 14724.
Kristoff, Joseph M., 16743.
Lafferty, William A., Jr., 22667.
Lake, Gordon W., 15431.
Lane, Howard M., 16576.
Lane, William F., Sr., 33483.
Lang, Walter G., 16154.
Langebartel, Edward, 34121.
Langworthy, Everett W., 13253.
Laruf, Arthur D., 32622.
Leffler, George V., 35670.
Leonard, James M., 17147.
Levesque, J. B. L., 34099.
Lewis, David R., 49268.
Lewis, Howard J., 13851.
Lewis, Ivey J., 35803.
Lewis, Russell L., 16752.
Lewis, William H., 23725.
Lierel, John P., 16999.
Light, Delbert J., 23692.
Lincoln, Brian J., 23703.
Lindemann, Conrad J., 16513.
Lindquester, David M., 14827.
Lingo, John E., 17090.
Lochry, Robert R., 16788.
Loesch, George P., 17220.
Logan, Harry R., Jr., 33252.
Lohman, Eugene A., Jr., 16070.
Looney, John P., 13186.
Lough, Wayne L., 35415.
Lovelace, Hewitt E., Jr., 16781.
Lucterhand, Fred W., 33874.
Lynch, Clyde M., 11505.
Lynn, Arthur G., 16256.
Lyon, Herbert A., 17905.
MacLean, Norman A., 34449.
MacWherter, John B., 16835.
Madara, George L., 15202.
Malone, Paul E., 24329.
Maloy, Robert W., 16580.
Manelos, William, 35247.
Manlove, William R., 16842.
Mann, Frank Jr., 16736.
Manning, William R., 52116.
March, Christian L., Jr., 16027.
Marling, Joseph F., 35277.
Martin, James F., 14447.
Martin, Warren H., 15210.
Mascot, Paul J., 33092.
Mason, Edward J., 16936.
Mathews, James E., 20021.
Mattingly, John R., 35163.
Mattson, Rudolph G., 35874.
May, Bedford O., 25774.
Maynard, Harry L., 16820.
McAusland, Douglas G., 11795.
McCance, Donovan L., 17032.
McCulloch, Donald F., 15151.
McDaniel, Henry B., Jr., 15105.
McDonald, Bill, 15358.
McDonald, Layton W., Jr., 35696.
McDonald, William M., 16625.
McGaughey, Donald K., 20662.
McGill, Allen K., 15175.
McGilvray, Loyd R., 35322.
McGovern, Thomas L., Jr., 35694.
McGregor, William S., 16705.
McKee, James O., 20764.
McLean, Arthur J., 15877.
McMinis, Jonathan B., 18249.
McNeff, Edward P., 16617.
McNeil, Travis R., 35280.
McNeilly, Charles R., 16454.
McSparran, Glen L., 35135.
Mellish, David S., 16713.
Merritt, Francis E., 15962.
Mewha, John, 35560.
Mickelwait, Malcolm P., 15929.
Middledorf, William F., 33609.
Miller, Arthur G., 34783.
Miller, Clair R., 14638.
Miller, Donald E., 35282.
Miller, Lloyd G., 17045.
Miller, Marvin W., 16710.
Miller, Myron D., 23708.
Miller, Robert T., 12810.
Miller William J., 35865.
Mims, Hayden P., 15375.
Minckler, Homer R., 16973.
Minnich, John H., Jr., 51952.
Minow, James W., 23651.
Mire, Evarice C., Jr., 15016.
Mitchell, William I., 14397.
Moeller, Robert L., 17044.
Monroe, Paul B., Jr., 16601.
Montague, Hal R., 51800.
Montalvo, Louis A., 35447.
Montgomery, Bill A., 17705.
Moore, Richard R., 19795.
Mocre, Winston E., 17722.
Moran, William K., Jr., 16848.
Moreland, Harry H., 16510.
Morris, Thomas E., Jr., 33153.
Morrow, Jacob A., 35347.
Morton, William R., 35251.
Moseley, Elwyn A., 20716.
Moser, Fred A., 15141.
Moulthrop, Lynn H., Jr., 51855.
Mungenast, Andrew J., 17113.
Munyon, Edgar M., 16882.
Murphy, Edward C., 15917.
Myers, Robert F., 16654.

Nash, Slade, 17025.
Neiss, Ainsley T., 17119.
Nelson, Carl A., 14825.
Nelson, Daniel J., 16968.
Neumann, Howard G., 14713.
Neville, Albert R., Jr., 16845.
Neville, Harry W., 17704.
Newbold, Rodney H., 17039.
Newman, Robert C., Jr., 17107.
Newton, Frederick C., 18228.
Newton, James H., 13084.
Nichols, Offa S., Jr., 16815.
Nickodem, Lowell S., 08906.
Nissen, Jim C., 17195.
Norris, William J., 35805.
Northcutt, Herbert A., 35873.
Nosoff, William J., 49176.
Novak, Alfred R., 25503.
Nuding, John F., 35271.
Nugen, William A., 35274.
Ochs, Robert G., 15229.
Odell, Jack C., 35456.
Odiorne, John M., 17097.
Ogden, Ziba B., 16570.
Ogrady, Joe W., 15164.
Ohara, David B., 24319.
Olivier, Paul F., 35056.
Orlando, Michael A., 17182.
Orser, Leon S., Jr., 32679.
Ostendorf, Ted H., 14752.
Owens, Charles D., 22610.
Pacharzina, Carl A., Jr., 24311.
Parks, Joseph W., Jr., 15212.
Parmentier, Edgar M., 34354.
Parrish, Anthony R., 16858.
Parrish, Clinton A., Jr., 51083.
Parrott, John H., Jr., 25504.
Pashkevich, Michael, 34689.
Patch, Paul F., 35545.
Patrick, Harry R., 16874.
Patterson, Archie R., Jr., 16912.
Pauly, John W., 16897.
Payne, William R., 17170.
Pearson, Thomas S., 35759.
Peck, Joe S., 35441.
Peters, John D., 52139.
Phillips, John T., 34455.
Phillips, Norman P., 34373.
Pisaruck, William, 32656.
Porter, Frederick B., Jr., 15896.
Protsman, Ward E., 16787.
Prow, Emmett M., 15467.
Puskar, Steven, Jr., 10015.
Quiggins, Richard S., 35318.
Raddin, James H., 35861.
Radin, Norman I., 35223.
Ratkovich, Edward, 25791.
Rauscher, Forrest L., 35179.
Reed, Leon, 34861.
Reeves, Henry H., 64390.
Reid, Charles G., 48765.
Reitman, Frederick J., Jr., 16726.
Reno, Harvey W., 35095.
Rhodes, George, 22750.
Robbins, Jack B., 16558.
Robinson, Jack A., 16621.
Rochfort, Robert E., 17026.
Rogers, Charles F., 35558.
Rogers, Joseph W., 35473.
Rogge, William A., Jr., 49164.
Root, James R., 35148.
Rosati, James G., 35480.
Rose, Anthony J., 17043.
Rose, Franklin, Jr., 15224.
Rosenbaum, John D., 16266.
Ross, S. L., Jr., 16382.
Ross, William L., 50341.
Rouch, James J., 16932.
Rozelle, Vernon L., 17109.
Russell, Kendall, 16809.
Sage, Joseph F., 33877.
Salyards, John A., 18279.
Samms, Charles R., 35321.
Sams, Thomas G., 52011.
Sanders, Walter W., 35520.
Sandstrom, Robert G., 52187.
Sansing, Virgal E., 34050.
Sarto, Joseph M., 51862.
Schamber, Robert A., 35727.
Schmeling, Earl C., 22748.
Schmidt, Gordon A., 16308.
Schooley, Jim C., 13302.
Schwitzgebel, William C., 16599.
Scott, Arthur A., 16006.
Scott, Dale W., 11733.
Scott, Milton J., 35097.
Seebaldt, Curtis S., 50434.
Selmanovitz, Hyman M., 34957.
Shadel, William N., 17197.
Shaw, Norman E., 35477.
Shimonkevitz, William F., 23711.
Shipp, John B., Jr., 17975.
Shuck, John F., 12913.
Shulkin, Irving A., 35808.
Shumate, John C., 52024.
Simon, Henry, 16608.
Sinnett, Jefferson D., 18269.
Slay, Alton D., 17201.
Smith, Edward F., 23674.
Smith, Howard P., Jr., 17205.
Smith, John B., 35408.
Smith, Milford T., 35819.
Smith, Rowland D., Jr., 16534.
Smith, William L., 33942.
Smyth, Delbert R., 15797.
Solomon, William G., 22627.
Sporer, Albert B., Jr., 33536.
Spurrier, Paul M., 15305.
Stahmer, Milton C., 35465.
Starnes, James R., 16652.
Statts, John H., 33284.
Steinberg, Jacob, 38508.
Stepp, Ira M., 35257.
Stick, Henry H., 16855.
Stickney, Lawrence M., 17104.
Stoner, John R., 16658.
Struble, Raymond H., 13763.
Swain, Harold D., Jr., 16850.
Swan, Jesse F., 50425.
Swearingen, Jay C., 64396.
Sweeney, David M., 33969.
Sweeney, Edwin F., 35700.
Switzer, Alfred J., 10406.
Taliaferro, Russell E., 16915.
Tarasko, Frank E., 14918.
Taylor, William D., Jr., 16588.
Thayer, Frederick C., Jr., 16921.
Thielen, William C., 35166.
Thomas, William C., 14561.
Thompson, Alfred G., 16839.
Thompson, Earl M., 16860.
Thompson, Robert C., 35738.
Thorstenson, William R., 34468.
Tilton, James E., 35424.
Tomlinson, Robert C., 16758.
Tormoen, George E., 22765.
Towell, Robert H., 49201.
Townsend, Donley P., 35402.
Townsend, James B., Jr., 16831.
Trail, Reo C., 13768.
Treat, Mark G., 10642.
Trimble, Robert F., 16943.
Trogdon, Floyd H., 16737.
Trueblood, Charles H., 33976.
Vanmeter, William L., 26774.
Vannest, John H., 52060.
Vansant, Edward R., 17060.
Vette, Alan R., 35365.
Vickers, Robert E., Jr., 16587.
Vinay, John H., Jr., 35581.
Vonfossen, Smith L., 16769.
Wagoner, Arthur E., 35617.
Walker, Gilmer E., Jr., 50419.
Wallach, John A., 09931.
Walsh, John P., 16592.
Ward, Albert T., 13889.
Warren, Henry L., 16802.
Warren, Keith L., 33768.
Watkins, Ray M., 35413.
Watts, William C., 26394.
Wayne, James C., 16922.
Weatherbee, Frank L., 34485.
Webster, Frederick L., Jr., 14121.
Webster, Kenneth D., 35539.
Weeks, Joseph H., 34971.
Weiford, Dewey N., Jr., 35772.
Wells, Cecil M., 35212.
Wells, Howard W., 35427.
Wertz, John C., 14160.
Westberg, Leslie J., 35854.
Wheless, Ellis J., 15332.
White, Allen S., 51999.
Whitley, Albert G., 23707.
Wiley, Miles C., Jr., 17155.
Wilhelm, Andrew C., 14181.
Williams, Arthur F., 14203.
Williams, Charles E., Jr., 35214.
Williams, Donald A., 26674.
Williams, Harry E., 35129.
Williams, Wayland W., 16072.
Williamson, Clifford B., 35593.
Wilson, Nelton R., 16677.
Wilson, Waring W., 12140.
Wilt, Mark E., 16556.
Wolfe, Donald J., 15450.
Wolfendon, William, 33160.
Wolfersperger, Richard B., 35432.
Wood, Jim H., 09306.
Wood, R . L., 23732.
Woodward, Edgar F., Jr., 33231.
Wootten, Edward, 26779.
Worthington, Joseph A., 33140.
Wright, William R., 16623.
Yeaton, Carl G., 17099.
Young, Leroy A., 35755.
Young, Robert E., Jr., 34935.
Young, Samuel R., 35685.

CHAPLAINS

Paulk, Ivan L., 20853.
Pullen, Oden M., 21859.
Puseman, Edmund A., 21864.
Spiewak, Stanley W., 48600.
Tinsley, Raymond E., 25736.
Wolk, Henry C., Jr., 24688.
Woods, Ransom B., Jr., 48577.

DENTAL CORPS

Bergmann, Robert W., 21764.
Cornyn, John, 27632.
Cox, John, 25664.
Crouse, Vance L., 26735.
Davis, Edward E., 29299.
Dirlam, James H., 21765.
Doran, Arthur S., 19960.
Gruber, Haskell, 55771.
Hagen, Sidney A., 23178.
Jakob, Robert H., 20832.
Kolodny, Stanley C., 27981.
Ryan, Robert L., 20061.
Schilb, Enslie I., Jr., 21732.
Senn, William W., 18941.
Sundberg, Paul V., Jr., 19846.
Sznyd, Lucian, 19621.
Woodward, Hubert W., 22977.

MEDICAL CORPS

Bralliar, Max B., 25468.
Graf, John E., 22967.
Harmon, John B., 24214.
Sanford, William G., 23107.
Wheaton, Jerrold L. 29472.

NURSE CORPS

Bakutts, Alice R., 22026.
Clark, Leota H., 21095.
Deegan, Florence I., 21014.
Duplease, Margaret L., 21180.
Echols, Hilda R., 21037.
Fannin, Juanita E., 21176.
Jones, Inez L., 21164.
Russell, Georgeann E., 21132.
Rydzewski, Helen A., 21171.

MEDICAL SERVICE CORPS

Black, Wilbert A., 21629.
Conrad, Michael M., 48908.
Duquette, Louis F., 48910.
Dykstra, John J., 21634.
Hahn, George L., 19479.
Haigler, Steven V., Jr., 21638.
Holliday, Robert L., 21633.
Howell, Louis G., 19500.
Hunter, John H., 19530.
Schirmer, Walter D., 55323.
Zinnemann, George, 21644.

VETERINARY CORPS

Griffin, Thomas P., 23217.

BIOMEDICAL SCIENCES CORPS

Geary, John M., 19489.

LINE OF THE AIR FORCE

Second lieutenant to first lieutenant

Abbe, Charles J., 3160420.
Abela, Alexander A., 3174519.
Abrams, Fredric L., 3177377.
Abrams, Kenneth H., Jr., 3163146.
Adams, Henry R., 3170662.
Adams, Jack L., 3174731.
Adams, John W., 3172214.
Adams, Thomas L., 3153390.
Aitken, Douglas B., 3175859.
Alexander, Thomas W., 3157364.
Alexander, Wal D., Jr., 3171970.
Alison, Thomas M., 3154176.
Allen, James D., 3157532.
Allen, Mervin B., 3162834.
Allison, John F., 3170976.
Altman, Etsel W., 3149566.
Amaditz, Carl W., 3175860.
Ammon, Robert V., 3174732.
Andersen, Dennis L., 3153158.
Anderson, Donald M., 3168838.
Anderson, James C., 3176505.
Anderson, Michael E., 3173575.
Anderson, Robert M., 3171442.
Anderson, Roger L., 3168953.
Anderson, William B., 3152887.
Ankeney, Lawrence A., 3175861.
Arnn, Edward L., Jr., 3159580.
Aschenbrenner, Gerald A., 3150658.
Ascher, David P., 3174924.
Atkinson, Lynn A., 3152973.
Atwell, Donald C., 3176409.
Aubey, James A., 3152595.
Auerbach, Karl, 3174225.
Austin, Douglas G., 3175264.
Ayoub, Fred M., 3153578.
Babbitt, Clayt M., Jr., 3170534.
Bacha, George T., Jr., 3173576.
Bachelder, Jon P., 3160996.
Bacon, Clyde J., 3153393.
Badgett, William R., 3173631.
Baer, James D., 3154213.
Baer, Keith D., 170704.
Baker, William A., 3153227.
Baldwin, David L., 3158657.
Baldwin, Ronald L., 3175205.
Bandy, John W., 3170928.
Barbara, Johnny L., 3175528.
Barham, John B., 3159199.
Barnes, James E., 3159615.
Barnett, Francis V., Jr., 3130610.
Barrett, Thomas F., Jr., 3152505
Barrineau, Tim W., 3175984.
Bartels, Richard L., 3175729.
Barthel, David H., 3170664.
Bartholomew, Raymond Jr., 3175730.
Barton, James R., 3173013.
Bash, James C., 3162675.
Battista, Robert R., 3176988.
Bauer, Raymond P., 3177244.
Bauernfeind, Robert A., 3153555.
Bean, Richard D., 3168945.
Beard, Donaldson E., 3171034.
Beckcom, Edwin A., III, 3176413.
Bender, William C., 3176414.
Bennett, Robert E., 3173610.
Bergeman, Gerald M., 3153406.
Bergstrom, Donald J., 3170539.
Bestic, John B., Jr., 3153962.
Bexfield, James N., 3174470.
Bilbrey, George R., 3152179.
Binkowski, Richard D., 3170540.
Bishop, Richard J., Jr., 3152940.
Blackshear, David L., 3173082.
Blair, George R., Jr., 3151044.
Bogard, Lonnie P., 3161272.
Bohm, Norris A., 3153387.
Bonnot, Mark M., 3173736.
Boone, Allen W., 3171300.
Borgiet, Barry L., 3153192.
Bouma, Eugene F., 3175864.
Bourn, Frank D., 3173306.
Bouterse, James A., 3158128.
Boyd, George V., III, 3174738.
Boyer, Terry L., 3153642.
Boyken, Jeffrey W., 3172612.
Bradley, Gary M., 3177097.
Bragaw, Paul H., 3159382.
Brakas, Martin J., 3170542.
Brambilla, Walter J., 3173577.
Branch, Robert C., III, 3149449.
Bratton, Jimmie L., 3156567.
Breedlove, Phillip G., 3163322.
Bremer, John R., 3177286.
Bretz, Ralph J., Jr., 3172559.
Brinker, Jack A., 3170667.
Brittingham, James H., 3162980.
Broers, Wesley N., 3158504.
Brodrick, Michael A., 3177314.
Brokaw, David P., 3153296.
Brook, Gary W., 3161465.
Broughton, Rollin C., Jr., 3170708.
Brower, Gary M., 3176255.
Brown, Durward D., 3159948.
Brown, James S., 3173486.
Brown, Kurt H., 3160410.
Brown, Nelson C., 3176911.
Brown, Stanley R., 3153235.
Brown, Stephen W., 3174052.
Brown, William R., 3152342.
Browning, Richard R., III, 3176317.
Brubaker, David B., 3162190.
Bryner, Glenn H., 3170546.
Bubel, John F., 3174526.
Buchanan, James P., 3162238.
Buck, Donald L., 3171445.
Buckellew, William R., 3176420.
Bump, David G., 3159553.
Burchfield, Daniel R., 3163510.
Burke, Roger L., 3158899.
Burns, James S., 3174392.
Burns, Melvin W., 3174284.
Burr, Hiram H., Jr., 3176421.
Burrow, Jerry G., 3170509.
Burrows, William E., 3172294.
Butler, Randolph E., 3168928.
Caffo, John A., 3171671.
Cahill, Lawrence J., Jr., 3174077.
Callens, Pierre A., 3163494.
Campbell, Ivan J., 3148998.
Canavera, Stephen A., 3173423.
Capio, Ralph J., 3174079.
Capps, Thomas E., 3174742.
Caracciolo, Raymond F., 3177045.
Cardwell, Thomas A., III, 3176423.
Carlisle, Lee R., 3170549.
Carney, James F., Jr., 3175365.
Carothers, Harry H., III, 3161575.
Carpenter, Michael F., 3173612.
Carpenter, Newton I., Jr., 3153576.
Carriger, Henry N., 3183711.
Carroll, James G., 3157883.
Carter, David E., 3174745.
Carter, James L., Jr., 3134016.
Carter, Thomas W., 3162898.
Casey, Jerome C., 3149176.
Caso, John, 3183712.
Cates, Robert L., 81478.
Cauley, Robert F., 3174530.
Cavanaugh, Michael E., 3183713.
Cesarotti, William L., 3172203.
Chamberlin, Frederick D., 3170551.
Chapman, George W., Jr., 3174747.
Chavez, Gary A., 3152190.
Chenoweth, John L., 3161051.
Christian, James B., 3097287.
Christian, James W., 3171245.
Chronister, Richard D., Jr., 3175466.
Church, David L., 3176776.
Ciolli, Michael A., 3161217.
Cirino, Alan R., 3171306.
Clamon, James A., 3170673.
Clark, Howard A., 3152756.
Clark, Terry A., 3174082.
Clark, William N., 3153045.
Claxon, Lynn R., 3159182.
Cleland, Thomas E., Jr., 3173373.
Clem, Ralph S., 3171246.
Clippinger, William C., Jr., 3173815.
Clouse, Gary K., 3172033.
Coakley, Wayne C., 3151669.
Cockerman, Warren E., 3159204.
Cogburn, Thomas M., 3176614.
Coglitore, Sebastian F., 3174177.
Cole, Alvin J., III, 3170674.
Coleman, Kenneth L., 3183715.
Collins, James W., Jr., 3152325.
Collins, William E., 3174475.
Congdon, John P., 3152397.
Conn, Richard D., 3183716.
Connor, Michael A., 3171481.
Conrad, Wilkinson G., IV, 3171672.
Cook, Charles H., 3170676.
Cook, Thomas W., 3152500.
Cook, William S., 3177116.
Cooper, Wallac E., Jr., 3177319.
Coordes, Heinz E., 3171387.
Cope, Robert S., 3175266.
Cordon, Shelby N., 3151705.
Core, Boyce R., 3173649.
Cormier, Joseph F., 3170677.
Cornelius, Johnnie C., 3153316.
Cosgrave, Richard C., 3175107.
Coughenour, Richard, 3171558.
Coullahan, Richard, 3174178.
Courington, Felix N., 3175400.
Cox, Edward L., Jr., 3176700.
Crabtree, William H., 3119184.
Craig, William E., 3177358.
Crandall, Richard W., 3162795.
Creasy, Eddie O., 3176779.
Crews, John H., III, 3153586.
Crick, Maxie E., 3176092.
Crombie, Alan C., 3174590.
Crow, Thomas R., 3175911.
Cuniff, Robert E., 3171644.
Curtin, Gary L., 3173179.
Daday, John E., 3157822.
Dahl, Francis W., Jr., 3161142.
Daly, Peter F., 3157458.
Dangelo, George A., 3175651.
Daniel, Harold L., 3157376.
Danielson, Benjamin F., 3173561.
Dare, Franklin M., 3149101.
Daub, Arthur D., 3172495.
Daugherty, William S., 3171040.
Davids, John H., 3176921.
Davis, Joe A., 3161355.
Davis, John S., 3159205.
Davis, Louie D., Jr., 3159241.
Davison, Geoffrey R., 3152290.
Dawson, David L., 3158515.
Dean, William C., 3152246.
Dean, Willie J., Jr., 3153340.
Decker, Donald C., 3172595.
Deerr, Milton C., 3158881.
Deinlein, Christopher J., 3175248.
Dekay, Kenneth B., Jr., 3162905.
Delaney, James T., 3159624.
Delia, Michael D., 3174536.
Dellermann, Frank J., 3171673.
Delong, Leslie G., Jr., 3171159.
Dement, Larry D., 3163442.
Denchy, Thomas J., 3170558.
Denton, Michael R., 3152574.
Desbrisay, Thomas D., 3175611.
Devolites, Philip J., 3176429.
Devoss, Richard A., 3173180.
Diamond, Thomas E., 3160009.
Dillard, Charles W., 3170559.
Dirks, David M., 3134217.
Dix, Louis O., 3170560.
Dixon, John K., Jr., 3170720.
Donnelly, John J., 3149457.
Doornbos, James S., 3159042.
Dose, Daniel C., 3150948.
Doss, Glen P., 3162624.
Drew, Ernest R., III, 3149638.
Driskill, Charles R., 3152383.
Drummond, John R., 3175405.
Drury, Richard S., 3171207.
Ducharme, Richard E., 3170563.
Duffy, Charles G., III, 3173121.
Duggar, Leon C., 3170564.
Dumville, James C., 3171562.
Dunlap, Samuel C., IV, 3177234.
Dye, John M., 3174676.
Eades, John M., 3177051.
Eardley, Kenneth S., 81479.
Eavenson, Thomas J., Jr., 3159206.
Ebert, Gary R., 3177367.
Ecker, Leroy G., 3159628.
Eddy Frederick J., 3174182.
Edmondson, Hobdy, J., 3153639.
Edwards, Carl E., Jr., 3183772.
Edwards, Edgar C., 3160072.
Edwards, George L., 3183766.
Edwards, Kenneth C., 3170793.

Edwards, Robert M., 3170566.
Edwards, William V., III, 3161250.
Eichenfeldt, Donald R., 3154244.
Eldridge, Frederic G., 3170567.
Elliott, Alton L., 3151985.
Elliott, Harry W., 3150689
Elliott, Richard C., 3153249.
Ellis, Leon F., Jr., 3171887.
Ellison, Roberts H., 3163166.
Embert, Paul S., Jr., 3183719.
Engelke, Roy M., 3170568.
Engel, William M., 3162575.
Ennis, Carl A., 3176998.
Epperson, William L., 3152475.
Etheridge, William R., 3161889.
Eto, Marshall A., 3158424.
Ewen, Robert I., 3173272.
Ezell, John J., 3162383.
Fager, Harry G., Jr., 3152730.
Faltisko, Robert A., 3174612.
Farless, Luther J., Jr., 3163546.
Farrell, Kevin B., 3172789.
Farrow, Willie L., 3154108.
Fauske, James H., 3152014.
Feather, Gerald B., 3133560.
Featherston, Fielding W., III, 3174997.
Fegter, Gerald L., 3153028.
Feher, Theodore M., 3175915.
Feigert, David J., 3161488.
Feingold, Robert S., 3158262.
Feldt, William E., 3170655.
Felton, Charles M., Jr., 3162037.
Ferriola, Cons J., Jr., 3175916.
Fichter, George M., 3174230.
Fiegel, John L., 3176435.
Finan, Edward J., 3171647.
Finley, Thomas C., 3183720.
Flasch, Jerald A., 3161288.
Flock, George, 3160075.
Florell, John M., 3172790.
Floyd, Thomas W., 81467.
Ford, Bernard R., 3174363.
Ford, Richard E., 3172498.
Ford, Ronald H., 3171178.
Forker, Alan M., 3172664.
Forkner, Rodney J., 3154164.
Fosnot, Robert G., 3154114.
Fountain, William L., Jr., 3173655.
Fowler, William H., 3174365.
Frady, Jerry F., 3163375.
Freeman, Charles H., 3176439.
Freeman, James A., 3171599.
Friesz, Ronald W., 3173820.
Friski, Michael P., 3176999.
Fritz, Robert W., 3170573.
Fuge, Robert C., 3174231.
Fuhrman, Peter J., 3170940.
Fuller, James L., 3152768.
Gaines, Lewis B., 3172921.
Galusha, Brian W., 3174408.
Gander, Leroyce J., 3170679.
Garing, John J., 3163446.
Garrido, Manuel W., 3174187.
Gates, Stephen C., 3171396.
Gazzo, Joseph A., Jr., 3171934.
Geib, Lanny R., 3177452.
German, John D., Jr., 3177203.
Gibbons, Edwin M., 3161981.
Giberson, Kenneth L., 3183721.
Gibson, Richard L., 3172952.
Gieleghem, Ronald A., 3173492.
Gilbert, Olin E., Jr., 3163168.
Gill, Daniel E., 3170577.
Gill, Joseph K., 3174542.
Gilliland, Roy A., Jr., 3175828.
Gleason, Bruce A,. 3150009.
Gledhill, James H., 3153637.
Glenn, William L., Jr., 3162040.
Gluntz, Thomas A., 3175714.
Goebel, Richard H., 3176168.
Gogosha, Orest R., 3174486.
Gonser, Edward R., 3170660.
Goodenough, Robert D., 3162257.
Goodson, Woodrow W., Jr., 3176169.
Goodwyn, Howard M., Jr., 3154490.
Gopon, Leon M., 3158532.
Gordon, Clarence L., II, 3175538.
Gordon, John B., 3172372.
Gorecki, Joseph D., 3175539.
Goza, Granville B., III, 3177415.
Grace Ellis E., 3170578.
Graham, Alan C., Jr., 3174487.
Grant, Robert R., 3153046.
Gray, Jerry W., 3174757.
Greer, Wade A., 3176620.
Gregory, David C., 3153428.
Gregory, Harry L., Jr., 3176171.
Gregory, Leo T., 3171713.
Griffith, Charles R., 3152012.
Grimm, David M., 3173434.
Gross, Bernard K., 3152652.
Grulikowski, Thaddeus, 3154028.
Guenther, Joel A., 3174192.
Gunderson, Edwin G., 3177289.
Gunnin, William W., 3161983.
Gustafson, Kenneth D., 3159782.
Guy, Robert E., II, 3153341.
Hachmann, Grant S., 3172669.
Hale, Robert B., 3154222.
Hale, Samuel, Jr., 3133435.
Hall, Albert S., III, 3162779.
Hall, Robert J., 3183725.
Hamilton, John E., 3173823.
Hanchey, Jerry L., 3158367.
Hane, James L., 3170513.
Hansen, Terrell W., 3162801.
Hanson, Hans E., 3173635.
Hanson, Raymond M., 3157574.
Harrison, Paul W., Jr., 3175690.
Harborth, Nelson L., 3176702.
Harden, Michael A., 3171981.
Harr, James E., Jr., 3159956.
Harrigan, David S., 3168970.
Harriman, Roy E., 3176011.
Harris, Donald R., 3158459.
Harrison, Stephen E., 3159411.
Hatch, Fletcher A., III, 3154165.
Hatfield, Roger A., 3170582.
Haviland, Richard L., Jr., 3161577.
Hawes, Gary T., 3176759.
Hawkins, Grady H., 3174705.
Hayden, Robert D., 3152418.
Haynie, Ivan, 3170682.
Hays, Philip V., 3158673.
Heck, Walter R., 3152774.
Hedgecock, David E., 3153103.
Hedgecock, William T., 3154174.
Hedges, Lawrence R., Jr., 3170585.
Heinke, Wayne R., 3172503.
Held, David J., 3170945.
Helterbran, Glenn A., 3173788.
Helwig, Larry G., 3153948.
Hendricks, Peter M., 3172454.
Hendrickson, James L., 3175131.
Henley, William A., 3157542.
Henn, Neil F., 3160895.
Hermerding, Dennis C., 3176274.
Hester, Ira L., 3176013.
Heuss, John C., 3174593.
Hewett, Gary W., 81480.
Heywood, Joseph T., 3173437.
Hicks, Eddie J., 3183730.
Higgins, Charles C., 3177410.
Hill, David B., Jr., 3174764.
Hill, Douglas W., 3157705.
Hines, Benjamin C., 3117005.
Hirsch, Michael, 3171182.
Hitzler, Thomas J., 3163170.
Hix, Jerry C., 3151455.
Hoag, Terry S., 3158486.
Hockenberger, John E., 3161532.
Hodges, Roy L., 3161370.
Hogan, Bart C., 3176847.
Hogan, Danny A., 3177006.
Hollender, Arthur H., 3158886.
Hollifield, David R., 3161153.
Holsman, Darol V., 3173636.
Holt, Joseph H., Jr., 3152160.
Holycross, Thomas W., Jr., 3174949.
Hooper, Fred D., Jr., 3162717.
Hoover, Ronald C., 3159090.
Horner, John E., 3153304.
Horner, Merwin H., Jr., 3152703.
Hough, Claude F., III, 3175564.
House, Richard A., II, 3171230.
Houser, Lewis M., Jr., 3159091.
Hoveskeland, Ardell S., 3174889.
Howard, Danny D., 3153539.
Howe, David C., 3173825.
Howell, Edward A., 3170587.
Howell, Jack D., 3163517.
Huber, Paul E., 3157500.
Huff, Byron L., 3153068.
Huffman, Arlie C., Jr., 3162926.
Hughes, Lloyd E., 3161299.
Humes, Fredrick E., 3170588.
Humphrey, Robert D., 3150720.
Humphreys, Harris E., Jr., 3176384.
Hunt, Stephen M., 3175065.
Hunt, Tommy M., 3152636.
Hupp, Howard T., 3175198.
Hussey, Richard H., Jr., 3176018.
Huttenlocker, Donald J., 3183732.
Irizarry, Francisco J., 3175955.
Ivey, David J., 3174772.
Izbicki, Donald J., 3170589.
Jaastad, Rollie L., 3173564.
Jackson, Lynn H., 3151773.
Janssen, Eldon L., 3170514.
Jardon, James E., II, 3158234.
Jaynes Jay J., 3176454.
Jefferies, Chris L., 3176798.
Jefferies, Ronald D., 3172802.
Jenkins, William A., III, 3174774.
Jobe, Robert F., 3171050.
Johnson, Charles F., 3176516.
Johnson, Danield A., 3158375.
Johnson, Kay L., 3170590.
Johnson, Philip W., 3149247.
Jolly, Charles F., 3163381.
Jonas, Richard E., 3153346.
Jones, David J., Jr., 3173874.
Jones, Donald S., 3154018.
Jones, Henry L., 3174707.
Jones, James M., Jr., 3171896.
Jones, Johnny M., 3173775.
Jones, Jon T., 3149962.
Jones, Richard L., 3158861.
Jones, Robert H., 3154003.
Joyner, Donald R., 3174820.
Kadel, Daniel D., 3163231.
Kanolz, Edward E., 3176212.
Kanenasu, Wayne T., 3153106.
Karr, Earl R., 3172249.
Katsuki, Paul, 3162206.
Keck, Kenneth R., 3183735.
Keeting, Henry L., 3163051.
Keller, George F., II, 81483.
Kemp, Johnnie, 3176455.
Kemp, William H., 3170829.
Kennedy, Chandler J., 3173752.
Kennedy, Noah A., II, 3175480.
Kerlin, Ronald L., 3153389.
Kersey, Lesley L., 3176023.
Kiesling, John G., 3150694.
Kiggans, Robert G., 3176024.
Kilcullen, Thomas M., 81484.
Kindle, James T., 3160212.
King, Jackie D., 3183736.
King, Oscar W., III, 3158054.
King, Ronald B., 3163518.
Kinton, David W., 3174999.
Kipp, Eugene W. J., 3159911.
Kitzis, Richard E., 3151026.
Klauser, Joseph S., 3152335.
Klein, Bruce O., 3174891.
Klinko, Jerry G., 3171142.
Klusman, James E., 3174892.
Knitter, Leonard G., 3177258.
Knowling, Edgar C., 3177013.
Koch, Edwin A., 3173279.
Kohl, Carl C., III, 3175695.
Kollar, Stephen F., 3171652.
Korich, Dick G., 3149153.
Kozlowski, James B., 3172206.
Krassy, Joseph G., 3174336.
Krause, Kenneth L., 3173876.
Krawczel, Francis P., Jr., 3153489.
Krone, David F., 3154130.
Kubista, Ralph J., 3153363.
Kuhlman, Donald R., 3160942.
Kyle, James D., Jr., 3176458.
Ladd, Jerry H., 3161305.

Laird, Edward P., 3175927.
Lane, David G., 3176025.
Lane, Dennis M., 3175069.
Lange, Ralph M., 3173200.
Langlas, Ronald D., 3172678.
Lanier, James V., 3152954.
Lanum, Thomas R., 3162722.
Lapierre, Raymond G., 3173281.
Larkin, Patrick J., 3170595.
Larson, Evert F., Jr., 3150722.
Larue, Charles T., Jr., 3176281.
Lavender, Elmer C., II, 3162053.
Lawrence, Bruce E., 3154185.
Leachman, Arnold T., 3170596.
Leadbitter, Robert G., 3177309.
Leasure, William C., III, 3152176.
Leavens, Douglas L., 3174594.
Lebak, Michael O., 3175928.
Lee, John C., 3172623.
Lehman, Neal F., 3175881.
Leonard, Terrence W., 3171185.
Lerda, John A., 81486.
Lesley, Harry M., 3176026.
Lesseig, James C., 3161380.
Lester, Larry C., 3151551.
Leverenz, Lynne I., 3171272.
Levisky, Joseph A., 3156225.
Levy, Martin A., 3149900.
Lewis, Kenneth W., 3183769.
Lewis, Michael D., 3175145.
Licari, Charles J., 3151518.
Lindsay, William E., Jr., 3153048.
Little, Jamie R., 3173716.
Litwhiler, Daniel W., Jr., 3158171.
Livings, Harold F., 3174415.
Livingston, Stephen T., 3153970.
Lock, Michael A., 3152465.
Lodie, Robert C., 3173282.
Loftus, John L., 3158724.
Lojacono, James F., 3159431.
Lombardi, Richard A., 3174113.
Loomis, James L., 3174957.
Lopez, Gerald J., 3176027.
Lorrigan, Monte T., 3170600.
Love, Frank W., 3173097.
Lowe, William W., 3158548.
Lowery, Robert G., 3173828.
Lowry, John S., III, 3171008.
Lund, Eugene H., 3173567.
Lusk, Larry L., 3152589.
Lyall, David E., 3157473.
Lyle, Richard J., 3171274.
Mabry, Everett L., 3176115.
MacDonald, Timothy F., 3170602.
MacGregor, John C., Jr., 3171986.
Machorek, William C., Jr., 3176029.
Mackenzie, John J., 3174637.
Mackintosh, Donald F., II, 3170656.
Maclane, Bruce W., 3176030.
Madison, Henry C., Jr., 3174263.
Maechtlen, Stephen J., 3161729.
Magaw, Milton A., 3174115.
Magnusson, Gary J., 3174116.
Makal, Thomas J., Jr., 3177262.
Maki, Richard L., 3158465.
Maley, Frederic J., 3159339.
Mallory, Theodore F., III, 3153163.
Malmgren, Robert T., 3153119.
Malone, James P., 3160918.
Mann, Greg A., 3176465.
Mansmann, William V., 3163549.
Manville, Mahlon F., III, 3159270.
Marcan, Robert C., 3171314.
Marchiando, Peter, J., Jr., 3133979.
Marcroft, Kennith M., 3168978.
Mardis, James V., 317275.
Marenka, Stephen, Jr., 3151249.
Markle, Terry A., 3153421.
Marosko, Max M., Jr., 3162636.
Martin, Berkeley T., 3176804.
Martin, Phil S., 3175569.
Martin, William M., Jr., 3174639.
Mason, Richard P., 3172748.
Matsuda, Ronald T., 3157927.
Matthews, Charles H., 3175620.
Matuska, Daniel A., 3170687.
Mayer, Joseph F., 3183739.
Maynard, Ralph D., 3153246.
Mazzarella, Leslie R., 3177445.
McAuley, Martin R., 3171146.
McAuliffe, Michael A., 3159063.
McBarron, Robert J., 3153562.
McBride, Kenneth L., 3176704.
McBride, Ronald A., 3172076.
McBride, Ronald T., 3176468.
McBride, William F., 3173756.
McBride, William G., 3183741.
McCafferty, Robert J., 3157928.
McCardell, Harry T., 3170607.
McCay, Thomas W., 3171821.
McClenny, John W., 3174828.
McComb, Craig E., 3172874.
McCormick, James H., 3162095.
McCreary, Frank D., Jr., 3176521.
McDonald, Roland J., Jr., 3173545.
McDuff, James R., 3173050.
McElveen, Richard P., 3170523.
McFadden, William R., 3172960.
McGeehan, Thomas E., Jr., 3153520.
McGlone, Vayland L., 3176806.
McGregor, Lorne L., Jr., 3183742.
McGuire, Edward K., 3176680.
McGuire, Raymond R., 3106034.
McKeever, Jeffrey D., 3170959.
McKelvey, William B., 3175077.
McKenzie, George, 3153281.
McNally, William R., III, 3148610.
McNeese, Robert H., 3173051.
McQuage, Neil D., 3170524.
McTighe, Donald A., Jr., 3175226.
McWhorter, Robert M., 3174712.
Meacham, Jimmy D., 3183743.
Meacham, Richard F., 3176681.
Meade, Roger E., 3175488.
Meck, Richard G., 3171512.
Melendez, Kenneth, 3155282.
Meneghelli, Lance A., 3149868.
Messenger, Darrell F., 3153550.
Metzger, Richard P., 3183771.
Meyer, Robert A., 3175290.
Micek, Raphael J., 3163479.
Mikulski, Ronald H., 3159918.
Milbury, Douglas A., 3174418.
Millar, Ralph M., 3176036.
Miller, Barry A., 3176394.
Miller, Kent G., 3176547.
Miller, Robert A., 3162299.
Miller, Roy L., 3171460.
Millhollon, John B., 3152458.
Mills, David P., 3176739.
Mills, Dean W., 3157030.
Mills, Harold W., Jr., 3173205.
Milne, Robert J., 3159645.
Mingle, Norman A., 3174642.
Mitchell, Gary L., 3173854.
Mitchell, James U., Jr., 3176038.
Mitchell, John P., 3152386.
Mitchell, Joseph A., 3170746.
Mitchell, Robert B., 3162814.
Mitchell, Stephen J., 3174643.
Mitchell, William A., 3176651.
Moe, Thomas N., 3175200.
Moore, James B., Jr., 3170841.
Moore, John L., 3170689.
Moquin, Douglas L., 3177296.
Morace, Ernest H., 3171059.
Moran, William E., III, 3171568.
Moriarty, Thomas E., 3174502.
Morris, Norman W., 3161312.
Morrison, David M., 3175837.
Morrow, Ronnie K., 3153945.
Mosca, Daniel D., 3170610.
Moscatelli, John J., 3175932.
Moseley, Wendell F., Jr., 3176707.
Mosley, Charles W., 3172875.
Moss, David J., 3175431.
Mounkes, Donald C., 3155293.
Muggill, Michael N., 3152696.
Muir, John J., 3153608.
Murchison, Alexander H., III, 81487.
Murphy, John, 3148037.
Murray, Douglas J., 3171569.
Musgrave, Vernon L., 3158628.
Myers, Douglass E., Jr., 3176368.
Myers, Larry A., 3170611.
Myers, Richard H., 3172810.
Myhre, Jerry O., 81488.
Nafziger, Paul A., 3170525.
Nakagawa, Herbert W., Jr., 3133915.
Nash, Jimmy N., 3133282.
Neal, William F., 3173762.
Nedom, Gordon L., 3157699.
Nelson, Terence M., 3173597.
Newberry, Richard M., 3175256.
Nicewarner, Enoch F., 3173055.
Nicholas, James G., 3174128.
Nichols, Jay B., 3162309.
Nicholson, Robert W., Jr., 3175934.
Niggemeyer, Charles M., 3161123.
Noland, Oliver M., Jr., 3159219.
Normand, Stephen B., 3153368.
Norton, William A., 3152665.
Obernder, Ronald W., 3150725.
Oberlin, William C., 3172548.
Odom, Gerald B., 3161389.
Odom, William W., Jr., 81489.
Olinger, Preston R., 3160308.
Ondrasek, Michael J., 3175024.
Oneill, William J., 3172472.
Ortiz, Joseph N., 81473.
Oshaughnessy, Brendan, 83764.
Osterhout, Robert C., 3178887.
Otis, Amos L., 3162167.
Pagano, Vito J., 3174563.
Palmer, Edmund T., Jr., 3162214.
Parker, William R., 3176654.
Parks, Wesley E., 3176859.
Partridge, Jerry L., 3162313.
Paschall, Richard C., Jr., 3174789.
Pasquet, Henry L., 3176963.
Patrick, Roger G., 3173966.
Patton, Michael L., 3172264.
Pawlow, Thomas A., 3173763.
Paxton, John R., 3175596.
Peacock, Walter R., Jr., 3177421.
Pedersen, David D., 3177298.
Penndorf, Richard P., 3174458.
Perry, Wilbert D., 3172167.
Peter, Edwin L., 3172518.
Peter, William M., 3171188.
Peterman, Clarence R., 3152419.
Petersdorf, Paul K., 3177131.
Peterson, Arvid O., 3156484.
Peterson, David C., 3100413.
Pfeiffer, Johann W., 3171464.
Phillips, George D., 3162006.
Pickard, Donald S., 3174793.
Pickering, Herbert T., Jr., 3151482.
Pierne, John P., Jr., 3171544.
Pillittere, Leonard F., Jr., 3183750.
Pittman, Clyte D., Jr., 3159343.
Pitzer, David M., 3176049.
Poast, John E., II, 3153486.
Podziemek, Robert G., 3176228.
Pohl, Robert W., 3177299.
Poier, James A., 3153535.
Politi, John J., 3177457.
Pollock, Edward J., 3177212.
Popendorf, William J., 3171354.
Porinchak, John M., 3175668.
Poppe, Paul A., 3177444.
Potter, Charles E., Jr., 3171573.
Potterton, William H., 3175722.
Powell, Byron R., 3175780.
Powers, Thomas J., Jr., 3153993.
Preece, Keith A., 3170619.
Press, Michael C., 3175597.
Prevost, Sterett R., III, 3161581.
Price, Don R., 3159222.
Price, Donald R., 3158806.
Profilet, Robert C., 3134050.
Prokuski, Bronislaw P., Jr., 3160563.
Prose, Larry N., 3159073.
Pruett, Travis F., 3177403.
Putzke, David A., 3173640.
Queal, William N., III, 3157991.
Quine, Dennis H., 3170526.
Quinn, Patrick M., 3174648.
Racz, James M., 3152296.
Rader, William K., 3176478.
Radziewicz, Thomas C., 3174138.
Ragsdale, Bernard G., Jr., 3171990.
Ralston, Joseph W., 3175080.

Rapalas, Barry J., 3171016.
Rash, Richard A., II, 3176965.
Raub, Eugene L., 3160377.
Reece, Sanford M., Jr., 3150700.
Reed, Douglas S., 3133743.
Reichart, John R., 81490.
Reid, John F., 3152956.
Reitinger, John P., 3175890.
Repasy, George A., 3171232.
Resio, Edward N., 3176967.
Rhoden, Harold H., 3171066.
Rice, Lee R., 3175004.
Richards, Norman J., 3176294.
Richardson, John E., II, 3171514.
Ridenour, Franklin M., Jr., 3173061.
Rider, Kenneth J., II, 3174968.
Riedesel, Lynn R., 3176232.
Riggar, Larry E., 3161238.
Riggs, John W., 3170691.
Riske, Robert M., 3176481.
Rivera, Angel M., 3175965.
Rivers, Kenneth A., 3174212.
Robbins, Robert R., 3151823.
Roberts, Kenneth L., 3170966.
Robinson, Ronald A., 3171068.
Robson, David K., Jr., 3176056.
Rockett, Richard L., 3170692.
Rodriguez, Albert E., 3173500.
Roehrkasse, Robert C., 3158631.
Rogers, James M., 3153496.
Robers, Jeptha S., Jr., 3152381.
Rogers, Jerry W., 3160839.
Rogers, MacDonald, 3163468.
Rogers, William V., 3160991.
Rhode, William G., 3172817.
Romero, John H., Jr., 3159316.
Rooks, Edward H., Jr., 3176296.
Root, Barry D., 3175783.
Roquemore, Johnny W., 3170752.
Rose, Richard L., 3177179.
Rosenmeier, Harvey C., 3172582.
Roskell, Robert T., 3153638.
Ross, Gary C., 3173152.
Ross, Raymond M., 3171683.
Rossmiller, Richard H., 3172551.
Rourke, Thomas M., 3159317.
Rouse, George E., 3171069.
Routhier, David L., 3174042.
Rowlison, Raymond L., 3170620.
Ruddell, William J., 3172333.
Ruest, James W., 3159608.
Russell, James A., 3152622.
Russell, Raymond E., 3152691.
Rutter, John S., 3168989.
Ruzzo, Thomas E., 3172418.
Ryan, Richard M., 3175628.
Ryder, Robert W., Jr., 3157577.
Sackett, James W., 3152264.
Sadler, Mitchell O., Jr., 3176744.
Sadowski, Alexander M., 3171574.
Saelzler, Steven G., 3174971.
Saitta, Michael, 3153226.
Salmieri, Stephen A., 3174567.
Sanderson, Kelly D., 3172935.
Santacroce, Marc A., 3171685.
Sao, Terry, 3177181.
Sartori, Donald M., 3170621.
Saulsberry, Thomas L., 3154073.
Saunders, Carl J., 3173839.
Sawler, Lawrence E., 3173154.
Saxer, Charles P., 3171018.
Scatterday, Robert W., Jr., 3172213.
Schaffter, William R., 3171429.
Schaumburg, Glenn R., 3173973.
Schell, Chris A., 3152966.
Schenck, George L., Jr., 3150941.
Schmidt, Bruce W., 3153325.
Schmidt, Hugo G. III, 3175202.
Schneider, James P., 3176190.
Schneider, Kenneth F., 3172211.
Schroeder, Clifford I., Jr., 3170622.
Schur, Edward J., 3174152.
Scott, Barry P., 3175579.
Scott, Byron W., 3171469.
Scot, Clyde A., Jr., 3162142.
Scott, Travis H., Jr., 3170857.
Seaux, Junior G., 3173108.
Seeger, Christopher C., 3174973.
Segars, Robert J., 3160381.
Sellman, Joseph W., 3151944.
Selter, Robert J., 3172636.
Sevakis, Dennis A., 3173504.
Shaff, Dennis P., 3183759.
Shaffer, Ronald L., 3172818.
Shanks, Robert R., 3157861.
Sharp, William H., 81491.
Shaughnessy, William A., 3173321.
Sheets, James E., 3154113.
Sheetz, Roy D., 3162328.
Shell, George W., 3158064.
Sherman, Frank V., 3172308.
Sherman, William T., 3176490.
Sherrard, James E., III, 3173729.
Sherrill, Edgar L., Jr., 3170628.
Sherwood, Marion P., III, 3147736.
Shickel, David O., 3174431.
Shields, William F., 3153629.
Shipp, Peter W., 3157765.
Shrum, John L., 3152582.
Shuck, Gary W., 3152462.
Sies, Charles M., 3171190.
Silberman, Allen, 3153391.
Silha, Carlan W., 3172050.
Silkey, Ronald D., 3158568.
Skeffington, Peter J., 3153121.
Slivinski, Stephen D., 3152761.
Sloan, James R., 3177105.
Smith, Charles W., Jr., 3176747.
Smith, Nathan S., 3177027.
Smith, Philip A., Jr., 3157865.
Smith, Robert D., 3170529.
Smith, Stanley J., 3161324.
Smith, William E., 3158818.
Snoy, Joseph A., 3175631.
Snyder, Clarence E., Jr., 3162966.
Sonick, Robert L., 3153992.
Southerland, Grover R., 3170863.
Spinks, Robert I., 3154161.
Spitzer, William F., 3175240.
Stafford, Harry A., III, 3153503.
Stafford, Orie V., Jr., 3168996.
Stafford, Thomas J., 3148110.
Stanfill, William E., 3159172.
Stead, Richard P., 3175514.
Steere, George C., 3153244.
Stephens, John D., 3176301.
Stevens, Rogers C., Jr., 3159469.
Stevenson, Jeffrey R., 3174306.
Stidd, Peter J., 3175645.
Stock, Stanley W., 3153305.
Stoessell, Alfred L., 3130660.
Stouffer, James A., 3175704.
Stout, William A., Jr., 3175090.
Stribling, Daniel E., 3176688.
Stroven, William H., 3159671.
Strunk, Richard R., 3152775.
Stubits, Joseph S., 3175941.
Stump, Erroll G., 3175347.
Suchy, Russell J., 3174979.
Sullivan, John S., 3177071.
Summerfield, Ellison S., Jr., 3177217.
Swanson, John W., 3153110.
Swanson, Leslie R., 3154840.
Sweeney, John R., 3153140.
Sweigart, Marlin L., 3177030.
Tabler, Michael W., 3175348.
Tafares, Robert E., 3149955.
Tattini, Eugene L., 3177388.
Taylor, Bobby D., 3174726.
Taylor, Frank J., Jr., 3159284.
Taylor, Robert D., 3163488.
Taylor, Roger C., 3152398.
Tebbutt, Ronald S., 3174462.
Teigiser, John A., 3163463.
Telford, Larry E., 3154841.
Teorey, Toby J., 3157178.
Terla, Lothar G. T., 3154086.
Terry, George J., Jr., 3153198.
Thibodeaux, James L., 3159321.
Thomas, Larry A., 3162669.
Thomas, William F., 3159022.
Thompson, James D., 3177032.
Thompson, Robert W., 3160757.
Thomsen, Gary B., 3157810.
Thorne, John R., 3153378.
Thornton, Robert E., 3162344.
Thurman, John B., III, 3171913.
Titus, Timothy L., 3177302.
Tomei, Mario V., 3161947.
Tompkins, Bruce C., 3174574.
Tompkins, Leslie R., 3152645.
Tongue, Wayne A., 3170635.
Tonjes, Earl A., 3174981.
Tonkinson, John P., 3174161.
Tower, Theodore L., 3173476.
Trahan, Michael F., 3162645.
Tumlin, William N., III, 3171914.
Turner, Edward M., III, 3177073.
Usher, Troy C., Jr., 3176135.
Vandevender, Leonard G., 3173686.
Vandeventer, Arthur D., 3171474.
Vangorder, John F., 3174061.
Vanlare, James, 3174507.
Vansyoc, Lynn L., 3172639.
Varney, Nicholas C., 3177364.
Vercher, Paul E., 3160384.
Vernlund, Robert N., 3176242.
Vining, Thomas J., 3173005.
Visceglia, Frank T., 3174577.
Vise, Carrell D., 3175448.
Vogl, David J., 3171220.
Voigt, Nolan C., 3162646.
Voigt, Ted L., II, 3154105.
Vonboeckman, James L., 3134062.
Wagoner, Richard R., 3172436.
Walker, Billy D., 3172587.
Walkup, Robert E., 3153222.
Wallace, James R., Jr., 3153021.
Wallace, Robert E., 3176370.
Walling, Bruce C., 3174986.
Ward, Eileen C., 3154124.
Warner, David A., 3152567.
Warren, Joe B., Jr., 3174802.
Waterhouse, Kim S., 3171520.
Watt, George W., 3170638.
Watts, Adrian L., Jr., 3175452.
Way, Dennis M., 3161950.
Wayne, Stephen A., 3152345.
Weaver, Douglas A., 3170639.
Weaver, Paul R., 3172212.
Weaver, Robert D., 3152850.
Weeldreyer, James A., 3176245.
Weinrich, Joseph A., 3172485.
Welsh, Paul S., 3161951.
Weppner, Michael J., 3172486.
West, Alexander C., 3176074.
Westerman, Thomas J., 3173808.
Westermeier, Franz E., 3173607.
Westfall, David J., 3161245.
Whaley, John T., 3176403.
Whaylen, Donald G., 3153307.
White, Anthony N., 3161410.
White, James J., 3152728.
Whitehouse, Robert A., 3148714.
Whitesel, Stephen H., 3172058.
Whitted, Edward I., III, 3162378.
Wier, Michael I., 3176498.
Wilcox, Jerry D., 3162832.
Wiles, John C., Jr., 3177227.
Wilkins, Leroy, 3150681.
Willener, Henry C., 3161462.
Williams, David M., Jr., 3160760.
Williams, Frederick M., 3154182.
Williams, Terrenc T., 3176248.
Williams, Thomas S., 3176639.
Willoughby, David J., 3172640.
Wilson, Bennie J., III, 3171157.
Wilson, Walter P., Jr., 3152717.
Wimberly, David T., 81492.
Wogan, Stephen G., 3154238.
Wohlnick, Charles T., 3174835.
Wolfe, Peter J., 3133426.
Wood, James H., 3176141.
Woodring, Marion H., 3170643.
Woods, Lee M., 3161335.
Woodward, William V., 3153051.
Worley, William H., Jr., 81449.
Wortham, Murray L., 3176501.
Wortmann, Jeffrey W., 3171553.
Wright, James R., 81477.
Wright, Richard L., 3171554.
Wyraz, Edward M., Jr., 3171224.
Yersak, Richard J., 3175708.

Yuhas, Joseph R., 3176080.
Zalocusky, Michael N., 3173733.
Zartman, James L., 3176829.
Zeck, Francis H., Jr., 3175632.
Zisch, Waldemar C., 3153189.
Zimmerman, Laurence J., Jr., 3173234.
Zwolinski, Paul J., 3175973.

MEDICAL SERVICE CORPS

Blansett, Randy S., 3176667.
Ciminelli, Lawrence, 3173427.
Emigh, John L., 3172786.
Meives, Lawrence T., 3173758.
Miller, Roger T., 3159164.
Pitts, David R., 3170618.

White, Lawrence L., Jr., 3173608.
Wylie, John V., 3159736.

BIOMEDICAL SCIENCES CORPS

Jacob, Kendall M., 3176112.
Nelson, Dean D., 3183746.
Taucher, Donald F., 3167649.

EXTENSIONS OF REMARKS

OUR DEBT TO GUTENBERG

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, July 8, 1968

Mr. BYRD of West Virginia. Mr. President, a most interesting editorial concerning the debt our age owes to Johann Gutenberg, the inventor of movable type, was published in the Washington Sunday Star of July 7, 1968. I ask unanimous consent that the editorial be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OUR AGE OWES A DEBT TO JOHANN GUTENBERG

Printing in various parts of the earth is older than the written records that would tell us accurately how old it is. The Babylonians and Sumerians printed on clay with cylinder seals. The Egyptians printed designs on cotton and so did the Peruvians from before the coming of the Incas. The Chinese not only printed on paper as well as on fabric, but they printed words as well as designs, the earliest of their printing dating from the 8th century B.C. and consisting of Buddhist charms said to have had a press run of 1,000,000.

The Chinese, however, were prevented by their alphabet—or by the lack of one—and by their love for beautiful calligraphy from developing printing into the engine of progress and peril it has been in the West.

In the West it all began in the German city of Mainz, which has just opened a year-long celebration in honor of its most famous son, Johann Gutenberg, who died there 500 years ago, in February, 1468. Mainz does well to honor its son and the rest of us do well to recollect the monumental contribution of the printer of Mainz to all of subsequent history. Subsequent history, indeed, is impossible to conceive without Gutenberg's invention of printing. Beginning with the great Gutenberg Bible itself and running on through the works of Galileo, the French Encyclopedia, the American Constitution, the Communist Manifesto and Mein Kampf, all of that subsequent history has been and is still being shaped by the written word in ways that were simply impossible in all the ages of man's existence before the mid-15th century. The "Gutenberg Galaxy" is the universe we live in.

When Gutenberg, at about the age of 40, set out to print a Bible, there was available to him one of the four essential elements needed. That was paper, which had at last become as economically possible in Europe as papyrus had been in ancient Egypt. It was up to the self-apprenticed printer to invent the rest, and he did.

His best known contribution, of course, was movable type. Just before Gutenberg there had been "block books," much like the Chinese examples. One page was printed from one block of wood, in which the text was carved backwards, as in a mirror image. Movable type changed the nature of printing completely. It was the first embodiment of the principle upon which all of modern industry rests: mass production through the assembly of interchangeable parts designed and made for precision fit. Gutenberg's movable type, with each letter independent of and interchangeable with the others, pointed the Western economy toward Eli Whitney's interchangeable rifle parts and toward the assembly lines of Detroit.

Gutenberg also invented a proper printing ink and a printing press quite different from the various presses then available in Europe, those used for wine, cheese and book-binding. Other presses had a single, up-and-down action. Gutenberg's, in order to make printing feasible, had a double action: up-and-down for the pressure and in-and-out for the feeding of paper, the two actions completely coordinated. Again, this earliest of modern machines has cast a long shadow into the industrial age.

Almost in passing, the perfection of the printed book also gave great impetus to the development of the printing image as a work of art. Gutenberg's Bible was "illuminated" by hand in the manner of the manuscript Bibles it was replacing. The idea there was strictly commercial. The printer and his financial backers kept their secret carefully and aimed to sell their Bible as the genuine, handcopied article. Almost at once, however, printed books became adorned with woodcuts and engravings, followed soon by etchings. In every case the new method was developed for economic reasons of cheapness and speed, motives which later produced the lithograph and the slik-screen print. Yet in every case the new substitute revealed distinctive characteristics of its own that have caused them all to remain as available alternatives to the artist-printmaker. Artists today make woodcuts and engravings exactly as they were made in Gutenberg's time.

In the sadly familiar pattern of so many revolutionary inventions, Gutenberg's press and the superb quality of his printing availed him little beyond the joy of successful discovery. He ran out of money. His backers moved in, took over the work and made a fortune out of Gutenberg's genius. The master printer himself, in his late sixties, entered the court of the archbishop of Mainz, with a fixed allowance of grain and wine and a suit of livery once a year. He died in that service, aged 70. Once again the first great printer adumbrated the future of many, many publishing ventures; namely, financial trouble.

Though he died, in effect, on welfare, albeit the higher welfare, Johann Gutenberg's immortality was established even before he died. Printers sprang into business elsewhere in Germany, in the Lowlands, in Italy and, with William Caxton, in England. In Italy the rediscovery of classical antiquity may very well have been the occasion of the Renaissance. But in the North of Europe a Renaissance as profound in its analysis of contemporary society and as far-reaching in its effects upon that society came out of Gutenberg's presses.

Less than half a century after his death the Protestant Reformation was in full cry all over Europe, a movement which counts as one of its prime sources the simple fact that the Bible had become everywhere available. Thanks to Gutenberg, thousands of Christians came for the first time into direct contact with their own religious beginnings. From that shock of recognition many turned in revulsion from what Christianity had been made into by its feudal lords spiritual and temporal.

It is always easy to overestimate the civilizing effects of any historical development. The savage always remains beneath the city clothes and the courtly manners. It is also true that—as implied in some of the examples of world-shaking books noted earlier—printing itself may be used for savage as well as civilizing purposes. Nevertheless, in several important senses, the perfection of printing and its subsequent incorporation into the social structure provided the final and perhaps the greatest step in the taming of European man. The Europeans, in contrast to the Romans before them and the Americans after them, began life as savages and retained many savage characteristics for centuries. Printing opened to Europeans generally the life of the mind and made available generally that criticism of the social order without which all progress is impossible.

For the highest concerns of the human mind, for the poetry of the human spirit, for the instant knowledge of affairs near and far, for trade, for politics, for science and industry, we are all in the debt of Johann Gutenberg.

Eric Gill, who, among other things, was one of the finest printers of this century, displayed an epigraph for his trade which ended with complete justification of the line:

"Friend, you stand on sacred ground: This is a Printing Office."

THE PIPELINE IN U.S. FOREIGN AID

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, I submit the excellent correspondence of two highly competent colleagues and friends, the gentleman from Pennsylvania, Congressman THOMAS MORGAN, chairman of the House Foreign Affairs Committee, and the gentleman from Florida, Congressman PAUL G. ROGERS of the Interstate and Foreign Commerce Committee, and Merchant Marine and Fisheries Committee:

JULY 3, 1968.

DEAR COLLEAGUE: May I take the liberty of urging your most careful reading and consideration of the attached copy of my reply to the circular letter from our esteemed colleague, Congressman Paul G. Rogers, of July 1, in which he calls for a one-year moratorium on the foreign aid program.

Because his well-intended suggestion is based on fundamental assumptions which are not founded on facts, and would have repercussions endangering our foreign policy and national security, I am impelled to take this means to provide the correct facts to my colleagues in the House in advance of the foreign aid bill debate next week.

Sincerely,

Thomas E. Morgan,
Chairman.

Congress of the United States,
House of Representatives,
Washington, D.C., July 1, 1968.

Dear Colleague: There has been a great deal of talk about the need for this nation to re-evaluate its foreign policy. This has come about for numerous reasons over the past several years.

The concern is bi-partisan and, I feel, merited. The proposition of evaluating our position abroad is a vast and indeed an ambitious one, but one which is needed. I feel that we can begin this task by looking at our foreign aid program.

For that reason, I hope you will join me in calling for a one-year moratorium on the foreign aid program.

It should be pointed out that a one-year halt in foreign aid appropriations would not mean a sudden and complete halt to all avenues of aid. There presently is an estimated $4.5 billion in the "pipeline". The World Bank has $2.2 billion available for lending; the Export-Import Bank $13.5 billion. The Inter-American Development Bank has $175 million per year under the International Development Bank and is expected to have $1.2 billion in the Fund for Special Operations; the International Development Association $1.2 billion; the Asian Bank $188.5 million.

If this plan to invoke a one-year moratorium is successful, then we can give the entire program a thorough examination and better determine what position would be in the best interest of the nation.

The foreign aid bill will be brought before the House in the near future. We have an opportunity to cut the budget, as we have voted to do, and at the same time start in the process of re-evaluating our position among the nations of the world.

A one-year moratorium on the foreign aid bill would accomplish both goals. I hope you will give this your consideration and join with me to halt for one year the foreign aid appropriations.

Sincerely yours,

Paul G. Rogers,
Member of Congress.

Congress of the United States,
Committee on Foreign Affairs,
House of Representatives,
Washington, D.C., July 3, 1968.

Hon. Paul G. Rogers,
House of Representatives,
Washington, D.C.

Dear Colleague: Although your letter of July 1st, calling for a "one-year moratorium" on foreign aid was addressed generally to the Members of the House, I feel an obligation, as Chairman of the Foreign Affairs Committee, to give you a direct reply in an effort to help correct the extremely serious and completely erroneous assumptions in your premise.

You speak of the need to re-evaluate foreign policy and feel that "we can begin this task by looking at our foreign aid program" and suggest that we start with a moratorium on foreign aid.

The Foreign Affairs Committee has just done what you recommend and has printed 1,242 pages of testimony that it received in its latest evaluation of foreign aid as an important implement of U.S. foreign policy. Attached hereto are reproductions of pages from our report which thoroughly covers your suggestion for a moratorium, long before we knew you would make it.

Your claim that a moratorium "would not mean a sudden and complete halt" is completely in error. Such a moratorium would mean:

A complete halt in economic and humanitarian assistance to Vietnam, Laos and Thailand, forcing collapse of their economies and bringing home American technicians working in the countryside;

Termination of military aid needed by five "forward defense countries"—Greece, Turkey, Iran, Korea and Taiwan. Each of these free nations borders Communist nations;

Scuttling of the Alliance for Progress. A halt in new funds could only be interpreted that the United States is turning its back on its Latin American neighbors;

Getting support for the economic stabilization effort of the reformed Government of Indonesia and for the strong development efforts of Korea, India, Pakistan and other key less-developed countries;

A complete U.S. AID pullout in Africa;

No funds would be available to pay auditors and other personnel who manage past as well as current aid programs.

There are funds in the pipeline for both economic and military assistance programs but neither program can "live off its pipeline for a year". Pipeline funds are committed to specific projects and activities which are now underway. Funds cannot be taken away and used for other purposes without leaving these projects and activities unfinished, uncompleted and undelivered.

I am sorry to say that your statements about the availability of other "avenues of aid" are just wrong. For example:

The World Bank does not lend at the rate of $2.2 billion per year. In fiscal year 1968 the Bank made hard term loans of about $850 million. In 1967 the Bank loaned more than $300 million to countries which no longer need A.I.D. assistance, or to which the U.S. does not wish to provide bilateral aid, such as Iran, Iraq, Saudi Arabia, Yemen, Japan, Cambodia, Malaysia, South Africa, Iceland, Poland and Yugoslavia.

The Export-Import Bank has total authority of $13.5 billion, but $9 billion has already been used and the rest is to cover the period fiscal year 1969 through fiscal year 1973. The great bulk of Export-Import Bank loans and guaranties go to developed countries. Their purpose is to promote U.S. exports, not provide aid. Even when made to less developed countries they are not aid—they are made at 6% interest for 7 to 15 years.

The Inter-American Development Bank makes hard loans—7% to 8% interest for 20 years. The Bank's fund for Special Operations, which makes soft loans, will not have $1.2 billion available for lending in fiscal year 1969. $1.2 billion is the total of the 3-year replenishment of the Fund for which the Administration has requested appropriation of $300 million for fiscal year 1969 for the second annual payment.

The International Development Association, the soft-loan window of the World Bank, does not have $1.2 billion available. At present it has approximately $7 million left which it can commit. It was forced to curtail its signing of new loan agreements in fiscal year 1968 because it was running out of funds. The Administration has proposed U.S. participation in a three-year replenishment of IDA providing $160 million of a total of $400 million replenishment for each of the next three years. To date, neither House of the Congress has acted on authorization for IDA replenishment.

The Asian Development Bank is now getting underway. It will make loans on hard terms to Asian countries. In January of this year it made its first loan. More are expected in the next fiscal year but it is highly unlikely that they will total anywhere near the $188.5 million total paid in capital the bank now has.

In its own re-evaluation, the Foreign Affairs Committee considered the lowest authorization request ever made by the Executive, and cut it still further by nearly $600 million. To halt the program altogether, would, as Secretary of State Rusk has pointed out "multiply our problems in such a way as to cost us many, many times as much later in trying to pick up and recover from the disaster this would involve." It would encourage our adversaries to take maximum action to capitalize on it, discourage other donor countries, some of which contribute larger percentages of income than we do, and at the same time harm our domestic economy, which supplies nearly all the commodities used in the program.

We cannot solve United States fiscal problems in one easy step by scuttling the foreign aid program. A one-year moratorium on the foreign aid program would be a major foreign policy disaster for the United States.

Sincerely yours,

Thomas E. Morgan,
Chairman.

The Pipeline

Unexpended balances, often referred to as the pipeline, are funds that have been obligated for goods and services on order but not yet delivered. When delivery is made, payments are met from funds previously appropriated and set aside for that purpose. Of such funds, more than 95 percent cannot be recaptured for other commitments without breaking international agreements, leaving projects unfinished, canceling outstanding contracts with American firms and universities and withholding procurement tenders on which American companies have bid. In short, deobligation of funds already committed and their reobligation for other programs would create chaos in the foreign assistance program.

Equally unrealistic and meaningless is the argument that there be a 1-year moratorium on foreign assistance funds; that is, leave the pipeline as it is but not add new funds. Secretary of State Rusk bluntly declared that such an action "would send a major shock throughout the world. It would present the new administration with a situation, I think, which no new administration would wish to contemplate." The momentum of development that has been built to date would be broken and a reversal of progress within the less developed countries would be initiated. In the case of military assistance, the ability of recipient countries to maintain and operate their equipment would be jeopardized and their combat capabilities would be eroded. The Republic of Korea, for example, which has committed sizable forces to Vietnam, must also maintain a heavy concentration of troops along the 38th parallel to defend against aggression and to counter North Korean infiltration. Only a few months ago the President had to request a supplemental appropriation of $100 million for additional military assistance to that country.

The program for the current fiscal year was significantly reduced. If this is to be followed by a moratorium on foreign aid for next year, it could only be interpreted by other countries as a major shift in U.S. foreign policy. Secretary Rusk stated that such a moratorium—would be looked upon as a major withdrawal of the United States from the rest of the world and would cause appetites to grow among those who would be our adversaries, would cause them to take maximum action to try to capitalize on that vacuum of American influence would greatly discourage the other donor countries who are joining in providing foreign assisance to the developing countries, and would muliply our problems in such a way as to cost us many, many times as much later in trying to pick up and recover from the disaster which this would involve.

Almost all Government agencies have a pipeline that results from the appropriation of funds committed for specific purposes but not spent by the end of a fiscal year. The following table shows the magnitude of those unexpended and unobligated funds.

UNEXPENDED AND UNOBLIGATED BALANCES (IN BILLIONS)

	Department of Defense (military functions)	Foreign assistance	Department of Agriculture	All others	Total
Unexpended, June 30, 1956	$37.5	$6.6	$2.0	$27.6	$72.8
Unobligated/unreserved, June 30, 1956	12.7	.4	.2	19.6	32.9
Unexpended, June 30, 1957	34.6	6.3	3.0	24.7	68.6
Unobligated/unreserved, June 30, 1957	11.0	.9	1.6	17.7	31.2
Unexpended, June 30, 1958	32.1	5.5	4.8	29.5	71.9
Unobligated/unreserved, June 30, 1958	8.3	.2	3.4	20.6	32.5
Unexpended, June 30, 1959	31.7	5.0	3.6	31.3	71.6
Unobligated/unreserved, June 30, 1959	8.2	.2	2.2	22.1	32.7
Unexpended, June 30, 1960	30.7	5.0	3.7	33.0	72.4
Unobligated/unreserved, June 30, 1960	9.6	.2	2.4	23.5	35.7
Unexpended, June 30, 1961	28.7	6.2	3.3	38.2	76.4
Unobligated/unreserved, June 30, 1961	9.9	.8	1.1	27.4	39.2
Unexpended, June 30, 1962	29.2	6.9	4.6	29.2	79.9
Unobligated/unreserved, June 30, 1962	8.1	.2	1.2	27.3	36.8
Unexpended, June 30, 1963	30.3	7.0	4.8	45.7	87.8
Unobligated/unreserved, June 30, 1963	11.7	.5	1.0	32.1	45.3
Unexpended, June 30, 1964	30.2	6.5	4.8	48.6	89.3
Unobligated/unreserved, June 30, 1964	12.7	.3	.8	32.9	46.7
Unexpended, June 30, 1965	33.1	6.5	4.9	52.5	97.1
Unobligated/unreserved, June 30, 1965	13.6	.5	.8	32.0	47.0
Unexpended, June 30, 1966	42.7	6.7	6.3	58.7	114.4
Unobligated/unreserved, June 30, 1966	15.8	.4	.9	33.6	50.7
Unexpended, June 30, 1967	47.2	6.4	8.1	151.8	213.5
Unobligated/unreserved, June 30, 1967	15.1	.4	2.6	115.9	134.0
Unexpended, June 30, 1968[1]	45.6	5.4	8.7	162.6	222.3
Unobligated/unreserved, June 30, 1968[1]	12.7	.1	2.7	124.2	139.7

[1] Estimated.

Note: Foreign assistance unexpended balances include the investment guarantee program.

Military assistance reservations are included in foreign assistance unexpended balances above but are not included in unobligated balances. The figures for the Department of Defense military functions do not include undelivered military assistance orders (i.e., reservations) which have been included in the foreign assistance column of this table. Reservations are made pursuant to the provisions of sec. 108 of the Mutual Security Appropriation Act, 1956, as amended. Under the reservation procedure, equipment on order for the foreign assistance program is financed initially from regular Department of Defense procurement funds. At the time orders are placed, funds are reserved in the foreign assistance/military assistance accounts for future reimbursement to the procurement accounts of the military services.

For development loans (included in foreign assistance) the unexpended balance includes loan commitments not yet technically obligated. The unobligated balance excludes such commitments.

PATRIOTIC REMINDER TO AMERICANS

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, July 8, 1968

Mr. THURMOND. Mr. President, the Evening Star of July 4 contains an article entitled "Patriotic Reminder to Americans," written by Mr. David Lawrence. In this penetrating article Mr. Lawrence reminds Americans that too many are taking their independence for granted, and that they do not take note of the historic meaning of the Fourth of July. Further, he decries the tendency of the American people to give more attention to the pleasures of the day and to recreation than to the sober reflection of Independence Day and its meaning for American patriots.

Mr. Lawrence warns that the United States is moving away from the form of government conceived by the Founding Fathers, leaning toward a strong Central Government that gradually erodes the rights of the States and infringes upon the liberties of the people. He urges that American people remind themselves on occasions such as our glorious Fourth of the dangers of usurpation of power and the growth of the cult of expediency.

Mr. President, I invite the attention of Senators to this excellent article and ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PATRIOTIC REMINDER TO AMERICANS

(By David Lawrence)

There was a time when the Fourth of July meant a great deal more to the American people than it does now.

There used to be many parades and demonstrations of patriotism. There was always throughout the world a keen interest in the celebration of the American Revolution.

Today the lack of emphasis on the origin of the holiday is scarcely noticed. Most Americans take this country's independence for granted because they think it isn't being threatened. They are not apprehensive that a foreign power might gain control—even though more than a billion people have been taken over by Communist imperialism. Such a contingency for this country is considered remote, if not fanciful.

Yet the steady procession of nations which have fallen under the yoke of the Kremlin is not fanciful. It is real. The military potential, moreover, of a bloc of countries is being manipulated in a threat to the safety of the United States.

Americans not only don't bother to take note of the historic meaning of the Fourth of July, but they seem little interested in encouraging revolution for instance, within the enslaved colonies of the Soviet Union. Too many Americans nowadays are accepting the defeatist philosophy of the "status quo"—letting things stay as they are. There indeed is a crass indifference to the fate of the captive peoples of Czechoslovakia, Poland, Romania, Bulgaria, Hungary, Estonia, Latvia, Lithuania, East Germany and Cuba.

Even the war to preserve the independence of South Vietnam, which is supported by a substantial part of the armed services of the United States, is being criticized by many Americans, and there are plenty of street demonstrations in which posters are displayed, declaring that Vietnam is "none of America's business."

The Fourth of July should be an occasion for nationwide demonstrations of devotion to the principle of liberation by revolution and worldwide emphasis on America's example—what our colonists here once did to emancipate themselves from tyranny. A golden opportunity is missed by failing to dramatize and publicize everywhere the immortal principles proclaimed 192 years ago by the founding fathers.

Condensed into simple language, the Declaration of Independence could be applied to the situations existing among the oppressed peoples on every continent in the world. The rules of international and national conduct contained in the declaration are in every sense pertinent today. If these were taken to heart by the peoples of those countries now living under dictatorships, the whole world might rid itself of the perennial fear of autocratic governments which threaten the peace.

The tendency, however, is to give less thought to the plight of other peoples and more attention to the pleasures of the day. The Fourth of July has become a holiday primarily for recreation. The national significance of the day is, to be sure, noted here and there by patriotic organizations, but even the television and radio networks usually do not schedule programs devoting special attention to Independence Day.

There is need also for pointed reflection on the concept of evolution as well as revolution. For inside the United States the central government has been moving toward a form of duress not conceived of by the Founding Fathers. The 13 colonies considered themselves sovereign and equal. They delegated certain powers to a national government, but they never thought the contract they signed would be construed as meaning that they were to give up any other powers without their consent. Government, they were assured, would always rest upon the consent of the governed.

Yet the tendency has been to erode gradually the rights of the states and to permit a central authority—without amendment of the Constitution in the way prescribed in that document itself—to deprive the people of the rights they have always thought were to be exercised by the states.

A public reading of the Declaration of Independence and of the Constitution might well be featured everywhere throughout the country as a part of the celebration of Independence Day. This could remind many people of the rights lost by the states through usurpation of power. It might even draw attention to the growth of the cult of expediency which today permits nine justices, never elected by the people, to rewrite the Constitution at will.

(Note: the thoughts expressed above were also presented on the fourth of July last year.)

GUN CONTROLS

HON. SAMUEL L. DEVINE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. DEVINE. Mr. Speaker, in the context of considerable confusion and numerous proposals on gun controls, still pending in the House and Senate, I was heartened by an editorial recognizing the diligent efforts of two authorities on law enforcement among us, my friends and colleagues, Congressman JOHN E. HUNT of New Jersey's First District, and Congressman G. ROBERT WATKINS of Pennsylvania's Ninth District.

The editorial cautions against the influence of hysteria in considering the variety of gun control proposals and concurs with the objective of legislation introduced by Congressmen HUNT and WATKINS that the more effective method of combating the criminal element in society is through the imposition of stiff mandatory jail sentences for the illegal use of firearms.

The editorial follows:

GUN CONTROL

Hysteria should not be permitted to influence enactment of any type of legislation and that applies to the various proposals on gun control bills.

In this respect, we believe that Congressman John E. Hunt has offered a practical and workable solution to the problem with his bill providing for stiff mandatory jail sentences for any illegal use of firearms.

This proposal, coupled with a curb on mail order sales of revolvers, rifles and shotguns, should provide the deterrent that can prove effective; at least far more effective than mere registration of firearms.

Criminals, of course, would ignore registration and will continue to obtain weapons either through theft or on the "black market." Any gun control legislation is aimed at the criminal element and it seems to us that Congressman Hunt has come up with a far more effective method of combating that element.

Hunt's bill provides a first-offense jail sentence of not less than 10 years for "any person who uses a gun in the commission of robbery, assault, murder, rape, burglary, kidnaping and homicide other than involuntary manslaughter."

The penalty also covers "any person who uses or carries any firearm which has been transported illegally in interstate or foreign commerce."

A sentence of not less than 25 years is prescribed for second offenders.

It is time that we looked at this problem from a practical standpoint.

ADDRESS BY SHAH MOHAMMED RIZA PAHLEVI, OF IRAN, AT HARVARD UNIVERSITY

HON. HOWARD H. BAKER, JR.

OF TENNESSEE

IN THE SENATE OF THE UNITED STATES

Monday, July 8, 1968

Mr. BAKER. Mr. President, on June 13, 1968, Harvard University conferred 4,113 academic degrees and 11 honorary doctorates, including a doctor-of-laws degree upon a great friend of the United States and one of the great leaders of the free world, Shah Mohammed Riza Pahlevi, of Iran.

I had the privilege of meeting His Imperial Majesty at the White House recently at the dinner given by President and Mrs. Johnson in his honor. The Shah impressed me as being a man of great stature, warmth, and understanding, and truly a steadfast friend of the United States. The 25 years of his reign have been devoted to the growth of his country, marked by increased economic stability, expansion of industry, social and agrarian reform, and improved trade with the Western World.

Without question, Iran today is passing through a challenging period in her long and glorious history. Iranians are engaged in the great task of narrowing the gap which has separated them from the industrialized societies. A great social and technological transformation is taking place in Iranian society, affecting the lives of men, women, and children. To many observers, the great marvel is that this fundamental change has taken place within the framework of a free and democratic society. Indeed, it has been possible only because of His Majesty's insistence on the maintenance of democratic institutions. Revolutionary steps have been taken and brilliant results obtained without loss of social cohesion and traditional values.

The architect of these achievements is His Imperial Majesty, through his nine-point program of social, economic, and educational reform. The vigorous implementation of this reform program created a new dynamism in Iran, and all energies were channeled toward the construction of a modern, prosperous society. This great transformation has improved the lot of the workers and farmers. Women are now participating fully in shaping the destiny of their nation, and vigorous efforts are being made to eradicate illiteracy.

The rate of economic growth has increased rapidly, and the per capita income of the people has been tripled. The target for the next 5-year plan is to increase the per capita income by nearly one-third and the gross national product by more than 50 percent. Participation of foreign enterprises in the industrialization of the country has been welcome and foreign trade, particularly with the United States, has increased to the benefit of all.

In light of this, it seems to me most appropriate that Harvard University conferred an honorary doctorate of law degree on the Shah. Dr. Nathan M. Pusey, president of Harvard, in conferring the degree, referred to the Shah as: "A 20th-century ruler who has found in power a constructive instrument to advance social and economic revolution in an ancient land."

I ask unanimous consent that the address of the Shah to Harvard alumni on that occasion be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS OF HIS IMPERIAL MAJESTY, THE SHAHANSHAH OF IRAN, AT THE ANNUAL MEETING OF THE ASSOCIATED HARVARD ALUMNI IN THE TERCENTENARY THEATER IN HARVARD YARD COMMENCEMENT, JUNE 13, 1968

I am honoured and glad to receive the honorary doctor's degree of your University. Conferred upon me by the oldest of the American Universities, this degree has indeed an exceptional value for me, for this University was founded no less than three hundred and thirty years ago, concurrently with the dawn of the great epoch of the establishment of American society in a wide unknown land by courageous pioneers from beyond the ocean. Harvard has thus a mission as the torchbearer to the new continent and to the most advanced country in the new world. It has during this period produced many distinguished people, who have achieved fame and distinction in various fields of human endeavour. It is fitting here to pay tribute to the memory of two eminent brothers; the late President John F. Kennedy, and the late Senator Robert Kennedy; who were both educated in your University, and whose enlightened ideas kindled hope in the hearts of millions not only within the United States but elsewhere too.

Today, Harvard University has one of the highest reputations in the field of human culture. Its great library with nearly eight million books is the largest University library on the earth. The fact that my own country's cultural heritage has supplied a part of this treasurehouse of human knowledge, in the shape of a large number of Persian books and manuscripts, is a source of special pleasure to me.

The library, gathering in its shelves the results of the talent and genius of many, many leaders of the sciences and the arts, is the symbol of that ideal world which we all hope to create. This will, needless to say, be a world in which all the constructive and creative thoughts and powers of men, irrespective of geographical, racial, religious, and linguistic distances and differences, will work harmoniously together in the service of all-pervading truth, to bring about a society fit for the whole of mankind.

Such a society will, without doubt, be created in the fullness of time. This is a result that is made inevitable by the inexorable march of history. The evolutionary progress of humanity makes it possible for us clearly to discern this vista in the horizon without needing the aid of telescopes. Therefore, common sense, goodwill, and conscience render it imperative that we should make a supreme effort to facilitate as well as expedite as much as possible the establishment of such a society. The component elements, or owners, of that society, that is, our children and grandchildren should have consequently been permanently set free from the social evils both physical and mental that are besetting us today.

Why should we put up with the present evils in our society? As opposed to the society we are visualizing, the present one can be described as a diseased one. The evils are there on all levels, international and national, and even within the smaller units such as towns and families.

Of course, the disease did not appear like a bolt from the blue, either yesterday, or last year. It is the result of factors that have deep roots and long lives. These consist of privations, discriminations, oppressions, bigotries, hatreds and hostilities; poverty, ignorance, hunger and illiteracy. Each and all of these have been left to us as an evil heritage from the past. The fundamental difference between our situation today and that of our forefathers is that now knowledge has enabled us to realize that these evils are neither natural nor inevitable; in the same way as we have found that cholera or the bubonic plague are not necessary calamities.

The advancement of knowledge has brought its harvest of anxiety to the human race; and this anxiety, in its turn, is proving to be the means for the ultimate salvation of mankind. Let me offer a world of explanation. So long as our ancestors considered it natural, upon the appearance of cholera or the plague, to resign themselves to fate and to await death, they inevitably, had no sense of rebellion against this terrible evil. Thank God that we now have that urge to rebellion. Unlike our forefathers, we do not consider these diseases as irremediable. We take measures to prevent their appearance, and when they do appear, we mobilize all members of the society to fight the scourage. So, as a result of this anxiety, the mother of this rebellion, humanity is today nearly completely free from these calamities.

If this is true of physical disease, it can be equally true of social diseases as well. In fact we already witness human success in the case of the campaign against some of these other evils. For example, our world was for many centuries the scene of bloody religious wars, which appeared to the belligerents to be not only natural but even holy. Humanity as a whole has now come to realize that all the people in the world were created by the one God, and that everyone is entitled to worship God in the way he considers appropriate. The United Nations Charter explicitly states that all individuals have equal rights in this respect. In so doing, the Charter is not really notifying the existence of the right to humanity. It is simply expressing a fact which humanity has already accepted.

In the same manner the existence of colonial regimes appeared to be natural at one time. The political logic, current at the time, said that powerful governments should take weak nations under their domination and exploit them for their own, that is, for the powerful governments' benefit. Nowadays, however, the weak do not consider such exploitation as natural or inevitable; and even the majority of the former colonial governments themselves, having realized the impossibility of continuing that policy, have abandoned it forever.

So, our society realizes its ills and knows at the same time that none of them need be there permanently. This is the real cause why our society is disturbed; but this anxiety is the motive for that holy struggle which will bring about a sound society freed from social diseases, as it is from physical diseases today.

Unfortunately, however, this struggle is not always conducted in a well-reasoned and balanced manner. That is why it takes the form of violence on some occasions, and disillusionment and a negative attitude on other occasions. Such reactions merely prove that the individuals concerned would find our society a sick one irrespective of the angle from which they looked at it.

At the highest level, all individuals have equal rights at birth. Actually, however, a great number of people die of hunger, while a small minority have so much food at their disposal that they simply do not know what to do with it. The world is divided between a number of prosperous nations on the one hand and a much larger number of poor nations on the other. Fifty percent of the world's population earn only ten percent of the world's income while four percent of the world's population earn as much as forty percent of the world's income. Prolonged malnutrition is therefore plaguing no less than three quarters of the world's population. Out of sixty million people who die every year, the death of thirty to forty million is due to the effects of some form of malnutrition or inadequate food. This is literally a life-and-death problem for hundreds of millions of people today.

Along with hunger, there is the problem of disease. Official statistics indicate that the death rate in America and Europe is about ten percent; but seventeen percent in Latin-America; twenty-five to thirty percent in Africa, and twenty-eight to thirty percent in Asia. The infantile death rate is thirty per thousand in the United States, and two hundred to two hundred and fifty in Africa. The average life span in North America and Western Europe is sixty to sixty-nine years, while it is less than forty years in Asia and Latin America, and even less than thirty-two years in certain countries.

Can we hope, at least, that this vast difference is diminishing? Unfortunately, facts show that the opposite is the case. Perhaps it will suffice to refer for this purpose to a report of the United Nations Secretary General from which we learn that poverty and disease are on the increase in most of the developing countries in the world. The report tells us further that it is foreseen that in the year 1970 the number of the unemployed, as well as the number of men and women suffering from disease and hunger, will be many times the present number.

As a result, a fundamental difficulty has arisen which has been often referred to, or fully discussed in various international conferences, particularly in the conference recently held in New Delhi. The difficulty consists of the fact that the difference between the rich and the poor nations is not diminishing, and is actually increasing every day. The Secretary General of the United Nations stated in a recent report that between the year 1960 and 1962 the per capita income of the advanced nations rose by one hundred dollars while the same figure for the developing countries had not reached even five dollars.

In the case of the very important problem of illiteracy the situation is no better by any means. According to Unesco statistics there are at present seven hundred million adult illiterates on the earth; and the total number of illiterates exceeds one thousand million. Ninety percent of this number live in Africa, Asia and Latin America. This situation is frightening both from the moral and the human standpoints. Speaking strictly economically, it is leaving unutilized a huge human capital because of the ignorance of vast numbers of people.

What does the balance sheet of all these facts and figures show? On the one hand, a number of people in the world enjoy economic prosperity, a superb health service, good food, advanced education and a high standard of life. On the other hand, the large mass of the earth's population are caught in the clutches of poverty, hunger, disease, ignorance and a standard of life lower than a decent minimum. Can we, in conscience, look at the members of the second group and still quote the great verse in the Bible: "So God created man in His own image"? I have no doubt that God did create men in His own image but I am inclined to add that man's injustice and selfishness has crushed and misshaped them.

In the early part of last century the great English poet Samuel Taylor Coleridge wrote:

"It is the sublime of man
Our noontide majesty, to know ourselves
Parts and proportions of one wondrous
whole!"

Still, can we agree that both the prosperous, healthy, wellfed and literate person, and the weak, hungry and illiterate individual are equal members of the same social unit?

Such is the general view of human society spread before the eyes of a man of goodwill, not only at the international level, but even within towns and families. Racial discrimination, class distinction, social injustice, aggression against the freedoms of the individual, still prevail in many communities. Some methods of education are not right. Not enough attention is paid to the moral and spiritual needs of the individual.

We are disturbed to find that our society is unwell, that the world is beset by darkness and that the human race is suffering from various forms of injustice. We realize also that against this general background, our private grievances, whether within the country, the town or the family, are of relatively less significance. The fact is that even should we be able to improve the state of our home, our city or even our country; and should human society be sick, this will naturally affect the well-being of each and everyone of these units. Until such time as the roots of the curses that afflict humanity are not removed, we shall never be able to enjoy peace and tranquillity.

There is a deep sense of disillusionment and despondency in many individuals who sincerely long for a better world and a happier society. They want man to be, in the words of Confucius "free from perplexities, free from anxieties, free from fear."

This is the great divide, where individuals, according to their physical and mental makeup, and education, fall into either of two distinct classes. One group takes the way of constructive activities of a political, social, economic, scientific or artistic nature, in an endeavour to attain a better and healthier society. Another group go to the way of negative rebellion by cutting off their connection with all the established customs and well-tried traditions of society.

The way of real service, however, is not closed to these individuals. They may not desire, or may be unable, to adapt themselves to the various fundamental institutions of their society, but they can try to reach their objective by less complicated, and perhaps shorter ways.

When I speak of political and social institutions, I am not referring to any specific, inexorable political or economic creeds. In our country we have accepted the principle that with the great progress of science, and considering the ever-increasing power of technology and its effect on human society many of the thoughts, principles and "isms", which were presented to us in the past as eternal and unalterable truths have become antiquated, and can no longer cope with the present needs of human society.

On the basis of this belief we have chosen our own way in the all-embracing social revolution in our country in recent years. We refused to follow inexorable regulations, but carefully examined all existing principles and creeds. From among them we selected anything which we came to believe was most suitable for our country, and most likely to serve its needs in the best possible manner.

We did not limit ourselves even to these principles, but we also created and devised whatever factors we found to be useful or necessary for our national conditions and requirements. On the basis of a combination of all these elements we drew up and are carrying out a program of social revolution directly allied to our national interests, moral, psychological, material and otherwise.

There are, of course, certain basic facts which we consider as unchangeable. The first of these is the necessity for paying due respect to the personality of the individual. It follows, inevitably, that we should not treat the individual as a slave to the government but rather consider the government as the servant of the individual.

Furthermore, we realize that God, in whom we all deeply believe, created resources and placed them at the disposal of man. No person has had a share in their creation. I am referring to forests, grasslands, waters, and in general, the natural resources, the private ownership of which may turn into exploitation. Our national program is consequently based on the principle that these resources cannot be the property of specific individuals, but really belong to the nation as a whole.

As against these broad principles which we regard as unalterable, there are facts which, being dependent on science, and technology are in the process of change, and indeed must change, with the forward march of technology and science. Evolutionary progress is irrevocably associated with these changes. Otherwise social stagnation is inevitable.

The fundamental and decisive condition for social evolution is that there should exist the maximum possible measure of cooperation between the various human communities, resulting in the development of mutual understanding and of a unified general effort for the solution of universal and national difficulties. For our part, we believe that the best means for the achievement of this result in any society, irrespective of the political regime by which it is governed, is the adoption of the cooperative principle and also that of participation. We are accordingly trying to make these principles the basis for the regulation of the affairs of our new society. We do not imitate others in the execution of the various principles guiding our own social revolution. At the same time, we do not expect others to imitate us. I am only presenting the basic facts about the extensive experiment which is being carried out in my country in the course of this evolution. It is up to others to judge whether or not such an experiment is useful for them. It is, however, simply true that now the Iranian community is proceeding with unity, complete faith, and unprecedented enthusiasm on a way which has, in every respect, produced constructive, and brilliant results for Iran, like, for instance, land reform or participation of workers in up to 20 per cent of the net profit of the factories where they work, or the creation of compact organizations which we have collectively called "The Armies of Iran's White Revolution". These consist of conscripts who perform their national service in the Literacy Corps, the Health Corps, and the Development Corps, and who would otherwise have served in the rank and file.

These young men go to the Iranian Villages to educate the illiterate, to improve the health services, or generally to reconstruct the district concerned. They take with them the newest ideas, and principles of progress and civilization. The young men serving in all these organizations have worked so hard and so zealously, that they have gained the deepest love, and admiration of the people of Iran. Furthermore, at least one of these organizations, the Literacy Corps, has achieved international recognition. These three separate groups have already become the finest symbols of social service throughout the country.

I would add that in Iran, where, as recently as five years ago, women had no electoral rights, whether for voting or for being elected to Parliament we now expect that Iranian girls will in the near future participate in their brothers' endeavours in all these services.

Apropos of the extraordinary success of these three groups, and the enthusiastic welcome accorded to their spirit of selfless service in Iran, I want today to make a suggestion to all the people who are prepared to enter a holy struggle for rendering real service to humanity. Such service is undoubtedly their sincerely cherished ideal and my suggestion is meant to afford them an opportunity to advance toward their ideal without being obliged to follow the strict routine required by ordinary political and social organizations.

There are today hundreds of millions of people throughout the world who are in the clutches of hunger, ignorance, and assorted social inequalities. They are in sore need of help from persons moved by the spirit of benevolence and self-sacrifice. Hundreds of millions of men, women and children in the four corners of the world are anxiously hoping and expecting that some other persons, out of kindness, should come to their help, and to soothe their sufferings. I am certain that, at the same time, there are millions of people not far away who, in their hearts, cherish the desire to render selfless human service to their fellows; and would find spiritual solace and moral satisfaction in living for a high ideal and a holy purpose.

Today on the basis of these facts, I propose the creation of an international organization to be known by some such name as the Universal Welfare Legion, in which individuals irrespective of country, class, race, religion, sex, age, economic level or social status will render service. Their only common denominator will be the fact they should have decided to devote a part of their lives to the service of mankind. The headquarters for the general administration of this organization should be attached exclusively to the United Nations; that is, to the greatest organization which has been created internationally to serve the whole of humanity.

I dearly wish that the countries of the world will take a decisive step toward final disarmament, and then place a part of the amount they thus save, at the disposal of this international legion. Before that day arrives, however, one can hope that such help shall be given voluntarily; that is, benevolent individuals and organizations as well as governments will render financial assistance to such a legion in the form of donations through the United Nations. It is, no doubt, the United Nations that should provide for the living and working expenses of these volunteers who aim at nothing but the happiness of mankind.

Since imperial Roman times many legions have been formed for the purpose of military conquest. Let us, for once, create an international legion for the purpose of gaining victory in the fight against the real enemies of humanity; that is, against poverty, hunger and social injustice in any form. Let future history bear witness to the fact that the moral power of the servitor of humanity is greater, and more lasting, than the force of any army and the energy of any destructive device. Let those who wish to devote themselves to the service of humanity gather together and make the voice of selfless service reach the ears of hundreds of millions of their shelterless despondent brothers and sisters throughout the world. In the depressing darkness of discriminations, oppressions and unscrupulous, ruthless calculations, let this legion be the torchbearer of selflessness and benevolence. Let this legion given objective reality to the great words of the great classical Persian poet Sa'di when he wrote:

> "If thou hast no sympathy for the troubles of others
> Thou art unworthy to be called by the name of a man."

LOWER VOTING AGE TO 18

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. DULSKI. Mr. Speaker, President Johnson has provided new spark to broad-based efforts to lower the voting age nationally to 18. I have supported this effort repeatedly and I hope the new momentum will bring the reduced voting age to reality.

Following is an editorial on this subject which appeared in the June 30 edition of the Buffalo, N.Y., Courier-Express:

Lower the Minimum Age for Voting

In seeking a constitutional amendment to lower the voting age in the United States from 21 to 18, President Johnson has revitalized an issue which has received a great deal of attention through the years—in state legislatures, on debate rostrums, in panel discussions, in college bull sessions—but little action. The minimum age remains at 21 in all but a very few states.

This newspaper agrees with President Johnson that the voting age should be lowered. But we question seriously that a constitutional amendment is the way to do it. The establishment of criteria for voting has always been the prerogative of the states and properly so. The federal role in voting regulations has been to prevent discrimination, first because of race and later because of sex. Setting the arbitrary minimum age for voting at 21 may be illogical but we fail to see that it is discriminatory in the way that barring a person because of race or sex was discriminatory.

Since the establishment of voting criteria is the prerogative of the legislatures and since there is growing reluctance on the part of the states to turn over rights to the federal government, a proposed amendment would seem to have little chance of success. To become effective, an amendment must be approved by two-thirds of each house of Congress and be ratified by the legislatures of 38 states. The proposed amendment might get congressional approval. But agreement by all but 12 state legislatures seems unlikely. And defeat of the amendment could very well retard rather than enhance progress toward the lowered voting age.

The minimum age for voting should be lowered, however. The New York State Legislature should begin action to that effect at the 1969 session. After all, 21 is an arbitrary age and there is no reason to retain it except tradition.

Long before their 21st birthdays, young people today assume virtually all rights and obligations of citizenship—except voting. New York assumes that they are old enough to drive cars, to drink alcoholic beverages, to own property, to get married, to pay taxes, to answer for any crimes they might commit. And, of course, they are required to go to war. The only thing they can't do is vote.

The traditionalists insist that even though youngsters bear all those other responsibilities, they don't have the knowledge required to vote in elections. But it is quite likely that any random group of 18- or 19- or 20-year olds would show as much understanding of public affairs as would a random group of people at any other age. But an even better check is to look at the officeholders we have today—elected solely by those who are 21 or older—and ask ourselves if we really think the caliber would drop if those between 18 and 21 were to participate in the selection. Sure, some of those kids would make mistakes in judgment, but what makes us think we're so smart?

ANTIMISSILE CURB

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, July 8, 1968

Mr. THURMOND. Mr. President, the Charleston, S.C., News and Courier of June 29, 1968, contains an editorial entitled "Antimissile Curb."

In this sound editorial the capable editor, Mr. Tom Waring, calls our attention to the necessity for continuing deployment of the Sentinel anti-ballistic-missile defense of the United States. He cites the Soviet Union's defenses for Leningrad and Moscow and points out Soviet development of space weapons as a warning to the American people. Mr. Waring believes that the real purpose of the Soviet leadership is to persuade the United States against installation of an ABM system. The ultimate purpose of the Soviet plan is to achieve nuclear and missile supremacy.

Mr. President, I invite the attention of Senators to this timely editorial and ask unanimous consent that it be printed in the Extensions of Remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ANTIMISSILE CURB

Foreign Minister Andrei Gromyko's statement that Russia will talk about a ban on anti-ballistic missiles provides slim hope that USSR will consider some restraint in cold war arming. Mr. Gromyko's reference to the ABM, however, should not deter the United States from beginning work on the defensive system.

The Soviets already have ABM defenses for Leningrad and Moscow. The United States has no such defense for any of its major cities.

Mr. Gromyko's passing reference to talks on banning ABM is no assurance that the Russians would dismantle their existing anti-ballistic missile system or stop work on enlargement of it. The Russians promised not to develop space weapons. Nevertheless, they have successfully developed a bomb-in-space system.

The U.S. public cannot overlook the possibility that the real purpose of Mr. Gromyko's statement was to prevent presidential approval of an ABM system now that the Senate has given it the green light. The Soviet Union is working hard to achieve nuclear and missile supremacy. No evidence exists that it will abandon any military advantage it has gained.

ADDRESS BY STUART T. SAUNDERS, CHAIRMAN, PENN CENTRAL CO., BEFORE NEW YORK CHAMBER OF COMMERCE

HON. JOSEPH D. TYDINGS

OF MARYLAND

IN THE SENATE OF THE UNITED STATES

Monday, July 8, 1968

Mr. TYDINGS. Mr. President, Stuart T. Saunders is chairman of the board of the Nation's largest railroad, the Penn Central Co. On June 6, 1968, Mr. Saunders addressed the New York Chamber of Commerce as a speaker in a series marking the bicentennial year of the New York Chamber of Commerce. Mr. Saunders' point of view is, of course, that of a railroad executive; nevertheless, his speech contains a number of valuable comments and suggestions. Among these, Mr. Saunders' proposed National Railroad Passengers Council deserves special attention.

I commend the speech to Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY STUART T. SAUNDERS, CHAIRMAN, PENN CENTRAL CO., BEFORE THE NEW YORK CHAMBER OF COMMERCE, NEW YORK, N.Y., JUNE 6, 1968

I am honored to be a speaker in the series marking the Bicentennial Year of the New York Chamber of Commerce. And I am particularly pleased that I appear on the first program presided over by my good friend Bill Renchard as your newly elected president.

I also am delighted that my associate, Al Perlman, has been elected a vice president. This is evidence of the continuing interest of the Penn Central Company in this organization, and of our determination to meet our responsibilities in this vital area.

Few people are more aware than New York businessmen of the importance of transportation. You are, I am sure, deeply concerned about the creeping paralysis which seriously threatens to strangle this great city.

Transportation is one of the most frequently discussed topics in our country today, and perhaps the most controversial aspect of the subject is the mass movement of people. This situation is highlighted by the request last week of the Interstate Commerce Commission that Congress conduct hearings on the adequacy of railroad passenger service for the present and future needs of our country.

A public debate of this nature would give fresh exposure to the divergence of opinions on the subject. The misconceptions which surround the railroad passenger business have been intensified by the hardening of extreme viewpoints. On the one hand, there is the outcry that regardless of need or cost the status quo should be maintained and the heavy losses should be borne by freight and non-railroad revenues. At the other extreme, there are those who think that most, if not all, railroad passenger service is no longer needed and should be discontinued at the earliest possible date.

Such extremes, of course, are oversimplifications which do not take cognizance of the different types of railroad passenger operations and the varying degrees to which each is utilized. I think that rail commutation is essential—indeed indispensable in metropolitan areas. It is also evident that the need for short and medium range intercity railroad passenger service in crowded urban corridors will become greater with the growth of megalopolis. But, in my opinion, long-haul passenger service no longer is warranted from the standpoint of public need. Such service cannot compete with the jet airplane and should be phased out in a relatively short but orderly fashion.

The emotionalism surrounding rail passenger service grossly exaggerates the current use of such trains. Less than 1½ per cent of intercity passenger travel is handled by railroads, and the great bulk of this meager market is in suburban and short intercity patronage. Last year, parlor and sleeping car passengers were only one per cent of this small total of railroad travelers.

It is astonishing that, although passenger trains produce only about 5 per cent of all railroad revenues, most people think of railroads only in terms of passenger service. They tend to overlook the fact that railroad freight service is the backbone of our national transportation system. Likewise, they brush aside the extent to which passenger deficits penalize the ability of railroads to provide first class freight service.

It is also shocking that many people who should know better believe that, since some of the railroads received land grants a hundred years or more ago, all railroads have a responsibility to subsidize the traveling public by absorbing passenger deficits. The myth of land grants should be permanently laid to rest. Over the years, the railroads which received these concessions have repaid the government about a billion and a quarter dollars in reduced transportation charges, or ten times the value of the land grants they received. If there were ever an obligation by the railroads to carry passengers at a loss, this has long since ceased to exist.

Similarly, the affluence of railroads which fifty years ago enabled them to underwrite passenger service has long since vanished. Many of our railroads today are in serious financial trouble. Our industry has the lowest rate of return on capital investment of any American industry. Last year, this chronically inadequate rate fell to 2.45 per cent for all Class I railroads and to 1.58 per cent for the Eastern lines.

Obviously, the railroad industry cannot live indefinitely on such a starvation diet. This is already reflected in the bankruptcy of the New Haven and the Central of New Jersey and the precarious financial condition of roads such as the Reading, the Boston & Maine, the Erie-Lackawanna, the Rock Island, the Milwaukee and the Katy.

The railroad industry has not earned as much as 4¼ per cent on its investment in any year since World War II, and the figure for most years has been about 2 per cent or less. This is in striking contrast with the 7.3 per cent return of public utilities and the 8 per cent return that American Telephone & Telegraph Company says it must have in order to meet the needs of its customers.

The time has come for the Government to decide whether they want to keep the railroads in the free enterprise system. Actually, we have never been a full fledged partner but a limited one. It is also time for the users of our freight services to decide whether they think the railroads are necessary, whether they want first or second rate transportation, and whether they will allow us to earn a third or a fourth of their own return on investment. The axiom that you get what you pay for is still a fact of life.

Somehow business people seem to think that we can do things that they can't, and that we can live on a rate of return on which no other industry has ever survived.

The pitifully low rate of return for the railroads is one basic fact which no one can controvert. It cannot be refuted by the shippers and traffic organizations who are opposing the pending application of railroads for modest and selective freight rate increases.

If shippers persist and if the Commission accepts their arguments, railroad companies will be driven out of the railroad business. In order to survive, they will be forced to invest their money and talents where there are better opportunities to get a satisfactory rate of return for stockholders.

It is ironic that virtually all the shippers who are now protesting most vigorously about our proposed rate increases are companies that have raised their own prices substantially in the past year. And in almost the same breath, these petitioners criticize us for poor service, inadequate car supply and motive power, and other deficiencies—all of which are in large measure attributable to our meager earnings.

The rate increases we seek are not inflationary but are a means of partially restoring levels which prevailed ten years ago. Our proposed increases on the average will still be 8 per cent below the level of rates of 1958 and yet over 600 parties are objecting to this. For the past decade we have actually cut freight rates about 14 per cent while other prices, including supplies we must buy, have gone up approximately 20 per cent. No other industry, with the exception of the electric power, has run counter to the tide of inflation. As a matter of fact, railroads have made a tremendous contribution to combating inflation by cutting prices in the face of steadily rising costs.

We would like to keep our rates down, but our resources have reached such a low ebb that we cannot continue to absorb the additional operating costs that are forced upon us year after year.

We recognize that increasing freight rates alone is not the answer to our problem, but it is a step that must be taken to keep the railroads alive. Yes, it is a vital part of a total package which includes mergers, technological advancements, increased productivity, improved marketing services and other forms of remedial action.

Not the least of the financial burdens of railroads are the passenger deficits which are reducing net income, on an industry-wide basis by at least 25 per cent. For Penn Central alone, these losses totaled $85 million last year. Such chronic deficits will continue to be a drain on resources unless sweeping changes are made in the present approach to passenger operations.

If any of you, in your own business, were faced with a similar problem, I am sure that you would do everything possible to reduce your costs and curtail the money-losing services. Yet there are many—particularly in Washington—who apparently do not believe that such a course is applicable to the railroad passenger business.

On the Penn Central railroad system, we believe that we have formulated a sound basic approach to resolving the problem. Simply stated, it comes down to a twofold program:

1. To strengthen and improve passenger services which are essential to people in the territory we cover.

2. To discontinue trains whose use clearly indicate that the public no longer needs them.

In the first category are our commuter-suburban services in the New York and Philadelphia metropolitan areas and our intercity main line service between New York and Washington in the highly populated Northeast Corridor. Within our limited resources we are making considerable progress in keeping them viable for the current and future needs of the public.

Our commuter program is based on the concept that commutation by rail has become a public service, and as such it is entitled to public support. Over the past ten years, we have worked closely with governmental officials on Federal, state and local levels in promoting this concept. We have developed a program under which we are acquiring some new cars through public financing, and we have limited operating contracts with public authorities which are reducing our commuter deficits.

We have established an excellent working relationship with such groups as the Southeastern Pennsylvania Transportation Authority in Philadelphia, the Metropolitan Transportation Authority in New York, the State of New York, the State of New Jersey and other public groups. There is mutual understanding of the necessity for public support—and there is cooperation in the common objective of improving rail service as the most economical means of relieving traffic congestion.

On our New York-Washington line, we are developing an ultramodern high-speed service which will be tested for public acceptance in a two-year demonstration project. Our cosponsorship of this project with the United States Department of Transportation represents the first extensive Federal participation in railroad development in this century.

We have upgraded our roadway, installed new catenary wire for electric power delivery, and are ready to start when the special fleet of 50 Metroliner cars meet acceptable standards for performance, safety and dependability.

These Metroliners are the most sophisticated railroad equipment ever built. They will surpass any other cars in the world in speed, power, comfort and luxury. It is not extraordinary that technical difficulties have been experienced in their manufacture.

The delays we have experienced in getting this service underway are, of course, regrettable, but I would like to point out that the development time is relatively short, considering the five years the Japanese put into research and development on their Tokaido Line. In addition, they spent two more years testing their equipment before beginning regularly scheduled operations.

With regard to our long-haul trains and virtually all the rest of our intercity trains, we have none of the redeeming features that are present in our commuter and New York-Washington service. There is little market potential, there is no predictable need, and there is no program of public support. We therefore have no alternative other than to phase out our long-haul and poorly patronized intercity trains as rapidly as possible. The urgency for this course is intensified by cancellation by the U.S. Post Office Department of many mail contracts which were a major source of revenues for some of this service.

There is no comprehensive regulatory policy for dealing with unnecessary, poorly patronized passenger trains other than on a case-by-case, train-by-train basis. At Penn Central, we have been studying this problem for years, trying to develop a passenger transportation program for the future. We are acutely aware of the need for a reliable national formula which weighs public need against the private and public costs involved.

The best guideline at present is found in a decision of the Interstate Commerce Commission two years ago on an application by the New Haven Railroad to discontinue all interstate passenger service. At that time, the Commission stated that a common carrier must make a reasonable effort to promote its economically viable passenger service, but that no railroad should be required to exert such an effort where "no evidence exists to support a conclusion that the public needs or is willing to pay a reasonable price for such service . . ."

The Commission also declared that "public policy—which by its past emphasis has aggravated the sickness of our national rail passenger system—(must) recognize its role in the rejuvenation of essential rail passenger service."

Penn Central, for its part, is willing to measure its passenger service responsibilities by this yardstick, and I believe that this criterion has met with general acceptance throughout the industry. But this is still, at best, a piecemeal approach that does not fit the broad proportions of the overall problem.

Finding solutions to this problem can no longer be left to conventional treatment or analysis. This task demands that the railroad industry and governmental transportation agencies join forces in a soundly structured program far greater in scope than any which has been undertaken before.

Some degree of progress has been made in this direction. We know, for example, that regional authorities with public financial aid are workable. We must intensify such programs and policies within the context of a much broader understanding of what needs to be done about railroad passenger service as it relates to the entire pattern of national transportation resources.

We need to project these workable concepts on a national scale and to determine for the first time just how much of what type of railroad passenger service is needed, how it is going to be financed and what role the railroads will play in the total requirements for moving people from place to place.

We must have a coordinated plan as to how transportation subsidies are to be allocated. The railroads should not continue to be isolated from Federal support. They have been neglected too long while public attention has been focused on interstate highways and the aviation industry. The billions of Federal dollars spent for these two forms of transportation has produced a lopsided and haphazard national transportation system, with little regard to a balanced utilization of all methods. The obsolescence of present railroad passenger service is a byproduct of the over-emphasis that has been given to other modes.

If Congress wishes to explore railroad passenger service, its findings will no doubt reveal the severity of the problem. I would hope that such a forum would result in better understanding within the Congress, as well as the public, of the situation.

I would like to propose, either as a corollary or an alternative to a Congressional review, that a National Railroad Passenger Council be created by appropriate Governmental action to expedite solution of this problem. This council should be a group representative of the public, the railroads, and the governmental agencies concerned with transportation policy.

It should move promptly, in as brief a time as possible, to study the problem and issue a report as a basis for formulating a railroad passenger service program within the larger context of the national transportation policy.

Such a study is fundamental in determining the extent to which the Federal government must support rail passenger service. In addition to investigating the requirements of Federal participation in commuter, intercity and long-haul passenger service, it should analyze the need for Federal sponsorship of railroad research and development. The railroad industry alone cannot catch up in technological progress with other forms of transportation which have enjoyed abundant largesse from Washington.

We cannot obtain a true national perspective on rail passenger service unless it is investigated in an atmosphere of mutual understanding which encourages the cooperation of diverse interests. A National Railroad Passenger Council could give this quality to its deliberations.

We must halt the drift and indecision that has prevailed for many years. The lack of a cohesive rail passenger policy has been exorbitantly costly to the American public, to the railroad industry and to its shippers.

The railroads are entitled to a careful, dispassionate consideration of the problem. A thorough, deliberate national effort is imperative if our country's requirements are to be assessed accurately.

This is no easy task, but it is one that must not be delayed. I am confident that this important question of national transportation policy can be answered if we give it the attention it deserves.

AN ELOQUENT STATEMENT OF FAITH IN AMERICA

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. WRIGHT. Mr. Speaker, one day not long ago a teenage girl, distraught by the assassination of Senator Kennedy, by crime in the streets, and by the war in Vietnam, wrote a letter to the Fort Worth Star-Telegram.

Her letter was full of hopelessness and despair. "I'm only 16 and already I'm sick of this rotten world," wrote the girl, Marilyn Harvey.

The Star-Telegram published Marilyn's letter, but it did much more than that. In an editorial, the newspaper attempted to dispel some of the fear and frustration that grip Marilyn and so many other thoughtful young people today, and to put things in perspective.

The editorial, written by my good friend, Joe Titus, is one of the most eloquent statements of faith in America that I have seen in a long, long time, and I want to share it with my colleagues.

The editorial follows:

Life Still Precious, Especially at 16

On this page is a letter from Marilyn Harvey and we want to answer it. It deserves a reply because between the lines is a yearning for the comfort a whole nation seeks and a plea to repair a crumbling faith in the country.

First, Marilyn, you say you are "only 16," and we would like to apologize for whatever or whoever caused you to believe something is wrong with being 16. It's a wonderful age. Bewildering, too, we know, especially today, but an age to be envied. The mind is fresh and energetic and inquiring then. It's a time when your supply of years is so large that you can accomplish many things. If you falter while seeking a goal, you can regain lost ground and exceed your goal because you have so many tomorrows.

And a year spent in accomplishment improves the value of the next year because the knowledge you gained provides quicker success in a new endeavor. It's called experience and gaining wisdom and it's as much a part of learning as going to school.

If you cried over Robert Kennedy, your tears joined those of countless other Americans weeping for the man and the deed, and that is a measure of how the Kennedys feel. And what better start to ease the sorrows of others, and yourself, than by a prayer?

There is no good in this shooting, Marilyn. There is no good in any shooting. There is no good in any violence. When we harm others, we hurt ourselves. We try to soften our hurt by honoring our dead, but it's wrong if we reach the point where we honor our dead more than our living.

Don't believe people who say violence is as American as apple pie. It isn't and no one can ever make it that way. And some day, because of efforts by persons like you who get upset over violence, mankind's ultimate in violence, war, may be only a dim memory.

You don't kill a person because you disagree with him. Only persons who are afraid or who don't understand try to still a voice that does not utter their beliefs. People and nations stand still without voices and new ideas. In a country like ours, if the voices and ideas are wrong or evil, Americans say so by voting. They do this with their minds, the way God and the men who wrote our Constitution intended, not with bullets and bombs.

And good ideas don't die. They cannot be killed like the men who had them. A lot of President John Kennedy's ideas to help people were made into law after he was killed. Abraham Lincoln's idea of a united nation did not die with him. Christianity did not die on the Cross.

But in this country of ours, which Robert Kennedy said is a great country, there are persons with twisted minds, whose thoughts are all mixed up, who try to rob us of new ideas and of our beliefs in such things as democracy in the only way their warped minds know—by violence.

We haven't found the light yet to show us how to eliminate what President Johnson said is the "climate" that breeds violence. But we will, just as surely as we found the way to build cities and bridges, devise computers, eradicate polio, travel in space and look at the stars. It's a matter of mind, yours, yours friends' and us older persons'. There is nothing this country can't do once it puts its mind to it.

You cannot throw in the towel, no matter how disgusted you may be. No adversity was ever overcome by running from it. It is people like you, better informed, better educated and better trained than the older generation, who will improve the world.

The world needs you and, as you get a little older, you will understand that you need the world to show off your energies and endeavors. Each of us has a purpose in life. It is not always quickly seen or found, but it is there. And in spite of all the agony in the world today, life is still precious, especially at 16.

One other thing. Your report card. It's bound to improve. They always do. Yours already has around here. In Concern, Compassion and Citizenship, we have given you an A-plus. For the privilege of reading and answering your letter, we give you a heartfelt thank you.

TRAGEDY ON COLUMBIA ROAD

HON. ROBERT C. BYRD

OF WEST VIRGINIA

IN THE SENATE OF THE UNITED STATES

Monday, July 8, 1968

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that news articles published in the Washington Post of July 3, July 4, and July 6 and an editorial published in the Post of July 8, all dealing with the slaying of a Washington policeman and subsequent comments about that slaying by the Black United Front, terming the killing of the officer "justifiable homicide" be printed in the RECORD.

There being no objection, the articles and editorial were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, July 3, 1968]

POLICEMAN IS SLAIN—TWO SUSPECTS CHARGED: PARTNER OF VICTIM ALSO SHOT

Two policemen were shot, one fatally, last night with their own service revolvers. Police said their guns were wrested from them in a struggle with a man they tried to arrest on a robbery complaint.

Within two hours of the shooting, John White, 40, of uncertain address, and his 19-year-old son, Duane, were in custody on murder warrants.

Dead of six gunshot wounds in the head and body was Tenth Precinct Pvt. Stephen A. Williams, 23, of 2800 Quebec st. nw., who joined the force only a year ago this month. He was pronounced dead on arrival in Washington Hospital Center about ten minutes after the 8 p.m. shooting in the 1300 block of Columbia Road nw.

In critical condition at the same hospital was his scout-car partner, Pvt. Frederick Matteson, 38, of 12806 Cherrywood la., Bowie, Md., a veteran of 12 years of police service. Police said he had been shot in the head and chest and was still in surgery early today.

Matteson's wife, the mother of their two children, was at the hospital as her husband was prepared for surgery. Pvt. Williams, the dead officer, was unmarried and had no relatives in the area, police said.

Three hours after the shooting Mayor Walter E. Washington announced that although he had been "concerned" over the tension generated by the tragedy, he had satisfied himself that relative quiet had been restored. The area was hard-hit by recent civil disturbances.

Word of the shooting drew more than two score policemen into the 14th Street and Columbia Road area, including Public Safety Director Patrick J. Murphy and several other key police officials.

The area was sealed off to vehicular and pedestrian traffic and police reported that members of a considerable crowd that had gathered dispersed to their homes quietly at the instructions of officials in charge.

Police said the mood of the crowd which attended the arrest of one of the suspects shortly after the shooting generally was quiet, erupting only once into a chorus of catcalls as the prisoner was led to a patrol wagon but subsiding without further incident.

The older of the two suspects was taken into custody in a first-floor apartment at 2804 14th st. nw. where police said they also recovered one of the two service revolvers taken from the policemen.

Murphy said the younger man surrendered about half an hour later to officials at St. Elizabeths Hospital where he had been committed for a mental disorder last Feb. 9. He had improved to an extent that he was given a pass enabling him to spend the Independence Day holiday with relatives, Hospital officials said.

Police officials gave this account of the shooting:

Pvts. Williams and Matteson responded to a neighborhood complaint of a disorderly man in front of 1358 Columbia rd. nw. about 8 p.m. Upon arrival, they were met by a citizen who said he had been robbed Monday night. As they talked, he pointed out John White who was walking west along Columbia Road toward them on the other side of the street.

Pvt. Williams crossed the street and told White he was under arrest. He had clamped a handcuff on one of his wrists when White started struggling. As they struggled, police said, White's son ran in from 14th Street, grabbed Williams's service revolver and shot both officers. The elder White then took the other pistol from the fallen Matteson and fired a couple of shots, but police were not certain last night which of the officers were hit by those shots.

In the course of the immediate search for the suspects, police took into custody at least four men, presumably for closer questioning by Homicide Squad detectives at headquarters.

The death of Pvt. Williams was the first suffered by a policeman in line of duty here since the fatal shootling last February of Pvt. Eugene I. Williams, 31, of the Fifth Precinct, by a motorist he had stopped for questioning. In November of last year, Det. Sgt. Gilbert M. Silvia, 34, was fatally wounded by a suspected auto thief.

Nine months ago, Matteson shot a man who lunged at him with a knife during an argument following a traffic accident. A coroner's jury probing the man's death last March called the shooting justifiable homicide.

SUSPECT'S WIFE HELD IN POLICE SLAYING

(By Alfred E. Lewis)

Homicide Squad detectives early yesterday charged a 35-year-old woman as a third principal in the slaying of a policeman and the wounding of another Tuesday night in the 1300 block of Columbia Road nw.

She is Ethel R. White, wife of Johnny J. White, 38, who had been charged earlier with his 19-year-old son, Duane, with slaying Tenth Precinct Pvt. Stephen A. Williams, 23, and wounding his scout car partner, Pvt. Frederick L. Matteson, 38.

Both policemen were shot with their own service revolvers in the course of a wild street battle touched off by the elder White's arrest on a robbery complaint.

Matteson remained in critical condition with head and chest wounds last night at the Washington Hospital Center where Williams had been pronounced dead on arrival.

Police said they had charged Mrs. White originally but decided to place the more serious charge of murder against her just before all three were arraigned before United States Commissioner Sam Wertleb. He ordered them held without bond and continued their hearing until July 23 and said he would ask the Legal Aid Agency to provide their defense.

From the accounts of about a dozen witnesses to the tragedy, police provided this account of the fatal fight:

Pvts. Williams and Matteson encountered a citizen in front of 1358 Columbia rd. nw. who told them he had been robbed of $34 Monday night by Johnny White whom he pointed out to the officers across the street. Both policemen placed White under arrest, but after handcuffs were attached to one of his wrists, he started fighting.

As they struggled, the younger White joined the battle and all four men fell to the pavement. It was at that point, police said, that Mrs. White attacked from behind one of the policemen.

The younger White then wrested Pvt. Matteson's gun from him and shot the officer twice, investigators said. Johnny White then got Pvt. Williams's gun and both father and son fired six shots between them into Pvt. Williams, the report said. He died almost instantly, hit by five shots in the body and one in the arm.

Acting on information provided by witnesses to the fray, police arrested Mr. and Mrs. White in an apartment at 2804 14th st. nw. within an hour of the shooting and Duane White surrendered an hour later at St. Elizabeths Hospital from which he had been released earlier in the day on a three-day holiday pass.

Police said one of the police guns were recovered in the apartment where the elder White was arrested. The second was retrieved early yesterday with a search warrant issued for another home in the area.

D.C. Welfare Department officials said the younger White had been in the District Training School for the mentally retarded for about three years prior to his transfer to St. Elizabeths Hospital last Feb. 3 for inclusion in that institution's program for disturbed teen-agers. Institutional records credit him with an IQ in the 60s, at the top of the mentally retarded range, but "aggressive" behavior problems complicated his case, officials said.

In his behavioral background, records show, is an assault on a policeman with the officer's own blackjack about eight months ago while he was free on the last community pass he received from the Training School.

Meanwhile, HEROES, Inc., an organization of area businessmen presented yesterday to Mrs. Donald J. Egan, mother of the slain Pvt. Williams, a check for $1000 to help cover the immediate expenses of his death.

Mrs. Egan, here from her home in Tucson, Ariz., said her son was a native of Washington who attended local schools and obtained his high school equivalency certificate during his three years of U.S. Marine Corps service, which included two tours of Vietnam duty. He joined the police force last July, about three months after his military discharge.

Police officials yesterday recalled an excerpt from an essay Williams was required to submit as a recruit on the general theme of why he wanted to become a policeman.

"I am also interested in the well-being of those around me," Williams wrote, "and I feel I might accomplish something in this respect as a policeman."

[From the Washington (D.C.) Post, July 6, 1968]

SLAYING OF POLICE DEFENDED: BLACK UNITED FRONT CALLS IT "JUSTIFIABLE"

(By Leon Dash)

The Black United Front issued a statement yesterday describing the slaying of a District policeman Tuesday night as a "justifiable homicide."

The statement said, in part:

"The methods of self defense used by the family charged with the alleged slaying of the honky cop is justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide."

Several hours later, Mayor Walter E. Washington asserted that "the BUF resolution with respect to the slaying of Officer (Stephen A.) Williams, . . . is inflammatory, irresponsible and unfortunate."

"If this community is to thrive and prosper, it must do so within the framework of law," the Mayor said in a brief statement. "As citizens, we must continue to work together—black and white, policeman and civilian—so that law and order, with justice will be the code for all."

The Mayor declined to elaborate on the statement, which was issued after a two-hour meeting with his principal aides.

Director of Public Safety Patrick V. Murphy called the Black United Front's resolution "very dangerous" and "not well-founded" in a statement recorded by WTOP-TV last night.

He said the resolution could not "help but be inflammatory," and he said he did not think that it spoke for "any significant number" of citizens.

Murphy asserted that Police Department evidence suggests nothing like justifiable homicide and that anybody with different evidence has a responsibility to come forward.

"I think it's tragic that such a statement should be made concerning a policeman who has given his life protecting other citizens," Murphy added.

The BUF statement was adopted unanimously Wednesday night by "about 450" persons at a meeting at Douglas Memorial Church, 11th and E Streets ne., according to Charles Jones, a co-chairman of the Front.

The BUF was formed last January as a civil rights coalition of moderates and militants by Stokely Carmichael, now its other co-chairman.

Williams, 22, and his partner, Pvt. Frederick L. Matteson, 38, who was critically wounded, were shot in a struggle with a robbery suspect, the latter's son and the suspect's wife.

Both officers were shot with their own revolvers in the 1300 block of Columbia Road nw., about 8 p.m. after attempting to arrest Johnnie White, 38. White, his son Duane, 19, and his wife, Ethel R. White, have all been charged with homicide.

The Rev. Channing Phillips, the Democratic National Committeeman from Washington and a member of the board of the BUF, was asked whether he approved of the Front's statement.

"Well, I was there and the vote was unanimous," Mr. Phillips said. "Both the officer and the citizen deserve protection from this system that provides for the deaths of both."

Mr. Phillips said that some people were getting "hung up" on the language of the statement. But when dealing with the problems of extreme deprivation, he said, extreme language is used to express hostility.

"The attempt to police the community from the outside," Mr. Phillips said, "produces hostility from the person policed."

"The officers, historically, have not seen the black citizen as a human being," he added.

The Rev. Walter E. Fauntroy, vice chairman of the City Council and a member of the board of the BUF, said he had not read the statement and had no comment. Mr. Fauntroy said he would issue a statement today.

C. Sumner Stone, a BUF board member, former assistant to Adam Clayton Powell and once editor of the Washington Afro-American newspaper, said he was not present when the BUF statement was drawn up and would not comment.

Asked if there was any division between Negro moderates and black militants within the group, co-chairman Jones said the resolution was passed at a duly notified and called meeting.

"When we have a unanimous vote," Jones said, "the Front takes a position itself."

"When there is a majority vote," he said, "the Front requires those in the minority" not to oppose the decision publicly.

Criticising the role of the press Jones said "the problem with the white community in understanding what goes on in the black community is its apparent need to identify and play up divisiveness."

TEXT OF RESOLUTION ON SLAYING OF POLICE

This is the resolution the Black United Front passed Wednesday night:

Resolution in support of the black family accused of the alleged slaying of a honky cop by the Black United Front.

Whereas the black community knows from history that police are controlled by whites and come into the black community to suppress rather than protect black people; whereas the black community knows and recognizes from its history that police do not regard the lives of black people and have killed black people under the guise of justifiable homicide and have been allowed to do so because black people have no meaningful say so in their being hired or fired and these cops have no interest in the black community; whereas the black community needs systems of control and protection from oppressive elements; be it resolved that—

(1) The methods of self-defense by the family charged with the alleged slaying of the honky cop is justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide.

(2) The police assigned to the black community be placed under the control of the black community.

(3) The society face up to its responsibility to remove a colonial, racist system which make such events possible.

Black people have resolved that this change will occur by any means necessary to preserve both freedom and comfort.

[From the Washington (D.C.) Post, July 8, 1968]

TRAGEDY ON COLUMBIA ROAD

The shooting on Columbia Road last Tuesday night in which one policeman was killed and another critically wounded is indeed tragic. The tragedy is heightened because Pvt. Stephen A. Williams, 22-year-old Marine veteran, had survived the rigors of the Vietnam War only to return and be shot dead on a street in the Nation's Capital. His partner, Pvt. Frederick L. Matteson suffered grave head injuries.

Now on the heels of this tragedy, the Black United Front says the "slaying of the honky cop is justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide." That statement is absurb, malicious and dangerous. It is absurb because no evidence has been presented so far to indicate that Pvt. Williams or his partner used any force or language to cause a simple arrest to escalate into murder. It is malicious because the statement's harsh wording constitutes invective that just spews venom in an already poisoned atmosphere. And it is dangerous because the publishing of the statement can only make things worse between the police and black people in Washington. Quite aside from malice, however, there is a temptation to say a lot of things about how such an incident could have been avoided or to read into it some special significance, some evidence of racial tension, some lesson about how to maintain law and order in our streets. But hindsight does not help and there are not many useful lessons to be found in so mindless an act as this sudden assault on two policemen whose own weapons were snatched from their holsters and used against them.

To the extent that there is meaning in such a tragedy it is in what it tells us about the nature of the street and the daily risks faced with commendable courage and resolution by our under-manned and often overworked police force. There is no protection for them against the homicidal assailant bent on senseless murder.

While this shooting is fresh in their minds, they will doubtless take extra precautions not to expose themselves to needless dangers. But because they have proven themselves, many times over, to be a highly competent and professional force, they can also be counted on to exercise their customary good judgment in balancing forceful measures with sensible restraint.

A RECIPE FOR SURVIVAL

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. FASCELL. Mr. Speaker, all of us, I am certain, are deeply concerned about the many grave problems which confront our Nation at this juncture of history.

Yet not everyone is able to approach these problems with the objectivity and insight required to advance their resolution.

Among those who have excellent credentials to speak on this subject, and to suggest remedies, are the husband-and-wife, publisher-and-editor team of Jay and Blanche Morton, of the Home News weekly of Hialeah, Fla.

These two fine people are an inspiration to anyone who has the opportunity to get to know them, and to become acquainted with their newspaper.

In the course of their newspaper careers, the Mortons have experienced probably every conceivable program which, at one time or another, has been encountered by the independent businessmen of our country.

They know what it is to try to run a newspaper without sufficient capital, without necessary supplies, without needed manpower, and to survive in spite of "big business" competition.

The Mortons, and their newspaper, are a testimonial to the enduring qualities of American free enterprise: skill, initiative, hard work and, above all, uncompromising honesty rooted in this unshaken faith in the American people.

Accustomed to speaking out on issues, the Mortons have never run scared from a controversy, or tried to buy acceptance and profit at the cost of their principles.

It is for these reasons that an editorial in the Home News commands attention.

Such an editorial, entitled "Prescription for Survival: An American Reformation," appeared in the Home News on June 21.

It suggests that having moved from adolescence to maturity in a very brief span of time, our Nation needs to review its goals and priorities, and to relate them to present-day realities—both at home and abroad.

A review of this nature, conducted dispassionately and with the support of the officials at the highest levels of our Government, could lead, in the words of the editorial, to a "self-critical, peaceful, and civilized reformation" in our country.

I agree with Blanche Morton, who wrote that editorial, that our country could greatly benefit from such a national reappraisal.

I may add that I have been trying, in my own way, to help bring it about.

There is pending before the Congress my bill, H.R. 17767, calling for the convocation of a White House Conference which would bring together leaders from many walks of life—historians, philosophers, economists and psychologists, business and labor leaders, educators and other social scientists—for the purpose of taking a good look at the problems of contemporary life, assessing our national goals and priorities, and pointing out the directions which could lead to real national progress in the future.

This conference would address itself both to our domestic problems, and to those which confront us in our relations with foreign countries.

I strongly commend Blanche Morton's editorial to the thoughtful consideration of my colleagues in Congress as follows:

PRESCRIPTION FOR SURVIVAL: AN AMERICAN REFORMATION

(By Blanche Morton)

A few sweets please the taste—but a meal of sweets sickens.

A dash of spice will season a dish—but a shaker-full will ruin it.

A few drops of a strong medicine will cure a man—but a bottle full will kill him.

Prudence, generosity and wariness all are virtues—but miserliness, profligacy and cynicism—are all vices.

There is a principle it would seem, that obtains in the world of both the concrete and the abstract and in both the physical and moral life of the individual and the nation. It is known as the "law of diminishing returns."

Push a good thing to its farthest reach and it becomes, if not directly destructive, at least a serious fault and a hindrance.

But this is a lesson and a law that this young, lusty, virile, giant of a nation never learned in its youth. But the United States is of a mature age now, and it ill becomes an adult to act with the extremism of a child.

As a nation we have always tended to worship what was "the biggest," "the fastest," "the tallest," "the richest," "the longest"—all the superlatives ever conceived. Only rarely have we submitted our practices to restraints or curbs, especially those related to the economy. And our emphasis on personal freedom without a concomitant stress on personal and individual responsibility has tended to exaggerate this extremist inclination.

The extroverted, out-going, sanguine person is the favored personality in American business and political life—and this personality type, as any psychiatrist will tell you, tends to extremes of behavior.

This land was, for the most part, settled by adventuresome, fierce, intense individuals—a type that was to predominate, too, among the throngs of immigrants that were to come to our shores in subsequent years.

Those who built America breathed big hopes and big dreams and they realized big accomplishments. But the America that had fallen into the habit of thinking and acting "big" had too little concern for installing and using the "brakes" vital to such a society to keep it from over-doing, from overreacting—from going overboard in its responses and becoming a land suffering from "edema of its institutions." And so it became a swollen society, one badly in need of a diuretic to bring it down to healthy size.

In view of what is being called by our own and foreign writers our "national malaise," it is interesting to speculate as to when the "law of diminishing returns" began to set in in the dominating phases of our culture.

At what point did advertising (America's fondest contribution to the world) stop being a builder of mass markets and lower prices for the consumer and start being the Pied Piper of "conspicuous consumption" and a builder of crass materialists?

At what point did mechanization in this country stop producing leisure and peace of mind and start snarling the individual in an endless maze of servicing and repair headaches in every area of his life?

At what point did credit cards stop being a convenience and start becoming tempters of the weak and a bonanza for the dishonest?

At what point, in fact, did consumer credit stop being a mere facet of business and start enveloping the population in a fog of overspending and personal bankruptcy problems?

At what point did the "de-bunking" school of literature stop exposing necessary truths about persons in public life and start being scandalizers and sensationalists, breeders of cynicism and doubt and destroyers of respect for the average public figure?

At what point did the fad for whodunits turn from the offer of innocent escapism to the purveying by publishers of murder and death as a commodity?

At what point did violence in television and films stop being merely incidental to plots and start being an obsessive and abnormal preoccupation with sadistic onslaught on the human body?

At what point in movies and books did the injection of sex stop being literary and artistic honesty and start being, an out and out sex excitant?

And, we might also ask, at what point did unionism stop being a sound device for collective bargaining between labor and management and start being an instrument of despotism over management and the public? And at what point did student sit-ins stop being legitimate protest and start being unvarnished anarchism? And at what point did non-violent civil rights movements turn into calamitous riots and burned cities?

We could go on and on with further inquiry in similar vein, illustrating how we have allowed institutions and practices, initally progressive and beneficial—for want of introspection and control on the part of our business enterprisers and political leaders—to degenerate into Frankenstein monsters of moral and physical destruction.

When our country was younger, the population smaller, our society far less complex and our people less heterogeneous—restraint was not an indispensable element of our daily life but today it is indispensable. Today mass communication and mass transportation have drawn us all into such close contact that the rules of conduct of our frontier days no longer hold. All of us are inhabiting a world far different than the one we lived in 20 and 30 and 40 years ago. New "house rules" are in order for we cannot continue to live in this "new world" guided by outmoded concepts. Emotions are too quickly inflamed, mass hysteria is too rapidly communicated.

It is perhaps not far-fetched to say that what in recent weeks has been called "the U.S. Soul in Civil Warfare," the "Sickness of America" and like despairing names—is merely the dilemma caused by living in this new world by an out-dated set of rules.

Some are likening the disorders in the United States to the decadence that preceded the fall of Rome.

We are not quite so hopeless in our own assessment of our national fate, although it is our feeling that failure to face the crisis that is upon us and to make the requisite reforms could bring the downfall that befell Rome. It is still not too late to prevent the holocaust but it is later than many of us realize.

Perhaps we are overstepping the bounds of editorial comment, but we have our own recommendation for taking this nation of ours out of its present anguishing dilemma and setting its feet on new and healthier paths.

All of our national institutions—not merely those that lead to racial violence, assassination and crime in the streets—are today desperately in need of honest, unselfish and unbiased appraisal.

And to make this dispassionate (yes, Olympian) appraisal and ensuing recommendations for re-shaping our goals, it would be necessary that a comprehensive board of review be named by the President. Such a board for studying and assessing the problems of contemporary life would be composed of leaders from all walks of life—philosophers, economists, churchmen, businessmen, labor leaders, industrialists, psychologists, physicians, educators, writers, artists and politicians. Each would see the problems from his own vantage point, but from the separate opinions would emerge a composite view.

The charge to this cross-section of America would be to examine the extremes to which the diverse preoccupations of our national life have led us and are continuing to lead us and to devise counter-balances so that these extremes may be reconciled.

Only through such a process can the inhabitants of this considerably shrunken country continue to live in it without the neurotic fears and hatreds that engulf us today.

The 21st century is almost upon us. The ground rules for the national country club to which all of us belong cannot remain the same for a membership of 200 million as they were for five million. In the crowded quarters in which we find ourselves today, there is little room for excesses. Extremes in any area build up intolerable pressures in short order. That inexorable "law of diminishing returns" that becomes operative must be anticipated and counteracted before the reaction boils over into catastrophe.

Are we, as a nation, intelligent enough, reasonable enough, survival-minded enough to bring off such self-critical, peaceful and civilized reformation?

This writer believes we are.

But the over-riding question is: Will we?

RHODESIA'S CLAIM TO INDEPENDENCE FROM GREAT BRITAIN

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Monday, July 8, 1968

Mr. THURMOND. Mr. President, the Evening Star of July 4 contains an article entitled, "U.S. Ostracism of Rhodesia Repudiates 1776," written by James J. Kilpatrick. In the article, Mr. Kilpatrick asks Americans to examine our position with regard to Rhodesia in the light of our own history. He points out the parallel between the Declaration of Independence of Rhodesia and that of the Thirteen Colonies, 192 years ago. Despite these exact parallels, the United States has permitted the United Nations to perpetrate economic sanctions against the Rhodesian Republic.

Mr. Kilpatrick points out that Rhodesia's claims to independence from Great Britain are better in every way than the claims that were passed by our Continental Congress in 1776. He urges a deep respect of our own history and a renouncement of the U.N. resolution in order to permit Rhodesia to go her own way as we did ours.

Mr. President, I invite the attention of Senators to this thoughtful article and ask that it be printed in the Extensions of Remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S. Ostracism of Rhodesia Repudiates 1776

(By James J. Kilpatrick)

Philadelphia.—"How fortunate were the American colonies!" Dean Acheson observed the other day. "They had no United Nations to confront in 1776."

The former secretary of state was speaking to an audience of specialists in international law, gathered for a sectional meeting of the American Bar Association. His topic was the wrongness of American policy toward Rhodesia. He put it bluntly:

"It will surprise some of our fellow citizens, though hardly anyone here today, to be told that the United States is engaged in an international conspiracy, instigated by Britain, and blessed by the United Nations, to overthrow the government of a country that has done us no harm, and threatens no one. This is barefaced aggression, unprovoked and unjustified by a single legal or moral principle."

The charge that Britain brings against Rhodesians, Acheson continued, is the charge that George III brought against Americans 192 years ago. The rebellious and ungrateful Americans were proclaiming independence! They felt it necessary, in the declaration that Jefferson penned here in Philadelphia, "to dissolve the political bands which had connected them with another people, and to assume among the powers of the earth, the separate and equal station to which the laws of Nature and of Nature's God entitle them."

It is good to come back to the quiet walks of Independence Square by twilight. This was where it all began, the dream, the poetry, the sadness, the bursting heart. Tom Jefferson was here; and Ben Franklin, John Adams, the Lees. We think of them as heroes; and on Independence Day, in a thousand village squares, we mark the birth of the Republic they conceived. They were the founding fathers.

And what an irony it is, that Independence Day of 1968 finds today's Americans committed to an official policy which treats Ian Smith and his brothers in Salisbury as a "rebel racist regime." If these mute bricks had tongues, they would cry shame upon Lyndon Johnson, upon Dean Rusk, upon Arthur Goldberg—shame upon all the lickspittle politicians who have repudiated our own history in a sick effort to toady up to the Afro-Asian bloc.

The parallels between Rhodesia today, and the colonies then, are not exact. But if Independence Day means something more than a sweaty afternoon at the beach, or a few more beers on some suburban porch, we ought to think upon these things.

One of the sins charged to Cecil Rhodes and his fellow pioneers is that they took their land from the native blacks. Our own founding fathers, it will be recalled, seized their land from the native Indians.

The more immediate charge against Rhodesia—the charge that has produced the conspiracy and the aggression Dean Acheson has denounced—is that Rhodesia has refused to provide for majority rule by the country's largely illiterate blacks. The charge, in brief, is political immorality.

Do we dare examine that charge in the light of our own history? Our own heroes stand at the bar—just as guilty, just as innocent, just as realistic, as Ian Smith and the patriots around him. Our own founding fathers hounded the Indians with relentless fury. Our own defenders of the equality of "all men" engaged in the slave trade; the framers of our own Constitution treated blacks as "other persons," voteless, mere chattels. Under the supreme law of our land, the escaping slave had to be "delivered up on claim of the party to whom such service or labor may be due."

Look at the record! The infant United States of America, which now gazes with such tainted virtue on Rhodesia, couldn't have cared less about majority rule. North and South, we denied our own blacks the right to vote or to own property. (In Rhodesia, blacks do both.) We denied the vote to women. (Women vote in Rhodesia.) We proclaimed our independence, and embarked upon the processes of gradual enlightenment that have brought us, nearly two centuries later, to the point in time we occupy today.

Rhodesia's claims to independence from Great Britain are better in every way than the claims advanced by our Continental Congress. A decent respect for our own history should compel us to renounce the expedient U.N. resolution, and to permit Rhodesia to go her own way—as we went ours.

LOOTED STORE IN GERMANTOWN CLOSING DOORS

HON. M. G. (GENE) SNYDER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. SNYDER. Mr. Speaker, it seems as if there are few copies of the Congressional Record that are ever printed without some Member bringing to light some experience that brings into disrepute some facet of the operation of the so-called war on poverty.

I enclose herewith a copy of a June 26 story from the Louisville Courier-Journal in regard to some neighborhood youth corps people.

That story follows:

Looted Store in Germantown Closing Doors

A small Germantown grocery will close its doors Saturday night. Its proprietor, Mrs. Donna Hellman, says she has been frightened out of business.

On June 17 nearly 50 members of the city's Neighborhood Youth Corps entered the H & W Grocery, 1257 Lydia, took about $40 worth of food and left without paying.

Mrs. Hellman, 26, who was alone in the store at the time, said she made no attempt to stop them because she was "too scared to move."

Last Saturday three carloads of young Negro men and women drove past the store several times, slowing down to gesture at the grocery, Mrs. Hellman said.

The cars didn't stop but she said this convinced her to "get out while we can."

HER FATHER IS COOWNER

Mrs. Hellman and her father are co-owners of the store, which they opened in February. She said they plan to divide the food stock between them and put the equipment in their basements.

She has no intention of opening another store. "I don't want any part of it—not now," she said.

The Youth Corps members involved in the June 17 incident were taking a lunch break from their work at duPont Manual Stadium, according to Ben X. Freeman, director of pupil personnel for the Louisville Board of Education.

Freeman said the youths later agreed to pay for the stolen food "out of their own pockets."

Mrs. Hellman said yesterday she hasn't received the reimbursement, but added that she expects to be paid in about two weeks.

ADDRESS OF LT. GEN. A. G. PAXTON, RETIRED, AT CAMP SHELBY, MISS.

Hon. G. V. (SONNY) MONTGOMERY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. MONTGOMERY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following address of Lt. Gen. A. G. Paxton, retired, before 9,000 Army National Guardsmen and Army reservists at Camp Shelby, Miss., on July 6, 1968:

SPEECH AT CAMP SHELBY, JULY 6, 1968

Governor Williams, General Johnson, officers, men and friends of the 31st Infantry "Dixie" Division—in behalf of Mrs. Paxton, my family, and myself, I should like to express my sincere and humble appreciation for your kind thoughtfulness in the dedication of this handsome building in my honor. Certainly this is a great reward for my small efforts in behalf of the States of Mississippi and the Mississippi National Guard. Always feeling that no Commander is more deserving than the officers and men under his command, I should like to give due recognition to the officers and men of the former 31st Infantry "Dixie" Division who have contributed so magnificently toward the success of that organization and thereby deserve a share in this great honor which is being paid to me today. It is with deep gratitude and a sense of appreciation that I shall always remember them.

Many years ago the great poet Longfellow wrote, "By The Rude Bridge That Arched The Flood, Here Once Embattled Farmers Stood—And Fired The Shot Heard Round The World". Since that day at Lexington and Concord, no more honorable challenge has been met by able bodied American volunteer citizens than to bear arms in defense of their country in time of national emergency.

The spacious area which we now know as Camp Shelby has made a notable contribution to the national defense of our country in three major wars—World Wars I, II, and the Korean emergency. It has been my privilege to see it grow from the rude-bridge status of an abandoned World War I area to the handsome camp which you now occupy with its excellent buildings and training areas. Its terrain is entirely adequate for large scale maneuvers and full unit training of all branches to include artillery of all caliber, tanks, and small arms, with perfect safety to the trainees. Our health record here is excellent. And, in addition, the close proximately to the gulf coast offers adequate facilities for recreation on weekends. Certainly there is no finer training area for military purposes in the entire country.

I should like to thank Major General Walter Johnson for his active efforts in building up Camp Shelby to its present state of construction with the excellent cooperation of Governor John Bell Williams and his predecessors. Shelby has overcome many tough obstacles in accomplishing its present status. I recall very clearly a visit made to Shelby by Major Generals Frank Andrews and Moor G–3 and G–4 of the War Department General Staff, prior to our entry into World War II. Several weeks previously we had been turned down completely in our efforts to get regular troops stationed at Camp Shelby for the reason that there were many camps in the United States that were being closed down due to non-desirability for use. In showing these officers around the camp area and the adjacent terrain to be used for maneuver and artillery firing, our party stopped at a shady grove of trees for lunch. While the tables were being set up and lunch prepared, a radio was turned on. As it happened a news broadcast announced the breakthrough of the Germans at Sedan. Their armored columns were racing through the roadways of France uncontested. I shall never forget the impression that this news cast had on General Andrews. He was stunned. His repeated comment was, "They can't fight! They can't fight!" That was the day and the very moment that Camp Shelby came into being as a training area for troops in World War II. Subsequently, three full infantry divisions were stationed here during that war, and very effectively so.

Camp Shelby is now the home training area for Mississippi national guard troops as well as national guard troops of several adjacent States. In this day when patriotism is at such a low level, when riots are commonplace, when we read of the burning of draft cards, it is heartening to know that there are gathered together here men who are volunteers for service in the Armed Forces of the United States. We can thank God that patriotism is not completely dead in this great country of ours, regardless of some lukewarm attitudes and some of the ill advised decisions of some of our courts. We are fortunate to live in the greatest country on the face of the earth. With intelligence and gratitude, we guardsmen shall continue to take a firm stand and defend it courageously and judiciously. With God's help, liberty and justice shall prevail.

ONE BY ONE, TO WONDERING SLEEP

HON. CLARENCE E. MILLER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. MILLER of Ohio. Mr. Speaker, the fourth young man from the city of Nelsonville, Ohio, has lost his life in the Vietnam fighting. The flags at Nelsonville flew at half mast again when the body of Pvt. Richard Polley, USMC, was returned in a sealed casket. This young man graduated from high school in 1967, just a little more than 1 year before his death from enemy rifle fire near Quang Nam, South Vietnam.

An editorial by Dick Kunzman in the Nelsonville Tribune of June 20, 1968, reflects the thinking of many southeastern Ohioans which I would like to share with my colleagues.

The editorial is entitled "One by One, to Wondering Sleep," and reads as follows:

ONE BY ONE, TO WONDERING SLEEP

Richard Allen Polley was killed on the day the nation learned of the death of Senator Robert Kennedy.

For a week thereafter, the television and newspapers of the world were devoted to coverage of his assassination, and to eulogies of his greatness. This was fair and proper for as his brother said, "he saw war and tried to stop it."

And what of Richard Allen Polley? He, too, was trying to stop a war.

At 20, he had never had a girl, never owned a car, never cast a ballot. He had not even been in Viet Nam long enough for his mother to have received a letter from him.

When his casket came back to his homeland, it was not even to be opened before his funeral.

The government of the United States took Richie Polley and caused him to die, and gave his mother in return only a headstone for his grave.

The president of the United States did not come to Richie Polley's funeral, as he did to Senator Kennedy's. No television cameras will come to his funeral Friday.

Yet, Richie and the hundreds of young Americans like him who give up their lives every week in a far-away land, without protest, and without bitterness, are heroes in every sense as much or more than Robert Kennedy, for Kennedy was a rich man and had a chance to be the president. Richie was an unknown ex-paperboy who went out to face enemy bullets not really knowing why, except that it was his duty, and his country sent him.

How many more names of our fallen sons must be added to those of O'Nail, Huddy, Anders and Polley?

How many more mothers will give birth to a boy, and be tormented from his cradle days by the prospect that in a few years he will come back in a sealed casket she cannot even open?

Does it help, when they come back, to fly the flag at half-mast and say they are heroes?

Does it help, to say they are not giving their lives in vain, because in Asia they are keeping Communism away from America? And all the while, the same government which took Richie's life allows Communists to stage disruptive riots on college campuses all over America.

Richie Polley lived and died at a tragic time in America's history; he had to be a soldier at a time when America is without the statesmanship to win a war no American embraces.

It is not enough for us to weep with the families of these fallen soldiers as they return, one by one, to a wondering sleep.

We must send a mandate to Washington eloquent enough to convince Washington that Americans want the war won and ended.

DICK KUNZMAN.

JOBS FOR THE INDIAN PEOPLE

HON. E. Y. BERRY

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. BERRY. Mr. Speaker, the bureaucrats in the Bureau of Indian Affairs are trying to cinch the future of their jobs. They recommend against Congress passing legislation which would provide a tax incentive for industries to move to Indian reservations. They have a better way—hire more people—put them out to try to get industries into coming out to remote areas.

Their system will not work—it has not worked—the Indian people still languish on reservations without hope, without jobs, without income, and without dignity.

I know that Commissioner Robert Bennett does not want this condition to continue, but I am fearful that his hands are tied and I am fearful that bureaucracy is going to keep them tied.

The Indians have only been wards of the Government for about 150 years. The Bureau has only been in operation about a hundred years, but they have done an excellent job of keeping the Indian people from advancing through Government handouts. Their plight can be relieved by jobs, and jobs will search out the reservations if there is an incentive provided.

TAX EXEMPT CHALLENGE

HON. HERMAN T. SCHNEEBELI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. SCHNEEBELI. Mr. Speaker, it would seem to be entirely proper for the New York City government officials to review their own tax base for needed reforms, rather than their coming to Washington continually for more Federal grants, particularly at a time when our Federal Government is running such huge deficits.

A recent editorial, July 2, in the New York Times observes that one-third of the city property is tax exempt, and bears no charge for even essential city services such as water, garbage, and sewer services. It is bad enough to exempt such a large proportion from real estate taxes—and to provide all these other services free seems a bit too much, especially when we consider the city's representatives' constant visits to Washington for more financial help. It is about time New York City helps itself. The editorial follows:

TAX-EXEMPT CHALLENGE

The city's acute financial squeeze has forced the basic real estate tax up to a record level of 5.21 per cent. The size of that impost is bound to increase pressure for a reconsideration of the rules that allow one large group of New York property owners—the institutions enjoying tax exemption—to bear no part of the burden borne by all other owners.

Up to now such institutions are not even charged for the essential city services they use, but the Lindsay administration has indicated that this part of the free ride may be nearing an end. The city's plan to charge for water, garbage and sewer services is a very modest step challenging the privileged horde of tax-exempt organizations. At the most, it would give the city an extra $50 million a year. That would still leave a huge gap between income and outgo. But a city in fiscal straits and resorting to all sorts of dubious stratagems to make ends meet has the right to insist that tax-exempt institutions pay their share of the load for utility services that have nothing at all to do with taxes.

The city is not going nearly far enough if it limits itself to putting water, garbage and sewer facilities on a self-supporting basis. The galloping growth in city property enjoying tax exemption—estimated by Budget Director Hayes at one-third of all property—obviously calls for examination. These privileged property holders now receive automatic subsidies from the city and its taxpaying residents whether or not subsidies are warranted.

Many tax-exempt institutions would be sorely hurt if they had to pay full taxes. But all should be able to afford utility charges. And many are in a position to foot the bill for the property they own. The fairest plan would be for all institutions to pay their taxes, with the city refunding the full amount to those that proved their entitlement to subsidy.

Permanent reform of the city's finances calls for a fresh look at tax exemption just as much as it calls for fresh efforts to increase the commuter tax. Tax-exempt institutions are, in fact, the last big untapped source of funds available to the city. New York, perennially faced with fiscal crisis, can no longer afford the luxury of viewing tax exemption as an impenetrable no man's land.

LAW ENFORCEMENT SPEAKS OUT ON GUN CONTROLS

HON. CATHERINE MAY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mrs. MAY. Mr. Speaker, in this continuing national debate over gun controls, I think that for the most part, emotionalism on both sides of the question has given way to logic.

To me, the issue is how to make it safe for law-abiding citizens to follow their daily pursuits without the fear of being accosted by someone whose possession of a firearm is a threat to them or anyone else.

Several legislative "solutions" are being offered which call for interstate restrictions on rifles and shotguns, and also for the registration of all firearms and the licensing of everyone who owns or uses them. But I should like to ask how would licensing and registration stop the criminal use of firearms? Would not the criminal just ignore such a law? In all likelihood, I should think the criminal would not abide by such restrictions, any more than he abides by existing criminal laws.

Does this mean there is no really effective way at getting at the problem of criminal use of firearms? I believe there is. Among the many firearms bills pending in the Congress are several which would make possession of a firearm during commission of a crime of violence subject to a mandatory 10-year prison sentence. An approach such as this, it seems to me, would strike hard at the criminal who today preys on society.

I should like to know why advocates of registration and licensing have not embraced a "get tough" attitude toward crime with the same enthusiasm demonstrated in effort to "get tough" with law-abiding citizens.

There are, in addition to bills calling for mandatory prison sentences for criminal use of firearms, other actions which can be taken which, it seems to me, would help to substantially reduce the number of incidents of violence with firearms. The Washington State Association of Sheriffs and Police Chiefs, speaking for law enforcement in the State of Washington, passed a resolution on June 20, 1968, which offers what I believe to be the most realistic and effective solution to this problem that has yet been offered.

Because I believe my colleagues should be interested, I include at this point in the RECORD the letter of transmittal, and the resolution, received from the Washington Association of Sheriffs and Police Chiefs:

WASHINGTON ASSOCIATION OF
SHERIFFS AND POLICE CHIEFS,
Moses Lake, Wash., June 25, 1968.

Representative CATHERINE MAY,
House Office Building,
Washington, D.C.

DEAR MRS. MAY: I am enclosing a resolution that was passed on June 20, 1968 at the Annual Conference of the Washington Association of Sheriffs and Police Chiefs. We wish to make our feelings known to you on the question of gun control which is very much in the news recently.

We sincerely request that you keep in mind, while considering gun control, that it is law enforcement's request to inconvenience the criminal rather than the law abiding citizens. We have long advocated mandatory severe penalties for persons committing crimes of violence or being involved in any criminal activity while armed. Too often the law abiding citizen is the only one penalized in the enactment of gun control laws.

Sincerely,

WM. E. BJORK,
Secretary-Treasurer.

RESOLUTION

Crimes of violence committed with firearms is indeed a facet of our troubled times that deserves legislative attention. Ill considered or hastily formulated restrictions however can easily create situations that will unreasonably effect responsible citizens and be virtually valueless in combating crime. The Washington Association of Sheriffs & Police Chiefs therefore generally urge the legislative bodies to carefully consider legislative proposals in this area and specifically resolves:

Whereas unrestricted sale and delivery of short firearms by mail order permits irresponsible persons to obtain small weapons and presents a danger to the public. The Association supports restrictions on such sales and deliveries.

Whereas crimes of passion are implemented by immediate delivery of short firearms and present a danger to the public. The Association urges and recommends enactment of a waiting period of 72 hours between the sale and the delivery of such weapons.

Whereas present statutory requirements for obtaining a permit to carry concealed firearms are inadequate to prevent issuance to certain classes of irresponsible persons of such permits and presents a danger to the public.

The Association urges and recommends enactment of stricter requirements for the issuance of a concealed weapon permit.

Whereas present statutory limitations on carrying short firearms in motor vehicles is inadequate and presents a danger to the public and particularly the law enforcement officer.

The Association urges and recommends that carrying short firearms in motor vehicles be classified as carrying such weapons concealed.

It is further resolved that this Association is opposed to the registration of shotguns and rifles.

Passed by the unanimous vote of the members this 20th day of June 1968.

WM. E. BJORK,
Secretary.

PARITY FOR JUNE 1968

HON. JOHN M. ZWACH

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. ZWACH. Mr. Speaker, the U.S. Department of Agriculture, in their publication entitled "Agricultural Prices," released on June 28, reveals the status quo of the farmer's income for that period of time between May 15 and June 15.

Some increase in farm prices were noted for hogs, eggs, chickens, and turkeys. Decreases occured in wheat, corn, soybeans, sorghum for grain, and barley. Farm costs remained at their record high

index level of 354 percent of 1910–14 base, which was just established last month.

The parity ratio of farmers remained at the low level of 73 percent, the same as May, but 2 percent lower than a year ago. The following tabulation shows the current parity ratio for those items listed.

June 1968, average 73 percent

Cotton	47
Wheat	47
Corn	65
Butterfat	76
Milk	90
Wool	47
Barley	72
Flax	74
Oats	78
Soybeans	75
Beef	80
Chickens	69
Eggs	70
Hogs	78
Lambs	88
Turkey	62

GUN CONTROL LEGISLATION

HON. FRANK J. BRASCO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. BRASCO. Mr. Speaker, President Johnson has submitted a proposal to expand the restrictions on the traffic in firearms included in title IV of the Safe Streets and Crime Control Act to shotguns, rifles, and ammunition. It would restrict the mail-order sale of shotguns, rifles, and ammunition; it would ban the sale of these items to persons under 18 years of age; and it would curtail the over-the-counter sale of firearms in one State to persons from another State.

The tragic events of this year—the assassination of Dr. King and Senator Kennedy, and the riots and disorders in our cities—and the ever-rising crime rate underline the crying need for such legislation. Admittedly we are now caught up in the emotional fallout from the shocking tragedy of last week. But, we must also recognize that there is a logical necessity for such a stricter control of the sale and distribution of firearms and ammunition. Firearms should not be allowed to get into the hands of criminals, lunatics, irresponsible minors, addicts, and alcoholics. As President Johnson so eloquently stated:

> We cannot expect these irresponsible people to be prudent in their protection of us, but we can expect the Congress to protect us from them.

Although no gun control law can fully guarantee the protection of the American people, at least it will make guns less available for use by infuriated and impassioned people, and those pitiful persons bent on assassination. The statistics show the number of murders in the United States as compared with other countries is shocking. In this country guns are involved in more than 6,500 murders each year. In England it is 30; in Canada it is 99; in West Germany it is 68; and in Japan, 37. Some 44,000 aggravated assaults are committed with guns in the United States each year and 50,000 robberies are committed with guns each year. This must be stopped if at all possible—and it is possible. The gun and ammunition control legislation proposed by the President will help to stem this slaughter.

THE VOICE VOTE ON THE CONGRESSIONAL RETIREMENT BILL

HON. WILLIAM HENRY HARRISON

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. HARRISON. Mr. Speaker, on June 4 the House Foreign Affairs Committee reported out a routine retirement bill for officers of the Foreign Service—H.R. 16903—with an amendment to increase pensions for Members of Congress—House Report 1512. The congressional retirement provision of this bill would increase pensions by about one-third and make adjustments in contributions to the civil service retirement fund.

As Members know, there is considerable behind-the-scenes agitation in the House to pass this bill on a voice vote, thereby permitting the concealment of the positions taken by the Congress.

I am sure that if this bill were to pass on that basis almost every Member would deny having voted for it, although I rather doubt many Members would refuse the increased pensions it would provide.

As the Wall Street Journal noted on July 2:

> There is nothing to prevent the House from voting itself an extra bundle of money that way if it wants to; true, it might well invite another "bundle for Congress" campaign like the one that brought down on the legislators a shower of old shoes and cast-off clothing when they first voted themselves pensions some years ago.

Whether there is a "bundles for Congress" campaign or not, the proposed boost in pensions which some hope to slip through the House without a record vote is absolutely without justification and it ought not even to be considered at a time when we have asked the American people to accept a 10-percent surtax and are importuning the administration on every side to cut Federal spending.

Both the Senate and the House have the opportunity, as did King Midas, to make gold for themselves at their own pleasure. Unlike King Midas, they should be called to account by their constituents. I cannot accept a pension hike for Congressmen enacted without a record vote. It is obviously an attempt to have the benefits of an unpopular action without accepting the consequences of it.

I call on my colleagues to demand with me that a record vote be taken on this bill because we all know that if a rollcall of names with their voting position is maintained the congressional pension provision of this bill will die the death it so obviously deserves.

We are all paid out of taxes. To this extent these are no Federal funds. There is only taxpayers' money and the taxpaying voters have the right to know who has voted this tax money for himself in the form of a one-third increase in congressional pensions.

To quote the Wall Street Journal once again, from its editorial which alluded to comments on this move by my good friend, the distinguished Senator from Wyoming, CLIFFORD HANSEN:

> This is surely the sort of issue, on which they ought to stand up and be counted. Then the voters—whose taxes are going up and whose pensions, if any, are decreasing in buying power all the time—can decide if they want to have their Representatives counted out.

NEGRO COUPLE IN TEXAS REARS 11 CHILDREN WITHOUT AID

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. WRIGHT. Mr. Speaker, sometimes it is easy to get the notion that our world is filled entirely with selfishness and greed.

Sometimes we forget that merely by looking beneath the cold, chromium-plated surface of today's "disinterested" society, we can find many people still practicing the old-fashioned virtues of generosity, honesty, and love.

As a prime example, I would like to include here excerpts from a story in the Sunday, June 30, edition of the Fort Worth Star-Telegram. Written by Jon McConal, it relates in a heartwarming way how a Negro couple, without any outside assistance, are providing care and love for 11 children from broken homes:

TEXAS SAMARITAN: "BUM" NEALS MAKE TENDERNESS, LOVE WORK OF LIFETIME

(By Jon McConal)

MOODY, TEX.—D. O. Neal has the nickname of "Bum."

Don't take Neal for what that implies.

He isn't.

Matter of fact, Neal is more like a Samaritan.

A nine-foot-tall Samaritan. So is his wife, Beatrice.

The couple have more than qualified themselves for a position in this category for doing good for those in need.

They're furnishing a home and a country-sized helping of love for 11 children, who are products of broken homes.

It's the second group the Neals have reared.

"We call 'em our pick-up children," said Neal, a powerfully built man with a thin, graying mustache. "But, we're proud of every one of them."

There are many things unusual about what the Neals are doing. Two in particular stand out.

One: the Neals receive no financial aid from any agency.

They don't want any.

"We get by just fine out here," said Neal. "We never go hungry. We're always happy."

Two: the Neals have only one child of their own.

"That just wasn't enough," explained Neal. "I've always loved children. So has Beatrice. So when we saw some of these children around here who needed a home, we figured maybe we could help by bringing them to our home. I know it's helped us. Having children around you keeps you young."

He rumpled the hair of a small, grinning boy, who was clinging around his neck.

"Take old Wayne here," continued Neal. "We've had him since he was three months old. He stays with me all the time. With him and the others, you don't have time to get old."

Neal's physical appearance gives strength to these words.

His arms look like a wide freeway—arms that burst full of knots of muscles with a slight exertion.

He uses the muscles to keep food on the table and some money in the pockets of the children, whose ages range from four to 18.

He works at a grain elevator during the grain season. During the cotton season, Neal moves to a gin for employment.

In the winter and early spring, Neal picks up money as a groomsman at livestock shows across Central Texas.

He's been taking care of horses at the Southwestern Exposition and Fat Stock Show in Fort Worth for about 20 years.

* * * * *

Neal got his idea of caring for others from his folks.

"My daddy and mother raised two other children besides me," he said. "They were from a broken home. They seemed always to appreciate what my folks did for them."

He and Beatrice decided to offer the same thing to children from broken homes after they were married.

They took in six children from two different families. Things began to change on the Neal's 76-acre farm, about 10 miles northwest of Belton.

One thing that changed immediately was the house.

"When I built this house back in the 1930s, it was only a couple rooms," said Neal. "Now, anybody knows that you can't raise a family in that little space."

So Neal added some rooms to the structure before the new family additions came.

Neal and Beatrice saw the first group through high school. After the last one left, things quieted down somewhat. The stillness didn't last long.

"I was at the Stock Show in Fort Worth," recalled Neal, as he packed tobacco into his pipe. He struck a match and lighted the pipe, sending smoke spirals up among the leaves on a fig tree near the house.

"Beatrice called me and said the court down in Waco had taken in some children. She said she felt like maybe we could help them. I told her to go ahead and tell the court that we would take them."

* * * * *

Once again Neal got out his hammer and saw and bucket of nails and began to add onto the house.

A person can see exactly where the additions are when he walks inside. The boards are touched together like a stack of dominoes.

"We don't have anything fancy here," said Neal. "But, it's a home."

A home should mean unity and togetherness. In the Neals' situation, those are musts.

"It may sound strange," said Neal. "But, I'll tell you something. I don't whip these children. But, I don't have any trouble with discipline."

* * * * *

Feeding such numbers is a task. Neal agreed.

So did Dollie, 38, who has been living with the Neals about 16 years. Her main job is preparation of meals.

"I just cook a large quantity," she said. "Then I set two tables. We get by pretty good."

Neal said supplying the food is a $100 question. But, it's always plentiful, largely because the family is practically self-sufficient. He explained how this is accomplished.

"We raise anywhere up to 500 fryer chickens in the spring," he said. "We got two deep freezes. We put a lot of the chickens up there for eating in the fall and winter."

The family also raises a garden. Everyone works in it.

* * * * *

"I teach these children two things," Neal said. "I teach them honesty first. Then I teach them to work. I teach them not to expect any more than what they work for. If a man works, he'll be paid for what he does.

"But, honesty is the main thing. If a man is not honest with himself or with others, he's not worth a dime."

Neal drew on his pipe. He continued.

"I think my kids must have learned this. Out of the whole bunch, none has ever been in any trouble with the law. The ones that are gone have families and jobs. I'm proud of them."

That's the reason Bum Neal looks like a Samaritan to his children and those who know him. A nine-foot-tall Samaritan.

REMARKABLE CAREERS OF FRED PLUGGE

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. CORMAN. Mr. Speaker, retirement this month as commander of the 20th district of the California Department of the American Legion directs attention to the three remarkable careers of Fred W. Plugge of Van Nuys.

His careers include outstanding accomplishments in the U.S. Navy, a record of vision and building in the American Legion, and of enlightened service and skillful administration in the U.S. Postal Service.

His early career was closely tied to the age of flight, starting on the line in Lockheed Aircraft Corp., when he came to California from his birthplace in Pender, Nebr. He was transferred from Van Nuys, Calif., to Belfast, Ireland, before he was 21 years old. In Ireland he helped to keep Lockheed planes in the air over the battlefields of Europe. Enlisting in the U.S. Navy, he served in boot camp at Farragutt, Idaho, and later at the airbase in Jackson, Fla. A specialist in aircraft supply, he was at advanced school in a fleet air wing at San Diego when the war ended.

A brief stint with Lockhead again preceded his postal experience when he started with a bag in the Van Nuys office in 1948. He joined the American Legion, Van Nuys Post 193, in 1946, and became its youngest post commander in 1951. Under his administration the post expanded its building area and began the program which today finds the Legion building the busiest in the Van Nuys community.

His development program continued in 1961 when he was reelected post commander, becoming the first man to serve in this position twice. A year before his second term as commander he was promoted to supervisor in the fast-growing Van Nuys Post Office. Two years later, he was offered the position of superintendent of mails in the neighboring Encino Post Office, where he still serves today. His contribution to the community and to the Legion was recognized when he was elected president of the board of trustees, governing board of the Legion building. His wife, Elizabeth, is a widely respected teacher in the Los Angeles school system; son, Pat, is in his second year, Service Academy at West Point; and daughter, Kim, is a senior in high school.

I am proud to be able to record here the three careers which have made Fred Plugge an outstanding man of achievement in the 22d Congressional District

---

HUNGER HEARINGS

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. GURNEY. Mr. Speaker, the House Education and Labor Committee, of which I am a member, has recently completed its much publicized hunger hearings.

All evidence points to the fact that hunger does exist in our country. The Secretary of Agriculture himself testifying before the House Education and Labor Committee stated that there are Americans starving today, and that these people are not being reached by our existing programs.

Several individuals and organizations testified that they have found concrete evidence of chronic hunger and malnutrition in every part of the United States. They claim to have found a high incidence of anemia, growth retardation, protein deficiencies, and other signs of malnutrition among the poverty stricken of the Nation.

Mr. Speaker, it is inconceivable that we as a people can allow hunger to exist in this Nation of plenty. Since 1964 we have spent more than $3.5 billion on Federal food programs; this does not include some $2 billion in food distributed to foreign nations. If these programs are not preventing hunger and starvation within our country then there is something wrong with our system.

I feel that it is time that the Congress investigate this matter thoroughly. We in the Congress appropriate funds and have been appropriating funds to assist needy Americans. If these funds are not doing the job they are intended to do, it is our responsibility to see why they are not meeting the needs of the Nation.

If these programs are inadequate or inefficient, then it is our responsibility to revise them or institute new programs The Congress cannot continue to appropriate billions of dollars without knowing that positive results are being accomplished and that there is a concerted and coordinated effort to eradicate hunger in our country.

Today I am introducing legislation which would establish a joint committee of the House and the Senate to study this problem. The job of this committee would be to find out why hunger exists and what can and should be done to correct this situation. As the branch of the Government that must appropriate funds to adequately meet this problem, it is the responsibility of the Congress to gather all the facts and present the Nation with a coordinated effort that will eradicate hunger. As a civilized society, we cannot allow our children to starve or to be so malnourished as to become mentally and emotionally unstable members of society.

DR. WALLACE STERLING, PRESIDENT OF STANFORD UNIVERSITY

HON. CHARLES S. GUBSER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. GUBSER. Mr. Speaker, in the near future President Wallace Sterling of Stanford University will retire from the presidency. Over the years I have come to admire President Sterling as a scholar, a gentleman, and one of the finest administrators I have ever known. Stanford University has always been great, but never as great as it has been since Dr. Sterling has been guiding its destiny. It is rated today as one of the top four universities of the Western Hemisphere and this great progress can be credited in a major part to the vision, the foresight, the hard work, and the stamina of its president, Dr. J. E. Wallace Sterling.

Mr. Speaker, the Stanford Alumni Almanac which has just been published contains a very moving tribute by an anonymous author to President Sterling. Because Stanford University and President Sterling in particular have so many friends across the Nation, I believe readers of the Congressional Record would profit from this fine statement. The statement follows:

To Wally Sterling

(Note.—The following tribute to President Sterling was written by an alumnus who has had a very distinguished career as author and publisher. He wishes to remain anonymous so that this tribute may speak for the larger Stanford family.)

John Ewart Wallace Sterling was born in Canada. After thinking it over for twenty-five years, he decided to come to the United States. The move was typical of him; don't be precipitate, weigh the odds, and then plunge.

He arrived at Stanford in 1931 and was here five years as a researcher at the Hoover Library, instructor in history, and successful candidate for a doctor's degree. Then he departed for distinguished service at Caltech, the Columbia Broadcasting System, and the Huntington Library. But Stanford knew a good man when it saw him, or at least it did only seventeen years later, and called him back as President in 1949.

Wally isn't going to like this piece. Praise embarrasses him. But there comes a time in the life of every good man when he has to stand still for it, and Wally's time is now.

Since 1949 the University enrollment has increased by 40 percent, while the faculty has increased 170 percent, a highly significant differential in growth. Faculty salaries have been approximately doubled. The endowment is up about 500 percent, every penny of it needed because what each student pays in tuition covers less than half of what the University spends on his education. The cost of operation has gone up from $19 million annually to $108 million, and the value of the physical plant from $22 million to $145 million.

Quantity, of course, is not quality. In 1949, a pecking order of universities had not yet been invented, but if it had Stanford would have been some distance from the top—and also from the bottom. Today a favorite game is to feed various criteria into a computer and see how you come out. On most such lists we have seen lately, Stanford has been among the top four, or less, public or private, East or West—an achievement in nineteen years roughly comparable to walking up the face of a cliff carrying two pails of water.

Ninety percent of Stanford students plan to go beyond the bachelor's degree, compared to a nationwide average of 50 percent. More than 90 percent chose the University because of its scholastic reputation. And incidentally, two-thirds earn some money while enrolled, and half get help in the form of grants and loans. More than 80 percent are graduated on schedule; the national average is 40 percent. Less than one percent of the freshmen drop out for academic reasons; their quality is partly because Stanford can select only one out of every six applicants for admission.

Wally has had the help of many good men in this miracle, but all who have seen the achievement at first hand know that he was the U–235 reactor.

How do you write about this man without making it read like a cross between an honorary-degree citation and a eulogy of a less pleasant sort that is far in the future; and also, without having the recipient throw a plate at you? We shall remain anonymous and try.

Wally has pressed to the hilt the advantages a private institution has: independence from political pressures, freedom to chart its own course. And yet he has known the disadvantages of such distance from the public coffers: the problem of securing private financing in an era of rising costs.

He has kept the sciences and the humanities balanced so skillfully that grumbling from either side has been held to the minimum felt necessary to retain the franchise.

He has created an atmosphere of scholarship that has lured top-rank men from ivy encrusted institutions for reasons more in the realm of the intellect that the cash register or the climate.

In the midst of a profound social and moral revolution, he has kept the ancient verities always in sight, even for a rising generation that is trying to transfer its growing pains to everybody else.

With the very vocal, dissident minority, infuriated by the gifts an affluent society has showered upon them, he has shown sympathy when deserved—as it sometimes very much is. He has proved he has grace under pressure, and the more pressure, the more grace.

Some of his important achievements have gone unrecorded, and this is as it should be When you are defusing a time bomb, silence can mean victory. Among the recorded ones, everyone knows of the five overseas campuses and seven centers for graduate study all over the world, the bringing of the Medical School into its new $22 million home on the Farm, and the $114 million linear accelerator. Only a few people who worked closely with him knew the heroic and exhausting labor he performed on the PACE campaign that brought Stanford $113 million closer to its needs in the 1960s.

Being a university president is notoriously hard work. In circus imagery, he has to be simultaneously the business manager, avoiding bankruptcy; the ringmaster, pointing out the merits of the things that are going on; the tightrope walker, balancing between too great laxity and dictatorship; the juggler of pressing problems, none of which can wait; and the lion tamer, fearlessly entering the cage to tame roaring trustees, growling faculty, anxious parents, complaining alumni, and hissing students. All this Wally has done with consummate skill, and still he has found time to make his garden beautiful and to play a mean, hot piano.

A San Francisco political boss once observed that people want to be led by men of unusual physical stature. Wally is six feet two; you have to set him among basketball stars to get him down to size. He is built like a football player, which he was in his youth; he worked his way through to his Master of Arts coaching this game and basketball. He might be the subject of one of his favorite stories, the one about the massive young man plowing in a field who, when a passerby asks the way to town, point the right direction—with the plow.

Wally would be the first to say that the smartest thing he ever did was to marry Ann Shaver, who, prophetically, has been vice-president of the student body at the University of Toronto when he was president. Like her husband, she has a computer-like total recall for names and faces and a warm human sympathy for people and their problems that make her ideal for the role she has played. To say nothing of bringing up three successful children, while never showing a displaced hair on her head.

The real Wallace Sterling, of course, is not to be found in the piled-up facts of this description. They omit his friendly, direct gaze, the steely set of his jaw when he knows he is right, the ever-present sense of humor without which he could not have survived a day of the past nineteen years. He knows the greatest of all tactics—defeating an opponent without letting him lose too much face—and one of the most valuable principles, gradualism, which he once called "the art of doing easily tomorrow what could be done today only over a dead body."

At Wally's inauguration in 1949, Herbert Hoover said that "character, understanding, scholarship, administrative ability, and love of youth are all combined in him. Stanford will march ahead under his leadership." Mr. Hoover was right.

Of the retiring President and oncoming Chancellor, Shakespeare might have written, if he had thought of it, "He is a man, take him for all in all; we shall be unbelievably lucky if we look upon his like again."

SYDNEY HERLONG—A SOUTHERN GENTLEMAN

HON. CARL D. PERKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. PERKINS. Mr. Speaker, any man who bears the name Albert Sydney is under constant compulsion to display all the traits of a southern gentleman. I am sure that none in this House will dispute the contention that Albert Sydney Herlong, Jr., fits that role.

My inclination is to use this time to protest against what I consider a premature retirement from Congress. Our colleague from Florida, Mr. Herlong, is, at the age of 59, the fifth-ranking Democrat on the Ways and Means Committee, which all of us know is an important and powerful agency in the life of our Nation.

It is the general understanding of Mr. Herlong's colleagues that there are no obstacles in Florida to his serving at least three more terms in the House, which even so, would leave him a year under the age which social security figures is the proper time to retire.

Of course, if our colleague is determined to quit after only 20 years, all we can do is mourn his departure. We will miss him badly. His never-failing courtesy, his equable disposition, his fair and gentlemanly treatment are distributed equally among those who agree with his views and those who disagree.

I do not believe the gentleman from Florida would protest if I said his outlook on much legislation this House has handled in the last decade is a bit more conservative than mine is. But I know from experience that ideological differences mean nothing in his personal relations. I wish he would not leave us. But if he insists, I wish him Godspeed.

AGO EXPRESS APPRECIATION TO THE HONORABLE FRANK I. BRASCO

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. TIERNAN. Mr. Speaker, our distinguished colleague from New York, the Honorable FRANK J. BRASCO, has recently been cited by the executive committee of the Affiliated Government Organizations for his outstanding work to obtain social security coverage in addition to civil service retirement for Federal employees. Congressman BRASCO is one of the early sponsors of a bill which would grant these benefits to postal and classified Government workers.

During a recent visit to Washington by the chairman of the Affiliated Government Organizations, Congressman BRASCO stated that he would make every effort to secure the release of the Department of Health, Education, and Welfare's report on social security coverage for Federal employees, thus speeding action on the legislation involved.

The officers of AGO expressed their deep appreciation to the Congressman for this service to his constituents and to all employees of the U.S. Government. I would like to say that this recognition of my distinguished colleague and friend is a most deserving and appropriate one. I know that FRANK BRASCO will continue to work for the well-being of all Federal employees in the years ahead.

Mr. Speaker, I include a recent news release issued by the AGO at this point in the RECORD as part of my remarks:

AGO EXPRESS APPRECIATION TO THE HON. FRANK J. BRASCO

The Affiliated Government Organizations have just completed a visit to Congressman Frank J. Brasco at the House Office Building in Washington, D.C. Congressman Brasco continues to show his continued involvement with this organization which has one goal, the granting of social security coverage in addition to Civil Service Retirement to all Federal employees. Congressman Brasco is one of the early sponsors of a bill which would grant such privileges to postal and classified U.S. employees.

When Frank J. Brasco assumed the seat vacated by his predecessor, Hon. Eugene J. Keogh, he assured us that he would strive to pass the bill that former Congressman Keogh had introduced in the 89th Congress. These promises were carried out with full support to our Organization. When Mrs. Rhoda Ruff, Chairman, AGO and Alwyn J. Aaron, Legislative Director of AGO visited Mr. Brasco on June 4th, he stated that he would make every effort to get the Department of Health, Education and Welfare to release its report on social security coverage for Federal employees requested by the Ways & Means Committee, a step necessary before the Committee can take action on the bills involved.

The AGO is very appreciative of what Mr. Brasco has done during his term of office for the granting of this important fringe benefit for the Federal employees. Recently the executive Board of the AGO cited Mr. Brasco for the fine assistance given us on the question of SS+Civil Service Retirement for Federal workers. Again, we say, "Thank you, Mr. Brasco."

JOHN ROBERT BROOK—IN MEMORIAM

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. KUPFERMAN. Mr. Speaker, John Robert Brook was my assemblyman and for many years in the New York State Legislature was a leader for progressive legislation.

He served as chairman of the Committee on the City of New York and later as chairman of the judiciary committee and received the endorsement of the Citizens Union.

He ended his legislative career in 1964, having been defeated in the Republican primary by one who never attained his standing. He then retired to Vermont.

"Bob" Brook has been missed in New York politics by his many friends, and his passing revives thoughts of this void.

The New York Times obituary of Thursday, July 4, gives some measure of the man:

JOHN ROBERT BROOK DIES AT 63—SERVED 21 YEARS IN ASSEMBLY

WOODSTOCK, VERMONT, July 3.—John Robert Brook, who represented Manhattan's silk stocking district in the New York Assembly for 21 years, died Monday at his home here. He was 63 years old.

During his legislative career, which ended in 1964, Mr. Brook served as chairman of the Judiciary Committee and vice chairman of the Joint Legislative Committee on Corporation Law. He had been on the City of New York, Taxation, and Rules Committees.

In election brochures he cited the fact that he had introduced more than 1,000 bills, and that more than 350 had become laws.

Legislation introduced by Mr. Brook covered many fields. He proposed election, judicial, taxation and budgetary reforms; anti-crime and anti-rackets legislation; mass transit and waterfront improvement, and social welfare enactments.

In 1952 the Citizens Union awarded Mr. Brook its citation of merit "for his courageous and vigorous sponsorship of a far-reaching program of election reforms designed to make government more responsible to the public will."

He was denied renomination in 1964 by the regular Republican organization of the Ninth Assembly District, after he had been criticized by Governor Rockefeller for taking legal fees from four railroad unions in a suit that sought to upset state laws setting the size of train crews. He sought renomination in a primary, but was defeated.

Mr. Brook was born in Manhattan on March 26, 1905. He graduated from Amherst College in 1928 and from Fordham Law School in 1931. He was a member of the New York law firm of Breed, Abbott and Morgan and had appeared before the United States Court of Appeals and the United States Supreme Court.

He had been president of the 1928 Class of Amherst for many years and had been a director of the Fordham Law Alumni Association. Recently he had been attorney for the Town of Woodstock.

Mr. Brook is survived by his widow, the former Elizabeth M. Waters; three sons, John, Munro and Kedron; a daughter, Lowell, and eight grandchildren.

The funeral service tomorrow will be private.

THE URBAN PROPERTY PROTECTION AND REINSURANCE ACT OF 1968—SOME BACKGROUND FACTS

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. MOORHEAD. Mr. Speaker, the House of Representatives has the opportunity to enact a measure of immediate and critical importance to the future of our Nation's cities: The Urban Property and Protection Reinsurance Act of 1968.

This bill is the culmination of long effort by many persons. As early as last year a number of my colleagues and I introduced various pieces of legislation aimed at the serious lack of property insurance in the core areas of our cities. The bill that has reached the floor today implements many of the ideas contained in those bills. At the same time, the legislative program has been much improved and refined since then.

Great credit for the present legislation goes to President Johnson's Advisory Panel on Insurance in Riot-Affected Areas. This Panel was appointed last summer, following reports of the high cost and unavailability of property insurance in urban core areas. The members of the Panel possessed an unusually wide range of public and private experience. The Panel was chaired by Gov. Richard J. Hughes, of New Jersey. The Vice Chairman was former Gov. William W. Scranton, of Pennsylvania. Mayor Walter E. Washington, then chairman of the New York City Housing Authority, brought to the Panel a broad knowledge of local needs. The property insurance industry was represented by two leading insurance company presidents—Frank L. Farwell, president of the Liberty Mutual Insurance Co., and A. Addison Roberts, president of the Reliance Insurance Co. George S. Harris, president of the Chicago Metropolitan Mutual Assurance Co., brought to the Panel long experience with a life insurance company that invests heavily in center city property. The Federal Government was represented by Frank M. Wozencraft, Assistant Attorney General in charge of the Office of Legal Counsel of the Department of Justice.

This Panel, in 4 months of intensive work, brought together a wealth of information on core area property insurance problems. It held open hearings at which a wide variety of interested parties were heard—residents and businessmen from urban core areas; State and Federal officials; consumer representatives; and insurance companies and brokers. An exhaustive record was compiled by an able staff headed by Stanford G. Ross and aided in its research by Professor Herbert S. Denenberg of the University of Pennsylvania. The Panel recommended a comprehensive program of action by the insurance industry, by property owners, and by all levels of government, working together to meet the insurance crisis of our cities.

The Insurance Panel's report and its recommendations have been endorsed by the President, by State and public representatives, and by all segments of the insurance industry. The Panel's recommendations were supported unanimously by the National Advisory Commission on Civil Disorders under Governor Kerner, and the summary chapter of the Insurance Panel's report was reprinted as an appendix to that Commission's report. Indeed, perhaps no other recent legislative recommendation has received more widespread public exposure and acclaim.

The recommendations of the Panel were implemented by legislation drafted in the Department of Housing and Urban Development and transmitted to the Congress by the President in his February 22d message on the cities. Governor Hughes testified in support of the legislation before the Senate Banking and Currency Committee, and Assistant Attorney General Wozencraft testified in support of the legislation before the Housing Subcommittee of the House Banking and Currency Committee.

This latter committee, on which I have the privilege of serving, reported the bill favorably with some amendments. Our deliberations were aided immeasurably by the fine job of gathering facts and proposing recommendations that the Insurance Panel had done, and by the testimony of Mr. Wozencraft and Under Secretary Robert Wood of HUD, as well as Secretary Weaver's opening endorsement of the bill.

The legislation, implementing the Insurance Panel's recommendations, is a balanced program designed to aid the consumer by increasing the availability of property insurance in our center cities. It does so by using the resources of the existing property insurance industry to the fullest extent. Under the program, insurance companies will commit themselves to participate in plans to provide fair access to insurance requirements—FAIR plans—and, where needed, State pools of insurance companies. These programs should end the practice of "red lining" neighborhoods. They should end discrimination based on the area in which a man lives or works. They should assure that access to insurance will be based on the merits of the particular property involved.

For those companies that fully participate in plans to provide adequate insurance in center city areas, this bill authorizes reinsurance to be sold against the risk of catastrophic riot losses. This, too, is a sensible and effective method of assuring that private resources are used to the fullest extent. Premiums to be collected from insurance companies for riot reinsurance are designed to be at least equal to the amount of the total net losses suffered in 1967. In addition, companies would retain a percentage of all losses and no Federal funds would be required until a State in which a riot occurred had made its contribution. All these features, designed to assure the maximum use of non-Federal resources, were integral parts of the Insurance Panel's unanimous recommendations.

The Panel is to be congratulated for an innovative and farsighted job. Its recommendations embodied in this bill have withstood the test of close congressional and public scrutiny during open hearings and debate. They provide a means of effectively marshaling the resources of the American insurance industry to accomplish a task without which our cities cannot survive. They represent a major step forward in consumer protection programs by helping to assure that no property owner will be required to pay a higher insurance premium than the nature of the risk requires. They represent a dramatic new concept in consumer assistance programs by placing on the private insurance industry the responsibility for locating insurance. They do this with a minimum of Federal involvement and without any immediate expenditure of Federal funds. We all earnestly hope there will be no call on the Federal backup. If there is, it will only be for the purpose of helping a great American industry meet its commitments should they go beyond what we can reasonably expect any industry to bear without some assistance.

Insurance is essential for revitalizing our cities. As Assistant Attorney General Wozencraft testified:

> Insurance cannot rebuild our cities; but our cities cannot be rebuilt without insurance.

The bill which comes to the floor of the House today is a critical step in efforts to revitalize our cities. I urge its prompt enactment by the House of Representatives.

ELECTION ISSUES 1968

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. DERWINSKI. Mr. Speaker, with the discussion over the merits and achievements of the most discerning Resurrection City performance, it is practical that we take a good hard look at means of reducing the adverse impacts of poverty.

A very penetrating and spirited editorial commentary appeared in a recent edition of the Indianapolis Star which gives much food for thought:

> ELECTION ISSUES 1968
>
> These programs actually create and maintain poverty!
>
> The minimum wage law creates poverty and joblessness among almost 25 per cent of our teen-agers, particularly Negroes. And there are scores of other programs that reduce the average working man's income and provide little or no benefit whatever to the poor.
>
> How, for instance, can there be any poor in the country when government takes $81 billion in taxes from us taxpayers and distributes it through scores of subsidy and welfare programs? The answer is that our tax money does not get to the poor. It gets to special groups of middle income and rich people.
>
> For instance, the Rural Electrification Administration subsidizes, with your tax money, electricity and telephone service for well-to-do farmers and suburbanites. The poverty stricken Du Pont and Alcoa companies are subsidized with your tax money by the tax free status of the TVA, while your electric bill includes in its price 27 per cent for taxes!
>
> The Bureau of Reclamation subsidizes irrigation water for well-to-do farmers with your money, and this causes increased water rates in many parts of the country, which are paid by the poor. Your tax money subsidizes loans to home owners, to farmers, to small loans to home business, to ship owners, to railroads and airlines. It has even been proposed that your taxes be used to subsidize the rents of middle income families making between $8,000 and $11,000 a year!
>
> When a state like California raises unemployment payments to $60 a week, nearly everybody making $60 a week, or $70 a week just quits working. During the 1950's the number of people receiving government payments for not working, but who could work and could get jobs, averaged 50 per cent of the total!
>
> So the poverty programs, in addition to helping some people who need it, also pays millions of others to quit work and stay poor. You pay the bills, just as you do for schools and universities and the armed services and other government functions.
>
> As Professor Yale Brozen of the University of Chicago put it, "The more income that is transferred to the poor creates more poverty to be alleviated. A reduction of the level of welfare payments will also reduce the amount of poverty." People will go back to work!
>
> In most of its subsidy programs the government is paying for and providing services that the vast majority of recipients can perfectly well pay for themselves. They could well afford to if most of that $81 billion in taxes were returned to them in tax reductions.
>
> So here is where you find yourself. You are paying around 29 per cent of your income in taxes to subsidize the rich and well-to-do, and to create poverty!
>
> What is the growing result? The next member in the swelling ranks of the poor will be you.

SELF-HELP HOUSING IN RURAL FLORIDA

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. ROGERS of Florida. Mr. Speaker, testimony in praise of farm-labor families in southwestern Florida, who are employing a large measure of self-help as they strive to improve their living conditions, has come from one of the daily newspapers of Florida.

The Miami Herald has taken notice of what is being done in the vicinities of Immokalee, La Belle, and Fort Myers, in rural sections of Collier, Hendry, and Lee Counties, where more than 80 families have formed groups to help each other build new homes under the self-help housing program.

A local organization called South West Florida Self-Help Housing was set up with the assistance of a $36,000 grant from the Office of Economic Opportunity. Through this local organization, low-income families of farmworkers developed neighborhood self-help housing groups. Their purpose is to supply labor to each other without cost, and build an adequate home for every family in the group, the families working under the tutelage of a professional carpenter or builder hired by the central organization.

If the families have no other source of credit, they get loans for materials that go into each house from the Farmers Home Administration, the rural housing credit agency of the U.S. Department of Agriculture. But the loans do not have to embrace all the cost of labor that normally goes into building a house. That labor is performed by the future homeowner and his neighbors, helping one another.

For every family taking part in one of these mutual self-help projects, the end result is a new and decent home with all the essential modern accommodations, brought about through a combination of the people's own industry and very modest housing loans within their means.

This program is working in rural areas, in many cases with no more financial support than the Farmers Home Administration loan for materials and professional guidance. It is a program which should be better known and more widely used for the benefit of rural people whose means are limited, but who ask only the opportunity to help themselves.

As a reflection of the rural self-help housing program, I include the Miami Herald editorial of June 3, 1968, in the RECORD at this point:

> AT IMMOKALEE, A BUILD-IN
>
> "Self-help" is the name of the game at Immokalee, but it's really a revival of a custom among American pioneers. Neighbors used to get together to help one another build a dwelling or do some other homely chore. These sociable gatherings have put such terms as "barn raising" and "husking bee" into the dictionary.
>
> The technique has been adapted by farm workers in Collier, Hendry and Lee Counties to get modern homes worth $10,000 to $11,000 for a loan of around $6,500. The difference is "sweat equity"—1,000 or more hours of labor on each house.
>
> Eighteen spic-and-span homes have been built since the project started two years ago with a $36,000 federal grant. Sixty-four are under construction, and 40 of these should be finished by July. Most are near Immokalee. Others are at nearby LaBelle and around Fort Meyers.
>
> In charge of the venture is Duane Mansell, who used to be a contractor. He tries to get seven or more families to join forces. That way, there are 20 or more hands for heavy work such as mixing concrete and hauling it in buckets up ladders to tie-beam forms.
>
> Mr. Mansell's share is the know-how and advice on everything from actual construction to such details of home operation as keeping a checking account and caring for shrubbery.
>
> The houses are built in groups. Thus, when seven families form a team, each can be sure of getting a new house.
>
> If there's a better way of transforming families in modest circumstances from renters of shacks into proud homeowners, we haven't heard of it so far.

SLAUGHTER IN CENTRAL PARK

HON. BERTRAM L. PODELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. PODELL. Mr. Speaker, on the morning of Wednesday, July 3, 1968, the serene and bucolic peace of Central Park was destroyed by gunfire. Before this perpetrator of the murderous foray in the park was himself killed by policemen, he killed a young woman, critically injured an elderly man, and wounded two policemen.

Tom Buckley, reporting for the New York Times, described the scene as follows:

> His fusillade from the roof of a public lavatory brought an hour of terror to the park's quiet lawns and playgrounds. Nursemaids wheeling carriages and leading toddlers fled as the first shots rang out. Passers-by ran into the busy thoroughfare to stop traffic. Crosstown buses on the 85th Street Transverse squealed to a stop and their passengers took cover.
>
> One patrolman bent open the bars of a fence around the playground to permit a father and his young son and a nannie and a two-year-old girl to escape from a near-by playground under the sights of the killer.

Frank Mazza and Henry Lee, reporting for the New York Daily News, observed:

> Two adults and two children were still in the playground. Perry Browne, a photographer's agent, was playing with his two-year old son. A nurse, Margaret Lacey, was minding Jenifer Lonoff, also 2. Browne and Miss Lacey grabbed the children and ducked to a corner of the playground where they were protected by trees. But because of a 10-foot-high wrought iron fence, they could not flee further.
>
> Miss Lacey dropped to the ground, covering her charge with her body. Browne protected his son. Detectives Joe Gannon and Thomas Mulligan, who volunteered, crawled on their bellies to the bleeding man and successfully removed him in a wire basket.

The gunman fired at least 15 shots before a sharpshooting patrolman, perched in a tree, brought him down with two shots. By this time, 100 policemen had converged on the scene, with bulletproof vests, tear gas rifles, snipers' rifles, bullhorns, and other equipment. It is a credit to the bravery, discipline, and training of New York City's police forces that this mad assassin was brought down without further tragedy.

This tragic incident demonstrates once again how seriously all of us are exposed to sudden death by the uncontrolled and unregulated sale and distribution of arms and munitions. President Johnson, Governor Rockefeller, and Mayor Lindsay promptly called upon us in Congress to move forward on pending legislation to register weapons and to license their owners.

John R. Hess, the public relations director of the National Rifle Association, said that this event should not be used to "add more fuel to already distorted appeals for additional firearms controls." So inane a comment is hardly surprising from one who harbors the quaint notion that picture frames are as lethal as guns and rifles.

Mr. Speaker, the National Rifle Association and the irresponsible lobbyists alined with them, in opposition to gun-control legislation, are relying on tentative plans of Congress to adjourn on August 2 as their principal hope in defeating effective gun-control legislation. Consequently their secret weapon is time and their primary tactic is to delay and stall.

I know that Members of Congress have significant roles to play at the forthcoming national nominating conventions. Yet each of these congressional delegates to the conventions has an eminent, qualified, and honorable alternate delegate who can act in his absence. There can be no surrogate for the wisdom of a Congressman when the Congress is not in session.

Let us then resolve, Mr. Speaker, not to adjourn until we have passed effective gun-control legislation. The national nominating conventions will complete their appointed tasks whether or not the congressional delegates are present. On the other hand our failure to respond to the public demand for meaningful gun-control legislation may spell the death sentence for further victims of insensate gunfire. Let not the history of this Congress be engraved as an epitaph on tombstones throughout the land.

HARRY BATT

HON. F. EDWARD HÉBERT

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. HÉBERT. Mr. Speaker, Harry Batt is undoubtedly one of New Orleans' most outstanding business and civic leaders, and certainly the top entrepreneur.

As a native Orleanian he has grown and developed in the community. He is director of Pontchartrain Beach in New Orleans and has devoted himself to many challenges and philanthropic activities.

At the moment he is a member of the New Orleans Housing Authority, which gives him an opportunity to see many visions and to come to conclusions which he has expressed in a communication to me and which I find very thought provoking. It is not what he has to say, because all these things have been said before; but it is the thought he has for solving some of our problems.

Harry Batt is a man of action, a man of vision, a man of determination, and a man of dedication, but let him speak for himself.

Mr. Batt's communication follows:

> As a member of the City Housing Authority, I have gained a keen insight into many urban problems, especially as it concerns those in the low income group without proper parental care.
>
> Much of our problems in public housing stems from the unwanted child, who becomes the neglected child, who then becomes the juvenile delinquent. This fact is easily understood by all who are acquainted with the facts, one of which is the small percentage of well balanced families in this population group. A strong movement is long overdue to bring about charges to move this

large segment of our population out of the welfare state. The welfare concept should have been only a temporary means of care for these people who are able-bodied and healthy. The sick and the aged are the only people who are entitled to be cared for at taxpayers' expense on a permanent basis.

A nationwide effort should begin at the earliest possible moment to organize everyone on welfare. No, not to organize them to demonstrate or join a union or protest group; but rather, to organize these people into family groups to repair their family circle. From this start, there should be a massive effort to teach these people family planning, how to manage their households, their money matters in general, and how to live and get the best out of life. I do not think these many splintered government agencies are doing too much good in this respect, as much of it is another form of dole or hand out. How can anyone develop self-pride and maintain their morale, build their character, while taking something for nothing?

It is my opinion that television, national and local, could play a major role in such a plan in an effort to make a meaningful contribution in helping people help themselves. These programs could aid in teaching people a sense of responsibility, which is much needed at this time.

Programs beamed to these people weekly, over all three television networks, would, in my estimation, do more than anything I know to help. These programs should all run simultaneously and at prime time. This would, I am certain, be a most valuable contribution to the uplift of those in need of help and would be the greatest public relations gesture television could make at this time.

The format of such programs should be related to, and expand on, the following:

1. The obligation of the parent to its offspring and the sacrifices which parents should make to feed, clothe, educate and properly care for their children.
2. Budget instructions and planning the household management and operation.
3. Honesty and morals, as well as respect for their fellow man, and the respect by children of their elders.
4. Love of country and respect of flag.
5. Respect for constituted authority.
6. Cleanliness and health care for self and family.
7. A strong desire to live in clean and litter-free surroundings.
8. Discourage the present universal desire to want something for nothing.
9. Teach that happiness, good health, and the love and respect of one's family, is without question what every one should desire and appreciate.
10. Clearly illustrate that children do not ask to be brought into this world; but, when two people are responsible for the birth of a child, it is their obligation to care for their child and not expect others to bear this responsibility.

This latter point should be clearly and strongly presented as it appears that expecting the state to care for unwanted children is becoming a way of life today.

PELHAM: 225TH ANNIVERSARY OF A LANDMARK OF DEMOCRACY

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. CONTE. Mr. Speaker, in periods of unrest and rapid change, touch with the past is often lost; yet it is precisely in troubled times that a sense of history is most necessary to sound planning and organic growth.

The citizens of Pelham, Mass., display an exemplary determination to keep alive the lessons and memories of the past as they approach the 225th anniversary of their town's settlement. Well may they reflect with pride upon the history of what to the casual visitor is a small, picturesque New England town climbing steeply over rocky ridges in the hills of central Massachusetts. For Pelham has played a key role in our Nation's formative years; in 1786 true to its traditions, it became the headquarters of Shay's Rebellion.

In describing the signficance of that event, Charles W. Cole, past president of Amherst College, former Ambassador to Chile, and a native of Pelham, writes:

> For a brief moment Pelham with its town hall and common was the hinge on which the history of this country turned. It was there . . . that Captain Daniel Shay gathered his followers for the march on Springfield and the attack upon the armory. It was there that the rebels mustered for the last time in the wintry snow of January before they retreated to Petersham and oblivion. Historians agree that Shays' Rebellion was the principal precipitating fact that led to the calling of the Constitutional Convention of Philadelphia. The uprising showed a weakness in the central government under the Articles of Confederation. It not only led to that meeting but caused the statesmen who gathered there to design a federal government with real authority. Without the rebellion in which Pelham figured so importantly, the United States might not have had a new Constitution in 1789, or it might have had one creating a government too feeble to endure the trials of the future.

Shays' Rebellion was more than a demonstration of the need for a strong central government; it was a call for justice by strong, honest people whose sacrifices in the Revolutionary War were leading them to debt and to subsequent loss of property under harsh local laws. In their sturdy meeting-house, which is still used today, the citizens of the town learned that no one rightfully may deprive a man of the fruits of his hard work or of the beliefs he holds dear. Indeed, it was on behalf of these very principles that the people of Pelham had first fled from Ireland and then from Puritan-dominated areas in the New World. In Daniel Shay they found a leader who could represent the beliefs that had led them to settle Pelham in 1739.

A historical sketch of Pelham published on the occasion of the town's bicentennial celebration in 1946 relates that—

> The early settlers had brought no great wealth to their new home but they brought good * * * thrift and they could work. Shiftlessness was something they heartily disliked and they would have none of it in Pelham. They carefully scrutinized all newcomers before permitting them to settle in the town, to make sure they were of physical and moral stoutness likely to earn their own living and not become a charge on the community. And any who did not come up to the mark in this respect were marched to the town limits and urged to go elsewhere. Their thrift extended even to economy in names—John Grey, William Johnson, James Taylor—they saw no reason to waste ink by inscribing long names on their record, or to burden their children with them. The founding spirit liked to be unencumbered.
>
> Even before the town was really started, a meeting house was planned for. The money to build one could not be forthcoming all at once, but had to be raised piecemeal, and the building took 3 years to complete. After it was done it served not only as a church but also as a town meeting place where elections were held and town affairs administered.

In this plain and simple building, the town meetings of Pelham are still held. As the oldest town hall in New England which has remained in continuous use, it is an important landmark of direct democracy and worth a visit by anyone who wishes to sample New England's proud past.

The historical sketch continues by noting that—

> The urge for landownership and self-government goes hand in hand with the desire for self-betterment. As early as 1744 the town voted that a school be kept.

Emphasis on education has continued to be a strong tradition, and a new school is expected to be completed next year.

In the early 19th century Pelham was gripped by religious factionalism; grouping around churches which split off from the old Congregational Church on the common, new towns were formed. In Pelham itself, many of the original settlers' descendents remained, clinging to the traditions of their Scotch-Irish forebears. As time went on, however, newcomers arrived, and original families scattered to other places across the Nation.

Today much of Pelham's economy is oriented to the larger community of Amherst, whose shops, offices, and two colleges offer employment to Pelham citizens. Never truly an industrial town, Pelham has thus retained its residential character.

No finer tribute can be paid to the determination of the town's residents to enshrine its sturdy past than to quote briefly from a small booklet issued by the Pelham Historical Society last year in honor of the town's first annual historical day observance:

> We no longer hear the marching of weary feet, or the hum of . . . spinning wheels. Life is easy; but its pace and tenor is disturbed by the roar of cars and trucks that are too anxious to conquer our hills and be gone.
>
> Lest we, too, pass through and fail to really "see" our town, lest we take for granted the beauty of its scenery and the benefits of modern suburban life in a place where just to exist was once a struggle, we want . . . to preserve what we can of our past.

The historical society has designated the town hall, church, common, and burial ground, as the Pelham historical complex. As the site of the origin of Shays' Rebellion and the place of continuous direct democracy for 225 years, it is a location of national significance and a landmark to the importance of remembering the past. As we leave in our hearts and minds a place for this small town, perhaps we should reflect seriously upon the importance of learning about our own personal and national roots. We should follow Pelham's determination to preserve what we can of our past.

OTHERS HAVE TROUBLES

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. DERWINSKI. Mr. Speaker, it is well for us to ponder the problems others face from time to time and this theme is very effectively carried out in the Tri-City Advertiser, a publication serving the communities of Dolton, Riverdale, and South Holland, in its June 27 edition, as follows:

OTHERS HAVE TROUBLES

Most of us, we expect, seem to feel that all of the troubles of the world descend on our fair country.

Not true.

There are student riots in South America, Spain, Germany, France and other countries. There is trouble in Cuba. East and West Germany now are at it again and even in Britain there seems to be conflict.

But it does appear that in many instances, sound thinking and positive action are in control.

Taking up other phases of a disturbing nature, we might mention one in the form of Water Pollution. Seems that is now approaching the phase of national calamity in our country tied, as it is, with dire predictions of a water shortage.

The problem is not confined to this country alone. We read in a report in an international newspaper that Europe's largest river, the Volga, flowing mostly through Russia, is now polluted, with fish dying and the water level dropping.

Seems as if a scheme concocted to bring additional water to the Volga from Arctic streams, never developed and so now drastic steps are to be taken. Cause of the pollution of the stream stems from the building of too many dams for electric power generation. The water confined in pools behind the dams, is evaporating, depriving the Volga of adequate flow. You see, as naturalists tell us, water is purified when it is able to flow—not when it stagnates. It might be worthy of mention that the item of thought is important here since thought deteriorates in stagnation.

Let us take another angle of confusion and this seems like a paradox. India has been held up to us as a country plagued by inadequate food supply and semi-starvation.

Take a look at what is now happening there. The problem now is how to protect the overflowing grain supply from recent harvests, from deterioration due to exposure to the elements. In other words, how to store this increased grain supply.

The Monsoon rains, increased use of fertilizer, improved farming techniques have resulted in this fabulous harvest of grain. The problem is further complicated by a shortage of railroad cars to move the grain.

Political implications are coming to the foreground in this country and they seem to pose a problem. The same is true in other countries such as France, Britain and in countries in South America. These will all be solved, we are sure, by the constructive thinking on the part of those who are able to look beyond personal ambition and desire. We are confident that the people of our country are coming to the point where they are able to distinguish between the false and the true.

So we say, when you come to feel that we are the only country in the world plagued by confusion, a look around should convince us that others have troubles too.

JUSTICE FORTAS AND CIVIL DISOBEDIENCE

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. ASHBROOK. Mr. Speaker, a very timely column by the veteran newsman, Willard Edwards, in Chicago Tribune of July 7 calls attention to a booklet by Justice Abe Fortas entitled "Concerning Dissent and Civil Disobedience." This tract, now on sale at bookstands, has been analyzed by Benjamin Ginzburg, a former research director of the Senate Subcommittee on Constitutional Rights, author and assistant editor of the Encyclopedia of the Social Sciences. In the opinion of Ginzburg, Fortas "advocates a number of highly dangerous moral-political sophisms and thus shows himself to be unfit to occupy the post of Chief Justice."

So dangerous are the opinions of Fortas as outlined in the booklet that in the opinion of Ginzburg "had he published his pamphlet before he was nominated and confirmed as Associate Justice, I believe there would have been proper grounds for disqualifying him for membership in the Supreme Court."

To provide additional background for evaluating the qualifications of Justice Fortas for the position of Chief Justice, I place the above-mentioned article by Willard Edwards from the Chicago Tribune of July 7 in the RECORD at this point:

JUSTICE FORTAS' TRACT ON DISSENT, CIVIL DISOBEDIENCE ASSAILED

(By Willard Edwards)

WASHINGTON, July 6.—A 64-page pamphlet with a bright red cover, written by Associate Justice Abe Fortas before he had any reason to believe he might be nominated as chief justice of the United States, may be used to plague him at Senate hearings on that nomination next Thursday.

The booklet, titled "Concerning Dissent and Civil Disobedience," has been on sale in bookstores for 50 cents since May. The publisher, New American Library, has labeled it "a broadside . . . in the tradition of the American revolutionary press." Sales have leaped since President Johnson named Fortas as successor to the retiring chief justice, Earl Warren.

Members of the Senate judiciary committee are studying an analysis of the Fortas tract furnished by a scholar whose credentials are impeccable. He finds the Fortas views dangerous and designed to harden the attitude of a court majority into approval of an open doctrine of the right of civil disobedience.

FORMER RESEARCH DIRECTOR

The writer of this memorandum is Benjamin Ginzburg, former research director of the Senate subcommittee on constitutional rights. He is now retired and living in Arlington, Va. He also was a former assistant editor of the Encyclopedia of the Social Sciences and the author of two books, "Rededication to Freedom," and the "Adventures of Science."

In the pamphlet, Ginzburg says, Fortas "advocates a number of highly dangerous moral-political sophisms and thus shows himself to be unfit to occupy the post of chief justice."

"Had he published his pamphlet before he was nominated and confirmed as associate justice, I believe there would have been proper grounds for disqualifying him for membership in the Supreme court," Ginzburg wrote.

COULD WREAK MORE HAVOC

"While the views and doctrines he sponsors and advocates do not furnish grounds under the law for removing him from the post of associate justice, they do make it incumbent on the Senate to reject his promotion to the post of chief justice where he could wreak far more havoc on our institutions than in his present position."

The first page of the Fortas tract, the memo says, carries "an inflammatory analogy likening any laws some Negroes refused to obey with the infamous edicts of Hitler against the Jews."

Fortas wrote: "If I had lived in Germany in Hitler's days, I hope I would have refused to bear an armband, to 'Heil Hitler,' to submit to genocide. This I hope, altho Hitler's edicts were law until allied weapons buried the third reich.

CITES STATE LAW

"If I had been a Negro living in Birmingham or Little Rock or Louisiana, I hope I would have disavowed the state law that said I might not enter the public waiting rooms reserved for whites. I hope I would have had the courage to disobey altho the segregation ordinances were presumably law until they were declared unconstitutional."

Ginzburg found this equation of genocide with discrimination against Negroes unjustified. Fortas, he said, interprets the legal and social progress in improving the lot of the Negro in the United States only as "a national confession" that Negroes have been deprived of rights to which they are entitled.

"[It is] a view," the memo says, "which jeopardizes the hope of further peaceful progress for the Negro and for the nation as a whole by presenting the task ahead of us as the overcoming of white reluctance to give up the rights and opportunities stolen from the Negroes, instead of as a partnership of whites and Negroes in fostering the educational, economic, cultural and moral development of all groups within the framework of a better society as a whole.

"The preachment of mass civil disobedience, with its threats of force, violation of the rights of others, and the efforts to provoke the authorities of law and order to fire the first shot, finds its justification in the belief that the whites stole the rights of the Negroes and will not surrender them except by the application of force and pressure."

Fortas' public sponsorship of this doctrine "will greatly impair the work of the Supreme Court if he should sit as chief justice," Ginzburg said.

"Litigants will cite his doctrines in their briefs and at oral hearings. What is perhaps more important, the attitude of the court majority, who have in a number of decisions condoned direct action illegalities by the use of legal quibbles, may now, through the influence of Mr. Fortas as chief justice, harden into an open doctrine of the right of civil disobedience, thus fostering greater disrespect for the law and the violence which accompanies disrespect."

KING IS CITED

Fortas, in the pamphlet, Ginzburg says, repeatedly proclaims his "solidarity with the followers of the late Martin Luther King and his successor, Ralph Abernathy."

"It is as if he prepared for them a testimonial, reading, 'I too have a basic need to disobey the same laws you do.' "

In seeking to reconcile his version of civil disobedience with the duty of civil obedience, Fortas uses two analogies inappropriate to the American problem, the memorandum says.

"He invokes the analogy between King's campaign and Ghandi's campaign against the British government and says that both of them are based on the concept of peaceful, nonviolent refusal to comply with a law and the willingness to submit to jailing and other forms of punishment as the price of their defiant protest.

A SECOND ANALOGY

"Before the critical reader has had time to realize that Ghandi was carrying on a revolution against the British government and that his nonviolence was simply a technique to provoke the British into using force, he skips to a second inappropriate analogy.

"This is the analogy between civil disobedience and the procedure of testing a new or old law for its constitutionality—a procedure which in certain cases may involve the testor's going to jail if he fails to win his point."

Thus, Fortas contends in the pamphlet, Ginzburg says, that the King-Abernathy movement of civil disobedience is in reality nothing but a movement to test the constitutionality of laws and that it does not question the need to obey when the Supreme court has spoken.

A DIFFERENT ATTITUDE

A glance at one of King's last circulars, in April, 1968, the memo says, shows an entirely different attitude. It calls for "channelizing the smoldering rage of the Negro and white poor in an effective militant movement. . . ."

"Justice Fortas' view," Ginzburg contends, "is that, since rights have been stolen from the Negroes, the whites must be made to give back these rights thru the organized militancy of the Negro group and that peaceful collaboration between Negroes and whites must be regarded as treason to the Negro cause [just as Marx regarded collaboration between workers and capitalists as treason to the workers' cause]."

Ginzburg quoted a passage from the Fortas pamphlet which noted that Negro riots, "much as we dislike acknowledging it," have produced "some satisfaction of their demands." As a result, Fortas noted, Negroes "are obtaining invaluable training as lawyers, government officials, educators, business executives, and administrators."

MORE SKILLFUL LEADERSHIP

"While some of these will be assimilated in their outlook and will lose their separate value to the Negro cause, some will be a source of new and more skillful leadership and of inspiration to the younger generation," Fortas wrote.

Ginzburg saw in this statement a lament that "educated Negroes would act as Americans rather than Negro militants," and concluded: "That is surely a high water mark in the application of the Marxist class-struggle approach to American politics."

THE ANDEAN FOUNDATION: A UNIQUE EXPERIMENT IN ECONOMIC DEVELOPMENT

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. OTTINGER. Mr. Speaker, in a day when we face crises of worldwide proportions, it is important to be reminded that under the system of freedom, problems are not solved by global theories, but by people working skillfully with specific problems in specific locations. For the past 3 years I have been pleased to closely observe the operation of a unique and remarkable organization in Peru which demonstrates this point. This institution is the Andean Foundation.

Established in 1965, the foundation was organized and administered, primarily, by individuals who were closely associated with the development of the Peace Corps, and who believe that the honest, practical, economy-minded, type of management used in the Peace Corps might find application in private sector efforts to advance human welfare.

The foundation was created to develop new ways to accelerate rural development and economically depressed areas in Latin America without duplicating effort by government, private, and international organizations. There was a strong sentiment that much rural development activity was either economically unrealistic or token in nature having little long-term meaning for meeting the basic human needs of rural people, such as stable family income, housing, improved food, health, schools, and public services. Often, development efforts did not reach the people. It was also recognized that rural development was often confined to feasibility studies, discussions and publications, rather than actually applying proposals.

Thus, in 1965, the foundation, in cooperation with the Peruvian Government, began to work in a series of villages in the Department of Puno, an economically depressed region in the southern part of that Latin American country. This effort was intended to help specific villages and to determine what nonduplicatory role might be found for an economy-minded private organization concerned with the enormous burden which marginally productive rural populations place upon the developing countries.

While I will not review in detail the course of the Andean Foundation's pilot program, I believe our colleagues will be interested in one of the results. It is the operational definition of an approach to rural development that may have revolutionary impact in this crucial area.

In early 1965, only a few months after the foundation began operations in Peru, staff members projected an approach to rural development based upon the concept of giving nothing away and moving no foundation funds into villages. Simply stated, they projected using contributed funds to guarantee credit for villages. Thus, the villages could qualify for loans and credits from existing institutions and so obtain goods and industrial products necessary for development. Credit is, of course, especially important in areas of agricultural production, village-level industry, and crafts. This credit would be used to increase village productivity, raise family income, and repay the obligations.

In the period following the development of this plan, the foundation has seen the credit guarantee method gradually win recognition as one of the few truly new operational methods to reach the roots of rural poverty. The foundation has established that, in conjunction with village-level planning and managerial assistance, the credit guarantee method can make it possible for villages whose inhabitants are impoverished and virtually illiterate to obtain the loans and installment-purchase credits to carry out integrated village development programs involving agriculture, crafts, housing, and municipal services.

Lest we forget the human element, however, the foundation is not offering the credit guarantee method as an abstract discussion topic but is now using it as a tool for getting materials, tools, equipment, and other resources into the hands of the underprivileged. The foundation is using this method since it is economically realistic and, most important, since it enhances the dignity of the rural people by demonstrating faith in their ability to produce a better future for themselves if afforded the opportunity. Finally, the credit guarantee method helps existing resources—government and private—serve more people.

I am most interested in such sensible and dignified ways to make capital serve the needs of people at the margin of a country's economy. Frequently within the Congress we criticize U.S. Government aid programs for failing to get funds appropriated by the Congress into the hands of these people in need, a condition that has its domestic parallels.

In the foundation a private organization has been established which has as a principal objective the achievement of the congressional mandate to get the resources to the people. This is without asking for governmental subsidy in return. Thus, it is encouraging to consider that some of the village loans guaranteed by the Andean Foundation are being made by Peruvian development banks funded in part by foreign aid money. The foundation's credit guarantee makes it possible for such institutions to serve villages which formerly they could not consider, since so little is known about the risk involved. The foundation guarantee reduces the risk involved in these development loans, and so money reaches more people.

This brings me to what I consider a most important future question with respect to the Andean Foundation—the willingness of private sector institutions to support such a program. Based upon the success of its pilot program, the foundation is now seeking to increase the funds it has available to guarantee credit, thereby making this service available to more people in more countries in Latin America. It is a matter of interest to the Congress and the appropriate committees in the Congress to find out, at some future time, to what extent business corporations with substantial economic commitments in Latin America and large endowed foundations with interest in new ways to solve human problems will contribute to advance such a practical, efficient, free-enterprise-oriented way to bring about human wellbeing. This question is important because an expanded Andean Foundation program serves the clear desire of the American people that others enjoy a fuller, more dignified life. Also, to the extent that the Andean Foundation is successful in locating private sector funds, governmental money does not have to be spent in these same areas, and so the financial burden of government, with which we grapple daily, is correspondingly reduced.

Mr. Speaker, an article describing the foundation's work recently appeared in a U.S. Department of Agriculture publication. I believe this article should be of interest to our colleagues and I insert it, herewith, for inclusion in the RECORD:

[From News for Farmer Cooperatives for June 1968]

AT EDGE OF WORLD: INDIANS USE CO-OP IDEA TO MOVE UP

(By Beryle E. Stanton, Division of Information)

Up, up, and away at the Edge of the World is the setting for this story on how the cooperative idea is helping give vigor to a new village—Chijnaya, Peru—and a better life for some three-score families, all descendants of the ancient Incas.

It is a story also with a sequel—how the same idea is being adapted by other villages in the region.

"Edge of the World" is the dramatic name for the region these Peruvian Indians know as home. It is 10,000 feet up in the Andean highlands of southern Peru and in the general vicinity of Puno.

Core of the story is how the cooperative idea, given intelligent backing, helped set and keep these proud and ancient people on their way to becoming a self reliant and self sufficient community.

Converging together in the story, in order of occurrence, are—

The drama of a great flood on Lake Titicaca that drove hundreds of Indians from their ancestral homes. And they had no hope of returning until the waters receded from the Lake's flooded shores—probably not for as long as five years ahead.

The farsighted planning and sensible help of the Peruvian Government. By loans, not gifts, it helped these flood refugees set up new villages and get off to a new start.

The imaginative and intuitive stimulus of Peace Corps Volunteers.

The heartwarming assistance of a group of North Americans who are giving ideas, money, and down-to-earth advice through the Andean Foundation.

The village-generated leadership of four young men of Chijnaya. The Foundation sent them to the United States in 1965 to live in agricultural communities for 8 months to learn good farming methods. They also took special business training here.

The nimble and artistic hands of Chijnaya's children. They design and stitch the striking and colorful wall hangings, tapestries, dolls, and other items, and have already earned $26,000 in cash U.S. dollars for their village.

Emerging from these many parts is a pattern for rural development, one that uses cooperative principles as one of its main threads.

THE EDGE OF THE WORLD

A look at the hard and hostile world of these people brings out in sharp relief the long strides they are taking.

Gordon Cloney, President of the Andean Foundation and former Peace Corps employee in Washington, D.C., describes their environment:

"The Andean highlands of Southern Peru are as difficult an agricultural region as any in the world. The region is 10,000 feet above sea level; frost occur all year and hail is common.

"The land is clay-like. It turns into mud during the summer rains and rockhard during the dry, cold winter.

"These Peruvian highlands are home to several million subsistence farmers—or campesinos as they are called in Latin America."

CO-OP ROOTS WERE THERE

But the seedbed for adapting cooperative methods to improve both social and economic welfare was there, Mr. Cloney points out.

"Years before the Spanish conquered Peru, the region had an Indian civilization with a large element of cooperative effort, particularly in agriculture and public works. Then, as now, life in the villages centered around the community. Thus, today's campesino, the descendant of these ancient people, is familiar with cooperative effort.

"In recent years, the Peruvian government has passed progressive legislation for cooperatives. An active National Institute of Cooperatives provides professional guidance to cooperatives and precooperative groups. Peruvians have given great attention to the need to develop cooperatives, tracing this 20th century effort to roots over a thousand years old."

CHIJNAYA WAS "OPERATION FIRST START"

Thus the Development Corporation of Puno, an autonomous organization supported by the Peruvian Government and responsible for regional development in Puno, helped get the community's cooperative enterprises operating.

Its first step was to assign two engineers to help relocate flooded-out families. A United States Peace Corps Volunteer also moved into the area to help.

Its first loan-based relocation project began to take shape at the village named Chijnaya in September 1963. The Development Corporation moved 75 of the dispossessed families to a 1,200 acre hacienda (ranch) it bought from the Catholic Church.

The Corporation made a long-term loan of $50,000 to the village. It provided money that enabled the villagers to build an improved home for each family, a school, a clinic, and community buildings. The people were able to buy both the houses and the land on which they live under a long-term plan.

Agriculture was reorganized. Cooperative farming freed the children from having to herd their families livestock. And so for the first time in history all the children in a village could go to school.

The village set itself up into four specific cooperative enterprises—agricultural, artisan (handicrafts), small industries, and municipal—school facilities, and the like.

Agriculture remains the economic base for these people, primarily livestock. They have a long history of raising sheep and cattle.

Like farmers everywhere, they needed cash to build up their enterprises. A second Peace Corps Volunteer from nearby Puno had the idea that the children could earn by reviving the ancient Inca art of colorful embroidery.

He worked with the villagers as they learned to spin yarn from alpaca sheep shearings and re-learned the Inca art of dyeing deep and brilliant colors.

He then began to encourage the children to embroider their own native designs, using homespun cloth. At first some began to respond with primitive and artistic designs of their own. They quickly sold this work to Cuzco and Lima, and orders began to pour in for more embroideries. This encouraged the other children to try their hands also.

ANDEAN FOUNDATION BEGAN TO HELP

About this time the Andean Foundation was formed to help develop the region.

The village was having some financial problems in its first years. A group of North Americans—with inspiration from former Peace Corps people who knew the story of Chijnaya—formed the Andean Foundation in 1965 as a non-profit educational and charitable corporation.

Its first objective—and job—was to help get cash flowing to the village by marketing village artisan products in the United States.

Its second objective was to help strengthen internal administration.

And the third was to develop methods to help accelerate rural development over a wide area.

The Foundation sent a representative to work with the village and in the larger region around Puno in late 1965, Jim Iszler. A native of Streeter, N. Dak., he had grown up with cooperatives as he watched his father take an active part in many in their home town. He had been a Peace Corps Volunteer in Colombia where he worked in rural leadership training.

DEFT LITTLE HANDS BROUGHT NEEDED CASH

Mr. Iszler's first responsibility was to help Chijnaya get squared away financially and then to come up with ideas on how to promote similar projects in the Puno area.

So the small hands became even busier with their embroideries to get a stockpile ready to sell in the United States—they hoped.

Sell they did. By now, they have earned over $26,000 for their work in the United States, mostly from the wall hangings. They have had their designs exhibited in many galleries and department stores, at the People to People Fiesta of the New York World's Fair, and through the Traveling Exhibition at the Smithsonian Institution.

Their work also appeared among other crafts marketed by cooperatives at the Co-op Month 67 display held last October at the Smithsonian and sponsored by the Federal Government and national cooperative organizations.

About 200 of the children from 6 to 16 design and embroider their own pieces. They work after school and when they can get time away from other duties in the village, sometimes individually, sometimes in groups.

The cooperative pays the individual family whose children do the specific embroidery a reasonable price for it. The co-op then sells the embroidery to the Foundation which sells it in the United States, returning all proceeds above the purchase price, customs duty, and transportation costs to the village as a grant to help in other enterprises. This money goes for school books, clothing building funds, and agricultural equipment.

SELF-RELIANCE AND PROGRESS BEGINNING TO SHOW

Jim Iszler also is on hand to help with the other village enterprises. As the Foundation representative he says his job is not to tell villagers what to do but to backstop them as they approach their problems and as they look ahead on what to do in the future.

He works closely with the young men the Foundation sent to the United States for training, as they are moving into leadership posts in the village.

"What these boys learned as they lived in U.S. farm homes and as they took special training in bookkeeping and leadership techniques is paying off," Mr. Cloney reported after spending six weeks in the area recently.

The villagers run their respective activities like this. Marketing returns go into the village pool of funds. Profits made are used to improve village facilities. For example they have recently bought a new tractor.

The village has a committee that decides what labor is needed. Sometimes people have their jobs assigned; sometimes they volunteer for specific jobs. They get paid for their work and also share in the joint returns for the specific enterprise. There is growing job specialization.

Only the men vote in meetings on village operations. But Mr. Cloney reports women are beginning to speak out in the meetings.

The women help the children spin the alpaca yarn and with their embroideries and other crafts—as well as managing their households and doing other necessary work in the village.

Mr. Cloney says that his latest trip to the region showed that today—after three years of Foundation, Peruvian Government, and self help—the Chijnaya cooperative is a strong, self-directing organization.

Agricultural production is seven times greater than the old hacienda's. Campesino family income has risen to 300 percent over that of nearby villages. The number of heads of families employed in specialized work has increased markedly. The value of village assets has increased 1,000 percent. Purebred livestock have been brought in to improve this enterprise.

Just as important is the hope for the future these people now have. Asked early in the development program what they wanted most, they said security for their children and a chance for them to develop professional skills. This is one of the goals set out for the village—and one where progress is being made.

LESSONS LEARNED

Some important lessons have been learned according to Mr. Cloney. The first—a campesino cooperative can manage a large capital responsibility. The second—a campesino cooperative can make profitable use of improved technology. The third—members maintain an active faith in their cooperative even during difficult times.

Lessons the Foundation says it has learned are these: The campesino has a strong sense of individual property; cooperative efforts are more successful if they are directed toward improving or increasing individual income.

In other words, Mr. Cloney says, this means plain old human nature must be considered in any development plan, that cooperative efforts must retain an element of individuality.

A chicken-raising cooperative started in Chijnaya provided one proof of this. Once the chicks were large enough, the campesino preferred buying these for his individual use rather than going into a production cooperative for eggs or broilers with other villagers.

As another example, the campesinos wanted the dairy cooperative to have the same number of cows as there were members. Thus each family would have "its" animal although the cow was fed, herded, and milked cooperatively.

FOUNDATION NOW HELPING OTHER VILLAGES

The Andean Foundation is now working in several other villages in cooperation with the Peruvian Government. In one, it is helping organize a self-help housing cooperative to complement an ongoing agricultural cooperative. In another, it is helping start a cooperative to purchase a large hacienda.

Other projects involve marketing produce on a regional basis, purchasing farm machinery, and developing several types of cottage industry cooperatives.

The Foundation is using what it considers a revolutionary new approach to projects in Chijnaya and other villages. Jim Iszler found that the biggest problem facing a campesino cooperative was getting together enough capital in the form of cash, machinery, or the other assets.

He also discovered that this capital was available in the form of loans from banking institutions or in the form of installment buying of goods and machinery if the cooperative had adequate security.

Since most villages do not have acceptable security, the Foundation has established a Guarantee Fund from donations to it. This Fund then acts as security for the loans and credits the campesinos need to move plans into action.

The village leaders plan a development project with the help of Peruvian Government extension workers. The Andean Foundation sits in on the planning. Once an economically realistic project is organized, the Foundation guarantees the cooperative's credit.

Mr. Cloney says this guarantee program is an exciting one for several reasons:

First, it supports productive rural development; it is not a sentimental or give away program.

Second, it involves no immediate expenditure of U.S. funds overseas. Thus, self help is supported without hurting our balance of payment position.

Finally, it brings human economic resources of villages into working contact with the Peruvian economy as a whole. This strengthens the Peruvian economy. It also increases the campesino's faith in his country. Rural progress through local and national cooperation is the final result.

Thus, the emerging pattern of rural development and resettlement at the Edge of the World shows a strong thread of the cooperative idea running through it. And this cooperative thread is proving supple and pliant enough to be worked into a design these people adopt to improve their lot and at the same time preserve their proud heritage.

LAZY DAYS AT PELICAN BAY

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. ULLMAN. Mr. Speaker, I am pleased to share with my colleagues an article from Ford Times describing the natural and historical lore of Pelican Bay, near Klamath Falls, Oreg.

The excellent description of resource use by both man and nature will be of interest to everyone, and I place the article in the RECORD at this point:

LAZY DAYS AT PELICAN BAY

Pelican Bay is a wilderness retreat of unbelievable beauty and solitude, just 26 miles from Klamath Falls, Oregon, and U.S. Highway 97. The lucky few who have discovered its quiet charm return year after year to enjoy the healing peace of lake, marshland waterways, and primeval forest.

Deep in Winema National Forest, Pelican Bay is an arm of Upper Klamath Lake, a spot for relaxation, fishing and thoughtful exploration of woodland and water.

In May and June the great white pelicans, herons, egrets, and thousands of other wild birds nest in the marshes. In July and August the waterways are bright with the golden cups of the wocus lily, and alive with wildfowl busily rearing their families.

The great white pelican, from which the bay got its name, is a strange and fascinating bird with a wingspread of 10 feet, and a beak that can "hold enough for a week." He is your constant companion wherever you go, circling overhead, or swimming somewhere near.

On any of the lazy days of summer, take your boat and fishing gear—or your camera—and slip quietly through the looking-glass water world of reflected trees, mountains, and flowers. Large crystal-clear springs boil up from the ground and form streams that go meandering out through miles of yellow wocus blossoms and tules—through fascinating marshlands, teeming with birds, muskrat, beaver, and fish The rainbow trout run from pan size to 25 pounds, and trolling up or down the marshland streams is a once-in-a-lifetime experience that can never be forgotten—whether you catch a fish or not.

To explore farther, take a 25-mile trip by boat up Thomas Creek. Faster boats can take a long trip to sparkling Wood River where the evening fly fishing is unmatched Or, it is relaxing fun to take your boat out into the maze of marshland waterways to nowhere-in-particular, just to observe the wildlife—the cocky little marsh wrens who build five nests instead of one to fool their enemies, the coots with their fluffy red-headed babies; the ruddy ducks with their bright blue bills.

The whole family can enjoy these small-boat exploring trips, and in July or August you might even see some of the Klamath Indians still picking wocus.

TRADITIONAL WOCUS HUNT

Back in 1854 the whole tribe of Klamath Indians, as well as other tribes, came to Pelican Bay for one of their greatest food harvests. It was a time of ceremonial dancing, for only the medicine men could declare the exact time the ten thousand acres of wocus were ripe for harvest. When the medicine men gave the sign, the dances stopped, and the women began to gather the lily pods, wading through the lily fields and pushing their dugout canoes. Wocus pods can be made into a sort of "poi" or ground up into a flour for bread.

Even today a few of the Indians still come to the old camp ground at Rocky Point to gather wocus pods.

To reach this delightful vacation area, drive northwest from U.S. 97, at Klamath Falls, on Highway 140—now part of the new Winnemucca-to-the-Sea highway. This well-paved road skirts Klamath Lake in a magnificent scenic drive.

On Pelican Bay there are several lodges with marinas, cabins, trailer and camping space, coffee shops and restaurants, a free public boat launching ramp, and a couple of "country" stores to provide groceries, fresh milk, and other supplies.

While you are here, drive out to some of the other beautiful mountain lakes for a picnic or to fish. Visit Four Mile Lake, Lake of the Woods, Fish Lake, Aspen or Buck lakes, to name a few, all within a few miles. World-famed Crater Lake is only a 40-mile drive north.

This is a land of lakes of primitive forest beauty, a place for restoring your soul in deep communion with nature—and you will return again and again.

PERSONAL STATEMENT

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, on Wednesday, June 19, 1968, I was observing the March of the Poor People on their Solidarity Day. While several of my colleagues and I were attending this notable event, a quorum was called on the House floor.

The march from the Washington Monument to the Lincoln Memorial was an impressive sight. The acts of a few should not be permitted to overshadow the acts of the vast majority who came to Washington to exercise their U.S. constitutional right to petition. So far as I am concerned, I thought they acted entirely properly.

As I make every effort to be present on the floor for all votes and quorum calls, I believe this explanation of my necessary absence from the quorum call that afternoon is in order.

CED IS ACTIVELY PROMOTING THE WHOLESALE BURNING OF STATE CONSTITUTIONS

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. SHIPLEY. Mr. Speaker, I am pleased to bring to the attention of the Congress an article by C. F. Marley, Nokomis, Ill., regarding a movement which is taking place in this country today. I feel it would be well for the Congress to take the time to study this article very carefully, giving it all possible consideration.

The article follows:

[From the Hillsboro (Ill.) and Montgomery County News, May 30, 1968]

TIME TO TAKE ACTION—SAVE STATE CONSTITUTIONS

(By C. F. Marley)

Even members of the Committee for Economic Development are indignant at the sight of the un-American burning of draft cards, but the CED itself is actively promoting the wholesale burning of state constitutions.

Are you going to just sit there and allow it?

Many, many men have bled and have died for the American form of government. And it must be remembered that the states existed before the Federal government, that the states brought the Federal Government into existence, that Federal Government has no right to destroy your rights and your State constitution.

Let us make one fact crystal clear: If you allow the destruction of your state constitution, you will pave the way for changes in the taxing structure that can make it impossible for you to own productive property.

ADVOCATES SUPER COUNTIES

A new state constitution, if modeled after CED recommendations, will make possible the creation of new "super counties" with appointed rather than elective officials managing your government.

Such new super counties, according to CED ideals, will be made up of several of your existing counties and always with a central city with sufficient votes on a one-man-one-vote structure to vote any taxes it likes onto private property. Heaviest loads will fall onto small businesses, homes, and farmland.

Who is the Committee for Economic Development? It is made up of representatives of 200 of the largest corporations in the United States. It controls much of the business of the country but it still does not own your home, your family business, your farm.

WHAT IS ADVOCATED

To gain a fuller knowledge of just what the CED aims to do, we recommend reading the full text of a mis-named article in the May, 1967 issue of Reader's Digest, entitled, "Can Local Government Be Saved?" The recommendations are anything but salvation as the following exerpts will prove.

The article first describes CED as "a distinguished group of businessmen and educators."

Quoting from the article: "First, we must rewrite our outmoded state constitutions, most of which make difficult—if not impossible—the merger of a number of governments into one, or working out of cooperative agreements among them. Second, we voters must agree to give up some . . . of the luxuries of running our own little Tom Thumb governments. Larger units will have to take over some of the taxing, land-use planning and enforcement powers that are now being done so poorly."

PRESSURE FROM THE CITIES

CED sees the big problem in the country as ghetto pressure problems and it seeks to tax other property to raise the funds to alleviate such pressure.

We can understand the problem, but we disagree with the CED solution.

The problem in this country, almost from its inception, has been that there has existed an attack against private property. The plantation system of the South was monopolistic. The factory farming system now well introduced in the Corn Belt together with the vertical integration of poultry and other meats is monopolistic. Farmers continue to be driven off the land by low commodity prices.

For all its problems with prices and the cost-price squeeze in general, a middle class persists in owning its own homes, its own businesses, and especially farm land.

For the CED to recommend appointed tax assessors and the right to impose still more taxes against property is an insult of the gravest proportions.

DESTROYING PRIVATE OWNERSHIP

This country was built on private property, private initiative, and the willingness of thousands to fight and die for it. The monopolistic CED should read history, particularly of Cuba, for if it succeeds in destroying private property in this country it stands an excellent chance of dying by the sword itself.

As a remedy for our problems, let us stand for true progress in this country. We agree with the need for developing rural industry in rural America, but if there is to be public ownership of water resources, industrial parks, and rural recreation let us in the same breath say that we need to maintain the true, independent type of family farm and private business, and that better farm commodity prices are needed to offset the rises in costs and taxes.

Let us recognize that a country such as ours must have increasing participation in private ownership, that handouts are not the answer.

Let us recognize that a man who owns a house does not burn his neighbor's house.

DECISION AT THE POLLS

All of these measures will be best encouraged by our present representative form of government. If our state constitution needs some revision, we have the Gateway Amendment. We do not need wholesale reform by "experts" who think the way CED personnel does.

Your chance to vote against the proposed Constitutional Convention comes this fall. Meanwhile, do what you can to become informed as to its true threat and see what you can do to fight it.

WHAT THEY'RE HEARING

HON. LOUIS C. WYMAN

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. WYMAN. Mr. Speaker, freedom of speech is one of our cherished American rights guaranteed by the Constitution. All thoughtful Americans would defend earnestly the right of proper dissent, the right to espouse contrary and even unpopular views and the right to criticize Government policies. At the same time the same thoughtful Americans recognize that there is a measure of balance and good judgment needed in respect to speech just as there is with respect to conduct.

This balance is nowhere more important than in the presentation of remarks to the graduating classes of America. An example of remarks that were highly inappropriate, extremely provocative, and plainly unpatriotic—as well as contemptible—occurred at Yale University in the remarks of Dick Gregory to the January graduating class. A portion of these remarks appear in the following comment entitled "What They're Hearing" appearing in the attractive publication In a Nutshell, volume 21, No. 6. Something is wrong with somebody's thinking, as well as with programing within the academic community, when such a menu is provided college graduates in times like these.

Under unanimous consent I submit the article for inclusion in the CONGRESSIONAL RECORD, as follows:

WHAT THEY'RE HEARING

At graduation time as we view the fresh young faces (why do they always seem younger than we remember ourselves being?), we think back to our own graduations. There were no miniskirts, no beards or long hair; it was easy to tell the boys from the girls—oh, there are many differences between then and now!

Not the least of the differences was in the kind of speeches at the ceremonies. We remember hearing inspiring words about going out in the world to seek success, etc., etc. But what kind of speeches are today's graduates hearing?

For one example, let's see what Dick Gregory said to "inspire" the January graduating class at Yale University. Here is an excerpt—but completely in context—from his address to the Yale seniors and their professors:

"Let me tell you something tonight; we will burn your house down to the ground (and we mean that), if you think you are going to keep talking this insane and think you going to keep insulting us like this. We'll burn it down to the ground, man. This is what we trying to say. We sick and tired of your insults and we not going to take them anymore, whether you like it or not.

"Let me ask you to raise your hands. How many of you read when Henry Ford 3½ weeks ago hired 6,000 Negroes? Any of you read that in the paper? Did you also read that they didn't have to take the tests when they hired them?

"Henry Ford, one of the largest corporations in the world, hired 6,000 niggers in two days. Why do you think they hired them? Because of non-violence? You - - - - right know it wasn't that! The fire got too close to the Ford plant, baby. Don't scorch the Mustangs, baby. You-all, running around talking about how riots hurt, do you realize how long it would have taken us through peaceful channels to get 6,000 black folks hired and through those tests? . . .

"Let me speak briefly on the insanity of that war in Viet Nam, and the insane country that you coming out into, the laws that we pass, and this flag sitting right here. We just got an insane law to say you can't burn an American flag. I say, what in the - - - - is the American flag but a - - - - rag like all the other flags all over the world. I'm not interested in rags. . . .

"America is a cigarette machine to us. We didn't put forty cents in it to get something that was going to make us sick; we put 400 years of our lives in that machine, baby, to get something that was going to make us well, and we didn't get nothing, man. . . . So in the form of Detroit, Watts and Chicago, we kicked that machine. . . . Now we gonna break this machine up in little, bitty pieces: that's what we say!"

Did these highly-educated, supposedly-intelligent Yale graduates and professors flinch at his poor grammar, hiss at his disrespect for the American flag, or show alarm at his threats to burn down their houses? No! The official script of this speech, distributed widely by Yale University, noted that Gregory's audience responded throughout with applause!

Count us among those who are extremely concerned about the future of our country under the leadership of today's students.

SECRETARY OF HEALTH, EDUCATION, AND WELFARE DENIES PLAN TO TAKE OVER VA MEDICAL SYSTEM

HON. OLIN E. TEAGUE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. TEAGUE of Texas. Mr. Speaker, on June 27, 1968, I inserted in the RECORD a statement entitled "HEW Seeks Take Over of VA Medical System." The Secretary of Health, Education, and Welfare responded in a letter dated July 1, 1968, in which he stated that his recommendation does not envision removing any responsibilities of the Veterans' Administration or other Federal agency to the Department of Health, Education, and Welfare. He asked that a copy of his letter be inserted in the RECORD. I am doing so, and I am also including a copy of my response, as follows:

THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., July 1, 1968.
Hon. OLIN E. TEAGUE,
House of Representatives,
Washington, D.C.

DEAR MR. TEAGUE: I have read with great dismay your statement in the Congressional Record of Thursday, June 27, 1968 concerning the purpose and recommendations contained in my report to the President of June 14, 1968. I wish to assure you that the fears and implications expressed in your statement have no basis in fact.

As you know, the President directed me, in his Message to the Congress on Health in America on March 4, 1968, to submit "a modern plan of organization to achieve the most efficient and economical operation of the health programs of the Federal Government." In response to that directive, I attempted to furnish the President a workable plan for making the vast health activities of the Federal Government more responsive to the health needs of all the American people.

One of my major recommendations, as you pointed out in your statement, called for creation of a Federal Interdepartmental Health Policy Council to advise the President on matters of Federal health programs and policies. That recommendation does *not* envision removing any responsibilities of the Veterans Administration or any other Federal agency to the Department of Health, Education, and Welfare. There is no foundation whatsoever for the statement that the "procedure would effectively eliminate the VA from any policy role" or that "it will completely rob the Veterans' Administration of its independent status insofar as health and medical programs are involved."

This Department has had a long and very productive history of cooperation with the Veterans Administration in the areas of health research, manpower development, and the delivery of health services. Particularly within the last two and one half years we have worked very closely with the Veterans Administration in such activities as Project Remed, which is aimed at aiding returning veterans—trained in the health field—to find careers that make effective use of their skills; and in strengthening our mutual working relationships with universities and medical schools to improve patient care for veterans and other beneficiaries of the VA and the Public Health Service.

In addition we have worked very closely with the Veterans Administration to make sure that the Medicare and Medicaid programs, under which veterans are entitled to free choice in the selection of hospital and medical care, will ease the patient load at VA hospital facilities so that they can be used more effectively by VA beneficiaries.

Improved coordination of the health efforts of the Federal Government will work toward the benefit of all Americans, including veterans, through improved efficiency, greater economy, and better health for all the people.

In view of the fact that your statement was included in the Congressional Record, I would appreciate it if you would also insert this reply in the Congressional Record.

Sincerely,
WILBUR J. COHEN,
Secretary.

HOUSE OF REPRESENTATIVES, U.S., COMMITTEE OF VETERANS AFFAIRS,
Washington, D.C., July 8, 1968.
Hon. WILBUR J. COHEN,
Secretary, Department of Health, Education and Welfare, Washington, D.C.

DEAR MR. SECRETARY: In your letter of July 1 you referred to the statement which I made in the Congressional Record June 27, 1968, headed "HEW Seeks To Take Over the VA Medical System", and expressed your dismay that I reached the conclusion, after reading your letter to the President dated June 14, 1968, with its attached report, that there was an intention on the part of the Department of Health, Education, and Welfare to assume policy control of the Veterans Administration medical program.

I find that I am not alone in the evaluation of your recommendations to the President dated June 14, 1968. My views apparently are shared by officials of the Veterans Administration, the Department of Defense, the Chairman of the House Armed Services Committee and the national commanders of the American Legion, Veterans of Foreign Wars and the Disabled American Veterans. I have reread your letter to the President and report entitled "Health in America: The Role of the Federal Government in Bringing High Quality Care to all the American People", and find the conclusion inescapable that the recommendation is, in substance, that the Secretary of the Department of Health, Education and Labor should become the President's chief advisor on all Federal health policy and programs; and that the Secretary should be responsible for coordinating *all* Federal health policies and programs. This theme is reiterated throughout the report as follows:

"(4) The Secretary of Health, Education, and Welfare become the President's chief advisor on Federal health policy and programs.

"(5) The Secretary of Health, Education, and Welfare be made responsible for coordinating all Federal health programs and be authorized to establish a new Federal Interdeparamental Health Policy Council." (page 1, Sec. Cohen's letter dated 6/14/68 to President.)

"To achieve improved management of the total Federal health effort I recommend:

"That the Secretary of Health, Education, and Welfare become the President's chief advisor on Federal health policy and programs, and

"That the Secretary be made responsible for coordinating all Federal health policies and programs and be authorized to establish a Federal Interdepartmental Health Policy Council to aid him in achieving this coordination." (Page 2, Report to the President by Secretary of HEW.)

"Although the Department of Health, Education, and Welfare administers some 70 percent of all Federal expenditures for health and is the sole Federal agency whose major mission includes protection and promotion of the health of the American people, the Department does not exercise policy guidance over the broad Federal health effort" (page 13, Report to the President by Secretary of HEW).

"In the absence of a coordinated decision-making process there is no effective way in which the Secretary of Health, Education, and Welfare can furnish guidance on such issues, for example, as these: . . .

"3. the decision that the Federal Government will provide, through the Veterans Administration, treatment of VA beneficiaries suffering kidney disease without making this expensive and life-saving care (kidney dialysis) available to other members of the population in need of it." (Page 13, Report to the President by Secretary of HEW.)

"These recommendations are directed toward two basic objectives: (1) to follow through on the progress already made in improving the organizational structure of health activities of the Department of Health, Education, and Welfare; and (2) to provide a mechanism for developing and implementing national health policy as it affects the programs of this Department and other Departments and agencies of the Federal Government." (Page 18, Report to the President by Secretary of HEW.)

"At present, the Department of Health, Education, and Welfare, though it administers by far the greatest portion of the total Federal health expenditure and bears a responsibility for the adequacy of the Nation's health resources—knowledge, manpower and facilities, does not have the means to guide or influence actions of other Departments of the Federal Government which draw heavily on national health resources and involve large expenditures. The Department of Defense and the Veterans Administration, for example, administer programs of health care that have a profound effect on the allocation of health resources, specifically manpower and facilities." (page 28, Report to the President by Secretary of HEW.)

"4. The Secretary of Health, Education, and Welfare should be designated as the President's chief advisor to the Federal Government on health policy and programs, and as his agent in the oversight of all Federal health activities." (page 29, Report to the President by Secretary of HEW.)

". . . it is proposed that the President rely on the Secretary of Health, Education and Welfare to coordinate Federal activities . . ." (page 29, Report to the President by Secretary of HEW.)

"5. The Secretary of Health, Education, and Welfare be made responsible for coordinating all Federal health policies and programs and be authorized to establish a Federal Interdepartmental Health Policy Council to aid him in achieving this coordination." (page 30, Report to the President by Secretary of HEW.)

"An appropriate mechanism for coordination would be a Federal Interdepartmental Health Policy Council presided over by the Secretary of Health, Education and Welfare. The Council would be composed of ranking representatives of each Department and agency having a substantial role in discharging the Federal responsibility for the promotion of health among the general population, such as military personnel, veterans, and other beneficiaries of Federal health services. It would report through the Secretary directly to the President." (page 31, Report to the President by the Secretary of HEW.)

"The foregoing recommendations offer a mechanism for efficient and economic management of the vast health enterprises of the Federal government. Placing under one focus of leadership all Federal health activities would facilitate better communication and fuller cooperation not only with the Federal establishment . . ." (page 35, Report to the President by Secretary of HEW.)

In summary, it appears inescapable that your recommendations are designed to set the Secretary of Health, Education, and Welfare up as the President's chief advisor on medical policy matters. An Interdepartmental Health Council would be created but this council would not be a policy making body. It would advise the Secretary of Health, Education, and Welfare who would be the final authority as to recommendations to the President, or as the Honorable L. Mendel Rivers, Chairman of the Committee on Armed Services, wrote, these recommendations would be the basis for setting the Secretary of Health, Education, and Welfare up as a "Federal czar of the health field."

Some indication of the thinking which predominated in the preparation of the report may be gained by reviewing the draft of May 17, 1968. In that draft the following statement was made:

"In the absence of a coordinated decision making process there is no effective way in which the Secretary of Health, Education, and Welfare can furnish guidance on such issues, for example, as these:

"3. The selection of site for Veterans Administration hospitals without sufficient attention to community and regional health problems and Federal efforts to help solve them."

Although this wording was dropped from the final recommendations, it is apparent that the drafters contemplated participating in Veterans Administration administrative decisions in considerable detail.

In an effort to learn more about the history of the report and recommendations, I checked with the Veterans Administration and the Department of Defense to determine whether these Departments were consulted during the preparation of the recommendations and find neither Department had any knowledge of the report until it had gone to the White House and, for that matter, for approximately ten days thereafter. I also learned that although an Executive Order is in preparation, and has been circulated, the Veterans Administration and the Department of Defense were not offered an opportunity to review or comment on the Executive Order until after my complaint was registered with the White House.

Of course, I am glad to have your letter of July 1, 1968, in which you say my fears and implications expressed in my statement have no basis in fact, and contend that the recommendation does not envision moving any responsibilities of the Veterans Administration or any Federal Agency to the Department of Health Education and Welfare. While these statements are reassuring, they are insufficient in the face of the language of the recommendation, which I understand is still before the President for approval. Therefore, I have asked the President for his assurances that he will not approve that portion of the report which would give the Secretary of Health, Education and Welfare policy making control over Veterans Administration programs.

This is not the first time that an attempt has been made to transfer control of a Veterans Administration program to another agency. A recommendation quite similar to yours was made by the Hoover Commission and was met by strong opposition. During the past several years attempts have been made to transfer portions of the Veterans Administration housing and education programs to other agencies and these have been strongly opposed.

I think I can safely say that if satisfactory assurances cannot be obtained, the Committee on Veterans Affairs, and I believe the House of Representatives and those organizations interested in veterans' welfare, will continue efforts so long as is necessary to assure that the Veferans Administration remains an independent agency dedicated primarily to the care of veterans.

Pursuant to your request, I will place your reply dated July 1, 1968, in the Congressional Record together with this letter.

Sincerely,

OLIN E. TEAGUE,
Chairman.

GUN CONTROL

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. McCARTHY. Mr. Speaker, we in Congress have been hearing a great deal, both pro and con, about the advisibility and necessity for stronger gun control legislation. While I strongly support sensible gun control legislation, including registration and licensing, I am aware that many people have reservations about the necessity for this.

In order that both sides may be heard, I would like to include an editorial from the Buffalo Courier Express regarding this matter. While I do not agree with all the statements made, I do agree that "a thorough evaluation of all proposals" should be made.

The editorial follows:

LET'S HAVE NO PANIC GUN CONTROLS

The assassination of Sen. Robert F. Kennedy has been followed by increased public pressure for tightened gun-control laws. But condemnation of assassination does not necessarily mean endorsement of the clamor for restrictions on gun ownership. Purpose and effectiveness of gun proposals can be entirely different things.

President Johnson has called for the licensing of all gun owners and national registration of every firearm. When it is considered that there are millions of gun owners and from 50 to 100 million firearms in this country, the magnitude of the task of licensing and registration can be imagined. But apart from that is the purpose of the proposal. The purpose is to deter crime. The effectiveness, however, is very much in doubt.

Under licensing and registration procedures law-abiding citizens would comply, but how many criminals and improper gun owners would? In such case the licensing and registration red tape would constitute an irritation to legal gun owners. The penalties provided for noncompliance—two years in jail and up to $2,000 in fines—would hardly prove to be a cogent deterrent to criminals and other unauthorized possessors of firearms.

We consider that criminal use of firearms already is covered by existing laws and that effective police work can enforce them. However, additional proposals have been made and Congress must weigh them. In so doing the legislators will do well to follow the "go slow" advice of Sen. Eugene J. McCarthy (D., Minn.). He urged a cool appraisal of gun-control issues and expressed the opinion that no legislation in that area should be passed "under panic conditions." We agree. We don't say no further gun controls are needed, but we urge thorough evaluation of all proposals before any action is taken.

DEVOTED SHIPPER RACKS UP MANY AGRICULTURAL FIRSTS

HON. ROBERT A. EVERETT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. EVERETT. Mr. Speaker, I know all of us have outstanding individuals in our various congressional districts. I have the honor of having an outstanding farmer and vegetable shipper in the Eighth Congressional District of Tennessee that we are certainly proud of. His record speaks for itself. It still shows that if a man has the willingness and also a determination he can be a great success in life.

There appeared in the Milan Mirror, an outstanding weekly newspaper of this Nation, an article relative to Mr. Irvin Fly. His record is so excellent and the article is so well written that I thought it should be brought to the attention of the Congress. The article follows:

DEVOTED SHIPPER RACKS UP MANY AGRICULTURAL FIRSTS

Irvin Fly, 73 year old farmer and shipper, is stepping down as head of his vegetable firm, but behind he leaves "14 firsts" in agriculture that has had tremendous economic impact upon the west state area.

As a small boy in Madison County, he decided to be a successful farmer, visited the agricultural experiment station in Jackson every chance he had, and at age 10 subscribed to a farm magazine. He has never missed an issue since then.

Mr. Fly moved to Gibson County in 1918, did day work for 50 cents, and within five years had purchased four small farms, he said. He became a charter member of the county Farm Bureau in 1921 and served on its first board of directors.

Later, he and his brother, Denton Fly also a very successful farmer, were partners in a farming operation, but in 1930 Irvin Fly turned his attention to shipping. "I knew how to grow vegetables, and I wanted to learn how to pack them," he said.

He made extensive trips across the United States and Canada, studying marketing methods and observing operations that farmers in west Tennessee could utilize and make money by growing them here.

In 1923, Mr. Fly was elected by the United Farmers Association to manage a packing shed operation near here of green wrapped tomatoes. He also served many years as manager of the Madison County Strawberry Association, and the Lauderdale County Truck Growers, Inc. He also headed his own shipping operation at Sitka, and has marketed vegetables for growers in six states for more than three decades.

"I have spent a large part of my life trying to find better methods of growing and packing vegetables, along with locating better markets for our growers," he said.

Among Mr. Fly's agricultural "firsts" include:

*Packing the first 30 pound green wrapped tomatoes in 1928.

*Washing first sweet potatoes for shipment in 1930.

*Used first wirebound crates for sweet potatoes in 1932.

*Raised the first cucumbers in the area in 1932 and shipped them in wirebound crates.

*Introduced the first Puerto Rican sweet potato seed in the area, and later the first Centennial sweet potatoes, and both provided economic advantages to west state farmers.

*Packed the first cardboard cartons of cucumbers.

*Shipped the first 12-pint containers (flats) of strawberries 1964.

*Installed the first 10-car capacity pre-cooler for vegetables with pallets in 1967. This facility holds vegetables to a constant temperature before shipping, eliminates ice, and provides an additional three days of shelf life, Mr. Fly said.

*Last year, he introduced the first brine operation, packing red pepper in barrels of salt, and providing farmers with a market which is normally lost.

Mr. Fly has also been active in civic affairs, having served on the board of directors of Milan Hospital, Inc., since it was organized in 1946. He was a member of the county court from 1948 to 1954.

THEIR VIEWS DO COUNT

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, all people do not register their necessary opinions with their Congressmen on the serious problems which confront the United States of America. Therefore, to present the good citizens of the 27th Congressional District of Pennsylvania an opportunity to make their views and opinions count, I have submitted the following questionnaire to them. Totals will be reported to all the good people of the district and my colleagues when computations are final:

July 68.

To: Postal Patron—local, 27th Congressional District, South Hills, Pittsburgh, Pennsylvania.

From: James G. Fulton, Member of Congress.

Dear Friends: To give you opportunity to make your views and opinions count, I am asking your views on really serious problems that America faces. Your answers will count in this survey, for each 50 people in our District, as I can't write to all 435,000 residents. Totals will be reported to Congress, President and the Press, and to you personally.

Sincerely,

Jim Fulton,
Member of Congress.

To U.S. Representative James G. Fulton,
Rayburn Building, Washington, D.C. 20515

PLEASE DO NOT STAPLE OR SEAL

Dear Congressman Jim Fulton: Here are my top choices for President: (number 1, 2 and 3):

— Rockefeller
— Nixon
— Reagan
— Lindsay
— Stassen
— Humphrey
— President Johnson
— McCarthy
— Ted Kennedy
— Wallace

How are these officials doing? You are a voter and taxpayer—grade them yourself! (up to 100%—60% is passing):

President Johnson — Mayor Barr —
Governor Shafer — Jim Fulton —

All your individual answers are confidential. (Please type or print)

Name ______________________________________
Address ____________________________ Zip____
Ward, Boro, or Township__________________
Republican ______; Democrat ______; Independent ______.

Dear Jim: I suggest:

____
____
____
____
____

The way the President and US Congress shape policy will have a really important impact on your life, your family, and the pocketbook of every American citizen. . . . Your family security is at stake!

Please use check marks (√) for "approve" or "yes"; use (X) for "disagree" or "no"; use "O" for "undecided". Answer any or all questions on which you feel competent to make judgment.

GREAT ISSUES

Put in order of importance these problems facing our country. Number 1, 2, etc: Vietnam War—High cost living—Poverty—Crime in streets—Big US balance of payments deficits—High Taxes—Enforcing law, order—Government spending—Riots, looting and burning—Large Federal budget deficits—Civil rights—Inflation and dollar crisis—Urban crisis—.

CONDUCT OF VIETNAM WAR

Approve President Johnsons handling Vietnam war as Commander-in-Chief —. Is S. Vietnam govt. doing its share —.

Should U.S. objective remain "limited war" —. Do you believe U.S. Government has adequately stated, defined Vietnam objectives —.

How would you compare the present U.S. position in Vietnam with that of a year ago? Improved —; Same —; Worse —.

Has the bombing of North Vietnam been effective —.

Do you feel Johnson Administration provides accurate and sufficient information and facts on Vietnam war —.

Do you consider yourself a Hawk — Dove — or agree on U.S. overall policy but disagree on tactics and conduct of war —.

If necessary to avoid defeat in South Vietnam, should U.S. use nuclear weapons —. Favor $268 million extra U.S. Air Force funds to pay for 33% increase in number of B–52 bomber missions —.

Should every rocket on Saigon be matched by bomb on Hanoi —.

Should establish beachhead above DMZ in North Vietnam with U.S. Naval and Air support (similar to General MacArthur's landing at Inchon in Korean War) —.

Favor U.S. offer to finance increase of South Vietnamese forces by 260,000 men to total of 1 million men for military, reserves and pacification — or oppose *any* war escalation —.

Should the Administration seek Congressional approval before increasing U.S. troops in Vietnam —.

U.S. conduct of war: OK — could do better —.

Winter 1968 U.S. marines heroically hold Khe San advanced base. 77 day siege, 2300 casualties. Reason given: base blocks vital North Vietnam supply and infiltration route. 27 June 1968 Johnson Administration announces U.S. forces abandon and destroy Khe San. Reason given—base not necessary. Is this good procedure — or negligence — poor strategy — result of Vietnam decisions being made in Washington, D.C. — or really "credibility gap" —.

In Vietnam US should: (please mark your choices 1, 2, etc.)

—Continue US present course: limited war, reduced bombing with Paris peace talks, continue fighting in Saigon & South Vietnam.

—Resume full bombing, stop infiltrators, make strong effort to win limited war in South Vietnam regardless of effect on Paris talks.

—Stop Paris talks, make all out effort to win war in South and North Vietnam, send 75,000 more US troops requested by US military, blockade port of Haiphong, hit Hanoi, disregard demilitarized zone, bomb dikes and all transport.

—Continue Paris talks but hold only strong points, retire to coastal cities and enclaves, respond only when attacked.

—Withdraw all US troops from South Vietnam immediately.

—Deescalate Vietnam limited war unilaterally, gradual withdrawal US troops over two years regardless of negotiations.

GOLD DRAIN

Favor maintaining US gold price $35 per ounce (France, other countries draw US gold $35, sell open market above $40)—.

Should Congress require President Johnson to keep US gold in Ft. Knox as $12 billion reserve to back US dollar—.

PARIS PEACE TALKS

Is worthwhile progress being made in peace negotiations—; should Paris talks continues—; how long—; just propaganda—;

Should US continue Paris peace talks when North Vietnam uses talks for propaganda, escalates war by rocket attacks on Saigon civilians, increases infiltration rate to 29,000 men monthly—.

Should US negotiators continue to require reciprocal cease-fire to match US limited bombing pause—try unilateral cease-fire—.

In order to get pease in Vietnam, do you feel United States should agree to North Vietnamese demand that a coalition government which includes Communists be set up in South Vietnam—.

Should US stay its military hand further during long Paris negotiations when price is American and South Vietnam lives—.

Should peace negotiations continue when stalled by North Vietnam until US stop all bombing—.

Should President continue indefinitely reduced bombing of North Vietnam (area coverage reduced 78%, population coverage reduce 90%—Should President take unilateral action and order an end to the bombing of North Vietnam with hope that Communist attacks on South would cease—.

Should US make compromise to favor National Liberation Front (Viet Cong-Communists dominate) in South Vietnam—(This position favored by Senator Eugene McCarthy).

Agree with Senator Jacob Javits (N.Y.): complete cease-fire in Vietnam is essential to get Paris peace talks off dead center—.

Agree with Senator George Murphy (Calif.): US should set deadline for resuming bombing throughout North Vietnam—.

BUDGET

Do you feel we are receiving accurate and reliable information from Johnson Adminis. on US government domestic activities —.

Favor President Johnson's 10% surtax on income tax (exempting lower income brackets) — without substantial cut in high Federal spending — Favor reducing Federal spending on domestic programs —.

Should President Johnson impose wage and price controls —.

Agree with William McChesney Martin, Chairman, US Federal Reserve Bank Board; "US is facing worst financial crisis now" —.

Agree US tax increase and decreased US Government spending necessary to prevent bad inflation and strengthen dollar —.

Favor returning a percentage of Federal tax money to state and local governments, eliminating some Federal programs —.

Favor Johnson Administration current *actual spending* ($180 billion for all Federal Govt. agencies fiscal year '68) —; too large —; too small —; about right —.

Favor President Johnson's Administrative Budget fiscal '69 of $189 billion — or cut $4 billion —; $6 billion —; $– billion.

During Vietnam war: favor continuing planned Federal highway construction —; Chartiers Valley Flood Control Program —.

Favor funds for House Un-American Activities Committee —.

Favor full funds for FBI — should Director J. Edgar Hoover be fired as Senator Eugene McCarthy suggests —.

Should budget of US National Institutes of Health for research in cancer, heart diseases and development of children, blindness and mental retardation be reduced $38,558,000 for economy —.

Favor $250 million federal funds to assist local communities in 4 year programs to prevent juvenile delinquency —.

DRAFT AND MILITARY SERVICE

Is present draft system satisfactory — or does draft law favor well-off and draft the poor —; should educational deferments be continued —; graduate study deferments be reinstated —; draftees be chosen by lottery under draft law —; should US move towards high paid, professional voluntary military service at end of Vietnam war —; should draft registrants be given choice for draft service at age 19 or after 4 years of college —. Should US abolish exemptions for conscientious objectors —; abolish criminal penalties for refusal to enter military service and substitute compulsory double time social and supporting service at military pay rates without allowances —.

Which do you favor as the best means for the US to maintain manpower for an effective US defense system now; compulsory draft or lottery system —; regular voluntary enlistments —; form new elite high paid, small technical military force —; universal military training for all high school and college students then serve 2 year tour either military or public service duties —.

Do you believe our draft law could be made more equitable without destroying its effectiveness —.

DOMESTIC ISSUES

Favor Federal programs: slum clearance—clean streams—; to prevent air pollution—urban development—.

Favor strict laws for Federal meat inspection—; poultry inspection—; fish products inspection—.

Favor "truth in lending" standards set by law by US Congress—.

Favor $7 billion Federal housing program for 1969 reported by House Committee—.

Favor my vote for Omnibus Safe Streets, Crime Control Bill—.

Favor my vote for Federal anti-crime funds ($400 million) to strengthen criminal law and assist local police—or is this action by US Congress invading states' rights.

Should Federal Communications Commission require TV stations to reduce violence on television—.

Do you believe stronger penalties for illegal manufacture sale and possession of dangerous drugs would be effective—.

Should use of "pot" (marijuana) be legalized—.

Favor tightening Federal law requiring safety features be built into automobiles, trucks by manufacturer—.

Favor law providing Federal safety standards for interstate transportation of gas by pipline—.

Are present relief standards OK— or so high they discourage incentive to work—. Should more emphasis be placed on technical and job training programs instead of relief—.

Favor bill to expand vocational rehabiltation programs—.

Favor US Congress passing legislation to require Federal safety standards in factories, mines, and plants—or leave safety standards completely to states, local communities and plants—.

Favor completion 1969 manned moon landing program (Apollo) (Eighth & last year of preparation, primary contracts all let)—.

Former New York Representative Adam Clayton Powell has been renominated for Congress by Democrats in Harlem. Should Powell be seated if elected—or not until Powell clears up financial and Committee delinquencies—.

URBAN CRISIS AND CIVIL DISORDERS

In general do you favor recommendations of Kerner Commission, appointed by President Johnson to investigate riots —; Specifics:

—(1) Federal government provide guaranteed annual income for all regardless of work.

—(2) National "open housing" law—comprehensive and enforceable.

—(3) Welfare payments substantially increased and given as a matter of right and not charity.

—(4) Police departments not be equipped with mass-destructive weapons, like automatic rifles, machine guns & tanks.

—(5) Federal government to provide subsidies for construction of six million new housing units in next five years.

—(6) Congress greatly increase appropriation for rent subsidies.

—(7) Local and federal government agencies to increase budgets and taxes to provide one million new jobs for hard core unemployables.

Headline, Pittsburgh Post Gazette, 3 June 1968—page 9: "Governor Shafer says Black Revolution helped U.S."—do you agree with Governor Shafer — (I certainly don't).

Agree with Mayor Daley of Chicago that "police should shoot looters and arsonists who fail to stop when challenged" —.

Oppose House cut $136 million from school aid in urban slums and poor rural communities in spite of Poor People's March —.

In case of riots, looting, burning, do you favor:

—(a) immediate and stern enforcement of the law

—(b) employment of large police and military forces instructed to act moderately and try to contain the riot.

What do you think about riots, looting and civil disorder?

Favor U.S. recognizing underlying problems, poverty and unemployment, beginning to solve them —. Don't blame rioters —. All who foment or engage in riots are criminals, and ought to be treated as ordinary law violators —; their actions are justified by injustices society imposes upon them regularly —. Give militant leaders like H. Rap Brown and Stokley Carmichael a chance to work out solutions —.

Do you believe our approach to crime and civil disorder should be: increased Great Society social programs —. More Federal spending and more Federal enforcement programs — combination of increased Federal and local programs —.

Do leaders of mass demonstrations who preach non-violence actually provoke disorder —. Do you excuse violence in name of good cause —; favor civil disobedience —; favor mass arrests —; use of mass demonstrations to force passage of legislation in Harrisburg —; in Washington, D.C. —. Do you believe stricter handling of rioters and demonstrators by police and courts would reduce civil disorders —.

Favor immediate massive show of police and military force to stop civil disturbances and riots before mobs get control —.

Should local, state and federal police forces be increased —.

Favor "black power" —; "black power" organizations helpful — harmful — to civil rights movement, ban "black power" by law —.

GUN CONTROL

Favor tight gun control law at Federal level — or should states & local communities pass laws and supervise controls —.

Favor Federal law requiring registration of all guns —. Does this violate citizens' right to privacy — or citizens' right to bear arms under US Constitution.

Favor President's proposal to require licensing and registration of gun owners —. Favor elimination of mail order sales of rifles, shotguns, revolvers and firearms —. Should police be kept disarmed as Britain did, so criminals will not carry guns —.

Favor proposed Federal law that persons can only purchase guns of any kind in his own state —. Complete ban on interstate firearms sales —. Favor broadening control of "destructive devices" in US anti-crime bill to cover grenades, bazookas and automatic rifles —.

US Postmaster General Marvin Watson has ordered all guns in US mail be labelled "firearms" and notice of delivery be given to local police by US Post Office. Agree —.

Favor Federal strict gun control law prohibiting ownership or possession of guns by persons other than police, FBI, and US military — or recommend no new Federal gun legislation at all — States and local communities should handle firearm problems —

Should special provision be made in any gun control law to protect rights and interests of sportsmen and hunters —

INTERESTING FACTS

Hunting licenses: Pennsylvania counties

Allegheny	67,566
Westmoreland	37,667
Philadelphia	22,294
Beaver	17,452
Butler	17,010
Washington	20,944

Source: State Game Commission.

Our western county sportsmen far outnumber Philadelphia!

STUDENTS AND SCHOOLS

Favor Federal income tax deductions to finance college —.

Favor Federal law requiring "busing students against their parents' wishes from city to suburban schools, also suburbs to city schools" to make equal racial percentages in all schools —.

Favor expanding Federal school lunch programs by $100 million extra yearly for next three years —.

"Students for Democratic Society" (SDS) at Atlanta national convention in June '68 passed resolutions: "We favor destruction of present educational system and institutions in belief that *whatever* replaces them will be better." Agree —.

Should student activists be permitted to close school for political purposes —. Are the following student activities justified: riots —; violence —; occupying building —; *student striking:* to protest school grievances —; against draft —; against war —; against US government research defense contracts at schools —.

Should we cut off Federal scholarship and loan funds to college students participating in campus rioting —.

Are teacher strikes for pay raises justified —; teacher unions —; teachers demonstrating —.

Favor US Supreme Court decisions desegregating US schools —. Is order proceeding well —; too fast —; too slow —.

Favor Federal gov't. expenditure $13 billion for education —; too much —; too little — (three times level four years ago).

Are US high schools failing — (900,000 annual dropouts; only half of graduates go to college). Are US colleges failing — (only half finish college who start). Do present high schools — colleges — teach skills needed to make a living —. Do student riots indicate rejection of traditional educational values —.

Should college attendance be placed solely on basis of ability to learn, not ability to pay —. Favor present state and Federal scholarship programs be increased —.

Should US employ our $45 billion investment in primary and secondary schools year round — or as at present just 9 to 5, 5 days a week 9 months a year —.

Should grade schools forget most modern frills — and go back to plain old "readin', 'ritin' & 'rithmetic & hickory stick" discipline —.

FOREIGN AID

Approve 1969 US foreign aid ($2.9 billion Johnson request) —. Favor $600 million cut —; $1 billion cut; end US foreign aid program, it's not winning us friends anyway —.

Is administration of US foreign aid program: Excellent —; Good —; Fair —; Bad —; Not Practical —.

Do we need substantial change in President Johnson's US foreign aid policy —.

Do you favor US foreign aid: to South Vietnam —; to Laos —; to Cambodia — (both unreliable but next door to Vietnam); to people of South Korea — (fighting Communism at 38th Parallel where South Korea has 16 divisions, US forces 2 divisions; also 47,000 South Koreans fighting well on our side in South Vietnam; to Thailand (Siam) — (location two major US Air Force bases); to Israel — (for defense to balance military power of Arab nations supplied with several billions in arms by USSR).

Stopping US foreign military aid to Arab nations —; continuation US food aid, library support to Nasser's Egypt —; to Tunisia — (an Arab nation which favors West and recommends all Arab states enter peace treaty with Israel); to Guatemala — (fighting insurrection and Communist takeover, over 2000 political assassinations).

To Brazil (to finance sophisticated US jet fighters, F–5) —. US military aid to Latin American countries to finance internal security type weapons to prevent riots & revolution by Communists and subversives —.

$13 million aid for children through US contribution to United Nations Children's Emergency Fund (UNICEF) —.

Continuing foreign aid for technical training school assistance to Island of Madagascar (Malagasy Republic)—(only African nation strongly against Communism; always votes with US at United Nations; US aid presently being practically closed down by Johnson Administration) —.

Aid only to friendly countries —; no aid to Communist nations —; nations trading with North Vietnam —; or Cuba —.

Continuing military and economic aid to India (1.1 million men under arms, third largest army in the Free World) —.

Continuing US foreign aid to Latin America under Alliance for Progress —.

Resuming foreign aid to Indonesia to stop Communist attempts to return to power —.

FARM AND POVERTY PROGRAMS

Favor Johnson Administration's farm programs rigid high price supports yearly cost $7 billion—or favor substituting new, less costly farm programs to protect the average family farmer through conservation, fertilizer, crop insurance, marketing and research—

Is there starvation and undernourishment of U.S. poor people caused by U.S. Dept. of Agriculture admittedly holding back $227 million yearly from free surplus food and stamp distribution programs—. Is this false and unfeeling economy while Department pays many individuals subsidies from $10,000 to $1,000,000 annually not to grow crops—.

Which do you believe to be correct—CBS television report showing starvation in 256 U.S. counties—or House Agriculture Committee publication citing malnutrition and poor diets due to poor education & ignorance—or are both situations true—.

Do you feel that present farm programs and policies have contributed to the current big decline in farm income—

Favor expanding the food stamp program—.

Favor Poor People's campaign objectives—. Favor Poor People's march to U.S. Capitol—. Was Resurrection City success—. Should Federal park permit have been extended for Resurrection City—. Favor indefinite operation of future Resurrection Cities—.

Was Washington, D.C. Mayor, Walter E. Washington, (himself a Negro) right in ordering arrest of 343 demonstrators from Resurrection City including the leader, Rev. Ralph D. Abernathy—

Should Federal Government guarantee minimum food distribution to every citizen—Should Government guarantee annual wage (negative income tax) to all regardless of work—or just those unable to work—or oppose such idea completely—.

What do you think about the War on Poverty? Keep it going at current pace, doing a good job—Greater emphasis should be placed on private enterprise participation—Excellent program, deserves more funds—. Cut program funds of $1.8 billion by $100 million—. $300 million—or is program "do-gooder's boondoggle" not worth cost—.

Favor renewal by Office of Economic Opportunity of $1 million annual poverty program grant to two Chicago gangs, Blackstone Rangers and East Side Disciples as recommended by Senate witness Rev. John R. Fry to keep peace in South Chicago in '69—or is this just bribery—.

SUPREME COURT

Should Congress have power to revise U.S. Supreme Court decisions ——.

Are U.S. Supreme Court decisions too socialistic —— give too much consideration to present day criminals —— unfairly hamper our law enforcement agencies and local police —— give police backing ——.

Agree/disagree Chief Justice Warren should have resigned now to permit President Johnson to appoint new Chief Justice ——; should President Johnson have held appointment to await new President ——.

U.S. DEFENSE AND FOREIGN POLICY

Is Vietnam War worth the cost (As of June 1968, 25,068 American killed, 154,297 wounded) ——.

Do you favor expense of keeping "Hot Line" to Russia ——.

What would you now do about seizure of USS Pueblo by North Korea? Issue ultimatum demanding immediate release of crew and ship ——; continue to use diplomatic and United Nations sources to accomplish this result ——; admit U.S. wrongdoing and apologize in return for release of ship and its crew ——.

Is $81 billion annual defense spending for U.S. OK ——; too much ——; too little ——. Favor Senator Joseph Clark's motion to reduce 1968 U.S. defense appropriation bill by $3.5 billion ——.

Favor building U.S. anti-ballistic missile (ABM) system (cost $30–$40 billion) for nuclear defense of certain selected U.S. cities ——. Or favor U.S. "thin" ABM system for skeleton nuclear defense in 1970's against China alone (Cost $7 billion) ——.

Soviet Russia June 27 indicates willingness to negotiate for mutual reduction of strategic weapons, both offensive and defensive. Do you believe U.S.S.R. means it ——; Do you trust U.S.S.R. ——; Must really adequate mutual inspection be first required ——.

U.S. Marines 1945 took Iwo Jima cost 6800 American deaths. 19,000 Japs. Favor U.S. return Iwo Jima to Japan June 26, 1968 ——.

June 17, 1968, in the United Nations Security Council the U.S. pledged "immediate assistance" to *any non-nuclear country* facing nuclear aggression. Is this pushing U.S. commitments beyond our capability to perform and endangering U.S. security ——.

CONSTITUTION AND ELECTIONS

Favor abolishing electoral college system, allowing voters to cast their ballots directly for President and Vice-President —.

Do you favor lowering Federal voting age to 18 —; State —.

Should US Constitution be amended to permit voluntary prayer and Bible reading in schools —.

FOREIGN AFFAIRS

Favor US continued support of NATO — or bringing US troops back from Europe —. NATO survive when DeGaulle pulls out —.

Britain has devalued its pound. Should US devalue our dollar —.

In view of unfavorable international monetary balance, should Johnson Administration make more efforts to collect World War I debts that now total $15 billion —.

Favor continuation of Peace Corps program —.

Is President Johnson right that USSR is now showing signs of cooperation — or is Foreign Minister Willie Brandt of West Germany correct in warning of new Berlin Crisis —.

Favor US recognition of Communist China now —. Admission of Communist China as member of United Nations —. Making Communist China a permanent member UN Security Council —.

Favor my bill HR 5327 to prevent dumping of foreign steel in US (11.5 million tons last year—equivalent to 14,000 jobs) —.

Favor banning US "most favored nation" treatment under US tariff laws to Communist countries supplying arms, weapons, and military assistance to North Vietnam —.

Favor authorizing Export-Import Bank to make loans abroad up to $2 billion that "do not meet test of reasonable assurance of repayment"? —

Favor President Johnson's proposals to limit US investment overseas —; to restrict US tourists foreign travel.

SPECIAL NOTICE

If you have further views, your letter will be welcome with your individual recommendations. Our faithful office people in Pittsburgh and Washington, D.C. work hard to give good service with intelligent representation.

SUMMER INTERNS AT CAPITOL FOR "HOME PICTURE"

Shown here are Kathy Schreiner (in white), daughter of the Bryson Schreiners of Mabrick Ave., Mt. Lebanon, a recent graduate of Pembroke College: career: librarian; Dana Trice, student at George Washington University, daughter of Harley Trice, retired US Army Colonel & Professor at West Point: career: art historian; tall Bill Offutt, son of the James H. Offutts of Mt. Lebanon, recent graduate of Ohio University in Economics: career: teacher; Dick Beeman, son of the Sheldon Beemans of Whitehall, graduate of Baldwin High School, Yale University, now studying law at University of Pennsylvania: career: space law.

ABM SYSTEM NEEDS CAREFUL DEBATE

HON. HASTINGS KEITH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. KEITH. Mr. Speaker, in the light of the Congress consideration of substantial new funds for development of an anti-ballistic-missile system, I would like to include in the RECORD a timely editorial by the New Bedford Standard-Times. This newspaper has done extensive research into the many technical and political aspects of this complicated subject, and has developed its own strong position on the issues involved.

Last year, I presented for the RECORD an eight-part series by the Standard-

Times on the ABM question, which I considered a fine service to all of us who share responsibility in deciding the policy issues involved in this new strategic system. Regardless of the strong words in this editorial and of the differing positions which any of us may hold concerning the ABM, I think we can benefit from the perspective offered by the Standard-Times.

The question of authorizing the deployment of the Sentinel ABM system will soon be before the House, Mr. Speaker, and I feel that it should be given very thorough discussion. During the debates in the Senate, arguments were offered that we should continue research and development on the Sentinel system, but delay authorization for procurement of the components this year. Scientists both inside and outside of the Government are divided in their opinions about the wisdom of moving ahead with procurement of a system which is yet in the early stages of development. This lack of agreement among the specialists is a good reason for thorough and searching debate here on the floor.

The key issue is effectiveness. If the ABM defense system could save several million lives in the event of an enemy attack, it would be hard to argue that the expense of building the system is too great. If, on the other hand, it is not technologically possible to achieve a significant damage-limiting capability, then perhaps our defense moneys could be better spent on other strategic weapons.

Because of the complexity of these issues, Mr. Speaker, the public media by and large have not examined them in great depth, and those of us who are laymen in defense matters have perhaps less guidance for our discussions. For this reason, I believe the public service of the Standard-Times in examining the ABM problem in full is all the more valuable.

The editorial follows:

President Johnson, Defense Secretary Clifford and a majority of the United States Senate have assumed a grave responsibility by supporting the multi-billion-dollar deployment of an antiballistic missile defense system.

Their position represents an indefensible surrender to the military-industrial lobby, that will result in massive unnecessary spending. Moreover, it will not add to U.S. security but may, very likely, heighten world tensions and spur a new arms race.

Coming as it does at the moment of a Soviet offer to begin early discussions on the limitation of strategic offensive and defensive nuclear weapons, the Senate vote for ABM deployment is a major blunder that the Congress of the United States should repudiate.

It is now clear that the "thin" ABM defense system against Chinese missiles that was "sold" to former Defense Secretary McNamara and the nation a few months ago as a relatively cheap $5 billion program is no such thing.

Both Secretary Clifford and Sen. Jackson, D-Wash., floor manager for the bill that includes the ABM funding, now place new emphasis on the fact that the system "will have definite capabilities for defense against the Soviet missile threat."

What this means, according to estimates of the scientists who will have to build the ABM setup, is that it will cost at least $50 billion to build, plus an additional $5 billion to $50 billion in fallout shelters, depending on the type selected, to protect our own citizens from nuclear fallout from our own "defensive" weapons.

Even more important, this shift in top-level rationale proves that the Russians were right in refusing to accept our ABM project propaganda as simply an anti-Chinese move, and in regarding it instead as the first step toward a heavy missile defense system against threats from the Soviet Union.

Soviet reaction, in the form of added impetus to its own ABM construction—with all the heightened dangers implicit in an arms race—appears virtually inevitable.

The ABM system that the Joint Chiefs of Staff and military-oriented industry are determined to produce will be obsolete before it is ever completed, as Senate majority leader Mike Mansfield has pointed out. Many experts in the Pentagon and outside say it simply cannot work. This is the strongest argument against it.

When completed, it will not provide an effective defense against a large, sophisticated missile attack such as could be launched by the Soviet Union, as Mr. Clifford has acknowledged. The best he could say for the anti-missile system was that it would "complicate" such a Russian attack.

But the indefensibility of the decision to go ahead with ABM stems additionally from the fact that both Soviet and Chinese "threats" have been misrepresented.

Red China's missile program has been slowed by its domestic problems; even a "thin" U.S. defense against Peking is needed less than was predicted a year ago.

The Soviet Union's present limited ABM system, as was reported by The Standard-Times as early as 1966, is accepted by a majority of the American intelligence community as an anti-aircraft, rather than an anti-missile system.

Thus, without reasonable provocation, what we now propose is to convert the balance of mutual deterrence that presently exists into a nightmare era of nuclear instability.

We propose to do this precisely at a time when more than four years of international effort appears likely to produce a world treaty to ban the spread of nuclear weapons.

What other result than a hardening of the "cold war" battle lines can the Senate vote have?

Sen. Brooke, R-Mass., and his 33 colleagues are to be commended for having voted against ABM deployment.

It is deplorable that 52 other senators chose to oppose them in what undoubtedly will prove to have been the most critical U.S. defense vote of this decade, and an economic, political and military tragedy.

THE SOLUTION TO OUR MERCHANT MARINE PROBLEM: A NEW AND REALISTIC PROGRAM

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. O'NEILL of Massachusetts. Mr. Speaker, I have spoken of the need for a new, vital merchant marine program many times. Our Nation needs a program that will encourage American shipbuilding and trade in American-flag vessels.

I would now like to call the attention of my colleagues to an article in a special supplement of the Boston Herald Traveler. Mr. Joseph Curran, president of the National Maritime Union of America of the AFL–CIO, has written an article that clearly and frankly describes the disastrous decline of our post-World War II merchant marine. Mr. Curran recognizes the faults and inherent dangers of our present policy.

I place his well-written article in the RECORD at this point:

MERCHANT MARINE SOLUTION—A PROGRAM

(By Joseph Curran, president, National Maritime Union of America, AFL–CIO)

If we listed all the things that should be done about the American merchant marine and are not being done, we could fill a book. But it can be summed up very simply: we need a program.

We need a program that takes into account all that a strong merchant marine means to our country and spells out what will be done to assure our country of the American flag shipping and the American shipbuilding capacity the U.S. must have.

We have not had such a program since World War II. We developed a program during that conflict because our life depended on it and because the American seamen and the industry were able to perform miracles. But ever since, our merchant marine has been declining disastrously.

The Soviet Union, meanwhile, has been building her merchant marine at a faster rate than any other country. Now they have passed us and they are headed for being the greatest maritime power in the world within the next few years.

We can thank the U.S. Senate Foreign Relations Commerce Committee for the preparation of a report that spells out in clear cold terms what the Soviets have done and what it means. From this report, we can see they hope to use their merchant fleet to practically control the world's trading, drain other countries of their currencies and exert tremendous potential influence on developing nations.

At about the same time that report was issued, we had a report by the U.S. Maritime Administration that—believe it or not—there is now more American-owned vessels tonnage under Liberian and Panamanian flags than there is under our own flag. This should have every American beating at the door of the Maritime Administrator and the Secretary of Defense.

Not only does their report set forth the shameful facts about this American "runaway" fleet—which has grown by over 25 per cent in the last seven years while our American flag fleet has been shrinking (but it goes on to repeat the misguided "effective control" theory, claiming that these foreign flag ships, "are available to the U.S. Navy in an emergency," simply because they are American-owned.)

At least four times during the Vietnam emergency, when the Defense Department tried to use foreign flag ships to carry military cargoes to our fighting forces, the crews refused to sail and the cargo had to be transferred to U.S. ships after serious delays.

Anybody willing to face facts would find proof in this experience that the claim of "effective control" over any ships under foreign flag with non-citizen crews is a dangerous mistake.

The fostering of the runaway fleet is dangerous in another respect. Year after year, these runaway ships have been one of the biggest factors in the dollar drain that the President says is threatening the economy of the free world. They represent an investment by Americans abroad of more than 6-billion dollars.

Every year they take billions out of the U.S.—in payment for cargoes carried: in wages lost to American citizens and paid to foreign nationals: in taxes not paid by the giant U.S. corporations that own the ships and in maintenance and supplies bought abroad.

If the President is really worried about our unfavorable international balance of payments position, he can set the balance straight and turn it in our favor just by putting a stop to this "runaway flag" device which our Navy and the Maritime Administration seem determined to protect.

Yet we are more and more being placed at the mercy of foreign flag shipping. If it were not for the fact that the World War II ships in our reserve fleet could still be patched together—and American seamen were willing to undergo the risks and hardships of sailing these rustbuckets—we would not have been able to handle the requirements of Vietnam without giving up almost all service under our flag to any other part of the world.

There are many other serious elements in our maritime crisis. Nothing is being done about American flag passenger ships although every other maritime nation—especially the Soviet Union—is building and expanding their operations in this important field.

We have laws that require our passenger ships to be safer than any other ships in the world in the way they are built, operated and manned. Yet other countries dominate this trade out of our ports with ships that are far short of our standards, some of them actual floating firetraps.

We have almost completely ignored the tremendous challenge and opportunity that is right in front of us in the field of fishing. Soviet fishing fleets, combining espionage and research along with floating fish factories, range the world, including the waters right off our shores.

The Soviets know how important this field is in the battle for world leadership. People are multiplying by the billions. The ability of the land to feed the population is dwindling. That means the world is going to have to turn increasingly to the seas for food. A nation's ability to compete in the field of fishing may well decide the ability to survive in the world of tomorrow. But we are lagging far behind.

How long can we continue to maintain our posture as a world leader if we do not have a strong merchant marine under our own flag? One only has to look at a globe to see how dependent on ocean transport our country is. Without ships of our own to carry a substantial portion of our commerce and to back up the armed forces in an emergency, we will be virtually helpless.

In normal times, we will have to pay whatever foreign shipping operators demand, with disasterous effects on our balance of payment. And in an emergency, we will have to beg and pray that the ships we need will be made available to us at any price.

The maritime unions and maritime management are today united as never before in our history in support of a constructive program along the lines to be recommended by the Senate Interstate and Foreign Commerce Committee.

Such legislation is not in the interests only of the industry, it is in the interests of the American people. We ask the American people to get behind their merchant marine before there is no more merchant marine to get behind.

CUBAN POWER: THREAT TO UNITED STATES IN 1968

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. ASHBROOK. Mr. Speaker, the impact which the Cuban bastion of communism has, and can have, on the United States is all too frequently underestimated, if not totally forgotten.

Although we hear the splashes of news as a black power advocate visits Cuba or as a Cuban Communist terrorizes and dies in another Latin or South American nation, these tend to fade and we drop our guard. But while these items make news, other efforts continue unannounced: Cuban parol boats increasingly threaten our shores; missiles are said to be threatening from caves and landscaped launching pads; terrorists are being trained, equipped, and sent back out of the country to perform their task of subverting an entire continent; friendly exiles are checked at every attempt to free their nation; and the State Department talks of "building bridges."

The details of these Communist operations are revealingly recounted by Dr. Herminio Portell Vila', editor of Radio Free Americas, and John F. Lewis, associate editor of the Washington Report Newsletter of the America Security Council.

I include their analysis of the threat of "Cuban power" at this point in the RECORD:

CUBAN POWER: THREAT TO UNITED STATES IN 1968

While Washington and Moscow busily promote world ratification of the nuclear nonproliferation treaty, the Kremlin says it has no intention of committing the Soviet Union or its satellites to any agreement which would prevent the use of nuclear weapons in Latin America.

This little publicized but highly significant development emerged from the May 28th signing—in the Kremlin—of a cultural exchange agreement between Mexico and the Russians.

Winding up the first "goodwill" visit by a top Mexican official since Communism seized power in Russia 50 years ago, Foreign Minister Antonio Carrillo Flores turned to his Russian hosts and asked if they would be good enough to sign the Treaty of Tlalteloco. That is the treaty—already endorsed by Great Britain and the United States—which proclaims that all signatories recognize Latin America as a nuclear-free zone, one in which nuclear arms will never be employed. Kremlin spokesmen reportedly told the surprised Mexican Minister that the most they would consider was a verbal pledge not to use nuclear weapons in or over Mexico, provided no other country ever used them there.

Minister Carrillo Flores could have anticipated this response since Cuba's Fidel Castro has repeatedly declared his determined opposition to the Treaty of Tlalteloco. Castro has bodly insisted, ever since the 1962 Cuban missile crisis, that Cuba will not hesitate to use nuclear missiles if and when it suits Havana's purpose. In promoting Communist subversion and revolution in the Western Hemisphere, Russia and Cuba have presented the image of Cuba as a mightily armed advance base of Red militancy ready to launch unlimited warfare in any direction any time Moscow gives the go-ahead.

For this reason, the Kremlin declaration to the Mexicans takes on a particularly serious dimension in this summer of 1968 as one reads the closed-door testimony now being released by the U.S. House Appropriations Subcommittee on Defense.

The highlight of subcommittee hearings was the disclosure by the top officials and officers of the U.S. Navy that fast-moving (35 to 40 knots) and highly maneuverable (comparable to torpedo boats) cruise missile ships engineered by the Soviet Union have been turned over to Castro and now hover threateningly off the Atlantic and Gulf Coasts of Florida.

Naval specialists and Congressional experts testified that perhaps as many as 15 of these vessels of the KOMAR and OSA class are patrolling in easy range of both our own naval units and shore installations around Florida.

It was just a cruise missile ship which fired the deadly STYX missile which sank the Israeli destroyer Eilat not long after the uncertain truce began following last June's Israeli "blitzkrieg" against her Arab neighbors.

Since the sinking of the Eilat, British and American naval authoritities have suggested with increasing urgency that the Russian development of cruise missile ships leaves Western fleets units vulnerable to devastating attack, particularly where air cover is not immediately available.

Subcommittee questioning brought out testimony that the U.S. presently has no sure defense against the surface-to-surface 15-mile range cruise missiles with the possible exception of the under 9-mile range American "Sea Sparrow" missile now installed on carriers in the western Pacific. Nor does the U.S. yet have cruise missile ships of its own to compare with the Communist KOMAR and OSA class craft.

Both the OSA (160 tons) and KOMAR (75 tons) are able to operate in relatively shallow coastal waters. The OSA class carry four large hood-type missile launchers—two abreast—and the KOMAR class carry two launchers.

All of the expert witnesses interviewed by the House subcommittee, including Navy Secretary Paul Ignatius, reluctantly testified that the United States has a serious problem in coping with Cuba's new Naval threat. Thus, it was hardly reassuring to note the final testimony of former Defense Secretary Robert McNamara. He told the subcommittee: "I believe our current ability to meet the cruise missile threat, when considered in its full context is adequate . . . I would like to emphasize that by far the largest portion of potentially hostile cruise missile launchers are mounted in coast defense sites or on short-range patrol boats, which do not represent a hazard to our forces *unless we choose to close with them.*" (Editor's italics)

In other words, the United States Navy is safe as long as Cuba does not "choose to close" with us and we do not challenge Cuba. And how safe is any of our coastline on the Atlantic or the Gulf if Castro and his Russian advisors ever decide to arm those cruise missiles with nuclear warheads?

The answer the Mexicans received from the Kremlin also points up the persistent reports that Cuba still retains a number of bases where missile launching facilities remain intact. Refugee sources in recent months report with renewed concern that missile weaponry never fully and convincingly accounted for in '62 remains on the firing line in caves and camouflaged military complexes.

The testimony of Cuban architect Lorenzo Medrano is particularly noteworthy. He was put in charge—in November, 1962—of concealing and camouflaging through sophisticated landscaping the nuclear bases at San Julian, 188 miles west of Havana, and Palo Alto, 330 miles southeast of the Cuban capital. Medrano says the missile equipment was carefully housed underground at the very time the Russians were supposedly carrying it back to the Soviet Union aboard their freighters after the 1962 showdown.

Missiles in the caves of San Cristobal-Soroa, 60 miles west of Havana, were the focal point of much of the late U.N. Ambassador Adlai Stevenson's ire during United Nations debate over the Cuban missile threat in 1962, yet even the Cuban magazine *Bohemia* says dismantling as promised by Khrushchev was never completed and Castro merely camouflaged the location.

Other sites frequently alluded to by the refugees arriving from Cuba in the past year are San Antonio de los Banos, 20 miles southwest of Havana; Cayo Frances, 210 miles east of Havana along the north coast overlooking the sea lanes to the Bahamas; Banes, 520 miles east of Havana; Holguin, 120 miles northwest of the U.S. Guantanamo Naval Base; Laguna Blanca, 510 miles east of Havana; San Rafael, 50 miles west of Guantanamo, and Sierra Morena on the north coast and Purial high in the central Cuban mountains, both some 200 miles east of Havana.

Though U.S. officials generally dispute the accuracy of these reports, or question the size and range of missiles which may be harbored in them, none can forget that it was the word of Cuban refugees, long ignored, that finally led to the uncovering of such missiles six years ago.

Only now we are learning from no less a source than the U.S. Navy, Department of Defense and the Congress that Castro's cruise missiles which are a serious threat without nuclear warheads and which may, presumably, be adjusted to carry them, are operating within easy range of Florida's coast.

In addition, it has been long known that a powerful Soviet submarine fleet roams at will up and down the Atlantic coast of the United States, often accompanied by Cuban and Russian fishing trawlers equipped with electronic spying equipment and operating from modern sub-pen bases in Mariel, 10 miles from Havana and due south of Key West, Florida, and Banes, mentioned earlier.

Because of the mighty buildup of Communist military aircraft, Cuba has been called the world's largest stationary aircraft carrier.

Many Americans think of Communist Cuba as a threat 90 miles away. Actually that is an outdated concept because Cuba's Communism is now a threat in our own streets.

Immediately after that missile crisis of 1962, Fidel Castro stepped up his penetration of the United States with propaganda and subversion. From three complexes of transmitters each with an output of 100–150,000 watts, Castro's broadcasters round-the-clock deliver the Communist message of hate for America and the blueprint for subversion and revolution. Broadcasts detail how to assemble Molotov cocktails, how to cut high tension lines that can cripple a highly advanced industrialized society, and how to play on the already strained emotions of minority elements in the U.S. society.

Castro's official newspaper Granma is circulated in both English and Spanish language editions by the thousands each week to every U.S. campus, minority pressure group and militant activist organization whether dedicated to civil rights, the use of drugs or the opposition to the U.S. effort to stop Communist aggression in Vietnam.

When Martin Luther King was assassinated, a printing firm in Communist Czechoslovakia went to work on a rush assignment. Within one week, posters marked "printed in Prague" shipped to Havana and then to the Cuban delegation at the United Nations for distribution throughout the United States called for "Black Power" rebellion.

In recent testimony before a House subcommittee of the Appropriations Committee, FBI Director J. Edgar Hoover summed up the Cuban government's effort in the U.S. this way.

". . . Cuban intelligence personnel are carrying out sophisticated operations in the United States . . . Experienced operatives utilizing Soviet tactics are actively engaged in a continuing program of recruiting Cuban agents in this country. The methodical, persistent and highly specialized approach being used bears the indelible stamp of Soviet cunning and is geared to provide Cuba's intelligence service with a large pool of agents needed to fulfill its increasing demands. The stepped-up Cuban espionage program has been able to draw from the large reservoir of Cuban refugees who, between December, 1965, and December, 1967, have entered the United States at the rate of over 3,700 a month. Although the vast majority of refugees are disillusioned and disgusted with Castro's Communism, the Cuban regime has redoubled its efforts to utilize this humanitarian refugee channel as a means of infiltrating trained agents into this country."

Just a year ago, this month, when Fidel Castro was about to celebrate the anniversary of his 26th of July movement and the Latin American Solidarity Organization was about to have a major meeting to plot Hemisphere terrorism, U.S. "Black Power" advocate Stokely Carmichael arrived in Havana from Prague.

Carmichael went first to Santiago de Cuba to visit an American Negro training camp at La Estrella, an old Spanish battery and army camp dating back to the days of the Spanish-American War. He met with the trainees, some 200 of them from all parts of the United States, to find out what they were learning about the tactics of guerrilla warfare. Two days later, Carmichael visited another training camp, La Campana, located in the mountains of Central Cuba where trainees from the English-speaking countries of Africa are being taught to speak like American Negroes and are learning the geography, history and customs of the Negro in America so they may pass for Americans. These Africans are already accredited Communist guerrilla fighters. Carmichael then made his appearance in Havana at the LASO meeting, was interviewed and called for revolution in the U.S.

Here in the United States, a Castro organization known as "Cuban Power" operates from New York to Miami, setting off dynamite charges in front of private homes; tossing tear gas into Cuban exile parties, dances, rallies, night clubs and restaurants; telephoning late night threats to individual exiles; and extending their terror beyond the fringe of anti-Communist, anti-Castro, exiles from Cuba into the centers of Negro and Puerto Rican communities where they can team up with like-minded revolutionists dedicated to destroying America.

One example of how Castro's underground in the U.S. works today was provided on May 7 of this year in Miami. Columnist Diego Gonzalez of New York's influential Spanish-language newspaper *El Tiempo* has been a tough critic of Castro and Cuban Communists and an even tougher critic of "Cuban Power." As he and his wife stepped out of Miami's airport to taxi into the city for a brief vacation, they were followed in a midnight chase through virtually empty streets. When the Gonzalez cab reached 8th Street and 17th Avenue, Southwest, the pursuers cut off further progress, forcing it to the curb. Mr. and Mrs. Gonzalez jumped out and ran toward a nearby restaurant but never quite made it. Some ten people intercepted them, stabbed and black-jacked Gonzalez then vanished as bystanders intervened. Fortunately, Mr. Gonzalez survived this attack.

The core of the Castro subversives in the United States is the anti-Batista apparatus established here between 1952 and 1959. When Castro came to power, his first trip was to the U.S. and Canada where he reorganized this anti-Batista group and weeded out those dedicated members who were also anti-Communist.

Initially, Havana's underground in America was based in Chicago and Detroit and used Windsor, Ontario, and other Canadian border points as contact centers for the transmission of money and intelligence information.

Now the "Cuban Power" network is set up in New York, Miami, Baltimore, Washington, New Orleans and Tampa as well.

Its directives generally come through the Cuban U.N. delegation headquarters though in Washington, some messages are funneled to Castro's operatives from the Cuban delegation that participates in meetings of the U.N. World Health Organization.

In this summer of 1968—

While the United States ties the hands of those Cuban exiles willing to die to restore freedom to their homeland—

While elements in our State Department increasingly talk of re-establishing diplomatic relations with Havana, and—

While sympathizers like Cleveland industrialist Cyrus Eaton campaign for "building bridges" and resuming trade between the U.S. and Castro—

Castro is reaching into the heart of America, training guerrilla fighters for the war in our streets, stimulating unrest and popularizing violence from ghettos to campuses, and posing a new and increasingly serious naval and missile threat to our national security.

BROTHERHOOD THROUGH COOPERATION AND SERVICE

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. OTTINGER. Mr. Speaker, last month Dr. Mauro Baradi, the distinguished Philippine statesman and diplomat, delivered an address before the Philippine-New York Jaycees in New York City. Ambassador Baradi has been tireless in his outstanding efforts to promote better relations between the United States and the Republic of the Philippines, and in his speech he recounted the many fine activities and accomplishments of the Philippine-New York Jaycees and the important role played by this organization in fostering greater Philippine-American understanding and in the community in general.

I believe our colleagues will be interested in reading Dr. Baradi's address and I am pleased to insert it herewith for inclusion in the RECORD:

BROTHERHOOD THROUGH COOPERATION AND SERVICE

(Address before the Philippine-New York Jaycees, New York City, by Dr. Mauro Baradi, former Ambassador of the Philippines to Nigeria, Cameroon, Ghana, Liberia and Sierra Leone, Philippine Chief of Mission to Africa, South of the Sahara, June 30, 1968)

It is a privilege to participate in a program sponsored by the Philippine-New York Jaycees. We who have gathered here together, consider this occasion significant because of its three-fold purpose: first, to commemorate the fifth anniversary of the Philippine-New York Jaycees as a Jaycee chapter; second, to witness the giving of awards for distinguished services rendered; and third, to greet the newly elected officers of the Philippine-New York Jaycees for 1968–1969. In point of time, these events are all-inclusive; they allude to the past, the present, and the future.

There is a Philippine proverb which states: "He who does not realize whence he came, will find difficulties in achieving his aim." It is therefore, fitting that we remind ourselves of days gone by.

It was on June 12, 1898 that the first Philippine Republic was proclaimed at Kawit, Cavite province, Philippines. This date is a national holiday known as Philippine Indepedence Day. June 19 is a special public holiday in observance of the birthday of Dr. Jose Rizal, the national hero of the Filipinos; he was born in 1861. The month of June, too, means work because it is the rice planting season in the Philippines.

In 1915, the Jaycee movement begun when Henry Giessenbier, Jr. formed the Young Men's Progressive Civic Association in St. Louis, Missouri. The idea behind the movement is that of "utilizing the young manpower of the community for public service, with a firm conviction that youth is not a handicap for participating in municipal, state and national affairs." The movement spread far and wide. In 1944, the Junior Chamber International was established; more than 77 nations are affiliated with it. So steady has been the growth of the movement that by 1965, in the United States alone, the Jaycees have increased their chapters to 5,741 and their membership to 230,583.

It is recorded that in June, 1920, the United States Jaycees held their first convention in Milwaukee, Wisconsin. It was this convention that inspired Bill Brownfield, then a neophyte Jaycee, to pen the Jaycee Creed which was officially adopted by the United States Jaycees in 1947; the line which affirms the Jaycees' belief in God was added in 1951. In brief, the Creed emphasizes the following: 1. faith in God; 2. the brotherhood of man; 3. economic justice; 4. government of laws; 5. human personality as the earth's great treasure; and 6. service to humanity as the best work of life.

It is likewise during June—five years ago—when the Philippine-New York Jaycee chapter was formed by young men between 21 to 35 years of age. The chapter aims to promote community welfare, encourage international understanding and goodwill, and improve the individual's usefulness as a citizen.

We appreciate the fact that tonight, the Jaycees expressed in tangible terms the value of service. From the recipients of the awards, we may learn important lessons: that it is selflessness, not selfishness that counts; that what is noteworthy is the application of the golden rule, not the rule of gold.

We are living in an age of progress; others aver, of decay. This is a wonderful generation; pessimists insist, degeneration. True, we have people and their kind who have a bent for lawlessness and destruction; but throughout the world, we find a much greater number who are utilizing their efforts to help spread the cement of brotherhood and mutual understanding among men and who are dedicating themselves to the cause of peace and security among nations. It is reassuring to feel that the Philippine-New York Jaycees are law-abiding and belong to the group of builders, not wreckers.

There is general agreement to the proposition that a man that is young in years may be old in hours, if he has lost no time. Sages point out that the youths are the hopes of the fatherland, the trustees of Posterity. What sounder advice can we share with young people than that found in the Holy Writ, namely: "Remember now thy Creator in the days of thy youth, while the evil days come not, nor the years draw nigh, when thou shalt say, I have no pleasure in them!"

During the two World Wars, Jaycees who stayed at home, kept the home fires burning, each one doing his best in any given undertaking; those who were in the battlefield, fought bravely and sacrificed much, not counting the cost. In peace as in war, these young people have proven their mettle. And they have self-confidence because they are equipped with rust-proof tools—a noble creed, the basic ten, and the conviction that the word "impossible" has no place in their vocabulary. Instances in this direction are numerous; to mention but a few would suffice.

At the Fifth World Congress of the Jaycees held in Manila in March, 1950, a young Filipino, Ramon del Rosario was elected to the Junior Chamber's highest office, that of the Presidency. In November, last year, at the Twenty-Second JCI World Congress in Toronto, the Manila Jaycees were awarded The Minneapolis Outstanding Chamber of the World Award—for the second year in a row and for the third time in the past five years; and these, for responsible leadership and for fruitful community service.

Here in New York, the activities of the Philippine-New York Jaycees are no less impressive. Each member, in his own way, has enhanced the image of the Filipino Community in the City. They have consistently helped socially and culturally. Last year, the chapter successfully presented Pacifica 1967 fashion show and ball for the benefit of the First Asian Eye Institute; this year in cooperation with the Philippine Consulate General, the Jaycees again presented a similar fashion and ball, and were also successful. At the Philippine Independence Ball held at the Waldorf Astoria Hotel on June 10, 1968, the Philippine-New York Jaycees' official candidate, Miss Minerva V. Peñafiel won handily over several contestants, and she was crowned as Miss Philippines of New York.

With the past as a criterion, it is hoped that the Jaycees would show continuing interest in the common good and declare their deep involvement as it were, in local, State, national, and international affairs. Among the various projects of the Jaycess is the yearly selection of "America's Ten Outstanding Young Men." This alone, is inspiration and inducement enough for youths to think creatively, speak convincingly, and act efficiently. Of course, from speeches and statements of the Jaycees themselves, we find evidences of their determination to grasp to good advantage, today's opportunities by unifying their direction and becoming attuned to the times in which we all live.

And what of the future? As to membership, a Jaycee visualizes a million strong in the United States. This is feasible when the key to growth in the midst of vast metropolitan areas is found, and when state organizations are strongly developed.

An impatient Jaycee asks: "What are these chapters (Jaycees) doing to bring about solutions to urban renewal, riot control, mental health, crime prevention, law enforcement, and numerous other problems?" Here is a solution suggested: Strong local organizations to accomplish Jaycee goals not geared for one year but may take five or six years.

Another Jaycee dreams impossible dreams and yet, he adds, they are not impossible. He is certain that the future of his organization will be bright—a glowing report in mankind's history.

Because of the international scope of the Jaycees as an organization, it is beneficial for the members to make frequent contacts and strengthen friendly ties with young people in other lands. Modern devices are so designed making it possible for a person to keep himself promptly informed of conditions obtained in any part of the world.

A subject too often discussed by Filipino and American leaders, relate to the future economic relations between the Philippines and the United States. Until July 3, 1974, the two countries have preferential trade relations on a reciprocal basis; after that date, according to the Laurel-Langley Agreement, each country would be imposing 100% tariff duties and taxes on the exports of the other. Meanwhile, exploratory talks have began in an atmosphere of amity and understanding.

The Jaycees are concerned with every conceivable type of project designed to be of service to community, state and nation. What affects their native land touches their individual lives. They have a stake on things economic. Here is yet another avenue for Jaycees to help constructively in the solution of this phase of Philippine American relations. And as to events yet to come, the Jaycees possess an instrumentality by which such events are disseminated and interpreted, namely, the monthly magazine: "Future".

Frequently we see young people in a hurry; we read about them keeping bad company. They lead hurly-burly lives and are apt to go astray. Some aspire to reach the top without taking the required steps; others desire riches but care not how to acquire them honestly; still others want power sans integrity. A famous statesman might have these in mind when he remarked that youth is a blunder.

On the other hand, there is the view that almost everything that is great has been done by youth. The Jaycees who are supposed to have a sense of purpose, value, and direction can reaffirm such view not by mere platitudes but through good works.

The Jaycees are not likely to shirk their responsibilities as neighbors in the community and as citizens of their country. For them there are still manifold problems to solve, heavy tasks to perform, and great challenges to meet. In these circumstances, are they ready and willing to assume additional burdens, encounter risks, and suffer the consequences? The Jaycees have the floor.

It is now almost fifty years since the Jaycees as an organization came into being. This period has come and gone but not forgotten. To the Jaycees, the time was wisely invested, well spent—in blue-printing plans, carrying out programs, finishing projects, reaching goals and setting out new ones.

By adhering to the ideas and ideals for which the Jaycees stand, our young people can contribute effectively toward the uplift of their fellow men. And because the Jaycees believe, first of all, that "faith in God gives meaning and purpose to human life," they are bound to achieve and succeed.

To the Jaycees, in this their solemn hour of rededication, I join their countless friends at home and abroad in telling them how grateful we are for their helpfulness. To them, we express our genuine sentiment embodied in one short sentence: "Thank God—for the Jaycees."

HAWAII AGAIN LEADS NATION IN PERSONAL INCOME GAINS

HON. SPARK M. MATSUNAGA

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. MATSUNAGA. Mr. Speaker, my colleagues will be interested to know that the economy of my beautiful State continues to show a steady, healthy growth. Evidence of this growth was recently reported by Business Week in its monthly survey which showed that Hawaii led the Nation in personal income gains for the first quarter of 1968.

According to the survey, the Island State's first quarter personal income showed a gain of 14.2 percent over the figure for the same period in 1967.

For the month of March, Hawaii's personal income was $221 million, which was 15.1 percent more than the $192 million earned in March 1967. The national average for that period was a gain of 8.7 percent.

I enclose for the RECORD a brief news

item from the June 18, 1968 Honolulu Star-Bulletin which will give some additional information concerning national gains in personal income:

Hawaii Leads in Personal Income Gains

Hawaii led all other states for the increase in personal income for the first quarter of the year as well as for the month of March, according to Business Week's monthly survey.

The Island state's personal income for March amounted to $221 million, which was 15.1 per cent more than $192 million earned in March, 1967.

This was slightly ahead of the 15 per cent gain made by Michigan. The nationwide average was a gain of 8.7 per cent.

For the quarter, Hawaii's total was $659 million, up 14.2 per cent. Alaska was in second place with a 13.2 per cent gain for the quarter. Average gain for the nation as a whole was 7.8 per cent.

PROF. RICHARD GARDNER COMMENTS ON THE INTERNATIONAL ECONOMIC POLICY OF EUROPE AND THE UNITED STATES

HON. HENRY S. REUSS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 25, 1968

Mr. REUSS. Mr. Speaker, former Deputy Assistant Secretary of State Richard N. Gardner, who now serves as professor of law and international organization at Columbia, recently delivered an excellent speech to a business group in Milan, Italy, on the international economic policy of Europe and the United States. I commend his remarks to my colleagues:

The International Economic Policy of Europe and the United States

(By Prof. Richard N. Gardner)

In the fall of 1960, in the midst of the election campaign, John F. Kennedy appointed several groups of private citizens to help him prepare for the responsibilities he would face in the event that he were elected President. One of the very first of those groups was on Foreign Economic Policy.

Most of the members of this group, myself included, urged some major steps forward in international economic cooperation: a large-scale reduction of trade barriers, expanded aid to developing countries through international agencies, and the creation of new forms of international liquidity to supplement the dollar and gold. We were not at all sure that these ideas were within the realm of political possibility.

Today, some eight years later, international negotiations have produced the Kennedy Round, a substantial expansion in the capital of multilateral aid agencies, and the new facility for Special Drawing Rights in the International Monetary Fund. These solid accomplishments in a difficult period of international relations, show what can be done by creative statesmanship on both sides of the Atlantic. They also reflect a particularly fruitful cooperation between Italy and the United States.

Now we are on the eve of another American Presidential election. Once again, study groups will be advising candidates on the future direction of U.S. foreign economic policy. It is impossible to predict what the outcome of the election will be, but I feel reasonably sure that the next President, whoever he is, will not try to reverse the foreign economic policy of recent years. The Kennedy Round agreement, multilateral aid, and the SDR facility are not going to be repudiated by the next occupant of the White House whether he is a Republican or a Democrat.

What is harder to predict is whether the next Administration will be content mainly to rest with past accomplishments or whether it will move forward with further adjustments in American policy to meet the emerging challenges in the world economy. It is equally difficult to predict whether, in the event that the Administration wishes to move forward, the Congress of the United States will permit it to do so.

How these questions will be answered I do not know, but I do believe the key to the answer lies very largely in the hands of the countries of Western Europe. This statement may surprise you. Years ago, major developments in U.S. foreign economic policy (for example, the trade agreements program of 1934, the Marshall Plan) were shaped by our domestic politics and by an essentially unilateral American determination of what had to be done to promote a healthy world economy. In the years ahead, they will be influenced more and more by the policies of other nations, particularly those of Western Europe.

The Viet Nam war, the balance of payments problem and the growth in European economic strength relative to that of the United States are compelling American leadership to emphasize burden-sharing, not only with respect to the cost of carrying out particular policies but with respect to shaping those policies in the first place.

As an American spending a year in Europe I am impressed by the extent of European preoccupation with American politics. Many Europeans tell me they find our politics more interesting than their own—and some even complain that they should be allowed to vote in our elections! Given the influence United States policy has on the destinies of Europe, this may not be entirely unreasonable, but the lines of influence do not run only one way. It would be unfortunate if the citizens of Europe, in their fascination with U.S. politics, were to ignore their potentiality for influencing American policy through constructive actions by their own governments.

This is why, despite your invitation to talk on "United States Foreign Economic Policy," I have entitled this statement "The International Economic Policy of Europe and the United States." Any steps forward that may be taken in meeting the challenges of an evolving world economy will be taken together—or not at all. In these remarks I should like to suggest what I think these challenges are, and how we can cooperate in meeting them, in the fields of trade, aid, and finance. Since the canvas is so broad, my brush strokes must be broad as well, but perhaps we can use the question period to fill in the details.

1. TRADE

The countries of the Atlantic Community (I intend this shorthand phrase to include Japan) have recently completed the most substantial negotiation in history aimed at the reduction of trade barriers—the Kennedy Round. When this agreement is carried out, industrial tariffs in the Atlantic nations will be reduced to an average of about 9%. (The United States will have brought its average tariff level down to this figure from 60% in 1934). Moreover the members of the Common Market are scheduled to complete the removal of internal tariffs by the first of July.

These are great achievements. They have served and will continue to serve the national interest of all countries. They have brought about a more efficient allocation of resources, stimulated competition, and made it possible to enjoy economies of large-scale production that are not available in small national markets. The liberalization of trade has undoubtedly played a major part in the unprecedent increases in material income and consumer welfare enjoyed by the Atlantic nations in recent years.

The question now before the Atlantic nations is whether to rest on these accomplishments, whether to move forward to substantially free trade, or whether to slip backward into bad old habits of trade restriction

As might be expected, the vested interests that feel threatened by the accomplishments of recent years are now extremely active on both sides of the Atlantic. Proposals are pending before the U.S. Congress that would impose quotas or other trade restrictions on the imports of over twenty industries. These measures would cover about 7 billion dollars of U.S. imports—close to half of all U.S. imports still subject to duty. In Europe, there are those who oppose the completion of the Common Market and Kennedy Round and who seek restraints on U.S. investment.

The interests seeking protection usually do so in the name of some larger social interest. The American shoe manufacturer who would limit the importation of Italian shoes may claim to be protecting American workers against "cheap foreign labor." The Italian interests who oppose the establishment of supermarkets financed partly with American capital may claim to be protecting Italy against "American economic imperialism." But the American and Italian ladies who have to pay more for their shoes and groceries are not likely to appreciate this form of "protection"!

The *reduction and absurdum* of such protectionist claims was effectively satirized a century ago in the following petition drafted by the Frenchman Frederic Bastiat:

"*To the Chamber of Deputies*:

"We are subjected to the intolerable competition of a foreign rival, who enjoys such superior facilities for the production of light that he can inundate our national market at reduced price. This rival is no other than the sun. Our petition is to pass a law shutting up all windows, openings and fissures through which the light of the sun is used to penetrate our dwellings, to the prejudice of the profitable produce we have been enabled to bestow on the country.

"(signed) Candlestick Makers."

The most urgent task of the Atlantic nations is to secure the accomplishments of the Kennedy Round and Common Market against the "candlestick makers" of today. President Johnson has said he will use his Presidential veto against the restrictive trade bills pending in Congress—and I believe the next President will do the same. I am also hopeful that, with reasonable cooperation from Europe on our balance of payments problem, the Administration will refrain from proposing an import surcharge. I hope the European nations will also resist pressures, possibly aggravated by recent events in France, to deviate from the path of trade liberalization.

Assuming we can hold the line against restrictions on both sides of the Atlantic, what then? We will probably need a few years to digest the consequences of the Kennedy Round cuts and plan for the next big initiative. We can use this time to attack non-tariff barriers and eliminate very low "nuisance tariffs" of limited economic significance.

After this period of consolidation, I hope the United States and Europe will be ready for another big step forward in the early 1970s. This step, in my view, should be a Free Trade Arrangement, in which all remaining industrial tariffs are removed in stages over a period of 10 to 20 years.

A comprehensive Free Trade Arrangement including the members of the Common Market is much to be preferred over a limited Free Trade Area that would perpetuate or deepen existing divisions within the Atlantic Community.

If such a bold step is to be taken in the industrial field, it will have to be accompanied by an equally bold step in agricultural trade. Despite the difficulties encountered in the Kennedy Round, we should seek to negotiate in the 1970s international agreements that would harmonize the level of support given to farmers in our various countries. This is important, because the United States is unlikely to make large future tariff cuts on industrial goods without assurances for its agricultural exports. The same is true for other countries.

These bold steps forward on industrial and agricultural trade will need to be matched by equally bold steps on the side of investment. The main vehicle for reaching foreign markets is no longer traditional exports but direct investments in foreign based production facilities. As trade barriers decline the regulation of such foreign investment becomes a central issue in trade expansion.

In the 1970's, therefore, the Atlantic nations should envisage new arrangements to assure that so-called "multinational corporations" serve the common interest. Such corporations should be given every incentive to become multinational in fact as well as in name. We ought to be working toward a time when the big American enterprises doing business in Europe, for example, have substantial European capital and personnel in the parent company as well as in the European subsidiary. And we shall need to consider new forms of cooperative intergovernmental regulation of business practices, perhaps including registration and supervision of multinational corporations by an international agency.

Of course, the trade agenda for the Atlantic nations should not be confined to trade among these nations alone. A vast increase in economic cooperation should be possible with Eastern Europe as the political climate improves and economic reforms take root. This should take the form not only of trade but of co-production agreements and industrial cooperation.

The recent agreement between Fiat and the Soviet Government was a big step in the right direction. The United States has been slow to expand trade with Eastern Europe in the past, but I believe that, within the next few years, action by Congress and the Executive branch will make it possible to follow your good example. Certainly we ought to permit credits to East European countries and remove tariff discrimination against them.

Another objection of the Atlantic nations should be a policy of one-way free trade in favor of the less developed countries. Tariff reductions resulting from a Free Trade Arrangement—or some less ambitious program—should be granted to the developing countries on an accelerated timetable, thus giving them temporary tariff preferences.

No less important, the Atlantic nations should commit themselves to a firm timetable for the gradual elimination of non-tariff barriers—notably quotas, internal taxes, variable levies and subsidies—discouraging the exports of primary products by the developing countries. In this connection it is most discouraging to see the tendency of the Common Market countries to support high cost domestic sugar production, thus following the bad example already set by the United States.

2. AID

All mankind has a vital stake in the successful development of the less developed countries. It is true that development by itself cannot guarantee political stability; but it is equally true that there can be no stability without development.

As President Kennedy once said: "If we cannot help the many who are poor, we cannot save the few who are rich."

It is time to face the disagreeable fact that the international war on poverty is now being lost. The efforts of rich and poor countries alike are grossly inadequate when measured against our common objective—the achievements of living standards in the less developed countries compatible with minimum human dignity. To turn the tide, we need new forms of international cooperation and an entirely new level of effort on the part of both developed and less developed countries.

1968 marks the twentieth anniversary of the Marshall Plan. It is an appropriate time for the country which initiated the Marshall Plan and the countries which were its principal beneficiaries to launch a new Marshall Plan for the benefit of the less developed countries.

The heads of the industrialized countries should meet at an early opportunity to chart a program of steady escalation of their foreign aid efforts. The objective should be the achievement by 1975 of an aid effort by the developed countries equivalent to one percent of their gross national products. This would mean a doubling of their foreign aid efforts, taking into account present rates of economic growth.

Some countries of Western Europe have already passed, or come close to, the one percent target. But, they, and others, can do much more to give aid on more favorable terms—at low interest rates and with long grace periods for repayment. And, especially at a time when budgetary appropriations for aid are difficult to expand, we can add significantly to net aid flows by cooperation to ease the repayment of past loans.

I believe that the bulk of this increased aid should be channelled through multilateral agencies, particularly the International Development Association and the regional banks in Asia, Africa and Latin America. Developing countries are often more willing to accept advice on the conduct of their internal affairs from international agencies than from individual national donors. And international agencies can recruit personnel from many countries with language and other skills not readily available in individual aid-giving countries.

As Cold War tensions diminish, efforts should be made to involve the Soviet Union and Eastern Europe in sharing the burden of economic aid. Development should be a cooperative, not a competitive enterprise. This objective may not be realizable immediately in all parts of the world. But we can move toward it on a case-by-case basis, in countries where the Soviet Union and the West recognize a measure of common interest.

As a first step, we should invite the Soviet Union to join the World Bank consortium for India. India's economic and political stability in the face of the Chinese threat is important to the Soviets and ourselves, and our assistance programs should be closely coordinated in recognition of this fact.

A high level panel of distinguished experts should be convened by the developed countries to recommend and aid strategy for the 1970s, and the heads of state and foreign ministers of the developed countries should meet to translate these proposals into policy. Moreover, a network of private citizens' organizations should be formed to build public support in developed and less developed countries on behalf of increased development efforts.

It is becoming more than ever apparent that what the less developed countries need is not just the transfer of resources through aid and trade but the people, practices and institutions that make such resources productive.

These will not emerge in the less developed countries without a vastly more effective technical assistance and training effort in which our countries play a leading part. Expanded programs are particularly needed to help developing countries contain population growth and increase domestic food production.

A related challenge to European and American statesmanship is to develop a new pattern of international cooperation in which commitments to increased trade and aid by the rich are balanced by commitments to greater self-help by the poor. The implementation by the industrialized countries of their obligations under new multilateral trade and aid arrangements should be tied to the satisfactory pursuit by less developed countries of sound internal policies previously agreed upon with international agencies. What we need, in short, is multilateral surveillance over both the aid policies of the rich and the development policies of the poor.

There is also a great and growing opportunity for international cooperation in private investment. Foreign enterprises are often more acceptable to less developed countries when they are not just American but multi-national, and when they join with local government or private enterprises. Hopefully more and more business leaders in Europe will look to the opportunities opening up in less developed areas.

3. MONETARY COOPERATION

It is obvious that the bold policies I have sketched in trade and aid cannot be carried out without a sound international monetary system.

Here the Atlantic nations face two main problems—the creation and management of adequate reserves, and the improvement of the balance of payments adjustment process.

We have made encouraging progress in dealing with the first of these problems. As a result of recent negotiations a new facility for Special Drawing Rights is being established in the International Monetary Fund. This paves the way for the deliberate creation, by collective agreement, of a new reserve asset in amounts needed to sustain an orderly growth in world trade and production over the years ahead.

But the SDR Agreement is not the end of the road. There remains the question of assuring confidence and stability in the use of all reserve assets. The world now has monetary reserves of about $40 billion of gold, about $24 billion of foreign exchange (mainly dollars and sterling), and presumably it will have a growing proportion of SDRs. How do we insure that the gold is not drained from official monetary reserves into private hoards and that dollars and sterling are not cashed in for gold? Such developments would reduce world liquidity and frustrate the objectives of the new facility.

To meet this challenge, the members of the gold pool (the major financial powers minus France) took measures in March to conserve the stock of monetary gold. They agreed not to sell gold to the private market regardless of price, thus creating a two-price system for gold, one for official and one for private transactions. To make this policy stick they further agreed that a country that sells gold from its reserves to the private market will not be able to replace it by buying gold from the other members of the pool. And they also stated that they no longer felt it necessary to buy gold from the market. These decisions go far to isolate the monetary stock of gold from the market and stabilize its present size.

To deal with the other part of the problem, the danger that dollars and sterling will be cashed in for gold, the provisions of the SDR facility require that the participating countries pay due regard to the desirability of pursuing over time a balanced relationship between their holdings of SDRs and their holdings of other reserves, presumably by using them in appropriate proportions in balance of payments settlements. They also provide that the IMF shall use its power to designate countries who must provide their currencies in return for SDRs in order to promote over time equality in the ratios of participants countries' holdings of SDRs to their holdings of gold and foreign exchange.

To insure against disruptive runs from key currencies into gold, however, it will probably be necessary to go beyond this. One approach would be to require countries to place all their reserve assets into a "reserve settlement account" with the IMF and to make proportionate use of these assets in settling their international accounts.

In return for this protection against the cashing in of dollars for gold, the United States will undoubtedly be expected to agree that the total amount of dollars in the hands of central banks should not increase further in the absence of international agreement.

This brings me to the second major area of unfinished monetary business—the balance of payments adjustment process. It is generally agreed that both deficit and surplus countries have responsibilities for facilitating adjustment. In the case of the long-standing U.S. deficit, I do not believe that either side has fully met those responsibilities.

The United States maintained an excellent record of internal price stability for the decade up to 1965. But our war effort in Viet Nam, and our failure to pay for it with taxation, set us on an inflationary path and reduced our traditionally large trade surplus. Fortunately it now appears that Congress will finally adopt the long-awaited tax increase, and the U.S. record in the future should be better than it has been in the past few years.

The European countries, particularly the surplus countries of the Common Market, have also failed to do their full part in the adjustment process. In their own as well as the general interest, they should accelerate their economic growth and remove remaining restraints on exports and private investment in the United States. Some European nations can also make a greater contribution to common defense and aid efforts.

I hope an American may be forgiven for reminding a European audience of the American response when the situation was reversed. In the Marshall Plan, the United States not only made 20 billion dollars of aid available, but gave 10 billion dollars of this 20 billion as a gift. If that 10 billion dollars had been made available as a loan, the United States would now be receiving repayments of almost 1 billion dollars a year. In the 1947 tariff negotiations at Geneva, the United States applied substantial tariff reductions on a unilateral basis, permitting the European countries to nullify the effect of these reductions through quantitative restrictions to protect their balance of payments.

I think it would serve the general interest if a similar conception of surplus country responsibilities could be shown in the situation that now confronts us. To be very specific, it would be helpful if the Common Market countries could go forward with their promised acceleration of Kennedy Round tariff cuts, even if the condition specified for such action, the repeal of the American Selling Price Formula for chemical imports, is not secured in this election year, even though it has been requested by the Administration. If Europe could relax its requirements of strict reciprocity in this moment of American difficulty, its interests would be repaid in the long run.

Here, then, is an outline of an international economic program that the United States and Europe might follow in the years ahead.

Some will say it is a revolutionary program. But in revolutionary times revolutionary policies may be the only means of preserving traditional values.

Some will say it is an unrealistic program. But those who say so have an obligation to state whether anything less than this can effectively promote our common interests.

Some will say it is an "unsound" program. Let us remember what Keynes once said: "A 'sound' man, alas, is a man who, when all his fellows are ruined, is ruined along with them".

A HIGH SCHOOL GRADUATE LOOKS AT TODAY'S PROBLEMS

HON. WILLIAM L. ST. ONGE

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 3, 1968

Mr. ST. ONGE. Mr. Speaker, it is becoming a commonplace to call attention to the high quality of thinking exhibited by today's young people. I think Americans can be justifiably proud of the younger generation and confident that the future of our country is in good hands.

Recently a young man in my district delivered an excellent address on the subject of maturity and idealism. This speech, entitled "Today's Problems Need Maturity and Humbleness," was given at the High School graduation ceremonies in Rockville, Conn., by Todd Leventhal, salutatorian. It is itself an example of the kind of maturity, intelligence, and good judgment possessed by young people across our land. Under unanimous consent, I would insert in the Record his address as published in the Rockville Journal of June 20, 1968:

The Rockville High School Salutatorian's Speech: "Today's Problems Need Maturity and Humbleness"

(By Todd Leventhal)

What almost everyone lacks today is a clear, purposeful, worthwhile direction in which to head his life. Most people are merely existing, not living; drifting through a superficial empty life unaware of the deep, meaningful opportunities surrounding them. Although it is true that many people do have certain worthwhile ideals and goals and do pursue them, they do so without really caring about what they are striving for.

Such an individual is the ordinary person who preaches virtues such as patience, altruism, and concern for others. No one can deny that these are admirable virtues, but our sluggish individual admires and reveres these qualities not because he has questioned life and found these qualities to be desirable, but because this way of life has been recognized by others as the best way. He reasons "Why not accept this way of life?" for it is certain that no one can deny the validity of these qualities.

But, unless our friend does find these truths for himself instead of accepting them blindly, he will lack that vibrant, living awareness and appreciation of life which alone can impart an inner strength and a positive sense of righteousness and purpose.

This keen awareness of life comes from a person thinking for himself and making his own decisions, choosing for himself what he feels is right instead of having others force their opinions upon him. The huge questions of life must be grappled with alone by the questioning individual before any meaningful ideals can be truly and sincerely acquired. He must take a chance and come out of his secure little world to make his own decisions and in doing so begin to truly live and gain an identity.

It is at this point that many people become misguided and lose their way. The person who is just beginning to think for himself is brimming with confidence for at last he has made a pure and sincere choice by himself, and he feels deeply the superiority of this choice over any of those previously made.

Anyone striking out on a new adventure, breaking away from the old bogged-down bourgeois life, feels this tremendous sense of exhiliration and pride. Everything seems possible before the hopeful eye of the awakened individual. Eagerly and enthusiastically he puts aside his former manner of living and thinking and embraces his newly found reality. Defiantly and proudly he exhibits his shocking new thoughts to the world, arrogantly waiting for its stunned reaction.

But strangely enough everybody does not stop to gaze in awe at these startling new concepts. The foolish world seems rather smug and self-satisfied. Surprised and more determined, the awakened individual clamors for more attention, desperately trying to stun the numb masses out of their sleep. Still dissatisfied with the lack of response but always confident, the dauntless seeker of the truth becomes more and more involved in his one little cause.

Eventually, if this trend continues, he becomes bogged down in one infinitesimal fraction of the truth, his personal cause growing until it completely dominates his warped and limited world. Our free, hopeful adventurer has become as tied down and helpless as the sleeping multitude. His glimmer of awareness has only served to make him disillusioned and unhappy. His glorious quest for truth has been derailed.

It is easy to see where he has failed. After his great awakening all the importance was placed on the ideas he formulated, while the truly important fact was that he was formulating ideas. Who is so unreasonable to think that his first independent, original thought, his first stab at the truth, will be the truth itself? The path towards truth is a long, hard one marked with many pitfalls. No one can expect to negotiate it instantly without numerous setbacks and disappointments.

The impatient, arrogant person should realize that he's not there yet. On the long road ahead there are many new concepts differing very radically from the ones of the present. One must always remember that the different thoughts contained on each level of the path are not important in themselves. The truly important fact is that truth is being sincerely pursued. The lesser reality of one small minor truth should not be mistaken for the greater reality of the whole truth. This is where many protest movements have gone astray.

All protest movements were begun to accomplish a worthy cause, but the means utilized to overcome an injustice are sometimes worse than the injustice itself. Such was the case in the student riots at Columbia. The demontrators were campaigning for a worthy cause but became too obsessed with the reality of their lesser cause and disregarded the greater—regard for the property and welfare of others. Protest such as these do have appeal to many people and they should, for the protestors are fighting for a worthy principle and fighting with enthusiasm and vigor. But for what good are all the lesser truths and lesser realities if much greater truths have been forgotten and violated in bringing them about?

The key to the satisfactory solution of the problems facing us today is expressed by J. D. Salinger in The Catcher on the Rye, the story of a troubled teenager disillusioned with life. Salinger's advice to him and to all the dissatisfied people trying to come to terms with the world comes from one of his characters, Wilhelm Stekel, who said, "The mark of an immature man is that he wants to die nobly for a cause, while the mark of a mature man is that he wants to live humbly for one."

Both types of people, mature and immature, are striving for a worthwhile cause but the mature person is mindful of the greater reality, the rights of others in addition to his own, while the immature person loses himself in the lesser reality of the lesser cause.

It is maturity and humbleness that are needed to solve the problems of today. Only people possessing a firm grip on the whole truth as did Martin Luther King are equal to the problems of our uneasy society. Only people such as he who can see their goal clearly and see it in its proper perspective are capable of effectively directing the misguided energies of our society in a clear, purposeful, worthwhile direction.

THE MOVING STORY

HON. RICHARD BOLLING

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. BOLLING. Mr. Speaker, the article which follows describes how well and with how much human understanding the difficult problem of relocation in connection with urban renewal is handled in Kansas City, Mo. I know of no area where the whole urban renewal process has been better managed or more successful. All concerned with our "land clearance for redevelopment authority" have reason to be proud of their contribution to our community's welfare.

The article referred to follows:

[From Renewal Reviewed, January 1968]

RELOCATION: THE MOVING STORY

(By Robert M. Harmon, relocation specialist)

The Kansas City skyline speaks clearly for our Urban Renewal program. Any comparison of today's downtown and that of ten years ago is simple proof that a city with enough concern for its appearance and inhabitants will act without hesitation when crippling, miserable decay has gone otherwise unheeded. But renewal has brought with it other more unheralded progress perhaps more relevant to our concern as citizens.

What cannot be seen in such vivid comparisons are triumphs just as fundamental to the authority's purpose . . . civic victories ultimately more impressive than the massive Federal Office Building or the Commerce Tower, the soaring Vista Del Rio apartments or the beautiful Ten Main Center. For the removal of intolerable conditions and their replacement by modern and attractive construction fulfills only part of the Authority's hopes for Kansas City. The most basic consideration and concern has been, and must be, the people who populate both environments.

The Authority has felt that renewal encompasses not only the physical change of the slums, but also the lives of those who have, as evidently and as helplessly as the buildings they occupied, stood still so long as to lose significance, be ignored and become derelict. The obvious fact is that buildings do not decay without severely affecting the lives of the people who live in them.

For this reason, the Authority has placed a major emphasis upon the process of relocating the people who are displaced by a renewal project. "Relocation" is the official term—a cold, sterile sounding word. Our legal obligation is simply to refer the displaced families and individuals to housing in other areas which meets certain standards and is within their financial means. But in reality the process involves much, much more. From the beginning, the Authority has followed the "human" approach to relocation. It is an opportunity to improve the lot of people, to work with them in the course of settling them in better quarters.

Each family and individual living in a project area is offered—but need not accept—the entire services and facilities of the relocation site office which is established in each project. This is where the paperwork diminishes and the footwork begins . . . this is "human redevelopment."

The relocation staffs, working every day in the slums of Kansas City, have said that people are more complex than buildings; they're harder to build, more difficult to maintain and far more challenging to redevelop. They don't make adjustments mathematically, and no engineer's code could explain their wants and needs, stresses and tolerances. No manual adequately advises on their malfunction and breakdown, and the relocation workers assigned to moving them out . . . and up . . . are most aware of it.

The relocation specialist cannot think in terms of merely vacating a premises; his involvement with the human redevelopment process makes the job an overwhelmingly difficult and rewarding task.

Once the typical site office has been established, meticulous care having been taken to blend into the particular environment of the area, the workers begin their initial contacts with displacees. In most cases the interviewers have the tremendous advantage of diagnostic survey records made on each individual earlier by an advance team of researchers. In this way, the relocation specialist may be prepared for any obstacles—senility, illness, bitterness, irritability, pride, hostility or illiteracy. He must penetrate whatever barriers have been thrown up around the displacee and convince him that all agency efforts work toward a better life for him.

In every block, in every project, a situation is revealed that defies preliminary effort and routine. It becomes obvious that the displacee will not be able to manage his own move; in these cases it is often true that the individual has fallen into appalling living and emotional conditions because of just such an incapability. This is where the specialist's work begins—on the threshold of a revitalization for which most displacees have given up hope.

One of the most profound problems found in downtown slum areas is an element of vagrancy, added to the problems of the people who actually live in the neighborhood. Despite the influence of transients on the neighborhood, they cannot be officially considered a part of the community in which they are active, and are not a part of the "relocation workload." There are casual efforts by various agencies to involve these derelicts in useful employment and social activity, but for the most part their petty crimes and their alcoholism are a blight in the area which cannot be improved and which end only when an area is cleared and redeveloped. The relocation worker does not specially and officially involve these people in the program . . . for he cannot . . . but when the opportunity to improve the lot of such an individual arises, it is eagerly accepted.

An average day in the site office begins with an informal comparison of casework in progress and an assessment of what is to be done during the day. Often one worker will seek the help of another in resolving the points of a case with which he is uncomfortable.

There are two or three emergency calls in the morning . . . from residents of the project whose plumbing leaks, from those who have seen vandals and thieves in the area, from those who are ill or hungry or angry. Since the majority of people in many urban renewal projects are over fifty, constant attention is necessarily paid to such calls. The site office thus serves one of its most valuable purposes . . . as a stabilizer to a neighborhood in transition, an area where, as many displacees put it, "no one used to care at all."

Each worker will make calls to inspect the prospective new home of a displacee (to make sure it meets certain standards), or take a displacee to see a new housing unit. The worker will try to make at least five referrals to each person he moves, and of course, the individual is free to do his own searching. The worker contacts the prospective landlord of the new property and makes every effort to obtain the lowest rent possible in accordance with the individual's income, which in many cases is under seventy dollars monthly.

A call comes in from the new landlady of Mr. M—, who is eighty-four and has persevered through the agency's operations in his drunkenness and feeble belligerence. The landlady, who has often taken in the agency's "problem children," reports that Mr. M— has recuperated fully from his severe illness but has been found standing "buck naked" outside, and otherwise creating a great nuisance and commotion. She tells Mr. M—'s worker that she must finally give up on him.

Since Mr. M— has no friends or relatives and has been tossed out of four homes which the agency has found for him, the worker in desperation calls the police to take Mr. M— to the Psychiatric Receiving Center, where it is understood that he will be treated and placed in a state home. Four days later a report comes in that he has been found syphilitic and mentally incompetent, but the worker must follow the case to see that a proper disposition is made and a proper home found.

Mr. K—, about eighty, calls to tell his worker that he would like to go out and see a new home. He usually calls back about noon to say he has changed his mind, so the worker leaves immediately to pick him up. In the meantime, Mr. G— has come into the office, insensibly drunk and threatening his worker, who soon calms him and fixes coffee, easing him back so she can help him face a difficult problem. At the same time, Mrs. B— arrives to report that the furnace of her new home has not been connected and the children are cold . . . and the water has not been turned on. The office puts in an emergency call to the water department and the water is on within an hour. Provision is made for connecting the furnace that afternoon. Mr. K—'s worker returns to the office to report that the "leeches" occupying Mr. K—'s building, waiting for the settlement on his house and to help him spend his sizable check he will receive, had convinced him again not to cooperate with the site office; the worker reports that under the circumstances she was in some danger while talking to him.

There is often an element of this roughly subversive nature in a project; there are those who benefit, as ironic as it seems, from the misery and blight around them. This refers not to the "slum Lords," who make money by renting out units not fit for human occupancy, but to those who owe their subsistence to the most petty extortions and to their companions in misery. One person getting $65 a month in welfare will steal the check of another on welfare, will get him drunk and squeeze everything material from him, then pass on to another victim. There is a point at which ethics lose context in the slums and social order disappears; it is this obstacle the relocation worker is faced with daily: the redevelopment of social order and the environment which permits it.

Mr. H—, another elderly relocatee, had called, saying that his former landlord has stolen his monthly welfare check and there is nothing to eat. His worker makes a stop at the grocery store, buying enough food out of her pocket to feed Mr. H— for a week. Mr. L— calls to be picked up for his VA medical appointment, through which the worker hopes to establish a small pension. He has been an alcoholic for twelve years prior to his contact with the relocation worker . . . had slept in half-demolished buildings and wrecked cars most of the time, and finally had both feet amputated after becoming frostbitten. After constant supervision by a relocation worker Mr. L— has stopped drinking and has been moved out of his flooded basement quarters into a pleasant small apartment.

A worker returns to the office, reporting that Miss W—, eighteen, has finally gone to obtain a blood test for her marriage to the father of her four children. He has been in the penitentiary and during his incarceration she refused to see the staff, on his advice, and refused to move. At that time, the girl was living with the children and her grandmother in a large, completely deteriorated and otherwise deserted building. During the time that it took the staff to work Miss W— into a position to move, one of the children was actually destroyed by the rats, which completely infested the building. Despite the tragedy, which eventually served as the impetus for an astonishing improvement in the couple's situation, the staff succeeded in establishing interim income and reemploying the father, in marrying the couple, and seeing them move into a clean, attractive unit in a Public Housing project. Such astounding successes are, to be sure, dismayingly rare, notwithstanding the many minor triumphs in helping people.

Another worker returns after five hours of helping to move one of the families in his workload . . . he had to dismantle a stove and refrigerator which were too large for the doorway of the new home.

A trip to Goodwill to buy jackets for the seven children in a displaced family that had no cover against the winter weather . . . a few preliminary interviews with upcoming cases . . . a visit to the welfare worker of a family faced with severance of general relief payments . . . the selection of some furniture from our "storehouse" (solicited from various organizations and individuals) for a family needing it to move into an apartment . . . the simple condolence of a family whose mother has died . . . and the day is half through.

A typical day. The problems are as complex as the human personality . . . and as varied. Though perhaps a fourth of the displacees do not initially approve of moving, they come back to bless the staff after completing their move and adjusting to new and better surroundings. They invariably say the same thing . . . they didn't know that there was anything else in life that they had been missing. They thought everyone's floors and walls were covered with roaches . . . so that walking produced that crunching sound. They thought that everyone's windows were broken out and covered with newspaper, that all walls sagged with the dampness and fell out, were replaced with cardboard and tinfoil. They never realized that they could pay less rent and live in better conditions. As one relocated woman put it, "it's like I've been asleep all these years, and everybody passed me by, and I got so far behind it just didn't matter. I settled for nothing because there wasn't anything better in sight. You know, a person can go all the way to the bottom . . . and stay there . . . if there ain't no promise of nothing ahead."

Well, there is promise ahead for the residents of the city's "slums" . . . the term is uncomfortable, but it clearly applies to some sections of our city. The relocation staffs of the Authority have gained a national reputation for their work in upgrading and motivating the occupants of Kansas City's slums in the process of moving them. For from "making way" for progress, the people who relocate into safe and decent housing away from the slum jungle, are the very heart of our progress in building a finer, safer prouder city . . . and the displacees themselves are the greatest benefactors of the "moving story."

TRIBUTE TO SIKES

HON. EDWARD J. GURNEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. GURNEY. Mr. Speaker, today, my colleague and friend, the gentleman from Florida, Bob Sikes, has set the record for length of service by a Member of Congress from Florida. I would like to join with other Members in paying tribute to Mr. Sikes.

He should be commended not only for his length of service but also for the quality of that service. For 14 consecutive terms, he has represented the people of his district, the State of Florida, and our Nation. It is an honor itself that he has been reelected these 14 times indicating the high regard in which his constituency holds him.

All of us know the strain and burden of such service, yet Bob Sikes has consistently done excellent work and has been of assistance to all who have asked.

Even before coming to Congress, he was serving the people of Florida as a State representative and as a member and leader of many worthwhile organizations.

It is an honor to be included in this recognition of Bob Sikes as it has been an honor to serve with him. I know all here join me in wishing him many more fruitful and profitable years in the service of his country.

At this time, I would also like to insert in the Record articles published in the Orlando Sentinel, today, Cocoa Evening Tribune, and the Melbourne Daily Times commending Bob Sikes for his service to Florida:

[From the Orlando Sentinel, July 5, 1968]

"He Coon" Sets a Record

Robert L. F. Sikes, the self-styled "he coon" of the Florida delegation in Congress, sets a new record for length of service from the Sunshine State today at noon.

At that time he will have served exactly 27 years, 107 days in the House of Representatives, one more day than the late Sen. Duncan U. Fletcher.

In 1963, Sikes passed the 22-year record of service in the House set by the late Rep. Stephen M. Sparkman of Tampa.

Congressman Sikes' length of service shows not only that he is among the most popular and able of all congressmen, but that the voters of his district know this better than anyone.

The "he coon" would be the first to say that length of service in itself can be rather meaningless.

But Bob Sikes has not merely put in time, he has worked tirelessly and well for his state and his nation.

His accomplishments in behalf of better government over his more than 27 years are as distinguished as his length of service.

To a fine congressman and a good friend of Orlando and Central Florida, we say congratulations, Bob Sikes.

[From Today, July 5, 1968]

Sikes Sets Florida Record

Washington.—Representative Bob Sikes sets a record Friday for length of service by a member of Congress from Florida.

Sikes will pass the mark set in 1936 by the late Sen. Duncan U. Fletcher of 27 years, 106 days.

Sikes—known by his colleagues as the "he-coon" of the state's congressional delegation—was first elected to the House of Representatives in 1940, at the age of 33. He succeeded Millard Caldwell in a district composed of West Florida.

At that time Florida had five House seats. It now has 12.

(Sikes a Democrat, is up for re-election again Nov. 5. For the first time in many years, he has drawn a Republican opponent: A political unknown, John Drzazga, of Westville.)

Sikes, top-ranking member of the House Appropriations Committee, is now in his 14th term. He ranks 17th in seniority among House Members. He has been dean of the Florida delegation since 1951.

Sikes, whose home is in Crestview, was born in Isabella, Ga., in 1906. He received a bachelor of science degree in agriculture in 1927 and a masters degree in 1929 from the University of Florida.

Sikes purchased the Valpariso Star, a weekly newspaper, in 1932. Later, he purchased the Okaloosa News-Journal and Okaloosa Messenger at Crestview, consolidating the papers into the Okaloosa News-Journal by 1940. He served as president of the Florida Press Association in 1937.

He was a member of the Florida House for several terms before coming to Congress.

Sikes retired a short while ago as a major general in the Army reserves and was the top ranking member of Congress in the reserves.

Sikes' wife is the former Inez Tyner of Laurel Hill. He has two children, Mrs. Bobbye S. Wicke of Tampa and Robert K. Sikes of Orlando.

Sikes set a new mark for length of service in House by a member from Florida in 1963 when he surpassed the 22 years of service set on the retirement of the late Stephen M. Sparkman in 1917.

Representative and Mrs. Sikes will be honored at a reception Monday to be given jointly by the Florida State Society, the University of Florida Alumni Association, the Florida congressional delegation and the University of Georgia Alumni Association.

[From the Cocoa Evening Tribune, July 5, 1968]

Sikes Sets Mark in House Tenure

Washington.—Representative Bob Sikes, now in his 14th term in the House, broke a 32-year record today for length of service for a Florida member of Congress.

The Crestview Congressman passed the mark of 27 years, 106 days, set in 1936 by the late Sen. Duncan U. Fletcher.

Sikes, a Democrat and a top-ranking member of the House Appropriations Committee, was first elected to the lower chamber in 1940 at the age of 33.

He succeeded former governor and present State Supreme Court Justice Millard Caldwell.

Born in Isabella, Ga., Sikes received a Bachelor of Science degree in Agriculture in 1927 and a masters degree in 1929 from the University of Florida.

[From the Orlando Sentinel, July 3, 1968]

Sikes Sets New Record in House

Washington.—The House of Representatives will be in Independence Day recess Friday, but on that day, Representative Robert L. F. Sikes will establish a new record for length of service by any member of Congress from Florida.

At noon Friday, the self-styled "he coon" of the Sunshine State's delegation will have served 27 years and 107 days in the house, one day longer than the service of the late Senator Duncan U. Fletcher.

Fletcher, who came to the Senate in 1909, died in office June 17, 1937.

SIKES, in private life a Crestview newspaper publisher, established a new Florida mark for length of service in the House in 1963 when he surpassed the 22-year record set on retirement of the late Rep. Stephen M. Sparkman of Tampa in 1917.

SIKES is a ranking member of the House Appropriations Committee and is chairman of its subcommittee on military construction. He is known as one of the most forcefully eloquent speakers in the House.

The dean of the Sunshine State's congressional delegation and Mrs. Sikes will be honor guests at a Capitol Hill reception Monday night. Hosts for the event are his colleagues in the delegation, the Florida State Society of Washington, and the Washington chapters of the alumni associations of the Universities of Florida and Georgia and Florida State University.

"It is not only that he has served so long, but because he has served so well, that his friends honor him on this singular occasion," invitations to the reception say.

[From the Melbourne Daily Times, July 5, 1968]

REPRESENTATIVE BOB SIKES SETS NEW RECORD

WASHINGTON.—Representative BOB SIKES, now in his 14th term in the House, broke a 32-year record today for length of service for a Florida member of Congress.

The Crestview Congressman passed the mark of 27 years, 106 days, set in 1936 by the late Sen. Duncan U. Fletcher.

SIKES, a Democrat and a top-ranking member of the House Appropriations Committee, was first elected to the lower chamber in 1940 at the age of 33.

He succeeded former governor and present State Supreme Court Justice Millard Caldwell.

Born in Isabella, Ga., SIKES received a Bachelor of Science degree in Agriculture in 1927 and a masters degree in 1929 from the University of Florida.

SIKES purchased the Valparaiso Star, a weekly newspaper in 1932. He later acquired the Okaloosa News-Journal and Okaloosa Messenger at Crestview. He served as President of the Florida Press Association in 1937.

SIKES went to Washington from the Florida House where he served several terms.

He has been the dean of the Florida delegation since 1951 and set a record for length of service in the House by a Florida member in 1963. He surpassed the 22 years of service logged by the late Stephen Sparkman in 1917.

The newspaperman-politician wore a third hat until a short time ago when he retired as a Major General in the Army Reserves. At the time, he was the top ranking member of Congress in the reserves.

He is married to the former Inez Tyner of Laurel Hill, Fla.

ELEVATING THE STATUS OF AMERICAN WOMEN

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. PUCINSKI. Mr. Speaker, recently, Chicago's American carried an article which most adequately outlines a major objective of the Vocational Education Act, and efforts now being made in the House through the General Subcommittee on Education to broaden the availability of marketable skills through vocational education.

As chairman of the General Subcommittee on Education, I want to share the excellent article written by Miss Glenda Sampson, which is entitled "Today's Housewife Is . . ."

The role of the American housewife today in shaping the future of her children and community cannot be overlooked or misjudged. It is for this reason that I wish to stress the importance of expanded and sophisticated home economics courses in our Nation's high schools to my colleagues here in Congress.

The article written by Miss Sampson, which appeared in Chicago's American, follows:

TODAY'S HOUSEWIFE IS . . .

(By Glenda Sampson)

"What is a houswife?" asked Rep. Roman Pucinski recently. "I've heard of a house pet, but what is a housewife?"

Pucinski [D., 11th] is trying to introduce a bill in the House which would "elevate the status of American women."

The bill is under consideration by a subcommittee the congressman heads on general education. It mostly has to do with an expanded and "modernized" vocational program which would require every high school student in the country to devote 40 per cent of his studies to vocational courses.

Pucinski says he is concerned about the 55 per cent of young people in this country who don't go on to college, but he singles out the problems of the uneducated woman as an especially neglected area.

"Most of these girls are going to get married young," he says. "Then they will have full-time jobs as chauffeurs, baby raisers, cooks, consumer experts, household engineers, and what-have-you. If they can be exposed to the marketable values of these skills and be trained in some of them while they're still in high school, then their attitude of being 'just a housewife' will vanish. Employers will take a different attitude toward them, too."

Home economics courses taught in high schools right now may help a girl to manage her own home better, he says, but he thinks she can learn to cook at the same time she is learning how to be a nutrition expert who could sell her services to any of a number of hospitals or institutions.

She could learn to sew at the same time she is learning to operate a power machine that would enable her to go into the needle trade if she decides to work later.

He would further enhance her position by giving her, along with the high school diploma, a degree title of "domestic engineer."

This would help her if she gets married right away or if she goes on to college and needs a part-time job to earn her way.

"The belief that vocational students don't go on to college is a fallacy," he says. He cites the case of a girl in his district who was a low "C" student in a general high school.

Counselors talked her into a cosmetology course, and now she plans to go on to college and train to be a cosmetology teacher.

Ghetto young people would especially benefit from his program, Pucinski believes. He says 49 per cent of Negro girls age 16–19 are unemployed, compared to 24 per cent for white girls the same age. There are some "pockets of crisis" in the city where unemployment figures in that age group are as high as 58 per cent.

"About 20 per cent of the mothers of America are working today," the congressman says, "and the portion is getting bigger all the time. By 1970, 52 per cent of the country's population will be women. A substantial number of them will be needed to fill the nation's labor force."

Seven of Chicago's ten existing vocational schools are coeducational and two are for girls only, according to Warren A. Koerner, director of practical arts for local public schools. One of the girls' schools deals basically with child care and home management, tho a branch of it does include cosmetology and clerical training.

Critics like Dr. Philip Hauser of the University of Chicago's demographic studies center have long criticized this type of approach while acknowledging that some type of vocational training is needed.

Dr. Hauser says any educational proposal that suggests separation of vocational training from the regular academic curriculum is running counter to the current.

Hauser said: "I don't approve a tendency for part of society to be dedicated solely to manual work and part solely to academic endeavors. The time has come to weave them together into something more meaningful."

He hopes Pucinski will make sure his proposal does this, and warns against including so much vocational training that the broader general education suffers. He thinks it can work if women are taught to become familiar with a general area of work—such as nutrition and food processing—rather than specific skills which may become outmoded before they are able to use them.

Cost of Pucinski's project would be 750 million dollars for the first year and would be financed by phasing out existing programs which it would replace.

PROFESSOR EDWARDS' BARREL

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. DERWINSKI. Mr. Speaker, since the Olympic games have taken on a more political than athletic atmosphere, the attempt of radical left Negro agitators to intimidate Negro athletes from participating on the American team must be viewed from its worldwide political impact in addition to its reflection of domestic controversy.

The Chicago Tribune in a strong and solid editorial July 3 very properly raises the question of qualifications and recognition that Negro athletes have properly earned in the field of sports.

The editorial follows:

PROFESSOR EDWARDS' BARREL

Prof. Harry Edwards, a sociologist at San Jose State college, is black and equipped with beads, beard, and beret. The combination is calculated to call attention to him, but, if that equipment isn't enough, he has another device in reserve. This is, simply, to wreck the United States' chances in the Olympic games by organizing a boycott by Negro athletes selected for the American team.

Edwards sounded off after preliminary track trials over the week-end. His account is that he has the United States Olympic committee over a barrel and is ready to roll it downhill. He says that black athletes at his beck and call embrace eight of the 10 finalists in the two dashes, in addition to contestants in the long and triple jumps, hurdles, and the 800 meters.

He refers to white America as "another sovereign nation" and says he doesn't believe in interfering in its "internal affairs." This implies that if the United States is to score heavily in the Olympics it had better rely on white athletes.

Edwards professes to have a number of options in pulling the rug out from under the United States. One is to wait until completion of the final trials Sept. 17 to pull out athletes willing to take his orders. Another is to call the boycott of the black contingent after it has been chosen for the team and reaches Mexico City, where the games are to be held in October. A third is to instruct the athletes to compete but to refrain from trying. Another is to let them do their best but refuse to take the victory stand for their medals and to request that the national anthem not be played.

Very obviously Edwards has an intense dislike for the country of which he is a native and would like to do his best to humiliate and degrade it. If he thinks he has the Olympic committee over a barrel, the committee should waste no time in putting him over a barrel. It should demand that all athletes eligible for the final trials declare their intentions at once. If they want to join a boycott, they should be eliminated without delay. There are many other fine athletes, white and black, who will be glad of the honor of being placed on the team and who will do their best.

The question raised is whether Negro athletes are Americans first of all and racial militants only secondarily. Good sense should suggest to them that Edwards is a false prophet who is leading them down the garden path with his chatter that they have been "exploited."

Discrimination does not exist in sport. Distinction in the Olympics is a sure certificate for glory and the prospect of a bright future career. In both amateur and professional sport Negro athletes are stars whose exploits are admired without regard to the color of their skins. Prof. Edwards would have it otherwise. He would take out his own rabid resentments on his country at the expense of impressionable young men, who would be denied their hour of triumph.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. SCHERLE. Mr. Speaker, this is the 168th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

SENATE—*Tuesday, July 9, 1968*

The Senate met at 12 noon, and was called to order by the President pro tempore.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our fathers' God, and ours, in all the whelming waters of tribulation which this day flood the earth, Thou art for us as a shelter from the storm, a covert from the wind, and the shadow of a great rock in a weary land.

We would bring to this, our daily altar of prayer, our inner selves, cluttered and confused where the good and the evil, the petty and the great, the wheat and the tares, are so entwined.

Grant us for the living of these days Thy enabling grace, that in our public service and in all our contacts with our fellow pilgrims, and in all we say to people and about them, this and every day we may live more nearly as we pray. In the spirit of the Master we bring our petitions. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, July 8, 1968, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LIMITATION ON STATEMENTS DURING TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that statements in relation to the transaction of routine morning business be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Government Operations and the Subcommittee on Executive Reorganization of the Committee on Government Operations be authorized to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

OBJECTION TO SUBCOMMITTEE MEETINGS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Juvenile Delinquency of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

Mr. KUCHEL. Mr. President, objection has been lodged with the minority. I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Subcommittee on Improvements in Judicial Machinery of the Committee on the Judiciary be authorized to meet during the session of the Senate today.

Mr. KUCHEL. Objection, Mr. President.

The PRESIDENT pro tempore. Objection is heard.

ORDER FOR RECOGNITION OF SENATOR HARRIS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Oklahoma [Mr. HARRIS] be allowed to proceed for 30 minutes when he arrives in the Chamber.

The PRESIDENT pro tempore. Without objection, it it so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session to consider the nominations on the Executive Calendar.

The PRESIDENT pro tempore. Without objection, it is so ordered.

FARM CREDIT BOARD

The bill clerk proceeded to read the nominations to the Farm Credit Board.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDENT pro tempore. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to, and the Senate resumed the consideration of legislative business.

MISS AMALIA SERESLY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the action taken yesterday on S. 1808 be reconsidered.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 1808.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1808) for the relief of Miss Amalia Seresly, which was, on page 1, lines 7 and 8, strike out "no natural parent of the beneficiary, by virtue of such parentage," and insert "the natural parents or brothers or sisters of the beneficiary, by virtue of such relationship,".

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the House amendment, with the following amendment:

Strike the word "the" where it first appears in the amendment and insert the word "no" in lieu thereof.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

HOUSE BILL REFERRED

The bill (H.R. 17873) to amend the National School Lunch Act to clarify responsibilities relating to providing free and reduced price lunches and preventing discrimination against children, to revise the program matching requirements, to strengthen the nutrition training and education benefits of the program, and otherwise to strengthen school food service programs for children previously received in a message from the House of Representatives on July 2, 1968, was read twice by its title and referred to the Committee on Agriculture and Forestry.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the Senate by Mr. Leonard, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 3418) to authorize appropriations for the fiscal years 1970 and 1971 for the construction of certain highways in accordance with title 23 of the United States Code, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 16361. An act to provide additional revenue for the District of Columbia, and for other purposes;

H.R. 17872. An act to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children not now being reached; and

H.R. 18188. An act making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 16361. An act to provide additional revenue for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H.R. 17872. An act to amend the National School Lunch Act, as amended, to provide funds and authorities to the Department of Agriculture for the purpose of providing free or reduced-price meals to needy children not now being reached; to the Committee on Agriculture and Forestry.

H.R. 18188. An act making appropriations for the Department of Transportation for the fiscal year ending June 30, 1969, and for other purposes; to the Committee on Appropriations.

REPORT OF COMMITTEES

The following report of a committee was submitted:

By Mr. JORDAN of North Carolina, from the Committee on Agriculture and Forestry, with amendments:

H.R. 15794. An act to provide for U.S. standards and a national inspection system for grain, and for other purposes (Rept. No. 1351).

AMENDMENT OF INTERSTATE COMMERCE ACT TO ELIMINATE CERTAIN VALUATION REQUIREMENTS—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1352)

Mr. LAUSCHE. Mr. President, on behalf of the Committee on Commerce, I submit to the Senate the report, together with the individual views of Senators Magnuson, Hartke, and Hart on S. 757, which contemplates amending section 19(a) of the Interstate Commerce Act, to eliminate certain valuation requirements, and for other purposes.

The committee, having considered the same, reports favorably thereon, with amendments, and recommends that the bill as amended be passed.

The PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Ohio.

ESTABLISHMENT AND OPERATION OF CERTAIN BRANCH OFFICES BY THE MICHIGAN NATIONAL BANK—REPORT OF A COMMITTEE—SEPARATE VIEWS (S. REPT. NO. 1353)

Mr. PROXMIRE. Mr. President, from the Committee on Banking and Currency, I report favorably, without amendment, the bill (S. 356) to permit the establishment and operation of certain branch offices by the Michigan National Bank, Lansing, Mich., and I submit a report thereon. I ask unanimous consent that the report be printed, together with separate views of Senators Tower, Hickenlooper, and Brooke.

The PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Wisconsin.

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. LONG of Louisiana, from the Committee on Finance:

James H. McCrocklin, of Texas, to be Under Secretary of Health, Education, and Welfare.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. KUCHEL:

S. 3742. A bill for the relief of Severino Manni; to the Committee on the Judiciary.

By Mr. HILL:

S. 3743. A bill to amend the Randolph-Sheppard vending stand for the blind so as to make certain improvements therein; to the Committee on Labor and Public Welfare.

By Mr. CARLSON:

S. 3744. A bill for the relief of Dr. and Mrs. Krishan Bajaj; to the Committee on the Judiciary.

By Mr. HARRIS (for himself, Mr. Brooke, Mr. Cannon, Mr. Hart, Mr. Hatfield, Mr. Inouye, Mr. McGee, Mr. Mondale, Mr. Moss, Mr. Pell, Mr. Randolph, Mr. Ribicoff, Mr. Tydings, and Mr. Yarborough):

S. 3745. A bill to provide opportunities for American youth to serve in policymaking positions and to participate in national, State and local programs of social and economic benefit to the country; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 3746. A bill for the relief of Johnny Tsu Kao; and

S. 3747. A bill for the relief of Tung Shing Ho; to the Committee on the Judiciary.

By Mr. HANSEN:

S. 3748. A bill to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Hansen when he introduced the above bill, which appear under a separate heading.)

By Mr. YARBOROUGH:

S. 3749. A bill to provide for the establishment of a U.S. Foreign Service Academy; to the Committee on Foreign Relations.

(See the remarks of Mr. Yarborough when he introduced the above bill, which appear under a separate heading.)

By Mr. BOGGS (for Mr. Cooper, for himself, Mr. Allott, Mr. Bennett, Mr. Bible, Mr. Byrd of West Virginia, Mr. Case, Mr. Cotton, Mr. Curtis, Mr. Dirksen, Mr. Dominick, Mr. Fannin, Mr. Fong, Mr. Hart, Mr. Hartke, Mr. Hruska, Mr. Javits, Mr. Jordan of Idaho, Mr. Kuchel, Mr. Long of Missouri, Mr. Magnuson, Mr. McGee, Mr. Metcalf, Mr. Morton, Mr. Murphy, Mr. Pearson, Mr. Pell, Mr. Prouty, Mr. Randolph, Mr. Scott, Mr. Thurmond, Mr. Tower, and Mr. Young of North Dakota):

S.J. Res. 186. Joint resolution designating February of each year as American History Month; to the Committee on the Judiciary.

(See the remarks of Mr. Boggs when he introduced the above joint resolution, which appear under a separate heading.)

S. 3748—INTRODUCTION OF BILL RELATING TO AUTHORIZATION FOR FEASIBILITY INVESTIGATION OF THE CORN CREEK UNIT, WYOMING

Mr. HANSEN. Mr. President, I introduce a bill to authorize the Secretary of the Interior to engage in a feasibility investigation of the Corn Creek Unit, Wyoming.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3748) to authorize the Secretary of the Interior to engage in feasibility investigations of certain water resource developments, introduced by Mr. Hansen, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

Mr. HANSEN. Mr. President, earlier this year the Bureau of Reclamation reported by letter to me that impediments over water rights for the project had been cleared away and that the Bureau would give every consideration to including the Corn Creek unit in a list of projects which they intended to submit to Congress for feasibility study authorization.

I ask unanimous consent that a letter from the Bureau of Reclamation to me on February 12, 1968 be inserted in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D.C., February 12, 1968.

HON. CLIFFORD P. HANSEN,
U.S. Senate, Washington, D.C.

DEAR SENATOR HANSEN: In your letter of February 2, 1968, you indicated it was your understanding that our Regional Solicitor had issued an opinion regarding the water rights for the Corn Creek Unit, which we heretofore have referred to as the Grayrocks Unit.

Your understanding of the situation is correct. The Regional Solicitor at Denver, Colorado, recently indicated that from a legal standpoint, it would be possible to establish a water right for the Corn Creek Unit. With that opinion at hand, the next step will be to obtain congressional authority for the feasibility study of the unit. We expect that legislation will be introduced in the Congress during the current session to authorize feasibility studies of several potential Reclamation projects. We can assure you we intend to give every consideration to including the Corn Creek Unit in that list of projects.

Sincerely yours,
N. B. BENNETT, Jr.,
Acting Commissioner.

Mr. HANSEN. Within the past week the committee staff of the Senate Interior Committee has secured from the Bureau of Reclamation a statement describing the Corn Creek unit, its status, and the need for feasibility study authorization. I ask unanimous consent that this statement from the Bureau of Reclamation be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MISSOURI RIVER BASIN PROJECT, OREGON TRAIL DIVISION, CORN CREEK UNIT, WYOMING (FORMERLY GRAYROCKS UNIT)

Location: In south-central Goshen County in eastern Wyoming.

Project data: (Grayrocks Unit Reconnaissance Report, April 1965)

Total construction cost	$17,838,000
Adjustments	[1]73,000
Total allocation	17,911,000
Allocations:	
Irrigation-full (11,000 acres)	17,911,000
Irrigation-supplemental (9,505 acres)	----------
Total	17,911,000

Benefit-cost ratio: 1.17 to 1.0.

[1] Future year capacity provisions $48,000 and transitional development $25,000.

Description: The principal features of this unit would be the Corn Creek Dam and Reservoir, diversion dam and a system of pumping plants, canals, and laterals. The unit would provide a full water supply for 11,000 acres of land and supplemental water for 9,505 acres now being irrigated but receiving an entirely inadequate supply. The plan also involves rehabilitation of some existing facilities.

Status: A reconnaissance report was completed in April 1965 which indicated that, while the unit was somewhat marginal, detailed studies are justified to firm up the plan and fully evaluate the economic justification for the development.

Justification: The primary problem of this agricultural area is the uncertainty of precipitation. The precipitation pattern is cyclical with frequent occurrence of drought that results in depletion of the livestock-carrying capacities of the ranges. The nature of the watersheds and insufficient storage capacities of existing reservoirs too often result in low water yield for irrigation. For example, the three existing irrigation districts have combined facilities for storing 25,265 acre-feet of water from Horse Creek and Bean Creek. This storage provided an estimated average of 0.56 acre-feet of water per acre at the farm headgates over the critical 1952–1962 period. The accompanying reduction in agricultural income has had an adverse effect upon the farmer and landowner. The nearby town of Torrington and other small towns are almost entirely dependent upon the prosperity of agriculture.

Local interest: This investigation is strongly supported by the local people and the State of Wyoming. The local interests have formed the Corn Creek Reservoir Association which is actively supporting the project. Members of the association consist of representatives of the three private irrigation districts in the Corn Creek area and Goshen Irrigation District and new landowners. Petitions have been obtained which show that 90 percent of the owners of presently irrigated land and 94 percent of the owners of the new land area are highly in favor of proceeding with the feasibility study. Filings have been made with the State Engineer for storage water rights in Corn Creek Reservoir.

Remarks: The plan presented in the 1965 reconnaissance report was based on using surplus waters of the Laramie River and water savings from lining of the Fort Laramie Canal of the North Platte Project. The Regional Solicitor, by letter dated December 11, 1968, advised that the plan is permissible of accomplishment from a legal standpoint but only with the full concurrence of all who presently have an interest in the use of the North Platte Project water supply, including the Warren Act contractors. This would be so time consuming as to be impractical. Alternative courses are (1) Glendo inundated water rights, (2) some 11,000 acre-feet of uncommitted storage in Glendo Reservoir, and (3) unappropriated flows of the North Platte River. Consideration is being given to using Glendo inundated water rights in Platte County and the feasibility studies of the Corn Creek Unit would be concentrated on the latter two alternatives—Glendo storage and North Platte River flows.

S. 3749—INTRODUCTION OF BILL RELATING TO ESTABLISHMENT OF U.S. FOREIGN SERVICE ACADEMY

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to provide for the establishment of a U.S. Foreign Service Academy.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3749) to provide for the establishment of a U.S. Foreign Service Academy, introduced by Mr. YARBOROUGH, was received, read twice by its title, and referred to the Committee on Foreign Relations.

Mr. YARBOROUGH. The relations between our country and other nations are affected by economic and military policies and activities. But in the last analysis, we must base our hope for favorable relations on personal trust and good will. Our entire Nation can and must play a role because our citizens—as tourists, businessmen, and students—travel the world. But the symbol and backbone of our Nation's continuing contact with other nations is our diplomatic corps.

Those persons who want to serve their country in a career of foreign service should receive as much assistance as we can give them. We currently have the Foreign Service Institute in the Department of State. It provides a type of in-service training for foreign service officers. But many people feel that is not enough—that preemployment, broad-based education leading to a degree is the sort of program that is needed to produce people who are truly educated in foreign affairs, and fully qualified to represent our country in the foreign service.

This academy, to be located in the Washington area, would serve as a great center for the study and practice of the skills needed so desperately to effectively represent our country abroad. It would take in college graduates from all over the country, at the normal time of their entry into the Foreign Service, then train them intensively in such subjects as American diplomatic history, State Department organization and policies, and most importantly, in area and language studies.

It seems to me that this is a need which can be met in no other way. As great as our university system is, it cannot provide for the intensive instruction which is required. Here we will take those students, the cream of our country's crop, who are the most highly motivated to enter the foreign service, and teach them in an institution of the highest academic rank. For this the students will agree to serve at least 3 years in the Foreign Service, an obligation parallel to that of our military academies. Even if many of these students should leave the Foreign Service at that time, they will continue to enrich our national program through their positions in educational institutions and international trade.

It will cost a relatively modest sum of money to establish such a Foreign Service Academy, and the returns should far outweigh any such costs. I, for one, feel that enduring friendships are built on understanding; that to have representatives abroad who can freely and effectively communicate and transmit our goals and ideals will help shift our basis of security from military force and economic interdependence alone to the true mutual security of a communion of interests, ideals, and principles.

Mr. President, I have introduced similar bills in other sessions of Congress. I now again introduce a bill to provide for the establishment of a Foreign Service Academy, realizing that it is too late in this session for such a bill to be passed; but I hope that, by starting early in the next session, this ideal which I share with many others—similar bills have been introduced in past sessions by other Members of the Senate and the House of Representatives—will ultimately be realized through the establishment of a U.S. Foreign Service Academy.

I ask unanimous consent that the bill be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT pro tempore. Without objection, the bill will be printed in the RECORD.

The bill (S. 3749), introduced by Mr. YARBOROUGH, is as follows:

S. 3749

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United States Foreign Service Academy Act".

SEC. 2. The Secretary of State is authorized and directed to establish and maintain, in or near the District of Columbia, a United States Foreign Service Academy (hereinafter referred to as the "Academy") for the instruction and training of diplomatic cadets in preparation for service as officers in the Foreign Service of the United States.

SEC. 3. (a) The Academy shall be under the general supervision of the Director General of the Foreign Service Institute and under such regulations as the Secretary of State may prescribe.

(b) The course of instruction and training for diplomatic cadets at the Academy shall be prescribed by the Secretary of State and shall be the equivalent of the curriculum prescribed by accredited colleges and universities as a prerequisite to the granting of a master's degree. Upon satisfactory completion of the prescribed course of instruction and training, diplomatic cadets shall be granted a master's degree.

(c) The Secretary of State may appoint or assign such officers and civilian instructors as the needs of the Academy require.

SEC. 4. (a) The corps of diplomatic cadets shall consist of such individuals as may be selected and admitted to the Academy upon competitive entrance examinations as prescribed by the Secretary of State.

(b) Diplomatic cadets while in attendance at the Academy shall be entitled to quarters and subsistence.

SEC. 5. There shall be appointed each year a Board of Visitors to the Academy which shall consist of five members from the Committee on Foreign Relations of the Senate and five members from the Committee on Foreign Affairs of the House of Representatives, to be appointed by the respective chairmen of such committees. The Board of Visitors shall exercise the same functions and be entitled to the same expense allowance as is provided in the case of the Board of Visitors to the United States Military Academy.

SEC. 6. Each diplomatic cadet selected for admission to the Academy shall sign an agreement that, unless sooner separated, he will—

(1) complete the course of instruction at the Academy; and

(2) accept an appointment and service, as an officer in the Foreign Service for at least the three years immediately following the granting of his degree from the Academy.

SEC. 7. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

SENATE JOINT RESOLUTION 186—INTRODUCTION OF JOINT RESOLUTION TO DESIGNATE FEBRUARY OF EACH YEAR AS AMERICAN HISTORY MONTH

Mr. BOGGS. Mr. President, the senior Senator from Kentucky [Mr. COOPER] is necessarily absent from the Senate for a few days.

In the last Congress and again last year, Senator COOPER introduced a resolution designating February as American History Month. The resolutions which many members of the Senate cosponsored were enacted, and the President did proclaim February 1967 and February 1968 American History Month. Senator COOPER had prepared the joint resolution for introduction again this year and as he cannot be here this week, has asked me to introduce it for him.

Mr. President, I introduce the joint resolution and ask that it be appropriately referred.

Mr. President, I ask unanimous consent that the text of the joint resolution be printed in the RECORD, together with a statement by Senator COOPER.

The PRESIDENT pro tempore. The joint resolution will be received and appropriately referred; and, without objection, the joint resolution and statement of the Senator from Kentucky [Mr. COOPER] will be printed in the RECORD.

The joint resolution (S.J. Res. 186) designating February of each year as American History Month, introduced by Mr. BOGGS for Mr. COOPER and other Senators, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

S.J. RES. 186

Whereas the study of history not only enlivens appreciation of the past but also illuminates the present and gives perspective to our hopes;

Whereas a knowledge of the growth and development of our free institutions and their human values strengthens our ability to utilize these institutions and apply these values to present need and new problems;

Whereas Americans honor their debt to the creativity, wisdom, work, faith, and sacrifice of those who first secured our freedoms, and recognize their obligation to build upon this heritage so as to meet the challenge of the future;

Whereas February 1967 and February 1968 have been designated by the President as "American History Month"; and

Whereas it is appropriate to encourage a deeper awareness of the great events which shaped America, and a renewed dedication to the ideals and principles we hold in trust: Therefore, be it

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, That February of each year is hereby designated as "American History Month", and the President of the United States is requested and authorized to issue annually a proclamation inviting the people of the United States to observe such month in schools and other suitable places with appropriate ceremonies and activities.

The statement is as follows:

STATEMENT OF SENATOR JOHN SHERMAN COOPER INTRODUCING A SENATE JOINT RESOLUTION DESIGNATING FEBRUARY OF EACH YEAR AS AMERICAN HISTORY MONTH

In the last Congress and again last year I introduced a Senate joint resolution to designate February as American History Month. The resolutions I introduced were enacted, and in 1967 and again in 1968 the President did proclaim February as American History Month.

The Governors of nearly every State issue such proclamations annually calling for activities which evoke a deeper awareness of the great events which shaped America. I am glad that these resolutions have attracted interest and received such wide support, and I hope that we should make this a permanent observance.

My previous resolutions, as passed by the Senate, would make February of every year American History Month and would ask the President to issue a similar proclamation. The House of Representatives, however, struck the continuing authority of the resolution. For this reason, I again introduce a resolution designating February of every year as American History Month.

The study of history not only enlivens appreciation of the past but also illuminates the present and gives perspective to our hopes. A knowledge of the growth and development of our free institutions and their human values strengthens our ability to utilize these institutions and apply these values to present needs and new problems.

Therefore I think it is important to designate permanently a month during which we can acknowledge and build upon our heritage in order to meet the challenges of the present and the future.

NOTICE CONCERNING NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. EASTLAND. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

Louis H. Martin, of California, to be U.S. marshal, Northern District of California, term of 4 years, Vice Edward A. Heslep, retired.

John H. Kamlowsky, of West Virginia, to be U.S. attorney, Northern District of West Virginia, term of 4 years (reappointment).

Sidney I. Lezak, of Oregon, to be U.S. attorney, District of Oregon, term of 4 years (reappointment).

Theodore Jaffe, of Rhode Island, to be a member of the Foreign Claims Settlement Commission of the United States, for a term of 3 years from October 22, 1968 (reappointment).

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in these nominations to file with the committee, in writing, on or before Tuesday, July 16, 1968, any representations or objections they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

SENATORS RANDOLPH AND KENNEDY TO CONDUCT HEARINGS ON ADEQUACY OF SERVICES TO OLDER WORKERS

Mr. RANDOLPH. Mr. President, on behalf of Senator EDWARD KENNEDY and myself, I announce that hearings will be conducted on July 24, 25, and 29 on the subject of "Adequacy of Services to Older Workers."

Senator KENNEDY and I have decided on a joint study by the Subcommittee on Employment and Retirement Incomes, which I am privileged to chair, and the Subcommittee on Federal, State, and Community Services, which is chaired by Senator KENNEDY. These two units of the Senate Special Committee on Aging share several areas of mutual concern related to programs for older workers.

Our subcommittees will explore:

First. Present underutilization of the older worker, despite severe manpower shortages in some areas.

Second. Retraining older workers for new jobs, and implications for the future—as accelerated technological development increases demand for several changes of skills within a single work lifetime.

Third. With enactment of the Age Discrimination in Employment Act of 1967, the cornerstone has been laid for establishment of a truly comprehensive spectrum of services that will help older workers find or maintain employment. The subcommittees will ask what more is needed to make such services—including adult education, counseling, placement, information exchange, and so forth—adequate for present and future needs.

Fourth. Likely subjects for research and demonstration projects authorized under the Age Discrimination in Employment Act.

Fifth. Promising examples of community action which has led to employment of older workers.

Testimony will be taken on July 24 and 25 in room 4200, New Senate Office Building, beginning at 10 a.m. The hearing will resume at 10 a.m. in the Caucus Room, 318, Old Senate Office Building, on July 29.

ADDRESS OF SENATOR KUCHEL AT DEDICATION OF THE OAK KNOLL NAVAL HOSPITAL, OAKLAND, CALIF.

Mr. KUCHEL. Mr. President, on Saturday, June 29, a magnificent new U.S. naval hospital was dedicated at Oakland, Calif. I had the honor to speak at the dedication ceremonies on that occasion.

I ask unanimous consent that a partial text of my address be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

IN SERVICE TO THESE BRAVE MEN

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL at the dedication of the Oak Knoll Naval Hospital, Oakland, Calif., June 29, 1968)

I join in these ceremonies, dedicating a great new naval hospital, with deep feelings of both humility and pride—humility in the presence of so many who have given so much in the cause of human freedom, pride that in this new, permanent facility, skilled and dedicated specialists, using the most advanced tools and techniques of medical science, will restore our sick, our wounded, and our disabled, and return them to productive life.

Here, in this new Oakland Naval Hospital, a grateful nation will be able far better to minister to the needs of her fallen service sons than before. Oak Knoll is, and has been, a proud name, with a proud history, ever since it came into being, from and after the Second World War. The high service of Oak Knoll to the men of the Second World War, of Korea, and in time of peace are surely recorded on our Nation's honor roll. Those services will now continue and expand in this modern naval hospital. Here, the miracles of modern medicine and surgery, in the hands of that valiant breed who assist in God's work of healing, will carry on, fulfilling the prayers and hopes of those in uniform who come here to be mended and to be cured.

In the past two decades, California has been the staging ground of three major wars in the far Pacific. We have learned that there can be no hope for peace, no security in freedom, unless those who love liberty join together in common cause. It is a high cause, perhaps the highest of all, with the greatest stakes, concerned with far more than material computation, or measure of wealth or power. MacArthur described it, at the end of the Second World War: "The problem basically is theological and involves a spiritual recrudescence and improvement of human character that will synchronize with our almost matchless advance in science, art, literature, and all material and cultural developments of the past two thousand years. It must be of the spirit if we are to save the flesh."

My fellow citizens, we have learned that the burden of our Nation's defense, like the burden of life, is shared unequally. It falls, heavily, both on the young and on the dedicated. Sometimes the cost is beyond reckoning in common terms ordinarily used to measure value.

This hospital is a major part of American society's effort to try to make the unequal sacrifice of those wounded in battle easier to bear. It represents a high and solemn obligation for any nation seeking to follow the rule of justice in its public life.

Regrettably, there are some in America today who would pretend that obligations to our Nation and to the principles for which it stands are no longer binding—that, in fact, you have a right to walk out on civic duty. You and I disagree. So does the great majority of our fellow citizens. Just as we live in a world where nations must join together for mutual protection, so do we live in a broad American community where each man and woman shares a duty to our own society, a society which will endure only if the individual citizen recognizes his duty and honorably discharges it.

Who is going to fight for America, if everyone else takes a walk? There have always been those in our country who choose to withdraw. There has always been a vastly greater number prepared to accept their country's obligation as their own. I doubt that even these tempestuous times should be remembered by the actions of a vocal few who defy our laws and who seek to place their own contrived moral values above the common needs of a free society.

The most serious aspect of the present crisis of confidence in our Nation is the well-publicized failure of some, who benefit most from our society, to recognize their obligations. In this democracy of ours, every man has a full right to his opinion, but he also has a duty to his Nation to keep it whole.

What does it mean that a college student chooses to burn his draft card? First, it means that he has broken the law. Second, it means someone else will have to serve in his place, if he carries out his act of rejection. Third, it means that the very educational process which produced him has failed, somehow, to teach him the value of service.

I am fully aware of the demand of youth for a larger say in our society. The gap between the age of obligation for military service and the full privileges of citizenship has been an enormous frustration to young men about to become full participants in our national life. In my mind, the right to participate in national decisions through the exercise of one's vote ought not to be denied those age groups whose duty it is to participate in the American military establishment. I think the obvious remedy for this situation would even the score, and would help to establish a rational approach to citizenship on the college campus. The number of men who have chosen to evade national service is relatively small. By far the larger portion has accepted the obligation of service. We owe them justice and the full rights of citizenship.

There is much that can be done positively to remove the gaps of misunderstanding between those who guide our country and those called upon to serve it. The 18 year-old vote would be a first step. Removing the inequities from Selective Service System would be another. But those who grow up with the benefits of our productive and prosperous free society must also recognize that the civilization they enjoy cannot survive unless we as a nation are prepared to protect it.

We are in a time of great national torment. There are those who proclaim a vast unwinding of our social fabric and who liken the condition of our great Nation to the twilight days of the Roman Empire.

Such dark foreboding obscures the real progress that has been made in recent years in building our Nation's productive powers, in expanding equal opportunity for all our people, and beyond that, in seeking to play a constructive role in the quest for peace with justice in this constantly shrinking planet.

We come together today to open a new chapter in the life of an institution dedicated to ministering to those who believe in and have fought for our national cause. The very work of Oak Knoll Naval Hospital is a testament to the continuing vitality of our people and their faith in their own destiny. Anyone who has taken the trouble to observe the profound and amazing development of military medicine and its role in the conflict in Southeast Asia, will recognize that enormous strides have been made. This is a story filled with devoted service and deep and compassionate faith in human values. We all marvel at the accomplishment of military medicine—heart surgery performed in the tent fortress of Khesanh, almost miraculous feats of aerial evacuation bringing our men, within minutes, to the most advanced medical and surgical care.

These tasks of Hercules bear witness to the high value we place, not only on human life, but on human freedom. We may thank God that our Nation's role in this world of conflict has been marked by an expansion in medical knowledge. Twenty years ago, we moved haltingly from sulfa drugs to penicillin as a therapeutic agent. A whole host of magical antibiotics has now followed. They have relegated infectious diseases to a lesser role among the threats to humankind. Increasing skills in surgery and in anesthesia have made operations possible which would never have been dreamed of in the Second World War. We now have a wide range of diagnostic equipment to increase precision and make more swift and sure the successful treatment of wounds, disease and all the ills to which flesh is heir.

You here at Oak Knoll have made an enormous contribution. I have read with heartfelt interest of the truly wonderful work of your Prosthetics Research Laboratory in restoring to active life the most severely wounded of our fighting men. What you are doing here is to reaffirm the unquenchable vitality of those who keep faith with our Nation.

No community, no society, no nation can long survive unless it is true to its own. We have no higher debt of honor than the care of those who have put their lives in the balance of our country's need. I say to you with pride that as a member of the United States Senate I serve on the Appropriations Committee which approved this project. It is, as I say, right and proper that after decades of service this institution at long last finds permanent quarters.

We must go further—not only in military medicine, but in meeting the whole gamut of needs of men and women who have accepted duty under the banner of this Nation.

If we are to endure and progress, we must recognize our duties to each other in accordance with our needs and our contributions. This is the essence of our freely operating American society. Each man survives as an individual when he recognizes his commitment, and his self-interest, in joining others to protect liberty. We shall ever honor those who take their positions in the front line of the defense of freedom.

I cannot agree with the naysayers who see the inevitable unraveling of our great Nation. There are legions among us who recognize the high obligations of compassion and of service. Years ago, the Nobel prize-winning novelist, William Faulkner, wrote that he declined ". . . to accept the end of man. It is

easy enough to say that man is immortal simply because he will endure; that when the last ding-dong of doom has clanged and faded from the last worthless rock hanging tideless in the red and dying evening, that even then there will still be one more sound: that of his puny inexhaustible voice still talking."

Faulkner and the great writers of his generation of free Americans refused to accept such a meaningless triumph. And I believe that in America today, the overwhelming majority, young and old, still harken to these final words . . . "Man will not merely endure: he will prevail. He is immortal, not because he alone among creatures has an inexhaustible voice, but because he has a soul, a spirit capable of compassion and sacrifice and endurance."

Let this be the tenor of our thoughts on this day of dedication.

ORDER OF BUSINESS

The **PRESIDING OFFICER** (Mr. LAUSCHE in the chair). Is there further morning business?

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

TREATY ON NONPROLIFERATION OF NUCLEAR WEAPONS—REMOVAL OF INJUNCTION OF SECRECY

Mr. BYRD of West Virginia. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive H, 90th Congress, second session, the Treaty on the Nonproliferation of Nuclear Weapons, transmitted to the Senate today by the President of the United States, and that the treaty, together with the President's message, be referred to the Committee on Foreign Relations and ordered to be printed, and that the President's message be printed in the RECORD.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

I am transmitting herewith, for the advice and consent of the Senate to ratification, the Treaty on the Non-Proliferation of Nuclear Weapons.

This treaty was opened for signature on July 1, 1968 in Washington, London and Moscow. Ninety-five members of the United Nations had voted to commend it, and to request that it be opened for signature and ratification at the earliest possible date.

On July 1 it was signed in Washington by the United States of America, the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and 53 other states. Many others have indicated their intention to sign it promptly.

I consider this treaty to be the most important international agreement limiting nuclear arms since the nuclear age began. It is a triumph of sanity and of man's will to survive.

The treaty takes a major step toward a goal the United States has been seeking for the past twenty-two years. Beginning with the McMahon Act in 1946, our statutes have forbidden the transfer of our nuclear weapons to others.

In the Executive branch, efforts to prevent the spread of nuclear weapons have complemented those of the Congress. Ever since the Baruch Plan of 1946, we have sought to achieve an international consensus on this subject.

In making the first United States test ban proposal, President Eisenhower noted that his purpose was to curtail the uncontrolled spread of nuclear weapons.

When President Kennedy announced the successful negotiation of the Nuclear Test Ban Treaty in 1963, he expressed the hope that it would be the opening wedge in a campaign to prevent the spread of nuclear weapons. He pointed out that a number of other nations could soon have the capacity to produce such weapons, and urged that we use whatever time remained to persuade such countries not to follow that course.

In 1964, in the first message I submitted to the Geneva Disarmament Conference, I proposed an agreement that nuclear weapons not be transferred to non-nuclear countries, and that all transfers of nuclear materials for peaceful purposes take place under international safeguards.

In 1966, the United States Senate clearly showed its support for negotiations toward a non-proliferation treaty. Ninety-nine Senators declared themselves in favor of the Pastore resolution (Senate Resolution 179). It commended serious and urgent efforts to negotiate international agreements limiting the spread of nuclear weapons. It supported additional efforts by the President which were appropriate and necessary for the solution of nuclear proliferation problems.

The treaty I am submitting to you today is the product of these efforts by the legislative and executive branches. Its provisions are described in detail in the accompanying report of the Secretary of State.

Its central purpose is to prevent the spread of nuclear weapons. Its basic undertaking was deliberately patterned after United States atomic energy legislation, which forbids transfers of our nuclear weapons to others. The treaty not only makes such a prohibition binding on all nuclear powers; it reinforces the prohibition by barring non-nuclear countries from receiving them from any source, from manufacturing or otherwise acquiring them, and from seeking or receiving any assistance in their manufacture.

The treaty, however, does more than just prohibit the spread of nuclear weapons. It would also promote the further development of nuclear energy for peaceful purposes under safeguards.

This is the goal of the International Atomic Energy Agency (IAEA), which resulted from President Eisenhower's "Atoms for Peace plan. The IAEA is charged with the primary responsibility for safeguards under the non-proliferation treaty. It already has considerable experience in applying safeguards under international agreements for cooperation in the civil uses of nuclear energy. I believe that this treaty will greatly advance the goal of nuclear cooperation for peaceful purposes under international safeguards.

It will require that all parties which export nuclear materials and equipment to non-nuclear-weapon states for peaceful purposes make sure that such materials, and those used or produced in such equipment, are under international safeguards.

It will require all non-nuclear parties to accept international safeguards on *all* peaceful nuclear activities within their territories, under their jurisdiction, or carried out under their control anywhere.

It will help insure cooperation in the field of peaceful uses of nuclear energy, and the exchange of scientific and technological information on such peaceful applications.

It will enable all countries to assist non-nuclear parties to the treaty with their peaceful nuclear activities, confident that their assistance will not be diverted to the making of nuclear weapons.

It obligates the nuclear-weapon parties to make potential benefits from any peaceful applications of nuclear explosions available—on a non-discriminatory basis, and at the lowest possible cost—to parties to the treaty that are required to give up the right to have their own nuclear explosives.

By 1985 the world's peaceful nuclear power stations will probably be turning out enough by-product plutonium for the production of tens of nuclear bombs every day. This capability must not be allowed to result in the further spread of nuclear weapons. The consequences would be nuclear anarchy, and the energy designed to light the world could plunge it into darkness.

But the treaty has a significance that goes beyond its furtherance of these important aspects of U.S. nuclear policy. In the great tradition of the Nuclear Test Ban Treaty, it represents another step on the journey toward world peace. I believe that its very achievement, as well as it provisions, enhances the prospects of progress toward disarmament.

On Monday, July 1—as this treaty was signed on behalf of the United States—I announced that agreement had been reached with the Soviet Union to enter into discussions in the nearest future on the limitation and reduction of both offensive nuclear weapons systems, and systems of defense against ballistic missiles. Thus there is hope that this treaty will mark the beginning of a new phase in the quest for order and moderation in international affairs.

I urgently recommend that the Senate move swiftly to enhance our security and that of the entire world by giving its consent to the ratification of this treaty.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *July 9, 1968*.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. Byrd of West Virginia in the chair). Without objection it is so ordered.

THE LEGEND OF DUNCAN FALLS

Mr. LAUSCHE. Mr. President, I am privileged to receive a copy of a book by the Honorable James W. Huffman, a former Member of the Senate, in which he in poetry fascinatingly recounts "The Legend of Duncan Falls," on Ohio's historic Muskingum River. Appropriate and meaningful illustrations throughout the book sketched by Senator Huffman's artist son, James W. Huffman, Jr., enhance its 65 pages. The book is replete with inspirational and moving descriptions of life on the Muskingum River in the early history of Ohio.

I cherish this beautifully written book not only for the unique style in which it is written, but also because its author is a close friend of many years standing and the legend took place in an area of, in my opinion, one of Ohio's most beautiful rivers, the Muskingum, which is formed by the confluence of the Tuscarawas and the Walhonding Rivers at Coshocton, thence flowing southward and emptying into the Ohio River at Marietta. While I was Governor of Ohio in 1945, I appointed James Huffman to fill a vacancy in the U.S. Senate caused by the resignation of the late Harold F. Burton.

Mr. Norris F. Schneider, a writer for the Zanesville Times Recorder, reviewed "The Legend of Duncan Falls" in the Sunday, June 23, edition of that newspaper. I ask unanimous consent that excerpts from Mr. Schneider's review be printed at this point in the Record.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

[From the Zanesville (Ohio) Times Recorder, June 23, 1968]

"Legend of Duncan Falls" Is Told in Book of Poetry—Written by James W. Huffman

(By Norris F. Schneider)

Huffman was born in a log cabin in Rich Hill Township, Muskingum County. Law, politics and insurance have been his major activities.

Among his many activities were football player, teacher and high school principal, World War I lieutenant, Alaskan prospector, lawyer, executive secretary to Vic Donahay, trustee of Ohio State University and since 1958 president of Motorists Mutual Insurance Company of Columbus.

Poetry, however, was no sudden and recent interest. He believes that his interest began with the McGuffey Readers. He is sure that he was inspired by Dr. James Ball Naylor of Malta, who wrote many volumes of verse.

The Huffman farm was only ten miles inland from Duncan Falls on the Muskingum. Young Jim heard the legend as he grew up. He read the version recorded in Howe's "History of Ohio."

He says in his preface: "I dashed off the first rough draft of the manuscript at our Muskingum County farm home near Chandlersville in early May of 1917, just before reporting to Fort Benjamin Harrison for the first Officers' Training Camp."

The unfinished manuscript collected dust until 1958. Then, while striving to recover from the sudden death of his wife, Huffman started to polish the verse written in his youth.

For his meter he adopted the trochaic tetrameter used by Longfellow in "Hiawatha." When the legend lacked drama and romance, Huffman used poetic license to embelish it with imaginary episodes.

There is nothing imaginary about a man named Duncan trading with the Indians at the mouth of Salt Creek before the valley was settled. The old records refer to four pioneers by that name at the falls. Huffman believes that the trader, David Duncan, is the subject of the legend.

He tells that before white settlers came to Ohio:

"Duncan, fearless, canny Duncan,
By descent a Highland Scotsman.
From the tidelands of Virginia
Entered the Muskingum Valley
Famed afar for scenic beauty,
Fondly termed by thrilled explorers
Hudson of the western country."

At the mouth of Salt Creek on the eastern bank of the Muskingum Duncan found a Delaware Indian village called Oldtown. He asked Chief White Eyes for permission to trap and hunt near the village.

White Eyes welcomed Duncan. But he warned the trader against the "skulking Wyandots", in these words:

"Though we always treat them kindly.
And return them good for evil,
They are never to be trusted.
They will slay and scalp intruders.
And they need no provocation:
Do not tempt their cruel natures."

At first Duncan heeded the warning. He carried on his trading business with the friendly Delawares at Oldtown.

"With a merchantlike devotion.
And assistance from the chieftains,
Duncan was anon the trader.
When the season was propitious.
With the Delawares he bartered,
Sold them knives and pots and blankets,
Calico and beads and trinkets."

He seldom crossed to the western bank of the Muskingum. But he grew more careless. He made trips to "a ridge of flint deposits." And he "hunted, fished and trapped in newfound freedom" on the west side.

The Wyandots watched him. They "sprang his deadfalls, stole his traps and robbed his caches."

That interference angered Duncan. He killed some of the Wyandots. "One who fell was heir apparent."

"Then the warriors took the warpath.
Bent on massacre and mayhem.
Of the baleful one-man army.
Who was safe across the river.
Cloistered in his hermit refuge—
Known alone to trusted White Eyes."

White Eyes warned Duncan that his life was in danger. The chief advised Duncan to leave the valley. But the stubborn Scotsman resolved to fight it out with the Wyandots.

When the Wyandots asked White Eyes about Duncan, that friendly chief hinted that the trader was clothed in magic garments.

"Duncan, in his disappearance.
Is he man, or is he phantom?
Is it true that arrows will not
Penetrate his leather garments,
But fall harmless from his armor?"

The Wyandots were not dissuaded from their resolve to kill Duncan. They had to learn how and when he crossed the river.

One day while they were chasing a deer, they saw their quarry cross the Muskingum by leaping from rock to rock. The Wyandots guessed that Duncan used the same method. They sent their bravest warriors "nightly now to lie in ambush."

One midnight, during a thunderstorm, the warriors in ambush saw Duncan vaulting from rock to rock with a pole across the Muskingum.

"Thus he reached the central chasm
Deep, so deep the pole was worthless
As it was his wont to use it,
Which to him was no dilemma;
Horizontally he placed it
And with acrobatic sureness,
Not unlike a circus artist.
Moved he confident and steady."

Lightning flashed. Frightful peals of thunder shook the earth. Duncan, balanced on his pole, shuddered as many bullets struck him and he fell into the river.

"'Duncan Falls' a savage shouted
As the din reverberated.
'Duncan falls!' the hills reechoed
In funeral notes expiring."

His body floated to Deadman's Riffle. Some friendly Delawares found it and returned it to Oldtown for burial.

"Thus persists the epic legend
Of a quiet peaceful valley
In the Commonwealth, Ohio,
Woven from its oral fragments
On the loom of time, enchanted,
Warp of fact and woof of fiction."

The volumes by Dr. James Ball Naylor of Malta, who inspired Huffman, are now listed in rare book catalogs. It is a good guess that Huffman's "The Legend of Duncan Falls" will become a collector's item.

Mr. LAUSCHE. Mr. President, that is the story of Duncan Falls, which is so beautifully described in this book by former Senator Huffman.

S. 3745—INTRODUCTION OF A BILL—YOUTH PARTICIPATION ACT OF 1968

The PRESIDING OFFICER. Under the previous order, the distinguished junior Senator from Oklahoma [Mr. Harris] is recognized for not to exceed 30 minutes.

Mr. HARRIS. Mr. President, I introduce today, for appropriate reference, for myself and 13 additional cosponsors, the Youth Participation Act of 1968, a bill to provide opportunities for American youth to serve in policymaking positions and to participate in National, State, and local programs of social and economic benefit to the country. The bipartisan group of Senators cosponsoring my bill include Senators Brooke, Cannon, Hart, Hatfield, Inouye, McGee, Mondale, Moss, Pell, Randolph, Ribicoff, Tydings, and Yarborough. I now send the bill to the desk and ask that it be appropriately referred.

The PRESIDING OFFICER (Mr. Lausche in the chair). The bill will be received and appropriately referred.

The bill (S. 3745) to provide opportunities for American youth to serve in policymaking positions and to participate in National, State, and local programs of social and economic benefit to the country, introduced by Mr. Harris, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

Mr. HARRIS. Mr. President, this bill represents the thinking of many people. It has been quite some time in preparation. It is, of course, being introduced too late during this session to be passed, but I wanted to insure that it can be circulated among many people around the country who are interested in this subject. Their views, opinions, and suggestions will be welcomed, as have those of a great number of people in the country whose advice I have already sought in preparing this legislation.

The bill is not, by any means, a perfect instrument to carry out the intent of its cosponsors, but it does represent a beginning step. We hope to receive as many suggestions and as much advice as we can about how to achieve our objectives between now and the opening of the coming session of the Senate next January. At that time, the legislation will be introduced again, perhaps in a perfected form, and we will urge that hearings be held.

Mr. President, we have always been a young nation. Both in its ideals and its institutions America has always demonstrated a youthful dynamism, flexibility, and sensitivity. And the American dream has been a dream most of all for the young, promising each new generation of Americans a better life and a fuller realization of our ideals of justice and equality and human dignity than previous generations have enjoyed.

But today a cruel irony threatens this dream: Many young Americans are losing their faith in a young America.

No one can help knowing about the alienation of many of our Nation's young from our society and government over the past few years. Distrust, discouragement, and cynicism have led some young people to opt out of the system, and others to protest and even revolt. These attitudes and actions are not simply youthful irreverence; they are also the result of radical social and political changes which threaten to stratify America, not only into black and white, but also into old and young, each mistrustful and suspicious of the other.

If reaffirmation of the American dream is to defeat division, we must not only renew our support of a society under law, but all Americans must also come to understand why a chasm separates old from young today, and why that chasm may widen unless we deliberately and earnestly seek to re-create a basis for mutual trust and understanding, and establish new ways for the young to participate in real and important ways in American institutions.

This newest generation of Americans is the largest, best educated, and most talented group of young people our Nation has ever produced. In 1940, 40 percent of our population was under age 25; today the proportion is 47 percent, and by 1972, over half of the American population will be under age 25. The number of Americans entering college has increased by fully one-third since 1960, only 8 years ago. From 1947 to 1966, the proportion of young men, aged 18 and 19, who were neither in the labor force nor in the armed services, increased amazingly from 19 to 31 percent.

Advancing technology, demands for greater achievements in education, and the transformation of our society from a rural to urban culture, have created a nearly unique and terribly difficult set of problems for our young people.

This is an America often characterized by huge, impersonal institutions, where it is hard for the young to find their own identity or to find meaningful values, yet where instantaneous communication of events has made it impossible for a young person today to remain unaware of the real world and its real problems, or to be isolated from an overwhelming array of new things and new ideas.

This is an America where children mature early, both physically and intelligently. In the 19th century, the average age of physical maturity was 17; today it is 12. But because of the increased level of skills demanded of our young people in order for them to become contributing members of the adult community, they are held out of society longer and longer today. Thus, the period of youth has been lengthened in two directions—down the age scale, because young people are maturing earlier, physically and intellectually, and up the age scale, because they are held out of society for longer period of times.

This is a highly mobile America where the three-generation family, in close contact with each of its members, is increasingly difficult to hold together.

This is an America where many institutions embody the values of older generations and the solutions to the problems of an earlier time, where the pace of change in our world is terribly rapid, and seems to accelerate with each passing year. It is the young who most acutely feel these changes, yet their insights are not employed very effectively to change our institutions in ways which would make them more responsive to the radically altered conditions of our day.

This is an America where the young, freed from the necessity to spend all of their time earning a living as older generations had to do, are increasingly turning their attention to racism, to the plight of that dwindling proportion of our population which still remains in poverty, and to the desperate need for peace in our world.

At the heart of the dilemma of American youth is their very real sense of powerlessness. Since the young in America have little effective means of participating in American society, they feel very keenly their lack of influence on policies and decisions which affect their lives directly. This generation of Americans has displayed an intense desire for involvement.

The legislation which I introduce today cannot pretend to solve all of the problems I have outlined. I believe, though, that it is a first, faltering step in the right direction.

In its findings and declaration of purpose, the Youth Participation Act declares, first, that young people today are maturing earlier than ever before, but are increasingly excluded from participation in the institutions of American society by technological and economic advances which have eliminated work for most young people, yet require them to remain in school for longer and longer periods of time; second, that rapid social and economic changes in recent years have created a greater distance between older and younger Americans than we have ever known before—a distance which may grow unless we re-create ways for old and young to talk and work with each other in mutual respect; and third, that the idealism, energy, and imagination of the Nation's young are resources we ought to mobilize fully to attack economic inequality, racial discrimination, and social inequity, all of which still burden far too many Americans.

The bill would respond to these premises in two ways: First, by establishing a youth-run national voluntary service program; second, by creating National and State youth forums for the discussion and resolution of issues which concern young people.

The bill would establish within the Department of Health, Education, and Welfare, a U.S. Office of Youth Participation, which would administer a new program of grants-in-aid for public and private organizations—especially those run by youth—to recruit and employ youth up to age 24 as volunteers in a broad variety of public service programs. I am particularly concerned here, to quote from the bill, with "programs which concern youth generally, programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination, and achieving equal justice under law for all citizens."

Provision is made for the Director of the Office to coordinate the administration of this act with all other federally run programs involving youth, and to establish jointly with other Federal agencies a Government-wide youth volunteer program. Grants-in-aid could also be made to establish offices and commissions on youth participation at the State level, which would perform functions similar to those provided in this bill.

At the core of this section of the bill establishing the Office of Youth Participation are certain crucial provisions designed to implement in practical ways the premise that young people be given as much authority as possible. First, at least half of the professional employees of the Office would have to be between 16 and 24 when appointed, and the Office would seek to maintain that proportion by encouraging turnover in personnel. Second, to the greatest extent possible, grants to establish volunteer programs would be given mainly to youth-run groups, and to groups in which youth participate in policymaking and administration. Third, the Office would give special emphasis to funding organizations which would use youth volunteers to plan, administer, and evaluate policy in the programs in which they work; which would assign volunteers to work closely, where appropriate, with program beneficiaries; and which would provide volunteers with experience which could lead to careers in the fields to which they are assigned. Fourth, funds would be available for youth organizations receiving assistance to hire expert technical advice in carrying out their volunteer programs.

In addition, the bill specifies that both the staff of the Office, and the volunteers themselves, would have to be broadly representative of persons, both men and women, with varying ethnic background, educational attainment, residence, and occupation. This program is not to be a preserve for white, middle-class college graduates, nor, exclusively, for black ghetto youth. Both groups and a variety of other American young people as well would be represented in the Office and in volunteer programs.

Some specific examples of how these volunteer programs might work will show how diverse their range could be. A group of young Indian men and women, under age 25 and living on or off a reservation, could, for example, organize a nonprofit tutoring agency, receive funds from the Office of Youth Participation, and set up and run a program using older children to teach younger ones who are lagging in school, and also assign youth volunteers to work as aides to teachers in local public schools. Such a group might well hire experts from a nearby State university to consult on methods and materials, but the young people themselves would have charge of the program, and both they and the community they served would know and appreciate that fact.

A local urban renewal agency, to take another example, could apply jointly with a ghetto neighborhood youth group for money to develop a plan for adding several young people as full voting members to that agency's board of trustees. The agency and the youth group might also create paid volunteer slots for neighborhood youth to work as apprentice urban planners, who might act as liaison between the agency and local citizens organizations in developing plans for community renewal. Youth aides could also very possibly work in an urban renewal agency's relocation office, helping to develop plans to stage the renewal process so that as few families as possible are displaced, and helping find homes for those who must move. Just this sort of youth participation can help tremendously, I believe, to humanize programs which all too often seem impersonal and bureaucratic to the people they are supposed to serve.

As a third example, the mayor of a city could apply to the Office of Youth Participation jointly with a local youth organization for funds to set up an advisory office on youth involvement in a city government. That youth office could help the mayor and his administrators create positions throughout the city government for youth to work, for example, as community aides with the police department or the welfare department, and to administer a citywide summer youth volunteer program providing education, job training, and employment opportunities for young people.

As a fourth example, a group of college undergraduates might apply either separately, or jointly with their college administration, for funds to develop plans to incorporate students as permanent members of the college's admission board, or perhaps to add students to the board of trustees, or to a faculty curriculum committee.

To take a fifth example, under the Federal interagency volunteer program the bill would set up, the Department of Housing and Urban Development might work out a joint volunteer program with the Office of Youth Participation, providing for a youth advisory staff reporting directly to the Secretary of Housing and Urban Development, and helping him to develop concrete programs for increasing the involvement of youth in volunteer positions throughout the constituent agencies of the Department.

In some superficial ways, the volunteer program I propose does resemble Volunteers in Service to America and the Peace Corps, both of which are tremendously valuable programs which I think ought to be expanded. But neither these agencies nor any other Federal agency possess the unique features of the volunteer programs this bill would set up. The aim of this bill is not to create a categorical aid program to solve a particular, limited problem, such as air pollution or the housing shortage, but to stimulate a process and create a mechanism through which youth could secure a large measure of control over a broad spectrum of volunteer programs, each of which could have quite different and specific tangible objectives.

I am convinced that the effect of a commitment by young people to an enlarged and coordinated action program against poverty and discrimination, run by and for young people themselves, will have tremendous practical effect in helping to solve some pressing social and economic problems, in alerting both youth and the rest of American society to the urgency of these problems, and—most of all—in demonstrating the deep underlying commitment of youth to the promise of America.

Section 4 of the bill would create an Advisory Commission on Youth Participation, to be appointed by the Secretary of Health, Education, and Welfare. Five of the Commission's nine members would have to be between 18 and 24. Members of the Commission would hold office for 2 years and, like the staff of the Office, would be both men and women and representative of diverse experiences, backgrounds, occupations, and ethnic groups. The Commission would perform three functions: First, it would hold public hearings and conduct studies on a broad range of issues and problems which concern young people. Second, it would advise the Secretary of Health, Education, and Welfare regarding the administration of the Office of Youth Participation, and also recommend to him ways of increasing the involvement of youth in programs administered by HEW. Third, it would especially consult with certain agencies, such as the Selective Service System, the Justice Department, the Office of Economic Opportunity, and others whose activities directly affect the lives of young people, and recommend to these agencies ways in which they could become more responsive to the needs and the views of American youth.

It is my intention in proposing this Commission to give it very broad powers to air publicly the widest possible variety of issues which concern youth today. The idea is to set up a forum, authentic and respected, officially sanctioned but youth controlled, through which young people can express their views and their concerns, examine public policy, and put forward concrete alternatives by which the country can move from the way things are now to the way young people believe they should be.

The Commission might consider, for example, holding hearings in different settings around the country, appropriate to the issue under consideration. Hearings on student participation in setting university policy might be held on a college campus, for example. A hearing on the dilemma of Indian youth, who must choose between old tribal ways and assimilation into a dominant white culture of American society, might be held on a reservation in New Mexico. Hearings on the problems of ghetto youth could take place in Harlem.

In addition to carrying out this rather broad mandate, the Commission's special domain would be to investigate ways in which more avenues can be opened up for the meaningful participation of young people in American institutions, especially those which affect most directly the lives of the young. That is why the bill stipulates that the Commission will consult with the Selective Service System, the Justice Department, and the Office of Economic Opportunity, and other agencies.

What value could the Youth Participation Act have in reversing the trends and forces I have described briefly? This legislation cannot by any means resolve the complex, fundamental problems of the alienation of so many of our young people, but it does, I think, presume that we can analyze and understand the forces which have produced a cleavage between old and young, and the frequent exclusion of the young from American institutions, and that, having rationally thought through these forces, we can try to respond to them. I believe very deeply that our Nation's young people will be challenged to use these opportunities to work for constructive social and economic goals which benefit the entire country. I believe they will respond with an intelligence, discipline and resourcefulness which will amaze many of us who are older.

I would like to emphasize that the bill I offer today is not the only way of increasing youth participation in American society. In drawing up this legislation, I considered a great many other suggestions and ideas for increasing youth involvement through a federally run program. I expect that many of these same ideas would be brought out in hearings on the bill, and that it could be perfected in many ways. One alternative idea which has considerable merit, I believe, would be to set up a Council on Youth Affairs and Participation, directly under the President, which could either incorporate or oversee all programs employing or involving youth throughout the Federal Government. Another is to establish in each major

Federal agency an Advisory Office on Youth Participation, reporting directly to the Secretary of that agency, and helping him to develop ways of increasing youth involvement throughout all of the agency's programs. I would welcome detailed consideration of these and other proposals, and, as I said earlier, suggestions and advice from those who are concerned with increasing youth participation and involvement in the institutions of American society.

Beyond urging the adoption of this bill, I would again advocate, right now, as others have recently done, that we make a national decision to lower the voting age to 18; that we open up the draft system to genuine influence by young people who are asked to serve in our Nation's armed services; and that we in Congress and in the executive branch of government seek other ways to open up American society to the views and participation of young people.

The questions I raise today are important. Is our Nation going to allow the further alienation of many of its most talented and committed citizens, or can we further enlist them in efforts to improve the quality and dignity of life in America for all of our people? Is that half of our Nation which is under 25 going to remain so often unconsulted and uninvolved in the urgent questions of where American society is going, and where it ought to go, or are the young to be given a larger voice in our Nation's affairs? Are we to leave underused the energy and intelligence of our young people or can we further enlist young people fully in the fight against poverty and inequality?

I think the answers to these questions are clear. We cannot afford not to take full advantage of the resources of youth, and we cannot afford to permit the chasm between old and young to widen any further. The legislation I propose today will not by itself achieve these objectives, but it can begin to move our Nation toward a just and sensible solution of the urgent problems of American youth. Consideration of it can launch a national discussion of how best to achieve its goals.

Mr. President, I ask unanimous consent that the text of the Youth Participation Act be printed in the RECORD at the conclusion of my remarks.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3745

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Youth Participation Act of 1968".

FINDINGS AND DECLARATION OF PURPOSE

SEC. 2. (a) The Congress finds that—

(1) American youth today are maturing—physically, and intellectually—at earlier ages than ever before; yet technological and other advances have eliminated opportunities for work for an increasing proportion of the young, while requiring them to continue their education in order to acquire the skills and knowledge demanded by a sophisticated economy; as a consequence, the period during which young people must wait to enter society as productive members in positions of power and responsibility lasts longer for youth today than for any previous generation;

(2) together with this extension of the period during which youth are held out of society, the unprecedented rapidity of recent technological and social change and the emergence of huge, impersonal institutions have helped to produce social cleavages between older and younger Americans that are wider than the distances which separated past generations from one another; these cleavages may grow unless the Nation deliberately creates a forum for a mutually respectful and meaningful exchange of opinions between old and young, and develops viable means by which the young can participate more directly in American life and institutions and in decisionmaking processes;

(3) acute problems of economic inequality, racial discrimination, and social inequity continue to burden the Nation and to prevent it from achieving its full economic potential, from developing the full human resources of all of its citizens, and from fully realizing its democratic principles; yet, in the idealism, energy, and imagination of American youth, the Nation possesses resources which can be mobilized to help relieve these problems; these resources are not now fully employed because the Nation lacks adequate institutions through which young people can channel their potential contribution to the national welfare.

(b) Therefore, it is the purpose of this Act to create a new program, planned and administered largely by young people themselves, which will help to direct the resources of youth to the solution of critical needs of the country, and encourage the fuller participation of youth in American public life, by offering young people opportunities to participate in the planning, administration and evaluation of programs which benefit our society and economy, and by establishing national and State forums for the discussion and resolution of problems concerning youth.

OFFICE OF YOUTH PARTICIPATION

SEC. 3 (a) There is hereby established in the Department of Health, Education, and Welfare a United States Office of Youth Participation (hereinafter referred to as the "Office").

(b) The Director of the Office shall be appointed by the President and shall be compensated at the rate prescribed for level 5 under section 5316 of title 5, United States Code. There shall be a Deputy Director of the Office who shall be compensated at a rate not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of title 5.

(c) At least half of the employees of the Office, classified in grade GS–7 and above, pursuant to section 5104 of title 5, United States Code, shall be persons between the ages of sixteen and twenty-four at the time of their appointments to their positions, and the Office shall establish a personnel policy which encourages the maintenance of this proportion. The Director shall establish a policy which assures that employees of the Office are representative of a broad range of experience, background, and personal characteristics, with respect to sex, educational attainment, residence, occupation, ethnic origin, and age within the age limits prescribed in the preceding sentence.

(d) The Office of Youth Participation shall—

(1) establish and administer a program of grants-in-aid to public agencies and nonprofit private organizations which shall be made available on application and under terms prescribed by the Office, for—

(A) the establishment of similar Offices of Youth Participation and Commissions on Youth Participation under the supervision of governments of the States and the District of Columbia, which will perform at the State level those functions specified in this Act;

(B) the development and administration, by such public agencies and nonprofit private organizations, of programs designed to recruit, select, train, and employ youth up to age twenty-four as paid and nonpaid volunteers in social and economic programs of benefit to local communities, especially programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination and achieving equal justice under law for all citizens;

(C) the development of coherent plans and programs, by such public agencies and private nonprofit organizations, which ensure the meaningful participation of youth up to age twenty-four in policymaking bodies of governmental and private organizations which administer social and economic programs, especially programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination and achieving equal justice under law for all citizens;

(2) establish jointly with other Federal agencies administering programs which concern youth generally and programs aimed at reducing poverty and physical blight, improving health, education, and welfare, ending racial discrimination, and achieving equal justice under law for all citizens, a national program under which youth up to age twenty-four shall be recruited, selected, trained, and employed as volunteers in paid and nonpaid positions in such programs.

(e) The Director of the Office shall establish with the heads of Volunteers in Service to America, the Peace Corps, the Teacher Corps, the Job Corps, the Neighborhood Youth Corps, the President's Council on Youth Opportunity and other Federal agencies concerned with youth participation, cooperative administrative arrangements which insure that such agencies assist in furthering the objectives of this Act, including the establishment of means for the exchange of information about volunteer opportunities and applicants for volunteer positions.

(f) In Volunteer programs assisted under this Act, the Office shall insure, to the greatest extent possible, that such programs—

(1) are planned and administered by public agencies and nonprofit organizations which are composed of youth up to age twenty-four, or which show evidence of substantial participation of such youth;

(2) engage volunteers in ways that permit and encourage them to assist in the planning, administration, and evaluation of policies and programs;

(3) where appropriate, assign volunteers to work directly with clients and beneficiaries of programs;

(4) provide experience which leads to careers for volunteers in the fields in which they work; and

(5) where appropriate, make use of expert technical assistance in planning and administering such programs.

(g) Volunteers in any program assisted pursuant to this Act—

(1) shall not be deemed to be Federal employees, except as provided by the Secretary of Health, Education, and Welfare, after consultation with the Civil Service Commission; and

(2) shall be compensated, including necessary expenses, as determined by the Secretary of Health, Education, and Welfare, except that in the case of Federal volunteer programs established pursuant to section 3 (d)(2) of this Act, the Secretary shall consult with the head of the Federal agency concerned before establishing rates of compensation and expenses.

ADVISORY COMMISSION ON YOUTH PARTICIPATION

SEC. 4. (a) The Secretary of Health, Education, and Welfare shall appoint an Advisory Commission on Youth Participation (hereinafter referred to as the "Commission"), which shall be composed of nine members, at least five of whom shall be persons between the ages of eighteen and twenty-four at the time of their appointments. The Director of the Office shall be an ex officio member of the Commission.

(b) The Secretary of Health, Education, and Welfare shall seek recommendations as to the membership of the Commission from youth organizations in schools, colleges and universities, and from other youth organizations, and shall appoint members of the Commission for two-year terms, except that the members first appointed may be for a greater or lesser period in order to assure that the terms of not more than three members shall expire at the same time. In appointing members of the Commission, the Secretary shall seek to assure that they are representative of a broad range of experience, background, and personal characteristics, with with respect to sex, educational attainment, residence, occupation, ethnic origin, and age within the age limits prescribed in section 4(a) of this Act.

(c) Members of the Commission shall select from their number a chairman and co-chairman, who shall serve in those positions for one year.

(d) Members of the Commission shall be compensated, including necessary expenses, as determined by the Secretary of Health, Education, and Welfare. The Secretary shall provide the Commission with necessary staff support.

(e) The Commission shall—

(1) advise the Secretary of Health, Education, and Welfare with respect to policy matters concerning the administration of this Act and with respect to ways of increasing the involvement of youth in programs administered by the Department of Health, Education, and Welfare;

(2) consult with and advise the heads of Federal agencies administering programs which directly affect the lives of young people, including, but not limited to, the Selective Service System, the Justice Department, and the Office of Economic Opportunity, as to ways of improving such programs and making them more responsive to the needs and concerns of young people; and

(3) hold and publish hearings, and conduct and publish studies, on problems and issues of concern to youth in American society, and make recommendations from time to time for additional means of incorporating young people more fully in meaningful and responsible roles in the American society and economy.

APPROPRIATIONS AUTHORIZED

SEC. 5. For purposes of carrying out this Act, there is hereby authorized to be appropriated not to exceed $5 million for any fiscal year.

Mr. HARRIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATIONS OF JUSTICE ABE FORTAS TO BE CHIEF JUSTICE OF THE UNITED STATES AND JUDGE HOMER THORNBERRY TO BE ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD the following editorials published in the Independent, of Anderson, S.C.; the Macon News; the Atlanta Constitution; the Courier-Journal; the Kansas City Times; the Minneapolis Star; and the Minneapolis Tribune, commending the President for making an excellent choice in nominating Associate Justice Abe Fortas to be Chief Justice of the United States and Judge Homer Thornberry to be an Associate Justice of the Supreme Court of the United States.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Anderson (S.C.) Independent, June 28, 1968]

PRESIDENT MAKES AN EXCELLENT CHOICE IN NAMING FORTAS AS CHIEF JUSTICE

President Johnson's nomination of Justice Abe Fortas to be Chief Justice of the U.S. Supreme Court will meet with widespread approval.

An individual of unquestionable integrity, Justice Fortas has long been recognized by the legal fraternity as one of the most able minds in the profession.

A native of Tennessee, the son of an immigrant English cabinet maker, Abe Fortas has won his way in this world by hard work and earnest application of his talents.

For more than 30 years President Johnson and Justice Fortas have known each other, and the President's nomination bespeaks the admiration he holds for a truly dedicated American.

Republican voices already have been raised and they promote to fight confirmation in the Senate on the very shaky and unsound ground that a "lame duck" President should not be allowed to fill an important vacancy on the Supreme Court.

If any be needed—and there is no need—there is ample precedent. Former President Eisenhower named justices during his second or "lame duck" term of office without the Republicans raising opposition.

And one of the great Chief Justice of all, John Marshall of Virginia, was appointed by President John Adams when the latter had only a month left in his term of office.

Republican opposition to Abe Fortas as Chief Justice is so obviously political as to be self-defeating and we trust that will be its fate.

Justice Fortas deserves swift confirmation as Chief Justice of the U.S. Supreme Court.

[From the Macon News, June 28, 1968]

FORTAS IS THE CHOICE

Southern Democrats may hold the key to confirmation of U.S. Supreme Court Associate Justice Abe Fortas' appointment as chief justice as well as the selection of Homer Thornberry to sit on the court. A number of Republicans have signed a petition opposing this action by the President.

The contention of opponents is that Mr. Johnson is a lame duck and a lame duck president shouldn't make such appointments.

This is nonsense. History shows other lame duck presidents have done exactly as Mr. Johnson has done.

Certainly, the balance of the court is a delicate matter and the choice of a successor to Chief Justice Earl Warren is important. Fortas, a liberal, will no doubt try to keep the court on the liberal path. The wisdom of that may be debated but Mr. Johnson's right to name Fortas to replace Warren cannot be disputed.

[From the Atlanta Constitution, June 27, 1968]

MR. FORTAS' LEGACY

In deciding to resign at this time, Chief Justice Earl Warren implied his faith in President Johnson to fill the vacancy wisely. The President has justified that faith.

Justice Abe Fortas is a superb choice for Chief Justice.

He is a devoted civil libertarian, but his long experience in government—dating from the New Deal—also has made him aware of the practicalities of governing.

His appointment, incidentally, allows the President another "first." Mr. Fortas will be the first Jewish Chief Justice.

U.S. Circuit Judge Homer Thornberry, who will take the seat created by Fortas' elevation, likewise is a man of sound and proven, progressive judgment. He will be the first Southerner named to the high court in many years.

There is no question about Chief Justice Earl Warren's place in history. He will be rated as one of the three or four great Chief justices of America.

This has been the era of individual rights in the high court and Chief Justice Warren has been a major influence in defining these rights in three areas:

Racial equality, representative government and rights of defendants—Mr. Warren's three Rs.

The first big breakthrough on racial justice came with the 1954 *Brown vs. Board of Education*, written by the Chief Justice himself, outlawing enforced segregation in the schools.

From this precedent flowed dozens of other rulings striking down one form of legal segregation after another. If any segregation statute remains on the books anywhere in the country, we don't know where it is, but we are sure of its fate: It is unconstitutional.

The legal basis for most of these racial justice decisions has been the 14th Amendment, guaranteeing equal protection to all citizens. Just last week the court upheld a 102-year-old open housing law under the 13th (antislavery) Amendment, on grounds that housing discrimination was a vestige of slavery.

Baker vs. Carr was the leading case in a series of cases establishing the one-man, one-vote principle in state legislatures, congressional districts and more recently in local governments. Among other results, the 1962 precedent led to destruction of Georgia's iniquitous county unit system.

Baker vs. Carr was written by Mr. Justice Brennan, but as in so many decisions of the Warren Court, the Chief Justice was a major influence.

The third area in which the Warren Court has been active has been in protecting procedural rights of persons accused of crimes. These range from witnesses before congressional committees to persons arrested and interrogated without the benefit of legal counsel.

Each area has raised great storm clouds of controversy. Southerners thundered at the attack on the "Southern way of life" implicit in outlawing racial discrimination. Benefactors of the rotton borough system were angry at the "intrusion" of the courts into representation questions. Police officials and many others have complained that the court was "coddling" criminals by protecting their constitutional rights.

But in each area, the Warren Court has been making the Constitution mean what it says, and after long screams, the nation has learned it can live with the Constitution.

For years, Chief Justice Warren has been the object of an impeachment campaign sponsored by the John Birch Society. The Chief Justice perhaps decided he can retire now that the Birch Society has given up.

He exits in controversy. Some Republicans are infuriated that Warren, former Republican governor of California, appointed to the bench by Republican President Eisenhower, will let Democratic President Johnson name his successor. But we see no reason why Mr. Warren should not exercise his judgment in this matter, as he has in so many others.

We salute the Chief Justice at the culmination of a long, honorable and valuable career on the bench.

[From the Courier-Journal, June 29, 1968]

Appointments to Court Impose Duty on Senate

A highly partisan outcry has arisen against President Johnson's two Supreme Court norminations. Some Senate Republicans are threatening a July filibuster to prevent consideration of the matter. It is disappointing to find Kentucky's Thruston B. Morton in this group.

The argument that there is not a clear vacancy on the court until Chief Justice Warren has actually vacated his seat appears to be a technicality, which should be quickly settled. The other points being raised have no real relevance to the two men involved, Abe Fortas and Homer Thornberry. They are in fact forms of attack on the President.

One of the contentions is that the selection of these two individuals is an example of "cronyism." There is no doubt that both are long-time personal friends of Lyndon Johnson. One of them happens to be from Texas, which was represented on the court by Justice Tom Clark until his resignation a few months ago. The logical extension of the "crony" argument would forbid a President to appoint to the court any man from his own state, or any man he knew well. Such a contention would be an absurdity.

HAS THE RESPONSIBILITY

The other argument is that a "lame duck" President should not be permitted to make nominations to the court. Mr. Johnson has chosen not to run for re-election next November, but he will legally hold office until January. It would not make sense to bar a President from federal court appointments during the last six months of his term as a general practice. As Gov. Nelson Rockefeller notes, "The President under the Constitution has the responsibility to make these appointments."

The Senate has its own clear responsibility under the Constitution, too. Its duty is to give sober and serious consideration to the President's nominations to the Supreme Court and to endorse or reject them on the qualifications of the individuals. All other considerations are irrelevant.

Senators who refuse to allow this orderly procedure to take place, through the device of a filibuster, will not just be taking a slap at the President. They will be demeaning the Senate, by preventing it from performing in a reasonable time one of its most responsible duties.

[From the Kansas City Times, June 28, 1968]

The Propriety of Filling High Court Vacancies

It is fair enough to criticize any President's nominations to the Supreme court or to any—other high position. The senatorial obligation of confirmation not only permits such criticism but also raises the possibility of rejection by the Senate if it so decides. But it is quite another thing—and a very political thing, it seems to us—to suggest that a President, when his term in office is definitely limited, should not fill such vacancies.

In this instance, President Johnson's term is limited by his own choice. He has not been defeated at the polls and thus, in the classical sense, is not a lame duck. We won't quibble about that, however. The fact is that Mr. Johnson presumably has another six months in office and during that period the business of government must go on, and the court must go back into session. Is it proper to suggest that the presidency should, in effect, be paralyzed, unable to make decisions on the assumption that in November the people will deliver a new mandate?

We think not. And this is by no means intended as a defense of the President's appointments. Rather, it is a defense of his right to appoint, even though he is soon to leave office. Were a chief executive to fail to exercise that right, he would in effect be confessing to White House paralysis of his remaining months. These are problems enough when an incumbent is serving out his final term without this type of restriction.

Yet that is what the Republican senators—who have protested the appointments are suggesting. The cynic would say that they might have reacted otherwise had the incumbent been a Republican. And they are in part prompted by the hope that the next President will be a Republican. He might be, but that is quite irrelevant to the vacancies of June, 1968, on the court. The next President might also be a Democrat, or, for that matter, he might be George Wallace, but let's not talk about that.

What is at issue here is the right of any President to fill the vacancies that exist during his administration. Perhaps Mr. Johnson could have talked Chief Justice Warren into serving until January. But either he did not try or Warren was set on retirement. He is 77 years old, and no man could criticize him from wanting to rest.

The situation having been created, the President could not afford to sit back and do nothing. It would have been an abdication of his own responsibility to lead while he is still the leader.

[From the Minneapolis Star, June 28, 1968]

A Pair of Good Appointments

President Johnson's appointment of Abe Fortas to succeed Earl Warren as chief justice and Judge Homer Thornberry of a U.S. Court of Appeals in Texas to the vacant seat was an astute political move, a typical Johnsonian exhibit of personal loyalty, and at the same time a guarantee of the continuity of the progressive Warren traditions.

By obtaining in advance the enthusiastic approval of Senate GOP leader Everett Dirksen, LBJ countered carping about "lame duck" appointments. He's not really a "lame duck," which means a defeated politician serving out an expiring term.

LBJ was not defeated. He has the duty and moral right to exercise all powers of office.

That both Fortas and Thornberry are old personal friends, that the first is Jewish, and both are Southerners is less important than that both are a credit to the bench intellectually, and put the highest priority on individual rights and dignity.

Fortas is a tough-minded legal scholar who can be expected to "marshal the court" as did Warren. For all his toughness he is sensitive to the civil rights and civil liberties issues that make up half the court's business. Thornberry, who served LBJ's old congressional district, was the only southern liberal on the House Rules Committee. As a subsequent federal judge he has been strong on desegregation and civil rights.

One of Warren's accomplishments as chief justice was to minimize internal dispute that can result in 5-to-4 decisions which in turn can subtly undermine the Supreme Court's prestige. The Fortas and Thornberry appointments are double assurance that "the Fortas court" will continue on the humane course that produced for that august body the most powerful court in the world, some of its finest hours.

[From the Minneapolis Tribune, June 28, 1968]

A Fresh Mandate for Chief Justice?

Two questions are raised by the President's nomination of Abe Fortas as chief justice of the Supreme Court and Homer Thornberry as associate justice to fill the seat that would be vacated by Fortas. Are these the right men for the jobs? Should a "lame duck" president make such appointments, or would they more appropriately be made by a new president in 1969?

The argument against Thornberry is that he has been the President's political crony since 1948, when Thornberry was elected to Congress in the district represented by Mr. Johnson before he moved to the Senate. Against that are Thornberry's experience in lower courts and his reputation, political and judicial, of constructive liberalism on civil rights, desegregation and free speech.

A similar argument is made against the choice of Fortas, perhaps Mr. Johnson's closest friend and adviser, with the added charge that despite his many years in the practice of law, he had no judicial experience before becoming associate justice three years ago. Fortas has been described as "a great legal mind," which we think has been demonstrated by his persuasive opinions in a number of Supreme Court decisions. And there is an obvious comparison with retiring Chief Justice Warren, whose views Fortas generally shares. Warren had no lower court experience before President Eisenhower appointed him chief justice; he was not even a lawyer.

The "lame duck" complaint voiced by Richard Nixon and others seems to us almost defeated by its own reasoning. Such an appointment, according to Nixon, should be made by "a new president with a fresh mandate." The implication, is that a mandate for fresh jurisprudence is called for and that the constitutional separation of judicial and executive branches is related to a presidential election.

Whatever were Earl Warren's reasons for resigning now, we believe the court's and the country's interests will be best served by prompt action to fill the vacancy. The President's choices seem suitable; and we think it would be wrong to delay the decision on naming a chief justice until next year.

WHERE ARE THE HANDWRINGERS?

Mr. FANNIN. Mr. President, before our unilateral reduction in the bombing rate of North Vietnam, this Nation was "treated" to almost daily accounts of the damage our bombs were doing to the civilian population there. We saw pictures of supposedly napalmed children. North Vietnamese women were depicted in their grief at losing loved ones. Refugee families with their pitifully small set of household stores were seen on the TV screens displaced from their wretched huts. The great, grand New York Times managed a special set of stories by Mr. Harrison Salisbury telling us and all the world what bad folks we were because some of our bombs, though admittedly aimed at military targets, exploded too close to civilian areas.

I believe this Nation to be made of individuals who, for the most part, believe in fair play. We, in the main, subscribe to the idea that "what's sauce for the goose is the same for the gander." If the proposition is that it is bad to see civilians killed at war—and I believe it is—then it must be bad to see civilians killed whether north or south of the demilitarized zone.

But that does not seem to be the case with some national media. The great American handwringers seem only to look northward. So far as I know, Mr. Salisbury has written no report condemning the Vietcong for their deliberate torture and mutilation of South Vietnamese civilians. Although we have all seen pictures of the crude rocket launchers used to send death into the crowded civilian sectors of Saigon, I have not observed the great pontificators of our national media crying in outrage that this is wrong.

These giants of the media may not be excused upon grounds that such reports do not exist. I have a news report from Saigon which explicitly details the role of the Vietcong in blasting a village, killing 88 persons. Mr. President, 73 of them were civilians. Another 103 refugees were wounded, and a U.S. spokesman is quoted as saying this village raid may be "one of the worst atrocities of the war," all because the village supplied recruits to the South Vietnamese.

I have looked in vain to find the public outcry from the editorial pages of our "concerned" national press because of these atrocities.

We have seen pictures of bodies spilling out into the South China Sea near Hong Kong. Bodies bound and battered and mutilated. Do we have a rash of editorials condemning the Red Chinese regime for such wanton brutality? I have found none.

Where are the handwringers?

Mr. President, I cannot understand this silence. Are those who spoke out so openly, so vociferously, even so viciously upon the occasion of supposed American accidental injury to civilians now saying that human life is worth less than it was before? Is the value of civilian lives arbitrarily assessed in the editorial board conferences and posted like figures on the stock exchange? Are people who are burned alive in South Vietnam somehow of less interest than their counterparts in the North? From what kind of horrible standard of justice can one derive such an arbitrarily unfair outlook? Is such a manifest imbalance to be tolerated by the populace among its keepers of the public conscience?

I suspect that the mutilations, the tortures, the cremations perpetrated by the Communist forces upon civilians are most worthy of editorial condemnation. But the propaganda value varies greatly. It is related to location rather than motivation. This, I suggest, is the standard which lets an editorialist tear his hair at unintentioned deaths of civilians in the north and completely ignore deliberate terror, murder, and brutality in the south.

As long as we recognize the standard by which those judgments are made, we can better clasify them. But let us have no more gushings and tears in the name of humanity, when such items should be written in the name of expediency.

Mr. President, I ask unanimous consent that the two articles to which I have referred be printed in the Record.

There being no objection, the article were ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Evening Star, June 29, 1968]

Seventy-Three Viet Civilians Die in Red Raid on Village

Saigon.—Viet Cong troops throwing explosives into huts blasted apart a small fishing village today and killed 88 persons, a U.S. spokesman said, in what "may be one of the worst atrocities of the war."

One American officer said the villagers at Son Tra, 345 miles northeast of Saigon, had refused to supply the Viet Cong with recruits and the guerrillas had threatened to burn the town.

The U.S. Command said 73 civilians and 15 paramilitary government pacification workers were killed and another 103 refugees wounded in the 30-minute attack. The guerrilla force numbered at least 75 and perhaps as many as 300, South Vietnamese headquarters said.

MANY BURNED ALIVE

Many of the civilians were burned alive. They had taken shelter in bunkers under their homes when the Viet Cong opened up with mortars at about midnight, but sheets of fire spread from hut to hut when the guerrillas began throwing in satchel charges.

Other residents of the refugee settlement of 4,000 fled toward the positions of 14 U.S. Marines assigned to help guard the town and blocked the Marines' line of fire toward the attackers, one leatherneck said.

Government headquarters said pacification workers killed 12 Viet Cong in the battle.

Fires touched off by the explosives destroyed 5 percent of the village of about five city blocks.

In a similar attack last December on a refugee resettlement village, the Viet Cong killed 114 Montagnard civilians and wounded 47 with flame throwers and machine guns at Dak Son, 100 miles north of Saigon.

VILLAGE'S DEFENDERS

Son Tra was defended by the 14 Marines, perhaps 30 government militiamen, about 35 pacification workers and a small group of self-defense youth, government headquarters said.

The militiamen and Marines form a "Combined Action Platoon," which lives and works with the villagers, giving them technical assistance and medical aid and trying to protect them.

The village is only five miles southeast of the headquarters of the U.S. Army Americal Division at Chu Lai and a company of American infantrymen from the 198th Light Infantry Brigade, based near the village, landed by helicopter on the Marines' hill position about 30 minutes after the attack. But the infantrymen did not sweep into the village until dawn, six hours after the attack.

CLASH NEAR SAIGON

In the search for Viet Cong bands reported moving on Saigon, U.S. infantrymen clashed with about 150 enemy soldiers 14 miles southwest of the capital yesterday and reported killing 30 and capturing eight. Air Force jets, helicopter gunships and artillery hammered the enemy positions during all-night fighting. Five Americans were killed and 12 wounded.

The enemy toll raised to 159 the number of Viet Cong and North Vietnamese reported killed by American infantrymen in three battles in the area in the last week.

In the aerial phase of the campaign, U.S. B52 bombers dropped about 2 million pounds.

Floating Bodies Tell of Horror In China—16 Fished From Sea

Hong Kong.—The bodies spilled out into the South China Sea from the muddy Pearl River along with the other refuse of Communist China.

In the past few days 16 bodies have been found outside the wide mouth of the great, monsoon rain swollen river that meets the sea between this British crown colony and Portuguese Macao.

Five found today included the remains of a young girl, bound as the 11 found earlier.

All had been battered and bound. Police said the bodies told a terrible tale.

"There is no doubt these bodies came from Communist China," a police official said. Military authorities and intelligence sources agreed.

"I believe they were victims of a mass murder," said Dr. Frederick Ong, the police pathologist.

Who killed them? Why?

"I cannot say who killed them or how they were killed," Ong said. But authorities said there were several possible explanations, all connected with the violence that has marked the prolonged power struggle among the 700 million persons of Red China.

They said the 16 could have been would be refugees caught while trying, as many do, to reach Hong Kong or Macao. They might have been executed for this.

They could have been criminals seized and condemned.

They could have been ordinary citizens caught up in Red China's blood smeared cultural revolution. They could have been more of the victims of the factional fights reported by travelers.

"It is not likely the Chinese Army or public security bureau would have executed these people and left them where they could float away. They are much more efficient, much neater than that," one investigator said.

Only last weekend, from a border post here, witnesses watched Red Chinese troops bury what appeared to be 40 victims of firing squads.

The 16 bodies from the Pearl had had the hands trussed tightly around the thighs with the rope looped around the neck.

One body was headless. This could have been done by fish or a ship striking the body. Or with a sword.

Dr. Ong said preliminary examination showed the bodies had been in the water between two weeks and two months.

ACCUMULATIONS OF WEAPONS IN HANDS OF EXTREMIST GROUPS

Mr. MONDALE. Mr. President, of particular interest in the gun-control controversy is the recent report prepared by the Anti-Defamation League of the B'nai B'rith, and submitted to the Committee on the Judiciary on June 25, 1968. The ADL warns that the "accumulation of weapons in the hands of extremist groups constitutes a very real danger to the security of our society." The letter accompanying the report states:

> In Missouri and New York in recent years police have uncovered large caches of arms collected by Minutemen. These arms included not only rifles and shotguns but multiple fire weapons. In October–November, 1966, twenty members of the Minutemen were arrested on charges of plotting to blow up three private camps in New York, New Jersey and Connecticut which they believed to be Communist. Confiscated at the time of the arrest was an arsenal that included one million rounds of ammunition, 115 high power rifles, 11 machine guns, bazookas, mortars, hand grenades, rocket launchers and pistols.

The ADL goes on to say that their research discloses that there are Ku Klux Klan chapters which operate as rifle clubs and that their members are encouraged to accumulate stores of weapons and ammunition.

This report and the activities it details is so ominous and threatening to the security of our country that I should think every reasonable person in the United States would insist upon strong and effective gun registration and licensing. At the very least our law enforcement officials ought to know the location and ownership of such caches of weapons in private hands.

Mr. President, I ask unanimous consent that the ADL letter and report be printed in the RECORD.

There being no objection, the letter and report were ordered to be printed in the RECORD, as follows:

JUNE 25, 1968.

Senator THOMAS J. DODD,
Chairman, Senate Subcommittee on Juvenile Delinquency, Old Senate Office Building, Washington, D.C.

DEAR SENATOR DODD: This letter is written on behalf of the Anti-Defamation League of B'nai B'rith which is the educational arm of B'nai B'rith. B'nai B'rith was founded in 1843 and is America's oldest and largest Jewish service organization with a membership of over 400,000 men and women. We respectfully request that this letter which is a statement of the ADL's views on the proposals for legislation to control the sale and transfer of firearms and other dangerous weapons be incorporated in the printed record of the hearings in the Senate on these proposals.

As concerned Americans, we join with others who believe that the tragic events of recent weeks have demonstrated all too plainly the need for enactment of stringent gun control measures. We should point out, however, that as long ago as January, 1967 the National Commission of the Anti-Defamation League of B'nai B'rith, its highest policy-making body, declared that it favored expanded federal and state regulation of the sale and transfer of firearms and other dangerous weapons. We recommend then the enactment of legislation requiring the registration of all firearms with local law enforcement agencies; a requirement that holders and purchasers of firearms whether rifles and shotguns or hand guns, obtain a permit. We also called for the strengthening and expanding of agencies having responsibility for the enforcement of such gun control legislation so that they could carry out their responsibilities with the greatest possible effectiveness.

ADL's concern with the problem arose from the increasing accumulation of firearms by members of such organizations as the Minutemen and other private "armies" sponsored by extremist groups. As you know, ADL has long sought to counteract the dissemination of fear and intergroup mistrust and oppose the violence implicit in activities of such groups.

The accumulation of weapons in the hands of extremist groups constitutes a very real danger to the security of our society. The ease with which these groups have gathered and continue to accumulate all forms of firearms and weapons of destruction—sometimes without the knowledge of law enforcement authorities—demonstrates the immediate need for effective legislation requiring the licensing of individuals possessing firearms and registration of those firearms.

We need not remind you that in Missouri and New York in recent years police have uncovered large caches of arms collected by Minutemen. These arms included not only rifles and shotguns but multiple fire weapons. In October-November, 1966 twenty members of the Minutemen were arrested on charges of plotting to blow up three private camps in New York, New Jersey and Connecticut which they believed to be Communist. Confiscated at the time of the arrest was an arsenal that included one million rounds of ammunition, 115 high power rifles, 11 machine guns, bazookas, mortars, hand grenades, rocket launchers and pistols.

Our researchers have also disclosed that there are Ku Klux Klan chapters which operate under respectable fronts as rifle clubs and sporting clubs and that these chapters also encourage their members to accumulate stores of weapons and ammunition.

In the aftermath of the recent riots in our cities there was substantial evidence of groups—black and white, middle class and poor—gathering arms for possible use in case of outbreaks of violence.

Today there exists the danger that extremists, regardless of race, who advocate violent means of achieving these goals, will in the name of attempted "solutions" of the conflicts and problems of race relations, poverty and discrimination, inspire their followers to anarchy and civil disorder.

We believe that the tragic assassinations of Martin Luther King and Senator Robert Kennedy, demonstrate that sound and effective gun control legislation must be enacted without delay. In this way law enforcement agencies will know who in the areas, over which they have jurisdiction, possess firearms and which firearms such persons possess. Thus they will be able to reduce the potential for crimes and accidents arising out of the use or misuse of firearms and may also be able, more effectively, to solve such crimes. For these reasons we support legislation making registration of firearms mandatory, and requiring the licensing of gun owners.

The requirement of licensing gun owners may help to insure that persons who should not be entrusted with such weapons will not obtain them. The very act of requiring such people to appear before a public agency set up to award such license should help discourage the reckless, the mentally ill or, the juvenile from seeking to obtain guns. Furthermore, with the legislation requiring the licensing of gun owners there ought to be legislation banning the interstate mail order sale of all firearms and ammunition, not just rifles and shotguns, and prohibiting over-the-counter sale to out-of-state residents and juveniles. Only then can we begin to control the violence which presently stems from our unwillingness to recognize the destructive power of these weapons and the danger they create to public order.

The bills before the Subcommittee all have that objective. S. 3634, the "Gun Crime Prevention Act of 1968" introduced by Senator Tydings along with fifteen co-sponsors, provides for the registration of firearms and the licensing of gun owners. The principle of registration and licensing is by no means a novel one. It is a pattern which has been used for many years with respect to automobile registration in the various states. Under the pattern each car must be registered and the driver must be separately licensed. S. 3634 would also deny gun licenses to convicted felons, aliens, alcoholics, narcotics addicts and the mentally incompetent. It would encourage the states themselves to enact effective gun registration and licensing laws and would invoke the federal power for this purpose only where a state has failed to do so.

S. 3604, the "Federal Firearms Registration Act of 1968", introduced by you, Senator Dodd, with 11 co-sponsors, provides, as does the Tydings bill, for the compulsory federal registration of all firearms. It, also, exempts those states which have laws requiring compulsory gun registration. While it does not contain a licensing requirement for the gun owner as does the Tydings bill, it would prohibit the sale of ammunition to any person who could not furnish proof that the weapon for which he was purchasing ammunition had been registered.

S. 3637, the "National Firearms Registry Act", introduced by Senator Brooke, with five co-sponsors, would create a national firearms registry for the purpose of maintaining a current inventory of firearms privately owned in this country.

While all of these bills seek to control the use and ownership of firearms and are complementary to recently enacted and presently pending bills covering gun sales, we respectfully submit that S. 3634 provides effective and comprehensive gun control regulations, a goal we deem essential. The double check provided through the requirement of registering each weapon, along with the licensing of each individual gun owner, appears to be a most effective way of keeping our law enforcement agencies appraised of who has guns in their territory, how many and for what purpose those guns were obtained. This would greatly enhance the difficulty of establishing hidden arsenals and would tend to keep deadly weapons out of the hands of those individuals whose records have demonstrated that they should not be trusted with dangerous weapons.

We respectfully submit that the enactment of legislation requiring the registration of firearms and the licensing of those who seek to possess such weapons is an eminently sensible approach to dealing with a problem of serious national proportions. The scope of the problem is graphically established by statistics which show that approximately fifty deaths per day occur in this country from gunshot wounds and that nearly 800,000 Americans not in military service have been killed by firearms since 1900. Last year alone 20,000 deaths resulted from gun murders, accidental shootings and suicides in which firearms were used.

A 1967 Gallup poll showed that 85% of those questioned favored a gun registration statute—a finding identical with one which Gallup came up with 30 years ago in 1938. As these figures indicate, it is the will of the American people, too long frustrated, that there be such gun control legislation. The mail now reportedly being received by Congress demonstrates beyond cavil that the foregoing statistics are still valid.

Just a few days ago Senator Mansfield, the majority leader of the Senate, in announcing his support for S. 3634 said, "Registration will provide a record of every gun. Requiring a permit for the possession or purchase of a firearm would at last give the American public some assurance that criminals, addicts, and mental incompetents will not be able to purchase, own or even possess a weapon."

In a speech given earlier this month to the annual meeting of the National Association of Attorneys General, Deputy Attorney General Warren Christopher stated that Americans take it for granted that state governments should require the registration of automobiles and keep meticulous records of their ownership and transfer. He added, "For the life of me—for the life of all Americans—I cannot understand why there is not such a similar requirement of registration for these instruments of death and destruction—the pistol, the rifle, and the shotgun."

We find it difficult to understand why so many decent, law-abiding citizens still so vociferously oppose such proposals. While it is true that the requirement to register firearms and to obtain a license to own a firearm may occasion some inconvenience to owners of firearms, we regard these requirements as reasonable and necessary regulations in the light of the danger of wounding and death inherent in the destructive power of firearms. The argument sometimes is made that "guns don't kill people, but that people kill people," misses the point for there is nothing which can execute the momentary impulse to wound or kill as efficiently and with the finality as a gun.

And we ask, how the ordinary sportsman and hunter would suffer if he had first to obtain a permit for the gun and the ammunition he needs for his hobby. Certainly he can have no valid objection to letting the police know that he possesses the particular weapon or weapons he owns and to going to appropriate agencies to get a license for that gun. Such a disclosure or requirement is certainly in his interest as a member of society and in the interest of society generally.

Nor can we understand the argument made that such legislation infringes the provisions of the Second Amendment which guarantees the right of the people to keep and bear arms against infringement for the reason that a well-regulated militia is necessary to the security of a free state. We are long past the period of requiring support by militia of government authorities in times of crisis. Our police forces, our regular armed forces and our national guards do the job. The United States Supreme Court has upheld the National Firearms Act against transportation of unregistered shotguns in interstate commerce in the absence of evidence tending to show that the possession or use of a shotgun having a barrel of less than 18 inches in length has some reasonable relationship to the preservation or efficiency of a well-regulated militia. Similarly, gun control legislation in states has been upheld as constitutional.

We respectfully submit that without effective gun control laws Americans will face a continuing and possibly growing threat to their personal or national security. Our laws must recognize that guns are inherently dangerous and that they may not be freely possessed by individuals or groups who may use them for wrong purposes. President Johnson told the nation following the assassination of Senator Robert Kennedy that gun legislation "will spare many innocent lives" even though such legislation "will not in itself end the violence." On Monday of this week he offered a strong proposal, to which we firmly subscribe, requiring the national registration of every firearms and a license for every gun owner whose state does not enforce Federal license standards.

We are attaching a report of the Anti-Defamation League, completed this week, on the extremist groups throughout the country who preach and practice violence and whose possession of weapons constitutes an immediate danger to every American. These groups traditionally oppose effective gun control legislation; we submit that their opposition stands among the best reasons for the passage of the strongest possible legislation.

Sincerely yours,

ARNOLD FORSTER,
General Counsel.

EXTREMISTS, VIOLENCE, AND GUNS

(A report of the Anti-Defamation League of B'nai B'rith, June 1968)

While the National Rifle Association stresses the needs of legitimate sportsmen in its opposition to effective gun control legislation, the fact is that a chunk of the organized opposition comes not from pacific elements of American society, but from violence-prone extremist groups of political persuasions on the far right and on the far left.

Some are large and have a national impact. Others are small and affect only their immediate areas. But they are dotting the American landscape, and they are proliferating.

Exacerbating racial tension in some cases, instigating it in others, they are turning the United States into a camp armed against itself.

Further, because these groups tend to be clandestine—although some operate openly—their members often lead seemingly normal lives. They parade as sportsmen and some belong to the NRA and local gun clubs. This is not to intimate that all sportsmen are members of extremists groups—far from it—but rather that the truth about who does what with firearms training and equipment is far from known in the United States today.

This report is an up-to-date summary of what *is* known about such groups, who they are, where they operate, what they advocate, and the extent to which they attempt to influence—and often succeed in influencing—gun control legislation. These groups cover a wide spectrum and are not necessarily connected with one another.

1. THE MINUTEMEN

The gun-toting Minutemen, who train in secret against fancied Communist invasion or domestic takeover, are among the more dangerous groups on the domestic scene who traffic in firearms. Their leader—Robert DePugh—is a fugitive from justice and is sought by Federal authorities in connection with a conviction on a charge involving firearms. Other Minutemen have been arrested in connection with planned violence, and arms caches attributed to the Minutemen have been uncovered by law enforcement authorities. The Minutemen's clandestine bulletins and publications, circulated to the membership, are quite specific about firearms. The following appeared in a January, 1966, bulletin:

"Don't overlook the potential of .22 long rifles, pistols or rifles, as guerrilla warfare or resistance weapons. These advantages include ready availability, light weight, fast accurate second and third shots, due to absence of recoil, light weight and readily available ammunition, good accuracy, simplicity of care, and comparatively small report when fired. The .22 can be silenced completely with materials that are always available. Although the .22 lacks killing power, this can be readily increased by filling hollow point bullets with poison."

The Minutemen publication, *On Target* (issue of December, 1966) was equally specific when it urged its members to arm themselves without delay. It offered five specific pieces of advice:

"1. Buy a gun that is new or nearly new . . .

"2. Expect to pay a good price for a good gun . . .

"3. Avoid civilian-made copies of military-made firearms. This especially applies to copies of the .30 carbine . . .

"4. Try to buy your gun in such a way that it cannot be traced to you. If you live in a state or city that requires a permit to buy a gun, go to some other state that does not have such a requirement. Most dealers will ask your name but few will ask for identification.

"5. Don't wait—buy your gun now. I recently (June, 1965) made a 2,000 mile trip to visit wholesale gun dealers both large and small. Most were completely out of American-made pistols. Their stocks of good rifles were either low or depleted. Retail sources are running out of stock fast. Prices on some models are going up ten percent a month. Many others just aren't available."

Further on in the same publication, the writer—presumably Minutemen chief DePugh—had this to say:

"Suppose the reader has no gun at all and is planning to buy one gun only. . . . What shall it be? Though it will surprise many people, my recommendation is a .22 caliber semi-automatic pistol . . .

"It's true that the .22 lacks the 'shock' effect of a more powerful cartridge, but this is largely compensated for by the ease of putting a well-placed shot into heart or brain. [Just such a weapon and shot killed Senator Robert F. Kennedy.] When needed a second well-aimed shot can be fired quicker from a .22 than from a more powerful weapon. . . .

"As a deadly weapon, their effect can be greatly increased by using hollow-point bullets filled with poison. If needed, the hole in the point can be opened up further with a small drill. Sodium or potassium cyanide are two fast acting and easily obtainable poisons. Pharmacists or medical doctors will have ready access to succinyl choline or tubocurarine which are excellent when used in powdered form. If nothing better is available ordinary household lye (thirty cents for a pound can at your local grocery store) will do nicely. . . .

"For a small 'hideaway' gun, the .25 Browning automatic is unsurpassed. A man wearing slacks and sports shirt can easily carry one of these in his side pants pocket without its ever being noticed. Quality of material and workmanship on all Browning firearms is excellent.

"If my one-and-only gun were to be a rifle, once again it would be a .22. First choice would be the Browning semi-automatic which retails at $69.50. This particular rifle can be quickly divided into two parts by just pushing a button and giving the barrel a half twist. The two pieces could then be carried easily in a small suitcase. The gun can be reassembled just as quickly and is very accurate. . . .

"Most of the advantages for the .22 target pistol apply also to the .22 rifle. One advantage not previously mentioned is the ease with which these guns can be silenced. The possession of a 'silencer' at this time is illegal but they can be made quite easily and quickly. . . .

"Regardless of what kind of gun you have or buy, start at once to buy extra ammunition. Without any public notice, the government has already taken steps to limit the availability of ammunition. Don't wait, when you find it, buy it. If at all possible, keep 1,000 rounds per gun on hand at all times."

The political arm of the Minutemen is the so-called Patriotic Party which has units in a number of states. On June 11, 1968—one week after the assassination of Senator Robert F. Kennedy—a call went out to "members and friends of the Patriotic Party" urging them to deluge Congress with letters opposing "any further gun restrictions *of any kind*." Signed by Glenn Jackson, Western Regional Coordinator of the Patriotic Party, the message—headed "Important Notice"—said in part:

"As might be expected in the wake of the Senator Kennedy assassination the pressure is really on in Washington and Sacramento and probably all other state capitols to pass 'tighter gun control laws'. The perennial 'gun restricter', Senator Thomas Dodd, is loudly screeching for national registration for all firearms while many other elected officials on both the national and state levels are committed to some form of more gun controls.

"The mayor of San Francisco publicly urged the citizens of that city to voluntarily turn in their guns. We have heard that certain churches in some of the eastern states are urging the same thing. It seems that someone is trying to start a trend. . . .

"In my opinion the real madness is evident, or will have been evident, if the citizens of this country allow themselves to be hoodwinked and taken advantage of by this crowd of designers who make their greatest pile of hay while emotions are running high and the public is just a little off balance due to the noise and clamor. . . .

"We urge you to write at least five letters to various United States Senators and five to Congressmen *opposing* any further gun restrictions *of any kind*. Do this upon receipt of this letter. Then immediately call five of your friends or associates and urge them to do likewise. Hurry!

"Send letter to your own Senators and Representatives but letters to Senators Everett Dirksen, Roman Hruska, Edward Brooke, and Rep. Emanuel Celler, William McCullough and James Utt may help. You may wish to include Senators Mike Mansfield and Thomas Dodd.

"Next, do the same thing on a State level. Time is short!"

2. "BREAKTHROUGH" AND THE GENERAL DOUGLAS M'ARTHUR SHOOTING CLUB

"Breakthrough" is a Detroit-based Radical Rightist group whose leader is Donald Lobsinger. In recent months it has been preaching to its members that they adopt survival techniques and store up on food and other needed items against the day of another civil disorder. Urging members to organize their blocks for survival for at least a month without leaving their homes, Breakthrough has also been active in urging its members to arm themselves and take firearms instructions. One facet of this effort was the formation, late in 1967, of the General Douglas MacArthur Shooting Club along with admonition to the followers of Breakthrough to join the National Rifle Association. The

Detroit *Free Press* reported on Sept. 28, 1967, that almost 4,000 persons had attended Breakthrough rallies since the Detroit riot last summer. A branch of Breakthrough, called Counterthrust, is registered as a student organization at Wayne State University.

The *Free Press* reported that one of Breakthrough's new slogans is S.A.S.O.—standing for "Study, Arm, Store provisions and Organize." The article, describing a typical Lobsinger harangue, said:

"After an argument against gun-control laws, he invariably finishes his speech with the same words.

"'We have held this meeting to tell our elected officials. . . .

"'That we have not surrendered. . . . (cheers)

"'And we will never surrender. . . . (cheers)

"'If another riot comes, we will protect our property. . . . (cheers)

"'We will protect our homes. . . . (cheers)

"'And we will fire!' (wild cheering)."

Of the General Douglas MacArthur Gun Club, The Detroit *Free Press* article, by Andrew Mollison, reported:

"Breakthrough plans to train homeowners in marksmanship and weapons handling through a gun club affiliated with the National Rifle Association (NRA).

"To be called the Gen. Douglas MacArthur Gun Club, the group will hold its first meeting October 12. The club's organizer, a man who identifies himself as Charles Panos, explained to a group of admirers . . . that, through the NRA, the club could buy cases of low-cost government ammunition.

"'The club would distribute it and the government would not know who had how much ammunition,' Panos said.

"He advised one young man who was worried about the possibility of the government forcing him to register his firearm:

"'Go to Sears and give a false name and address. They never check for identification. Then if a registration law is passed, nobody will know you have it.'

"He said the club would meet in the Detroit Light Guard Armory. . . ."

3. THE KU KLUX KLANS

The violent history of the Ku Klux Klans in America is too well known to require recitation. Time and again, Klansmen have been arrested, tried and often convicted in connection with shooting crimes against those who opposed them or whom they opposed. Two years ago, FBI Director J. Edgar Hoover, in an article on "The Resurgent Klan" in the July, 1966, issue of the American Bar Association Journal, declared that "Klan leaders give only lip service to a policy of non-violence." He said "the history of the Klan, as disclosed by FBI investigations, is a sordid story of terror and violence." Mr. Hoover told of action groups composed of Klansmen that carry out acts of violence and atrocity. They are often referred to as "knock-off squads," "holy terrors," "flying squads," "wrecking crews," and "killer squads."

Mr. Hoover added: "The propensity for violence on the part of individual Klansmen has become greater in recent years because of the trend toward acquisition of weapons, ammunition and explosives." And, he went on, firearms possessed by Klansmen range from ".22-caliber rifles to magnum revolvers, sub-machine guns, shotguns and high-powered rifles." He said FBI sources estimated that 90 percent of the Klansmen in one state owned guns at that time, that many Klansmen own large numbers of firearms, and that Klansmen often carry weapons illegally.

As long ago as 1965, the Anti-Defamation League, in a public statement, warned of underground guerrilla detachments of Klansmen often organized as "gun clubs" or sporting clubs or as so-called "security guards", and all of them armed Klansmen were tried, though acquitted, in the shooting of Lemuel Penn. Klansmen were tried and convicted in connection with the shootings of Mrs. Viola Liuzzo and the three civil rights workers—Andrew Goodman, James Chaney and Michael Schwerner in 1964 and 1965. No one can say for sure how many other Klan shootings have gone undetected and unpunished.

Mr. Hoover warned in 1966 that many Klan klaverns have arranged firearms training for their members and that the Klan has also shown an interest in having its members engage in military and other special training.

4. CHRISTIAN YOUTH CORPS

Another example of the reliance that has been placed on the need for guns by extremist organizations that preach hate and guerrilla warfare is the Christian Youth Corps, which distributes viciously anti-Semitic, anti-Negro and anti-Catholic propaganda from a post-office box in St. Petersburg, Fla. It is headed by a hate-peddler named Oren Potito, whose materials have been re-printed by a Klan group with headquarters in Georgia.

Last year, this Christian Youth Corps issued a tract which declared: "You had better be fighting on the right side or you will be destroyed as will be the Jews. . . ."

It made the fantastic claim that there exists in the United States "a vast National Christian Army of over 10,000,000 patriotic men who are ready to defend this nation against the Red hordes that will soon attack the United States." It can well be asked whether individuals with inflamed minds, who believe such nonsense, should ever be allowed near a gun, let alone permitted to own one. In its 1967 tract, the Christian Youth Corps declared:

"Each man needs the following basic equipment for guerrilla warfare operations.

"1. Any standard rifle of at least .30 cal.

"2. One good quality hunting knife, 6'' blade.

"3. At least 1000 rounds of ammunition . . ."

And the Christian Youth Corps went on to recommend such equipment for "an effective guerrilla unit" as canteens, back packs, sleeping bags, tents, camouflage fatigues, insulated paratroop type boots, a week's supply of concentrated food packs, 500 water purification tablets, snake bite and first aid kit, and so on. The Christian Youth Corps call to arms ended with these words: "We shall fight from the fields, from the plains, from the swamps, and from the mountains; and although overwhelmingly outnumbered in men and equipment we shall still be victorious. . . ."

5. NATIONAL STATES RIGHTS PARTY

Another Nazi-minded organization that preaches hatred of Jews and Negroes and urges its extremist followers to arm is the National States Rights Party, whose headquarters are now in Savannah, Ga.

Its publication is *The Thunderbolt*, one of the most blatant hate sheets in the whole underworld of extremism in America. In its April, 1967, issue, this publication of the N.S.R.P. declared:

". . . the N.S.R.P. believes that every White patriot should own and possess sufficient arms and extra large quantities of ammunition. That is necessary because of the red and black revolution that the Jews have unleased. against America. The purpose of Jewish legislation against the right to bear arms is to disarm all law-abiding patriotic citizens so that they will be unable to defend themselves against criminals and revolutionaries. We are exercising our Constitutional right to possess firearms and ammunition and say, 'Let the Jews be damned.'"

The N.S.R.P. which has published vicious attacks on the FBI in *The Thunderbolt*, said in that same April, 1967, issue that if a strict Federal gun control law were passed, "the FBI would have a national list of every gun owner in America." And it added: "If the day arrived when an LBJ or Bobby Kennedy decided to proclaim himself a Communist dictator, all the FBI would have to do is go around to everyone's home and pick up his registered gun."

There are other extremist and racist organizations that also advocate stocking up on rifles or that reportedly are arming themselves in preparation for possible racial conflicts and confrontations.

6. PAUL REVERE ASSOCIATED YEOMEN, INC.
(PRAY)

The Paul Revere Associated Yeomen, Inc., a small organization in New Orleans which has mailed inflammatory messages to its followers, urged the following course of action as far back as March, 1964:

"(1) Join the National Rifle Assn. . . ."

"(2) Absolutely refuse to register or give up your arms—under any circumstances!

"(3) Stock up on rifles, shotguns, pistols—all of standard make; with lots of standard ammunition. Arm every member of your family who can shoot a gun to protect his own life!

"(4) Join 'The Minutemen', P. O. Box 58, Norbonne (sic), Mo., for detailed 'survival instructions.'

"(5) Consult with your next-door neighbors on how best to protect your family and home. Arrange to wear certain kinds of caps or shirts for identification; so you won't be firing at one another in the confusion. Do not organize the whole block in your neighborhood, as 10% of the people are probably on the other side—trained for 'leadership' of such neighborhood groups, to sell you into do-nothing surrender. Be your own leader of your own household . . . and make it an armed arsenal!

"(6) Prepare yourself and your sons to fight in the streets—in the alleys—in the parks—in public buildings—around the water works—power plants—city hall—TV and radio stations . . . while your wife and daughters protect their lives and your home with gasmasks, shotguns, rifles and pistols.

"Remember! The Communists cannot subdue an armed citizenry!"

On another occasion, the same Paul Revere Association Yeomen—PRAY—urged its followers to join a rifle club and added:

"Purchase immediately 12 ga. shotguns and a large supply of buckshot shells, a high-powered rifle and some pistols or revolvers—32s, 38s, 45s—with considerable ammunition. They will soon be worth more than their weight in gold! The lives of your loved ones are at stake!

"Do not report them. Do not register them! Hide them! Do not give them up under any circumstances! Defend your arms with your lives. . . . Let no law deprive you of them.

"Eternally resist all proposed legislation to register and confiscate your arms! Presently there are 40 such bills pending to control your arms!"

7. DEFENDERS OF THE AMERICAN CONSTITUTION, INC.

Another extremist group of the Far Right calling itself Defenders of the American Constitution, Inc., is based in Ormond Beach, Fla., and issues periodic "Alert" bulletins to its membership and subscribers. One such "Alert"—Number 39, dated April 17, 1967, and headlined "Calling All Patriots!"—proclaimed in large type: "Your Gun Is Their Target!" It purported to show that gun-control legislation was part of a Communist plot, declaring:

"Communism has captured and destroyed country after country—not by military force, but by political subversion from within the country. To assure the success of the subversives and traitors, they must be guaranteed immunity by the registration and confiscation of privately owned weapons that might be used against them and such military forces as would remain loyal."

Among the courses of action indicated in the "Alert," which was signed by the President of the Defenders, a retired Marine Corps General, was the advice to "Remind your representative in the Congress to vote "NO" on the Dodd Bill."

8. NORTH WARD CITIZENS COMMITTEE

In Newark, N.J., an armed vigilante group has been formed, composed of self-appointed and self-proclaimed guardians of law and order, who themselves pose a threat to the very domestic tranquility they claim they would preserve. They are called the North Ward Citizens Committee. All members are encouraged to own guns and are trained in the use of firearms. According to an article in the reliable newspaper, *The Record,* of Bergen County, N.J. (Feb. 15, 1968), they have an estimated membership of 1550, and an estimated 1000 of their membership reportedly have belonged to a local rod and gun club. In addition to firearms, this private army headed by one Anthony Imperiale, has many members schooled in judo and karate by Imperiale, who operates a karate school. In addition to firearms, the North Ward Citizens Committee claims to own an armored truck and a helicopter and they patrol the streets in cars that they have called "jungle cruisers."

John Lancelotti, the *Record* reporter who interviewed Imperiale, asked the leader of the North Ward Citizens Committee whether the group had a central cache of arms. He reported: "Imperiale hesitated, cast his eyes down and said no. It was the only time that Imperiale balked at answering a question or failed to look directly at the person to whom he was speaking."

Imperiale's group is opposed by the New Jersey branch of the American Civil Liberties Union, which is seeking a Federal Court order abolishing it, and by Governor Richard Hughes, who has called it a "potential threat to peace and law and order in New Jersey" (*New York Times,* June 24, 1968, p. 23).

9. THE BLACK PANTHER PARTY FOR SELF-DEFENSE

While white racists and far right extremists arm themselves to combat imaginary Communist insurrections and "takeovers" black extremists and racists, some with Far Left revolutionary ideologies, are also arming. They claim they are doing so in self-defense because the white majority, using police forces, national guardsmen and other security units is planning a program of genocide aimed at exterminating the black race in America. The best-known of these black revolutionary groups and the most openly armed is the Black Panther Party for Self-Defense whose headquarters is in Oakland, Calif.

The Panthers recently merged with the so-called Student Non-Violent Coordinating Committee—SNCC—which today is neither a student group nor dedicated to the principles of non-violence.

Both the Black Panthers and SNCC have adopted the guerrilla warfare principles of Mao Tse-tung, of the late Ernest Che Guevara, and of Castro and are seeking to import these tactics to American soil in general and to our troubled cities in particular. They are steeped in the writings of Frantz Fanon, who preached that violence is a form of psychological therapy for oppressed peoples.

The Black Panthers see Black people in America as colonial subject of an oppressive "mother country" controlled by whites, and believe that only a revolutionary Black war of national liberation can bring freedom to Black Americans. While they prepare for this confrontation, which they appear to see as inevitable, they have armed themselves—for self-defense against the police and against all whites, so they claim. But guns in the hands of a revolutionary group may well be used not only in self-defense but for more revolutionary purposes.

The organization publishes *The Black Panther* bi-weekly. Almost every page carries a picture of a rifle. The November 23, 1967, issue carried a page with the slogan "Buns Baby Guns." So did the May 4, 1968 issue.

The Black Panthers are ordered to arm themselves and defend their homes by force of arms on pain of expulsion from the Party. A so-called "Executive Mandate No. 3" published in the March 16, 1968 issue of *The Black Panther* and signed by Huey Newton, the Party's Minister of Defense, declared:

"It is . . . mandated as a general order to all members of the Black Panther Party for Self-Defense that all members must acquire the technical equipment to defend their homes and their dependents and shall do so. Any member of the Party having such technical equipment who fails to defend his threshold shall be expelled from the Party for Life."

The Black Panthers see themselves as a "Vanguard Party" of Black revolution, and urge the formation of small and furtive groups of twos and threes to carry out violent and revolutionary activity, rationalized as being in the interests of "self-defense."

The May 18, 1968 issue of *The Black Panther* quotes Chairman Bobby Sale as declaring, in answer to a question about firearms at a meeting held a few days earlier: "Every black man should have a shotgun, a 357 magnum or a .38 in his pad to defend it . . . every woman should understand that weapon. . . ."

The same issue, speaking of the legal difficulties of SNCC leader H. Rap Brown as a result of charges that he was carrying a gun illegally, had this to say: "There is no doubt that this unconstitutional gun statute is being used against Rap Brown because of his political activities."

On another page, *The Black Panther* newspaper readers are advised of their legal rights in case of arrest or search. Entitled "Pocket Lawyer of Legal First Aid," the article is introduced in the following words:

"This pocket lawyer is provided as a means of keeping black people up to date on their rights. We are always the first to be arrested and the racist police forces are constantly trying to pretend that rights are extended equally to all people. Cut this out, brothers and sisters, and carry it with you. *Until we arm ourselves to righteously take care of our own* (editor's italics), the pocket lawyer is what's happening."

The June 10, 1968 issue carries a notice that reads: "June 13 Last Day to Buy Guns & Ammo."

About a year ago, in May, 1967, armed members of the Black Panthers invaded the State Capitol building at Sacramento, California, carrying loaded shotguns. The June 10, 1968 issue of *The Black Panther,* recalling the episode, says that the demonstration by the armed Black Panthers last year was designed "to protest the exploitation and oppression of the black community and publicly announce that thenceforth such acts of oppression would not be tolerated."

The picture of the Black Panthers was well summed up in a *New York Times* article of May 21, 1967, based in large part on an interview with Huey Newton. He was quoted as saying: "Political power comes through the barrel of a gun."

According to the *New York Times* article, when the members of the Black Panthers entered the legislative chamber in Sacramento, they said they were protesting proposed gun-control legislation. Newton was quoted as follows: "We wanted them to know we will continue to arm black people in spite of any legislation that is passed. We weren't trying to influence what they did. Our message was to point out that the plot to disarm black America would fail."

The Times added:

"The Black Panthers buy their guns openly at gun stores, he said . . . Organization members carry their guns openly, the side arms at their hips, and the shotguns or rifles on their shoulders or held with both hands across their chests. This is legal under California law which only forbids carrying concealed weapons without a permit."

The *Times* further quoted Newton as saying, "Force, guns and arms are the real political arena."

10. STUDENT NON-VIOLENT COORDINATING COMMITTEE (SNCC)

The Student Non-Violent Coordinatiing Committee has abandoned all pretense that it is non-violent. The exhortations to violence by its spokesmen, Stokely Carmichael and H. Rap Brown, have made headlines from coast-to-coast. It is pertinent to note that during the strife-torn summer of 1967, Brown exhorted Negroes in Jersey City, for example, to "wage guerrilla war on the honky white man." In Cambridge, Md., he urged his listeners to "burn this town down." At a rally in Queens, N.Y., he spoke of the race riots that had already taken place in Newark, Detroit and other cities as "mere dress rehearsals for revolution."

That guns and firearms are part of the doctrine preached by SNCC is evident from Brown's repeated exhortations to his listeners to "get yourself some guns. . . ." In Jacksonville, Florida, for example, he said that Negroes had better get themselves some guns because "that's the only way you're going to get what you need." In Washington, D.C., on July 27, 1967, Brown was quoted as saying, "Black people have been looting. I say there should be more shooting than looting, so if you loot, loot a gun store."

He added: "You've got to decide for yourself if you kill your enemy, because that is an individual decision. But the white man is your enemy. You got to destroy your enemy."

And Brown also declared, "If you give me a gun and tell me shoot my enemy, I might shoot Lady Bird."

There are a few publications scattered around the country which are ideologically oriented toward the SNCC line of violence and revolution by black people. One of these *Rebellion News,* published in Roxbury, Mass., said in its November 1, 1967 issue:

"It now appears that it is necessary to defend ourselves with guns and rifles . . . Right now anyone over 21 can buy a rifle. We recommend buying M–1 carbines or any other high powered semi-automatic weapon. . . . Every black person should own a rifle. . . . Buy your rifle now!!!"

THE REVOLUTIONARY ACTION MOVEMENT (RAM)

The Revolutionary Action Movement is a small, clandestine group of black extremists who follow the revolutionary teachings of force and violence espoused by Robert F. Williams, a fugitive from justice in the United States, who fled to Havana and thence to Peking. He publishes tracts advocating guerrilla warfare and describing guerrilla warfare tactics and techniques which feature the use of sabotage, Molotov cocktails, and poisoned darts as weapons to be used by small, clandestine bands.

RAM was organized in 1963, and has a small membership, mostly in a few big cities. Individuals allegedly connected with RAM have been arrested in New York and Philadelphia. In the New York case, two alleged RAM followers—Herman Ferguson and Arthur Harris—were recently convicted of charges that they conspired to assassinate moderate civil rights leaders Roy Wilkins and Whitney Young, Jr.

Ferguson, who has been an educator in the New York City public school system, wrote an article that appeared under his name in the March 9, 1968 issue of *The Guardian,* a Far Left publication.

In the article, Ferguson presented what he called a "black survival curriculum" for the black school child. One section read in part as follows:

"After the morning exercises are over, he goes to physical training where the first part of the period is devoted to target practice on the school shooting range. Following this he reports to a nearby classroom for instruction in weaponry, gun handling and gun safety. His next class takes place in the gymnasium where he is given a lesson in one of the Eastern martial arts of self-defense. . . ."

Another section, dealing with the subject of mathematics, said in part, ". . . His math problems focus on such practical matters as wind velocity, muzzle velocity and other mathematical considerations involved in firing, repairing and making weapons. . . ."

According to FBI Director J. Edgar Hoover, RAM members in the New York City area formed a front organization for rifle training. Mr. Hoover said it was called the Jamaica Rifle and Pistol Club, Inc., and that several members of the club were arrested in New York City on June 21, 1967, by local authorities for conspiracy to advocate anarchy. In his testimony before a subcommittee of the House Appropriations Committee, on February 23, 1968, Mr. Hoover said that those arrested were then awaiting trial.

It is not without interest, further, that the incendiary and revolutionary writings of Robert F. Williams, sometimes described as the spiritual godfather of RAM, which is headed by Maxwell Stanford, appear in reprint form in a number of extremist publications from time to time. The *Black Panther* issue of May 18, 1968, for example, carried a long article by Williams (along with quotations from Mao Tse-tung). In the Williams article, the following passages appeared:

"If there is ever going to be justice in America, if the Black man is ever to be liberated, if human dignity is ever to prevail; there must be a violent confrontation between Black man and white man, between oppressor and oppressed, between the master class and the slave class. . . ."

"Let us not permit ourselves to be disarmed and rendered defenseless by those who admonish us to love this beast. . . ."

CONCLUSION

Newspapers from coast-to-coast, national magazines and other media repeatedly tell of the tense, silent trend—Americans, black and white, arming themselves against each other, while the traffic in guns goes on, legally and illegally. Other publications catering to gun fanciers, hunters—and to others with less legitimate interests—advertise bazookas, machine guns, sub-machine guns, rifles, shotguns and hand guns. Instructions are published on how to convert non-automatic and semi-automatic weapons to automatic.

But along with frightened ordinary Americans, it is clear that extremist groups—white racist, far right, black revolutionary, violence prone, and paramilitary groups have also been arming for a confrontation that could wreak havoc on the country.

It is also clear that these extremists oppose strict and effective gun control legislation which they fear would disarm them and interfere with their violent plans.

Their opposition to gun control laws is, perhaps, the best recommendation for the passage of such laws. For it is the extremists, armed already, who pose the real threat to the survival of American democracy.

THE 1968 OLYMPICS: A TIME FOR REDEDICATION TO HUMAN RIGHTS

Mr. PROXMIRE. Mr. President, 1968 is the year of the Olympics. The Olympic games would provide an excellent backdrop for our ratification of the Human Rights Conventions.

Mr. President, the Olympic games signify the confluence of peoples from all around the globe, engaged in the purest type of competition. Athletes of all nationalities, regardless of race, color, or creed, take part and strive to attain recognition in this most ancient of competitive rituals.

Admittedly, this year's games are marred by the absence of South Africa, which is being denied admission because of its internal policies on race. But this in no way detracts from the lofty ideals to which the games are dedicated, and to which this country should now dedicate itself.

What better time is there for the Senate to ratify the Human Rights Conventions, and thereby rededicate itself to the vaulted principles upon which this country was founded?

The Humans Rights Conventions and the Olympic games complement each other. The former signifies the right of all humans, regardless of race, color, or creed, to live, work, and think as they wish, without fear of repression. The latter signifies that people of all nationalities, whatever their allegiances, can come together, compete, and be judged solely on their ability, not on the basis of whom they represent.

Mr. President, the last time that the summer Olympics were held in North America was in 1932. For all we know, it could be another 36 years before this continent again is host to the summer games.

This summer we have a unique opportunity to ratify the Human Rights Conventions. Let us not waste it.

THE SLAYING OF A POLICEMAN AND THE BLACK UNITED FRONT

Mr. BREWSTER. Mr. President, the Washington community was shocked last week by an incident that resulted in the slaying of a District of Columbia policeman and the critical wounding of his partner as they attempted to arrest a suspect.

Equally shocking was a statement released later by an organization that calls itself the Black United Front. The statement said the slaying of the policeman was justifiable homicide.

The statement was an affront to the community. It requires an immediate public apology.

The organization's attempt to explain its statement as an effort to begin a constructive dialog smacks of sheer hypocrisy. The statement was destructive in every sense of the word.

It is unbelievable that the membership of the Black United Front includes such a community leader as Walter E. Fauntroy, Vice Chairman of the City Council.

He and others of his stature should realize that there is no place in this community for organizations that exhibit the malicious irresponsibility of the Black United Front.

He also should realize that he has an obligation to the community at large that overrides his obligation to a smaller special interest group.

Mr. Fauntroy can best serve the city in this case by denouncing the Black United Front and resigning from it. If he is unable to do that, he should resign from his public office.

Mr. President, the Washington Post on July 8 published an editorial about the shooting and the statement of the Black United Front. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TRAGEDY ON COLUMBIA ROAD

The shooting on Columbia Road last Tuesday night in which one policeman was killed and another critically wounded is indeed tragic. The tragedy is heightened because Pvt. Stephen A. Williams, a 22-year-old Marine veteran, had survived the rigors of the Vietnam War only to return and be shot dead on a street in the Nation's Capital. His partner, Pvt. Frederick L. Matteson suffered grave head injuries.

Now on the heels of this tragedy, the Black United Front says the "slaying of the honky cop is justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide." That statement is absurd, malicious and dangerous. It is absurd because no evidence has been presented so far to indicate that Pvt. Williams or his partner used any force or language to cause a simple arrest to escalate into murder. It is malicious because the statement's harsh wording constitutes invective that just spews venom in an already poisoned atmosphere. And it is dangerous because the publishing of the statement can only make things worse between the police and black people in Washington. Quite aside from malice, however, there is a temptation to say a lot of things about how such an incident could have been avoided or to read into it some special significance, some evidence of racial tension, some lesson about how to maintain law and order in our streets. But hindsight does not help and there are not many useful lessons to be found in so mindless an act as this sudden assault on two policemen whose own weapons were snatched from their holsters and used against them.

To the extent that there is meaning in such a tragedy it is in what it tells us about the nature of the street and the daily risks faced with commendable courage and resolution by our under-manned and often overworked police force. There is no protection for them against the homicidal assailant bent on senseless murder.

While this shooting is fresh in their minds, they will doubtless take extra precautions not to expose themselves to needless dangers. But because they have proven themselves, many times over, to be a highly competent and professional force, they can also be counted on to exercise their customary good judgment in balancing forceful measures with sensible restraint.

FORMER SENATOR PAUL H. DOUGLAS RECEIVES THE CORDELL HULL AWARD

Mr. PROXMIRE. Mr. President, for many years former Senator Paul H. Douglas has been a great national leader for free trade. On June 4, 1968, Mr. Douglas, upon receipt of the Cordell Hull Award for his important services in support of free trade, delivered a most thoughtful and enlightening address on the subject.

From a moving perspective on the political career of John Bright, Mr. Douglas traced the development of free trade from 19th-century England to 20th-century America. In England, John Bright fought the long and arduous opening battles for free trade. His stormy and often difficult career as a champion of free trade foreshadowed the efforts of Cordell Hull and of Mr. Douglas himself in this country. Following Bright's example, and recognizing the inescapable connection between free trade and world peace, Cordell Hull worked tirelessly for the lowering of barriers to foreign trade. Mr. Douglas praised Mr. Hull's masterstroke as Secretary of State:

> By the boldest possible interpretation of "the most favored nation" clause, Hull provided for the extension of these reductions to all other countries provided only that they did not openly or overtly discriminate against American goods.

Following in the footsteps of these distinguished predecessors, Mr. Douglas continues to advocate a policy of free trade. As a Senator and as an economist, Mr. Douglas has long been outspoken as a proponent of free trade and an extremely effective critic of isolationist and protectionist policies. In his remarks he makes several excellent suggestions for further steps that need to be taken by the United States to lower the destructive and devisive barriers to free trade so essential to world peace.

I ask unanimous consent that Mr. Douglas' address upon receipt of the Cordell Hull Award be printed in the RECORD, so that my fellow legislators may have the privilege of profiting from his perceptive remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

After the terrible tragedy which has befallen Senator Kennedy, a discussion of foreign trade seems both irrelevant and improper. We can only pray for his full and complete recovery and I would suggest that we stand for a moment or two in silent prayer for him.

But life must go on and the activities which we have scheduled press upon us—and so I feel I should make my response, insignificant as it seems after the events of today.

Let me say that I feel deeply honored at receiving the Cordell Hull Award for services which your honorable body alleges I have given to the cause of free trade. Certainly that has been one of my major interests for the last half century, for I learned a half century ago from Adam Smith that if each nation specializes in producing those goods and services which it could do best and then exchanges these products with its neighbors for those articles and services which they can do best, all will have more than if each tried to be self-sufficient and spread its energies thinly over a wide range of products. And I learned at the same time from David Ricardo that even if we were better than other countries in everything, it would still be to our advantage if we specialized in those products in which our *comparative* advantage was greatest and then allowed other nations to specialize in those articles in which our comparative advantage was least and in which they did best. So as an economist I became a free trader. And I am proud to have been one all my life and never as a politician to have hauled down the flag in any of my political campaigns.

But this was not all. Some have called me a war hawk because I do not want to turn Asia over to the Communists. But peace—a true, permanent and honorable peace and not an appeaser's peace—has been an even deeper passion than mere economic advantage.

And here I have been inspired by the example of a co-religionist, John Bright—to my mind the noblest political figure in Great Britain in the 19th Century. For it was Bright with Richard Cobden who faced mobs, and possibly death, to advocate free trade. He finally forced Great Britain to repeal the high protective tariffs of the Corn Laws and to launch out upon an era of free trade—an era which from 1846 to 1861 gave promise of sweeping the world and to which Britain adhered for 85 years and under which she grew great and strong.

To be sure, Bright did this in part to promote the sale of British textiles in return for the cheaper wheat and farm products from America and Eastern Europe. This was both sound and practical. But Bright and Cobden as well were swayed primarily by their desire for peace. For if nations would become interdependent in matters of trade, Bright believed that the war drums would beat less strongly in men's hearts and that by trading with each other men would become more friendly because they would need each other. So Bright's life was integral on the question of peace. He was for free trade because he believed it would promote peace. He campaigned for it even though the aristocracy of England, dependent on lands and rent, wanted to lynch him. He was the same man who stood alone on the floor of the House of Commons and opposed the Crimean War and as he spoke of the Angel of Death being abroad in the land and that one could almost hear the beating of its wings, that cynical body fell silent and knew in its heart that he was right. And it was the same John Bright who in our Civil War was the best friend in England of Lincoln and the North, for he knew that the Civil War was at its base a struggle over slavery and, as always, he chose freedom. He was as unpopular with the aristocracy then as he had been 30 years earlier when he had carried the battle for free trade up and down the length and breadth of England. He was foremost in preventing Palmerston, Lord John Russell, and Gladstone from recognizing the South—a step which might well have lost us the war.

And then in his old age—honored and at last admitted to the British Cabinet—he resigned when Gladstone yielded to the imperialists and bombarded Alexandria. He went out into the political darkness again, dishonored by the world but as noble as ever. So it was with reverence nearly 40 years ago I journeyed on a cold December day to the north of England and stood in the Quaker graveyard in Rochdale, beside the little marker which bore the name, John Bright, and recalled the words of Trevelyan, "there in that humble house of peace he sleeps amongst his own people." And as I stood by that simple grave I formed the hope that in my day and generation I might try to do at least a little of what John Bright had stood for throughout his life. So believe me I take real pleasure in the fact that you evidently think that I have tried and that you believe that at least something has been achieved. I am very happy.

And I am happy to accept this award also in the name of Cordell Hull, who in some measure has been our American John Bright. When he became Secretary of State in 1933, the sophisticates tended to look down upon him and to take him lightly. He had not gone to an Ivy League college. He was a country lawyer from the hills of Tennessee—in a sense a legal hillbilly, a militia captain and a county judge who had gone to Congress and then to the Senate. All this was enough to lower his standard with the sophisticates, but Hull knew his Adam Smith better than the high priced Wall Street lawyers who spent their energies trying to get favors for their wealthy clients at the expense of the public.

Hull, like Andrew Jackson, hated privilege and spent his life trying to lessen it. He became America's greatest authority on the income tax. He helped to get the Constitutional Amendment through and the early schedules adopted. Then he tried to defend it against the marauders who sought to break in upon it. And always he was an advocate of free trade. As a member of the House Ways and Means Committee, he was the right hand man of Woodrow Wilson and Oscar Underwood in setting our path temporarily in the direction of free trade and of undoing the danger which had been done by the Dingley and Payne Aldrich Tariffs. Then when America turned away from Woodrow Wilson's internationalism in 1920 and went hell bent for Harding, Hull helped to lead the fight against the Fordney Tariff of 1921-22, and the Smoot-Hawley-Grundy Tariff of 1930.

In doing all this Hull, like Bright, was of course influenced by the economic interests of his class and region. Tennessee and the South needed farm markets in order to sell their tobacco and cotton and it could not sell these abroad if the United States prevented farm nations from selling their textiles, chemicals and steel to us. These were honorable reasons that justify the existence for this association, but they were not all, and while Hull did not have the religious opposition to war which largely swayed Bright, the old militia captain though of war as nasty, brutish, bloody, unspeakably cruel and degrading. He was at heart a man of peace. As one of the earliest supporters of Franklin Roosevelt, it was only poetic justice, therefore, that he should be named Secretary of State in the incoming cabinet. Hitler had just taken power in Germany; Mussolini ruled Italy more tightly than ever; Britain had just abandoned free trade and gone in for Empire Preference. We had the highest tariffs in the world. By self-contained empires the world was fast moving towards a bloody destination.

The old judge from Tennessee did not know how to hold a cocktail glass, for they took more potent libations in the hills. He had never read a page of Proust. But he knew what was going on. The world had started on the road to economic impoverishment and ultimate war. Hull set out to try to reverse this trend. After Cleveland's experience with the Wilson Tariff and Wilson's troubles with the Underwood tariff, he knew that appreciable unilateral reductions were probably politically impossible for us, and that to attempt this again would probably subject Congress to pressures from business which it could not resist. So, although a believer in and practitioner of the legislative process, he had long ago decided that the best course was to give to the President, for a limited period of years, the power to negotiate trade agreements with other countries which would provide for a mutual and reciprocal lowering of tariffs. Then by the boldest possible interpretation of the "most favored nation" clause, Hull provided for the extension of these reductions to all other countries provided only that they did not openly or overtly discriminate against American goods. They could still remain, if they chose, to be high tariff countries. Reciprocity was the key by which the entrance to lower tariffs was begun, but once this was done the most favored nation doctrine was used to universalize them. The mountain fox from Tennessee had outwitted the sharp protectionist lawyers of Wall Street.

Progress was made in these negotiations under Cordell Hull on a country by country basis, but more progress was made after the war in the multi-lateral negotiations conducted under the auspices of GATT. The isolationists and protectionists prevented our joining GATT by treaty but they were circumvented by our joining by executive agreements. This gave rise to the Bricker Amendment which incidentally failed by one vote when, as last man to vote, I cast what came to be the deciding ballot.

Steady if slow progress was made under GATT and more and more nations came under it, though not Mexico nor many of the newer countries. After a long and hard struggle we passed the Trade Expansion Act in 1962 and then went through a long and agonizing series of delays in getting an agreement under the Kennedy round just under the wire before the 5 year negotiating power of the President expired.

It was a good agreement. We gave something but the other countries especially the common market also made some concessions. I think Mr. Roth and his staff did extremely well and I want to congratulate them on their work.

That agreement applied only to customs tariffs. It is in effect, but there remain two very important barriers to expanded trade, (1) the practice we follow of charging tariffs on coal tar chemicals on the basis of the *American Selling Price*—and (2) the widespread existence of nontariff barriers to trade such as the quotas, licenses and restrictions of all lands. We have some of these but I am convinced that the foreign countries have far more, and that we are more sinned against than sinning.

Let us first take up the question of the American Selling Price which at Geneva, we agreed to try to give up in return for a pledge by the Common Market to speed up their second reduction by a year. I am glad that we have at last tracked down and identified this abominable snowman of the tariff Himalayas.

Six years ago, when we were working on the Trade Expansion Act, I began to hear rumors that we had duties as high as 200 percent on certain unidentified schedules. I immediately studied the schedules and could find nothing remotely resembling such a duty. But the rumors persisted. I then tried to find out from the State Department what there was to this rumor. The response was charmingly evasive and noncommittal. Commerce did no better. Either the Snowman did not exist in reality or they did not know themselves, whether he did or they believed that members of Congress could not be trusted with the information. Then after the bill was passed I got the tip-off from a private source. The Abominable Snowman existed all right and was not an illusion. It was covered up in a unique provision governing the computation of tariffs on coal tar chemicals. Instead of computing them as was done generally on wholesale prices at points of origin, coal tar chemicals were computed on the basis of the American selling price.

On the surface this would escape notice. But it was very important, for the American selling price on these products was several times higher than the continental price. A tariff of a given percent on the American selling price would be a tariff of many times this on the usual basis. While I had located the Abominable Snowman, I could not do anything about him. Somehow he had survived throughout the 30 years of tariff reductions. The four big chemical companies headed by Dupont, Monsanto, and American Cyanamid had been able to keep this secret concealed from at least public gaze. The protectionist sea had sank around them but, protected by the device of the American Selling Price, their lofty peak had not been effectively detected.

But if the officials in this country either did not know about this or chose to ignore it, the Europeans were thoroughly aware of the facts. When we pushed for tariff reductions, they countered by saying "abandon American selling price on coal tar products." They correctly pointed out that the application of a uniform percentage of reduction to this grossly inflated price base would still make entrance of foreign coal tar chemicals in the United States practically impossible. Our representatives fought to retain the Snowman, but their position was morally and logically weak and so they agreed to try to change it to the customary foreign wholesale price if the common market would speed up its second reduction by a year.

It was a good bargain and we will profit from it in two ways. (1) a lower price for the American users of coal tar products and (2) a greater foreign market for our exports, largely agricultural, during the years slice of time which we have bought by giving up something we never should have had at all.

Let me turn now to the question of quotas and other non-tariff barriers. These are not in the GATT agreement. We have had a few of them such as those on oil and sugar, and at one time lead and zinc. We virtually imposed some of these on Japan and other Asiatic allies so far as cotton textiles are concerned. But from all I can learn, Europe and Japan have more such restrictions and Mexico and other countries can operate in a strange and wonderful way by slowing up or denying licenses. As a result of this and also in a desire to undo the reductions in tariffs and schedules, synthetic textiles, iron and steel (and I believe chemicals as well) are all asking that we impose similar quotas and restrictions.

I agree that the foreign restrictions are bad and hurt us economically. They make exporting more difficult and contribute to the deficit in our balance of payments and to the gold drain. Our aim should be to reduce these barriers and not to increase them. As one who believes in the ultimate curative power of truth, I think our officials have made a grave mistake in either not studying these barriers to our commerce or, if they do know about them, concealing the facts from Congress and the public. In fact for years I have unsuccessfully tried to locate the second Abominable Snowman—namely the list of non-tariff barriers erected against us by foreign countries. I have repeatedly heard that there is such a list but everyone blandly denies that they know where it can be found. Perhaps they feel that if Congress and the country knew all about it, they would in anger demand that retaliatory measures be taken. I am not afraid of this. I want to see these barriers reduced and eliminated by foreign countries as well as by our own.

And I suggest that the way to do this is not by immediately slapping on similar unconditioned restrictions on our side. That will not lead to any reductions by the other nations. It is more likely to cause them to impose further restrictions. I propose instead that we take at least three steps.

(1) That the Joint Economic Committee which is the most impartial congressional body which we have, and which takes the longest view, start hearings very soon on the existence and nature of these barriers, foreign and domestic. Senator Proxmire and Congressman Patman are giving that committee excellent leadership. And I urge the government officials to cease playing hide-and-seek with the facts and come clean by laying all its cards on the table. If defenders of these nations wish to testify this can be done, and our own practices should not be ignored.

(2) That when the facts are known that they be fully publicized at home and abroad and a public appeal be made to the other nations to give up all or some of their practices making clear that we are willing to make some changes also.

(3) That if all this seems to fail, the offending nations be told that if they persist, some retaliatory action will almost certainly be taken by the American public and that to avert this they should act. It is hard to think of such an alternative, but I am convinced that there must be steel as well as good will in our move towards broader trade and greater prosperity for all. We need not be a patsy to be cooperative.

Paraphrasing a famous passage from President Kennedy's Inaugral: we should never retaliate from fear, but we should never fear to retaliate, and I would add, when it is wise and necessary to do so. And as a defender of Cordell Hull's policy, I believe that the State Department has to convince the American public that it is a steady defender of American interests and doesn't regard foreign nations rather than ourselves as its clients.

We do not have to be a patsy in order to be a cooperator. We need steel as well as basic good will in our resolution.

COPPER STRIKE WHIRLWIND NOW BEING REAPED

Mr. FANNIN. Mr. President, several months ago, to some Senators, I began to sound like a broken phonograph record. My song dealt with the disastrous effects of the prolonged copper strike, and I repeated it over and over.

At that time I stated that the effects of this 8½-month labor stoppage were wide-ranging and, like ripples in a pond, would bound and rebound, causing additional trouble with every wave. Some of the troubles caused by this senselessly prolonged dispute became immediately apparent. Several copper mines have not reopened, meaning less employment—fewer jobs. Many of our best leaders in mining communities have moved to other areas, their contribution to community life to be forever lost. Many mining families still face a long hard struggle to recover from the financial crisis precipated in family finances when the paycheck is cut off for more than 8 months.

Whose conscience will carry the burden of a child whose college opportunity has been aborted because of this conflict? Losses like these can never be measured. Mr. President, I am hopeful that we will soon put in power an administration possessed of the courage to take lawful action to protect the people's interest in these matters. Such tremendous losses in personal lives and fortunes must be taken into consideration when we begin to consider the necessity for a restoration of order and balance in the whole field of labor-management relations.

However, there are even more lasting effects that are coming home to haunt us day by day. Our trade policies, our labor settlements, and our production capability are all converging in some sections of the copper industry to produce very sticky situations indeed.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an article, published in the Wall Street Journal, which points up some of the complicated problems being encountered by our copper and brass fabricating industry.

It is becoming increasingly apparent that because the policy of this administration is so sold out to the bosses of big labor, we have sown the wind and are reaping the whirlwind.

I am concerned about copper. Not only because it affects the vital national interests of the Nation nor simply because the copper workers were used as pawns by big unions serving almost as front rank "cannon fodder" in their drive for coalition bargaining, but primarily because Arizona produces well over half of the Nation's copper, and copper is inextricably bound up in the economic health of many of our western States. If we continue to allow big labor to team up with big politics and play fast and loose with an important segment of our national economy, then I think it time that the rest of the Nation be put on notice that the storm clouds are very dark. If one section of the economy can be sold down the river for political expediency, then no other economic entity—be it a basic industry or an entire region of the United States—may consider itself safe.

There being no objection, the article was ordered to be printed in the Record, as follows:

Copper Item Imports to United States Increase, Forcing Fabricators To Cut Prices

(By Stephen Grover)

New York.—U.S. copper fabrications, long haunted by the threat of substitute materials, notably aluminum, face a new specter—imports.

Copper-bearing tubing, wire and rod from the brass mills of Western Europe and Japan are the new contenders. They have boosted foreigners' share of the U.S. copper products market to 12% currently from 7.5% a year ago, according to the Copper and Brass Fabricators Council Inc., a trade group.

U.S. Department of Commerce figures indicate fabricated copper imports will exceed $200 million this year, up sharply from $122 million last year (when users dipped into inventories during the marathon copper strike that began in July) and up from $152.9 million in 1966.

Imports are driving some prices down as well. For example, a minimum lot of 10,000 pounds of 1¼-inch, 70%-copper tubing is quoted by American fabricators at 68 cents to 70 cents a pound. But they concede that imports selling for 10% less have forced them into some sharp discounting; and they expect more to come.

FOREIGN LABOR COSTS LOWER

Lower foreign labor costs are behind the import surge. Although producers quote raw copper at 42 cents a pound in the U.S., far less than the 51 cents spot price currently quoted on the London Metal Exchange, the American labor cost in fabricating more than makes up the difference.

"The increase in wages we granted at the end of the recent copper strike is about the same as the total wages of a European brass mill worker," says an official of a U.S. copper company.

Wage increases won by U.S. copper miners and brass mill employes last March after an 8½-month strike came to about 55 cents an hour in cash and about twice that when fringe benefits are included. Added to a 1967 average U.S. brass mill wage of $4.07 (including 78 cents an hour in fringe benefits) the increase brought the American worker's average salary to $5.17 an hour.

The average British brass mill worker, by contrast, earned $1.16 an hour in 1967 (or $1.35 an hour before last November's devaluation of the pound). Comparable hourly wages are $1.15 in West Germany; 69 cents in France; 63 cents in Japan, and in Yugoslavia, a big exporter of brass products to the U.S., 30 cents.

The bright spot for American fabricators is limited European capacity. "They couldn't take the market away from us if they wanted to," says James Boyd, president of Copper Range Co., New York, a major producer and fabricator.

But the imports, coupled with the threat of substitute materials, itself aggravated by the lengthy strike, worry copper men.

According to a recent study by Herman B. Director Associates Inc., a Washington, D.C., market research firm with both aluminum and copper companies among its clients, the copper industry has retained only 82% of its annual per-strike market of 6.5 billion pounds of copper and copper alloy products. Other surveys, however, call such reports "vastly exaggerated." The Copper Development Association believes the loss to substitutes as a result of the strike was less than 1% of the market.

In any case, imports are taking far more sales away from U.S. fabricators than substitutes. They have taken over almost completely the market for thin-wall brass tube used by plumbers and supply as much as 28% of the copper and copper alloy foil used in auto radiators and similar heat exchanger equipment.

LOWER PRICES ANTICIPATED

Part of the import surge in the first four months of 1968 has been attributed to a slackening demand for domestic products in anticipation of lower domestic prices.

Once raw copper production catches up with strike-created demand, its price is expected to drop somewhat, reducing the price for fabricated products. But brass mill officials attribute most of the increase in imports to the imports' lower prices, averaging about two or three cents less per pound of copper content.

They complain of foreign government subsidies to exported brass mill products, foreigners cutting their export prices below their own domestic prices and U.S. tariff cuts, which they say are too large in proportion to those made by other nations in recent international trade agreements.

Fabricators believe some U.S. domestic trade regulations aggravate the problem, too. When Yugoslav sheet copper was recently offered in scattered parts of the U.S. at 10% below the U.S. price, for example, the impact ranged beyond simple sales competition. Not only did U.S. brass mills have to cut their prices to meet the Yugoslav imports in the areas where the imports were sold; they had to offer their discounts over a far wider area to avoid charges of price discrimination under U.S. law.

"It's like Pandora's Box," moans one brass mill official. "There's no telling what it will lead to."

NUCLEAR AIRCRAFT CARRIER "ENTERPRISE"

Mr. JACKSON. Mr. President, a fine newspaper article concerning the latest deployment of our first, and only operational, nuclear aircraft carrier, *Enterprise*, has come to my attention. It was written by Keyes Beech, a special reporter for the Philadelphia Inquirer, while aboard the *Enterprise* in the Tonkin Gulf, and was published in the Inquirer of June 18, 1968.

The article reflects the growing list of experiences under actual battle conditions establishing the superiority of nuclear power for first-line warships. The great superiority of carriers with nuclear propulsion is attested to by the operations in the Cuban blockade, the Mediterranean crisis, and three deployments in Vietnam.

Special mention seems appropriate of the outstanding "new breed" of skippers in our nuclear navy as exemplified by Adm. Kent Lee, the present skipper of *Enterprise*, who is quoted in this article. Admiral Lee—who started as an enlisted man and became an admiral at 46—was very carefully selected on the basis of rigorous qualifications and standards, as are the other skippers of our nuclear navy.

I hope that this article will come to the attention of young men throughout our country and be a source of stimulation to them to emulate this "new breed" in the highest service of our Nation.

I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Six Months in Tonkin Gulf—Big E Wins Case for Rickover, Supporters of a Nuclear Navy

(By Keyes Beech)

[Aboard carrier *Enterprise* in Tonkin Gulf]

The nuclear-powered carrier is here to stay, not only because it is a superior fighting ship but because in the long run it will prove more economical than conventional oil-powered carriers.

That is the not very surprising view of Capt. Kent L. Lee, 46, a South Carolina farm boy who enlisted in the Navy in 1940 and rose from the ranks to become captain of the Navy's only nuclear-powered carrier, the Enterprise.

The "Big E" and its 5000 officers and men are scheduled to return to the United States later this month after six months on Yankee Station in the Tonkin Gulf. Its 100 jet aircraft have been pounding North Vietnam round-the-clock.

What first strikes the land-bound visitor about the Enterprise is that it is there—a bristling 25-story island of American power cruising warm, blue tropical waters in the strangest war the United States ever fought.

The second impression is that such a magnificent example of American technology and its superbly trained men should be devoted to such unworthy targets as trucks, sampans and barges. The Navy's answer is that the very existence of the destructive power represented by the Enterprise is a guarantee that it won't have to be used for what it was intended.

The third impression is the curious remoteness from the ugly realities of the war that the majority of the men aboard the Enterprise have. This statement does not apply to the pilots, who must fly through a carpet of antiaircraft fire in pursuit of those trucks and sampans.

But very few of the Americans aboard this massive ship, with its 4½ acres of flight deck, have ever seen a Vietnamese, dead or alive. In this respect they are like the Guam-based B–52 bomber crews.

That the Defense Department has decided to buy the Navy a second nuclear-powered carrier, to be named the Nimitz after the Second World War hero, Adm. Chester Nimitz, is enough to vindicate the disciples of Vice Adm. Hyman Rickover, father of nuclear naval power.

What convinced the doubters, says Lee, was the performance of the Enterprise plus the revolutionary development of nuclear power. Last year, he said, more nuclear power plants were sold in the United States than the conventional kind, meaning the cost of nuclear power has been reduced to where it is commercially feasible.

The Enterprise, commissioned in 1961, has eight nuclear reactors generating 200,000 horse power. By contrast, the Nimitz will need only two reactors to get the same power.

A spokesman for a nuclear Navy, Lee was recently selected for rear admiral. He holds a master's degree in physics and, like all key officers assigned to nuclear vessels, he had one year's training in nuclear power with the Naval Reactors Branch of the Atomic Energy Commission.

The Enterprise has already made naval history by cruising 200,000 miles in three years without refueling or overhaul. Its second nuclear core was installed in 1965 and is expected to last four years.

In 1969, the Enterprise will refuel for a third time, for 10 to 15 years. "We are simply putting more fuel in the same space," Lee said. "The problem was how to control it (the fuel) and now we've licked that."

The Enterprise cost $444 million, twice as much as conventional powered carriers of the same size. And it costs from 8 to 10 percent more to operate. But Lee contends that over the long haul it is actually cheaper to operate than an oil-powered carrier.

One reason is the saving in corrosion costs, he said. "I don't mean that we don't have corrosion on the Enterprise," Lee said, "but it's far less than you get from the stack gases that spill from an oil-burner. Nuclear power is simply cleaner."

"When Robert S. McNamara was Secretary of Defense everything was based on cost analysis," Lee said. "That was the era of studies. Some of them were ridiculous. We had enough studies to sink this ship. The question was not what a nuclear-powered carrier could do but whether it was worth the additional cost. McNamara decided it wasn't."

As a result, Lee said, the United States built two more oil-burning carriers—the America and the John F. Kennedy. Now, with the Nimitz, it has gone back to nuclear power.

Aside from its ability to cruise almost indefinitely without refueling or replenishment, the nuclear carrier can shift from all-stop to a top speed of 30 knots at a moment's notice.

The engine box of the Enterprise is no bigger than that of a conventional carrier. Because it has no need to store fuel oil, it can carry twice as much jet fuel for its planes and twice as much ordnance, Lee said.

STATE OWNERSHIP OF WILDLIFE

Mr. FANNIN. Mr. President, sometime ago I introduced a bill which outlines what needs to be done in the management of fish and wildlife on Federal lands within the boundaries of a State. With certain significant exceptions, all of which are carefully outlined in the bill, the thrust of the proposed legislation would be to clear up the confusion that presently exists and more specifically to spell out the principle that the States are closest to the people, more familiar with the problem and therefore best equipped to handle these matters.

Mr. President, I am not attempting to present another argument for the bill here, but simply restating the salient points. I ask unanimous consent that a most perceptive editorial written by Mr. N. A. "Bill" Winter, Jr., editor of the Arizona Wildlife Federation's Sportsmen's News, be printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FROM THE EDITOR'S DESK

(By N. A. "Bill" Winter, Jr.)

Without a doubt, one of the most important issues facing us at the present time is the issue of "states rights" in the management of resident fish and wildlife.

Should the Department of Interior be successful in its appeal of the New Mexico court decision, or should the "states rights" bills introduced in Congress fail to pass, wildlife management (including fishing-hunting regulations and licensing) would be thrown into chaos.

To date, a number of major organizations have publicly supported the position of the states. The International Association of Game, Fish and Conservation Commissioners, the Sport Fishing Institute, The Wildlife Management Institute, and the National Wildlife Federation. The Federation is actively involved in the New Mexico case as amicus curiae—friend of the court—testifying to its belief that a state should regulate its resident wildlife, even on federal land.

But, opposition to bills introduced in Congress, such as the one introduced by Senator Paul Fannin, is being solicited by at least one national conservation organization—The Audubon Society.

In the May-June issue of Audubon, the Society claims that the bills threaten federal conservation programs. They say, on the one hand, that they support the concept of state authority over resident wildlife.

But, in the next breath, they claim that such legislation would (1) make the Park Service vulnerable to state and hunter pressure for hunting in national parks (2) would cripple the authority of the Bureau of Sport Fisheries and Wildlife to manage the nation's wildlife refuges (3) would repeal federal laws protecting bald and golden eagles (4) would nullify essential parts of the Endangered Species Preservation Act of 1966.

The article says that "this states rights measure must be defeated." This is followed up with a list of the membership of Congressional committees involved and a plea to the membership to write.

Now I know that the executives of the Audubon Society are astute individuals. So, they are fully aware that the key bills introduced say that "nothing in this act shall be construed as affecting" (1) any authority of the United States to control and regulate the taking of fish and wildlife under any international treaty or convention to which the United States is a party, with respect to those species of fish and wildlife expressly named therein (2) any authority of the United States in and over areas over which the states have ceded exclusive jurisdiction to the United States (3) any authority of the United States over any species of fish and wildlife ceded or granted to it by any state (4) the authority and responsibility of departments or agencies of the United States on lands owned or controlled by the United States.

The experts say that these exemptions answer the Audubon Society's complaints. So why all the fuss?

Couldn't they have pointed out that Senator Fannin's bill does, in fact, include items which overcome their objections? Couldn't they have asked for support for Senator Fannin's bill if they are truly in favor of "states rights?"

No, they took a negative stand. They want states rights legislation defeated. Why? Could it be possible that federal and landowner control of wildlife would make it easier for the Audubon Society and other groups to put a stop to all hunting and fishing?

Frankly, the sportsmen groups, nationally, have done and are doing more for the conservation and wise use of fish, wildlife, and natural resources of this country than any other group. Yet, we are continually subjected to the sly needles, the innuendos, the digs, jibes, taunts, cutting remarks, slaps, raps, slams, hoots, catcalls, and poohpoohs from the anti-hunting, anti-fishing groups.

A good example of this is the following remark published in the bulletin of the Good Outdoor Manners Association—"Congress selected the eagle as the national bird in 1789—and he's been chosen by hunters ever since."

It's just about time for these people to grow up, recognize the contributions sportsmen are making, recognize controlled hunting and fishing as legitimate recreation activities and start helping us solve the major problems facing us today.

But, no, it seems they would rather work to eliminate the hunting of dove—nevermind the phreatophyte removal programs that will eliminate 90% of the prime dove nesting habitat. It doesn't make sense, does it?

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

LEGISLATIVE APPROPRIATIONS, 1969

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1330, H.R. 18038.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (H.R. 18038) making appropriations for the legislative branch for the fiscal year ending June 30, 1969, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PROXMIRE. Mr. President, the bill pending before the Senate, I understand, is the legislative branch appropriation bill for fiscal year 1969.

The PRESIDING OFFICER. The Senator is correct.

Mr. PROXMIRE. This bill, H.R. 18038, recommends appropriations in the amount of $298,151,396. This is an increase of $50,654,047 over the House-approved bill, but $10,746,137 under the estimates presented to the Congress.

The bulk of the increase over the House-passed bill represents the appropriations recommended for the operations of the Senate, $47,082,247, and for the maintenance and operation of the Senate Office Buildings and the Senate garage, under the Architect of the Capitol, in the total amount of $2,941,200, and $400,000 for the Joint Inaugural Committee—which items were not considered by the House in accordance with longstanding practice. Likewise, the Senate committee did not review nor amend those items in the bill pertaining to the House of Representatives. Exclusive of these Senate items, then, the committee bill is only $230,600 over the House-passed bill.

The legislative branch appropriation bill provides funds for the various functions and activities of the Senate, the House of Representatives, the Architect of the Capitol, Botanic Garden, Library of Congress, Government Printing Office, and the General Accounting Office. Details of the committee recommendations may be found in the body of the report and in the tabulation at the conclusion of the report, which is before Members of the Senate.

Specifically, recommendations in the amount of $57,500,000 were approved for the General Accounting Office; $39 mil-

lion for the Government Printing Office; $40,638,800 for the Library of Congress; and a total of $16,179,700 for the Architect of the Capitol. This latter appropriation account includes Capitol buildings and grounds, Library buildings and grounds, and the Botanic Garden.

With respect to the increases in the items under the Architect of the Capitol, $230,600 is the sum required for the construction of rooms in the light shaft in the Senate wing of the Capitol, similar to the work performed in the House wing several years ago. This light shaft has served no purpose for some years, and it is proposed with the sum provided to construct four interconnecting rooms—two on the second floor and two on the third floor—for use by the Senate; a storage and fan room on the attic floor; and an X-ray room, consultation room, and related facilities for the attending physician of the Congress on the first and mezzanine floor levels. Funds for the X-ray equipment have previously been provided, but the necessary space to accommodate the equipment has not been available heretofore.

Members will note that the request of $1,250,000 for acquisition of land adjacent to the New Senate Office Building has been denied in this fiscal year. While the Senate authorized the extension of the site in S. 2484, which passed the Senate April 30, it was the committee's view that purchase of the remaining privately owned land should be delayed because of present urgent budgetary considerations. The committee also denied the request for $2,800,000 for preparation of plans and specifications for the Library of Congress James Madison Memorial Building for the same reason.

A budget request for $2,500,000 had been submitted for selection of site and design of buildings for the proposed new Government printing plant. Inasmuch as the Joint Committee on Printing has not yet approved the selection of the proposed site, which the law requires prior to making appropriations for the project, the consideration of this matter was deferred.

An appropriation of $400,000 for the Joint Committee on Inaugural Ceremonies of 1969 was approved. These funds are required for the construction of platform and seating stands, as well as for salaries and other expenses incurred in the conduct of the inaugural ceremonies next January. Any unused sums, of course, would revert to the Treasury at the end of the fiscal year.

With respect to the Senate items, which total $47,082,247, the following will be of special interest, I believe:

Under the heading "Sergeant at Arms," the committee is recommending the employment of 61 additional police privates for the Senate side of the Capitol and an increase in police salaries generally. The effect of the committee action is set forth on page 4 of the report; but, in addition, it was indicated to the committee during the hearings that in order to provide adequate security for all Capitol buildings and grounds, it is necessary to have on duty at all times a sufficient number of men to provide flexibility for temporary emergency situations. Chief Powell explained:

> In previous estimates for all requests for personnel no allowance has even been made for any absentees due to use of annual or sick leave, nor has any surplus of personnel been considered for use in emergency situations except to strip certain posts temporarily.

He said further:

> At present, due to the shortage of men, caused by additional security posts and our failure to consider the vacuum created when members of the force use annual or sick leave, there is no actual reserve at any time and some posts are not covered as I recommend they should be.

Under the circumstances, Mr. President, the committee felt that these additional positions are fully justified and so recommends to the Senate.

Also, language has been included in the bill to make funds available for the payment of overtime compensation to Capitol Police, as authorized by House Concurrent Resolution 785, for a temporary period ending August 31, 1968.

The committee has, in addition, created three new positions and eliminated five positions. The new positions include a programer and programer-operator for the new magnetic tape operation in the service department, and one color-film technician for the recording studio. The committee recommends two other adjustments—an increase in salary for the shipping and stock clerk in the recording studio to $6,768 per annum, and a change in designation of one cabinetmaker to assistant chief cabinetmaker, with an increase in salary to a level of $9,024 per annum. The five positions abolished were four telephone operator positions and one assistant chief telephone operator position, no longer required because of the installation of the new Centrex telephone system.

Other recommendations include:

An appropriation of $6,221,585 for "Inquiries and investigations," which is an increase of $58,330 over the fiscal 1968 appropriation. This increase is necessary as a result of additional authorizations approved in various Senate resolutions.

An additional $20,000 for each of the Senate policy committees, made necessary by a temporary increase in workload. This increase is available for one year only, as the report states.

In conclusion, I would like to call attention to the paragraph on page 6 of the report headed "Senatorial allowances." Numerous Senators have indicated on many occasions that some of the allowances provided for the operation of senatorial offices are simply insufficient to meet present-day costs and requirements. In the past, the committee has made recommendations to the Senate to increase various allowances from time to time, but this has been a piecemeal attempt to meet what are felt by some Members to be serious deficiencies in the present allowances. It is the committee's hope that the recommendations sought from the Legislative Subcommittee of the Appropriations Committee, the Committee on Rules and Administration, and the Select Committee on Standards and Conduct, will result in a practical and equitable adjustment of allowances commensurate with the present-day requirements and duties of the office of U.S. Senator.

Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc, and that the bill as thus amended be regarded for the purpose of amendment as original text, provided that no point of order shall be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER (Mr. Burdick in the chair). Without objection, it is so ordered.

The amendments agreed to en bloc are as follows:

At the top of page 2, insert:

"SENATE"

On page 2, after line 1, insert:

"COMPENSATION OF THE VICE PRESIDENT AND SENATORS, MILEAGE OF THE PRESIDENT OF THE SENATE AND SENATORS, AND EXPENSE ALLOWANCES OF THE VICE PRESIDENT AND LEADERS OF THE SENATE

"COMPENSATION OF THE VICE PRESIDENT AND SENATORS

"For compensation of the Vice President and Senators of the United States, $3,304,295."

On page 2, after line 8, insert:

"MILEAGE OF PRESIDENT OF THE SENATE AND OF SENATORS

"For mileage of the President of the Senate and of Senators, $58,370."

On page 2, after line 12, insert:

"EXPENSE ALLOWANCE OF THE VICE PRESIDENT, AND MAJORITY LEADERS

"For expense allowance of the Vice President, $10,000; Majority Leader of the Senate, $3,000; and Minority Leader of the Senate, $3,000; in all, $16,000."

On page 2, after line 17, insert:

"SALARIES, OFFICERS, AND EMPLOYEES

"For compensation of officers, employees, clerks to Senators, and others as authorized by law, including agency contributions and longevity compensation as authorized, which shall be paid from this appropriation without regard to the below limitations, as follows:".

At the top of page 3, insert:

"OFFICE OF THE VICE PRESIDENT

"For clerical assistance to the Vice President, $245,528."

On page 3, after line 2, insert:

"CHAPLAIN

"Chaplain of the Senate, $16,732."

On page 3, after line 4, insert:

"OFFICE OF THE SECRETARY

"For office of the Secretary, $1,509,828 including $162,996 required for the purposes specified and authorized by section 74b of title 2, United States Code."

On page 3, after line 8, insert:

"COMMITTEE EMPLOYEES

"For professional and clerical assistance to standing committees and the Select Committee on Small Business, $3,640,996."

On page 3, after line 12, insert:

"CONFERENCE COMMITTEES

"For clerical assistance to the Conference of the Majority, at rates of compensation to be fixed by the chairman of said committee, $107,912.

"For clerical assistance to the Conference of the Minority, at rates of compensation to be filed by the chairman of said committee, $107,912.'"

On page 3, after line 19, insert:

"ADMINISTRATIVE AND CLERICAL ASSISTANTS TO SENATORS

"For administrative and clerical assistants and messenger service for Senators, $21,279,720."

At the top of page 4, insert:

"OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

"For office of Sergeant at Arms and Doorkeeper, $4,601,608: *Provided*, That, effective July 1, 1968, the Sergeant at Arms is authorized to employ the following additional employees: one programmer at $14,100 per annum; one programmer-operator at $8,460 per annum; one color film technician at $9,776 per annum; one assistant chief cabinetmaker at $9,024 per annum in lieu of one cabinetmaker at $8,084 per annum; sixty-one additional privates, police force at $7,144 per annum each; four assistant chief telephone operators at $7,896 per annum each in lieu of five at such rate; twenty-seven telephone operators at $6,204 per annum each in lieu of thirty-one at such rate; and the compensation of the shipping and stock clerk, recording studio shall be $6,768 per annum in lieu of $5,640 per annum: *Provided further*, That appointees to the Capitol Police Force positions authorized herein shall have the equivalent of at least one year's police experience."

On page 4, after line 18, insert:

"OFFICES OF THE SECRETARIES FOR THE MAJORITY AND THE MINORITY

"For the offices of the Secretary for the Majority and the Secretary for the Minority, $180,480."

On page 4, after line 22, insert:

"OFFICES OF THE MAJORITY AND MINORITY WHIPS

"For four clerical assistants, two for the Majority Whip and two for the Minority Whip, at rates of compensation to be fixed by the respective Whips, $19,928 each; in all, $39,856."

On page 5, after line 2, insert:

"OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

"For salaries and expenses of the Office of the Legislative Counsel of the Senate, $342,180."

On page 5, after line 6, insert:

"CONTINGENT EXPENSES OF THE SENATE

"SENATE POLICY COMMITTEES

"For salaries and expenses of the Majority Policy Committee and the Minority Policy Committee, $240,150 for each such committee; in all, $480,300."

On page 5, after line 11, insert:

"AUTOMOBILES AND MAINTENANCE

"For purchase, exchange, driving, maintenance, and operation of four automobiles, one for the Vice President, one for the President Pro Tempore, one for the Majority Leader, and one for the Minority Leader, $48,700."

On page 5, after line 16, insert:

"FURNITURE

"For service and materials in cleaning and repairing furniture, and for the purchase of furniture, $31,190: *Provided*, That the furniture purchased is not available from other agencies of the Government."

On page 5, after line 21, insert:

"INQUIRIES AND INVESTIGATIONS

"For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, including $412,360 for the Committee on Appropriations, to be available also for the purposes mentioned in Senate Resolution Numbered 193, agreed to October 14, 1943, $6,221,585."

On page 6, after line 3, insert:

"FOLDING DOCUMENTS

"For the employment of personnel for folding speeches and pamphlets at a gross rate of not exceeding $2.42 per hour per person, $43,790."

On page 6, after line 7, insert:

"MAIL TRANSPORTATION

"For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, $16,560."

On page 6, after line 11, insert:

"MISCELLANEOUS ITEMS

"For miscellaneous items, exclusive of labor, $4,348,335, including $398,000 for payment to the Architect of the Capitol in accordance with section 4 of Public Law 87–82, approved July 6, 1961."

On page 6, after line 16, insert:

"POSTAGE STAMPS

"For postage stamps for the offices of the Secretaries for the Majority and Minority, $180; and for airmail and special delivery stamps for the office of the Secretary, $200; office of the Sergeant at Arms, $160; Senators and the President of the Senate, as authorized by law, $108,480; and the maximum allowance per capita of $800 is increased to $960 for the fiscal year 1969 and thereafter: *Provided*, That Senators from States partially or wholly west of the Mississippi River shall be allowed an additional $240 each fiscal year; in all, $109,020."

On page 7, after line 3, insert:

"STATIONERY (REVOLVING FUND)

"For stationery for Senators and the President of the Senate, $303,000; and for stationery for committees and officers of the Senate, $13,200; in all, $316,200, to remain available until expended."

On page 7, after line 8, insert:

"COMMUNICATIONS

"For an amount for communications which may be expended interchangeably, in accordance with such limitations and restrictions as may be prescribed by the Committee on Rules and Administration, for payment of charges on official telegrams and long-distance telephone calls made by or on behalf of Senators or the President of the Senate, in addition to those otherwise authorized, $15,150."

On page 7, after line 17, insert:

"ADMINISTRATIVE PROVISIONS

"Emergency overtime compensation authorized by House Concurrent Resolution 785, Ninetieth Congress shall be paid from the appropriation "Salaries, Officers and Employees, Office of Sergeant at Arms and Doorkeeper", fiscal years 1968 and 1969."

On page 15, after line 20, insert:

"JOINT COMMITTEE ON INAUGURAL CEREMONIES OF 1969

"For construction of platform and seating stands and for salaries and expenses of conducting the inaugural ceremonies of the President and Vice President of the United States, January 20, 1969, in accordance with such program as may be adopted by the joint committee authorized by concurrent resolution of the Senate and House of Representatives, $400,000."

On page 22, line 22, after the word "Capitol", strike out "$1,779,600" and insert "$2,010,200".

On page 23, after line 6, insert:

"SENATE OFFICE BUILDINGS

"For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; for purchase of waterproof wearing apparel, and for personal and other services; including eight attendants at $1,800 each; for the care and operation of the Senate Office Buildings; including the subway and subway transportation systems connecting the Senate Office Buildings with the Capitol; uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902), to be expended under the control and supervision of the Architect of the Capitol; in all, $2,878,900."

On page 23, after line 18, insert:

"SENATE GARAGE

"For maintenance, repairs, alterations, personal and other services, and all other necessary expenses, $62,300."

On page 34, after line 9, insert:

"SEC. 105. Effective July 1, 1968, the compensation of captains, Capitol Police Force, shall be $13,348 per annum each, the compensation of lieutenants and special officers, Capitol Police Force, shall be $11,280 per annum each, the compensation of sergeants, Capitol Police Force, shall be $9,400 per annum each, and the compensation of privates, Capitol Police Force, shall be $7,144 per annum each."

Mr. PROXMIRE. That concludes my presentation, Mr. President. I shall be pleased to endeavor to answer any questions any Member may have.

Mr. KUCHEL. Mr. President, I speak briefly as the ranking minority member of the subcommittee. I have enjoyed the experience, together with my friend from Wisconsin, the acting chairman of the subcommittee, in presenting this legislative appropriation bill to the Senate.

One of the items of particular importance to the Members of Congress and the people of the country is the security of this building. I think that to achieve security we are going to have to look forward to a law-enforcement establishment recruiting professionals only, free from any so-called patronage positions.

Second, I think the pay of a person in uniform on the police force in the Capitol should be completely commensurate with the pay to be received by those who guard the White House or those who labor professionally for the District of Columbia.

The subcommittee, under the acting charimanship of the Senator from Wisconsin [Mr. PROXMIRE], took a giant step forward toward achieving parity. I congratulate the Senator for his leadership in that instance because I think it is a forward step. I also observe, although the distinguished Senator has fully covered the matter adequately, that the bill does contain provisions for overtime for those in the police establishment.

Mr. President, all in all, it seems to me that the bill before us now constitutes an excellent and a fair recognition of the needs of the legislative branch. On that basis I trust the bill will be speedily passed by the Senate.

AMENDMENT NO. 879

Mr. WILLIAMS of Delaware. Mr. President, I have always taken the position that Senators should have an adequate allowance to run their offices and perform the official duties of that office.

However, I have also taken the position that to the extent any portion of any allotment to a Members' office is not used for the official purpose for which it was appropriated it should automatically revert—and I emphasize the word "automatically"—to the Federal Treasury. Just as we do not permit anyone in private industry to chisel with respect to expense accounts, the same thing should be true of Government service.

For most of the items and allowances, such as airmail and special delivery stamps, telegrams, and telephone calls and many other items, it is spelled out in the law that, to the extent they are not needed, the remainder is not available to the Member but automatically reverts to the Treasury.

There is one exception to which that rule does not apply, and that exception relates to stationery. In connection with the stationery allowance at the end of each year, if the Member has an unused portion it can be withdrawn for his own personal use. Under the rules it is automatically available to him if he wishes to withdraw it. That is wrong.

In one or two instances Members have not drawn the stationery allowance over a period of years and when they died the accumulated amount was paid to their estates.

It was never intended that these allowances be available as a supplement to our salaries.

On numerous occasions I have offered an amendment which would spell out specifically that any unused portion of this stationery fund for either House or Senate Members would automatically revert to the Treasury. This provision was agreed to by the Senate but then has been lost in conference. One of the arguments that has been made is that the Senate should not try to tell the House of Representatives how to write its rules. I believe this rule should be applicable to both the Senate and the House of Representatives because the bill deals with these funds for both the House of Representatives and the Senate.

However, in order to make some progress in connection with the abuse, after discussing the matter with the chairman of the subcommittee I have confined this amendment to the Senate only. The Senator from Wisconsin who has consistently supported this position over the years has suggested that we make this amendment applicable to the Senate only and let the House write its own rules.

Mr. President, accordingly I call up my amendment No. 879 and ask that it be stated.

The PRESIDING OFFICER (Mr. BURDICK in the chair). The amendment will be stated.

The assistant legislative clerk read as follows:

On page 34, between lines 16 and 17, insert the following:

"SEC. 106. The stationery allowance, as authorized by law, for each Senator shall hereafter be available only for (1) purchases made through the Senate stationery room of stationery and other office supplies for use for official business, and (2) reimbursement upon presentation within thirty days after the close of the fiscal year for which the allowance is provided, of receipted invoices for purchases elsewhere of stationery and other office supplies (excluding items not ordinarily available in the Senate stationery room) for use for official business in an office maintained by a Senator in his home State. Any part of the allowance for stationery which remains unobligated at the end of the fiscal year 1969 or any subsequent fiscal year shall be withdrawn from the revolving fund established by the Third Supplemental Appropriation Act, 1957 (71 Stat. 188; 2 U.S.C. 46a 1), and covered into the general fund of the Treasury."

Mr. WILLIAMS of Delaware. Mr. President, I do not wish to labor the point further at this time. There are not many Senators in the Chamber. I do not know to what extent Senators may wish to speak with reference to the amendment; therefore, before voting I shall call for a quorum.

Mr. PROXMIRE. Mr. President, first I wish to congratulate the Senator for bringing up the amendment. The Senator has been a bulldog in connection with this provision. He has prevailed in previous years in the Senate. But in past years the conference committee rejected the amendment. This year the Senator may have a winner. I hope so.

I do not see why this proposal should not be accepted, especially in view of the fact that the Senator provides in his amendment for an opportunity, if the Committee on Rules and Administration should deem it wise to do so, to include other items in the stationery allowance, if they felt it appropriate. It seems to me that this is a proper and desirable way in which additional items might be covered if Senators feel the stationery limitation too restrictive.

I think the amendment is a good amendment. I am happy to support it, and I shall vote for it.

If the Senator is ready for a vote, I would suggest the absence of a quorum so that Senators may be notified.

Mr. KUCHEL. Mr. President, before the Senator suggests the absence of a quorum, I wish to make the RECORD clear. I want to say in the beginning that this problem is moot as far as the Senator from California is concerned, and I rather imagine it is moot with respect to any Senator from a State of many millions of people.

The tragic fact is that there is not enough stationery allowance for a Senator coming from a State which has a population of 10 million, 15 million, or 20 million. I frankly scrounge around for enough stationery from the offices of friends, including my friend from Delaware.

Having made that statement, I wish to ask the Senator the following question. Does the provision in the amendment following "(2)" apply to purchases of stationery made in the home State of the individual Senator? Is that what the Senator has in mind?

Mr. WILLIAMS of Delaware. Yes. The most of the stationery is purchased from the stationery store in the Capitol. However, a Senator who operates an office back in a State, particularly a State as far removed from the Capitol as the State of my friend from California, may find it more convenient to buy the stationery locally. In that event the itemized invoice can be submitted and he could be reimbursed for the expense of his office.

I might say to the Senator from California that I am aware of the problem that confronts some of the Senators from the larger States. I have consistently taken the position, as he well knows, that the Senate should provide an adequate allowance to take care of the cost of operating the offices of the larger States, and I would support such an allowance. I do not think that we ever want to get to the point where the Senate becomes a rich man's club, where only the man who can afford to dip into his private resources can afford to serve in the Senate.

On the other hand, all the amendment provides is that to the extent the money is not needed it automatically reverts to the Treasury. There are States—I cite my own—where we do not need the full amount, and at times it may also be true of the larger State. So, to the extent we do not need it that money should automatically go back to the Federal Treasury. It is not a part of our compensation. That is all that is provided in the amendment.

The Senator from California knows that I have joined him on numerous occasions heretofore in providing for adequate allowances to take care of operating the offices of the larger States, and I will do so again.

I do not offer this amendment as an economy measure at all. I do not offer it in that spirit. I do so in the spirit of what is right and what is wrong.

To the extent that there is any amount left over in any of these expense allowances it should revert back to the Treasury, and it does revert back to the Treasury in every case except this one.

As the Senator from Wisconsin suggested a few moments ago, I suggest we have a quorum call at this point to see if anyone else wishes to discuss this amendment, Mr. President; and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

STATEMENT CONCERNING THE GAO APPROPRIATION IN H.R. 18038

Mr. PROUTY. Mr. President, I want to make a brief comment concerning the committee's recommended appropriation for the General Accounting Office.

While the Senate report on the legislative branch appropriation bill makes no comment concerning the GAO appropriation, the House report does.

I ask unanimous consent, Mr. President, that the portion of the House report concerning the GAO appropriation be inserted in the RECORD immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. PROUTY. What is involved, Mr. President, is a general reduction of $242,000 from the Comptroller General's request of $57,742,000.

I was disappointed with that reduction, Mr. President, not only because I feel that the General Accounting Office would make good use of that money, but also because it raises a basic policy question concerning the role the Comptroller General will play in legislative oversight in future years.

You will remember, Mr. President, that last fall when we were considering the Economic Opportunity Act of 1967, I offered an amendment that was adopted which called for an evaluation of the effectiveness of the entire poverty program by the Comptroller General. This amendment placed an additional burden on the Comptroller General. It also considerably broadened the scope of operations for the Comptroller General.

In the past the responsibility of the General Accounting Office was primarily to make sure that Federal agencies maintained accountability for funds appropriated and that their operations stayed within the bounds of legislative authority. In this respect, every Comptroller General since the establishment of the position in 1921 has gained the respect and admiration of Congress, the executive agencies, and the general public.

However, the amendment to the Economic Opportunity Act of 1967 significantly broadened the Congressional mandate given to the General Accounting Office. We, in effect, asked the Comptroller General not only to police the funds and legislative authority of the Office of Economic Opportunity, but also to evaluate the effectiveness of the programs used in the war on poverty. I understand that the Comptroller General is well on his way to successfully carrying out that new mandate. I am certain the next session of Congress will be materially affected by that report and the recommendations of the Comptroller General.

I believed last fall, and I believe now, that the need for such in-depth legislative oversight is great. I believed them, and I believe now, that the General Accounting Office is best equipped to provide that essential service to the Congress.

It was, therefore, with a great deal of concern that I read the following paragraph from the House Committee on Appropriations report accompanying H.R. 18038:

> As a general proposition, it strikes the committee that there may be a valid question whether the Congress, in future consideration of program authorization legislation, ought to follow the precedent established in the OEO amendments of placing, by statute, specific responsibilities on the Comptroller General for evaluating the efficiency and effectiveness of entire major programs with statutory reporting deadlines. To do so would tend to diminish the flexibility of the Office in examining all the programs and expenditures of the Government, now estimated at upwards of $186 million for fiscal 1969. And if carried too far, it would in substance considerably duplicate the expense of oversight staffs and special 'investigative' committee expenditures.

I, for one, Mr. President, do not believe that in extending the scope of the Comptroller General's congressional mandate to include an evaluation of the effectiveness of programs we run the risk of duplicating the expense of congressional oversight staffs.

What is needed today, as never before in our history, is a careful spending of the taxpayer's dollar. Under the present system, I am not convinced that the taxpayer is getting his money's worth. I believe the major reason for this is that too often we have too few facts with which to evaluate the effectiveness of Federal programs.

There seems to be three basic reasons for not being able to thoroughly investigate program effectiveness.

First, congressional committees at this time are not staffed to conduct in-depth legislative oversight.

Did you realize, Mr. President, that for the House and Senate combined we have only about 1,000 employees on our committee staffs? That figure, Mr. President, includes clerical as well as professional staff members, and yet those committee staffs are expected to evaluate thousands of programs involving $180 billion a year.

Second, executive agencies tend to perpetuate their particular programs. I think it is almost a truism of bureaucracy, Mr. President, that particular bureaus build up a constituency and tend to expand services to that constituency whether they are really needed or not. Therefore, agencies often give us statistics concerning effectiveness but never give us statistics proving ineffectiveness.

Third, the Bureau of the Budget which does, from time to time, expose ineffective programs, is justifiably an arm of the Presidency under considerable political pressure. The very nature of its role leads it to allocate funds on the basis of political pressure rather than on the basis of program effectiveness.

Faced with these difficulties, I believe that the General Accounting Office represents the best vehicle we have for obtaining in-depth evaluations concerning program effectiveness. This position is not intended to detract from the excellent staff work we have on both sides of the Hill. Neither is it intended to detract from the excellent presentations provided by agencies in the executive branch. It does however, face up to the reality that we need to know more concerning how the Federal Government spends $180 billion a year.

The General Accounting Office was created by the Budget and Accounting Act of 1921. The role of the Federal Government at that time is probably best reflected in the speech Calvin Coolidge made before the Society of American Newspaper Editors on January 17, 1925, where he said, "The business of America is business."

The role of the Federal Government has radically changed since then. It has become an integral part of every American's life. Not only have Federal regulatory functions increased, but the Federal Government has also become deeply involved in programs of social service.

This change in emphasis at the Federal level requires a change in emphasis in the methods of legislative oversight. I believe that the General Accounting Office can best implement this necessary change.

The respect and admiration gained by the General Accounting Office is perhaps best reflected in the history of GAO appropriations since 1945. During most of those years, Congress appropriated nearly what was requested by the Comptroller General.

I ask unanimous consent that a Legislative Reference Service paper prepared for me showing the trends of appropriations and manpower at GAO be printed in the RECORD following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. PROUTY. Mr. President, the Legislative Reference Service demonstrates the fact that the Comptroller General has almost always received the amount he has requested from Congress. This is indeed a remarkable record, virtually unmatched by any other agencies in the Federal Government. I am certain that the congressional response is due to the admiration and respect which Congress has had for the GAO.

However, the LRS paper also reveals a less favorable trend to the budget request made by the Comptroller General. For example, in 1946 the number of persons employed by the General Accounting Office was 14,894. Four years later, in 1950, the number had decreased to 8,900—a decline of 40 percent. Ten years later, in 1960, the employees at GAO numbered 5,353. Today, in 1968, the employees number 4,280, which represents an increase of 16 employees over the 1967 figure. However, this is a decline in personnel of 71 percent from the 1946 figure.

There were, of course, numerous reasons for the decline in the number of GAO employees. The primary reason seems to have been a greater trend toward professionalism supplemented by the establishment of controls within individual agencies. This was beneficial as is the excellent example of personnel economy exhibited by GAO.

In most agencies of Government I would be the first to applaud a decline in personnel and modest budget requests. In the case of GAO I am troubled.

I am troubled, Mr. President, because I know of GAO's excellent work.

I am troubled, Mr. President, because I know that over the years GAO has saved the Government millions of dollars.

I am troubled, Mr. President, because I realize that unlike most other agencies additional employees at GAO can save the Government additional sums of money.

I sincerely hope, Mr. President, that in future years Congress will greatly expand the General Accounting Office with respect to both personnel and funding. If we provide the necessary manpower and money for the Comptroller General to extend his activities into the area of program effectiveness, we will be providing a great service to the Nation. This service, if provided, is important to the future of the country for two reasons:

First, I am convinced that millions of dollars would be saved if ineffective programs can be weeded out and discontinued. I know that the Comptroller General can obtain the manpower and resources necessary for such objective evaluation.

Second, Mr. President, I am convinced that by giving the Comptroller General a mandate to evaluate program effectiveness, we will be well on our way to finding workable solutions to the many difficult problems facing Americans.

EXHIBIT 1

EXCERPT OF HOUSE REPORT NO. 1576

GENERAL ACCOUNTING OFFICE

$57,500,000, a general reduction of $242,000 from the request, is recommended for expenses of this agency next year. The amount in the bill is $4,700,000 more than the 1968 appropriation, not counting $1,559,000 pending in the Second Supplemental bill for the fiscal 1968 pay increase. A summary of the changes is on page 3 of the printed hearings.

The General Accounting Office is a highly essential instrumentality of legislative oversight in checking the efficiency of government operations and procedures and the propriety of government expenditures and in assistance to Congress and its committees otherwise. In recent years, under general authority of the Budget and Accounting Act of 1921, the Budget and Accounting Procedures Act of 1950, and related legislation, the Office has been giving increasing attention to the *effectiveness* of activities carried on by government agencies, as well as their economy and efficiency.

In the OEO (anti-poverty) extension legislation enacted last year, the GAO was directed to not only study the efficiency of administration by both the OEO and local public and private agencies, but the extent to which OEO activities achieve the objectives of the legislation. This calls for an evaluation of the *effectiveness* of the entire program, *and recommendations for additional legislation,* as GAO may deem advisable, with a final reporting deadline of December 1, 1968.

In the absence of additional appropriation for this very major undertaking, GAO has reassigned a total of about 125 of its professional staff to the study—125 beyond the 75 previously working on OEO audits. The added costs on that account are about $275,000 for travel alone until June 30, 1968. But in addition, GAO has engaged two outside firms on contract, at a total cost of about $308,000, to come up with advice on how to go about making effectiveness tests and to come up with recommendations on the kinds of information that should be developed by OEO for making effectiveness evaluations for use by OEO and the GAO. These two amounts total $583,000. Additionally, salary and overhead costs of the 200 GAO men assigned to the work would, the committee understands, add about $1,000,000. Furthermore, the committee is advised that OEO has allocated some $18,700,000 for research, evaluation, and audit work. Thus it seems that over $20 million is devoted to these activities.

All of this is on top of three reports by GAO to the Congress, and some 30 reports to committees and Members of Congress in response to requests since 1965 in connection with OEO programs.

As a general proposition, it strikes the committee that there may be a valid question whether the Congress, in future consideration of program authorization legislation, ought to follow the precedent established in the OEO amendments of placing, by statute, specific responsibilities on the Comptroller General for evaluating the efficiency and effectiveness of entire major programs with statutory reporting deadlines. To do so would tend to diminish the flexibility of the Office in examining all the programs and expenditures of the Government, now estimated at upwards of $186 billion for fiscal 1969. And if carried too far, it would in substance considerably duplicate the expense of oversight staffs and special "investigative" committee expenditures.

EXHIBIT 2

THE GENERAL ACCOUNTING OFFICE: TRENDS OF APPROPRIATIONS AND MANPOWER, 1945–69

The following report analyzes the appropriations and manpower history of the General Accounting Office since 1945. More specifically, it deals with the trend of appropriations, the trend in the GAO toward reducing manpower, and the general attitude of Congress toward budget requests by the agency.

1. GAO APPROPRIATION TRENDS

Two rather well defined periods are evident in the appropriations history of the GAO since 1945. During the first—from 1946 to 1954—the trend was toward reduced requests by the Comptroller General and parallel reductions in the amount of monies Congress appropriated. During the second—from about 1955 to the present—the size of the Comptroller General's requested budget grew steadily as did the amounts granted.

Table I attached to this report lists by fiscal year the total amount of monies requested by the Comptroller General for the operation of his agency, and the total amount appropriated (including regular, supplemental, and deficiency appropriations).

Between 1946 and 1954, the GAO asked for less money than it had requested the previous year in all but two instances—1950 and 1951. Overall, requests dropped $10,324,980 during these years, a decline of 24.4 percent. Congress did not deviate once from this pattern; its appropriations for the GAO declined in every year without exception. The total reduction in appropriations from 1946 to 1954 was $9,982,855 or 23.8 percent.

During the second period—1955 to the present—there was a steady climb in amounts requested by the Comptroller General and amounts granted by Congress. GAO asked for $32 million for fiscal 1954 and about $57¾ million for 1969, a rise of $25,742,000 or 80.4 percent. The trend of the Congressional response was similarly upward. Appropriations for the GAO rose $22,378,000 during the period, an overall growth of about 70 percent.

While Congress did not in any year of those surveyed give the GAO more money than it requested, it seldom made deep cuts. [See Table I.] The average reduction for the 25 years from 1945 to 1969 was 1.35 percent. For five of the fiscal years Congress gave the GAO the exact amount requested (1949, 1961, 1962, 1963, 1966). In eleven other years the reduction was less than 1 percent. Cuts of more than 2 percent were made in only six years, of more than 3 percent in three of those years, and of more than 6 percent in only one year (6.78 percent for fiscal 1951).

In dollar amounts, Congress reduced the GAO budget by more than $2 million only once, for fiscal 1951. Over $1 million but less than $2 million was cut in four additional years (1948, 1950, 1959, 1964). In all other years reductions amounted to less than $1 million, including five years in which none were made at all.

Congressional attitudes toward the GAO during the past decade may be reflected in the legislatures response to budget requests during that period. In the ten fiscal years beginning with 1960, Congress gave the agency exactly what it requested for four fiscal years and reduced its appropriation by more than $1 million only once. Reduction in other years of that decade were nominal, none amounting to as much as 1 percent.

The overall trend of appropriations for the GAO is set forth in Table II attached to this report. That table shows in detail the decreasing size of the agency's budget from year to year between 1946 and 1954, and the increases each year since 1955. The rate of decline in the first period and the rate of growth in the second were uneven. From 1946 to 1954 the annual rate of decline in appropriations was 3.29 percent. From 1955 through 1969 the annual rate of growth in appropriations was 4.31 percent.

2. MANPOWER TRENDS

Excluding 1968 and 1969, the General Accounting Office has pursued a policy of decreasing its manpower in every fiscal year since 1946. Table III lists the number of positions by fiscal year, the increase or decrease in those positions from year to year, and the percentage of increase or decrease from one year to the following year.

Personnel declined 69.4 percent from 1945 to 1968. In absolute figures, the GAO had 13,966 authorized positions in fiscal 1945. The total in 1968 was 4,280.

These reductions have come about as a matter of deliberate policy on the part of the Comptroller General, and that policy has evidently been supported by Congressional action. Testifying before the Joint Committee on the Organization of the Congress on August 5, 1965, the then acting Comptroller General, Frank H. Weitzel, declared that reduction of staff has been accomplished partly through internal management improvement. [Joint Commitee Hearings, p. 1365.] But the greatest impetus to the agency's reduction in manpower came from a changing approach to its functions. Mr. Weitzel put it thus:

"First, legislation enacted by the Congress starting back in 1945 with the Government Corporation Control Act permitted the General Accounting Office to put its activities on a different basis by getting away from the detailed examination of the millions of vouchers and millions of contracts coming into the Office every year and making instead a selected examination of books, documents, and records at the site of operations. . . . Then in 1949 . . . we extended this in our comprehensive audit program to the regular agencies of the Government on a broader basis until now practically every agency . . . is on that basis. . . .

"Also the 1959 legislation [Budget and Accounting Procedures Act of 1950] which specifically told us that Congress wanted us to make our audits on a selective basis, after giving due regard to the internal organization and management structures of the agencies, their internal systems, including their internal audit, and the management observance of the related laws and regulatory requirements.

"In other words, if we went in—and we do go in now—and make a survey of a Government department or agency and find that its internal organizational structure is well conceived to carry out its charter powers set out in its basic legislation, that it has good positive directives, and a good accounting system which has been approved by the Comptroller General under his responsibility, if we find that the people on the job are carrying out these basic directives in the agencies, and are observing the laws and the Comptroller General's decisions, we can perform a much less detailed audit.

"We also rely on the internal audits by the agency staffs themselves." (Joint Committee Hearings, pp. 1388–1389.)

In short, the GAO has shifted from exhaustive audits, requiring relatively vast numbers of personnel and most of them clerks and bookkeepers, to spot auditing, requiring fewer people but more highly trained ones, particularly accountants and lawyers. This shift accounts in large part for both the decline in personnel and the decline in appropriations requested and granted to the GAO.

Mr. Weitzel went on to say that the GAO has been able to reduce its manpower needs in other ways. He cited first the internal management survey.

He cited next the recommendation GAO made to Congress, and which the latter accepted, that the settlement of stale claims be made by the departments involved rather than by the Comptroller General. In addition, Congress shifted responsibility for settling accounts for deceased personnel from the GAO to the agencies involved. Finally, Mr. Weitzel noted that check reconciliation, once a GAO function that occupied several hundred people, is now done by the Treasury Department on modern electronic accounting machinery. [Hearings, p. 1390.]

The decrease in absolute numbers of personnel has been accompanied by a rising level of salaries for the remaining people. In 1945, the average appropriation per employee was about $2,469. In 1954 it was $5,193. By 1968 the average per employee was $12,700. Part of this rise is attributable to the general rise in Federal employee salaries. But perhaps equally significant is the shift in GAO from clerical and bookkeeping personnel, payed at relatively low rates, to a more professional staff consisting of accountants and lawyers who command higher salaries.

An additional and recent factor affecting manpower in the GAO relates to the mandate put upon that agency by Title II of the Economic Opportunity Amendments of 1967 (P.L. 90-222; 81 Stat. 727). This directs the Comptroller General to make a special study of the OEO programs in order to determine, among other things, "the extent to which such programs and activities achieve the objectives set forth in the relevant part of the Economic Opportunity Act of 1964 authorizing such programs or activities." The Comptroller General is to transmit his final report to the Congress not later than December 1, 1968, and that final report is to contain his findings, conclusions, and recommendations, including recommendations for additional legislation.

In testimony before the subcommittee of the House Committee on Appropriations dealing with legislative branch appropriations for fiscal 1969, Mr. Staats, the Comptroller General, declared that he had asked for a supplemental appropriation of $1.5 million to finance the study. That supplemental was not granted. Mr. Staats testified that the additional costs of the study to the GAO amounted to $583,000 in fiscal 1968, all of which had been absorbed by the GAO. He further stated that the mandate of the OEO legislation had forced him to assign 125 additional personnel to the OEO project. One may assume from all this that if the GAO is to continue to operate in this new area of responsibility its personnel requirements will rise substantially. [Hearings of the House Committee on Appropriations on Legislative Branch Appropriations for 1969, pp. 89-91.]

In commenting on this new GAO function, the report of the House Committee on Appropriations declared:

"As a general proposition, it strikes the committee that there may be a valid question whether the Congress, in future consideration of program authorization legislation, ought to follow the precedent established in the OEO amendments of placing, by statute, specific responsibilities on the Comptroller General for evaluating the efficiency and effectiveness of entire major programs with statutory reporting deadlines. To do so would tend to diminish the flexibility of the Office in examining all the programs and expenditures of the Government, now estimated at upwards of $186 billion for fiscal 1969. And if carried too far, it would in substance considerably duplicate the expense of oversight staffs and special 'investigative' committee expenditures." (House Report 1576, 90th Cong., 2 sess., p. 18.)

It may be of interest, in this connection, to note that the Legislative Reorganization Act, passed by the Senate March 7, 1967, and currently pending in the House of Representatives, would direct the Comptroller General to provide experts to the Appropriations Committees and other committees of Congress to assist them in making independent cost-effectiveness studies on programs under their jurisdictions. [See p. 28 of the Final Report of the Joint Committee, Senate Report 1414, 89th Cong., 2 sess., and section 205 of S. 355, the Legislative Reorganization Act.]

3. GENERAL ATTITUDE OF CONGRESS TOWARD GAO BUDGET REQUESTS

The data presented above and in the accompanying tables would seem to indicate that Congress has generally taken a sympathetic attitude toward the General Accounting Office's budget requests. This would seem particularly true of requests during the past decade.

Up to and including fiscal year 1967, the GAO fell under the jurisdiction of the Independent Offices Subcommittees of the two Appropriations Committees. Beginning with fiscal 1968, it has been included in the Legislative branch appropriations and has therefore come under the Legislative Branch Subcommittees. Both subcommittees have treated the GAO well and, if remarks during the taking of testimony are any indication, are highly appreciative of the agency's problems and products.—WALTER KRAVITZ, *July 5, 1968.*

TABLE I.—GAO APPROPRIATIONS BY FISCAL YEAR

For fiscal year	Amount requested [1]	Amount appropriated [1]	Decrease in request	Decrease of request (percent)
1945	$34, 505, 000	$34, 480, 225	—$24, 775	0. 07
1946	42, 324, 980	41, 963, 855	361, 125	. 85
1947	40, 925, 000	40, 300, 000	625, 000	1. 52
1948	37, 617, 000	36, 517, 000	1, 100, 000	2. 92
1949	35, 791, 000	35, 791, 000	None	None
1950	36, 852, 000	35, 070, 000	1, 782, 000	4. 83
1951	36, 946, 800	34, 439, 500	2, 507, 300	6. 78
1952	33, 492, 000	32, 494, 000	998, 000	2. 97
1953	32, 225, 000	32, 000, 000	225, 000	. 69
1954	32, 000, 000	31, 981, 000	19, 000	. 05
1955	32, 200, 000	31, 981, 000	219, 000	. 68
1956	33, 600, 000	33, 481, 000	119, 000	. 35
1957	34, 581, 000	34, 000, 000	581, 000	1. 68
1958	37, 800, 000	37, 009, 546	790, 454	2. 09
1959	40, 545, 000	39, 020, 500	1, 524, 500	3, 76
1960	41, 869, 000	41, 800, 000	69, 000	. 16
1961	42, 179, 000	42, 179, 000	None	None
1962	43, 000, 000	43, 000, 000	None	None
1963	43, 900, 000	43, 900, 000	None	None
1964	46, 850, 000	45, 700, 000	1, 150, 000	2. 45
1965	47, 200, 000	46, 900, 000	300, 000	0. 63
1966	47, 435, 000	47, 435, 000	None	None
1967	49, 650, 000	49, 350, 000	300, 000	. 60
1968	54, 459, 000	54, 359, 000	100, 000	. 18
1969	57, 742, 000	[2] 57, 500, 000	242, 000	. 41

[1] Includes regular appropriations, supplementals, deficiencies, and rescissions.

[2] Passed House and reported by Senate committee.

Sources: Budget of the U.S. Government 1945-69, Budget and Finance Office, General Accounting Office.

TABLE II.—GAO ANNUAL APPROPRIATIONS INCREASE OR DECREASE

Years	Appropriation increase [1]	Appropriation decrease [1]	Percent increase (+) or decrease (—)
1945-46	+$7, 483, 630		+21. 70
1946-47		—$1, 663, 855	—3. 96
1947-48		3, 783, 000	—9. 38
1948-49		726, 000	—1. 98
1949-50		721, 000	—2. 01
1950-51		630, 500	—1. 79
1951-52		1, 945, 500	—5. 64
1952-53		494, 000	—1. 52
1953-54		19, 000	—. 05
1954-55	(2)	(2)	None
1955-56	1, 500, 000		+4. 69
1956-57	519, 000		+1. 55
1957-58	3, 009, 546		+8. 85
1958-59	2, 010, 954		+5. 43
1959-60	2, 779, 500		+7. 12
1960-61	379, 000		+. 90
1961-62	821, 000		+1. 94
1962-63	900, 000		+2. 09
1963-64	1, 800, 000		+4. 10
1964-65	1, 200, 000		+2. 62
1965-66	535, 000		+1. 14
1966-67	1, 915, 000		+4. 03
1967-68	5, 009, 000		+10. 14
1968-69	[3] 3, 141, 000		+5. 77

[1] Includes regular appropriations, supplementals, deficiencies, and rescissions.

[2] Same.

[3] Passed House and reported by Senate committee.

TABLE III.—GAO PERSONNEL INCREASE OR DECREASE

Fiscal year	Number positions authorized [1]	Years	Number increase or decrease	Percent increase or decrease
1945	13, 966			
1946	14, 894	1945-46	+928	+6. 64
1947	14, 342	1946-47	—552	—3. 70
1948	10, 260	1947-48	—4, 082	—28. 46
1949	9, 495	1948-49	—765	—7. 45
1950	8, 900	1949-50	—595	—6. 26
1951	8, 060	1950-51	—840	—9. 43
1952	6, 844	1951-52	—1, 216	—15. 08
1953	6, 175	1952-53	—669	—9. 77
1954	6, 158	1953-54	—17	—. 27
1955	6, 000	1954-55	—158	—2. 56
1956	5, 831	1955-56	—169	—2. 81
1957	5, 702	1956-57	—129	—2. 21
1958	5, 540	1957-58	—162	—2. 84
1959	5, 413	1958-59	—127	—2. 29
1960	5, 353	1959-60	—60	—1. 10
1961	5, 011	1960-61	—342	—6. 38
1962	4, 965	1961-62	—46	—. 91
1963	4, 711	1962-63	—254	—5. 11
1964	4, 610	1963-64	—101	—2. 14
1965	4, 411	1964-65	—199	—4. 31
1966	4, 309	1965-66	—102	—2. 31
1967	4, 264	1966-67	—45	—1. 04
1968	4, 280	1967-68	+16	+. 37
1969 [2]				

[1] As adjusted by GAO to conform with appropriations.

[2] Not available.

Sources: Budget of the U.S. Government, 1945-69, Budget and Finance Office, General Accounting Office.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? [Putting the question.]

Mr. PROXMIRE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 18038) was passed.

Mr. PROXMIRE. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. BYRD of West Virginia. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PROXMIRE. Mr. President, I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Presiding Officer appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. PROXMIRE, Mr. YARBOROUGH, Mr. HAYDEN, Mr. KUCHEL, Mr. COTTON, and Mr. YOUNG of North Dakota conferees on the part of the Senate.

Mr. MANSFIELD. Mr. President, I wish to commend the Senator from Wisconsin [Mr. PROXMIRE] for the able and efficient manner in which he guided the legislative appropriations measures through the Senate. His handling of the task for the able chairman of the subcommittee [Mr. Bartlett] was greatly appreciated. Senator Proxmire's deep and ready knowledge of the various parts of this funding measure assured its swift adoption by the Senate.

Assisting him greatly in bringing this bill to completion was the ranking minority member of the subcommittee [Mr. Kuchel], whose cooperation helped so much to move us toward the hoped for adjournment of early August. And the Senator from Delaware [Mr. Williams] once again gave us the benefit of his strong and sincere views, and he is also to be commended for urging an amendment that was so widely accepted.

These and other Senators joined to dispose of this measure in a thoughtful and expeditious manner. The Senate may be proud of another fine achievement.

THE CONSTITUTION MUST NOT BECOME A PARTISAN DOCUMENT

Mr. MORSE. Mr. President, reasonable men may disagree on political issues, but let us hope the day never comes when the U.S. Constitution is distorted for the purpose of advancing the interests of a political party. Does this danger seem even remotely possible? I wish that I could answer with an absolute "No." Unfortunately, however, this danger has become a distinct possibility with the announced intentions of some Senators and certain public figures to do everything in their power to prevent President Johnson from exercising his constitutional right and obligation to nominate and appoint members of the Supreme Court, with the advice and consent of the Senate.

On this vital issue, the opposition to the nominations has gone to great lengths to assure everyone that the qualifications of the nominees are not at all in dispute. Even the briefest look at the backgrounds of Justice Fortas and Judge Thornberry would reveal their clear qualification to serve on the Nation's Highest Court.

Instead, the opposition to the nominations is based, at least publicly, on issues such as: First, the propriety of President Johnson naming people to the Supreme Court when his term in office will end next January; and, second, whether it is possible to confirm a man for high public office before the incumbent has left the office.

As for the first point, the Constitution places no limitation on the power and duty of the President to appoint persons to the Supreme Court, subject to confirmation by the Senate. This fact may be an inconvenience to certain politicians, but it is a great protection to the American people.

Furthermore, there are ample examples of a President appointing members to the Supreme Court when he is a so-called lameduck President, or his continuation in office is uncertain. In October 1956, in the midst of a then undecided national election campaign, President Eisenhower named Justice Brennan to the High Court. Two years later, in his final term in office, President Eisenhower named Justice Stewart to the Supreme Court. By definitions now being proclaimed, Mr. Eisenhower was a lameduck President at the time. Yet no hue and outcry was raised at his action. Some people who claim to base their actions on the lameduck theory may end up by destroying the American eagle.

The second objection raised by the opposition is based on fine points of timing and language. They are not concerned with the timing of due process of the law, but rather with the timing of presidential election campaigns. And they are not concerned with the language of the Constitution, either, but with the language in an exchange of letters between the President and the Chief Justice.

There is so much precedent for nominees to be confirmed before their predecessors have left office that one could almost refer to the practice as routine. I ask unanimous consent to insert at this point in my remarks a list of Ambassadors who were confirmed by the Senate before the incumbent relinquished his post. I direct your attention to the fact that the listing goes back more than 3 years. I do not recall any objections to the practice.

There being no objection, the list was ordered to be printed in the Record, as follows:

EXAMPLES OF STATE DEPARTMENT PRESIDENTIAL APPOINTMENTS CONFIRMED BY SENATE PRIOR TO RELINQUISHMENT OF POST BY PREVIOUS INCUMBENT

Post	Nominee	Confirmation date	Predecessor relinquished post
Austria	Ambassador Douglas MacArthur II	May 5, 1967	May 10, 1967
Ceylon	Ambassador Andrew V. Corry	May 24, 1967	June 17, 1967
Costa Rica	Ambassador Clarence Boonstra	Jan. 26, 1967	Feb. 19, 1967
Czechoslovakia	Ambassador Jacob D. Beam	May 27, 1966	Aug. 1, 1966
Germany	Ambassador Henry Cabot Lodge	Apr. 19, 1968	May 21, 1968
Haiti	Ambassador Claude G. Ross	Apr. 17, 1967	May 21, 1967
Jordan	Ambassador Harrison M. Symmes	Oct. 18, 1967	Nov. 5, 1967
Paraguay	Ambassador Benigno C. Hernandez	June 8, 1967	June 25, 1967
Portugal	Ambassador W. Tapley Bennett, Jr	May 9, 1966	June 1, 1966
Thailand	Ambassador Leonard Unger	Aug. 11, 1967	Sept. 8, 1967
Trinidad and Tobago	Ambassador William A. Costello	Sept. 13, 1967	Sept. 18, 1967
U.S.S.R	Ambassador Llewellyn E. Thompson	Oct. 12, 1966	Dec. 14, 1967
United Nations	Ambassador George Ball	May 13, 1968	June 24, 1968
Vietnam	Ambassador Ellsworth Bunker	Apr. 5, 1967	Apr. 25, 1967

Mr. MORSE. To hone this fine point even finer, I ask unanimous consent to insert in the Record a list of nominees for high office in the State Department, all of whom were confirmed by the Senate before the effective date of resignation of the people who preceded them in office. One of these examples took place more than 18 years ago.

There being no objection, the list was ordered to be printed in the Record, as follows:

EXAMPLES OF STATE DEPARTMENT (NOT CHIEF OF MISSION) PRESIDENTIAL APPOINTMENTS CONFIRMED BY SENATE PRIOR TO EFFECTIVE DATE OF RESIGNATION

Post	Nominee	Confirmation date	Predecessor	Effective date of resignation
Under Secretary of State	David K. E. Bruce	Feb. 6, 1952	James E. Webb	Feb. 29, 1952
Do	Herbert Hoover, Jr	Aug. 18, 1954	Walter B. Smith	Oct. 1, 1954
Under Secretary for Political Affairs	Thomas C. Mann	Mar. 9, 1965	W. Averell Harriman	Mar. 17, 1965
Under Secretary for Economic Affairs				
Deputy Under Secretary	William J. Crockett	June 4, 1963	William H. Orrick, Jr	June 7, 1963
Assistant Secretary	Covey T. Oliver	June 8, 1967	Lincoln Gordon	June 30, 1967
Do	Norman Armour	June 10, 1947	Spruille Braden	June 30, 1947
Do	Robert D. Murphy	Mar. 20, 1953	John D. Hickerson	July 27, 1953
Do	H. Freeman Matthews	June 26, 1950	W. Walton Butterworth	July 4, 1950
Do	Issac W. Carpenter, Jr	June 18, 1954	Edward T. Wailes	June 22, 1954
Do	William M. Rountree	July 26, 1956	George V. Allen	Aug. 27, 1956
Representative of the United States to the United Nations with the rank and status of Ambassador Extraordinary and Plenipotentiary.	James J. Wadsworth	Aug. 27, 1960	Henry Cabot Lodge	Sept. 3, 1960

Mr. MORSE. Unfortunately, this important constitutional issue is not being debated in all quarters by reasonable men of good will who harbor honest differences of opinion. Some unusual voices not normally associated with questions of constitutional law are being heard; including a former motion picture star, now Governor of our most populous State.

Any doubt about the motivations of those crying the loudest to permit the next President to fill vacancies on the court has been clearly removed by the entrance of former Vice President Nixon into the fray. The transparent attempt by Mr. Nixon to transform this country from a system of government based on constitutional law to a system of government based on the spoils of election wars turns the harsh spotlight of truth on the old Nixon, as he always was, and as he always will be. Long a colorful fixture in American political life, Mr. Nixon has once again demonstrated that he is a man for all the reasons—all the reasons not to be entrusted with the highest elective office in the land.

The shabby nature of Mr. Nixon's crusade on behalf of the Federal Judiciary becomes apparent when we take a look at the record. President Johnson announced on March 31, 1968, that he would not seek, nor would he accept, the nomination of his party as candidate for the Presidency. According to the Nixon theory of constitutional law, all appointments to the Federal judiciary should have been terminated at that time in order to preserve the purity and integrity of the judicial branch of our Government.

I should like, at this point, to list the names of persons nominated by President Johnson and confirmed by the U.S. Senate after the President's announcement of March 31:

Name	Court	Nominated	Confirmed by the Senate
John H. Pratt	U.S. district judge, District of Columbia	Apr. 11, 1968	June 6, 1968
June L. Green	U.S. district judge, District of Columbia	do	Do.
Orrin G. Judd	U.S. district judge, New York, eastern	Apr. 25, 1968	June 24, 1968
Anthony J. Travia	U.S. district judge, New York, eastern	do	Do.
Myron H. Bright	U.S. circuit judge, 8th circuit	do	June 6, 1968
James B. McMillan	U.S. district judge, North Carolina, western	do	Do.
William Wayne Justice	U.S. district judge, Texas, eastern	do	Do.
Halbert O. Woodward	U.S. district judge, Texas, northern	do	Do.
John W. Kern III	Associate judge, District of Columbia, Court of Appeals	May 29, 1968	June 21, 1968
Walter L. Nixon, Jr	U.S. district judge, Mississippi, southern	do	June 6, 1968
Bernard Newman	Judge, Customs Court	do	June 24, 1968

All of these appointments and confirmations were a matter of public record. I may have missed the news, but I do not recall Mr. Nixon and his cohorts rising in outraged indignation when these judicial appointments were nominated and confirmed by the U.S. Senate since March 31, 1968, when the President made his announcement that he would not seek renomination.

There could be a reasonable explanation for this apparent inconsistency, though. Apparently the Nixon theory of constitutional law had not been developed at the time these appointments were announced.

Mr. President, let us take a look at the Constitution, for, pray God, this is still a government of laws and not of men.

Under the Constitution, the President of the United States has a duty to fill vacancies by nomination. The Senate has the duty, under the advise and consent clause, to confirm or reject.

Mr. President, the American people do not expect the Constitution to be suspended because a group of politicians think, for political reasons or any reasons, that the President should not exercise his Presidential duties.

The President, under our system of government by law, has the clear obligation to carry out those constitutional duties. He has that obligation until the very last moment of his term of office. It will do violence to this maintenance of this system of government by law, and to the continued implementation of the consitutional rights of 200 million Americans, if the President of the United States is ever thwarted by an attempt such as some Senators are reported to be planning to make to prevent him from carrying out his clear constitutional rights under our system of government by law and not by men.

Therefore, Mr. President, I say to the leadership of the Senate that I think we have a clear duty as Senators to proceed, before adjournment, to see to it that these nominations come to the floor of the Senate and that the Senate act upon them, up or down. If it is necessary to protect the constitutional rights of the American people in respect to this subject matter, then we should come back after the convention; or, if there are those Senators who wish to exercise parliamentary prerogatives under the existing rules of the Senate, seeking to prevent confirmation or passing upon the issue as to whether or not the nomination should be confirmed, then the remainder of the Senate has the duty to exercise whatever parliamentary prerogatives are available to the majority to break any such attempt to set aside the implementation of the Constitution.

One final word, Mr. President, with respect to the nominations: Justice Abe Fortas is a brilliant American lawyer, with whom I was closely associated for many years before he came to the Supreme Court, when he was active in various Government assignments under President Roosevelt. He is one of the keenest scholars and one of the most brilliant minds within the legal profession of our country. His nomination as Chief Justice is a very much deserved nomination on the basis of his qualifications. He should be confirmed as Chief Justice of the United States before adjournment.

I do not know Judge Thornberry as I know Justice Fortas; but I have analyzed his record. He has already, during the brief time that he has served on the Federal bench, demonstrated that he is a man of exceedingly able judicial qualifications, and his nomination is highly deserving of confirmation by the Senate.

Mr. President, those who may for one reason or another wish to challenge the professional competency of any person nominated by the President of the United States may express their viewpoints. That prerogative exists for any U.S. Senator under the advice and consent clause. But I respectfully submit that, in my judgment, we cannot justify denying to the President the opportunity to carry out his constitutional powers and duties on the basis of any argument that he is an alleged "lameduck" President, and therefore should be denied the opportunity to exercise his constitutional duties.

Furthermore, the precedents that I have cited to the Senate of the past practices, as recognized for many decades in respect to the Presidents augur well in support of my argument that the Senate ought to stop playing partisan politics with this issue and get on with its obligation of confirming or rejecting these nominees.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. PASTORE. Mr. President, I associate myself with everything that the distinguished senior Senator from Oregon has said.

I want to say as strongly as I can say it that our responsibility and our duty and our functions as Senators are not so much to attend national conventions as they are to stay here and do our work. If that means that the conventions are going to act as a barricade to our functioning as we should in the interest of the Nation, then we should stay here and perform our duty—conventions or no conventions.

If it develops that there is no vacancy or that the interpretation is that there is no vacancy arising from the exchange of letters between the President and the Chief Justice of the United States, then I think that what the President should do is merely to accept the retirement clearly and affirmatively and send up the names again, and then we should act on the matter. If anybody is a lameduck, it is the Chief Justice of the United States under the present circumstances—suspended between his desire to retire and a Senate effort to deny or delay him in his personal wish.

Mr. MORSE. Mr. President, I completely agree with the Senator from Rhode Island.

ADDRESS BY MRS. LYNDON B. JOHNSON AT CONVENTION OF AMERICAN INSTITUTE OF ARCHITECTS

Mr. MORSE. Mr. President, Portland, Oreg., was the scene of an event of national moment in late June. It took place during the hundredth convention of the American Institute of Architects, which was attended by about 3,000 architects and guests. The architects had chosen as their theme "Man, Architecture, Nature."

On the last day of the convention, June 26, when "Nature" was the theme, our First Lady, Mrs. Lyndon B. Johnson, gave the key address.

This address was the first B. Y. Morrison Memorial Lecture, and was sponsored by the Agricultural Research Service of the U.S. Department of Agriculture. The lectureship, which honors one of the Department's most distinguished scientists, was established to recognize and encourage outstanding accomplishments in the science and practice of ornamental horticulture. The lecture is to be given annually by an individual chosen for his—or her—significant contributions in this field.

In her address, Mrs. Johnson emphasized the importance of growing and caring for flowers, trees and shrubs in helping to solve the problems of the environmental crisis that man is facing. She urged the architects of America to become "thoughtful political activists" and work for a "new conservation" that is concerned with the total human and community environment. She called for improvement of urban areas and for the blending of urban forms and countryside at the city fringes, which are now ragged, unplanned, and garish.

She deplored the sacrifice of human values that we have often made to commercial values. Such unconcern has allowed a crisis to gather which threatens health—even life itself. America must undertake a vast rebuilding to create an environment that gives scope to people's imagination and variety of choice. Mrs. Johnson pointed out:

For the nature we are concerned with, ultimately is human nature.

I think it was very appropriate that Orville L. Freeman, an outstanding public servant who heads one of our largest and most important Federal agencies, the Department of Agriculture, introduced Mrs. Johnson. I ask unanimous consent that Secretary Freeman's introductory remarks and the full text of Mrs. Johnson's speech be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

INTRODUCTION BY SECRETARY OF AGRICULTURE ORVILLE L. FREEMAN OF MRS. LYNDON B. JOHNSON AS FIRST B. Y. MORRISON MEMORIAL LECTURER, AT THE ANNUAL CONVENTION OF THE AMERICAN INSTITUTE OF ARCHITECTS, JUNE 26, 1968, PORTLAND, OREG.

It is good to be in Portland again. It is satisfying to join the American Institute of Architects as you seek to minister to the enduring qualities of the human spirit and to preserve the inspiring aspects of man's environment.

Nowhere could we find an audience with a more profound sympathy for the aims of the lectureship being initiated here today.

It was to further man's search for beauty that the Agricultural Research Service of our Department recently established the B. Y. Morrison Lectureship honoring one of our most distinguished scientists. We want to recognize and encourage outstanding accomplishments in the science and practice of ornamental horticulture. The lecture is to be give annually by an individual chosen for his—or her—significant contributions in this field.

B. Y. Morrison was a scientist, administrator, landscape architect, plant explorer, author, and lecturer. He advanced the science of botany in the United States and gave the American public new ornamental plants. He was creator of the famed Glenn Dale azaleas, and the first director of the National Arboretum. Today, this Arboretum is one of the world's great centers for research and education in botany. The spectacular Morrison Azalea Garden there is an island of beauty and repose in our capital.

The choice of Mrs. Lyndon B. Johnson to give the first Morrison Memorial Lecture was almost inevitable. She has been one of the single most powerful influences on ornamental horticulture that this country has ever known. She has generated unprecedented interest and support in this science. Through her travels, writings, and speeches, Mrs. Johnson has inspired millions of people to discover the pleasure—and recognize the necessity—of growing and caring for flowers, trees, and shrubs.

Once-bleak squares and parks have blossomed . . . barren school grounds have greened and bloomed as civic and professional groups, industry and business, the young and the old have taken a new look at their communities. They have found that the planting of ornamental plants can spark new and determined efforts to improve all aspects of the quality of living in their communities.

This drive for beauty is not without its economic aspects, which often go unnoticed. Such things as parks and recreation areas and home beautification programs generate jobs and business opportunities in areas where such opportunities have been scarce or non-existent. Small farmers with marginal operations all over the land are finding new markets.

These many projects across the land demonstrate that beauty has its utilitarian as well as its spiritual aspects as we seek to restore the land to something more nearly like it was before civilization marched across it.

Mrs. Johnson and those who work with her have shown us how beautiful America has been and can be again. She has reminded us of what naturalists and artists have always known: that man's spirit cannot be shut off from Nature and from beauty unless civilization is prepared to pay a bitter price—that the worth of beauty is greater than the passing pleasure it affords.

Santayana put it this way: "Beauty," he said, "is a pledge of the possible conformity between the soul and nature, and consequently a ground of faith in the supremacy of the good."

It is my pleasure today to introduce to you one of the foremost keepers of that faith in the good, our First Lady—Mrs. Lyndon B. Johnson.

THE B. Y. MORRISON MEMORIAL LECTURE

(By Mrs. Lyndon B. Johnson at the Convention of the American Institute of Architects, Portland, Oreg.)

I can think of no more perfect setting in which to discuss the subject of man and design and nature, than this great city, with its snowy peaks on the horizon; its spectacular setting near a great river and a great ocean.

Portland is blessed to have such a setting—where men can enjoy both the pace and excitment of the city, and the solitude and beauty of the countryside.

And, then, it's good to be here among people whose handiwork I have seen across the face of this land.

The man whose name this lecture bears—B. Y. Morrison—was a horticulturist of great skill and knowledge and imagination.

So I hasten to tell you that I speak to you today not as an expert, but only as a citizen deeply concerned about the relationship between the natural world and the world we are building. I am one of millions of Americans who are both troubled—and hopeful—about the physical setting of life in our country.

As you may know, my concern has been expressed in an effort called "beautification."

I think you also know what lies beneath that rather inadequate word. For "beautification," to my mind, is far more than a matter of cosmetics. To me, it describes the whole effort to bring the natural world and the manmade world into harmony; to bring order, usefulness, and delight to our whole environment. And that, of course, only begins with trees and flowers and landscaping.

When the President called for a planning study for the great Potomac Basin, you—the A.I.A.—responded with a task force report which expressed all that I imply by the word "beautification." It stressed not only aesthetics and pollution control, but economic development, transportation, and industrial and residential patterns. Now that the President has placed many of your recommendations before the Congress, I hope all of you will join the effort to translate into reality the dream of a model Potomac Basin.

If you think I mean writing your Congressmen and Senators to support the Potomac National River Bill, you are absolutely right!

If you think I mean urging local implementation in Virginia, West Virginia, Maryland, the District of Columbia, you are also right.

If we are to obtain the vital balance of nature and architecture and man, the architects must become thoughtful political activists.

Years ago, when the white man came to barter with the Indians, the great chief, Tecumseh, asked this question: "Sell the country? Why not sell the air, the clouds, the great sea?"

His sharp inquiry reflects the rich sense of man's harmony with nature which the ancients felt. The Indians did not overwhelm the land; they lived as *part* of it. They were *in* nature—not alien to it. They were users and sharers of their environment—not exploiters of it.

Far be it from me to yearn for a return to the lost past. But surely it is not wrong to hope that modern man—modern, urban, mechanized man—will somehow recapture that sense of balance between his life and his environment—before it is too late.

Already, in our age, we have done many of the things which Tecumseh considered unthinkable. Too often, we have bartered away not only the land, but the very air and water.

Too often, we have sacrificed human values to commercial values—under the bright guise of "progress." And in our unconcern, we have let a crisis gather which threatens health—and even life itself.

As a people, Americans have prized the virtues of the land: simplicity, honesty, hard work, physical courage, individualism, optimism, faith.

A preponderance of concrete and asphalt—of fumes, haze and screeches—go against our grain in a cultural way, as well as a biological way. Both dimensions of our makeup have been offended and poisoned.

Today, environmental questions are matters for architects and laymen alike. They are questions, literally, of life and death.

Can we have a building boom and beauty, too?

Must progress inevitably mean a shabbier environment?

Must success spoil Nature's bounty?

Insistently—and with growing volume—citizens everywhere in America are demanding that we turn our building to a sensible human purpose. They are asking—literally—for a breath of fresh air; for pleasant precincts in the heart of the city; for relaxation as well as excitement; for more reminders of nature in the city center.

Public opinion is calling for these things. And in my nearly 34 years of living with a public servant, I have learned the value of heeding such a call—not only for Presidents, but also Mayors and City Commissioners.

We are being asked to develop a wholly new conservation.

For the American architect, I think the New Conservation means first, a concern for the total environment—not just the individual building, but the entire community. No one knows better than you that the loveliest building can be nullified if there is no sign control ordinance, or if it sits in a pocket of hazy gray smoke.

The answers cannot be found in piecemeal reform. The job requires really thoughtful inter-relation of the whole environment: not only in buildings, but parks; not only parks, but highways; not only highways, but open spaces and green belts.

When the New Conservation speaks of the vast rebuilding that America must undertake, it does not mean on the old terms of freeways ripping through neighborhoods and parks, or of drab public housing, so all-alike that it reminds one of Gertrude Stein's phrase, "There's no there there."

It means a creative environment where people's imagination and variety of choice can flourish.

In the realm of transportation, one has only to think of Williamsburg, where cars are the exception, or of EXPO where there were a half dozen charming ways of moving about, to imagine what our communities could be like if we applied all that we can do.

In a related field, Congress has been considering a modest measure, the Highway Beautification Act, that would help states landscape their new freeways, build some picnic areas, and diminish the advertising that sprouts along public rights of way.

Vermont has moved faster and this spring passed a measure to ban all billboards in the state. Instead, they substituted an ingenious system of roadside information booths.

As Vermonters know, tourists were not attracted by a forest of signs.

The great challenge now is to rally citizens outside the architectural community—so that not only designers, but city officials, businessmen, and plain citizens will share your concern for the total environment.

Secondly, the New Conservation will ask that the architect design with people in mind—seek to build an environment on a truly human scale.

I earnestly hope that our civilization is remembered for more than its mammoth freeways and vast urban superblocks; for more than the isolated impersonal, gigantic public housing projects of our cities. Too many of these great projects seem to me to be reproaches, not signs of progress.

The architecture which excites me most is made for delight and intimacy: for the enjoyment of those who inhabit it.

For instance, Philadelphia has found a way to depress its new Delaware River Expressway and will put a pedestrian plaza on top, binding the city to its waterfront. It says, "People matter—not just traffic."

Ghirardelli Square in San Francisco is a marvel of attractions and surprises for the strolling shopper. Niccolet Mall in Minneapolis is an inviting, lively, commercial area built to make shopping a pleasure.

This concern for human values, human scale, human enjoyment, also means preserving what is historic and good. Georgetown, of course, is a famous example of how the past can serve the present. And in Savannah, Georgia, history-minded architects have marked 1100 priceless old homes to be restored.

At HemisFair, the planners have built a great modern exposition area—but thirty old buildings have been lovingly preserved and restored and they are among the most colorful punctuation marks at the HemisFair complex.

Concern for the whole environment; attention to the human scale—and finally, a new emphasis upon areas of natural beauty, both inside the city and beyond its borders are three essential ingredients.

The twentieth century citizen, no less than his ancestor of another age, craves and needs to be reminded of his place in nature. The park, the public garden, the shady forest trail, the tree-lined river winding through a city; these are not only physical, but spiritual resources.

Fortunately, our ancestors realized this. So New York has its Central Park, and more than a dozen other cities once had their park systems laid out by Frederick Law Olmstead.

Who can imagine Washington without its hundreds of green oases—526 triangles and squares to be exact—the legacy of l'Enfant—its old Chesapeake and Ohio Canal, its thousands of trees and open skies?

Who can fail to delight in San Antonio's meandering little river, through the heart of the city, lined with walkways, terraced gardens, busy outdoor cafes?

Paley Plaza in New York—with its rushing waterfall—is more than a triumph of urban design. It is a reminder to the city dweller that there is a world beyond the asphalt and the concrete: it is a touch of nature in the city din.

It is a challenge to every public-spirited American architect—to every planner interested in the New Conservation: a challenge to provide such pleasant lingering places wherever they are needed.

The Land and Water Conservation Fund which is before Congress at the present time is offering a once-in-a-lifetime opportunity to acquire vanishing open space, both in the city and on its fringes.

For too many of the youth in our cities the experience of nature has been polluted water, and a "no swimming" sign. The tensions and ill-effects of a poor environment will continue until there is enough open space, for challenge and refreshment, close to home.

In my own experience right now, nature is encountered most closely when I leave the city to go to our Ranch. I quickly then come in tune with the great rhythms of life. I always know whether it's a new moon or a full moon—or the dark of the moon. When storms come, I participate in them—thrill at the great black thunderheads, and the crackle of lightning, and the majesty of thunder. I rediscover a sense of hearing and I smell all the blossoms and grasses on the afternoon air after a rain. And it's good for my spirits.

This participation in the seasons and the weather is one of the most vital and renewing experiences of life—too important to be reserved for vacations or for the few.

Accomplishing all these things will require a major undertaking by America's architects.

So deep is the environmental crisis; so urgent is the demand for change, that architecture must become not only a profession—but a form of public service.

When so many are affected by your work, you are serving not only the client who commissions your work and pays your fee: the public is also your client.

When so many need your help, it becomes urgent that you look beyond the usual market and find new areas of service.

That is why I was heartened—no, jubilant—when your new president, Mr. Kassabaum, told the House Public Works Committee that A.I.A. members are entering the ghetto, tackling urban blight—whether or not the client can afford traditional fees.

And now, I hope that I can enlist you in solving three specific problems which are very much on my mind.

First, there is the problem of creating a "design conscience" in every major community.

Well over a century ago, Henry Thoreau said, "It would be worthwhile if in each town there were a committee appointed to see that the beauty of the town received no detriment."

Washington has its Fine Arts Commission and its Committee for a More Beautiful Capital. Surely it might be a major step if other cities had similar public bodies—led by architects and planners—to act not as censors, but as educators and guides and leaders toward a sane and decent environment. I hope that each A.I.A. Chapter might consider this—and persuade your local governments to establish such catalytic groups.

Second, there is the problem of unsightly shopping centers.

How many shopping centers are monuments to our lack of imagination—to our indifference? Too many suburban shopping centers offer a depressing spectacle: vast, desert-like parking lots, and dull and uninviting buildings. The shopping center has become a sort of "urban strip-mine"—a place of exploitation, when it could be a vital and attractive village center.

Finally, there is one of the most difficult problems: the ugly, ragged city fringes, the blatant neon jungles at the entrance to metropolis.

If there is any place in urban America where the natural world and the manmade world are at odds, it is at the city's edge. I hope that architects and planning commissions and metropolitan governments address themselves to this blight *now*—and find some solutions before the visual chaos becomes irreversible—and unendurable.

We meet here to talk about "nature," about design, about the environment. But what we are really discussing is people—not abstractions, but human beings.

One day I was walking by a drab and crudely vandalized elementary school in Southeast Washington. One of your members was with me. Looking up at the broken windows, he made a remark I couldn't forget: "A rock through a window," he said, "is an opinion."

Today that school—Buchanan—is a new place. A private donor underwrote the efforts of our Committee—and now, the school's community plaza offers city children delights once found only in the country: cascading water, hills to climb, a deep amphitheater for games, dancing and other diversions.

Seeing that hopeful place, I know that the nature we are concerned with, ultimately, is *human* nature. That is the point of the beautification movement—and that, finally, is the point of architecture.

Winston Churchill said, "First we shape our buildings—and then they shape us." And the same is true of our highways, our parks, our public buildings, the environment we create: they shape us.

You are shaping people—shaping lives. And so your countrymen are looking to you for creative insights, deep compassion, bold leadership.

I am sure you will give them nothing less.

THE SCHOOL LUNCH PROGRAM AUTHORIZATION

Mr. MORSE. Mr. President, while the Senator from Florida [Mr. HOLLAND] and the Senator from Louisiana [Mr. ELLENDER] are present in the Chamber—I would have called for them if they had not been here—I want to comment on a question that has been raised.

I returned this morning after 10 days of absence in my State, campaigning for reelection.

Senators will find that there has been held at the desk an authorization bill involving the school lunch program. It has been held up because a question of committee jurisdiction has arisen as between the Committees on Agriculture and Labor and Public Welfare.

Mr. President, I did not initiate the viewpoint that a jurisdictional question should be raised at this time.

The practice has been for the Parliamentarian to refer school lunch issues to the Agricultural Committee. I would be the last one in the Senate to raise any issue about the jurisdiction, at this time. It is true, I understand—although I have not had an opportunity to analyze the record or fully familiarize myself with the background of the issues that some Senators have raised—that the Reorganization Act contains language that indicates very clearly, I am advised that the school lunch program falls under the jurisdiction of the Committee on Labor and Public Welfare. However, past practice and precedent mean a great deal to me, and procedurally I certainly do not think, after the issue has been raised in connection with a particular authorization bill at this time in the session when we ought to get on with the legislative business of the Senate, that we should take the time to discuss such a jurisdictional question.

I have been informed, although I have not as yet had opportunity to say a word to them about it, that the Senator from Louisiana and the Senator from Florida share the same point of view.

I think it may very well be that next year we can have some informal conferences as to whether there should be any modification in the past practice concerning the assigning of the school lunch programs to the Committee on Agriculture and Forestry.

It want both the Senator from Florida and the Senator from Louisiana to know that the Senator from Oregon raises no question in respect to the jurisdiction of this matter in this session.

Furthermore—and again I am speaking somewhat from hearsay, but I think on reliable hearsay—the present chairman of the Senate Committee on Labor and Public Welfare, the incomparable Senator Hill from Alabama, and the very distinguished Senator from Louisiana [Mr. Ellender], chairman of the Agriculture Committee, with whom I have had nothing but the most cordial and cooperative relations during our mutual service in the Senate, have for years had an understanding that the school lunch program would go to the Agriculture Committee.

Mr. President, I am one to back up the chairman of my committee. And if this practice has been satisfactory to the Senator from Alabama [Mr. Hill], I raise no question about it in this session of the Congress.

I have only one or two brief comments I want to make about the substantive matter involving the legislation. I think it is very important that, before we adjourn, we pass a bill that will cover the school lunch program.

It is my understanding—and again, it is only the result of a brief briefing that I have received since I returned to the cloak rooms of the Senate—that the House has passed legislation that does have a school lunch program in it. There is no doubt as to the great need for such a program.

In my judgment, there is no doubt as to the great need for enlarging the authorization allowances for the school lunch program. I expect to discuss this subject further, I hope next week, when I bring the education bill before the Senate, I hope that my majority leader will take note of my expectation, because he has been plaguing me with persuasive arguments and requests to report the education bill to the Senate as soon as possible, and that is what my committee is trying to do. I hope we shall have it reported to the Senate next week.

But when the education bill is before the Senate, the chairman and the members of his subcommittee expect to discuss what the evidence before our subcommittee hearings has shown as to the great need for a broadened school lunch program in this country. I certainly hope that we can have reported by the Committee on Agriculture and Forestry an authorization bill that will deal with the school lunch program. I am not talking now about the amount that should be provided, although I think it should be substantially increased over the present amount authorized for the school lunch program. Then we can go to the conference.

There is a strong demand among school authorities, among parents, among school boards, and among school districts of the country to have the Federal Government provide greater assistance to the school districts in regard to the school lunch program.

I shall reserve until a later date comments on what the formula should be and what the matching arrangements should be. I shall merely say at this time that the senior Senator from Oregon, as chairman of the Subcommittee on Education, is not now raising any jurisdictional issue in regard to this subject. That does not prevent other Senators from raising it. However, so far as I am concerned, I shall follow the past practice of the Senate. That past practice has placed the jurisdiction of the school lunch program in the Committee on Agriculture and Forestry, under the able leadership of the distinguished Senator from Louisiana [Mr. Ellender].

I shall at an appropriate time, during the discussion of the education bill, reserve the right to give consideration to amendments that will seek to meet the demand of the groups to which I have just referred for an adequate authorization provision for a school lunch program.

I thank the Senator from Louisiana and the Senator from Florida for honoring me with their presence while I made this statement of my position on this procedural matter, for I feared that they might have been laboring under some misapprehension that it was the Senator from Oregon who was seeking to challenge the jurisdiction of the Committee on Agriculture and Forestry.

Mr. ELLENDER. Mr. President, I thank the distinguished Senator from Oregon.

Last week I urged the Chair to send the bill to the Committee on Agriculture and Forestry, and I was informed that the Senator from Oregon had objected.

The record will show that every suggestion made by the Department of Agriculture with respect to the school lunch program, for increasing the amount, was considered. The committee held hearings and reported a bill according to the views expressed by the Department.

Not only does that apply to the school lunch program but also to the program providing $32 million to be spent in order to assist children who attend day camps and kindergarten schools. All that has been reported to the Senate and has been made into law.

So far as I personally am concerned, I am willing to listen to any suggestions made by the Department as to further increases for the lunch program.

I am very hopeful, Mr. President, that the two bills that are now before the Senate will be referred immediately.

At this point Mr. Hollings assumed the chair.

Mr. HOLLAND. Mr. President, I, too, wish to express my very great appreciation to the Senator from Oregon for the stand he has taken.

The fact is that not only have all matters affecting the school lunch program originated in and been handled by the Committee on Agriculture and Forestry, but also, my distinguished chairman, the Senator from Louisiana, has been the particular father of those programs all through the years; and he has made a personal matter of handling them for speedy determination, so that they might be brought to the floor and acted upon.

I wish to make two additional comments. For this particular bill to have gone elsewhere would have been a tragedy, because it would have marked the separation of the school lunch program into two parts. Two additional sections would be added to the school lunch program by the House bill about which we have been talking, which came from the House Committee on Education and Labor. But the remainder of the school lunch program has been handled and will continue to be handled, both in the House and in the Senate, by the Committee on Agriculture. I thought this brought about a very unnatural and difficult situation.

Aside from that, Mr. President, there is still another reason why it was imperative that this bill should be handled by the Committee on Agriculture and Forestry, at least in my opinion; and this is that it was proposed to be financed out of section 32 funds exclusively. As the Senator well knows, section 32 is of very great interest to the agricultural community, particularly to many industries in his State and in mine. Not only has it originated in the Committee on Agriculture and Forestry, but also, all measures affecting section 32 funds and their disposition, so far as the Senator from Florida knows have been handled in that committee, at least for the last 22 years, since he has been a Member of the Senate.

So that for many reasons it would have brought about a very unnatural situation for this bill to have been assigned to the committee so ably headed by the distinguished Senator from Alabama [Mr. Hill], of which the Senator from Oregon is an active and valuable member.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. MORSE. I say to the Senator from Florida and the Senator from Louisiana that it may be that it was held up at the desk under my name, as chairman of the Subcommittee on Education. But it is my understanding that that was done because counsel of the subcommittee suggested to other members of the committee, who had some doubts as to whether or not it should go to the Committee on Agriculture and Forestry, that it was a good idea to have it held up until I returned. But I should like the Senators to know that I knew naught of it until I returned; and when I did find out what the facts were, I reached the conclusion I have expressed on the floor of the Senate.

I am perfectly willing to take the responsibility for its being held up, so far as its being held up in my name, as chairman of the subcommittee, is concerned; but I will not take the responsibility for personally holding it up.

Mr. HOLLAND. I thank the Senator, and I am glad to understand his situation.

May I say to my distinguished chairman, the Senator from Louisiana, do I correctly understand that the bill has been referred to the Senate Committee on Agriculture and Forestry?

Mr. ELLENDER. Yes, that is my understanding.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished majority leader about the schedule and about what he has in mind to call up today and, I presume, tomorrow.

We have quite a number of bills on the calendar that have a "hold" on them. There are others that are marked for consideration at any time.

So I address that inquiry to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, if the distinguished minority leader would yield, I should like to respond to his request as best I can.

It had been anticipated that we would lay before the Senate the bill introduced today by the distinguished Senators from New Mexico [Mr. ANDERSON and Mr. MONTOYA], S. 1975; but because of circumstances beyond the control of any of us, that is not possible. It is hoped, however, that it will be brought up late this week or early next week.

It is anticipated that we will take up shortly S. 3227, a bill having to do with the Paiute Indians, the Southern Paiute Nation of Indians. I understand it has been cleared on both sides.

It is anticipated that commencing tomorrow—though not necessarily in this order—we will take up S. 3065, reported from the Committee on Commerce to be followed by Senate Joint Resolution 130, and; S. 2445, also from the Commerce Committee.

After disposition of these measures we will consider S. 3206 and S. 2525, both having to do with the Federal Water Pollution Control Act.

By Thursday, we hope to have considered H.R. 14935, having to do with the regulation of mailing of master keys for motor vehicles ignition switches; and H.R. 3400, an act to amend the Federal Aviation Act of 1958 to require aircraft noise abatement regulation.

Also this week we hope to consider H.R. 13402, an act authorizing the use of certain buildings in the District of Columbia for chancery purposes, and S. 3638, a bill to extend for 3 years the authority of the Secretary of Agriculture to make indemnity payments to dairy farmers, and the remainder of the business on the calendar having to do with wilderness and other areas.

It is my understanding that it is quite likely that the independent offices appropriation bill will be reported by the full committee this afternoon. I would hope it would be possible to bring that bill up Friday, if not Saturday.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ALLOTT. On that item I have spoken previously with the majority leader. In an attempt to bring the independent offices bill to the floor during the latter part of May, or at the very latest, before the Fourth of July recess, I have canceled every trip to my home State during the month of June and so far this month. As I explained, I have made certain commitments, not political, relating to official business in Colorado on both Friday and Monday, and I would hope that the majority leader would not seek to call up this bill on either of those days.

I think perhaps there would be no objection to taking up the bill Thursday, even from a distinguished Senator who often objects to this measure. I have not talked with him, but he has assured me before that if he had a couple of days to look at the report he would be happy with this measure; and I hope this can be done.

I make this statement because in an effort to facilitate the business of the Senate, I have canceled every trip to my State; but I do have official business there on Friday and Monday which will prevent my being here.

Mr. MANSFIELD. Mr. President, what the Senator has said is correct. I had forgotten our conversation of last week or the week before, when the Senator tried to get this bill out before the Fourth of July recess. Of course, we will honor his request in this respect. This bill will not be brought up Friday or Monday. However, I would appreciate it if the Senator would speak with some other Senators to ascertain the possibility of bringing it up Thursday. This is a big bill.

Mr. ALLOTT. I will.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. COTTON. Is it my understanding that because of the fact that both the distinguished Senator from Washington and I have to attend the markup of the independent offices bill—the Senator from Washington is downstairs now and I am going downstairs—that all bills from the Committee on Commerce that were going to be brought up this afternoon are not going to be brought up?

Mr. MANSFIELD. The Senator is correct. We could not have brought up some of the bills because of a controversy.

Mr. DIRKSEN. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. I do not believe I heard mention of Calendar No. 1331, S. 3724. I believe that is the mutual fund bill.

Mr. MANSFIELD. It is not specifically scheduled yet. Perhaps in the next day or so I will be in a better position to advise the distinguished minority leader when that bill will be made the pending business.

Mr. DIRKSEN. I thank the distinguished Senator from Montana.

Mr. CLARK. Mr. President, will the Senator yield for a question and an observation while the distinguished minority leader is present?

Mr. MANSFIELD. I yield.

Mr. CLARK. I did not hear mention of the equal employment opportunity bill.

Mr. MANSFIELD. The Senator is correct. Last week, when the Senator was not present, the Senator from New York raised that matter. As I said to him, I have considered this matter most seriously since the bill was first reported to the Senate. I have conferred with the leadership and Members of the Senate and the appropriate Members of the other body in the hopes of finding some way of obtaining some reliable indication that the measure could be disposed of this session. I have received no such assurances. To the best of my knowledge no hearings are contemplated by the appropriate committee of the House this year, and it is not anticipated that a bill will be reported to the House this session of Congress.

Mr. CLARK. Therefore, the Senator does not intend to bring the bill up this session?

Mr. MANSFIELD. The Senator is correct. Any action by the Senate would be futile unless the House comes across. Under these circumstances, it would be much more important to fund the operations of the Commission to permit it to meet its minimum requirements under the existing law rather than to slice their request by 50 percent, as was proposed in the appropriations bill that passed the House. The important thing is to give them the money to operate so they can carry out their added responsibility which will become effective this coming year under the 1964 law. I think the Senate should grant the Commission's request for additional funds—it is but a matter of an additional $6 million.

Mr. CLARK. Now, I wish to make an observation. Twelve Senators have a very important engagement for dinner Friday evening next. I am sure the distinguished minority leader will be acquiescent in the need to do that sort of thing in Pennsylvania as he so assiduously is doing in Illinois.

Mr. DIRKSEN. I can think of no more ideal time to have a late session.

"NO EXCUSE FOR THIS BEHAVIOR"—EDITORIAL

Mr. WILLIAMS of Delaware. Mr. President, last week while in the performance of their duties, one young Washington policeman was killed and another wounded by two men they were attempting to arrest.

Following this murder the Black United Front attempted to justify this crime by approving a resolution stating:

> The methods of self-defense by the family charged with the alleged slaying of the honky cop is justifiable homicide in the same sense that police are allowed to kill black people and call it justifiable homicide.

Yesterday the Washington Daily News in a front page editorial condemned this resolution by stating that—

> There can be no excuse for the slaying of a policeman in the performance of his duty.

What makes this situation even worse is that the Rev. Walter Fauntroy, vice chairman of the District of Columbia City Council, is a member of the steering committee of the Black United Front, which organization passed this irresponsible resolution. For any public official to condone the killing of a law-enforcement officer is shocking.

Mr. Fauntroy should either resign from the Black United Front and repudiate its irresponsible actions, or he should resign as a member of the District of Columbia City Council. If he does not recognize the inconsistencies of his positions, then Congress should take some action.

I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NO EXCUSE FOR THIS BEHAVIOR

The clumsy, crass attempt by the Black United Front to justify the heartbreaking slaying of a young Washington policeman, who was trying to make an arrest on the street last Tuesday night, does unaccountable mischief to the advancement of understanding and sympathy between the races here.

"The methods of self-defense by the family charged with the alleged slaying of the honky cop is justifiable homicide," the black power coalition said, "in the same sense that police are allowed to kill black people and call it justifiable homicide."

These are half-cocked, irresponsible, and dangerous words. There can be no excuse for the slaying of a policeman in the performance of his duty and there is, at this writing, no evidence that Pvt. Stephen Williams and his partner, who was so greviously wounded in the same encounter, were not performing their duty at the time. Nor is there any doubt that Pvt. Williams was deliberately slain. (Are we to be asked to believe that he was shot accidentally six times with his or his partner's service revolver?)

Beyond the presumption of innocence which we grant those individuals charged with this homicide, what evidence is there that anyone, except the police, acted in self-defense? Defense against what? Is the Black United Front trying to say it is all right to shoot policemen in defense against arrest? Apparently so.

It is true that some citizens have been shot by policemen under circumstances which raised doubts as to whether the use of such drastic force was necessary, and it is true that these doubts most often have been resolved in favor of the officers. But it is equally true that a policeman puts his life on the line every day he reports for duty and that the decision to use his gun is perhaps the quickest, most agonizing and important decision he will ever have to make.

The childishly cruel and insensitive statement of the BUF serves only to make the policeman's job more perilous here and the plight of all those who depend upon the protection of the law more pitiful.

It has been pointed out that the Rev. Walter Fauntroy, vice chairman of the D.C. City Council, is a member of the steering committee of the BUF, as is the Rev. Channing Phillips, Democratic National Committeeman for the District. Mr. Fauntroy apparently was absent when the "honky cop" statement was approved. Rev. Phillips was there, but he says the word "honky" was added after he left.

It makes little difference. Where is the reverence these Reverends should have for human life? When it finally appeared to dawn on them that these "honky cops" so sorely abused by their United Front had been brave and good men, their expressions of sorrow for the policemen's families had an empty sound. It was too late. The damage had been done.

When Mr. Fauntroy first joined the BUF we suggested that such membership might compromise his service to all District citizens. We think that conflict of interest has now become acute. He should resign from the Council right now.

As for Mr. Phillips, his display of immaturity in this matter must seriously embarrass the Democratic Party. We trust the voters will retire him at the first opportunity.

Mayor Walter Washington and John Hechinger, chairman of the D.C. City Council, have expressed grave concern about BUF's position in this case. We hope they have made their position crystal clear—especially to Mr. Fauntroy.

"NO WIRETAPS FOR CLARK"—EDITORIAL

Mr. WILLIAMS of Delaware. Mr. President, in the July 3, 1968, issue of the Washington Evening Star there appeared an excellent editorial entitled "No Wiretaps for Clark." I quote one paragraph from this editorial:

> If there is such a thing as a blue ribbon for inconsistency and nonsense in the field of law enforcement it should be pinned on the lapel of Attorney General Ramsey Clark. Or perhaps he should share the award with his superior, Lyndon B. Johnson.

This editorial should be read by every official in the Department of Justice as well as every Member of Congress, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

NO WIRETAPS FOR CLARK

If there is such a thing as a blue ribbon for inconsistency and nonsense in the field of law enforcement it should be pinned on the lapel of Attorney General Ramsey Clark. Or perhaps he should share the award with his superior, Lyndon B. Johnson.

The attorney general last month told a Senate subcommittee that the federal government would refuse to use the wiretap authority recently granted by Congress in the omnibus crime bill "except in national security cases." He had said much the same thing in the past. In taking this position, Clark, although he undoubtedly believes in it himself, was undoubtedly acting in accordance with the President's command.

But how does this make sense? If wiretaps, which have been approved for some years by the President without any authority except his own say-so, are essential in national security investigations, what possible justification is there for refusing to use them against, for example, organized crime? The attorney general has never answered this, except to repeat that they are necessary in national security cases and not necessary otherwise. This simply doesn't stand up—not if the government is really serious in its "war on crime."

New York's District Attorney Frank S. Hogan has testified to his belief that wiretaps must be used if the higher-ups in organized crime are ever to be caught and punished. Hogan now has completed an investigation of corruption in the New York City police department. For six years the district attorney has been tracking down bribery by organized racketeers, principally gamblers, of officers in the department, some of them highly placed. They are said to have been warning the racketeers when honest police were preparing raids or arrests.

This form of corruption by organized crime, though it is only one of many, threatens to undermine the whole fabric of our society and its law-enforcement efforts. Yet President Johnson and his attorney general wouldn't think of tapping a wire to break up the racket.

What about District Attorney Hogan? Wiretaps were extensively used in the corruption probe. Thirty-seven suspects, including 19 policemen, have been indicted. One of the latter held a key post in the chief inspector's office. Why the wiretaps? Because Hogan knew, Ramsey Clark notwithstanding, that this case couldn't be broken without them.

Mr. WILLIAMS of Delaware. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

SOUTHERN PAIUTE NATION OF INDIANS

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1336, S. 3227.

The PRESIDING OFFICER. The bill will be stated by title.

The BILL CLERK. A bill (S. 3227) to provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians in Indian Claims Commission dockets Nos. 88, 330, and 330–A, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MOSS. Mr. President, the bill before us, S. 3227, is a bill to provide for the disposition of funds appropriated to pay a judgment in favor of the Southern Paiute Nation of Indians by the Indian Claims Commission. It is necessary for this payment to be authorized by the bill. The Indian Claims Commission has already held hearings and made its judgment. The amount is fixed. But it is necessary that the committees consider the matter of payment and the use of the funds.

An amendment to the bill before us has been proposed, and I send it to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read the amendment, as follows:

> On page 4, line 2, strike the period and in lieu thereof insert a colon and the following: "*Provided,* That except for any band that has not heretofore been terminated, and except for such amounts as may be authorized and approved for per capita distribution, none of the said funds so deposited shall be withdrawn until 60 days after the Secretary of the Interior shall have submitted comprehensive, detailed plans for their use to the respective Committees on Interior and Insular Affairs of the Senate and the House of Representatives, which 60 days shall not include days when either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days."

Mr. MOSS. Mr. President, I shall explain the amendment. Under the rules of the committee, it is required that before any of these funds are paid out on a judgment of the Indian Claims Commission, plans are to be submitted as to how the funds will be used, to determine that they shall not be dissipated or wasted.

In this particular case, part of the Paiutes have been terminated—that is, they no longer are wards of the Government—but two bands are still wards of the Government. Consequently, it is necessary for the funds to be paid out in two different ways.

The pending amendment provides for that by stating that those bands that are still wards of the Government must have submitted a plan for distribution of the funds. There would be an opportunity to look at the plan for 60 days, in the event any amendments were desired to be offered. That is the purpose of the amendment.

I have discussed the matter with the Senator from Colorado [Mr. Allott], who is the chief sponsor of the amendment, and other members of the committee. It is acceptable to all the members of the committee, and certainly it is acceptable to me. So I shall be glad to accept the amendment.

The **PRESIDING OFFICER**. The question is on the adoption of the amendment.

The amendment was agreed to.

The **PRESIDING OFFICER**. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and to be read a third time.

The bill was read the third time.

The **PRESIDING OFFICER**. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 3227) was passed, as follows:

S. 3227

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purpose of disposing of the sum of $7,253,165.19 appropriated April 30, 1965 (79 Stat. 81, 108, 109), to pay a judgment of the Indian Claims Commission entered in its dockets numbered 88, 330, and 330–A on January 18, 1965, on behalf of the Southern Paiute Nation, the bands and groups of Southern Paiute Indians named in the petitions and the Las Vegas Band, together with interest accruing thereon, the Secretary of the Interior shall prepare a roll of all persons who meet the following requirements for eligibility: (a) they were born on or prior to and living on the date of this Act and are (b) enrolled or entitled to be enrolled as members of the Kaibab Band of Paiute Indians of the Kaibab Reservation, Arizona, or (c) enrolled or entitled to be enrolled as members of the Moapa Band of Paiute Indians of the Moapa River Reservation, Nevada, or (d) whose names or the name of a lineal ancestor appears on the final rolls of the Shivwits, Kanosh, Koosharem, and Indian Peaks Bands of Paiute Indians which were prepared pursuant to the Act of September 1, 1954 (68 Stat. 1099), or (e) Southern Paiute Indians whose names or the name of a lineal ancestor appears on the January 1, 1940, census roll of the Cedar City, Utah, Indians, or (f) Southern Paiute Indians whose names or the name of a lineal ancestor appears on the January 1, 1940, census roll of the Las Vegas Colony, Nevada, or (g) Indians living elsewhere who can establish Southern Paiute lineal descent to the satisfaction of the Secretary of the Interior: *Provided, however*, That no enrollee shall have elected or shall elect to participate in the judgment awarded by the Indian Claims Commission in its dockets numbered 31, 37, 80, 80–D, and 347, granted to "Certain Indians of California" or in dockets numbered 351 and 351–A granted to the Chemehuevi Tribe of Indians. Any person qualifying for enrollment as a member of more than one of the named Indian groups shall elect with which group he shall be enrolled for the purpose of this Act.

Sec. 2. Applications for enrollment must be filed with the Area Director, Bureau of Indian Affairs, Phoenix, Arizona, in the manner and within the time limits prescribed by the Secretary for that purpose. The Secretary's determination on all applications for enrollment shall be final.

Sec. 3. The cost of preparing the Southern Paiute Indian roll, and of disposing of the judgment funds, and the deduction of attorneys' fees and expenses and the cost of litigation, shall be deducted from the judgment fund. The balance of said fund, together with accrued interest, shall be apportioned by the Secretary of the Interior among the groups of persons entitled to enrollment on the Southern Paiute Indian roll as provided in section 1 of this Act. Apportionment among said groups shall be on the ratio that the number of enrollees in each group shall bear to the total number enrolled on the Southern Paiute Indian roll.

Sec. 4. The total amounts apportioned to the groups enrolled in section 1 (b) and (c) shall be redeposited in the Treasury of the United States to the credit of the respective bands, and may be advanced, expended, invested, or reinvested in any manner authorized by the governing body and approved by the Secretary.

Sec. 5. The funds apportioned to those Southern Paiute Indians enrolled under sections 1 (f) and (g) shall be available for distribution in equal shares to the enrollees except as provided in section 6 of this Act: *Provided*, That except for any band that has not heretofore been terminated, and except for such amounts as may be authorized and approved for per capita distribution, none of the said funds so deposited shall be withdrawn until 60 days after the Secretary of the Interior shall have submitted comprehensive, detailed plans for their use to the respective Committees on Interior and Insular Affairs of the Senate and the House of Representatives, which 60 days shall not include days when either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days.

Sec. 6. Sums payable to enrollees or their heirs or legatees who are less than twenty-one years of age or who are under a legal disability shall be paid in accordance with such procedures as the Secretary determines will best protect their interests, including the establishment of trusts.

Sec. 7. All funds, including interest, of the adult members of any group enrolled pursuant to sections 1 (d) and (e) of this Act may be advanced, expended, invested, or reinvested in any manner pursuant to a plan agreed upon between the governing body thereof or by the members thereof, at a meeting called in accordance with rules approved by the Secretary of the Interior, and the Board of Indian Affairs of the State of Utah, subject, however, to the previous approval of such plan by the Secretary of the Interior. However, the Secretary of the Interior shall not be charged with any responsibility in the administration of the funds.

Sec. 8. No part of the per capita distributions made under authority of this Act shall be subject to Federal or State income tax.

Sec. 9. The Secretary is authorized to prescribe rules and regulations to carry out the provisions of this Act.

SUPPLEMENTAL AIR TRANSPORTATION

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1334, S. 3566.

The **PRESIDING OFFICER**. The bill will be stated by title.

The Legislative Clerk. A bill (S. 3566) to amend the Federal Aviation Act of 1958 with respect to the definition of "supplemental air transportation", and for other purposes.

The **PRESIDING OFFICER**. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with an amendment, strike out all after the enacting clause and insert:

That paragraph (33) of subsection (a) of section 101 of the Federal Aviation Act of 1958 is amended to read as follows:

"(33) 'Supplemental air transportation' means charter trips, including inclusive tour charter trips, in air transportation, other than the transportation of mail by aircraft, rendered pursuant to a certificate of public convenience and necessity issued pursuant to section 401(d)(3) of this Act to supplement the scheduled service authorized by certificates of public convenience and necessity issued pursuant to section 401(d) (1) and (2) of this Act."

Sec. 2. Certificates of public convenience and necessity for supplement air transportation and statements of authorization, issued by the Civil Aeronautics Board, are hereby validated, ratified, and continued in effect according to their terms, notwithstanding any contrary determination by any court that the Board lacked power to authorize the performance of inclusive tour charter trips in air transportation.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. **BYRD** of West Virginia. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1354), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The bill would amend the Federal Aviation Act of 1958 to give specific statutory authority to supplemental air carriers to conduct inclusive tour charter trips. The bill would also validate and ratify existing certificates of public convenience and necessity and statements of authorization issued by the Civil Aeronautics Board for supplemental carriers to engage in this business, notwithstanding any contrary determination by any court that the Board lacked power to authorize the performance of these charter trips.

NEED FOR LEGISLATION

The necessity for early enactment of this bill was promoted by a recent decision of the Supreme Court in the case of *World Airways, Inc. et al.* v. *Pan American World Airways*, (May 27, 1968) in which the Court by a 4 to 4 vote left standing a decision by the Court of Appeals for the Second Circuit holding that the Civil Aeronautics Board did not have authority under Public Law 87–528 to authorize supplemental air carriers to conduct inclusive charter trips in international air transportation. A complete history of the litigation which followed enactment of Public Law 87–528 is discussed later in this report. S. 3566 would clarify Congress intent, thus preventing the cancellation of inclusive tour charter trips scheduled for the coming tourist season by thousands of American citizens. Enactment of the bill would confirm previous action taken by this committee in recommending that supplemental air carriers be permitted to engage in this type of air transportation when the issue was considered in 1962.

HISTORY OF LITIGATION

In 1962 Congress enacted P.L. 87–528 which amended the Federal Aviation Act of 1958 to empower the Civil Aeronautics Board to grant certificates of public conveyance and necessity for "supplemental air transportation." In its consideration of this legislation, Congress reexamined the role of the supplemental air carriers and found them to be a significant and valuable part of the Nation's air transportation system. Congress concluded, however, that the participation of these carriers in individually ticketed services should be terminated and that these carriers should be "chartered specialists." Supplemental air transportation was defined as "charter trips in air transportation . . . to supplement the scheduled service . . ." which the trunkline carriers are authorized to provide. However, the scope of the term "charter" was left undefined.

Lengthy proceedings were then held by the Civil Aeronautics Board to determine what specific awards should be made under the new legislation. On March 11, 1966, the Board adopted three sets of orders involving the domestic and international phases of supplemental carrier operations. Two sets of orders were entered in the supplemental air service proceeding, docket 13795, and the third was entered in the transatlantic charter investigation, docket 19908. In each instance it concluded that inclusive tour charters, as it defined and limited that term, were "charter trips" within the meaning of the statute and should be authorized. The Board determined it had statutory power to authorize such inclusive tour charters because: (1) it believed that these charters fell within the generally accepted concept of charter operations; (2) it believed Congress had intended that the interpretation and application of the term "charter trips" should be left largely to the Board; and (3) it found that such authorization would further the overall purposes of the 1962 amendments to the Federal Aviation Act.

Since all Board orders pertaining to foreign and overseas air transportation must be approved by the President under section 801 of the Federal Aviation Act, only those orders of the Board dealing with domestic service were issued at that time; the others were sent to the President. Judicial review of the domestic orders was promptly obtained by 11 scheduled air carriers in the District of Columbia Court of Appeals. The issue in this case concerned the Board's power to authorize inclusive tour charters as "supplemental air transportation." After reviewing the legislative history, the District of Columbia circuit, in July 1966, upheld the Board's order, *American Airlines, Inc.*, v. *C.A.B.*, 365 F. 2d 939 (1966).

On September 30, 1966, the Board's orders with respect to the foreign and overseas phase of inclusive tour authority were approved by the President and issued. The trunklines then abandoned the affirmative steps they had taken to seek review in the Supreme Court of the decision in the District of Columbia circuit and instead sought review of the international inclusive tour award in the U.S. Court of Appeals for the Second Circuit. The second circuit reached an opposite conclusion from that of the District of Columbia circuit. Interpreting the same legislative history that had served as a basis for the other court's decision, the second circuit set aside the Board's order and held that the term "charter trip" was not intended by Congress to embrace the inclusive tour charters authorized by the Board. *Pan American World Airways, Inc. et al.* v. *C.A.B.*, 380 F. 2d 770 (July 20, 1967).

Faced with this direct conflict between the two circuit courts, the Supreme Court granted certiorari. *World Airways, Inc., et al.* v. *Pan American World Airways, Inc.* (Jan. 29, 1968). The appeal was heard by an eight-member court. Mr. Justice Marshall (who had served as Solicitor General at the time a petition for rehearing had been filed in the second circuit case) did not participate in the Supreme Court's review of that circuit's decision. Subsequenly, the Supreme Court affirmed the decision of the second circuit by an equally divided vote. *World Airways, Inc. et al.* v. *Pan American World Airways* (May 27, 1968).

As a result of these events, the existing awards for inclusive tour charters between domestic points remain intact, but other awards are unlawful. The statute, however, makes no such distinction. The anomaly is aggravated by the fact that three supplemental carriers have been granted domestic inclusive tour charter authority in more recent CAB orders. These orders have since been appealed to the second circuit. If that court follows its previous decision, those supplementals will have been denied in one court the same domestic authority which another court has upheld for the others.

The petitioners before the Supreme Court requested a rehearing and a stay of the issuance of judgment until the disposition of the petition for rehearing. On June 21 the Supreme Court granted the stay. No further judicial action is expected until the Supreme Court convenes in October.

SUPPLEMENTAL AIR TRANSPORTATION

In 1962 the Congress authorized the Civil Aeronautics Board to grant certificates of public convenience and necessity to a class of carriers known as supplemental air carriers. This legislation, Public Law 87–528, gave permanent statutory status for the first time to a class of carriers whose history was clouded by litigation and whose economic resources were marginal, largely due to their temporary and often challenged legal status and the intermittent and meager business they were able to obtain. Congress carved out for the supplemental air carriers a special role in transportation, that of charter specialists. These carriers since 1962 have become solid, responsible, safe, and profitable business entities. They have served the purpose Congress intended well and have provided a valuable adjunct to the scheduled service offered by the scheduled air carriers. They have been indispensable in providing added air lift capacity to meet the national defense needs in South Vietnam and throughout the world. They have actively promoted the airline charter business to the point where it is a growing means of travel for American citizens, who otherwise would have been denied an opportunity to take low cost vacations by air.

Supplementals are a permanent and integral part of the national air transportation system. They have not reached the point, however, where the sources of revenue opened to them by Public Law 87–528 and the subsequent authority granted by the Board can be diminished or taken away. In particular, the high level of business conducted for the military will at some future point decrease substantially. They must have adequate revenues available from civilian sources. The Defense Department has a policy which requires that only those carriers deriving 40 percent of their business from civilian sources are eligible to participate in military contracts. This percentage will rise to 60 percent when the Defense Department needs decline.

The authority granted by Public Law 87–528, as implemented by the Civil Aeronautics Board and as confirmed by this bill will be needed by the supplemental air carriers to maintain a viable and profitable enterprise and also to provide to the traveling public the type of low cost vacation travel permitted by this bill.

INCLUSIVE TOUR CHARTERS

Under the regulations of the Civil Aeronautics Board an approved tour operator charters an aircraft from a supplemental air carrier to provide group vacation travel. Chairman John H. Crooker, Jr., of the Civil Aeronautics Board described the mechanics of an inclusive tour charter trip as follows:

"The carrier does nothing more than perform the air transportation for the charterer. The charterer puts together a package of air and surface transportation, ground accommodations, perhaps some sight-seeing side trips, all over a fixed itinerary, which he sells to members of the public. The Board refers to this as an 'inclusive tour.' Sometimes such tours have been referred to as 'all expense' trips. Under Board regulations, the tour price paid by members of the public cannot be less than 110 percent of the lowest available individual fare offered by a scheduled carrier for transportation over the same route. The price of the tour must include at least all hotel accommodations and air and surface transportation between all places on the itinerary. Each tour must be performed on a round-trip basis, last at least seven days, and have a minimum of three overnight stops at least 50 miles apart. Such a tour may be operated only by a regulated tour operator, pursuant to prior approval by the Board of the tour prospectus. Prior to approval of a prospectus, scheduled carriers serving the points involved in the tour must be given notice of the tour operator's application and an opportunity to object."

The Civil Aeronautics Board strongly endorses the concept of inclusive tour charters as being in the public interest. Other government agencies were asked to comment on this legislation. The Civil Aeronautics Board stated:

"These inclusive tours have been of great benefit to the traveling public. The travel base has been broadened, and a great many persons in the lower income groups have traveled, who would not have utilized the services of the scheduled carriers. An additional benefit to the public has been the competitive incentive which the availability of inclusive tour charters has provided to the scheduled carriers.

"In sum, the Board believes that inclusive tour charters have made a material contribution to the ability of the supplementals to meet their national defense requirements: that such charters have been beneficial to the traveling public: and that they have not had an adverse impact on scheduled services."

The Department of Transportation stated that:

"Through their inclusive tour charters, the supplemental carriers have provided the benefits and experience of air transportation to people who otherwise might not have traveled by air. The supplementals have provided a new degree of competitive endeavor which the scheduled airlines have been unwilling or unable to initiate, despite encouragement by the Board. In sum, the inclusive tour charter has meant a wider choice of services and prices, both domestically and internationally. By authorizing inclusive tour charters by the supplementals, the Board has been able to promote progress in aviation and has provided for flexibility which allows it to respond to changing opportunities and needs. The Department of Transportation believes that such goals should be encouraged."

The Department of Commerce commented on the value of this type of travel in lessening the balance-of-payments deficit caused by U.S. citizens traveling abroad:

"Development of inclusive tour charters would have a useful balance-of-payments effect. Inclusive tours to vacation areas in the continental United States, Hawaii, Puerto Rico and the Virgin Islands would be in line with the Administration's efforts to reduce the travel gap by encouraging Americans to take their vacations within the dollar area.

"Moreover, inclusive tour authority would permit supplemental carriers to bring to the United States inclusive tour groups originating abroad, with a resultant inflow of foreign currencies. Inclusive tour charter authority to bring foreign groups to this country is an important means of furthering this Department's objective of bringing more foreign visitors to the United States. The inclusive tour is highly developed in Europe and is particularly attractive to persons in lower income groups who otherwise would be financially unable to visit this country."

IMPACT ON SCHEDULED AIR CARRIERS

The committee carefully considered the issue raised by the scheduled air carriers with respect to the detrimental effect that inclusive tour charter trips would have on the revenues of the scheduled carriers. The fears expressed about substantial diversion of scheduled airline revenues were contrary to the statements made at the hearing by the Civil Aeronautics Board and the Department of Transportation about the actual experience since the issuance of inclusive tour charter authority and the future projection of growth in scheduled airline traffic.

In this regard the following statement by the Civil Aeronautics Board Chairman is particularly pertinent:

"Despite contentions to the contrary, the Board found that inclusive tour charters would not have an adverse impact on scheduled carriers. The Board's findings were based in large part on the fact that the services to be provided to the public by inclusive tours under Board regulations would be different in significant respects from those provided by scheduled services. In addition to a 10-percent spread between the lowest individually ticketed fare of a scheduled carrier and the tour price, the charter tour passenger would be subjected to the rigidities of the group itinerary, would have to be willing to travel and share facilities with strangers, and would have to agree to the necessary regimentation entailed in group travel. Moreover, the tour passenger would not have the freedom to select from the multiple daily schedules offered by route carriers, but would be confined to predetermined departure and arrival times selected by the tour operator. Under these circumstances it was obvious that inclusive tours could not be used as an inducement to substitute travel on them for point-to-point transportation offered by the scheduled carriers.

"Experience, even though limited, bears out the soundness of the Board's findings. For example, in 1967, 25,000 passengers traveled to Hawaii on inclusive tours, and 1,700,000 passengers were transported by the scheduled carriers—an increase of 700,000 over 1966. Estimates for 1968 indicate that 136,000 passengers will travel on inclusive tours if all authorized tours are operated and filled, and that 2 million passengers will utilize scheduled services. Thus, the requirements for both inclusive tours and scheduled services would appear to be increasing together, rather than inclusive tours diverting passengers from the scheduled operations. This would appear to be supported by the fact that the hearing examiner in the *Transpacific Route* case has recommended three new certificated services from the mainland to Hawaii. Although I cannot say what the ultimate outcome of this recommendation will be, it seems reasonably clear that the Hawaiian market can support the beneficial competition of both inclusive tour charter service and scheduled services."

The committee believes that most of the passengers traveling on inclusive tour charter trips are persons who otherwise would not have taken a trip and to a large extent are persons living in smaller communities at interior points within the United States for whom adequate scheduled airline service is not provided. For example, in 1967 the vacation traffic to Hawaii from the continental United States increased on an average over 1966 of 43.5 percent. The increase from North Carolina was 123.6 percent, from West Virginia 110 percent, from Kentucky 99 percent, and from Iowa 75.9 percent. The committee is convinced that a substantial portion of the traffic carried by supplemental air carriers on inclusive tour charter trips is new business promoted by the supplementals and is traffic that will fly again on the scheduled airlines, much to their benefit and without any promotional expense to them.

INDIVIDUALLY TICKETED SERVICE

The issue was forcibly raised by the scheduled airlines that inclusive tour charter trips permitted supplemental air carriers to engage in individually ticketed service. The committee has carefully reviewed the regulation issued by the Civil Aeronautics Board pursuant to Public Law 87-528, which sets forth the terms and conditions under which supplements may provide inclusive tour charters. In recommending enactment of S. 3566 the committee wants it explicitly understood that nothing in the bill shall violate or change the rules and regulations as prescribed by the Civil Aeronautics Board on individual ticketing.

The committee specifically reaffirms the intent expressed in Report No. 688 which accompanied S. 1969, in which the committee stated:

"However, it is not the intent of the committee to permit individually ticketed service to be offered to the general public under the guise of charter. The proposed statutory definition, therefore, provides that charter shall not include such individually ticketed service whether offered by an air carrier directly or by a travel agent.

"This restriction is subject to one exception because there is one circumstance in which a carrier or travel agent may offer the services to individual members of the public and still conform to the traditional concept of charter. This is in connection with an all-expense-paid group tour. If a travel agent charters an aircraft for an all-expense-paid tour and then offers to individual members of the public the right to participate as a member of the group, this is a very different sort of service from individually ticketed transportation.

"The committee has received representations that this exception is open to the abuse that it might be used as a guise to offer individually ticketed service. However, the Civil Aeronautics Board has ample authority, because of its power to specify the terms, conditions, and limitations of the certificate under section 401 and its general power to make any necessary rules or regulations to carry out the provisions of the act under section 204, to prevent any violation of the clear intent of the statute. This the Board can accomplish by specifying in its regulations the minimum requirements which must be met before the service offered qualifies under the statutory exception."

In order to continue the careful monitoring which the Board has conducted of inclusive tour charters the committee believes that the Civil Aeronautics Board should continue to require prior statements of authorization presently required by CAB regulation 378.10. This has given the Board an effective means of regulating inclusive tour charter trips, as well as determining the diversionary impact they may have on the revenues of the scheduled airlines.

During the committee deliberations on S. 3566 examples of advertising used by one supplemental air carrier were brought to the attention of the committee. The committee considers this type of advertising to be misleading and deceptive. It certainly goes far beyond the intent of this committee with respect to the type of authority conferred by S. 3566. The committee strongly urges the Civil Aeronautics Board to review the advertising practices of the supplemental air carriers and tour operators in order to eliminate misleading and deceptive advertisements.

CONCLUSION

S. 3566 would leave supplemental air carriers in precisely the same position they were under the certificates of public convenience and necessity issued by the Board and the regulations prescribed by the Board prior to the adverse court decisions. The bill would reaffirm the previous position taken by this committee that inclusive tour charter trips are in the public interest and that supplemental air carriers should have the authority to conduct them. This view is concurred in by the departments and agencies of Government responsible for the transportation policy of this Government and the regulation of the air transportation industry.

The committee believes that authority to conduct inclusive tour charters is necessary to the well-being of supplemental air carriers and is essential to the Nation's transportation needs, as well as the needs of the national defense. The supplementals have pioneered and proved the concept of inclusive tour charters which has opened up entirely new markets and Congress intent that they have this authority should be clarified by the enactment of S. 3566.

AMENDMENT OF FEDERAL TRADE COMMISSION ACT

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1290, S. 3065. I do this so that the bill will become the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3065) to amend the Federal Trade Commission Act, as amended, by providing for temporary injunctions or restraining orders for certain violations of that act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

WALL STREET JOURNAL AND SECRETARY OF THE INTERIOR RECOGNIZE NEED FOR BIG THICKET NATIONAL PARK

Mr. YARBOROUGH. Mr. President, since I introduced the bill to provide for a Big Thicket National Park on January 11, 1967, many outstanding organizations and newspapers have endorsed the idea. I am pleased to be able to add to that growing list of supporters the Secretary of Interior, Stewart L. Udall, and, in a recent article, the Wall Street Journal.

In a press conference on July 2, 1968, the Secretary of the Interior was asked about the need for a Big Thicket National Park and he responded that he favored a large park and viewed the Big Thicket as a major park proposal. To illustrate the Secretary's support, I ask unanimous consent that the pertinent portions of the transcript of his press conference be printed at this point in the RECORD, together with an article from the Houston Chronicle of July 3, 1967, entitled "Udall Boosts Big Thicket as U.S. Park Site," which reports on the statements at the press conference.

There being no objection, the items requested were ordered to be printed in the RECORD, as follows:

TRANSCRIPT OF A PRESS CONFERENCE BY SECRETARY OF INTERIOR STEWART UDALL, JULY 2, 1968

Question: Mr. Secretary, do you see any possibility that a "Big Thicket" National Monument or National Park can be worked out any time soon?

Secretary UDALL. Well, I talked—I had a visit with Senator Yarborough of Texas on this last week; and the Park Service, of course, are finishing their study on the "Big Thicket."

As near as I can tell from all that I have read—and I have read quite a bit about it lately—(I have not seen the area)—this is one of the remarkable natural areas of the country. And I agree with those who feel there should be some kind of a National Park established.

We are again—this is sort of like Redwoods—the question is: "What should you save; and how many acres?" And connecting corridors, and things of that kind.

Senator Yarborough is making an appeal for a large park; and, naturally, instinctively, this is what I favor.

And yet we have, again, the same problem of a conflict between the lumbering companies that are active in this area; and time is working against us, therefor.

So we are going to have to make some decisions on this, and make recommendations. And, hopefully, if we can get Redwoods out of the way, and maybe learn something about how we work out a national park under these circumstances; we can then move on ahead to the "Big Thicket" as a major park proposal.

[From the Houston Chronicle, July 3, 1968]

PRESERVE WILDERNESS—UDALL BOOSTS BIG THICKET AS U.S. PARK SITE

WASHINGTON.—The Big Thicket wilderness of East Texas has won the backing of Interior Secretary Stewart Udall as a prime prospect for a national park.

Udall said he endorses the proposal by Sen. Ralph Yarborough, D-Texas, for a park of 75,000 acres or more in preference to a smaller sized national monument favored by Rep. John Dowdy, D-Texas, and many lumber companies.

FACES OPPOSITION

Udall said the problems with preserving "the remarkable natural area" of the Big Thicket were comparable to those encountered in trying to save essential parts of the Redwoods in California. Lumber interests oppose large parks in both instances.

Yarborough called Udall's endorsement to a large Big Thicket park "a tremendous breakthrough for us—the greatest boost we've had."

"Every conservationist in Texas will realize this is a victory," Yarborough said of Udall's backing of a large park.

"This is a tremendous endorsement of a real national park and not a little national monument," Yarborough said.

REMARKABLE AREA

"As near as I can tell from all I've read—and I've read quite a bit about it lately—this is one of the remarkable natural areas of the country," Udall said, "and I agree with those who feel there should be some kind of a national park established. This is sort of like Redwoods—the question is what should you save and how many acres and connecting corridors.

"Senator Yarborough is making an appeal for a large park and naturally, instinctively, this is what I favor," Udall said. "And yet we have, again, the same problem of a conflict between the lumbering companies that are active in this area. And time is working against us. So we are going to have to make some decisions on this and make recommendations.

MAJOR PROPOSAL

"And, hopefully, if we can get Redwoods out of the way and maybe learn something about how we can work out a national park under these circumstances, we can then move on ahead to the Big Thicket as a major park proposal," Udall said.

The National Park Service has field crews surveying the East Texas regions where the Big Thicket still remains in patches. A preliminary report last year proposed a park about 35,000 acres in the form of a "string of pearls," with significant pockets of flora or fauna connected by nature trails or scenic highways.

DOWDY SUPPORT

Dowdy had supported such a concept, on the theory that it would not unduly damage the lumber industry which is the principal source of income in his East Texas district. But he had said he would await a final Park Service report before reaching any definite conclusion on the size of park or before he would introduce any bill.

Yarborough praised the efforts to preserve the Big Thicket. He said the Texas Federation of Women's Clubs also adopted the Big Thicket park proposal as their major project for the next year.

MEETS UDALL

Yarborough said he met with Udall last week and "presented him with books, maps and reports on the Big Thicket.

Supreme Court Justice William Douglas hiked through the Big Thicket regions several years ago and later wrote a book about its rareties and endorsed the plan for a national park.

No action has been taken in Congress, however, on either of the similar bills introduced by Yarborough and Rep. Jim Wright, D-Texas.

Mr. YARBOROUGH. The Secretary of the Interior's support comes at a time when there is growing awareness of the urgency for action on my bill S. 4. Illustrative of this support is a recent article in the Wall Street Journal of Monday, July 1, 1968, entitled "Deciding on a Last True Wilderness," Ably, thoroughly, and concisely written by Dennis Farney. Like other articles before it, this article emphasizes the unique and priceless aspects of the Big Thicket, particularly its renowned characteristic of being a region of critical speciation. The Big Thicket is an area where new species have evolved to meet the unique characteristics and challenges of its environment. To illustrate the nature of the area for which Secretary Udall has endorsed a national park, I ask unanimous consent that the Wall Street Journal article of July 1 be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DECIDING ON A LAST TRUE WILDERNESS

(By Dennis Farney)

Along Beech Creek, Texas—The ancient grove of beech and magnolia stands hushed, its deep shadows lengthening in the afternoon sun. A far-off Mourning dove calls. Green light, filtering through new leaves, speckles the massive trunks.

This four-acre grove is a last virgin remnant of a once-magnificant wilderness, the Big Thicket of southeastern Texas. And, almost certainly, the grove is doomed.

Once there was time to save these 85-foot trees that pre-date the Civil War. But only months ago a logging operation obliterated the surrounding forest. Stripped of their protective buffer, the beech and magnolia trees will deteriorate.

Now the issue is whether any unspoiled remnants of the Big Thicket can be saved from private exploitation. Once the thicket covered up to 3.5 million acres; today scarcely 300,000 acres remain, largely in second-growth, cut-over timber—and conservationists estimate that man's encroachments diminish this by 50 acres a day. Conservationists now support a proposal by Sen. Ralph Yarborough (D., Texas) that 75,000 acres—about 2% of the original forest—be made a national park.

For 30 years the conservationists have proposed, without success, that this wilderness be preserved. Today, as commercial uses proliferate, they race a deadline of months. Perhaps conservation groups may yet save something of these woods, just as they recently blocked—at the last hour—the plan to flood the Grand Canyon to develop hydroelectric power. But here, in the desolation of newly cut stumps and piles of brush, one sees how much the delay has cost.

JUSTICE DOUGLAS HIKE

Twenty months have passed since Sen. Yarborough proposed that this state's "last true wilderness" be preserved. The Lone Star chapter of the Sierra Club, the Wilderness Society and the Audubon Society support his bill. So does Supreme Court Justice William O. Douglas, who hiked through these woods in 1966 while preparing to write an angry book: "Farewell to Texas: A Vanishing Wilderness."

But the big lumber companies here, which own about half of the thicket, are strongly opposed. (If the law passed, compensation for their lands and those of other private interests would be determined through negotiations with Federal representatives, or through court hearings if negotiations failed.)

The lumber companies back a scaled-down compromise: A 35,500-acre national monument suggested by the U.S. Park Service, but never formally proposed as law. Today, the Yarborough bill is stalled; it has yet to reach committee hearings. Meanwhile, although the major lumber companies are honoring a self-imposed moratorium on logging in the tentative national monument areas, plant and animal life here is under attack.

But even now the forest, little-known outside Texas, holds mysteries for science to ponder and wilderness for man to contemplate. Plants and animals from three distinct climatic zones meet in this mild climate of 60-inch annual rainfall. Here grow plants of the South and the subtropics: Magnolia, sweet gum and sweetbay, palmetto palms and more than 20 kinds of wild orchids. Yet nearby are mesquite, yucca and cacti—desert plants—and plant communities characteristic of the Appalachians. Botanists believe this may be a "region of critical speciation," where new species evolve to meet the challenge of environment.

More than 100 kinds of trees and shrubs, and at least 300 bird species, are native here. Last year naturalists reported sightings of the ivory-billed woodpecker, thought to have become extinct decades ago. Beyond this, there is the pervading solitude, fostered by abandoned pine cabins in forgotten clearings, dark bayous where giant cypress grow, and cathedral-like groves where wind stirs the trees and rain patters the forest canopy.

Thinly populated even today, the thicket is pressed by three million people in nearby Houston and Beaumont. But railroads and logging operations pushed in here as early as the Reconstruction era. Then the thicket was mutilated.

"The thicket that is still representative of the original type—that which hasn't been clobbered—is all in bits and pieces," says a member of the U.S. Park Service survey team. Pipelines and power cables slash through the area, and no state agency may alter their course; Texas has no public utilities commission. Salt water overflow from oil operations periodically floods fresh water bayous and kills vegetation. Increasingly, the open forest is being fenced off by private hunting clubs. Real estate developers, drawn by the publicity, are carving out subdivisions.

ERADICATING HARDWOODS

But the half-dozen major lumber companies are the greatest threat to the natural balance of life here. Because pine is more profitable than hardwoods, these companies are systematically eradicating the hardwoods. Grand old magnolia trees—like beech and ancient oaks, a nuisance when growing in pine-producing areas—are felled and cut into railroad ties. One smaller lumberman sprayed his hardwoods with defoliants, wiping out an entire rookery of hundreds of herons, egrets and their young. "It is obvious that the many direct and indirect encroachments, if allowed to continue, can only result in the complete destruction of the native forest," says the Park Service.

An alarmed Big Thicket Association—the area's main conservation group—urged Texas Gov. John Connally in 1965 to push for a Big Thicket state park. "We are at least 10 years too late," the association said. Gov. Connally assured members he was "most interested." But the lumber companies were opposed; and later, when the governor paid an official visit to the Big Thicket, he arrived in a private plane owned by Eastex Inc., a subsidiary of Time Inc. and a major timber owner here. The BTA proposal came to nothing.

Perhaps it was naive to expect more. "The state government," writes Justice Douglas, "is solidly controlled by the establishment." The governor's appointments to the three-member state Parks and Wildlife Commission hardly reflect a conservationist concern. The members include a road contractor, an independent oil and gas producer and the president of a major brewery who often sides with the others against conservationists.

The BTA efforts did generate a new wave of interest; soon Sen. Yarborough introduced his bill, Justice Douglas paid a well-publicized visit and a U.S. Park Service team began a study. But at the same time, conservationists charge, the big lumber companies launched a concerted effort to cut choice hardwoods in areas under consideration.

When Justice Douglas visited land held by one major company in the spring of 1966, the scene was one of devastation. A major hardwood cutting project was under way; magnolias had even been cut on a public road right-of-way. "On the road's edge dozens of magnolia lay freshly cut," the Justice wrote. ". . . they were not cut for flooring, for paneling, or for railroad ties. They were cut for sheer destruction and the trunks lay rotting."

Conservationists aim much of their criticism at a single company, Kirby Lumber Co., Houston, 94%-owned by a subsidiary of the Atchison, Topeka & Santa Fe Railway Co. Kirby Lumber has been a center of controversy in the Big Thicket since the turn of the century because it acquired its present land through title suits against previous owners, according to an area lawyer.

The old hostility persists. A member of the BTA, requesting anonymity, charges: "Almost all the areas our committee recommended (to Gov. Connally) have been cut, mostly by Kirby—particularly the hardwoods, the magnolias."

Kirby officials vigorously deny this charge, stating that the company's long-standing management policy didn't change after the state park proposal. That policy is to cut Kirby-owned lands in ten-year cycles on a "sustained yield" plan and to eliminate hardwoods where pine can be grown profitably. "To the layman who refuses to inform himself as to what good management is, it looks like a terrible hodgepodge," says G. W. Stanley, vice president of lands and forests.

Mr. Stanley acknowledges that Kirby accelerated its hardwood removal in the mid-1960s, but produces records showing an even greater removal in the mid-1950s; both surges were due to increased demand, he says. He adds that, as a business, Kirby's main responsibility is to make a profit, to sustain "a multi-million dollar plant at Silsbee, Texas, and to supply supplemental materials to the various associated industries."

"Any (Kirby-owned) acreage that is lost just means that much less lumber for harvesting and that much less land upon which taxes would be assessed," says J. K. Herndon, Kirby's executive vice president. Mr. Herndon believes governmental units would raise taxes on the remaining land. Even to ask the companies to give up land for the relatively small national monument, says Mr. Stanley, is "sort of like asking someone if they can get by without their little finger."

(Local residents of the thicket are split over much the same issues. Some fear their own lands would be taken for the monument; others fear loss of tax revenue to local government. They are also divided because of the Byzantine infighting of local political factions, which sometimes sets conservationist against conservationist.)

The Kirby officials complain that some conservationists survey Kirby lands, envision acreage for contemplated projects and then publicly complain about Kirby logging—all without consulting the company. Kirby officials assisted the Park Service survey team. And the company has a letter from Interior Secretary Udall praising it for its voluntary moratorium on cutting in the contemplated national monument areas.

Mr. Stanley readily confirms reports that the lumber companies are lobbying in Washington. Among other things, they're arguing that the Federal Government should give them land from a nearby national forest in return for any taken from the Big Thicket. At least, lumber companies apparently hope, both sides will eventually compromise on the national monument. That plan would divide the 35,500 acres into nine individual islands, or units: each unit would contain choice remnants of the original virgin forest.

And well-dispersed units would minimize the economic impact on any single concern; some units, in fact, are almost inaccessible to normal logging operations. "A major concern in this proposal is that the economy of the entire region is closely tied to the very resources which need to be preserved," the Park Service report states. "This consideration is not altered by the fact that, as experience indicates, the local economic gain through park tourism would far exceed the resulting loss to the logging industry, besides benefiting a larger sector of the regional population."

"TOO LATE" ARGUMENT

The Park Service argues that it's too late to preserve larger pieces of the thicket: ". . . There scarcely exists in the Big Thicket today a large enough block of authentic forest type to comprise a wilderness unit of acceptable standards—that is, containing 5,000 or more acres of roadless or otherwise unaltered land." However, other conservationists believe that the cut-over forest, if included in Sen. Yarborough's larger park, would in time come back—and would be worth waiting for.

But the conservationists are lobbying too. The Texas Committee on Natural Resources, a group that includes leaders of many conservation organizations, is pushing for a 100,000-acre Big Thicket preserve. The group hopes the lumber companies will lease or donate "environmental corridors" linking the nine national monument units. If not, declares Dallas attorney Edward C. Fritz, the group's chairman, "the Federal Government has had to move into other fields when private industry narrow-mindedly failed to meet the growing needs and demands of society." Sen. Yarborough says flatly that "35,500 acres won't protect the ecology of the Big Thicket."

Meanwhile, the devastation continues. The U.S. Park Service says logging by private individuals has already destroyed one-tenth of the recommended "Beech Creek unit," which includes the virgin grove. And Lance Rosier—a slight, soft-spoken man in his seventies who knows the Big Thicket as no other man knows it—tells of his recent hike to a remaining rookery. "There were hundreds of shotgun shells around," he says quietly. "You could just pick them up. There was a chain saw going nearby."

Much depends now on Congressman John Dowdy, whose district includes the Big Thicket. A conservative, and highly regarded by the lumbermen, Mr. Dowdy hasn't co-endorsed the Yarborough bill, considerably dimming its chances. Mr. Dowdy has said he was waiting for results of yet another Park Service study, which was recently completed.

Declares BTA president Dempsie Herley, who was defeated in a recent attempt to unseat the Congressman: "We've already studied this. We know what needs to be done. You can study this to death. In five years there will be no Big Thicket."

Mr. YARBOROUGH. Mr. President, I commend this writer, Mr. Farney, for his able concept. This is a feature article in the Wall Street Journal of Monday, July 1. I do not know how long Mr. Farney worked on this article, but I know for certain that he was working on it as far back as last October, and finally, being unsatisfied with the information he obtained from other sources, he personally went to the Big Thicket and spent several days in research within its confines.

Notwithstanding the very fine articles written about the thicket by others, including the entire first chapter of more than 30 pages in Justice Douglas' recent book "Our Vanishing Wilderness," and many other books, articles, and monographs, this one short column is, to my mind, a beautiful summary illustration of the arguments in favor of a Big Thicket National Park, and I recommend it as essential background for anyone who might wish to write on the subject.

ADJOURNMENT

Mr. BYRD of West Virginia. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 2 o'clock and 50 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, July 10, 1968, at 12 noon.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 9, 1968:

FEDERAL FARM CREDIT BOARD

The following-named persons to be members of the Federal Farm Credit Board, Farm Credit Administration, for terms expiring March 31, 1974:

J. Homer Remsberg, of Maryland.

C. Everett Spangler, of Nebraska.

HOUSE OF REPRESENTATIVES—*Tuesday, July 9, 1968*

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

I will lift up mine eyes unto the hills, from whence cometh my help? My help cometh from the Lord, who made heaven and earth.—Psalm 121: 1, 2.

Eternal Father, who hast made us for Thyself so that our hearts are restless until they find rest in Thee, we, Thy children, come to Thee for help which Thou alone canst give.

Be Thou our fortress in the hour of temptation and give us the power to master ourselves. Be Thou our light when the way is dark and we do not know which way to turn. Be Thou our strength when the flesh is weak and the spirit is depressed. Be Thou our courage in the time of trouble and help us to walk in right paths. Be Thou our hope when our own hopes fail and but for Thee we would give way to despair.

Be Thou our help at all times and in all places and enable us to take from Thy hands the gifts of courage and strength and peace we need for this day in which we live.

Bless Thou our President, our Speaker, every Member of this body, and all who work with them. By Thy spirit lead us all into a greater allegiance to Thy purposes for mankind and may we become increasingly walking centers of good will in our world.

In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, the message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 12120. An act to assist courts, correctional systems, and community agencies to prevent, treat, and control juvenile delinquency; to support research and training efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9063) entitled "An act to amend the International Claims Settlement Act of 1949, as amended, to provide for the timely determination of certain claims of American nationals, and for other purposes."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2159. An act to establish the Fort Point National Historic Site in San Francisco, Calif., and for other purposes;

S. 3456. An act to provide that the prosecution of the offenses of disorderly conduct and lewd, indecent, or obscene acts shall be conducted in the name of and for the benefit of the District of Columbia; and

S. 3671. An act to provide for the striking of medals in commemoration of the 200th anniversary of the founding of Dartmouth College.

EFFECTIVE CONTROL OF VIOLENT CRIME

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Speaker, today I have introduced a companion bill to the measure introduced earlier by our colleague, the gentleman from Texas [Mr. CASEY].

The bill would stipulate a mandatory prison sentence for anyone convicted of using a deadly firearm in the commission of robbery, assault, murder, rape, burglary, kidnaping, or homicide other than involuntary manslaughter.

Each of these is a felonious offense in all of our States. The bill which the gentleman from Texas [Mr. CASEY] and I have introduced would superimpose upon conviction a Federal offense for the use of deadly firearms in committing any such felony.

For the first such offense, there would be a mandatory sentence of not less than 10 years. For any subsequent offense committed by the same person, the sentence would be not less than 25 years imprisonment.

It seems clear to me that the only really effective way to strike a hard blow at the appalling growth in crime and violence is to confront the offender with sure and stringent punishment.

Each of the other gun control measures which have been recommended to Congress, while valuable in a limited way, contains certain deficiencies when considered as a deterrent against the hardened or career criminal.

Licensing of gun dealers and prohibiting the sale of firearms to minors and through the mails, while undoubtedly meritorious, will not actually prevent deadly weapons from coming into the hands of those seriously bent upon crime.

The same can be said for the very worthwhile suggestion of a waiting period for the purchase of such weapons. While this may deter a first offender or an impulse buyer, it cannot really prevent the acquisition of a gun by a person seriously intent on crime.

A registration law undoubtedly would be respected and adhered to by the decent and law abiding. But I fear that it would be flaunted and evaded by those whose activities we need most desperately to curb. A person who is willing to assume the risk of punishment for murder or armed robbery most likely will not blanch at evading registration.

PERMISSION FOR SUBCOMMITTEE ON TRANSPORTATION AND AERONAUTICS, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Transportation and Aeronautics of the Committee on Interstate and Foreign Commerce may sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CALL OF THE HOUSE

Mr. BROOMFIELD. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 235]

Adair
Ashley
Bell
Blanton
Brademas
Cederberg
Conyers
Corman
Evins, Tenn.
Gardner
Green, Oreg.
Halleck
Hanna
Hansen, Idaho
Hardy
Hawkins
Heckler, Mass.
Jones, Mo.
Karsten
Landrum
McMillan
Passman
Rarick
Resnick
Satterfield
Teague, Tex.
Tunney
Van Deerlin
Waggonner
Willis

The SPEAKER. On this rollcall 401 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PERMISSION FOR COMMITTEE ON WAYS AND MEANS UNTIL MIDNIGHT, JULY 11, TO FILE A REPORT ON H.R. 18299, INTERNATIONAL COFFEE AGREEMENT, 1968

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the Committee on Ways and Means may have until midnight Thursday, July 11, to file a report to accompany H.R. 18299, to carry out obligations under the International Coffee Agreement, 1968.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PERSONAL EXPLANATION

Mr. DULSKI. Mr. Speaker, I missed rollcall No. 228, recommittal of the District of Columbia revenue bill. Had I been present and voting, I would have voted "nay."

CONCERNING ENFORCEMENT OF FIREARMS CONTROL MEASURES

Mr. CONABLE of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CONABLE. Mr. Speaker, with the current debate over firearms control I think it is important to consider the record of the Johnson administration on the two Federal statutes already on the books which deal with firearms; these are the National Firearms Act of 1934 and the Federal Firearms Act of 1938. The record indicates the administration has been less than diligent in enforcing the laws already existing.

The U.S. Treasury Department has the responsibility for investigating violations of the existing firearms statutes. According to figures furnished to the Senate Judiciary Committee in August 1967, a total of 2,294 criminal cases involving violations of the firearms statutes were prepared by Treasury during the 5 fiscal years from 1963 to 1967.

According to the annual reports of the Attorney General, however, during these same 5 years only 1,192 firearms prosecutions were undertaken in Federal courts by the Justice Department. Thus, almost half of the cases which were prosecutable and ready for trial in the view of the Treasury Department resulted in no action by the Justice Department. This is hardly a record of vigorous enforcement.

It is interesting to note also a comparison with the Eisenhower administration. In the last 7 years of President Eisenhower's administration firearms convictions were 21 percent greater than they have been during the comparable 7-year period since 1960. Instead of an increase there has been a decrease from 1,570 to 1,297 Federal convictions.

On the basis of this record it is obvious that the current concern of the Johnson administration over firearms control is not matched by any record of achievement. This record of underachievement prompts serious questions about the validity of the administration's present demands for still more legislation in this field.

HOUSING AND URBAN DEVELOPMENT ACT OF 1968

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 17989) to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 17989, with Mr. Price of Illinois in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday, the Clerk had read down to and including line 6 on page 2 of the bill.

The Clerk will read.

The Clerk read as follows:

The Congress declares that in the administration of those housing programs authorized by this Act which are designed to assist families with incomes so low that they could not otherwise decently house themselves, and of other Government programs designed to assist in the provision of housing for such families, the highest priority and emphasis should be given to meeting the housing needs of those families for which the national goal has not become a reality; and in the carrying out of such programs there should be the fullest practicable utilization of the resources and capabilities of private enterprise and of individual self-help techniques.

Mr. PATMAN. Mr. Chairman, the bill is being read by title, under the rule. I ask unanimous consent that the first title be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. GROSS. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard. The Clerk will read.

The Clerk read as follows:

JOBS IN HOUSING; EMPLOYMENT OPPORTUNITIES FOR LOWER INCOME PERSONS IN CONNECTION WITH ASSISTED PROJECTS

Sec. 3. In the administration of the programs authorized by sections 235 and 236 of the National Housing Act, the below-market interest rate program under section 221(d)(3) of such Act, the low-rent public housing program under the United States Housing Act of 1937, and the rent supplement program under section 101 of the Housing and Urban Development Act of 1965, the Secretary of Housing and Urban Development shall require that, to the greatest extent feasible, opportunities for employment arising in connection with the construction of rehabilitation of projects assisted under such programs be given to lower income persons residing in the area of such projects.

IMPROVED ARCHITECTURAL DESIGN IN GOVERNMENT HOUSING PROGRAMS

Sec. 4. The Congress finds that Federal aids to housing have not contributed fully to improvement in architectural standards. This objective has been contemplated in Federal housing legislation since the establishment of mortgage insurance through the Federal Housing Administration.

The Congress commends the Department of Housing and Urban Development for its recent efforts to improve architectural standards through competitive design awards and in other ways but at the same time recognizes that this important objective requires high priority if Federal aid is to make its full communitywide contribution toward improving our urban environment.

The Congress further finds that even within the necessary budget limitations on housing for low and moderated income families architectural design could be improved not only to make the housing more attractive but to make it better suited to the needs of occupants.

The Congress declares that in the administration of housing programs which assist in the provision of housing for low and moderate income families, emphasis should be given to encouraging good design as an essential component of such housing and to developing housing which will be of such quality as to reflect its important relationship to the architectural standards of the neighborhood and community in which it is situated, consistent with prudent budgeting.

Mr. PATMAN. Mr. Chairman, I renew my unanimous consent request that we dispense with the reading of title I, that it be printed at this point in the Record, and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

TITLE I—LOW AND MODERATE INCOME HOUSING

HOMEOWNERSHIP FOR LOW AND MODERATE INCOME FAMILIES

Sec. 101. Title II of the National Housing Act is amended by adding at the end thereof the following new section:

"HOMEOWNERSHIP FOR LOW AND MODERATE INCOME FAMILIES

"Sec. 235. (a) For the purpose of assisting low and moderate income families in acquiring homeownership or in acquiring membership in a cooperative association operating a housing project, the Secretary is authorized to make, and to contract to make, periodic assistance payments on behalf of such homeowners and cooperative members. The assistance shall be accomplished through payments to mortgagees holding mortgages meeting the special requirements specified in this section.

"(b) To qualify for assistance payments, the homeowner or the cooperative member shall be of low or moderate income and satisfy eligibility requirements prescribed by the Secretary, and—

"(1) the homeowner shall be a mortgagor under a mortgage which meets the requirements of and is insured under subsection (i) or (j)(4) of this section: *Provided*, That a mortgage meeting the requirements of subsection (i)(3)(A) of this section but insured under section 237 may qualify for assistance payments if such mortgage was executed by a mortgagor who is determined not to be an acceptable credit risk for mortgage insurance purposes (but otherwise eligible) under subsection (j)(4) of this section or under section 221(d)(2) or 234(c) and accepted as a reasonably satisfactory credit risk under section 237; or

"(2) the cooperative association of which the family is a member shall operate a housing project the construction or substantial rehabilitation of which has been financed with a mortgage insured under section 213 and which has been completed within two years prior to the filing of the application for assistance payments and the dwelling unit has had no previous occupant other than the family: *Provided*, That assistance payments may be made with respect to a dwelling unit in an existing cooperative project which meets such standards as the Secretary may prescribe: *Provided further*, That a preference shall be given in contracting to make periodic assistance payments under this section to a family which qualifies as a displaced family as defined in section 221(f), or a family which includes five or more minor persons, or a family occupying low-rent public housing: *Provided further*, That the amount of the mortgage attributable to the dwelling unit shall involve a principal obligation not in excess of $15,000 ($17,500 in any geographical area where the Secretary authorizes an increase on the basis of a finding that costs levels so require), except that with respect to any family with five or more persons the foregoing limits shall be $17,500 and $20,000, respectively.

"(c) The assistance payments to a mortgagee by the Secretary on behalf of a mortgagor shall be made during such time as the mortgagor shall continue to occupy the property which secures the mortgage: *Provided*, That assistance payments may be made on behalf of a homeowner who assumes a mortgage insured under subsection (j)(4) with respect to which assistance payments have been made on behalf of the previous owner, if the homeowner is approved by the Secretary as eligible for receiving such assistance. The payment shall be in an amount not exceeding the lesser of—

"(1) the balance of the monthly payment for principal, interest, taxes, insurance, and mortgage insurance premium due under the mortgage remaining unpaid after applying 20 per centum of the mortgagor's income: *Provided*, That, in determining a mortgagor's income for the purposes of this paragraph, there shall be deducted an amount equal to $200 for each minor person who is a member of the immediate family of, and living with, the mortgagor, and the earnings of any such minor person shall not be included in the income of such mortgagor; or

"(2) the difference between the amount of the monthly payment for principal, interest, and mortgage insurance premium which the mortgagor is obligated to pay under the mortgage and the monthly payment for principal and interest which the mortgagor would be obligated to pay if the mortgage were to bear interest at the rate of 1 per centum per annum.

"(d) Assistance payments to a mortgagee by the Secretary on behalf of a family holding membership in a cooperative association operating a housing project shall be made only during such time as the family is an occupant of such project and shall be in amounts computed on the basis of the formula set forth in subsection (c) applying the cooperative member's proportionate share of the obligations under the project mortgage to the items specified in the formula.

"(e) The Secretary may include in the payment to the mortgagee such amount, in addition to the amount computed under subsection (c), (d), or (j)(7), as he deems appropriate to reimburse the mortgagee for its expenses in handling the mortgage.

"(f) Procedures shall be adopted by the Secretary for recertifications of the mortgagor's (or cooperative member's) income at intervals of two years (or at shorter intervals where the Secretary deems it desirable) for the purpose of adjusting the amount of such assistance payments within the limits of the formula described in subsection (c).

"(g) The Secretary shall prescribe such regulations as he deems necessary to assure that the sales price of, or other consideration paid in connection with, the purchase by a homeowner of the property with respect to which assistance payments are to be made is not increased above the appraised value on which the maximum mortgage which the Secretary will insure is computed.

"(h) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including such sums as may be necessary to make the assistance payments under contracts entered into under this section. The aggregate amount of contracts to make such payments shall not exceed amounts approved in appropriation Acts, and payments pursuant to such contracts shall not exceed $75,000,000 per annum prior to July 1, 1969, which maximum dollar amount shall be increased by $100,000,000 on July 1, 1969, and by $125,000,000 on July 1, 1970.

"(i)(1) The Secretary is authorized, upon application by the mortgagee, to insure a mortgage executed by a mortgagor who meets the eligibility requirements for assistance payments prescribed by the Secretary under subsection (b). Commitments for the insurance of such mortgages may be issued by the Secretary prior to the date of their execution or disbursement thereon, upon such terms and conditions as the Secretary may prescribe.

"(2) To be eligible for insurance under this subsection, a mortgage shall meet the requirements of section 221(d)(2) or 234(c), except as such requirements are modified by this subsection.

"(3) A mortgage to be insured under this subsection shall—

"(A) involve a single-family dwelling which has been approved by the Secretary prior to the beginning of construction or substantial rehabilitation, or a two-family dwelling one of the units of which is to be occupied by the owner if the dwelling is purchased with the assistance of a nonprofit organization and is approved by the Secretary prior to the beginning of substantial rehabilitation, or a one-family unit in a condominium project (together with an undivided interest in the common areas and facilities serving the project) which is released from a multifamily project the construction or substantial rehabilitation of which has been completed within two years prior to the filing of the application and assistance payments with respect to such family unit and the unit has had no previous occupant other than the mortgagor: *Provided*, That the mortgage may involve an existing dwelling or a family unit in an existing condominium project if the dwelling or family unit meets such standards as the Secretary may prescribe, or if assistance payments have been made on behalf of the previous owner of the dwelling or family unit with respect to a mortgage insured under subsection (j)(4): *Provided further*, That a preference in extending mortgage insurance under this subsection shall be given to a mortgagor who qualifies as a displaced family as defined in section 221(f), or a family which includes five or more minor persons, or a family occupying low-rent public housing: *Provided further*, That the mortgage may involve a dwelling unit in an existing project covered by a mortgage insured under section 236 or in an existing project receiving the benefits of financial assistance under section 101 of the Housing and Urban Development Act of 1965;

"(B) where it is to cover a one-family unit in a condominium project, have a principal obligation not exceeding $15,000 ($17,500 in any geographical area where the Secretary authorizes an increase on the basis of a finding that cost levels so require), except that with respect to any family with five or more persons the foregoing limits shall be $17,500 and $20,000, respectively; and

"(C) be executed by a mortgagor who shall have paid (i) in the case of a displaced family as defined in section 221(f), at least $200, or (ii) in the case of any other family, at least 3 per centum (or such larger amount as the Secretary may require) of the Secretary's estimate of the cost of acquisition, in cash or its equivalent, which amount in either instance may be applied for the payment of settlement costs and initial payments for taxes, hazard insurance, mortgage insurance premiums, and other prepaid expenses.

"(j)(1) In addition to mortgages insured under the provisions of subsection (i), the Secretary is authorized, upon application by the mortgagee, to insure a mortgage (including advances under such mortgage during rehabilitation) which is executed by a nonprofit organization to finance the purchase of housing, and the rehabilitation of such housing if it is deteriorating or substandard, for subsequent resale to low or moderate income home purchasers who meet the eligibility requirements for assistance payments prescribed by the Secretary under subsection (b). Commitments for the insurance of such mortgages may be issued by the Secretary prior to the date of their execution or disbursement thereon, upon such terms and conditions as the Secretary may prescribe.

"(2) To be eligible for insurance under paragraph (1) of this subsection, a mortgage shall—

"(A) be executed by a private nonprofit organization, approved by the Secretary, for the purpose of financing the purchase (with the intention of subsequent resale), and rehabilitation where the housing involved is deteriorating or substandard, of property comprising one or more tracts or parcels, whether or not contiguous, consisting of (i) four or more single-family dwellings of detached, semidetached, or row construction, or (ii) four or more one-family units in a structure or structures for which a plan of family unit ownership approved by the Secretary is established; except that in a case not involving the rehabilitation of deteriorating or substandard housing the property purchased may consist of one or more such dwellings or units;

"(B) be in a principal amount not exceeding the appraised value of the property at the time of its purchase under the mortgage plus the estimated cost of any rehabilitation;

"(C) bear interest (exclusive of premium charges for insurance and service charge, if any) at not to exceed such per centum per annum (not in excess of 6 per centum), on the amount of the principal obligation outstanding at any time, as the Secretary finds necessary to meet the mortgage market;

"(D) provide for complete amortization (subject to paragraph (4)(E)) by periodic payments within such term as the Secretary may prescribe; and

"(E) provide for the release of individual single-family dwellings from the lien of the mortgage upon their sale in accordance with paragraph (4).

"(3) No mortgage shall be insured under paragraph (1) unless the mortgagor shall have demonstrated to the satisfaction of the Secretary that (A) the property involved is located in a neighborhood which is sufficiently stable and contains sufficient public facilities and amenities to support long-term values, or (B) the purchase or rehabilitation of such property plus the mortgagor's related activities and the activities of other owners of housing in the neighborhood, together with actions to be taken by public authorities, will be of such scope and quality as to give reasonable promise that a stable environment will be created in the neighborhood.

"(4)(A) No mortgage shall be insured under paragraph (1) unless the mortgagor enters into an agreement, satisfactory to the Secretary, that it will offer to sell the dwellings involved, after purchase and upon completion of any rehabilitation, to low or moderate income individuals or families meeting the eligibility requirements established by the Secretary under subsection (b).

"(B) The Secretary is authorized to insure under this paragraph mortgages executed to finance the sale of individual dwellings to low or moderate income purchasers as provided in subparagraph (A). Any such mortgage shall—

"(i) be in a principal amount not in excess of that portion of the unpaid principal balance of the blanket mortgage covering the property which is allocable to the individual dwelling involved;

"(ii) bear interest at the same rate as the blanket mortgage; and

"(iii) provide for complete amortization by periodic payments within a term equal to the remaining term (determined without regard to subparagraph (E)) of such blanket mortgage.

"(C) The price for which any individual dwelling is sold under this paragraph shall be in an amount equal to that portion of the unpaid principal balance of the blanket mortgage covering the property which is allocable to the dwelling plus such additional amount, not less than $200 (which may be applied in whole or in part toward closing costs), as the Secretary may determine to be reasonable.

"(D) Upon the sale under this paragraph of any individual dwelling, such dwelling shall be released from the lien of the blanket mortgage. Until all of the individual dwellings in the property covered by the blanket mortgage have been sold, the mortgagor shall hold and operate the dwellings remaining unsold at any given time, in such manner and under such terms as the Secretary may prescribe, as though they constituted rental units.

"(E) Upon the sale under this paragraph of all the individual dwellings in the property covered by the blanket mortgage and the release of all individual dwellings from the lien of the blanket mortgage, the insurance of the blanket mortgage shall be terminated and no adjusted premium charge shall be charged by the Secretary upon such termination.

"(5) Where the Secretary has approved a plan of family unit ownership, the terms 'single-family dwelling', 'single-family dwellings', 'individual dwelling', and 'individual dwellings' shall mean a family unit or family units, together with the undivided interest (or interests) in the common areas and facilities.

"(6) For purposes of this subsection, the terms 'single-family dwelling' and 'single-family dwellings' (except for purposes of paragraph (5)) shall include a two-family dwelling which has been approved by the Secretary if one of the units is to be occupied by the owner.

"(7) In addition to the assistance payments authorized under subsection (b), the Secretary may make such payments to a mortgagee on behalf of a nonprofit organization which is a mortgagor under the provisions of paragraph (1) in an amount not exceeding the difference between the monthly payment for principal, interest, and mortgage insurance premium which the mortgagor is obligated to pay under the mortgage and the monthly payment for principal and interest such mortgagor would be obligated to pay if the mortgage were to bear interest at the rate of 1 per centum per annum.

"(k) The Secretary shall from time to time allocate and transfer to the Secretary of Agriculture, for use (in accordance with the terms and conditions of this section) in rural areas and small towns, a reasonable portion of the total authority to contract to make assistance payments as approved in appropriation Acts under subsection (h)."

(b)(1) Section 221(d)(2)(A) of the National Housing Act is amended—

(A) by striking out "not to exceed (i) $12,500" and inserting in lieu thereof "not to exceed (i) $15,000 (or $17,500, if the mortgagor's family includes five or more persons)"; and

(B) by striking out "not to exceed $15,000" in the second proviso and inserting in lieu thereof "not to exceed $17,500 (or $20,000 if the mortgagor's family includes five or more persons)".

(2) Section 221(d)(2)(B) of such Act is amended—

(A) by inserting ", in cash or its equivalent" before the semicolon after "acquisition cost" in the first proviso; and

(B) by inserting before the semicolon after "appraised value" at the end thereof the following: ": *Provided further*, That, if the mortgagor is the owner and an occupant of the property, such mortgagor shall to the maximum extent feasible be given the opportunity to contribute the value of his labor as equity in such dwelling".

(c)(1) Section 221(h)(5)(B)(ii) of such Act is amended to read as follows:

"(ii) bear interest at the same rate as the principal mortgage or such lower rate, not less than 1 per centum, as the Secretary may prescribe if in his judgment the purchaser's income is sufficiently low to justify the lower rate, and provide for complete amortization within a term equal to the remaining term (determined without regard to subparagraph (E)) of such principal mortgage."

(2) Section 221(h)(4) of such Act is amended by striking out "$20,000,000" and inserting in lieu thereof "$50,000,000".

(3) Section 221(h) of such Act is further amended by adding at the end thereof the following new paragraph:

"(6) In addition to the mortgages that may be insured under paragraphs (1) and (5), the Secretary is authorized to insure under this subsection, upon such terms and conditions as he may prescribe, mortgages which are executed by individuals or families that meet the income criteria prescribed in paragraph (5)(A) and are executed for the purpose of financing the rehabilitation or improvement of single-family dwellings of detached, semidetached, or row construction that are owned and occupied in each instance by a mortgagor who has purchased the dwelling from a nonprofit organization of the type described in this subsection. To be eligible for such insurance, a mortgage shall—

"(A) be in a principal amount not exceeding the lesser of $15,000 or the sum of the estimated cost of repair and rehabilitation and the Secretary's estimate of the value of the property before repair and rehabilitation, except that in no case involving refinancing shall such mortgage exceed such estimated cost of repair and rehabilitation and the amount (as determined by the Secretary) required to refinance existing indebtedness secured by the property;

"(B) bear interest (exclusive of premium charges for insurance and service charge, if any) at 3 per centum per annum or such lower rate, not less than 1 per centum, as the Secretary may prescribe if in his judgment the mortgagor's income is sufficiently low to justify the lower rate;

"(C) involve a mortgagor that shall have paid on account of the property at the time of the rehabilitation such amount (which shall not be less than $200 in cash or its equivalent, but which may be applied in whole or in part toward closing costs) as the Secretary may determine to be reasonable and appropriate under the circumstances; and

"(D) contain a provision that if the low-income mortgagor does not continue to occupy the property, the interest rate shall increase to the highest rate permissible under this section and the regulations of the Secretary effective at the time of commitment for insurance of the mortgage; except that the increase in interest rate shall not be applicable if the property is sold and the purchaser is (i) a nonprofit organization which has been engaged in purchasing and rehabilitating deteriorating and substandard housing with financing under a mortgage insured under paragraph (1) of this subsection, (ii) a public housing agency having jurisdiction under the United States Housing Act of 1937 over the area where the dwelling is located, or (iii) a low-income purchaser approved for the purposes of this paragraph by the Secretary."

(4) The purchase of any individual dwelling, sold by a nonprofit organization pursuit to the provisions of section 221(h)(5) of the National Housing Act after the date of enactment of this section, may be financed with a mortgage insured under the provisions of section 235(j)(4) of such Act, but such mortgage shall bear interest at the rate provided in section 235(j)(2)(C) of such Act.

(d) Section 212(a) of such Act is amended by inserting "or section 235(j)(1)" after "subsection (h)(1)" each place it appears.

(e) The Secretary of Housing and Urban Development is authorized to provide, or contract with public or private organizations to provide, such budget, debt management, and related counseling services to mortgagors whose mortgages are insured under section 235(i) or 235(j)(4) of the National Housing Act as he determines to be necessary to assist such mortgagors in meeting the responsibilities of homeownership. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this subsection.

CREDIT ASSISTANCE

SEC. 102. (a) Title II of the National Housing Act is amended by adding after section 236 (as added by section 201 of this Act) the following new section:

"SPECIAL MORTGAGE INSURANCE ASSISTANCE

"SEC. 237. (a) The purpose of this section is to help provide adequate housing for families of low and moderate income, including those who, for reasons of credit history, irregular income patterns caused by seasonal employment, or other factors, are unable to meet the credit requirements of the Secretary for the purchase of a single-family home financed by a mortgage insured under section 203, 220, 221, 234, or 235(j)(4), but who, through the incentive of homeownership and counseling assistance, appear to be able to achieve homeownership.

"(b) The Secretary is authorized upon application by the mortgagee to insure under this section any mortgage meeting the requirements of this section.

"(c) To be eligible for insurance under this section, a mortgage shall—

"(1) meet the requirements of section 203, 220(d)(3)(A), 221(d)(2), 221(h)(5), 221(i), 234(c), or 235(j)(4) except as such requirements are modified by this section;

"(2) involve a principal obligation (including such initial service charges, and such appraisal, inspection, and other fees, as the Secretary shall approve) in an amount not to exceed $15,000: *Provided*, That the Secretary may increase the amount to not exceed $17,500 in any geographical area where he finds that cost levels so require: *Provided further*, That no mortgage meeting the requirements of section 203(h) or 203(i) shall be eligible for insurance under this section if its principal obligation is in excess of the maximum limits prescribed in such section;

"(3) be executed by a mortgagor who the Secretary has determined, after a full and complete study of the case, would not be an acceptable credit risk for mortgage insurance purposes under section 203, 220, 221, 234, or 235(j)(4), because of his credit standing, debt obligations, total annual income, or income characteristics, but who the Secretary is satisfied would be a reasonably satisfactory credit risk, consistent with the objectives stated in subsection (a), if he were to receive budget, debt management, and related counseling: *Provided*, That, in determining whether the mortgagor is a reasonably satisfactory credit risk, the Secretary shall review the credit history of the applicant giving special consideration to those delinquent accounts which were ultimately paid by the applicant and to extenuating factors which may have caused credit accounts of the applicant to become delinquent; and the Secretary shall also give special consideration to income characteristics of applicants whose total income over the two years prior to their applications has remained at levels of eligibility (as required under paragraph (4) of this subsection), but who, because of the character of their seasonal employment or for other reasons, have not maintained continuous employment under one employer during that time; and

"(4) require monthly payments which, in combination with local real estate taxes on the property involved, do not exceed 25 per centum of the applicant's income, based on his average monthly income during the year prior to his application or the average monthly income during the three years prior to his application, whichever is higher.

"(d) The Secretary shall give preference in approving mortgage insurance applications under this section to families living in public housing units, especially those families required to leave public housing because their incomes have risen beyond the maximum prescribed income limits, and families eligible for residence in public housing who have been displaced from federally assisted urban renewal areas.

"(e) The Secretary is authorized to provide, or contract with public or private organizations to provide, such budget, debt management, and related counseling services to mortgagors whose mortgages are insured under this section as he determines to be necessary to meet the objectives of this section. The Secretary may also provide such counseling to otherwise eligible families who lack sufficient funds to supply a downpayment to help them to save an amount necessary for that purpose.

"(f) The aggregate principal balance of all mortgages insured under this section and outstanding at one time shall not exceed $100,000,000.

"(g) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of subsection (e) of this section."

(b) Section 226 of the National Housing Act is amended by inserting "235(i), 237," after "234,".

RELAXATION OF MORTGAGE INSURANCE REQUIREMENTS IN CERTAIN URBAN NEIGHBORHOODS

SEC. 103. (a) Section 223 of the National Housing Act is amended by adding at the end thereof a new subsection as follows:

"(e) Notwithstanding any of the provisions of this title except section 212, and without regard to limitations upon eligibility contained in any section of this title, the Secretary is authorized, upon application by the mortgagee, to insure under any section of this title a mortgage executed in connection with the repair, rehabilitation, construction, or purchase of property located in an older, declining urban area in which the conditions are such that one or more of the eligibility requirements applicable to the section of this title under which insurance is sought could not be met, if the Secretary finds that (1) the area is reasonably viable, giving consideration to the need for providing adequate housing for families of low and moderate income in such area, and (2) the property is an acceptable risk in view of such consideration. The insurance of a mortgage pursuant to this subsection shall be the obligation of the Special Risk Insurance Fund."

(b) Section 203(l) of such Act is repealed.

SPECIAL RISK INSURANCE FUND

SEC. 104. (a) Title II of the National Housing Act is amended by adding after section 237 (as added by section 102 of this Act) the following new section:

"PAYMENT OF INSURANCE—SPECIAL RISK INSURANCE FUND

"SEC. 238. (a)(1) Any mortgagee under a mortgage insured under section 235(i), 235(j)(4), or 237 shall be entitled to receive the benefits of the insurance as provided in section 204(a) with respect to mortgages insured under section 203. The provisions of subsections (b), (c), (d), (g), (j), and (k) of section 204 shall be applicable to mortgages insured under section 235(i), 235(j)(4), or 237, except that all references therein to the 'Mutual Mortgage Insurance Fund' shall be construed to refer to the 'Special Risk Insurance Fund', and all references therein to section 203 shall be construed to refer to section 235(i), 235(j)(4), or 237, as may be appropriate.

"(2) Any mortgagee under a mortgage insured under section 235(j)(1) or 236 shall be entitled to receive the benefits of insurance as provided in section 207(g) with respect to mortgages insured under section 207. The provisions of subsections (d), (e), (h), (i), (j), (k), (l), and (n) of section 207 shall be applicable to mortgages insured under section 235(j)(1) or 236, except that all references therein to the 'General Insurance Fund' shall be construed to refer to the 'Special Risk Insurance Fund' and the premium charge provided in section 207(d) shall be payable only in cash or debentures of the Special Risk Insurance Fund.

"(3) In lieu of the amount of insurance benefits computed pursuant to paragraph (1) or (2) of this subsection, the Secretary, in his discretion and in accordance with such regulations as he may prescribe, may (with respect to any mortgage loan acquired by him) compute and pay insurance benefits to the mortgagee in a total amount equal to the unpaid principal balance of the loan plus any accrued interest and any advances approved by the Secretary and made previously by the mortgagee under the provisions of the mortgage.

"(b) There is hereby created a Special Risk Insurance Fund (hereinafter referred to as the 'fund') which shall be used by the Secretary as a revolving fund for carrying out the mortgage insurance obligations of sections 223(e), 233(a)(2), 235, 236, and 237, and the Secretary is hereby authorized to advance to the fund the sum of $5,000,000 from the General Insurance Fund established pursuant to the provisions of section 519. Such advance shall be repayable at such times and at such rates of interest as the Secretary deems appropriate. Premium charges, adjusted premium charges, inspection and other fees, service charges, and any other income received by the Secretary under sections 223(e), 235, 236, and 237, together with all earnings on the assets of the fund, shall be credited to the fund. All payments made pursuant to claims of mortgagees with respect to mortgages insured under sections 235, 236, and 237 or pursuant to section 223(e) or 233(a)(2), cash adjustments, the principal of and interest paid on debentures which are the obligation of the fund, expenses incurred in connection with or as a consequence of the acquisition and disposal of property acquired under such sections, and all administrative expenses in connection with the mortgage insurance operations under such sections shall be paid out of the fund. There is authorized to be appropriated such sums as may be needed from time to time to cover losses sustained by the fund in carrying out the mortgage insurance obligations of sections 223(e), 233(a)(2), 235, 236, and 237. Moneys in the fund not needed for current operations of the fund shall be deposited with the Treasurer of the United States to the credit of the fund or invested in bonds or other obligations of, or in bonds or other obligations guaranteed by, the United States. The Secretary, with the approval of the Secretary of the Treasury, may purchase in the open market debentures which are the obligation of the fund. Such purchases shall be made at a price which will provide an investment yield of not less than the yield obtained from other investments authorized by this section. Debentures so purchased shall be canceled and not reissued."

(b) Section 224 of such Act is amended by striking out "or section 233" and inserting in lieu thereof "section 233, or section 238".

(c) Section 519(e) of such Act is amended by inserting after "section 213(k)" the following: ", or the provisions of sections 223(e), 233(a)(2), 235, 236, and 237".

CONDOMINIUM AND COOPERATIVE OWNERSHIP FOR LOW AND MODERATE INCOME FAMILIES

SEC. 105. (a) Section 221 of the National Housing Act is amended by adding at the end thereof two new subsections as follows:

"(i)(1) The Secretary is authorized, with respect to any project involving a mortgage insured under subsection (d)(3) which bears interest at the below-market interest rate prescribed in the proviso of subsection (d)(5), to permit a conversion of the ownership of such project to a plan of family unit ownership. Under such plan, each family unit shall be eligible for individual ownership and provision shall be included for the sale of the family units, together with an undivided interest in the common areas and facilities which serve the project, to low or moderate income purchasers. The Secretary shall obtain such agreements as he determines to be necessary to assure continued maintenance of the common areas and facilities. Upon such sale, the family unit and the undivided interest in the common areas shall be released from the lien of the project mortgage.

"(2)(A) The Secretary is authorized, upon application by the mortgagee, to insure under this subsection mortgages financing the purchase of individual family units under the plan prescribed in paragraph (1). Commitments may be issued by the Secretary for the insurance of such mortgages prior to the date of their execution or disbursement thereon, upon such terms and conditions as the Secretary may prescribe. To be eligible for such insurance, the mortgage shall—

"(i) be executed by a mortgagor having an income within the limits prescribed by the Secretary for occupants of projects financed with a mortgage insured under subsection (d)(3) which bears interest at the below-market rate prescribed in the proviso of subsection (d)(5);

"(ii) involve a principal obligation (including such initial service charges, and such appraisal, inspection, and other fees, as the Secretary shall approve) in an amount not to exceed the Secretary's estimate of the appraised value of the family unit, including the mortgagor's interest in the common areas and facilities, as of the date the mortgage is accepted for insurance;

"(iii) bear interest at a rate determined by the Secretary (which may vary in accordance with the regulations of the Secretary promulgated pursuant to the last sentence of paragraph (4) of this subsection) but not less than the below-market rate in effect under the proviso of subsection (d)(5) at the date of the commitment for insurance; and

"(iv) provide for complete amortization by periodic payments within such term as the Secretary may prescribe, but not to exceed the lesser of forty years from the beginning of amortization of the mortgage or three-quarters of the Secretary's estimate of the remaining economic life of the building improvements.

"(B) The price for which the individual family unit is sold to the low or moderate income purchaser shall not exceed the appraised value of the property, as determined under subparagraph (A)(ii), except that the purchaser shall be required to pay on account of the property at the time of purchase at least such amount, in cash or its equivalent (which shall be not less than 3 per centum of such price, but which may be applied in whole or in part toward closing costs), as the Secretary may determine to be reasonable and appropriate.

"(3) Upon the sale of all of the family units covered by the project mortgage, and the release of all of the family units (including the undivided interest allocable to each unit in the common areas and facilities) from the lien of the project mortgage, the insurance of the project mortgage shall be terminated and no adjusted premium charge shall be collected by the Secretary upon such termination.

"(4) Any mortgage covering an individual family unit insured under this subsection shall contain a provision that, if the original mortgagor does not continue to occupy the property, the interest rate shall increase to the highest rate permissible under this section and the regulations of the Secretary effective at the time the commitment was issued for the insurance of the project mortgage; except that the requirement for an increase in interest rate shall not be applicable if the property is sold and the purchaser is (i) a nonprofit purchaser approved by the Secretary, or (ii) a low or moderate income purchaser who has an income within the limits prescribed by the Secretary for occupants of projects financed with a mortgage insured under subsection (d)(3) which bears interest at the below-market rate prescribed in the proviso of subsection (d)(5). The mortgage shall also contain a provision that, if the Secretary determines that the annual income of the original mortgagor (or a purchaser described in clause (ii) of the preceding sentence) has increased to an amount enabling payment of a greater rate of interest, the interest rate of the individual mortgage may be increased up to the highest rate permissible under the regulations of the Secretary for mortgages insured under this section effective at the time the commitment was issued for the insurance of the mortgage.

"(5) For the purpose of this subsection—

"(i) the term 'mortgage', when used in relation to a mortgage insured under paragraph (2) of this subsection, includes a first mortgage given to secure the unpaid purchase price of a fee interest in, or a long-term lease-hold interest in, a one-family unit in a multifamily project and an undivided interest in the common areas and facilities which serve the project; and

"(ii) the term 'common areas and facilities' includes the land and such commercial, community, and other facilities as are approved by the Secretary.

"(j)(1) The Secretary is authorized, with respect to any rental project involving a mortgage insured under subsection (d)(3) which bears interest at the below-market interest rate prescribed in the proviso of subsection (d)(5), to permit a conversion of the ownership of such project to a cooperative approved by the Secretary. Membership in such cooperative shall be made available only to those families having an income within the limits prescribed by the Secretary for occupants of projects financed with a mortgage insured under subsection (d)(3) which bears interest at such below-market rate: *Provided*, That families residing in the rental project at the time of its conversion to a cooperative who do not meet such income limits may be permitted to become members in the cooperative under such special terms and conditions as the Secretary may prescribe.

"(2) The Secretary is authorized, upon application by the mortgagee, to insure under this subsection cooperative mortgages financing the purchase of projects meeting the requirements of paragraph (1). Commitments may be issued by the Secretary for the insurance of such mortgages prior to the date of their execution or disbursement thereon, upon such terms and conditions as the Secretary may prescribe. To be eligible for such insurance, the mortgage shall—

"(i) involve a principal obligation (including such initial service charges and appraisal, inspection, and other fees as the Secretary shall approve) in an amount not exceeding the appraised value of the property for continued use as a cooperative, which value shall be based upon a mortgage amount on which the debt service can be met from the income of the property when operated on a nonprofit basis, after the payment of all operating expenses, taxes, and required reserves;

"(ii) bear interest at the below-market rate prescribed in the proviso of subsection (d)(5); and

"(iii) provide for complete amortization within such term as the Secretary may prescribe."

(b) Section 221(g)(1) of such Act is amended by striking out "or paragraph (5) of subsection (h) of this section" and inserting in lieu thereof "paragraph (5) of subsection (h) of this section, or paragraph (2) of subsection (i) of this section".

(c) Section 221(g)(2) of such Act is amended by striking out "or paragraph (1) of subsection (h)" and inserting in lieu thereof "paragraph (1) of subsection (h) of this section, or paragraph (2) of subsection (j),".

(d) Section 221(f) of such Act is amended by inserting after "subsection (h)" in the third sentence of the second paragraph the following: ", (i), or (j)".

ASSISTANCE TO NONPROFIT SPONSORS OF LOW AND MODERATE INCOME HOUSING

SEC. 106. (a) The Secretary of Housing and Urban Development is authorized to provide, or contract with public or private organizations to provide, information, advice, and technical assistance with respect to the construction, rehabilitation, and operation by nonprofit organizations of housing for low or moderate income families. Assistance by the Secretary may include—

(1) the assembly, correlation, publication, and dissemination of information with respect to the construction, rehabilitation, and operation of low and moderate income housing, and

(2) the provision of advice and technical assistance with respect to the construction, rehabilitation, and operation of low and moderate income housing.

(b)(1) The Secretary is authorized to make loans to nonprofit organizations for the necessary expenses, prior to construction, in planning, and obtaining financing for, the rehabilitation or construction of housing for low or moderate income families under any federally assisted program. Such loans shall be made without interest and shall not exceed 80 per centum of the reasonable costs expected to be incurred in planning, and in obtaining financing for, such housing prior to the availability of financing, including, but not limited to, preliminary surveys and analyses of market needs, preliminary site engineering and architectural fees, site acquisition, application and mortgage commitment fees, and construction loan fees and discounts. The Secretary shall require repayment of loans made under this subsection, under such terms and conditions as he may require, upon completion of the project or sooner, and may cancel any part or all of a loan if he determines that it cannot be recovered from the proceeds of any permanent loan made to finance the rehabilitation or construction of the housing.

(2) The Secretary shall determine prior to the making of any loan that the nonprofit organization meets such requirements with respect to financial responsibility and stability as he may prescribe.

(3) There are authorized to be appropriated for the purposes of this subsection not to exceed $7,500,000 for the fiscal year ending June 30, 1969, and not to exceed $10,000,000 for the fiscal year ending June 30, 1970. Any amounts so appropriated shall remain available until expended, and any amounts authorized for any fiscal year under this paragraph but not appropriated may be appropriated for any succeeding fiscal year.

(4) All funds appropriated for the purposes of this subsection shall be deposited in a fund which shall be known as the Low and Moderate Income Sponsor Fund, and which shall be available without fiscal year limitation and be administered by the Secretary as a revolving fund for carrying out the purposes of this subsection. Sums received in repayment of loans made under this subsection shall be deposited in such fund.

NATIONAL HOMEOWNERSHIP FOUNDATION

SEC. 107. (a)(1) There is hereby created a body corporate to be known as the "National Homeownership Foundation" (hereinafter referred to as the "Foundation") to carry out a continuing program of encouraging private and public organizations at the national, community, and neighborhood levels to provide increased homeownership and housing opportunities in urban and rural areas for lower income families through such means as—

(A) encouraging the investment in, and sponsoring of, housing for lower income families;

(B) encouraging the establishment of programs of assistance and counseling to lower income families to enable them better to achieve and afford adequate housing;

(C) providing a broad range of technical assistance through publications and advisory services to public and private organizations which are carrying out, or are desirous of carrying out, programs to expand homeownership and housing opportunities for lower families; and

(D) providing grants and loans to public and private organizations carrying out homeownership and housing opportunity programs for lower income families to help cover some of the expenses of such programs.

(2) The Foundation shall be deemed to be a corporation without members organized and established under the provisions of the District of Columbia Nonprofit Corporation Act, with all the rights, powers, and responsibilities thereof except as limited by this section and any amendments thereto. This section shall constitute the articles of incorporation and charter of the Foundation, which shall not be an agency or instrumentality of the United States Government. The Congress expressly reserves the exclusive right to alter or amend this charter. The Foundation shall have succession until dissolved by Act of Congress. The Foundation shall maintain its principal office in the District of Columbia.

(3) No part of the net earnings of the Foundation shall inure to the benefit of any private person, and no substantial part of its activities shall be devoted to attempting to influence legislation. The Foundation shall not participate or intervene in any political campaign on behalf of any candidate for public office. The Foundation shall be operated and administered at all times as a charitable and educational foundation.

(4) No employee or officer of the Foundation shall receive compensation in excess of that received by or hereafter prescribed by law for heads of executive departments.

(5) The Foundation shall make maximum use of existing public and private agencies and programs, and in carrying out its functions the Foundation is authorized to contract with individuals, private corporations organizations, and associations, and with agencies of the Federal, State, and local governments.

(6) The Foundation is authorized to receive donations and grants from individuals and from public and private organizations, foundations, and agencies.

(7) The Foundation may use only donated funds, or funds derived from payment of interest on loans made by it, for the principal and interest payments on any borrowings.

(b)(1) The Foundation shall have a Board of Directors consisting of eighteen members, fifteen of whom shall be appointed by the President of the United States, with the advice and consent of the Senate. The other three members shall be, ex officio, the Secretary of Housing and Urban Development, the Secretary of Agriculture, and the Director of the Office of Economic Opportunity. The President shall appoint one of the fifteen appointed members to serve as Chairman of the Board during his term of office as a member.

(2) Within thirty days after the date of enactment of this Act, the President shall appoint the fifteen appointed members of the Board. Not more than five of such members shall, at the time of their appointment, be serving full time as officers or employees of the Federal Government, or as officers or

employees of any State or local government. Each appointed member of the Board shall hold office for a term of three years, except that (A) any member appointed to fill a vacancy prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and (B) the terms of the members first taking office shall expire, as designated by the President at the time of appointment, five at the end of the first year, five at the end of the second year, and five at the end of the third year after the date of appointment. Members of the Board, however appointed, shall be eligible for reappointment, but at no time shall there be more than five members of the Board who at the time of their appointment or reappointment were full-time officers or employees of the Federal Government or of any State or local government.

(3) Appointed members of the Board who are not employees of the Federal Government, while attending meetings or conferences of the Board or otherwise serving on business of the Board, shall be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including travel time, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(4) The Board shall appoint an Executive Director of the Foundation. The Executive Director shall be the chief executive officer of the Foundation and shall serve at the pleasure of the Board, and all other executive officers and employees of the Board shall be responsible to him. The Board shall also cause to be appointed a secretary, a treasurer, and such other officers as may be necessary to conduct properly the business of the Foundation, and shall provide for filling vacancies in such offices.

(5) The Board shall adopt bylaws for the Foundation which shall be made available for public inspection upon request.

(c) (1) The Foundation shall assist public and private organizations, at their request, in initiating, developing, and conducting programs to expand homeownership and housing opportunities for lower income families. To provide such assistance and to carry out the purposes of this section, the Foundation is authorized to—

(A) carry out a continuing program of encouraging private and public organizations at the national, community, and neighborhood levels in the establishment of such programs;

(B) assist in the formation of organizations the purpose of which is the development and carrying out of such programs, including the establishment of local development funds for financing housing for lower income families through the pooling of moneys from private sources;

(C) identify and arrange for the technical and managerial assistance and personnel needed for the successful operation of such programs by public and private organizations;

(D) assist public and private organizations in obtaining the mortgage financing, insurance, and other requirements or aids necessary for conducting programs of housing construction, rehabilitation, or improvement for lower income families;

(E) arrange for, or provide on a limited basis, training for persons in the skills needed in administering programs of homeownership and housing opportunity for lower income families;

(F) encourage research and innovation, and collect and make available such information as may be desirable to further the purposes of this section, including but not limited to such activities as the sponsoring of seminars, conferences, and meetings, and the establishment of a continuing information program to acquaint lower income families with the means they can use to improve the quality of their housing and the homeownership and housing opportunities available to them;

(G) assist private and public organizations in establishing, in connection with their homeownership and housing opportunity programs for lower income families, counseling and similar activities designed to advise lower income families of the means available to better themselves economically through job training and manpower development programs; and

(H) perform other similar services in order to further the purposes of this section.

(2) The Foundation may, if it deems it appropriate, charge a reasonable fee for any assistance or services provided under this subsection.

(d) (1) In order to assist public and private organizations which are carrying out homeownership and housing opportunity programs for lower income families to fill unmet needs, initiate exceptional programs, and experiment with new approaches and programs, the Foundation is authorized, subject to such terms and conditions as it may prescribe, to make grants and loans to such organizations to help defray the following expenses:

(A) organizational and administrative expenses incurred in commencing the operation of a program, or in expanding an existing program, to the extent that the activities are related to providing homeownership and housing opportunities for lower income families;

(B) necessary preconstruction costs incurred for architectural assistance, land options, application fees, and similar items; and

(C) the cost of carrying out programs providing counseling or similar services to lower income families for whom housing is being provided, in order to enable those families better to achieve and afford adequate housing, in such matters as home management, budget management, and home maintenance.

(2) In order to be eligible for a grant or loan under this subsection, the organization seeking such assistance shall demonstrate to the satisfaction of the Foundation that the fund requested are not otherwise available from Federal sources: *Provided*, That a grant or loan under this subsection may be provided to help cover that portion of the cost of an eligible activity not covered by Federal funds.

(3) The Foundation shall encourage cooperation between public and private organizations carrying out programs of homeownership and housing opportunity for lower income families and the neighborhoods and communities affected by such programs. To help assure such cooperation and in order to coordinate, to the maximum extent feasible, any construction or rehabilitation activities with the development goals of the neighborhood or community affected, no application for a loan or grant under this subsection shall be considered unless such application has been submitted to the governing body of the community affected, or to such other entity of local government as may be designated by the governing body, for such recommendations as the local governing body or its designee may desire to make. Any recommendations so made shall be given careful consideration by the Foundation before taking final action on any such application. If, upon the expiration of thirty days after any such application has been submitted to such governing body or its designee, such body or designee fails to provide such recommendations, the application may be considered without the benefit of such recommendations.

(e) The Foundation shall coordinate its activities and consult with the Department of Housing and Urban Development and other Federal departments and agencies engaged in providing homeownership and housing opportunities for lower income families.

(f) (1) Not later than one hundred and twenty days after the close of each fiscal year, the Foundation shall prepare and submit to the President and to the Congress a full report of its activities during such year. Such report shall include an account of the Foundation's experiences with the efforts of private and public organizations to expand homeownership and housing opportunities for lower income families, together with such recommendations as it deems appropriate.

(2) Whenever in its judgment the general unavailability of mortgage funds is sufficiently serious to deter the Foundation from carrying out its objective of expanding homeownership and housing opportunities for lower income families, the Foundation shall, in its annual report or in a separate report to the President and the Congress, state its findings and make such recommendations for alternate means of financing housing for such families as it deems appropriate.

(g) (1) The financial transactions of the Foundation shall be audited by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Foundation and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians. The audit shall cover the fiscal year corresponding to that of the United States Government.

(2) A report of each such audit shall be made by the Comptroller General to the Congress not later than January 15 following the close of the fiscal year for which the audit was made. The report shall set forth the scope of the audit and shall include a statement of assets and liabilities, capital, and surplus or deficit; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep the Congress informed of the operations and financial condition of the Foundation, together with such recommendations with respect thereto as the Comptroller General may deem advisable. The report shall also show specifically any program, expenditure, or other financial transaction or undertaking, observed in the course of the audit, which, in the opinion of the Comptroller General, has been carried on or made without authority of law. A copy of each report shall be furnished to the President and to the Foundation at the time submitted to the Congress.

(h) Funds of the Foundation shall be deposited, to the extent practicable, in accounts with financial institutions which are actively engaged in making loans or are otherwise carrying on activities in furtherance of homeownership and housing opportunities for lower income families.

(i) There is authorized to be appropriated to the Foundation not to exceed $10,000,000 to carry out the purposes of this section. Appropriations made hereunder shall remain available until expended.

NEW TECHNOLOGIES IN THE DEVELOPMENT OF HOUSING FOR LOWER INCOME FAMILIES

SEC. 108. (a) In order to encourage the use of new housing technologies in providing decent, safe, and sanitary housing for lower income families; to encourage large-scale experimentation in the use of such technologies; to provide a basis for comparison of such technologies with existing housing technologies in providing such housing; and to evaluate the effect of local housing codes and zoning regulations on the large-scale use of new housing technologies in the provision of such housing, the Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") shall institute a program under which qualified organizations, public and private, will submit plans for the development of housing for lower income families, using new and advanced technologies, on Federal land which has been made available by the Secretary for the purposes of this section, or on other land where (1) local building regulations permit the construction of experimental housing, or (2) State or local law permits variances from building regulations in the construction of experimental housing for the purpose of testing and developing new building technologies.

(b) The Secretary shall approve not more than five plans utilizing new housing technologies which are submitted to him pursuant to the program referred to in subsection (a) and which he determines are most promising in furtherance of the purposes of this section. In making such determination the Secretary shall consider—

(1) the potential of the technology employed for producing housing for lower income families on a large scale at a moderate cost;

(2) the extent to which the plan envisages environmental quality;

(3) the possibility of mass production of the technology; and

(4) the financial soundness of the organization submitting the plan, and the ability of such organization, alone or in combination with other organizations, to produce at least one thousand dwelling units a year utilizing the technology proposed.

(c) In approving projects for mortgage insurance under section 233(a)(2) of the National Housing Act (as added by subsection (f) of this section), the Secretary shall seek to achieve the construction of at least one thousand dwelling units a year over a five-year period for each of the various types of technologies proposed in approved plans under subsection (b). The Secretary shall evaluate each project with respect to which assistance is extended pursuant to this section with a view to determining (1) the detailed cost breakdown per dwelling unit, (2) the environmental quality achieved in each such unit, and (3) the effect which local housing codes and zoning regulations have, or would have if applicable, on the cost per dwelling unit.

(d) Notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949, any land which is excess property within the meaning of such Act and which is determined by the Secretary to be suitable in furtherance of the purposes of this section may be transferred to the Secretary upon his request.

(e) The Secretary shall, at the earliest practicable date, report his findings with respect to projects assisted pursuant to this section (including evaluations of each such project in accordance with subsection (c)), together with such recommendations for additional legislation as he determines to be necessary or desirable to expand the available supply of decent, safe, and sanitary housing for lower income families through the use of technologies the efficacy of which has been demonstrated under this section.

(f)(1) Section 233(a) of the National Housing Act is amended—

(A) by inserting "(1)" after "(a)",

(B) by redesignating clauses (1), (2), and (3) as clauses (A), (B), and (C), respectively, and

(C) by adding at the end thereof the following new paragraph:

"(2) The Secretary is further authorized to insure and to make commitments to insure, under this section, mortgages (including advances on mortgages during construction) secured by properties in projects to be carried out in accordance with plans approved by the Secretary under section 108 of the Housing and Urban Development Act of 1968.".

(2) Section 233(c) of such Act is amended by inserting at the end thereof the following new sentence: "Any authority which the Secretary may exercise in connection with a mortgage, or property covered by a mortgage, insured under any other section of this title (including payments to reduce rentals for, or to facilitate homeownership by, lower income families) may be exercised in connection with a mortgage, or property covered by a mortgage, meeting the requirements of such other section (except as specified in subsection (b)), which is insured under this section to the same extent and in the same manner as if the mortgage insured under this section was insured under such other section."

INSURANCE PROTECTION FOR HOMEOWNERS

SEC. 109. (a) The Secretary of Housing and Urban Development is authorized, in cooperation with the private insurance industry, to develop a plan for the establishment at the earliest practicable date of an insurance program to help homeowners in meeting mortgage payments in times of personal economic adversity. Such insurance program shall be designed to protect mortgagors against foreclosure due to curtailment of income resulting from factors beyond their effective control, including such factors as death, disability, illness, and unemployment. Such insurance program shall also be designed to be actuarially sound through the use of premiums, fees, extended or increased payment schedules, or other similar methods, in conjunction with such Federal participation as may be necessary.

(b) Within six months following the date of enactment of this Act, the Secretary shall report to the Congress on his actions under this section, and shall recommend to the Congress such legislation as he deems appropriate to authorize him to enter into agreements with any insurance company, or any corporation or joint enterprise formed to provide home mortgage insurance protection, for the purpose of reinsuring insurance reserve funds, subsidizing premium payments on behalf of lower income mortgagors, or otherwise making possible the insurance protection of homeowners in accordance with subsection (a). In preparing such recommendations the Secretary shall consult with other agencies or instrumentalities of the United States which insure or guarantee home mortgages in order that such legislation as may be recommended affords equal benefits to mortgagors participating in their programs.

AMENDMENT OFFERED BY MRS. DWYER

Mrs. DWYER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. DWYER: On page 4, after line 10, insert the following new section:

"ANNUAL REPORT ON AREAS OF PROGRAM ADMINISTRATION AND MANAGEMENT WHICH REQUIRE IMPROVEMENT

"SEC. 5. The Secretary shall, as soon as practicable in each calendar year and beginning with an interim report no later than January 15, 1969, make a report to the respective Committees on Banking and Currency of the House of Representatives and the Senate identifying specific areas of program administration and management which require improvement, describing actions taken and proposed for the purpose of making such improvements, and recommending such legislation as may be necessary to accomplish such improvements. Each report shall include, but not be limited to, the following areas of program administration and management: uniformity and standardization in program requirements, simplification of program procedures, ways and means of expediting consideration of proposed projects and applications for assistance, the provision of more useful and specific assistance to communities, organizations and individuals seeking to utilize the Department's programs, and ways and means of combining or otherwise adapting the Department's programs to increase their usefulness in meeting the individual needs of applicants."

Mrs. DWYER. Mr. Chairman, my amendment, I believe, is self-explanatory. It would simply implement the language in the committee report on page 4 which expresses the committee's "dissatisfaction" with "excessive redtape, extensive delays in processing applications, cumbersome and complicated procedural requirements."

In all essential respects, moreover, the language of my amendment follows the language of the committee report. It is designed to follow up our concern with action.

Certainly, Mr. Chairman, no one here will question the need for such improvements. Our colleagues are all too aware of shortcomings in program administration, not only in the Department of Housing and Urban Development but in other departments and agencies having urban program responsibilities. As I mentioned during general debate, our committee hearings on the pending bill revealed considerable evidence of the problem, and I shall cite only a few to illustrate the need for action.

The mayor of Philadelphia, for instance, told us how he has been forced to increase his staff of one coordinator to five, with each of the five requiring a backup staff of 20 or 30.

The president of the National Association of Housing and Redevelopment Officials argued strongly for greater reliance on local initiative and for elimination of the requirements of prereview of local projects, which involves so much time-consuming duplication of effort.

The chairman of the Housing Committee of the American Institute of Architects put it bluntly. He said, and I quote:

> Delays are so great in many of our Federal housing programs that it takes weeks and even months to get minor approvals. Existing programs must be strengthened to provide greater efficiencies.

The mayor of Norfolk, Va., was another who stressed the problem of delays in housing programs. And he, too, urged upon the committee the importance of faster approval of local projects and the elimination of redtape.

This judgment is shared by officials at the State level, too. In my own State of New Jersey, the Newark Sunday News recently reported one of the most vigorous attacks on the complexities of Federal program administration I have ever seen. No less than three top State officials—the budget director, the community affairs commissioner and the transportation commissioner—agreed on the chaos created by uncoordinated Federal programs. The News reported expressions of "disbelief" at what was termed "an indescribable morass."

Finally, the report of the National Commission on Civil Disorders devoted some of its strongest, and most ignored, language to these problems. It said, and I quote again:

> Federal programs often seem self-defeating and contradictory: field officials unable to make decisions on their own programs and unaware of related efforts; agencies unable or unwilling to work together; programs conceived and administered to achieve different and sometimes conflicting purposes.

The whole point of my amendment, Mr. Chairman, is to make department officials think in a systematic way about the problems of redtape, delay, and complexity. But unless Congress requires that this be done, unless we set this process of self-criticism in motion by statutory requirements, it will not be done. At best, we will continue to see sporadic and isolated attempts to improve administration. At worst, we will witness more of the unsatisfactory status quo—officials enmeshed in the day-to-day struggle with a host of complex projects and unable to reflect on what they are doing and devise better ways of doing it.

The New York City housing and development administrator, to illustrate this point, told our committee that when we demanded a report from HHFA several years ago on what the agency was doing to cut redtape, responsible officials found it the most encouraging thing that had happened in years—and those are his words.

He said, and I quote, "the most important single goad to action to clean up the red tape that I know of."

If Mr. Nathan was right, and I have every reason to believe he was, then the very simple amendment I am offering can trigger a great deal of cost-cutting, time-saving, and problem-solving activity both here in Washington and throughout the country.

If we are genuinely concerned about making greater progress in solving our urban problems, if we mean what we say about economy and efficiency in Government, then we must make a start here and now. I submit to our colleagues that approval of my amendment would be a very good start indeed.

Mr. BARRETT. Mr. Chairman, will the gentlewoman yield?

Mrs. DWYER. I am very happy to yield to the gentleman.

Mr. BARRETT. Mr. Chairman, I have consulted the Members on our side of the aisle on the amendment offered by the gentlewoman, and we have no objection to it if it is agreeable to the minority side. I do want to say that I am very sure that the gentlewoman knows we must recognize HUD has many, many agencies and many, many programs. I do not think we should oppose the amendment offered by the gentlewoman requiring an annual report to the Committee on Banking and Currency. Therefore, I ask our side to support your amendment, and I know your side is agreeable and will accept it.

Mrs. DWYER. I thank the gentleman very much.

Mr. WIDNALL. Mr. Chairman, will the distinguished gentlewoman yield?

Mrs. DWYER. I shall be glad to yield to the distinguished gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I would like to compliment the distinguished gentlewoman from New Jersey on the amendment that she has offered. She has worked very hard within the committee in order to bring to the attention of our committee and also to the attention of the entire country the red tape delays in administering many of the present programs. This amendment should pinpoint the difficulties.

Mr. Chairman, in my opinion it is a significant amendment and provides that the housing programs may be expedited. This is a major goal for all. We want to achieve results.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New Jersey [Mrs. DWYER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OTTINGER

Mr. OTTINGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. OTTINGER: On page 2, at line 17, insert the following:
>
> "The Congress declares that the program of the President as expressed in his annual message to the Congress shall include statements and recommendations concerning a residential construction goal. In furtherance of the realization of this goal the President shall transmit to the Senate and the House of Representatives, after the beginning of each session of the Congress, but not later than January 20, a report which shall include the following: (1) a statement indicating the minimum number of housing units which should be started during the then calendar year, or such year and the next following calendar year, in order to be consistent with the program of the President; (2) an indication of the manner in which fiscal and monetary policies will be administered by the executive agencies to achieve the number of housing units specified under clause (1); and (3) any recommendations for legislative action that the President determines is necessary or desirable in order that the construction of such specified number of housing units may be started."

Mr. OTTINGER. Mr. Chairman, I wish to congratulate the chairman of the Committee on Banking and Currency, on which I have had the privilege to serve, for the fine job which he has done on this bill, as well as the chairman of the subcommittee, the gentleman from Pennsylvania [Mr. BARRETT], and the ranking minority member, the gentleman from New Jersey [Mr. WIDNALL].

I hope they will accept this amendment.

This amendment is comparable to legislation which I and a number of colleagues on both sides of the aisle have introduced since the 89th Congress.

Mr. Chairman, I am sure every one of our colleagues recalls vividly the financial turmoil in 1966 when interest rates reached record levels and the housing industry was plunged into a depression.

At this time last year, signs were pointing ominously to another tightening of credit and further setbacks for the housing market, just as it was on the verge of recovery. Today again astronomical interest rates threaten our savings and housing industries.

On no less than three occasions since 1950, the housing industry has been severely constricted as the Federal Reserve tightened credit to ward off inflation. In 1966 the cost of mortgage loans rose to the highest levels in 40 years, and the construction rate of new homes and apartments dropped 909,000 units for the year.

Mr. Chairman, this boom-and-bust cycle in the housing industry is intolerable. The Congress has an obligation to take positive steps to encourage stability in this vital sector of the economy. Before the year 2000, the increase in population and income will create a demand for new housing greater than all the housing built since this Nation was first colonized. In light of this, recurrence of the 1966 fiasco would be disastrous.

Unfortunately, Mr. Chairman, the effect of fiscal and monetary policies on the homebuilding and related industries is never discussed until they have been carried out and their impact is being felt. Decisions made by the Federal Reserve Board, the Bureau of the Budget, the Treasury Department, the Department of Housing and Urban Development, and the Federal Home Loan Bank Board can turn the volume of homebuilding up full blast, or reduce it to a mere trickle. But the Congress never debates these decisions until it is to late, until savings banks and savings and loan associations are teetering on the brink of insolvency, construction workers are laid off their jobs, and would-be homeowners are unable to find credit.

Fluctuations in the homebuilding industry do not occur by accident. They are the result of policies that have been planned and implemented, and as such, they can be anticipated. We can plan and anticipate far better than we have been doing, and the amendment I have offered will enable the administration and the Congress to do the kind of planning that is necessary to achieve stability in homebuilding.

The thrust of this amendment is simple and straightforward. It is taken directly from legislation introduced by me in the 89th and 90th Congresses—House Joint Resolution 757—and joined in by my colleagues, Messrs, HANNA, DOW, ULLMAN, and WALKER. It directs the President to set an annual housing goal; to advise Congress how fiscal and monetary policies will be carried out to achieve that goal; and to recommend any additional legislation which may be necessary.

It gives the President a little leverage over the Federal Reserve Board to require it to publicly consider the consequences to homebuilding of its monetary policies. It also requires the administration to consider monetary and fiscal policies together in arriving at a homebuilding goal. Clearly use of interest rate adjustments alone to battle inflation is unsound and inequitable.

Had this legislation been in effect in 1966, Congress would not have been faced with taking emergency steps to bring the homebuilding industry out of a depression. We would already have deliberated and debated the administration's economic plans and outlook, and taken appropriate action to maintain stability.

It is late, but not too late to act, and I urge the adoption of the amendment.

Mr. REUSS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I wish that we could accept the amendment offered by the gentleman from New York, and the reason we cannot is not because it is not a good amendment, and not because the gentleman from New York [Mr. OTTINGER] has not labored long and hard this year and in years gone by to support the principle of this amendment. The reason we cannot accept the amendment is that it is already in the bill.

If the gentleman from New York will turn to pages 260 and 261, he will find the requirement of an annual housing report by the President by January 20 of each year in almost exactly the same language as that used by the gentleman from New York.

To have a slightly out-of-phase duplicate amendment back on page 2 would obviously create legislative confusion. Also, the section which the gentleman from New Work has sought to amend is a declaration of policy, and I believe would not be the proper repository for the excellent amendment which the gentleman has offered, and I am wondering therefore, if in view of what the committee has done, the gentleman from New York might see fit to not press forward with his amendment.

Mr. OTTINGER. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from New York.

Mr. OTTINGER. Mr. Chairman, I will have to admit to have been unaware of this provision the committee adopted.

Mr. REUSS. The gentleman need not reproach himself, since pages 260 and 261 are very far along in the bill, but it is there, and I do believe it meets the point raised by the gentleman in his amendment.

Mr. OTTINGER. Reading this over, do I correctly assume that it is the intent of the committee that the President, after receiving the report of the Secretary of Housing and Urban Development, would set the monetary and fiscal requirements for achieving the annual housing objectives as well as just the number of units required? I think it is important that the President should be required to set monetary and fiscal objectives that would be beyond the scope of the Secretary of HUD.

Mr. REUSS. In reply to the inquiry of the gentleman from New York, I would say "Yes," and what the committee has done, specifically, is to ask for the recommendations of the President—and here I quote—"of the legislative and administrative actions necessary to achieve the 10-year goal."

Mr. OTTINGER. Mr. Chairman, I thank the gentleman from Wisconsin for his explanation, and I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from California.

Mr. CHARLES H. WILSON. Mr. Chairman, I rise in support of the legislation.

Mr. Chairman, first of all, I want to commend the distinguished chairman of the committee, the gentleman from Texas [Mr. PATMAN], and the very able and distinguished chairman of the Subcommittee on Housing, the gentleman from Pennsylvania [Mr. BARRETT] and the able members of the committee for bringing forth what I consider a landmark bill.

The bill has many significant and worthwhile parts, but I think the most important aspect is that for the first time we are really facing up to the magnitude of the housing and urban problem. I know that much important legislation has been enacted in the past and it has been sound legislation. It has also been valuable for the people it has helped and the experience it has given, but it has been inadequate to stop the spread of blight and slums in our cities and rural areas and to provide the housing needed to meet the national housing goal enunciated by the Congress in 1949 of "a decent home and a suitable living environment for every American family."

Now I do not know whether 10 years hence will see the eradication of slums replaced by decent housing for all American families, but at least here is a sincere and realistic effort in that direction. As the distinguished gentleman from Texas indicated, this bill is part of a 10-year program to make available 6 million additional dwelling units, with various kinds of Federal assistance, for those low and moderate income families who cannot now afford decent housing. The Federal Government has been trying to help these people house themselves for over 30 years, but this program represents a vast increase over all previous efforts.

In the previous decade, less than 600,000 units were constructed or rehabilitated with public assistance, and most of these units were assisted under the low-rent public housing program. This is about 4 percent of total housing starts and rehabilitation over the same period, which exceeded 14 million units. That this is not enough is plain from the fact that almost 6 million substandard units are in the housing supply, that millions more are overcrowded, that 15 million American families have incomes so low as to make it very difficult and in many cases impossible for them to find decent housing they can afford.

I am heartened by the President's 10-year housing goals, which call for nearly double the total number of housing starts and more than a tenfold increase in the number of assisted units and fivefold increase in the proportion of assisted units to total units. These goals are set out in title XIII of this bill, thus giving a statutory mandate to carrying out this most urgent task.

The able members of the committee have carefully weighed such key factors as the availability of mortgage credit, the capacity of the construction industry, and the impact on the economy, in devising the maximum practicable housing goals. I think, all things considered, that these are splendid goals, and if we went so far in other areas to help the disadvantaged, a great deal of our urban decay would be eliminated.

The specific provisions and programs in the bill appear to be carefully drawn and well balanced. The new emphasis on homeownership is a real breakthrough which I fully endorse, along with the many other features of this excellent bill. It is my sincere hope we can pass this great piece of legislation as it came from the committee and without curtailing its effectiveness with unnecessary and crippling amendments.

AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of Illinois: On page 17, following line 3 add a new subsection (1) as follows:

"(1) Notwithstanding any other provision of this section, no assistance payments authorized to be contracted under this section shall be made on behalf of any family whose income exceeds 130 per centum of the maximum income limits which can be established in the area, pursuant to the limitations prescribed in sections 2(2) and 15(7)(b)(ii) of the United States Housing Act of 1937, for occupancy in public housing dwellings."

Mr. ANDERSON of Illinois. Mr. Chairman, we have traveled a long road since passage of the Housing Act of 1949 with its brave goals of a decent home and a suitable living environment for every American. As the road to perdition is paved with broken promises, it seems that the road to better housing has been littered with unfulfilled expectations and disappointed dreams. For there are those who estimate that one-fifth of our people are still ill housed.

Fifteen years after a Presidential advisory committee announced a need for replacement or rehabilitation of 6.8 million units, we hear a current estimate of some 6 million substandard housing units. In the last 15 years the sum total of urban renewal has been the completion of 148,468 new once rehabilitated dwelling units completed in designated urban renewal areas. Instead of completing 810,000 public housing units as was authorized almost 20 years ago, as of February of this year less than 700,000 or 681,020 public housing units were occupied and under management with an additional 49,417 under construction.

So when we hear the bold new targets of 26 million housing units in total over the next decade, almost double the actual figure reached in the preceding decade, of which 6 million units are to be for low- and moderate-income families we have a right to be wary.

If we have not attained our goals in the past what new magic formula has been devised. And I remind you that when you dash the aroused hopes of an ill-housed segment of our population that their dream of adequate housing is finally going to be established you do far more than trifle with their future political affections, you sow the seeds of disillusionment and despair that can erupt into what has become the agony of our cities. The revolution of rising expectations is not confined to the developing nations of the Eastern and Southern Hemispheres. It is right here as well.

Mr. PATMAN. Mr. Chairman, if the gentleman will yield, we would like to see the gentleman's amendment. Do you have a copy available?

Mr. ANDERSON of Illinois. Yes; there is a copy available.

My criticisms therefore of sections 101 under title I and 201 under title II are that they promise too much to too many, and as a result we will simply see a repetition of the now monotonous pattern of dashed hopes and disappointed dreams. Why do I say that? Because it is only too clear that under the discretionary authority of the Department of Housing and Urban Development to set maximum permissible income limits you are holding out the hope to about 70 percent of the American people that the U.S. Government is going to be able to subsidize its shelter costs.

The hearings make it abundantly clear that income limits are going to be established administratively as is presently done under the FHA section 221(d)(3) program. Let me quote from pages 863 and 864 of the hearings. Nowhere, I repeat, nowhere, is "low and moderate income" defined.

I can quote to you from pages 863 and 864 of the hearings to that effect where Mr. McGrath said, and I quote:

> Let me add, Mr. Widnall, that I think we would expect the income maximums, of course, to be set by the Secretary under the bill; that is, there is no statutory limitation applied, but we would expect them to be either at the 221(d)(3) level, in some places, or at 70 percent of the 221(d)(3) level in other places.

In many communities 221(d)(3) limits extend well beyond $8,000 per year for families with one minor child. For example in Rockford, Ill., in my congressional district, a family with one child earning $7,950—which is well above the median income in the State of Illinois—is entitled to admission in 221(d)(3) projects. Therefore, it is a perfectly valid assumption that this family would be eligible for the new programs provided in the bill.

There are many communities, and if I had the time—and I will later—put into the RECORD the lists that I have from the Department of Housing and Urban Development showing what the 221(d)(3) maximum permissible income limits are.

There are many communities where this extends well beyond the $8,000 a year even for a family with one minor child.

Yet, there are 13 million poor families earning less than $5,000 per year looking for assistance in obtaining decent housing. Yes, 13 million families. Should they not be our first concern? Should we not see the absolute essentiality of establishing some priorities within our housing programs? Oh, yes; I am familiar with all the counterarguments. We must have flexibility. Let the income limits be the function of the mortgage and such regulations as the Secretary may administratively determine.

Oh, yes; Secretary Weaver in his testimony talks about limiting the homeownership provisions of new section 235 to families in an income range of $3,000 to $5,000 or $6,000 a year:

> These are the limits where we believe most of the families to be served would be concentrated. (Page 184 of the hearings.)

And the estimate of Mr. Ross of Secretary Weaver's staff was that in 1966 you had about 11 million families that fell between $3,000 and $6,000 income, and another 4½ million families between $6,000 and $7,000. This is our target, not families above the median income.

Mr. Chairman, if these poor families are not going to be reached it is cruel and dishonest to masquerade behind a label. If the housing units to be produced under these programs are not going to be marketable unless we boost maximum permissible income limits to $8,000, $9,000, $10,000, let us say so. Do not call it a program for poor people. To suffer this delusion is to merely court a repetition of the failures of the past.

So what do I propose to do with my amendments to new sections 235 and 236 to the National Housing Act? I merely propose to discharge our proper legislative responsibility of setting maximum permissible income limits at 130 percent of the income limits prevailing in a community for the occupancy of public housing. This permits both geographic and administrative flexibility, but it does blanket in 70 percent of our population. It rifles in on the poor. They should be our target.

I refuse to believe that this House, that this Committee wants to shut off the dreams and the hopes of the truly underprivileged people of this country.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

(By unanimous consent, Mr. ANDERSON of Illinois was allowed to proceed for 5 additional minutes.)

Mr. ANDERSON of Illinois. Mr. Chairman, I refuse to believe that we want to dash the hopes and the dreams of these families making less than $6,000 a year that this bill is not for them. You know, there are so many examples that I could give you this afternoon of some of the deception that I think has been practiced under some of the housing programs that we have already on the books. I brought with me this afternoon a clipping that I took from a Washington newspaper only a few days ago with the headline "569-Unit Low-Income Housing Project Planned Here in the District of Columbia."

Well, now, that sounds mighty fine, does it not? It sounds like we are rushing down to get to the people that we ought to be helping. And yet if you read the fine print in the story, if you go past the headlines, this is what you find: That out of that 569-unit low-income housing project, exactly 92 families now in an income bracket that qualifies them for public housing will be eligible for that project—92 families out of 569 are going to reap the benefits of low-cost housing.

So the trouble is that when we talk in general and ill-defined terms, as we do in this bill, about low-income and moderate-income housing, we are not talking about very much low-income housing. We are talking about a lot of moderate-income housing.

I read the testimony of the National Association of Home Builders, about how the amount of the subsidy ought to be the function of the mortgage and let us give administrative flexibility to the Secretary, and all of that. But this is a bill that ought to be written for the poor people of this country, not the Home Builders Association or any other group.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from New Jersey.

Mr. CAHILL. As I read the bill, I am disturbed that there is no limit on the amount of interest that could be charged. I am wondering if this subsidy of what really amounts overall to 1 percent would not put pressures on to increase interest rates, and would not therefore make it more difficult for the middle-income purchaser who was not eligible for subsidies to obtain a mortgage.

So, therefore, as the gentleman has well pointed out, unless we do establish priorities, and unless we limit the subsidy, we are going to find that the people who really want to go out and mortgage their homes on their own would find it almost impossible to get mortgages.

Mr. ANDERSON of Illinois. I thank the gentleman from Illinois for his contribution. I think he has made a valid point.

Let me hurry on to tell you exactly what I propose to do with the amendment I have offered to section 235. In that amendment I merely propose to discharge what I think is the proper legislative responsibility of this Congress to set the maximum permissible income limit for the families that will be eligible for this new home ownership program at 130 percent, the 130-percent-income limit that now prevails in the community for the occupancy of public housing.

You can make that much more than the occupant of public housing and still be eligible for the program under section 235. This, I believe, would give administrative flexibility to the Secretary. There are variations, as you all know, from area to area in the country in the maximum permissible income limits for public housing occupants. So there is not just one figure across the board. We take into consideration that there are differences in various geographic areas of our country.

And yet I think rather than leaving this term "moderate- low and moderate income" completely undefined, we should put into the bill a formula. I would remind you that the other body put into the legislation that they passed a different formula. They would peg the maximum permissible limit at 70 percent of the 221(d)(3) limit. I think the formula I am suggesting in the amendment is superior. I think we know on the basis of long experience just what these public housing ceilings are, and I think certainly if we give this a flexibility of 130 percent to the Administrator, that this is a program that can work.

Let me remind those who say this would destroy the great purpose of this program, if this program is not really going to help the low income people of this country, then let us not be out here on the floor today trying to fool them and make them believe it is going to work. Let us not put a label of "low and moderate income" on a program, when we really mean moderate income with maybe a few crumbs off the table for the truly low income people of this country. That is unfair. It is dishonest.

I would suggest only if we adopt this clarifying amendment will we really put some meaning and teeth into this particular provision of the bill.

Mr. REUSS. Mr. Chairman, I rise in opposition to the amendment.

Mr. FRASER. Mr. Chairman, I make the point of order that a quorum is not present.

The **CHAIRMAN.** The Chair will count. Ninety Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 236]

Bell
Brademas
Brown, Calif.
Cederberg
Corman
Evans, Colo.
Evins, Tenn.
Foley
Gardner
Halleck
Hansen, Idaho
Hardy
Hawkins
Heckler, Mass.
Jones, Mo.
Karsten
Landrum
McCulloch
McMillan
O'Hara, Ill.
Passman
Pepper
Rarick
Resnick
Satterfield
Stafford
Tunney
Van Deerlin
Waggonner
Willis

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRICE of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 17989, and finding itself without a quorum, he had directed the roll to be called, when 402 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The **CHAIRMAN.** The gentleman from Wisconsin [Mr. REUSS] is recognized.

Mr. REUSS. Mr. Chairman, I rise in strong opposition to the Anderson amendment.

Let us just see what this amendment does. The Anderson amendment is attached to the Percy-Widnall-Patman-Barrett-Sullivan homeownership provision. That is the provision which is designed to see that low- and near-low-income people should not be condemned to the one alternative of public housing, but should have an opportunity to acquire the dream of American homeownership.

The Anderson amendment seeks to place a limitation on that. It in effect says that the only people who can take advantage of this section are paupers plus 30 percent. The people who live in public housing have an income level of $3,000 to $3,500. If you take 30 percent of that, that is another $1,000 or so, an income of around $4,000.

If you adopt the Anderson amendment, you will be taking the Percy-Widnall bill, which I believe every Republican Senator in the Senate cosponsored, and which 114 Republican Members in this body cosponsored, and throwing it out of the window. You will be doing that because this homeownership program is aimed at the family with an income around $5,000, $6,000, or possibly $7,000 a year. Unless you beam it at moderate-income people like that, you are beaming it at nobody, because a pauper cannot own a home. It does not make economic sense. He cannot pay off his mortgage. He cannot pay his taxes. He cannot pay for the repairs. He cannot pay the insurance.

This is designed to help the larger family, the family displaced by an urban renewal project or by a freeway or by a park, the family in a larger city where construction costs are high. However, well intentioned the Anderson amendment may be, it would have the effect of telling Senator PERCY and Congressman WIDNALL and the leadership on the majority side that their homeownership program is out the window, because the only people the Anderson amendment is willing to give homeownership to are those paupers plus 30 percent who should not be owning a home because they cannot maintain the payments.

The gentleman from Illinois has talked about cruel hoaxes, about unfulfilled expectations, broken dreams, fractured bubbles, and so on. The greatest broken dream of all history would be the Percy-Widnall homeownership provision if it is clobbered by a Republican amendment.

So, while I have no fears that on the majority side we will vote down this amendment, I urge the 114 Republicans who are cosponsoring the Percy-Widnall amendment to think twice before they ruin a really excellent bipartisan, truly American homeownership program to help the moderate-income guy own a home for a change.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Does not the gentleman think it is necessary in our housing programs to assign priorities, and that it would be better to start to help the 13 million families in this country who make $5,000 a year or less first before we go to the $9,000- or $10,000-a-year families? Does that not make some sense?

Mr. REUSS. We are not going to the $9,000- or $10,000-a-year group. We want to take into account the need of the moderate-income people, the $5,000- or $6,000-a-year people, for housing, and we on this side, and I assume the 114 Republicans who support the Widnall amendment, believe in homeownership. We think a man who owns a home is not likely to burn it down. We want to help worthy people to develop their own equity in their own home, and that means we have to put some substance in this bill for those who are somewhat beyond the pauper level, and that is why this is not just a low-income housing bill but a moderate-income housing bill, and the gentleman would make a mockery of the homeownership provision, unintentionally, I grant you, by saying you have got to be a pauper plus 30 percent or you cannot come in.

Mr. BROCK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I never cease to be amazed at the argument of people who talk so much in their districts about helping the poor only to come on the floor and oppose an amendment which would require that Federal funds go to the people we are supposed to be helping.

The whole thrust of the Anderson amendment is to require HUD to put the money where their mouth is and give assistance to the low- and low-moderate-income families.

The gentleman from Wisconsin talks about incomes of $5,000, $6,000, and maybe even $7,000, but he cannot deny that under the existing HUD authorization program, families in New York can have an income of $10,000—or $10,050 to be specific.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Wisconsin.

Mr. REUSS. Mr. Chairman, the gentleman is talking about the 221(d)(3) program, which does provide rental units largely in high-cost cities like New York. That has nothing to do with the amendment of the gentleman from Illinois [Mr. ANDERSON] which goes to homeownership. We cannot own a home in a high rise apartment under normal circumstances. What we are talking about is some people who can carry homeownership by making monthly payments on principal and interest, making repairs, paying insurance, and keeping up a home. That is what homeownership is. We have to have moderate-income people in order to do that. That is what the bill is all about.

Mr. BROCK. Mr. Chairman, it seems to me the gentleman is missing one of the most pertinent points. From year to year to year this Congress has tried to design programs to help the low-income family with public housing or with rent supplements, and so on and on and on. Each year we review the programs and find out that HUD has given the help to moderate-income families. Then we try to write restrictions into the legislation, and each year they find a way to go around the intent of the Congress.

We are not trying to say there is a $5,000 ceiling on income. The gentleman did not suggest it, and I do not think I would support it either, because there are varying costs and varying problems in each locality. But the gentleman does say it should be at 130 percent of the public housing standard, which gives a varying standard by area according to the cost in the area.

That to me is a pretty sensible approach. I do not understand why we cannot tell HUD once and for all to orient their program to help the people who need the help. That is all we are trying to do. It does seem rather amazing to me that every time we get into one of these fights, the gentlemen on the other side of the aisle seem to be opposed to Congress accepting the responsibility of a legislative branch and writing in specific standards. You always seem to want to oppose any restriction of HUD's authority.

But the fact of the matter is that HUD has failed and failed and failed again. The fact is that they apparently do not have either the desire or the competence to help these people. It is about time Congress asserted a little bit of responsibility and said, "This is where we are going to spend the money, because this is where the need is."

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Ohio.

Mr. ASHLEY. Mr. Chairman, I suppose it is fair to lambaste the Department of Housing and Urban Development under some circumstances, but when we say that they have miserably failed in their efforts to assist the low-income families, I wonder if this is entirely fair? After all, it is this body and the Senate which authorize the housing programs, and if we go back through the years, we will find very substantial opposition, not just to subsidized housing, but to public housing and every single housing program that has been advanced. The 221(d)(3) did not come in as a lower-than-market interest rate program. It came in as a market rate program because that was all we could get through the Congress. So I do not think it is entirely fair to place the onus of responsibility and burden of failure entirely on HUD. We do have Members of this body who vote against every single housing program that has been advanced. So let us look to ourselves a little bit for the burden of responsibility.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

(By unanimous consent, Mr. BROCK was allowed to proceed for 5 additional minutes.)

Mr. BROCK. Let me make this one point. The program we are talking about is a Republican program, the Percy-Widnall homeownership program. Better than 60 percent of the Members of the minority in this body have cosponsored that bill.

All we are trying to do is to see that it is not perverted or prostituted by people in HUD who would like very much, I am sure, to say, "We have so many units constructed."

It is easy to present large figures of construction for moderate-income families, because they do not cost as much, and they do not require as much work.

The point is that the very people we are trying to help require a little extra effort, and that is where we are trying to point the program.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I want to point out, as the gentleman from Ohio said a few moments ago, this has nothing to do with homeownership. The gentleman is talking about the Percy-Widnall program, in the Homeownership Foundation. We are talking about homeownership in title I.

I am quite sure the gentleman from Illinois would not want to do this any more than I want to do it. This bill is to cover a broad spectrum of everybody who needs housing. There are 6 million people living in substandard housing. We are asking to move forward on this in the next 5 years, so that we can put at least 2.5 million of those people in standard housing.

Mr. BROCK. The gentleman's figures are not entirely correct. There are more than 8 million families living in substandard housing. Six million have less than $4,000 income a year.

These are the people we are trying to help. That is all the amendment tries to do.

Mr. BARRETT. Will the gentleman yield further?

Mr. BROCK. Very briefly.

Mr. BARRETT. If the gentleman's amendment were to carry, we would deny to some 2.5 million people the opportunity to be homeowners under this bill.

Mr. BROCK. I am absolutely amazed. I do not yield any further, because I am amazed by that statement. It is simply not true. I will not argue the point further.

Mr. BARRETT. Let me explain, so that the gentleman will not be amazed.

Mr. BROCK. On the substandard units, there are 6 million families who have incomes of less than $4,000, and 1.8 million families under $8,000. That covers 90 percent of all substandard housing.

This amendment would not take away one prospective unit from those families, and the gentleman knows it full well, if he has read the amendment.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from North Carolina.

Mr. JONAS. I am puzzled by the inconsistency of the argument advanced by the gentleman from Pennsylvania when compared to the statement made by the gentleman from Wisconsin. Is this the Percy-Widnall approach or not? The gentleman from Wisconsin said it was, and the gentleman from Pennsylvania says it is not.

Mr. BROCK. The gentleman from Pennsylvania, along with a lot of other gentlemen in the Congress, have decided they like this homeownership concept and have adopted it, but it is a Republican program.

I am delighted that they support the concept. I do not care whether it is called the Percy-Widnall approach or title I. The fact is it is a proposal which emanated from the minority, and I hope the gentleman will give the credit where credit is due.

Mr. BARRETT. Mr. Chairman, will the gentleman yield further?

Mr. BROCK. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I do not want to take credit away from the gentleman from New Jersey [Mr. WIDNALL], nor do I want to take credit away from Senator PERCY, but I do have to point out that the gentlewoman from Missouri inaugurated this amendment to give homeownership to those people.

Mr. BROCK. Let me finish by saying, quite simply, I do not care who offered the bill. I do care where the bill goes. I do care who benefits from it.

It seems to me to be of paramount importance that we talk about directing this bill toward the purpose of helping those people who have no prospects for helping themselves. That is the thrust, the purpose, and the objective of the amendment.

Mr. ASHLEY. I know that the gentleman is motivated by a desire to establish a system of priorities which will result in providing shelter for those who need it the most, but does it not strike you that there is a bit of discrimination involved in this amendment? We say, or the amendment says, that we shall limit the program to families having an income equivalent to that of $3,000 a year plus 30 percent or $3,900.

Mr. BROCK. No. Let me give you the figures. In Baltimore, Md., it would be $4,700; in Los Angeles it is $5,600; for Minneapolis it is $5,600; and for New York it is $7,500. That is not an inordinate restriction.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. ASHLEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to ask the sponsor of the amendment several questions. I am curious about whether or not we are, in an effort to establish priorities, in effect denying the opportunity for decent shelter to a very substantial segment of our society that has an income of more than 30 percent above public housing but below what is necessary in order to obtain decent shelter on the private market.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. Yes. I am glad to yield to the gentleman.

Mr. ANDERSON of Illinois. Mr. Chairman, I think I can answer the gentleman's question by referring to the statements on page 343 of the report where it says that 75 percent of the substandard homes are occupied by families with incomes of $4,000 or less. Thus this indicates that those families with incomes of $5,000 and under occupy most of the necessary substandard housing. That is where the problem is. This is why we are trying to impose a maximum income ceiling that puts HUD and whoever is in charge of administering the program in a position rather than going out to play the numbers game and saying, "Look, we built so many units of housing without respect to whether they are for the people who need them most," where they are forced to pay attention to the fact that substandard housing is occupied by families making $5,000 or $6,000 a year.

Mr. ASHLEY. I wonder who is playing the numbers game here. Your amendment suggests that maybe you are, because what you are saying is that in a community if the public housing income limit is $3,000 a year——

Mr. ANDERSON of Illinois. Will the gentleman yield?

Mr. ASHLEY. Not yet.

Mr. ANDERSON of Illinois. This is not in accord with the facts. You talk about $3,000. I have a table here which shows in some cities it is as high as $7,500 a year for a man and his wife.

Mr. ASHLEY. I appreciate the fact that public housing incomes vary. My hypothetical was based upon a community in which the public housing maximum income is $3,000 a year. The effect of your amendment would say that homeownership shall be allowed only to those families earning $3,900; that is 100 percent of the public housing income plus 30 percent or $3,900. Query: What about the family earning $4,200 a year?

Mr. ANDERSON of Illinois. It was just called to my attention, if the gentleman will yield further, that in the gentleman's own home community of Toledo, Ohio, you can occupy public housing and have an income of $5,500 a year. My amendment simply says you can make 30 percent more than that and still be eligible under this program under section 235. I am not talking about just paupers.

Mr. ASHLEY. But you are excluding where exclusion, it seems to me, is unnecessary. You are excluding families who are just beyond the public housing limit plus 30 percent. You are excluding them, and I say——

Mr. ANDERSON of Illinois. Will the gentleman yield?

Mr. ASHLEY. No; I will not yield.

Mr. ANDERSON of Illinois. We will not rifle in on the target if we do not do that. If we start spreading our shot all over the landscape and guarantee shelter subsidies to 70 percent of the people of this country, we will not be able to furnish it to those who need it the most.

Mr. ASHLEY. You say exclusion is necessary and hence the reason for your amendment. I say it is not necessary for two reasons. The first is that annually this program will be funded through the appropriation process so that there will be direct control. Second, preference is given to large families, families displaced by urban renewal and other governmental activities, and families in public housing.

So clearly a priority or preference is established for these categories of families. And we do have the ability each year through the appropriations process to determine who we are providing shelter for and at what cost.

Mr. ANDERSON of Illinois. Mr. Chairman, if the gentleman will yield further, the time to determine that is now. We are writing the basic authorizing legislation. It is there where the standard ought to be imposed. We are operating in the field of the never, never land if we do not look at this problem in this perspective.

Mr. ASHLEY. But I say the standard has been imposed in the basic statute in the order of preference, and the appropriation process. Your amendment would exclude millions of American citizens who are hard working but who are above the 130-percent income level of public housing but who are excluded from access to decent housing on the private market.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HARVEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I have been very reluctant to get into this discussion here. I do not pretend to have the knowledge of the housing bill which is now pending before us that I perhaps had a few years ago when I did serve on this particular committee.

But, Mr. Chairman, I have heard bandied about this afternoon the word "pauper" and discussion of the limitations of low-income public housing. I think that there has been considerable inaccuracy in this regard.

Mr. Chairman, I have in my hand here the public housing income limitations for areas all across the United States.

With reference to public housing units in the city of New York, a family of six people—a mother, father, and four children—could have an income just under $7,500, and comply with the income limitations. The amendment which has been offered by the gentleman from Illinois [Mr. ANDERSON], would add 30 percent to that.

Mr. Chairman, this means that the income limitation would be even higher for this program, to the extent of almost $2,500 for a total of $10,000 a year.

Mr. Chairman, it seems to me that this is a reasonable degree of flexibility that we are giving here to the Secretary in this instance.

There are many other areas which I could cite, such as Syracuse, N.Y. The limit there for a family of six persons is $6,500 a year, and there again you can add 30 percent to that and still be eligible for this homeownership program. This is reasonable flexibility.

I have to differ with my colleagues on the other side of the aisle who are so fearful of the new limitation to be imposed. And I would say to the Members of the House this: I have a very vivid memory with regard to the subject of income limitations in connection with the rent supplement program which came before us in 1965. At that time you will recall that the administration had no income limitation and they had no real asset limitation in the regulations. This body on that day defeated that bill. We said "We do not want the rent supplement program unless there is written into it some limitation so that it will be directed to the poor people of America."

Mr. Chairman, this body rejected the rent supplement program on that occasion. Finally, after the regulations were revised, and it was limited to the poor, they came back and passed it later on.

I saw my good friend a few moments ago, who served on the committee with me at that time, BOB STEPHENS, of Georgia. I can remember when he had written in the law, on the floor of this House, a limitation that the rent supplement program itself could not exceed the limit of public housing.

The amendment offered by the gentleman from Illinois is not that harsh. He recognizes that here we are talking about homeownership, and he says we will give them an additional 30 percent over and above the limits of public housing. It just seems to me, Mr. Chairman, that this is a very reasonable area of flexibility. For that reason, Mr. Chairman, I certainly want to urge the Members on my side of the aisle, and on the other side of the aisle, who are truly concerned with endorsing a program that will help those who really need it, the truly low-income groups, to vote for the amendment offered by the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HARVEY. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. Mr. Chairman, I have just located that portion of the testimony of Secretary Weaver before the Committee on Banking and Currency when this program was being discussed, and he was asked this question:

> Mr. BROWN. Mr. Secretary, in the homeownership provision under section 235 and so on, you have mentioned the term "low and moderate income."
>
> What range are you talking about there?
>
> Secretary WEAVER. Primarily I am talking about a range from $3,000 to $5,000 or $6,000 a year. Obviously these figures vary from locality to locality. In certain localities, they become somewhat higher. In other localities, they are somewhat lower.
>
> Mr. BROWN. Then basically you are saying between three and six. Three is the bottom and six is the top?
>
> Secretary WEAVER. These are the limits where we believe most of the families to be served would be concentrated.

That is all we are seeking to do with this amendment, that is all we would do with this income ceiling of 130 percent of the public housing standards.

Mr. HARVEY. Let me say briefly to the gentleman from Illinois that this was precisely the case when the rent supplement program was before us as well. I have the greatest admiration for Dr. Weaver, but he came in at that time and very honestly said that the rent supplement program then was directed at moderate-income groups. This House decided not to accept a program so directed. Mr. Chairman, I have supported low-income housing, the rent supplement program, and I expect to support this bill but the gentleman from Illinois has a good point, that this program of homeownership should also be directed at the poor.

Mr. PATMAN. Mr. Chairman, I wonder if we can agree upon a limitation of debate? It seems to me like a good many Members have spoken on this.

Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close at 2:15 p.m.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. ERLENBORN. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. PATMAN. Mr. Chairman, I ask that all debate on this amendment and all amendments thereto close at 2:30 p.m.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. CAHILL. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. PATMAN. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close at 2:20 p.m.

The motion was rejected.

Mr. CAHILL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, while I am not a member of the Committee on Banking and Currency, I do have an abiding interest in housing, and I could not help but question what the distingiushed gentleman from Wisconsin [Mr. REUSS] said when he indicated that this was the Percy-Widnall bill, because if I understand the Percy-Widnall bill correctly, this legislation is a far cry from the Percy-Widnall bill.

That bill created a quasi-public corporation with debentures sold to raise the money and the bonds were guaranteed by the Government. This bill returns the funding to the private banking interests of the country. There are many other differences in the two bills.

Now, the name of this bill is the housing bill. It is not the bankers' bill; it is not the savings and loan bill; it is not the builders' bill—but it is the housing bill. Mr. Chairman, the object of this bill is to build houses where they are most needed for our fellow citizens who need them the most.

And do all of us fully understand that we are subsidizing this housing to the tune of $100 million in 1 year? And that we are paying interest for the borrower of the mortgage money in excess of 1 percent of the amount of interest charged? Considering that interest rates in my State and perhaps in every State of this Union today is 7 percent, we can readily conclude that we are subsidizing 6 percent of the amount of the mortgage.

I have been in this Congress for 10 years and I voted, I think, for practically every housing bill. I still find people in all parts of the country that really need the housing and cannot buy it—they cannot get it—it is not available.

Who are those people? You know who they are. They are the minority groups and the low-income groups who do not buy an existing house because nobody will sell to them. They cannot borrow the money to build a house because nobody will lend it to them. They desperately need a home and the pride that goes with homeownership.

They are people who are living in the three-story rowhouses and the substandard houses and apartments where three, four, and five families are living together and whose kids are sleeping five in a room. We wonder why they are dropping out of school. We wonder why they have problems. We wonder why they cannot do better.

Yet what we are going to do is to insure that the builders can build more houses the needy cannot afford, that the banks can lend more mortgage funds, and that suburbia, USA, will have more $15,000 and $20,000 homes but no houses will be built in the cities.

I think it is about time that we recognized that if we want a housing bill that is subsidized by the U.S. Government, we had better start where the need is the greatest.

That is what we did in health insurance. In the field of health insurance, we did not give health insurance to everybody. We did not give health insurance to those who were over 50 years of age. We started where the need was the greatest. If we can afford to do better than the limitation provided in the Anderson amendment, certainly we should do it. But let us start where the need is greatest.

I think we have to start where the houses are needed. We must go in the cities where houses are not being built and where the need is absolutely essential.

The most important thing in any man's life is his home. If we do not provide a way in this bill under this subsidy to let the minority and needy groups in this country get housing, we should not subsidize housing with Federal funds.

I say to you—this is the way to start.

I certainly want to support the amendment offered by the gentleman from Illinois.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I am delighted to yield to the very distinguished and able chairman of the subcommittee whose contribution to housing in this country is monumental.

Mr. BARRETT. I just want to ask the gentleman a question.

I know that he does not want to be harsh with anybody. But he certainly does not want to deprive 2½ million families—those families who have five, six, and seven and eight children, from getting an opportunity to buy their own home. If we should adopt the amendment offered by the gentleman from Illinois, this is what is going to happen. It will exclude that many people and I want to say to the gentleman, it will destroy this bill. I do not think the gentleman from New Jersey wants to do that.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

(By unanimous consent (at the request of Mr. BARRETT) Mr. CAHILL was granted 1 additional minute.)

Mr. CAHILL. Mr. Chairman, if the gentleman's argument is sound, and if we are depriving 2 million people by reducing the income, then why do we not increase the income and add 5 million more?

Mr. BARRETT. It is very hard even to get to the level that we are after—rather than ask for an increase. That is a very hypothetical question.

Mr. CAHILL. I think the gentleman has answered the question. I think if we are going to get housing for the low-income people who need it most, we ought to spend our money for that group first and then come back.

Mr. BARRETT. Let me tell the gentleman what we are aiming for in this bill and particularly in title I.

It is to give the low- and moderate-income people and those families who have a large number of children an opportunity to buy homes. That is simply what it does.

Mr. CAHILL. Under this amendment, 28 percent of families in the United States will be eligible. That is a reasonable and logical start in the field of housing.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, the amendment offered by the gentleman from Illinois is a very sound and practical amendment.

We have heard some talk here that perhaps the amendment will discriminate against someone. Let me say to you that this amendment is going to discriminate in favor of the people in this country who need assistance. We are not talking here about the National Home Ownership Foundation, because that is covered later in title I. What we are talking about here is mortgage assistance. What HUD is going to do under this mortgage assistance program is to pay the difference between the amount of the monthly payment for principal, interest, and mortgage insurance premium which the mortgagor is obligated to pay under the mortgage, and the monthly payment for the same purposes if the principal were to carry interest of only 1 percent.

I want to tell you that this title, the way it is written, is not designed to help the poor people, because under this title mortgage assistance can be given on mortgages up to $20,000. Certainly I do not know of any poor people who are going to be able to get a downpayment together and buy a home and come up with a mortgage of $20,000. That is the maximum mortgage permitted in this bill.

When you are talking about the income level a family may have and still occupy public housing, you are talking about a sliding scale. For every child they are permitted to earn an additional $200 annually. The sliding scale in various parts of the country applies so that in some parts of the country you can occupy public housing if you have an income of $5,000; in other parts of the country you are entitled to occupy public housing if you have an income of $8,000.

The only thing that the gentleman from Illinois is proposing in his amendment is that in order for the Federal Government to make it possible for someone to have a mortgage at 1-percent interest, he cannot earn more than 30 percent above the income limit for the occupancy of public housing in that area.

If you want to help the people who need help, if you want to make certain that the money is being spent beneficially by the Federal Government in underwriting interest rates for commercial banks, for savings and loans, and for other lending institutions, the thing to do is to adopt this amendment.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Pennsylvania. I yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. The gentleman from Pennsylvania [Mr. BARRETT] has referred repeatedly to 2½ million families that would be excluded if my amendment were to be adopted. As I have read and studied the hearings and report on this bill, and under both sections 235 and 236, that is, the homeownership and the rental housing and the cooperative housing sections of this bill, the goal is the production of 900,000 units over the next 3 years.

So I am totally unable to understand where the gentleman has ever come up with the figure of 2½ million, unless he just pulled it out of the air, which I suspect he has.

Mr. WILLIAMS of Pennsylvania. The fact of the matter is that most of the people in substandard housing are below the median income in this country, which is approximately $7,500 a year. Your amendment, which would permit them to earn 130 percent of the maximum allowable income under which they could live in low-cost housing, would help those people who really need the assistance, and we would get to the heart of the problem.

Mrs. SULLIVAN. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. SULLIVAN. Mr. Chairman, I would like to set a few things straight about this program of homeownership for low-income families. This is not a brand new proposal or idea. This program originated in St. Louis about 3½ years ago, as a local experiment initiated without any Federal support of any kind, and it was so successful on a small scale that it is now a part of our housing laws and is beginning to operate throughout the country. We enacted it 2 years ago as an amendment of mine to the Housing Act of 1966. It is now operating as section 22(h) of the National Housing Act and is based on the experience gained in the St. Louis project undertaken and pioneered by the Bicentennial Civic Development Corp.; a nonprofit organization of businessmen and civic leaders. The idea originated with Father John Shocklee and Father Joseph Kohler, but it is a community enterprise with help from many different groups and individuals of all faiths.

It was from the work that has been done in St. Louis and the success of that program that the gentleman in the other body also got his idea for a greatly expanded home ownership program—and it is a worthwhile proposal. But we have already had some experience in operating this kind of program. Our experience has shown that people in the very, very low-income bracket of approximately $3,000 a year cannot manage the expenses of owning their own homes, even with a mortgage subsidy.

We have a sliding scale in St. Louis for those who are able to live in public housing. It depends upon the size of the family, as it does in every other place, but we have found that the home ownership program—and there are now more than 90 units which have been rehabilitated in St. Louis and sold to low income families under this program—is attracting mostly large families, with maybe six, eight, or 10 children, plus a mother and father. So, of course, the top income limitation has to be a great deal more than this $3,000 limitation some of the Members are talking about. If we were to impose a $3,000 limitation, I doubt if that kind of family would be able to buy a home, no matter how much help they might get on the mortgage interest rate subsidy.

Remember that we are not talking about a program that is entirely new and untried. I think the program now has spread, since this amendment was made under 221(h) of the 1966 Housing Act, to some 62 cities which have put it into effect, or are in the process of doing so. The experience shows that we have to have a sliding scale for the low- and moderate-income families, so we can be sure that those who receive this help in buying a home have the ability to pay for it. We do not want foreclosures and evictions resulting from trying to include families which could not meet the costs of owning a home. We can subsidize the mortgage interest rate, but if you limit this only to the lowest income levels, such families would not be able to meet the amortization costs and the upkeep, even if the mortgage carried no interest whatsoever. We have to have flexibility in the income limitations.

Mr. BROCK. Mr. Chairman, will the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Chairman, I would like to point out that in St. Louis, in the gentlewoman's own hometown, under this provision the limit would not be $3,000; it would be over $6,000, so this is a sliding scale.

Mrs. SULLIVAN. Mr. Chairman, I would like to say to the gentleman, there are very few families who are looking for homeownership who are now in public housing, who do not have children. So there has to be a sliding scale and the limitations should not be set too low.

The other thing I want to bring out is that in cities like St. Louis we cannot build new homes at a price the lowest income families could amortize. We have to rehabilitate older houses—work with what we have. When we think of a family in the $3,000 or $5,000 income level paying $10,000 or more for a home—and it would cost that much for a new house in the city—we can see they cannot very well afford to buy that house, and meet the monthly payments, and the maintenance costs, even if no interest were charged at all.

Mr. DERWINSKI. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it was my privilege to serve on the Banking and Currency Committee in the first 4 years I was in the House, and I found the committee interesting, challenging, but quite frustrating. I see it has not changed since I left 5 years ago, because we are back here with another housing bill full of promises and full of vague figures, and here we are, confronted in the basic debate with a question as to whom we may be helping under this bill.

The gentleman from Tennessee a half hour ago questioned whether the impact of whether this section of the bill and the Anderson amendment was aimed at the middle class or the low-income people. If we look about us in the District of Columbia, we notice the great southwest area redevelopment, which is typical of the bureaucratic efforts that have come out of the Housing Department. One of the great residences of that southwest area is the one owned by Vice President HUMPHREY. That southwest area, when I first came to Washington 10 years ago was the most blighted in the city area—if not in America.

But where are the poor people today who were living there then? They are scattered all over the District of Columbia, and that area has been rehabilitated at great cost to the taxpayer for not only the middle-income people but for the upper-income people. I presume the Vice President does not qualify as a middle-income person.

If this is how we are to help the poor people, by passing glamorous programs with wonderful slogans and facades, and then we find more ghettos building because the builders and bureaucrats divert the funds into the upper- and middle-income housing, then we can repeat it all here, I suppose.

I was also thinking of the figures that have been kicked about. I looked at Chicago, where a family of three to four persons in public housing would have a maximum income of $8,750. Taking the Anderson of Illinois amendment, that would permit them, under this program, to earn $11,000 and still be subsidized in homeownership.

If, in the Chicago area, there is a family of four persons, with an income of $11,000, any bank or savings and loan institution will give them a mortgage in FHA, VA, or even conventional loan procedures today.

The 130-percent figure, instead of perhaps "gutting" the program, is, if anything, too liberal. If a person could earn $10,000 or $11,000 in Chicago, or in any major metropolitan area, and has shown he has limited credit and a legitimate record of repayment, he could qualify under an existing Federal program and would be subsidized under the current FHA and VA practices.

Basically what we are facing—and this bill does not touch it at all—is horrible administration by the Housing Agency. In most banks and savings and loan associations across the country they reason why they do not use more Federal programs is because it takes too long to process the documents. One can work with a conventional loan, under normal circumstances, in 3 or 4 weeks. It might be necessary to wait for 3 or 4 months to have the FHA or the VA process approval.

If we did not have people in the administration killing existing programs, we might not have a need for some of these new programs.

The very least we owe to the poor people of the country is not to again resort to promises of a pot of gold at the end of the rainbow, which will not be produced by this program. We need some effort in this bill or in some other approach in the leadership in the Congress to require at least a practical administration of the program.

If anyone could show me how this program would be administered in the light of previous experience and could show it would actually help the poor people of the country, then he is either an optimist or a dreamer, or else he has discovered a clue to the killing bureaucrats in HUD.

I would suggest that the gentleman from Illinois has offered a practical amendment, because it would put the administrator under some legitimate guidelines.

This will, I reemphasize, permit people who are earning $10,000 or $11,000 or $12,000 a year to get financing which is available now. They do not need anything beyond this 130 percent. It will, as I say, inject direction which is otherwise lacking.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DERWINSKI. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS of Pennsylvania. I should like to call the gentleman's attention to the fact that rehabilitation loans and rehabilitation grants are covered in title II of this same bill. Again, there is no income limit on the amount of money a person could be making to get such a rehabilitation loan.

The **CHAIRMAN.** The time of the gentleman from Illinois has expired.

Mr. PATMAN. Mr. Chairman, I wonder if we can get an agreement on time?

I ask unanimous consent that all debate on this amendment be limited to 10 minutes.

The **CHAIRMAN.** Is there objection to the request of the gentleman from Texas?

There was no objection.

The **CHAIRMAN.** The Chair recognizes the gentleman from Alaska [Mr. POLLOCK].

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. POLLOCK. I am glad to yield to the gentleman from Illinois.

Mr. ANDERSON of Illinois. I believe that again the point which ought to be made when we go into the closing minutes of this debate is, that disillusionment is dangerous. If we are going to spell out further disillusionment for the poor people of this country in the program we enact on this floor today, we do them a great disservice.

I would suggest, therefore, that we adopt this amendment and impose a realistic limit with respect to who the participants under the homeownership program—section 236—are going to be. That will signal to the people in the Government who are in charge of this program that it is in fact and in name a program for poor people.

The **CHAIRMAN.** The Chair recognizes the gentleman from Ohio [Mr. TAFT].

Mr. TAFT. Mr. Chairman, I would just like to put this question, in the very short time I have here, to the gentleman from Wisconsin [Mr. REUSS] and the gentleman from Ohio [Mr. ASHLEY].

If you are not going to help these people in the 30 percent above public housing level in this section 235, are you going to go along with a similar amendment which will probably be offered on section 236, or are you against setting out any particular area to help these people, who are in great need of help in this housing program?

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. TAFT. I am glad to yield to the gentleman.

Mr. REUSS. I am all for giving them tremendous help. No one is for cutting them out. We have a very large public housing program.

Mr. TAFT. What about those who are over the public housing limits? Will you go along with them on section 236?

Mr. REUSS. That is right. They are in this and they will stay in.

Mr. TAFT. Mr. Chairman, a serious shortcoming of the bill in section 236, should be corrected. As noted in the minority views, the program is not directed toward those who need it most, and it should be amended to this end. It may be easier, more attractive, and more economic to build for higher income families with incomes over $5,000 per year. But it is not where the greatest need lies, and it is not oriented toward the equality of opportunity and minimum standards precepts that are the very heart of our Federal housing program and have motivated it from the start.

The **CHAIRMAN.** The Chair recognizes the gentleman from Tennessee [Mr. BROCK].

Mr. BROCK. Mr. Chairman, I take this time to point out something that has not been mentioned, as far as I know, by the gentleman from Pennsylvania; namely, that the Senate bill does have a limitation of this type. It puts a limit of 70 percent of the funds available under 221(d)(3), which is effectively what this amendment does. I do not think the gentleman would wish to accuse the other body of trying to destroy the bill. Both amendments are intended to direct the use of this money to the people who need the help.

The **CHAIRMAN.** The Chair recognizes the gentleman from New York [Mr. ROSENTHAL].

Mr. ROSENTHAL. Mr. Chairman, I rise in opposition to this amendment and in strongest possible support for the housing bill we consider today. This is an omnibus bill in the best sense. The need for ambitious and creative legislation to gain adequate housing for all Americans can no longer be questioned whether we speak for our cities, our suburbs or our rural communities. This bill, as reported out by the Committee on Banking and Currency, represents exactly the far-ranging kind of legislative policy planning that millions of ill-housed Americans require.

When we address ourselves to questions of housing and urban development, we do nothing less than to confront the very quality of life in the United States. All human activity apart from work, and in many cases even including work, occurs within the domicile environment. Nurturance, family raising, sleep, recreation, and religious training are all at-home activities for us.

Educators agree that upwards of 90 percent of all childhood education takes place at home. Social scientists have long known that nothing tells as much about individual life styles as does a man's home.

If this is so, if housing is so determinative of the way men live, we cannot tolerate the continued existence of more than 6 million substandard dwelling units in our Nation. Nor can we tolerate a social condition of inequity where we must build 26 million new housing units by the end of this century—merely to keep pace with our present housing shortage.

This bill incorporates several hundred housing ideas into the only kind of comprehensive program that can meet the heterogeneous needs of 200 million dwellers.

Many of the bill's provisions continue the imaginative proposals first passed in earlier housing acts. Among these are the model cities and rent supplement programs, which have now begun to partially fulfill their promise. The comprehensive urban planning fostered by model cities is urgently needed to meet the interlocking problems of modern urban life.

Rent supplement programs serve admirably to break the cost barriers to adequate housing that are now faced by many residents of our high-rental urban areas. Both of these programs have shown that they merit expanded support by Congress; and efforts to cut these programs back would be simply unconscionable.

The many exciting new proposals in this bill should also be approved by this House today. Title I of this bill, which lends Federal support of homeownership programs must be seen as especially valuable in securing a pleasant environment for those millions of our fellow citizens now trapped in noisome tenements.

I represent a district in New York that contains many single-family homes, as well as 83,000 apartment units. I know how strong the desire for homeownership is, even in New York. I am also pleased to see that H.R. 17989 would insure that at least half of all subsidized housing within residential urban renewal areas will be low- or middle-income housing.

As a former member of the Committee on Agriculture, I am gratified to see that the impoverished quality of rural housing has not been overlooked in this bill. Other features of this bill, including new mass transit support, new Federal aid for the construction of college dormitories, and increased stress on urban renewal through rehabilitation, and added Federal support for mortgages and home insurance all deserve warm endorsement.

The jobs through housing provision of H.R. 17090 merits special commendation. This section calls for new housing construction at the rate of 600,000 units per year for the next 10 years, thus yielding a new housing total of 6 million units by 1980. This last figure is not irrelevant; it represents the number of dilapidated dwelling units now extant in this Nation. But this provision does not merely authorize this ambitious program. The Secretary of Housing and Urban Development is specifically obliged to "require, to the greatest extent feasible, that opportunities for employment arising in connection with other provisions of H.R. 17989 be given to lower income persons residing in the area of such housing and, thereby, provide not only housing but also jobs for these persons." Thus, our cities are to derive double benefits from the new housing construction that is so crucially needed.

Special efforts are to be made by Housing and Urban Development to guarantee that highly desirable construction jobs be allotted to inner city residents. A Housing and Urban Development study done at my request several months ago indicates that our building of 600,000 new housing units would generate a half-million new jobs for inner-city residents. I trust that the phrase "to the greatest extent feasible" will be interpreted by Housing and Urban Development as a spur to full enforcement and not as a dodge.

What a perfect, felicitous solution this is for many of our urban blight problems. This bill employs a great variety of devices for building pleasant environments in our cities, and it will also create hundreds of thousands of new jobs. Credit for this feature of H.R. 17989 should be given to the Confrontation With Congress group that has worked diligently for this imaginative proposal for many months. James Haughton, Timothy Cooney, and the other leaders of the CWC whose dedicated support of the jobs through housing, first in H.R. 16266 and now in H.R. 17989, should bear fruit today deserve our warmest thanks.

In closing, I would like to reiterate my warm support for this omnibus bill, and my opposition to today's efforts to reduce our commitment to urban needs. We are accustomed in this body, especially of late, to hear impassioned pleas for economic retrenchment. I insist that we can simply not afford any pennypinching in our housing and urban renewal programs. The very quality of our lives is directly at stake, not only for the 6 million of us who must endure obvious dilapidation, but for all of us who reside in cities, who love them, and who see in our cities those centers of production and creativity upon which our entire country depends.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. FINDLEY].

Mr. FINDLEY. Mr. Chairman, to me this limitation amendment makes a lot of sense. I hope it is accepted by the House, and when the day comes, as it may, that the farm bill hits the House floor, I hope a similar sentiment will prevail, because we have the ridiculous situation of farmers getting as much as $1 million a year in payments out of the U.S. Treasury. A limitation is badly needed there, too.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. WYLIE].

Mr. WYLIE. Mr. Chairman, I rise in support of this amendment. I rise in support of the very significant strides forward in housing assistance which are being taken by the Housing and Urban Development Act of 1968. But, as the gentleman from Tennessee [Mr. BROCK] just pointed out, the other body has adopted an amendment imposing an income limitation on eligibility for assistance to persons whose incomes are not in excess of 70 percent of the prescribed limits of those in projects under section 221(d)(3) of the National Housing Act. We are phasing out this program in this bill, and therefore I believe that the amendment offered by the gentleman from Illinois is better. We have to rifle shot in on these low-income family problems. I think we need some leeway to take into account different standards of living in different communities. But, we want to express our intent that low-income families be provided for, first. The amendment makes good sense.

The CHAIRMAN. The Chair recognizes the gentleman from Maryland [Mr. MATHIAS].

Mr. MATHIAS of Maryland. Mr. Chairman, I would like to ask the gentleman from Wisconsin [Mr. REUSS] to comment very briefly on the situation in which this bill finds the family which has had increased income but cannot find better housing. For instance, a family in low-income public housing which cannot move because no other housing is available, yet it has to pay premium rent in that housing facility.

Mr. REUSS. This action of the bill is aimed at accommodating that sort of person and enabling him to achieve homeownership. If the Anderson amendment prevails, he will be cheated and will not be able to do this. His income will be too high.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MATHIAS of Maryland. Yes. I yield to the gentleman.

Mr. ANDERSON of Illinois. The gentleman should point out in all fairness that there is a section now, section 10(g)(3) of the U.S. Housing Act which gives a tenant in a public housing project who has an income which has exceeded the ceiling the right to pay for it as long as he maintains adequate rent.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, I would just like to point out to the Members that this bill will absolutely build houses in this country, because you can be sure the builders can sell houses with mortgages on which only 1 percent interest is charged, to the purchasers. We can be equally sure that they will build the $15,000 to $20,000 house which the needy of this country cannot afford.

So, Mr. Chairman, I say if we are to encourage the builders to build the houses that we need in this country and that the people need in this country, we had better support the Anderson amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. FRASER].

Mr. FRASER. Mr. Chairman, in following this debate it seems to me that the bill already has effective income limitations. By putting a ceiling on the size of the mortgage and by saying that 20 percent of the persons income must be devoted toward paying that mortgage there is an effective ceiling. If the income of a particular family rises, and if we adopt the amendment which has been offered by the gentleman from Illinois [Mr. ANDERSON], instead of phasing out this subsidy it will end abruptly. Therefore, Mr. Chairman, I hope the amendment is defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. PATMAN], to close the debate on the amendment.

Mr. PATMAN. Mr. Chairman, I rise to ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ANDERSON].

The question was taken; and on a division (demanded by Mr. ANDERSON of Illinois) there were ayes 79, noes 75.

Mr. PATMAN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. ANDERSON of Illinois and Mr. PATMAN.

The Committee again divided, and the tellers reported that there were—ayes 118, noes 101.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WIDNALL: On page 4, line 21, after "acquiring", insert "or retaining".
>
> On page 4, line 22, after "acquiring", insert "or retaining".

Mr. WIDNALL. Mr. Chairman, this amendment would permit persons, particularly those who are elderly such as widows and persons on a pension, who have already undertaken the risks and burdens of home ownership, to retain their hard won rights of home ownership despite changes in their economic status, through refinancing of their present high risk mortgages if they fall within the low income limits set forth under this bill. The minority wants this bill to be of help to the people that need it most, whether they presently are homeowners or whether they hope to be. Particularly, they want deserving individuals and families to have the best opportunity for preserving their equity in their homes. This simple amendment would permit this.

Mr. Chairman, I find a number of cases of very fine citizens, elderly persons, such as widows and people on a pension, who are unable to keep their homes because of increased costs today. If they do not get the benefit of what is in title I of this bill, they will not be able to retain their homes and be able to live in the home where they have put their hard-earned savings for many, many years.

I think they deserve the same opportunity that is to be given to the new homeowners in order to enable them to retain their present homes. They would be able to do so, if they had the same type of financing made available for them.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment.

The amendment offered by the distinguished gentleman from New Jersey has been offered by the gentleman with the very best of intentions, I know. I wish the Congress could authorize the vast amount of money and the funds that the amendment would require.

There is no estimate as to how much would be required and, obviously, there is no way to get an estimate.

This amendment would include or take in existing homes. The bill, as written, provides for new homes for people who never have had the benefits of homeownership in this country.

Now if we are to divert it and permit them to use the money for existing homes, there will not be enough money for anything except the existing homes—and there will not be enough for new homes.

There is only $300 million authorized to be appropriated in title I. Obviously, if you permit people who have their own homes now to come into the program, it will defeat the purpose of the bill. Therefore, the amendment should be defeated.

The basic purpose of section 101 is to offer homeownership for the first time to families for whom, up to now, homeownership has been a financial impossibility and an unrealizable dream. Since this would permit existing homes to come in, it is an entirely different approach, and the amount of money is practically nothing in comparison to what we would need. It would defeat the purposes of the bill. If the amendment were adopted, no new housing could be constructed, and all the funds would undoubtedly be dissipated without creating a single new home just by letting people who have existing homes use the money for rehabilitation, refinancing, or any other purpose.

Mr. Chairman, the amendment of the gentleman from New Jersey would really open a very broad, new field, and more properly should be considered in the context of future studies and new hearings. I would be perfectly willing to have hearings on the gentleman's proposal if he desires them.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New Jersey.

Mr. WIDNALL. The purpose of the amendment is to enable those who now own their homes and who find themselves in reduced circumstances to save their homes by giving them the same opportunity that we are giving for new homeownership.

Mr. PATMAN. In order to accommodate the few that the gentleman mentions, you would have to open up an entirely different field. Certainly old or existing homes would be eligible. You have got to say they are all eligible or not eligible. If they are eligible, it would defeat the purpose of the bill.

I hope that the gentleman will not insist on his amendment but will agree to hearings before the committee of which he is the ranking member, and very influential, from the minority side, and one who has had a great deal to do with this bill. The gentleman from New Jersey is entitled to great credit for his work. But I hope he will not press his amendment, which would defeat one of the main purposes of the bill.

Mr. Chairman, I hope the amendment is defeated.

Mr. GONZALEZ. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. GONZALEZ. Mr. Chairman, I would like to ask the gentleman from New Jersey a question with respect to the amendment. What moneys would be provided to carry out the purposes of your amendment?

Mr. WIDNALL. The money would come out of the same general fund under the purposes of the bill as presently written.

Mr. GONZALEZ. Then no new funds would be required to carry out the purposes of the bill?

Mr. WIDNALL. No new funds are provided under this amendment.

Mr. GONZALEZ. Would the gentleman accept an amendment to his amendment to provide an authorization of $50 million to implement the amendment?

Mr. WIDNALL. I believe that those covered by the amendment should have the same opportunity to participate in the bill that is being given to others under the bill.

Mr. GONZALEZ. I still am not clear in my mind just how your amendment and the purposes of the bill, in the case of your amendment, would be carried out if you do not provide for some authorization other than the old authorization, which more or less has been anticipated in the pending bill. Do you not believe that in order to be realistic and to make the purpose of the bill meaningful, as you state, we ought to provide for some new authorization, some new money?

Mr. WIDNALL. I believe the amendment is realistic in considering the problems of those in reduced circumstances as well as those in low-income status.

Mr. GONZALEZ. The gentleman from New Jersey would not have any objection, then, to an offer of an amendment to the amendment providing for a $50 million authorization?

Mr. MIZE. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I want to know from the gentleman from New Jersey if he would have any objection to an authorization of $50 million.

Mr. WIDNALL. Yes, I do have an objection. There is a billion dollar carryover in HUD, FHA funds, that could be used for that purpose.

Mr. GONZALEZ. There is nothing in the record that I know about to indicate that. Would it be in order to offer an amendment to the amendment, Mr. Chairman?

The CHAIRMAN. The gentleman from Texas may offer an amendment to the amendment.

AMENDMENT OFFERED BY MR. GONZALEZ TO THE AMENDMENT OFFERED BY MR. WIDNALL

Mr. GONZALEZ. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

The Clerk read as follows:

Amendment offered by Mr. GONZALEZ to the amendment offered by Mr. WIDNALL: On page 9, line 8, after the period, insert the following new sentence: "In addition to the amount authorized by the preceding sentence, contracts aggregative $50,000,000 may be entered into with respect to the retention by the persons assisted of existing housing."

Mr. GONZALEZ. Mr. Chairman, essentially we have been having a very interesting discussion this afternoon, and very interesting remarks from protagonists in the debate this afternoon who, if my memory does not serve me wrong, have been stanchly against any new appropriations or any real funding for existing programs. They have talked glibly about being for the poor and the unhoused and about the need to help the poor and the moderate-income people, and yet consistently, in the committee and out of the committee, they have fought against any real meaningful attempt to solve the aching problems confronting us—which require money.

The amendment proposed by the gentleman from New Jersey is a typical example. It just has a good intention—and I give full benefit of doubt to the intention and the motive. Even assuming that it would do what it intends to do, it would still take money to give it meaningful and purposeful intent. Therefore, there should be no objection to my amendment to give it some realism by providing the authorization to carry out even a modicum of a beginning of this program.

I notice in the bill the funding authorized is pretty well earmarked, and there have been some anticipatory earmarkings I am sure. Therefore, if there is seriousness of intent in this amendment, then it should be acceptable to provide at least a modicum of resources to carry it out. Therefore, I think my amendment, which would have a very, very modest beginning of $50 million, would be a realistic attempt to give this life and meaning.

Mr. JONAS. Mr. Chairman, I move to strike the last two words.

Mr. Chairman, I would like to remind my friend from Texas that the amount involved here is not $300 million. That is only the first year's cost. This title grants the Department of Housing and Urban Development contract authorization amounting to $300 million a year for 40 years. So it should be understood that the total exposure of the Government under this title alone is $300 million a year for 40 years or $12 billion instead of $300 million.

What the gentleman from Texas would do by his amendment is to add another $2 billion to that. We cannot just throw in $50 million and forget about it. These are contract authorizations that will run for 40 years. It will be $50 million a year for 40 years, or $2 billion added to the $12 billion cost of title I, and we have a $14 billion item instead of $350 million for consideration if the amendment of the gentleman from Texas is adopted.

Mr. BLACKBURN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment to the amendment, and in support of the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

I think there has been some degree of misrepresentation as to the purpose of this bill, which is not necessarily to build new housing. The purpose of this bill is to provide standard housing, to provide housing of substantial quality to people of low incomes. We have to decide what we can do within the context of the financing available—and we have learned in recent weeks that overwhelming financing for every program we would like to pass is not available. We have had to add additional taxes onto our citizens and we have had to ask the Executive to cut back spending.

What the gentleman from New Jersey is proposing is that existing housing can be brought up to standard quality and maintained at far less cost than if we start from scratch and build new housing. In order to spread the most good to the most families at the least cost, I support the amendment offered by the gentleman from New Jersey, but I do oppose the amendment offered to that by the gentleman from Texas.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. GONZALEZ] to the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

The question was taken; and on a division (demanded by Mr. PATMAN) there were—ayes 45, noes 62.

Mr. WIDNALL. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WIDNALL and Mr. PATMAN.

The Committee again divided, and the tellers reported that there were—ayes 74, noes 85.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROCK: On page 7, line 7, strike out "20 per centum" and insert "25 per centum".

Mr. BROCK. Mr. Chairman, the purpose of this amendment is to raise the percentage of income which is calculated to apply against the housing payment for an individual family from 20 to 25 percent. I offered this in the committee, and I believe the chairmen of the subcommittee and the full committee are both familiar with the amendment.

Mr. Chairman, there are two reasons for offering this amendment. One is that it seems to me fairly logical that when we are going away now from rental units either in public housing or in rent supplement programs, when we go toward a homeownership program in which families are acquiring some degree of equity, that they should be willing to make perhaps a slightly larger sacrifice.

In the past years under the rent supplement program we have used the figure of 25 percent as our normal figure. By going to 20 percent in this bill both for rent supplements and for home ownership, it seems to me we are not putting sufficient emphasis upon the contribution that an individual and his family should make in the interest of achieving the self-respect and the pride that goes with equity.

The argument for raising this percentage is that it does something that the proponents of this legislation have been saying they are trying to do, that is, it brings an income level down. By going to 25 percent we can reduce the income level of a family participating in the program by some $500 to $700 or $800 depending on their income level. If a family that makes $3,500 a year wants to make this kind of a sacrifice, it seems to me we should give them every possible inducement to do so.

I would think it should be the better part of wisdom on the part of this body to encourage those whose income is slightly below today's floor to make that extra effort to achieve the self-respect that goes with owning a home.

Mr. Chairman, I ask support of my amendment.

Mr. REUSS. Mr. Chairman, I rise in opposition to the Brock amendment.

Mr. Chairman, this amendment would, like an earlier one, seriously impair the homeownership program. What this amendment says is that a family must spend 25 percent of its income, rather than 20 percent of its income, as the bill provides, if it is to acquire homeownership.

If we are going to raise the ante from 20 to 25 percent we will, in effect, shortchange the other elements contained in the family budget. You will shortchange food purchases, you will shortchange clothing purchases and medical requirements.

Mr. Chairman, the 20-percent figure is precisely what the FHA observes in section 203 has indicating the proper figure. For example, in 1966, FHA records show, a median of 19.6 percent of income was spent for other items than housing under that program. If we raise the requirement to 25 percent of their income, we are either going to vitiate the entire program or bankrupt the families that operate under it.

We will be particularly unjust to the larger families. Of course the 25 percent of their income requirement detracts from the global total of the family which has to feed more children and it would make it just that much more onerous on the large families that I thought this bill was designed to help.

So I would hope that the Brock amendment would be voted down.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, I wish to associate myself with the remarks which have just been made by the gentleman from Wisconsin [Mr. REUSS]. It is my opinion that he was given a detailed outline of the matter which is certainly helpful toward defeating this amendment, because if the amendment were to carry, there would be over 500,000 families who deserve an opportunity to meet the requirements under this program at the 20-percent level.

Mr. REUSS. I thank the gentleman from Pennsylvania for his contribution, and would point out further the fact that over and above the family's 20-percent housing payment, it has to pay extra for repairs on the house; if the roof leaks, or if the plumbing does not work.

Mr. Chairman, the surest way to defeat the purpose of this particular provision is to raise the ante from 20 to 25 percent.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Chairman, I am just fascinated by the remarks of the gentleman from Wisconsin. He pointed out the analogy with reference to the rent supplement program to which he contributed much. But here you have equity which will go to the persons involved, equity which does not now exist.

Mr. REUSS. The difference between this and the rent supplement program is this: In the rent supplement program the landlord fixes the roof, the landlord fixes the electrical system, as well as the plumbing. However, here the poor homeowner has to do it himself and you are going to put him out of business by raising the ante.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from New York.

Mr. BINGHAM. The archdiocese in New York has done a great deal of work in the housing field and it has been very constructive work. They sent representatives to Washington during the course of the hearings and during the period of time in which this bill was being considered. They made it clear that the 25-percent rate simply would wreck the program in New York City. However, they stated that they could not go ahead with this program which would involve ownership on a 25-percent standard in an area such as New York City. In other words, it would mean that the program could not move forward.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Michigan.

Mr. BROWN of Michigan. Mr. Chairman, I thank the gentleman from Wisconsin for yielding.

I concur with the gentleman from Wisconsin [Mr. REUSS], but not necessarily for all his reasons. I believe that his explanation of additional costs that the homeowner is required to pay from that of a renter justifies the lower percentage. As the gentleman from Wisconsin knows, however, I do support the 25-percent figure on the rent supplement program.

Mr. REUSS. I thank the gentleman for his remarks.

Mr. KUYKENDALL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there is a project in my district in Memphis, Tenn., called HOME—Housing Opportunity Memphis Enterprise—which I understand is the only nonprofit foundation already functioning building owner-occupied housing.

When we start to talk about the difference between 20 and 25 percent allowable—now, I believe the amendment offered by the gentleman from Tennessee [Mr. BROCK] does not make the 25 percent mandatory, but makes it allowable, if the family wishes to spend up to 25 percent they may spend up to 25 percent.

Is that correct?

Mr. REUSS. Mr. Chairman, would the gentleman yield?

Mr. KUYKENDALL. I yield to the gentleman from Wisconsin.

Mr. REUSS. I believe that under the present law, if the family wishes to spend up to 25 percent, they may. The Brock amendment would make it mandatory.

Mr. KUYKENDALL. May we get this clarified?

Mr. REUSS. I would ask the gentleman from Tennessee [Mr. BROCK] if that is not so?

Mr. BROCK. I am not sure from which way the questions are coming.

Mr. REUSS. If the gentleman will yield further, the amendment offered by the gentleman from Tennessee [Mr. BROCK] would make it mandatory to apply 25 percent of the income toward the house.

Mr. BROCK. In order to affect the subsidy you could not receive it with an amount which was in excess of 25 percent, which effectively lowers the income of families that can participate, it allows more families to participate in the program.

Mr. KUYKENDALL. I thank the gentleman for that information.

But the difference between the 20 percent and the 25-percent payment is about like, on a $75-per-week family, this family may very well have only one child or two children—granted a family with five or six children should certainly not spend more than 20 percent; in fact, sometimes 16 or 17 percent for rent—but a family with one or two children can certainly spend 25 percent for rent.

This, however, would mean that the 25 percent is only $64.75 on a $75-a-week employee, while at 25 percent it is $80. I believe we are here to encourage this family to get into a better home and to accumulate more equity. And that is what we have found in our experimental program in Memphis; that if we give the family an opportunity and encourage them to homeownership, we are quite surprised at what levels they can reach for if we leave it up to them.

So I am supporting the Brock amendment, because I believe this leeway should be allowable.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Tennessee, Mr. BROCK.

The amendment was rejected.

AMENDMENT OFFERED BY MR. MAILLIARD

Mr. MAILLIARD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAILLIARD: On page 37, after line 24, insert the following:

"(c) Section 306 of the National Housing Act is amended by adding after subsection (g) (as added by section 704(b) of this Act) the following new subsection:

"'(h) The Association is authorized, upon such terms and conditions as it may deem appropriate, to guarantee the timely payment of principal of and interest on bonds, debentures, notes, or other obligations issued by any public or private nonprofit organization to help finance any project for the rehabilitation or construction of housing (including the acquisition of land, or interests in land, needed in connection with such housing) for low-income families. The Association shall collect from the issuer a reasonable fee for any guaranty under this subsection and shall make such charges as it may determine to be reasonable for the analysis of any security arrangement proposed by the issuer. In the event the issuer is unable to make any payment of principal of or interest on any obligation guaranteed under this subsection, the Association shall make such payment as and when due in cash, and thereupon shall be subrogated fully to the rights satisfied by such payment. Any Federal, State, or other law to the contrary notwithstanding, the Association is hereby empowered, in connection with any guaranty under this subsection, whether before or after any default, to provide by contract with the issuer for the extinguishment, upon default by the issuer, of any equitable, legal, or other right, title, or interest of the issuer in any property securing the guaranteed obligations; and with respect to any issue of guaranteed obligations, in the event of default and pursuant otherwise to the terms of the contract, the property constituting such security shall become the absolute property of the Association subject only to the unsatisfied rights of the holders of the obligations. The full faith and credit of the United States is pledged to the payment of all amounts which may be required to be paid under any guaranty under this subsection. There shall be excluded from the total amounts set forth in subsection (c) the amounts of any mortgages acquired by the Association as a result of its operations under this subsection.'"

Mr. REUSS. Mr. Chairman, I make a point of order against the amendment.

The **CHAIRMAN.** The gentleman will state the point of order.

Mr. REUSS. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to section 106, which it apparently seeks to amend.

Section 106 relates to assistance by the Secretary of Housing and Urban Development to nonprofit sponsors of low and middle income housing.

The amendment which I have now heard read apparently has nothing to do with that and, therefore, while there may be an appropriate place for it in the bill, and I would have no objection to it then, it is not germane to section 106.

Mr. MAILLIARD. Mr. Chairman, the amendment simply adds a new authority in the present law to authorities that now exist for Fannie Mae.

I cannot quite see why it would not be germane simply to add another device by which housing can be sponsored by Fannie Mae or financed by Fannie Mae.

The **CHAIRMAN** (Mr. PRICE of Illinois). The Chair is ready to rule.

The Chair notes after reading the amendment that the substance of it is to amend section 306 of the National Housing Act.

In title I of the pending bill there are numerous amendments to the National Housing Act. Therefore, the Chair holds that the amendment is germane and the point of order against the amendment is overruled.

Mr. MAILLIARD. Mr. Chairman, this amendment would authorize the U.S. Government to guarantee the bonds or debentures issued by any public or private nonprofit organization to help finance projects for the rehabilitation or construction of housing for low-income families.

This is entirely compatible with the other things that are done in this bill. It simply is another device.

I want to call the attention of the committee to the fact that there is a bill in the State legislature in California which has been passed by the assembly and which, I am told, will probably pass the State senate today or tomorrow and which the Governor has agreed to sign which would authorize public corporations to be established for the purpose of financing low-cost housing.

In order to finance the program adequately, some kind of Federal guarantee would obviously be required, because otherwise interest rates would be excessive.

I do not know whether other States in the Union have undertaken this kind of program, but if they have not, I would certainly recommend that they look into it. It would permit States and localities to get into the act to attract more money from private money markets in an attempt to meet housing requirements.

If the new communities section that is in the Senate bill had been included in the bill before the House, which it is not, I had intended to offer my amendment as an amendment to that section. But since I understand there is probably not going to be an amendment offered to reinstate that section in the bill, I offered my amendment to that part of the bill which appeared to be the most logical, and since the Chair has overruled the point of order, I ask support of the amendment.

Mr. BURTON of California. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from California.

Mr. BURTON of California. Mr. Chairman, I associate myself with the remarks of my distinguished colleague from San Francisco [Mr. MAILLIARD] and join with him in urging that the committee accept the amendment. This amendment is a product of a good deal of time and thoughtful effort on behalf of some of the leading citizens of our area, and I am quite convinced, as I am sure Mr. MAILLIARD is, that this additional tool will make it much more likely that the low-income people of our area will be able to receive more adequate housing than they would in the absence of the adoption of this amendment.

So I join with my colleague in urging my fellow Members on this side of the aisle to support the amendment.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from New York.

Mr. FARBSTEIN. As I understand, there would be a guarantee of bonds and mortgages under the gentleman's amendment. Is that correct?

Mr. MAILLIARD. Under the provisions of the amendment FNMA would be authorized to guarantee the bonds, debentures, and obligations of public or nonprofit corporations, the purpose of which is to finance public low-cost housing.

Mr. FARBSTEIN. Therefore, the interest rate could be 7 percent, and we would guarantee 7 percent?

Mr. MAILLIARD. They would have to guarantee whatever the rate was, but with the Federal guarantee, I would anticipate the interest would be considerably below that figure. Without it, I think the figure the gentleman has mentioned might be correct.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from Texas.

Mr. PATMAN. The amendment would

create a situation in which the Federal Government would guarantee bonds issued by a local entity, say an entity in California. The State Legislature of the gentleman's State is about to pass a law which would permit the issuance of such bonds. Does the gentleman know about how much the cost would be? Does he know what exposure we would have under the amendment? It looks like an open-end guarantee by the Federal Government.

Mr. MAILLIARD. It has whatever general limitations there are. But the point is, as I explained originally, the concept of the amendment is embodied in the new community section of the Senate bill which, for some reason, was not included in the House bill. Since I could not amend that section, I offered the same setup under FNMA because we do not have in this bill any community section.

Mr. PATMAN. Mr. Chairman, will the gentleman yield further?

Mr. MAILLIARD. I yield to the gentleman from Texas.

Mr. PATMAN. Hearings on the bill were commenced by the subcommittee of which the gentleman from Pennsylvania [Mr. BARRETT] is chairman, along in February. We have been going on almost continuously since then. Either through the subcommittee or through the full committee, did the gentleman submit his amendment at any time?

Mr. MAILLIARD. No, I did not; I will say to the gentleman, because I was unaware of the progress of this bill through my State Legislature, and my interest was aroused in it comparatively recently. Had the committee then been considering the bill, I would have then offered it, but it was too late at that point.

Mr. PATMAN. Does not the gentleman believe it is a little late to ask us to adopt an amendment such as the one offered by the gentleman from California?

Mr. MAILLIARD. I can say to the gentleman that it is perhaps better late than never.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. PATMAN, and by unanimous consent, Mr. MAILLIARD was allowed to proceed for 1 additional minute.)

Mr. PATMAN. Does not the gentleman think under the circumstances he would be justified in asking for a study of this subject, and the committee would certainly be glad to give you a hearing on it?

Mr. MAILLIARD. If the committee in its wisdom rejects my amendment, I certainly do not intend to let it lie there. But if, as I expect, the bill to which I have referred becomes law in my own State, then perhaps I would rather not wait if I could get this proposal accepted now.

Mr. PATMAN. Mr. Chairman, if the gentleman will yield further, even though it becomes law in the State of the gentleman, that is not this law. The gentleman is anticipating a law to be passed in his State which, if enacted into law, would permit under this bill the guaranteeing of local obligations.

Mr. MAILLIARD. That is correct.

Mr. PATMAN. That is asking a great deal.

Mr. MAILLIARD. I am asking for it.

Mr. HOSMER. Mr. Chairman, will the gentleman yield?

Mr. MAILLIARD. I yield to the gentleman from California.

Mr. HOSMER. Mr. Chairman, I would like to say that the blind criticism of the gentleman from Texas about the alleged tardiness of this amendment certainly does not seem to me to be consonant with the operation being conducted in the House today. Committees do not rule, committees do not dictate, and committees do not lay down the final language. Otherwise we would not have debate here in the House and the amendatory procedure.

I think it should be thoroughly understood by all Members that when something of this nature arises, if it arises at a time that is not at the time of genesis of a piece of legislation, it certainly should not be called tardy. Certainly those who are alert enough to the changing situation to bring it up when a matter comes to the floor are to be congratulated for their intelligence and are to be encouraged in their desire to do what is right in this piece of legislation.

The CHAIRMAN. The time of the gentleman from California has expired.

(On request of Mr. PATMAN, and by unanimous consent, Mr. MAILLIARD was allowed to proceed for 2 additional minutes.)

Mr. PATMAN. Mr. Chairman, if the gentleman will yield further, may I suggest that this is a responsibility for the Federal Government, and it is an open-ended proposition as written. We do not know how much it could be. It could be as much as the national debt. If all the States took advantage of it, it could be be as much as the national debt.

What I meant about presenting it to the committee was only for the purpose of studying and obtaining facts and making a recommendation to the House of Representatives. We do not propose to dictate. We could not, if we wanted to, and we do not want to.

Mr. MAILLIARD. Mr. Chairman, if the committee in its good judgment thinks this is not opportune, I will be back again, but I would like the committee to pass judgment on whether the States and localities should get into this act and solve it at that level instead of doing it all from Washington. I think we should have an opportunity to vote on it, and I do not believe it is an improper request.

Mr. JONAS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, may I say to my distinguished colleague from California that I agree with him in his statement that we ought to bring in the States and the local communities and the private sector. I thoroughly support that concept.

My only trouble with the amendment offered by the gentleman is that there is no dollar limitation involved. It is open ended. As I have already pointed out on a previous occasion this afternoon, this bill is glibly referred to as involving some $5 to $6 billion, when, as a matter of fact, there are some five or six 40-year programs in this bill—and they are funded through contract authorizations which will bind the taxpayers of the United States for substantial expenditures over a 40-year period.

If we want to relate this only to title I, it will bind the taxpayers of the country to continue to put up $300 million a year for 40 years. That is $12 billion that we today are being asked to obligate future generations to pay. The best I can figure, this bill will involve in these five or six 40-year programs about $50 billion in obligations which we are incurring today by authorizing HUD to enter into contracts that will require the taxpayers of the United States to put up about $50 billion over a period of 40 years.

I emphasize these figures because they have largely been ignored by the press and during the debate. Most of the comment refers to the price tag on this bill being $5.3 billion. But that is just the first year's cost. The price tag on this bill will be closer to $50 billion than to $5. This fact should be understood by all Members before the time comes for a vote on final passage.

In view of the very substantial sums involved in the bill as it came from the committee, I frankly cannot justify voting for a brandnew section which will authorize an agency of the Federal Government, with the full faith and credit of the United States involved, to guarantee an additional number of mortgages in an undetermined amount.

Mr. MAILLIARD. Mr. Chairman, if the gentleman will yield, I believe I can straighten out that point.

Mr. JONAS. One reason why I asked to have the amendment read was I did not hear any figure authorized, or any limitation.

Mr. MAILLIARD. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I am glad to yield to the gentleman from California.

Mr. MAILLIARD. I am not a technician in this field, but the people who did the draftsmanship did assure me this was limited to the total Fannie Mae authorization.

Mr. JONAS. How much is that?

Mr. MAILLIARD. I do not know. Whatever it is, it would not change it. The total authorization would be as it is now. This adds nothing to the obligations of the Federal Government.

Mr. JONAS. It is in the nature of a contract, and we will have to put up some money for it eventually, and there is no information before the Committee today indicating how much exposure the Government will have under the guarantee.

I wish I could support the amendment, because I like the concept of bringing in the States and local communities into the picture, but I cannot vote to add another open-ended section to this bill when the taxpayers are being obligated when the bill is adopted, to at least $50 billion in new spending over the next 40 years.

Mr. HOSMER. Mr. Chairman, I move to strike the requisite number of words.

I rise to ask the author of the amendment a question relating to the cost in this context. As I understand it, the guarantee would be in the nature of the usual guarantee, or similar to the usual guarantee of the FHA in an insurance type of thing, for which certain premiums are charged. As a consequence, the Government would come out even, or perhaps a little ahead.

I yield to the gentleman for an explanation.

Mr. MAILLIARD. It says in the amendment:

> The Association—

Which means Fannie Mae—

> shall collect from the issuer a reasonable fee for any guaranty under this subsection and shall make such charges as it may determine to be reasonable—

And so forth. It is the usual language.

Mr. HOSMER. In other words, they have to buy this kind of guaranty from the Government on essentially the same financial basis as Fannie Mae now extends guaranties in other areas, which in truth and in fact is on an actuarial basis.

Mr. MAILLIARD. It operates in the standard way.

The point the gentleman from North Carolina was making is that all these are contingent liabilities of the Federal Government. But I do not add any by my amendment.

Mr. HOSMER. I have one further question for the author of the amendment. As I understand the amendment, it is an authorization to Fannie Mae to proceed in this direction, but it does not require Fannie Mae to get into any of it. They can get into it or can not get into it according to the usual rules of business as they see it and carry it on; is that correct?

Mr. MAILLIARD. That is correct. The amendment says, "The Association is authorized". It does not say "directed."

Mr. HOSMER. I thank the gentleman.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from North Carolina.

Mr. JONAS. While we are on this subject, though we hear very little about it, it might be well to point out that even FHA has substantial losses already. Of course, it has tremendous reserves, but FHA has already had to foreclose many mortgages, and substantial losses have been sustained. These losses have been very substantial.

Before we go into another open-ended program there ought to be at least some hearings to try to project the amount of the total exposure that would be involved for the Federal Government.

Mr. HOSMER. I merely want to say to the gentleman, the name of this game insurance or guaranty, as one may call it, is to take some losses and collect some revenues and come out even. That is what the people in this business seem to have been able to do.

I do not regard this particular amendment with fear, and I urge its passage.

Mr. GROSS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GROSS. Do not the rules of the House require that a Member stand while addressing the House?

The CHAIRMAN. Members usually stand when they do.

AMENDMENT OFFERED BY MR. GUBSER TO THE THE AMENDMENT OFFERED BY MR. MAILLIARD

Mr. GUBSER. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

> Amendment offered by Mr. GUBSER to the amendment offered by Mr. MAILLIARD: Add a new subsection:
>
> "(1) The guarantees referred to in subsection (a) shall be limited to $100,000,000."

Mr. GUBSER. Mr. Chairman, I shall not take anywhere near the 5-minute period, but I think that the idea and the new concept presented by the gentleman from California [Mr. MAILLIARD], is so unique and so important that I would not like to see it defeated possibly due to a misunderstanding about any limitation and any question of open endedness. So that we can consider it with a definite limitation of a very modest $100 million, I have on the spur of the moment offered this amendment. I only urge the House please do not reject this novel concept out of hand. We have now a limitation in it. Let us vote for the amendment and then vote the Mailliard amendment. All through this debate we have heard of the serious shortage of low-income housing throughout this country. If we do not pass the Mailliard amendment, we will then be limiting the number of houses which can be made available to low-income people. If we have a shortage and a crisis—and we all admit it is here—let us broaden this base and get as many people into it as we possibly can.

The Mailliard amendment, Mr. Chairman, with the limitation that I have proposed will do just this.

Now, Mr. Chairman, I am happy to yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, this is intended, really, for California. If California is entitled to it, then the other States are entitled to it. Would this not be an exposure of about $50 billion, then, for 50 States?

Mr. GUBSER. I did not get the gentleman's question.

Mr. PATMAN. The gentleman has a limitation in the amendment of $100 million.

Mr. GUBSER. That is right.

Mr. PATMAN. Does that mean for a State, such as, in this case, California, which it is intended to help?

Mr. GUBSER. It is an overall limitation for the entire Nation.

Mr. PATMAN. You want to help that State. Do you not think we ought to study this first and find out what all of the problems are?

Mr. GUBSER. I think the gentleman will agree that it is a very, very modest limitation. It is certainly not a far-reaching program, as it is limited, but this gives us a trial of the concept. If we have a housing shortage, let us get the State and local governments and nonprofit corporations involved. I think the gentleman from California [Mr. MAILLIARD] has performed a great service in offering this amendment, and I hope it will be voted out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. GUBSER] to the amendment offered by the gentleman from California [Mr. MAILLIARD].

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. MAILLIARD].

The question was taken; and on a division (demanded by Mr. MAILLIARD) there were—ayes 29, noes 44.

So the amendment was rejected.

AMENDMENTS OFFERED BY MR. JONAS

Mr. JONAS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. JONAS: On page 29, in line 4, after the period add the following sentence: "An annual business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act (31 U.S.C. 847–849)) for wholly owned Government corporations."

Mr. JONAS. Mr. Chairman, if I may have the attention of the distinguished chairman of the Committee on Banking and Currency, I believe he will accept this amendment. It is one of three similar amendments I propose to offer where revolving funds are set up in the bill.

Mr. Chairman, this is similar to the way the revolving fund is handled in the Small Business Administration. The gentleman from Texas is perfectly familiar with that operation. The amendment will merely require that an annual business-type budget be submitted to the Congress so we will have an opportunity to check up on how this revolving fund is being operated. This is the only way Congress will have any opportunity to discuss the operation of the revolving fund and check up on what the Department is doing under the widespread authority granted in this bill.

Mr. Chairman, I hope the gentleman from Texas will agree to the amendment because I think it helps the bill.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I yield to the gentleman from Texas.

Mr. PATMAN. Will the gentleman from North Carolina state what the other two amendments are?

Mr. JONAS. They are on subsequent pages of the bill. One appears at page 206 in line 22 which deals with another revolving fund and is in substance the same amendment.

Mr. PATMAN. Mr. Chairman, if the gentleman will yield further, they are all in substance similar to this particular amendment?

Mr. JONAS. That is correct and I shall offer those amendments when the titles to which they apply are read.

Mr. PATMAN. Then those are all the amendments which the gentleman from North Carolina has to offer?

Mr. JONAS. There are these three amendments, but there is a fourth amendment on another subject which will receive a little more attention and perhaps involve more debate than I anticipate on the three amendments we are now discussing.

Mr. PATMAN. If we agree to take

these three, then you will not propose to offer the other?

Mr. JONAS. No, I would not agree to that trade. I must offer the fourth amendment at the appropriate time.

Mr. PATMAN. Personally, I am not advocating the three amendments. They have an appeal. They are comparable to other things which are being done by the Small Business Administration and I would ask the House if the Members of the Committee will, to accept the amendments and then we shall take them to conference, put them into the bill and see if we can agree upon them in conference.

Mr. JONAS. Mr. Chairman, I ask unanimous consent that all three of my amendments be considered together, if that is permissible. I understand we are only reading title I. The other amendments apply to other titles.

The **CHAIRMAN.** Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The **CHAIRMAN.** The Clerk will report the other two amendments.

The Clerk read as follows:

Amendments offered by Mr. Jonas: On page 206, after line 22, insert the following new subsection:

"(d) An annual business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act (31 U.S.C. 847–849)) for wholly-owned Government corporations."

On page 227, after line 9, insert the following new subsection:

"(e) An annual business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act (31 U.S.C. 847–849)) for wholly-owned Government corporations."

The **CHAIRMAN.** The question is on the amendments offered by the gentleman from North Carolina [Mr. Jonas].

The amendments were agreed to.

The **CHAIRMAN.** If there are no further amendments to title I, the Clerk will read.

The Clerk read as follows:

TITLE II—RENTAL HOUSING FOR LOW AND MODERATE INCOME FAMILIES

PART A—PRIVATE HOUSING

RENTAL AND COOPERATIVE HOUSING FOR LOW AND MODERATE INCOME FAMILIES

SEC. 201. (a) Title II of the National Housing Act is amended by adding after section 235 (as added by section 101 of this Act) the following new section:

"RENTAL AND COOPERATIVE HOUSING FOR LOW AND MODERATE INCOME FAMILIES

"SEC. 236. (a) For the purpose of reducing rentals for low and moderate income families, the Secretary is authorized to make, and to contract to make, periodic interest reduction payments on behalf of the owner of a rental housing project designed for occupancy by low and moderate income families which shall be accomplished through payments to mortgagees holding mortgages meeting the special requirements specified in this section.

"(b) Interest reduction payments with respect to a project shall only be made during such time as the project is operated as a rental housing project and is subject to a mortgage which meets the requirements of, and is insured under, subsection (j) of this section: *Provided*, That interest reduction payments may be made with respect to a rental or cooperative housing project owned by a private nonprofit corporation or other private nonprofit entity, a limited dividend corporation or other limited dividend entity, or a cooperative housing corporation, which is financed under a State or local program providing assistance through loans, loan insurance, or tax abatements, and which, prior to completion of construction or rehabilitation, is approved for receiving the benefits of this section.

"(c) The interest reduction payments to a mortgagee by the Secretary on behalf of a project owner shall be in an amount not exceeding the difference between the monthly payment for principal, interest, and mortgage insurance premium which the project owner as a mortgagor is obligated to pay under the mortgage and the monthly payment for principal and interest such project owner would be obligated to pay if the mortgage were to bear interest at the rate of 1 per centum per annum.

"(d) The Secretary may include in the payment to the mortgagee such amount, in addition to the amount computed under subsection (c), as he deems appropriate to reimburse the mortgagee for its expenses in handling the mortgage.

"(e) As a condition for receiving the benefits of interest reduction payments, the project owner shall operate the project in accordance with such requirements with respect to tenant eligibility and rents as the Secretary may prescribe. Procedures shall be adopted by the Secretary for review of tenant incomes at intervals of two years (or at shorter intervals where the Secretary deems it desirable).

"(f) For each dwelling unit there shall be established with the approval of the Secretary (1) a basic rental charge determined on the basis of operating the project with payments of principal and interest due under a mortgage bearing interest at the rate of 1 per centum per annum; and (2) a fair market rental charge determined on the basis of operating the project with payments of principal, interest, and mortgage insurance premium which the mortgagor is obligated to pay under the mortgage covering the project. The rental for each dwelling unit shall be at the basic rental charge or such greater amount, not exceeding the fair market rental charge, as represents 20 per centum of the tenant's income.

"(g) The project owner shall, as required by the Secretary, accumulate, safeguard, and periodically pay to the Secretary all rental charges collected in excess of the basic rental charges. Such excess charges shall be deposited by the Secretary in a fund which may be used by him as a revolving fund for the purpose of making interest reduction payments with respect to any rental housing project covered by a mortgage insured under this section, subject to limits approved in appropriation Acts pursuant to subsection (i). Moneys in such fund not needed for current operations may be invested in bonds or other obligations of the United States or in bonds or other obligations guaranteed as to principal and interest by the United States.

"(h) In addition to establishing the requirements specified in subsection (e), the Secretary is authorized to make such rules and regulations, to enter into such agreements, and to adopt such procedures as he may deem necessary or desirable to carry out the provisions of this section.

"(i) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, including such sums as may be necessary to make interest reduction payments under contracts entered into under this section. The aggregate amount of contracts to make such payments shall not exceed amounts approved in appropriation Acts, and payments pursuant to such contracts shall not exceed $75,000,000 per annum prior to July 1, 1969, which maximum dollar amount shall be increased by $100,000,000 on July 1, 1969, and by $125,000,000 on July 1, 1970.

"(j) (1) The Secretary is authorized, upon application by the mortgagee, to insure a mortgage (including advances on such mortgage during construction) which meets the requirements of this subsection. Commitments for the insurance of such mortgages may be issued by the Secretary prior to the date of their execution or disbursement thereon, upon such terms and conditions as he may prescribe.

"(2) As used in this subsection—

"(A) the terms 'family' and 'families' shall have the same meaning as in section 221;

"(B) the term 'elderly or handicapped families' shall have the same meaning as in section 202 of the Housing Act of 1959; and

"(C) the terms 'mortgage', 'mortgagee', and 'mortgagor' shall have the same meaning as in section 201.

"(3) To be eligible for insurance under this subsection, a mortgage shall meet the requirements specified in subsections (d) (1) and (d) (3) of section 221, except as such requirements are modified by this subsection. In the case of a project financed with a mortgage insured under this subsection which involves a mortgagor other than a cooperative or a private nonprofit corporation or association and which is sold to a cooperative or a nonprofit corporation or association, the Secretary is further authorized to insure under this subsection a mortgage given by such purchaser in an amount not exceeding the appraised value of the property at the time of purchase, which value shall be based upon a mortgage amount on which the debt service can be met from the income of the property when operated on a nonprofit basis, after payment of all operating expenses, taxes, and required reserves.

"(4) A mortgage to be insured under this subsection shall—

"(A) be executed by a private mortgagor eligible under subsection (d) (3) or (e) of section 221;

"(B) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum (not in excess of 6 per centum), on the amount of the principal obligation outstanding at any time, as the Secretary finds necessary to meet the mortgage market; and

"(C) provide for complete amortization by periodic payments within such term as the Secretary may prescribe.

"(5) The property or project shall—

"(A) comply with such standards and conditions as the Secretary may prescribe to establish the acceptability of the property for mortgage insurance and may include such nondwelling facilities as the Secretary deems adequate and appropriate to serve the occupants and the surrounding neighborhood: *Provided*, That the project shall be predominantly residential and any nondwelling facility included in the mortgage shall be found by the Secretary to contribute to the economic feasibility of the project, and the Secretary shall give due consideration to the possible effect of the project on other business enterprises in the community: *Provided further*, That, in the case of a project designed primarily for occupancy by elderly or handicapped families, the project may include related facilities for use by elderly or handicapped families, including cafeterias or dining halls, community rooms, workshops, infirmaries or other inpatient or outpatient health facilities, and other essential service facilities;

"(B) include five or more dwelling units; and

"(C) be designed primarily for use as a

rental project to be occupied by low and moderate income families or by elderly or handicapped families: *Provided*, That low and moderate income persons who are less than sixty-two years of age shall be eligible for occupancy in such a project, but not more than 10 per centum of the dwelling units in any such project shall be available for occupancy by such persons.

"(6) With the approval of the Secretary, the mortgagor may sell the individual dwelling units to low and moderate income or elderly or handicapped purchasers. The Secretary may consent to the release of the mortgagor from his liability under the mortgage and the credit instrument secured thereby, or consent to the release of parts of the mortgaged property from the lien of the mortgage, upon such terms and conditions as he may prescribe, and the mortgage may provide for such release.

"(k) As used in this section the term 'tenant' includes a member of a cooperative; the term 'rental housing project' includes a cooperative housing project; and the terms 'rental' and 'rental charge' mean, with respect to members of a cooperative, the charges under the occupancy agreements between such members and the cooperative.

"(l) The Secretary shall from time to time allocate and transfer to the Secretary of Agriculture, for use (in accordance with the terms and conditions of this section) in rural areas and small towns, a reasonable portion of the total authority to contract to make periodic interest reduction payments as approved in appropriation Acts under subsection (i)."

(b) (1) Section 212(a) of such Act is amended by striking out "or 232" in the first sentence of the second paragraph and inserting in lieu thereof ", 232, or 236".

(2) Section 227(a) of such Act is amended by striking out "or (viii) under section 234 (d)" and inserting in lieu thereof "(viii) under section 234(d), or (ix) under section 236".

(3) Section 227(c) of such Act is amended by striking out "or section 233(b)(2)" each place it appears and inserting in lieu thereof "section 233, or section 236".

(c) The Secretary of Housing and Urban Development is authorized, upon such terms and conditions as he may prescribe, to transfer to section 236(j) of the National Housing Act the insurance of a mortgage which has not been finally endorsed for insurance under section 221(d)(3) of such Act and which has been approved for the below-market interest rate prescribed in the proviso of section 221 (d)(5) of such Act.

(d) The Secretary of Housing and Urban Development is authorized, upon such terms and conditions as he may prescribe, to insure under section 236(j) of the National Housing Act a mortgage meeting the requirements of such section which is given to refinance a mortgage loan made under section 202 of the Housing Act of 1959: *Provided*, That the application for such insurance is filed with the Secretary on or before the date of project completion, or within such reasonable time thereafter as the Secretary may permit.

(e)(1) Section 101(d) of the Housing and Urban Development Act of 1965 is amended by striking out "one-fourth" and inserting in lieu thereof "one-fifth".

(2) Section 101(g) of such Act is amended by striking out "or 231(c)(3)" and inserting in lieu thereof ", 231(c)(3), or 236".

(3) Section 101(j)(1) of such Act is amended—

(A) by striking out "and" at the end of subparagraph (B);

(B) by striking out the period at the end of subparagraph (C) and inserting in lieu thereof "; and"; and

(C) by inserting after subparagraph (C) a new subparagraph as follows:

"(D) a private nonprofit corporation or other private nonprofit legal entity, a limited dividend corporation or other limited divided legal entity, or a cooperative housing corporation, which is a mortgagor under a mortgage insured under section 236(j) of the National Housing Act which has been approved for receiving the benefits of this section: *Provided*, That payments shall not be made with respect to more than 20 per centum of the dwelling units in any property so financed."

(f) Section 207 of the Appalachian Regional Development Act of 1965 is amended—

(1) by inserting in the heading "AND SECTION 236" immediately after "SECTION 221";

(2) by inserting "or section 236" after "section 221" each place it appears;

(3) by inserting "or 'section 236'" after "'section 221'" in subsection (a); and

(4) by inserting ", Government National Mortgage Association," immediately after "Federal Housing Administration" in subsection (c).

(g) The first sentence of section 305(i) of the National Housing Act is amended—

(1) by striking out "or (3)" and inserting in lieu thereof "(3)", and

(2) by inserting after "221(e)" the following: ", or (4) a mortgage insured under section 236".

RENT SUPPLEMENT PROGRAM

Sec. 202. (a) Section 101(a) of the Housing and Urban Development Act of 1965 is amended by striking out everything after the word "exceed" the second time the word appears in the third sentence and inserting in lieu thereof the following: "$150,000,000 per annum prior to July 1, 1969, which maximum dollar amount shall be increased by $40,000,000 on July 1, 1969, and by $100,000,000 on July 1, 1970."

(b) Section 101(b) of such Act is amended by inserting after the first sentence the following: "Such term also includes a private nonprofit corporation or other private nonprofit legal entity, a limited dividend corporation or other limited dividend legal entity, or a cooperative housing corporation, which is the owner of a rental or cooperative housing project financed under a State or local program providing assistance through loans, loan insurance, or tax abatement and which prior to completion of construction or rehabilitation is approved for receiving the benefits of this section."

Part B—Low-Rent Public Housing

INCREASED LOW-RENT PUBLIC HOUSING AUTHORIZATION

Sec. 203. (a) Section 10(e) of the United States Housing Act of 1937 is amended by striking out "$366,250,000 per annum which limit shall be increased by $47,000,000 on the date of enactment of the Housing and Urban Development Act of 1965, and by further amounts of $47,000,000 on July 1 in each of the years 1966, 1967, and 1968, respectively," in the first sentence and inserting in lieu thereof the following: "$554,250,000 per annum, which limit shall be increased by $100,000,000 on the date of enactment of the Housing and Urban Development Act of 1968 and by further amounts of $150,000,000 on July 1 in each of the years 1969 and 1970,".

(b) Section 20 of such Act is amended—

(1) by striking out "not to exceed $1,500,000,000" in the first sentence and inserting in lieu thereof "which shall not, unless authorized by the President, exceed $1,500,000,000"; and

(2) by inserting after the first sentence the following: "For the purpose of determining obligations incurred to make loans pursuant to this Act against any limitation otherwise applicable with respect to such loans, the Secretary shall estimate the maximum amount to be loaned at any one time pursuant to loan agreements then outstanding with public housing agencies."

UPGRADING MANAGEMENT AND SERVICES IN PUBLIC HOUSING PROJECTS

Sec. 204. Section 15 of the United States Housing Act of 1937 is amended by adding at the end thereof the following new paragraph:

"(10) The Secretary is authorized to enter into contracts to make grants to public housing agencies to assist, where necessary, in financing tenant services for families living in low-rent housing projects. In making such contracts and grants, the Secretary shall give preference to programs providing for the maximum feasible participation of the tenants in the development and operation of such tenant services. For purposes of this paragraph the term 'tenant services' includes (without being limited to) the following services and activities for families living in low-rent housing projects: counseling on household management, housekeeping, budgeting, money management, child care, and similar matters; advice as to resources for job training and placement, education, welfare, health, and other community services; services which are directly related to meeting tenant needs and providing a wholesome living environment, including intertenant activities; and referral to appropriate agencies when necessary for the provision of such services. To the maximum extent available and appropriate, existing public and private agencies in the community shall be used for the provision of such services. There are authorized to be appropriated for the purposes of this paragraph not to exceed $20,000,000 for the fiscal year ending June 30, 1969, and not to exceed $40,000,000 for the fiscal year ending June 30, 1970."

PURCHASE OF UNITS BY TENANTS

Sec. 205. Section 15(9) of the United States Housing Act of 1937 is amended by striking out "which is suitable by reason of its detached or semidetached construction" and inserting in lieu thereof ", if the property to be acquired is sufficiently separable from other property retained by the public housing agency to make it suitable".

PUBLIC HOUSING IN INDIAN AREAS

Sec 206. (a) Section 1 of the United States Housing Act of 1937 is amended by striking out "urban and rural nonfarm" in the first sentence and inserting in lieu thereof "urban rural nonfarm, and Indian".

(b) Section 10(a) of such Act is amended by inserting "or Indian" after "nonfarm" in the fourth proviso.

LIMITATION ON HIGH-RISE STRUCTURES IN LOW-RENT PUBLIC HOUSING PROJECTS

Sec. 207. Section 15 of the United States Housing Act of 1937 is amended by adding at the end thereof (after the new paragraph added by section 204 of this Act) the following new paragraph:

"(11) Except in the case of housing predominantly for the elderly, upon enactment of this paragraph, the Secretary shall not approve high-rise elevator projects for families with children unless he makes a determination that there is no practical alternative."

PROHIBITION AGAINST CERTAIN LIMITATIONS ON TYPES OR CATEGORIES OF LOW-RENT HOUSING IN PRIVATE ACCOMMODATIONS

Sec. 208. The first sentence of section 23(d) of the United States Housing Act of 1937 is amended by inserting before the period at the end thereof the following: "(and no limitation not specifically provided for in this section shall be imposed by regulations of the Authority on the types or categories of structures or dwelling units, qualifying under subsection (a)(3) and approved under subsection (c), which may be so used in any community)".

LIMITATION ON NUMBER OF UNITS OF LOW-RENT HOUSING IN PRIVATE ACCOMMODATIONS PER STRUCTURE

Sec. 209. The first sentence of section 23(c) of the United States Housing Act of 1937 is amended by striking out "not exceeding 10 per centum of the units in any single structure except" and inserting in lieu thereof the following: "not exceeding, in the case of any single structure, the lesser of (i) ten units or 10 per centum of the units of the structure, whichever is greater, or (ii) 50 per centum of the units in the structure, with such lesser number being increased (if it is not a whole number) to the next higher whole number; except".

SALE TO TENANTS OF LOW-RENT HOUSING IN PRIVATE ACCOMMODATIONS

SEC. 210. (a) Section 23(f) of the United States Housing Act of 1937 is amended by inserting "(1)" after "shall not apply to", and by inserting before the period at the end thereof the following: ", or (2) housing purchased (or in the process of purchase) by the public housing agency for resale to tenants as provided in subsection (g)".

(b) Section 23 of such Act is further amended by adding at the end thereof the following new subsection:

"(g) To the extent authorized in contracts entered into by the Authority with a public housing agency, such agency may purchase any structure containing one or more dwelling units leased to provide low-rent housing in private accommodations under this section for the purpose of reselling the structure to the tenant or tenants of the structure or to a group of such tenants occupying units aggregating in value at least 80 per centum of the structure's total value. Any such resale shall be made subject to such terms and conditions (including provision for deferment of the required downpayment and for elimination of or adjustments in the required interest payments during a temporary period) as may be necessary to enable the tenants involved to make the purchase without undue financial hardship."

ADDITIONAL SUBSIDY FOR LARGE FAMILIES AND FAMILIES OF UNUSUALLY LOW INCOME

SEC. 211. (a) Section 2(2) of the United States Housing Act of 1937 is amended by inserting at the end thereof the following new sentences: "The term 'large families' means families which include four or more minors. The term 'families of unusually low income' means families with incomes below the income level established by the public housing agency, as approved by the Authority, who could not be housed without the additional subsidy authorized under section 10(a)."

(b) The first proviso in section 10(a) of such Act is amended—

(1) by inserting after "an elderly family," the following: "or a large family, or a family of unusually low income,";

(2) by striking out "to lease the dwelling unit to an elderly or displaced family at a rental it could afford and"; and

(3) by striking out ". and, in the case of displaced families, if and to the extent that the average or estimated average rental for units so occupied by such families was less than the rental which the Authority determines, on the basis of the average or estimated average project rentals, would have been established in leasing the units to families which were neither elderly nor similarly displaced".

Mr. **PATMAN** (during the reading). Mr. Chairman, I ask unanimous consent that title II be considered as read, printed in the RECORD, and open to amendment at any point.

The **CHAIRMAN**. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. BROCK

Mr. **BROCK**. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROCK: On page 56, line 21, strike out "20 per centum" and insert "25 per centum."

Mr. **BROCK**. Mr. Chairman, the rent supplement program has been operating for 2 or 3 years now. It has been operating at the level where a family would receive assistance payments when the rental they are paying exceeds 25 percent of their income. The committee adopted an amendment offered by the gentleman from Wisconsin reducing this figure to 20 percent, and it then became comparable to the figure which was used on homeownership.

I offered an amendment to change homeownership to 25 percent, and that failed.

I would like to offer the same amendment on rent supplements with this one additional argument: It seems to me that the whole thrust of this bill is to change the course and direction of the housing program that exists in this country. It is designed to encourage the maximum opportunity for the acquisition of a home as opposed to the rental of a home in either low rent or public housing. If we are going to put a subsidy on the low- to moderate-income families then under what possible degree of logic can we offer the same subsidy for a family in rental units that we do in ownership, because the homeowner has to pay property taxes, he has to do the renovation, he has to do the maintenance, and it does seem to me that there should be a differential between the two amounts.

Secondly, I believe it has become very patently clear that the rent supplement program is not achieving its objectives. It has not done an adequate job. I would hope that, rather than going the wrong way with the program, at least we could try to encourage HUD to do a better job of administering the program that exists rather than going the wrong way and encourage a considerable increase to the degree of the problem.

Mr. **BROWN** of Michigan. Mr. Chairman, will the gentleman yield?

Mr. **BROCK**. I yield to the gentleman.

Mr. **BROWN** of Michigan. I would like to concur with the gentleman completely, for the reasons stated earlier this afternoon on the floor with respect to the homeownership program. I would think, consistent with the logic that went with the level of income that is applicable to payments for homeownership that the gentleman from Wisconsin and others who supported that level of income payment, should support the gentleman from Tennessee in his efforts at this time.

Mr. **ECKHARDT**. Mr. Chairman, will the gentleman yield?

Mr. **BROCK**. I yield to the gentleman.

Mr. **ECKHARDT**. If the gentleman from Tennessee's first amendment had been passed, would he offer this amendment at 30 percent to maintain that differential?

Mr. **BROCK**. I think that probably I would—and maybe 40 percent. I am not for rent supplements, as the gentleman probably knows, and I honestly would hope that we could reduce this program and expand the concept of homeownership and the rent certificate program, both of which seem to offer to me a much greater potential for helping the people we are trying to help.

Mr. **REUSS**. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I will be very brief, because this Committee just a few minutes ago voted down a somewhat similar amendment offered by the gentleman from Tennessee [Mr. BROCK] with respect, in that case, to homeownership, which would have raised the housing expense payment from 20 percent to 25 percent of income.

The current Brock amendment would do the same thing for rental housing.

As the bill is set up, a family with a $4,000 annual income would not be asked to pay more than 20 percent; that is, $800 a year for rental.

The Brock amendment would require an extra $200 a year, for a total of $1,000.

That difference, small though it may seem, of $200 a year is the difference between whether that very marginal family is able to find enough to feed the children and clothe the children, pay for medical expenses, and to have a little left over for some of the other essential budgetary items.

If you start raising the rental from $800 to $1,000 a year, or as you go upwards by a larger amount, you simply mean that you impose a greater hardship upon the family with a lot of children because those children want to eat and to have clothes and that costs money. If you are going to require that it be taken out of the rental budget amount, you are going to require that it be taken out of the mouths of the rest of the family.

As I said before, the uniform FHA experience is that 20 percent is right and proper. If you go any higher than that, you are simply putting into a financial bind the family that you are trying to help. So I hope, and no further words of mine I am sure are necessary, that the Brock amendment will be defeated.

Mr. **BROWN** of Michigan. Mr. Chairman, will the gentleman yield?

Mr. **REUSS**. I yield to the gentleman.

Mr. **BROWN** of Michigan. I am somewhat amazed at the inconsistency of the gentleman's arguments.

Furthermore, I am somewhat amazed to see that he is opposing the administration position with respect to this measure. The gentleman will recall that the bill, as introduced by the administration, provided for the very thing that the Brock amendment will accomplish.

Mr. **REUSS**. I would remind the gentleman that inconsistency is the hallmark of great minds. I never fear to oppose the administration when it is wrong. Furthermore, here the overwhelming majority of the House Committee on Banking and Currency felt that 20 percent is the right figure. I hope that that figure will be maintained and that the pending amendment is voted down.

Mr. **BROWN** of Michigan. Mr. Chairman, will the gentleman yield further?

Mr. **REUSS**. I yield to the gentleman.

Mr. **BROWN** of Michigan. I would just remind the gentleman that the statement which he quoted starts out with something to the effect that "foolish inconsistency" and I would not charge the gentleman from Wisconsin with foolish inconsistency.

Mr. REUSS. That is why I changed the wording.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. BROCK].

The question was taken; and on a division (demanded by Mr. BROCK) there were—ayes 40, noes 42.

Mr. BROCK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. BROCK and Mr. PATMAN.

The Committee again divided, and the tellers reported that there were—ayes 81, noes 75.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. GROSS

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GROSS: On page 66, strike all of lines 16 through 23, and on page 67, strike all of lines 1 through 22, and renumber the succeeding sections accordingly.

Mr. GROSS. Mr. Chairman, this amendment would strike all of section 204, beginning on page 66 and ending at the bottom of page 67. It would strike out the authorization for a total of $60 million—$20 million of it in the fiscal year, 1969, and $40 million, doubling the amount, for the fiscal year ending June 30, 1970, or a total of $60 million.

This money is for what purpose? It is for so-called tenant services. I wonder how long it took the bureaucrats to dream up this one. There are literally hundreds of different Government bulletins and publications issued each year dealing with most of the items which are specified in the bill as "tenant services."

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, let me see if I can set the gentleman straight on this. We are dealing here with a bill of $5.3 billion, and we are certainly dealing in titles I and II with $300 million, and we are asking in this bill only for $16 million for management and counseling of tenants. We are hoping we can teach the tenants, who have never had the opportunity to learn it, how to budget their money and how to pay their rent.

Mr. GROSS. Let us stop right there. I can read the bill. What I need the gentleman to tell me is who will teach these people, for instance, how to budget their money?

Mr. BARRETT. This is a very good point. I am glad the gentleman brought it up. There are contracts to be given to people knowledgeable in this field who will go to the people when they purchase a home.

Mr. GROSS. Then it is proposed to go out and hire consultants to tell the people how to budget?

Mr. BARRETT. The gentleman knows there is no individual in HUD who can do this alone.

Mr. GROSS. No individual in what?

Mr. BARRETT. In Housing and Urban Development.

Mr. GROSS. Does the gentleman mean to say they are so short-staffed down there or that they do not have the knowledge?

Mr. BARRETT. I am not talking on that point. I am talking on the point as to how we can indoctrinate these people to live so they can pay their bills and save the Government money, so we do not have to backtrack over what we are doing today, and teach them how to get 100 pennies out of every dollar.

Mr. GROSS. I think we are doing a good job with all the low-cost and low-rent housing we are giving these people. I think we are doing a pretty good job of taking care of them. It seems to me they could write to a Member of Congress or to the various Government agencies and get the publications which are put out, many of them free, telling them how to take care of their children. We have bulletins and publications dealing with how they should live, and how they should cut their toenails and fingernails. We do not have to spend $60 million in 2 years for that purpose.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I will yield to anybody who can help explain the necessity for this kind of indoctrination.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I wanted to ask the gentleman a question. Does the amendment offered by the gentleman strike all the management and tenant services in the housing projects, listed from line 16 on page 66 down through line 22 on page 67?

Mr. GROSS. It will do just exactly that.

May I have the gentleman's support?

Mr. DEL CLAWSON. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from California.

Mr. DEL CLAWSON. Perhaps we should have the Federal Government advise these folks on how to balance their budgets and spend their money, since we do such a wonderful job in the Federal Government of balancing our budget and spending our money. Perhaps we should counsel them.

Mr. GROSS. The gentleman is right. We need some help here. Perhaps we need a consulting firm to tell us. Seriously, if I have my way, we will not be bothered with it in this bill.

Mr. DEL CLAWSON. I will join with the gentleman. I will be happy to discard the section.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. HALL. I would agree that we do a good job under the MDTA, the Technical Training Service Act, and the Vocational Rehabilitation and Education Act in job training. Certainly, under the education provisions, we advise 67 different ways how they can get educational grants and further education.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(By unanimous consent, Mr. GROSS was allowed to proceed for 3 additional minutes.)

Mr. HALL. Let me ask the gentleman a question. Since these are all services—and, parenthetically, they apply only to rental housing, and not homeownership, if I read the bill correctly—what are the "intertenant activities"? I thought at first it was entertainment, but it is not; it is "intertenant activities and services."

Mr. GROSS. That is probably one tenant activating across the hall or something. I do not know. That could be almost anything; communicating across the hall, or from one floor to the next.

Mr. HALL. It would involve elevators, too; would it not?

Mr. GROSS. Yes; it could.

Mr. HALL. Elevators are not precluded in this rental housing.

Mr. GROSS. No. I say to my friend from Missouri, we might take a look at this household management provision. Here we have Betty Furness, who is paid a fancy Government salary. Before she came forth to grace all of us with her presence all she did was open television refrigerator doors. She did not even buy her own food. She said she had a housekeeper who shopped for her. She is an expert now on consumer- and home-management problems. What more do they need?

It seems to me that Betty Furness, with all the publications she has at her disposal, and based on the salary she is paid and the staff she has, could counsel these people on household management and how to budget food bills.

Mr. HALL. And perhaps on "intertenant" activities, up and down the hall.

Mr. GROSS. Surely, on intertenant activities. Why not?

I hope that somebody in this group of gentlemen representing the Committee on Banking and Currency will be good enough to stand up here this afternoon and go into detail about the services, the interactivities and all the rest of this stuff, for which you want the taxpayers to cough up $60 million in the next 2 years.

Better still, adopt my amendment and forget about it.

Mr. REUSS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the Gross amendment seeks to strike the entire section entitled, "Upgrading Management and Services in Public Housing Projects."

That section, in a nutshell, recognizes that the people who live in public housing projects are human beings, with human aspirations, and tries to help them help themselves by giving them a variety of services: counseling on household management, housekeeping, budgeting, money management, child care, to mention several.

The gentleman from Iowa [Mr. GROSS], has asked who it was who stayed up late at night thinking that one up.

Mr. GROSS. "Dreaming," if the gentleman will yield.

Mr. REUSS. I will tell the gentleman the person who stayed up late at night dreaming that one up. He is a distinguished Republican, a loyal 100-percent Republican, and a very valuable member of the House Committee on Banking and Currency, the gentleman from Michigan

[Mr. GARRY BROWN], who literally stayed up late at night working out those words on the intertenant activities and everything else. We on our side supported him, and so did many on the minority side of the committee, because it is sound.

If the gentlemen in the minority would spend less time devouring their own young on the floor this afternoon, we would have a better bill.

I urge that the amendment be voted down.

Mr. BROCK. Mr. Chairman, I move to strike the requisite number of words.

Mr. GROSS. Mr. Chairman, will the gentleman yield for a quick observation?

Mr. BROCK. I yield to the gentleman.

Mr. GROSS. I only hope that I have been successful in making a contribution to "devouring the young" that ought not to have been produced by this bill.

Mr. BROCK. Mr. Chairman, in defense of the gentleman from Michigan [Mr. BROWN], I would like to point out that his amendment was offered to write in some specific language because there was not any language at all in the bill as it was submitted by the administration. It was a total carte blanche, and the gentleman from Michigan felt if we are going to have some language in there for tenant services, at least we should spell out some of the areas that we are concerned with so that HUD will not be going into faroff fields. That is the thrust of the gentleman's amendment.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I am glad to yield to the gentleman.

Mr. REUSS. The gentleman from Michigan needs no defense. He did a magnificent job on this section. I am confident that the House will endorse his handiwork.

Mr. BROCK. In my opinion, the whole section needs some handiwork, because it is a terrible misfortune, in my opinion, to have something like this in housing legislation. This particular section, even with the gentleman from Michigan's amendment in it, has this particular flaw. It says, "and other related services." So there is still an unlimited function available to these people to get into local activities.

Let me give you an example. In my own State, as in yours in most cases, we provide extension services which go out and provide counseling to these families in the fields of budgeting, home management, home economics, food planning, and all the rest. When you put in this particular thing you are telling the University of Tennessee or any other university that cares about the people of its State to go fly a kite. You tell them, "We are going to take over your functions. You do not need to be responsible on the local level any more."

The gentleman from Pennsylvania said that we are going to indoctrinate these people. Well, it is about time we stopped indoctrinating the American people and let them live their own lives for a change.

I do not like this, and I will not participate in supporting a section which allows an agency of this Government to indoctrinate the American people. They do not need it, my friends. I oppose the amendment.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. BARRETT. I thank the gentleman. It is necessary to help these people.

Mr. BROCK. Mr. Chairman, I decline to yield any further.

Mr. BARRETT. We have to try to help them——

Mr. BROCK. Mr. Chairman, I refuse to yield further.

I want to say without any qualification whatsoever that I deeply resent such criticism of the people of Tennessee or any other State and particularly resent the word "indoctrinate." It is a foreign word—foreign in implication and in effect.

Mr. KYL. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I am glad to yield to the gentleman.

Mr. KYL. How will these services contemplated here differ from the services of the OEO, and those being offered by welfare departments and other agencies?

Mr. BROCK. They would be directly parallel or compete with the same services. There is no difference between them.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I am glad to yield to the gentleman.

Mr. BELCHER. I am wondering if all those people in Pennsylvania are on relief, because they have the greatest relief rolls in the United States, and I wonder if they all came from the South.

Mr. BROCK. They did not, and if they think they are going to be "indoctrinated" in Pennsylvania, they would not go.

Mr. MOORHEAD. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it is easy to ridicule this section of the bill, but if you have worked in the public housing field, you will know the necessity for the type of services that are proposed in section 204.

Before coming to the Congress I served on the board of a housing authority. There were two frustrating situations that I found.

The first was that the people who moved in did not move out. In other words, they did not upgrade their skills and obtain new jobs and equip themselves to earn more income which would permit them to go out into the free market and buy or rent houses.

Mr. Chairman, this section is designed to help with job counseling.

There was a second frustration, Mr. Chairman, and that was this: We knew that there were living in the slums, poor people with many problems—multiple problem families—we had to turn them down because we did not have the kind of people on the staff of the housing authority who could give them the counseling and the guidance that would qualify them to live with their neighbors in public housing.

So, Mr. Chairman, I would say that this section is one of the most important sections that is contained in this bill, because it is doing what the conservatives like—upgrading the tenants—and having them move out into the free enterprise housing market.

There is also another aspect to this section of the bill which would help to provide space to the problem family and the family that has the problem of dealing with alcohol and so forth. We are proposing that they hire a local man, it could include a man from the university of Tennessee, for instance, to identify the problem families and guide them to such programs as are now being carried on under the Office of Economic Opportunity or Manpower Training. These are people who know the problems and know the manner in which it should be dealt with and undertake to arrive at a solution to the problem. Then, we could upgrade these tenants and move them out.

One of the past difficulties of public housing was lack of concern for people. We have been doing little more than warehousing people.

This section is the people's section of this bill, and I believe of all sections which are contained in the bill, this one should be passed.

Mr. KYL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise simply to ask the gentleman from Pennsylvania who just finished speaking, a question or two. It was my understanding that the Office of Economic Opportunity was supposed to provide family services, and that it was also to provide counseling of the kind described here.

May I ask the gentleman to respond to this brief question? Is it his opinion that the Office of Economic Opportunity has failed in this function—in this counseling function which was given to it?

Mr. MOORHEAD. Mr. Chairman, if the gentleman will yield, no. I think that the Office of Economic Opportunity is doing a good job in counseling. But I think there has got to be someone who is trained in this field and who can identify these people who need counseling and refer them to OEO.

Mr. KYL. Just a moment. In the CAP area closest to my own home the Office of Economic Opportunity has always indicated that its basic function is to go out to show these people what helps are available, and counsel with them, and guide them and try to acquaint them with the jobs that are available. And, not only that, but also to help in the matter of training and retraining.

Mr. Chairman, if we have to support a new section like the one which is now contained in this bill, it would seem to me that we are in effect condemning the Office of Economic Opportunity because it is not responding to the functions assigned to it.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from New York.

Mr. BINGHAM. I would suggest to the gentleman that there are many cases where the OEO operates, and where it is functioning and that we have to rely upon the people in the community to show some initiative and capacity to carry on the program.

I know of projects which are conducted in my district where this kind of service is not available from the Office of Economic Opportunity, not because the Office of Economic Opportunity is not functioning, but simply because it has been left primarily up to local initiative in that district to help these people move forward in the community. It is my opinion that a program of this type would be enormously helpful.

Mr. DEL CLAWSON. Mr. Chairman, if the gentleman will yield, the local housing authority has a project with an adviser which is supervised to the extent they can tell exactly what services are available, either through the housing authority or the local community. I think you will find that almost all these agencies are capable of providing this work without this section.

Mr. MOORHEAD. Will the gentleman yield?

Mr. KYL. I yield to the gentleman from Pennsylvania.

Mr. MOORHEAD. If the proper services can be financed out of the rental income, this would be fine, but where you have got to have a higher rent, you would run into rather difficult circumstances, but God bless them. However, I do not think they have done enough. I know we have never had a project officer in our projects, and we were just barely making ends meet with the income rental and breaking even.

Really, just barely make do with the income record on expenses. I think we will find we will save more money by a small investment of this type that can move tenants out of public housing than we can by any other section of this bill.

Mr. DEL CLAWSON. If the gentleman will yield further, I would just like to point out—and I believe that this would be true in Pennsylvania. Every local housing authority has an item in their budget for project services. I would be happy to review such a budget so that the gentleman will see that it does provide for it.

Mr. MOORHEAD. I do not believe that would be sufficient.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. KYL. I yield to the gentleman from New Jersey.

Mr. CAHILL. I am just wondering if the gentleman from Pennsylvania can explain to me the difference between this section of the bill and that section providing for the National Homeownership Foundation. As I read this section and that section, one of the principal functions is to counsel the poor and to establish for them incentives to develop in them an interest in public housing or private housing.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

(On request of Mr. MOORHEAD, and by unanimous consent, Mr. KYL was allowed to proceed for 2 additional minutes.)

Mr. CAHILL. If the gentleman will yield further, will the gentleman from Pennsylvania tell me whether there is a duplication or whether this is a separate method of counseling?

Mr. MOORHEAD. If the gentleman will yield further, no, the homeownership counseling is counseling people who want to own their homes. This section is aimed only at the rental program, that of public housing, and it covers a lot wider range of counseling than homeownership. It could include the problems of alcoholism, drug addiction, job training, family planning, and many things like that.

Mr. CAHILL. If the gentleman from Iowa will yield further, I will state to the gentleman from Pennsylvania that I thought the counseling actually was to encourage the people to leave the public housing and to get them into the private segment of our economy.

Mr. MOORHEAD. The private sector could include units.

Mr. CAHILL. If the gentleman from Iowa will still yield further, I would ask the gentleman from Pennsylvania if there is proposed to be a separate counseling for rentals and a separate counseling for homeownership.

Mr. MOORHEAD. Not just that we would have separate counseling, but we would have broader counseling insofar as it concerns the tenants in public housing, because almost by definition they have a problem in their incomes or they would not be in public housing.

Mr. CAHILL. Then as I understand there is $10 million allocated for the furthering of the National Homeownership Foundation, is that right?

Mr. MOORHEAD. Yes, but they would have no contact with the tenants in the public housing, and we must have someone who has close contact with the tenants in public housing.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. FARBSTEIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I do not know whether the gentleman from Iowa has had any experience with the operation of public housing projects. There happen to be a number of them in my district. I called HUD several months ago and told them that the public housing projects not only one, but all of them, did not have sufficient police protection. These public housing projects are not serviced by the local police, or by the city police, and that the city housing authority that runs the projects has to provide police protection.

It so happens the cities do not have sufficient funds with which to hire police to safeguard and protect the housing developments. As a result, legislation has been introduced—and I can speak only for the city of New York—to provide for police to protect these housing developments.

I read in the daily press only a day or so ago that the City of New York has increased the number of police to service all these low cost housing projects to 1,500. I further read yesterday in one of the New York papers that one member of the State legislature is going to introduce a bill for 5,000 police.

It so happens that these housing developments need police protection.

When I called the housing authority and complained about the fact that there was no police protection for these developments, they said that in the bill that is to come up—speaking about this bill—special services could be interpreted to mean police protection.

It is my hope that when this provision is adopted, there will be a contribution by the Federal Government to assist the various municipalities in providing police protection for the various housing projects.

As I say, this is the result of a conversation I had with somebody up at the Department of Housing and Urban Development. That is one phase of the services asked for by this bill. Another phase of it is that there are women who live in these public housing projects who go to work. They need people to take care of their children while they are at work. They have day care centers and these funds would be used for those purposes.

There is no point or constructive purpose to be served in treating this provision of the bill with the levity that it has been treated here today.

There are important functions that would be fulfilled by this paragraph and I say to you, the funds that have been appropriated are insufficient and that for the various low-cost housing projects throughout the country the sum of $20 million the first year will be insufficient and that there should be at least twice as much.

I say to you, gentlemen, it is in the interest of assisting the cities and to keep them cool instead of hot for this summer and for the coming summers that you provide the necessary moneys to aid the people in the cities who live in low-cost housing projects for the purpose of providing, among other things, police protection.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman.

Mr. YATES. The gentleman is raising some very important points.

In reading this section now under consideration, I find no reference either to the point of protection, which I think is of very great importance, in the public housing section and, secondly, I see no reference to the day care which I think is of equal importance.

Will the gentleman yield to a member of the committee to discuss that point?

Mr. FARBSTEIN. If the gentleman will look at page 67, line 6, he will find this language "without being limited to"—that is the bill as written provides that the term "tenant services" includes certain services and activities "without being limited to" such service activities.

I believe we are making legislative history today with reference to this paragraph as a result of this debate and as a result of my statement that police protection in these public housing projects can be accorded. Further, that centers to take care of children while the mothers are working would be covered by the language of the bill.

Mr. YATES. Would the gentleman from New York yield to some member of the committee and get some legislative history on this?

Mr. FARBSTEIN. The point is that I answered the gentleman.

Mr. YATES. May I say to the gentleman that neither of us is a member of the committee.

Mr. REUSS. That is correct.

Mr. YATES. I think it would be well if the gentleman would yield to a member of the committee to find out whether it is intended that this section include the provision of services for protection, that is the provision of police protection for public housing projects and for the provision for the creation of the establishment of day care centers as well.

Mr. FARBSTEIN. I am satisfied to yield to a member of the committee. The reason that I took the floor and made the statement I have is because of my own personal experience in situations in the city of New York in public housing projects.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, at the request of Mr. Yates, Mr. Farbstein was granted 3 additional minutes.)

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. FARBSTEIN. I yield to the gentleman.

Mr. REUSS. I think the interpretation suggested by the gentleman from Illinois [Mr. Yates] is a reasonable one, that the statutory phrase "services which are directly related to meeting the tenant needs" would include both protective and day care services, if appropriate, and if approved by the administrator.

Mr. YATES. Mr. Chairman, will the gentleman yield further?

Mr. FARBSTEIN. I yield to the gentleman.

Mr. YATES. When the gentleman from Wisconsin mentions the provision of day care services, does this mean to include the use of these funds for the purpose of establishing day care centers within the public housing projects?

Mr. REUSS. Certainly, that seems to be a good place to have them. There are those who want mothers to work and where better to have a day care center than in the housing project?

Mr. FARBSTEIN. May I say to the gentleman, there are presently various centers where children are taken care of during the day when the mothers are out working.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have heard some very interesting things here this afternoon on this particular amendment. I for one never knew that a city could deny its responsibility of policing a public housing project. If public housing projects are located in New York, I would suggest that they follow exactly the same procedure as is followed in Pennsylvania, and in most other States that I know of, and give to that public housing project exactly the same police protection that is given to the rest of the city or to the rest of the municipality.

The statement has been made that child day care centers are maintained, and I think child day care centers are maintained in virtually every municipality of this great country of ours, maintained to a large degree through United Fund, Community Chest, or other similar charitable organizations.

In relation to the type of activity which is provided for in this section—counseling on household management, housekeeping, budgeting, money management, child care, and similar matters, and I could go on and read the whole gamut—I believe every one of those functions is being performed today by an existing agency in every community.

Today we have heard a great deal about the Office of Economic Opportunity. They are providing many of these same services in many places.

Furthermore, we have heard from the distinguished gentleman from Pennsylvania [Mr. Moorhead] about the people in these public housing units being improved so that they could get out of their environment. Speaking for Pennsylvania, I do not believe that there is one major metropolitan area in Pennsylvania that does not have good Vo-Tech high schools. In most of these Vo-Tech high schools, even though you only have the equivalent of a second-grade education, you can go to the Vo-Tech high schools in the evening and take courses in carpentry, machine shop work, and any of the skills that the Vo-Tech schools teach. I think right now that everything that is called for in this section is being provided, and it is being improved upon constantly by the local communities.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Pennsylvania. I yield to the gentleman from Pennsylvania.

Mr. MOORHEAD. I would say to the gentleman that in those communities where there are the proper kinds of services, the main problem of the Public Housing Authority would be to acquaint the tenants with the services available, and also to know what services the tenants need. A great many tenants do not know there is a day care center down here; they do not know there is free legal service out there. At times they do not even know they need legal services.

Mr. WILLIAMS of Pennsylvania. I am quite sure they do know. As I said in my earlier comments, these people should be upgraded so that they could get out of public housing and get into better housing. I have pointed out that in places like Philadelphia, Chester, Harrisburg, and the other metropolitan areas where we find public housing there are vo-tech high schools which have evening courses available in all the subjects the schools teach, without the necessity of those attending the schools meeting any academic requirements to start with.

Mr. MOORHEAD. This is where I respectfully differ with the gentleman. There are tenants in public housing who have not been reached by these programs. Often the programs are downtown and the housing provided is in another section of the town. There is no one to bridge that gap or to inspire those people by saying, "You are paying this much rent. If you go to a vocational education school, you will be able to do better." It would stimulate the program as we have done in the past.

Mr. WILLIAMS of Pennsylvania. I am sure they do know about those programs. At one time I was asked the question, "Perhaps people do not know where the Employment Security Office is. Maybe that is why they do not go and apply for jobs." But when I asked the question, "How come they know where the welfare office is to get their welfare checks," there was no answer forthcoming. The people do know, and I think all we are going to be doing here is wasting $60 million when we are only spending $10 million on a National Home Ownership Foundation. We are wasting $60 million in duplicate services.

Mr. DEL CLAWSON. Is is not simple enough for the project manager to send out a notice as frequently as necessary, whether to five or 5,000 units, to tell them of these project and tenant services?

Mr. WILLIAMS of Pennsylvania. I know a bulletin board in a housing project is an easy way to let them know of these projects, and some housing projects have their own publications.

Mr. BROWN of Michigan. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I had originally not intended to participate in the debate, but as the debate has gone along, I have become convinced I probably should actively oppose the amendment and support the proposal.

I originally participated in this provision of the legislation, because there was some need for draftsmanship, I thought, rather than leave the language so open ended that any service could be provided under the language of the bill as it was originally drafted. So I was acting as a draftsman rather than a participant in the merits or demerits of the proposal itself.

I hold no brief for the money amount that is expressed in this section. Maybe it is too much, but I think the section itself is desirable. If I could direct the attention of my colleagues to the language for a minute, I would like to have them look at page 67, and particularly I would like to have the gentleman from Iowa look at that language. In connection with the definition of "tenant services," it provides that these services include "counseling on household management, housekeeping, budgeting, money management, child care, and similar matters."

I would ask the gentleman from Iowa, as well as anyone else who serves on the Committee on Agriculture or possibly on the Committee on Education and Labor, if those items are not included in the services that are required to be performed by the extension services of every land-grant college in this Nation? Having served in the Michigan Legislature, I am very familiar with that. The only thing this language does not include was a service that was provided by the extension service of Michigan, and that was training in the arranging of funeral sprays. I think if we follow on with the last of the language, we will see other things mentioned which are presently provided by extension services.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Chairman, the extension service in Iowa has not yet provided babysitters. They may some day, but I have not heard of them providing babysitters.

Mr. BROWN of Michigan. I do not see, if I can respond to the gentleman, where this legislation says anything about babysitters.

Mr. GROSS. The gentleman's provision provides for childcare.

Mr. BROWN of Michigan. The gentleman is not reading the language correctly. The language says "counseling" on child care. Is the gentleman saying child care counseling and child care is the same thing?

Mr. GROSS. Then it is proposed to use Federal funds to teach people how to be babysitters?

Mr. BROWN of Michigan. I think it is teaching them how to take care of their children. Is the gentleman saying the extension service does not provide that?

Mr. GROSS. Not that I know of.

Mr. BROWN of Michigan. Then I think the gentleman should become better acquainted with the extension services.

The concluding sentence, that follows this recitation of services, should be read rather carefully, because it is very important, it says:

> To the maximum extent available and appropriate, existing public and private agencies in the community shall be used for the provision of such services.

In that language we clearly pinpoint that whenever possible we intend the Department of Housing and Urban Development shall use the extension services and other nonprofit agencies for the providing of these services to these people.

Mr. GROSS. Mr. Chairman, if the gentleman will yield further, what does the gentleman mean by "intertenant activities"?

Mr. BROWN of Michigan. I think "intertenant activities," if I may respond to the gentleman from Iowa, is very comparable to "interfarmer activities" when we are talking about the rural electrification and all other cooperative activities which have been so successful in the agricultural areas.

Mr. DEL CLAWSON. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Michigan. I yield to the gentleman from California.

Mr. DEL CLAWSON. Mr. Chairman, the gentleman would contradict the statement that it would provide for the hiring of additional policemen and the establishment of day care centers?

Mr. BROWN of Michigan. Mr. Chairman, I do not feel I can speak for the chairman of the subcommittee, but certainly that was not contemplated as included in my interpretation of the language.

Mr. DEL CLAWSON. The gentleman has stressed the word "counseling". Is not this the area where all these activities are applicable, as far as the services are concerned—that is, counseling only, and not for the establishment of child care centers or the hiring of patrolmen?

Mr. BROWN of Michigan. That is correct.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. Gross].

The question was taken; and on a division (demanded by Mr. Gross) there were—ayes 66, noes 69.

Mr. GROSS. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Gross and Mr. Patman.

The Committee again divided, and the tellers reported that there were—ayes 84, noes 84.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WILLIAMS OF PENNSYLVANIA

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Williams of Pennsylvania: On page 55, line 22, strike out "1 per centum" and insert "3 per centum" and on page 56, line 14, strike out "1 per centum" and insert "3 per centum".

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 5 minutes in support of his amendment.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, you will recall that under the mortgage assistance which is designed to help low- and moderate-income families to obtain homeownership, we have a 1 percent annual interest with the Federal Government paying the difference between the actual interest rate and the 1-percent interest rate.

Now, on this title II, rental housing for low- and moderate-income families, it is incumbent upon us to try to get as many of these units built as possible, and to get them built as quickly as possible.

Mr. Chairman, as all of us are aware, mortgage money on the money market which is loaned by private institutions, is running at least 7 percent or 8 percent. Thereby, if the Federal Government offered to pay the difference between the going mortgage rate of 7 and 8 percent, and 3 percent, I believe we will offer a great incentive for our people to get into this market of providing low rental housing for low- and moderate-income families. But by changing the rate, and based upon the money appropriated under this section, I believe we will got more people interested in building low rental housing units and the money will go further, and we will come up with a great number of housing units.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Pennsylvania. I yield to the gentleman from Illinois.

Mr. YATES. But is not the gentleman destroying the incentive by increasing the 1-percent interest rate to 3 percent? Is there not a greater incentive for building such units if it remains at 1 percent, instead of raising the rate to 3 percent?

Mr. WILLIAMS of Pennsylvana. But do not forget that the money appropriated under this section will only go so far. Therefore if we can have more housing units built at 3 percent, even though we are reducing incentive—we are not destroying it—actually we will bring more people into building housing units of this type. We are not destroying the incentive. We are making it attractive if they can borrow the money at 3 percent.

Mr. YATES. Mr. Chairman, if the gentleman will yield further, in the cities such as the city of Chicago they are not really in the homebuilding market. The only ones who are building units for people of low- and moderate-income are apartment dwellers. Therefore, it is important that the 1 percent remain in the bill instead of raising the figure to 3 percent in my opinion.

The greatest incentive, I think, will get the job done faster.

Mr. WILLIAMS of Pennsylvania. However, by the savings of 5 percent as represented by the differential of the going rate of 8 percent and the 3 percent which is proposed by my amendment, the interest rate would be effective enough to attract people into this field, and at the same time the money appropriated for this purpose will go further and it will attract more people and get more low rental housing units built in a shorter period of time.

Mr. YATES. Mr. Chairman, if the gentleman will yield further, why should not the homebuilding section have the 3 percent differential too?

Mr. WILLIAMS of Pennsylvania. Because in the mortgage assistance program to which I believe the gentleman is referring, we are trying to get these same low- and moderate-income families into homeownership. What they want to do is to give them an incentive to do this. We have these State and local financial institutions coming in and building low- and moderate-income housing units and they are still doing this. In other words, the incentive would still be be there at the rate of 3 percent. We would not be destroying the incentive, but we will be getting greater use of this money appropriated under this section which will mean that we will be able to get more low- and moderate-income housing units built in a shorter period of time.

Mr. YATES. Mr. Chairman, if the gentleman will yield further, then your opinion is that the opportunity for low- and moderate-income families to own their own homes is through the cooperative process? Why should not they be allowed the same differential of 1 percent?

Mr. WILLIAMS of Pennsylvania. If the gentleman wants to talk about a tenant purchasing a unit, then the mortgage assistance program should apply and they should get 1 percent.

But so far as an incentive for having more of these low-rent housing units built, then I believe that the 3 percent is adequate.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS of Pennsylvania. I yield to the gentleman from California.

Mr. HANNA. Mr. Chairman, I would ask the gentleman if it is not true in the section to which the amendment offered by the gentleman from Pennsylvania refers, particularly on page 56, that we are talking about the establishment of a basic rental charge, and it is my view of what the gentleman suggests that it will affect very substantially the market for rentals. Because if the rental is established on 1 percent, the amount that the tenant pays is less, if it is 3 percent then the tenant will have to pay more.

The **CHAIRMAN**. The time of the gentleman from Pennsylvania has expired.

(By unanimous consent, Mr. WILLIAMS of Pennsylvania was allowed to proceed for 1 additional minute.)

Mr. WILLIAMS of Pennsylvania. In reply to the inquiry of the gentleman from California [Mr. HANNA], I would state that what he is saying is really this: that with the 3-percent interest rate the rentals would be slightly higher. I agree with that. On the other hand, I have heard that we have to build 6 million new housing units, and I believe the impact on the rentals to be built between the difference in 1 percent and 3-percent interest charge would be negligible, and I believe our overall goal of building the required number of units would be facilitated.

Mr. HANNA. If the gentleman will yield further, I would merely point out to the gentleman that what the gentleman is referring to is a market to build. The incentive is built upon the market, and if it is a market where the tenant pays the 1 percent, then it is a different market than if the tenant has to pay 3 percent.

Now, I am not exactly sure what a 1-percent difference on the money for an apartment is, but I believe, if you would assume, that it costs—or the basic figure is about $12,000 to build an apartment unit, we could quickly determine in our minds what this would mean in monthly rental increase to the tenant, and what it will then do will be to reduce the number of individual tenants and reduce the number of units.

Mr. WILLIAMS of Pennsylvania. I would say to the gentleman from California that with today's tight mortgage money, and with today's high interest rates, that a 3-percent market will be something that will be astoundingly good.

Mr. BARRETT. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment. This proposal was raised in the committee and rejected. It was argued that by limiting the subsidy in this way the Federal aid could be stretched out over more families. We who opposed it pointed out that it would do so only at the expense of families in greatest need by cutting them out of the program entirely. I share the hope that this program will be expanded further but in the right way through additional authorizations of funds rather than at the expense of the poor who we are trying to help. I hope the amendment will be defeated, in order that we may give an adequate number of safe and sanitary units to the appropriate people who meet the requirements through this program.

Mr. Chairman, I yield back the balance of my time, and I hope that we can vote on the amendment immediately.

Mr. BROCK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to speak very quickly in order that we can expedite the vote on this amendment.

Mr. Chairman, it does seem to me that we should make every effort to expand the program as broadly as possible, and raising our interest rate from 1 to 3 percent does give the Secretary the ability to have this program cover a much broader spectrum of America, both in geographical and in economic terms.

Mr. Chairman, I would hope that the amendment is adopted.

Mr. McCORMACK. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, this is a very important provision of this vital and far-reaching and important bill. We are faced in America today with many challenges.

We are all acquainted with them. We are all aware of them.

One of the challenges is in connection with the persons of millions of Americans who are economically depressed, so to speak, or who are not in a good economic position.

This relates to rental housing for low- and moderate-income families. This is one of the great challenges that confronts us, particularly in this field.

I know what it is, as a youngster, to live under the conditions that most of these people live. There are many Members of the House who have had the same experience during their journey of life.

It seems to me that the provisions recommended, of 1-percent interest, recommended by the committee, in the light of existing conditions and in view of the problems that confront us and the challenges with which we are faced is a fair and equitable provision.

I realize that my friend who has offered the amendment does so with the highest of motives. But on the other hand, if this amendment is adopted, it is going to have a very limiting effect upon the successful operation of this program in a field of vital importance not only to countless of millions of Americans today and in the years to come but in the life of our country.

I hope that my friends in both parties will get the spirit of the challenges that confront us and realize the situation of those who are among the havenots. Those of us who are fortunate to have a dollar in our pocket see life one way. But what about the other side of the coin—those persons who do not have a dollar in their pockets, so to speak, and who look at life another way.

This is a matter of vital importance in connection with the successful operation of this bill.

I hope that the amendment will be defeated.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to my colleague, the gentleman from California.

Mr. HANNA. I want to associate myself with the remarks of the distinguished Speaker of the House of Representatives.

I simply want to say that if we pass this amendment, you will knock out of consideration those people who cannot pay the extra $20 a month as a minimum this amendment requires. You are not going to provide any more housing, as the gentleman from Tennessee has suggested, you are just going to provide housing for strictly moderate incomes.

I certainly want to associate myself with the position taken by the Speaker of the House.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. With pleasure and some trepidation, I yield to my colleague, the gentleman from Iowa.

Mr. GROSS. I am sure the Speaker need have no fear or trepidation whatever.

I wonder when someone is going to start feeling sorry for the taxpayers who are going to make up the deficit between 1 percent and at least 5-percent interest. Somewhere, somehow this money has to be raised and there is only one source and that is the taxpayers of this country. It is inconsistent to raise taxes by 10 percent and then provide an interest rate of 1 percent.

Mr. McCORMACK. The gentleman from Iowa in good faith, with his philosophy of life and philosophy of government, is talking in terms of dollars—I am trying to talk in terms of human beings.

The **CHAIRMAN**. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. WILLIAMS].

The question was taken; and on a division (demanded by Mr. WILLIAMS of Pennsylvania), there were—ayes 37, noes 80.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of Illinois: On page 61, following line 22 add a new subsection (m) as follows:

"(m) Notwithstanding any other provision of this section, no interest reduction payments authorized to be contracted under this section shall be made with respect to families, occupying rental housing projects insured under this section, whose incomes at the time of the initial renting of the projects are in excess of 130 per centum of the maximum income limits which can be established in the area, pursuant to the limitations prescribed in sections 2(2) and 15(7)(b)(ii) of the United States Housing Act of 1937, for occupancy in public housing dwellings."

Mr. ANDERSON of Illinois. Mr. Chairman, the hour is late. Those of you who were here in the Chamber when we had an extended discussion earlier on a similar amendment which I offered to section 101 will perceive I think very quickly what I am trying to do with this simple amendment, and that is to tie down this new rental subsidy program here in section 201 of the bill which is referred to as new section 236, the National Housing Act, to tie it down so that the income limits for the families who will be participating under this new program will be truly low-income families.

Now, a minute ago I supported your

side of the aisle in an amendment that was offered to increase the interest rate to 3 percent and voted against that amendment. I think it ought to be held at 1 percent, in computing this interest reduction payment, so that we can really, as the gentleman from California [Mr. HANNA] said, keep this a low-income program. But for that reason I hope you will join me now in setting the limits for eligibility under this new program to 130 percent of income ceilings for occupancy of public housing.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from California.

Mr. HANNA. Would the limitation proposed by the gentleman work regionally, or would it be one limitation across the whole United States?

Mr. ANDERSON of Illinois. It would work regionally. Just as in different areas and in different cities of the country there are different levels of eligibility for public housing, the 130 percent would apply to those different levels. You who come from the great city of New York might be tempted to vote against this amendment. Let me show you mathematically what it would accomplish. As was said earlier, the other body in acting upon this bill provided for an income test of 70 percent of the 221(d)(3) limits. For New York City that would mean that under this new program the maximum limit for a family of three, the income limit, would be $5,125. Under the amendment which I am offering the maximum income limit for a family of three would be $7,488. I have not got time to go through the list of cities, but I shall cite some.

For Baltimore, Md., the figure is virtually the same under the Senate amendment and under the amendment which I am now offering.

I offer the amendment in good faith, and I think for a very substantial reason. This bill makes a great point of setting some very ambitious goals of 6 million new low- and moderate-income housing units over the next decade, and I do not think it takes much arguing to convince you that it obviously costs a great deal more in the way of subsidy to house a family making only $3,500 a year than it does to subsidize under this new program a family making twice that amount. In other words, a given amount of dollars would subsidize far more moderate-income families than it would low-income families. I do not think it is unreasonable, therefore, to suggest that the administrators of this program might be tempted just a little bit to play the numbers game again with this Congress to make it look good, to make it sound as if they were fulfilling goals under this program, to go into the business of providing rental housing and cooperative housing under section 236 for those of moderate income.

And again the crumbs from the table will be left for those making an income of from $5,000 to $6,000 a year. I suggest it would be the better part of discretion here this afternoon to tie into this program the very same kind of tests that the committee had the wisdom to include a little earlier this afternoon in the 101 section of this bill under title I by providing that 130 percent of income eligibility limits for occupancy of public housing, shall be the test under this new rental and cooperative housing program.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON of Illinois. I yield to the gentleman from California.

Mr. HANNA. Mr. Chairman, the gentleman has indicated that he supported us on the last amendment. I intend to support the gentleman on this amendment.

Mr. Chairman, I know homeownership is dynamic, but we have to move people up along the line before we can go from low income to moderate income, but I will support the gentleman on rentals, because I do not think that applies here.

Mr. ANDERSON of Illinois. Mr. Chairman, we are talking now about the new program section 236. It will be better able to serve the low- and moderate-income tenants because rents attainable under it will be lower than under the other programs—and they are talking about the 221(d)(3), so it makes sense to tie this down, to families which are really low income families. That is what we are seeking to do by this amendment. I hope the gentleman will support it.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment. I am sure the gentleman is very kind and generous and wants to be very helpful. This amendment to title II—in the new section 236—would cripple the program. If we are to give people the housing they need, we must not accept the amendment.

Mr. Chairman, I will not prolong this debate, but I certainly hope the human aspects, as the Speaker said here, will be considered, and therefore I do hope this amendment will be voted down.

Mr. KYL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the kind of amendment which has been offered by the gentleman from Illinois is an absolute necessity lest we again subdue the human interest, of which we have been hearing, in favor of something else which might be more expedient.

Let us see what has been attempted under 221(d)(3) of the National Housing Act. This section, Members will remember, is designed to assist private industry in providing housing for low- and moderate-income families, and we give priority to displaced families, to persons over 62 years of age, and to handicapped persons. But what has happened? The National Council of the Arts bought a $750,000 apartment building in New York City and got $9.5 million in Government mortgage to finance rehabilitation of the building under 221(d)(3). Was it to help the low- and moderate-income families, those who needed the humanitarian consideration? No. Was it to take care of the poor? No. Was it to take care of the elderly? No. It was to provide housing for artists and sculptors and architects, and so on, in the city of New York.

If this kind of procedure can take place under the earlier provisions of the act, we need some kind of provision like this amendment to guarantee that the money will go, with compassion, to those who need it the most.

We have to have a check in this legislation to prevent the misuse of funds, and I hope the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. ANDERSON].

The question was taken; and on a division (demanded by Mr. PATMAN) there were—ayes 77, noes 60.

So the amendment was agreed to.

AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROCK: On page 65, beginning in line 23, strike out "by $100,000,000" and all that follows through the end of line 3 on page 66, and insert the following: "by $50,000,000 on the date of enactment of the Housing and Urban Development Act of 1968 and by further amounts of $75,000,000 on July 1 in each of the years 1969 and 1970,".

Mr. BROCK. Mr. Chairman, it seems to me this whole housing bill, whether it is supported by the minority or the majority, is tacit recognition of the rather crashing failure for the last many years in this country of the so-called public housing program, and is an effort to redress the grievance of the people who have not received what they have been promised.

If I can recapitulate very briefly what is in this particular bill before us: we have a subsidy to provide assistance for the homeowner in the form of mortgage assistance payments of all over 20 percent of his income for interest rates in excess of 1 percent; we have a program to subsidize the builders of low-income rental housing; we have a proposal which will subsidize not just the builder of that housing but also the tenant, with a rent supplement program; and we have $60 million in the bill to provide tenant services.

Later on in the bill Members will find, since we have covered the new homeowner and the new renter, that we have a program to take care of everybody who is left in the country, with rehabilitation grants and loans of $3,000 and $10,000 respectively to any family the Secretary determines is qualified to receive the money.

The whole thrust of the program seems to be directed at the fact—and it is a fact—that public housing in this country has failed: and it has failed miserably because its concept is wrong.

If we are going to admit that there have been failures in the housing program in the past, then it seems to me the height of responsibility to try the new programs but try them within a reasonable and responsible fiscal framework, not simply adding hundreds of millions of dollars to everything that has gone on in the past and adding on new programs and adding hundreds of millions of dollars to them because we want to try everything all at once just to be sure that some pellet in the shotgun shell will hit on a decent target. All I am suggesting is we limit the increase in public housing funds. Rather than going to

$400 million, we ought to limit it to $200 million. That is all this amendment does, and I think it is very consistent with the philosophy of this bill. I would appreciate its support.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I think the committee has done a splendid job on this. We originally asked for $800 million for public housing. The committee cut it down to $400 million. Now the gentleman from Tennessee comes in and wants to cut that in half.

The applications for public housing are increasing rapidly. Public housing has been criticized by many of the gentlemen here today who are now advocating public housing over rent supplement and 221(d)(3) type housing.

We are hopeful, Mr. Chairman, that we can acquire the number of standard homes to replace the 6 million substandard homes. If we are going to cut down the necessary moneys needed to build and carry out the commitments made by the Public Housing Authority, we are certainly going to limit the opportunity to acquire the number of units which are necessary to satisfy the people living in substandard homes at present.

Mr. Chairman, I think it is time in this program to touch on the human element. These gentlemen who are opposing all of these human type programs that we have in this bill today ought to look at it from the standpoint of the righteousness in their hearts. Certainly, if they have righteousness in their hearts, they ought to expose that in their character. If they expose it in their character, we can do something for this country and for the world. Because when there is righteousness in the heart there is beauty in the character, and when there is beauty in the character there is harmony in the home. That is what we are aiming for, Mr. Chairman. We are trying to establish harmony in the home. When there is harmony in the home there is order in the neighborhood and in the community and in the Nation. These are the things, Mr. Chairman, that it is very important we give adequate consideration to. We must supply the money to build the necessary units to keep ourselves strong from within, if we are to be strong from without. We must build up these communities and give the people who need this type of home, this standard home, the money with which to build it.

Mr. Chairman, I say if we are to be strong from within, we must primarily be strong from without, and when we are strong from within we can certainly have order in this Nation and can lead to peace in the world. If we are going to cut the essentials, as we have been doing here for the last few hours, we will continue to have destruction in all of the communities throughout this great country.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. Brock].

Mr. BROCK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers, Mr. Brock and Mr. Patman.

The Committee divided, and tellers reported that there were—ayes 69, noes 92.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. WILLIAMS OF PENNSYLVANIA

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. Williams of Pennsylvania: On page 64, strike out "$150,000,000" in line 23 and all that follows down through line 2 on page 65, and insert in lieu thereof the following: "$150,000,000 per annum, and no contract shall be entered into under this section after July 31, 1968."

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, this amendment pertains to the rent supplement program. Under the original 1965 housing and urban development bill $150 million was authorized for rent supplements. Today it is my understanding that only $42 million of that money has been committed. All contracts under the rent supplement program are for a period of 40 years. This bill, the way it is presently written, authorizes increases in rent supplement money to a total of $290 million.

If all of this money is committed to 40-year programs, it would mean approximately $11.6 billion. And out of all the housing programs that have been attempted in this country, I believe that the rent supplement program has produced the lowest number of low-rent housing units of any program that has been tried.

I believe that with all of the additional new programs that are being offered in this bill, we should take this program, which obviously has been proven to be a failure, and remove the money from this bill and concentrate on the other new approaches that are set forth in this bill.

Mr. RUESS. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Pennsylvania.

Mr. Chairman, I shall be very brief. This amendment would give the rent supplement program the generous period of 20 days in which to live. It would abandon the program after July 30, 1968.

We have been over this year after year. The rent supplement program plays a useful role in the totality of Federal programs, and particularly is it necessary after some of the action that has been taken here on the floor this afternoon. If you are going to build rental projects at all, you have got to find some rent supplement cases in order to bring the assured income of the nonprofit sponsor of the project up to the point where he can afford to build in the first place.

Mr. Chairman, I hope the amendment will be voted down.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Pennsylvania.

Mr. WILLIAMS of Pennsylvania. Is it not a fact that most of the housing units that were built under this so-called rent supplement program were in some form of apartment building, including high-rise apartments?

Mr. REUSS. In reply to the inquiry of the gentleman from Pennsylvania, I will say that some of them have been, and to the extent that they are high rise, the committee has spoken out that we do not believe that high-rise apartments, except where absolutely essential, are suitable for families with children. Therefore I would look toward the increased use of rent supplements in the garden-type apartments, in projects made up of adjacent but individual homes, including what we in my hometown of Milwaukee know as duplexes. It is, however, an essential part of the program if that element of our society which has aroused so many tears from the minority side this afternoon, the very poor, are going to be given a chance to live somewhere in decent surroundings.

Mr. WILLIAMS of Pennsylvania. If the gentleman will yield further, this $42 million that has been committed to 40-year contracts, you have got to multiply the $42 million by 40 to get the sum of money that has been committed so far under this program.

What is the approximate number of low-rent housing units that have been provided?

Mr. REUSS. The gentleman from Pennsylvania simply points out some elementary arithmetic that 40 times 1 is 40. Over a program that long, of course, it requires a 40-year contract.

Mr. Chairman, I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. Williams].

The question was taken; and on a division (demanded by Mr. Williams of Pennsylvania) there were—ayes 54, noes 74.

Mr. WILLIAMS of Pennsylvania. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Williams of Pennsylvania and Mr. Patman.

The Committee again divided, and the tellers reported that there were—ayes 79, noes 94.

So the amendment was rejected.

Mr. GROSS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to ask a question or two of the chairman of the committee or some member of the subcommittee. Does the Ramseyer print in the report conform to the language in the bill? May we rely on the Ramseyer print to show the changes in the law and in the bill?

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Texas.

Mr. PATMAN. Certainly you may. There is more care and caution taken to get the Ramseyer rule exactly correct, because it would be subject to a point of order if it were incorrect. That is the reason we asked for a waiver of points of order. There are 180 pages in that report under the Ramseyer rule, and one major mistake, or one mistake, would invalidate the whole proceeding, and the bill would have to go back to the committee.

Mr. GROSS. Which is the gentleman saying is defective, the bill or the report?

Mr. PATMAN. If the report is defective, it would be subject to a point of order.

Mr. GROSS. What is subject to a point of order?

Mr. PATMAN. The 180 pages under the Ramseyer rule, which points out differences in what we propose and what is in existing law.

Mr. GROSS. The gentleman says there is no defect to be found in the Ramseyer print in the report accompanying the bill?

Mr. PATMAN. Not to our knowledge.

Mr. GROSS. I see. While the gentleman is on his feet, let me ask him a question in reference to the language to be found on page 242 of the report wherein you have apparently written into the bill—"or to a group of such tenants occupying units aggregating in value at least 80 per centum of the structure's total value."

What are you talking about? Are you talking about values in terms of monetary values, or are you talking about values in terms of the occupancy of apartments or public housing?

Mr. PATMAN. I beg your pardon. I am attempting to find the gentleman's reference.

Mr. GROSS. I am talking about the language to be found toward the bottom of page 242 of the report. Are you talking there about values in terms of monetary values, or are you talking about the value of population or occupancy in public housing? I do not understand this language.

Mr. PATMAN. "Eighty per centum of the structure's total value." That is what it is talking about.

Mr. GROSS. Eighty percent of the occupancy or 80 percent of the value of the structure?

Mr. PATMAN. The report uses the word "structure."

Mr. GROSS. Then how do you relate warm bodies in terms of occupancy and use an 80 percent of structure?

Mr. PATMAN. Well, that is the way it is. Is there anything incorrect about it?

Mr. GROSS. You certainly come up with some beautiful formulas in this committee. I am still way out in left field as far as this is concerned. I would like to ask you about the last sentence on that page: "as may be necessary to enable the tenants involved to make the purchase without undue financial hardship."

What is "undue financial hardship"?

Mr. PATMAN. Someone in authority would have to make a judgment on that.

Mr. GROSS. There is no criteria or formulas at all in the bill? Is that correct?

Mr. PATMAN. Incidentally, that is an amendment by the minority to the bill.

Mr. GROSS. I could not care less whether it is an amendment by the minority or not. I sometimes agree with the minority, and I sometimes disagree with the minority.

Mr. PATMAN. Sometimes the minority is right.

Mr. GROSS I am not interested in any answer as to where this language originated. I am interested in who in the bureaucracy is going to determine "undue hardship" in this bill that is eventually going to cost $50 billion.

AMENDMENT OFFERED BY MR. DAVIS OF WISCONSIN

Mr. DAVIS of Wisconsin. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. DAVIS of Wisconsin: On page 66, line 3, change the period to a colon and add the following proviso: "*Provided,* That the aggregate amount of contracts to make annual contributions executed subsequent to the enactment of this Act shall not exceed amounts approved in Appropriation Acts."

Mr. DAVIS of Wisconsin. Mr. Chairman, the purpose of this amendment is to make the payments of the contract authority under the Public Housing program subject to the same Appropriations Committee review as is true with respect to all of the other programs involved in this bill. All of the others, with this single exception, public housing, have amounts under the contract authority limited to the amounts approved in appropriation bills. For instance, in the new section 235, homeownership subsidy program, there appears this language on page 9:

> The aggregate amount of contracts to make such payments shall not exceed amounts approved in appropriation Acts . . .

So now we look at the rent supplement program and all of the other programs, and, with this single exception, we find the language limiting them to the annual review that would be available under the Appropriations Committee process.

When we look at the possible commitments in this program as contemplated by the Department of Housing and Urban Development, I think it becomes at least as important—if not more so—that these amounts of contract authority be limited to Appropriations Committee review. In this bill, for instance, there is an aggregate new authority for $954 million by 1972. But that involves only one-third of the contemplated level by 1978.

In these times when we find ourselves in fiscal difficulty so often because of built-in commitments by contract authority—just as we found ourselves in trouble this year when we had to pass a law on deficit and expenditure control and placing a limitation on expenditures as well as providing a surtax—unless we provide this kind of annual review under the appropriation bills each year, we will find ourselves with commitments over which this Congress will have no control and we might very well, by 1978, if not sooner, find ourselves in the position of having to repeal some of this legislation because of the vast number of commitments that could well be made.

In my opinion this amendment would put public housing on exactly the same basis as far as the limitation on contract authority, as are each and every one of the other programs that are involved in this bill. I see no reason why public housing should not be limited to the same contract authority control as any other program, and because of its size and its potential of spending for the future, it probably is more important that this particular phase of the overall housing program be limited in this manner. It is consistent with all the other provisions of the bill, and I think it is necessary that it be included in that review.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Wisconsin. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, I am glad the gentleman from Wisconsin has offered this amendment. I believe it is necessary for this amendment to be adopted if Congress is to maintain any control whatsoever over future commitments on spending. I support the amendment offered by the gentleman from Wisconsin, and think it should be adopted by the Committee this afternoon.

Mr. DAVIS of Wisconsin. Mr. Chairman, the gentleman, as the ranking minority member on the subcommittee which handles these housing programs, is in a position to be well informed. If there were any practical difficulties in connection with this, I am sure the gentleman would be aware of them and would make his colleagues on the committee aware of them.

I see no such difficulty. I believe it is a fair amendment. It ought to be adopted, consistent with the need for fiscal control.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment would take a long step backward and would seriously cripple the low rent public housing program. The program is now controlled through annual authorizations acted on by Congress as we have in the bill today. Placing another hurdle in the way of the program could only serve to cut the program down further. Even more than that though, the uncertainties and delays which the amendment would impose would make it impossible for the local housing authority to meet the needs of our lowest income families. This is particularly true in the case of section 23, leased housing, where volume has been rising rapidly and which offers local authorities great flexibility in planning and the ability to act promptly as the need arises. This amendment would strangle that program.

Mr. DAVIS of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Wisconsin.

Mr. DAVIS of Wisconsin. I fail to understand from the gentleman's remarks his allegation that this would destroy this program, when in effect it would place exactly the same limitations on contract authority for this program as have already been written into this bill with respect to low and moderate housing ownership and rent supplement programs. If it is not going to kill them, how is it going to kill the public housing program?

Mr. BARRETT. I hope the gentleman will agree with me. He voted for it, as I did, year after year, on the same type of authorization that is in the bill today.

Certainly we do not want to change this, because commitments have been made for construction in the public housing category.

Because of the conditions today, I do not believe we ought to attempt to change this. In other times, perhaps in the fu-

ture, when we have peace and contentment in this country, we can take a look at it and talk about changing it, but not today.

We should not change the present process when it is so successful, especially at the time of its greatest need.

Mr. DAVIS of Wisconsin, Mr. Chairman, will the gentleman yield further?

Mr. BARRETT. Yes. I will be glad to yield.

Mr. DAVIS of Wisconsin. In the newer programs about which we are talking, the low- and moderate-income programs, and in the rent supplement program which came on the scene much later, this Congress did see fit to write in limitations on contract authority. All I am asking is that we update that authority with regard to public housing consistent with what we are doing in our newer housing programs. How is that ruining the program?

Mr. BARRETT. I certainly do not agree with the gentleman on the new programs. I am talking about a program that has been operating under an authorization since 1938. You just do not change successful programs.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Wisconsin [Mr. DAVIS].

Mr. **KYL.** Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers, Mr. DAVIS of Wisconsin and Mr. PATMAN.

The Committee divided, and the tellers reported that there were—ayes 88, noes 95.

So the amendment was rejected.

The **CHAIRMAN.** If there are no further amendments to title II of the bill, the Clerk will read.

The Clerk read as follows:

TITLE III—FEDERAL HOUSING ADMINISTRATION INSURANCE OPERATIONS

MORTGAGE INSURANCE PREMIUMS FOR SERVICEMEN AND THEIR WIDOWS

SEC. 301. Section 222 of the National Housing Act is amended—

(1) by striking out "Secretary of the Treasury" each place it appears and inserting in lieu thereof "Secretary of Transportation"; and

(2) by adding at the end thereof two new subsections as follows:

"(f) The Secretary is authorized to transfer to this section the insurance on any mortgage covering a single-family dwelling or a one-family unit in a condominium project insured under this Act, if the mortgage indebtedness thereof has been assumed by a serviceman who at the time of assumption is the owner of the property and either occupies the property or certifies that his failure to do so is the result of his military assignment, or, in the case of the United States Coast Guard, other assignment.

"(g) Where a serviceman dies while on active duty in the Armed Forces of the United States or in the United States Coast Guard, leaving a surviving widow as owner of the property, the period of ownership by the serviceman (within the meaning of subsection (c) of this section) shall extend for two years beyond the date of the serviceman's death or until the date the widow disposes of the property, whichever date occurs first. The Secretary of Defense or the Secretary of Transportation, as the case may be, shall notify such widow promptly following the serviceman's death of the additional costs to be borne by the mortgagor following termination of the two-year period."

MODIFICATIONS IN TERMS OF INSURED MORTGAGES COVERING MULTIFAMILY PROJECTS

SEC. 302. Title II of the National Housing Act is amended by adding after section 238 (as added by section 104 of this Act) the following new section:

"MODIFICATIONS IN TERMS OF INSURED MORTGAGES COVERING MULTIFAMILY PROJECTS

"SEC. 239. (a) The Secretary shall not consent to any request for an extension of the time for curing a default under any mortgage covering multifamily housing, as defined in the regulations of the Secretary, or for a modification of the terms of such mortgage, except in conformity with regulations prescribed by the Secretary in accordance with the provisions of this section. Such regulations shall require, as a condition to the granting of any such request, that, during the period of such extension or modification, any part of the rents or other funds derived by the mortgagor from the property covered by the mortgage which is not required to meet actual and necessary expenses arising in connection with the operation of such property, including amortization charges under the mortgage, be held in trust by the mortgagor and distributed only with the consent of the Secretary; except that the Secretary may provide for the granting of consent to any request for an extension of the time for curing a default under any mortgage covering multifamily housing, or for a modification of the terms of such mortgage, without regard to the foregoing requirement, in any case or class of cases in which an exemption from such requirement does not (as determined by the Secretary) jeopardize the interests of the United States.

"(b) Whoever, as an owner of a property which is security for a mortgage described in subsection (a), or as a stockholder of a corporation owning such property, or as a beneficial owner under any business organization or trust owning such property, or as an officer, director, or agent of any such owner, (1) willfully uses or authorizes the use of any part of the rents or other funds derived from property covered by such mortgage in violation of a regulation prescribed by the Secretary under subsection (a), or (2) if such mortgage is determined, as provided in subsection (a), to be exempt from the requirement of any such regulation or is not otherwise covered by such regulation, willfully and knowingly uses or authorizes the use, while such mortgage is in default, of any part of the rents or other funds derived from the property covered by such mortgage for any purpose other than to meet actual and necessary expenses arising in connection with such property (including amortization charges under the mortgage), shall be fined not more than $5,000 or imprisoned not more than three years, or both."

CONDOMINIUMS

SEC. 303. (a) Section 234(c) of the National Housing Act is amended by striking out "rental housing, and (3)" in the first sentence and inserting in lieu thereof the following: "rental housing: *Provided*, That a one-family unit in a multifamily project involving eleven or less units shall be eligible for insurance without having been covered by a project mortgage, and (3)".

(b) Section 234(c) of such Act is further amended by striking out "(iii) 75 per centum" in the third sentence and inserting in lieu thereof "(iii) 80 per centum".

(c) Section 234(f) of such Act is amended by striking "five" and inserting in lieu thereof "four".

INSURANCE OF LOANS FOR PURCHASE OF FEE SIMPLE TITLE FROM LESSORS

SEC. 304. (a) Title II of the National Housing Act is amended by adding after section 239 (as added by section 302 of this Act) the following new section:

"PURCHASE OF FEE SIMPLE TITLE FROM LESSORS

"SEC. 240. (a) The Secretary is authorized, upon such terms and conditions as he may prescribe, to make commitments to insure and to insure loans made by financial institutions for the purpose of financing purchases by homeowners of the fee simple title to property on which their homes are located.

"(b) As used in this section—

"(1) the term 'financial institution' means a lender approved by the Secretary as eligible for insurance under section 2 or a mortgagee approved under section 203(b)(1); and

"(2) the term 'homeowner' means a lessee under a long-term ground lease.

"(c) To be eligible for insurance under this section, a loan shall—

"(1) relate to property on which there is located a dwelling designed principally for a one-, two-, three-, or four-family residence;

"(2) not exceed the cost of purchasing the fee simple title, or $10,000 per family unit, whichever is the lesser;

"(3) be limited to an amount which when added to any outstanding indebtedness related to the property (as determined by the Secretary) creates a total outstanding indebtedness which does not exceed the applicable mortgage limit prescribed in section 203(b);

"(4) bear interest at not to exceed such per centum per annum (not to exceed 6 per centum), on the amount of the principal obligation outstanding at any time, as the Secretary finds necessary to meet market conditions, and such other charges (including service charges and appraisal, inspection, and other fees) as may be approved by the Secretary;

"(5) have a maturity satisfactory to the Secretary, but not to exceed twenty years from the beginning of amortization of the loan or three-quarters of the remaining economic life of the home, whichever is the lesser; and

"(6) comply with such other terms, conditions, and restrictions as the Secretary may prescribe.

"(d) The provisions of paragraphs (3), (5), (6), (7), (8), and (10) of section 220(h) shall be applicable to loans insured under this section and, as applied to loans insured under this section, references in those paragraphs to 'home improvement loans' and 'this subsection' shall be construed to refer to loans under this section."

(b) Section 5(c) of the Home Owners' Loan Act of 1933 (12 U.S.C. 1464(c)) is amended by adding immediately before the last paragraph the following new paragraph:

"Notwithstanding any other provision of this subsection, an association may invest in loans or obligations, or interests therein, as to which the association has the benefit of insurance under section 240 of the National Housing Act, or of a commitment or agreement therefor, and such investments shall not be included in any percentage of assets or other percentage referred to in this subsection."

EXTENSION OF SECTION 221(d)(2) SALES HOUSING PROGRAM FOR TWO-, THREE-, AND FOUR-FAMILY RESIDENCE TO ALL LOW AND MODERATE INCOME FAMILIES

SEC. 305. Section 221(d)(2) of the National Housing Act is amended by striking out "a displaced family" at the end of the first proviso and inserting in lieu thereof "the mortgagor".

REMOVAL OF DIVIDEND RESTRICTION FOR NONDWELLING FACILITIES IN SECTION 221 PROJECTS

SEC. 306. Section 221(f) of the National Housing Act is amended by striking out in the first sentence all that follows the word "mortgage" in the proviso and inserting in lieu thereof ": *Provided further*, That, in the case of a mortgage which bears interest at the below-market interest rate prescribed in the proviso of subsection (d)(5), the provisions of section 220(d)(3)(B)(iv) shall only apply if the mortgagor waives the right to receive dividends on its equity investment in the portion thereof devoted to commercial facilities."

SUPPLEMENTAL LOAN PROGRAM FOR PROJECTS FINANCED WITH FEDERAL HOUSING ADMINISTRATION INSURED MORTGAGES

SEC. 307. Title II of the National Housing Act is amended by adding after section 240 (as added by section 304 of this Act) the following new section:

"SUPPLEMENTAL LOANS FOR MULTIFAMILY PROJECTS

"SEC. 241. (a) With respect to a multifamily project or group practice facility covered by a mortgage insured under any section or title of this Act, the Secretary is authorized, upon such terms and conditions as he may prescribe, to make commitments to insure, and to insure, supplemental loans (including advances during construction or improvement) made by financial institutions approved by the Secretary. As used in this section, 'supplemental loan' means a loan, advance of credit, or purchase of an obligation representing a loan or advance of credit made for the purpose of financing improvements or additions to such project or facility: *Provided*, That a loan involving a nursing home covered by a mortgage insured under section 232 or a loan involving a group practice facility covered by a mortgage insured under title XI may also be made for the purpose of financing equipment to be used in the operation of such nursing home or facility.

"(b) To be eligible for insurance under this section, a supplemental loan shall—

"(1) be limited to 90 per centum of the amount which the Secretary estimates will be the value of such improvements, additions, and equipment, except that such amount, when added to the outstanding balance of the mortgage covering the project or facility, shall not exceed the maximum mortgage amount insurable under the section or title pursuant to which the mortgage covering such project or facility is insured;

"(2) have a maturity satisfactory to the Secretary but not to exceed the remaining term of the mortgage;

"(3) bear interest (exclusive of premium charges for insurance and service charges, if any) at not to exceed such per centum per annum (not in excess of 6 per centum), on the amount of the principal obligation outstanding at any time, as the Secretary finds necessary to meet market conditions;

"(4) be secured in such manner as the Secretary may require;

"(5) be governed by the labor standards provisions of section 212 that are applicable to the section or title pursuant to which the mortgage covering the project or facility is insured; and

"(6) contain such other terms, conditions, and restrictions the Secretary may prescribe.

"(c) The provisions of subsections (d), (e), (g), (h), (i), (j), (k), (l), and (n) of section 207 shall be applicable to loans insured under this section, except that (1) all references to the term 'mortgage' shall be construed to refer to the term 'loan' as used in this section, (2) loans involving projects covered by a mortgage insured under section 213 that is the obligation of the Cooperative Management Housing Insurance Fund shall be insured under and shall be the obligation of such fund, and (3) loans involving projects covered by a mortgage insured under section 236 shall be insured under and shall be the obligation of the Special Risk Insurance Fund."

HOME IMPROVEMENT LOANS—INCREASE IN MAXIMUM MATURITY, FINANCE CHARGE, AND LOAN AMOUNT

SEC. 308. Section 2(b) of the National Housing Act is amended—

(1) by striking out "$3,500" and inserting in lieu thereof "$5,000";

(2) by striking out "five years" and inserting in lieu thereof "seven years";

(3) by striking out "$5 discount" and inserting in lieu thereof "$5.50 discount"; and

(4) by striking out "$4 discount" and inserting in lieu thereof "$4.50 discount".

EXPERIMENTAL HOUSING PROGRAM

SEC. 309. Section 233 of the National Housing Act is amended—

(1) by striking out "of this title" immediately before the semicolon in subsection (b) and inserting in lieu thereof "or titles of this Act"; and

(2) by striking out "of this title" in subsection (e) and inserting in lieu thereof "or title of this Act".

TERM OF FEDERAL HOUSING ADMINISTRATION MORTGAGES FOR LAND DEVELOPMENT

SEC. 310. Section 1002(d)(1) of the National Housing Act is amended by striking out "seven years" and inserting in lieu thereof "ten years".

REHABILITATED MULTIFAMILY PROJECTS IN URBAN RENEWAL AREAS

SEC. 311. (a) Section 220(d)(3)(B)(ii) of the National Housing Act is amended by inserting immediately before the semicolon at the end thereof ": *Provided further*, That the mortgage may involve the financing of the purchase of property which has been rehabilitated by a local public agency with Federal assistance pursuant to section 110(c)(8) of the Housing Act of 1949, and, in such case, the foregoing limitations upon the amount of the mortgage shall be based upon the appraised value of the property as of the date the mortgage is accepted for insurance".

(b) Section 221 (d)(3)(iii) of such Act is amended by inserting immediately before the colon at the end of the first proviso ": *Provided further*, That the mortgage may involve the financing of the purchase of property which has been rehabilitated by a local public agency with Federal assistance pursuant to section 110(c)(8) of the Housing Act of 1949, and, in such case, the amount of the mortgage shall not exceed the appraised value of the property as of the date the mortgage is accepted for insurance".

MISCELLANEOUS HOUSING INSURANCE

SEC. 312. (a) Section 223 of the National Housing Act is amended—

(1) by striking out so much of subsection (a) as precedes paragraph (1) and inserting in lieu thereof the following:

"(a) Notwithstanding any of the provisions of this Act and without regard to limitations upon eligibility contained in any section or title of this Act, the Secretary is authorized, upon application by the mortgagee, to insure or make commitments to insure under any section or title of this Act any mortgage—";

(2) by striking out "applicable to loans insured under section 203, 207, 213, 220, 221, 222 231 232 or 233 as the case may be" in the first and second provisos of subsection (a)(7) and inserting in lieu thereof "prescribed under the applicable section or title of this Act";

(3) by striking out "this title" each time it appears in subsection (c) and inserting in lieu thereof "this Act";

(4) by striking out "title I, title II, title VI, title VII, title VIII, or title IX" in subsection (c) and inserting in lieu thereof "any section or title of this Act"; and

(5) by striking out "(except that in any case the payment of insurance shall be in debentures)" at the end of subsection (c).

(b) Section 223(d) of such Act is amended by striking out all that follows "as he may prescribe," and inserting in lieu thereof the following: "insure under the same section as the original mortgage a loan by the mortgage in an amount not exceeding the excess of the foregoing expenses over the project income. Such loan shall (1) bear interest (exclusive of premium charges for insurance) at not to exceed the per centum per annum currently permitted for mortgages insured under the section under which it is to be insured, (2) be secured in such manner as the Secretary shall require, and (3) be limited to a term not exceeding the unexpired term of the original mortgage. The Secretary is authorized to collect a premium charge for insurance of loans pursuant to this subsection in an amount computed at the same premium rate as is applicable to the original mortgage. This premium shall be payable in cash or in debentures of the insurance fund under which the loan is insured at par plus accrued interest in the event of a failure of the borrower to make any payment due under such loan or under the original mortgage, both the loan and original mortgage shall be considered in default, and if such default continues for a period of thirty days, the lender shall be entitled to insurance benefits, computed in the same manner as for the original mortgage, except that in determining the interest rate under section 224 for the debentures representing the portion of the claim applicable to the loan, the date of the commitment to insure the loan and the insurance date of the loan shall be taken into consideration rather than the commitment or insurance date for the original mortgage."

SUPPLEMENTARY LOANS FOR COOPERATIVE HOUSING PURCHASED FROM THE FEDERAL GOVERNMENT

SEC. 313. Section 213(j) of the National Housing Act is amended—

(1) by inserting after the first sentence of paragraph (1) the following sentence: "The Secretary is further authorized to make commitments to insure and to insure supplementary cooperative loans (including advances during construction of improvement) with respect to any property purchased from the Federal Government by a nonprofit corporation or trust of the character described in paragraph (1) of subsection (a), if the property is covered by an uninsured mortgage representing a part of the purchase price."; and

(2) by adding before the semicolon at the end of paragraph (2)(B) the following: "; except that, the case of repairs or improvements to a property covered by an uninsured mortgage dated more than twenty years prior to the date of the commitment to insure, of such magnitude that the Secretary deems them to be a major rehabilitation or modernization of such property, the loan may have a maturity date up to ten years in excess of the remaining term of the uninsured mortgage".

EQUIPMENT IN NURSING HOMES

SEC. 314. Section 232 of the National Housing Act is amended—

(1) by striking out subsection (b)(2) and inserting in lieu thereof the following:

"(2) the term 'mortgage' means a first mortgage on real estate in fee simple, or on the interest of either the lessor or lessee thereof (A) under a lease for not less than ninty-nine years which is renewable, or (B) under a lease having a period of not less than fifty years to run from the date the mortgage was executed. The term 'first mortgage' means such classes of first liens as are commonly given to secure advances (including but not limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and any mortgage may be in the form of one or more trust mortgages or mortgage indentures or deeds of trust, securing notes, bonds, or other credit instruments, and by the same instrument or by a separate instrument, may create a security interest in initial equipment, whether or not attached to the realty. The term 'mortgagor' shall have the meaning set forth in section 207(a) of this Act.";

(2) by striking out so much of subsection (d) as precedes paragraph (1) and inserting in lieu thereof the following:

"(d) In order to carry out the purposes of this section, the Secretary is authorized to insure any mortgage which covers a new or rehabilitated nursing home, including equipment to be used in its operation, subject to the following conditions:"; and

(3) by striking out "when the proposed improvements are completed" before the period at the end of subsection (d)(2) and inserting in lieu thereof the following: ", including equipment to be used in the operation of the nursing home, when the proposed improvements are completed and the equipment is installed".

FLEXIBLE INTEREST RATES FOR CERTAIN FHA INSURANCE PROGRAMS

Sec. 315. Section 3(a) of the Act entitled "An Act to amend chapter 37 of title 38 of the United States Code with respect to the veterans' home loan program, to amend the National Housing Act with respect to interest rates on insured mortgages, and for other purposes", approved May 7, 1968, is amended by inserting "235(j)(2)(C), 236 (j)(4)(B), 240(c)(4), 241(b)(3), 242(d)(3)(B)," after "234(f),".

FHA SECTION 221(h) PROGRAM

Sec. 316. (a) Section 221(h)(2)(A) of the National Housing Act is amended to read as follows:

"(A) be executed by a private nonprofit corporation or association, approved by the Secretary, for financing the purchase and rehabilitation (with the intention of subsequent resale) of property comprising one or more tracts or parcels, whether or not contiguous upon which there is located deteriorating or substandard housing consisting of (i) four or more single-family dwellings of detached, semidetached or row construction, or (ii) four or more one-family units in a structure or structures for which a plan of family unit ownership approved by the Secretary is established;".

(b) Section 221(h) of such Act is amended by adding at the end thereof (after the new paragraph added by section 101(c)(3) of this Act) two new paragraphs as follows:

"(7) Where the Secretary has approved a plan of family unit ownership, the terms 'single-family dwelling', 'single-family dwellings', 'individual dwelling', and 'individual dwellings' shall mean a family unit or family units, together with the undivided interest (or interests) in the common areas and facilities.

"(8) For purposes of this subsection, the terms 'single-family dwelling' and 'single-family dwellings' (except for purposes of paragraph (7)) shall include a two-family dwelling which has been approved by the Secretary if one of the units is to be occupied by the owner."

HOUSING IN OUTLYING AREAS

Sec. 317. Section 203(i) of the National Housing Act is amended by striking out "not in excess of $12,500" and inserting in lieu thereof "not in excess of $15,000".

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that this title of the bill be considered as read, printed in the Record, and subject to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. MACHEN

Mr. MACHEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Machen: On page 90, after line 4, add the following new section:

"COOPERATION WITH LOCAL GOVERNMENTS IN CONNECTION WITH MORTGAGE INSURANCE FOR HIGH-DENSITY HOUSING

"Sec. 318. Title V of the National Housing Act is amended by adding at the end thereof the following new section:

" 'COOPERATION WITH LOCAL GOVERNMENTS IN CONNECTION WITH MORTGAGE INSURANCE FOR HIGH-DENSITY HOUSING

" 'Sec. 524. (a) Upon receiving an application for the insurance, under any provision of this Act, of a mortgage covering housing which will produce an average density on the property involved of more than five dwelling units per acre, the Secretary shall notify the governing body of the locality where such housing is or will be situated, requesting that such governing body submit a statement of the impact which the housing will have on public services provided by the local government and its agencies together with a statement of the relationship of the housing and its related facilities to any locally adopted master plans.

" '(b) After receiving and considering the statement submitted by the local governing body (or after the expiration of a reasonable period of time if no such statement is submitted), the Secretary may tentatively approve the mortgage for insurance in accordance with the provision of this Act under which the insurance was sought if he finds that the housing and its related facilities will be consistent with any comprehensive planning which may have been developed for the area and with any locally-adopted master plans, and shall promptly notify the local governing body of such tentative approval.

" '(c) At any time within 90 days after notification of the Secretary's tentative approval under subsection (b), the local governing body may approve or disapprove the Secretary's tentative action, including, in the case of disapproval, a comprehensive statement of its reasons therefor. After receiving the approval of the local governing body, or after receiving and considering its disapproval and the statement of reasons therefor, or (if the local governing body has neither approved nor disapproved his tentative action) upon the expiration of the 90-day period, the Secretary may finally approve the mortgage for insurance in accordance with the provision of this Act which the insurance was sought if he finds that the housing and its related facilities will be consistent with any comprehensive planning which may have been developed for the area and with any locally-adopted master plans, and that such housing and facilities will not cause an unreasonable burden on public services provided by the local government and its agencies.' "

Mr. MACHEN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the Record. It is my opinion that I can explain the amendment in very short order.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MACHEN. Mr. Chairman, the amendment that I propose is one that I hope the House will adopt. It deals with the requirement that the Federal Government, through the housing development people, would have to consult with local authorities in connection with approval of the loan insurance for high density housing, particularly under section 221(d)(3). I know they say that will be phased out, but with the many, many programs supervised by HUD I want to make certain that there are adequate local facilities, schools, roads, et cetera, under section 221(d)(3). A good example happened right in my district here just in the last 2 weeks: a 10-acre tract of land where commitments were issued for a 500-unit apartment house to house 2,000 people, and where the schools in the area there now are taxed beyond their capacity and there is no other land in the area, and there is no additional land for recreation. This is to be one of those housing projects that will include the low- and moderate-income people.

When that land was originally zoned some 4 or 5 years ago the plans were that there would be no more than 30 or 40 children there. It is now estimated that will increase to 300 children.

We are not opposed to these type projects, but we are when they are forced on the people, and when those who move into them become disillusioned because there are no schools available.

This project will be completed in 2 years.

In the amendment I am offering I am not prohibiting, but I am only asking that HUD contact the local authorities, submit their plans to them, and the local authorities can in turn advise HUD as to just what schools there are, what roads there are, and whether they can take care of them.

In the event of any arbitrariness on the part of the local authorities, HUD can still, after a reasonable period of time, and after reviewing comprehensive and master plans for the area, still approve the project.

This amendment is not to stop them, but is just to make it an orderly procedure in order that there not be a tremendous impact upon the local communities when the local community services have to be paid for locally. We are speaking in terms of roads, recreational areas, and schools.

Certainly where projects are insured by the Federal Government such as these are they should be concerned whether these facilities are available, and not create another problem after everyone has moved in and then they want to undo what was done.

Mr. Chairman, I certainly hope the committee will accept this amendment. It is a safeguard. It is not to stop development under section 221(d)(3), or any of the other Government-insured programs.

So, Mr. Chairman, I would urge the adoption of this amendment for the protection of the local communities.

Mr. REUSS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall be brief. We must vigorously oppose the amendment because it would markedly interfere with the very good private enterprise multifamily housing projects approach of the bill before us. It would do so by requiring a 90-day holdup of everything while the local community looked at the proposed private enterprise project.

There is no reason why a local community should have any need to hold up a project insured under this bill. The projects under this bill are of course subject to all zoning requirements, master plans and other requirements of the communities.

Mr. Chairman, the arbitrary insertion of a 90-day holdup would simply mean that the massive private enterprise attack on our housing problem would never get off the ground. Therefore the amendment should be voted down.

Mr. MACHEN. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Maryland.

Mr. MACHEN. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I am sure the gentleman shares my concern that whether it is private enterprise or otherwise, that there should be adequate school facilities available, and that there are adequate recreational facilities available in those areas where these projects are to be put.

Does the gentleman not share that view?

Mr. REUSS. Entirely, and fortunately HUD under existing legislation has the power and the duty of requiring adequate recreational, education, religious, employment, and other facilities in the general area of these multifamily housing projects. It would be undesirable, however, to impose an arbitrary, automatic, and unyielding requirement that the whole thing be held up for 90 days. That is why we must oppose the gentleman's amendment.

Mr. MACHEN. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I am glad to yield to the gentleman.

Mr. MACHEN. Do you not think it is just as important that there be adequate school facilities in connection with these housing projects?

Mr. REUSS. Absolutely, whether the housing be a luxury project or whether it be a low- or moderate-income project, adequate schooling is necessary. But that is in the present HUD requirements and the 90-day stop order that the gentleman's amendment would enact would seriously interfere with just the kind of provision or moderate-income housing that this bill is aimed to bring about.

Mr. MACHEN. If, as you say, HUD was as concerned, then I do not think I would have to ask for this amendment. But, certainly, if it occurs, such as has occurred here within the last 2 weeks, in the approval of a 500-unit on a 10-acre tract of land, with the schools in the area now overcrowded, even if they start tomorrow to try to find land to build the schools, there would not be adequate school facilities for those 2,000 people where it is estimated that between 200 and 300 children are coming in with them.

Mr. REUSS. Was this the suburban apartments where the planners had in mind——

Mr. MACHEN. The 221(d)(3)—that is the very project. That is the thing, I think, we need protection on.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. MACHEN].

The amendment was rejected.

AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROCK: On page 88, line 3, strike "and".

On page 88, line 10, strike out the period and insert "; and".

On page 88, after line 10, insert the following:

"(4) by inserting before the semicolon at the end of subsection (d)(3)(A) the following: "(except that in the case of a mortgage which covers equipment the maturity may not exceed the reasonable use expectancy of such equipment)".

Mr. BROCK. Mr. Chairman, the Committee put in a section of the bill which allows the financing of nursing home equipment. It is an excellent section.

Mr. Chairman, this would require that a mortgage which covers the equipment in a nursing home and uses that equipment as security cannot be for a longer period of time than the reasonable use expectancy of the equipment.

If the mortgage was for a longer period than the useful life of the equipment, the equipment would be of no security against default after this useful life had elapsed.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. BARRETT. Mr. Chairman, of course, I am sure the gentleman knows they have reserves for the replacement of this type of equipment. Therefore, it is always up to date.

You are asking for two maturity dates—one on the structure and one on the equipment. Certainly, we want to cooperate with the gentleman. I am going to ask our side to accept the amendment and, of course, give us a chance to look it over further in conference.

Mr. BROCK. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. BROCK].

The amendment was agreed to.

Mr. FRASER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the passage of the omnibus housing bill will rank among the most significant social welfare efforts of the 90th Congress. This legislation represents the first step in the President's plan to eliminate all substandard housing in our country within 10 years. Under this bill, we will start creating housing of all types at a rate 10 times faster than we have been able to do up to now.

Probably the most innovative feature of the housing bill is the new homeownership plan provided for in title I. Until recently, Government-assisted housing for the poor meant traditional public housing. In the 1966 housing bill, Congress initiated the 221(h) program which enabled nonprofit groups to purchase, moderate cost private housing, renovate it and resell it to low-income families. This year we are expanding the homeownership principle set forth in the 1966 bill by authorizing interest subsidies to low-income families to enable them to become homeowners. This new subsidy plan will make homeownership possible for an estimated half million low- and moderate-income families.

In addition to this new homeownership plan, the 1968 bill attempts to meet the housing needs of the poor by increasing the authorization for public housing and by expanding recent efforts to encourage nonprofit sponsorship of rental housing.

Title IV of the bill recognizes that good housing can only survive in a good environment. Under this title, improvements are made in programs to prevent and eliminate urban blight. My district, Minneapolis, was an early leader in the effective use of these urban development tools and I know that this bill will enable my city to continue to make progress in its effort to create a healthful and pleasant environment for all our residents.

Certain deficiencies in current urban renewal programs are corrected through the new neighborhood development and interim assistance programs. Neighborhood development reduces the delays between the approval and implementation of renewal plans while interim assistance provides grants to deal with immediate problems in areas that are eventually slated for full scale urban development projects.

The ability of the individual homeowners to conserve and improve their own property is also strengthened in title IV. I am pleased to see that the Banking and Currency Committee saw merit in my suggestion to liberalize rehabilitation loans available to property owners in project areas. Section 409 makes these rehabilitation loans available for general home improvements after the loans have been used to bring the property up to urban renewal or code enforcement standards.

Direct home improvement grants to low income families are increased in title IV from the current level of $1,500 to $3,000. These grants and the rehabilitation loans are also made available to property owners outside the bounds of federally funded projects, but who live in potentially blighted neighborhoods.

Time does not permit me to discuss the many other important features of this bill—the model neighborhoods authorization, the new riot reinsurance program and the urban mass transit grants, to name just a few. This bill contains scores of new features each of which would qualify as major pieces of legislation in themselves. The Banking and Currency Committee is to be commended for its careful preparation of this most comprehensive legislation to come before us during the current session.

By approving the omnibus housing bill, we will be making a major impact on the future growth of our American cities. I am pleased to give my enthusiastic support to this bill.

AMENDMENT OFFERED BY MR. MACHEN

Mr. MACHEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MACHEN: On page 90, after line 4, add the following new section:

"COOPERATION WITH LOCAL GOVERNMENT IN CONNECTION WITH SECTION 221(D)(3) PROJECTS

"SEC. 318. Section 221 of the National Housing Act is amended by adding at the end thereof (after the new subsections added by section 105 of this Act) the following new subsection:

"'(k) Upon receiving any applications for the insurance of a mortgage under subsection (d)(3), the Secretary shall notify the governing body of the locality where the project involved is or will be situated, requesting that such governing body submit a statement of the impact which such project will have on public services provided by the local government and its agencies together with a statement of the relationship of such project to any locally-adopted master plans. After receiving and considering the statement submitted by the local governing body (or after the expiration of a reasonable period of time if no such statement is submitted), the Secretary may approve the mortgage for insurance in accordance with the provisions of this section if he finds that the project involved is consistent with any comprehensive planning which may have been developed for the area and with any locally-adopted master plans.' "

Mr. MACHEN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland?

Mr. KYL. Mr. Chairman, I object.

The Clerk concluded the reading of the amendment.

The CHAIRMAN. The gentleman from Maryland is recognized for 5 minutes.

Mr. MACHEN. Mr. Chairman, I know the hour is getting late. I hate to continue to take the time of the House. The amendment is somewhat similar to the amendment that was offered earlier, but is much more restrictive in order, perhaps, to take care of the objections that were raised by the committee. This particular amendment is limited specifically to approval of loan applications under 221(d)(3). It merely provides that the Secretary shall notify the local governing body of the locality where projects are located or are proposed to be built, requesting that such governing bodies submit a statement of the impact which such project will have on public services provided; namely, your roads, your schools, and your recreational areas.

I can say to you, as was mentioned earlier in connection with low-rent housing, Members spoke out against having high-rise use for low-rent housing projects.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MACHEN. I yield to the distinguished chairman.

Mr. PATMAN. We have discussed the amendment of the gentleman from Maryland. He has kindly provided us with a copy, and it meets with our approval. If it meets the approval of the minority, we would be willing to accept the amendment.

Mr. WIDNALL. We will accept it, too.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland [Mr. MACHEN].

The amendment was agreed to.

The CHAIRMAN. Are there any further amendments to title III? If not, the Clerk will read.

The Clerk read as follows:

TITLE IV—URBAN RENEWAL

NEIGHBORHOOD DEVELOPMENT PROGRAMS

SEC. 401. (a) Title I of the Housing Act of 1949 is amended by adding after the title heading the following new subheading:

"PART A—URBAN RENEWAL PROJECTS, DEMOLITION PROGRAMS, AND CODE ENFORCEMENT PROGRAMS"

(b) Title I of such Act is further amended by adding at the end thereof the following new part:

"PART B—NEIGHBORHOOD DEVELOPMENT PROGRAMS

"PURPOSE AND AUTHORITY

"SEC. 131. (a) To facilitate more rapid renewal and development of urban areas on an effective scale, and to encourage more efficient and flexible utilization of public and private development opportunities by local communities in such areas, the Secretary is authorized to make financial assistance available under this title to local public agencies for undertakings and activities which are carried out under a neighborhood development program approved by him pursuant to this part.

"(b) A neighborhood development program shall consist of urban renewal project undertakings and activities in one or more urban renewal areas which are planned and carried, out on the basis of annual increments in accordance with the provisions of this title for planning and carrying out urban renewal projects, except as modified by the provisions of this part.

"(c) No application for financial assistance in planning and carrying out a neighborhood development program shall be approved by the Secretary unless—

"(1) the governing body of the locality has, by resolution or ordinance, approved the proposed program and the annual increment covered by the application and authorized the filing of the application for financial assistance; and

"(2) the Secretary has concluded that there is the necessary capacity to carry out the undertakings and activities included under the program.

"FINANCIAL PROVISIONS

"SEC. 132. (a) Upon the approval of a neighborhood development program by the Secretary, the cost of any undertakings and activities authorized as part of the program shall be financed in accordance with the loan, capital grant, and project cost provisions of part A, except that—

"(1) net project cost may be calculated on the basis of costs incurred and proceeds derived for the account of the program during a specified twelve-month period, and may be recalculated for succeeding periods of twelve months to reflect additional costs and additional proceeds since the date of the last computation or recomputation; and

"(2) if property has been acquired but not disposed of prior to the computation or recomputation of net project cost, temporary loans made or secured under this title to finance undertakings or activities included in the program may remain outstanding until the property has been disposed of and the proceeds thereof, together with additional funds becoming available to the program, are sufficient to permit repayment of the loans.

"(b) In the event that gross project cost as computed for a specified twelve-month period is exceeded, with respect to that period, by the sum of (1) the sales price of land or other property sold, and (2) the imputed capital value of land or other property leased or retained by the local public agency in accordance with the provisions of the urban renewal plan, the local public agency shall pay to the Secretary two-thirds of the excess (or three-fourths in the case of a program on a three-fourths grant basis), which amount shall be available to the Secretary for grant payments under section 103.

"LOCAL GRANTS-IN-AID

"SEC. 133. (a) For the purpose of determining the eligibility of local grants-in-aid in connection with undertakings and activities carried out under a neighborhood development program, the three-year period referred to in the second paragraph of section 110(d) shall be deemed to be a period of three years prior to the authorization by the Secretary of the first contract for financial assistance under the program which includes the urban renewal area which is benefited by the public improvement or facility for which credit is claimed; and the seven-year period referred to in clause (1) of section 112(b) shall be deemed to be a period of seven years prior to the date of authorization by the Secretary of the first contract for financial assistance under the program which includes the urban renewal area which is benefited by the expenditures for which credit is claimed.

"(b) No portion of the cost of a public improvement or public facility (to the extent otherwise eligible) may be included as a local grant-in-aid in computing the gross project cost of an approved program for any twelve-month period—

"(1) prior to commencement of construction of the improvement or facility, or

"(2) in excess of the amount actually expended or obligated by contract.

"(c) The provisions of section 104 with respect to the pooling of local grants-in-aid among the various projects undertaken by a local public agency shall not be applicable with respect to any excess local grants-in-aid resulting from the urban renewal projects contained in a neighborhood development program.

"GENERAL PROVISIONS

"SEC. 134. (a) For purposes of this part—

"(1) the workable program requirement in section 101(c) shall apply to the authorization, rather than the execution, of any contract for loans or capital grants;

"(2) capital grants on a three-fourths basis may only be made under section 103(a)(2)(B);

"(3) the relocation requirements specified in section 105(c) shall apply to each annual increment of an approved program;

"(4) section 106(g) (relating to transient housing) shall apply to activities undertaken under approved programs, except that the determination as to need for transient housing shall be made with respect to any sale or lease of land for construction of such housing prior to such sale or lease; and

"(5) the requirement concerning demolition and removal of buildings and improvements stated in clause (A) of the sentence following paragraph (10) of section 110(c) shall apply to each annual increment of an approved program.

"(b) The approval by the Secretary of financial assistance for one or more annual increments of a neighborhood development program shall not be considered as obligating him to provide financial assistance for any subsequent annual increments.

"(c) The urban renewal plan referred to in section 110(b) may cover one or more of the urban renewal areas covered by a neighborhood development program and such plan may be modified from time to time to cover additional urban renewal areas added to the program. The Secretary may establish such requirements as he deems appropriate proscribing the scope and content of such plan, taking into consideration, among other matters, the degree of detail needed in the plan to properly and expeditiously carry out the activities and undertakings proposed in any annual increment of a neighborhood development program."

(c) Notwithstanding any requirement or condition to the contrary in section 6 or 20(1) of the District of Columbia Redevelopment Act of 1945 or in any other provision of law, the District of Columbia Redevelopment Land Agency may plan and undertake neighborhood development programs under part B of title I of the Housing Act of 1949 (as added by this section), subject to all of the provisions of such Act of 1945 to the extent not inconsistent with such part B, and any such program shall be regarded as complying with the requirements of such sections 6 and 20(i) and of such other provision of law if it meets the applicable requirements established under such part B.

INCREASED AUTHORIZATION

Sec. 402. (a) Section 103(b) of the Housing Act of 1949 is amended by striking out everything in the first sentence after "exceed" and inserting in lieu thereof "$7,600,000,000, which amount shall be increased by $1,400,000,000 on July 1, 1969".

(b) Section 103(b) of such Act is further amended by striking out "$250,000,000" in the second sentence and inserting in lieu thereof "$600,000,000".

REHABILITATION GRANTS

Sec. 403. (a) The second sentence of section 115(a) of the Housing Act of 1949 is amended by striking out the words "a structure" and "such structure" and inserting in lieu thereof "real property" and "such real property," respectively.

(b) Section 115(b) of such Act is amended by striking out "$1,500" and inserting in lieu thereof "$3,000".

(c) Section 115(a) of such Act is amended by inserting "(1)" after "(a)", and by adding at the end thereof a new paragraph as follows:

"(2) In addition to the authority conferred by paragraph (1), and notwithstanding any other provision of this title, the Secretary is authorized, through the utilization of local public agencies where feasible, to make grants (payable from any grant funds provided under section 103(b)) to an individual or family, as described in subsection (c), to cover the cost of repairs and improvements necessary to make real property owned and occupied by such individual or family conform to public standards for decent, safe, and sanitary housing as required by applicable codes. No grants shall be made under this paragraph in the case of any property unless such property is in an area within a locality (other than an urban renewal area or an area in which a program of concentrated code enforcement is being carried out pursuant to section 117) which the governing body of the locality has determined, and so certifies to the Secretary, contains a substantial number of structures in need of rehabilitation.

(d) Section 115 of such Act is further amended—

(1) by redesignating subsection (b) as subsection (c) and inserting after subsection (a) a new subsection (b) as follows:

"(b) The Secretary is authorized to make grants (payable from any grant funds provided under section 103(b)), through the utilization of local public and private agencies where feasible, to an individual or family, as described in subsection (c), who owns and occupies real property which has been determined to be uninsurable because of physical hazards after an inspection pursuant to a statewide property insurance plan approved by the Secretary under title XII of the National House Act. Such grants may only be made to rehabilitate such property to the extent which the Secretary determines to be necessary to make it meet reasonable underwriting standards imposed by such plan and only where the property is located in an area which the Secretary determines (1) is sufficiently stable and contains sufficient public facilities and amenities to support long-term values, or (2) is one in which public or private actions are being carried out, or are proposed to be carried out, of such scope and quality as to give reasonable promise that a stable environment will be created."; and

(2) by striking out "subsection (b)" in subsection (a) and inserting in lieu thereof "subsection (c)".

REHABILITATION IN URBAN RENEWAL AREAS

Sec. 404. Section 110(c)(8) of the Housing Act of 1949 is amended by striking out (1) "guidance purposes, and", and (2) the proviso at the end thereof.

DISPOSITION OF PROPERTY FOR LOW AND MODERATE INCOME HOUSING

Sec. 405. Section 107(a) of the Housing Act of 1949 is amended—

(1) by inserting "or other approved purchaser or lessee," after "public body or agency,";

(2) by inserting ", section 221(h)(1), section 235(j)(1), or section 236" after "or (d)(4)";

(3) by inserting "or lessee" after "a purchaser" and after "such purchaser", and "or lease" after "purchase";

(4) by striking out "rental or cooperative"; and

(5) by striking out "moderate" and inserting in lieu thereof "low or moderate".

CAPITAL GRANTS FOR LOW AND MODERATE INCOME HOUSING IN OPEN LAND PROJECTS

Sec. 406. Section 103(a)(1) of the Housing Act of 1949 is amended by inserting before the period at the end thereof the following: ", except that he may contract for such a grant in an amount not to exceed two-thirds of the difference between the proceeds from any land disposed of pursuant to section 107 and the fair value of the land without regard to such section".

URBAN RENEWAL LOAN CONTRACTS

Sec. 407. (a) Section 102(c) of the Housing Act of 1949 is amended—

(1) by striking out "at interest rates lower than provided in the loan contract" in the first sentence; and

(2) by inserting before the period at the end of the first sentence the following: ": *Provided*, That, if at any time during the undertaking of the project, the interest rate on such a loan from a source other than the Federal Government is greater than the rate at which funds could be made available under the Federal loan contract, the Secretary may make a supplemental grant to the local public agency in the amount of the difference between the interest cost from such sources and the interest cost at the contract rate, and no part of the amount of any such grant shall be required to be contributed as a part of the local grant-in-aid".

(b) Loan contracts outstanding on the date of enactment of this section may be amended to incorporate the provisions authorized by the amendment contained in subsection (a) without regard to the proviso in section 110(g) of the Housing Act of 1949.

PROJECT COMPLETION PRIOR TO DISPOSITION OF CERTAIN PROPERTY

Sec. 408. (a) Section 106 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(i) Upon a determination by the Secretary that (1) not more than 5 per centum of the total area of land acquired as part of an urban renewal project remains to be disposed of, (2) the local public agency does not expect to be able, due to circumstances beyond its control, to dispose of such land in the near future, (3) all other project activities are completed, and (4) the local public agency has agreed to dispose of or retain such land for uses in accordance with the urban renewal plan, the urban renewal project may be deemed completed, and the net project cost may be computed and the capital grant paid."

(b) Section 110(f) of such Act is amended by inserting before the period at the end thereof the following: "or for subsequent disposition or retention as provided under section 106(i)".

REHABILITATION LOANS

Sec. 409. (a) The first sentence of section 312(d) of the Housing Act of 1964 is amended to read as follows: "There is authorized to be appropriated for each fiscal year such amounts as may be necessary which shall constitute a revolving fund to be used by the Secretary in carrying out this section."

(b) Section 312(h) of such Act is amended by striking out "October 1, 1969" and inserting in lieu thereof "June 30, 1973".

(c) Section 312(a) of such Act is amended to read as follows:

"(a) The Secretary is authorized, through the utilization of local public and private agencies where feasible, to make loans as herein provided to the owners and tenants of property to finance the rehabilitation of such property. No loan shall be made under this section unless—

"(1)(A) the property is situated in an urban renewal area or an area in which a program of concentrated code enforcement activity is being carried out pursuant to section 117 of the Housing Act of 1949, and the rehabilitation is required to make the property conform to applicable code requirements or to carry out the objectives of the urban renewal plan for the area and, in addition, to generally improve the condition of the property; or

"(B)(i) the property is in an area (other than an area described in subparagraph (A)) which the governing body of the locality has determined, and so certifies to the Secretary, contains a substantial number of structures in need of rehabilitation and (ii) the property is residential, owner-occupied, and in need of substantial rehabilitation;

"(2) the applicant is unable to secure the necessary funds from other sources upon comparable terms and conditions; and

"(3) the loan is an acceptable risk taking into consideration the need for the rehabilitation, the security available for the loan, and the ability of the applicant to repay the loan."

(d) Section 312 of such Act is further amended—

(1) by inserting "or" after the semicolon at the end of paragraph (1)(B) in subsection (a) (as amended by subsection (c) of this section), and by inserting after such paragraph (1)(B) the following new subparagraph:

"(C)(i) the property has been determined to be uninsurable because of physical hazards after an inspection pursuant to a statewide property insurance plan approved by the Secretary under title XII of the National Housing Act, (ii) the loan is made to the owner or tenant of the property to finance rehabilitation which the Secretary determines to be necessary to make the property meet reasonable underwriting standards, and (iii) the property is located in an area which the Secretary determines is sufficiently stable and contains sufficient public facilities and amenities to support long-term values, or is one in which public or private actions are being carried out, or are proposed to be carried out, of such scope and quality as to give reasonable promise that a stable environment will be created;"; and

(2) by striking out "or" after "applicable codes" in subsection (b)(1) and inserting in lieu thereof a comma, and by inserting after "urban renewal plan" in such subsection ", or a Statewide property insurance plan".

DEMOLITION GRANTS

Sec. 410. (a) The first sentence of section 116(a) of the Housing Act of 1949 is amended by inserting after "unsound" the following: ", a harborage or potential harborage of rats,".

(b) Section 116(b) of such Act is amended by inserting after the comma at the end of clause (2) the following: "or will be consistent with a systematic rodent control program being undertaken in the neighborhood,".

AIR RIGHTS SITES IN URBAN RENEWAL AREAS

SEC. 411. (a) Section 110(c)(1)(iv) of the Housing Act of 1949 is amended by striking out "for use for industrial development" and inserting in lieu thereof "for use for the development of industrial or educational facilities".

(b) Section 110(c)(7) of such Act is amended by striking out for industrial development" and inserting in lieu thereof "for the development of industrial or educational facilities".

INTERIM ASSISTANCE FOR BLIGHTED AREAS

SEC. 412. Title I of the Housing Act of 1949 is amended by adding after section 117 a new section as follows:

"INTERIM ASSISTANCE FOR BLIGHTED AREAS

"SEC. 118. Notwithstanding any other provision of this title, the Secretary is authorized to enter into contracts (in an aggregate amount not to exceed $40,000,000 in any fiscal year) to make, and to make, grants as provided in this section (payable from any grant funds provided under section 103(b)) to cities, other municipalities, and counties for the purpose of assisting such localities in carrying out programs to alleviate harmful conditions in slum and blighted areas which are planned for substantial clearance, rehabilitation, or federally assisted code enforcement in the near future but in which some immediate public action is needed until clearance, rehabilitation, or code enforcement activities can be undertaken. Such grants shall not exceed two-thirds (or three-fourths in the case of any city, other municipality, or county having a population of fifty thousand or less according to the most recent decennial census) of the cost of planning and carrying out programs which may include (1) the repair of streets, sidewalks, parks, playgrounds, publicly owned utilities, and public buildings to meet needs consistent with the short-term continued use of the area prior to the undertaking of the contemplated clearance or upgrading activities, (2) the improvement of private properties to the extent needed to eliminate the most immediate dangers to public health and safety, (3) the demolition of structures determined to be structurally unsound or unfit for human habitation and which constitute a public nuisance and serious hazard to the public health and safety, (4) the establishment of temporary public playgrounds on vacant land within the area, and (5) the improvement of garbage and trash collection, street cleaning and similar activities. The Secretary shall encourage, wherever feasible, the employment of otherwise unemployed or underemployed residents of the area in carrying out the activities and undertakings assisted under this section. The provisions of sections 101(c), 106, and 114 shall be applicable to activities and undertakings assisted under this section to the same extent as if such activities and undertakings were being carried out in an urban renewal area as part of an urban renewal project."

LOW AND MODERATE INCOME HOUSING IN RESIDENTIAL URBAN RENEWAL AREAS

SEC. 413. Section 105(f) of the Housing Act of 1949 is amended to read as follows:

"(f) A majority of the housing units provided in each community's total of such approved urban renewal projects as will be redeveloped for predominantly residential uses and which receive Federal recognition after the date of enactment of the Housing and Urban Development Act of 1968 shall be standard housing units for low and moderate income families or individuals: *Provided*, That the units in each community's total of such approved urban renewal projects which are for low income families or individuals shall constitute at least 20 per centum of the units in such projects."

WORKABLE PROGRAM REQUIREMENT IN CASE OF INDIAN TRIBES

SEC. 414. Section 101 (c) of the Housing Act of 1949 is amended by inserting after "1964" in the second proviso the following: "or, in the case of an Indian tribe, band, or nation, commencing January 1, 1969".

Mr. PATMAN (during the reading). Mr. Chairman, I ask unanimous consent that title IV be considered as read, printed in the RECORD, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENTS OFFERED BY MR. HALPERN

Mr. HALPERN. Mr. Chairman, I offer two amendments to title IV, both of which are pertinent to the identical subject matter. I ask unanimous consent that they be read and be considered together.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. HALPERN: On page 98, strike out lines 11 through 16 and insert the following: "governing body of the locality has determined, and so certifies to the Secretary, contains a substantial number of structures in need of rehabilitation.'; and".

On page 104, strike out lines 2 through 8 and insert the following:

"(iii) the property is located in an area which the governing body of the locality has determined, and so certifies to the Secretary, contains a substantial number of structures in need of rehabilitation;'; and".

Mr. HALPERN. Mr. Chairman, this amendment would clarify what I believe is the intent of the rehabilitation aid section of title IV of H.R. 17989. Surely it is the intent of the legislation to make rehabilitation funds available in those areas where they are most needed. But under the existing language of the title, such funds could actually be denied in precisely those areas which are most in need. That is why I offer this amendment, which would guarantee that those areas most in need of rehabilitation assistance would be eligible for funds under this program.

The program of rehabilitation grants and loans contained in title IV of this act, which is applicable to property found uninsurable under title X, is an imaginative and valuable addition to the Senate version of the Housing and Urban Development Act. Rehabilitation of existing structures must accompany construction of new buildings if urban renewal is to be truly effective. However, it should be pointed out that the present phrasing of the rehabilitation program included in title IV contains an inconsistency which might cause rehabilitation grants and loans to be denied in those areas where they are most desperately needed.

Section 403, subsection (c) and section 409, subsection (c) in title IV of the act each lay down flexible standards for assistance, stating that grants and loans may be provided for any area "which the governing body of the locality has determined, and so certifies to the Secretary, contains a substantial number of structures in need of rehabilitation." According to these provisions, any area in need of rehabilitation funds would be eligible for funds.

Two other provisions in title IV, however, seem to negate the flexibility of the criterion just mentioned. Section 403, subsection (d), and section 409, subsection (d), as now written, state that loans and grants can be provided to owners of property which is currently uninsurable only when such property "is located in an area which the Secretary determines, first, is sufficiently stable and contains sufficient public facilities and amenities to support long-term values; or, second, is one in which public or private actions are being carried out or are proposed to be carried out of such scope and quality as to give reasonable promise that a stable environment will be created." These clauses clearly deny aid to those property owners most in need of rehabilitation assistance.

An example would serve to illustrate this. Consider an elderly low-income homeowner, living in an unstable section of an urban community. The urban insurance program, included in title X of this act, would make his home eligible for insurance for the first time. However, since the home, in this hypothetical case, has a faulty electrical system, considered to be a fire hazard, it does not measure up to insurance standards, and private insurance companies will not issue property insurance. Clearly, this is an instance where it is the purpose of this legislation to assist the homeowner in rehabilitating his electrical system to the point where his home will meet insurance standards. But under present wording, since the neighborhood is unstable, the homeowner is not eligible for any rehabilitation assistance at all.

In short, while title X of this act assures that sound property in unstable areas can now be insured, and title IV provides funds so that owners of rundown property in stable neighborhoods can receive funds to bring the property up to insurance standards, present wording excludes owners of rundown property in unstable neighborhoods from receiving rehabilitation assistance and thus excludes them from obtaining necessary property insurance.

The amendment I am offering will make the language of the act consistent by using the same criteria for assistance throughout, and stressing the need for rehabilitation, rather than the stability of the area. By virtue of this amendment owners of rundown property in unstable areas would become eligible for rehabilitation grants and loans in order to bring their property up to insurance standards and improve the condition of their community.

This focus on the needs in high-risk areas, rather than limitations based on existing or potential stability, seems more appropriate to the intent and spirit of the act.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. HALPERN. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Mr. Chairman, we have studied the amendment the gentleman is offering and, if it is agreeable with the minority side, I believe our side will accept the amendment.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. HALPERN. I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, the amendment being offered by the gentleman from New York [Mr. HALPERN] is agreeable to the minority.

The CHAIRMAN. The question is on the amendments offered by the gentleman from New York.

The amendments were agreed to.

AMENDMENT OFFERED BY MR. WINN

Mr. WINN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WINN: On page 107, after line 22, add the following new section:

"RULE FOR DETERMINING ACQUISITION PRICE OF PROPERTY DAMAGED BY LIMESTONE QUARRY SUBSIDENCE

"SEC. 415. (a) the last paragraph of section 110(e) of the Housing Act of 1949 is amended by striking out 'underlying coal mines, or' and inserting in lieu thereof 'underlying coal mines, because of limestone quarry subsidence, or because of'.

"(b) Any contract under title I of the Housing Act of 1949 executed prior to the date of the enactment of this Act may be amended to provide for payment of the increased amounts authorized under subsection (a) with respect to any uncompleted project if the project included acquisitions which, under any State or local law in effect on such date, would involve expenditures by local public agencies that could not otherwise be included in the cost of such project."

Mr. WINN (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. PATMAN. Mr. Chairman, will the gentleman furnish us a copy of the amendment?

Mr. WINN. I am sorry, Mr. Chairman, I thought I had furnished enough copies, but I will furnish a copy.

Mr. Chairman, I am privileged to submit for your consideration a proposed amendment to the Housing Act of 1949. I will outline briefly the facts that have prompted me to offer the amendment.

I represent the Third Congressional District of Kansas which includes a portion of Kansas City, Kans. During the spring of 1965 a subdivision of Kansas City, Kans., known as the Hilltop area experienced severe surface instability. This was evidenced by several serious cave-ins which resulted in extensive damage to residences located over the affected area. The bottom literally fell out of 48 houses. Fortunately no one was seriously injured, although the cave-in threatened the lives of persons residing in each of the damaged houses.

Following the cave-ins, the Renewal Assistance Division of the Department of Housing and Urban Development authorized the consulting engineering firm of Howard, Needles, Tamen & Bergendoff, of Kansas City, Mo., to conduct a feasibility study of the Hilltop area. The firm's report was submitted to Mr. Chris N. Vedros, Director of Urban Renewal Agency, Kansas City, Kans., on May 3, 1967. I am herewith offering the report to the Committee for its reference in considering the amendment which I propose. I direct the Committee's attention to the conclusion in the report that the affected portions of Hilltop be acquired by urban renewal. The report suggests that the area be cleared and developed in the most economically feasible manner as a public use area: First, public golf course; second, public park; third, wildlife area or zoo; or, fourth, sewage disposal area.

The report recognized existing legislative authority is too narrow to provide a satisfactory response to the needs of the Hilltop residents. It recommends the amendment which I have proposed in H.R. 8354 to resolve the present limitation. The effect of my bill would amend title I of the Housing Act of 1949 to extend compensation to property owners who sustain damage to their property from mine subsidence without limitation to coal mines subsidence. The injured persons would be paid the value of their property immediately prior to the occurrence which caused their loss.

I am further offering a copy of the letter which I received from the Bureau of Mines, Department of the Interior, dated March 11, 1968, wherein it is observed that there is no existing authority for assistance to persons sustaining losses similar to those experienced by the residents of the Hilltop area. The letter expresses sympathy for the plight of such persons and recommends legislative action identical to that which I have proposed to establish authority for resolving the difficulties caused when property owners are the innocent victims of mine subsidence.

Mr. Chairman, the residents of the Hilltop were indeed innocent victims of an act of nature over which they had no control. They had purchased their homes and had anticipated the quiet enjoyment of their premises. However, because of an incident completely beyond their control, they found themselves homeless. I am not suggesting that they are deserving of relief similar to that extended to the victims of a flood or tornado. Their case can be distinguished because the redevelopment of the affected area and the relocation of the residents is clearly within the expressed purpose and spirit of urban renewal. As is pointed out in the consulting engineers' report, there are several economically feasible ways to utilize the area once it has become public property. Further, the residents of the area are valuable contributors to the economic growth of the community. It is important that their talents and energies be retained.

Mr. Chairman, I thank you for the opportunity to address you on this most important subject, and I am confident that you will favorably report any amendment for enactment into law.

Mr. WIDNALL. Mr. Chairman, if the gentleman will yield, this amendment is the same type amendment that was offered by the gentleman from Pennsylvania, Congressman McDADE, in a previous session of Congress, covering instances where property has been greatly damaged from coal mine subsidence. As I understand this amendment, it would do the same thing for those who suffer in connection with limestone quarries.

Mr. WINN. That is exactly correct. It is the same as the McDade amendment.

Mr. BARRETT. Mr. Chairman, if the gentleman will yield, I think our side is willing to take this amendment. It covers subsidence, and we have taken a similar amendment on this side. We are familiar with it and have no objection.

Mr. WIDNALL. Mr. Chairman, this side will accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. WINN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. RYAN

Mr. RYAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RYAN: On page 107, after line 22, add the following:

"SEC. 415. Section 117 of the Housing Act of 1949 is amended by inserting the following before the period at the end of that section: ': *Provided*, That the Secretary may, in addition to authorizing a local public agency to make grants as prescribed in section 115, make such grants through the utilization of local private nonprofit agencies'."

Mr. RYAN. Mr. Chairman, the purpose of this amendment is very simple. It is to permit section 115 rehabilitation grants to be made through the utilization of private nonprofit agencies as well as through local public agencies.

The rehabilitation grant program can be an important instrument in the rehabilitation of entire neighborhoods. With the increase to $3,000 afforded in H.R. 17979, it can enable low-income homeowners to repair their homes, and it can provide the seed money for more extensive rehabilitation efforts.

Private nonprofit agencies are a logical conduit for channeling these funds if they possess the technical expertise. Often they can be moved to action more speedily than the local public agency. My amendment would simply permit them, as well as public agencies, to be the medium for these grants. I believe this option should be available, and I hope my amendment will be adopted.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Texas.

Mr. PATMAN. I have discussed this with other members of the committee and with the staff. The gentleman furnished us with a copy of the amendment. We are willing on this side to accept it, if the minority is willing to accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. RYAN].

The question was taken; and on a division (demanded by Mr. PATMAN) there were—ayes 64, noes 47.

So the amendment was agreed to.

Mr. O'HARA of Illinois. Mr. Chairman, from Joseph D. Keenan, international secretary of the International

Brotherhood of Electrical Workers, and for many years outstanding among the Nation's leaders in all movements for the advancement of the welfare of the American people, I have received the following telegram:

> Dear Congressman: The Omnibus Housing Bill (H.R. 17989) now before the House will test whether America intends to begin meeting our national goal of bringing decent housing within reach of every American family. The International Brotherhood of Electrical Workers strongly supports this bill especially the homeownership and rental provisions. We urge your support for the Omnibus Housing Bill as reported by the Committee and ask that you vote against any crippling amendments that are offered on the House floor.

Mr. Chairman, I am in complete agreement with Mr. Keenan and the many, many others who have wired and written me in support of one of the most comprehensive housing bills of all times.

Six million American families still live in substandard housing. The good bill before us, the enactment of which is urged by Mr. Keenan, places the emphasis upon the need of this segment of our forgotten countrymen and provides the means of meeting the need. I would say that this is the most important legislation to come before the 90th Congress and if we should adjourn before its enactment we would be derelict in the performance of our duty. If by crippling amendments we should weaken the effectiveness of the bill in bringing decent housing within the means of the 6 million American families now unhappily condemned to the dirt and misery of the slums and worse we would stand shameless and dishonored before our own constituents.

We cannot have a happy nation with 6 million families huddled under roofs that leak, 6 million families living in filth, little children and their elders cramped together in misery in housing that by even the lowest standards is unfit for human habitation. We cannot have a safe nation under such conditions. I think the disturbances of recent years have brought us all to that realization.

Mr. Chairman, when I came to the Congress in the 81st Congress, housing was the overriding problem of many of my constituents and I felt fortunate indeed when the late Thomas J. O'Brien, then a power on the Ways and Means Committee, secured a place for me on the Banking and Currency Committee. One of the happiest moments of my 18 years in the Congress was when after a long and hard fight the Housing Act of 1949 passed the House and Senate and became the law of the land. At long, long last we had started to make come true the American dream of "a decent roof over every American family."

We have come a long way since 1949. But with 6 million American families still unhappily and inadequately housed there is still a long, long way to go.

It was my privilege and certainly my pleasure to serve on the first housing subcommittee with the present chairman of the subcommittee, the distinguished gentleman from Pennsylvania [Mr. Barrett]. Working and associating with him I came to know his great ability, his wide understanding and the drive with which he executed his task. To him go my congratulations on a good job superbly handled. My congratulations too, to one of the great legislators of our times, the distinguished gentleman from Texas, my beloved friend [Mr. Patman]. Also to the distinguished gentleman from New Jersey, the able ranking minority member of the committee [Mr. Widnall], whom I hold in warm affection and deep esteem.

Mr. Chairman, I am sure I voice the sentiment of the House when I say that on the Democratic side and on the Republican side we are proud of the membership of the great Banking and Currency Committee. And, we from the State of Lincoln are especially proud of the only member of the committee from Illinois, the able and hard-working Mr. Annunzio.

Mr. GALLAGHER. Mr. Chairman, I rise today in support of the 1968 Housing and Urban Development Act. This legislation embodies some of the most enlightened and far-reaching proposals of this decade.

Two of the provisions of the act give me special pleasure. The section of this act, as reported by the Banking and Currency Committee, establishes a national program of federally assisted insurance protection in areas with high crime rates or potential riots.

Such insurance protection in riot-prone areas is absolutely essential to the future of our cities. Unless we provide a means for property owners in areas of potential civil disorder to gain the protection that only adequate insurance provides, the areas of our great cities that most need to attract new and expanded investments will be strangled. New businesses cannot come into areas where a degree of financial protection is not available and established businesses cannot long stand the risk of losing everything. This legislation, which I have advocated and sponsored for 2 years, is aimed at creating a climate for rapid and unrestricted progress and restoration of the blighted ghettos that exist in our great cities. The regeneration of our central cities is directly tied to the guarantee of full and certain insurance protection.

Second, this legislation revives the dormant National Flood Insurance Act which has been stalled in conference since late last year. The crippling amendments adopted by the House, precluding participation by the private insurance industry, have been responsible for the delay in providing this long overdue protection. Only last month, the State of New Jersey suffered disastrous and costly floods which resulted in certain of the hardest hit areas, including Union County which I represent, being declared Federal disaster areas. Certainly a great deal of the economic hardship brought by these floods would have been avoided had flood insurance been available. Unfortunately, in the hardest hit areas, particularly in Elizabeth and Linden, flood insurance coverage is simply not obtainable.

Mr. Chairman, the 1968 Housing and Urban Development Act is a significant and long step toward the goal of a decent, safe, and sanitary home for every American. I ask full support for this legislation as reported by the Banking and Currency Committee.

Mr. DONOHUE. Mr. Chairman, our late, beloved President, John F. Kennedy, once said:

> The cities—their needs, their future, their financing—these are the great unspoken, overlooked, underplayed problems of our times.

Many of us here fully agreed with his pronouncement then and have steadfastly exerted our efforts over these past few years for the legislative attainment of his recommended goals, including the elimination of substandard housing, for the rebirth of our cities and the regeneration of great numbers of their inhabitants. In this measure before us today we have a near culmination of President Kennedy's, and his successor's, long-made and long-sought recommendations and objectives in the domestic area.

Mr. Chairman, this bill now before us, H.R. 17989, the Housing and Urban Development Act of 1968, is practically universally acclaimed as a measure representing, in its entirety, the most creative, comprehensive, and prudent legislative response in the history of the Congress to the imperatively urgent national problem of providing decent housing for low- and middle-income families.

It has been rightly termed landmark legislation in the national interest and I most earnestly urge and hope it will be overwhelmingly adopted by this House today without any seriously crippling amendments.

On past occasions when we have dealt with the subject of housing here, I have repeatedly expressed my very deep conviction that our civilized society will rise or fall in proportion to the wholesomeness of our family life. Unquestionably one of the fundamentally essential ingredients in the promotion of wholesome family existence and development is decent housing and substandard housing conditions in the cities of our country are of increasing major concern to the Nation.

Mr. Chairman, this measure is designed to create housing in all forms throughout this country at a rate 10 times faster than has ever been attempted in the past and its approval will mark the beginning of the massive upgrading in standards of living so urgently required throughout the whole country and particularly in our cities.

The bill's major homeownership and improvement environment programs project a new and unique financing arrangement by which the Government would subsidize interest payments rather than entire mortgages. Those benefitting from the programs would pay, on a sliding-scale basis, a certain percentage of their income for housing. Thus, as a low-income family's earnings increase, their share in the Federal program increases proportionately. By providing Federal subsidy at established market interest rates instead of the below-market rates of the present system, the programs should entice private enterprise to participate to a far more significant degree than under current mortgage operations.

It also encompasses expanded programs for riot reinsurance, for flood insurance, for urban mass transport, for urban planning activities, for mortgage insurance on nonprofit hospitals, and for a private consortium to bring new involvement in the housing market from areas of private enterprise not traditionally involved.

Section 3 of the bill, the "jobs-in-housing" provision will be of enormous benefit to low- and moderate-income urban families. This provision contains the instruction that the Secretary of Housing and Urban Development shall require that, to the greatest extent feasible, opportunities for employment arising in connection with the construction or rehabilitation of projects assisted under such programs be given to lower income persons residing in the area of such projects.

A similar requirement is already in force with respect to model cities programs.

In substance this measure provides a goal of 6 million low- and moderate-income housing units over the next 10 years; during the next 3 years it would authorize 375,000 units of low-rent public housing.

It would provide an urban renewal authorization of $1.4 billion for fiscal year 1970, greatly reducing the backlog of applications now pending.

It would increase mass transit authorizations by $190 million, a sum which is minimal when compared with our national mass transportation needs as exemplified in my own community and commonwealth.

It would increase model cities authorization by $362 million in fiscal year 1969 and $1 billion in fiscal year 1970.

The first two programs above together with the model cities program enacted in 1966 provides the basis for the overall regeneration of entire communities but they are suffering from a serious lack of funds.

Seventy-five American cities, including my own home city of Worcester, Mass., have already been approved for Federal planning funds for massive rehabilitation and another 75 are expected to qualify before the billion dollars are to be spent in fiscal year 1970.

I believe that in order to fulfill our pledges of 1949, in housing and in 1966 for model cities, it is essential that we approve the full funding for these basic programs and strengthen their effectiveness by the adoption of the other supplemental provisions in this pending bill.

Mr. Chairman, it is not pretended that this proposal is perfect in every detail but it is, as I stated at the outset, commended by nearly every accepted authority as the most responsible by-and-large legislative effort to constructively eliminate one of the fundamental causes for the great social unrest and despair afflicting this country, substandard housing. By all reasonable rules of analysis and judgment of what should be a priority expenditure and investment for the good of all Americans, I believe this bill merits and I hope it will receive the overwhelming approval of this House.

Mr. NIX. Mr. Chairman, the Housing and Urban Development Act of 1968 before us today is an extension and expansion of legislation that began with the Housing Act of 1949. With that act we set up a national goal—a decent home for every American. With this act we can travel a long way along the road to realizing that goal. The cost is relatively modest, considering the complexity of the task. And the need is unmistakable.

President Johnson outlined that need in his message on housing and cities a few months ago. He spoke of recapturing the promise of the American city by surmounting the problems of obsolescence and despair. Obsolescence because our cities are growing faster in population than our ability to build enough decent housing, while older buildings sink into decay. Despair because squalid surroundings breed misery and hopelessness—a hopelessness almost beyond the comprehension of those of us who have never had to come home to sagging floors, falling plaster, and plumbing that would not work.

For the poor, the elderly, the handicapped, the displaced, and families with moderate incomes, owning or renting a good house or apartment at a reasonable price is the first step on the road out of hopelessness. This legislation for the first time offers a chance for American families with low incomes to know the pride and responsibility of homeownership.

For those unable to own their homes, public housing that is pleasant and convenient to live in can bring new dignity. This legislation will more than double the supply of low-rent public housing in the next 5 years.

These are only two aspects of the housing bill that merit our endorsement. Taken as a total program for easing the mounting pressures on our urban areas, this bill represents the best hope of our cities, and a chance to make that hope a reality.

Mr. ROONEY of Pennsylvania. Mr. Chairman, H.R. 17989 represents a comprehensive effort to meet the critical and urgent needs of the Nation's cities spelled out so eloquently by President Johnson. Never has the recognition of the urban crisis been so great, and never has the legislative response, exemplified by the bill before us, been so far-reaching. The Committee on Banking and Currency has performed a valuable service for the House and for the Nation by writing this historic housing and urban development legislation.

I direct my remarks to a section of the bill that has not received a great deal of publicity but which offers great promise toward solving the problems of slums and blight in our cities. I refer to the creation of a neighborhood development program in the urban renewal legislation as provided by section 401 of the bill. During the course of the hearings there was widespread support for this provision. Mayors and urban development professionals praised this new program.

To appreciate what the neighborhood development program is, and how it differs from the present urban renewal program, it is necessary to have an understanding of the existing renewal program.

Normally, a locality designates a blighted area and applies to the Department of Housing and Urban Development for funds to prepare the necessary urban renewal plan and other pertinent data. The separate planning period usually takes about 2 years, although it is often 3 years from the time an area is designated to the time the project actually begins to acquire land, rehabilitate homes, install improvements, and undertake other activities. The project is financed in its entirety through a grant reservation that is initially based on estimates made prior to planning and which are refined when planning is completed.

Consequently, the present program requires that an urban renewal plan and a financing plan be prepared to cover a broad range of activities that will be carried out over a period of several years. Once the plans are approved and activities begin, changing circumstances over a period of time often call for revisions of the urban renewal plan and adjustments in the financing plan. Very often the changes require grant increases. This is to be expected, and properly so, in a complex program that has significant impact and which necessarily takes several years to complete. Given the dynamics of urban development processes, the program has worked well.

However, the urban renewal program has its limitations. A project must be big enough to have an impact but small enough so that the whole project can be planned in detail in advance of project execution. This includes financial considerations as well as physical planning. The system poses difficulties for communities seeking renewal activities in large areas of critical need.

Moreover, cities have found that it is often difficult to develop plans for large areas when it is known that conditions will change over a period of time. Particularly, in rehabilitation there is a need to begin quickly without lengthy planning delays during which properties may further deteriorate—even to a point where the intended rehabilitation becomes infeasible.

In many cities it is essential that some activities begin immediately upon designation of an area. This often precludes utilization of urban renewal because of its detailed planning requirements. While the present urban renewal program successfully meets the needs for which it was designed, our years of experience and the pressing needs of our cities require improvements to increase the flexibility of renewal mechanisms.

The neighborhood development program is the response to these needs. It has been designed to permit flexibility in dealing with changing conditions and to achieve the most effective and efficient utilization of available funds. It is an optional program inasmuch as localities have the choice of using it or continuing with the traditional program. Its most positive feature is its focus on flexibility of operation, permitting early action and early results.

A neighborhood development program may consist of urban renewal project undertakings and activities in one or more urban renewal areas that are planned and carried out on the basis of annual increments. The requirements would be similar to those for the existing urban renewal program with a few major differences. They are:

First. Many activities not requiring detailed planning could begin immediately, while more detailed planning of future activities proceeds concurrently. For example, rehabilitation activities could begin immediately, assisted by Federal rehabilitation loans and grants.

Second. Only those activities that can be completed in a year will be initially funded, rather than entire projects that may take many years to complete. However, localities can anticipate receiving funds for subsequent annual increments as the work proceeds. The Congress customarily appropriates urban renewal funds on a 1-year forward funding basis, making it possible for HUD reserve funds for 1 additional year at the time an annual program is approved. This can be repeated as third year funds are reserved at the time the second year funds are committed; and the same pattern can be followed in future years as progress continues.

For example, let us assume that an area of 1,000 acres is covered by a neighborhood development program. During the first year a vacant site could be developed for low- and moderate-income housing; another area could see the construction of a new school; and in a third, rehabilitation could begin. During the second year a dilapidated area could be acquired and cleared while its residents are relocated into the housing developed during the first year; a commercial shopping area could undergo rehabilitation; and several neighborhood parks could be developed. This process could continue annually until the entire area is totally renewed.

The neighborhood development program would permit cities to adjust their programs to changing conditions. It would create greater opportunities for citizen involvement, since the planning process is a continuing one. Relocation would be more successful because the amount would match available housing resources. The new program will substantially increase the opportunities for neighborhood residents to remain in the area if they wish.

I believe this legislation recognizes the vital necessity of local public investment in improvements and facilities in renewal areas. Just as in the existing urban renewal program, the local share of costs may be provided in cash or through investments recognized as noncash local grants-in-aid.

In the new program a facility would be eligible for this kind of assistance if its construction began within 3 years prior to the date of the first contract covering the urban renewal area to be served by the facility.

Another change tightens the eligibility for noncash credit by requiring that a facility must actually be constructed or be under contract during the annual period for which credit is claimed. This change is desirable. It will provide an incentive to localities to install needed public facilities, such as schools, sewers, streets, and other improvements, early in the renewal process.

The amount of noncash credits to be allowed in any year will be limited to that amount required to meet the local share of renewal costs. Excess credits that have been deemed eligible would be applied to subsequent annual increments. In addition, pooling credit from existing urban renewal projects may be counted toward the local share of a neighborhood development program. However, excess credits from an annual increment may only be applied to subsequent annual increments of that neighborhood development program.

The neighborhood development program offers communities an opportunity to meet head-on the forces of blight in large areas. It offers new tools that have the flexibility to meet problems and opportunities. It will permit cities to make better use of capital improvement programing. Finally, it will enable the renewal process to respond to the initiatives of private enterprise to revitalize our cities.

It is a timely program. It is an action program. It merits the support of all of us in the Congress.

Mr. EILBERG. Mr. Chairman, I want to commend the distinguished gentleman from Pennsylvania [Mr. BARRETT] and the distinguished gentleman from Texas [Mr. PATMAN] for the excellent job they have done in developing this legislation and in presenting it to the House.

I want to address myself at this time to the provisions of title X, the Urban Property Protection and Reinsurance Act of 1968. Title X is a simple and feasible answer to two nationwide problems in property insurance requiring urgent attention.

One of these problems is the result of the practice of some insurance companies "red-lining" entire neighborhoods, which means almost automatic denial of insurance solely because of location regardless of the condition of the individual properties.

Such neighborhoods frequently are congested and economically depressed and blighted urban areas, characterized by structures in need of repairs and by vacant homes and stores.

Despite these conditions, large numbers of well maintained properties are also to be found in these areas. However, good properties as well as bad ones are denied insurance.

In these instances, good properties become bad properties and the blight spreads. Repairs and improvements cannot be financed if property insurance is not available, and businesses cannot be operated without credit, and credit is difficult, if not impossible, to come by without property insurance.

Title X would operate to end such "red-lining" by providing for physical inspection of properties to determine if they are insurable. In addition, such inspections would also establish what work must be done to make them insurable.

The title would also provide for a placement facility which would operate to help agents and brokers place policies on insurable properties with private companies.

This system of inspections and placement would function under statewide plans which the State commissioners of insurance would develop in cooperation with the private property insurance industry doing business in a State.

The States and the industry would be given an inducement to operate such statewide plans for making property insurance more readily available. That inducement is Federal reinsurance against property losses from riot and civil commotion.

This brings me to the second and less familiar nationwide problem in insurance, which, despite its importance, has received only scant attention. This is a problem of the unavailability of reinsurance.

Unlike the problem of the availability of property insurance for homeowners and businessmen, which is an old problem of seriously growing proportions, the reinsurance problem is relatively new. It was precipitated by the recent riots which have been striking cities across the Nation.

Insured losses from property damage by riots have already reached catastrophic levels. The record of losses since the Watts riot, and the threat of future riots has "dried-up" the reinsurance market.

This is where the private insurance companies buy reinsurance to cover catastrophe losses from hurricanes, industrial disasters, and riots. Reinsurers have made the conditions of reinsurance against losses from riots so restrictive as to be ineffective.

Private companies cannot afford to risk exposing the reserves they have for the ordinary perils. To protect these reserves, they may have to cancel, as some companies have already done, policies in force which have endorsements for coverage against riot losses.

All standard lines of property insurance, such as fire and extended coverage, homeowners' and commercial multiple peril, burglary and theft, inland marine, boiler and machinery, aircraft physical damage, among others, carry endorsements against losses from riots and civil commotion.

If cancellations of policies in force should become widespread, as is threatened, unless some measure is taken, a serious crisis could develop. Without insurance the flow of credit so essential to homeowners and businessmen would slow down and economic activity would falter.

To meet the impairment of this market for riot-loss reinsurance, the Federal Government would offer the private insurance companies reinsurance and would charge them a premium.

Riot losses would be shared three ways. The insurance companies themselves would take the first layer, in addition to paying a premium. The second layer would be taken by the States themselves. The balance of the riot losses would be the liability of the Federal Government.

Title X would remain operative for only a 5-year period after enactment. It is a temporary measure, but President Johnson has said it is essential to meeting the insurance crisis of our cities. I sincerely urge the House to enact this provision.

Mr. THOMPSON of New Jersey. Mr. Chairman, I rise to continue the dialog on H.R. 17989, with specific reference to the approach this bill adopts toward solving our Nation's severe housing shortage.

Since Jacob Riis awakened America to the squalid conditions in its slums, this Nation has mounted program upon program to expunge this urban blight. In its 1949 Housing Act, Congress affirmed the national goal of "a decent home and a suitable living environment for every American family." Yet today, 19 years later, this goal has not been realized. The 1960 housing census informed us that 4 million urban dwelling units were completely dilapidated, 3 million were badly dilapidated, and another 2 million had serious code violations or were seriously overcrowded. Recent census studies indicate that these 1960 figures may have been underestimated by as much as one-third. These statistics were updated by the President's Commission on Civil Disorders, which observed:

> Housing grievances were found in almost all of the cities studied and appeared to be one of the most serious complaints in a majority of them.

It thus appears that the problem is still acute, and that a new and massive commitment to national action in housing is needed.

In order to meet the immediate and pressing need for decent, safe, well-constructed housing in which our Nation's citizens can live with a sense of pride and self-respect, I endorse H.R. 17989. But in supporting this bill we must not think that it alone can revitalize our urban areas. H.R. 17989 is but one approach toward resolving this country's immense housing shortage. And it is, for the most part, a strengthened version of the approach toward housing rehabilitation that this Congress has employed in its previous housing legislation. The increased allocations of funds and the more exact language of the 1968 Housing and Urban Development Act will greatly help to boost these programs' usefulness. But we must not forget to continue our search for other possible approaches toward lessening the housing shortage, alternatives which emphasize the involvement of private enterprise and individual initiative.

I call the Members' attention to section 107 of H.R. 17989; this section creates a National Homeownership Foundation which will provide technical and financial assistance to private and public groups organized to develop housing for lower income families. One of the bill's major new features, aid for homeownership, can do much to restore the urban dweller's commitment to his city. The individual who owns his home recognizes the worth of private property. Possessing a tangible stake in society, he has strong motivation to preserve and protect it. Investigations of the Commission on Civil Disorders showed that citizens who owned their own homes were not among those participating in riots. Clearly, then, the bill's provisions for homeownership provide important incentive for responsibility and stability.

The Homeownership Foundation could be a vehicle for trying out new methods of providing housing, a testing ground for new ideas which, if found successful, can then be implemented on the national level. Paul N. Ylvisaker, commissioner of the department of community affairs in my own State of New Jersey, in a statement submitted to the House Banking and Currency Subcommittee on Housing, said:

> Radical departures are called for, both in reshaping our old communities and in designing the new, if we are to break loose from the "deadend" we may have reached.

Section 107 would allow innovative departures to be made on a community basis where their functioning could be observed and their significance appraised. Through research with local projects, we can search for new ideas both for increasing the design of the volume and beautifying the design of the low-cost housing this Nation so badly needs.

The authorization in H.R. 17989 for additional funds for the model cities program is an essential part of the legislation. The model cities program, designed to coordinate action for a comprehensive and concentrated approach to reverse the process of deterioration in our cities, is at a crucial stage. Planning which incorporates both neighborhood participation and technical expertise is now underway. But whether these plans can be implemented with impact great enough to thrust at the heart of the problems in the urban areas depends on the sufficiency of Federal funds allocated. The Federal Government has made a promise through the model cities program which it must now keep. Should it fail to follow through with adequate authorizations, its initial concern will have been wasted. But, more importantly at this critical point in our Nation's history, our Government's total credibility in its fight to save our cities will suffer severely.

The cities' physical decay has reached alarming proportions. And the urban deterioration affects not only the ghetto dweller but every American citizen. Therefore, our support of the housing and urban development bill is not an act of charity but one of practical wisdom to save our Nation's cities.

Mr. CORMAN. Mr. Chairman, I wholeheartedly support title X, the Urban Property Protection and Reinsurance Act of 1968, and I want to stress the critical need for the provisions of title X.

As President Johnson said in his message last February, an insurance crisis faces most of our cities. The crisis is in the lack of property insurance to the homeowner and businessman and in reinsurance to the insurance companies themselves. Owners of private and business properties in certain sections of the cities have been unable to buy necessary property insurance, like fire and extended coverage, despite the fact that their properties met underwirting standards of insurability. Location alone was the barrier to insurance. Insurance companies themselves have found it increasingly difficult to buy reinsurance against catastrophe losses from riots because of the recent history of such losses. The threat of future losses of this kind has impaired the market for reinsurance.

The problem for the property owner has been in the making for some years. Property deteriorates with age. Unless it is maintained, insurers will not write standard policies for fire and extended coverage and other lines of property coverage. As the areas of property deterioration grows, insurance companies have in the interest of economical operation, blocked out whole neighborhoods from property coverage.

Owners of well-maintained properties are denied coverage as well as others. Property deterioration and urban blight grow when owners of residential and business properties cannot finance repairs. Without property insurance to protect their interest, lenders will not extend credit. The problem of the availability of insurance thus becomes aggravated because of the importance of insurance to credit.

The other problem, the lack of availability of reinsurance to the insurance companies, was brought on by the succession of riots and civil disturbances in urban areas across the Nation. Insured property losses from catastrophe perils like hurricanes and riots are usually reinsured by private insurance organizations specializing in reinsurance. All standard lines of property insurance—fire, homeowners, and commercial multiple peril, burglary and theft, inland marine, boiler and machinery, to mention a few—usually carry extended coverage endorsements to protect the owner from catastrophe losses.

The riot losses which reinsurers have had to pay to primary insurers for the benefit of their policyholders has in recent months made them wary of writing that type of reinsurance. Without reinsurance, primary insurers cannot continue to assume the liabilities from their regular risks as well as catastrophe risks. There are few options to the primary insurers. They can refuse to write new business. They can refuse to renew old business. They can cancel old business. Indeed some companies in some areas of the country have been doing one or more of these already to protect themselves against the threat if insolvency in the event of riots involving very large losses.

Without the protection from policies in these many standard lines of property insurance, homeowners and businessmen again are confronted with a credit problem. Only here, it must be recognized that the geographic area of concern is not only the inner-city area but the whole-city area.

Title X of H.R. 17651 meets these two problems through a cooperative Federal-State-industry program. This title in effect says to the States and the private insurance industry, which is regulated by the States, that if they will cooperate in developing plans for making essential property insurance available to homeowners and businessmen, the Federal Government will offer a reinsurance program for the private insurance companies.

The plans which the State insurance commissioners and the private property insurance industry are expected to develop must meet the criteria which are spelled out in considerable detail in the title. Among the important provisions of this plan is that no insurance risk will be written at a surcharged rate or will be denied essential property insurance unless there is first an inspection of the property by an inspection facility, without cost to the owner of the property, and a determination made that the risk is not insurable at the applicable premium rate. Another provision is that in addition to an inspection facility, the statewide plan will include an all-industry placement facility to help agents and brokers place insurance up to the full insurable value of a property among companies participating in the plan.

To all insurance companies participating in these statewide plans, the Secretary of Housing and Urban Development is authorized to offer reinsurance against loss from riots and civil disorders in standard lines of property insurance. The companies would be expected to pay a premium for such reinsurance and would also be expected to assume liability for a share of the riot losses that might be incurred. The respective States would also be expected to share in the insured riot losses. The Federal Government through its reinsurance fund would be expected to assume the cost for the balance of insured losses after the private companies and the States have met their share.

If insured riot losses do not exceed the level which was incurred by private companies during the 1967 riots, the reinsurance program of the Federal Government could, with good participation by the industry, be self-supporting from premiums.

Title X is thus in several ways a cooperative effort between the Federal Government, the separate States and the insurance industry to meet and solve the insurance crisis of our cities. In meeting this challenge, the title will help meet the overall crisis in housing to which the other titles of the bill address themselves.

I strongly urge my colleagues to enact title X, and support all of the provisions of H.R. 17989.

Mr. HANNA. Mr. Chairman, I should like to speak briefly on the full scope and operation of the important legislation before the Committee today.

The problems of America's cities today are certainly among the most serious and complicated in the history of our society. The lack of everything tangible—from employment to food—and the presence of everything intangible—from apathy to rebellion—is clearly seen in every large city in this Nation. The housing and urban development bill of 1968 makes an effort to deal with these problems in a solid and constructive way by attempting to improve living conditions within the ghetto and urban areas, by attempting to give their inhabitants a material stake in the areas they now only inhabit, and thus bring a sense of concern to the city dwellers. For only when those who live in the cities care about the cities will there be any real progress in alleviating the indifference and unrest that pervades the intercity.

EARLY PROGRAMS INADEQUATE TO HOUSING NEEDS

Nearly all estimates agree that 6 million housing units must be completed in the next decade, if we are to realize progress toward the goal of providing every American family the opportunity to live in decent housing. This bill launches a far-reaching 10-year program of rehabilitation and construction of housing for low- and moderate-income families which will attain this goal. Its general aim is to provide, in the words of the Housing Act of 1949, for "a decent home and suitable living environment for every American family." Furthermore, it attempts to foster both homeownership and private participation in housing programs. It therefore places a great deal more responsibility upon the residents of the intercity. It is in this latter area that I believe the 1968 bill makes its most important contributions.

There have been other efforts in the past to improve urban housing conditions, but all have left much undone. Beginning as early as 1892 Congress authorized a study of slum conditions in urban areas. It was not until 1933, however, that any real legislation took place. At that time loans were authorized and programs begun, but little advantage was taken of the opportunities. Later in the thirties Federal aid was begun in the areas of public housing and low-rent housing, which were financed, constructed and managed by public housing authorities and rented to tenants at reduced rates. Although somewhat successful these proved inadequate.

Hence, in 1949 legislation was passed which purported to provide for a "comprehensive attack" on slums. Slum clearance and redevelopment was to be a cooperative effort by local agencies and private developers. The former would plan and purchase the necessary land and private builders would develop it.

In 1952 it was found that 6.8 million dwellings still had to be replaced or rehabilitated. Since that time there have been many programs enacted which have attempted to provide those 6.8 million dwellings. Among the most important was the 1954 Slum Clearance and Urban Renewal Act. This act began to provide many of the ideas which are still in use today including programs of FHA mortgage insurance for loans to finance urban development, grants for long-range planning and general increase in emphasis on making private enterprise a more important part of housing programs.

Another important step forward came with the rent supplement program which was enacted in 1965. It provides payments to tenants to help pay rents to private lessors. Its theory, which is expanded in this bill, is that private housing is at least equal in importance with public housing programs, and that the two must be combined to achieve the most effective range of responses. It aims to reduce Federal involvement to that amount of assistance required to obtain private involvement—no more, no less.

In addition to these two major programs there has been a large-scale program of FHA insurance below-market loans backed by FNMA to aid low- and moderate-income families to secure adequate housing. The 1968 bill continues and enlarges this program.

Let us sum up the results of all housing programs since 1949. FHA insurance for below-market interest rate mortgages has assisted 5.3 million families. The rent supplement program has assisted 2,526 families, with funds available for about 40,000 more. The urban redevelopment programs have completed 150,000 new or rehabilitated units, and 680,000 public housing units have been provided. Finally, there has been assistance provided for some 26,500 elderly people.

Thus, since 1949 assistance has been provided for a total of over 6 million dwelling units. In other words we have in the last 20 years produced as many units of housing as this bill proposes to see created in the next 10 years. Otherwise stated, this bill seeks to establish a framework for doubling the federally assisted production of housing to meet our country's needs.

PRIVATE INVOLVEMENT STRESSED

Viewing the 1968 housing bill in an overall historic framework we note major changes from the policies begun in the thirties. These changes, which are actually extensions of some of the principles enacted in the housing bill of 1965, provide for a greater emphasis to be placed upon private and local participation with the Federal Government in connection with projected programs.

This new direction is the result of a realization that deep Government involvement in housing programs—involvement which includes planning, building, and managing—simply does not produce a sufficient quantity and quality of response.

Thus, this bill turns to private involvement in three new ways. First, it is a recognition that in the planning and building stages, if one stays within the familiar pattern of behavior of contractors and designers he will be far more successful than if he attempts to set up a new system. Operation "Turnkey" which we shall discuss later, is an outstanding example of the success that has been had in this new approach. Second, there has been a realization that homeownership is an important element in causing persons to acquire a feeling of concern about their home and neighborhood. Third, we believe that by limited subsidies—both of mortgages and rents—local, private companies can be attracted to assume primary roles in redevelopment. To encourage this kind of private involvement, the Homeownership Foundation and the national housing partnership have been provided for in this bill. These two are perhaps the most important general contributions of this bill. We shall return to them shortly.

The bill itself may be broken down into four general areas: First, insurance in urban areas; second, aids to orderly urban development; third, housing assistance for low- and moderate-income families; and, fourth, strengthening institutions which furnish conventional home finance. Let us consider each of these areas individually.

INSURANCE IN URBAN AREAS

One of the most important sections of the present bill in that which establishes the National Insurance Development Corporation. This organization would provide reinsurance for those companies which insure businesses or residences in slum areas. Due to the higher risks of insuring within a ghetto area most insurance companies are, at present, either unwilling or unable to provide such insurance. Thus, the reinsurance is particularly aimed at areas which may have been or may be torn by riot and violence. Its purpose is to provide the security necessary to encourage individuals and businesses to build or improve in the intercity.

It has been the finding of this committee that increased deterioration in ghetto areas often stems from the lack of sufficient insurance. Existing businesses are unable to obtain credit from banks or other loan agencies in order to make additions or even necessary repairs. Thus there is deterioration of present facilities. Furthermore, the inability to acquire insurance often prevents new businesses from entering the area. Because they cannot secure insurance they are unable to obtain the necessary credit and are unwilling or unable to become self-insurors. Hence there is neither influx of investment nor improvement of existing businesses. If this is allowed to continue one can only expect that deterioration will be the rule, not the exception.

In a riot-torn area the problems are compounded even further. Uninsured businesses are unable to rebuild; businessmen with some but inadequate insurance are inclined to take what little they can salvage and if possible move to another area; and new businessmen refuse to build in a place where riot may again obliterate any investment made. The riot-torn area becomes an area unable to rebuild. Its deterioration, of course, can easily spread to adjacent sections of a city and thus cause even further blight. And all this is to say nothing of the personal losses suffered by owners and residents who may have had nothing to do with a riot but who are the victims of its destruction.

Hence, the importance of insurance to slum areas and in particular to riot-torn areas, cannot be overestimated. If one goal of the present urban programs is the redevelopment and rehabilitation of the intercity, another equally important one must be the prevention of further deterioration and blight during the interim period between the planning and the execution of new programs. By providing the necessary encouragement to improve existing conditions and to bring in new investment, the National Insurance Development Corporation can help to accomplish this second goal.

THE NIDC AND FAIR PLANS

The National Insurance Development Corporation, as authorized by this bill, will act as a reinsurance corporation designed to protect participating insurance companies from sizable losses in areas torn by riot. The participating companies will pay premiums to the corporation. The corporation will then use this capital together with funds provided by the States, to supplement funds provided by the insurance companies themselves to pay claims in riot areas. Thus a particular company will be required to pay only a certain percentage—for example 10 percent—of the claims of a riot-torn area; the remaining percentage will be paid by the NIDC and the States out of their funds. There is a $150 million ceiling on the amount the Secretary of Housing and Urban Development can borrow to pay reinsurance claims.

Closely tied to the National Insurance Development Corporation is a proposal which will encourage the private property insurance industry, in cooperation with State insurance authorities, to develop statewide plans to assure all property owners fair access to property insurance. These plans would be known as fair access to insurance plans—FAIR plans—and would make the acquisition more difficult than it is in other areas. To provide that the majority of insurance companies will cooperate with these FAIR plans, the bill states that all those companies which are provided with reinsurance by the NIDC must agree to the criteria set down in the FAIR plans.

Most of these plans deal with the area of inspection of properties requesting insurance. All properties applying for insurance must be inspected by an inspection facility and determined to be an uninsurable risk before a participating company can deny them coverage. This will insure that no one is denied insurance simply on the basis of the area in which he is located. Thus, in exchange for the service of reinsurance by the NIDC, an insurance company is required to equalize its criteria for acceptance and rejection of insurance requests.

The NIDC and FAIR plans, then, will accomplish two main ends. First they will serve to secure and thereby encourage commercial investment in riot-torn areas, and second they will stimulate residential rebuilding within these blighted areas. But more than this, they will make certain of the availability of insurance in all slum areas, regardless of riot. This will encourage new investment, will permit businesses to remain in good condition or to make additions, and will stop deterioration of large city areas.

AIDS TO ORDERLY URBAN DEVELOPMENT

In the past years there have been many projects which one might term urban redevelopment. One of the major drawbacks of these programs has been a lack of total design, a lack of a kind of overall scheme into which each program could fit, and from which each could understand its relationships to other, supposedly sister, programs. The present bill, I feel, represents an effort to try and create a "total design." It has brought to each participating program the same general goals and suggests the same general methods to be used. There has been a real attempt to eliminate duplication of efforts, and to encourage local and private participation and to start now. There is a total design for these programs, and that in itself is a great step forward from the completely independent project days of the past.

This bill expands authorization for three major urban improvement programs: The urban renewal, the mass transportation, and the model cities.

URBAN RENEWAL—THE NEIGHBORHOOD DEVELOPMENT PROGRAM

By authorizing the creation of the neighborhood development program this bill has begun a new thrust in the urban renewal program. It has been found that the strong neighborhoods are the most successful in resisting deterioration and blight. This bill begins a program of working through these neighborhoods, centering more of the planning and constructing at the local level, with the aim of opening the door to more private involvement in housing programs. Instead of completely leveling a neighborhood and then beginning a full-scale housing project, thereby losing any sense of unity an area may have developed, the new bill will stress a more gradual development of a neighborhood. In this way the sense of community will hopefully be maintained and capitalized upon, while the neighborhood itself is improved.

In this vein there are several significant changes which differentiate this present urban renewal program from similar projects of the past. The first frees the flow of urban renewal funds for use on an annual basis rather than a long-term program. Under present law the execution of a loan and grant contract depends upon approval of a detailed urban renewal plan which might cover some 4 or 5 years' work. Experts feel that in many instances changing urban conditions may invalidate the plan before work is accomplished. Furthermore, an area is often left untouched while lengthy plans are being drawn up, and then is left in shambles—often for years—while building is proceeding. Under the new scheme, detailed plans could be limited to the year ahead, thus leaving greater flexibility for future work. Programs could also be opened up on a wider scale, not limited to small areas of complete renewal, and include several contiguous or noncontiguous areas. Thus it "has the advantage of utilizing urban renewal funds to meet current activities in many areas" rather than storing them for another day.

A second improvement in the urban program concerns rehabilitation. At present there is a limitation on the number of units a renewal agency can purchase and rehabilitate. This restriction would be dropped and greater emphasis placed on rehabilitation. Furthermore, there has been a change in the approach to rehabilitation. No longer will a public agency purchase a property and attempt to sell it to a bidder who would then rehabilitate it and sell it on the market. It has often been difficult to find buyers who are willing to undertake such rehabilitation, and thus the property must be scrapped. Under the new program a property would be purchased, rehabilitated by the agency subcontractors, and then sold on the market. Hopefully by these two changes, rehabilitation will be both extended and improved, and more usable units will be salvaged.

A third area of change concerns an interim program to take place during the period between the announcement of intended renewal and the commencement of that renewal. It is during this period that all improvement often stops in an area, and widespread deterioration sets in. In order to curb this deterioration Federal funds have been authorized to be used in the repair of streets, private property and playgrounds, the collection of trash and the demolition of dangerous areas. A further factor here is the intent to use the unemployed of a particular area to help during this interim period.

A fourth consequence of the present bill would require that the majority—50 percent—of housing units in renewal areas be constructed to meet the ends of low- or moderate-income families. In addition it is suggested that the majority of renewal work and funds be spent in residential housing, thus providing decent homes for more families.

The present bill would also increase the amount of grant funds available for urban renewal by $1.4 billion on July 1, 1969. An increase of $350 million is also provided for urban renewal projects in model cities. These funds show an increased confidence in the renewal programs. I feel that the changes in the concepts of the projects—changes which give the program a more realistic approach to problems faced in developing neighborhoods—warrant this increased confidence.

MASS TRANSPORTATION AND MODEL CITIES

In two other areas of general concern to urban problems, this bill makes significant statements. In the model cities and mass transportation sections, additional funds have been appropriated to continue both research and development. For the model cities program an additional $1 billion for 1970 has been appropriated for actual programs with another $12 million for planning and research. In the transportation program there has been a new appropriation of $190 million. The fact to note here is that the committee considers both these programs worthy enough to be continued, and it considers funds appropriated for research and for present programs equally important.

ASSISTS TO LOW- AND MODERATE-INCOME FAMILIES

The third major area to which we turn concerns housing assistance for low- and moderate-income families. It has long been known that the most urgent and serious problems in our slum areas stem from the lack of decent housing for intercity residents. Many types of programs have been tried in the past, and as we have seen all have left much undone. Nonetheless, we have learned from the shortcomings of past projects, and this knowledge has been put to use in planning the new bill.

As I have already stated, the present bill attempts to emphasize two new areas of housing for individual families: homeownership and private participation. It has been found that one of the major shortcomings of the public housing programs has been that a majority of tenants do not take an interest in the residences in which they live. They feel no stake in the community. It does not belong to them, and likewise they feel that they do not belong to it. Homeownership, it is hoped, will remedy this situation. It will give to the individual homeowner a sense of concern for his home and its surrounding; it will encourage him to participate in community action which might affect his home; and it will also give him a personal satisfaction and sense of importance that can only come with owning a home.

Private participation will work toward many of the same ends. By private participation I mean programs such as the use of a private mortgage market, the use of private contractors and management, and the encouragement of private initiative in beginning and continuing housing programs. Such private initiative and involvement will shift from the Federal Government the primary burden of furnishing funds and manpower. The housing projects which have made use of private involvement in the past—projects such as Turnkey and the rent supplement program—have been the programs which have been most successful. Their success is measured not only in their material gains. Not only have they accomplished a great deal in terms of the number of homes provided, they have also instilled in builders and developers a heightened concern by making them the principal agents in the restoration of their cities.

HOMEOWNERSHIP

An important feature of the bill is that it will require far less public assistance than previous projects. Thus it appears that the homeownership program appears will be less costly and, in all probability, far more successful than past programs.

Another facet of the proposed program would be to authorize the FHA to qualify home buyers for the benefits of mortgage insurance despite financial inability of the purchaser to carry the full amount of monthly payments at the FHA established market rate of interest. In these cases the Secretary of Housing and Urban Development would be authorized to make up the deficiency through monthly mortgage assistance payments. These assistance payments would be the difference between the monthly payment due and 20 percent of the mortgagor's income, with the limitation that in no case could the payments exceed the actual payment due and a hypothetical payment computed at an interest rate assumed to be 1 percent. To limit the program to lower income families it would be required that 80 percent of all subsidies would go to those having incomes lower than an established limit. In the computation of income a deduction of $300 would be allowed for each minor, and in the computation of assistance needed the amount would be determined from the standard of living in a particular neighborhood. Every 2 years the mortgagor's income would be checked and assistance payments adjusted if necessary; this will permit the mortgagor to assume full payments if possible, thus in the end purchasing his own home.

In addition to the subsidies there is a further effort to help those families who, because of poor credit histories, have been unable to obtain mortgage financing to purchase homes. There would be an attempt to search behind these histories and to determine whether delinquent accounts were ultimately paid, or whether extenuating circumstances were involved. In short, the committee reports that more flexible rules for FHA credit approval should be applied.

THE NATIONAL HOMEOWNERSHIP FOUNDATION

One of the most important sections of the bill is that which authorizes the creation of the National Homeownership Foundation. The purpose of this foundation is to encourage private and public organizations at the national and local levels to provide increased homeownership for low- and moderate-income families. The bill recognizes that there are many private organizations which not only wish to provide help in the housing area, but which in many ways can be far more effective than can Federal agencies. Thus, the creation of the Homeownership Foundation is a move to provide a central agency other than the Federal Government to which other organizations can turn for help. Its board of directors would be chosen from men in fields which would be of particular importance to housing problems: finance, business, organized labor, nonprofit housing agencies, and others. It would thus be in a position to be not only of financial help but also of technical assistance.

The Foundation, then, would be a nonprofit organization whose major purpose would be to provide technical and financial advice to private organizations concerned with housing problems. It would also provide short-term loans to cover the cost of preconstruction engineering, and legal and architectural expense in connection with proposed housing projects. A third area of concern would be to attempt to encourage the organization of additional private bodies for housing work. Loans would be available to such bodies to cover organizational expenses. Another interest of the Foundation would be the promotion of research and innovation of new ideas and techniques in the field of low-cost housing.

In all these activities the Foundation would coordinate with the Federal, State, and local programs, but would have authority to extend its power beyond the private sector. It would depend largely upon private donations but at the outset a $10 million appropriation would be authorized.

THE RENTAL PROGRAM

The rental program proposed here is a close relative, to the homeownership program in that both make use of private financing and ownership with Government subsidies, rather than providing for total public ownership. The procedure used is analogous to the homeownership program. HUD would be authorized to make, on behalf of a project owner, a substantial part of each payment due on the mortgage, thus providing for related reduction of rents. Assistance payments would again be the difference between payments due on the mortgage at FHA market rate and a hypothetical mortgage at the rate of interest assumed to be 1 percent. Rents reduced in proportion to such assistance would be considered basic rents and tenants would pay such rents or an amount equal to 25 percent of their adjusted income, whichever is greater. Again, the program would be limited primarily to lower income families, and would be reviewed every 2 years. Funds provided would be an additional $75 million in 1968, $175 million more in 1970, and $200 million more in 1971.

Public housing will also be increased under the present bill, to make up the gap left by the other programs. There are at present, or will be in the near future, a little over 730,000 public housing units. This bill would authorize the construction of some 375,000 more in the next 3 years.

However, an important shift of emphasis in the public housing program is seen on the Turnkey method of construction. Whereas under the old program a housing agency would first acquire property, have construction plans made up, and seek separate contracts with a number of firms to provide separate parts of the building, the Turnkey method does just the reverse. Private developers who own or have an option to buy land can contract to build housing on the land or rehabilitate the property for eventual sale to the agency. This means that private enterprise is being called upon to take larger and larger roles in solving urban housing problems. It also means, however, that they will be given a great deal more freedom to be imaginative and creative in design and construction. Again, there is a desire by the Federal Government to leave to private operations the functions they can best handle with autonomy. And this, perhaps, is the key idea of the entire bill.

NATIONAL HOUSING PARTNERSHIPS

One final section of this bill which serves to strengthen the Federal-private partnership we have discussed is that which provides for the creation of the national housing partnerships. These partnerships would be federally chartered, private funded corporations whose purpose it would be to mobilize private investment and application of business skills in the job of creating low and moderate housing in substantial volume. The committee report states that no single housing entity accounts for more than one-third of 1 percent of the total market. It also states that few firms operate on a national level, and that public subsidy cannot provide the amount of housing called for in the next few years. Therefore this bill creates the nationwide private organization which is now lacking. National in scope, its sole purpose would be to produce low and modrate income housing; thus it could concentrate on this one field. With nationwide market power it could overcome many of the problems inherent in volume construction and purchasing. It would act as a partner with private parties interested in providing low cost housing, and would reduce liability and expense for them. Thus it would encourage private participation in the housing field. Further, it would provide first class personnel to act as advisers to housing projects undertaken by private firms. It therefore brings together private and Federal resources to garner the most useful effects from both.

I feel it is important to reemphasize the two foundations which this bill authorizes—the Homeownership Foundation and the national housing partnerships. For in these two areas comes the major new thrust of the 1968 act. No longer are we working through a single, enormously complicated agency which cannot hope to understand or cope with the small but important problems that make every housing project different from every other. By working toward homeownership this bill immediately takes the emphasis off public housing and places it on individual families—the ones who are most concerned. And by working through partnerships which will encourage private participation in the low-income housing market, emphasis is placed upon local and individual planning and control, an approach which will reduce waste, encourage creativity and open the door to more realistic and livable communities.

ASSISTANCE TO INSTITUTIONS PROVIDING MORTGAGE FINANCING

The housing bill before us provides for the strengthening of the two institutions which have been the bulwarks of the mortgage finance. The measure provides some assistance to the savings and loan industry. This institution which allocates about four-fifths of its $125 billion in savings and investments to mortgage finance has suffered badly as a consequence of tight money, a condition which has plagued, in varying degrees, our economy for the last 28 months.

Basically the bill does four things to strengthen the standing of the savings and loan industry. First, it enables savings and loans to raise capital through the use of modern instruments. Second, it authorizes savings and loans to make loans for home and equipment. Third, it empowers savings and loans to make mobile home loans. Finally it adopts the sound approach taken by the Senate in its version of the housing bill by granting very limited added powers in four other areas.

This bill also provides for a fundamental reform in the organization and structure of the Federal National Mortgage Association—FNMA. This institution has been a primary source of liquidity in the mortgage market through its important secondary market operations. However, in the last 2 years it has become apparent that FNMA's secondary market operations could not serve its two masters; the Bureau of the Budget which sought to restrict FNMA purchases of mortgages in order to hold down budget expenditures was directly at odds with the organizations and individuals who looked to FNMA to furnish them with a reliable secondary market in which they could sell their mortgages.

Title VIII of the pending housing bill would partition FNMA. The secondary market operations of the existing operation would come under a privately owned and controlled FNMA. The remaining functions would be placed under a new Government National Mortgage Association—GNMA.

The privately owned FNMA would differ from the existing organization in three important aspects:

First. Its level of purchases and expenditures would not be included in the Federal budget.

Second. It would be empowered to issue and market PC's backed by pools of Government-insured mortgages.

Third. It would be empowered to issue subordinate obligations similar to "capital notes" issued by banks in an amount equal to two times the sum of capital, surplus, and retained earnings.

These alterations would free FNMA from the restraints which have prevented fully effective operation. They will relieve FNMA's secondary market purchases from the restraint to which they, as part of the Federal budget, were subjected during times when Federal expenditures had to be cut. It is significant to note that such budget cuts were typically necessary during periods of money tightening—the very periods during which the housing and home finance industry most needed assistance.

It will also free FNMA from reliance on Treasury borrowing as the major source for financing secondary market purchases. Although the pending bill does not empower FNMA to purchase conventional mortgages, if it passes I look for a follow-up action to enable FNMA to purchase such instruments, pool them, and sell participations in them secured by a guarantee from the FNMA that the full faith and credit of the U.S. Government stands behind the payment of these obligations.

In fiscal 1966, a portion of which was during the period of utmost stress, FNMA purchased about 86,000 mortgages under its secondary market activities. If this legislation passes we estimate that in fiscal 1969 FNMA will purchase over 200,000 mortgages valued at over $3 billion.

Once this legislation is passed the only real limits on FNMA's activity will be its ability to raise money through the sale of its instrumentalities and, of course, the volume of mortgages offered it for purchase.

Mr. Chairman, the history of support in the House of Representatives for constructive and continued improvement in shelter and homeownership dictates our affirmative vote and strong support for this measure. I hope for and expect the addition of this bill as a new chapter in our history of housing.

Mr. **FRIEDEL**. Mr. Chairman, each of us today faces a test—a test of our true concern over the crisis that grips practically every urban area of our country. H.R. 17989 offers us a realistic set of tools for attacking the most serious problems of our cities. New programs, like homeownership, rental housing, and the housing partnership to enlist the support of the private sector give the cities new help for curing ills. Extension of recent imaginative efforts like the model cities program would continue the progress already begun.

I have followed the model cities program closely. The cities' early response and interest was encouraging. A new sense of hope, excitement and commitment is present in the 75 cities now planning model cities programs. Citizens, city governments, and private groups are planning together. For the first time, deep-seated problems like hard-core unemployment, poor education, run-down housing, and poor transportation are being considered as an entity. New relationships are being formed, a willingness to change old ways of doing business is apparent.

Today, we have the opportunity to affirm our faith in the progress that has begun with model cities. This bill would authorize $1 billion in funds for an additional year of the program, and provide $350 million in essential urban renewal funds for these cities. For the 75 cities now planning, and the others that will be chosen this year, our action today is crucial. Congress' support for the model cities program in the past has been less than adequate.

As President Johnson said in requesting model cities authorization this year:

> In the cities' struggle for survival, we dare not disappoint them again. We must demonstrate that they can rely on continued Federal support.

I ask you to demonstrate that support today by voting for this legislation. I know from personal experience how much this program will mean to my own city of Baltimore and I think it would be even better if we could expand this program.

Mr. PATMAN. Mr. Chairman, are there any other amendments to title IV? I ask unanimous consent to dispense with the reading of title V.

The CHAIRMAN. Are there further amendments to title IV?

Mr. BROCK. Mr. Chairman, I have an amendment.

Mr. PATMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. Price of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 17989) to assist in the provision of housing for low- and moderate-income families, and to extend and amend laws relating to housing and urban development, had come to no resolution thereon.

GENERAL LEAVE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may be allowed the privilege of revising and extending their remarks and including therein extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 16703, CONSTRUCTION AND MILITARY INSTALLATIONS

Mr. PRICE of Illinois. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on H.R. 16703, to authorize certain construction at military intallations, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE REPORTS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CRIME CONTROL: SCIENCE AND TECHNOLOGY

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, I rise today to address the Members of the House on a subject that concerns us all; crime prevention, detection, and control. I intend to speak to this subject several times and I hope on each occasion to offer some positive, illuminating suggestions aimed at alleviating the problem. Like many ills in our society this one is complex, frightening, difficult to assess and to control. The solution or solutions may come more slowly than we wish. They will not come at all, unless we seriously and effectively discuss and work at the problem.

With this in mind, and convinced from the miracles of science and technology I have witnessed over the past 10 years, particularly in the hearings and meetings of the Science and Astronautics Committee, that man can apply science to alleviating social and economic problems, I made a trip to Los Angeles last week. My intent was to visually explore the innovations our large police departments are making in the effort to combat crime.

I went to Los Angeles aware of the fact that police departments across the Nation have been deprived of funds needed to modernize and deprived of adequate tools to fight crime. Their implements belong to the stone age of scientific police research.

I find this both amazing and depressing. If we were able, as we are, to pinpoint the exact location of a satellite in space, why cannot we do the same with the cars in a police fleet, so as to speed them to the scene of a crime or a potential crime? If we can communicate with a Mariner satellite 100 million miles away and know instantly when it is in trouble, why can we not communicate with and come to the immediate assistance of a patrolman walking a beat a few blocks away?

All kinds of businesses, universities, Government agencies, even lonely hearts clubs, rely on the invaluable and instant service of computers. Yet it takes days to locate a fingerprint of certain suspects. Why is not this process fully computerized? While we communicate with Europe by Telstar and with the stars by means of radioastronomy, giant dishes that take soundings from out in space, the average American citizen still struggles for a complex, multidigit phone number when he needs the police or the fire department in an emergency.

On a questionnaire I sent out several weeks ago, in 7 out of 9 counties only 35 percent of the people knew whom to call in a police emergency. And if the party in trouble who needs a policeman or a fireman is out of doors without a dime, he is absolutely helpless. Such a disparity of technological capability is unconscionable, particularly in our highly advanced society today.

What I am asking for—for the American people—is the implementation of legislation which would close the technology gap in police efforts to detect, prevent, and control crime. It seems that this would not even need to be suggested, yet some of the above examples indicate otherwise. And I know otherwise.

On my visit to Los Angeles, which has by reputation and in fact one of the most modern police departments in the country, I saw the efforts made by the police to administer a vast metropolitan area, often with antiquated methods. Nor is Los Angeles a bad example, as indicated, it is a better than average example.

The present-day police department has not kept abreast of modern problems. Effective crime control is dependent on effective and up-to-date police methods and equipment. The average city or local unit has been stingy in the allocation of funds for updating police departments and their facilities.

These are some of the areas of change of improvement we must look into if we would contain and prevent crime.

TO STRENGTHEN THE INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maryland [Mr. Mathias] is recognized for 10 minutes.

Mr. MATHIAS of Maryland. Mr. Speaker, I am today introducing legislation (H.J. Res. 1395) to give congressional consent to amendments to the interstate compact establishing the Interstate Commission on the Potomac River Basin. This legislation would also give formal approval to the amendments for the District of Columbia.

This resolution is being cosponsored by Representatives from many areas of the basin, including Mr. Broyhill of Virginia, Mr. Gude, Mr. Machen, Mr. Morton, and Mr. Scott.

An identical measure is being introduced today in the other body by the junior Senator from Maryland, Mr. Tydings, and several cosponsors.

The recent history of water resources planning and management in the Potomac Basin is a history of growing public interest, an expanding Federal involvement, and increasing cooperation among the five basin jurisdictions—the States of Maryland, West Virginia, Virginia, and Pennsylvania, and the District of Columbia. From the previous era of concentration on the basin's most urgent water resources need—the provision of adequate sewage collection and treatment for a rapidly growing population—we have progressed to concentration on additional water pollution problems, including acid mine drainage in the North Branch, sediment in all parts of the basin, land runoff in urban and rural areas, and nutrient control. The pressures of population growth have at the same time given new urgency to projects for flood control and for additional water supply at periods of low flow.

From the previous era of largely fragmented, localized efforts, we have now reached the point at which officials and citizens in the basin are debating not whether regional programs are required, but rather what kinds of regional structures should be created and what specific basinwide programs should be pursued. The States have taken the lead in developing a new, comprehensive interstate compact and shaping a new interstate body to provide overall water resources coordination and management. At the same time the States, local officials, and concerned citizens are considering several Federal proposals, including the conservation and recreation plans of the Department of the Interior, the Army Corps of Engineers revised plans for a series of major dams, and the small watersheds program of the Department of Agriculture.

While these efforts to build new regional programs are very promising, they have not yet reached fruition and will not produce operating agencies and concrete achievements for several years at least. In the meantime it is especially important for the States to have a single agency to coordinate planning, prepare detailed technical plans, and provide a forum for public education and discussion.

Since 1940 the Interstate Commission on the Potomac River Basin has served as that one basinwide spokesman. The legislation being introduced today is intended to strengthen the Commission and enable it to carry out its mandate as an advisory body more effectively until such time as a new interstate body may be born.

The present commission—Incopot—was created by an interstate compact approved by the signatory States and ratified by the Congress in 1940. This compact limited the commission's mandate to the area of water pollution abatement and control, and within that field to research and factfinding, the dissemination of information, and the coordination of plans and projects developed by State and local agencies. Despite this restricted assignment and a severly limited budget, Incopot has contributed significantly to the development of a large body of research on the basin's complicated pollution problems, to the enlargement of public understanding of those problems and possible remedies, and to the expansion of a spirit of cooperation and commitment among the basin States. Incopot's meetings and newsletter have become important channels for public education and communication.

The amendments to the present compact were submitted to the States on the recommendation of a special committee of the commission in 1959. Approved by Maryland, Pennsylvania, and West Virginia by 1962–63, the amendments were adopted by Virginia this spring. Consent must now be given by the Congress as required by the Constitution.

These amendments, in essence, would:

First. Expand the commission's mandate to permit it to investigate water and related land resources questions generally, while maintaining its primary emphasis on pollution control and prevention;

Second. Grant the commission additional authority to conduct detailed studies and issue reports on water resources problems, and expand the commission's liaison and coordination functions;

Third. Authorize the commission to review and make recommendations on water quality standards submitted by the States, such as those adopted by the States in 1967 under the Federal Water Quality Act of 1965;

Fourth. Remove the present $30,000 ceiling on the total sum of annual contributions to the commission by the signatories, to permit expansion of the agency's budget and enlargement of its annual matching grant from the Federal Water Pollution Control Administration. Contributions by the signatories would continue to be subject to the normal budgetary and appropriations processes of each jurisdiction.

With the expanded authority and larger staff provided by the amendments, it would be possible for the commission, during the next few years, to bear the primary burdens of developing a detailed, technical plan for protection and development of the basin's water and related land resources; of providing a forum for public education and discussion; and of helping the States develop individual projects to meet the urgent needs of the metropolitan Washington areas and upstream communities.

Support for these amendments has been reaffirmed recently by Gov. Spiro T. Agnew, of Maryland, and the chief elected officials of other States. I hope that this legislation will be considered promptly by the appropriate Federal agencies and the Congress, not as the final answer but as another step toward a regional approach to the water resources challenges of the Potomac basin.

A DEADLOCKED ELECTORAL COLLEGE: WHAT THEN?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. GOODELL] is recognized for 30 minutes.

Mr. GOODELL. Mr. Speaker, this address might be titled "A Bargained or Deadlocked Electoral College: What Then?"

The United States is now at a critical juncture in history. This critical juncture, replete with serious domestic and international difficulties, requires that our national leadership be firm, decisive, and imaginative in seeing the country through these crisis times. Moreover, in view of the impending November election, there is an additional requirement for our national leadership. This requirement is to prevent a possible election crisis.

Presently, a possibility exists that no presidential candidate will receive a majority of electoral college votes. In this event, the election of our next President could come through either first, a compromised election in the electoral college; or, second, an election in the House of Representatives. Either of these alternatives presents grave risks to the continuity of our presidential leadership.

A "bargained" presidential election in the electoral college would be intolerable. In addition, it would seriously impair the effective functioning of the two-party system, the very essence of political life in the United States.

Prolonged consideration in the House of Representatives would be undesirable for it could endanger the continuity of our presidential leadership.

The right of the American people, moreover, to elect their own President—without third party collusion with presidential electors—is their basic right derived from government "by the people." Moreover, the "bargained" method of electing the President would undoubtedly inhibit presidential leadership and would deprive him of his customary powers as a new President.

Continuity of our presidential leadership and the right of the American people to elect a President freed from the shackles of a "bargained" office demand that the next President be elected, in effect, when the last ballot is counted on November 5.

I wish to commend the Washington Post for an excellent editorial and feature story by Prof. Gary Orfield, University of Virginia, on this subject in their Sunday paper, July 7. Also a word of commendation should be extended to David Broder for his fine analysis and prognosis of the electoral college situation in this morning's Washington Post, July 9. The editorial and columns by Messrs. Orfield and Broder clearly demonstrate that a plan must be formulated now to insure continuity of our presidential leadership and the right of the American people to a President unrestricted by "unholy" compromises.

During the past several weeks, my staff and I have been exploring the ramifications of the problems which would arise should neither major presidential candidate receive a majority of the electoral college votes. For several reasons we believe a third party candidacy by George Wallace and perhaps others merits creation of a plan which would insure direct popular election of the President on November 5 if such candidacies prevent either major presidential candidate from receiving an electoral college majority.

1. SERIOUSNESS OF WALLACE CANDIDACY

A. QUALIFICATIONS IN STATES

George Wallace now claims to have qualified for the presidential election on November 5 in 32 States, and he expects to qualify in 10 other States by mid-July. His goal is to qualify in at least 45 States. Qualification in all or a major part of these States could enable George Wallace to capture the electoral votes in some of these States and also to seriously affect the outcome of the election in other States.

B. WALLACE POPULARITY

The presently projected national strength for George Wallace is 14 percent based upon recent Gallup polls. The impact of this 14-percent vote on the electoral college could prove decisive. Using the 1960 election as an example, Vice President Richard M. Nixon won the popular votes of 21 States by 14 percent or less. Senator John F. Kennedy won 11 States by 3 percent or less with a total of 18 States by 14 percent or less. The Wallace candidacy conceivably portends possible shifts of electoral votes from one major party candidate to the other, depending on which candidate suffers more from the Wallace candidacy.

On a sectional basis, according to a June Gallup poll, the projected Wallace vote in the East is 5 percent; Midwest, 13 percent; West, 7 percent; and the South, 29 percent. Taking only the Deep South, the Wallace vote projection is 47 percent, with the southern border States projecting a 23 percent Wallace vote. Though my staff has prepared an analysis of how Wallace's sectional voting strength would affect the outcome of the 1968 election, using the 1960 election as an example, I only wish to say here that at least 32 States could have their electoral college votes affected through the strength of the Wallace candidacy.

C. WALLACE ELECTORAL COLLEGE STRENGTH

First. Probable: Indications at a meeting of the Southern Governors Conference on June 17, 1968, were that George Wallace would probably win the electoral votes of five Southern States—Alabama, Georgia, Louisiana, Mississippi, and South Carolina—for a total of 47 electoral votes.

Second. Possible: The same meeting of the Southern Governors Conference left indications that Wallace could possibly win the electoral votes of Florida, Tennessee, Arkansas, and North Carolina for a total of 44 electoral votes.

Third. Impact of Wallace electoral college strength: Reliable predictions cannot be made on the basis of the present prognosis for electoral votes. Using the 1960 election results as an index, however, Wallace would need only 34 electoral votes—plus allowance for changes in the number of electoral votes since 1960—to deadlock the electoral college. It already appears that he will have 47 electoral votes, with a possibility of 91 electoral votes.

D. WALLACE STRATEGY

First. "Covenant plan": On at least two occasions, February 19, 1968, in Pittsburgh, Pa., and June 16, 1968, on ABC's "Issues and Answers," Wallace outlined his "Covenant of the People," which he hopes to use as a bargaining platform with one of the major party presidential candidates. Upon reaching a bargain he would release his electoral votes to that presidential candidate. The seven-point "covenant" would, if agreed to by either major party candidate, seriously limit the prerogatives and decision-making power of the President, thus denying the new President the privileges and rights normally accorded him.

Second. "Coalition plan": Under terms of this alternative—though not discussed publicly—Wallace could pursue several courses of action, including a bargain whereby he would release his electoral votes to a major party candidate if that candidate would release his electoral votes to support Wallace for Vice President. This possibility alone provides sufficient evidence about the kind of strength which Wallace would have in attempting to effectuate a coalition in the electoral college.

Third. "Unpledging electors": In 1960, a Nixon-pledged elector from Oklahoma reversed his position to cast his electoral vote for Senator Harry Byrd of Virginia. He unsuccessfully attempted to persuade other electors to do likewise. Wallace electors could pass a resolution asking other electors to change their positions to support Wallace or someone else. Presently, only 17 States have laws which bind the electors. Significantly, however, constitutional and statutory law provide no clear-cut guidelines on the legality of an elector reversing his position and not respecting the wishes of his State's voters.

E. HOUSE OF REPRESENTATIVES ROLE

The electoral college does not cast its votes until December 16, 1968, following the November 5 election. Should no presidential candidate win a plurality in sufficient States to command a majority of the electoral votes, by law the President would then be elected by the new House of Representatives on January 6, 1969, with each State delegation having one vote—26 votes needed for the winning candidate—and with a quorum being a member or members from two-thirds of the State delegations. The composition of the 91st House of Representatives would for this reason be extremely important. If no candidate among the three who received the highest number of electoral votes obtains a majority of enough State delegations—26—the vice-presidential candidate elected by the Senate would become the acting President until such time as a majority of delegations in the House of Representatives agreed on one candidate.

First. 90th House of Representatives composition: Based upon State delegations, there are now 29 States which have a Democratic Party majority, 18 with a Republican majority, and three ties. Should the 91st House of Representatives retain the same composition, the Democratic Party could elect its nominee for the Presidency, assuming there are at least 26 delegations which would support the Democratic nominee. Turnover between the 90th and 91st Congresses, however, could prevent either party from having a majority.

In addition, there is no way of predicting how congressional delegations would vote for President in the House if the States they represent had given their electoral votes to Wallace. This alone could deprive any presidential candidate of the 26 States required in the House to elect a President.

Second. 91st House of Representatives composition: Any number of changes could take place in the control of various State delegations. To illustrate these possible changes, examination of two alternatives will shed some light on the conceivable situations resulting from turnover.

If the Republican Party holds its current number of seats and gains one seat in each of the States which now have a Democratic Party majority of two, and if the Democratic Party does likewise in those Republican delegations with a majority of two, the result would be: 18 Democratic Party delegations; 12 Republican Party delegations; and 20 delegations with ties. Therefore, neither party would have the necessary majority of 26 to elect its nominee.

If the Republican and Democratic Parties exchanged those seats which were won by a margin of 5 percent or less by the opposite party in 1966, there would be 27 Democratic Party delegations, 18 Republican delegations, and five ties. Presently there are 32 Democratic Party seats won by 5 percent or less in 1966, and 39 Republican Party seats won by the same margin.

Third, impact of turnover: There is no accurate forecast for the turnover of House seats. The history of turnover in the House of Representatives since 1900 indicates a low turnover figure of 9.9 percent in 1957 and a high turnover figure of 37.2 percent in 1933. The 1969 turnover as a result of the 1968 election will probably vary between these figures. Neither party can now know absolutely that it will have a majority of delegations in the 91st House of Representatives. This indicates the necessity for developing a plan to forgo an "unholy" electoral college bargain or prolonged voting in the House of Representatives, neither of which would be beneficial to our Nation—at home or abroad.

ELECTORAL DEADLOCK: A BIPARTISAN PLAN

It is clear that an undesirable situation could occur at the November 5 election in which no presidential candidate would have a majority of electoral votes. The best course to pursue now is the establishment of a means for electing the next President without the quandary of electoral college compromise or the fruitless and, indeed, harmful exercise of prolonged presidential consideration in the House of Representatives. A plan to avoid the undesirable should be premised upon two sound principles: that the American people have a right to elect their own President without the possibility of the new President's actions being inhibited by electoral college compromises and with the assurance that continuity of our presidential leadership will be maintained. Any plan based upon these premises must be bipartisan in nature to insure its success and also to insure its fairness to the American people. It is with these premises and this thought of fairness in mind that I offer for consideration the following plan to elect our next President if no presidential candidate has a majority of the electoral college votes.

First. Triggering mechanism: The plan would be invoked immediately after it was clear that no presidential candidate had won a plurality in sufficient States to command a majority of the electoral college votes as a result of the November 5 election. When this occurs, the newly elected 91st House of Representatives would, by prior agreement, be committed to electing that candidate who receives a plurality of the nationwide vote for President.

Second. Pledge of the 91st Congress: Every seated and nonseated candidate for the 91st House of Representatives would be asked to sign a pledge of support to vote for that presidential candidate who receives a plurality of the nationwide vote. The pledge would not be binding on the members of either party if a majority of State delegations failed to agree.

Third. Congressional resolution: To add support to the importance of this plan, a House joint resolution embodying the concept of the plan should be introduced and approved by both Houses of Congress as the sense of Congress. Such a resolution would highlight the necessity for overwhelming public support for the idea.

Fourth. National conventions: Both major party conventions would be asked to write into their respective platforms an agreement that their party's representatives in Congress should vote for the presidential candidate receiving a plurality of the nationwide vote. The platform pledge would not be binding unless both parties wrote such into their platforms.

Fifth. Support of State party organizations: The various State party organizations should be encouraged to support the pledge and, moreover, to select electors to the electoral college who will not be susceptible to compromising their commitment to their party's presidential candidate.

Sixth. Public opinion leaders: All major sources of public opinion—editors, columnists, educators, business and industrial leaders, and civic organizations, and so forth—should be encouraged to endorse the proposal. Recognizing the immense value of such support, I am inserting in the Record the editorial and two columns mentioned above from the Washington Post which endorse the general outline of the proposal I am making today:

[From the Washington Post, July 7, 1968]

No Deals With George Wallace

How can George Wallace be prevented from choosing the next President of the United States? This question is arising with increasing frequency as the pollsters assign a sizable bloc of Deep South electoral votes to Mr. Wallace. If neither the Democratic nor the Republican candidate has a clean electoral-vote majority, the former Alabama Governor might be in a position to swing the election one way or the other on the basis of a deal. He has already indicated the kind of deal he would demand—the abandonment of Federal enforcement of civil rights.

It is all very well to say that neither of the major candidates would make such a deal. Probably neither would agree openly to pay Mr. Wallace's price. Yet parties and candidates do strange things when the Presidency is at stake, and even if the backlash candidate were in a position to throw his strength to the candidate nearest to his views, without a deal but with a reasonable expectation that his gesture would be rewarded, the repercussions within the country might be explosive.

Leaders of both parties ought to be thinking about this frightening possibility and how they can meet it. At least one constructive suggestion has been made. Prof. Gary Orfield of the University of Virginia, in an article appearing elsewhere in this section, urges the Democratic and Republican Parties to agree in advance of the election to thwart Mr. Wallace's designs by accepting the candidate with the highest popular vote if no one has an electoral majority. Assuming that the contest would be thrown into the House of Representatives, Professor Orfield would have Democratic Congressmen vote for the Republican presidential candidate, if he won the popular vote, or Republican Congressmen vote for the Democratic candidate if he had a popular plurality.

The idea has a broad general appeal. But could either party coerce Congressmen in this fashion? Assuming that the parties could, how would the sacrificial lambs be chosen? A Democratic Congressman voting to make Mr. Nixon President, for example, would doubtless be ending his political career regardless of how he might be saluted by the sophisticated few for saving the country from George Wallace.

Probably the greatest difficulty will arise, however, in convincing either party that it should take such a drastic step before an emergency has arisen. Politicians on both sides customarily pretend that they will win by a landslide and therefore shun any intimation that an election might be so close as to be thrown into the House.

Both parties ought to be alert, however, to the calamity that might result if the candidate standing second in the popular vote should become President by conniving or even seeming to connive with the political symbol of segregation. It is a frightening possibility that demands statesmanship on both sides. We hope that Professor Orfield's suggestion will provoke wide discussion and that the candidates will not wait until disaster is on the horizon before accepting precautionary measures.

[From the Washington Post, July 9, 1968]

Compact of Major Parties Could Foil George Wallace's Bid To Decide Election

(By David S. Broder)

The suggestion of Prof. Gary Orfield for a pre-election compact between the major parties to assure that the next President is chosen by the voters of this country, and not by the whim of George Wallace, deserves the most serious consideration.

Mr. Orfield, an assistant professor of government at the University of Virginia, outlined his proposal on Sunday in the pages of The Washington Post. His assumptions—which this observer agrees with—are these:

One can no longer dismiss the possibility that in a closely contested election, Wallace may win enough electoral votes to deny either the Democratic or Republican nominee the necessary 270-vote majority in the Electoral College. Serious politicians in both parties have told me they believe a "hung election" is a 50–50 possibility at this time.

The "covenant" Wallace says he would seek under such circumstances—an ill-defined bargain in which his electoral votes would be given to the candidate who made the greatest concessions to Wallace's racist and police state policies—is inherently unacceptable. It would fuel the fires of civil and racial strife in this country and it would put any President who entered the White House as a result of such a deal under a severe handicap for national and world leadership.

Since no constitutional remedy is available at this late date (desirable proposals for reform or abolition of the Electoral College system cannot be approved by Congress and ratified by the state legislatures before the 1968 election), the solution must be found in a voluntary agreement between the major parties to negate the Wallace strategy.

Professor Orfield's great contribution is that he has gone beyond hand-wringing and suggested a practical approach to the problem. The essence of his proposal is that "both parties should agree before the election that if normal procedures fail, they will provide the necessary votes in the House to elect the candidate with the largest popular vote."

Mr. Orfield, if I understand him correctly, would invoke this agreement only if no candidate obtained an Electoral College majority and if the House stalemated in the choice of a President because evenly divided delegations kept either party from mustering the 26 state-delegation votes necessary for election.

My own view differs slightly from the Professor's. I think the agreement, to be effective, must provide automatically that, if there is no Electoral College majority, the House, irregardless of its makeup, will name as President the man with the largest popular vote. This procedure will satisfy the contemporary standard of popular democracy and will provide the surest guarantee that neither party will be tempted to traffic with Wallace.

The practical steps to obtain such an agreement can begin, I believe, by asking the major party candidates for the presidential nomination to pledge publicly that, in case no one wins an Electoral College majority, they would urge their party colleagues in the House to support the candidate with the largest popular vote.

Each party should be asked to make the same pledge in its platform or in a convention resolution. The party pledge should embrace a guarantee that its nominee will not bargain with Wallace for electoral votes and that its members of the House will, if the contest comes to them, ignore party label and vote for the candidate with the largest popular vote.

Finally, in each district, individual House candidates could be asked to promise that they will, in fact, subordinate party loyalty to the popular mandate if the election is thrown into the House.

Failure of any of those concerned—the presidential candidates, the party conventions or the congressional candidates—to make such a pledge ought to, and I think would, become a prime campaign issue in itself. But I do not think such a pledge would be refused.

First, without depriving Wallace of his right to run for President, it negates his hope of using his minority position to dictate the outcome of the election. It thus enables both parties to argue effectively that a vote for Wallace is a wasted vote.

Second, it provides a genuine incentive for Republicans in the South—a major target area of their congressional campaign—to organize and seek votes for their candidates, even in states which Wallace now seems certain to carry.

Third, it provides Democrats with a powerful argument to use with their dissident members—those who seem certain to be unhappy with the convention choice, whether it is McCarthy or Humphrey. There is less likelihood that the losers at the convention will stay home and sulk on election day if they knew that this year, quite literally, every single vote may count.

Most of all, however, such an agreement would offer the voters of this country evidence that the political parties can put the national interest foremost, by agreeing in advance to a set of rules that will guarantee popular election of the President and prevent the highest office in the land from being mortgaged to George Wallace.

The alternative is ghastly—another 1876, with the risk of protracted political anarchy, month after month of rumors and plots and the most sordid kind of political dealings, a public spectacle which could easily destroy the already-battered trust that underlies our civil society.

[From the Washington Post, July 7, 1968]

A Proposal for Outfoxing Wallace

(By Gary Orfield)

(Note.—Orfield is an assistant professor in the Woodrow Wilson Department of Government and Foreign Affairs at the University of Virginia.)

Unless something is done about it soon, the next President of the United States may be chosen not by the American people but by a former Governor of Alabama. George Wallace, onetime rural black belt county judge, may hold the balance of power in the Electoral College.

Having found a way to translate the raw racism of Alabama politics into a potent expression of the uncertainties, discontents and hates of millions of Americans, Wallace may find himself in a position to dictate the racial policy of the next Administration. GOP and Democratic leaders must act before November to eliminate this possibility.

Angrily articulating the backlash against "crime in the streets," "pseudo-intellectual" war protesters and racial change, Wallace is now a heavy favorite to carry almost as many electoral votes as the 1964 GOP national ticket. Even before the feared summer eruptions in the ghettos, Wallace is the strongest third party challenger in more than a half century.

Assuming that current polls predicting a close race between the two major parties are accurate, no one is likely to collect the required majority of electors without the help of the Deep South's most prominent demagogue. He would have, and he has promised to use, the power to bestow the Presidency on the party willing to end civil rights enforcement.

INEFFECTUAL DISTASTE

American politicians seem to be confronting this prospect with a fascinated but ineffectual sense of distaste. They hope that this danger is somehow unreal. The threat is indeed real and the time has come for political leaders to eschew partisanship and seriously plan for it.

The basic need is for an agreement from both parties against dealing with Wallace and providing a way to elect a President without his assistance in the case that neither major party has a majority either in the Electoral College or in the House, where the 12th Amendment gives each state one vote in such a contest, regardless of its size.

If neither party controlled 26 of the 50 state delegations in the House, leaders of both parties would face the simple choice of either dealing with Wallace or dealing with the other party. Since a deal with Wallace would be to the long-run disadvantage of both parties and the Nation, the choice would be simple.

Both parties should agree before the election that if normal procedures fail, they will provide the necessary votes in the House to elect the candidate with the largest popular vote. This would guarantee the most democratic result and would permit the winning candidate to take office without any taint of a divisive political deal.

The first step would be clear commitments from the leading candidates and in each party platform promising that there would be no bargain with Wallace under any circumstances. Not only would such a pledge mortally bind the parties and reduce mutual suspicion, but it would lessen the incentive for Wallace votes among those who hope to use his candidacy merely to disrupt national policy.

The party commitments could be further strengthened by pledges from House GOP and Democratic leaders. This might be a difficult step for politicians interested in support in the Deep South, but it would have advantages for each party.

Minority Leader Ford would be protecting the possibility of a GOP victory in a circumstance where the election might otherwise end with an Acting President chosen by the Democratic majority in the Senate. And the Democrats would be taking account of the fact that a closely divided House vote would probably indicate a popular plurality for the Democratic candidate.

The final decision, of course, would still remain with the Congressmen voting within their state delegations on how to cast the state's single vote in the House. It would still be difficult for a Congressman to leave his party, but it would be far easier to explain if a bipartisan group of eminent Americans collected public commitments from Congressmen before the election to vote for the leading candidate should there be no majority in the House.

It would then be clear that Congressmen were not deserting their party but acting in the national interest to prevent segregationist blackmailing of the new President. It would probably take a shift of only one or two votes in such evenly divided delegations as those of Illinois, Indiana, Pennsylvania or Oregon to change the state's choice in the House.

Unless Wallace does much better than now expected, a shift of two or three state votes would probably be enough to elect the leading candidate President. Thus even a few acts of individual political courage, explained in advance, could preserve the political process from a far-reaching threat.

GUILTLESS RACISM

Wallace is a shrewd operator and his campaign is now reinforced by substantial money. He preaches a set of slogans giving people a chance to revel in their racist feelings without feeling guilty.

The stormy little Alabamian has successfully posed as the champion of the honest patriotic working man against an overpowering and irresponsible Government bureaucracy. His audiences wildly cheer his promises to fire the bureaucrats who are imposing their "sociological" ideas through interference with local control.

Amid the turbulent political developments of recent months, Wallace's surprising strength has held firm. Public opinion polls have shown him holding somewhere between an eighth and a fifth of the national electorate. He scored an impressive success in winning a place on the California ballot and will qualify in most other states.

Wallace strength centers in Alabama, Mississippi, Georgia, Louisiana and South Carolina, where he has half the electorate while the major party candidates divide the rest. In eight other Southern and border states, he claims almost a fourth of the public and a surge of reaction could make him a serious threat in the three-way election contests.

Even if Wallace gains no additional strength, he will control 47 electoral votes, the most substantial third-party showing since Theodore Roosevelt ripped apart the Republican Party in 1912 and handed the election to Woodrow Wilson.

In a closely fought election, the nightmarish possibilities are varied. The GOP candidate, for example, could lead but fall short of a majority of electors. With the House deadlocked, the holdover Democratic majority in the Senate would elect a Democratic Vice President who would have to do his best to run the country with a bitterly divided Congress.

On the other hand, the concerted Republican effort now under way to win control of small delegations could succeed in denying the Presidency to a Democrat receiving a national plurality. These are both possibilities so unjust that some leaders of the losing party would surely be tempted to deal with Wallace.

A PLAIN PRICE TAG

There is no doubt about the asking price for Wallace's votes. The former Governor wants nothing less than a "solemn covenant" from the leaders of one of the major parties to abandon publicly the national commitment to equal rights. Wallace would demand a pledge on national television to "return the control of the domestic institutions back to the people of the country."

The words might sound reasonable to many Americans, but the results would be profoundly unacceptable. Once again the local sheriff, the county board and the school superintendent would decide just what rights the Negro had in the South. The national rights guaranteed by the Constitution would again become only a mockery in large regions of the country.

Across the South, the changes of the past four years have been very far-reaching, and the Wallace candidacy may be the last chance to reverse the many-sided restructuring of Southern society. The civil rights movement reached the South as the region was being overtaken by a great surge of urbanization and industrialization, changes that helped erode traditional ideas. In the border states and in many Middle South communities, Federally forced racial changes have often proved remarkably peaceful and successful.

Resistance turned out to be much more rhetorical than real and the politics of racism is distinctly out of style in much of the area. Unless Wallace can gather enough power to block further change, there is a real possibility that the next generation of Southern leaders will simply be uninterested in the fight to defend "the Southern way of life."

BLAMES BUREAUCRATS

Wallace's principal target is the group of Federal officials, particularly in HEW, who are forcing Southern communities to solve problems of local discrimination or lose much needed Federal subsidies. He characterizes the rather timid Federal demands as the work of arrogant bureaucrats going beyond the law to enforce their own preferences. (Actually, HEW desegregation standards lag far behind those developed by the high Federal courts of the South.)

It would be tragic if political leaders failed to recognize the full significance of the changes Wallace is demanding. Behind the platitudes about local sovereignty is a clear determination to let local whites put the blacks back in their place again.

The South is at a historic turning point. Compromises and delays in the enforcement of civil rights legislation have postponed the final decisions to the next Administration. Political leaders must either organize to protect the Constitution from the cynical machinations of George Wallace or face the fact that Wallace may be able to force his views on the Nation.

Precautions may prove unnecessary, but we cannot afford to rely merely on hope. It has failed before.

DENT ADDRESSES THE HOUSE ON GUN CONTROL LEGISLATION

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. DENT], is recognized for 20 minutes.

Mr. DENT. Mr. Speaker, I include the following news release:

CONGRESSMAN DENT CALLS FOR FIRST MOVE ON GUN CONTROL FROM THE PRESIDENT

Congressman Dent, long an advocate of embargo against imported cheap guns of all kind, said the President could, by one stroke of the pen, stop the greatest source of dangerous guns that find their way, in most cases, into the hands of the people who are causing most of our serious law defiances.

Dent went on to say that he will support and has supported any reasonable and effective gun control legislation.

While Congress is being bombarded with letters, petitions, telegrams and house calls the great international crowd of importers and exporters are flooding this country with cheap and dangerous pistols and revolvers.

Congress passed a new pistol and revolver gun control bill which does not take effect until December 15. Importers, apparently trying to beat the deadline, have filed applications to import 300,000 guns since the June 19 passage of the new law.

Attorney General Clark admitted this while he said the Government is doing everything possible to prevent a flooding of the country with these guns. "He did not call for an embargo, to my knowledge," Dent said, "which is within the power of the President and is within the rules of international trade in the Kennedy Round and G.A.T.T."

Dent said that last year well over 600,000 guns were imported from foreign countries, mainly rifles, shotguns—known as long guns, but since the new law only affects sidearms and pistols the importers will flood the market with this type of gun as well as their normal importation of long guns.

It appears that Congress can do its best to close the source of cheap and dangerous weapons, which are aimed at low priced fields, by passing legislation affecting American made products. However, the importer lives in a world of his own and finds himself safe to carry on his nefarious trade in this dangerous field. Dent said that as far back as 1961 he called, to the attention of the Congress, the great influx of discarded foreign military rifles and handguns being shipped to this country and being sold through catalogs and mail order houses.

He said that another loophole in the power of the Government which can be closed is the transportation, through the U.S. mails, by outlawing delivery of any kind of personal weapon unless a permit, obtained through the proper channels, is first received and acknowledged.

"While there may be some Members of Congress who are opposed to any kind of gun legislation I am convinced," Dent said, "that the great majority want good, effective and workable laws against the indiscriminate peddling of cheap and easily available dangerous weapons."

At the present moment there are millions of guns in this country that would not be in the hands of our people if import controls, advocated by the Congressman years ago, would have been enacted.

The vast majority of the guns in the hands of the lawless crowd are cheap imports. The gun used by Oswald was about a $7 import bought through a mail order house.

FEDERAL ASSISTANCE PROGRAMS

Mr. ROTH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Delaware?

There was no objection.

Mr. ROTH. Mr. Speaker, 2 weeks ago, I came to the House floor to discuss an 8-month study made by my staff and me of Federal assistance programs. As I then explained, my study clearly demonstrates the serious information gap that exists between the Federal Government which administers these programs and State and local officials who need to make use of the programs to solve the myriad problems with which they are confronted. Because there is no central repository where comprehensive and meaningful information on all operating programs can be found, I and 59 of our colleagues introduced, on June 25, the Program Information Act, requiring the publication of such a Federal compendium. Now, an additional 14 Members of both parties have joined us in sponsoring this legislation. An identical bill has also been introduced in the other body, and there has eight cosponsors.

My experience during the past 2 weeks, since I discussed the findings of my study, has served to greatly substantiate the immediate need for such a compendium. Despite the lateness in the current session of Congress, I believe it to be imperative that we act on this legislation so that meaningful information will be available by early next year to the new Congress, the new President, as well as to the literally thousands of people throughout these United States who are responsible for planning, programing and meshing Federal aid with local and State requirements and needs.

The desperate need by the latter group for such information has been demonstrated by the scores of calls and letters I have received from across the Nation during the past 2 weeks from Governors' offices, mayors' offices, county executives' offices, educators, and others. But perhaps the need is demonstrated best by the current issue of American County Government which arrived in my office last Friday. This is the official publication of the National Association of Counties—NACO.

Included in that issue are manuals I, II, and III—Federal Aid Information Systems—prepared by NACO as a result of a 1-year grant from the Department of Housing and Urban Development. The purpose of this series of manuals is to assist local elected and appointed policymaking officials in establishing and administering county development coordination offices.

I should like to point out how this county-government-sponsored publication fully supports and underscores my findings:

I said 2 weeks ago on the House floor:

> We found that potential beneficiaries of these programs, the people at home who pay the bill, have virtually no hope without the help of expensive consultants of finding out about all programs for which they would qualify and from which they might gain benefit.

NACO Manual III on page 47 of the current issue of the American County Government states:

> The relationship between the Federal Government and State and local governments is a complex one. More and more Federal programs are becoming available and local governments are finding it harder and harder to sort them out. The sheer number and complexity of Federal programs makes it extremely difficult to place one program in context with others or even to determine which programs are available in the first place.
>
> One question which often arises concerns what program among the four or five designed to meet the same need is most appropriate for a particular county. Sometimes Federal field personnel are not informed completely about newer programs within their own areas of concern. Federal departments and agencies still have difficulty relating similar programs to each other or to the scores of different comprehensive and functional planning requirements. Each individual grant-in-aid program has its own set of special requirements, separate authorizations and appropriations, cost-sharing ratios, allocation formulas, administrative arrangements, financial procedures, and reporting requirements.

Again, I said:

> Typically, and tragically, the lack of adequate information in this area to the public results in "advantaging" the advantaged and "disadvantaging" the disadvantaged.

NACO Manual I, on page 31 states:

> The widespread use of project grants has resulted in keen competition among local governments for federal funds. This places a premium on local initiative in securing and assimilating information on available programs, in preparing applications, and in following through on applications. In many cases, counties with the Federal aid know-how, professionalism, and management skills to take effective initiative have received more Federal money than counties lacking these skills.

NACO Manual III, on page 47 states:

> If Federal assistance programs are to be of maximum benefit, every local official should have complete information on the full scope of Federal programs. Without this information to assist their officials in formulating programs and making decisions, many communities fail to participate in Federal assistance programs for which they are eligible. Others are slow in getting programs into operation, and still others pursue programs poorly suited to meet their priorities even though more effective programs are available.
>
> The vastness of the Federal aid "administrative jungle" reflects the urgency of developing an information system to keep local leaders and administrators informed so they can fulfill their responsibilities. The present Federal aid system emphasizes the ability of grant applicants to know what aids are available and to obtain the necessary program information to prepare the actual application correctly. Most counties have no mechanism for collecting current information about the flow of Federal grant funds into local government, much less for co-ordinating such programs. Information is a primary resource for achieving the objectives sought by local government. Getting the right information to the right people at the right time can benefit all types of management action and decision making.
>
> The better informed the county, the better able it is to pursue federal money and to participate in the game of "grantsmanship." Federally funded programs are continually short of money. The counties best equipped to pursue federal assistance are those most apt to attain their goals. The Nassau County, N.Y., executive, testifying before the Senate Subcommittee on Intergovernmental Relations, stated: "Under the current system, federal aid tends to favor localities which have the know-how and professionalism to keep themselves abreast of Federal programs, which is no easy trick. The very communities which most need federal assistance often do not have this know-how."

During the discussion of my 8-month study, I said:

> I find back at home that many of our larger towns and school districts have to obtain the assistance of individuals learned in Federal programs. My State has a full-time Federal liaison man because of the complexity of dealing with the Federal Government. The universities likewise have individuals who spend a large share, if not all, of their time seeking Federal funds. Even within school districts I have found that on the staff of a high school a major portion of one person's time may be spent soliciting Federal funds.
>
> It would indeed be valuable to have a study of the costs incurred, both in time and money, by our State and local governments just soliciting Federal funds.

NACO Manual III on page 48 states:

> The task of securing, maintaining, analyzing, and distributing information on federal grant programs is a time-consuming one. A recent National Association of Counties survey showed that coordinators spend 50 per

> cent of their time merely securing and analyzing pertinent data. The fact that so much time is spent on these functions emphasizes the need for a full-time county development coordinator who can provide his county with quick and definitive information regarding grant programs.
>
> The time spent on gathering and analyzing information emphasizes the need for an effective information system. The county development coordinator should be responsible for maintaining the system. County supervisors and administrators do not have the time. Individual department heads have neither the time nor the interest to search for information not relative to their functional needs. Most departments are so busy and understaffed that they are not even familiar with grants available for their own projects. Thus, the value of centralizing responsibility for the information system is evident. If the county development coordinator assumes this responsibility, then others are free to devote more attention to their primary responsibilities. Centralization does not imply, however, that the department heads are absolved of their responsibility in the information gathering process. Department heads should be searching continually for data that will enable them to perform their functions with the greatest efficiency and maximum benefit.

Based on my study of existing "comprehensive" catalogs, I said:

> Nevertheless, the (OEO) Catalog is, in my judgment, inadequate.

NACO Manual III on page 50 points out that:

> The Office of Economic Opportunity's Catalog of Federal Assistance Programs (June, 1967) is "only" a good starting point.

Certainly nothing could dramatize more graphically the information crisis than NACO pointing to the need for each county to have a development coordinator whose job it is to keep track of Federal aid programs. Specifically, the managing editor writes on page 6 of the publication:

> The amount, scope, and variety of federal aid programs has made it a necessity that county governments investigate the relations between the individual county and its master plan for development. The best means for accomplishing this task is through the establishment of a county development coordination office.

As I have already cited, a recent National Association of Counties' survey shows that such coordinators spend 50 percent of their time merely securing and analyzing pertinent data. The managing editor writes that the fact that so much time is spent on these functions emphasizes the need for a full-time county development coordinator who can provide his county with pertinent information regarding grant programs. I say that the Federal Government is currently failing the Nation's counties and cities and the 200 million citizens who live in these cities and counties in not supplying complete, accurate, and timely information on Federal aid programs on a regular basis. Our failure to do so has resulted not only in a great waste of time and money to both Federal as well as State and local governments, but has delayed most seriously the important job of attacking and solving community problems.

Because of the very critical nature of this problem in time, cost, and waste, I hope Members of the House will join me in asking the Government Operations Committee for action now on the Program Information Act. I recognize the very lateness of the hour, but it was this same information crisis that required me to spend 8 months on my study.

As I stated earlier, I have received scores of calls and letters from public officials across the Nation during the past 2 weeks. At this point in the RECORD I would like to insert a letter from a school official which is illustrative of the need for prompt action:

> KENT STATE UNIVERSITY,
> *Kent, Ohio, July 5, 1968.*
>
> Hon. WILLIAM V. ROTH,
> *Washington, D.C.*
>
> DEAR CONGRESSMAN ROTH: Your study and remarks as recorded in the June 25 issue of the Congressional Record were read with interest and appreciation. As a person directly involved in the Federal Program "Hunt", I say, "God Bless You!"
>
> For some time now, I have been trying to make the point you have expressed in the RECORD. Enclosed is a copy of a letter to the Rockefeller Foundation, requesting a grant to do a job similar to the one you outline. Letters were also sent to the Carnegie Foundation, Ford Foundation and U.S. Steel Foundation. My plea, however, fell on deaf ears.
>
> I wish you well in your efforts to pass the Federal Program Information Act. You know the difficulty of finding out what is available. This problem is compounded when you add the personnel factor.
>
> Good Luck! If there is any way in which I can help you, please let me know.
>
> Cordially,
>
> JERRY L. HAYES,
> *Coordinator, Federal Relations.*

COLUMBUS DAY, A NATIONAL HOLIDAY

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, within recent weeks the House and Senate have taken action to establish four weekend holidays to be observed without exact regard to the date upon which the holiday falls but in accordance with a regular schedule such as is true of Labor Day and Thanksgiving Day. One of such holidays is Columbus Day. It is most gratifying that President Johnson signed this important legislation on June 28.

I am in hearty accord with the legislative action to recognize Columbus Day as a national holiday. For a number of years I have repeatedly proposed that the Congress take this long delayed action in honoring a man whose accomplishments are so meaningful to all Americans.

Columbus Day has long been proclaimed a holiday in some States and in many localities. I have contended that the time has come for all Americans of all faiths and the descendants of all nationalities to be permitted to observe Columbus Day as a national holiday and that it be observed with fitting ceremonies. The recent enactment of Public Law 90-363 assures that desired goal. I know that my many friends of Italian descent are happy to have Columbus Day finally receive the recognition it so rightly deserves.

I should like to remind this body of proposals that I have made previously to consider observance of Columbus Day to do more than to honor Christopher Columbus but to consider it a day when we could pay tribute to the millions of other brave people who have come to our shores and who have helped to establish this great Nation and to maintain its growth and stature.

The proposal to give honor each year on a national basis to the gallant Italian explorer who was the first European to set foot upon the shores of this continent is completely justified as a reminder of the great debt we owe Christopher Columbus. Yet in doing so no American can recall the historic voyages of this great navigator without recalling the deeds of scores of other intrepid explorers and pioneers.

I would not for one moment want to minimize the honor which so justly belongs to Columbus nor would I want to deprecate the honor we pay him as an Italian. But I think we could pay him even greater deference if we chose to use the day bearing his name to honor all our migrants of which he was the first and most illustrious.

Although Columbus did not find it possible to remain here in the true sense of a migrant on any of his three bold visits, he is responsible for charting the seaway from Europe to America. He is responsible for stimulating the steady wave of explorers of many nationalities sailing under many flags. He is responsible for initiating the pattern followed by the colonists which gave this country its composition of many nationalities, of many traits, and of many beliefs. To him we owe the composite heritage of the world's most courageous and intrepid searchers for freedom and the space to exercise and enjoy that freedom.

Since that day in 1492 when the lookout on Columbus' flagship shouted, "Land ahead," thousands upon thousands of migrants have come to this country to establish themselves as true Americans. They formed the backbone of our expanded citizenship. They gave us our culture and developed our way of life. They produced the children who became proud native-born Americans.

So successfully have they blended into our way of life and so quickly and completely have they become a vital part of the American scene that only a few of the most illustrious have retained their identity. The thousands and thousands of others became a part of the great American public, yet even so they are deserving of honor and recognition for the patriotic and loyal contributions they make to this their adopted country.

Were it not for our magnificent nationality organizations and their fine civic programs most Americans would have little to remind them of the role many of their more recently arrived countrymen are playing in the growth and well-being of this country.

I think the time has come when America should pause in its hurried pace and pay tribute to its "newer citizens." America needs to be reminded again and again of the contributions which are derived from the flow of immigrants to this country. We need to do something akin to what our good friends in Australia do as they observe their "New Citizen Day."

I fully support the House committee's recommendation that Columbus Day be utilized as an appropriate means of recognizing the United States as a "nation of immigrants."

I would like to see all of our ethnic groups not only join with our Italian-Americans in paying tribute to Christopher Columbus but to develop proper observances of the role which their forbears have played in making this country great.

I would like to see our Government from the Federal level to the local level honor the "newer Americans" for the magnificent achievements which many of them have made. It seems to me we have taken our immigrants for granted for too long a time. Let us use this new national holiday to honor them as we pay honor to Christopher Columbus, the father of our continent—our "first immigrant."

GUN AND CRIME CONTROL

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Speaker, earlier today I reported that I have introduced a companion bill to the measure introduced earlier by the gentleman from Texas [Mr. CASEY].

The bill imposes a mandatory sentence of not less than 10 years for the first offense, and not less than 25 years' imprisonment for any subsequent offense, of using firearms in the commission of such crimes as murder, assault, and robbery.

It seems to me that this is the most effective way to curb the disgusting growth of violent crime in this country.

The FBI certified to our colleague, the gentleman from Texas [Mr. CASEY], that as of June 1, 1968, it had on file in its computerized National Crime Information Center a recorded total of 156,386 stolen firearms.

At least this many guns today, it may be presumed, are in the hands of men who have not hesitated to violate the law. This is a substantial criminal arsenal, and none of the other measures proposed for gun control would seem designed to come to grips with it.

In the past 7 years, our serious crime rate has increased by 80 percent throughout the country. In the past year, 335 police officers have been shot to death, murdered in the line of duty. In 77 percent of these cases pistols were used.

Of the 442 persons involved in these slayings, a full 67 percent—two-thirds—had prior criminal convictions. Three of every ten were on parole or probation at the time.

The root of the problem seems to lie in the fact that while most States have adequate laws to punish the man who uses a gun while committing a felony, the laws have simply not been enforced with sufficient severity by the courts. In most cases the maximum penalty can be 15 years or more in prison. But the maximum penalty is hardly ever imposed.

The root problem, then, seems to be the growing belief on the part of the criminal element and the aspiring criminal element that they can commit these crimes of intimidation and violence, be caught and still get off with a light sentence.

The most effective answer to this nauseating wave of violence, then would be to make the punishment so stringent and so certain that the offender will count the cost and think twice before exposing himself to the really tough sentence.

Certainly this should be true with regard to the repeat offender, the career criminal, the incorrigible who has demonstrated that he cannot live in society in keeping with its rules.

For this reason, it seems to me that 25 years in prison for a repeat offender is not too much.

If the streets are to be safe for our law-abiding citizens to walk without fear, then these hardened, professional criminals for whom guns have become a way of life must be taken from our midst and isolated from society.

As Mr. Casey pointed out on last March 15, armed robbery alone increased 27 percent throughout the Nation in the past year. Last year there were 5,759 cases of armed robbery in the District of Columbia alone.

The State of Alaska has already adopted the exact system of mandatory penalties provided in this bill. On July 23, the Alaskan law will go into effect. President Johnson has recommended a similar law to apply in the District of Columbia.

If we are really serious about restoring law and order to this country, and the domestic tranquillity of which the Constitution speaks—and I think it is high time that we must be—then let us come to grips with the real root cause of the problem, the person for whom guns and violence have become a way of life.

Let us make the punishment so certain that those who are not corrupted will think twice before corrupting themselves with this taint and those who are beyond the redemption of the sociologists may be removed from our streets.

SPEND, TAX, ELECT

Mr. HALL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, Congress has passed and the President has signed into law a new tax bill. The measure is also presumed to include a directive to cut spending by $6 billion, but if the President has any intention of implementing this cut during his remaining term of office, he has been very discreet indeed about saying where the cuts will be applied. On the contrary, he commits unilaterally another $60 million on a weekend trip through the Caribbean area.

I voted against this measure, and in the current issue of Newsweek magazine, there is an article by one of the Nation's outstanding economists, Mr. Milton Friedman, which says more eloquently than anything I might add, why this tax bill is the "wrong medicine," for what ails our country.

I believe this article deserves the widest possible audience because it pinpoints that the only way to put an effective ceiling on Federal spending is to deny the Great Society architects the tax funds to accomplish their mission of "spend and spend, tax and tax, elect and elect." I insert the article at this point in the RECORD:

SPEND, TAX, ELECT

(By Milton Friedman)

Harry Hopkins, an intimate of FDR, is reputed to have remarked in the late 1930s, "We shall spend and spend, tax and tax, elect and elect." Whether Hopkins actually said it or not, this formula has proved extraordinarily effective. It has kept the White House firmly in Democratic hands, except only for the eight Eisenhower years.

I doubt that even Hopkins foresaw just how the formula would work—with the Democrats doing the spending and electing and the Republicans doing the taxing. Yet that has proved the division of labor.

The latest example is the 10 per cent surcharge recently passed by Congress. Republican votes provided the margin of victory—and not just the votes of a few Democrats in Republican clothing. On the contrary, the Republican leadership in both Senate and House backed the tax increase. It would not have passed without their support.

The largest single source of Federal revenue is an individual income tax that automatically imposes heavier taxes as incomes rise—whether the rise be in output or in prices. As a taxpayer's income rises, so does the tax *rate* levied on that income, because the fixed dollar exemption becomes a smaller percentage of income and he moves into higher tax brackets. In order to keep the effective rate constant, nominal tax rates must be lowered. The absence of legislation lowering rates automatically means higher taxes. This is the "fiscal drag" that was made so much of during the Kennedy Administration.

THE TAX ESCALATOR

In 1940, before our entry into World War II, individual income taxes amounted to less than 2 per cent of total personal income. At their wartime height in 1945, they were just under 10 percent. Postwar tax reductions were followed by rises during the Korean War that carried the effective rate to over 10 per cent in 1953. The Eisenhower tax reduction in 1954 brought the rate down to 9 per cent—but then economic expansion pushed it up to an all-time high in 1963, well over 10 per cent. The Kennedy tax reduction in 1964 again carried the rate back to 9 per cent—but the subsequent expansion pushed it back up to around 10 per cent.

Even before the surcharge, the effective individual income tax rate was as high as it was at its peak in World War II. The surcharge will carry it to a new all-time high.

The standard scenario has been that the Democrats—in the name of the New Deal, the Fair Deal, or the Great Society—push through large spending programs, with the assistance of a few Republicans but generally against the opposition of the Republican leadership. The spending programs not only absorb the increased tax yield generated by "fiscal drag," they go farther and produce deficits. The Democrats then appeal to the Republicans' sense of fiscal responsibility to refrain from cutting tax rates or, as in this case, to raise them. The Republicans cooperate, thereby establishing a new higher revenue base for further spending. The Democrats get the "credit" for the spending; the Republicans, the "blame" for the taxes; and you and I pay the bill.

GUNS AND BUTTER

The current tax increase, like the increase during the Korean War, was sold as a temporary war measure. That is an excuse, not a reason. Only half of the $53 billion increase in Federal spending from 1965 to 1968 went for the military. Not the Vietnam war but the policy of spend and spend produces the need to tax and tax.

The Republicans point to the $6 billion legislated cut in spending to justify their support of the tax increase. That is wishful voting. The tax increase is for real. The spending cut is a hope for the future. And at that, it is window dressing. Even if the full $6 billion cut in the President's proposed budget were achieved, actual spending would go up by $4 billion. And it requires no crystal ball to predict that the full $6 billion will not be achieved.

I honor the Republicans for putting what they regard as the national interest ahead of partisan considerations. But I believe that they have been shortsighted in judging the national interest. True fiscal responsibility requires making the legislators who vote for high spending also vote for the high taxes required to finance it—not bailing them out. True fiscal responsibility requires resisting every tax increase and promoting tax decreases at every opportunity. That is the only way to put an effective ceiling on Federal spending.

GRANTING THE RIGHT OF SUFFRAGE TO 18-YEAR-OLDS

Mr. GRAY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GRAY. Mr. Speaker, I have long been a champion of our young people, I have the greatest faith in their ability and their desire to be a part of the happenings in our Nation. At every opportunity I have appeared before groups of young people urging them to become interested in their Government, to prepare themselves for an active participation as a citizen.

We now have the opportunity to make their participation a reality. President Johnson's message of last week asking that we approve and send to the States for ratification an amendment allowing the voting age to be lowered to 18 is a commendable and timely proposal.

I believe that the efforts of these young men and women, who have been given every responsibility of citizenship except that of voting, should now be rewarded with the fruits of their labors. They have raised their educational level, they have become adults in every phase of our social and economic society, but the right that goes with this responsibility has not been forthcoming. We would be neglect in our duty if we did not recognize the great contributions they are making—even while disenfranchised—to our society.

In many ways these young people could claim that they are being "taxed without representation," as the early patriots claimed. For, they are called upon to serve in their Nation's defense in the Armed Forces, yet they have no vote in selecting the men who will pass the laws which require their service.

The laws which are being passed today are directly affecting them today—and will be the rules under which they must live tomorrow. The 18-year-old man and woman of today has assumed far more responsibility than most of us had assumed only a few years ago when we were well past the voting age of 21.

I am not saying that every single young person is a responsible individual—no more so than every single American is a responsible voter. But, under no circumstances should we begin to assess all young people by the disgraceful actions of an extreme minority at Columbia University or at Berkeley in California or even at my own southern Illinois University at Carbondale, Ill. Even in those colleges where there have been disturbances, it was only a few students who were engaged in unlawful and disgusting acts. I know from firsthand experience that the young men and women of today are interested in good government. Each year I visit high school and college campuses, and the questions that are raised by these young people show their knowledge of the needs of today and their earnest desire for increasingly superior government.

I am happy to give my support to the President's proposal to grant the right of suffrage to our 18-year-olds. They deserve this right and privilege.

The right of suffrage can never be awarded carelessly, but in my opinion the young men and women of today are well qualified for this august privilege. I hope that we can act swiftly to see that the proposed amendment is in the hands of the State legislatures when they convene again.

HERMAN D. KENIN BEGINS HIS 11TH YEAR AS AMERICAN FEDERATION OF MUSICIANS PRESIDENT

Mr. KUPFERMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, the American Federation of Musicians of the United States and Canada has its main office in my district.

From that center, the important business of this great union is transacted, and when the members of the American Federation of Musicians play, America listens.

Therefore, it is only fitting and proper that I should bring to the attention of my colleagues the address of President Herman D. Kenin on the occasion of the 71st annual convention of the American Federation of Musicians, AFL–CIO at Shreveport, La., on June 17, 1968.

At that time, Mr. Kenin was elected to his 11th consecutive term as international president, giving his remarks added significance.

The address follows:

ADDRESS OF HERMAN D. KENIN, INTERNATIONAL PRESIDENT, AMERICAN FEDERATION OF MUSICIANS, AFL–CIO AT THE 71ST ANNUAL CONVENTION, SHREVEPORT, LA., JUNE 17, 1968

Some years ago there was a play on Broadway—some of you may remember it—called "You Can't Take It With You."

One of its most heartwarming scenes showed the Vanderhoff family at the table for the evening meal. The head of the family—Grandpa Vanderhoff—slowly looked around the table like a shepherd counting his flock. Then, beaming with affection, he raised his eyes heavenward and began grace with these words:

"Well, Sir, here we are again."

So, as we gather here for the 71st Convention of the American Federation of Musicians, I too have the great pleasure of saying to you, with great affection:

"Well, Sir, here we are again."

It is good to be here with you, to preside at your sessions, and most pleasant of all—to greet you and to have a few words with you face to face.

TEN TEEMING YEARS

This is the tenth consecutive year for me as your President. They have been years replete with activity, with events of high drama and enormous consequence. Therefore it will, I think, be of some interest and value if we join together in a backward look of recollection and reassessment of those ten teeming years.

Of course, I don't want us to copy the goose of American legend, who always flew backward. He didn't give a damn where he was going; he just wanted to see where he had been.

But in reviewing the past, we can regard it once more with clear focus and a new point of view—both of which can help us determine our future directions.

Before I do so, however, I hasten to assure you on one point. Although I am going to review a ten-year period, I promise that I will not consume ten times the time I would have taken for a one-year review.

By its very nature, this will be a story which I cannot begin by saying:

"Stop me if you've heard this one."

Obviously, some of the things I am going to talk about here must fall into the category of twice-told tales. But because of their nature, and their impact on the life of the Federation, you will, I hope, agree that they are worthy of retelling and re-assessing.

THE PHILADELPHIA CONVENTION

So let me begin with the Philadelphia Convention of 1958.

For me—to borrow from the title of a defunct T.V. show—"That Was The Convention That Was."

It was the Convention at which the beloved Jimmie Petrillo, one of the most dynamic and colorful leaders in the history of organized labor—stepped down from his Presidency.

That 1958 Convention paid me the great honor of selecting me to follow him. I went to Jimmie after my election to express my understandable concern at stepping into his shoes. Then this very wise and wonderful man gave me a bit of advice which I have never forgotten.

He told me that a labor union, if it is to thrive, must always adjust to changing times.

He went on: "In my time, the Federation's problems needed the methods and techniques of a Jimmie Petrillo. You face new conditions, new problems. You will have to handle them your way.

"The worst thing you can do is to try to be Jimmie Petrillo. The best thing you can do is be Herman Kenin."

I shall always be grateful to Jimmie for that advice.

Now then, in recollecting and assessing what was done in the Federation in the past decade, I will have to roam back and forth over the years. Since I intend to deal with major areas of Federation activity I believe I can best do this if I don't follow strict chronology.

In the past ten years, there have been—for me and for the Federation—many moments of exciting, high satisfaction in accomplishment.

PITTSBURGH, 1962

For me, none can surpass one highlight of the Pittsburgh Convention of 1962. It was there that I was able to report that—after six years of bitter division—the Federation was once more "one grand union of all musicians.'

No good purpose would be served at this date by recalling the specific items which underlay that dispute with some of the Hollywood musicians. Happily, the wounds are all healed; the scars have long disappeared.

I prefer to recall that the Musician's Guild voluntarily voted itself out of existence and that when we re-united our forces the rancor and bitterness of battle were left behind.

Happily, the pernicious cancer of dual unionism has been excised, and the recording musicians in Hollywood and throughout the United States and Canada now enjoy better conditions and income than at any time in history.

A highlight of this 1968 Convention is the Supreme Court decision—barely a month old—which after eight years of relentless litigation approved the foundations of our entire union structure under the Federal Anti-Trust Laws.

I fervently hope that this landmark Supreme Court victory means the beginning of the end of the mis-named and evilly conceived National Association of Orchestra Leaders.

Having once been an orchestra leader myself, I can tell you that I particularly resent the title of this group. A more accurate name would have been "Union Busters, Incorporated." For, stripped of all of their elaborate rationale and pious protestations, these men have devoted themselves, completely, to that single objective.

I believe they are finally reaching the end of their rope, and the end of the line. To be sure, they will continue their attempts to harass and embarrass us. But I have a feeling that their hearts won't be in it—and neither will their pocketbooks.

I want to make one or two more general observations about this long legal war.

Those of us who have been most closely involved in this conflict know how much we have given over the years, in time and in energy, to resisting this vicious onslaught.

But perhaps you do not fully appreciate the excessive call upon our fortitude and the drain of our patience which these years of litigation brought.

By the same token, you may not fully appreciate the extent of the guile and trickery these people have used to such a degree that they were even able to hoodwink a few well-meaning but naive people on our side.

One example, I think, will suffice.

I recall the occasion when a local Federation official assured me—during one of the most furious attacks the leaders were making on us—that certain orchestra leaders wanted to extend the hand of friendship to us, and to settle amicably their differences with us. These leaders, mind you, were the most active and most vicious in the entire union-busting group.

I replied: "By all means. But, on the basis of their past record, I should like to have their hands searched for stilettos, before they extend them to us."

Subsequent events proved that my reservations and concerns for entering into such "friendly" negotiations were very well founded indeed.

A UNIVERSAL MORAL

There is, perhaps, a universal moral here.

There come times in the lives of all labor unions when compromise, when good will, when trying to reason with people who disagree with you—when all of these fail. Then, the only thing left is to fight—to defend your union with all the resources, with all the energy, and with all the will and ingenuity at your command. It is true everytime a union must strike a recalcitrant employer. It is no less true when a union is assaulted by its own members and their hired lawyers.

This, we have done and—I pledge—this is what we will continue to do.

This great union will live to carry on the good fight for the betterment of all musicians long after the malice of thwarted and jealous little men has been completely forgotten.

SOME GAINS

Now let us review the most important area of all, for the performing musician and for his union—the economic well-being of its members. In specific terms that translates into basic wages, working conditions, and supplementary benefits.

For us—as for professional musicians throughout the civilized world—the critical old problem remains the critical present problem and will, inevitably, be the critical problem of the future.

I refer, of course, to the problem of cheap competition—be it by amateurs, by scabs, by foreigners, by armed services personnel and—most acutely—by canned music.

But while—like King Canute—we cannot stop the waves—unlike that monarch of ancient times we have been able over these past ten years to build effective break-waters to contain the erosion of canned music and, in some major respects, we have directed it to the great advantage of our members.

In T.V. film—to cite one ready example—when we began our administration some 97 per cent of all film shows had foreign canned music, for which even foreign musicians were only rarely paid. Today the figure is reversed—our own members perform for some 97 per cent of all the T.V. shows you see and hear.

In phonograph recording, on top of substantial increases in scale, we have won from the industry additional payments approximately $10 million per annum to the Music Performance Trust Fund and the Special Payments Fund. I shall have more to say about this a little later.

In T.V. and radio network negotiations, we have firmly established the wholesome, vital principle of re-use payments.

Our bargaining in the commercial jingle field has opened new vistas of employment for members in many parts of the country at most attractive rates plus substantial re-use payments after 13 weeks.

For theatrical films, we have markedly increased scales, maintained the principle of residual payments, achieved welfare and pension protection and irretrievably established the doctrine that all pictures produced in the U.S. and Canada will be scored by live American and Canadian musicians.

THE AFM-EPW FUND

A source of the greatest personal pride and satisfaction for me is the establishment and growth of the American Federation of Musicians Employees Pension and Welfare Fund which we have succeeded in weaving into the economic fabric of the American and Canadian musician.

At the 1959 Convention—my first year as your president—we had as our guest speaker a national authority on pensions. He prophesied that the Federation's Pension Fund, if and when adopted, would stand out over the years as one of the most progressive actions ever taken by the officials and members of our organization.

Time and experience have demonstrated the extraordinary clarity of that expert's crystal ball.

Let me give you a few facts and figures about our Pension Welfare Fund.

From an initial coverage of a few thousand members in the phonograph record industry, today we cover 55,000 members from 37 Locals, in all phases of the music industry.

Benefits have also been substantially improved since 1959. Pensions are now available as early as age 55; death and disability benefits are now provided; and past service benefits supplement the pension of any participant born before 1921. Continued earnings up to $3,600 per year do not disqualify a beneficiary from drawing his monthly pension—a provision substantially more liberal than U.S. social security limitations.

In its first year the Fund received about $1,000,000 in employer contributions. Now over $5,000,000 is paid each year. Investments of the Fund are now worth over $26,000,000. Over $715,000 in death benefits and monthly pensions have been disbursed. At present 125 members receive monthly pension payments, some of which are as much as $170 a month.

And this, I can assure you, is just the beginning. The coming years will produce far greater benefits for many more beneficiaries.

The Phonograph Record Special Payments Fund established at the 1964 negotiations provided an entirely new source of revenue to recording musicians by winning direct participation for them in the sales of the records they make.

In the four year period of this Fund's existence the annual payments to our members have grown from $720,000 to the $5 million which will be distributed this year.

At the same time the Music Performance Trust Funds have continued to receive and expend in excess $5 million annually for live music performance in the United States and Canada.

These days, especially, we hear and read a lot about patrons of the performing arts, and about the growing number of organizations and groups who are supporting live music.

More power to them I say, and may their tribe increase.

MUSIC PERFORMANCE TRUST FUNDS

At the same time let's not forget that one of the major users of live music in this country, and one which provides employment to thousands of musicians, is still the Music Performance Trust Funds.

Since the Funds were set up in 1948, they have disbursed about $78,000,000, of which $51,000,000 was spent in the last ten years.

And remember that these totals represent only the Trust Fund's money. The total expenditures resulting from the Trust Funds comes to many more millions, because, as you know, so many Trust Funds grants and allotments are matched by co-sponsors through the land.

In my pre-Convention report I reminded you that in the next twelve months almost every one of our major national contracts will expire.

EXPIRATION OF CONTRACTS

And you can be sure that when we negotiate and fight for one branch of the business, we are at the same time fighting just as vigorously for every other branch.

We know that what we gain for one segment of our membership, will sooner or later turn out to be a gain for other branches.

Nor does this philosophy stop at the national level. We want our national gains to encourage you in your locals when you negotiate for your own jurisdictions.

If the Federation wins in a national contract, we know that it will be reflected in the increases you will get for your locals.

Negotiations of recent years for symphony orchestras whose members belong to the Federation provide a case in point.

To graphically illustrate how much the lot of the symphony orchestra has improved, I hark back to a survey the Federation made in 1960 of the economic status of symphony musicians at that time.

SYMPHONY SALARIES

We used, for the study, the twenty-six major orchestras of the United States and Canada.

One cold, hard fact which emerged was that these musicians got an average of $117 per week when working.

Even this paltry sum was only an average. It included the wages of the "Big Five": Boston, Chicago, Cleveland, New York and Philadelphia.

Actual annual take home pay was less than $4,000 before taxes—or about $75 a week when spread throughout the year.

I could give you many other results of that survey—equally deplorable, equally shocking.

But I would rather compare those 1960 figures with the series on symphony orchestras which has been running for the past few months in our International Musician. There, you can see for yourself the real gains that have been made.

I do not say that the symphony musician has attained the financial rewards and personal participation he both deserves and needs. But I am pleased with his consistent and substantial progress and the improvement which the future promises.

Here the credit, of course, goes primarily to the Federation's locals who, with the advice of their symphony members, have piloted the negotiations. Moreover, I am happy to note a growing participation by the Federation itself in these bargaining sessions—at the invitations of locals.

This crowded decade has witnessed impressive increasing involvement with the Federal government.

While our concern for what goes on in Washington now has a wide range, it is directed to one target—to secure Congressional support for activities and programs which will contribute to the financial security of the professional musician.

ACTIVITIES IN WASHINGTON

Here is a brief rundown of what we have done, and what we continue to do:

We successfully conducted a massive campaign against the 20 per cent cabaret tax of unhappy memory.

We have raised our collective voices in support of the immediate need for revision of the U.S. Copyright Law—so that the musician may share more equitably in the profits derived from his recorded performances.

We have presented to Congress our case for halting foreign imports at the expense of American musicians.

We have consistently called attention to the need for more stringent supervision of the air waves by the Federal Communications Commission. We have challenged the conscience of bureaucracy in urging that use of the air ways is the precious heritage of all Americans. It is not a quick way to riches by the few who owe to the American public the preservation of the best national culture and art.

We will continue to demand that this debt be paid.

But of all these government activities—and I have listed only the most important—I have pursued one with particular and highly personal interest. That is the achievement of meaningful national subsidies for the performing arts.

I can think of no single aspect of both our country's cultural and artistic growth which has developed so rapidly, and holds so much real future for performers.

I have been an advocate, a fervent pleader and, as far as Washington is concerned, you might even call me a Congressional heckler, for subsidies.

My mind goes back to my first Convention report in 1959, when I talked about the creation by Congress of a cultural center in Washington.

That early legislation was modest in aim and limited in scope. It provided no appropriations. It was, however, a great step forward. We were getting our nose into the tent, so to speak. Only a few years after, in 1965, Congress created the National Foundation on the Arts and Humanities. For the first time Federal subsidies for the arts—in the real sense of the word—became a reality.

Now, only three years later, I invite you to have a look at the display here in Convention Hall, which shows how we continue to back this program. Most specifically, it also shows the impact our organization has and the response we receive when we register our strong endorsement of a program.

SUBSIDIES FOR THE ARTS

To be sure, the authorizations and appropriations for the National Foundation on the Arts and Humanities to date are comparatively modest—in terms of what needs to be done.

But to me, that is not nearly as important as the promise. Our government now has recognized that support, or subsidy—call it what you will—for our artistic and cultural activities, has just as much claim upon the national conscience as does support and subsidy for our merchant marine, our airports and other aspects of our national economic growth.

I shall be proud of the active role the Federation has played in Washington to assure this happy progress. The importance of our continued and vigorous support for subsidies cannot be exaggerated.

As I told you at the 1961 Convention in Atlantic City, we cannot wait upon the development of a favorable political climate for us on Capitol Hill. We must, I emphasized, create our own climate, so that our problems will be sympathetically understood and our aspirations energetically supported at the seats of government. It was to make this support as broad as possible that Tempo was born.

TEMPO

I told the 1961 Convention—and I have been shouting it ever since—that Tempo can become a powerful political arm of the Federation. Tempo's influence and effect are growing. It will continue to grow only so long as it has your vigorous support.

In addition to our greatly expanded political and legislative activity, we have become more deeply engaged in another area.

During these ten years past our involvement in the whole labor movement—both domestic and international has dramatically quickened.

Here are some truly promising developments in which we have participated since I assumed office.

The 1965 AFL–CIO Convention directed that a study be made of ways and means by which organized workers would become more directly involved in the cultural life of our country. President Meany and I were delegated to conduct this project.

From this general assignment some fruitful specific programs are already evolving. These have been stimulated by the creation of a new department within the AFL–CIO called the AFL–CIO Union of Scientific, Professional and Cultural Employees or, more popularly, Space.

SPACE

As you know, I was honored in 1967 with the first presidency of Space. I trust that you already have had time to read the pamphlet on the relationship of Space to the American Federation of Musicians, which has been distributed to you here at the Convention.

One of Space's most exciting projects is beginning right now. We are setting up pilot programs in four cities—Minneapolis, Louisville, Buffalo, New York City. The director of each project will work closely with community union leaders and cultural groups and councils for the development of the performing arts. These projects will be directed to and will be of special interest to organized labor. I am happy that local offices of the Federation in these cities are playing a prominent part in this program.

We shall follow its progress with close interest. If it succeeds, it can mark the beginning of a tremendously new, fertile area for the cultivation of the performing arts throughout America.

CONGRESS OF STRINGS

Before I conclude, I must mention with great pride our ten-year-old Congress of Strings, which as your President, I have seen born, burgeon, and become an established and valued part of the American musical scene.

The Congress of Strings is the Federation's contribution to the cultural and artistic needs of the United States and Canada. At the same time it is a unique example of the type of public relations which brings public good will to its creators.

In these ten years—I have also been privileged as a Vice-President of the AFL–CIO to represent that body, as well as the American Federation of Musicians, at numerous national and international labor union conferences, meetings and conventions which have made significant contributions to the developing co-operation between working men and women throughout the world.

In these wonderful ten years I have received many honors. I have served, and now serve, on bodies devoted to human advancement. I am proud and happy to acknowledge that these have come to me because of you. I value them because they manifest the deep respect and esteem in which our great Federation is publicly held.

But, right here within the portals of the American Federation of Musicians is where my heart lies, and where my duty and devotion reside.

That is as it should be. That is the way I shall always want it to be.

So, I reach the end of this backward look over the last ten years. They have been years brimming to the full with stimulation and excitement, with movement and change.

I sincerely believe that they have constituted a decade of progress and growth for the American and Canadian musician, and for the American Federation of Musicians of the United States and Canada.

Now, what lies ahead? What do the immediate years ahead hold for us?

WHAT LIES AHEAD

Specific predictions would be unreliable—even foolhardy.

But I am by nature an optimist. I believe that the world moves forward.

To be sure, sometimes this movement is barely perceptible. Sometimes it even seems to grind to a complete stop.

But we must not yield to frustration or despair. Always, sooner or later, the movement forward resumes.

Always there is a net gain.

Already, we have a glimpse of what this

forward march may mean—to the individual and to our nations—in terms of economic prosperity.

We have the potential, in natural resources and in human ingenuity, to achieve a new world different and better than any we have known.

And with this great progress in material acquisitions, we already have some promise of a similar future for our culture and for those who live by it.

That time may be closer than we suppose. And when it does come, it is bound to bring with it a new and unprecedented flowering of the arts—in which music will have an indispensable role.

Above all, it will bring immeasurably closer the day when the professional musician comes into his own. Then he will finally receive the financial recompense he deserves, and the individual respect, appreciation, and participation which he so fully merits as a practitioner of a great and noble profession.

That, as I see it, constitutes the great promise of the next decade.

Now you must indulge me if I end this kaleidoscopic review on a very personal note.

You may have noticed that I have refrained—with one understandable exception—from mentioning any names of those who were with me—in a wide variety of activities and relationships—over the period I have been talking about.

These omissions were deliberate. I mentioned no one by name because I would not know where to start—or where to stop. And I never could forgive myself if, careful as I might be, I would inadvertently omit anyone.

But, I want you to know that those ten years are—for me—just as full of remembered people as they are of remembered events. They are names with a permanent claim to my friendship, and to a place in my memories.

To all of them, to you who are here today, to those who were with me in past conventions, to all who have been my co-workers over the years, my heartfelt thanks.

In those ten years, there was nothing I could have accomplished for the Federation without your support.

And, in those ten years there has been nothing which seemed too difficult or impossible of accomplishment, knowing, as I did, that I could look to you for a full, and overflowing measure of support, kindness and friendship.

RECRUITERS AT INSTITUTIONS OF HIGHER EDUCATION

Mr. CONTE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONTE. Mr. Speaker, a short time ago, this House accepted the Senate version of the NASA authorization bill, containing an amendment added by Senator CURTIS of Nebraska. This amendment forbade the granting of any funds authorized by that bill to an institution of higher learning "unless the Administrator or his designee determines at the time of the grant that recruit personnel of any of the Armed Forces of the United States are not being barred from the premises or property of such institution." The amendment also provided that on certain specified dates, the Secretary of Defense provide the NASA Administrator with "the names of any nonprofit institutions of higher learning which the Secretary of Defense determines on the date of each such report are barring such recruiting personnel from premises or property of any such institution."

When this amendment was first introduced, on June 10 to be exact, the distinguished Senator from Nebraska read into the RECORD a letter from Alfred B. Fitt, Assistant Secretary of Defense in charge of manpower needs, containing a list of institutions alleged to practice such a policy. Since that time, the accuracy of this letter has been seriously challenged, and on July 1, Senator CURTIS inserted in the RECORD a series of letters from institutions protesting their inclusion in that list.

In one of these letters, an official of the American Council on Education stated that his organization had found only one college with a policy of barring military recruiters and that this college was Oberlin. Since this controversial letter also mentioned the Boston campus of the University of Massachusetts, which has its main campus in Amherst, in my district, I would like to continue this process of clarification.

I would like to inform this body that the University of Massachusetts does not have any such policy of barring Armed Forces recruiters from its campus, and that, like so many other colleges, it was mentioned in this letter as a result of misunderstanding and confusion. I have been in touch with Dr. John Lederle, the able and distinguished president of the University of Massachusetts, and I have talked with NASA and Department of Defense officials, and I would like to report here what I have found.

Dr. Lederle has written me that this misunderstanding arose from the fact that the Boston campus of the University of Massachusetts is desparately cramped for space and facilities. It consequently has been unable to accommodate visits from any recruiters of any description, civilian or military.

It is quite clear, from the situation at the Amherst campus, that the university has no policy of discrimination against military recruiters. All the military divisions have had tables in the Amherst campus Student Union whenever they wished throughout the last school year, which incidentally was the time when the organized campaign against military recruiting was at its peak. It furthermore has opened the facilities of its placement office to such private employers as Colt Firearms and Dow Chemical Co., which was, as you will recall, a prime target of this campaign. The military agencies have recruiting facilities in Boston itself, so they have not been significantly hindered in their access to students at the University of Massachusetts, Boston, campus. And President Lederle informs me that the university will provide placement office facilities at the Boston campus to all recruiters, civilian and military, as soon as it is able.

Furthermore, officials at the Department of Defense admit that only a misunderstanding led to the inclusion of this university in the letter which appeared in the RECORD of June 10, and which fortunately has no legal status as far as the administration of this amendment is concerned.

The University of Massachusetts, Boston, which simply did not have space for this activity, was lumped together with institutions which barred the military as a matter of policy or for any of a number of other reasons.

The Curtis amendment calls for an official certification of institutions not meeting its standards, within 60 days of the enactment of the bill. I have been given to understand that when this legally binding list is drawn up, the University of Massachusetts will not be on it. I make this statement to help insure that this important and highly respected institution does not continue to be the victim of this unfortunate misunderstanding.

THE RANDOLPH-SHEPPARD ACT AMENDMENTS OF 1968

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, when Congress passed the initial Randolph-Sheppard Vending Stands Act in 1936, which established authority for the vending stands program, they opened up a new era of opportunities for the blind of the Nation to become self-sufficient citizens.

From its humble beginning, the program has made a significant impact on the social and economic lives of a great number of blind persons who might otherwise have been public assistance recipients.

The 1954 amendments to the original act and the 1965 amendments to the Vocational Rehabilitation Act have considerably strengthened services which can be provided blind persons. Last year, individuals employed under the program grossed $71.5 million; $14.7 million of which accrued to blind operators as income. Three thousand one hundred and seventeen blind operators realized an average net income of $5,244. Clearly this is a substantial measure of self-support for these individuals.

Mr. Speaker, the legislation I propose today will extend and expand this program in its efforts to provide employment opportunities for a much greater number of blind people. At the same time, it will also enable the State licensing agencies to modernize their vending stands programs in accordance with the technological changes which have occurred in the vending business since this law was last amended. While many of the suggested changes are technical in nature, passage of these amendments will add immeasurably to the rehabilitation of blind persons throughout the country and will facilitate broader and improved services to customers.

This legislation proposes seven changes in the law.

A new subsection is added to section 2 of the act to assist in protecting a blind vending stand operator from unfair competition by setting forth a new administrative procedure for determining when a vending machine is in direct competition with a vending stand.

Section 2(a)(4) of the act is rephrased to make clear the inclusion of foods and beverages among the items which may be dispensed by vending stands for the blind.

At present, a large percentage of vending stands on Federal properties are dispensing the additional items cited in this section to the satisfaction of all concerned. The clarification made by this amendment will help carry out the original congressional intent of the act to expand employment opportunities for the blind and provide efficient, economical, and satisfactory service.

This bill proposes to delete residence requirements as a condition for eligibility for a State vending stand license as set forth in section 2(b) of the present act. This would be in conformance with the recent changes in the Vocational Rehabilitation Act. The bill further proposes to remove certain antiquated descriptive language that is no longer consonant with our own rehabilitation philosophy.

This bill also provides two additional purposes for which funds can be set aside from the proceeds of vending stands. These additional purposes are designed to benefit the average operator by permitting provision to be made through these funds for vacation, sick leave, and retirements benefits and to lend flexibility to the State programs by authorizing expenditures for improvements to carry out the purposes of the act, which benefit all operators employed in the program under the state licensing agencies' jurisdiction.

Section 6 of the bill amends section 6(b) of the act by subsituting a definition of blindness which is currently accepted throughout the country.

Section 7 of the bill changes the definition of a vending stand in a manner that will provide wider employment opportunities for blind persons in vending stands.

These proposed changes have been reviewed by the Bureau of the Budget, approved by other Federal agencies concerned, and have the full support of the State agencies which have been designated the responsibility for operating the Randolph-Sheppard program. They will have a far-reaching effect upon the logicial and sequential growth in the most outstanding public endeavor to provide substantial gainful employment for thousands of the Nation's blind citizens.

LEGISLATION TO AUTHORIZE THE PAYMENT OF ALLOWANCES TO DEFRAY COMMUTING EXPENSES OF CIVILIAN EMPLOYEES OF EXECUTIVE AGENCIES ASSIGNED TO DUTY AT REMOTE WORKSITES

Mr. REINECKE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. REINECKE. Mr. Speaker, I have introduced today a bill similar in all respects to one I introduced early in the last Congress. Now, as then, simple justice requires that able, hard-working, dedicated Federal workers assigned to remote installations be properly compensated for the incredible distances that they must travel each day going to and returning from the places of their employment.

This bill would pay such civilian employees a daily allowance that would never be more than $10 and would usually be much less. Regulations would be issued by the executive branch establishing rates of payment and defining and designating the sites, areas, installations, and jobs to which the commutation allowance would apply.

It is a fact of life in our time that, for good and sufficient reasons, many of our Government's installations are located in howling wildernesses where workers cannot possibly find suitable living quarters. They must commute. They must commute long distances. They should be adequately reimbursed.

Section 70 of the United States Code title 5 prohibits extra allowances except those authorized by law and paid under a specifically designated appropriation. Yet section 70 of title 5 names two Federal worksites where the section's prohibition of extra allowances does not apply, the California offshore islands and the Nevada test site.

Surely, there are other installations where the same difficulties of access exist, where proper housing is totally unavailable, and where equity requires reimbursement to those who have lost much time and endured great expense because of long-distance commuting.

Such a place within my district is Edwards Air Force Base. It is remote indeed from civilian housing. The base's civilian employees undergo great hardship, inconvenience, and expense as they travel seemingly endless miles each day. About 70 percent of the Rocket Propulsion Laboratory's skilled civilian technicians travel 80 miles a day; about 10 percent travel from 98 to 190 miles daily. At the base's flight test center, 56 percent of the employees travel 60 miles per day, and 17 percent travel from 78 to 200 miles each day.

Many of the employees of civilian contractors at the base are paid a commutation allowance. Why should Federal civilians be treated differently? The Department of the Air Force agrees with me on the desirability of paying our Federal workers such an allowance.

But I do not propose an exception as part of title five's section 70 that would benefit only those within my district. My bill is not limited in its terms to Edwards Air Force Base as the bills relating to the California offshore islands and the Nevada test site were limited to particular worksites. My bill would permit the payment of an allowance to long-distance Federal civilian commuters to remote installations anywhere in the country, after those worksites had been selected by Presidential order.

By passage of this bill, an aspect of our Federal personnel policy can be made to accord with the realities of modern defense policy and with the needs of modern research and development. These realities and these needs require that many worksites be placed far from any decent place for workers to live.

If my bill is passed, our Federal civilians affected by its provisions may still have to travel for hours in a day, but at least they will not be doing so at their own expense.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. McCulloch (at the request of Mr. Gerald R. Ford), for today, July 9, 1968, on account of a meeting of the President's National Commission on the Cause and Prevention of Violence.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Schadeberg) to revise and extend their remarks and to include extraneous matter:)

Mr. Laird, for 10 minutes, today.

Mr. Mathias of Maryland, for 10 minutes, today.

Mr. Goodell, for 30 minutes, today.

(The following Members (at the request of Mr. Patten) to revise and extend their remarks and to include extraneous matter:)

Mr. Dent, for 20 minutes, today.

Mr. Fountain, for 1 hour, on July 23.

EXTENSIONS OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. Gathings and to include extraneous matter.

Mr. Winn to revise and extend his remarks made today on his amendment in the Committee of the Whole.

(The following Members (at the request of Mr. Schadeberg) and to include extraneous matter:)

Mr. Ashbrook in two instances.

Mr. Curtis in four instances.

Mr. Roudebush.

Mr. Smith of Oklahoma in two instances.

Mr. Steiger of Arizona in two instances.

Mr. Kupferman in five instances.

Mr. Utt.

Mr. Carter.

Mr. Price of Texas.

Mr. Scherle.

Mrs. Bolton.

Mr. Davis of Wisconsin in two instances.

Mr. Mathias of Maryland in five instances.

Mr. Pettis.

Mr. Broyhill of Virginia in two instances.

Mr. Reid of New York.

Mr. REINECKE.

Mr. RUPPE.

Mr. FINDLEY.

Mr. THOMPSON of Georgia in two instances.

(The following Members (at the request of Mr. PATTEN) and to include extraneous matter:)

Mr. MILLER of California in five instances.

Mr. PEPPER in two instances.

Mr. HANNA.

Mr. CULVER.

Mr. BURTON of California.

Mr. LONG of Maryland in two instances.

Mr. MOORHEAD in two instances.

Mr. RARICK in six instances.

Mr. SCHEUER.

Mr. FASCELL.

Mr. ASHLEY in two instances.

Mr. DINGELL.

Mr. FLOOD.

Mr. DANIELS.

Mr. GONZALEZ in three instances.

Mr. WOLFF.

Mr. POOL.

Mr. BARING.

Mr. FRIEDEL.

Mr. GRIFFIN.

Mr. COHELAN in three instances.

Mr. DULSKI in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2159. An act to establish the Fort Point National Historic Site in San Francisco, Calif., and for other purposes; to the Committee on Interior and Insular Affairs.

S. 3456. An act to provide that the prosecution of the offenses of disorderly conduct and lewd, indecent, or obscene acts shall be conducted in the name of and for the benefit of the District of Columbia; to the Committee on the District of Columbia.

S. 3671. An act to provide for the striking of medals in commemoration of the 200th anniversary of the founding of Dartmouth College; to the Committee on Banking and Currency.

ADJOURNMENT

Mr. PATTEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Wednesday, July 10, 1968, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2029. A letter from the Assistant Administrator, Agency for International Development, Department of State, transmitting the semiannual report of the Agency for International Development on architectural and engineering fees in excess of $25,000, for the period July 1–December 31, 1967, pursuant to the provisions of section 102 of the Foreign Assistance and Related Agencies Appropriation Act of 1968; to the Committee on Appropriations.

2030. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(1) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2031. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders suspending deportation, together with a list of the persons involved, pursuant to the provisions of section 244(a)(2) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

2032. A letter from the Comptroller General of the United States, transmitting a report on the need to strengthen management controls to improve accounting for property, Panama Canal Company; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ZABLOCKI: Committee on Foreign Affairs. House Concurrent Resolution 48. Concurrent resolution to establish an Atlantic Union delegation (Rept. No. 1656). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 1249. Resolution providing for the consideration of H.R. 17735. A bill to amend title 18, United States Code, to provide for better control of the interstate traffic in firearms (Rept. No. 1657). Referred to the House Calendar.

Mr. RIVERS: Committee of conference. H.R. 16703. An act to authorize certain construction at military installations, and for other purposes (Rept. No. 1658). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FEIGHAN: Committee on the Judiciary. S. 747. An act for the relief of Dr. Earl C. Chamberlayne (Rept. No. 1650). Referred to the Committee of the Whole House.

Mr. FEIGHAN: Committee on the Judiciary. S. 905. An act for the relief of John Theodore Nelson (Rept. No. 1651). Referred to the Committee of the Whole House.

Mr. RODINO: Committee on the Judiciary. H.R. 3527. A bill for the relief of Josefina Fulgueira; with amendment (Rept. No. 1652). Referred to the Committee of the Whole House.

Mr. MACGREGOR: Committee on the Judiciary. H.R. 14380. A bill for the relief of Ai Bok Chun (Rept. No. 1653). Referred to the Committee of the Whole House.

Mr. CAHILL: Committee on the Judiciary. H.R. 14513. A bill for the relief of Zumrut Sooley; with amendment (Rept. No. 1654). Referred to the Committee of the Whole House.

Mr. DOWDY: Committee on the Judiciary. H.R. 14276. A bill for the relief of George Tilson Weed; with amendment (Rept. No. 1655). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DOWNING:

H.R. 18393. A bill to amend the Internal Revenue Code of 1954 to provide the same exclusion from gross income for Federal civilian employees as is provided for commissioned officers in the Armed Forces of the United States; to the Committee on Ways and Means.

By Mr. GRAY:

H.R. 18394. A bill to amend the Internal Revenue Code of 1954 to provide that the first $5,000 of the income of a retired teacher shall be exempt from income tax; to the Committee on Ways and Means.

By Mr. HELSTOSKI:

H.R. 18395. A bill to disarm lawless persons and assist State and Federal enforcement agencies in preventing and solving gun crimes by requiring registration of all firearms and licenses for purchase and possession of firearms and ammunition, and to encourage responsible State firearms laws, and for other purposes; to the Committee on the Judiciary.

H.R. 18396. A bill to amend title II of the Social Security Act to permit the payment of benefits to a married couple on their combined earnings record where that method of computation produces a higher combined benefit; to the Committee on Ways and Means.

By Mr. KORNEGAY:

H.R. 18397. A bill to authorize the Secretary of the Interior to exchange certain lands at Guilford Courthouse National Military Park, in the State of North Carolina, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PODELL:

H.R. 18398. A bill to amend title 18, United States Code, to protect the people of the United States against the lawless and irresponsible use of firearms, and to assist in the prevention and solution of crime by requiring a national registration of firearms, establishing minimum licensing standards for the possession of firearms, and encouraging the enactment of effective State and local firearms laws, and for other purposes; to the Committee on the Judiciary.

H.R. 18399. A bill to permit State agreements for coverage under the hospital insurance program for the aged; to the Committee on Ways and Means.

By Mr. REINECKE:

H.R. 18400. A bill to authorize the payment of allowances to defray commuting expenses of civilian employees of executive agencies assigned to duty at remote worksites, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. SLACK:

H.R. 18401. A bill to amend the Federal Aviation Act of 1958 to authorize reduced rate transportation for certain additional persons on a space-available basis; to the Committee on Interstate and Foreign Commerce.

By Mr. TALCOTT:

H.R. 18402. A bill to make it a Federal crime to possess a firearm or dangerous or deadly weapon during the commission of certain crimes; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 18403. A bill to amend title 18, United States Code, to prohibit the use in commission of certain crimes of firearms transported in interstate commerce; to the Committee on the Judiciary.

By Mr. FRELINGHUYSEN:

H.R. 18404. A bill to amend the Internal Revenue Code of 1954 to allow a deduction from gross income for social agency, legal, and related expenses incurred in connection with the adoption of a child by the taxpayer; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 18405. A bill to create a catalog of

Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. HELSTOSKI:

H.R. 18406. A bill to provide for the disclosure of certain information relating to certain public opinion polls; to the Committee on House Administration.

By Mr. REID of New York:

H.R. 18407. A bill to amend title 18, United States Code, to protect the people of the United States against the lawless and irresponsible use of firearms, and to assist in the prevention and solution of crime by requiring a national registration of firearms, establishing minimum licensing standards for the possession of firearms, and encouraging the enactment of effective State and local firearms laws, and for other purposes; to the Committee on the Judiciary.

By Mr. ZION:

H.R. 18408. A bill to modify the Mason J. Niblack levee project; to the Committee on Public Works.

By Mr. ADAIR (for himself, Mr. AYRES, Mr. FINO, Mr. TEAGUE of California, Mr. HALPERN, Mr. DUNCAN, Mr. KUPFERMAN, Mr. HAMMERSCHMIDT, and Mr. SCOTT):

H.R. 18409. A bill to amend title 38 of the United States Code in order to establish a national cemetery system within the Veterans' Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DANIELS (for himself, Mr. PERKINS, Mrs. GREEN of Oregon, Mr. THOMPSON of New Jersey, Mr. HOLLAND, Mr. DENT, Mr. PUCINSKI, Mr. BRADEMAS, Mr. CAREY, Mr. HAWKINS, Mr. HATHAWAY, Mrs. MINK, Mr. BURTON of California, Mr. AYRES, Mr. QUIE, Mr. GOODELL, Mr. BELL, Mr. REID of New York, Mr. ERLENBORN, Mr. SCHERLE, Mr. DELLENBACK, and Mr. STEIGER of Wisconsin):

H.R. 18410. A bill to amend the Randolph-Sheppard vending stand for the blind law so as to make certain improvements therein; to the Committee on Education and Labor.

By Mr. DENT:

H.R. 18411. A bill to amend the loan program in the National Defense Education Act of 1958 to extend the forgiveness for teaching benefit to teachers in American schools abroad supported by the United States; to the Committee on Education and Labor.

By Mr. PELLY:

H.R. 18412. A bill to prohibit processing of fish in the territorial waters of the United States by vessels other than vessels of the United States except where there is a determination that no adequate American processing facilities are available; to the Committee on Merchant Marine and Fisheries.

By Mr. ROTH (for himself, Mrs. BOLTON, Mr. CONABLE, Mr. CORBETT, Mr. ESCH, Mr. GUBSER, Mr. MOORE, Mr. MORSE, Mr. SAYLOR, Mr. UTT, and Mr. ZION):

H.R. 18413. A bill to create a catalog of Federal assistance programs, and for other purposes; to the Committee on Government Operations.

By Mr. BIESTER:

H.J. Res. 1390. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PERKINS:

H.J. Res. 1391. Joint resolution to authorize the President to issue a proclamation designating the period beginning September 2, 1968, and ending September 8, 1968, as "Adult Education Week"; to the Committee on the Judiciary.

By Mr. PIRNIE:

H.J. Res. 1392. Joint resolution creating a Joint Committee To Investigate Crime; to the Committee on Rules.

By Mr. PODELL:

H.J. Res. 1393. Joint resolution to provide that it be the sense of Congress that a White House Conference on Aging be called by the President of the United States in 1971, to be planned and conducted by the Secretary of Health, Education, and Welfare, and for related purposes; to the Committee on Education and Labor.

H.J. Res. 1394. Joint resolution proposing an amendment to the Constitution of the United States to provide that the right to vote shall not be denied on account of age to persons who are 18 years of age or older; to the Committee on the Judiciary.

By Mr. MATHIAS of Maryland (for himself, Mr. BROYHILL of Virginia, Mr. GUDE, Mr. MACHEN, Mr. MORTON, and Mr. SCOTT):

H.J. Res. 1395. Joint resolution granting the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia, as signatory bodies, for certain amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin; to the Committee on Public Works.

By Mr. PIRNIE:

H. Con. Res. 796. Concurrent resolution to establish an Atlantic Union delegation; to the Committee on Foreign Affairs.

By Mr. ESCH:

H. Res. 1248. Resolution to create a special committee on the handicapped; to the Committee on Rules.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

363. By the SPEAKER: Memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to the enactment of legislation to establish daylight saving time on a year-long basis; to the Committee on Interstate and Foreign Commerce.

364. Also, memorial of the House of Representatives of the Commonwealth of Massachusetts, relative to the adoption of "The Battle Hymn of the Republic" as our national hymn; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 18414. A bill for the relief of Keun Mo Yang; to the Committee on the Judiciary.

By Mr. ALBERT:

H.R. 18415. A bill for the relief of Leda Morassutti; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 18416. A bill for the relief of Mr. and Mrs. Vincenty Chudy; to the Committee on the Judiciary.

By Mr. BARRETT:

H.R. 18417. A bill for the relief of Luisa Pietrangelo; to the Committee on the Judiciary.

By Mr. BURTON of California:

H.R. 18418. A bill for the relief of Libertino Stornaiuolo and his wife, Maria Giacopelli Stornaiuolo; to the Committee on the Judiciary.

By Mr. CELLER:

H.R. 18419. A bill for the relief of Ara Zakaryan and his wife, Bercuhi Zakaryan; to the Committee on the Judiciary.

By Mr. DOWNING:

H.R. 18420. A bill for the relief of A. Hughlett Mason; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 18421. A bill for the relief of Natale Mariani; to the Committee on the Judiciary.

H.R. 18422. A bill for the relief of Vincenzo Cangialosi; to the Committee on the Judiciary.

H.R. 18423. A bill for the relief of Paulo Monsolino; to the Committee on the Judiciary.

By Mr. FISHER:

H.R. 18424. A bill for the relief of William W. Brady; to the Committee on the Judiciary.

By Mr. GERALD R. FORD:

H.R. 18425. A bill for the relief of Miss Beatrice (Pi-chu) Chang; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 18426. A bill for the relief of Dr. Aurora P. Cuevas; to the Committee on the Judiciary.

By Mr. FULTON of Tennessee:

H.R. 18427. A bill for the relief of Mrs. Marina Munoz de Wyss (nee Lopez); to the Committee on the Judiciary.

By Mr. HORTON:

H.R. 18428. A bill for the relief of Paul Andrew Farrer, M.D.; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 18429. A bill for the relief of Giovanna Russo; to the Committee on the Judiciary.

By Mrs. MINK:

H.R. 18430. A bill for the relief of Mrs. Irene G. Queja; to the Committee on the Judiciary.

By Mr. OTTINGER:

H.R. 18431. A bill for the relief of Giuseppe Meli; to the Committee on the Judiciary.

H.R. 18432. A bill for the relief of Attilio Praino and his wife, Malena Carmen Garcia Praino; to the Committee on the Judiciary.

H.R. 18433. A bill for the relief of Antonio Scopino; to the Committee on the Judiciary.

By Mr. REES:

H.R. 18434. A bill for the relief of Mrs. Pao Ro Chen; to the Committee on the Judiciary.

By Mr. RHODES of Arizona:

H.R. 18435. A bill for the relief of Carl S. and Helen J. Swedin; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 18436. A bill for the relief of Sebastian Gaspar Domingo; to the Committee on the Judiciary.

H.R. 18437. A bill for the relief of Dr. Claudio Hoegel and Luba Hoegel; to the Committee on the Judiciary.

H.R. 18438. A bill for the relief of Kwang Ho Lee; to the Committee on the Judiciary.

By Mr. SCHWENGEL:

H.R. 18439. A bill for the relief of Giorgios Miron Kalimakis; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

369. By Mr. DEL CLAWSON: Petition of Aileen L. Basse, San Clemente, Calif., et al., relative to trading with the enemy; to the Committee on Foreign Affairs.

370. By the SPEAKER: Petition of the City Council, Toledo, Ohio, relative to gun control; to the Committee on the Judiciary.

371. Also, petition of the Board of Chosen Freeholders, Union County, N.J., relative to gun control; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

ONE NATION, UNDER GOD

HON. E. C. GATHINGS

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. GATHINGS. Mr. Speaker, on Sunday, June 30, 1968, it was my pleasure and good fortune to hear a forthright and meaningful sermon by the Reverend Donald H. Bowen, pastor of the Downtown Baptist Church, Alexandria, Va.

The subject of the message was "One Nation, Under God." This sermon was most timely as it was presented during the week of the celebration of Independence Day. It was delivered with skill and dedication.

Downtown Baptist is a friendly church. I enjoy attending it.

Mr. Bowen has served the Downtown Baptist Church ably and well. He is a native of Warsaw, Va., attended VPI from 1951 to 1953. He graduated from the University of Richmond in 1955 and from the Southeastern Baptist Theological Seminary, Wake Forest, N.C., in 1958.

Prior to assuming the pastorate at the Downtown Baptist Church he had served at Welcome Grove Baptist Church, Warsaw, Va.; New Hope Baptist Church, Raleigh, N.C., and Lillington Baptist Church, Lillington, N.C.

Mr. Bowen is married to the former Ann Rice of Lottsburg, Va., and they have four children, Donna Sue, Angela, Jennifer, and Jonathan.

I include the full text of this inspiring and thought-provoking sermon as part of my remarks:

"ONE NATION, UNDER GOD"—ISAIAH 5:1–7

One hundred and ninety-two years ago 56 men met in old Independence Hall in Philadelphia, affixed their names to the Declaration of Independence, and thereby risked their lives, their fortune and their sacred honor. It is reported that Harrison of Virginia, who was a heavy-set fellow, turned to Gerry of Massachusetts, who was a little, skinny fellow, and said, "We'll all hang for this if it doesn't work. I'm heavy though and I'll die in a moment but I imagine that you will dangle around for quite a while." They were but the first in a long line of brave souls who have lived, worked and died to help make and keep this the land of the free and the home of the brave.

It seems, however, that many are fast forgetting the sacrifices others have made on our behalf, and most of all, what it means to be an American in 1968. As Gerald Johnson said,

"What we need is a challenger who will tell us what a difficult and dangerous thing it is to be an American, for the American doctrine was devised by brave men for brave men."

Or as Dr. Vance Havner, one of the few prophets left in the 20th century expresses it:

We are telling the world today that America is a place for two chickens in every pot, three cars in every garage, a fairy land of plastics, gadgets, deep freezes, give-away-shows and every fourth man with his hand out for a hand-out from Washington. We ought to tell them what it really means to be an American, the price our forefathers paid in blood, sweat and tears to make this the land of the free and the home of the brave . . . George Washington and his footsore soldiers didn't stand in the snows around Valley Forge just to make politician's paradise over here. And Abe Lincoln didn't walk the floor of the White House all night just to pass away the time. Every person who comes to our shores and becomes an American citizen ought to know that this freedom cost plenty and it will cost more to keep it.

These men, and others like them, speak the truth if ever it has been spoken. However, we must be so very careful lest we arrive at the erroneous conclusion that this nation of ours has become what she has in these brief 190 odd years due to the sheer bravery and courage of her citizens. Let us pause here on this eve of our national birthday and realize most of all that ours is a God blessed nation.

Above and beyond all of the feats of bravery has been the moving of the mighty hand of God which is as mysterious as it is mighty. And it is right here that we commit our gravest mistake. We stamp "In God We Trust" on our coins, but is He really the object of our trust? Aren't we as a nation really depending on our super-sonic jets, mammoth aircraft carriers, atomic-powered subs and our arsenal of multimegaton bombs? Are we trusting in God or our military might?

In our pledge to the American flag we say:

"I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one nation, *under God*, indivisible, with liberty and justice for all."

Is ours a nation really "under God," with a firm reliance upon Him and an honest desire to do His will? There is a vast difference between quoting words and making them a vital part of daily life. When I look around me and see so many defying the law—and some of them with a "reverend" before their names—mocking the government of our land, and having a general disregard for those things sacred and holy I cannot help but feel that we are fast slipping from that foundation upon which our nation was built. When this happens a nation forfeits its rights to the blessings of Almighty God. It is therefore my own personal conviction that unless there is a fresh and vital turning to God I see little hope of my children ever living as free citizens in a democratic society—and I am perfectly honest when I say that!

If there is a word from the Lord to our nation this morning I believe you will find that word in this fifth chapter of Isaiah. There, by way of a parable, the prophet reveals a truth for his own people, Israel, which has an unusual relevancy for us and all America this morning. The prophet tells of a vineyard to which very special attention was given. A fence was built about it, the stones were cleared away, choicest vines were planted, a watch-tower and winepress were built in the middle of it. Patiently the master awaited for the abundant harvest of grapes. Much to his utter dismay it produced nothing but stinking, worthless grapes. Because it failed to produce the vineyard was utterly destroyed and laid waste. The prophet of God then explains his analogy in verse seven:

"For the vineyard of the Lord of hosts is the house of Israel, and the men of Judah his pleasant plant: and he looked for judgment, but behold oppression; for righteousness, but behold a cry."

THE PREPARATION

This passage in Isaiah 5 is one of the literary masterpieces of the entire Bible. It is presented in the form of a ballad, comparable, I suppose, to some of the folk songs of our day. The prophet describes in great detail how the vineyard was carefully prepared so as to insure a maximum harvest.

A choice plot of fertile soil was selected on a very fruitful hill. A fence was built around it so as to keep wild animals away from the choice vines. Stones were then gathered from the soil so as to make adequate cultivation possible and if you have ever lived where there was rocky soil you know what a job this must have been. The next step had to do with the selection of the grape vines. The KJV reads "choicest vine." The word here is a technical word and refers to the finest brand of grapes grown in Syria.

A tower was then built in the very middle of the vineyard. From this vantage point a watchman would be able to watch over the entire vineyard protecting it from any would-be thieves. In most cases this was only a hut but in this case a tower so as to provide extra protection.

Finally, a winepress was built there. In a lot of cases the fruit was transported to another point for processing. Not so in this case. The winepress was in the very center of the garden. In this way none would be lost in transportation and besides, with such an anticipated crop a winepress was needed close at hand.

From all indications every precaution possible was taken in this attempt to produce an abundant harvest. In fact, this is graphically brought out in the question as raised in verse 4: "What could have been done more to my vineyard, that I have not done?"

Carefully his audience must have pondered the question for a moment only to realize that everything possible had been done. His preparation for the harvest had left no stone unturned.

Now all of this was done so as to remind the people of God's blessings and God's special care.

The least of all nations of the earth, God had chosen them to be the special instruments of His grace.

He had gone with them into battle and made it possible for them to gain the victor's spoils time and time again, and sometimes with the odds greatly against them.

He had led them, sometimes by the clouds of heaven and sometimes by the pillar of fire. They had seen the waters open to let them pass over and they had seen manna supplied from heaven.

From the thundering peaks of Sinai they had received the laws of God written by the finger of God.

God had sent His special messengers to speak and interpret His truth to their hearts.

It was a valid question indeed: What more could God possibly do than what He had already done?

I'll be honest to say that I cannot read these words without thinking of the manifold blessings of God upon this nation of ours. Surely we must bow our heads in reverence when we think of: Plymouth Rock and Valley Forge, Bull Run and Gettysburg, Iwo Jima and Okinawa.

And such men as: Washington and Lincoln, Grant and Lee, Jefferson and the Roosevelts, and the list could go on and on.

While other nations date their history back for hundreds and even thousands of years, we have yet to celebrate our 200th birthday. In this comparative brief span of time we have become the most powerful, the wealthiest, the most blessed nation in all of history. Dare we deny the blessings of God upon us during this span of time.

THE EXPECTATION

Anxiously then did the master of the vineyard await the time of harvest. Justly did he have reason to expect an abundant one. He had done everything humanly possible to insure this. Thus does the Bible say, "and he looked that it should bring forth grapes."

But he waited in vain. When the time of harvest finally came the grapes were not juicy nor were they abundant: Instead, the vines brought forth wild grapes. The word used is a technical word again that refers to a worthless variety of stinking grapes that often grew in the land. An abundant crop was anticipated and a worthless one was harvested. How utterly disappointed he must have been.

The prophet of God then drives home the truth to their hearts. Judah is the vineyard. God is the winepresser. He had looked for justice, but instead He found oppression. He expected righteousness, but heard nothing but the cry of the oppressed. How utterly disappointed He must have been.

In verses 8–24 the prophet goes on to describe the wild grapes which Judah had produced. There was first of all the sin of greed expressed in the lives of the powerful rich who oppressed the poor and padded their purses at the expense of these underprivileged.

Then there was drunkenness. They get up early in the morning so as to get started on their drinking and they continue with it until night. They had become a nation of sots.

Then there was the moral blindness on the part of the leaders. They called good evil and evil good. The judges were crooked and accepted bribes from the well-to-do. The prophet points out the depravity of their hearts when in verse 14 he says that hell's boundaries would have to be enlarged to take care of them and their sin!

Need I take precious time this morning to show the parallel between what is said here and the conditions that exist in our land today. Greed, drunkenness and moral blindness are but a few of the wild grapes of our day. Add to that the lawlessness, the corruption in high places, the racial tension, the new morality which is really a no morality and you have a part of the picture at least. And the thing so disgusting to me is that some of the leaders in these affairs are supposed to be God's preachers. Lawlessness is lawlessness, regardless of who does it and those brethern who destroyed and poured blood over the draft records in near-by Baltimore should be treated as criminals just like anybody else—even if they did wear a clerical collar! And you can tell them I said so!

I, too, wonder if hell's boundaries won't have to be enlarged to make ample room for the sin of this nation of ours. I, too, wonder how long God can continue to be merciful to us. He has done so much for us and the harvest is so little in return. With the prophet of God I also ask, "How long, O God, how long?"

THE DESTRUCTION

Having been so utterly disappointed in the harvest the prophet asks: "What will I do to my vineyards?"

And then as the prophets often did he answers his own question:

"I will take away the hedge thereof, and it shall be eaten up; and break down the wall thereof, and it shall be trodden down:

"And I will lay it waste: it shall not be pruned, nor digged; but there shall come up briars and thorns; I will also command the clouds that they rain no rain upon it." (Is. 5:5–6)

Failing to fulfill its purpose the vineyard was utterly destroyed. Such would be the fate of Judah should she refuse to repent and come back to God. Refuse she did, and destruction and captivity were her reward.

As the people listened they thought their prophet was surely a preacher of heresy. It was unthinkable indeed that God would judge and abandon His chosen people. It was beyond their faintest imagination. Of this the people just could not conceive.

Such seems to be the attitude of so many modern Americans. Many Americans bask in their prosperity and godlessness with the idea that God wouldn't dare let the atheistic Communists over-run this "Christian" land of ours. And yet if the Bible makes anything clear it shows how that God does judge His people so as to bring them back unto Himself. Or as George Adam Smith said, "God is more interested in the purity of His people than He is in their prosperity."

It is thus with deep conviction that I feel that God's message to Judah in the long ago is God's message to America this morning. We as a nation cannot continue to mock at sin, flaunt the commandments of the Lord, desecrate that which is holy and still expect the favor of God. The inevitable result of apostasy is judgment. America's hope this morning is found in a genuine spiritual awakening and moral revolution. If this is not ours in the very near future I fear that we shall again see the judgment of God. And there are some who believe that it is already too late!

God has blessed us as a nation. There can be no doubt about that. He has every right then to expect, as the prophet Micah said, that we too should do justly, love mercy, and walk humbly with our God. Every reason to expect, as Amos said, that justice should run down as waters and righteousness as a mighty stream.

"But," some ask, "what can I do. I am but one among 200 million?"

I remember hearing the statement one time, "Because you can't do everything, please just don't do anything." Spiritual awakenings begin in individual hearts and individual churches. Moral revolutions do the same. We can begin by making sure that our own lives and our own church are producing fruit worthy of the Lord God who has come to us in mercy and grace, O beloved,

"Because you can't do everything, please just don't do anything."

If enough of us do our part this can be a nation under God!

THE JUBILEE OF GOD—ADDRESS BY HUGH S. JACOBS, CLINTON, S.C.

HON. STROM THURMOND

OF SOUTH CAROLINA

IN THE SENATE OF THE UNITED STATES

Tuesday, July 9, 1968

Mr. THURMOND. Mr. President, a timely and thought-provoking address on the challenges facing Christian laymen was delivered in my State on May 20, 1968, by Mr. Hugh S. Jacobs, of Clinton, S.C. Mr. Jacobs spoke as moderator of the South Carolina Presbyterian Synod.

This address, entitled "The Jubilee of God," represents an incisive examination of the role of our churches and their membership in these turbulent times.

Mr. Jacobs points out that many churches have rushed too fast into social and political areas. He further states that such efforts have not only failed to produce lasting results, but many churches have witnessed a decline in various phases of their programs since these shifts in policy.

A prominent and highly respected church leader, Mr. Jacobs warns that often more harm than good results when a person or an organization gets "too far out front."

He calls upon his church to remember the lessons of the past, to return to the practice of the patriots and statesmen, to return to the Bible and some of the old-time religion and to teach, preach, and live the Gospel.

Mr. President, these views by Mr. Jacobs are timely and vital to the health of our churches and all Americans. I ask unanimous consent that the article be printed in the Extensions of Remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

THE JUBILEE OF GOD

(Luke: 4: 16–22)

This address was delivered to the members of Synod most of whom were friends of long standing, and represents thinking which has developed in my mind over a period of several years. In delivering a message orally, words can be presented in a spirit of kindness and love which cold print does not relay.

In complying with Synod's request that this be printed, I do so with the hope that those who read the speech here for the first time will understand that its major purpose was that of drawing all Presbyterians in South Carolina closer together and that it was delivered in a spirit of love to friends.

There was no intent to divide, and I hope no one will interpret my remarks as divisive. Unity of purpose for all citizens and Christians is more important now than ever before.—Hugh S. Jacobs.

"When Judas, the betrayer, saw that Christ was condemned, . . . he threw down the pieces of silver in the temple, he departed, and he went out and hanged himself. . ." (Matthew: 27)

Consumed by a guilty conscience . . . Beset by doubts . . . Bereft of courage . . . and unmindful of the future . . . Judas destroyed himself . . . and by this rash act, bereaved himself of the glorious Easter Sunrise that could have been his.

Words have never painted a more helpless picture.

By his thoughtless, imprudent act, he forfeited an opportunity for forgiveness and reconciliation. His fellow disciples are honored throughout Christendom . . . Judas is known as the turncoat.

Today, as we study events of recent years in our world, I have come to the realization that our own country is moving slowly down the same road which Judas traveled . . .

In Europe and Asia, where thousands of our soldiers died to restore freedom for the world . . . We are hated and despised.

Psychologists tell us that many Americans wear the scar of Hiroshima in their hearts . . . forgetting the lives it saved and the peace it brought . . .

When the Peublo was captured in recognized international waters, not only the world . . . but many Americans accused our administration of violating Korean waters . . .

There's a gnawing suspicion throughout our land, that we don't belong in Viet Nam . . . and many of our young people are being encouraged to avoid serving in the armed forces . . .

And now, overwhelmed by a feeling of National Guilt . . . our Ambassadors meekly go in and out the doors of the Majestic Hotel in Paris . . . acting as though The United States is the criminal on trial for disturbing World Peace.

Goaded by this guilt . . . and prodded by our allies, we are Preparing to negotiate a coalition with the communists . . . Knowing full well that such negotiations mean suicide . . .

Our cities are torn with insurrection . . . and our colleges are prostrate in the hands of militant students . . .

The poor and underprivileged have become belligerent in their demands for a better life . . .

Everywhere we are surrendering to rebellion . . . because our nation is beset with self inflicted guilts . . . which are not wholly deserved . . . and in some cases are even imaginary.

And I fear our reaction to these guilts is almost as rash as Judas'. In these times . . . when a clear mind and a loyal heart are desperately needed. . . Our minds are clouded by expedience . . . and our hearts darkened by remorse. . . .

The Presbyterian Church has been caught up in this same whirlwind . . . and to a lesser degree . . . may be following in the same pathway. . . .

Feeling a need to update our Christian Education Program . . . we devoted all our energies and much of our money developing the Covenant Life Curriculum . . . which was hailed by many as the greatest advance in Sunday School thinking in a generation . . . yet the statistical reports show that Sunday School enrollment has dropped by more than 10 percent in the past five years.

Relevance . . . involvement . . . mission . . . confrontation and dialogue have become watchwords in our teaching and preaching . . . seeking new ways to make the Church more meaningful to its members . . . yet adult baptisms and professions of faith continue to decline.

The war on poverty and equal opportunity for all people have been programs which consumed most of our thoughts and planning . . . and every phase of our Church's work has been updated so that it can serve the community better . . . As a church we have never offered more opportunity for service to mankind . . . yet ministerial candidates from our Synod have decreased by 50% in ten years.

We have been diligent in our efforts to put Christ's Fourfold Scheme of Christianity to work in the world. . . .

But the results we expected have not materialized. . . .

What has happened?

Wherein have we gone wrong?

I believe we have been so preoccupied in America and in our Church with the problems of the present, that we have forgotten the lessons of the past . . .

Our country needs to return to the practices of the Patriots and Statesmen . . .

Our church needs to return to the Bible and some of that old time religion.

We need to fuse the spiritual goals of Christ's ministry with the social goals . . .

The time has come for us to teach the gospel . . . preach the gospel and live the Gospel.

We have emphasized the social side of the gospel so ardently that we have tried to meet the challenges of our day without the full support of the entire church . . . Our plans may have been excellent . . . and our intentions good . . . and our church may truly be at the crossroads . . . But I am afraid that the church has stopped there. Some of our leaders have gone so far ahead, we don't know which road to take and in a few cases the church has despaired of catching up, and is floundering at the road junction . . .

Like the children's game of follow the leader, our captains have led us through the culverts and ditches . . . over the hedges and down the steep bank . . . but now some of our leaders are walking along a tall narrow fence, and few if any of the followers are ready for this test of their skills.

We had a regimental commander in Italy who was so anxious for us to capture a certain bridge that he couldn't wait for one of his battalions to get there by foot . . . he commandeered a jeep and three men and took off . . . by a stroke of luck he got to the bridge, but was then surrounded by the enemy . . . it took three hours of hard fighting by his battalion to free him and the men.

Later he was awarded the Silver Star for Bravery . . . but at the same time General Bolte handed him a letter of reprimand for risking an entire Regiment . . . he was ordered to lead the troops from his command post in the future.

During this time our Regimental slogan was "so far out front it's lonesome . . ." but common sense dictated that we halt frequently so our reserves and support could catch up.

I do not wish to infer that what has been done, and what is being planned by our leaders is wrong . . . we have delayed too long in giving assistance to our minority groups and in bringing justice to all citizens in our Southland. . . .

But I do feel that we should realize we are endangering the peace . . . harmony . . . and growth of our church by trying to lead in a new direction faster than our troops can follow.

Paul encountered this same situation in the church at Corinth. A number of the more dedicated and educated Christians were eating meat which had been offered to idols . . . Paul saw no harm in this practice, but he cautioned the Corinthians that there were still many less experienced members of the church who were weak and growing, who had been offended by this practice. He wrote to the Corinthians . . .

"Not all of us possess this knowledge, so take care lest this liberty of yours becomes a stumbling block to the weak . . . If food is the cause of my brother's falling . . . I will never eat meat."

The average member of our church comes from a background of mores which have caused him to want to slow down this new program until he can understand it . . . he needs time to grow in grace.

We need not abandon the Social Gospel, but we need urgently to spend our efforts as energetically and as dedicatedly on its spiritual message.

First of all . . . to say that Christ's platform . . . as recorded by Luke is purely a social one is incorrect . . . He quoted from Isaiah, and the closing words of this quotation referred to the "Acceptable year of the Lord."

This was a reminder of the Jubilee Year . . . that one year in fifty, following seven periods of seven years, in which all Jews could have a new start. They who had sold themselves into slavery, were set free . . . and those who had given up, or lost family lands were given new title to the property. It was indeed a year of emancipation . . . but from what I read, it never enjoyed complete success. . . .

With Christ's coming, however . . . the year of the New Jubilee had arrived . . . Through Him all men could be freed from the bondage of sin and indebtedness to self. . . .

Not just once in a lifetime . . . but every day . . . any day.

Christ's message was twofold actually . . . "The kingdom is at hand" and "all must repent and be saved through Him. . . ."

The social betterment of mankind would come as a result of the spiritual betterment of man. . . . the social and the Spiritual Gospels are like the song "Love and Marriage," the two go together. . . . and you can't have one without the other.

Professor E. F. Scott wrote. . . . "Christ' primary interest is not that of making a better world, (for this will be accomplished by God himself when He brings in his kingdom) . . . but that of fostering an active goodness in men and women."

All social problems are rooted in personal ones, and the most effective way to deal with social problems is to get to the root of them in individuals. "The 20th Century is no more justified in presenting Christ as a sociological worker than the 6th Century was in painting him as an ascetic monk." (Harry J. Cadbury)

When dealing with social problems, Christ concentrated on the spiritual problem of the individual.

With the woman taken in adultry he did not speak of her environment or home life—He simply brought forgiveness to her and said . . . "go and sin no more. . ."

With the rich young ruler . . . he neither condemned riches nor spoke of the benefits the poor could derive from his money. . . . He simply showed the young man how he had failed to keep the tenth commandment.

The social and racial prejudice suffered by the Samaritan woman at the well was bypassed completely as Christ looked into her heart and found the true problem. . . . when this was cured, she became a missionary for Him among her own people.

The feeding of the poor . . . the miracles of healing and lifegiving . . . the great acts which Christ performed . . . were certainly done because He had compassion on the helpless . . . but also He did these things so that the people would know that He was the Messiah.

It is interesting that Paul, the greatest of all preachers in our church, never emphasized . . . in fact rarely mentioned, the miracles which Christ had performed.

Paul's message was always spiritual . . . and so was Christ's message . . . even in the Release of Prisoners. . . .

Christ brought freedom. . . . but where can you find a man in this world who is truly free, except one who has been made free by acceptance of Christ?

None of us can free ourselves. . . . like the Jews of old, we are all waiting for the Jubilee. . . . and thank God it has come, through Jesus Christ!

And until we who call ourselves Christians are freed spiritually, we cannot hope to free others. . . . and in freeing others we cannot give them true freedom without teaching and leading them to a surrender to Christ.

Lord Percy summed it up in these words. . . . "To think of changing the world by changing the people in it is an act of great faith . . . but to talk of changing the world without changing the people in it is an act of lunacy . . ."

Christ's second promise . . . Recovery of sight for the blind . . . also had spiritual meaning.

Probably the most dramatic of his miracles was that of making the blind to see. . . . and it must have been a thrilling thing to watch the joy on someone's face as he regained his sight. . . .

But all of the blind to whom Christ talked were not physically blind. . . .

Men were spiritually blind. . . . and still are. . . . and He came into the world as the light of the world . . .

The Pharisees asked once. . . . "are we also blind?"

Jesus opens our eyes to our own needs—and to the wonder . . . and majesty . . . and nearness of God. . . . yet many of us like the man in the scriptures are only *partially* healed. . . . we see man "walking as trees . . ."

Because the process of giving sight to the spiritual blind is a continuous one, it is the chief task of our church. Every worship service in effect, has the purpose of opening eyes and hearts.

Constant preaching of the Gospel is needed now more than ever before . . . for without it, none of us will ever rise to the heights Christ demands for discipleship.

In the final analysis though . . . no matter how inspiring a sermon may be. . . . no matter how many people rededicate themselves in answer to altar calls . . . the winning of souls and the changing of people is done largely by personal work.

Jesus referred to this as . . . "Setting at liberty them that are bruised . . ." In spite of all our efforts to give freedom to prisoners and sight to the blind . . . there are still many individuals behind the bars . . . desperate lonely people who see the light. . . . and know the door has been opened . . . but who have been so bruised by the world . . . or have become so calloused and indifferent. . . . that they are incapable of grasping the freedom which is offered.

Lord Byron wrote in his poem "The Prisoner of Chillon . . ."

"At last man came to set me free
I'd asked not why, and reck'd not where;
It was at length the same to me,
Fettered or fetterless to be.
My very chains and I grew friends
So much a long communion tends
To make us what we are; even I
Regained my freedom with a sigh."

Many are like the bird which has beaten itself against the cage until all strength is gone. . . . an open door or an invitation is not enough . . . This one needs a kindly hand to lift it out . . . and nurse it back to health . . . and to teach it to fly again.

The Gospels in their brevity leave much to be told about Christ, but the story which is recorded teaches us that he placed His greatest emphasis on personal evangelism.

There is much sorrow that can be soothed only by personal sympathy . . . and many hearts that must be touched by individual attention . . . The needs of those outside our church are great, and their cry is plaintive . . . but there comes a time when all elders, teaching and ruling alike, must tend to the spiritual needs of their own flock.

A favorite passage of scripture for home missions sermons is the story of the shepherd who searched all night for the lost sheep. . . . and of his friends who rejoiced when he found it. . . .

But we overlook the fact that the lost sheep was from his own flock. . . . not some stranger's fold. . . the shepherd was in his own pasture looking for one of his own sheep. . . .

And if you read the story carefully, he made sure the ninety nine were secure before he went out in the night searching the lost one.

A shepherd is not a good shepherd who neglects his own flock. . . .

A beautiful picture of the Perfect Shepherd is painted in the 23rd Psalm. Probably the most comforting passage in the Bible.

We read it often for our own satisfaction and peace. . . . but it could also serve as an excellent outline of our duties as under-Shepherds of the flock.

"Take them frequently to the still waters. . . . restore their souls. . . . Lead them in righteousness. . . . Feed them continuously on God's word. . . . and comfort them when death draws near. . . . "

Finally . . . Christ tells us the Good Shepherd *knows* his sheep . . . he calls them by name . . . .and is mindful of their individual needs. . . .

How much do we know about our own sheep? We know who comes to church. . . . And who is active in the CE program. . . . We know the leaders in men and women's work. . . . And we may even know who tithes.

But do we know for a fact which of our elders and deacons have completely surrendered to Christ? Which of our members are hurt . . . and lonely . . . and frightened by the world?

Through visitation and sympathetic listening you can find where the problems and the needs really are . . . and as you gain people's confidence you can begin to help them with these problems, and show them the true meaning of Christianity.

As you develop such confidence you might be surprised by an interesting byproduct. . . . your people will become interested in your problems. . . . and your aspirations. This is where we will have to start with all the great programs of the church if we hope to move forward on a broad effective front.

The Jubilee is here, and we need to tell our generation of its beneficence.

There's a world to be won for Christ. . . . There are sick who need healing . . . Blind in need of sight . . . Hungry who must be fed and countless prisoners yet to be released . . .

All of this as members of the church we should do . . . we must do . . . and with God's help we will do this—and more.

But we should be doing it together. . . . in harmony. More slowly probably. . . . but more surely.

So I beg you to have patience . . . lead us with love . . . help us to grow. . . . pray for us. . . . and when ever you are in need of a *new* sermon topic. . . Tell us the old old story. . . . tell it to us often, with earnest tones and grave . . . remember *we're* the sinners, whom Jesus came to save.

GUN LAWS—NEW AND OLD

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. CURTIS. Mr. Speaker, in the context of the present push toward stronger gun control legislation, I would like to focus attention on the laws now on the books. I have no qualms about supporting stronger gun legislation and I readily admit that there may be loopholes in existing legislation. I want to know what those loopholes are. It appears from the results of the hearings to date that the administration has failed to administer the present laws with vigor and that most of the horrible examples given by the administration witnesses in support of their request for new legislation could have been avoided with proper enforcement on the part of the officials in charge.

In this context then, I am setting forth below a copy of the National Firearms Act of 1934 passed in the 73d Congress; a copy of the Federal Firearms Act of 1938 passed in the 75th Congress; and that portion of the United States Code which covers the two acts:

[Public—No. 474—73d Congress]

H.R. 9741

An act to provide for the taxation of manufacturers, importers, and dealers in certain firearms and machine guns, to tax the sale or other disposal of such weapons, and to restrict importation and regulate interstate transportation thereof

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of this Act—

(a) The term "firearm" means a shotgun or rifle having a barrel of less than eighteen inches in length, or any other weapon, except a pistol or revolver, from which a shot is discharged by an explosive if such weapon is capable of being concealed on the person, or a machine gun, and includes a muffler or silencer for any firearm whether or not such firearm is included within the foregoing definition.

(b) The term "machine gun" means any weapon which shoots, or is designed to shoot, automatically or semiautomatically, more than one shot, without manual reloading, by a single function of the trigger.

(c) The term "person" includes a partnership, company, association, or corporation, as well as a natural person.

(d) The term "continental United States" means the States of the United States and the District of Columbia.

(e) The term "importer" means any person who imports or brings firearms into the continental United States for sale.

(f) The term "manufacturer" means any person who is engaged within the continental United States in the manufacture of firearms, or who otherwise produces therein any firearm for sale or disposition.

(g) The term "dealer" means any person not a manufacturer or importer engaged within the continental United States in the business of selling firearms. The term "dealer" shall include wholesalers, pawnbrokers, and dealers in used firearms.

(h) The term "interstate commerce" means transportation from any State or Territory or District, or any insular possession of the United States (including the Philippine Islands), to any other State or to the District of Columbia.

(i) The term "Commissioner" means the Commissioner of Internal Revenue.

(j) The term "Secretary" means the Secretary of the Treasury.

(k) The term "to transfer" or "transferred" shall include to sell, assign, pledge, lease, loan, give away, or otherwise dispose of.

Sec. 2. (a) Within fifteen days after the effective date of this Act, or upon first engaging in business, and thereafter on or before the 1st day of July of each year, every importer, manufacturer, and dealer in firearms shall register with the collector of internal revenue for each district in which such business is to be carried on his name or style, principal place of business, and places of business in such district, and pay a special tax at the following rates: Importers or manufacturers, $500 a year; dealers, other than pawnbrokers, $200 a year; pawnbrokers, $300 a year. Where the tax is payable on the 1st day of July in any year it shall be computed for one year; where the tax is payable on any other day it shall be computed proportionately from the 1st day of the month in which the liability to the tax accrued to the 1st day of July following.

(b) It shall be unlawful for any person required to register under the provisions of this section to import, manufacture, or deal in firearms without having registered and paid the tax imposed by this section.

Sec. 3. (a) There shall be levied, collected, and paid upon firearms transferred in the continental United States a tax at the rate of $200 for each, firearm, such tax to be paid by the transferor, and to be represented by appropriate stamps to be provided by the Commissioner, with the approval of the Secretary; and the stamps herein provided shall be affixed to the order for such firearm, hereinafter provided for. The tax imposed by this section shall be in addition to any import duty imposed on such firearm.

(b) All provisions of law (including those relating to special taxes, to the assessment, collection, remission, and refund of internal revenue taxes, to the engraving, issuance, sale, accountability, cancellation, and distribution of tax-paid stamps provided for in the Internal-revenue laws, and to penalties) applicable with respect to the taxes imposed by section 1 of the Act of December 17, 1914, as amended (U.S.C., Supp. VII, title 26, secs. 1040 and 1383), and all other provisions of the internal-revenue laws shall, insofar as not inconsistent with the provisions of this Act, be applicable with respect to the taxes imposed by this Act.

(c) Under such rules and regulations as the Commissioner, with the approval of the Secretary, may prescribe, and upon proof of the exportation of any firearm to any foreign country (whether exported as part of another article or not) with respect to which the transfer tax under this section has been paid by the manufacturer, the Commissioner shall refund to the manufacturer the amount of the tax so paid, or, if the manufacturer waives all claim for the amount to be refunded, the refund shall be made to the exporter.

Sec. 4. (a) It shall be unlawful for any person to transfer a firearm except in pursuance of a written order from the person seeking to obtain such article, on an application form issued in blank in duplicate for that purpose by the Commissioner. Such order shall identifiy the applicant by such means of identification as may be prescribed by regulations under this Act: *Provided*, That, if the applicant is an individual, such identification shall include fingerprints and a photograph thereof.

(b) The Commissioner, with the approval of the Secretary, shall cause suitable forms to be prepared for the purposes above mentioned, and shall cause the same to be distributed to collectors of internal revenue.

(c) Every person so transferring a firearm shall set forth in each copy of such order the manufacturer's number or other mark identifying such firearm, and shall forward a copy of such order to the Commissioner. The original thereof with stamps affixed, shall be returned to the applicant.

(d) No person shall transfer a firearm which has previously been transferred on or after the effective date of this Act, unless such person, in addition to complying with subsection (c), transfers therewith the stamp-affixed order provided for in this section for each such prior transfer, in compliance with such regulations as may be prescribed under this Act for proof of payment of all taxes on such firearms.

(e) If the transfer of a firearm is exempted from the provisions of this Act as provided in section 13 hereof, the person transferring such firearm shall notify the Commissioner of the name and address of the applicant, the number or other mark identifying such firearm, and the date of its transfer, and shall file with the Commissioner such documents in proof thereof as the Commissioner may by regulations prescribe.

(f) Importers, manufacturers, and dealers who have registered and paid the tax as provided for in section 2(a) of this Act shall not be required to conform to the provisions of this section with respect to transactions in firearms with dealers or manufacturers if such dealers or manufacturers have registered and have paid such tax, but shall keep such records and make such reports regarding such transaction as may be prescribed by regulations under this Act.

Sec. 5. (a) Within sixty days after the effective date of this Act every person possessing a firearm shall register, with the collector of the district in which he resides, the number or other mark identifying such firearm, together with his name, address, place where such firearm is usually kept, and place of business or employment, and, if such person is other than a natural person, the name and home address of an executive officer thereof: *Provided*, That no person shall be required to register under this section with respect to any firearm acquired after the effective date of, and in conformity with the provisions of, this Act.

(b) Whenever on trial for a violation of section 6 hereof the defendant is shown to have or to have had possession of such firearm at any time after such period of sixty days without having registered as required by this section, such possession shall create a presumption that such firearm came into the possession of the defendant subsequent to the effective date of this Act, but this presumption shall not be conclusive.

Sec. 6. It shall be unlawful for any person to receive or possess any firearm which has at any time been transferred in violation of section 3 or 4 of this Act.

Sec. 7. (a) Any firearm which has at any time been transferred in violation of the provisions of this Act shall be subject to seizure and forfeiture, and (except as provided in subsection (b)) all the provisions of internal-revenue laws relating to searches, seizures, and forfeiture of unstamped articles are extended to and made to apply to the articles taxed under this Act, and the persons to whom this Act applies.

(b) In the case of the forfeiture of any firearm by reason of a violation of this Act: No notice of public sale shall be required; no such firearm shall be sold at public sale; if such firearm is in the possession of any officer of the United States except the Secretary, such officer shall deliver the firearm to the Secretary; and the Secretary may order such firearm destroyed or may sell such firearm to any State, Territory, or possession (including the Philippine Islands), or political subdivision thereof, or the District of Columbia, or retain it for the use of the Treasury Department or transfer it without charge to any Executive department or independent establishment of the Government for use by it.

Sec. 8. (a) Each manufacturer and importer of a firearm shall identify it with a number or other identification mark approved by the Commissioner, such number or mark to be stamped or otherwise placed thereon in a manner approved by the Commissioner.

(b) It shall be unlawful for anyone to obliterate, remove, change, or alter such number or other identification mark. Whenever on trial for a violation of this subsection the defendant is shown to have or to have had possession of any firearm upon which such number or mark shall have been obliterated, removed, changed, or altered, such possession shall be deemed sufficient evidence to authorize conviction, unless the defendant explains such possession to the satisfaction of the jury.

Sec. 9. Importers, manufacturers, and dealers shall keep such books and records and render such returns in relation to the transactions in firearms specified in this Act as the Commissioner, with the approval of the Secretary, may by regulations require.

Sec. 10. (a) No firearm shall be imported or brought into the United States or any territory under its control or jurisdiction (including the Philippine Islands), except that, under regulations prescribed by the Secretary, any firearm may be so imported or brought in when (1) the purpose thereof is shown to be lawful and (2) such firearm is unique or of a type which cannot be obtained within the United States or such territory.

(b) It shall be unlawful (1) fraudulently or knowingly to import or bring any firearm into the United States or any territory under its control or jurisdiction (including the Philippine Islands), in violation of the provisions of this Act; or (2) knowingly to assist in so doing; or (3) to receive, conceal, buy, sell, or in any manner facilitate the transportation, concealment, or sale of any such firearm after being imported or brought in, knowing the same to have been imported or brought in contrary to law. Whenever on trial for a violation of this section the defendant is shown to have or to have had possession of such firearms, such possession shall be deemed sufficient evidence to authorize conviction unless the defendant explains such possession to the satisfaction of the jury.

Sec. 11. It shall be unlawful for any person who is required to register as provided in section 5 hereof and who shall not have so registered, or any other person who has not, in his possession a stamp-affixed order as provided in section 4 hereof, to ship, carry, or deliver any firearm in interstate commerce.

Sec. 12. The Commissioner, with the approval of the Secretary, shall prescribe such rules and regulations as may be necessary for carrying the provisions of this Act into effect.

Sec. 13. This Act shall not apply to the transfer of firearms (1) to the United States Government, any State, Territory, or possession of the United States, or to any political subdivision thereof, or to the District of Columbia; (2) to any peace officer or any Federal officer designated by regulations of the Commissioner; (3) to the transfer of any firearm which is unserviceable and which is transferred as a curiosity or ornament.

Sec. 14. Any person who violates or fails to comply with any of the requirements of this Act shall, upon conviction, be fined not more than $2,000 or be imprisoned for not more than five years, or both, in the discretion of the court.

Sec. 15. The taxes imposed by paragraph (a) of section 600 of the Revenue Act of 1926 (U.S.C., Supp. VII, title 26, sec. 1120) and by section 610 of the Revenue Act of 1932 (47 Stat. 169, 264), shall not apply to any firearm on which the tax provided by section 3 of this Act has been paid.

Sec. 16. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Sec. 17. This Act shall take effect on the thirtieth day after the date of its enactment.

Sec. 18. This Act may be cited as the "National Firearms Act."

Approved, June 26, 1934.

[Public—No. 785, 75th Congress, chapter 850, 3d session]

S. 3

An act to regulate commerce in firearms

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That as used in this Act—

(1) The term "person" includes an individual, partnership, association, or corporation.

(2) The term "interstate or foreign commerce" means commerce between any State, Territory, or possession (including the Philippine Islands but not including the Canal Zone), or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession (including the Philippine Islands but not including the Canal Zone), or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

(3) The term "firearm" means any weapon, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosive and a firearm muffler or firearms silencer, or any part or parts of such weapon.

(4) The term "manufacturer" means any person engaged in the manufacture or importation of firearms, or ammunition or cartridge cases, primers, bullets, or propellent powder for purposes of sale or distribution; and the term "licensed manufacturer" means any such person licensed under the provisions of this Act.

(5) The term "dealer" means any person engaged in the business of selling firearms or ammunition or cartiridge cases, primers, bullets or propellent powder, at wholesale or retail, or any person engaged in the business of repairing such firearms or of manufacturing or fitting special barrels, stocks, trigger mechanisms, or breach mechanisms to firearms, and the term "licensed dealer" means any such person licensed under the provisions of this Act.

(6) The term "crime of violence" means murder, manslaughtr, rape, mayhem, kidnaping, burglary, housebreaking; assault with intent to kill, commit rape, or rob; assault with a dangerous weapon, or assault with intent to commit any offense punishable by imprisonment for more than one year.

(7) The term "fugitive from justice" means any person who has fled from any State, Territory, the District of Columbia, or possession of the United States to avoid prosecution for a crime of violence or to avoid giving testimony in any criminal proceeding.

(8) The term "ammunition" shall include all pistol or revolver ammunition except .22-caliber rim-fire ammunition.

Sec. 2. (a) It shall be unlawful for any manufacturer or dealer, except a manufacturer or dealer having a license issued under the provisions of this Act, to transport, ship, or receive any firearm or ammunition in interstate or foreign commerce.

(b) It shall be unlawful for any person to receive any firearm or ammunition transported or shipped in interstate or foreign commerce in violation of subdivision (a) of this section, knowing or having reasonable cause to believe such firearms or ammunition to have been transported or shipped in violation of subdivision (a) of this section.

(c) It shall be unlawful for any licensed manufacturer or dealer to transport or ship any firearm in interstate or foreign commerce to any person other than a licensed manufacturer or dealer in any State the laws of which require that a license be obtained for the purchase of such firearm, unless such license is exhibited to such manufacturer or dealer by the prospective purchaser.

(d) It shall be unlawful for any person to ship, transport, or cause to be shipped or transported in interstate or foreign commerce any firearm or ammunition to any person knowing or having reasonable cause to believe that such person is under indictment or has been convicted in any court of the United States, the several States, Territories, possessions (including the Philippine Islands), or the District of Columbia of a crime of violence or is a fugutive[1] from justice.

(e) It shall be unlawful for any person who is under indictment or who has been convicted of a crime of violence or who is a fugutive[1] from justice to ship, transport, or cause to be shipped or transported in interstate or foreign commerce any firearm or ammunition.

(f) It shall be unlawful for any person who has been convicted of a crime of violence or is a fugutive[1] from justice to receive any firearm or ammunition which has been shipped or transported in interstate or foreign commerce, and the possession of a firearm or ammunition by any such person shall be presumptive evidence that such firearm or ammunition was shipped or transported or received, as the case may be, by such person in violation of this Act.

(g) It shall be unlawful for any person to transport or ship or cause to be transported or shipped in interstate or foreign commerce any stolen firearm or ammunition, knowing, or having reasonable cause to believe, same to have been stolen.

(h) It shall be unlawful for any person to receive, conceal, store, barter, sell, or dispose of any firearm or ammunition or to pledge or accept as security for a loan any firearm or ammunition moving in or which is a part of interstate or foreign commerce, and which while so moving or constituting such part has been stolen, knowing, or having reasonable cause to believe the same to have been stolen.

(i) It shall be unlawful for any person to transport, ship, or knowingly receive in interstate or foreign commerce any firearm from which the manufacturer's serial number has been removed, obliterated, or altered, and the possession of any such firearm shall be presumptive evidence that such firearm was transported, shipped, or received, as the case may be, by the possessor in violation of this Act.

SEC. 3. (a) Any manufacturer or dealer desiring a license to transport, ship, or receive firearms or ammunition in interstate or foreign commerce shall make application to the Secretary of the Treasury, who shall prescribe by rules and regulations the information to be contained in such application. The applicant shall, if a manufacturer, pay a fee of $25 per annum, and if a dealer, shall pay a fee of $1 per annum.

(b) Upon payment of the prescribed fee, the Secretary of the Treasury shall issue to such applicant a license which shall entitle the licensee to transport, ship, and receive firearms and ammunition in interstate and foreign commerce unless and until the license is suspended or revoked in accordance with the provisions of this Act: *Provided,* That no license shall be issued to any applicant within two years after the revocation of a previous license.

(c) Whenever any licensee is convicted of a violation of any of the provisions of this Act, it shall be the duty of the clerk of the court to notify the Secretary of the Treasury within forty-eight hours after such conviction and said Secretary shall revoke such license: *Provided,* That in the case of appeal from such conviction the licensee may furnish a bond in the amount of $1,000, and upon receipt of such bond acceptable to the Secretary of the Treasury he may permit the licensee to continue business during the period of the appeal, or should the licensee refuse or neglect to furnish such bond, the Secretary of the Treasury shall suspend such license until he is notified by the clerk of the court of last appeal as to the final disposition of the case.

(d) Licensed dealers shall maintain such permanent records of importation, shipment, and other disposal of firearms and ammunition as the Secretary of the Treasury shall prescribe.

SEC. 4. The provisions of this Act shall not apply with respect to the transportation, shipment, receipt, or importation of any firearm, or ammunition, sold or shipped to, or issued for the use of, (1) the United States or any department, independent establishment, or agency thereof; (2) any State, Territory, or possession, or the District of Columbia, or any department, independent establishment, agency, or any political subdivision thereof; (3) any duly commissioned officer or agent of the United States, a State, Territory, or possession, or the District of Columbia, or any political subdivision thereof; (4) or to any bank, public carrier, express, or armored-truck company organized and operating in good faith for the transportation of money and valuables; (5) or to any research laboratory designated by the Secretary of the Treasury: *Provided,* That such bank, public carriers, express, and armored-truck companies are granted exemption by the Secretary of the Treasury; nor to the transportation, shipment, or receipt of any antique or unserviceable firearms, or ammunition, possessed and held as curios or museum pieces: *Provided,* That nothing herein contained shall be construed to prevent shipments of firearms and ammunition to institutions, organizations, or persons to whom such firearms and ammunition may be lawfully delivered by the Secretary of War, nor to prevent the transportation of such firearms and ammunition so delivered by their lawful possessors while they are engaged in military training or in competitions.

SEC. 5. Any person violating any of the provisions of this Act or any rules and regulations promulgated hereunder, or who makes any statement in applying for the license or exemption provided for in this Act, knowing such statement to be false, shall, upon conviction thereof, be fined not more than $2,000, or imprisoned for not more than five years, or both.

SEC. 6. This Act shall take effect thirty days after its enactment.

SEC. 7. The Secretary of the Treasury may prescribe such rules and regulations as he deems necessary to carry out the provisions of this Act.

SEC. 8. Should any section or subsection of this Act be declared unconstitutional, the remaining portion of the Act shall remain in full force and effect.

SEC. 9. This Act may be cited as the Federal Firearms Act.

Approved, June 30, 1938.

[From title 26 United States Code, 1964 ed.]

PART IV—OTHER TAXES

§ 5831. Cross reference.

For excise tax on pistols, revolvers, and firearms, see section 4181.

(Aug. 16, 1954, ch. 736, 68A Stat. 724.)

Subchapter B—General provisions

Sec.
5841. Registration of persons in general.
5842. Books, records and returns.
5843. Identification of firearms.
5844. Exportation.
5845. Importation.
5846. Other laws applicable.
5847. Regulations.
5848. Definitions.
5849. Citation of chapter.

Amendments

1958—Pub. L. 85–859, title II, § 203(g)(2), Sept. 2, 1958, 72 Stat. 1428, added item 5849.

§ 5841. Registration of persons in general.

Every person possessing a firearm shall register, with the Secretary or his delegate, the number or other mark identifying such firearm, together with his name, address, place where such firearm is usually kept, and place of business or employment, and, if such person is other than a natural person, the name and home address of an executive officer thereof. No person shall be required to register under this section with respect to a firearm which such person acquired by transfer or importation or which such person made, if provisions of this chapter applied to such transfer, importation, or making, as the case may be, and if the provisions which applied thereto were complied with. (Aug. 16, 1954, ch. 736, 68A Stat. 725.)

§ 5842. Books, records and returns.

Importers, manufacturers, and dealers shall keep such books and records and render such returns in relation to the transactions in firearms specified in this chapter as the Secretary or his delegate may by regulations require. (Aug. 16, 1954, ch. 736, 68A Stat. 725.)

§ 5843. Identification of firearms.

Each manufacturer and importer of a firearm shall identify it with a number and other identification marks approved by the Secretary or his delegate, such number and marks to be stamped or otherwise placed thereon in a manner approved by the Secretary or his delegate. (Aug. 16, 1954, ch. 736, 68A Stat. 725; Sept. 2, 1958, Pub. L. 85–859, title II, § 203(e), 72 Stat. 1427.)

Amendments

1958—Pub. L. 85–859 substituted "number and other identification marks" for "number or other identification mark" and "number and marks" for "number or mark".

Effective Date of 1958 Amendment

Amendment of section by Pub. L. 85–859 effective on Sept. 3, 1958, see section 210 (a) (1) of Pub. L. 85–859, set out as a note under section 5001 of this title.

§ 5844. Exportation.

Under such regulations as the Secretary or his delegate may prescribe, and upon proof of the exportation of any firearm to any foreign country (whether exported as part of another article or not) with respect to which the transfer tax under section 5811 has been paid by the manufacturer, the Secretary or his delegate shall refund to the manufacturer the amount of the tax so paid, or, if the manufacturer waives all claim for the amount to be refunded, the refund shall be made to the exporter. (Aug. 16, 1954, ch. 736, 68A Stat. 725.)

§ 5845. Importation.

No firearm shall be imported or brought into the United States or any territory under its control or jurisdiction, except that, under regulations prescribed by the Secretary or his delegate, any firearm may be so imported or brought in when—

(1) the purpose thereof is shown to be lawful and

(2) such firearm is unique or of a type which cannot be obtained within the United States or such territory.

(Aug. 16, 1954, ch. 736, 68A Stat. 725.)

§ 5846. Other laws applicable.

---

[1] So in original.

All provisions of law (including those relating to special taxes, to the assessment, collection, remission, and refund of internal revenue taxes, to the engraving, issuance, sale, accountability, cancellation, and distribution of taxpaid stamps provided for in the internal revenue laws, and to penalties) applicable with respect to the taxes imposed by sections 4701 and 4721, and all other provisions of the internal revenue laws shall, insofar as not inconsistent with the provisions of this chapter, be applicable with respect to the taxes imposed by sections 5811 (a), 5821 (a) and 5801. (Aug. 16, 1954, ch. 736, 68A Stat. 726.)

§ 5847. Regulations.

The Secretary or his delegate shall prescribe such regulations as may be necessary for carrying the provisions of this chapter into effect. (Aug. 16, 1954, ch. 736, 68A Stat. 726.)

§ 5848. Definitions.

For purposes of this chapter—

(1) FIREARM.—The term "firearm" means a shotgun having a barrel or barrels of less than 18 inches in length, or a rifle having a barrel or barrels of less than 16 inches in length, or any weapon made from a rifle or shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches, or any other weapon, except a pistol or revolver, from which a shot is discharged by an explosive if such weapon is capable of being concealed on the person, or a machine gun, and includes a muffler or silencer for any firearm whether or not such firearm is included within the foregoing definition.

(2) MACHINEGUN.—The term "machinegun" means any weapon which shoots, or is designed to shoot, automatically or semiautomatically, more than one shot, without manual reloading, by a single function of the trigger.

(3) RIFLE.—The term "rifle" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

(4) SHOTGUN.—The term "shotgun" means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.

(5) ANY OTHER WEAPON.—The term "any other weapon" means any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, but such term shall not include pistols or revolvers or weapons designed, made or intended to be fired from the shoulder and not capable of being fired with fixed ammunition.

(6) IMPORTER.—The term "importer" means any person who imports or brings firearms into the United States for sale.

(7) MANUFACTURER.—The term "Manufacturer" means any person who is engaged within the United States in the business of manufacturing firearms, or who otherwise produces therein any firearm for sale or disposition.

(8) DEALER.—The term "dealer" means any person not a manufacturer or importer, engaged within the United States in the business of selling firearms. The term "dealer" shall include wholesalers, pawnbrokers, and dealers in used firearms.

(9) INTERSTATE COMMERCE.—The term "interstate commerce" means transportation from any State or Territory or District, or any insular possession of the United States, to any other State or to the District of Columbia.

(10) TO TRANSFER OR TRANSFERRED.—The term "to transfer" or "transferred" shall include to sell, assign, pledge, lease, loan, give away, or otherwise dispose of.

(11) PERSON.—The term "person" includes a partnership, company, association, or corporation, as well as a natural person.

(Aug. 16, 1954, ch. 736, 68A Stat. 727; Sept. 2, 1958, Pub. L. 85–859, title II, § 203(f), 72 Stat. 1427; June 1, 1960, Pub. L. 86–478, § 3, 74 Stat. 149.)

Amendments

1960—Pub. L. 86–478 included within the definition of "firearms" in par. (1), any weapon made from a rifle or shotgun (whether by alteration, modification, or otherwise) if such weapon as modified has an overall length of less than 26 inches, and excluded rifles having barrels between 16 and 18 inches in length.

1958—Pub. L. 85–859 substituted "designed or redesigned and made or remade" for "designed and made" in pars. (3) and (4), and "the business of manufacturing firearms" for "the manufacture of firearms" in par. (7).

Effective Date of 1960 Amendment

Amendment of section by Pub. L. 86–478 effective on the first day of the first month which begins more than 10 days after June 1, 1960, and, for purposes of the rate of the special tax imposed by section 5801 of this title, shall apply with respect to periods beginning after June 30, 1960, see section 5 of Pub. L. 86–478, set out as a note under section 5801 of this title.

Effective Date of 1958 Amendment

Amendment of section by Pub. L. 85–859 effective on Sept. 3, 1958, see section 210 (a) (1) of Pub. L. 85–859, set out as a note under section 5001 of this title.

§ 5849. Citation of chapter.

This chapter may be cited as the "National Firearms Act" and any reference in any other provision of law to the "National Firearms Act" shall be held to refer to the provisions of this chapter. (Added Pub. L. 85–859, title II, § 203 (g) (1), Sept. 2, 1958, 72 Stat. 1427.)

Effective Date

Section effective on Sept. 3, 1958, see section 210(a)(1) of Pub. L. 85–859, set out as a note under section 5001 of this title.

Subchapter C—Unlawful acts

Sec.
5851. Possessing firearms illegally.
5852. Removing or changing identification marks.
5853. Importing firearms illegally.
5854. Failure to register and pay special tax.
5855. Unlawful transportation in interstate commerce.

Amendments

1958—Pub. L. 85–859, title II, § 203 (h)(3), (i)(2), Sept. 2, 1958, 72 Stat. 1428, substituted "Possessing firearms illegally" for "Possessing firearms unlawfully transferred or made" in item 5851, and "Failure to register and pay special tax" for "In case of failure to register and pay special tax" in item 5854, and added item 5855.

§ 5851. Possessing firearms illegally.

It shall be unlawful for any person to receive or possess any firearm which has at any time been transferred in violation of sections 5811, 5812 (b), 5813, 5814, 5844, or 5846, or which has at any time been made in violation of section 5821, or to possess any firearm which has not been registered as required by section 5841. Whenever on trial for a violation of this section the defendant is shown to have or to have had possession of such firearm, such possession shall be deemed sufficient evidence to authorize conviction, unless the defendant explains such possession to the satisfaction of the jury. (Aug. 16, 1954, ch. 736, 68A Stat. 728; Sept. 2, 1958, Pub. L. 85–859, title II, § 203 (h) (1), (2), 72 Stat. 1428.)

Amendments

1958—Pub. L. 85–859, § 203(h)(2), catchline substituted "Possessing firearms illegally" for "Possessing firearms unlawfully transferred or made" in the catchline, and § 203(h)(1) made it unlawful to possess any firearm which has not been registered as required by section 5841 of this title.

Effective Date of 1958 Amendment

Amendment of section by Pub. L. 85–859 effective on Sept. 3, 1958, see section 210(a) (1) of Pub. L. 85–859, set out as a note under section 5001 of this title.

§ 5852. Removing or changing identification marks.

It shall be unlawful for anyone to obliterate, remove, change, or alter the number or other identification mark required by section 5843. Whenever on trial for a violation of this section the defendant is shown to have or to have had possession of any firearm upon which such number or mark shall have been obliterated, removed, changed, or altered, such possession shall be deemed sufficient evidence to authorize conviction, unless the defendant explains such possession to the satisfaction of the jury. (Aug. 16, 1954, ch. 736, 68A Stat. 728.)

§ 5853. Importing firearms illegally.

It shall be unlawful—

(1) fraudulently or knowingly to import or bring any firearm into the United States or any territory under its control or jurisdiction, in violation of the provisions of this chapter; or

(2) knowingly to assist in so doing; or

(3) to receive, conceal, buy, sell, or in any manner facilitate the transportation, concealment, or sale of any such firearm after being imported or brought in, knowing the same to have been imported or brought in contrary to law.

Whenever on trial for a violation of this section the defendant is shown to have or to have had possession of such firearm, such possession shall be deemed sufficient evidence to authorize conviction, unless the defendant explains such possession to the satisfaction of the jury. (Aug. 16, 1954, ch. 736, 68A Stat. 728.)

§ 5854. Failure to register and pay special tax.

It shall be unlawful for any person required to register under the provisions of section 5802 to import, manufacture, or deal in firearms without having registered and paid the tax imposed by section 5801. (Added Pub. L. 85–859, title II, § 203(i)(1), Sept. 2, 1958, 72 Stat. 1428.)

Codification

Similar provisions were contained in subsec. (a) of former section 5854, act Aug. 16, 1954, ch. 736, 68A Stat. 728, which was repealed by Pub. L. 85–859, § 203(i)(1).

Effective Date

Section effective on Sept. 3, 1958, see section 210(a)(1) of Pub. L. 85–859, set out as a note under section 5001 of this title.

§ 5855. Unlawful transportation in interstate commerce.

It shall be unlawful for any person who is required to register as provided in section 5841 and who shall not have so registered, or any other person who has not in his possession a stamp-affixed order as provided in section 5814 or a stamp-affixed declaration as provided in section 5821, to ship, carry, or deliver any firearm in interstate commerce. (Added Pub. L. 85–859, title II, § 203(i)(1), Sept. 2, 1958, 72 Stat. 1428.)

Codification

Similar provisions were contained in subsec. (b) of former section 5854 of this title, act Aug. 16, 1954, ch. 736, 68A Stat. 728, which was repealed by Pub. L. 85-859, § 203 (i) (1).

Effective Date

Section effective on Sept. 3, 1958, see section 210(a) (1) of Pub. L. 85-859, set out as a note under section 5001 of this title.

Subchapter D—Penalties and forfeitures

Sec.
5861. Penalties.
5862. Forfeitures.

§ 5861. Penalties.

Any person who violates of fails to comply with any of the requirements of this chapter shall, upon conviction, be fined not more than $2,000, or be imprisoned for not more than 5 years, or both, in the discretion of the court. (Aug. 16, 1954, ch. 736, 68A Stat. 729.)

Cross References

Felony as offense punishable by imprisonment for term exceeding one year, see section 1 of Title 18, Crimes and Criminal Procedure.

§ 5862. Forfeitures.

(a) Laws applicable.—Any firearm involved in any violation of the provisions of this chapter or any regulation promulgated thereunder shall be subject to seizure and forfeiture, and (except as provided in subsection (b) all the provisions of internal revenue laws relating to searches, seizures, and forfeiture of unstamped articles are extended to and made to apply to the articles taxed under this chapter, and the persons to whom this chapter applies.

(b) Disposal.—In the case of the forfeiture of any firearm by reason of a violation of this chapter: No notice of public sale shall be required; no such firearm shall be sold at public sale; if such firearm is forefeited for a violation of this chapter and there is no remission or mitigation of forfeiture thereof, it shall be delivered by the Secretary or his delegate to the Administrator of General Services, General Services Administration, who may order such firearm destroyed or may sell it to any State, Territory, or possession, or political subdivision thereof, or the District of Columbia, or at the request of the Secretary or his delegate may authorize its retention for official use of the Treasury Department, or may transfer it without charge to any executive department or independent establishment of the Government for use by it. (Aug. 16, 1954, ch. 736, 68A Stat. 729.)

D.C. TRANSIT CO. SUBSIDY BILL, H.R. 18248

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. STEIGER of Arizona. Mr. Speaker, next District day, July 22, we can expect to have before us H.R. 18248, a bill to provide a school fare subsidy to the D.C. Transit Co. It is my feeling that such a subsidy is unjustified.

The bill would require the District of Columbia government to pay to the transit company the difference between the present school fare and the adult fare and would be retroactive to include fiscal 1968. The cost to the taxpayers would amount to more than $1 million per year.

Present law requires such a subsidy to be paid to the company only when D.C. Transit's operation within the confines of the District of Columbia is losing money. The fact of the matter is that D.C. Transit has never lost money on its operation within the District. On the contrary, the company has made a great deal of money on its operations within the District of Columbia.

Mr. Speaker, the fact of the matter is that the ownership of D.C. Transit has appropriated to itself huge dividends plus salaries amounting to almost $5 million out of operating revenues while in large measure neglecting its financial obligations to its creditors, to the company, and to the riders. The $5 million which the owners have awarded themselves is all the more startling when one considers that they paid only $500,000 down and paid off the rest of the approximately $13½ million purchase price within 3 years, 4½ months out of the company's incomes and its acquired assets of cash and real estate. Not a penny more than the original $500,000 downpayment was paid into the company by the owners. The company has been a windfall operation to say the least.

Now the company claims to be in a cash-short position and needs bailing out. The fact of the matter is that its present financial position is of its own manufacture and therefore the Congress and the taxpayers should not be put in a position of having to pay for the irresponsibility of the company's management.

The franchise granted in 1956 to D.C. Transit gives the company a protected market for the rendition of bus transportation services. Likewise the Congress granted D.C. Transit exemption from the following taxes: Franchise tax, gross sales tax, compensating use tax, motor vehicle titles tax, tangible personal property tax, and the mileage tax. Exemptions for the motor vehicle fuel tax and taxes on realty used in transportation operations were granted to the extent needed to allow the rate of return which is determined by the regulatory commission.

Mr. Speaker, I have here a study of the operations of the D.C. Transit Co. which was prepared by the Citizens Council for the District of Columbia. Before H.R. 18248 is called up for consideration in the House, I would strongly urge our colleagues to read the council's profound analysis and its recommendations. One recommendation explicitly states: "That no additional government payments, tax exemptions, or other subsidy be given D.C. Transit at this time."

Another important factor why the Congress should not increase its largess to this already oversubsidized operation is because a public body, the Washington Metropolitan Area Transit Authority, the interstate subway-building authority, is currently conducting an appraisal of the company's value with an eye toward purchasing it. Therefore, it would be unseemly for the Congress to increase the worth of the company, the increased purchase price of which would fall on the taxpayers if the company is sold to the WMATA. And, naturally, the resulting increased value would be another windfall to the present owners.

The council's study follows:

CITIZENS COUNCIL FOR THE DISTRICT OF COLUMBIA, WASHINGTON, D.C., DECEMBER 16, 1966

* * * * *

REPORT AND RECOMMENDATIONS ON THE DESIRABILITY OF GOVERNMENT PAYMENTS TO THE MASS TRANSIT SYSTEM IN THE DISTRICT

On January 26, 1966, the Washington Metropolitan Area Transit Commission issued its Order No. 564 denying, in the main, the 1965 application of D.C. Transit System, Inc., for authority to increase its bus fares.

However, the Commission found in its Order that D.C. Transit should have a margin of some $550,000 to $650,000 as a cushion over and above operating costs, interest and dividends "to assure some measure of financial stability" for 1966 and concluded that the Company "is entitled to net (operational) earnings in the amount of approximately $2,000,000 in 1966." The Commission predicted that D.C. Transit would experience net earnings of only $643,357 in 1966 and found that "it must be allowed additional return in the approximate amount of $1,350,000."

To provide this additional return, the Commission authorized the Company to use, that is to transfer "to net operating profit," a reserve established by order of the U.S. District Court for "the purpose of benefiting transit users" which order arose out of a 1960 application by the Company for a fare increase. The Commission found, in January, 1966, that the reserve had a balance of $1,360,765.21 which would make the Company's projected earnings $2,009,122.

These rulings gave the following projections for 1966:

Gross operating revenue	$33, 338, 782
Net operating revenue	648, 357
Transfer of court-ordered reserve	1, 360, 765
Net retained earnings for 1966	2, 009, 122

The Transit Company thereupon issued a public announcement stating that this "would represent a rate of return on gross operating revenues of 6.03%, the highest ever authorized by the Commission."

These findings and rulings by the Commission were notice to the Washington community that unless there were substantial changes in 1966, the Company would be in position to get fare increases in 1967 to take the place of the court-ordered reserve which would then be exhausted.

Concerned with this trend and interested in the possibility of lower fares, the Citizens Council decided in the Spring of 1966 to hold public hearings on the "desirability of a government subsidy for the mass transit (bus) system in the District." It announced that consideration would be given to the principles involved, the importance of lower fares, estimated deficits, the impact of lower fares on the volume of automobile traffic, the desirability of reducing such traffic, and to all relevant opinions, observations and information that might be submitted.

* * * * *

History of transit in the District

Originally travel in the District was by horse and the principal highways and bridges were built by private turnpike-bridge companies who charged tolls. As these failed to make out financially, the Government took some over and operated them toll free. Wisconsin Avenue, for example, was acquired by the Government for $3,000 as late as 1883. Franchises were then granted various private companies to operate horse-drawn and electric cars. Sometimes they had to provide some maintenance of streets.

Early street railway companies included the Washington and Georgetown Railway Company and the Capitol, North O and South Washington Railway Company. The Rock Creek Railway Company was authorized in 1895 to acquire the Washington and Georgetown Railway and to become the Capital Traction Company. In 1902 over a dozen other railway companies merged to become the Washington Railway & Electric Company (a subsidiary of the North American Company), which obtained control of Potomac Electric Power. These two companies, Capital Traction and WR&E, operated independently but with various transfer arrangements until 1933 when they were allowed to merge into the Capital Transit Company, with ownership in the North American Company and in independent stockholders.

Capital Transit Company

During World War II there was exceedingly heavy patronage of Capital Transit caused by the number of people brought to Washington for the war effort, by dramatically improved service resulting from the new "PCC" streetcar, and by gasoline rationing. Simultaneously, there were few demands for the retirement of old equipment and speedy amortization was possible for emergency facilities. The years 1942–45 were very profitable, although the fares were kept at 10¢ for a single ride, 3 tokens for 25¢ and a weekly pass for $1.25. The school fare was 3¢. The stock dividend was $2 per year.

This profitability was concealed from the general public, however, by transferring operating revenues into various reserves, charging all taxes as operating costs and other devices detailed in 1952 in a Congressional Report prepared by James M. Landis for John F. Kennedy, then Congressman and chairman of the Public Utilities Subcommittee of the House District Committee. The accrual of reserves was due to a natural conservatism by Capital's officers who were anxious to pay off debts and concerned with post-war problems, and possible conversion to other means of transportation.

In 1944 a survey recommended streetcars going underground at Dupont Circle and continuing underground to south Fourteenth Street, S.W. and also east just beyond the Library of Congress. The city was to build the system for an estimated 56 million dollars, paying for it out of the highway fund's gasoline tax revenues. The Commissioners reduced the proposal to a 35 million dollar version and Congress levied the proposed tax increase. The Dupont Circle underpass and an underground turnaround at south Fourteenth Street were built. These may have been the beginning of the subway or may have resulted from pressures to reduce traffic congestion. The increasing use of the auto after the war reduced passenger loads and created a demand for more street space by the removal of streetcar tracks and conversion to buses.

In 1948, Louis E. Wolfson apparently became aware of Capital's reserves and began buying its stock. In 1949 he received permission to take over at $20 per share. Fares were raised in 1947, 1948, 1950 and 1952 to 15¢ for single rides, 3 tokens for 40¢ and a weekly pass for $2.10. In 1950 the dividend rose to $3; in 1951 to $4. Early in 1952 the Company declared an extra dividend of $10 and applied for another fare increase. By June 1952 the purchasers at $20 had received $18.40 back in dividends. The price of stock had risen to $39 when it was split 4 to 1. The Landis report quoted it at $54 on the pre-split basis.

Dean Landis was not critical of the fare increases; they were not the basis for the dividend melon. What happened, he said, was a change in dividend policy and "the distribution in 1952 of earnings accumulated by the old management during the war years of 1942–45." But both he and "Congressman" Kennedy were critical of the Utilities Commission for its failure to order the windfall held as a cushion for future lean years, perhaps in a special reserve to be used later in the public interest. Kennedy said: "If the Public Utilities can recapture for the public some of the excess earnings of the war years . . . a good cushion against the vagaries of the future will have been provided."

Our future President declared: "The present situation has developed as a result of the laxity of the Public Utilities Commission in years past. It is certainly its duty to see what corrections can now be made . . . Apart from whatever the legalities of the situation may be, the new management of the Capital Transit Company—the so-called Wolfson interests—has adopted an attitude that has emphasized the investment possibilities of the transit system without proper consideration of its responsibilities to the community. Transit companies, whether in Washington or any American city, are vitally affected with the public interest and are not primarily avenues for developing personal fortunes."

In 1955, the affairs of Capital Transit reached their nadir. Under the leadership of Mr. Wolfson, its equipment became dilapidated and its service impoverished. Confidence reached an all-time low. In this sorry setting, company relations with the union broke down and the city was plunged into a long, hot summer strike. Metropolitan residents walked, rode bicycles, and shared rides with surprising patience, while city policemen worked overtime to reduce traffic jams and keep the automobiles moving. Congress revoked the franchise and gave Mr. Wolfson one year to operate. City and Congressional officials began their search for a company to take over a new franchise.

Public authority versus private corporation

On October 10, 1955, the D.C. Public Utilities Commission received six applications for the permit. All were found to be deficient but conferences were held with each applicant in efforts to develop a feasible project. On December 3 the P.U.C. found that a group of Baltimore investors represented by former Senator Millard Tydings had a prima facie case and announced a hearing for December 15–16. At the hearing, however, and again on the 19th, Senator Tydings reported that his group had been unable to negotiate a satisfactory labor agreement with the Transit Union and would have to withdraw. The P.U.C. concluded that no other application met basic requirements.

On December 30, Samuel Spencer, President of the D.C. Board of Commissioners, reported to the Congress the "failure of efforts to develop sound plans for private operation" and stated that the Commissioners, with the aid of the Public Utilities Commission, were turning to plans for a public authority. He concluded: "Since it now appears that a public authority with private financing is the most practicable form of transit system . . ., it is a matter of highest importance that the Congress act promptly."

On May 10, the United States Senate passed a bill providing for a three-year "interim" Washington Metropolitan Transit Authority which would take over the Capital Transit System. It was to be financed by a 20 million dollar loan from the U.S. Treasury. The vote was 41 to 31.

In the meantime, however, there were new efforts in the private sector. Senator Tydings made another attempt, although unsuccessfully. Morris Fox said the First National Bank of N.Y. had agreed to lend his group three million dollars to buy the Wolfson interests. Max Kampelman was busy organizing another group. In March, Congressmen McMillan and Broyhill introduced bills to give Wolfson another chance, with tax exemptions, a guaranteed return and greater latitude in fixing fares and service standards. Daniel Bell of American Security and Trust advanced a plan to buy the Wolfson interests, which made the restoration of the franchise more attractive. This legislation passed the House in May.

The battle thus moved to the conference committee, between the two legislative bodies. The National City Lines, operator of some 40 urban transit systems throughout the country, then negotiated a contract with Capital Transit to buy its assets for $13,440,000, conditioned upon stockholder approval and on getting a satisfactory franchise from Congress. NCL objected, however, to responsibility for streetcar track removal and requested a guaranteed profit of 10% of the gross operating revenue. These demands were resisted by the D.C. Commissioners.

In June, Morris Fox introduced O. Roy Chalk to the scene. The Commissioners expressed doubt about his financial resources. Mr. Chalk thereupon displayed a letter of credit from the Chase Manhattan Bank for $500,000 and disclosed his bid to buy the Capital Transit assets for $13,440,000, of which eight million dollars would be in cash. On June 21 the Commissioners found that all offers were inadequate and recommended to the Conference Committee that the Senate Bill for an interim public authority be passed.

However, by nightfall of that day (6/21), the Commissioners reached an agreement with a local group of businessmen headed by Harry A. McDonald on the satisfactory terms for a franchise and so notified the Congress. Nevertheless, on June 26, the Commissioners formally recommended to the Conference Committee that it give the franchise to the Chalk-Fox group on franchise terms substantially the same as those already agreed to by McDonald. Commissioner Karrick noted that Chalk-Fox "have put the money on the line. The others say they can get it. But time is of the essence." In the meantime, California Eastern Aviation, Inc., announced it would buy Capital's assets for the $13,440,000 and would negotiate terms with the company.

The Conference Committee met at 2:30 p.m. on June 27. Waiting outside were Chalk. Fox and their attorneys. The Committee endorsed the criteria for franchise terms which the D.C. Commissioners had recommended and formally rejected the offer of National City Lines. Chalk and Fox et al. then "raced" to "Capitol's office to negotiate their contract to purchase Capital's assets. The agreement was announced that night.

D.C. Transit is born

As a result of these negotiations, Congress passed in July 1956 an Act To Grant a Franchise to D.C. Transit System, Inc. The franchise was for 20 years except for non-use and also except that Congress could cancel it after seven years without the payment of damages. The fare rates were required to be the same for one year, i.e. to August 15, 1957, after which they could be raised if the Utilities Commission did not disapprove.

In the Franchise Act Congress declared as a matter of legislative policy that the Corporation "should be afforded the opportunity of earning such return as to make the Corporation an attractive investment to private investors. As an incident thereto the Congress (found) that the opportunity to earn a return of at least 6½% net after all taxes properly chargeable to transportation operation * * * on either the system rate base or on gross operating revenues would not be unreasonable, and that the Commission should encourage and facilitate the shifting to such gross operating revenue base as promptly as possible and * * * if conditions warrant not later than August 15, 1958."

The Franchise Act provided that the Corporation was obligated to convert its street railway operations to bus operations and remove its tracks within seven years, unless the Utilities Commission extended the time.

Congress likewise granted D.C. Transit exemption from the following taxes: franchise tax, gross sales tax, compensating use tax, motor vehicle titles tax, tangible personal property tax, and the mileage tax. Exemptions for the motor vehicle fuel tax and taxes on realty used in transportation operations were granted to the extent needed to allow a 6½% rate of return on operations. The fuel tax exemption has been granted every year except 1959 and the realty tax since 1961 when the streetcar conversion was 50% completed.

On September 15, 1960, the Congress gave its consent to the Washington Metropolitan Area Transit Regulation Compact, which was signed by the District Commissioners and by the Governors of Maryland and Virginia on December 22, 1960. By this Compact, the Washington Metropolitan Area Transit Commission (WMATC) was given jurisdiction for the regulation and improvement of transit, including the power to prescribe fares, regulations, and practices. Procedures for the filing of rate schedules, suspension by the Commission and appeals to the United States Courts of Appeals were set forth. The tax exemptions and other provisions of D.C. Transit's franchise were left intact.

The Compact provided that in fixing rates, the Commission should give due consideration, inter alia, to their effect on the movement of traffic, to the need of "efficient transportation service * * * at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable such carriers * * * to provide such service." The Compact declared as a matter of legislative policy that the opportunity to earn a return of at least 6½% on gross operating revenues should not be considered unreasonable. (This language was similar to the franchise except that it did not mention the "system rate base.")

History of D.C. Transit's finances

D.C. Transit of D.C. was organized by TCA Investing Corporation which obtained all the stock and put $500,000 in the treasury in payment therefor. This stock was subsequently transferred to D.C. Transit of Delaware, whose stock is largely held by Trans Caribbean Airways. The original $500,000 was the only money paid in by stockholders. D.C. Transit of D.C. was able, however, to buy the assets of Capital Transit in 1956, as of August 15. Those assets were:

Capital Transit cash on hand	$7,580,650.46
Materials and supplies	724,013.55
Other current assets (accounts, notes)	201,824.44
Deferred accounts available	24,000.00
U.S. Government bonds	60,037.50
Miscellaneous physical property	2,426.59
Real estate, plant, and equipment at cost less depreciation	18,100,922.05
Total	26,693,874.59
Less liabilities	2,814,833.40
Net book value	23,879,041.19

D.C. Transit purchased the above assets by the following procedures:

Cash supplied by D.C. transit Stockholders	$500,000.00
Cash borrowed from Chase Manhattan Bank at 4 percent, payable $600,000 on December 1, 1956, $1,000,000 on January 2, 1957 and February 1, 1957, all secured by $5,600,000 of Capital Transit cash deposited without interest in Chase Manhattan and pledged for security	5,600,000.00
Cash borrowed from Chase Manhattan Bank payable in 20 quarterly installments of $175,000 each, with 5 percent interest, secured by chattel mortgage on all streetcars, buses and certain accessory work equipment, acquired from Capital Transit	3,500,000.00
Purchase money mortgage at 5 percent, given Capital Transit on all real estate acquired in the transaction; $100,000 payable semiannually starting February 15, 1957	3,940,000.00
Total	13,540,000.00

By the time of the actual exchange, two parcels of real estate had been sold for $62,000, reducing the value of the real estate, plant and equipment item by that much and likewise reducing the amount owed on the Capital Transit mortgage to $3,878,000.00.

In the next 4½ months, i.e. by the end of the calendar year 1956, D.C. Transit reduced its purchase money obligations by $5,775,000. Presumably this completely paid off the $5,600,000 loan at Chase Manhattan secured by the time deposit and the first of the quarterly installments of $175,000 due November 15, 1956 to Chase Manhattan on the chattel mortgage. Transit apparently accomplished these payments by taking $4,000,000 out of its cash balance and $1,775,000 out of its gross Operating Revenues for that 4½ months. Its cash flow from operations, consisting of net operating revenue and depreciation accrual, totaled $868,516 and its current liabilities were allowed to rise $1,284,492. These funds were slightly more than adequate to make the payment on principal and the $205,906 that was paid in interest during this period.

During the year 1957, D.C. Transit reduced its purchase money obligations by $900,000. This clearly consisted of the four quarterly payments of $175,000 each due to Chase Manhattan on the chattel mortgage plus the two semi-annual installments due Capital Transit on the purchase money mortgage. In addition Transit paid $383,458 interest obligations, raised its cash balance by $1,773,614 and paid dividends of $290,000 to its stockholder. All of this came out of Gross Operating Revenues, from which the cash flow of net revenue plus depreciation accrual totaled $3,002,237. The dividends thus paid were 58% of the stock investment.

During 1958, Transit reduced its purchase money obligations by $2,825,250, made interest payments of $321,828 and paid dividends of $400,000 to its stockholder. This was accomplished largely out of the cash flow from Gross Operating Revenues ($2,916,306) with $630,772 coming probably from the lowering of the cash balance. The dividends thus paid were 80% of the stock investment.

During 1959 Transit paid off the balance of its purchase money debts, i.e. $3,477,750 plus $160,496 for interest and $450,000 in dividends. $3,035,116 of this could have come out of the cash flow from Gross Operating Revenue. However, 1959 was the year Transit sold its car barns on 4th Street, S.W., to the Redevelopment Land Agency for a net profit of $2,251,218 which would have been applied to the balance and final payment on the real estate mortgage. Both funds were undoubtedly used. Transit's Retained Earnings rose that year to a total of $2,549,415.24. The dividends amounted to 90% of the stock investment.

To summarize, from August 1956 through 1959, from its operating revenues and its acquired assets of cash and real estate, D.C. Transit made these payments:

	On purchase debts	Interest	Dividends	Retained earnings
1956	$5,837,000.00	$205,906.95		($103,171.43)
1957	900,000.00	333,458.65	$290,000	230,150.77
1958	2,825,250.00	321,828.25	400,000	45,411.20
1959	3,477,750.00	160,496.00	450,000	125,807.00 2,251,218.00
Total	13,040,000.00	1,071,689.85	1,140,000	2,549,415.54

Thus, in three years, 4½ months, the D.C. Transit stockholder had paid off all its purchase debts, reimbursed itself for its original investment of $500,000, collected an additional $640,000 in dividends (about 32% per year) and accumulated retained earnings of $2,549,415.00.

Commencing in about 1959, Transit began to borrow large sums of money, largely from insurance companies, to buy new buses and otherwise improve service. All costs of debt service, debt retirement and all costs of all kinds have been paid from operating revenues or reserves funded from operating revenues. Dividend payments of $500,000 (100% of the par value) were made for each of the six years from 1960 through 1965. $250,000 dividends have been paid in 1966.

Transit's balance sheet as of August 31, 1966 is as follows:

Assets:	
Cash on hand	$1,744,677.63
Other current assets	1,655,191.56
Real estate and other rental properties	2,064,499.15
Less accumulated depreciation	673,371.35
	1,391,127.80
Investment in subsidiary companies	2,576,503.20
Municipal bonds	71,941.20
U.S. Government bonds	223,402.50
Real estate used in operations	8,106,842.71
Buses	33,953,422.84
Other	3,647,856.02
	45,708,121.57
Less accumulated depreciation	16,012,398.45
Total assets	37,358,567.06

Liabilities:	
Current liabilities, accounts, notes	$10,607,700.00
Long-term notes payable	17,314,442.28
Reserve for tokens and tickets	369,947.20
Reserve for injuries and damages	2,026,049.38
Reserve for truck removal and paving	752,771.55
Special court-ordered reserve	453,588.41
Unamortized excess of original cost of properties over cost to D.C. Transit	1,885,661.68
Capital stock: 5,000 shares	500,000.00
Retained earnings	3,385,405.96
Total liabilities	37,358,567.06

The asset of "Real estate and other rental properties" includes properties no longer used for operations, such as a substantial portion of the headquarters building at 3600 M Street, N.W., which is rented out, the Maryland right-of-ways to Glen Echo and Riverdale, the Gary Street powerhouse used for cable cars, and four or five other buildings now considered surplus. The values used are the original costs, less depreciation as indicated.

The asset of "Investment in subsidiary companies" consists of the value of the stock issued to D.C. Transit in exchange for certain properties retired from operations and transferred respectively to subsidiaries. One such subsidiary is the M Street Estates, Inc., which has the old streetcar shop in the 3200 block of M Street, N.W. Another is Georgia Avenue Estates, Inc., which has the old Central Garage located across from the Griffith Stadium and formerly used to house and service up to 110 buses. This building is now rented to the U.S. Post Office Department. Another is the Fourth

Street Estates, Inc., which took the old streetcar house at 4th and T Streets, N.E. This Building has been rented recently to a wholesale drug firm for $10,000 yearly. Still another subsidiary is the L Street Estates, Inc., which has the Navy Yard streetcar yard, which is now rented to the U.S. Government for warehouse space.

All of these properties were in the package bought from Capital Transit and paid for from fares collected by D.C. Transit. The values used were book values, i.e. original cost less depreciation, at the dates of the transfers. No dividends have been paid to D.C. Transit by any of these subsidiaries. There cash balances total $50,908.73. There is an additional cash balance of $422,224.89 in a fifth subsidiary, the WV&M Coach Company.

These five companies have raised and loaned a total of $941,007.78 to other companies owned by D.C. Transit of Delaware, which amounts are listed as Accounts Receivable. These amounts are thus assets of D.C. Transit of D.C. and arise from the Capital Transit assets purchased and paid for out of operating revenues since August 1956.

* * * * *

A long term analysis

It is not our purpose to review the details of operation and financing of D.C. Transit. That was the function of the District Public Utilities Commission until March 1961 and then of the Washington Metropolitan Area Transit Commission and of the United States Courts of Appeal. We are not public utility accountants or attorneys. Our function is to review the broad sweep of events and the results in terms of social policy. Our purpose is to analyze and to recommend policies, or changes in policies, which we believe to be in the best interest of the public.

The franchise granted D.C. Transit by Congress in 1956 did not set a criterion for earnings and fares, except that the Company "should be afforded the opportunity of earning such return as to make the Corporation an attractive investment to private investors" and except for a finding that a return of 6½% on "either the system rate base or on gross operating revenues would not be unreasonable." The PUC and the WMATC wisely held that the finding was not a command. In 1965 the U.S. Court of Appeals reviewed the history and implications of this language. It rejected Transit's claim that there was a guaranteed rate of return, holding that the rate was merely advisory or a warning as to what might be unreasonable. (D.C. Transit v. WMATC, 350 F 2nd 753).

The interstate compact, approved in 1960, was more specific. It stated that the Commission was to have jurisdiction for "the regulation and improvement of transit and the alleviation of traffic congestion"; and that the carriers were to charge "just and reasonable" fares. In addition to paraphrasing the above language from the franchise, the compact required the Commission in setting fares to give due consideration. . . . "to the inherent advantages of transportation by such carriers; to the effect of rates upon the movement of traffic by the carrier . . .; to the need, in the public interest, of adequate and efficient transportation service by such carriers *at the lowest cost consistent with the furnishing of such service; and to the need of revenues sufficient to enable such carriers, under honest, economical, and efficient management, to provide such service.*" (Underlining ours)

In administering the above provisions, the PUC and the WMATC although not required by Congress to do so, have followed the general policies laid down by legislative and judicial bodies for public utility rate regulation. This has involved such concepts as the rate base, operating properties and income, non-operating properties and income, the transfer of assets from the operating to the non-operating categories, above-the-line and below-the-line expenses, et cetera. We will not enter the discussions based on these technical principles.

Therefore we will not attempt to evaluate PUC and WMATC rulings in these areas. But we do note, however, that the PUC orders of 1960 and 1961 granting a 5¢ fare increase were reversed by the U.S. District Court as unreasonable and Transit was ordered to set aside an approximation of its excessive collections in the "court-ordered reserve". We also note that the WMATC Order on Transit's 1962 application was appealed to the U.S. Court of Appeals, which held that WMATC had not made sufficient findings of fact or statement of its reasoning for either WMATC or the Court to determine a just and reasonable fare. The case was remanded to the WMATC and, as far as we can tell, it is still unsettled and at issue in the Court of Appeals. We will attach an appendix hereto, stating some of the Court's opinion on the facts and the analysis necessary for a rate determination. We note that the history and the amount of the company's earnings are relevant. We are also informed that the WMATC Order of January 1966, using the court-ordered reserve as current earnings, is also on appeal before the Court of Appeals. These court decisions curtail somewhat our confidence in Commission Orders.

We have recorded above the amazing procedure by which D.C. Transit bought Capital Transit with only $500,000. The rest of the purchase price consisted of mortgages on the assets being purchased, namely the cash, the personality and the realty. The buyer put up no additional collateral, had no additional assets and in practical effect got ownership with merely a promise to pay. We admire such financial skill.

We have also recorded above D.C. Transit's financial manipulations and success in paying off the entire purchase debt and interest in three years, four and a half months—all of it coming out of cash flow from operating revenues, perhaps with an assist from the sale of the Fourth Street car barns. The rates, amounts of depreciation and presumably the application of these funds had the approval or at least the acquiescence of the District Public Utilities Commission. In effect it meant the investment of the deprication set-asides in debt reduction and the saving of interest costs.

Payment of the debt from revenue made crystal clear the fact that the bus riders paid for the company, except for the original $500,000, and that the stockholder's total investment and total financial interest was that same $500,000. The Congressional franchise provision for "such return as to make the Corporation an attractive investment" thus has to refer to the return on the only investment made by the stockholder, namely $500,000. From the viewpoint of social welfare and ethics, the community owned the system and owed the investor only adequate annual dividends on his stock, or a refund.

Congress mentioned a return of 6½% in connection with the base or gross revenues. Considering that the operation is dedicated to the public welfare, and is a government protected monopoly with many tax exemptions, a 6½% return on the original investment seems quite adequate. This makes $12,153.74 for the 4½ months in 1956 and $32,500.00 per year thereafter. The company officers of course received adequate salaries for their personal services and we are concerned here with only the use of the $500,000 in money.

The above show dividend payments of $290,000 for the year ending December 1957 and $400,000 for that ending December 1958. Broken down on the above rate of return, this $690,000 equals $77,153.74 for the 6½% return on investment, $500,000 for the return or reimbursement of the capital investment and $112,846 bonus. In this manner, the fare-paying bus riders paid off the investing stockholder in full by the end of 1958.

The payment of the $450,000 in dividends in the year ending December 1959 is thus inexplicable. If we assume that the previous payments to stockholders were not to return the investment but were entirely dividends, the rates would be 58%, 80% and now 90% in 1959. Commencing in 1960, the so-called dividends rose to $500,000 or 100%—a complete return of the investment each year. This is far in excess of the Congressional provision for "an attractive investment."

The WMATC has continued its approval of the 100% dividend rate, plus the accumulation of $3,385,405 in retained earnings or undistributed profits, despite the clear provisions in the compact for setting rates "at the lowest cost consistent with the furnishing of such service" and the "need of revenues sufficient to enable such carriers, under honest, economical and efficient management, to provide such service." Dividends of 100% seem to us to be a clear and flagrant violation of such provisions.

Of course, the Transit Company prefers to compute its returns on more favorable bases, such as the percentage of the "stockholders equity" which includes ploughed-in profits, or the "rate base" or "gross operating revenue." These returns are set forth in Exhibit #39 of the current 1966 proceedings. They show net income as high as 32%, 67% and even 84% of stockholders equity in certain years and as low as negative 11.3% in 1966 if the court-ordered reserve is not included. Yet Transit has already paid $250,000 in dividends in 1966. The net operating income for the first 8 months was $411,380. This is after the payment of all expenses and set-asides for depreciation.

We are aware of the flexibility of depreciation set-asides. High depreciation transfers add to operating costs and thus reduce the apparent amount and ratio of the operating profits. Yet the depreciation is cash and used by the company for debt retirement, interest, genuine reserves or distribution to stockholders, as it wishes. We assume the $3,385,405 listed in the last balance statement as "retained earnings" consists of net operating profit, surplus reserves and profit from the sale of the car barns on 4th Street, S.W.

The disappearance of real estate no longer used for operations into subsidiary corporations looks like a leak of assets to us. These properties were part of the package brought from Capital Transit. They were paid for by the bus riders. They belonged to D.C. Transit and, in terms of social ethics, to the Washington community. Yet we see them being transferred at book value, i.e. original cost less depreciation, to wholly controlled subsidiaries whose profits are not regulated by WMATC and, apparently, are not available for the operation of buses. Considering the tremendous rise in real estate values, these properties constitute gold mines. But the gold is not shown on the books and is not available to the public or the bus riders. It is thus profit to the shareholder over and above the 100% dividends paid out of operating revenue.

The property in the 3200 block of M Street, N.W. may be an example. It apparently was transferred to the subsidiary in exchange for $99,605 in stock. Yet it has been able to borrow $2,407,975 on a long-term note and to run up current liabilities of $672,164. These operations thus provided $3,079,000 in working capital. Some of this was probably loaned to D.C. Transit's affiliated companies investing in profitable real estate transactions. But the interest on the loans and the profits on the real estate do not get back to the bus riders, as far as we can determine.

Basic conclusions

We regard the present situation as highly unsatisfactory. Although D.C. Transit accomplished a financial miracle in 1956 and since then has built—perhaps with prodding from the WMATC—a relatively efficient, comfortable and useful system, it has succeeded at the same time in getting the D.C. bus riders to pay the entire cost for the system without owning it and has collected unconscionable profits of over 700% on its investment, plus laying the groundwork for huge real estate profits.

In effect we are back where we were in the 1952–55 years, when the management had dissipated the reserves and profits to itself and then proceeded to cry poverty to the public. John Fitzgerald Kennedy called them for a recapture for the public of some of the excess earnings of previous years and declared: "Transit companies are vitally affected with the public interest and are not primarily avenues for developing personal fortunes."

We can not tell whether this loss of public resources is due to less-than-eternal vigilance on the part of the regulatory commissions or to basic inadequacies in the laws establishing those agencies. The result, however, is clear. Twice in the last 25 years the bus riding public of the District has paid for an entire system, only to have it taken from them.

It is possible that the Commissions thought they were legally powerless to preserve windfalls, high profits and depreciation reserves as cushions for lean years. Yet in 1947 the District Public Utilities Commission did create a special reserve for excess returns to be used to meet future deficiencies. The Commission and WMATC may have thought the dividend rate was beyond their jurisdiction yet in its January 1966 decision WMATC specifically permitted an operating return that would cover the 100% dividend "because the marketplace assumes the continuation of such dividend." If the dividend payouts had been reasonable from the beginning, D.C. Transit's cash reserves would now be larger by nearly three million dollars. This would surely be of interest to the marketplace.

Since we see no indication that the present arrangement of a private corporation regulated by a commission can or will correct itself, we will recommend that the District Commissioners recommend to Congress the creation of a public authority which will acquire and own a bus transit system for the area and, we suggest, contract with a private corporation for its operation.

We recommend that the authority acquire the 5,000 shares of capital stock in D.C. Transit. Such acquisition would not only acquire the system intact but also the subsidiary corporations and their real estate holdings and thus the assets paid for by the bus riders in 1956–59. We also recommend that the Commissioners ask the Corporation Counsel for an opinion as to the feasibility of the District Government taking legal action to recover prior excess dividend payments or, to obtain, in line with the District Court's decision in 1963, the transfer to a reserve of amounts equivalent to unreasonable fares already collected.

* * * * *

Conclusions re government subsidy

The Citizens Council undertook this study with the thought that D.C. Transit might merit a fare increase in 1967 and that perhaps various types of government payments might be desirable to offset or avoid that increase. We still believe that fare increases are hard on low-income people, discourage desirable travel and encourage a greater use of private automobiles which, in turn, causes greater traffic congestion and deterioration of the inner city. The avoidance of any fare increase is of great social importance.

However, in view of Transit's history in appropriating profits from operating revenues, we believe that government payments now would be like trying to stop a gully wash by tossing in dollar bills. They would be swept away in the flood of profits to the stockholder.

Transit predicts 1967 operating revenues of $33,694,409 and cash operating expenses of $31,642,384, with a cash balance of $2,052,025. Transit seeks to offset against this balance depreciation charges of $2,964,321 and thus achieve a new loss. We do not know, of course, what the WMATC projection will be nor its rulings on the depreciation amounts.

Without trying to be utility rate experts, we note that Transit needs no money for dividends in view of past overpayments and that its balance sheet of August 31, 1966, showed a track removal reserve of $752,771, a balance in the unamortized excess of the original-cost-over-cost-to-DCT item of $1,885,661, and retained earnings of $3,385,405. These sources seem ample for "revenue" needed to service the debts on recently purchased buses.

It might be helpful, however, for us to indicate the types of payments and increased revenue that might be made possible by government action.

1) In its January 1966 Order, WMATC stated that the reserve for future costs of track removal and street repaving, an obligation imposed by Congress, would have to be augmented by $800,000 to one million dollars per year for the next three or four years and that this cost to the bus rider is equivalent to 1¼¢ in fares. D.C. Transit said at our hearing that this cost could be as high as $18,900,000 for the remainder of its franchise.

2) In its January 1966 Order, WMATC also observed that Transit has to pay Federal income taxes of 48% of its net profit and thus must obtain revenues of twice the magnitude that would be required otherwise. WMATC recommended that Congress grant an exemption for these taxes. At the increased rate of fares which Transit proposed for 1967, Transit estimates these taxes at $744,998.

3) On May 6, 1966, Gen. C. M. Duke, as Chairman of WMATC, wrote to Walter Tobriner, President of the D.C. Commissioners, recommending that the District Commissioners propose to Congress legislation which would allow the subsidy for school children to come out of general tax funds instead of bus fares. Congressional legislation now sets school fares at not more than 50% of the adult rate. Congress provided for Transit to be reimbursed for this subsidy but by a complicated formula which never applies to Transit. Changing the formula so as to make government payment possible would seem to be within the original intent of Congress. With Transit's estimate of 7,144,101 school riders in 1967, this payment from tax funds to Transit's operating revenue would be $803,711.36 (Transit's estimate at our hearing was $750,000.)

4) The suggestion was made at our hearing that interest costs could be reduced if equipment was purchased by the Government with money from Government bonds, or if the Government guaranteed Transit's bonds. Transit is now paying 6½% while Government guaranteed FHA loans draw 6%. The difference of ½% on the long-term notes of $17,314.442 listed in Transit's August 31 balance sheet would make a saving of $86,572. Of course it would be greater if the Government made the direct purchase, issuing its own bonds.

5) Since our investigation started, Transit has applied for permission to carry advertising on the outside of its buses in order to get additional revenue. Profits from this source have been variously estimated but we believe a net of $275,000 per year to be a reasonable projection. The matter is now pending before the District Commissioners.

The above five items indicate the possibilities of Government assistance. In view of our long-range analysis and basic conclusions, however, we do not recommend any of them. In addition to our prior observations about Transit's money-grabbing proclivity and our belief that it simply does not deserve assistance at this time, we add two considerations:

(1) Making payments out of tax funds is a political matter and depends basically upon the will of the people. Nearly every witness at our hearings opposed any subsidy for D.C. Transit, although many relented when presented with a flat supposition of a fare increase. Likewise most opinions that we have sampled informally in the community, including those from businessmen, are that Transit has already made too much money out of the public and deserves no subsidy. Apparently "the people" have already reached the conclusions we have formulated above so laboriously and Government assistance now is almost a political impossibility.

(2) Easing franchise requirements and profit potentials now would be most unwise if the Government is to follow our recommendation and buy the outstanding capital stock of D.C. Transit and put it into a public authority. There is no point to increasing the value of what we are about to buy. This reminds us of the Mark Twain story about the fur merchant who kept buying a package of skins from a barefoot boy and tossing them on the pile out back, only to discover that the boy was going to the rear each time, retrieving his skins and bringing them to the front door for the merchant to buy again. We have done this more than enough already.

Lower fares

We had hoped that some feasible method would evolve from our studies for a reduction in fares. We are convinced that if bus riding was made cheap enough, people would use buses instead of private cars, would make more city trips for purposes of business and pleasure and the city would be benefited thereby.

WMATC staff personnel estimated that a reduction of the token fare from the present 21¼¢ to 15¢, with the cash fare remaining at 25¢ would increase patronage by 10% but cause a decrease in net earnings of over $8 million. D.C. Transit staff estimated a smaller change, with an increase of 6,572,962 riders and a decrease in revenue of $6,262,484.

Other possible fare reductions, shifts in schedules, the use of the weekly pass and even the abolition of fares with free rides for all or for certain groups, were also considered by the Council.

However, in view of our basic recommendation for a shift in ownership to a public authority, it seems pointless to go into possible fare reductions for D.C. Transit at this time. Our hope remains, however.

Summary of recommendations

In view of the foregoing findings and analyses, we recommend:

I. That the District Commissioners recommend to the Congress the acquisition of D.C. Transit, preferably through purchase of its capital stock, and the transfer of the franchise and the holdings to a public authority which will arrange for the operation of the transit system at the lowest possible cost and maximum service to the community;

II. That no additional government payments, tax exemptions or other subsidy be given to D.C. Transit at this time;

III. That the Commissioners request an opinion from the Corporation Counsel on the feasibility of legal action to recover for the public prior excess payments of dividends and/or collection of unreasonable fares;

IV. That the Commissioners seek to expedite the consideration of the two cases now before the United States Court of Appeals so that early determination may be obtained on the validity of the 1962 fare increase and the January 1966 rulings by WMATC;

V. That the Washington Metropolitan Area Transit Commission issue a prelimi-

nary, or anticipatory Order, on the applications now pending for fare increases in 1967 in order to give the public, the District Government and the Congress an opportunity to consider legislative alternatives to the Commission's final decision.

* * * * *

APPENDIX

Excerpts from the Court Opinion in DC Transit System v. WMATC, 121 US App. DC 375, 350 F. 2d 753 (1965)

"We think Congress used the figure of 6.5% simply to suggest a general objective of this regulatory scheme . . . It clearly seems to be intended that the rate making authority should look to other criteria as well."

"A just and reasonable rate is one that assures that all the enterprise's legitimate expenses will be met, and that enables it to cover interest on its debt, pay dividends sufficient to continue to attract investors, and retain a sufficient surplus to permit it to finance down payments on new equipment and generally to provide both the form and substance of financial strength and stability. A rate fixed without particularized reference to these needs does not satisfy any standard of rate making of which we are aware, including that of return on operating expenses."

The Commission stated "that it did not regard (such an inquiry) as either relevant or required under the operating ratio method—an error of which the Commission, as a new agency making its first start in the rate-making field, should be disabused at the outset in the interest of avoiding future difficulties."

"But what facts it relied on the Commission does not say. It had before it a statement of Transit's current annual interest charges, but it seems to have made no inquiry into the cost to Transit of borrowing money . . . Transit's annual dividend pay-out of about $500,000 appears to have been treated as if it were a cost of operation, like the annual expenditure for gas and oil, with no examination of, or conclusion about, its appropriateness."

"We think the time has come for the Commission to make a careful review and analysis of the earning experience of Transit from its inception, and of what that experience has meant to the equity owner, both by way of dividend payments and growth in book values through retained earnings. We do not see how current fare increases can properly be appraised apart from such a study."

"This matter of earnings is the more important in the light of Congress' direction to the Commission . . . in the Compact to give due consideration in setting fares 'to the need in the public interest of adequate and efficient transportation service by such carriers at the lowest cost consistent with the furnishing of such service.' The Commission is thus required to see that the fare-payers pay no more than is necessary to insure the continued adequacy of the company's service and provide a return to the shareholders that is reasonable under the circumstances."

J. Skelly Wright, concurring: "Whatever system of rate making is used in determining a proper bus fare, two basic questions must be answered: 1) How much money have the owners of DC Transit invested in the Company, and 2) What has been and what is the return on that investment? Until the Commission answers these two questions in words of one syllable so the public, and the Court, can understand, the suspicion of unconscionable profits at public expense will persist."

"In view of this statement by the Government, the Commission in its opinion on remand should set out, year by year, beginning with 1956, the amount of capital actually invested by the owners of DC Transit, followed by the earnings, year by year, on that investment. Of course, if any capital has been returned to the owners, in any way, the year and amount thereof also should be disclosed."

THE PUBLIC DOMAIN—HEART OF THE REPUBLIC

HON. DANIEL J. FLOOD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. FLOOD. Mr. Speaker, one of the truly great subjects in the history of the United States is that of the public domain. In a comprehensive and illustrated four-part article on "The Public Domain—Heart of the Republic," by William W. Porter II, in the January, February, March, and April 1966 issues of American Forests, the author traces this vital matter back to the Founding Fathers of the United States.

Mr. Porter is a consulting geologist living at 244 South Gramercy Place, Los Angeles, Calif. Those wishing the full text of the indicated article may obtain reprints by writing him.

A condensation of the Porter article, as arranged by its author, follows:

THE PUBLIC DOMAIN—HEART OF THE REPUBLIC

(As Condensed from the January, February, March, and April 1966 Issues)

(By William W. Porter II)

The very concept of a national public domain,—government land being held for disposition to the people,—was something new in the world. Since the beginning of history there had been colonial domains and imperial domains for tribute and exploitation by the governing home country, but never, until established by the Founders of the United States, a national public domain of imperial magnitude, held not for exploitation from afar, but for settlement and development by the mother country's own citizens, and destined to become part of the home country "on an equal footing with the original States, in all respects whatever."

It was a novel type of land holding. Sovereignty was to remain in government, but government held the land for disposal of the proprietary rights of ownership to its citizens,—not for exploitation and proprietary management by government. This was clear from the beginning.

To become a great power the United States must have the heartland of the continent. These almost uninhabited mid-continent lands which were completely blocking westward expansion consisted of the western colonial lands,—a vast domain of 236,825,600 acres extending from the west border of the original states, west to the Mississippi, subject to claims by Britain, France, and in part Spain; and the Louisiana lands,—a Spanish dominion of 529,911,680 acres extending from the Mississippi west to the continental divide at the headwaters of the Missouri river system.

In the treaty with Britain concluded at Paris September 3, 1783 they got the western colonial lands. It was a remarkable achievement. It was the master stroke of American political statesmanship that determined that there should be a United States of America.

THE LOUISIANA PURCHASE

A strange sequence of events and timing is involved in the Louisiana Purchase.

Lord Nelson governed the timing by his victory of the Nile which sent Napoleon from Egypt back to France. The unpredictable temperament of the French people helped when the failure at the Sphinx became the idol of France. He overturned the Directory government that had been fighting an undeclared war with President Adams and became master of France in November 1799. Within a year Napoleon agreed with the King of Spain to trade a kingdom in Tuscany to his son-in-law, the Duke of Parma, for Louisiana. In April 30, 1803, the treaty covering the purchase of Louisiana from France by the United States was concluded.

The drama of the situation and subsequent exploration is strikingly told by Bernard De Voto in *The Course of Empire*. Napoleon sold the territory before he could possess it. The upper Mississippi valley was under the French flag less than fifteen minutes. De Voto tells how a Yankee captain deputized as an Agent and Commissioner of the French Republic, delayed by weather, reached Cahokia near St. Louis March 9, 1804. He lowered the Spanish flag, raised the French flag, fired a salute, lowered the Tricolor, and raised the Stars and Stripes. Another American captain signed the documents representing President Jefferson. He was Meriwether Lewis who, with William Clark, was already there on the way to find the continental divide.

What Lewis and Clark found was later calculated to be 529,911,860 acres. The cost was nominally $15 million, but with interest and concomitant obligations, totaled $23,213,568, or about 4c per acre.

As the Louisiana Purchase was almost all public domain land, the development demonstrates the monumental success of the traditional public land policy under which government holds public domain primarily for disposition on generous terms to its citizens for development and creation of lasting tax values. Yet nearly half the land west of the Rockies and nearly all the land in Alaska is still in federal hands in the last half of the 20th century. The land disposal tradition, historically so successful, is threatened with reversal on the collectivist theory that government can better "manage" the lands as guardian of all the people.

CRITICAL PERIOD ENDS

The Louisiana Purchase ended the "critical period" in American history and assured western growth. It might be called the culminating achievement of the Founders of the Republic who did so much in a generation.

Those in modern times who would free the federal government of certain constitutional restraints must necessarily look to the origin of the Constitution and the people responsible for it. Certain published reports have discounted elements in the republic's origin, and have characterized the founders as a group of farmers who produced a government suitable for an 18th century agrarian economy far removed from the center of world power. The accomplished facts reveal no such limited talent. The emerging new republic was the weakest of the four nations engaged in a world-wide conflict from North America and the Caribbean Sea to Gibraltar and the Indian Ocean, yet its leaders had a geopolitical comprehension of the world scene, and they prevailed when confronted with the best statesmanship Europe could produce. They clearly sensed the continental magnitude of the future America.

Downgrading of the founders of the republic simply doesn't stand up on the record.

The Constitution perpetuated the land tenets of the Confederation Congress which had taken title to public domain lands and had disposed of them under the Land Ordinance of 1785. It had prescribed territorial government in the Northwest Ordinance in 1787. The Constitution made it clear that Congress continue to control public lands. ARTICLE IV, Section 3, Clause 2 of the Constitution is unambiguous on this point:

"The Congress shall have the Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States."

The Department of the Interior and its Bureau of Land Management are always agents of Congress. Departmental discretion is not unlimited as the Supreme Court has made unmistakably clear in the California submerged lands case in 1947 (U.S. v. State of California, 332 U.S. 19; 91 L ed 1889). The Court in its decision as it appears at page 1893 of the lawyers' edition states as follows:

"Article IV, Section 3, Cl. 2 of the Constitution vests in Congress a 'power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.' We have said that the constitutional Power of Congress in this respect is *without* limitation. *The United States* v. *San Francisco*, 310 U.S. 16, 29, 30, 80; L ed 1050, 1059, 1060, 60 S. Ct. 749. Thus neither the courts *nor the executive agencies, could proceed contrary to an act of Congress in this congressional area of national power.*" (Emphasis added)

The Constitution and its recent re-affirmation just quoted leave no doubt whatever that the executive branch of the government has limited discretion and must act as directed by Congress.

The United States owned a rich inaccessible empire that nobody could use. But if some of the land were given up to help finance railroad accessibility the enhanced value of the remaining land would far exceed the value of what was given up. Thus was instituted what it has become fashionable to refer to from a comfortable armchair a century later as "the great land give-away program." Complaints are still being made of the "princely domains" given to "private interests." Many critics simply don't think to scale. They are inclined to apply resultant values retroactively, and not consider alternatives.

What the government actually did was use about 6.3% of its 5c per acre land or 91.3 million acres which had cost only about $5 million to promote actual construction of four transcontinental railroad connections—Union Pacific—Central Pacific, Northern Pacific, Southern Pacific, and Santa Fe—and numerous connecting lines. Actual direct cost of the Union Pacific alone was $60,467.641.27 as calculated by Professor William Z. Ripley in *Railway Problems*, Chapter IV. Other indirect government help was less than half that. Railroad accessibility, in turn, opened up most of the remaining 93.7% of over 1.3 billion acres in which private exploitation created the greatest unit of taxable wealth the world had ever known.

The "give-away" cliche reflects a complete misconception of United States public land policy. Government made no real land "gifts." Government retained the rights appertaining to sovereignty, and transferred to citizens only limited titles in the rights of proprietorship. Taxing rights on both railroad grant land, homestead, and other lands was, in effect, reserved by the federal government for the states; and for itself the federal government retained what may amount to 50% or more of the taxable income profit from the "management" of the land, plus the right to tax about every operation or enterprise in, on, or incidental to the land, and the right to tax inheritance and all subsequent sales as "capital gains" on the basis of progressive reappraisals.

The *coup de grace* of the "gift" complaint is that *the interest the government retained* in the "gift" lands returns to governments,—state and federal—through total taxes, the original cost every few hours. The land policy placed the lands in the hands of the American people and supplied the government with the wealth to protect them.

In 1866 Congress adhered to established principles and extended the traditional public land policy to a new empire: the mineral content of the public domain. Henceforth ores and minerals were also to be for disposal on lenient terms to individuals to achieve development of the country and creation of taxable wealth. The economic and strategic benefits of the mineral disposal policy to the nation are incalcuable. Without the availability in time of need of the mineral resources discovered and developed under the mining laws by individuals and groups of individuals, the United States could not have survived the wars of the 20th century.

SCOTLAND PROVES A POINT

History shows that government ownership and control are not necessary to achieve sound conservation. Successful conservation depends on what is done, and not on who does it. Private forest conservation was well along in Europe before Columbus sailed. For the next 500 years private owners did a highly successful job in Scotland.

AMERICAN FOREST CONSERVATION

The American forest industry, in addition to the Forest Service, has done an excellent job toward bringing today's replacement growth into balance with today's cutting demands.

Product research has led to conservation of much that was waste under the technology of the past, which is obsolete by modern standards.

The results and consequences of products research clearly illustrate the fallacy of the two-often expressed cliché that waste results from private development of natural resources for profit. Such contentions ignore the obvious: People who want to make a profit don't waste their stock-in-trade. They conserve it and sell it.

MINERAL CONSERVATION

Private industry has also been spectacularly successful in the conservation of minerals. At the turn of the century nobody in government or any place else knew that some mountains of ingenous porphyry rock in the West were mineral resources.

Arrangements were consummated in 1903 for organization of Utah Copper Co. to develop the low grade porphyry at Bingham Canyon, some 25 miles southwest of Salt Lake City. The necessary mineral rights could be acquired in accordance with the traditional Congressional policy of disposal. In 1905 Bingham Canyon produced 2,700 tons of metallic copper; 2,600 tons in 1906; and 2,000 tons in 1907. Then, in 1908, the year of President Theodore Roosevelt's famous White House Conference on Conservation, Jackling's mineral conservation project jumped to success. In 1908, Utah Copper produced 27,000 tons of metallic copper. For the war effort in 1917, Utah Copper produced 97,900 tons of metallic copper.

The disseminated copper conservation project succeeded for two reasons, in addition to D.C. Jackling's personal scientific and executive ability: 1. Under traditional American land disposal policy Jackling had access to the potential mineral deposit *as a matter of right*, with no problem of justifying the feasibility to a "resource manager," and no problem of getting the uncertain potential resource "unlocked" from a withdrawal, by a President unable to perceive the coming war emergency far in advance. 2. He operated as an individual American with consequent unrestricted access to any capital he could interest.

The lands and resources transferred out of government into private ownership, fee or leasehold, have produced the animal, vegetable, and mineral wealth in the abundance needed to create, maintain, and defend a great nation.

The American land principle of development of public resources for the national good through the agency of private enterprise is unique. The United States was formed contingent on the creation of a national public domain. The people of the 13 colonies owned public domain lands amounting, in the first instance, January 1784, to more than 233 million acres. There were two alternatives for management: 1. Government could exercise all proprietary rights, and manage, operate, and control the lands as guardian of the people. Government ownership, management, operation, and control is by definition socialism. It was rejected as American land policy. 2. The American land policy which was adopted provided for disposal of proprietary rights with government retaining the rights appertaining to sovereignty and applying the proceeds from disposal for the benefit of all the people. Early proceeds from disposal were applied for the benefit of all the people to pay off the Revolutionary War debt.

The nineteen states without public domain are the original thirteen states plus Maine, Vermont, Kentucky, Tennessee, West Virginia, and Texas (Hawaii not considered). The other 29 states (Alaska not considered) with public domain have a total combined area which approximates the area of the original public domain (without Alaska). It is reported to be about 1.4 billion acres. Allowing for a few Spanish and Mexican grants and a few private holdings, the 29 public domain states were, for practical purposes, nearly all public domain in original area. Consequently, to appraise the American public domain system of acquisition by government for disposal to its citizens, it is necessary only to observe the 29 public domain states. The development and wealth in these states, and the taxes generated in them to maintain local and federal government all result from management of lands transferred out of federal ownership to the American people. There is no "gift" when government retains the right to tax, so disposal price is relatively unimportant.

ROBERT L. F. SIKES

HON. SAM GIBBONS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. GIBBONS. Mr. Speaker, urgent business in my congressional district prevented my being on the House floor yesterday to join with my colleagues in paying tribute to our great dean of the Florida delegation, the Honorable Robert L. F. Sikes.

I owe a debt of gratitude to Bob for many reasons. He and his lovely wife Inez were among the first to welcome Martha and me to Washington with their warm friendship. His loyal and efficient staff assisted us in establishing our office. And because Bob's daughter and grandchildren are residents of my congressional district, I feel we have a special claim on him.

As dean of the Florida delegation, Bob never hesitates to aid his colleagues. He is never too busy to lend a helping hand. His effectiveness as a legislator has been invaluable to us, and he has led the Florida delegation with distinguished service, demonstrating his wisdom and experience on many occasions.

So while we have spoken of his surpassing in longevity the record of the late Senator Duncan Upshaw Fletcher, and we honor him for this service, it is the quality of his service that sets him apart. His record is one of dynamic achievement. He is recognized as a man of many accomplishments and is genuinely and deeply respected by his colleagues. He has made outstanding contributions as a Member of the House Committee on Appropriations.

We honor BOB for his dedication to the people of his district and to the State of Florida. He is a man of great honesty and integrity, whose sound instincts and judgment make him a valued Member of the House of Representatives. His love of country and devotion to duty stand as a model we would all do well to emulate. I am proud to serve with BOB SIKES, the dean of the Florida delegation.

TONY BENNETT'S 20TH ANNIVERSARY

HON. THEODORE R. KUPFERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. KUPFERMAN. Mr. Speaker, one of the serious current problems is how best to assist those who through no fault of their own are in the poverty area.

Occasionally, we find an individual who by dint of sheer ability, personality, and perseverance, on his own, has achieved success.

Today, we honor such a man, my constituent, whose successful struggle for fame and fortune is in the best tradition of America.

His name is Tony Bennett.

The son of an Italian immigrant, Tony was raised on the streets of New York where every day sometimes can be a battle for survival. This exposure gave him the added incentive to achieve something significant in life. For Tony, music was the magic key. From a young age he entertained the members of his family and classmates at school. He also showed early promise in painting and sketching, and as he neared maturity he had every intention of becoming a commercial artist. Both of his careers were interrupted in 1944 when he began 3 years of service with the 63d Infantry Division in Europe. After V–Day, he organized a group of entertainers and toured the military bases. The heady experience of receiving acclaim for doing what he enjoyed doing cost the world a promising commercial artist. Back home, he used the GI bill to enter the American Theatre Wing's professional school where he studied drama and music theory. Weekends were devoted to singing engagements wherever he could find a spotlight. No scriptwriter would dare write such a cliche as Tony's big break turned out to be. Bob Hope heard Tony singing at a little club and asked him to join a forthcoming tour. Then came a recording contract with CBS, and Tony's first record, "Boulevard of Broken Dreams," sold a half-million copies.

This year Tony Bennett is marking his 20th anniversary as an entertainer. He is a star of the first magnitude who divides his time among the major showplaces of the country. When he sings, people listen. They also understand. He enunciates, and what he has to say in his song conveys a message.

The high points of his career include a command performance for the Queen of England and an invitation to sing at the White House. His appearance at the Lincoln Center Philharmonic Hall set a new attendance record.

Success has become a fact of life for Tony, but he has never ceased to be disturbed by the terrible specter of poverty that haunted his youth and continues to haunt untold thousands of his fellow citizens in this most affluent of all societies. As a result, Tony has devoted himself to charity work with the same dedication that made him a star. He is active in no less than 14 charitable causes, and the list of his benefit performances is almost endless. Tony continues to perform at the most famous showplaces of the world, but no stage is too small when he feels that his talents will help others find their way in life. Despite his fame, Tony remains a rather shy person offstage. He feels that his songs communicate his messages to his fellow men much more clearly than words alone. Above all, he is convinced that every man must do what he can to help others if our Nation, and our people, are to continue in the role of responsible leadership of the free world.

Mr. Speaker, I know my colleagues join me in paying tribute to Tony Bennett in his 20th year in show business.

UNITED ARAB REPUBLIC AGGRESSION IN THE MIDDLE EAST

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mrs. BOLTON. Mr. Speaker, United Arab Republic President Nasser's visit to Moscow last week points up the ominous fact that more than 90 percent of Arab military equipment has been replenished by the Soviet Union following the June 1967 war.

The fact that the Soviet Union did not learn its lesson in 1967 may well be attributed to our own failure to profit from that experience.

It is now clear that the Soviet Union and its Middle East allies ran the risk of war last year because they operated under the misapprehension that the United States would restrain the Israelis from striking back. The ability of the Israel Armed Forces to deal with the Soviet-inspired threat to their country's security was one of the rare times during the post World War II period when the United States did not have to intervene to protect an allied country from such a Soviet-supported threat.

Yet now, little more than 1 year later, we see the Soviet Union once again engaging in the reckless shipment of arms to an Arab national leader whose past judgment has twice brought the Middle East to armed conflict and his own country to military disaster.

I regret to say that the response of the Johnson-Humphrey administration to this renewed threat is today, as last year, so hesitant and unclear as indirectly to encourage the Soviet leaders and their allies to press their luck once again in an effort to reverse their decisive military defeat in the 1967 Sinai war.

Since the Middle East peacemaking efforts of the United Nations have faltered, the United States cannot rely on that agency to prevent another Israel-Arab war in the Middle East. Nor should we rely on Communist leaders. Indeed, it is foolish for the Johnson-Humphrey administration to talk of meaningful relaxation of tensions with the Soviet Union as long as the U.S.S.R. continues to reequip Gamal Abdel Nasser's war-making machine.

If President Johnson truly desires to leave office with a record of having initiated action to reduce the threat of war, I strongly urge that he take such steps as are necessary to let the leaders of the Soviet Union know that the United States views their encouragement of UAR aggression in the Middle East as a grave threat to world peace and a reckless invitation to a renewal of fighting in that volatile area of the globe.

DR. ARTHUR BURNS MINIMIZES SPENDING-CUT TASK

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. CURTIS. Mr. Speaker, an article appearing in the June 24, 1968, Christian Science Monitor entitled "Burns Minimizes Spending-Cut Task" is worth reading for two important reasons. First, for its intelligent discussion of where spending can be cut. Second, for emphasizing the sad fact that even able and objective news reporters like David R. Francis miss the crucial fiscal fact that the Executive, not the Congress, sets the level of spending for a given fiscal year.

Congress, once it has passed its appropriation bills, cannot control the spending level the Executive sets for each program for each fiscal year. Nor should Congress attempt to put the Executive in a straitjacket as to what level of spending each program requires. The level of spending depends very much on the nature of the program, the availability of skilled manpower, equipment and plant. It depends upon the rapidity with which preliminary planning is successful and the rapidity with which contracts can then be let, and so forth.

Appropriations, or power for the Executive to spend, cover several fiscal years, not just the immediate fiscal year. If there is a scientific breakthrough, then spending can be, and all other things being equal should be, accelerated. On the other hand, a scientific breakthrough in one area can mean rendering a program in another area obsolete, thus requring a cutback and a phasing out of spending in this area.

The President as of July, the beginning of fiscal 1969, had about $222.7 billion carryover balances of previous, but unutilized power to spend. If Congress grants him his budget requests for new power to spend in the appropriation bills he will have an additional $201.7 billion power to spend, or a total of about $425 billion power to spend. Even if Congress cuts his budget request for new power to spend by $10 billion—and Congress will not—this will have little bearing on the President's ability to maintain spending at $186.1 billion level projected in his budget message of January 1968 or at $188.8 billion spending level, his recently revised and little publicized new spending level.

Congress not having the power to set spending levels program by program by fiscal years does not mean that it has no power to affect one total spending level for a given fiscal year. It does have, but in order to implement this power with intelligence it must have the cooperation of the Executive in establishing the priorities among programs so that those that can be stretched out be stretched out.

Congress can exercise its power over the total spending level in a cumbersome way as it has attempted to do through the debt ceiling legislation, because if the President is spending at a level greater than the revenues derived from taxes in a given fiscal year he must sell bonds to make up the difference. But if Congress has limited the number of bonds he can issue then he cannot spend at a level beyond this limit.

Congress can also exercise its power through a spending ceiling for a given fiscal year, as it sought to do in the recent surtax spending limit legislation. This is likewise cumbersome and, without the cooperation of the Executive, unlike the debt ceiling limits, it is ineffective. It is particularly ineffective when dealing with an Executive whose term of office covers only half the fiscal year in which the spending level is to be restricted. If Congress has difficulty in pinning down the spending levels for specific programs on a fiscal year basis think of the difficulties involved in trying to pin them down on a 6-month basis.

The truth of the matter is the President could cut his spending levels beginning right now to an annual figure of $180 billion or even a $170 billion for this fiscal year without any reference to the Congress. Just as he could and did increase his spending level by almost $3 billion from $186 billion to $189 billion while the public and the Congress were being distracted by the futile debate over a $6 billion expenditure cut.

As I have pointed out in a lengthy letter to inquiring constituents on the fiscal situation of our country, it is clear that the Johnson administration is not about to cut expenditure levels. It has now been successful in getting more tax money so the debt ceiling restriction has been rendered that much less effective in holding down total spending for fiscal 1969.

Here follows the Christian Science Monitor article referred to as well as an interesting discussion of the impact of the debt ceiling legislation written by Richard F. Janssen, appearing in the June 14, 1968, Wall Street Journal:

[From the Christian Science Monitor, June 24, 1968]

THE ECONOMIC SCENE: BURNS MINIMIZES SPENDING-CUT TASK

(By David R. Francis)

NEW YORK.—Congress has given itself and President Johnson a knotty problem: They must decide where to cut $6 billion from the federal budget. And as any politician knows, spending is fun, but trimming is grim.

At one point, President Johnson went so far as to declare that a slash of this sort in his $186.1 billion budget would cause "chaos" in the government.

Actually, it won't be that bad. Says Dr. Arthur F. Burns, former chairman of the Council of Economic Advisers under President Eisenhower: "I don't think this is anythink like the squeeze people are talking about."

FLEXIBILITY INDICATED

For one thing, the cuts are from projected spending. President Johnson's January budget called for $10 billion more spending than in the fiscal 1968 budget, using the new consolidated budget figures. If the $6 billion is cut, the budget remains $4 billion above fiscal 1968.

If the government's loan activities are eliminated from this budget, spending is up $13 billion. So, with $6 billion out, the government will have an extra $7 billion for its nonlending activities.

Then the tax bill's spending limit of $180.1 billion isn't a flat one. It doesn't cover outlays for these purposes: The Vietnam war, interest payments on the national debt, and payments of veterans and social-security benefits.

Dr. Burns suspects it is likely the government will spend more than budgeted in these areas. He figures on an extra $2.5 billion for Vietnam and several hundred million more for servicing the debt.

Another budget maneuver, he notes, is for the government to delay paying its bills toward the end of the fiscal year. This can trim spending temporarily.

According to a study by the American Enterprise Institute for Public Policy Research (AEI) some $102 billion in expenditures is available for cutting. Half of this amount is in defense.

WAR CHARGES TO RISE

According to Washington reports, the administration hopes to avoid a heavy impact on domestic social programs by chopping a large part of the cut from non-Vietnam defense outlays.

Secretary of Defense Clark Clifford estimates that Pentagon spending would be cut by $2 billion to $3 billion because of the bill. Under these circumstances, the Defense Department may be tempted to charge as many of its expenditures to the Vietnam war as possible.

Still, the ax must be wielded on civilian activities. The AEI has identified 125 major federal nondefense programs eligible for cuts. Being a nonprofit research group, it felt it should not make any suggestions as to where the cuts should be made.

Dr. Burns did make some proposals for cuts. He mentioned the space program, the supersonic transport, public works, and agriculture. Businessmen often note the same areas in listing candidates for spending reductions.

Added Dr. Burns: "You could pick up an awful lot of money in small sums throughout the federal establishment."

CONGRESS STUDIES EFFECT

As for the poverty program, Dr. Burns suggests a cutback in the Community Action Program. "Much of that is wasteful," he says. But he would like to see expansion in "more effective" antipoverty programs, such as various training activities.

Of course, Dr. Burns has no electorate to which he must report. Congressmen must consider the impact of cuts on their voting success in their constituencies. And they have widely differing opinions as to the merits of various programs.

Thus Washington has many doubts that Congress will be able to spell out cuts adding up to the total $6 billion. One soft touch, partially because no voters are involved, is foreign aid. The administration believes its aid program will be drastically slashed, damaging the United States position abroad.

Probably the administration will be left to do much cutting, though there is some thought that Congress may relent in some areas after the election.

FEWER WORKERS LISTED

The legislation requires the government to reduce civilian employment by an attrition process. Only three of every four job vacancies can be filled until employment is lowered to the level of June 30, 1966.

At that date, the government had 244,000 fewer full-time employees than it did at the last tabulation when more than 2,600,000 civilians were on the payroll. The Budget Bureau can shift the number of workers per program around but the ceiling must remain constant.

The AEI study identified as controllable $35.5 billion of contemplated expenditures in the budget authorized prior to 1969. Another $66.5 billion is in proposed expenditures from the fiscal 1969 budget, which is still being debated.

The $35.5 billion will be the more difficult to cut, since most of these funds may already have been obligated. Cuts might involve cancellation of orders and contracts or delay in payments beyond fiscal 1969.

Yet cuts could be made. The Council of State Chambers of Commerce, a rather conservative group, made specific recommendations earlier this spring that would reduce appropriation requests in the 1969 budget by $8 billion.

The National Association of Manufacturers, as an aid to congressmen on the Appropriations Committee, listed possible cuts of $15.5 billion in spending authority. This would mean an actual cut in fiscal 1969 of $7 billion to $8 billion.

The American Farm Bureau listed some $6 billion in potential spending reductions.

But the budget has become so complex that few people are experts in it—not even congressmen. This makes it difficult to devise sensible spending reduction plans. The problem compounds the difficulty of winning agreement on cuts among congressmen with various interests.

As a partial solution, Dr. Burns suggests that more citizens groups should be created to study various government programs in depth and recommend areas where the programs could be made more effective or trimmed.

"This is a kind of research that has been sadly neglected," he holds.

Another possibility is to form another Hoover-type commission to look at all federal spending. It would consider priorities as well as methods of making government more efficient.

[From the Wall Street Journal, June 14, 1968]

LITTLE MANEUVERING ROOM ON NATIONAL DEBT WORRIES TREASURY DESPITE SLATED JULY 1 RISE

(By Richard F. Janssen)

WASHINGTON.—An almost forgotten force for fiscal restraint is edging toward prominence once again.

While attention centers on Congressional consideration of the 10% income-tax surcharge and $6 billion budget cut, the national debt is towering close to the ceiling that legally limits Treasury borrowing. At almost $356 billion as of the start of this week, the national debt is nearly $25 billion higher than a year earlier, and the rise of some $3.5 billion in the last month has brought it uncomfortably close to the $358 billion ceiling.

That leaves the Treasury's debt managers much less room to maneuver than they would prefer, although the very near future isn't what concerns them. Within the next 10 days or so, they'll gain more leeway as $5.5 billion of tax-anticipation bills mature, and investors either recoup their cash or turn in the securities to make quarterly income-tax payments.

But the current proximity of the debt to the ceiling, officials fret, could well foreshadow closer scrapes at less convenient times later this year and early next year—even assuming that Congress quickly passes the pivotal tax measure.

Tentatively, the Treasury is planning on borrowing about $10 billion to 12 billion in the first half of the year starting July 1, it's understood. This would be less than the $16.3 billion of borrowing in year-earlier period, and aides are clearly grateful that the surtax would keep them from having to seek an extra $4 billion or $5 billion in the marketplace. Not until the second half of the fiscal year, of course, when tax receipts are heavier does the Treasury usually become flush enough to retire much of its heavy first half borrowings.

But even with the scheduled temporary $7 billion increase that brings the debt ceiling to $365 billion July 1, analysts say, the seasonal bulge in Federal debt outstanding in coming months could give them some anxious moments. "There will be a couple of tight periods," one official says, with the first squeeze probably coming around mid-December. By then, the debt will have been swelling for almost six months, and Congress presumably won't be around to bail out the Treasury if it needs emergency relief from the ceiling.

TROUBLE MAY COME IN 1969

If nothing untoward happens by Dec. 16, when corporations make a quarterly income-tax payment, officials figure they still could have trouble early in 1969 before the big influx of cash comes from individuals settling up their 1968 tax liabilities by the April 15 deadline.

In February 1967, for instance, the Treasury had to swiftly whittle down the debt by having Government trust funds cash in some of the Treasury securities in which their reserves are invested. To avoid loss of interest on the funds of such agencies as the Federal Deposit Insurance Corp. and Civil Service Retirement Fund, the cash was used to buy up existing Treasury issues on the open market.

The greatest doubts about whether the Treasury can live under the ceiling without disrupting Government operations (as a last resort, stalling on paying employes and contractors could hold down the debt) focus on June 30, 1969, however. For under the law passed by Congress in mid-1967, that extra $7 billion leeway in the ceiling henceforth disappears on the last day of each fiscal year. It is possible that the debt on that date can be wrestled back down to the $358 billion limit that will peskily prevail for 24 hours, an official says. But with all the uncertainties between now and then, he concedes that is "in the laps of the gods."

The borrowing done by the Treasury itself doesn't fully reflect the Government's demands on the capital markets because a number of other Federal agencies issue their own securities. Projections of the cash needs of these agencies, and thus their financing plans, are even more tentative than those of the Treasury, but analysts expect they will have net new borrowing of about $3 billion in the next six months, or $1 billion more than in the like 1967 period. The total excludes the Federal Land Banks and Federal Home Loan Banks, which are outside the scope of the Federal budget format adopted early this year.

GUN CONTROL LEGISLATION

HON. ROBERT PRICE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. PRICE of Texas. Mr. Speaker, in view of the haste with which further gun control legislation has been pushed in both this and the other body of Congress, I am placing in the RECORD for the information of my colleagues in the House, the text of my Washington report on gun legislation:

I have now received more than 5,000 letters, telegrams and signatures on petitions expressing opposition to any further Federal gun control legislation. I have also received some 100 letters in favor of stiffer controls.

Each of these communications will be answered as soon as possible. In the meantime I have attempted to make my position perfectly clear in opposition to any further gun control legislation. Most of these, both pro and con, are thoughtful and sincere expressions of the writers' views. Other Congressional offices have also received a heavy volume of mail although the sentiments expressed in the northern and eastern sections of the country appear to be more evenly divided.

I might point out that the recently enacted Omnibus Crime Control and Safe Streets Act of 1968 contains the following:

1. Prohibits the sale of handguns by mail to out-of-state residents and to minors.
2. Requires all manufacturers, dealers, and importers of firearms to be licensed.
3. Makes it a Federal crime for the following persons to receive, possess or transport firearms in interstate commerce: felons, the mentally incompetent, those discharged from the armed forces other than honorably, U.S. citizens who have renounced their citizenship and aliens illegally in the U.S.
4. Makes it a Federal criminal offense (punishable by a fine up to $5,000 and imprisonment of up to 5 years) for violating any state or local law involving a firearms transaction.

Personally, I feel that proper and strict enforcement of present Federal laws and local and state laws now on the books or new ones that might be enacted are adequate to keep not only pistols but rifles and shotguns as well out of the hands of known criminals, mentally incompetents, minors and the like.

I am convinced that registration of all firearms by law-abiding citizens, the vast majority of whom would never use a gun against another human being except for protection of themselves or their families, would not solve the problem.

No law can prevent a gun from falling into the wrong hands. If the President's proposed firearms bill is passed and made law, we are only closer to that day when law-abiding citizens cannot have a gun in their homes.

We now have two very comprehensive Federal firearms acts on the books. These laws, the Federal Firearms Act and the National Firearms Act, prohibit felons, habitual drunkards, drug addicts and insane people from buying or possessing guns. These two laws also make possession of a gun by an alien illegal. But neither of these laws are being fully enforced by the Federal government. If all the provisions of these laws were enforced, the main problem of firearms—and that, of course, is their use by criminals—would be greatly reduced.

The man who assassinated President Kennedy was a dedicated Communist. The man charged with killing Senator Kennedy is an alien and the man who shot Martin Luther King is an escaped convict. There are Federal and state laws that prohibit any of these three from owning a gun. Could anyone really believe that these three murders would not have been committed if there were a restrictive Federal firearms law—even total prohibition of firearms.

I have no intention of supporting any proposed firearms legislation.

BOB PRICE,
Member of Congress.

IT'S UNJUSTIFIED

HON. RICHARD L. ROUDEBUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. ROUDEBUSH. Mr. Speaker, the recent announcement that the Treasury Department is attempting to deprive U.S. servicemen of their present $10 duty-free exemption on gifts mailed home, has drawn sharp and well-deserved criticism.

Among those protesting this incredible plan in a letter to the President has been Mr. Joseph A. Scerra, commander in chief of the Veterans of Foreign Wars.

A number of pertinent editorials have drawn attention to Commander Scerra's efforts to protect American servicemen.

All Members of Congress will be interested to learn of this callous move by the Treasury Department and the valiant effort of Commander Scerra.

Under unanimous consent, I offer these editorials. The editorials follow:

[From the Light, San Antonio, Tex., June 18, 1968]

IT'S UNJUSTIFIED

As part of its sweeping program to alleviate the nation's gold flow problem, the U.S. Treasury Department is seeking a bit of legislation which strikes us as being both morally and financially unjustified.

If it was passed by Congress, more than 600,000 of our military personnel serving overseas would be deprived of their present $10 duty-free exemption on gifts mailed home.

The proposed legislation would not affect the more than 500,000 servicemen assigned to the Vietnam war area and who—quite properly—are allowed a $50 duty-free gift mailing exemption.

But it would hit all the other soldiers, sailors and airmen assigned to a wide variety of patrols, outposts and occupation duty in other far-flung parts of the world.

What our servicemen have to spend on gifts is very limited. Yet even if the $10 exemption is rescinded, they are hardly likely to be dissuaded from buying small presents to send to their loved ones on anniversaries, birthdays and Christmas time.

Thus the only real effect of the legislation would be to make our uniformed guardians pay a financial penalty for serving overseas.

Joseph A. Scerra, commander-in-chief of the Veterans of Foreign Wars, in a recent letter of protest to President Johnson, expressed "dismay" that the Treasury Department would even think of its idea—and so do we.

As he pointed out, our servicemen overseas are in an entirely different category from gift-buying tourists who are out of the country for fun.

This ill-considered and unreasonable proposal of the Treasury Department should be buried forthwith at the bottom of our congressional file-and-forget caverns.

[From Navy Times, June 26, 1968]

Those Gifts From Abroad

It is good news indeed that the Administration, specifically the Customs Bureau, is taking another look at its plan to subject gifts sent home from abroad to stiff customs duties if they cost more than $1.

When the plan was first announced some months ago, Navy Times voiced strong objections. So did the Veterans of Foreign Wars and other groups. And so, it now has been learned, has that great friend of service people, L. Mendel Rivers.

(As an aside, we'd like to express our pleasure at Mr. Rivers' overwhelming victory in the Democratic primary in South Carolina June 11. His speaking up on the gift issue is but the latest in innumerable fights in behalf of service people.)

Mr. Rivers said the Treasury Department "is lumping these gallant servicemen in the same category, as far as gift mailing from overseas is concerned, as the tourists who are traveling abroad. I submit there is a difference."

Which is exactly the point. A man on duty in Okinawa or Korea or at sea, at the orders of his government, should not be subjected to any red tape when he wants to send a small Christmas, birthday or like gift home to parents, wife or children, nor should those loved ones at home be subjected to customs red tape.

In recognition of this, the Customs Bureau is considering keeping the $10 duty-free gift rule in effect for those abroad on official business, while reducing it to $1 for other travelers.

This sounds like a good idea.

The right of service people in combat zones to send home gifts up to $50 in value, without paying duty, is not affected by the Administration proposals.

This is as it should be.

But it recalls that servicemen abroad in all areas once had the same $50 exemption. The reduction to $10 was bad enough. The exemption certainly should not be further reduced.

[From the Boston (Mass.) Record American, June 19, 1968]

Unjust Proposal

As part of its sweeping program to alleviate the nation's gold flow problem, the U.S. Treasury Department is seeking a bit of legislation which strikes us as being both morally and financially unjustified. If passed by Congress, more than 600,000 of our military personnel serving overseas would be deprived of their present $10 duty-free exemptions on gifts mailed home.

The proposed legislation would not affect the more than 500,000 servicemen assigned to the Vietnam War area and who—quite properly—are allowed a $50 duty-free gift mailing exemption. But it would hit all the other soldiers, sailors and airmen assigned to a wide variety of patrols, outposts and occupation duty in other far-flung parts of the world.

What our servicemen have to spend on gifts is very limited. Yet even if the $10 exemption is rescinded, they are hardly likely to be dissuaded from buying small presents to send to their loved ones on anniversaries, birthdays and Christmas time. Thus the only real effect of the legislation would be to make our uniformed guardians pay a financial penalty for serving overseas.

Joseph A. Scerra, commander-in-chief of the Veterans of Foreign Wars, in a recent letter of protest to President Johnson, expressed "dismay" that the Treasury Department would even think of its idea—and so do we. As he pointed out, our servicemen overseas are in an entirely different category than gift-buying tourists who are out of the country for fun in the sun.

This ill-considered and unreasonable proposal of the Treasury Department should be buried forthwith at the bottom of our Congressional file-and-forget caverns.

[From the News American, Baltimore, Md., June 17, 1968]

Unjust Proposal

As part of its sweeping program to alleviate the nation's gold flow problem, the U.S. Treasury Department is seeking a bit of legislation which strikes us as being both morally and financially unjustified. If passed by Congress, more than 600,000 of our military personnel serving overseas would be deprived of their present $10 duty-free exemption on gifts mailed home.

The proposed legislation would not affect the more than 500,000 servicemen assigned to the Vietnam war area and who—quite properly—are allowed a $50 duty-free gift mailing exemption. But it would hit all the other soldiers, sailors and airmen assigned to a wide variety of patrols, outposts and occupation duty in other far-flung parts of the world.

What our servicemen have to spend on gifts is very limited. Yet even if the $10 exemption is rescinded, they are hardly likely to be dissuaded from buying small presents to send to their loved ones on anniversaries, birthdays and Christmas time. Thus the only real effect of the legislation would be to make our uniformed guardians pay a financial penalty for serving overseas.

Joseph A. Scerra, commander-in-chief of the Veterans of Foreign Wars, in a letter of protest to President Johnson, expressed "dismay" that the Treasury Department would even think of its idea—and so do we. As he pointed out, our servicemen overseas are in an entirely different category than gift-buying tourists who are out of the country for fun in the sun.

This ill-considered and unreasonable proposal of the Treasury Department should be buried forthwith at the bottom of our congressional file-and-forget caverns.

QUESTIONNAIRE RESULTS FROM THE THIRD CONGRESSIONAL DISTRICT OF ARIZONA

HON. SAM STEIGER

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. STEIGER of Arizona. Mr. Speaker, last month I sent questionnaires to each of the homes in the Third Congressional District, seeking my constituents' viewpoints on some of the major issues facing the Congress and the Nation.

This is the second such poll I have conducted and the response was excellent. More than 12,000 responses have been tabulated by a computer service, and they continue to come in.

I am submitting these results for the interest and information of my colleagues as follows:

I. In the following programs, do you think Government spending should be (a) reduced, (b) maintained at present level, (c) increased:

[In percent]

	Reduced (A)	Maintained (B)	Increased (C)
Foreign aid	88.9	6.2	1.1
Social security	16.7	59.4	19.0
Space program	37.0	41.3	16.2
Medicare	30.1	51.5	12.6
War on poverty	59.0	19.3	15.8
Defense spending	23.4	47.4	23.0
Farm subsidies	70.0	19.2	5.0
Supersonic transport	50.2	29.0	11.7

II. Which of these alternate solutions comes closest to what you feel should be done in Vietnam:

	Percent
A. Declare open, unlimited war on North Vietnam	26.6
B. Bomb dikes and remove present restrictions on other North Vietnamese targets whose destruction may lead to military victory	26.8
C. Seal off Haiphong and other North Vietnamese supply depots to force enemy to truce on our terms	21.3
D. Contain the Vietcong and the North Vietnamese and work for a truce	9.0
E. Withdraw our troops immediately and let the Vietnamese people manage their own affairs	10.2

III. Do you favor any additional firearms legislation at this time?

Yes	18.1
No	76.5
No response	5.4

IV. To ease the strain of continued deficit spending, would you favor:

A. The administration's proposed 10-percent surcharge on income taxes	6.8
B. Cutbacks in Government expenditures	78.0
No response	15.1

V. Do you believe rioting and crime in the streets can be controlled best by:

A. Stricter enforcement measures by police and the courts	78.1
B. Greater spending to improve conditions in the city slums	5.1
C. Both of these	10.1
D. Neither of these	2.5
No response	4.2

VI. Are you satisfied with the way the administration handled the U.S. *Pueblo* incident:

	Percent
Yes	8.5
No	85.1
No response	6.4

VII. How do you rate this administration's overall performance in office:

	Percent
A. Excellent	1.6
B. Good	11.1
C. Fair	35.1
D. Poor	49.0
No response	3.2

I also asked people questions on sex, age, residence, and 1964 voting preference. This then enabled the computer to give separate tabulations for each of these categories. I will not recite all of these for the record, however the information does make some interesting comparisons.

For example, on the gun control question the overall response was overwhelmingly in opposition to additional legislation, as were each of the profile categories. Yet there were differences:

	Percent
Overall:	
For	18.1
Against	76.5
No response	5.4
Male:	
For	15.9
Against	81.0
No response	3.0
Female:	
For	24.4
Against	68.4
No response	7.2
18–24 age group:	
For	26.2
Against	72.3
No response	1.5
25–44 age group:	
For	17.8
Against	79.7
No response	2.5
45–64 age group:	
For	17.3
Against	78.0
No response	4.7
Over 65 age group:	
For	20.8
Against	70.4
No response	8.7
Graham, Greenlee, Gila Counties:	
For	12.4
Against	82.6
No response	5.0
Navajo, Apache Counties:	
For	12.0
Against	84.5
No response	3.5
Coconino, Mohave, Yavapai Counties:	
For	16.9
Against	78.7
No response	4.4
Maricopa County:	
For	20.8
Against	75.2
No response	4.0
Democrat:	
For	30.8
Against	64.5
No response	4.7
Republican:	
For	15.1
Against	80.3
No response	4.6
Split ticket:	
For	17.2
Against	79.0
No response	3.8
Did not vote:	
For	23.6
Against	72.9
No response	3.5

Furthermore, based on actual number, the heaviest response on this question was by males, in the 26–44 and 45–64 age group from Maricopa county, who voted split ticket in 1964.

As you can see, this type of questioning takes some time to evaluate, and I am still doing so. The questionnaire is an excellent means of communication of ideas, even though the questions are difficult to draft so as to be fair, and seldom provide enough leeway for complete opinions.

I thank the people of the 3rd District for realizing these difficulties and taking the time to cooperate in this poll.

CONGRESSMAN JAMES V. SMITH OF OKLAHOMA REPORTS FROM WASHINGTON

HON. JAMES V. SMITH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. SMITH of Oklahoma. Mr. Speaker, in keeping with my efforts to maintain communications with the citizens of my congressional district I am submitting for inclusion in the RECORD a copy of a recent newsletter which I have forwarded to the residents of Jackson County, Okla.:

CONGRESSMAN JAMES V. SMITH OF OKLAHOMA REPORTS FROM WASHINGTON, JULY 1968

(This special report is for the people of Altus and Jackson County.)

As your representative in Congress, I report herein some of the actions I have taken in your behalf. While you may not be among the thousands who have written me expressing opinions and suggestions, you and your interests have been taken into consideration before every vote I cast. I am doing my best to represent you fairly.

SCHOOL FUNDS

Education scored a victory when an amendment to the supplemental appropriations bill was approved by the House. This can mean about $2.5 million for Oklahoma schools with children of military and civilian personnel employed on military bases, such as Altus Air Force Base. Since the bases pay no taxes, the school districts must turn to other sources for assistance. Here is where the "school impact fund" comes in. After an amendment to restore full entitlement to the frozen funds lost by 10 votes in April, I wrote 52 freshman Members of Congress, urging them to join me in securing the funds which had been promised. This time it passed 112 to 90. In 1966, Oklahoma schools were paid $262.82 for students whose parents either lived on or worked in a government installation.

PRAYER

Judging by the mail I get, the Supreme Court's refusal to allow prayer in public schools is still a live issue.

I introduced a resolution in the House of Representatives to amend the Constitution so that nothing contained therein can be interpreted as denying persons lawfully assembled in any public building which is supported in whole or in part by public funds, the right to participate in nondenominational prayer.

The house daily opens with prayer, and when we salute the flag, we say ". . . under God." Following the denial of prayer to our school children, will these other things also be taken from us?

GOOD NEWS

In the spring of 1969, the 916th Air Refueling Squadron from Travis Air Force Base, California, will be transferred to Altus. This will bring the total number of aircraft in the tanker force at Altus to thirty. With this addition, there will be a 400-man increase, bringing the total number of base personnel to 4,600 men.

SKY GIANT

As a member of the House Armed Services Committee, it was my pleasure to be present in Marietta, Ga., last March when the massive C–5A was rolled into the sunshine. In June, 1969, when the first C–5A arrives at Altus Air Force base, the eyes of the Nation will be turned on Jackson County—the only place in the United States for training maintenance and operations crews for this sky monster which is big enough to hold six full-sized Greyhound busses.

After the first one in June, another will be delivered in July; two in August, and three each in September, October, November and December, for a total of 16. It takes five men to fly one of the giants.

It is estimated that about 1,000 personnel will be brought to Altus for training during this first period. Operational crew members will take the specialized training over a period of three or four months, and mechanics will be at the base for about a year of training.

TAX INCREASE

I was one of 150 Members who voted against Lyndon Johnson's proposed tax increase. I opposed the bill, not only because most of it had never been considered by the House Ways and Means Committee, but because I believe our problem is Government overspending, not undertaxing.

We are no longer discussing cutting expenditures for Fiscal Year 1968 but for Fiscal Year 1969, only six months of which are under the present Administration. Six months of Fiscal Year 1969 will be under the new Administration and without some commitments from the President he could keep spending at an unreduced level for his six months and leave all the cuts for the last six months to his successor. A week after the tax boost was passed, the White House indicated it might be months before the President reaches any decision on where to cut the $6 billion from his budget, which was to be done in conjunction with the 10 percent surtax.

About the same time, the President's top economic advisers reported the budget deficit for the current fiscal year will be $5 billion higher than was anticipated last January. There goes five of the $6 billion.

If your taxes can be increased, the President can at least insure the wise use of your money by keeping his word to cut back on spending.

CONSTRUCTION

Altus Air Force Base is slated for $1,672,000 construction funds in the Department of Defense Military Construction bill for Fiscal 1969. I aided this bill through the House Armed Services Committee and on to approval in the House of Representatives. The funds include $35,000 for special aircraft lighting; $1,443,000 for a maintenance dock fuel system; and $194,000 for alteration to the large aircraft maintenance dock.

These improvements should give impetus to the progress in the transfer of the base from Strategic Air Command (SAC) to Military Airlift Control.

WATER

The Mountain Park project, which will bring water to Altus, Altus Air Force Base and Snyder, comes closer to realization. The House Interior and Insular Affairs Committee approved the bill and it is on its way to the House for passage. I recently testified before the Irrigation and Reclamation subcommittee, in favor of the $21 million project. Earlier I had introduced the bill, H.R. 9411, which involves construction of a dam and reservoir on Otter Creek; a canal to divert Elk Creek into the reservoir; a pipeline system to deliver water for industrial and municipal uses to the Altus and Snyder communities; and outdoor recreation and fish and wildlife facilities.

SERVICE

As your representative in Washington, I am here to serve you. My office is geared to service. I welcome your letters. I seek your opinion. If there is any way I can be of service to you here, please write to me at 1632 Longworth Building, Washington, D.C. 20515 or contact my district offices at 319 Federal Building, Chickasha, or Room 2, 601 D Street, Lawton. If you would like to be on the mailing list to receive my reports, please drop me a line and let me know. This also applies to your neighbors.

Sincerely,

JAMES V. SMITH,
Member of Congress.

INDEPENDENCE DAY SERMON

HON. JOEL T. BROYHILL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. BROYHILL of Virginia. Mr. Speaker, the Reverend Robert H. Andrews, pastor of St. Andrew's Episcopal Church in Arlington, Va., delivered an Independence Day sermon on June 30, 1968, which so impressed members of his congregation that they have given me a copy suggesting that I insert it in the RECORD.

I, too, am greatly impressed with Mr. Andrews' message, and I believe many who read this RECORD will share my feeling with regard to it. I therefore insert the sermon in full at this point in the RECORD:

SERMON BY REV. ROBERT H. ANDREWS, ST. ANDREWS EPISCOPAL CHURCH, JUNE 30, 1968

A foreign diplomat once offered this Independence Day toast to the United States: "Let me congratulate you on the second greatest date in history." When friends asked him what he considered to be the greatest date in history, he replied, "December 25th, for had there been no Christmas, there never would have been a fourth of July." Now as all of you know, the Collect for Peace in Morning Prayer reads as follows: "O God, who art the author of peace and love of concord, in knowledge of whom standeth our eternal life, whose service is perfect freedom; defend us thy humble servant in all assaults of our enemies that we, surely trusting in thy defense may not fear the power of any adversaries, through Jesus Christ our Lord, Amen." "Whose service is perfect freedom . ." I should like to explore this business of freedom a bit with you this morning.

Four days hence we will mark our foremost patriotic holiday, the fourth of July. It is called "Independence Day"; could just as easily be called "Freedom Day". On that date one hundred ninety-two years ago, our founding fathers set their hands to a document that proclaimed the independence of this country and the severing of all bonds of loyalty to England. From henceforth, the colonies would consider themselves free and independent entities, absolved from all allegiance to the British crown. The men who framed and signed the document we know as "The Declaration of Independence" were putting the whole world on notice that they intended to live as free men. Their decision, dictated by an overwhelming need to be free to chart their own national course, and made with courageous faith and trust in God, changed profoundly the course of world history. The language of that historic paper known as the "Declaration of Independence" in many sections is noble and profound and I should like to quote a short passage that relates to our subject for this morning. "We hold these truths to be self-evident; that all men are created equal; that they are endowed by their creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness." Briefly let us consider these categories for a moment.

I think most of us can agree that we owe life to the creator God whom we worship as the Father of our Lord and Saviour Jesus Christ; and that God intends for us the privilege of living our time out free from the fear that we can be deprived of that life without just cause. It means that all life is holy, that is, belongs to God, and that in the end we are responsible to Him not only for our own personal careers but also for our relationships with others. This concept of the holiness of life was what Jesus emphasized so strongly in his teachings and in the days to come, the single most important pre-occupation of mankind will be in this area. Our response to the clamor of peoples of all sorts to be allowed to be people will likely determine what kind of a world our children's children will live in. Life means the self-conscious knowledge that each one of us has the right to be alive and the right to express ourselves as creatures of Almighty God.

"The pursuit of happiness" is a major occupation in every age. In our time we are chasing it with every strategy at our command and the choices are many and varied. We seek more spare time and when we gain it don't quite know how to use it; our labor-saving devices free us for activities that many times fail to satisfy us; we choose a vocation that seems to promise happiness and find that it can be a will-o-the wisp. We embrace cults that promise "self-fulfillment" and "peace-of-mind"—that hint darkly of hidden wells of power that can be tapped at a price to deliver happiness and contentment and then we don't understand when worries and anxieties continue to mark us. The truth of the matter is that happiness is never guaranteed; that we will be pursuing it all our lives and when we do find it, it will be in fragments. But it will come when we know that we have discharged an honorable obligation well; when we have forgotten ourselves for a moment in a real concern for others; when we are in a harmony with those who are particularly close to us; when we know that we have managed to carry through something that God has willed for us to do.

Life, liberty and the pursuit of happiness—and now let us consider that category of "liberty" or "freedom." In the early days of the second Great War, the President of the United States and the Prime Minister of Great Britain issued jointly a declaration embodying the "four freedoms." They were basically an amplification of the concept of liberty spoken of in the Declaration of Independence and were entitled "freedom of speech and expression"; "freedom from want"; "freedom to worship God"; and "freedom from fear."

"Freedom of speech and expression" is the right of every man to declare his beliefs and opinions; to express himself as an individual endowed with the power to think and act creatively. I am reminded of an experience I had during the time when the second World War was drawing to a close. I was still in the coal business and was in New York City, and had as my guests two men—one a sales agent from New England who was an associate of mine, and a symphony orchestra conductor, who was German-born and who had fled that country in the early days of Hitler-power. We were dining in a large room with some three hundred other people seated at small tables set close together. With no attempt to hide his feelings or lower his voice, my business friend spoke in most critical tones about the president. My German friend listened and then said, "I can never get used to the fact that you can so openly and boldly criticize your leaders. Where I came from, such a speech could cost you your freedom and your life." Now we are all aware that this freedom is severely abused. Especially in our day it is misused and mistaken for license. The villification of public officials, inflammatory and exhortations to burn and destroy, threats and acts of civil lawlessness, disobedience and tolerance of these things have marked our time as an age of irresponsibility. Yet we are hesitant for the curbing of this freedom could be disastrous to this great country because when it is properly used by a rational people, it releases constructive thinking and creative criticism and allows us to use our God-given power of reason to conceive new ideas and better the old ones. The balance is always a precarious one but it soon must be restored else bitter days await us.

"Freedom from want" is the second of the four freedoms enucinated by Roosevelt and Churchill and is one of the principal issues of the day. It implies a guarantee that all people will be fed and clothed adequately; that each man's material wants will in some way be provided. This is indeed praise-worthy. But as our "Independence Day" anniversary approaches once again, we need to be reminded that this freedom from want must be brought about by men who are willing to sacrifice for it. It does not mean that the world owes every man a living, even though such a philosophy seems to be in the ascendancy; it does mean that every man shall have the right and opportunity to earn an adequate living without unlawful interference from others—and that no man shall be deprived of a fair return for his labor. This deprivation has happened in the past when men, women and children have been ruthlessly exploited like slaves by ruthless men who in the end could not keep what they gained. We have, however, been fully appraised of the danger of exploitation and indeed, the pendulum seems to have swung rather far in the opposite direction. It is altogether proper that we all recognize a parallel responsibility that accompanies the "freedom from want" and that is the responsibility to use one's gifts and abilities not only to satisfy the hungers of self but to use them with due regard for the needs of others.

"Freedom from fear" was also spoken of. What a relief it would be to be free of ordinary fears; to be able to live without being constantly chained by the petty worries that seem to be our constant companions. Our Lord spoke about this when He said, "In this world ye shall have tribulation . . ." fears, worries, anxieties—but this isn't all bad. We do need freedom from fear that is excessive and paralyzing, yet fear is a kind of radar-system that keeps us alert to our needs. Fears about the future can lead us to invest in life insurance, that those who are dependent on us can be protected. Fears of radical disturbances in our society can lead us to implement the law, re-think the structure of our political system, review our methods of dealing with the problems of the day. Fears can destroy us—they can save us. Handled properly, they can be our warning system to safeguard not only ourselves but our society as well.

"Freedom to worship God . . ." did so obvious a precious freedom have to be reiterated in the Churchill-Roosevelt declaration? I guess it needs to be spoken of, for in certain parts of the world this freedom has to all intents and purposes disappeared. Certainly the right to worship God as one pleased was much in the minds of those who worked so hard to establish the independence of this country in the early days. It is basic to our system of democracy today. If and when this precious liberty goes, every other freedom that man enjoys here will be on its way out. It has been frontally assaulted in Russia and China; it is being sniped at here. But this country was founded on and by a people steeped in the Judaic-Christian ethic and tradition and its basic rightness rests on that foundation. If this is a sick society we are living in, as too many people are saying off the tops of their heads, it is sick only to the extent that it has departed from and betrayed its rootage in Christianity. Certainly there is sickness in our culture but we need to remember that never in the history of mankind has a nation been saddled with, accepted and attempted to solve the array of national and international problems that his country is now wrestling with. We have made mistakes and will continue to make them, but given a reasonable amount of time, there is no profound need of our people that will not be met, be that physical hunger, or the right to walk the city's streets in safety, or just a place in the sun. We are the most charitable nation on earth and I believe this needs to be said when there is so much breast-beating and false melancholia around us!

God has richly blessed this great land of ours. At times we have responded with real insight and great fervor; at other times we have neglected some pretty basic issues that involved people whose blood has also enriched the soil of our country. It has happened also that we have at times ignored the source of our strength and joy and spirit, Almighty God. But He has not forgotten us and He calls on us to purge ourselves of bitter things, of petty anxieties and unworthy goals. And in so doing I think He is calling on us to embrace our real destiny. Charles Malik, the Lebanese statesman who is head of the Department of Philosophy at the American University at Beirut in describing the tie between the American and Christianity may have stated it a little strongly but with deep insight when he wrote, "He who penetrates the depths must sooner or later discover the most impressive thing in America is her Christianity. The good in this country would never have come into being without the blessing and power of Jesus Christ. Despite every external appearance of materialism and secularism, this is a profoundly religious land. Whoever tries to conceive the American word without taking full account of the suffering and love and salvation of Jesus Christ is only dreaming. I know how embarrassing this matter is to politicians, bureaucrats, businessmen and cynics but whatever these honored men think, the irrefutable truth is that the soul of America is, at its best and highest, Christion. When the tears of joy of Christ come to perfect fruition in this land, then America will utter her word." And when that happens, when America utters her word, she will have come to know that in loving and serving God as He has been seen in Jesus Christ, she will be serving that perfect freedom for which she was created.

COMMISSIONER ARTHUR ROSS DISCUSSES THE USE OF STATISTICS

HON. JEFFERY COHELAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. COHELAN. Mr. Speaker, Dr. Arthur M. Ross, a distinguished economist, a close personal friend, and until recently a resident of Berkeley, Calif., has served for the past 2 years as Commissioner of the Bureau of Labor Statistics here in Washington. He brought to that office fresh and incisive analysis and helped make much more useful and meaningful the statistics that are such valuable tools of Government decision and policy.

When Dr. Ross left the Department of Labor recently, to become vice president of the University of Michigan, he was asked by the Washington Post to record his impressions of his Government experience. He used the occasion to point out, in his customarily candid and refreshing manner, the limitations of statistics and of their frequent misuse in Washington.

Dr. Ross reminds us:

> The issues which come before us are vast, intricate, ambiguous, intractable. Statistics enable us to grasp and describe these many-sided problems at the cost of heroic oversimplification. . . . No harm is done if a quantitative measure is seen for what it really is. But trouble sets in when the statistical abstraction is confused with the more complex underlying reality.

Aware of the value of statistics, even as he cautions against their misuse, Dr. Ross warns that we need more and better statistics, and more careful and skillful interpretation of them if we are to genuinely understand our problems and to find intelligent, realistic solutions to them.

Dr. Ross' words of caution are important to our continuing effort to solve the great problems of our times—ending the war, eliminating poverty, easing urban strains, and finding jobs. I insert his comments and urge my colleagues to review them carefully, as follows:

OVERBLOWN AFFINITY FOR NUMBERS: ROSS HITS STATISTICS "MISUSE"—SAYS OFFICIALS FOOL THEMSELVES

(NOTE.—Having left the Government Friday to become a vice president of the University of Michigan, Ross responded to The Washington Post's invitation to set down his impressions after two years in office.)

(By Arthur M. Ross)

The position of statistics in Washington is curiously ambivalent. On the other hand, the statistical agencies are starved for money and personnel. For the cost of few miles of interstate highway they could provide information potentially worth billions in terms of more intelligent policy choices. Unfortunately, as veteran budget officers like to say "statistics don't vote."

On the other hand, statistics have extraordinary prestige among men of affairs.

Unlike the British, who appoint another Royal Commission when they wish to evade a problem, Americans launch another statistical survey.

Public men become known by the statistics they keep. Before he decided not to seek another term, the President was wont to regale his visitors with the latest opinion polls. His predecessor's attack on the Eisenhower administration was centered on statistical comparisons of economic growth and missile stockpiles. Many moons will pass before Robert McNamara lives down the image of a human computer. Sargent Shriver, while head of the OEO, would unfailingly report on the number of families "rescued from poverty."

VALUE OF STATISTICS

The distinguished secretary of HEW has gone so far as to assert that the chief statistician of the department and his staff "do more to determine future HEW programs than all the other officials in the department." (Up to now, however, Wilbur has stopped short of promoting himself to chief statistician.)

I, myself, coming from the obscurity of academic life, was startled to discover that I was "good copy" because I had jurisdiction over the figures on inflation, unemployment, etc. I obtained more mileage from stale and mediocre ideas, presumably backed with statistics, than I ever had derived from fresh and brilliant ideas when I was younger. To the amusement of my colleagues and the gratification of my wife, I was often described as "the nation's leading expert" on subjects where, in fact, I had little expertise. Because of a strong passion for anonymity, known best to my immediate superior, I strove manfully to keep my name out of the public print. It was, I confess, a losing struggle.

If this overblown affinity for statistics were only amusing, it would not deserve much comment in a city replete with absurdities. But the phenomenon has a more sober aspect. Government officials are prone to take statistics too literally, to ignore their limitations, and to confuse partial truths with the whole truth about complex realities. This propensity can lead to serious, even tragic, consequences.

DISTRICT OF COLUMBIA ISSUES VAST

I think I can explain the peculiar function of statistics in the Washington milieu. The issues which come here are vast, intricate, ambiguous, intractable. Statistics enable us to grasp and describe these many-sided problems at the cost of heroic oversimplification. One or two dimensions, which happen to be measurable, serve as a shadow representation of something with numerous, perhaps innumerable, dimensions.

No harm is done if a quantitative measure is seen for what it really is. But trouble sets in when the statistical abstraction is confused with the more complex underlying reality. There are two principal dangers in this process. First, immeasurable aspects of the problem may be vastly more important than the measurable. Second, the validity of a particular measure may have been undermined by economic and social changes.

Meanwhile, bemused by the appearance of objectivity and precision, the policy maker keeps his eye fixed on charts and tables which are sadly incomplete, increasing obsolescent, or both. Eventually he comes to believe that poverty really is a condition of having less than $3300 income; that war in Vietnam really is a matter of body counts and kill ratios; and that full employment really is a situation where the national unemployment rate is 4 per cent or less.

OFFICIALS FOOL THEMSELVES

This shadow replaces substance. The ultimate hazard is not that the officials fool the public, but that they fool themselves. After all, they are more inclined to swallow their own rhetoric than the public is.

I should like to dwell briefly on the three examples just noted.

Poverty: Statistics tell us there is less poverty in America than ever before. The number of poor families has fallen from 8.3 million in 1960 to 5.2 million in 1967. OEO has said that we can look forward to the complete abolition of poverty by the year 1976. Imagine that—a country with no poverty. Truly an historic "first" in the history of social statistics.

With the poverty problem well on its way toward solution, no wonder Secretary Freeman was so irritated by the CBS documentary on "Hunger in America." No wonder the government has been taken aback and caught unprepared by the increasing militancy of the poor. The shock becomes greater when it is realized that only one group among the poor, the urban Negroes, has yet became radicalized to any significant extent. Rural whites and Negroes, Mexican-Americans, Puerto Ricans, and Indians are still relatively apathetic.

The trouble is that the government claims to measure poverty by the number of families with incomes of less than $3300 in current purchasing power, adjusted for differences in family size and urban or rural location. An income cutoff is a useful statistic for many purposes, but a terribly simple-minded definition of poverty. Poverty is shame, guilt and despair; lack of access to good schools or decent housing; being preyed on by criminals; and many other conditions not necessarily cured by family incomes over $3300. Remember that the bulk of families in Harlem are "non-poor."

Vietnam: For many months we were winning the war in Vietnam—not as quickly as originally hoped, but steadily an inexorably. All the statistics told us so—the body counts, kill ratios, infiltration estimates, bombing data, captured weapons, content analysis of captured documents and so on. Then it appeared we were not winning.

Is it a coincidence that the most elaborately measured war in American history is also the least successful?

I do not think so. On the contrary, the egregious abuse of statistics contributed directly and substantially to the outcome. Some of the statistics were pulled out of the air, it is true, and some of the interpretations were palpably absurd, e.g., the claim that 2,000,000 refugees had "voted for freedom with their feet." But the major vice was the assumption that the basic elements in the war were those incidents of military might which could be counted, calculated, and computerized.

Had this calculus of force not yielded such ample and comforting food for thought, would it have been possible to disregard so flagrantly all the crucial factors which could not be computerized? Science has worked many wonders, but has not yet put history on the computer, nor ideology, religion, color, colonialism, nationalism, sectionalism, cynicism. Since these could not be quantified, they never found their way into the accounts.

Full Employment: We have been enjoying full employment for two and a half years. We know this because a national unemployment rate of 4 per cent is the official definition of full employment. The rate has been running below 4 per cent except for a brief period in 1967, and currently stands at 3.5 per cent.

And yet it appears that the most important social problem is that of jobs. If we have full employment, how come we need more jobs?

The short answer is that rising expectations have rendered the old measures obsolete.

The full employment concept is related to the scope of the government's responsibility under the Employment Act. Until recently, full employment of primary breadwinners, especially married men, was viewed as the principal obligation. At an overall rate of 4 per cent. most married men do have jobs.

Today the bulk of unemployment is concentrated among women, teenagers, and unmarried men, and the responsibility is broadening to include them. Surely there is no need to belabor the importance of Negro unemployment, though it has only a marginal effect on the national rate.

This misuse of statistics leads to results ranging from the comical to the tragic. What practical lessons are to be learned?

First, of course, we need more and better statistics in order to illuminate the problems more adequately.

Second, statistics must be interpreted with greater skill and discretion. Administrators should not be permitted to confuse them with complex, elusive realities or regard them as significant entities in their own right.

Third, extreme care must be taken lest program budgeting became a Procrustean bed and cost-benefit analysis a crown of thorns. Specious quantification of the unquantifiable can be as mischievous as ignoring it. The peculiar genius of the human brain is that, unlike the present generation of computers, it can deal with qualitative issues in their own right.

Finally, there is no substitute for the intuitive feel of a problem resulting from firsthand exposure to it. This is particularly true for people in Washington, a governmental company town insulated from much that goes on in the world.

Statistics are indispensable, but they cannot remedy the isolation from reality which has beset rulers in all times and places.

GUN CONTROL LEGISLATION

HON. TIM LEE CARTER

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. CARTER. Mr. Speaker, I have received hundreds of letters from my constituents during the past several weeks voicing strong opposition to proposed gun laws now pending before Congress. These communications are more than 20 to 1 against such laws. In a recent opinion poll conducted by me, more than 60 percent of my constituents opposed these proposed gun laws.

While I could support a bill to ban sales of guns to felons, minors, Communists, and incompetents, I could not support a bill to require the registration and licensing of firearms of law-abiding citizens.

Typical of the many letters that I have received is one from Bev McClendon, of Tompkinsville, Ky. I insert his letter in the RECORD at this point:

TOMPKINSVILLE, KY.,
July 4, 1968.

Hon. TIM LEE CARTER,
House Office Building,
Washington, D.C.

DEAR TIM: We have heard from the fanatics, the Communists, and the politicians who have turned this gun issue into a national crisis. This country is great and will remain so as long as the right of the people is not tread upon. There is a movement that the majority of the citizens in this country are not aware of. They, the people, have sat back and let them take the Lord out of the schools, and off the money that has been minted. Now they want to take the guns away from us, and next they will want to burn the books. To believe in God made us great, and He has always stood with us, but sometimes I wonder!

This gun registration bill is wrong. I agree with Gov. Louie B. Nunn on his statement about the bill that it would control killing about like a band-aid would control cancer. They say it will take the guns out of the hands of madmen and criminals, but this is not true, it will take the guns from the hands of the law abiding citizens.

Look at England, it has a strict gun law. James Earl Ray, the accused killer of Martin Luther King got into that great country, a foreigner, and passed through the Immigration Department, found a way to purchase a gun and was walking the streets of England carrying a gun, and there is the case against this so proposed gun law. The law abiding citizen will register his gun or turn them in and then the killers and criminals can always obtain a gun from the underground when they need one. Perhaps the greatest army in the world is the American people bearing arms. They hold more arms than the United States or U.S.S.R. armies, and what a fight we could put up if some invader would be foolish enough to attack. Look at the people of England ready to fight with pitch forks and rocks, but we sent them rifles, shotguns, etc., to fight with in World War II.

If Congress wants to do something constructive, change this Immigration law, which lets these assassins come into this country and kill our leaders. Immigration laws should all be changed. We have enough people, of course, with reservations to soldiers who marry in foreign countries and want to come back to the United States to live. Doctor, stand against this threat, this American right. We do not have many left. The right of the people to keep and bear arms shall not be infringed. The Second Amendment to the Constitution of the United States says this right must not be taxed or tampered with in any way.

Yours sincerely,

BEV.

FIREARMS CONTROLS

HON. OGDEN R. REID

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. REID of New York. Mr. Speaker, in 1967, I introduced Senator EDWARD KENNEDY's State Firearms Control Assistance Act and I spoke out in debate about my serious concern over several shortcomings of the crime bill, including its emission of provisions banning the mail-order sale of rifles and shotguns and their sale to out-of-State residents and juveniles.

I subsequently introduced legislation to this end as well as Senator TYDING's bill requiring the registration of all guns and the licensing of all gun owners. Today, after further study, I am submitting the administration's bill on registration and licensing.

If it is still necessary to point out the need for this legislation after the tragic assassinations of Dr. Martin Luther King, Jr., and Senator Robert Kennedy, the incident in Central Park on July 3 speaks loudly and clearly.

As Governor Rockefeller stated after that incident:

> This shocking burst of violence by gunfire in the heart of New York City shouts its message to Congress: give us sensible control over guns, protect innocent Americans from deadly weapons in the hands of the unfit, subordinate the wishes of a powerful gun lobby to the interests of the vast majority of Americans who want safe gun legislation. On this question delay is measured in needless death.

Mayor Lindsay forthrightly said:

> Once again a senseless act of violence has erupted in the heart of our city. In a city park a gun has brought death and injury to innocent citizens. Two policeman, in apprehending the killer, were themselves shot and injured. Still the Congress wavers and wonders about the need for stricter gun control measures.
>
> It is time for the registration of firearms. The residents of our city and across the nation should not be endangered because of inaction of Congress. Violence in the streets of our cities will not be controlled without responsible action on an effective gun registration law. New York's finest have again performed valiantly.

Attorney General Clark has also spoken out on the need for licensing and registration, and FBI Director J. Edgar Hoover wrote in a message to all law enforcement officials:

> Each year, thousands of businessmen look up from their work into the menacing muzzle of a gun wielded by a trigger-happy robber. In recent months, murderous snipers have waged guerrilla warfare against law enforcement officers in our city streets. In 1963, our President was slain with a mail-order rifle. During the calendar year of 1966 alone, more citizens were killed or assaulted with guns in American streets and homes than were killed in battle during the entire Korean conflict. . . .

I think mail-order firearm purchases should be banned, interstate transportation of firearms controlled, and local registration of weapons required and enforced. . . .

There is no doubt in my mind that the easy accessibility of firearms is responsible for many killings, both impulse and premeditated. The statistics are grim and realistic. Strong measures must be taken, and promptly, to protect the public.

In my judgment, Congress should need no further spur to action.

A LOOK AT THE FALLIBILITY OF GOVERNMENT

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. CURTIS. Mr. Speaker, we are all aware of the substantial gap between the words and accomplishments of those in the administration responsible for shaping economic policy. In the early 1960's, the administration told us that its economic tools and knowledge were of sufficient refinement that it could "fine-tune" the economy, producing continued, uninterrupted, noninflationary, high employment economic growth. Today, we can only say that if this were true, then the administration has been criminally derelict in using its resources, for we find ourselves in one of the worst of all economic worlds.

An editorial in the June 19 Wall Street Journal describes a book by British Economist John Jewkes about governmental involvement in the British economy. As the editorial points out, although economic planning has gone farther in Britain than in the United States, there are important parallels, and we in this country can learn much from the unfortunate experiences of the British. Perhaps the greatest lesson is that no one as yet has managed to gear the State's power to produce specific desired results and probably no one ever will. In trying to cope with uncertainty, the Government inflates the economy and distorts its workings with increased meddling. Government can help by concentrating on smoothing the workings of the private economy instead of on trying to supplement them.

This book provides a rebuttal to those who believe that governments have the magical power to make political promises come true, particularly those of the Johnson administration. The editorial follows:

SUMMONING THE SPIRITS

GLENDOWER. I can call spirits from the vasty deep.

HOTSPUR. Why, so can I; or so can any man;

But will they come when you do call for them?—*Henry IV, Part I, Act III, Scene 1*

British economist John Jewkes thus quotes Shakespeare to point up a problem that plagues economic planners: The gap between words and accomplishment. In "The New Ordeal by Planning" (St. Martin's Press), Professor Jewkes writes of his own country but American parallels are inescapable.

Though governmental involvement in the economy has gone farther in Britain than in the U.S., a new wave of tinkering got under way in both nations in the 1960s. And in each case the planners have produced, not the desired stable prosperity, but similar cases of the economic shakes.

In both countries the impetus to planning was a deep dissatisfaction with the way things were. The economy wasn't growing fast enough, and it was subject to periodic ups and downs with assorted unpleasant consequences. In both countries, too, sizable numbers of economists were sure they knew exactly how to smooth things out.

As Professor Jewkes says, there was "the growing feeling that men must be masters of their own economic destiny. . . . And the State seems to be the most convenient agent for creating security and certainty."

Certainly the State has enormous powers for influencing the economy for good or ill. Its spending, in Britain as in the U.S., bulks so large that increases, and the rare decreases, can lead to sharp changes in total demand. But no one as yet, in free or totalitarian nations, has managed to gear the State's power so as to produce the specific desired result.

In Britain in 1961, for example, the Conservative government set an economic growth objective of 4% a year. When the Labor government took over in 1964 it adopted a similar goal. In fact, as Professor Jewkes says, "Labor planning and Conservative planning amounted to much the same thing."

The results were anything but exhilarating; in most years growth fell well short of the stated objective. Moreover, Britain, like the U.S., was having balance-of-payments and inflation troubles and its currency acquired a certain queasiness.

What went wrong? Well, Professor Jewkes suggests that one difficulty is that the planners get all tangled up with politics. If things don't appear to be going as well as predicted, officials try to claim that their forecasts actually were "flexible." That, says the author, is "like knocking over the chess men before an inevitable defeat."

And the economic future, difficult enough to perceive for a single firm, is infinitely more so for a nation. Consumers always seem to decide to step up their saving just when the planners think they will be spending more and vice versa. In trying to cope with uncertainty the government inflates the economy and distorts its workings with increased meddling.

Then, too, planning tends to build up its own momentum. In the U.S. "voluntary" curbs on foreign investment soon led to frankly mandatory ones, and there are those who think that wage-price guidelines should give way to formal controls.

What now? In Professor Jewkes' view, "the only line of escape . . . is through the fuller release of the economic energies of the community." Government can help by concentrating on smoothing the workings of the private economy instead of on trying to supplant them. Desirable measures include sensible antitrust-law enforcement, steps to improve education, labor mobility, the dissemination of economic information.

Equally important, there are things that governments should refrain from doing. In Professor Jewkes' words, "they should not assume that for every social ill there is a speedy and effective specific lying to hand. . . . If governments wish to help the poor and needy . . . they should help the poor and needy and refrain from distributing public money indiscriminately to rich and poor alike."

Above all, perhaps, governments should abandon the myth that they have "magical powers of making political promises come true"—the myth that they actually can lure those spirits from the vasty deep.

I AM SICK TO DEATH OF BEING TOLD I AM SICK

HON. JOE R. POOL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. POOL. Mr. Speaker, it is my pleasure to represent a congressional district inhabited by more than the usual number of intelligent, interested, and articulate citizens. The citizens of Dallas County participate in local government and are concerned about vital national affairs. The pulse of my outstanding district is well measured by an address delivered at the Oak Cliff Lions Club in Dallas, on June 12, 1968, when the outgoing president, David R. Braden, made the speech which follows. His words have been read by many Texans, quite a few of whom have referred to them in correspondence with me. I therefore consider it appropriate that the Members of Congress have access to this fine speech, for I believe that it may well represent the sentiments of America as a whole.

The speech follows:

ADDRESS BY DAVID R. BRADEN BEFORE THE OAK CLIFF LIONS CLUB, DALLAS, TEX., JUNE 12, 1968

Last week as we met to have our Installation Party—a man assumed a station in a kitchen corridor in L.A.—Later that evening he shot and killed a United States Senator—Robert Kennedy—a candidate for the Presidency of this nation!

The next day, as I contemplated this tragic and horrible event, it occurred to me that while spending a pleasant and amusing evening, I had done little then (or in this year for that matter) that you could wrap some serious thought around—I have left that to the guest speakers at this rostrum.

Blackie Sherrod, of the Dallas Times Herald, pointed out in his column of Monday evening that it is time for all those who have a podium to use it; be it a service club, or a sign on the back of a city bus. For two more weeks—this is my soap box, and today I shall use it in a serious vein!

Lest I be remembered only as a clown, I would like to remind you today of the motto of Lions International: "Liberty—Intelligence—Our Nation's Safety". It is in that regard that I make this statement. I make it that someone might speak for the common man of this nation—who leads a common life, earns a common salary, has a common ambition, a common dream, and pays common taxes.

I speak to you as the forum of common men everywhere—and as a representative.

All America has been told this past week—over and over again—that we are a sick society.

Gentlemen, I propose to you that I *am* sick—maybe you are sick too.

I am sick to death of being told I am sick: By government officials who will not enforce law; by politicians who dance to the tune of minority groups; by those in the pulpit and on the college lecture platform who use their office to project the socialistic creed of radicals.

I am sick to death of being told I am sick: By idealistic aggressive news reporters and evaluators (of whatever media), who have the audacity to tell me I should believe whatever they believe—knowing I have no vehicle to publicly voice my disagreement.

I am sick of being told I am sick: By foppish entertainers draped in Nehru jackets, feminine necklaces, and a cloak of pseudo intellectualism.

I am sick of cynical attitudes toward patriotism and our American institutions.

I am sick of sacrificing the cream of American manhood in political wars we are not fighting to win.

I am sick of the decline in integrity and personal honor in this nation.

I am sick of the permissive attitude, laxity, and tolerance to pressure groups and the criminal element that is bringing this nation to its knees in lawlessness.

I am sick of seeing law enforcement agencies and the laws of this nation emasculated by a supreme court and administrators who make their personal creeds the law of the land.

I am sick of dirty, unwashed, foul mouthed—whether you call them hippies, beatniks, or pseudo poor people.

I am sick of not being able to take my family to a movie because it is loaded with extraneous offensive matter whose only purpose is to shock.

I am sick of seeing the same phrases in the popular literature of the day that I see scrawled on the walls of public toilets.

I am sick of so called educators and leaders too weak kneed themselves to understand the value of discipline in the character of a man.

I am sick of a congress which legislates out of emotionalism rather than reason, thereby taking away the rights of all.

I am sick of being told I am sick with violence because of assasinations by mentally deranged men, fed on a steady diet of violence and perversion by the nations periodicals, press, television and movies—all condoned—even aided—by courts which permit license in the name of freedom.

I am sick of riots, of marches, and those who force themselves and their ideologies down my throat without qualification.

I am sick of those who say I owe them everything, because of the sins of my forefathers, when I have looked down both ends of a machine gun barrel to defend them and their right to be here.

Take note gentlemen in high places—you will not see me in the streets with a placard or a gun—you will hear the thunder of the common man at the polling place—casting a vote for liberty, intelligence, our Nation's safety.

FLETCHER THOMPSON REPORTS TO YOU

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. THOMPSON of Georgia. Mr. Speaker, in order that my colleagues and people who are not on my mailing list may have available to them my report to the people, I insert this report in the section on Extensions of Remarks:

Fletcher Thompson Reports to You

Dear Friend: *Higher Taxes:* Your pay check is now less due to the 10% higher taxes signed into law by the President. I did not support, nor vote for, this increase because *taking 10% more taxes out of your pocket and increasing by 10% the taxes of all businesses will in the long run be inflationary, not deflationary.* Here's why:

(1) By reducing your take-home pay, and with the prices of things you buy going up, *you will need wage increases* which will further accentuate the wage-price spiral;

(2) When a company's overhead is increased *they pass this on to you,* the consumer, in higher prices and *do not absorb* the tax increase themselves;

(3) Cause of this nation's financial crisis has not been under-taxation *but overspending;* and the cure is *not more taxes but less spending.*

Oversold: Though many business people were oversold on the idea of increasing taxes, *the Wall Street Journal wasn't.* In an editorial of June 24 they said:

"Perhaps the greatest peculiarity about the newly-enacted tax-spending law is the way it has been *successfully oversold* as an economic curative—*by the Administration,* by some in Congress and by many businessmen. It's not just a matter of academic interest; in the near future there could be *bitter disappointment* at the measure's unfulfilled promises . . . Looking ahead, *it may be doubted that the tax part of the package will be an effective counter to inflation* . . . It raises the family's cost of living . . . It raises a company's cost of doing business . . . Objective evidence presently available suggests that *this law is at best a palliative.* Indeed, that it is a warning how far the authorities have yet to go to find the cure for inexcusable financial irresponsibility." (Italics added.)

Expensive Farm Program: Present farm program (with a few changes) is the same system which was adopted in 1933. *In the last four years it has averaged costing the taxpayers more than $3.62 billion per year.* Its objective has been to pay the farmer for not growing various crops in order to keep farm prices up, *yet prices to the farmer have dropped to 73% of parity* . . . the same ratio as in the bleak days of depression. The person hurt by this farm program has been *the small family farmer* like those in the Fifth District, forcing many of these people to abandon their *farms* and move to the city. *Very high subsidy payments for not growing crops* are being paid to large corporations such as J. G. Boswell of Arizona, who received payments of more than *$4,000,000.00.* Thousands received *payments in excess* of $25,000.00 a year; many more than $500,000.00. Legislation will soon be before the House to continue the old farm program. *I refuse to "rubber-stamp" it.*

Remember the Pueblo? Many think that the Administration doesn't. *We hear of no definite plans to secure the release of the 83 Americans captured by the North Koreans* on January 23 while carrying out the orders of their country in international waters. *The prestige of America has never been so low* throughout the world. Expect North Korea to release the crew just prior to our elections for maximum propaganda effect.

Soaring Crime: All citizens want to be secure in their homes and on the streets, yet *crime in Atlanta increased more than 23% last year.* In the nation, it has been *soaring to an all-time high.* What is the cause? A permissive attitude on the part of some elected officials, encouragement of civil disobedience, lowering of public morals, guns, sex and violence in books, movies and TV . . . *certainly all have a part.* What can be done?

Hoover's Answer: FBI Director J. Edgar Hoover says, "There are three factors I believe that will put a break on crime: *First, prompt apprehension; second, prompt trials and elimination of delays such as postponements and plea bargaining; and third, substantial sentences commensurate with the type of crime committed . . .*" Yet, this is only part of the answer.

The Crime Bill: On June 6, Congress passed the Crime Bill which *overruled for the first time* United States Supreme Court decisions which *protected the criminal at the expense of the people.* The Bill, now law, also outlawed the mail-order sale of hand-guns, made it *unlawful for convicted criminals (felons), insane persons, aliens and others to possess any kind of weapon.* This is a step toward solving the crime problem. But we must not delude ourselves into thinking that *gun laws alone* will stop crime since firearms are involved in only 3% of all crimes in the U.S.

The Total Solution: It is complex. Passage of laws by Congress does not mean *a criminal will obey them.* Aggressive enforcement is *needed. No citizen should condone law violation for any purpose,* nor should elected officials condone breaking the law *nor fail to punish those* breaking the law; and *every segment of our society must promote respect for authority* and obedience to laws which protect rights and property of all. Efforts must be made at all levels of government to *eliminate basic crime causes.*

Academy Applications: We're now accepting applications for '69 classes at U.S. service academies. *Though we only had three vacancies in '68 classes, we were able to get seven candidates accepted* at Annapolis and West Point. We'll have two vacancies at Air Force and Navy academies this time. *Appointments are strictly competitive,* based on scholastic records, test scores and interviews. Applications should be in by September 5. *Latest acceptance was Thomas G. Wallter, Jr. of College Park* to West Point. We're also taking applications for U.S. Merchant Marine Academy where we placed *Michael Patrick of Atlanta.*

No "Pull" Needed: Time and again when we've helped people like you straighten out their Social Security, VA pensions and other problems with federal agencies, they've said, *"I never knew my Congressman would do this for me."* You don't need "pull" or "influence" or "connections" to get our help. Simply write or call us. *That's all it takes.*

It is a high honor for me to serve you in Congress.

Yours very truly,

Fletcher Thompson,
Member of Congress.

(Printing & paper paid for by myself & with the help of your donations sent in.)

TRIBUTE TO ROBERT L. F. SIKES

HON. ROBERT O. TIERNAN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. TIERNAN. Mr. Speaker, I wish to take special note of the long tenure and eminent service of our good friend and distinguished colleague from Florida, Robert L. F. Sikes. I was not able to be present on the floor yesterday at the time set aside, but I would like Bob Sikes to know how much I appreciate his friendship and his counsel.

As you know, I succeeded John Fogarty last year at a special election. John Fogarty and Bob Sikes entered the House of Representatives on the same day. Both served on the Appropriations Committee together for some 20 years. John Fogarty and Bob Sikes were good friends from the day they entered the House until the day John passed away.

Last September it was my privilege to join Bob on a trip to my district to dedicate a Navy Seabee installation in honor of John Fogarty. Bob Sikes' speech in memory of John was most outstanding; it was indeed a tribute to a friend.

I want to wish Bob many fruitful years of continued distinguished service and good health. I know that our friendship will continue to grow and prosper in the years ahead.

BARR CITES STRUGGLE AHEAD FOR RESOURCES

HON. WILLIAM S. MOORHEAD

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. MOORHEAD. Mr. Speaker, on June 25, Joseph W. Barr, the Under Secretary of the Treasury, delivered an excellent and provocative speech in Los Angeles before the town hall of California, entitled "The Battle for Resources—Diplomacy Versus Domesticity." The speech was one of the more significant ones delivered recently by an administration official, because it focused on one of the most vital issues this Nation will face in the years ahead. The issue is whether we should spend our financial resources for foreign or domestic needs?

Mr. Barr said:

> I foresee an intense struggle between those advocating diplomatic objectives and those arguing for domestic requirements for the next four years.
>
> If the State Department maintains its current diplomatic objectives and if the Department of Defense defines its mission relative to those objectives as it did in 1965, then there is not much opportunity for substantial budget cutting in this area in the foreseeable future.

While Secretary Barr does not commit himself on how the money should be spent, his speech is illuminating in presenting the considerations involved in the dilemma we face over the use of our resources.

Mr. Speaker, I believe Mr. Barr's remarks are worthy of the attention of our colleagues. Under unanimous consent, I include his prepared text in the RECORD along with press accounts of his talk:

THE BATTLE FOR RESOURCES—DIPLOMACY VERSUS DOMESTICITY

(Remarks of Hon. Joseph W. Barr, the Under Secretary of the Treasury, before the Town Hall of California, Los Angeles, Calif., June 25, 1968)

On April 26, Dr. Otto Eckstein, Professor of Economics at Harvard University made a statement before the American Statistical Association that intrigued me enormously. Dr. Eckstein was attempting to analyze the potential claims on the Federal budget over the next two years under various sets of economic assumptions. With his permission, I will today try to add a political dimension to his remarks.

For years I have bemoaned the demise of "political economy." I have argued that political scientists and economists have suffered from the dichotomy that developed early in this century. So by adding a political dimension to Otto's remarks, I will be practicing what I have preached, and hopefully will be contributing to an analysis of an issue that can well be the subject of furious debate in this nation in the immediate future.

Now just what did Dr. Eckstein say? He introduced his theme with this statement:

"Recent studies have assumed that the crisis in the Federal budget will come to a quick end once the Vietnam war is over. The war is costing close to $30 billion. If $20 billion of budget resources could be released, there should be ample room for substantial increases in social spending, as well as tax reductions for increased private consumption and investment. With a normal Federal revenue growth of over $10 billion a year, one would hope that the Federal budget would be in much less of a squeeze than today.

"This cheerful prospect could easily dim over the next several years."

He then made these points.

1. It will be extremely difficult to get defense spending down in the near future.
2. Traditional civilian government programs will cost more as population grows and the demand for services increases.
3. Much of the revenue growth that we can expect in a growing economy must be used to reduce our current budget deficits.

I agree with the conclusions that Dr. Eckstein has reached and I would like to comment briefly on each of the three points.

If the Defense Department is to maintain its current mission in the world—a mission that is defined by our diplomatic objectives—I would seriously doubt that any sizeable reduction can be made in the defense budget in the foreseeable future. Our experience in Korea indicates that the cessation of hostilities does not mean that we can pull our troops back home and forget about the area. Our position in Southeast Asia can be even more difficult than the situation we faced in Korea. There is no heavily reinforced 17th parallel behind which we can retire with comparative security.

We have been fighting this war on a very, very lean budget. There is no evidence that we have piled up surplus stocks in ordnance, ammunition, aircraft, or naval vessels. On the contrary, I would estimate that a cessation of hostilities would result in great pressures to rebuild stocks in military supplies and equipment to a more acceptable level. Similar pressures might be expected to increase defense expenditures for research and development and to improve our readiness posture and strategic capability. These kinds of expenditures are already beginning to move up again after being cut back earlier.

One way of looking at the situation is as follows. In fiscal year 1965 our spending for defense and international affairs was running at a rate of about $54 billion a year. By fiscal 1970 inflation will have added about 15–20 percent to those basic costs, or about $9½ billion. Thus a 1965 effort would cost about $63 billion in fiscal 1970. We are currently spending at the rate of roughly $28 billion a year in Southeast Asia in activities directly related to the Vietnamese engagement. While it is not completely accurate to add this total cost to the $63 billion base I referred to, it at least gives us the basis of comparison. It indicates that in fiscal 1970 we would be spending about $91 billion a year if Vietnam expenditures continued at their present level and we maintained the same force readiness, strategic capability, r & d expenditures, and international affairs expenditures that prevailed in 1965. Or, to work around another way, the figures would indicate that the Defense Department this fiscal year is spending, in terms of real resources, 10–15 percent less on all requirements, except Vietnam, than it was spending in 1965—roughly the equivalent of $46½ billion against a $49½ billion level prevailing at that time, while expenditures on international affairs and finance are also, in the same terms, down by one-quarter to one-half billion dollars.

I can only conclude that if the State Department maintains its current diplomatic objectives and if the Department of Defense defines its mission relative to these objectives as it did in 1965, then there is not much opportunity for substantial budget cutting in this area in the foreseeable future.

The second point that Dr. Eckstein makes is also unquestionably true. The traditional operations of this Government must almost of necessity grow as the country grows. The volume of mail to be delivered grows at the rate of three billion pieces a year; the number of income tax returns to be processed rises at the rate of three million a year; the number of visits to our parks and our national forests increases at the rate of 20 million or more a year. I do not believe that there is any disagreement that the *traditional* services of the Government must grow in a growing country. Back in 1961 Mr. Maurice Stans estimated that a rate of growth of $2½ to $3 billion a year in the Federal budget was probably necessary to keep up with the growth of the country.

Dr. Eckstein pointed out that the normal growth in our revenues which we can expect in a growing economy would be needed in the immediate future to reduce the Federal deficits we have been running. This statement is surely incontrovertible. Demands for capital in this nation and in the world are enormous and I cannot see how we can contemplate orderly capital markets or price stability if the Federal Government is forced to borrow to meet deficits in excess of $20 billion a year.

Dr. Eckstein uses this line of reasoning to support his argument for a tax increase and rigid controls over military and old-line civilian government expenditures. In my opinion his analysis points up an even more pervasive issue—the coming struggle over the budget—or as I have put it, diplomacy versus domesticity. Let me say at this point that in the coming struggle I will be an interested bystander. My ten years of public service will end on January 20. Therefore, as I now attempt to add a political factor to the economic calculus that Dr. Eckstein has described, it can be assumed that I will be reasonably impartial.

I foresee an intense struggle between those advocating diplomatic objectives and those arguing for domestic requirements for the next four years. A tax increase will help to make that struggle less acrimonious. Tough-minded expenditure control will help to produce the same result. But I can only conclude that neither will be sufficient to head off a conflict.

As we move from economics into the area of politics, I would like to comment briefly first on the diplomatic arguments. I see no reason to apologize for the diplomatic objectives of the United States for the past twenty-three years. In fact, I would venture to predict that many of us will look back on these years as a time of shining idealism—our golden years. Under the shield of our defense establishment, the Free World has achieved a huge growth in world trade, a free flow of funds between nations, an unparalleled expansion of tourism, and truly remarkable achievements in the development of areas which had known only poverty, ignorance, and disease throughout recorded history. I am not going to throw any rocks today at the Department of State or the Department of Defense.

In his analysis, however, it seems to me that Dr. Eckstein has left out some very potent changes that have occurred in this nation in the past four years which lend credence to my contention that a fierce battle for budget resources will be waged. These changes were initiated by the extraordinary man who helped start my public career and whom I have served with affection for almost five years—Lyndon Baines Johnson. In 1965 the Congress enacted a landmark bill to provide Federal assistance to elementary and secondary education. In that year it also passed the legislation establishing medicare and medical aid. In those two pieces of legislation the country established enormous potential claims on its revenues, claims that were backed up by a knowledgeable and forceful political clientele. Almost for the first time in the history of the Republic we created a strong political challenge to the allocations of resources for the defense of the nation.

Let me illustrate my point. There are 22 thousand school districts in the United States. Almost without exception every district would spend more if their budgets would allow. I need not remind you of the political muscle that millions of parents, teachers, and school administrators can swing in this nation. The passion for education has characterized our national history. For the first time elementary and secondary education now has a claim on our Federal revenues, and I would estimate that the claimants will be after us with the ferocity of a tiger. These programs are probably seriously underfunded at the moment, and given any letup in Vietnam, the demands will be clamorous and insistent—no matter which political party is in power.

This nation has been one of the last of the great industrial nations to move to a system of health insurance. There is no need for me to elaborate on the costs—present and potential. There is no need for me to dwell on the history of other nations and the response to these demands for medical care. Suffice it to say that here again we have opened the doors of the Federal Treasury to huge demands.

I would estimate that no political party, and no President, can reverse or even slow down appreciably the demands that will come from the country in the areas of education and health. While education and health will, in my opinion, prove to be the most politically potent claims on our resources in the years immediately ahead, let me list a few other claims with enormous political muscle.

The problems of our cities have unquestionably grown to almost intolerable proportions—pollution, transportation, adequate housing—and the whole gamut of problems associated with the ghettos. The costs associated wiht these projects are staggering. In one area alone—housing—to move from the current level of about 1,400,000 starts a year to 2,600,000 rate which is widely advocated at the moment, would place at least an additional $20 billion strain on our credit markets annually, and unquestionably an additional strain on our Federal budgetary resources. The other issues which I have mentioned—pollution, urban transportation, and the problems of the ghetto—fall roughly into the same category as housing. Financing these programs will be a great additional burden on our capital markets and on state and local government tax revenues. In addition, unless I am sadly mistaken, they are going to produce a sizeable claim on our Federal tax revenues.

The programs I have just mentioned will not lack in political appeal and can also prove to be an effective challenge to the claims on our resources generated by Defense and State. None of us relishes the prospect of a China armed with ballistic missiles aimed at this city without an effective deterrent—even if the cost is huge. But on the other hand, none of us relishes the idea of resting securely behind an antiballistic missile system if we are slowly choking to death in a polluted atmosphere. None of us looks forward to a world in which adventurers can prey with some degree of impunity on weaker nations. But I think that most of us would like to get to work without spending our days in endless traffic jams. The possibility of Communist probing and troublemaking in Europe resulting from a draw down of our NATO forces is not pleasant to contemplate but, on the other hand, the civil disturbances we have had in the past year in our cities are very real and very close indeed.

As if the battle for the allocation of domestic resources were not serious enough, our diplomacy faces a severe challenge in its claims on the foreign exchange which this nation can earn. There is not sufficient time today to deal with the history of the United States balance of payments for the past seventeen years. In addition, I am certain that the news stories which have run since last November 18—the date of the British devaluation—have brought home to all of you the severity of the problem that the nation faces.

Over the past seventeen years three factors have enabled this nation to pursue its diplomatic and military objectives with certain immunity from balance of payments consequences. From about 1950 on we had enormous reserves which we were perfectly willing to run down—at least until about 1960. We had a very large trade surplus. And finally, there was a willingness—even an eagerness—in the first part of the period for other nations to hold additional amounts of dollars in their reserves. The next President of the United States will probably not have these three factors working for him.

He will probably be forced to conserve our reserves and fight to maintain or improve our trade balance as well as face a world increasingly reluctant to hold additional dollars.

Today the foreign exchange cost of keeping our troops deployed around the world is running in excess of $3 billion a year. It has become increasingly evident that our diplomatic aims must compete with the thousands of American travelers who use foreign exchange, not dollars, in their wanderings, with American corporations that need foreign exchange for foreign investment programs and American banks and other lending institutions anxious to hold on to their share of the international markets. I can ruefully tell you from personal experience that the American traveler is a formidable political opponent—rising up in outrage when anyone makes a modest attempt to hold down his spending outside the United States. While not so numerous and possibly not so vocal, I can assure you that the restraints placed on foreign investment and foreign lending are distasteful to the American business and financial community. Thus I can only conclude that diplomacy is facing three powerful antagonists who will try to get their share of the foreign exchange earnings of this nation.

In 1960, as he was preparing to leave office, President Eisenhower had this to say about the military-industrial complex and its potential threat to the United States.

"In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist."

At the time President Eisenhower made that statement, I was a freshman Congressman, but it made eminently good sense to me. Even a freshman Congressman could see that there was no effective challenge to defense and diplomacy in the allocation of our national resources. Agriculture and public works at that period of time constituted a minor challenge but their potential for expansion was severely limited. Today I would guess that President Eisenhower takes some comfort in the fact that the military-industrial complex does not go unchallenged in this nation.

If one accepts my thesis that a battle for the allocation of resources is shaping up in this nation, then it is logical to ask, "Are our institutions of government sufficiently viable to assess the hard fiscal choices that lie ahead and to arrive at rational conclusions?"

There has been abroad in the land in recent months a tendency towards despair. Some have argued that there is no way to reverse or even to blunt the power of the military-industrial complex. Others have argued that a polarization of our society—between the affluent and the indigent and between white and black—is inevitable. Still others have argued that the plight of our cities is hopeless—that we are slowly sinking beneath traffic jams, pollution, and violence.

When one analyzes many of the causes for despair, it is amazing to discover how frequently the despair occurs because of a conviction that the necessary resources will not be forthcoming. Educators are convinced that a truly massive infusion of funds can correct the dreadful imbalance between schools in the ghettos and schools in suburbia. Sociologists are convinced that some plan such as the negative income tax can halt the flood of disadvantaged Negroes from the south to the northern cities—at a cost of from $11 billion up. City planners are convinced that the scandalous housing of the ghettos is needless—if we will pay the cost. Transportation experts say that traffic jams can be eliminated—just give them the resources for adequate mass transit systems. Police officers contend that violence can be contained and order restored—if they have the funds for an adequate force. But nearly without exception all these elements of society despair of convincing the country that these demands should be met with adequately funded programs.

If there is any justification for all this despair, then perhaps there is some logical reason for the revolutionary desire to tear down our institutions, to flout our government and its laws, and in the final analysis to resort to violence. I personally see no reason to despair.

In the past ninety days the nation has faced and acted on two issues that were in my opinion almost the ultimate test of representative government—the Fair Housing Act and the Tax Bill. Both issues were stark—reasonable men could not dispute the validity of the arguments. But both issues required the absolute maximum in political courage. A nation that has the sheer guts to face down these two explosive issues at this moment in time would seem to be prepared to take on the dreadful array of issues which still confront us.

Mr. Sam Rayburn used to say, "It takes a very smart man working very hard to hurt this great country very much." This is a comforting philosophy, but as I looked back over ten years of wrestling with issues, I became increasingly concerned that in the struggle the essential fabric of the nation was being torn—perhaps we *were* hurting the country. I was haunted by the fears expressed by many in 1964 that tax reduction might be good for the country at that time, but that we would not have the courage to raise taxes if we got into trouble.

However, a nation that can say to the black man, "Your dollar is as good as the white man's," and a nation that can discipline itself financially, certainly has the moral fibre, the intelligence, and the institutions to take on the impending "Battle for Resources" and come up with rational answers.

[From the New York Times, June 26, 1968]

U.S. Aide Predicts Few Defense Cuts When War Is Over

Washington, June 25.—A high Administration official forecast today an "intense struggle" under the new President between the nation's foreign and domestic needs.

Joseph W. Barr, Under Secretary of the Treasury, joined a growing group of experts in predicting that the end of the war in Vietnam could lead to very little reduction in defense spending, despite the stated cost of the war of about $28-billion a year, unless the nation's military and diplomatic objectives are changed.

After analyzing areas where there would be pressure for larger defense spending, Mr. Barr said:

"If the State Department maintains its current diplomatic objectives and if the Department of Defense defines its mission relative to those objectives at it did in 1965 [before Vietnam], then there is not much opportunity for substantial budget cutting in this area in the foreseeable future."

GROWTH IN PROGRAMS

As for the huge growth in Federal revenues of more than $10-million each year, Mr. Barr agreed with those who have argued that this will be "eaten up," at least in the next few years, by growth in regular Federal programs and by the need to cut the deficit in the budget.

Mr. Barr gave his views in a speech to the Town Hall of California in Los Angeles. The text was made available here.

The same basic thesis has been stated by two former high officials of the Johnson Administration—Charles L. Schultze, former Director of the Budget, and Otto Eckstein, a former member of the Council of Economic Advisers. Mr. Barr is the first active official to endorse it.

The thesis is simply stated: contrary to general belief, the end of the war will not free massive resources for use domestically.

Mr. Barr did not state his own choice as to which claimant on resources should win—domestic or diplomatic-military. But he indicated a belief that the diplomatic-military side would face an uphill battle in the years ahead.

CLAIM ON REVENUES

For example, he pointed out, "for the first time elementary and secondary education now has a claim on our Federal revenues, and I would estimate that the claimants will be after us with the ferocity of a tiger."

He cited health, pollution, mass transit, poverty, slums and other areas of domestic concern and concluded:

"The programs I have mentioned will not lack in political appeal and can also prove to be an effective challenge to the claims on our resources generated by Defense and State."

If the nation's basic military-diplomatic posture remains as it was before Vietnam, Mr. Barr said, there is every reason to expect a big increase in "regular" defense expenditures to replace the savings resulting from the end of hostilities.

He cited the effect of inflation, the reduction in many defense programs during the war period, the need to rebuild stockpiles of military equipment and the probable need to maintain some forces in Southeast Asia as was the case after the Korean war.

"I foresee an intense struggle between those advocating diplomatic objectives and those arguing for domestic requirements for the next four years," Mr. Barr said.

[From the New York Times, June 30, 1968]

PRIORITIES AFTER VIETNAM

Efforts to achieve peace in Vietnam are barely off the ground, but it is not too soon for Americans to make a clear commitment to a reordering of national priorities as soon as that costly and futile war can be honorably liquidated.

That a commitment to transfer billions released from Vietnam to urgent domestic needs has not yet been made—and, indeed, is very much in doubt—was made clear this week by Under Secretary of the Treasury Joseph W. Barr. Mr. Barr, who ought to be in a position to know, says there will be little opportunity for cutting the military or diplomatic budget after the Vietnam war if the Pentagon and the State Department hold to their current goals.

This disturbing prophecy is reinforced by Defense Department pressures for substantial fresh spending, including a costly new antiballistic missile system, and by the continuing disposition of Congress to protect military items in the budget at the expense of social and economic development programs, both domestic and foreign.

After the agonizing experiences of recent years in Southeast Asia and in the ghettos of America's cities, it is hard to believe that responsible national leaders have not at least begun to discern the dangers in overcommitment abroad and undercommitment at home.

The new national mood is reflected in Vice President Humphrey's recent declaration: "I think it would be a very wise thing that as, when and if we see that we can reduce our commitments in Vietnam, which are costly, that we ask that the Congress and the American people pledge those resources to the great social needs at home."

No one expects the estimated $28 billion in annual Vietnam spending to disappear overnight, even if a settlement should be reached fairly soon. Few would dispute the need for a strong American defense posture in a world that will continue to pose many perils.

But there is a growing recognition that American security interests are not best served when scarce resources are wasted on extravagant military adventures at the expense of fundamental domestic requirements. Neither overseas wars nor domestic missile defenses can save American cities that are rotting from within or an American society that is torn by internal strife.

[From the Washington (D.C.) Post, June 26, 1968]

BARR SAYS WAR'S END WILL NOT BRING BUDGET CUTBACK

(By Hobart Rowen)

Undersecretary of Treasury Joseph W. Barr yesterday entered the generating debate over the future of defense spending with a prediction that the end of Vietnam hostilities would not bring a "sizeable reduction" in military budgets.

In a talk prepared for a Town Hall meeting in Los Angeles, Barr said that the Korean experience indicates that the U.S. could not "pull our troops back home and forget about the area."

Moreover, he cited the prospect of "a fierce battle for budget resources," once the war is over, between advocates of "diplomatic objectives" and "domestic requirements."

CITIES ECKSTEIN SPEECH

Barr cited a recent speech by Harvard economist Otto Eckstein that warned that an end to the war would not automatically release large resources for civilian spending.

The Treasury official said that he agreed with Eckstein's conclusions, one of which was that tough controls would be needed to limit military and "old-line" civilian government spending.

But Barr concluded that neither expenditure control (nor a tax increase, as suggested by former director Charles L. Schultze) "will be sufficient to head off a conflict" among those fighting for their own programs.

KEY TO THE ISSUE

Although Barr did not mention it specifically, one of the keys to the issue is the extent to which the Defense Department will succeed in getting appropriations, post-Vietnam, for costly new programs such as anti-ballistic missiles.

He observed that the war is being waged on a very "lean" budget, with no excess build-up of stocks. That means that an end to the fighting would bring pressures, he said, for re-building of inventories, and for research and development programs that had been cut back.

He priced the Vietnam war at $28 billion annually, and estimated that the over-all Pentagon budget now at a rate of $80 billion, represented a reduction of 10 to 15 per cent for all other military requirements, compared with fiscal 1965.

MAINTAINING MISSION

In other words, taking Vietnam out of the total, and allowing for inflation, Barr said that the non-Vietnam defense outlays were down by $3 billion compared with 1965.

Barr's conclusion that the defense budget can be reduced only a little, if at all, is based in large measure on the assumption that "the Defense Department is to maintain its current mission in the world—a mission that is defined by our diplomatic objectives."

But this assumption is challenged by others, in and out of the present Administration.

Brookings Institution Research Director Joseph A. Pechman recently wrote Vice President Hubert Humphrey a memo on this subject, which said:

"The pressures for maintaining military expenditures at high levels will be very great (after Vietnam), but these pressures should be resisted by a President who is determined to improve East-West relations and solve our urgent domestic problems.

"You have already called attention to the need for scaling down the U.S. military-industrial complex in the interest of peace. This is sound policy for the nation and it is also good politics for 1968."

[From the New York Daily News, June 26, 1968]

THERE WON'T BE MONEY FOR ALL THOSE PROMISES

(By Jerry Greene)

WASHINGTON, June 25.—The next President of the U.S., whoever he may be, is going to find that the government has spent all its money for 18 months ahead and there won't be much he can do about his campaign promises except cry a little.

He undoubtedly will have to ask increased taxes to pay for programs already enacted by Congress, which hasn't repealed a welfare operation since 1933. If he is very lucky, and the heavy fighting in Vietnam has ended, he might possibly find as much as $6 billion in unused war money which could be diverted for other purposes. Probably not, but there's a chance.

These hard facts of life were laid out quietly today for public consideration by Undersecretary of the Treasury Joseph Barr in a speech in Los Angeles. The speech should be required reading for Vice President Hubert Humphrey, Sen. Eugene McCarthy, former Vice President Richard Nixon, Gov. Rockefeller and even perhaps George Wallace and anybody else who aspires to run the nation's business for the next four years.

A small amount of careful consideration of Barr's discussion of "The Battle for Resources—Diplomacy versus Domesticity" should go a long way toward cooling off some of the hot pledges by the candidates.

Barr has been around the government for a long while and he served in Congress from an Indiana district. He is familiar with the flimflam which surrounds the handling of the taxpayers' money by Congress and the Executive Department.

On the surface, it looks easy to find a lot of quick money. Vietnam war costs are running about $30 billion a year. If the war ends any time soon, at least $20 billion ought to be instantly available for aid to the poor, aid to education, aid to health and so on.

There are implications in much of the presidential talk—more than an implication in some cases—that there will be plenty of bread to spread upon the waters. This just isn't true.

Barr put it this way: "If the Defense Department is to maintain its current mission in the world—a mission that is defined by our diplomatic objectives—I would seriously doubt that any sizable reduction can be made in the defense budget in the foreseeable future. Our experience in Korea indicates that the cessation of hostilities does not mean that we can pull our troops back home and forget about the area."

A TIME OF SHINING IDEALISM

The undersecretary found no reason to apologize for the American diplomatic objectives of the past 23 years, which he said may come to be regarded as "a time of shining idealism—our golden years," when the free world made remarkable progress under the shield of U.S. military defenses.

Barr paid only scant attention to the one factor which will bring heavy pressure for more military spending. When the Vietnam war is wrapped up, there will be an immediate need for rebuilding stockpiles and replacing ships, planes, guns and munitions to an adequate level for security. More money will be required for research and development.

Apart from the military spending, it is estimated that the budget must grow $2½ to $3 billion a year merely to meet the traditional services of government. Mail volume to be delivered is increasing by 3 billion pieces annually, as one example.

But the big joker is to be found in the welfare legislation enacted in 1965, principally in the aid to education program, and in medicare and medical aid. Barr noted that these two pieces of legislation "established enormous potential claims" on the nation's revenues and "I estimate that the claimants will be after us with the ferocity of a tiger."

SEES NO SLOWING OF SOCIAL DEMANDS

The undersecretary then declared: "I would estimate that no political party, and no President, can reverse or even slow down appreciably the demands that will come from the country in the areas of education and health."

In addition, there are the poor, the problems of the slums, urban transportation and housing which Barr thought "will not lack in political appeal." He thought correctly, judging from the general campaigning to date.

A switch in administration inevitably catches the new man in a bind, but never before has there been such a squeeze as will be applied by the swelling welfare programs in 1969 and beyond.

The budget for fiscal 1969 is on the fire now and Congress has demanded that it be trimmed by $6 billion, as a price of the 10% surtax. One might guess that the cuts won't become effective until the last half of the fiscal year when Johnson's successor will have to worry about the consequences.

It must not be forgotten that the fiscal 1970 budget is already in production and will be submitted to Congress by LBJ in January, before the inauguration.

Johnson can have a ball with this document if a Republican is elected in November. President Harry Truman did just that in 1952–53. He piled everything into the budget he dumped on President Eisenhower. Ike had to sweat for months finding ways to trim $8 billion without hurting, or getting hurt, politically.

[From U.S. News & World Report, July 8, 1968]

FINANCE WEEK: WHAT PEACE IN VIETNAM WOULD REALLY DO TO SPENDING

An end to the war, officials now are beginning to insist, is not going to be any great boon to taxpayers.

Added billions are to be needed to build defense programs other than those for Vietnam back to "acceptable" levels.

Look at the way 28 billion dollars a year is being spent on war in Vietnam, and you may come up with the conclusion that an end to that war will mean a huge drop in military spending.

That would mean tax cuts for all, or more funds to pay for treatment of this country's sick cities, or both.

Look, however, at what else has been going on for years in the military establishment and you could reach an entirely different conclusion.

Billions of dollars will be needed for a catch-up on military programs that have been allowed to lag or lapse during the fighting, according to a June 25 speech by Under Secretary of the Treasury Joseph W. Barr.

SHOOTING UP THE BILLIONS

The chart on this page shows, on a daily basis, just where the money for war is going. The 77 million dollars being spent each day is all for expenses that would not be incurred if the war were not being fought.

For example, 18 million dollars a day is being shot up in ammunition—bullets, bombs, shells, grenades, missiles—substantially more than had been estimated last January.

It's estimated now that the June consumption of 105-millimeter high-explosive ammunition has been 1.8 million rounds. The estimate made last January for June was 1.3 million rounds.

Consumption of 5-inch projectiles by the Navy was 20,000 last month, up from a January forecast of 12,000.

The Air Force has been shooting up ammunition at a stupendous rate of 120,000 tons a month, against a January expectation of 106,000.

The cost of replacing fixed-wing aircraft and helicopters shot down, worn out or destroyed is put 5 million dollars a day—not including the cost of other thousands of planes and helicopters in operation in the war zone.

On June 24 and 25 alone, five helicopters were lost in just the Saigon area.

It takes 18 millions a day just to pay U.S. servicemen in the war zone, and to feed and clothe them and provide allowances for their dependents.

The cost of hundreds of miscellaneous items of supply and equipment is even more than that.

WHEN FIGHTING ENDS

Would an end to the war, then, bring a cut of 20 or 25 billion dollars in military spending?

Not unless U.S. commitments and objectives around the world are drastically reduced, according to Mr. Barr.

"I would seriously doubt," he said in his speech, "that any sizable reduction can be made in the defense budget in the foreseeable future."

One reason: Military spending on non-Vietnam operations has been sharply curtailed. As Mr. Barr put it:

"We have been fighting this war on a very, very lean budget. There is no evidence that we have piled up surplus stocks in ordnance, ammunition, aircraft or naval vessels.

"On the contrary, I would estimate that a cessation of hostilities would result in great pressures to rebuild stocks in military supplies and equipment to a more acceptable level."

Talks with military sources illustrate what Mr. Barr means.

The Army is now employing large numbers of 15-year-old tanks, which are in need of replacement.

The Navy, for three years, has been falling seriously behind in the replacement of ships.

So has the Air Force in the replacement of planes.

Many military research and development projects have been deferred.

To get an idea of what has been happening, turn to military spending on nonwar programs:

Expenditures for these rose from 44.7 billion dollars in the year that ended in mid-1961 to 51.2 billion in fiscal 1964. In the year just starting, they are to rise to 51.7 billion, only half a billion above the 1964 level—despite military pay raises and sharp price increases.

If military spending on other than Vietnam is put in terms of 1965 prices, it looks like this: The total hit 53.2 billions in fiscal 1963, then turned down. It has been below 50 billions every year since 1964.

In the year that ends in mid-1969, real outlays are estimated at 46.9 billions down 11.3 per cent from 1964. And now those expenditures face new cuts as the Administration searches for ways to achieve a 6-billion budget reduction that was ordered by the Congress. "The talk is about a further trim of 2 to 3 billion for nonwar military outlays.

Catching up. What all this means is that, when war ends, the catch-up in spending on normal operations of the Defense Department is going to take billions of dollars.

Even military spending in Vietnam, said Mr. Barr, is not going to be shut off overnight when war does end.

"Our experience in Korea," he said, indicates that the cessation of hostilities does not mean that we can pull our troops back home and forget about the area. Our position in Southeast Asia can be even more difficult than the situation we have faced in Korea. There is no heavily reinforced seventeenth parallel behind which we can retire with comparative security."

War's end, it seems, is to be no millennium for budget planners, taxpayers or troubled cities.

COST TO THE UNITED STATES OF EACH DAY'S FIGHTING IN VIETNAM

[In millions]

To buy gasoline, communications, other operating needs	$24
To provide bullets, bombs, and shells	18
To pay and support U.S. servicemen	18
To replace equipment and spare parts	10
To replace aircraft	5
To construct military facilities in Vietnam	1
To develop new equipment for use in Vietnam	1
Total, per day	77
	Billion
Total, per year	28

[From the Wall Street Journal, June 26, 1968]

BARR EXPRESSES PESSIMISM ON POST-VIETNAM BUDGET

LOS ANGELES.—Even if the Vietnam war ends, dont expect large reductions in the defense budget "in the foreseeable future," a treasury official cautioned.

The comment, by Treasury Under Secretary Joseph W. Barr, was probably the most pessimistic one on the post-Vietnam budget to come from any official so far. His remarks were delivered before a meeting of the Town Hall of California.

Mr. Barr concluded that if "the State Department maintains its current diplomatic objectives and if the Department of Defense defines its mission relative to these objectives as it did in 1965, then there isn't much opportunity for substantial budget cutting in this area."

An intense struggle will ensue between "those advocating diplomatic objectives and those arguing for domestic requirements," Mr. Barr predicts.

An end to the war would result in pressures to increase military stocks and outlays for research and development, he said.

THE "PUEBLO": HOW LONG, MR. PRESIDENT?

HON. WILLIAM J. SCHERLE

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. SCHERLE. Mr. Speaker, this is the 169th day the U.S.S. *Pueblo* and her crew have been in North Korean hands.

PIERRE-ELLIOTT TRUDEAU, OF CANADA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. RARICK. Mr. Speaker, the recent election of Mr. Pierre-Elliott Trudeau as Prime Minister of Canada has caused many Americans to inquire into his background to ponder what can be expected from the new leadership of our neighbor to the north.

An interesting background documentation is supplied by the March 1968 issue of the Canadian Intelligence Service, of Flesherton, Ontario, and Prime Minister Trudeau was the subject of a recent broadcast by Father Lyons.

I include both accounts following my comments:

[From the S.A. Observer]

TRUDEAU: CANADA'S NEW PREMIER

(NOTE.—The March, 1968 issue of "The Canadian Intelligence Service", Flesherton, Ont., Canada, featured an article documenting the background of Mr. Pierre-Elliott Trudeau, Canada's new Prime Minister.

(The article, researched by former RCMP undercover agent Pat Walsh, summarised Mr. Trudeau's background as follows:)

1940: "Booted out of the Canadian Officer Training Corps (COTC) during the War for lack of discipline." (Robert McKenzie in "Toronto Star", March 3, 1968.)

1941: Associated with anti-War and Red-supported Bloc Populaire in undermining war effort.

1945: Enrolled at Harvard, spawning gound of leftist intellectuals.

1947: Attended London School of Economics. Told Norman DePoe that Prof. Harold Laski, the Marxist, was "the most stimulating and powerful influence he has encountered." (Weekend Magazine No. 13, 1966.)

1950: Was in Shanghai when the Communists took over, and became an admirer of Mao Tse-tung and his Red regime.

1951: Back in Montreal, he launched the leftist publication *"Cite Libre"*. Among the well-known "reform" writers who collaborated, were: Prof. Raymond Boyer (convicted of Soviet espionage in the Gouzenko Case); Stanley B. Ryerson, leading theoretician of the Communist Party and editor of *"Marxist Review"*; Pierre Gelinas, Quebec director of Agitation & Propaganda ("Agitprop") of the Communist Party.

1952: Led delegation of Communists to the Moscow Economic Conference.

1953: Barred entry into the United States as an "inadmissible" person.

1955: Launched Le Ressemblement, a leftist "united front" rally in Quebec Province; but the CCF refused to join because it was too leftist.

1960: Led a Communist delegation to Peking for Red victory celebration.

DEPORTED BACK TO CANADA

1961: Intercepted by U.S. Coast Guard while trying to reach Cuba in a canoe, and deported back to Canada. *"Social Purpose for Canada"*, which was written by a group of leading Marxists and serves as a handbook for the New Democratic Party, was published in 1961. It contains a chapter by Mr. Trudeau in which he lauds Mao Tse-tung, urges socialists not to "water down" their socialism but to make its approach more "flexible", and to welcome federalism "as a valuable tool which permits dynamic parties to plant socialist governments in certain provinces, from which the seed of radicalism can slowly spread."

1962: Amidst protests, this millionaire leftist succeeded in gaining appointment as a professor at University of Montreal which became a pro-Castro stronghold. Appointed to Capri executive.

1963: Campaigned with the NDP against the Liberals, whom he called "idiots" because they had decided to accept nuclear arms.

1965: Having decided to *use* the Liberal Party as an instrument to escalate himself to political power,. he and leftists Jean Marchand and Gerard Pelletier became "liberals" and were elected to Parliament, where they formed the "New Guard" of the Liberal Party.

1966: Appointed Parliamentary Secretary to Prime Minister Pearson.

1967: Named Minister of Justice. Credited in Communist press with intervening personally to reinstate hippie rag *"Georgia Straight"*, which had been banned by Vancouver Mayor Campbell for obscenity.

Introduced bill to legalize abortion and homosexuality, spearheading drive to shift Canadian justice from Scriptural to Humanistic basis.

1968: Moving, behind fantastic Press TV buildup, towards leadership of Liberal Party and Prime Minister-ship of Canada.

Mr. Trudeau on April 20, 1968, succeeded Mr. Lester Pearson as Prime Minister of Canada.

[From Twin Circle, June 16, 1968]

FATHER LYONS VIEWS THE NEWS

There is serious concern in Canada over their new Prime Minister, Mr. Pierre-Elliott Trudeau. He has long been an admirer of socialism, and has had strange and persistent tie-ins with Communism. Let's look at his record. He was in Shanghai when the Communists took over in 1950, and was an ardent admirer of Mao Tse-tung. On returning to Montreal, in 1951, he founded *Cite Libre*, a journal with a strongly Leftist slant. Among those who collaborated closely with him were such leading members of the Communist party as Stanley Ryerson, its top theoretician and editor of the *Marxist Review;* Pierre Galinas, director of agitation and propaganda for the Communist Party in Quebec; and Professor Raymond Boyer, who was convicted of Soviet espionage.

In the following year, 1952, Mr. Trudeau led a delegation of Communists to the Economic Conference in Moscow. In 1953 he was barred entry into the United States as an "inadmissible" person. In 1955 he launched *Le Ressemblement*, a front for the far left. In 1960, he led a Communist delegation to Peking for a Red victory celebration there. In 1961 he was intercepted by the U.S. Coast Guard while he was trying to get to Cuba. In the same year he joined a group of Marxists in writing a book entitled *Social Purpose for Canada*. The chapter written by Mr. Trudeau praises Mao Tse-tung, and urges the socialists not to "water down" their socialism. He said they should make the approach to socialism more "flexible," and welcome federalism "as a valuable tool which permits dynamic parties to plant socialist governments in certain provinces, from which the seed of radicalism can slowly spread."

On page 373 in the same book he refers to "that superb strategist, Mao Tse-tung," and declares that Mao's experience "might lead us to conclude that in a vast and heterogeneous country, the possibility of establishing socialist strongholds in certain regions is the very best thing." Mao's methods are not "socialism" in the ordinary sense of the word, but that is what the Communists always call them.

In 1962, despite widespread protest, Mr. Trudeau got appointed as a professor at the University of Montreal. It became a pro-Castro stronghold. In 1963 he called the Liberals "idiots" because they accepted nuclear arms. But by 1965 he decided to use the Liberal Party as an instrument to escalate himself into political power. He and two other well-known Lefists, Jean Marchand and Gerard Pelletier, were elected to Parliament, forming the "New Guard" of the Liberal Party. In 1966 he was appointed Parliamentary Secretary to Prime Minister Pearson. In 1967 he was named Minister of Justice. He was credited in the Communist press with such feats as the reinstatement of a pornographic hippie publication, *Georgia Straight*, which had been banned by Mayor Campbell in Vancouver for obscenity. He also introduced the bill to legalize both abortion and homosexuality, and spearheaded the shift of Canadian justice from a religious to a "humanistic" basis.

Mr. Trudeau has only been a Member of Parliament since 1965. Canadians hardly know his views. He has never been known to criticize Communism, and said he found the Marxist views of Harold Laski "the most stimulating and powerful influence" he has encountered. One of his first official statements as Prime Minister was to call for much closer relations between Canada and Red China. He was elected Prime Minister by a highly organized, emotional campaign of adulation which was heavily financed, and in which the mass media played a powerful role. The mass media, however, neglected to bring out the truth about his background.

These are the facts about the new Prime Minister in Canada, and concerned Canadians are worried and anxious about the situation. Americans, too, have reason to be worried. It has often been said by well-informed persons that the Communist world could take over Mexico almost any time. The three Communist Parties there are intensively active. But the United States depends on Canada more than on any other country. We have invested 21 billion dollars there, more than in all of Europe combined. We sell more to Canada than we do to all of South America, and our balance of trade with our northern neighbors is favorable to the tune of 1.25 billion dollars each year.

I am not trying to argue that Mr. Trudeau is a Communist. But to concerned Americans, as well as Canadians, he certainly bears watching. All the more so since so many people lack any concern.

HOUSING AND URBAN DEVELOPMENT ACT, 1968

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. McCARTHY. Mr. Speaker, we have before us today H.R. 17989, one of the most important bills of this session. This bill not only speaks directly to the needs of our less fortunate urban dwellers with imaginative new proposals like low-income homeownership and rental housing, but it also continues crucial existing programs like model cities.

I have seen at firsthand how the model cities program has brought new hope, inspiration, and enthusiasm to our tired and troubled cities. Seventy-five cities are now preparing plans for a comprehensive program to attach the hard-core physical, social, and economic problems in large blighted urban neighborhoods. Originally conceived as a concentrated 5-year effort, Congress authorized funds for only 2 years. This bill would partially fulfill our earlier commitment by authorizing $1 billion for a third year. The 75 cities now in planning, including my home city of Buffalo, and the 163 cities that have applied for the second group of planning grants are anxiously watching us.

The true promise of this program lies in the local flexibility and opportunity for innovation it offers through the extra model cities money, and in the full and coordinated use of existing Federal programs as well as local resources. This bill authorizes the extra or supplemental funds. It also authorizes an additional $350 million for urban renewal projects in model neighborhoods. Without the tools, talk of coordination is an empty promise. Urban renewal will be a basic element of practically every model cities program; the need in these cities far exceeds presently available authorizations. The urban renewal authorization is essential to the model cities effort.

Since President Johnson proposed the initial legislation 2 years ago, I have voted for the model cities program at every opportunity and I ask you to join me in voting for it today.

THE PROCRUSTEAN STRETCH

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. ASHBROOK. Mr. Speaker, another well-deserved broadside has been fired at the decisions of the Supreme Court, this time by the chief justice of Pennsylvania's highest court.

Chief Justice John C. Bell urged protests against the decisions of a Court which he said has interpreted the Constitution in ways which must not be allowed to stand.

The President's arrogant approach to the Court, evidenced by his choice of appointees, only adds to Chief Justice Bell's charges.

The Court will not soon return to the mainstream of American thinking for its decisions unless we not only protest the decisions but protest the approach to handing out favors and high-handed method of filling vacancies.

These methods indicate little sincere regard for the serious business of our Nation.

I am sure that Chief Justice Bell speaks for many more than a majority of Americans and I include at this point a news item on his remarks. The article is from the July 9 edition of the Philadelphia Inquirer:

HIGH COURT DECISIONS JEOPARDIZING UNITED STATES, JUSTICE BELL ASSERTS

Chief Justice John C. Bell, Jr., of the State Supreme Court, said Monday that recent U.S. Supreme Court decisions are "literally jeopardizing the future welfare" of the United States. In a speech at the annual convention of the District Attorneys' Association of Pennsylvania at the Marriott, Bell said:

"The recent decisions of (a majority of) the Supreme Court of the United States which shackle the police and the courts and make it terribly difficult to protect society from crime and criminals are, I repeat, among the principal reasons for the turmoil and near-revolutionary conditions which prevail in our country, especially in Washington."

BACKS NEWSPAPERS

Bell also castigated disorderly protests by civil rights, religious and student groups, and came to the defense of newspaper coverage of crime news.

"Respect for law and order—indeed, respect for any public or private authority—is rapidly vanishing," the chief justice said. One of the major reasons for this, he continued, is the advocacy of civil disobedience by protest leaders.

"We all know, and we all agree, that there is a need for many reforms, and that the poor and the unemployed must be helped," Bell said.

CIVIL DISOBEDIENCE

"However, this does not justify the breaking of any of our laws or the resort to violence, or burnings and lootings of property or sit-ins or lie-ins, sleep-in students, or mass blockading of buildings, or rioting mobs."

Bell said that "blackmailing demands" by leaders who make use of the tactic of civil disobedience were actually harming rather than advancing their causes.

On the subject of the press, the jurist said the public's right to know the extent of crime in our society was an extremely important one.

PRESS IS VITAL

"We all know that newspapers are written, edited and published by human beings and therefore, it is impossible for a newspaper to be always fair or always right," Bell said.

"Nevertheless, the newspapers and other news media are terrifically important to our lives, and particularly in showing up incompetent or crooked public officials and dangerous criminals.

"Indeed, it is not an exaggeration to say that they are absolutely vital and indispensable for the protection of the public against crime and criminals."

RAPS HIGH COURT

For these reasons, Bell said it is essential "that we resist constantly and with all our power every attempt to muzzle the press by well-meaning and unrealistic persons who mistakenly believe that this press coverage with its protective shield for the public will prevent a fair trial."

The chief justice was particularly scathing in his criticism of the Nation's highest court.

"Let's face—a dozen recent revolutionary decisions by (a majority of) the Supreme Court of the United States in favor of murderers, robbers, rapists and other dangerous criminals, which astonish and dismay countless law-abiding citizens who look to our courts for protection and help, and the molly-coddling of law-breakers and dangerous criminals by many judges—each and all of these are worrying and frightening millions of law-abiding citizens and are literally jeopardizing the future welfare of our country," Bell said.

NEW STANDARDS

He complained that the high court justices do not consider guilt or innocence in deciding appeals, but instead rely on "newly created technical and unrealistic standards made of straw.

"Although I do not doubt their (the justices) sincerity, most judges, most lawyers and most of the law-abiding public believe that they have invented these farfetched interpretations of our Constitution with a Jules Verne imagination and a Procrustean stretch which out Procrustes Procrustes," Bell said, adding: "And either legally or Constitutionally they must be changed."

URGES PROTESTS

Bell suggested that the District Attorneys' Association make public its opposition to high court decisions which it feels are "unfair to our law-abiding people."

He said the prosecutors should send copies of their views to the U.S. Supreme Court and to members of the Senate, House of Representatives and State Legislature.

MSGR. JOHN P. BOLAND, FAMED LABOR PRIEST, DIES IN BUFFALO

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. DULSKI. Mr. Speaker, the long and distinguished labor relations and priestly career of the Right Reverend Monsignor John P. Boland, PA, has ended as the result of a tragic accident in his home in Buffalo.

Monsignor Boland, whom I have known well and counseled with over the years, was the first chairman of the New York State Labor Relations Board, founder of the Buffalo Diocesan Labor College, originator of the annual outdoor Labor Day mass, and a member of the State board of mediation.

Besides his wide-ranging and pioneering work in the field of labor relations, Monsignor Boland also was a devoted parish priest and had served as pastor of St. Thomas Aquinas Roman Catholic Church in South Buffalo until his retirement last October.

I am grateful for the many opportunities which I had to counsel with Father Boland over the years, including the period when I was a member of the Buffalo Common Council as well as since I came to Congress.

The Diocesan Labor College is truly a living memorial to the farsightedness of Monsignor Boland and his passing is a great personal loss to the hundreds of trade unionists and management representatives who benefited from its classes over the years.

Since giving up active direction of the college, Monsignor Boland had continued to oversee fondly its progress in his role as director emeritus.

His successor as director, Rt. Rev. Msgr. Stanley A. Kulpinski, has carried on well in Monsignor Boland's footsteps. Monsignor Kulpinski said of Monsignor Boland:

> Here is an idealist. Here is a man with vision, one of the few who foresaw harmonious labor-management relations 20 years before they materialized.

A comment which might well serve as his epitaph was given of Father Boland some years ago by the Most Reverend Leo R. Smith, VG, late auxiliary bishop of Buffalo, who said:

> Many honors have come to Msgr. Boland—but none equal to the regard in which he is held by the workingman.

Mr. Speaker, the respect and esteem in which Monsignor Boland was held by his home community is well-expressed in the following editorial from the Buffalo N.Y., Evening News:

THE LABOR PRIEST

In the annals of the workingman's struggle to achieve dignity and worth in the

American economy, the contributions of Msgr. John P. Boland, who died Sunday in a tragic accident at the age of 80, will long and rightfully endure. First chairman of the New York State Labor Relations Board, founder of the Buffalo Diocesan Labor College, originator of the annual outdoor Labor Day Mass, skilled arbiter of labor disputes, Father Boland was a pioneer in the forward march of labor-management relations from widespread distrust and enmity to present-day bargaining and mediation processes.

A dedicated leader and innovator, he possessed great qualities of heart and mind, coupled with a religiously rooted passion for moral principle and social justice. His marked success in labor arbitration reflected the genuine confidence he aroused in both employers and workers. As the demands upon his services increased, he did war relief in Europe and later was a consultant to labor organizations in defeated Japan.

He was clearly a man and a clergyman of uncommon distinction. Amid his other accomplishments he also spent many long years in his beloved native Buffalo carrying out the more familiar duties of a parish priest. In the divisions that beset Americans today we can glimpse the unique value of those who like Father Boland exhibit a special ability to reconcile quarreling factions and foster amity through justice. He was known far and wide with affection and respect as "the labor priest." We believe he would ask no finer epitaph.

HUNGER IN AMERICA

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. McCARTHY. Mr. Speaker, CBS News performed a very great public service on May 21, 1968 and again on June 16, 1968, when they showed the television report, "Hunger in America." Often, we in America are concerned with hunger in other parts of the world and overlook it in our own backyard. Because of our own affluence, we forget that there are children in this country who have no shoes, who do not eat three well-balanced meals a day, whose parents struggle along on the barest minimum of income and never have the necessities of life never mind the extras that we are all used to.

In case some of my colleagues missed this show, I would like to insert the June 16 version of the report in the Congressional Record. I am sure they will be as shocked and concerned as I was on realizing the magnitude of this problem. The report follows:

CBS Reports "Hunger in America" as Broadcast Over the CBS Television Network Sunday, June 16, 1968

Reporters: David Culhane and Charles Kuralt.

Produced by: Martin Carr.

Written by: Peter Davis and Martin Carr.

Associate Producer: Peter Davis.

Executive Producer: Don Hewitt.

Announcer. Here for CBS Reports is Charles Kuralt.

Kuralt. Food is the most basic of all human needs. Man can manage to live without shelter, without clothing, even without love. Poverty, unpleasant as it is, is bearable. But man can't remain alive without food.

America is the richest country in the world, in fact the richest country in history. We spend a colossal amount of money—one and a half billion dollars a year—to feed the rest of the world. But this spring a private agency, The Citizens Board of Inquiry, consisting of distinguished leaders in many fields, released an exhaustive report claiming that serious hunger exists in many places in the United States.

Out of a total population of 200 million, the report states, 30 million Americans are impoverished, with family income below $3,000 a year. Five million of these people are helped by two existing Federal Food Programs. Now a new figure must be added: Of the 30 million who are impoverished ten million Americans, whether or not they are reached by Federal aid, are hungry. That's just the arithmetic. Unfortunately, the problem is all too human.

CBS News has spent the last ten months investigating hunger in America. We selected four areas of the country to examine closely. Tonight we present our results.

San Antonio, Texas, is celebrating its 250th birthday with an international exposition, HemisFair '68. Thirty-two foreign countries with pavilions, restaurants, amusements and exhibits are helping San Antonio congratulate itself on its growth and progress. There is a skyride, a monorail, and, of course, the usual 600-foot tower with the revolving restaurant on top. Texas Governor John Connally says HemisFair has turned the downtown area "from slum to jewel box."

But the jewels don't glitter very brightly on the other side of town where 400,000 Mexican-Americans live, half the city's population. Most of them are crowded into what city officials refer to as "poverty tracks." Mexican-Americans face a language barrier, and like most poor people, they suffer from lack of skills and unemployment. A hard time earning means a hard time eating. A quarter of San Antonio's Mexican-Americans, 100,000 people, are hungry all the time.

CBS News Correspondent David Culhane found out how hungry from a woman with six children and an unemployed husband.

Culhane. Do you have any food in the house now?

Mrs. Medrano. No, sir. I haven't got anything.

Culhane. What do you tell your children when they come home and there is no food?

Mrs. Medrano. That we haven't got anything to eat and they just have to lay down like that until the next day and see if we can find something to eat.

Culhane. And that's it?

Mrs. Medrano. Yes, sir. They just come in and drink some water and go to bed.

Kuralt. Father Ralph Ruiz, a Catholic priest, lives and works with the poorest of San Antonio's Mexican-Americans. He is a missionary among his own people. Father Ruiz gives out food as often as he does Communion. Prayer, Father Ruiz knows, is not what a man wants when his stomach is empty.

Ruiz. Many people expect to see hunger in the faces of children or of other people. Hunger is felt and when you begin to see hunger in the faces of people, it is because they no longer feel that hunger. I've asked them, "Are you hungry? How are you doing?" "No, no, Father, we're doing fine." "What did you have to eat?" I asked them. "We had beans and tortillas." "When?" "This morning." "And this afternoon?" "We had beans and tortillas." "And what are you going to eat tonight?" "Beans and tortillas."

I am a Mexican-American myself and I love beans and tortillas and chili, but I also love meat, milk, cheese. And if anybody thinks the poor eat tortillas and beans and that alone because they love it, they are naive.

Many times children get pennies, nickels, dimes, and the first thing they do is run to the store and buy junk like candies, potato chips, things like that, and we criticize them. Look at those kids running to the store and buying that junk. But these little fellows instinctively go and buy these sweets and so on because it will do away with their hunger. It will mitigate their hunger. For these people—my people—education is a luxury. The mind comes in second place when the stomach is empty.

Y tu? Jerry, Pasa a escuela?

Jerry. Si.

Ruiz. Hablas Ingles?

Jerry. Poquito.

Ruiz. OK. What school do you go to?

Jerry. Southside.

Ruiz. Southside. How far is school from here?

Jerry. Eight.

Ruiz. Eight what?

Jerry. Eight miles.

Ruiz. Is it a high school, or a junior high school?

Jerry. Junior high.

Ruiz. Junior high. When you go to school there, do you take lunch with you?

Jerry. No, sir.

Ruiz. And what do you eat at noon then?

Jerry. Nothing.

Ruiz. Do they have—do they have a cafeteria there?

Jerry. Yes, sir.

Ruiz. Do they know that you eat nothing at noon?

Jerry. I guess not.

Ruiz. How much does lunch cost over there?

Jerry. Thirty-five.

Ruiz. Do you have 35 cents to buy your food with?

Jerry. No, sir.

Ruiz. In the mornings when you go to school, do you always have breakfast here at home?

Jerry. Yes, sir.

Ruiz. What do you have for breakfast here at home?

Jerry. Beans.

Ruiz. Beans. What time do you quit school every day?

Jerry. Three-thirty.

Ruiz. Till three-thirty. So from morning till three-thirty, you have nothing else to eat?

Jerry. No, sir.

Ruiz. Besides beans?

Jerry. Yes.

Ruiz. How are you able to work, in school, and to study if you have nothing to eat at noon?

Jerry. I don't know.

Ruiz. They don't know what it is to have meat at least once a week. They don't know what it is to have milk at least once a day for their children. They don't know what it is to have a dessert. They've never had a dessert. All these things to them are like a star able to be seen, unable to attained.

Kuralt. San Antonio's answer to hunger for the last fourteen years has been surplus commodities. Surplus commodities are foods that farmers cannot sell and nobody else wants. The U.S. Department of Agriculture buys surplus crops from farmers and gets rid of them by giving them to the poor. For farmers and the Government, commodities are a convenience; for the poor they are simply an inadequate dole. The program consists largely of dumping excesses rather than providing essentials. In April, for instance, the Department of Agriculture distributed 1,400,000 pounds of peanut butter. The program has not changed since it was conceived of in the 1930's. Commodities are still given to three and a half million Americans in 1272 counties. Commodities are most notable for the foods they do not include: there are no green vegetables, no eggs, no fresh meat, fresh milk or fruit. No one claims that surplus commodities are anything but a diet supplement, but for all too many of those who receive them, commodities are the entire diet.

The poor are alive because they eat; they are malnourished because of what they eat. Fat people can be hungry people.

Culhane. I understand that you've been ill. Can you tell me about it?

Woman. Well, it started when I was expecting my baby, about nine months—almost a year. I got sick and the doctor said that I had to stay in bed for quite a while, which I did and, well, I was supposed to be in so many ways on a diet, but I couldn't afford them on account that my husband is not making enough money to support a family, which is nine in the family.

Culhane. What did he say that you should eat?

Woman. Well, he—he recommends that I had to eat—either I eat these things or if I keep on gaining—the truth is, if I keep on gaining and eating starchy things, I won't last long.

Kuralt. Hunger is never so devastating as in a child. Never so horrifying as in what it may drive a child to do. Social Worker Mary Garcia sees many such children.

Culhane. Miss Garcia, why is this girl being detained?

Miss Garcia. She was picked for soliciting for prostitution.

Culhane. How old is she?

Miss Garcia. She's eleven.

Culhane. Eleven. Is this an unusual case?

Miss Garcia. Well, yes, unusual because of her age; but I do have quite a number of girls that are involved in it.

Culhane. Why would a girl of this age go into prostitution?

Miss Garcia. Well, in talking to them, the reason they give me is that they do it so that they can get the money to buy food. Because they don't have any at home.

Kuralt. San Antonio has four County Commissioners, and their opinions vary. A. J. Ploch is the Senior Commissioner. He has served five successive terms—for the last 18 years. David Culhane asked Commissioner Ploch about the children in San Antonio who are not getting enough food.

Ploch. Well, why are they not getting enough food? Because the father won't work and I mean won't work. If they won't work, do you expect the taxpayer to raise all the kids? First let's do something with their daddies, and then, yes, take care of the kids.

Culhane. I wonder whether these children who are not getting a proper diet are going to be able to learn properly in school?

Ploch. Well, what do you mean "learn properly in school?" Do you really need school? Other than, say, an eighth grade education? That's another thing people keep talking about—this education—college education. It's not necessary.

Culhane. What do you do about children who are not getting enough to eat?

Ploch. Well, I don't know about that, because that's really the problem of the father. Now, what to do about the man, I don't know, but you'll always have that condition, because if you don't have that condition, then you'll never have Indians and chiefs and you've got to have Indians and chiefs.

Culhane. I'm not sure I understand what you mean. You mean that you'll always have hunger?

Ploch. Not necessarily—yes, you'll always have it, because some men just ain't worth a dime. You'll always have hunger, yes.

Kuralt. San Antonio has one charity hospital, the Robert B. Green. David Culhane talked with Mrs. Vera Burke, who is director of Social Services at this hospital.

Culhane. Mrs. Burke, how many of these people would you say are malnourished?

Mrs. Burke. Well, I would say in one way or another all of them are malnourished and we see in this clinic 300 patients every day during the week and about 200 every single day of the week in the emergency room. Many of our patients arrive here without having had breakfast; all of them we know have inadequate food budgets and inadequate diets, and one of the problems in treating patients with inadequate diets is that you have a prolonged period of recovery due to inadequate food intake and inadequate protein. Specifically these patients eat a high starchy diet which is not conducive to good—speedy recovery.

Perhaps because of the malnutrition and their hard lives, many of them look 10, even 20 years older than they really are. Many of these patients will be told that they must have certain foods. None of them will be able to buy even the basic diet that the doctors tell them to have. As a social worker, the first impact that the hospital in San Antonio made on me was one of great shock, because in the ten years that I worked at Bellevue Hospital in New York, I never saw patients with as much malnutrition as I encountered here. Most particularly this occurs in the pediatric service.

Kuralt. Three wards at the Robert B. Green Hospital are constantly filled with babies admitted because of malnutrition and diarrhea. In a small child who is poorly nourished to begin with, diarrhea can be fatal. These babies are from six months to more than a year old.

Mrs. Burke. Think, if you will, of a baby over a year old weighing less than five pounds. They come here weighing less than they did when they were born. But the awful fact is that after these months of treatment, we send these babies back home where there is no milk and the nutrition is so poor that they return to the hospital again and again and again.

Kuralt. Because of malnutrition, the wards for premature babies are also constantly filled. Malnutrition—a problem for the mother—can become a tragedy for her baby.

Mrs. Burke. There is a distinct correlation between the food that a mother receives during pregnancy and the kind of a delivery she is going to have. With inadequate nutrition, there is also a strong risk that the baby will be premature or will be of premature weight—less than five pounds—even if born at full term.

Kuralt. Many of these babies born of malnourished mothers weigh as little as a pound and a half. They must be fed intravenously and they require constant medical attention. Some have to remain in isolets for more than eight months, still weighing less than a baby should at birth.

Mrs. Burke. Their lives are constantly in jeopardy. They have a very hard time making it to live, but with the special care that they get, many do manage to survive.

Kuralt. Some of the babies do not survive.

Loudoun County, Virginia, is anything but a poverty pocket. It is headquarters for the so-called horsey set. The county contains hunt clubs, private schools, and aristocratic race meets that mingle the pedigrees of the horses with those of their owners. The trappings of wealth are everywhere. Loudoun County is only 25 miles outside Washington, D.C. It is the home of distinguished legislators like Senator Everett Dirksen, celebrities like Arthur Godfrey. Society here is studded with American nobility—names like du Pont, Mellon and Whitney.

Hunger is the last thing an outsider would expect to find; indeed it might be the last thing he would find. Yet hidden away in Loudoun County are thousands of shacks where tenant farmers lead a marginal existence. Loudoun County, like one-third of the counties in America, has no Federal Food Program.

Dr. Stephen Granger, the Loudoun County Medical officer, knows and treats many of the tenant families. Dr. Granger told us the households have too many members and too little food.

Dr. Granger. In Loudoun County the families of the tenant farmers tend to be large, and the children get neither the right food nor enough food. Their diet is heavy on starch, mainly potatoes, and very light on protein. The physical effects of this poor diet are striking. The children have kind of a hollow lifeless look—stringy hair, a pasty complexion, a dead look about their eyes. There is a hopeless feeling that springs almost physically from these children. But bad diet affects brain tissue as well, a child's ability to think and to learn. Perhaps the worst damage is done during infancy when the child is completely dependent and helpless. The brain damage is not reversible. It can't be changed. Not by Christmas baskets, not by hot lunches when he starts school, or anything else, one year from now or five years from now.

Kuralt. Dr. Granger's staff of Public Health Nurses has to spend a good deal of time figuring out ways for these families to eat a little bit better—how to get the right kind of food, and how to make the best use of it.

Mrs. Barrett. I see the youngsters are all up, aren't they? Has she had her lunch?

Mrs. Hopkins. Not yet.

Mrs. Barrett. What does she eat for lunch?

Mrs. Hopkins. She eats from the table.

Mrs. Barrett. What she going to have for her lunch today?

Mrs. Hopkins. Well, we don't know.

Mrs. Barrett. You don't know what's being prepared yet?

Mrs. Hopkins. No.

Mrs. Barrett. Do you have any baby food in the house?

Mrs. Hopkins. Not yet.

Mrs. Barrett. And this one is two weeks old.

Mrs. Hopkins. Yes.

Mrs. Barrett. And you haven't started feeding her her cereal yet?

Mrs. Hopkins. No.

Mrs. Barrett. Well, I would start that. And this child eats all together from the table?

Mrs. Hopkins. Yes.

Mrs. Barrett. What did she eat for her breakfast this morning?

Mrs. Hopkins. She ate gravy.

Mrs. Barrett. She ate gravy for breakfast. Anything else besides gravy?

Mrs. Hopkins. No.

Kuralt. There is an additional problem in Loudoun County. The pride of the people. Even if surplus food were available—and it's not—most of them would probably reject it. David Culhane talked to a tenant farm worker and his wife.

Mr. Jones. You've got to admit to the fact that you're poor and you can't be—look down on yourself because you're poor. You've got to be proud of it, and we're poor and we're proud of it. Some people are rich and they're proud of it. It's just a way of—a way of life.

Culhane. Do you think that you need help?

Mr. Jones. No, I don't need no help. God only helps those that help themselves. Now a man—so long as a man has got two hands, two feet and a brain, nothing—there's no limit.

Culhane. Granted that you try, but really now, doesn't it sometimes happen that you can't afford something that you know they should have?

Mrs. Jones. Well, usually when it comes right down to that we usually get what we need for the kids first, then if we have to go without juice, or we have to go without some little extra, we have to buy less potatoes for ourselves, or less something for ourselves, we'll do that in order to get for the kids.

Culhane. What would you say about people who say they want help?

Mr. Jones. I would consider them kind of people—well, to put it in plain words, leechers, because if they can't help themselves, they've got no business being married. They've got no business having children. I want to take care of my family myself. I didn't marry—they didn't marry me. I married my wife and I have two children and it's up to me to take care of them, not receive handouts. That's a bum. If I want to be a bum, I'll go to Washington. There's plenty of them.

Kuralt. Dr. Granger also sees the slow but certain human erosion caused by the kind of life the tenant families lead, the kind of food they eat.

Dr. Granger. One of our patients, a woman with dignity and perseverance, is only 39 years old. She looks to be much older than that. This is not rare among our families. It can be caused by a number of medical problems, but malnutrition certainly plays a big part. There are about 7,000 households in the area that have severe nutrition problems. They rarely, if ever, eat a complete meal. Their lives are borderline in every sense. These people, with no past to be proud of and no hope for the future, seek immediate forms of enjoyment. This is why we frequently see a late model television set in the living room of a family that's not tasted meat for six weeks. This is why we frequently see a late model baby in the crib. This is why we often see empty pint bottles in the yard. All these things are signs of the short term. With no real prospects in life, they turn to the few pleasures they can find. Often the only creative thing a woman can do in these circumstances is to have a baby, and then to have another one. And so they do. The children grow into the image of their parents, and like their parents, they will be old before they should be.

Surrounded by prosperity, these people share in none of it. The misery in their lives is a constant. The sameness stretches from one day to the next, one year to the next, one generation to the next.

Kuralt. The deserts of Arizona and New Mexico are nice places to visit, but the Navajo Indians have to live there.

Living in a desert, just staying alive, is very hard for the 125,000 members of the largest tribe in the United States. The West was theirs once. They were nomads and their home was vast. Now they have an arid reservation.

Dr. Jean Van Duzen of Tuba City, Arizona, has practiced among the Navajo Indians for the past 14 years. She continually faces the medical problems caused by lack of food.

Dr. Van Duzen. Right now they look like they're kind of low on food. When they run out of food, what kind of foods do they eat?

Wilson. (Dialect) Flour and lard and coffee.

Dr. Van Duzen. In other words, fried bread and coffee.

Wilson. That's right.

Dr. Van Duzen. The children too?

Wilson. (Dialect)—the children—

Dr. Van Duzen. Everybody eats the same?

Wilson. Everybody eats the same.

Dr. Van Duzen. The people that I see every day look like they are fed mostly on starches. The older people tend to be rather fat and dumpy. The children are just plain undernourished. They're shorter than they should be. They're thinner than they should be. They're less resistant to infection.

Kuralt. Half the Navajos make less than $1,500 a year. There is not enough water to farm here, so they try to be shepherds. But it takes ten of their dry acres to produce enough food for one sheep—and when sheep are hungry, so are their owners.

Surplus commodities are given to the Navajos every month by the Department of Agriculture. The tribe has trucks that deliver the commodities to trading posts, but the Navajos often have to walk as far as 25 miles to pick them up.

Dr. Van Duzen. Surplus commodities are not meant to act as the entire diet for the Navajo, or for anybody else. It's only 40 percent of the caloric needs of the people. It does not make any allowance for protein needs, for vitamin needs, for mineral needs. It does have mostly starch. It's what I would call a white diet and this is actually a very, very poor diet.

I've been out in the hogans and I've seen what the women have to make. It's usually lard, flour, sugar, salt, some tea, coffee, maybe a few potatoes. In fact, I very seldom have seen vegetables in the hogan of any kind. They talk about mutton stew, but in fact, they do butchering only every other week, and then they share it with the whole camp. So no matter how you figure it, they couldn't possibly get meat more than once every two weeks. The main diet is starches with fried bread or sometimes store bread, potatoes, very little else.

Kuralt. The Public Health Service Hospital for the Navajo Reservation is in Tuba City, Arizona. Dr. Van Duzen showed David Culhane some of the babies brought to this hospital because of malnutrition bordering on starvation.

Dr. Van Duzen. Let me show you one of the real kwashirokors.

Culhane. This child is representative of the sort of thing you find here?

Dr. Van Duzen. He still shows some of the signs of kwashiorkor.

Culhane. What is—you keep using that word "kwashiorkor." What exactly is that?

Dr. Van Duzen. Kwashiorkor is the most severe form of protein calorie malnutrition. This is a disease that was seen first in South America and Africa. It's not supposed to exist in the United States, but it does.

Culhane. How much of it do you get here?

Dr. Van Duzen. I've seen about four cases a year and right now I've got four cases on the ward. I've seen several other cases, so there's lot's of it.

Culhane. How about this child now? What's this child's condition at this point?

Dr. Van Duzen. He's much improved. When he first came in, the skin was much looser and hung in folds. It still is not normal. You can't feel a good muscle mass and the thighs show a lot of flabbiness. The child's face shows a lot of things to us. The corners of the lips and then we look at the gums. Very frequently we even see scurvy. I can tell about the hair. This is not normal hair for a Navajo child. Much too thin. It's red.

Culhane. What would the normal condition be?

Dr. Van Duzen. Oh, Navajo babies have beautiful black, silky hair and lots of it. This is not normal.

Culhane. What did this child look like when he came into the hospital?

Dr. Van Duzen. When they arrive they're usually so weak that they can't suck. They can't lie, they really don't even cry. Some of them are sick enough so that you think they're going to die in a day or two. But he's much better. Can you stand up? No, not real——

Culhane. Is it possible that this child will ever really catch up?

Dr. Van Duzen. It depends whether or not he goes back to a home with a normal diet or not. It also depends upon how long the bad diet was before and how severe. Most of them recover, but there's some question that they may be always shortened and they may have permanent damage to the brain and ability to learn how to read and write and learn in the usual schooling situation.

The disease that I'm worried about the most though is the marasmus which is in the very young baby.

Culhane. What is marasmus?

Dr. Van Duzen. Marasmus to total, total calorie and protein malnutrition. This is where a child gets nothing, practically nothing but water, and very quickly they get into great trouble and frequently they die. When you make the diagnosis of marasmus, you know a third of them is going to die. That's one-third.

Marasmus children usually lose the fat padding in their cheeks and so they don't have strength enough to suck even if they want to. The problem is that many times they don't want to. Mothers will tell me that the baby doesn't cry and they don't. They just lay there. This baby had marasmus mainly because the mother's milk dried up and she didn't have any other way to feed it. If you don't have the money, well, you don't buy milk. And after a few weeks or months living on nothing, why, yes, he starves.

The baby came in, it had lost all the fat that it was born with. The skin hangs particularly on the legs, doubles over on the knees, the face is wrinkled and looks like a very, very old person without any teeth. We decide how they're getting well just by how young they look. When they look 60 years old rather than a 100 years old, they're getting better.

We lost a little girl last week with marasmus. When I talked to the mother afterwards she said she had lost eight other children, all of them under a year of age when they died. She wanted this little girl. Little girls are prized in the Navajo culture. She's up in the Tuba City Cemetery now. It's a little mound. The little short mounds are for the little short caskets, and the larger ones are for the older people. I think more of them are little than they are big. I don't go there any more. There's too many people up there that I know.

Kuralt. It has never been easy to be a Negro in Alabama. Times have often been bad, and they've never been good. But there's always been cotton—to plant, to chop, to pick and to plough. Cotton has been a misery, but at least it's been a meal ticket. Now it's not even that. The machines have taken over, and a field that once needed 100 Negroes today barely supports three. Ten years ago machines harvested only two per cent of Alabama's cotton. This year they will harvest more than 80 per cent.

The Negroes must look elsewhere for jobs, and the jobs are not in Alabama. Some go North. Many others remain, often because they are so poor, so tired and so hungry that they can't even get up and go. In the long history of Black Belt deprivation there have never been times as bad as these.

Last spring the Field Foundation sent six prominent doctors to investigate hunger in Mississippi. One of these was Dr. Raymond Wheeler, who has lived and practiced in the South all his life. We asked Dr. Wheeler to visit Hale County, Alabama.

Dr. Wheeler. Slow starvation has become part of the Southern way of life. The apathy and the violence, the ironic but brutal contrasts that pass for Southern traditions are impossible to believe until you have seen them.

You have how many children to feed?

Mrs. Zanders. Ten.

Dr. Wheeler. Ten children.

Mrs. Zanders. Yes.

Dr. Wheeler. Are there times when you don't have enough food in the house to go around?

Mrs. Zanders. Yes, sir, lots of times.

Dr. Wheeler. There are times when——

Mrs. Zanders. I just have to make out with what I have. Give each one of them a little of what I have.

Dr. Wheeler. What did you have for dinner today?

Mrs. Zanders. I didn't have any dinner.

Dr. Wheeler. You're going to have a baby before long?

Mrs. Zanders. Yes, sir.

Dr. Wheeler. What kind of food do you eat?

Mrs. Zanders. Rice; chicken sometimes.

Dr. Wheeler. What else do you eat?

Mrs. Zanders. That's all, and water.

Dr. Wheeler. Mrs. Zanders, what does your husband do for a living?

Mrs. Zanders. He gets jobs in hay fields.

Dr. Wheeler. In hay fields?

Mrs. Zanders. Yes.

Dr. Wheeler. How much does he make when he's working?

Mrs. Zanders. From three to four dollars a day.

Dr. Wheeler. Three to four dollars a day?

Mrs. Zanders. Yes, sir.

Dr. Wheeler. And he hasn't worked now in three or four weeks?

Mrs. Zanders. Yes.

Dr. Wheeler. Do you get food stamps?

Mrs. Zanders. No, sir, because I'm not able to get them.

Dr. Wheeler. Why not?

Mrs. Zanders. I ain't got them this month. They cost $70 and I don't have it.

Dr. Wheeler. Have you asked for any help from anyone in raising the money to buy those stamps?

Mrs. Zanders. No, sir, there ain't no need.

Dr. Wheeler. Why?

Mrs. Zanders. They ain't going to give it to you.

Dr. Wheeler. Have you been down to the Welfare Department and talked to them, or has your husband?

Mrs. Zanders. No, sir, the last time I went to Welfare the lady told me—said if you have a living husband that they can't give you no help.

Dr. Wheeler. Even if he's not working?

Mrs. Zanders. Yes, sir.

Kuralt. Three weeks after talking to Dr. Wheeler, Mrs. Zanders gave birth to a severely malnourished baby. Two days later the baby died.

Alabama's solution to hunger in 15 counties is the Federal Food Stamp Program. The U.S. Department of Agriculture sponsors the program, but it is administered locally by the states and counties. Each county has a central office where the stamps are sold. Food stamps are a means of giving a family a bonus. For a cash payment—$25 for instance—a family receives food stamps worth much more money, perhaps $70 or $80. The stamps, in other words, are worth much more than the cash paid for them. The cost of stamps varies from family to family. Coupons worth $80, for instance, may cost one family $40 and another only $15. This cost is set by local officials. Many factors affect the cost, such as the size of the family, income, and how much the family usually spends each month for food.

Food stamps can be used at local grocery stores and supermarkets. They allow a family to purchase whatever it wants in the way of food. If the family uses them wisely, stamps can provide a more balanced diet than surplus commodities. But a family may not buy foods stamps a day at a time or a week at a time. They must buy a month's supply or a half month's supply all at once. For many Alabamans it is difficult to accumulate any sum of money, even as little as $5 or $10 on a given day. What little money they do get must go immediately to pay an urgent debt or to feed an urgently hungry mouth.

Dr. Wheeler examined the children of a family that can't afford food stamps. Their father had not worked in five weeks.

Dr. Wheeler. When children don't get enough to eat, their initial response to the world is mistrust. The children here get up hungry, go to bed hungry and never know anything else in between. They are hungry all the time. They can't even feel the depth of their own hunger.

Even a superficial examination of these children reveals the unmistakable effects that their skimpy, monotonous meals must inevitably produce. In the first year of their lives, these children fall behind. In each subsequent year they fall further behind, and they never catch up. Malnutrition impairs their performance for life.

Hi, Charles.

Charles. Hi.

Dr. Wheeler. How old are you?

Charles. Fourteen.

Dr. Wheeler. You go to school?

Charles. Yeah.

Dr. Wheeler. Do you get breakfast at home before you go?

Charles. Yeah. Some mornings we have peas.

Dr. Wheeler. You have peas?

Charles. Yeah.

Dr. Wheeler. Well, when you get to school what do you have to eat there?

Charles. Nothing.

Dr. Wheeler. You don't have anything to eat when you're at school?

Charles. No.

Dr. Wheeler. Isn't—is there any place at school where you can buy something to eat or get something to eat? Do they—do they cook a meal for you there?

Charles. Yeah.

Dr. Wheeler. Well, why don't you have some?

Charles. I don't have any money to buy it.

Dr. Wheeler. You don't have the money to buy it?

Charles. Yeah.

Dr. Wheeler. How much does it cost?

Charles. Twenty-five cents.

Dr. Wheeler. It cost twenty-five cents to have something to eat at school?

Charles. Yeah.

Dr. Wheeler. Well, what do you do while the other children are eating?

Charles. Just sit there.

Dr. Wheeler. Where do you sit?

Charles. I sit where all the children be seated.

Dr. Wheeler. How do you feel toward the other children who are eating when you don't have anything?

Charles. Be ashamed.

Dr. Wheeler. Why are you ashamed?

Charles. Yes, they haunt you.

Dr. Wheeler. What are you ashamed?

Charles. Because I don't have the money.

Kuralt. Dr. Wheeler talked to a woman whose family has been sharecroppers ever since they stopped being slaves. The woman and her husband and 14 children and great-grandchildren still live on the farm, but it does not support them any more.

Dr. Wheeler. Mrs. Carlile, why don't you raise your own food?

Mrs. Carlile. Well, we raise what we can. We raise that okra, we raise all stuff like that in the garden, when we can, but not no corn. That's the only food we can grow.

Dr. Wheeler. Why no corn?

Mrs. Carlile. Because we don't have no corn acres.

Dr. Wheeler. What do you mean?

Mrs. Carlile. The landlord said he sold the corn acres to the Government. And we can't have no corn.

Dr. Wheeler. So then who plants the corn?

Mrs. Carlile. Don't nobody plants none. Just the land for the corn lays up and it's nothing.

Dr. Wheeler. The land's there.

Mrs. Carlile. That's right.

Dr. Wheeler. But nobody plants it.

Mrs. Carlile. That's right. Can't plant it, when you sell it to the Government. Whoever sell it get a check off it. Can't raise nothing on it. Just have to stay there. I've always been raised on corn. Having corn, raised hogs, chickens, turkeys. But I can't raise them 'cause I don't have food to feed them. I can't raise corn and I can't buy it.

Dr. Wheeler. Now that you can buy food stamps, aren't you able to get more food for your family?

Mrs. Carlile. I can't buy them every two weeks because I don't have the money. I don't have the $33 every two weeks. I don't have anybody to get it from. My husband don't make but three dollars and a half a day for the city and that's all. He don't make over $20-$22 or $23 a week and I couldn't get the food stamps. They sets the price what they want you to pay and if you ain't got that price, why, you don't get no food stamps. But I just have to go along with it because I can't do no better.

None of them white people—they don't care how you live. You can work for them all right but the livin' problems, they don't care too much for it.

Dr. Wheeler. Why's that?

Mrs. Carlile. They don't treat us like they used to treat us. They did used to treat us a lot better than they do now. But they don't do it, and I imagine—I feel like it's because the children go to school together and do a little voting, something we never have did, I never known them to do. And the younger group can speak a little more clear and a little more for themselves than we used to could. That's why the young people is leaving, leaving home, going North, where they've been all their life. Some of them have been nowhere all their life, but they leaving Alabama goin' North. They getting better jobs and they getting better treatment, the younger people. But, see the older people, we still here in it. We ain't like the young ones. I figure they don't care whether we go or stay.

Dr. Wheeler. Why do you think they don't care?

Mrs. Carlile. I know they don't care. I don't have to think they don't care. I know they don't care.

Kuralt. The families we have visited tonight are, sadly, more typical than unique. Hunger can be found many places in the United States—too many places. Ten million Americans don't know where their next meal is coming from. Sometimes it doesn't come at all.

More than one thousand counties in need of food programs have no program whatsoever. States and counties often keep out Federal Food Programs. Surplus commodities means less food purchased in local stores. And states and counties must share in the cost of food stamps. There is also the failure of these programs themselves. Surplus commodities are free but do not contain the right foods. Food stamps are not free and too often, the people who need them most can't afford them.

The Department of Agriculture has emergency power to bring food to hungry people in any county in the United States. So far, it has been reluctant to exercise this power. In the last two years, the Department of Agriculture has quietly turned back to the Treasury $408 million that could have been used to feed hungry Americans. CBS News has learned that this year the Department plans to turn back to the Treasury another $227 million, more money than ever before. According to the Department of Agriculture, the existing food programs are run as efficiently as possible without this money.

Meantime, American farmers, in recent weeks, have slaughtered and buried 14,000 hogs because, they say, there is no market for them. The Department of Agriculture protects farmers, not consumers, especially not destitute consumers. The Federal Food Program might be better administered by the Department of Health, Education and Welfare, or by a special commission whose only concern would be to see that hungry Americans are fed.

We are talking about 10 million Americans. In this country the most basic human need must become a human right.

This is Charles Kuralt for CBS Reports.

The documentary you have just seen first was broadcast on the CBS Television Network on May 21st. In the 25 days since then, here are some of the things that have happened:

Secretary of Agriculture Orville Freeman attacked the broadcast. He said it was a distorted, oversimplified, and misleading picture of domestic hunger and what is being done to combat it.

FREEMAN. If any of you saw the CBS program the other day, that was a disgraceful travesty of facts. That was the worst piece of reporting I've ever seen in all my life. Total disregard of facts. Repeated factual mistakes. Completely misleading statements. If you look at that program, you'd think that nothing was being done, nothing had been done, and that there were ten million people in the United States that are hungry and starving. That just isn't true.

It conveyed a really way-out—and performed, I'm afraid, a very great disservice on something that a lot of us have been working hard to get done.

KURALT. The Department of Agriculture, Secretary Freeman said, has worked conscientiously to transform humanitarian concern for the poor into action programs. And if millions of poor Americans have not yet been reached, that is because of rigid statutory and budgetary limitations on his department and lack of Congressional support.

In a letter to CBS President Dr. Frank Stanton, Mr. Freeman requested equal time on the air for a reply. That was denied. The day before yesterday, in another letter, he reiterated his request.

Committees of both House and Senate began investigations of hunger in this country. Senator Joseph Clark of Pennsylvania, chairman of the Senate subcommittee on Employment, Manpower and Poverty, said the CBS broadcast showed people in their livingrooms that wholesale hunger and malnutrition victimized millions of Americans. His own office, he said, recorded more than 500 letters following the broadcast. Senator Clark said the documentary should be shown to every high school and college in the country.

More important than the controversy stirred up by the broadcast, however, were the government actions which followed it.

On June 3rd the Agriculture Department which had been operating food donation programs in only two counties that refused to handle the programs themselves, would now move into 42 other such counties.

On June 11th the Agriculture Department announced that its monthly surplus food package will be increased by about 40 per cent within six weeks and will include a greater variety of food, including canned chicken and fruit juices.

Representative Albert H. Quie of Minnesota asked Rodney E. Leonard, chief of the Department's Marketing and Consumer Services, if the CBS news broadcast had stimulated this action. Mr. Leonard answered, "It always helps to be pushed."

On June 12th Secretary Freeman, who had previously testified in favor of $245 million annual ceiling on the food stamp program, changed his position and called for an unlimited expansion of the program.

The Senate meantime passed an amendment to the Agricultural Appropriation Bill, making it clear that the Agriculture Department has the authority to spend an additional $200 to $300 million for food relief.

The Poor People's Campaign started a vigil outside the Agriculture Department, demanding food.

And the problem of hunger in America, not widely recognized in this country before, became a major concern of government leaders and of many ordinary citizens.

What about the places and people we showed in the broadcast?

In San Antonio, County Commissioner A. J. Poll called our portrayal of his city a big lie. He said, "No one is starving in San Antonio." But Father Ralph Ruiz has received more than $2,000 to be used in his work with the poor. An anti-hunger movement is being started by citizens groups. And a community dialogue about hunger has pushed the Vietnam war off the front pages of local newspapers.

In Arizona and Virginia, Dr. Jean Van Duzen and Dr. Stephen Granger have received contributions of food and money from all over the country and some indications of community support.

In Alabama, Charlie Zanders will be able to buy his lunch every day and have a decent supper. So many people sent money for that purpose, that there is much money left over for work with other poor people in the area.

Five families in Duluth, Minnesota, after seeing the broadcast collected 2,700 pounds of food. A food processor donated 45 tons of additional food. A railroad offered free use of its box cars for transportation. And the food drive has become communitywide in Duluth.

All these people and most of the thousands of others who have written to us want to do something directly themselves to feed hungry people. In their letters, there recurs the persistent notion that the government is so big and impersonal that it is unresponsive to demands for action.

We have seen no evidence that this is true. It was, after all, Agriculture Secretary Freeman who spoke on April 23rd of this year of the disgraceful paradox of hunger amidst plenty. Even while attacking the CBS News broadcast, it was Secretary Freeman who said, "Despite all we have done and tried to do, much more needs to be done before the problem of hunger in this country will be conquered."

This is Charles Kuralt for CBS Reports.

FEDERAL ACTIVITIES POLLUTE LAKE ERIE IN VIOLATION OF THE LAW

HON. THOMAS L. ASHLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. ASHLEY. Mr. Speaker, there has been mounting evidence for many years that the United States is in serious violation of an international agreement prohibiting the pollution of boundary waters between the United States and Canada and that the U.S. Government itself is a party to such violation by its own dredging operations and by permitting private dredging of contaminated material for disposal in waters of Lake Erie and the other Great Lakes.

Because pollution threatens the extinction of these priceless water resources in but a few generations, I requested the Legislative Reference Service of the Library of Congress to comment specifically on the Canada-United States Boundary Waters Treaty and the pollution of Lake Erie. The excellent paper which follows was undertaken by Virginia W. Brewer, analyst in international relations, Foreign Affairs Division, Library of Congress. It establishes all too clearly that both the United States and the U.S. Government are guilty of polluting the boundary waters of Lake Erie and that this pollution has an injurious effect on the uses of the lake waters for domestic and industrial water supplies, bathing, recreation, fish and wildlife. The paper follows:

THE CANADA-UNITED STATES BOUNDARY WATERS TREATY AND THE POLLUTION OF LAKE ERIE

By the second paragraph of Article IV of the Treaty concerning the Boundary Waters between the United States and Canada, signed in 1909, it was provided:

> It is further agreed that the waters herein defined as boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health or property of the other.

A question has been raised as to whether the United States is not violating this international agreement by the pollution of waters of Lake Erie which flow across the international boundary, and some of which reach the Canadian side. More specifically, it has been pointed out that the United States Government itself may be party to such violation by permitting private dredging of contaminated material for disposal in waters of Lake Erie which apparently flow across the boundary. The area of immediate concern is the west end of Lake Erie, around the mouths of the Rouge and Detroit Rivers and the international boundary in that vicinity.

In considering these two points with respect to possible violation of the Treaty, two other Articles of that 1909 Treaty are pertinent. A section of Article VIII reads:

> The following order of precedence shall be observed among the various uses enumerated hereinafter for these waters, and no use shall be permitted which tends materially to conflict with or restrain any other use which is given preference over it in this order of precedence: (1) Uses for domestic and sanitary purposes; (2) Uses for navigation, including the service of canals for the purpose of navigation; (3) Uses for power and for irrigation purposes. . . .

The other most pertinent provision of the Treaty reads:

> Article IX. The High Contracting Parties further agree that any other questions or matters of difference arising between them involving the rights, obligations, or interests of either in relation to the other or to the inhabitants of the other along the common frontier between the United States and the Dominion of Canada, shall be referred from time to time to the International Joint Commission for examination and report, whenever either the Government of the United States or the Government of the Dominion of Canada shall request that such questions or matters of difference be so referred . . . .

The question of pollution, particularly regarding the Great Lakes area of boundary waters has been referred to the International Joint Commission on various occasions and is currently a matter of intensive study and pending further report concerning Lakes Erie and Ontario. Almost from the beginning of its existence the Commission, in 1912, undertook comprehensive pollution studies. The conclusions, published in a final report in 1918, were made use of when the Commission engaged in an extensive investigation of the problem, in 1947 and 1948, and reported its conclusions in 1950. These were embodied in the detailed, technical *Report of the International Joint Commission United States and Canada on the Pollution of Boundary Waters* (published in Washington and Ottawa in 1951). In this report the following summary paragraph on "Transboundary Effects of Pollution" reads in part (p. 17):

> Several methods were employed to determine whether pollution originating on one side of the boundary had adverse effects on the other. In the 1912 investigation, evidence was presented to show that there was a definite crossing of pollution from one side of the boundary to the other.

Concerning "Transboundary Currents" the Report gives details of the field studies made during the summers of 1947 and 1948. Excerpts covering the area of particular interest currently read as follows (pp. 50–51):

Two independent studies were made employing small wooden surface floats and subsurface floats. Each study provided mutually supporting data to show that definite crossing of the currents from one side of the International Boundary to the other occurs at various locations. . . . These currents can be expected to cross the boundary under favorable wind conditions. . . .

Similarly in the Detroit River, surface floats crossed from side to side. In the upper river, floats crossed from the United States side through the opening between Peach Island and Belle Isle to the Canadian side. Several floats released at the mouth of the Rouge River and in the vicinity of the Detroit sewage treatment plant outlet were found on the Canadian shore opposite the upper end of Fighting Island.

The 1950 Report contained also a section on "Wastes from Dredging" which was concerned with the very area under discussion today. It reads in part (pp. 66–67):

The deposition of solids in the lower Rouge River . . . has made it necessary for the U.S. Corps of Engineers to develop an annual program of maintenance dredging as an aid to navigation. . . .

Coincident with this investigation of boundary waters pollution, attention was focused on the dumping from these operations. . . . A preliminary study was undertaken . . . it was concluded at that time that some potential hazard to downstream water supplies existed.

This led to a request by the District Engineer of the U.S. Corps of Engineers, Detroit District, to the U.S. Public Health Service for a comprehensive study on the pollutional effect of these dredging operations. . . .

The Rouge River dredgings consist of a mixture of sewage solids and industrial waste solids with alluvial deposits. . . . These dredging operations . . . involve a transfer of a heavy mass of pollution from a tributary to the boundary waters.

In a later chapter on "Pollution Effects on Boundary Water Quality", in the section on the "Detroit River" the following statement appears (p. 106):

Bacterial pollution from the Rouge River and the Detroit sewage plant . . . causes the coliform values to rise sharply near the United States shore to 93,000 M.P.N. per 100 ml. The flow of the river splits at Fighting Island, the float studies indicated a tendency for surface currents to travel from the mouth of the Rouge River and the vicinity of Zug Island across the boundary and into the channel on the Canadian side east of Fighting Island. . . .

In a further discussion of "Extent and Effects of Pollution in 1946–1948" and "Transboundary Movement" (p. 166) the 1950 Report reads:

In the treaty of 1909 between the two countries it was agreed that the waters on either side of the boundary should not be polluted to the injury of the health or property on the other side. The first questions asked in the present reference to the Commission involves this transboundary aspect of the pollution problem.

The data presented in chapter IX have shown clearly that there is a transboundary crossing, both of the currents and the pollution, from each side to the other . . .

Under "Remedial Measures" the 1950 Report of the Commission reads in part as follows (p. 169):

It has been shown that serious pollution exists in the Lake Huron-Lake Erie section of the boundary waters. Its nature, extent, and sources have been presented in detail. This pollution has an injurious effect on the uses of these waters for domestic and industrial water supplies, bathing, recreation, and fish and wildlife. It crosses from each side of the boundary to the other . . .

As the Commission "recognized that in these waters pollution control is an ever changing problem", it recommended in 1950, "continuing supervision" and "pollution abatement programs for the boundary waters through consultation and cooperation with Federal, State, and Provincial governments . . ." (p. 178).

In October, 1964, the two Governments of Canada and the United States again requested the International Joint Commission to investigate and report on "the extent, causes, locations and effects of pollution in the waters of Lake Erie, Lake Ontario, and the International Section of the St. Lawrence River and to recommend the most practical remedial measures which might be considered necessary. In its *Interim Report of the International Joint Commission United States and Canada on the Pollution of Lake Erie, Lake Ontario, and the International Section of the St. Lawrence River*, December, 1965, the Commission states (p. 12):

It appears that there is circulation from one side of the boundary to the other, interfering with the quality and usefulness of the waters in both countries.

Therefore, the Commission is proceeding on the assumption that the pollution of these waters in one country affects the quality and usefulness of the waters on the other side of the boundary. The study of lake currents, necessary to confirm or deny this assumption, and the analysis of the effects in the other country will proceed simultaneously. The results will be included in a later report. [*The later report has not yet been issued*].

The question of whether or not there is a violation of international law in the pollution of the boundary waters referred to above raises such questions as "What constitutes violation?" and "What degree of specificity constitutes proof?" and other aspects of the question which would be matters for the courts to decide. In the words of the Federal Water Pollution Control Administration, when asked about this matter recently, there is, however, apparently an implication—a "positive intimation"—of such violation in the passage immediately above quoted from the Interim Report of the International Joint Commission.

REMARKABLE FEAT OF A YOUNG NEVADAN

HON. WALTER S. BARING

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. BARING. Mr. Speaker, I would like to bring to the attention of my good colleagues the tremendous feat accomplished by Byron D. Young, of Sparks, Nev. He has walked across the country in 64 days and 14 hours, a living proof that the men of the West still have the physical stamnia and individual strength as did their forefathers who pioneered across the continent. I am including the following article which appeared in the Evening Star on July 8 for your enjoyment:

COAST-TO-COAST HIKE: HE'S A WALKING EXAMPLE

Why would a 43-year-old man decide to break the record for walking coast to coast?

"I wanted to try to influence people to live properly," says Byron Young. An accountant from Sparks, Nev. Young feels that people should exercise and eat properly.

So, 21 months ago the former professional bowler started training.

Last week he crossed the George Washington Bridge into Manhattan 64 days and 14 hours after leaving San Francisco. He broke the old record, set by two Australian army sergeants in 1960, by one day and 14 hours.

Young, a Mormon, could have topped that, but would not walk on Sunday. So he spotted the Aussies about a week.

DESIGNED SPECIAL SHOE

Young is not a man to do something unprepared. In his training, he walked about 10,000 miles and worked on a special shoe design. After trying 148 pairs, he achieved the right combination. And, though he wore out six pairs on his trip, he didn't have a single blister.

It's awesome to see Young demonstrate his pace. It's confident, businesslike and groundcovering. He swings his arms strongly. Going up hills, he keeps the pace by swinging his arms even more.

Young and his wife visited Mr. and Mrs. Boyd Nethercott of 7807 Birnam Wood Dr., McLean over the weekend. Mrs. Young had to admit she worried a lot. They have three children, ages 7, 11 and 13.

DIET IS VITAL

Food became a big part of the marathon walk. Young said that he needed about 6,000 calories a day to break even. He lost three pounds, down to 152 over a 5 foot, 11-inch frame. His diet consisted primarily of a lot of whole wheat bread, nuts, oils, vegetables, bananas, peanut butter and honey. "I weakened and had ice cream on hot days," he said.

Young hopes his walk will convince more people to exercise. He thinks the popularity of jogging is good. His pulse rate is about 48, which is considerably lower than normal.

"Just think," comments Young, "If I can influence only 1,000 people to exercise more, they might add 10 years to their lives. That would be quite a contribution."

The biggest day he had was coming into Reno, Nev.—80 miles. He had a set a goal of 56 miles a day, but when he hit the halfway point discovered that he was just equal with the old record, so he stepped it up.

He figures he lost about two days because of trouble with people who drove a truck and a house trailer for him. The idea was to have the trailer wait at specified places.

Running through a snowstorm in the Wyoming mountains, Young got to the point agreed upon, but the trailer didn't. As a result, he had to keep running or freeze to death.

Young finally made it to a town at about midnight. He had been walking for 20 hours.

On the third try, the driver situation was solved, and things went better.

Would he try it again? The answer is no. He's going back to Sparks and try to catch up on a bit on his business.

TRIBUTE TO THE LATE FORMER CONGRESSMAN HUBERT B. SCUDDER

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, July 8, 1968

Mr. PELLY. Mr. Speaker, I was very sorry to read that former Congressman Hubert Scudder had passed away. He was a very able Member of the House and those of us who knew him and served with him greatly admired him.

I join his other friends in paying tribute to his life and public service, and my wife and I extend to Mrs. Scudder our deepest sympathy.

THE SMALL BUSINESS ADMINISTRATION

HON. CHARLES H. GRIFFIN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. GRIFFIN. Mr. Speaker, the Small Business Administration since its inception has provided financial and management assistance to small firms throughout the country. It has played a significant role in developing local economies.

Bringing industry to a small town is often a difficult prospect. Success is contingent on strong leadership of the concern and strong financial and management support. In the case of the Natchez Culvert & Drainage Corp., a steel fabrication plant, the Small Business Administration provided necessary financing that resulted in the establishment of a vital small manufacture in an area needing an infusion of business.

The strong support of local businessmen in forming a local improvement association and staffing it with a good organizer, Andy Pressgrove, provided a climate for growth.

The corporation formed in 1960, obtained 4 acres with a railroad spur located next to a highway. The plant's construction and installation of machinery and equipment were completed early in 1961.

Natchez is an ideal site for manufacturing the concrete and corrugated metal culverts, metal tanks for oil emulsion treating units and other welded tanks. The city has the advantages of port facilities on the Mississippi. It is centrally located in the oil field territory of Mississippi, Louisiana, Alabama, and east Texas.

At first, there were hard times for the firm and its three employees. Mr. Pressgrove was called to active duty with the Air Force. Financial difficulties forced the company to turn contracts over to competitors.

During 1963 and 1964 the employees concentrated on production. They needed financing to hire salesmen, develop and service new accounts. A direct loan from the Small Business Administration for $15,000 provided a solution to the problem.

The firm continued to grow despite limited working capital. The loan was repaid in full.

From its humble beginning in fiscal year 1962, with three employees and annual sales of $65,500 the firm at the close of fiscal year 1967 employed 31 persons with sales totaling $685,309.

The Natchez Culvert & Drainage Corp. has proved itself.

When it needed working capital to further expand its economic and social service to the community, a local bank, Britton & Koontz National Bank of Natchez, and SBA provided the necessary financing. Under the guaranty plan, the local bank is making $65,000 available to the concern and SBA is guaranteeing 90 percent of the loan.

The new loan will enable the concern to improve its financial condition and take advantage of trade discounts. It will provide funds to maintain a larger inventory, which will in turn provide more rapid delivery to its customers.

The Small Business Administration and the bank have worked together to make success possible for the company.

The Natchez Culvert & Drainage Corp. and the bank have expressed their thanks to the SBA for its continuing interest in the company, its future, and the economic impact it is making on the community.

WHAT CAN ONE WOMAN DO?

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. MILLER of California. Mr. Speaker, the humanitarian work that Lucie Buckbinder has done over the years has won her plaudits and respect from the people in her own community, and I am extremely proud to report that McCall's magazine, in an editorial entitled, "What Can One Woman Do?" now gives her national recognition.

I am happy to make as part of these remarks that portion of the editorial pertaining to my friend and constituent, Lucie Buckbinder of Castro Valley, Calif.

LUCIE BUCKBINDER, CASTRO VALLEY, CALIF.

The San Francisco Bay area is second to none in its topographical beauty. In residential segregation, however, that metropolitan region is quite typical. Negro and other minority families are kept in San Francisco, Oakland, and Richmond ghettos; the rest of the six-county region is virtually lily-white.

Working to change these patterns is the consuming civic concern of Lucie Buckbinder, a suburban housewife. Mrs. Buckbinder, a blue-eyed dynamo, heads Housing Opportunity Council, coordinating body for 21 fair-housing groups with 4,000 members in the Bay area. Of the 1,500-some similar organizations across the country, her group is rated tops.

Local volunteer efforts are necessary even with open-housing laws like California's and the new federal bill. Illegal discrimination is rampant; enforcement bodies lack funds; minority families don't know about the complaint machinery; usually the desired home will be taken. Many seeking a home outside the ghetto fear risking rejection.

More than 1,000 families ask the council's help annually. Mrs. Buckbinder and her coworkers accompany them, confront discriminating managers or owners with the facts of the law, and if necessary seek state assistance.

So far, her group has been able to obtain desired homes for only several hundred families, but these include Negro schoolteachers who otherwise could not live in East Bay suburbs where they teach. To enable more to move out, they are now concentrating on getting lower-cost housing built and rent subsidies used in suburban communities. The 200-home development where she and her family live has about twenty Negro families.

The fair-housing fight is demanding, time-consuming, and at times discouraging, but Lucie Buckbinder says it "gives meaning to my life." She has a special personal motive: When she was a girl, her family had to flee Austria from Hitler, and she says, "I don't want my children growing up in a country where discrimination is practiced."

THE NATURAL GAS PIPELINE SAFETY ACT OF 1968

HON. CLAUDE PEPPER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. PEPPER. Mr. Speaker, this Congress has done probably more than any other Congress in history to protect the American consumer. We have provided for truth in lending, wholesome meat and meat products, and flameless fabrics, and we are moving toward consumer protection in the safe tire, wholesome fish, and other fields. Yet one highly important area of consumer protection remains to be acted on—providing safety standards for the pipelines through which flows the natural gas of our Nation.

Last week this body took up and passed this much-needed legislation to provide protection to the American citizen in this field. And, Mr. Speaker, I fully support this bill to insure the safety of natural gas pipelines.

For the most part these pipelines are hidden underground, where they remain out of sight and for the average consumer out of mind. On tragic occasions, however, the inherent danger of faulty pipelines becomes manifest in a tremendous explosion which can cause nearly untold damage and loss of life. In the period 1950–65, gas pipeline companies have reported, there were 64 deaths and 224 serious accidents involving natural gas pipelines. One 1965 gas explosion in Natchitoches, La., gutted a 13-acre area, killed 17 people, burned five houses, and melted cars. On January 13, 1967, a fire in Queens, Long Island, engulfed an area equivalent to an entire block. Seven persons were injured, and 18 families were left homeless.

I could cite more detail about the known danger from natural gas pipelines, but by now the need for greater safety measures in this field has been amply documented. I am happy the House felt it was time to act on specific safeguards which can be written into the law, thereby giving the consumer protection from the unseen but very real danger that currently exists.

The creation of the Department of Transportation in 1966 gave new impetus to pipeline safety measures which had been before the Congress since 1951. The President, in his February 16, 1967, message to the Congress on consumer protection called for pipeline safety measures. In so doing, he called attention to the role the Department of Transportation could play in this field:

> With the creation of the Department of Transportation, one agency now has the responsibility for Federal safety regulation of air, water, and land transportation, and oil pipelines. It is time to complete this comprehensive system of safety by giving the Secretary of Transportation authority to prescribe minimum safety standards for the movement of natural gas by pipeline.

Shocking as it may seem, currently there is no Federal regulation of gas pipeline. The industry is guided by the 1963 Code of the U.S.A. Standards Institute—

USASI. This is a self-imposed industry code but it has no mechanism for enforcement and has failed to do an adequate job in ending the danger.

The other body has already passed a natural gas pipeline safety bill and we were called on to join with it in protecting the public. We took the responsibility not to falter in passing sound legislation in the House so that gas pipeline safety can be enacted into law.

The measure before us last week directs the Secretary of Transportation to establish minimum safety standards for the transportation of gas by pipeline, for gas storage, and for pipeline facilities used in the transportation or treatment of gas. But the standards would apply to existing pipeline only if the Secretary finds a "particular hazard" exists.

Mr. Speaker, since the Nation now has more than 800,000 miles of gas pipelines with new pipeline established nearly every day, the Secretary with his small staff would find it an impossible task to survey all of these miles of pipeline, discover any flaws, and then order compliance with the standards. By the time any recommended steps had gone through the appeals system, more accidents would have taken place and more lives would be lost. Therefore, I felt that the House would be wiser in accepting the legislation as passed by the other body on May 15.

Under that Senate bill, reforms could be implemented whenever the Secretary found that there was a "potential hazard." I feel that this is a far wiser position, and one that does not sacrifice the safety of our citizens, inasmuch as the Government could seek out the most dangerous cases with Government help. Also, I do not see why we should not apply safeguards to existing pipe as well as to new pipe.

Mr. Speaker, I supported the stronger approach embodied in the measure before it was amended by the House committee. In this way we can assure the American public that the public's interest is strongly protected on Capitol Hill. I hope this body will never falter as we approach the task of protecting the public interest in this or any other field as we have done in so many others in this Congress.

A MODERN RAILROAD SYSTEM COULD SAVE AMERICA AGAIN

HON. JERRY L. PETTIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. PETTIS. Mr. Speaker, much of our Nation's rail passenger service appears doomed to become a thing of the past unless laws are changed substantially.

I sincerely believe it would be a disservice to our country to allow this to come to pass. What would happen if we were suddenly faced with a national emergency where survival depended on movement across our land of men and equipment.

We cannot allow ourselves to be caught short in the event of a world crisis such as that. I respectfully suggest that we institute at the very earliest possible time a study on the need for a national railroad passenger service and methods for developing a modern rail network.

Today our Nation's progress depends to a great extent on communications and transportation. Without these vital links, a nation could very well be paralyzed into inertia.

The history of our country is filled with accounts of pioneer railroad men who braved hardship and peril to tie America together with ribbons of steel from coast to coast.

The 33d District of California, which I have the honor to represent, is a hub of activity for the Santa Fe Railway, Southern Pacific Railroad, and the Union Pacific Railroad—all leaders in transportation.

The men in the shops, those in the offices, the men on the trains, and all other railroad employees, are constantly playing a leading role in the economy not only of our district, but of the entire Nation.

They are skilled in their chosen field of endeavor and dedicated to America's needs.

We, in the Congress, must take action to protect this vital mode of transportation. The Nation's well-being and survival demands a strong railroad system.

SOCIALISM SUBSIDIZED

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. RARICK. Mr. Speaker, socialism just has to work—at least so long as the United States puts up the gold to buy out the mistakes and keep the politicians in power.

The International Bankers approve of England's folly under Harold Wilson. How long can it last?

I include a release from the July 9 New York Daily News, as follows:

THE UNITED STATES AND 11 OTHERS AGREE TO BAIL OUT POUND AGAIN

LONDON, July 8.—The Bank of England revealed yesterday that 12 central banks have decided to march to the aid of the faltering pound—to the tune of $2 billion.

The bank said a dozen nations have "given firm assurances of willingness to participate in a move to bolster the pound."

Sir Leslie O'Brien, governor of the Bank of England, described the new stand-by credit plan for Britain as a "medium term arrangement in the region of 10 years." The groundwork for the support program was mapped out over the weekend at the meeting of the International Bank of Settlements at Basel.

Chancellor of the Exchequer Roy Jenkins stressed in Parliament that the agreement is not a loan and said "It would not lead to any increase in Britain's total overseas indebtedness."

STERLING GUARANTEE

The $2 billion credit backing will let Britain cover any massive withdrawals of sterling deposits by countries that keep their monetary reserves in Britain. Some observers feel a provision to "guarantee" sterling deposits is also included.

The final details on the credit plan will be completed as soon as consultations have taken place with sterling area countries, the bank said. France is not participating in the agreement which has the support of Austria, Belgium, Canada, Denmark, West Germany, Holland, Italy, Japan, Sweden, Norway, Switzerland and the United States.

The final working agreement is expected to be concluded at the next meeting of international bankers in Basel in September, O'Brien said.

With the announcements, the pound on the London and Zurich exchanges closed substantially higher.

Bankers in Brussels reacted conservatively to the credit plan pointing out that the $2 billion stand-by credit only covers ⅕ of Britain's sterling balances.

ROBERT F. KENNEDY AND B'NAI B'RITH

HON. DANTE B. FASCELL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. FASCELL. Mr. Speaker, the death of the late Senator Robert F. Kennedy has shocked and devastated our Nation. If any group can be said to grieve more than others, it would be those minorities for which he fought so hard.

The Jewish people felt particularly close to Senator Kennedy, for he had a deep compassion for their history of suffering and persecution. I call to the attention of my colleagues an article published after his death by Mrs. Mori Fremon, editor of The Goldcoaster, a publication of the Gold Coast Lodge No. 2608 of the B'nai B'rith in Miami Beach:

ROBERT FRANCIS KENNEDY AND B'NAI B'RITH

When the history of this time will be written three events will be related almost as one continuous sequence, although the first is almost five years removed from the other two. All three are murders, all three of prominent men of our time, men with ideals, with special appeal to minority groups, men who evoked strong responses.

There is sorrow, and the inability to believe that such a thing could happen so quickly in one family—the Kennedys—and so quickly, after Martin Luther King, in the family of man.

Robert F. Kennedy's assassin—a Jordanian who hated and feared his outspoken interest in Israel's survival.

But Robert Kennedy's interest was not a prefabricated plank for the political platform of the moment.

In his preface to "B'nai B'rith, Story of a Covenant" his interest, his compassion are expressed in eloquent language, direct, inspired, sincere.

"The story of B'nai B'rith must cheer all of those who prize man's concern for his fellow man. . . . B'nai B'rith stands as an outstanding social achievement in which high idealistic vision is combined with great practical vigor.

"To read this laudable history is to review some of the most sublime moments in history—and some of the most agonizing. The terrible pogroms of eastern Europe, which B'nai B'rith sought to ease, remind us—if we need reminding—*of man's capacity for brutality and cruelty to his fellowmen*. (The italics are ours.)

His interest in Israel dated back to the days when neither he nor his older brother had political aspirations.

"During 1947–1948 I was a correspondent for a Boston newspaper, covering the war in Palestine. The energy, sacrifice, and idealism of the Jewish settler-fighters led me promptly to forecast that a homeland would be successfully won—although at the time the Israeli military situation was unfavorable."

Soon after an interesting episode involving a secret visit by Chaim Weizmann to the White House, recognition of Israel's independence by the United States became a reality.

"No aspect of man's civilizing influence has been left untouched by B'nai B'rith—culture, education, youth care, and the larger historical consequences of individual, corporate, and government actions.

"And in these numerous activities B'nai B'rith stood beyond Jewish life. In a pluralistic society such as ours in the United States, its causes have not been merely 'Jewish causes.' They have been the causes of us all. Because where injustice exists—in the form of barbed wire or a locker-room slur—there we are all hurt; wherever it is endangered we are all endangered; but where freedom and justice exist, we are all enlarged.

"As long as millions of Americans suffer indignity and punishment and deprivation because of their color, their poverty, their race, or their religion, we know that we are only halfway to our goal . . . a country in which the promises of our constitution are at last fulfilled for all Americans.

"For that honor and justice we must all stand—and we must all work. And this means this informed history of B'nai B'rith is a beginning—not a finished product. There will be other occasions for pride and anguish in the years of struggle ahead. B'nai B'rith will surely be in the forefront of that struggle for justice and equality, as they have led us so often in the past."

LETTER FROM A CONSTITUENT

HON. DON. EDWARDS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. EDWARDS of California. Mr. Speaker, I recently received a very moving and eloquent letter from a resident of Santa Clara, Calif., in my congressional district. Prompted by the assassination of Senator Kennedy, these comments by Mrs. Janet Hernandez express a deep concern for our Nation and its future and a true feeling for building a just and decent world and preserving the ideals and liberties of our American heritage. I include this letter in the CONGRESSIONAL RECORD at this point:

JUNE 20, 1968.

Mr. EDWARDS: I am writing my first letter to a congressman. I am far from eloquent in my letter writing so I hope you will forgive my inconsistencies.

I am sick about what happened to a fine man such as *Robert Kennedy*. It is a great tragedy, especially for America. It is horrible that such a thing can happen again and why to men of such great insight and humanity who want to make America a better place to live in. Pres. Kennedy was assassinated because he was bringing about great and wonderful change in this country and the majority of the people were with him. The same with Martin Luther King and now Robert Kennedy. *These men were for the poor and down trodden.* They wanted these people to have a chance to work their way out of degradation and to have the same rights and equality as the rest of Americans. They knew the fruitlessness of prejudice and hatred. They knew these things alone could tear America and Americans apart, so they set out to *stamp out prejudice* and hatred and re-unite this country into a better America, to keep strong and ever shining what America stands for but they were killed for this and America will forever suffer for this crime.

I hope my country is not too fargone to be able to right the wrongs that have been committed and are still going on.

I am just a plain average housewife and I love this country. I don't want to see it destroyed and all those "Ideals" our forefathers fought for and died for. When my children become adults I want them to be proud to call themselves Americans not ashamed. I don't want them to grow up in a violent and chaotic America and only know hatred and fear and violence. What can average American citizens like me do to save our country from inner destruction and decay and the utter crumbling of democracy?

I know you are terribly busy and must receive thousands of letters every day. I will hope and pray that you can answer mine.

Sincerely yours

JANET HERNANDEZ.

AN EDUCATION FIRST

HON. PHILLIP BURTON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. BURTON of California. Mr. Speaker, the San Francisco Sun-Reporter, a newspaper published in my district and serving the Negro communities of the San Francisco Bay area, on June 29 carried an editorial commenting on a most significant event in our educational history—the appointment of Dr. Norvel L. Smith, a distinguished Negro educator, as president of Merritt College in Oakland.

For the benefit of my colleagues, I submit herewith the editorial:

AN EDUCATION FIRST

A forward thrust in Negro history, in the field of education, occurred Monday when Dr. Norvel L. Smith was appointed president of Merritt College in Oakland. When Dr. Smith takes office on August 5, he will be the first Negro president of a predominantly white college, and the first of his race to be appointed to a junior college presidency in the history of the junior college movement.

The sterling nature of Dr. Smith's qualifications were emphasized in his being the sole recommendation of the screening committee composed of Merritt students, faculty and district administrators, after 31 persons were considered during a five-month search.

Dr. Smith was chosen by the unanimous vote of the Peralta Junior College District Board of Trustees and was received with a standing ovation when he entered the board's chambers after the vote. Many in the audience were Merritt teachers and several had served on the screening committee. William MacFarland, vice president of the board, stated that he cast his vote purely on the basis of Dr. Smith's qualifications. Qualification is the primary basis upon which black Americans seek equality, and not alone upon the basis of race.

The ovation for Dr. Smith was a scene of moving enthusiasm on a background of historical significance for black students. After the formation of the Black Students Union at Merritt, there was a rising and highly vocal demand for a black curriculum program and black student and faculty participation on policy levels at Merritt. More black teachers were to be hired. Negro history is now a very important subject at Merritt.

Merritt is the largest of the several colleges in the Peralta Junior College District. It has an enrollment of ten thousand students; 30 per cent of them are black. The faculty numbers 190, but there are only 12 black teachers. However, it is expected that more black teachers will be hired. It is anticipated that black teachers will be hired at the District's East Bay Skills Center. Two black students served on the screening committee. It is interesting to note that during the last three years, the president of Merritt's student body was a black student.

Dr. Smith recognizes a deep commitment "to provide for the maximum self-determination of students in the planning and administration of student affairs." Dr. Smith said he was most concerned over the need to strengthen student personnel services at Merritt. Dr. Smith not only recognizes the critical need for part-time employment for students from lower income families, but he says he intends to do something about it. Details of Dr. Smith's training and background which appear on page one, clearly indicate that he was recommended by the screening committee because of his administrative ability, stature in the community and, according to Superintendent John Dunn, "in-depth understanding of the multi-faceted role of a community college."

Dr. Smith's appointment is one of the finest things that has happened in the field of education anywhere in the country, especially as it concerns black students and their community.

BABY STEPS FROM THE EARTH TO THE STARS

HON. GEORGE P. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. MILLER of California. Mr. Speaker, Mr. Robert Jastrow, Director of the Institute for Space Studies, Goddard Space Flight Center, wrote an article for the Washington Post reviewing Arthur C. Clarke's book, "The Promise of Space." It is an excellent article and recognizes the work that Arthur Clarke has done in advancing the space effort.

I make this review part of my remarks and commend its reading to my colleagues:

BABY STEPS FROM THE EARTH TO THE STARS

(By Robert Jastrow)

Arthur C. Clarke will occupy an honored place in the history of space flight as the father of the communications satellite. At the moment, he is more widely known as the author of many science fiction stories and books on space exploration. Any writer on scientific subjects for the layman must admire him enormously for the clarity of his explanation of the technical mysteries of space flight. *The Promise of Space* heightens my own admiration; it is a revision of an earlier book, augmented by a great deal of fascinating material on the scientific discoveries, technical developments, history and politics of the American and Russian space programs. The discussion of such matters as rocket propulsion, the reasons for building rockets in stages, and the factors that control escape from the earth are as clear as can be found anywhere; and the exposition is enlivened by many anecdotes from Clarke's full store of memories of these last eventful decades. There are excellent chapters on the planets—"children of the sun," Clarke calls them—and the prospects for life elsewhere. The completely nontechnical reader will want to skip over some portions of the chapters on the physics of the solar system and the detailed workings of rockets and satellites, but these are readily spotted and can be passed by without seriously disturbing the book's continuity.

What is the purpose of the American space program, and what is its promise? Clarke reviews the history of the spring months of 1961 during which, in rapid succession, the Russians launched a large spacecraft toward Venus and placed the first man in orbit, while the United States became involved in the Bay of Pigs episode. In May 1961, immediately following these events, and perhaps influenced also by the galvanic reaction of the American public to the manned suborbital flight of Commander Shepard, President Kennedy urged the nation to act on proposals for a manned lunar landing. In a special message to the Congress he said, "Now . . . is the time for a great new American enterprise—time for this nation to take a clearly leading role in space achievement."

Clarke describes the chronology of the Apollo decision as "politics and astronautics combined," and writes, "The verdict of history may well be that the United States made the correct decision *even if from dubious motives"* (italics mine). Elsewhere, Clarke refers to the moon—and in this I think he is right— as a "treasure house of knowledge." In the combination of these remarks he seems to betray a point of view that the primary purpose of the space program is, or should be, the exploitation of its scientific potential and the search for knowledge in the space around the earth and on the other bodies of the solar system.

My own view is that he is mistaken. Spacecraft have yielded important scientific discoveries, and my work is concerned entirely with this part of the space program, but it seems clear to me that the preservation of national security, and not scientific research *per se,* was the motivation for the Kennedy proposal. Kennedy acted out of a deep gut instinct, shared by the Congress and the American people, that the United States had been presented with a major challenge to which it must respond effectively or pay a heavy penalty. The decision on the expanded space program may have been accelerated by the events of the spring of 1961, but the Soviet challenge to the United States was permanent. The Russians were suddenly able to fly and maneuver in a region of the environment never before accessible to men. We had to acquire the same capability, and quickly, in order to protect ourselves against the possibility of unpleasant surprises from this quarter. We were not catching up to the Russians at the time, and it seemed to many that we were falling farther behind. An all-out effort was necessary, and Kennedy selected the lunar landing as a goal for harnessing the nation's energies to the task.

In 1968, we are close to possessing the necessary capability. Moving toward the lunar landing, we have developed the skills and hardware for sustained manned flight in space, for space rendezvous, for the performance of useful work in space, and for the placing in orbit of large payloads ranging up to a quarter of a million pounds.

Where do we go from here? Clarke states that space exploration is growing increasingly "difficult, dangerous and expensive." Faced with requirements for the reconstruction of major segments of society and under severe budgetary pressure, it seems best to some to redirect the resources of the space program toward other national goals. Clarke's book contains pertinent information on this issue. In the 1960s, which are the Model-T era of the space age, it is already clear that space flight can make an enormous contribution to the economy. Communications satellites have come into use just when communications traffic in the United States has expanded to the limit of ground links by cable and microwave relay. In ten years or so, communications satellites will be used extensively for personal and business telephone, videophone and educational television. By the year 2000 they will have transformed American society. Round-the-clock global coverage of weather by meteorological satellites produces an estimated $2.5 billion a year in increased farm yield in the United States alone. Satellites are providing information related to the basic causes of weather activity. We stand on the threshold of developments of profound scientific importance, including the placing of large telescopes in orbit, far above the obscuring effects of the earth's atmosphere, and the resolution of age-old questions on the origin of life in the solar system and the uniqueness of life on earth.

Commercial applications of space flight increase the productivity of the economy now, and applications in pure science plant seeds for increases in future years. The increased productivity generates the tax dollars necessary to meet urgent social needs. Far from sapping our economic strength, the space program, along with electronics, computers and other advanced technologies, generates new wealth. Yet, the returns to date are only a small fraction of the gains which can be realized.

The satellites of the 1960s are primitive machines, whose economic and scientific value shrinks into insignificance against the returns expected from spacecraft now on the drawing boards and awaiting funding.

This is the promise of space: a dollars-and-cents return in increased productivity in the United States, so great that the question is not, can we afford a space program? but, can we afford to be without one? The facts leading to that conclusion are in Clarke's book, although his own conclusion is different, for, as befits a man of extraordinary prescience, he keeps his eye on the horizon. To Clarke, it is "the universe—or nothing. . . . If we fail to meet [the challenge of the great spaces between the worlds], the story of our race will be drawing to its close. Humanity will have turned its back upon the still untrodden heights and will be descending the long slope that stretches, across a thousand million years of time, down to the shores of the primeval sea."

PENDING FIREARMS LEGISLATION

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. DINGELL. Mr. Speaker, Dr. Ralph A. MacMullan, director of the Michigan Department of Conservation, has provided me with a copy of his letter to Chairman JAMES O. EASTLAND of the Senate Committee on the Judiciary dealing with pending firearms legislation.

Dr. MacMullan, speaking in his capacity as director of the Michigan Conservation Department, as well as a representative of the International Association of Game, Fish, and Conservation Commissioners, very cogently argues in favor of a rational approach to the question of firearms regulation. So that my colleagues may have the benefit of Dr. MacMullan's views, I submit the text of his letter at this point in the RECORD:

STATE OF MICHIGAN, DEPARTMENT OF
CONSERVATION,
Lansing, Mich., July 3, 1968.
Hon. JAMES O. EASTLAND,
U.S. Senator, Senate Judiciary Committee,
New Senate Office Building, Washington,
D.C.

DEAR SENATOR EASTLAND: As Director of the Michigan Department of Conservation and spokesman for the International Association of Game, Fish and Conservation Commissioners, I present these opinions on the proposed legislation under your consideration.

First, I would urge caution in acting under the present emotional atmosphere, until decisions can be made with calm reason.

Currently, too many people are considering gun control as a cure-all. It isn't a panacea, and there is a real danger of our being lulled into a false sense of security by the "easy solution that doesn't work." We are quite properly concerned about the right of sportsmen to continue to enjoy hunting without any more restrictions than are needed to protect society against violence and crime. As a matter of fact, we are actively encouraging the sport of hunting as a wholesome part of the Nation's newly awakened interest in recreation as a most important part of our national life. We regard registration of rifles and shotguns as a regulation which will do little to protect society, but which will put an unreasonable burden on the law-abiding citizen. Registration, especially annually, would be a tremendous producer of revenue; fees could easily become excessive to the point that the average hunters, the factory workers, the farm boys, the account clerks are taxed out of their sport. We seriously question that registration of rifles and shotguns will prevent a significant number of crimes.

The FBI's annual report on crime continues to point out that murder is a social problem. It would seem that efforts to register the sportsmen's tools and needlessly tax them would be far better directed toward solving the underlying problems causing these crimes. We submit that the healthy outdoor sport of hunting releases tensions, eases many pressures of modern society, and while it can't be measured, does much to create a mental climate in which these men live in harmony with themselves. Registration per se of *sporting* firearms has little more chance to prevent crimes than registration of automobiles has had in preventing traffic accidents. It cannot be validly argued that registration of firearms is necessary to solve crimes, particularly murder. Murder has the highest rate of clearing by arrest of any crime.

At best, registration of sporting firearms would be a costly nuisance. At worst, it would lead to loss of the citizens' right to have guns for target shooting and hunting. Somewhere in between, the average hunter could be taxed out of his sport. Some public figures have spoken out against the private ownership of *all* guns. If firearms control to eliminate crime is followed to its logical conclusion, this is exactly where we are headed.

There is much to be said in favor of some set of qualifications for firearms users, just as we require a test for a driver's license. Nobody should object to a licensing scheme wherein one would have to demonstrate that he is of proper character and competent before using firearms, if it were carefully designed so that no official or group could arbitrarily decide that a person was not qualified.

The proposal of a once-issued federal license, valid until revoked, to own and use firearms is far more acceptable than registration of firearms themselves. Firearms control should be directed toward the users. If a person has no record of drug addiction, no criminal record, no record of drunkenness, is of sufficient age (we suggest 18), he should be granted such license which should be good until rescinded for failure to continue to meet the qualifications.

The proposals of Title III in H.R. 18110 and S. 3691 relating to Federal Aid in Wildlife Restoration program are completely unacceptable. It is inconceivable that the Federal Government would seriously consider jeopardizing the sportsman's tax money which has funded a most successful cooperative grant program aimed at preserving wildlife and its environment. It has been repeatedly pointed out that the sporting arms and ammunition from which these revenues are derived are not the tools of the criminal, and that the involvement of hunting arms in murders is incidental. I would emphasize that the sportsmen should not be punished for the crimes of a completely different element in our society.

In closing, we'd like to point out that hunting and ownership of sporting firearms are among America's richest traditions. They are uniquely ours. To point to other countries and decry our "frontier attitude" is currently popular, but we must ask ourselves: "Where else in this world *where they don't have our attitudes of freedom or self-reliance* and justifiable pride would I prefer to live?"

As we get more and more people, we may have to endure more regulations to insure that the law-abiding will retain their rights, but these regulations must be reasonable and based on facts, not emotion.

The test of any firearms control regulation should simply be: Will it be effective in keeping guns out of the hands of criminals?

Sincerely,

RALPH A. MACMULLAN,
Director.

THREE MARYLANDERS ARE VIETNAM VICTIMS

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. LONG of Maryland. Mr. Speaker, Cpl. Anthony J. Mello, Cpl. Richard E. Swab, and Pfc. James A. Reid, three fine young men from Maryland, were killed recently in Vietnam. I wish to commend their courage, and honor their memory by including the following article in the RECORD:

THREE MARYLANDERS ARE VIETNAM VICTIMS—BALTIMORE GI GAVE UP ARMY DESK JOB FOR COMBAT

A Baltimore youth who turned down an Army desk job in Vietnam because he thought combat was "something he had to do," was among three Maryland war casualties reported yesterday by the Defense Department.

The youth was Cpl. Anthony J. Mello, son of Joseph M. and Dorothy Mello, of the 1200 block of Winston avenue, Baltimore.

His mother said yesterday that Alfred was asked shortly after his arrival in Vietnam last April to be a postal clerk, but rejected the assignment to be a machine gunner.

He was killed June 25 after a mine exploded beneath him somewhere in Vietnam while serving with Company D, 4th Battalion, of the 3d Infantry Division.

Corporal Mello enlisted last October and intended to make the Army a career. He attended City College until last June. There are no surviving brothers or sisters.

Also listed in the Pentagon announcement were Marine Cpl. Richard E. Swab, 21, of Takoma Park, who was killed by a mortar explosion near Da Nang last Saturday, and Marine Pfc. J. Alfred Reid, of Derwood, Maryland.

DIED AT VIRGINIA HOSPITAL

Pfc. Reid's brother, Donald, said yesterday that Alfred died June 6 at the Portsmouth (Va.) Naval Hospital from wounds inflicted April 30 in Quang Tri province.

Donald said that his brother was first ambushed and wounded in the chest, and then wounded again in the legs and head when a rescuer stepped on a land mine. The other marine was killed instantly, he said.

Pfc. Reid played football and was a medalist in track events while a student at Richard Montgomery High School in Rockville.

He enlisted in the Marine Corps shortly after graduating in June 1967, and arrived in Vietnam last January.

Survivors include his parents, James and Elizabeth Reid; a brother, Thomas, 20, who is serving with the marines at Da Nang, another brother, Martin, and a sister Carolyn, of New York.

Corporal Swab's father said that his son, was due to return to the United States in three weeks, died after a mortar shell exploded near him at Quang Nam, just south of the Marine base at Da Nang.

Survivors include his parents, Mr. and Mrs. Eugene P. Swab, two brothers, J. Ronald, a Howard county schoolteacher, and Donald, and a sister, Shirley-Gene, both living at home.

UNANIMITY ON ATLANTIC UNION

HON. PAUL FINDLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. FINDLEY. Mr. Speaker, legislation to authorize a U.S. delegation on Atlantic Union, House Concurrent Resolution 48, has now been favorably reported by the House Committee on Foreign Affairs, and with floor consideration likely in the next few days, Members will find the editorial comment which appeared in the May 20 issue of the Cincinnati Enquirer of special interest:

UNANIMITY ON ATLANTIC UNION

One of the striking features of the 1968 presidential campaign—which suffers from no shortage of striking features—is that all five of the major contenders for the presidency are agreed on the wisdom of the Atlantic Union resolution.

The resolution's goal is a convention of the nations in the North Atlantic Treaty Organization to explore the prospects of converting the alliance into an outright federal union. In that respect, the Atlantic convention would parallel the Philadelphia convention at which the U.S. Constitution was framed in 1787.

Sen. Eugene J. McCarthy (D., Minn.) introduced the still-unsuccessful Atlantic resolution in the Senate in 1965 and again last year. Its specific purposes included the creation of an Atlantic Union delegation of 18 distinguished Americans to organize and participate in a meeting with similar delegations from the other NATO states. The convention's objectives would be "a declaration that the eventual goal of their states is to transform the Atlantic alliance into a federal union; a tentative timetable for the transition to this goal, and the creation of interim democratic institutions to hasten the process of integration."

One of Senator McCarthy's rivals for the Democratic presidential nomination, Vice President Humphrey, describes himself as one of the sponsors of every measure aimed at convoking an Atlantic meeting since 1949. "We stand at the threshold of a new age," Mr. Humphrey has declared, "an age which all of us around the Atlantic basin . . . can open by working together, freely yet effectively, toward man's final liberation around the world."

Gov. Nelson A. Rockefeller of New York has been an Atlantic Union champion for several years. "The time has come," he declared two years ago, "for us and our Atlantic allies to take the leadership by appointing a preparatory convention of delegates to work out answers."

Former Vice President Nixon is another of the Atlantic Union advocates. "It is fitting," Mr. Nixon told the House Foreign Affairs Committee a year and a half ago, "that the United States, the world's first truly federal government, should be a main force behind the effort to find a basis for a broad federation of free Atlantic nations."

The most recent convert to the Atlantic Union view is Sen. Robert F. Kennedy of New York. "To fail to study this concept (of Atlantic Union)," Senator Kennedy declared this spring, ". . . would be to turn our back on the lessons of history."

The Atlantic Union concept was first advanced by Clarence K. Streit, a veteran U.S. journalist and correspondent at the League of Nations, in the days before World War II. Mr. Streit argued that the world's democracies, by pooling their resources, could have averted both the war and the German and Japanese aggressions that precipitated it. After the war, Mr. Streit refashioned his views and proposed that the North Atlantic Treaty Organization become a foundation on which to build.

In all he has written on the subject, Mr. Streit has been influenced by the similarities between today's world and the American states before the adoption of the Constitution. They had fought and won the Revolutionary War together, but their failure to establish a federal government during or immediately after the war had sown the seeds for the Union's eventual disintegration. Only under the Constitution did they achieve true unity.

The unanimity with which the five principal contenders for the presidency support the Atlantic Union resolution now before Congress ought to give some long-overdue impetus to its consideration.

DE GAULLE WEAKNESS SHOWS THROUGH FRANC

HON. EDWARD J. DERWINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. DERWINSKI. Mr. Speaker, a very penetrating analysis of the adverse impact of the recent French domestic turmoil written by Eliot Janeway, the distinguished international economist, appeared in the Chicago Tribune July 8.

Mr. Janeway's article includes interesting commentary on the parallel between the errors of De Gaulle and the errors of President Johnson:

DE GAULLE WEAKNESS SHOWS THROUGH FRANC

(By Eliot Janeway)

PARIS, July 7.—Devaluation is getting to be a household word around the world. It is traveling with student unrest and with violence in city streets. The new politics of activism has gone so far that it has brought the new economics of inflation to Paris.

The recent strategy which won President Charles de Gaulle his landslide victory at the polls is history. But the new strategy behind his decision to matriculate in the school of the new economics is making history.

Money is not important to the young alienates who are the carriers of the social revolution of our time, and so it necessarily becomes a minor consideration for establishmentarian politicians who resolve to bridge the generation gap by appeasing student power. Young protesters on the streets don't care about the cost of winning their moral and political objectives. Old compromisers dealing with them across the barricades cannot afford to give arithmetic a veto over expediency, as de Gaulle has just discovered to his dismay.

Only a few months ago, de Gaulle dominated the world of international finance. The consensus he commanded was comprehensive. On his right flank he deceived Johnson's Washington by bullying it into appeasement of his claim that the franc was strong—hence the regulatory curtailment of private dollar outflow. On his left flank, he deceived Mao's Peking by gulling it into accepting the same fate—hence the fiasco of China's effort to deal in the franc as if it were an international currency.

PERPETRATED BY DE GAULLE

But de Gaulle's masterpiece of deception was that which he perpetrated on himself. As he moved to put the entire world back on the gold standard, he fell for his own propaganda that the franc was strong. The only proof he thought relevant or necessary was France's admittedly impressive accumulation of gold reserves.

De Gaulle took his gold buildup as the measure of French economic strength. He did not realize that France was accumulating economic weakness and political jeopardy with each ounce of gold he took out of circulation. Nor did he suspect that the moment his political instability surfaced and his economy was crippled, he was to suffer a hemorrhage of gold losses.

At the height of de Gaulle's effectiveness, he developed a devastating critique of the fatal mistake Johnson made by diverting America's resources from her cities, where they were needed, to Viet Nam, where they could not be used. At the height of his plausibility, he put forward a noble vision of France uniting Europe into a third force committed to peace and capable of mediating between the two belligerents and maintaining a balance between them.

But, overnight, de Gaulle has destroyed his international effectiveness, as a critic of America, and he has lost his international plausibility as the leader of a third force that could be counted on to deal from strength with America and her communist challengers. He has blundered into the same trap which is responsible for Johnson's political trouble, and for America's money distress: He went adventuring abroad as a political strongman without first securing the strength of the domestic economic base. Now Americans can understand his weakness, while communists can exploit it.

WEAKNESS MEASURABLE

France's weakness in the wake of her general strike is easily measured, and its spread is easily watched. The most reliable guesstimate of her loss of real capital reserves in the six weeks when money poured out across her borders and imports poured in past customs toll gates left unmanned by the strike, is 2 billion dollars. All income was cut off for the duration of this flight of cash into foreign custody and hard goods. Consequently, French business is left without working capital and de Gaulle's Bank of France is manning the printing presses in a race to put business back in the black and enable de Gauule to make good his promises to cut labor in on any profits left over after the new wage increase and taxes are paid.

The franc, like Caesar's wife, was supposed to be above suspicion. Now it's going the American way—as if Caesar's wife had become one of the girls.

THE POOR WANT JOBS

HON. JAMES V. SMITH

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. SMITH of Oklahoma. Mr. Speaker, now that the spectacle of Resurrection City has disappeared from the shadow of the Lincoln Memorial, and many of its residents have been packed off, chanting, to jail, many of us have been wondering, what, if anything, was accomplished by the so-called Poor People's Campaign.

We witnessed disruption of the normal business of Government, public buildings being besieged, and our Nation's Capitol under mob rule. We also witnessed some of our leading public officials, including the Attorney General, insulted and accused of being hardened to the plight of the poor and jobless in our country.

As well, we heard demands made for immediate action in many areas, including a guaranteed annual wage for those who fall within the Johnson-Humphrey administration's category of poverty striken.

I think however, that a leading paper in Oklahoma, the Tulsa Tribune, should be commended for a recent editorial which dispels another myth about the Poor People's Campaign, and its demands. I am including a copy of this fine editorial in my remarks for the RECORD. I am glad that the Tribune has provided a fine public service in bringing this information to the general public.

The editorial follows:

THE POOR WANT JOBS

Another political myth bites the dust. George Gallup, in his most recent national poll, finds that given a choice, an overwhelming majority of America's poor prefer guaranteed work to guaranteed income.

Gallup's findings should have considerable impact upon a budding national debate. President Johnson has a commission studying the guaranteed income issue. Sen. Eugene McCarthy has endorsed it and the policy committee staff of the Republican Governors Conference has suggested it as a solution to poverty.

A Lou Harris poll of more than a year ago found a majority of poor Americans favoring a guaranteed annual income without work, but the affluent majority opposed it. In light of the Gallup poll, it is now clear that poor persons prefer a federal income without working for it only if there is no alternative.

When Gallup asked a cross-section of Americans of all walks of life whether they favored a guaranteed income without work, 60 per cent of all whites said they opposed it and 66 per cent of all nonwhites said they favored it.

When these same Americans were asked whether they favored guaranteeing every employable wage earner enough work to earn $60 a week, 77 per cent of the whites favored it and so did 86 per cent of all non-whites.

A significant factor in the poll involves those earning less than $3,000 a year. In this group, 48 per cent favored income without work, 45 per cent opposed it and seven per cent were undecided. On the issue of guaranteed jobs, 83 per cent favored it, 16 per cent opposed it and one per cent had no opinion.

Gallup has put his finger on another of the things we "know" that are not so. His poll should jar those economists, politicians, industrialists and leaders of the Poor Peoples March who gave up on the American dream in the name of poor Americans who are still dreaming it.

It is not enough, however, to take comfort in the continuing high aspirations of a majority of 29 million citizens who are members of families earning less than $3,000 a year.

If it is jobs they want, it is jobs the country must provide. If the private sector cannot absorb their willing hands then the government must. Failure to do so is the surest way to plunge into a system of guaranteed income without work. That kind of system in a work-oriented society could turn the American dream into a nightmare for us all.

FNMA AUCTIONS PROVIDE A MARKET BAROMETER

HON. RICHARD T. HANNA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. HANNA. Mr. Speaker, a keener sensitivity to conditions in the mortgage market has been one of the side benefits of recently implemented weekly auctions in which the Federal National Mortgage Association buys mortgages in the secondary market. As the following article indicates, the auction approach in which prices are set in unfettered competition, reveals quite accuratey the true state of the market.

The fact that the auction prices are sensitive to and reflective of changes in the mortgage market in indicative of something more fundamental. It is indicative of the fact that the Government is no longer "making the market" by pegging prices at unrealistic levels. It shows that forces in the marketplace, faces of free competition are now determining prices in the secondary mortgage market.

I commend the following article to the attention of my colleagues:

GOVERNMENT AUCTION FORETELLS LOWER MORTGAGE INTEREST RATES

(By Joseph R. Slevin)

A sensitive new barometer quietly is signaling that better things are ahead for the homebuilding industry.

The word it is passing is that builders and homebuyers will be able to get mortgage loans more cheaply and more readily next year than they can now.

The glad tidings are being flashed by a novel auction that the Federal National Mortgage Association launched two months ago. The FNMA buys mortgages and the weekly auction prices tell whether lenders expect money to be tight or easy in the future.

Confirmation of the FNMA barometer's easier money signal will be a profoundly important development for the entire U.S. economy. A shortage of mortgage money will push homebuilding into a damaging recession during the next six months. Government forecasters contend that the homebuilding dip will have to give way to a renewed upturn by early 1969 or a nationwide recession will hit all industries, across-the-board.

The crucial mortgage market turn came a week ago Monday. Interest rates fell at the regular FNMA auction after having risen from one new peak to another in each of the previous bidding sessions. Last Monday, they fell again. The evidences that the eagerly awaited move toward easier money is underway.

FNMA President Raymond H. Lapin credits the enactment of the $16 billion tax and spending package for the interest rate turnaround. Mortgage rates and other borrowing costs had been climbing relentlessly because worried lenders figured that a severe credit crunch was in the offing. But enactment of the tax bill means that fiscal policy will be used to help check the inflationary boom and the Federal Reserve System will be used to help check credit control reins.

"We've at least turned the corner; we've stopped the darned thing," Oliver Jones, Senior Director of the Mortgage Bankers Association declares. Jones played a key role in designing the new auction system after President Johnson tapped Lapin to head the FNMA last summer.

Just before the tax bill passed, lenders were bidding to sell new home mortgages to FNMA in June 1969 at a bargain-counter rate of 93.98 cents on the dollar. By last Monday, their confidence had improved to the point where they were unwilling to let their future mortgages go for less than 95.34 cents.

Each of those prices has a matching interest rate. At the final pre-tax bill auction, the mortgage lenders estimated they would have to collect a record 7.05 per cent a year on next June's mortgages but by last Monday they had trimmed their interest rate demand to 6.89 per cent.

Government economists will keep close tabs on the weekly auctions from here on out. They hope the mortgage loan rate will continue to fall. The lower it goes, the more likely it will be that builders will start a large number of new homes next year.

Money will not solve all of the homebuilding industry's problems, of course. Construction wages are climing rapidly. So are building materials prices, land costs, and the prices of finished houses.

Many people will have to settle for much smaller homes than they would have bought had it not been for the skyrocketing building costs.

But the word from the FNMA auctions is that contractors will be able to borrow money to build houses and their customers will get the mortgages they will need to buy the expensive finished homes.

CULVER COMMENDS FORMATION OF FAIRBANK TOWN-COUNTRY TEEN CLUB

HON. JOHN C. CULVER

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. CULVER. Mr. Speaker, I would like to commend and express my support for the young people of Fairbank, Iowa, who recently organized a town-country teen club. This is the kind of youth activity which should be publicized.

I have always thought it unfortunate that the small minority of young persons who engage in unlawful or irresponsible conduct are the ones who capture all the headlines, because I certainly do not believe that they are representative of their generation. I have visited every high school in the Second District, and these visits have reconfirmed my opinion that these are the most highly motivated, best educated, and concerned young people in our history.

I was, therefore, very pleased when the Oelwein Daily Register reported in detail the formation of the Fairbank Town-Country Teen Club. Here a group of Fairbank teenagers energetically attacked the problem of too much spare time and no place to go. With the help of the people of Fairbank they acquired club facilities where they can enjoy themselves in a responsible way. Now they are working hard to improve "their place," and they are being strongly supported by the townspeople in this effort. Of interest too, is the inclusion of a counselor's room in the club facilities so that those who have a problem can if they wish discuss it with an adult.

I strongly support this program and extend it my most sincere wishes for success. For those who wish to inform themselves in greater detail about the club, I recommend the following article which appeared in the Oelwein Daily Register on Thursday, June 27:

FAIRBANK YOUTH TO OPEN CLUB

(By Earl Davis)

FAIRBANK.—"It all started when five or six of us kids were sitting around downtown talking about the fact that we had nothing to do, and no place to go. . ." commented the recently elected first president of Fairbank's newly organized Town-Country Teen club Patty Leehey.

Patty's a 16-year-old, who, like many Fairbank teenagers, wants to get something done, and along with several other youths and city policemen James Schooley and Don Arnold, they did something about 'nothing to do.'

The group met Wednesday night in the gymnasium at Immaculate Conception school to set dates and schedules for opening the recently acquired Teen clubrooms donated by Bentley Chevrolet located above the auto dealer's present business in Fairbank.

The second story facility will be paid for out of membership dues set at $5. No rent will be paid, only utilities and operational costs which will be paid out of the club's funds, that to date, are made up of donations from Fairbank businessmen who want to see the youths get the program off the ground.

Officers who will handle management and pay the bills include president, Miss Leehey; vice president Debbie Bieger, 15; secretary-treasurer Mike Miller, 15; and, recorder, Patty Joyce, 17. The officers were elected at a meeting of the Fairbank youth after the original members met with the town's mayor, James Curley, members of the clergy, and adult townspeople, and after they sent out verbal word concerning the "idea" they planned to pursue.

"Everybody's behind us in this effort," Mike Miller stated. "The whole town sort of laughed at first, but when we actually began to solicit and get donations, and after Bentley's gave us a place to hold dances and have a place to go and recreation, they quit laughing and began to pitch in and help," Patty Joyce said.

The Town-Country Teen Club actually consists of a 64 x 20 room where officers plan to install a pop cooler, juke box, pool tables, and a place to dance. They have received word that different musical groups from throughout northeast Iowa will donate their talents to help the youths get started.

A bake sale has been planned by the club members for Friday night, June 28, at the Legion hall, and a car wash has been set for Saturday, June 29, at the Fairbank Texaco, all to help raise funds to improve existing club accommodations.

Also included in the club room will be a counselor's room, planned for anyone who might have a problem and who wants to "talk about it" with an adult.

"The adult in this case will be the Rev. LeRoy Joesten who has helped us plan all this," commented Patty Joyce.

Do they anticipate any trouble from either within the town or outsiders who practice crashing parties?

"Not really," City Police officer James Schooley stated. "But we will handle it as it comes along. If a fight starts, we'll be there and the kids will be sent to the counselor. If it's too serious, the courts will handle it."

The youths have worked hard to find a place for themselves in their own town; a place to go that is theirs, and something they are doing to keep themselves off the streets and out of trouble.

GEORGIA POWER CO. NUCLEAR POWERPLANT NAMED IN HONOR OF EDWIN I. HATCH

HON. FLETCHER THOMPSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. THOMPSON of Georgia. Mr. Speaker, one of the foremost citizens of the congressional district I have the honor to represent is Mr. Edwin I. Hatch, president of the Georgia Power Co. Recently, the Atlanta Rotary Club in its regular bulletin pointed out that Georgia Power Co. had named its $150 million nuclear powerplant in honor of Ed Hatch who is a Rotarian. It was the fourth such plant of the Georgia Power Co. to be named in honor of former presidents of the company.

Editor Hubert F. Lee, of Dixie Business magazine, saluted this acknowledgement of Mr. Hatch in a recent issue of his magazine. So that others may read of the outstanding record of this fine businessman, I insert in the RECORD the résumé of Mr. Hatch which was carried in the recent issue of Dixie Business:

EDITOR'S WHIRLIGIG: HATCH GOES NUCLEAR

Georgia Power Company has announced a $150 million nuclear power plant to be named the Edwin I. Hatch Plant, in honor of Rotarian Ed Hatch, now president of the company. There are Jack McDonough, Bill Mitchell, and Preston Arkwright plants, each named in honor of former presidents of this great institution. Ed has come fast in his climb to the top. Our congratulations.

Edward I. Hatch, President of Georgia Power Company announced on June 29, 1967 the company's nuclear plant.

When the plant was named for him in January, Rotary in Atlanta hailed the news with enthusiasm . . . as few men have had an atomic plant named for them.

It was just half a year and 25 ago that Physicist Enrico Fermi did a few Ben Gilmer calculations on a 3-inch slide rule and announced to the 41 scientists.

"The reaction is self-sustaining."

In a squash court on Stagg Field in Chicago, the atomic age was born.

The investor owned utilities early saw great possibilities for putting the new energy into use.

Harllee Branch, Jr. a pioneer in the Nuclear research field, was a member of a commission appointed by Georgia Governor Marvin Griffin in 1956, while President of Georgia Power Company.

We join Editor Chet Covey in saluting Ed Hatch for Going Nuclear.

GUN HYSTERIA

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. RARICK. Mr. Speaker, several interesting reports have appeared following the gun hysteria epidemic which I feel our colleagues will find of interest in deciding whether we are considering an effect or a cause.

I include the Herald of Freedom for June 28, 1968, and the Life Line for July 5:

POLITICAL ASSASSINATION

Now that another one of its manufactured "heroes" has been gunned down by a "lone assassin" the International Communist Conspiracy can be expected to make political hay while gullible Americans are "clamoring" for stronger gun controls. The American public, completely at the mercy of the communications media which dote on the Kennedys, has been bamboozled into thinking that "stringent gun controls" which stop the "insane traffic in guns" will solve all our problems of lawlessness and violence.

Although Robert Kennedy has followed his brother John to a martyr's grave, his death does not confer "instant sainthood" upon him. We hope we will be spared such suggestions from the members of the clergy who think involvement in "civil rights" agitation automatically makes one a saint, provided the door to Heaven is opened by an assassin's bullet, a "lone" assassin, that is.

John F. Kennedy has been quoted as saying: "I came into politics in my brother Joe's place. If anything happens to me, Bobby will take my place and if Bobby goes, we have Teddy coming along." At the time this seemed to be a joke, but now, horribly, it has come to pass, and we have still another Kennedy to work for "the dream of a better world," to be built up into a "hero" to the downtrodden masses.

In an article in the N.Y. Times Magazine of June 16, 1968, William V. Shannon writes of John and Robert Kennedy:

"They were heroes. Is heroic accomplishment a signal to the assassin, an intolerable affront to the envious and the foolish and the broken-minded? . . .

"Now Edward Kennedy stands alone. . . . The Kennedy political heritage is an immense endowment. But Ted may also be heir to his family's tragic fate.

"Will he draw upon himself the psychotic hate and envy that struck down his two brothers?"

So there we have the picture the powers that be would like to paint of the assassinated Kennedys . . . heroes struck down by an assassin filled with "psychotic hate and envy." What Mr. Shannon fails to mention is that the alleged assassins of both Kennedys derived their psychotic hate (if they were indeed filled with it) from Communist propaganda and indoctrination and not from jealousy or envy of the Kennedy heroes. Lee Harvey Oswald was definitely not a "loner" and, as evidence concerning Sirhan Sirhan mounts, he seems to have been accompanied by one or more companions in the various acts attributed to him. Both assassins were pro-Castro, pro-Communist and anti-American.

Another "loner" who was filled with "psychotic hate" struck down non-Kennedy hero, Martin Luther King; but now he too has been apprehended and Canadian authorities are checking into the "conspiracy" possibilities as his get-away was just too smoothly planned for a man of James Earl Ray's limited mentality. All those fictitious names he used were real Canadians who resembled Ray . . . who supplied the names and information concerning them as well as the money he needed to live and travel to Europe? It all boils down, therefore, to the fact that in all probability not one of these hateful and hate-filled assassins committed his dastardly deed as a loner" but rather as part of a conspiracy.

The preferred explanation for the shooting of Robert Kennedy is that the assassin was a Christian Arab who was inflamed because of Bobby's pro-Israel stand, condoning violence there while deploring it in Vietnam. However Mayor Sam Yorty let the cat out of the bag when he held a news conference, carried live over TV, in which he stated that Sirhan had been inflamed by Communist propaganda and had written in his notebook that he was in favor of Communism of any kind—Chinese, Russian or any other. Of course, Mayor Yorty has been pounced upon from all sides, court orders, talks with the President of the U.S. and the Attorney General of the U.S., and warned not to talk about the case any more.

During his news conference Mayor Yorty added the information that the car owned by Sirhan had been observed parked outside buildings where meetings of the Communist DuBois Clubs were being held. The reporters attending the News conference seemed to prefer to believe that this did not necessarily prove that Sirhan was attending those meetings but more open-minded persons might feel that there might be some reason to believe that he was indeed inside the buildings near which his car was observed.

One building which housed a pro-Castro meeting had an observer on the INSIDE, however, and he identified Sirhan as one of the participants. Jose Duarte, an exiled Cuban army officer, told a news conference that the incident occurred about two weeks prior to the Bobby Kennedy assassination. Duarte quoted Sirhan, whom he recognized from newspaper photos, as stating at this meeting "What we need in the United States is another Fidel Castro." (Little did Sirhan realize that he was killing the man who could have become just that.)

Duarte and a number of other anti-Castro Cubans attended this meeting which took place May 21 in a mansion on Amesbury Road in the Hollywood Hills. The host was identified by Duarte as Robert Laemmle, 32, who stated that the meeting was of a neighborhood Peace and Freedom Party club. Duarte stated that he and his friends attended the meeting which was advertised in a handbill. Since it seemed to be pro-Castro, they wished to present the opposing viewpoint. When Duarte started to make an anti-Castro speech, however, Sirhan reportedly became very angry and accused him of being a CIA agent. A pro-Castro film was shown with comments favorable to Castro, and a collection was taken up for someone called "Newton."

An article in the Santa Ana (Cal.) Register of June 12, 1968 states:

"Detective Sgt. Roy Anderson of the Oakland Police Department said that 'Newton' was Hughie Newton, 26, president of the Black Panther Society, who is being held in the county jail awaiting trial for first degree murder in the shooting death last November of Patrolman John Fry."

Running for the office of U.S. Senator from New York on the Peace and Freedom Party (a local unit of which held the above meeting) ticket is Herman Ferguson, recently convicted of conspiracy to murder two "moderate" Civil Rights leaders, Whitney Young and Roy Wilkins. It was brought out at his trial that Bobby Kennedy was also on the assassination list drawn up by Max Stanford, head of the Communist Revolutionary Action Movement (RAM) of which Ferguson was a member.

That Sirhan "practiced, plotted and lay in wait" was indicated by the following headline in the Los Angeles Times of June 14, 1968: "Plotting by Sirhan Indicated in Testimony to Grand Jury"—"Transcript Made Public. . ." The article stated:

"A fireman told of seeing Sirhan follow Kennedy when he walked through the Ambassador kitchen on his way to a rally in the hotel's Embassy Room.

"And a kitchen porter told how Sirhan had waited in the kitchen, nervously asking the porter, three or four times, if Kennedy planned to exit via the same route. . . .

"Henry Adrian Carreon, a college student and playground director, said that when he saw a man he identified as Sirhan about noon June 4 at the San Gabriel Valley Gun Club, Sirhan had already fired 300 or 400 practice shots. . . .

"His testimony indicated Sirhan was practicing getting off his shots very rapidly. . . .

"Vincent Di Pierro, a student and part time waiter at the Ambassador, gave the grand jury a dramatic account of the shooting, of Sirhan's struggle to escape afterward—and of the good-looking girl he saw talking with Sirhan earlier. . . .

"Pressed for details of the girl in the polka-dot dress (with Sirhan), Di Pierro said:

" 'I would never forget what she looked like because she had a very good-looking figure—' . . .

"Ira Goldstein, 19, a newsman, who was also wounded, said he thought the sound of the shots were 'balloons popping.' Goldstein testified:

" 'I stepped over Irwan Stroll, who was just hit. . . . Then the fifth or sixth bullet did make contact . . . Then I staggered over to a chair. . . .

" 'And the first thing I said was, How is Sen. Kennedy? What happened to him?'

" 'And this woman walked by, and she said to me, "How dare you talk about my husband that way," and she slapped me across the face.

" 'And I said, "I am sorry, lady, but I was shot, too. I'd like to know how the senator was—or is."

" 'And she said, "Oh, I am sorry, honey," and kissed me. This was Mrs. Ethel Kennedy.' "

An article in the Star Ledger (Newark, N.J.) of June 17, 1968 stated:

"The Saturday before the assassination of Sen. Robert F. Kennedy, his alleged killer, Sirhan Bishara Sirhan, walked into the Lock, Stock 'n Barrel Shop on (sic) suburban San Gabriel.

"The proprietors of the gun shop, Ben and Dona Herrick, say there were two men with him.

" 'There were three guys, all dark and small, Herrick, 42, declared. . . .

"The receipt from the sale that afternoon—$3.99, including tax, for four boxes of .22 caliber bullets—was found in Sirhans car near the Ambassador Hotel after the shooting. . . .

"Mrs. Herrick declared that she also remembered an earlier visit to the store, about a month and a half ago, by Sirhan—again, she said, with the same two men.

" 'There was no sale on the first trip,' she said. Mrs. Herrick said the men asked whether the shop carried amour-piercing .357 magnum ammunition. . . .

"According to the receipt that was found in Sirhans car, two of the boxes of .22s were 'minimags.' . . . They usually split off in different directions upon impact."

A N.Y. Times story (June 7, 1968) stated:

"Police Chief Thomas Reddin said he had not excluded the possibility that more than one person was involved in the killing. In the bulletin transmitted to law-enforcement agencies the Los Angeles police said they wanted to question a Caucasian female. . . .

"Miss Sandy Serrano, 20, a co-chairman of Youth for Kennedy in the suburban Pasadena-Altadena area, told officers that just after the shooting she had seen a woman of that description run out of the hotel exclaiming triumphantly, 'We shot him! We shot him!'

" 'Who did you shoot?' she asked the woman.

" 'We shot Kennedy,' the woman answered, according to Miss Serrano."

Sirhan Bishara Sirhan, the alleged assassin, was born in the Musrara Quarter of Jerusalem in the sector which became Israeli after 1948. The father had worked for the British but lost his job when they pulled out of the territory. The family had to flee to the Arab sector when the Israelis took over and lost all of its possessions in so doing. The father found no work and the family lived in squalor, finally appealing to the pastor of the Lutheran Church of the Saviour in the Old City for help. This church provided for them and allowed the children to attend the church school. In 1957 the Sirhans moved to the United States reportedly under the sponsorship of the United Nations Relief and Works Agency which paid part of the expenses of the move. The mother and father separated and the father returned to Jordan. Since 1964 he has lived in Et Taiyiba in Israeli-occupied Jordan and reportedly has earned his living in recent years by selling small articles from house to house. He makes and sells charms and amulets and lives in a comfortable new house, enjoying the income from adjoining farm lands.

The father is quoted on June 7, 1968 as stating, "If my son did it, he deserves his fate. I always have had such deep admiration for the Kennedy family."

However, a UPI dispatch from Jerusalem, appearing on June 10, 1968, tells a different tale and the elder Sirhan is quoted as stating: "It's Kennedy who was to blame for what happened. It was his tongue which led to his assassination." The dispatch continues:

"The elder Sirhan also said he is now sure the shooting 'was carried out entirely on my son's initiative and alone.' Earlier he had said his son had been 'put up to' the assassination. The father told newsmen that a friend just back from the United States changed his mind and 'put things straight for me.' "

This same article contained some interesting (if true) information concerning Sirhan Sirhan's brother. It stated:

"In Cairo, the semi-official Middle East News Agency MENA said Sunday night in a dispatch from Baghdad that the accused killer's brother Soliman has been arrested months ago by the Iraqis as an Israeli spy.

"The MENA dispatch quoted Iraqi sources as saying Soliman was arrested near the Jordanian border while carrying maps of Iraqi military airports. The dispatch said Soliman was handed to Jordanian authorities because he allegedly was connected with a spy ring uncovered in Jordan. It said the ring was still under investigation."

Former classmates and neighbors of Sirhan Sirhan were questioned by newsmen in an effort to learn something of his background. One classmate was quoted as stating: "He was brilliant. He was studying Russian when everyone else was barely getting by in Spanish and English." Another reportedly stated: "He dreamed of being something big in Jordan after his studies in the United States." A friend described his mother as "a lovely Christian woman who did her best to get the boys to come to church—without much success."

Although described as a "Christian," the alleged killer of Sen. Kennedy asked for two books after his imprisonment. These were "The Secret Doctrine," by Helena Petrovna Blavatsky and "Talks on 'At the Feet of the Master' " by Rev. Charles Webster Leadbeater. Both of these books are on theosophy, a pantheistic form of ancient Gnosticism. Madam Blavatsky was a Russian-born mystic, founder of the Theosophical Society. The work of Madam Blavatsky was carried on by Annie Besant who was also active in the Fabian Socialist Movement. Theosophy rejects most Christian doctrines and beliefs.

Sirhan had come to the attention of the police before the Kennedy incident. The Washington, D.C. Evening Star of June 6, 1968 stated:

"An investigator with the Los Angeles district attorney's office today said he was told by Pasadena police that Sirhan Sirhan had been taken into custody last December, but declined to provide the reason or charge.

"Pasadena police said they had a 'red flag' file on Sirhan, indicating he had been booked previously. . . .

"There was also a notation that Sirhan complained he was the victim of a disturbance in 1963, and other notations indicated that in 1932 and again last March Sirhan was a suspect in disturbance of the peace cases (Russell) Stone (a Pasadena policeman) said."

After the shooting of Robert F. Kennedy, President Johnson lost no time in appointing his favorite device—a commission. Kennedy was still alive when the President faced the nation on TV with a sober statement at the end of which came the announcement of the commission which he had been able to select in the short space of time since the shooting of Kennedy:

"This nation and its people have suffered grievously from violence and assassination.

"For this reason, I am appointing, with the recommendation of the leadership of the Congress, a commission of distinguished Americans to examine this tragic phenomenon.

"They are: Milton Eisenhower, Sen. Philip Hart, Congressman Roman Hruska, Archbishop Terence J. Cooke, Rep. Hale Boggs, Eric Hoffer, Judge Leon Higginbotham, Mrs. Patricia Roberts-Harris, Albert E. Jenner Jr. and Rep. William McCulloch.

"The commission will look into the cause, the occurrence, and the control of physical violence across the nation—from assassination motivated by prejudice, ideology, politics and insanity to violence in our city streets and even in our homes."

In case anyone doubts what the recommendation of the "commission" concerning guns will be, they have but to read their papers and magazines and listen to radio and TV. Guns must go, using the salami technique, of course. First register them—the confiscation comes later, but not too much later in this case, we fear. In our country the enemy (International Communism) already is well established in positions of power, with an external army waiting in Cuba for the signal to move in. This is what happens when the enemy moves into a country where all guns are registered:

"When the Germans came (into Holland) in 1940 they immediately seized the gun registration records and then called on each holder of a gun, demanding his gun by serial number and description according to the registration records under penalty of instant death should it not be brought forward and surrendered within seconds. They not only took the country without any resistance but kept it also without any resistance . . . ."

However, our "representatives" in Washington have not waited for the "commission" to make its recommendations. They can't wait to disarm us, so let us note who is taking the lead. An AP dispatch from Washington states:

"Ten senators introduced yesterday a compulsory firearms registration and licensing bill that goes far beyond the gun control legislation sought by President Johnson.

"Sen. Joseph D. Tydings (D-Md.) chief sponsor of the bill, told the Senate he also will ask for a Congressional investigation of what he called the gun lobby. . . .

"Joining with Tydings in sponsoring the bill . . . are Sens. William Proxmire, (D-Wis.), Daniel B. Brewster, (D-Md.), Jennings Randolph, (D-W. Va.), Jacob K. Javits, (R-N.Y.), Clairborne Pell, (D-R.I.) and Stephen M. Young, (D-Ohio).

"Also Sens. George Smathers, (D-Fla.), Walter F. Mondale, (D-Minn.), and Vance Hartke, (D-Ind.)"

President Johnson is not just working on the national level, he has "instructed his aides to get in touch with the National Governors Conference, the Council of State Governments and the Special Committee of State Attorneys General to prepare for follow-up action by their legislatures." The N.Y. Times article which contained this information (June 16, 1968) also stated:

"In addition, the President was said to have asked Defense Secretary Clark M. Clifford and his science adviser, Dr. Donald F. Hornig, to check the progress in a two-year-old Government research program on ways of detecting concealed firearms in public places.

Scientists have been examining the feasibility of developing machines that would record the peculiar profile of guns but not other metalic objects and of requiring a special alloy in the manufacture of weapons to make such detection easier."

For those who had planned to hide their guns when registration and confiscation come along, take note that methods devised to detect firearms in public places can also be used on private places.

One of the arguments used to influence the American public in favor of "gun control" is that "strict gun control is practiced abroad." This is America, however, and our system of government (on paper, anyway) is better than those of the countries "abroad." We have rights, not privileges granted by the government, although they are rapidly being taken away from us by an all-powerful federal government. We must see that our right to bear arms is not taken away if we wish to save our country from the conspiracy which threatens to destroy it.

Obstacle of Credibility: Gun Control Amid Uncontrolled Riots?

There are many obstacles facing advocates of gun control these days. The main ones are credibility of argument in a moment of barrel-hot emotion.

They'll have to convince a wary portion of the populace that gun control isn't a step toward confiscation of weapons. The next obstacle will be the average Joe Citizen who won't want to give up his gun or register it as long as permissiveness and riots are the disorders of the day. It seems hardly the time—even while remembering recent assassinations—to take away a man's last means of defense when the next uncontrolled riot may be only moments away.

Then, too, who is to say that after gun control that "gun-running control" won't be necessary? Prohibition days showed how government means to a social end became government-inspired social upheaval. You couldn't drink the hard stuff, so the lawless sold it by the barrels and used the money from the sale for $500 suits for themselves and $100 bribes for lawmen.

As for the subversive elements, they have long realized that one easy way to take over a country is to disarm its citizens. When called on to fight, Joe Citizen has not only long since forgotten how to point a gun straight, he wouldn't have one to point. Anyone who has ever studied Communists and the way they do things knows that the Reds would like to know where each and every firearm weapon is stashed and who has it. Registration fits in the Communist plan of things like a beard did on Marx's face. As for those who still say there is no Communsit menace—well, the Communists had nothing in 1917 and now they've got a third of the world's population, a fourth of its real estate, and have cornered the market in barbed wire enclosures and sentry stands. Anyone who diminishes communism's role in the world is uninformed or a subversive.

Of course, this is not to say that everyone who wants guns registered is uninformed or a subversive. But some of the misinformation that is part and parcel of gun control talk these days surpasses the uninformed and outdoes the subversive.

First of all, what are we talking about? About keeping guns from people who shoot them at other people—and the fact is that this cannot be done. We can—it is hoped—minimize the number of deaths-by-firearms.

With what kinds of control? At whose expense? At that of the man who turned his gun in, only to be shot by a burglar who invades the man's home intent on breaking the law? At the price of the tears of a widow whose husband was shot to death resisting a robber, or rioter, who robbed the man's store? If there were no guns for the populace, only for the outlaw who bought weapons from the Mafia, how long would it be before the Mafia would see the profit potential in selling weapons to storeowners? To homeowners?

So, the "no-guns-at-all" idea is—considering human nature—obviously unworkable, but it has been suggested by an ivory tower type who was loose in Dallas recently. He said shooters could check out their guns at the shooting range. American society isn't ready for the "no-guns-at-all" type legislation and perhaps the ivory tower types are living in the future in which man will be able to behave himself at all times. Aggression control is the answer, but a far-off one.

Aside from legislation already passed (barring mail-order sale of handguns) and that which is forthcoming (ending interstate sale of rifles and shotguns), the only kind of legislation left is registration and licensing, background checks of would-be gun owners and, as has been suggested, written and ability tests for gun owners.

Any and all of the latter might diminish the amount of gun deaths, but their implementation would be ineffectual if not applied uniformly; i.e., by federal law. Proponents of such a law accurately state that a state with loose gun laws would get all the gun business from neighboring states with stringent rules.

The problem here runs straight from the firing to the law bench. Along the way, there are some statistics that cast doubt on the supposition that more laws will cause fewer deaths.

Would registration be unconstitutional? The Second Amendment says "A well-regulated militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." In an era of legal technicalities-gone-nuts and Supreme Court decisions that have made this a government of men, not laws, what chance does the Constitution have? The Supreme Court ruled in the 30's that the Amendment was dealing with a "militia"—not the people. The activist Supreme Court will rule however it pleases, while the intent and English of the Amendment is ignored. Few doubt how the Court would rule on this matter.

Figures found in the *Statistical Abstract of the United States*, published by the U.S. Dept. of Commerce, don't exactly make the case for stringent gun control. New York state has tough gun legislation known as the Sullivan Law, but New York's total crime rate per 100,000 population for murder, robbery and aggravated assaults in 1965 was 185.4. Texas has nothing like a Sullivan Law and its crime rate for the same categories is 186.7. Idaho's gun laws aren't strict either; its rate for 1965 was 68.4. California, with strict control, had a whopping 260.9 rate—same crimes, same year. Somehow, such information doesn't end the argument. Is it because the figures aren't uniform, or that metropolitan areas can't be compared with rural areas (N.Y. & Idaho), or is this too emotional an issue for rational thought? The latter seems to be the case. The question that should be asked is: What is the truth of the matter? Instead, people talk about gun control without facts and damn anyone who seems cool.

U.S. Rep. Cornelius Gallagher of New Jersey wants gun legislation: specifically, proof of age and baring of background of gun purchasers. He does not like the contention that states without gun laws and licensing have crime rates no higher than states which do. "We hear," he said in the U.S. House of Representatives June 11, "so much about the problems of the cities. We hear also of the better conditions in rural areas, where most city problems do not manifest themselves. Yes . . . we find, by the gun association's own admission, that there is every bit as much crime in the pastoral areas as in the seething ones. How can they explain that?"

Rep. Gallagher's contribution to confusion is thus seen in its extensive glory.

There are Congressmen who are caught up in the emotional deluge following the killings by an ex-convict and a Pan-Arab nationalist. It is widely known, but seldom repeated now, that the alleged killer of Senator Kennedy broke California laws to kill the Senator. Both killers could get guns anytime, under any situation.

Efforts to put better gun control laws on the books have inevitably followed incidents such as the killing of a president, a Negro leader, a U.S. Senator; but prior to each horrible occurrence, there was no furor for gun control.

Emotion seems to be the prime mover of rush legislation. In the heat of the moment, no one has shown that in 1930, 6,995 Americans died by firearms and explosives. Between 1940–1960, the figures dropped, ranging from 4,179 to 4,655. In 1965, according to the *Statistical Abstract*, the figure had dropped from the 1930 level of 6,995 to 6,158. Population rose in the same period from 122.7 million to 194.5 million. The gun control advocates could say gun legislation kept the death-by-firearm figure down; the others could trot out their crime rate-per-100,000 figures to support their belief.

Meanwhile, the emotion and misinformation, the half-truths and untruths continue to swirl about and confuse—even as Congress considers more legislation. The Associated Press added its bit by releasing death-by-firearms figures for the week of June 17–23.

Gun legislation may be badly needed, but the advocates ought not attempt to prove their case amid confusion. During this period of intense feeling following the recent causative incidents, the other side will be heard with derision or not at all. *Time* magazine's article on gun control stands as an example; nothing the NRA says makes sense according to the unnamed persons responsible for *Time's* attack. There is but one side—*Time's*.

What must be kept in mind is that the rush toward gun control now—however good its intent—is mis-aimed. To take guns away from all or to cause licensing and registration for all, because of the horrible aggressive tendencies of two men, is childish.

The evidence isn't all in yet.

RT. REV. MSGR. JOHN P. BOLAND

HON. RICHARD D. McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. McCARTHY. Mr. Speaker, one of the most beloved and outstanding priests in the State of New York, the Right Reverend Monsignor John P. Boland, died on June 31 in the rectory of St. Thomas Aquinas Church in Buffalo.

Monsignor Boland was famed throughout the State and country as a great mediator in labor disputes and was the founder in 1938 of the Buffalo Diocesan Labor College, one of the finest labor schools in the country. He was best known as the "labor priest" and worked tirelessly during his life to further the application of moral principles to labor disputes. He was the first chairman of the Labor Relations Board of New York State, founded in 1937, and at the time of his death at the age of 80, was still a member of the Labor Mediation Board of New York.

My wife, Gail, and I have a special affection and regard for Monsignor Boland who, on a cold day in February 1957, performed our marriage ceremony.

The Buffalo Evening News published an excellent obituary about Monsignor Boland and his many accomplishments which I would like to share with my colleagues. The obituary follows:

MONSIGNOR BOLAND RITES WEDNESDAY—A PIONEER IN LABOR RELATIONS

Msgr. John P. Boland, PA, who gained worldwide fame as "the labor priest," was pronounced dead at 1:35 Sunday afternoon after a fire enveloped him in the second-floor study of St. Thomas Aquinas rectory.

Msgr. Boland, 80, who had been in a wheelchair most of the time for the last 10 years, was reading a newspaper in the rectory study, 450 Abbott Rd.

Police reported he apparently lighted a cigar after his nurse, Mrs. Margaret A. Talty, left the study to get his lunch. The cigar ignited the paper, a blanket and his clothing.

When Mrs. Talty returned to the room, she eased the priest to the floor and smothered the flames.

Medical Examiner Earl K. Cantwell pronounced Msgr. Boland dead and issued an accidental death certificate.

The Fourth Degree, Knights of Columbus, and the St. Thomas Aquinas Holy Name Society will provide a guard of honor for the body which will be in the St. Thomas Aquinas Rectory until tomorrow afternoon.

At 4 tomorrow afternoon, the Office of the Dead will be chanted as the body is moved to the church. It will lie there until 10:30 Wednesday morning when a Concelebrated Mass of Requiem will be held with Auxiliary Bishop Pius A. Benincasa as the principal celebrant.

The Rev. Eugene E. O'Loughlin, pastor of St. Thomas Aquinas Church, will celebrate a Mass for the parish at 7:30 Tuesday evening.

A PIONEER IN FIELD OF LABOR RELATIONS

Msgr. Boland, a pioneer in the newly developing field of modern labor relations in the 1930s, also was a devoted parish priest, serving as pastor of St. Thomas Aquinas until his retirement in October 1967.

He was the first chairman of the New York State Labor Relations Board.

Msgr. Boland is survived by four sisters, Mrs. Mary A. Kelleher, Miss Elizabeth C. Boland, Mrs. Nora Short of Palm Springs, Calif., and Mrs. Anna M. McCall of Miami, Fla., and a brother, Thomas J. Boland.

Another brother, Division Chief William J. Boland of the Fire Department died Jan. 6, 1957, after being overcome by smoke at a fire that damaged the former Curtiss-Wright plant in Elmwood Ave.

Msgr. Boland had been in poor health for many years and was often hospitalized.

But each time—to the relief and amazement of his many friends—he rallied, recovered and left the hospital bed to resume his duties as pastor of the South Buffalo parish he headed for 17 years.

Msgr. Boland, a member of the State Board of Mediation at the time of his death, spent years of effort in pursuit of more amicable relations—based on justice—between employer and worker.

He left behind him many monuments, some in concrete and stone, others in the hearts of the community and the men who knew and loved him.

FOUNDED LABOR COLLEGE, KNOWN THROUGHOUT NATION

One was the Buffalo Diocesan Labor College, which he founded in 1938. One of the best known "labor schools" in the country, it is dedicated to promoting the application of moral principles to the many facets of collective bargaining.

The school has educated hundreds of area trade unionists and management representatives in a score of subjects ranging from public speaking to grievance handling.

Msgr. Boland, who became director emeritus of the school when health and pastoral duties made it necessary, received the Founder's Award from the school at its 20th anniversary dinner Dec. 8, 1958. On that occasion, the Most Rev. Leo R. Smith, VG, late auxiliary bishop of Buffalo, observed:

"Many honors have come to Msgr. Boland—but none equal to the regard in which he is held by the workingman."

That comment well might be the epitaph of the kindly man who was known to all as "Father Boland" and "the labor priest."

In 1961, Msgr. Boland's observance of the 50th anniversary of his ordination was highlighted by a reception at which the Diocesan Labor College presented a plaque and its "Man of the Year" award to him.

Msgr. Stanley A. Kulpinski, director of the college, said of Msgr. Boland:

"Here is an idealist. Here is a man with vision, one of the few who foresaw harmonious labor-management relations 20 years before they materialized."

FRIENDS CONSTRUCT SHRINE DEDICATED TO ST. JOSEPH

Another proof of the high esteem in which his labor-management counsel was held stands on the parish grounds of his church, St. Thomas Aquinas, at Abbott Rd., and Athol St.

It is the $10,000 outdoor shrine erected in 1952 by a group of friends from both sides of the bargaining table who call themselves the Father Boland Foundation.

Formed in July 1950 to perpetuate the name and work of Msgr. Boland, the foundation conceived the idea of the shrine dedicated to St. Joseph the Carpenter. It was built by area building trades unions, who contributed the labor, and contractors who supplied the equipment without cost.

The shrine includes impressive marble figures of St. Joseph, patron of the workingman, and the young Jesus learning the carpenter's trade.

The shrine for many years has been the site of the annual outdoor Labor Day Mass, another idea which originated with Msgr. Boland and spread to several states and Latin American countries. It is believed that the annual Labor Day Mass in Buffalo was the first such observance in the Western Hemisphere.

GAVE UP PARISH DUTIES TO BE FAMED ARBITER

When it was dedicated, the shrine was described as a "symbol to labor and management to work together for the good of all"—an aim which underlay much of Msgr. Boland's career.

A slender, scholarly priest, Msgr. Boland relinquished his parish duties in July 1937 to take over the No. 1 spot in the state's newly-setup machinery for smoothing labor disputes, and went on to gain international recognition as a labor arbiter.

In June 1942, Herbert H. Lehman, then governor, reluctantly accepted Msgr. Boland's resignation as chairman of the Labor Relations Board so that he could return to his parish work.

However, at the governor's insistence, the priest remained at the helm of the board until the end of that year, dividing his time between parish work and settling labor disputes.

"He has been such an unusually valuable public servant that I very much hate to see him go," commented Gov. Lehman at the time. "He has the full confidence of both employers and workers. His associates love him and admire him and follow his leadership without question. We have been particularly fortunate in this state during the past several years in maintaining industrial peace. I do not know of anyone who could possibly take his place."

METHOD WAS TO MAKE DISPUTANTS TALK IT OVER

His services were not lost to the state, however. In 1947, Gov. Dewey named him to the State Mediation Board, and in 1961, Gov. Rockefeller re-appointed him.

A friendly little man with merry eyes, thinning gray hair, a sharp wit and an arsenal of good stories, Msgr. Boland, who as a boy carried a dinner pail to his father at work on the docks, always insisted that there was "no magic" about his successful labor arbitration or mediation.

His formula, although he was reluctant to discuss specifically his manner of operation, was to get the disputants to sit down together, talk it over and like it.

Students of the famed Papal encyclicals on social justice everywhere often remarked that the priest's insistence on such conferences were a fulfillment of the Vatican's chief aim regarding labor disputes.

"It is not a science at all," Msgr. Boland used to say of labor arbitration, "although perhaps it is an art. It merely requires that the arbitrator or mediator be strictly neutral and alert

"It sometimes requires that the neutral man interpret—in middle-of-the-road language—the things that the employer and employe are saying to and about each other. As they say it, it is sometimes appallingly contradictory."

TOOK PART IN ESTABLISHING "MAJORITY RULE" PRINCIPLE

Msgr. Boland's fame as an arbiter who got results was so widespread that he once was the subject of a lengthy magazine article in Chile. The article pleased him because its theme was—"A Catholic priest, appointed by a Jewish governor, arbitrating labor disputes in a Protestant state."

Msgr. Boland had been a parish priest 22 years and was pastor of St. Lucy's and St. Columba's Churches when summoned to the SLRB post. Before his appointment, however, he had been director of the National Labor Relations Board in the Buffalo area from April 1934 to June 1937.

In his connection with the local National Labor Board he was responsible for two of its best-known decisions one having to do with the duty of employers to bargain with unions representing their employes (the Hall Baking Co. case) and the other involving the principle now generally accepted that the representative of a majority of the employes in a given plant or shop is the exclusive representative of all the employes including those who have not joined or do not intend to join the union (the Houde case) This latter is known as the basis of the "majority rule" in industrial elections.

"We hold together that opportunities for employment should exist for all, always, whatever the color of our skin, whatever our racial or national origin, whatever our creed," Msgr. Boland once told an interviewer.

"No man can enjoy the blessings of a satisfying standard of living if one man suffers from their loss."

FOUNDED ST. ANTHONY'S PARISH IN LACKAWANNA

Msgr. Boland was born April 27, 1888, in Buffalo, one of a family of nine children.

His early education was received in St. Brigid's School, St. Joseph's Apostolic School, Watertown, and St. Bonaventure University.

He was ordained June 10, 1911, in Rome, after receiving the degree of doctor of divinity from the Urban College of Propaganda at the unusually early age of 23.

Although his career took him to all parts of the world, he returned eagerly each time to his native city. When he celebrated the 50th anniversary of his ordination in 1961, he told friends, "I love Buffalo in a limitless way, with all my heart."

He was a friend of Msgr. Nelson H. Baker of Lackawanna and was one of the honored guests in 1961 at dedication of Lackawanna's Father Baker Bridge.

After assignments at Blessed Sacrament Chapel (adjoining St. Joseph's Cathedral in Delaware Ave.), St. Brigid's, Buffalo, and St. Anthony's, Lime Rock, N.Y., he founded in 1917 St. Anthony's Italian parish in Lackawanna.

Two months later he became pastor of St. Columba's Church. He became pastor of St. Thomas Aquinas Church on his retirement from SLRB duties in 1942.

In June 1951 the parish dedicated its new church which cost more than $500,000. It is one of the finest structures of its design in the nation.

Msgr. Boland's activities were not confined to labor arbitration and parish work. Shortly before a serious illness in 1953—from which it was feared he might not recover—he returned from Europe where as a personal representative of His Holiness Pope Pius XII he spent more than eight months supervising relief work among the needy in war-stricken areas.

Before the guns of World War II were silenced, Msgr. Boland spent eight months in 1944–45 in war relief work in Europe.

ACTIVELY PARTICIPATED IN MANY ORGANIZATIONS

In 1947, at the request of Gen. of the Army Douglas MacArthur, he spent six months in Japan, as a consultant to labor organizations of the defeated country.

It was while in Europe that he had the rare privilege of being named a monsignor and domestic prelate by the Pope personally. Usually, such honors are announced in the home diocese of the priest being honored. Msgr. Boland had several private audiences with the Pope and when he left Rome to return home he carried with him the Pontiff's blessing for his parishioners at St. Thomas Aquinas.

He received the high ecclesiastical rank of prothonotary apostolic on Feb. 22, 1954.

At various times in his career, Msgr. Boland also served as a judge of the diocesan matrimonial court, diocesan director of hospitals, vice president of the National Catholic Industrial Conference and professor of labor relations at Fordham University, New York City.

He also was founder and a past president of the Western New York Hospital Conference and founder of the Catholic Study Club of Buffalo. He was a chaplain of Emergency Hospital, trustee of the Catholic Hospitals Association of the U.S. and Canada, former president of St. Bonaventure Alumni Association, former vice president of the Catholic Industrial Conference and head of the Propaganda College Alumni in the U.S.

Three institutions honored Msgr. Boland with honorary doctor of laws degrees—St. Bonaventure University, Manhattan College and Hobart College.

He earned degrees from the Urban College of Propaganda in Rome, including doctors of philosophy and canon law.

In 1948, he received an unusual honor for a Catholic priest when he received the decoration of the Order of William of Orange from Queen Wilhelmina of the Netherlands in recognition of his relief work for the children of Europe.

PROLIFIC WRITER ON LABOR AND LENTEN SUBJECTS

Msgr. Boland also was active in the Knights of Columbus, Knights of Equity and many other social and church organizations. A master of several languages, he also was a prolific writer. He wrote editorials for the Diocesan Catholic labor paper and often contributed editorials to the Catholic Union & Echo, the diocesan weekly.

His works also included The Ethics of Wages, Labor Relations and the Papal Encyclicals, Can Industry See Eye to Eye With Labor? Catholic Philosophy of Labor, Government Speaks to Labor, Encyclicals and Legislation, and several Lenten series of social action sermons, which were used as guides by other priests.

The manuscript of a biography of Msgr. Boland has been completed under auspices of the Father Boland Foundation.

The foundation in recent years has honored the "labor priest" by presenting, in his name, cash gifts to D'Youville and Canisius Colleges and the University of Buffalo for scholarship use to aid deserving students.

PARKS NEED PEOPLE

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. LONG of Maryland. Mr. Speaker, the Jeffersonian newspaper, edited by Mr. August Maher, recently published a thoughtful editorial on the need for accessible recreational parks. I would like to share this fine editorial with my colleagues as follows:

PARKS NEED PEOPLE

During the summer, we look forward to enjoying the beauties of nature and wildlife in the world around us. It may be bird-watching, a drive through the woods, a row across the lake or a walk along a nature trail.

The beauty of our natural resources and our wildlife is almost lost when they are too remote from many people who are locked out by distance.

The average American does not travel for vacations more than 500 miles from his home, if that far, according to the Outdoor Recreation Resources Review Commission Report. Further transportation improvements may extend this: 11 per cent may go 500 miles; 6 per cent, 750 miles; 17 per cent 1,000 miles; and 10 per cent may reach 2,000 miles or more. It seems safe to say that most of the people will never see many of the federal parks.

About a third of the national land area has been acquired by the federal government down through the years, and the government continues to acquire more land supposedly for recreational purposes rather than develop the land it already owns.

Great emphasis has been placed on preserving vast roadless wilderness areas in the West. None of us would argue with the preservation of certain areas outstandingly superior in scenic quality and beauty. However, proper balance in land use policies would give appropriate weight to the factors of accessibility and availability. For example, a vestpocket park in a congested city may make more sense than tremendous remote acreages beyond the viewing horizon.

Let's develop local recreational areas, oriented to people.

INDEPENDENCE DAY SPEECH, JULY 4, 1968

HON. NICK GALIFIANAKIS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. GALIFIANAKIS. Mr. Speaker, each year, on the anniversary of the Declaration of Independence, a unique commemoration is held in Siler City, N.C. It is unique in that town, with a population of less than 5,000 residents, traditionally plays host on this occasion to some 20,000 patriotic Tar Heels. This impressive outdoor event, sponsored by the Siler City Jaycees, is a display of Americanism that is gratifying to witness.

I believe my colleagues will share with me the thought that these dedicated Jaycees of Chatham County should be honored with a very special tribute, because despite the fact that the July 4 event was "rained out" this year for the first time in 20 years, these men were so determined to commemorate the anniversary of the birthday of our Nation that they rescheduled the outing for Saturday and still attracted approximately 12,000 eager North Carolinians.

It is entirely fitting that our country's birthday should be observed in such spectacular fashion in Chatham County, N.C., for it is a county richly steeped in American heritage. In documentation of this statement, I should like to insert in the RECORD the opening portion of my tribute, which I was priviliged to deliver to the Jaycees and other citizens of Chatham County last Saturday:

INDEPENDENCE DAY SPEECH, JULY 4, 1968

There is something particularly significant about our joining in an Independence Day celebration in Chatham County, for if ever a county was entitled to be called a cornerstone of our land of liberty, it is Chatham. We are standing today in what was the cradle of Independence and the crib of Democracy.

By reason of geography alone, it is fitting that we should gather in Chatham County to sing freedom's praises, for the seat of government of this county lies equidistant between two of our state's focal points of history . . . Halifax and Charlotte.

It was in Halifax on April 12, 1776, that North Carolinians adopted the first formal canstions of American Independence. And it was in Charlotte on May 20, 1775 that the first Declaration of Independence in the colonies was signed.

But in addition to the incidental fact that it squarely straddles the line between the sites of the Halifax Resolves and the Mecklenberg Declaration of Independence, Chatham has much more to commit it to a place of prominence in history.

It was in Chatham that the Regulators—meeting in Rocky River Church—lifted the torch of liberty and talked of freedom in the new nation. It was in Chatham—on a July day in 1781—that Fanning's Tories rounded up Whig leaders to hear the articulate spokesmen of this dream of freedom. It was in Chatham that Cornwallis camped en route to Yorktown and the defeat that made July 4 a day to celebrate. It was Chatham which furnished—from its iron works near the Mount Vernon Springs Post Office—munitions for the Revolutionary War. And it was in Chatham—just south of this very site—that a democratic reformer and leader in the war of the Regulation named Herman Husband tilled the land that comprised his farm.

From the seeds of liberty planted in Chatham grew men of greatness, and genuine patriots. Men like Captain Johnston Blakeley—hero of the War of 1812, and James I. Waddell—commander of the famous Confederate cruiser Shennandoah. . . . These men called Chatham their home . . . and by their valor and sense of duty, they enriched this history and this heritage.

Yes, it is appropriate that we should celebrate the anniversary of our nation's independence here, and I am honored to be able to join you in paying tribute to the courage and the determination and the sacrifice of those early American patriots.

Doesn't it just fill you with pride to commemorate an occasion as fraught with meaning as the Fourth of July? This is what America is all about!

Yet, there are some who say that expressions of love and country are out of date . . . that the dream of real freedom is dead. Don't you believe them, my friends, because *it simply is not so!* Despite the sad song the crooners of catastrophe are so fond of singing, there is infinite greatness in our land.

In 1776, here in Chatham and across the thirteen colonies, men fought to make our country free. And today, in 1968, men still dream . . . men fight . . . and men die to keep America free . . .

ACTIVITIES OF THE FEDERAL CROP INSURANCE CORPORATION IN ILLINOIS

HON. GEORGE E. SHIPLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. SHIPLEY. Mr. Speaker, it is notable that the farmers of Illinois are making twice the use of protection offered by the Federal Crop Insurance Corporation of the U.S. Department of Agriculture than they were 5 years ago. Latest figures show that the premium amount FCIC-insured farmers paid in 1967 was more than double the amount they paid in 1962.

Moreover, I am advised, this represents an increase in the amount of protection of even more than double, because in recent years coverages have been raised on some crops in some localities so that today in Illinois, as nationally, the average farmer carrying this all-risk Government insurance is getting more protection for his premium dollar than he has ever received before.

At present nearly 6,000 Illinois farmers in 69 counties carry nearly $15 million in Federal crop insurance protection on almost 10,000 separate crops of wheat corn, oats, and soybeans.

Illinois is one of the fortunate States where crop production has been rather consistently good, FCIC officials report. Even so, there have been a number of years in which loss payments to FCIC-insured Illinois farmers have exceeded premium payments during the same year. Although these payments do not nearly equal a normal crop's value, they still brought the farmer's income to an amount approximately equaling his investment cost, thus allowing many to stay in business the following year who otherwise might have been forced out by bankruptcy or excessive debt.

During the last quarter century, FCIC losses paid in Illinois have been 38 percent for freeze, 18½ percent for damage by insects, over 16 percent for damage from excessive moisture, more than 14 percent for flood, and the remaining 13 percent for a variety of other unavoidable causes of loss.

Nationally, FCIC reports, the scope of its program has more than doubled in the past 6 years so that today more than a third of a million farmers in 39 States carry more than $900 million in protection on 25 separate crops.

Over the last two decades, the FCIC people report, all losses have been paid out of premium income with a slight margin to spare—95 cents paid in loss payments for every premium dollar the insured farmers have paid in.

Considering today's very high financial risks in farming, the increasing need farmers have for protection against weather disaster, and the increasing use farmers are making of their FCIC policies for collateral support of bank credit it appears that this program is supplying our farmers a beneficial service and one whose value will be even greater as costs of farming and farmers' need for more credit-capital continue to increase.

THE REIGN OF LAW AND THE REIGN OF POLITICS

HON. JOHN M. ASHBROOK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. ASHBROOK. Mr. Speaker, the nomination of Justice Abe Fortas to succeed Chief Justice Warren in the top spot of the Nation's highest court has understandably caused concerned opposition in Congress. Not since President Roosevelt tried to "pack" the Court back in 1937 has there been a more blatant attempt to use Court appointments to serve distorted ends. It is indeed ironic that membership to the High Court is by appointment and not election in order to secure its independence from the political structure for the heavy hand of political cronyism is quite apparent in the last two nominations. If the reign of law is to be preserved and not made subservient to the reign of politics, steps are clearly in order to insure the selection of qualified but objective appointees to these highly sensitive positions.

Just how much the situation has deteriorated can be judged by the record of the man who has been slated to head our High Court. Rev. Daniel Lyons, editor of Twin Circle, has briefly sketched the background of Justice Fortas in his column which he has entitled, "Fortas and the Court." Some of the material for the column was extracted from U.S. Senate hearings back in 1955, "Interlocking Subversion in Government Departments—the Harry Dexter White papers—part 30."

Under the circumstances, is it any wonder that recent Court decisions have raised a hue and a cry from concerned individuals and organizations especially in the area of law enforcement. Perhaps the idea of a Federal Constitutional Convention is not as extreme as some would have us believe if future Court decisions are as radical as some recent judgments.

I insert in the RECORD at this point the column, "Fortas and the Court," by Rev. Daniel Lyons, editor of Twin Circle:

FORTAS AND THE COURT

(By Daniel Lyons, S.J.)

There has been considerable apprehension in Washington, particularly among Republican congressmen, about the appointment of Abe Fortas to succeed Earl Warren as Chief Justice of the United States Supreme Court. Mr. Fortas succeeded Arthur Goldberg to the Supreme Court in 1965, in the 50-year-old tradition of having one Jew on the Court. It has also been traditional to have one Catholic and seven Protestants.

Fortas votes consistently with the liberal majority, and it is obvious why the President appointed him. He is nineteen years younger than Warren, and Johnson hopes to set the policies of the Court for the next twenty years.

Many of us share the apprehension, not because Mr. Fortas is a Democrat, but because of his lifelong affiliation with Leftist groups and individuals. His most famous law case was defending Owen Lattimore. He was a close friend of Harry Dexter White. No one in the United States had more to do with the betrayal of China to the Communists than White and Lattimore. White was a member of the Communist Party for much of his life. He committed suicide when he was finally exposed by Elizabeth Bentley as an espionage agent for the Soviet Union for many years. He sabotaged the sending of $1 billion which Congress appropriated to help Nationalist China against the Communists. Yet when he was appointed Assistant Secretary of the Treasury, two years later, Mr. Fortas wrote to White that his appointment was "completely deserved" and would "strengthen the Government considerably." White expressed "deep satisfaction" at the letter. (Cf. Interlocking Subversion in Government, S. R. 58, part 30, page 35.)

Over the last 25 years, Fortas has belonged to a host of Leftwing organizations. He was on the national committee of the International Juridical Association, which had many Communist Party members, e.g. Lee Pressman, Joseph Brodsky, Nathan Witt, Leo Gallagher, and David Bentall. This organization was characterized by the House Committee on Un-American Activities as an organization which "actively defended Communists and consistently followed the Communist Party Line." It was an official offshoot of the International Labor Defense, cited by the Attorney General as the "legal arm of the Communist Party."

The International Juridical Association was succeeded in the Communist hierarchy by the National Lawyers Guild. The leadership of the two organizations interlock significantly. Fortas was a member of the national executive board of the National Lawyers Guild, which was cited by the U.S. Attorney General as subversive.

While a professor at Yale, Fortas was on the board of the American Law Students Association, part of the American Youth Congress. This organization was also cited by the Attorney General as subversive. It was an affiliate of the United States Peace Committee, which was part of the Communist-controlled peace front. Its letterhead was printed by the Prompt Press, a regular printer for Communist Party literature.

Fortas was also a member of the Washington Committee for Democratic Action, which did so much to defend various Communist Party members, and whose meetings were addressed by such well known Communist leaders as Elisabeth Gurley Flynn, Lee Pressman, and Doxey Wilkerson.

Early in his career Mr. Fortas was brought to work for the Securities and Exchange Commission by William O. Douglas, now on the Supreme Court, who has long been known as an admirer of Moscow and Peking and opposed to anti-Communism. It was Chief Justice Warren who assigned Fortas to handle the famous Gideon case before the Court.

When Lyndon Johnson won his first primary election for the Senate by a margin of 87 votes in 1948, a Federal judge forbade putting Johnson's name on the November ballot until an inquiry could be conducted concerning the charges of serious irregularities. The Federal Court of Appeals upheld the order, but Abe Fortas came to the rescue. He got Hugo Black of the Supreme Court to override the Federal Judge, an astonishing instance of one judge taking a case into his own hands with the U.S. Supreme Court in recess. Fortas has continued to serve his client ever since. It was he who drew up the trust agreement concerning the $20 million financial empire of Lyndon Johnson while he serves as President, an empire that was built up during his career as a government official. Reports that his wife inherited a substantial sum of money are grossly exaggerated.

Fortas was also attorney for Johnson's close friend and assistant, Bobby Baker, the former page boy who abused his influence as an aide to Johnson to become a millionaire. When another of Johnson's aides, Walter Jenkins, was picked up on a morals charge, it was Fortas who had the charges quashed. But the news leaked out, and both the Baker and Jenkins cases were national scandals. Fortas also helped to organize the Warren Commission.

In the last 20 years the Supreme Court has taken unto itself far more power than it ever had before. No wonder people are apprehensive about the appointment of a man to be Chief of Justice for the next 20 years or so, whose past contacts and connections have cast such ominous shadows. There is little about his record to indicate he understands what Communism or Communist subversion is all about.

A STEEL IMPORT QUOTA: THE REASON WHY

HON. JAMES G. FULTON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. FULTON of Pennsylvania. Mr. Speaker, it is a pleasure to place in the

CONGRESSIONAL RECORD the following article "A Steel Import Quota: The Reason Why," which was published in the June 1968 issue of Greater Pittsburgh, the publication of the Chamber of Commerce of Greater Pittsburgh.

Originally part of a speech delivered by R. Heath Larry, executive vice president of United States Steel Corp., this excellent article was called to my attention by Kenneth F. Maxcy, chairman of Steel Producers of Pennsylvania whose letter accompanies the article.

Because I feel this statement will be of interest to my colleagues in the House of Representatives, as well as the American people, I am placing it in the CONGRESSIONAL RECORD, as follows:

STEEL PRODUCERS
OF PENNSYLVANIA,
Pittsburgh, Pa., June 26, 1968.

Hon. JAMES G. FULTON,
Rayburn Building, Washington, D.C.

DEAR MR. FULTON: We have been asked by many people like yourself for more information on the effect of the flood of imported iron and steel throughout Pennsylvania. The enclosed article from the magazine published by the Chamber of Commerce of Greater Pittsburgh is factual, well-reasoned and decisive. It points the way toward an alleviation of this problem which will benefit every resident of the state.

Please read the article. Then, if you have not already done so, please let your Congressman and United States Senators know you urge passage of legislation designed to limit the flow of imported iron and steel.

Sincerely,
KENNETH F. MAXCY, Jr.,
Chairman.

A Steel Import Quota: The Reason Why

(By R. Heath Larry, executive vice president, United States Steel Corp.)

(NOTE.—The following are key excerpts from a speech, "Clarity Begins at Home," delivered recently by Mr. Larry to the annual meeting of the Birmingham, Ala., Traffic and Transportation Club. In it, he discusses the circumstances which have caused the American steel industry to seek quotas on steel imports. Pending legislation would limit the allowable quantity of imported steel products to approximately 10 per cent of the domestic market in any given year.)

As you know, the subject (of international trade) is of deep concern to the steel industry; for over the period from 1957 to 1967, exports of steel from the United States declined by about 4 million tons, and steel imports rose from 1.3 million tons in 1957 to a record high of nearly 12 million tons last year. In fact, imports during last November alone exceeded the total for the full year 1957. And while strike hedge buying will contribute a special glow to the domestic industry in the forepart of 1968, imports may rise even faster than in the past.

Trade trends and the national policies which influence them are today of inescapable concern to all of us. Strong emphasis was given to this fact in the President's New Year's Day message, in which he proposed drastic action to alleviate the balance of payments crisis and to shore up the dollar. This emphasis was supplemented in the Economic Report of the President.

While the "immediate action" parts of the program dealt primarily with limitations on the international movement of people and capital, and while there was a repetition of earlier opposition to enactment of quota bills such as the steel industry is requesting, I can't help but feel that these messages have paved the way for a less theoretical and more down-to-earth look at our trade problems.

One of the key points raised by Administration spokesmen who were opposing the quota bills in hearings before the Senate Finance Committee last fall was that their enactment could have the effect of limiting the dollars available abroad for the purchase of other American-made goods. That bridge has now been crossed. The Administration's program will mean fewer dollars abroad. That was its purpose.

Second, free movement of money and people is as fundamental to pure free trade theory as is the full movement of goods.

Third, there was heavy emphasis in these messages upon the fact that notwithstanding the Kennedy Round tariff reductions, other nations of the world still abound with nontariff barriers and taxation schemes which serve both to protect their own markets and encourage their exports.

Fourth, there was full recognition that regardless of what may have been contended for our trade balance in the past, it must be improved.

Now the fact is that efforts to remedy the situation with respect to non-tariff barriers and to redress the imbalance resulting from these taxation schemes are not likely to produce quick solutions. Nor is it likely that the competitive stance of American goods in our own and other world markets can be improved quickly enough to achieve a significant improvement in our trade balances.

With these factors in mind, I must say that I don't understand how it can now be argued that there is less justification for invoking stop-gap measures to keep our trade balances from worsening than there is for taking allegedly stop-gap measures with respect to the flow of capital. Three additional points add support to the steel industry's contentions.

The future trend of steel trade has special relevance to our national balance of payments; the net negative effect of the decline in exports and the rise in imports in steel since 1957 already totals over a billion and a half dollars. In 1967 it was almost one-third of the size of the balance of payments deficit of $3.6 billion.

The domestic steel industry also has obvious special relevance to the country's economic and military strength.

A quota approach need not raise any greater threat, in terms of "retaliation," than some of the activities already being embraced by the Administration, particularly if the thrust of the quota, as in steel's case, would be little more than to assure the domestic industry of its recent share of the market, plus a similar portion of the future growth.

One criticism of a quota limitation is that it tends to induce a sense of complacency with respect to the uncompetitive factors in the cost picture which gave rise to the need for the quota in the first place. But the steel approach is not so oriented; rather it provides that its limitation would be subject to review after five years, during which time, hopefully, the roots of the problems could be influenced, and during which there could be encouraging changes in the economic trends which have harmed steel's international competitiveness in recent years.

The change of trend most vitally needed is, of course, a change in the direction of the principal cause of today's inflationary pressures: i.e., wage costs. Steel, as a heavy user of labor, offers one of the more dramatic illustrations of what can happen when a domestic industry's wage structure gets pushed too far out of line with those prevailing in competing nations. And the problem is not one of lagging efficiency.

To illustrate, American steelmakers use about 13 manhours per ton of product, while their closest competitor, Japan, averages 16 or 17. But since Japan's steel employment costs for wage earners were only $1.08 per hour in 1966, while the U.S. average was $4.63, the net result was about a $40-per-ton labor cost advantage for Japan—an advantage not offset by higher costs of raw materials. With this comfortable edge in costs, Japanese steelmakers have offered a price advantage here in this country—so great that any general attempt to meet it would have represented financial folly.

Furthermore, although the companies in the steel industry are, and have been, spending heavily, both for research and for upgrading their plants with the most advanced technology, generally such technology is so universally available to those who have the capital to acquire it that a technological "leap forward" sufficient to overcome a 4 to 1 hourly employment cost disadvantage doesn't unfortunately appear to be something right around the corner

In other words, there is just no way to avoid the urgent need to try to improve the clarity of national thinking about the ultimate relevance of more digestible wage trends to an improvement in our trade balance. As initial steps in the pursuit of greater clarity, let us bring to mind three important considerations:

First, neither the steel industry—nor the Steelworkers Union—nor any other industry or worker group with similar problems—dares assume that sanctioning of quotas would offer a permanent solution. A quota can provide prompt assistance when it is most needed—but the competition of lower wage economies simply must be faced eventually if American producers and their employees are to compete successfully against producers of similar products, and their employees, elsewhere in the world.

Second, this problem of non-competitive wage levels is not a problem which applies only to Steelworkers or employees of other manufacturers who have a problem of import penetration.

The third, and perhaps most important, is that higher rates of wage inflation abroad can be dangerously misleading; any union which uses them to rationalize failure to respond to the competitive needs of the economy, or of its industry, is pursuing a false hope and a dangerous course.

What has happened in steel will serve to illustrate the problem. In the decade since 1957, Japanese steel industry hourly employment costs rose percentagewise almost 2½ times as fast as ours—but by the end of the decade, the dollar difference in their favor didn't narrow at all—it actually widened by 85 cents. In other words, since their percentages are operating on a base of less than one quarter of ours, even if their wages rise at triple the percentage rate that ours do, it would take until 1976 before the disparity between the respective rates began to decline.

These considerations strongly suggest that if any real progress in improving the international competitiveness of the American economy—and particularly of its most vulnerable industries—is to be made, the trend line of hourly employment costs may, for a while at least, have to do better than merely come down to parallel the trend line in national productivity. This is the target toward the Council of Economic Advisers keeps pointing; but the wage trend line may indeed need to lag behind.

Winston Churchill once observed that, "Nothing so quickens the mind as the feel of the hangman's noose around the neck." We must hope that a new clarity of thinking about wage trends and labor power can soon begin at home, before the noose of international pressures draws too tightly. If we, in America, will not learn from example, then we are foredoomed to learn in a much harsher school—that of experience. And that means at great cost. Britain offers us a clear lesson of what can happen when a nation's goods are not sufficiently cost-competitive in the world market.

Faith and hope we still have; may they

help us on toward the clarity of economic thinking we need—for our posture today in the markets of the world simply cannot improve until this clarity begins at home.

Where our steel imports come from, 1967

	Percent
European Common Market countries [1]	42.3
Japan	39.0
Great Britain	7.1
Canada	5.5
Rest of world [1]	6.1

[1] Belgium, Luxembourg, France, West Germany, Italy, Netherlands.

Hourly employment costs in steel industry, 1966

United States	$4.63
West Germany	1.88
Belgium	1.97
France	1.55
Italy	1.69
Luxembourg	2.04
Netherlands	2.08
Japan	1.08

CONGRESSMAN RICHARD D. McCARTHY CALLS WORLD TRADE AN INSTRUMENT OF PEACE

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. DULSKI. Mr. Speaker, my home city of Buffalo, N.Y., and the Niagara Frontier were hosts recently to 31 foreign diplomats during the observance of World Trade Week.

The event was sponsored jointly by the Buffalo Area Chamber of Commerce, the U.S. Department of Commerce, the New York State Department of Commerce, the Western New York Regional Export Expansion Council, and the Buffalo World Trade Association.

The theme of the observance was "World Peace Through World Trade," which was the subject of a very incisive luncheon address by my colleague from Buffalo, the Honorable RICHARD D. McCARTHY.

Quite properly, my colleague gave a special salute to the 150 years of peaceful relations between the United States and our neighbor to the North—Canada.

Following is the text of Mr. McCARTHY's address:

WORLD TRADE—INSTRUMENT OF PEACE

(Address by the Honorable RICHARD D. McCARTHY at the World Trade Luncheon, Buffalo, N.Y., May 24, 1968)

Buffalo, The City of Good Neighbors, is in the national spotlight today, as Western New York, one of America's greatest cross roads of international trade, adds a new international dimension to its credentials.

It is truly significant that the Canadian Mission, headed by Consul General R.G.C. Smith, is here, and I am proud that my business alma mater—National Gypsum Company is his host.

One hundred and fifty years of trading in peace with our great business partner, Canada, has developed one of History's most successful trading relationships and should serve as the pattern for the development of a new international effort for peace through trade.

Buffalo is a city with a will that knows where it wants to go—knows why—and knows the way: in art, in industry, in trade, and in peace. I say this because Buffalo is speaking its will today—I hear it speak out on a matter of great urgency, not only for Western New York, but for the nation and the free world—you in the Buffalo Area Chamber of Commerce, The Buffalo World Trade Association, The Buffalo Council on World Affairs, and the Western New York Regional Expansion Council, The U.S. and N.Y. Departments of Commerce, are affirming a concept that is too often mistaken as only a starry-eyed ideal—Too often reduced to the level of an expedient—too often dismissed as fantasy. But I hear the voice of Western New York say today that we not only believe in, but will do all we can to implement the interdependence of nations and the brotherhood of man through international trade.

"No Man is an Island," the poet said—because the fact is we are all inhabitants of a very small and a very isolated island planet called "earth." And, common sense—the radar of reason that can sense the shape of the future—tells us that the close-knit world of tomorrow will be little more than a global village, electronically united, supersonically joined.

In this tight little world—this village—it will not be so hard to see how the needs of all nations and their peoples are so closely intertwined. It will not be so hard to see how much we actually do serve each other, help each other, by trading the products of our labor and by that exchange of ideas and possibilities.

Having moved the barriers of time and distance that now blind and divide us, we will be able to see more clearly, not how every man's death diminishes us, but how every man's life can enrich our own. With a directness and immediacy not now possible, we will be able to see how the enemies of life—disease and ignorance and social and economic impotence impotence imposed by poverty, no matter where they exist—limit the fullness of our own lives.

It will be all too visible, this loss, and too great to be tolerated. Can you imagine, can anyone imagine, what this world would be like if every nation, all people, enjoyed the per capita production that we are capable of?

Then look ten years ahead, given our rate of growth and the social and economic progress of the last five years, and imagine that on a world-wide scale.

What a place this world would be! !

What a place this world will be. For we can speed the coming of that time, and the making of that place, through progressively freer trade and investment, by letting the rapidly increasing energies of men and machines find their most useful outlets through allocation by the competitive forces of a free marketplace.

This is the best way to make the most of our human and natural resources. It is the best way that we can work together on a global scale.

But I don't have to tell you about the values of international cooperation. Because Western New York is not only an international area, but it incorporates the physical and geographical ingredients of any major international crossroads—with air, water and land access to all markets of the world.

Today, as I look out from the Statler-Hilton across the Niagara, the beautiful river "Beau Fleuve" of the French voyagers, (from which Buffalo derives its name) I see a Bridge of Peace! Yes, but more than that, I see the bridge of trade that ties our two great countries into a mighty common market. For in 1967, $1.5 billion of merchandise moved into Canada through the Buffalo Customs District, and $1.3 billion of goods moved into the United States through this same district. This port ranked fourth in the nation after New York, Detroit and New Orleans in the export ratings, and fifth after New York, Detroit, Philadelphia and Los Angeles in the import ratings.

U.S. exports to Canada reached a record $7.059 billion in 1967. U.S. imports from Canada reached a record $7.099 billion last year. The Automobile Industry, free trading within the structure of the Canadian-American Automotive Trade Products Act, which I enthusiastically supported despite some opposition from this area, exceeded $1.5 billion of trade each way in the world's greatest common market.

The United States Department of Commerce, reporting in the first National Survey of the Origin of Manufactured Products, 1960, gave us the first national indicators of the Buffalo Metropolitan Area's prominent position in international trade. That year, our exports of manufactured products reached $136.2 million, which placed Buffalo in 10th place among the leading metropolitan areas of the nation.

Buffalo's unique position in international trade was crystallized in 1960, and in that year New York State led the nation with $1.417 billion in exports.

By 1965, the Buffalo Chamber of Commerce Annual Survey of exports and imports showed that exports from the Buffalo metropolitan area had skyrocketed 155% in 5 years to $350 million while U.S. exports nationally were increasing only 31%. Western New York's Position as a Crossroads of International Trade was firmly established.

Today, Buffalo is maintaining this position. During the month of March, exports through the Buffalo Customs District were valued at $137.8 million, up $13.7 million from the previous month and $5.2 million higher than March 1967 and more than the entire year of 1960.

I am pleased that Buffalo has set aside a busy week of events to celebrate its international accomplishments—and this day to highlight its ties to the World Community—ties of trade—ties of culture—ties of blood.

People who can trace their origin to 63 different nations, work and live together here in fruitful interdependence, and, significantly, the products of their labor go forth from here to as many countries—the world over.

Through the mechanism of trade, the people of Buffalo (here on America's fourth seacoast) still serve the people of lands remembered for the most part only in their genes.

I find this a most satisfying symbol of man's essential unity—and a most hopeful sign of what is to come.

The United States— and never more so than in the Administration of Lyndon B. Johnson—is irrevocably and deeply committed to the proposition that we must have economic cooperation among the peoples of the world, that progressively freer trade is the right road and the high road to harmony and prosperity for all nations.

We believe this because we have seen that it works.

We have seen it work, with spectacular success, right here in the United States—the World's first great Common Market. It worked when we were a Union of 13 sovereign states, it worked when we were 23 states, 34, 48 and I say it is working fine right now with 50.

So, your government is not supporting, nor am I proposing, any new and wild-eyed scheme for improving the world. We have seen the Laboratory for progressively freer and more encompassing trade between states and regions, and the historic experiment has worked. The proposition can no longer be considered hypothetical.

With freer trade, trading volume increases. Trading opportunities increase. The goods of the world increase. Want decreases. And our own experience here in the continental market of the United States proves it.

To abandon or even weaken the principle of freer trade, to reject its promise, would be a crushing blow especially to the developing countries of the world, many of whom are represented here today. They need desperately to develop markets for products they can efficiently produce, and they need to diversify their exports. The Kennedy Round offers them the hope of accomplishing this.

The Kennedy Round offers the developing nations the hope of gaining a little firmer foothold on the modern world.

About 70 per cent of their 1964 trade was with the developed countries involved in the GATT talks at Geneva. The Kennedy Round is the forum in which the future of their trade will be decided, and many of the developed countries have already made substantial offers that will be of great value to them if the negotiations are successful.

The United States, for one, is making very reasonable effort to accommodate the developing countries, although reconciling their demands with our own market and industry requirements is not always an easy task. Perhaps because their needs are more urgent, their perspective, particularly on such matters as orderly markets, differs from ours.

But we do recognize our responsibility to them, just as we recognize our responsibilities of leadership in the negotiations themselves.

There is also another responsibility that we recognize, a contingent responsibility. And that is the need to keep this nation in good economic shape at home, so that it can do an effective economic job abroad, and fulfill without sacrifice the obligations of leadership.

As you may have noted, prosperity has been giving us some problems lately. Let me say that I welcome the operational problems of keeping prosperity going much more than the problems of getting it started. But I assure you we are in no way trying to avoid or downgrade these problems.

As regards our international trade, the threat of inflationary pressures can be simply stated: They can price us out of world markets.

Needless to say, unless we can steadily increase our participation in those markets, freer trade is not going to be of much economic benefit to us. Of course, an even more urgent reason for being priced right is the need to halt the decline in our trade balance and improve our balance of payments.

Thanks to you businessmen, our exports in 1967 reached a record of $31.5 billion. But to maintain our current share of foreign markets is going to take a lot of doing by U.S. Exporters.

Based on sound projections, free World Trade is expected to hit $210 billion by 1975 and no less than $365 billion by the turn of the century. To maintain their share, U.S. Exporters will have to increase sales abroad by 50 per cent in the next decade and by almost 300 per cent by the year 2000.

Obviously, if United States exporters expect to do this, they must improve their research and marketing techniques.

This is a lesson I learned at National Gypsum. Would you believe that when I left there in 1964 to run for Congress gypsum wallboard was selling for a scant 25% more than it sold for the year the Company was founded—1925? And it was a much better product—all because of automation, research and technological innovation despite steadily rising wages.

I think that if we are to genuinely participate in a free trade global market, U.S. companies must improve their technological processes and have a continuing program of research into new methods of production going on.

In the next decade, the value of the exports from the United States should increase from $32 billion to $50 billion. American businessmen—in this ten-year period—will accomplish an annual rate of export that took their predecessors 200 years to attain. Aggressive new techniques will be developed to reach this objective. This challenge will develop a new breed of Management man—The International Executive—who will devise the most sophisticated marketing techniques the world has ever seen. He will successfully compete in every market of the world. He will contribute more to international understanding than will the combined efforts of the politician, the diplomat and the military.

You, who are engaged in world trade, will be continually alert to shifts in the economic currents we have talked about today—alert to the dangers as well as the opportunities. But the rewards for meeting the demanding challenges of the international trade are great, and not the least of them is the satisfaction of knowing that we are contributing to the trust and cooperation among nations that springs from trade and is the foundation for a lasting world peace.

Again, thank you for allowing me to participate in this exciting experiment in international understanding.

LETTER TO THE EDITOR OF NEWSWEEK MAGAZINE

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. UTT. Mr. Speaker, as there is not a chance in a million of having it printed by Newsweek, or by any other liberal publication, I include in the Extensions of Remarks the following letter by Pan American World Airways Capt. William B. Nash, addressed to the editor of Newsweek magazine. I believe it should have widespread circulation at this time.

The letter follows:

MUNICH, GERMANY,
June 30, 1968.

GENTLEMEN: It would be appreciated by your reading public if you did not insult their intelligence by doing their thinking for them, and if you did not slant your "reporting" to twist public opinion to coincide with your own. You can be wrong, you know, and when you are, you do great harm.

In the case of your "reporting" on the "insane" (to re-use President Johnson's Words back at him) Emotion ridden freedom-usurping, unconstitutional gun law proposals you have done great harm, because you are wrong.

If you deny that you attempt to influence the reader's opinion, what about such phrases as, in referring to the National Rifle Association: "The powerful National Rifle Association countered by *trotting out* its standard arguments." What's this "trotting out" phrase for, but to ridicule? The arguments are "standard" as you put it, because they are basic Constitutional truth, and it has been necessary to "trot them out" so often because unthinking legislators make it necessary by *constantly* driving to restrict privately owned arms, by pushing for unconstitutional legislation.

Many legislators and much news media try to deceive the public into thinking the 2nd amendment (note its order) refers to the Army, and Navy or National Guard, when it says, "A well regulated militia being necessary to the security of a free state the right of the *people* to keep and bear arms shall not be infringed". The bill of rights refers to *individual* rights, and this should be clear to anyone. The Army, etc. is provided for *elsewhere* in the Constitution. The 2nd Amendment means that the people must be left psychologically and skillfully prepared to *become part* of a well-regulated militia if such is *necessary*. President Kennedy said "our basic Civilian-military relationships, in which every citizen must be ready to participate in the defense of his country."

When the 2nd Amendment says "the right of the *people* to keep and bear arms" they mean *people*, plain as day! To pass federal gun laws which infringe on the *people's* right to keep and bear arms is unquestionable *unconstitutional!*

Registration and licensing of private arms is very dangerous for our nation. A future tyrannical government in our *own* Country could order a rapid pick-up of private arms and make citizens helpless. You, of course, do not doubt that outside enemies would keep duplicate lists by espionage. Hitler did, of France's private weapons, and picked them up in short order.

What is the *value* of registration and licensing? There is little if any. Senator Kennedy was killed with a registered gun. The assassin was close enough to have used a knife, as Asians use. A number of years ago four men with registered guns shot up Congress. They all hailed from N.Y., the City where gun laws are such that only criminals have them.

Eleven police chiefs in one county with city registration laws were asked to bring to a hearing all the cases solved due to gun registration in the last 10 years. There was *one* case, which had also been solved by other clues by another detective!

Most of the murders which occur in our nation would occur *even if guns did not exist*. The few which occur *because* guns exist, are part of the risk we must take to remain a free state. Benjamin Franklin said, "those who cannot risk a little safety for their freedom deserve neither safety *nor* freedom".

I was on the West coast when Pearl Harbor was hit. We were *sure* the coast would be invaded. We armed ourselves with anything, to fight guerrilla style. I flew searches hundreds of miles at sea with private single engined airplanes looking for the Japanese fleet. Guerrilla Warfare has *not* gone out of style. Castro sort of took Cuba with it. The Vietnam War is being fought with it. Our forefathers left us the legacy of being *prepared* to use it. Let's not dilute the works of men who just had come from beneath tyranny and *knew* what they were doing. The increase in population is not a reason to usurp the rights of the individual, nor to ignore the constitution, nor to rush emotionalized legislation through with insufficient analysis and thought.

Legislators and News Media who cannot argue with success against the logic of the NRA proceed to *Smear* the NRA, by calling them a gun lobby. They are *not* a lobby, and you know it and the smearers know it. The NRA is an organized group of *citizens*, fighting for their rights. And believe me, they represent far more people than they have members. Another deceptive trick being used is to say "the flood of mail *created by the NRA*", in an obvious attempt to nullify the value of the mail from *all* of the citizens who write in. The flood of mail is created by citizens concerned about the wanton trampling upon our Constitution and the freedoms it gives us!

Is the world in such peace that we can disarm the citizens? And that's what such laws would amount to! Is our crime rate so low and our law enforcement so efficient that we can chuck our private guns into the Ocean?

You say in your article, "alone among the major nations of the World, the United States permits its citizens almost unlimited access to guns. You could also have said, The United States is also the last bastion of real freedom in the World, and if it were not for us, freedom would *collapse* in the World!

If Americans have a strain of Violence it has been a good thing for the World. We created freedom and have saved the World twice from slavery with our "violence." Freedom does not come to aphids. No one ever *gave* freedom. It had to be *taken*, and we can't take it or keep it with a nation of men who have been raised to think guns are nasty. Get the rest of the World to stop threatening peace and freedom and I'll agree with you on gun legislation, and not until. We need have no guilt complex about individual actions. Every nation has its vile citizens. This talk of "National shame" makes me sick! Who is fostering this!? This "turn in your guns" hysteria, and toy-manufacturers-destroying-toy-gun hysteria also makes me sick.

If delicate housewives feel the need to learn to shoot and protect *themselves* the need is there. Women do not traditionally care much for guns.

Your reference to "hopeful little lobbies" springing up for gun control is more of your "pro gun-law propaganda". I suppose these "hopeful little lobbies" are compared by you to the "big bad NRA". Well the NRA consists of intelligent men, law abiding men, many of them Senators and Congressmen. Why do you call such men "militant"? Are you putting them, educated upright citizens from all walks of life in the same class with rioters? You refer to these same men as "frantic"! Are you "reporting", or "influencing" your readers?

You made a complete report on the number of letters legislators received right after Robert Kennedy's assassination, most of which were written in a state of emotion. *Now* will you please publish the 25 to 1 figure *against* any federal gun legislation, and without, please, implying it is only NRA members who are writing. It is the thinking, law-abiding citizens who are writing, concerned about the case by which legislators, Presidents, Attorneys General and what-have-you attempt to walk all over the constitution.

The decree of General Marvin Watson, not to deliver firearms without notifying the police is of questionable constitutionality as an invasion of privacy, and is being challenged. The postmaster's decree to label clearly all firearms shipments is *asking* for theft. The Air Transport Association's orders to do the same with air shipments is also asking for theft. I know; I flew air cargo for ten years. *This* is hysterical thoughtless response, and some of it typical only of police states.

You quote that British people have strict gun laws. That's correct. Like all centralized laws, the laws resulted in disarming the people. When WW II began the British populace begged for and were given, thousands of privately owned United States citizens' guns to fight with. Neither they, nor *you*, nor *I*, knew that Hitler would *not* invade, just like we did not know the Japs were too stupid to land on our helpless West Coast after they wiped out the whole Pacific fleet. Can *you*, my dear Editors give us personal guarantees that we will not be surprised again—by smarter people?

You quote other countries with tough gun laws. You left out Greece, for instance?—The people of which are slaves to a military junta? And you even hold *Russia* up to us as a good example of splendid civilian gun laws. You are right when you say no one knows how many private guns there are in The United States—and that's the way it should be and that's what the constitution provided for! Let's not dilute the work of the wise men who wrote it.

Gallup polls mean nothing when done like Gallup does them on guns. Most persons, like housewives and men of the cloth, and just persons not knowing the *value* and *necessity* of guns in a free state will respond emotionally and with insufficient knowledge. They think *any* anti-gun law is a *good* law. This thinking is also helped along by your kind of articles on the subject. A proper poll on this subject can *only* be *fairly* taken by allowing the pro-gun people and the anti-gun people each to print his reasons on the same number of pages. Equal time—which is something the pro-gun people do not get in the News Media. After reading both cases, then the person being polled can make an intelligent decision, not before. Gallup rushed a telephone poll out the day after the assassination of Robert Kennedy. He must have said to himself, "Oh goody! We'll get the results we want this time"! And calls in the middle of the day *did* find the housewives home and *did* get their tearful response to vaporize all guns. I wrote the Gallup poll about this way of taking a gun poll ten years ago. I did not get the courtesy of a reply, and he is still pulling the same tactic. We *know* what *he's* for!

Yet you quote gallup polls! Can't *you* see they are useless? Or don't you *want* to see it?

You mentioned that "the self-reliance and individual responsibility that tamed a wilderness and built a nation" is still a deep current within Americans. Well, thank God, it is! This land of the most free is still alive to *stay* that way, and help others to stay that way!

If you have the courage to print this letter—congratulations!

Yours, from an American American,
WILLIAM B. NASH,
Captain, Pan American World Airways.

P.S. I think this letter is definitely of current interest, and that it contains much that the public should hear. If you're fair you'll give it a hearing, especially after the *unfair* gun article in the June 24th Issue of NEWSWEEK. Editor in Chief, did you *read* that article before it was published?!

P.P.S. You make a point of saying that the NRA stated it can get thousands of letters sent against anti-gun laws. Do you know that the American Communists boast that they can get 500,000 letters into Congress in 48 hours? Could this have been some of the initial mail for strict gun laws? Why not? Have you any doubts that the Communists would grab such an opportunity after the major portion of something *they* would love to see accomplished has already been done for them, by foolish legislators?

EXTREMISTS ON GUNS

HON. JAMES H. SCHEUER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. SCHEUER. Mr. Speaker, I would like to take this opportunity of introducing into the RECORD the following items from the New York Times. They indicate what both the extreme left and the extreme right think about gun-control legislation and should give all of us some food for thought:

EXTREMISTS ON GUNS

(NOTE.—The following are excerpts from statements and articles by officials of various ultra right-wing and left-wing groups on the subject of guns and gun control legislation. They were cited last week by the Anti-Defamation League of B'nai B'rith in a report entitled "Extremism, Violence and Guns.")

THE MINUTEMAN

(A national semi-military extremist group.)

Suppose the reader has no gun at all and is planning to buy one gun only. . . . What shall it be? Though it will surprise many people, my recommendation is a .22 caliber semi-automatic pistol.

It's true that the .22 lacks the "shock" effect of a more powerful cartridge, but this is largely compensated for by the ease of putting a well-placed shot into heart or brain. When needed a second well-aimed shot can be fired quicker from a .22 than from a more powerful weapon. . . .

As a deadly weapon, their effect can be greatly increased by using hollow-point bullets filled with poison. If needed, the hole in the point can be opened up further with a small drill. Sodium or potassium cyanide are two fast acting and easily obtainable poisons. Pharmacists or medical doctors will have ready access to succinyl choline or tubocurarine which are excellent when used in powdered form. If nothing better is available ordinary household lye (thirty cents for a pound can at your local grocey store) will do nicely. . . .

For a small "hideaway" gun, the .25 Browning automatic is unsurpassed. A man wearing slacks and sports shirt can easily carry one of these in his side pants pocket without its ever being noticed.

Don't overlook the potential of .22 long rifles, pistols or rifles, as guerrilla warfare or resistance weapons. These advantages include ready availability, light weight, fast accurate second and third shots, due to absence of recoil, light weight and readily available ammunition, good accuracy, simplicity of care, and comparatively small report when fired. The .22 can be silenced completely with materials that are always available. Although the .22 lacks killing power, this can be readily increased by filling hollow point bullets with poison. . . .

We urge you to write at least five letters to various United States Senators and five to Congressmen opposing any further gun restrictions of any kind. Do this upon receipt of this letter. Then immediately call five of your friends or associates and urge them to do likewise. Hurry!

BREAKTHROUGH

(Detroit-based self-defense group. Speech of its leader, Donald Lobsinger).

We have held this meeting to tell our elected officials. . . .

That we have not surrendered . . . (cheers)

And we will never surrender. . . . (cheers)

If another riot comes, we will protect our property. . . . (cheers)

We will protect our homes. . . . (cheers)

And we will fire! (wild cheering).

NATIONAL STATES RIGHTS PARTY

(The American Nazi Party)

. . . The N.S.R.P. believes that every White patriot should own and possess sufficient arms and extra large quantities of ammunition. That is necessary because of the red and black revolution that the Jews have unleashed against America. The purpose of Jewish legislation against the right to bear arms is to disarm all law-abiding patriotic citizens so that they will be unable to defend themselves against criminals and revolutionaries. We are exercising our Constitutional right to possess firearms and ammunition and say, "Let the Jews be damned."

CHRISTIAN YOUTH CORPS

(Anti-Semitic, Anti-Negro, Anti-Catholic Florida-based group)

Each man needs the following basic equipment for Guerrilla Warfare Operations.

(1) Any standard rifle of at least .30 cal.

(2) One good quality hunting knife, 6" blade.

(3) At least 1000 rounds of ammunition . . .

PAUL REVERE ASSOCIATED YEOMEN, INC. (PRAY)

(A New Orleans-based rightist organization.)

Join the National Rifle Association . . . .

Absolutely refuse to register or give up your arms—under any circumstances!

Stock up on rifles, shotguns, pistols—

all of Standard make; with lots of standard ammunition. Arm Every member of your family who can shoot a gun to protect his own life!

Consult with your next-door neighbors on how best to protect your family and home. Arrange to wear certain kinds of caps or shirts for identification; so you won't be firing at one another in the confusion. Do not organize the whole block in your neighborhood, as 10 per cent of the people are probably on the other side—trained for "leadership" of such neighborhood groups, to sell you into do-nothing surrender. Be your Own Leader of your own household . . . . and make it an Armed Arsenal!

Prepare yourself and your sons to fight in the streets—in the alleys—in the parks—in public buildings—around the water works—power plants—City Hall—TV and radio stations . . while your wife and daughters protect their lives and your home with gasmasks, shotguns, rifles and pistols.

Remember! The Communists Cannot subdue an Armed citzenry!

THE BLACK PANTHERS

(A black nationalist group.)

It is . . mandated as a general order to all members of the Black Panther Party for Self-Defense that all members must acquire the technical equipment to defend their homes and their dependents and shall do so. Any member of the Party having such technical equipment who fails to defend his threshold shall be expelled from the Party for Life.

REBELLION NEWS

(A radical Negro newspaper.)

It now appears that it is necessary to defend ourselves with guns and rifles . . . Right now anyone over 21 can buy a rifle. We recommend buying M-1 carbines or any other high powered semi-automatic weapon . . . Buy Your Rifle Now!

PACOIMA, CALIF., COMMUNITY COORDINATING COUNCIL

HON. JAMES C. CORMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. CORMAN. Mr. Speaker, the National Advisory Commission on Civil Disorders in its report pointed to the need for coordinated community action to prevent the conditions which lead to civil disorder, to reinforce resident pride in their community, to provide for the recreational needs of youth and to give them opportunities to engage in meaningful activity.

As a member of the Kerner Commission and as the Representative in the Congress of a community which has undertaken a major effort to meet these needs, I take great pride in the work of the Pacoima Community Coordinating Council.

The Pacoima Community Coordinating Council operates in a community of more than 70,000 persons in the San Fernando Valley area of Los Angeles. The community is a focal point for numerous Government agencies, antipoverty projects, and civil rights groups. It is a multiracial and bilingual community with sizable segments of the population representing minority groups.

The council, in addition to providing a true forum of communication for the "doers" of the community, is conducting action programs which can stand as models for other councils throughout this Nation.

A major effort initiated last June under coordinating council aspices was the "take pride in Pacoima" campaign, a positive summer drive for community betterment, involving all areas, ethnic groups, and age levels. The idea for the drive was brought to a special June board meeting of the council by Ted Minor, president of the Negro American Civic Association, who believed the coordinating council was the logical "umbrella organization" for such a project. The council president, Mrs. Lorna Apper, wrote letters and made calls to organizations which NACA and the council hoped would participate. All response was positive and specific plans were made at a series of steering committee meetings held at the president's home. Mrs. Bettey Williams, a council board member, was asked by the president to assume overall chairmanship of the program. First district councilman, Louis R. Nowell, introduced a city council resolution which declared July to be "Take Pride in Pacoima Month." Full assistance was given to the effort by the board of public works, city beautification coordinator, and bureau of sanitation.

Take Pride in Pacoima brought all sections of the community together in one united effort for the first time in many years. Participating organizations included: National Council of Negro Women, Citizens Committee for Community Improvement, Area 5 Citizens Committee, National Association for the Advancement of Colored People, Negro American Civic Association, Latin Council of American Affairs, Pacoima Junior Alsac Chapter, Pacoima Women's Club, Pacoima Business and Professional Women's Club, the New Frontier Young Democratic Club, and Pacoima Chamber of Commerce. Participating groups purchased paper for fliers distributed with the help of Scouts, Boys Club members, and others. Typing and mimeographing were volunteered by Joint Venture and Assemblyman David Negri's office.

The monthlong paintup, cleanup, plant-a-shrub campaign was climaxed with a community picnic at Hansen Dam Park, attended by about 500 persons. The campaign is widely credited with helping to keep the long summer cool in Pacoima. A major facet of the program was directed to the business people of the community, urging them to upgrade merchandise, facilities, and service for the residents, assuring a larger volume of business for themselves, and encouraging a long-range improvement in the local job picture.

A highlight of the picnic was a "battle of the bands," with local youth combos participating. Trophies for winners, plaques for participating organizations, prizes for picnic games, and refreshments were provided by donations from local business and service clubs, including the Lions and Kiwanis.

Through the year the Take Pride in Pacoima Committee has helped to put on a Halloween carnival and dance at Pacoima Recreation Center; arranged the first outdoor Christmas lighting and decorations project ever held in the community; and sponsored an Easter egg hunt at Roger Jessup Park. Plans for another summer schedule of activities are underway.

Mr. Speaker, the Take Pride in Pacoima project is not the only program in which the Pacoima Coordinating Council itself may take great pride; its youth recreation committee has taken major strides in meeting the needs of the youth of the community. The committee, comprised of interested teenagers and adults, at a series of evening meetings, has planned a revolving summer teen program and laid foundations for a long-range project to provide a permanent youth center.

Some of the on-going programs of the committee anticipate some of the recommendations of the National Advisory Commission on Civil Disorders, including an annual drive to send approximately 20 needy youngsters to camp, and support to groups seeking improvements such as swimming pools for disadvantaged areas of the community.

Mr. Speaker, this community effort deserves the highest commendation, for it represents what can be accomplished when responsible, concerned citizens put their heads together for the betterment of the entire community.

THE MISSING MAN IN AMERICAN HISTORY

HON. BENJAMIN S. ROSENTHAL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. ROSENTHAL. Mr. Speaker, CBS television and the Xerox Corp., have embarked together on a major departure in television journalism. Their seven-part series of televised specials on Negroes in American history promises to fill a very real void in the folklore-ish kind of knowledge that most Americans, both black and white, claim of our Nation's history. Far too many of us still labor under the false belief that American history is white history; we have, in fact, perpetuated an unfortunate national habit of making un-people of the one-ninth of our nation that is black America.

The first of the CBS-Xerox series titled "Of Black America" serves admirably to correct our distorted view of our past. If this first program, called "Black History: Lost, Stolen, or Strayed" is representative of the shows that will follow, "Of Black America" should be viewed, and should be thoughtfully discussed, by all Americans. This is an angry series, but in viewing it, we should recognize anger as a simple measure of the enormous crime of omission that has been perpetrated against black America not by shrouded bigots, but rather by generations of "respectable" historians.

CBS and Xerox are to be commended for this admirable effort. I am looking forward with keen anticipation to their further telecasts, but for readers of the

CONGRESSIONAL RECORD who may have missed their first show, I am inserting a full script of "Black History: Lost, Stolen, or Strayed," which was first broadcast on July 2, 1968.

The material follows:

CBS NEWS SPECIAL OF BLACK AMERICA—"BLACK HISTORY: LOST, STOLEN, OR STRAYED" AS BROADCAST OVER THE CBS TELEVISION NETWORK, JULY 2, 1968

With: Bill Cosby.

Produced by: Andrew A. Rooney, Vern Diamond.

Written by: Perry Wolff, Andrew A. Rooney.

Executive Producer: Perry Wolff.

Sponsored by the Xerox Corporation.

(Go to schoolroom with children singing "Charlie Brown." School set consists of the usual things plus the graphics Cosby uses for the broadcast. Children run out.)

TEACHER (Mrs. Billups). Great! Very good. All right. We'll go to lunch now and this afternoon we'll continue.

(Cosby comes in—tries to sit in small chair—then sits on table.)

COSBY (with a cup of coffee). No, I could never fit in that . . . never get in that at all . . . This is more like it. Now, what's the whitest thing you know? Whiter than the driven snow, whiter than the whites of your eyes?

(Holds up sugar cube.)

Sugar.

Non-integrated, non-black, sweet sugar. But you see there is a black man in your sugar.

(Holds up drawing of Rillieux and vacuum pan.)

His name is Norbert Rillieux. In 1846 Rillieux invented a vacuum pan that revolutionized the sugar refining industry.

You have to dig to find that fact. I mean, it's not much history, but it's still history.

Now what do you stand in? In your shoes. Now, there's just you in your shoes, isn't there? Nope. See there's a black man standing in your oxfords with you.

(Drawing of Matzeliger.)

Sharing your sole—and your heel—is a man whose name is Jan Ernst Matzeliger. In 1883—this is a drawing by the kids—Matzeliger invented the machine that made mass-produced shoes possible.

Now you have to dig around for that fact, too. And again, it's not much history, but it's history.

Am I coming in clear to California? I mean is this TV signal driving through a pass in the Sierra Nevada Mountains and slipping into San Francisco?

(Cosby in front of map points out areas mentioned.)

OK. Well I want to thank you, Jim Beckwourth. Jim Beckwourth out of St. Louis—hunter, trapper, and honorary chief of the Crow tribe of Indians.

We had trouble finding you, Jim.

Though you helped open the West, you didn't make the books.

Chicago—right here where the Wrigley Building is. Young fellow by the name of Jean Baptiste du Sable, Jean Baptiste. He founded you, Chicago, when he traded with the Indians. And of course, there it is right there. At that particular time it was called Eschikagou (or stinking onion) by the Indians, and du Sable, he didn't even change the name at all.

(Still shot of painting.)

Now you take the Lewis and Clark expedition here—right in there. You'll find a black man named York helping to open the West. Those men are trying to wash the black out of York. That's what you might call historically significant because a lot of people think we ought to wash white—but we ain't gonna, you see.

Texas—coming to you, Texas. Right down the Chisholm Trail, right here. Right down there with 5,000 black cowboys who never made it to the Hollywood Western. Did you know that?

In this same group, there was one black outlaw—his name was Deadwood Dick, who claimed his soul brothers were Bat Masterson, Billy the Kid and Jesse James. Deadwood Dick used to ride into the saloon, order two drinks—one for himself and one for his horse. And here's his horse, drinking a shot of red-eye with a straw.

(Drawing of horse.)

And how about the 186,000 blacks who fought on the Union side during the Civil War? 38,000 died.

How about Teddy Roosevelt's charge up San Juan Hill? It wasn't just the Rough Riders who made it—four black regiments went up with Teddy. They didn't get lost going up the hill. They got lost in the history books.

(Drawings of Henson.)

How about the North Pole? Snow white? Well, the first man there was black. Matthew Henson. He spoke Eskimo; and he was Admiral Peary's navigator, and although he made it first to the pole, it never quite made it to the history books.

And how about your heart?

(Drawing of Williams.)

Can we get there? All right. Dr. Daniel Hale Williams first performed open-heart surgery successfully if you can find a history book that talks about him.

This list could go on forever. Blacks who made it, blacks who made history, but who didn't get into the history texts at all. And the strange thing is, how little there is about us in the textbooks. Napoleon once said, "History is a fable, agreed upon." And the fable agreed upon up to now is that American history is white on white.

Sometimes we did get into history books. All wrong.

(Cosby reads from history book.)

Now you take this one: "The Growth of the American Republic," 1942 edition. Samuel Eliot Morison, Henry Steele Commager. Quote: "As for. . . . This has to do with slavery. As for Sambo . . .".

(Sambo! Professor Morison.)

(Sambo! Professor Commager.)

"As for Sambo whose wrongs moved the abolitionists to wrath and tears, there is some reason to believe that he suffered less than any other class in the South from its 'peculiar institution.'" ("Peculiar institution" means "slavery.")

"Although brought to America by force, the incurably optimistic Negro soon became attached to the country and devoted to his white folks."

Those lines were written by two Pulitzer Prize winning white northern professors.

(Cosby by window—children outside playing.)

Slavery. That's the place everybody likes to start Negro history. You have ignorant black men being brought over from Africa in chains. Terrible thing, slavery. But the way slavery is taught, it sort of takes the sting out of it. Because the way it's usually taught, people think we Afro-Americans started with nothing but little grass skirts . . . like the cats in the Tarzan movies.

And though America gave us slavery, America kindly gave us religion and a lick or two of education, and when we get more jobs and more education—up from slavery!

But *we* had something before we left Africa—something more than rhythm. I mean we had a high culture—our culture was so high that the greatest artists in the world are still borrowing from it.

(African and modern art works.)

Here's a sculpture by an unknown African artist—and here's what Paul Klee took from him.

Here's a work by an unknown black African—and Pablo Picasso liked what he saw.

Another African design—and Modigliani swiped it—or he was influenced by it—or whatever polite word you wanna use.

Another black African artist—and Picasso didn't change it very much.

I mean when you look at this copying, you gotta give us a little more than rhythm. You gotta give us—style.

Now if you tell the history of slavery right, you got a big problem on your hands. The slave trader didn't take some savage out of Africa. He took a human being, sold him like an animal and separated him from his family. America invented the cruelest slavery in the history of the world, because it broke up black families.

After slavery was over, America kept breaking up the black man's family. And that's some awful history to teach. Now if you wanna look history right straight in the eye, you're going to get a black eye. Because it isn't important whether a few black heroes got lost or stolen or strayed in America's history textbooks. What's important is *why* they got left out. Now this country has got a psychological history—there was a master race and there was a slave race, and though there isn't any political slavery anymore—those same old attitudes have hung around. I mean the burning part of "burn baby burn" is right here in this classroom.

(Cosby talks to children drawing at tables.)

We want to thank Mrs. Lovely Billups and the whole gang here at the fourth grade for the brilliant and intelligent artwork that they've done here to make this whole broadcast sing.

I want you guys to keep pretending that I'm not here. You're doing a great job, and just keep on drawing and reading and writing and doing what you have to do 'cause I'm gonna talk about some other kids. Not you Mary, John and Bobby. These are kids from other schools.

(Cosby to camera.)

Did you know in some states it used to be against the law to teach blacks to read or write?

Nowadays we're getting these integrated schoolrooms, and most people think that if we get enough teaching and enough jobs everything is going to take care of itself. But there is the scar of history running right through kids as young as these.

It tears you up if you know how to look at drawings kids make, because kids shouldn't know much about history and anything about discrimination. I mean, nobody hates little black kids—but why do some of them cause so much trouble?

If you ask black and white children to draw themselves, or trees, or houses, some strange things happen.

(Children's drawings.)

We asked some ordinary white kids from ordinary families to make some drawings for us—Like—well let's call him John—John's white, and we asked him to draw himself. This is John. This is his house. This is his tree.

Then we asked a black kid—let's call him Ralph to do the same thing. This is Ralph's drawing of himself. This is his tree.

Now why should two kids of the same age draw so differently? Enter the expert. This is Dr. Emmanuel Hammer, psychiatrist specializing in children's therapy.

(Hammer on camera.)

HAMMER. Let me illustrate it for you. Let's take these drawings.

(Flowering tree.)

No matter what a child draws, he's really picturing himself. Ask a secure child to draw a tree, and he's likely to draw a bountiful, spreading tree.

(Stark tree.)

A black child drew this tree. Cut off in its growth. Stark, bare, ungratified.

(White ladies. Long armed boy. Armless figures.)

It works the same way with drawings of people. Normal children, average drawings.

The mood is happy. The child feels capable. The drawings are complete. The arms are developed to emphasize strength.

These children were old enough to draw complete figures. The significant fact is what they left out. Arms. Hands.

A child may sense that his situtation in life is so powerless that he's equivalent to an armless man.

My own study reveals that armless people appear three times more frequently in the drawings by black children than in those by white children.

(Faceless drawings.)

The faceless being suggests that these youngsters not only feel themselves to be less than they might be—they don't even feel themselves to be.

(Tiny figures.)

The black child who is forced to live in a hostile world may disappear in self-defense. He drifts through life feeling like a shadow. He stops caring and he stops trying.

(Hanging man.)

A child who has this on his mind cannot be a child. A child who has this on his mind *could* want to burn down cities when he gets older.

(When Cosby comes back on camera he has two drawings made by the same boy at Wiltwyck School.)

The whole confusion was summed up by a nine year old in these two paintings.

(Turns over first drawing.)

This is how a nine year old boy draws a white man—Robin Hood, maybe. And this is how the same boy draws himself.

(Shows second drawing.)

This is the consequence of deformed history.

(Teacher and children prepare for movies.)

Mrs. Billups. Linda, close the curtains. Brian, lower the screen. Bonnie, lights please.

(Cosby on camera.)

Cosby. In the past fifty years 33,000 feature films have been made in the United States, and about 6,000 of them have had parts for black actors. For the most part, the black portraits have been drawn by white writers, white producers and white directors for a white audience.

Most black parts were the way white Americans wanted them to be.

The black male was consistently shown as nobody, nothing. He had no qualities that could be admired by any man or, more particularly any woman.

(Music "Mississippi Mud." Blacks dancing and singing in front of shack.)

White people didn't like to think much about them . . . sort of like a relative you got in a rest home.

Happy darkies dancing and singing was all they wanted to hear about. Being good Christians, the whites out front liked to think the blacks out back were kinda happy.

(Music over: "Mississippi Mud.")

Uncle Tom's Cabin was one of the first movies made that tried to say anything about black people.

(Uncle Tom.)

Uncle Tom was changed a little every time it was put on the stage and all the parts were played by white actors and by the time they made a movie of it in 1903, Uncle Tom was just the white man's idea of "a good nigger." You might say he was what H. Rap Brown—ain't.

They made this picture five times. By the time they finished with it, Mickey Rooney could have played Uncle Tom.

(Minstrel show—singing "Dixie.")

Minstrel shows started as the black man's entertainment for himself and the plantation owners. When they were filmed though, they were done by a white cast. . . . Figure that out. . . . They were done as sort of a joke and the black entertainer couldn't even get a job making fun of himself.

(Cosby.)

The first really vicious anti-Negro film was called "The Birth of a Nation." And it was a honey. The second worst thing about it was that technically, in 1918, it was the best movie that had ever been made. A cat named D. W. Griffith produced it and he know how—see?

(Black soldiers.)

"The Birth of a Nation" pretended to tell the story of the Civil War and what happened afterwards when the slaves were freed. . . . A white woman couldn't walk on her own sidewalk . . . if you believed the picture.

(Music. Voting.)

In the South Negroes got the right to vote and the movie showed black vote collectors refusing to accept white votes. . . . And black people sneaking in extra votes.

(Music.)

And if these black bad guys don't look very bad to you, it's probably because they were white actors wearing burnt cork.

(State house scenes.)

Negro legislators took over in the South and in the film they were made to look like apes. This was the movie version of how it looked in the southern state legislature. . . . They drank whiskey. . . . They ate chicken with their hands in the State House. . . . And they put their feet up on the table with their shoes off. . . . And of course, they passed all sorts of crazy laws, according to the film. . . . Like anybody could marry anybody they wanted to. . . . It was obvious to anyone who saw this picture that Negroes weren't fit to govern themselves or anyone else, because they really weren't people.

(Cosby.)

This film is fifty years old and it may look silly and out of date now but it didn't look silly when it was made and seen.

Several million Americans who saw it were propagandized to believe that this is the way things would be if they weren't careful . . . So . . . they been pretty careful. . .

(Kids, sheet.)

Colonel Cameron, a former officer in the Confederate Army is all upset over the way the Northerners and the freed slaves are changing his South.

Taking the mint Julep right out of his mouth . . . So he takes a walk one day while he's worrying about it . . . He sees two white kids playing, then four black kids come along.

(Kids cover selves with sheet—Negro kids run.)

Being hardly human and naturally afraid of ghosts, the black kids run.

(Cameron.)

Colonel Cameron sees the whole scene and gets this great idea! And with this, that great, white all-America organization, the K K K was born. The cavalry in bedsheets has come to the rescue . . . The South is saved! In this picture the Ku Klux Klan was the good boy who saved the south.

(Cosby.)

Most Hollywood films though, even the early ones, weren't really nasty. Nobody was sitting around saying, "Hey, let's take care of the niggers." What producers were doing was making money. And to make money they made pictures that white ticket buyers would enjoy. . . . . They showed Negroes the way most Americans like to think of them . . . To blame Hollywood is like throwing a rock at the mirror because you don't like what you see in it.

(Williams in kitchen.)

Bert Williams was one of the great vaudeville performers. He couldn't get parts in white pictures so he made a lot of short comedies. He played the part most Americans considered 'typical' Negro. He wasn't bad really . . . just lazy, stupid . . . happy the way he was. And his feet hurt.

(Williams as butler sees lion.)

He was afraid of most everything . . . And when he was scared he shook, and his teeth chattered. . . . Unlike a scared white man, the black man's eyes could pop out of his head. . . . When he was scared he was so scared he couldn't talk. He was also so scared he couldn't run.

Black women, on the other hand, were steady and imperturbable. . . . They stood like a rock in the face of things that scared black *men*. . . . Another strange physical characteristic was . . . when they were really *very* scared, the guys turned white!

(Cosby.)

When you look back on these old films, the patterns come jumping out at you. The most consistent thing about them was the attack on the black man . . . he was never even given the privilege of being a "man" . . . he was a 'boy' . . . as in, you know—"Here boy!"

They had a lot of other great qualities besides being cowardly. For instance, they stole chickens . . .

(Chicken stealing. Chickens squawking.)

Man. Who's in there?

Voice. Ain't nobody in here but us chickens! . . .

(Chickens—two gun shots.)

Cosby. They shot craps . . .

(Dice game.)

Man. Dice, yo' pappa talkin' to you now, dice, come on, just hit me one more time. . . . (dice rolling . . .) Ah-h-h-h. . .

Cosby. And lions weren't the only thing they were afraid of either. They were afraid of gorillas. . . .

(Gorilla beside bellboy.)

Bellboy. Rutherford—is that you next to me? Rutherford! Is that you next—Now come on, Rutherford, now don't—Is that you next to me? . . . Rutherford, please say yes that's you . . . Ha! . . . (whistle) . . (laughter)

(Negro next to skeleton.)

Cosby. They were also afraid of ghosts and skeletons.

Man. Jim . . . Is that you scratchin' my head? . . . Jim! Jim! Now come on now, what are you lookin' at . . . (laughter) (scream).

Ghostly Voice. What's your hurry boys? . . . (Door slams.)

("Our Gang.")

Cosby. Even when they were little boys they had these characteristics. Farina in "Our Gang" was the boy "boy". The tradition of the lazy, stupid, crap-shooting chicken-stealing idiot was popularized by an actor named Lincoln Theodore Monroe Andrew Perry. The cat made two million dollars in five years in the middle thirties. And everyone who ever saw a movie laughed at—Stepin Fetchit. . . .

(Stepin Fetchin with hillbilly.)

Stepin Fetchit. Come out, come out wherever you is, whatever you is, whoever you be . . . Come out, come out wherever you at . . . I's the government lookin' for you . . .

Man. Whattya want, stranger?

Stepin Fetchit. You scare somebody stiff like that—I'm lookin' for hillbillies—is you one?

Man. I ain't sayin' I am and . . . I ain't sayin' I ain't. . . .

Stepin Fetchit. Well, that's close enough for me . . . cause I'm tired of walking myself . . . The government telled me I got t' bring in a hillbilly, so you come go with me to Washington.

Man. I ain't a goin' . . .

Stepin Fetchit. That's the color of another horse . . . Well, I tell you if you don't go for me—will you go for the—Navy?

(Puts on navy hat.)

Man. No . . .

(Puts on army hat.)

Stepin Fetchit. Won't go for the Navy—go for the Army?

Man. No I . . . won't go for the Army . . .

Cosby. It's too bad he was as good at it as he was. The character he played was planted in a lot of people's heads and they remember it the rest of their lives as clear as an auto accident.

Man. What's that . . . are you an Indian?

Stepin Fetchit. Is I an Indian? . . . Man you don't know . . . I got one-fourth of Cherokee . . . and two fourths of Seminole . . . and I got four-fifths of Hiawatha . . .

Man. Wait a minute . . . Hiawatha was a woman . . .

Stepin Fetchit. I can't help it, I got four-fifths of her . . .

Cosby. He played in movies with other actors who were as American at Mom's raspberry jello . . . if *they* accepted the stereotype, how wrong could it be?

(With judge.)

Stepin Fetchit. Judge Rigby, could I say something?

Judge. Well . . . I'm pretty busy.

Stepin Fetchit. Yes, but I just wanted to ask if you heared about it.

Judge. Heard about what?

Stepin Fetchit. About over at my house, night before last. . . .

Judge. Oh . . . another baby?

Stepin Fetchit. Yassuh, you sho guessed it—you heard?

Judge. What's his name?

Stepin Fetchit. Oh, we call him . . . L.R.—Lias Rigby Livingstone.

Judge. Oh, named him after me, did you?

Stepin Fetchit. Yassuh, Lias Rigby (?) . . . I told my wife, Honey, I know Judge sho' gonna be gratified . . .

Judge. Well, of course, I appreciate the honor . . .

Stepin Fetchit. Yassuh . . .

Judge. I suppose it's a compliment and I ought to do something for you.

(Reaches in pocket.)

Stepin Fetchit. Yassuh . . . That's what I thought. . . .

Judge. You come over to my place tomorrow, and I'll give you a job.

Stepin Fetchit. Job?

Judge. Rakin' leaves. . . .

Stepin Fetchit. Did I ask you for work?

Cosby. All-American little Shirley Temple played a lot of parts that involved her with black actors. She was always real nice to them.

Temple. Oh, James Henry, you always do it wrong. . . .

Cosby. This is an imitation Stepin Fetchit named Willie Best with Shirley. . .

(Willie Best running away.)

Black Girl. C'mon Miss Virgie.

Temple. I just won't budge . . . I'll show them I'm not afraid.

Cosby. The cute little white girl was brave and strong in the face of danger . . . The big black man was stupid and cowardly . . .

Temple. What are you afraid of them for?

Man. Oh, Honey-chile, them Yankees is mighty powerful . . . They can even change the weather.

Temple. Yes?

Man. Whenever they come around, I never know whether us winter or summer . . . I'm shakin' and sweatin' at the same time. . . .

(Birthday party.)

Temple. James Henry . . . serve these cookies to——and wipe his chin.

Man. Yes ma'am—Miss Vergie.

Cosby. She was good to them and they were good to her. Sort of a master and pet relationship . . .

Temple. How would you like to see Uncle Billy dance . . .? (Applause.)

Robinson. Alright James Henry let's get goin'. (Music.)

(Dancing.)

Cosby. This is Bill "Bojangles" Robinson, one of the great ones, but if he wanted to work and dance he had to come into a picture through the servants entrance.

(Porch scene. Black kids and Shirley. Music and dancing.)

Shirley was good to children too. They loved their little mistress and she treated them real good.

Temple. Hello Sally Ann . . .

Cosby. Just like they were equals . . .

Black Woman. Go on now, Sally Ann . . .

Sally Ann. Miss Virgie . . . Miss Virgie . . . Please ma'am, we all done come here and wish you many happy——happy——

Temple. Returns . . .

(Whispers to her.)

Sally Ann. That's it . . . Many happy returns of the day . . . And we all made you a dolly here it is . . . Miss Virgie, there was more I had to say . . . but . . . I forgot it . . . (Cries.)

Temple. You said everything, Sally Ann . . . Don't you worry, this is the very nicest present I got. Thank you ever so much!

Mother. Yes indeed, Sally, it was very thoughtful and sweet. Come now dear.

Temple. I'll see you later . . . and I'll save you some cake.

Sally Ann. We'll be waiting . . .

Cosby. I suppose it might have surprised a lot of Hollywood writers and producers to know a scene like that could actually make a lot of people, mostly black, sick to their stomach . . . This is a lot of fun isn't it?

The newsreels that were shown along with the feature films knew a good thing when they saw one, too. They helped keep all the black cats in their place. Nobody black ever did anything very newsy in a newsreel.

(Music. Watermelon contest.)

They did things like eat watermelon in a watermelon eating contest.

(Baseball.)

Then another favorite for the newsreel cameraman was to film people throwing things at them . . . Good sport!

(Horseback.)

Some college football publicity man decided this was a good idea.

(Golf.)

And there were a lot of very funny golf pictures . . . If you weren't black, they were funny—I guess.

(Golfer puts tee and ball into mouth of Negro lying on ground and starts to swing club.)

Golfer. Put that in your mouth . . .

Voice. Don't miss boss, don't miss . . .

(Negro swallows ball.)

Golfer. Well, you keep still see. Otherwise you're gonna have flowers in your room, only you won't smell 'em . . . Oh boy.

(Negro falls into water tank.)

Cosby. Everything suggested the black man was nothing.

Hollywood adopted a sort of British attitude toward black natives of other countries. They were always sneaking around in the bushes you know . . . carrying stuff on their heads. White men weren't supposed to get caught sweating . . .

Ann Harding played a scene in a picture called "Prestige" and it stated the colonial attitude:

("Prestige.")

Barrymore. Don't let it break Andre. Take to him your race for a wedding gift, the prestige of the white man . . . That means everything you stand for, and it is the only weapon you two will have . . . prestige . . . but it is enough to preserve you.

Harding. Yes, sir. And I'll try to remember—if you kiss me.

(Black protector Ann Harding.)

Cosby. Even though most non-white slaves of anyplace were savages in films, it often pleased white producers to endow a few chosen blacks with the virtue of great loyalty to him, the white man. Here's one defending Ann Harding to the death.

There was always one loyal and true black man who would do anything for his master.

(Drops dead.)

Some of them were wonderful people . . . You know, if you really get a good one . . . Mostly though, Negroes were not heroes, they were bit-part servants.

(Porter.)

Railroad porters . . .

Porter. Watch your step there . . . This is your destination, folks . . .

(Chauffeur at station.)

Cosby. They made very good chauffeurs . . . Looked good in the caps.

Chauffeur. Good morning, Colonel. . . .

(Butler on terrace.)

Cosby. And they were great at serving all kinds of drinks.

(Man coughing.)

Maid. M-m-m-m, that cough of yours stays with you like a poor relation.

Man. What's that you got there?

Maid. Just sassafras tea.

(Water served to Ann Harding on African boat.)

Cosby. Wherever there was a thirsty master, there were they also. . . .

(Cook with soup.)

Woman. I'm expecting—for lunch. . . .

Cosby. They played Aunt Jemima. . . .

Woman. Will you have enough?

Aunt Jemima. I don't know if I can stretch one small chicken, but as long as the water's runnin' we'll have soup enough. . . .

(Maid takes child.)

Woman. Will you take Kay upstairs and wash all that goo off her face and give her a good scrubbing.

Cosby. One question they never answered . . . when the Negro woman was taking care of the white woman's kids . . . who was taking care of hers?

(Grooms.)

They did all kinds of odd jobs around a picture, like walking horses. . . .

(Gambling.)

When they weren't walking horses, they were out back playing craps, of course . . . recreation. . . .

(Station scene.)

Cosby. They met people at the station for their masters.

Negro Man. Is—er—uh—you folks—uh. . . .

Woman. We've come all the way from Ireland. Mr. Milford's expecting us . . . Mr. Milford. . . .

Negro Man. Yas'm . . . Yas'm . . . You's which I'se looking for . . . I Mr. Milford's boy. . . .

Man. His 'boy' you say?

Negro Man. Yes sir . . . Murphy is the name, sir.

Woman. Did you say 'Murphy'?

Negro Man. Yes, Miz—Murphy. . . . They calls me "walkin' Murphy."

Woman. Walkin' Murphy?

Negro Man. Yes'm, most of us Murphys down here, just sit. I walk.

Cosby. They make wonderful servants of all kinds in pictures . . . dumb but loyal.

(Party.)

Maid. Isn't this a beautiful night. I just love parties, don't you?

Man. I beg your pardon?

(Phone rings. Answers phone wrong.)

Maid. Thank you kindly. Yes, hello—this is the Bergdon residence.

(Music and singing.)

Cosby. But things were getting pretty tough in the thirties. A good thing for a lot of black actors was they made a movie called "The Green Pastures" . . . with, like they say, "a cast of thousands." It gave a lot of people work but it had all the old stereotyped characters. It was clever and funny and all black—but it was a white man's picture.

("Green Pastures.")

Child. I'm an angel . . .

Woman. Henry, you sure got the prettiest wings . . .

Henry. Oh, they just my old ones.

(Gambling scene.)

Boy (talking to dice). Oh, Lord, let me get them groceries . . . Oh, Lord, let me see that little six. Wham! . . .

Gambler. Come on, you gonna fade me or not?

Man. Why you just a little boy, gamblin' and sinnin', and chewin' tobacco like you was your own pappy. And you been drinking Sunny-Kick-Mammy, too . . . You gamblers ought to be ashamed of yourself, leadin' this boy to sin . . .

Gambler. Why, he's the best crap-shooter in town . . .

Boy. If you find my mammy—you're doing more than I can.

Cosby. White Hollywood was turning out films, radio came along and decided to get in on it too.

Two white fellows from Chicago invented two black characters they named Amos and Andy. They played their parts on the radio for thirty years. This is them doing their bit:

(Gosden and Correll.)

Amos. Well, Brother Crawford looks pretty good since he's been here in Palm Springs . . . don't he?

Andy. Yeah—

Cosby. When radio moved over to let television in, Amos and Andy went with it. These two white cats couldn't play Amos and Andy where you could see them, so what they did was—they had a black cast. . . . The cast was different, but the stereotypes were the ones the white people had come to know and love. They were shady characters with money.

("Amos and Andy.")

Kingfish. Well, I got the books right here, and they open to each and every brother's complete inspection . . . Get yo hands off that thing there . . . So you want to see the financial books, huh? (Flips through ledger.) Well, there they is . . . there they is . . . You done seen 'em . . .

Cosby. They were still slow and lazy. . . .

(Office waiting room.)

Man (Leaves card.) Are you sure they not here?

Lightning. Oh, Yes, sir, I know, they told me so themselves . . .

Man. Have them report to our office right away.

(Office door opens—hand reaches out and takes card.)

Lightning. I sure tell him all right . . . (Laughter.)

Cosby. They had trouble with the English language . . . misused words a lot . . .

(Home.)

Kingfish. Mr. Brown, My new sekatary here, she ain't gonna have no time for no 'extra-cuticle' activities.

Wife. And I'm tellin' you now, as long you have that secretary in your office, then I'm going to work as a secretary myself . . .

Kingfish. Oh—give me an ultomato huh? Put my food down.

Cosby. They had trouble with women . . . and it was always the women who were dominant.

Woman. Come on Herman. . . . (Follows her.)

Cosby. Mostly black actors aren't playing the old stereotypes anymore.

There are people who say they're playing a new stereotype. Sidney Poitier is always helping some little old ladies across the street . . . whether they want to go or not.

Black people in this country got a bum deal for a long while, and it won't hurt much if we see a little of that now and then.

Cosby. Stanley Kramer has let us use some scenes from "Guess Who's Coming to Dinner." Look at these and remember "Birth of a Nation". . . . This is the opening scene when Katherine Houghton is bringing Sidney home for the first time. . . .

(Driving to house.)

Houghton (Meets Negro maid.) This is Dr. Prentiss . . . John. . . . Miss Matilda Binks.

Poitier. Pleased to meet you, Miss Binks . . . I've certainly heard a great deal about you.

Cosby. Katherine Hepburn and Spencer Tracy are the girl's parents.

(Hepburn and Tracy.)

Hepburn. She's 23 years old and the way she is, is just exactly the way we brought her up to be. We answered her questions. She listened to our answers. We told her it was wrong to believe that the white people were somehow essentially superior to the black people. Or the brown or the red or the yellow ones for that matter. People who thought that way were wrong to think that way. Sometimes hateful, usually stupid . . . But always . . . always wrong. . . . That's what we said . . . and when we said it . . . we did not add . . . but don't ever fall in love with a colored man. . . .

Cosby. And Sidney tells it like it is to his old man:

(Poitier and father.)

Poitier. You and your whole lousy generation believe the way it was for you, is the way it's got to be. And not until your whole generation has lain down and died will the dead weight of you be off our backs. . . . You understand—You've got to get off my back!!!

(Music.)

Poitier. Dad . . . Dad . . . you're my father . . . I'm your son . . . I love you . . . I always have, and I always will. But you think of yourself as a colored man. I think of myself—as a man. . . .

(Music.)

Cosby. When the movies and the classroom get into the streets of black America, some strange things happen. Because what history and the films have been telling the black man is that he's nothing—unless he joins the white world.

The message used to read—black is nothing—white is beautiful. For a long time a lot of black cats spent their lives trying to be white—For instance—hair.

(Negro barber shop.)

Some people call straight hair "good" hair 'cause it looks like white hair. Kinky hair is bad. The man on the right is having his hair cut naturally. The man on the left is having a process job. What the barber is doing is applying harsh chemicals to his head, so he'll have straight hair, like those movie stars had. It's a painful, long process that costs $6.00, and has to be looked after every couple of weeks.

These days any young black man will find the whole process demeaning. I mean, it's out, even in the ghetto.

For a while it seemed to the black community that the way to escape was to get as rich as possible, and look as white as possible.

(Affluent Negro party.)

And as affluence came to some black people, all the lessons of history and all the lessons of the movies seemed to be—"make it on the white man's terms." So the rich black cat took the rich white cat's dreams, and tried to walk through the door.

I mean, today, many middle class blacks have the education and the bread to buy everything the white dreams—every dream but one . . . getting into the center of the country. When you can't make it—you make up your own. A lot of black women think we ain't ever gonna make it.

Negro Woman. There's a fallacy in this country . . . that says that any man by his merit can make it. That is not true. Do not believe that. It is not true. Because *any* man in this society cannot make it. That's where the whole fallacy is.

The white man keeps saying to you: "If you'll just stop being black, if you just stop shooting you . . . your people on Saturday nights, just stop talking Negro dialect, clean yourself up, get yourself a job, you gonna make it in this society"—it's not true.

I know for myself. I have a masters degree in social work and I know that people won't accept me. And I was an honor student and I know I can make it. They won't accept me. They don't discriminate against me because I'm a Christian. They're discriminating against me because I'm black.

Cosby. The message down here is coming in strong. It . . . happens to be . . . be yourself. Be black.

A new generation of black young Americans is asserting itself. What they're saying is—if we can't wash white—even if you have the money—if you can't wash white 'cause you're basically black—what you do is react, sometimes radically.

Here's a measure of the reaction to "White is beautiful." This is a storefront school in Philadelphia.

(Freedom Library Day School.)

The children here are being given a black preparation before they enter the city's schools. They're not specially gifted children—they're just from the neighborhood. One black man named John Churchville put it all together and financed it himself.

He's not only teaching new math to children whose ages range from seventeen months to five years—he's decided to give them the emotional armor they need to protect themselves against the education he thinks they'll receive when they start kindergarten.

Churchville. A number is a concept of quantity or an amount. Right. Do you understand that? All right. A number is a concept of quantity or an amount. That is wrong.

Class. No. No.

Churchville. A number is a concept of quantity or an amount. That is dead wrong? Well. Yes or no? Is it wrong?

Class. No.

Churchville. All right then say it loud—you ought to be screaming me out of this room. A number . . .

Class. No. No. No.

Churchville. Anybody tells you something wrong. Are you going to do it?

Class. No.

Churchville. What do you want Jenell?

Jenell. I want freedom.

Churchville. When do you want it?

Jenell. I want my freedom now.

Churchville. No, you have to wait until next week, Jenell, you can't have it now. Can you wait until next week?

Jenell. Yes.

Churchville. OK. Sit down. All right, all right, young man, stand up. When do you want your freedom young man?

Michael. I want freedom now.

Churchville. You can wait 'til next week, can't you?

Michael. No.

Churchville. Michael, you'll just have to wait until next week, you can't have it now? Are you willing to wait 'til next week?

Michael. No.

Churchville. Suppose I said that you have to wait until next week, now you're gonna wait 'til next week aren't you?

Michael. No.

Churchville. How are you gonna get your freedom?

Michael. I will use any means necessary to win my freedom.

Churchville. Any means necessary?

Michael. Yes.

Churchville. Alright, sit down. Young man, what is your name?

Eric. My name is Eric Houston.

Churchville. What is your nationality?

Eric. My nationality is Afro-American.

Churchville. What is freedom?

Eric. Freedom is black power.

Churchville. What is black power?

Eric. Black power is——

Churchville. Do you know what black power is?

Eric. No.

Churchville. Well, then you should never use—you should never make any statements that you don't know what they mean.

Eric. I'm sorry, I don't know.

Churchville. All right. How old are you young man?

Eric. I am four years old.

Churchville. You're not four Eric, now you tell me your right age? How old are you? How old are you?

Eric. I am four years old.

Churchville. Are you sure you're four?

Eric. Yes.

CHURCHVILLE. You're gonna let me turn you around and tell you, you're some other age, you're six years old Eric.

ERIC. No.

CHURCHVILLE. I can't hear you Eric.

ERIC. No.

CHURCHVILLE. Are you being frightened by me?

ERIC. No.

CHURCHVILLE. I'm a teacher, I said you're six.

ERIC. I am four years old.

CHURCHVILLE. Alright, then, you stand up for it then. You shouldn't be weak, you stand up and say it, you ought to scream it in my face if I try to tell you different, right?

ERIC. Yes.

CHURCHVILLE. Have a seat. Stand up young man. Are you a Negro, Travis?

TRAVIS. No.

CHURCHVILLE. What are you?

TRAVIS. I am black and beautiful.

CHURCHVILLE. And what else are you? Are you a boy?

TRAVIS. No.

CHURCHVILLE. What are you?

TRAVIS. No, I'm a man.

CHURCHVILLE. What kind of man?

TRAVIS. A black and beautiful man.

CHURCHVILLE. But what kind, are you an old man or a young man?

TRAVIS. Young man.

CHURCHVILLE. Very good, very good. Are you just gonna let somebody make you a boy?

TRAVIS. No.

CHURCHVILLE. Alright. Suppose I tell you something wrong Travis, are you gonna do it?

TRAVIS. Yes.

CHURCHVILLE. You're gonna do something if I tell when it's wrong?

TRAVIS. No.

CHURCHVILLE. Have a seat young man.

You're going to be reasonable aren't you?

ERIC. No.

CHURCHVILLE. Here you are . . . fine young man, right?

ERIC. Yes.

CHURCHVILLE. Are you gonna be scared of me?

VOICE. No.

CHURCHVILLE. Are you gonna be scared of some—President of the United States?

VOICE. No.

CHURCHVILLE. Some Mayor?

VOICE. No.

CHURCHVILLE. Some policeman?

VOICE. No.

CHURCHVILLE. All right. You're a Negro, yes (shouted), you're a Negro Eric.

ERIC. No.

CHURCHVILLE. Somebody pass me my stick, I said you're a Negro, boy.

ERIC. No.

CHURCHVILLE. You're getting mighty soft, you're a Negro?

ERIC. No.

CHURCHVILLE. Very good, sit down. You, young man, come here. Your nationality is American Negro. Yes.

BOY. No.

CHURCHVILLE. Your nationality—look, don't play with me. My job is to teach you and teach you what you're supposed to know. I say your nationality—forget these people, they maybe Afro-Americans, it's all right for them to be, but you, you're better than they are, you're different. You're a Negro American aren't you?

ERIC. No.

CHURCHVILLE. Eric, I mean Leon, suppose—look, let's talk this over, because you're better, don't try and stick with them, don't stick with them. You be an individual. Don't agree with what they say, you be an individual. You're a Negro.

LEON. No.

CHURCHVILLE. I am your teacher. You are a Negro.

LEON. No.

CHURCHVILLE. Suppose I threaten to beat you. Aren't you a Negro now.

LEON. No.

CHURCHVILLE. What are you?

LEON. I am black and beautiful.

CHURCHVILLE. What is your nationality?

LEON. My nationality is Afro-American.

CHURCHVILLE. Suppose I had some money in my pocket, suppose I gave you a dollar to say that you're an American Negro, this is money, money talks, money talks. This dollar and if you don't say it you don't get it, you're an American Negro aren't you?

LEON. No.

CHURCHVILLE. You won't have any money, you know you need money don't you?

LEON. Yes.

CHURCHVILLE. You need money to live don't you?

LEON. Yes.

CHURCHVILLE. All right, all you have to say Leon is that you're an American Negro, aren't you an American Negro? Are you an American Negro?

LEON. No.

CHURCHVILLE. What are you?

LEON. I'm black and beautiful.

CHURCHVILLE. What's your nationality?

LEON. My nationality is Afro-American.

CHURCHVILLE. Very good, man, keep it up. Go sit down. You had to think about that a minute didn't you?

LEON. Yes.

CHURCHVILLE. All right, all right everybody, what is your nationality?

CLASS. My nationality is Afro-American.

CHURCHVILLE. Very good. All right, what I did is what people are gonna do to you in different ways when you get out of this school. They're not gonna just right up to you and give you a dollar or say if you say, that you're an Afro—if you say you're an American Negro I'll give you a dollar. But they're gonna be very nice to you some of them, and they're gonna try to, you know, get you not to love black people. They're gonna try to get you to, you know, be something other than you are. They're gonna try to make you—make it seem as though you're different from the masses of black people. . . . And they want you to be—go away, I'll tell you. . . . I'll give you special things if you'll just come along with me and do what I say. But you must reject that. Now, do you know what that means? That means you're not going to have the money you'd like to have. And money is not important. We need money, you know, we have to buy things with it, but money is not the thing we're living for. The only thing that makes a person worth living is being a man and being a woman, being strong in character, being straight, telling the truth and living in the truth and doing the right thing. You understand that?

CLASS. Yes.

CHURCHVILLE. So no matter what happens, I want you all to always tell the what?

CLASS. Truth.

CHURCHVILLE. You may not get the marks you're suppose to get in school, you may be doing the work, but because the teacher doesn't like your attitude and she'll always tell you "I don't like your attitude" because you're independent. But you're not going to school for grades, you're going for what?

VOICE. Learn.

CHURCHVILLE. All right, and what kind of people is everybody in this room gonna be. Tell me the kind of people you're gonna be?

CLASS. Black and beautiful.

CHURCHVILLE. What else, what else, you're already that. What are you gonna be? You gonna be stupid?

BOY. No.

CHURCHVILLE. What kind of people you gonna be?

BOY. Excellent.

CHURCHVILLE. You're gonna be excellent, and what else? Yes, ma'am.

GIRL. Strong.

CHURCHVILLE. And strong, what else?

VOICE. And good.

CHURCHVILLE. And good, what else?

VOICE. And a genius.

CHURCHVILLE. And a genius and what else. I'm looking for another word, all of you are geniuses right now, maybe better than that. What else, I'm looking for a word that begins with B—bri—brilliant.

VOICE. Brilliant.

CHURCHVILLE. Brilliant, and brilliant really means to shine, and all of you will shine. All of you are really gonna be brilliant. Good enough. All right, what do you feel now?

CLASS. Fine (Shouted.)

CHURCHVILLE. Are you ready to ge ready for lunch?

CLASS. Yes.

CHURCHVILLE. Who's hungry?

COSBY (on camera.) Man, it's kinda like brainwashing. Or is it?

Can you blame us for overcompensating? I mean when you take the way black history got lost, stolen or strayed . . . when you think about those kids drawing themselves without faces . . . when you remember the fine actors who had to play baboons to make a buck . . . I guess you gotta give us the sin of pride.

Pride. "Hubris" in the original Greek.

Three hundred years we've been in this American melting pot and we ain't melted yet. That's a long wait.

Listen, we've been trying all kinds of parts to make the American scene. We've been trying to play it straight and white . . . but it's been just bit parts. From now on, we're gonna play it black *and* American. We're proud of both. Hubris.

I'm Bill Cosby. And, you take care of yourself.

THE LYSENKO SYNDROME

HON. THOMAS B. CURTIS

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. CURTIS. Mr. Speaker, I have had on my desk for some time an interesting article by Vermont Royster, which appeared in the Wall Street Journal on May 22, 1968, discussing the Lysenko syndrome, which is defined as "a classic example of the surrender of scientific inquiry to prevailing politico-social thought." Mr. Royster suggests that "our own scientific and intellectual community is showing signs of the Lysenko syndrome."

I agree with Mr. Royster and had occasion a few years ago to carry on a lengthy correspondence with an eminent authority in the field of anthropology in which I suggested the very same development and used the expression "Lysenkoism" to describe it. My correspondent hotly denied that his science was being so corrupted, but I felt his arguments were unconvincing.

For some time I have felt that the field of the social sciences in our American universities was inflicted with this syndrome. However, social sciences—in which I include political science as well as economics—are much more prone to being infected by this syndrome than the physical sciences and once infected less capable of ridding themselves of it. Arthur Schlesinger, Jr., argued openly for the syndrome when he stated that history should be written to mold current events. David Truman in his text books on political science argues for it by placing undue emphasis on what I think can be properly termed Machiavellianism. The school of "new economics" is heavily affected with this syndrome exemplified by their frequent misuse of economic statistics.

I hope that the academic community will develop a dialog along the lines of determining whether indeed the Lysenko syndrome has become an accepted part of modern American "intellectualism." Perhaps if it is recognized some concentrated effort will be made to eradicate it.

The article follows:

THINKING THINGS OVER

(By Vermont Royster)

THE LYSENKO SYNDROME

For a good many years Western scientists, and intellectuals generally, had a happy time heaping scorn on Soviet biology and genetics, then dominated by the theories of Dr. Trofim Denisovich Lysenko.

Dr. Lysenko preached that acquired characteristics of reproducing organisms could be passed on genetically to their offspring. While there must have been Soviet scientists who doubted it, since the Lysenko theory ran counter to all the empirical evidence of biologists all over the world, the doubters were long silenced. The reason was that the Lysenko theories accorded well with the Marxist philosophy that environment was everything, that people could not only be changed by Marxist indoctrination but that the changes—the acquired characteristics—would be inherited by the next generation.

It was, therefore, good political biology. But it was by no means a purely esoteric argument, for in practice the Lysenko theories were applied to practical problems, including the breeding of feed grains. The promise was that the good Marxist biology would produce marvelous new strains of these feed grains which would work miracles with the Soviet Union's food problem. In practice it did nothing of the sort. The practical consequences of the misdirected effort, of wasted time, money and effort, were very nearly disastrous.

Eventually, of course, this wishful-thinking science was discredited even in Russia, but not before it had become, in Western eyes, a classic example of the surrender of scientific inquiry to prevailing politico-social thought, and of the practical consequences of refusing to take an objective look at evidence that might point to an unpalatable conclusion.

So it is certainly ironic, if nothing more, that our scientific and intellectual community is showing signs of the Lysenko syndrome, and again over a question of genetics. At any rate, one of our foremost scientists—a holder, among other awards, of a Nobel prize—is having a hard time getting support for a scientific inquiry that might lead to unpalatable conclusions.

In a series of papers, one of them delivered this spring to the National Academy of Sciences, Dr. William Shockley has asked for an "objective inquiry" to determine whether, as he thinks may be the case, there is taking place a "genetic deterioration in the potential for intelligence" among the lower strata of our population.

This is an emotionally explosive thought simply on the face of it, for if it is true it means that a large part of our public programs for welfare and for lifting up the disadvantaged are misdirected and possibly futile or even self-defeating, and that the whole national effort needs to be restudied and redirected. But an additional explosive ingredient is the possibility, raised by Dr. Shockley, that this genetic deterioration is more widespread in the lower strata of the Negro population.

This has raised that dreaded word "racism." It seems to have done Dr. Shockley little good to assert his belief that "many American Negroes are superior to many whites" or to cite statistical studies showing that "Negroes achieve almost every eminent distinction that whites achieve." Nor has it removed the taint for him to point out that this genetic deterioration, if it exists, "occurs for white as well as black."

In any event, Dr. Shockley hasn't been able to get a seconding voice in the National Academy for his suggestion of a careful, thoughtful and objective study of the genetic effects on intelligence, if any, of the interbreeding generation after generation of those at the lowest ends of the intelligence scale, white or black.

Moreover, a recent symposium at Brooklyn Polytechnic Institute of nearly 500 scientists and humanists was cancelled under pressure because Dr. Shockley was scheduled to deliver a paper asking for "an objective diagnosis" of his genetic theory.

Now patently a layman cannot pass judgment on such a theory; he can only hope it is not true. Even Dr. Shockley, incidentally, considers it "not proved"; he does no more than "conjecture" on the basis of preliminary studies that "it can be proved."

But surely your opinion or mine—or for that matter, another scientist's—on the validity of the conjecture is irrelevant. Here is a man who comes with credentials worthy of respect (not only a Nobel prize but a long record of fine research for universities, the government and industry) who says there is enough evidence at hand of certain possibilities of grave import to warrant investigation.

If he is wrong, then it would be well to lay such conjectures for all time. If he is right, then it is better that we know it, for if it be true that a progressive genetic deterioration is creating among us a self-perpetuating mass at the lowest level of intelligence, then it is obvious that what public policy has to face is a social problem even greater than anything we now imagine.

For it is certainly obvious—Dr. Lysenko to the contrary—that simple changes in the environment, which is the object and purpose of our present welfare programs, cannot repair genetic damage. Such programs can lift those capable of profiting by them; those, that is, whose only blocks to progress are environmental obstacles. Genetic morons are another problem.

That other problem could indeed be staggering. It is almost an article of faith in our society that all men, given only equal opportunity, can lift themselves. The few exceptions we allow—those born with birth defects, for example—are treated as accidents preventable by good prenatal hygiene. Emotionally we reject the thought of a whole class of people, white or black, who have bred into their genes, passing from one generation to another, an incapacity to rise above the most minimal levels.

One reason is that we are aghast at the social measures that might have to be considered to deal with such a problem. For this condition the ordinary welfare program would be futile; unaccompanied by other measures it might even multiply the problem by multiplying the breeding of the incapacitated. Dr. Shockley's inquiry could indeed lead to unpalatable conclusions.

But it may not, for he may be wrong. The point, however, is that it is foolhardy to suppose that a problem, if it exists, will disappear from a refusal to look at it or that we can thus avoid its practical consequences. We will be served no better than the Russians if our men of intellect fall victim to the Lysenko syndrome.

JUDICIAL EXTREMISM

HON. JOHN R. RARICK

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 9, 1968

Mr. RARICK. Mr. Speaker, the utterances of personal prejudices as "findings of fact" by the new breed of the Federal judiciary continues the impeachment of the unelected oligarchy.

Consider the reported rationalizations of Judge Hoffman in the recent Chicago school race-mixing attack.

The race that is being tried is the human race—a conviction of civilization itself. And these are the "experts" who babble that it is the people who are sick?

I include the articles from the Atlanta Constitution and Chicago Tribune for June 9 as follows:

[From the Chicago (Ill.) Tribune, July 9, 1968]

SOUTH HOLLAND SCHOOLS ORDERED TO INTEGRATE WITHIN 2 YEARS

(By Rudolph Unger)

Integration of faculty, staff, and pupils of the South Holland-Phoenix school district must begin this fall and be completed by next fall, Judge Julius J. Hoffman of federal District court ruled yesterday.

Hoffman granted the government's request for an injunction against the district after 10 days of hearings on the first suit filed in the north to force racial mixing in schools.

The judge, in issuing his order, lashed out at white opponents of integration and said that the salvation of the nation lies in integrated education.

PRAISES DECISION

Thomas A. Foran, United States attorney, praised Hoffman's decision as "significant and edifying." He said his office is already investigating other school districts and will move against them.

Marvin Glink, attorney for the school district, said the school board will probably appeal the decision. He said he hopes to file a request with the appeals court this week to stay Hoffman's order.

The judge said the faculty and staff must be integrated at all six district schools. He said the racial mixture of teachers in each school must proportionately reflect the racial make-up of the entire faculty. This must be 50 per cent completed this fall, and finished by next fall.

Hoffman said neither the desires nor tenure of teachers will be allowed to prevent the implementation of his order.

PUPIL INTEGRATION

As to pupil integration, Hoffman ordered that the all-Negro Coolidge school be integrated this fall and the all-Negro Kennedy school by next fall.

He said the Coolidge school integration could be brought about by a plan proposed early this year by School Supt. Charles B. Watts. Under this plan, all 7th and 8th grade pupils in the district would attend Coolidge and all 3d to 6th grade Coolidge pupils would be sent to white schools in the district.

The Kennedy school must be integrated by redrawing boundary lines, the judge said.

The Coolidge integration plan must be submitted to the court by next Monday, and the Kennedy integration plan by Oct. 15. The court directed that the Kennedy pupils be allowed to apply for transfer to any other school in the district this fall.

Hoffman ruled that all future school construction must move toward integration and plans for building must be submitted to him for his approval.

CALLS FOR REPORT

He ordered that 15 days after the fall term begins the district provide him with the racial make-up of faculty, staff, and pupils in each of the six schools.

Hoffman said that pupils may be bused to achieve the integration. He said community opposition and segregated housing patterns may not stand in the way of integration.

"It is more than 14 years since the

Supreme Court ruled that in the field of public education, the doctrine of separate but equal has no place," Hoffman said. "It is more than 13 years since the court said that desegregation should proceed with all deliberate speed. Too often there has been deliberation, but no speed. There has not even been a beginning in some cases."

STIGMA OF SEGREGATION

The judge went on to remark:

> "School segregation, whatever the cause, has the effect of stigmatizing Negro pupils and retarding their educational development. The mere fact of separation encourages invidious comparison.
>
> "The black child sees white parents removing their children from his vicinity as if to protect them from contagion, and he sees school boards and administrators creating separate isolation wards to contain him. The absence of white teachers is an added affront."

[From the Atlanta (Ga.) Constitution, July 9, 1968]

NORTH'S FIRST CASE BARS SCHOOL BIAS

CHICAGO.—A federal court judge, acting in the first school desegregation case brought in the north by the Justice department, ordered a suburban school district Monday to stop discriminating on the basis of race or color.

A government prosecutor warned that other school districts in the Chicago area are under investigation and face court action if they do not take "immediate steps" to fall in line with the U.S. Supreme Court's 1954 school desegregation edict.

U.S. District Court Judge Julius J. Hoffman granted a preliminary injunction restraining South Holland School District 151 from discriminating in the assignment of teachers and students to its six schools in south suburban South Holland, Harvey and Phoenix.

PLAN OF ACTION

With the order he issued a plan detailing the action to be taken by the district's board of education in assignment of pupils, faculty desegregation, and new construction, starting immediately.

The school board planned to study the order at a meeting Monday night. Its lawyer indicated he expected to petition the U.S. 8th District Court of Appeals for a stay of execution.

Hoffman noted that 14 years have passed since the Supreme Court ruled that the doctrine of "separate but equal" education has no place in public education and 13 years since the court ordered schools to desegregate "with all deliberate speed."

"Too often there has been deliberation but not speed," the judge said. "There has not even been a beginning in some cases, despite increasing and well-documented evidence showing that racial segregation in the schools has been detrimental to the Negro child, the white child and to the United States."

THE EFFECT

Hoffman said "school segregation, whatever the cause, has the effect of stigmatizing Negro pupils and retarding their educational development.

"The white opponents of pupil and faculty integration are doing a disservice to their own children when they deprive them of the opportunity to know members of another race and to be saved from the ignorant, arrogant belief that a white skin is proof of preeminence," he said.

"The white child's education is woefully inadequate if it does not illuminate those dark corners of the mind in which prejudice lurks," Hoffman said.

"Barriers to understanding not only cripple the individual but also endanger the nation."